City of Las Vegas

PLANNING COMMISSION AGENDA

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

LAS VEGAS CITY COUNCIL

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

COMMISSIONERS

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

Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the DEPARTMENT DESIGNEE at (702) 229-6301 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is (702) 386-9108.

June 24, 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 EXCEPT GENERAL PLAN AMENDMENTS, REZONINGS AND RELATED CASES THERETO 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 TEN DAYS.

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 AND AGREED TO BY 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 WORKSHOP MEETING OF MAY 13, 2010 AND THE PLANNING COMMISSION MEETING OF MAY 27, 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. ZON-38056 - 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 10.21 acres at 6333 Fargo Avenue (APN 138-26-702-001), Ward 1 (Tarkanian).

7. ZON-38057 - 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 10.10 acres at 7101 Pinedale Avenue (APN 138-34-202-001), Ward 1 (Tarkanian).

8. ZON-38058 - 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 17.82 acres at 300 South Torrey Pines Drive (APNs 138-35-111-004 and 138-35-215-001), Ward 1 (Tarkanian).

9. ZON-38059 - 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 8.83 acres at 1100 Lena Street (APN 139-25-601-002), Ward 3 (Reese).

10. VAR-38103 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: UNITED STATES OF AMERICA, ET AL - Request for a Variance TO ALLOW A 10-FOOT SCREEN WALL AND A 16-FOOT RETAINING WALL WHERE AN EIGHT-FOOT SCREEN WALL AND FOUR-FOOT RETAINING ARE THE MAXIMUM ALLOWED on 28.37 acres at 10625 Moccasin Road (APNs 126-01-101-002, 003, 004, and 016; and a portion of 126-01-201-016), C-V (Civic) Zone, Ward 6 (Ross).

11. RQR-38143 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: SUMMERLIN MASSAGE NV, LLC - OWNER: JMK/BOCA PAD, LLC - Required Review of a previously approved Special Use Permit (SUP-32148) THAT ALLOWED A 3,193 SQUARE-FOOT MASSAGE ESTABLISHMENT WITH A WAIVER TO ALLOW FOR A ZERO-FOOT DISTANCE SEPARATION FROM ANOTHER MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS THE MINIMUM DISTANCE REQUIRED at 8950 West Charleston Boulevard, Suite #7 (APN 138-32-412-026), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson).

12. SUP-38211 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WALGREEN CO. - OWNER: PPLAND, LP - Request for a Special Use Permit FOR A 74 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 14,820 SQUARE-FOOT RETAIL ESTABLISHMENT at 7755 North Durango Drive (APN 125-17-611-002), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross).

13. SUP-38213 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WALGREEN CO. - OWNER: CENTENNIAL GATEWAY, LLC - Request for a Special Use Permit FOR AN 82 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 15,000 SQUARE-FOOT RETAIL ESTABLISHMENT at 5610 Centennial Center Boulevard (APN 125-27-411-011), T-C (Town Center) Zone [SC-TC (SERVICE COMMERCIAL - TOWN CENTER) Special Land Use Designation], Ward 6 (Ross).

14. SUP-38240 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WALGREEN CO. - OWNER: F. QUENTIN BROWN - Request for a Special Use Permit FOR A 79 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 13,905 SQUARE-FOOT RETAIL ESTABLISHMENT at 6101 West Lake Mead Boulevard (APN 138-23-702-003), C-1 (Limited Commercial) Zone, Ward 5 (Barlow).

15. VAC-37529 - VACATION - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: COUNTY OF CLARK - Petition to Vacate public rights-of-way generally located along the west side of Martin Luther King Boulevard, approximately 280 feet south of Carey Avenue, Ward 5 (Barlow).

16. VAC-38252 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: ABRAHAM SCHIFF - Petition to Vacate a 11-foot public drainage easement extending 120 feet south of Fremont Street, approximately 300 feet east of Main Street, Ward 3 (Reese).

PUBLIC HEARING ITEMS

17. 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).

18. 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).

19. ABEYANCE - 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).

20. ABEYANCE - 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).

21. ABEYANCE - 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).

22. VAR-38135 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: MARK SNAVELY - Request for a Variance TO ALLOW A 15-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED on 0.15 acres at 3812 Sunrise Avenue (APN 140-31-410-045), R-1 (Single Family Residential) Zone, Ward 3 (Reese).

23. VAR-38195 - VARIANCE - PUBLIC HEARING - APPLICANT: STEVEN KOZMARY, M.D. - OWNER: LA JOLLA PLAZA II, LLC - Request for a Variance TO ALLOW 26 PARKING SPACES WHERE 45 PARKING SPACES ARE REQUIRED at 2851 El Camino Avenue (APN 162-05-801-011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

24. SUP-38194 - SPECIAL USE PERMIT RELATED TO VAR-38195 - PUBLIC HEARING - APPLICANT: STEVEN KOZMARY, M.D. - OWNER: LA JOLLA PLAZA II, LLC - Request for a Special Use Permit FOR A PROPOSED 473 SQUARE-FOOT MASSAGE ESTABLISHMENT WITH WAIVERS TO ALLOW A 60-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL ZONE WHERE 400 FEET IS THE MINIMUM REQUIRED, A 362-FOOT DISTANCE SEPARATION FROM AN EXISTING MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS THE MINIMUM REQUIRED AND FOR ACCESS TO THE SITE FROM A 60-FOOT RIGHT-OF-WAY WHERE AN 80-FOOT WIDE RIGHT-OF-WAY IS THE MINIMUM REQUIRED at 2851 El Camino Avenue (APN 162-05-801-011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

25. VAR-38114 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SEA BREEZE VILLAGE II, LLC - Request for a Variance TO ALLOW A NINE-FOOT TALL MENU BOARD WHERE SEVEN FEET IS THE MAXIMUM HEIGHT ALLOWED AND TO ALLOW AN INCIDENTAL SIGN (CLEARANCE ARM) THAT IS 13 FEET TALL, 27 SQUARE FEET IN AREA AND CONTAINS A LOGO MAKING UP 67 PERCENT OF THE SIGN AREA WHERE SEVEN FEET IN HEIGHT, 12 SQUARE FEET IN AREA AND 50 PERCENT LOGO COVERAGE ARE ALLOWED on 0.52 acres at the northeast corner of Buffalo Drive and Vegas Drive (APN 138-22-418-011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

26. MSP-38116 - MASTER SIGN PLAN RELATED TO VAR-38114 - PUBLIC HEARING - APPLICANT/OWNER: SEA BREEZE VILLAGE II, LLC - Request for a Major Amendment to a previously approved Master Sign Plan (MSP-0006-02) on 13.41 acres at the northeast corner of Buffalo Drive and Vegas Drive (APN 138-22-418-007 through 011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

27. SUP-37949 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BELL INDEPENDENT LIVING HOMES, INC. - OWNER: CLESTER AND ODESSA NELSON - Request for a Special Use Permit FOR A PROPOSED 987 SQUARE-FOOT SOCIAL SERVICE PROVIDER at 1176 West Lake Mead Boulevard (APNs 139-21-610-283 and 284), C-1 (Limited Commercial) Zone, Ward 5 (Barlow).

28. SUP-38137 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FUTURA ENVIA, INC. - OWNER: THRIFTY PAYLESS, INC. - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED WITH WAIVERS TO ALLOW A 60-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 200 FEET IS REQUIRED; AN 820-FOOT DISTANCE SEPARATION FROM A FINANCIAL INSTITUTION, SPECIFIED WHERE 1,000 FEET IS REQUIRED AND TO ALLOW 900 SQUARE FEET OF FLOOR AREA WHERE 1,500 SQUARE FEET IS REQUIRED at 3882 West Sahara Avenue (APN 162-06-813-005), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

29. SUP-38242 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI - Request for a Special Use Permit FOR A SECONDHAND DEALER USE (JEWELRY) WITHIN AN EXISTING 2,300 SQUARE-FOOT JEWELRY STORE at 1300 East Sahara Avenue (APN 162-02-410-095), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

30. SUP-38244 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SB FORT APACHE, LLC - OWNER: LAKES PLAZA, LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN A PROPOSED 2,186 SQUARE-FOOT RESTAURANT WITH A WAIVER TO ALLOW A 120-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY WHERE 400 FEET IS REQUIRED at 9101 West Sahara Avenue, Suites #109 (APN 163-08-121-010), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson).

31. SUP-38245 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SB CENTENNIAL, LLC - OWNER: CENTENNIAL GATEWAY, LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN A PROPOSED 2,133 SQUARE-FOOT RESTAURANT at 5655 Centennial Center Boulevard, Suite #170 (APN 125-27-411-013), [SC-TC (Service Commercial-Town Center) Special Land Use Designation] Zone, Ward 6 (Ross).

32. SUP-38251 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FATPAK, LLC - OWNER: MELE PONO HOLDING COMPANY - Request for a Special Use Permit FOR A PROPOSED 6,846 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT at 107 South Las Vegas Boulevard (APN 139-34-601-002), C-2 (General Commercial), Ward 5 (Barlow).

33. SUP-38225 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ABSOLUTE INK TATTOO - OWNER: RAYMOND PISTOL - Request for a Special Use Permit FOR A PROPOSED TATTOO PARLOR/BODY PIERCING STUDIO USE WITHIN AN EXISTING 1,873 SQUARE-FOOT BUILDING at 1232 South Las Vegas Boulevard (APN 162-03-112-012), C-2 (General Commercial) Zone, Ward 3 (Reese).

DIRECTOR'S BUSINESS:

34. ABEYANCE - 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.

35. ABEYANCE - 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.

36. DIR-38357 - APPEAL OF DIRECTOR'S DECISION - APPLICANT/OWNER: RAY PISTOL - Appeal of the Director's decision to deny a Temporary Commercial Permit per Title 19.18.100.D THAT WOULD ALLOW A TEMPORARY OUTDOOR COMMERCIAL EVENT FOR A PROMOTIONAL EVENT IN CONJUNCTION WITH THE BASEBALL SEASON on 1.79 acres at 1238 S Las Vegas Boulevard (APNs 162-03-112-012), C-2 (General Commercial) Zone, Ward 3 (Reese).

37. DIR-37955 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Update on Long Range Planning Items.

38. TXT-38337 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.04 and Title 19.20 to revise and expand the definition and standards for the Hotel Lounge Bar use.

CITIZENS PARTICIPATION:

39. 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: JUNE 24, 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: JUNE 24, 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 JUNE 24, 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 JUNE 24, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

SUBJECT:
APPROVAL OF THE FINAL MINUTES FOR THE PLANNING COMMISSION WORKSHOP MEETING OF MAY 13, 2010 AND THE PLANNING COMMISSION MEETING OF MAY 27, 2010

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

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF: JUNE 24, 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: JUNE 24, 2010

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

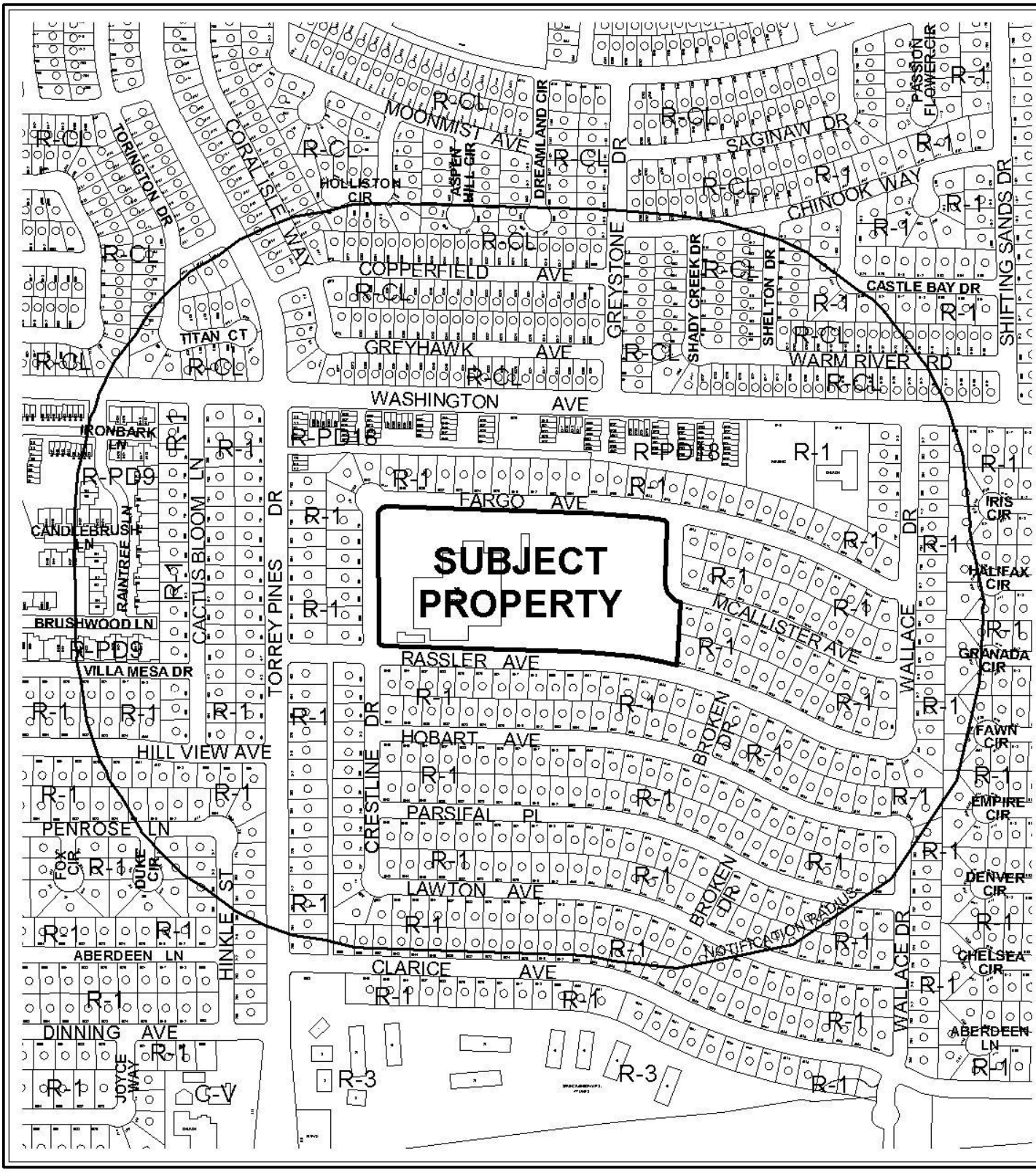
SUBJECT:
ZON-38056 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES - Request for a Rezoning FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) TO: C-V (CIVIC) on 10.21 acres at 6333 Fargo Avenue (APN 138-26-702-001), Ward 1 (Tarkanian). Staff recommends APPROVAL.

C.C.: 07/21/2010

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

RECOMMENDATION:
Staff recommends APPROVAL.

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



0 400 800 Feet

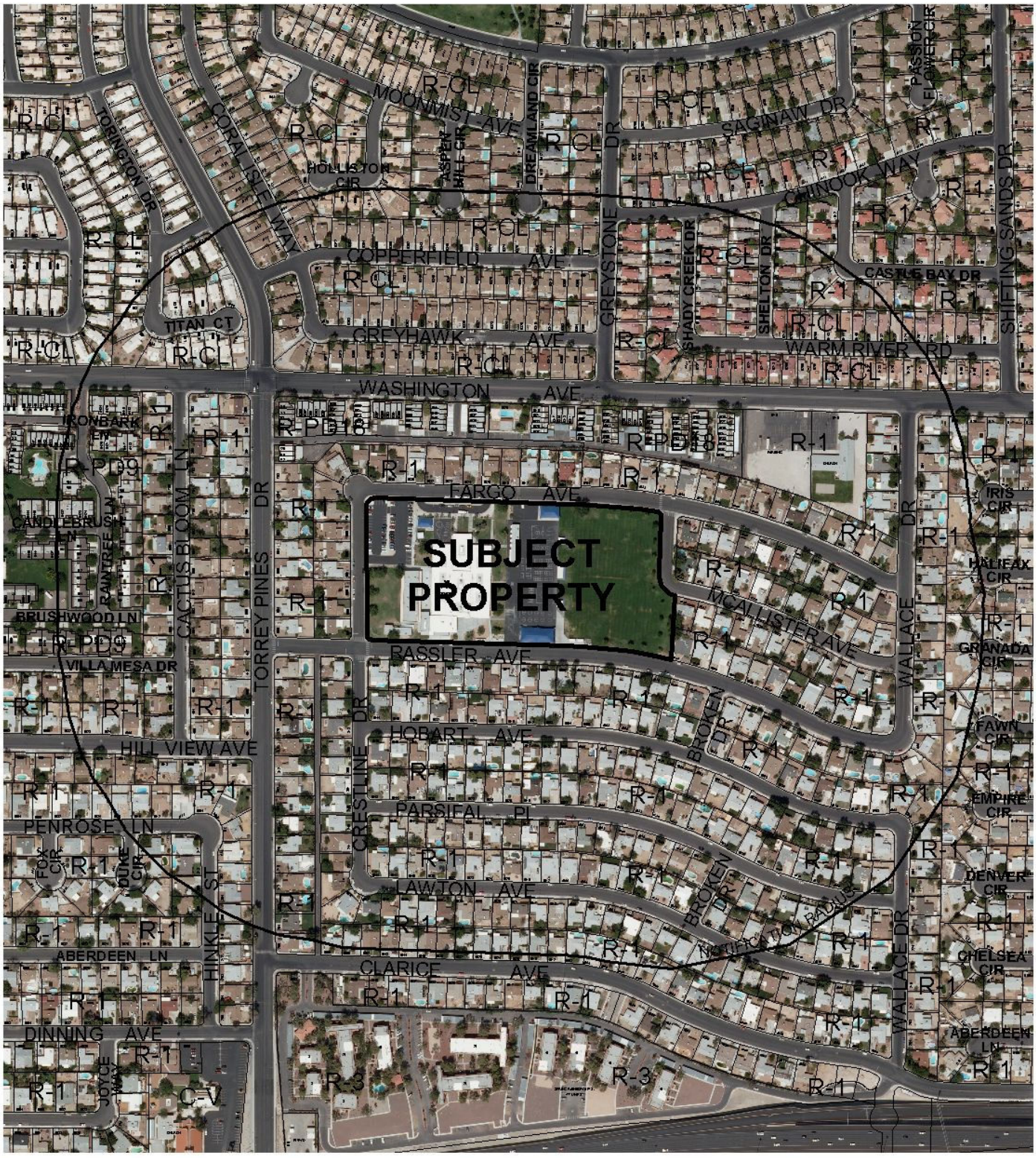
CASE: **ZON-38056**

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-38056**

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: JUNE 24, 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-38056	Staff recommends APPROVAL.	N/A

JG

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is an elementary school containing approximately 10.21 acres, located at 6333 Fargo Avenue. The applicant is requesting a Rezoning from R-1 (Single Family Residential) to the C-V (Civic) district. If denied, the site will retain its existing Zoning and General Plan designation. Staff recommends approval of this request, as the requested Rezoning is compatible with the adjacent surrounding zoning districts and in conformance with the existing General Plan designation. If denied, the site will retain its existing Zoning designation.

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	
04/15/64	The Board of City Commissioners approved a Rezoning (Z-0026-64) of property generally located on the east side of Torrey Pines Drive between Clarice Avenue and Washington Avenue, from R-3 (Medium Density Residential) to R-1 (Single Family Residential). The Planning Commission recommended approval.

Most Recent Change of Ownership	
10/21/63	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
C.1966	The elementary school was constructed in 1966.
10/25/99	A building permit (99020599) was issued for a building addition at 6333 Fargo Avenue. The permit was finaled on 10/25/99.

Pre-Application Meeting	
04/23/10	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	
05/20/10	During a routine field check, staff observed a well maintained elementary school.

Details of Application Request	
Site Area	
Net Acres	10.21

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

JG

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) General Plan 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-38056)

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) General Plan land use category.

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 Fargo Avenue, a 50-foot Local Street and Rassler Avenue, a 60-foot Collector. Access is adequate in size to meet the requirements of the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 809

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-38056** APN: 138-26-702-001

Name of Property Owner: Clark County School District

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 11th day of May, 2010

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

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Rezoning

Project Address (Location) 6333 Fargo Avenue

Project Name Vail Pittman Elementary School **Proposed Use** No Change

Assessor's Parcel #(s) 138-26-702-001 **Ward #** 1

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

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

Gross Acres 10.21 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Clark County School District **Contact** Linda Perri

Address 2832 E. Flamingo Road **Phone:** _____ **Fax:** _____

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

E-mail Address _____

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

Address 731 South Fourth Street **Phone:** 229-6882 **Fax:** _____

City Las Vegas **State** NV **Zip** 89031

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

REPRESENTATIVE

~~**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 11th day of May, 2010.

Nora Jones

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

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	ZON - 38056
Meeting Date:	6-24-10
Total Fee:	N/A
Date Received:*	
Received By:	

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

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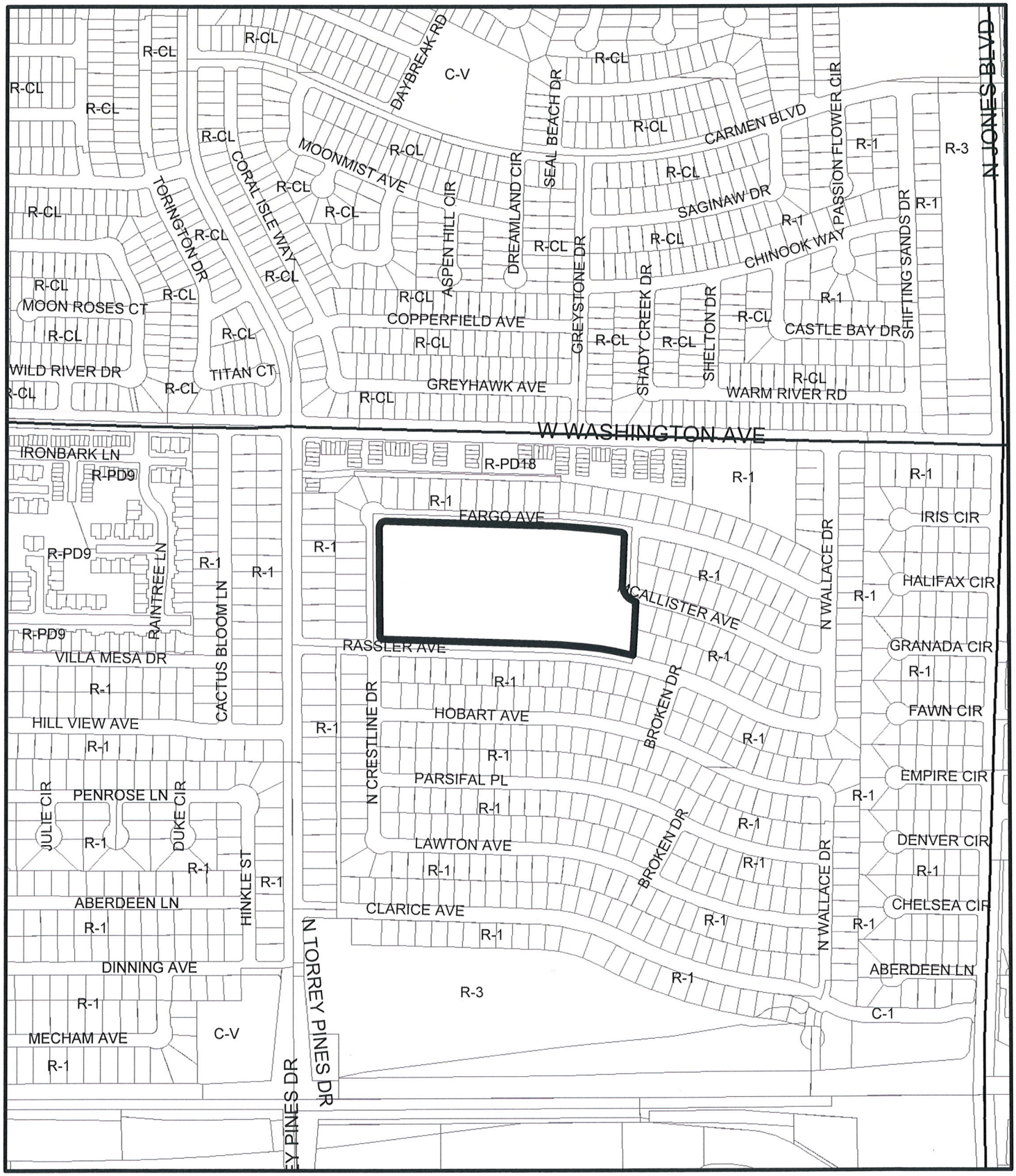
ZONING Parcel: 138-26-702-001



From R-1 to C-V

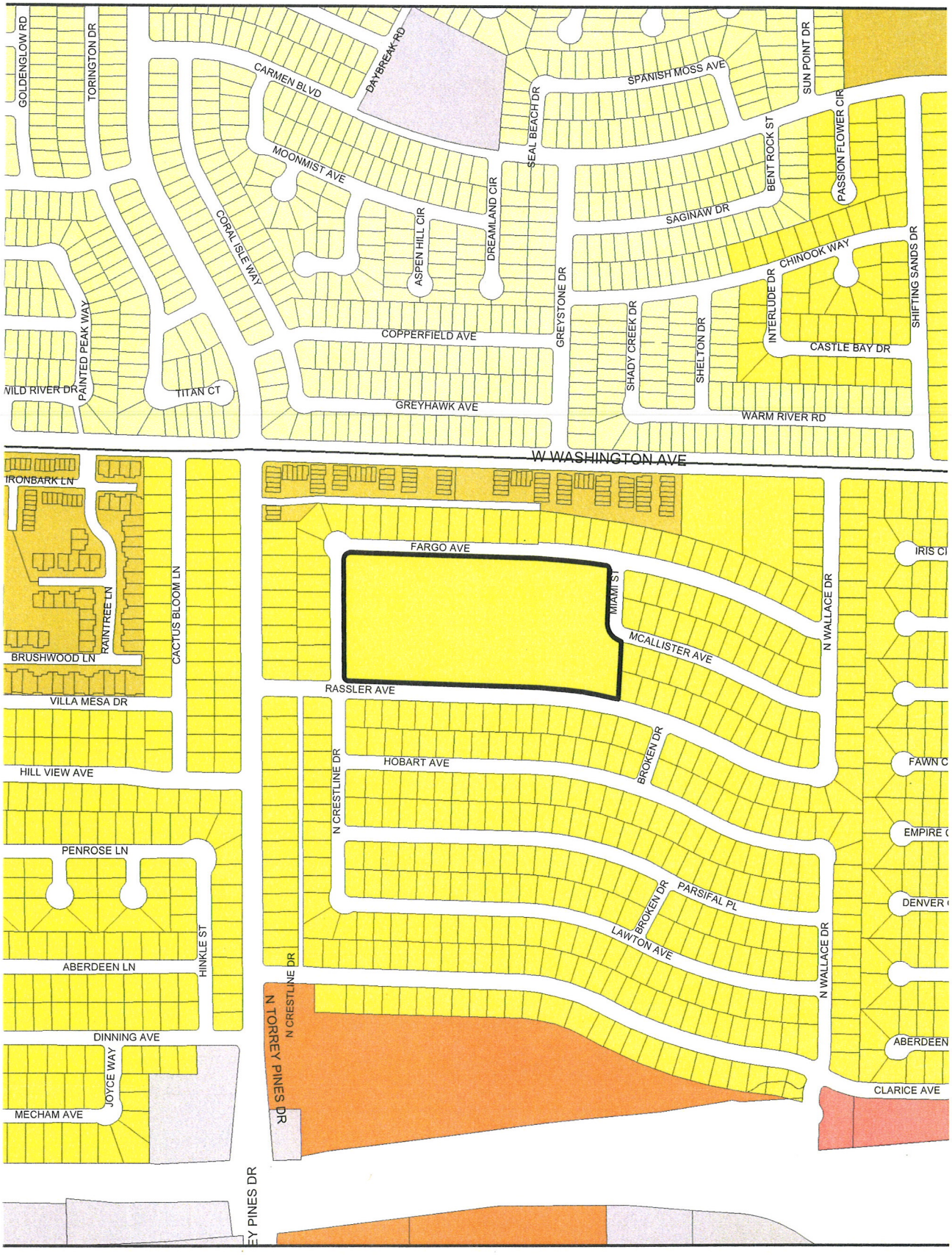
Data Current as of: April 27, 2010

ZON-38056

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: 138-26-702-001



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					

From R-1 To C-V

Data Current as of: April 27, 2010

ZON-38056

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-38056 - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES
6333 FARGO AVENUE

05/20/10

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 27, 2010

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

RE: Application ZON-38056
Assessors Parcel Number 138-26-702-001

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.

Sincerely,

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

AR:nl

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

07101-001-06-09

ZON-38056

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

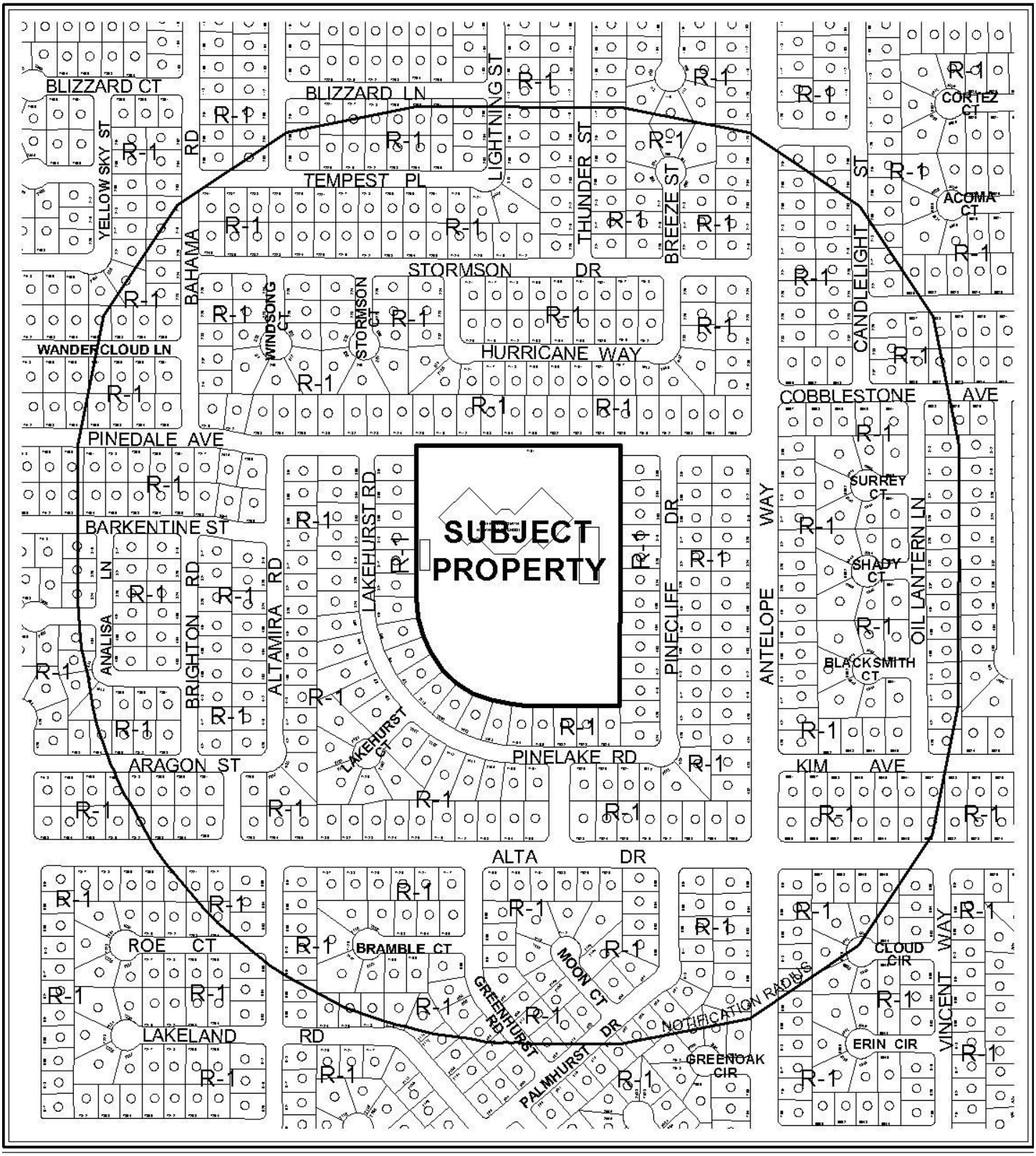
SUBJECT:
ZON-38057 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES - Request for a Rezoning FROM: R-1 (SINGLE-FAMILY RESIDENTIAL) TO: C-V (CIVIC) on 10.10 acres at 7101 Pinedale Avenue (APN 138-34-202-001), Ward 1 (Tarkanian). Staff recommends APPROVAL.

C.C.: 07/21/2010

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

RECOMMENDATION:
Staff recommends APPROVAL.

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



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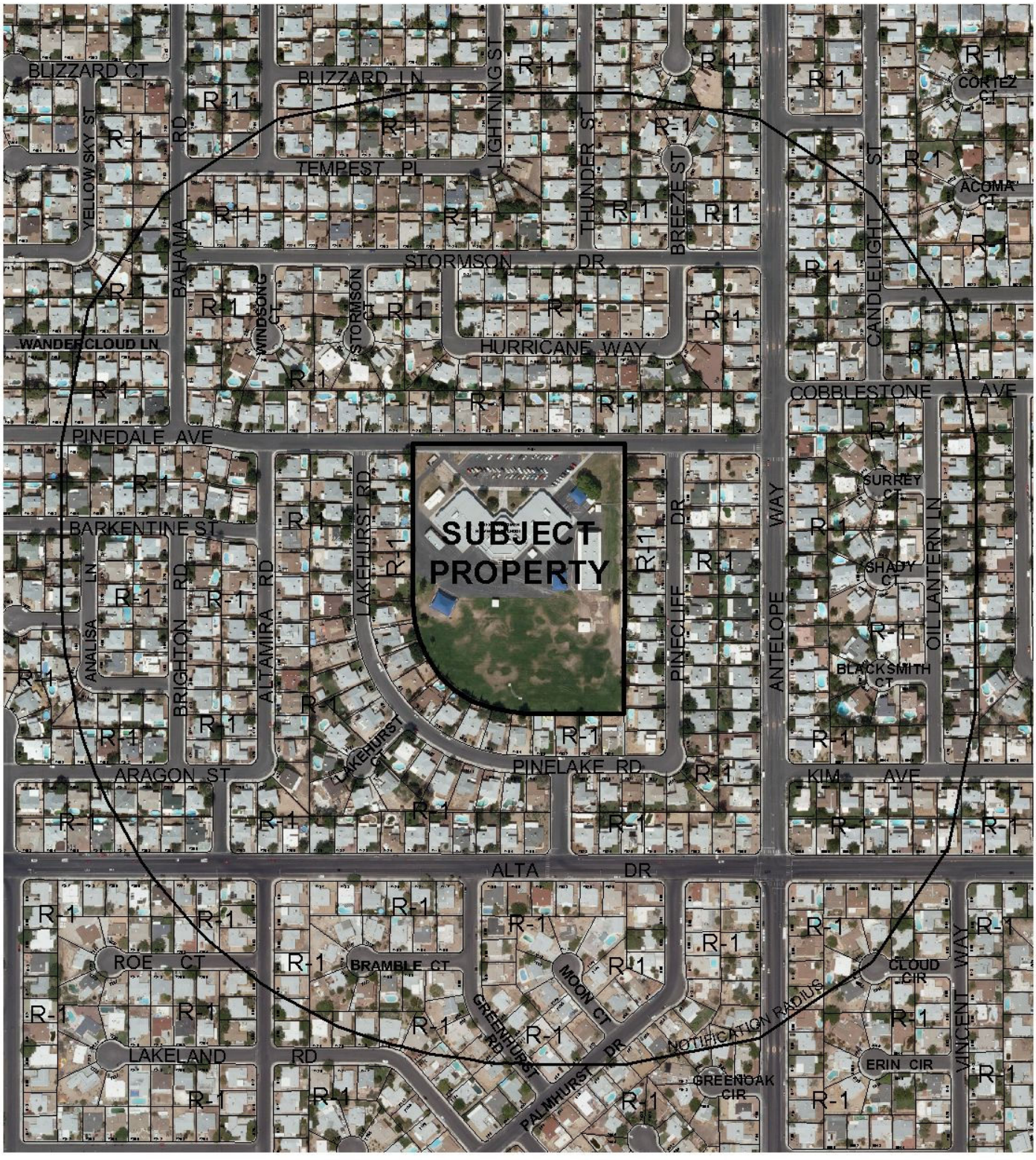
CASE: **ZON-38057**

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-38057**

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: JUNE 24, 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-38057	Staff recommends APPROVAL.	

RG

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for Rezoning of a property from R-1 (Single Family Residential) to C-V (Civic) for a Public School, Primary located at 7101 Pinedale Avenue. The proposed C-V (Civic) district will allow conformance with the existing land use designation of PF (Public Facilities) on the subject site; therefore, staff is recommending approval of the subject Rezoning application. If denied, the existing R-1 zoning district will remain inconsistent with the existing General Plan land use designation.

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 a Public School, Primary 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	
11/24/65	The Board of City Commissioners adopted the petition for Annexation (A-0005-65) at the property located north of Charleston Boulevard and west of Lorenzi Boulevard.
08/22/74	The Board of Zoning Adjustment approved the request for a Use Permit (U-0044-74) to allow the construction of an elementary school on property located on the south side of Pinedale Avenue, between Pinecliff Avenue and Lakehurst Road. Staff recommended approval.
03/12/98	The Planning and Development Department administratively approved the request for a Site Development Plan Review [U-0044-74(1)] on property located at 7101 Pinedale Avenue for a proposed 8,051 square-foot addition to an existing elementary school.

Most Recent Change of Ownership	
01/26/70	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
C.1973	The elementary school was constructed in 1973.

Pre-Application Meeting
A pre-application meeting was done internally, as the applicant is the City of Las Vegas.

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

Field Check	
05/20/10	During a routine field check staff observed a well maintained elementary school.

Details of Application Request	
Site Area	
Gross Acres	10.10

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Public School, Primary	PF (Public Facilities)	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

ANALYSIS

This request would rezone the subject site from R-1 (Single Family Residential) to C-V (Civic), which will allow conformance with the existing PF (Public Facilities) land use designation. The existing use of the subject site as a Public School, Primary is a permissible use in the C-V (Civic) zoning district, and is consistent with the existing General Plan designation. As the proposed C-V (Civic) zoning district is consistent with the existing PF (Public Facilities) land use designation, staff is recommending approval of this request.

FINDINGS (ZON-38057)

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) 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 uses allowed by the C-V (Civic) zoning district, including the existing use of the subject site for a Public School, Primary is 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 Pinedale Avenue, a 60-foot Right-of-Way. This thoroughfare is capable of accommodating the traffic flow for the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED 601

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-38057 APN: 138-24-202-001

Name of Property Owner: Clark County School District

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 11th day of May, 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

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Rezoning

Project Address (Location) 7101 Pinedale Avenue

Project Name Helen Marie Smith Elementary School **Proposed Use** No Change

Assessor's Parcel #(s) 138-34-202-001 **Ward #** 1

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

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

Gross Acres 10.10 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Clark County School District **Contact** Linda Perri

Address 2832 E. Flamingo Road **Phone:** _____ **Fax:** _____

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

E-mail Address _____

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

Address 731 South Fourth Street **Phone:** 229-6882 **Fax:** _____

City Las Vegas **State** NV **Zip** 89031

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

REPRESENTATIVE
~~**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 11th day of May, 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

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	ZON-38057
Meeting Date:	6-24-10
Total Fee:	N/A
Date Received:*	
Received By:	

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

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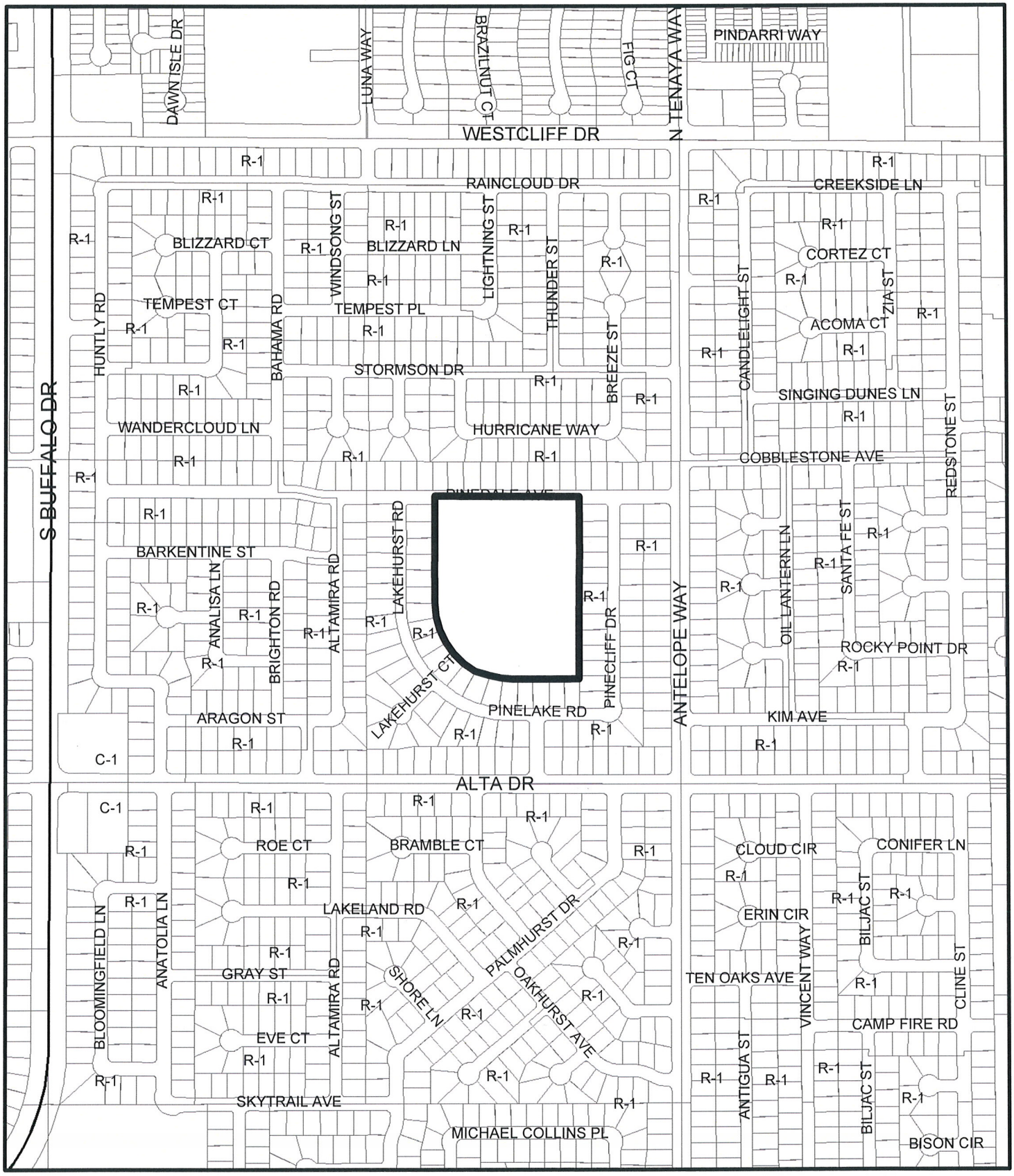
ZONING Parcel: 138-34-202-001



From R-1to C-V

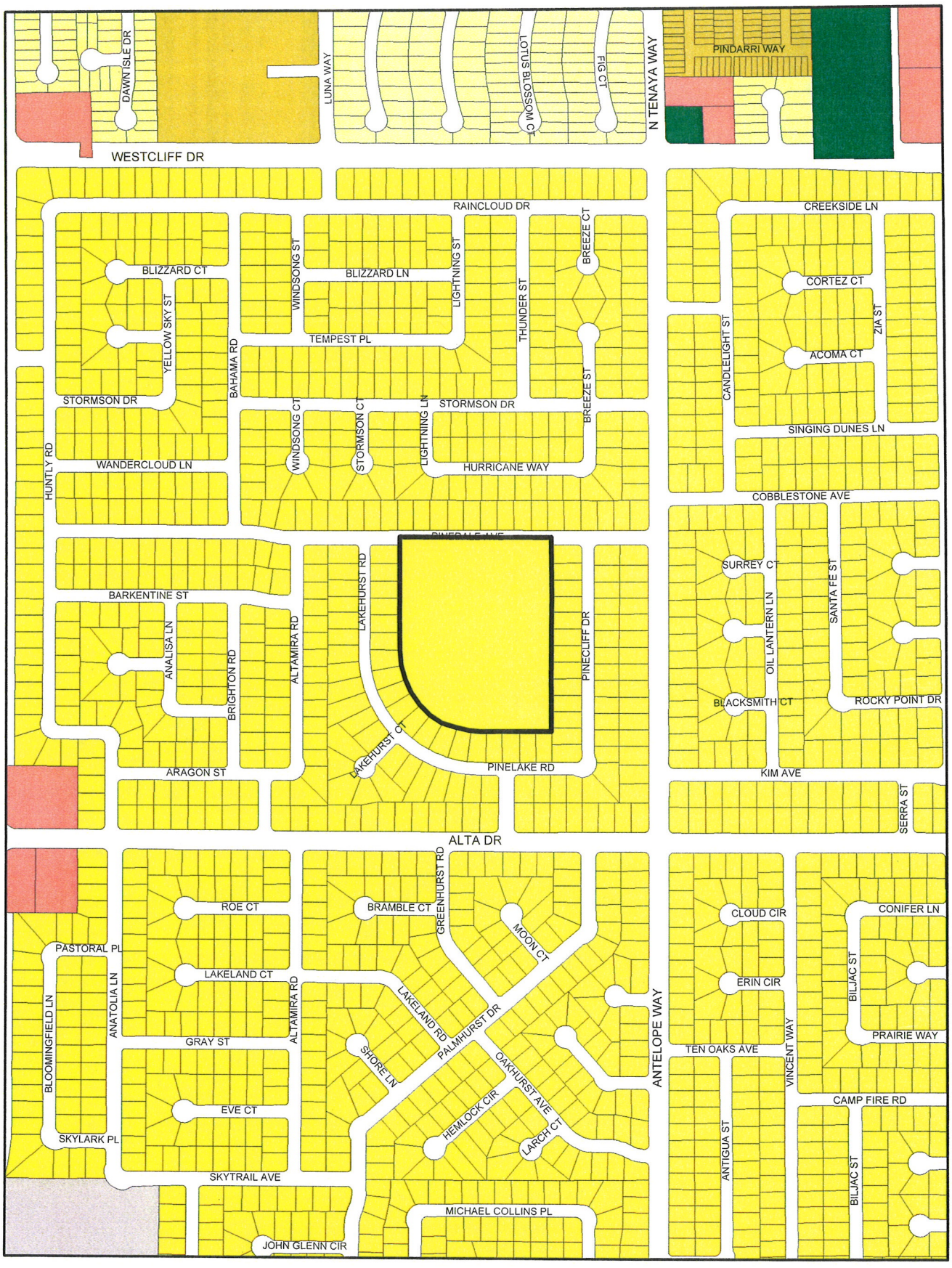
Data Current as of: April 27, 2010

ZON-38057

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: 138-34-202-001



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					

From R-1 To C-V

Data Current as of: April 27, 2010

ZON-38057

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-38057 - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES
7101 PINEDALE AVENUE

05/20/10



ZON-38057 - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES
7101 PINEDALE AVENUE

05/20/10

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 27, 2010

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

RE: Application ZON-38057
Assessors Parcel Number 138-34-202-001

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.

Sincerely,

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

AR:nl

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

07101-001-06-09

ZON-38057

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

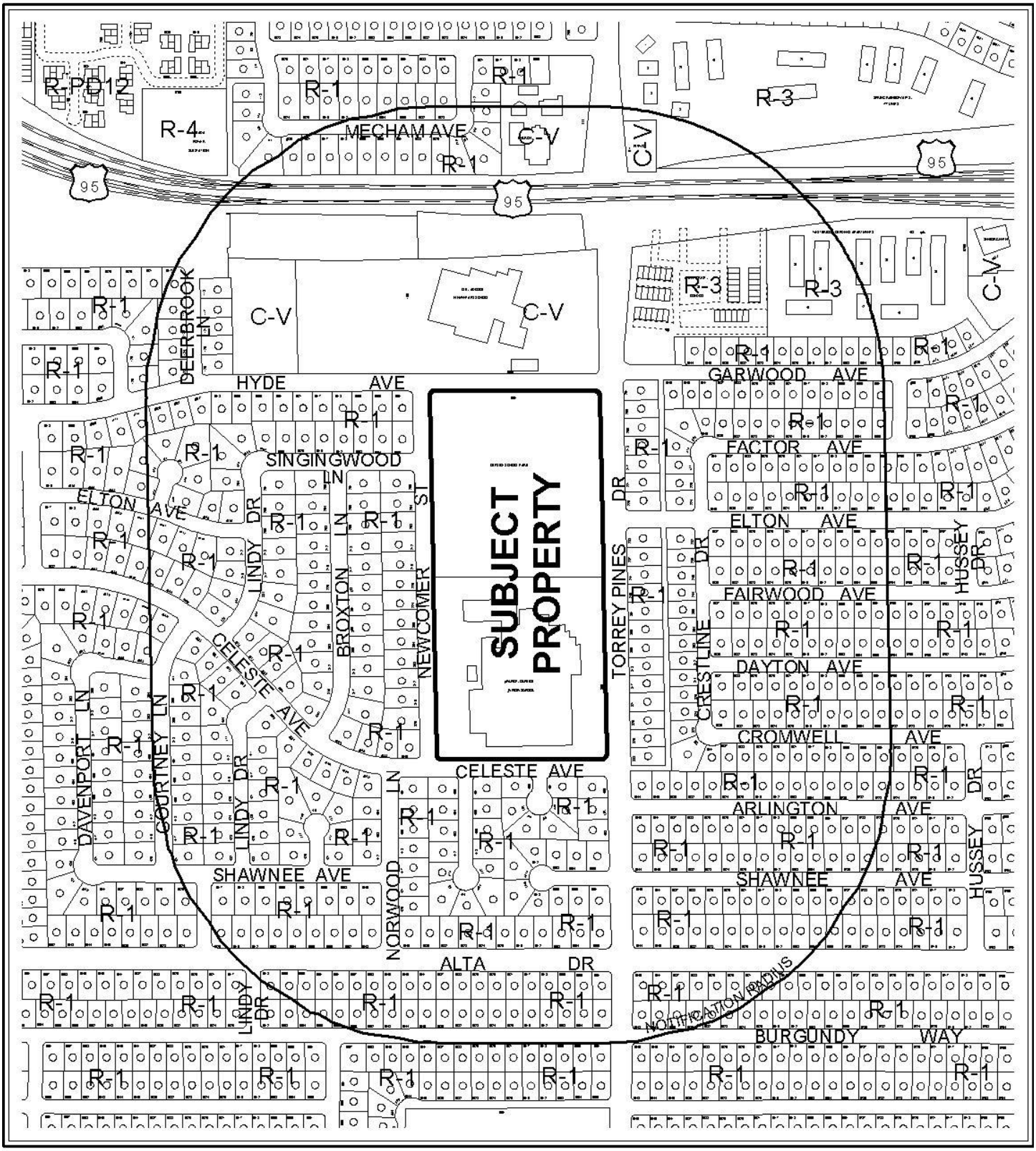
SUBJECT:
ZON-38058 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-V (CIVIC) on 17.82 acres at 300 South Torrey Pines Drive (APNs 138-35-111-004 and 138-35-215-001), Ward 1 (Tarkanian). Staff recommends APPROVAL.

C.C.: 07/21/2010

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

RECOMMENDATION:
Staff recommends APPROVAL.

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



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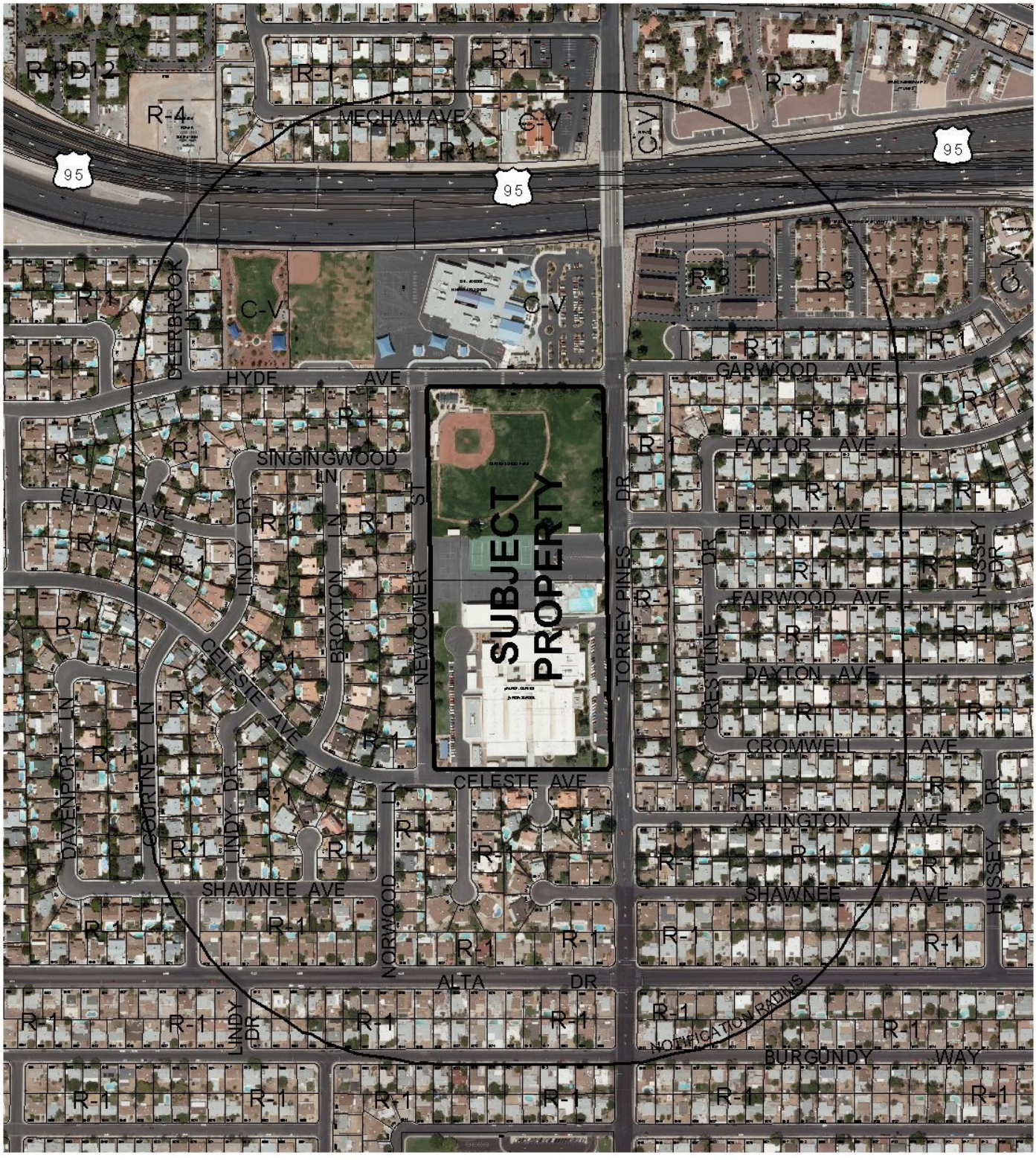
CASE: **ZON-38058**

RADIUS: 1000 FT

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

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

N



0 400 800 Feet

CASE: **ZON-38058**

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: JUNE 24, 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-38058	Staff recommends APPROVAL.	N/A

JG

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site currently contains a junior high school on 17.82 acres located at 300 South Torrey Pines Drive. The applicant is requesting a Rezoning from R-E (Residence Estates) to the C-V (Civic) district. If denied, the site will retain its existing Zoning and General Plan designation. Staff recommends approval of this request, as the requested Rezoning is compatible with the adjacent surrounding zoning districts and the existing General Plan designation.

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	
06/12/03	The Planning and Development Department staff approved an Administrative Site Development Plan Review (SDR-2265) for a 1,440 square-foot Modular Office Building at 300 South Torrey Pines Drive.

Most Recent Change of Ownership	
04/03/68	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
C.1963	The junior high school was constructed in 1963.

Pre-Application Meeting	
04/23/10	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	
05/20/10	During a routine field check, staff observed a well maintained junior high school.

Details of Application Request	
Site Area	
Net Acres	17.82

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Public School, Primary	PF (Public Facilities)	R-E (Residence Estates)
North	Public School, Primary	PF (Public Facilities)	C-V (Civic)
South	Single-Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
East	Single-Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
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			
A-O (Airport Overlay) District (200 feet & 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

ANALYSIS

The subject site contains an existing junior high school, which is a permissible use in the proposed C-V (Civic) zoning district, and is allowed by the existing PF (Public Facilities) General Plan 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-38058)

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) General Plan land use category.

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 Newcomer Street, a 60-foot Collector and Torrey Pines Drive, an 80-foot Secondary Collector. Access is adequate in size to meet the requirements of the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 582

APPROVALS 0

PROTESTS 0

JG

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-38058** APN: 138-35-111-004 and 138-35-215-001

Name of Property Owner: Clark County School District

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 11th day of May, 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

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Rezoning

Project Address (Location) 300 South Torrey Pines Drive

Project Name Garside Junior High School **Proposed Use** No Change

Assessor's Parcel #(s) 138-35-111-004 and 138-35-215-001 **Ward #** 1

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

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

Gross Acres 17.82 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Clark County School District **Contact** Linda Perri

Address 2832 E. Flamingo Road **Phone:** _____ **Fax:** _____

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

E-mail Address _____

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

Address 731 South Fourth Street **Phone:** 229-6882 **Fax:** _____

City Las Vegas **State** NV **Zip** 89031

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

REPRESENTATIVE

~~**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 11th day of May, 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

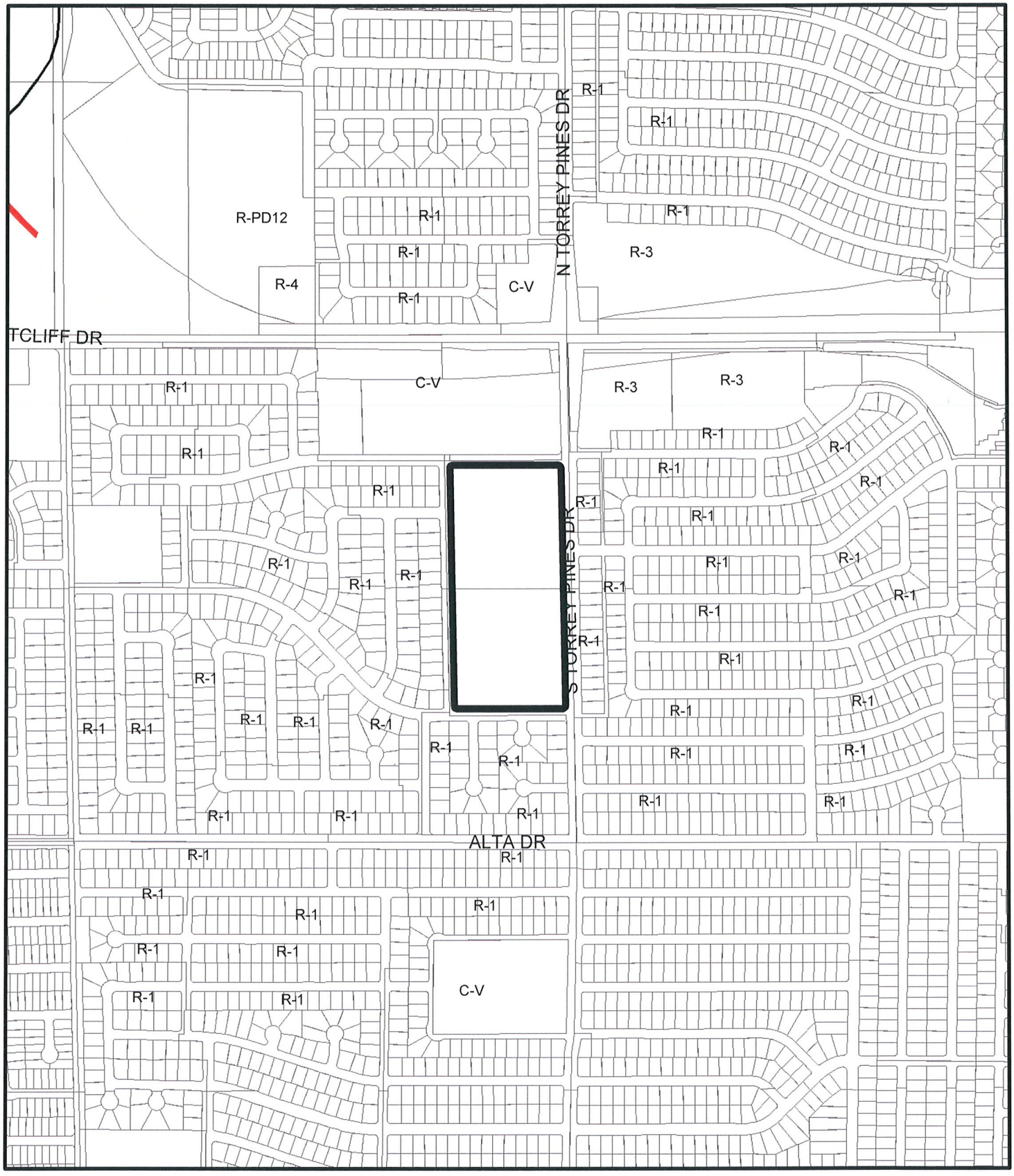
Case #	ZON-38058
Meeting Date:	6-24-10
Total Fee:	N/A
Date Received:*	
Received By:	A. Reed

*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

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

ZONING Parcel: 138-35-111-004 and 138-35-215-001



From R-E to C-V

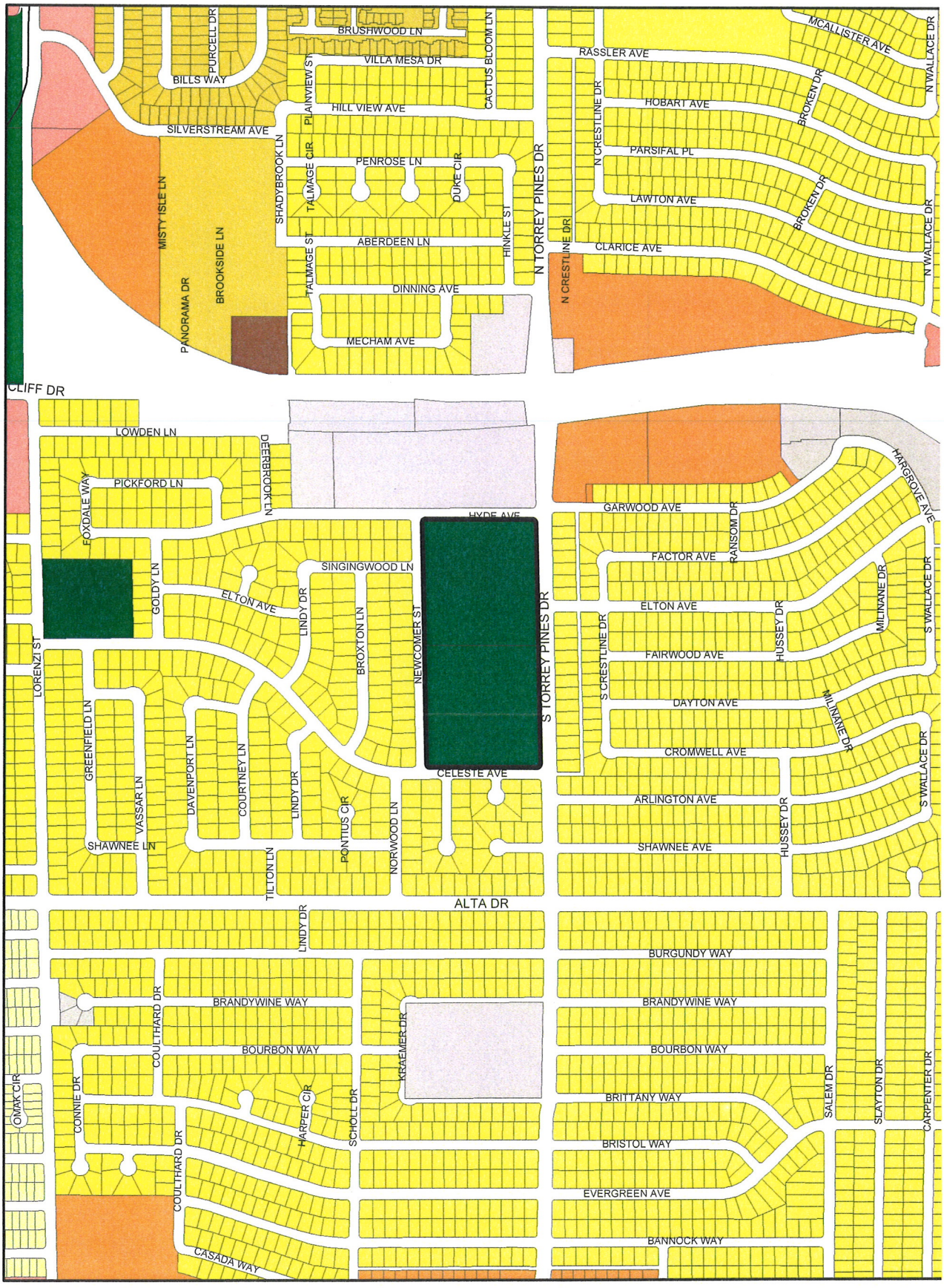
ZON-38058

Data Current as of: April 27, 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: 138-35-111-004 and 138-35-215-001



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	

From R-E to C-V

Data Current as of: April 27, 2010

ZON-38058

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-38058 - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES
300 SOUTH TORREY PINES DRIVE

05/20/10



ZON-38058 - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES
300 SOUTH TORREY PINES DRIVE

05/20/10



ZON-38058 - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES
300 SOUTH TORREY PINES DRIVE

05/20/10



ZON-38058 - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES
300 SOUTH TORREY PINES DRIVE

05/20/10

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

April 27, 2010

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

RE: Application ZON-38058
Assessors Parcel Numbers 138-35-111-004

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.

Sincerely,

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

AR:nl

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

07101-001-06-09

ZON-38058

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

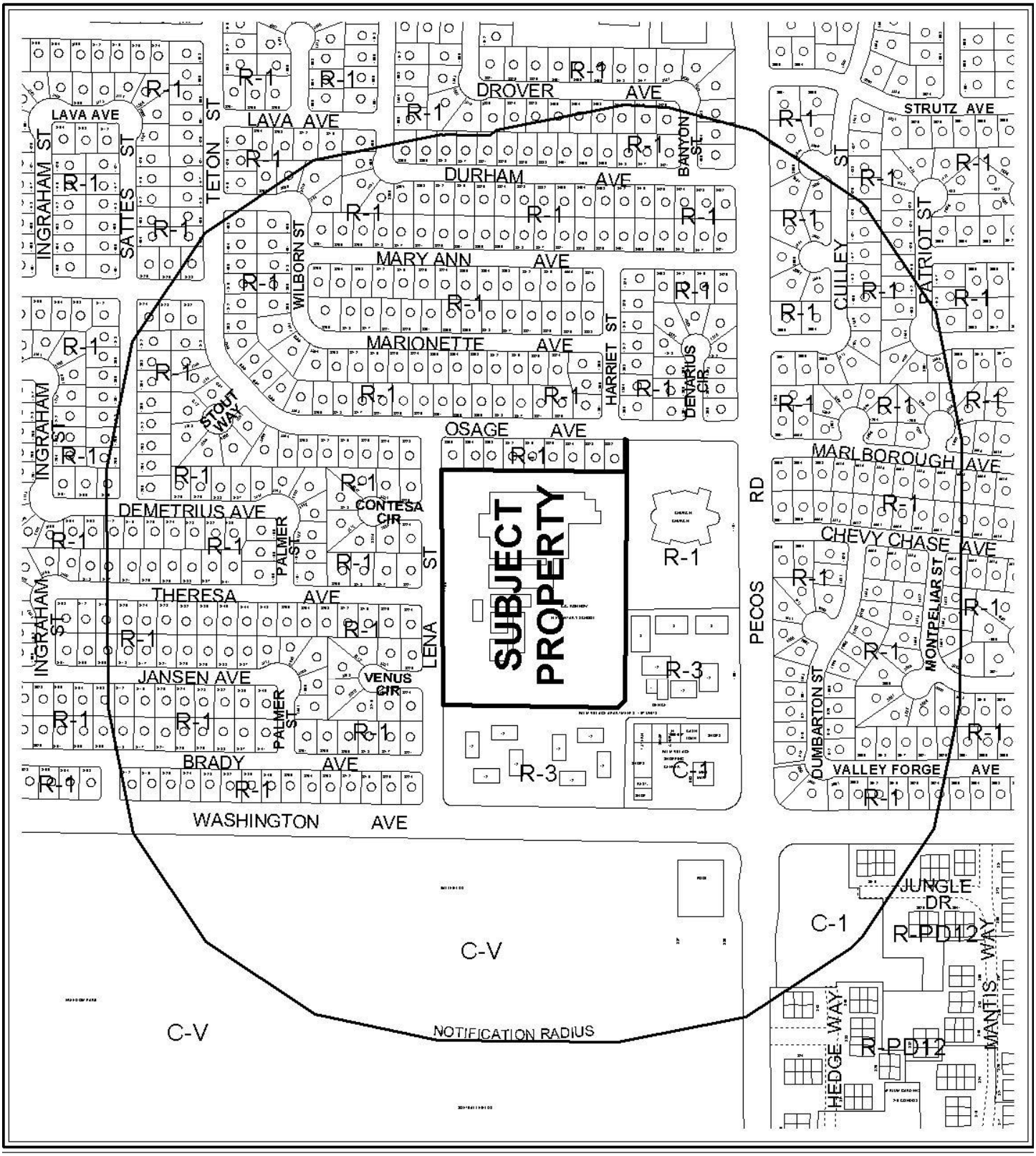
SUBJECT:
ZON-38059 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-V (CIVIC) on 8.83 acres at 1100 Lena Street (APN 139-25-601-002), Ward 3 (Reese). Staff recommends APPROVAL.

C.C.: 07/21/2010

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

RECOMMENDATION:
Staff recommends APPROVAL.

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



0 400 800 Feet

CASE: **ZON-38059**

RADIUS: 1000 FT

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

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

N



CASE: **ZON-38059**

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: JUNE 24, 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-38059	Staff recommends APPROVAL.	

RG

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for Rezoning of a property from R-1 (Single Family Residential) to C-V (Civic) for an existing Public School, Primary located at 1100 Lena Street. The proposed C-V (Civic) district will allow conformance with the existing land use designation of PF (Public Facilities) on the subject site; therefore, staff is recommending approval of the subject Rezoning application. If denied, the existing R-1 (Single Family Residential) zoning district will remain inconsistent with the existing General Plan land use designation.

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 a Public School, Primary 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	
07/27/65	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
C.1966	The elementary school was constructed in 1966.

Pre-Application Meeting
A pre-application meeting was done internally, as the applicant is the City of Las Vegas.

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

Field Check	
05/20/10	During a routine field check staff observed a well maintained elementary school.

Details of Application Request	
Site Area	
Net Acres	8.83

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Public School, Primary	PF (Public Facilities)	R-1 (Single Family Residential)
North	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)
South	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	House of Worship	L (Low Density Residential)	R-1 (Single Family Residential)
	Apartments	M (Medium Density Residential)	R-3 (Medium Density 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

ANALYSIS

This request would Rezone the subject site from R-1 (Single Family Residential) to C-V (Civic), which will allow conformance with the existing PF (Public Facilities) land use designation. The existing use of the subject site as a Public School, Primary is a permissible use in the C-V (Civic) zoning district, and is consistent with the existing General Plan designation. As the proposed C-V (Civic) zoning district is consistent with the existing PF (Public Facilities) land use designation, staff is recommending approval of this request.

FINDINGS (ZON-38059)

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) 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 uses allowed by the C-V (Civic) zoning district, including the existing use of the subject site for a Public School, Primary is 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 Lena Street, a 60-foot Right-of-Way. This thoroughfare is capable of accommodating the traffic flow for the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 529

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-38059 APN: 139-25-601-002

Name of Property Owner: Clark County School District

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 11th day of May, 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

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Rezoning

Project Address (Location) 1100 Lena Street

Project Name C.C. Ronnow Elementary School **Proposed Use** No Change

Assessor's Parcel #(s) 139-25-601-002 **Ward #** 3

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

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

Gross Acres 8.83 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Clark County School District **Contact** Linda Perri

Address 2832 E. Flamingo Road **Phone:** _____ **Fax:** _____

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

E-mail Address _____

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

Address 731 South Fourth Street **Phone:** 229-6882 **Fax:** _____

City Las Vegas **State** NV **Zip** 89031

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

REPRESENTATIVE
~~**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 11th day of May, 2010.

Nora Lares

Notary Public in and for said County and State

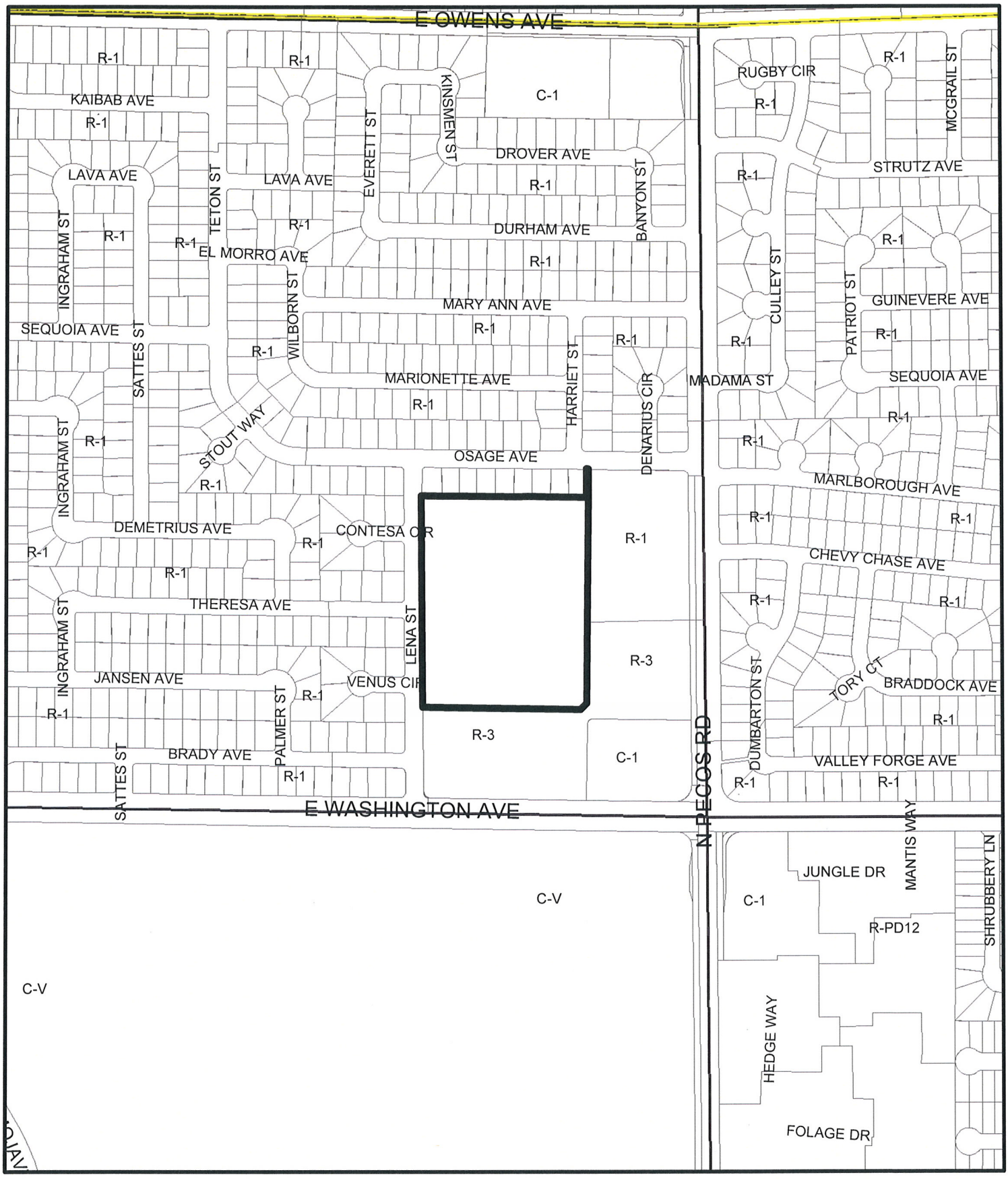
Notary Public - State of Nevada
COUNTY OF CLARK
NORA LARES
No. 06-103908-1 My Appointment Expires Nov. 9, 2013

FOR DEPARTMENT USE ONLY

Case #	ZON-38059
Meeting Date:	6-24-10
Total Fee:	N/A
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.

ZONING Parcel: 139-25-601-002



From R-1to C-V

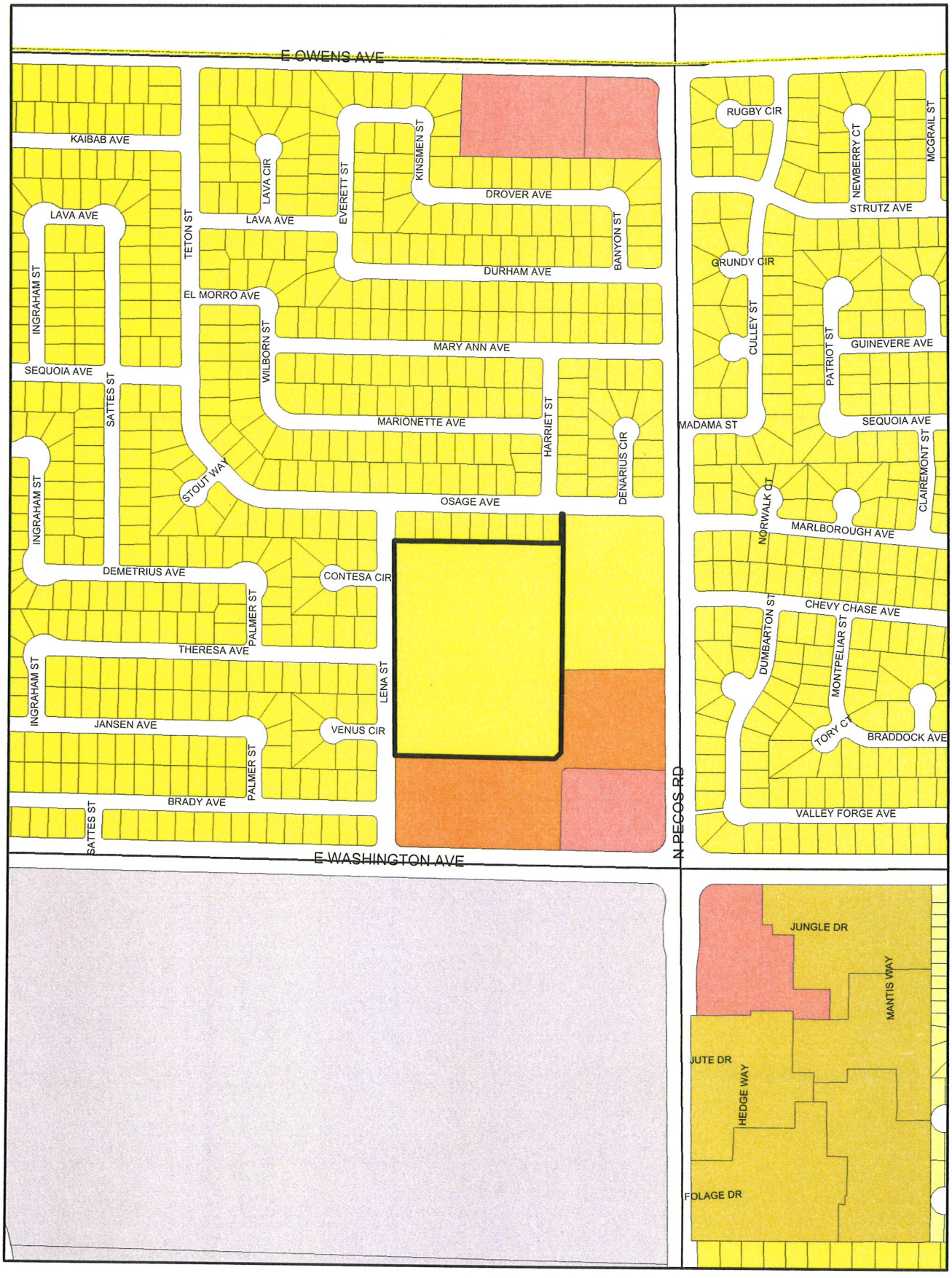
Data Current as of: April 27, 2010

ZON-38059

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: 139-25-601-002



ZONING

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

ZON-38059

From R-1to C-V

Data Current as of: April 27, 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-38059 - APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL BOARD OF TRUSTEES
1100 LENA STREET

05/20/10

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 27, 2010

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

RE: Application ZON-38059
Assessors Parcel Number 139-25-601-002

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.

Sincerely,

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

AR:nl

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

07101-001-06-09

ZON-38059

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

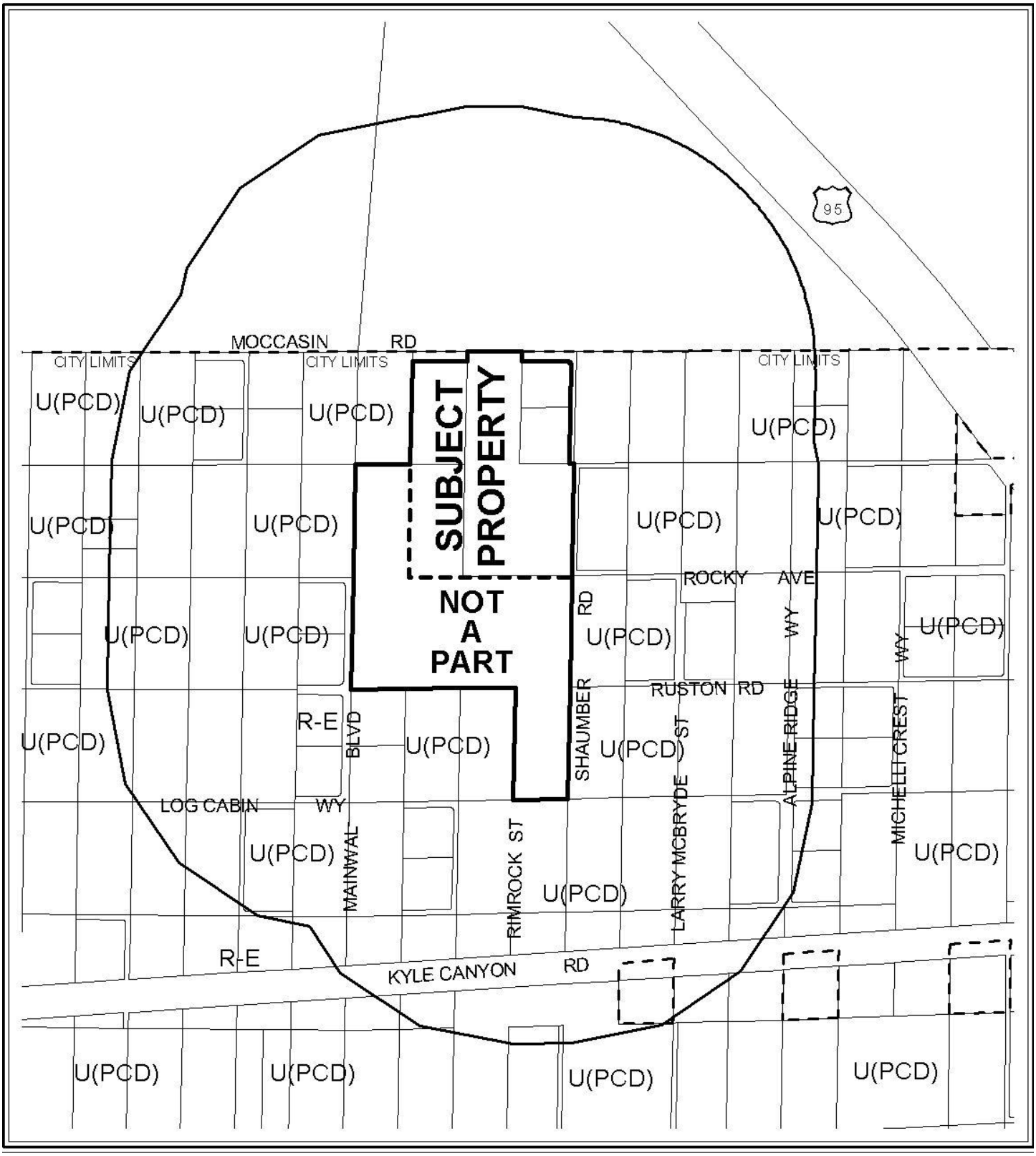
SUBJECT:
VAR-38103 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: UNITED STATES OF AMERICA, ET AL - Request for a Variance TO ALLOW A 10-FOOT SCREEN WALL AND A 16-FOOT RETAINING WALL WHERE AN EIGHT-FOOT SCREEN WALL AND FOUR-FOOT RETAINING ARE THE MAXIMUM ALLOWED on 28.37 acres at 10625 Moccasin Road (APNs 126-01-101-002, 003, 004, and 016; and a portion of 126-01-201-016), C-V (Civic) Zone, 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. Justification Letters



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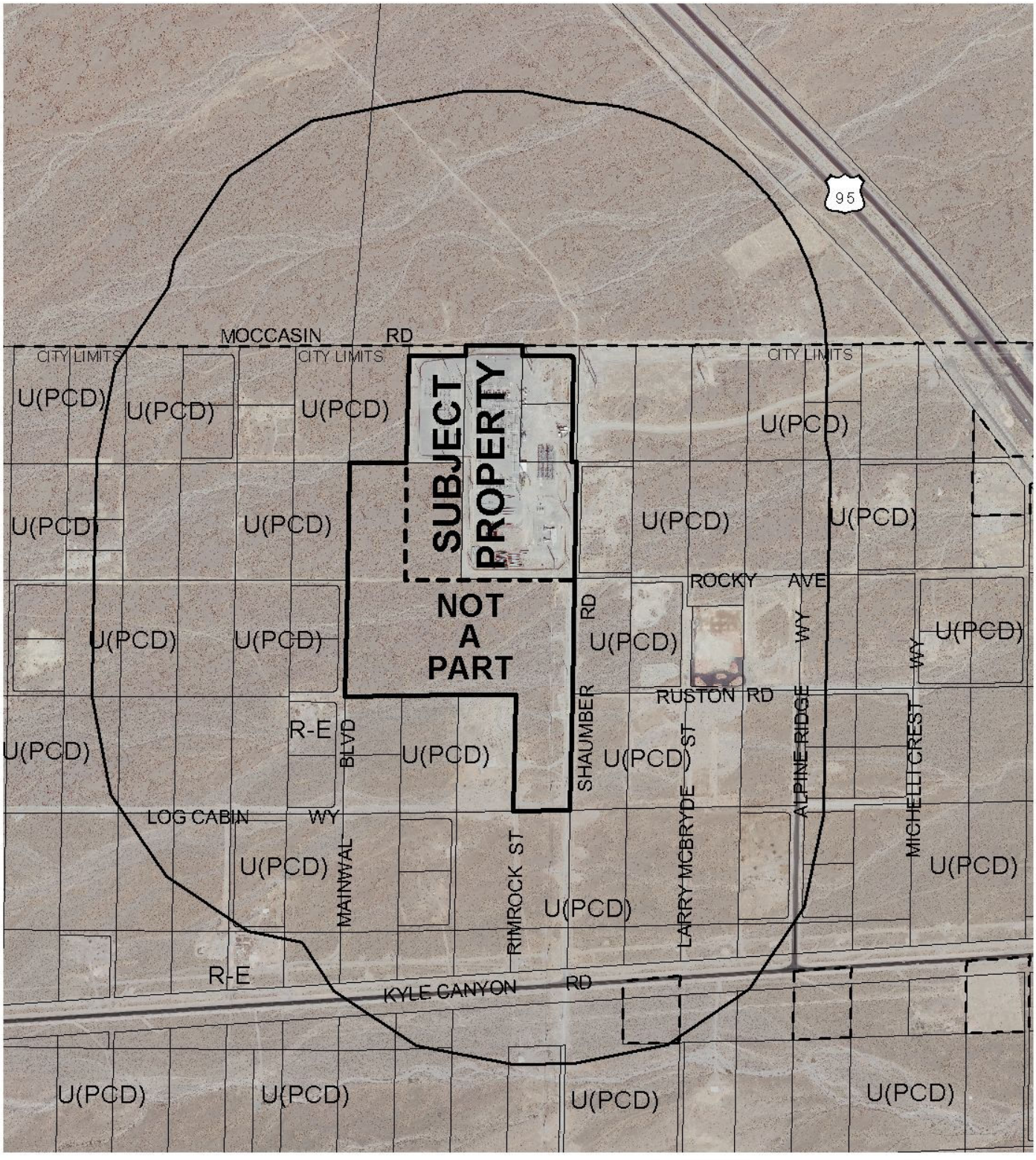
CASE: **VAR-38103**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N



0 700 1400 Feet

CASE: **VAR-38103**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: NEVADA POWER COMPANY - OWNER: BUREAU OF LAND MANAGEMENT, ET AL

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-38103	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

VAR-38103 CONDITIONS

Planning and Development

1. Conformance to the approved conditions for Site Development Plan Review (SDR-34710).

2. This approval shall be void two years from the date of final approval, unless a final inspection is approved. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. 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 Page One
June 24, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject 28-acre site located on the south side of the Moccasin Road alignment, approximately 660 feet west of the Larry McBryde Street alignment, contains an existing electrical substation and a non-stealth design wireless communication facility. Five acres at the southwestern corner of the site were approved in 2009 to expand the existing substation, but have not yet been improved. An eight-foot screened chain link fence with barbed wire surrounds the existing substation. A Variance is requested to allow a maximum 10-foot screen wall along the entire perimeter of both the existing and expanded electrical substation, and a maximum 16-foot retaining wall along portions of the south and west perimeters. The severe natural grade of the area and the limited area for the substation require walls that exceed the heights allowed by Title 19. The increased wall heights will not have a deleterious effect on neighboring properties, which are currently vacant and primarily government-owned. Because evidence of a hardship has been shown, staff recommends approval. If this request is denied, only walls and screening in full conformance with Title 19 standards can be permitted on the subject site.

ISSUES

- A Site Development Plan Review (SDR-34710) for the expansion of an existing electric utility substation was approved in August 2009. A condition of that approval required any walls exceeding eight feet to receive approval of a Variance.
- Screen walls visible from the public right-of-way (currently unpaved) do not exceed 10 feet in height. Retaining walls up to 16 feet in height are oriented to the interior of the site and will provide additional screening of equipment located within the substation.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/91	The Clark County Planning Commission approved a Special Use Permit (UC-0165-91) for an electrical substation and a Variance (VC-0338-91) to waive landscaping, on-site paving and trash enclosure requirements generally located on the south side of Moccasin Road alignment, approximately 1,400 feet west of Larry McBryde Street alignment. The Variance approval expired five years from the original date of approval.

12/04/97	The Clark County Planning Commission approved a Use Permit (UC-1779-97) for a proposed 105-foot wireless communications monopole with multiple antennas and a 300 square-foot equipment shelter on a portion of the approved electrical substation generally located on the south side of Moccasin Road, approximately 950 feet west of Larry McBryde Street alignment. Clark County Planning staff recommended approval.
11/18/99	The Clark County Planning Commission approved a Use Permit (UC-1584-99) to build power transmission lines in existing corridors and to create new power line corridors in conjunction with a long range master plan on a portion of approximately 5,800 acres generally located between Moccasin Road alignment and Ann Road alignment, and between Mainwal Boulevard alignment and Decatur Boulevard alignment.
10/18/01	The Clark County Planning Commission approved a Special Use Permit (UC-1158-01) for the expansion of an existing electrical substation and an application (WS-1408-01) to waive landscaping, on-site paving, and a trash enclosure in conjunction with the approved substation on approximately 4.80 acres generally located on the south side of Moccasin Road alignment, approximately 1,400 feet west of Larry McBryde Street alignment. Clark County Planning staff recommended approval.
12/07/04	The Clark County Planning Commission approved an Extension of Time (ET-0337-04) of a Special Use Permit (UC-1158-01) for the expansion of an existing electrical substation on approximately 4.80 acres generally located on the south side of Moccasin Road alignment, approximately 1,400 feet west of Larry McBryde Street alignment.
11/19/07	The Clark County Planning Commission approved an Extension of Time (ET-0341-07) of a Special Use Permit (UC-1158-01) for the expansion of an existing electrical substation on approximately 4.80 acres generally located on the south side of Moccasin Road alignment, approximately 1,400 feet west of Larry McBryde Street alignment. The approval had an expiration date of 10/18/10.
04/01/09	The City Council approved an Annexation (ANX-27030) of property generally located on the south side of Moccasin Road alignment, 660 feet west of Larry McBryde Street alignment, containing approximately 33.66 acres. The Planning Commission and staff recommended approval. The effective date of the Annexation was 06/03/09.
08/19/09	The City Council approved a request to amend a portion of the Centennial Hills Sector Plan of the General Plan from PCD (Planned Community Development) to PF (Public Facilities) on 70 acres generally located on the south side of Moccasin Road, approximately 660 feet west of the Larry McBryde Street alignment. The Planning Commission and staff recommended approval.

08/19/09	The City Council approved a Rezoning (ZON-34709) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to C-V (Civic) and a Site Development Plan Review (SDR-34710) for the expansion of an existing electric utility substation on 70 acres generally located on the south side of Moccasin Road alignment, 660 feet west of the Larry McBryde Street alignment. The Planning Commission and staff recommended approval.
10/06/09	The Planning and Development Department administratively approved a request for a Minor Site Development Plan Review to extend an existing 110-foot tall Wireless Communication Facility, Non-Stealth Design (Monopole) to 120 feet and collocate six (6) antennas at the 118-foot centerline on 2.2 acres located at 10625 Moccasin Road.

Most Recent Change of Ownership	
11/14/90	A deed was recorded for a change in ownership on APN 126-01-101-003.
05/02/91	A deed was recorded for a change in ownership on APN 126-01-101-004.
05/04/99	A deed was recorded for a change in ownership on APN 126-01-101-002.

Related Building Permits/Business Licenses	
03/16/04	A Clark County building permit (#04-5880) was issued for a chain link fence for a non-stealth wireless communications facility at 10625 Moccasin Road.
05/21/04	A Clark County building permit (#04-5876) was issued for an equipment shelter for a non-stealth cellular facility at 10625 Moccasin Road. The permit was finaled on 05/24/04.
05/21/04	A Clark County building permit (#04-5878) was issued for a non-stealth cellular facility at 10625 Moccasin Road. The permit was finaled on 05/24/04.
01/31/06	A Clark County building permit (#05-30753) was issued to add antennas on an existing non-stealth cellular facility at 10625 Moccasin Road. The permit was finaled on 02/01/06.
01/31/06	A Clark County building permit (#05-30756) was issued for an equipment shelter for a non-stealth cellular facility at 10625 Moccasin Road. The permit was finaled on 02/01/06.
11/30/09	A building permit (146577) was issued for collocation of six antennas and a 10-foot extension on an existing 110-foot wireless communications monopole at 10625 Moccasin Road. A final inspection was completed 04/02/10.

Pre-Application Meeting	
04/20/10	A pre-application meeting was held with the applicant, where submittal submittal requirements for a variance application were discussed. The following points of discussion were noted: • Separate applications are required for the various owners. A letter referencing a previous letter on file authorizing signatures for NV Energy and BLM must be submitted. • The site plan must indicate the locations where code requirements are proposed to be exceeded.

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

Field Check	
05/20/10	A field inspection was conducted on the indicated date, and the following items were noted: • The site contains an existing utility substation and an existing non-stealth wireless communications facility; the substation is enclosed by a screened chain link fence with barbed wire. • The area proposed for expansion of the substation is undeveloped and undisturbed. • The area around the site in all directions is undeveloped. • The natural grade around the existing site slopes from west to east.

Details of Application Request	
Site Area	
Gross Acres	28.37

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Electric Utility Substation	PF (Public Facilities)	C-V (Civic)
North	Undeveloped	RR (Residential Rural - Clark County Designation)	R-U (Rural Open Land – Clark County Designation)
South	Undeveloped	PF (Public Facilities)	C-V (Civic)

East	Undeveloped	PCD (Planned Community Development)	U (Undeveloped)
	Undeveloped	PF (Public Facilities)	C-V (Civic)
West	Undeveloped	PCD (Planned Community Development)	U (Undeveloped)
	Undeveloped	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			
C-V (Civic) 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 19.12, the following standards apply to the subject proposal:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Wall Height	Max. 6 Feet Retaining	4-16 Feet	N
	Max. 8 Feet Screening	8-10 feet	N
	Max. 12 Feet Combined Retaining/Screening	12-26 Feet	N

ANALYSIS

Condition Number 3 of Site Development Plan Review (SDR-34710) requires approval of a variance for any walls on the substation site exceeding eight feet. The current chain link fencing approved by Clark County is proposed to be replaced with decorative masonry walls, which will address grade issues identified in the approved drainage study for the site. The screen wall will enclose the entire perimeter of the existing and expanded electrical substation, and is proposed to be a maximum height of 10 feet as seen from the outside of the wall. In addition, a maximum 16-foot retaining wall is requested along 475 feet of the south wall (along Quintana Street, also known as Rocky Avenue) and for 1,285 feet of the west facing wall (the entire length of the

substation property). The tallest side of the wall will be internal to the substation, so that only a 10-foot screening wall will be visible from the outside. In order to accommodate the proposed substation footprint, the retaining walls cannot be stepped to comply with Title 19. Title 19.12.075 requires that combined retaining and screening walls shall not exceed 12 feet in height as measured from the lower side of the wall and eight feet in height as measured from the higher side of the wall. The proposed walls deviate from the standards by up to 117 percent. The proposed walls comply with other standards of Title 19.12.075 that include pilasters spaced no more than 24 feet apart and decorative features containing 20 percent contrasting materials.

Because the limited area of the substation will not allow full mitigation of the severe grade when Title 19 standards are applied, and the proposed wall heights will not have a negative effect on neighboring properties, a hardship has been demonstrated and staff recommends approval of the variance request.

FINDINGS (VAR-38103)

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

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

Additionally, Title 19.18.070(L) states:

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

The severe natural grade of the area and the limited area for the substation require walls that exceed the heights allowed by Title 19. Given the area of the development, the grade cannot be fully mitigated by strict conformance to Title 19 wall standards. The increased wall heights will not have a negative effect on neighboring properties, which are currently vacant and primarily government-owned. Evidence of a hardship has therefore been demonstrated.

NOTICES MAILED 48

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-38103** APN: See attached list

Name of Property Owner: NV Energy

Name of Applicant: NV Energy

Name of Representative: Thomas Dombrowski

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: James R Saavedra

Print Name: James R. Saavedra

Subscribed and sworn before me

This 6th day of APRIL, 20 10

_____

Notary Public in and for said County and State

RACHEL M. USLAN
Notary Public, State of Nevada
Appointment No. 02-75603-1
My Appt. Expires Sept. 10, 2013

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APR 27 2010

NORTHWEST SUBSTATION APN's

PARCEL NUMBER	OWNER
126-01-101-002	NV ENERGY
126-01-101-003	NV ENERGY
126-01-101-004	NV ENERGY

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PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-38103 APN: 126-01-101-016; portion of 126-01-201-016

Name of Property Owner: BLM (USA)

Name of Applicant: NV Energy

Name of Representative: Thomas Dombrowski (NV Energy)

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: James R Saavedra

Print Name: James R. Saavedra

Subscribed and sworn before me

This 27th day of April, 2010

Cynthia L. Skromak

Notary Public in and for said County and State

CYNTHIA L. SKROMAK
Notary Public, State of Nevada
Appointment No. 02-72871-1
My Appt. Expires Sept. 20, 2013

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APR 27 2010

NORTHWEST SUBSTATION APN's

PARCEL NUMBER	OWNER
126-01-101-002	NV ENERGY
126-01-101-003	NV ENERGY
126-01-101-004	NV ENERGY

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Wall Variance

Project Address (Location) 10625 Moccasion Road

Project Name Northwest Electrical Substation **Proposed Use** Electrical Substation

Assessor's Parcel #(s) 126-01-101-016; Part of 126-01-201-016 **Ward #** 6

General Plan: existing PCD proposed PF **Zoning:** existing U & C-V proposed C-V

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

Gross Acres 20 ac. **Lots/Units** _____ **Density** _____

Additional Information Wall Variance for both the retaining wall portion & the screen wall portion of the same wall.

PROPERTY OWNER BLM (USA) **Contact** Thomas Dombrowski

Address 4701 N. TORREY PINES DR. **Phone:** (702) 515-5000 **Fax:** (702) 515-5155

City Las Vegas **State** NV. **Zip** ~~89146~~

E-mail Address _____

APPLICANT NV Energy **Contact** Thomas Dombrowski

Address 6226 West Sahara Avenue **Phone:** (702) 402-2620 **Fax:** (702) 402-5064

City Las Vegas **State** NV. **Zip** 89146

E-mail Address TDombrowski@nvenergy.com

REPRESENTATIVE Same as above **Contact** _____

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

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

E-mail Address _____

Property Owner Signature* James R Saavedra

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

Print Name James R. Saavedra

Subscribed and sworn before me

This 27th day of April, 20 10.

Cynthia L. Skromak

Notary Public in and for said County and State

CYNTHIA L. SKROMAK
Notary Public, State of Nevada
Appointment No. 02-72871-1
My Appt. Expires Sept. 20, 2013

FOR DEPARTMENT USE ONLY

Case #	VAR-39103
Meeting Date:	6/24/10
Total Fee:	830.00
Date Received:*	4/27/10
Received By:	JT Mancell

*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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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Wall Variance

Project Address (Location) 10625 Moccasin Road

Project Name Northwest Electrical Substation **Proposed Use** Electrical Substation

Assessor's Parcel #(s) See attached list **Ward #** 6

General Plan: existing PCD proposed PF **Zoning:** existing U & C-V proposed C-V

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

Gross Acres 8.37 AC **Lots/Units** _____ **Density** _____

Additional Information Wall Variance for both the retaining wall portion & the screen wall portion of the same wall.

PROPERTY OWNER NV Energy **Contact** Thomas Dombrowski

Address 6226 West Sahara Avenue **Phone:** (702) 402-2620 **Fax:** (702) 402-5064

City Las Vegas **State** NV **Zip** 89146

E-mail Address TDombrowski@nvenergy.com

APPLICANT NV Energy **Contact** Thomas Dombrowski

Address 6226 West Sahara Avenue **Phone:** (702) 402-2620 **Fax:** (702) 402-5064

City Las Vegas **State** NV **Zip** 89146

E-mail Address TDombrowski@nvenergy.com

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 JAMES R. SAAVEDRA

Subscribed and sworn before me

This 6th day of APRIL, 20 10.

_____

Notary Public in and for said County and State

RACHEL M. USLAN
Notary Public, State of Nevada
Appointment No. 02-75603-1
My Appt. Expires Sept. 10, 2013

FOR DEPARTMENT USE ONLY

Case #	VAR-38103
Meeting Date:	6/24/10
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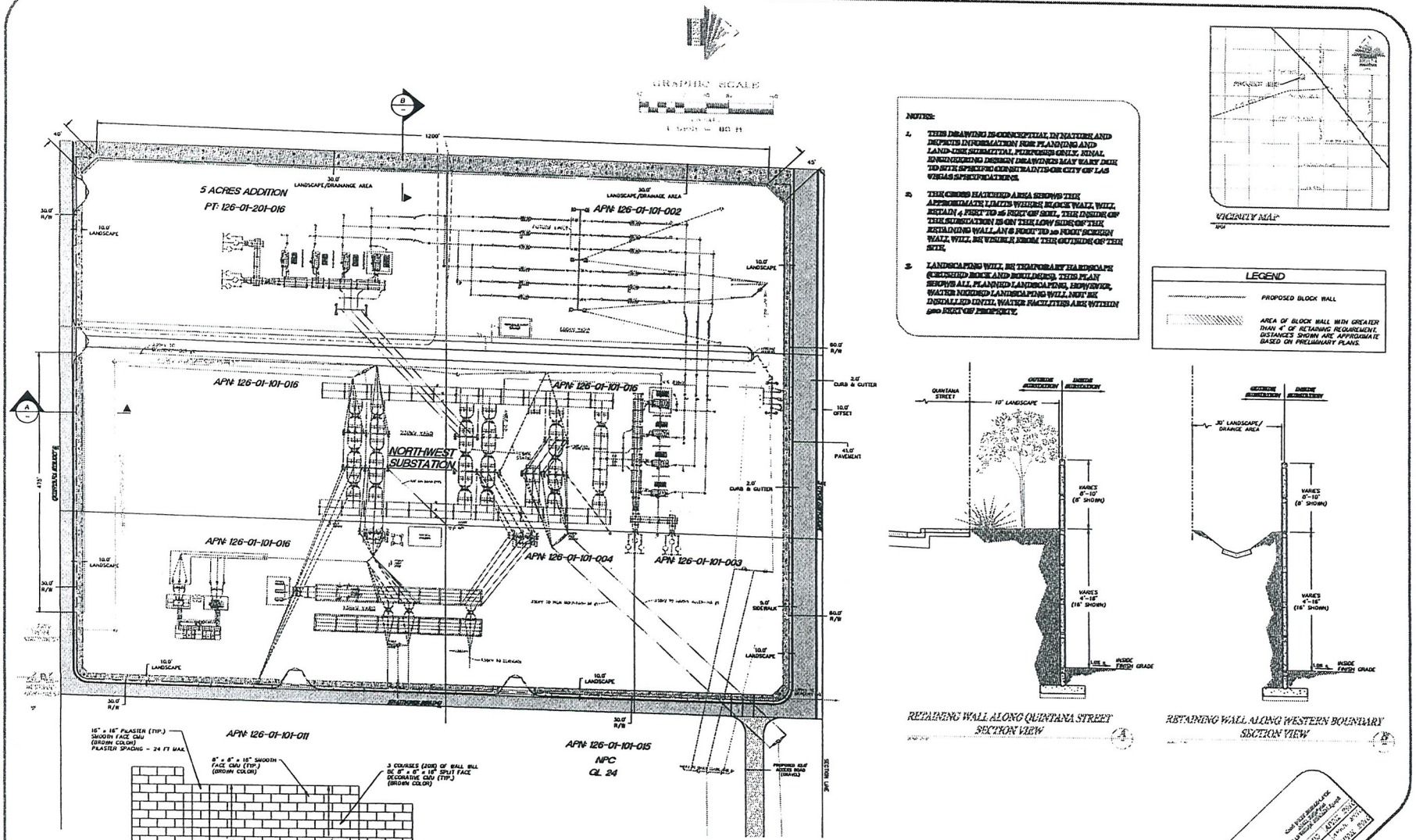
*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.



BLOCK WALL DETAIL

NOTES:

1. THIS DRAWING IS CONCEPTUAL IN NATURE AND DEPICTS INFORMATION FOR PLANNING AND LAND-USE SUBMITTAL PURPOSES ONLY. FINAL ENGINEERING DESIGN DRAWINGS MAY VARY DUE TO SITE SPECIFIC CONSTRAINTS OR CITY OF LAS VEGAS SPECIFICATIONS.
2. THE CROSS HATCHED AREA SHOWS THE APPROXIMATE LIMITS WHERE BLOCK WALL WILL RETAIN 4 FEET TO 16 FEET OF SOIL. THE INSIDE OF THE SUBSTATION IS ON THE LOW SIDE OF THE RETAINING WALL. AN 8 FOOT TO 20 FOOT SCREEN WALL WILL BE VISIBLE FROM THE OUTSIDE OF THE SITE.
3. LANDSCAPING WILL BE TEMPORARY HARDSCAPE (CRUSHED ROCK AND BOULDERS). THIS PLAN SHOWS ALL PLANNED LANDSCAPING, HOWEVER, WATER NEEDED LANDSCAPING WILL NOT BE INSTALLED UNTIL WATER FACILITIES ARE WITHIN 500 FEET OF THE SITE.

LEGEND

PROPOSED BLOCK WALL

AREA OF BLOCK WALL WITH GREATER THAN 4' OF RETAINING REQUIREMENT. DISTANCES SHOWN ARE APPROXIMATE BASED ON PRELIMINARY PLANS.

RETAINING WALL ALONG QUINTANA STREET
SECTION VIEW

RETAINING WALL ALONG WESTERN BOUNDARY
SECTION VIEW

NO.	DATE	BY	APPROVED	REVISIONS

NORTHWEST SUBSTATION

WALL HEIGHT VARIANCE

SITE PLAN AND WALL SECTIONS - WITH BLACK TEXT

NVEnergy

SHEET 1 OF 1

© NVA Wireless - 800 & DAS projects\132620006_01-160 4th blvd las.dwg Apr 20, 2010 - 12:37pm

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VAR-38103



VAR-38103 – APPLICANT/OWNER: UNITED STATES OF AMERICA, ET AL
10625 MOCCASIN ROAD

05/20/10



VAR-38103 – APPLICANT/OWNER: UNITED STATES OF AMERICA, ET AL
10625 MOCCASIN ROAD

05/20/10



VAR-38103 – APPLICANT/OWNER: UNITED STATES OF AMERICA, ET AL
10625 MOCCASIN ROAD

05/20/10



VAR-38103 – APPLICANT/OWNER: UNITED STATES OF AMERICA, ET AL
10625 MOCCASIN ROAD

05/20/10



VAR-38103 – APPLICANT/OWNER: UNITED STATES OF AMERICA, ET AL
10625 MOCCASIN ROAD

05/20/10



VAR-38103 – APPLICANT/OWNER: UNITED STATES OF AMERICA, ET AL
10625 MOCCASIN ROAD

05/20/10



VAR-38103 – APPLICANT/OWNER: UNITED STATES OF AMERICA, ET AL
10625 MOCCASIN ROAD

05/20/10



VAR-38103 – APPLICANT/OWNER: UNITED STATES OF AMERICA, ET AL
10625 MOCCASIN ROAD

05/20/10

NVEnergy™

April 4, 2010

Margo Wheeler, AICP
Director, City of Las Vegas
Planning & Development Department
731 South 4th Street
Las Vegas, NV 89101

Re: Wall Variance for NV Energy's Northwest Electrical Substation (APN's – 126-01-101-002; 126-01-101-003; 126-01-101-004; 126-01-101-016; portion of 126-01-201-016)

Dear Ms. Wheeler:

NV Energy requests a "Wall Variance" for the perimeter wall surrounding our Northwest Electrical Substation, located at 10625 Moccasin, which is in the remote north area of the valley. On August 19, 2009, NV Energy received a NOFA for SDR-34710 for this project, which included approval for an 8' high decorative screen wall to be placed around the perimeter of the entire existing and the expanded substation footprint. We are currently in the review/comment stage of our Drainage Study submission with the Department of Public Works. At this point, we must resolve a severe grade transition issue in order to complete the Drainage Study approval process, and we've recognized that it would be best to pursue a Wall Variance at this time. We're requesting both a retaining wall and screen wall height variance and that the two walls be used in combination, with the screen wall on top of the retaining wall, in order to mitigate the severe grade transition.

Section 19.12.075 – "Wall Standards" in the Las Vegas Title 19 Zoning Code indicates that the maximum height of a screen wall is 8' high, and maximum height of a retaining wall is 4' high.

(1) We're requesting a 2' variance in the screen wall height, varying the wall height from the code required 8' height to a 10' height in order to accommodate the difference between grade change along the outside the wall.
Comment -- As the existing grade outside of the perimeter wall changes along its length, the wall design must be stepped periodically to accommodate this grade transition. During this transition there are periods where the wall will naturally have a height of 10'. Due to the existing grades at this site, the entire screen wall surrounding the substation will require this variance to accommodate this condition. While this is a 25% increase in code height requirement, the resulting slight increase in height would also provide some additional screening of electrical equipment, and there be will no impact to the surrounding community.

(2) We're requesting a 12' variance in the retaining wall height, varying the wall height from the code required 4' height to a 16' height and used in combination with the screen wall.
Comment – This property has severe existing grade transitions throughout its length. In order to mitigate this while maintaining a relatively level substation interior footprint a retaining wall is necessary. The variance in the retaining wall height from 4' to 12' high would occur for 475' along the south wall and for 1285' along the west wall.

VAR-38103

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P.O. BOX 98910, LAS VEGAS, NEVADA 89151-0001 6226 WEST SAHARA AVENUE, LAS VEGAS, NEVADA 89146
P.O. BOX 10100, RENO, NEVADA 89520-0024 6100 NEIL ROAD, RENO, NEVADA 89511 nvenergy.com

This substation facility contains 500/230 & 138 kV electrical lines and equipment, and the approved expansion of this facility will involve the addition of 500 kV & 230 kV electrical equipment, ranging in height from 50'-100', and four new poles, approximately 50'-60' tall. The layout of the approved expansion electrical equipment requires a specific area or footprint in order to meet the National Electrical Safety Code requirements. In order to accommodate this substation footprint, our property size eliminates the potential to provide accommodating slopes or even multiple retaining walls (stepbacks as the code references). As a result, it's important to note that the lower grade created from this proposed retaining/screen wall combination transition will be on the interior of the substation, so the visual height of this wall (up to 26' high) will not be seen from outside the substation; and there will be no impact to the surrounding community.

Your review and consideration of this request is appreciated. Should you have any questions or require additional information, please call me at 702-402-2620.

Thank you for your time and consideration.

Sincerely,

Thomas Dombrowski
Sr. Land Use Consultant
NV Energy
402-2620

APR 27 2010

VAR-38103

NVEnergy™

Date: April 2, 2010

To: City of Las Vegas Planning & Development Department

Subject: Nevada Power Company, d/b/a NV Energy, Acceptable Authorized Signatures

Dear Planning Staff:

A signature authorization letter was provided to Margo Wheeler, Secretary of the Planning Commission, on May 5, 2009 from Paul Kaleta that provided the following.

As of the date of issuance of this letter, Herbert Goforth is an Executive, Technical Services & Support of both SPPC and NPC, now d/b/a NV Energy. As of the date of issuance of this letter, Executives are authorized by senior management to sign contract commitments, expenditure approvals and disbursements on behalf of the Company up to $1,000,000.

As of the date of issuance of this letter, James R. Saavedra is Director, Land Services for both SPPC and NPC, now d/b/a NV Energy. As of the date of issuance of this letter, Directors are authorized by senior management to sign contract commitments, expenditure approvals and disbursements on behalf of the Company up to $500,000.

In addition to the above authority, certain transactions binding the Company require signature by leadership employees, as follows:

Land Services Director signature or higher is required for:
(a) Relinquishments of easement granted on private property or rights contained in government patent rights;
(b) Grants of easements; and
(c) Land use permits required by local municipalities.

Mr. Kaleta's authorization letter is in effect until May 5, 2010.

If you have any questions or desire any additional information please contact me at 402-2620.

Respectfully yours,

Thomas Dombrowski
SR. Land Use Consultant
NV Energy

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APR 27 2010
VAR-38103

P.O. BOX 98910, LAS VEGAS, NEVADA 89151-0001 6226 WEST SAHARA AVENUE, LAS VEGAS, NEVADA 89146
P.O. BOX 10100, RENO, NEVADA 89520-0024 6100 NEIL ROAD, RENO, NEVADA 89511 nvenergy.com

NV ENERGY

Officers

April 14, 2009

President and Chief Executive Officer	Michael W. Yackira
Vice President and Chief Accounting Officer	E. Kevin Bethel
Corporate Senior Vice President Service Delivery and Operations	Jeffrey L. Ceccarelli
Corporate Senior Vice President Energy Supply	Roberto R. Denis
Vice President Renewable Energy	Thomas R. Fair
Vice President Generation	Kevin C. Geraghty
Corporate Senior Vice President General Counsel & Secretary	Paul J. Kaleta
Vice President Internal Audit	Gary L. Lavey
Corporate Senior Vice President, Chief Financial Officer and Corporate Treasurer	William D. Rogers
Vice President, External Affairs	Mary O. Simmons
Corporate Senior Vice President Public Policy & External Affairs	Tony F. Sanchez III
Vice President, Marketing	Robert E. Stewart

APR 27 2010

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

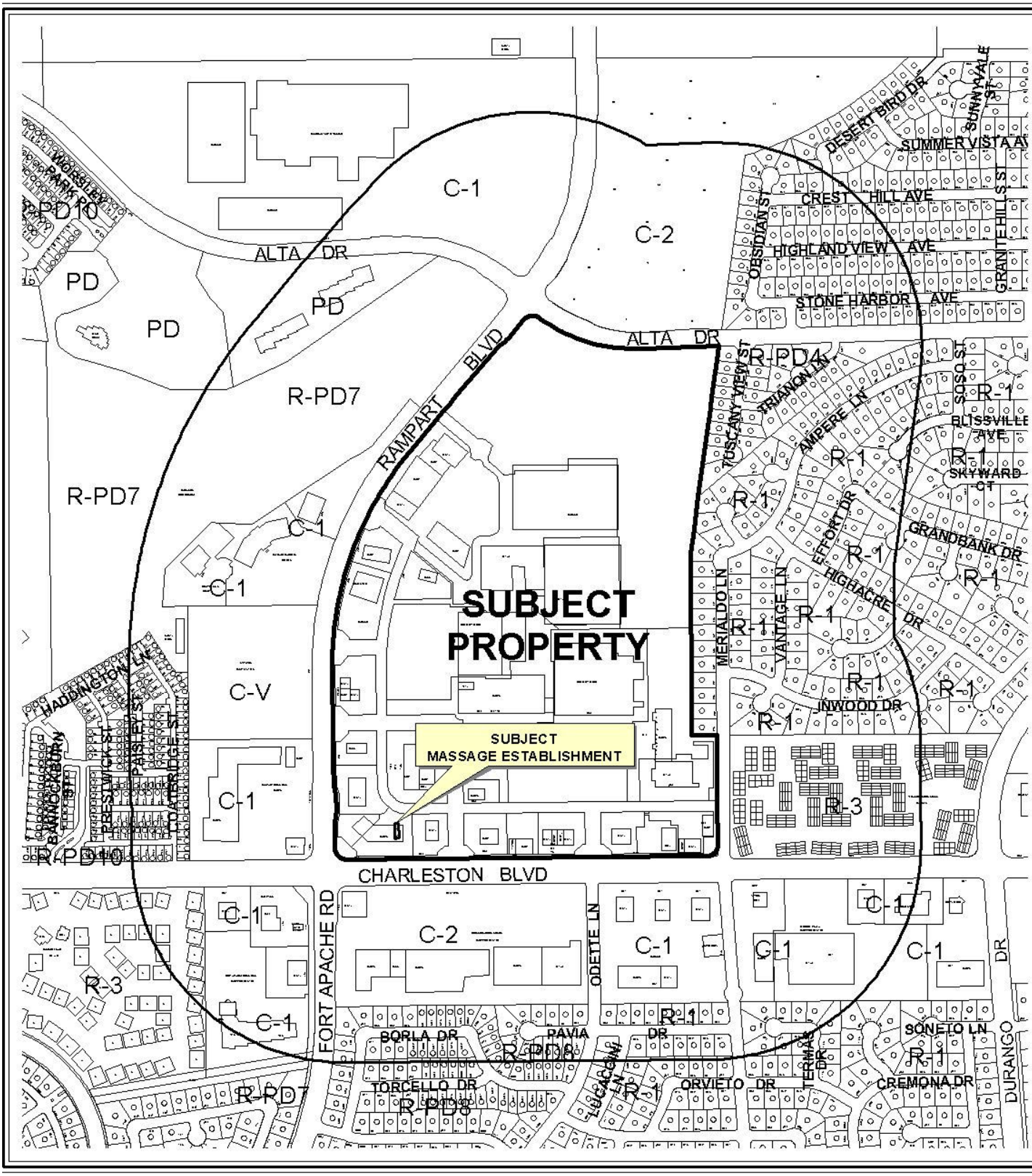
SUBJECT:
RQR-38143 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: SUMMERLIN MASSAGE NV, LLC - OWNER: JMK/BOCA PAD, LLC - Required Review of a previously approved Special Use Permit (SUP-32148) THAT ALLOWED A 3,193 SQUARE-FOOT MASSAGE ESTABLISHMENT WITH A WAIVER TO ALLOW FOR A ZERO-FOOT DISTANCE SEPARATION FROM ANOTHER MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS THE MINIMUM DISTANCE REQUIRED at 8950 West Charleston Boulevard, Suite #7 (APN 138-32-412-026), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for SUP-32148
6. Justification Letter



0 500 1000 Feet

CASE: **RQR-38143**

RADIUS: 1000 FT

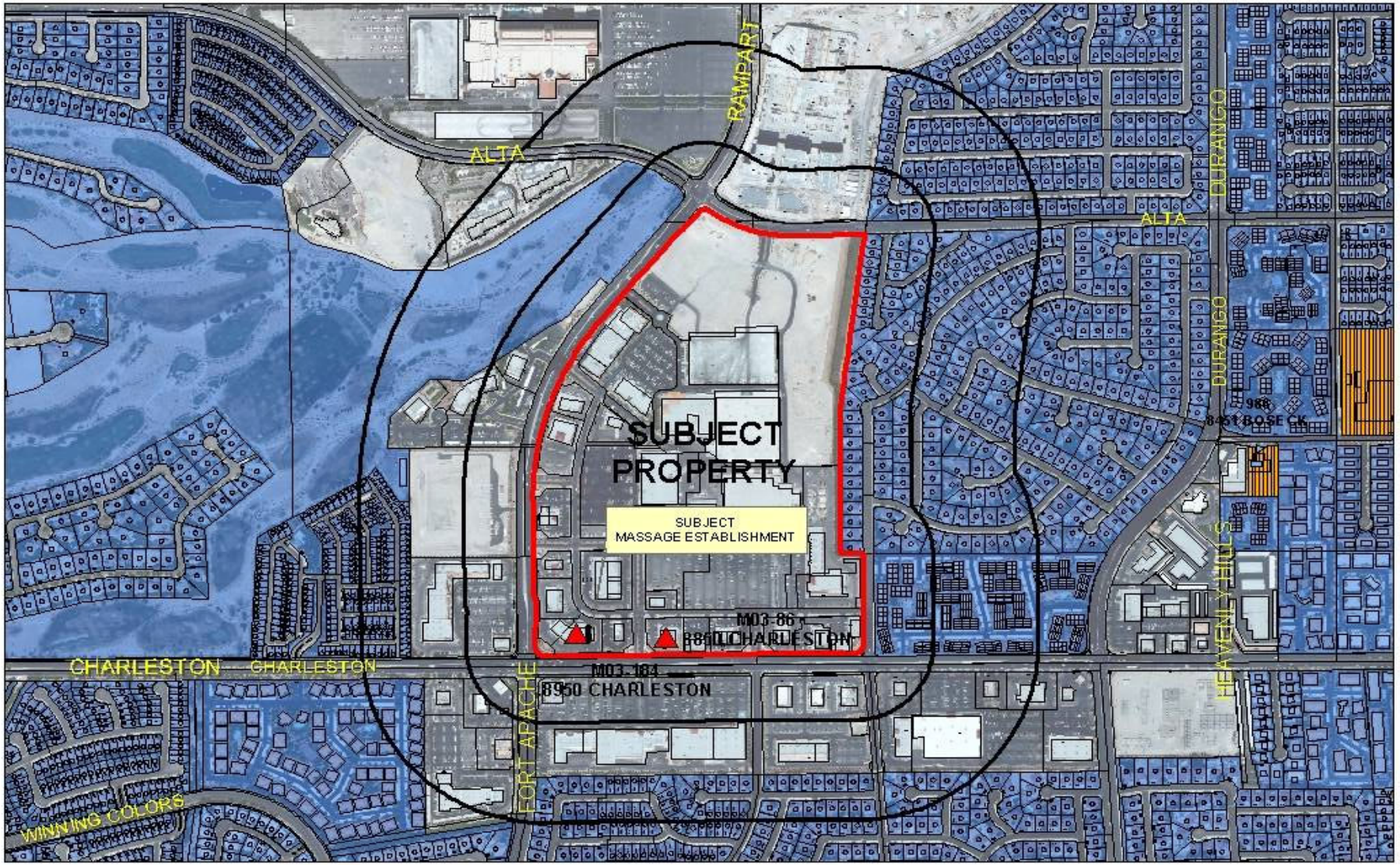
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: **RQR-38143**

RADIUS: 1000 FT

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



RQR-38143

Business Licenses

- Massage Establishment
- Child Care/ Children Facility

Protected Landuses

- RELIGIOUS
- CITY PARKS
- SCHOOLS

- Subject Property
- Residential Property
- 400' & 1000' Buffer

0 487.5 975 1,950 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: SUMMERLIN MASSAGE NV, LLC - OWNER: JMK/BOCA PAD, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
RQR-38143	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

RQR-38143 CONDITIONS

Planning and Development

1. Conformance to the approved conditions for Special Use Permit (SUP-32148) and all other site related actions as required by the Planning and Development Department and the Department of Public Works.

2. No further reviews shall be required for the Massage Establishment use on this site.

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

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site at 8950 West Charleston contains an existing retail building located within a large shopping center. The existing 3,193 square-foot Massage Establishment occupying Suite #7 was approved in March 2009 and is subject to a one year review by the Planning Commission. The approved floor plan indicates 13 massage therapy or multi-purpose rooms within the establishment. Staff recommends approval, as the establishment meets all conditions of the use as required by Title 19.04, and the operation of the use at this location has been shown to be harmonious and compatible with the surrounding land uses, including another existing massage establishment on the same lot within the existing shopping center.

ISSUES

- The City Council previously approved a waiver at this location to allow for a zero-foot distance separation from another Massage Establishment where 1,000 feet the minimum required.
- There is currently one other Massage Establishment located on the same lot as the subject use; the other Massage Establishments located within 1,000 feet of the subject lot at the time of original approval no longer offer those services. One business still offers limited massage services as an accessory use.
- There have not been any Code Enforcement violations or inquiries at this location since the time of original approval.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/02/92	The City Council approved a request for a Reclassification of property (Z-0030-92) located on the east side of Rampart Boulevard between Charleston Boulevard and Alta Drive from N-U (Non-Urban) under Resolution of Intent to R-1 (Single Family Residential), C-1 (Limited Commercial), and C-2 (General Commercial) to R-1 (Single Family Residential) and C-1 (Limited Commercial). The Planning Commission recommended approval.
04/27/98	The City Council approved a request for a Site Development Plan Review [Z-0030-92(5)] on 48.7 acres located on the northeast corner of Rampart Boulevard and Charleston Boulevard for a proposed 433,240 square-foot retail shopping center including 21 retail pad sites, and approved the related Peccole Town Center Master Development Plan and Development Standards. The Planning Commission recommended approval.

09/19/01	The Planning and Development Department administratively approved a Site Development Plan Review [Z-0030-92(21)] for a proposed 5,138 square foot retail store on Pad 'F' (0.48 acres) of the Peccole Ranch Town Center shopping center plan, adjacent to the northeast corner of Charleston Boulevard and Rampart Boulevard.
02/06/02	The Planning and Development Department administratively approved a request for a Site Development Plan Review ([Z-0030-92(23)] for a 14,390 square-foot retail building on Pad 'G' (1.14 acres) of the Peccole Ranch Town Center shopping center plan, adjacent to the northeast corner of Charleston Boulevard and Rampart Boulevard.
06/04/03	The City Council approved Ordinance #5606, thereby requiring a Special Use Permit for the Massage Establishment use within the C-1 (Limited Commercial), C-2 (General Commercial), C-PB (Planned Business Park) or C-M (Commercial/Industrial) zoning districts and making the use conditional in the M (Industrial) zoning district.
03/18/09	The City Council approved a Special Use Permit (SUP-32148) for a proposed 3,193 square-foot Massage Establishment with a waiver to allow for a zero-foot distance separation from another massage establishment where 1,000 feet is the minimum distance required. The Planning Commission recommended approval; staff recommended denial.

