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.

September 23, 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 MEETING OF AUGUST 26, 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-38968 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY -

Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: C-V (CIVIC) on 1.95 acres at the southwest corner of Bubbling Brook Drive and Shadybrook Lane (APN 138-26-402-001), Ward 1 (Tarkanian). Staff recommends APPROVAL.

7. ZON-38971 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY - Request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-V (CIVIC) on 1.03 acres at 2525 Tamrich Drive (APN 162-08-103-005), Ward 1 (Tarkanian). Staff recommends APPROVAL.

8. ZON-38978 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY - Request for a Rezoning FROM: M (INDUSTRIAL) TO: C-V (CIVIC) on 4.08 acres at 2500 Highland Drive (APN 162-09-103-002), Ward 1 (Tarkanian). Staff recommends APPROVAL.

9. VAR-39237 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Variance TO ALLOW A PROPOSED SIGN HEIGHT OF 42 FEET WHERE 37 FEET IS THE MAXIMUM ALLOWED on 1.0 acres at the northeast corner of Las Vegas Boulevard and McWilliams Avenue (APN 139-27-805-004), C-V (Civic) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

10. WVR-39089 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER: KB HOME NEVADA, INC. - Request for a Waiver of Title 18.12 TO ALLOW AN INTERNAL INTERSECTION OFFSET OF 115 FEET WHERE 125 FEET IS REQUIRED AND TO ALLOW PRIVATE STREETS TO TERMINATE IN DEAD-END STUBS WHERE CULS-DE-SAC ARE REQUIRED on 8.06 acres adjacent to the southeast corner of Puli Road and Grand Teton Drive (APNs 126-13-110-016, 126-13-118-039 and 041), PD (Planned Development) Zone [ML (Medium-Low Density Residential) Cliff's Edge Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

11. TMP-39088 - TENTATIVE MAP - CLIFF'S EDGE POD 201 AND 203 UNIT 5 - APPLICANT/OWNER: KB HOME NEVADA, INC. - Request for a Tentative Map FOR A 52-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 8.06 acres adjacent to the southeast corner of Puli Road and Grand Teton Drive (APNs 126-13-110-016, 126-13-118-039 and 041), PD (Planned Development) Zone [ML (Medium-Low Density Residential) Cliff's Edge Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

12. RQR-39097 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: LODGE BPOE #1468 - Required Review of a previously approved Special Use Permit (U-0216-90) FOR A 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 4100 West Charleston Boulevard (APN 139-31-801-009), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

13. RQR-39106 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: URBAN LAND NEVADA - Required Review of a previously approved Special Use Permit (U-0265-94) FOR A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 2550 Highland Drive (APN 162-09-110-019), M (Industrial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

14. RQR-39107 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: CHARWEST, INC. - Required Review of a previously approved Special Use Permit (U-0262-94) FOR A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 4820 West Charleston Boulevard (APN 138-36-804-008), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

15. RQR-39215 - REQUIRED THREE YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: 7-ELEVEN, INC. - Required Review of a previously approved Special Use Permit (U-0315-94) FOR A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 6070 West Sahara Avenue (APN 163-01-401-010), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

16. SUP-39104 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PHOENIX PHYSICAL THERAPY AND LONGEVITY CENTER - OWNER: SHINHAN E AND C AMERICA, INC. - Request for a Special Use Permit TO ADD A MASSAGE ESTABLISHMENT USE WITHIN AN EXISTING 3,504 SQUARE-FOOT MEDICAL OFFICE WITH A WAIVER TO ALLOW A 100-FOOT DISTANCE SEPARATION FROM RESIDENTIAL PROPERTY WHERE 400 FEET IS REQUIRED at 950 South Durango Drive, Suite #120 (APN 138-32-816-006 and 007), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

17. SUP-39144 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WESTSIDE FIREFLY, LLC - OWNER: CONTINENTAL PROPERTY, LLC - Request for a Special Use Permit FOR A PROPOSED 7,000 SQUARE-FOOT SUPPER CLUB IN A FORMER RESTAURANT WITH A WAIVER TO ALLOW A ZERO FOOT SEPARATION DISTANCE WHERE 400 FEET IS REQUIRED at 9560 West Sahara Avenue (APN 163-06-816-025), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

18. VAC-39018 - VACATION - PUBLIC HEARING - APPLICANT: PARDEE HOMES OF NEVADA, INC. - OWNER: HOF FINANCIAL I, LLC - Petition to Vacate U.S. Government Patent Easements generally located approximately 300 feet northwest of the intersection of Shaumber Road and Centennial Parkway, Ward 6 (Ross). Staff recommends APPROVAL.

19. VAC-39118 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: ACQUEST VEGAS, LLC - Petition to Vacate a 20-foot wide public drainage easement at the southeast corner of Rancho Drive and Alexander Road, Ward 6 (Ross). Staff recommends APPROVAL.

20. VAC-39142 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: WILLIAM LYON HOMES - Petition to Vacate the sewer and drainage easements generally located at the southwest corner of Iron Mountain Road and Jones Boulevard, Ward 6 (Ross). Staff recommends APPROVAL.

21. VAC-39145 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Petition to Vacate the aerial right-of-way for a portion of an existing 20-foot wide public alley located between Clark Avenue and Bonneville Avenue, and between 1st Street and Casino Center Boulevard, Ward 3 (Reese). Staff recommends APPROVAL.

PUBLIC HEARING ITEMS

22. ABEYANCE - SUP-38523 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: HECTOR CAMACHO - Request for a Special Use Permit FOR A PROPOSED MOTOR VEHICLE SALES (USED) USE at 4561 East Bonanza Road, Suite #130 (APN 140-32-101-017), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

23. ABEYANCE - SUP-38909 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DURANGO MARKET - OWNER: MNLK, LLC - Request for a Special Use Permit FOR A PACKAGE LIQUOR OFF-SALE ESTABLISHMENT USE WITHIN AN EXISTING 2,326 SQUARE-FOOT GENERAL RETAIL STORE 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.

24. VAR-39068 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ROXANNE SHERIDAN - Request for a Variance TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED on 0.54 acres at 2281 South Pioneer Way (APN 163-03-402-007), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

25. SUP-39069 - SPECIAL USE PERMIT RELATED TO VAR-39068 - PUBLIC HEARING - APPLICANT/OWNER: ROXANNE SHERIDAN - Request for a Special Use Permit FOR A PROPOSED 1,088 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) WITH KITCHEN at 2281 South Pioneer Way (APN 163-03-402-007), R-E (Residence Estate) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

26. VAR-39122 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: EVAPS, LLC - Request for a Variance TO

ALLOW ZERO-FOOT SETBACKS WHERE A 10-FOOT SIDE YARD, 15-FOOT CORNER SIDE YARD, AND 20-FOOT FRONT AND REAR YARD SETBACKS ARE REQUIRED, AND TO ALLOW 86% LOT COVERAGE WHERE 50% LOT COVERAGE IS THE MAXIMUM ALLOWED on 0.65 acres at 400 South 7th Street (APNs 139-34-710-030, 031, 032, 033), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

27. SDR-39121 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-39122 - PUBLIC HEARING - APPLICANT/OWNER: EVAPS, LLC - Request for a Site Development Plan Review FOR A PROPOSED FIVE-STORY, 120-FOOT TALL, 55,132 SQUARE-FOOT OFFICE BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER WIDTH REQUIREMENTS TO ALLOW ZERO-FOOT BUFFERS WHERE 15 FEET IS REQUIRED ON THE NORTH AND EAST PERIMETERS AND EIGHT FEET IS REQUIRED ON THE SOUTH AND WEST PERIMETERS on 0.65 acres at 400 South 7th Street (APNs 139-34-710-030, 031, 032, 033), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

28. VAR-39148 - VARIANCE - PUBLIC HEARING - APPLICANT: A CAB TAXI COMPANY - OWNER: FOUR FOURS, LLC - Request for a Variance TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE EIGHT FEET IS REQUIRED FOR ACCESSORY STRUCTURES on 1.94 acres at 1500 Searles Avenue (APN 139-26-201-004), C-M (Commercial/Industrial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

29. SUP-39149 - SPECIAL USE PERMIT RELATED TO VAR-39148 - PUBLIC HEARING - APPLICANT: A CAB TAXI COMPANY - OWNER: FOUR FOURS, LLC - Request for a Special Use Permit FOR OUTDOOR STORAGE, ACCESSORY WITHIN THE REQUIRED SETBACK AND LANDSCAPE BUFFER AREA ALONG THE WEST PERIMETER at 1500 Searles Avenue (APN 139-26-201-004), C-M (Commercial/Industrial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

30. SDR-39147 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-39148 AND SUP-39149 - PUBLIC HEARING - APPLICANT: A CAB TAXI COMPANY - OWNER: FOUR FOURS, LLC - Request for a Major Amendment to a previously approved Site Development Plan Review (SDR-35195) FOR A PROPOSED 10,800 SQUARE-FOOT TAXICAB/LIMO YARD WITH ANCILLARY VEHICLE SERVICE AND AUTO REPAIR WHERE AN 8,800 SQUARE-FOOT TAXICAB/LIMO YARD WAS APPROVED, A PROPOSED 5,000 SQUARE-FOOT AUTO REPAIR GARAGE WHERE A 3,000 SQUARE-FOOT BUILDING WAS APPROVED AND TO ALLOW 24 TREES WITHIN PERIMETER LANDSCAPE BUFFERS WHERE 37 TREES WERE APPROVED, WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW A ZERO-FOOT BUFFER ALONG A PORTION OF THE EAST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED AND ALONG THE SOUTH PERIMETER WHERE SIX FEET IS REQUIRED on 1.94 acres at 1500 Searles Avenue (APN 139-26-201-004), C-M (Commercial/Industrial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

31. SUP-38860 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CARDENAS MARKETS, INC. - OWNER: LAMANZA, LLC - Request for a Special Use Permit FOR A 500 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN A PROPOSED 66,926 SQUARE FOOT RETAIL ESTABLISHMENT (GROCERY STORE) at 4700 Meadows Lane (APN 139-31-111-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

32. SUP-38996 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RP SLOTS, LLC - OWNER: CHARLESTON HEIGHTS SHOPPING CENTER, LLC - Request for a Special Use Permit FOR A GAMING ESTABLISHMENT, GENERAL BUSINESS-RELATED (10 Gaming Devices) WITHING AN EXISTING 6,440 SQUARE-FOOT GENERAL RETAIL STORE at 542 South Decatur Boulevard (APN 138-36-701-018), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

33. SUP-39146 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) WITHIN A 28.69-ACRE MIXED USE DEVELOPMENT WITH WAIVERS TO ALLOW A DISTANCE SEPARATION OF 141 FEET FROM A CITY PARK AND TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at 440 South Rampart Boulevard, Suite #180 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

34. SUP-39219 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: OPPORTUNITY VILLAGE - OWNER: AFTON MEADOWS, LLC - Request for a Special Use Permit FOR A PROPOSED 25,062 SQUARE-FOOT THRIFTSHOP, NON-PROFIT WITHIN AN EXISTING BUILDING at 4600 Meadows Lane (APN 139-31-110-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

35. SDR-39117 - MAJOR SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RB HILLSIDE, LLC - Request for a Major Amendment of a previously approved Site Development Plan Review (SDR-8635) TO ADD ALTERNATE MODEL HOME PLANS AND TO ALLOW AN EIGHT-FOOT GARAGE SETBACK WHERE SIX FEET OR LESS OR 18 FEET OR GREATER IS REQUIRED at the southwest corner of Alexander Road and Clark County 215 (APNs 137-12-114-001 thru 077,122 thru 126, 158 thru 304, 310 thru 371), PD (Planned Development) Zone [ML (Medium Low Density Residential) Lone Mountain West Special Land Use Designation], Ward 4 (Anthony). Staff recommends DENIAL.

DIRECTOR'S BUSINESS:

36. DIR-39288 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Update on Long Range Planning Items. Staff has NO RECOMMENDATION.

37. DIR-39291 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Presentation of the proposed Unified Development Code (UDC) chapters related to General Provisions, Permitted Uses, Nonconforming Uses and Structures and Definitions and Measures, All Wards. Staff has NO RECOMMENDATION.

38. DIR-39495 - DIRECTOR'S BUSINESS - PUBLIC HEARING - Election of the Planning Commission Vice Chairman for the remainder of 2010. Staff has NO RECOMMENDATION.

39. TXT-39217 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Table 2 of Title 19.04 and Title 19.20 to establish regulations, applicable zoning districts, and definition for the Auto Sales Showroom use. Staff has NO RECOMMENDATION.

CITIZENS PARTICIPATION:

40. 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: SEPTEMBER 23, 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: SEPTEMBER 23, 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 SEPTEMBER 23, 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 SEPTEMBER 23, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

SUBJECT:
APPROVAL OF THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF AUGUST 26, 2010

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

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 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: SEPTEMBER 23, 2010

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

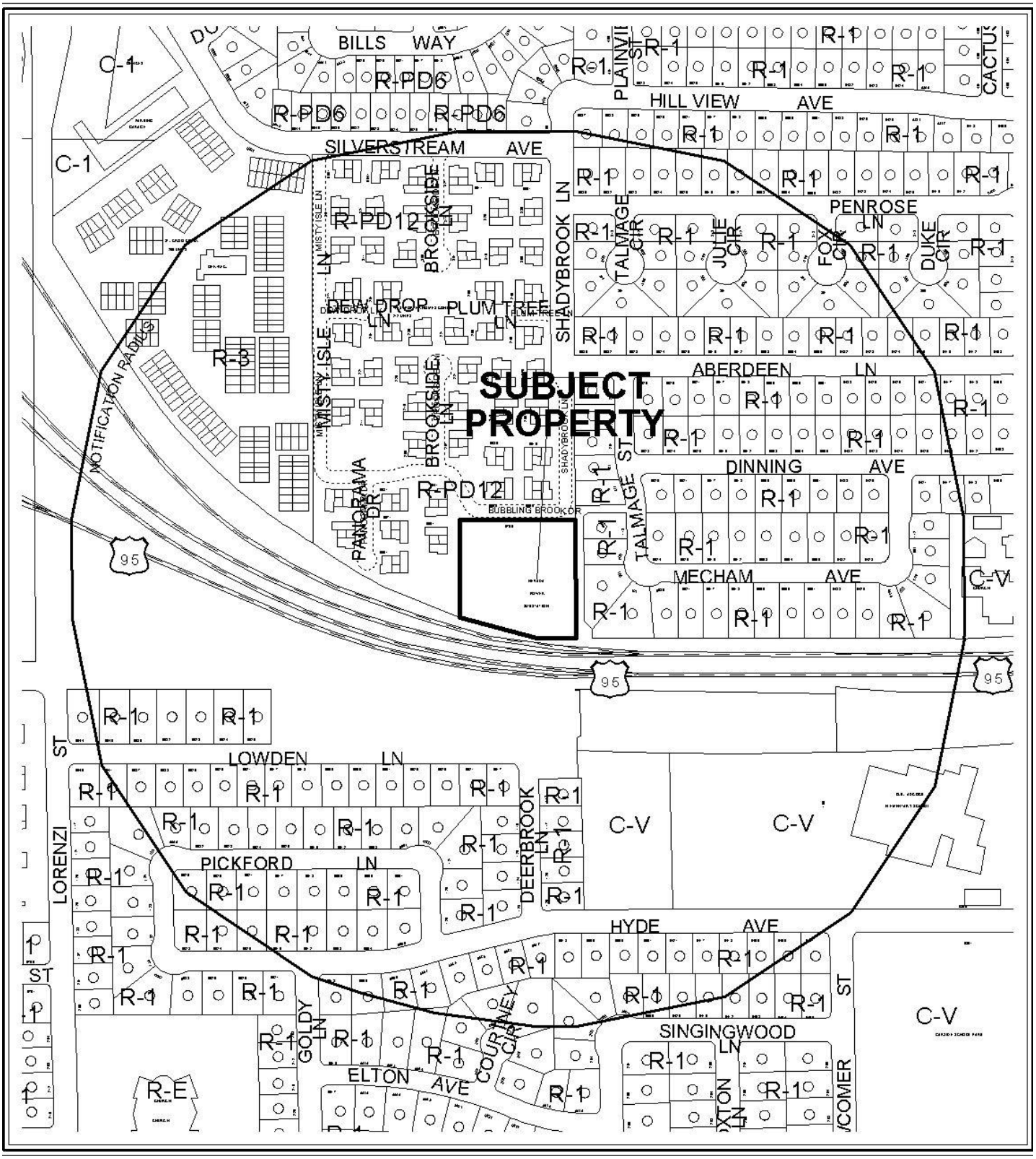
SUBJECT:
ZON-38968 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: C-V (CIVIC) on 1.95 acres at the southwest corner of Bubbling Brook Drive and Shadybrook Lane (APN 138-26-402-001), Ward 1 (Tarkanian). Staff recommends APPROVAL.

C.C.: 10/20/2010

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



0 300 600 Feet

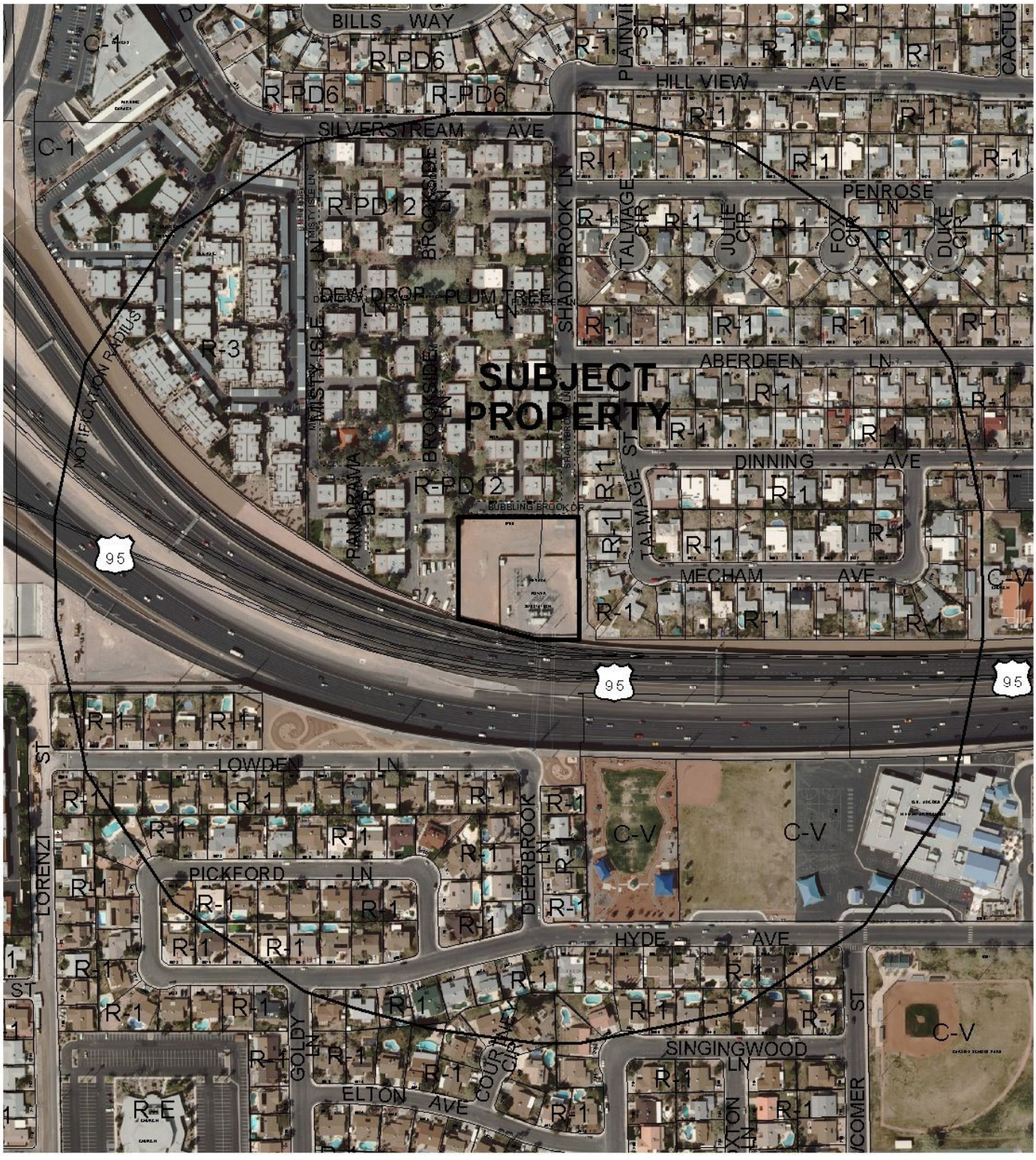
CASE: **ZON-38968**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

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

N



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CASE: **ZON-38968**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ZON-38968	Staff recommends APPROVAL.	N/A

JG

Staff Report Page One
September 23, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site contains an Electric Utility Substation on approximately 1.95 acres, located at the southwest corner Bubbling Brook Drive and Shadybrook Lane. The applicant is requesting a Rezoning from R-4 (High Density Residential) to the C-V (Civic) district. Staff recommends approval of this request, as the requested Rezoning is compatible with the adjacent surrounding zoning districts and in conformance with the existing PF (Public Facilities) 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 Electric Utility Substation is a permissible use in the C-V (Civic) zoning district, and is consistent with the existing General Plan designation.
- No changes to the existing site are proposed with this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/16/63	The Board of City Commissioners approved an Annexation (A-0023-62) of property generally located south of Owens Avenue, west of Jones Boulevard, north of Fremont Street and east of Rainbow Boulevard, comprising 560 acres. The subject parcel was included in the annexation.
05/23/63	The Board of Zoning Adjustment approved a Special Use Permit (U-0039-63) at the southwest corner of Bubbling Brook Drive and Shadybrook Lane to allow construction, operation and maintenance of a Substation for an Electrical Utility Service.

Most Recent Change of Ownership	
07/30/63	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no recorded Building Permits or Business Licenses for this location.

Pre-Application Meeting	
07/22/10	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	
08/19/10	Staff conducted a field check and noted a well maintained Electric Utility Substation.

Details of Application Request	
Site Area	
Net Acres	1.95

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)	R-4 (High Density Residential)
North	Condominiums	MLA (Medium-Low Attached Residential)	R-PD12 (Residential Planned Development-12 Units Per Acre)
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	Condominiums	MLA (Medium-Low Attached Residential)	R-PD12 (Residential Planned Development-12 Units Per Acre)

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

Functional Classification of Street(s)	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Unnamed alley	N/A	20 feet	N/A

ANALYSIS

The subject site contains an existing Electric Utility Substation, 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 existing Electric Utility Substation is within the A-O (Airport Overlay) District and meets the restriction of 175 feet. 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-38968)

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.**

   Site access is provided off of an unnamed alley, which is 20 feet wide. Access is adequate in size to meet the requirements of the existing Electric Utility Substation.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 428

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-38968 APN: 138-26-402-001

Name of Property Owner: NV Energy

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~~ AUTHORIZED AGENT: Andrew P. Reed

Print Name: Andrew P. Reed

Subscribed and sworn before me

This 27TH day of July, 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) 6700 Bubbling Brook Drive

Project Name NVE Substation **Proposed Use** No change

Assessor's Parcel #(s) 138-26-402-001 **Ward #** 1

General Plan: existing PF proposed N/A **Zoning:** existing R-4 proposed C-V

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

Gross Acres 1.95 **Lots/Units** N/A **Density** N/A

Additional Information

PROPERTY OWNER NV Energy **Contact** Tom Dombrowski

Address P.O. Box 98910 **Phone:** 402-2620 **Fax:** 402-5064

City Las Vegas **State** NV **Zip** 89193-8910

E-mail Address TDombrowski@nvenergy.com

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

Address 731 S. 4 TH Street **Phone:** 229-6882 **Fax:** 385-7268

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

E-mail Address

REPRESENTATIVE **Contact**

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

City **State** **Zip**

E-mail Address

AUTHORIZED AGENT

~~**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 27TH day of July, 20 10.

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

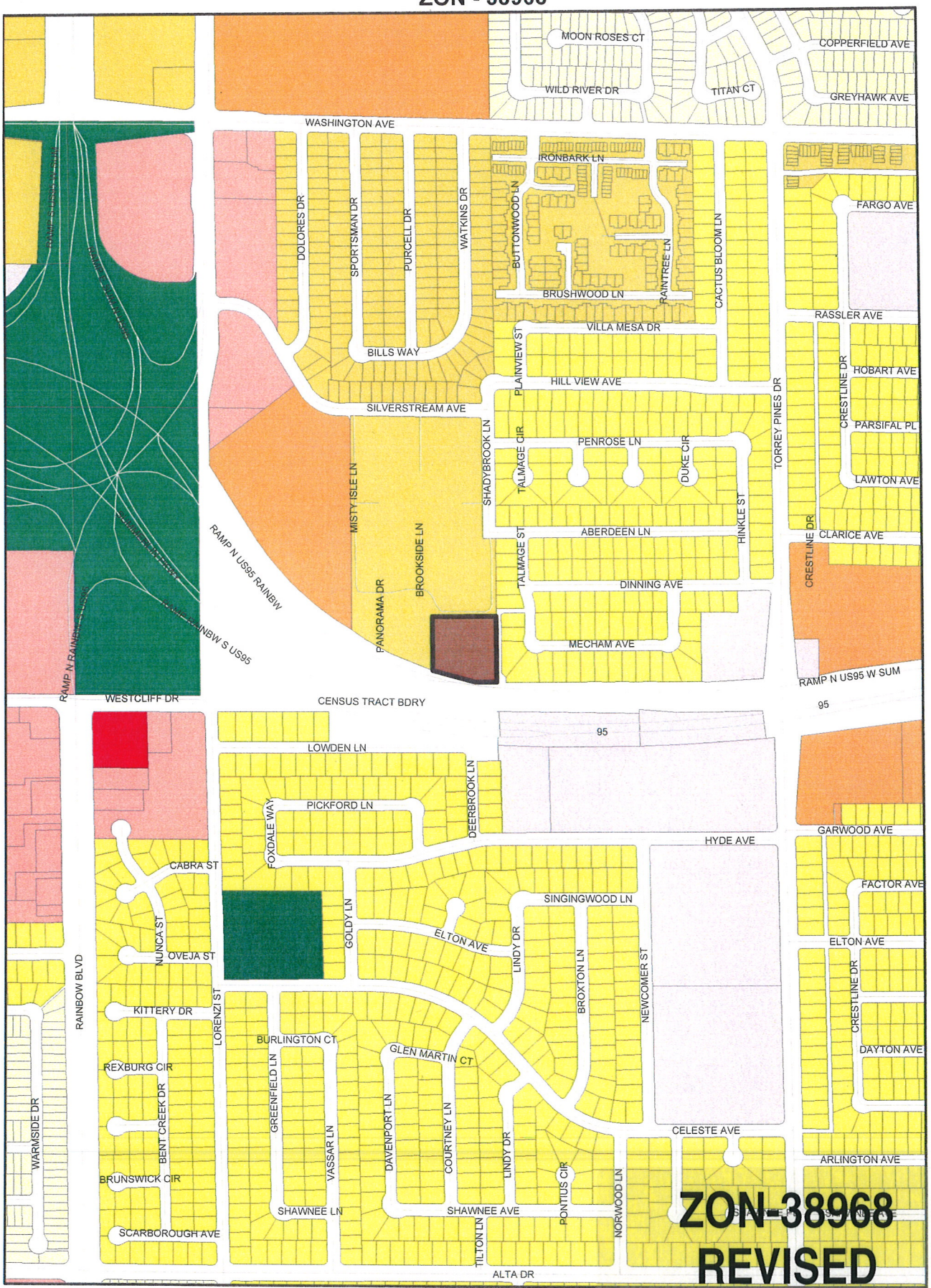
FOR DEPARTMENT USE ONLY

Case #	Z-ON-38968
Meeting Date:	9-23-10
Total Fee:	N/A
Date Received:*	7-29-10
Received By:	

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

Revised 10/27/08

REZONING Parcel: 138-26-402-001
ZON - 38968



ZONING

U	R-MH	R-MHP	PD	Subject Parcel	
R-A	R-CL	P-R	T-D	City Limits	
R-E	R-2	N-S	TC	ROI Zoning	
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-4 TO C-V

RECEIVED
JUL 29 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

Printed: August 16, 2010

ZON-38968 - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY
SOUTHWEST CORNER BUBBLING BROOK DRIVE AND SHADYBROOK LANE

08/19/10

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

July 27, 2010

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

RE: Application ZON-38968
Assessor's Parcel Number 138-26-402-001

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 with any questions.

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-38968

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

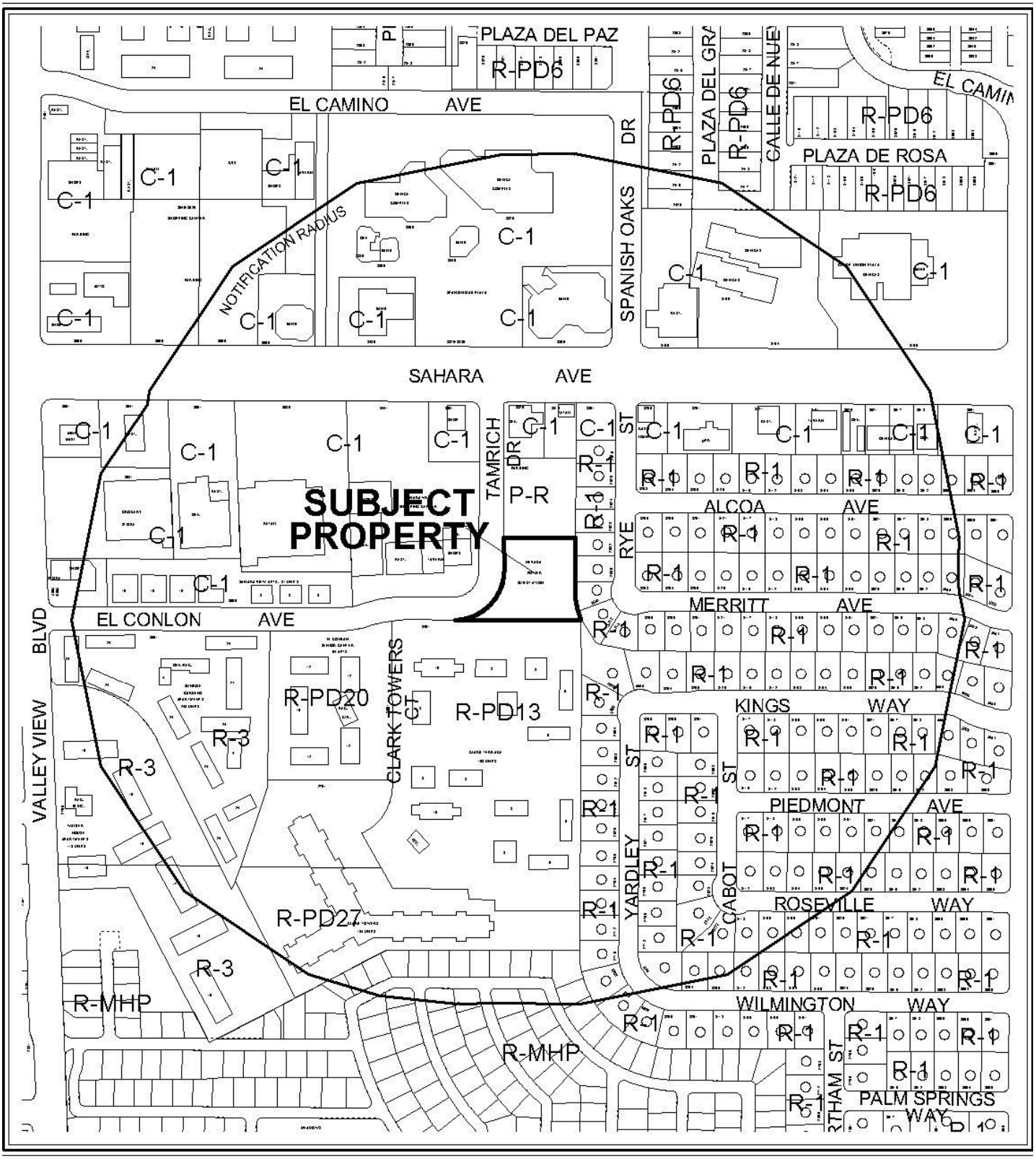
SUBJECT:
ZON-38971 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY - Request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-V (CIVIC) on 1.03 acres at 2525 Tamrich Drive (APN 162-08-103-005), Ward 1 (Tarkanian). Staff recommends APPROVAL.

C.C.: 10/20/2010

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



0 300 600 Feet

CASE: **ZON-38971**

RADIUS: 1000 FT

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

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

N

0 300 600 Feet

CASE: **ZON-38971**

RADIUS: 1000 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ZON-38971	Staff recommends APPROVAL.	N/A

JG

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site contains an Electric Utility Substation on approximately 1.03 acres, located at 2525 Tamrich Drive. The applicant is requesting a Rezoning from P-R (Professional Office and Parking) to the C-V (Civic) district. Staff recommends approval of this request, as the requested Rezoning is compatible with the adjacent surrounding zoning districts and in conformance with the existing PF (Public Facilities) General Plan designation. If denied, the site will retain its existing Zoning designation.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/28/77	The Board of Zoning Adjustments approved a Variance (V-0057-77) to allow construction, operation and maintenance of a Sub-station for an Electrical Utility Service at 2525 Tamrich Drive.
01/26/98	The City Council approved a Special Use Permit (U-0113-97) to allow a 100-foot high communications monopole at 2525 Tamrich Drive. The Planning Commission recommended approval.

Most Recent Change of Ownership	
10/25/77	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
06/04/98	A building permit (98011684) was issued for a 60'x6' Chain Link Fence at 2525 Tamrich Drive. The permit was finaled 08/11/98.
06/04/98	A building permit (98011679) was issued for a 100 foot high communications monopole at 2525 Tamrich Drive. The permit was finaled 08/11/98.

Pre-Application Meeting	
07/26/10	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	
08/19/10	Staff conducted a field check and noted a well maintained Electric Utility Substation.

Details of Application Request	
Site Area	
Net Acres	1.03

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)	P-R (Professional Office and Parking)
North	Parking Lot	SC (Service Commercial)	P-R (Professional Office and Parking)
South	Apartments	ML (Medium-Low Residential)	R-PD13 (Residential Planned Development-13 Units per Acre)
East	Single-Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
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 (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

Functional Classification of Street(s)	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Tamrich Drive – local street	N/A	65 feet	Y

ANALYSIS

The subject site contains an existing Electric Utility Substation, 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 existing Electric Utility Substation is within the A-O (Airport Overlay) District and meets the restriction of 200 feet. 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-38971)

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.

Site access is provided off of Tamrich Drive, a 65-foot wide local street. Access is adequate in size to meet the requirements of the existing Electric Utility Substation.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 523

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number **ZON-38971** APN: 162-08-103-005

Name of Property Owner: NV Energy

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: _____

AUTHORIZED AGENT

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

Print Name: Andrew P. Reed

Subscribed and sworn before me

This 27TH day of July, 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) Tamrich Drive and Sahara Avenue

Project Name NV Energy Substation **Proposed Use** No change

Assessor's Parcel #(s) 162-08-103-005 **Ward #** 1

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

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

Gross Acres 1.03 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER NV Energy **Contact** Tom Dombrowski

Address P.O. Box 98910 **Phone:** 402-2620 **Fax:** 402-5064

City Las Vegas **State** NV **Zip** 89193-8910

E-mail Address TDombrowski@nvenergy.com

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

Address 731 S. 4TH Street **Phone:** 229-6882 **Fax:** 385-7268

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

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

AUTHORIZED AGENT

~~**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 27TH day of July, 2010.

Nora Lares

Notary Public in and for said County and State

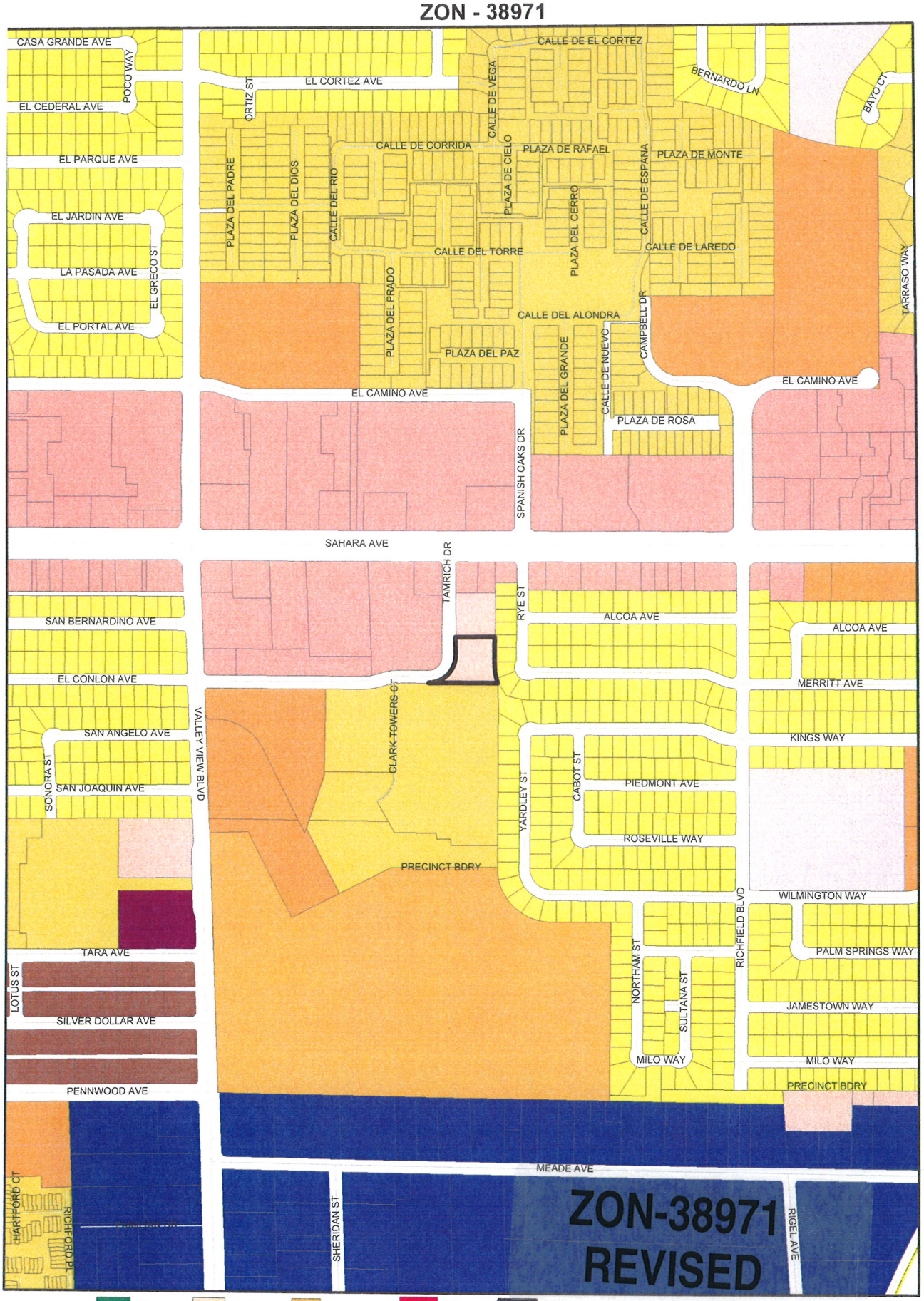
Notary Public - State of Nevada
COUNTY OF CLARK
NORA LARES
No. 06-103908-1 My Appointment Expires Nov. 9, 2013

FOR DEPARTMENT USE ONLY

Case #	ZON-38971
Meeting Date:	9-23-10
Total Fee:	N/A
Date Received:*	7-29-10
Received By:	

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

REZONING Parcel: 162-08-103-005
ZON - 38971



ZONING

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

Subject Parcel
City Limits
ROI Zoning

FROM P-R TO C-V

RECEIVED
JUL 29 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

Printed: August 16, 2010

ZON-38971 - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY
2525 TAMRICH DRIVE

08/19/10

ZON-38971 - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY
2525 TAMRICH DRIVE

08/19/10

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

July 27, 2010

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

RE: Application ZON-38971
Assessor's Parcel Number 162-08-103-005

Dear Mr. Gebeke:

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

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-38971

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

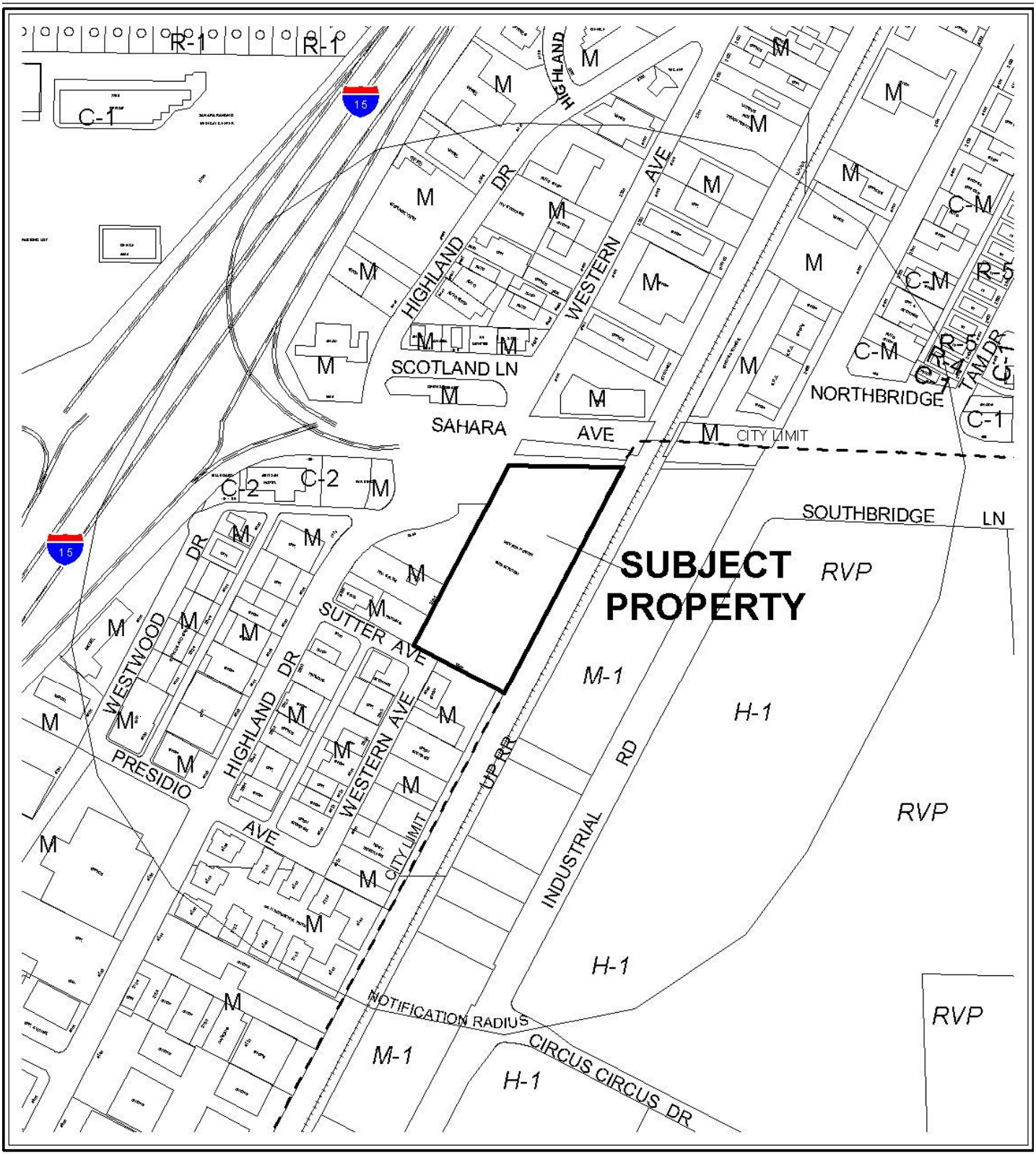
SUBJECT:
ZON-38978 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY - Request for a Rezoning FROM: M (INDUSTRIAL) TO: C-V (CIVIC) on 4.08 acres at 2500 Highland Drive (APN 162-09-103-002), Ward 1 (Tarkanian). Staff recommends APPROVAL.

C.C.: 10/20/2010

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



0 300 600 Feet

CASE: **ZON-38978**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

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

0 300 600 Feet

CASE: **ZON-38978**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ZON-38978	Staff recommends APPROVAL.	N/A

JG

Staff Report Page One
September 23, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site contains an Electric Utility Substation on approximately 4.08 acres, located at 2500 Highland Drive. The applicant is requesting a Rezoning from M (Industrial) to the C-V (Civic) district. Staff recommends approval of this request, as the requested Rezoning is compatible with the adjacent surrounding zoning districts and in conformance with the existing PF (Public Facilities) General Plan designation. If denied, the site will retain its existing Zoning designation.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/03/60	City Council approved a Rezoning (Z-0062-60) at 2500 Highland Drive to change the zoning of the site from R-E (Residential Estates) to M (Industrial). Planning Commission and staff recommended approval.
05/17/06	City Council approved a General Plan Amendment (GPA-9219) to change the Future Land Use designation to Commercial, Mixed Use, Industrial and Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. Planning Commission and staff recommended approval.
12/06/07	Planning Commission approved a Special Use Permit (SUP-25217) for an electrical utility transmission line over 15,000 volts at 2500 Highland Drive. Staff recommended approval.
01/28/10	Planning Commission approved a one year Extension of Time (EOT-36826) for an electrical utility transmission line over 15,000 volts at 2500 Highland Drive. Staff recommended approval.

Most Recent Change of Ownership	
06/02/61	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no recorded Building Permits or Business Licenses for this location.

Pre-Application Meeting	
07/22/10	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	
08/19/10	Staff conducted a field check and noted a well maintained Electric Utility Substation.

Details of Application Request	
Site Area	
Net Acres	4.08

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)	M (Industrial)
North	Warehouse	LI/R (Light Industrial/Research)	M (Industrial)
South	Auto Garage	LI/R (Light Industrial/Research)	M (Industrial)
East	Clark County/ Railroad	Clark County/ Railroad	Clark County/ Railroad
West	Undeveloped/ Sexually Oriented Business	LI/R (Light Industrial/Research)	M (Industrial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area		X	
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175 feet)	X		Y
Trails	X		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

JG

Functional Classification of Street(s)	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Sutter Avenue – local street	N/A	50 feet	Y

ANALYSIS

The subject site contains an existing Electric Utility Substation, 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 existing Electric Utility Substation is within the A-O (Airport Overlay) District and meets the restriction of 175 feet. A Multi-Use Non Equestrian Trail which runs parallel to the eastern property line has been approved, but has not been constructed at the present time. The subject property is also within the Las Vegas Redevelopment Plan Area, and meets Goal and Objective # 8, which is to ensure adequate utility capacity to accommodate redevelopment and new development. The proposed Rezoning will bring the site into conformance with the existing PF (Public Facilities) 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-38978)

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.