Most Recent Change of Ownership	
08/29/05	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
02/26/02	A building permit (#02003336) was issued for on-site hardscapes at 8950 West Charleston Boulevard. The permit expired on 03/01/03.
02/26/02	A building permit (#02003337) was issued for a shell building on Pad 'G' for a certificate of completion at 8950 West Charleston Boulevard. A final inspection was completed on 10/18/02.
02/28/02	A building permit (#02003479) was issued for electrical work on Pad 'G' at 8950 West Charleston Boulevard. A final inspection was completed on 08/16/02.
02/28/02	A building permit (#02003522) was issued for plumbing work on Pad 'G' at 8950 West Charleston Boulevard. A final inspection was completed on 08/26/02.
03/04/02	A building permit (#02003760) was issued for mechanical work on Pad 'G' at 8950 West Charleston Boulevard. A final inspection was completed on 08/26/02.
04/09/02	A building permit (#02006256) was issued for a trash enclosure and retaining wall at 8950 West Charleston Boulevard. A final inspection was completed on 04/17/02.

08/27/09	A building permit (#145489) was issued for a tenant improvement for certificate of occupancy for a massage establishment at 8950 West Charleston Boulevard, Suite #7. A final inspection was completed on 12/24/09.
09/29/09	A building permit (#146705) was issued for a sprinkler system in conjunction with a permit for certificate of occupancy for a massage establishment at 8950 West Charleston Boulevard, Suite #7. A final inspection was completed on 10/29/09.
10/09/09	A building permit (#149365) was issued for an illuminated wall sign at 8950 West Charleston Boulevard, Suite #7. A final inspection was completed 11/09/09.
11/23/09	A business license (B05-03160) was issued for a cosmetology establishment at 8950 West Charleston Boulevard, Suite #7. The license is still active.
11/23/09	A business license (B08-01392) was issued for beauty supply sales at 8950 West Charleston Boulevard, Suite #7. The license is still active.
11/23/09	A business license (M03-00184) was issued for a massage establishment at 8950 West Charleston Boulevard, Suite #7. The license is still active.
11/23/09	A business license (R03-00027) was issued for a reflexology establishment at 8950 West Charleston Boulevard, Suite #7. The license is still active.
12/02/09	A business license (M14-00144) was issued for a membership club at 8950 West Charleston Boulevard, Suite #7. The license is still active.
12/02/09	A business license (Q24-00012) was issued for massage administration at 8950 West Charleston Boulevard, Suite #7. The license is still active.

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

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

Field Check	
05/20/10	During a field check of the site, staff noted the following: • The site consists of a well maintained suite within a multi-tenant building located within a large shopping center. • The front and rear elevations contain temporary banner signs for which there are no permits, and an unpermitted A-frame sign is located on the walk in front of the entrance. • Trash dumpsters were located outside of the existing trash enclosure at the rear of the building.

Details of Application Request	
Site Area	
Net Acres	1.14 acres (a portion of a 95.92-acre lot)

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	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Shopping Center	SC (Service Commercial)	C-2 (General Commercial)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	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 (Pedestrian Path)	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	
Shopping Center	622,187 SF	1/250 SF GFA	2,489		2,639		Y
TOTAL SPACES REQUIRED			2,489		2,639		Y
TOTAL (With Handicapped)			2,454	35	2,603	36	Y

SS

Existing Massage Establishments within 1,000 feet of subject Massage Establishment (Active at the time of approval of SUP-32148)			
Name (License #)	**Address**	**Separation Distance**	**License Status**
Euphoria Salons & Day Spas (#M03-00086)	8850 West Charleston Boulevard	Zero feet (Located within the same commercial subdivision as subject use – approximately 250 feet east).	Active
The Loft (#M03-00145)	8689 West Charleston Boulevard, Suite #111	Approximately 155 feet (Lot-to-Lot)	Marked out 10/19/09 (now has Accessory Massage license only – #M11-00017)
Fabulous Freddy's Car Wash (#M03-00056)	1101 South Fort Apache Road	Approximately 265 feet (Lot-to-Lot)	Marked out 06/22/09
A Body in Balance (#M03-00153)	1215 South Fort Apache Road	Approximately 565 feet (Lot-to-Lot)	Marked out 02/20/09

ANALYSIS

There have not been any Code Enforcement violations or inquiries at this location since the time of approval of the Special Use Permit. The establishment continues to meet the hours of operation required by Title 19.

One of the issues leading to staff's original denial recommendation was the potential for oversaturation of the massage establishment use in the immediate area. However, only three of the five establishments identified in the report still offer massages. One is a massage school; the other two offer massage as an ancillary use. At the time of approval of the Special Use Permit (SUP-32148), there were four other existing massage establishment licenses located within 1,000 feet of the subject property, which includes the 96-acre lot containing the Boca Park Shopping Center development. The business licenses for each of these establishments, with the exception of the license at 8850 West Charleston Boulevard, are no longer active. None of these previous massage establishments required a Special Use Permit, either because they preceded the requirement for a Special Use Permit or the use was deemed to be accessory to another primary use. A separate business license is now available for Accessory Massage.

FINDINGS

As the subject massage establishment has demonstrated that it is harmonious and compatible with the surrounding land uses, staff recommends approval. No further reviews will be required for this use on this site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 977

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-38143 APN: 138-32-412-026

Name of Property Owner: JMK Boca Pad, LLC

Name of Applicant: Mr. Stephen L. Cook, Summerlin Massage NV, LLC

Name of Representative: Stephen Cook

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

_____Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: John Kirkorian

Subscribed and sworn before me

This _____day of _____, 20__

_____

Notary Public in and for said County and State

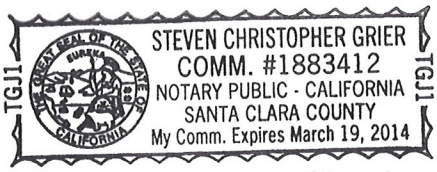
RECEIVED

APR 29 2010

State of California
County of Santa Clara

Subscribed and sworn to (or affirmed) before me on this 9th day of April, 2010, by John Kirkorian,

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Seal)

Signature Steven Grier

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APR 29 2010

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SummerlinMassage NV LLC dba Massage Envy - Boca Park

Project Address (Location) 8950 W. Charleston Blvd. #7 Las Vegas NV 89117

Project Name Massage Envy **Proposed Use** _____

Assessor's Parcel #(s) 138-32-412-026 **Ward #** 2

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

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

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

Additional Information _____

PROPERTY OWNER JMK Boca Pad, LLC **Contact** John Kirkorian

Address 1630 W. Campbell Ave. **Phone:** 408-379-7547 **Fax:** 408-379-9093

City Campbell **State** CA **Zip** 95008

E-mail Address john.kirkorian@gmail.com

APPLICANT Stephen Cook - Summerlin Massage NV LLC **Contact** Stephen L. Cook

Address 19506 N 41st Ln **Phone:** 602-882-0898 **Fax:** 623-551-9668

City Glendale **State** AZ **Zip** 85308

E-mail Address SLCOOK@massageenvy.com

REPRESENTATIVE Stephen Cook **Contact** _____

Address Same as above **Phone:** _____ **Fax:** _____

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

E-mail Address _____

Property Owner Signature* _____

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

Print Name John Kirkorian

Subscribed and sworn before me

This _____ day of _____, 20 ____

_____

Notary Public in and for said County and State

FOR DEPARTMENT USE ONLY

Case #	RQR-38143
Meeting Date:	6/24/10
Total Fee:	$800
Date Accepted:	4/29/10
Accepted By:	

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

State of California
County of Santa Clara

Subscribed and sworn to (or affirmed) before me on this 9th day of April, 2010, by John Kirkorian,
proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

TGJ1 STEVEN CHRISTOPHER GRIER
COMM. #1883412
NOTARY PUBLIC - CALIFORNIA
SANTA CLARA COUNTY
My Comm. Expires March 19, 2014 TGJ1

(Seal)

Signature Steven Grier

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APR 29 2010

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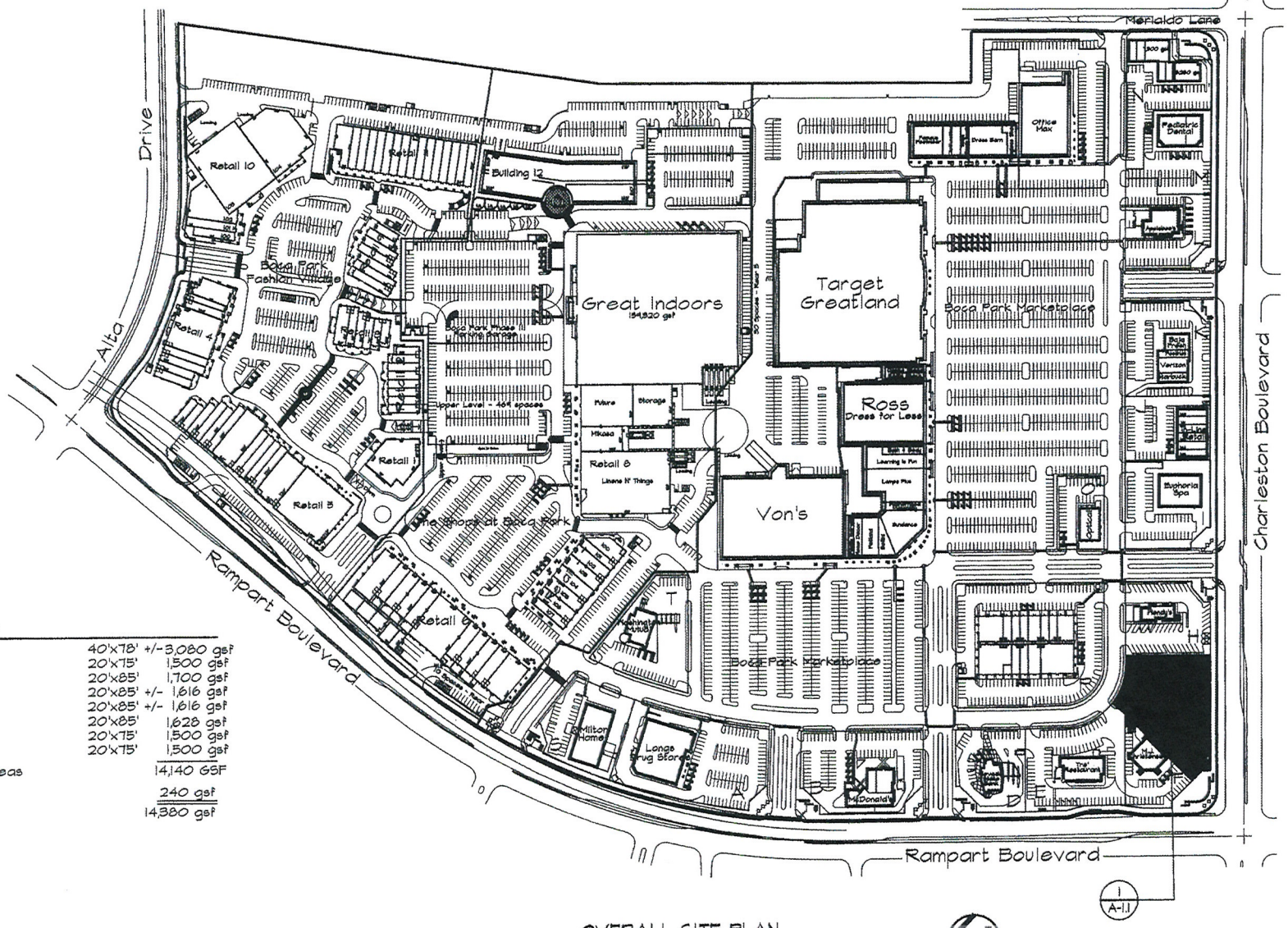
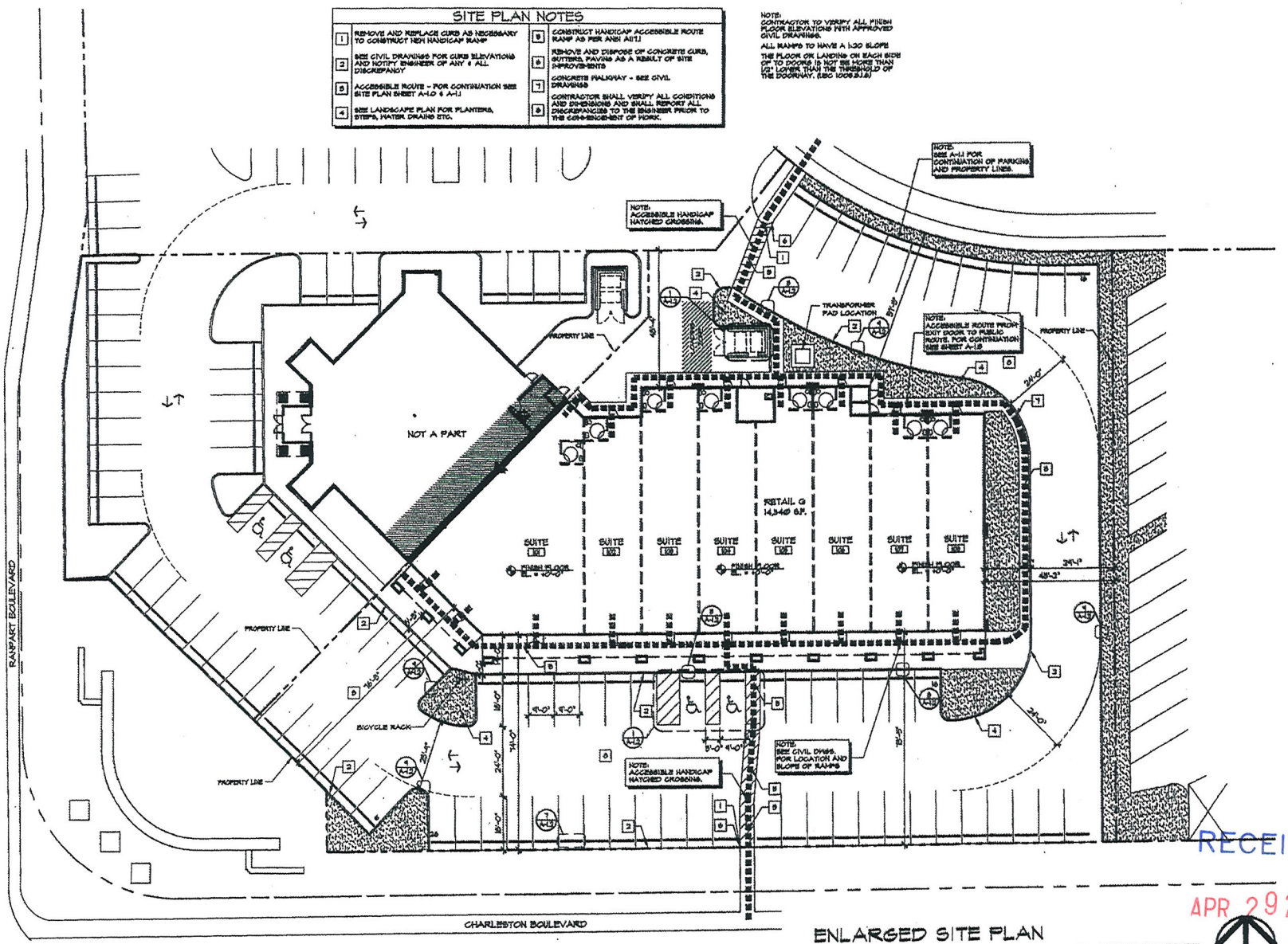
APR 29 2010


Alta Drive
Rampart Boulevard
Charleston Boulevard
Merialdo Lane
Retail 10
Building 12
Boca Park Fashion Village
Retail 4
Retail 5
Retail 6
Retail 7
Retail 8
Retail 9
Great Indoors
154,820 gsf
Target Greatland
Boca Park Marketplace
Ross Dress for Less
Von's
Office Max
Pediatric Dental
Euphoria Spa
Lowe's
Milton's Home
Lange Drug Store
McDonald's
Tin Restaurant
Upper Level - 464 spaces
Lower Level - 464 spaces
Boca Park Phase III
Future Retail Pavilion
Future
Storage
Mikasa
Linens N' Things
Learning to Fly
Lamps Plus
Bed & Bath
Bandanna
Optical
Retail
Vertizon Wireless
Wells Fargo
Bank of America
Wendy's
Boca Park Marketplace
Shops at Boca Park
Future Retail Pavilion
Future Retail Pavilion
Future Retail Pavilion



ENLARGED SITE PLAN

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APR 29 2010

RQR-38143

101144
BOCA PARK - PAD G

Perlman
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE
SUITE 200
HENDERSON, NEVADA 89074
702.990.9000 702.932.3222 fax

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Rev	Date	By	Description
1	12-26-01	CN	BLDG. DEPT. SUBMITTAL

BOCA PARK - PAD G
INTERCAPITAL DEVELOPMENT
NEC Charleston and Rampart
Las Vegas, Nevada

Drawn/Checked By: C.N. / J.R.
Date: 12-26-01
Project Number: 101144
Sheet Number: **A-1.1**

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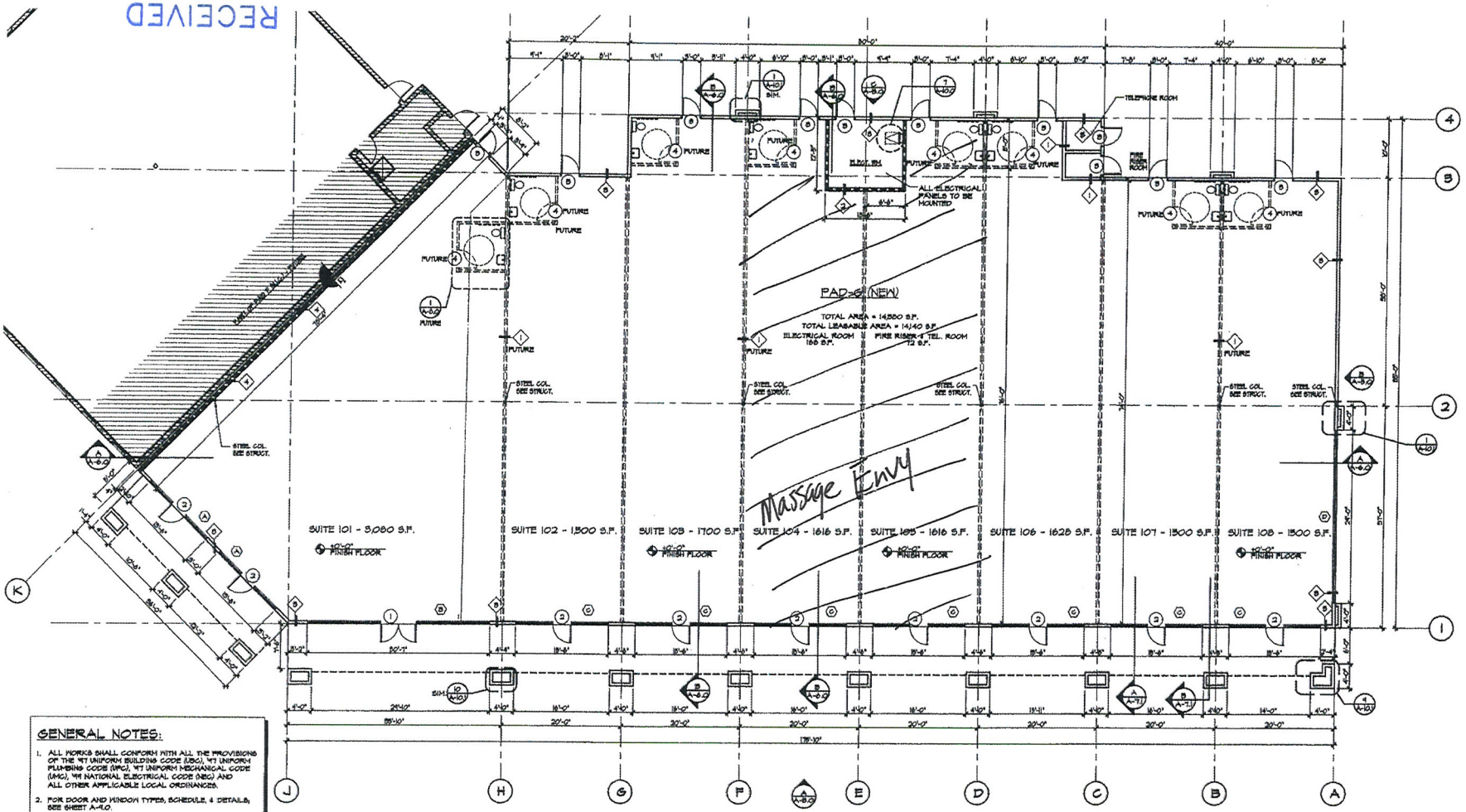
APR 29 2010



GENERAL NOTES:

1. ALL WORKS SHALL CONFORM WITH ALL THE PROVISIONS OF THE '97 UNIFORM BUILDING CODE (UBC), '97 UNIFORM PLUMBING CODE (UPC), '97 UNIFORM MECHANICAL CODE (UMC), '99 NATIONAL ELECTRICAL CODE (NEC) AND ALL OTHER APPLICABLE LOCAL ORDINANCES.
2. FOR DOOR AND WINDOW TYPES, SCHEDULE, & DETAILS, SEE SHEET A-4.0.
3. FOR WALL TYPES AND CONSTRUCTION DETAILS SEE SHEET A-10.0.
4. ALL DIMENSIONS ARE TO FACE OF WOOD STUD, U.N.O.
5. USE 5/8" MOISTURE RESISTANT GYPSUM BOARD @ RESTROOMS WHEN CONDITION OCCURS.
6. RESTROOM AND DRAFTSTOP REQUIREMENTS SHALL BE ADDRESSED ON THE TENANT IMPROVEMENT (T.I.) DRAWINGS, N.I.C.
7. FINISH FLOOR ELEVATION SHOWN IS FOR REFERENCE ONLY. SEE CIVIL DRAWINGS FOR ALL GRADING, FINISH FLOOR, AND CURB ELEVATIONS.
8. ALL EXTERIOR WALLS TO BE 2x6 D.F. @ 16" O.C. U.N.O. UNLESS NOTED OTHERWISE
9. ALL INTERIOR WALLS TO BE 2x4 D.F. @ 16" O.C. U.N.O.
10. ALL INTERIOR WALL FINISHES IN RESTROOM SHALL BE 5/8" MOISTURE RESISTANCE GYP. BD., TAPED & PRIMED W/ ORANGE PEEL TEXTURE. PROVIDE 4" CERAMIC TILE WALL BASE AT ALL INTERIOR WALLS OF RESTROOM.
11. ACCESSIBLE ENTRANCES TO TOILET FACILITIES SHALL BE IDENTIFIED BY THE INTERNATIONAL SYMBOL OF

NOTES TO CONTRACTOR:

1. SUBMIT SHOP DRAWINGS OF DOORS, WINDOWS, FOR ARCHITECT'S REVIEW AND APPROVAL.
2. SUBMIT SHOP DRAWINGS OF PRE-FABRICATED TRUSSES FOR STRUCTURAL ENGINEER'S REVIEW AND APPROVAL.
3. SUBMIT SHOP DRAWINGS OF AUTOMATIC FIRE SPRINKLER SYSTEM FOR MECHANICAL ENGINEER'S REVIEW AND APPROVAL.
4. SUBMIT SHOP DRAWINGS OF ROOF TOP UNITS (RTU) FOR MECHANICAL ENGINEER'S REVIEW AND APPROVAL, PRIOR TO INSTALLATION.
5. IN CASE OF ANY DISCREPANCY OR UNCLEAR ITEM ON PLAN, THE CONTRACTOR SHALL NOTIFY THE ARCHITECT THROUGH RFI, PRIOR TO EXECUTION.

WALL LEGEND

- 6" INT. WOOD STUD WALL SEE DET. 1/A-10.1 FUTURE
- 6" INT. WOOD STUD WALL (1 HR. RATED WALL) SEE DET. 2/A-10.1
- 6" EXT. WOOD STUD WALL SEE DET. 9/A-10.1
- 8" CMU WALL-1 HOUR RATED @ FUTURE BUILDING SEE DET. 4/A-10.1
- ALUM. STOREFRONT FRAME W/ 1" INSULATED VISION/ TEMPERED GLASS, SEE SHT. A-4.0.
- FUTURE WALL - 6" WOOD STUD WALL TO UNDERSIDE OF STRUCTURE ABOVE
- FUTURE WALL - 6" WOOD STUD WALL TO UNDERSIDE OF STRUCTURE ABOVE
- DOOR IDENTIFICATION
- WINDOW IDENTIFICATION
- WALL TYPE IDENTIFICATION, ENTRY DENOTES WALL DESIGNATION, SEE SHEET A-10.0 FOR TYPE OF CONSTRUCTION.

FLOOR PLAN

RQR-38143

101144
BOCA PARK - PAD G
Perlman
PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE
SUITE 200
HENDERSON, NEVADA 89074
702.990.9900 702.932.3222 fax

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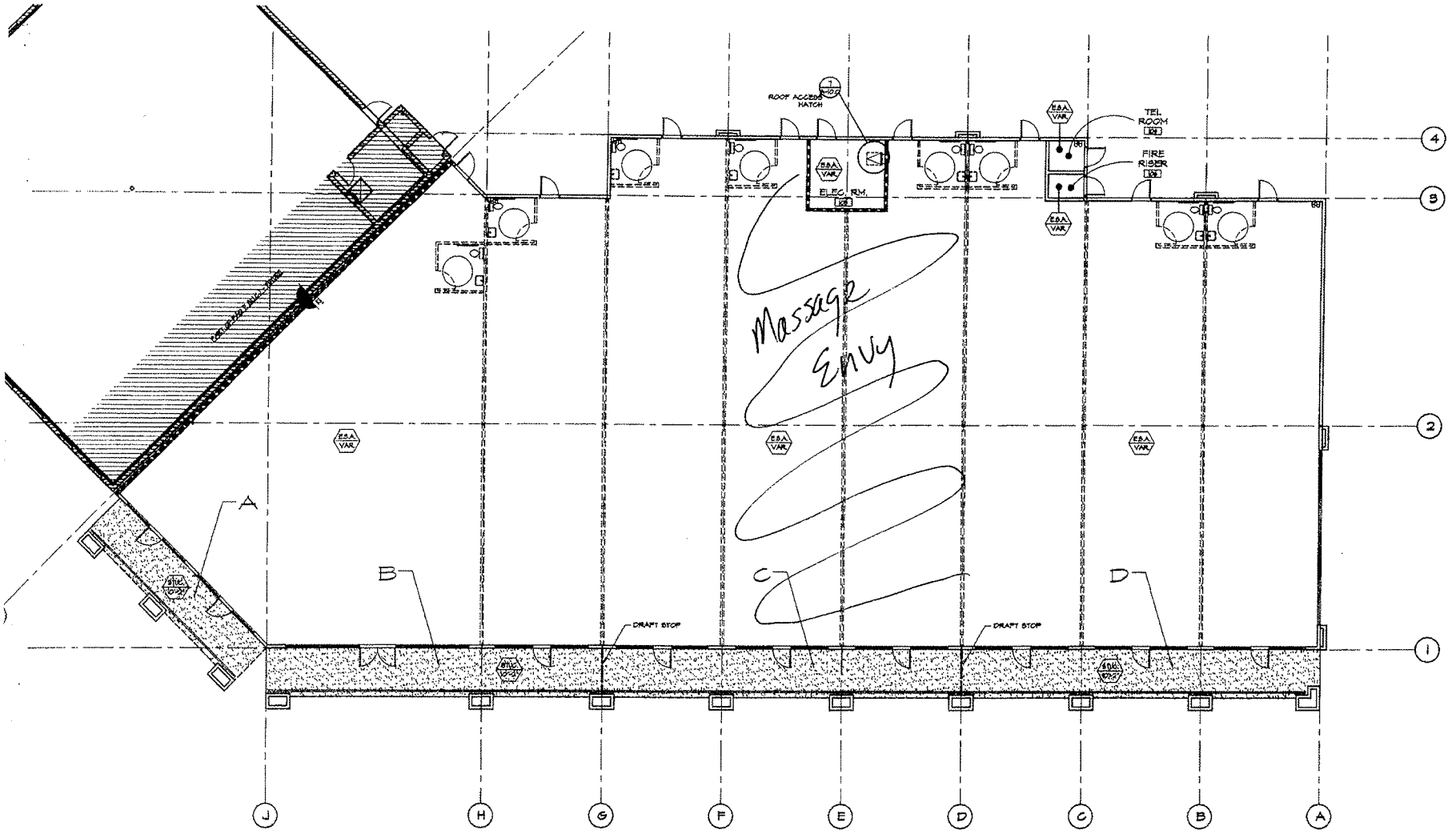
Rev	Date	By	Description
1	12-26-01	CK	BLDG. DEPT. SUBMITTAL

BOCA PARK - PAD G
INTERCAPITAL DEVELOPMENT
NEC Charleston and Rampart
Las Vegas, Nevada

Drawn/Checked By: C.N. / J.R.
Date: 12-28-01
Project Number: 101144
Sheet Number: A-2.0



REFLECTED CEILING PLAN

SCALE 1/8"= 1'-0"

NORTH

CEILING LEGEND

ABBR/SYM	DESCRIPTION
	CEILING MATERIAL / CEILING HEIGHT
STUC. SOFFIT	EXTERIOR STUCCO CEILING ASSEMBLY. LOWER ENTRY DENOTES CEILING HEIGHT.
E.R.A. VAR.	EXPOSED ROOF STRUCTURE SEE GENERAL NOTES.
	STUCCO SOFFIT - SEE PLAN FOR CEILING HGT.

NOTE:
5" WIDE CONTINUOUS SOFFIT VENT W/ 1/4" HOLES x .044 AND A NET FREE VENT AREA OF 28.066 SQ. IN./2 FT. UNO.

ATTIC VENTILATION ANALYSIS (PER U.B.C. 1505.3)

ZONE	VENT WIDTH	ATTIC AREA	VENT REQ'D. (1/150)	VENT PROVIDED
A	5'	41,472 SQ. IN.	41,472 / 150 = 276.48 SQ. IN.	(28.066 SQ. IN./ 2 FT) (44'-8") = 460.58 SQ. IN.
B	5'	63,936 SQ. IN.	63,936 / 150 = 426.24 SQ. IN.	(28.066 SQ. IN./ 2 FT) (64'-2") = 710.10 SQ. IN.

NOTES

1. REFER TO ARCHITECTURAL FLOOR PLANS FOR WALL TYPES AND TO SHEET A-0.0 FOR WALL TYPE DETAILS.
2. ALL CEILING HEIGHTS CALL-OUTS FROM FINISH FLOOR LEVEL TYPICAL, UNLESS OTHERWISE NOTED.
3. CEILING CONTRACTOR TO COORDINATE W/ MECHANICAL, PLUMBING AND ELECTRICAL CONTRACTORS PRIOR TO ANY INSTALLATION IN ORDER TO PRODUCE A WORKABLE INSTALLATION PATH.

PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE
SUITE 200
HENDERSON, NEVADA 89074
702.990.9900 702.932.3222 fax

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BOCA PARK - PAD G

INTERCAPITAL DEVELOPMENT

NEC Charleston and Rampart
Las Vegas, Nevada

Drawn/Checked By: C.N. / J.R.

Date: 12-26-01

Project Number: 101144

Sheet Number: A-2.0

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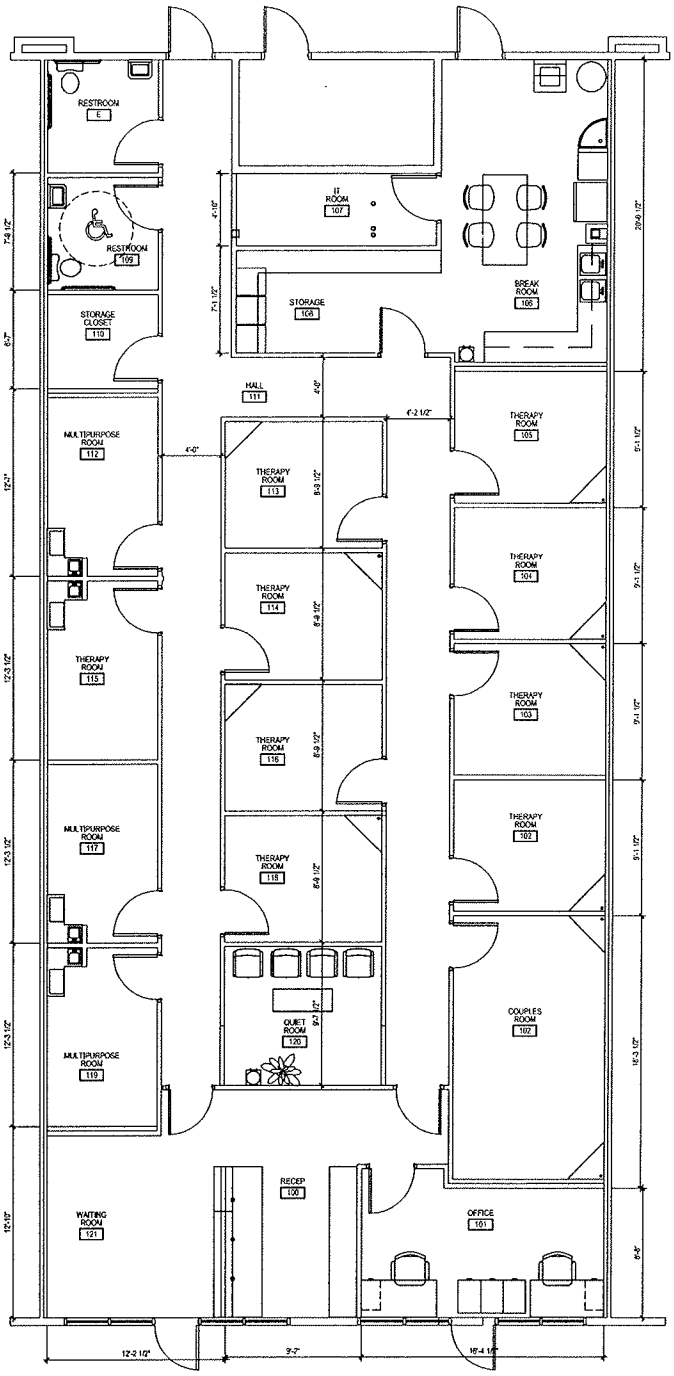
APR 29 2010
RQR-38143



Massage Envy - Boca Park
8950 W. Charleston

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APR 29 2010

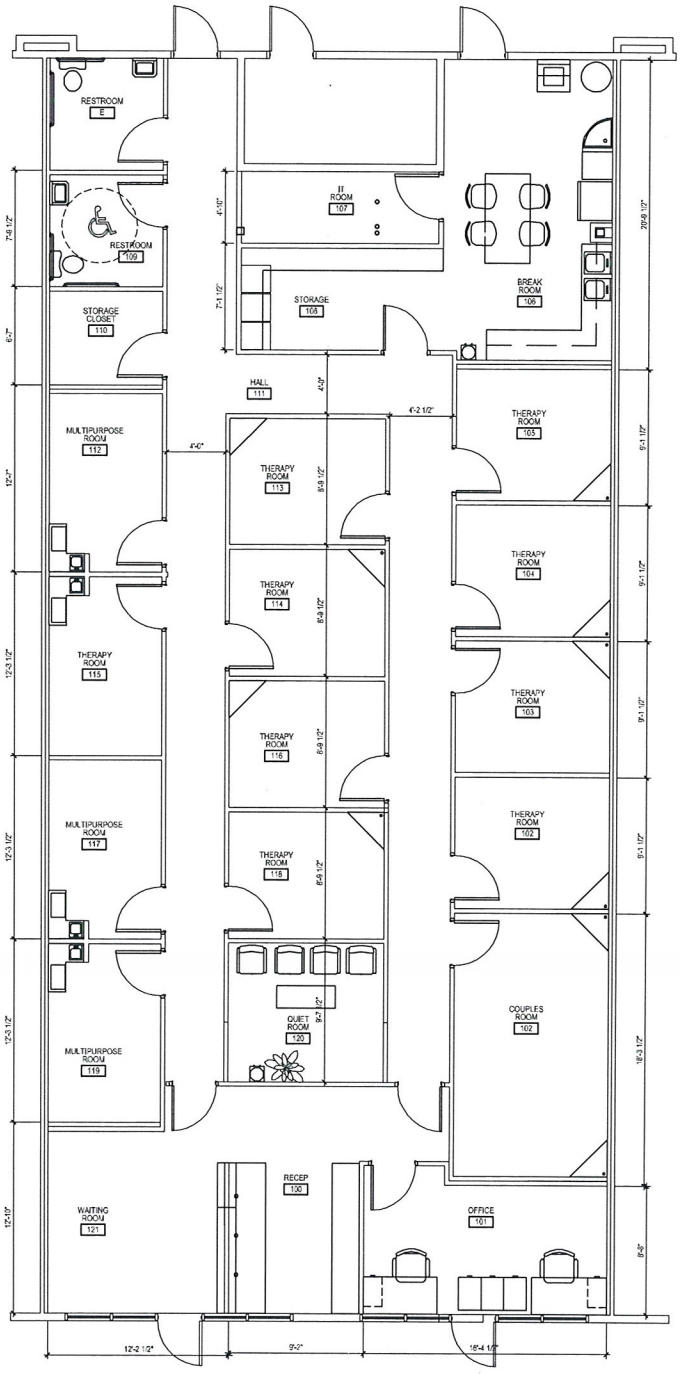
RQR-38143

Dekker/Perich/Sabatini
architecture • interiors • landscape • planning • engineering
5860 Bermuda Rd. Ste. 100
Las Vegas, Nevada 89119
P. 702 436-1005
F. 702 436-1050

MASSAGE ENVY
BOCA PARK
CHARLESTON & RAMPART
LAS VEGAS, NV

PRELIMINARY PLAN
APPROX. 3116 SQ. FT.

DRAWN BY	NMR	SCALE	1/8" = 1'-0"
REVIEWED BY	SLS		
DATE ISSUED	07/17/09		A000
PROJECT NO.	09-0503.001		00 NO. 00



Massage Envy - Boca Park
8950 W. Charleston

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APR 29 2010

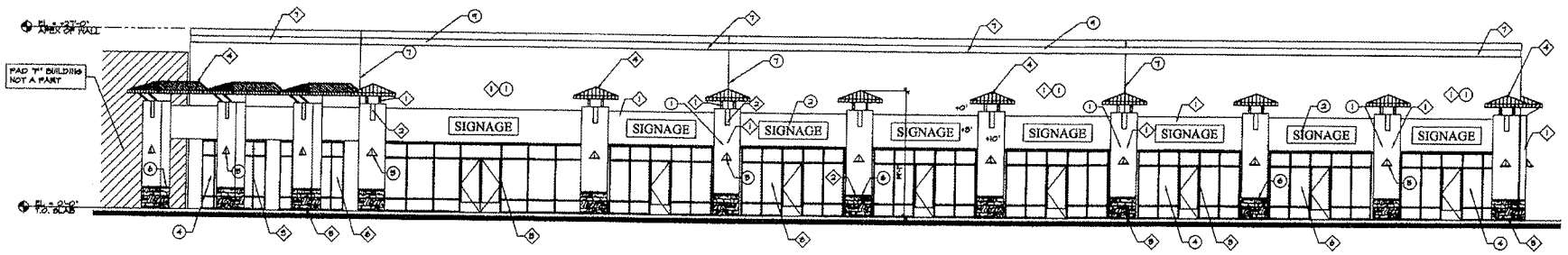
Dekker/Perich/Sabatini
architecture • interiors • landscape • planning • engineering
6850 Bermuda Rd. Ste. 100
Las Vegas, Nevada 89119
P. 702 436-1006
F. 702 436-1050

MASSAGE ENVY
BOCA PARK
CHARLESTON & RAMPART
LAS VEGAS, NV

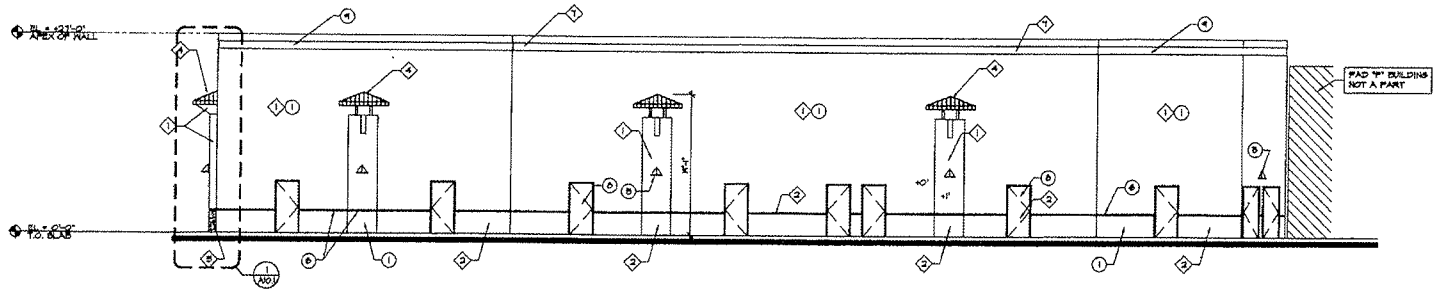
PRELIMINARY PLAN
APPROX. 3116 SQ. FT.

RQR-38143

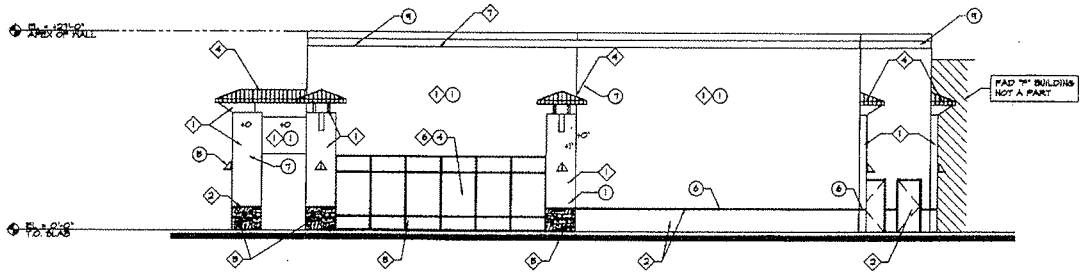
DRAWN BY	NMR	SCALE	1/8" = 1'-0"
REVIEWED BY	SLS		A000
DATE ISSUED	07/17/09		
PROJECT NO.	09-0503.001		00 NO. 00



A SOUTH ELEVATION
SCALE 1/8" = 1'-0"



B NORTH ELEVATION
SCALE 1/8" = 1'-0"



C EAST ELEVATION

EXTERIOR FINISH SCHEDULE

1. EXTERIOR STUCCO FINISH OVER PLYWOOD SHEATHING & WOOD STUDS
2. SIGNAGE BY OTHERS
3. ALUMINUM FRAME - SEE COLOR PALETTE SCHEDULE
4. INSULATED GLASS
5. EXTERIOR LIGHT FIXTURE (6/10.2) BEGA - 2442MH - BLACK
6. 2" PLASTER REVEAL - DET. (2/10.2)
7. PLASTER CONTROL JOINT (4/10.2)
8. HOLLOW METAL DOOR, PAINT TO MATCH ADJACENT SURFACE
9. 1'-0" PLASTER REVEAL

COLOR PALETTE SCHEDULE

1. EXTERIOR STUCCO: ICI 1864, TOMORROW'S TAUPE
2. EXTERIOR STUCCO: ICI 1864, BRICK ROAD
3. DOOR AND WINDOW ALUMINUM FRAME: COLONIAL RED, DUNN EDWARDS #4 SERIES
4. METAL SEAM ROOF - DOUBLE LOCK STANDING SEAM UNA-CLAD RUC-8, 26 GA. STEEL FACTORY PAINTED - COLONIAL RED
5. STONE VENEER COLUMN BASE: REDROCK COUNTRY CLUB CULTURED STONE BLEND
6. STOREFRONT GLASS: VIRACON VE-7.55 #2 INSULATED GLASS SUBMIT GLAZING SAMPLES FOR APPROVAL PRIOR TO INSTALLATION
7. 1" PLASTER REVEAL

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APR 29 2010

101144
BOCA PARK - PAD G

Perlman

PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE
SUITE 200
HENDERSON, NEVADA 89074
702.990.9900 702.932.3222 fax

Seal

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Rev	Date	By	Description
1	12-26-01	CH	BLDG. DEPT. SUBMITTAL

BOCA PARK - PAD G
INTERCAPITAL DEVELOPMENT
NEC Charleston and Rampart
Las Vegas, Nevada

Drawn/Checked By
R.N. / J.R.

Date
12-26-01

Project Number
101144

Sheet Number
A-5.0

RQR-38143



RQR-38143 – APPLICANT: SUMMERLIN MASSAGE NV, LLV – OWNER: JMK/BOCA PAD, LLC
8950 WEST CHARELSTON BOULEVARD, SUITE #7

05/20/10



RQR-38143 – APPLICANT: SUMMERLIN MASSAGE NV, LLV – OWNER: JMK/BOCA PAD, LLC
8950 WEST CHARELSTON BOULEVARD, SUITE #7

05/20/10

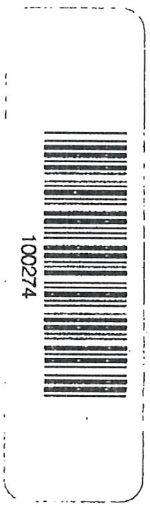
LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

ELIZABETH N. FRETWELL
CITY MANAGER



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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

March 19, 2009

Mr. John Kirkorian
JMK Boca Pad, LLC
1630 West Campbell Avenue
Campbell, California 95008

RE: SUP-32148 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF MARCH 18, 2009

Dear Mr. Kirkorian:

The City Council at a regular meeting held March 18, 2009 APPROVED the request for a Special Use Permit FOR A PROPOSED 3,193 SQUARE-FOOT MASSAGE ESTABLISHMENT WITH WAIVERS TO ALLOW FOR THE ESTABLISHMENT TO REMAIN OPEN UNTIL 10:00 P.M. WHERE 9:00 P.M. IS THE LATEST ALLOWED AND TO ALLOW FOR A ZERO-FOOT DISTANCE SEPARATION FROM ANOTHER MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS THE MINIMUM DISTANCE REQUIRED at 8950 West Charleston Boulevard, Suite #7 (APN 138-32-412-026), C-1 (Limited Commercial) Zone. NOTE: BUSINESS HOURS WAIVER WITHDRAWN. The Notice of Final Action was filed with the Las Vegas City Clerk on March 19, 2009. This approval is subject to:

Planning & Development

1. There shall be a review in one year at a public hearing of the Planning Commission.

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

3. This approval shall be void one year from the date of final approval, unless a business license has been issued for the principal use of Massage Establishment on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. A Waiver from Title 19.04.010 is hereby approved, to allow a distance separation of less than 1,000 feet from another Massage Establishment.

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APR 29 2010
RQR-38143
Printed with environmentally friendly soy ink.

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

Sincerely,

Gabriela Portillo-Brenner
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

cc: Mr. Stephen L. Cook
Summerlin Massage NV, LLC
19506 North 41st Street
Glendale, Arizona 85308

Mr. Mike Sanderson
7175 #174 West Lake Mead Blvd.
Las Vegas, Nevada 89128

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APR 29 2010

RQR-38143

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

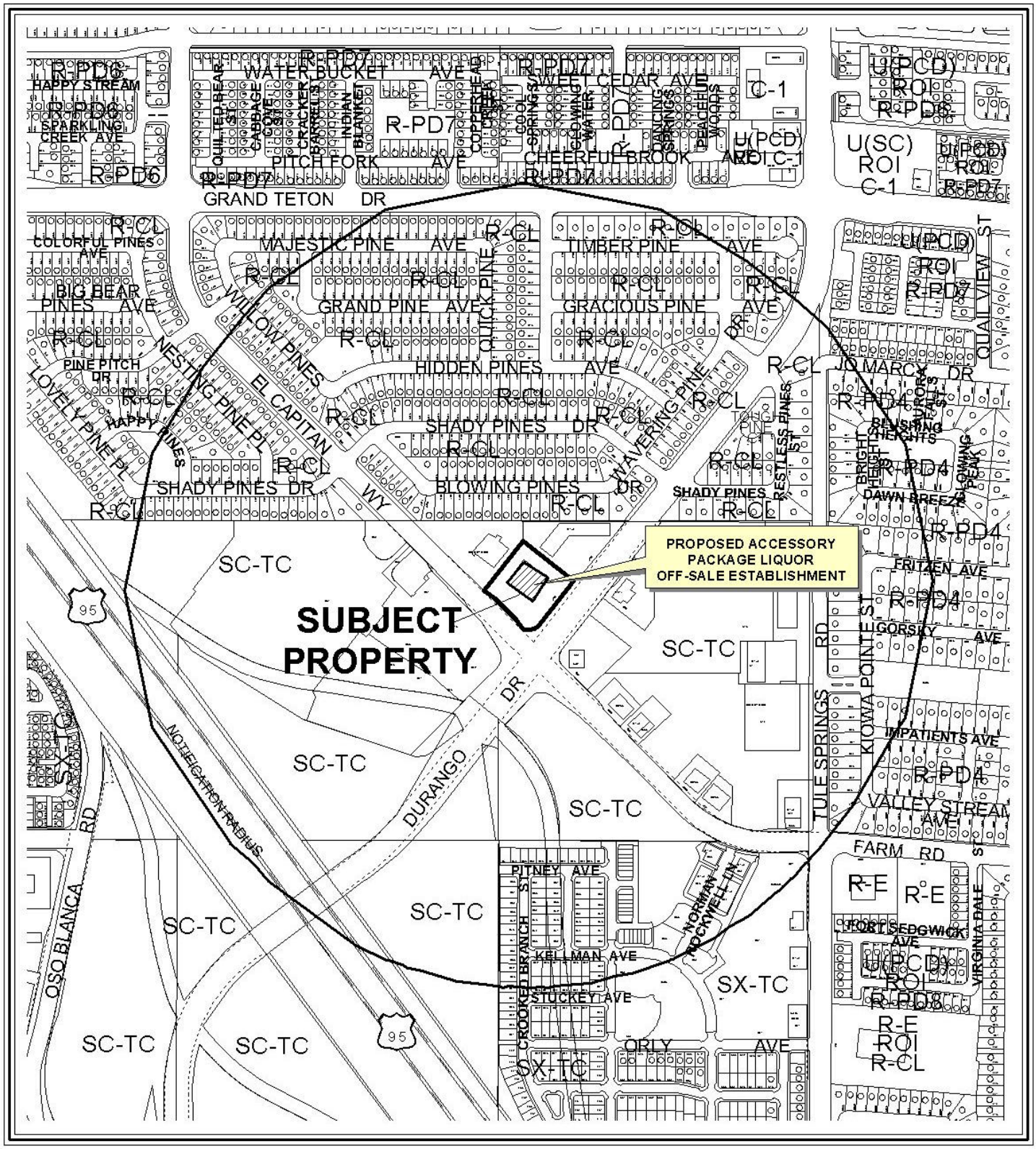
SUBJECT:
SUP-38211 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WALGREEN CO. - OWNER: PPLAND, LP - Request for a Special Use Permit FOR A 74 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 14,820 SQUARE-FOOT RETAIL ESTABLISHMENT at 7755 North Durango Drive (APN 125-17-611-002), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends 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

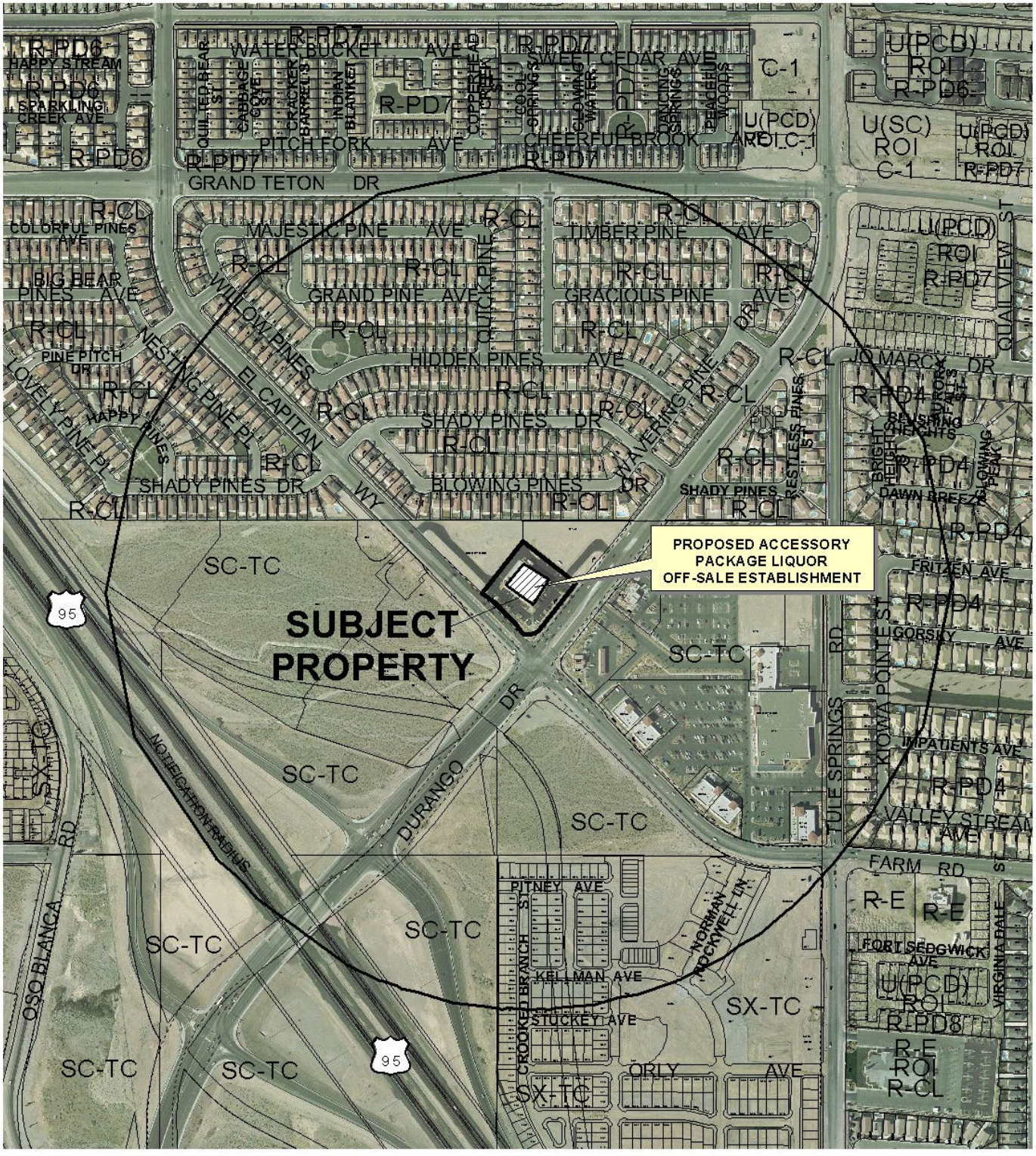


CASE: **SUP-38211**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION]



0 400 800 Feet

CASE: **SUP-38211**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION]



SUP-38211

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: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: WALGREEN CO. - OWNER: PPLAND, LP

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-38211	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-38211 CONDITIONS

Planning and Development

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

2. Conformance to the approved conditions for Rezoning (Z-0076-98) and Site Development Plan Review (SDR-3191).

3. This approval shall be void two years from the date of final approval, unless a business license has been issued to conduct the activity. 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
June 24, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a 74 square-foot Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 14,820 square-foot Retail Establishment at 7755 North Durango Drive. The proposed use will not require additional parking beyond that which is required for the principal use on the site. No more than 10 percent of the retail floor space is devoted to alcoholic beverage sales. This site location is well suited for this use, since it is located within a large shopping center. Staff recommends approval, since the Retail Establishment with Accessory Package Liquor Off-Sale use meets all minimum Special Use Permit requirements. If this request is denied, the existing retail establishment would remain.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/07/98	The City Council approved the Rezoning (Z-0076-98) to the T-C (Town Center) district on 1,468 acres, including this parcel. The Planning Commission and staff recommended approval.
11/07/01	The City Council approved the Town Center Development Standards (TCDS) Manual through Bill No. 2001-100. The TCDS details the uses permitted within Town Center and the development standards that will accomplish the vision of Town Center.
01/07/04	The City Council approved Site Development Plan Review (SDR-3191) and a Waiver of Town Center Build-to-Line standard for 29,120 square feet of retail space on five pad sites. Planning Commission and Staff recommended denial on 12/04/03.
01/22/04	The Planning Commission approved a Tentative Map (TMP-3272) for a two-lot commercial subdivision on 4.91 acres. Staff recommended approval.
12/03/04	Planning Staff administratively approved a Minor Amendment to an approved Site Development Plan Review (SDR-3191) to allow minor changes of building footprints and to allow 29,315 square feet of retail space on four pad sites.
03/21/05	The Planning and Development Department administratively approved a minor amendment to an approved Site Development Plan Review (SDR-3191) to allow minor changes of building footprints and to allow 28,315 square feet of retail space on three pad sites.

05/04/04	The Centennial Hills Architectural Review Committee approved a request for a Master Sign Plan (CHARC-0014-04) at 7785 North Durango Drive.
11/06/07	The Centennial Hills Architectural Review Committee approved a request for a Major Modification to an approved Master Sign Plan (CHARC-0014-04) at 7785 North Durango Drive.

Most Recent Change of Ownership	
04/11/200	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
06/09/04	A building permit (4014747) was issued for a Certificate of Occupancy for a 14,820 square-foot retail building at 7755 North Durango Drive. The permit was finaled on 02/25/05.
06/09/04	A building permit (4014746) was issued for on sites-hardscapes. The permit was never finaled.
07/07/07	A building permit (4017017) was issued for onsite sewer, water and fire. The permit was finaled 07/21/04.
07/15/04	A building permit (4017733) was issued for Electrical Retail Store for a Certificate of Occupancy for a 14,820 square-foot retail building at 7755 North Durango Drive. The permit was finaled on 02/03/05.
10/15/04	A building permit (4020603) was issued for wall signs. The permit was finaled 02/25/05
03/09/05	A business license (C05-02366) was issued for a Tobacco Dealer Retail at 7755 North Durango Drive. The license is still active.
03/09/05	A business license (D11-00211) was issued for a Drug Store at 7755 North Durango Drive. The license is still active.
07/18/08	A business license (Q04-00087) was issued for a Pharmacy at 7755 North Durango Drive. The license is still active.

Pre-Application Meeting	
04/13/10	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-Sale were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed. • Need to indicate retail floor space devoted for the sale of alcoholic beverages. • The proposed use is not within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City Park.

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

Field Check	
05/20/10	A field inspection was conducted by staff. The subject property was noted as a well maintained commercial center.

Details of Application Request	
Site Area	
Net Acres	1.66

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail Store	SC-TC (Service Commercial- Town Center)	T-C (Town Center)
North	Single-Family Residential	PCD (Planned Community Development)	R-CL (Single Family – Compact Lot)
South	Undeveloped	GC-TC (General Use Commercial)	T-C (Town Center)
East	Shopping Center	SC-TC (Service Commercial- Town Center)	T-C (Town Center)
West	Shopping Center	SC-TC (Service Commercial- Town Center)	T-C (Town Center)

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

JG

DEVELOPMENT STANDARDS

As approved by SDR-3191, 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 SF or More)	14,820 SF	1:250 SF	60		66		Y
TOTAL SPACES REQUIRED			60		66		Y
TOTAL (With Handicapped)			57	3	63	3	Y

ANALYSIS

This is a request for a Special Use Permit for a 74 square-foot Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 14,820 square-foot Retail Establishment at 7755 North Durango Drive. This site location does not have any churches, schools, child care facilities or city parks within the required 400-foot distance separation radius. No additional parking beyond that which is required for the principal use on the site is required as a result of the addition of this use.

The sale of alcoholic beverages is ancillary to the retail use, and 74 square feet of the retail floor space is devoted to the display or merchandising of alcoholic beverages. The proposed use meets minimum requirements of Title 19.04; staff therefore recommends approval of this request.

FINDINGS (SUP-38211)

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 Retail Establishment with Accessory Package Liquor Off-Sale use will be located within the existing Retail Establishment and it is an accessory use. The proposed use can be conducted in a manner that is harmonious and compatible with the uses in the existing site and with the commercial uses on adjacent properties.

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

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

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

Site access is provided from El Capitan Way, an 80-foot Town Center Arterial and Durango Drive, a 120-foot Town Center Parkway Arterial as designated by the Town Center Street Classifications in the Town Center Development Standards Manual. These streets are of sufficient size to accommodate the needs of the proposed Accessory Package Liquor Off-Sale use.

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

Approval of the proposed Special Use Permit will not compromise the public health, safety and general welfare, as the use will be subject to regular inspections for business licensing.

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

The proposed use will be located within an existing Retail Establishment and complies with the minimum Special Use Permit requirements. The use will devote 74 square feet of the floor space within the existing Retail Establishment for the sale of alcoholic beverages.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 33

NOTICES MAILED 534

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-38211 APN: 125-17-611-002

Name of Property Owner: PP LAND LP.

Name of Applicant: Walgreen Co.

Name of Representative: Lionel Sawyer & Collins

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: PP LAND LP PICHAT POJANASOMBOON GP.

Subscribed and sworn before me

This 14th day of DECEMBER, 20 09

_____

Notary Public in and for said County and State

CAROLINA H. NIEVERA
NOTARY PUBLIC - STATE OF NEVADA
COUNTY OF CLARK
APPT. No. 09-1C397-1
MY APPT. EXPIRES FEB. 18, 2013

RECEIVED
MAY 06 2010

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

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

Project Address (Location) 7755 North Durango Drive

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

Assessor's Parcel #(s) 125-17-611-002 **Ward #** 6

General Plan: existing XX proposed ____ **Zoning:** existing T-C (SC) proposed ____

Commercial Square Footage ____ **Floor Area Ratio** ____

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

Additional Information ____

PROPERTY OWNER PP Land LP **Contact** P Pojanasomboon, GP

Address 9000 Emerald Way **Phone:** (702) 233-4699 **Fax:** ____

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

E-mail Address ____

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) 383-8948 **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 PPLAND LP, PICHAT POJANASOMBOONGP

Subscribed and sworn before me

This 14th day of DECEMBER, 20 09.

____

Notary Public in and for said County and State

CAROLINA H. NIEVERA
NOTARY PUBLIC - STATE OF NEVADA
COUNTY OF CLARK
APPT. No. 09-1C397-1
MY APPT. EXPIRES FEB. 18, 2013

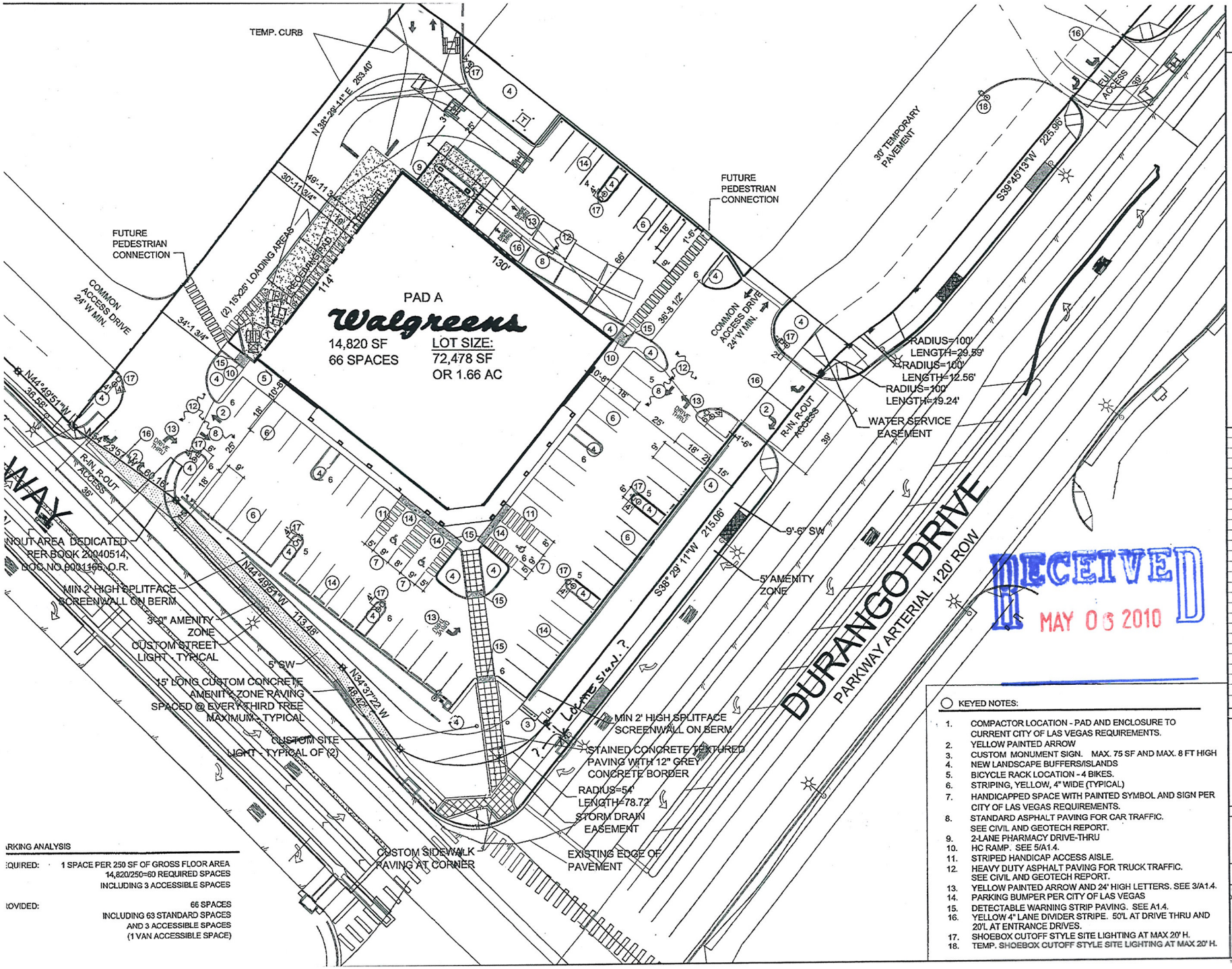
Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-38211
Meeting Date:	6/24/10
Total Fee:	1280
Date Received:*	5/6/10
Received By:	MREX

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

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



RKING ANALYSIS

QUIRED: 1 SPACE PER 250 SF OF GROSS FLOOR AREA
14,820/250=60 REQUIRED SPACES
INCLUDING 3 ACCESSIBLE SPACES

OVIDED: 66 SPACES
INCLUDING 63 STANDARD SPACES
AND 3 ACCESSIBLE SPACES
(1 VAN ACCESSIBLE SPACE)

KEYED NOTES:

1. COMPACTOR LOCATION - PAD AND ENCLOSURE TO CURRENT CITY OF LAS VEGAS REQUIREMENTS.
2. YELLOW PAINTED ARROW
3. CUSTOM MONUMENT SIGN. MAX. 75 SF AND MAX. 8 FT HIGH
4. NEW LANDSCAPE BUFFERS/ISLANDS
5. BICYCLE RACK LOCATION - 4 BIKES.
6. STRIPING, YELLOW, 4" WIDE (TYPICAL)
7. HANDICAPPED SPACE WITH PAINTED SYMBOL AND SIGN PER CITY OF LAS VEGAS REQUIREMENTS.
8. STANDARD ASPHALT PAVING FOR CAR TRAFFIC. SEE CIVIL AND GEOTECH REPORT.
9. 2-LANE PHARMACY DRIVE-THRU
10. HC RAMP. SEE 5/A1.4.
11. STRIPED HANDICAP ACCESS AISLE.
12. HEAVY DUTY ASPHALT PAVING FOR TRUCK TRAFFIC. SEE CIVIL AND GEOTECH REPORT.
13. YELLOW PAINTED ARROW AND 24' HIGH LETTERS. SEE 3/A1.4.
14. PARKING BUMPER PER CITY OF LAS VEGAS
15. DETECTABLE WARNING STRIP PAVING. SEE A1.4.
16. YELLOW 4" LANE DIVIDER STRIPE. 50'L AT DRIVE THRU AND 20'L AT ENTRANCE DRIVES.
17. SHOEBOX CUTOFF STYLE SITE LIGHTING AT MAX 20' H.
18. TEMP. SHOEBOX CUTOFF STYLE SITE LIGHTING AT MAX 20' H.

RECEIVED
MAY 03 2010

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

NO.	DATE	BY	DESCRIPTION	CC

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 07864

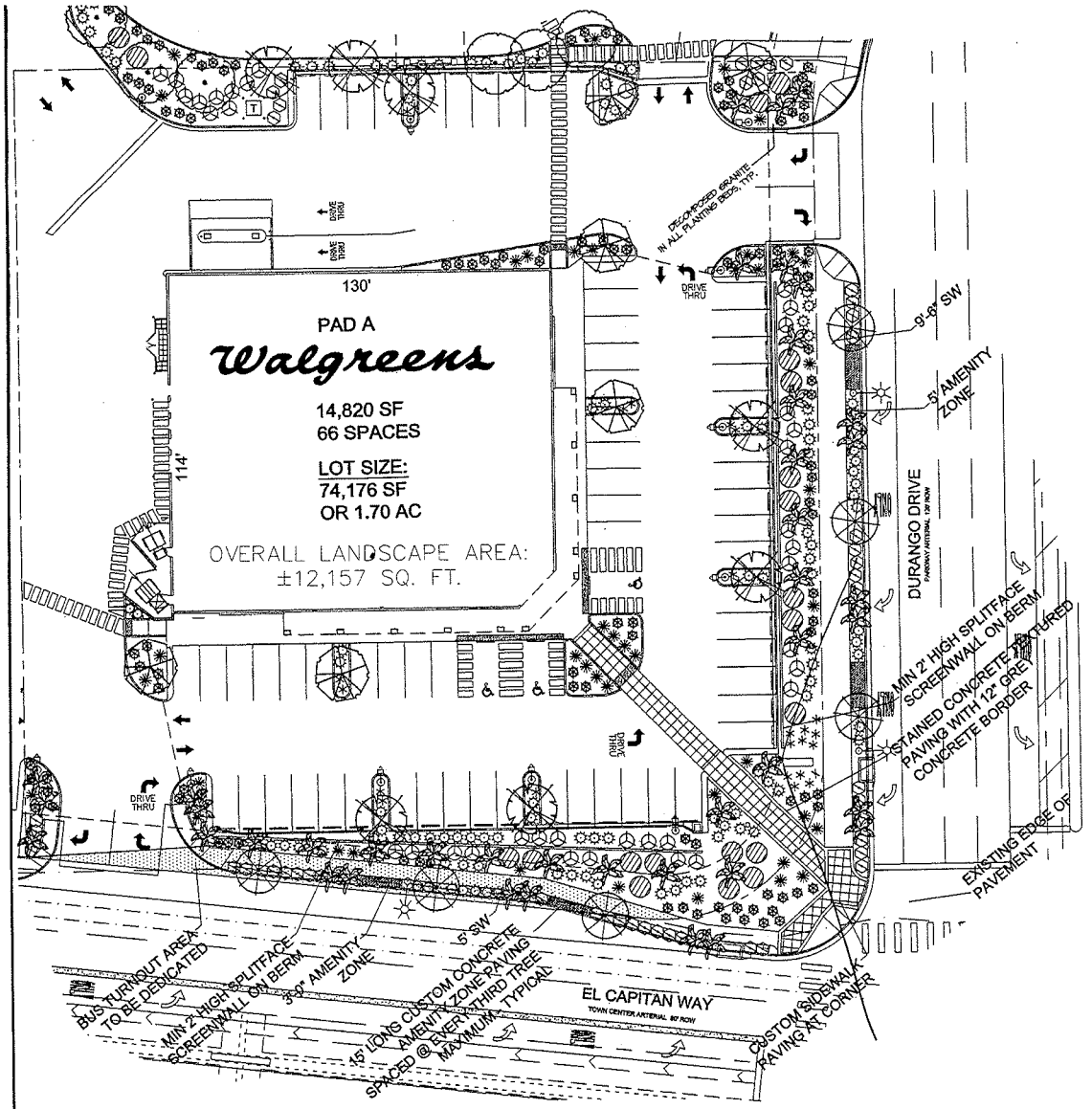
PROJECT NAME
WALGREENS STORE
7755 NORTH DURANGO DRIVE
LAS VEGAS, NV

DRAWING TITLE
SITE PLAN - BEER & WINE

CADD PLOT: 07864-A01-BW-16NOV09	SCALE: 1/20 =1'-0"	DRAWING NO.
VOID PLOT:	DRAWN BY: B. HESTER	A0.1
SUPERSEDES PLAN DATED:	DATE: 11/16/09	
	REVIEWED BY:	OF DWGS.

TM: MICHALSKI 11/16/2009 10:53 AM D:_ARCHITECTURE\DETS AND SPECIFICATIONS\

SUP-38211



SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
	TREES (APPROXIMATE FUTURE SIZE / DIAMETER)				
	CHITALPA TASHKENTENSIS 'PINK DAWN'	20/20 PINK CHITALPA	6	24" BOX	SINGLE TRUNK
	FRAXINUS VELUTINA 'RIO GRANDE'	30/25 RIO GRANDE ASH	7	24" BOX	
	ROBINIA AMBIGUA 'PURPLE ROSE'	30/20 PURPLE ROSE LOCUST	6	24" BOX	
	ACACIA STENOPHYLLA	30/20 SHOESTRING ACACIA	6	24" BOX	
	PALM TREES				
	WASHINGTONIA ROBUSTA	40/10 MEXICAN FAN PALM	41	MINIMUM 25' BTH	SKINNED
	SHRUBS				
	SENNA OLIGOPHYLLA	5/5 OUTBACK CASSIA	51	5 GAL	
	ERENOPHILA MACULATA 'VALENTINE'	5/5 VALENTINE BUSH	41	5 GAL	
	GROUNDCOVERS				
	MYOPORUM PARVIFOLIUM	3/6 PROSTRATE MYOPORUM	20	1 GAL	
	DALEA CAPITATA 'SIERRA GOLD'	1/5 GOLDEN DALEA	106	1 GAL	
	LANTANA SPECIES 'NEW GOLD'	1/2 NEW GOLD LANTANA	44	5 GAL	
	ACCENTS				
	DASYLIRION WHEELERI	3/4 DESERT SPOON	42	5 GAL	
*	AGAVE SCHIDIGERA 'DURANGO DELIGHT'	2/2 DURANGO DELIGHT AGAVE	26	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. DECOMPOSED GRANITE, 1/2" MINUS, COLOR: "MOJAVE GOLD", 2" DEPTH TYPICAL IN ALL PLANTING BEDS. 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.

   WHOLESALE DEALER:
   KALAMAZOO MATERIALS, INC.
   2251 SOUTH PORT APACHE ROAD, SUITE 207H
   LAS VEGAS, NV 89117
   TELEPHONE: 246-9153

6. ALL PALM HEIGHTS ARE BROWN TRUNK HEIGHTS. ALL PALMS SHALL HAVE STRAIGHT TRUNKS WITH NO CURVES. ALL FAN PALMS SHALL BE SKINNED WITHIN 5 FEET OF THE LAST FROND.

LANDSCAPE AREA

GROSS LOT SIZE= 74,176 SF
LANDSCAPE AREA= 12,157 SF
PERCENTAGE OF LOT LANDSCAPED= 16.4%

MAY 06 2010

DEERFIELD, IL 60015-4616

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LAS VEGAS, NV

DRAWING TITLE
LANDSCAPE PLAN - BEER & WINE

CADD PLOT: 07864-LA01-BW-16NOV09
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SUPERSEDES PLAN DATED:
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DRAWN BY: B. HESTER
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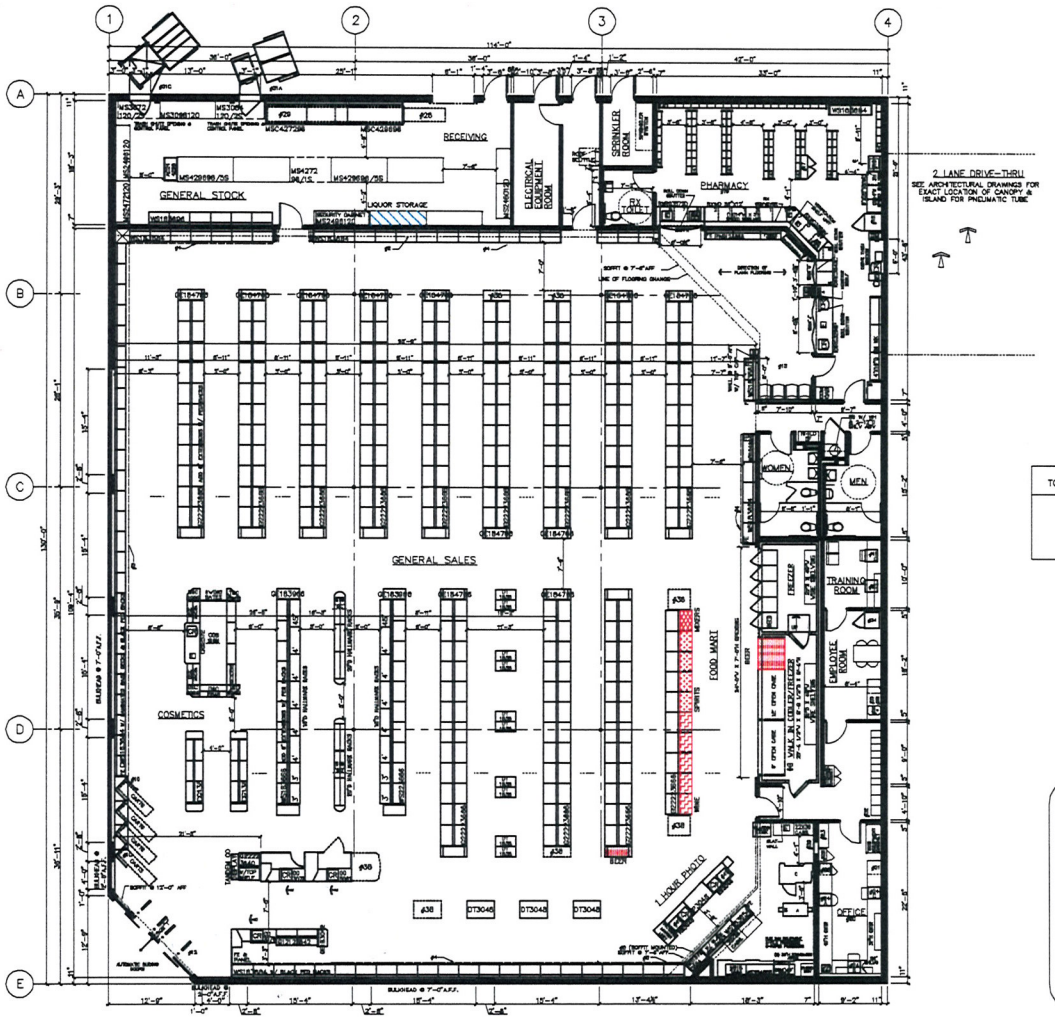
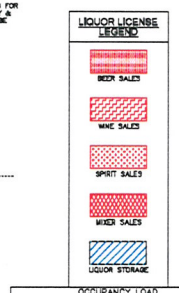
REVIEWED BY:
DRAWING
LA
OF

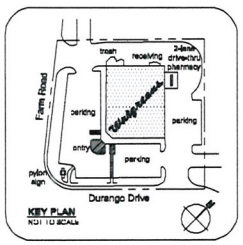
SUP-38211





OCCUPANCY LOAD
TOTAL OCCUPANCY: 442

TOTAL LIQUOR SQUARE FEET
TOTAL LIQUOR SALES: 73.2 SQ. FT.
TOTAL SALES: 9625 SQ. FT.
% SALES FLOOR DEVOTED TO LIQUOR = .76%



FOR REFERENCE ONLY; SEE CONTRACT DOCUMENTS FOR DETAILED SITE PLAN

INTERIOR HANGING SIGNS

GENERAL SALES AREA:
ALL AISLE AND AISLE MARKERS @ 10'-6" TO BOTTOM OF SIGN UNLESS OTHERWISE NOTED.
SIGN "L" LIQUOR / THANK YOU
SIGN "T" STORE HOURS SIGN
SIGN "BD" GREETING CARD SIGN
SIGN "U" DOWN / DOWN CHECKOUT LANE
SIGN "CA" CALIFORNIA ACCESSIBILITY SIGN. (9'-8" TO BOTTOM OF SIGN.)

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

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

GENERAL NOTES

GENERAL SALES AREA:
1. PLEASE PRODUCE PROPER A.D.A. CLEARANCES ON BOTH SIDES OF ALL DOORS
2. MIRROR ON REAR WALL
3. COSMETIC CORNICE
4. SALES AREA CORNICE (FIXTURE MOUNTED)
5. PHOTO CORNICE (FIXTURE MTD UNLESS NOTED)
6. CARPET TILES & DESIGN LINES FURNISHED AND INSTALLED BY WALGREENS (WHERE SHOWN)
7. MASTER-BILT ROACH'N REFRIGERATION: (PROVIDE 2" AIR SPACE BETWEEN COOLERS AND FREEZERS)
   OPEN PROFILE MEDIUM TEMP. COOLERS (ADD 7" AT EACH END, FOR END RAMP)
   A. ___ VO-96: 8'-0"W X 40.78"D
   B. ___ VO-48: 8'-0"W X 40.78"D
   MOPH RH-PNTI P96 RPACH-IN FRPP7RB (ADD 3" AT EACH END, FOR END RAMP)
   C. ___ SELF-CONTAINED: 16'-1 3/4"W X 38.94"D
8. MASTER-BILT WALK-IN COOLER: PROVIDE ___ FOOR COOLMASTER DOORS
   28 3/4" X 79" EACH AND
   9 #100PR FREEZERMASTER DOORS
   28 3/4" X 79" EACH BY ANTHONY
   A. ___ DOOR(S) FOR 2ND DOOR PROVIDE
   (7) ___ D 2CH-FLOW GRAVITY SHELVES; UPPER (5) W"H SLIDES AND LOWER (2) WITH ROLLERS COMPLETE WITH JPRS1BTB
   B. ___ "OONAL" FOR 2ND DOOR PROVIDE (7) 28" D ANTHONY WIRE SHELVES AND (4) 84" TOWERS
   C. ___ DOOR(S): ___ D ROLLER CONVEYOR AT FLOOR LEVEL
   D. 5 DOOR(S): FOR EACH DOOR PROVIDE (6) 27"D ANTHONY SHELVES
   E. ___ DOOR(S): FOR EACH DOOR PROVIDE (2) 27" D ANTHONY SHELVES AND (4) 34"D MONOHALOIDE ENCLOSES
   F. ___ DOOR(S): ___ D DOUBLE DECK ROLLER CONVEYOR
9. ICE CHEST BY VENDOR
10. DART RAILINGS W 10' DISPLAY SHELF ABOVE
11. PROVIDE A 6FT CLACK VALVE BASE AT ALL CHECKOUTS
12. PLASTRONICS ARTICULATED PAYMENT SYSTEM

PHARMACY DEPARTMENT:
13. PATIENT SEATING AREA: (4) SEATS
14. PROVIDE 6'D SHELVING UNITS; BACK CLOTH ARE 8.6"X.40"
15. COMPUTER TERMINAL
   15A: INTERCOM PLUS TERMINAL
   15B: TRAINING TERMINAL (IN TRAINING ROOM)
16. RX BANK AND CABINET
17. CRX CABINET
18. RX REFRIGERATOR
19. PROVIDE A CARPETED FLOOR WITH A RUBBER RUNNER, RX UNDER COUNTER INSERTS:
   #1 - RX 2 DRAWER VAL INSERT
   #2 - RX 2 DRAWER FILE INSERT
   #3 - RX OPEN INSERT
   #4 - RX DUNBULLATUN COUNTER UNIT
   #5 - RX PRINTER INSERT
   #6 - RX 3 DRAWER FILE INSERT
   #7 - RX OPEN INSERT WITH CPU SHELF
   #8 - RX WILL CALL CABINET
   #9V - RX 2 DRAWER CABINET W BAG SHELF
   #9 - RX 10 DRAWER FILE CABINET

OFFICE:
20. PROVIDE TILED FLOOR & VINYL WALL COVERING
21. UNDER COUNTER SHELF UNIT
22. PRINTER
23. LATERAL FILE
24. OFFICE COMPUTERS
   24A: P.O.S. TERMINAL
   24B: ASHED TERMINAL
   24C: OFFICE P.C.
25. TILL LOCKER
26. SAFE
27. TV & VCR (IN TRAINING ROOM)

STOCKROOM:
28. VERT-FLEX CONVEYOR
29. SHAVELY CONVEYOR
30. POWER ROLLER CONVEYOR
31. SEE ARCHITECTURAL DRAWINGS FOR EXACT LOCATION OF COMPACTORS & COMPACTOR / TOTE ENCLOSURES
   31A: TRASH COMPACTOR
   31B: BALER
   31C: CARDBOARD COMPACTOR

EMPLOYEE ROOM:
32. EMPLOYEE LOCKERS: (3) COAT LOCKERS W/ PERFORATED DOORS, (6) 6 TIER BOX LOCKERS & (2) 2 TIER BOX LOCKERS W/ SAFETY VIEW DOORS
33. H.W. 3 X 20 EMPLOYEE COUNTER W/ (1) CABINET
34. EMPLOYEE ROOM REFRIGERATOR
   (PROVIDE 30" CLEARANCE NEXT TO COUNTER)
35. JANITORIAL ROOM SINK (IN COUNTER)
36. 5'-0" MIRROR CENTERED ON WALL ABOVE COUNTER

SPECIAL NOTES:
37. PROVIDE ELECTRICAL OUTLET FOR FUTURE USE
38. VENDOR RACKS: REMOVE BASE DOOR & SHOES; CAD PANEL TO REMAIN
39. PROVIDE OPENING FOR ONE-WAY GLASS (SEE INTERIOR ELEVATION FOR LOCATION)
40. NEWSPAPER RACK BY VENDOR
41. PICTURE CAME PLUS TERMINAL

FIXTURE LEGEND

12 GONDOLA (DA SIDE)	1818 D.	36 W.	68" H.	ALL OTHER FIXTURES ARE TYPICALLY CALLED OUT DEPTH BY WIDTH, EXAMPLE:	
GS GONDOLA S/D	18 D.	36 W.	68" H.		
WS WALL SHLVG	18 D.	36 W.	84" H.	DT DISPLAY TABLE	30 D.	48 W.

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

EXECUTIVE APPROVAL

	DATE
SENIOR VICE PRESIDENT FACILITIES DEVELOPMENT	
SENIOR VICE PRESIDENT STORE OPERATIONS	
VICE PRESIDENT STORE OPERATIONS	
REVIEWED BY:	G. SCRIMALI 04.01.03 / C. SCHUFFLER 04.01.03

PROTOTYPE

*A.D.A. DOOR CLEARANCES

*ACCESSIBLE REQUIREMENTS MAY VARY WITH LOCAL JURISDICTIONS

Walgreens
FACILITIES PLANNING, DESIGN, & ENGINEERING
200 WILMOT ROAD
DEERFIELD, IL 60015-4816

PROJECT DATA

TYPE			
NEW LOCATION	■	GENERAL SALES	■
NEW LOCATION EXISTING BLDG	□	PHARMACY	■
REMODEL	□	LIQUOR	□
		FOOD MART	■
		SECURITY	□
		1 HOUR PHOTO	■
		24 HOUR STORE	□
		OTHER	□

SQUARE FOOT AREA SUMMARY

DEPARTMENT		SALES	STOCK	SERVICE	TOTAL EXIST'G	TOTAL NEW
GEN SALES	NEW	9625	1746	1270		12,641
	EXIST'G					
FOOD MART	NEW	/00				/00
	EXIST'G					
RX	NEW	840				840
	EXIST'G					
RX WAIT'G	NEW	204				204
	EXIST'G					
1 - OUR PHOTO	NEW	436				436
	EXIST'G					
LIQUOR	NEW					
	EXIST'G					
BSMT	NEW					
	EXIST'G					
2ND F.LOOR	NEW					
	EXIST'G					
TOTAL NEW		11,804	1746	1270		14,820
TOTAL EXIST'G						

TOTAL AREA: *FIRST* FLOOR 14,820 SQ.FT.
TOTAL AREA: OTHER LEVELS 0 SQ.FT.
GROSS AREA INCLUDING ALL DEPARTMENTS & ALL LEVELS: 14,820 SQ.FT.
RX SHELVING LINEAL FEET: 117 SQ.FT.

FIXTURE MANUFACTURER

KECHLER MYERS ■ | MADSEN HUMANA □ | LOZIER LOCKIN □

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STORE NUMBER 07864

PROJECT NAME
WALGREENS STORE
(NEC) DURANGO & FARM
LAS VEGAS, NV

DRAWING TITLE
FIXTURE FLOOR PLAN

CADD PLOT: P07864-2106
VOID PLOT: P07864-2109
SUPERSEDES PLAN DATED: 11/06/03
SCALE: 1/8"=1'-0"
DRAWN BY: A.SUB
DATE: 03/24/04
REVIEWED BY:
DRAWING NO. D1
OF DWGS.

04-29-04
UPDATE PLANS TO MATCH OUTSIDE ANCHORING & DOOR OPENINGS AT TRADE WALL. UPDATE DIMENSIONS AND ADJUST RECEIVING WALL DIMENSION PER OUTSIDE AND RTTOT.

03-04-04
UPDATE ONE HOUR PHOTO TO SHOW FULL 3rd COUNTER. ADD 4 STALL GARTNELL AT FRONT ENTRANCE. ADD PLUSH VAL MP "DX PTS. A'D MS-4891R1 IN STOCKROOM.

11-24-2003
UPDATE PHARMACY TO LATEST PROTOTYPE AND ADD RX "OUT" AND 6" DOORZOOM. SPRINKLER RISER, FIRE CONNECTION, AND ROOF INLET TO ACCOMODATE RX "OUT".

10-29-2003
UPDATE INTERIOR WALL THICKNESS TO 5½" FROM FINISH TO FACE OF STUD.

09-23-2003
UPDATE SCOPE TO 11/14/30 PROTOTYPE PER PROJECT MANUAL DATED.

PROTOTYPE L114130 (09-21-2003)

MAY 06 2010

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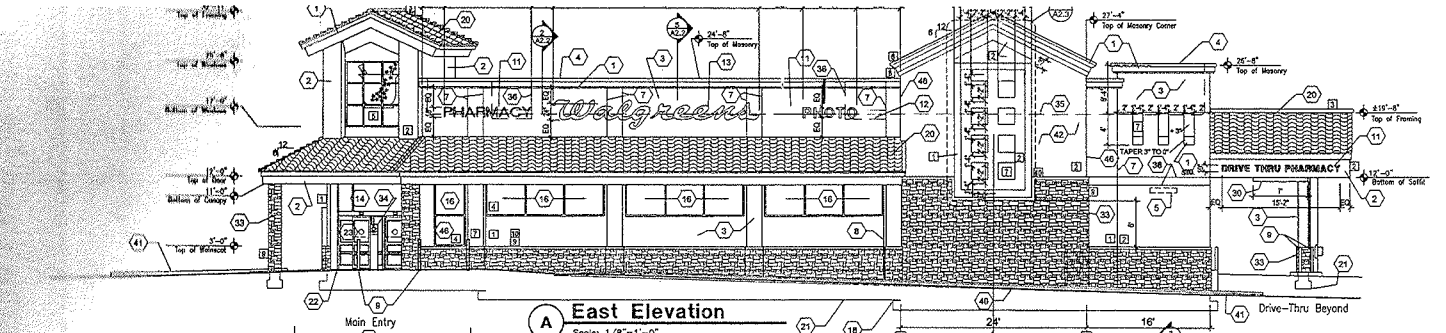
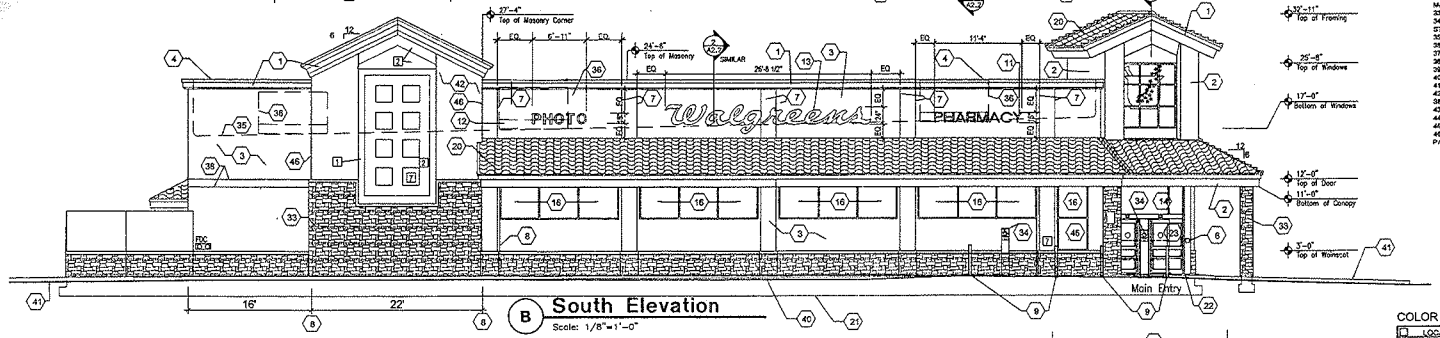
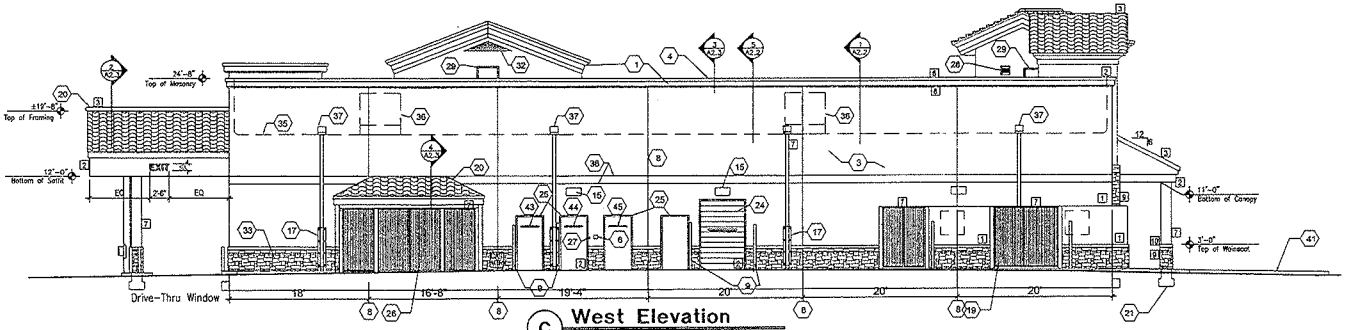


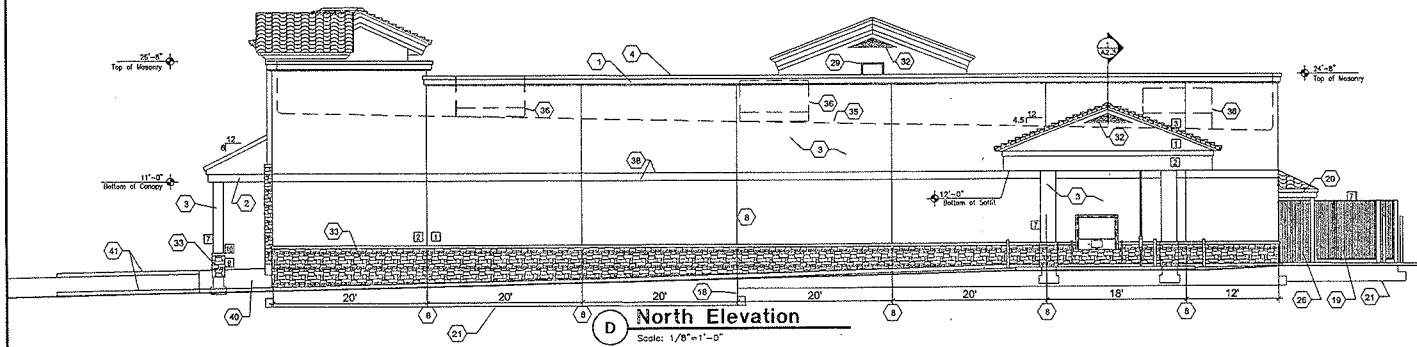
A East Elevation
Scale: 1/8"=1'-0"



B South Elevation
Scale: 1/8"=1'-0"



C West Elevation
Scale: 1/8"=1'-0"



D North Elevation
Scale: 1/8"=1'-0"

1. EIFS FINISH OVER FOAM CORNICE. MED. SAND FINISH. SEE 3/A2.3.
2. TWO-COAT STUCCO SYSTEM W/ ELASTOMERIC FINISH ON 20 GA LATH AND ASPHALT IMPREGNATED PAPER OVER 5/8" SHEATHING ON WOOD STUDS.
3. TWO COAT STUCCO SYSTEM WITH FIBERED BASECOAT AND ELASTOMERIC FINISH COAT OVER CMU.
4. PREFINISHED SHEET METAL COPING, GUTTERS AND DOWNSPOUT. COLOR TO MATCH UNA-CLAD "ALMOND". SEE 3/A2.3.
5. BUILDING ADDRESS NUMBERS PER CITY OF LAS VEGAS F.D. REQUIREMENTS.
6. APPROVED KEY BOX PER CITY OF LAS VEGAS F.D. MOUNT BOTTOM 4'-0" AFF.
7. CONTROL JOINT. KEENE #CJ16-3 OR EQ. ALIGN TO COLUMNS BELOW.
8. ALIGNED MASONRY + STUCCO (KEENE #CJ16-3 OR EQ.) EXPANSION JOINTS. SEE STRUCTURAL.
9. STEEL PIPE BOLLARDS. SEE DETAIL 6/A1.4.
10. RECEIVING AREA CONCRETE SLAB.
11. TENANT INDIVIDUAL LETTER INTERNALLY ILLUMINATED SIGN. SEE ELECTRICAL AND A5.2.
12. ALIGN BOTTOM OF SIGN WITH BOTTOM OF "W" OF WALGREENS SCRIPT SIGN. SEE DETAIL A5.2.
13. WALGREENS SCRIPT SIGN. SEE DETAIL A5.2.
14. AUTOMATIC SLIDING DOOR W/ FULL BREAK-AWAY PANELS (CBO REPORT #1086, FILING CAT.: EXITS (500)). SEE DETAIL 4/A2.2.
15. LIGHT FIXTURE. SEE ELECTRICAL. TYPICAL MOUNTING HEIGHT BOTTOM 10' A.F.F.
16. CLEAR ANODIZED STOREFRONT SYSTEM WITH 1" INSULATING GLAZING. SEE SPECIFICATIONS.
17. 1/8" THICK BENT STEEL PLATE ITO PROTECT DOWNSPOUT BOLTED TO MASONRY. CORE AROUND BULLNOSE. FINISH TO MATCH DOWNSPOUT. SEE DETAIL 5/A1.3.
18. STEP FOOTING. SEE STRUCTURAL.
19. COMPACTOR ENCLOSURE. SEE SHEET A1.4.
20. CONCRETE ROOF TILE ON (2) LAYERS 30# FELT. NAIL ALL TILES. SEE INSERT A2.3.
21. LINE OF FOUNDATION.
22. LINE OF FINISH FLOOR.
23. TEMPERED GLAZING. SEE DETAIL 6/A4.3.
24. STEEL ROLLING DOOR. PAINT.
25. HOLLOW METAL DOOR AND FRAME PAINT.
26. TOTE STORAGE ENCLOSURE. SEE SHEET A1.4.
27. DOOR BELL AT 48" AFF. SEE ELECTRICAL.
28. 12" X 18" WALL VENT WITH INSECT SCREEN. PAINT TO MATCH STUCCO.
29. ACCESS DOOR "R". SEE A4.3. FLUSH AND WEATHERPROOF SEAL TO WALL.
30. CLEARANCE BAR.
31. RAISE PAVING TO SIDEWALK LEVEL AT ACCESSIBLE PARKING. SEE CIVIL.
32. TRIANGULAR WEATHERPROOF GABLE VENT. 72"L W/ INTERIOR INSECT SCREEN. MATCH ROOF PITCH AND ACCENT COLOR #7.
33. CULTURED CONCRETE "LEDGESTONE" BY CULTURED STONE, OR EQUAL.
34. POST MOUNTED ACCESSIBLE PARKING SIGN PER CITY OF LAS VEGAS STANDARDS. SEE DETAIL 4/A1.4.
35. LINE OF ROOF BEYOND.
36. CONCEALED ROOFTOP MECHANICAL UNIT.
37. PREFINISHED COLLECTOR HEAD AND DOWNSPOUT. COLOR #6.
38. CORNER STUCCO EXPANSION JOINT. KEENE #20 OR EQ.
39. CLEAR ANODIZED STOREFRONT SYSTEM WITH 1/4" CLEAR PLATE GLAZING.
40. CONCRETE SIDEWALK. MAX SLOPES 2 % AND MAX SIDESLOPES 2 %. SEE CIVIL.
41. CONCRETE CURB AND PLANTER. SEE CIVIL AND LANDSCAPING.
42. TWO-COAT STUCCO SYSTEM W/ ELASTOMERIC FINISH ON 8" CMU DUMP-OUT. SEE STRUCTURAL.
43. DOOR SIGN. 1" HIGH WHITE HELV. MED. LETTERS: "SPRINKLER RISER ROOM"
44. DOOR SIGN. 1" HIGH WHITE HELV. MED. LETTERS: "EXIT-KEEP CLEAR"
45. DOOR SIGN. 1" HIGH WHITE HELV. MED. LETTERS: "ELECTRICAL ROOM"
46. CLEAR ANODIZED STOREFRONT SYSTEM WITH 1" INSULATED GLAZING. OUTER PANE TO BE LAMINATED SAFETY GLASS.

COLOR CHART

	LOCATION	COLOR
1	PRIMARY STUCCO	BM 951 LIGHT TAN
2	ACCENT STUCCO	BM 1032 MEDIUM TAN
3	ROOF	MONIER MISSION "S" STYLE "PINTO BLEND" 1MSSS 0689
4	GLASS	1" INSUL. TINTED, LOW E GLASS W/ CLEAR ANODIZED FRAMES
5	GLASS	1/4" CLEAR
6	PARAPET CAP	UNA CLAD "ALMOND"
7	ACCENT COLOR	SW 2001 "ROCKY COAST"
8	CORNICE	BM 1032
9	WAINSCOT BLOCK	CULTURED STONE - LEDGESTONE "MOJAVE # PR1014".
10	WAINSCOT CAP	CULTURED STONE WATERTABLE BLOCK-"MOJAVE"

MAY 06 2010

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DEERFIELD, IL 60015-4616

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EXTERIOR ELEVATION - BEER & WINE

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VOID PLOT:	DRAWN BY: B. HESTER	A2.1
SUPERSEDES PLAN DATED:	DATE: 11/16/09	
	REVIEWED BY:	OF [illegible]

TM MONDAY, 11/16/2009 10:53 AM

SUP-38211



SUP-38211 – APPLICANT: WALGREEN CO. - OWNER: PPLAND, LP
7755 NORTH DURANGO DRIVE

05/20/10



SUP-38211 – APPLICANT: WALGREEN CO. - OWNER: PPLAND, LP
7755 NORTH DURANGO DRIVE

05/20/10

LIONEL SAWYER & COLLINS

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

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

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

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

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

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

March 9, 2010

VIA FACSIMILE & HAND DELIVERY

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

RECEIVED
MAY 06 2010

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

To Whom It May Concern:

I am writing on behalf of Walgreen Co. in support of the application for a special use permit to allow for the addition of accessory "off-sale" packaged beer, wine, and liquor at the premises of Walgreens at 7789 North Durango Drive. The location is currently operating and licensed as a drug store.

This location is zoned T-C (SC), Town Center/Service Commercial. The proposed sale of packaged liquor will not adversely affect nearby properties, as the business is centered on two thoroughfares, Durango Drive and El Capitan/Farm. The located is surrounded by other commercial uses and vacant land. The addition of packaged alcoholic beverages would constitute a very minor portion of Walgreens' overall business at this location. As the site is zoned for commercial use, the sale of alcoholic beverages is appropriate. The site also currently complies with all other requirements pursuant to the City of Las Vegas Municipal Code.

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

SUP-38211

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

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. 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.

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 to allow for the addition of accessory "off-sale" packaged beer, wine, and liquor sales.

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

Sincerely,

Jennifer Roberts

cc: Ms. Rebecca Lidskin

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MAY 06 2010

SUP-38211

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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

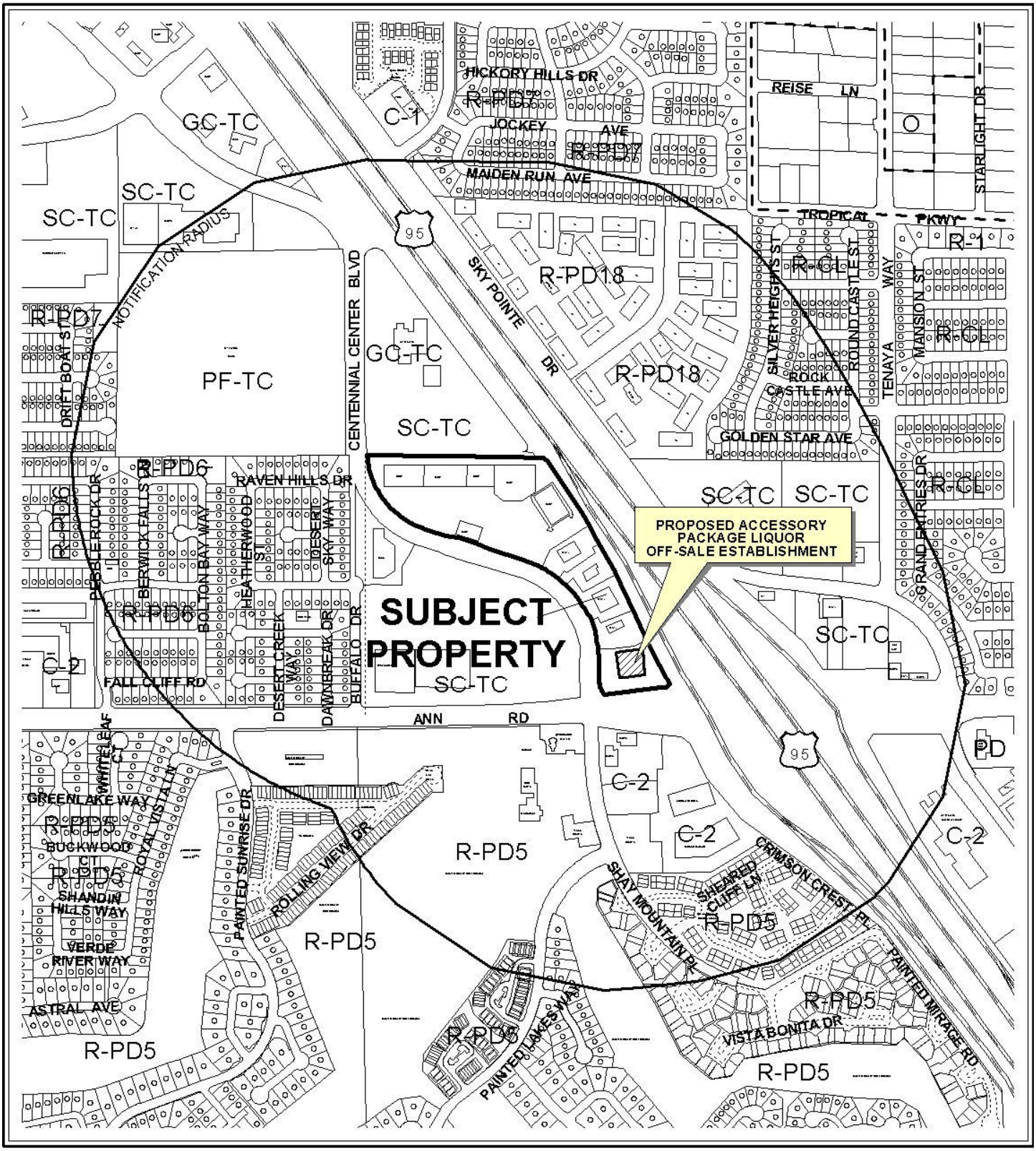
SUBJECT:
SUP-38213 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WALGREEN CO. - OWNER: CENTENNIAL GATEWAY, LLC - Request for a Special Use Permit FOR AN 82 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 15,000 SQUARE-FOOT RETAIL ESTABLISHMENT at 5610 Centennial Center Boulevard (APN 125-27-411-011), T-C (Town Center) Zone [SC-TC (SERVICE COMMERCIAL - TOWN CENTER) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends 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

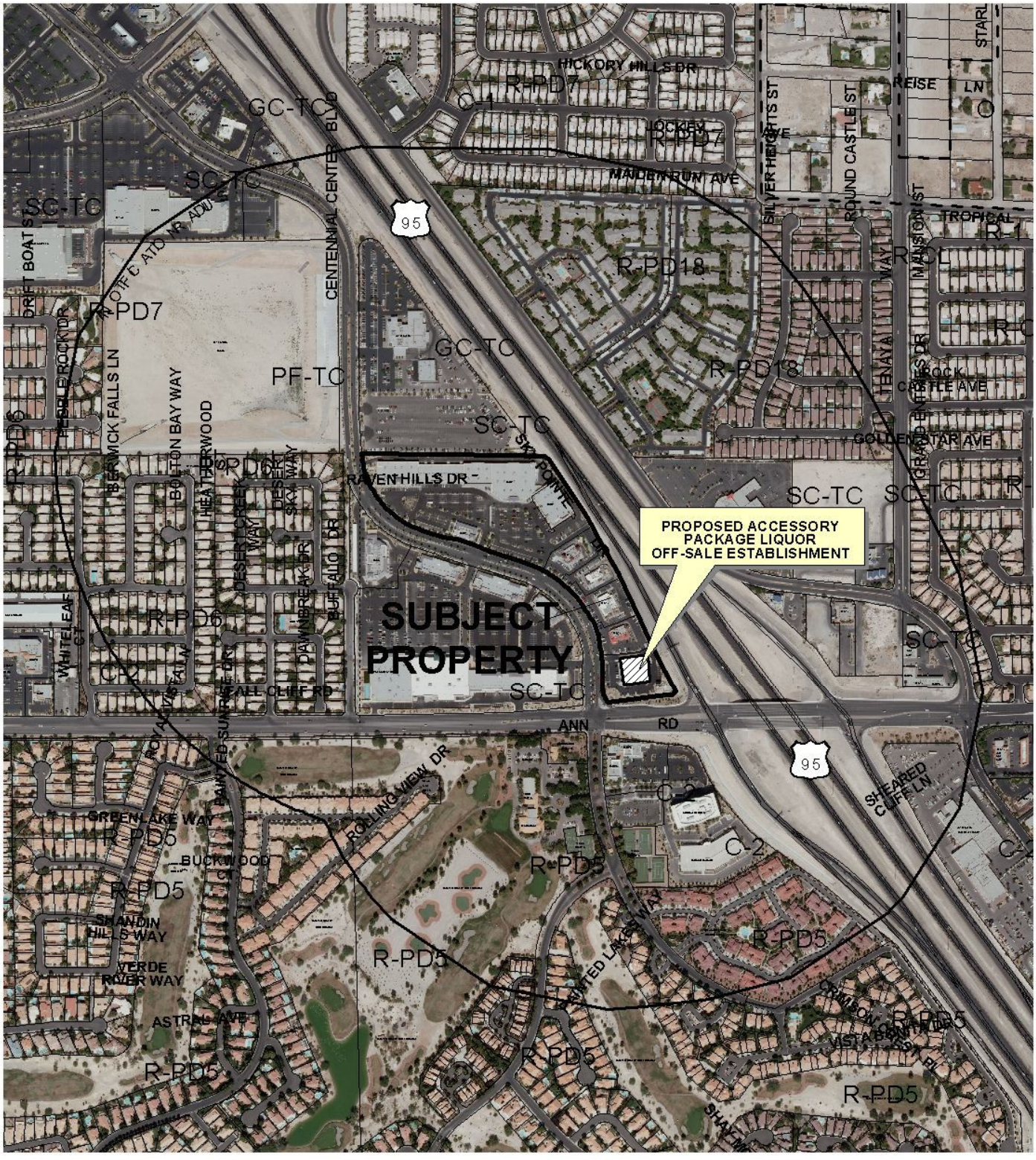
CASE: **SUP-38213**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION DESIGNATION]

N



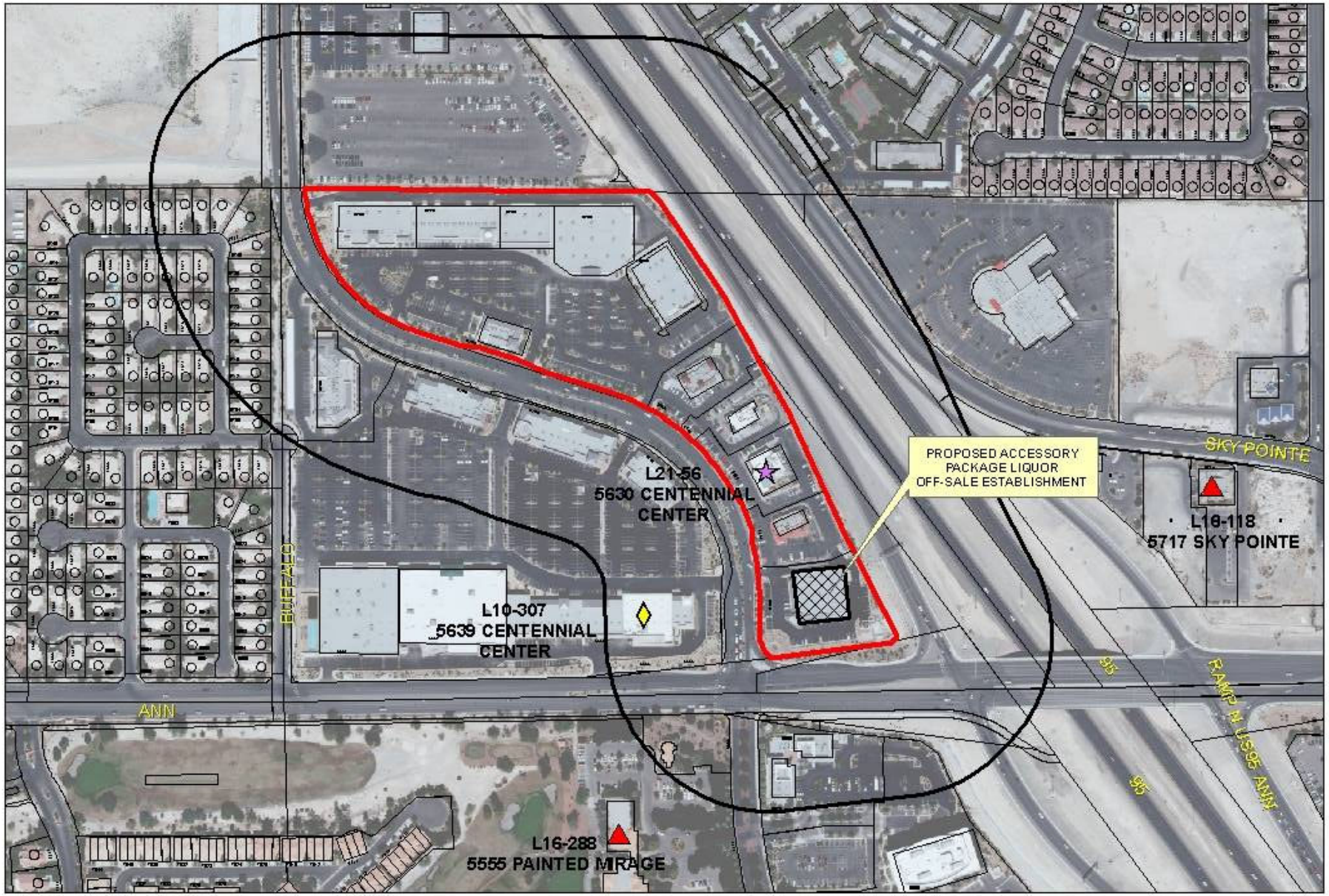
0 500 1000 Feet

CASE: **SUP-38213**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL LAND USE DESIGNATION DESIGNATION]



SUP-38213

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: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: WALGREEN CO. - OWNER: CENTENNIAL GATEWAY, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-38213	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-38213 CONDITIONS

Planning and Development

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

2. Conformance to the approved conditions for Rezoning (Z-0076-98) and Site Development Plan Review (SDR-14101).

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

PROJECT DESCRIPTION

This is a request for a Special Use Permit for an 82 square-foot Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 15,000 square-foot Retail Establishment at 5610 Centennial Center Boulevard. The proposed use will not require additional parking beyond that which is required for the principal use on the site. No more than 10 percent of the retail floor space is devoted to alcoholic beverage sales. This site location is well suited for this use, since the use is located within a large shopping center. Staff recommends approval, since the Retail Establishment with Accessory Package Liquor Off-Sale use meets all minimum Special Use Permit requirements. If this request is denied, the existing retail establishment would remain.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/07/98	The City Council approved the Rezoning (Z-0076-98) to the T-C (Town Center) district on 1,468 acres, including this parcel. The Planning Commission and staff recommended approval.
11/07/01	The City Council approved the Town Center Development Standards (TCDS) Manual through Bill No. 2001-100. The TCDS details the uses permitted within Town Center and the development standards that will accomplish the vision of Town Center.
05/23/03	The Centennial Hills Architectural Review Committee approved a Master Sign Plan (CHR-0020-05) at the Centennial Gateway commercial development at the northwest corner of U.S. 95 and Ann Road. Staff recommended approval.
06/12/03	The Planning Commission approved a request for a Tentative Map (TMP-2202) for a 2-lot commercial subdivision on 36.5 acres adjacent to the northeast and northwest corner of Ann Road and Centennial Center Boulevard. Staff recommended approval.
08/06/03	The City Council approved a request for a Site Development Plan Review (SDR-2208) for a proposed 397,244 square foot commercial development and waivers of the Town Center Development Standards are requested to eliminate the landscaping within the Ann Road median, to allow the hardscape areas within the amenity zone every 600 feet along Centennial Center Boulevard where 105 feet is the maximum permitted, to allow parking adjacent to the right-of-way, to allow 50% screening of the mechanical installations along centennial center boulevard where 100% is required, to

08/06/03	allow less than 60% of the buildings to the build-to-line, and to allow doorways to be more then every 50 feet along a building façade that fronts a street or plaza area on 36.5 acres adjacent to the northeast and northwest corner of Ann Road and Centennial Center Boulevard. The Planning Commission and staff recommended approval.
08/19/04	Planning and Development Department staff administratively approved a Minor Amendment to the approved Site Development Plan Review (SDR-2208) for the overall retail site. Some of the buildings were removed, shifted to other areas on the plan, or had floor areas reduced or increased, and some of the drive-through and supper club uses shifted to other buildings. No significant changes were made to the original approval.
06/21/05	The Centennial Hills Architectural Review Committee approved a Master Sign Plan (CHR-0020-05) at the Centennial Gateway commercial development at the northwest corner of U.S. 95 and Ann Road. Staff recommended approval.
09/07/05	The City Council approved a request for a Minor Amendment (SDR-8695) of an approved Site Development Plan Review (SDR-2208) for a proposed 397,244 square-foot commercial development on 36.5 acres adjacent to the northeast and northwest corner of Ann Road and Centennial Center Boulevard. Staff recommended approval.
08/10/06	The Planning Commission approved a Site Development Plan Review (SDR-14101) for a proposed commercial development consisting of 15,000 square-foot retail development (Drug Store) and a 2,463 square-foot Restaurant with drive through at the northeast corner of Centennial Center Boulevard and Ann Road. Staff recommended approval.

Most Recent Change of Ownership	
04/15/2003	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
10/11/07	A building permit (7002879) was issued for a Certificate of Occupancy for a 15,000 square-foot retail building at 5610 Centennial Center Boulevard. The permit was finaled on 07/08/08.
10/11/07	A building permit (7002878) was issued for on site improvements. The permit was never finaled.
10/11/07	A building permit (7002877) was issued for a trash enclosure. The permit was finaled on 06/10/08.
10/25/07	A building permit (7002977) was issued for on-site water & sewer. The permit was finaled on 06/10/08.
10/31/07	A building permit (7003071) was issued for electrical. The permit was finaled on 07/03/08.

03/25/08	A building permit (8000035) was issued for 10 wall signs, totaling 359 square feet. The permit was finaled on 09/18/08.
05/15/08	A business license (C05-02611) was issued for a Tobacco Dealer Retail at 5610 Centennial Center Boulevard. The license is still active.
05/15/08	A business license (D11-00225) was issued for a Drug Store at 5610 Centennial Center Boulevard. The license is still active.
05/15/08	A business license (Q04-00047) was issued for a Pharmacy at 5610 Centennial Center Boulevard. The license is still active.

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 Retail Establishment with Accessory Package Liquor Off-Sale were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed. • Need to indicate retail floor space devoted for the sale of alcoholic beverages. • The proposed use is not within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City Park.

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

Field Check	
05/20/10	A field inspection was conducted by staff. The subject property was noted as a well maintained commercial center.

Details of Application Request	
Site Area	
Net Acres	1.65

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail Store	SC-TC (Service Commercial- Town Center)	T-C (Town Center)

North	Shopping Center	SC-TC (Service Commercial- Town Center)	T-C (Town Center)
South	General Retail Store	GC (General Commercial)	C-2 (General Commercial)
East	Shopping Center	SC-TC (Service Commercial- Town Center)	T-C (Town Center)
West	Shopping Center	SC-TC (Service Commercial- Town Center)	T-C (Town Center)

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

DEVELOPMENT STANDARDS

As approved by SDR-14101, 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, Other than Listed	15,000 SF	1:250 SF	60		60		Y
TOTAL SPACES REQUIRED			60		60		Y
TOTAL (With Handicapped)			57	3	56	4	Y

ANALYSIS

This is a request for a Special Use Permit for an 82 square-foot Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 15,000 square-foot Retail Establishment at 7755 North Durango Drive. This site location does not have any churches, schools, child care facilities or city parks within the required 400-foot distance separation radius. No additional parking beyond that which is required for the principal use on the site is required as a result of the addition of this use.

The sale of alcoholic beverages is ancillary to the retail use, and 82 square feet of the retail floor space is devoted to the display or merchandising of alcoholic beverages. The proposed use meets the minimum requirements of Title 19.04; staff therefore recommends approval of this request.

FINDINGS (SUP-38213)

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 Retail Establishment with Accessory Package Liquor Off-Sale use will be located within the existing Retail Establishment and it is an accessory use. The proposed use can be conducted in a manner that is harmonious and compatible with the uses in the existing site and with the commercial uses on adjacent properties.

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

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

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

   Site access is provided from Centennial Center Boulevard, a 90-foot Town Center Frontage Road as designated by the Town Center Street Classifications in the Town Center Development Standards Manual. This street is of sufficient size to accommodate the needs of the proposed Accessory Package Liquor Off-Sale use.

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

   Approval of the proposed Special Use Permit will not compromise the public health, safety and general welfare, as the use will be subject to regular inspections for business licensing.

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

   The proposed use will be located within an existing Retail Establishment and complies with the minimum Special Use Permit requirements. The use will devote 82 square feet of the floor space within the existing Retail Establishment for the sale of alcoholic beverages.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 765

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-38213 APN: 125-27-411-011

Name of Property Owner: Centennial Gateway LLC

Name of Applicant: Walgreen Co.

Name of Representative: Lionel Sawyer & Collins

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Terri Sturm

Print Name: Terri Sturm

Subscribed and sworn before me

This 10th day of NOVEMBER, 2009

_____

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
MIGNON G. SANTOS
My Appointment Expires
June 5, 2012
No: 04-90712-1

RECEIVED
MAY 07 2010

#10782

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

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

Project Address (Location) 5610 Centennial Center Boulevard

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

Assessor's Parcel #(s) 125-27-411-011 **Ward #** 6

General Plan: existing XX proposed _____ **Zoning:** existing T-C (SC) proposed _____

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

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

Additional Information _____

PROPERTY OWNER Centennial Gateway LLC **Contact** Prop. Mgmnt @ Territory Inc.

Address 5785 Centennial Center Blvd., #230 **Phone:** (702) 222-1402 **Fax:** (702) 227-0746

City Las Vegas **State** NV **Zip** 89149

E-mail Address none

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

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

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

E-mail Address Rebecca.Lidskin@walgreens.com

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

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

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

E-mail Address jroberts@lionelsawyer.com

Property Owner Signature* Terri Sturm

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

Print Name Terri Sturm

Subscribed and sworn before me

This 10th day of NOVEMBER, 20 09.

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
MIGNON G. SANTOS
My Appointment Expires
June 5, 2012
No: 04-90712-1

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MAY 07 2010

FOR DEPARTMENT USE ONLY

Case #	SUP-38213
Meeting Date:	06/24/10
Total Fee:	$1280.00
Date Received:*	05/07/10
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.

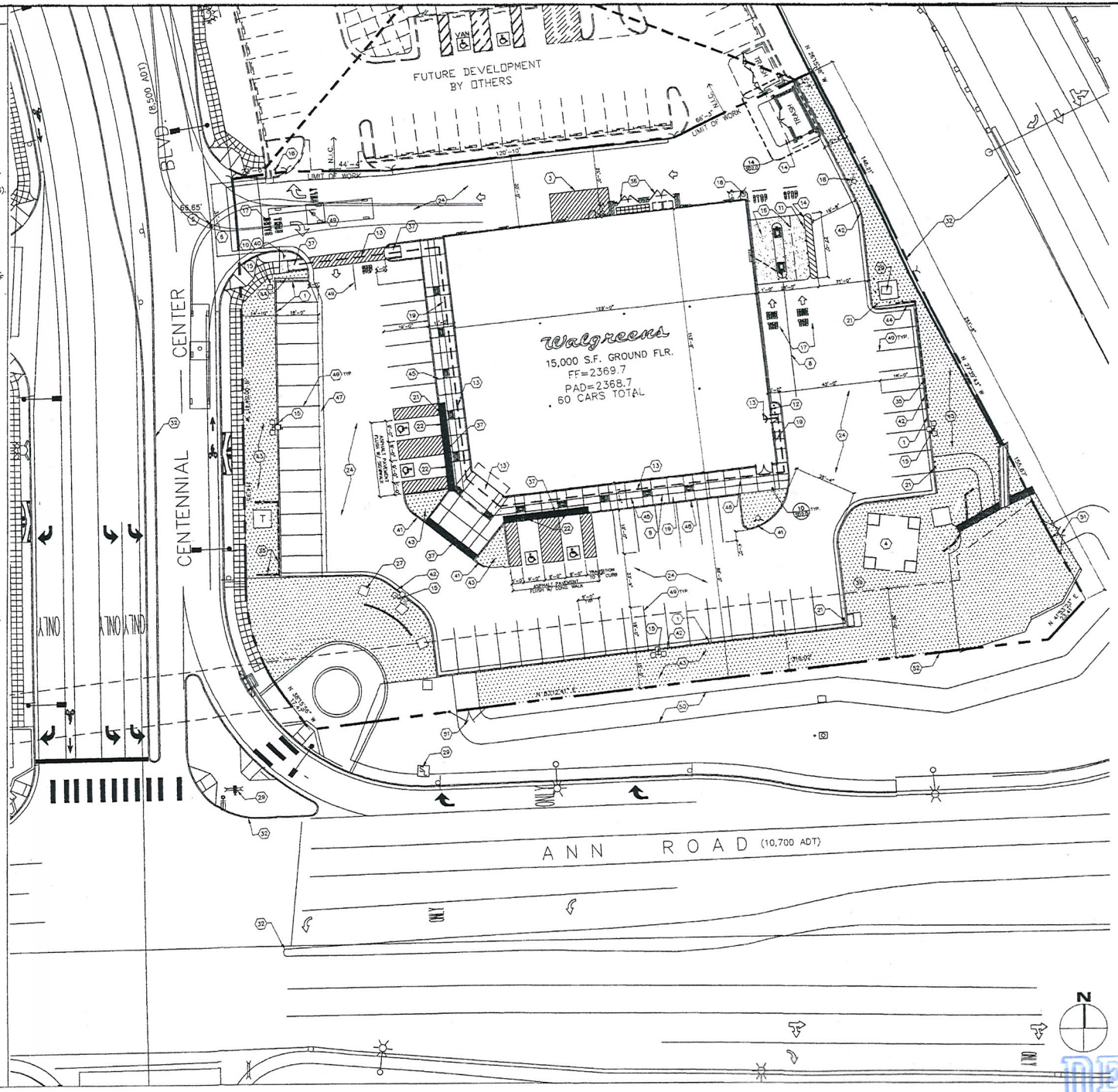
f:\depot\Application Packet\Application Form.pdf

Revised 10/27/08

#10782

SITE PLAN KEYED NOTES

1. PERIMETER OF ALL ASPHALT TO RECEIVE CONCRETE CURBS PER CIVIL DRAWINGS.
2. SMALL TRUCK AFTER HOURS DELIVERY "BACK IN".
3. 15'x25' CITY OF LAS VEGAS REQUIRED LOADING ZONE YELLOW PAINTED DIAGONAL STRIPING.
4. EXISTING 49' TALL DOMED PYLON SIGN.
5. VEHICULAR ENTRANCE AND SPOT ELEVATION.
6. CONCRETE APRON TO CLV SPECIFICATIONS–SEE CIVIL DWGS.
7. LIMIT OF HEAVY DUTY ASPHALT PAVING–SEE CIVIL DWGS.
8. 50'L X 4"W YELLOW PAINT STRIPE (TYPICAL) LANE DIVIDER.
9. LINE OF CANOPY ABOVE.
10. 12"x18" "DO NOT BLOCK ENTRANCE" SIGN.
11. 36"H FLEXIBLE DELINEATOR POST. FASTEN TO CONCRETE W/ BOLTS, (NO ADHESIVE FASTENING).
12. GAS METER WITH BOLLARDS (SOUTHWEST GAS; SEE PLUMBING DWGS).
13. ADA PATH–OF–TRAVEL
14. LINE OF CONCRETE PAD.
15. LIGHT POLE BASE, SEE SHEET E0.1,.2/SD3.0.
16. CONCRETE DRIVE–UP LANE AND CANOPY ABOVE.
17. LANE DIVIDERS AND DIRECTIONAL ARROWS.
18. MINIMUM 24" OCTAGONAL REFLECTIVE STEEL STOP SIGN. SEE DETAIL 3/SD2.1. AT DRIVE–THRU: ALIGN EDGE OF STOP SIGN WITH EDGE OF OF 1'–0" CURB AT DRIVE–THRU.
19. CONCRETE SIDEWALK. SEE SHEET A1.1 – KEYED NOTE #2.
20. NPCO TRANSFORMER WITH BOLLARDS.
21. BOLLARDS SEE DETAIL 11/SD3.0..
22. ACCESSIBLE PARKING SIGN SEE (11/SD3.0)
23. NOT USED
24. ASPHALT PAVING–SEE CIVIL DWGS.
25. NOT USED.
26. NOT USED..
27. FUTURE 4'x4'x16'H. MONOLITH SIGNS.
28. NOT USED
29. EXISTING OR PROPOSED TRAFFIC CONTROL ELEMENTS.
30. NOT USED.
31. NOT USED.
32. OFF–SITE IMPROVEMENTS. EXISTING OR PROPOSED (N.I.C.).
33. NOT USED.
34. NOT USED.
35. NEW RETAINING WALL AND GUARDRAIL–SEE CIVIL DWGS.
36. TOTE ENCLOSURE.
37. DETECTABLE WARNING SURFACE SEE DETAIL (8/SD2.1)
38. NOT USED.
39. NOT USED
40. TRAFFIC AND HANDICAP ENTRANCE SIGN. (10/SD3.0)
41. 6" HIGH CONCRETE PLANTER CURB–SEE CIVIL DWGS.
42. 6" HIGH CONCRETE PLANTER CURB AND GUTTER–SEE CIVIL DWGS.
43. LANDSCAPE AREA, REFER TO LANDSCAPE DRAWINGS..
44. 6" HIGH CONC. PLANTER CURB AND STEPPING PAD–SEE CIVIL DWGS.
45. EXPANSION JOINT. (4/SD3.0)
46. TOOLED JOINT. (4/SD3.0)
47. CONCRETE SWALE–SEE CIVIL DWGS.
48. CONCRETE CURB AT SIDEWALK–SEE CIVIL DWGS.
49. PAINT 4" WIDE SOLID TRAFFIC STRIPING WITH TWO (2) 10/SD3.0 COATS HIGHWAY WHITE PAINT.
50. MAINTENANCE ACCESS PATH (E) N.I.C.
51. EXISTING GATE (N.I.C.).
52. EXISTING FENCE (N.I.C.).



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

NO.	DATE	BY	DESCRIPTION	CONST

REVISIONS

CERTIFICATION AND SEAL

STORE NUMBER 10782

PROJECT NAME
WALGREENS STORE
5610 CENTENNIAL CENTER ROAD
LAS VEGAS, NV

DRAWING TITLE
SITE PLAN - BEER & WINE

CADD PLOT: 10782-A01-BW-16NOV09	SCALE: 1/20 =1'-0"	DRAWING NO.
VOID PLOT:	DRAWN BY: B. HESTER	A0.1
SUPERSEDES	DATE: 11/16/09	

SUP-38213

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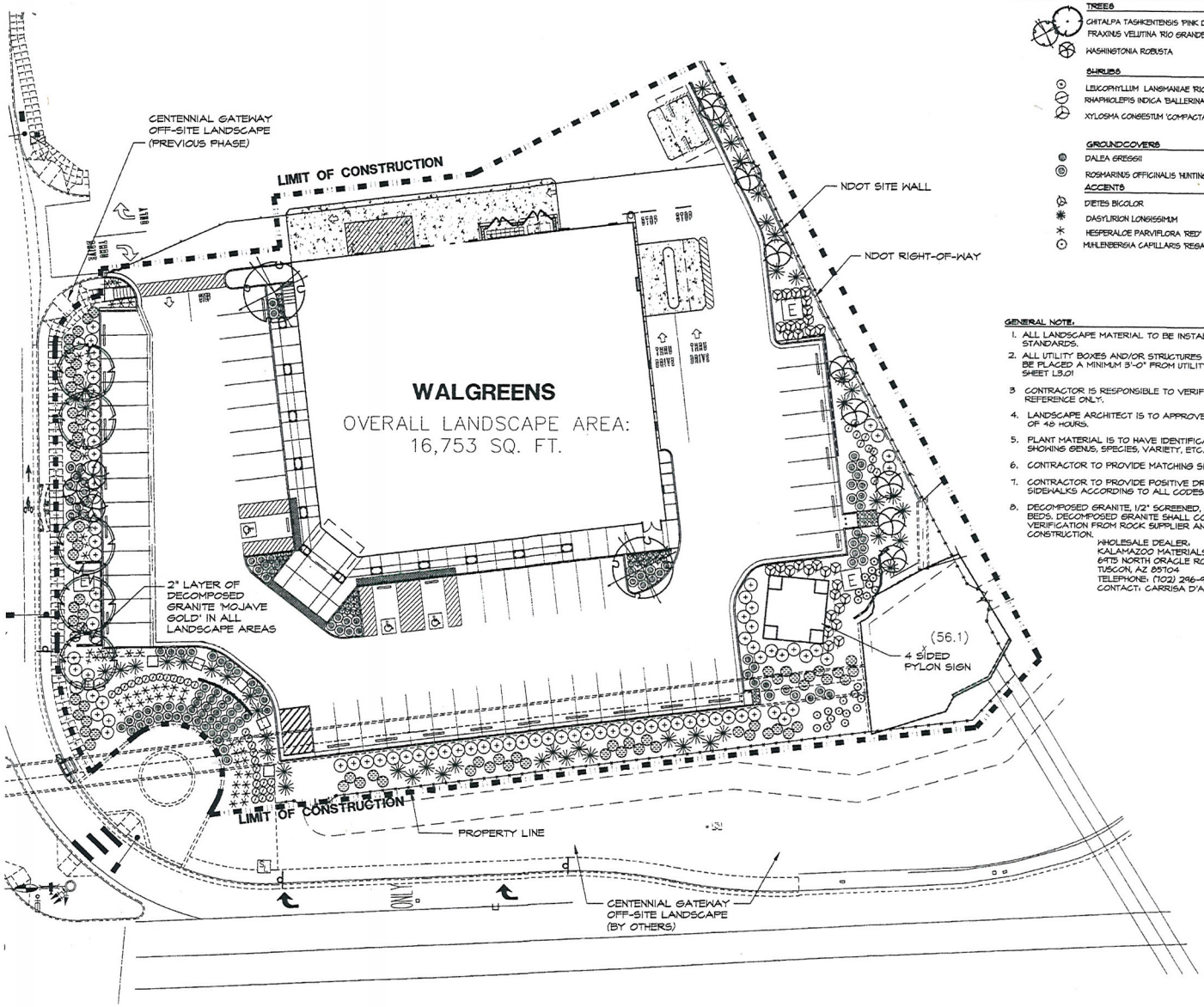

SYMBOL	BOTANICAL NAME	COMMON NAME		SIZE
	TREES			
	CHITALPA TASHKENTENSIS 'PINK DAWN'	CHITALPA	5	36" BOX
	FRAXINUS VELUTINA 'RIO GRANDE'	RIO GRANDE ASH	2	24" BOX
	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	11	15' BTH
	SHRUBS			
	LEUCOPHYLLUM LANGMANIAE 'RIO BRAVO'	RIO BRAVO SAGE	88	5 GAL
	RHAPHIOLEPIS INDICA 'BALLERINA'	DWARF INDIAN HAWTHORN	40	5 GAL
	XYLOSMA CONGESTUM 'COMPACTA'	COMPACT XYLOSMA	31	5 GAL
	GROUNDCOVERS			
	DALEA GREGGII	TRAILING INDIGO BUSH	71	5 GAL
	ROSMARINUS OFFICINALIS 'HUNTINGTON CARPET'	SPREADING ROSEMARY	115	5 GAL
	ACCENTS			
	DIETES BICOLOR	EVERGREEN IRIS	33	5 GAL
	DASYLIRION LONGISSIMUM	SOTOL	49	5 GAL
	HESPERALOE PARVIFLORA 'RED'	RED YUCCA	53	5 GAL
	MUHLENBERGIA CAPILLARIS 'REGAL MIST'	REGAL MIST DEER GRASS	25	5 GAL

GENERAL NOTE.

1. ALL LANDSCAPE MATERIAL TO BE INSTALLED PER CITY OF LAS VEGAS TOWN CENTER LANDSCAPE STANDARDS.
2. ALL UTILITY BOXES AND/OR STRUCTURES IN THE LANDSCAPE TO BE SCREENED WITH LANDSCAPE. SHRUBS TO BE PLACED A MINIMUM 3'-0" FROM UTILITY STRUCTURE PER CITY OF LAS VEGAS STANDARDS. SEE DETAIL C SHEET L3.01
3. CONTRACTOR IS RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES. THE PLANT SCHEDULE IS INTENDED AS A REFERENCE ONLY.
4. LANDSCAPE ARCHITECT IS TO APPROVE ALL PLANT MATERIAL PRIOR TO INSTALLATION WITH PRIOR NOTICE OF 48 HOURS.
5. PLANT MATERIAL IS TO HAVE IDENTIFICATION TAGS ON 10% OF THE TOTAL QUANTITY OF EACH SPECIES, SHOWING GENUS, SPECIES, VARIETY, ETC.
6. CONTRACTOR TO PROVIDE MATCHING SIZES AND FORMS OF LIKE SHRUB SPECIES AS SHOWN ON DRAWINGS.
7. CONTRACTOR TO PROVIDE POSITIVE DRAINAGE AWAY FROM ALL STRUCTURES, WALLS, AND ON ALL SIDEWALKS ACCORDING TO ALL CODES, REGULATIONS, AND REQUIREMENTS.
8. DECOMPOSED GRANITE, 1/2" SCREENED, COLOR: "PALOMINO CORAL", 2" DEPTH TYPICAL IN ALL PLANTING BEDS. 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.

WHOLESALE DEALER:
KALAMAZOO MATERIALS, INC.
6475 NORTH ORACLE ROAD
TUSCON, AZ 85704
TELEPHONE: (702) 296-4135
CONTACT: CARRISA D'ALESSIO

0 20' 40' 80'

SCALE: 1" = 20'-0"

NORTH

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

NO.	DATE	BY	DESCRIPTION	CONST

REVISIONS

CERTIFICATION AND SEAL

STORE NUMBER 10782

PROJECT NAME
WALGREENS STORE
5610 CENTENNIAL CNETER BLOULEVARD
LAS VEGAS, NV

DRAWING TITLE
LANSCAPE PLAN - BEER & WINE

CADD PLOT: 10782-LA01-BW016NOV09	SCALE: 1/20 =1'-0"	DRAWING NO.
VOID PLOT:	DRAWN BY: B. HESTER	LA0.1
SUPERSEDES PLAN DATED:	DATE: 11/16/09	
	REVIEWED BY:	OF DWGS.

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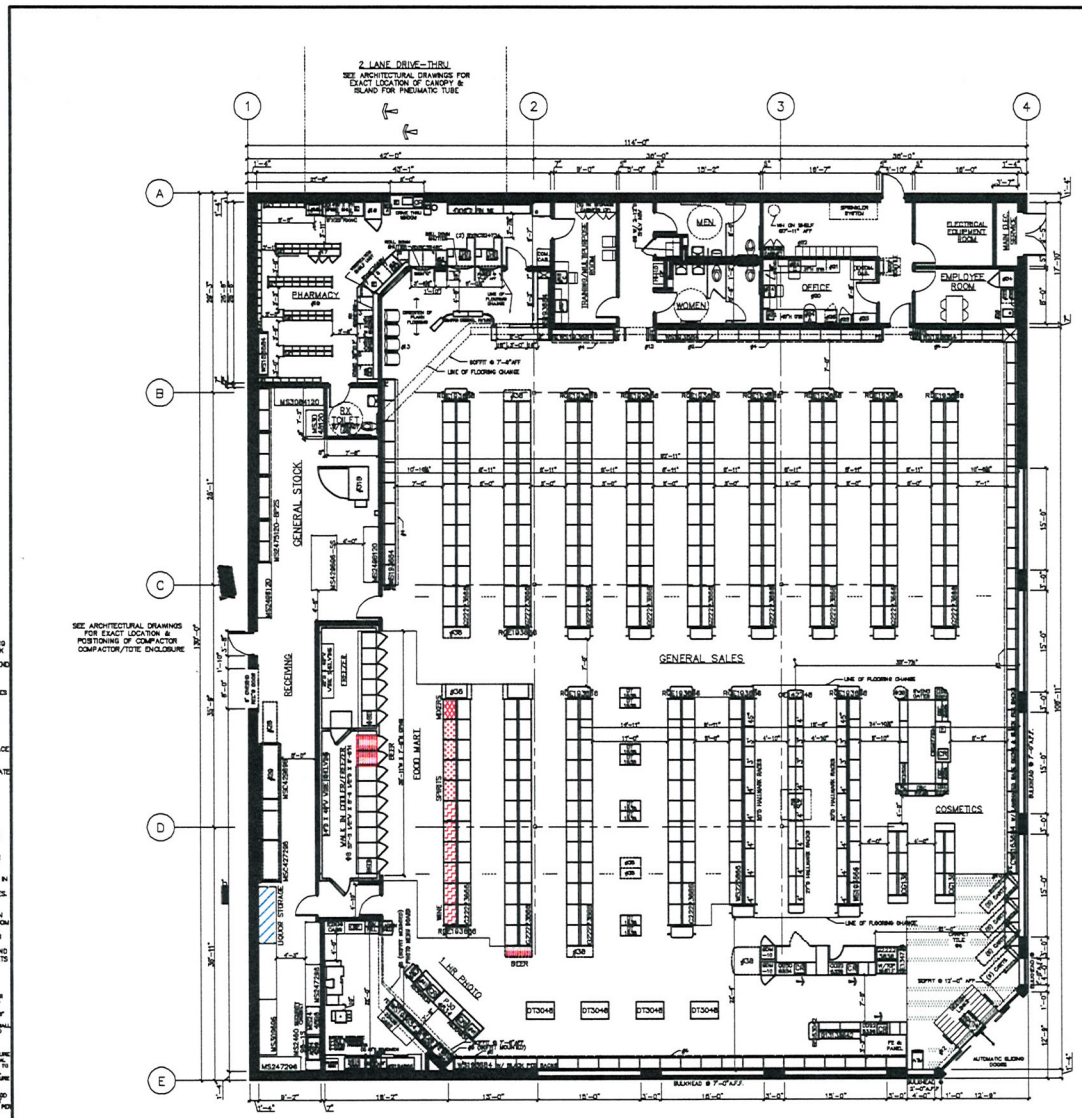
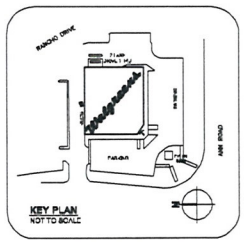


LIQUOR LICENSE LEGEND

- BEER SALES
- WINE SALES
- SPIRIT SALES
- MIXER SALES
- LIQUOR STORAGE

OCCUPANCY LOAD
TOTAL OCCUPANCY: 441

TOTAL LIQUOR SQUARE FEET
TOTAL LIQUOR SALES: 81.7 SQ. FT.
TOTAL SALES: 9432 SQ. FT.
% SALES FLOOR DEVOTED TO LIQUOR = .87%



FOR REFERENCE ONLY; SEE CONTRACT DOCUMENTS FOR DETAILED SITE PLAN

7/20/07 JAL D104
FINAL MYLAR
ADD LINE OF FLOORING CHANGE AT HALLMARK FIXTURES PER 2007 OPTIONS, ADD NEW END STAND TO TANDEM CHECKOUT GONDOLA PER CORP. PURCH; REVISE GENERAL NOTES #7 PER LATEST REFRIGERATION GUIDELINES; REVISE GENERAL NOTES #12, #14 & #17 PER NEW PHARMACY DESIGN; REVISE RECEIVING LOCATION AND REPLACE 6' SECURITY CABINET W/ 4' CABINET PER DREAM TEAM; RELOCATE SOFFIT LINE AT ENTRANCE PER ARCHITECTURE.

5/07/07 JAL D103
1ST CHECKSET
SHIFT OFFICE DOOR TO ACCOMMODATE NEW COIN. CABS.; SHIFT BOTTLE BAY IN PHARMACY PER PHARMACY SERVICES; OFFSET ROOF SCHUTTLE HATCH; ADD EXTERIOR MAIN ELECT. SERVICE ROOM PER OUTSIDE ARCHITECT. LOWER STOCK SHELVING HEIGHT TO 96"H AND ADD ENTRANCE MATS PER REGIONS.

1/23/07 JAL D102
REVISE WALK-IN COOLER FROM OPEN FRONTS TO DOORS AND FROM 6'-0" TO 8'-0" LONG PER MANAGEMENT; REVISE WALL AT SALES FLOOR AND PHOTO ACCORDINGLY; UPDATE TO PCH. PLANOGRAMS; REVISE MODULE 'C' FOR FUTURE 2ND CASH-OFF TERMINAL FROM FILLING COUNTER TO 9' SIDE WORK COUNTER; ELIMINATE '1C' FOR FUTURE SIDE WORK COUNTER; RELOCATE HANDI AND ADD 2ND PRIVACY PANEL AT CONSULTATION WINDOW PER PHARMACY SERVICES; REVISE ALL PHOTO EQUIPMENT TO DIGITAL PHOTO EQUIPMENT PER PHOTOFINISHING SERVICE TECHNICAL EQUIPMENT GUIDELINES; REVISE CASHWRAP COUNTERS WITH CORRECTED CUTOUTS FOR CORPORATE PURCHASING & (1) ADD (2) SINGLE GONDOLA AT TANDEM CHECKOUT PER PURCHASING; UPDATE HEIGHT OF SIGN "DA" TO 5'-0" IN INTERIOR HANGING SIGN NOTES.

PROTOTYPE: R11-4130 (08-28-2006)

INTERIOR HANGING SIGNS

GENERAL SALES AREA:
ALL SIGNS AND AISLE MARKERS @ 10'-0" TO DOTTOM OF SIGN UNLESS OTHERWISE NOTED.
SIGN "L" LIQUOR / THANK YOU
SIGN "T" STORE HOURS SIGN
SIGN "GC" GREETING CARD SIGN
SIGN "D" DOWNTOWN CHECKOUT LANE
SIGN "CA" CALIFORNIA ACCESSIBILITY SIGN, (6'-9" TO BOTTOM OF SIGN)

PHARMACY DEPARTMENT:
REFER TO FIXTURE PLAN FOR REQUIRED SIGNS
SIGN "P" PICK UP PRESCRIPTIONS
SIGN "R" DROP OFF PRESCRIPTIONS
SIGN "C" CONSULTATION WINDOW
SIGN "TA" T. A. S.
SIGN "ADA" SYMBOL OF ACCESSIBILITY

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

GENERAL NOTES

GENERAL SALES AREA:
1. PLEASE PROVIDE PROPER A.D.A. CLEARANCES ON BOTH SIDES OF ALL DOORS
2. MIRROR ON REAR WALL
3. COMPETITIVE CORNICE
4. SALES AREA CORNICE (FIXTURE MOUNTED)
5. PHOTO CORNICE (FIXTURE MTD UNLESS NOTED)
6. CARPET TILES & DESIGN LINES FURNISHED AND INSTALLED BY WALGREENS (WHEN B-HOWN)
7. MARTIN-BOLT REACH-IN REFRIGERATION:
   MODEL TDN - ENDLESS REACH-IN REFRIGERATORS AND MODEL TBL - ENDLESS REACH-IN FREEZERS (ADD 8" AT EACH END "OR END PANELS)
   A. ___ TDM-84: 74 1/4"W X 37 3/4"D X 82"H
   B. ___ TBL-3-84: 74 1/4"W X 37 3/4"D X 80"H
   DMS DLS 8 SERIES - SELF CONTAINED REFRIGERATORS AND FREEZERS
   C. ___ RMS-74: 78"W X 36 3/8"D X 78"H
   D. ___ SLS-74: 78"W X 36 3/8"D X 78"H
   SMS SERIES - SELF CONTAINED MERCHANDISING REFRIGERATORS
   E. ___ SMS-650: 70"W X 32 1 4"D X 78 1/2"H
   BASLIN REFRIGERATORS AND FREEZERS
   F. ___ TAC-48HD: 52"W X 30 3/4"D X 80 1/8"H
   G. ___ AF-48HD: 52"W X 33 3/4"D X 80 1/8"H
8. MARTIN-BOLT WALK-IN COOLER, PROVIDE
   8' #1000R COOLMASTER DOORS
   36 3-0" X 7'0" EACH AND
   B #100FR FREEZERMASTER DOORS
   36 3-0" X 7'0" EACH BY ANTHONY
   A. ___ DOOR(S): FOR FACTORY PROVIDE
   (7) ___ D DCV-G-FLOW GRAVITY ENCLVCB; UPPER (6) WT 4 BLOSS AND LOWER (2) WITH RCS I PAN COMPI FTF WITH UPRIGHTS
   B. 9 DOOR(S): FOR EACH DOOR PROVIDE 36FC B-O-F-N VU-LITE SHELVING SYSTEM
   C. ___ DOOR(S): ___ D ROLLER CONVEYOR AT FLOOR LEVEL
   D. 8 DOOR(S): FOR EACH DOOR PROVIDE 3FD ANTHONY ENCLVCB
   E. ___ DOOR(S): FOR EACH DOOR PROVIDE (2) 27D ANTHONY 8-CLVCB AND (4) 36FC MERCHANDISER 8-CLVCB
   F. ___ DOOR(S): ___ D DOUBLE DECK ROLLER CONVEYOR
9. ICE CHEST BY VENDOR
10. DART RAIL 8 W. TUBULAR 8-4FT F & B AT WALL ABOVE
11. PROVIDE A 6FT 3LACK VINYL DADO AT ALL CHECKOUTS
12. PI PETROLEUM ARTICLE EXPLOSIVE AND/OR SYSTEM
PHARMACY DEPARTMENT:
13. PATIENT SEATING AREA: (6) SEATS & TRAFFIC CONTROL FIXTURE
14. PROVIDE FRAMING FOR 3'-6"W X 7'H OPENING FOR FUTURE DROP-OFF WINDOW
15. COMPUTER TERMINAL
   15A: INTERCOM PLUS TERMINAL
   15B: TRAINING TERMINAL (IN TRAINING ROOM)
16. RX SINK ANC CABINET
17. CRC CABINET W/ LAMINATED PANEL SURROUND
18. RX REFRIGERATOR
19. PROVIDE A CARPETED FLOOR WITH RUBBER RUNNERS. RX UNDERCOUNTER & BEYOND
   91 – RX 3 DRAWER FILE INSERT
   92 – RX OPEN INSERT
   93 – RX CONSULTATION COUNTER UNIT
   94 – RX PRINTER INSERT
   95 – RX 3 DRAWER FILE INSERT
   97 – RX OPEN INSERT WITH CPU SHELF
   98 – RX OPEN CABINET (SPH CNTR)
   98A – RX OPEN CABINET (SPH CNTR)
   99 – RX 10 DRAWER FILE CABINET
OFFICE:
20. PROVIDE TILED FLOOR & VINYL WALLCOVERING
21. UNDER COUNTER SHELF UNIT
22. PRINTER
23. LATERAL FILE
24. OFFICE COMPUTERS
   24A: POS TERMINAL
   24B: ABAD TERMINAL
   24C: OFFICE P.C.
25. I.S.L. LOCKER
26. SAFE
27. TV & VCR (IN TRAINING ROOM)
STOCKROOM:
28. 1 SECT. FLEX CONVEYOR
29. GRAVITY CONVEYOR
30. POWER ROLLER CONVEYOR
31. SEE ARCHITECTURAL DRAWINGS FOR EXACT LOCATION & POSITIONING OF COMPACTORS
   31A: TRASH COMPACTOR
   31B: BALER
   31C: CARDBOARD COMPACTOR
EMPLOYEE ROOM:
32. EMPLOYEE LOCKERS: (1) 48"W COAT LOCKER W PERFORATED DOORS, (6) 6 TIER BOX LOCKERS & (2) ADA LOCKERS W/ SAFETY VIEW DOORS
33. 6'-0"W X 2'-0"D EMPLOYEE COUNTER W/ (1) CABINET
34. EMPLOYEE ROOM REFRIGERATOR (PROVIDE 3FH CLEARANCE MIN. NEXT TO COUNTER)
35. EMPLOYEE ROOM SINK (IN COUNTER)
36. 1-0" MIRROR CENTERED ON WALL ABOVE COUNTER
MERCHANDISING:
37. (2) 120V ELECTRICAL OUTLET FOR PUT ARC UNIT
38. VENDOR RACKS: REMOVE BASE, CEILING & SHOE (IND PANEL, TO REMAIN)
39. PROVIDE OPENING FOR DAILWAY GLASS (SEE INTERIOR ELEVATION FOR LOCATION)
40. NEWSPAPER RACK BY VENDOR
41. PICTURE CARE PLUS TERMINAL

FIXTURE LEGEND

GONDOLA (EA. SIDE)	1916 D.	36 W.	68" H.	ALL OTHER FIXTURES ARE TYPICALLY CALLED OUT DEPTH BY WIDTH, EXAMPLE:		
GONDOLA END	16 D.	36 W.	68" H.			
WALL SHLVG	16 D.	36 W.	84" H.	DT DISPLAY TABLE	30 D.	48 W.

*DOES NOT INCLUDE STANDARD WOOD BASE OR FINISHED END PANELS

*A.D.A. DOOR CLEARANCES

*ACCESSIBILITY REQUIREMENTS MAY VARY WITH LOCAL JURISDICTIONS & APPROACH TO DOOR SWING

EXECUTIVE APPROVAL

		DATE
SENIOR VICE PRESIDENT FACILITIES DEVELOPMENT	PROTOTYPE	
SENIOR VICE PRESIDENT STORE OPERATIONS		
VICE PRESIDENT STORE OPERATIONS		
REVIEWED BY:	B.MAY 8/2/06	J.LONGANO 8/2/06

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

PROJECT DATA

TYPE		GENERAL SALES	■	FOOD MART	■
NEW LOCATION	■	PHARMACY	■	SECURITY	□
NEW LOCATION FORTE SLTD	□	1 HOUR PHOTO	■	24 HOUR STORE	□
REMODEL	□	LIQUOR	□	OTHER	□

SQUARE FOOT AREA SUMMARY

DEPARTMENT		SALES	STOCK	SERVICE	TOTAL EXIST'G	TOTAL NEW
GEN SALES	NEW	9432	1172	1394		12,998
	EXIST'G					
FOOD MART	NEW	900				900
	EXIST'G					
RX	NEW	723				723
	EXIST'G					
RX WAIT'G	NEW	204				204
	EXIST'G					
1 HOUR PHOTO	NEW	438				438
	EXIST'G					
LIQUOR	NEW					
	EXIST'G					
BSMT	NEW					
	EXIST'G					
2ND FLOOR	NEW					
	EXIST'G					
TOTAL: NEW		11,694	1772	1394		14,820
TOTAL EXIST'G						

TOTAL AREA: "FIRE" FLOOR 14,820 SQ.FT.
TOTAL AREA: OTHER LEVELS 0 SQ.FT.
GROSS AREA INCLUDING ALL BASEMENTS IS ALL LEVELS: 14,820 SQ.FT.
RX SHELVING LINEAL FEET: 92 LN.FT.

NO.	DATE	BY	DESCRIPTION	CONST
1	10/12/07	JAL	REVISE PHARMACY COUNTER AND WAITING AREA WITH NEW PROTOTYPE CHANGES; ADD INK JET PRINTER BEHIND ALADDIN; ADD CORRECT COSMETIC BULKPIN COUNTER.(105)	
	7/20/07	JAL	REVIEWED D1	

REVISIONS

CERTIFICATION AND SEAL

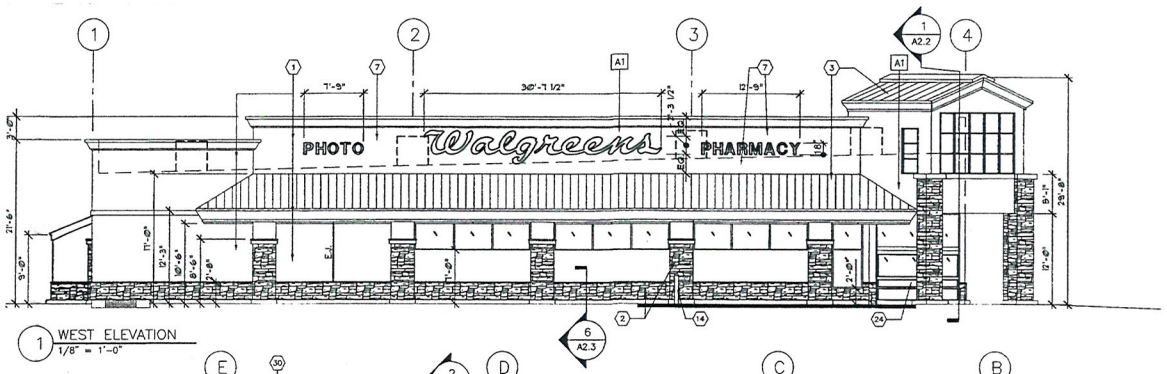
I HEREBY CERTIFY THAT THIS PLAN AND SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT OR ENGINEER UNDER THE LAWS OF THE STATE OF NEVADA AS SIGNIFIED BY MY HAND AND SEAL.

STORE NUMBER 10782
PROJECT NAME
WALGREENS STORE
(NEC) CENTENNIAL CENTER AND ANN ROAD
LAS VEGAS, NEVADA

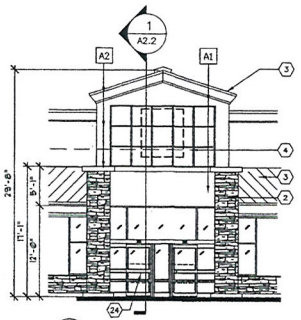
DRAWING TITLE
FIXTURE FLOOR PLAN

CADD PLOT: 10782-D1-08-1SQ07.DGN
VOID PLOT: 10782-D1-04-20JULY07
SUPERSEDES PLAN DATED:
SCALE: 1/8"=1'-0"
DRAWN BY: JLONGANO
DATE: 08/23/06
REVIEWED BY:
DRAWING NO. D1
OF DWGS.

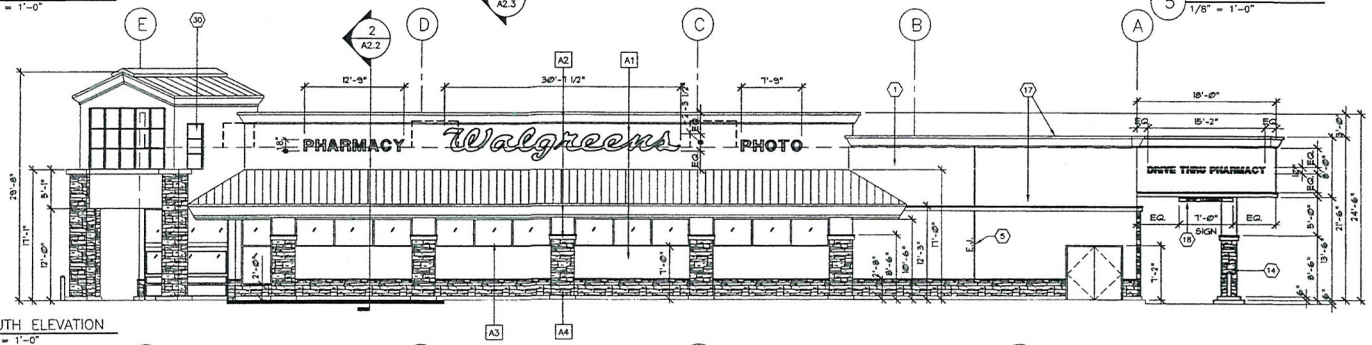
REVIEWED
MAY 07 2010



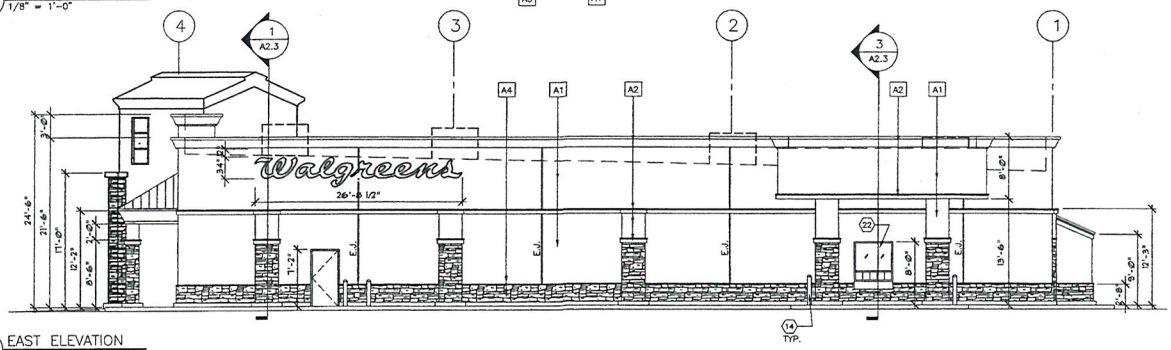
1 WEST ELEVATION
1/8" = 1'-0"



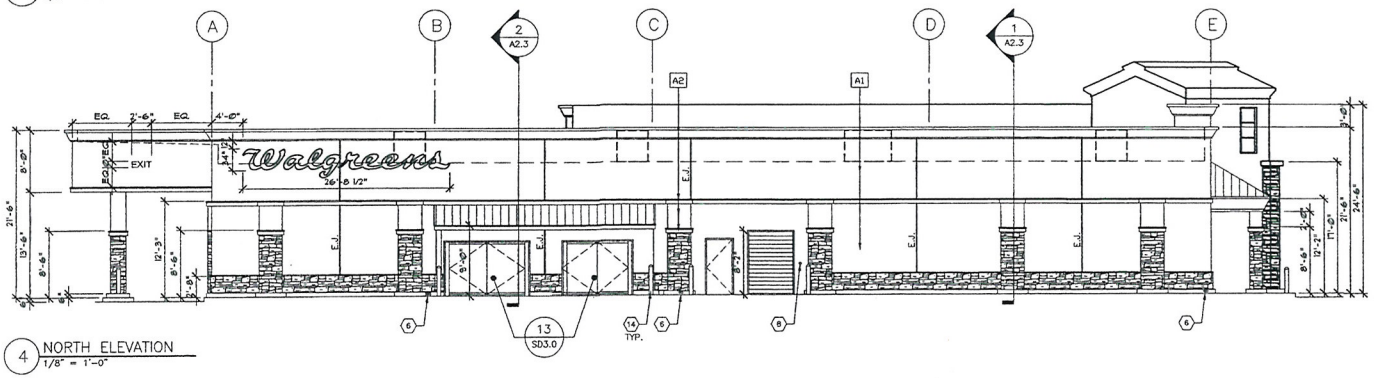
5 TOWER ELEVATION
1/8" = 1'-0"



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



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



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

EXTERIOR ELEVATIONS KEYED NOTES

	DESCRIPTION
1	FINE SAND FLOAT PLASTER FINISH W/ EXP. JOINTS.
2	STONE VENEER: EL DORADO STONE CO. MOUNTAIN LEDGE DURANGO.
3	AEP SPAN "STANDING SEAM METAL ROOF, ZINC GRAY.
4	CLEAR ANODIZED REMOVABLE MULLIONS AND GLAZING SIGN CONTR. TO COORDINATE FINAL INSTALL OF SIGN.
5	CONCRETE BLOCK/ EXPANSION JOINT SEE DET. 5/A1.5
6	ROOF DRAIN/ OVERFLOW SEE 7/A1.4, 6/A1.5
7	INDIVIDUAL LETTER SIGN. ALIGN BOTTOM OF SIGN W/ BOTTOM OF "W" OF WALGREENS SCRIPT SIGN. SEE DETAIL ON SHEET A5.2.
8	DOOR BELL @ +48" A.F.F.
9	NOT USED.
10	NOT USED.
11	WALL-MOUNTED LIGHT. SEE ELECTRICAL DRAWINGS. AT TRASH COMPACTOR CONDITION, WHERE THERE IS A SECOND SEPARATE ENCLOSURE, PROVIDE A SECOND FIXTURE.
12	NOT USED
13	TRASH COMPACTOR AND TOTE ENCLOSURES. SEE DETAILS ON C6.2.
14	PIPE BOLLARD.
15	FLEXIBLE DELINEATION POST. FASTEN TO CONCRETE WITH BOLTS.
16	WINDOW SIGN.
17	STUCCO OVER FOAM MOLDING
18	"CLEARANCE" SIGN. SEE DETAIL ON SHEET A5.2
19	WALGREENS GRAPHIC BEYOND. SEE DETAIL ON SHEET A5.2.
20	3'-0" X 1'-8" COLUMN
21	BACKS OF PARAPETS MUST BE FLASHED, DECK TO PARAPET CAP.
22	DRIVE THRU WINDOW
23	WALL HYDRANT (TYP.)
24	ALUMINUM STORE FRONT. US ALUM. "STONE GREY
25	NOT USED.
26	FLASHING AND COUNTER FLASHING.
27	NOT USED
28	NOT USED
29	NOT USED
30	"FROSTED GLASS"

COLOR & MATERIAL SCHEDULE

A1	BENJAMIN MOORE, 2159-60, CREAM.
A2	BENJAMIN MOORE, HC 28, SHELBURNE BUFF.
A3	ALUMINUM STORE FRONT BY: "US ALUMINUM" "STONE GREY".
A4	STONE VENEER BY: "EL DORADO" MOUNTAIN LEDGE-DURANGO W/ WAINSCOT SILL

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

NO.	DATE	BY	DESCRIPTION	CONST

REVISIONS

CERTIFICATION AND SEAL

STORE NUMBER 10782

PROJECT NAME
WALGREENS STORE
5610 CENTENNIAL CENTER BOULEVARD
LAS VEGAS, NV

DRAWING TITLE
EXTERIOR ELEVATION - BEER & WINE

CADD PLOT: 10782-A21-BW-16NOV09	SCALE: 1/8"=1'-0"	DRAWING NO.
VOID PLOT:	DRAWN BY: B. HESTER	A2.1
SUPERSEDES PLAN DATED:	DATE: 11/16/09 REVIEWED BY:	OF DWGS.

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SUP-38213 – APPLICANT: WALGREEN CO. - OWNER: CENTENNIAL GATEWAY, LLC
5610 CENTENNIAL CENTER BOULEVARD

05/20/10



SUP-38213 – APPLICANT: WALGREEN CO. - OWNER: CENTENNIAL GATEWAY, LLC
5610 CENTENNIAL CENTER BOULEVARD

05/20/10

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March 11, 2010

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ROBERT D. FAISS
DAVID N. FREDERICK
RODNEY M. JEAN
HARVEY WHITTEMORE
TODD TOUTON
CAM FERENBACH
LYNDA S. MABRY
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KIRBY J. SMITH
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JENNIFER A. SMITH
DAN R. REASER
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*ADMITTED IN CA ONLY

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

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 5610 Centennial Center Boulevard. The location is currently operating and licensed as a drug store.

This location is zoned T-C with an SC Service Commercial subclassification. The proposed sale of packaged liquor will not adversely affect surrounding properties, as this store is surrounded by commercial uses, intersected by two major thoroughfares – Ann Road and Centennial Center Boulevard – and abuts the I-95 freeway. There are other businesses in the general area that sale alcohol, so the proposed use would not be unique to the area. The site also currently complies with all other requirements pursuant to the City of Las Vegas Municipal Code.

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

SUP-38213
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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

RECEIVED
MAY 07 2010

SUP-38213

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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

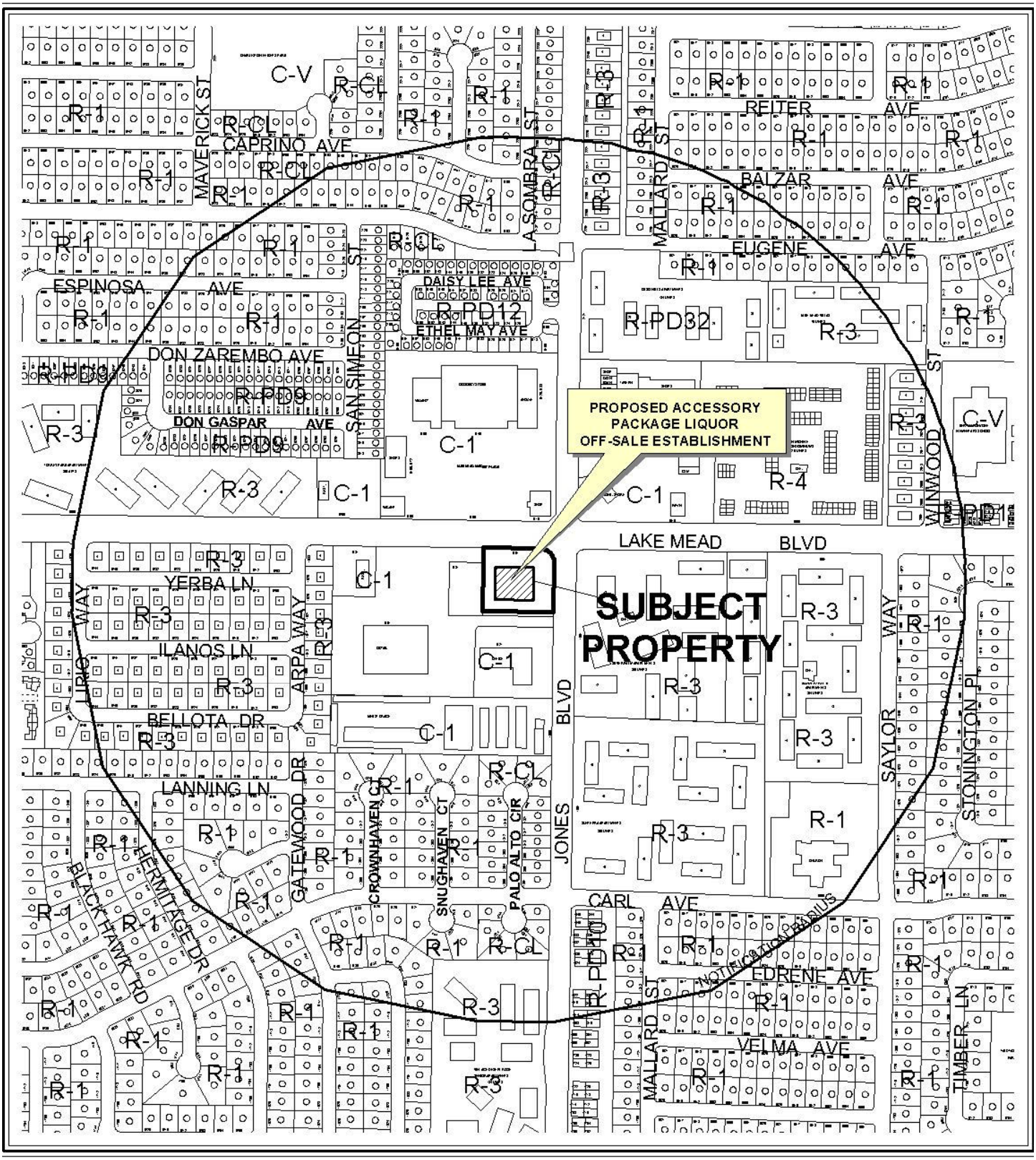
SUBJECT:
SUP-38240 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WALGREEN CO. - OWNER: F. QUENTIN BROWN - Request for a Special Use Permit FOR A 79 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 13,905 SQUARE-FOOT RETAIL ESTABLISHMENT at 6101 West Lake Mead Boulevard (APN 138-23-702-003), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends 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-38240**

RADIUS: 1500 FT

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

N



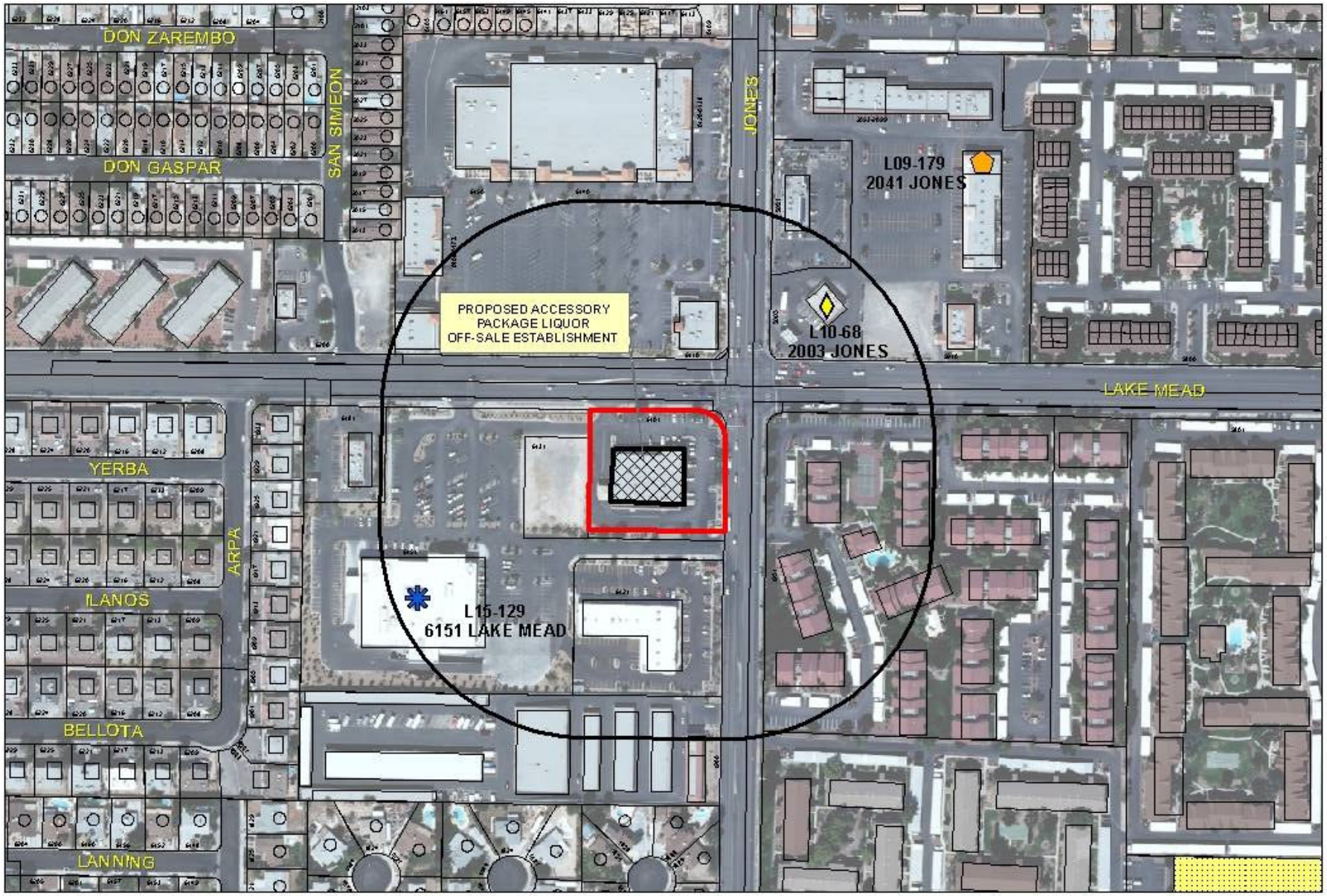
0 500 1000 Feet

CASE: **SUP-38240**

RADIUS: 1500 FT

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

N



SUP-38240

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: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: WALGREEN CO. – OWNER: F. QUENTIN BROWN

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-38240	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-38240 CONDITIONS

Planning and Development

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

2. This approval shall be void two years 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. The sale of alcoholic beverages is ancillary to the retail use and in which no more than 79 square feet of the retail floor space is devoted to the display or merchandising of alcoholic beverages as shown on the floor plan date stamped 05/10/10.

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

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a 79 square-foot Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 13,905 square-foot General Retail Store at 6101 West Lake Mead Boulevard. This location does not have any churches, schools, child care facilities or city parks within the required 400-foot distance separation radius. The proposed use will not add parking beyond that which is required for the principal use on the site. No more than 10 percent of the retail floor space is devoted to beer and wine sales. The proposed use can be conducted in a manner that is harmonious and compatible with the uses in the existing site and with the commercial uses on adjacent properties. For all of these reasons, staff recommends approval. If this request is denied, no alcoholic beverages may be sold on the premise without approval of another Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
02/20/85	The City Council approved a request for Reclassification of property (Z-0096-84) generally located on the southwest corner of Lake Mead Boulevard and Jones Boulevard, from R-E (Residence Estates), to C-1 (Limited Commercial). The Planning Commission and staff recommended approval.
06/18/86	The City Council approved a Reinstatement and Extension of Time [Z-0096-84(2)] on the property located on the southwest corner of Lake Mead Boulevard and Jones Boulevard. The Planning Commission and staff recommended approval. The Extension of Time expired on May 27, 1987.
06/03/87	The City Council approved a Reinstatement and Extension of Time [Z-0096-84(3)] on the property located on the southwest corner of Lake Mead Boulevard and Jones Boulevard. The Planning Commission and staff recommended approval. The second Extension of Time expired on May 27, 1988.
04/20/88	The City Council approved a third Extension of Time [Z-0096-84(4)], on the property located on the southwest corner of Lake Mead Boulevard and Jones Boulevard. The Planning Commission and staff recommended approval. The third Extension of Time expired on May 27, 1989.
07/14/88	The City Council approved a Plot Plan and Building Elevation Review [Z-0096-84(5)] for mini-storage units on property located on the southwest corner of Lake Mead Boulevard and Jones Boulevard. The Planning and Development staff recommended approval.

05/23/89	The applicant withdrew a request for Extension of Time [Z-0096-84(6)], due to the fact that a Certificate of Occupancy was issued for a mini-storage facility on the southerly portion of the overall site on property located on the southwest corner of Lake Mead Boulevard and Jones Boulevard.
07/02/90	The City Council approved a Reinstatement and Extension of Time [Z-0096-84(7)] on property located on the southwest corner of Lake Mead Boulevard and Jones Boulevard. The Planning Commission and staff recommended approval. The fourth Extension of Time expired on May 27, 1991
08/07/91	The City Council approved a Reinstatement and Extension of Time [Z-0096-84(8)] on property located on the southwest corner of Lake Mead Boulevard and Jones Boulevard. The Planning Commission and staff recommended approval. The fifth Extension of Time expired on August 7, 1992.
02/03/93	The City Council approved a Reinstatement and Extension of Time [Z-0096-84(9)] on property located on the southwest corner of Lake Mead Boulevard and Jones Boulevard. The Planning Commission and staff recommended approval. The sixth Extension of Time expired on February 3, 1994.
02/07/94	The City Council approved an Extension of Time [Z-0096-84(10)] on property located on the southwest corner of Lake Mead Boulevard and Jones Boulevard. The Planning Commission and staff recommended approval. The seventh Extension of Time expired on February 3, 1995.
01/13/95	The City Council approved an Extension of Time [Z-0096-84(11)] on property located on the southwest corner of Lake Mead Boulevard and Jones Boulevard. The Planning Commission and staff recommended approval. The Eight Extension of Time expired on February 3, 1996.
10/25/95	The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0096-84(12)] for a proposed drug store on property located on the southwest corner of Lake Mead and Jones Boulevard. The Planning and Development staff recommended approval.

Most Recent Change of Ownership	
03/03/98	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
04/16/96	A building permit (#96393463) was issued for a General Retail Store at 6101 West Lake Mead Boulevard. The project was completed on 08/20/96.
08/22/96	A business license (D11-00138) was issued for a Drug Store at 6101 West Lake Mead Boulevard. The license is currently active.
09/12/96	A business license (C05-01774) was issued for a Tobacco Dealer at 6101 West Lake Mead Boulevard. The license is currently active.
07/18/08	A business license (Q04-00076) was issued for a Pharmacy at 6101 West Lake Mead Boulevard. The license is currently active.

Pre-Application Meeting	
04/13/10	A pre-application meeting was held where elements of submitting a Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-Sale were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed. • The site does not have any churches, school, child care facilities or city parks within the required 400-foot distance separation radius. • The maximum area devoted for the sale of alcoholic beverages shall be no more than 10 percent of the retail floor area.

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

Field Check	
05/20/10	An "A" frame sign was observed at the front entrance to the building.

Details of Application Request	
Site Area	
Net Acres	1.36

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail Store	SC (Service Commercial)	C-1 (Limited Commercial)
North	Commercial Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Grocery Store Office	SC (Service Commercial)	C-1 (Limited Commercial)
East	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Grocery Store	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			
A-O (Airport Overlay) 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

DEVELOPMENT STANDARDS

Pursuant to Plot Plan and Building Elevation Review [Z-0096-84(12)], 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	13,905 SF	1/500 SF	28		74		
TOTAL SPACES REQUIRED			28		74		
TOTAL (With Handicapped)			26	2	70	4	Y*

*****_The subject site is parking impaired, per Title 19.10.010. The proposed use does not increase the number spaces required at the site._

ANALYSIS

This is a request for a Special Use Permit for a 79 square-foot Accessory Package Liquor Off-Sale use within an existing 13,905 square-foot General Retail Store. This site location does not have any churches, schools, child care facilities or city parks within the required 400-foot distance separation radius. No additional parking beyond that which is required for the principal use on the site is required as a result of the addition of the use. The sale of alcoholic beverages is ancillary to the retail use, and 79 square feet of the retail floor space is devoted to the display or merchandising of alcoholic beverages. The proposed use meets minimum requirements of Title 19.04 and can be conducted in a manner that is harmonious and compatible with the surrounding uses; staff therefore recommends approval of this request.

FINDINGS (SUP-38240)

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 Retail Establishment with Accessory Package Liquor Off-Sale use will be located within the existing General Retail Store. The proposed use can be conducted in a manner that is harmonious and compatible with the uses in the existing site and with the commercial uses on adjacent properties.

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

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

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

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

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

   Approval of the proposed Special Use Permit will not compromise the public health, safety and general welfare, as the use will be subject to regular inspections for business licensing.

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

   The proposed use will be located within an existing Retail Establishment and complies with the minimum Special Use Permit requirements. The use will devote 79 square feet of the floor space within the existing General Retail Store for the sale of alcoholic beverages and meets distance separation requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED 525

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-38240** APN: 138-23-~~618-002~~ 702-003 JL

Name of Property Owner: F. QUENTIN BROWN SR. F. QUENTIN BROWN JR., ROSS S. BROWN

Name of Applicant: Walgreen Co.

Name of Representative: Lionel Sawyer & Collins

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: F. QUENTIN BROWN
ON BEHALF OF BROWN FAMILY

Subscribed and sworn before me

This 3 day of November, 2009

_____
Notary Public in and for said County and State

"OFFICIAL SEAL"
S. Bekerman
Notary Public, State of Illinois
My Commission Expires 02/13/2010

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

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

Project Address (Location) 6101 West Lake Mead

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

Assessor's Parcel #(s) 138-23-~~618-002~~ 702-003 **Ward #** 5

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 F Quentin Brown, Sr., F Quentin Brown, JR Ross S. Brown **Contact** F. Quentin Brown, Jr.

Address Brown + Brown Investments P.O. Box 42 **Phone:** none **Fax:** none

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

E-mail Address none

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

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

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

E-mail Address Rebecca.Lidskin@walgreens.com

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

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

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

E-mail Address jroberts@lionelsawyer.com

Property Owner Signature* _____

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

Print Name F. QUENTIN BROWN ON BEHALF OF BROWN FAMILY

Subscribed and sworn before me

This 3 day of November, 2009.

_____ S Bekerman

Notary Public in and for said County and State

"OFFICIAL SEAL"
S. Bekerman
Notary Public, State of Illinois
My Commission Expires 02/13/2010

FOR DEPARTMENT USE ONLY

Case #	SUP-38240
Meeting Date:	6/24/2010
Total Fee:	1280
Date Received:*	5/18/2010
Received By:	MMY

*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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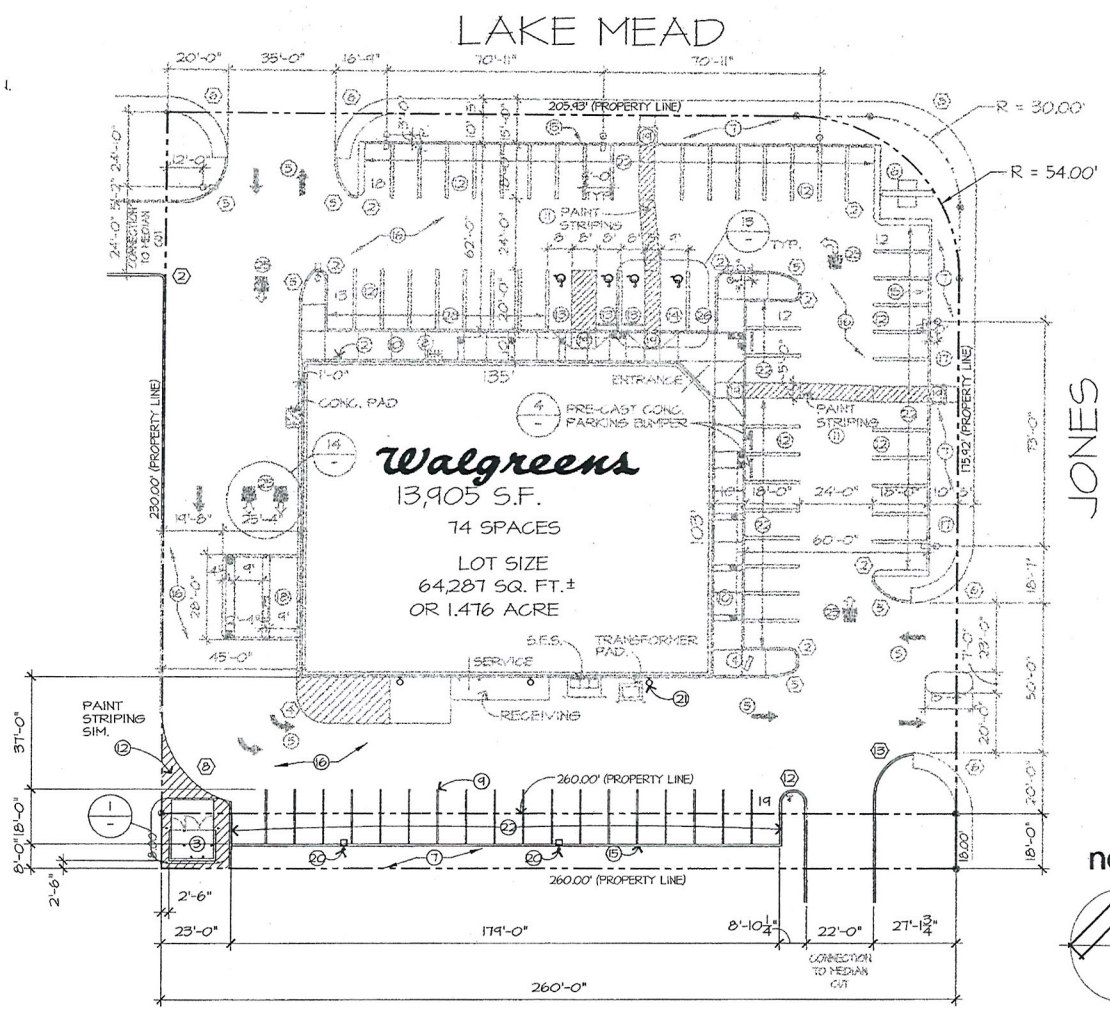
3841



north

SITE PLAN

0 30 60 120

SCALE: 1"= 30'-0"

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

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 XXXXXXX AS SIGNIFIED BY MY HAND AND SEAL.

STORE NUMBER 03841

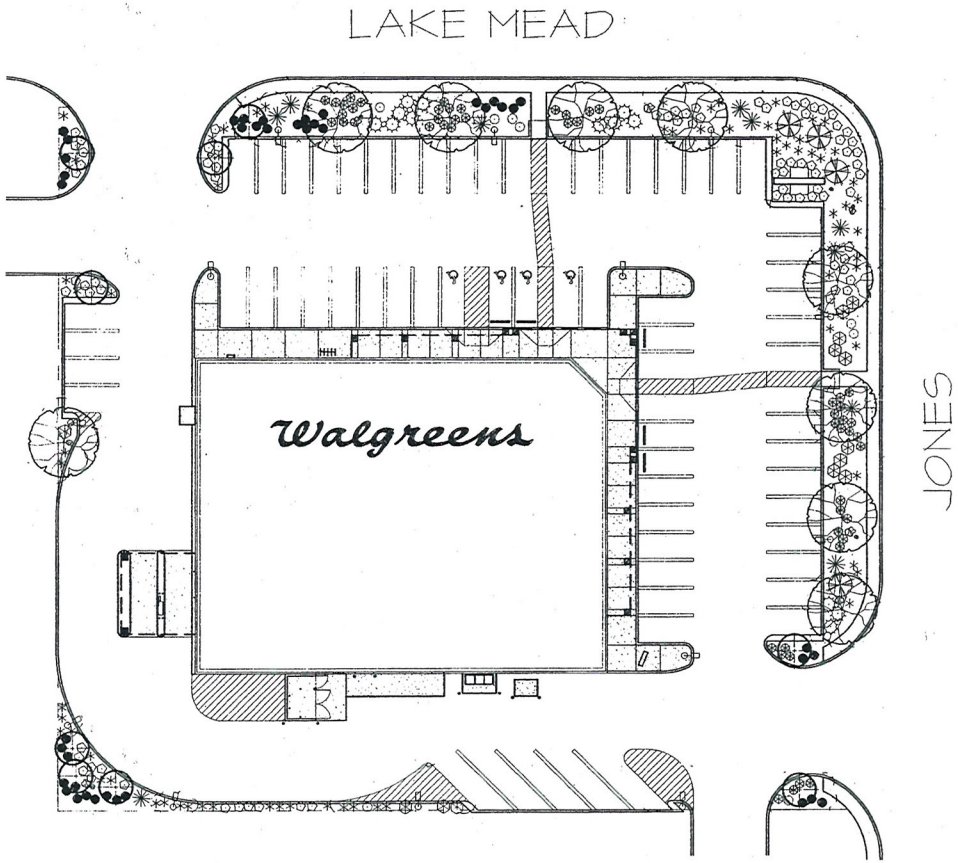
PROJECT NAME
WALGREENS STORE
6101 W LAKE MEAD
LAS VEGAS, NV

DRAWING TITLE
SITE PLAN

CADD PLOT: 03841-A01-BW-13NOV09	SCALE: 1"=20'-0"	DRAWING NO.
VOID PLOT:	DRAWN BY: K. THALMANN COB	A0.1
SUPERSEDES PLAN DATED:	DATE: 11-13-09	
	REVIEWED BY:	OF DWGS

RECEIVED
MAY 10 2010

SUP-38240



LANDSCAPE PLANTING PLAN

SCALE: 1" = 20'-0"

625-PL

NORTH

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

NO.	DATE	BY	DESCRIPTION	CONST

REVISIONS

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STORE NUMBER 03841

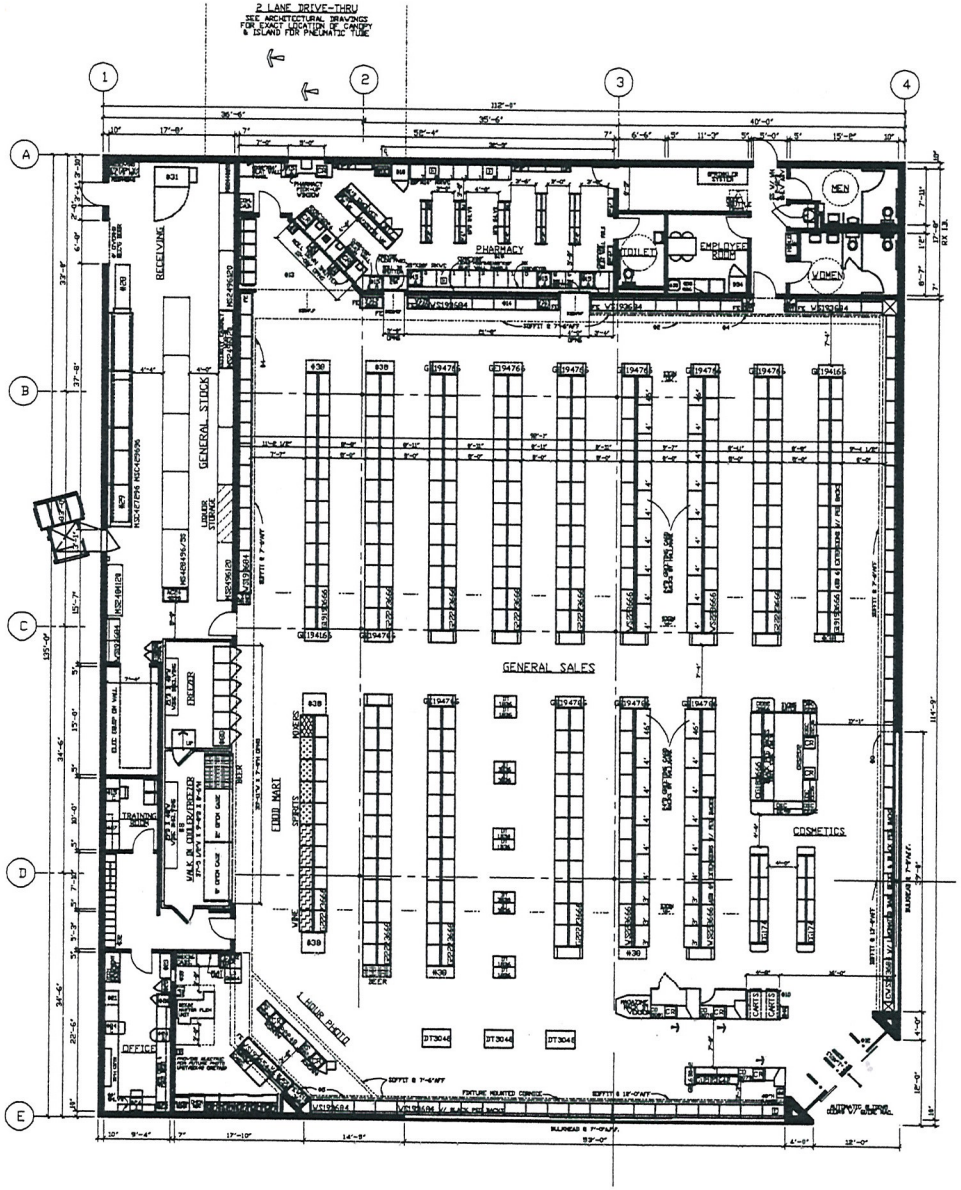
PROJECT NAME
WALGREENS STORE
6101 W LAKE MEAD
LAS VEGAS, NV

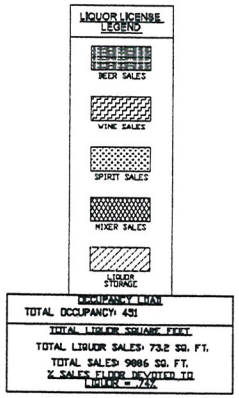
DRAWING TITLE
LANDSCAPE PLAN

CADD PLOT: 03841-L1-BW-13NOV09	SCALE: 1"=20'-0"	DRAWING NO.
VOID PLOT:	DRAWN BY: K. THALMANN COS	L1
SUPERSEDES PLAN DATED:	DATE: 11-13-09	
	REVIEWED BY:	OF DWGS.

RECEIVED
MAY 10 2010

SUP-38240



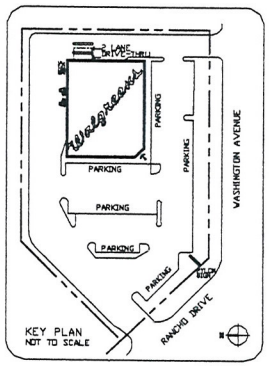


OCCUPANCY LOAD

TOTAL OCCUPANCY: 431

TOTAL LIQUOR SQUARE FEET

TOTAL LIQUOR SALES: 73.2 SQ. FT.
TOTAL SALES: 9086 SQ. FT.
% SALES FLOOR DEVOTED TO LIQUOR = .7%



FOR REFERENCE ONLY: SEE CONTRACT DOCUMENTS FOR DETAILED SITE PLAN

INTERIOR HANGING SIGNS

GENERAL SALES AREA:
ALL SIGNS AND AISLE MARKERS @ 12'-6" AFF UNLESS OTHERWISE NOTED.

SIGN "L" LIQUOR / THANK YOU
SIGN "T" STORE HOURS SIGN
SIGN "GC" GREETING CARD SIGN
SIGN "SB" SAN BRUNO CHECKOUT LANE #
SIGN "N" SAN BRUNO PHOTO

PHARMACY DEPARTMENT:
REFER TO FIXTURE PLAN FOR REQUIRED SIGNS

SIGN "-" PICK UP PRESCRIPTIONS
SIGN "X" DROP OFF PRESCRIPTIONS
SIGN "Q" CONSULTATION WINDOW
SIGN "TA" T. A. S.

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

GENERAL NOTES

GENERAL SALES AREA:
1. SEE PROJECT DATA FOR FIXTURE MANUFACTURER, CHECKOUT COUNTERS ARE 34"H UNLESS OTHERWISE NOTED
2. MIRROR ON SOFFIT OF REAR WALL
3. COSMETIC CORNICE
4. SALES AREA CORNICE
5. PHOTO CORNICE
6. CANDY SHELF
7. MASTER-BILT REACH-IN REFRIGERATION (PROVIDE 2" AIR SPACE BETWEEN COOLERS AND FREEZERS)
   OPEN FRONT, MEDIUM TEMP. COOLERS (ADD 2" AT EACH END, FOR END PANELS)
   A. 1 MD-66 6'-0"V X 4'6 7/8"D
   B. 2 MD-08 8'-0"V X 4'2 7/8"D
   MODEL RCL-ENDLESS REACH-IN FREEZERS (ADD 2" AT EACH END, FOR END PANELS)
   C. 1 RCL-5-24 10'-1 3/8"V X 3'8 3/4"D
8. MASTER-BILT WALK-IN COOLER - PROVIDE
   --- #1008R COOLMASTER DOORS
   05 3/4" X 7'3" EACH AND
   6 #1008R FREEZERMASTER DOORS
   06 3/8" X 7'3" EACH BY ANTHONY
   A. __ DOOR(S) FOR EACH DOOR PROVIDE (7) __'D BEV-D-FLOW GRAVITY SHELVES, (2) ON WITH SLIDES AND LOWER (2) WITH ROLLERS COMPLETE WITH UPRIGHTS
   B. __ DOOR(S) FOR EACH DOOR PROVIDE (7) 86"D ANTHONY WIRE SHELVES AND (4) 84" POSTS
   C. __ DOOR(S) __'D ROLLER CONVEYOR AT FLOOR LEVEL
   D. 6 DOOR(S) FOR EACH DOOR PROVIDE (8) 87"D ANTHONY SHELVES
   E. __ DOOR(S) FOR EACH DOOR PROVIDE (2) 27"D ANTHONY SHELVES AND (4) 36"D MERCHANDISER SHELVES
   F. __ DOOR(S) __'D DOUBLE DECK ROLLER CONVEYOR
9. ICE CHEST BY VENDOR
10. RAILINGS TO BE 40"H DOUBLE LINE RAILS W/ DISPLAY PLATFORM ABOVE
11. PROVIDE A 6"H BLACK VINYL BASE AT ALL CHECKOUTS
12. ELECTRONIC ARTICLE SURVEILLANCE SYSTEM

PHARMACY DEPARTMENT:
13. RX VAULTING ROOM W/ 4"H LAMINATE WAINSCOT (LAMINATE BY FIXTURE MANUFACTURER)
   (3) SEATS
   (1) TABLE LAMP (WHEN SHOWN)
   (1) MAGAZINE RACK: LOCATE AT 42" AFF
14. FIXED GLASS PANEL OPENINGS (SEE ARCH DWGS)
15. COMPUTER TERMINAL
   15A: INTERCOM PLUS TERMINAL
   15B: INTERCOM TERMINAL
   15C: TRAINING TERMINAL
16. RX SINK AND CABINET
17. CRX CABINET
18. RX REFRIGERATOR
19. PROVIDE A CARPETED FLOOR WITH A RUBBER RUNNER. RX UNDERCOUNTER INSERTS
   #1 - RX 2 DRAWER WIRL INSERT
   #2 - RX 3 DRAWER FILE INSERT
   #3 - RX 2 DRAWER FILE INSERT
   #4 - RX OPEN INSERT
   #5 - RX SHELF INSERT
   #6 - RX PRINTER CABINET
   #7 - RX 3 DRAWER FILE INSERT
   #8 - RX OPEN INSERT WITH CPU SHELF
   #9 - RX WIRL CABINET
   #9 - RX 13 DRAWER FILE CABINET

OFFICE:
20. PROVIDE TILED FLOOR & VINYL WALLCOVERING
21. UNDER COUNTER SHELF UNIT
22. COMPUTER PRINTER
23. LATERAL FILE
24. ADMINISTRATION TERMINAL
   24A: POS TERMINAL
   24B: AS400 TERMINAL
   24C: STAFFWORKS TERMINAL
25. TILL LOCKER
26. SAFE
27. TV & VCR (IN TRAINING ROOM)

STOCKROOM
28. WEST-A-FLEX CONVEYOR
29. GRAVITY CONVEYOR
30. POWER ROLLER CONVEYOR
31. SALES

EMPLOYEE ROOM
32. EMPLOYEE LOCKERS: (1) 7'V & (1) 6'V X 18"D
33. 8'-0"V X 2'D EMPLOYEE COUNTER W/ CABINETS
34. EMPLOYEE ROOM REFRIGERATOR
35. EMPLOYEE ROOM SINK (IN COUNTER)
36. 8'-0" MIRROR ON WALL ABOVE COUNTER

MISCELLANEOUS:
37. 6" - ELECTRICAL OUTLET FOR FUTURE USE
38. VENDOR RACKS: REMOVE BASE DECK & SHOES) (END PANEL TO REMAIN)
39. PROVIDE OPENING FOR ONE WAY GLASS (SEE INTERIOR ELEVATION FOR LOCATION)
40. NEWSPAPER RACK BY VENDOR

FIXTURE LEGEND

G	1810	36	66	H	GONDOLA D. W. H. (DA SIDE)
GE	18	39	66	H	GONDOLA D. W. H. (END)
VS	18	36	84	H	VERT. SLAT W. D. H.
VSEW	18	36	84	H	VERT. SLAT W. D. H.
DT	30	48			DISPLAY TABLE D. W.

ALL OTHER FIXTURES ARE TYPICALLY CALLED OUT DEPTH BY WIDTH. EXAMPLE

ALL FIXTURES ARE STANDARD WOOD GROUNDS AND PANELS

EXECUTIVE APPROVAL		DATE
EXEC. VICE PRESIDENT DRUG STORE OPERATIONS		
SR. VICE PRESIDENT FACILITIES DEVELOPMENT		
SR. VICE PRESIDENT DRUG STORE OPERATIONS		
SR. MANAGER PLANNING & DESIGN	J. MARK	4-12-00

PROTOTYPE

Walgreens

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

PROJECT DATA

TYPE		GENERAL SALES	FOOD MART
NEW LOCATION		PHARMACY	SECURITY
REV LOCATION EXISTS BLT		LIQUOR	24 HR STORE
REMODEL		1 HR PHOTO	

SQUARE FOOT AREA SUMMARY

DEPARTMENT		SALES	STOCK	SERVICE	TOTAL EXIST'G	TOTAL NEW
GEN SALES	NEW	9086	1735	1343		12,964
	EXIST					
FOOD MART	NEW	700				700
	EXIST					
RX	NEW	799				799
	EXIST					
RX WAIT'G	NEW	185				185
	EXIST					
LIQ	NEW					
	EXIST					
1 HR PHOTO	NEW	435				435
	EXIST					
BSMT	NEW					
	EXIST					
2ND FLOOR	NEW					
	EXIST					
TOTAL NEW		18,005	1735	1343		15,083
TOTAL EXIST						

TOTAL AREA: FIRST FLOOR 15,083 SQ. FT.
TOTAL AREA: OTHER LEVELS 0 SQ. FT.
GROSS AREA INCLUDING ALL DEPARTMENTS & ALL LEVELS 15,083 SQ. FT.
RX SHELVING LINEAL FEET 85 LIN. FT.

FIXTURE MANUFACTURER

KIECHLER/ MYERS	MAIDY/ MYERS	LOZIER/ MYERS	DARLING/ DARLING

REVISIONS

NO.	DATE	BY	DESCRIPTION

CERTIFICATION AND SEAL

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

PROJECT NAME

SEC RANCHO & WASHINGTON
LAS VEGAS, NEVADA

DRAWING TITLE

FIXTURE FLOOR PLAN

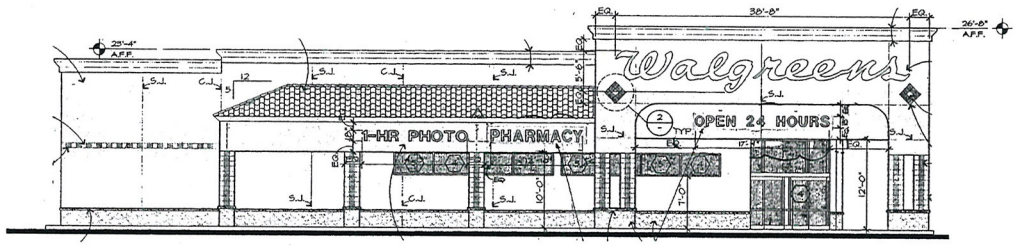
DATED	STORE NUMBER	SCALE
4-7-00	1559-06425	1/8"=1'-0"
SUPERSEDES PLAN DATED:	CAD PLOT: F06425D104	DRAWING NUMBER
RELEASED TO CONSTRUCTION	VOID PLOT: F06425D103	D1
	DRAWN BY: SCRIMALI	OF DWGS

PLOT: R11E135 (11/99)

5-26-00 (F06425D103) ADDED RX TOILET PER CODE REVISED ATM TO FUTURE, 8.00 S. PER PHOTO

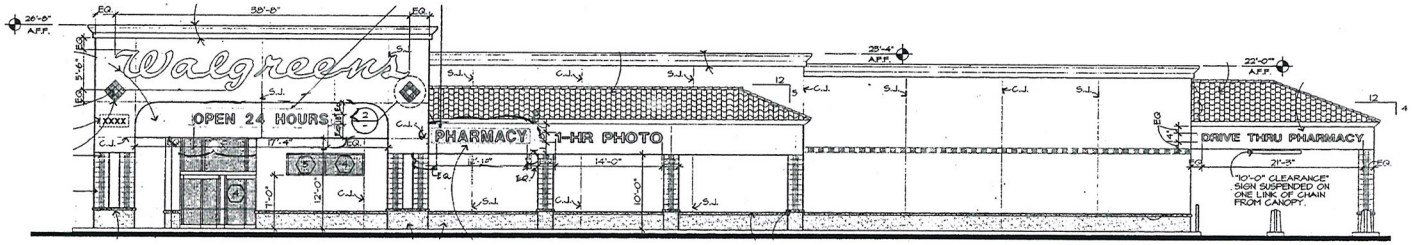
SUP-38240

RECEIVED MAY 10 2010



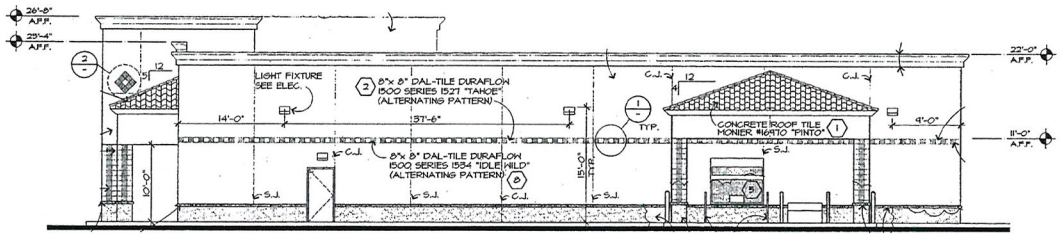
EAST ELEVATION

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



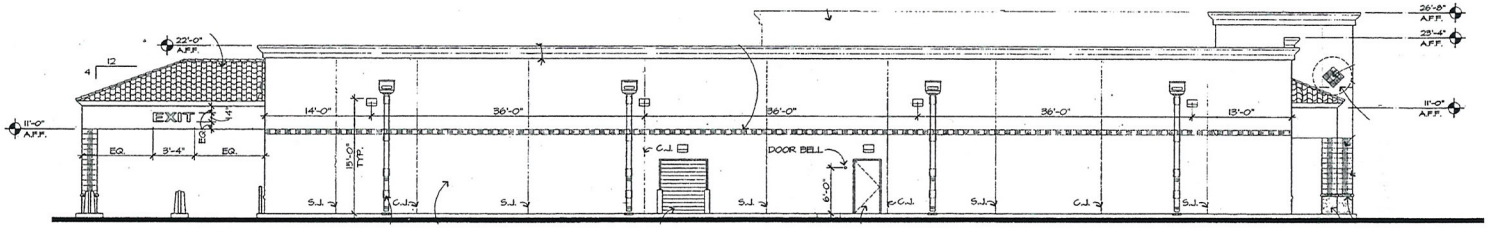
NORTH ELEVATION

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



WEST ELEVATION

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



SOUTH ELEVATION

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

NO.	DATE	BY	DESCRIPTION	CONST

REVISIONS

CERTIFICATION AND SEAL

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

STORE NUMBER 03841

PROJECT NAME
WALGREENS STORE
6101 W LAKE MEAD
LAS VEGAS, NV

DRAWING TITLE
EXTERIOR ELEVATIONS

CADD PLOT: 03841-A21-BW-13NOV09	SCALE: 1/8"=1'-0"	DRAWING NO.
VOID PLOT:	DRAWN BY: K. THALMANN COB	A2.1
SUPERSEDES PLAN DATED:	DATE: 11-13-09	
	REVIEWED BY:	OF [illegible]

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MAY 10 2010

SUP-38240



SUP-38240 – APPLICANT: WALGREEN CO. - OWNER: F. QUENTIN BROWN
6101 WEST LAKE MEAD BOULEVARD

05/20/10



SUP-38240 – APPLICANT: WALGREEN CO. - OWNER: F. QUENTIN BROWN
6101 WEST LAKE MEAD BOULEVARD

05/20/10



SUP-38240 – APPLICANT: WALGREEN CO. - OWNER: F. QUENTIN BROWN
6101 WEST LAKE MEAD BOULEVARD

05/20/10



SUP-38240 – APPLICANT: WALGREEN CO. - OWNER: F. QUENTIN BROWN
6101 WEST LAKE MEAD BOULEVARD

05/20/10

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

May 14, 2010

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
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FRED D. "PETE" GIBSON, III
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GREGORY E. SMITH
MALANI L. KOTCHKA
LESLIE BRYAN HART
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TODD E. KENNEDY
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SHAWN M. ELICEGUI
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WILLIAM J. McKEAN
ELIZABETH BRICKFIELD
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DOREEN SPEARS HARTWELL
LAURA K. GRANIER
MAXIMILIANO D. COUVILLIER III

MICHAEL D. KNOX
ERIN FLYNN
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CHRISTINE D. SMITH
SUSAN L. MYERS
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JENNIFER L. BRASTER
LUCAS J. TUCKER
CHRISTOPHER WALTHER

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

OF COUNSEL
A. WILLIAM MAUPIN
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

VIA HAND DELIVERY

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

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MAY 14 2010

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

To Whom It May Concern:

I am writing on behalf of Walgreen Co. in support of the application for a special use permit for the addition of 79 square feet of accessory "off-sale" packaged beer, wine, and liquor at the premises of Walgreens at 6101 West Lake Mead. The location is currently operating and licensed as a drug store.

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

With this special use permit, Walgreens will remain competitive with similar businesses by offering patrons the option to purchase packaged beer, wine, or liquor for consumption off-premises. Since this use is commonly found at similar drug and

SUP-38240
REVISED

retail grocery stores in Las Vegas, there would be no variable impact on other businesses by allowing Walgreens to sell alcohol for the convenience of its customers.

Walgreens will continue to maintain its high-level standard of operations, and the design, hours of operation, traffic generation, lighting, and noise at this location will remain unchanged with the issuance of a special use permit to allow for accessory packaged beer, wine, and liquor sales. Additionally, the 79 square foot space devoted to packaged beer, wine, and liquor sales is less than 1% of the overall retail floor area.

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 79 square feet 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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MAY 14 2010

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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

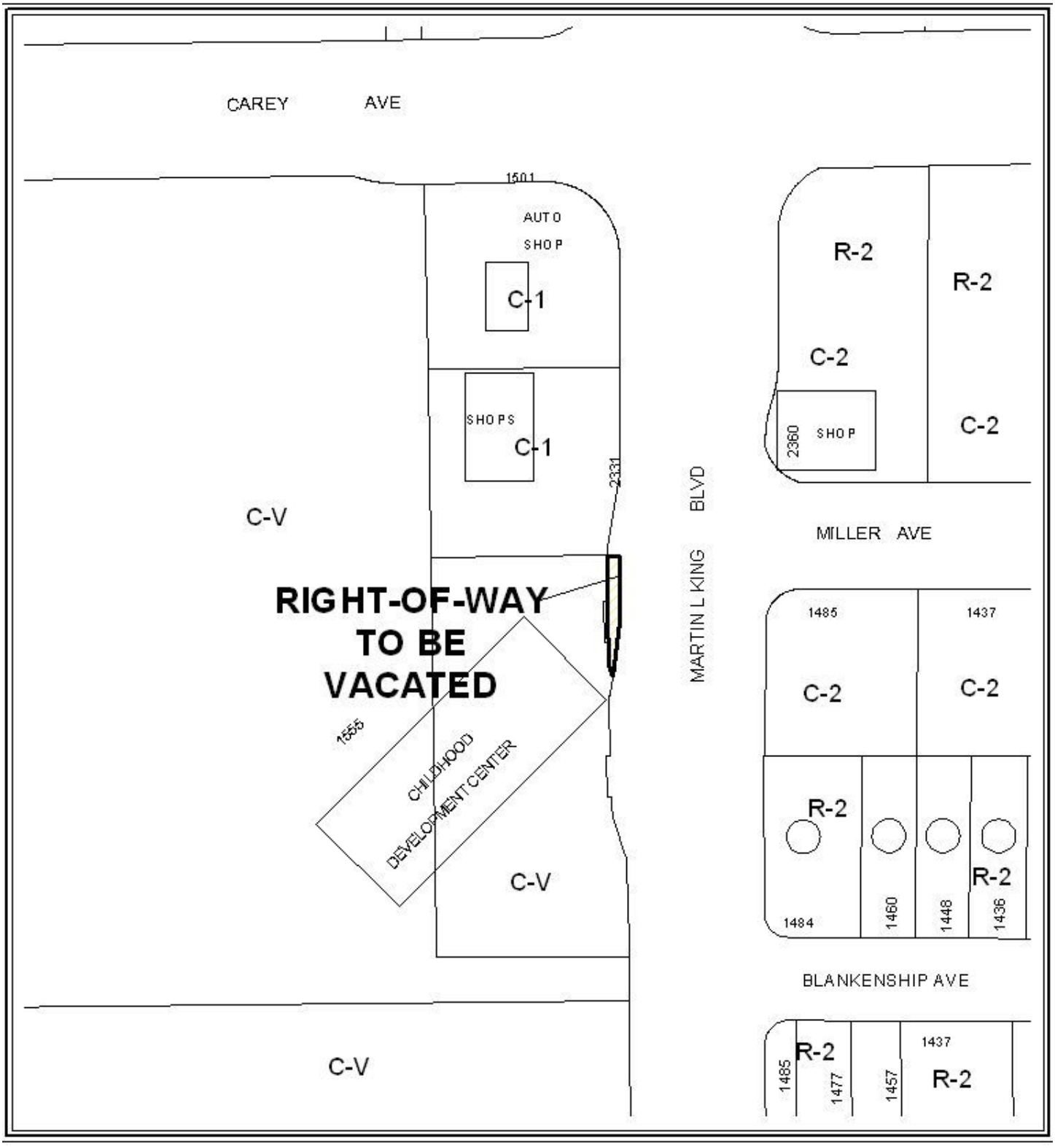
SUBJECT:
VAC-37529 - VACATION - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: COUNTY OF CLARK - Petition to Vacate public rights-of-way generally located along the west side of Martin Luther King Boulevard, approximately 280 feet south of Carey Avenue, Ward 5 (Barlow). Staff recommends APPROVAL.

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

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

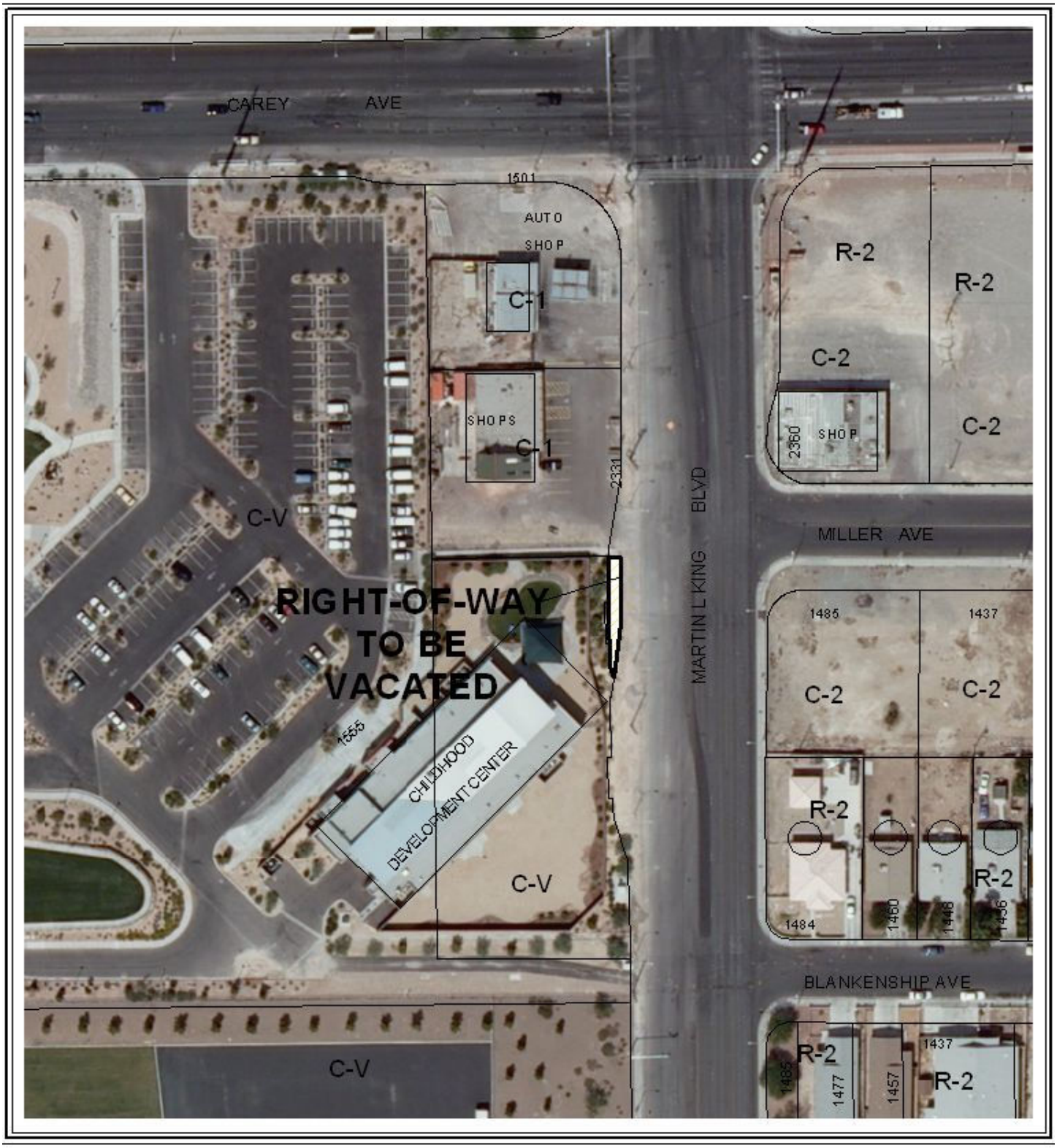
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



0 100 200 Feet

CASE: **VAC-37529**

N



0 100 200 Feet

CASE: **VAC-37529**

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: CITY OF LAS VEGAS - OWNER: COUNTY OF CLARK

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

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAC-37529	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

VAC-37529 CONDITIONS

1. The limits of this Petition of Vacation shall be those portions of APN numbers 139-21-199-027, 139-21-199-022, 139 21-199-024 and the associated bus pad not required for a bus turnout as part of the City of Las Vegas' Martin L. King Boulevard Widening project.

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

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.

GK

5. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that modifications to 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 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 a portion of undeveloped right-of-way on the west side of Martin Luther King Boulevard, approximately 280 feet south of Carey Avenue. The intended future use of the subject right-of-way was for a bus turnout. The applicant has indicated that there is a conflict with existing Las Vegas Valley Water District utilities and the future bus turnout area. Rather than relocate the existing utilities, the proposed bus turnout area will be located further south along Martin Luther King Boulevard. 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
There is no related case history associated with the subject site.

Most Recent Change of Ownership	
04/30/01	A deed was recorded for a change in ownership at APN 139-21-102-014.

Related Building Permits/Business Licenses
There is no related permit history associated with the subject site.

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

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

Field Check	
03/18/10	Staff conducted a field check on the indicated date and noted that the subject right-of-way to be vacated is undeveloped and well maintained.

Details of Application Request	
Site Area	
Net Acres	1.37

GK

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Government Facility, Office Other than Listed	MXU (Mixed Use)	C-V (Civic), C-1 (Limited Commercial)
North	Auto Repair Garage, Minor	MXU (Mixed Use)	C-1 (Limited Commercial)
South	Community Recreation Facility (Public)	PF (Public Facility)	C-V (Civic)
East	Undeveloped	MXU (Mixed Use)	C-2 (General Commercial)
West	Community Recreation Facility (Public)	PF (Public Facility)	C-V (Civic)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
West Las Vegas Plan	X		Y
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		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DESCRIPTION

The above property is legally described as a portion of the northeast quarter (NE¼) of the northeast quarter (NE¼) of Section 21, Township 20 South, Range 61 East, M.D.M.

ANALYSIS

A) Planning discussion

This is a petition to vacate a portion of undeveloped right-of-way on the west side of Martin Luther King Boulevard, approximately 280 feet south of Carey Avenue. The intended future use of the subject right-of-way was for a bus turnout. The applicant has indicated that there is a conflict with existing Las Vegas Valley Water District utilities and the future bus turnout area. Rather than relocate the existing utilities, the proposed bus turnout area will be located further south along Martin Luther King Boulevard. 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? *The right-of-way width will remain uniform as the vacation is for a bus turnout, which is located outside of the normal travel lanes.*

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since the bus turnout is located out of the travel lanes and will be relocated south of the existing turnout.*

C. Does it appear that the vacation request involves only excess right-of-way? *No, the existing bus turnout conflicts with existing Las Vegas Valley Water District facilities and it's more cost efficient to relocate the turnout rather than the Water District facilities.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *No*.

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*.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 1

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-37529 APN: 139-21-199-022, ~~029~~

Name of Property Owner: County of Clark

Name of Applicant: City of Las Vegas Public Works Department

Name of Representative: Kevin Cerny

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: Carel Carter

Print Name: Carel Carter, Assistant Director
Real Property Management

Subscribed and sworn before me

This 1 day of March, 2010

_____
Notary Public in and for said County and State

MAURENE A. MANALAC
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 05-95803-1
MY APPT. EXPIRES MARCH 1, 2013

COPY

RECEIVED
MAR 08 2010

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

RECEIVED
CITY CLERK
2010 MAR 19 A 8:07

Application/Petition For: VACATION

Project Address (Location) 2331 North Martin Luther King Boulevard

Project Name Martin Luther King Boulevard Improvement Project **Proposed Use**

Assessor's Parcel #(s) 139-21-199-022, ~~027~~ **Ward #** 5

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

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

Gross Acres .03 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER County of Clark **Contact** Krymn Williams

Address 500 South Grand Central Parkway, 4th Floor **Phone:** 702-455-5289 **Fax:** 455-5817

City Las Vegas **State** NV **Zip** 89155

E-mail Address Williams@co.clark.nv.us

APPLICANT City of Las Vegas Public Works Dept. **Contact** Kevin Cerny

Address 731 South 4th Street **Phone:** 229-1228 **Fax:** 382-8551

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

E-mail Address KCerny@lasvegasnevada.gov

REPRESENTATIVE Kevin Cerny **Contact** x

Address 731 South 4th Street **Phone:** 229-1228 **Fax:** 382-8551

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

E-mail Address KCerny@lasvegasnevada.gov

Property Owner Signature* Carol Carter

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

Print Name ~~Carol Carter~~, ~~Assistant Director~~

Subscribed and sworn before me

This 23 day of February, 20 10

Notary Public in and for said County and State

MONIQUE ORTIZ ARROYO
Notary Public State of Nevada
No 07-5078-1
My appt. exp. Oct. 24, 2011

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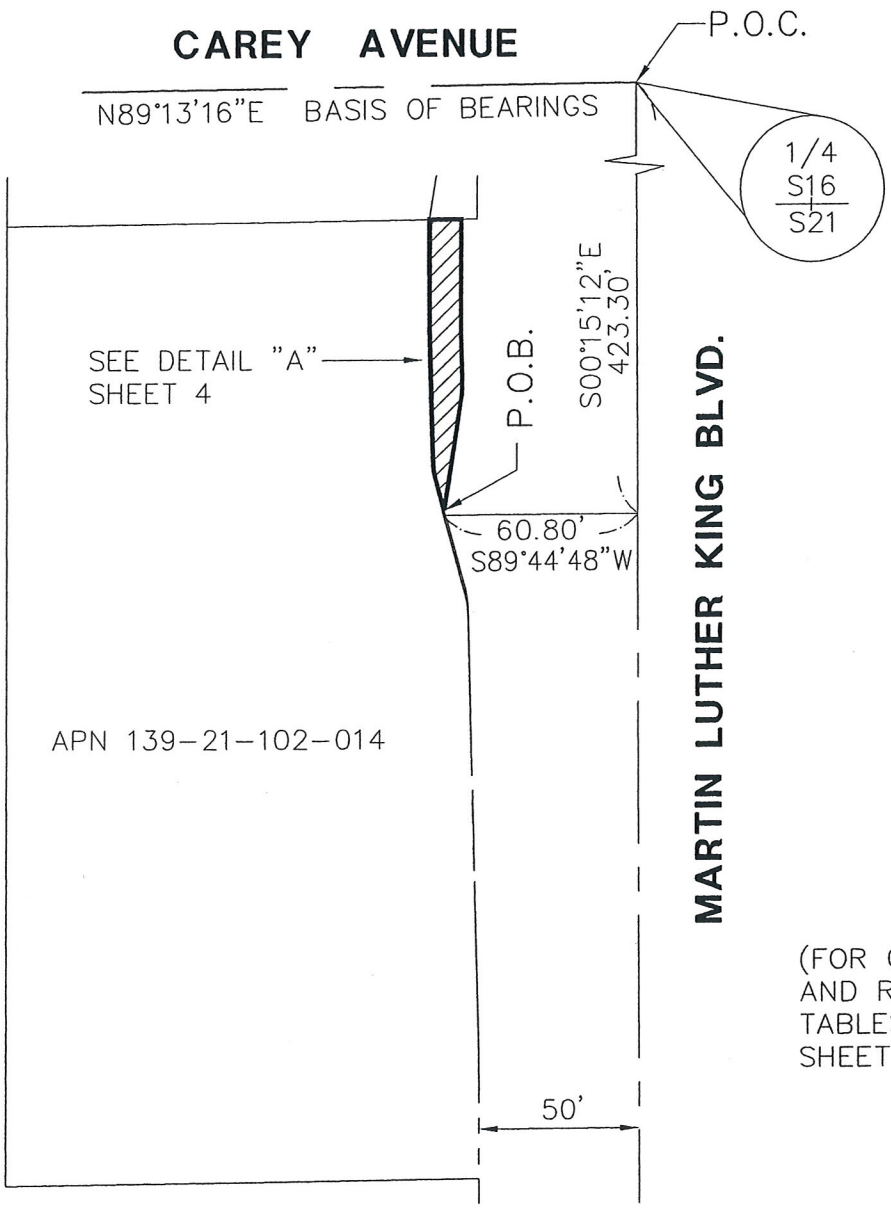
FEB 26 2010

FOR DEPARTMENT USE ONLY

Case #	VAC-37529
Meeting Date:	4/21/2010
Total Fee:	1000.00
Date Accepted:	2/25/2010
Accepted By:	M. REX

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



(FOR CURVE, LINE AND RADIAL LINE TABLES SEE SHEET 4)

P.O.B. POINT OF BEGINNING

P.O.C. POINT OF COMMENCEMENT

AREA OF ROW VACATION
764 S.F (0.02 AC.)

G:\6224\6224LEGAL-OPT4.DWG(21-102-014VAC)

vtn nevada
2727 S. RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89146-5148

APN 139-21-199-022
EXHIBIT TO ACCOMPANY LEGAL
MARTIN LUTHER KING BLVD.

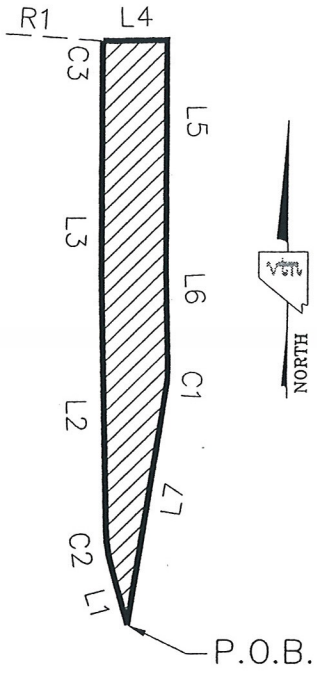
CITY OF LAS VEGAS
DEPARTMENT OF PUBLIC WORKS

SCALE	HORZ. 1"=60'
	VERT. --
W.O. NO.	6224
DRAWN BY:	KAK
DATE:	9/18/09
SHEET	3 OF 4

RECEIVED
FEB 26 2010

VAC-37529

CURVE TABLE				
NO.	RADIUS	LENGTH	TANGENT	DELTA
C1	20.00'	3.56'	1.79'	10°12'28"
C2	25.00'	6.09'	3.06'	13°57'36"
C3	25.00'	1:95'	0.97'	04°27'32"



DETAIL "A"
NOT TO SCALE

LINE TABLE		
NO.	BEARING	LENGTH
L1	N15°29'11"W	9.35'
L2	N01°31'35"W	39.49'
L3	N00°15'12"W	35.43'
L4	N89°15'34"E	9.92'
L5	S00°15'12"E	37.15'
L6	S01°31'35"E	13.96'
L7	S08°40'53"W	37.77'

RADIAL TABLE	
NO.	BEARING
R1	N85°47'40"W

G:\6224\6224LEGAL-OPT4.DWG(21-102-014VAC)

vtn nevada
2727 S. RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89146-5148

APN 139-21-199-022
EXHIBIT TO ACCOMPANY LEGAL
MARTIN LUTHER KING BLVD.

CITY OF LAS VEGAS
DEPARTMENT OF PUBLIC WORKS

SCALE	HORZ.	1"=60'
	VERT.	---
W.O. NO.		6224
DRAWN BY:		KAK
DATE:		9/18/09
SHEET 4 OF 4		

RECEIVED
FEB 26 2010

VAC-37529



VAC-37529 – APPLICANT: CITY OF LAS VEGAS - OWNER: COUNTY OF CLARK
MARTIN L KING BOULEVARD AT CAREY AVENUE

05/20/10



VAC-37529 – APPLICANT: CITY OF LAS VEGAS - OWNER: COUNTY OF CLARK
MARTIN L KING BOULEVARD AT CAREY AVENUE

05/20/10

DEVELOPMENT
SERVICES
CENTER

Public Works Department
Engineering Planning

731 S. Fourth Street
Las Vegas, NV 89101

Voice 702-229-6541
FAX 702-382-8551
TTY 702-386-9108

January 15, 2010

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

Re: Martin Luther King Boulevard Improvement Project
Alta Drive to Carey Avenue
Las Vegas, Nevada
APN: 139-21-199-022,027

Dear Planning Department:

Please vacate the proposed bus turnout that is located on the above referenced road parcel numbers. It has been discovered that there is a conflict with existing Las Vegas Valley Water District facilities and the proposed bus turnout area. It has been determined that it is more cost efficient to relocate the proposed bus turnout, rather than to relocate the existing Water District facilities.

If you have any questions, please contact **Kevin Cerny, Right-of-Way Agent, at 229-1228**. Thank you for your cooperation.

Sincerely,

Kevin Cerny

Kevin Cerny
Right-of-Way Agent

Las Vegas City Council
Oscar B. Goodman
Mayor
Gary Reese, Ward 3
Mayor Pro Tem
Steve Wolfson, Ward 2
Lois Tarkanian, Ward 1
Steven D. Ross, Ward 6
Ricki Y. Barlow, Ward 5
Stavros S. Anthony, Ward 4

City Manager
Elizabeth N. Fretwell

Public Works Director
Jorge Cervantes
P.E., P.T.O.E.

15901-005-06-09

VAC-37529

RECEIVED
FEB 26 2010

City of Las Vegas Agenda Item No.: **16.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

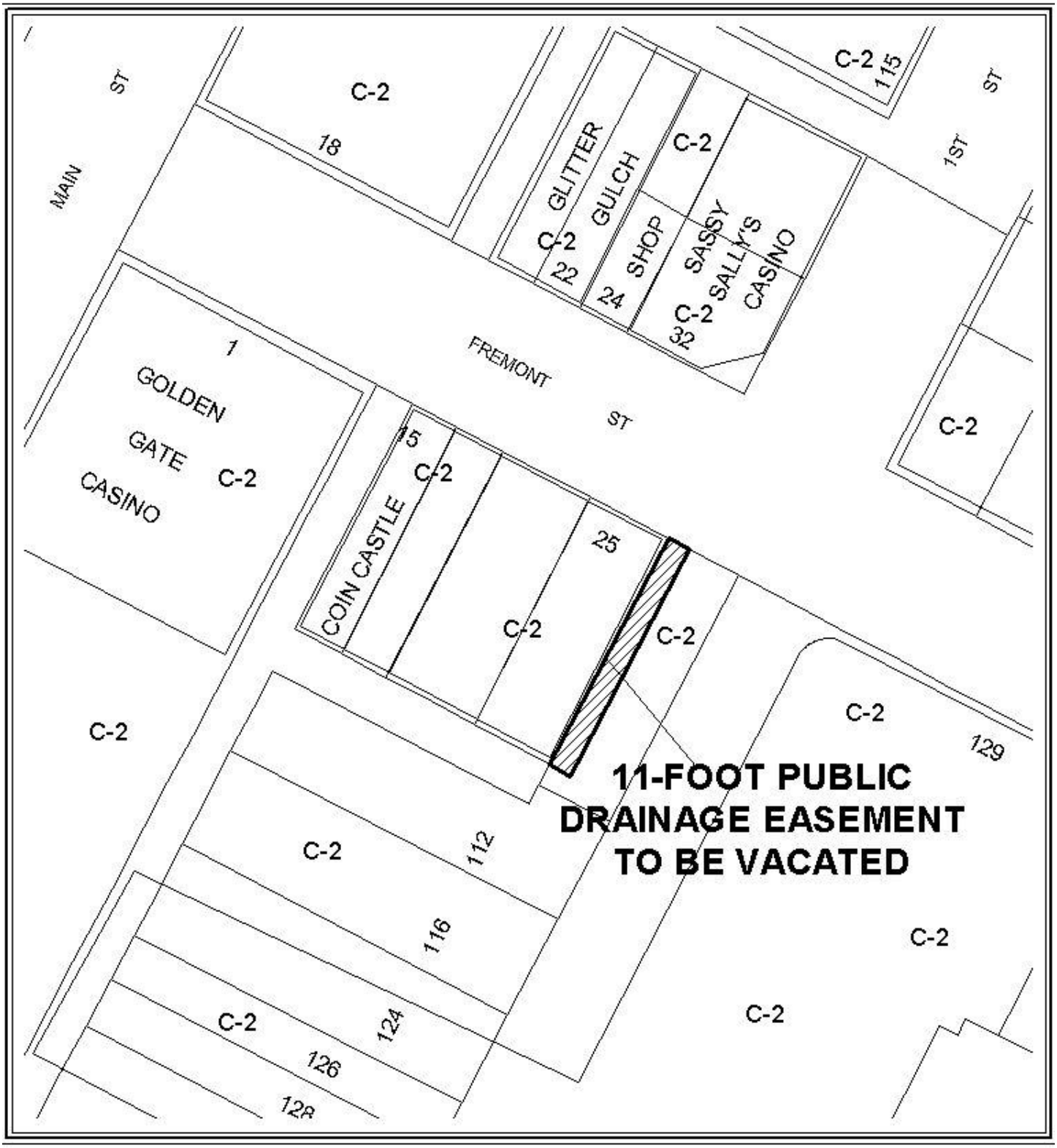
SUBJECT:
VAC-38252 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: ABRAHAM SCHIFF - Petition to Vacate a 11-foot public drainage easement extending 120 feet south of Fremont Street, approximately 300 feet east of Main Street, Ward 3 (Reese). Staff recommends APPROVAL.

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

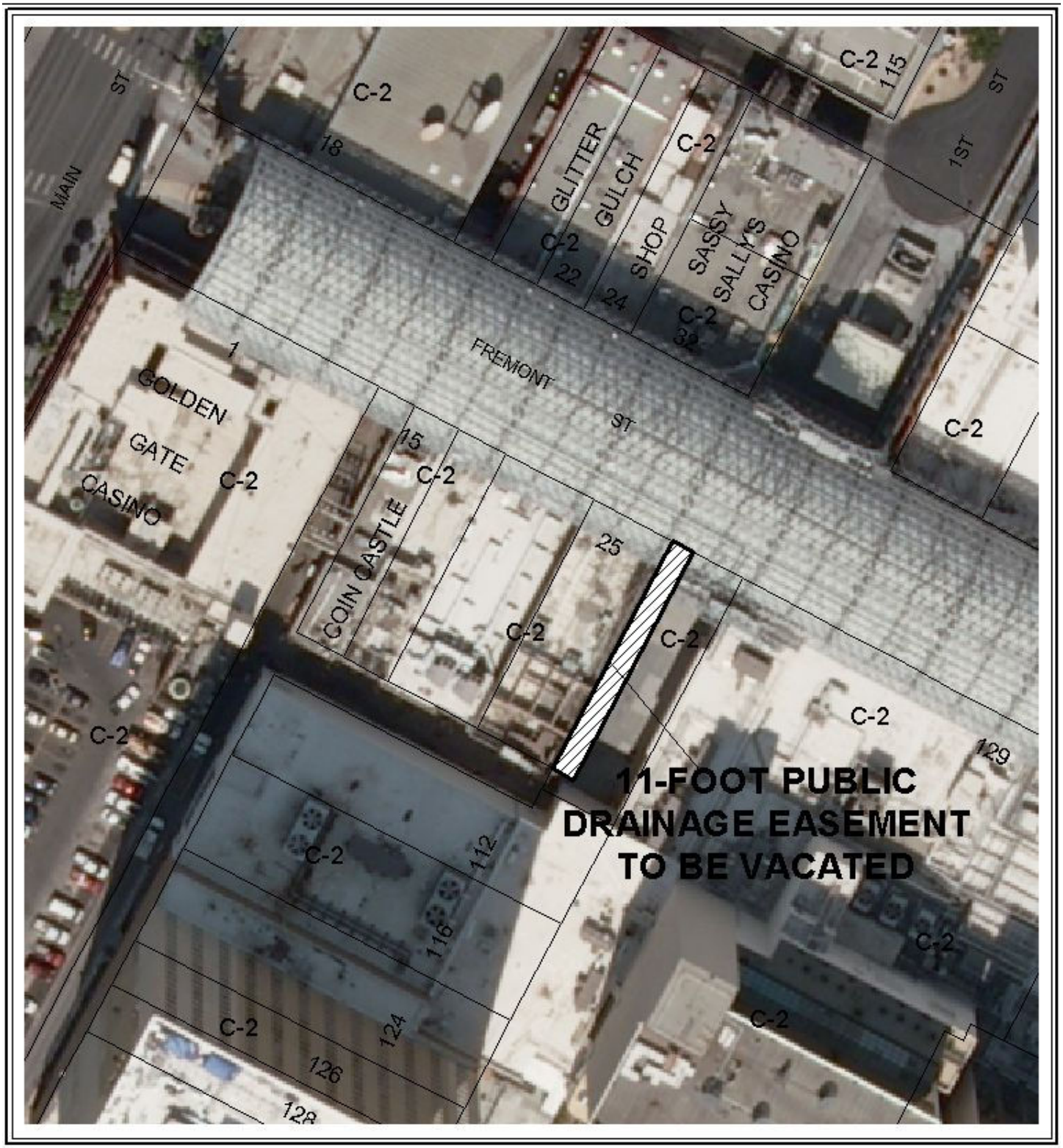
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



CASE: **VAC-38252**



0 100 200 Feet

CASE: **VAC-38252**

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: ABRAHAM SCHIFF

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

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAC-38252	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

VAC-38252 CONDITIONS

1. The limits of this Petition of Vacation shall be an eleven-foot wide by one hundred twenty foot long Public Drainage Easement generally located south of Fremont Street, east of Main Street.

2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of this Order of Vacation. Appropriate drainage easements shall be granted as recommended by the approved Drainage Plan/Study including an easement along the east edge of Assessor's Parcel Number #139-34-111-038. The drainage study required by SDR-36936 may be used to satisfy this requirement provided that it addresses the area to be vacated.

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

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

SS

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

Staff Report Page One
June 24, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant proposes to vacate a drainage easement reserved through a previous vacation of public right-of-way. The area proposed to be vacated is adjacent to the south side of Fremont Street, approximately 300 feet east of Main Street. The proposal is made in conjunction with a development project for a 7,500 square-foot office and retail building on the subject parcel. Staff recommends approval, as a new drainage easement will be dedicated along the east side of the proposed development, which staff previously supported. If denied, the approved development could not move forward, as an Order of Vacation must be recorded prior to approval of construction plans or issuance of a building permit.

ISSUES

- Approval of the requested Petition of Vacation and subsequent recordation of an Order of Vacation is required in order for an approved 7,500 square-foot office and retail development (SDR-36936) to be built on the site.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/03/02	The City Council approved a request for a Special Use Permit (U-0036-02) to allow the sale of packaged liquor for off-sale consumption in conjunction with an existing 5,200 square-foot gift shop at 25 Fremont Street, with a City Council review required six months after date of approval of a liquor license. Planning Commission and staff recommended approval.
01/22/03	The City Council approved a Required Review (RQR-1476) for a Special Use Permit (U-0036-02) which allowed the sale of packaged liquor for off-premise consumption in conjunction with an existing 5,200 square-foot gift shop at 25 Fremont Street. Staff had no recommendation.
08/19/04	Code Enforcement processed a case (20475) regarding deteriorating signs at 25 Fremont Street. The case was closed by Code Enforcement on 09/13/04.
11/02/05	The City Council approved a Petition to Vacate (VAC-8589) a portion of First Street from Fremont Street to approximately 150 feet north of Carson Avenue. The Planning Commission and staff recommended approval. The subject drainage easement was reserved to the city of Las Vegas with the Order of Vacation, which was recorded 09/01/06.
05/14/06	Code Enforcement processed a case (41335) regarding trash and debris in the alley behind the building at 25 Fremont Street. The case was closed by Code Enforcement on 05/15/06.

02/19/08	Code Enforcement processed a case (62463) regarding construction of a structure on the east side of the building at 25 Fremont Street. The case was closed by Code Enforcement on 03/11/08.
03/03/10	The City Council approved a request for a Site Development Plan Review (SDR-36936) for a proposed 7,500 square-foot office and general retail building on 0.25 acres at 25 Fremont Street. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
01/15/98	A deed was recorded for a change in ownership on the adjacent parcel 139-34-111-038.

Related Building Permits/Business Licenses	
c. 1940	The existing building adjacent to the existing drainage easement was constructed.
01/29/98	A business license (G04-03426) was issued for a gift and souvenir store at 25 Fremont Street. The license is still active.
03/12/98	A business license (C05-01864) was issued for tobacco sales at 25 Fremont Street. The license is still active.
08/04/08	A business license (G04-06833) was issued for a gift store and temporary tattoo shop at 25 Fremont Street. The license was marked out of business on 07/16/09.
05/15/02	Business services approved a change of location of a previously approved business license (L15-00007) for off-premise package liquor sales from 322 Fremont Street to 25 Fremont Street. The license was not approved at this location until 07/08/02. The license is still active.
08/08/08	A business license (T31-00042) was issued for a tour guide at 25 Fremont Street. The license was marked out of business on 12/30/09.
12/21/09	A business license (T22-00004) was issued for a timeshare project broker at 25 Fremont Street. The license is still active.
02/12/10	A business license application (I12-94215) for an internet café at 25 Fremont Street was submitted for review. A license has not yet been issued.
02/12/10	A business license application (C15-94213) for a convenience store at 25 Fremont Street was submitted for review. A license has not yet been issued.
03/04/10	A business license application (L15-94581) for off-premise package liquor sales at 25 Fremont Street was submitted for review. A license has not yet been issued.
03/10/10	A building permit application (158269) was submitted for a tenant improvement to install roll up doors at the entry to an existing general retail store at 25 Fremont Street. The permit has not yet been issued.

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

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

Field Check	
05/20/10	A field check of the site was performed, where the following items were noted: • The easement is currently used as a pedestrian walkway in front of a retail store and is paved with concrete. • A marquee sign extends into the easement area. • Merchandise racks are located in the easement area.

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail Store	C (Commercial)	C-2 (General Commercial)
North	Casino and Tavern	C (Commercial)	C-2 (General Commercial)
South	Hotel and Casino	C (Commercial)	C-2 (General Commercial)
East	Hotel and Casino	C (Commercial)	C-2 (General Commercial)
West	Convenience Store	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 (Central Casino Core District)	X		Y
A-O (Airport Overlay) District (200 Feet)	X		Y
Downtown Casino Overlay District	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

LEGAL DESCRIPTION

The subject property is legally described as a 1,320 square-foot portion of public drainage easement bounded on the northeast by the southwesterly line of Fremont Street, eighty feet (80') wide, bounded on the southwest by the southeasterly projection of the southwesterly line of Lot 31 in Block 3 of Clark's Las Vegas Townsite, on file in Book 1 of Plats, Page 37 of Clark County, Nevada Records; bounded on the northwest by the southeasterly line of said Lot 31; and bounded on the southeast by a line parallel with and lying 11.00 feet southeasterly of the southeasterly line of said Lot 31.

ANALYSIS

A Condition of approval of Site Development Plan Review (SDR-36936) for a proposed 7,500 square-foot office and general retail development requires the vacation of the existing drainage easement that was reserved as part of the previous vacation of First Street (VAC-8589) adjacent to the existing building at 25 Fremont Street. The easement, which is recommended by the approved drainage study for the project, will be relocated to the east side of the existing parcel to accommodate the approved 7,500 square-foot office and general retail development for this site. Staff supports the office/retail development, and therefore has no objection to the requested petition to vacate the subject drainage easement.

This Vacation application proposes to vacate an existing 11-foot wide public drainage easement. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this VAC request to the utility companies and franchise holders, nor wait for their responses. Since only City easements are involved, any utility company interests will not be affected.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 2

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-38252 APN: 139-34-111-038

Name of Property Owner: Abraham Schiff

Name of Applicant: Abraham Schiff

Name of Representative: John Erickson

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: John Erickson

Print Name: John Erickson

Subscribed and sworn before me

This 11th day of May, 2010

Margaret Borcsanyi

Notary Public in and for said County and State

MARGARET BORCSANYI
Notary Public-State of Nevada
APPT. NO. 05-96350-1
My App. Expires March 01, 2013

RECEIVED
MAY 11 2010

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Vacation of storm drainage easement

Project Address (Location) 25 Fremont Street

Project Name Vacation of 1st Street & Fremont easment **Proposed Use** Commercial/retail

Assessor's Parcel #(s) 139-34-111-038 **Ward #** 3

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

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

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

Additional Information Easement to be replaced by alternate easement on the east boundary of subject parcel

PROPERTY OWNER Abraham Schiff **Contact** _____

Address 1004 New Road **Phone:** (702) 433-9696 **Fax:** (702) 434-0615

City Northfield **State** NJ **Zip** 08225

E-mail Address _____

APPLICANT Abraham Schiff **Contact** _____

Address 1004 New Road **Phone:** (702) 433-9696 **Fax:** (702) 434-0615

City Northfield **State** NJ **Zip** 08225

E-mail Address _____

REPRESENTATIVE John R. Erickson **Contact** _____

Address 1349 W. Galleria Drive, Suite 200 **Phone:** (702) 433-9696 **Fax:** (702) 434-0615

City Henderson **State** NV **Zip** 89014

E-mail Address jerickson@woodserickson.com

Property Owner Signature* John Erickson, Counsel

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

Print Name John R. Erickson

Subscribed and sworn before me

This 11th day of May, 2010.

Margaret Borcsanyi

Notary Public in and for said County and State

MARGARET BORCSANYI
Notary Public-State of Nevada
APPT. NO. 05-96350-1
My App. Expires March 01, 2013

FOR DEPARTMENT USE ONLY

Case #	VAC-38252
Meeting Date:	06/24/10
Total Fee:	1000.00
Date Received:*	05/11/10
Received By:	Jonathan B.

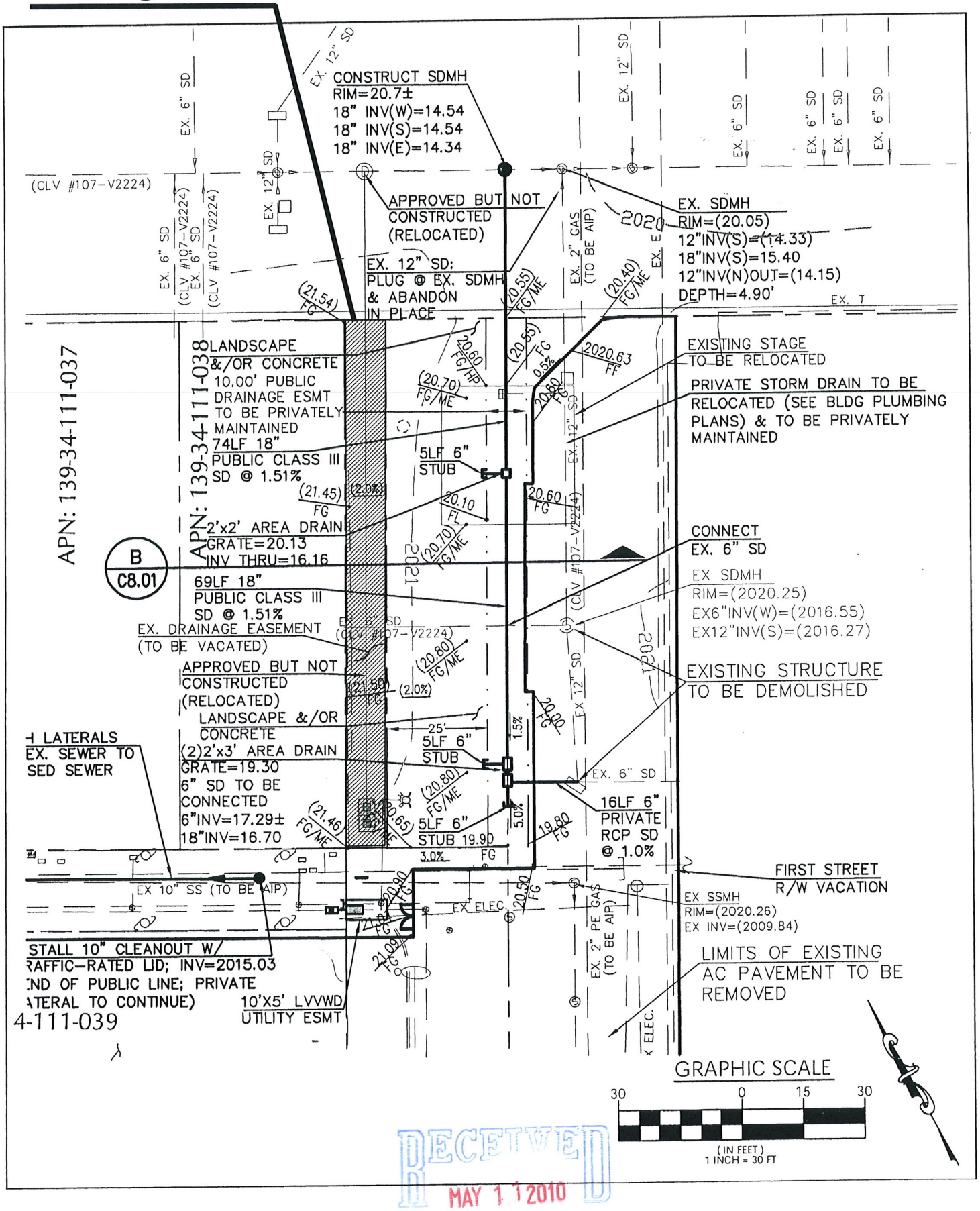
*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

RECEIVED
MAY 11 2010

Revised 10/27/08

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

"Existing Easement"

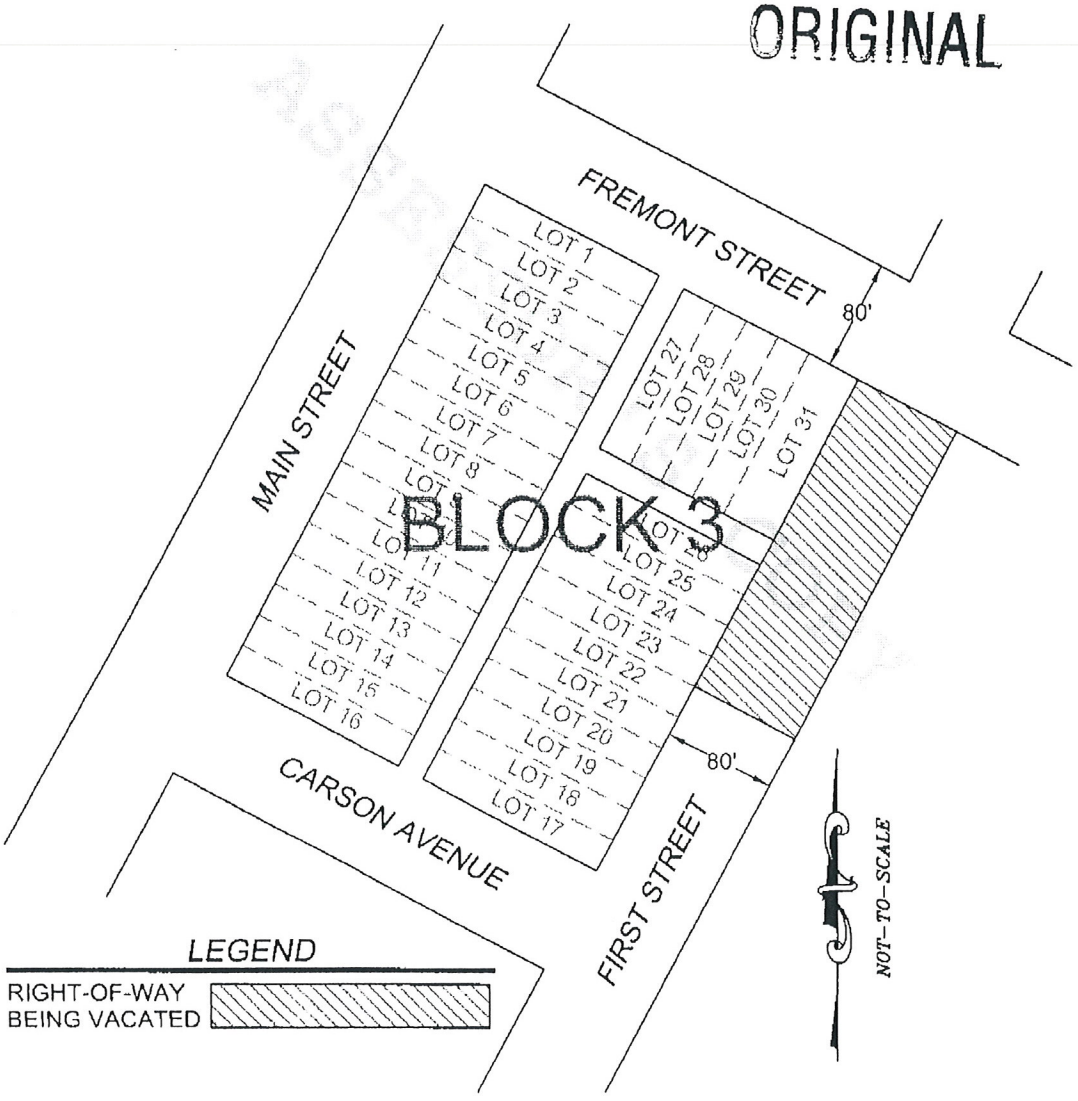


RECEIVED
MAY 17 2010

VAC-38252

VAC-8589
NE 1/4, NW 1/4, SEC 34, T20S, R61E, MDM
BOOK 1 OF PLATS, PAGE 37
VACATE PORTION OF FIRST STREET
SOUTH OF FREMONT STREET

ORIGINAL



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MAY 11 2010

VAC-38252



VAC-38252 – APPLICANT/OWNER: ABRAHAM SCHIFF
FREMONT STREET AT MAIN STREET

05/20/10



VAC-38252 – APPLICANT/OWNER: ABRAHAM SCHIFF
FREMONT STREET AT MAIN STREET

05/20/10

R. Glen Woods*‡
John R. Erickson*
Brian C. Whitaker†
Aaron R. Maurice
Jason M. Wiley††
Travis J. Wright**
Bryan D. Dixon
Scott R. Taylor
Ammon E. Chase
Justin S. Hepworth
Andrew B. Platt
*Also Admitted in Utah
†Also Admitted in California
‡Also Admitted in Arizona
††Also Admitted in Iowa
**Also Admitted in Nebraska

WOODS ERICKSON
WHITAKER & MAURICE LLP
ATTORNEYS AT LAW

1349 West Galleria Drive,
Suite 200
Henderson, NV 89014

Telephone:
702.433.9696

Telefax:
702.434.0615

Web site:
www.woodserickson.com

May 11, 2010

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

Re: Justification Letter to Accompany a Vacation of storm drainage easement generally located vacated First Street and Freemont Street
APN: 139-34-111-038

Dear Sir or Madam:

Woods Erickson Whitaker & Maurice LLP on behalf of out client Abraham Schiff and Schiff Enterprises LLC, respectfully requests your consideration and approval of the subject application to allow for the vacation of a disused storm drainage easement allowing redevelopment along the Fremont Street Experience.