Site access is provided off of Sutter Avenue, a 50-foot wide local street. Although entry may be limited, there are limited anticipated access requirements for the existing substation

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 80

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number **ZON-38978** APN: 162-09-103-002

Name of Property Owner: NV Energy

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: _____

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

Print Name: Andrew P. Reed

Subscribed and sworn before me

This 27TH day of July, 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) 1400 Sutter Avenue

Project Name NV Energy Substation **Proposed Use** No Change

Assessor's Parcel #(s) 162-09-103-002 **Ward #** 1

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

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

Gross Acres 4.08 **Lots/Units** N/A **Density** N/A

Additional Information _____

PROPERTY OWNER NV Energy **Contact** Tom Dombrowski

Address P.O. Box 98910 **Phone:** 402-2620 **Fax:** 402-5064

City Las Vegas **State** NV **Zip** 89193-8910

E-mail Address TDombrowski@nvenergy.com

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

Address 731 S. 4TH Street **Phone:** 229-6882 **Fax:** 385-7268

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

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

AUTHORIZED AGENT

~~**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 27TH day of July, 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

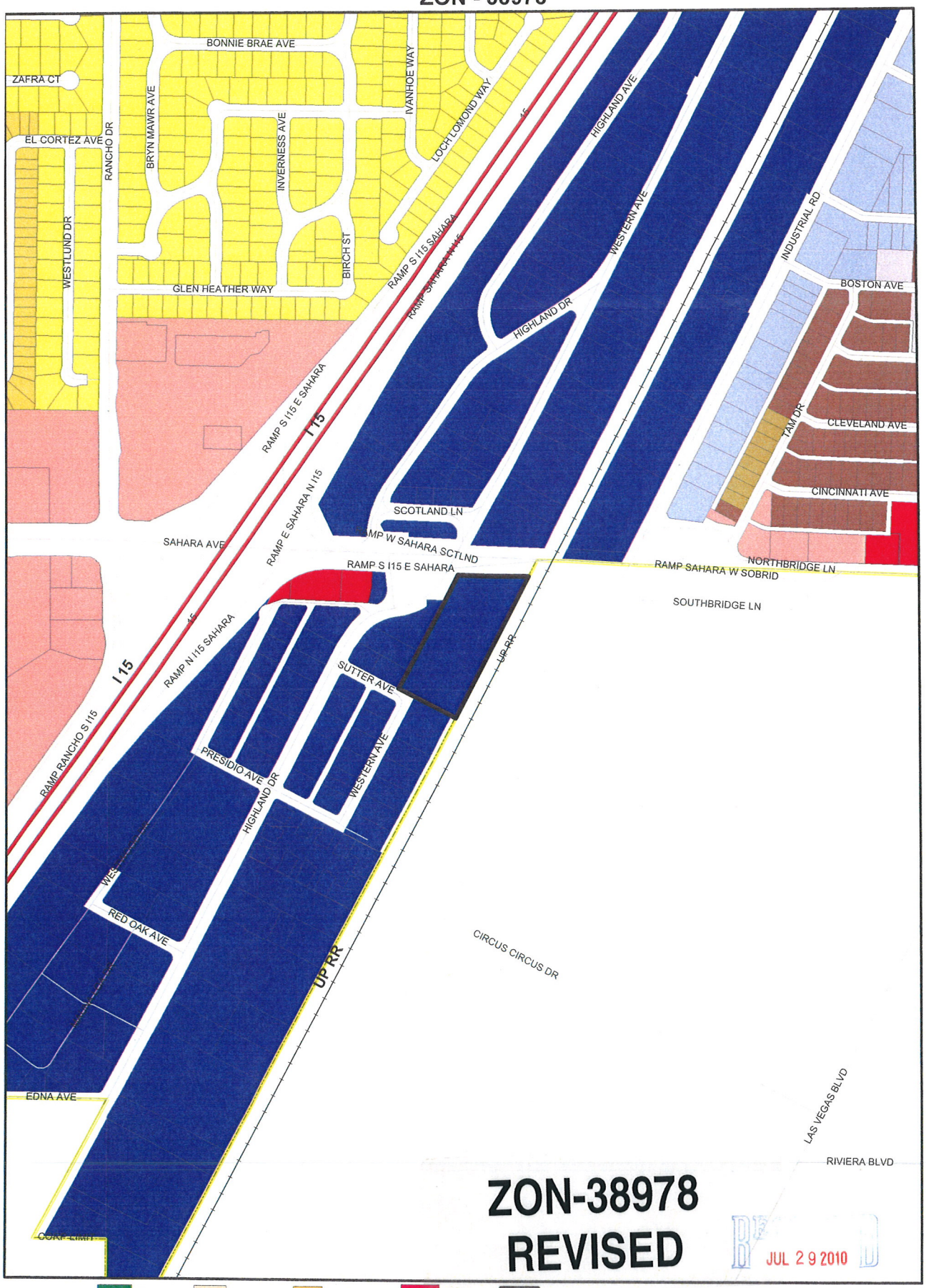
FOR DEPARTMENT USE ONLY

Case #	ZON-38978
Meeting Date:	9-23-10
Total Fee:	N/A
Date Received:*	7-29-10
Received By:	

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

Revised 10/27/08

REZONING Parcel: 162-09-103-002
ZON - 38978



ZON-38978
REVISED

RECEIVED
JUL 29 2010

ZONING

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

FROM M TO C-V

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

Printed: August 16, 2010

ZON-38978 - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY
2500 HIGHLAND DRIVE

08/19/10

ZON-38978 - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY
2500 HIGHLAND DRIVE

08/19/10

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

July 27, 2010

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

RE: Application ZON-38978
Assessor's Parcel Number 162-09-103-002

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 with any questions.

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-38978

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

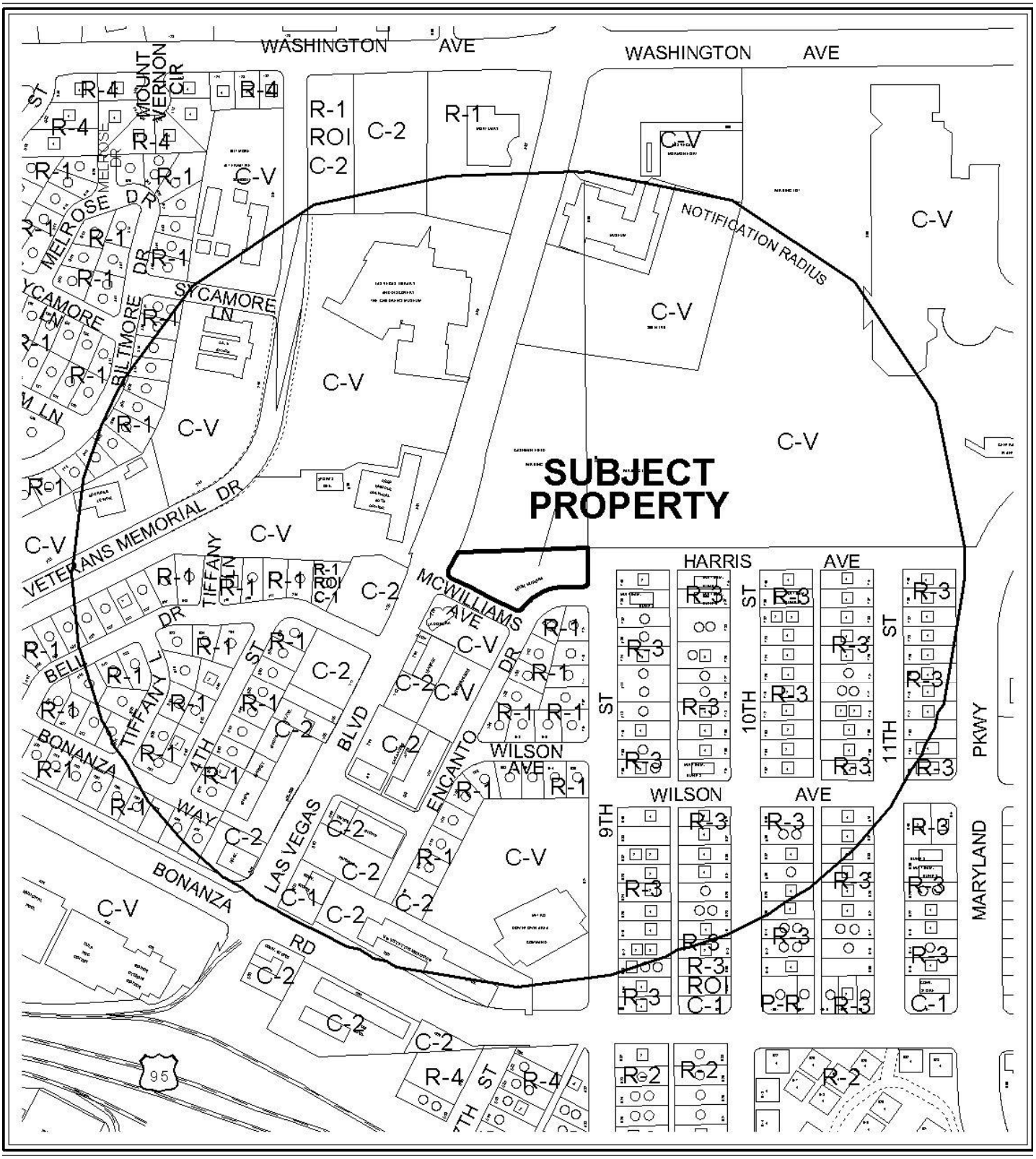
SUBJECT:
VAR-39237 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Variance TO ALLOW A PROPOSED SIGN HEIGHT OF 42 FEET WHERE 37 FEET IS THE MAXIMUM ALLOWED on 1.0 acres at the northeast corner of Las Vegas Boulevard and McWilliams Avenue (APN 139-27-805-004), C-V (Civic) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE 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: **VAR-39237**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 200 400 Feet

N

CASE: **VAR-39237**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-39237	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

VAR-39237 CONDITIONS

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-18755), and Site Development Plan Review (SDR-18751) shall be required.

2. The freestanding sign shall be no taller than 42 feet and have a surface area no greater than 505 square feet.

3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for new construction. 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 any 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

The applicant is requesting a Variance to allow a proposed 42-foot tall freestanding sign where 37-feet is the maximum height allowed at 810 North Las Vegas Boulevard. The project is a component of the overall Neon Museum and Boneyard Complex and will be located in the new Neon Boneyard Park. The sign meets the minimum design criteria of the Las Vegas Boulevard Scenic Byway Signage Overlay and will be an asset to the Byway. Therefore, staff recommends approval with conditions. If denied, the sign would have to conform to Title 19.14.060(c) standards.

ISSUES

- A previous Variance (VAR-34515) was approved for a height of 37 feet and surface area of 505 feet. However, there were embellishments on the sign that increased the height to 42-feet that were not factored into the original request and therefore, a new Variance is required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
01/07/04	The City Council approved a Rezoning (ZON-3256) and a related Site Development Plan Review (SDR-3257) application for a portion of the subject site. The Planning Commission and staff both recommended approval of the requests. The Site Development Plan Review application (SDR-3257) expired in January 2006, as no building permits were submitted; however, the subject properties have since been hard zoned to C-V (Civic).
02/21/07	The City Council approved a Rezoning application (ZON-18755) from C-1 (Limited Commercial) to C-V (Civic) for a site located on the east side of Las Vegas Boulevard, north and south of McWilliams Avenue.
02/21/07	The City Council approved a Site Development Plan Review (SDR-18751) for a 2,768 square-foot museum and park for a site located on the east side of Las Vegas Boulevard, north and south of McWilliams Avenue
Pre-Application Meeting	
08/17/10	A pre-application conference was conducted with the applicant; issues were discussed regarding the need for a sign variance and the need for the sign to meet the Las Vegas Boulevard Scenic Byway signage standards for neon and/or animation.

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

Field Check	
08/19/10	Staff conducted a field check of the subject site. The site was found to be fenced and under construction for a new city park.

Most Recent Change of Ownership	
03/07/05	A deed was recorded for a change in ownership to the City of Las Vegas.

Related Building Permits/Business Licenses	
12/30/09	Public Works issued a permit (L-37069) for a public park that will complement the Neon Museum at Las Vegas Boulevard and McWilliams Avenue. The park will include picnic facilities, passive recreation space and enhanced landscaping.

Details of Application Request	
Site Area	
Net Acres	1.0 acres

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Undeveloped	PF (Public Facilities)	C-V (Civic)
North	Parking Lot	PF (Public Facilities)	C-V (Civic)
South	Museum	PF (Public Facilities)	C-V (Civic)
East	Single-Family Residences; Multi-Family Residential Residences	MXU (Mixed-Use)	R-1 (Single-Family Residential); R-3 (Medium-Density Residential)
West	Cultural Facility; Undeveloped	PF (Public Facilities)	C-V (Civic)

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

Downtown North Plan	X		Y

Special Purpose and Overlay Districts	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
C-V (Civic) District	X		Y
A-O (200-Feet Airport Overlay) District	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails	X		Y
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Freestanding Signs: *[VAR-34515]*		
Standards	***Allowed***	***Provided***
Maximum Number	1 / Street frontage 1 total	1/ Street frontage 1 total
Maximum Area	505 Square Feet	505 Square Feet
Maximum Height	37 Feet	42 Feet
Minimum Setback	5 Feet	5 Feet
Illumination	75% Exposed Neon and/or Animated	Animated with the use of L.E.D. lighting

ANALYSIS

The proposed sign is for the Neon Boneyard Park which is a component of the Neon Museum complex located at 770 North Las Vegas Boulevard. The sign is also located within both the Cultural Corridor and the Las Vegas Boulevard Scenic Byway. Staff has reviewed the sign for conformance with the standards outlined within the Scenic Byway Signage Overlay District and found that it is within those standards. Although the sign is using L.E.D. lighting instead of neon, the fact that the letters will be animated and set up in a chasing pattern meets the standards established. The sign, as proposed, will be an asset to the Scenic Byway program.

A previous Variance (VAR-34515) was approved to allow a 37 foot tall, 18-foot wide sign with a surface area of 505 square feet where the C-V (Civic) zoning designation only permitted signs to be 12 feet tall with a surface area of 48 square feet. The oversized sign was requested as a vital part of the overall Neon Museum complex. This Variance is needed as the embellishments at the top of the sign were not included in the height calculations. Thus, the sign will be 42-feet high and requires an additional five feet in height Variance. The sign is 42 feet tall and 18 feet wide featuring a lattice surface area. Attached to the lattice are replicas of historic neon lettering spelling out the word “neon.” The letters will be animated and light up in a chasing pattern from

top to bottom. An atomic star will be offset to the right of the lettering. The lighting proposed is L.E.D. instead of neon due to the reduced maintenance costs over time. The sign will be supported by a six foot wide, 27'- 9" high concrete pylon with smooth cement plaster finish in a vista sandalwood color.

This project is governed by the Downtown North Land Use Plan that calls out this parcel as part of the Cultural Corridor set aside for cultural amenities. The park and the proposed signage meet the requirements called for in this plan. The park is also covered by the C-V (Civic) District that allows for public uses and a City Park is within these allowed uses. A 200-Foot Airport Overlay and the Las Vegas Boulevard Scenic Byway Signage Overlay also apply to this project. The proposed sign is under 200 feet high and therefore is in compliance with this requirement. The proposed sign also meets the minimum standards called for in the Las Vegas Boulevard Scenic Byway Signage Overlay.

The proposed sign would be an asset to the Las Vegas Boulevard Scenic Byway and as the park is a civic asset, the visibility is needed. Since the proposed sign was addressed in the approved Variance (VAR-34515) application and only material changes are being made to the overall sign, staff is recommending approval, with conditions. If denied, the sign could only be 37 feet tall.

FINDINGS (VAR-39237)

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."

This sign was addressed in the Site Development Review process which determined a Variance was required. A Variance (VAR-34515) was subsequently approved by City Council. However, the embellishments at the top of the sign were not included in the height calculations and thus a five-foot discrepancy exists which required a new Variance. The proposed sign will still meet the Scenic Byway Signage Overlay requirements and will be an added feature for the Cultural Corridor for visibility of the new park. Therefore, the public good would be served.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 166

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-39237** APN: 139-27-805-004

Name of Property Owner: City of Las Vegas

Name of Applicant: Doug Rankin

Name of Representative: Doug Rankin

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: 139-27-805-004

Signature of Property Owner: DJ Rankin

Print Name: Doug Rankin

Subscribed and sworn before me

This 19th day of August, 2010

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
PETER LOWENSTEIN
My Appointment Expires Feb. 27, 2011
No. 03-80709-1

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: VARIANCE

Project Address (Location) 810 N. LAS Vegas BLVD.

Project Name NEON BONEYARD SIGN **Proposed Use** _____

Assessor's Parcel #(s) 139-27-805-004 **Ward #** 5

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

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

Gross Acres 1.0 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER City of Las Vegas **Contact** Doug Rankin

Address 400 STEWART **Phone:** 229-5408 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89101

E-mail Address _____

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* [signature]

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

Print Name Doug Rankin

Subscribed and sworn before me

This 19th day of August, 20 10.

[signature]

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
PETER LOWENSTEIN
No. 03-80709-1 My Appointment Expires Feb. 27, 2011

FOR DEPARTMENT USE ONLY

Case #	VAR-39237
Meeting Date:	9/23/10
Total Fee:	N/A
Date Received:*	AUG 19 2010
Received By:	[signature]

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

Revised 10/27/08

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

ALUM. CONSTR. D/F CABINET 12"DEEP. RETURNS AND RETAINER PNTD. TO MATCH PMS #2935 BLUE. WHITE ACRYLIC FACES W/ #3630-337 PROCESS BLUE COPY, INT. ILLUM. W/ WHITE LEDs

ALUM. CONSTR. BOX CHANNEL LETTER 10"DEEP. FACE PNTD. WHITE W/ RETURNS PNTD. PMS #109 GOLD, SEMI GLOSS, ILLUM. W/5 WATT COLD CATHODE LAMPS APPROX. 4"O.C. 2"OUTSIDE CHANNEL TO HAVE WHITE ACRYLIC FACE OVERLAID W/ #3630-125 GOLDEN YELLOW VINYL & GOLD T/C EDGE, ILLUM. W/ WHITE LEDs

ALUM. CONSTR. BOX CHANNEL LETTER 10"DEEP PNTD. PMS #3272 TEAL, SEMI GLOSS, ILLUM. W/5 WATT COLD CATHODE LAMPS APPROX. 4"O.C. 2"OUTSIDE CHANNEL TO HAVE #2051 BLUE ACRYLIC FACE W/BLUE T/C EDGE, ILLUM. W/ BLUE LEDs

ALUM. CONSTR. BOX CHANNEL LETTER 10"DEEP. FACE PNTD. WHITE W/ RETURNS PNTD. PMS #173 RED, SEMI GLOSS, ILLUM. W/ 5 WATT COLD CATHODE LAMPS APPROX. 4"O.C. 2"OUTSIDE CHANNEL TO HAVE #2283 RED ACRYLIC FACE W/ GOLD T/C EDGE, ILLUM W/ RED LEDs

ALUM. CONSTR. BOX CHANNEL LETTER 10"DEEP PNTD. PMS #173 RED SEMI GLOSS, ILLUM. W/ 5 WATT COLD CATHODE LAMPS APPROX. 4"O.C. 2"OUTSIDE CHANNEL TO HAVE #2283 RED FACE W/ RED T/C EDGE, ILLUM. W/ RED LEDs

HSS1 1/2"x1 1/2"x3/16" FRAME W/ PERFORATED BKGD. W/ 1/2" ALUM. FCO's

HSS3"x3"x1/4" SUPPORT FRAME

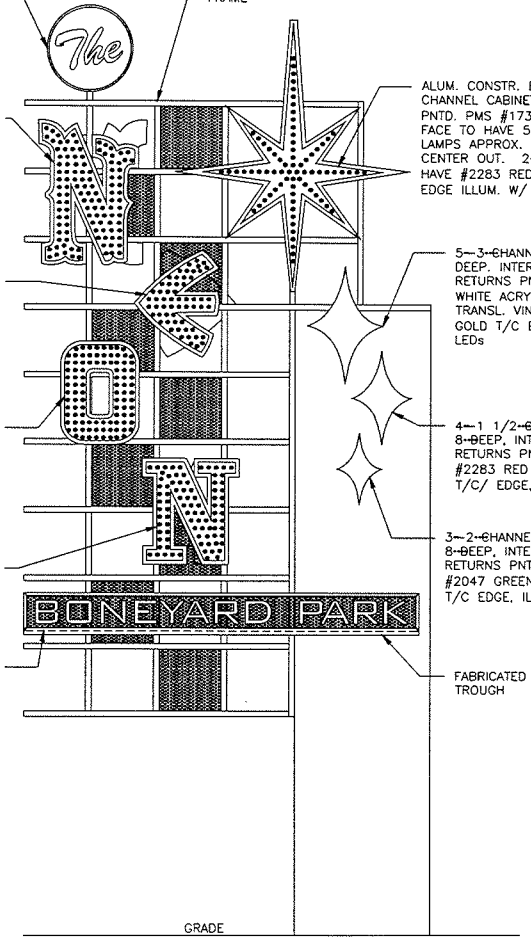
ALUM. CONSTR. BOX CHANNEL CABINET 10"DEEP PNTD. PMS #173 RED, SEMI GLOSS. FACE TO HAVE 5 WATT COLD CATHODE LAMPS APPROX. 4"O.C., CHASE ON FROM CENTER OUT. 2"OUTSIDE CHANNEL TO HAVE #2283 RED ACRYLIC FACE W/ RED T/C EDGE ILLUM. W/ RED LEDs

5"-3"CHANNEL STAR 8" DEEP. INTERIOR PNTD. WHITE, RETURNS PNTD. PMS 133 YELLOW WHITE ACRYLIC FACE W/ #3630-125 TRANSL. VINYL OVERLAY, AND GOLD T/C EDGE. ILLUM. W/ WHITE LEDs

4"-1 1/2"CHANNEL STAR 8"DEEP, INTERIOR PNTD.WHITE, RETURNS PNTD. PMS 173 RED. #2283 RED ACRYLIC FACE AND RED T/C/ EDGE, ILLUM. W/ RED LEDs

3"-2"CHANNEL STAR 8"DEEP, INTERIOR PNTD.WHITE, RETURNS PNTD. PMS 3272 TEAL #2047 GREEN ACRYLIC FACE W/ GREEN T/C EDGE, ILLUM W/ BLUE LEDs

FABRICATED ALUM. LIGHT TROUGH



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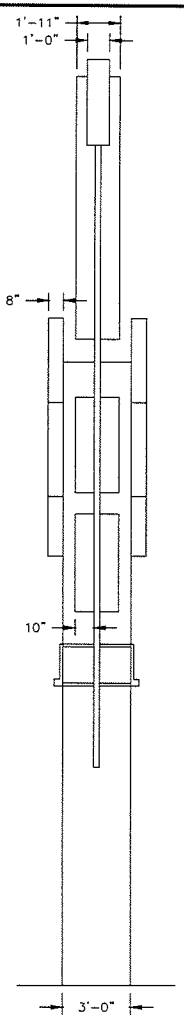
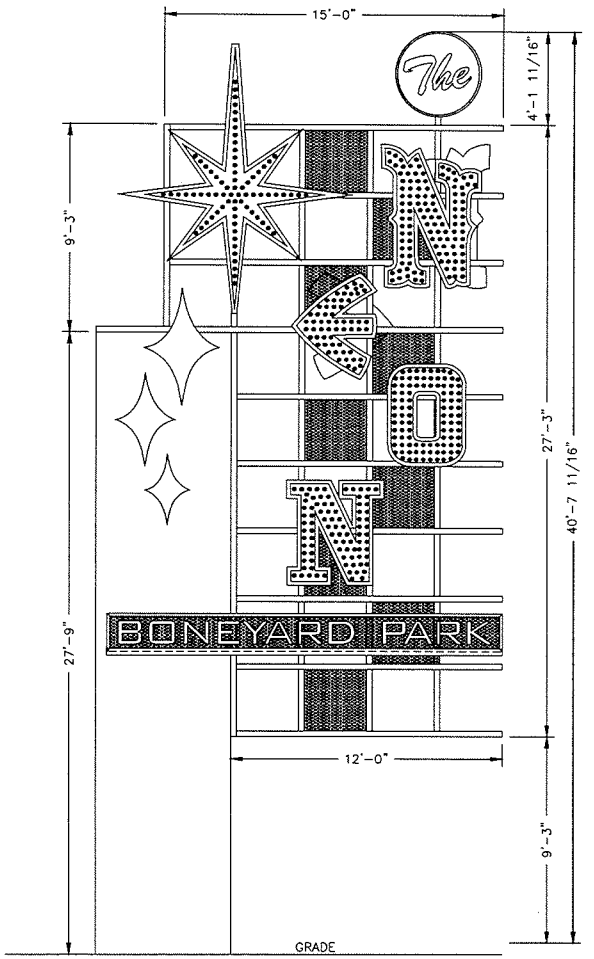
SCALE: 3/16" = 1'-0"



2 WEST ELEVATION - SIDE
SCALE: 3/16" = 1'-0"



3 NORTH ELEVATION
SCALE: 3/16" = 1'-0"

FEDERAL HEATH SIGN COMPANY
4602 NORTH AVENUE, OCEANSIDE, CA 92056
(760) 941-0715

This original drawing is provided as part of a planned project and is not to be exhibited, copied or reproduced without the permission of Federal Heath Sign Company LLC or its authorized agent. ©

NO.	REVISIONS	DATE	BY
1	GENERAL REVISIONS	6/30/10	PH
2	GENERAL REVISIONS	7/15/10	PH
3			
4			
5			
6			

NEON BONEYARD PARK
CITY OF LAS VEGAS
LAS VEGAS, NV

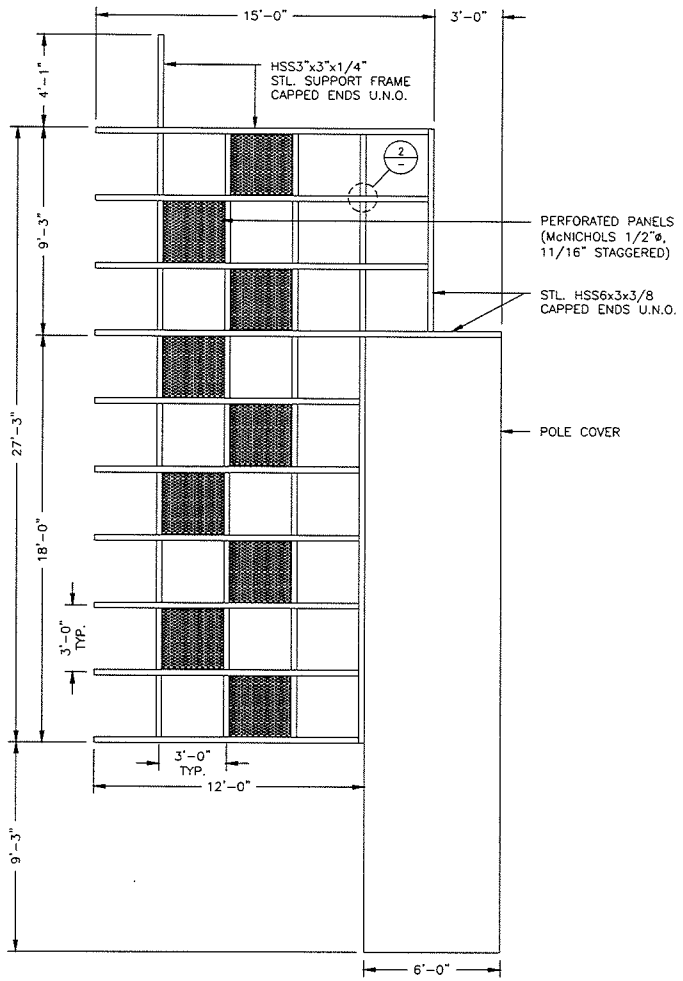
DESIGN NO: S-050710B	PROJECT MGR.: L. MORGAN
DRAWN BY: D. DUPREE	DATE: MAY 11, 2010
JOB NO: 21-04327	

SHEET NO: S-1
OF: 14

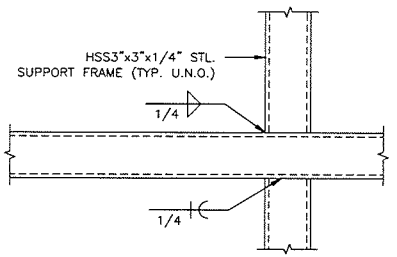
Drawing file: NEON BONEYARD LAS VEGAS, NV #21-04327 STEEL SUPPORT VERSION.dwg

AUG 19 2010

VAR-39237



1 ELEVATION – SUPPORT FRAME
SCALE: 3/16" = 1'-0"



2 TUBE CONNECTION DETAIL
SCALE: 1 1/2" = 1'-0"

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SIGN COMPANY
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(760) 941-0715

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NEON BONEYARD PARK
CITY OF LAS VEGAS
LAS VEGAS, NV

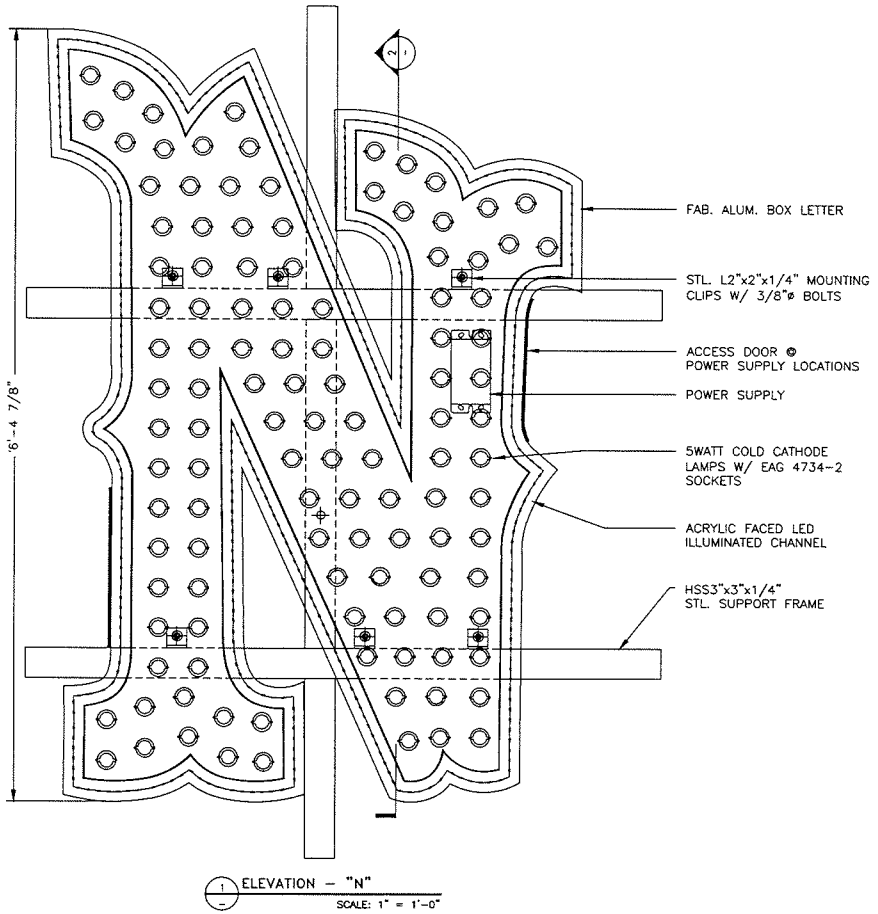
DESIGN NO: S-050710B	PROJECT MGR.: L. MORGAN
DRAWN BY: D. DUPREE	DATE: MAY 11, 2010
JOB NO: 21-04327	

SHEET NO: S-2
OF: 14

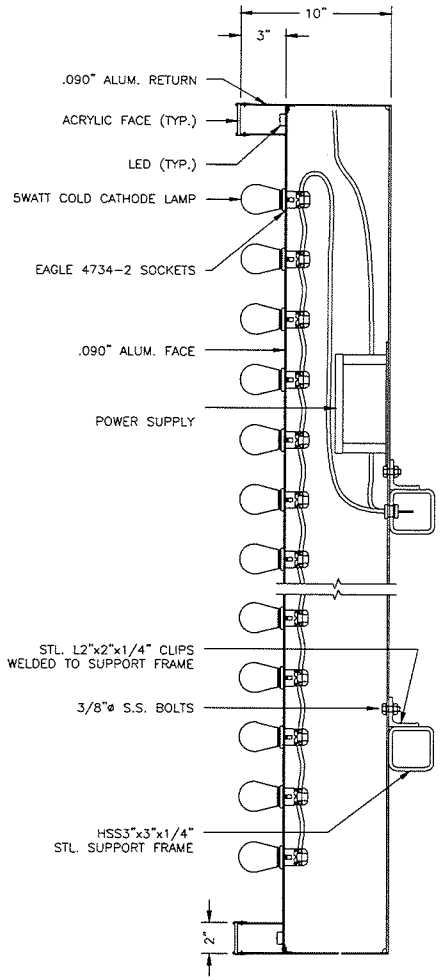
Drawing file: NEON BONEYARD LAS VEGAS, NV #21-04327 STEEL SUPPORT VERSION.dwg

VAR-39237

AUG 19 2010



1 ELEVATION – "N"
SCALE: 1" = 1'-0"



2 SECTION DETAIL
SCALE: 1 1/2" = 1'-0"

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SIGN COMPANY
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NEON BONEYARD PARK

CITY OF LAS VEGAS
LAS VEGAS, NV

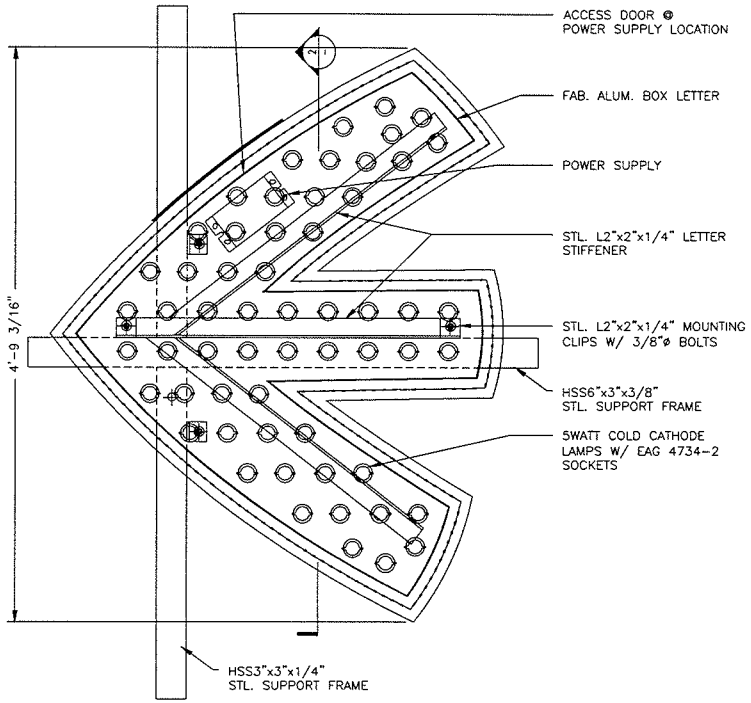
DESIGN NO: S-050710B	PROJECT MGR.: L. MORGAN
DRAWN BY: D. DUPREE	DATE: MAY 11, 2010
JOB NO: 21-04327	

SHEET NO: S-4
OF: 14

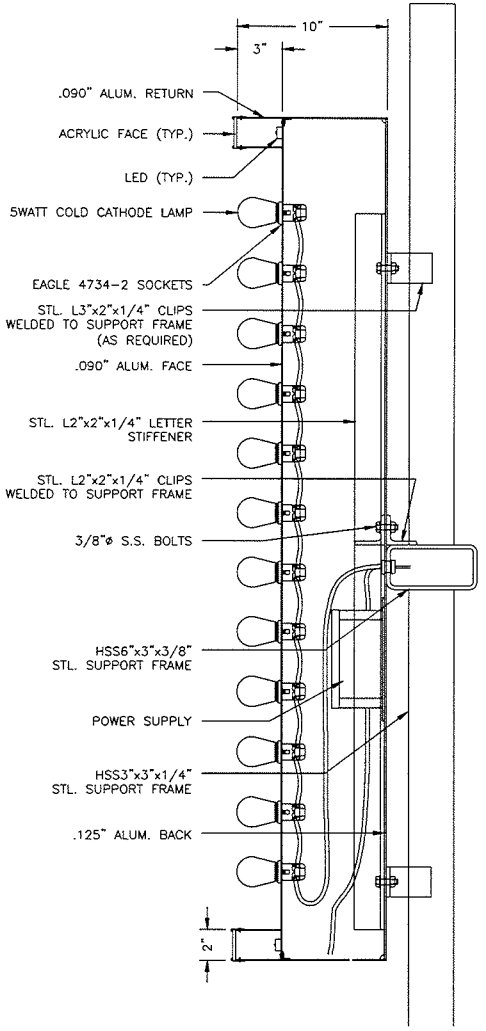
Drawing file: NEON BONEYARD LAS VEGAS, NV #21-04327 STEEL SUPPORT VERSION.dwg

AUG 19 2010

VAR-39237



1 ELEVATION – "C"
SCALE: 1" = 1'-0"



2 SECTION DETAIL
SCALE: 1 1/2" = 1'-0"

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SIGN COMPANY
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NEON BONEYARD PARK
CITY OF LAS VEGAS
LAS VEGAS, NV

DESIGN NO: S-050710B	PROJECT MGR.: L. MORGAN
DRAWN BY: D. DUPREE	DATE: MAY 11, 2010
JOB NO: 21-04327	

SHEET NO: S-5
OF: 14

Drawing file: NEON BONEYARD LAS VEGAS, NV #21-04327 STEEL SUPPORT VERSION.dwg

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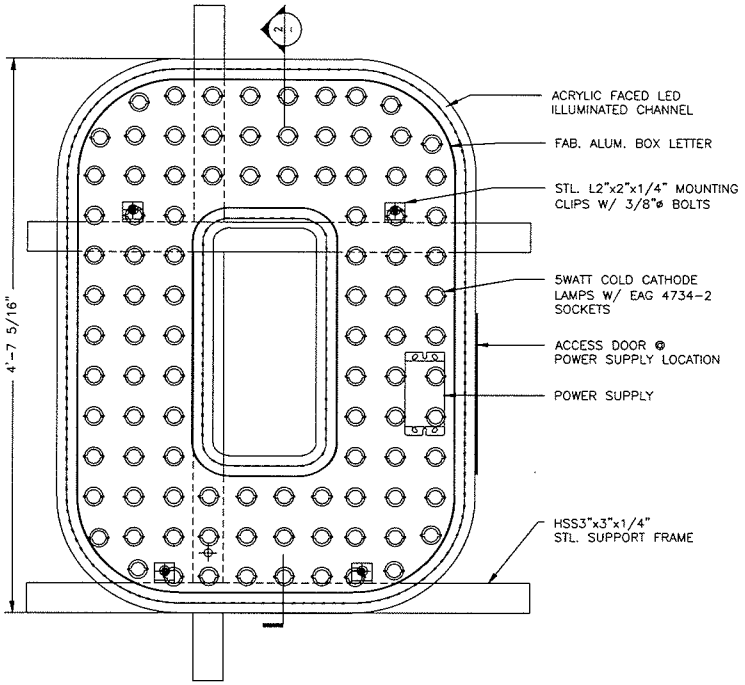
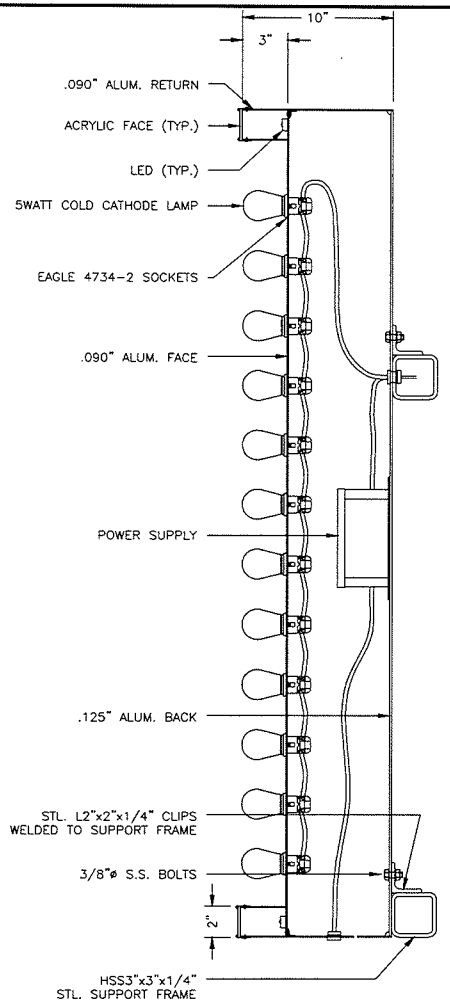


1 ELEVATION – "O"
SCALE: 1" = 1'-0"



2 SECTION DETAIL
SCALE: 1 1/2" = 1'-0"

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SIGN COMPANY
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NEON BONEYARD PARK
CITY OF LAS VEGAS
LAS VEGAS, NV

DESIGN NO: S-050710B	PROJECT MGR.: L. MORGAN
DRAWN BY: D. DUPREE	DATE: MAY 11, 2010
JOB NO: 21-04327	

SHEET NO: S-6
OF: 14

Drawing file: NEON BONEYARD LAS VEGAS, NV #21-04327 STEEL SUPPORT VERSION.dwg

AUG 19 2010

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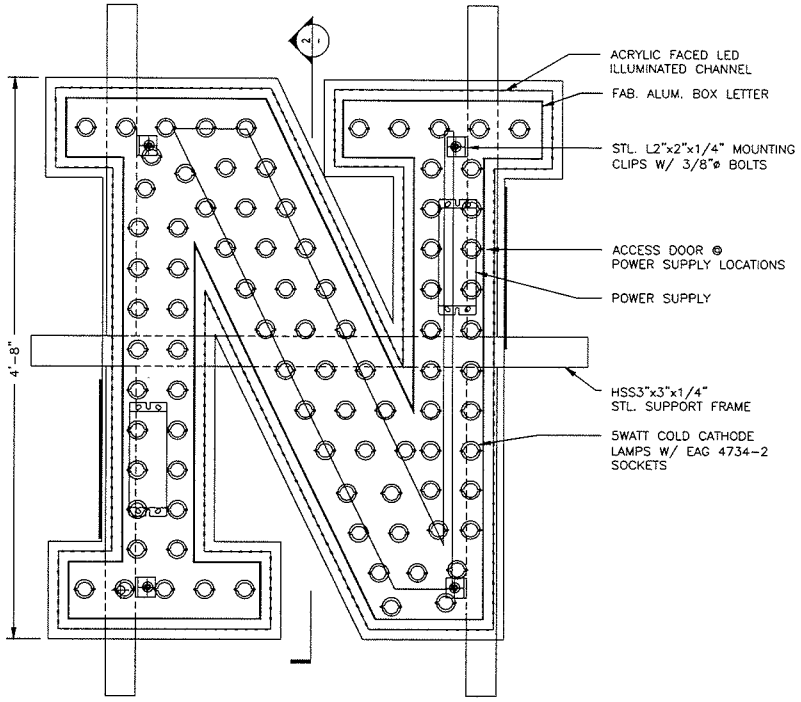
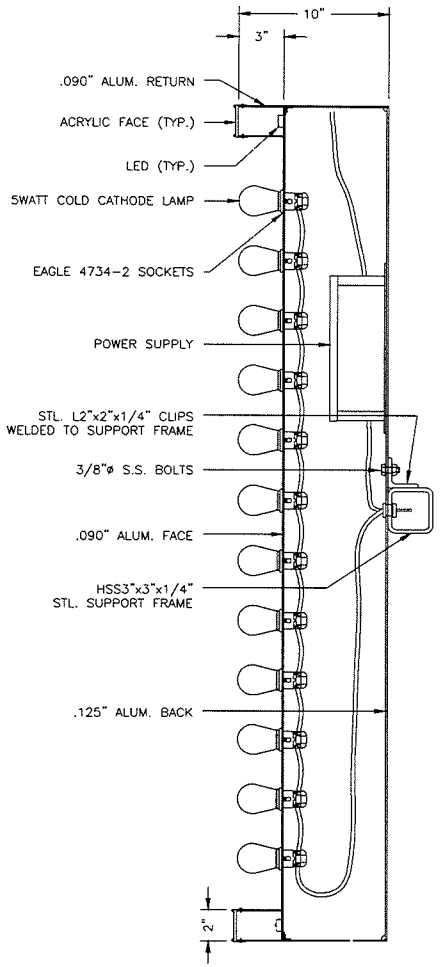


1 ELEVATION – "N"
SCALE: 1" = 1'-0"



2 SECTION DETAIL
SCALE: 1 1/2" = 1'-0"

FEDERAL HEATH
SIGN COMPANY
4602 NORTH AVENUE, OCEANSIDE, CA. 92056
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NEON BONEYARD PARK
CITY OF LAS VEGAS
LAS VEGAS, NV

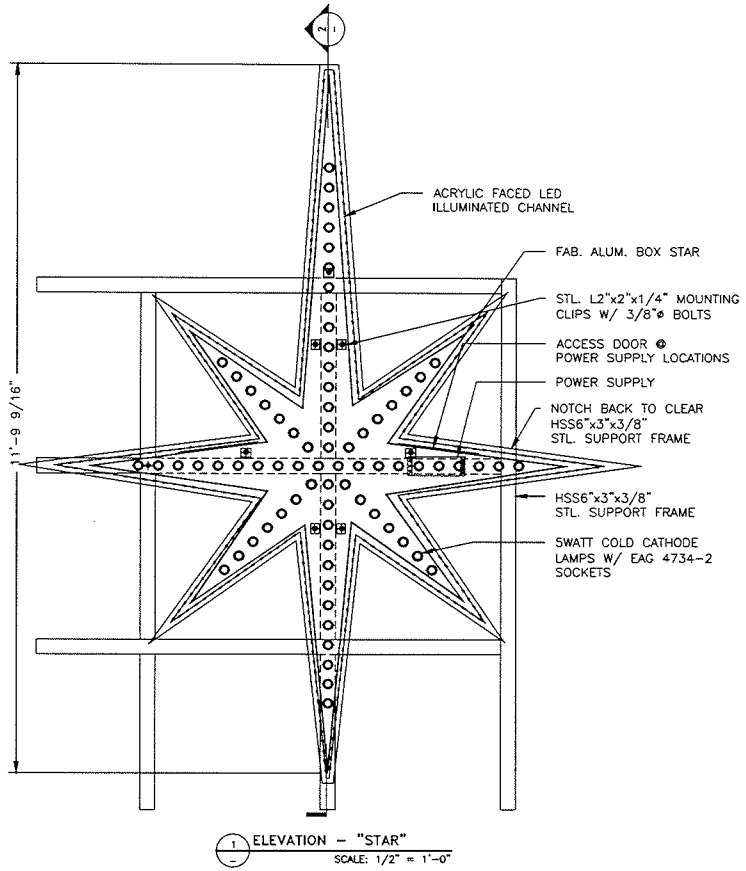
DESIGN NO: S-050710B	PROJECT MGR.: L. MORGAN
DRAWN BY: D. DUPREE	DATE: MAY 11, 2010
JOB NO: 21-04327	

SHEET NO: S-7
OF: 14

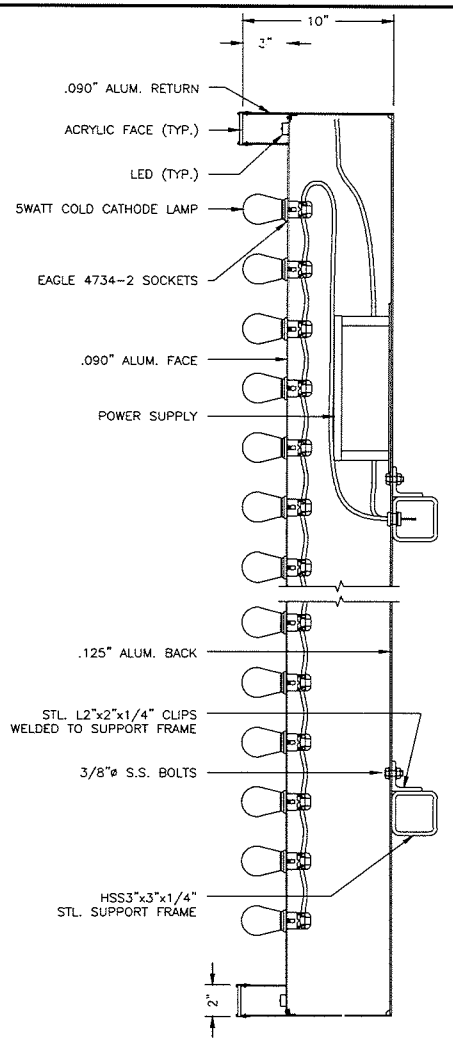
Drawing file: NEON BONEYARD LAS VEGAS, NV #21-04327 STEEL SUPPORT VERSION.dwg

AUG 19 2010

VAR-39237



1 ELEVATION – "STAR"
SCALE: 1/2" = 1'-0"



2 SECTION DETAIL
SCALE: 1 1/2" = 1'-0"

FEDERAL HEATH
SIGN COMPANY
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NEON BONEYARD PARK
CITY OF LAS VEGAS
LAS VEGAS, NV