The purpose of the vacation is to eliminate the encumbrance on the subject parcel. The easement is not currently in use. Moreover, the easement will not serve any purpose in the future by virtue of its being isolated and by its replacement with an alternative storm drainage easement at the edge of the subject parcel and parcel 139-34-210-032.

Approval of this action will not harm the public because the easement is not currently in use and future storm drainage needs will be met with another easement which will be maintained at private expense.

We appreciate your consideration of this application. Please schedule these items for the next available meeting date. Should you have any questions, or require additional information, please call.

Very truly yours,

John R. Erickson

RECEIVED
MAY 11 2010

VAC-38252

City of Las Vegas Agenda Item No.: **17.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

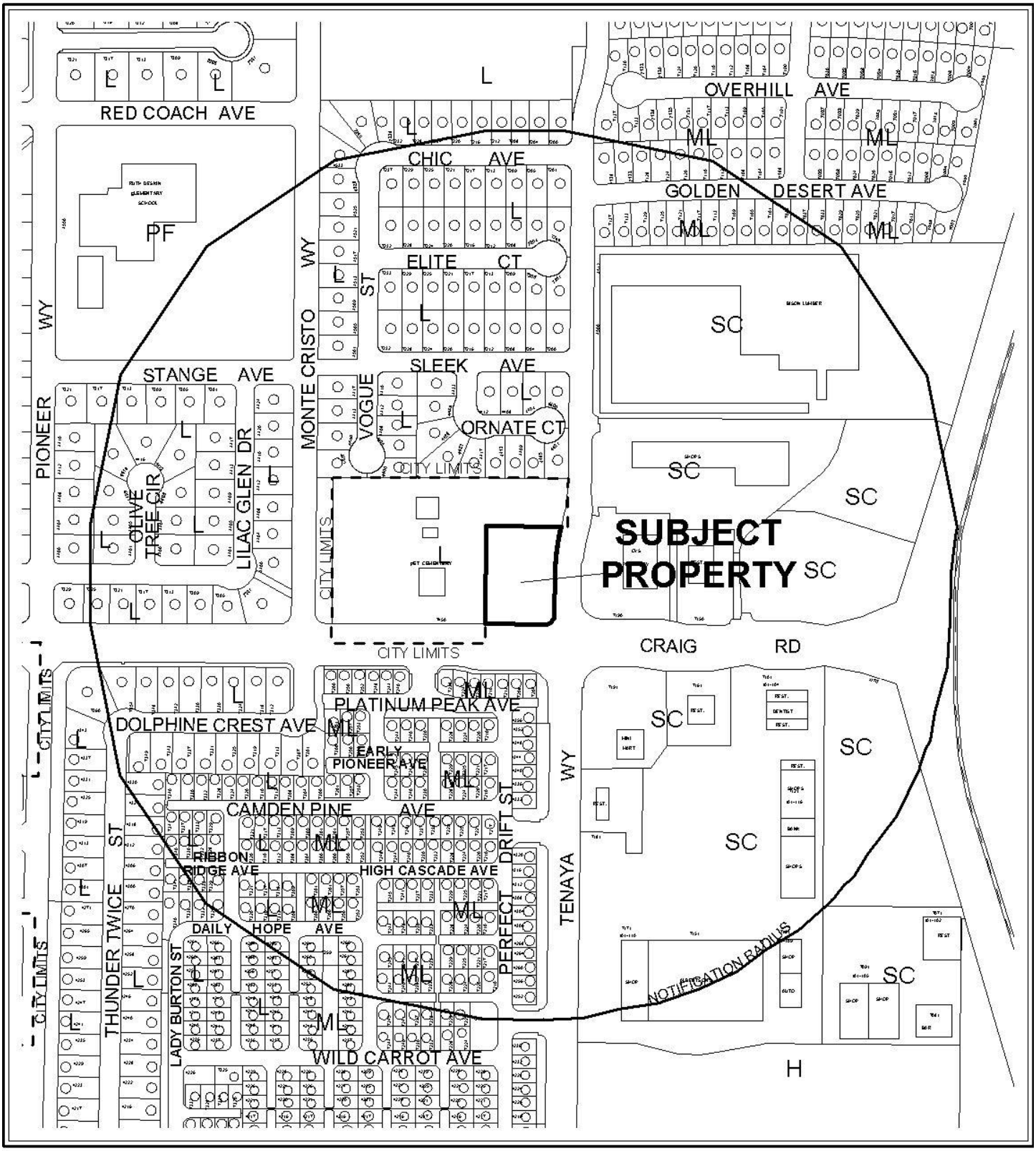
SUBJECT:
ABEYANCE - GPA-37823 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CT-1, LLC - Request to Amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 1.00 acres at 7204 West Craig Road (APN 138-03-201-009),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

C.C.: 07/21/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**6**	**Planning Commission Mtg.**	**1**
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/Support Postcards, Email Protest and Concern Letter - GPA-37823, ZON-37824 and SDR-37940



0 300 600 Feet

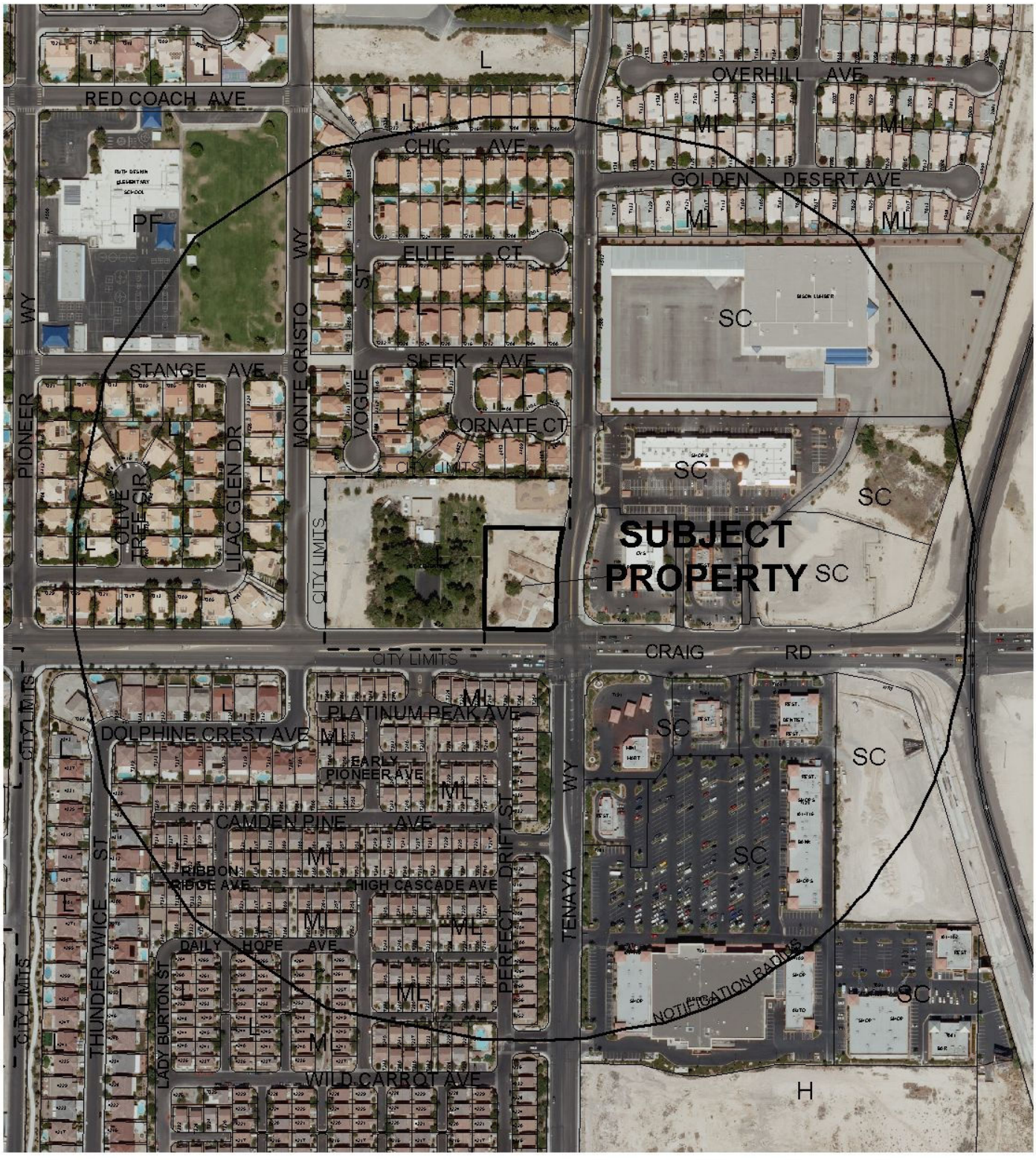
CASE: **GPA-37823**

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: JUNE 24, 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 (Limited Commercial) 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.
05/27/10	The Planning Commission held in abeyance GPA-37823, ZON-37824 and SDR-37940 to the June 24, 2010 Planning Commission meeting.
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 1

PROTESTS 6

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

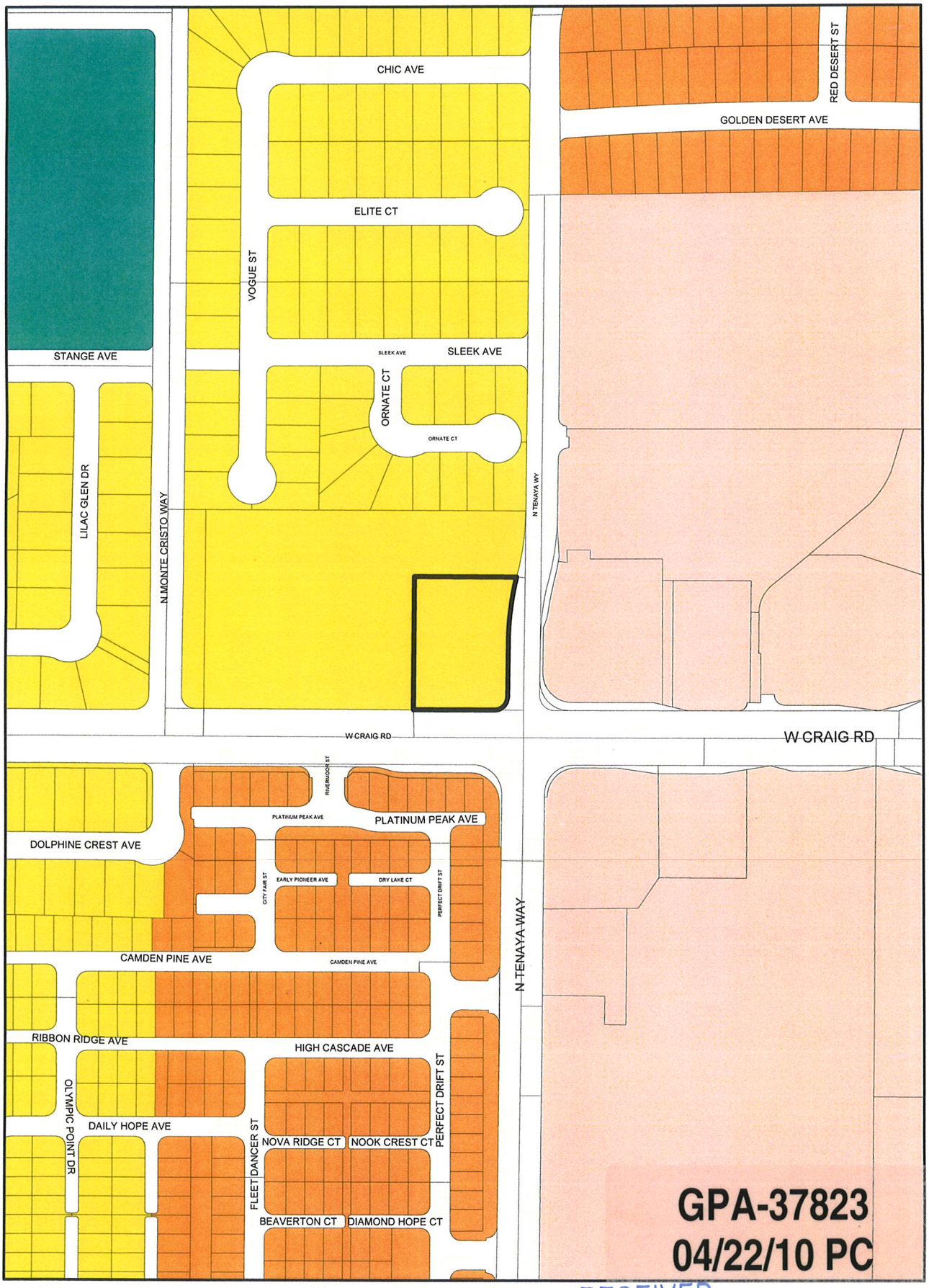
FOR DEPARTMENT USE ONLY

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

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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

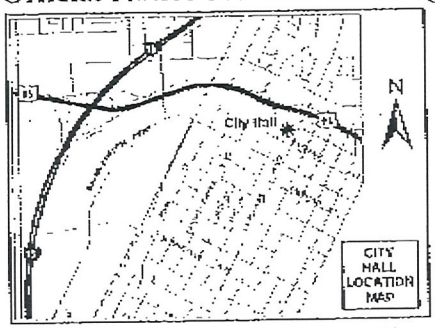
GPA-37823
ZON-37824
SDR-37940

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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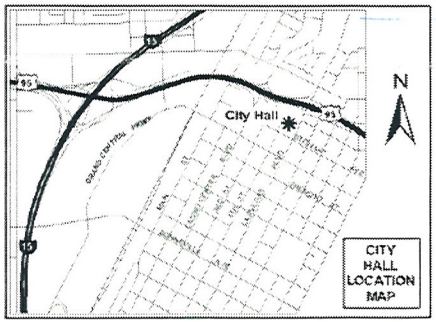
APR 09 2010
MAILED FROM ZIP CODE 89101

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.: **18.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 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.

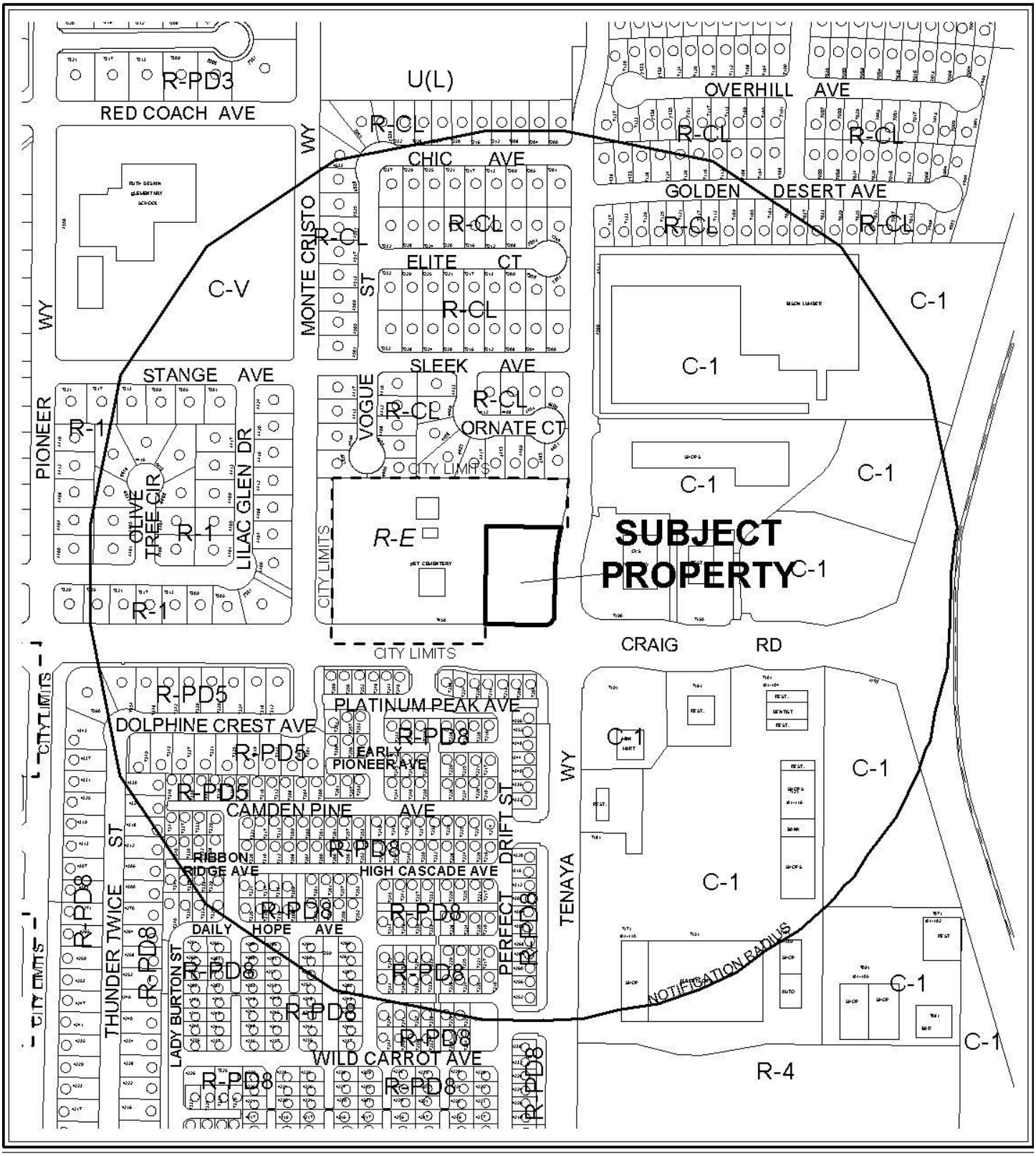
C.C.: 07/21/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**6**	**Planning Commission Mtg.**	**1**
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

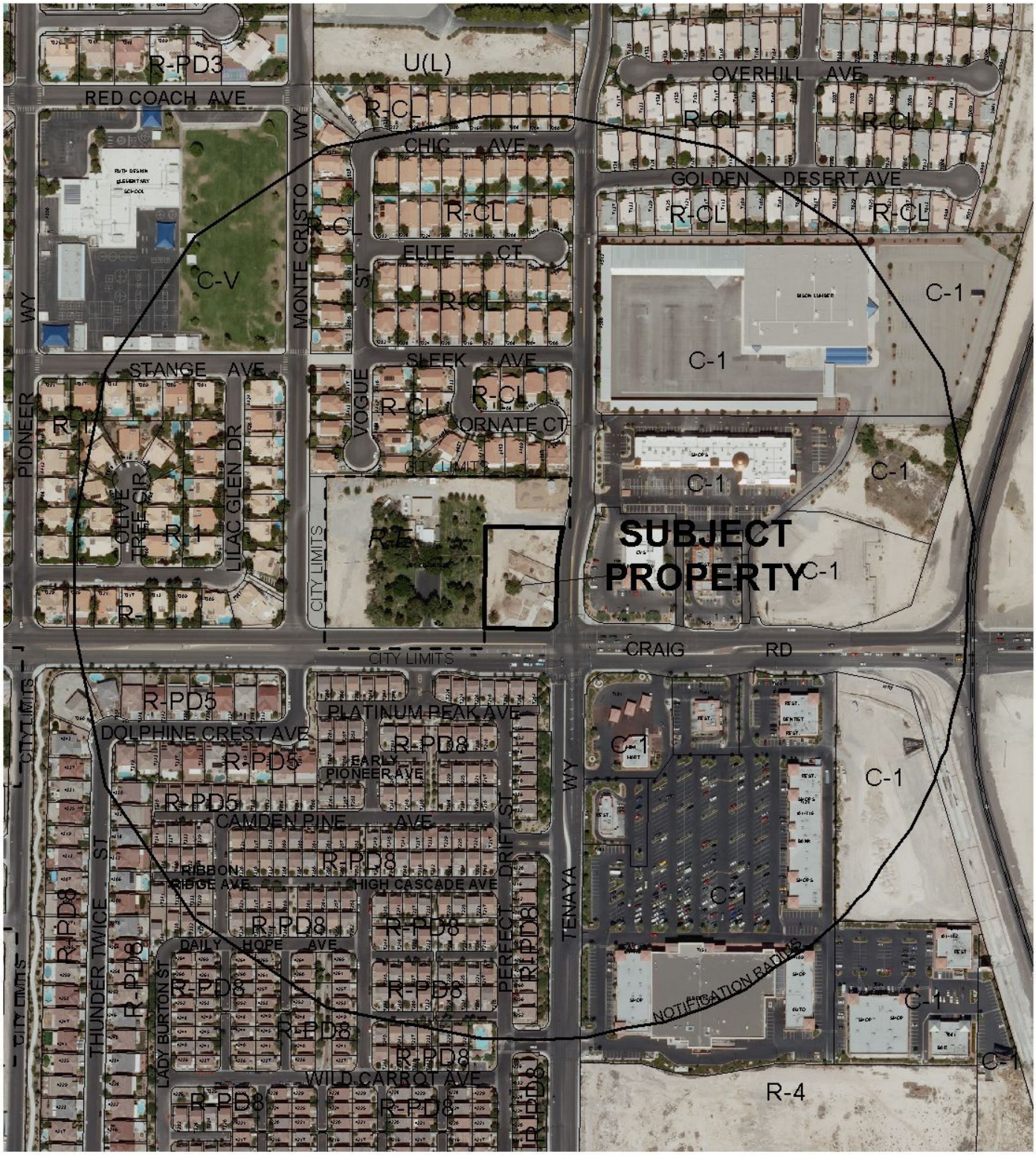
CASE: **ZON-37824 AND SDR-37940**

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

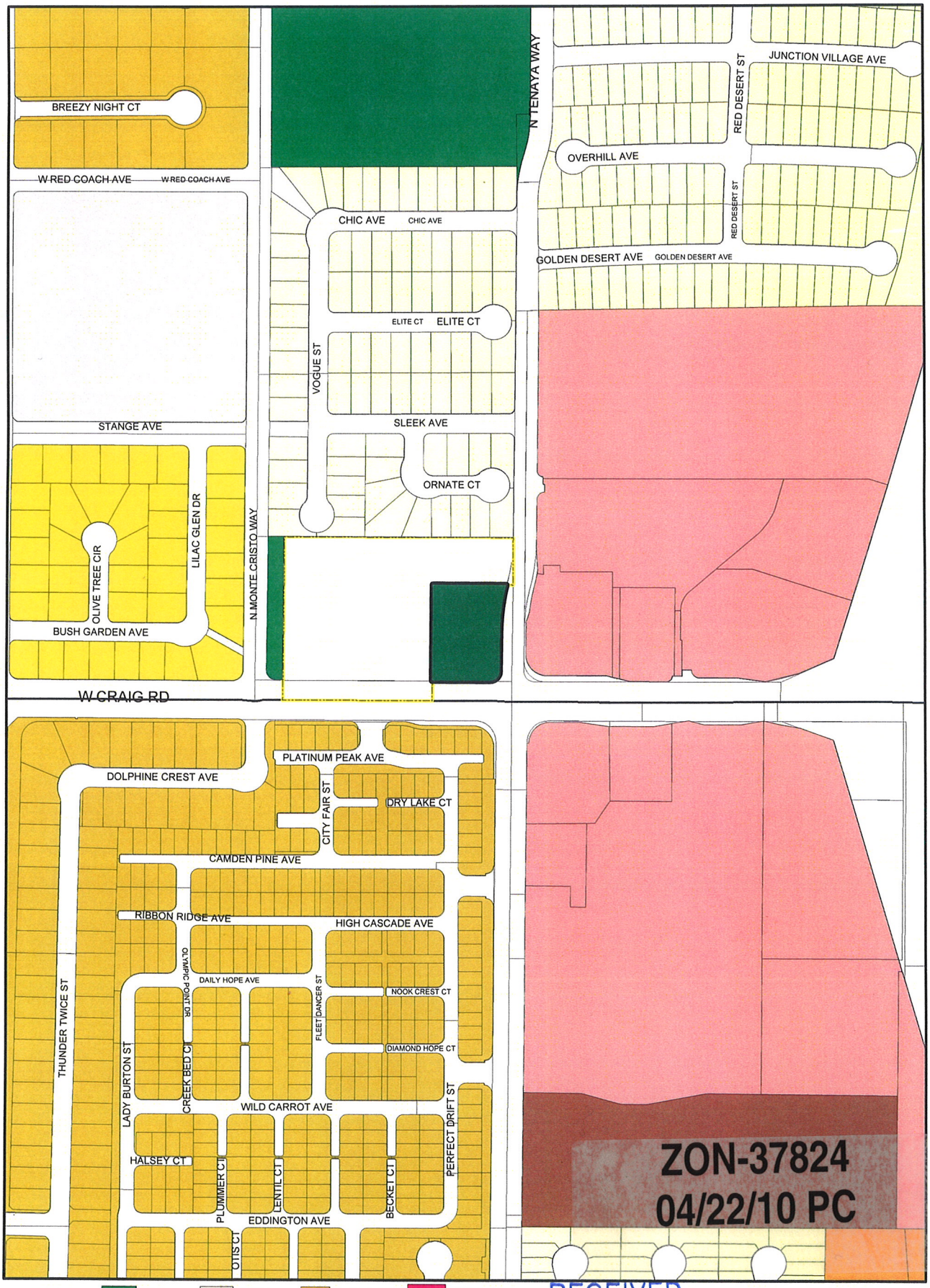
Case #	ZON-37824
Meeting Date:	4-22-10
Total Fee:	1,200
Date Received:*	4-2-10
Received By:	

*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				

RECEIVED
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.: **19.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 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.: 07/21/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**6**	**Planning Commission Mtg.**	**1**
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-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.

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.: **20.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

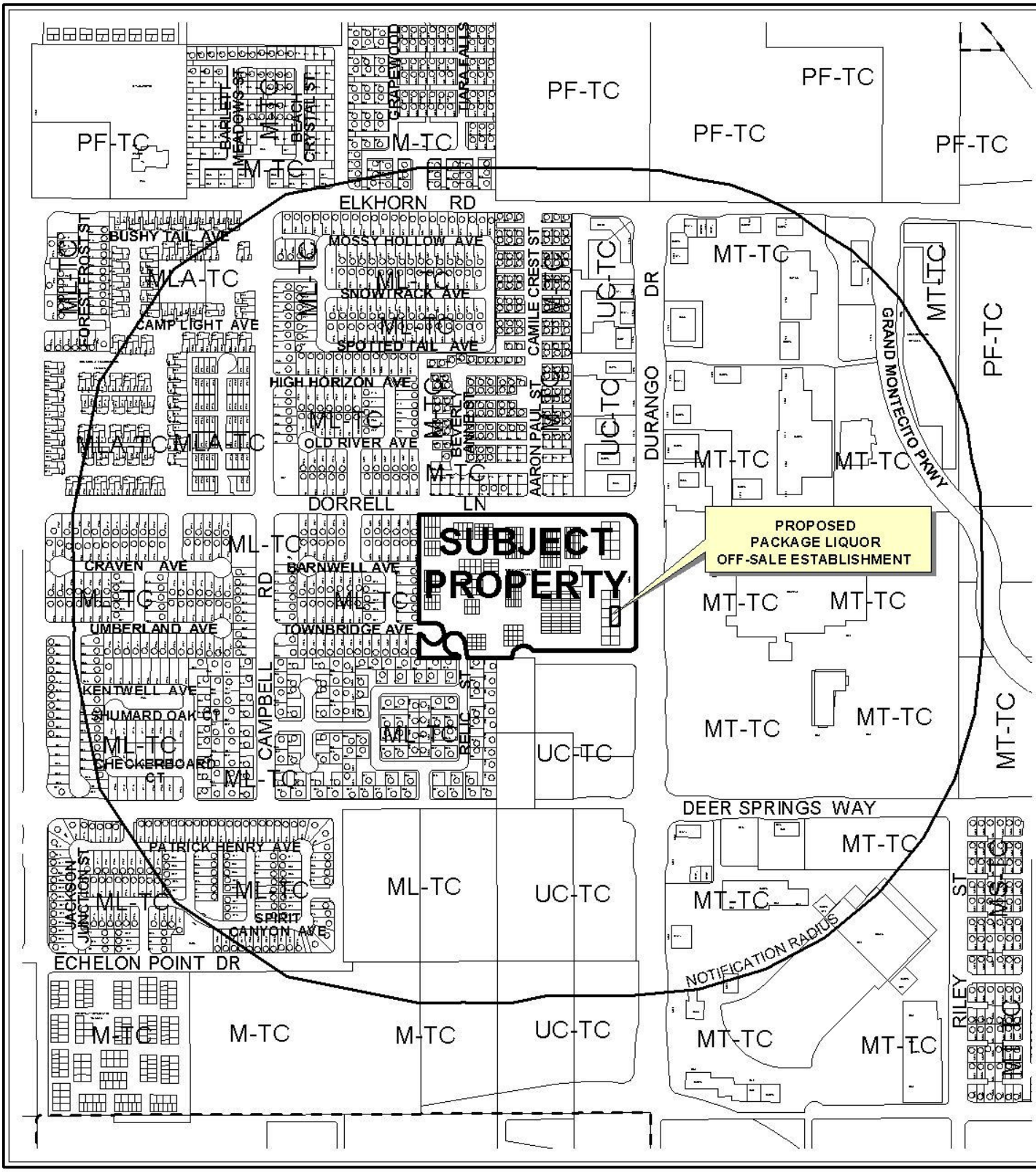
SUBJECT:
ABEYANCE - SUP-37739 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DURANGO MARKET - OWNER: MNLK, LLC - Request for a Special Use Permit FOR A PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 2,326 SQUARE-FOOT RETAIL ESTABLISHMENT at 6955 North Durango Drive, Suite #1114 (APNs 125-20-215-269 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.: 07/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**7**	**Planning Commission Mtg.**	**408**
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 and Support Petition



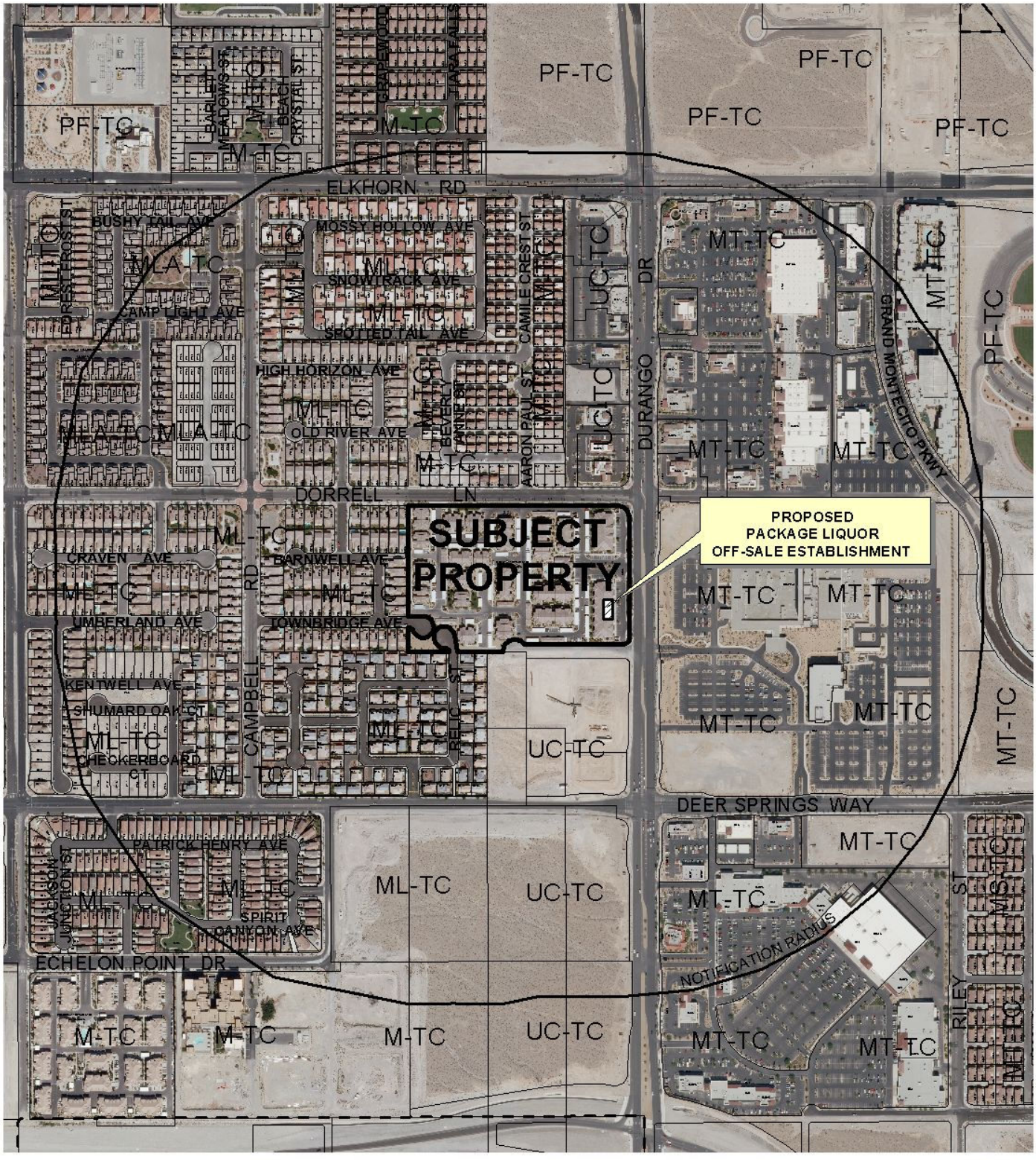
0 500 1000 Feet

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]



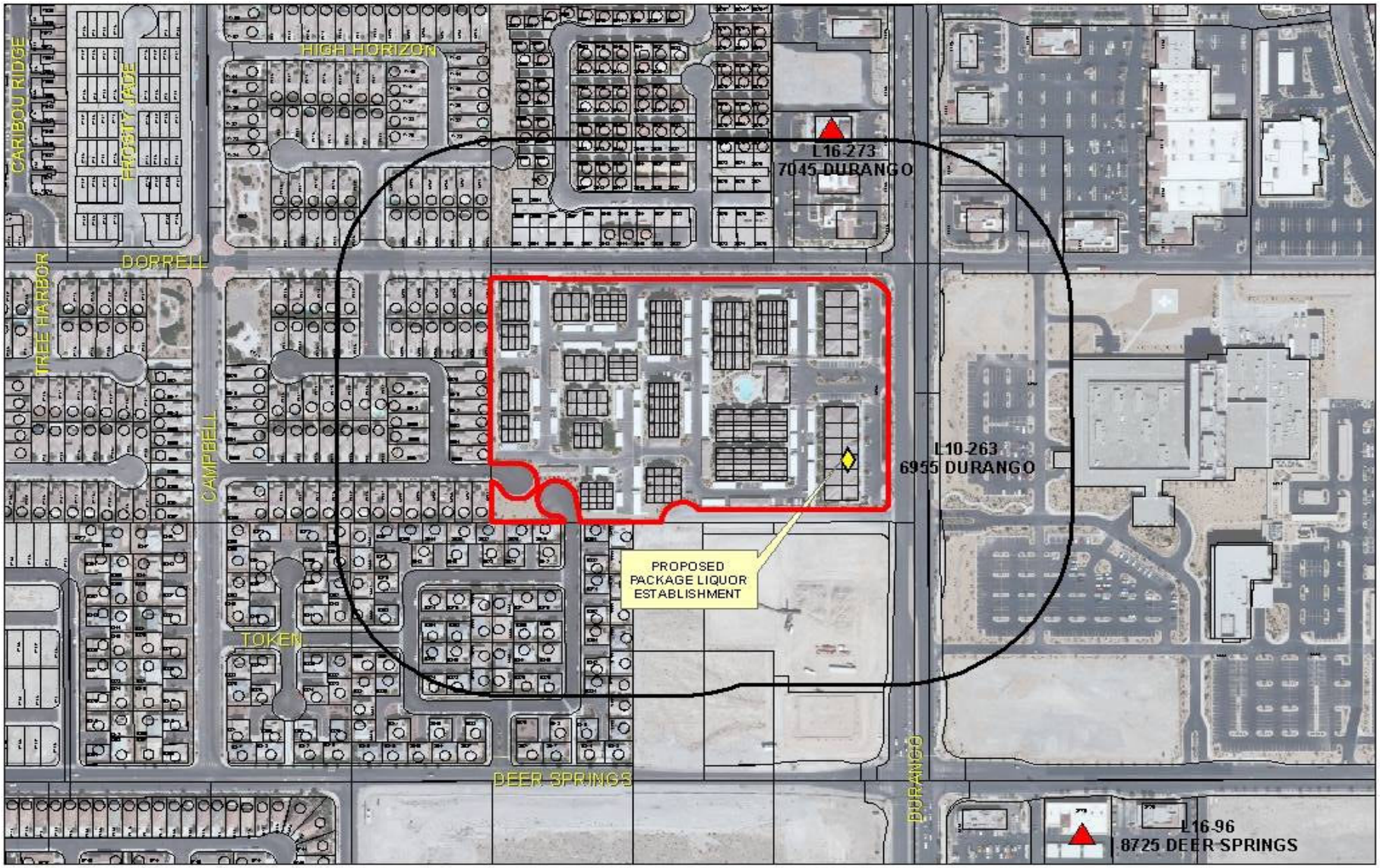
0 500 1000 Feet

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: JUNE 24, 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.
05/27/10	The Planning Commission held this item in abeyance to the 06/24/10 meeting at the request of the applicant.

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 408

PROTESTS 7

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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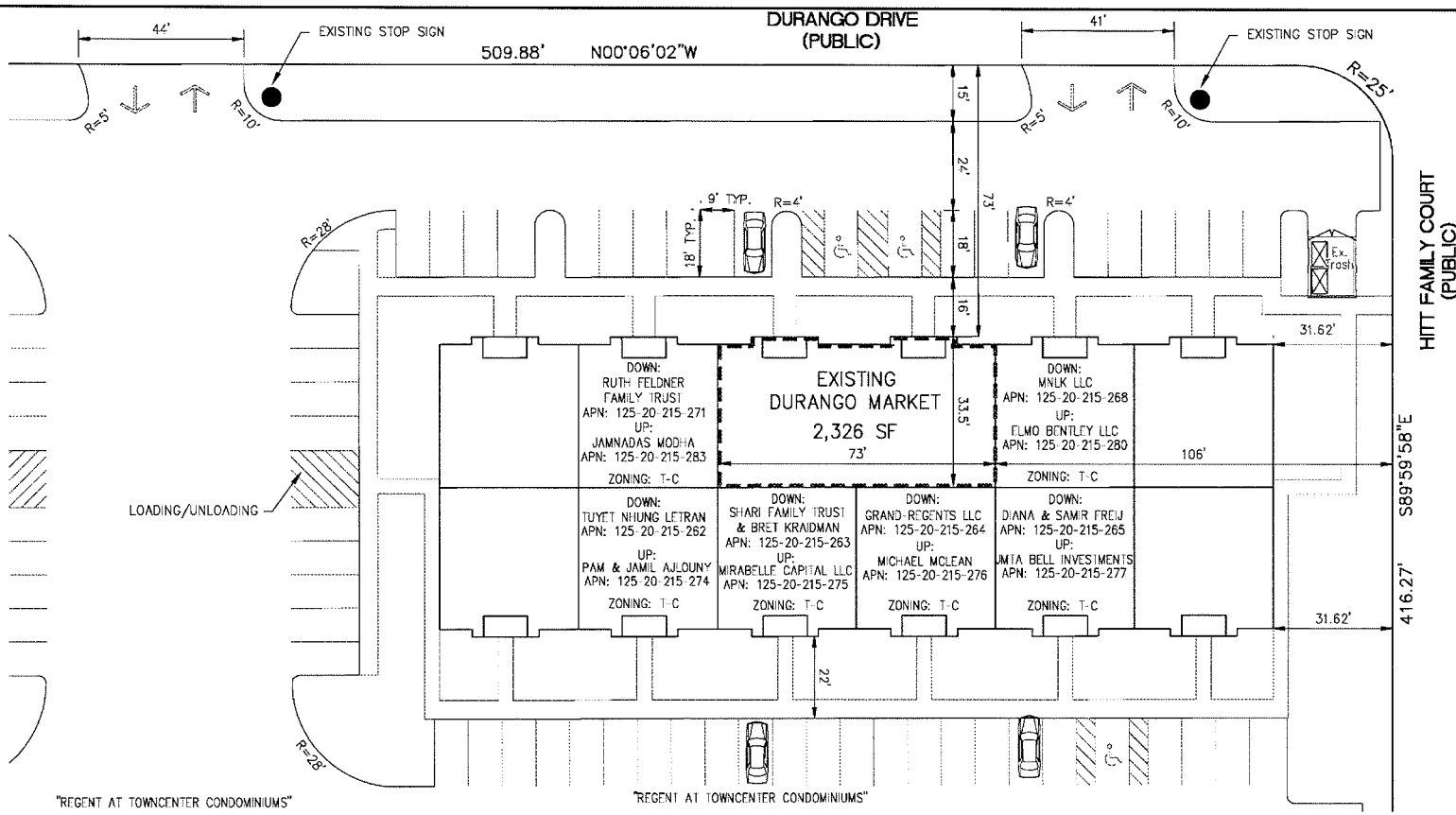

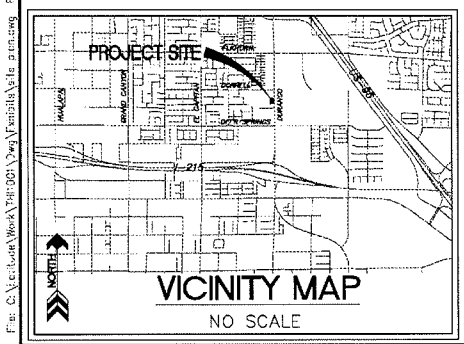

VICINITY MAP

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

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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

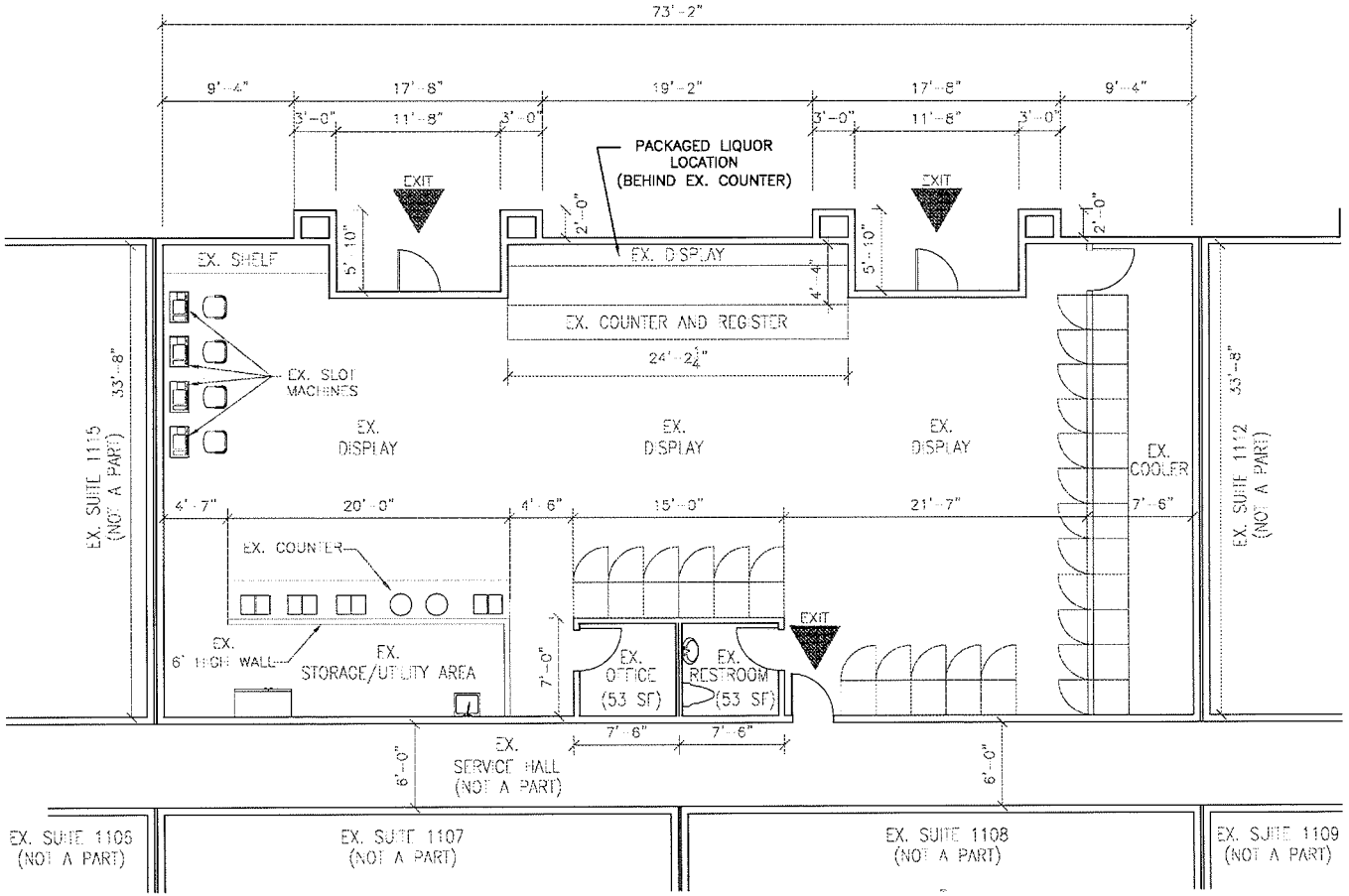
SHEET 1 OF 4

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

File: C:\Vehicles\Work\TH1001\Dwg\Exhibits\Floor Plans.dwg Feb 24, 2010 - 07:53

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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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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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 Brockroft	[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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11A

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 Chinn 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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12A

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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MAR 22 2010

13A

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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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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MAR 22 2010

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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.: **21.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

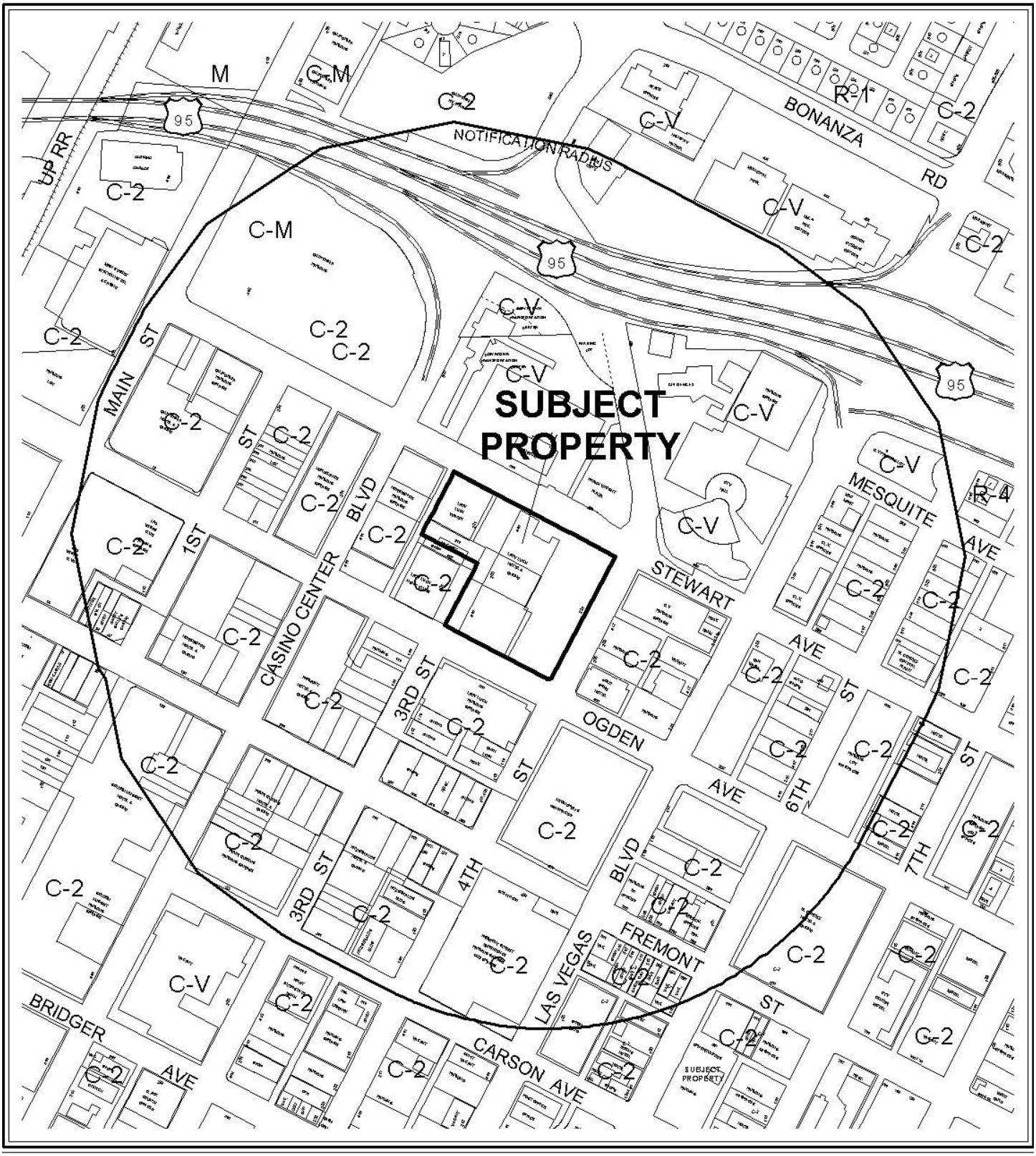
SUBJECT:
ABEYANCE - SDR-37946 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: RESORT GAMING GROUP, LLC - OWNER: 220 NORTH 4TH STREET LV, LLC, ET AL - Request for a Site Development Plan Review FOR PROPOSED FACADE MODIFICATIONS AND THE ADDITION OF A SERVICE YARD, A PORTE COCHERE, A SURFACE 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 APPROVAL.

C.C.: 07/21/2010

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



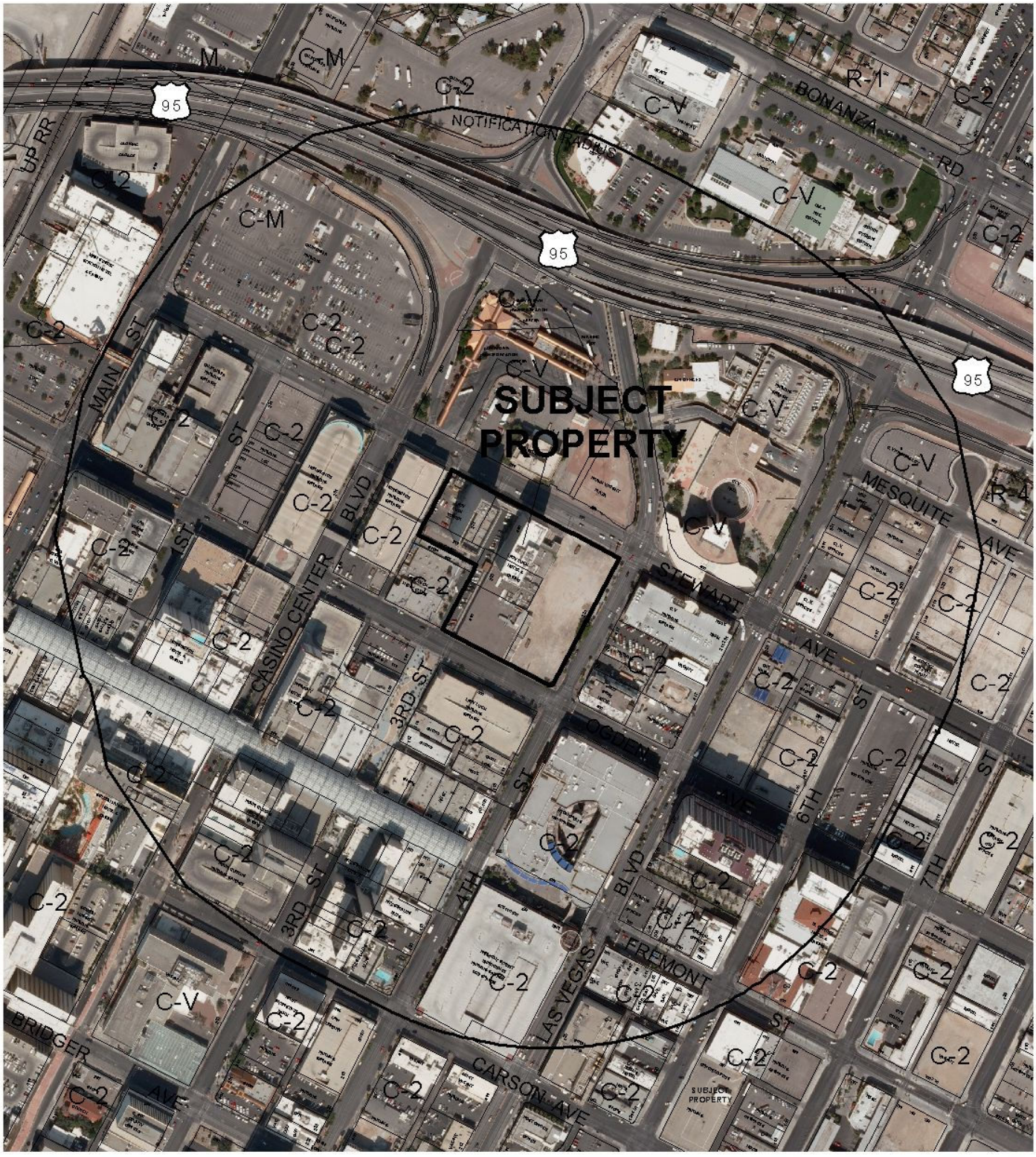
0 400 800 Feet

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: RESORT GAMING GROUP, LLC - OWNER: 220 NORTH 4TH STREET LV, LLC, ET AL

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-37946	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SDR-37946 CONDITIONS

Planning and Development

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

2. All development shall be in conformance with the site plan and landscape plan, date stamped 06/09/10 and building elevations, date stamped 04/13/10, except as amended by conditions herein.

3. Prior to approval of a final inspection, the proposed alterations to the Third Street pedestrian bridge to reduce the parapet and soffit materials to a minimum and to replace the existing materials with a clear glazing system shall be completed in conformance with the building elevations date stamped 04/13/10.

4. A Waiver from Downtown Centennial Plan Section VII.B.1.e is hereby approved, to allow utilities to remain above ground where required to be underground along Stewart Avenue.

5. A Waiver from Downtown Centennial Plan Section VII.B.3.d is hereby approved, to allow block wall screening adjacent to the service yard where ornamental iron screening is required.

6. A Waiver from Downtown Centennial Plan Section VII.B.4.a is hereby approved, to allow a zero-foot amenity zone where a five-foot amenity zone is required along portions of Stewart Avenue between 3rd Street and east to the parking lot entrance.

7. A Waiver from Downtown Centennial Plan Section VII.B.4.c is hereby approved, to allow no additional trees along Stewart Avenue.

8. Prior to occupancy, the required number of handicap parking spaces shall be provided, in the existing parking structure, in the proposed parking lot, or a combination of structure and lot, in conformance with Title 19.10 requirements.

9. 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.

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

11. 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 be revised to include irrigation specifications.

12. 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.

13. All proposed signage shall be subject to approval by the Downtown Design Review Committee prior to issuance of sign permits.

14. 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).

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

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

17. 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.

18. 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.

19. 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.

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

Public Works

21. Coordinate with the Building and Safety Department to determine if existing lot lines are in conflict with existing or the new proposed structures. If it is determined that a mapping or other lot consolidation is required, coordinate with the City Surveyor to determine the most appropriate lot consolidation method.

22. Dedicate a 10 foot radius on the southwest corner of Stewart Avenue and 4th Street prior to the issuance of any permits.

23. A Petition of Vacation to vacate the existing public sewer easement, such as VAC-27995, shall record prior to the issuance of any permits for improvements abutting or overlying the sewer easement.

24. Remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting Downtown Centennial Plan Standards modified as necessary to accommodate existing physical obstructions and as amended by conditions herein per the approved Site Plan 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 the development of this site.

25. Prior to the approval of Construction drawings for this site, sign a Covenant Running with Land agreement for the possible future undergrounding of all existing overhead utility lines adjacent to this site not placed underground per requirements of the Downtown Centennial Plan. The Covenant agreement must be recorded with the County Recorder and a copy of the recorded document must be provided to the City prior to the issuance of building permits for this site.

26. Unless otherwise allowed by the City Engineer, construct sidewalk, where such does not exist, on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.

27. Contact the City Engineer's Office (Lorrie Dunford) at 229-6272 to coordinate the development of this project with the Stewart Avenue Phase II project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

28. Landscape and maintain all unimproved rights-of-way, if any, on 4th Street, Ogden Avenue and Stewart Avenue 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.

29. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Ogden Avenue, Stewart Avenue and (where applicable) 4th Street public rights-of-way adjacent to this site prior to issuance of permits for this site.

30. Coordinate all driveway geometrics with the Traffic Engineer to determine final allowable widths and depths prior to the submittal of construction drawings or issuance of permits whichever occurs first.

31. 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. Alternatively, meet with the Flood Control Section of the Department of Public Works to determine an acceptable alternative, if any, to the Drainage Plan and Technical Drainage Study.

Staff Report Page One
June 24, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This project request is for modifications to an existing hotel and casino located at the southwest corner of Stewart Avenue and Fourth Street. Façade improvements to the existing buildings are proposed along Stewart Avenue, Ogden Avenue, Fourth Street and the interior of the property. Along Fourth Street, a new access into the property and new surface parking area containing 54 spaces are proposed, along with a new porte cochere and building entrance. A new central plant that will contain the majority of the hotel's mechanical equipment will also be located along Fourth Street. Along Stewart Avenue, the existing loading dock is proposed to be rebuilt and reconfigured with screening. The existing pedestrian bridge across Third Street is proposed to be modified to replace the existing glass with transparent glass and to reduce the bulk of the structure. The existing mechanical building adjacent to the west side of the west tower will be demolished to allow for a one-way entry into the property. Along Ogden Avenue, a new pool and deck is proposed to be added to the roof of the existing eastern building, as well as a 25-foot tall building extension that is intended to include meeting rooms. The casino will not be expanded.

The overall project is subject to the standards of the Downtown Centennial Plan. The applicant has requested several Waivers; however, these Waiver requests are minor in nature and will be mitigated by the public improvements currently underway along Stewart Avenue, leaving the project in substantial compliance with the standards of the Downtown Centennial Plan. Therefore, staff is recommending approval. If denied, the existing hotel and casino would remain and a new Site Development Plan Review would be required for future development of the site.

ISSUES

- A deceleration lane is proposed along the west side of Fourth Street into the site to eliminate disruption of traffic flow. A portion of the existing sidewalk and amenity zone would be used for the deceleration lane.
- As a result of the proposed site modifications, 54 parking spaces are proposed to be added; however, the number of hotel rooms is proposed to be reduced by 162, thereby reducing the overall parking demand. Title 19 parking requirements are not automatically applied in the Downtown Centennial Plan area.
- The existing service yard area is proposed to be expanded to permit large service vehicles to enter and exit the site without obstructing Stewart Avenue. A 20-foot driveway is proposed that will allow for easier egress from the service yard.

- Waivers of Downtown Centennial Plan streetscape, utility, parking lot landscaping and screening requirements are required for approval of the project as proposed; these have been requested by the applicant. Staff can support these requests, as the requested Waivers are minor in nature and will be mitigated by the public improvements currently underway along Stewart Avenue.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/26/62	The Board of City Commissioners approved Ordinance #1014, which adopted an official Zoning Map reaffirming the C-2 (General Commercial) Zone on the subject property.
01/09/79	The Board of Zoning Adjustment approved a Variance (V-0112-78) to allow a proposed illuminated sign over the public right-of-way that will project to within one foot (1') of the curb where a three-foot (3') setback is required on property located at 206 North Third Street. Staff recommended approval.
11/19/80	The Board of City Commissioners approved an Aesthetic Review (AR-0008-80) for a proposed 21-story, 360-unit tower to be located on the east side of Third Street between Stewart Avenue and Ogden Avenue. The Planning Commission and staff recommended approval.
12/04/85	The City Council approved an Aesthetic Review (AR-0008-80) for Phase I of a proposed expansion to an existing hotel and casino, including a proposed 21-story, 360-unit tower to be located on the east side of Third Street between Stewart Avenue and Ogden Avenue. The Planning Commission and staff recommended approval.
09/14/98	The City Council approved a Petition (VAC-0030-98) to Vacate Third Street between Stewart Avenue and Ogden Avenue. The Planning Commission and staff recommended approval. The approval expired 09/14/02 after three Extensions of Time [VAC-0030-98(1), (2) and (3)] were administratively approved by the Department of Planning and Development.
01/05/00	The City Council approved a Site Development Plan Review (SD-0030-99) for a proposed pedestrian mall on Third Street between Stewart Avenue and Ogden Avenue. The Planning Commission and staff recommended approval.
12/06/01	The Planning Commission approved a Site Development Plan Review (SD-0071-01) for a proposed 14,765 square-foot banquet hall at 206 North Third Street. This review included the removal of the temporary tent and trailer structures. Staff recommended approval. A condition of that approval required a separate submittal for a Site Development Plan Review for general site improvements, including a proposed pedestrian mall in the portion of Third Street to be vacated prior to recordation of the Order of Vacation.
02/20/02	The City Council approved a Special Use Permit (U-0158-01) to allow the conversion of a resort hotel into a timeshare development. The Planning Commission and staff recommended approval.

05/05/04	The City Council approved a Petition (VAC-3926) to Vacate Third Street between Ogden Avenue and Stewart Avenue. The Planning Commission and staff recommended approval. The Order of Vacation was recorded on 11/19/04.
08/26/04	The Planning Commission approved a Site Development Plan Review (SDR-4835) for a proposed valet parking operation within the right-of-way area of Third Street proposed to be vacated. Staff recommended approval. A condition of approval required a City Council review in one year. No review has yet been considered by the City Council.
09/15/04	The City Council approved a Special Use Permit (SUP-4739) for a proposed 10,000 square-foot tavern and a Waiver of the 1,500-foot distance separation requirement from another tavern on property located at 201 North Third Street. The Planning Commission and staff recommended approval.
09/15/04	The City Council approved a Special Use Permit (SUP-4741) for a proposed 5,500 square-foot tavern and a Waiver of the 1,500-foot distance separation requirement from another tavern on property located at 207 North Third Street. The Planning Commission and staff recommended approval.
09/15/04	The City Council approved a Special Use Permit (SUP-4742) for a proposed 6,000 square-foot tavern and a Waiver of the 1,500-foot distance separation requirement from another tavern on property located at 207-A North Third Street. The Planning Commission and staff recommended approval.
09/15/04	The City Council approved a Special Use Permit (SUP-4743) for a proposed 4,050 square-foot tavern and a Waiver of the 1,500-foot distance separation requirement from another tavern on property located at 207-A North Third Street. The Planning Commission and staff recommended approval.
08/25/05	The Planning Commission approved a Tentative Map (TMP-8072) for a one-lot commercial subdivision on the subject property. Staff recommended approval.
10/06/05	The Downtown Design Review Committee approved an amendment (ARC-9395) to an existing Master Sign Plan for nightclub establishments at 201 and 217 North Third Street.
02/09/06	The Planning Commission approved a Tentative Map (TMP-11015) for a 262-unit Hotel/Condominium subdivision on Floors 6 through 25 of an existing Hotel/Casino complex at 221 North Third Street. Staff recommended approval.
02/13/06	Two Reversionary Final Maps (FMP-8941 and FMP-8943) of a portion of Clark's Las Vegas Townsite, totaling 0.93 acres, were recorded in the Office of the Clark County Recorder. A portion of the subject site is included within this area.

02/15/06	The City Council approved a Special Use Permit (SUP-10491) and Site Development Plan Review (SDR-10490) for a proposed 8,700 square-foot expansion of an existing Non-Restricted Gaming Facility with Waivers of Downtown Centennial Plan Streetscape requirements, required parking structure setback along Fourth Street, and building frontage requirement along Ogden Avenue on 3.12 acres at 206 North Third Street and 220 North Fourth Street. The Planning Commission and staff recommended approval. The Special Use Permit and Site Development Plan Review approvals expired 02/15/08.
05/08/06	A Final Map (FMP-9824) of the Lady Luck for a one-lot commercial subdivision containing 3.07 acres was recorded in the Office of the Clark County Recorder. A portion of the subject site includes this subdivision.
09/21/06	The Planning Commission voted to table requests for a Special Use Permit (SUP-15382) for a proposed expansion of an existing Non-Restricted Gaming Facility and a Site Development Plan Review (SDR-15380) for a proposed 16,000 square foot expansion of an existing non-restricted gaming facility with Waivers of the Downtown Centennial Plan standards related to sidewalk width and reflective glass. Staff recommended approval.
04/02/08	The City Council approved an Extension of Time (EOT-26872) of a previously approved Site Development Plan Review (SDR-10490) for a proposed 8,700 square-foot expansion of an existing Hotel/Casino with a Waiver of Streetscape Requirements, required parking structure setback along Fourth Street, and building frontage requirement along Ogden Avenue on 3.12 acres at 206 North Third Street and 220 North Fourth Street. Staff recommended approval. The approval expired 02/15/10.
04/02/08	The City Council approved an Extension of Time (EOT-26873) of a previously approved Special Use Permit (SUP-10491) for a proposed 8,700 square-foot expansion of an existing Non-Restricted Gaming Facility at 206 North Third Street and 220 North Fourth Street. Staff recommended approval. The approval expired 02/15/10.
07/16/08	The City Council approved a Petition to Vacate (VAC-27995) a Public Sewer Easement generally located at the northwest corner of Ogden Avenue and Fourth Street. The Planning Commission and staff recommended approval.
08/14/09	The Planning and Development Department administratively approved an Extension of Time (EOT-35237) of a previously approved Petition of Vacation (VAC-27995) to vacate a Public Sewer Easement generally located at the northwest corner of Ogden Avenue and Fourth Street. The approval will expire 07/16/10.
05/27/10	The Planning Commission held this request (SDR-37946) in abeyance to the 06/24/10 Planning Commission meeting to allow the applicant to meet with an adjacent property owner.

Most Recent Change of Ownership	
05/08/06	A deed was recorded for a change in ownership on APN 139-34-514-007.
10/08/07	A deed was recorded for a change in ownership on APN 139-34-514-008 and 009 and 139-34-501-009 and 010.
04/16/08	A deed was recorded for a change in ownership on APN 139-34-510-019.

Related Building Permits/Business Licenses	
Pre-1991	A business license (L16-00098) was issued for a tavern at 206 North Third Street. The license is still active.
08/04/98	Business licenses (C30-00984 and G08-00039) were issued for a race and sports book at 206 North Third Street. The licenses were marked out of business on 12/14/07.
09/04/03	A business license (G08-00056) was issued for non-restricted gaming at 206 North Third Street. The license is still active.
09/09/06	A business license (M18-03714) was issued for a promoter at 206 North Third Street. The license is still active.
02/07/07	A business license (A01-01253) was issued for an administrative office at 206 North Third Street. The license is still active.
02/13/07	A business license (M18-03870) was issued for a gaming research consultant at 206 North Third Street. The license was marked out of business on 12/17/07.
06/29/07	A business license (Q01-00470) was issued for a real estate business at 206 North Third Street. The license is still active.
03/12/09	A business license (M18-04657) was issued for a casino owners association at 206 North Third Street. The license is still active.

Pre-Application Meeting	
03/29/10	A pre-application meeting was held with the applicant to discuss the issues related to the project and to prepare the applicant for submittal of a Site Development Plan Review application. The following topics were discussed: • Traffic Engineering assisted the applicant in designing an entry into the property that preserves most of the streetscaping and sidewalk and queues approaching traffic out of the right-of-way; • Applicant proposes to add meeting space, but also will be removing floor area elsewhere, resulting in net change of near zero and minimal change in parking requirements; • Downtown Centennial Plan Threshhold (Type II) requirements will apply to the project; • Signage will be subject to DDRC review. A waiver may be needed; • Fire safety issues are being addressed separately with Fire and Rescue; • Applications and Statements of Financial Interest will be required from all owners, with documents linking signees to property ownership; • Encroachment agreement will be required for façade popouts along Stewart Avenue and landscaping in right-of-way; • Waivers of streetscaping, utilities (undergrounding) and parking lot screening (wrought iron fencing) will be required. Amenities in right-of-way already exist on 4th Street.

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

Field Check	
04/22/10	A field check of the subject site revealed the following: • The portion of the site along Fourth Street is vacant, with the exception of two construction trailers, construction equipment, portable facilities, parked vehicles and two refuse dumpsters; • The vacant area is enclosed by screened chain link fencing; • The hotel is not operational at this time; • Fourth Street contains seven sets of palm trees within the amenity zone, Ogden contains one pair of palm trees, and Stewart contains three existing shade trees in the sidewalk; • Power poles are located in the sidewalk along Stewart Avenue

Details of Application Request	
Site Area	
Net Acres	3.94

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Hotel, Gaming Establishment, Non-Restricted	C (Commercial)	C-2 (General Commercial)
North	Museum (Public)	PF (Public Facilities)	C-V (Civic)
South	Parking Garage	C (Commercial)	C-2 (General Commercial)
East	Hotel, Gaming Establishment, Non-Restricted, Tavern	C (Commercial)	C-2 (General Commercial)
	Government Facility Parking Garage	PF (Public Facilities)	C-2 (General Commercial)
West	Taverns, Parking Garage	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Downtown Centennial Plan (Downtown Gateway District)	X		N
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District	X		N
A-O (Airport Overlay) District (200 Feet)	X		Y
Downtown Casino Overlay District	X		Y
Live/Work Overlay District	X		Y
Trails		X	N/A
Las Vegas Redevelopment Plan Area	X		Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.060 and the Downtown Centennial Plan (Downtown Gateway District), the following development standards apply to the subject proposal:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	3,500 SF	N/A
Min. Lot Width	N/A	25 Feet	N/A
Min. Setbacks:			
• Front (Fourth Street)	70% of the first story façade shall align along the front property line	0%	Y*
• Side (Ogden Avenue)	Not required	0 Feet	Y
• Corner (Stewart Avenue)	70% of the first story façade shall align along the corner side property line	16%	Y*
• Rear	Not required	53 Feet	Y
Max. Lot Coverage	N/A	39%	N/A
Max. Building Height	N/A	237 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened	By condition
Mech. Equipment	Screened	Screened	Y

*The building was constructed to setbacks established at the time of original approval. The proposed improvements to the buildings do not affect the existing setbacks, and therefore compliance with the current standards is not required.

Pursuant to the Downtown Centennial Plan (Downtown Gateway District), the following landscape standards apply to the subject proposal:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Parking Area Trees	1 Tree/6 uncovered spaces in islands and/or lot perimeter	9 Trees	9 Trees	Y
Min. Landscaped Surface Area	10 SF/surface parking space provided	540 SF	4,054 SF	Y
Turf Limitations	Max. 25% of total landscaped area		None	Y

Pursuant to the Downtown Centennial Plan (Downtown Gateway District), the following streetscape standards apply:

Streetscape Standards	*Required*	*Provided*	*Compliance*
Minimum Sidewalk width	10 feet	4th St. - 10 feet Ogden Ave. - 5 feet Stewart Ave. - 10 feet	N
Amenity zone (Ogden Ave., Fourth St., Stewart Ave.)	5 feet	4th St. - 5 feet Ogden Ave. – 5 feet Stewart Ave. - 0 feet	N
Right-of-way improvements	Light fixtures, streetlights, benches, trash receptacles, grates	Grates, light fixtures, streetlights, receptacles	Y
East-West Streets (Ogden Ave. and Stewart Ave.)	36" box shade trees at 15-20' intervals (min. 19 trees)	Stewart Ave. - 3 shade trees (existing) Ogden Ave. – 8 shade trees (proposed) and 2 palm tree (existing)	N
North-South Streets (4th St.)	25' date palms or similar at 30' intervals (min. 6 trees)	Existing fan palms at 20' intervals (14 trees)	Y

Parking Requirement - Downtown							
	Gross Floor Area or Number of Units	***Base Parking Requirement***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Hotel	634 rooms	1 space per guest room	634		499		Y
TOTAL SPACES REQUIRED			634		499		Y
TOTAL (With Handicapped)			621	13	488	11	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.

Waivers		
Requirement	***Request***	***Staff Recommendation***
DTCP VII.B.1.e Utilities – Underground utilities required	Utilities along Stewart Ave. to remain above ground	Approval
DTCP VII.B.3.d Parking Screening – Ornamental screening required where parking lots face public streets	Block wall screening adjacent to the service yard	Approval
DTCP VII.B.3.g Parking Lot Development Standards – Min. one shade tree/6 spaces in islands and/or perimeter of parking lot (min. 9 trees)	9 Trees	Waiver is no longer required
DTCP VII.B.4.a Right-of-Way Improvements – 10' sidewalk, 5' amenity zone	Zero-foot amenity zone along a portion of Stewart Ave., adjacent to the service yard; five-foot sidewalk along Ogden Ave., adjacent to the existing building	Approval
DTCP VII.B.4.c East-West Streets – 36" box trees at 15-20' intervals along Stewart Ave. and Ogden Ave.	No additional trees along Stewart Ave.	Approval

ANALYSIS

The entire project is subject to Downtown Centennial Plan standards. Pursuant to Section VIII.A of the Plan, the expansion of the buildings qualifies as a Threshold Category II project, requiring undergrounding of utilities and provision of streetscape improvements. Waivers of Downtown Centennial Plan streetscape, utility, parking lot landscaping and screening requirements were requested; however, revised plans were submitted on 06/09/10 which will minimize the requested waivers.

The most visible changes to the property from public rights-of-way will be along Fourth Street. A deceleration lane is proposed along the west side of Fourth Street providing a left-only turn into the site, in order to eliminate disruption of traffic flow. A portion of the existing sidewalk and amenity zone would be used for the deceleration lane. The east elevation of the east tower will be improved to incorporate façade modifications, a new building entrance and a porte cochere. The building footprint is not proposed to be altered; rather, the new building will extend 25 feet from the roof of the casino and will match the façade improvements on the east side of the east tower. Proposed streetscape along Fourth Street is in compliance with Downtown Centennial Plan standards.

Along Stewart Avenue, the proposed 20-foot driveway access from the service yard area will allow egress for vehicles turning around within the site. An eight-foot tall decorative block wall will be provided around the perimeter of the service yard area. Although this wall does not meet the Downtown Centennial Plan ornamental wrought iron screen fence requirement, it is an acceptable alternative, as the proposed wall will provide better visual and audible screening of the service yard activities from the public right-of-way. Stewart Avenue is undergoing a current capital project improvement that will allow for the future undergrounding of utilities and provide streetscaping adjacent to the site in conformance to the Downtown Centennial Plan where possible. As a result, waivers to allow existing overhead utilities to remain and for streetscape along Stewart Avenue, with the exception of the segment from 4th Street east to the parking lot driveway, can be supported. The proposed façade improvements on the north elevation of the existing west tower will encroach 10 inches into the Stewart Avenue right-of-way, and improvements to the façade of the north elevation of the existing east tower will encroach six inches into Stewart Avenue. These encroachments are addressed as a Public Works condition, in which an encroachment agreement for maintenance will be necessary.

Other revisions to the site and landscape plans include the following:

- Nine 36-inch box street trees have been provided in the amenity zone along Ogden Avenue, with a 10-foot sidewalk provided from 4th Street to the existing building.
- Nine parking lot trees are provided, meeting the requirement of the Downtown Centennial Plan. A waiver is no longer necessary for this item.
- A five-foot amenity zone and a 10-foot sidewalk are provided along Stewart Avenue from 4th Street to the parking lot driveway, in conformance with the Downtown Centennial Plan.
- A decorative wrought iron fence meeting the requirement of the Downtown Centennial Plan is provided along 4th Street and Ogden Avenue.
- Additional trees are provided along the vacated 3rd Street corridor

These revisions bring the proposed site into compliance with the design standards of the Downtown Centennial Plan to the extent that existing conditions allow.

The site is underparked by Title 19 standards; when applied, those standards require a minimum of 634 spaces, and 499 spaces are provided in the existing parking garage and the new surface parking lot. However, the Downtown Centennial Plan takes into account offsite parking, lot size limitations, alternate modes of transportation and a substantial residential element in the area, and Title 19 does not automatically apply Title 19.04 parking requirements for projects within the Downtown Centennial Plan area. As the table below shows, the number of required spaces will decrease due to removal of existing rooms, while the number of spaces provided will increase. This reduces the percentage of underparked spaces on the site from 44% to 21%.

	Existing	Proposed	Change
Number of Rooms/Required Parking Spaces	796	634	-162
Parking Spaces Provided	445	499	+54
Spaces Underparked	351	135	-216

The number of handicap accessible spaces does not meet Title 19.10 requirements. A condition of approval will require the provision of handicap spaces to meet Title 19.10.

All proposed signage will require review and approval by the Downtown Design Review Committee prior to the issuance of sign permits. A portion of the site is located within the Downtown Casino Overlay District, which is governed by Title 19.06. The site is not included in the Special Signage Area; however, the south 80 feet of the site is subject to the standards of the Special Signage Area by virtue of its inclusion within a 125-foot buffer of the Special Signage Area boundary.

The project site lies within the 200-foot height limitation imposed by the Airport Overlay District. Although the existing west tower has a height of 237 feet, no new construction above 200 feet is proposed. The proposed addition to the roof of the hotel and casino is well within the height limitation of the Airport Overlay District. The project will not have any impact on the Live/Work District, in which this site is located.

Staff recommends approval of the Site Development Plan Review, as the requested Waivers are minor in nature and will be mitigated by the public improvements currently underway along Stewart Avenue, and the project substantially complies with Downtown Centennial Plan standards, which will make the site compatible with recent development east of Fourth Street.

FINDINGS (SDR-37946)

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 surrounding commercial properties zoned C-2 (General Commercial) and the C-V (Civic) zoned area to the north containing public buildings. Proposed changes to the exterior of the existing hotel and casino will not affect the building footprint.

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 expansion is in substantial compliance with Downtown Centennial Plan streetscape, utility, parking lot landscaping and screening requirements. The existing land uses are consistent with the General Plan for this site.

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

Access to the site currently exists from Stewart Avenue, an 80-foot Secondary Collector as designated by the Master Plan of Streets and Highways, Ogden Avenue, also a Secondary Collector, and Third Street, a private street within the hotel complex. A new access is proposed from Fourth Street into the property that will reduce disruption of traffic flow on Fourth Street and will lead traffic to either a surface parking area or to through lanes to Ogden Avenue. Two new driveways will provide one way access from the south side of Stewart Avenue: one will provided access to the proposed surface parking area and the other to the existing west tower. Service vehicles may still enter and exit the site from Stewart Avenue, with an additional driveway provided. The proposed expansion of the existing service yard will allow better circulation for large trucks on the property.

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

Building materials are appropriate for this area. The type of landscape materials are acceptable but are lacking in quantity, especially along Stewart Avenue, Ogden Avenue and the surface parking area.

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

The façade improvements will create a more modern look for the existing hotel and are compatible with other developments in the Downtown Centennial Plan area. The design incorporates awnings at building entrances and variations in color and relief.

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 constituting appropriate measures to protect the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 128

APPROVALS 0

PROTESTS 0

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"

RECEIVED
APR 13 2010

CALIFORNIA JURAT WITH AFFIANT STATEMENT

☑ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

1
2
3
4
5
6

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of 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: _____

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

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APR 13 2010

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: _____

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: 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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APR 13 2010

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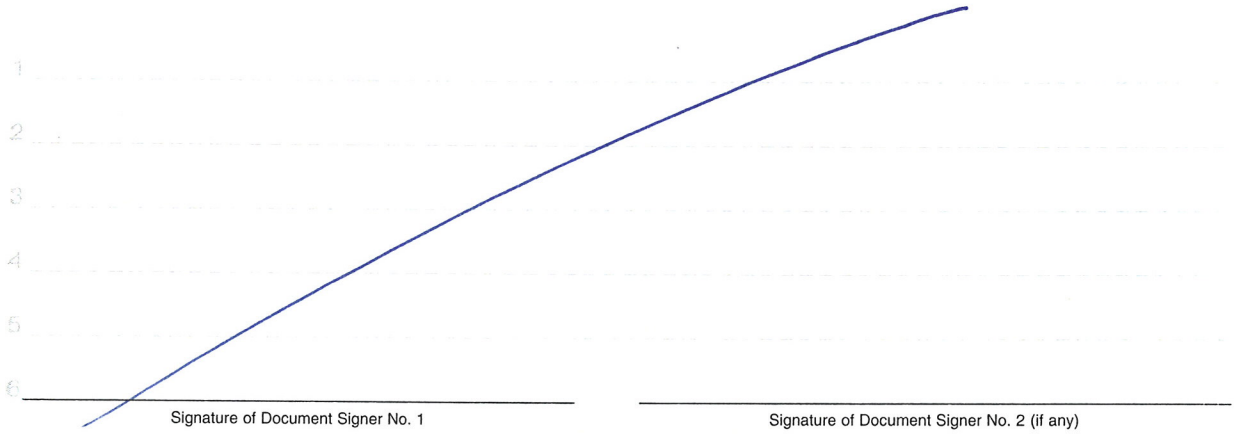

Signature of Document Signer No. 1

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), 2010 (Year), by

(1) Nicholas V. Morasoff (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

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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: 139-34-501-009 & 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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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 day of April, 2010, 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

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Signature of Notary Public

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Commission # 1843679
Notary Public - California
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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

Subscribed and sworn before me

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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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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

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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

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

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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) 139-34-510-019 & 139-34-514-009 **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 220 North 4th 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

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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:	C.V.

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State of California

County of Los Angeles

DENISE DEL REY
Commission # 1843679
Notary Public - California
Los Angeles County
My Comm. Expires Apr 9, 2013
NNA14

DENISE DEL REY
Commission # 1843679
Notary Public - California
Los Angeles County
My Comm. Expires Apr 9, 2013
NNA14

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Signature Denise Del Rey
Signature of Notary Public

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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) 139-34-514-008 **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

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E-mail Address jrosen@cimgroup.com

APPLICANT Resort Gaming Group, LLC **Contact** Todd Kessler

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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

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Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SDR-37946
Meeting Date:	05/27/10
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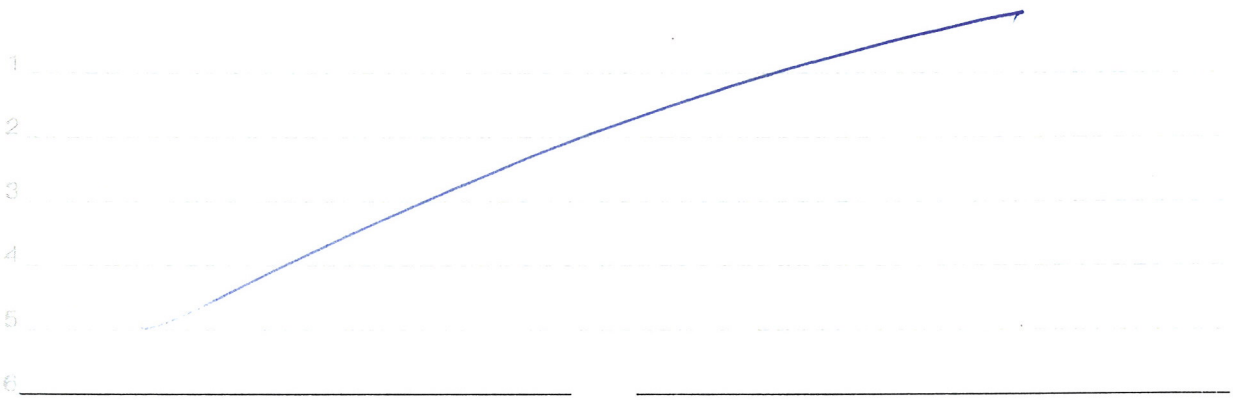

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County of Los Angeles

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Signature of Notary Public

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Notary Public - California
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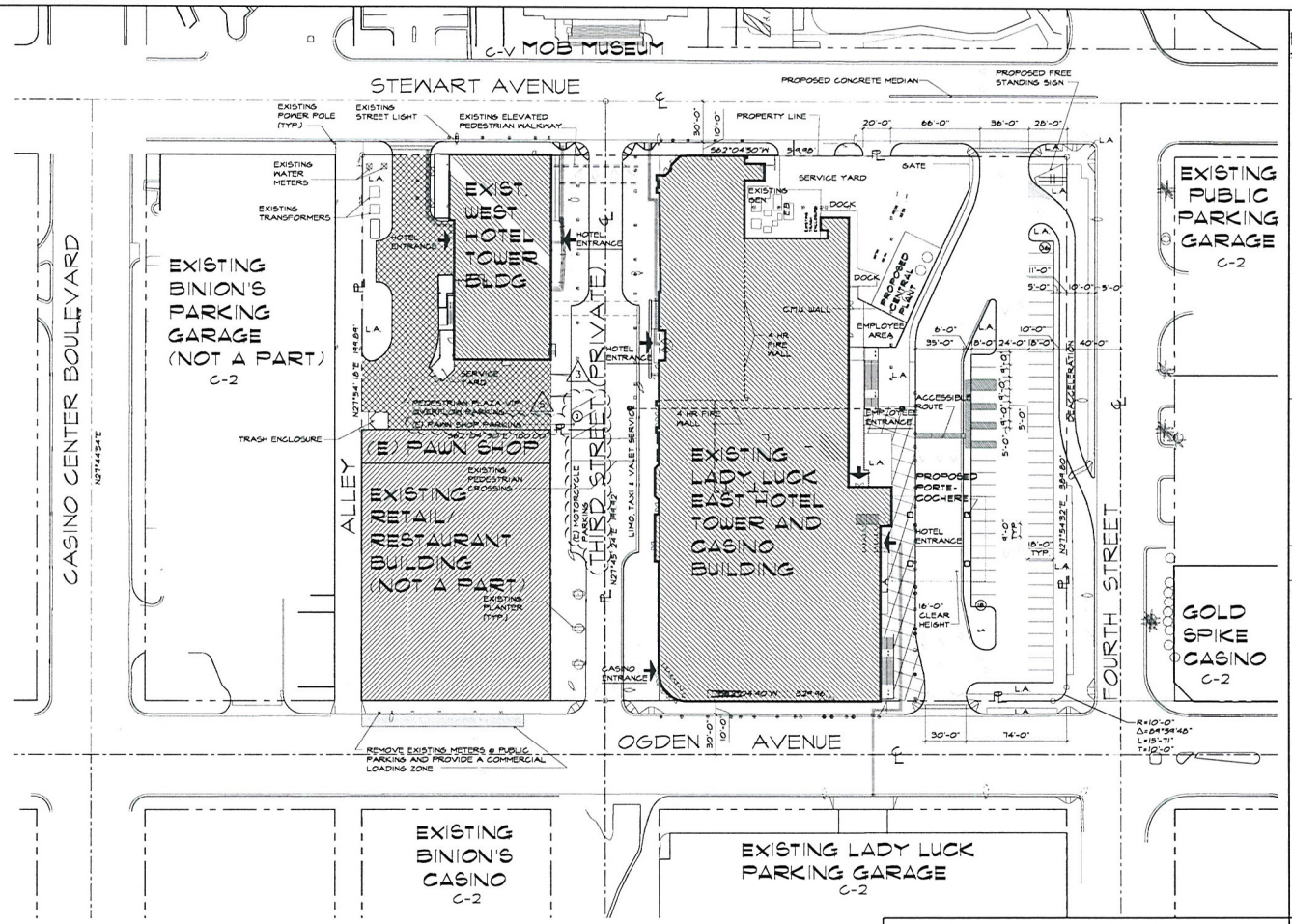


CONCEPTUAL ARCHITECTURAL SITE PLAN

1" = 40'-0"

NORTH

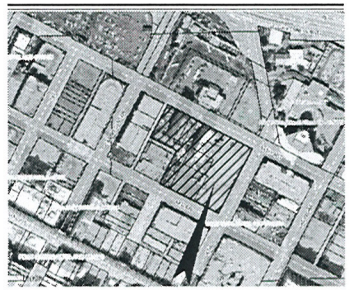
LEGEND

CONTINUOUS ACCESSIBLE ROUTE 5% MAX. RUNNING SLOPE 2% MAX. CROSS SLOPE W/ 1/2" MAX. CHANGE IN ELEVATIONS

PROJECT DATA:

ASSESSORS PARCEL NUMBER:(S)	139-34-514-008 139-34-514-006 139-34-514-007 139-34-510-019 139-34-501-005
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:	3.94 ACRES/ 171, 888 SQ. FT.
BUILDING AREA:	
EXISTING EAST TOWER AREA:	
BASEMENT:	8, 744 SQ. FT.
1ST FLOOR:	55, 004 SQ. FT.
2ND FLOOR:	16, 451 SQ. FT.
3RD FLOOR:	42, 725 SQ. FT.
4TH THROUGH 17 TH FLOOR:	143, 936 SQ. FT.
(11, 872 SQ. FT. X 13) +	
EXISTING EAST TOWER TOTAL AREA:	266, 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:	198, 534 SQ. FT.
(9, 454 SQ. FT. X 21) +	
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:	237'-0"
NUMBER OF STORIES:	25 W/ BASEMENT
PARKING ANALYSIS:	
PARKING RECOMMENDED: (1)	
1 PER GUEST ROOM (634 X 1) +	634 SPACES
EXISTING PARKING GARAGE: (3)	445 SPACES
PROPOSED SURFACE PARKING:	56 SPACES
ACCESSIBLE PARKING PROVIDED: (INCLUDING ONE VAN 4 TWO ACCESSIBLE)	
TOTAL PARKING PROVIDED:	501 SPACES

LOCATION MAP:



PROJECT SITE

NORTH

VICINITY MAP



NORTH

SDR-37946

REVISED

HFAI
pacific design concepts, llc
3005 w. horizon ridge parkway, suite 200
henderson, nevada 89052
t (702) 435-8447 fax (702) 454-7842
4000 ridgeway avenue
reno, nevada 89519
t 415.331.5233
www.hfaidesign.com

project title:
Lady Luck
RENOVATION / EXPANSION
206 N. 3RD ST., LAS VEGAS, NEVADA 89101

PRELIMINARY
NOT FOR CONSTRUCTION
5-11-2010

sheet title:
CONCEPTUAL ARCHITECTURAL SITE PLAN
LAND USE SUBMITTAL

issue dates:

drawn by: KK/JT/SM/PT
checked by: RGS
project no.: 09-136
revisions:
5-4-2010
5-12-2010
6-8-2010
6-10-2010

sheet no. AS1.01
of sheets

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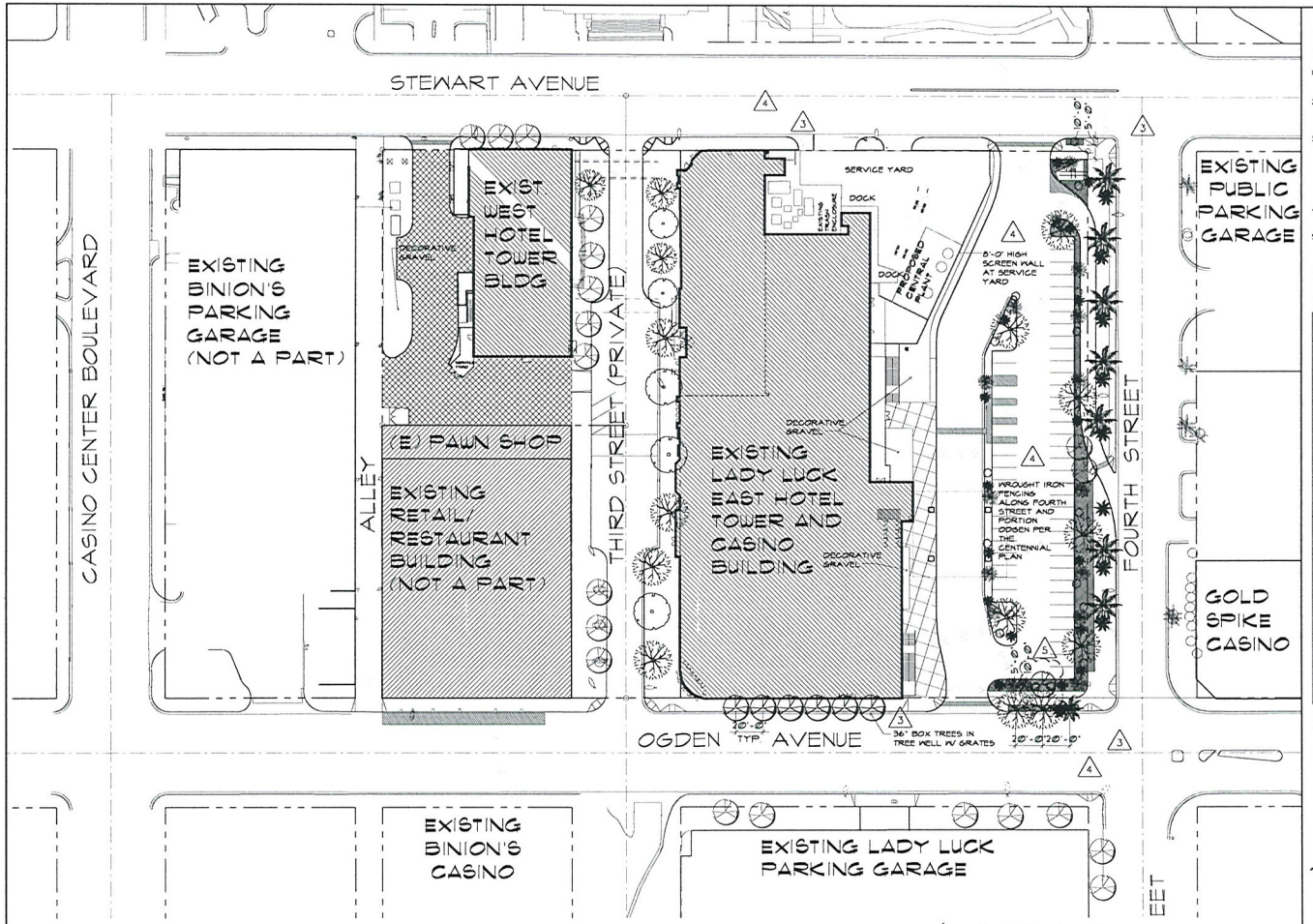
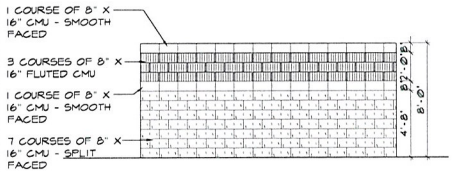


CONCEPTUAL LANDSCAPE PLAN

1" = 40'-0"

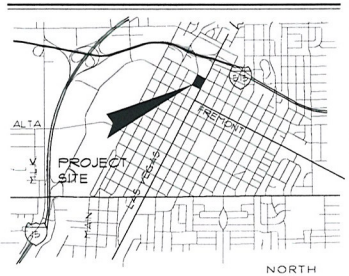
NORTH



PROPOSED SCREEN WALL

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

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.
5. TREE GRATES OR DECOMPOSED GRANITE IN TREE WELLS ARE ACCEPTABLE. TREE GRATES SHALL COMPLY WITH THE CITY OF LAS VEGAS CENTENNIAL PLAN DESIGN GUIDELINES. △3

PROPOSED LANDSCAPE LEGEND

TREES SYM	SIZE	QU	BOTANICAL NAME	COMMON NAME
	36" BOX	5 △4	CERATONIA SILIQUA	CAROB TREE △3
	36" BOX	5	QUERCUS VIRGINANA	SOUTHERN LIVE OAK 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.

△1 DENOTES BUFFER AREA

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PRELIMINARY
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5-11-2010

sheet title:
CONCEPTUAL LANDSCAPE PLAN
LAND USE SUBMITTAL

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checked by: RG
project no.: 09-158
revisions:
△1 5-4-2010
△2 5-12-2010
△3 6-8-2010
△4 6-9-2010
△5 6-10-2010

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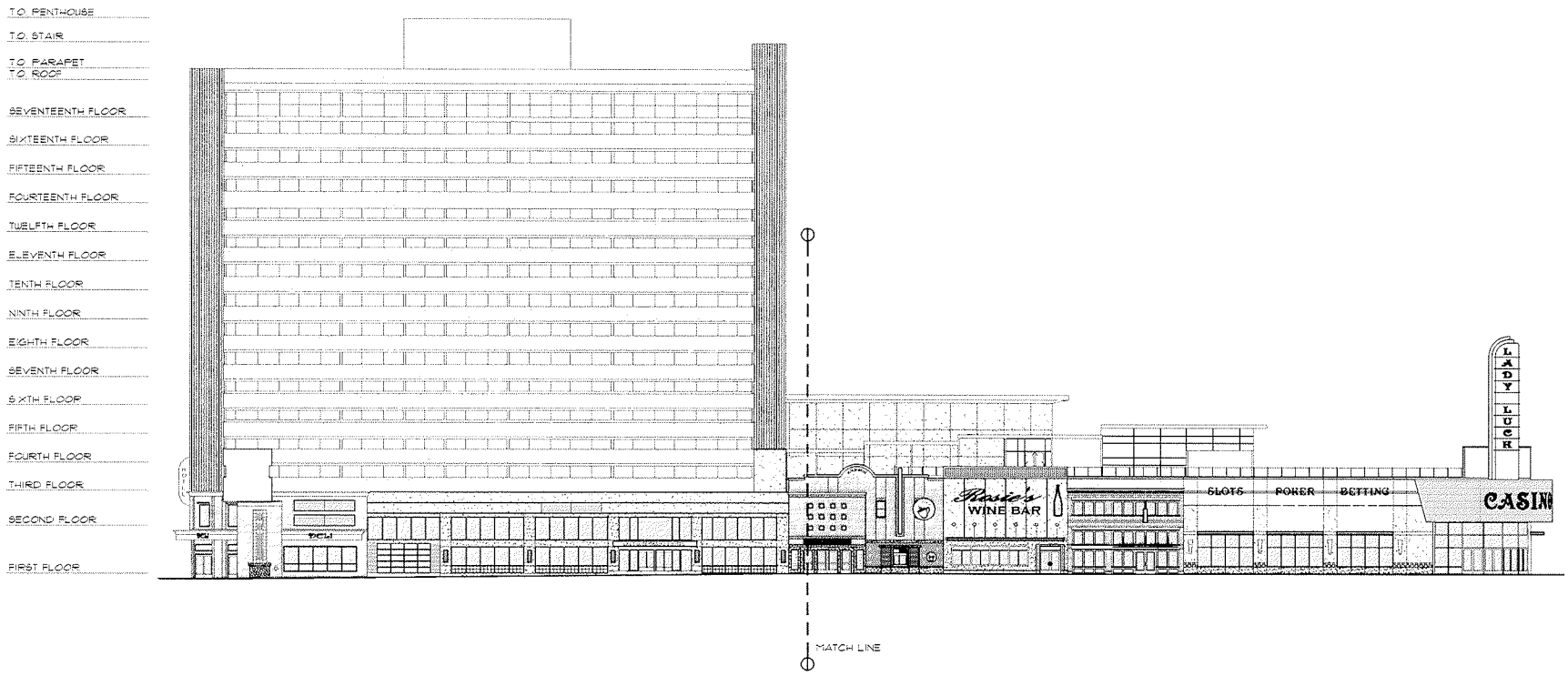
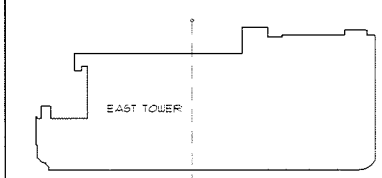


A / A6.11 EAST TOWER OVERALL WEST ELEVATION

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

KEY PLAN



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SCALE NTS

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PRELIMINARY
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4-9-2010

sheet title:
EAST TOWER - WEST
EXTERIOR ELEVATION
LAND USE SUBMITTAL

issue dates:

drawn by: KKG/MS/PT/AK
checked by: RCG
project no.: 09-150
revisions:

sheet no.
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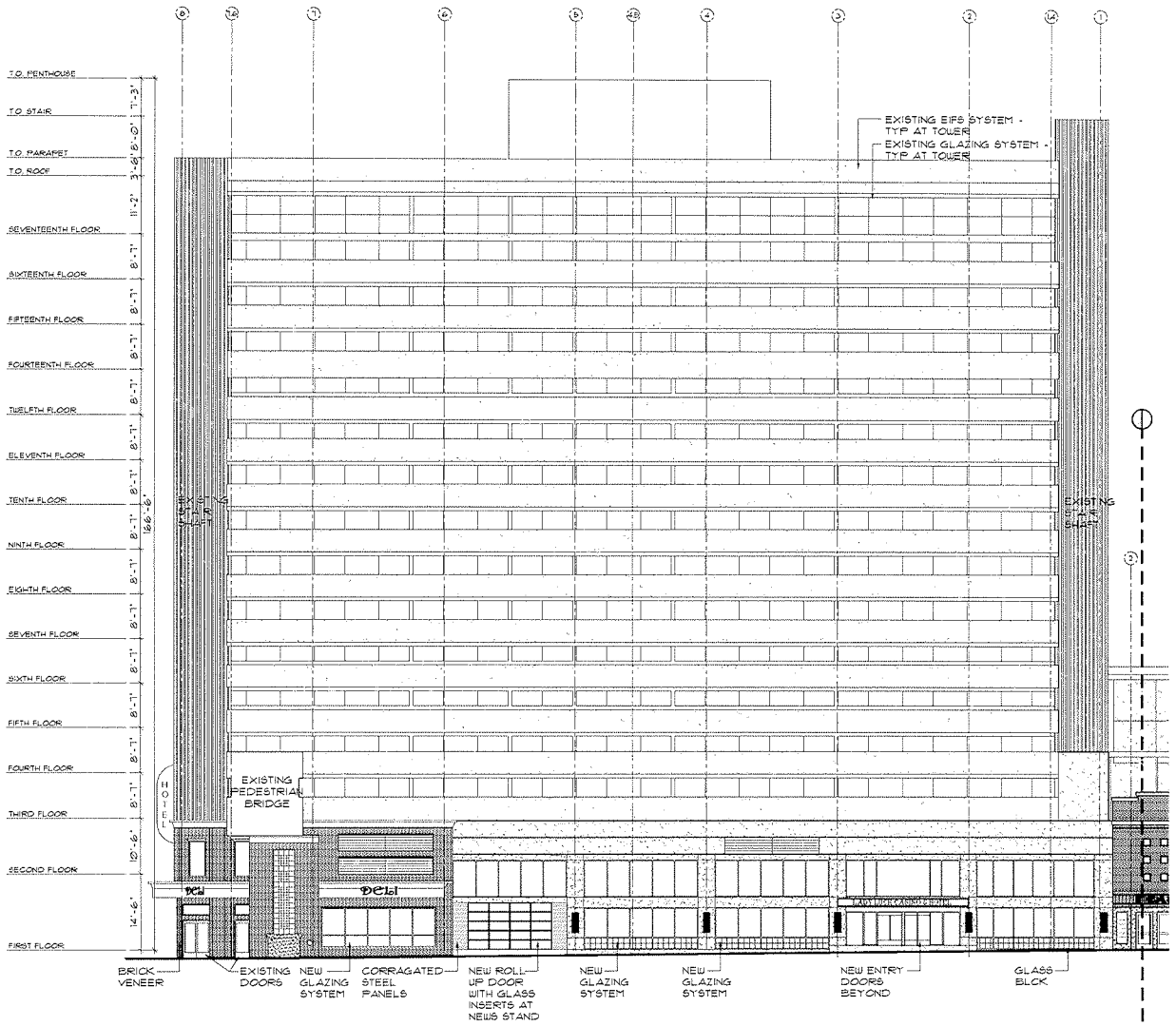
of sheets



1 / A6.11 EAST TOWER WEST ELEVATION - AREA 'A'

SCALE: 3/32"=1'-0"

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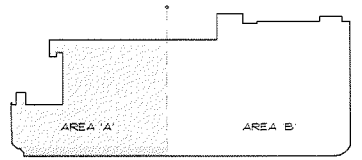
KEY PLAN



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project no.: 09-150
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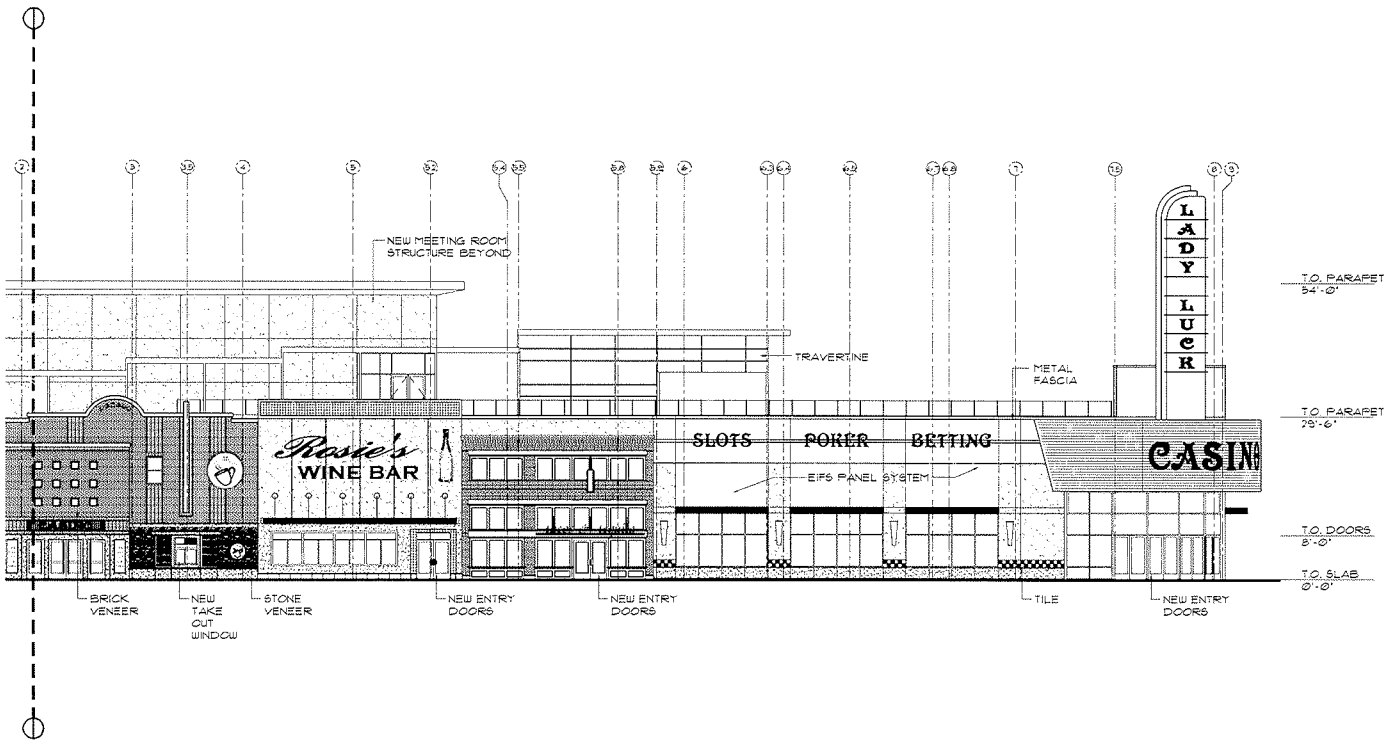

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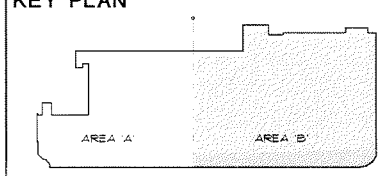
1 A6.11.2 EAST TOWER WEST ELEVATION - AREA 'B'
SCALE: 3/32"=1'-0"

NORTH

KEY PLAN



NORTH

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SCALE: N.T.S.

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sheet title:
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issue dates:
drawn by: KKG/MB/PT/AK
checked by: RCG
project no.: 09-150
revisions:
sheet no.: A6.11.2
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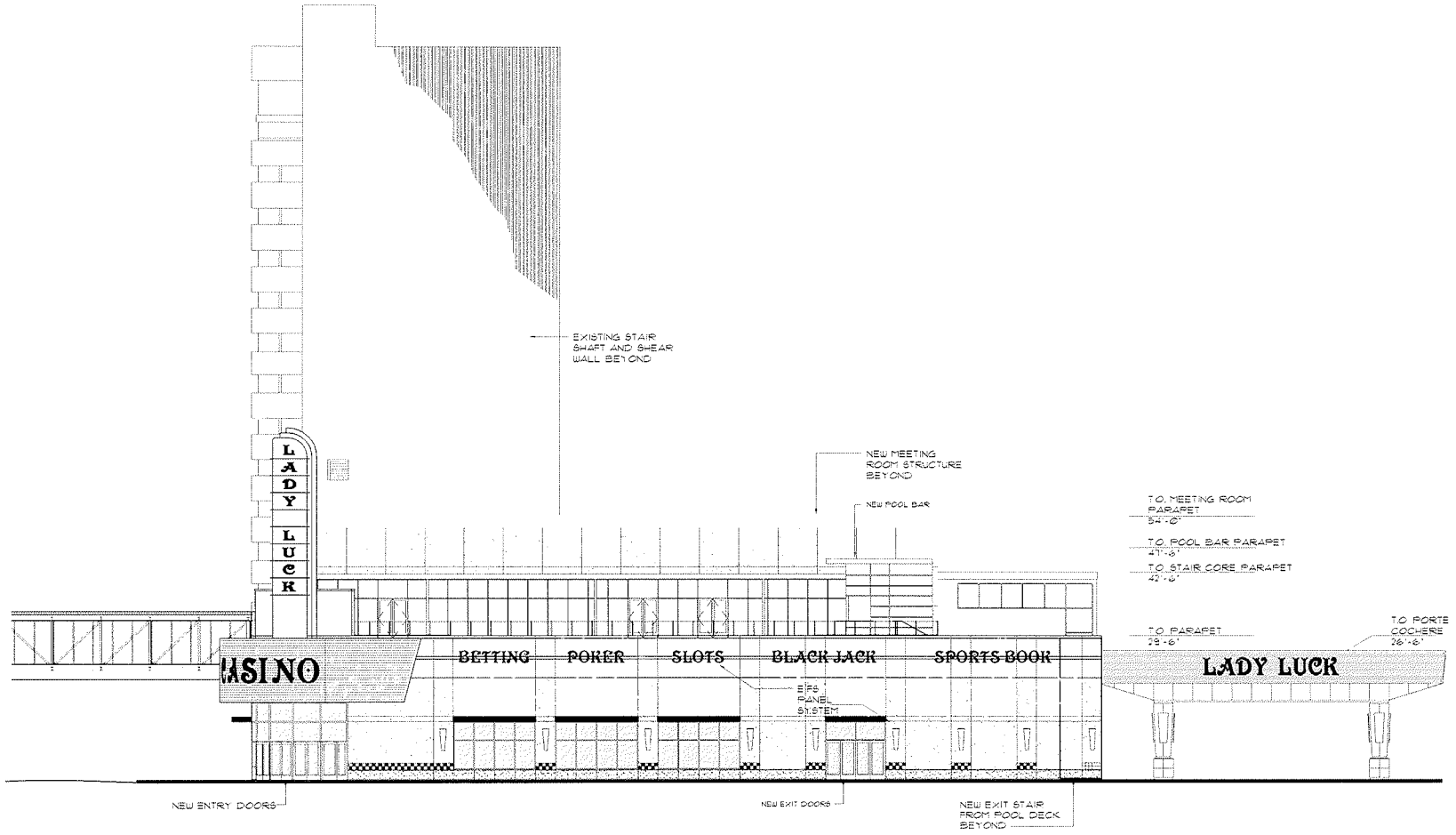

1 A6.12 EAST TOWER SOUTH ELEVATION

SCALE: 3/32"=1'-0"

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EXTERIOR ELEVATION
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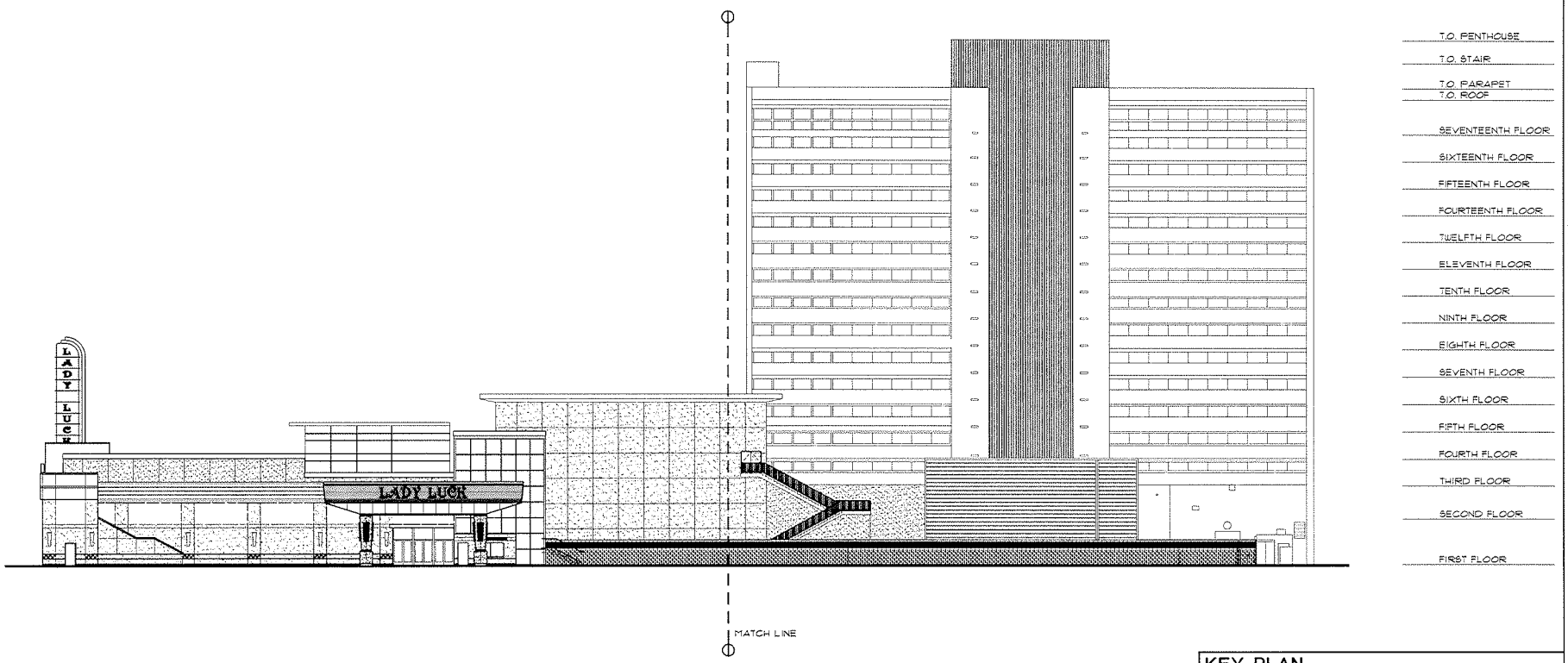

A / A6.13 EAST TOWER OVERALL EAST ELEVATION

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

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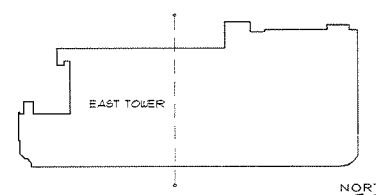

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SCALE: N.T.S.

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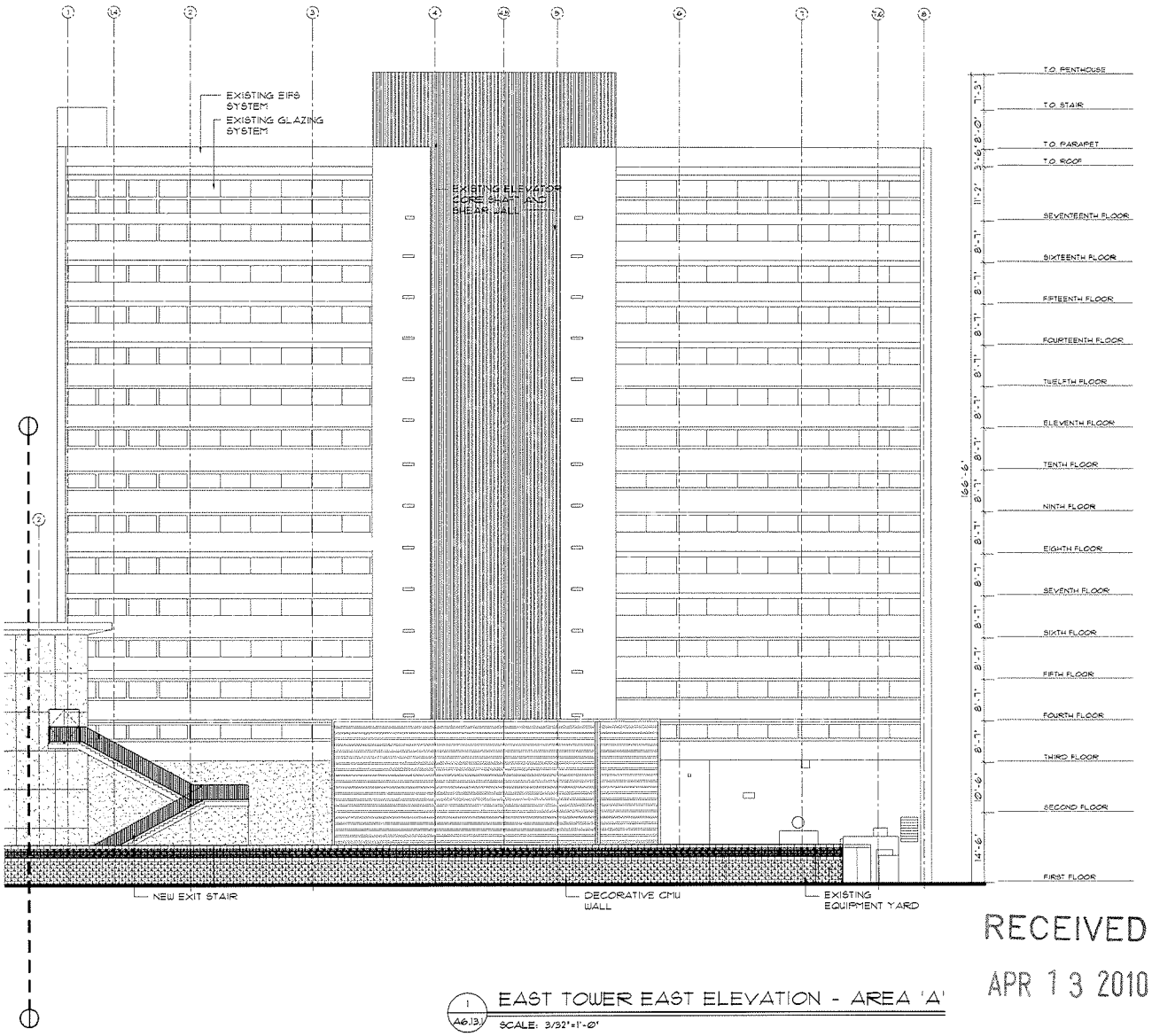

1 A6.13.1 EAST TOWER EAST ELEVATION - AREA 'A'

SCALE: 3/32"=1'-0"

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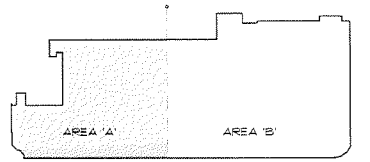

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EAST TOWER - EAST EXTERIOR ELEVATION - AREA 'A' (LUS)

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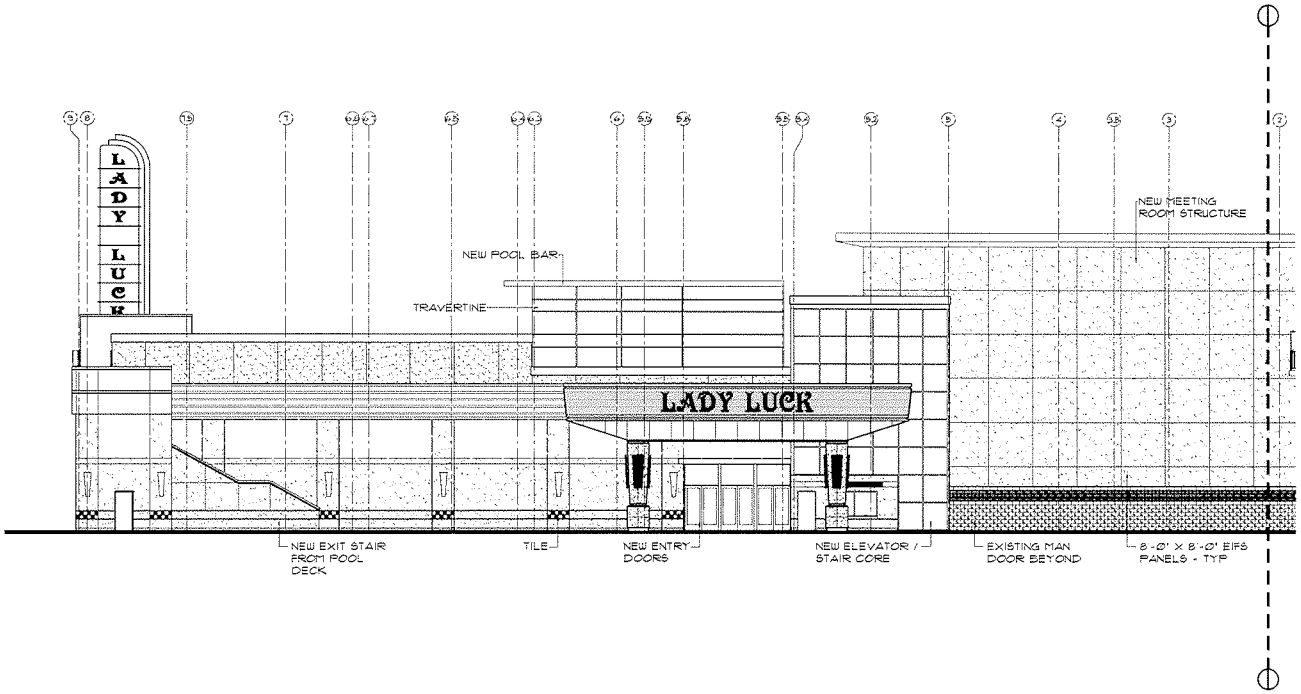

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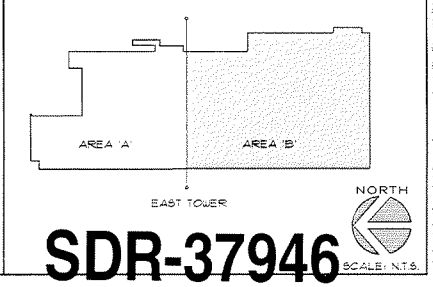
1 A6.13.2 EAST TOWER EAST ELEVATION - AREA 'B'

SCALE: 3/32"=1'-0"

KEY PLAN



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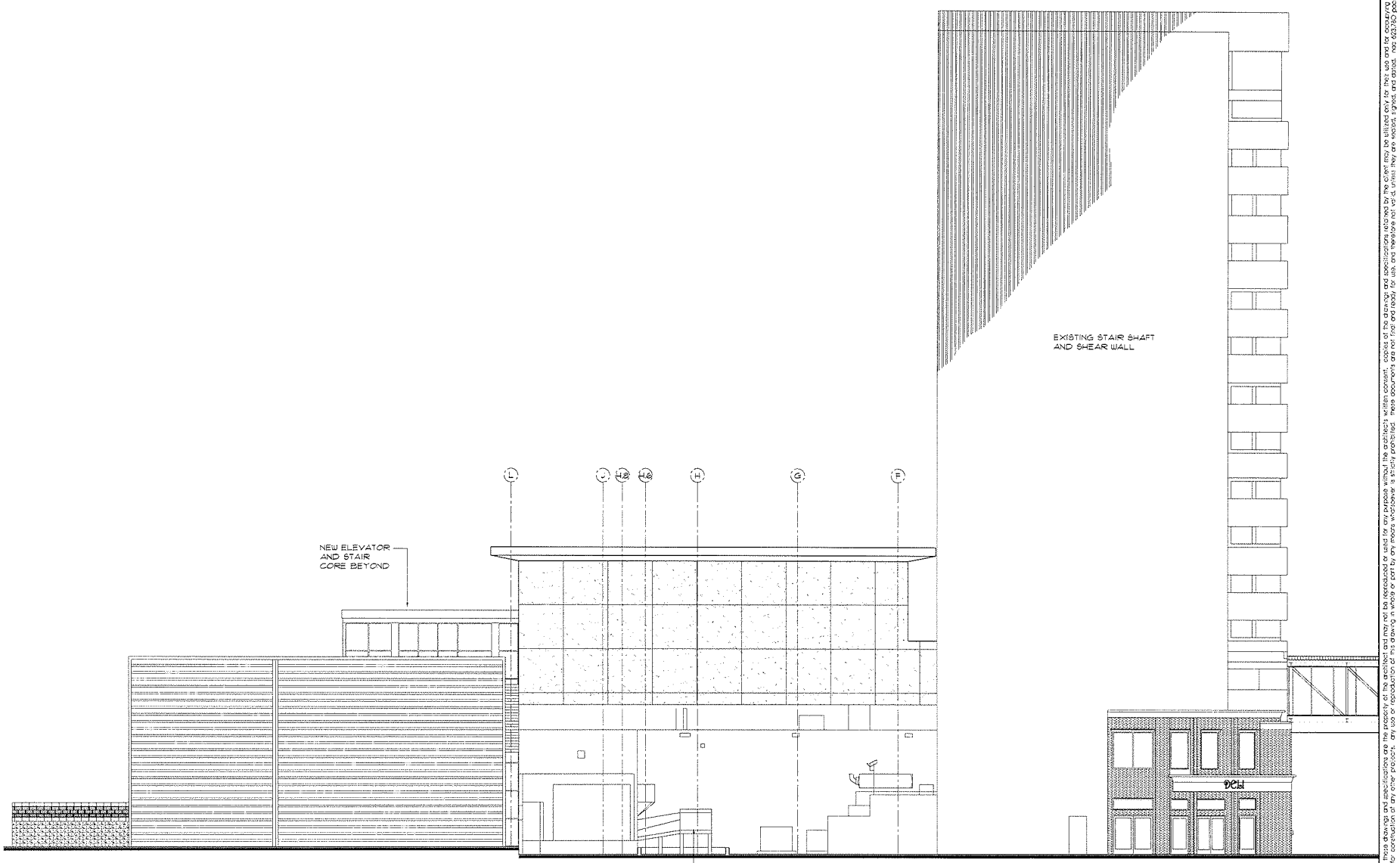

1 / A6.14 EAST TOWER NORTH ELEVATION

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

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revisions:

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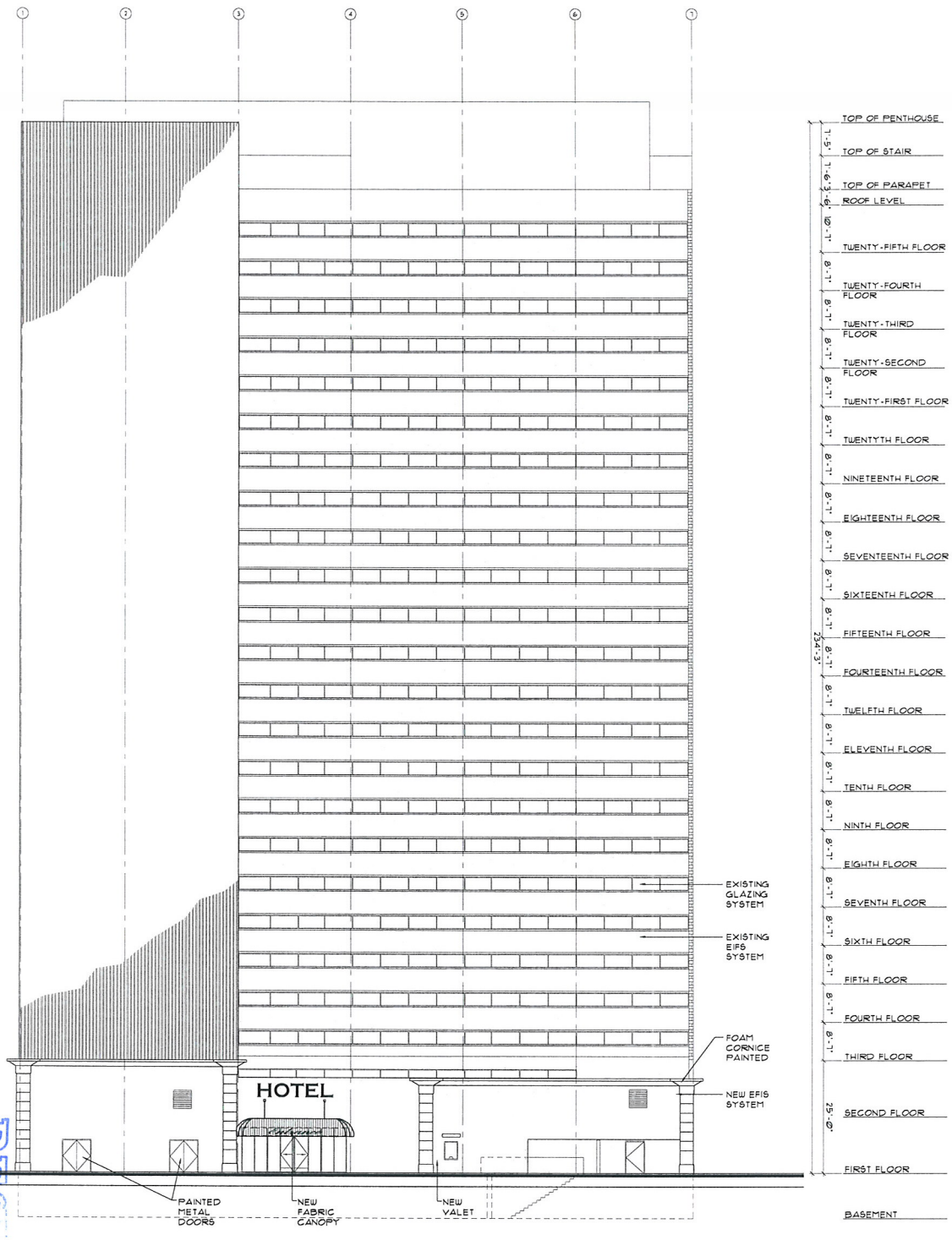

1 A6.02 WEST ELEVATION
SCALE: 3/32"=1'-0"

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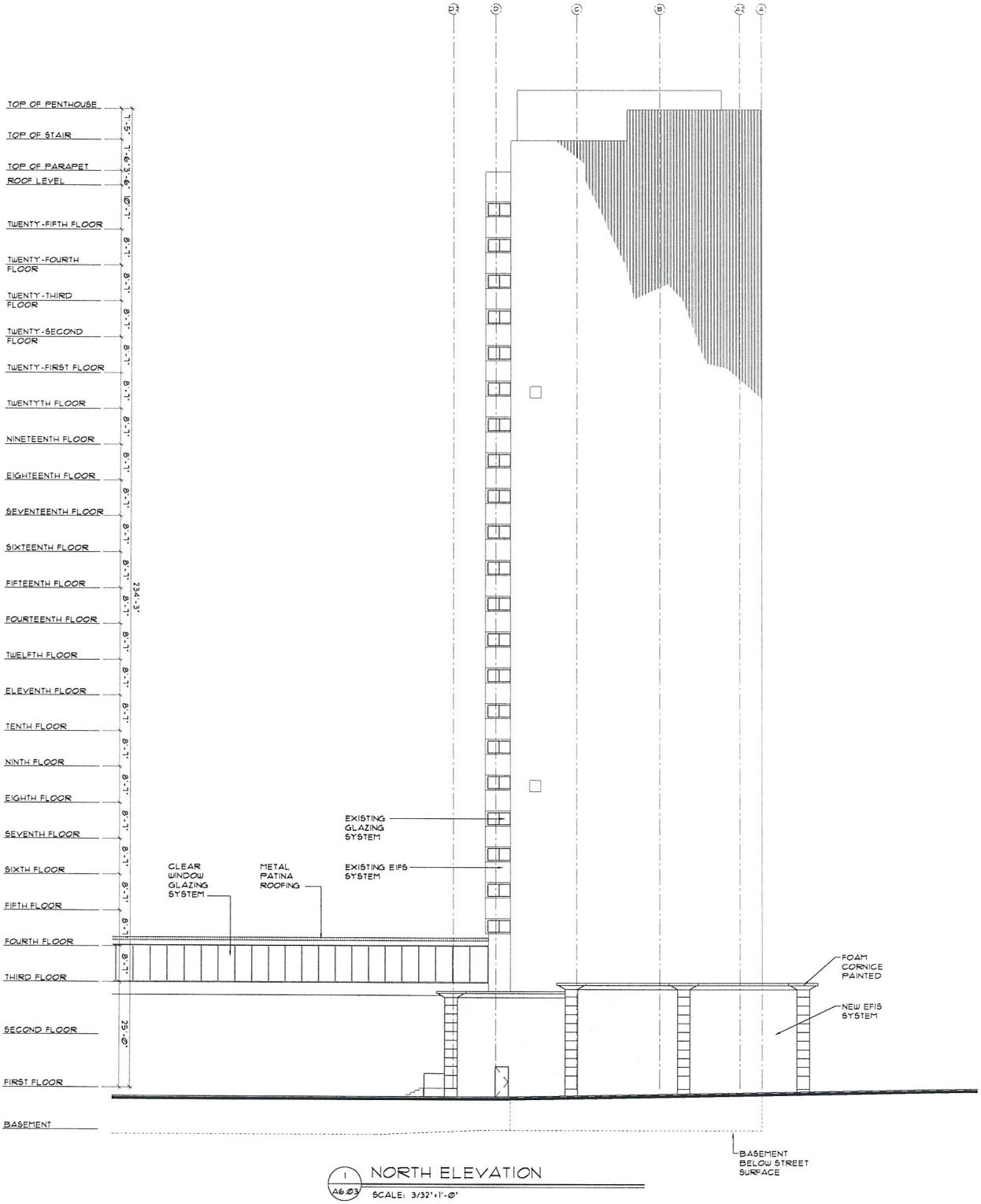

1 A6.03 NORTH ELEVATION

SCALE: 3/32"=1'-0"

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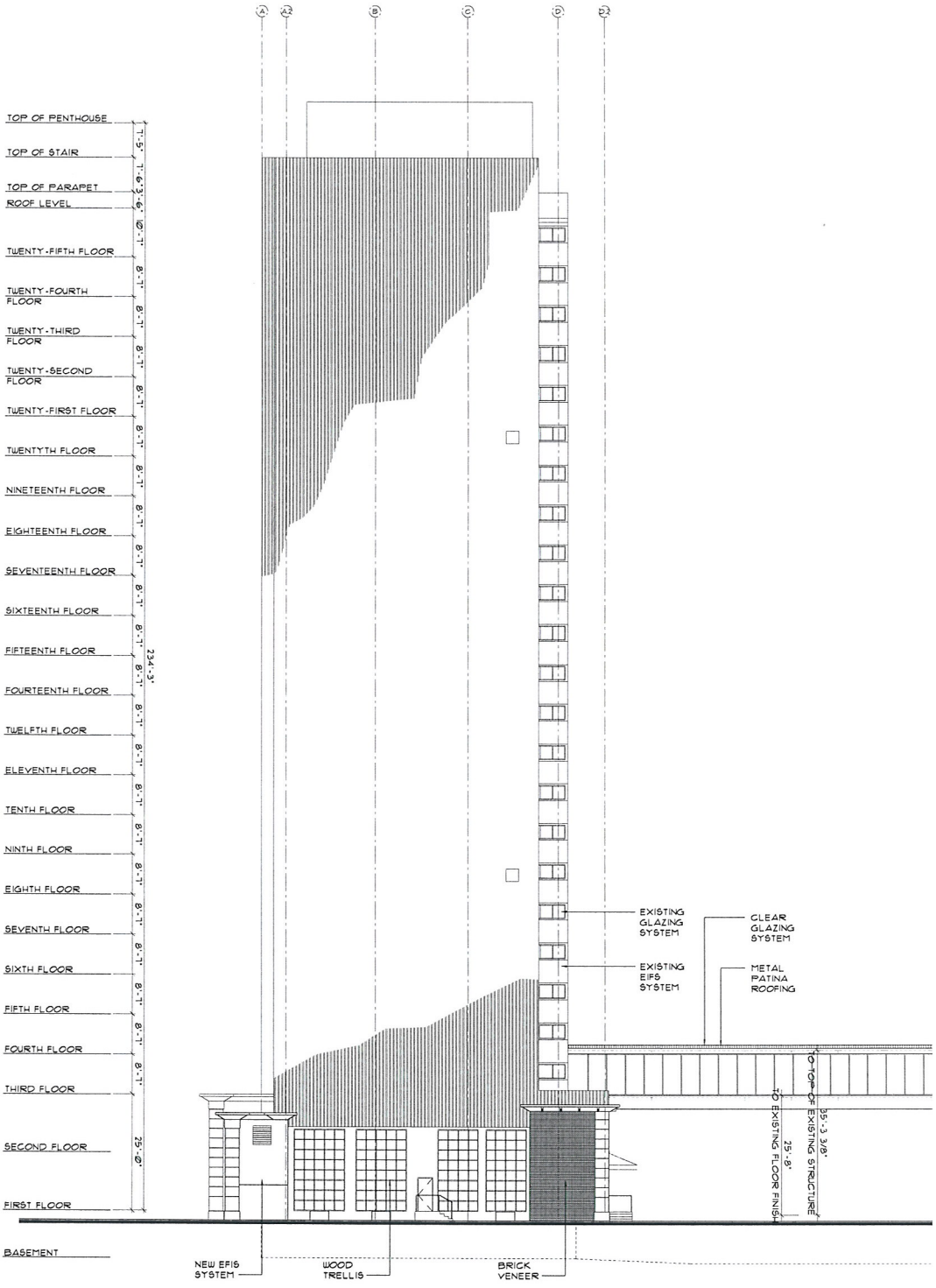

1 A6.04 SOUTH ELEVATION

SCALE: 3/32"=1'-0"

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project no. 0825

checked by: MDG

drawn by: KSG/PS/PT/AK

issue dates:

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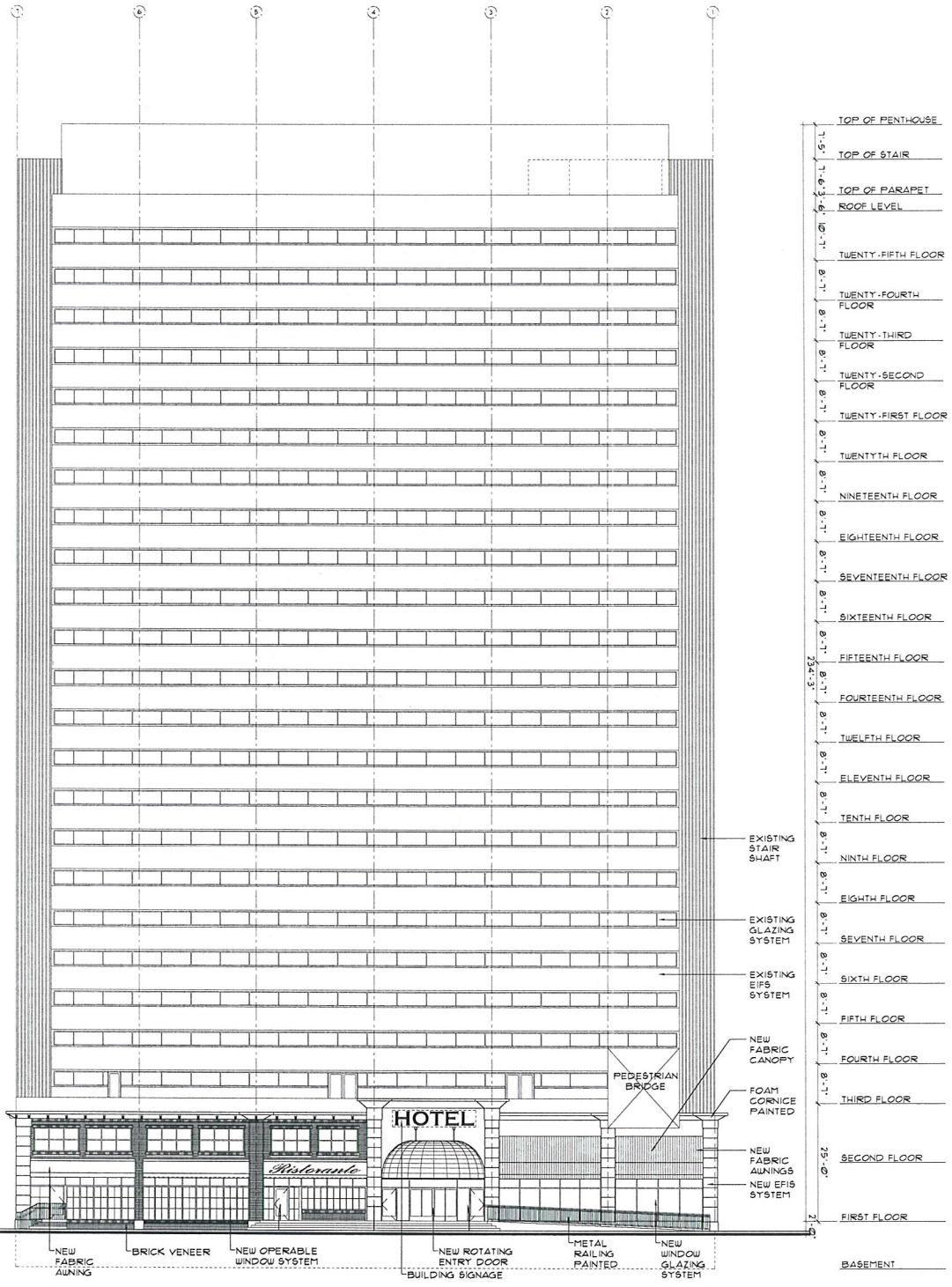

1 A6.01 EAST ELEVATION

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sheet no. A6.01 of sheets

issue dates:
drawn by: KDG/JP/BP/TJAC
checked by: RCG
project no. 09-06-10
revisions:

sheet title: WEST TOWER- EAST EXTERIOR ELEVATION LAND USE SUBMITTAL

PRELIMINARY
NOT FOR CONSTRUCTION
4-8-2010

project title: Lady Luck RENOVATION / EXPANSION
206 N. 3RD ST. LAS VEGAS, NEVADA 89101

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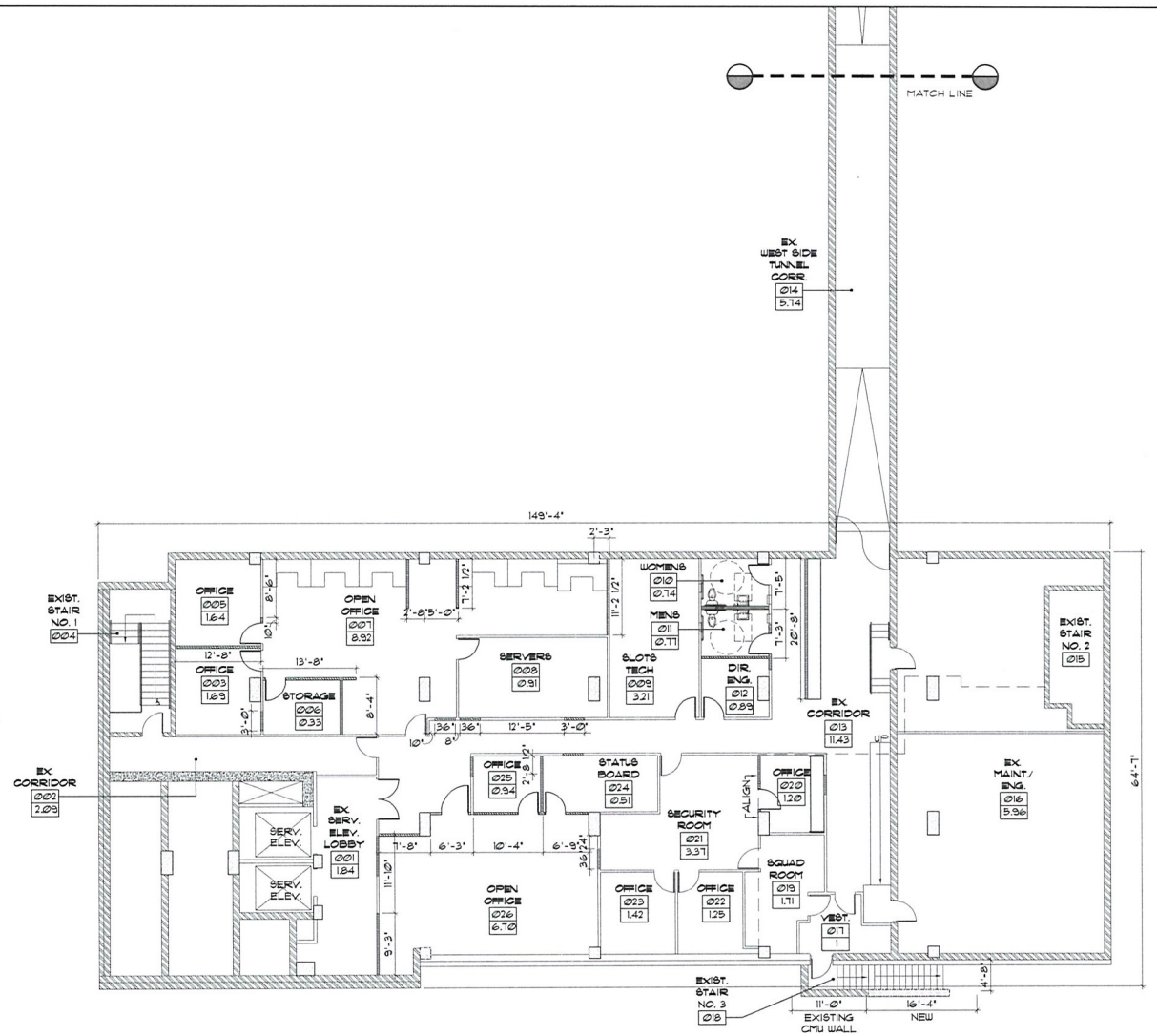

A A1.00 WEST TOWER BASEMENT FLOOR PLAN
SCALE: 1/8"=1'-0"
NORTH

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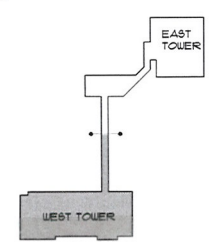
KEY PLAN



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SCALE: N.T.S.

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project title:
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sheet title:
WEST TOWER
BASEMENT FLOOR PLAN
LAND USE SUBMITTAL

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checked by: RCG
project no.: 09-150
revisions:

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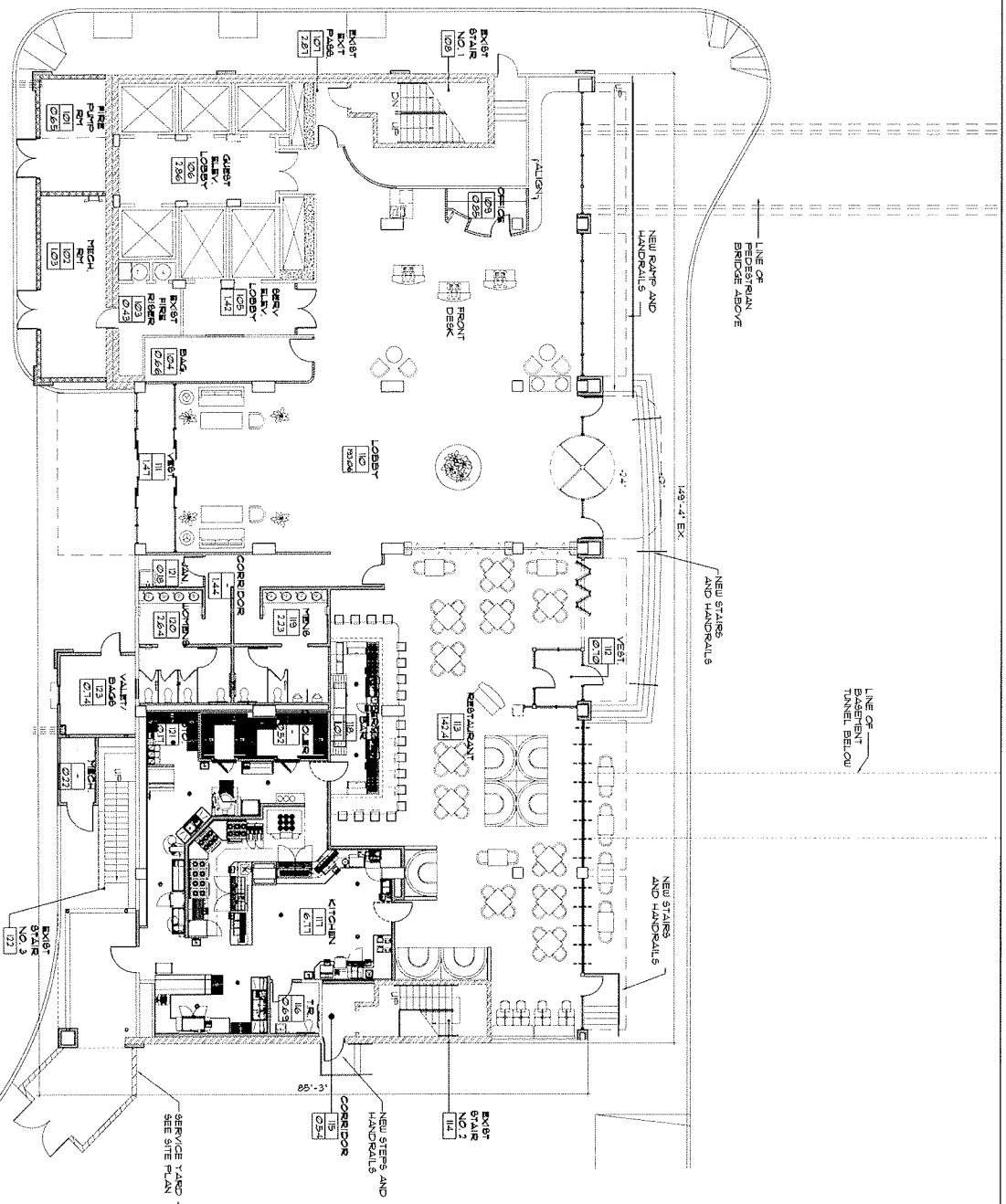

A1.01 WEST TOWER 1ST FLOOR PLAN

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

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sheet title: WEST TOWER 1ST FLOOR LAND USE SUBMITTAL

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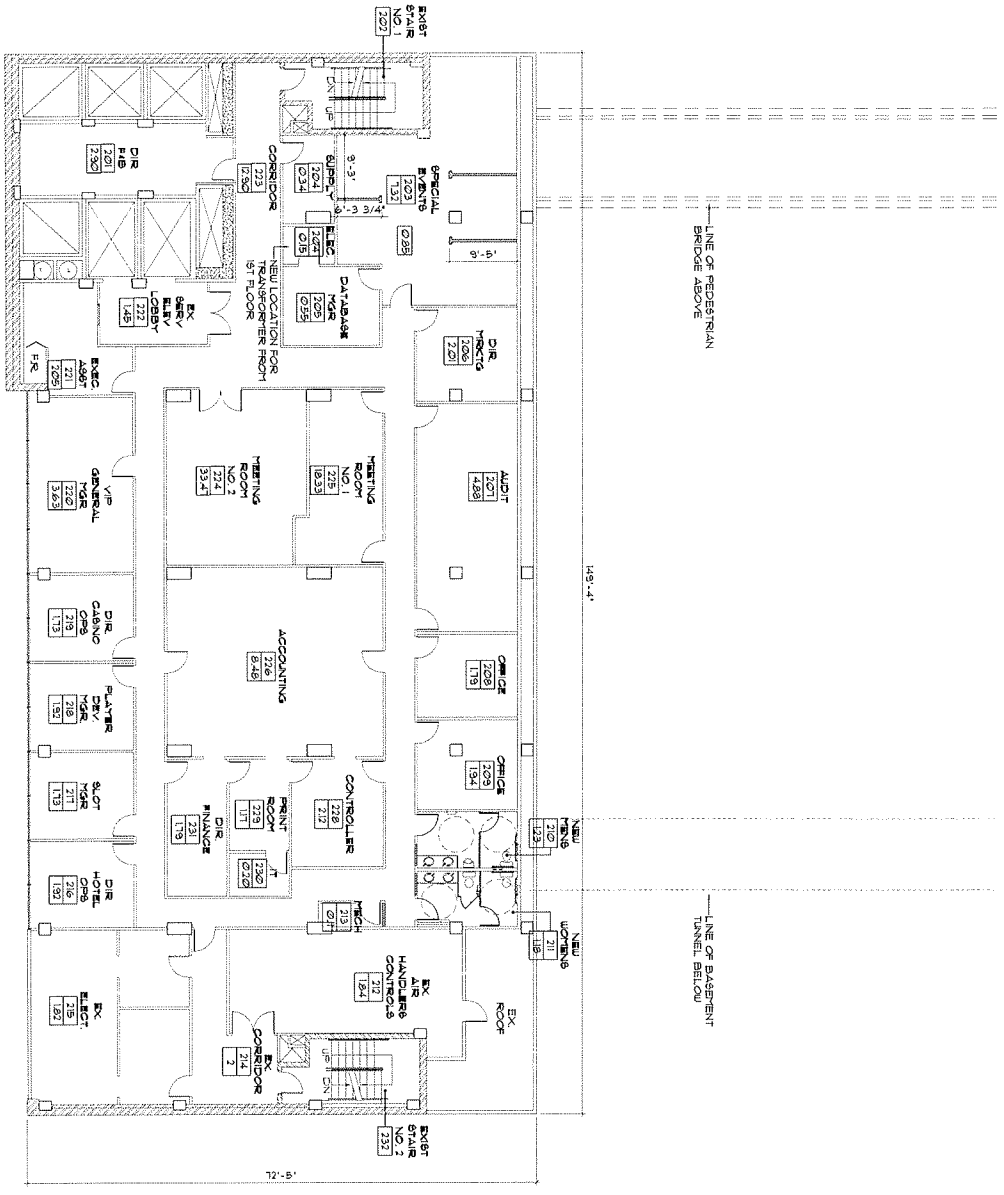

A1.02 WEST TOWER 2ND FLOOR PLAN
SCALE: 1/8"=1'-0"

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revisions:
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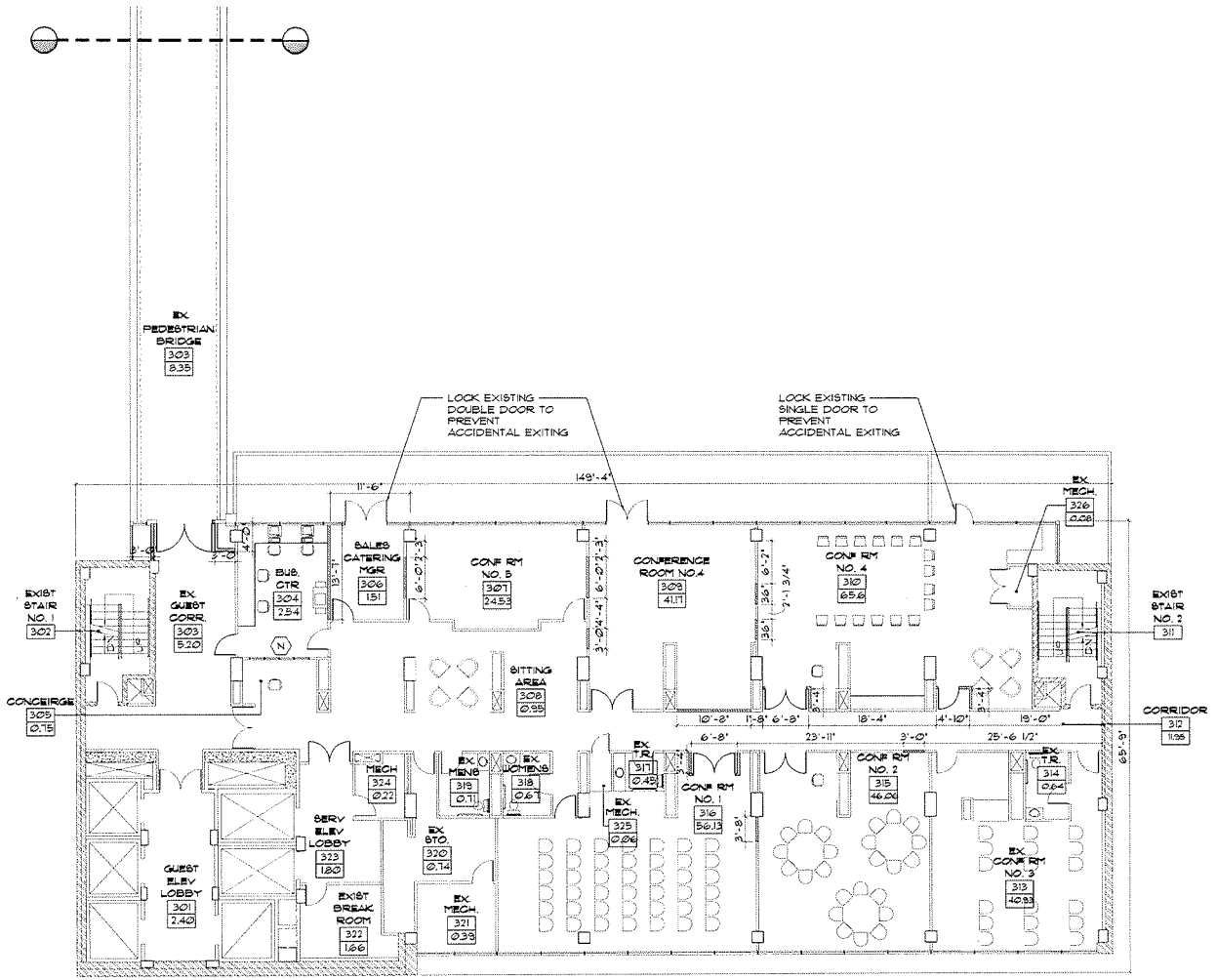
of sheets

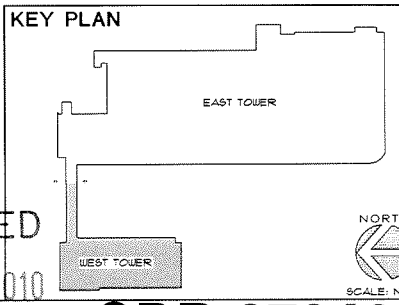


A1.03 WEST TOWER 3RD FLOOR PLAN

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

NORTH

KEY PLAN



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PRELIMINARY NOT FOR CONSTRUCTION 4-9-2010

sheet title: WEST TOWER 3RD FLOOR PLAN LAND USE SUBMITTAL

issue dates:

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checked by: RDG

project no.: 09-150

revisions:

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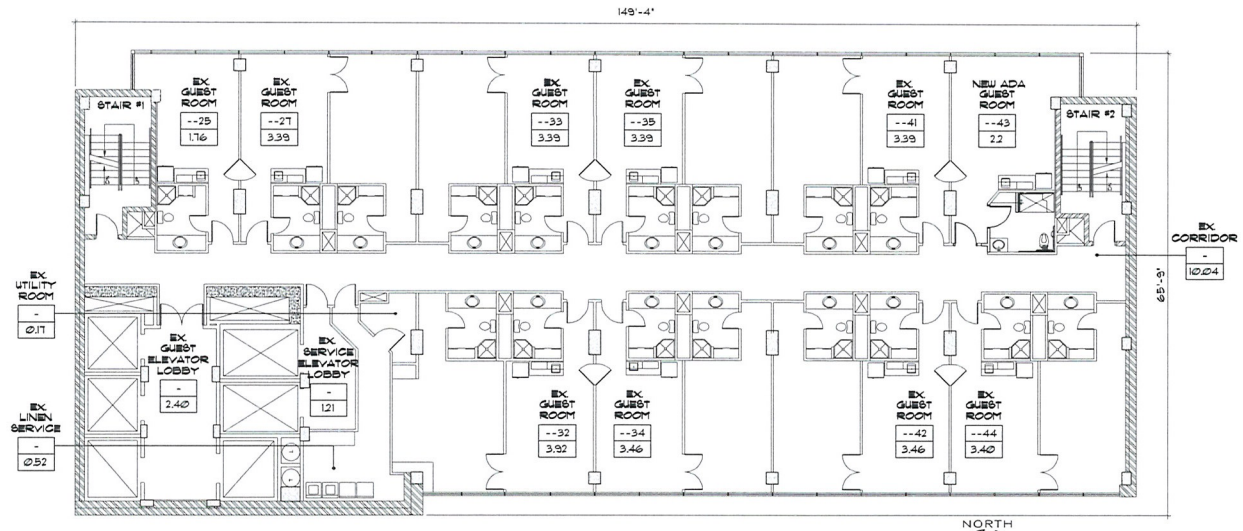
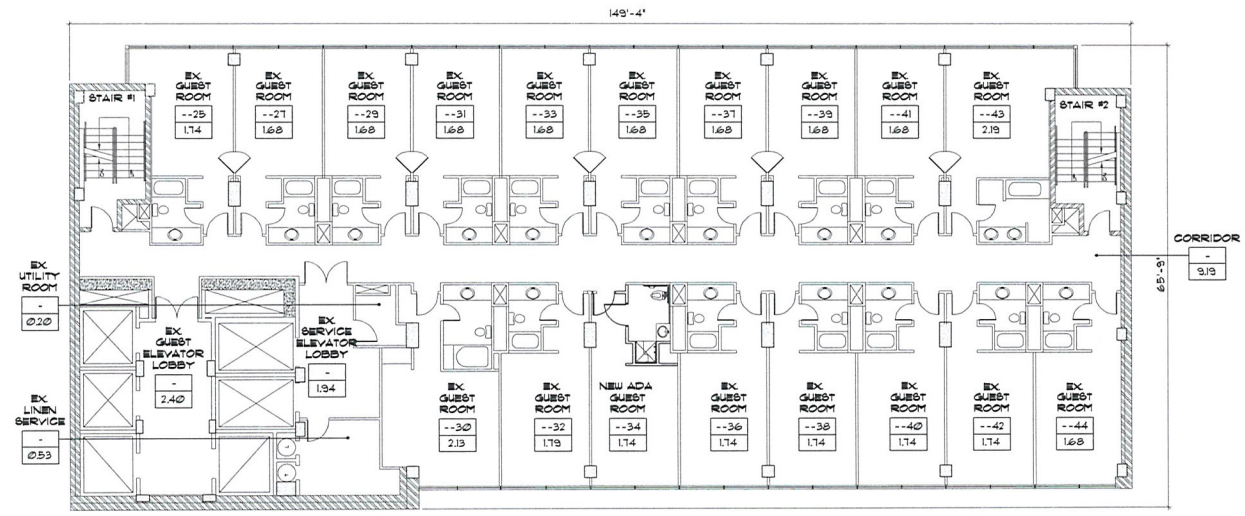


A / A1.04 WEST TOWER 4TH AND 5TH FLOOR PLAN

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



B / A1.04 WEST TOWER 6TH THRU 24TH FLOOR PLAN

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

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200 N. 3RD ST. LAS VEGAS, NEVADA 89101

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sheet title:
WEST TOWER- 4TH, 5TH AND 6TH THRU 24TH FLOOR PLANS
LAND USE SUBMITTAL

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project no.: 09-150
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A1.04
of sheets

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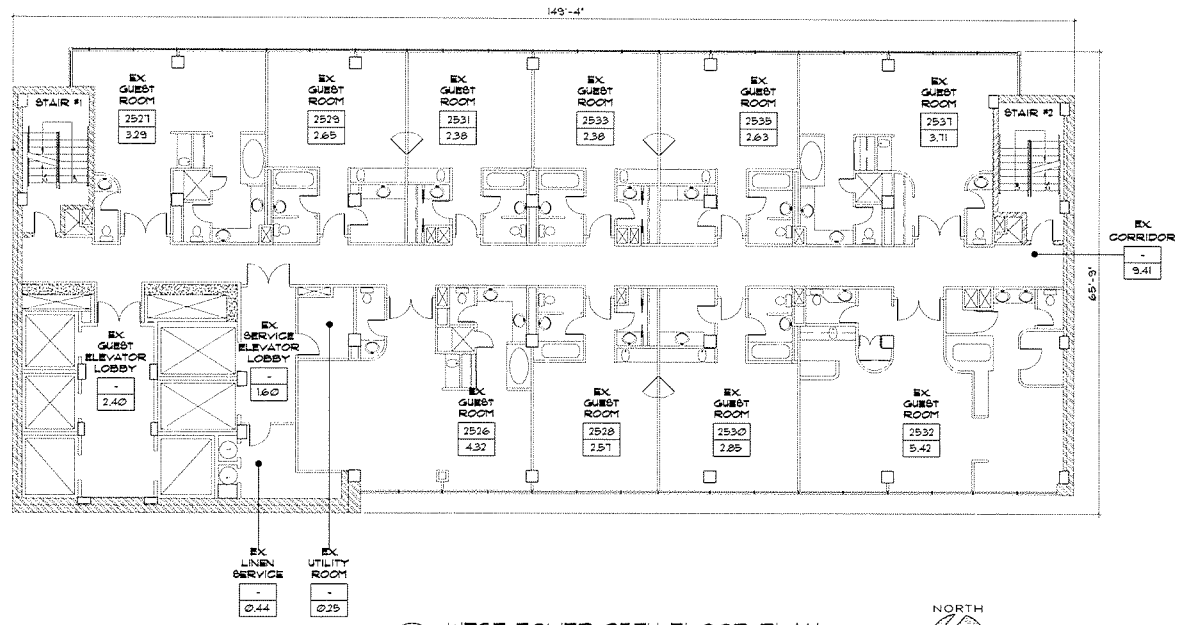

B
A1.05
WEST TOWER 25TH FLOOR PLAN
SCALE: 1/8" = 1'-0"

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4-9-2010

sheet title:
WEST TOWER
25TH FLOOR PLAN
LAND USE SUBMITTAL

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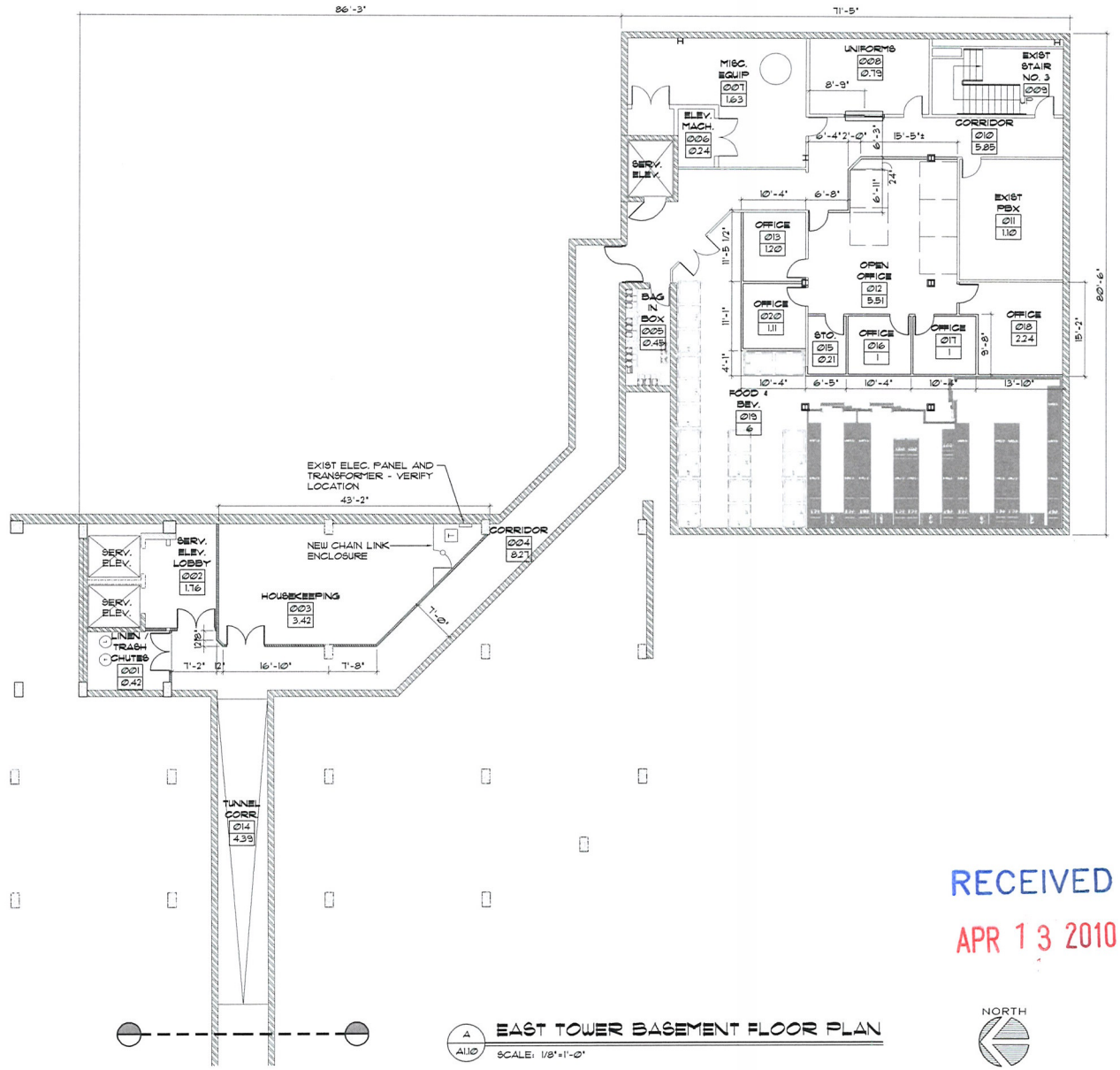
of sheets



A / A1.10 EAST TOWER BASEMENT FLOOR PLAN
SCALE: 1/8"=1'-0"

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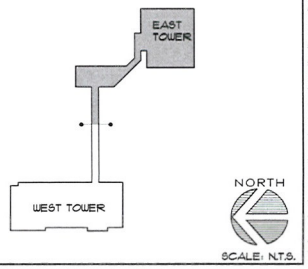
KEY PLAN



SCALE: N.T.S.

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project title:
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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

issue dates:
drawn by: KKG/MB/PT/AK
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project no.: 09-150
revisions:

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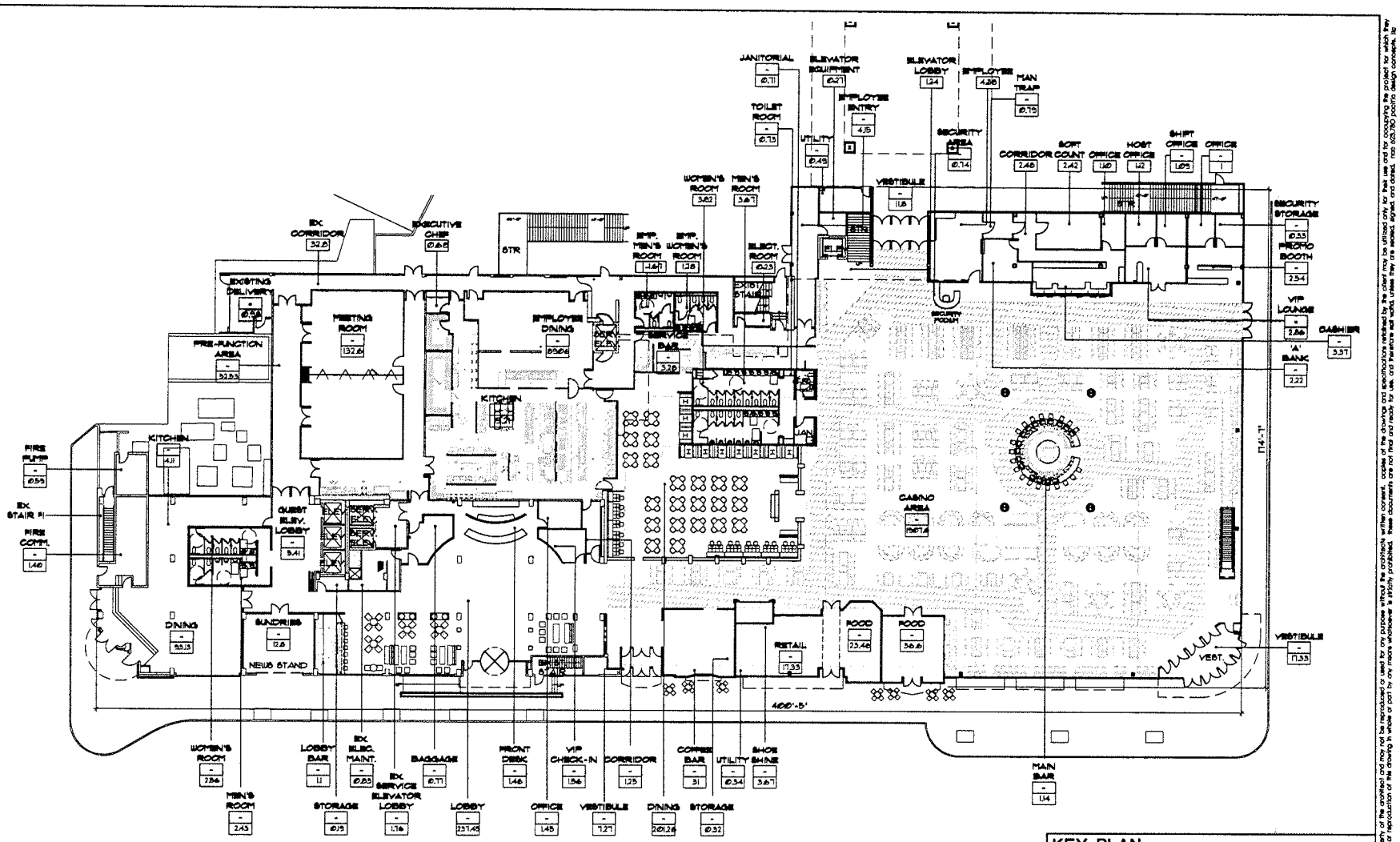

A1.11 EAST TOWER OVERALL 1ST FLOOR PLAN

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

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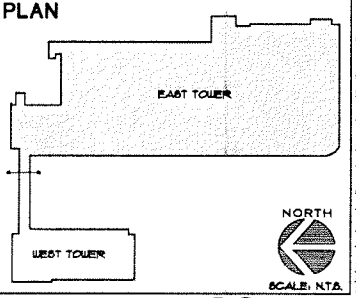
KEY PLAN



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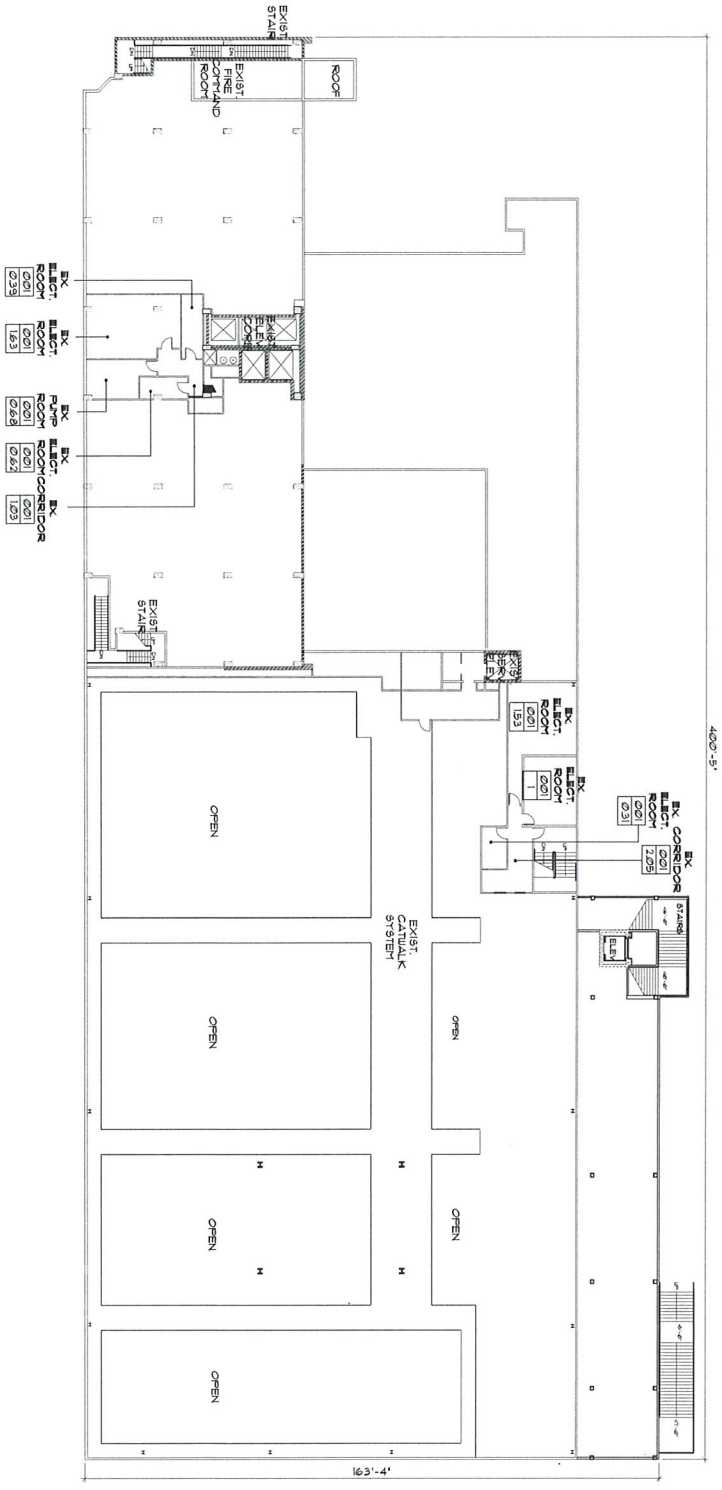
Suite 200
Suite 200



A A1.12 EAST TOWER OVERALL 2ND FLOOR PLAN
SCALE: 1/16"=1'-0"

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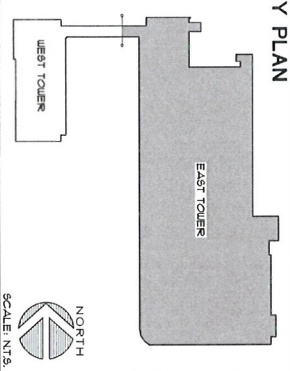
KEY PLAN



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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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4-9-2010

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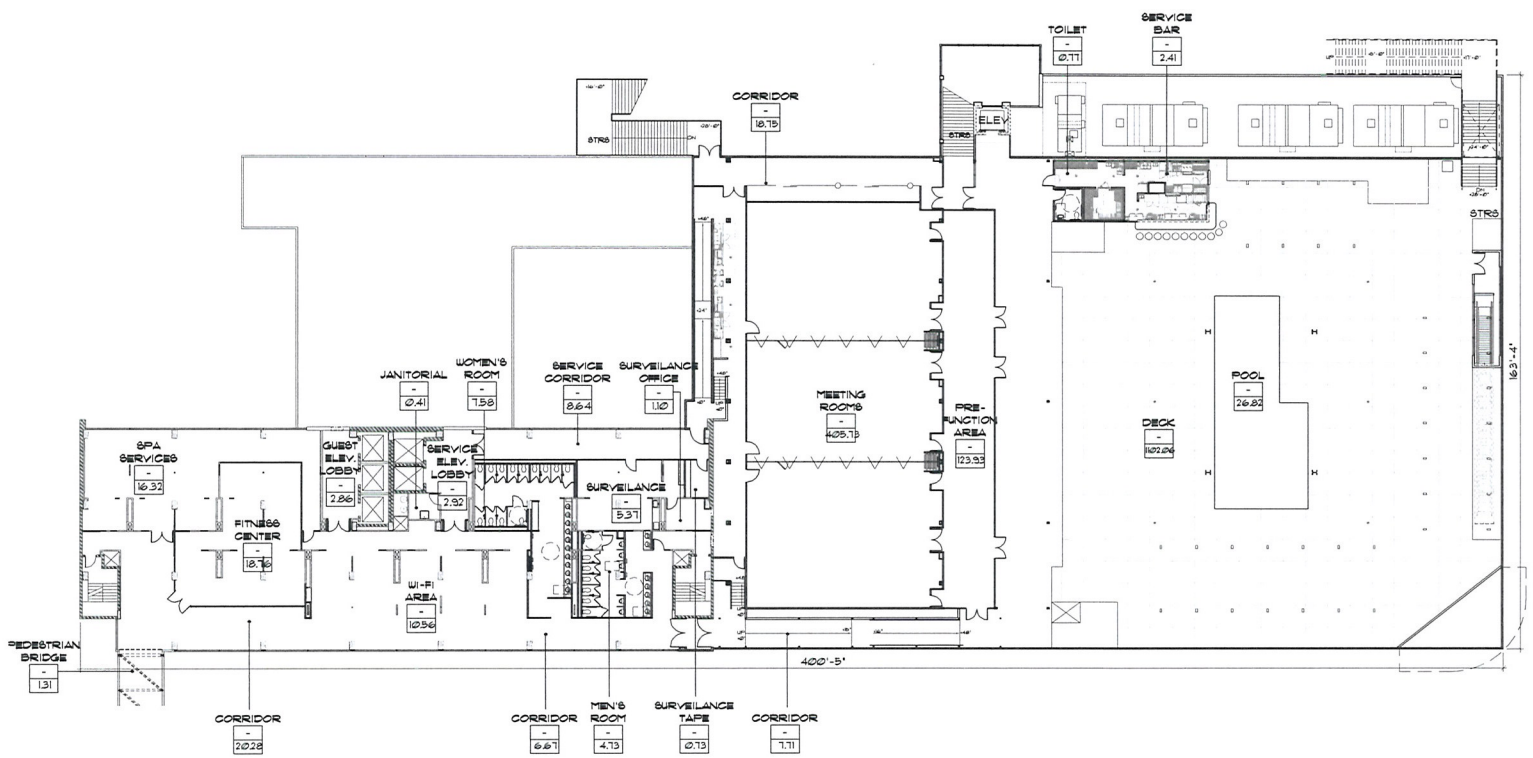

A1.13 EAST TOWER OVERALL 3RD FLOOR PLAN

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

NORTH

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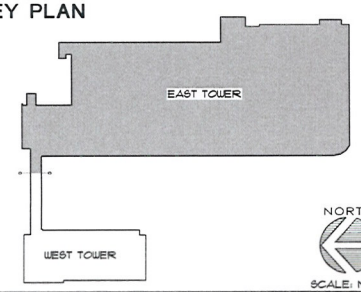
KEY PLAN



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EAST TOWER
OVERALL 3RD FLOOR PLAN
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09-180
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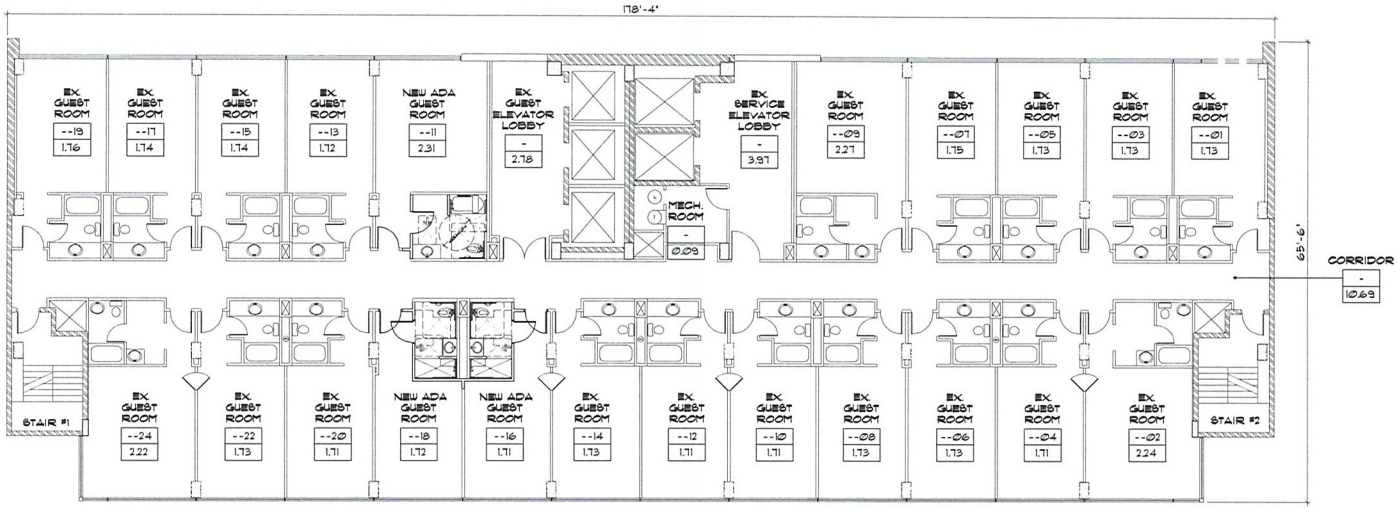
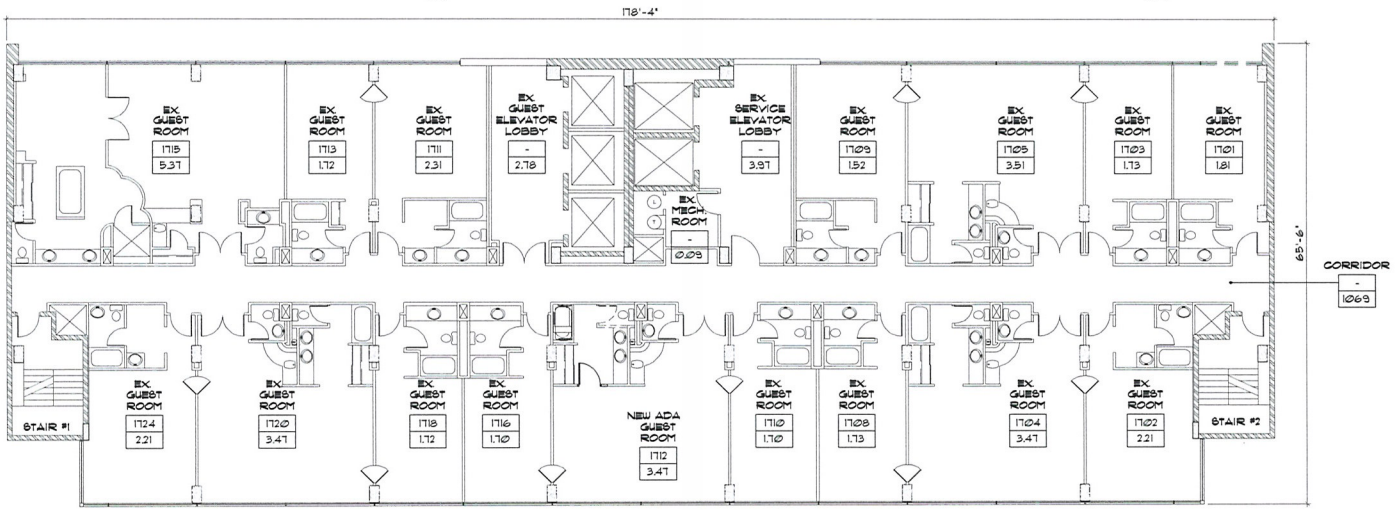


A A1.14 EAST TOWER 4TH THRU 16TH AND 17TH FLOOR PLAN

SCALE: 1/8" = 1-0"

NORTH



B A1.14 EAST TOWER 17TH FLOOR PLAN

SCALE: 1/8" = 1-0"

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PRELIMINARY
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4-9-2010

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:

sheet no.
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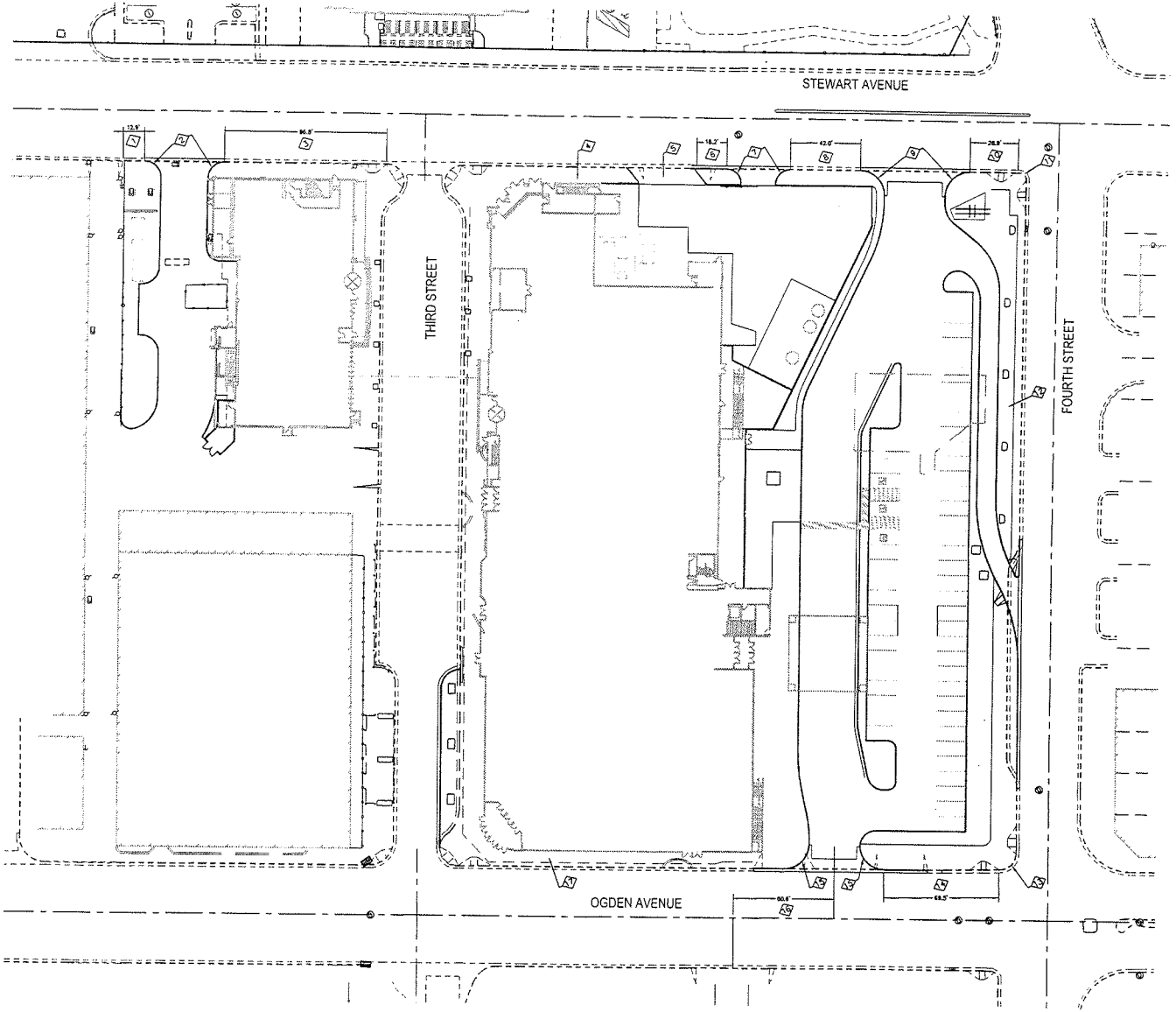
of sheets



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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Cardno WRG
LAS VEGAS
1999 JEFFREYS ST HENDERSON, NV 89052
TEL: (702) 990-2000 FAX: (702) 990-2005
www.cardnowrg.com
PLANNERS - ENGINEERS - LANDSCAPE ARCHITECTS - SURVEYORS

WAIVER EXHIBIT
LADY LUCK RENOVATION
CIM / RESORT GAMING
CITY OF LAS VEGAS

NO.	DATE	DESCRIPTION	BY
1			

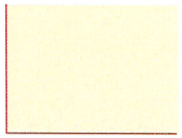
DATE	03-23-2010
DRAWN	RAS
DESIGNED	RAS
CHECKED	DML
PROJECT #	21080M500

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

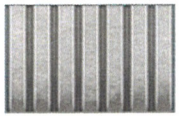
Travertine



Wood



Tile



Galvanized



Signage



Signage



Brick



Marble

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SDR-37946

Lady Luck Exterior Color & Materials

BRESLIN BUILDERS
DESIGN-BUILD GENERAL CONTRACTOR

pacificdesignconcepts PDC
architecture & planning

HFAI
HFA International



SDR-37946 - APPLICANT: RESORT GAMING GROUP, LLC - OWNER: 220 NORTH 4TH STREET LV, LLC, ET AL
220 NORTH 4TH STREET

04/22/10



SDR-37946 - APPLICANT: RESORT GAMING GROUP, LLC - OWNER: 220 NORTH 4TH STREET LV, LLC, ET AL
220 NORTH 4TH STREET

04/22/10



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220 NORTH 4TH STREET

04/22/10



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SDR-37946 - APPLICANT: RESORT GAMING GROUP, LLC - OWNER: 220 NORTH 4TH STREET LV, LLC, ET AL
220 NORTH 4TH STREET

04/22/10



SDR-37946 - APPLICANT: RESORT GAMING GROUP, LLC - OWNER: 220 NORTH 4TH STREET LV, LLC, ET AL
220 NORTH 4TH STREET

04/22/10



SDR-37946 - APPLICANT: RESORT GAMING GROUP, LLC - OWNER: 220 NORTH 4TH STREET LV, LLC, ET AL
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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206 N. 3RD STREET • LAS VEGAS, NV 89101
702.579.4890 (PH) • 702.312.3239 (FAX)
resortgaminggroup.com

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
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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.: **22.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

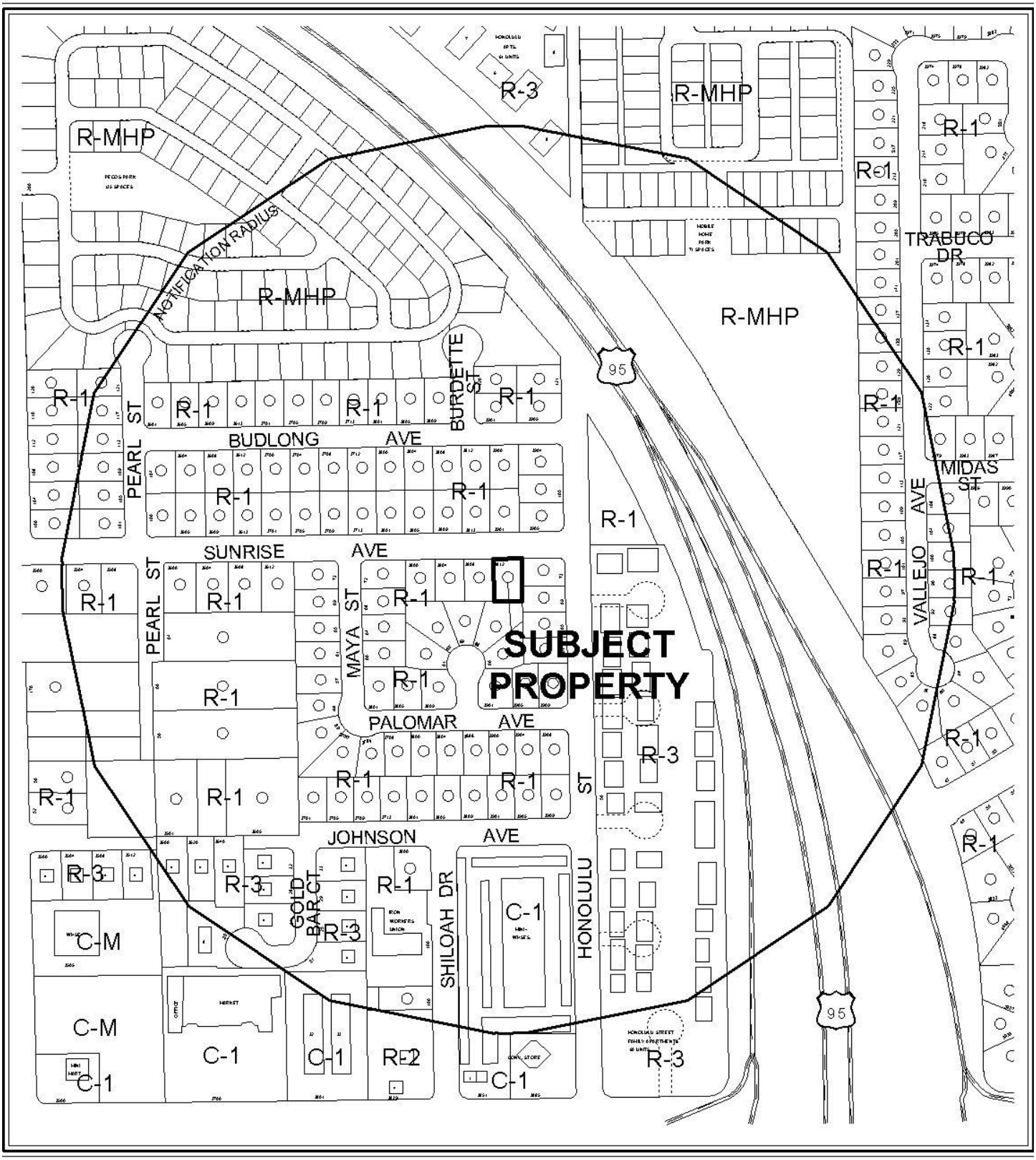
SUBJECT:
VAR-38135 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: MARK SNAVELY - Request for a Variance TO ALLOW A 15-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED on 0.15 acres at 3812 Sunrise Avenue (APN 140-31-410-045), R-1 (Single Family Residential) Zone, Ward 3 (Reese). Staff recommends DENIAL.

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



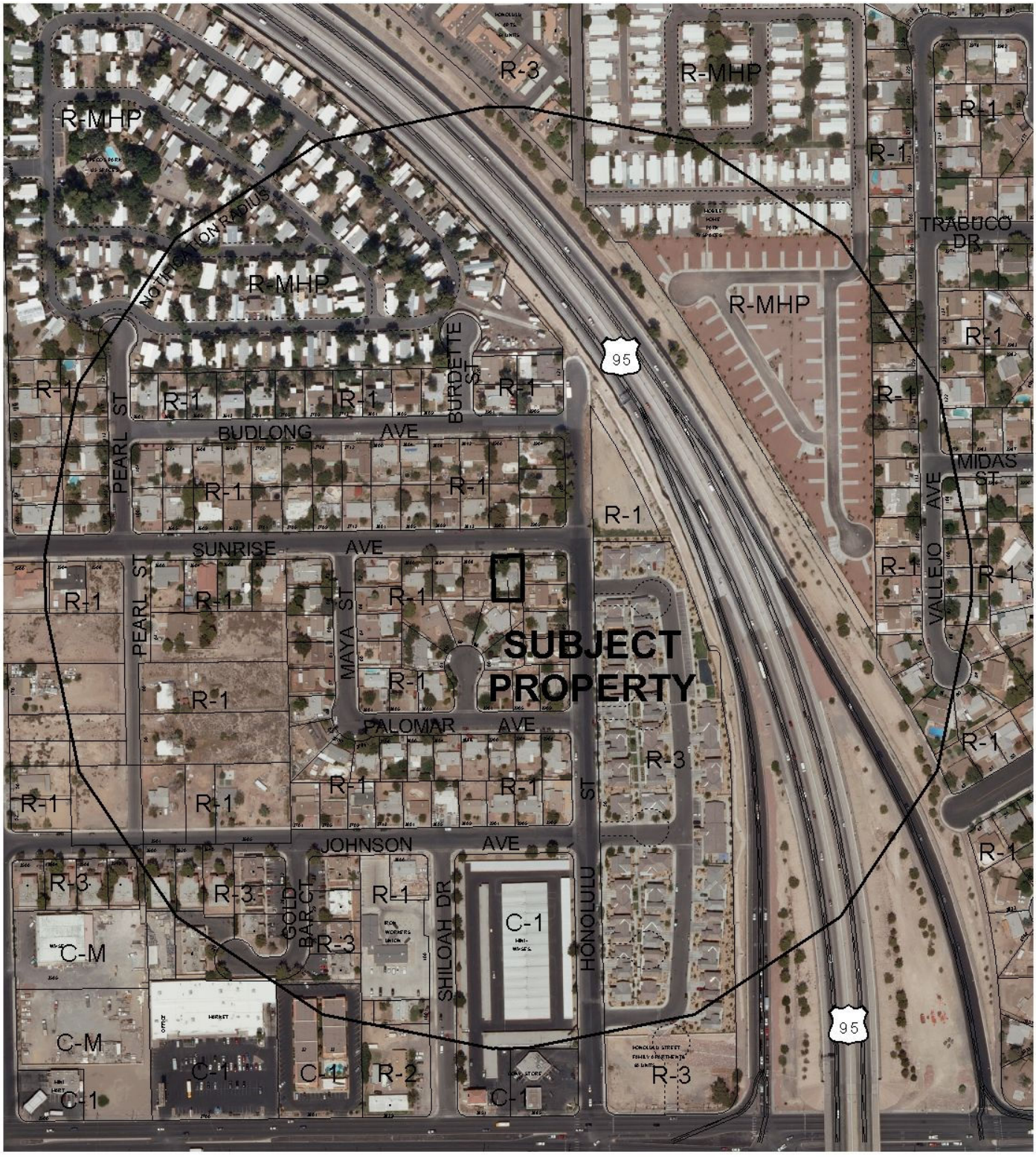
0 300 600 Feet

CASE: **VAR-38135**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **VAR-38135**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: MARK SNAVELY

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-38135	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

VAR-38135 CONDITIONS

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a final inspection is approved. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. 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.

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 Page One
June 24, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site consists of a 1,446 square-foot single family residence with a 440 square-foot garage on 0.15 acres at 3812 Sunrise Avenue. The applicant is proposing to expand the existing garage to 660 square feet with a 220 square-foot addition. The proposed addition will extend five feet into the front yard setback; therefore, a Variance is required. Staff recommends denial, as there is no hardship associated with the physical characteristics of the site. The proposed garage is subject to the current code, which requires a front yard setback of at least 20 feet. Denial of this request would not allow the expansion of the existing garage to encroach within the front yard setback.

ISSUES

- The proposed addition is not in compliance with Title 19.08 setback requirements.
- The proposed single family detached dwelling meets all other Title 19 development standards.
- There is adequate space on the lot to expand the garage five feet north instead of 10 feet and still be in conformance with the required front yard setback line.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc
There is no related case history associated with the subject site.

Most Recent Change of Ownership	
12/30/97	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
c.1964	The existing residence was constructed.
10/04/96	A building permit was issued (96020164) for a 370 square-foot room addition at 3812 Sunrise Avenue. The permit expired on 03/14/98.
04/06/10	The Planning and Development Department denied a building permit (160158) for a garage addition. The front yard setback would be reduced to 15 feet with the proposed garage addition where 20 feet is the minimum setback allowed in the R-1 (Single Family Residential) zone. The review triggered this request for a Variance.

GK

Pre-Application Meeting	
04/19/10	The following items were discussed at the pre-application meeting: • A Variance is required to encroach within the required 20 foot front yard setback. The submittal requirements for a Variance application were discussed.

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

Field Check	
05/20/10	A field check was completed on the indicated date. The following items were noted: • Staff observed a well maintained single family residence.

Details of Application Request	
Site Area	
Gross Acres	0.15

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

GK

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	6,500 SF	6,800 SF	Y
Min. Lot Width	65 Feet	68 Feet	Y
Min. Setbacks			
• Front	20 Feet	15 Feet	N
• Side	5 Feet	7 Feet	Y
• Rear	15 Feet	15 Feet	Y
Max. Lot Coverage	50%	31%	Y
Max. Building Height	Two stories or 35 Feet, whichever is less	One Story, or 10 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	
Single Family, Detached	1,446 SF	2 per dwelling unit	2	0	2	0	
TOTAL	1,446 SF		**2**		**2**		**Y**

ANALYSIS

Title 19.08.040 Table 1 requires a front yard setback of 20 feet in R-1 (Single Family Residential) zoning districts. The placement of the proposed 220 square-foot addition to the existing garage is five feet closer to the front property line than allowed by code, a 25 percent deviation. The applicant is requesting a Variance to allow a 15-foot front yard setback where 20 feet is required. The existing single family detached dwelling meets all other Title 19 development standards.

Currently, the existing garage is set back 25 feet from the front property line. The applicant could reduce the proposed addition by 50% and maintain compliance with the minimum 20-foot front yard setback requirement. As the size and shape of the lot do not hinder conformance with the front yard setback requirement and reducing the proposed expansion could maintain compliance with Title 19 setback requirements, staff recommends denial of the request.

FINDINGS (VAR-38135)

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. The size and shape of the lot do not hinder conformance with the front yard setback standard. The applicant has created a self-imposed hardship by proposing to expand an existing garage into the required front yard setback area. Reducing the proposed expansion to be at least 20 feet from the front property line would allow conformance to 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 10

NOTICES MAILED 375

APPROVALS 0

PROTESTS 0

GK

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-38135 APN: 140-31-410-045

Name of Property Owner: Mark Snavely

Name of Applicant: same

Name of Representative: same

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Mark Snavely

Subscribed and sworn before me

This 28 day of April, 2010

_____

Notary Public in and for said County and State

JULIE D. TOWNSEND
Notary Public, State of Nevada
Appointment No. 93-3249-1
My Appt. Expires Feb. 22, 2012

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PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Variance of 20' setback from front property line to 15'

Project Address (Location) 3812 Sunrise ave

Project Name Snavely Garage Extension **Proposed Use** Storage / Workshop

Assessor's Parcel #(s) 140-31-410-045 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing R1 proposed R1

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

Gross Acres 0.14 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Mark Snavely **Contact** same

Address 3812 Sunrise ave **Phone:** (702) 438-8240 **Fax:** _____

City Las Vegas **State** NV **Zip** 89110

E-mail Address mssnavely@yahoo.com

APPLICANT same **Contact** _____

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

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

E-mail Address _____

REPRESENTATIVE same **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 Mark Snavely

Subscribed and sworn before me

This 28 day of April, 20 10.

Julie D. Townsend

Notary Public in and for said County and State

JULIE D. TOWNSEND
Notary Public, State of Nevada
Appointment No. 93-3249-1
My Appt. Expires Feb. 22, 2012

FOR DEPARTMENT USE ONLY

Case #	VAR-38135
Meeting Date:	06/24/10
Total Fee:	830.00
Date Received:*	04/28/10
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 29 2010

Revised 10/27/08

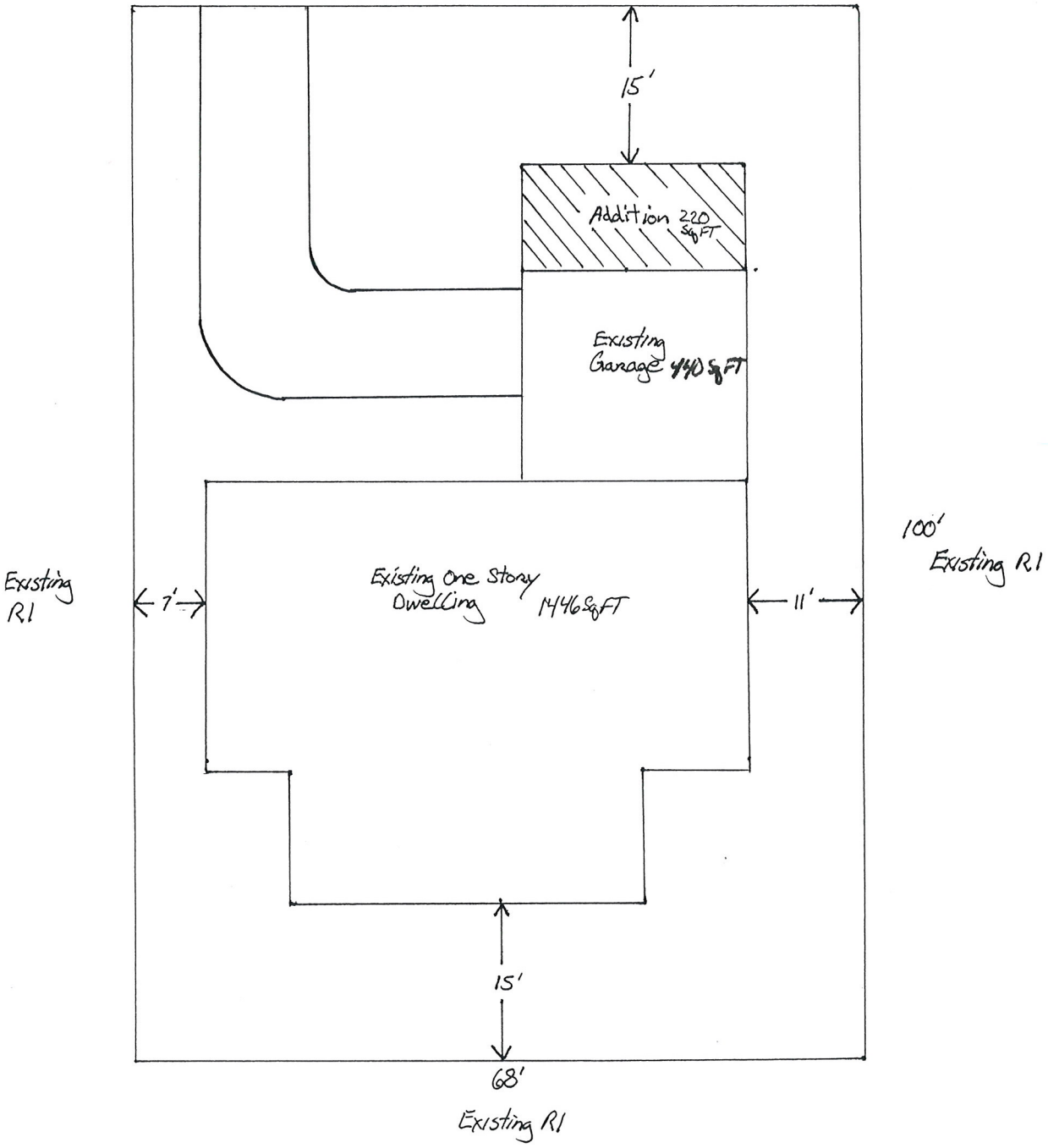
f:\depot\Application Packet\Application Form.pdf

1/4" = 2.5'

North ↑

3812 Sunrise Ave. Apn No 140-31-410-045

Front Property Line



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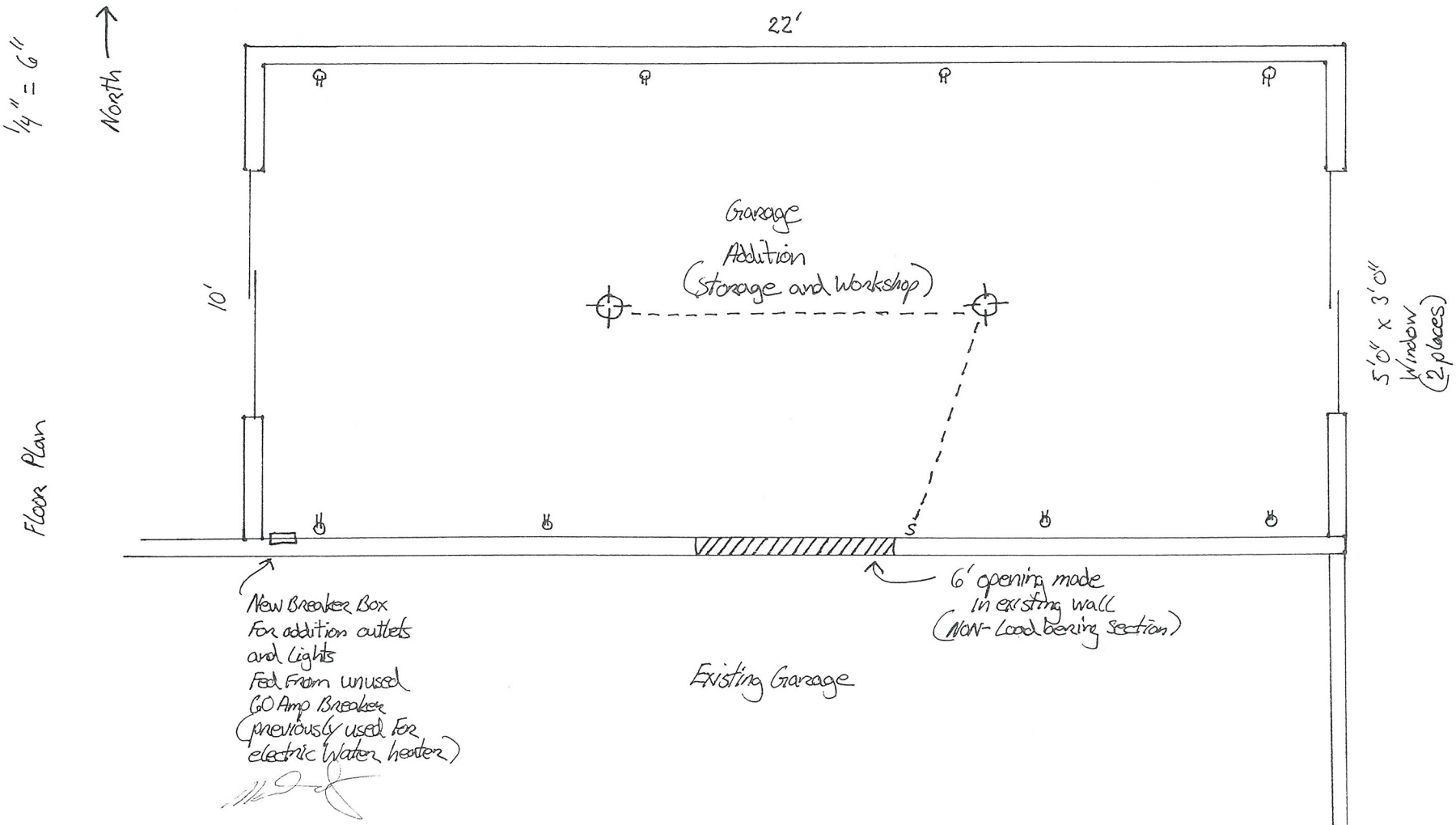

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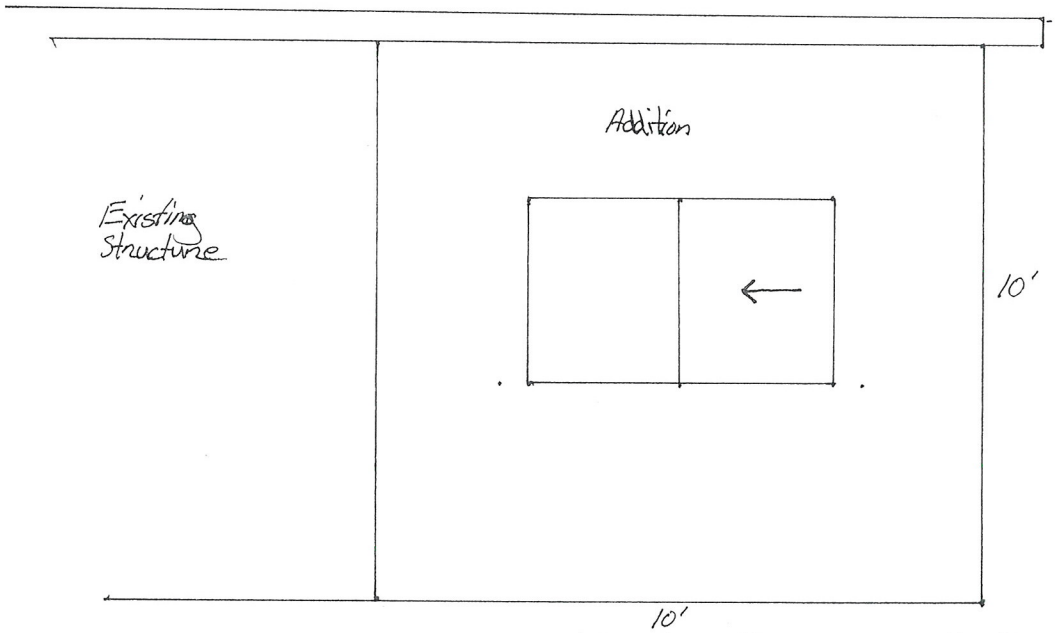
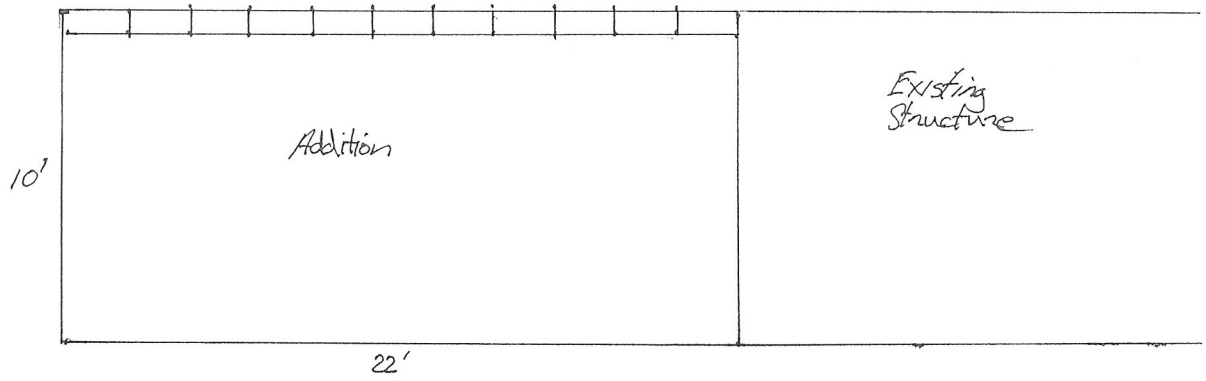
VAR-38135

Exterior Elevations



East Elevation - Mirror For West Elevation
1/4" = 6"



North Elevation 1/4" = 1'

Exterior Walls
Stucco

Roof Covering
Roll Roofing
Torch Down
over 30lb felt
to match existing
Roof

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VAR-38135


VAR-38135



VAR-38135 – APPLICANT/OWNER: MARK SNAVELY
220 NORTH 4TH STREET

05/20/10



VAR-38135 – APPLICANT/OWNER: MARK SNAVELY
220 NORTH 4TH STREET

05/20/10



VAR-38135 – APPLICANT/OWNER: MARK SNAVELY
220 NORTH 4TH STREET

05/20/10

Justification Letter

Dear Planning Commission Member,

I, Mark Snavely, am the owner of a single family residence located at 3812 sunrise Ave. I am requesting a variance to the minimum setback requirement which states that structures in my zoning must have at least a 20' setback from the front property line. The current closest part of the existing structure to the front property line depicted in the site plan has a 25' setback. My request is to extend the existing garage an additional 10' to the North towards the front property line. This would reduce my setback to 15.'

There are two adults and five children ages 3 to 27 living at this address and the added space is needed for storage and a workshop area. The current garage is "filled to capacity" as well as all available storage inside the house. There is no other suitable location on the property to expand into except to the North. The section of the lot depicted in the site plan is a low use area of yard and could be utilized to provide relief to a very crowded household.

My intention is to match the current style of the house as shown in the included elevation picture. Roof line and exterior will be constructed to match the existing garage for visual consistency.

There are similar setbacks for other houses in this neighborhood. For example, 3805 Sunrise has an 18 foot setback, 73 Honolulu, which is next door to me, has a 15 foot setback on the Sunrise Ave side, and 72 Maya, which is four houses West of mine, also has a 15 foot setback on the Sunrise Ave side.

I believe that this project will not detract from the use, purpose, or appearance of the project site or the surrounding neighborhood. I do not believe that this project will be a detriment to the public good, affect natural resources, or significantly violate the intention or purpose of any city ordinance or resolution.

Sincerely,

Mark Snavely

RECEIVED
APR 28 2010
VAR-38135

City of Las Vegas Agenda Item No.: **23.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

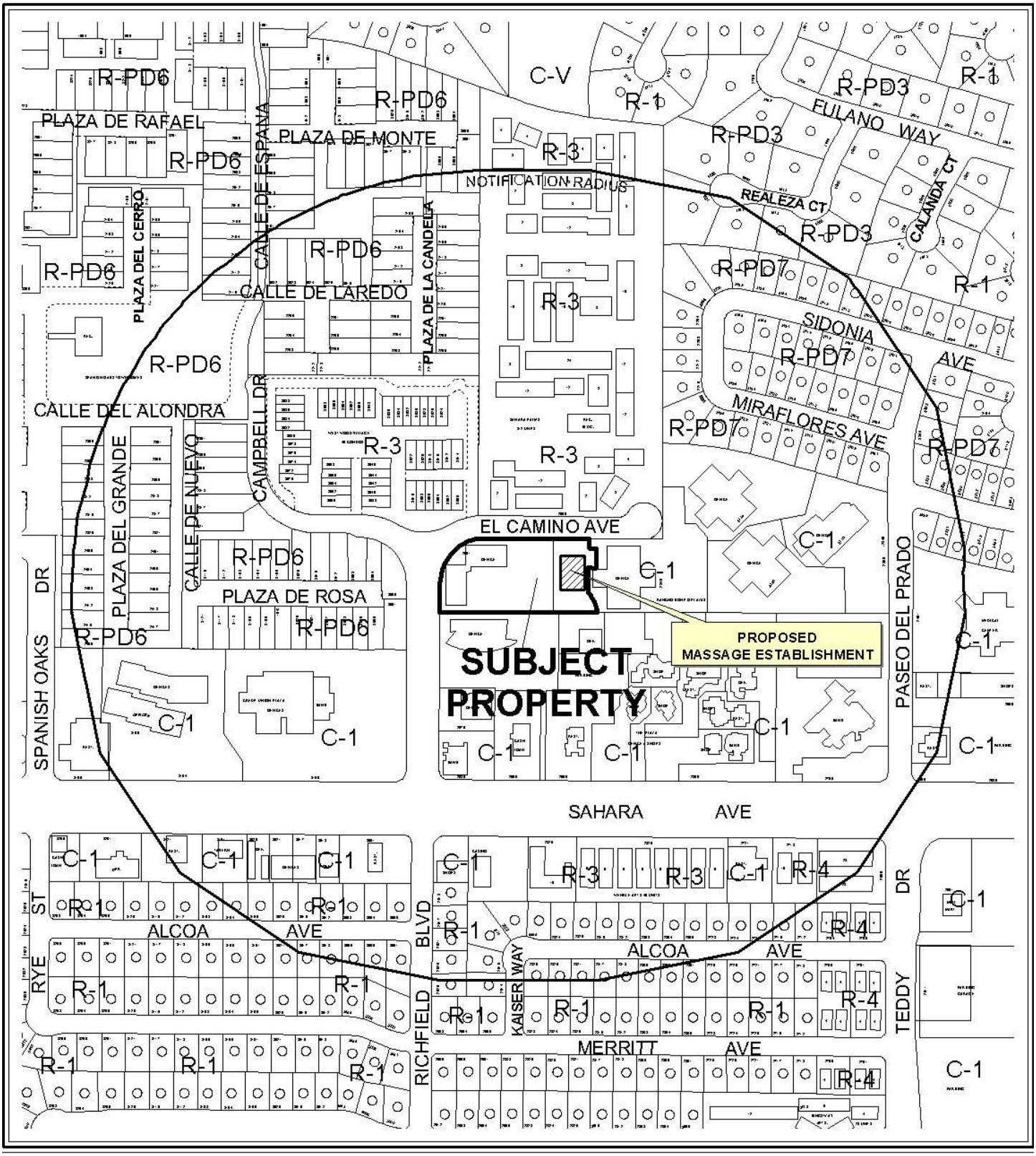
SUBJECT:
VAR-38195 - VARIANCE - PUBLIC HEARING - APPLICANT: STEVEN KOZMARY, M.D. - OWNER: LA JOLLA PLAZA II, LLC - Request for a Variance TO ALLOW 26 PARKING SPACES WHERE 45 PARKING SPACES ARE REQUIRED at 2851 El Camino Avenue (APN 162-05-801-011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

C.C.: 07/21/2010

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps – VAR-38195 and SUP-38194
2. Conditions and Staff Report – VAR-38195 and SUP-38194
3. Supporting Documentation
4. Photos – VAR-38195 and SUP-381294
5. Justification Letter – VAR-38195 and SUP-38194



0 300 600 Feet

CASE: **VAR-38195 AND SUP-38194**

RADIUS: 1000 FT

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

N



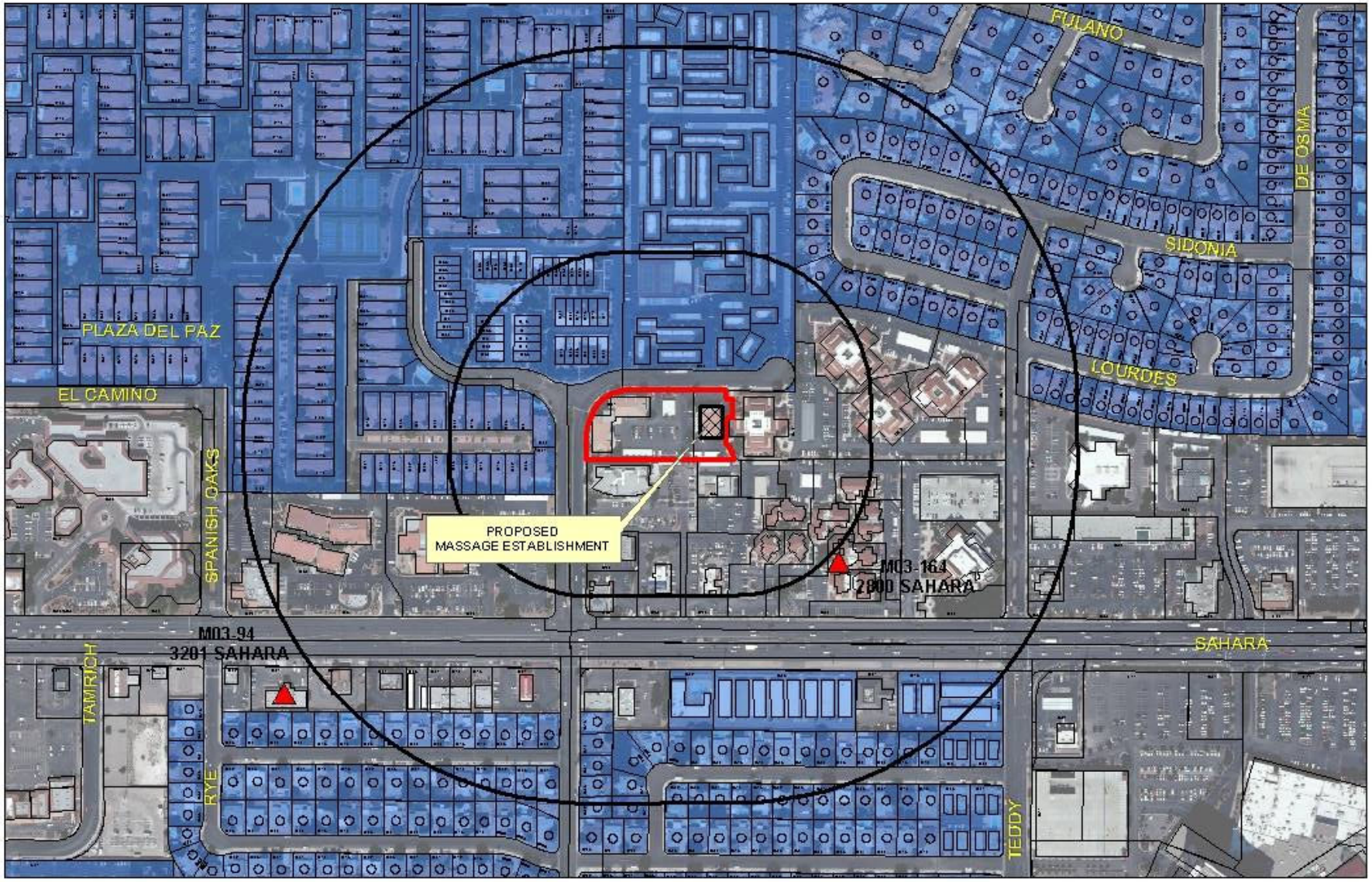
0 300 600 Feet

CASE: **VAR-38195 AND SUP-38194**

RADIUS: 1000 FT

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

N



VAR-38195 AND SUP-38194

Business Licenses

- Massage Establishment
- Child Care/ Children Facility

Protected Landuses

- RELIGIOUS
- CITY PARKS
- SCHOOLS

- Subject Property
- Residential Property
- 400' & 1000' Buffer

0 245 490 980 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: STEVEN KOZMARY, M.D. - OWNER: LA JOLLA PLAZA II, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-38195	Staff recommends DENIAL, if approved subject to conditions:	
SUP-38194	Staff recommends DENIAL, if approved subject to conditions:	VAR-38195

** CONDITIONS **

VAR-38195 CONDITIONS

Planning and Development

1. Approval of and conformance to the conditions for Special Use Permit (SUP-38194) if approved.

2. This approval shall be void two years 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. 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.

SUP-38194 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-38195) shall be required.

3. This approval shall be void two years from the date of final approval, unless a business license has been issued to conduct the activity. 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 for a Massage Establishment within an existing 8,001 square-foot building at 2851 El Camino Avenue. The existing building has current business licenses for a Clinic, Medical Office, and Accessory Massage. The applicant is proposing to utilize three massage rooms with a total area of 473 square feet, which exceeds the maximum floor area of 150 square feet that is allowed for the Accessory Massage use; therefore, a Special Use Permit is required for a Massage Establishment use. The applicant is requesting Waivers of the minimum distance separation requirements, as well as a Variance for parking. The subject location is not suitable for the intensity of the proposed use, due to the proximity of the subject site to residential property to the north combined with the parking Variance request; therefore, staff recommends denial. If denied, the use would not be permitted at the subject location.

ISSUES

- Approval of a companion Variance (VAR-38195) to allow 26 parking spaces where 45 parking spaces are required is necessary for this request to be approved.
- A Waiver is required to allow a 60-foot distance separation from a residentially zoned property where 400 feet is the minimum distance required.
- A Waiver is required to allow a 362-foot distance separation from another Massage Establishment where 1,000 feet is the minimum distance required.
- A Waiver is required to allow access to the site from a 60-foot right-of-way where an 80-foot right-of-way or larger is required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/26/63	The Board of City Commissioners approved a request to Rezone (Z-0108-63) property fronting Sahara Avenue, running from Rancho Drive to Richfield Boulevard. Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
05/06/98	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
11/19/96	A building permit (96022950) was issued for a new shell building at 2851 El Camino Avenue. The permit was finaled on 04/30/98.
04/08/97	A building permit (97006973) was issued for plumbing work in a new shell building at 2851 El Camino Avenue. The permit was finaled on 03/11/98.
06/16/97	A building permit (97012184) was issued for block walls at 2851 El Camino Avenue. The permit was finaled on 04/30/98.
12/16/97	A building permit (97024951) was issued for a tenant improvement at 2851 El Camino Avenue, suite #200. The permit was finaled on 05/14/98.
04/01/98	A building permit (98006737) was issued to extend the length of a masonry wall at 2851 El Camino Avenue. The permit was finaled on 04/16/98.
06/12/98	A building permit (98012432) was issued for a tenant improvement at 2851 El Camino Avenue, suite #101. The permit expired on 06/19/99.
06/12/98	A building permit (98012433) was issued for a tenant improvement at 2851 El Camino Avenue, suite #102. The permit expired on 05/15/99.
06/12/98	A building permit (98012434) was issued for a tenant improvement at 2851 El Camino Avenue, suite #103. The permit expired on 05/15/99.
12/22/98	A building permit (98024934) was issued for a Non-Work Certificate of Occupancy at 2851 El Camino Avenue, Suite #101. The permit was finaled on 01/04/99.
04/06/99	A business license (Q07-00391) was issued for a medical firm at 2851 El Camino Avenue, Suite #101. The license is still active.
11/21/00	A building permit (21248) was issued for a tenant improvement and certificate of occupancy at 2851 El Camino Avenue, suite #101. The permit was finaled on 03/07/01.
08/13/07	A business license (C14-00527) was issued for a Clinic use at 2851 El Camino Avenue, Suite #200. The license is still active.
10/25/07	A building permit (7002980) was issued for a wall sign at 2851 El Camino Avenue. The permit expired on 06/07/08.
05/14/09	A business license (M12-01761) was issued for a Massage Therapist at 2851 El Camino Avenue, Suite #200. The license is still active.
11/04/09	A business license (M11-00023) was issued for a Massage, Accessory use at 2851 El Camino Avenue, Suite #200. The license is still active.
11/13/09	A business license (M12-01825) was issued for a Massage Therapist at 2851 El Camino Avenue. Suite #200. The license is still active.

Pre-Application Meeting	
04/29/10	The following items were discussed at the pre-application meeting: • A Massage Establishment requires a Special Use Permit in the C-1 (Limited Commercial) zoning district. The submittal requirements for a Special Use Permit were discussed. • The subject site is only 60 feet away from existing residential uses where 400 feet is the minimum distance required. Also, the use is only 362 feet away from another Massage Establishment where 1,000 feet is the minimum distance required. Waivers must be requested. • The site is accessed from El Camino Avenue, designated as a 60-Foot Right-of-way. A Massage Establishment must be accessed by an 80-Foot right-of-way or larger. A Waiver must be requested. • The subject parcel has a cross access agreement with the adjacent property to the west, but does not have a parking agreement. Please provide a parking agreement or submit a parking analysis. • A parking Variance will be required if no parking agreement can be obtained. The submittal requirements for a Variance were discussed.

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

Field Check	
05/20/10	A field check was completed on the indicated date. Staff observed a well maintained commercial development.

Details of Application Request	
Site Area	
Net Acres	0.48

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Clinic	SC (Service Commercial)	C-1 (Limited Commercial)
North	Condominiums	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Office, Other than Listed	SC (Service Commercial)	C-1 (Limited Commercial)

East	Office, Other than Listed	SC (Service Commercial)	C-1 (Limited Commercial)
West	Office, Other than Listed	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			
A-O (Airport Overlay) District – 200 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 19.10, 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	
Massage Establishment	3 rooms	2 spaces for each massage room	6				
Clinic	3,524 SF	1:200 up to 2,000 SF, then 1:250	17				
Office, Medical	4,004 SF	1:200 up to 2,000 SF, then 1:175	22				
TOTAL SPACES REQUIRED			45		26		N
TOTAL (With Handicapped)			43	2	24	2	N
Percent Deviation			42%				

GK

Waivers		
Requirement	***Request***	***Staff Recommendation***
A 1000-foot distance separation from another Massage Establishment.	362 Feet	Denial
A 400-foot distance separation from a residentially zoned property.	60 Feet	Denial
The use must be located on a secondary thoroughfare or larger	60-foot right-of-way	Denial

ANALYSIS

The subject site contains an existing 8,001 square-foot clinic and medical office with an active business license for Accessory Massage, which allows up to 150 square feet of floor area to be dedicated to the use. The applicant is proposing to utilize three rooms with a total floor area of 473 square feet for the massage use, which requires the approval of this Special Use Permit. The proposed use will be conducted in conjunction with the medical office and clinic, with hours of operation from 8:00 a.m. to 6:00 p.m.

As part of this request, Waivers are required to allow a 362-foot distance separation from another Massage Establishment where 1,000 feet is required and a 60-foot distance separation from a residentially zoned property where 400 feet is required. An additional Waiver is required to allow access to the site by a 60-foot right-of-way where an 80-foot secondary collector or larger is required.

An additional request has been made by the applicant for a parking variance (VAR-38195). The Variance request is to allow 26 parking spaces where 45 spaces are required. Staff recommends denial of the waiver and variance requests, as the proposed use cannot be conducted in a manner that is compatible with the surrounding uses, most notably the residentially zoned properties to the north of the subject site. The applicant has provided no evidence of a unique or extraordinary circumstance that would substantiate the Variance request; staff is therefore recommending denial of this request.

FINDINGS (VAR-38195)

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 introducing a use on the site that requires additional parking spaces without providing additional spaces for that use. 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-38194)

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 applicant has requested Waivers of the minimum distance separation requirements to allow a 60-foot distance separation from any residentially zoned parcel where 400 feet is required, a 362-foot distance separation from another massage establishment where 1,000 feet is required and a waiver to allow access to the site from a 60-foot right-of-way where an 80-foot right-of-way or larger is required. The use is not appropriate within the subject site due to the close proximity to residential uses. The use is not compatible and harmonious with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.

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

   The subject site is not physically suitable for the type and intensity of the use, as it will be located in close proximity to residential uses. Additionally, the applicant is seeking approval of a parking variance. The site cannot accommodate the additional required parking as a result of the added Massage Establishment use to the 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 ingress and egress will be from El Camino Avenue, a 60-foot Local Street, which does not meet the minimum Special Use Permit requirement for access from a Secondary Thoroughfare or larger.

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 or the overall objectives of the General Plan, as the proposed Massage Establishment use will be subject to regular inspections.

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

   The proposed use fails to meet Minimum Special Use Requirements as listed in Title 19.04 for a Massage Establishment use, as evidenced by the requested Waivers.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 268

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-38195** APN: 162-05-801-011

Name of Property Owner: La Jolla Plaza II LLC

Name of Applicant: Steven Kozmary

Name of Representative: _____

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Steven Kozmary

Subscribed and sworn before me

This 30th day of April, 2010

_____

Notary Public in and for said County and State

T.J. THERIAULT
Notary Public, State of Nevada
Appointment No. 04-90093-1
My Appt. Expires Dec 1, 2012

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Parking Variance

Project Address (Location) 2851 El Camino Avenue #200, Las Vegas NV 89102

Project Name Kozmary Center for Pain Management **Proposed Use** Massage - Medical

Assessor's Parcel #(s) 162-05-801-011 **Ward #** _____

General Plan: existing S-C proposed _____ **Zoning:** existing C-1 proposed N/A

Commercial Square Footage 8,860 **Floor Area Ratio** _____

Gross Acres 0.47 **Lots/Units** 1 **Density** _____

Additional Information _____

PROPERTY OWNER La Jolla Plaza II LLC **Contact** Steven Kozmary

Address 2851 El Camino Avenue **Phone:** (702) 567-4810 **Fax:** (702) 380-3212

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

E-mail Address md@kozmary.com

APPLICANT Steven Kozmary MD **Contact** Steven Kozmary

Address 2851 El Camino Avenue **Phone:** (702) 567-4810 **Fax:** (702) 380-3212

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

E-mail Address md@kozmary.com

REPRESENTATIVE _____ **Contact** _____

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

City _____ **State** NV **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 Steven Kozmary

Subscribed and sworn before me

This 30th day of April, 20 10.

_____

Notary Public in and for said County and State

T.J. THERIAULT
Notary Public, State of Nevada
Appointment No. 04-90093-1
My Appt. Expires Dec 1, 2012

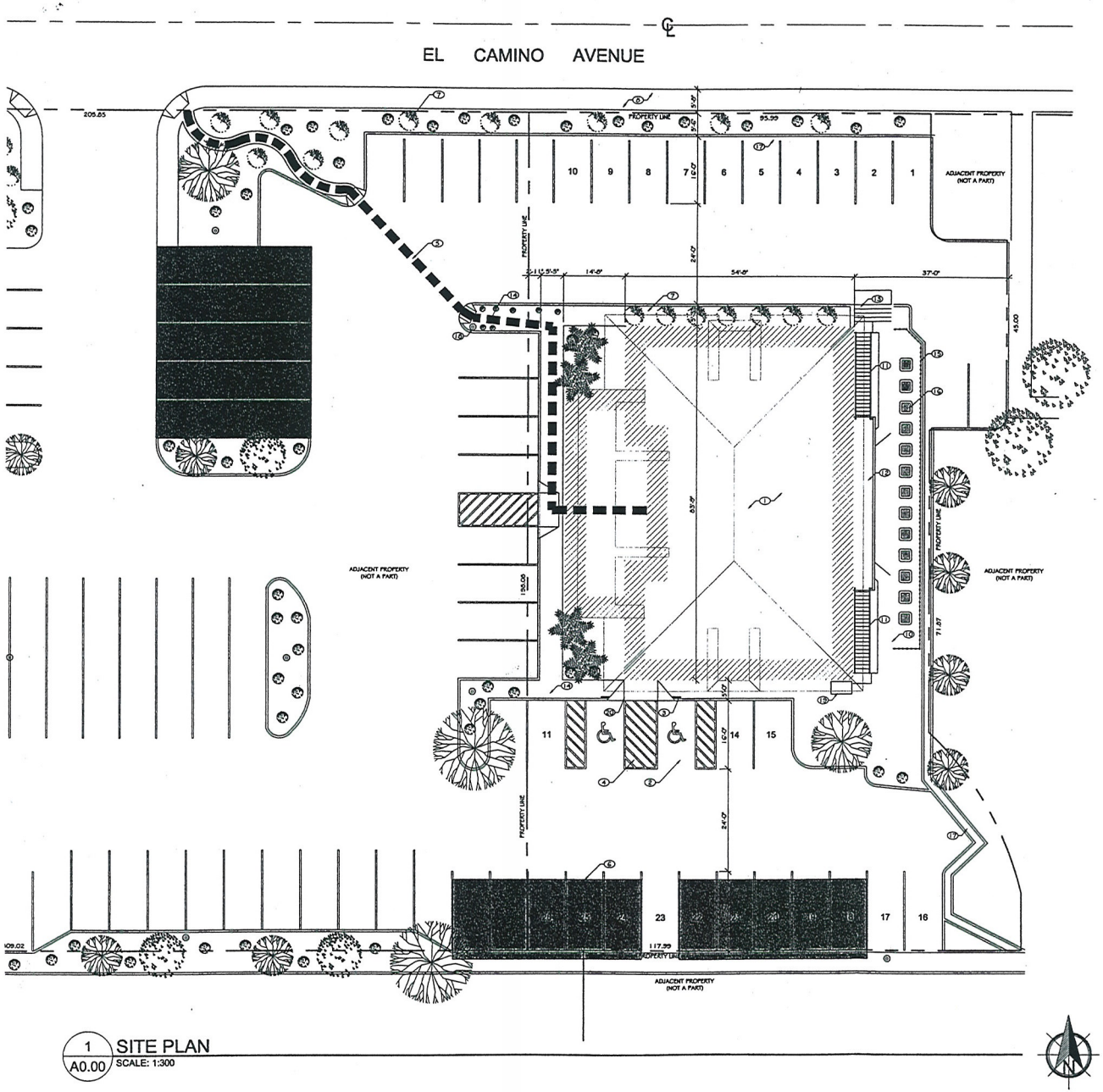
Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	VAR-38195
Meeting Date:	6/2/2010
Total Fee:	$1830.00
Date Received:*	5/5/10
Received By:	M ROX

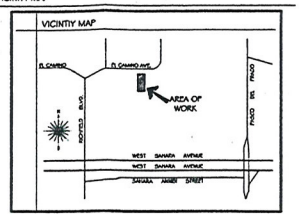
*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

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



1 SITE PLAN
A0.00 SCALE: 1:300

VICINITY MAP



BUILDING CODE DATA

BUILDING OCCUPANCY:	B - OFFICE / OTHER THAN LISTED	
ASSESSORS PARCEL #:	162-05-801-011	
JURISDICTION:	CITY OF LAS VEGAS	
ZONING:	C-1	
LOT ACREAGE:	0.47 ACRES	
BUILDING SQUARE FOOTAGE:	1ST FLOOR:	4,004 SF
	2ND FLOOR:	4,430 SF
TOTAL:		8,001 SF
LOT COVERAGE:	39%	

PARKING CALCULATIONS (PER TITLE 19.04-TABLE 19.10)

OCCUPANCY BREAKDOWN:		
MEDICAL OFFICE:	1:200 = 2,000 SF / 1:175 THERE AFTER	
CLINICAL OFFICE:	1:200 = 2,000 SF / 1:175 THERE AFTER	
MASSAGE ROOM:	2 SPACES PER MASSAGE ROOM	
TOTAL LIVABLE SQUARE FOOTAGE PER ROOM:		
MEDICAL OFFICE (1ST FLR):	4,004 SF =	21 SPACES
CLINICAL OFFICE (2ND FLR):	3,524 SF =	16 SPACES
MASSAGE ROOM (2ND FLR):	3 ROOMS (473 SF)=	6 SPACES
TOTAL PARKING REQUIRED:		
	STANDARD:	41 SPACES
	HANDICAP:	02 SPACES
	TOTAL:	43 SPACES
TOTAL PARKING PROVIDED:		
	STANDARD:	24 SPACES
	HANDICAP:	02 SPACES
	TOTAL:	26 SPACES

KEYNOTES	
1	EXISTING TWO-STORY OFFICE
2	PROPOSED HANDICAP PARKING STALL
3	PROPOSED HANDICAP PARKING SIGN
4	PROPOSED HANDICAP STRIPPING
5	EXISTING ACCESS PATH OF TRAVEL TO PUBLIC WAY
6	EXISTING OVERHEAD PARKING CANOPY
7	EXISTING LANDSCAPE
8	EXISTING SIDEWALK
9	EXISTING STANDARD PARKING
10	EXISTING CMU WALL
11	EXISTING EXTERIOR STAIR CASE
12	EXISTING WALKWAY ON SECOND FLOOR
13	EXISTING CONCRETE STEPS
14	EXISTING WALKWAY
15	EXISTING WROGHT IRON FENCE
16	EXISTING AIR CONDITION UNIT
17	EXISTING GUTTER
18	EXISTING LIGHT POLE
19	EXISTING ELECTRICAL PANEL
20	PROPOSED ADA ACCESSIBLE RAMP

DESIGNER:
STREAMLINE CONCEPT
Streamline Concepts
Design Solutions
8011 Maple Park Street
Las Vegas, NV 89131
PHN: 702-416-0715
FAX: 702-522-0652
EMAIL: info@slcdsd.com

PREPRARED FOR:
Kozmary Center for Pain Management
Experience • Compassion • Results

PROJECT: KOZMARY CENTER FOR PAIN MANAGEMENT
2851 EL CAMINO AVENUE SUITE 101
LAS VEGAS, NEVADA 89102
PHONE:702-380-3210

SHEET TITLE: SITE PLAN

DELTA	REVISION	DATE

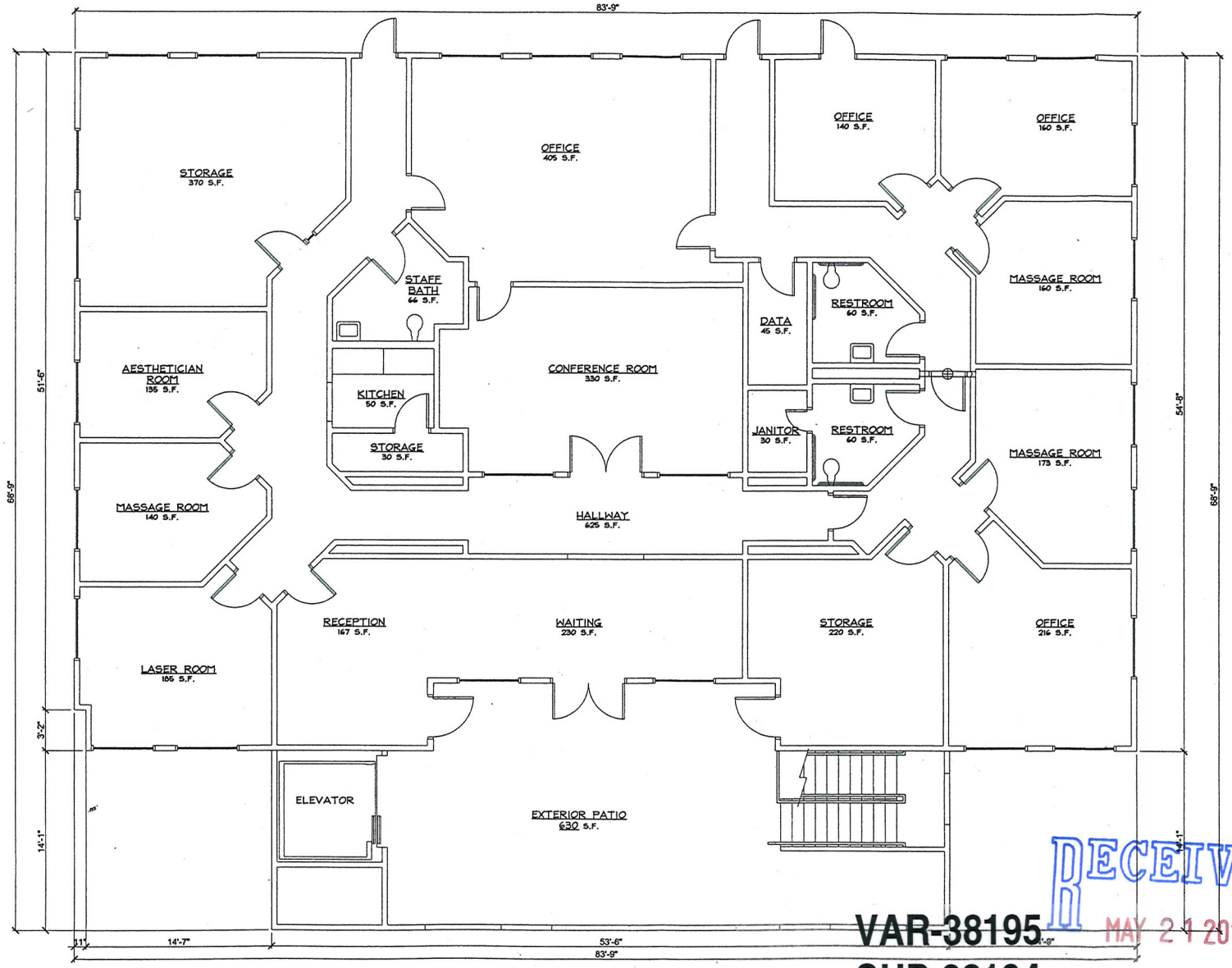
SHEET INFORMATION:

PROJECT NUMBER:	10-004
DRAWN BY:	DYLAN YORKE
LAST MODIFIED:	MARCH 16, 2010
SCALE:	1:300

SHEET NUMBER:
A0.00

VAR-38195
SUP-38194
REVISED

RECEIVED
MAY 21 2010



1 A1.01 SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

VAR-38195
SUP-38194
REVISED

RECEIVED
MAY 21 2010

DESIGNER:

STREAMLINE CONCEPT
Streamline Concepts
Design Solutions
8011 Maple Park Street
Las Vegas, NV 89131
PHN: 702-416-0795
FAX: 702-522-0652
EMAIL: info@slcdad.com

PREPRARED FOR:

Kozmary Center for Pain Management
Experience • Compassion • Results

PROJECT:
KOZMARY CENTER FOR PAIN MANAGEMENT
2851 EL CAMINO AVENUE SUITE 101
LAS VEGAS, NEVADA 89102
PHONE: 702-380-3210

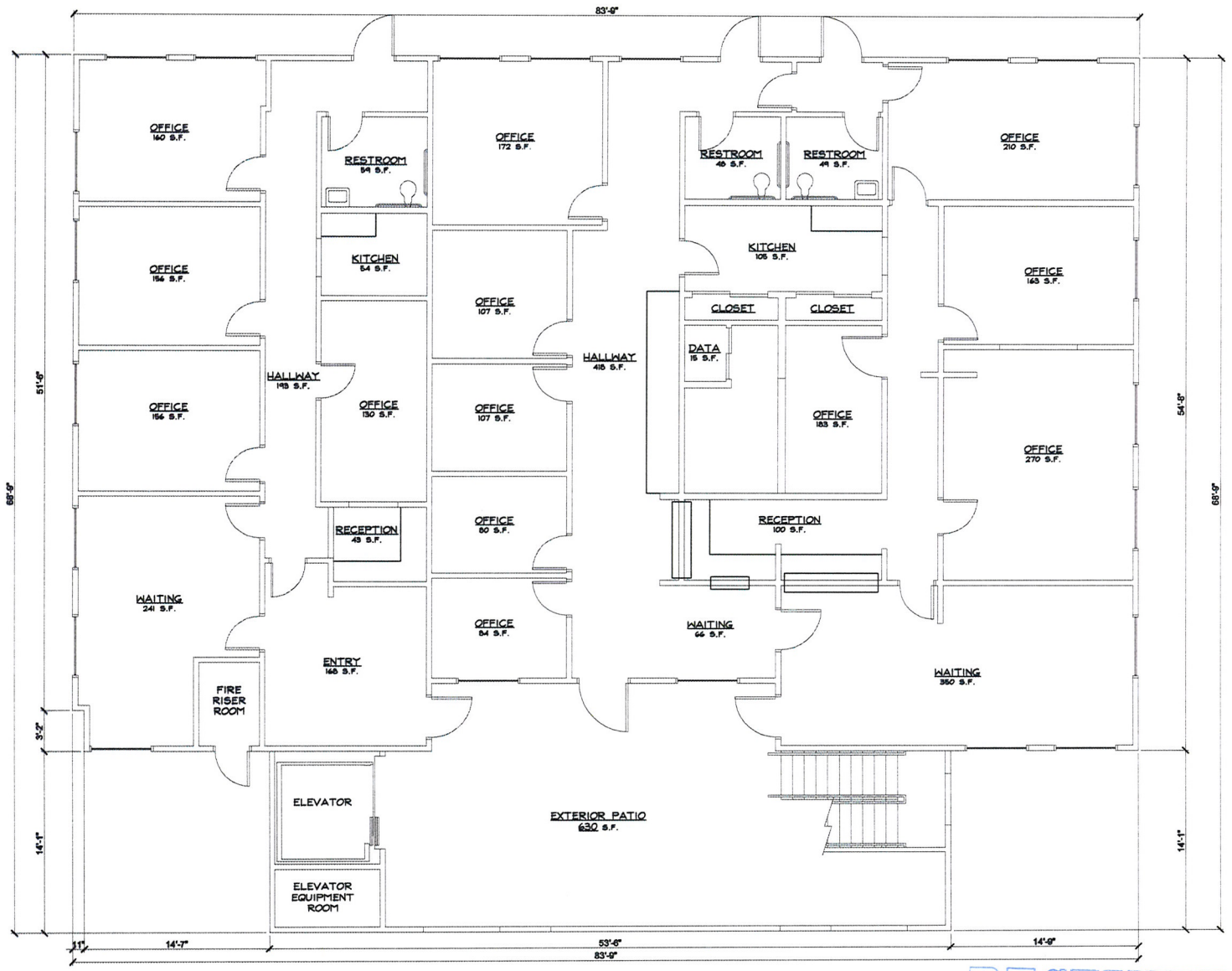
SHEET TITLE:
SECOND FLOOR PLAN

DELTA	REVISION	DATE

SHEET INFORMATION:

PROJECT NUMBER:	10-004
DRAWN BY:	DYLAN YORKE
LAST MODIFIED:	MARCH 16, 2010
SCALE:	1/8" = 1'-0"

SHEET NUMBER:
A1.01



1 / A1.00 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

DESIGNER:

Streamline Concepts
Design Solutions
8011 Maple Park Street
Las Vegas, NV 89131
PHN: 702-416-0748
FAX: 702-522-0462
EMAIL: info@slcdsd.com

PREPRARED FOR:

Kozmary Center for Pain Management
Experience • Compassion • Results

PROJECT:
KOZMARY CENTER FOR PAIN MANAGEMENT
2851 EL CAMINO AVENUE SUITE 101
LAS VEGAS, NEVADA 89102
PHONE:702-380-3210

SHEET TITLE:
FIRST FLOOR PLAN

DELTA	REVISION	DATE

SHEET INFORMATION:

PROJECT NUMBER:	10-004
DRAWN BY:	DYLAN YORKE
LAST MODIFIED:	MARCH 16, 2010
SCALE:	1/8" = 1'-0"

SHEET NUMBER:
A1.00

RECEIVED
MAY 05

VAR-38195
SUP-38194



VAR-38195 & SUP-38194 – APPLICANT: STEVE KOZMARY, M.D. – OWNER: LAJOLLA PLAZA II, LLC
2851 EL CAMINO AVENUE

05/20/10



VAR-38195 & SUP-38194 – APPLICANT: STEVE KOZMARY, M.D. – OWNER: LAJOLLA PLAZA II, LLC
2851 EL CAMINO AVENUE

05/20/10

Kozmary Center
for Pain Management
Experience • Compassion • Results

Steven V. Kozmary, MD-
Board-Certified: American Board of Anesthesiology, Subspecialty Certification in Pain Management, American Academy of Pain Management

Compassionate, leading-edge care:
- Advanced diagnosis & treatment for spinal injuries
- Back & neck pain
- Hip, knee & shoulder pain
- Disc injuries
- Sports injuries
- Work-related injuries
- Cancer pain
- Headaches & migraines
- Diabetes-related pain
- Chronic pain
- Painful neuropathies
- Postsurgical pain
- Multiple sclerosis-related pain
- Arthritis & rheumatoid arthritis
- Age-related disorders
- Personal injury/motor vehicle accident
- Fibromyalgia

Advanced treatments & technology:
- Diagnostic & therapeutic spinal injection therapy
- Radiofrequency nerve lesioning
- Spinal infusion pumps
- TENS therapy
- Trigger-point injections
- Epidural injections
- Spinal cord stimulators

The convenience you deserve:
- Thorough, unhurried evaluations
- Flexible appointments
- Caring, helpful staff
- Timely progress reports to referring physicians
- Most insurances accepted

Las Vegas:2851 El Camino Ave.
Suite 101
Las Vegas, NV 89102

Henderson: Del Webb Building
10001 S. Eastern Avenue
Suite 208
Henderson, NV 89052

866.536.6401
702.380.3210
Fax: 702.380.3212
Visit www.Kozmary.com

March 22, 2010

Planning and Development Department
City of Las Vegas

RE: APN 162-05-801-011

To Whom It May Concern:

We are applying for a massage therapy license to enable us to use multiple rooms for massage therapy. Hours of operation are Monday thru Friday 8:00am to 6:00pm. The use of massage therapy is limited to our medical patients. There is no outside advertising for massage therapy and there is no signage on the building regarding massage therapy. In fact, the only signage relates to Kozmary Center. The patients for massage therapy are all patients of the Kozmary Center for Pain Management and the massage therapy is used on a medical basis to reduce muscle spasm and promote healing of painful areas as part of a medical regimen prescribed by Dr. Kozmary. Typically patients are seen for their monthly or bimonthly appointments and at the same visit are seen for massage therapy. Because of this arrangement, I do not believe that the parking is an issue with the current spaces that we have allotted for our patients at the 2851 El Camino Avenue location.