DESIGN NO: S-0507108	PROJECT MGR.: L. MORGAN
DRAWN BY: D. DUPREE	DATE: MAY 11, 2010
JOB NO: 21-04327	

SHEET NO: S-8
OF: 14

Drawing file: NEON BONEYARD LAS VEGAS, NV #21-04327 STEEL SUPPORT VERSION.dwg

AUG 19 2010

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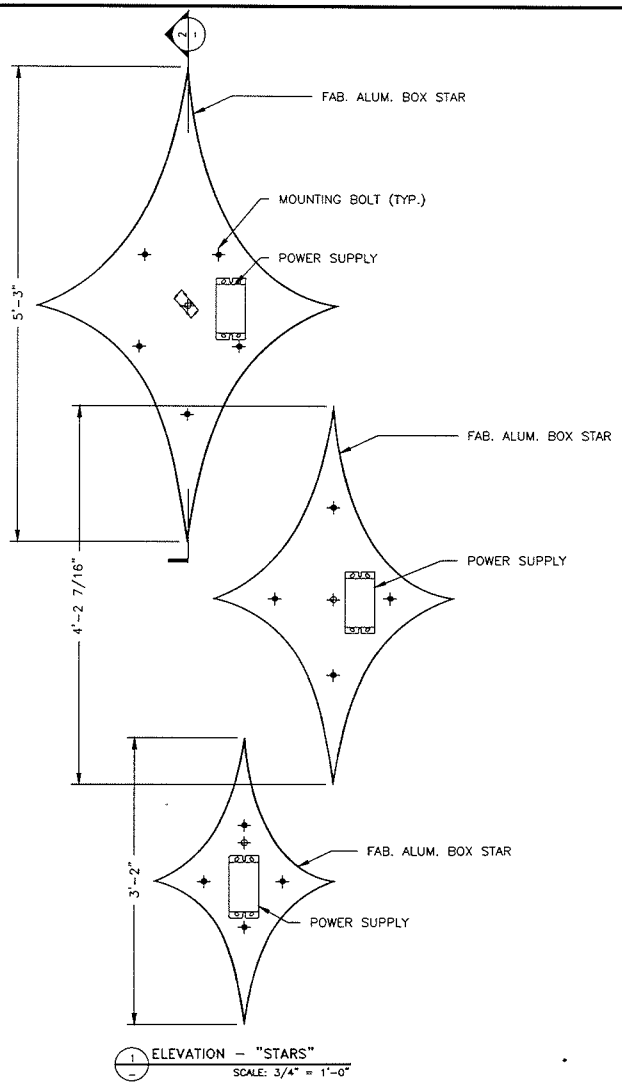
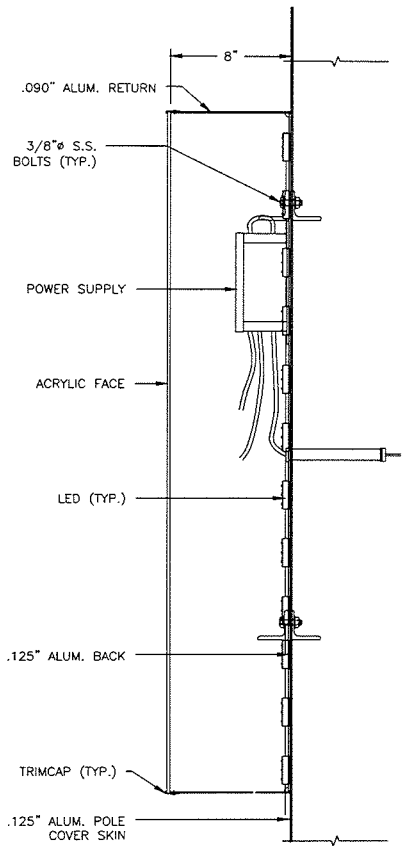


1 ELEVATION – "STARS"
SCALE: 3/4" = 1'-0"



2 SECTION DETAIL
SCALE: 1 1/2" = 1'-0"

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NEON BONEYARD PARK
CITY OF LAS VEGAS
LAS VEGAS, NV

DESIGN NO: S-050710B	PROJECT MGR.: L. MORGAN
DRAWN BY: D. DUPREE	DATE: MAY 11, 2010
JOB NO: 21-04327	

SHEET NO: S-9
OF: 14

Drawing file: NEON BONEYARD LAS VEGAS, NV #21-04327 STEEL SUPPORT VERSION.dwg

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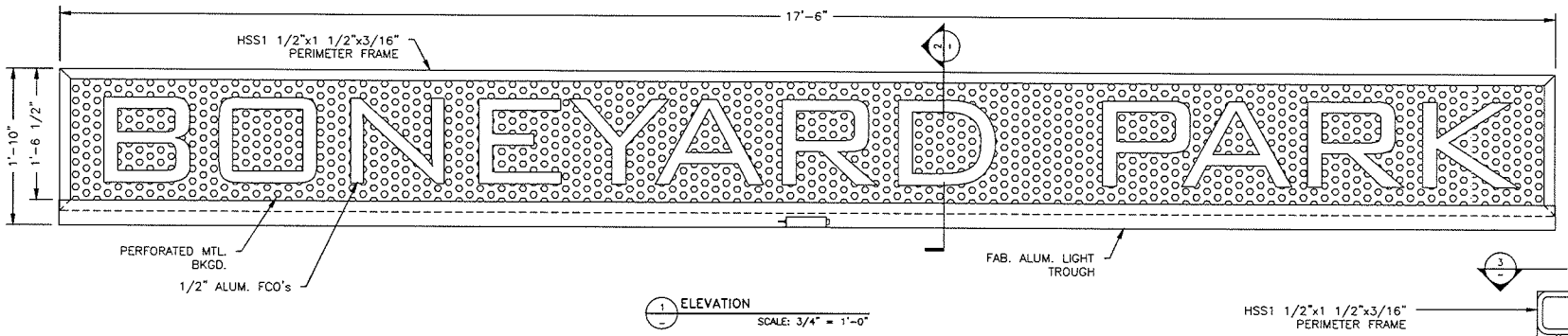
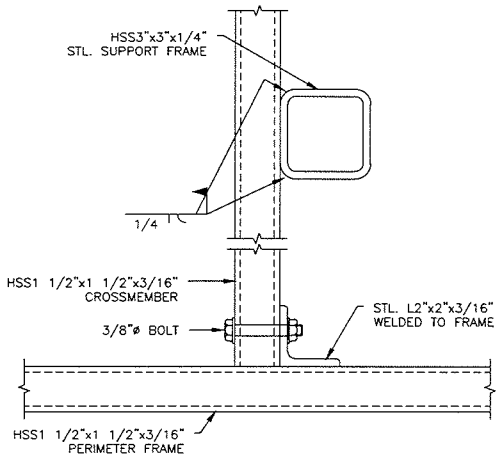
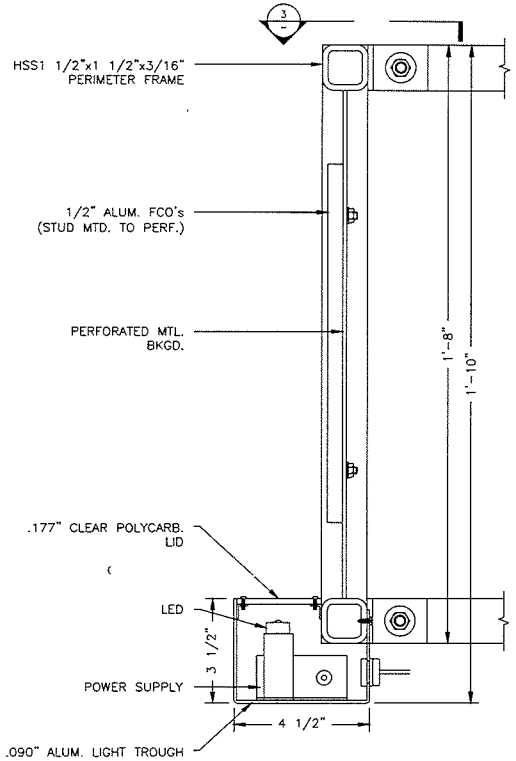


1 ELEVATION
SCALE: 3/4" = 1'-0"



3 CONNECTION DETAIL
SCALE: 3" = 1'-0"



2 SECTION DETAIL
SCALE: 3" = 1'-0"

FEDERAL HEATH
SIGN COMPANY
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NEON BONEYARD PARK
CITY OF LAS VEGAS
LAS VEGAS, NV

DESIGN NO: S-050710B	PROJECT MGR.: L. MORGAN
DRAWN BY: D. DUPREE	DATE: MAY 11, 2010
JOB NO: 21-04327	

SHEET NO: S-10
OF: 14

Drawing file: NEON BONEYARD LAS VEGAS, NV #21-04327 STEEL SUPPORT VERSION.dwg

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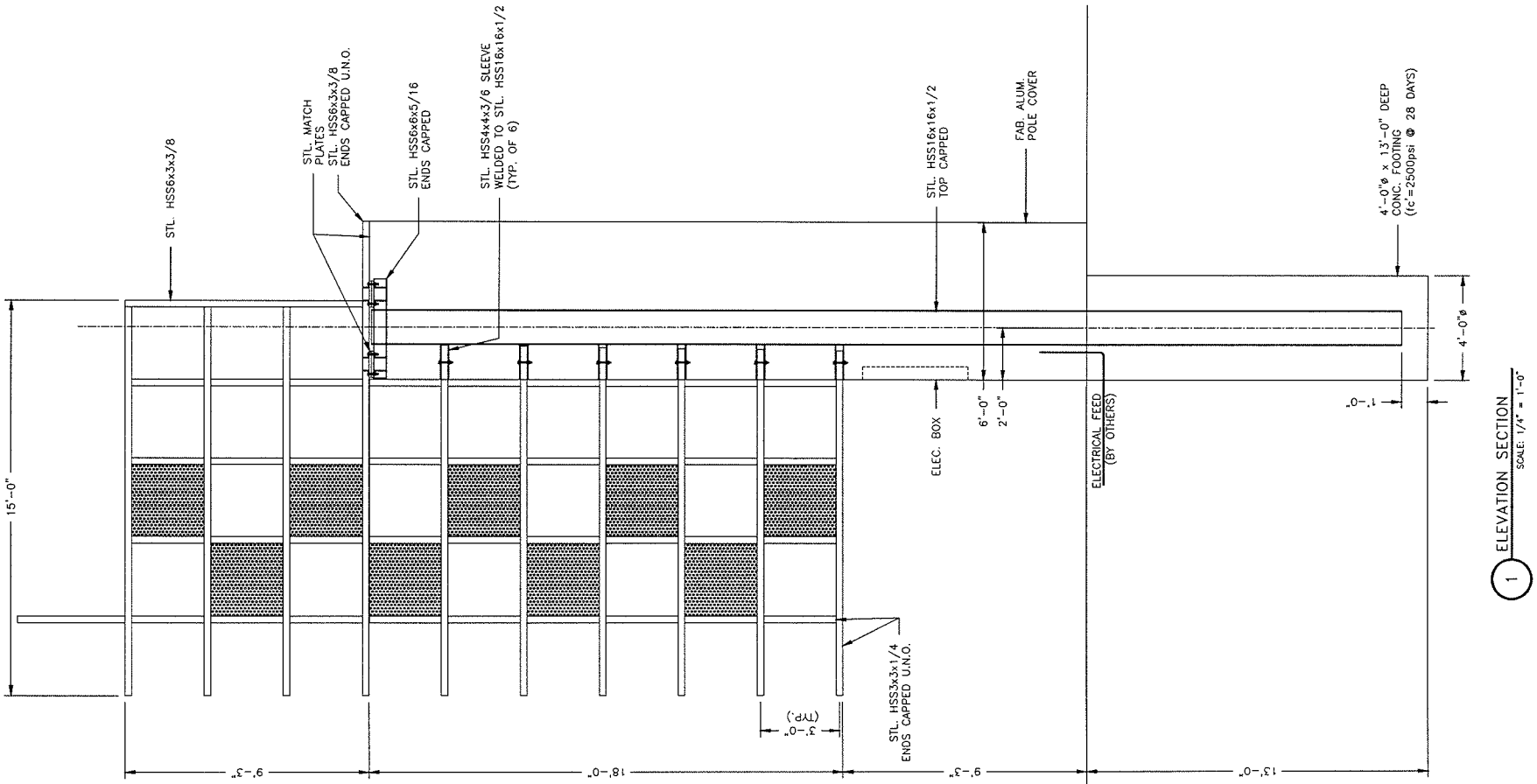

1 ELEVATION SECTION
SCALE: 1/4" = 1'-0"

STRUCTURAL OPTION #1

FEDERAL HEATH
SIGN COMPANY
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NEON BONEYARD PARK
CITY OF LAS VEGAS
LAS VEGAS, NV

DESIGN NO: S-050710B	PROJECT MGR.: L. MORGAN
DRAWN BY: D. DUPREE	DATE: MAY 11, 2010
JOB NO: 21-04327	

SHEET NO: S-11
OF: 14

Drawing file: NEON BONEYARD LAS VEGAS, NV #21-04327 STEEL SUPPORT VERSION.dwg

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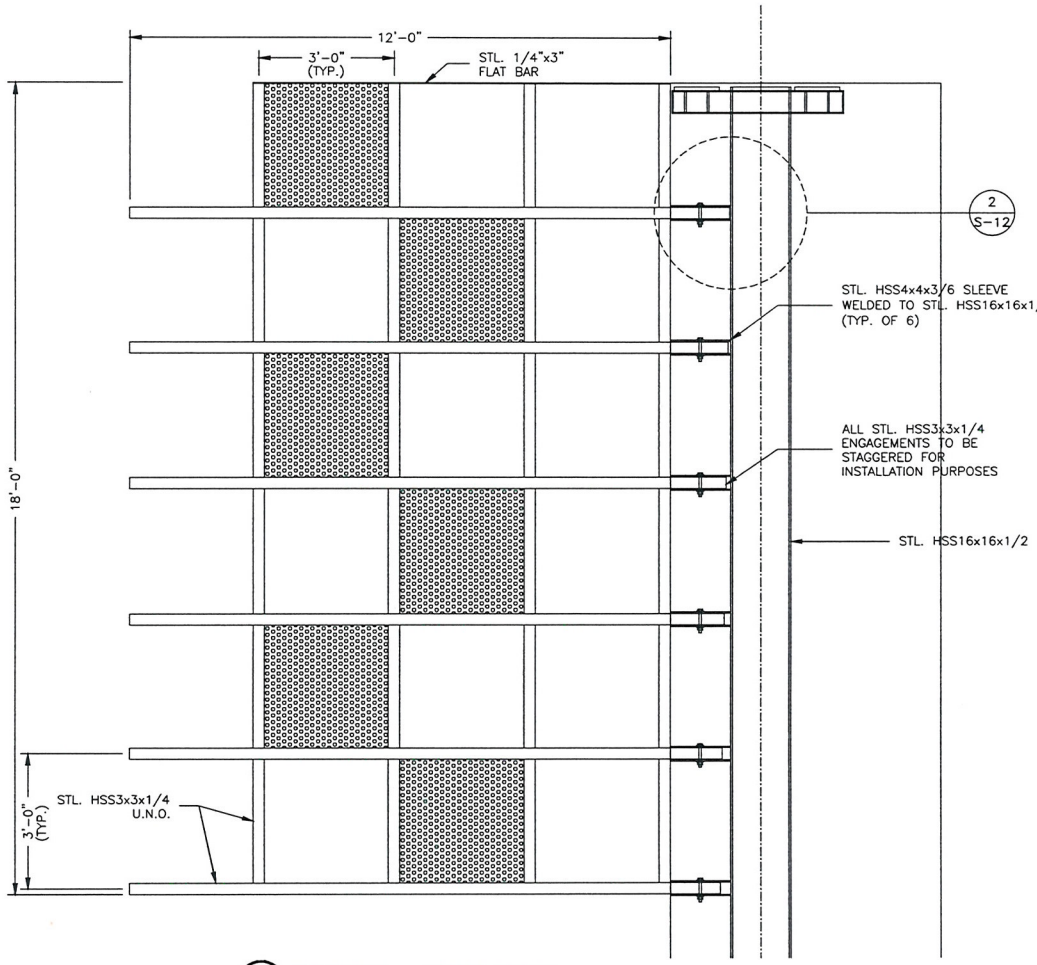
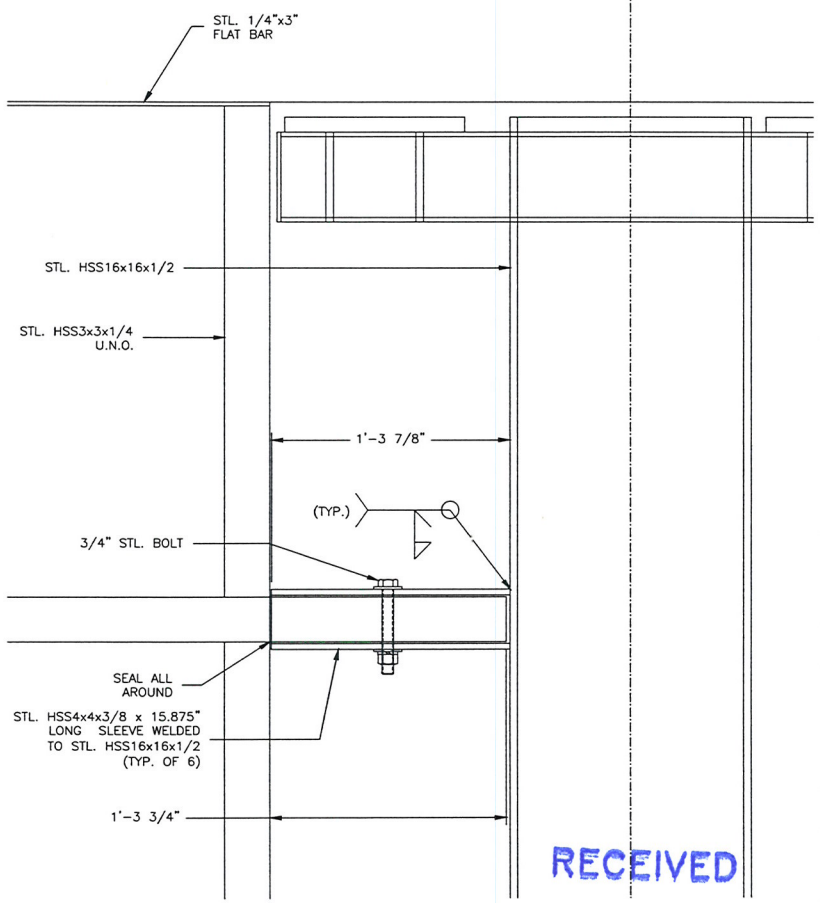


1 ELEVATION – LOWER FRAME
SCALE: 3/8" = 1'-0"



2 CONNECTION DETAIL (TYP.)
SCALE: 1 1/2" = 1'-0"

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STRUCTURAL OPTION #1

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NEON BONEYARD PARK
CITY OF LAS VEGAS
LAS VEGAS, NV

DESIGN NO: S-050710B	PROJECT MGR.: L. MORGAN
DRAWN BY: D. DUPREE	DATE: MAY 11, 2010
JOB NO: 21-04327	

SHEET NO: S-12
OF: 14

Drawing file: NEON BONEYARD LAS VEGAS, NV #21-04327 STEEL SUPPORT VERSION.dwg

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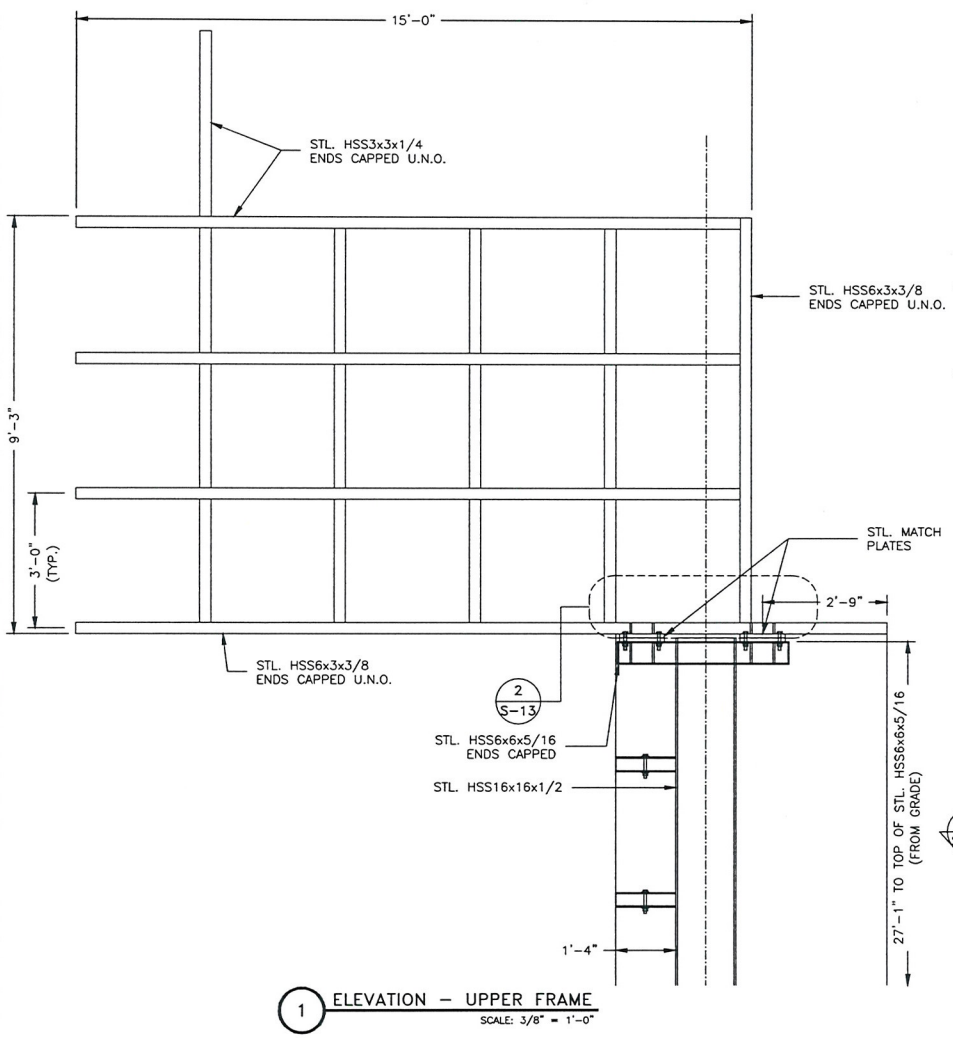
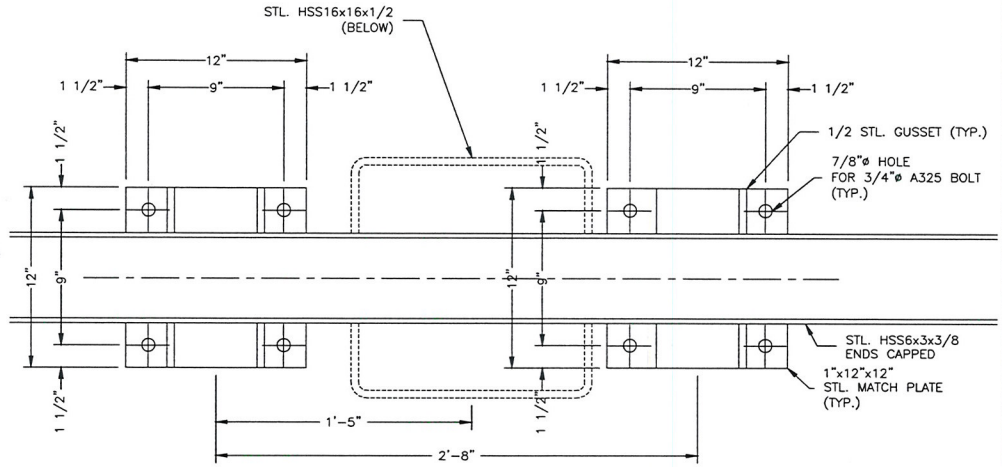
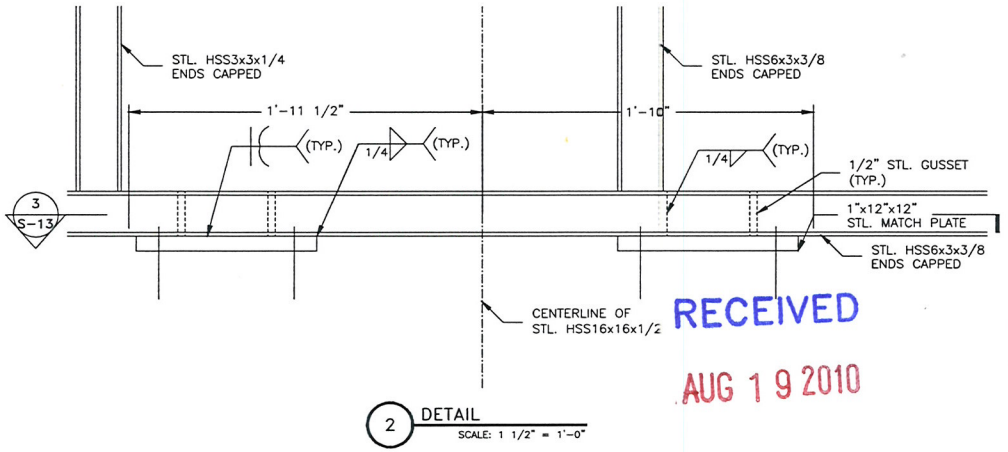


1 ELEVATION – UPPER FRAME
SCALE: 3/8" = 1'-0"



3 SECTION DETAIL
SCALE: 1 1/2" = 1'-0"



2 DETAIL
SCALE: 1 1/2" = 1'-0"

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STRUCTURAL OPTION #1

FEDERAL HEATH
SIGN COMPANY
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NEON BONEYARD PARK
CITY OF LAS VEGAS
LAS VEGAS, NV

DESIGN NO: S-050710B	PROJECT MGR.: L. MORGAN
DRAWN BY: D. DUPREE	DATE: MAY 11, 2010
JOB NO: 21-04327	

SHEET NO: S-13
OF: 14

Drawing file: NEON BONEYARD LAS VEGAS, NV #21-04327 STEEL SUPPORT VERSION.dwg

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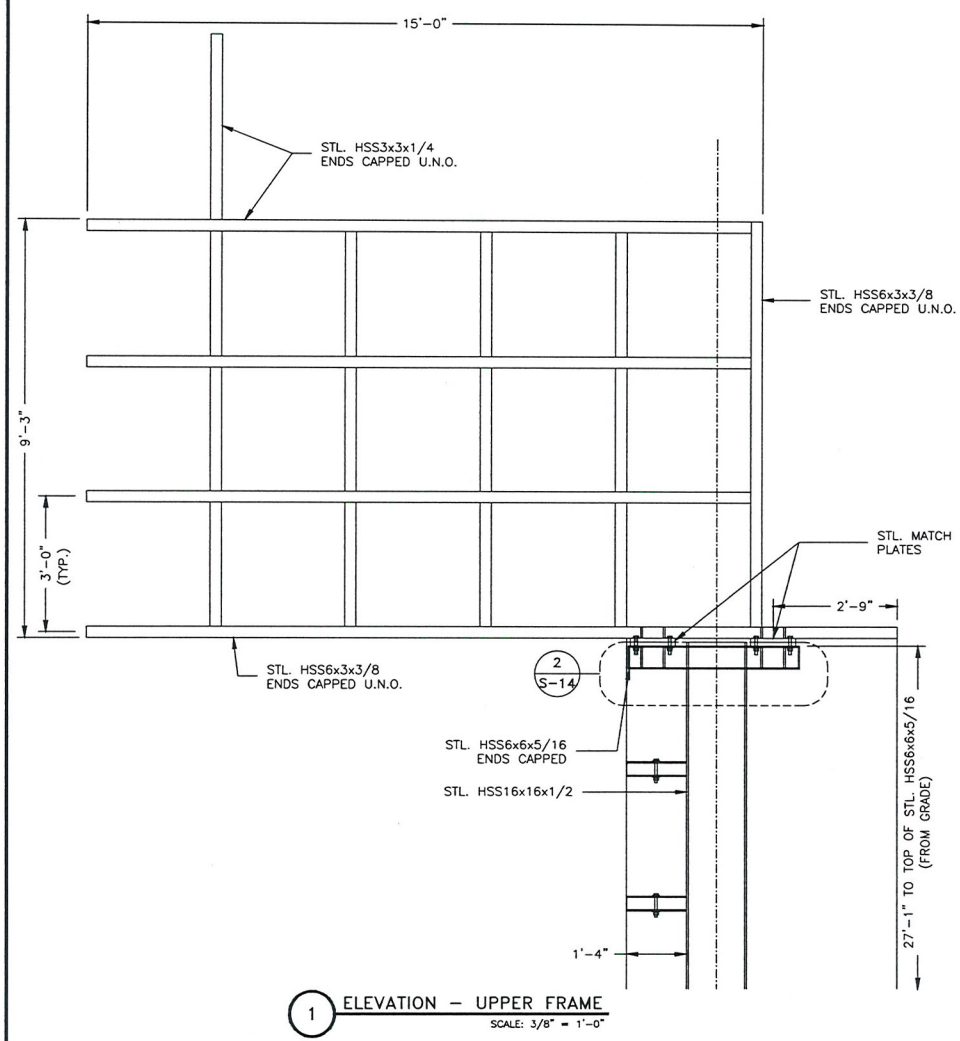
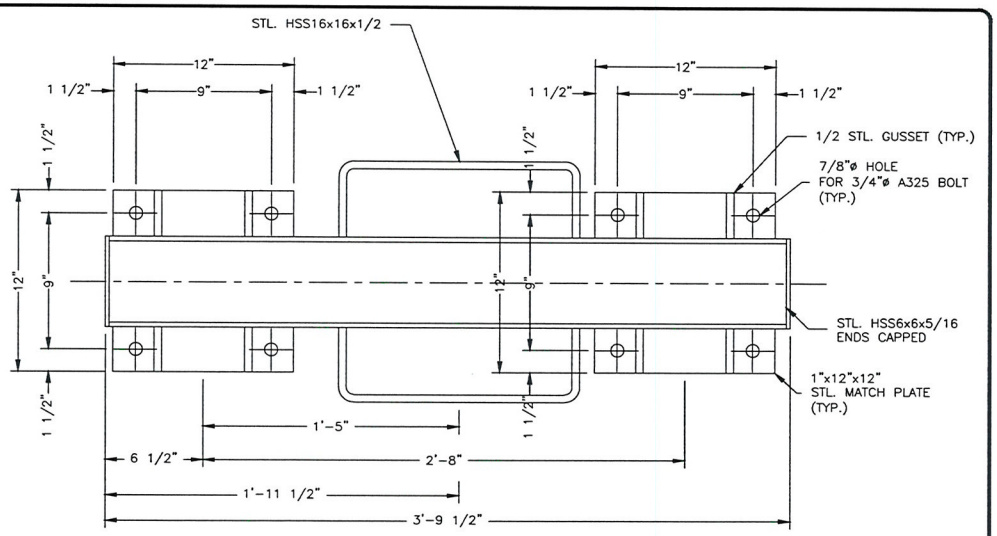
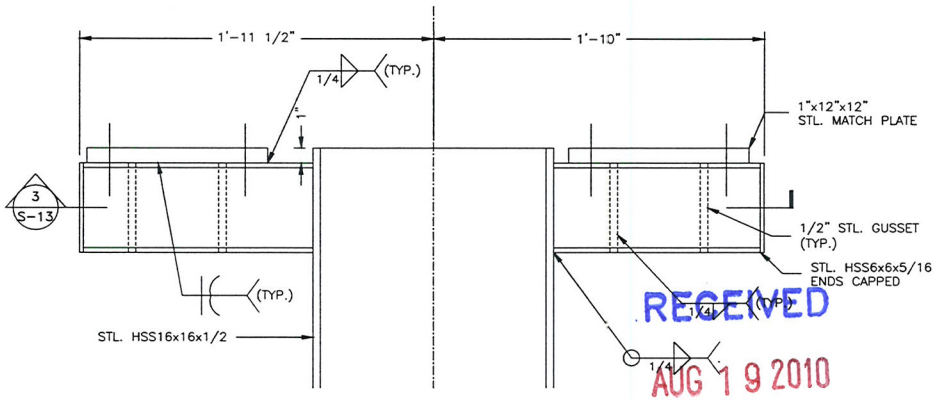


1 ELEVATION – UPPER FRAME
SCALE: 3/8" = 1'-0"



3 SECTION DETAIL
SCALE: 1 1/2" = 1'-0"



2 DETAIL
SCALE: 1 1/2" = 1'-0"

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STRUCTURAL OPTION #1

FEDERAL HEATH
SIGN COMPANY
4602 NORTH AVENUE, OCEANSIDE, CA. 92056
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NEON BONEYARD PARK
CITY OF LAS VEGAS
LAS VEGAS, NV

DESIGN NO: S-050710B	PROJECT MGR.: L. MORGAN
DRAWN BY: D. DUPREE	DATE: MAY 11, 2010
JOB NO: 21-04327	

SHEET NO: S-14
OF: 14

Drawing file: NEON BONEYARD LAS VEGAS, NV #21-04327 STEEL SUPPORT VERSION.dwg

VAR-39237

VAR-39237 - APPLICANT/OWNER: CITY OF LAS VEGAS
NORTHEAST CORNER OF LAS VEGAS BOULEVARD AND MCWILLIAMS AVENUE

08/19/10

VAR-39237 - APPLICANT/OWNER: CITY OF LAS VEGAS
NORTHEAST CORNER OF LAS VEGAS BOULEVARD AND MCWILLIAMS AVENUE

08/19/10

VAR-39237 - APPLICANT/OWNER: CITY OF LAS VEGAS
NORTHEAST CORNER OF LAS VEGAS BOULEVARD AND MCWILLIAMS AVENUE

08/19/10

August 19, 2010

Margo Wheeler, Director
City of Las Vegas
Planning & Development Department
731 S. 4th Street
Las Vegas, Nevada 89101

Dear Ms. Wheeler:

This is a request for a Variance to allow the height of a sign to be 40-foot where the previously approved Variance only allowed for a 37-foot height Variance. The three foot discrepancy is due to the embellishments at the top of the sign that were not considered in the original request. There will be no negative effect from this request and the sign continues to meet the criteria of the National Scenic Byway Signage Overlay Standards.

Thank you,

Yorgo Kagafas

Yorgo Kagafas
Planner II

VAR-39237

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

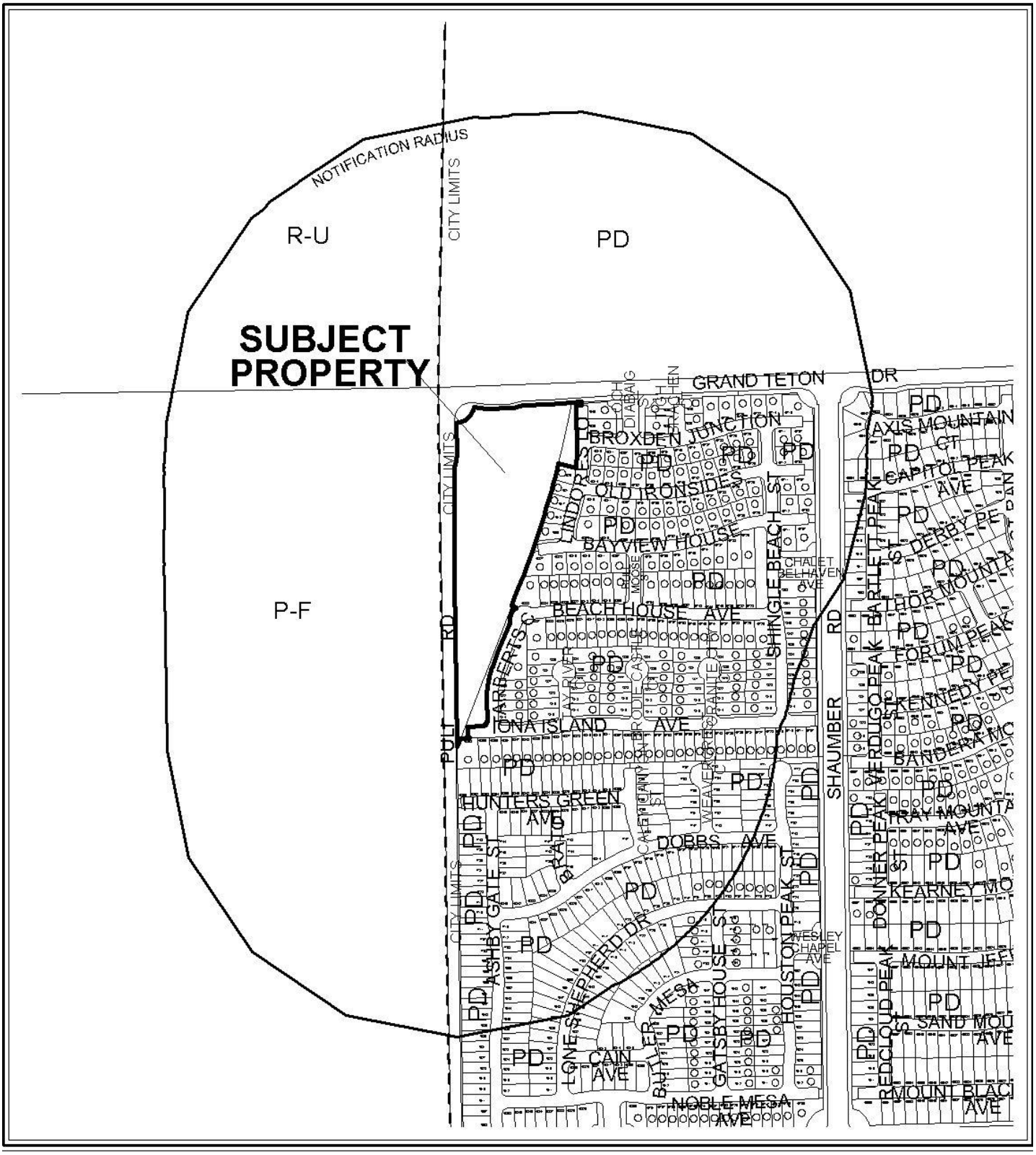
SUBJECT:
WVR-39089 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER: KB HOME NEVADA, INC. - Request for a Waiver of Title 18.12 TO ALLOW AN INTERNAL INTERSECTION OFFSET OF 115 FEET WHERE 125 FEET IS REQUIRED AND TO ALLOW PRIVATE STREETS TO TERMINATE IN DEAD-END STUBS WHERE CULS-DE-SAC ARE REQUIRED on 8.06 acres adjacent to the southeast corner of Puli Road and Grand Teton Drive (APNs 126-13-110-016, 126-13-118-039 and 041), PD (Planned Development) Zone [ML (Medium-Low Density Residential) Cliff's Edge Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE 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 - WVR-39089 and TMP-39088
2. Conditions and Staff Report - WVR-39089 and TMP-39088
3. Supporting Documentation
4. Photos - WVR-39089 and TMP-39088
5. Justification Letter - WVR-39089 and TMP-39088



CASE: **WVR-39089**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

CASE: **WVR-39089**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **WVR-39089** APN: 126-13-110-016, 126-13-118-039 & 041

Name of Property Owner: KB HOME NEVADA INC.

Name of Applicant: KB HOME NEVADA INC.

Name of Representative: JANET LOVE

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

State of Nevada
County of Clark

Print Name: ROBERT MCGIBNEY

Subscribed and sworn before me

This 18th day of August, 2010 by Robert McGibney.

Janet E. Love

Notary Public in and for said County and State

JANET E. LOVE
NOTARY PUBLIC - STATE OF NEVADA
COUNTY OF CLARK
APPT. No. 04-88128-1
MY APPT. EXPIRES APRIL 11, 2012

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: WAIVER

Project Address (Location) East of PULI ROAD and South of GRAND TETON DRIVE

Project Name CLIFF'S EDGE POD # 201 and 203 / UNIT # 5 **Proposed Use** Residential

Assessor's Parcel #(s) 126-13-110-016 & 126-13-118-039, 041 **Ward #** 6

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

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

Gross Acres 8.06 **Lots/Units** 52 **Density** 6.45

Additional Information _____

PROPERTY OWNER KB HOME NEVADA INC., **Contact** JANET LOVE

Address 5655 BADURA AVENUE **Phone:** 266-8466 **Fax:** 266-8623

City LAS VEGAS **State** NEVADA **Zip** 89118

E-mail Address jlove@kbhome.com

APPLICANT KB HOME NEVADA INC., **Contact** JANET LOVE

Address 5655 BADURA AVENUE **Phone:** 266-8466 **Fax:** 266-8623

City LAS VEGAS **State** NEVADA **Zip** 89118

E-mail Address jlove@kbhome.com

REPRESENTATIVE VTN-NEVADA **Contact** JEFFREY ARMSTRONG

Address 2727 S. RAINBOW BOULEVARD **Phone:** 253-2431 **Fax:** 362-2597

City LAS VEGAS **State** NEVADA **Zip** 89146

E-mail Address jeffreya@vtnnv.com

Property Owner Signature* _____

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

Print Name ROBERT McGIBNEY

State of Nevada
County of Clark
Subscribed and sworn before me

This 18th day of August, 20 10.

by Robert McGibney

Janet E. Love

Notary Public in and for said County and State

JANET E. LOVE
NOTARY PUBLIC - STATE OF NEVADA
COUNTY OF CLARK
APPT. No. 04-88128-1
MY APPT. EXPIRES APRIL 11, 2012

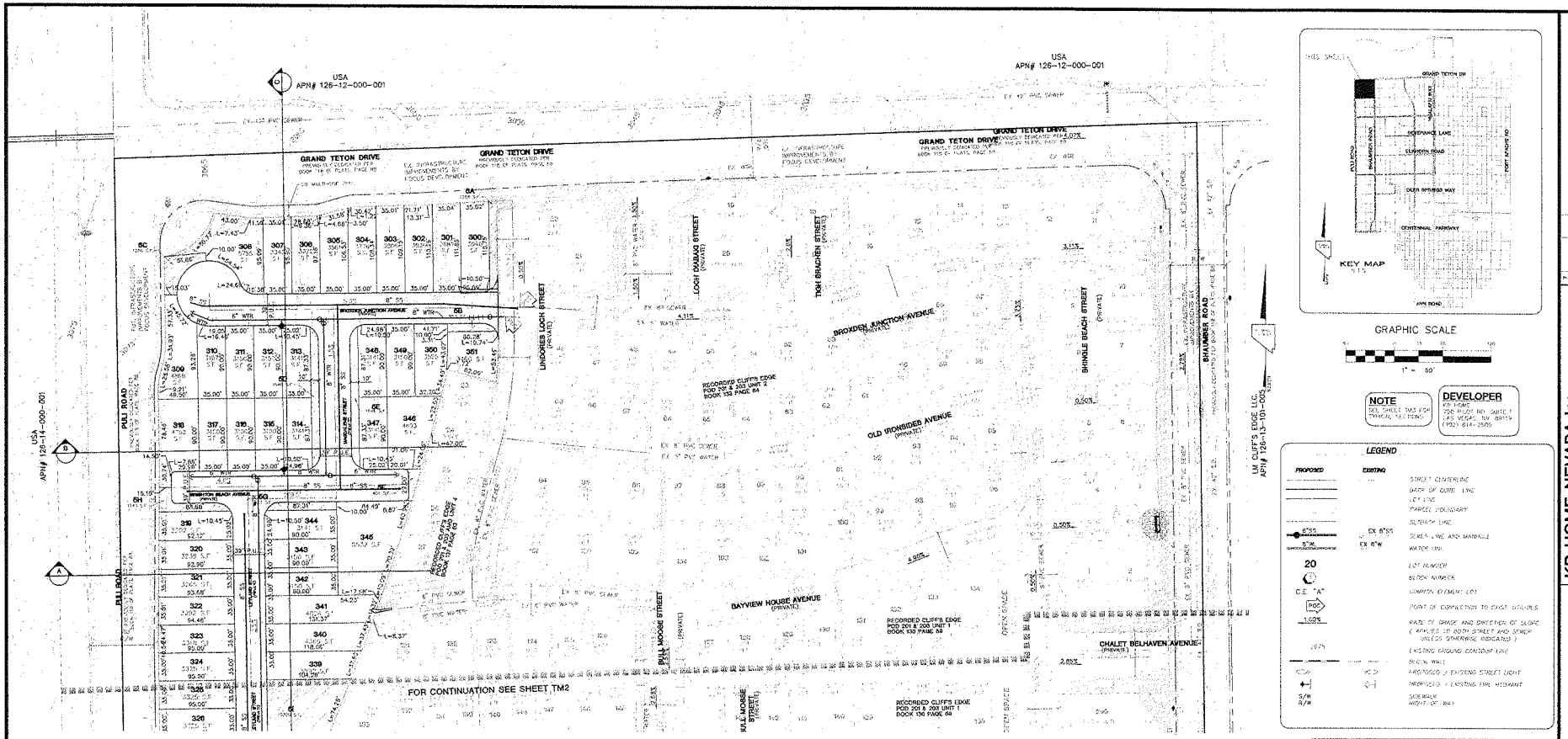
FOR DEPARTMENT USE ONLY

Case #
Meeting Date:
Total Fee:
Date Received:*
Received By:

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

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

Revised 10/27/08



GRAPHIC SCALE

1" = 60'

NOTE
SEE SHEET TM3 FOR TYPICAL SECTIONS

DEVELOPER
KB HOME
730 PILOT RD. SUITE F
LAS VEGAS, NV. 89119
(702) 614-2505

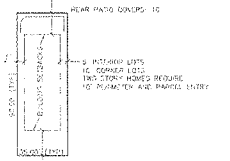
LEGEND

PROPOSED	EXISTING	
		STREET CENTERLINE
		BACK OF CURB LINE
		LOT LINE
		PARCEL BOUNDARY
		SETBACK LINE
SS 8"SDR	EX 8"SS	SEWER LINE AND MANHOLE
W 8"DR	EX 8"W	WATER LINE
20		LOT NUMBER
C.E. "A"		BLOCK NUMBER
POC		COMMON ELEMENT LOT
1.50%		POINT OF CONNECTION TO EXIST UTILITIES
2.00%		RATE OF GRADE AND DIRECTION OF SLOPE (APPLIES TO BOTH STREET AND SEWER UNLESS OTHERWISE INDICATED)
		EXISTING GROUND CONTOUR LINE
		RETAIN WALL
		PROPOSED / EXISTING STREET LIGHT
		PROPOSED / EXISTING FIRE HYDRANT
S/W R/W		SIDEWALK RIGHT OF WAY

SITE DATA (UNIT 5 ONLY)

PROPOSED ZONING	RC
NET AREA	5.94± ACRES
GROSS AREA	6.01± ACRES
NUMBER OF LOTS	20 LOTS
PROPOSED DENSITY (GAP=8.6 DU/AC)	3.45 DU/AC
NUMBER OF COMMON ELEMENT(S)	1
OPEN SPACE REQUIRED (50 LOTS x 375 sf)	1,906 sf
OPEN SPACE PROVIDED	4175 sf
GUEST PARKING REQUIRED (0.2 x 52)	11 SPACES
RESIDENT PARKING REQUIRED	104 SPACES
RESIDENT PARKING PROVIDED	208 SPACES
APN#'S	126-13-110-016, 126-13-110-020, AND 126-13-110-041

1. ALL IMPROVEMENTS SHALL CONFORM TO THE UNIFORM STANDARDS AND SPECIFICATIONS OF CLARK COUNTY, NEVADA
2. UTILITY SERVICES PROVIDED AS FOLLOWS:
   WATER: LAS VEGAS VALLEY WATER DISTRICT
   ELECTRIC: NV ENERGY
   GAS: SOUTHWEST GAS CORPORATION
   SEWER: CITY OF LAS VEGAS
   SOLID WASTE DISPOSAL: SILVER STATE DISPOSAL SERVICE
   TELEPHONE: CENTURY LINK
3. UTILITY EASEMENTS TO BE DEDICATED TO RESPECTIVE AGENCIES
4. SEWER CONTRIBUTION (BASED ON 52 LOTS)
   AVERAGE DAILY FLOW = 0.014 MGD
   PEAK FLOW (PF=4.5) = 0.063 MGD
5. EXISTING STORMDRAINS TO COMPLY WITH CLIFF'S EDGE DESIGN GUIDELINES
6. STORM WATER TO SURFACE DRAIN ON STREETS
7. THIS DEVELOPMENT IS A PORTION OF A MASTER PLAN SHOWN BY SUMMA CORP. PLANNED AREA
8. THIS DEVELOPMENT DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD ZONE AS DESIGNATED BY FEMA (FEL NO. 32003C0125D.)
9. ALL INTERIOR TEMPER AND WATER MAINS ARE 8" UNLESS OTHERWISE SHOWN
10. ALL INTERIOR STREETS ARE PRIVATE 28' WIDE UNLESS OTHERWISE SHOWN
11. ALL INTERIOR PROPERTY LINE RADII = 20'. AT INTERSECTIONS AND 30' EXTERIOR PROPERTY LINE RADII
12. THIS SUBDIVISION WILL HAVE CC&RS IN TO MAINTAIN LANDSCAPING IN PERIMETERS BY THE HOME OWNERS ASSOCIATION
13. COMMON ELEMENTS AND LANDSCAPING PER CLIFF'S EDGE DESIGN GUIDELINES
14. THERE ARE NO KNOWN FAULTS OR FISSURES ON OR NEAR THIS SITE
15. SEEPS, SPRINGS, OR OTHER INDICATIONS OF HIGH GROUND WATER LEVELS NEAR, NOT NOTED ON THE SURVEY PROPERTY
16. THE BOUNDARY FOR THIS PROJECT IS FROM SURVEY BOUNDARY. ALL LOT DIMENSIONS ARE PRELIMINARY AND WILL VARY FROM FINAL MAP
17. NO EXISTING STRUCTURES ON SITE LOCATION



NOTE: ARCHITECTURAL PROJECTIONS MAY PROJECT A MAXIMUM 3' INTO REQUIRED SETBACKS, BUT BE NO CLOSER THAN 5' TO ANY CLOSER TO 5' FROM THE PROPERTY LINE.