For any questions you may have regarding this matter, please feel free to contact me.

Sincerely,

STEVEN V. KOZMARY, M.D.
Director, Kozmary Center for Pain Management

SVK/ljh
job #: 0115-3222010
DOT: 03/23/10

VAR-38195
SUP-38194
REVISED

RECEIVED
MAY 21 2010

City of Las Vegas Agenda Item No.: **24.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

SUBJECT:
SUP-38194 - SPECIAL USE PERMIT RELATED TO VAR-38195 - PUBLIC HEARING - APPLICANT: STEVEN KOZMARY, M.D. - OWNER: LA JOLLA PLAZA II, LLC - Request for a Special Use Permit FOR A PROPOSED 473 SQUARE-FOOT MASSAGE ESTABLISHMENT WITH WAIVERS TO ALLOW A 60-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL ZONE WHERE 400 FEET IS THE MINIMUM REQUIRED, A 362-FOOT DISTANCE SEPARATION FROM AN EXISTING MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS THE MINIMUM REQUIRED AND FOR ACCESS TO THE SITE FROM A 60-FOOT RIGHT-OF-WAY WHERE AN 80-FOOT WIDE RIGHT-OF-WAY IS THE MINIMUM REQUIRED at 2851 El Camino Avenue (APN 162-05-801-011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

C.C.: 07/21/2010

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

RECOMMENDATION:
Staff recommends 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: SUP-38194 APN: 162-05-801-011

Name of Property Owner: La Jolla Plaza II LLC

Name of Applicant: Steven Kozmary

Name of Representative: _____

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: STEVEN KOZMARY

Subscribed and sworn before me

This 30th day of April, 2010

_____

Notary Public in and for said County and State

T.J. THERIAULT
Notary Public, State of Nevada
Appointment No. 04-90093-1
My Appt. Expires Dec 1, 2012

Revised 11-14-06

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

RECEIVED
MAY 05 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit - Massage Establishment

Project Address (Location) 2851 El Camino Avenue #200, Las Vegas NV 89102

Project Name Kozmary Center for Pain Management **Proposed Use** Massage - Medical

Assessor's Parcel #(s) 162-05-801-011 **Ward #** _____

General Plan: existing S-C proposed _____ **Zoning:** existing C-1 proposed N/A

Commercial Square Footage 8,860 **Floor Area Ratio** _____

Gross Acres 0.47 **Lots/Units** 1 **Density** _____

Additional Information _____

PROPERTY OWNER La Jolla Plaza II LLC **Contact** Steven Kozmary

Address 2851 El Camino Avenue **Phone:** (702) 567-4810 **Fax:** (702) 380-3212

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

E-mail Address md@kozmary.com

APPLICANT Steven Kozmary MD **Contact** Steven Kozmary

Address 2851 El Camino Avenue **Phone:** (702) 567-4810 **Fax:** (702) 380-3212

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

E-mail Address md@kozmary.com

REPRESENTATIVE _____ **Contact** _____

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

City _____ **State** NV **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 Steven Kozmary

Subscribed and sworn before me

This 30th day of April, 20 10.

_____

Notary Public in and for said County and State

T.J. THERIAULT
Notary Public, State of Nevada
Appointment No. 04-90093-1
My Appt. Expires Dec 1, 2012

FOR DEPARTMENT USE ONLY

Case #	SUP-38194
Meeting Date:	6/24/10
Total Fee:	1030.00
Date Received:*	5/5/10
Received By:	MREX

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

Revised 10/27/08

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

City of Las Vegas Agenda Item No.: **25.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

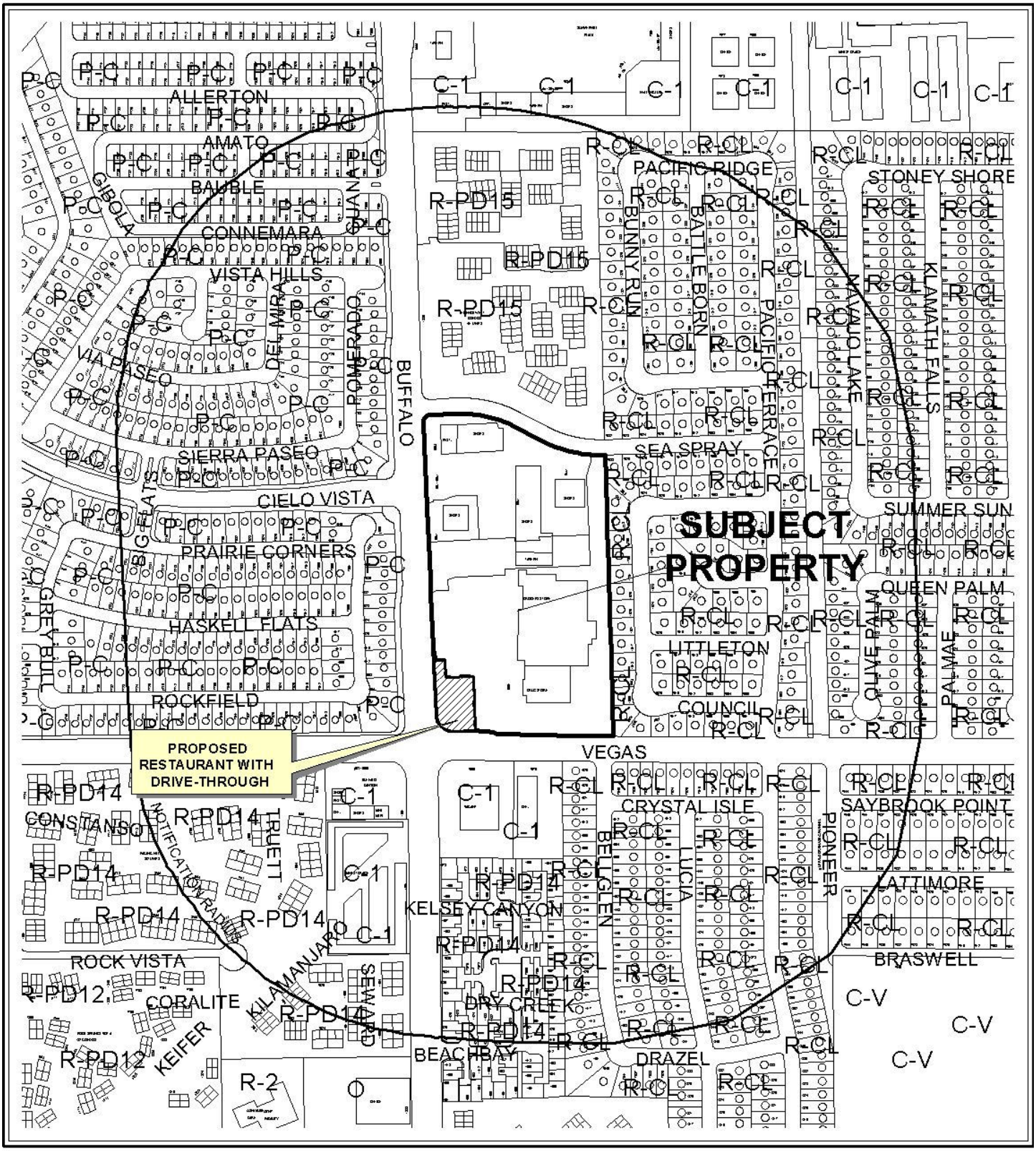
SUBJECT:
VAR-38114 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SEA BREEZE VILLAGE II, LLC - Request for a Variance TO ALLOW A NINE-FOOT TALL MENU BOARD WHERE SEVEN FEET IS THE MAXIMUM HEIGHT ALLOWED AND TO ALLOW AN INCIDENTAL SIGN (CLEARANCE ARM) THAT IS 13 FEET TALL, 27 SQUARE FEET IN AREA AND CONTAINS A LOGO MAKING UP 67 PERCENT OF THE SIGN AREA WHERE SEVEN FEET IN HEIGHT, 12 SQUARE FEET IN AREA AND 50 PERCENT LOGO COVERAGE ARE ALLOWED on 0.52 acres at the northeast corner of Buffalo Drive and Vegas Drive (APN 138-22-418-011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

C.C.: 07/21/2010

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - VAR-38114 and MSP-38116
2. Conditions and Staff Report - VAR-38114 and MSP-38116
3. Supporting Documentation
4. Photos - VAR-38114 and MSP-38116
5. Justification Letter



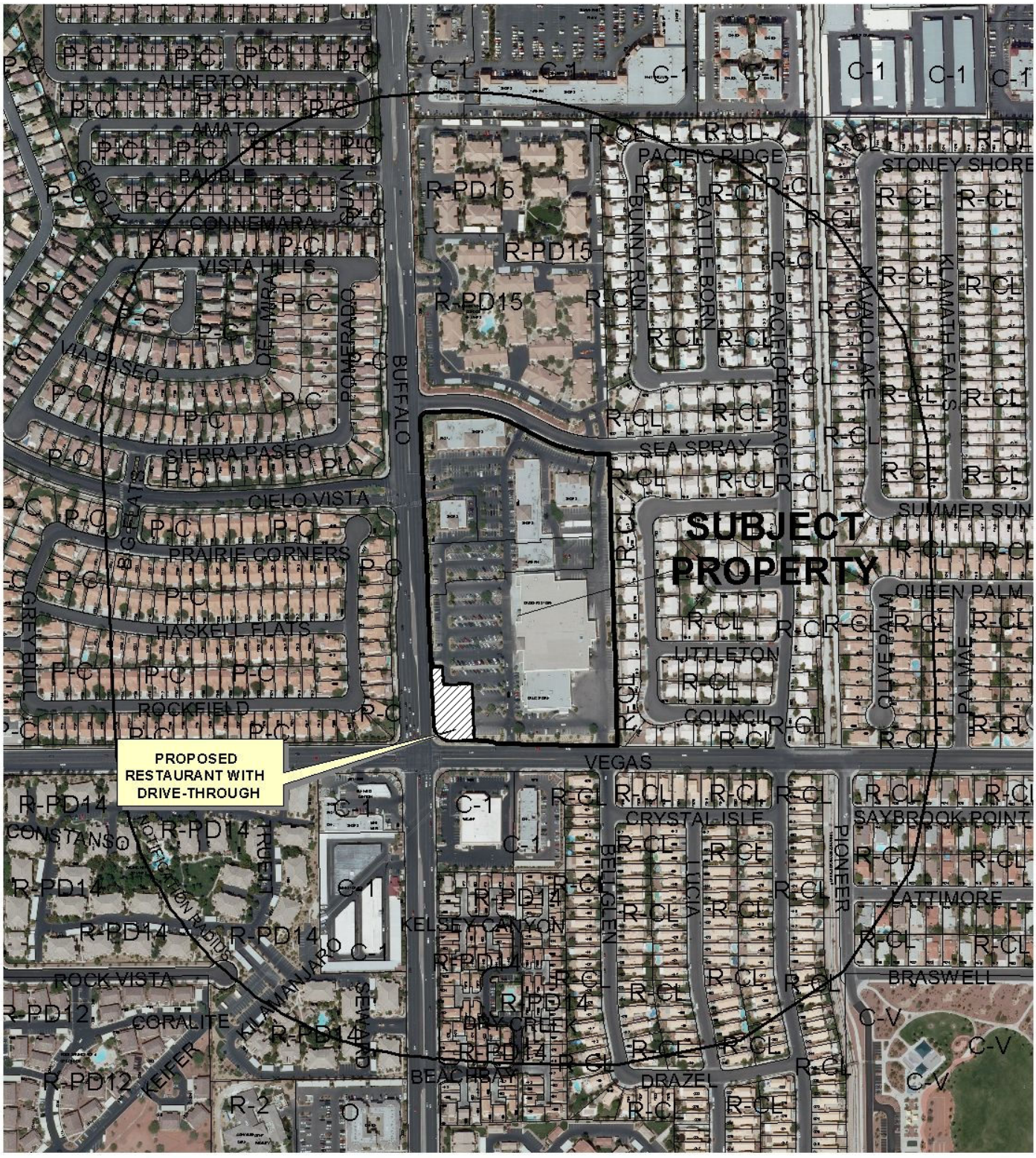
CASE: **VAR-38114 AND MSP-38116**

RADIUS: 1000 FT

0 300 600 Feet

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

N



CASE: **VAR-38114 AND MSP-38116**

RADIUS: 1000 FT

0 300 600 Feet

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: SEA BREEZE VILLAGE II, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-38114	Staff recommends DENIAL, if approved subject to conditions:	
MSP-38116	Staff recommends DENIAL, if approved subject to conditions:	VAR-38114

** CONDITIONS **

VAR-38114 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Master Sign Plan (MSP-38116) shall be required.

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

3. 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.

MSP-38116 CONDITIONS

Planning and Development

1. Conformance to the conditions of approval for Master Sign Plans MSP-0006-02 and MSP-2619, except as amended herein.

2. Conformance to the sign elevations and documentation as submitted in conjunction with this request, date stamped 04/27/10, except as amended by conditions herein.

3. All signage shall have proper permits obtained through the Building and Safety Department.

4. Any future amendments to the approved signage within the Master Sign Plan in conformance with Title 19 standards may be reviewed and approved administratively by the Planning and Development Department.

Public Works

5. The proposed signs shall not be located within the public right-of–way or interfere with Site Visibility Restriction Zones. The proposed ground mounted bases shall not be located within existing or proposed public sewer or drainage easements.

** STAFF REPORT **

PROJECT DESCRIPTION

A shopping center is located on the subject site, which is located at the northeast corner of Buffalo Drive and Vegas Drive. An approved restaurant with drive-through is currently under construction at the southwest corner of this shopping center. This request would amend the previously approved Master Sign Plan (MSP-0006-02) for the shopping center to permit signage for the restaurant with drive-through. Eleven outdoor signs are proposed, including a monument sign along Buffalo Drive, four wall signs, two standard directional signs, a clearance arm directional sign to restrict the height of vehicles passing through the drive-through, a menu board, order confirmation pedestal and an LED border around the upper portion of the building façade. Signage is in compliance with Title 19.14 sign standards with the exception of the menu board, which exceeds the allowed height for menu board signs, and the clearance arm, which exceeds the allowed height, area and logo coverage for directional signs. As there is no hardship associated with the physical characteristics of the site that would warrant the requested deviations from Title 19, staff recommends denial of the Variance and the amendment to the existing Master Sign Plan. If denied, the existing Master Sign Plan would remain and approval of a new amendment would be necessary to allow signage on the restaurant with drive-through and its surrounding property.

ISSUES

- Approval of a Variance to allow a height of nine feet for the menu board where seven feet is the maximum height allowed and to allow a directional incidental sign that is 13 feet tall, 27 square feet in area and contains a logo making up 67 percent of the sign area where seven feet in height, 12 square feet in area and 50 percent logo coverage are allowed is required for approval of the master sign plan amendment.
- The subject property is located within 200 feet of single family residences; therefore, Title 19.14.070 residential protection standards apply.
- If the menu board and clearance arm signage were to be reduced to meet the standards of Title 19.14, staff would recommend approval of the Master Sign Plan.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
11/07/90	The City Council approved a Rezoning (Z-0097-90) from N-U (Non-Urban) to R-CL (Single Family Compact-Lot), R-PD15 (Residential Planned Development – 15 Units per Acre) and C-1 (Limited Commercial) on property located on the east side of Buffalo Drive between Vegas Drive and Lake Mead Boulevard. The Planning Commission recommended approval; staff recommended denial.
03/09/98	The City Council approved a Site Development Plan Review [Z-0097-90(5)] for a proposed 142,352 square-foot Retail Center and a Special Use Permit (U-0138-97) to allow Packaged Liquor sales in conjunction with a proposed 17,157 square-foot General Retail Store on property located on the northeast corner of Vegas Drive and Buffalo Drive. The Planning Commission and staff recommended approval.
03/23/98	The City Council approved a Special Use Permit (U-0012-98) for the sale of Packaged Liquor for off-premise consumption in conjunction with a proposed 61,860 square-foot Grocery Store located at the northeast corner of Vegas Drive and Buffalo Drive. The Planning Commission and staff recommended approval.
06/14/99	The City Council accepted the withdrawal without prejudice of a Special Use Permit (U-0053-99) to allow gasoline sales, an Automotive Repair Garage, Minor with a Waiver to allow service bays facing the public right-of-way, and a car wash in conjunction with a proposed Convenience Store and a Special Use Permit (U-0054-99) for the Off-Premise Sale of Beer and Wine in conjunction with a proposed 3,200 square-foot convenience Store on property located on the southeast corner of Buffalo Drive and Sea Spray Avenue. The Planning Commission and staff had recommended denial.
05/30/00	The Planning and Development Department administratively approved a Site Development Plan Review [Z-0097-90(6)] for a proposed Garden Supply/Plant Nursery in conjunction with a proposed Grocery Store on the northeast corner of the intersection of Buffalo Drive and Vegas Drive.
07/05/00	The City Council approved a request for a Reinstatement and Extension of Time [U-0012-98(2)] of an approved Special Use Permit for the Off-Premise sale of package liquor in conjunction with a proposed Grocery Store on the northeast corner of the intersection of Buffalo Drive and Vegas Drive. The Planning Commission and staff recommended approval of this request.
06/06/01	The Planning and Development Department administratively approved a Site Development Plan Review [Z-0097-90(7)] to modify the approved retail commercial center by reducing the square footage from 142,352 square feet to 130,643 square feet.

08/15/01	The City Council approved a Site Development Plan Review [Z-0097-90(8)] for a proposed Fueling Station and a Special Use Permit (U-0094-01) for a Service Station in conjunction with a proposed Fueling Station on the northeast corner of Vegas Drive and Buffalo Drive. The Planning Commission and staff recommended approval of these requests.
10/16/02	The City Council approved a Master Sign Plan (MSP-0006-02) for the development. The Planning Commission and staff recommended approval.
01/22/03	The City Council approved a Variance (V-0054-02) to allow 652 parking spaces where 729 parking spaces are required on property located adjacent to the northeast corner of Buffalo Drive and Vegas Drive. The Planning Commission recommended approval of this request; staff recommended denial.
09/17/03	The City Council approved a request for a Major Amendment (MSP-2619) of an approved Master Sign Plan (MSP-0006-02) for an existing retail/office complex at the northeast corner of Buffalo Drive and Vegas Drive. The amendment allowed one additional 20-foot freestanding sign along the Buffalo Drive frontage. The Planning Commission and staff recommended approval.
01/21/04	The City Council approved a Required Review (RQR-3543) of an approved Variance (V-0054-02) to allow 652 parking spaces where 729 spaces are required on property located adjacent to the northeast corner of Buffalo Drive and Vegas Drive. Staff recommended approval of this request.
02/08/07	The Planning Commission approved a request for a Site Development Plan Review (SDR-15357) for a 5,000 square-foot bank on the northeast corner of Vegas Drive and Buffalo Drive. Staff recommended denial of this request.
04/23/09	The Planning Commission approved a request for a Site Development Plan Review (SDR-33756) for a 2,783 square-foot restaurant with drive-through at the northeast corner of Buffalo Drive and Vegas Drive. Staff recommended approval.

Most Recent Change of Ownership	
07/05/06	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/05/10	A building permit (141471) was issued for a restaurant at 7598 Vegas Drive. A final inspection has not yet been completed.
01/05/10	A building permit (141472) was issued for on-site improvements at 7598 Vegas Drive. A final inspection has not yet been completed.
01/05/10	A building permit (141473) was issued for a trash enclosure at 7598 Vegas Drive. A final inspection has not yet been completed.

02/10/10	A building permit (156412) was issued for three 35 square-foot wall signs, one 72 square-foot wall sign; one menu board sign and two incidental directional signs at 7598 Vegas Drive. A final inspection has not yet been completed.
03/19/10	A building permit application (159038) for a 30-foot tall freestanding sign was submitted to the Building and Safety Department for review. The Planning and Development Department denied its review, requiring prior approval of an amendment to the existing master sign plan for the shopping center.

Pre-Application Meeting	
03/26/10	A pre-application meeting was conducted, where the following topics were discussed: • A variance will be required to allow the proposed height and logo coverage of the clearance arm. It was later determined that the proposed height of the menu board also exceeded code allowances and a variance would be required. • An amended Master Sign Plan for the shopping center would be required for all proposed signage for the restaurant with drive-through. • A permit has already been issued for the wall signs, two of the directional signs and the menu board; however, the final inspection cannot be approved until a variance and amended master sign plan are approved.

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

Field Check	
05/20/10	A field inspection was conducted, where the following items were noted: • The restaurant building appeared to be completed and the wall signage was attached to the building, including the "Star Logo"; • The menu board and order confirmation kiosk were installed; • No clearance arm was located in the drive-through lane; • The parking and drive-through areas had not been completed.

Details of Application Request	
Site Area	
Net Acres	0.52 of a total 13.41 acres

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Shopping Center (Restaurant with Drive Through)	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Grocery Store	SC (Service Commercial)	C-1 (Limited Commercial)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Single Family Dwelling, Detached	SF3 (Single Family Residential – 10 Units per Acre) Summerlin North Designation	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			
A-O (Airport Overlay) District (200 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, the following standards apply:

Menu Board	**Allowed**	**Provided**	**Compliance**
Maximum Number	Two signs per drive-through lane if visible from ROW	One menu board 1 total	Y
Maximum Area	60 SF freestanding	40 SF freestanding	Y
Maximum Height	7 feet	8.26 feet (18% deviation)	N
Minimum Setback	5 feet	50 feet	Y
Illumination	External/Internal	Internal	Y
Other	Only the word "Menu" to be legible from ROW	Does not face ROW	Y

Incidental Signs (Non-directional)	**Allowed**	**Provided**	**Compliance**
Maximum Number	No limit	One order confirmation pedestal	Y
Maximum Area	No limit	7.26 SF	Y
Maximum Height	5 feet	4.58 feet	Y
Minimum Setback	5 feet	56 feet	Y
Illumination	External/Internal	Internal	Y
Other	Up to 25% of sign area may contain logo	Less than 25%	Y
Incidental Signs (Directional)	**Allowed**	**Provided**	**Compliance**
Maximum Number	Two signs per driveway or access 4 total	One sign per driveway; one drive-through clearance arm 3 total	Y
Maximum Area per sign	12 SF	27 SF (125% deviation)	N
Maximum Height per sign	7 feet	12.5 feet (79% deviation)	N
Minimum Setback	5 feet	29 feet	Y
Illumination	Internal only	Internal	Y
Other	Up to 50% of sign area may contain logo	67% (34% deviation)	N
Monument Signs	**Allowed**	**Provided**	**Compliance**
Maximum Number	1/200 feet street frontage 1 total	One sign along Buffalo Dr. street frontage 1 total	Y
Maximum Area	75 SF/sign	16 SF	Y
Maximum Height	10 feet	7 feet	Y
Minimum Setback	5 feet	5 feet	Y
Illumination	Direct External/Internal	Internal	Y
Wall Signs	**Allowed**	**Provided**	**Compliance**
Maximum Number	Limited by area of elevation	1 sign per elevation 4 total	Y
Tube decoration	Limited by area of elevation	277 linear feet	Y
Maximum Area	20% of building elevation	Less than 20%	Y
Maximum Projection	4 Feet	8 Inches	Y
Illumination	Internal/External only	Internal	Y

ANALYSIS

The original Master Sign Plan (MSP-0006-02) for the shopping center was required in 2002 as a result of zoning standards requiring Master Sign Plans for non-residential development projects exceeding 2.5 acres. This amendment adds standards for signage for a new restaurant with drive-through at the southwest corner of the overall development. This restaurant was approved by Site Development Plan Review SDR-33756 and is currently under construction.

The proposed monument sign, wall signs on each building elevation, order confirmation board and the directional signs located at the entrance and exit to the drive-through lane are in compliance with Title 19.14 signage standards. A 277-foot narrow LED-lighted tube is proposed along the façades of the building near the roofline that meets the residential protection standards for illuminated signs in Title 19.14.070.

Two of the proposed signs are not in conformance with Title 19.14. The submitted plans indicate that the proposed menu board is to be approximately nine feet tall where seven feet is the maximum height allowed, a 29 percent deviation. The height measurement includes the supporting structure. At the entrance to the drive-through lane, a directional sign indicating the drive-through and restricting height clearance is proposed that exceeds height, area and logo coverage standards for directional incidental signs. The logo consists of the name and graphic of the restaurant. The proposed sign represents a 79 percent deviation in the height, a 125 percent deviation in area and a 34 percent deviation in the sign area that the logo may be allowed to cover.

Because these signs are not in conformance with Title 19 signage requirements and could be designed to meet these standards, staff recommends denial of the variance to allow the deviations and the accompanying amendment to the existing master sign plan for the shopping center that would add these signs for the restaurant. If the signs are brought into conformance with Title 19, staff would recommend approval of these items. Any future amendments to the approved signage within the Master Sign Plan in conformance with Title 19 standards may be reviewed and approved administratively by the Planning and Development Department.

FINDINGS (VAR-38114)

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 a menu board and an incidental sign that do not meet height, area and logo coverage standards of Title 19. Removal of the incidental sign and redesign of the menu board 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 15

NOTICES MAILED 1,242

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number. **VAR-38114** APN: 138-22-418-011

Name of Property Owner: SEA BREEZE VILLAGE II, LLC.

Name of Applicant: Visual Information Systems Co.

Name of Representative: Ed Blend

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: HASKEL INY

Subscribed and sworn before me

This 4 day of March, 20 10

Trina M Perales

Notary Public in and for said County and State

TRINA M. PERALES
Notary Public-State of Nevada
APPT. NO. 09-8929-1
My App. Expires December 12, 2012

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: VARIANCE

Project Address (Location) 7598 Vegas Dr.

Project Name Carl's Jr. **Proposed Use**

Assessor's Parcel #(s) 138-22-418-011 **Ward #** 4

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

Commercial Square Footage **Floor Area Ratio**

Gross Acres .52 **Lots/Units** 1 **Density**

Additional Information INCIDENTAL SIGNAGE TALLER THAN 5' AND LOGO GREATER THAN 25% OF SIGN AREA - CARL'S JR. CLEARANCE ARM

PROPERTY OWNER SEA BREEZE VILLAGE II, LLC **Contact** JENNIFER ROBERTS

Address 1770 N BUFFALO #101 **Phone:** 702.253.5151 **Fax:** 702.430.5307

City LAS VEGAS **State** NV **Zip** 89128

E-mail Address jr@greatac.com

APPLICANT Visual Information Systems Co. **Contact** Ed Blend

Address 13580 5th St. **Phone:** 909-591-4742 **Fax:**

City Chino **State** CA **Zip** 91710

E-mail Address

REPRESENTATIVE Ed Blend **Contact**

Address 13580 5th St. **Phone:** 909-287-7373 **Fax:**

City Chino **State** CA **Zip** 91710

E-mail Address eblend@nsmc.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 HASKEL INY

Subscribed and sworn before me

This 9 day of March, 20 10.

Trina M. Perales

Notary Public in and for said County and State

TRINA M. PERALES
Notary Public-State of Nevada
APPT. NO. 09-8929-1
My App. Expires December 12, 2012

FOR DEPARTMENT USE ONLY

Case #	VAR-38114
Meeting Date:	6/24/2010
Total Fee:	830.00
Date Received:*	4/27/2010
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

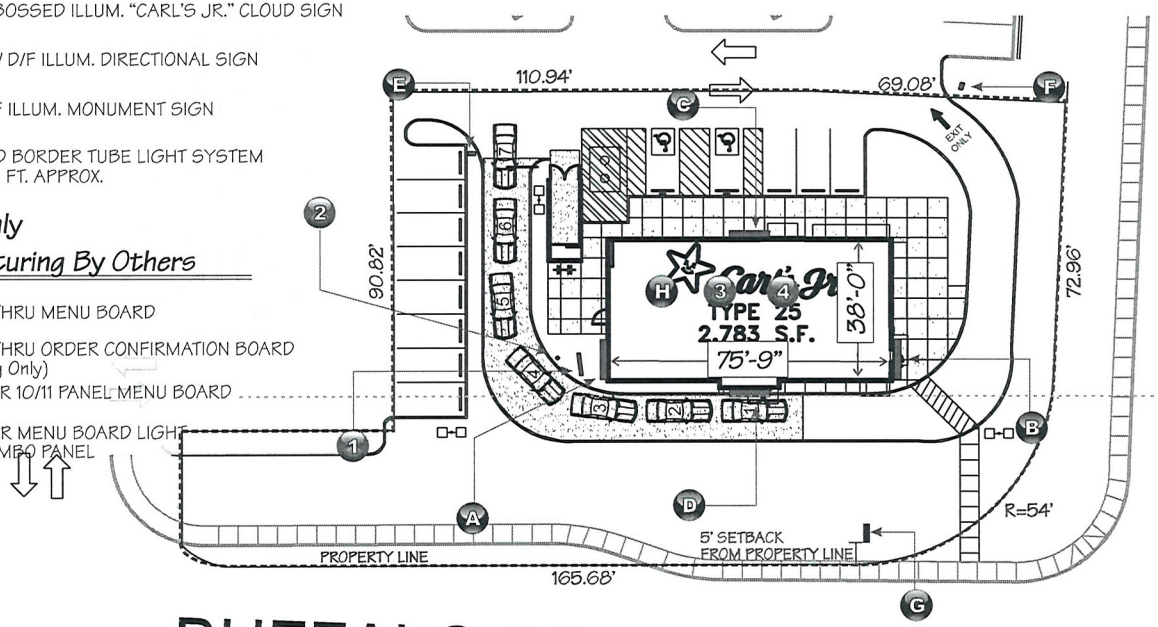
f:\depot\Application Packet\Application Form.pdf

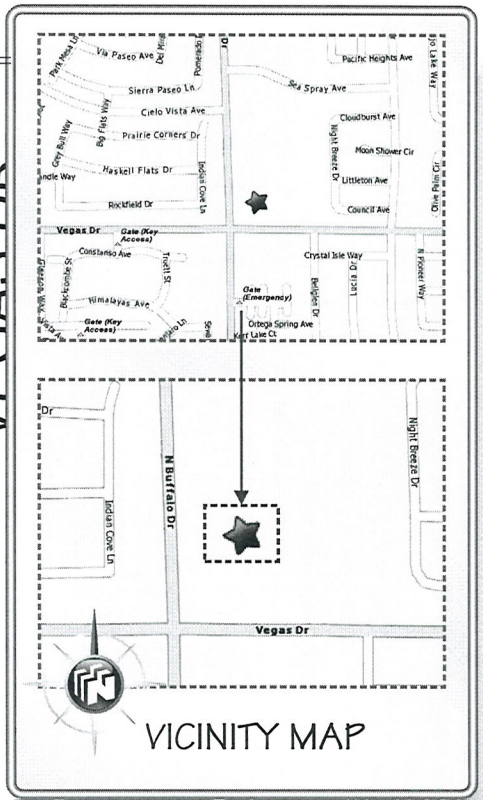
Scope of Work

- A B C — 42" EMBOSSED ILLUM. "CARL'S JR." CLOUD SIGN
- D — 60" EMBOSSED ILLUM. "CARL'S JR." CLOUD SIGN
- E F — NEW D/F ILLUM. DIRECTIONAL SIGN
- G — NEW D/F ILLUM. MONUMENT SIGN
- H — NEW LED BORDER TUBE LIGHT SYSTEM 277' LIN. FT. APPROX.

Install Only
Manufacturing By Others

1. DRIVE-THRU MENU BOARD
2. DRIVE-THRU ORDER CONFIRMATION BOARD (Footing Only)
3. INTERIOR 10/11 PANEL MENU BOARD
4. INTERIOR MENU BOARD LIGHT BOX COMBO PANEL





NOTE: ALL NEW SIGNAGE TO CONNECT TO CLIENT PROVIDED ELECTRICAL CIRCUITS

LOGO ARTWORK	SALESMAN TO PROVIDE ACTUAL COLOR INFORMATION PRIOR TO FABRICATION
YES ☐ NO ☑ WINDOWS READY VECTOR LINE DIGITAL ARTWORK OR RAW CAMERA READY ARTWORK WILL BE REQUIRED PRIOR TO FABRICATION	YES ☐ NO ☐

FIELD SURVEY REQUIRED FOR:

- ☑ COLOR MATCHING PURPOSES TO EXISTING BUILDING(S)/SIGNAGE etc.
- ☑ MATCHING STONE, BRICK or OTHER BUILDING MATERIALS TO EXISTING
- ☑ DETERMINE ACTUAL DIMENSIONS OF EXISTING SIGNAGE FOR REFACE BEFORE FABRICATION
- ☐ _____

12

SIGNAGE LOCATIONS:	CUSTOMER APPROVAL:	MISCELLANEOUS:
HAS CUSTOMER APPROVED SIGN LOCATION(S) FOR INSTALLATION? YES ☐ NO ☐	DRAWINGS YES ☑ NO ☐ COLORS YES ☑ NO ☐ TEXT YES ☑ NO ☐	DEPOSIT REQUIRED YES ☐ NO ☐ SIGNED CONTRACT YES ☐ NO ☐ ORDER LED UNIT YES ☐ NO ☐

CARL'S JR. - Las Vegas, CA. - Site Plan

SCALE: 1/32"=1'

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Tel 909.591.4742 Fax 909.591.9792
e-mail: sales@nsmc.com
NV Lic# 0071619 - Exp. 8/31/10
Class: C-6 Limit: $950,000.00

Project: Carl's Jr.
Address: 7598 Vegas Dr., Las Vegas, NV
Phone: _____ **Account Mgr.** S. Rosenbloom
Designer: S. Duffy **Scale:** Noted **Date:** 04/20/2010

Client Approval: _____ Date: _____

APPROVED & RELEASED FOR CONSTRUCTION Salesman _____ Date _____

Revisions:

Drawing Number 24359

VISCO ELECTRONIC SIGNS

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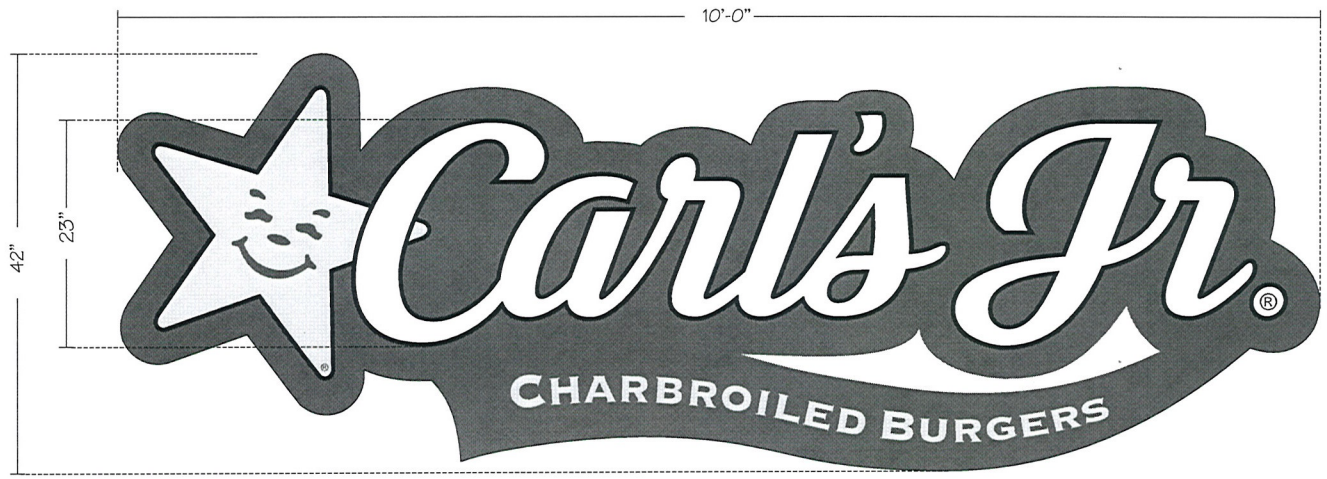
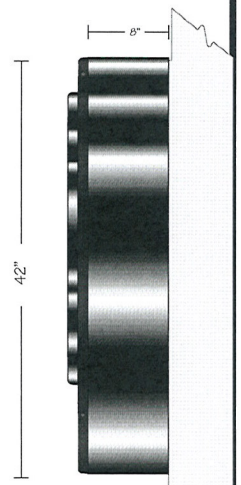
MSP-38116





END VIEW

A B C 42" EMBOSSED ILLUM. "CARL'S JR." CLOUD SIGN

35 Ø

Cloud Sign Specifications:

BODY:
S/F CUSTOM FABRICATED ALUMINUM CABINET CONSTRUCTED OF .040 WITH .063 ALUMINUM BACKS.

FACES:
CLEAR EMBOSSED PAN FORMED FACES WITH 1-1/2" RETURNS AND BACK SPRAYED PAINTED DECORATION. COLORS TO MATCH CORPORATE APPROVED COLORS.

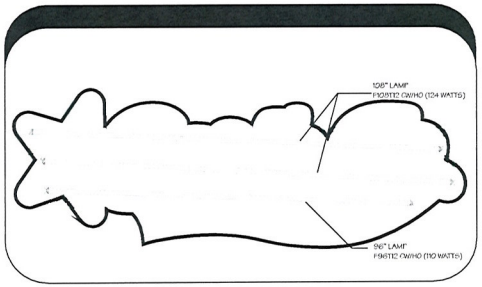
RETURNS:
PAINTED BLACK.

ILLUMINATION:
INTERNAL, H.O. FLUORESCENT LAMPS. 120 VOLTS - 1.5 AMPS

SWITCH:
U.L. APPROVED TOGGLE SWITCH.

ALL WIRING & COMPONENTS TO MEET U.L. STANDARDS

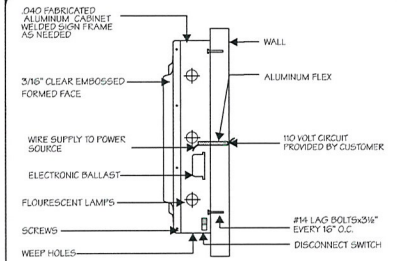
BLACK
RED VINYL 3M-3630-73
YELLOW VINYL 3M-3630-015



PERSPECTIVE VIEW



ILLUMINATED CLOUD SIGN



CABINET SECTION DETAIL (TYP.)

42" EMBOSSED ILLUM. CARL'S JR. CLOUD SIGN

SCALE: 1" = 1'-0"

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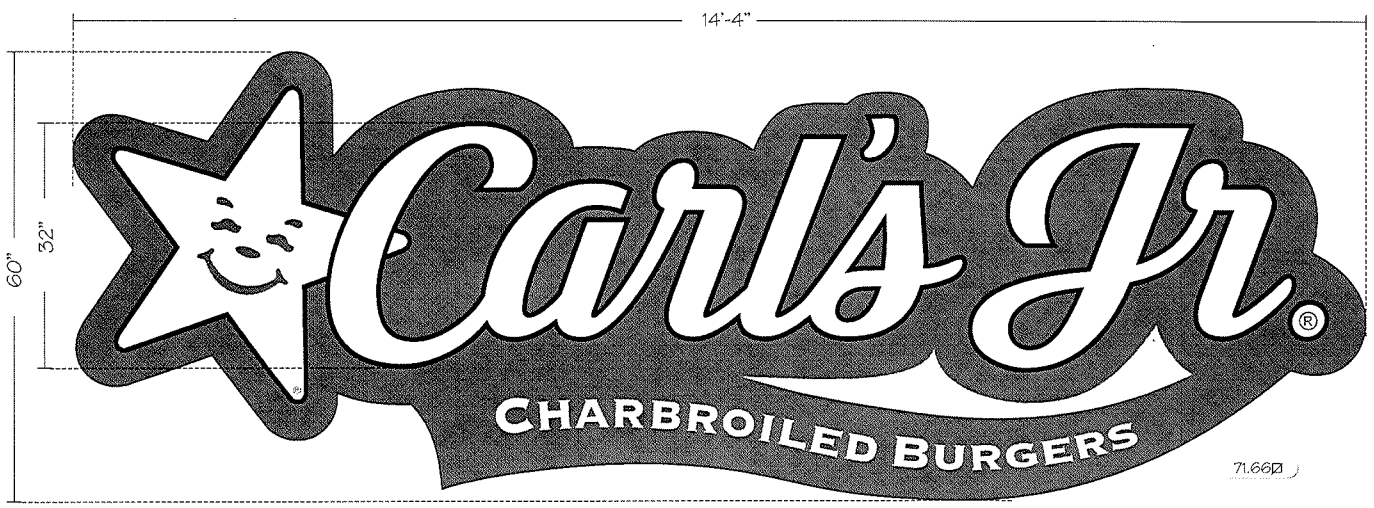
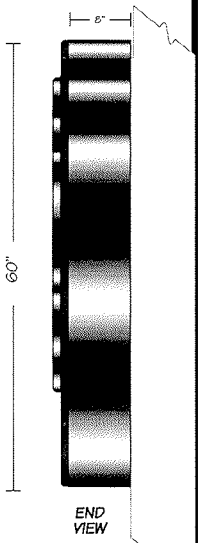




Ⓓ 60" EMBOSSED ILLUM. "CARL'S JR." CLOUD SIGN

Cloud Sign Specifications:

BODY:
S/F CUSTOM FABRICATED ALUMINUM CABINET CONSTRUCTED OF .040 WITH .063 ALUMINUM BACKS.

FACES:
CLEAR EMBOSSED PAN FORMED FACES WITH 1-1/2" RETURNS AND BACK SPRAYED PAINTED DECORATION. COLORS TO MATCH CORPORATE APPROVED COLORS.

RETURNS:
PAINTED BLACK.

ILLUMINATION:
INTERNAL, H.O. FLUORESCENT LAMPS. 120 VOLTS - 4.5 AMPS

SWITCH:
U.L. APPROVED TOGGLE SWITCH.

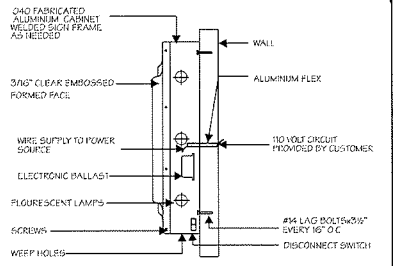
ALL WIRING & COMPONENTS TO MEET U.L. STANDARDS

BLACK
RED VINYL 3M-3630-73
YELLOW VINYL 3M-3630-015

PERSPECTIVE VIEW



ILLUMINATED CLOUD SIGN



CABINET SECTION DETAIL (TYP.)

60" EMBOSSED ILLUM. CARL'S JR. CLOUD SIGN

SCALE: ¾" = 1'-0"

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e-mail: sales@nsmc.com
NV Lic# 0071619 - Exp. 8/31/10
Class: C-6 Limit: $950,000.00

Project: Carl's Jr.
Address: 7598 Vegas Dr., Las Vegas, NV
Phone: _____ **Account Mgr.** S. Rosenbloom
Designer: S. Duffy **Scale:** Noted **Date:** 04/20/2010

Client Approval:
Date: _____

APPROVED & RELEASED FOR CONSTRUCTION
Salesman Date

Revisions:

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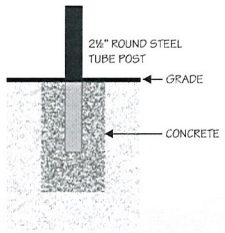

Specifications:

CABINETS:	FABRICATED ALUMINUM 9" DEEP, WITH 1½" RETAINERS AND RETURNS PAINTED BLACK.
FACES:	WHITE PLEX/LEXAN WITH FIRST SURFACE APPLIED CUT/REVERSE CUT TRANSLUCENT VINYL GRAPHICS AS ILLUSTRATED.
POST:	2½" ROUND STEEL TUBE POST PAINTED BLACK.
ILLUMINATION:	INTERNAL T12 CW/HO FLOURESCENT LAMPS. 120 VOLTS - 1.5 AMPS
SWITCH:	TAMPER RESISTANT SWITCH: UL APPROVED 15A-120/277V 'LEVITON' #1101-2L WITH KEYED WATERPROOF COVER.

ALL COMPONENTS TO BE U.L. APPROVED



E NEW D/F ILLUM. DIRECTIONAL SIGN

END VIEW

F NEW D/F ILLUM. DIRECTIONAL SIGN

SEE ENGINEERING FOR FOOTING DETAILS

CARL'S JR. - D/F ILLUMINATED DIRECTIONAL SIGNS

SCALE: 1" = 1'-0"

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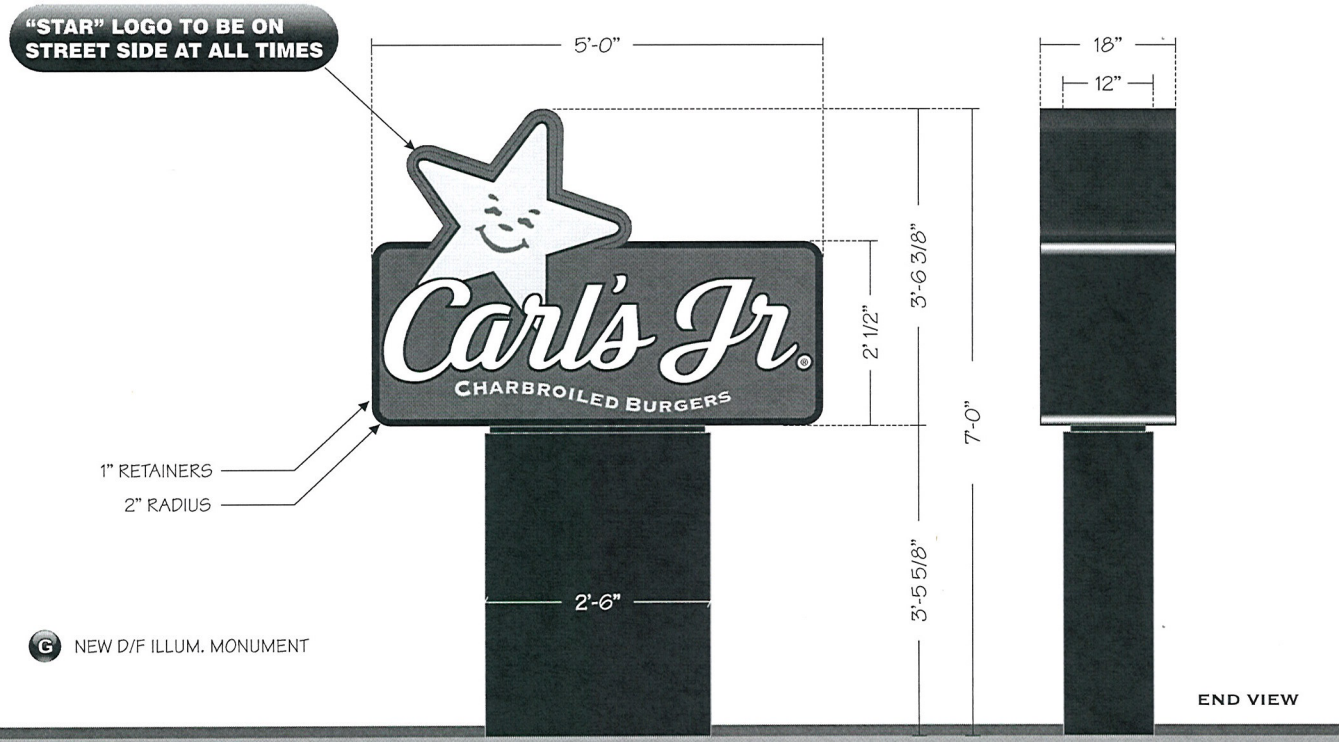
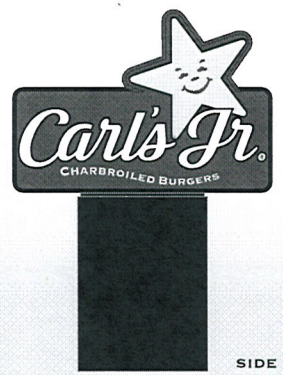


Specifications:

CABINET:	FABRICATED ALUMINUM, 18" DEEP WITH 1" WIDE RETAINERS. "CARL'S JR." CABINET TO BE PAINTED BLACK, PAINT "STAR" CABINET FRAZEE "CHERRY RED" #6355.
FACES:	WHITE LEXAN WITH FIRST SURFACE APPLIED CUT/REVERSE CUT TRANSLUCENT VINYL GRAPHICS AS ILLUSTRATED.
POLE COVER:	FABRICATED ALUMINUM, 12" DEEP WITH TEX-COTE FINISH, PAINTED BLACK FLAT FINISH.
ILLUMINATION:	INTERNAL H.O. FLUORESCENT LAMPS.
SWITCH:	TAMPER RESISTANT SWITCH: UL APPROVED 15A-120/277V 'LEVITON' #1101-2L WITH KEYED WATERPROOF COVER.

ALL WIRING & COMPONENTS TO MEET U.L. STANDARDS



SIDE B

BLACK
RED VINYL 3M-3630-73
YELLOW VINYL 3M-3630-015

NEW D/F ILLUMINATED MONUMENT SIGN

SCALE: 3/4" = 1'-0"

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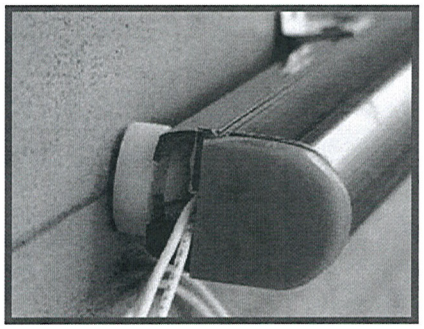
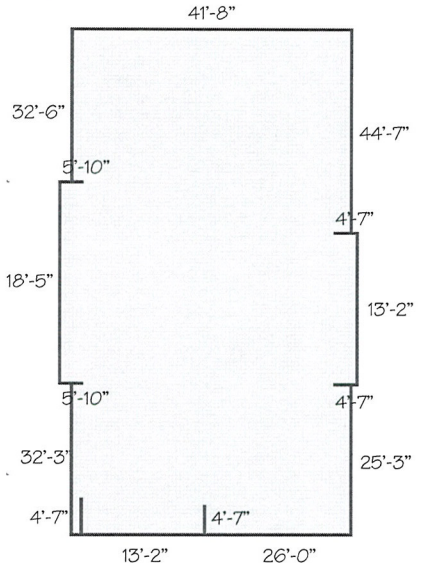
Specifications:

INSTALL "LED BORDER SYSTEM" RED LED BORDER 3" FROM BOTTOM OF COPING AND TRIM AS SHOWN ON INDIVIDUAL ELEVATION PACKAGES.





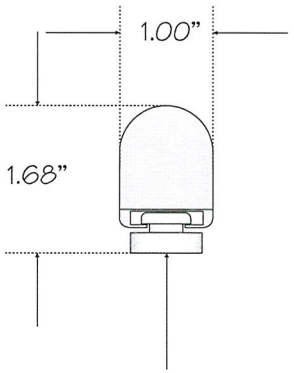


(H) NEW LED BORDER SYSTEM
277' LIN. FT. APPROX.

Sloan Components Used - UL #E215393
701189-10H-10' RED LED STRIPE
701189-8H-8' RED LED STRIPE
701189-6H-6' RED LED STRIPE
701189-4H-4' RED LED STRIPE
701189-2H-2' RED LED STRIPE
701189-1H-1' RED LED STRIPE
700940-300 WATT TRANSFORMERS
701158-120-10' HOOK-UP WIRE

- BRIGHT, WIDE VIEWING-ANGLE LEDS OFFER INTENSE, UNIFORM GLOW
- HIGH IMPACT, UV STABLE, HYDROCARBON INSENSITIVE, NON-FADING POLYMER TUBES
- 24 VOLT DC POWER SUPPLY POWERS UP TO 3 LEGS OF 30' (9 METERS) EACH, OR 90' (27.4 METERS) TOTAL
- CAN BE CUT-TO-FIT IN THE FIELD AND FACTORY BENT TO AN 8" RADIUS
- CONVENIENT LOCK-TIGHT, WATERPROOF CONNECTORS BETWEEN TUBES
- OPERATING TEMPERATURE: -40°C TO +85°C
- CONFORMS TO UL 48 STANDARDS
- MOUNTING BUTTONS FASTENED TO WALLS:
  W/ #12 TEK SCREWS IF INTO PLYWOOD
  W/ 1/4" X 1-1/2" METAL ANCHORS IF INTO CONCRETE

120 VOLTS - 16 AMPS



Mounting Button

LED BORDER SYSTEM

SCALE: NTS

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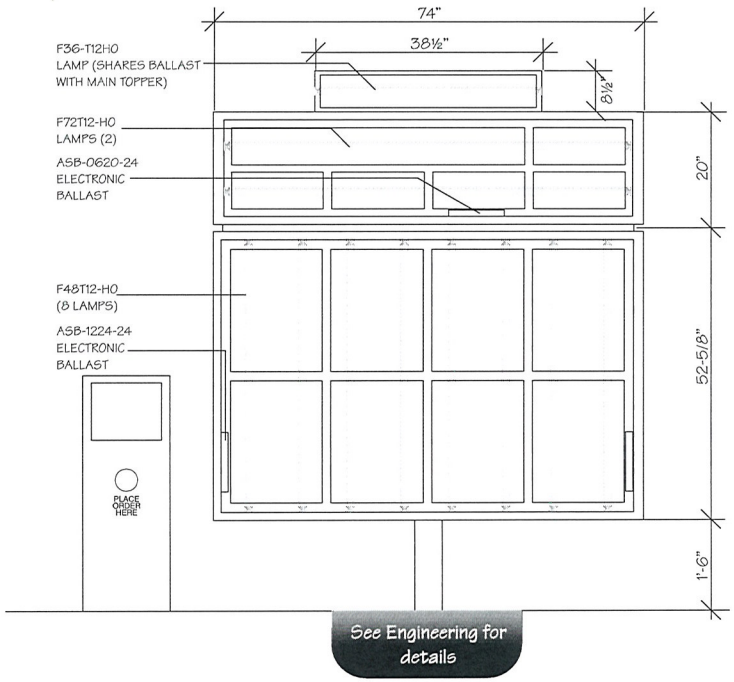
Install Only

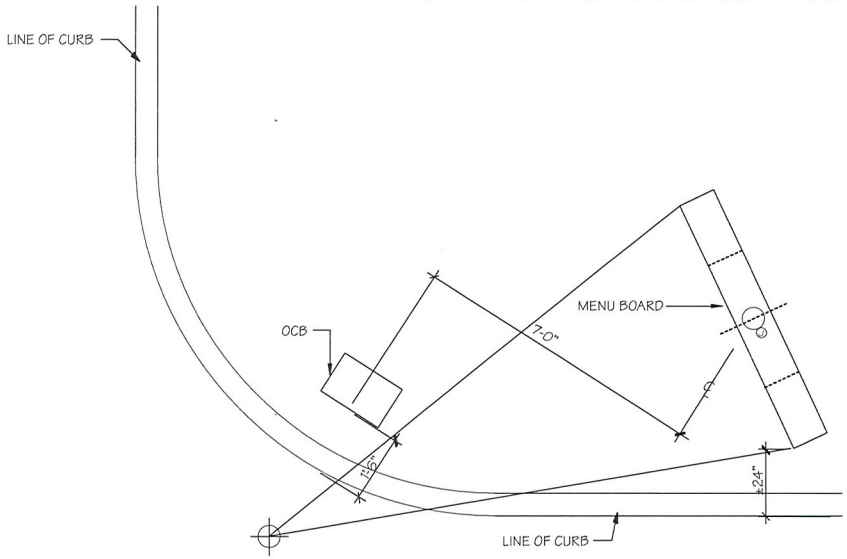
NOTE: ALL WORK TO COMPLY WITH 2005 SNEA & NEVADA ELECTRICAL CODE (NEC)

1 DRIVE-THRU MENU BOARD



ELEVATION

NOTE:
SEE SIZE OF EMBEDMENT SEPARATE SHEET.



MENU BOARD LAYOUT AT DRIVE THRU

SCALE: NTS

MENU BOARD SPECIFICATIONS

SINGLE FACED ILLUMINATED DRIVE-THRU MENU BOARD CABINET IS OF EXTRUDED ALUMINUM CONSTRUCTION WASHED AND PRIMED WITH ETCHING PRIMER AND PAINTED BLACK.

DOORS ARE TEMPERED GLASS PANELS WITH EXTRUDED ALUMINUM FRAMES MOUNTED ON PIANO HINGES. ALL DOORS TO LOCK WITH A UNIVERSAL KEY.

COPY PANELS ARE WHITE 1/8" ACRYLIC WITH PLASTIC "H" TRACK FOR 20 SLATS.

TRANSLITE PANELS ARE WHITE 1/8" ACRYLIC WITH 1/8" CLEAR OVERLAY.

ELECTRICAL SPECIFICATIONS

ONE (1) 20 AMP BREAKER. TOTAL OF 7 AMPS IN SIGN, 120 VOLT.

EXTERIOR MENU BOARD

SCALE: NTS

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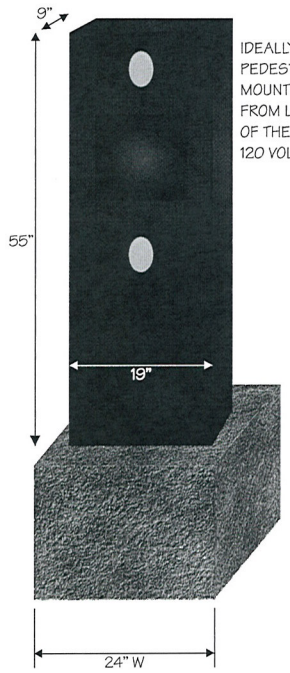
FOOTING TO BE DONE BY NSMC



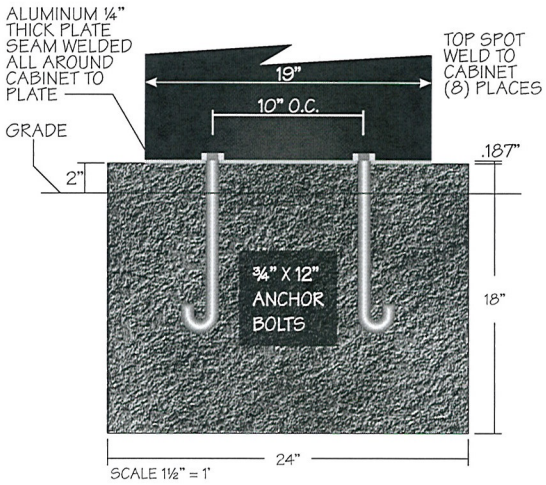
IDEALLY THE PEDESTAL WOULD BE MOUNTED 6" TO 12" FROM LEFT SIDE OF THE MENU BOARD 120 VOLTS - 2 AMPS

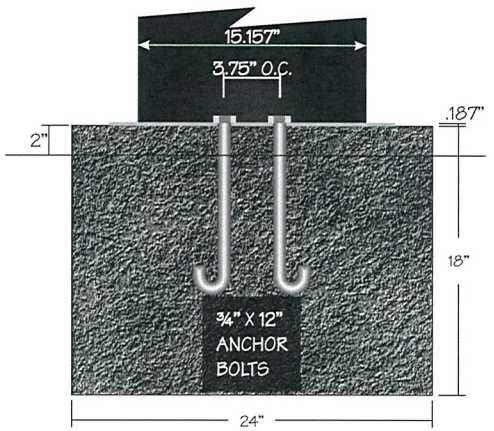
SCALE ¾" = 1'

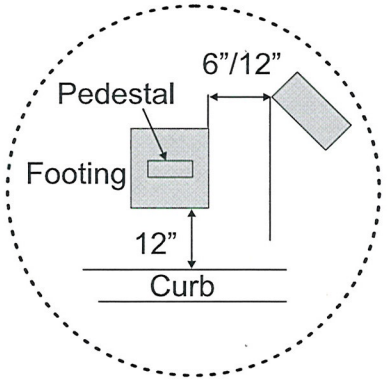
2 ORDER CONFIRMATION BOARD (FOOTING ONLY)

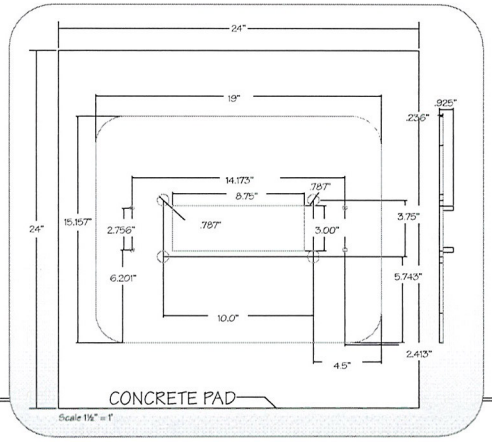
ORDER CONFIRMATION BOARD BUILT BY:
HyperActive Technologies
8 Foster Plaza, 4th Floor
730 Holliday Drive
Pittsburgh, PA 15220
Phone: 412.322.3060 Fax: 412.322.3121

SEE ENGINEERING FOR FOOTING DETAILS









ORDER CONFIRMATION BOARD

SCALE: NTS

NOTE: ALL WORK TO COMPLY WITH 2005 SNEA & NEVADA ELECTRICAL CODE (NEC)

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DBA Visual Information Systems Co.
13580 5th St., Chino, CA 91710
Tel 909.591.4742 Fax 909.591.9792
e-mail: sales@nsmc.com
NV Lic# 0071619 - Exp. 8/31/10
Class: C-6 Limit: $950,000.00

Project: Carl's Jr.
Address: 7598 Vegas Dr., Las Vegas, NV
Phone: _____ **Account Mgr.** S. Rosenbloom
Designer: S. Duffy **Scale:** Noted **Date:** 04/20/2010

Client Approval:
Date: _____

APPROVED & RELEASED FOR CONSTRUCTION
Salesman Date

Revisions:

Drawing Number
24359

VISCO ELECTRONIC SIGNS

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APR 27 2010

VAR-38114
MSP-38116

Install Only

3 INTERIOR MENU BOARD

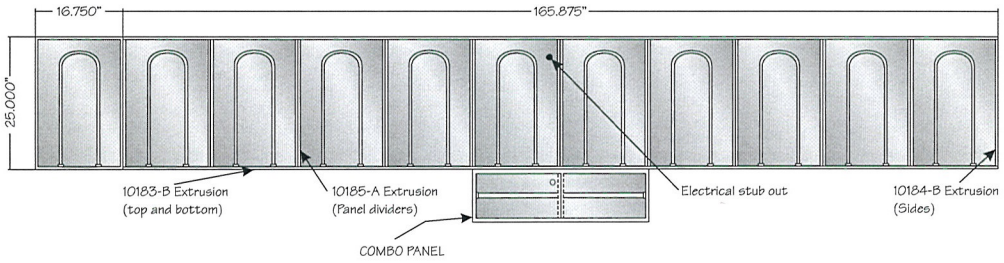
11 PANELS

MENU BOARD BUILT BY:
SIGN RESOURCE
P.O. BOX 549 - MAXWOOD, CA 90270
800-423-4283
323-771-2098
FAX 323-560-7143
WWW.SIGNSOURCE.NET

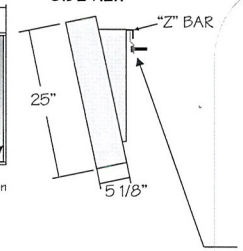
ALL MANUFACTURING BY OTHERS

INSTALL ONLY

PANEL MENU BOARD



SIDE VIEW



Construction:

- All aluminum extrusion construction, .0900 thick 6063-T5 alloy.
- All exposed surfaces of cabinets have a 5 step paint process including sanding, chemical degreasing, etching primer, polyurethane undercoat and polyurethane paint.
- All cabinets are manufactured to UL specifications and bear their label.

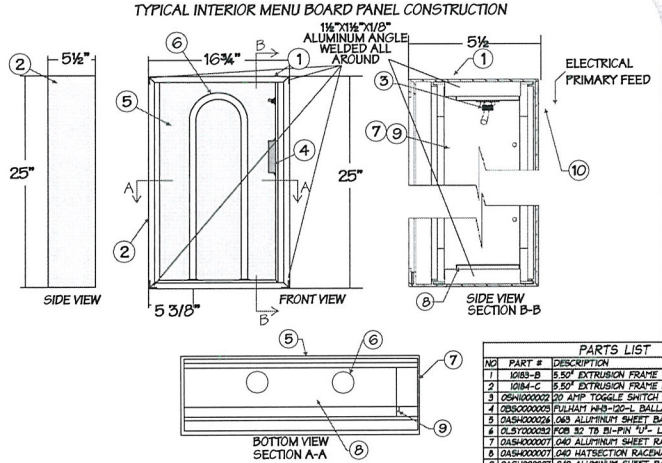
Installation:

10' 'Z' (supplied) is mounted to wall. Brackets mounted to rear of cabinet hang menu from 'Z' bar.
#14 Lag Bolts x3" Penetration every 16" O.C. (If dry wall & wood studs)
¼"X3" Toggle Bolts every 16" O. C. (If tile wall).

Electrical:

- 120 volts, 60 Hz
- 2.37 amps
- Hardware electrical connection by GC
- Replacement lamps: F80 32 T8/741
- Replacement ballasts: Advance REL-4P32-SC
- Provide separate circuit for all signs

TYPICAL INTERIOR MENU BOARD PANEL CONSTRUCTION

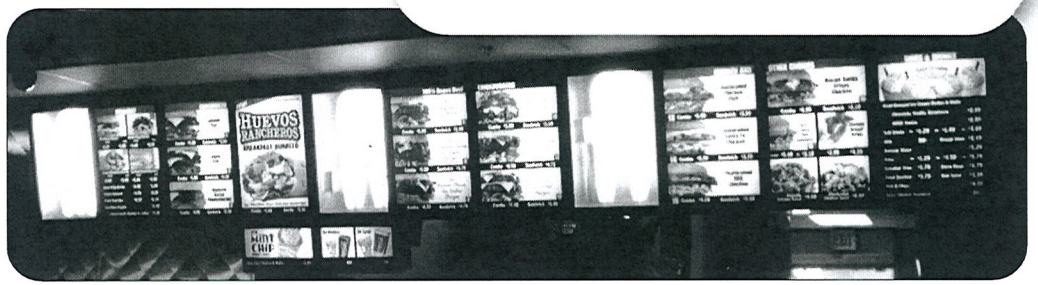


PARTS LIST			
NO	PART #	DESCRIPTION	QTY
1	10183-B	5.50" EXTRUSION FRAME TOP & BOTTOM	2
2	10184-C	5.50" EXTRUSION FRAME FOR SIDE	2
3	OSH1000002	20 AMP TOGGLE SWITCH	1
4	OBSC0000003	FULHAM WH3-120-L BALLAST	1
5	OASH000026	.063 ALUMINUM SHEET BACKING	1
6	OLSY000032	FOB 32 T8 BI-PIN "U"- LAMP	1
7	OASH000007	.040 ALUMINUM SHEET RACEWAY	AR
8	OASH000007	.040 HATSECTION RACEWAY COVER	1
9	OASH000007	.040 ALUMINUM SHEET RACEWAY COVER	AR
10	OEBN000013	5/8" BLACK SNAP BUSHING	1
11	DGAMTBKT	2 1/2" x 24 3/4" BRACKET	1

Voltage	Circuits	Current	Drawn By	Date
120 AC	[1] ONE	.55 AMPS	JM	12/20/04

Description	Checked By
25" X 16 3/4" 1 PANEL MENUBOARD	~

Sign Size	Design Load	Client	Page
2.90 SQ FT	30 PSF	CARL'S Jr.	1 OF 1



INTERIOR MENU BOARD

SCALE: NTS

NOTE: ALL WORK TO COMPLY WITH 2005 SNEA & NEVADA ELECTRICAL CODE (NEC)

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& MARKETING CORPORATION
DBA Visual Information Systems Co.
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Tel 909.591.4742 Fax 909.591.9792
e-mail: sales@nsmc.com
NV Lic# 0071619 - Exp. 8/31/10
Class: C-6 Limit: $950,000.00

Project: Carl's Jr.
Address: 7598 Vegas Dr., Las Vegas, NV
Phone: _____ **Account Mgr.** S. Rosenbloom
Designer: S. Duffy **Scale:** Noted **Date:** 04/20/2010

Client Approval: _____ Date: _____

APPROVED & RELEASED FOR CONSTRUCTION
Salesman Date

Revisions:

Drawing Number 24359

VISCO ELECTRONIC SIGNS

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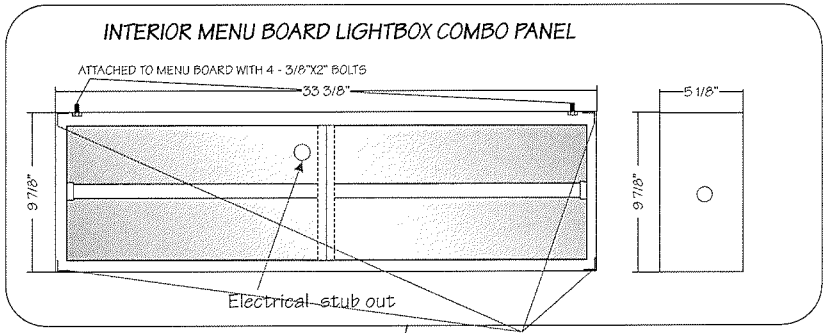
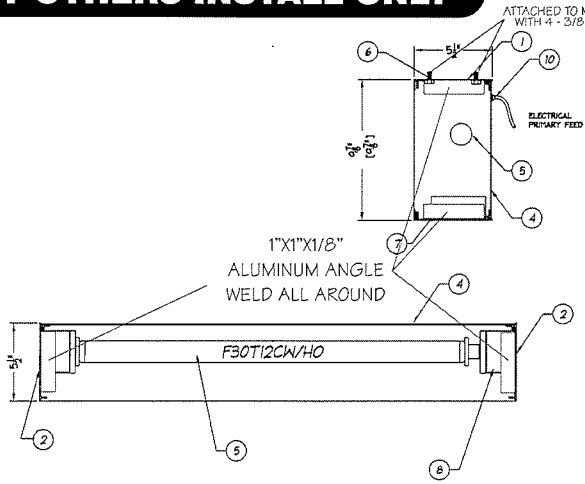
VAR-38114
MSP-38116

Install Only

ALL MANUFACTURING BY OTHERS INSTALL ONLY

4 INTERIOR MENU BOARD LIGHT BOX COMBO PANEL





PARTS LIST			
NO	PART #	DESCRIPTION	QTY
1	10183-B	5.50" EXTRUSION FRAME TOP & BOTTOM	1
2	10184-C	5.50" EXTRUSION FRAME FOR SIDE	1
3	QBSC0000093	WORK HORSE 3 MODEL	1
4	GASH000026	.063 ALUMINUM SHEET BACKING	1
5	QLCH000008	F30 T12 CW/HO FLUORECENT LAMP	1
6	GASH000007	.040 ALUMINUM SHEET RACEWAY	AR
7	QEXT000020	ALUMINUM ANGLE 1"x1 1/2"x.188"	1
8	GASH000007	.040 HATSECTION RACEWAY COVER	1
9	GASH000071	.040 ALUMINUM SHEET RACEWAY COVER	AR
10	QEBN000023	5/8" BLACK SNAP BUSHING	1
11	10185-A	VERTICAL DIVIDER INT.	1

Voltage: 120 AC	Circuits: (1) ONE	Current: AMP	Drawn By: JM	Date: 12-16-04
Description: 8 1/2" X 33 3/8" COMBO INTERIOR LIGHTBOX MENUBOARD				Checked By: ~
Sign Size: 2.29 SQ FT	Design Load: 30 PSF	Client: CARL'S Jr.		Page: 1 OF 1
Part Number: CKE008	Drawing No.: CKE008			Rev.: A

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Construction:
- All aluminum extrusion construction, .0900 thick 6063-T5 alloy.
- All exposed surfaces of cabinets have a 5 step paint process including sanding, chemical degreasing, etching primer, polyurethane undercoat and polyurethane paint.
- All cabinets are manufactured to UL specifications and bear their label.

Installation:
- This cabinet bolts to the bottom of the Carl's 10/11 panel interior menu, item #00036080. Using ¼"x1-½" bolts into nutserts pre-mounted at bottom of 10/11 menu board by manufacturer.

Electrical:
- 120 volts, 60 hz
- .40 amps
- Hardware electrical connection by GC
- Replacement lamps: F25T12/CW/30
- Replacement ballasts: LC-25/340-H2 (1 each)
- Replacement starter: FS-25
- Provide separate circuit for all signs

MENU BOARD BUILT BY:
SIGN RESOURCE
P.O. BOX 549 - MAXWOOD, CA 90270
800-423-4285
323-771-2099
FAX 323-560-7143
WWW.SIGNSOURCE.NET

INTERIOR MENU BOARD LIGHTBOX COMBO PANEL

SCALE: NTS

NOTE: ALL WORK TO COMPLY WITH 2005 SNEA & NEVADA ELECTRICAL CODE (NEC)

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13580 5th St., Chino, CA 91710
Tel 909.591.4742 Fax 909.591.9792
e-mail: sales@nsmc.com
NV Lic# 0077619 - Exp. 8/31/10
Class: C-6 Limit: $950,000.00

Project: Carl's Jr.
Address: 7598 Vegas Dr., Las Vegas, NV
Phone: _____ **Account Mgr.** S. Rosenbloom
Designer: S. Duffy **Scale:** Noted **Date:** 04/20/2010

Client Approval:
Date: _____

APPROVED & RELEASED FOR CONSTRUCTION
Salesman Date

Revisions:

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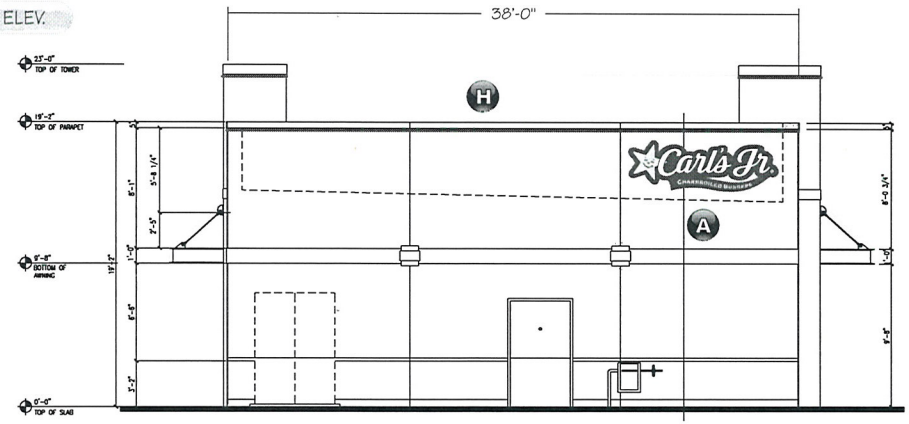
24359

VISCO ELECTRONIC SIGNS

APR 2 7 2010

VAR-38114
MSP-38116

PROPOSED ELEV.



(A) 42" EMBOSSED ILLUM. "CARL'S JR." CLOUD SIGN

(H) NEW LED BORDER TUBE LIGHT SYSTEM
52'-1" LIN. FT. APPROX.

North Elevation

SCALE: 1/8"=1'

PROPOSED ELEV.



(B) 42" EMBOSSED ILLUM. "CARL'S JR." CLOUD SIGN

(H) NEW LED BORDER TUBE LIGHT SYSTEM
49'-7" LIN. FT. APPROX.

South Elevation

SCALE: 1/8"=1'

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Salesman Date

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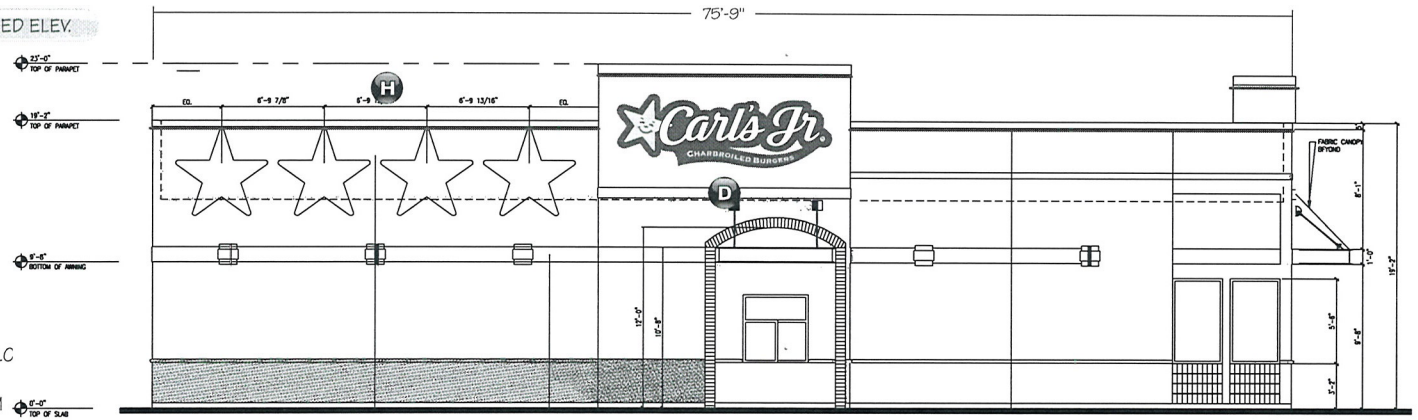
VAR-38114
MSP-38116

PROPOSED ELEV.



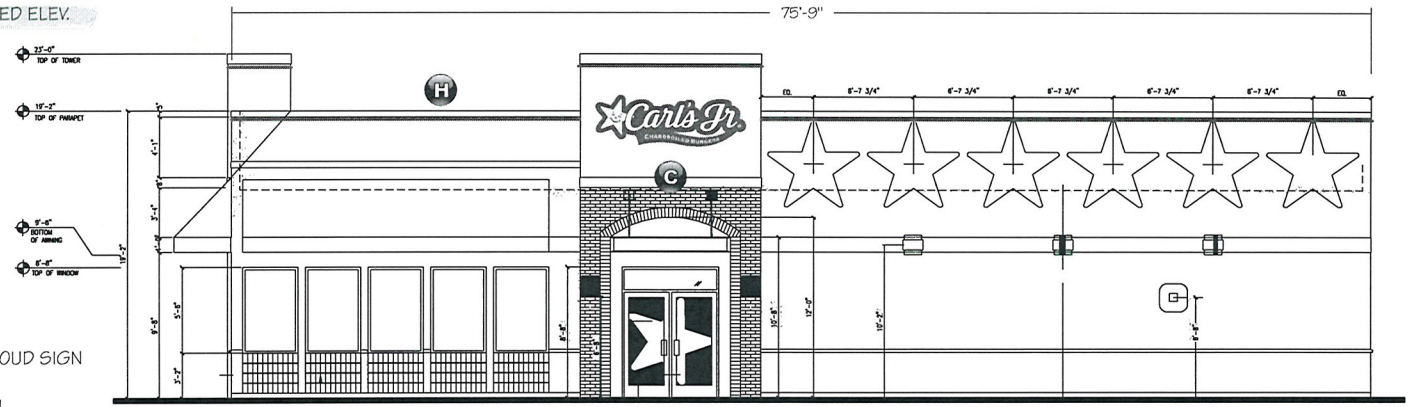
D 60" EMBOSSED ILLUM. "CARL'S JR." CLC

H NEW LED BORDER TUBE LIGHT SYSTEM 87'-9" LIN. FT. APPROX.

West Elevation

SCALE: 1/8"=1'

PROPOSED ELEV.



C 42" EMBOSSED ILLUM. "CARL'S JR." CLOUD SIGN

H NEW LED BORDER TUBE LIGHT SYSTEM 87'-7" LIN. FT. APPROX.

East Elevation

SCALE: 1/8"=1'

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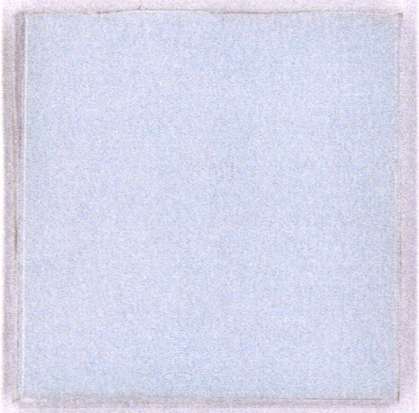
National Sign & Marketing Corporation

13580 5th Street • Chino, CA 91710 • Tel: 909.591.4742 • FAX: 909.591.9792 • Toll Free: 877.877.NSMC

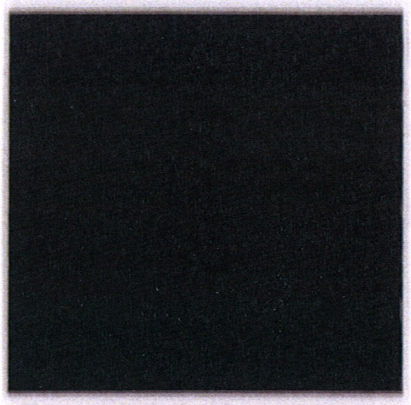


3/16" White Lexan

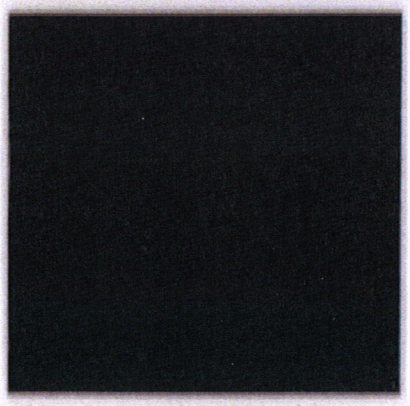


Cloud Sign Face

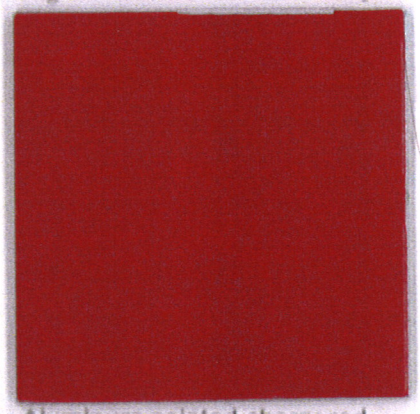
High Performance White Vinyl



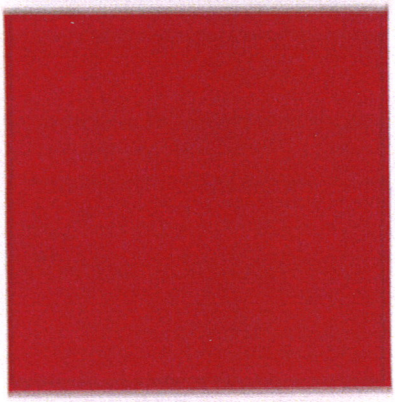
Pre-coated aluminum returns



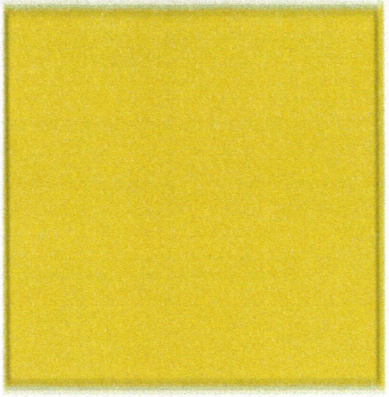
Aluminum painted black



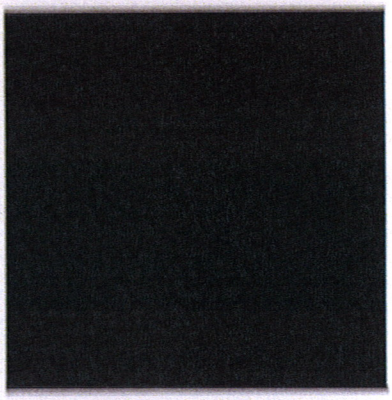
Aluminum painted cherry red



3M-3630-73 Red
Translucent Vinyl



3M-3630-15 Yellow
Translucent Vinyl



3M-180C-12 High Performance
Black Vinyl

Carl's Jr.
CHARBROILED BURGERS

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VAR-38114 & MSP-38116 – APPLICANT/OWNER: SEA BREEZE VILLAGE II, LLC
NORTHEAST CORNER OF BUFFALO DRIVE AND VEGAS DRIVE

05/20/10



VAR-38114 & MSP-38116 – APPLICANT/OWNER: SEA BREEZE VILLAGE II, LLC
NORTHEAST CORNER OF BUFFALO DRIVE AND VEGAS DRIVE

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05/20/10

VISCO Visual Information Systems Company
ELECTRONIC SIGNS
CL #442769

National Sign & MARKETING CORPORATION
a division of Visual Information Systems Company
CL #745030

April 26, 2010

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

Justification Letter for Variance
For: Carl's Jr. Clearance Arm, 7598 Vegas Drive.

To Whom It May Concern:

Please see the attached submittal of a variance for a Drive Thru Clearance Arm for the Carl's Jr. Restaurant at 7598 Vegas Drive. This is an incidental sign which is seven feet six inches greater in height than the five feet allowed by code and has a logo and sign copy area greater than the 25% of the sign area allowed by code. This clearance bar has been designed to facilitate safer & faster ingress and egress through the drive thru lane. It accomplishes this by combining a height detector that is easier to see by the motoring public, with a menu of the more popular items that the restaurant offers. This combination helps citizens make quicker decisions regarding their patronage of the establishment. In addition, the clearance bar better identifies the drive thru in this busy shopping center, helping traffic flow more smoothly and safely. Therefore, we feel that the application is justified.

Should you have any questions, please feel free to contact me at your convenience.

Respectfully,

Ed Blend

Ed Blend
National Sign & Marketing Corporation
DBA: Visual Information Systems Company
13580 5th St.
Chino, CA 91710

Tel:909-287-7373
Cell: 760-912-5224
Email: eblend@nsmc.com

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APR 27 2010

VAR-38114

City of Las Vegas Agenda Item No.: **26.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

SUBJECT:
MSP-38116 - MASTER SIGN PLAN RELATED TO VAR-38114 - PUBLIC HEARING - APPLICANT/OWNER: SEA BREEZE VILLAGE II, LLC - Request for a Major Amendment to a previously approved Master Sign Plan (MSP-0006-02) on 13.41 acres at the northeast corner of Buffalo Drive and Vegas Drive (APN 138-22-418-007 through 011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

C.C.: 07/21/2010

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. Justification Letter

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: **MSP-38116** APN: 138-22-418-011

Name of Property Owner: SEA BREEZE VILLAGE II, LLC

Name of Applicant: Visual Information Systems Co.

Name of Representative: Ed Blend

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: HASKEL INY

Subscribed and sworn before me

This 9 day of March, 20 10

Trina M. Perales

Notary Public in and for said County and State

TRINA M. PERALES
Notary Public-State of Nevada
APPT. NO. 09-8929-1
My App. Expires December 12, 2012

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: AMEND MSP-2619

Project Address (Location) 7598 Vegas Dr.

Project Name Carl's Jr. **Proposed Use**

Assessor's Parcel #(s) 138-22-418-011 **Ward #** 4

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

Commercial Square Footage **Floor Area Ratio**

Gross Acres .52 **Lots/Units** 1 **Density**

Additional Information AMEND THE SEABREEZE VILLAGE MSP TO INCLUDE INCIDENTAL SIGNAGE FOR CARL'S JR. RESTAURANT

PROPERTY OWNER SEA BREEZE VILLAGE II, LLC **Contact** JENNIFER ROBERTS

Address 770 N. BUFFALO #101 **Phone:** 702.255556 **Fax:** 702.430.5307

City LAS VEGAS **State** NV **Zip** 89128

E-mail Address jr@greatac.com

APPLICANT Visual Information Systems Co. **Contact** Ed Blend

Address 13580 5th St. **Phone:** 909-591-4742 **Fax:**

City Chino **State** CA **Zip** 91710

E-mail Address

REPRESENTATIVE Ed Blend **Contact**

Address 13580 5th St. **Phone:** 909-287-7373 **Fax:**

City Chino **State** CA **Zip** 91710

E-mail Address eblend@nsmc.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 Haskel Irby

Subscribed and sworn before me

This 9 day of March, 20 10.

Trina M. Perales

Notary Public in and for said County and State

TRINA M. PERALES
Notary Public-State of Nevada
APPT. NO. 09-8929-1
My App. Expires December 12, 2012

FOR DEPARTMENT USE ONLY

Case #	MSP-3816
Meeting Date:	6/24/2010
Total Fee:	330.00
Date Received:*	4/27/2010
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

VISCO Visual Information Systems Company
ELECTRONIC SIGNS
CL #442769

National Sign & MARKETING CORPORATION
CL #745030
a division of Visual Information Systems Company

April 26, 2010

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

Justification Letter for MSP 2619 Amendment
For: Carl's Jr. Restaurant Signage, 7598 Vegas Drive

To Whom It May Concern:

This is a submittal to amend the Master Sign Program (MSP-2619) to add the signage for the new Carl's Jr restaurant which has been built at 7598 Vegas Drive. The signs have been designed and placed to meet all city sign codes and requirements as far as height, separation from existing signs and be within the square footage allowed for this building. Our proposal includes the necessary design elements for Carl's Jr. to succeed while still maintaining an organized presentation and "classic diner" appearance. All other signs in the center are to remain the same as filed under the original sign program. Therefore, we feel that the application is justified.

Should you have any questions, please feel free to contact me at your convenience.

Respectfully,

Ed Blend
National Sign & Marketing Corporation
DBA: Visual Information Systems Company
13580 5th St.
Chino, CA 91710

Tel:909-287-7373
Cell: 760-912-5224
Email: eblend@nsmc.com

RECEIVED
APR 27 2010

VAR-38114
MSP-38116

City of Las Vegas Agenda Item No.: **27.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

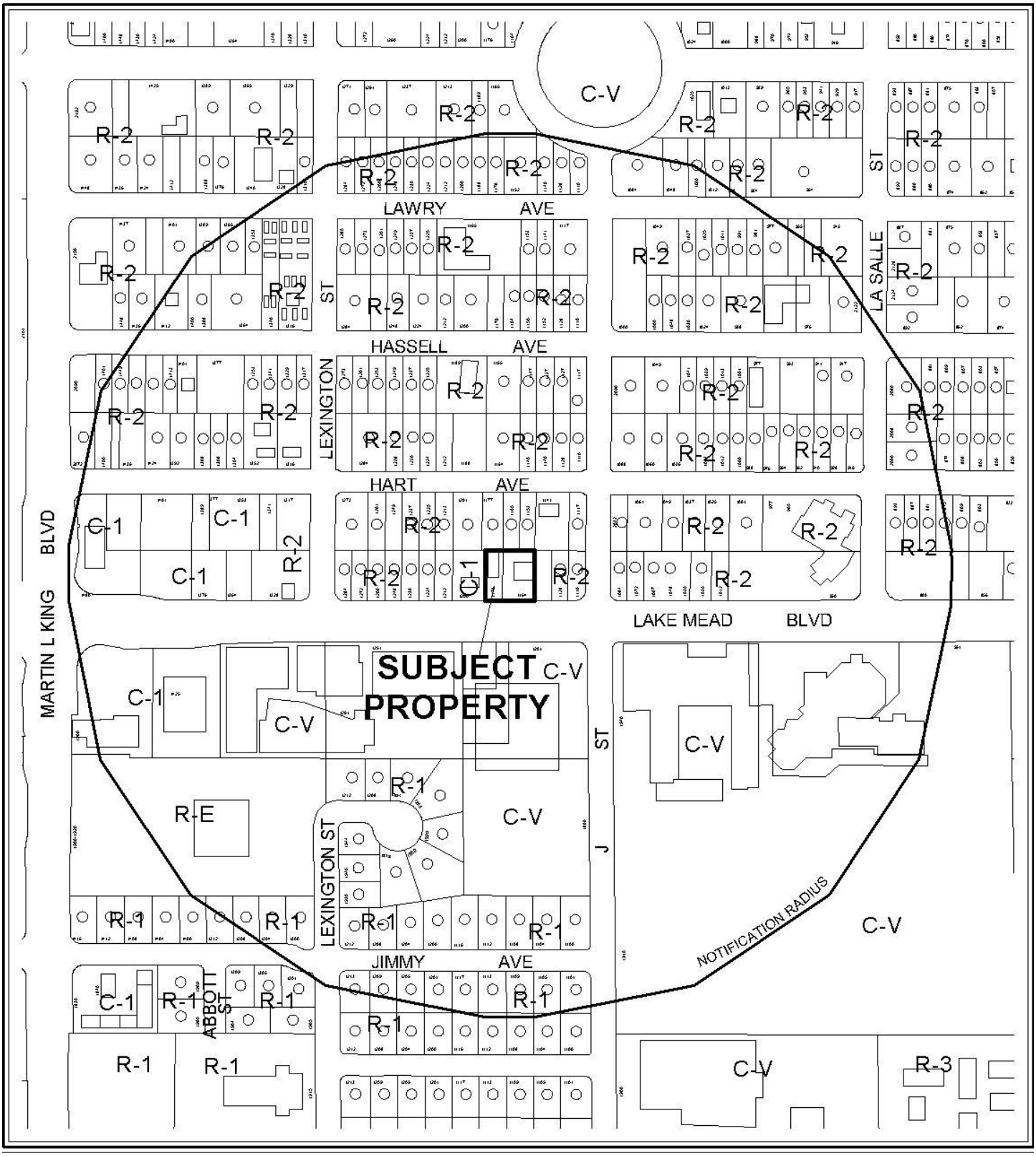
SUBJECT:
SUP-37949 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BELL INDEPENDENT LIVING HOMES, INC. - OWNER: CLESTER AND ODESSA NELSON - Request for a Special Use Permit FOR A PROPOSED 987 SQUARE-FOOT SOCIAL SERVICE PROVIDER at 1176 West Lake Mead Boulevard (APNs 139-21-610-283 and 284), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



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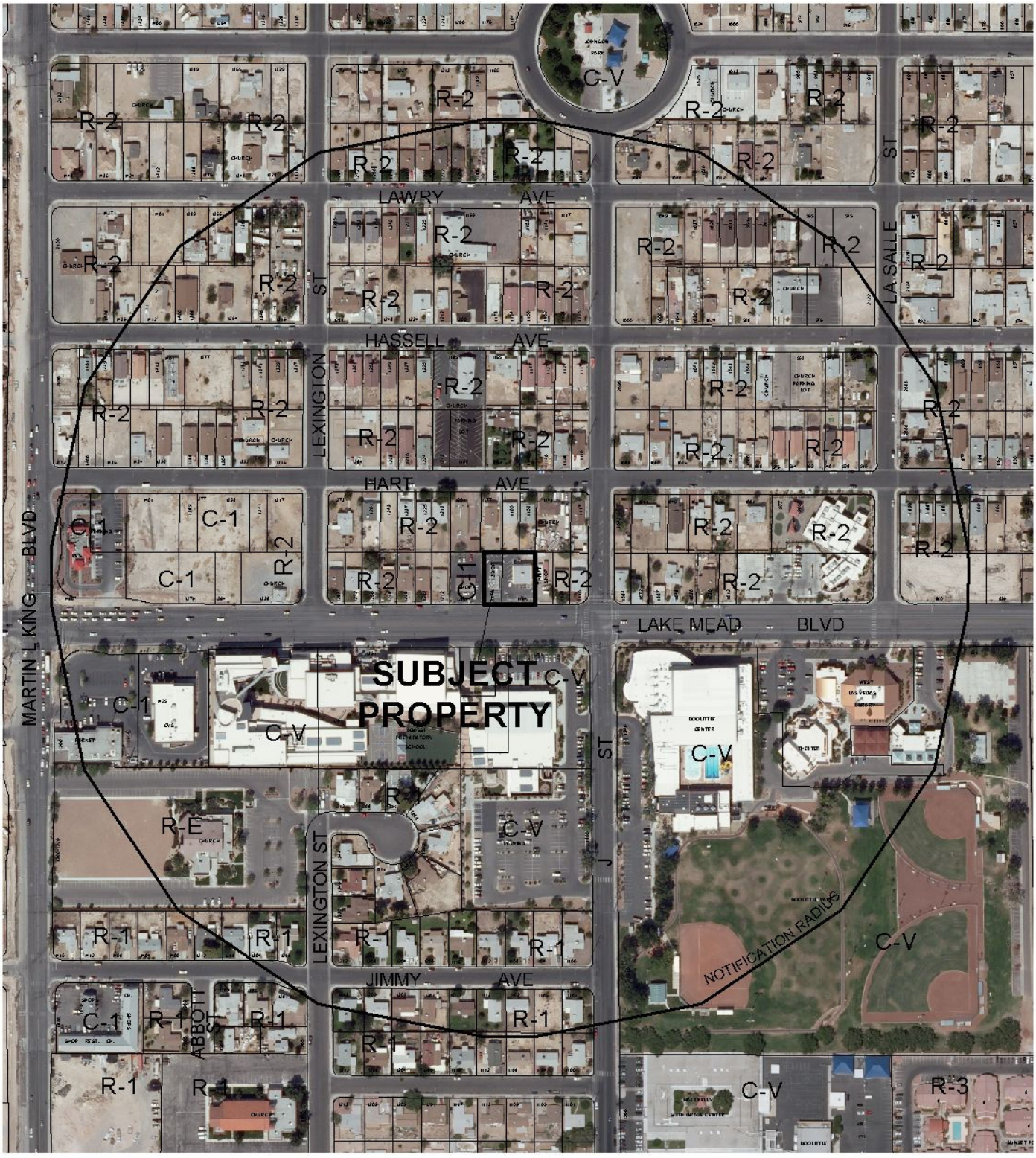
CASE: **SUP-37949**

RADIUS: 1000 FT

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

N



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CASE: **SUP-37949**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: BELL INDEPENDENT LIVING HOMES, INC. - OWNER: CLESTER AND ODESSA NELSON

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-37949	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-37949 CONDITIONS

Planning and Development

1. Conformance to the approved conditions for Site Development Plan Review [U-0142-97(2)].

2. 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 a business license.

3. Hours of operation shall be limited from 8:00 a.m. to 7:00 p.m., Monday through Friday.

4. This approval shall be void two years from the date of final approval, unless a business license has been issued to conduct the activity. 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. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

6. The parking layout shall be redesigned to eliminate parking spaces directly in line with the driveway on Lake Mead Boulevard to ensure that vehicles do not back into the public right-of-way.

Staff Report Page One
June 24, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site contains two existing buildings on 0.32 acres and is located at 1164 and 1176 West Lake Mead Boulevard. The applicant is requesting a Special Use Permit to allow a Social Service Provider within the 987 square-foot building at 1176 West Lake Mead Boulevard. The other building would remain a nonprofit thriftshop. The proposed use would provide free employment assistance and a positive academic studying environment for at-risk youth through a non-profit organization. Clients are either transported to the site or arrive by non-vehicular modes of transportation. The location is adjacent to an existing bus route. The applicant has shown that the proposed Social Service Provider use can be conducted in a manner that is harmonious and compatible with the surrounding land uses, and staff therefore recommends approval. If denied, the proposed use cannot be located at 1176 West lake Mead Boulevard; however, the existing salon use may remain.

ISSUES

- The current commercial site is located on three legal lots that were to be combined as a condition of approval of the existing Thriftshop. Noncompliance with this condition has created a situation where the building at 1176 West Lake Mead Boulevard does not meet current setback requirements, the building at 1164 West Lake Mead Boulevard is located on two separate lots and driveway access is shared between two properties without benefit of a cross-access and parking agreement. Condition of Approval #2 requires the applicant to work with staff to consolidate the lots through a remapping action. The new map is required to be recorded prior to the issuance of a business license for the proposed use.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/19/66	The Board of City Commissioners approved a Rezoning (Z-0059-64) from R-2 (Medium-Low Density Residential) to C-1 (Limited Commercial) for property on the north side of Lake Mead Boulevard between Lexington Street and Concord Street, subject to a six-month Resolution of Intent. The Planning Commission and staff recommended denial. The Resolution of Intent expired 04/19/67.

10/18/67	The Board of City Commissioners denied a request for a Plot Plan Review for a commercial building and Reinstatement of a Rezoning (Z-0059-64) from R-2 (Medium-Low Density Residential) to C-1 (Limited Commercial) for property on the north side of Lake Mead Boulevard between Lexington Street and Concord Street. The Planning Commission and staff recommended denial.
04/23/68	The Planning Commission approved a Plot Plan Review for a commercial building on Lot 12B and the west 30 feet of Lot 12A in Vegas Heights Tract No. 4 Subdivision, affirming that construction of the building on the property was in conformance with the original Resolution of Intent to C-1 (Limited Commercial) District. The Board of City Commissioners affirmed this zoning status on 05/06/68.
10/02/68	The Board of City Commissioners adopted Ordinance #934-138, which hard zoned Lots 12B and the west 30 feet of Lot 12A in Vegas Heights Tract No. 4 Subdivision to C-1 (Limited Commercial). The subject site remained zoned R-2 (Medium-Low Density Residential).
08/05/92	The Board of City Commissioners adopted Ordinance #934.260, which hard zoned Lot 12C (the site containing the building at 1176 West Lake Mead Boulevard) in Vegas Heights Tract No. 4 Subdivision to C-1 (Limited Commercial) after it was discovered the commercial building approved in 1968 was constructed on Lot 12C.
02/23/98	The City Council approved a request for a Special Use Permit (U-0142-97) for a Nonprofit Thrift Shop on the subject property, subject to a one-year review of the use. The Planning Commission and staff recommended approval.
03/22/99	The City Council approved a one year Required Review [U-0142-97(1)] of an approved Special Use Permit, which allowed a Nonprofit Thrift Shop on the subject property, with no further reviews. The Planning Commission and staff recommended approval.
06/28/99	The City Council approved a request for a Site Development Plan Review [U-0142-97(2)] for a 1,600 square-foot addition to an existing Thrift Store on property located at 1164 West Lake Mead Boulevard. The Planning Commission recommended approval. Staff recommended denial. A condition of approval required the combination of the three legal lots underlying the site, and also required the applicant to work with staff to provide landscaping on the site as required by the Planning and Development Department.

Most Recent Change of Ownership	
09/30/97	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
1968	The commercial building at 1176 West Lake Mead Boulevard was constructed.
05/27/68	A building permit (#42035) was issued for paving for parking in conjunction with a commercial building on property located at 1164 (West) Lake Mead Boulevard. A field inspection conducted on 08/01/68 revealed that landscaping on the site was inadequate. [NOTE: the building was constructed on property at 1176 West Lake Mead Boulevard.]
10/14/97	A building permit (#97020962) was issued for repair/reset of 200A electrical service at 1176 West Lake Mead Boulevard. A final inspection was completed 10/16/97.
03/09/98	A building permit (#98004637) was issued for a Non-Work Certificate of Occupancy for a mercantile use at 1176 West Lake Mead Boulevard. A final inspection was completed 03/10/98.
04/01/98	A business license (N36-00015) was issued for a nonprofit thrift store at 1164 West Lake Mead Boulevard. The license is still active. The license was changed to include the address 1176 West Lake Mead Boulevard on 03/07/00. This is also the mailing address of record.
09/24/99	A building permit (#99018807) was issued for onsite improvements at 1164 West Lake Mead Boulevard. A final inspection was completed on 12/13/99.
09/24/99	A building permit (#99018808) was issued for a shell building for Certificate of Completion at 1164 West Lake Mead Boulevard. A final inspection was completed on 12/10/99.
09/27/99	A building permit (#99018921) was issued for plumbing for a shell building at 1164 West Lake Mead Boulevard. A final inspection was completed on 11/17/99.
12/16/99	A building permit (#99023959) was issued for a Non-Work Certificate of Occupancy for a thrift store at 1164 West Lake Mead Boulevard. A final inspection was completed on 12/17/99.
03/12/04	A business license (I04-03076) was issued for an insurance producer at 1176 West Lake Mead Boulevard. The license was marked out of business on 10/13/08.
04/29/04	A business license (M18-02886) was issued for a loan consultant at 1176 West Lake Mead Boulevard. The license was marked out of business on 10/13/08.
12/18/08	Business licenses were issued for a cosmetology establishment (B05-03119) and retail beauty supply (B08-01318) at 1176 West Lake Mead Boulevard. The licenses are still active.

Pre-Application Meeting	
03/31/10	A pre-application meeting was held with the applicant to discuss the issues related to the project and to prepare the applicant for submittal of a Special Use Permit application. The following topics were discussed: • A document showing proof of cross access between the subject property and the adjacent property to the east will be required. • A site plan showing the subject property and the adjacent property will be required. • Only the property at 1176 West Lake Mead Boulevard will be considered for the Special Use Permit. A proposed smog facility referenced in the preliminary justification letter would not be a part of this project. • The justification letter for the submittal should include the request for a Special Use Permit for a Social Service provider, a summary of daily activities of the organization, age range of dependents and number of dependents assisted over a particular time period, hours of operation and the location of the nearest bus stop. • The salon, office and take-out meal preparation uses will be ancillary to the Social Service Provider use, and no additional parking will be required for these ancillary uses. The office will only be used for phoning, faxing and filing and will not encourage foot traffic. • Photos of all four sides of the building will be required for the submittal. • A floor plan showing all rooms and their uses will be required.

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

Field Check	
04/22/10	A field check of the site was performed, in which the following items were noted: • There are two existing buildings on the site in good condition: the west building is a beauty salon, the east building a thrift shop • Temporary banners advertising services are attached to the beauty salon building • A painted wrought iron fence screens the property from the right-of-way, including a roll gate along the existing driveway • A large shipping container is located at the rear of the thrift shop.

05/20/10	• The temporary banners have been removed from the building at 1176 West Lake Mead Boulevard • An unprotected bus stop is located in front of the property

Details of Application Request	
Site Area	
Net Acres	0.32

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Personal Service and Thriftshop, Non-Profit	MXU (Mixed Use)	C-1 (Limited Commercial)
North	Single Family Dwellings, Detached and Church/House of Worship	MLA (Medium Low Attached Density Residential)	R-2 (Medium-Low Density Residential)
South	Private School, Primary and Secondary	C (Commercial)	C-V (Civic)
East	Undeveloped	MXU (Mixed Use)	C-1 (Limited Commercial)
West	General Personal Service	MXU (Mixed Use)	C-1 (Limited Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
West Las Vegas Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (105/140 Feet)	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 19.08, the following standards apply to the subject site:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	13,800 SF	N/A
Min. Lot Width	100 Feet	120 Feet	Y
Min. Setbacks			
• Front	20 Feet	31 Feet	Y
• Side	10 Feet	10 Feet	Y
• Rear	20 Feet	25 Feet	Y
Max. Lot Coverage	50%	19%	Y
Max. Building Height	N/A	14 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Not provided	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Social Service Provider	987 SF	1/300 SF GFA	4		4		Y
Thriftshop, Nonprofit	1,600 SF	1/250 SF GFA	7		8		
TOTAL SPACES REQUIRED			**11**		**12**		**Y**
TOTAL (With Handicapped)			10	1	11	1	Y

ANALYSIS

The building at 1176 West Lake Mead Boulevard was originally a bookkeeping office and eventually became a nonprofit thriftshop. It is currently used exclusively as a beauty salon. With approval of a Special Use Permit for a Social Service Provider, educational and employment assistance services will be offered at this building for at-risk youth aged 15 to 18. According to the applicant, only two youth clients will be onsite at any one time. The organization will be operated by two staff members.

The front part of the building will still be used as a salon; however, services will only be offered for the use of the clients who are preparing for employment opportunities. These services will be performed no later than 7:00 p.m. Monday through Friday. The main service provided will be food catering through the use of the existing kitchen. This is a delivery-only service involving the staff and the youth clients and no members of the public will be coming to the property for dining or pick-up service. The kitchen's hours of operation are expected to be from 9:00 a.m. to 5:00 p.m. Monday through Friday. The applicant's service will also provide homework assistance and computers for the clients' use. The administrative functions of the organization will be handled from an office at the rear of the building.

The parking configuration shown on the submitted site plan is adequate to support both the Social Service Provider use and the adjacent Thriftshop use on the same site. Vehicles that come to the site circulate around the building at 1176 West Lake Mead Boulevard. There is an existing parking space in front of the building and the 42-foot driveway; the Department of Public Works has added a condition requiring this space to be located in such a way that ensures that vehicles will not back out into the public right-of-way.

When this site was approved in 1999 to add the thriftshop building at 1164 West Lake Mead Boulevard, a condition of approval required action to be taken to combine the three legal commercial lots zoned C-1 (Limited Commercial) underlying the site. Although the site is currently under common ownership, remapping will correct nonconformities with regard to lot width and setbacks, and will allow for site access and circulation throughout the same property. Remapping also furthers objectives of the Las Vegas Redevelopment Plan calling for assembly of land parcels suitable for modern integrated development and the elimination of environmental deficiencies and blight in the Redevelopment Area including (but in no way limited to) small lots. A condition of approval of this Special Use Permit requires the applicant to consolidate the lots through a remapping action. The map is required to be recorded prior to the issuance of a business license for the proposed use.

The applicant has shown that the proposed Social Service Provider use can be conducted in a manner that is harmonious and compatible with the existing thriftshop and the surrounding land uses, which include a salon to the west, single-family residences and a church to the north, an undeveloped residential lot to the east and a private school to the south. The proposed use is structured in such a way that additional traffic and other visible activity on the site are minimized. Approval is therefore recommended.

FINDINGS (SUP-37949)

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.**

   Only two clients will be at the site on any given day, and no members of the public are expected to come to the site without appointment. Services will not be offered after 7:00 p.m. Monday Through Friday. The proposed Social Service Provider use can therefore be conducted in a manner that is harmonious and compatible with the surrounding land uses.

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

   The subject site can accommodate the proposed Social Service Provider use. Adequate parking is provided on the site, which is anticipated mostly to be used for the existing thriftshop in the adjacent building.

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

   Access to the site is provided by Lake Mead Boulevard, a 100-foot wide Primary Arterial as classified by the Master Plan of Streets and Highways. This roadway is adequate in size to meet the requirements of the proposed Social Service Provider 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 business proposed for the site will be subject to licensing and inspection, and therefore approval of this Special Use Permit would not compromise the public health, safety and welfare or the objectives of the General Plan. The proposed use does not meet any specific objective of the West Las Vegas Plan, but conforms to the broad goals of land use development and provision of programs for youth.

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

   There are no minimum Special Use Permit conditions for the Social Service Provider use; the use is reviewed on a case-by-case basis.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 235

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37949** APN: 139·21·610·284 & 283 B.

Name of Property Owner: Clesteré Odessa Nelson

Name of Applicant: Valvette D. Bell

Name of Representative: Valvette D. Bell (Bell Independent Living Homes Inc.)

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: Odessa Nelson

Print Name: Odessa Nelson

Subscribed and sworn before me

This 13th day of April, 2010

Laurie Alderman

Notary Public in and for said County and State

LAURIE ALDERMAN
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 10-9-2013
Certificate No: 97-3895-1

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 1176 W. Lake Mead LV NV. 89106

Project Name Bell Independent Living Homes Inc. **Proposed Use** Social Service provider

Assessor's Parcel #(s) 139-21-610-284 & 283 B **Ward #** _____

General Plan: existing MXU proposed _____ **Zoning:** existing C1 proposed _____

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

Gross Acres 0.11 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Chester & Odessa Nelson **Contact** _____

Address 1164 W. Lake Mead 89106 **Phone:** 642-6788 **Fax:** _____

City Las Vegas NV. **State** NV. **Zip** 89106

E-mail Address _____

APPLICANT Bell Independent Living Homes Inc **Contact** Yavette D. Bell

Address 1176 W. Lake Mead **Phone:** 636-1300 **Fax:** 642-6968

City Las Vegas **State** NV **Zip** 89106

E-mail Address YavetteDBell@yahoo.com

REPRESENTATIVE Bell Independent Living Homes Inc **Contact** Yavette D. Bell

Address 1176 W. Lake Mead **Phone:** 636-1300 **Fax:** 6426968

City Las Vegas **State** NV. **Zip** 89106

E-mail Address YavetteD.Bell@yahoo.com

Property Owner Signature* Odessa Nelson

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

Print Name Odessa Nelson

Subscribed and sworn before me

This 13th day of April, 2010.

Laurie Alderman

Notary Public in and for said County and State

LAURIE ALDERMAN
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 10-9-2013
Certificate No: 97-3895-1

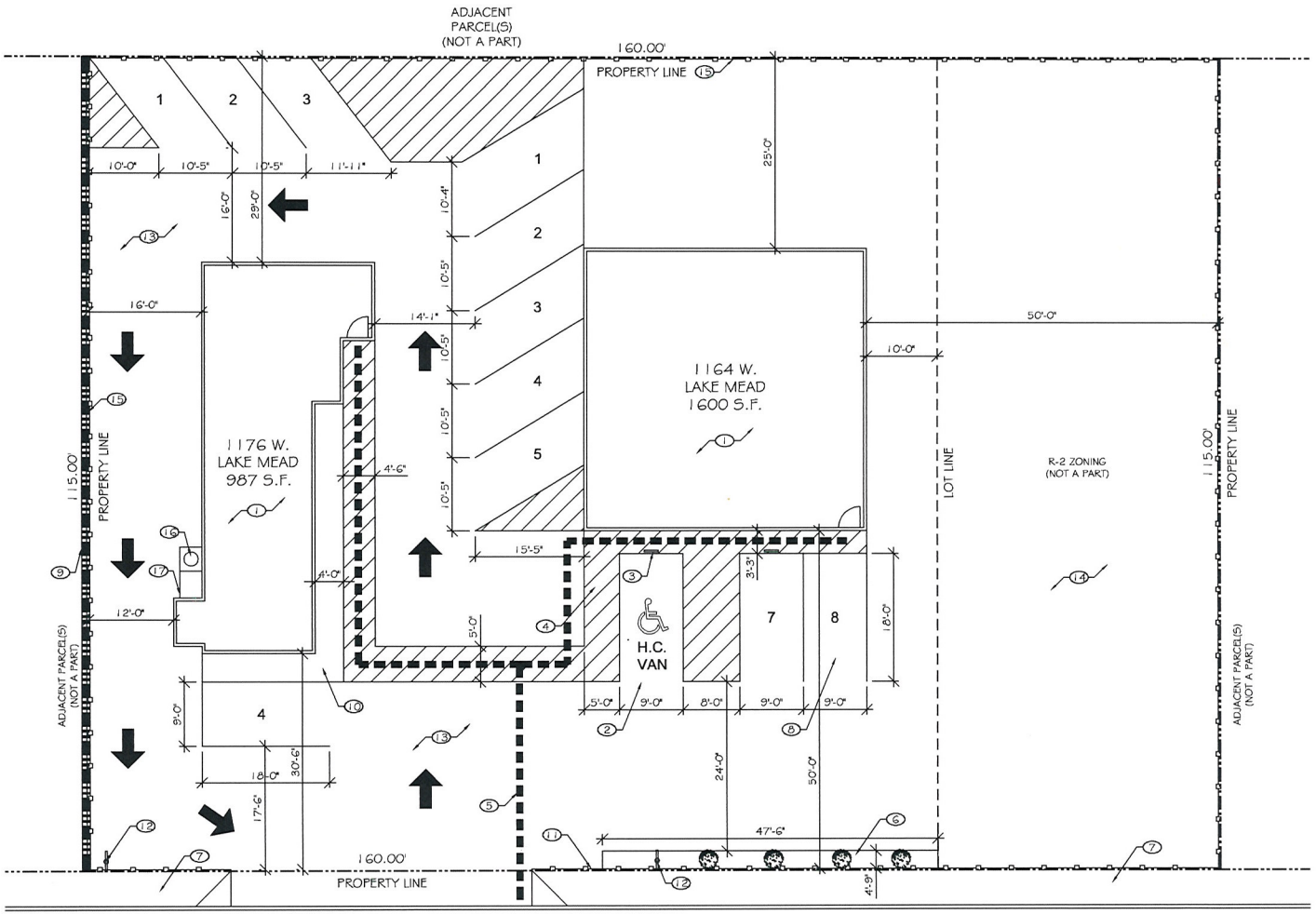
Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-37949
Meeting Date:	5-27-10
Total Fee:	$1,030.00
Date Received:*	4-13-10
Received By:	

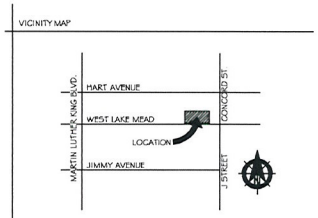
*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

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



1 A0.00 SITE PLAN
SCALE: 1/16" = 1'-0"

VICINITY MAP



BUILDING CODE DATA

1164 W. LAKE MEAD SF	1600.00 SF	
1176 W. LAKE MEAD SF	987.00 SF	
TOTAL SF	2587.00 SF	
LOT ACREAGE:	0.32 ACRES (13,800 SF)	
	* 4,600 SF (N.A.P.)	
LOT COVERAGE:	19%	

PARKING CALCULATIONS (PER TITLE 19.04-TABLE 19.10)

TOTAL PARKING REQUIRED:		
1164 W. LAKE MEAD	STANDARD (1/250):	07 SPACES
1176 W. LAKE MEAD	STANDARD (1/500):	04 SPACES
	HANDICAP:	01 SPACES
	TOTAL:	11 SPACES
TOTAL PARKING PROVIDED:		
	STANDARD:	11 SPACES
	HANDICAP:	01 SPACES
	TOTAL:	12 SPACES

KEYNOTES

1. EXISTING BUILDING
2. PROPOSED HANDICAP PARKING STALL (VAN ACCESSIBLE)
3. PROPOSED HANDICAP PARKING SIGN
4. PROPOSED HANDICAP STRIPING
5. EXISTING ACCESS PATH OF TRAVEL TO PUBLIC WAY
6. EXISTING LANDSCAPE
7. EXISTING SIDEWALK
8. EXISTING STANDARD PARKING
9. EXISTING CMU WALL
10. EXISTING WALKWAY
11. EXISTING WROUGHT IRON FENCE
12. EXISTING SIGNAGE
13. EXISTING PARKING TO BE RE-STRIPED
14. EXISTING LAND UN-PAVED (NOT A PART)
15. EXISTING CHAIN LINK FENCE
16. EXISTING WATER HEATER
17. EXISTING FENCE

DESIGNER:

SC DRAFTING & DESIGN
Streamline Concepts
Drafting & Design
8011 Maple Park Street
Las Vegas, NV 89131
PHN: 702-522-0652
EMAIL: info@slcdad.com

PREPRARED FOR:

Yavette Bell
1176 West Lake Mead Blvd.
Las Vegas, NV 89106
PHN: 702-782-1102

PROJECT:
YAVETTE BELL - SITE PLAN
1164 & 1176 WEST LAKE MEAD BOULEVARD
LAS VEGAS, NEVADA 89106
PHONE: 702-782-1102

SHEET TITLE:
SITE PLAN

DELTA	REVISION	DATE

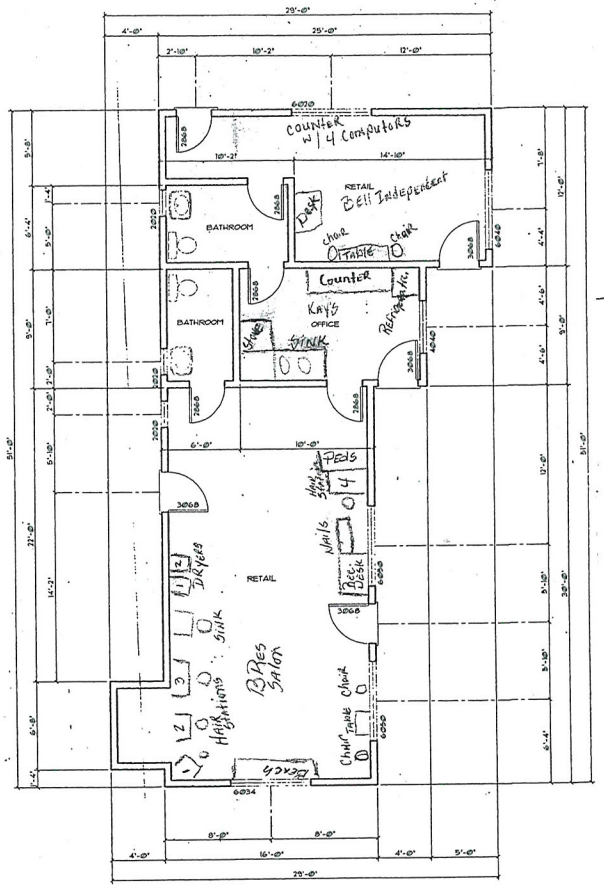
SHEET INFORMATION:

PROJECT NUMBER:	10-005
DRAWN BY:	DYLAN YORKE
LAST MODIFIED:	MAY 26, 2010
SCALE:	1/16" = 1'-0"

SHEET NUMBER: A0.00

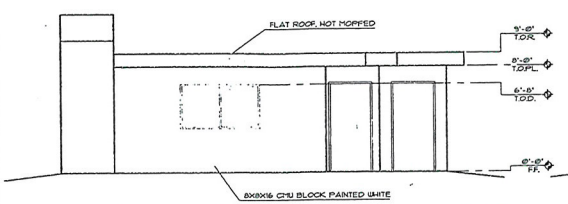
SUP-37949
REVISED

RECEIVED
JUN 01 2010



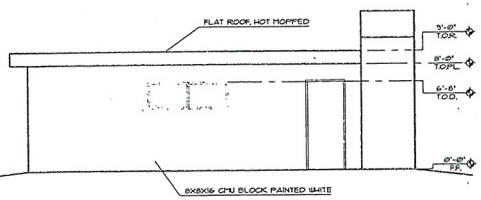
FLOOR PLAN

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



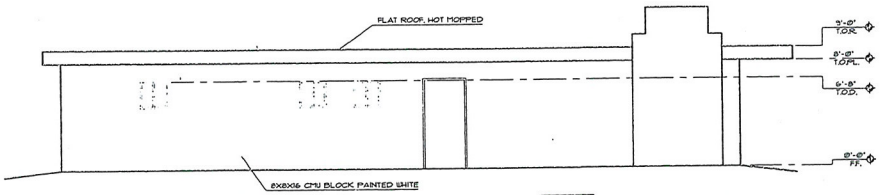
SOUTH ELEVATION

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



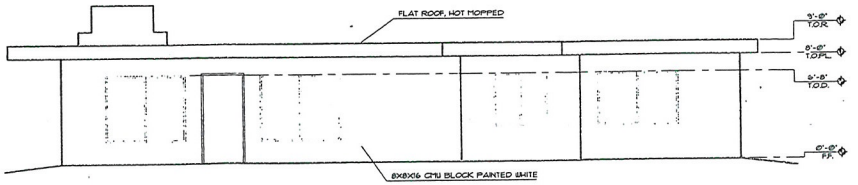
NORTH ELEVATION

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



WEST ELEVATION

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



EAST ELEVATION

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

SUP-37949

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SUP-37949

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Sunday, April 11, 2010
3:21 PM



SUP-37949

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Sunday, April 11, 2010
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APR 13 2010

SUP-37949



SUP-37949 - APPLICANT: BELL INDEPENDENT LIVING HOMES, INC. - OWNER: CLESTER AND ODESSA NELSON
1176 WEST LAKE MEAD BOULEVARD

05/20/10



SUP-37949 - APPLICANT: BELL INDEPENDENT LIVING HOMES, INC. - OWNER: CLESTER AND ODESSA NELSON
1176 WEST LAKE MEAD BOULEVARD

05/20/10



SUP-37949 - APPLICANT: BELL INDEPENDENT LIVING HOMES, INC. - OWNER: CLESTER AND ODESSA NELSON
1176 WEST LAKE MEAD BOULEVARD

05/20/10

Justification Letter

Bre's Hair & Nail Solutions
I Yavette D. Bell , the owner and only Licensed cosmetologist in the salon. I will not be hiring for hair dressers or nail techs. The use of the salon is mainly for the maintenance of my at risk kids. I need to ensure that there hair and nails are done for job interviews etc.
I also want my kids to take notice to the correct way to take care of there hair, nails and feet.

The kids will also learn how to clean, empty trash, the upkeep of tile floors, clean bathrooms, dust, clean windows, and properly sanitizing the salon.
This will help my young ladies and men obtain jobs in the future as janitors, housekeepers, office cleaners etc.
If I have to do the kids hair and or nails, it will be done after 5pm.

Kay's Kafe'
I Yavette D. Bell, The owner of Kay' Kafe'. The Kafe' will be delivery only & will cater to the surrounding business of 89106 area. My husband will run the Kafe', Mon.- Fri. 9-5pm.
There will be one kid in the Kafe' with him per day. The same kid will assist him for the week.
The kids will learn to prepare foods in a safe and clean area and learn how to run a register and balance out at the end of the day. The kids will learn to speak to clients on the phone in a professional way. They will learn how to take inventory and order more supplies. The on the job training the kids will receive from Kay's Kafe' will help them in the future obtain good paying jobs in the food industry.

Bell Independent Living Homes Inc.
I Yavette D. Bell the owner and operator of Bell I.L. H. Inc.
I will run my business from the back office, were I will take calls and faxes only. The business does not have foot traffic at all. The business is a non profit organization , that will assist at risk youth in the community. All assistance is free to the child. There will be no more than 2 kids a day on the property. The same 2 kids for the whole week. The age of the kids will range from 15 to 18.
The purpose of the program is to be a mentor to at risk youth in the community and ensure they finish school and get a G.E.D. or a Diploma. Helping kids with home work, getting assistance for college, getting a job, finding positive people to surround themselves with, and just assist them daily to ensure there success in life. The office will be open Mon. - Fri. 9-5pm . The kids will ride to the office with ms. Yavette D. Bell because they don't drive. If they have to take to bus to get to other appointments there is a bus stop in front of the office.
This is my way of standing up to the plate and being another mentor in the community for our at risk youth, To ensure no kids are left behind and our future leaders are educated in every possible way.

Bre's, Kay's & Bell I. L. H. Inc. are ran by Ms. Yavette D. Bell and her husband only. There are no other workers or employees.

I Yavette D. Bell, would like to ask for a Special use Permit, for Social Services provided @ 1176 W. Lake Mead, Las Vegas, Nevada 89106.

SUP-37949
REVISED

RECEIVED
JUN 01 2010

City of Las Vegas Agenda Item No.: **28.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

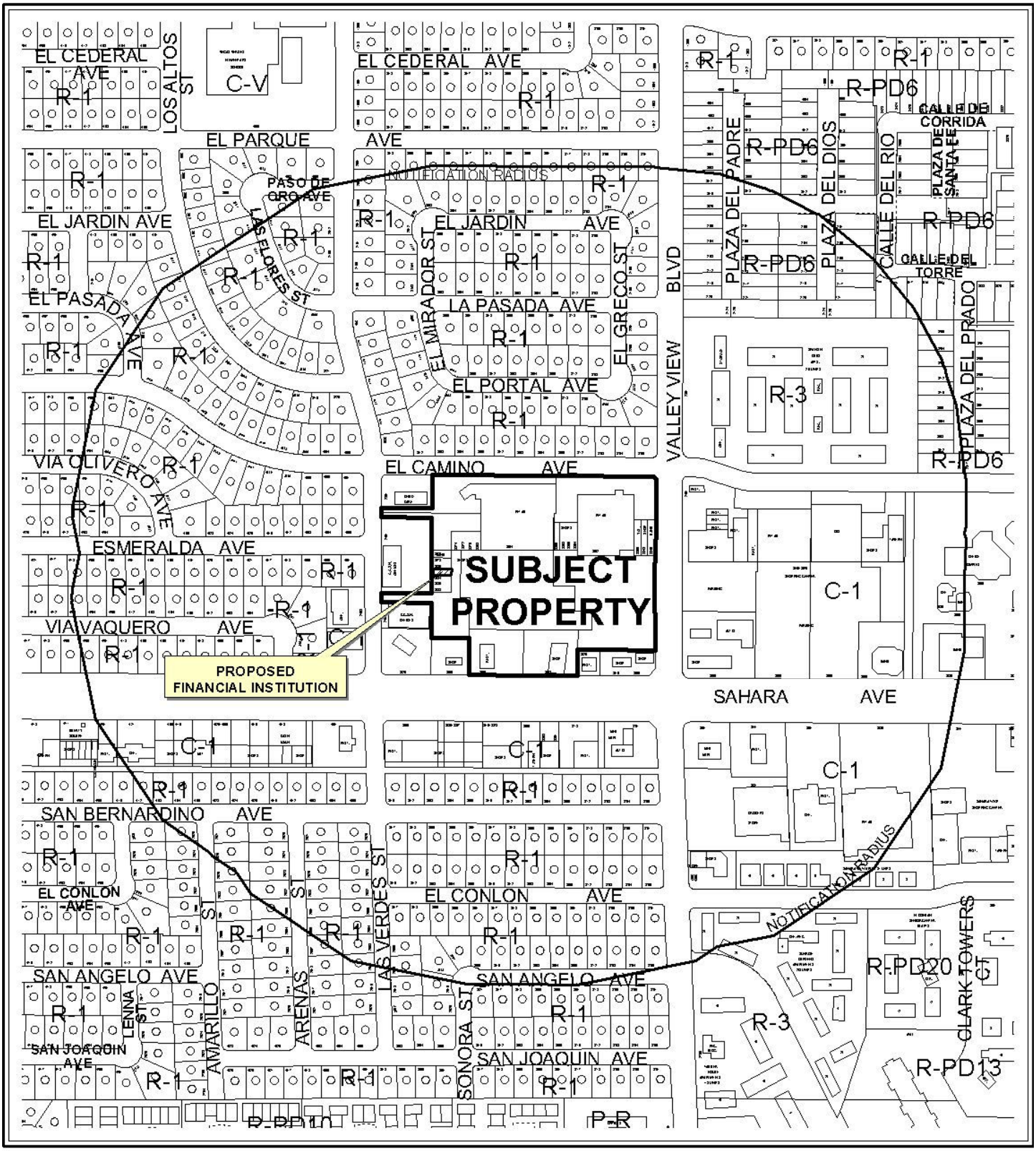
SUBJECT:
SUP-38137 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FUTURA ENVIA, INC. - OWNER: THRIFTY PAYLESS, INC. - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED WITH WAIVERS TO ALLOW A 60-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 200 FEET IS REQUIRED; AN 820-FOOT DISTANCE SEPARATION FROM A FINANCIAL INSTITUTION, SPECIFIED WHERE 1,000 FEET IS REQUIRED AND TO ALLOW 900 SQUARE FEET OF FLOOR AREA WHERE 1,500 SQUARE FEET IS REQUIRED at 3882 West Sahara Avenue (APN 162-06-813-005), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

IF APPROVED, C.C.: 07/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends DENIAL.

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



0 400 800 Feet

CASE: **SUP-38137**

RADIUS: 1000 FT

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

N



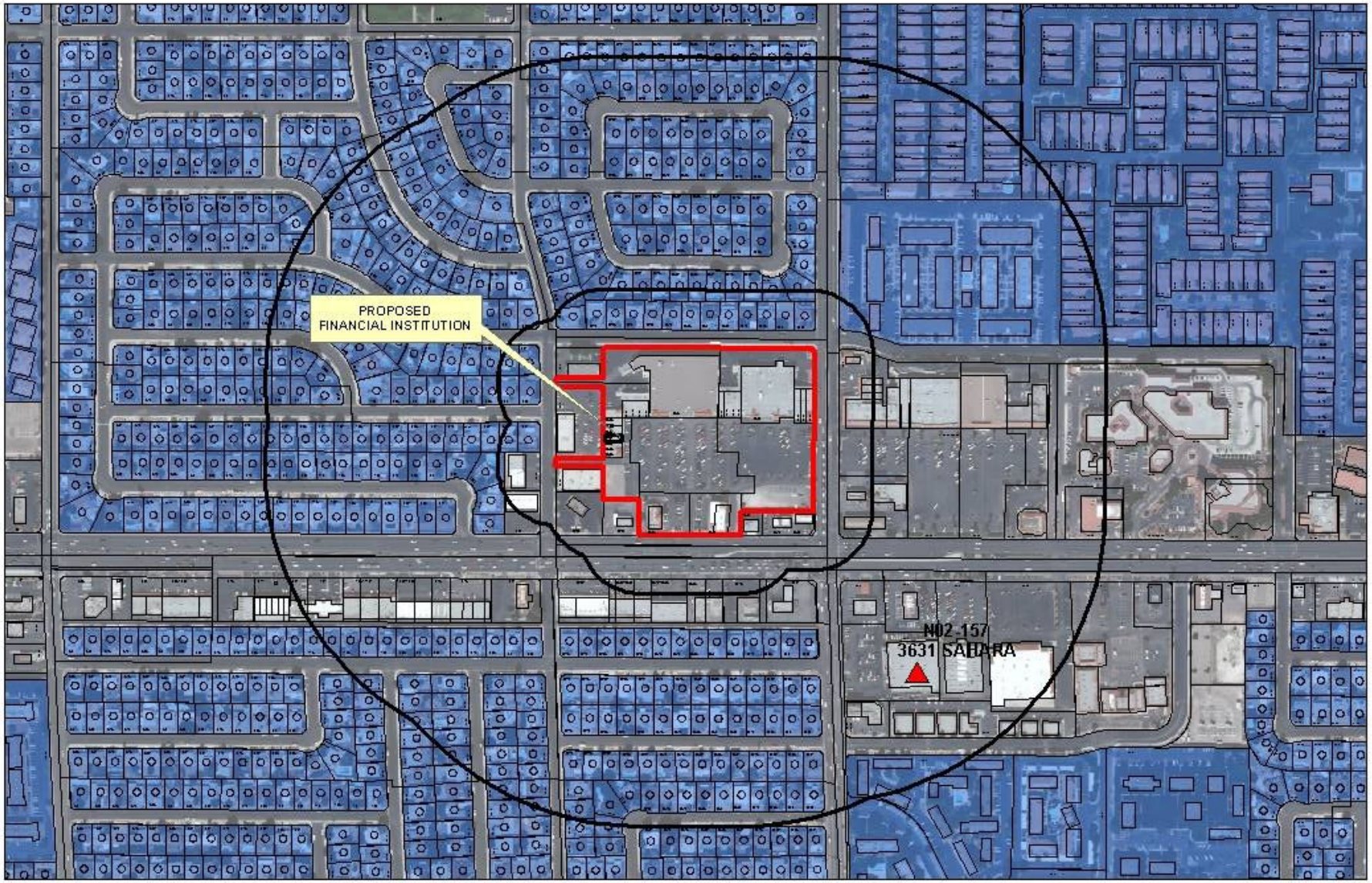
0 400 800 Feet

CASE: **SUP-38137**

RADIUS: 1000 FT

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

N



SUP-38137

Financial Business Locations

Financial Institution, Specified

Pawnshops

Automobile Title Loan

Subject Property

Residential Property

200ft & 1000ft Buffer

N

0 295 590 1,180 Feet

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: FUTURA, INC. - OWNER: THRIFTY PAYLESS, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-38137	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

SUP-38137 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Financial Institution, Specified use.

2. This approval shall be void two years 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.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a Financial Institution, Specified within an existing Wire Service located at 3882 West Sahara Avenue. There are requests for waivers to allow a 60-foot distance separation from a residential use where 200 feet is required, an 820-foot distance separation from another Financial Institution, Specified where 1,000 feet is required and to allow 900 square feet for the dedicated use where 1,500 square feet minimum floor area is required. Staff is recommending denial of this application because the proposed use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, as is evidenced by the requested waivers of distance separation and minimum floor area requirements. If this request is denied, the Financial Institution, Specified cannot be permitted on this site.

ISSUES

- A waiver is required to allow the proposed use to be located within 60 feet of a residential zoned use where 200 feet required.
- A waiver is required to allow the proposed use to be located within 820 feet of another Financial Institution, Specified where 1,000 feet is required.
- A waiver is required to allow 900 square feet for the use where 1,500 square feet is the minimum floor area required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/18/91	The City Council approved the request for reclassification of property (Z-0101-91) located at 3830 West Sahara Avenue, from C-C (Neighborhood Commercial Center), to C-1 (Limited Commercial). The Planning Commission and staff recommended approval of this request.
10/14/93	The Planning Commission approved a Plot Plan Review [Z-0101-91(1)] regarding the proposed reconfiguration of a portion of an existing retail shopping center on property located on the northwest corner of Sahara Avenue and Valley View Boulevard. Staff recommended approval of this request.

Most Recent Change of Ownership	
02/27/96	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
07/02/92	A building permit (#92151376) was issued for a new shell building at 3876 West Sahara Avenue. The project was completed on 04/20/93.
04/15/05	A business license (W10-00076) was issued for a Wire Service at 3882 West Sahara Avenue. This license has moved to this location on 08/25/06.
10/19/06	A building permit (#06006547) was issued for a Non-Work Certificate of Occupancy at 3882 West Sahara Avenue. The project was completed on 11/06/06.

Pre-Application Meeting	
02/23/10	A pre-application meeting with applicant was held where elements of submitting a Special Use Permit for a Financial Institution, Specified were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed. • The justification letter needs to be revised indicating the correct jurisdiction from Clark County to City of Las Vegas and Zoning Ordinance from Title 30 to Title 19. • The hours of operation needs to be indicated on the justification letter indicating that the use will not extend beyond the hours of 8:00 a.m. to 11:00 p.m. Otherwise, a waiver is required to extend the required hours of operation requirements. • A waiver is required to allow 900 square feet for the use where 1,500 square feet is the minimum floor area required. • A waiver is required to allow the proposed use to be located within 60 feet of a residential zoned use where 200 feet required. • A waiver is required to allow the proposed use to be located within 820 feet of another Financial Institution, Specified where 1,000 feet is required. • The parking requirement for Financial Institution, Specified is one space for each 250 square feet of Gross Floor Area.

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

Field Check	
05/20/10	Staff conducted a field check and noted the hours of operation is posted at the storefront window are from 9:00 a.m. to 8:00 p.m. The posted hours of operation meets the minimum Special Use Permit requirements for the proposed use.

Details of Application Request	
Site Area	
Net Acres	1.32

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Commercial Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single Family Residence	SC (Service Commercial)	C-1 (Limited Commercial)
South	Commercial Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Office	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			
A-O (Airport Overlay) 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	105,864 SF	1/250	424		420		
TOTAL SPACES REQUIRED			424		420		
TOTAL (With Handicapped)			415	9	410	10	N

RG

Waivers		
Requirement	***Request***	***Staff Recommendation***
1,500 square feet minimum of the building or portion thereof that is dedicated for the use.	900 square feet is the existing area of the suite.	Denial
200 feet from residential zoned use.	60 feet.	Denial
1,000 feet from any other Financial Institution, Specified.	820 feet.	Denial

ANALYSIS

The proposed Financial Institution, Specified will allow a business that provides check cashing services such as a principal service deferred, a paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances. The proposed use will be located within a 105,864 square-foot Shopping Center and the parking requirement is one space per 250 square feet of gross floor area; therefore, 424 parking spaces are required. Currently, the provided parking for the Shopping Center is 420 spaces and it is a parking-impaired development, pursuant to Title 19.10.010. The proposed use will not increase the area of the suite or result in a change of use that requires an increase in the number of required parking spaces.

The minimum Special Use Permit requirements for the proposed Financial Institution, Specified use are a 200-foot distance separation from residential use, a 1,000-foot distance separation from any other Financial Institutions, Specified and a 1,500 square-foot minimum floor area for of the use. The applicant has requested waivers to allow a 60-foot distance separation from a residential use, an 820-foot distance separation from another Financial Institution, Specified and to allow 900 square feet of floor area for the proposed use. Staff is recommending denial of this application because the proposed use cannot be conducted in a manner that is compatible with the surrounding land uses, as is evidenced by the requested waivers of distance separation and minimum floor area requirements.

FINDINGS (SUP-38137)

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 cannot be conducted in a manner that is harmonious and compatible with the uses in the existing site and with the commercial uses on adjacent properties due to the waivers of the distance separation from residentially zoned property and from another Financial Institution, Specified.

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

   The subject site is not physically suitable for the type and intensity of the proposed use. The suite where the proposed Financial Institution, Specified to be located is only 900 square feet. The minimum Special Use Permit requirement for the building or portion thereof that is dedicated to the use shall have a minimum size of 1,500 square feet.

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

   Site access is provided from Sahara Avenue, a 100-foot Primary Arterial and Valley View Boulevard, an 80-foot Secondary Collector as designated in the Master Plan of Streets and Highways. These streets are of sufficient size to accommodate the needs of the proposed Financial Institution, Specified 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 use does not meet all of the applicable conditions per Title 19.04, due to the request of waivers of distance separation for the proposed Financial Institution, Specified to allow the use within 60 feet of residentially zoned property, 820 feet from another Financial Institution, Specified and to allow 900 square feet minimum for the proposed use, where 1,500 square feet minimum is required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 27

NOTICES MAILED 443

APPROVALS 0

PROTESTS 0

RG

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-38137 APN: 162-068/3005

Name of Property Owner: Thrifty Payless, INC.

Name of Applicant: FUTURA, INC.

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: By: _____

Print Name: J. Lawrence Gelman
Vice President

Subscribed and sworn before me

This 14th day of April, 2010

_____

Notary Public in and for said County and State

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Melissa H. Twardzik, Notary Public
East Pennsboro Twp., Cumberland County
My Commission Expires July 14, 2010
Member, Pennsylvania Association of Notaries

RECEIVED

APR 28 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: FUTURA, INC

Project Address (Location) 3882 WEST SAHARA AVE

Project Name FUTURA ENVIA **Proposed Use** CHECK CASHING

Assessor's Parcel #(s) 162-06813005 **Ward #** _____

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

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

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

Additional Information _____

_____

PROPERTY OWNER THRIFTY PAYLESS, INC. **Contact** I. LAWRENCE GELMAN

Address P. O. Box 3165 **Phone:** 717-975-5717 **Fax:** 717-975-5952

City HARRISBURG **State** PA **Zip** 17105

E-mail Address _____

APPLICANT FUTURA ENVIA **Contact** MRS. ROSAURA OIRTEGA

Address 3882 WEST SAHARA AVE **Phone:** (971) 235-4884 **Fax:** (503) 693-4600

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

E-mail Address rortega@futuraenvia.com

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

Property Owner Signature* By: _____

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

Print Name I. Lawrence Gelman
Vice President

Subscribed and sworn before me

This 14th day of April, 20 10.

_____

Notary Public in and for said County and State

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Melissa H. Twardzik, Notary Public
East Pennsboro Twp., Cumberland County
My Commission Expires July 14, 2010
Member, Pennsylvania Association of Notaries

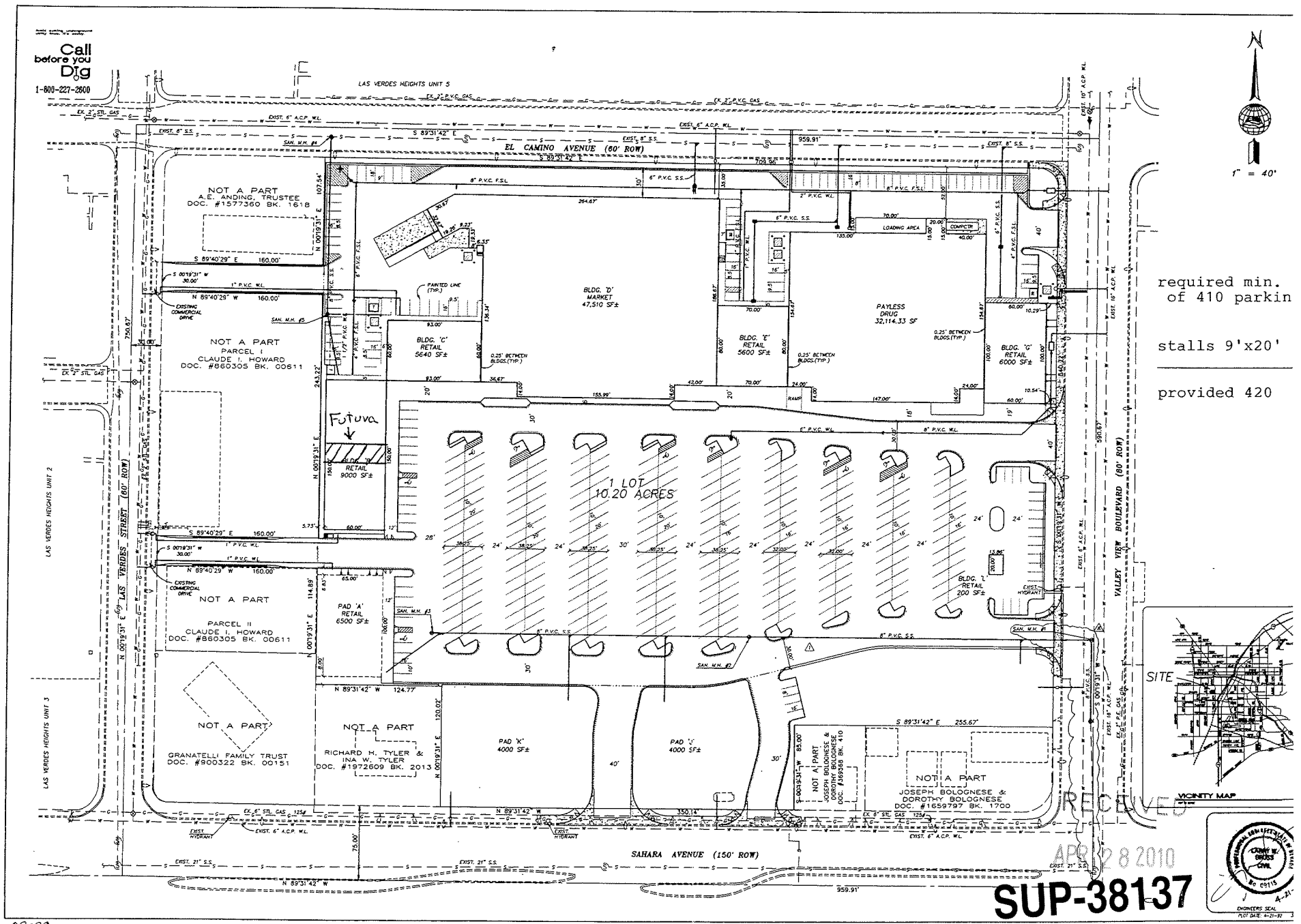
FOR DEPARTMENT USE ONLY

Case #	SUP-38137
Meeting Date:	6/24/10
Total Fee:	1030.00
Date Received:*	4/28
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.

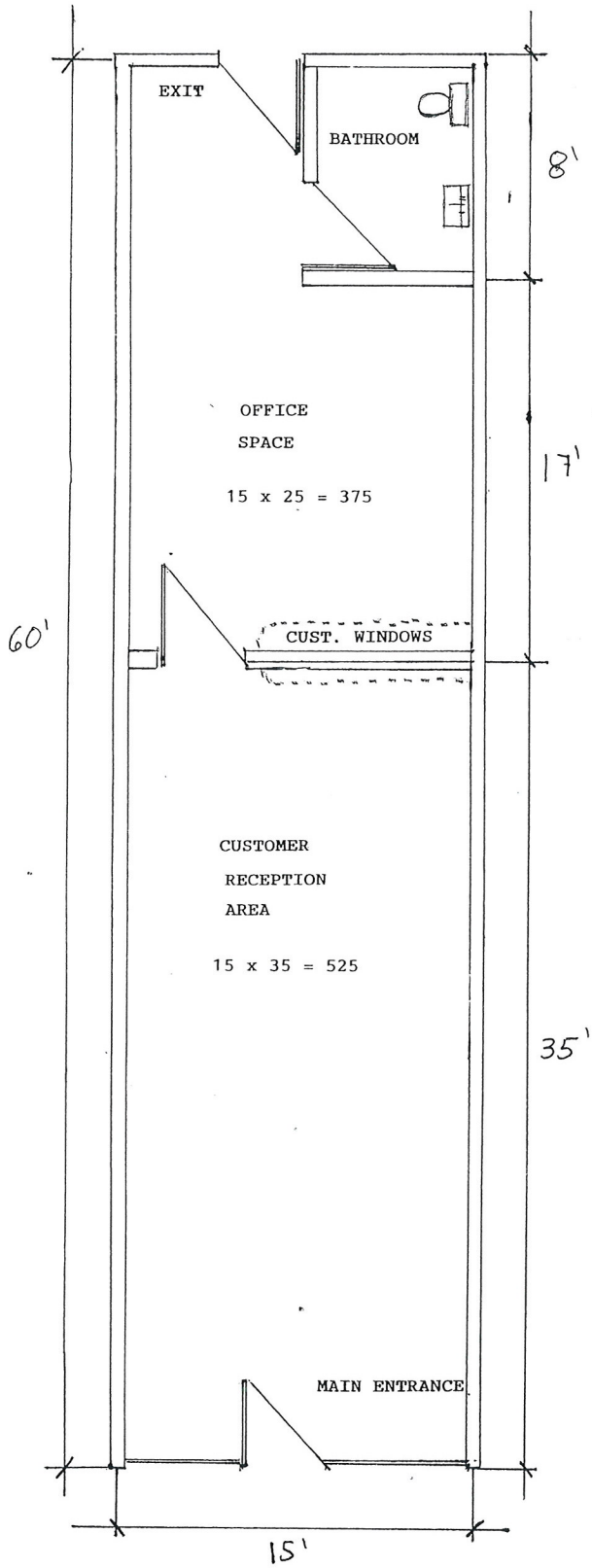
Revised 10/27/08

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


Call before you Dig
1-800-227-2600
LAS VERDES HEIGHTS UNIT 5
EL CAMINO AVENUE (60' ROW)
NOT A PART
A.E. ANDING, TRUSTEE
DOC. #1577360 BK. 1618
NOT A PART
PARCEL I
CLAUDE I. HOWARD
DOC. #860305 BK. 00611
BLDG. 'D' MARKET 47,510 SF±
BLDG. 'C' RETAIL 5640 SF±
BLDG. 'E' RETAIL 5600 SF±
PAYLESS DRUG 32,114.33 SF
BLDG. 'G' RETAIL 6000 SF±
Futura
BLDG. 'B' RETAIL 9000 SF±
1 LOT
10.20 ACRES
BLDG. 'L' RETAIL 200 SF±
NOT A PART
PARCEL II
CLAUDE I. HOWARD
DOC. #860305 BK. 00611
PAD 'A' RETAIL 6500 SF±
NOT A PART
GRANATELLI FAMILY TRUST
DOC. #900322 BK. 00151
NOT A PART
RICHARD H. TYLER & INA W. TYLER
DOC. #1972609 BK. 2013
PAD 'K' 4000 SF±
PAD 'J' 4000 SF±
NOT A PART
JOSEPH BOLOGNESE & DOROTHY BOLOGNESE
DOC. #1659797 BK. 1700
LAS VERDES STREET (60' ROW)
VALLEY VIEW BOULEVARD (80' ROW)
SAHARA AVENUE (150' ROW)
LAS VERDES HEIGHTS UNIT 2
LAS VERDES HEIGHTS UNIT 3
1" = 40'
required min. of 410 parkin
stalls 9'x20'
provided 420
SITE
VICINITY MAP
RECEIVED
APR 28 2010
SUP-38137
ENGINEERS SEAL
PLOT DATE: 4-21-97

23334

4-2-10



FUTURA ENVIA

3882 W. SAHARA AVE.

LAS VEGAS, NV 89102

RECEIVED
APR 28 2010

SUP-38137



SUP-38137 – APPLICANT: FUTURA ENVIA, INC. - OWNER: THRIFTY PAYLESS, INC.
3882 WEST SAHARA AVENUE

05/20/10



SUP-38137 – APPLICANT: FUTURA ENVIA, INC. - OWNER: THRIFTY PAYLESS, INC.
3882 WEST SAHARA AVENUE

05/20/10

Futura, Inc.
331 S.E. 10th Ave.
Hillsboro, OR 97123
tel: 1-888-744-1616
503-693-1616
fax: 1-877-977-4600
503-693-4600

FUTURA

April 6, 2010

JUSTIFICATION LETTER

City of Las Vegas
Case Planning
Planning & Development Department
731 S 4th St.
Las Vegas, NV 89101

RE: Branch Location – **Futura Envia**
3882 W. Sahara
Las Vegas, NV 89102

Dear Planning Commission:

As President of Futura Envia, with Corporate Office located at 331 SE 10th Ave., Hillsboro, Oregon 97123, I am writing this JUSTIFICATION LETTER, to express our business reasons for the application of this **Special Use Permit for Check Cashing** at the above mentioned property. **Futura is currently licensed by the Department of Financial Institutions as a Money Transmitter, and Check Casher** and is licensed by the City of Reno and Sparks as an Authorized Check Casher. Futura is also an Authorized Delegate of Money Gram, for which we offer through them the sale of money orders and bill payment services. Our customers constantly walk into our business with their payroll checks expecting to cash and use the funds to pay bills, purchase money orders to pay for their rent and even wire money to their families abroad.

Our current **neighbors "Food 4 Less"**, constantly send their customers to our office to try to cash their payroll checks in order to purchase produce. Since this is not possible, customers have to go elsewhere for their shopping, affecting all businesses in this shopping area. We strongly believe that being able to provide this check cashing service to our customers will help us create a more stable and profitable environment for all the businesses in this shopping area because it will help us maintain our local customers. Our company is dedicated to providing the best service to our customers and plans to cash **only payroll checks** (no third party, personal or out of state checks).

RECEIVED
MAY 19 2010

Su dinero en buenas manos...

SUP-38137
REVISED

City of Las Vegas Agenda Item No.: **29.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

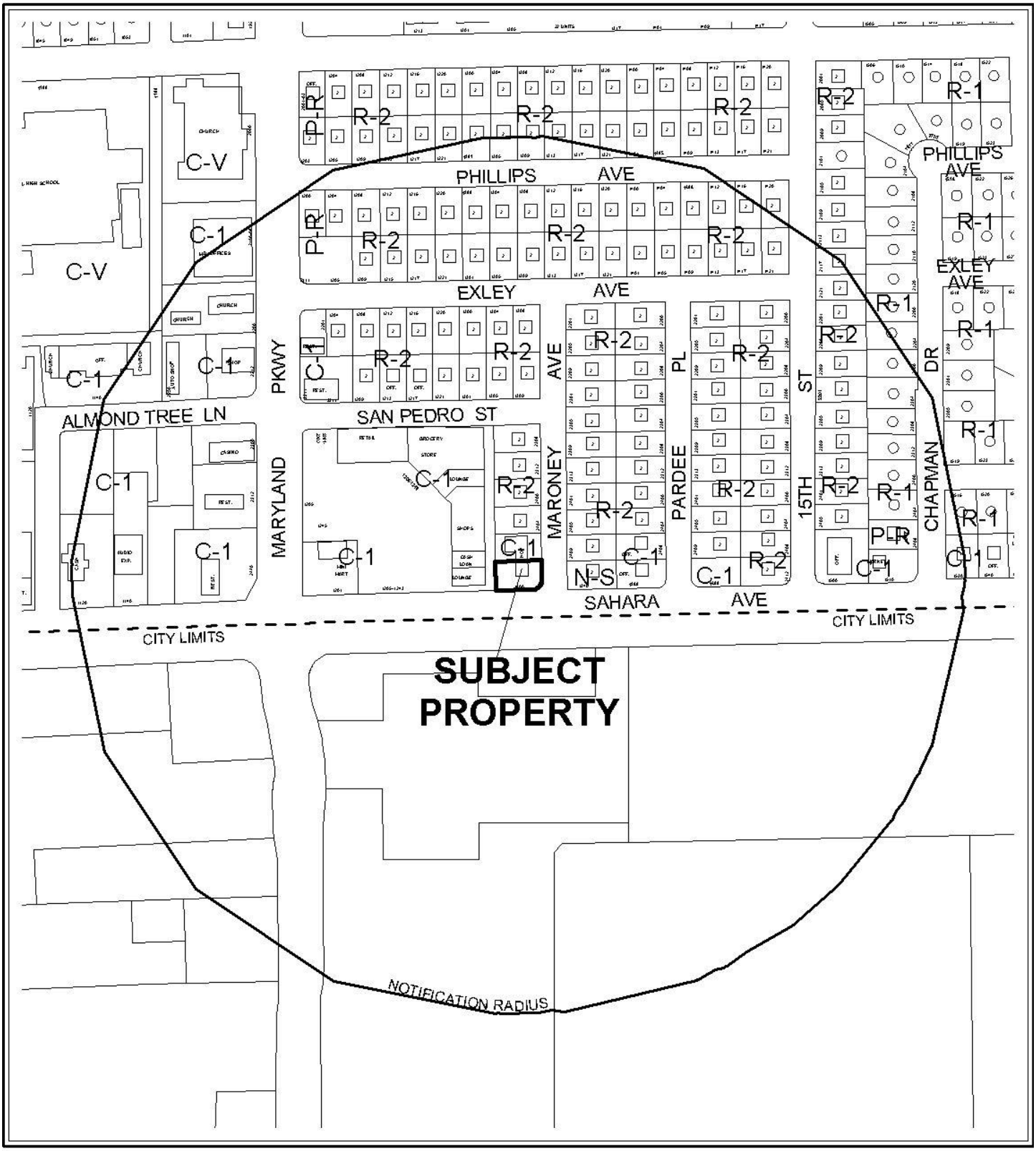
SUBJECT:
SUP-38242 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI - Request for a Special Use Permit FOR A SECONDHAND DEALER USE (JEWELRY) WITHIN AN EXISTING 2,300 SQUARE-FOOT JEWELRY STORE at 1300 East Sahara Avenue (APN 162-02-410-095), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



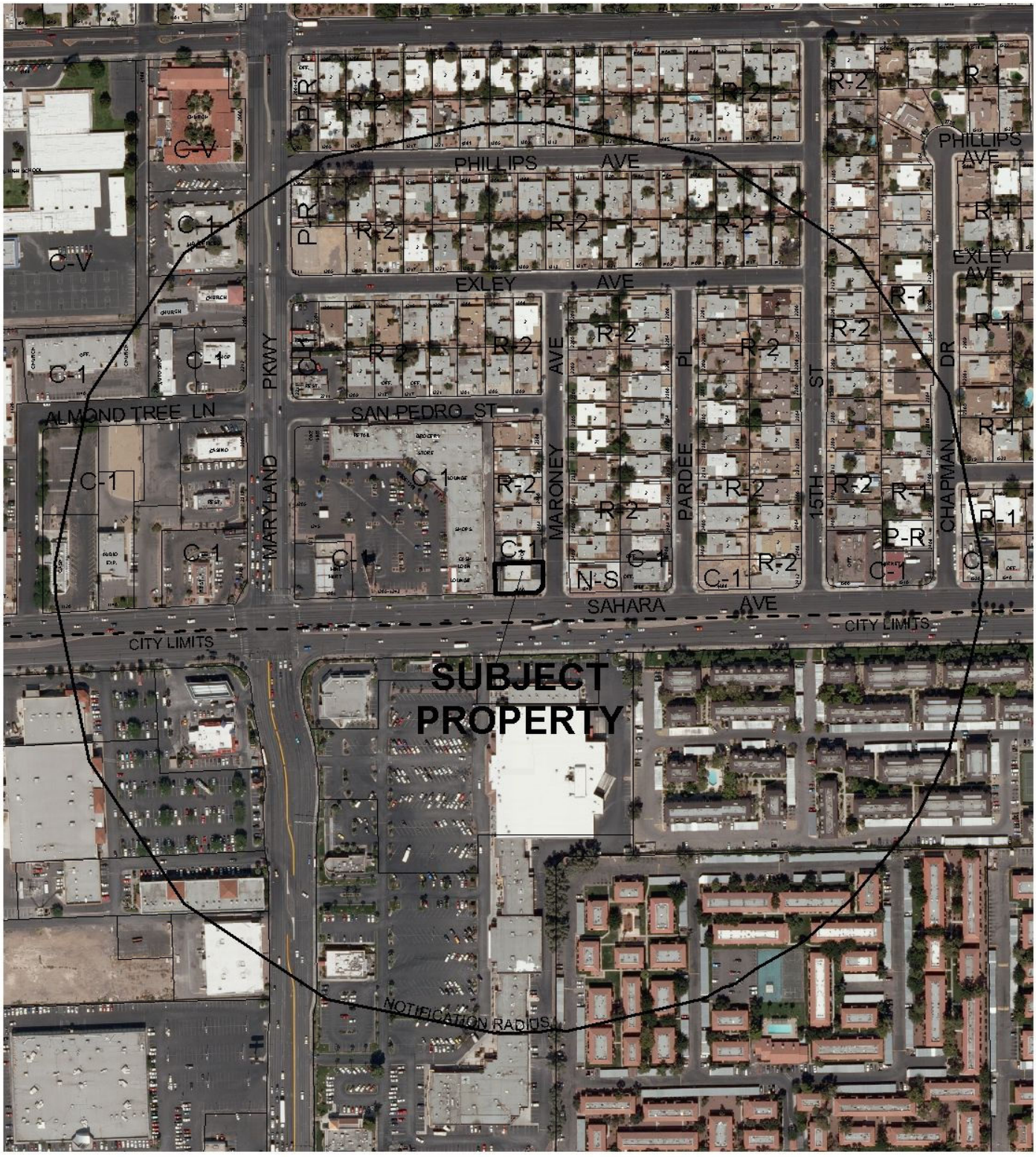
0 300 600 Feet

CASE: **SUP-38242**

RADIUS: 1000 FT

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

N



CASE: **SUP-38242**

RADIUS: 1000 FT

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

0 300 600 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-38242	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-38242 CONDITIONS

Planning and Development

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

2. This approval shall be void two years 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 signage shall conform to Title 19 standards. Sign permits shall be obtained for all unpermitted signage within 30 days of final approval, or removed.

4. Pursuant to Title 19.14.140, the sign face of the existing freestanding pole sign shall be replaced with signage related to the on-premise use, or with a blank sign face, within 30 days of final approval. In addition, if the sign is not used to display signage relating to the on-premise use, the sign shall be deemed to be an abandoned sign, and shall be removed within one year of final approval.

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

** STAFF REPORT **

PROJECT DESCRIPTION

This request is for a Special Use Permit for a proposed Secondhand Dealer use to be located within an existing 2,300 square-foot Jewelry Store, on 0.16 acres at 1300 East Sahara Avenue. Staff is recommending approval of this application, as the proposed use will be ancillary to the Jewelry Store and can be conducted in a manner that is harmonious and compatible with the existing and future surrounding land uses.

ISSUES

- Six existing signs do not have building permits. A condition has been added that all signage is required to receive sign permits within 30 days of final approval, or removed.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/15/72	The Board of City Commissioners approved a request to rezone (Z-0078-71) property from R-2 (Medium Density Residential) to C-1 (Limited Commercial) generally located on the northwest corner of Maryland Parkway and Maroney Avenue. Planning Commission and staff recommended approval.
06/01/81	The Board of Zoning Adjustment approved a request for a Variance (V-0029-81) to allow three 55-foot tall billboard signs where 40 feet is the maximum height allowed at 1300, 1380, and 1500 East Sahara Avenue.

Most Recent Change of Ownership	
03/09/06	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
c.1954	The existing building was constructed.
06/07/06	A Code Enforcement citation (43040) was issued for an inoperable vehicle at 1300 East Sahara Avenue. The citation was closed by Code Enforcement on 06/19/06.
03/11/09	A Code Enforcement citation (75498) was issued for an inoperable vehicle at 1300 East Sahara Avenue. The citation was closed by Code Enforcement on 04/27/09.

GK

05/05/09	A Code Enforcement citation (77829) was issued for graffiti at 1300 East Sahara Avenue. The citation was closed by Code Enforcement on 05/06/09.
04/13/10	A building permit was issued for a non-work certificate of occupancy for a New Jewelry Sales use at 1300 East Sahara Avenue. The permit was finaled on 04/22/10.
04/23/10	A business license (J01-02132) was issued for a New Jewelry Sales use at 1300 East Sahara Avenue. The license is still active.
05/12/10	A business license (S26-95912) for a secondhand dealer use was denied by Planning and Development, as a Special Use Permit is required.

Pre-Application Meeting	
03/29/10	The following items were discussed at the pre-application meeting: • A Special Use Permit is required to add a secondhand dealer use at 1300 East Sahara Avenue. The submittal requirements for a Special Use Permit were discussed. • A Project of Regional Significance is required, as the site is located within 500 feet of the city boundary.

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

Field Check	
05/20/10	A field check was completed on the indicated date. The site is free of graffiti, trash, and debris. There are six wall signs without building permits.

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	Jewelry Sales, New	SC (Service Commercial)	C-1 (Limited Commercial)
North	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
South	Shopping Center	Clark County	Clark County

GK

East	Office, Other than Listed	SC (Service Commercial)	N-S (Neighborhood Service)
West	Shopping Center	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			
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		Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Secondhand Dealer	2,300 SF	1:250	10		10		Y
TOTAL SPACES REQUIRED			10		10		Y
TOTAL (With Handicapped)			9	1	9	1	Y

ANALYSIS

This is a request for a Special Use Permit for a proposed Secondhand Dealer use to be located within an existing 2,300 square-foot Jewelry Store on 0.16 acres at 1300 East Sahara Avenue. The applicant has indicated that it will be buying and selling gold, silver and other gems, which is consistent with the Secondhand Dealer use defined in Title 19.04.

The intensity of land use at the site will remain nearly identical to that which is currently on site, as the proposed Secondhand Dealer use will be ancillary to the existing Jewelry Store. Also, the parking intensity will not increase, as the parking requirements for a Secondhand Dealer are consistent with those of the existing Jewelry Store. Therefore, staff recommends approval.

FINDINGS (SUP-38242)

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

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

   The proposed land use is compatible with the SC (Service Commercial) General Plan designation. The use can be conducted in a manner that is harmonious and compatible with the surrounding uses.

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

   The proposed Secondhand Dealer use will be located in an existing Jewelry Store. There is no evidence of a physical constraint to the proposed use on the subject 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 Sahara Avenue, a 100-foot Primary Arterial as designated in the Master Plan of Streets and Highways and Maroney Avenue, a 60-foot right-of-way. These streets provide adequate access to and from the subject property.

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

   Approval of this special use permit will not compromise public health, safety, or welfare as the proposed Secondhand Dealer use will be subject to regular inspections.

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

   The proposed Secondhand Dealer use complies with the conditions per Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 153

APPROVALS 0

PROTESTS 0

GK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-38242** APN: 162.02.~~8~~410.095

Name of Property Owner: Soliman Habashi

Name of Applicant: Gold & Silver Jewelry Supply

Name of Representative: Steven Gibson

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: Soliman

Print Name: Soliman Habashi

Subscribed and sworn before me

This 24 day of May, 2010

_____

Notary Public in and for said County and State

Delia Diaz
NOTARY PUBLIC STATE OF NEVADA
My Appointment Expires 06/10/2013
Appointment No. 09-10282-1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: _____

Project Address (Location) 1300 E. SAHARA

Project Name Gold & Silver Jewelry Supply **Proposed Use** SECOND HAND Dealer

Assessor's Parcel #(s) 162.02.410.095 **Ward #** 3

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

Commercial Square Footage 2,300 **Floor Area Ratio** _____

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

Additional Information _____

PROPERTY OWNER SOLIMAN HABASHI **Contact** _____

Address 1300 E. SAHARA **Phone:** 702 3396655 **Fax:** _____

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

E-mail Address _____

APPLICANT Gold & Silver Jewelry Supply **Contact** 702.699.5416

Address 1300 E. Sahara **Phone:** 604.0606 **Fax:** _____

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

E-mail Address _____

REPRESENTATIVE STEVEN Gibson **Contact** 702 762.5366

Address 1405 So. 16TH ST. **Phone:** _____ **Fax:** _____

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

E-mail Address _____

Property Owner Signature* Soliman

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

Print Name Soliman Habashi

Subscribed and sworn before me

This 27 day of MAY, 20 10.

Notary Public in and for said County and State

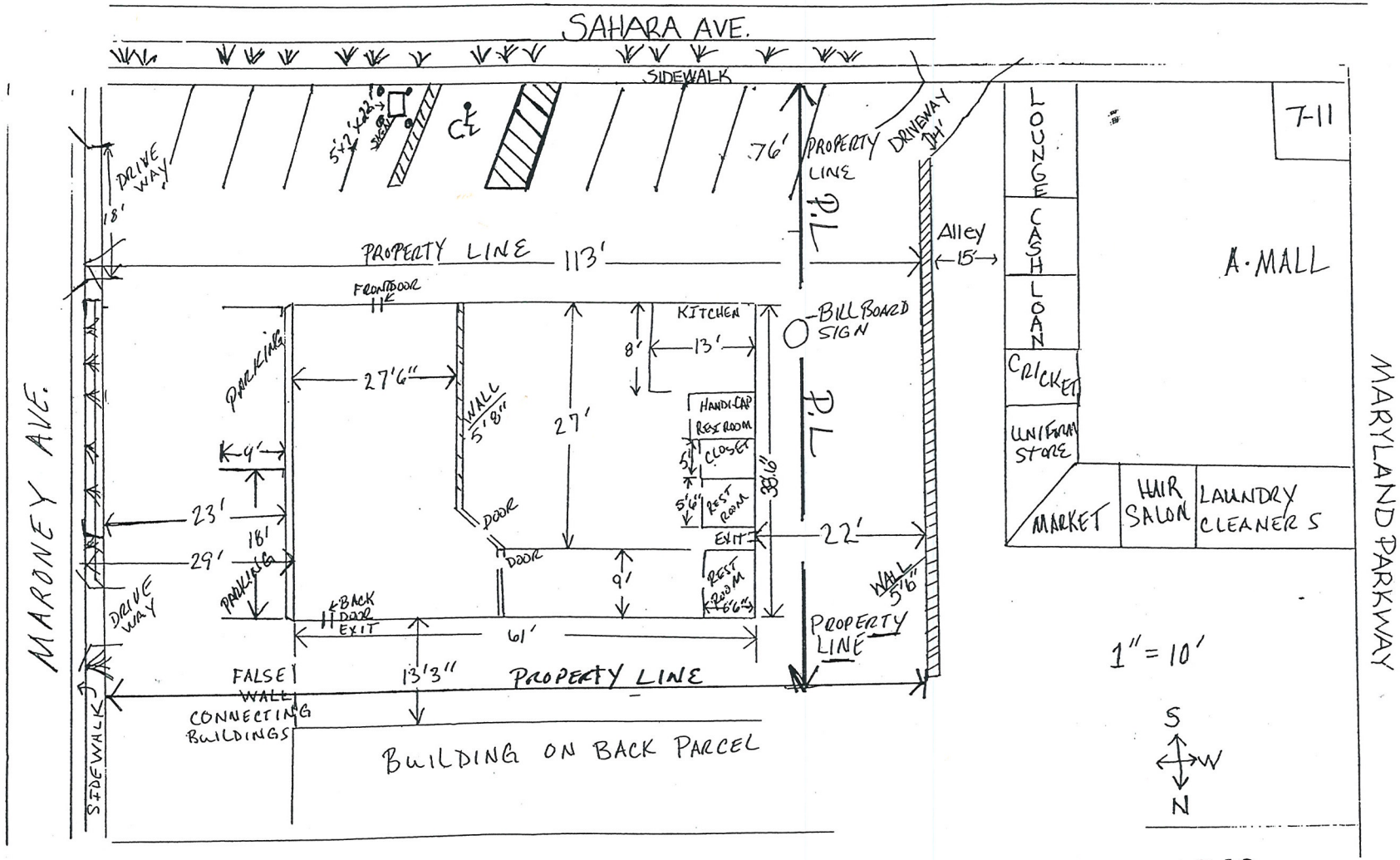
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
NANCY HARVIEUX
No: 99-20354-1
My Appointment Expires April 2, 2011

FOR DEPARTMENT USE ONLY

Case #	SUP-38242
Meeting Date:	6-24-10
Total Fee:	$1,030.00
Date Received:*	5/28/10
Received By:	

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

300 E. SAHARA AVE. LV. NV 89104

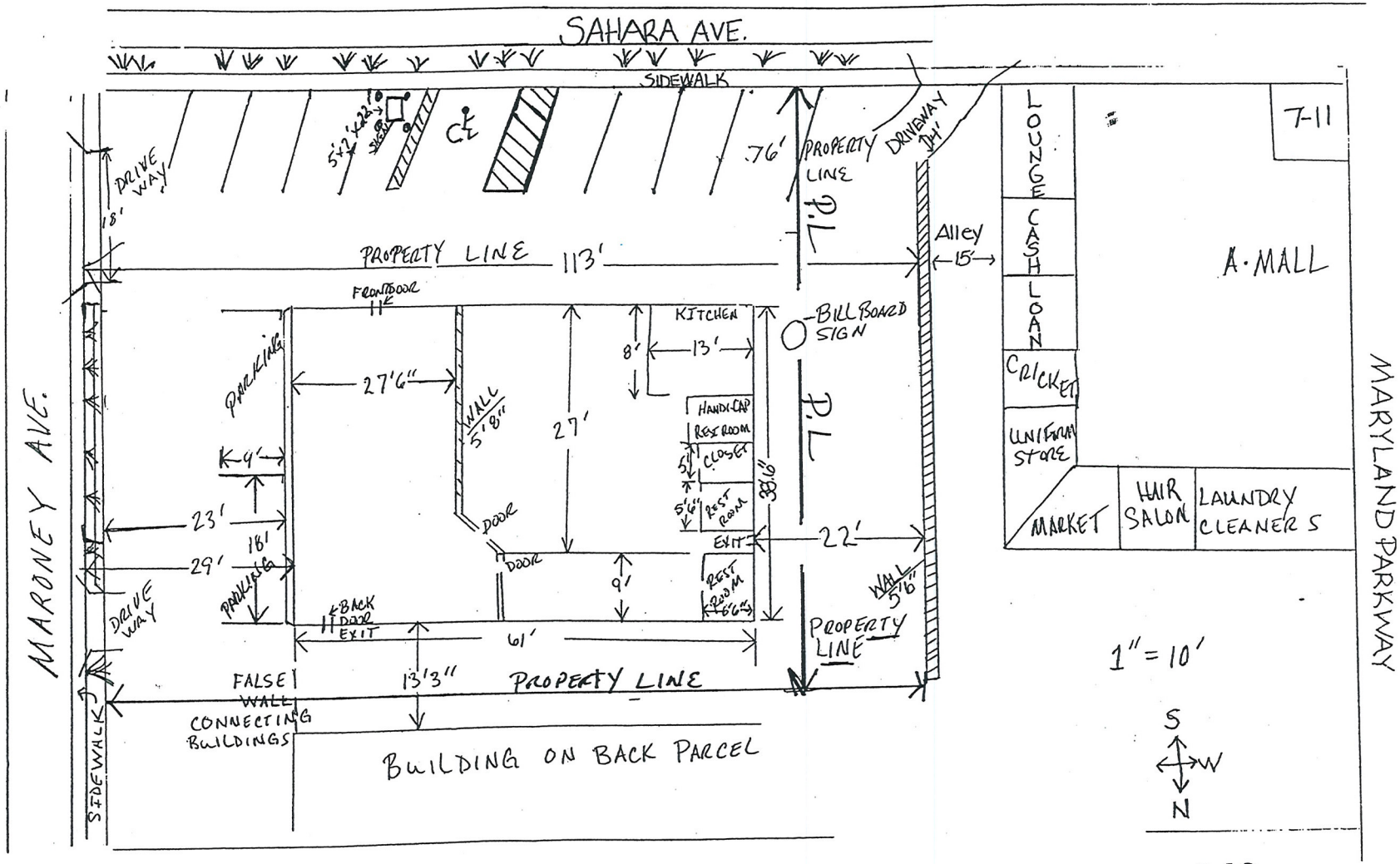


RECEIVED
MAY 19 2010

SUP-38242
REVISED

FLOOR PLAN

300 E. SAHARA AVE. LV. NV 89104



SUP-38242
REVISED

RECEIVED
MAY 19 2010

[No Subject]

Mon, May 10, 2010 11:45:31 AM

From: Tony Rila <tonyrila@yahoo.com> View Contact

To: "tonyrila@yahoo.com" <tonyrila@yahoo.com>

South Side Facing Sahara



← East Side

Sent from my iPhone

RECEIVED
MAY 11 2010

SUP-38242

[No Subject]

Mon, May 10, 2010 11:45:55 AM

From: **Tony Rila** <tonyrila@yahoo.com> View Contact
To: **"tonyrila@yahoo.com"** <tonyrila@yahoo.com>

sign 3 landscaping on Sahara



Sent from my iPhone

RECEIVED
MAY 11 2010

SUP-38242

[No Subject]

Mon, May 10, 2010 11:07:33 AM

From: Tony Rila <tonyrila@yahoo.com> View Contact

To: "tonyrila@yahoo.com" <tonyrila@yahoo.com>

Parking looking East down Sahara



Sent from my iPhone

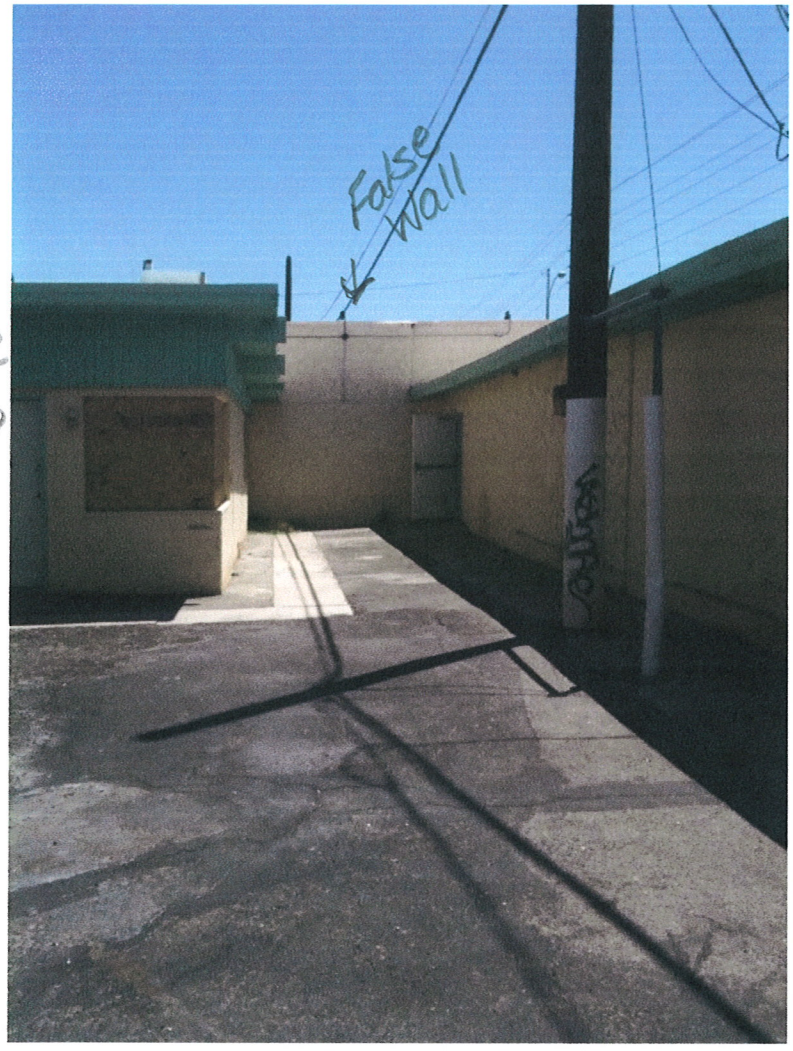
RECEIVED
MAY 11 2010
SUP-38242

[No Subject]

Mon, May 10, 2010 11:43:37 AM

From: Tony Rila <tonyrila@yahoo.com> View Contact

To: "tonyrila@yahoo.com" <tonyrila@yahoo.com>



Sent from my iPhone

RECEIVED
MAY 11 2010
SUP-38242

[No Subject]

Mon, May 10, 2010 11:44:37 AM

From: Tony Rila <tonyrila@yahoo.com> View Contact

To: "tonyrila@yahoo.com" <tonyrila@yahoo.com>

West Side Of Building



← Billboard

Sent from my iPhone

RECEIVED
MAY 11 2010

SUP-38242

[No Subject]

Mon, May 10, 2010 11:45:01 AM

From: Tony Rila <tonyrila@yahoo.com> View Contact

To: "tonyrila@yahoo.com" <tonyrila@yahoo.com>

Looking East down Sahara.



Sent from my iPhone

RECEIVED
MAY 11 2010

SUP-38242

[No Subject]

Mon, May 10, 2010 11:46:29 AM

From: Tony Rila <tonyrila@yahoo.com> View Contact

To: "tonyrila@yahoo.com" <tonyrila@yahoo.com>

S. Facing Sahara



Sent from my iPhone

RECEIVED
MAY 11 2010

SUP-38242



SUP-38242 – APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI
1300 EAST SAHARA AVENUE

05/20/10



SUP-38242 – APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI
1300 EAST SAHARA AVENUE

05/20/10



SUP-38242 – APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI
1300 EAST SAHARA AVENUE

05/20/10



SUP-38242 – APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI
1300 EAST SAHARA AVENUE

05/20/10



SUP-38242 – APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI
1300 EAST SAHARA AVENUE

05/20/10



SUP-38242 – APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI
1300 EAST SAHARA AVENUE

05/20/10

May 10, 2010

Re: Justification Letter

City of Las Vegas
Planning and Development Department,

We are Appling for a special use permit to allow a class 3 second-hand license to operate at 1300 E. Sahara Ave. This request is for a 2300 sq. ft. building located in a commercial zoned area where similar business already exists. We will certainly comply with the planning department's rules and regulations. We will provide ten, 9x18 ft. Parking spaces and one van accessible handicap space. Any and all landscaping requirements will be adhered to.

With ample driveways to enter and exit the property traffic should be kept at a minimum.

With this license at this location we plan to buy and sell new and used jewelry items and supplies. We will also be manufacturing and doing jewelry repairs.

Thank you for your consideration,

Anthony J. Rila Jr.

Anthony J. Rila Jr.

RECEIVED
MAY 11 2010
SUP-38242

City of Las Vegas Agenda Item No.: **30.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

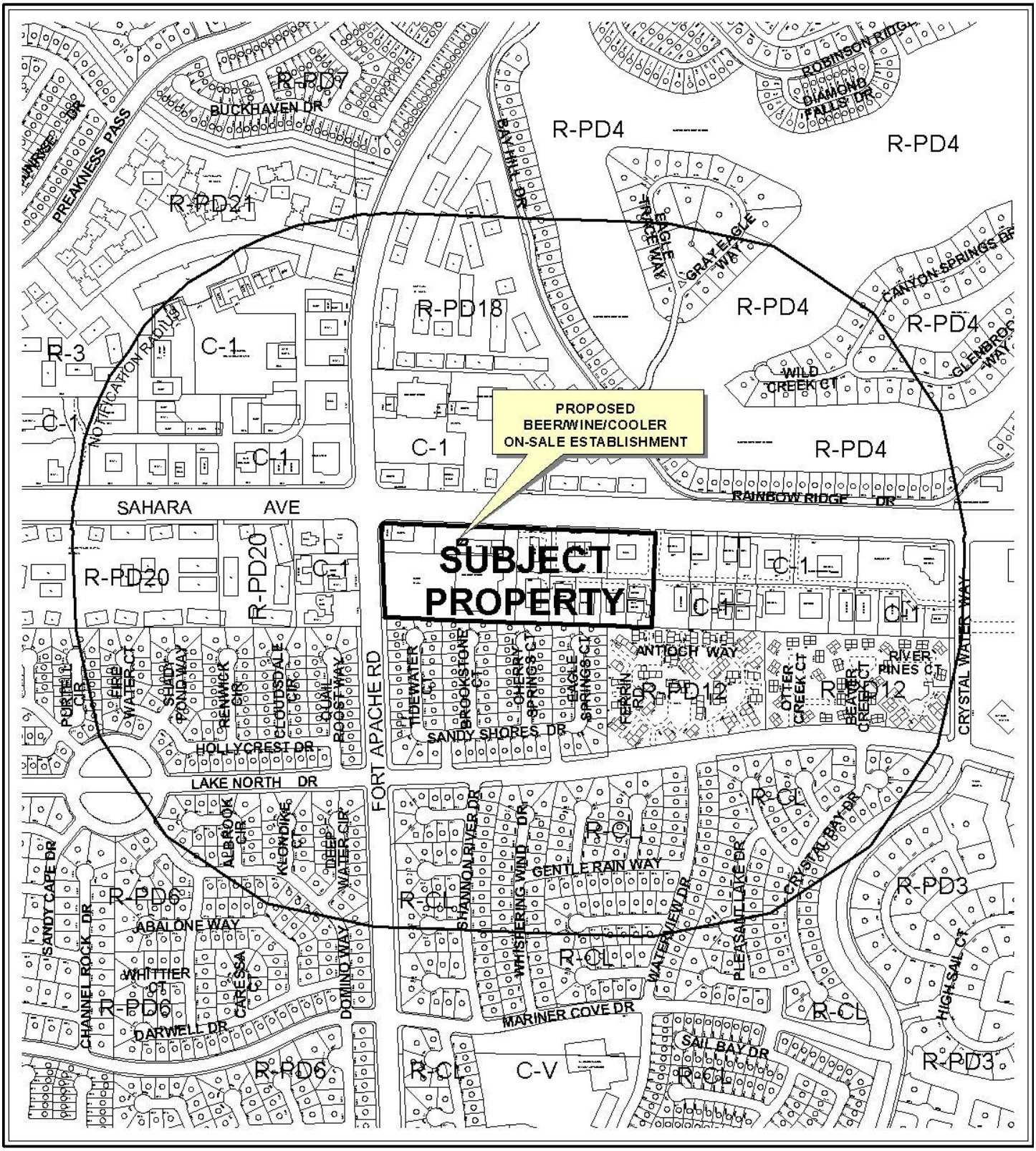
SUBJECT:
SUP-38244 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SB FORT APACHE, LLC - OWNER: LAKES PLAZA, LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN A PROPOSED 2,186 SQUARE-FOOT RESTAURANT WITH A WAIVER TO ALLOW A 120-FOOT DISTANCE SEPARATION FROM A CHILD CARE FACILITY WHERE 400 FEET IS REQUIRED at 9101 West Sahara Avenue, Suites #109 (APN 163-08-121-010), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends 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-38244**

RADIUS: 1500 FT

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

N



CASE: **SUP-38244**

RADIUS: 1500 FT

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



SUP-38244

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: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: SB FORT APACHE, LLC - OWNER: LAKES PLAZA, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-38244	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-38244 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for Beer/Wine/Cooler On-Sale Establishment use.

2. No outdoor seating shall be permitted at this location.

3. No exterior signage shall be permitted that advertises any type of alcohol products.

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

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

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

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

Staff Report Page One
June 24, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a Beer/Wine/Cooler On-Sale Establishment within a proposed restaurant at 9101 West Sahara Avenue, Suite #109. The restaurant is 2,186 square feet in size with seating for 57 people. The Beer/Wine/Cooler On-Sale use will be ancillary to the proposed restaurant. The proposed use will not require additional parking beyond that which is required for the restaurant use on the site. The proposed use meets all minimum Special Use Requirements of Title 19.04 requirements, with the exception of the 400-foot distance separation from a child care facility licensed for more than 12 children. The applicant is requesting a Waiver to allow a 120-foot distance separation from a child care facility licensed for more than 12 children. As Conditioned, 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 proposed restaurant would remain.

ISSUES

- The proposed use is within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City Park. A Waiver for the distance separation is required.
- Staff recommends that there be no outdoor seating or exterior advertising of alcoholic beverages, due to the proximity to a licensed child care facility.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/06/85	The City Council approved the Rezoning (Z-0004-85) of property generally located south of Sahara Avenue, between Fort Apache Road and Durango Road, from: N-U (Non-Urban) (Under Resolution of Intent to R-PD7, R-PD23, P-R, C-1 and C-V), to: R-PD4 (Residential Planned Development), R-PD23 (Residential Planned Development) and C-1 (Limited Commercial). Planning Commission and staff recommended approval.
10/27/94	The Planning Commission approved a Plot Plan and Elevation Review (Z-0004-85(2)) for a 60,000 square-foot grocery store with 11,200 square feet of attached retail shops and a 10,000 retail pad site. Staff recommended approval.

Most Recent Change of Ownership	
02/21/1996	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
04/12/96	A building permit (96007232) was issued for a shell building at 9101 West Sahara Avenue. The permit was finaled 12/03/96.
10/09/96	A building permit (96020387) for 9101 West Sahara Avenue Suite #108 was issued for a 90 day Temporary Certificate of Occupancy. The permit expired on 01/20/97.
11/26/96	A building permit (96023494) for 9101 West Sahara Avenue Suite #108 was issued for a Tenant Improvement. The permit was finaled on 02/24/97.
01/14/97	A business license (T07-00539) at 9101 West Sahara Avenue Suite #108 was issued for a Travel & Ticket Agency. The license was marked out of business on 08/04/09.
12/02/99	A building permit (99023059) for 9101 West Sahara Avenue Suite #109 was issued for a Tenant Improvement. The permit was finaled on 02/04/00.
06/07/07	A business license (M21-00814) at 9101 West Sahara Avenue Suite #109 was issued for a Merchandise Broker. The license has not been marked out of business, but the suite is being combined with suite #108.
06/07/07	A business license (T18-00666) at 9101 West Sahara Avenue Suite #109 was issued for Miscellaneous Telephone sales. The license has not been marked out of business, but the suite is being combined with suite #108.
01/12/10	A building permit (154508) was issued for 9101 West Sahara Avenue Suite #109 for demolition of the demising walls to combine suite #108 and #109.
04/01/10	A building permit (159794) for 9101 West Sahara Avenue Suite #109 was issued for a Tenant Improvement for a Certificate of Occupancy. The permit is still open.
04/05/10	A building permit (160129) was issued for 9101 West Sahara Avenue Suite #109 for four wall signs. The permit is still open.

Pre-Application Meeting	
04/15/10	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Beer/Wine/Cooler On-Sale Establishment within a Restaurant. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed. • The proposed use is within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City Park. • A Waiver for the distance separation is required. • There shall be no outdoor seating.

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

Field Check	
05/20/10	A field inspection was conducted by staff. The subject property was noted as a well maintained commercial center.

Details of Application Request	
Site Area	
Net Acres	1.07

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	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single-Family Residential	ML (Medium-Low Density Residential)	R-CL (Single Family Compact-Lot)
East	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	General Retail	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		X	
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	142,242 SF	1:250 SF	569		673		Y
TOTAL SPACES REQUIRED			569		673		Y
TOTAL (With Handicapped)			557	12	646	27	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
400-foot distance separation from a Child Care Facility.	Allow a 120-foot distance separation from a Child Care Facility.	Approval

ANALYSIS

The applicant is proposing a Beer/Wine/Cooler On-Sale Establishment within a proposed 2,186 square-foot restaurant at 9101 West Sahara Avenue, Suite #109. A Beer/Wine/Cooler On-Sale Establishment use is defined by Title 19.20.020 as "an establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers to consumers only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which forty-five or more people may be served with meals at any one time at tables or stools."

The proposed Beer/Wine/Cooler On-Sale Establishment use meets all minimum Special Use Requirements of Title 19.04 requirements, with the exception of the 400-foot distance separation from a child care facility licensed for more than 12 children. The applicant is requesting a Waiver to allow a 120-foot distance separation from a child care facility licensed for more than 12 children. Staff recommends approval of this request, as conditioned as it can be conducted in a manner that is compatible with the surrounding uses. The Beer/Wine/Cooler On-Sale Establishment use is separated from the child care facility by Fort Apache Road, which is a 100-foot Primary Arterial Street, and conditions have been added regarding outdoor seating and exterior signage to ensure that all activities related to the sale of alcoholic beverages are contained within the building.

FINDINGS (SUP-38244)

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 Beer/Wine/Cooler On-Sale Establishment use will be located within a 2,186 square-foot restaurant and will be ancillary to the proposed restaurant. The proposed use can be conducted in a manner that is harmonious and compatible with the uses on the existing site and with the commercial uses on the adjacent properties.

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

   The subject site is a 142,242 square-foot commercial shopping center, and is suitable for the type and intensity of land use proposed. The proposed use will not require additional parking beyond that which is required for the principal use on the 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 Fort Apache Road, a 100-foot Primary Arterial, and Sahara Avenue, a 100-foot Primary Arterial as designated in the Master Plan of Streets and Highways. These streets provide adequate access to and from the subject property.

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

   Approval of a Special Use Permit for this use will not compromise the public health, safety, or welfare as the use is subject to licensing and inspections by the City of Las Vegas. The 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 proposed Beer/Wine/Cooler On-Sale Establishment use meets the applicable conditions per Title 19.04, with the exception of the requested Waiver. Conditions have been added to mitigate any negative effects of the requested Waiver.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

NOTICES MAILED 1,248

APPROVALS 0

PROTESTS 0

JG

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-38244** APN: 163-08-121-010

Name of Property Owner: Lakes Plaza, LLC

Name of Applicant: SB Fort Apache, 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: _____

Print Name: Richard Gordon

Subscribed and sworn before me

This 11 day of May, 2010

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LAURA GROSETH
Appt. No. 98-3646-1
My Appt. Expires July 1, 2010

RECEIVED
MAY 11 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SB Fort Apache, LLC

Project Address (Location) 9101 West Sahara Suite #108 & #109

Project Name Smashburger **Proposed Use** Restaurant w/ sale/consume alcohol

Assessor's Parcel #(s) 163-08-121-010 **Ward #** 2

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

Commercial Square Footage 1504 **Floor Area Ratio** N/A

Gross Acres 1.07 **Lots/Units** N/A **Density** N/A

Additional Information _____

PROPERTY OWNER Lakes Plaza, LLC **Contact** Richard Gordon

Address 1770 N. Buffalo #101 **Phone:** (702) 220-4500 **Fax:** (702) 220-4900

City Las Vegas **State** NV **Zip** 89128

E-mail Address _____

APPLICANT SB Fort Apache, LLC **Contact** Mark Huttanus

Address 3575 Post Rd **Phone:** (702) 743-7612 **Fax:** _____

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

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

Property Owner Signature* Richard Gordon V.P.

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

Print Name Richard Gordon

Subscribed and sworn before me

This 10 day of May, 2010.

Laura Groseth

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LAURA GROSETH
Appt. No. 98-3646-1
My Appt. Expires July 1, 2010

FOR DEPARTMENT USE ONLY

Case #	SUP-38244
Meeting Date:	06/24/10
Total Fee:	1280.00
Date Received:*	05/11/10
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.

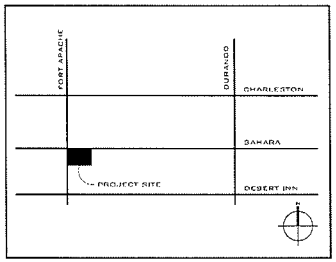
RECEIVED MAY 11 2010

Revised 10/27/08

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

RECEIVED
MAY 17 2010

VICINITY MAP



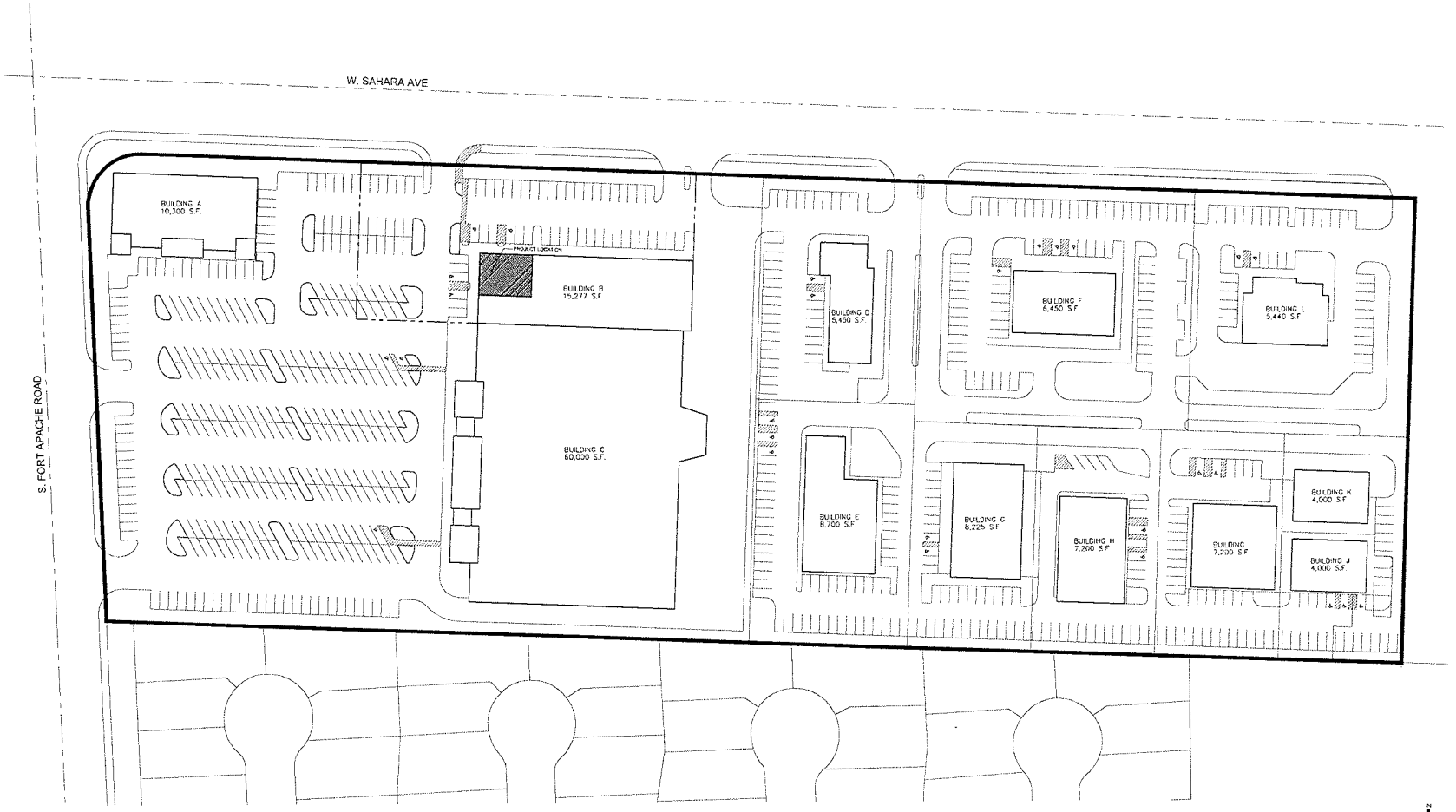
LEGEND

- RESIDENTIAL
- COMMERCIAL
- LANDSCAPE
- PAVEMENT

PARKING ANALYSIS

PARKING REQUIRED: (19.10.010 - On-site parking standards)

BUILDING	SF	PARKING REQUIRED	HANDICAP REQUIRED	PARKING PROVIDED	HANDICAP PROVIDED
A	10,300				
B	15,277				
C	60,000				
D	5,450				
E	8,700				
F	6,450				
G	8,225				
H	7,200				
I	7,200				
J	4,000				
K	4,000	1 PER 250 SF	2% OF TOTAL		
L	5,440	142,242/250 SF	569 x 2%		
TOTAL	142,242	569 SPACES	12 SPACES	673 SPACES	27 SPACES



1 SITE PLAN

SCALE: 1" = 50'-0"

SUP-38244

KALO INDUSTRIES OF NEVADA, LTD.
5670 WYNN ROAD
LAS VEGAS, NEVADA 89118
TELEPHONE: (702) 365-5252
FAX: (702) 365-5254

NO.	REVISION	DATE

SMASHBURGER
LAKES BUSINESS PARK 2
9101 W SAHARA AVE
LAS VEGAS, NV 89117

DATE: 11 MAY 2010
DRAWING TITLE: SITE PLAN
SHEET NO.: AS.1

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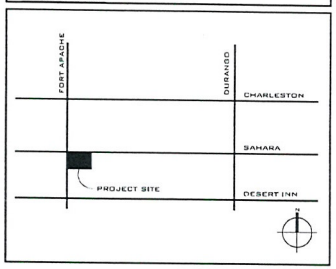
VICINITY MAP



LEGEND

- RESIDENTIAL
- COMMERICAL
- LANDSCAPE
- PAVEMENT

PARKING ANALYSIS

PARKING REQUIRED: (19.10.010 – On-site parking standards)

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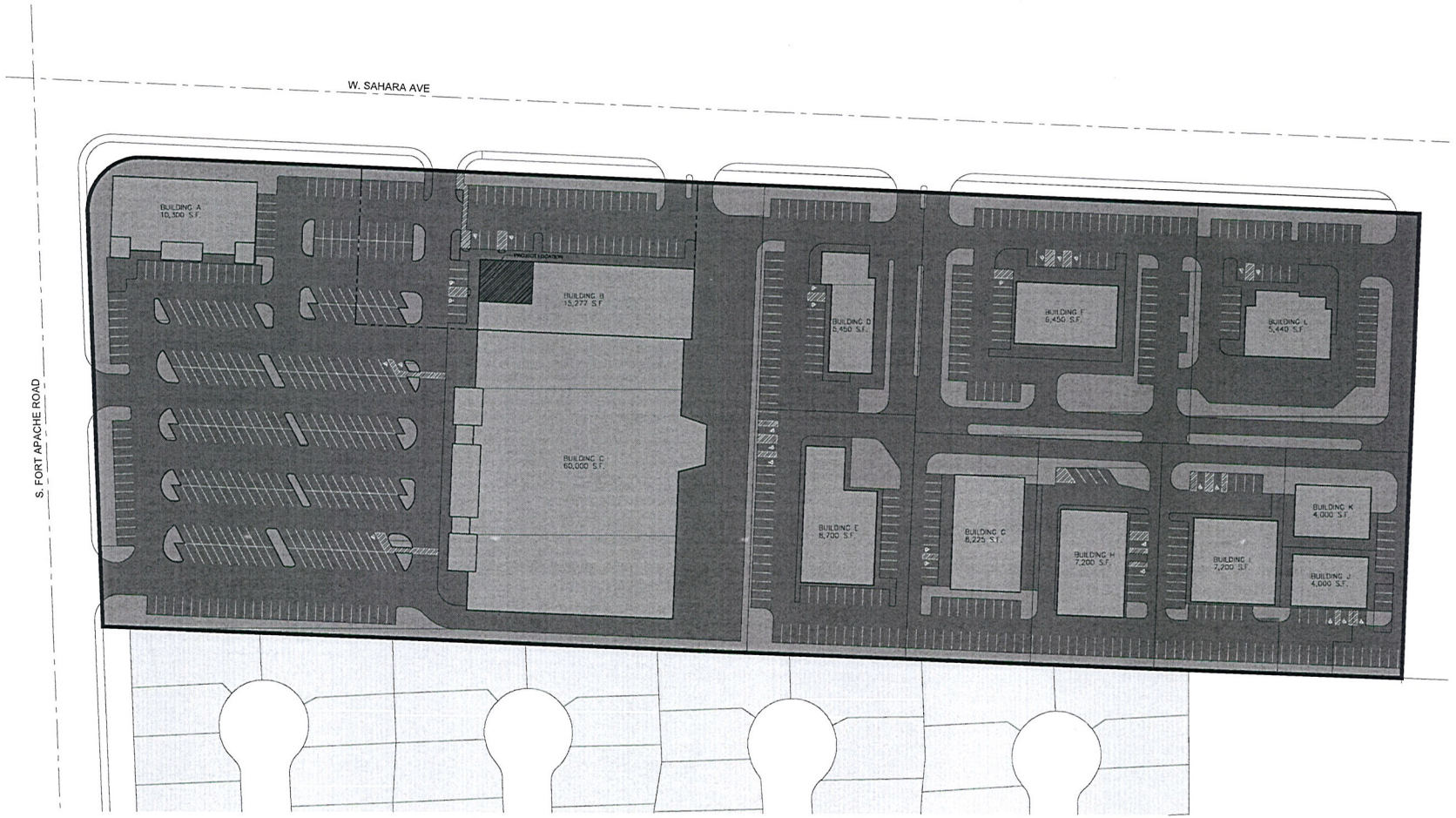
B	15,277				
C	60,000				
D	5,450				
E	8,700				
F	6,450				
G	8,225				
H	7,200				
I	7,200				
J	4,000				
K	4,000	1 PER 250 SF	2% OF TOTAL		
L	5,440	142,242 / 250 SF	569 x 2%		
TOTAL	142,242	569 SPACES	12 SPACES	673 SPACES	27 SPACES



1 SITE PLAN

0 50' 100' 150'
SCALE: 1" = 50'-0"

KALB INDUSTRIES OF NEVADA, LTD.
5670 WYNN ROAD
LAS VEGAS, NEVADA 89118
TELEPHONE: (702) 365-5252
FAX: (702) 365-5254

NO.	REVISION	DATE

smashburger

SMASHBURGER
LAKES BUSINESS PARK 2
9101 W SAHARA AVE
LAS VEGAS, NV 89117

DATE:
11 MAY 2010
DRAWING TITLE:
SITE PLAN
SHEET NO.:
AS.1
©2010

SUP-38244

DESIGN ANALYSIS

OCCUPANCY LOAD : (IBC CHAPTER 10)

AREAS	SF	LOAD	OCCUPANTS
ASSEMBLY AREAS W/O FIXED SEATS	0	15 SF/PERSON	0
ASSEMBLY AREAS W/ FIXED SEATS	1368'	1 PER 24" OF BOOTH	57
ASSEMBLY AREAS W/O FIXED SEATS CONCENTRATED (QUEUEING)	136	7 SF/PERSON	19
KITCHENS - COMMERCIAL	610	200 SF/PERSON	3
MECH/STORAGE ROOMS	72	300 SF/PERSON	1
ACCESSORY USE (TOILETS, AISLES, ETC)	0	EXCLUDED	0
TOTAL OCCUPANTS			80
TOTAL SUITE S.F.	2,196		

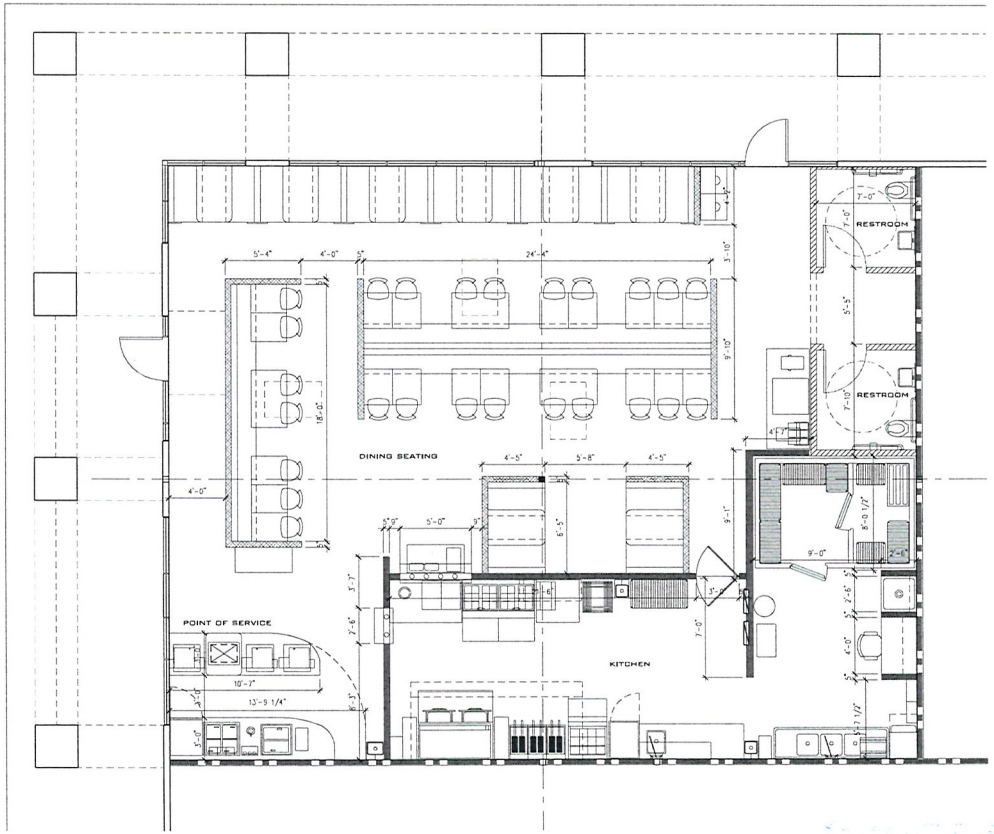
REQUIRED RESTROOMS: 1 PER 25 REQD. PER TABLE 2902.1
2 WATER CLOSETS PROVIDED

REQUIRED EXITS: PER SECTION 1019
2 EXITS PROVIDED

KALB INDUSTRIES OF NEVADA, LTD.
5670 WYNN ROAD
LAS VEGAS, NEVADA 89118
TELEPHONE: (720) 365-5252
FAX: (702) 365-5254

NO.	REVISION	DATE

smashburger



SMASHBURGER
LAKES BUSINESS PARK 2
9101 W SAHARA AVE
LAS VEGAS, NV 89117

DATE : 11 MAY 2010
DRAWING TITLE : FLOOR PLAN
SHEET NO. A.1

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1 FLOOR PLAN

SCALE 1/4" = 1'-0"

RECEIVED MAY 11 2010

SUP-38244

RECEIVED
MAY 11 2010

DESIGN ANALYSIS

OCCUPANCY LOAD : (IBC CHAPTER 10)

AREAS	SF	LOAD	OCCUPANTS
ASSEMBLY AREAS W/O FIXED SEATS	0	15 SF/PERSON	0
ASSEMBLY AREAS W/ FIXED SEATS	1368'	1 PER 24" OF BOOTH	57
ASSEMBLY AREAS W/O FIXED SEATS CONCENTRATED (QUEUEING)	136	7 SF/PERSON	19
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MECH/STORAGE ROOMS	72	300 SF/PERSON	1
ACCESSORY USE (TOILETS, AISLES, ETC)	0	EXCLUDED	0
TOTAL OCCUPANTS			80
TOTAL SUITE S.F.	2,196		

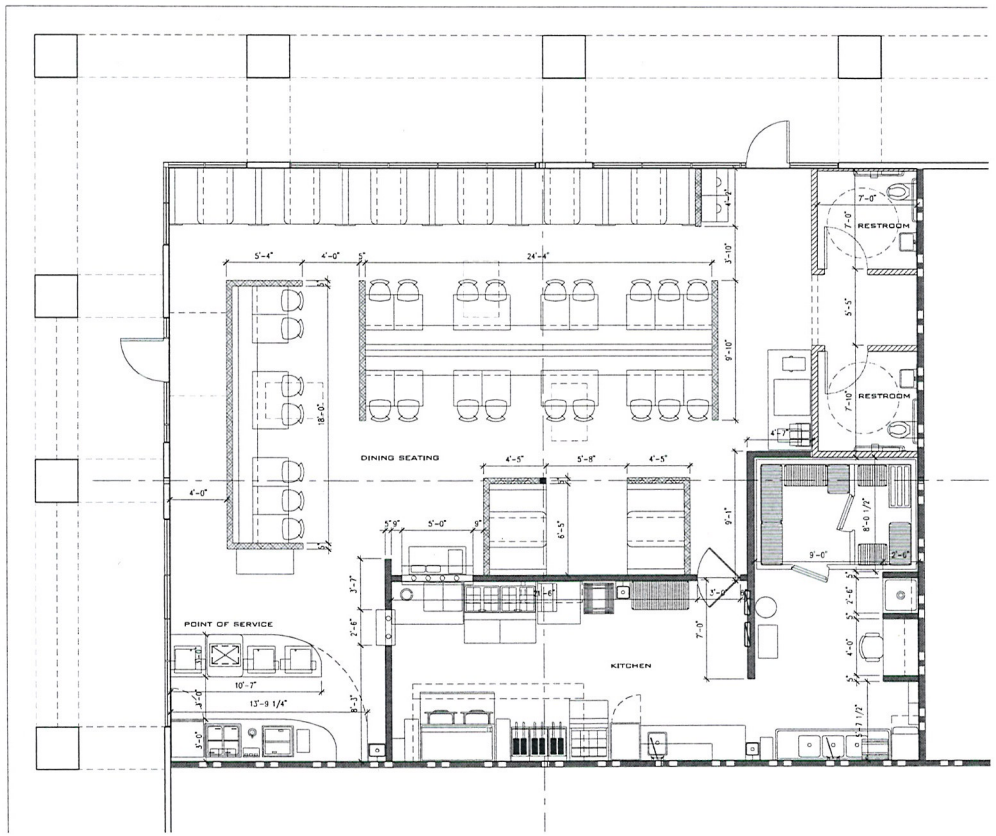
REQUIRED RESTROOMS: 1 PER 25 REQD. PER TABLE 2902.1
2 WATER CLOSETS PROVIDED

REQUIRED EXITS: PER SECTION 1019
2 EXITS PROVIDED

KALB INDUSTRIES OF NEVADA, Ltc.
5670 WYNN ROAD
LAS VEGAS, NEVADA 89118
TELEPHONE: (720) 365-5252
FAX: (702) 365-5254

NO.	REVISION	DATE

smashburger



1 FLOOR PLAN

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

SMASHBURGER
LAKES BUSINESS PARK 2
9101 W SAHARA AVE
LAS VEGAS, NV 89117

DATE:
11 MAY 2010
DRAWING TITLE:
FLOOR PLAN
SHEET NO.:
A.1

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SUP-38244



SUP-38244 – APPLICANT: SB FORT APACHE, LLC - OWNER: LAKES PLAZA, LLC
9101 WEST SAHARA AVENUE, SUITE #109

05/20/10

smash. sizzle. savor.

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

Subject: Justification Letter for Special Use Permit Application
SMASHBURGER — 9101 W Sahara , Suite 108, Las Vegas, NV 89117

To Whom It May Concern:

Smashburger (SB Fort Apache, LLC), has requested *Specific Use Permit* approval to allow for the sale and consumption of alcoholic beverages at the tenant space noted above. Smashburger is a fast-casual dining establishment with beer and wine sales and consumption. While Smashburger locations generally have an outside seating area, no such seating area will be present at the above mentioned location.

The beer and wine proposed to be served in the restaurant will be for service at tables only within the restaurant and will be served in connection with meals. Per the Las Vegas Zoning Code Land Use (Chapter 19.04) requirements and Las Vegas Municipal Code, Chapter 6.50.180, the beer and wine will not be available for purchase to be taken from the establishment and consumed off the premises.

As you are aware, under Chapter 19.04 of the Las Vegas Zoning Code, specifically Ord 5895, it is required that the proposed establishment be located at least 400 feet from any churches, schools, synagogues or child care facilities with more than 12 children. SB Fort Apache, LLC is requesting that the a waiver of this requirement be granted as a children's day care is present 120 feet from the proposed Smashburger.

Smashburger's hours of operation are Monday through Sunday from 10AM to 10PM. The maximum number of employees per shift is approximately ten (10). Currently, a Smashburger (SB Summerhill, LLC) is in operation at 7541 W Lake Mead Blvd Suite 2, Las Vegas, NV 89128.

Please contact Mark Huttanus at (702)743-7612 should you have any additional questions concerning information within this Justification Letter.

Sincerely,

Mark Huttanus
VP of Operations
Smashburger

RECEIVED
MAY 10 2010

Smashburger
SB Las Vegas LLC
3575 Post Rd
Las Vegas, NV
89118

SUP-38244

City of Las Vegas Agenda Item No.: **31.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

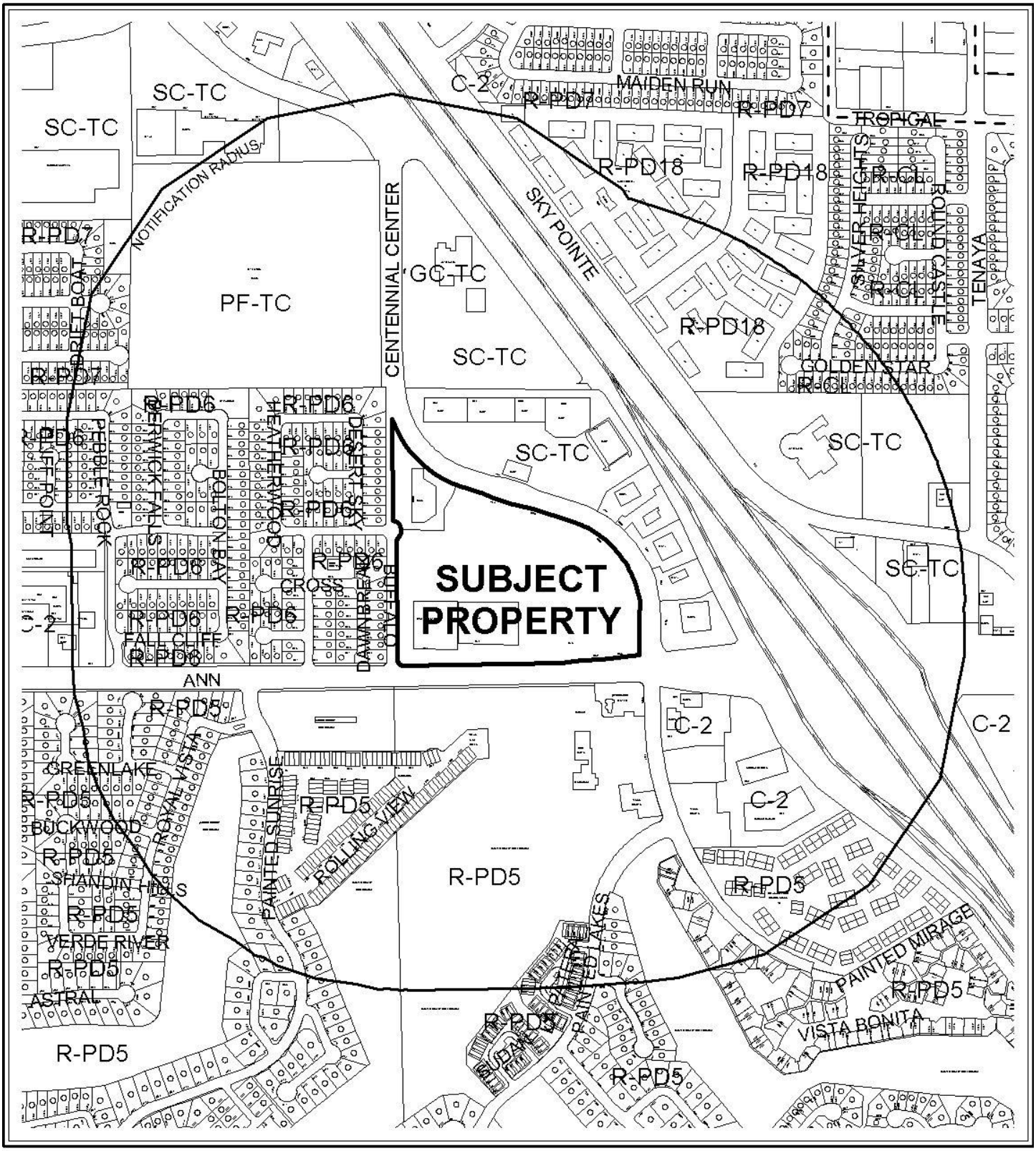
SUBJECT:
SUP-38245 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SB CENTENNIAL, LLC - OWNER: CENTENNIAL GATEWAY, LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN A PROPOSED 2,133 SQUARE-FOOT RESTAURANT at 5655 Centennial Center Boulevard, Suite #170 (APN 125-27-411-013), [SC-TC (Service Commercial-Town Center) Special Land Use Designation] Zone, Ward 6 (Ross). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends 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

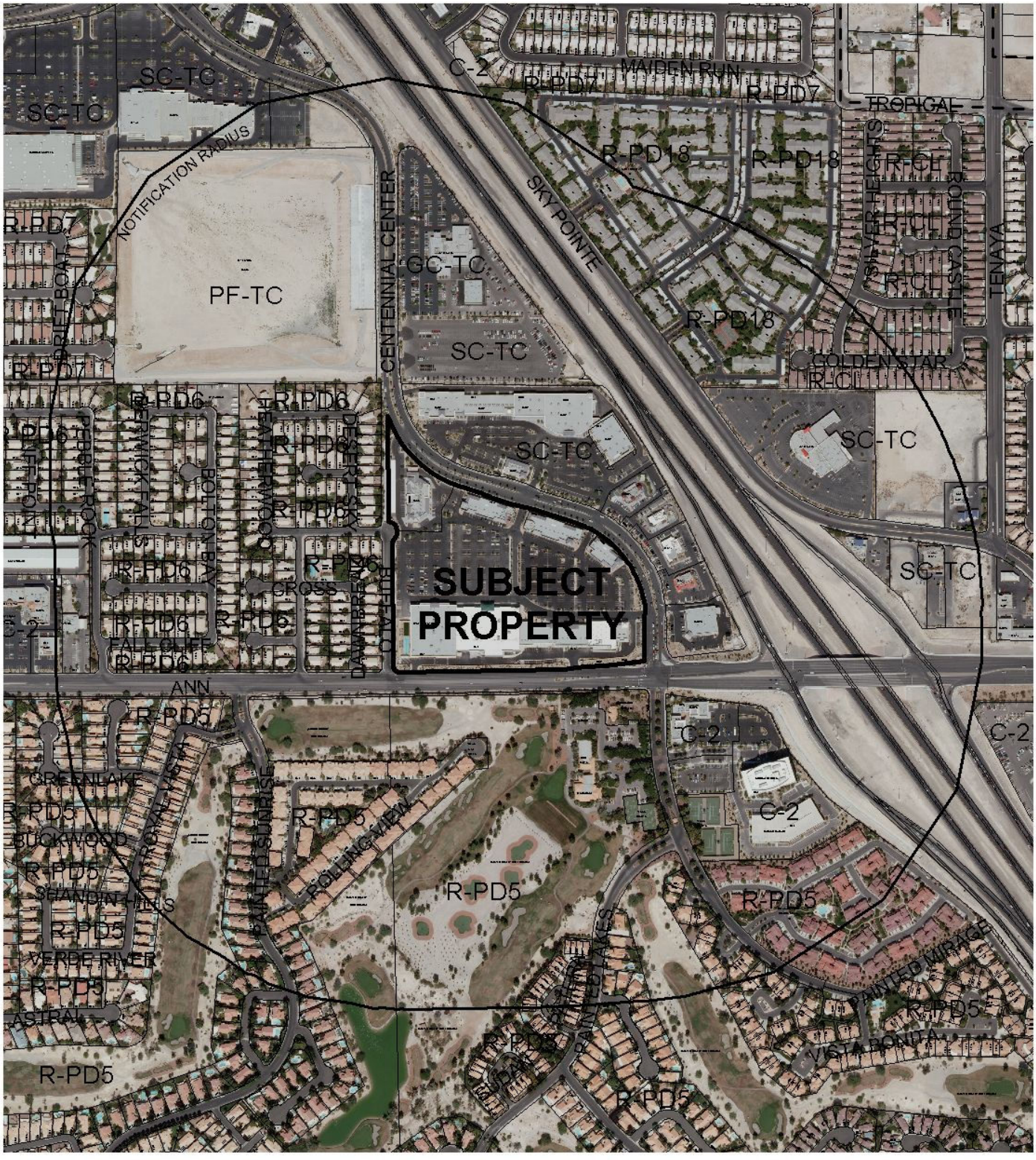


CASE: **SUP-38245**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL - TOWN CENTER) TOWN CENTER SPECIAL LAND USE DESIGNATION]



CASE: **SUP-38245**

RADIUS: 1500 FT

0 500 1000 Feet

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL - TOWN CENTER) TOWN CENTER SPECIAL LAND USE DESIGNATION]

N



SUP-38245

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: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: SB CENTENNIAL, LLC - OWNER: CENTENNIAL GATEWAY, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-38245	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-38245 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Beer/Wine/Cooler On-Sale Establishment use.

2. This approval shall be void two years 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. 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
June 24, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Beer/Wine/Cooler On-Sale Establishment within a proposed restaurant at 5655 Centennial Center Boulevard, Suite #170. The restaurant is 2,133 square feet in size with seating for 92 people. The Beer/Wine/Cooler On-Sale use will be ancillary to the proposed restaurant. The proposed use will not require additional parking beyond that which is required for the principal use on the site. The proposed use meets all minimum Special Use Requirements of Title 19.04 requirements for a Beer/Wine/Cooler On-Sale Establishment. Staff recommends approval of this request as it can be conducted in a manner that is compatible with the surrounding uses. If this application is denied, the proposed restaurant would not be allowed to sell alcoholic beverages.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/07/98	The City Council approved the Rezoning (Z-0076-98) to the T-C (Town Center) district on 1,468 acres, including this parcel. The Planning Commission and staff recommended approval.
11/07/01	The City Council approved the Town Center Development Standards (TCDS) Manual through Bill No. 2001-100. The TCDS details the uses permitted within Town Center and the development standards that will accomplish the vision of Town Center.
06/03/03	The Centennial Hills Architectural Review Committee approved a Master Sign Plan (CHR-0009-03) at the Centennial Gateway commercial development at the northwest corner of U.S. 95 and Ann Road. Staff recommended approval.
06/12/03	The Planning Commission approved a request for a Tentative Map (TMP-2202) for a 2-lot commercial subdivision on 36.5 acres adjacent to the northeast and northwest corner of Ann Road and Centennial Center Boulevard. Staff recommended approval.
08/06/03	The City Council approved a request for a Site Development Plan Review (SDR-2208) for a proposed 397,244 square-foot commercial development and waivers of the Town Center Development Standards are requested to eliminate the landscaping within the Ann Road median, to allow the hardscapes areas within the amenity zone every 600 feet along Centennial Center Boulevard where 105 feet is the maximum permitted, to allow parking adjacent to the right-of-way to allow 50 percent screening of the mechanical installations along Centennial Center Boulevard where 100 percent is required, to allow less than 60 percent of the building to be built-to-line, and to allow doorways to be more than every 50 feet along a building façade that fronts a street or plaza area on 36.5 acres adjacent to the northeast and northwest corners of Ann Road and Centennial Center Boulevard. The Planning Commission recommended approval on 06/12/03.

08/06/03	The City Council approved a request for a Special Use Permit (SUP-2209) for Outdoor Sales in conjunction with a commercial development adjacent to the northeast and northwest corners of Ann Road and Centennial Center Boulevard. The Planning Commission recommended approval on 06/12/03.
08/06/03	The City Council approved a request for a Special Use Permit (SUP-2211) for a Restaurant with drive through adjacent to the west side of Centennial Center Boulevard, approximately 500 feet north of Ann Road. The Planning Commission recommended approval on 06/12/03.
08/06/03	The City Council approved a request for a Special Use Permit (SUP-2212) for a Restaurant with drive through adjacent to the east side of Centennial Center Boulevard, approximately 300 feet north of Ann Road. The Planning Commission recommended approval on 06/12/03.
08/06/03	The City Council approved a request for a Special Use Permit (SUP-2214) for a Supper Club adjacent to the east side of Centennial Center Boulevard, approximately 880 feet north of Ann Road. The Planning Commission recommended approval on 06/12/03.
08/06/03	The City Council approved a request for a Special Use Permit (SUP-2215) for a Supper Club adjacent to the east side of Centennial Center Boulevard, approximately 860 feet north of Ann Road. The Planning Commission recommended approval on 06/12/03.
08/06/03	The City Council approved a request for a Special Use Permit (SUP-2216) for a Supper Club adjacent to the west side of Centennial Center Boulevard, approximately 775 feet north of Ann Road. The Planning Commission recommended approval on 06/12/03.
08/06/03	The City Council approved a request for a Special Use Permit (SUP-2217) for a Supper Club adjacent to the northeast corner of Ann Road and Centennial Center Road. The Planning Commission recommended approval on 06/12/03
03/16/05	The Planning and Development Department approved a request for a Final Map Technical Review (FMP-6053) for Centennial Gateway (A Commercial Subdivision). The map was recorded on 05/10/05.
09/07/05	The City Council approved a request for a Minor Amendment (SDR-8695) of an approved Site Development Plan Review (SDR-2208) for a proposed 397,244 square-foot commercial development on 36.5 acres adjacent to the northeast and northwest corner of Ann Road and Centennial Center Boulevard. Staff recommended approval.
09/07/05	The City Council approved a request for an Extension of Time (EOT-8267) of a previously approved Special Use Permit (SUP-2209) for Outdoor Sales in conjunction with a proposed commercial development adjacent to the northeast and northwest corners of Ann Road and Centennial Center Boulevard.

09/07/05	The City Council approved a request for an Extension of Time (EOT-8269) of a previously approved Special Use Permit (SUP-2211) for a Restaurant with drive through adjacent to the east side of Centennial Center Boulevard, approximately 700 feet north of Ann Road.
09/07/05	The City Council approved a request for an Extension of Time (EOT-8271) of a previously approved Special Use Permit (SUP-2214) for a Supper Club adjacent to the west side of Centennial Center Boulevard, approximately 660 feet north of Ann Road.
09/07/05	The City Council approved a request for an Extension of Time (EOT-8272) of a previously approved Special Use Permit (SUP-2215) for a Supper Club adjacent to the west side of Centennial Center Boulevard, approximately 860 feet north of Ann Road.
09/07/05	The City Council approved a request for an Extension of Time (EOT-8273) of a previously approved Special Use Permit (SUP-2216) for a Supper Club adjacent to the west side of Centennial Center Boulevard, approximately 600 feet north of Ann Road.
09/07/05	The City Council approved a request for a Minor Amendment (SDR-8695) to a previously approved Site Development Plan Review (SDR-2208) for a proposed 397,244 square-foot commercial development on 36.5 acres adjacent to the northeast and northwest corners of Ann Road and Centennial Center Boulevard.
09/05/06	The Town Center Architectural Review Committee approved a request for an amendment (ARC-16122) to an approved Master Sign Plan (CHARC-0009-03) for a proposed 397,244 square-foot expansion of a commercial center on 36.5 acres adjacent to the northeast and northwest corners of Ann Road and Centennial Center Boulevard.
09/19/07	The City Council approved a request for an Extension of Time (EOT-23584) of a previously approved Special Use Permit (SUP-2214) for a Supper Club adjacent to the west side of Centennial Center Boulevard, approximately 660 feet north of Ann Road.
09/19/07	The City Council approved a request for an Extension of Time (EOT-23587) of a previously approved Special Use Permit (SUP-2215) for a Supper Club adjacent to the west side of Centennial Center Boulevard, approximately 860 feet north of Ann Road.
09/19/07	The City Council approved a request for an Extension of Time (EOT-23589) of a previously approved Special Use Permit (SUP-2216) for a Supper Club adjacent to the west side of Centennial Center Boulevard, approximately 600 feet north of Ann Road.
06/18/08	The City Council approved a request for a Special Use Permit (SUP-27693) for a proposed Beer/Wine/Cooler Off-Sale Establishment within a previously approved 13,969 square-foot General Retail Establishment "Grocery Store" at the northeast corner of Ann Road and Buffalo Drive. The Planning Commission recommended approval on 05/22/08.

02/04/09	The City Council approved a request for a Special Use Permit (SUP-32016) for Beer/Wine/Cooler On-Sale Establishment within a proposed restaurant at 5643 Centennial Center Boulevard, Suite 130. The Planning Commission recommended approval on 01/08/09.
05/06/09	The City Council approved a request for a Special Use Permit (SUP-33491) for a Secondhand Dealer at 5765 Centennial Center Boulevard, Suite 160. The Planning Commission recommended approval on 04/09/09.
09/16/09	The City Council approved a request for an Extension of Time (EOT-35440) of a previously approved Special Use Permit (SUP-2214) for a Supper Club adjacent to the west side of Centennial Center Boulevard, approximately 660 feet north of Ann Road.
09/16/09	The City Council approved a request for an Extension of Time (EOT-35422) for a previously approved Special Use Permit (SUP-2216) for a Supper Club adjacent to the west side of Centennial Center Boulevard, approximately 775 feet north of Ann Road.

Most Recent Change of Ownership	
04/15/03	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
04/21/08	Building permits (#107470, 107475) were issued for Centennial Gateway Building E and C and at 5635 Centennial Center Boulevard and 5655 Centennial Center Boulevard. Certificate of Completion was issued on 10/21/08.
03/17/09	A building permit (#133959) was issued for a tenant improvement certificate of occupancy at 5655 Centennial Center Boulevard, Suite #160. The building permit was finalized on 07/21/09.

Pre-Application Meeting	
04/15/10	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Beer/Wine/Cooler On-Sale Establishment within a Restaurant. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed. • The proposed use is possibly within 400 feet of a child care facility licensed for more than 12 children, located within the fitness center.

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

Field Check	
05/20/10	A field inspection was conducted by staff. The subject property was noted as a well maintained commercial center.

Details of Application Request	
Site Area	
Net Acres	16.80

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC-TC (Service Commercial- Town Center)	T-C (Town Center)
North	Shopping Center	SC-TC (Service Commercial- Town Center)	T-C (Town Center)
South	Golf Course/Single-Family Residential/Condos	PR-OS (Parks, Recreation and Open Space)/ ML (Medium Low Density Residential)	R-PD5 (Residential Planned Development/5 Units per Acre)
East	Shopping Center	SC-TC (Service Commercial- Town Center)	T-C (Town Center)
West	Single-Family Residential	ML (Medium-Low Density Residential)	R-PD6 (Residential Planned Development/6 Units per Acre)

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

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	211,606 SF	1/250 SF	862		1014		Y
TOTAL (With Handicapped)			846	16	990	24	Y

ANALYSIS

The applicant is proposing a Beer/Wine/Cooler On-Sale Establishment within a proposed 2,133 square-foot restaurant at 5655 Centennial Center Boulevard, Suite #170. A Beer/Wine/Cooler On-Sale Establishment use is defined by Title 19.20.020 as "an establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers to consumers only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which forty-five or more people may be served with meals at any one time at tables or stools."

The proposed use meets all minimum Special Use Requirements of Title 19.04 requirements for a Beer/Wine/Cooler On-Sale Establishment. Staff recommends approval of this request, as it can be conducted in a manner that is compatible with the surrounding uses

FINDINGS (SUP-38245)

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 Beer/Wine/Cooler On-Sale Establishment use will be located within a 2,133 square-foot restaurant and will be ancillary to the proposed restaurant. The proposed use can be conducted in a manner that is harmonious and compatible with the uses on the existing site and with the commercial uses on the adjacent properties.

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

   The subject site is a 211,606 square-foot commercial shopping center, and is suitable for the type and intensity of land use proposed. The proposed use will not require additional parking beyond that which is required for the principal use on the 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 Centennial Center Boulevard, a 90-foot Town Center Frontage Road as designated by the Town Center Street Classifications in the Town Center Development Standards Manual. This street is 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 a Special Use Permit for this use at this location will not compromise the public health, safety, or welfare, as the use is subject to licensing and inspections by the City of Las Vegas. The use is consistent with the existing TC (Town Center) General Plan designation.

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

   The proposed Beer/Wine/Cooler On-Sale Establishment use meets the applicable conditions per Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 759

APPROVALS 0

PROTESTS 0

JG

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-38245 APN: 125-27-411-013

Name of Property Owner: Centennial Gateway LLC

Name of Applicant: SB Centennial 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: Terri Sturm

Print Name: Terri Sturm

Subscribed and sworn before me

This 11th day of May, 2010

Kathleen P Burns

Notary Public in and for said County and State

KATHLEEN P. BURNS
Notary Public-State of Nevada
APPT. NO. 05962451
My App. Expires May 01, 2013

RECEIVED
MAY 11 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SB Centennial LLC

Project Address (Location) 5655 Centennial Center Blvd, Suite #160 & #170

Project Name Smashburger **Proposed Use** Restaurant w/sale/consume alcohol

Assessor's Parcel #(s) 125-27-411-013 **Ward #** 6

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

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

Gross Acres 16.79 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Centennial Gateway LLC **Contact** Melanie Mooney

Address 5785 Centennial Center Blvd, Suite 120 **Phone:** (702) 822-8200 **Fax:** (702) 822-8201

City Las Vegas **State** NV **Zip** 89149

E-mail Address mmooney@territoryinc.com

APPLICANT SB Centennial LLC **Contact** Mark Huttanus

Address 3575 Post Road **Phone:** (702) 743-7612 **Fax:** _____

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

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

Property Owner Signature* Terri Sturm

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

Print Name Terri Sturm

Subscribed and sworn before me

This 10th day of May, 2010.

Kathleen P. Burns

Notary Public in and for said County and State

KATHLEEN P. BURNS
Notary Public-State of Nevada
APPT. NO. 05962451
My App. Expires May 01, 2013

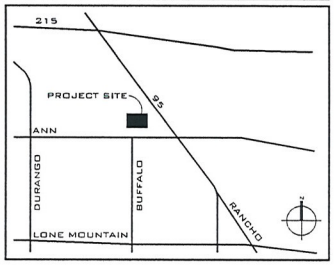
FOR DEPARTMENT USE ONLY

Case #	SUP-38295
Meeting Date:	06/24/10
Total Fee:	1280.00
Date Received:*	05/11/10
Received By:	Jonathan B.

RECEIVED
MAY 11 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.

VICINITY MAP



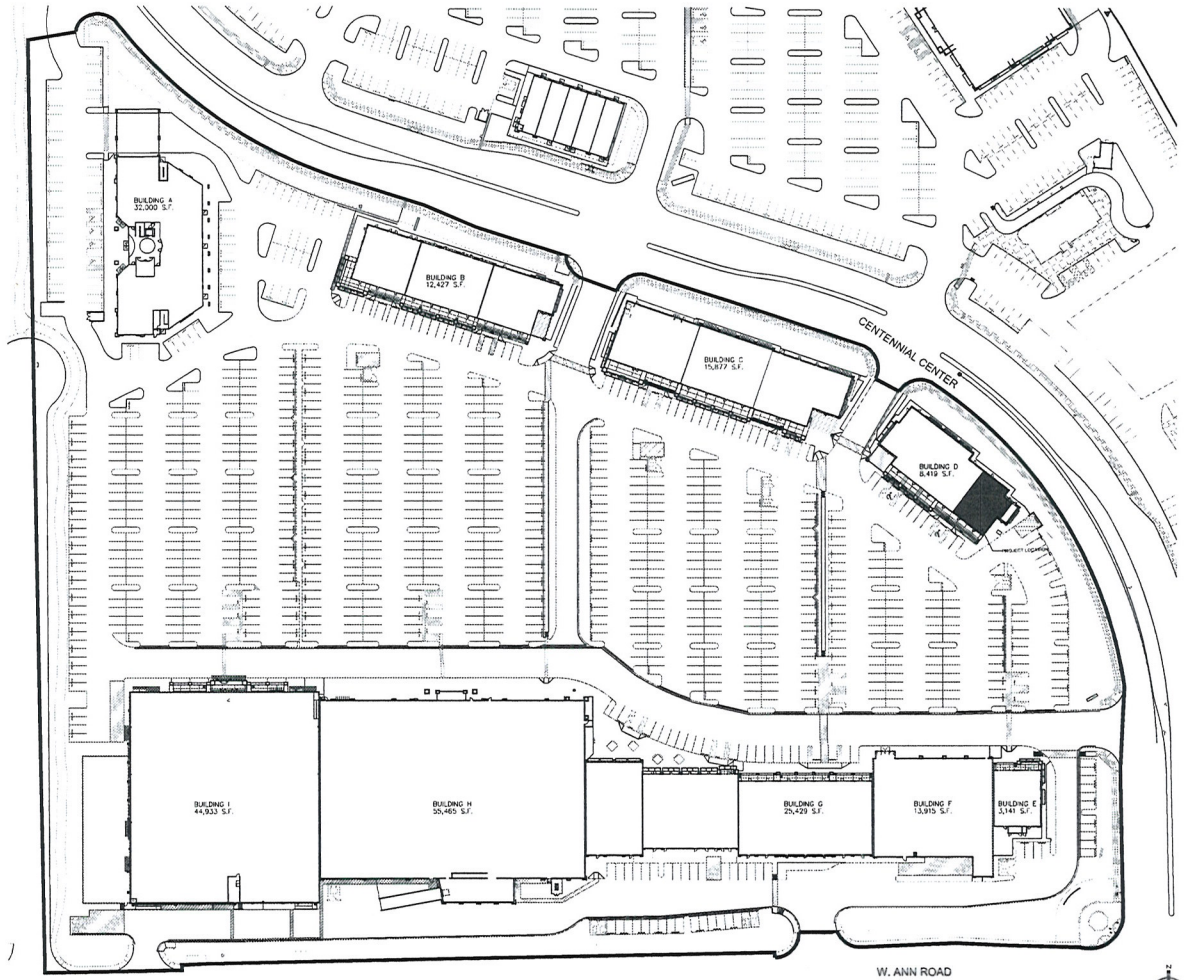
LEGEND

COMMERICAL
LANDSCAPE
PAVEMENT

PARKING ANALYSIS

PARKING REQUIRED: (19.10.010 - On-site parking standards)

BUILDING	SF	PARKING REQUIRED	HANDICAP REQUIRED	PARKING PROVIDED	HANDICAP PROVIDED
A	32,000				
B	12,427				
C	15,877				
D	8,419				
E	3,141				
F	13,915				
G	25,429				
H	55,465				
I	44,933				
		1 PER 250 SF	2% OF TOTAL		
		211,606 / 250 SF	846 x 2%		
TOTAL	211,606	846 SPACES	16 SPACES	990 SPACES	24 SPACES



1 SITE PLAN

0 60' 120' 240'
SCALE: 1" = 60'

KALB INDUSTRIES OF NEVADA, LTD.
5670 WYNN ROAD
LAS VEGAS, NEVADA 89118
TELEPHONE: (702) 365-5252
FAX: (702) 365-5254

NO.	REVISION	DATE

smashburger

SMASHBURGER
5655 CENTENNIAL CENTER BLVD
SUITE 170
LAS VEGAS, NV 89149

DATE:
11 MAY 2010
DRAWING TITLE:
SITE PLAN
SHEET NO.:
AS.1
©2010

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MAY 11 2010

SUP-38245

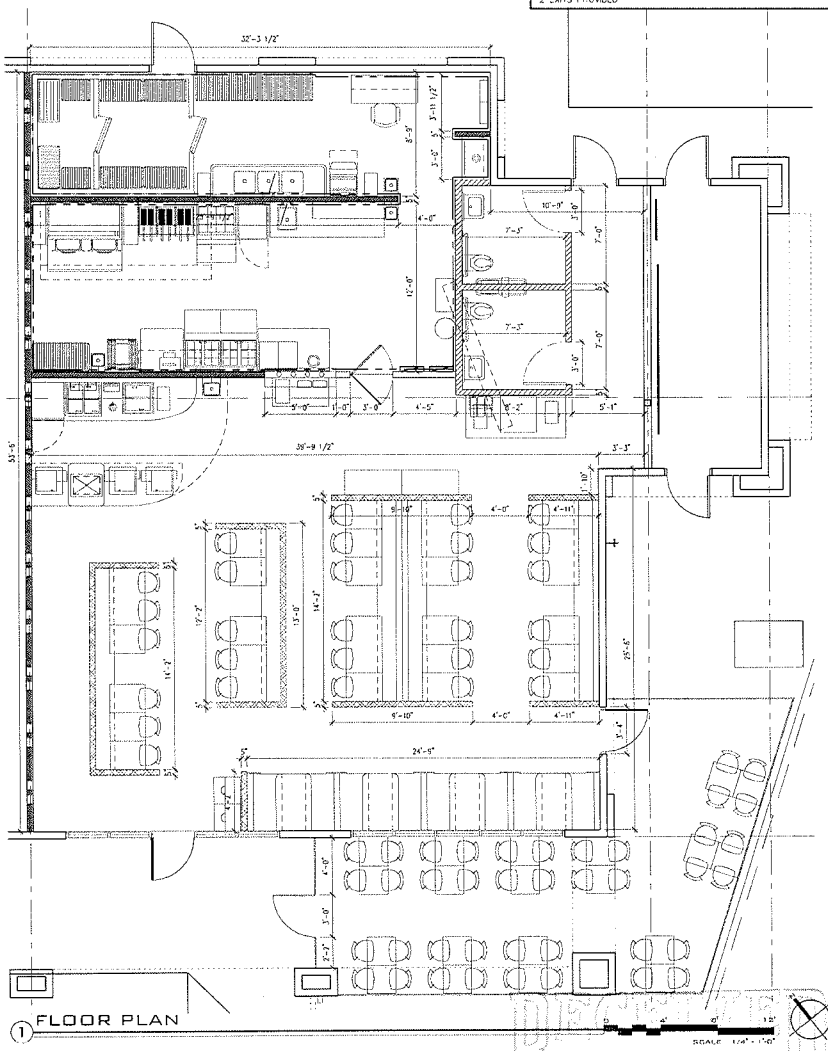
DESIGN ANALYSIS

OCCUPANCY LOAD - (IBC CHAPTER 10)

AREAS	SF	LOAD	OCCUPANTS
ASSEMBLY AREAS W/O FIXED SEATS PATIO SEATING	415	15 SF/PERSON	27
ASSEMBLY AREAS W/ FIXED SEATS	1104	1 PER 24" OF BOOTH	46
ASSEMBLY AREAS W/O FIXED SEATS CONCENTRATED (QUEUEING)	133	7 SF/PERSON	19
KITCHENS - COMMERCIAL	537	200 SF/PERSON	3
NCOH/STORAGE ROOMS	79	300 SF/PERSON	1
ACCESSORY USE (TOILETS, AISLES, ETC)	0	EXCLUDED	0
TOTAL OCCUPANTS			96
TOTAL SUITE S.F.	2,133		

REQUIRED RESTROOMS: 1 PER 25 REQD. PER TABLE 2902.1
2 WATER CLOSETS PROVIDED

REQUIRED EXITS: PER SECTION 1019
2 EXITS PROVIDED



1 FLOOR PLAN

SCALE 1/4" = 1'-0"

SUP-38245

RECEIVED
MAY 11 2010

K&B INDUSTRIES OF NEVADA, LLC
3670 WYNN ROAD
LAS VEGAS, NEVADA 89118
TELEPHONE: (720) 305-5232
FAX: (702) 365-3254

NO.	REVISION	DATE

smashburger

SMASHBURGER
5655 CENTENNIAL CENTER BLVD
SUITE 170
LAS VEGAS, NV 89149

DATE:
11 MAY 2010
DRAWING TITLE
FLOOR PLAN
SHEET NO.
A.1

©2010



SUP-38245 – APPLICANT: SB CENTENNIAL, LLC - OWNER: CENTENNIAL GATEWAY, LLC
5655 CENTENNIAL CENTER BOULEVARD, SUITE #170

05/20/10



SUP-38245 – APPLICANT: SB CENTENNIAL, LLC - OWNER: CENTENNIAL GATEWAY, LLC
5655 CENTENNIAL CENTER BOULEVARD, SUITE #170

05/20/10

smash. sizzle. savor.

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

Subject: Justification Letter for Special Use Permit Application
SMASHBURGER — 5655 Centennial Center Blvd, Suite 170, Las Vegas, NV 89149

To Whom It May Concern:

Smashburger (SB Centennial, LLC), has requested *Specific Use Permit* approval to allow for the sale and consumption of alcoholic beverages at the tenant space noted above. Smashburger is a fast-casual dining establishment, with an outdoor dining area, which serves beer and wine for consumption.

The beer and wine proposed to be served in the restaurant will be for service at tables only within the restaurant and will be served in connection with meals. Per the Las Vegas Zoning Code Land Use (Chapter 19.04) requirements and Las Vegas Municipal Code, Chapter 6.50.180, the beer and wine will not be available for purchase to be taken from the establishment and consumed off the premises.

As you are aware, under Chapter 19.04 of the Las Vegas Zoning Code, specifically Ord 5895, it is required that the proposed establishment be located at least 400 feet from any churches, schools, synagogues or child care facilities with more than 12 children. SB Centennial, LLC is requesting that a waiver of this requirement be granted as a 24 Hour Kids Club Fitness is present within the 400 foot requirement from the proposed Smashburger.

Smashburger's hours of operation are Monday through Sunday from 10AM to 10PM. The maximum number of employees per shift is approximately ten (10). Currently, a Smashburger (SB Summerhill, LLC) is in operation at 7541 W Lake Mead Blvd Suite 2, Las Vegas, NV 89128.

Please contact Mark Huttanus at (702)743-7612 should you have any additional questions concerning information within this Justification Letter.

Sincerely,

Mark Huttanus
VP of Operations
Smashburger

Smashburger
SB Las Vegas LLC
3575 Post Rd
Las Vegas, NV
89118

RECEIVED
MAY 11 2010
SUP-38245

City of Las Vegas Agenda Item No.: **32.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

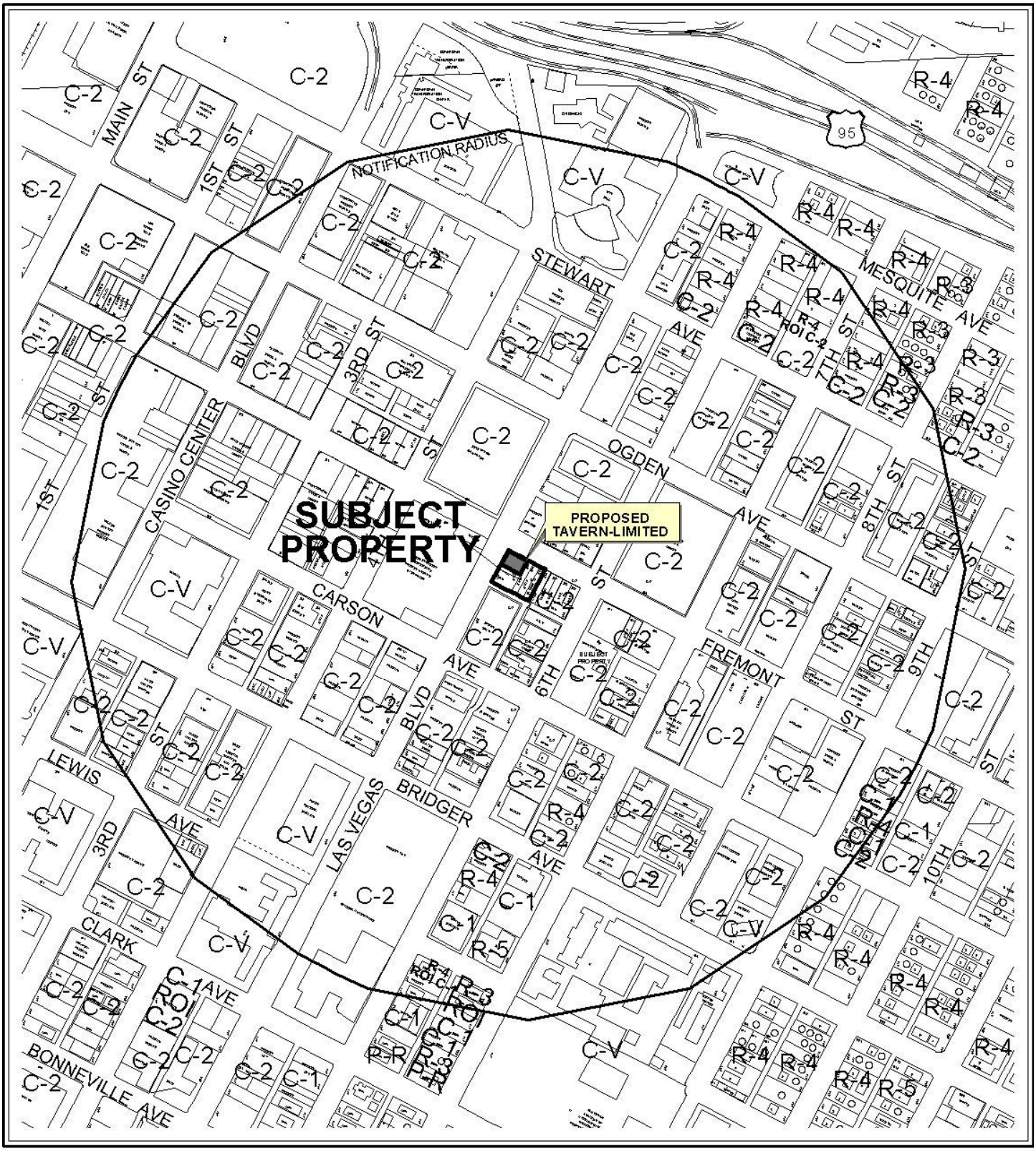
SUBJECT:
SUP-38251 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FATPAK, LLC - OWNER: MELE PONO HOLDING COMPANY - Request for a Special Use Permit FOR A PROPOSED 6,846 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT at 107 South Las Vegas Boulevard (APN 139-34-601-002), C-2 (General Commercial), Ward 5 (Barlow). Staff recommends APPROVAL.