TYPICAL LOT DETAIL
35' x 90' LOTS

Call before you Dig 1-800-227-2600

Call before you Overhead 1-702-227-2929

Call before you Underground 1-702-455-7511

1-702-229-6611

BASIS OF BEARING
THE BASIS OF BEARINGS FOR THIS PROJECT IS NORTH 00°09'19" EAST BEING THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA, AS SHOWN ON A RECORD OF SURVEY ON FILE IN THE CLARK COUNTY, NEVADA, RECORDERS OFFICE IN FILE 123 AT PAGE 37.

PROJECT BENCHMARK
PROJECT DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)
CLARK COUNTY GEODETIC CONTROL "1000 AXIS"
NAVD88 ELEVATION: 781.794 METERS (2564.62 FEET)
RIVET AND SQUARE ALUMINUM PLATE IN A CONCRETE CYLINDER, LOCATED 25' SOUTH & 30' EAST OF GRAND CANYON DRIVE AND OLD CROW AVENUE, 1' WEST OF ELECTRICAL VAULT

DRAWN BY: MJD	Feb. 17, 10		
DESIGNED BY: MJD	Feb. 17, 10		
CHECKED BY: KHN	Feb. 17, 10	SCALE: 1"=60' HORIZ. N/A VERT.	
PROJECT NO: 1333-5			

KENNETH H. NICHOLSON — No. 10539 — CIVIL — STATE OF NEVADA — EXPIRES 12-31-11

SHEET TM1
1 OF 5 SHEETS
DRAWING NO.

NO.	DATE	BY	REVISION
1			
2			
3			
4			
5			
6			
7			

KB HOME NEVADA Inc.
3855 BUDGET AVE.
LAS VEGAS, NV 89118
(702) 258-3400

CITY OF LAS VEGAS

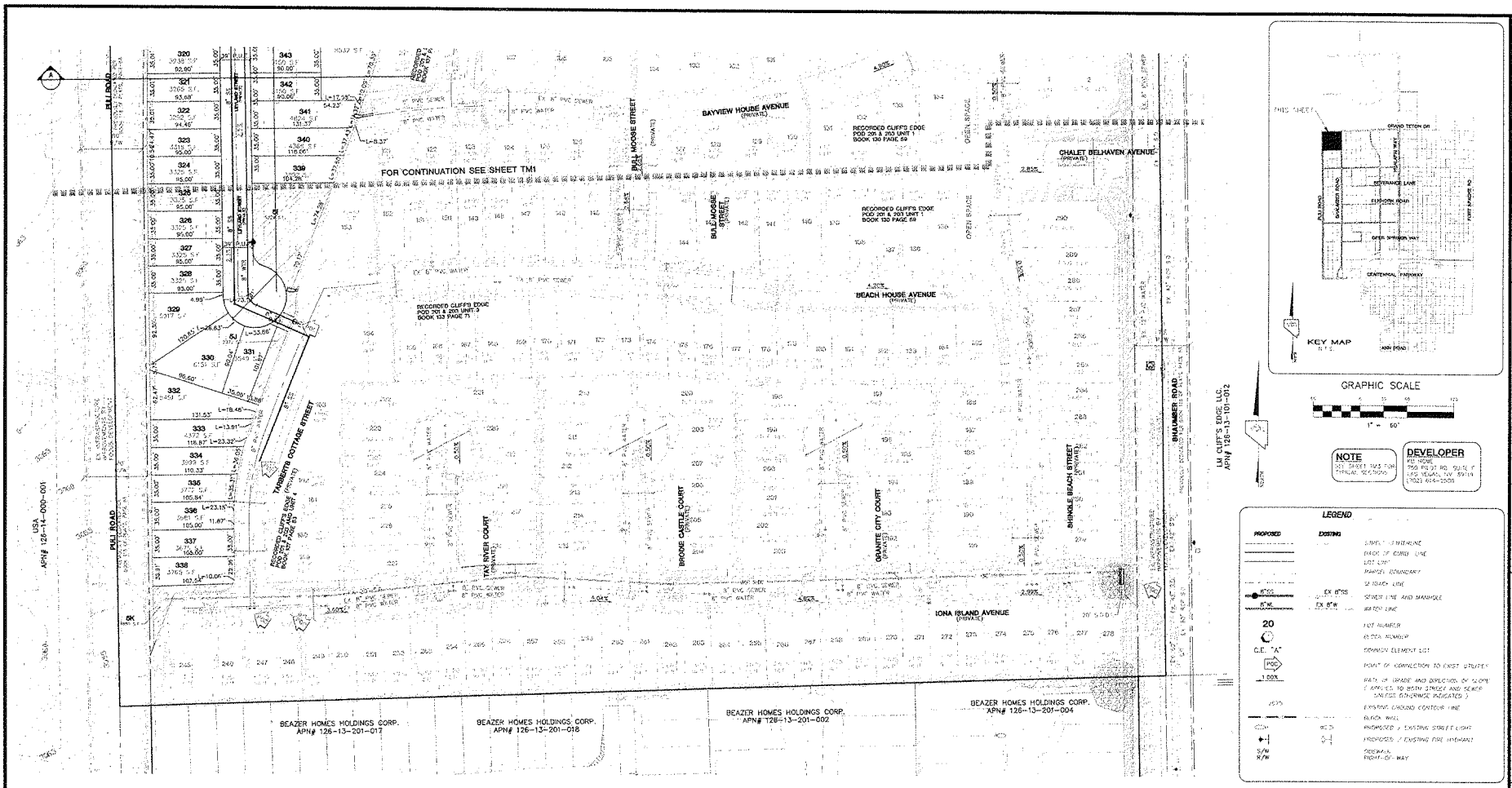
TENTATIVE MAP

CLIFF'S EDGE
POD 201 & 203
UNIT 5

2727 SOUTH RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89146-5148
PH. (702) 873-7250 FAX (702) 252-2937 WEB WWW.JYNV.COM
CONSULTING ENGINEERS ● PLANNERS ● LAND SURVEYORS

RECEIVED
SEP 08 2010

WVR-39089
TMP-39088
REVISED



Call before you Dig 1-800-227-2600

Call before you Overhead 1-702-227-2929

Call before you Underground 1-702-455-7511

1-702-229-6611

BASIS OF BEARING

THE BASIS OF BEARINGS FOR THIS PROJECT IS NORTH 90°58'16" EAST BEING THE EAST LINE OF THE NORTHWEST QUARTER (NE 1/4) OF THE SECTION 24, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA, AS SHOWN ON A RECORD OF SURVEY ON FILE IN THE CLARK COUNTY, NEVADA RECORDER'S OFFICE, IN FILE 123 AT PAGE 32.

PROJECT BENCHMARK

PROJECT DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)

CLARK COUNTY VERTICAL CONTROL: 1000 ENG.
NAVD88 ELEVATION: 707.794 METERS (2,584.62 FEET)

RIVET AND SQUARE ALUMINUM PLATE IN A CONCRETE CYLINDER, LOCATED 20' SOUTH & 50' EAST OF GRAND CANYON DRIVE AND RED COACH AVENUE, 1' WEST OF ELECTRICAL VAULT.

RECEIVED SEP 08 2010

KB HOME NEVADA Inc.
5455 SAHARA AVE
LAS VEGAS, NV 89115
(702) 266-8400

CITY OF LAS VEGAS

2727 SOUTH RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89146-5148
PH. (702) 873-7550 FAX (702) 362-2597 WEB WWW.VTNINV.COM
CONSULTING ENGINEERS ● PLANNERS ● LAND SURVEYORS

TENTATIVE MAP

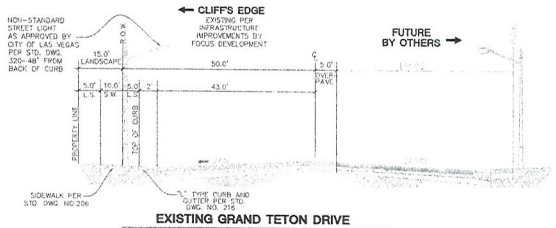
CLIFF'S EDGE
POD 201 & 203
UNIT 5

DRAWN BY: MJD Feb. 17, 10
DESIGNED BY: MJD Feb. 17, 10
CHECKED BY: MJD Feb. 17, 10
PROJECT NO. 6335-5
SCALE: 1"=60' HORIZ. NA VERT.

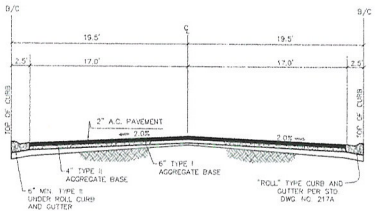
PROFESSIONAL ENGINEER STATE OF NEVADA
KENNETH F. NICHOLSON
CIVIL
No. 10539
EXPIRES 12-31-11

SHEET TM2
2 OF 5 SHEETS
DRAWING NO.

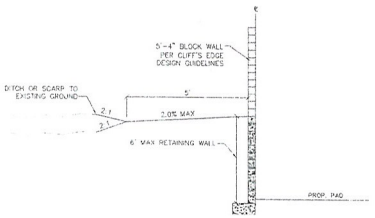
WVR-39089
TMP-39088
REVISED



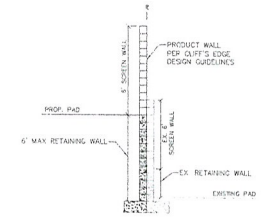
EXISTING GRAND TETON DRIVE
DEVIATION FROM STANDARDS
100.0' R.O.W.
N.T.S.



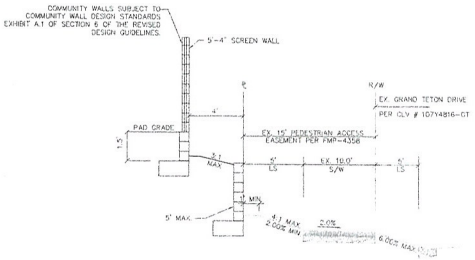
TYPICAL INTERIOR STREET SECTION
39.0' B/C
N.T.S.



WEST PERIMETER WALL DETAIL
PER SECTION 6.2.2.1
N.T.S.



EAST PERIMETER WALL DETAIL
PER SECTION 6.2.2.1
N.T.S.



NORTH PERIMETER
RET. WALL DETAIL
N.T.S.

RECEIVED
SEP 08 2010

REV.	DATE	BY	REVISION
7			
6			
5			
4			
3			
2			
1			

KB HOME NEVADA Inc.
5555 BADURA AVE.
LAS VEGAS, NV. 89118
(702) 285-8400

CITY OF LAS VEGAS
2727 SOUTH RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89146-5148
PH. (702) 873-7550 FAX (702) 362-2597 WEB WWW.VTNNV.COM
CONSULTING ENGINEERS ● PLANNERS ● LAND SURVEYORS

TENTATIVE MAP

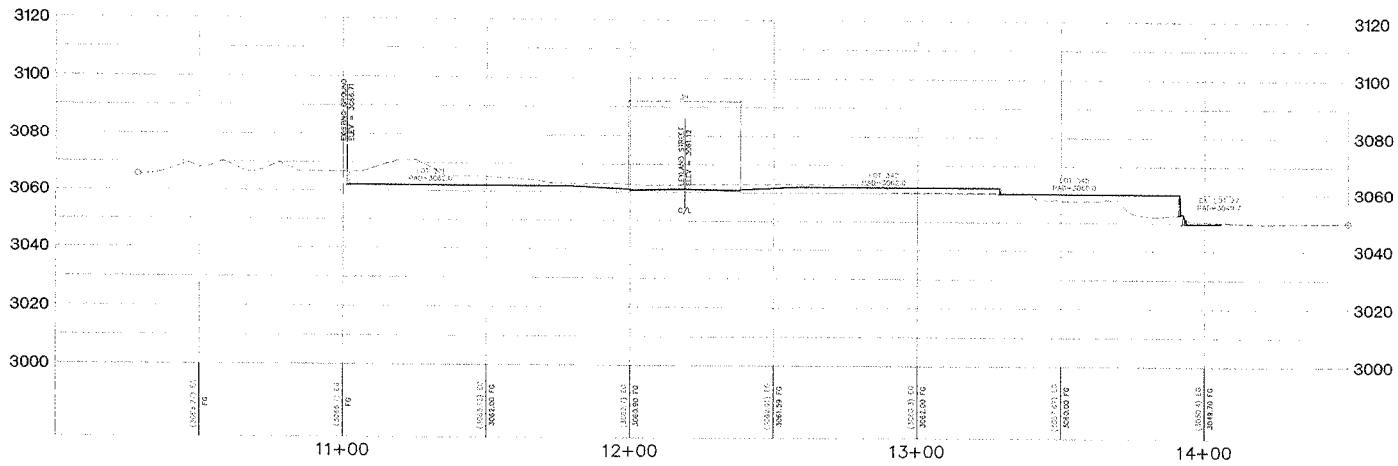
CLIFFS EDGE
POD 201 & 203
UNIT 5

DRAWN BY: MKD Feb. 17, 10
DESIGNED BY: MKD Feb. 17, 10
CHECKED BY: KFN Feb. 17, 10
PROJECT NO. 8335-3
SCALE: N/A HORIZ. NA VERT.

PROFESSIONAL ENGINEER STATE OF NEVADA
KENNETH F. NICHOLSON
CIVIL
No. 10539
EXPIRES 12-31-11

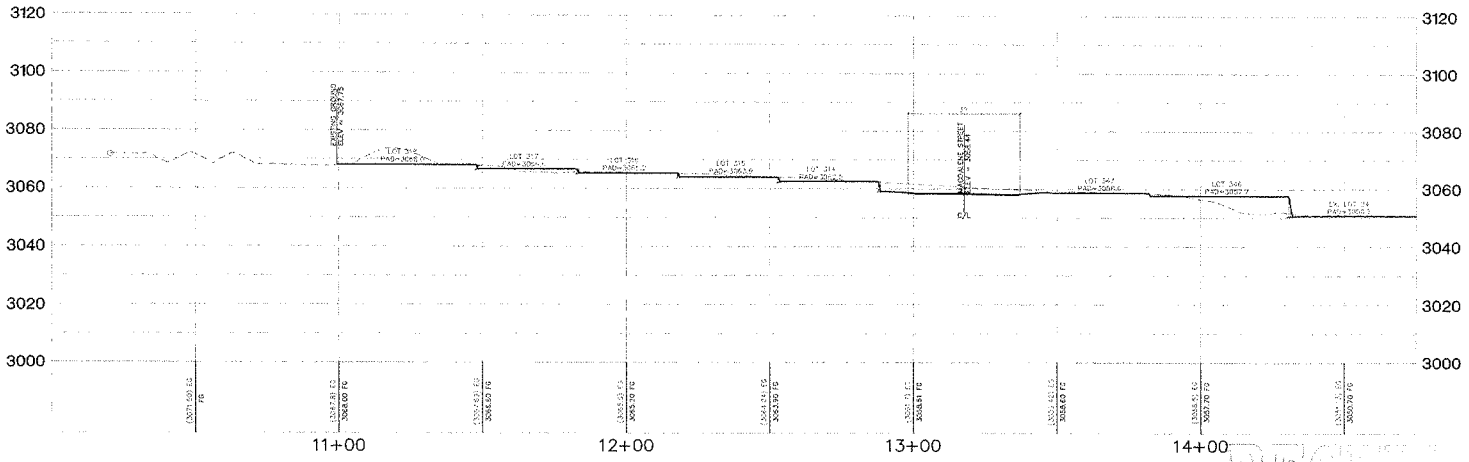
SHEET
TM3
3 OF 5 SHEETS
DRAWING NO.

WVR-39089
TMP-39088
REVISED



CROSS SECTION A

SCALE
HORZ = 1"=20'
VERT = 1"=20'



CROSS SECTION B

SCALE
HORZ = 1"=20'
VERT = 1"=20'

RECEIVED
SEP 08 2010

KB HOME NEVADA Inc.
5655 BADURA AVE.
LAS VEGAS, NV 89118
(702) 355-8400

CITY OF LAS VEGAS

2727 SOUTH RANDOM BOULEVARD
LAS VEGAS, NEVADA 89146-5149
PH (702) 873-7350 FAX (702) 362-2597 WEB WWW.VTNNV.COM
CONSULTING ENGINEERS ● PLANNERS ● LAND SURVEYORS

TENTATIVE MAP

CLIFF'S EDGE
POD 201 & 203
UNIT 5

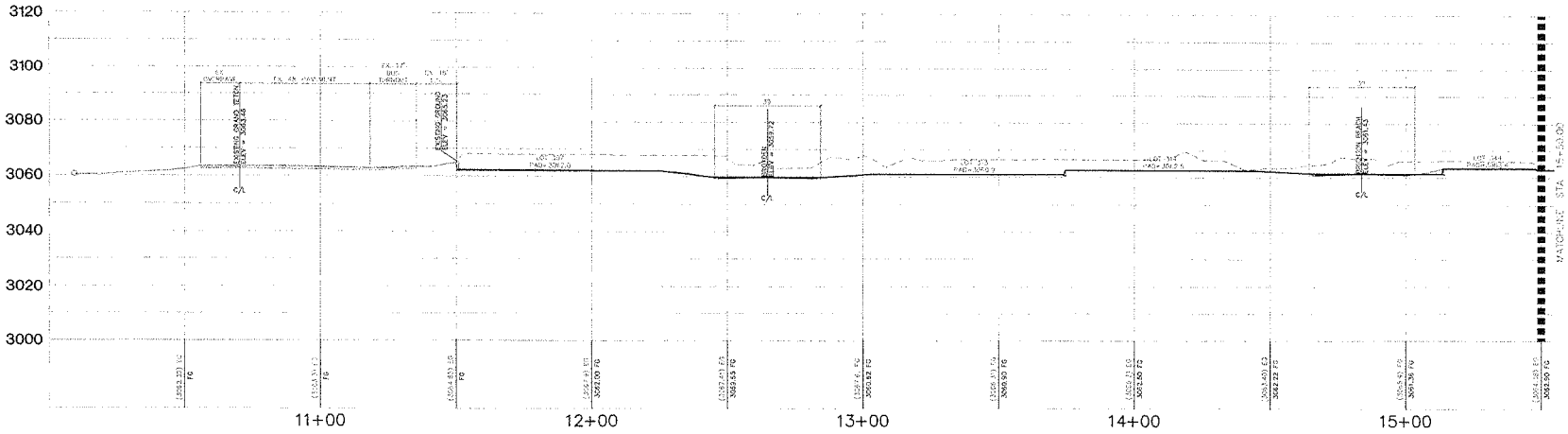
REV	DATE	BY	REVISION
7			
6			
5			
4			
3			
2			
1			

DRAWN BY: MND Feb. 17, 10
DESIGNED BY: MDD Feb. 17, 10
CHECKED BY: KFN Feb. 17, 10
PROJECT NO. 6335-3
SCALE: 1"=20' HORIZ. 1"=20' VERT.

PROFESSIONAL ENGINEER STATE OF NEVADA
KENNETH F. NICHOLSON
CIVIL
EXPIRES 12-31-11

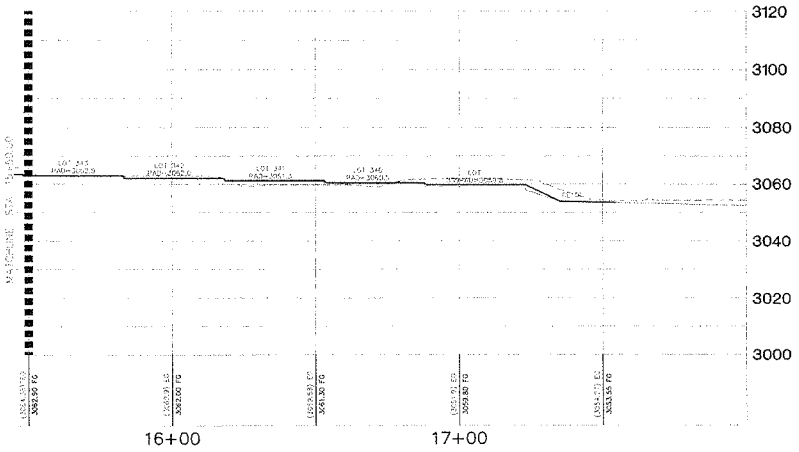
SHEET
TM4
4 OF 5 SHEETS
DRAWING NO

WVR-39089
TMP-39088
REVISED



CROSS SECTION C

SCALE
HORZ = 1"=20'
VERT = 1"=10'



CROSS SECTION C

SCALE
HORZ = 1"=20'
VERT = 1"=10'

RECEIVED
SEP 08 2010

WVR-39089
TMP-39088
REVISED

KB HOME NEVADA Inc.
5635 SAHARA AVE.
LAS VEGAS, NEVADA 89146
(702) 228-4900

CITY OF LAS VEGAS

2727 SOUTH RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89146-5148
PH. (702) 873-7550 FAX (702) 362-2237 WEB WWW.KTGNV.COM
CONSULTING ENGINEERS ● PLANNERS ● LAND SURVEYORS

TENTATIVE MAP

CLIFFS EDGE
POD 201 & 203
UNIT 5

NO	DATE	BY	REVISION
7			
6			
5			
4			
3			
2			
1			

DRAWN BY: WKD — Feb. 17, 10
DESIGNED BY: MJD — Feb. 17, 10
CHECKED BY: KFN — Feb. 17, 10
PROJECT NO.: 5335-5
SCALE: 1"=50' HORZ. 1"=20' VERT.

PROFESSIONAL ENGINEER
KENNETH F. NICHOLSON
CIVIL
No. 10539
EXPIRES 12-31-11
STATE OF NEVADA

SHEET
TM5
5 OF 5 SHEETS
DRAWING NO

WVR-39089 & TMP-39088 - APPLICANT/OWNER: KB HOME NEVADA, INC.
SOUTHEAST CORNER OF PULI ROAD AND GRAND TETON DRIVE

08/19/10

WVR-39089 & TMP-39088 - APPLICANT/OWNER: KB HOME NEVADA, INC.
SOUTHEAST CORNER OF PULI ROAD AND GRAND TETON DRIVE

08/19/10

WVR-39089 & TMP-39088 - APPLICANT/OWNER: KB HOME NEVADA, INC.
SOUTHEAST CORNER OF PULI ROAD AND GRAND TETON DRIVE

08/19/10

WVR-39089 & TMP-39088 - APPLICANT/OWNER: KB HOME NEVADA, INC.
SOUTHEAST CORNER OF PULI ROAD AND GRAND TETON DRIVE

08/19/10

WVR-39089 & TMP-39088 - APPLICANT/OWNER: KB HOME NEVADA, INC.
SOUTHEAST CORNER OF PULI ROAD AND GRAND TETON DRIVE

08/19/10

PROVIDING QUALITY PROFESSIONAL
SERVICES SINCE 1960

August 4, 2010, Revised 8-23-2010

W.O. # 6335-5

City of Las Vegas
Development Services
731 South Fourth Street
Las Vegas, Nevada 89101

RE: **Waiver to Title 18.12**

Planning Department,

On behalf of our client, KB Homes of Nevada, VTN Nevada respectfully submits this letter for two (2) Waivers of Title 18. Specifically, we request a waiver of the Subdivision Code, 18.12, requiring a turnaround at the end of a private street. The second waiver is to Subdivision Code, 18.12.160, requiring 125 feet from centerline to centerline along Brighton Beach Avenue, between Magdalene Street and Leyland Street. This site is located east of Puli Road and south of Grand Teton Drive.
The proposed project is unit # 6 of Cliff's Edge Pods 201 and 203, previously identified as open area. The proposed 52 lot subdivision will be access for Unit # 5 via private streets. The stub street identified as "Brighton Beach Avenue" will provide access to a maximum of 2 lots at each end. These requested waiver are due to the triangular configuration of the parcel, coupled to the need to develop maximum number of lots, the project as design provide the most efficient layout for a parcel of this configuration.

Should you have any further questions regarding this matter, please do not hesitate to telephone this office at 873-7550.

Sincerely,
VTN-Nevada

Jeffrey R.Armstrong, Senior Planner
cc: Janet Love, KB Homes of Nevada
Ken Nicholson, PM-VTN

RECEIVED
AUG 26 2010

WVR-39089
TMP-39088
REVISED

Corporate Headquarters
Las Vegas, Nevada
2727 South Rainbow Blvd
Las Vegas, NV 89146-5148
Office 702.873.7550 fax 702.362.2597
www.vtnnv.com

Mesquite, Nevada Office
450 Hillside Drive A - 200
Mesquite, NV 89027-3118
Office 702.873.7550 fax 702.362.2597
www.vtnnv.com

Phoenix, Arizona Office
2375 East Camelback Road, Suite 500
Phoenix, AZ 85016-3424
Office 602.387.5202 fax 602.387.4286
www.vtnnv.com

Chino Valley, Arizona Office
140 North Highway 89
Chino Valley, AZ 86323-5944
Office 928.636.1146 fax 928.636.1568
www.vtnnv.com

consulting engineers • planners • surveyors

PROVIDENCE

3455 Cliff Shadows Parkway, Suite 220
Las Vegas, Nevada 89129
(702) 242-4949 ~ FAX: 242-0414

7/29/10

Christa Bilbrey
KB Home
5655 Badura Avenue
Las Vegas, NV 89118

Via: E-mail (cbilbrey@kbhome.com) and Prolog Website

RE: Providence Master Plan Community
Project Plan: Tentative Map Submittal
POD: 201/203 – Cambridge – Unit 4
Plan Date: 7/13/10

Dear Christa:

The Providence Design Review Committee (DRC) is in receipt of your Tentative Map submittal for the aforementioned POD.

The DRC **conditionally approves** your Tentative Map for POD 201/203 – Cambridge subject to the following:

- That this Tentative Map's conditions of approval granted by the City of Las Vegas will not refer to dedication of right-of-way necessary for the City of Las Vegas' northern beltway (Sheep Mountain Parkway);
- That the City of Las Vegas' previous tentative map approvals for POD 201/203, specifically, TMP-5290 and TMP-20526, shall be expunged so that the conditions contained therein referring to dedication of right-of-way necessary for the City of Las Vegas' northern beltway (Sheep Mountain Parkway) no longer exist;
- That KB Home demonstrate the above requirements have been met by filing with the Providence Design Review Committee the new conditions of approval for this Tentative Map once the Tentative Map has been approved by the City of Las Vegas' Planning Commission;
- The approved density of POD 201/203 was reduced to eight units per acre. Please revise the "Site Data" block to reflect this;
- Please provide the total number of lots proposed within POD 201/203 as shown on this revised Tentative Map;
- Please verify this revision conforms to an overall density of eight units per acre for POD 201/203.

RECEIVED
AUG 04 2010

WVR-39089
TMP-39088

PROVIDENCE
Master Planned Community

Unless specifically waived, all elements within Providence must comply with the terms and conditions of the Design Guidelines and other governing documents. The approval granted herein applies only to the specific items as noted above, and does not constitute an approval of every specific element of the submittal, nor does it constitute a waiver of Providence's rights to enforce compliance with the Design Guidelines and other governing documents. Should an element of the submittal not comply with the Design Guidelines or other governing documents, and is not specifically approved, Providence reserves all of its rights with respect to enforcement of the terms and conditions of such documents as to the non-conforming element. All non-conforming elements must be specifically noted and a specific waiver must be submitted with respect thereto.

If you have any questions, please do not hesitate to contact our office.

Sincerely,
Providence Design Review Committee

Calvin Champlin
Senior Vice President of Entitlements

cc via email: Chris Dingell – Focus

Enclosures (none)

RECEIVED
AUG 04 2010

WVR-39089
TMP-39088

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

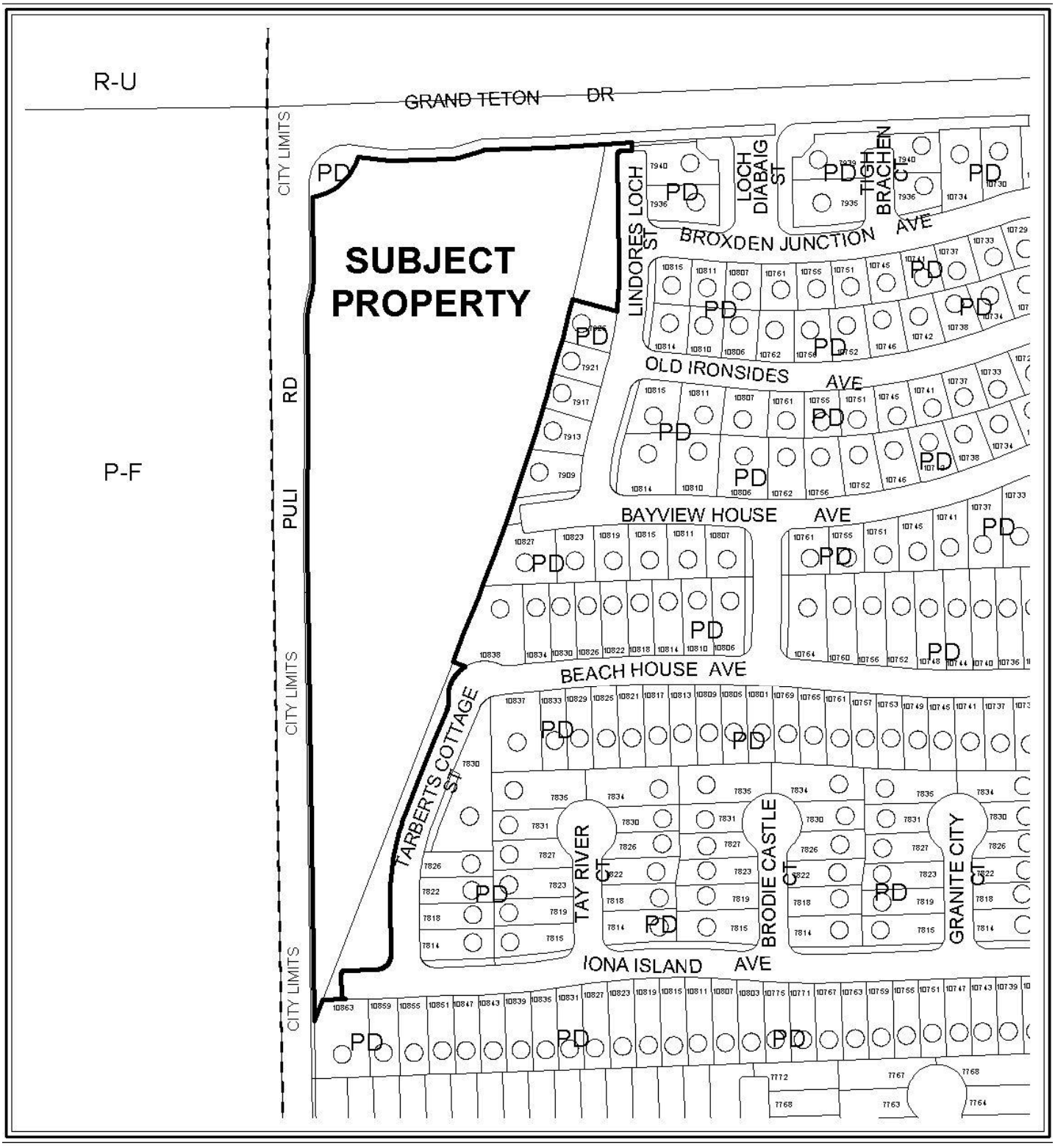
SUBJECT:
TMP-39088 - TENTATIVE MAP - CLIFF'S EDGE POD 201 AND 203 UNIT 5 - APPLICANT/OWNER: KB HOME NEVADA, INC. - Request for a Tentative Map FOR A 52-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 8.06 acres adjacent to the southeast corner of Puli Road and Grand Teton Drive (APNs 126-13-110-016, 126-13-118-039 and 041), PD (Planned Development) Zone [ML (Medium-Low Density Residential) Cliff's Edge Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE FINAL ACTION
(Unless Appealed Within Seven 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. Consolidated Backup
3. Supporting Documentation



0 100 200 Feet

CASE: TMP-39088

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N

0 100 200 Feet

CASE: TMP-39088

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N

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: **TMP-39088** APN: 126-13-110-016, 126-13-118-039 & 041

Name of Property Owner: KB HOME NEVADA INC.

Name of Applicant: KB HOME NEVADA INC.

Name of Representative: JANET LOVE

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

State of Nevada
County of Clark

Print Name: ROBERT MCGIBNEY

Subscribed and sworn before me

This 18th day of August, 2010 by Robert McGibney.

_____
Notary Public in and for said County and State

JANET E. LOVE
NOTARY PUBLIC - STATE OF NEVADA
COUNTY OF CLARK
APPT. No. 04-88128-1
MY APPT. EXPIRES APRIL 11, 2012

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: TENTATIVE MAP

Project Address (Location) East of PULI ROAD and South of GRAND TETON DRIVE

Project Name CLIFF'S EDGE POD # 201 and 203 / UNIT # 5 **Proposed Use** Residential

Assessor's Parcel #(s) 126-13-110-016 & 126-13-118-039, 041 **Ward #** 6

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

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

Gross Acres 8.06 **Lots/Units** 52 **Density** 6.45

Additional Information _____

PROPERTY OWNER KB HOME NEVADA INC., **Contact** JANET LOVE

Address 5655 BADURA AVENUE **Phone:** 266-8466 **Fax:** 266-8623

City LAS VEGAS **State** NEVADA **Zip** 89118

E-mail Address jlove@kbhome.com

APPLICANT KB HOME NEVADA INC., **Contact** JANET LOVE

Address 5655 BADURA AVENUE **Phone:** 266-8466 **Fax:** 266-8623

City LAS VEGAS **State** NEVADA **Zip** 89118

E-mail Address jlove@kbhome.com

REPRESENTATIVE VTN-NEVADA **Contact** KATHY DANCHO

Address 2727 S. RAINBOW BOULEVARD **Phone:** 253-2469 **Fax:** 362-2597

City LAS VEGAS **State** NEVADA **Zip** 89146

E-mail Address kathyd@vtnnv.com

Property Owner Signature* _____

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

Print Name ROBERT McGIBNEY

State of Nevada
County of Clark

Subscribed and sworn before me

This 18th day of August, 2010.

by Robert McGibney.

Janet E. Love

Notary Public in and for said County and State

JANET E. LOVE
NOTARY PUBLIC - STATE OF NEVADA
COUNTY OF CLARK
APPT. No. 04-88128-1
MY APPT. EXPIRES APRIL 11, 2012

FOR DEPARTMENT USE ONLY

Case #
Meeting Date:
Total Fee:
Date Received:*
Received By:

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

Revised 10/27/08

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

TENTATIVE MAP CLIFF'S EDGE POD 201 & 203 Unit 5

STREET NAMES

Brighton Beach

Broxden Junction

Leyland

Magdalene

RECEIVED

AUG 04 2010

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

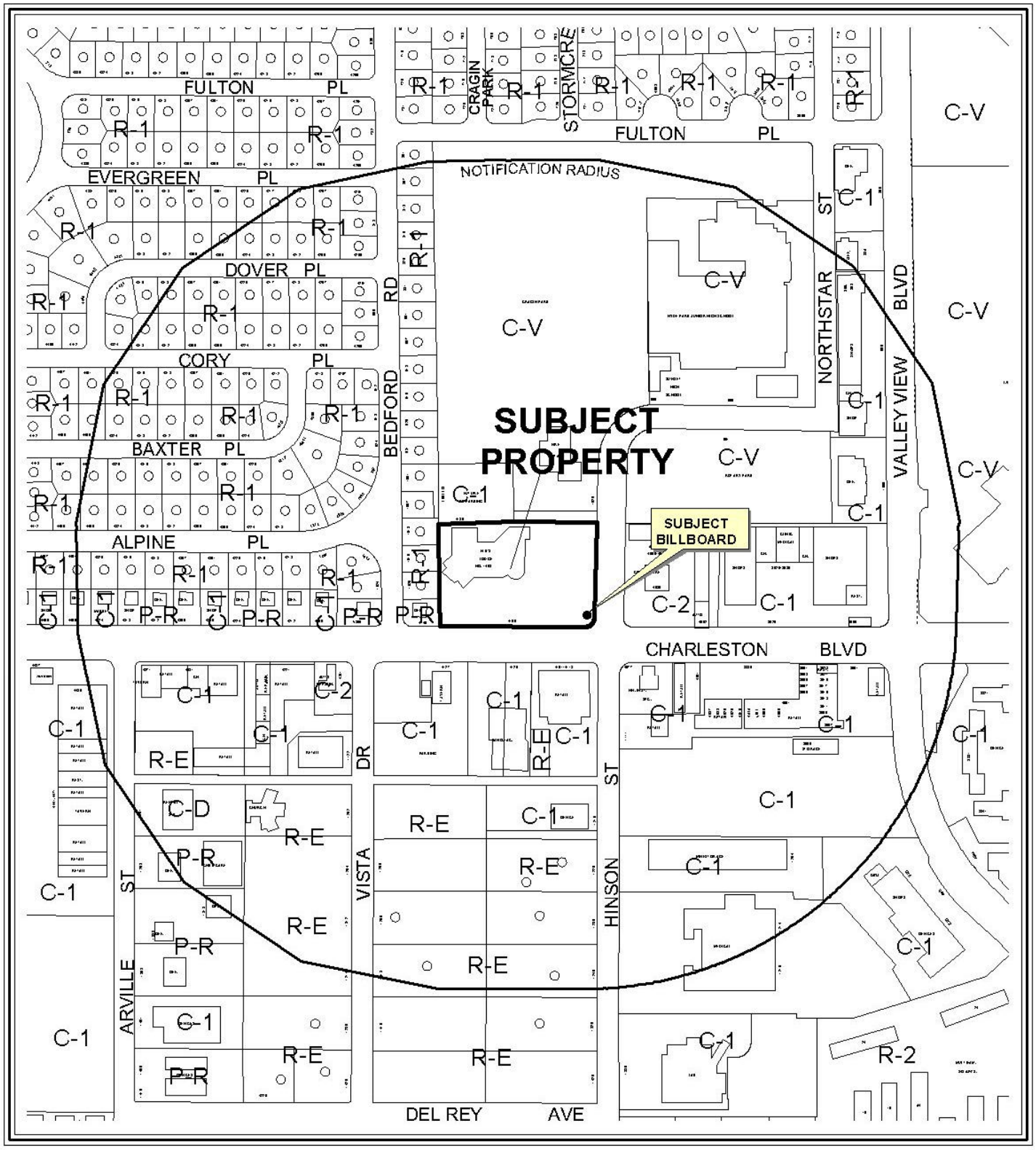
SUBJECT:
RQR-39097 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: LODGE BPOE #1468 - Required Review of a previously approved Special Use Permit (U-0216-90) FOR A 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 4100 West Charleston Boulevard (APN 139-31-801-009), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE 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 RQR-21349



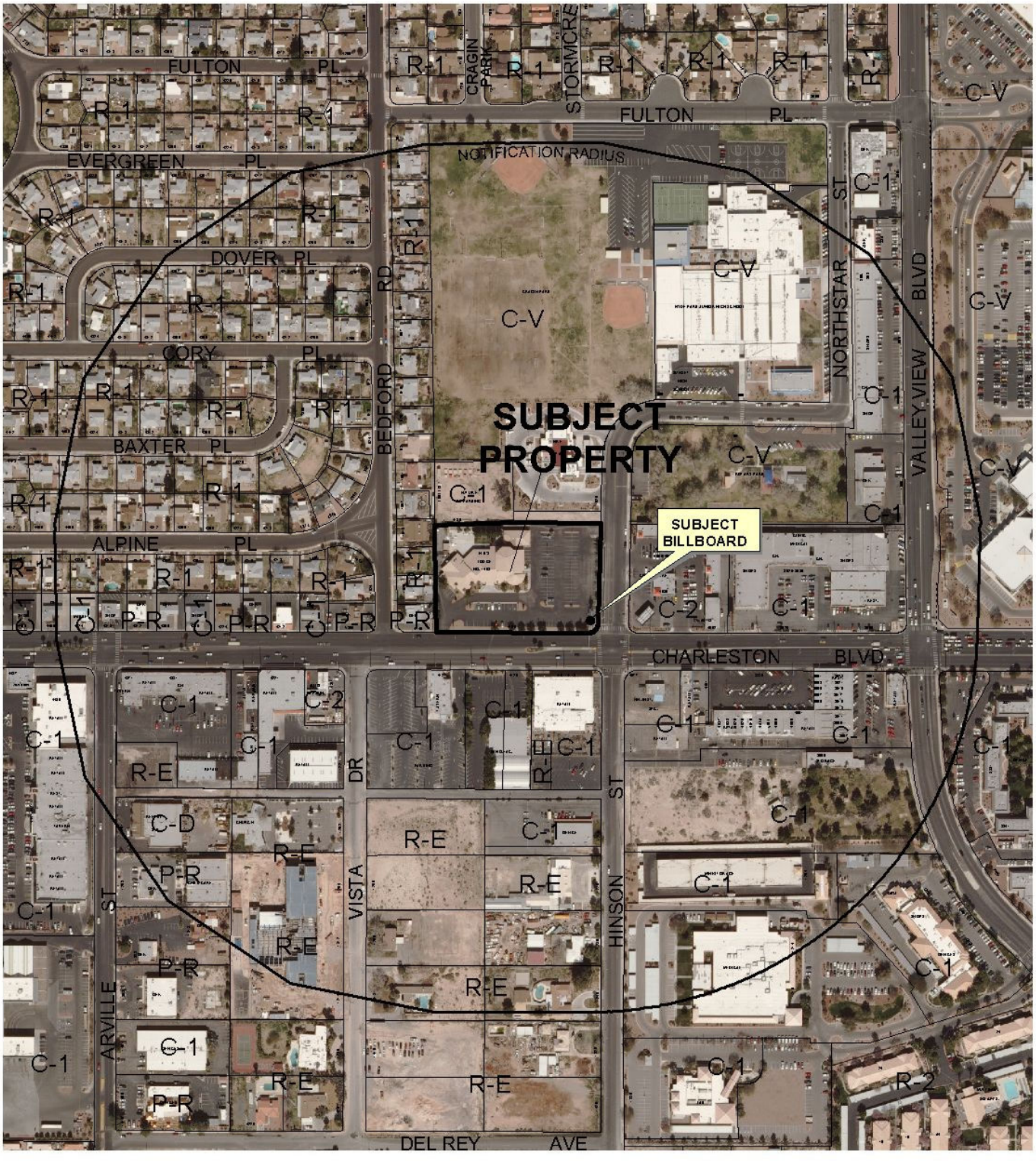
0 400 800 Feet

CASE: **RQR-39097**

RADIUS: 1000 FT

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

N



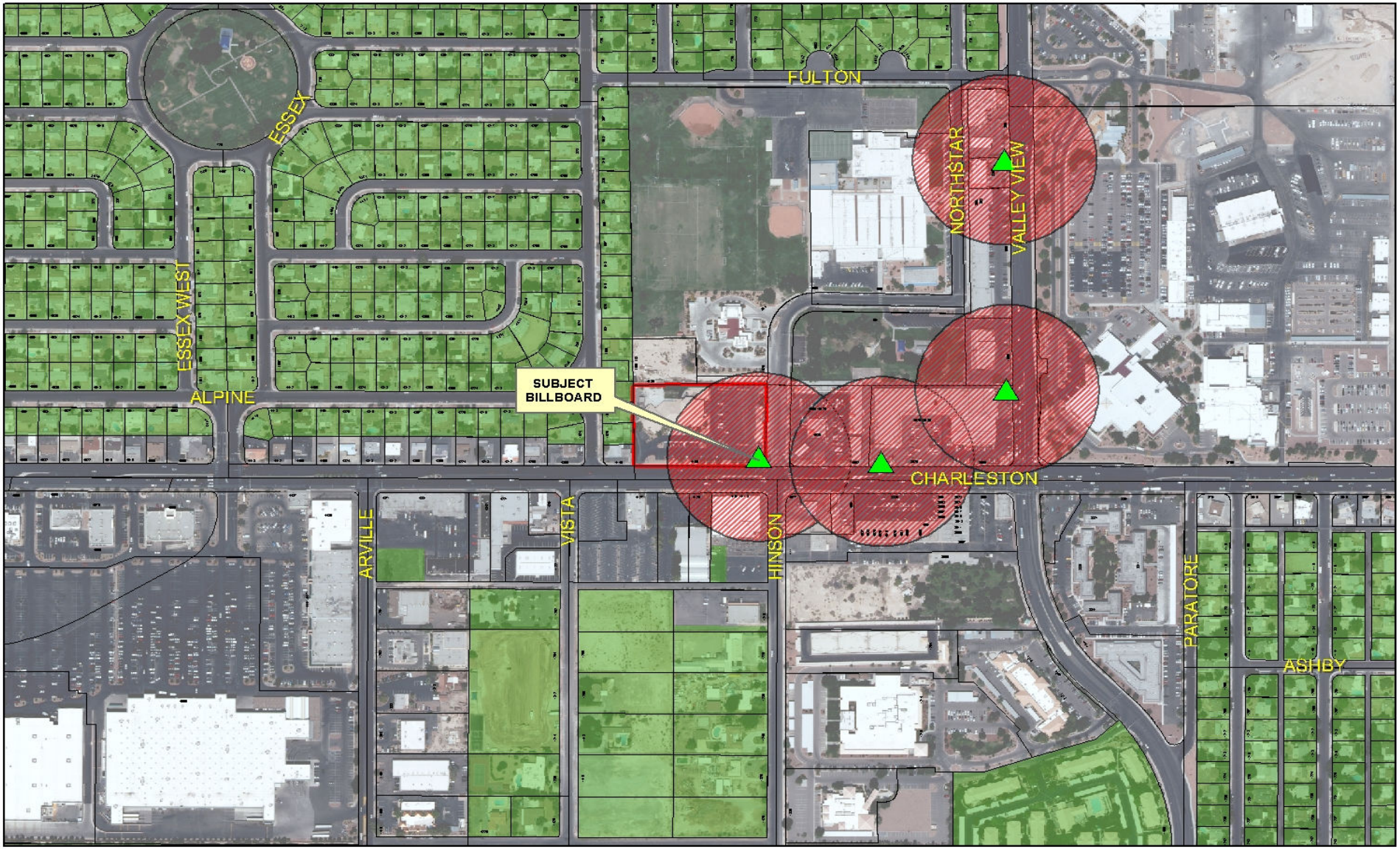
0 400 800 Feet

CASE: **RQR-39097**

RADIUS: 1000 FT

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

N



RQR-39097

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location

City of Las Vegas Billboard Data

- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Residential Zoned Property
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: LODGE BPOE #1468

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
RQR-39097	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

RQR-39097 CONDITIONS

Planning and Development

1. This Special Use Permit (U-0216-90) shall be reviewed in three (3) years, at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign be removed.

2. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign.

4. If the existing Off-Premise Sign is voluntarily demolished, this Special Use Permit (U-0216-90) shall be expunged and a new Off-Premise Sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

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

Staff Report Page One
September 23, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Required Three Year Review of an approved Special Use Permit (U-02-16-90) which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 4100 West Charleston Boulevard. The Off-Premise Sign is in compliance with code requirements and the sign remains compatible with adjacent land uses. Therefore, staff is recommending approval with conditions. If denied, the Off-Premise Sign would have to be removed.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/05/90	The City Council approved the Special Use Permit (U-0216-90) to allow a 40-foot tall, 14-foot by 48-foot Off-Premise Sign on this site, subject to a five-year review. The Board of Zoning Adjustment and staff recommended denial on 10/25/90.
03/20/96	The City Council approved a Required Five-Year Review [U-0216-90(1)] of the Special Use Permit (U-0216-90), which allowed a 40-foot tall, 14 foot by 48 foot Off-Premise Sign on this site, subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval on 02/27/96.
04/06/05	The City Council approved a Required Five Year Review (RQR-5939) of an approved Special Use Permit (U-0216-90), which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 4100 West Charleston Boulevard. The Planning Commission recommended denial on 02/24/05, but staff recommended approval.
06/07/06	The City Council approved a request for a Required One Year Review (RQR-12233) of an approved Special Use Permit (U-0216-90), which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 4100 West Charleston Boulevard. The Planning Commission and staff recommend approval.
09/05/07	The City Council approved a request for a Required One Year Review (RQR-21349) of an approved Special Use Permit (U-0216-90), which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 4100 West Charleston Boulevard. The Planning Commission and staff recommended denial.

Most Recent Change of Ownership	
01/22/88	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
04/01/91	A building permit (#91101575) was issued for the subject sign at 4100 West Charleston Boulevard. The project was completed on 05/01/91.

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	
08/19/10	During a site visit conducted by staff it was noted that all conditions of approval have been met, and that the sign is maintained in good condition.

Details of Application Request	
Site Area	
Net Acres	2.85

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Private club, Lodge or Fraternal Organization	SC (Service Commercial)	C-1 (Limited Commercial)
North	Fire Station	PR-OS (Parks/Recreation/Open Space)	C-V (Civic)
	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
South	Retail, Banquet Facility and Liquor Establishment (Tavern)	SC (Service Commercial)	C-1 (Limited Commercial)
East	Service Station with Convenience Store, Auto Parts Sales	SC (Service Commercial)	C-2 (General Commercial)

West	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
	Office	SC (Service Commercial)	P-R (Professional Office and Parking)

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 19.14.10, the following standards apply:

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Sign may be located within the public right-of-way, within the Off-Premise Sign Exclusionary Zone or within the Las Vegas Boulevard Scenic Byway Overlay District	Not located within the Exclusionary Zone	Y
Zoning	Off-Premise Signs are permitted in the C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/Industrial) and M (Industrial) Zoning Districts only	Located within a C-1 (Limited Commercial) zoning district	Y
Area	No Off-Premise Signs shall have a surface area greater than 672 square feet, except that an embellishment not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet	672 square feet	Y
Height	No higher than 40 feet from grade at the point of construction; may be raised to maximum of 55 feet with approval of City Council if significantly obscured from view of travel lanes	Maximum height of 40 feet from grade	Y

Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view	Screened	Y
Off-Premise Sign	At least 300 feet to another Off Premise Sign	400 feet to another Off Premise Sign	Y
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	400 feet from "R" zoned property to the east.	Y

Functional Classification of Street(s)	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Primary Arterial – Charleston Boulevard	Master Plan of Streets and Highways	100	Y

ANALYSIS

This is the fifth review of the subject Off-Premise Sign located at 4100 West Charleston Boulevard. The sign has the required building permits with final inspections completed. The subject site is located within the Airport Overlay District (175 feet) and the Off-Premise Sign meets the height restrictions. The Off-Premise Sign is in compliance with code requirements, and it is compatible with surrounding areas; therefore, staff is recommending approval with conditions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 152

APPROVALS 0

PROTESTS 0

RG

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-39097** APN: 139 31 801 009

Name of Property Owner: LODGE BPOE

Name of Applicant: Clear Channel Outdoor

Name of Representative: Rod Carter

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Lee Butts

Print Name: LEE Butts TRUSTEE CHAIRMAN

Subscribed and sworn before me

This 3 day of August, 2010

Jordyn Gross

Notary Public in and for said County and State

JORDYN GROSS
NOTARY PUBLIC
STATE OF NEVADA
DATE APPOINTMENT EXP: 01-17-2011
CERTIFICATE NO: 07-1265-1

RECEIVED
AUG 05 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: RQR ~~N/A~~ 21349

Project Address (Location) 4100 W. Charleston Blvd

Project Name REQUIRED REVIEW - Clear Channel Outdoor **Proposed Use** existing

Assessor's Parcel #(s) 139 31 801 009 **Ward #** 1

General Plan: existing X proposed _____ **Zoning:** existing C1 proposed _____

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

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

Additional Information _____

PROPERTY OWNER LODGE BPOE **Contact** LEE BUTTS

Address 4100 W. Charleston **Phone:** _____ **Fax:** _____

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

APPLICANT Clear Channel Outdoor **Contact** ROD Carter

Address 2880 - B Meade Ave., Suite 350 **Phone:** 238 7200 **Fax:** 238 7266

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

REPRESENTATIVE Same As Applicant **Contact** _____

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

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

Property Owner Signature* Lee Butts

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

Print Name LEE BUTTS TRUSTEE CHAIRMAN

Subscribed and sworn before me

This 3 day of August, 20 10.

Jordyn Gross

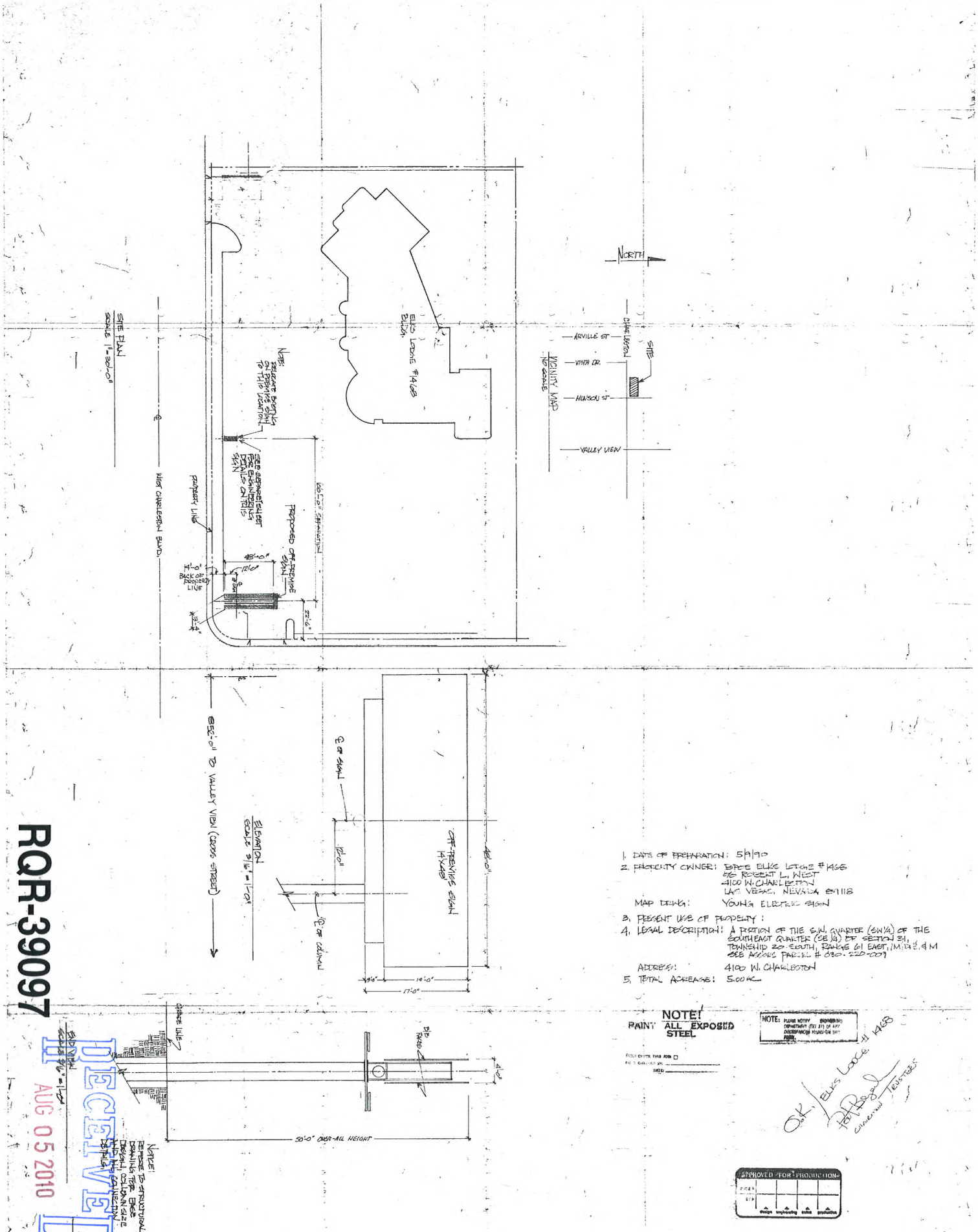
Notary Public in and for said County and State

JORDYN GROSS
NOTARY PUBLIC
STATE OF NEVADA
DATE APPOINTMENT EXP: 01-17-2011
CERTIFICATE NO: 07-1265-1

FOR DEPARTMENT USE ONLY

Case #	RQR-39097
Meeting Date:	9-23-10 PC
Total Fee:	$800.00
Date Received:*	8/5/10
Received By:	

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



1. DATE OF PREPARATION: 5/9/90
2. PROPERTY OWNER: BPOE ELKS LODGE #1468
   96 ROBERT L. WEST
   4100 W. CHARLESTON
   LAS VEGAS, NEVADA 89118
   MAP DRWG: YOUNG ELECTRIC SIGN
3. PRESENT USE OF PROPERTY:
4. LEGAL DESCRIPTION: A PORTION OF THE S.W. QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 31, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M
   SEE ASSORS PARCEL # 030-220-009
   ADDRESS: 4100 W. CHARLESTON
5. TOTAL ACREAGE: 5.00 AC

NOTE!
PAINT ALL EXPOSED STEEL

NOTE: PLEASE NOTIFY ENGINEERING DEPARTMENT (TEL 31) OF ANY DISCREPANCIES FOUND ON THIS PAGE.

FIELD CHECK THIS JOB ☐
FIELD CHECKED BY: _____
DATE: _____

O.K. ELKS LODGE #1468
Cameron Trustees

APPROVED FOR PRODUCTION
DATE
SIGN
sign engineering sales production

RQR-39097

RECEIVED
AUG 05 2010

LAS VEGAS DIVISION
YOUNG ELECTRIC SIGN COMPANY
YESCO 5119 So. Cameron St., Las Vegas, Nev. 89118 (702) 876-8080

PROD. APPROVAL	DATE	BY	DRAWINGS	DESIGN NO.	SHEET NO.	SCALE	DATE	BY
CLIENT			ORIG. DES.		1 OF 1	NOTED	5/8/90	BRENT
SALES			REVISIONS		"	"	3/4/91	BRENT
DESIGN								
ESTIMATING								
ENGINEERING								
EXPEDITING								

FIRM NAME/LOCATION ADDRESS
BPOE ELKS LODGE #1468
4100 WEST CHARLESTON BLVD
LAS VEGAS, NEVADA

SALESPERSON VINE YEN TILE

FILE DESIGN NUMBER

W.O. NUMBER

NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

FILE DESIGN NUMBER

© THIS DRAWING WAS CREATED TO ASSIST YOU IN VISUALIZING OUR PROPOSAL. THE ORIGINAL IDEAS HEREIN ARE THE PROPERTY OF YOUNG ELECTRIC SIGN COMPANY. PERMISSION TO COPY OR REVISE THIS DRAWING CAN ONLY BE OBTAINED THRU A WRITTEN AGREEMENT WITH YESCO. SEE YOUR SALES REPRESENTATIVE OR CALL THE NEAREST OFFICE OF YOUNG ELECTRIC SIGN COMPANY.

RQR-39097 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: LODGE BPOE #1468
4100 WEST CHARLESTON BOULEVARD
6070 WEST SAHARA AVENUE

08/19/10

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW

DOUGLAS A. SELBY
CITY MANAGER

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

October 9, 2007

Lodge BPOE #1468
4100 West Charleston Boulevard
Las Vegas, Nevada 89107

RE: RQR-21349 – REQUIRED REVIEW
CITY COUNCIL MEETING OF SEPTEMBER 5, 2007

Dear Applicant:

The City Council at a regular meeting held September 5, 2007 considered the Appeal of the denial by the Planning Commission of a Required One Year Review of an approved Special Use Permit (U-0216-90) WHICH ALLOWED A 50-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4100 West Charleston Boulevard (APN 139-31-801-009), C-1 (Limited Commercial) Zone.

The City Council granted the Appeal, thereby APPROVING the One Year Review. The Notice of Final Action was filed with the Las Vegas City Clerk on September 6, 2007. This approval is subject to:

Planning & Development

1. This Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

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AUG 05 2010

RQR-39097

5. Deleted at City Council

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

Sincerely,

Lean Coleman
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Rod Carter
Clear Channel Outdoor
2880-B Meade Avenue, Suite #350
Las Vegas, Nevada 89102

RQR-39097

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AUG 05 2010

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

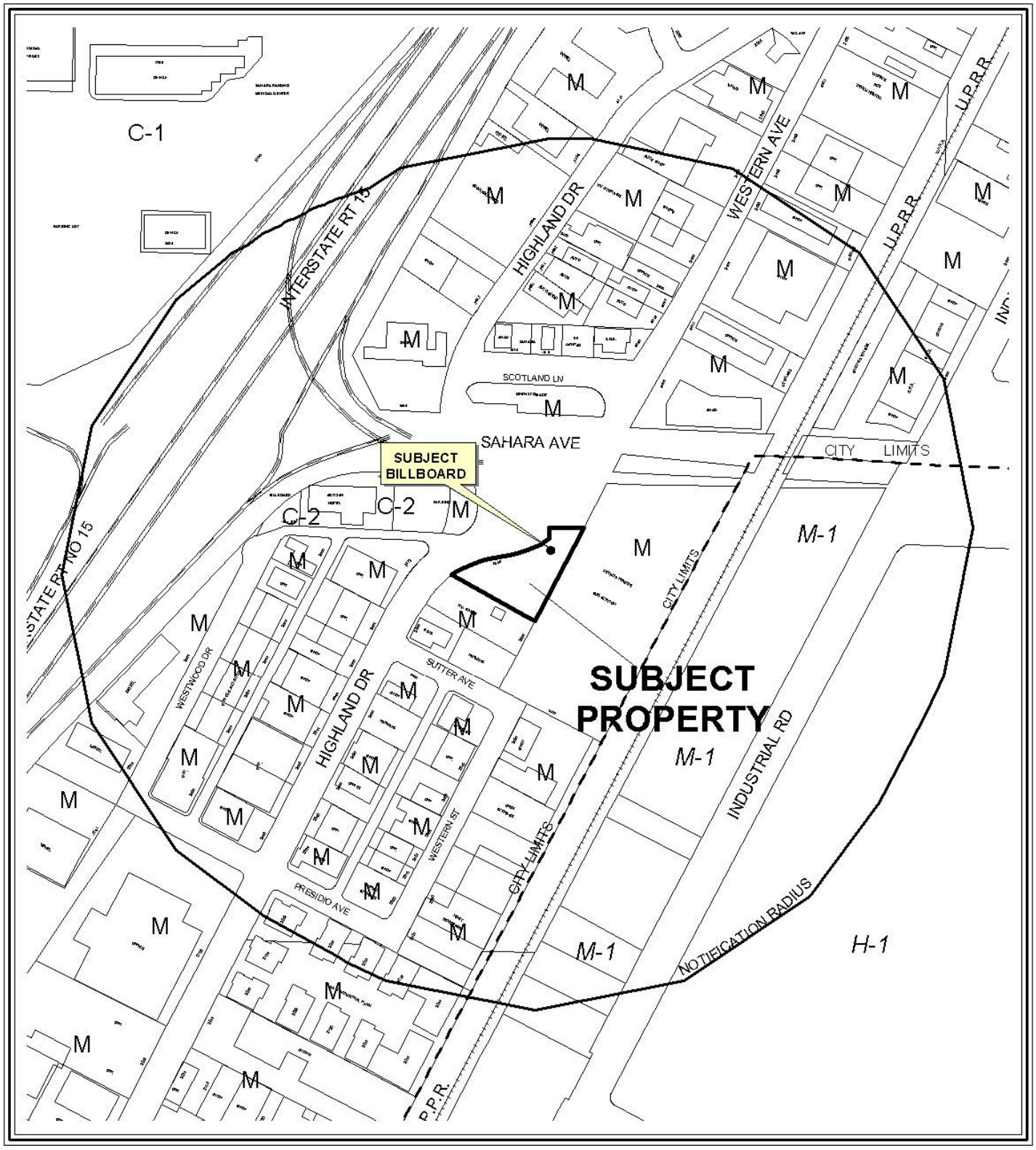
SUBJECT:
RQR-39106 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: URBAN LAND NEVADA - Required Review of a previously approved Special Use Permit (U-0265-94) FOR A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 2550 Highland Drive (APN 162-09-110-019), M (Industrial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE 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 RQR-22324



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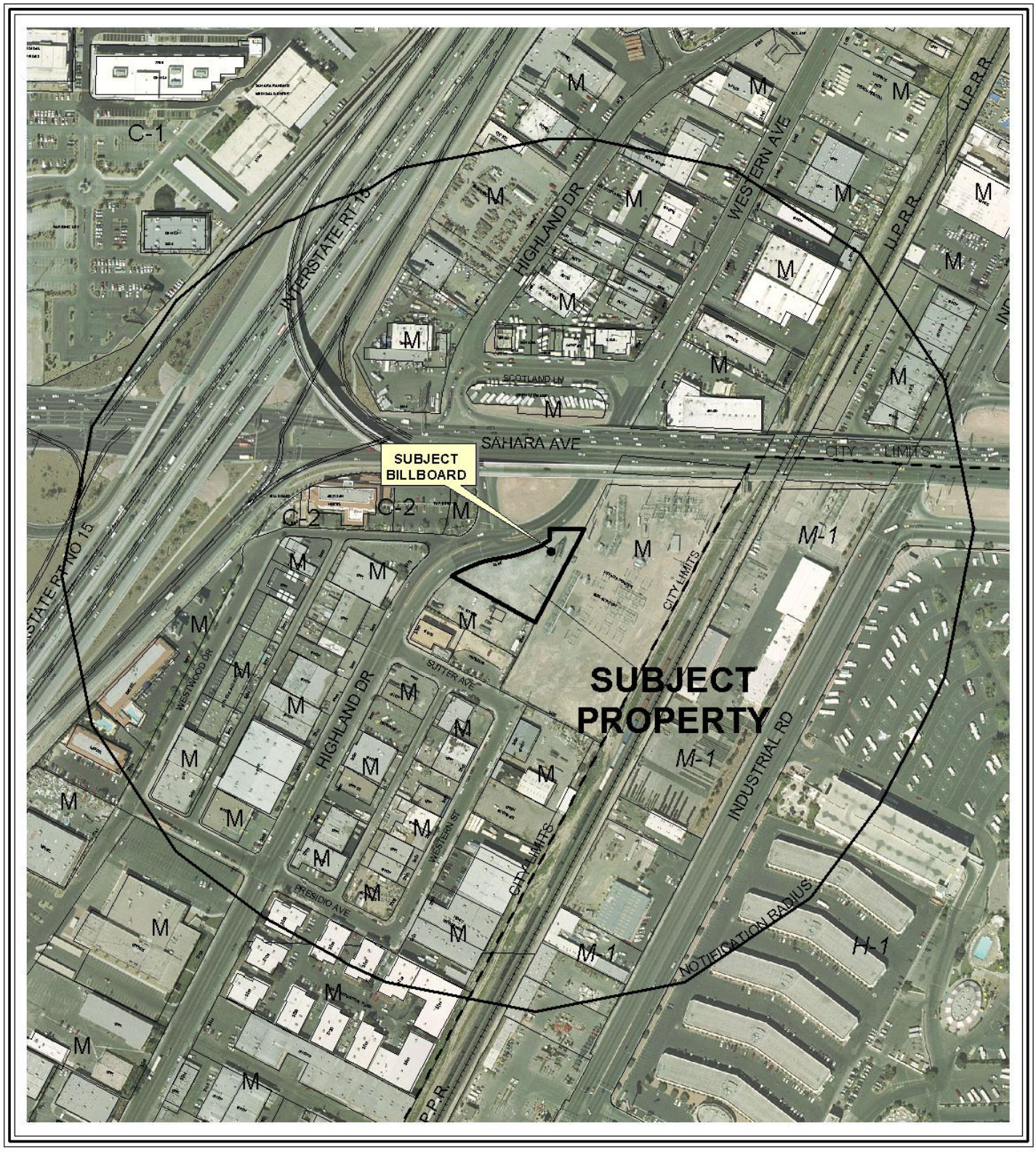
CASE: **RQR-39106**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



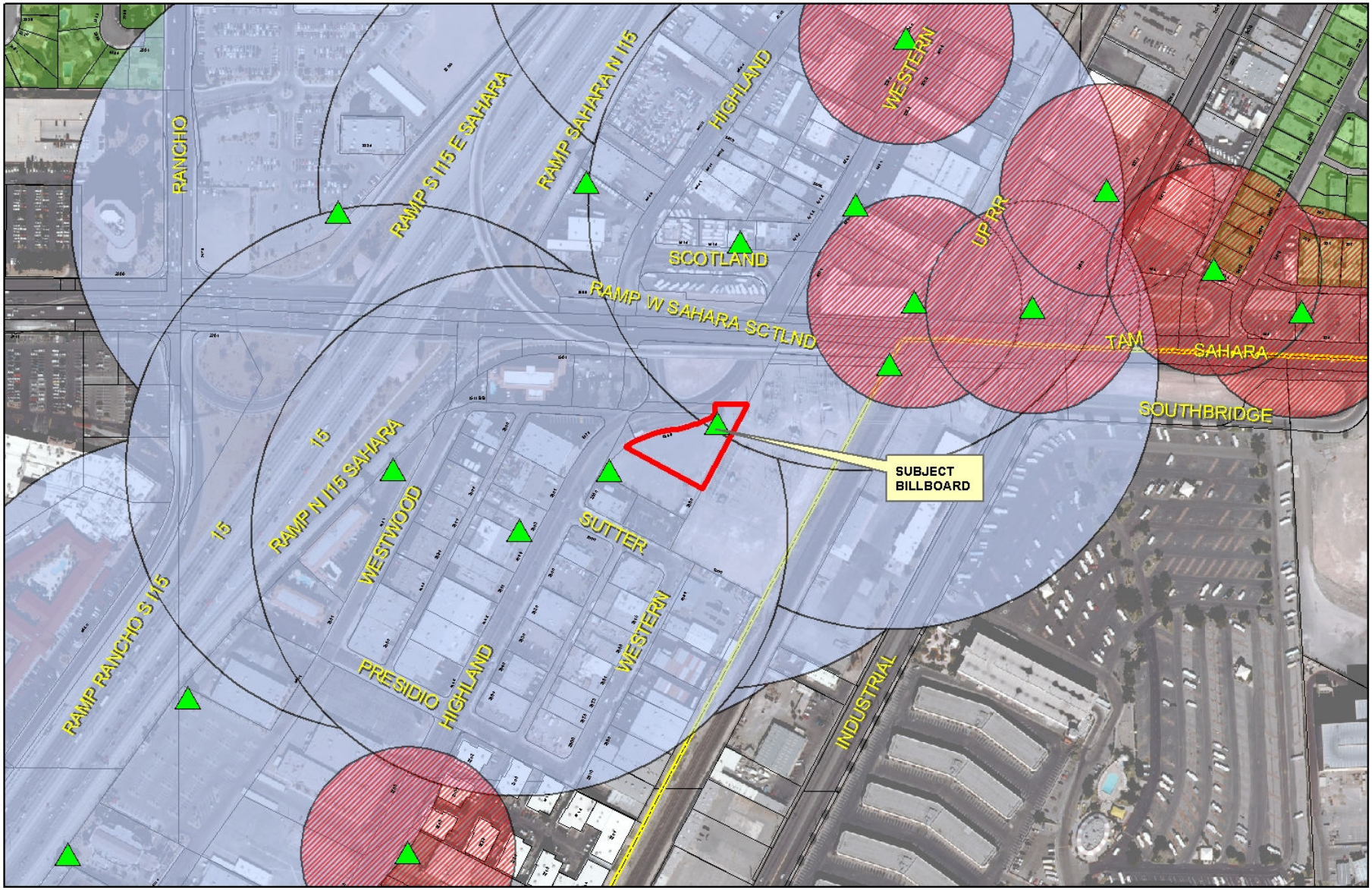
0 200 400 Feet

CASE: **RQR-39106**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



RQR-39106

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Residential Zoned Property
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: URBAN LAND NEVDA

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
RQR-39106	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

RQR-39106 CONDITIONS

Planning and Development

1. This Special Use Permit (U-0265-94) shall be reviewed in three (3) years, at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign be removed.

2. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign.

4. If the existing Off-Premise Sign is voluntarily demolished, this Special Use Permit (U-0265-04) shall be expunged and a new Off-Premise Sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure.

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 Required Three Year Review of an approved Special Use Permit (U-0265-94) which allowed a 40-foot high, 14-foot x 48-foot Off-Premise Sign at 2550 Highland Drive. The Off-Premise Sign is in compliance with code requirements and the sign remains compatible with adjacent land uses. Therefore, staff is recommending approval with conditions. If denied the Off-Premise Sign would have to be removed.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/21/94	The City Council approved a request for a Special Use Permit (U-0265-94) for a 55-foot high, 14-foot by 48-foot Off-Premise Sign on this site, subject to a five-year review. The Board of Zoning Adjustment recommended approval.
02/16/00	The City Council approved a Five-Year Review [U-0265-94 (1)] on an approved Special Use Permit for a 40-foot high, 14-foot by 48-foot Off-Premise Sign, subject to a two-year review. The Planning Commission and staff recommended approval.
04/03/02	The City Council approved a Two-Year Review [U-0265-94 (2)] on an approved Special Use Permit for a 40-foot high, 14-foot by 48-foot Off-Premise Sign, subject to a two-year review. The Planning Commission and staff recommended approval.
07/07/04	The City Council approved a Two-Year Review (RQR-4243) on an approved Special Use Permit (U-0265-94) for a 40-foot high, 14-foot by 48-foot Off-Premise Sign, subject to a three-year review. The Planning Commission and staff recommended approval.
09/06/07	The City Council approved a Three-Year Review (RQR-22324) on an approved Special Use Permit (U-0265-94) for a 40-foot high, 14-foot by 48-foot Off-Premise Sign, subject to a two-year review. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
05/03/01	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/25/95	A building permit (#95364890) was issued for the subject sign. The permit received a final inspection on 03/02/95.

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	
08/19/10	During a site visit conducted by staff it was noted that all conditions of approval have been met, and that the sign is maintained in good condition.

Details of Application Request	
Site Area	
Net Acres	0.80

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	C (Commercial)	M (Industrial)
North	Right-of-Way	Right-of-Way	Right-of-Way
South	Undeveloped	LI/R (Light Industry/Research)	M (Industrial)
East	Utilities	PF (Public Facilities)	M (Industrial)
West	Offices	LI/R (Light Industry/Research)	M (Industrial)
	Hotel	C (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-foot)	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 19.14.100, the following standards apply:

Standards	***Code Requirement***	***Provided***	***Compliance***
Location	No Off-Premise Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Not Located within the Exclusionary Zone	Y
Zoning	Off-Premise Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a M (Industrial) zoning district	Y
Area	No Off-Premise Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	672 SF	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y

Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	Screened	Y
Off-Premise Sign	At least 750 feet to another Off Premise Sign	330 feet to another Off Premise Sign	N
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	1,400 feet from "R" zoned property to the northeast.	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; no residential uses are located on the subject site	Y

Functional Classification of Street(s)	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Secondary Collector – Highland Drive	Master Plan of Streets and Highways	80	Y

ANALYSIS

This is the fifth review of the subject Off-Premise Sign. The sign is located in an industrial area that is not anticipated to change in the near future. The sign has the required building permits with final inspections completed. It is noted that there are four other Off-Premise Signs within the 750-foot separation radius of the subject Off-Premise Sign. The subject site is located within the Airport Overlay District with a height limit of 175 feet and the existing Off-Premise Sign meets the height restrictions. The property is located within the Las Vegas Redevelopment Plan Area. The Plan presents a series of ideas and recommendations for revitalization which are designed to reduce and eliminate decline and deterioration, stimulate new investment, stabilize the tax base and maintain the viability of existing businesses. The compliance of the Las Vegas Redevelopment Plan Area does not apply for the Required Review of the Off-Premise Sign. The Off-Premise Sign is in compliance with code requirements, and staff is recommending approval with conditions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 64

APPROVALS 0

PROTESTS 0

RG

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-39106** APN: 162-09-110-019

Name of Property Owner: Urban Land Nevada

Name of Applicant: Lamar Central Outdoor, 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: _____

Urban Land of Nevada

Signature of Property Owner: By Theodore B. Lee

Print Name: Theodore B. Lee, President

Subscribed and sworn before me

This 26th day of July, 2010

_____

Notary Public in and for said County and State

GEDDIS A. KONG
Commission # 1864520
Notary Public - California
San Francisco County
My Comm. Expires Sep 11, 2013

Revised 11-14-06

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

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AUG 06 2010

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Required Review

Project Address (Location) 2550 Highland Drive

Project Name Urban Land Review **Proposed Use** billboard

Assessor's Parcel #(s) 162-09-110-019 **Ward #** 1

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

Commercial Square Footage 672 **Floor Area Ratio** _____

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

Additional Information Required Review for an existing billboard

PROPERTY OWNER Urban Land Nevada **Contact** Theodore B. Lee

Address 3271 S. Highland Drive Ste 704 **Phone:** (702) 369-9595 **Fax:** (702) 369-2776

City Las Vegas **State** NV **Zip** 89109

E-mail Address lvlee@aol.com

APPLICANT Lamar Central Outdoor, LLC **Contact** Scott Naftzger

Address 1863 Helm Drive **Phone:** (702) 873-4600 **Fax:** (702) 873-4344

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

E-mail Address snaftzger@lamar.com

REPRESENTATIVE Same as Applicant **Contact** _____

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

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

E-mail Address _____

Urban Land of Nevada

Property Owner Signature* By Theodore B. Lee

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

Print Name Theodore B. Lee, President

Subscribed and sworn before me

This 26th day of July, 2010.

_____

Notary Public in and for said County and State

GEDDIS A. KONG
Commission # 1864520
Notary Public - California
San Francisco County
My Comm. Expires Sep 11, 2013

FOR DEPARTMENT USE ONLY

Case #	RQR-39106
Meeting Date:	9/23/10
Total Fee:	$800
Date Received:*	8/6/10
Received By:	

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

Revised 10/27/08

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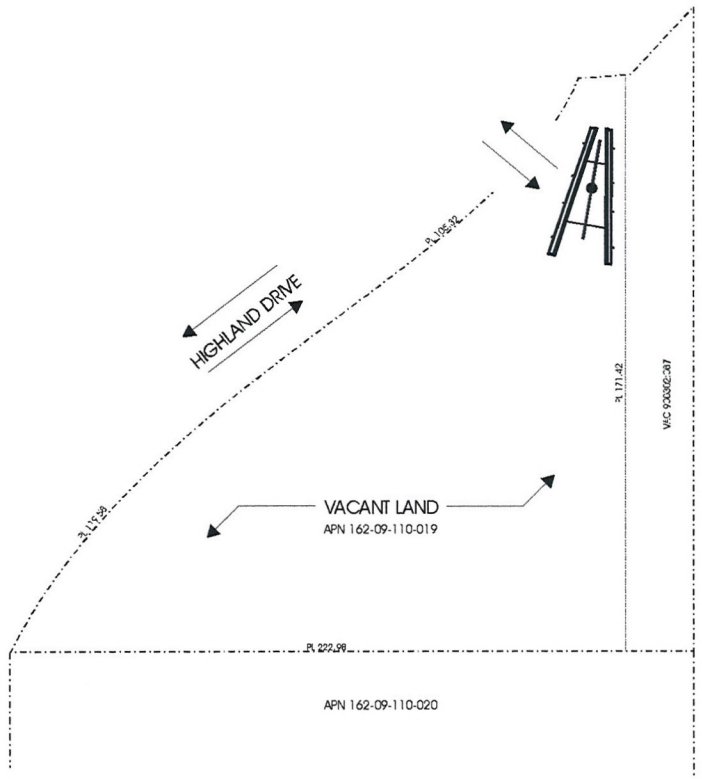
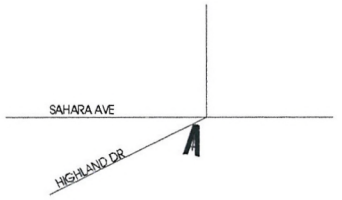


ELEVATION (NO SCALE)



VICINITY MAP (NO SCALE)

LAMAR OUTDOOR ADVERTISING		
SCALE: 1" = 20'	DATE: 07/28/10	DRAWN BY: S.NAFTZGER
URBAN LAND OF NEVADA		
APN 162-09-110-019		DRAWING NUMBER:

RQR-39106

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AUG 06 2010

RQR-39106

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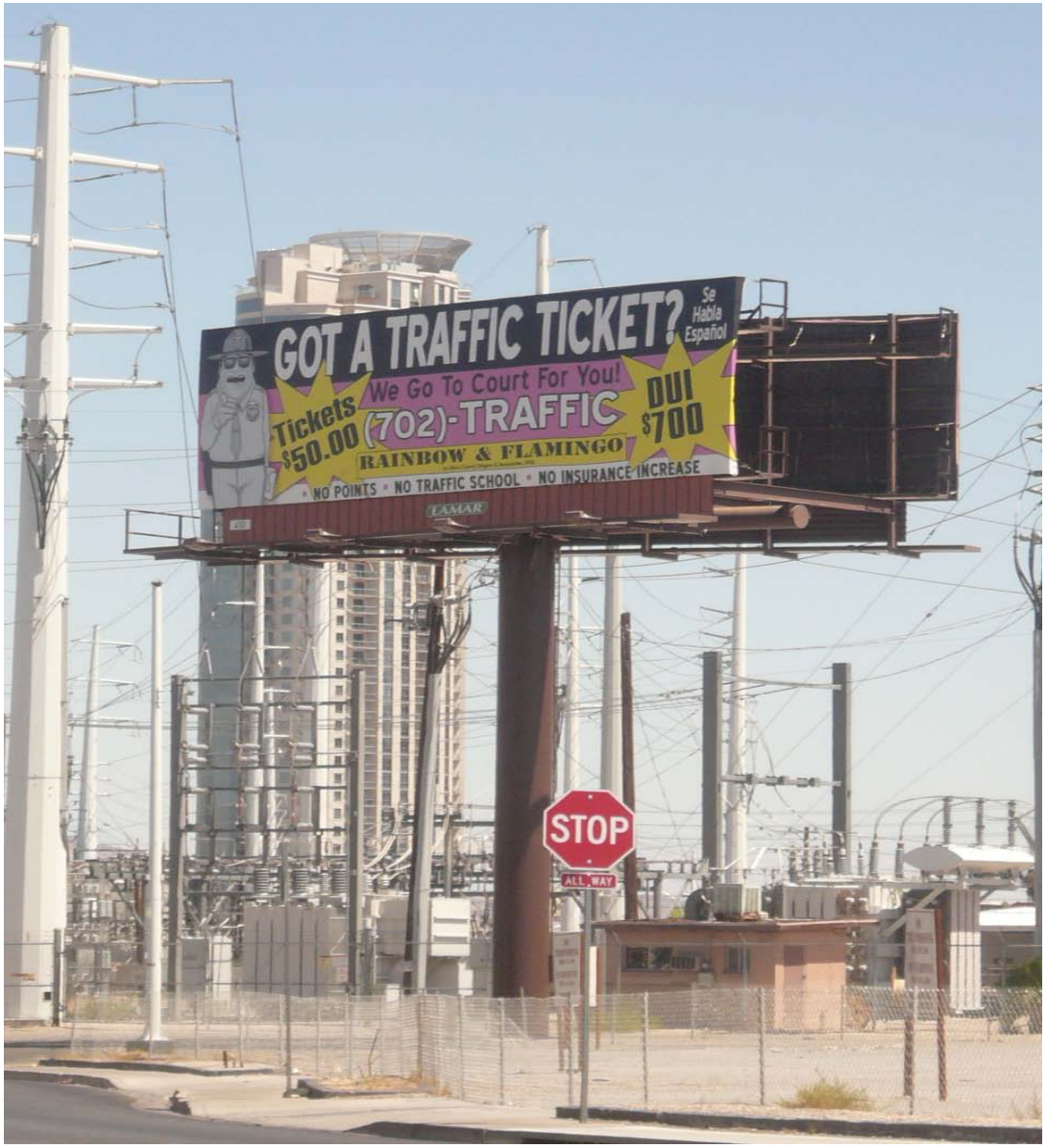
AUG 06 2010

RQR-39106 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: URBAN LAND NEVADA
2550 HIGHLAND DRIVE

08/19/10

RQR-39106 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: URBAN LAND NEVADA
2550 HIGHLAND DRIVE

08/19/10



RQR-39106 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: URBAN LAND NEVADA
2550 HIGHLAND DRIVE

08/19/10

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW

DOUGLAS A. SELBY
CITY MANAGER

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

October 9, 2007

Urban Land Nevada
3271 South Highland Drive, Suite #704
Las Vegas, Nevada 89109

RE: RQR-22324 – REQUIRED REVIEW
CITY COUNCIL MEETING OF SEPTEMBER 5, 2007

Dear Applicant:

The City Council at a regular meeting held September 5, 2007 APPROVED the Required Two Year Review of an approved Special Use Permit (U-0265-94) WHICH ALLOWED A 40-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2550 Highland Drive (APN 162-09-110-019), M (Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on September 6, 2007. This approval is subject to:

Planning & Development

1. This Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

RQR-39106

RECEIVED
AUG 06 2010

4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

Sincerely,

Lean Coleman
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Scott Naftzger
Lamar Advertising
1863 Helm Drive
Las Vegas, Nevada 89119

Ms. Stephanie Allen
KKBR&F
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89169

RQR-39106

RECEIVED
AUG 06 2010

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

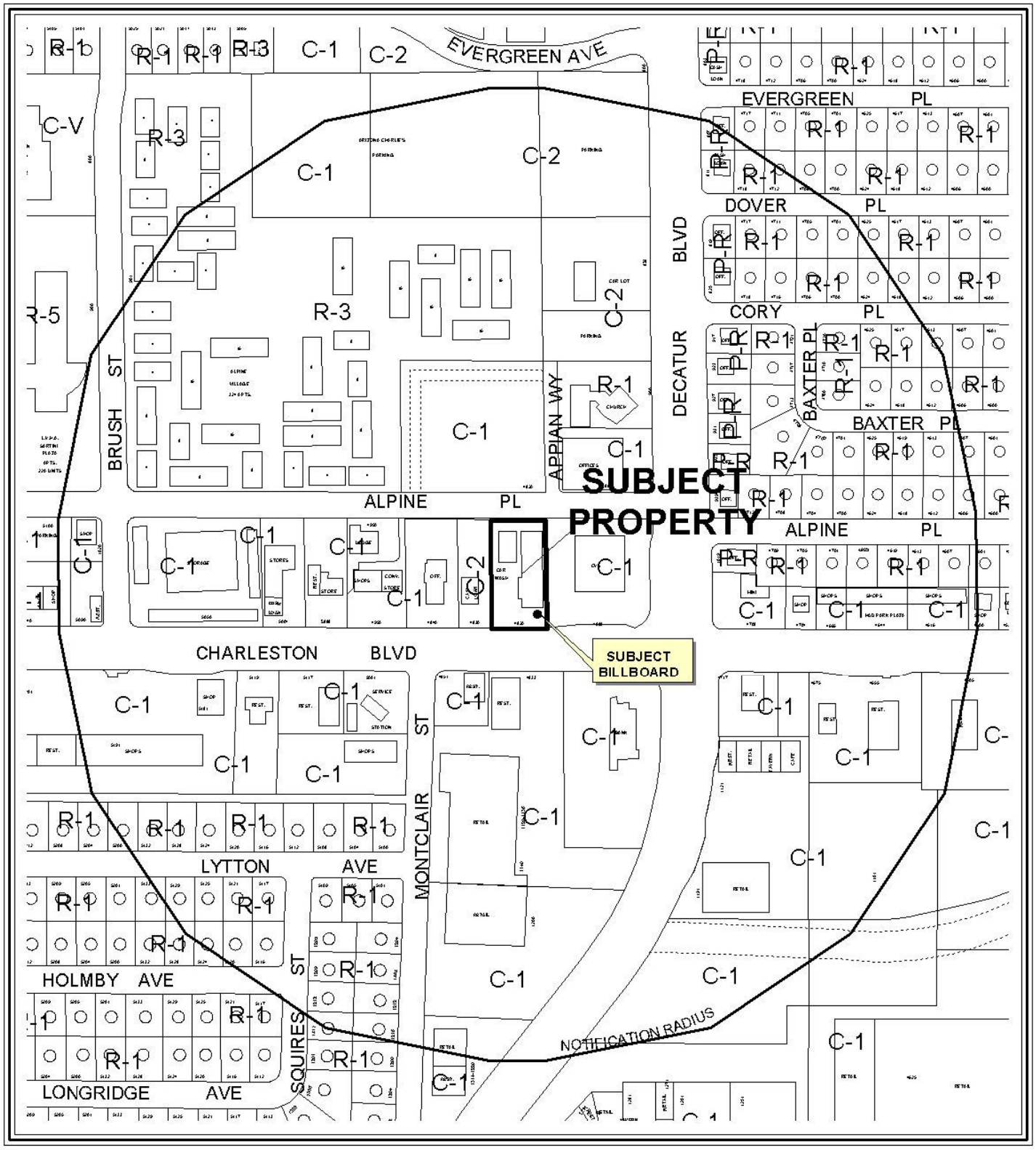
SUBJECT:
RQR-39107 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: CHARWEST, INC. - Required Review of a previously approved Special Use Permit (U-0262-94) FOR A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 4820 West Charleston Boulevard (APN 138-36-804-008), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE 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 RQR-22322
6. Justification Letter



0 300 600 Feet

CASE: **RQR-39107**

RADIUS: 1000 FT

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

N

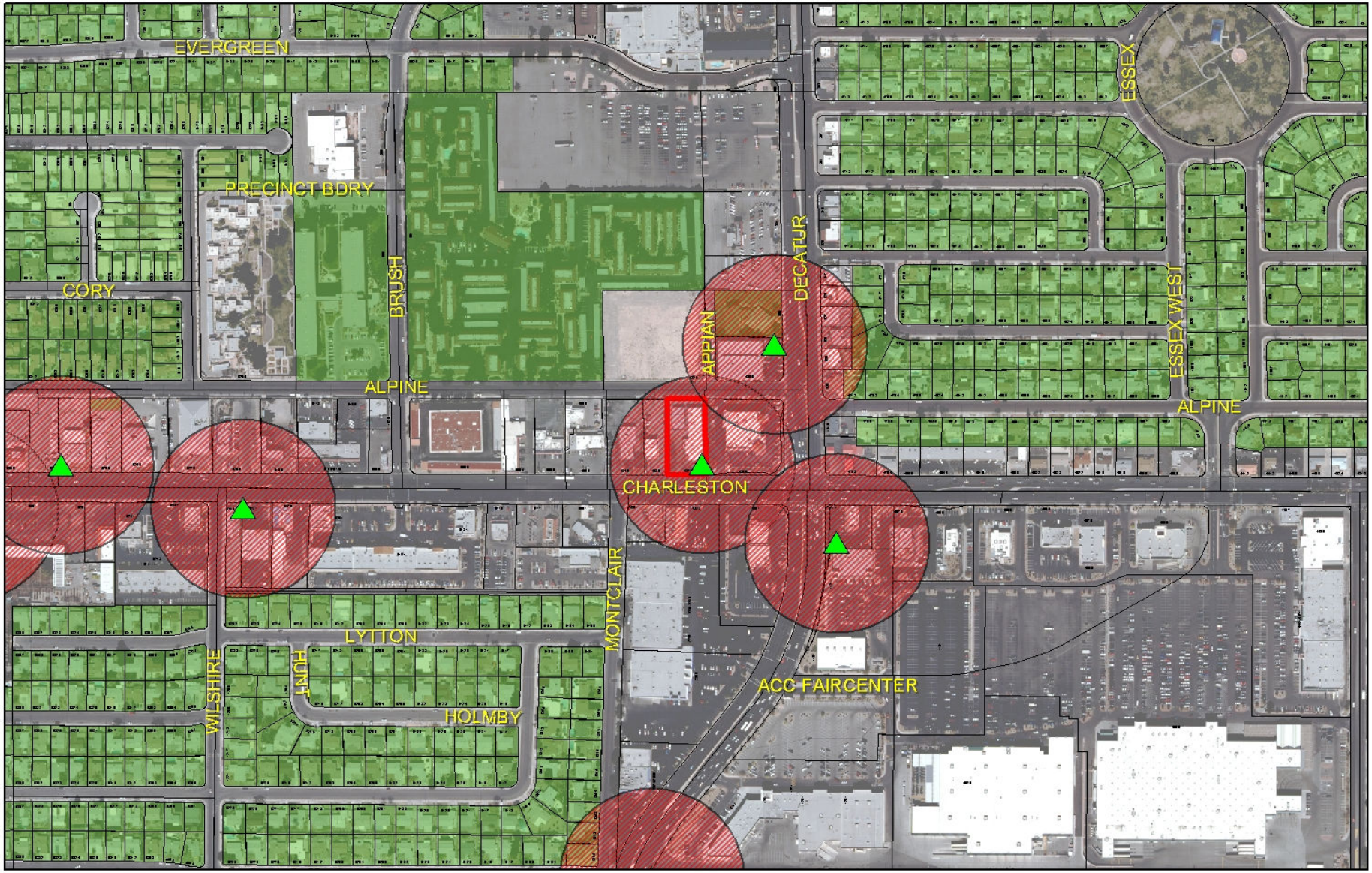
0 400 800 Feet

CASE: **RQR-39107**

RADIUS: 1000 FT

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

N



RQR-39107

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location

City of Las Vegas Billboard Data

- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Residential Zoned Property
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: CHARWEST, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
RQR-39107	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

RQR-39107 CONDITIONS

Planning and Development

1. This Special Use Permit (U-0262-94) shall be reviewed in three (3) years, at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign be removed.

2. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign.

4. If the existing off-premise sign is voluntary demolished, this Special Use Permit (U-0262-94) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure.

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 Required Three Year Review of an approved Special Use Permit (U-0262-94) which allowed a 14-foot x 48-foot Off-Premise Sign at 4820 West Charleston Boulevard. The Off-Premise Sign is in compliance with code requirements and the sign remains compatible with adjacent land uses. Therefore, staff is recommending approval with conditions. If denied the Off-Premise Sign would have to be removed.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/21/94	The City Council approved a request for a Special Use Permit (U-0262-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign, subject to a five-year review. The Board of Zoning Adjustment recommended denial. Staff recommended approval.
02/16/00	The City Council approved a request for a Five-Year Review [U-0262-94(1)] on an approved Special Use Permit for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign, subject to a two-year review. The Planning Commission and staff recommended approval.
04/03/02	The City Council approved a request for a Two-Year Review [U-0262-94(2)] on an approved Special Use Permit for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign, subject to a two-year review. The Planning Commission and staff recommended approval.
07/07/04	The City Council approved a request for a Two-Year Review (RQR-4240) on an approved Special Use Permit for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign, subject to a three year review. The Planning Commission and staff recommended approval.
09/05/07	The City Council approved a request for a Required Review (RQR-22322) on an approved Special Use Permit for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign, subject to a three-year review. The Planning Commission approval and staff recommended denial.

Most Recent Change of Ownership	
08/21/00	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/13/95	A building permit (#95363554) was issued for the subject sign at 4820 West Charleston Boulevard. The building permit received a final inspection on 03/17/95.
02/10/95	A building permit (#95366744) was issued for the electrical service to the subject sign. The electrical permit received a final inspection on 03/17/95.

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	
08/19/10	During a site visit conducted by staff it was noted that all conditions of approval have been met, and that the sign is maintained in good condition.