C.C.: 07/21/2010

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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

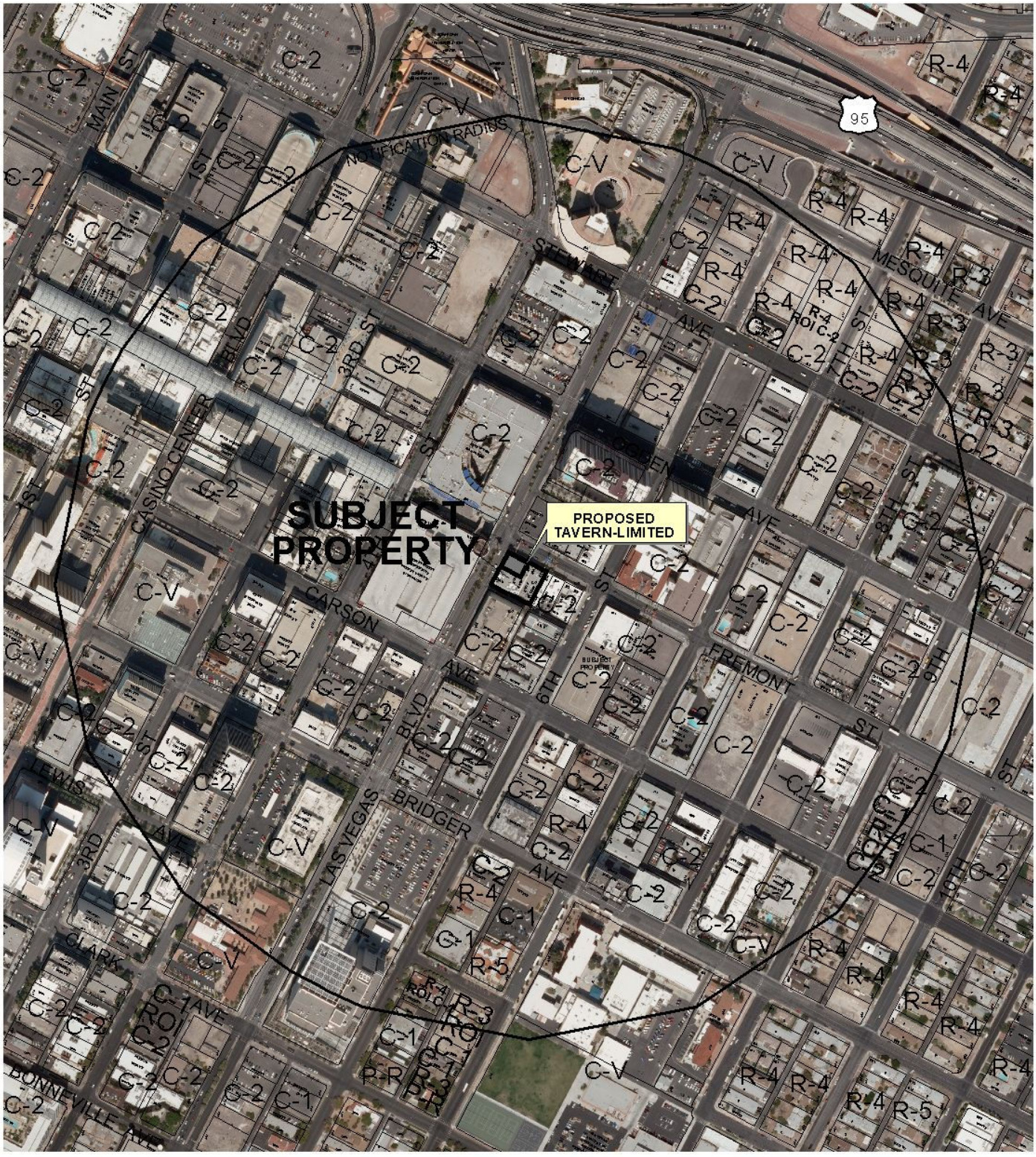


0 500 1000 Feet

CASE: **SUP-38251**

RADIUS: 1500 FT

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



0 500 1000 Feet

CASE: **SUP-38251**

RADIUS: 1500 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: FATPAK, LLC - OWNER: MELE PONO HOLDING COMPANY

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-38251	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-38251 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 two years 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. Pursuant to Title 6.50.250, live entertainment shall be provided at least four nights per week

4. All signage shall conform to the Las Vegas Scenic Byway standards and shall receive approval from the Downtown Design Review Committee (DDRC) prior to the issuance of sign permits.

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

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

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

Public Works

10. Per Downtown Centennial Threshold requirements, sign a Covenant Running with Land agreement for the possible future installation of public improvements (including undergrounding overhead utility lines and Downtown Centennial Plan Streetscape standards) on Las Vegas Boulevard and the public alley adjacent to this site. The Covenant agreement must be recorded with the County Recorder and a copy of the recorded document must be provided to the City prior to the issuance of building permits for this site.

11. The proposed balcony railing, wall, or barrier separating the dining area from the Las Vegas Boulevard and Fremont Street shall be set back a sufficient distance, as determined by the Traffic Engineer, to provide a buffer between patrons, vehicular traffic, and the existing traffic signal pole.

12. Submit an Encroachment Agreement for all landscaping and private façade improvements, including the aerial encroachment of the proposed balcony in the Fremont Street and Las Vegas Boulevard public rights-of-way adjacent to this site.

13. Prior to the recordation of the Encroachment Agreement, provide proof, acceptable to the City Engineer, that the proposed balcony will be able to structurally support improvements and the occupancy associated with its new use. No new columns or structural supports that impede pedestrian access on any sidewalk shall be allowed in the public right-of-way.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 6,846 square-foot Tavern-Limited Establishment within an existing commercial building at 107 South Las Vegas Boulevard. The applicant is proposing façade modifications and the addition of a 591 square-foot balcony to the existing building. A Site Development Plan Review is not required, as the proposed addition is less than 10% of the total floor area of the existing building. Located within the Downtown Centennial Entertainment Overlay District, the proposed use will add to the entertainment offered along Fremont East with live entertainment provided four nights a week. Staff is recommending approval of this request, as the proposed use is appropriate for the Downtown Entertainment Overlay District and can be conducted in a manner that is compatible with the adjacent surrounding uses. 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	
12/16/64	The City Council approved a Rezoning (Z-0100-64) to reclassify property 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).
10/02/02	The City Council approved Ordinance 5521 which created the Downtown Overlay District.
04/20/05	The City Council approved a request for a Special Use Permit (SUP-6143) for a 3,040 square-foot Tavern Limited Establishment at 111 Las Vegas Boulevard South. The Planning Commission and Staff recommended approval.
08/17/05	The City Council approved a request for a Special Use Permit (SUP-6944) for a Tavern at 511 Fremont Street. The Planning Commission and Staff recommended approval.
11/08/05	The Downtown Entertainment Overlay District Design Review Team approved a request for an exterior façade and signage project (ARC-9826) for an existing 3,700 square-foot building located at 111 South Las Vegas Boulevard.
02/15/06	The City Council approved a request for a Special Use Permit (SUP-10530) for a Tavern Limited Establishment at 111 South Las Vegas Boulevard. The Planning Commission and staff recommended approval.

02/15/06	The City Council approved a request for a Special Use Permit (SUP-10534) for a Tavern-Limited Establishment at 501 and 503 East Fremont Street. Planning Commission and staff recommended approval.
03/19/08	The City Council approved a request for a Major Amendment (SUP-26246) of an approved Special Use Permit (SUP-10534) to increase the square footage from 5,235 square feet to 8,855 square feet of a Tavern Limited Establishment at 501 and 503 Fremont Street. Planning Commission and staff recommended approval.
07/08/08	The Downtown Entertainment Overlay District Design Review Team approved a request for a Major Modification (ARC-28881) to an approved Master Sign Plan (ARC-9826) to allow a five-foot aerial encroachment for an existing Tavern Limited Establishment at 111 South Las Vegas Boulevard.

Most Recent Change of Ownership	
01/06/05	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/25/07	A business license (L38-00003) was issued for a Tavern-Limited Establishment at 111 South Las Vegas Boulevard. The license is active.
01/25/07	A business license (M06-02923) was issued for general retail sales at 111 South Las Vegas Boulevard. The license is active.
07/20/07	A business license (C05-98383) was issued for tobacco sales at 107 South Las Vegas Boulevard. The license was marked out of business on 11/29/08.
07/20/07	A business license (M06-98382) was issued for general retail sales at 107 South Las Vegas Boulevard. The license was marked out of business on 12/01/08.
08/15/07	A business license (L27-00094) was issued for a special event at 503 Fremont Street. The license was marked out of business on 09/21/07.
11/17/07	A business license (L38-98315) was issued for a Tavern-Limited Establishment at 107 South Las Vegas Boulevard. The license was marked out of business on 03/03/08.

Pre-Application Meeting	
04/28/10	The following items were discussed at the pre-application meeting: • A Special Use Permit is required for a Tavern-Limited Establishment. • The Department of Public Works recommended a seven-foot wide or less balcony along Las Vegas Boulevard to avoid conflict with on-coming traffic. • Gaming is not permitted within the Downtown Entertainment District

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

Field Check	
05/20/10	During a routine site inspection performed by staff, the subject property was noted as a well maintained commercial development.

Details of Application Request	
Site Area	
Net Acres	0.45

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Vacant Commercial Building	C (Commercial)	C-2 (General Commercial)
North	Parking Lot / General Retail	C (Commercial)	C-2 (General Commercial)
South	Office, Other than Listed	C (Commercial)	C-2 (General Commercial)
East	General Retail	C (Commercial)	C-2 (General Commercial)
West	Fremont Street / Garage	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Downtown Centennial Plan – Fremont East District	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District – 200 Feet	X		Y
Downtown Entertainment Overlay District	X		Y
Live/Work Overlay District	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails – Cultural Corridor	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

GK

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	5,240 SF	1:50 Public Seating Area	105		0		
	1,606 SF	1:200 Remaining SF	8				
TOTAL SPACES REQUIRED			113		0		
TOTAL (With Handicapped)			108	5	0	0	Y

ANALYSIS

The site is located within the Downtown Entertainment Overlay District on a 0.45 acre parcel, at the southeast corner of Las Vegas Boulevard and Fremont Street. The intended use for the property is a Mexican themed restaurant and Tavern-Limited Establishment. The hours of operation will be Sunday through Wednesday from 7 a.m. through 2 a.m. and Thursday through Saturday from 7 a.m. through 5 a.m. Live Entertainment will be provided Wednesday through Saturday. Within the Downtown Entertainment Overlay District, a Tavern-Limited Establishment is a permitted use in the current C-2 (General Commercial) zoning district with the approval of a Special Use Permit. Specifically, the use complies with the intent of the Downtown Entertainment Overlay District of encouraging musical entertainment venues with live entertainment four nights a week. A condition of approval has been added requiring conformance with Title 6.50.250, which outlines the minimum live entertainment requirements within the Downtown Entertainment Overlay District.

There are existing liquor establishments in the immediate area; however, pursuant to Title 19.06.120(C) waivers for distance separation requirements are not necessary. Title 19.06.120(C) states, “For any liquor-serving establishment that is approved by means of a Special Use Permit for a parcel located within the [Downtown Entertainment Overlay] District, the distance separation requirements set forth in Chapter 19.04 shall not apply.”

The proposal consists of the addition of a 591 square-foot second floor balcony along Las Vegas Boulevard and Fremont Street. The proposed second floor balcony encroaches over the right-of-way along Fremont Street and Las Vegas Boulevard; as such, the Department of Public Works as added a condition requiring an encroachment agreement. The proposal also includes decorative façade improvements that will not increase the square footage of the existing building but will increase the building height from 27 feet to 42 feet. The proposed façade improvements provide an aesthetic improvement to the existing building and surrounding area. The color and material palette for the proposed façade includes perforated metal, concrete tile, stone veneer, wood, tile, aluminum framing, and paint. A Site Development Plan Review is not required for the proposed improvements to the existing building, as the proposed 591 square-foot addition does not exceed 10% of the existing floor area, as outlined by the Downtown Centennial Plan Area Threshold Requirements.

In addition to the façade improvements, the applicant is providing signage along Fremont Street and Las Vegas Boulevard. Concepts of the signage are included on the elevation plans date stamped 05/25/10; however, the signage is not included with the proposed Special Use Permit for a Tavern-Limited Establishment use. The subject site is located within the Las Vegas Scenic Byway Overlay District and the Downtown Centennial Plan – Fremont East District. The signage must be approved by the Downtown Design Review Committee and must conform to the Las Vegas Scenic Byway Standards. A condition of approval has been added requiring approval from the Downtown Design Review Committee prior to issuance of building permits for signage.

The Downtown Centennial Plan requires that all power lines be located underground from the nearest street access to the project site. The Department of Public Works has added a condition which requires a covenant running with land as it relates to the existing utilities for the possible and future installation of all underground utilities and Downtown Centennial Plan Streetscape Standards.

Direct access is provided to the site from Fremont Street, where 22 on-street metered parking spaces are provided with service access provided from a rear alley. Pursuant the Downtown Centennial Plan and Title 19.06 the on-site parking requirements set forth in Chapter 19.10 shall not apply. The applicant is accommodating the parking requirements with the public parking garages located in the immediate area.

The site meets the overall intent of the Downtown Entertainment Overlay District of encouraging musical entertainment venues. The proposed elevation changes will result in a building that is more aesthetically pleasing and more compatible with the adjacent surrounding properties. As conditioned, the site meets the minimum requirements of the Downtown Centennial Plan – Fremont East District and the Las Vegas Scenic Byway. Therefore, staff is recommending approval of this request.

FINDINGS (SUP-38251)

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 is a permitted use in the C-2 (General Commercial) zoning district, with the approval of a Special Use Permit, and is the type of use that is encouraged in the Downtown Overlay District. It can be conducted in a manner that is harmonious and compatible with the surrounding land uses, and with the future surrounding land uses.

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

   The subject site can easily accommodate a Tavern-Limited Establishment land use. The parking requirements are being accommodated through the use of public parking garages located in the immediate area, as well as street parking.

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

   The site is served by Fremont Street, an 80-foot Secondary Collector as designated by the Master Plan of Streets and Highways. This thoroughfare can accommodate the proposed Tavern-Limited Establishment 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 development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

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

   The Downtown Centennial Plan refers to Title 19.04 for applicable conditions of the Tavern-Limited Establishment use in the Fremont East District. A waiver of the distance separation requirement from another Tavern-Limited Establishment use is not required per Title 19.06.120(C). The proposed use meets all conditions per Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 213

APPROVALS 0

PROTESTS 0

GK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-38251** APN: 139-34-601-002

Name of Property Owner: Mele Pono Holding Company

Name of Applicant: FATPAK, LLC

Name of Representative: APTUS Architecture

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Rosemary Shay, Pres. Mele Pono Holding Co.

Print Name: Rosemary Shay

Subscribed and sworn before me

This 10th day of May, 20 10

Kelly McElravey

Notary Public in and for said County and State

Placer County, CA

KELLY MC ELRAVEY
COMM. # 1776297
NOTARY PUBLIC-CALIFORNIA
PLACER COUNTY
MY COMM. EXP. NOV. 24, 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit for a ~~Supper Club~~ Tavern Limited

Project Address (Location) 107 S. Las Vegas Boulevard

Project Name Nacho Daddy **Proposed Use** Restaurant/Supper Club

Assessor's Parcel #(s) 139-34-601-002 **Ward #** 5-Barlow

General Plan: existing C proposed n/a **Zoning:** existing C-2 proposed n/a

Commercial Square Footage 5,400 **Floor Area Ratio** n/a

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

Additional Information

PROPERTY OWNER Mele Pono Holding Company **Contact** Rosemary Shoong

Address P.O.Box 450 **Phone:** **Fax:**

City Ponderay **State** ID **Zip** 83852

E-mail Address

APPLICANT FATPAK, LLC **Contact** Fred Mosler

Address 1720 Tangiers **Phone:** (702) 592-2253 **Fax:**

City Henderson **State** NV **Zip** 89012

E-mail Address fred.mossler@gmail.com

REPRESENTATIVE APTUS Architecture **Contact** Kristen Neuman

Address 1200 S. 4th Street, Suite 206 **Phone:** (702) 839-1200 **Fax:** (702) 839-1213

City Las Vegas **State** Nevada **Zip** 89104

E-mail Address kristen@aptusarchitecture.com

Property Owner Signature* Mele Pono, Pres. Rosemary Shoong

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

Print Name Rosemary Shoong

Subscribed and sworn before me

This 12th day of May, 20 10.

Notary Public in and for said County and State

J. FRIEDMAN
Commission # 1850726
Notary Public - California
Placer County
My Comm. Expires Jun 20, 2013

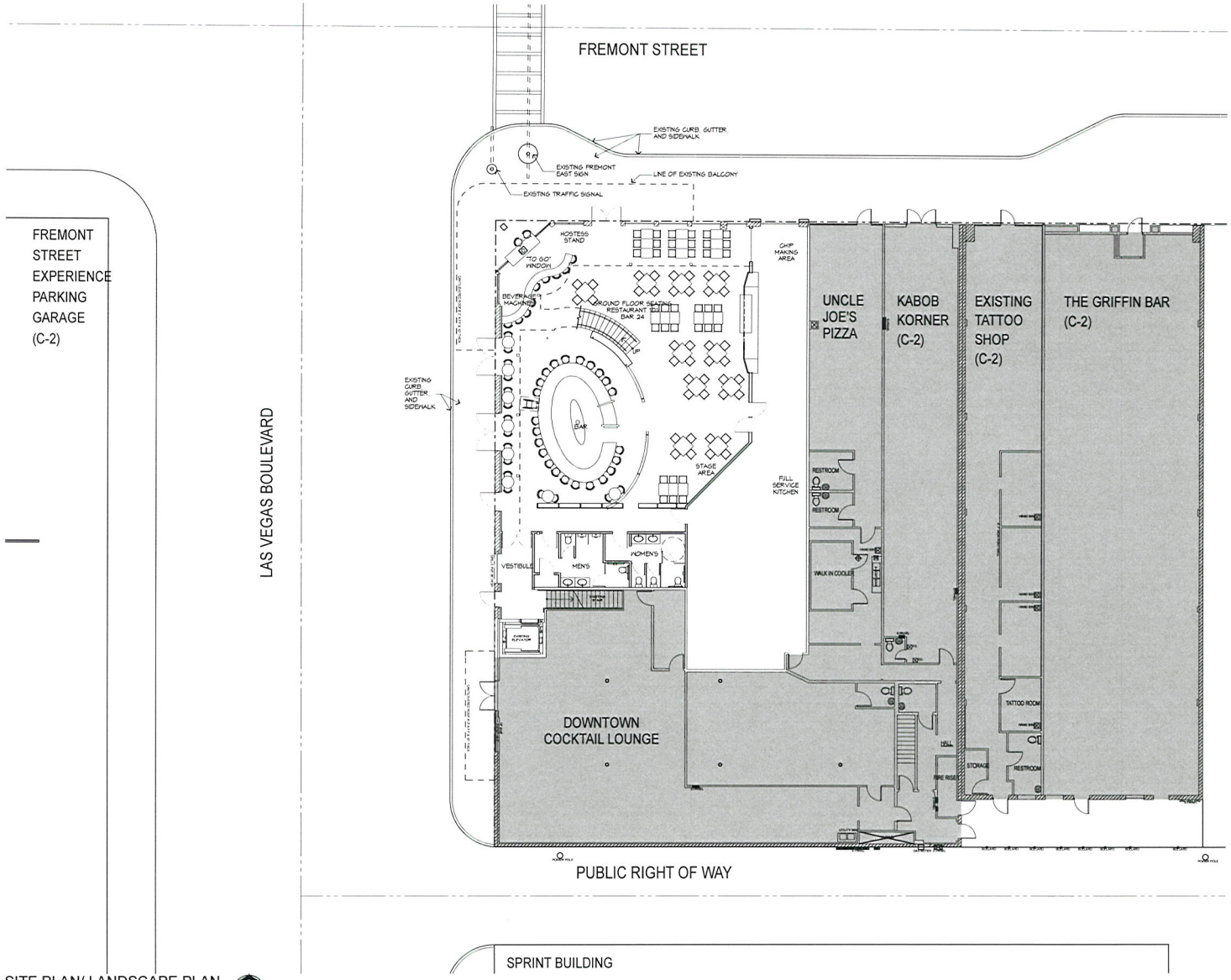
FOR DEPARTMENT USE ONLY

Case #	SUP-38251
Meeting Date:	6/24/10
Total Fee:	$1,030.00
Date Received:*	6/1/10
Received By:	

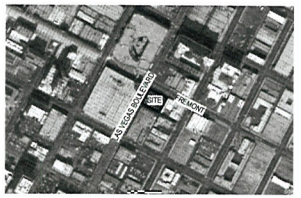
*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08

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



SITE PLAN/ LANDSCAPE PLAN
1" = 10'





VICINITY AND LOCATION MAPS

Site and Project Information

SITE DATA

PARCEL NUMBER	139-34-601-002
JURISDICTION	CITY OF LAS VEGAS - 89101
PROPOSED ZONING	C-2
PROPOSED USE	RESTAURANT & TAVERN LIMITED
SITE AREA	45 NET ACRES

BUILDING INFORMATION

CODE	2006 INTERNATIONAL BUILDING CODE
CONSTRUCTION TYPE	V-B
OCCUPANCY	A-2
FIRE SPRINKLERS PROVIDED	YES
BUILDING AREAS:	
FIRST FLOOR	
RESTAURANT	3,689 SF
KITCHEN	1,606 SF
SECOND FLOOR	1,551 SF
TOTAL SQUARE FOOTAGE	6,846 SF

PARKING AREA

BUILDING AREA	REQUIRED PARKING	PROVIDED PARKING
RESTAURANT	5,240 SF @ 1:50 = 104.80	NONE: PROJECT IS LOCATED IN THE CENTENNIAL PLAN
REMAINING AREAS	1,606 SF @ 1:200 = 8.03	
TOTAL REQUIRED	112.83	

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Nacho Daddy
SDR & SUP SUBMITTAL
107 S. Las Vegas Boulevard
Las Vegas, Nevada 89101

SUP-38251

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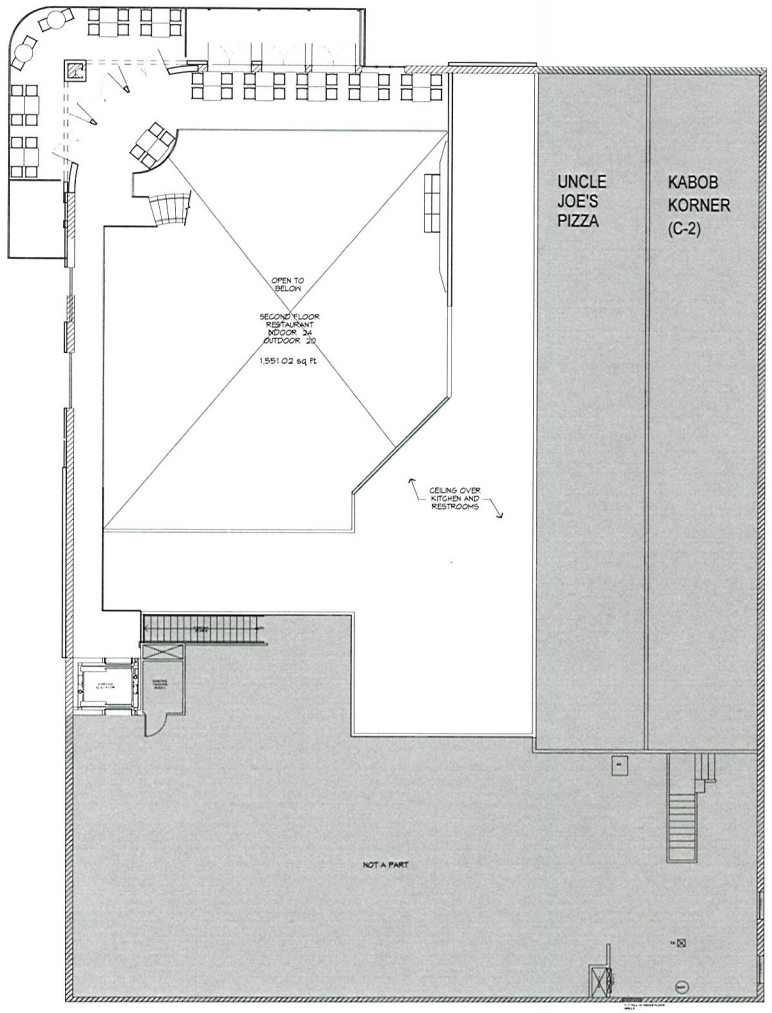
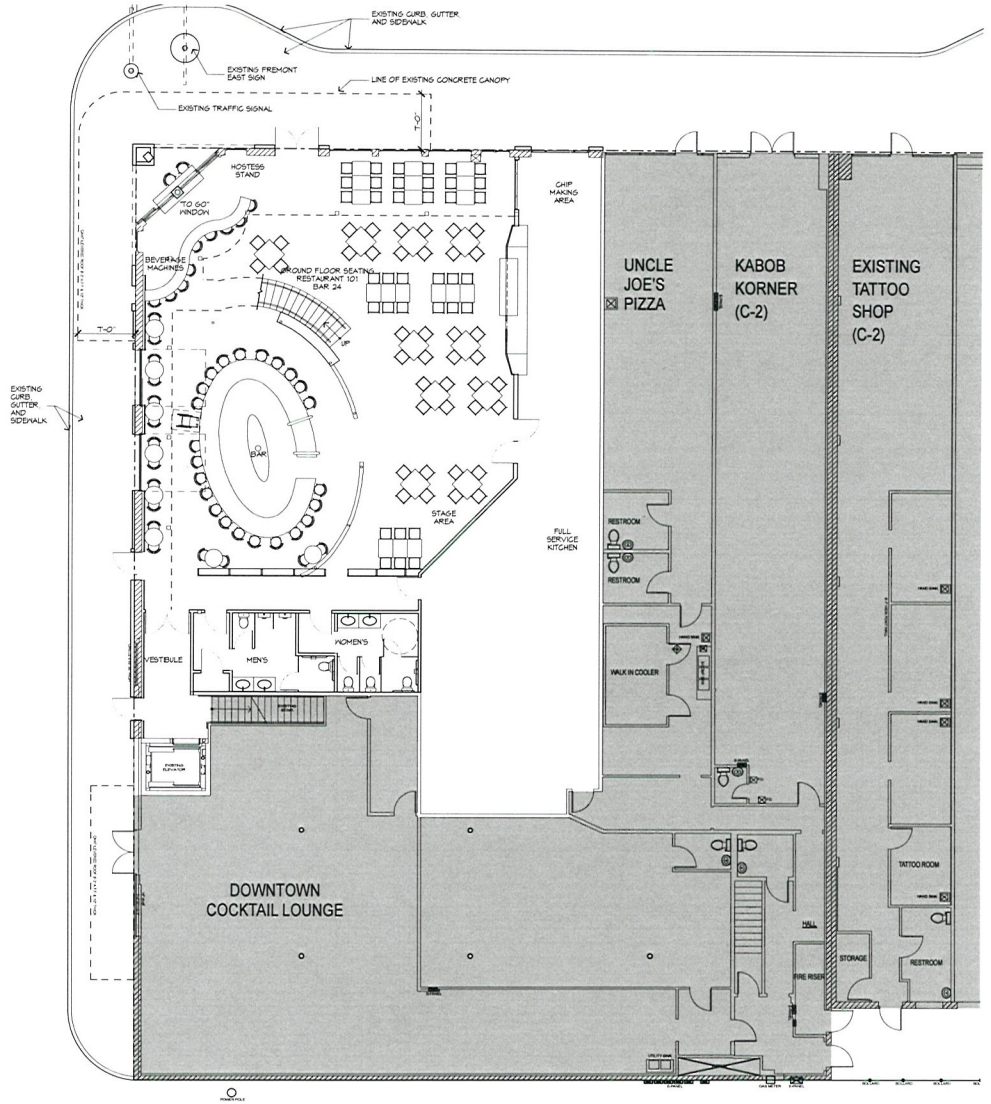
SITE PLAN/
LANDSCAPE PLAN

AS100

10.032 Nacho Daddy



SECOND FLOOR



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

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MAY 25 2010

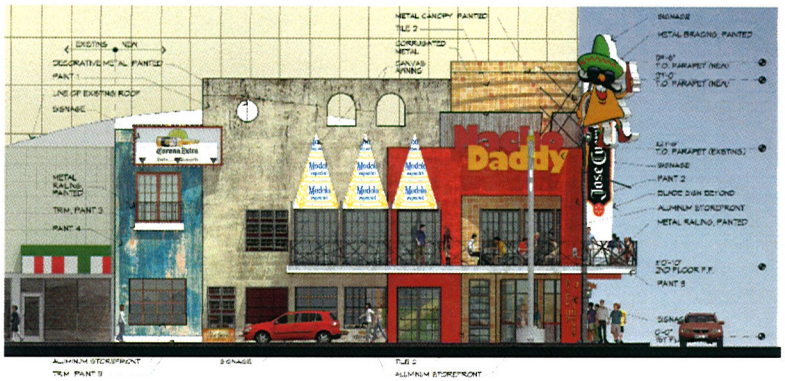
City of Las Vegas SDR/SUP Submittal 05.20.10
City of Las Vegas SDR/SUP Submittal (2nd) 06.25.10

FLOOR PLANS
A100
10.032 Nacho Daddy

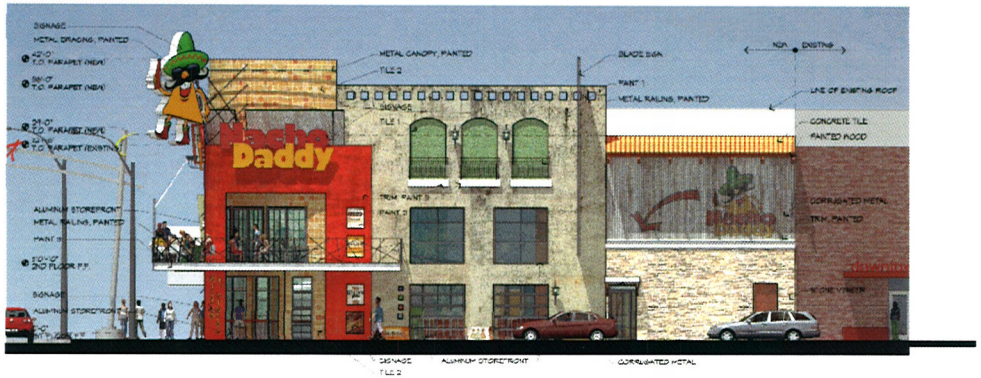
F:\10032 Nacho Daddy\DWGS\10032 Nacho Daddy.TopK 5/17/2010 3:44 PM rsmd



SOUTHEAST CORNER AT LAS VEGAS & FREMONT



NORTH ELEVATION



WEST ELEVATION

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Las Vegas, Nevada 89101

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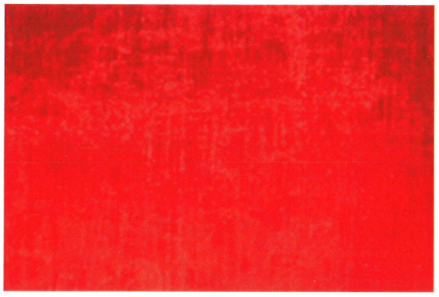
ELEVATIONS

A101

10.032 Nacho Daddy



Paint 1



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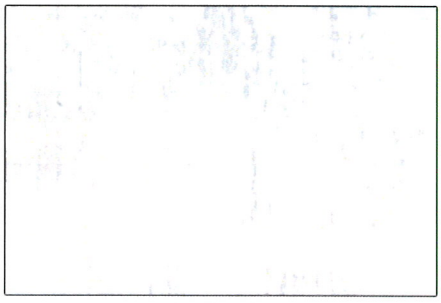

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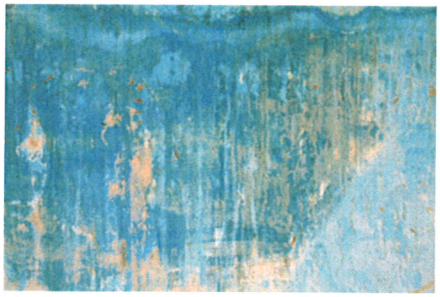

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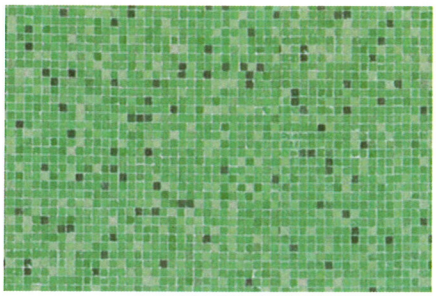


Tile 1



Tile 2



Wood, painted



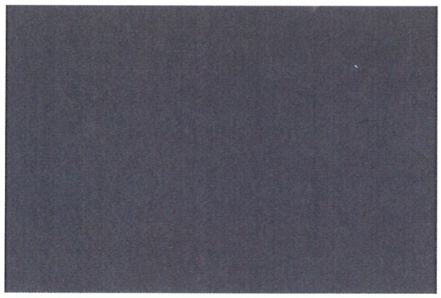
Corrugated Metal



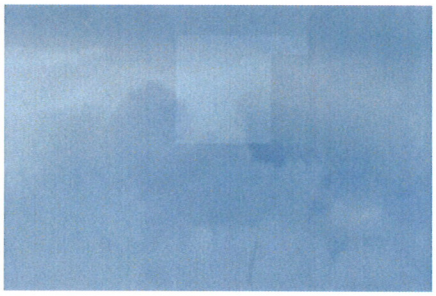
Concrete Tile



Stone Veneer



Aluminum Storefront Framing



Glazing

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info@aptusarchitecture.com

Nacho Daddy

SDR & SUP Submittal

107 S. Las Vegas Boulevard
Las Vegas, Nevada 89101

5.20.10

SUP-38251
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SUP-38251 – APPLICANT: FATPAK, LLC – OWNER: MELE PONO HOLDING COMPANY
107 SOUTH LAS VEGAS BOULEVARD

05/20/10



SUP-38251 – APPLICANT: FATPAK, LLC – OWNER: MELE PONO HOLDING COMPANY
107 SOUTH LAS VEGAS BOULEVARD

05/20/10



SUP-38251 – APPLICANT: FATPAK, LLC – OWNER: MELE PONO HOLDING COMPANY
107 SOUTH LAS VEGAS BOULEVARD

05/20/10



SUP-38251 – APPLICANT: FATPAK, LLC – OWNER: MELE PONO HOLDING COMPANY
107 SOUTH LAS VEGAS BOULEVARD

05/20/10

APTUS Architecture

May 27, 2010

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

RE: APN: 139-34-611-002
Re: A. Site Development Review
B. Special Use Permit for a Tavern Limited

To whom it may concern:

The intended use for the property of 107 S. Las Vegas Boulevard (139-34-611-002) is a Mexican Restaurant and Tavern Limited. The name of the establishment is "Nacho Daddy and will be approximately 6,846 SF on two floors (with 591 SF of balcony). We feel "Nacho Daddy" will be a tremendous catalyst to help jumpstart the revitalization of the entertainment district in Downtown Las Vegas. The property is currently zoned C-2 and falls within the Downtown Entertainment Overlay District. We are requesting a site development review and a special use permit and will be applying for a Tavern Limited License.

The hours of operation will be Sunday through Wednesday from 7am – 2am and Thursday through Saturday from 7am – 5am and the services provided will include a full service kitchen, full service bar, and a small retail area. Live entertainment will also be provided Wednesday thru Saturday. This corner of the downtown area is at the entrance to the "Fremont East District" and the new tenants want to create a very special vibe for the restaurant and surrounding areas. They would like to be able to serve food out of a "to go" window right at the corner of Fremont and Las Vegas Boulevard. There are also plans to open up the existing windows and walls along the street frontages to allow for interaction between the interior and the exterior. The restaurant will have at least 100 seats inside the restaurant, and additional seating which is proposed to be on a balcony overhanging the right of way along Fremont and Las Vegas Boulevard.

Customer access to the site is directly off of Fremont Street. Deliveries will be made via the alley on the south side of the space. In addition, there are approximately 22 parking spaces located on Fremont Street and 6th Street and there are 680 spaces in the Neonopolis parking garage and 1472 Parking spaces in the Fremont Street Experience parking garage. The parking garages are approximately 400' away and accessible on foot. Public transportation is also available on Las Vegas Boulevard. Parking for this facility will be adequate considering the amount of parking in close proximity to the new project and the desire to increase foot traffic along the Fremont East and Las Vegas Boulevard corridors.

We have made every attempt to follow City of Las Vegas Title 19 as well as the Centennial Plan. Please join us in our attempt to bring much-needed high caliber product into downtown and to Las Vegas residents.

Respectfully Submitted,

Kristen G. Neuman

Kristen G. Neuman, AIA
APTUS Architecture

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MAY 27 2010

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City of Las Vegas Agenda Item No.: **33.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

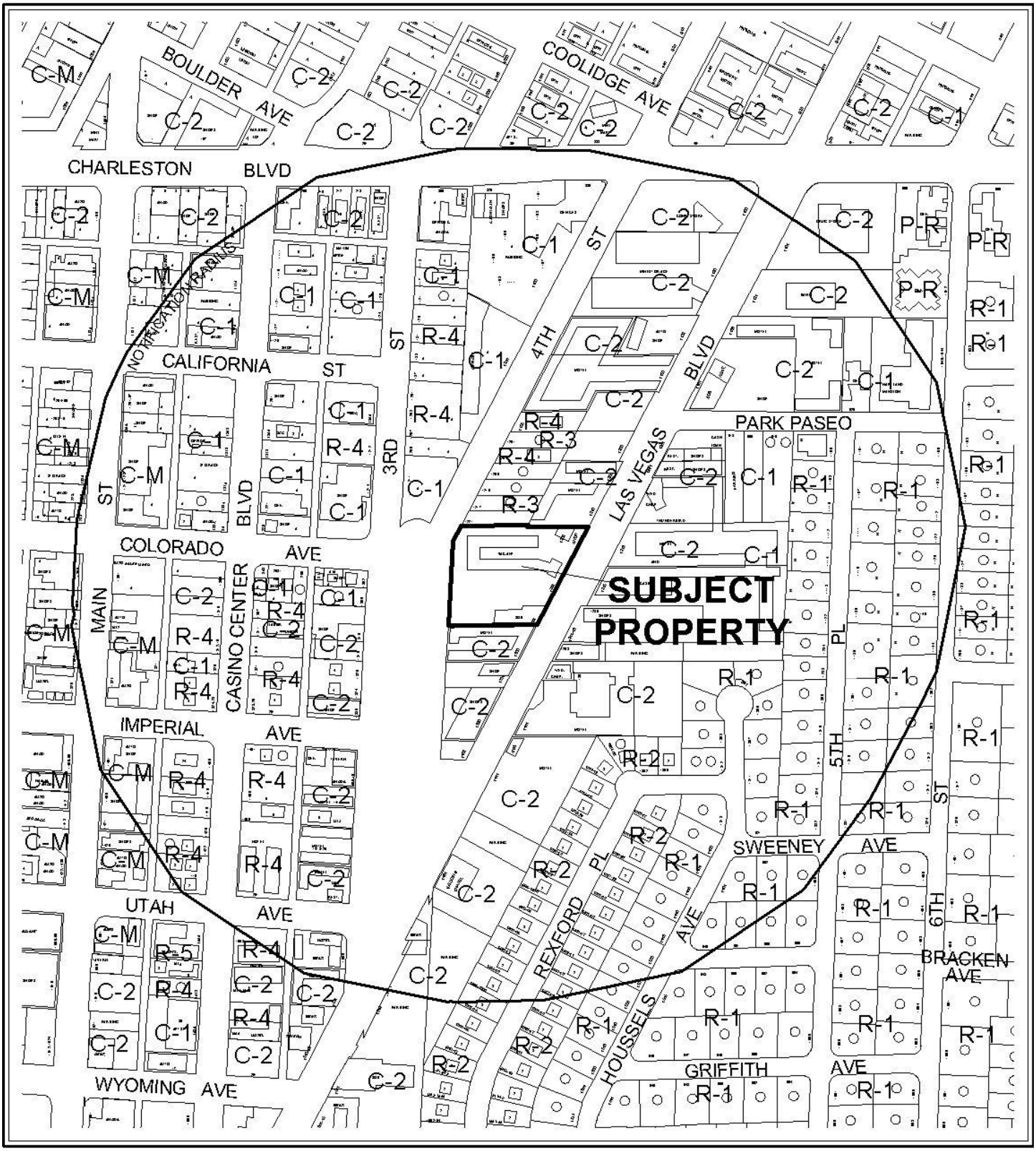
SUBJECT:
SUP-38225 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ABSOLUTE INK TATTOO - OWNER: RAYMOND PISTOL - Request for a Special Use Permit FOR A PROPOSED TATTOO PARLOR/BODY PIERCING STUDIO USE WITHIN AN EXISTING 1,873 SQUARE-FOOT BUILDING at 1232 South Las Vegas Boulevard (APN 162-03-112-012), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

IF APPROVED, C.C.: 07/21/2010
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

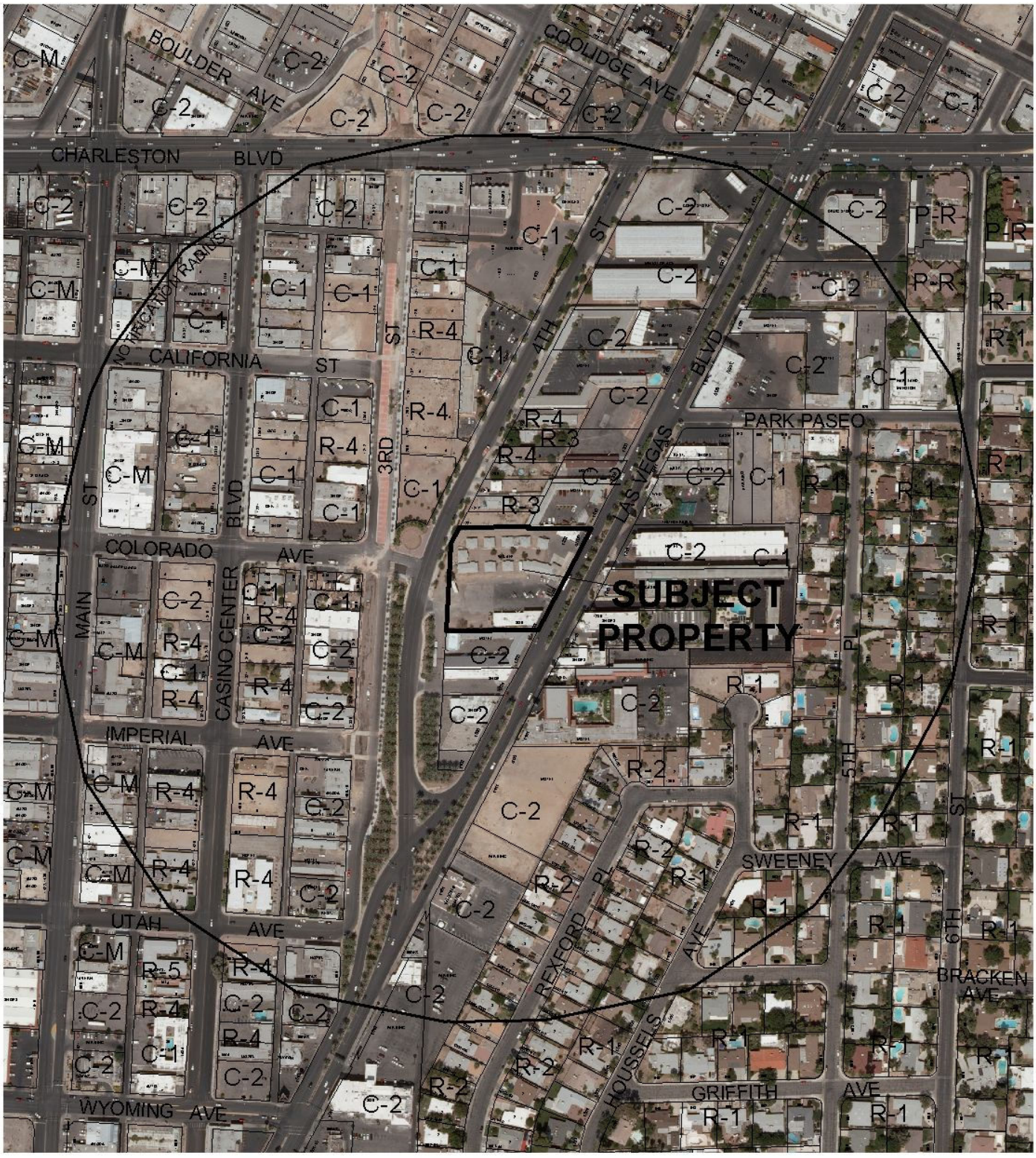
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: **SUP-38225**

RADIUS: 1000 FT

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



0 400 800 Feet

CASE: **SUP-38225**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: DANIEL P. JACKSON - OWNER: RAYMOND PISTOL

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-38225	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-38225 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Tattoo Parlor/Body Piercing Studio use.

2. All proposed signage shall be in full conformance with Title 19.14 sign standards and Title 19.06.140 Las Vegas Scenic Byway Overlay District standards, and shall be reviewed by the Downtown Design Review Committee prior to issuance of a sign permit.

3. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to or at the time application is made for a business license, to depict handicap accessible spaces in compliance with Title 19.10 requirements.

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

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

** STAFF REPORT **

PROJECT DESCRIPTION

The site contains three existing developments, which include a 1,873 square-foot building at 1232 South Las Vegas Boulevard, a former motel and restaurant at 1236 South Las Vegas Boulevard, and a 3,285 square-foot sexually oriented business at 1238 South Las Vegas Boulevard. The requested Special Use Permit for a proposed Tattoo Parlor/Body Piercing Studio use would be located within the existing building at 1232 South Las Vegas Boulevard. The business is not yet licensed and in operation at this location. The use is appropriate for the site and can be conducted in a manner that is harmonious and compatible with surrounding uses; therefore, staff recommends approval. If denied, the Tattoo Parlor/Body Piercing Studio use cannot be conducted within this building and on this site.

ISSUES

- Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. Since the proposed use and the previous use have the same parking requirement and no expansion of the existing building is proposed, no additional parking is required.
- The current signage on and adjacent to the building is not in compliance with the standards of the Las Vegas Boulevard Scenic Byway Overlay District. A condition of approval will require conformance to Title 19.14 and Title 19.06.140 signage standards and review of signage by the Downtown Design Review Committee prior to issuance of any sign permit for any proposed signage.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/24/99	The City Council denied a request for a Rezoning (Z-0019-99) from C-1 (Limited Commercial) and C-2 (General Commercial) to C-2 (General Commercial) on 7.60 acres at 1238 Las Vegas Boulevard South and on the southeast corner of Las Vegas Boulevard South and Park Paseo. The Planning Commission recommended denial and staff recommended approval.
10/29/03	The City Council approved the appeal from the Planning Commission denial of a Special Use Permit (SUP-2801) for a proposed 1,452 square-foot Tavern use and Waiver of the 1,500-foot distance separation requirement from other taverns on property located at 1236 Las Vegas Boulevard South. Staff recommended approval. The Special Use Permit approval expired 10/29/04.

11/06/03	The Planning Commission approved a Site Development Plan Review (SDR-3125) for a proposed tavern building on 1.79 acres at 1236 Las Vegas Boulevard South with Waivers of landscape buffer and parking lot landscaping requirements. Staff recommended approval.
01/11/05	Code Enforcement opened a case (#25098) regarding a vacant boarded up building at 1232 South Las Vegas Boulevard. The case was closed by Code Enforcement on 11/20/07.
07/06/05	The City Council approved a Special Use Permit (SUP-6582) for a proposed 1,452 square-foot Tavern use and a Waiver of the 1,500-foot distance separation requirement from another tavern use on property located at 1236 Las Vegas Boulevard South. A condition of approval required a minimum of 47 spaces including four handicap-accessible spaces; otherwise, the site plan must be submitted to the Planning and Development Department for review of a different parking configuration. The Special Use Permit expired 07/06/06.
12/01/05	The Planning Commission tabled Special Use Permit requests for a proposed 60-story mixed use development (SUP-9914) and for a 650-foot tall building in the Airport Overlay Zone (SUP-10055), and a request for a Site Development Plan Review (SDR-9912) for a proposed 60-story, 650-foot tall Mixed Use Development with 900 residential units and 8,580 square feet of retail, and Waivers of the sidewalk and amenity standards, of the upper floor stepback and build-to line requirements, of the eight-foot wide landscape requirements for parking lots facing public streets, and of the use of reflective, shiny or mirror-like materials as an exterior building finish on 1.79 acres located at 1232-1238 South Las Vegas Boulevard. Staff recommended denial of each item.
06/18/08	Code Enforcement opened a case (#66786) to check for banners, window signs, debris, junk vehicles, trash, graffiti, and zoning violations at 1232 South Las Vegas Boulevard. The case was closed by Code Enforcement on 06/24/08.
02/03/10	Code Enforcement opened a case (#86151) regarding two pylon signs and a non-functional neon sign at 1236 South Las Vegas Boulevard. The case was closed by Code Enforcement on 04/19/10.
06/24/10	The Planning Commission will consider an appeal (DIR-38357) of the Director's decision to deny a Temporary Commercial Permit (TCP-38255) per Title 19.18.100.D that would allow a temporary outdoor commercial event (promotional event) in conjunction with the baseball season on 1.79 acres in the parking lot at 1238 South Las Vegas Boulevard. The Planning and Development Department denied the initial request for a Temporary Commercial Permit on 05/13/10.

Most Recent Change of Ownership	
05/18/98	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/24/92	A business license (C07-01926) was issued for a clothing store at 1232 South Las Vegas Boulevard. The license was marked out of business on 07/16/09.
09/25/92	A business license (A32-00004) was issued for an adult book store at 1238 South Las Vegas Boulevard. The license is still active.
10/20/92	A building permit (#92164186) for a chain link fence was issued at 1238 South Las Vegas Boulevard. A final inspection was completed on 03/31/93.
10/26/92	A building permit (#92164819) for an interior remodel was issued at 1238 South Las Vegas Boulevard. A final inspection was completed on 11/10/92.
12/23/92	A business license (C08-01455) was issued for coin amusement machines at 1238 South Las Vegas Boulevard. The license is still active.
12/23/92	A business license (V06-00013) was issued for adult video booths at 1238 South Las Vegas Boulevard. The city license expired on 11/24/09.
01/05/93	A building permit (#93171869) for a wall sign was issued at 1238 South Las Vegas Boulevard. A final inspection was completed on 01/14/93.
04/07/93	A building permit (#93182402) for an electrical service change was issued at 1236 South Las Vegas Boulevard. A final inspection was completed 04/13/93.
04/19/93	A building permit (#93183676) for reroofing of Suites A and C was issued at 1236 South Las Vegas Boulevard, Suite #A. A final inspection was completed 07/29/93.
04/19/93	A building permit (#93183677) for interior demolition of Suites A, B and C was issued at 1236 South Las Vegas Boulevard, Suite #A. A final inspection was completed 06/22/93.
04/30/93	A building permit (#93185064) for reroofing was issued at 1236 South Las Vegas Boulevard. A final inspection was completed 06/07/93.
09/16/93	A building permit (#93201697) for a neon sign was issued at 1238 South Las Vegas Boulevard. A final inspection was not completed and the permit expired on 04/22/95.
11/17/93	A building permit (#03208938) for an interior remodel and Certificate of Occupancy was issued at 1238 South Las Vegas Boulevard. A final inspection was completed on 10/20/94.
11/30/93	A building permit (#93210158) for an interior remodel was issued at 1238 South Las Vegas Boulevard. A final inspection was not completed and the permit expired on 04/22/95.
02/01/94	A building permit (#94317553) for electrical work was issued at 1238 South Las Vegas Boulevard. A final inspection was completed on 10/20/94.
06/05/95	A building permit (#95873375) for a sign was issued at 1232 South Las Vegas Boulevard. A final inspection was not completed and the permit expired on 12/02/95.
12/29/95	A building permit (#95885694) for Class A reroofing was issued at 1236 South Las Vegas Boulevard. A final inspection was not completed and the permit expired 07/06/96.

02/21/97	A business license (E07-00003) was issued for an erotic dance establishment at 1238 South Las Vegas Boulevard. The license is still active.
04/09/97	A building permit (#97007123) for repair of the gas line to the meter was issued at 1236 South Las Vegas Boulevard. A final inspection was completed 04/10/97.
04/11/97	A building permit (#97007315) for a Non-Work Certificate of Occupancy for an antique store was issued at 1236 South Las Vegas Boulevard. A final inspection was not completed and the permit expired on 10/18/97.
03/17/99	A business license (T08-00020) was issued for a tattoo parlor at 1141 South Las Vegas Boulevard. The business owner filed to change the business location to 1232 South Las Vegas Boulevard on 03/23/10, but was denied pending a Special Use Permit (SUP-38225) to allow the Tattoo Parlor/Body Piercing Studio use at that location.
04/05/01	A building permit (#01005852) for a tenant improvement for Certificate of Occupancy was issued at 1236 South Las Vegas Boulevard. A final inspection was completed on 07/12/01.
06/20/02	A building permit (#02011255) for a Non-Work Certificate of Occupancy for a restaurant was issued at 1236 South Las Vegas Boulevard. A final inspection was completed on 06/25/02.
09/25/02	A building permit (#02017449) for a tenant improvement was issued at 1238 South Las Vegas Boulevard. A final inspection was not completed and the permit expired on 03/29/03.
06/09/04	A building permit (#04014801) for an interior remodel for certificate of occupancy was issued at 1238 South Las Vegas Boulevard. A final inspection was completed on 07/21/04.
04/05/10	Business license applications were filed for a single room residence hostel (H15-95178) and miscellaneous sales (M06-95179) at 1236 South Las Vegas Boulevard. The applications were denied 05/17/10 pending approval of a Special Use Permit.
05/11/10	Plans were submitted for review of a building permit application (162774) for a tenant improvement for a proposed youth hostel at 1236 Las Vegas Boulevard South for a certificate of occupancy. The Planning and Development Department denied its review on 05/12/10, and no permit has been issued.
05/11/10	A temporary business license (R05-95603) was issued for a non-alcoholic soda fountain at 1238 South Las Vegas Boulevard. The temporary license will expire 11/11/10.

Pre-Application Meeting	
04/27/10	At a required pre-application meeting, submittal requirements for a Special Use Permit were discussed, as well as the following items: • A site plan was not presented at the meeting. The applicant needs to include a site plan in the submittal; • The applicant has operated a similar use at another location since October 1998; • Handicap parking spaces should be striped to conform to Title 19.10 requirements if not to Code; • Total floor area should be included.

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

Field Check	
05/20/10	A field check was conducted on the subject site. The following items were noted: • The business at 1232 South Las Vegas Boulevard is using the existing freestanding sign in front of the building to advertise its services • A painted wall sign advertising the proposed use faces Las Vegas Boulevard • Small flags extend from the rooftop corners of the 1232 building facing Las Vegas Boulevard • A vehicle parked at 1236 South Las Vegas Boulevard serves as a directional sign advertising services of the proposed use • There is a large dumpster on the property set back from the street near the existing motel • Only the front portion of the site where parking is available is paved

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	General Retail (vacant); Motel (vacant); Sexually Oriented Business	C (Commercial)	C-2 (General Commercial)
North	Motel, Undeveloped	C (Commercial)	C-2 (General Commercial)
South	Motel	C (Commercial)	C-2 (General Commercial)
East	Hotel (vacant); Hotel/Tavern/ Massage Establishment; General Retail	C (Commercial)	C-2 (General Commercial)
West	4th/3rd Street Right-of-Way	ROW (Right-of-Way)	ROW (Right-of-Way)

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 (Downtown South District)	X		Y
Live/Work Overlay District	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		N
Trails (Scenic Byway)	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 the Downtown Centennial Plan (Downtown South District Standards), the following development standards apply to the subject site:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	77,972 SF	N/A
Min. Lot Width	100 Feet	293 Feet	Y
Min. Setbacks:			
• Front	70% of the first story façade shall align along the front property line	0% alignment/ 25-foot setback	Y
• Side	None	0 Feet	Y
• Corner	70% of the first story façade shall align along the corner side property line	N/A	N/A
• Rear	None	266 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

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	
Tattoo Parlor	1,873 SF	1 space/ 250 SF GFA	8				Y
Sexually Oriented Business	3,285 SF	1 space/ 175 SF GFA	19				Y
Motel	21 units	1 space/ unit	21				
TOTAL SPACES REQUIRED			**48**		**82**		Y
TOTAL (With Handicapped)			46	2	78	4	Y

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City. The previous use of the subject building was retail, which has a similar parking requirement to the proposed Tattoo Parlor/Body Piercing Studio use. Therefore, since no expansion of the subject building is proposed, the parking requirements remain unchanged. The Downtown Centennial Plan, however, does require handicap-accessible parking to comply with Title 19.10 requirements, which include adequate striping to accommodate persons with disabilities.

ANALYSIS

The applicant has operated a Tattoo Parlor at 1141 South Las Vegas Boulevard since 1999 and proposes to move into the existing building at 1232 South Las Vegas Boulevard. A Tattoo Parlor/Body Piercing Studio is allowed in the C-2 (General Commercial) Zoning District with approval of a Special Use Permit. There are no minimum conditions required to allow this use; its compatibility with surrounding land uses must be determined on a case-by-case basis. The existing building is 1,873 square feet and is situated on the northern lot line. Both tattooing and body piercing are proposed at this location. Parking is more than adequate on the site to accommodate the use. As the use can be conducted in a manner that is harmonious and compatible with the commercial land uses on all sides of the site, staff recommends approval of the Special Use Permit request.

New and proposed signage for parcels adjacent to Las Vegas Boulevard, including the subject site, must comply with both Title 19.14 sign standards for the C-2 (General Commercial) Zoning District and the standards of the Las Vegas Boulevard Scenic Byway Overlay District pursuant to Title 19.06.140. This special district requires at least 75 percent of the total sign surface areas of the development to contain illuminated signage in the form of neon signs, animated signs or a combination of the two. A review of the signage by the Downtown Design Review Committee is also required prior to the issuance of any sign permits for proposed signage.

The proposed use is in conformance with the Downtown Centennial Plan, with the exception of the Title 19 signage requirements above, which it references as part of the Downtown South District standards. Since only the use at the existing building at 1232 South Las Vegas Boulevard would be changing as a result of approval of this request, no streetscape, setback, utility or design standards apply. The use is also in conformance with the Live/Work Overlay District and the policies of the Downtown Redevelopment Plan Area.

FINDINGS (SUP-38225)

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 Tattoo Parlor/Body Shop use can be conducted in a manner that is harmonious and compatible with existing surrounding commercial land uses, which consist primarily of motels.

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

   The subject site is sufficiently large to accommodate this use, as well as two other uses at separate addresses that contain additional parking.

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.**

   Las Vegas Boulevard, designated as a Primary Arterial by the city's Master Plan of Streets and Highways, provides access to the property. Access is possible only from the southbound lanes. These roadway facilities are adequate to serve the proposed Tattoo Parlor/Body Piercing Studio 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 public health, safety and welfare and the primary objectives of the General Plan will not be compromised by approving the proposed Tattoo Parlor/Body Piercing Studio at this location, as the use will be subject to licensing and inspection.

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

   There are no minimum conditions for allowing a Tattoo parlor/Body Piercing Studio use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 197

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-38225 APN: 162031120 12

Name of Property Owner: RAYMOND PISTOL

Name of Applicant: DANIEL P. JACKSON/ABSOLUTE INK TATTOO

Name of Representative: _____

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Raymond Pistol

Subscribed and sworn before me

This 26th day of May, 2010

_____

Notary Public in and for said County and State

My Appt. Expires Aug 1, 2011

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: DANIEL P. JACKSON

Project Address (Location) 1232 LV. BLVD. S.

Project Name ABSOLUTE INK TATTOO **Proposed Use** TATTOO SHOP

Assessor's Parcel #(s) 162 03 112-012 **Ward #** 3

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

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

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

Additional Information _____

PROPERTY OWNER RAYMOND D. PISTOR **Contact** _____

Address 631 LV. BLVD. S. **Phone:** 453-0347 **Fax:** _____

City LAS VEGAS **State** NV. **Zip** 89104

E-mail Address _____

APPLICANT ABSOLUTE INK TATTOO **Contact** DANIEL P. JACKSON

Address 1232 LV. BLVD. S. **Phone:** 383-8282 **Fax:** _____

City LAS VEGAS **State** NV. **Zip** 89104

E-mail Address _____

REPRESENTATIVE DANIEL P. JACKSON **Contact** _____

Address 1232 LV. BLVD. S. **Phone:** 205-1073 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89104

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 _____

Subscribed and sworn before me

This 26th day of May, 20 10.

_____

Notary Public in and for said County and State

ALLEN LICHTENSTEIN
Notary Public, State of Nevada
Appointment No. 98-2443-1
My Appt. Expires Aug 1, 2011

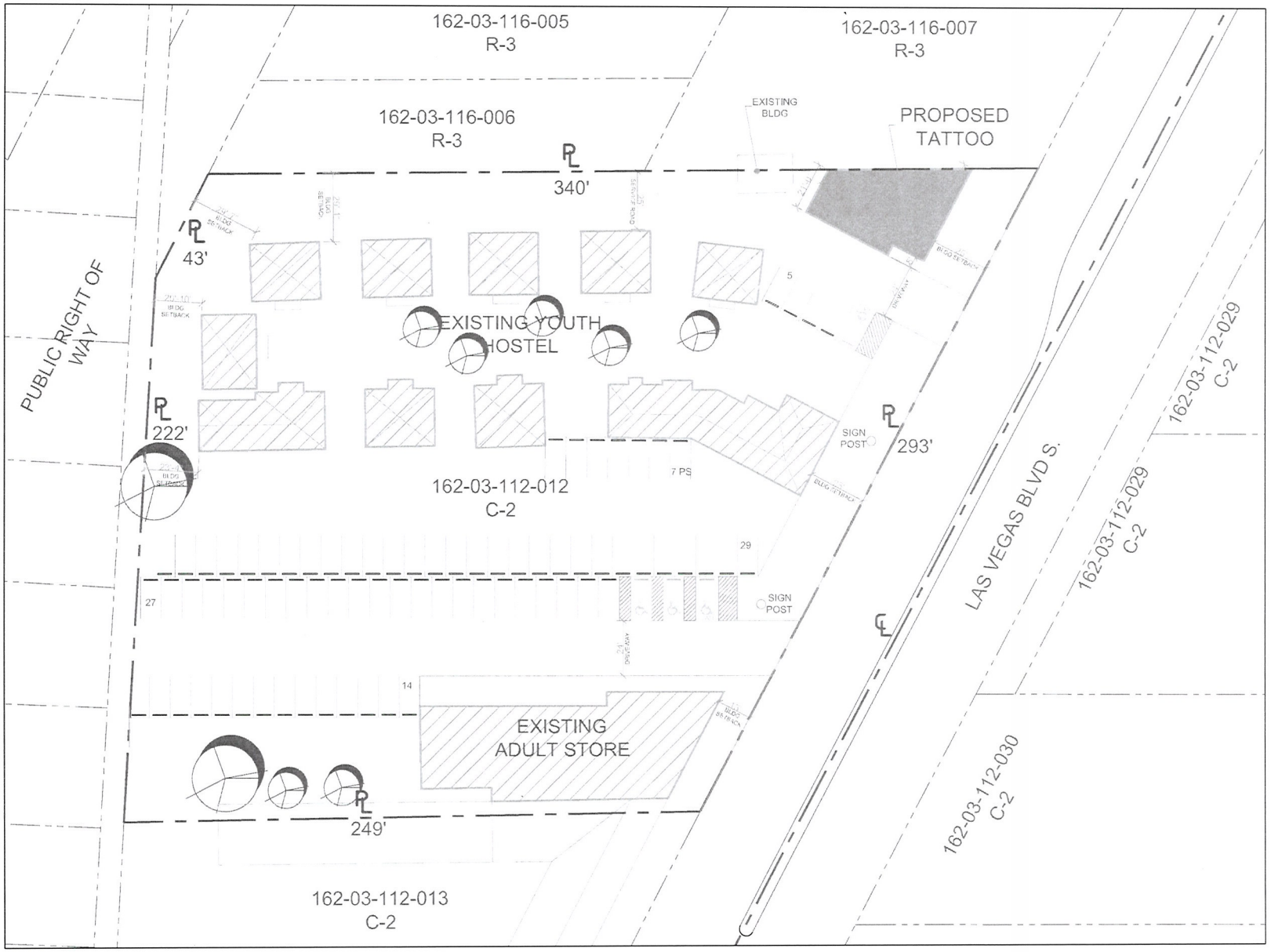
Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-38225
Meeting Date:	6/24/10
Total Fee:	$1030.00
Date Received:*	5/28/10
Received By:	

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

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



SITE INFORMATION

PARCEL NUMBERS: 162-03-112-012

SITE ADDRESS: 1232 LAS VEGAS BLVD S.
JURISDICTION: CITY OF LAS VEGAS
ZONING: GENERAL COMMERCIAL DISTRICT (C-2)
LOT SIZE: 1.70 ACRES (86,861 SF)
BUILDING FOOTPRINTS: 26,400 SF
BUILDING COVERAGE: 30.50%

BUILDING INFORMATION

GROSS BUILDING AREA:

TATTOO	1,873 SF
YOUTH HOTEL	14,545 SF
ADULT STORE	9,982 SF
TOTAL:	26,400 SF

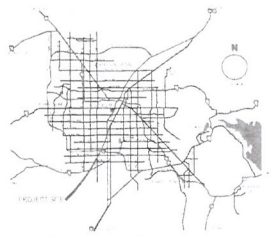
PARKING REQUIREMENTS

PARKING REQUIRED

TATTOO: (1 PER 250 SF)	8 STALLS
YOUTH HOSTEL:	
(.75 PER UNIT (21 UNITS)	16 STALLS
ADULT STORE (1 PER 175SF)	58 STALLS
TOTAL:	82 STALLS

PARKING PROVIDED 82 STALLS
(INCLUDING 2 ACCESSIBLE STALLS + 2VAN ACC)

VICINITY MAP



N

SCALE: 1" = 20'-0"

PROPOSED SITE PLAN - ABSOLUTE INK TATTOO

ABSOLUTE INK TATTOO 1232 LAS VEGAS BLVD S. LAS VEGAS NV, 89104

MAY 21, 2010 LAS VEGAS, NEVADA

SUP-38225
REVISED

RECEIVED
MAY 24 2010



RECEIVED
MAY 24 2010

N

PROPOSED FLOOR PLAN - ABSOLUTE INK TATTOO

ABSOLUTE INK TATTOO 1232 LAS VEGAS BLVD S. LAS VEGAS NV. 89104

MAY 21, 201

SUP-38225
REVISED

LAS VEGAS, NEVADA

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



SUP-38225 – APPLICANT: ABSOLUTE INK TATTOO - OWNER: RAYMOND PISTOL
1232 SOUTH LAS VEGAS BOULEVARD

05/20/10



SUP-38225 – APPLICANT: ABSOLUTE INK TATTOO - OWNER: RAYMOND PISTOL
1232 SOUTH LAS VEGAS BOULEVARD

05/20/10



SUP-38225 – APPLICANT: ABSOLUTE INK TATTOO - OWNER: RAYMOND PISTOL
1232 SOUTH LAS VEGAS BOULEVARD

05/20/10



SUP-38225 – APPLICANT: ABSOLUTE INK TATTOO - OWNER: RAYMOND PISTOL
1232 SOUTH LAS VEGAS BOULEVARD

05/20/10



SUP-38225 – APPLICANT: ABSOLUTE INK TATTOO - OWNER: RAYMOND PISTOL
1232 SOUTH LAS VEGAS BOULEVARD

05/20/10



SUP-38225 – APPLICANT: ABSOLUTE INK TATTOO - OWNER: RAYMOND PISTOL
1232 SOUTH LAS VEGAS BOULEVARD

05/20/10



SUP-38225 – APPLICANT: ABSOLUTE INK TATTOO - OWNER: RAYMOND PISTOL
1232 SOUTH LAS VEGAS BOULEVARD

05/20/10



SUP-38225 – APPLICANT: ABSOLUTE INK TATTOO - OWNER: RAYMOND PISTOL
1232 SOUTH LAS VEGAS BOULEVARD

05/20/10



SUP-38225 – APPLICANT: ABSOLUTE INK TATTOO - OWNER: RAYMOND PISTOL
1232 SOUTH LAS VEGAS BOULEVARD

05/20/10

05/10/10

To: Las Vegas Planning and Development
From: Daniel Jackson, Owner/Operator of Absolute Ink Tattoo

I Daniel Jackson, Owner/Operator of Absolute Ink Tattoo, intend to use the property located at 1232 Las Vegas Blvd. S., Las Vegas, NV 89104 as a tattoo and body piercing shop.

To date I am the only employee staffed. When the shop is running I intend to employ four full time artists. My hours of operation will be 10:00 a.m. – 2:00 a.m., seven days a week.

I operated at my previous location at 1141 Las Vegas Blvd. for over 11 years from October, 1998 to February, 2010.

The project meets any and all requirements per Title 19.18 as required by the city of Las Vegas.

Thank you

Daniel Jackson
Owner/ Operator
Absolute Ink Tattoo
1232 Las Vegas Blvd. S.
Las Vegas, NV 89104

RECEIVED
MAY 10 2010

SUP-38225

City of Las Vegas Agenda Item No.: **34.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

SUBJECT:
ABEYANCE - 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. Centennial Hills Map
2. Proposed Amendment and Staff Report

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 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 **

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.
05/27/10	The Planning Commission held this amendment in abeyance and requested that staff provide a map of the areas potentially affected by the proposed amendment.

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:

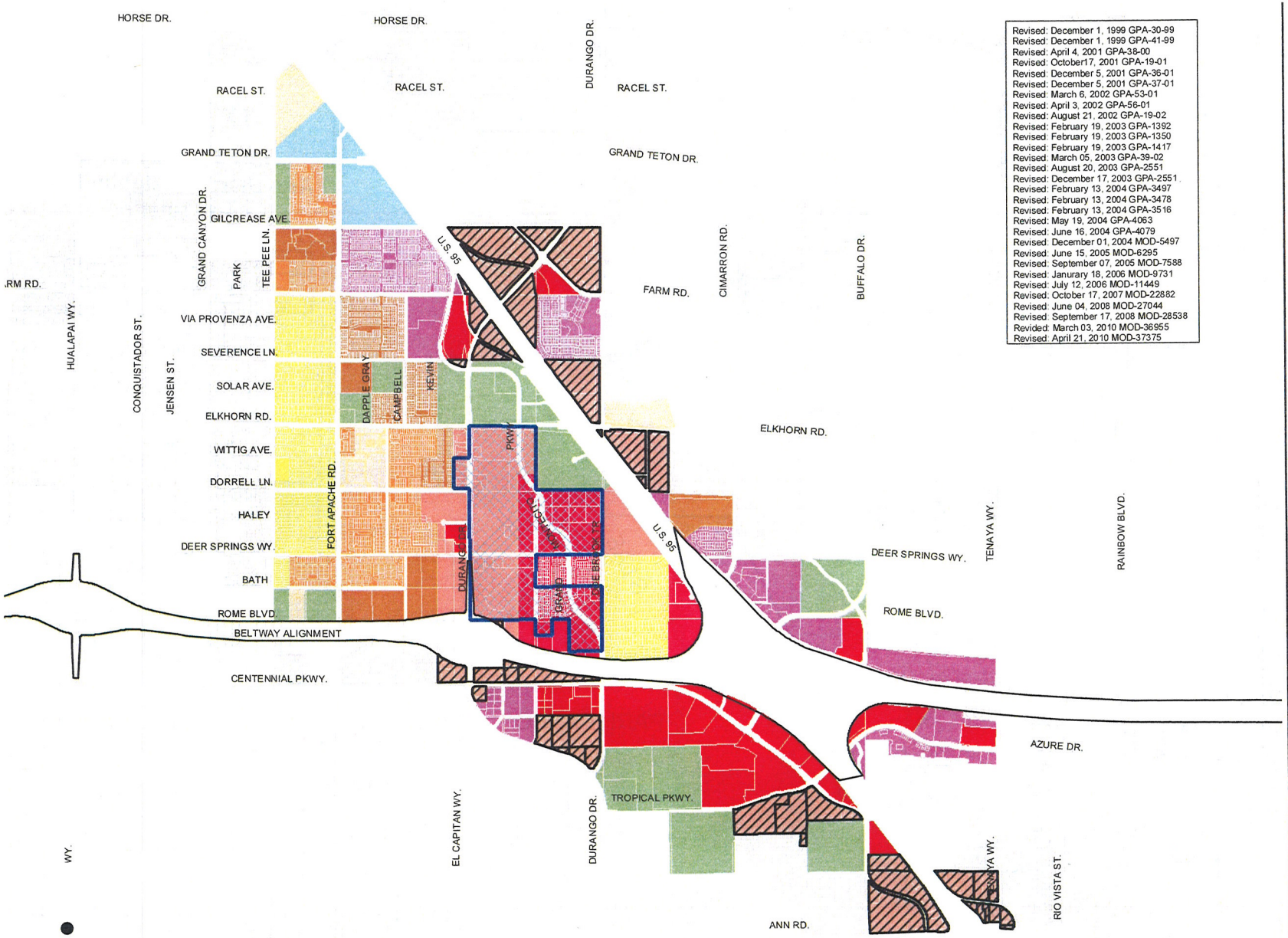
Code Requirements	Existing Regulations	Proposed Regulations
Town Center Development Standards Manual – Development Uses: Permitted Uses – Table 1	• Motor Vehicle Sales (New) use identified as a Conditional Use within the GC-TC (General Commercial – Town Center) and EC-TC (Employment Center Mixed Use – 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



Revised: December 1, 1999 GPA-30-99
Revised: December 1, 1999 GPA-41-99
Revised: April 4, 2001 GPA-38-00
Revised: October17, 2001 GPA-19-01
Revised: December 5, 2001 GPA-36-01
Revised: December 5, 2001 GPA-37-01
Revised: March 6, 2002 GPA-53-01
Revised: April 3, 2002 GPA-56-01
Revised: August 21, 2002 GPA-19-02
Revised: February 19, 2003 GPA-1392
Revised: February 19, 2003 GPA-1350
Revised: February 19, 2003 GPA-1417
Revised: March 05, 2003 GPA-39-02
Revised: August 20, 2003 GPA-2551
Revised: December 17, 2003 GPA-2551
Revised: February 13, 2004 GPA-3497
Revised: February 13, 2004 GPA-3478
Revised: February 13, 2004 GPA-3516
Revised: May 19, 2004 GPA-4063
Revised: June 16, 2004 GPA-4079
Revised: December 01, 2004 MOD-5497
Revised: June 15, 2005 MOD-6295
Revised: September 07, 2005 MOD-7588
Revised: Janurary 18, 2006 MOD-9731
Revised: July 12, 2006 MOD-11449
Revised: October 17, 2007 MOD-22882
Revised: June 04, 2008 MOD-27044
Revised: September 17, 2008 MOD-28538
Revided: March 03, 2010 MOD-36955
Revised: April 21, 2010 MOD-37375

City of Las Vegas

TXT - 37855

CENTENNIAL HILLS
Town Center Land Use

- General Commercial (GC-TC)
- Service Commercial (SC-TC)
- Urban Center Mixed-Use (UC-TC)
- Suburban Mixed-Use (SX-TC)
- Main Street Mixed-Use (MS-TC)
- Employment Center Mixed-Use (EC-TC)
- Low Residential (L-TC) up to 5.5 du/ac)
- Medium Residential (M-TC) (12.1 to 25 du/ac)
- Medium-Low Residential (ML-TC) (5.6 to 8 du/ac)
- Medium-Low Attached Residential (MLA-TC) (8.1 to 12 du/ac)
- Public Facilities (PF-TC)
- Montecito Town Center Mixed Use Commercial
- 265.65 Acres of Service Commercial (SC-TC) Parcels to Allow Motor Vehicle Sales

Adopted: November 9, 1998 Ord. # 5112
Revised: May 19, 2008 Bill No. 2008-24

SOURCE: City of Las Vegas, Planning and Development Department

PLANNING & DEVELOPMENT

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

Printed: May 25, 2010

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City of Las Vegas Agenda Item No.: **35.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

SUBJECT:
ABEYANCE - 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. Arts District Neighborhood Association Map
2. Proposed Amendment and Staff Report
3. Proposed Downtown Centennial Standard Plan Modifications

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 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 Page One
June 24, 2010 - Planning Commission Meeting

** 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.
05/27/10	The Planning Commission held this case in abeyance until the June 24th, 2010 Planning Commission.

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.

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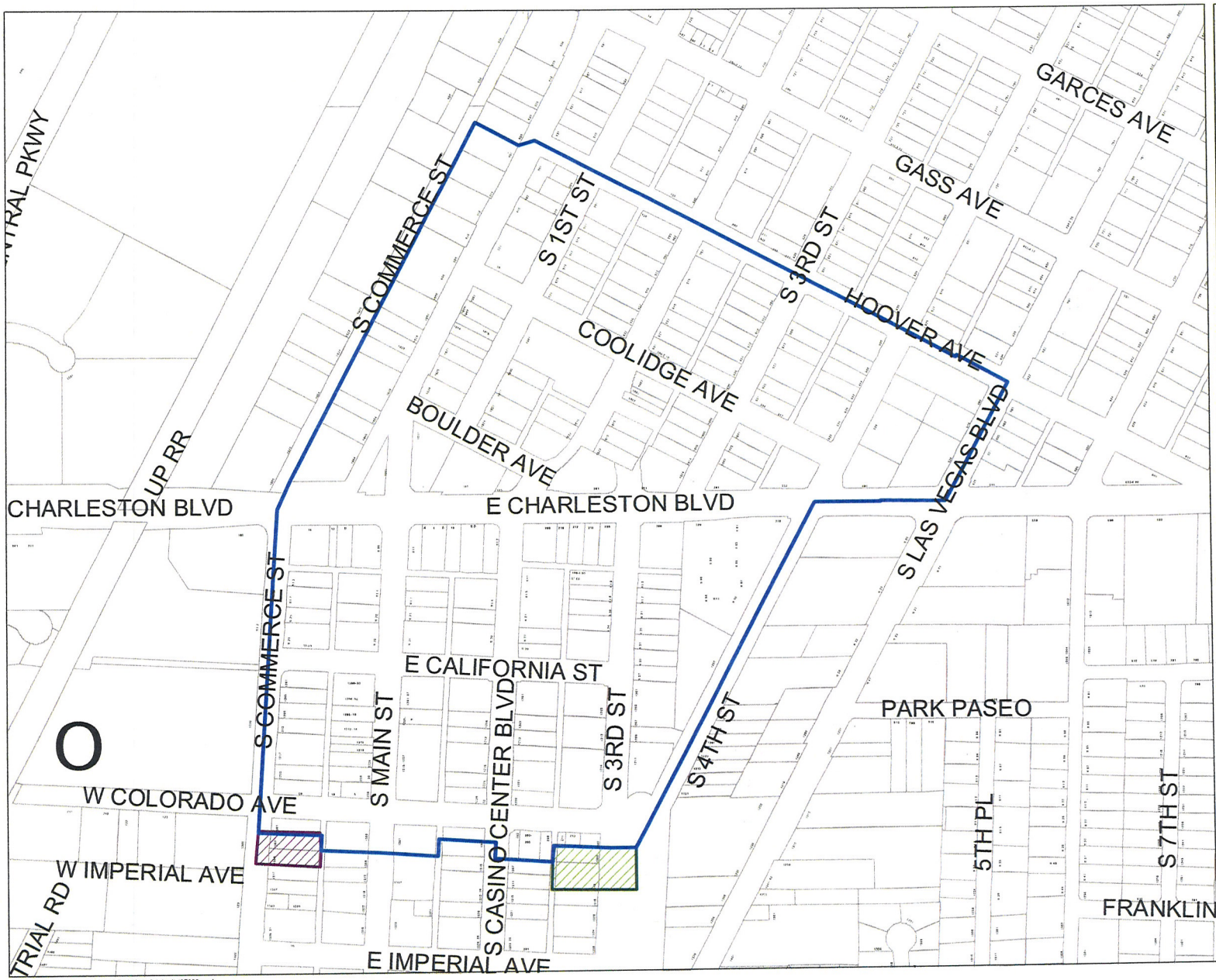
APPROVALS 0

PROTESTS 0

YK



City of Las Vegas

TXT - 37903

18b The Las Vegas Arts District Neighborhood Association

18b The Las Vegas Arts District

Additional Parcels to 18b The Las Vegas Arts District

Parcel: 16203110124
1307 S. Commerce Street, Las Vegas, Nevada, 89012

Parcel: 16203110125
1309 S. Commerce Street, Las Vegas, Nevada, 89102

Additional Parcels to 18b The Las Vegas Arts District

Parcel: 16203110024
1306 S. 3rd Street, Las Vegas, Nevada, 89104

Parcel: 16203110023
1310 S. 3rd Street, Las Vegas, Nevada, 89104

PLANNING & DEVELOPMENT

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Planning & Development Dept.
702-229-6301

Printed: May 19, 2010

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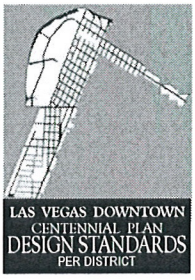
Bumpers or tire stops shall be provided for all parking stalls heading into a sidewalk, landscaped area, street, or alley. Each shall be installed at a minimum of two-feet from the beginning of said sidewalk, landscaped area, street, or alley.

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).

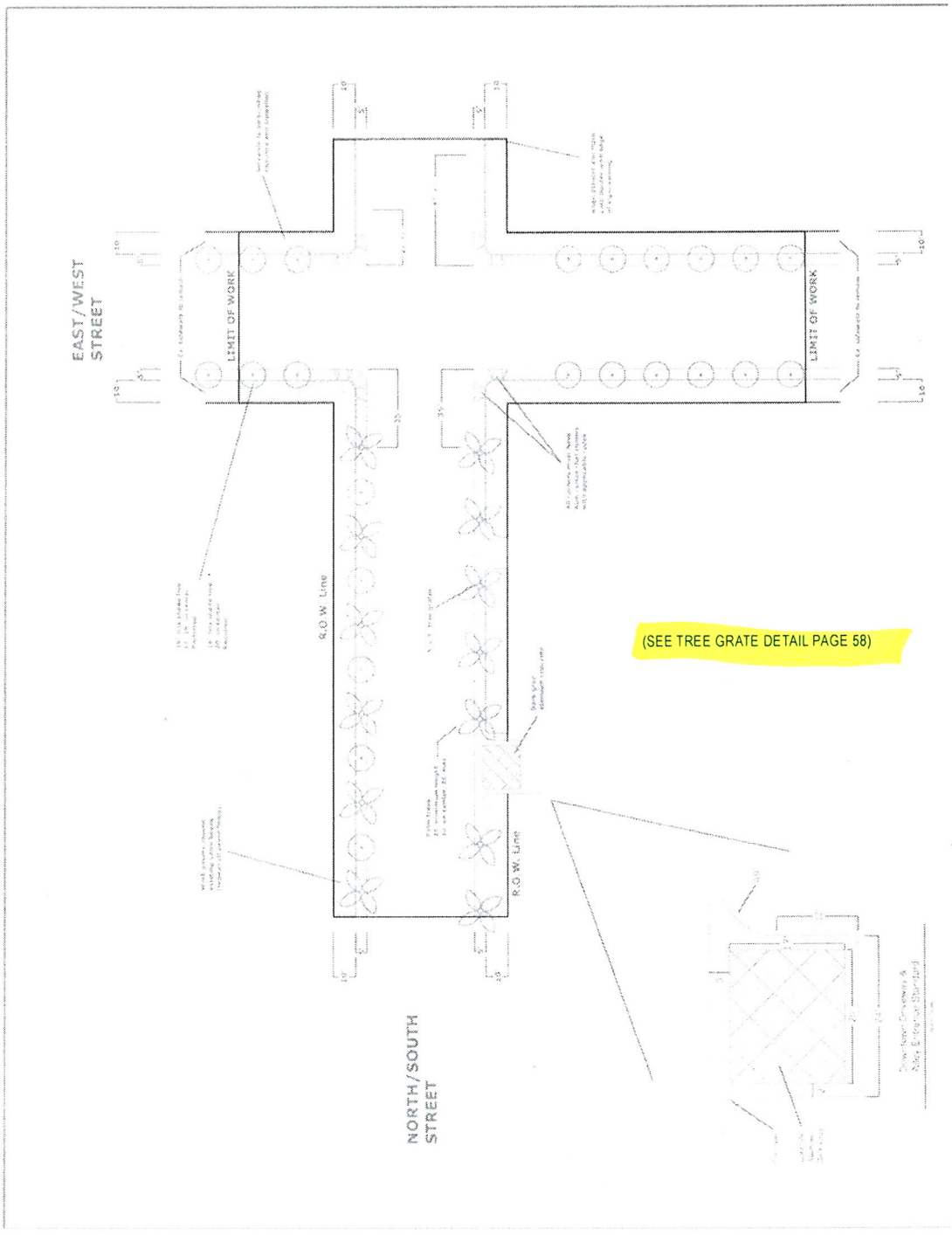
The entire 10-foot width of public right-of-way sidewalks shall not exceed a 2 percent slope.

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.

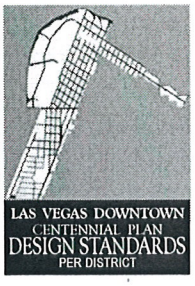
Supporting landscape and streetscape improvements shall be incorporated into the streetscape design including lighting, and other landscape elements such as freestanding planters, planter boxes and hanging baskets.

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

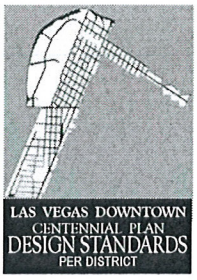
GRAPHIC 13: STREET HARDSCAPE TREATMENTS

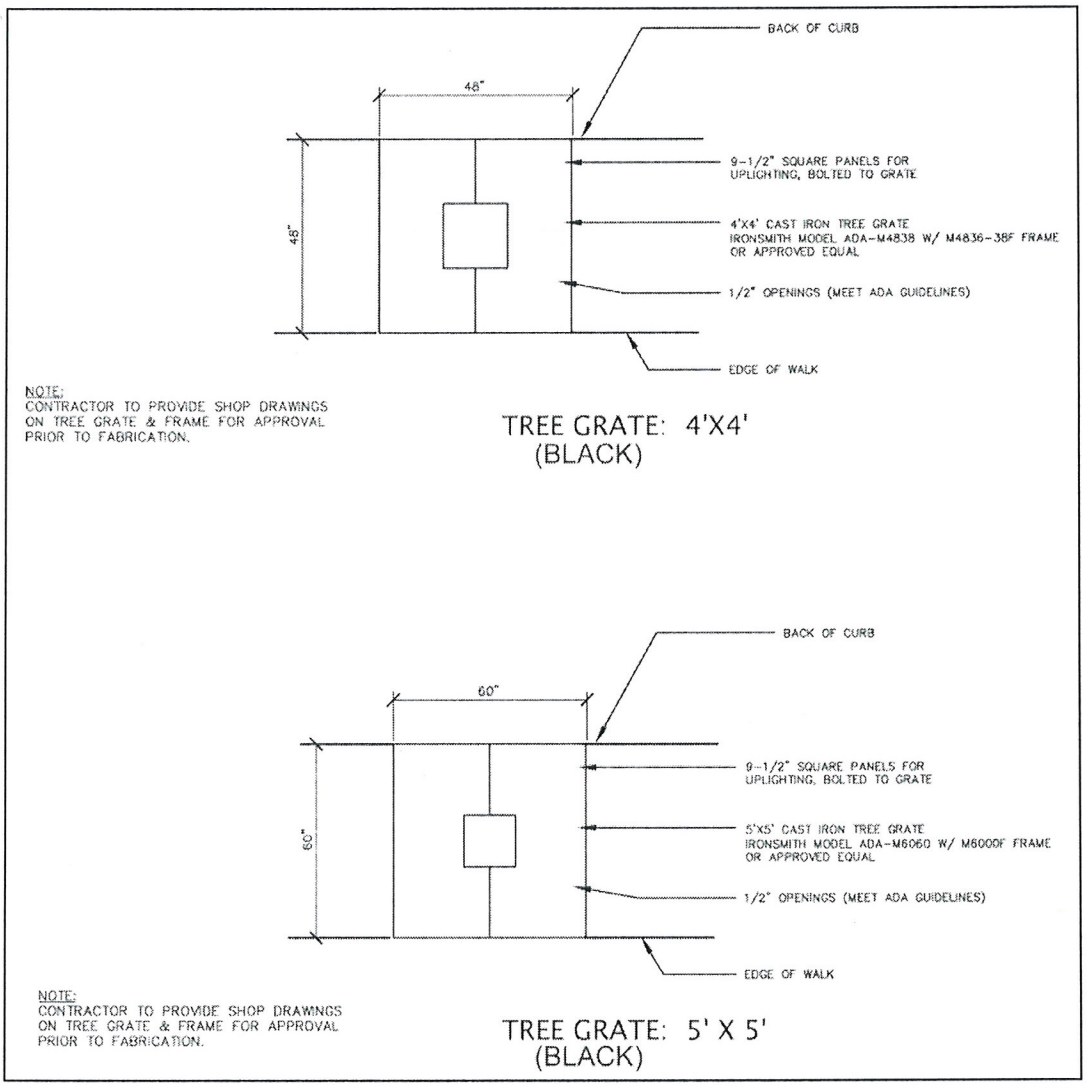


(SEE TREE GRATE DETAIL PAGE 58)

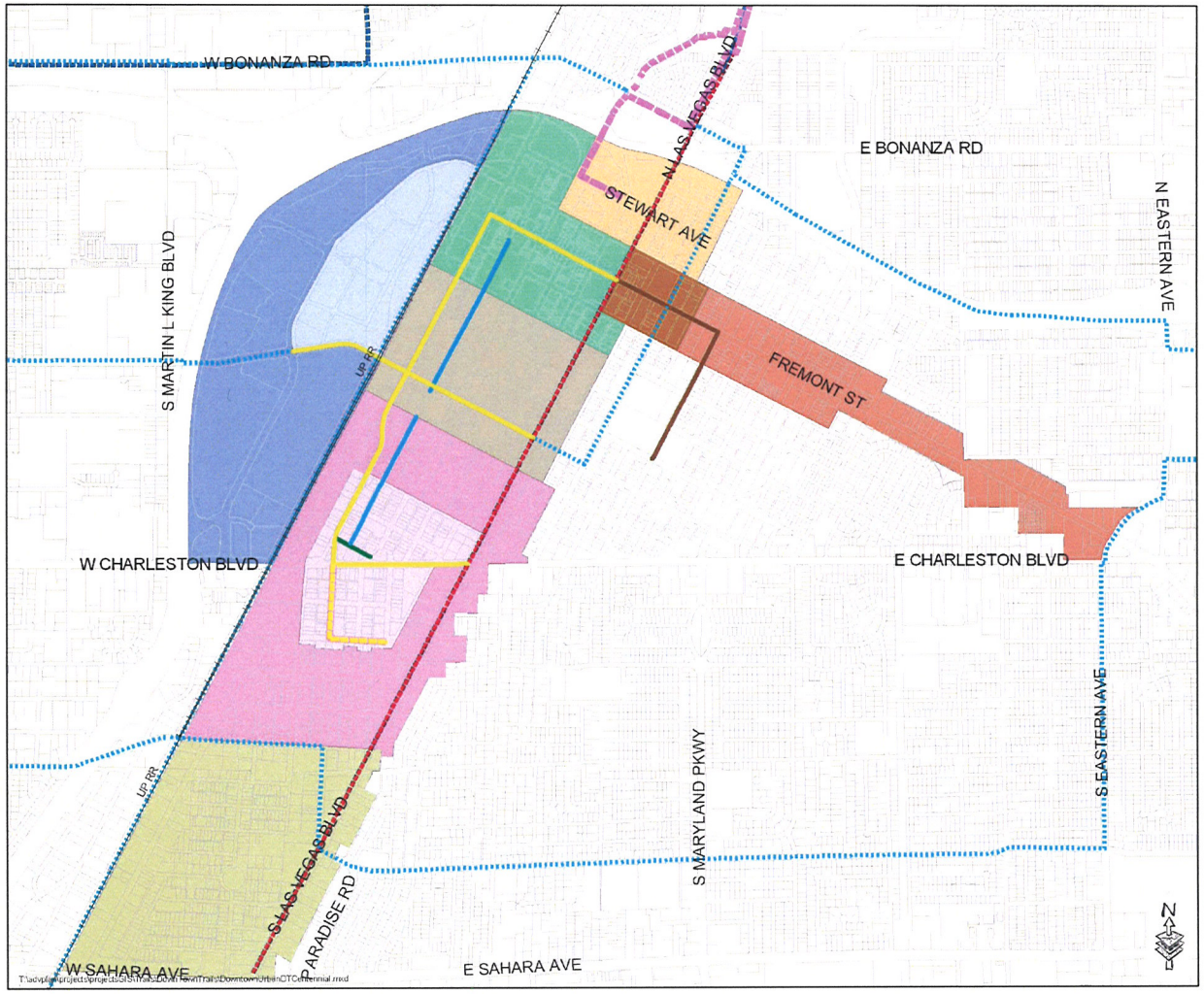


GRAPHIC 14: STREET HARDSCAPE TREATMENTS (TREE GRATE DETAIL)





* 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

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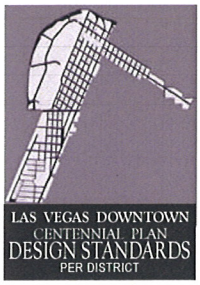
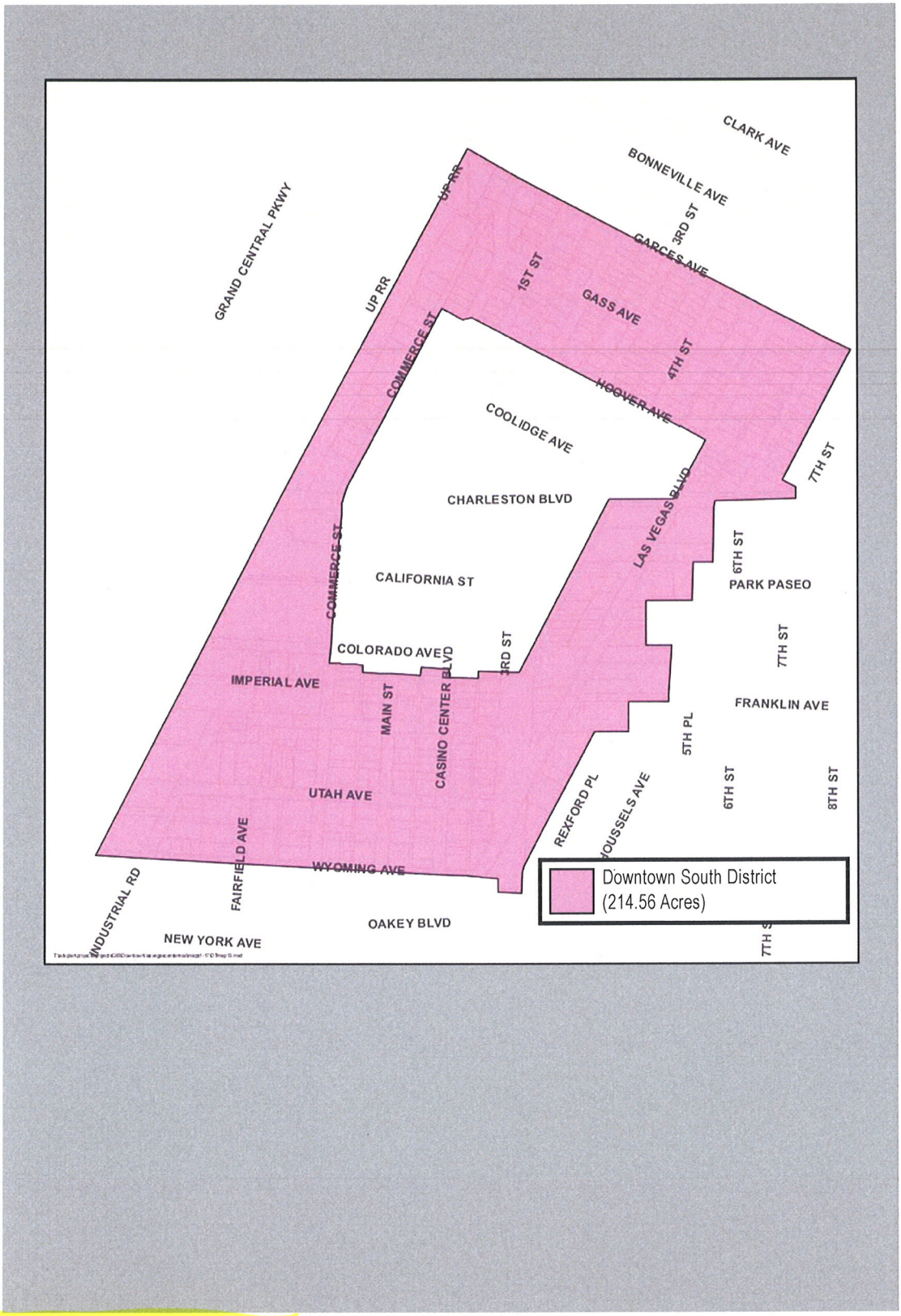
Geographic Information System
Planning & Development Dept.
702-229-6301

PLANNING & DEVELOPMENT

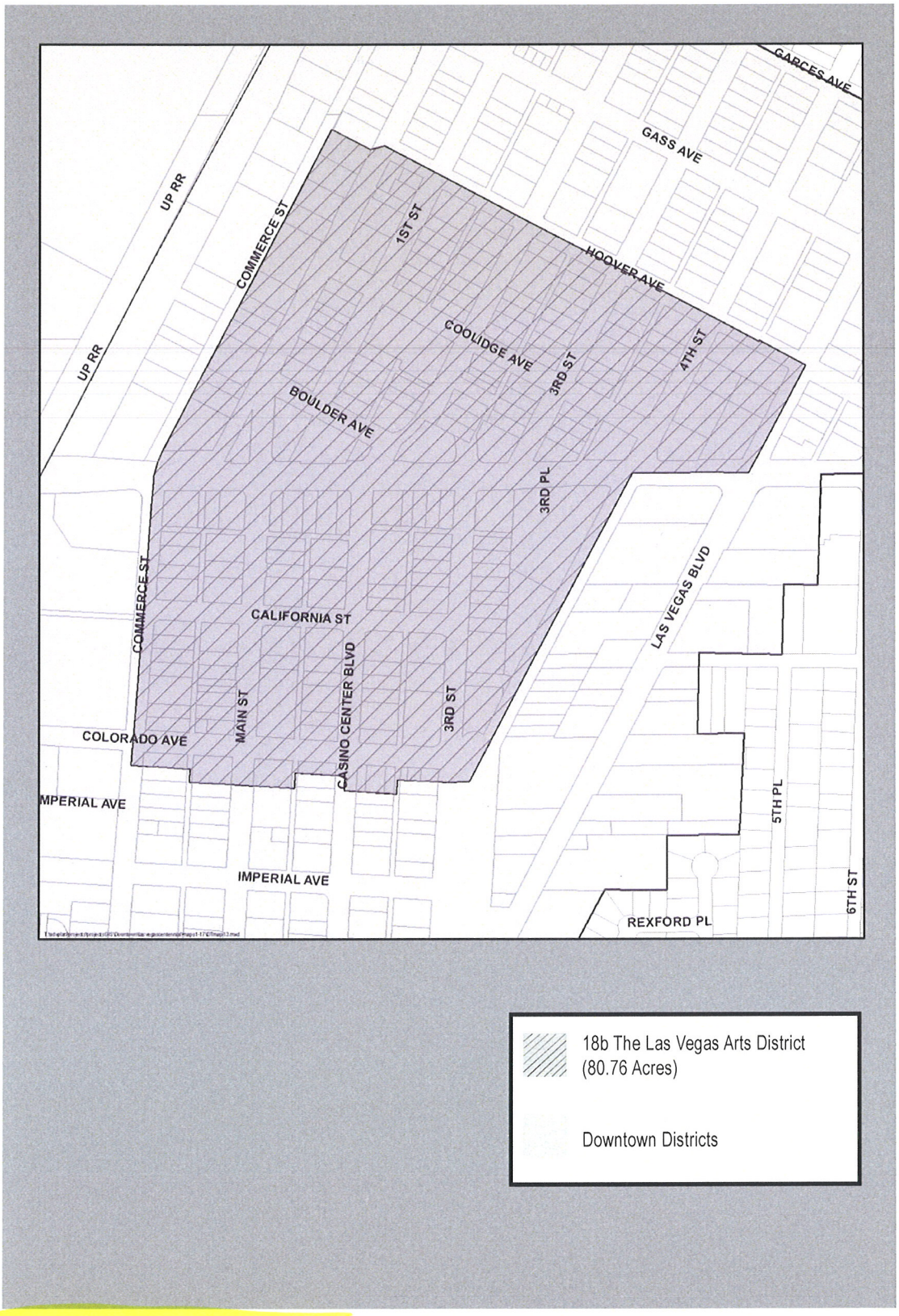
Plotted Date: January 7, 2010

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.: **36.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

SUBJECT:
DIR-38357 - APPEAL OF DIRECTOR'S DECISION - APPLICANT/OWNER: RAY PISTOL - Appeal of the Director's decision to deny a Temporary Commercial Permit per Title 19.18.100.D THAT WOULD ALLOW A TEMPORARY OUTDOOR COMMERCIAL EVENT FOR A PROMOTIONAL EVENT IN CONJUNCTION WITH THE BASEBALL SEASON on 1.79 acres at 1238 S Las Vegas Boulevard (APNs 162-03-112-012), C-2 (General Commercial) Zone, Ward 3 (Reese). 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. Photos
4. Planning and Development Department Denial Letter for TCP-38255
5. Appeal Letter Submitted by Allen Lichtenstein, Attorney-At-Law

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 13, 2010

Raymond Pistol
631 Las Vegas Boulevard
Las Vegas NV 89101

RE: TCP-38255

Mr. Pistol:

This letter is in response to a request for temporary commercial permit on property at 1238 S Las Vegas Boulevard in Las Vegas with Assessor's Parcel Number of 162-03-112-012.

Planning has made a finding that the proposed special event with dunk tank is not compatible or harmonious with existing development within the surrounding area; therefore this application has been denied.

Per 19.18.100 (E) – Appeal, "any person aggrieved in connection with the inability to obtain a building permit or by the decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of any provision of this Title may appeal the decision to the City Council. An appeal must be in written form and must be filed in the office of the City Clerk, with a copy to be filed in the office of the Department of Planning and Development. The appeal must be filed within ten days after the administrative decision is made and shall specifically describe the decision at issue and the basis for the appeal. The appeal shall be considered on the next available agenda of the City Council."

If you have any questions concerning this matter, please contact me at (702) 229-4693.

Sincerely,

Peter Lowenstein, AICP
Planning Supervisor
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

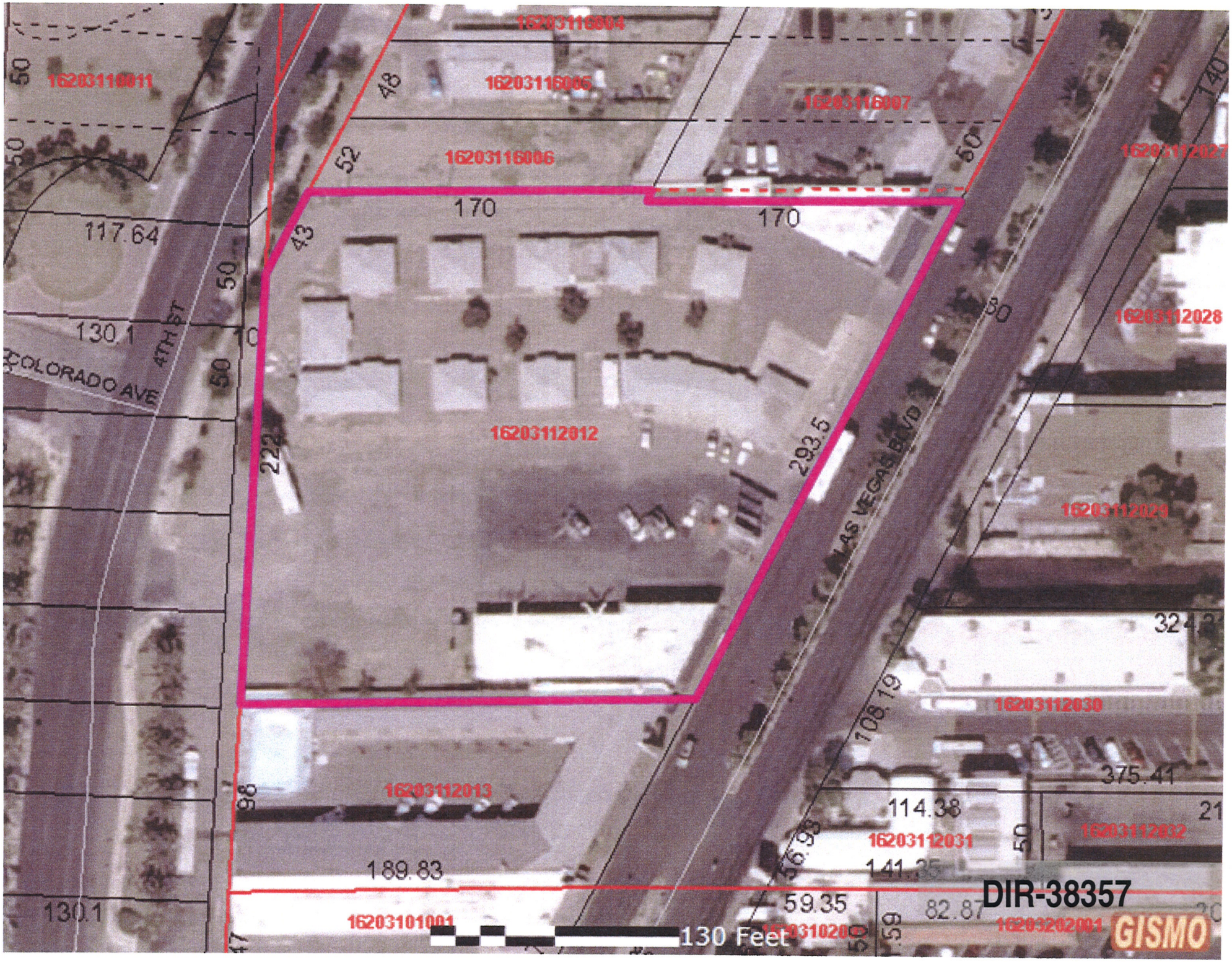
City Manager
Elizabeth N. Fretwell

FM-0073-09-09 MD 32531

DIR-38357


DIR-38357


NUDE
OUR STIMULUS PACKAGE
$10 LAP DANCE!
TRADE
USED DVDS 2FOR1
P THROAT
Rooms
DIR-38357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LAS VEGAS BLVD
293.5
108.19
189.83
114.38
375.41
59.35
82.87
130 Feet
DIR-38357
GISMO

ALLEN LICHTENSTEIN
ATTORNEY AT LAW

3315 Russell Road, No.222
Las Vegas, NV 89120
Phone: (702) 433-2666
Fax: (702) 433-9591
e-mail: allaw@lvcoxmail.com
alichtensteinlaw@aol.com

May 23, 2010

Peter Lowenstein
Planning Supervisor
Planning and Development Dept.
City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101

Re: 1238 S. Las Vegas Blvd. (TCP 38255)

Dear Mr. Lowenstein:

This letter is in response to your correspondence of May 13, 2010 to my client Raymond Pistol, concerning the denial of his request for a temporary commercial permit on the property at1238 South Las Vegas Boulevard. In your denial letter you state the following:

> Planning has made a finding that the proposed special event with dunk tank is not compatible or harmonious with existing development within the surrounding area; therefore this application has been denied.

Unfortunately, the letter does not explain how this special event is incompatible with the surrounding area. The premises in question, Talk of the Town is licensed as an adult bookstore and erotic dance establishment. While the dunk tank is clearly designed for promotional purposes, it involves no nudity toplessness or adult activity. The "incompatibility with the surrounding area" is curious in that the particular section of Las Vegas Boulevard in question, has long been rundown, populated mostly by weekly motels and wedding chapels and many vacant buildings. Moreover, the street fair that takes place right behind Talk of the Town every month at First Friday also belies the incompatibility argument.

The May 13, 2010 letter provides absolutely no explanation as to the basis for the conclusion of incompatibility. In fact, it appears totally arbitrary. This raises the troubling possibility that the decision has more to do with apparent dislike of the business itself rather than any objective standard. The fact that Talk of the Town is involved with constitutionally protected expression that certain people may find distasteful raises even greater concern.

Therefore, this letter should be considered an appeal of the May 13, 2010 denial letter, and a request for a fuller explanation of the basis of the denial. Also, please be aware that in Paragraph 3 of the May 13, 2010 letter, you misquote the appeal process set forth in Code Section 19.18.100(E) by stating:

> any person aggrieved in connection with the inability to obtain a building permit or by the decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of this Title may appeal the decision to the City Council . . .

Section 19.18.100(E) actually reads as follows:

> (E) Appeal. The applicant may appeal a decision of the Director to the Planning Commission by filing a written request with the Department of Planning and Development. Any appeal pursuant to this Section must be filed within ten days after the date of the decision that is the subject of the appeal. The decision of the Planning Commission is final, unless appealed to the City Council as in the case of a Variance.

The significance is that the Code provides for a two part appeal process for a temporary commercial permit denial. The first appeal goes to the Planning Commission. Then there is the option of a further appeal to the City Council. Please let me know if you have any questions.

Very truly yours,

Allen Lichtenstein

Al/pn

Received this 24th day of May by: Angie Horn

RECEIVED
10 MAY 24 PM 4:06
PLANNING AND
DEVELOPMENT

DIR-38357

City of Las Vegas Agenda Item No.: **37.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

SUBJECT:
DIR-37955 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Update on Long Range Planning Items. Staff has NO RECOMMENDATION.

NO ACTION

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

RECOMMENDATION:
Staff has NO REOMMENDATION.

BACKUP DOCUMENTATION:
Staff Report

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
DIR-37955	Staff recommends APPROVAL.	

NG

Staff Report Page One
June 24, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The following is an annual report on the Las Vegas 2020 Master Plan. Pursuant to NRS 278.190, the Planning Commission is required to review the plan and implementation progress annually.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/25/09	The Planning Commission approved Directors Business Item (DIR-34586) for the 2009 Master Plan Implementation report.
08/05/09	The City Council adopted an updated Land Use and Rural Neighborhood Preservation Element by Ordinance (Ord-6056).
08/05/09	The City Council adopted an updated Economic Element by Ordinance (Ord-6057).
01/20/10	The City Council adopted an updated Population Element by Ordinance (Ord-6078).
05/19/10	The City Council approved GPA-37216 an updated Safety and Seismic Safety Element. An ordinance form of the Element is currently being drafted.

ANALYSIS

Master Plan Update and Adoption

The Nevada Revised Statutes (NRS) require the preparation and adoption of a comprehensive, long-term general plan for the physical development of the city. For counties having a population of 400,000 or greater, like Clark County, state law requires the master plan for each government to address 18 different subject areas ranging from land use to school facilities. As of 2009 the City is now in full compliance with the adoption of all 18 elements as required by NRS.

Since last year's report a total of four elements have been updated from previous plans. These include the Transportation & Streets and Highways Element, Land Use and Rural Neighborhoods Preservation Element, Economic Element, Population Element. The department has a five year plan to update the remaining elements as well as the overall policy document. Through completion of these updates, the city will remain in compliance with all applicable state laws and will be equipped to make policy decisions that address both current and future issues.

The chart below includes a maintenance schedule for the 18 master plan elements and the policy document. Some of the subject areas having similar goals have been combined into a single document. In 2010 the schedule calls for an update to the Conservation Element. The work on these elements is underway and they are in varying stages of completion. It is also noted that work on the Historic Properties is also underway and is to be completed ahead of schedule in an effort to address legislation that was adopted during the 2009 session.

Master Plan Elements Work Plan

Name (NRS 278.160)	Date of adoption or last update	Expected completion date	Policies or Recommendations
Public Safety Element	2001	2010	60
Conservation Element	2005	2010	65
Housing Element	2001	2011	62
Policy Document	2000	2011	110
Solid Waste Disposal Element	2005	2011	-
Recreation Plan • Transportation Trails Element • Recreation Trails Element	2005 2005	2011 2011	- -
Historical Properties Preservation Element	2007	2012	9
Community Design Element	2008	2013	8
Public Buildings Element	2008	2013	16
Public Services and Facilities Element	2008	2013	14
School Facilities Element	2008	2013	10
Transit Element	2008	2013	24
Transportation & Streets and Highways Element	2009	2014	32
Land Use Element	2009	2014	-
Rural Neighborhoods Preservation Element	2009	2014	-
Economic Element	2009	2014	12
Population Element	2010	2015	-

Elements Adopted/Updated in Fiscal Year 2009-2010

The Planning Department adopted/updated four elements in Fiscal Year 2009-2010 in compliance with the requirements of NRS, these elements are:

- Population Element
- Economic Element
- Safety and Seismic Safety
- Land Use and Rural Neighborhood Preservation

Elements Adopted/Updated in Fiscal year 2010-2011

In the coming fiscal year the Planning Department will be adopting/updating the following elements in compliance with NRS:

- Conservation Element
- Water Element

Goals, Objectives, and Policies Implemented in Fiscal Year 2009-2010

Additionally, the Planning Department has completed several other projects that are directly related to various Policies, Goals and Objectives of the 2020 Master Plan Policy Document. This is separate from the accomplishments related to the various elements. The hierarchy of accomplishments begins with goals, underneath the goals are the objectives, and at the base level are the policies.

Goal	Element Tied to Goal	Projects Satisfying Goal
Re-urbanization Goal 1: The Downtown area will emerge as the preeminent hub of business, residential, government, tourism and gaming activities in the City of Las Vegas and as a major hub of such activities in the Las Vegas Valley.	None as this is strictly a Policy Document Goal.	Gold Spike – Phase I MEET Building - renovation Lou Ruvo Brain Institute Golden Nugget Phase III Campos Office Building

Objective	Element Tied to Objective	Projects Satisfying Objective
Re-urbanization Objective 1.4: To retain, where viable, historical structures which represent the architectural, cultural and social legacy of the City of Las Vegas.	Historical Properties and Preservation Element	Floyd Lamb Park Visitors Center Berkley Square Historic District on the National Register of Historic Places Phase 1: Historic Resource Survey of the Southridge Neighborhood

Re-urbanization Objective 1.6: To provide high quality transit service including integrated bus and rapid transit, which serves the Downtown and which connects the Downtown with other employment, entertainment and shopping nodes.	Transit Element	ACE Downtown Connector ACE C Line (Connecting Downtown to the Northwest Valley)
Newly Developing Areas 3.6: To ensure that adequate amounts of park space and trail systems are designated and developed to meet or exceed national standards and standards established in the Master Plan Parks Element.	Parks and Recreation Element	Teton Trails Park – Phase 2 Dexter Park (upgrades) Hualapai Canyon Trailhead Angel Park Trailhead Rampart Trail – Phase 2 Centennial Hills Park – Phase 3
Fiscal Management Objective 6.1: To ensure that capital and operating expenditures are planned and scheduled in accordance with Long Range Planning.	None as this is strictly a Policy Document Goal.	Staff has created and is utilizing a database of all Master Plan goals, policies, and objectives that tie them to specific actions that can be tracked planned and budgeted for.
Policy	**Element Tied to Policy**	**Projects Satisfying Policy**
Neighborhood Revitalization Policy 2.3.2: That a West Las Vegas Plan provide such direction for West Las Vegas and adjacent areas.	None as this is tied to the West Las Vegas Plan.	An update of the West Las Vegas Plan was completed in July (GPA-33721).
Newly Developing Areas Policy 3.1.1: That residential developers be encouraged to provide traffic calming measures in new residential neighborhoods, and where appropriate, narrower local streets. Standards for narrower local streets shall provide adequate access for emergency vehicles and the disabled. Where possible, sidewalks should be separated from the curb by a landscaped amenity zone within the dedicated right-of-way, with a tree canopy along the sidewalk.	Community Design Element	Staff drafted a Complete Streets Resolution for consideration.

Goals, Objectives, and Policies Planned for Implementation in Fiscal Year 2010-2011

Staff is also working completion of a comprehensive rewrite of Title 19 into a Form Based Code format that is more in line with the current goals and objective of both the City and the Master Plan. The rewrite would satisfy or partially satisfy over a dozen objectives and recommendations of the Master Plan.

The following table lists several other projects that are planned to be completed or substantially finished within the fiscal year and are in conformance to the Policies, Goals and Objectives of the 2020 Master Plan capstone document.

Goal	Element Tied to this Goal	Projects Satisfying Goal
Re-urbanization Goal 1: The Downtown area will emerge as the preeminent hub of business, residential, government, tourism and gaming activities in the City of Las Vegas and as a major hub of such activities in the Las Vegas Valley.	None as this is strictly a Policy Document Goal.	Gold Spike – Phase II Kenny Law Office Mexican Consulate Neon Museum O'Rourke Office Building Valley Hospital Expansion
Fiscal Management Goal 6: The City of Las Vegas will link capital improvement programming and maintenance of operations programming with long range planning.	Public Buildings Element Public Services and Facilities Element	An update of the Master Plan and Capital Improvement Plan Integration document is in progress. This document links CIP's with the Master Plan.
Regional Coordination Goal 7: Issues of regional significance, requiring the City of Las Vegas to coordinate with other government entities and agencies within the Valley, will be addressed in a timely fashion.	Public Buildings Element Public Services and Facilities Element	Long Range Planning currently staffs many regional level committees, including those with SNRPC, RTC, Census, and other agencies.

Objective	Element Tied to this Objective	Projects Satisfying Objective
Re-urbanization Objective 1.4: To retain, where viable, historical structures which represent the architectural, cultural and social legacy of the City of Las Vegas.	Historical Properties and Preservation Element	Floyd Lamb Park Equestrian Facilities Restoration and master plan of historic Westside School Phase 2: Historic Resource Survey of the Southridge Neighborhood
Re-urbanization Objective 1.5: To bring cultural, entertainment and sports facilities that will draw patrons from across the Las Vegas Valley to the Downtown area, to provide another dimension to the attraction of Downtown Las Vegas.	Public Buildings Element	Neon Museum
Re-urbanization Objective 1.6: To provide high quality transit service including integrated bus and rapid transit, which serves the Downtown and which connects the Downtown with other employment, entertainment and shopping nodes.	Conservation Element – Air Quality Transit Element	RTC Downtown Transportation Center
Newly Developing Areas Objective 3.1: To ensure that new residential subdivisions, with the exception of areas currently designated as rural preservation neighborhoods by Nevada Statute, are developed into walkable communities, where reliance on auto trips for convenience shopping and access to education and recreation is minimized, and where development densities support transit.	None as this is strictly a Policy Document Goal.	Staff is currently in the process of completing the update of Title 19, which will include a component designed to meet this objective.
Fiscal Management Objective 6.1: To ensure that capital and operating expenditures are planned and scheduled in accordance with long range planning commitments.	Public Buildings Element Public Services and Facilities Element	Staff is updating the Master Plan and Capital Improvement Plan Integration document which links Capital Improvement projects to Long Range Planning.

Policy	Element Tied to this Policy	Projects Satisfying Policy
Neighborhood Revitalization Policy 2.1.4: That new commercial development be designed in a walkable and non-vehicular friendly manner, providing shelter from sun and wind, with outdoor seating areas and other amenities and parking areas located away from the street.	Housing Element	Ward 1 - Meadows Neighborhood consists of 600+ acres bounded by US-95 on the north, Charleston on the south, Decatur on the western border, and Valley View on the east. Ward 2 - Village Square consists of a 1/2 mile radius, centered on the intersection of Fort Apache and Sahara.
Cultural Enhancement Policy 5.1.2: That the City work with private interests and other levels of government to develop museums.	Public Buildings Element	MOB Museum Neon Boneyard Museum
Fiscal Management Policy 6.1.1: That the City monitor and coordinate capital improvement and operating maintenance expenditures with long range planning.	Public Buildings Element Public Services and Facilities Element	Long Range Planning staff participates in the CIP process to ensure that planning objectives are met.
Regional Coordination Policy 7.1.5: That the City take the necessary steps to monitor and evaluate the quality of stormwater discharge, and ensure measures are taken to improve the quality where appropriate.	Public Services and Facilities Element Water Element	Staff has a representative on the Stormwater Work Group to ensure that the goals of the City are met.

Summary

In the last fiscal year a total of five additional policies from the 2020 Master Plan Policy document were completed. This leaves a total of eight polices from the Policy Document left to complete. An update of the Policy Document is currently scheduled to begin in 2011 placing the current version on track for completion of policies on schedule with the scheduled update.

Additionally, 24 new goals, objectives, and policies were added due to adopted/updated versions of the elements. The charts below depict the accomplishments with regard to the last fiscal year.

2020 Policy Document Goals, Objectives, and Policies	Complete	Not Complete	Ongoing
150 Policies as of 2009	20 (13%)	13 (9%)	117 (78%)
150 Policies as of 2010	25 (17%)	8 (5%)	117 (78%)

Elements Goals, Objectives, and Policies	Complete	Not Complete	Ongoing
330 Policies as of 2009	39 (12%)	32 (10%)	259 (78%)
354 Policies as of 2010	49 (14%)	44 (12%)	261 (74%)

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas Agenda Item No.: **38.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JUNE 24, 2010

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

SUBJECT:
TXT-38337 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.04 and Title 19.20 to revise and expand the definition and standards for the Hotel Lounge Bar use. 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 Amendments and Staff Report
2. Supporting Documentation

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-38337	Staff recommends APPROVAL.	

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** PROPOSED AMENDMENT **

1. Table 2 of Title 19.04.010 is hereby amended by revising the "Hotel Lounge Bar" use as follows:

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
~~Hotel~~ Ancillary Lounge Bar	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
																	S	S	S	S	S

Description:
~~A bar located in a lounge area of a hotel which has a minimum of 150 rooms, unless the City Council determines that public health, safety and welfare are not compromised by a lesser number of rooms, wherein:~~
~~1. Alcoholic beverages are served and consumed only at tables and booths located within the lounge bar area of the hotel, within a pool area, or within hotel rooms as incident to room service;~~
~~2. Persons are not permitted to purchase or obtain alcoholic beverages directly from such lounge bar;~~
~~3. No other business, trade, profession or entertainment that requires a license under Title 6 is conducted or performed in the lounge bar area; and~~
~~4. The maximum available customer seating in the lounge bar area does not exceed 75 seats.~~
~~The use does not include a bar that is ancillary to a "Non-Restricted Gaming Establishment," as defined in this Title.~~
A bar located within a building or structure whose primary use is:
1. A hotel with a minimum of 150 rooms; or
2. An approved mixed-use building with a minimum of 150 residential units.

The use does not include a bar that is ancillary to a "Non-Restricted Gaming Establishment," as defined in this title.

Minimum Special Use Permit Requirements:
1. No ~~hotel~~ ancillary lounge bar business shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children or City park.
2. Except as otherwise provided in Requirement 3 below, the minimum distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed ~~hotel~~ ancillary lounge bar which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed ~~hotel~~ ancillary lounge bar. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
   a. Any leasehold parcel; or
   b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement 1.
3. In the case of a proposed ~~hotel~~ ancillary lounge bar located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line from the nearest property line of the existing use to the nearest portion of the structure in which the ~~hotel~~ ancillary lounge bar will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for ~~a hotel~~ an ancillary lounge bar which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
5. The minimum distance requirement in Requirement 1 does not apply to an establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992.
6. Where associated with a hotel use, alcoholic beverages shall only be served and consumed within the lounge bar area of the hotel, within a pool area, or within hotel rooms as incidental to room service. Where associated with a mixed-use residential building, alcoholic beverages shall only be served and consumed within the designated lounge bar area.
7. The maximum available customer seating in the lounge bar area shall not exceed 50 seats.
*8. No gaming related use may be allowed in conjunction with an ancillary lounge bar..
*~~6~~9. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

FF

2. Title 19.20.020, "Words and Terms Defined," is hereby amended as follows:

~~Hotel~~ Ancillary Lounge Bar. ~~A bar located in a lounge area of a hotel which has a minimum of 150 rooms, unless the City Council determines that public health, safety and welfare are not compromised by a lesser number of rooms, wherein;~~

~~1. Alcoholic beverages are served and consumed only at tables and booths located within the lounge bar area of the hotel, within a pool area, or within hotel rooms as an incident to room service;~~

~~2. Persons are not permitted to purchase or obtain alcoholic beverages directly from such lounge bar;~~

~~3. No other business, trade, profession or entertainment that requires a license under Title 6 is conducted or performed in the lounge bar area; and~~

~~4. The maximum available customer seating in the lounge bar area does not exceed seventy-five seats.~~

A bar located within a building or structure whose primary use is:

1. A hotel with a minimum of 150 rooms; or

2. An approved mixed-use building with a minimum of 150 residential units.

The use does not include a bar that is ancillary to a "Non-Restricted Gaming Establishment" as defined in this title.

3. LVMC Title 6 shall be amended as necessary to reflect the revisions to the Hotel Lounge Bar use.

Staff Report Page One
June 24, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to amend Title 19.04 and Title 19.20 to revise and expand the definition and standards for the Hotel Lounge Bar use. The requested amendment would extend the lounge bar use to mixed-use buildings with 150 or more residential units.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/01/04	The City Council adopted Ordinance #5720 (TXT-3262), which modified the distance separation standards for the Hotel Lounge Bar use. The Planning Commission recommended approval of the text amendment at their 11/20/03 meeting.
10/15/08	The City Council adopted Ordinance #6008 (TXT-28053), which clarified that the Lounge Bar use and standards were not applicable to facilities associated with Non-Restricted Gaming Establishments. The Planning Commission recommended approval of the amendment at their meeting of 06/26/08.

The current use category limits the lounge bar use to non-gaming hotel facilities with a minimum of 150 rooms. As the lounge bar is intended to be secondary to the hotel use, there is a limitation of 75 seats maximum, and no gaming or entertainment are permitted. A separation distance requirement of 400 feet applies to the lounge bar use, so as to maintain adequate separation from protected uses.

ANALYSIS

The proposed amendment is intended to address a void in the range of alcohol-related uses for small-scale lounge facilities in mixed-use developments. The existing category that most closely resembles this type of facility is the Hotel Lounge Bar use. To avoid creating an additional use and license category, it is proposed that the existing Hotel Lounge Bar use category be expanded to include mixed-use buildings. The name of the use will be changed to “Ancillary Lounge Bar” to clearly identify that these types of facilities are intended to be secondary to the principal use on the site.

The Ancillary Lounge Bar use will continue to be permitted in non-gaming hotels with a minimum of 150 guest rooms, and will also be allowed in the commercial portion of mixed-use buildings with a minimum of 150 residential units. It is proposed that the maximum number of seats be reduced from 75 to 50 seats, so as to maintain an appropriately-scaled facility. Gaming will continue to be prohibited.

The 400-foot separation distance that is currently in place for the Hotel Lounge Bar use will continue to apply. The protected uses to which the separation distance applies include worship facilities, schools, day care facilities for 12 or more children, and city parks. No gaming will be permitted in conjunction with the Ancillary Lounge Bar use.

As a point of comparison, the table below offers a comparison of the existing tavern/lounge uses with the revised Ancillary Lounge Bar use:

Use	Where Permitted	Separation	Gaming
Tavern	• Citywide	• 1500’	• 15 machines
Tavern Limited	• Entertainment District	• None	• None
Urban Lounge	• Arts District	• None	• 5 machines
Ancillary Lounge Bar	• Citywide	• 400’	• None

The following table summarizes the proposed changes to the lounge bar use:

Code Requirements	Existing Regulations	Proposed Regulations
Hotel Lounge Bar Use	• Limited to non-gaming hotels with a minimum of 150 rooms	• Expanded to include mixed-use buildings with a minimum of 150 residential units • Name changed to “Ancillary Lounge Bar”
Separation Requirements	• 400’ from any church, synagogue, school, childcare facility licensed for more than 12 children, City park (may be waived)	• No change
Maximum # of Seats	• Maximum of 75 seats	• Reduce to maximum of 50 seats
Gaming	• Not permitted	• No change

FINDINGS

The proposed text amendment will achieve the following:

- Allow small-scale lounge facilities in conjunction with hotel or mixed-use developments;
- Expand the allowable commercial tenant base for mixed-use buildings; and
- Maintain a separation requirement so as to protect public welfare.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas Agenda Item No.: **39.**

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF JUNE 24, 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