Details of Application Request	
Site Area	
Net Acres	0.70

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Car Wash and Off-Premise Sign	GC (General Commercial)	C-2 (General Commercial)
North	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
South	Restaurants and Retail	SC (Service Commercial)	C-1 (Limited Commercial)
East	Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	Financial Institution, Specified	GC (General Commercial)	C-2 (General 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	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.14.100, the following standards apply:

Standards	***Code Requirement***	***Provided***	***Compliance***
Location	No Off-Premise Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas	Not Located within the Exclusionary Zone	Y
Zoning	Off-Premise Signs are permitted in the C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/Industrial) and M (Industrial) Zoning Districts only	Located within a C-2 (General Commercial) zoning district	Y
Area	No Off-Premise Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	672 SF	Y
Height	No higher than 40 feet from grade at the point of construction	Maximum height of 40 feet from grade	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	Screened	Y

Off-Premise Sign	At least 300 feet to another Off Premise Sign	465 feet to another Off Premise Sign	Y
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	437 feet from "R" zoned property to the north.	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; no residential uses are located on the subject site.	Y

Functional Classification of Street(s)	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Primary Arterial - Charleston Boulevard	Master Plan of Streets and Highways	100	Y

ANALYSIS

This is the fifth review of the subject Off-Premise Sign which is located on a property that is used as a car wash. The sign has the required building permits with final inspections completed. The Off-Premise Sign faces Charleston Boulevard, a 100-foot Primary Arterial. The area is primarily commercial in nature with the nearest residential uses buffered by right-of-way and commercial development. The applicant indicated that a large plastic owl is installed inside the sign as a bird deterrent. The subject site is located within the Airport Overlay District with a height limit of 175 feet and the existing Off-Premise Sign meets the height restrictions. The Off-Premise Sign is in compliance with code requirements, and it is compatible with surrounding areas; therefore, staff is recommending approval with conditions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 131

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-39107** APN: 138-36-804-008

Name of Property Owner: Charwest, Inc.

Name of Applicant: Lamar Central Outdoor, 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: ROBERT L. SCHMIDT

Subscribed and sworn before me

This 28th day of July, 2010

_____

Notary Public in and for said County and State

Revised 11-14-06

Notary Public
State of Washington
CHRISTOPHER G SCHUESSLER
My Appointment Expires Jul 19, 2013

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Required Review

Project Address (Location) 4820 W. Charleston Blvd.

Project Name Charwest Review **Proposed Use** billboard

Assessor's Parcel #(s) 138-36-804-008 **Ward #** 1

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

Commercial Square Footage 672 **Floor Area Ratio** _____

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

Additional Information Required Review for an existing billboard

PROPERTY OWNER Charwest, Inc. **Contact** _____

Address 4820 W. Charleston Blvd **Phone:** _____ **Fax:** _____

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

E-mail Address _____

APPLICANT Lamar Central Outdoor, LLC **Contact** Scott Naftzger

Address 1863 Helm Drive **Phone:** (702) 873-4600 **Fax:** (702) 873-4344

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

E-mail Address snaftzger@lamar.com

REPRESENTATIVE Same as Applicant **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 ROBERT L. SCHMIDT

Subscribed and sworn before me

This 28th day of July, 20 10.

_____

Notary Public in and for said County and State

Revised 10/27/08

Notary Public
State of Washington
CHRISTOPHER G SCHUESSLER
My Appointment Expires Jul 19, 2013

FOR DEPARTMENT USE ONLY

Case #	RQR-39107
Meeting Date:	9-23-10
Total Fee:	$800
Date Received:*	8/6/10
Received By:	

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

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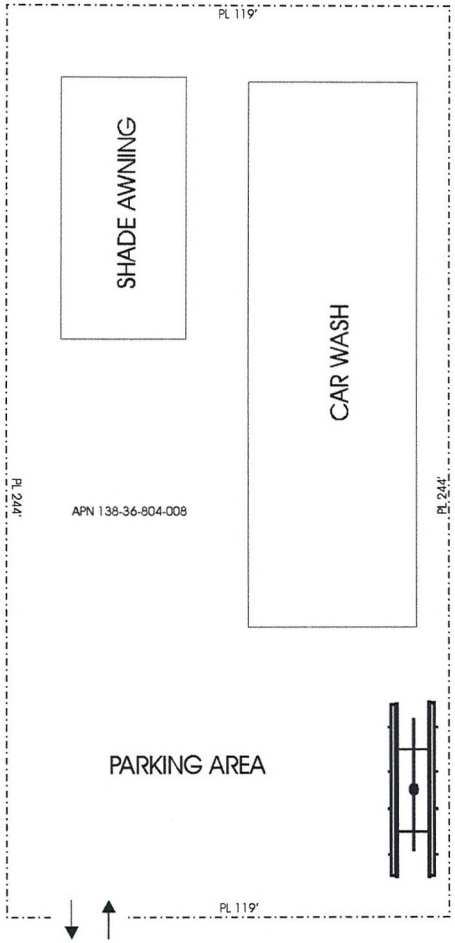
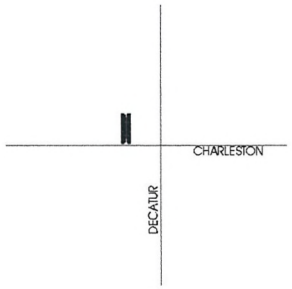


EXISTING 40' TALL
OFF-PREMISE
SIGN

ELEVATION (NO SCALE)



VICINITY MAP (NO SCALE)

LAMAR OUTDOOR ADVERTISING		
SCALE: NO SCALE	DATE: 6/22/07	DRAWN BY: S.NAFTZGER
CHARLESTON CAR WASH		
APN 138-36-804-008		DRAWING NUMBER:

RQR-39107

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RQR-39107 WEST FACE

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AUG 06 2010

RQR-39107 EAST FACE

RECEIVED
AUG 06 2010

RQR-39107 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: CHARWEST, INC.
4820 WEST CHARLESTON BOULEVARD

08/19/10

LAS VEGAS CITY COUNCIL

OSCAR B GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D ROSS
RICKI Y BARLOW

DOUGLAS A SELBY
CITY MANAGER

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

VOICE 702 229 6011
TDD 702 386 9108
www lasvegasnevada gov

September 7, 2007

Charwest
4820 West Charleston Boulevard
Las Vegas, Nevada 89107

RE: RQR-22322 – REQUIRED REVIEW
CITY COUNCIL MEETING OF SEPTEMBER 5, 2007

Dear Applicant:

The City Council at a regular meeting held September 5, 2007 APPROVED the Required Two Year Review of an approved Special Use Permit (U-0262-94) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 4820 West Charleston Boulevard (APN 138-36-804-008), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on September 6, 2007 This approval is subject to.

Planning & Development

1. This Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

5. The applicant shall clean the Off-Premise Advertising (Billboard) Sign of all bird droppings within 30 days of final approval.

RQR-39107

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6. The applicant shall remove the razor wire on the Off-Premise Advertising (Billboard) Sign within 30 days of final approval.

7. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.

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

Sincerely,

Lean Coleman
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

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

Mr. Scott Naftzger
Lamar Advertising
1863 Helm Drive
Las Vegas, Nevada 89119

Ms Stephanie Allen
KKBR&F
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89169

RQR-39107

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

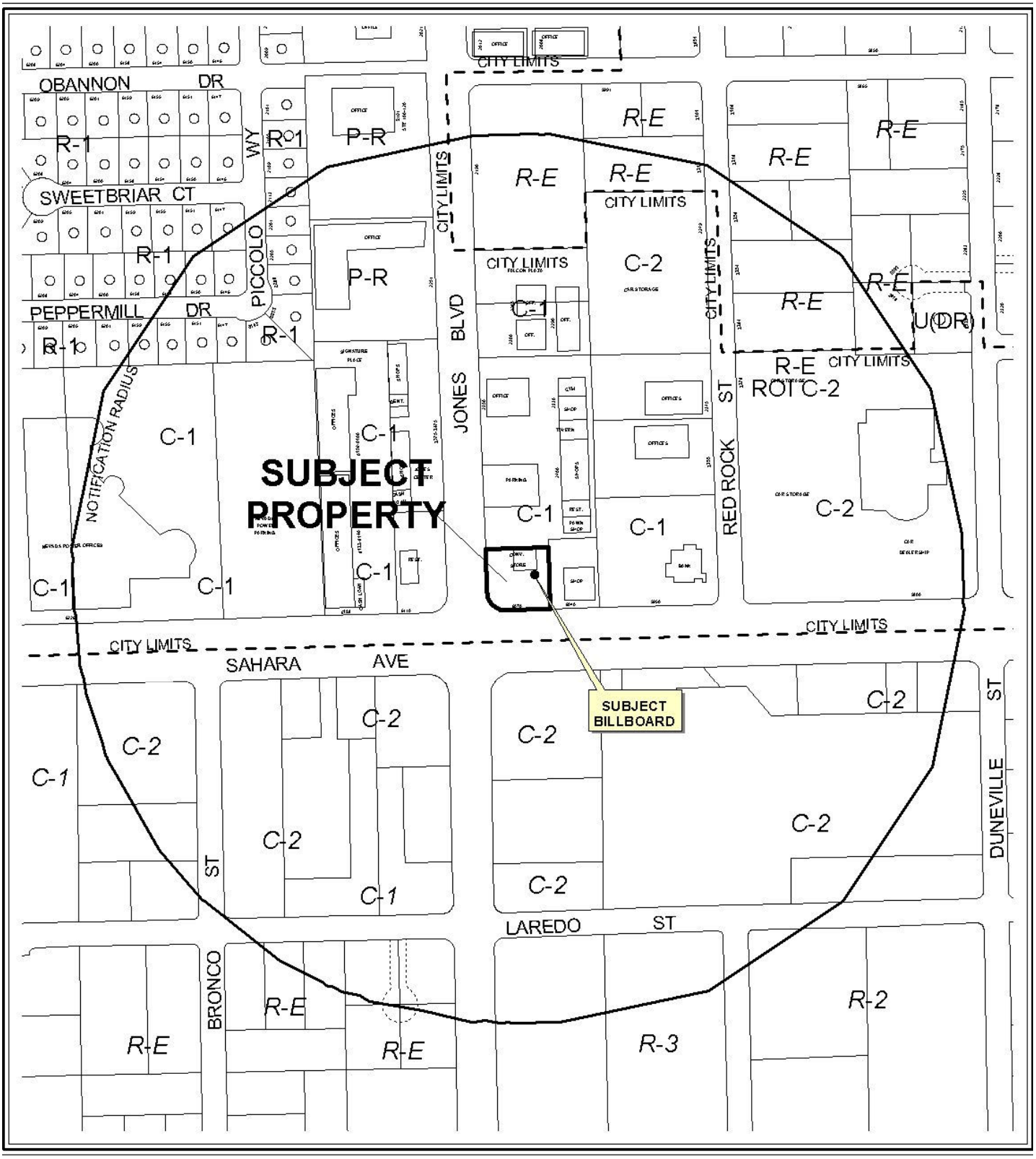
SUBJECT:
RQR-39215 - REQUIRED THREE YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: 7-ELEVEN, INC. - Required Review of a previously approved Special Use Permit (U-0315-94) FOR A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 6070 West Sahara Avenue (APN 163-01-401-010), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE 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 RQR-22271
6. City Council Approval Letter for RQR-4238



0 300 600 Feet

CASE: **RQR-39215**

RADIUS: 1000 FT

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

N

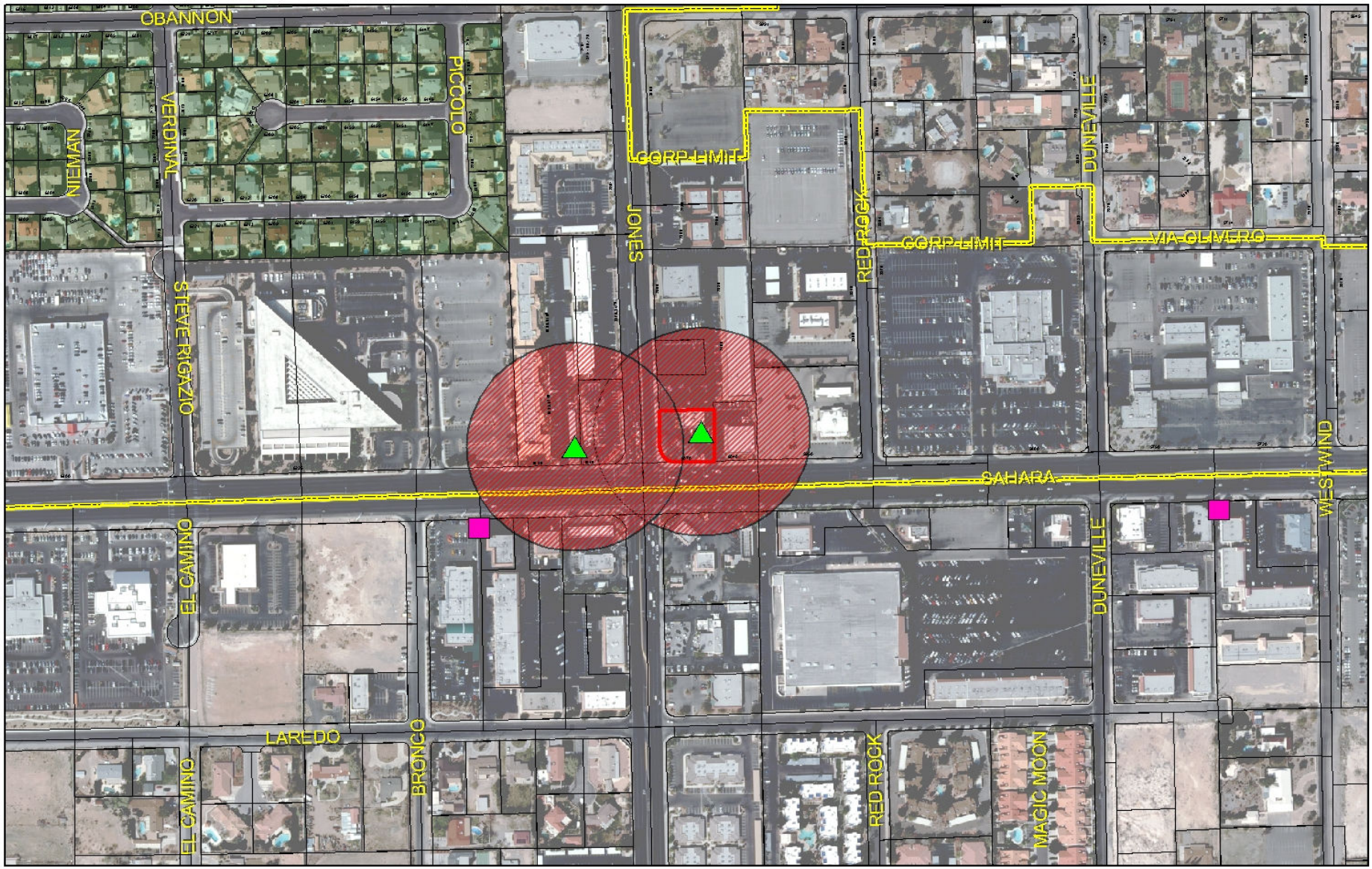
CASE: **RQR-39215**

RADIUS: 1000 FT

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

0 300 600 Feet

N



RQR-39215

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location

City of Las Vegas Billboard Data

- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Residential Zoned Property
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: 7-ELEVEN, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
RQR-39215	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

RQR-39215 CONDITIONS

Planning and Development

1. Conformance to the conditions of approval of Special Use Permit (U-0315-94) and all subsequent reviews except as amended herein.

2. This Special Use Permit (U-0315-94) shall be placed on an agenda closest to September 23, 2013 at which time the City Council may require cessation of the use. The applicant shall be responsible for the notification costs of the review failure to pay the City for these costs may result in termination of use.

3. If the existing Off-Premise Sign is voluntarily demolished, this Special Use Permit (U-0315-94) shall be expunged and a new Off-Premise Sign shall not be permitted in the same location unless a new Special Use Permit is approved for the new structure.

4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign.

5. 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 Required Review of a previously approved Special Use Permit (U-0315-94) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign located at 6070 West Sahara Avenue. A building permit (#95374861) was issued on 04/26/95 for the installation of an Off-Premise Sign at 6070 West Sahara Avenue with an approved final inspection on 10/12/95. The sign meets current codes and nothing has changed in the area that would render the sign incompatible with nearby land uses; therefore, staff has no objection to the continued use of the sign and is recommending approval. If denied, the Special Use Permit for the Off-Premise Sign would require the sign to be removed.

ISSUES

- This is the fifth Required Review of Special Use Permit (U-0315-94). The last Required Review (RQR-22271) was approved by City Council in 2007, subject to a three-year review.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/18/95	The City Council approved a Special Use Permit (U-0315-94) for one 672 square foot (14 foot x 48 foot), 40 foot high off-premise sign on the site, subject to a five year review.
03/01/00	The City Council approved a Required Five Year Review [U-0315-94 (1)] for one 672 square foot (14 foot x 48 foot), 40 foot high off-premise sign on the site, subject to a two-year review. The Planning Commission and staff recommended approval.
05/01/02	The City Council approved the appeal from the denial by the Planning Commission on a required two-year review of a Special Use Permit [U-0315-94 (2)], which allowed a 40-foot high, 14 x 48 foot off-premise sign. The Planning Commission recommended denial and staff recommended approval.
07/07/04	The City Council approved a Required Two Year Review (RQR-4238) of an approved Special Use Permit (U-0315-94) for one 672 square foot (14 foot x 48 foot), 40 foot high off-premise sign on the site, subject to a two-year review. The Planning Commission and staff recommended approval.

09/05/07	The City Council approved a Required Two Year Review (RQR-22271) of an approved Special Use Permit (U-0315-94) for one 672 square foot (14 foot x 48 foot), 40 foot high off-premise sign on the site, subject to a three-year review. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
12/30/85	A deed was recorded for a change in ownership to 7-Eleven Corporation.

Related Building Permits/Business Licenses	
04/26/95	A building permit (#95374861) was issued for the subject sign. A final inspection was conducted on 10/12/95.

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

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

Field Check	
08/19/10	Staff conducted a field check of the subject property. The property was found to be well maintained. The Off-Premise sign was in good repair.

Details of Application Request	
Site Area	
Net Acres	0.50 acres

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Convenience Store/Gas Station	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Convenience Store/Gas Station	Unincorporated Clark Co.	Unincorporated Clark Co.

YK

East	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)

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

Standards	*Code Requirement*	*Provided*	*Compliance*
Location	No Off-Premise Sign may be located within public right-of-way	Sign is not located in public right-of-way	Y
Zoning	Off-Premise Signs are permitted in C-1, C-2, C-M, and M zoning districts only.	The sign is located in a C-1 zone	Y
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The sign is 672 square feet in size; no embellishment.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.	Sign is 40 feet tall.	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	Structural elements of the sign are screened from public view.	Y

Distance Separation from another Off-Premise Sign	Must be 300 feet between Off-Premise Signs unless along a freeway and then it must be at least 750 feet separation.	This sign is located 335 feet from the nearest Off-Premise Sign and is not along US-95.	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently secured to the ground and is located on commercially zoned property.	Y

ANALYSIS

This is the fifth review of the subject Off-Premise Sign. The Off-Premise Sign is located in an area that is not experiencing significant change at this time. The Off-Premise Sign is in good condition. Approval of this request is recommended with an additional review in three years.

FINDINGS

The Off-Premise Sign is located in a C-1 (Limited Commercial) zoning district and meets the distance requirements from other Off-Premise Signs and from residentially zoned properties. The Off-Premise Sign meets all current Title 19 sign standards, has a final inspection completed on a building permit and is in good condition. Therefore, staff has no objection to the continued use of the Off-Premise Sign and recommends approval with another review in three years. Conformance to the conditions of approval of the Special Use Permit (U-0315-94) and all subsequent reviews shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

NOTICES MAILED 149

APPROVALS 0

PROTESTS 0

YK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-39215** APN: 163-01-401-010

Name of Property Owner: 7-Eleven, Inc.

Name of Applicant: Lamar Central Outdoor, 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: 7-ELEVEN, INC. Assistant Secretary

Print Name: MARIJAN SMITH

Subscribed and sworn before me

This 13th day of August, 2010

Gricelda Herrera

Notary Public in and for said County and State

NOTARY PUBLIC STATE OF TEXAS
Gricelda Herrera
Notary Public, State of Texas
My Comm. Expires 04 / 28 / 2013

Revised 11-14-06

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Required Review

Project Address (Location) 6070 W. Sahara Ave.

Project Name 7-Eleven review **Proposed Use** billboard

Assessor's Parcel #(s) 163-01-401-010 **Ward #** 1

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

Commercial Square Footage 672 **Floor Area Ratio** _____

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

Additional Information Required Review for an existing billboard

PROPERTY OWNER 7-Eleven, Inc. **Contact** _____

Address P.O. Box 711 **Phone:** _____ **Fax:** _____

City Dallas **State** TX **Zip** 75521

E-mail Address _____

APPLICANT Lamar Central Outdoor, LLC **Contact** Scott Naftzger

Address 1863 Helm Drive **Phone:** (702) 873-4600 **Fax:** (702) 873-4344

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

E-mail Address snaftzger@lamar.com

REPRESENTATIVE Same as Applicant **Contact** _____

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

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

E-mail Address _____

Property Owner Signature* 7-ELEVEN, INC. Assistant Secretary

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

Print Name MARWAN SMITH

Subscribed and sworn before me

This 13th day of August, 2010.

Gricelda Herrera

Notary Public in and for said County and State

Gricelda Herrera
Notary Public, State of Texas
My Comm. Expires 04/28/2013

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	RQR-39215
Meeting Date:	~~10/21/10~~ 9/23/10
Total Fee:	$800
Date Received:*	8/17/10
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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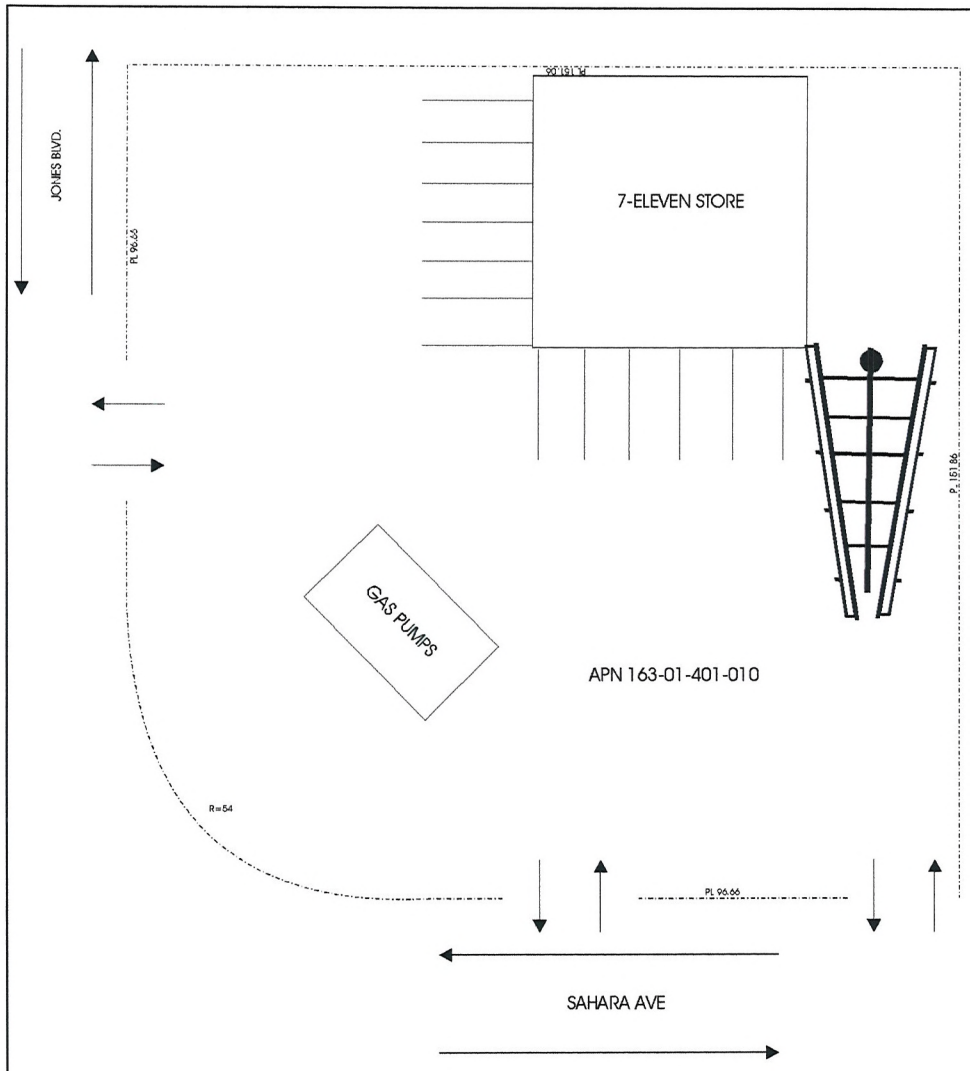
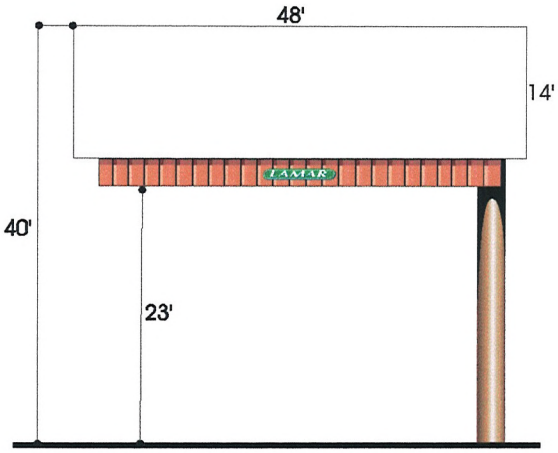
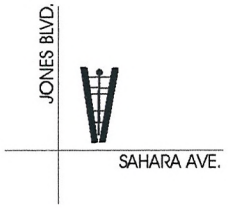




ELEVATION (NO SCALE)



VICINITY MAP (NO SCALE)

LAMAR OUTDOOR ADVERTISING		
SCALE: 1" = 10'	DATE: 07/27/10	DRAWN BY: S.NAFTZGER
7-ELEVEN (JONES & SAHARA) SITE PLAN		
APN 163-01-401-010		DRAWING NUMBER:

RQR-39215

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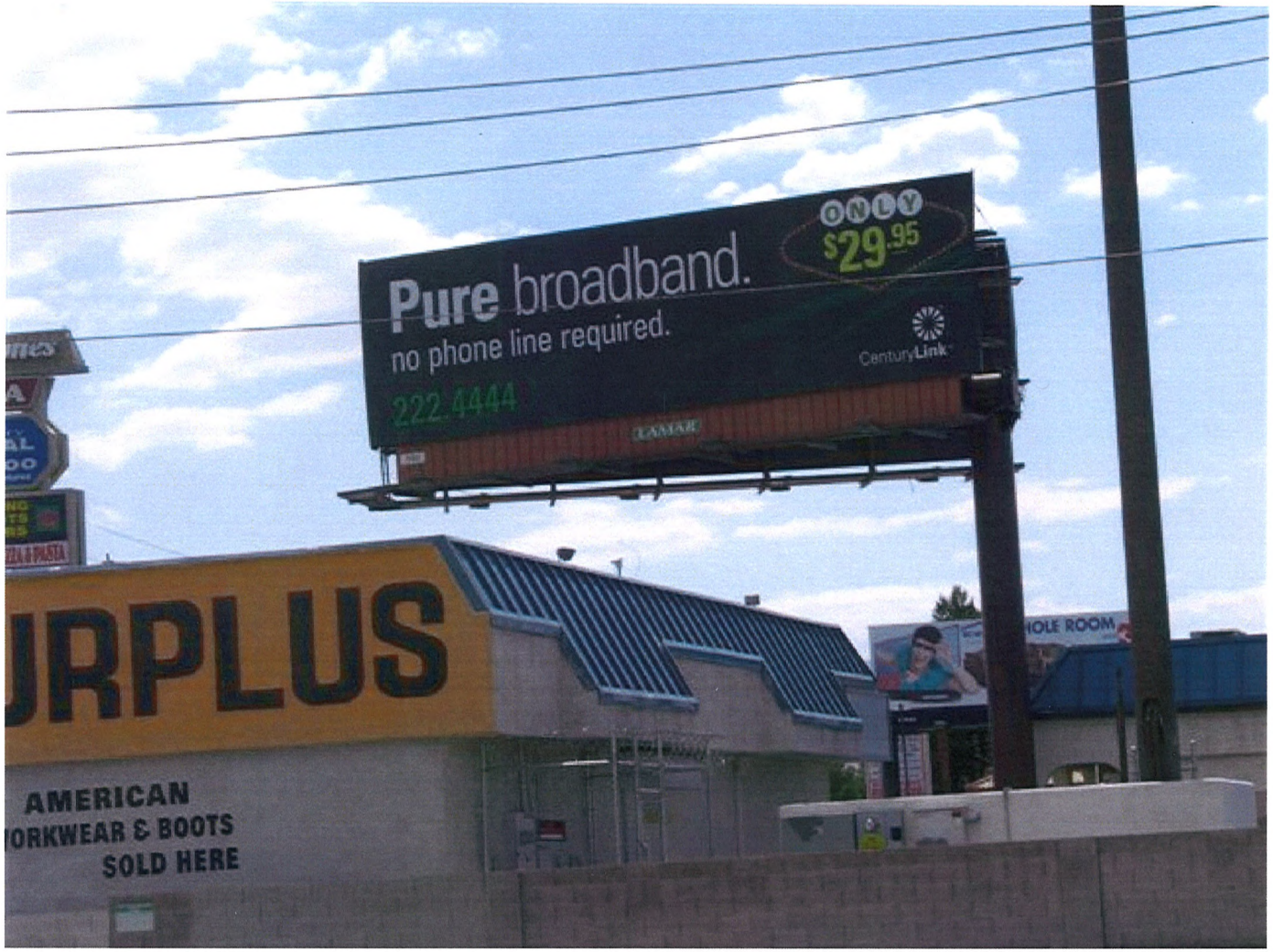
AUG 17 2010



RQR-22271 EAST FACE

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RQR-39215

RQR-22271 WEST FACE

RQR-39215

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AUG 17 2010

RQR-39215 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: 7-ELEVEN, INC.
6070 WEST SAHARA AVENUE

08/19/10

RQR-39215 - APPLICANT: LAMAR CENTRAL OUTDOOR, LLC - OWNER: 7-ELEVEN, INC.
6070 WEST SAHARA AVENUE

08/19/10

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW

DOUGLAS A. SELBY
CITY MANAGER

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

October 9, 2007

Mr. John Thompson
7-Eleven, Incorporated
P.O. Box 711
Dallas, Texas 75221

RE: RQR-22271 – REQUIRED REVIEW
CITY COUNCIL MEETING OF SEPTEMBER 5, 2007

Dear Mr. Thompson:

The City Council at a regular meeting held September 5, 2007 APPROVED the Required Two Year Review of an approved Special Use Permit (U-0315-94), WHICH ALLOWED A 40 FOOT-TALL 14-FOOT x 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6070 West Sahara Avenue (APN: 163-01-401-010), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on September 6, 2007. This approval is subject to:

Planning & Development

1. This Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval of this review by the City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

RECEIVED

AUG 17 2010

RQR-39215

5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

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

Sincerely,

Lean Coleman
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Scott Naftzger
Lamar Advertising
1863 Helm Drive
Las Vegas, Nevada 89119

Ms. Stephanie Allen
KKBR&F
3800 Howard Hughes Parkway, Suite #700
Las Vegas, Nevada 89169

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AUG 17 2010

RQR-39215

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

July 12, 2004

Mr. John Thompson
7 Eleven, Inc.
PO Box 711
Dallas, Texas 75221

RE: RQR-4238 - REQUIRED TWO YEAR REVIEW
CITY COUNCIL MEETING OF JULY 7, 2004

Dear Mr. Thompson:

The City Council at a regular meeting held July 7, 2004 APPROVED the request for Required Two Year Review of an approved Special Use Permit (U-0315-94), WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6070 West Sahara Avenue (APN: 163-01-401-010), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on July 8, 2004. This approval is subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in three (3) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.

2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

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

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18112-001-6/04

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AUG 17 2010

RQR-39215

4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.

5. All City Code requirements and design standards of all City departments must be satisfied.

Sincerely,

Stacey Campbell

Stacey Campbell
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

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

Mr. Scott Naftzger
Lamar Outdoor Advertising
1863 Helm Drive
Las Vegas, Nevada 89119

RECEIVED
AUG 17 2010

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

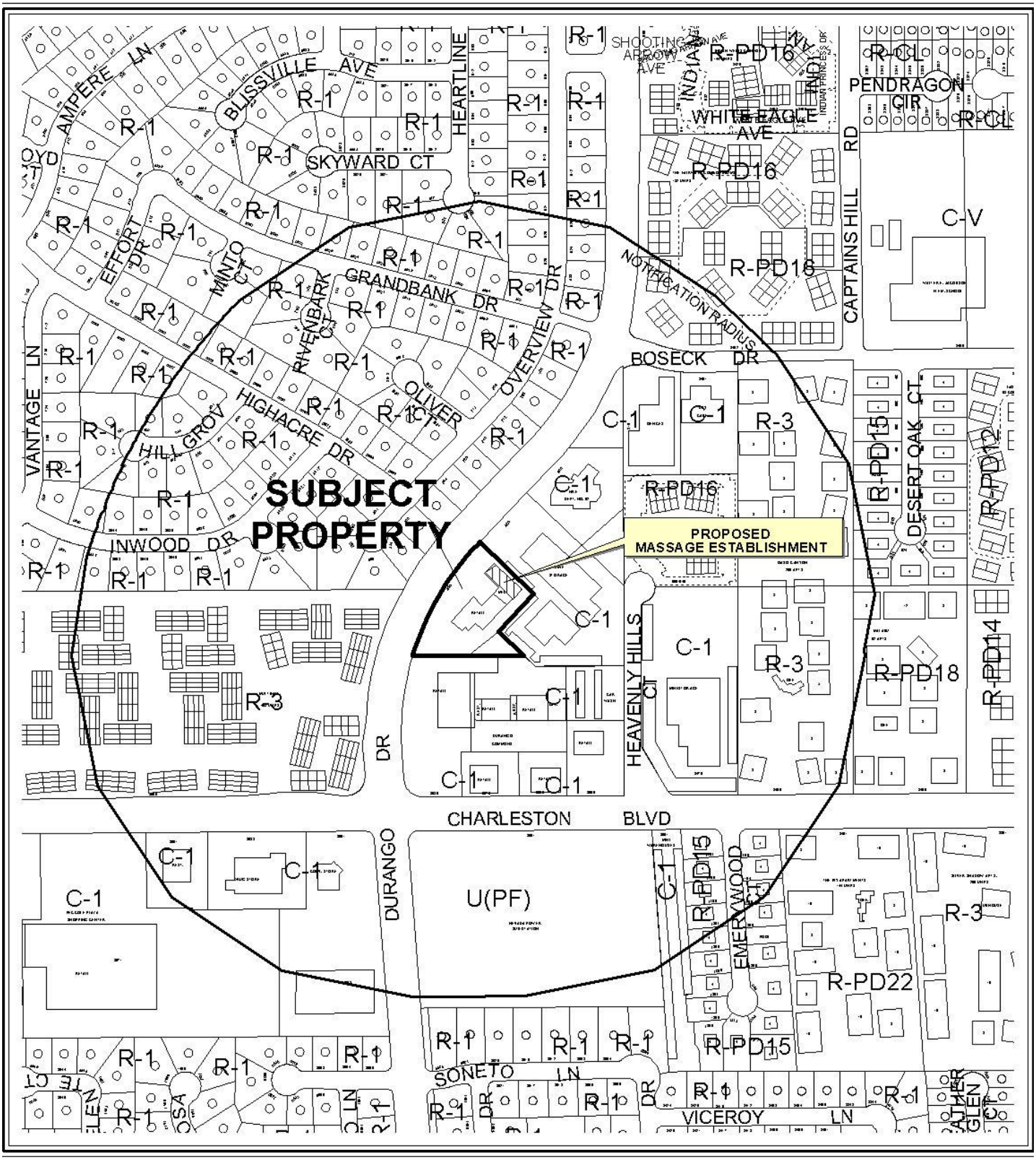
SUBJECT:
SUP-39104 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PHOENIX PHYSICAL THERAPY AND LONGEVITY CENTER - OWNER: SHINHAN E AND C AMERICA, INC. - Request for a Special Use Permit TO ADD A MASSAGE ESTABLISHMENT USE WITHIN AN EXISTING 3,504 SQUARE-FOOT MEDICAL OFFICE WITH A WAIVER TO ALLOW A 100-FOOT DISTANCE SEPARATION FROM RESIDENTIAL PROPERTY WHERE 400 FEET IS REQUIRED at 950 South Durango Drive, Suite #120 (APN 138-32-816-006 and 007), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE FINAL ACTION
(Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 300 600 Feet

CASE: **SUP-39104**

RADIUS: 1000 FT

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

N

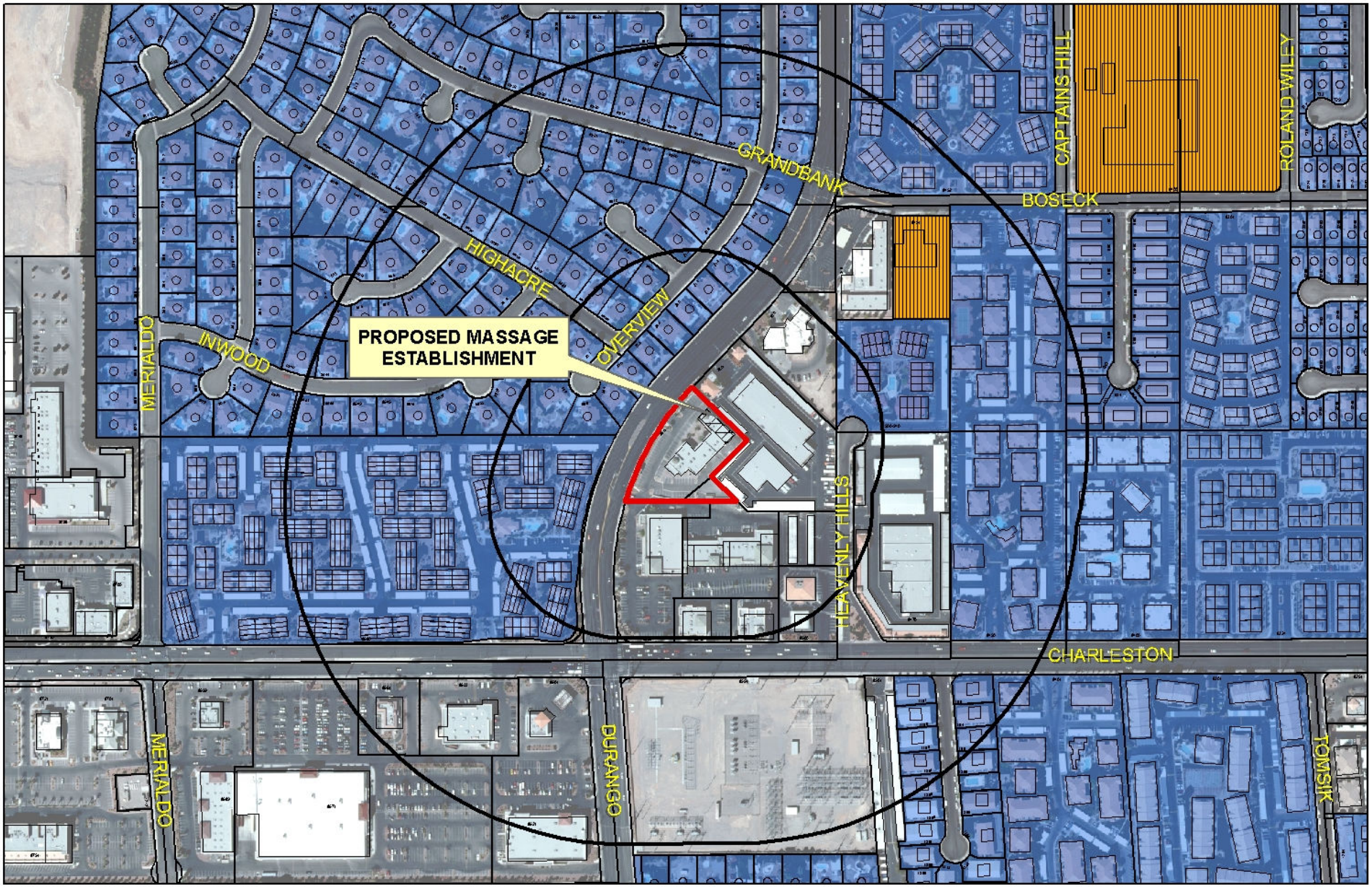
0 300 600 Feet

CASE: **SUP-39104**

RADIUS: 1000 FT

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

N



SUP-39104
Massage Establishment

Business Licenses

- Massage Establishment
- Child Care/ Children Facility

Protected Landuses

- RELIGIOUS
- CITY PARKS
- SCHOOLS

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

0 235 470 940 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: PHOENIX PHYSICAL THERAPY AND LONGEVITY CENTER - OWNER: SHINHAN E AND C AMERICA, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-39104	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-39104 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Massage Establishment use.

2. Conformance to the approved conditions for Rezoning (Z-0034-81), Variance (VAR-11970) and Site Development Plan Review (SDR-1049).

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. 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.

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

Staff Report Page One
September 23, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Massage Establishment use in conjunction with an existing 3,504 square-foot Medical Office located at 950 South Durango Drive, Suite # 120. The Massage Establishment use is required for licensing of therapists providing care for patients; therefore, the use can be conducted in a manner that is harmonious and compatible with surrounding uses, and staff recommends approval with conditions. If this application is denied, the proposed Massage Establishment use cannot be located within the existing Medical Office, nor can a business license be obtained for the use at this location.

ISSUES

- A Massage Establishment use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- The applicant is requesting a waiver of Title 19.04.010 to allow a 100-foot distance separation from a residential use where 400 feet is required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/20/81	The City Council approved a Rezoning (Z-0034-81) from N-U (Non-Urban) to C-1 (Limited Commercial) at 950 South Durango Drive, which was part of a larger rezoning request. The Planning Commission recommended approval.
11/17/02	The Planning Commission approved a Site Development Plan Review (SDR-1049) and a reduction of the perimeter landscape requirements for a 13,558 square foot retail/commercial building on 1.59 acres located adjacent to the east side of Durango Drive, approximately 450 feet north of Charleston Boulevard. The Planning Commission and staff recommended approval.
04/13/06	The Planning Commission approved a Review of Condition (ROC-11971) #5 of an approved Site Development Plan Review (SDR-1049) which required the sign area on the bell/sign tower to be limited to the area indicated on the submitted building elevations at 950 South Durango Drive. Staff recommended denial.
04/13/06	The Planning Commission approved a Variance (VAR-11970) to allow a one foot setback where five feet is the minimum required for an existing sign at 950 South Durango Drive. Staff recommended denial.

Most Recent Change of Ownership	
04/03/08	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
11/18/03	A building permit (03024486) was issued for rough grading at 950 South Durango Drive. The permit was never finaled.
12/18/03	A building permit (03026778) was issued for on-sites at 950 South Durango Drive. The permit was never finaled.
12/18/03	A building permit (03026777) was issued for a Bell Tower at 950 South Durango Drive. The permit was never finaled.
12/18/03	A building permit (03026776) was issued for the Shell Building Certificate of Completion at 950 South Durango Drive. The permit was finaled on 06/22/06.
03/21/06	A building permit (06002188) was issued for a Tenant Improvement for Certificate of Occupancy at 950 South Durango Drive, Suite # 120. The permit was finaled on 07/01/06.
10/10/07	A business license (P05-00402) for Pet Boarding/Sales was issued at 950 South Durango Drive, Suite # 120. The license was marked out of business 09/15/09.
06/04/10	A building permit (162218) was issued for a Tenant Improvement for Certificate of Occupancy at 950 South Durango Drive, Suite # 120. The permit was finaled on 07/19/10.
08/02/10	A business license (Q07-01828) for a Medical Firm was issued at 950 South Durango Drive, Suite # 120. The license is still active.

Pre-Application Meeting	
07/28/10	A pre-application meeting was held with the applicant where the submittal requirements for a Special Use Permit were discussed.

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

Field Check	
08/19/10	Staff conducted a field check and noted a well maintained Retail and Medical Office complex, with one unpermitted banner on the Medical Office.

Details of Application Request	
Site Area	
Net Acres	1.59

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Medical Office / Retail	SC (Service Commercial)	C-1 (Limited Commercial)
North	Mini-Storage	SC (Service Commercial)	C-1 (Limited Commercial)
South	Retail	SC (Service Commercial)	C-1 (Limited Commercial)
East	Mini-Storage	SC (Service Commercial)	C-1 (Limited Commercial)
West	Single Family Residence / Condominium	L (Low Density Residential) / M (Medium Density Residential)	R-1 (Single Family Residential) / R-3 (Medium Density Residential)

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

Functional Classification of Street(s)	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Durango Drive-Primary Arterial	Master Plan of Streets and Highways	100 feet	Y

Pursuant to Title 19.04 and 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Office, Medical	2,000 SF 1,504 SF	1/200 SF 1/175 SF	10 9				
Office, Dental	1,750 SF	1/200 SF	9				
General Retail	8,510 SF	1/175 SF	49				
TOTAL SPACES REQUIRED			77		75		N
Regular and Handicap Spaces Required			73	4	71	4	N

Waivers		
Requirement	***Request***	***Staff Recommendation***
400-foot distance separation from any parcel zoned for residential use.	To allow a 100-foot distance separation from any parcel zoned for residential use.	Approval

ANALYSIS

A Massage Establishment use is defined by Title 19.20.020 as "a facility which is occupied and used for the purpose of practicing massage therapy as defined in LVMC Chapter 6.52. The term does not include the use accessory massage as defined in this Title." The applicant is requesting a Waiver to allow a 100-foot distance separation from a residential use where 400 feet is required. As the proposed use will be conducted in conjunction with a medical office providing physical therapy, staff can support the Waiver request. An existing bike route runs along the west property line on Durango Drive as designated by the Master Plan Transportation Trails Element, which does not impact the subject site.

The proposed massage establishment use will be operated in conjunction with an existing medical office providing physical therapy in existing treatment rooms. The Massage Establishment use is required for licensing of employees who provide care as a result of changes to NRS in 2009. As there are no rooms that are devoted exclusively to the provision of massage services, parking for the location remains unchanged and calculated for an Office, Medical use. The subject site is currently parking impaired by two spaces for the current uses within the commercial center. Future tenanting of the center will be limited by available parking, and a Variance shall be required for any proposed use that results in an increased parking requirement.

FINDINGS (SUP-39104)

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

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

   The proposed Massage Establishment use can be conducted in a manner that is harmonious and compatible with the existing surrounding commercial uses. The proposed use will be operated in conjunction with the existing Medical Office.

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

   The subject site has sufficient on-site for parking as the proposed use requires no additional parking. It is physically suitable for the proposed Massage Establishment use.

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

   Access to the subject is provided by Durango Drive. This street is capable of accommodating the traffic flow created by the site and the use.

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

   If approved, the proposed use on this site will be subject to periodic inspection by regulatory agencies for business licensing and environmental health, and it will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

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

   The proposed Massage Establishment use meets all applicable conditions of Title 19.04, with the exception of the requested Waiver to allow a 100-foot distance separation from a residential use where 400 feet is required. Staff supports the requested Waiver as the use will be operated in conjunction with a medical office.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

NOTICES MAILED 717

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-39104** APN: 138-32-816-006

Name of Property Owner: Shinhan E + C America Inc

Name of Applicant: _____

Name of Representative: Barbara Holland

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: Barbara Holland

Print Name: Barbara Holland

authorized agent

Subscribed and sworn before me

This 28th day of July, 2010

Notary Public in and for said County and State

GINGER ALLEN
Notary Public State of Nevada
No. 05-98068-1
My appt. exp. Mar. 29, 2013

RECEIVED
AUG 05 2010

Revised 11-14-06

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

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Massage Establishment

Project Address (Location) 950 S. Durango Suite 120

Project Name Phoenix Physical Therapy & Longevity Center **Proposed Use** Massage

Assessor's Parcel #(s) 138328/6006 **Ward #** 2

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

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

Gross Acres 1.45 **Lots/Units** — **Density** —

Additional Information _____

PROPERTY OWNER Shinhan E P C America Inc **Contact** Ruby Abraham

Address P.O. Box 7440 **Phone:** 702 385-5611 **Fax:** 702 385 3759

City Las Vegas **State** NEV **Zip** 89125

E-mail Address rabraham@hlrealty.com

APPLICANT Phoenix Physical Therapy & Longevity Center **Contact** Eugene Kaufman

Address 950 S. Durango Dr. #120 **Phone:** 702-583-6200 **Fax:** 702-582-6201

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

E-mail Address Eugene@PhysicalTherapy.US

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

Property Owner Signature* Barbara Holland

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

Print Name Barbara Holland

Subscribed and sworn before me

This 28th day of July, 2010

Notary Public in and for said County and State

GINGER ALLEN
Notary Public State of Nevada
No. 05-98068-1
My appt. exp. Mar. 29, 2013

FOR DEPARTMENT USE ONLY

Case #	SUP-39104
Meeting Date:	9/23/10
Total Fee:	$1030.00
Date Accepted:	08/05/10
Accepted By:	JFM

*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.

GENERAL STRUCTURAL NOTES

COLD FORMED STEEL FRAMING

1. ALL COLD-FORMED STEEL FRAMING SHALL BE FABRICATED AND ERECTED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS AND IN ACCORDANCE WITH THE LATEST EDITION OF "SPECIFICATION FOR THE DESIGN OF COLD-FORMED STEEL STRUCTURAL MEMBERS" BY THE AMERICAN IRON AND STEEL INSTITUTE.
2. STRUCTURAL DRAWINGS TYPICALLY SHOW ONLY THE PRIMARY STRUCTURAL FRAMING ELEMENTS OF THE SYSTEM. CONTRACTOR SHALL PROVIDE ALL ACCESSORIES INCLUDING TRACKS, WEB STIFFENERS, BLOCKING, PLATES, CLIP ANGLES, REINFORCEMENTS, FASTENING DEVICES, BRACING AND OTHER ACCESSORIES AS RECOMMENDED BY THE MANUFACTURER TO PROVIDE A COMPLETE FRAMING SYSTEM.
3. STEEL FOR 12, 14 AND 16 GAGE STUDS AND JOISTS SHALL HAVE MINIMUM YIELD STRENGTH OF 50 KSI. STEEL FOR ALL 18, 20 AND 25 GAGE STUDS AND JOISTS, ALL GAGES OF TRACK, ALL DIAGONAL TENSION STRAPS OR BRACES, AND BRIDGING SHALL HAVE MINIMUM YIELD STRENGTH OF 33 KSI. STEEL SHALL BE GALVANIZED OR THOROUGHLY COATED WITH RUST INHIBITIVE PAINT AT ALL LOCATIONS.
4. FASTENING OF COMPONENTS SHALL BE WITH SELF-TAPPING SCREWS OR WELDS. ALL WELDS OF GALVANIZED STEEL SHALL BE TOUCHED UP WITH ZINC-RICH PAINT. ALL WELDS OF CARBON SHEET STEEL SHALL BE TOUCHED UP WITH PAINT.
5. ALL STUDS SHALL BE SECURELY SEATED FOR FULL END BEARING ON TOP AND BOTTOM TRACK, UNLESS NOTED OTHERWISE. PROVIDE DOUBLE STUDS AT ALL JAMBS, CORNERS, INTERSECTIONS, AND BEAM BEARING.
6. Lateral bracing shall be provided by use of gypsum board and gypsum sheathing or by horizontal straps or cold-rolled channels. Bracing shall conform to Section D3 of the ANSI Specification.
7. SCREWS SHALL BE SELF-TAPPING PAN HEAD HEX HEAD, OR WAFER HEAD SHEET METAL SCREWS. A SCREW OF A LARGER DIAMETER SHALL REPLACE SCREWS, WHICH ARE REMOVED, WHERE THE REPLACEMENT IS MADE INTO AN EXISTING HOLE. REPLACE ALL SCREWS WHICH STRIP OUT MATERIAL. SCREWS SHALL BE SPACED NO CLOSER THAN 5/8 INCH ON CENTER AND WITH A MINIMUM FREE EDGE DISTANCE OF 1/2 INCH. SIZE CLIP ANGLES AND FLAT CLIPS TO MAINTAIN MINIMUM SCREW SPACING AND EDGE DISTANCES NOTED ABOVE. ALL SCREWS #8 AND LARGER SHALL HAVE A MINIMUM HEAD SIZE OF 5/16 INCH.
8. ALL WELDING SHALL BE PERFORMED BY WELDERS EXPERIENCED IN LIGHT GAGE, STRUCTURAL STEEL FRAMING WORK.
9. STUDS SIZE WHERE NOT SPECIFICALLY NOTED ON DETAILS SHALL BE 1-5/8 INCH WIDE BY 3-1/2 INCH DEEP BY 20 GAGE MINIMUM. TRACK SIZE WHERE NOT SPECIFICALLY NOTED ON DETAILS SHALL BE 1" WIDE BY 3-1/2 INCH BY 20 GAGE MINIMUM.
10. JOISTS, STUDS, TRACK, ETC., SHALL HAVE STEEL THICKNESS AND EFFECTIVE SECTION PROPERTIES AS LISTED IN THE METAL STUD MANUFACTURERS ASSOCIATION MANUAL, ICC ER NO 4943, OR EQUIVALENT.

SPECIAL CONDITIONS, REQUIREMENTS AND NOTES TO OWNER, DEVELOPER AND CONTRACTORS

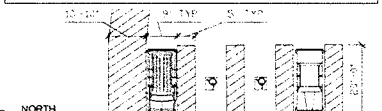
1. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR VARIATIONS TO PLANS BETWEEN BID PROCESS AND FINALIZED APPROVED DOCUMENTS RELEASED FOR CONSTRUCTION. ADDITIONS AND ALTERATIONS MAY BE MADE BETWEEN RELEASE OF BID DOCUMENTS AND FINALIZED CONSTRUCTION DOCUMENTS.
2. DESIGNS HAVE BEEN COMPLETED USING THE CODE STATED IN THE BASIS FOR DESIGN. OTHER SPECIALIZED CODES OR DIRECTIVES (HUD, OSHA, ASSHTO, ETC.) ARE NOT USED IN THE PREPARATION OF THESE DOCUMENTS AND ARE NOT REFERENCED.
3. THESE DRAWINGS HAVE BEEN PREPARED USING STANDARDS OF PROFESSIONAL CARE AND COMPLETENESS NORMALLY EXERCISED UNDER SIMILAR CIRCUMSTANCES BY REPUTABLE STRUCTURAL ENGINEERS IN THIS OR SIMILAR LOCALITIES. THEY NECESSARILY ASSUME THAT THE WORK DEPICTED WILL BE PERFORMED BY AN EXPERIENCED CONTRACTOR, SUBCONTRACTOR AND/OR WORKPERSONS WHO HAVE A WORKING KNOWLEDGE OF THE APPLICABLE CODE STANDARDS AND REQUIREMENTS AND OF INDUSTRY ACCEPTED STANDARD GOOD PRACTICE. AS NOT EVERY CONDITION OR ELEMENT IS (OR CAN BE) EXPLICITLY SHOWN ON THESE DRAWINGS, IT IS UNDERSTOOD THAT THE CONTRACTOR WILL USE INDUSTRY ACCEPTED STANDARD GOOD PRACTICE FOR ALL WORK NOT EXPLICITLY SHOWN.
4. CALCULATION AND DESIGN OF MISCELLANEOUS NON-STRUCTURAL ITEMS, NON-STRUCTURAL WALLS AND PREFABRICATED STRUCTURAL ITEMS, ARE NOT INCLUDED AND IS TO BE PROVIDED BY OTHERS UNLESS SPECIFICALLY NOTED ON THESE DRAWINGS.
5. THESE DRAWINGS REPRESENT THE FINISHED STRUCTURE. THEY DO NOT INDICATE THE METHOD OF CONSTRUCTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DESIGN AND PROVIDE TEMPORARY SHORING, BRACING, SUPPORTS, ETC. AS REQUIRED FOR THE PROTECTION OF LIFE AND PROPERTY DURING CONSTRUCTION. CONSTRUCTION MATERIALS SHALL BE UNIFORMLY SPREAD OUT SUCH THAT DESIGN LIVE LOAD PER SQUARE FOOT AS STATED HEREIN IS NOT EXCEEDED.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL EXCAVATION PROCEDURES INCLUDING SHORING AND PROTECTION OF ADJACENT PROPERTY, STRUCTURES, STREETS AND UTILITIES IN ACCORDANCE WITH THE LOCAL BUILDING DEPARTMENT. ALL WORK OR CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE BUILDING CODES, REGULATIONS, SAFETY REQUIREMENTS.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF ALL DIMENSIONS, CONDITIONS AND ELEVATIONS WITH ARCHITECTURAL DRAWINGS PRIOR TO START OF CONSTRUCTION.
8. WHERE REFERENCE IS MADE TO VARIOUS TEST STANDARDS FOR MATERIALS, SUCH STANDARDS SHALL BE THE LATEST EDITION AND/OR ADDENDA.
9. OPTIONS ARE FOR CONTRACTOR'S CONVENIENCE. IF AN OPTION IS USED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL NECESSARY CHANGES AND SHALL COORDINATE ALL DETAILS.
10. TYPICAL DETAILS AND NOTES SHALL APPLY, THOUGH NOT NECESSARILY INDICATED AT A SPECIFIC LOCATION ON PLANS. WHERE NO DETAILS ARE SHOWN, CONSTRUCTION SHALL CONFORM TO SIMILAR WORK ON THE PROJECT. DETAILS MAY SHOW ONLY ONE SIDE OF CONNECTION OR MAY OMIT INFORMATION FOR CLARITY. WHERE DISCREPANCIES OCCUR BETWEEN DRAWINGS, NOTES AND DETAILS, ON DRAWINGS SHALL TAKE PRECEDENCE OVER GENERAL STRUCTURAL NOTES AND TYPICAL DETAILS.
11. ALL OPENINGS ARE NOT SHOWN ON THESE DRAWINGS. ESTABLISH AND VERIFY ALL OPENINGS AND INSERTS FOR ARCHITECTURAL, MECHANICAL, PLUMBING AND ELECTRICAL WITH APPROPRIATE TRADES, DRAWINGS AND SUBCONTRACTORS PRIOR TO CONSTRUCTION. OPENINGS MAY REQUIRE ADDITIONAL REINFORCING OR SUPPORTS AS SHOWN ON TYPICAL DETAILS. IF TYPICAL DETAILS FOR ALL CONDITIONS ARE NOT INCLUDED HEREIN, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO REQUEST IN WRITING ADDITIONAL INFORMATION.
12. ALL INSPECTIONS REQUIRED BY THE BUILDING CODES, LOCAL BUILDING OFFICIALS, OR BY THESE PLANS SHALL BE PROVIDED BY AN INDEPENDENT INSPECTION COMPANY OR, THE BUILDING DEPARTMENT. INSPECTION REQUIREMENTS STATED HEREIN ARE PARTIAL. COMPLETE INSPECTION REQUIREMENTS SHALL BE AS DIRECTED BY THE LOCAL BUILDING DEPARTMENT. CITY VISITS BY THE ENGINEER DO NOT CONSTITUTE AN INSPECTION, UNLESS SPECIFICALLY CONTRACTED FOR.
13. SHOP DRAWINGS SHALL BE SUBMITTED FOR ALL STRUCTURAL ITEMS. SHOP DRAWINGS ARE REVIEWED ONLY FOR GENERAL COMPLIANCE WITH THE STRUCTURAL DRAWINGS. REVIEW DOES NOT INDICATE THAT THE SHOP DRAWINGS ARE CORRECT OR COMPLETE. RESPONSIBILITY FOR CORRECTNESS SHALL REST WITH THE CONTRACTOR. ANY CHANGES, SUBSTITUTIONS, OR DEVIATIONS FROM CONTRACT DRAWINGS SHALL BE CLOUDED. ANY OF THE AFOREMENTIONED SHALL NOT BE CONSIDERED APPROVED AFTER ENGINEER'S REVIEW UNLESS SPECIFICALLY NOTED ACCORDINGLY. THE SHOP DRAWINGS DO NOT SUPERSEDE OR REPLACE THE ORIGINAL CONTRACT DRAWINGS. ANY ENGINEERING PROVIDED BY OTHERS AND SUBMITTED FOR REVIEW SHALL BEAR THE SEAL OF AN AUTHORIZED PROFESSIONAL ENGINEER. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR THE ADEQUACY OF EXCAVATION, SLOPE, SHEETWORK OR CONSTRUCTION DEWATERING SYSTEMS. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES, OR THE SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK.

SHEET INDEX

A-0.0	Cover Sheet
A-0.1	Egress Plan and Structural Connection Details
EX-1.0	Existing Plan, Demolition Plan
A-1.0	Proposed Plans
A-2.0	Interior Elevations
A-2.1	Interior Elevations
A-2.2	Interior Elevations
A-2.3	Interior Elevations
A-3.0	Exterior Elevations
A-4.0	Building Sections
A-5.0	Typical Wall Sections and Details
A-6.0	Schedules
E-1.0	Power Plan
E-2.0	Lighting Plan

KEY NOTES

1. Modify existing door handles so that customers don't burn their hands.
2. Location of replacement signage. See electric plans for power requirments.
3. Separate tenant space.
4. Remove existing ceiling tile, grid, lighting, all HVAC grills and fixtures, and sprinkler heads. Carefully place aside for reuse.
5. Location of mirror and stretch bar.
6. Relocated item.



3 EXISTING ACCESSIBLE PARKING
Scale: 1/16" = 1'-0"

BUILDING ANALYSIS

Existing Shell Construction Type	- V - A (sprinkled)
Proposed Interior Construction Type	- IIB (sprinkled)
Occupancy Type	- B - Clinic, Outpatient
Allowable Occupant Load - TI (Occupancy B, only)	- 36 people
Actual Occupant Load - TI (based on mixed use occupancy see Egress Plan 1/A-0.1)	**- 49 people**
Sprinkled	- YES
Allowable Area - Total Building	- 18,000 square feet
Actual Area - Adjacent Unit 130 (Occupancy M)	- 1,966 square feet
Actual Area - Adjacent Unit 140 (Occupancy B)	- 1,750 square feet
Actual Area - Adjacent Unit 150 (Occupancy M)	- 4,505 square feet
Actual Area - Adjacent Unit 170 (Vacant)	- 2,009 square feet
Actual Area - TI - Unit 120	**- 3,504 square feet**
Actual Area - Total Building	- 13,734 square feet
Allowable Number of Stories	- 3
Actual Number of Stories	- 1
Max. Allowable Building Height	- 50'-0"
Actual Building Height	- 39'-4"
Required Number of Exits	- 2
Actual Number of Exits	- 5
Required Parking Stalls	- 35 (includes HC stalls)
Required Handicap Parking	- 7
Actual Parking Stalls	- 19 (includes HC stalls)
Actual Handicap Parking	- 4

Plumbing Fixtures	Required	Provided
Toilets (Male)	- 1	-1
Lavatories (Male)	- 1	-1
Toilets (Female)	- 1	-1
Lavatories (Female)	- 1	-1

GENERAL NOTES
- All door hinge framing shall be located 4" off of perpendicular wall.
- Existing bathrooms shall be striped of all finishes. New finishes shall be put in place.
- All data points shall be homerunned to AV Closet 115.
- All existing lighting fixture bulbs shall be replace with a 'warm' light.
- Maintain all walls and Fire rated walls.

PROJECT DESCRIPTION

Existing structure - A 3,504 square feet tenant unit fit out for a Physical Therapist Office.

- The interior shall be renovated to add a Lobby, Reception area, Nutritionist Office, AV Closet, 7 (seven) - Message Therapy Offices, Storage Closet, and a Weight Room. The 2 (two) - existing bathrooms shall be refinished and handicap accessible.
- A new sign will be attached to the exterior of the building in the place of the existing sign.

SITE ANALYSIS

Zoning	- C1
Plat / Lot	- Plat Book 80 Page 82 Lot 5
Parcel Number	- 138.32.816.006
Lot Size	- 1.47 acres
Tenant Unit Square Footage	- 3,504 sq-ft
Elevation	- 2655 ft
Earthquake Zone	- 2B

SITE ANALYSIS

Building Codes	- 2006 IBC - 2005 NEC - 2006 UMC - 2006 UPC - 2003 ICC/ANSI - A117.1 - NFPA 13
Roof Load	- Live (PSF): 20
	Dead (PSF): 14 total
Floor Load	- Live (PSF) 40
	Dead (PSF) 20 total
Wind Load	- 90 MPH basic speed
	Exposure B

1 ENTIRE SHEET REVISED

2 EXISTING PARKING PLAN
Scale: 1/16" = 1'-0"

NORTH

1 EXISTING SITE PLAN
Scale: 1/32" = 1'-0"

Contractor:
CLM Development
3710 W Desert Inn Rd
Las Vegas, NV 89102

Project:
Physical Therapy Office
950 S. Durango, # 120
Las Vegas, NV

Drawing Name:
COVER SHEET

Date	4-16-2010
Project Number	
Scale	Varies
Drawn By	CLM
Revised	5-17-2010, 6-15-2010

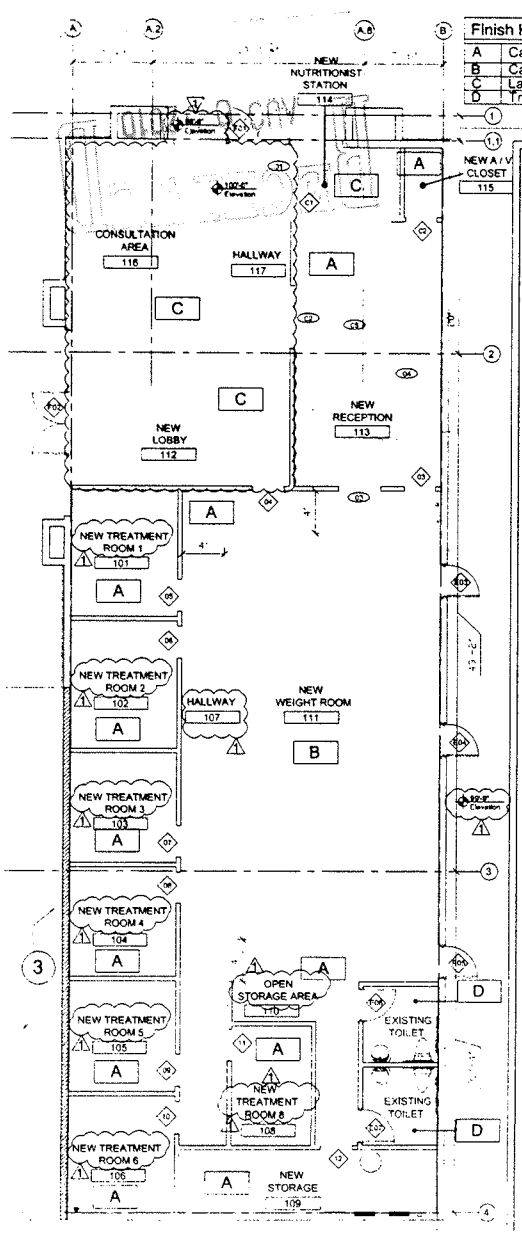
Sheet Number:
A-0.0

AUG 0 5 2010

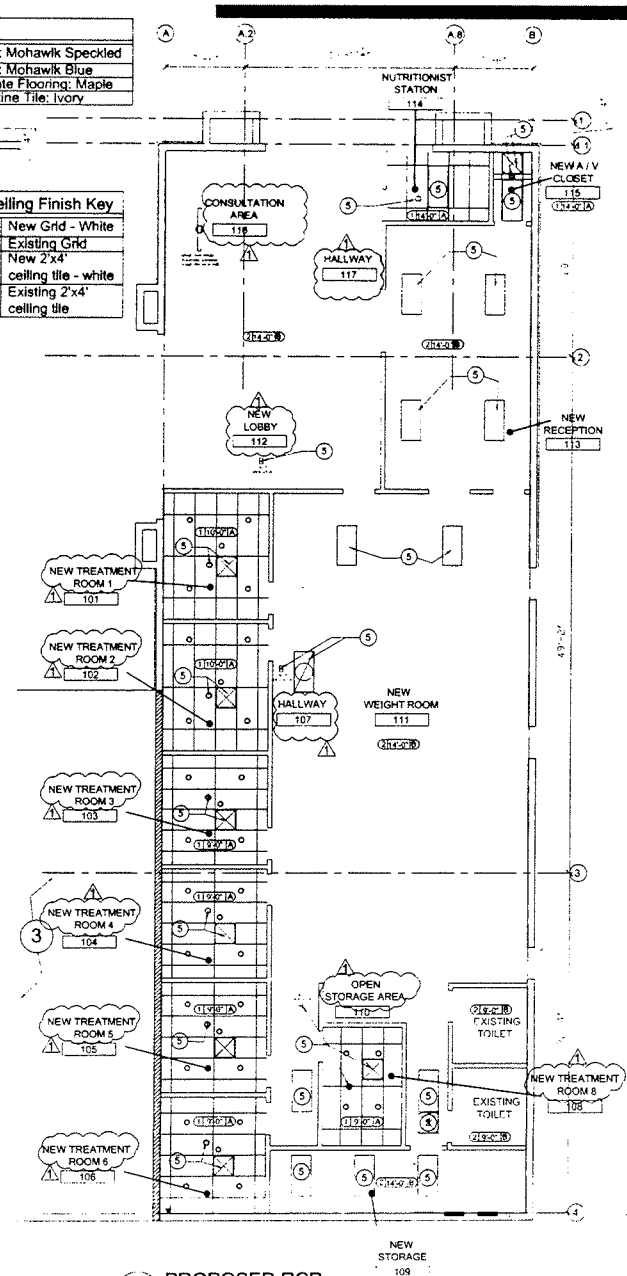
SUP-39104

Finish Key	
A	Carpet: Mohawk Speckled
B	Carpet: Mohawk Blue
C	Laminate Flooring: Maple
D	Travertine Tile: Ivory

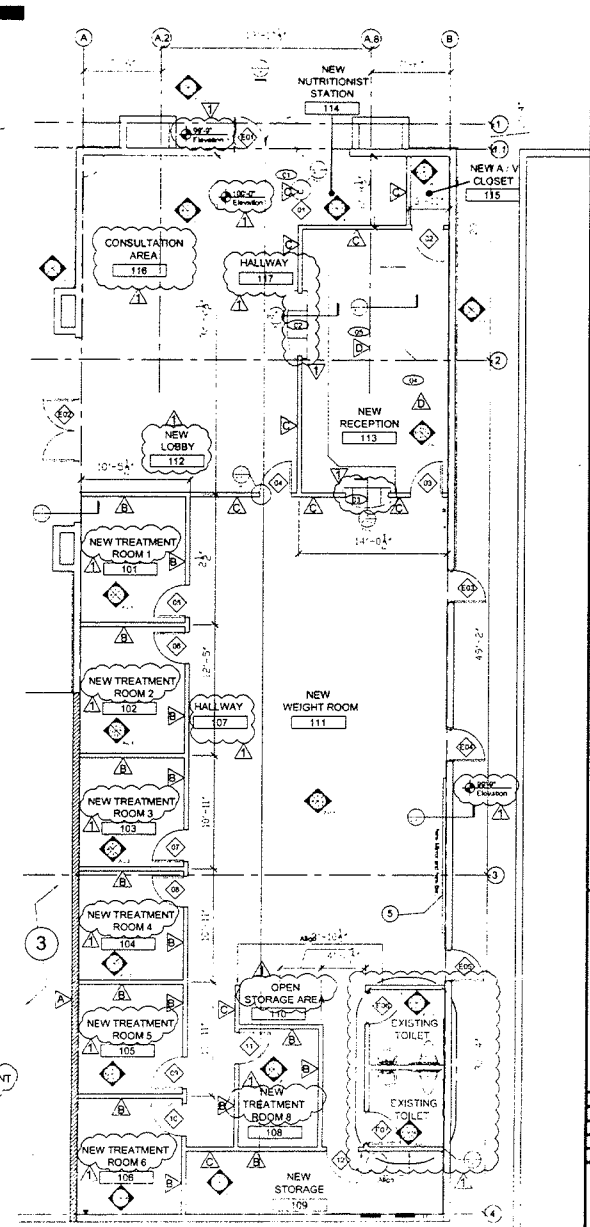
Ceiling Finish Key	
A	New Grid - White
B	Existing Grid
1	New 2'x4' ceiling tile - white
2	Existing 2'x4' ceiling tile



PROPOSED FLOOR FINISH PLAN
Scale: " = 1'-0"



2 PROPOSED RCP
Scale: " = 1'-0"



NORTH

1 PROPOSED PLAN
Scale: " = 1'-0"

Contractor:
CLM Development
3710 W Desert Inn Rd
Las Vegas, NV 89102

Project:
Physical Therapy Office
950 S. Durango, # 120
Las Vegas, NV

Drawing Name:
PROPOSED Floor Plans

Date	4-16-2010
Project Number	
Scale	Varies
Drawn By	DCM
Revised	5-17-2010

Sheet Number:
A-1.0

SUP-39104

RECEIVED
AUG 0 5 2010

SUP-39104 - APPLICANT: PHOENIX PHYSICAL AND LONGEVITY CENTER - OWNER: SHINHAN E AND C AMERICA, INC.
950 SOUTH DURANGO DRIVE, SUITE #120

08/19/10

PHOENIX PHYSICAL THERAPY AND LONGEVITY CENTER

950 S. Durango Drive, Suite #120, Las Vegas, NV 89145
Tel: 702-583-6200 Fax: 702-583-6201
Online: www.PhysicalTherapy.us

Friday, July 30, 2010

Justification Letter

Dear Sir and/or Madam:

We are a Physical Therapy center that offers post-trauma and preventive medical care to our patients. One of our medically effective services is a manual therapy called "Soft Tissue Oxygenation". This hands-on technique is a form of a massage. It is performed by specially trained licensed massage therapists and physical therapists. This massage technique is known in Europe, Asia, Australia, and New Zealand as "medical massage" due to it therapeutic qualities.

On July 13, 2010, we were informed by the Business License Department that due to law changes in 2009, Physical Therapy facilities must receive a Special-Use Permit in order to perform any type of manual therapy on their clients. So in order for us to be in compliance, we are asking for this Special-Use Permit.

This service is vital to health and recovery of our patients. Soft Tissue Oxygenation Therapeutic Massage is the only type of "massage" that we offer (going to offer) our clients. We do not plan to be a regular cosmetic massage center or a spa because we are a medical facility.

We kindly ask for your assistance in this matter in order to be in compliance with the City of Las Vegas. Only Nevada licensed massage therapists and Nevada licensed physical therapists will be performing Soft Tissue Oxygenation Therapeutic Massage treatments.

We are requesting a waiver for a 300-feet where 400-feet is required between us and a residentially zoned property. Our property is 100-feet across Durango Drive from the closest residential property.

If there is anything else that I need to provide you, please call me on my cell phone. My contact information is:
Eugene Kaufman
Cell: 702-622-5628
Email: Eugene@PhysicalTherapy.us

Thank you so much for your service. I await your further instructions.

Eugene Kaufman, MBA
Director of Practice Development
Corporate Secretary

RECEIVED
AUG 05 2010
SUP-39104

City of Las Vegas Agenda Item No.: **17.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

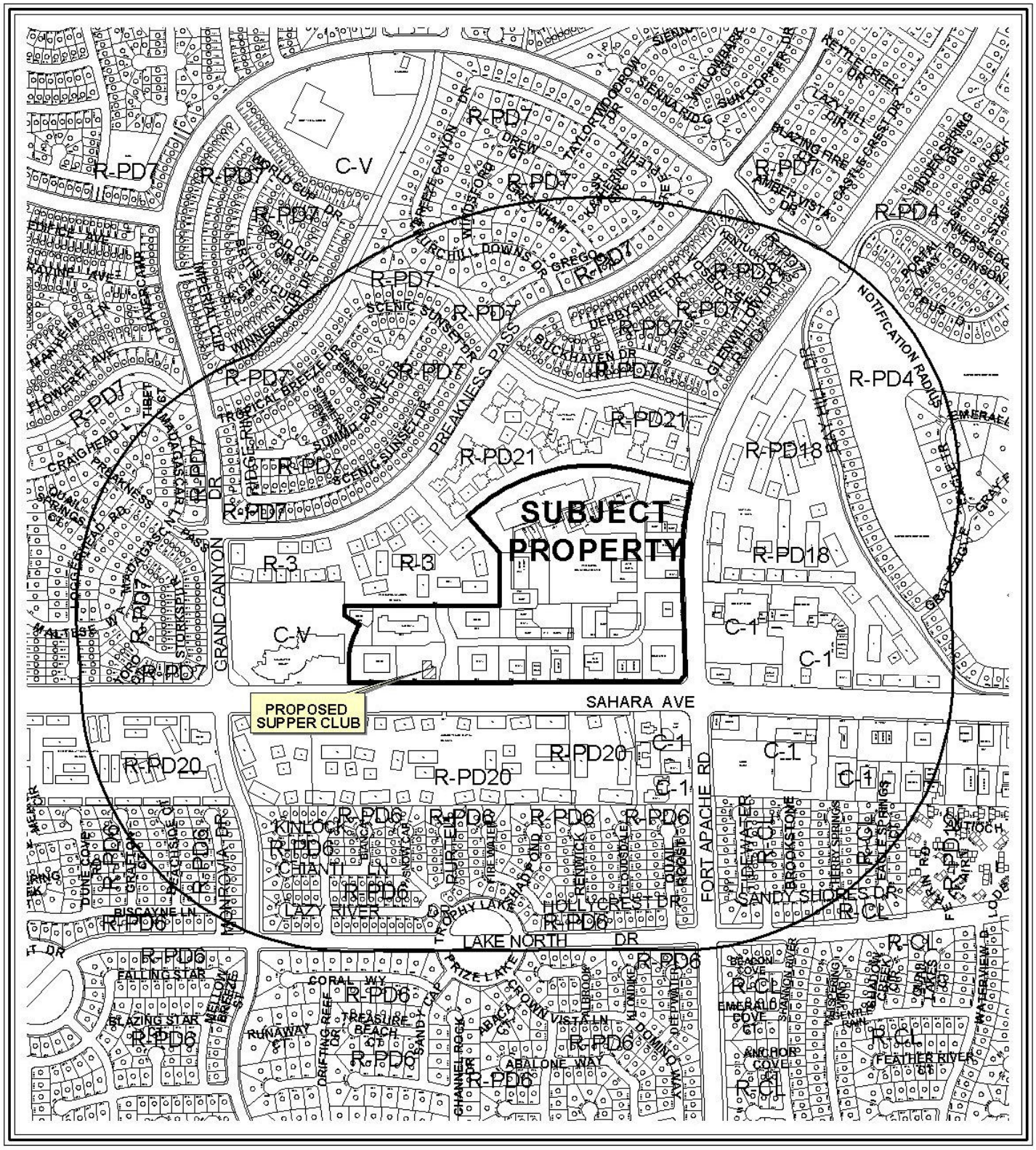
SUBJECT:
SUP-39144 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WESTSIDE FIREFLY, LLC - OWNER: CONTINENTAL PROPERTY, LLC - Request for a Special Use Permit FOR A PROPOSED 7,000 SQUARE-FOOT SUPPER CLUB IN A FORMER RESTAURANT WITH A WAIVER TO ALLOW A ZERO FOOT SEPARATION DISTANCE WHERE 400 FEET IS REQUIRED at 9560 West Sahara Avenue (APN 163-06-816-025), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE 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-39144**

RADIUS: 1500 FT

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

N

CASE: **SUP-39144**

RADIUS: 1500 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: WESTSIDE FIREFLY, LLC - OWNER: CONTINENTAL PROPERTY, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-39144	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-39144 CONDITIONS

Planning and Development

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

2. Conformance to the Conditions of Approval for Rezoning (Z-0139-88) and Site Development Plan Review [Z-0139-88(28)], except as amended herein.

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. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

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

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

Conditions Page Two
September 23, 2010 - Planning Commission Meeting

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

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

** STAFF REPORT **

PROJECT DESCRIPTION

- This application is a request for a Special Use Permit to re-establish a 7,000 square-foot Supper Club at an existing Restaurant located at 9560 West Sahara Avenue. The existing Restaurant has been previously entitled for the Supper Club use two times since its construction in 1999. The applicant has not proposed any physical alterations to the existing site or structure. Staff recommends approval of this requested Special Use Permit for the Supper Club use with conditions. If denied, the applicant would be allowed to operate a Restaurant use without any permitted alcohol sales.

ISSUES

- A Special Use Permit is required because the previous Supper Club use (SUP-28835) expired after business operations ceased for more than 180 days.
- This request, as presented, requires a Waiver to allow a zero foot separation distance where 400 feet is required from a Church/House of Worship located within the same commercial subdivision.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
02/15/89	The City Council approved a Rezoning (Z-0139-88) for the property located west of Fort Apache Road, between Sahara Avenue and Charleston Boulevard, from N-U (Non Urban) under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre), P-R (Professional Office and Parking), C-1 (Limited Commercial), and C-V (Civic), to R-PD7 (Residential Planned Development- 7 Units Per Acre), R-3 (Medium Density Residence), and C-1 (Limited Commercial) for the proposed use of Single Family Residential, Multifamily Residential, Commercial and Mixed-Use Commercial development. The Planning Commission and staff recommended approval.
09/28/98	The City Council approved the request for a Site Development Plan Review [Z-0139-88(28)] on property located north of Sahara Avenue, approximately 1,400 feet west of Fort Apache Road, for a proposed 6,990 square foot Restaurant. The Planning Commission recommended approval.

10/12/98	The City Council approved a request for a Special Use Permit (U-0090-98) on property located on the north side of Sahara Avenue, for a Supper Club in conjunction with a proposed 6,990 square-foot Restaurant. This entitlement expired on 05/07/2008.
10/15/08	The City Council approved a request for a Special Use Permit (SUP-28835) for a proposed Supper Club with a Waiver to allow a zero-foot distance separation from a Church/House of Worship where 400 feet is required at 9560 W. Sahara Avenue. The Planning Commission recommended approval with staff recommending denial on 8/28/2008. NOTE: This entitlement expired on 08/03/2010.

Most Recent Change of Ownership	
12/28/06	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/14/99	Plan Check #C-0167-98 was issued for a new restaurant located at 9560 West Sahara Avenue. This project received a final inspection on 04/23/1999
05/03/99	A Business License (#R09-00924) was issued for a Restaurant located at 9560 West Sahara Avenue.
	A Business License (#L21-00014) was issued for a Supper Club at 9560 West Sahara Avenue. The business ceased operations on 11/07/2008.
08/05/09	A Business License (#R09-01519) was issued for a Restaurant located at 9560 West Sahara Avenue.
	A Business License (#L21-98736) was issued for a Supper Club located at 9560 West Sahara Avenue. The business ceased operations on 02/03/2010.

Pre-Application Meeting	
07/30/10	A pre-application meeting was held with staff to discuss the submittal requirements to re-establish a Supper Club use at 9560 West Sahara Ave. It was determined that a Waiver would still be required as there is a Church/House of Worship located within the commercial subdivision at 9590 West Sahara Avenue.

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

Field Check	
08/19/10	A field check was performed by staff. Although unoccupied, the existing Restaurant and landscaping is maintained.

Details of Application Request	
Site Area	
Net Acres	1.28

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Apartments	M (Medium Density Residential)	R-PD21 (Residential Planned Development – 21 Units per Acre)
			R-3 (Medium Density Residential)
South	Bank	SC (Service Commercial)	C-1 (Limited Commercial)
	Apartments	M (Medium Density Residential)	R-PD20 (Residential Planned Development – 20 Units per Acre)
East	Commercial Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
		M (Medium Density Residential)	R-PD18 (Residential Planned Development – 18 Units per Acre)
West	Library	PF (Public Facilities)	C-V (Civic)
	Church	SC (Service Commercial)	C-1 (Limited Commercial)
	Apartments	M (Medium Density)	R-3 (Medium Density Residential)

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

MH

Functional Classification of Street(s)	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Sahara Avenue: *Primary Arterial*	Master Plan of Streets and Highways	100 Feet	Y

Pursuant to Title 19.04 and 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	425,720 SF	1:250 SF	1703		2,112		Y
TOTAL SPACES REQUIRED			1,675		2,032		Y
Regular and Handicap Spaces Required			28		80		Y
Loading Spaces	6,690 SF	1:10,000 SF	1		1		Y

Waivers		
Requirement	*Request*	*Staff Recommendation*
A 400-foot distance separation is required between a Supper Club and a House of Worship.	To allow no separation distance.	Approval

ANALYSIS

This application is a request to reestablish a Supper Club at 9560 West Sahara Avenue. Because the previous entitlement (SUP-28835) for such use expired on 08/03/2010, a new Special Use Permit with a Waiver to allow no distance separation from a Church/House of Worship where 400 feet is required is needed prior to licensing.

The subject site is located within a 458,053 square-foot Shopping Center and is consistent with the C-1 (Limited Commercial) zoning district and the SC (Service Commercial) land use designation. The Supper Club use has been established twice in at this Restaurant since construction in 1999, but had expired each time due to a cease in business operations greater than 180 days (six months).

A Church/House of Worship has located within this Shopping Center since the original construction and entitlement of this building as Supper Club, thus requiring the need for a Waiver. Staff finds that there is minimal impact to the existing Church/House of Worship, as this location has previously operated as a Supper Club, along with the consideration for two Supper

Clubs and a Liquor Establishment (Tavern) currently operating within this commercial subdivision.

With exception to the distance separation from the existing Church/House of Worship, the proposed use meets the required Minimum Conditions for the Supper Club use. The provided floor plan adequately satisfies the requirements for the Supper Club use as follows: The restaurant operation is the principal use of the business; access to the 32-seat bar area is through the lobby with a partition between the restaurant area; and the seating for 200 customers within the restaurant area (150 seats inside and 50 seats within a patio area) exceeds the minimum requirement of 125 persons.

FINDINGS (SUP-39144)

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

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

   The proposed Supper Club is located in a Shopping Center that contains variety of uses including a Church/House of Worship use. With an approved Waiver of the required 400-foot separation from the Church/House of Worship use, the Supper Club can be conducted in the same harmonious and compatible manner that has been entitled twice at this location.

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

   There are no proposed alterations to the subject site or structure and thus the site retains its physical suitability for a Supper Club use that had been established with the previous entitlements (U-0090-98 and SUP-28835).

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 from Sahara Avenue and Fort Apache Road; both of these streets provide adequate access to meet the requirements of the proposed use.

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

The proposed use will be subject to permit review and inspections prior to operating a Supper Club; therefore, appropriate measures will be taken to protect the health, safety and general welfare of the public.

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

With an approved Waiver, the requested use will satisfy all Minimum Special use Permit requirements for a Supper Club. Staff supports the requested Waiver to allow no separation distance from a Church/House of Worship where 400 feet is required as this use has been previously established twice at this location with no adverse impacts.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 1,514

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-39144** APN: 163-06-816-025

Name of Property Owner: Continental Property, LLC

Name of Applicant: Firefly Westside, LLC

Name of Representative: Tabitha Fiddyment

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: Olga Gregoryan

Print Name: OLGA GREGORYAN

Subscribed and sworn before me

This 4TH day of AUGUST, 2010

- KIMBERLY N. BOHLE

Notary Public in and for said County and State

COUNTY OF: CLARK STATE OF: NEVADA

KIMBERLY N. BOHLE
Notary Public, State of Nevada
Appointment No. 08-6788-1
My Appt. Expires Jun 13, 2012

RECEIVED
AUG 10 2010

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 9560 Sahara Ave.

Project Name Firefly **Proposed Use** Supper Club

Assessor's Parcel #(s) 163-06-816-025 **Ward #** 2

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

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

Gross Acres 1.28 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Continental Property, LLC **Contact** Tabitha Fiddyment

Address 605 Hermosa Canyon Dr **Phone:** 792-7000 **Fax:** 796-7181

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

E-mail Address _____

APPLICANT Firefly Westside, LLC **Contact** Tabitha Fiddyment

Address 8345 W Sunset, Ste 250 **Phone:** 792-7000 **Fax:** 796-7181

City Las Vegas **State** NV **Zip** 89113

E-mail Address tdf@kcnvlaw.com

REPRESENTATIVE Kaempfer Crowell Renshaw Gronauer & Fiorentino **Contact** Tabitha Fiddyment

Address 8345 W Sunset, Ste 250 **Phone:** 792-7000 **Fax:** 796-7181

City Las Vegas **State** NV **Zip** 89113

E-mail Address tdf@kcnvlaw.com

Property Owner Signature* Olga Gregoryan

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

Print Name OLGA GREGORYAN

Subscribed and sworn before me

This 4TH day of AUGUST, 20 10.

- KIMBERLY N. BOHLE

Notary Public in and for said County and State

KIMBERLY N. BOHLE
Notary Public, State of Nevada
Appointment No. 08-6788-1
My Appt. Expires Jun 13, 2012

FOR DEPARTMENT USE ONLY

Case #	SUP-39144
Meeting Date:	9/23/10
Total Fee:	1280.00
Date Received:*	8/10/10
Received By:	LHM

*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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AUG 10 2010

Revised 10/27/08

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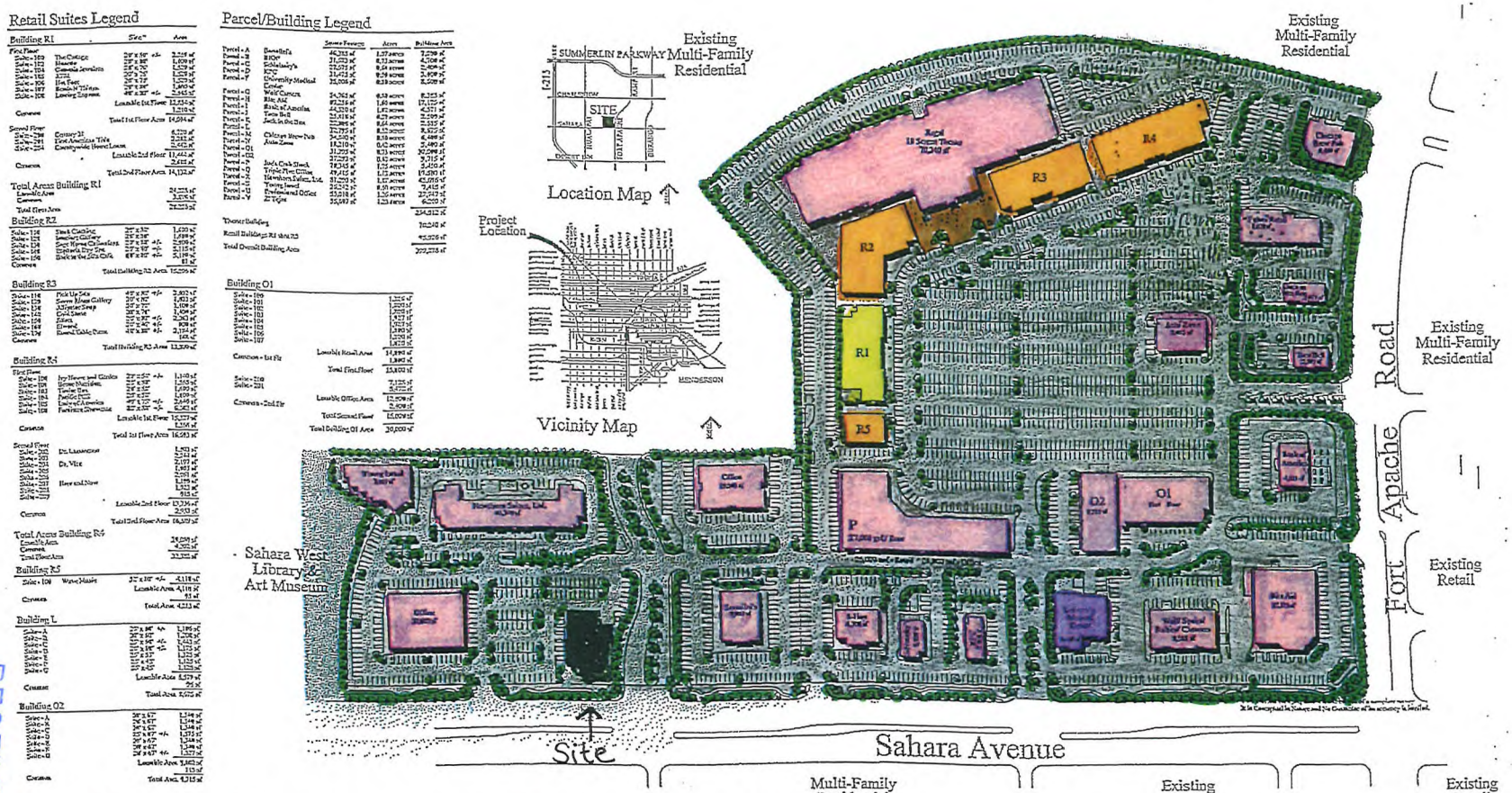

Village Square at Peccole Ranch

Triple Five Nevada Development Corporation

SUP-39144

NWC Sahara Avenue and Fort Apache Road, Las Vegas, Nevada

Master Site Plan

Scale: 1" = 80'

Perlman

2220 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89074
702.990.9400 702.990.9222 fax

© COPYRIGHT 2010, PERLMAN ARCHITECTS, INC.

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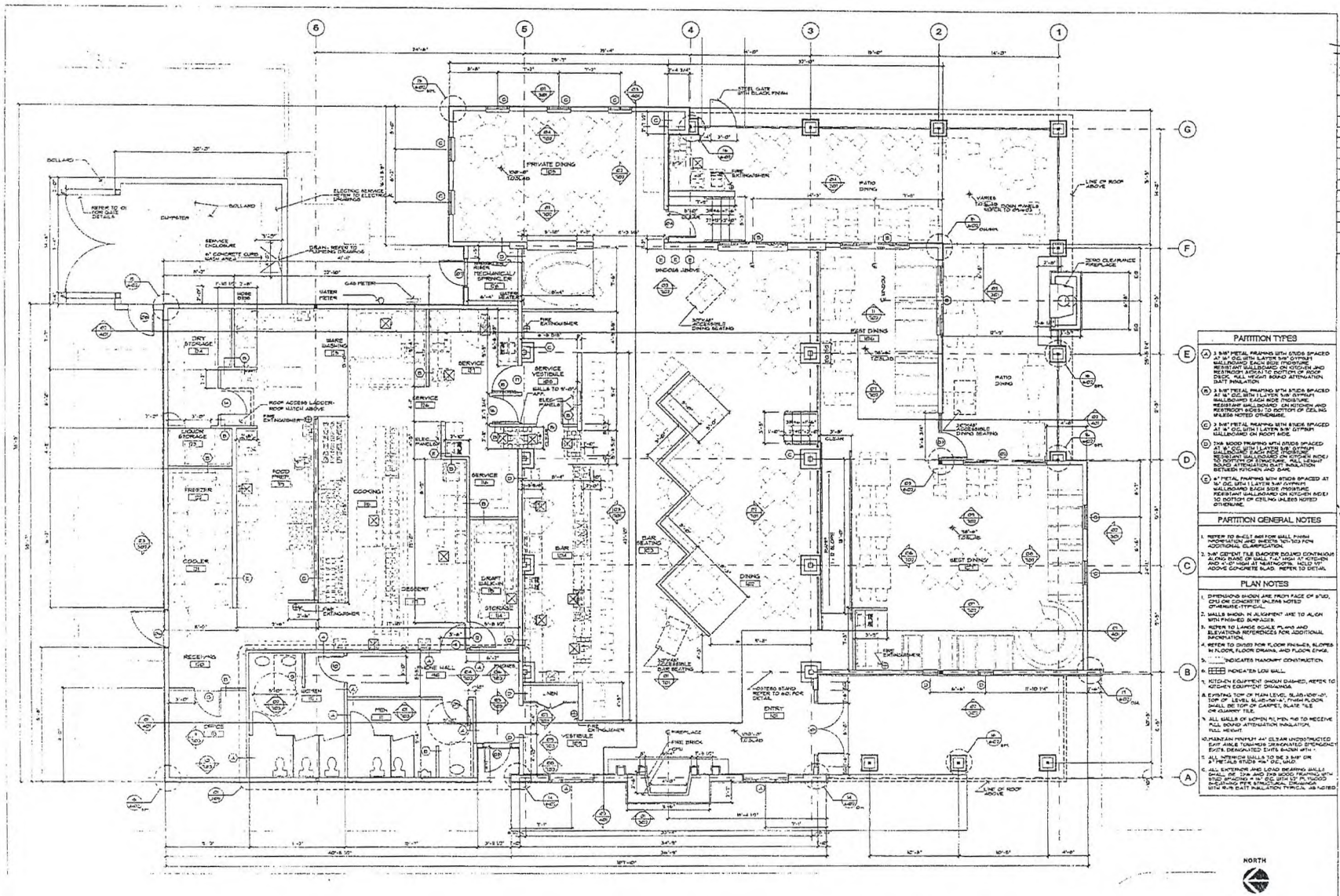

01 FLOOR PLAN
1/4"=1'-0"

SUP-39144

PARTITION TYPES

A. 3 5/8" METAL FRAMING WITH STUDS SPACED AT 16" O.C. WITH 1 LAYER 5/8" GYPSUM WALLBOARD EACH SIDE (MOISTURE RESISTANT WALLBOARD ON KITCHEN AND RESTROOM SIDES) TO BOTTOM OF ROOF DECK. FULL HEIGHT SOUND ATTENUATION BATT INSULATION.

B. 3 5/8" METAL FRAMING WITH STUDS SPACED AT 16" O.C. WITH 1 LAYER 5/8" GYPSUM WALLBOARD EACH SIDE (MOISTURE RESISTANT WALLBOARD ON KITCHEN AND RESTROOM SIDES) TO BOTTOM OF CEILING UNLESS NOTED OTHERWISE.

C. 3 5/8" METAL FRAMING WITH STUDS SPACED AT 16" O.C. WITH 1 LAYER 5/8" GYPSUM WALLBOARD ON ROOF SIDE.

D. 2X6 WOOD FRAMING WITH STUDS SPACED AT 16" O.C. WITH 1 LAYER 5/8" GYPSUM WALLBOARD EACH SIDE (MOISTURE RESISTANT WALLBOARD ON KITCHEN SIDE) TO BOTTOM OF STRUCTURE. FULL HEIGHT SOUND ATTENUATION BATT INSULATION BETWEEN KITCHEN AND BAR.

E. 6" METAL FRAMING WITH STUDS SPACED AT 16" O.C. WITH 1 LAYER 5/8" GYPSUM WALLBOARD EACH SIDE (MOISTURE RESISTANT WALLBOARD ON KITCHEN SIDE) TO BOTTOM OF CEILING UNLESS NOTED OTHERWISE.

PARTITION GENERAL NOTES

1. REFER TO SHEET 601 FOR WALL FINISH INFORMATION AND SHEETS 701-703 FOR ADDITIONAL CLARIFICATION.
2. 5/8" CEMENT TILE BACKER BOARD CONTINUOUS ALONG BASE OF WALL 7'-0" HIGH AT KITCHEN AND 4'-0" HIGH AT NEATNOOTS. HOLD 1/2" ABOVE CONCRETE SLAB. REFER TO DETAIL.

PLAN NOTES

1. DIMENSIONS SHOWN ARE FROM FACE OF STUD, CMU OR CONCRETE UNLESS NOTED OTHERWISE-TYPICAL.
2. WALLS SHOWN IN ALIGNMENT ARE TO ALIGN WITH FINISHED SURFACES.
3. REFER TO LARGE SCALE PLANS AND ELEVATIONS REFERENCES FOR ADDITIONAL INFORMATION.
4. REFER TO DWGS FOR FLOOR FINISHES, SLOPES IN FLOOR, FLOOR DRAINS, AND FLOOR EMKS.
5. INDICATES MASONRY CONSTRUCTION.
6. INDICATES LOW WALL.
7. KITCHEN EQUIPMENT SHOWN DASHED, REFER TO KITCHEN EQUIPMENT DRAWINGS.
8. EXISTING TOP OF MAIN LEVEL SLAB-108'-0", TOP OF LEVEL SLAB-108'-6", FINISH FLOOR SHALL BE TOP OF CARPET, SLATE TILE OR QUARRY TILE.
9. ALL WALLS OF WOMEN PLUMEN PIO TO RECEIVE FULL SOUND ATTENUATION INSULATION, FULL HEIGHT.
10. MAINTAIN MINIMUM 44" CLEAR UNOBSTRUCTED EXIT AISLE TOWARDS DESIGNATED EMERGENCY EXITS. DESIGNATED EXITS SHOWN WITH -
11. ALL INTERIOR WALLS TO BE 3 5/8" OR 3" METALS STUDS @16" O.C., UNO.
12. ALL EXTERIOR AND LOAD BEARING WALLS SHALL BE 12X6 AND 2X6 WOOD FRAMING WITH STUD SPACING @ 16" O.C. WITH 1/2" PLYWOOD SHEATHING PER STRUCTURAL DRAWINGS WITH R-15 BATT INSULATION TYPICAL AS NOTED.

Revisions

Date: 07.08.98

© COPYRIGHT

Tejas Grill

WELLINGTON VILLAGE SQUARE
LAS VEGAS, NEVADA

NELSEN ARCHITECTS, INC.
SCOTTSDALE AUSTIN
7031 E. CAMELBACK ROAD SUITE 100 SCOTTSDALE, ARIZONA 85251
PHONE (602) 946-6600 FAX (602) 919-6601

Sheet 201

Project No. 98004

RECEIVED
AUG 10 2010

SUP-39144 - APPLICANT: WESTSIDE FIREFLY, LLC - OWNER: CONTINENTAL PROPERTY, LLC
9560 WEST SAHARA AVENUE

08/19/10

SUP-39144 - APPLICANT: WESTSIDE FIREFLY, LLC - OWNER: CONTINENTAL PROPERTY, LLC
9560 WEST SAHARA AVENUE

08/19/10

SUP-39144 - APPLICANT: WESTSIDE FIREFLY, LLC - OWNER: CONTINENTAL PROPERTY, LLC
9560 WEST SAHARA AVENUE

08/19/10

KAEMPFER CROWELL

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

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tfiddyment@kcnvlaw.com
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8345 West Sunset Road
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Fax: 702.796.7181

RENO OFFICE
5470 Kietzke Lane
Suite 140
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.882.0257

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

July 23, 2010

Steve Gebeke
CITY OF LAS VEGAS
PLANNING DEPARTMENT
731 S. Fourth Street
Las Vegas, NV 89101

Re: Justification Letter – APN 163-06-816-025
Special Use Permit Application
Firefly Westside, LLC

Dear Steve:

This office represents the applicant in the above referenced matter. This application is a request for a special use permit to allow for a reduced separation between a supper club with alcohol sales and a place of worship within an existing commercial shopping center. The shopping center is generally located on the northwest corner of Sahara Avenue and Fort Apache Road.

The proposed restaurant lounge is located within an existing multi-use shopping center and faces Sahara Avenue, a 100 foot right-of-way. The restaurant, known as Firefly Tapas Kitchen & Bar, will be located in an approximate 7,000 square foot (including outdoor dining) pad space on the southwest end of the site.

The restaurant is located within 400 feet of an existing place of worship. The place of worship is located at 9590 Sahara Avenue just east and slightly north of the subject pad site within the same commercial shopping center. The subject restaurant pad site was previously approved for and operated as a supper club with alcohol while the place of worship operated in its existing location. The latest restaurant closed late last year and the approvals have since expired. However, there are several other supper clubs with alcohol approved and currently in operation within the shopping center today. Clearly, all uses have operated harmoniously with one another and the alcohol sales have not had any adverse impacts on the existing place of worship.

We appreciate your kind consideration of our request. Should you have any questions, please call me. Thank you very much.

Sincerely,

KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO

Tabitha Fiddyment

Tabitha D. Fiddyment

TDF/sli

RECEIVED
AUG 10 2010

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SUP-39144

City of Las Vegas Agenda Item No.: **18.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

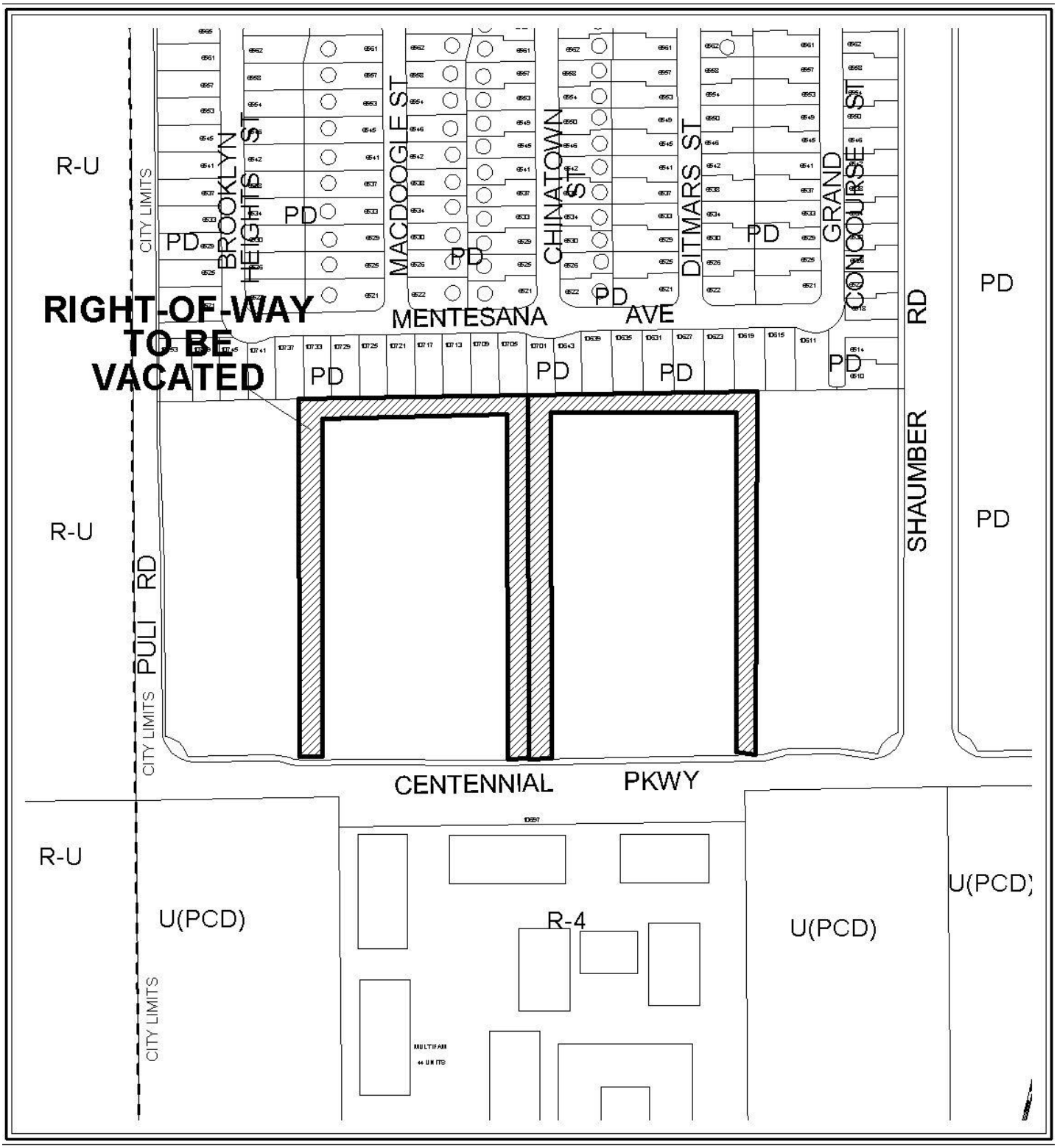
SUBJECT:
VAC-39018 - VACATION - PUBLIC HEARING - APPLICANT: PARDEE HOMES OF NEVADA, INC. - OWNER: HOF FINANCIAL I, LLC - Petition to Vacate U.S. Government Patent Easements generally located approximately 300 feet northwest of the intersection of Shaumber Road and Centennial Parkway, Ward 6 (Ross). Staff recommends APPROVAL.

SET DATE: 10/06/2010
C.C.: 10/20/2010

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-39018**

0 200 400 Feet

CASE: **VAC-39018**

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: PARDEE HOMES OF NEVADA, INC., - OWNER: HOF FINANCIAL I, LLC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAC-39018	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

VAC-39018 CONDITIONS

1. The limits of this Petition of Vacation shall be the U.S. Government Patent Easements generally located approximately 300 feet northwest of the intersection of Shaumber Road and Centennial Parkway.

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

3. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, the 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 being vacated must be retained.

4. 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
September 23, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant proposes to vacate two U.S. Government patent easements generally located approximately 300 feet northwest of the intersection of Shaumber Road and Centennial Parkway. The request is needed to develop a 106-lot residential development within POD 307 of the Cliff's Edge Master Development. Access streets for this parcel are shown on the site plan of a previously approved Tentative Map (TMP-38575). Staff recommends approval, with conditions, as the previously approved Tentative Map addresses access and drainage issues. If denied, the approved development could not move forward, as an Order of Relinquishment of Interest must be recorded prior to approval of construction plans or issuance of a building permit.

ISSUES

- A Vacation is required in order for the 106 lot single-family residential development to proceed as planned and approved in TMP-38575.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
02/14/03	The City Council approved an Annexation (A-0035-02) request for 1,056.68 acres generally located between Hualapai Way on the east, Puli Road on the west, Grand Teton Drive on the north and Centennial Hill Parkway on the south.
02/18/04	The City Council approve a request for a Rezoning (ZON-3241) from: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to: PD (Planned Development) on 90.0 acres generally located between Grand Teton Drive, Centennial Parkway, Hualapai Way and the Corporate City Limits.
11/16/05	The City Council approved a General Plan Amendment (GPA-9137) to amend portions of the Cliff's Edge Master Development Plan from: PR-OS (Parks/Recreation/Open Space) and PF (Public Facilities) to: PCD (Planned Community Development) and a request for a Major Modification (MOD-9174) to the Cliff's Edge Master Development Plan and Design..
07/29/10	The City Council approved a Tentative Map (TMP-38575) and a Waiver (WVR-38578) for a 106 lot single-family residential development.

Most Recent Change of Ownership	
12/22/09	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No building permits or business licenses are on file.

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	
08/19/10	Staff conducted a field check of the subject property. The property was undeveloped and well maintained.

Details of Application Request	
Site Area	
Net Acres	16.92 acres

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	PCD (Planned Community Development)	Cliff's Edge RSL (Residential Small Lot up to 15 Du/Ac)
North	Undeveloped	PCD (Planned Community Development)	Cliff's Edge RSL (Residential Small Lot up to 15 Du/Ac)
South	Undeveloped and Condominiums	PCD (Planned Community Development)	U (PCD) Undeveloped and R-4 (High Density Residential)
East	Undeveloped	PCD (Planned Community Development)	Cliff's Edge M (Medium Residential up to 25 Du/Ac)
West	Undeveloped	RC (Residential Community)	Unincorporated Clark County

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
Cliff's Edge	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
PD (Planned Development) 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

LEGAL DESCRIPTION

The subject property is legally described as the West, North and East 33.00 feet of the East half (E½) of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 24, Township 19 South, Range 59 East, M.D.M., City of Las Vegas, Clark County, Nevada, as reserved in the patent recorded in book 20040819, Instrument No. 02260, Clark County Official Records.

ANALYSIS

The patent easements proposed to be vacated are located within the Cliff's Edge Master Plan but Vacations are not directly referred to in the document and thus has no bearing on this request.

Staff has no objection to the vacation application request to relinquish the City's interests in U.S. Government Patent Reservations generally located approximately 300 feet northwest of the intersection of Shaumber Road and Centennial Parkway. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this Vacation request to the utility companies and franchise holders, nor wait for their responses. Since only City interests are involved, any utility company's interests will need to be addressed with each respective utility company and will not be affected by the City relinquishing its interest.

These two U.S. Government Patent Easements are no longer needed for this parcel as drainage and access has been addressed in the previously approved Tentative Map (TMP-38575) and Waiver (WVR-38578). This project is located within a PD (Planned Development) district and meets the criteria set forth in the Cliff's Edge Master Plan. Staff supports the single-family residential subdivision, and therefore has no objection to the requested petition to vacate the subject Patent Easements in Providence POD 307.

NOTICES MAILED 5

APPROVALS 0

PROTESTS 0

YK

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-39018** APN: 126-24-410-002

Name of Property Owner: HOF Financial I, LLC

Name of Applicant: Pardee Homes of Nevada, INC.

Name of Representative: Slater Hanifan Group

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: _____
Authorized Representative - HOF Financial I, LLC

Print Name: Russ Wakeham

Subscribed and sworn before me

This _____day of _____, 20__

_____
Notary Public in and for said County and State

All attached

Revised 11-14-06

ACKNOWLEDGMENT FOR VACATION AND ABANDONMENT STATEMENT OF FINANCIAL INTEREST FORM FOR PROVIDENCE POD 307 APN 126-24-410-002 TO BE FILED WITH THE CITY OF LAS VEGAS

STATE OF CALIFORNIA

COUNTY OF ORANGE

On August 23, 2010, before me, **D. Stocker, a Notary Public**, personally appeared **Russ Wakeham,** who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

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

WITNESS my hand and official seal. [SEAL]

D. Stocker

Signature

D. STOCKER
Commission # 1834451
Notary Public - California
Orange County
My Comm. Expires Feb 12, 2013

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Vacation and Abandonment

Project Address (Location) Centennial Parkway / Shaumber Road

Project Name Providence POD 307 **Proposed Use** _____

Assessor's Parcel #(s) 126-24-410-002 **Ward #** _____

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

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

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

Additional Information _____

PROPERTY OWNER HOF Financial I, LLC **Contact** Russ Wakeman

Address 3200 Bristol Street, Suite 800 **Phone:** (714) 433-2300 **Fax:** _____

City Costa Mesa **State** California **Zip** 92626

E-mail Address _____

APPLICANT Pardee Homes of Nevada, Inc. **Contact** Dan Hale

Address 650 White Drive, Suite 100 **Phone:** (702) 614-1400 **Fax:** (702) 873-6881

City Las Vegas **State** Nevada **Zip** 89119

E-mail Address _____

REPRESENTATIVE Slater Hanifan Group **Contact** Chelsea Peltier

Address 5740 S. Arville St. # 216 **Phone:** (702) 284-5300 **Fax:** (702) 284-5399

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

E-mail Address cpeltier@shg-inc.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 Russ Wakeham, VP HOF Financial I, LLC

Subscribed and sworn before me

This _____ day of _____, 20 _____.

_____

Notary Public in and for said County and State

See attached

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #
Meeting Date:
Total Fee:
Date Received:*
Received By:

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

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ACKNOWLEDGMENT FOR VACATION AND ABANDONMENT APPLICATION/PETITION FORM FOR PROVIDENCE POD 307 APN 126-24-410-002 TO BE FILED WITH THE CITY OF LAS VEGAS

STATE OF CALIFORNIA

COUNTY OF ORANGE

On August 23, 2010, before me, **D. Stocker, a Notary Public**, personally appeared **Russ Wakeham,** who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

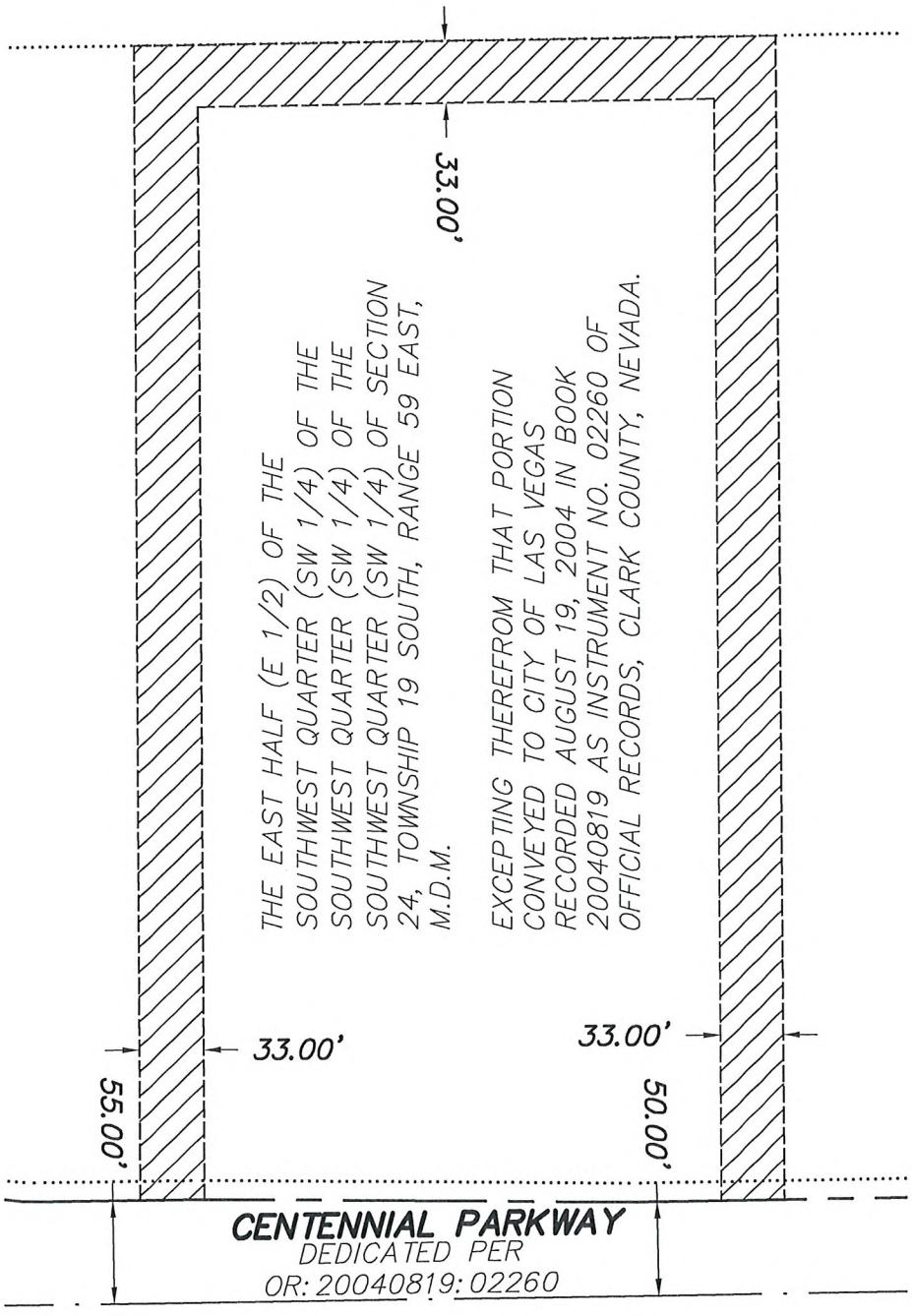
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal. [SEAL]

D. Stocker

Signature

D. STOCKER
Commission # 1834451
Notary Public - California
Orange County
My Comm. Expires Feb 12, 2013



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1" = 100'

"EASEMENT 1"
PAGE 3 OF 4

WALLACE–MORRIS
SURVEYING, INC.
LAND SURVEY CONSULTING
5740 S. ARVILLE ST. #206
LAS VEGAS, NEVADA 89118

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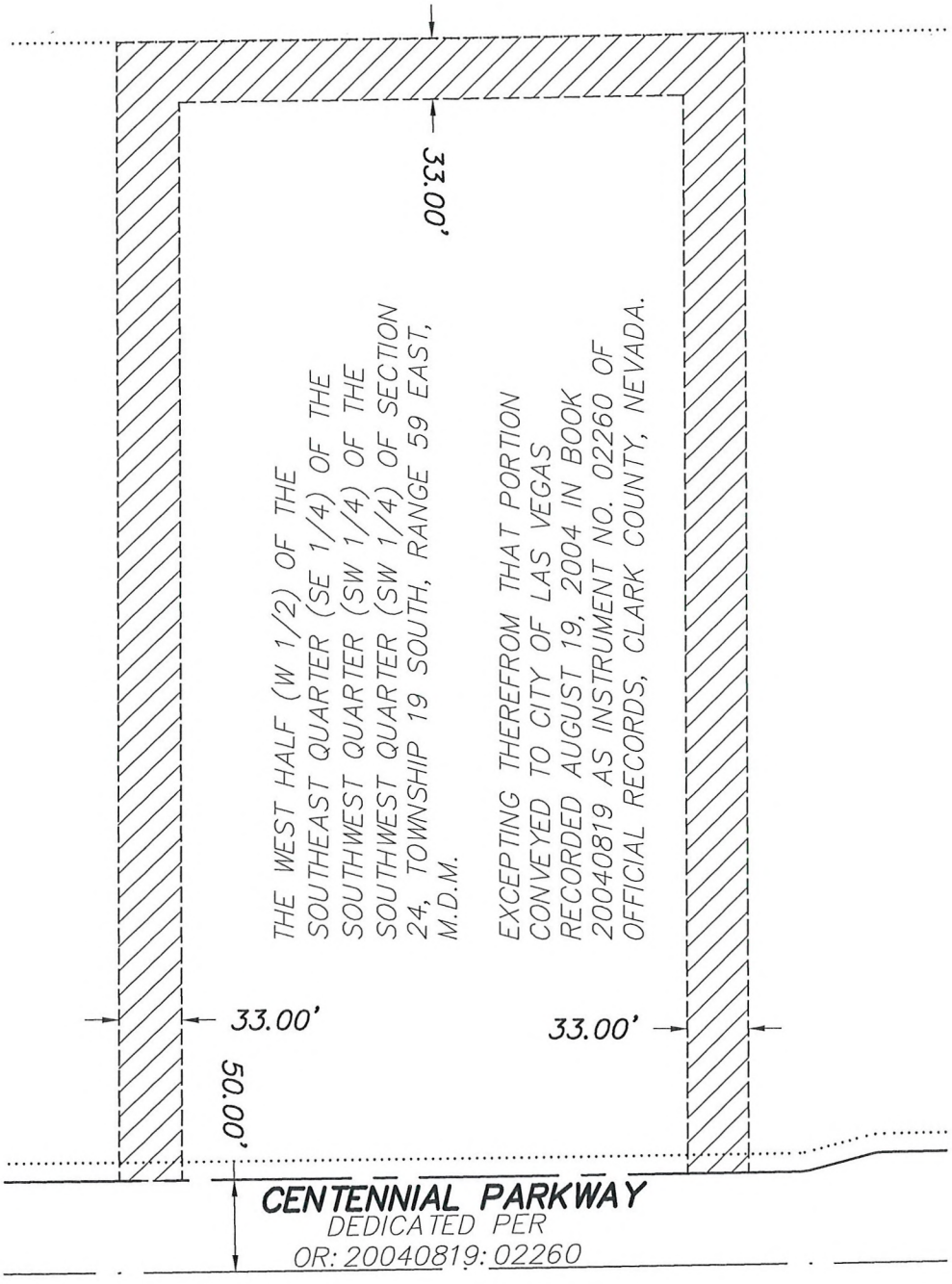
JUL 29 2010

VAC-39018



1" = 100'

"EASEMENT 2"
PAGE 4 OF 4

WALLACE–MORRIS
SURVEYING, INC.
LAND SURVEY CONSULTING
5740 S. ARVILLE ST. #206
LAS VEGAS, NEVADA 89118

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JUL 29 2010

VAC-39018

VAC-39018 - APPLICANT: PARDEE HOMES OF NEVADA, INC. - OWNER: HOF FINANCIAL I, LLC
SHAUMBER ROAD AND CENTENNIAL PARKWAY

08/19/10

VAC-39018 - APPLICANT: PARDEE HOMES OF NEVADA, INC. - OWNER: HOF FINANCIAL I, LLC
SHAUMBER ROAD AND CENTENNIAL PARKWAY

08/19/10

VAC-39018 - APPLICANT: PARDEE HOMES OF NEVADA, INC. - OWNER: HOF FINANCIAL I, LLC
SHAUMBER ROAD AND CENTENNIAL PARKWAY

08/19/10

SLATER HANIFAN GROUP
CONSULTING ENGINEERS & PLANNERS

PAR1002.001

July 20, 2010

City of Las Vegas
Planning and Development
731 S. Fourth St.
Las Vegas, NV 89101

SUBJECT: Justification Letter for Vacation of Patent Easements in Providence POD 307

Slater Hanifan Group, on behalf of the applicant, Pardee Homes of Nevada, respectfully submits this justification letter in support of the subject Vacation and Abandonment application for the subject development. The purpose of this request is to develop a 106 lot development on approximately 20 gross acres within POD 307 of the Providence Master Development (formerly known as Cliff's Edge). The proposed layout is for all single family detached residences located at Centennial Parkway and Shaumber Road. The Assessor's Parcel Number: 126-24-410-002

Vacation

There are two existing patent easements (No. 1203219 and No. 184339) in Assessor's Parcel Number 126-24-410-002 that need to be vacated. The patent easements will no longer be required for the proposed subdivision. Access to the proposed homes to be built in this parcel is shown on the site plan and Tentative Map included with the previous applications (TMP-38575 and WVR-38578) by Pardee Homes on this property.

Please accept this as our application to vacate the patent easements described herein. Please contact me at 284-5300 if you have any questions regarding this application.

Sincerely,

Slater Hanifan Group, Inc.

James Hackman, P.E.
Project Manager

RECEIVED
JUL 29 2010

5740 S. Arville Street #216, Las Vegas, NV 89118 ph (702) 284-5300 fax (702) 284-5399

VAC-39018

City of Las Vegas Agenda Item No.: **19.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

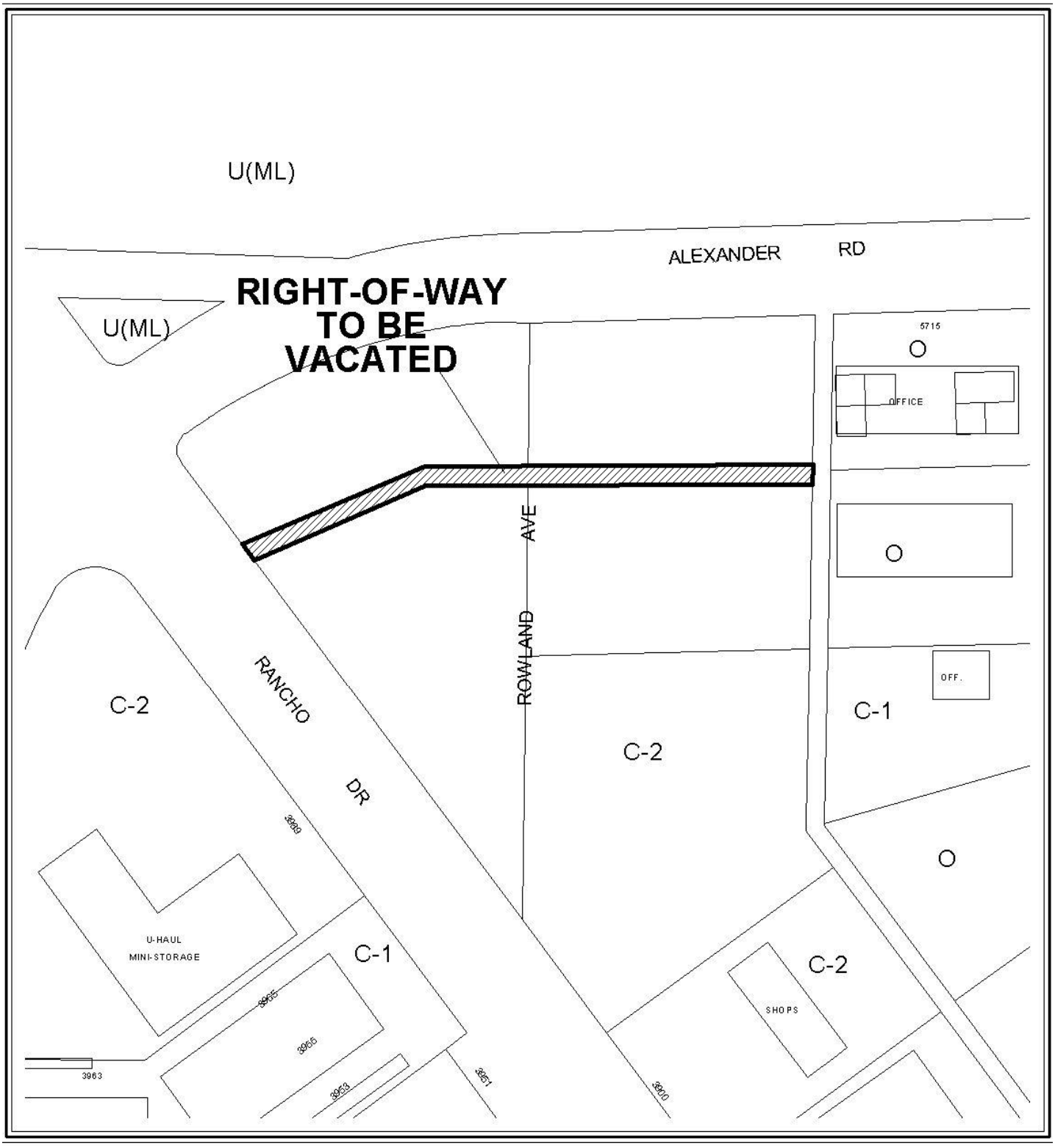
SUBJECT:
VAC-39118 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: ACQUEST VEGAS, LLC - Petition to Vacate a 20-foot wide public drainage easement at the southeast corner of Rancho Drive and Alexander Road, Ward 6 (Ross). Staff recommends APPROVAL.

SET DATE: 10/06/2010
C.C.: 10/20/2010

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-39118**

0 100 200 Feet

CASE: **VAC-39118**

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: ACQUEST VEGAS, LLC

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

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAC-39118	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

VAC-39118 CONDITIONS

1. The limits of this Petition of Vacation shall be a twenty-foot wide Public Drainage Easement as granted per document numbers 20090213:03814, 20090213:03812, and 20090213:03815 excluding those portions being granted with Parcel Map PMP-38816 on property generally located at the southeast corner of Rancho Drive and Alexander Road.

2. Appropriate alternative drainage easements shall be granted prior to the recordation of this Petition of Vacation.

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.

YK

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 **

PROJECT DESCRIPTION

The applicant proposes to vacate a drainage easement that is no longer required due to the development of Rancho Drive and Alexander Road. The area proposed to be vacated is 20 feet wide and approximately 400 feet south of the centerline of Alexander Road. Staff recommends approval, with conditions, as the drainage easement is no longer required for the area. If denied, the easement would remain.

ISSUES

- The Vacation is needed in order to fully develop the three parcels for a Veteran's Clinic. The easement is no longer required as the drainage for the area has been addressed by the fully developed adjacent roadways, as well as the approved Site Development Plan Review (SDR-36432).

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/12/64	The City Council approved an Annexation (A-002-64) request for a large portion of land in the northwest section of the valley including the parcels of this application.
04/02/03	The City Council approved a General Plan Amendment (GPA-1363) request to amend portions of the Centennial Hills Sector Plan and the Southwest Sector Map from: GC (General Commercial), SC (Service Commercial) and DR (Desert Rural) to: GC (General Commercial), O (Office), PF (Public Facility), ML (Medium-Low Density Residential) and DR (Desert Rural) on property located on, or in close proximity to, both sides of Rancho Drive from Vegas Drive to the northern City limits at Moccasin Road.
01/06/10	The City Council approved a Site Development Plan Review (SDR-36432) request for a proposed 38,000 square-foot clinic with waivers of building placement standards and perimeter landscape buffers. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
05/27/10	A deed was recorded for a change in ownership of all three parcels to Acquest Vegas, LLC.

Related Building Permits/Business Licenses	
07/01/10	A Civil Permit (L-38756) was issued for a proposed 38,000 square-foot clinic with waivers of building placement standards and perimeter landscape buffer standards to allow a buffer width of six-feet along a portion of the east perimeter where eight-feet is required and zero-feet between the sidewalk and back of curb along arterial streets (Alexander Road and Rancho Drive) where five-feet is required.

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	
08/19/10	Staff conducted a field check of the subject site. The property was undeveloped and well maintained.

Details of Application Request	
Site Area	
Net Acres	8.5 acres

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	GC (General Commercial)	C-2 (General Commercial)
North	Undeveloped	(ML) Medium-Low Density Residential	(Undeveloped) Medium-Low Density
South	Shops	SC (Service Commercial)	C-2 (General Commercial)
East	Undeveloped and Office	O (Office) and SC (Service Commercial)	O (Office) and C-1 (Limited Commercial)
West	Undeveloped and Mini Storage	SC (Service Commercial)	C-2 (General Commercial)

Special Purpose and Overlay Districts	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
A-O (Airport Overlay 105') 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

ANALYSIS

The complete build-out of the Rancho Drive and Alexander Road Rights-of-Way has rendered the need for this drainage easement obsolete and therefore, the applicant is requesting that it be vacated in order to develop the parcels as a Veteran's Clinic. Although the project is within the Airport Overlay, this request is not impacted by the 105-foot height limit. Staff supported the clinic development and therefore has no objection to the requested petition to vacate the subject drainage easement.

This Vacation application proposes to vacate an existing 20-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 request to the utility companies and franchise holders, nor wait for their responses. Since only City easements are involved, any utility company interests will not be affected.

NOTICES MAILED 45

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-39118 APN: 138.12.102.001, 002 & 138.12.110.001

Name of Property Owner: Acquest Vegas, LLC

Name of Applicant: Acquest Vegas, LLC

Name of Representative: Brian Vandergurgh, Construction Manager

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: William L. Huntress, Managing Member

Subscribed and sworn before me

This 29 day of June, 2010

Cindy Daumen

Notary Public in and for said County and State

CINDY DAUMEN
Notary Public - State of New York
No. 01DA6169974
Qualified in Erie County
My Commission Expires July 2, 2011

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AUG 09 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Acquest Vegas, LLC Vacation of Drainage Easements

Project Address (Location) SEC Rancho Drive & Alexander Road, Las Vegas, NV 89130

Project Name VA Outpatient Clinic **Proposed Use** Clinic

Assessor's Parcel #(s) 138.12.102.001, 002 & 138-12-110-011 **Ward #** 6

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

Commercial Square Footage 38,000 **Floor Area Ratio** 10.13 SHADE-MV

Gross Acres 8.84 **Lots/Units** 1 **Density** N/A

Additional Information

PROPERTY OWNER Acquest Vegas, LLC **Contact** William Huntress

Address 80 Curtwright Dr., Suite 5 **Phone:** (716) 204-3570 **Fax:** (706) 204-3565

City Williamsville **State** NY **Zip** 14221

E-mail Address huntress@acquestdevelopment.com

APPLICANT Same as Owner **Contact**

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

City **State** **Zip**

E-mail Address

REPRESENTATIVE Brian Vanderburgh **Contact** same

Address 80 Curtwright Dr., Suite 5 **Phone:** (702) 561-3015 **Fax:**

City Williamsville **State** NY **Zip** 14221

E-mail Address bvanderburgh@acquestdevelopment.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 William L. Huntress, Managing Member

Subscribed and sworn before me

This 29 day of June, 2010.

_____

Notary Public in and for said County and State

CINDY DAUMEN
Notary Public - State of New York
No. 01DA6169974
Qualified in Erie County
My Commission Expires July 2, 2011

FOR DEPARTMENT USE ONLY

Case #	VAC-39119
Meeting Date:	09/23/10
Total Fee:	$ 1000.00
Date Received:*	8-9-10
Received By:	

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

Revised 10/27/08

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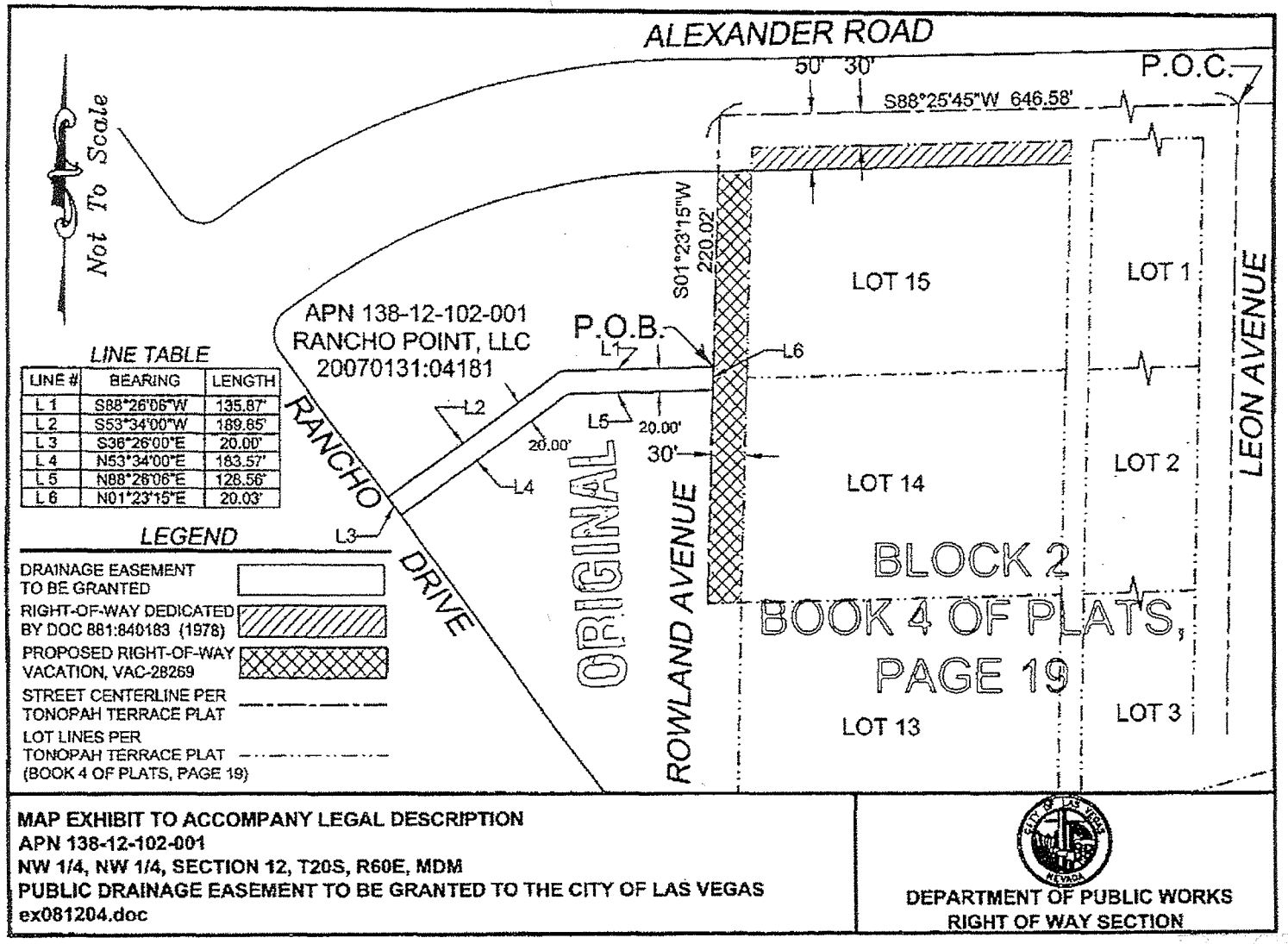

MAP EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION
APN 138-12-102-001
NW 1/4, NW 1/4, SECTION 12, T20S, R60E, MDM
PUBLIC DRAINAGE EASEMENT TO BE GRANTED TO THE CITY OF LAS VEGAS
ex081204.doc

DEPARTMENT OF PUBLIC WORKS
RIGHT OF WAY SECTION

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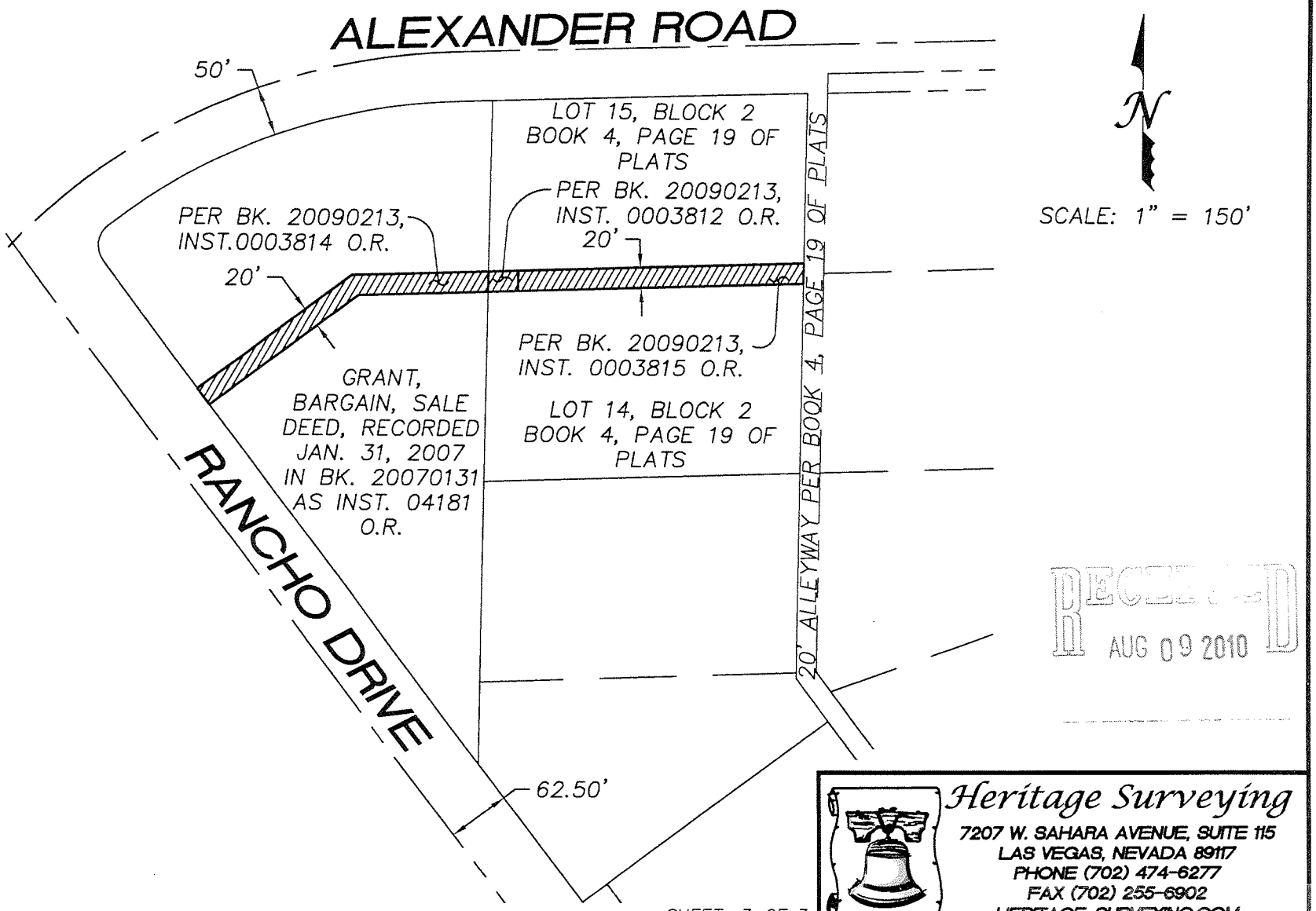
VAC-39118

EXHIBIT 'B' TO ACCOMPANY LEGAL DESCRIPTION



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AUG 09 2010

PROJECT: P:\CURRENT PROJECTS\512.0029\LEGALS\EXHIBITS\5120029VAC-01

SHEET 3 OF 3

Heritage Surveying
7207 W. SAHARA AVENUE, SUITE 115
LAS VEGAS, NEVADA 89117
PHONE (702) 474-6277
FAX (702) 255-6902
HERITAGE-SURVEYING.COM

VAC-39118

VAC-39118 - APPLICANT/OWNER: ACQUEST VEGAS, LLC
RANCHO ROAD AND ALEXANDER ROAD

08/19/10

VAC-39118 - APPLICANT/OWNER: ACQUEST VEGAS, LLC
RANCHO ROAD AND ALEXANDER ROAD

08/19/10

VAC-39118 - APPLICANT/OWNER: ACQUEST VEGAS, LLC
RANCHO ROAD AND ALEXANDER ROAD

08/19/10

Heritage Surveying
7207 W. Sahara Avenue, Suite 115
Las Vegas, Nevada 89117
www.heritage-surveying.com

(702) 474-6277 (HS4-MAPS)
(702) 255-6902 Fax

Project: 512.0029.02

August 6, 2010

Clark County Comprehensive Planning Department
500 S. Grand Central Pkwy., 1st Floor
Box 551799
Las Vegas, NV 89155

Subject: **Vacation of Drainage Easement - Justification Letter**
APNS: 138-12-102-001, 002 and 138-12-110-011

To Whom It May Concern:

On behalf of our client, Acquest Vegas, LLC, Heritage Surveying is submitting the attached drainage easement vacation for review and approval. It is our intent to vacate a drainage easement located near the southeast corner Rancho Drive and Alexander Road also lying within the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 12, Township 20, Range 60 East, M.D.M., in the City of Las Vegas, Clark County, Nevada, and recorded in the following documents: in Book 20090213, Instrument No. 0003812, recorded on February 13, 2009 of Official Records, in Book 20090213, Instrument No. 0003814, recorded on February 13, 2009 of Official Records and in Book 20090213, Instrument No. 0003815, recorded on February 13, 2009 of Official Records. This drainage easement is no longer necessary due to development of the parcel.

If you have any questions or need additional information, please contact me at (702) 474-6277.

Sincerely,

Paul A Sansoucy Jr, PLS

Paul A. Sansoucy Jr., PLS
Professional Land Surveyor
Nevada License No. 18180

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AUG 09 2010

City of Las Vegas Agenda Item No.: **20.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

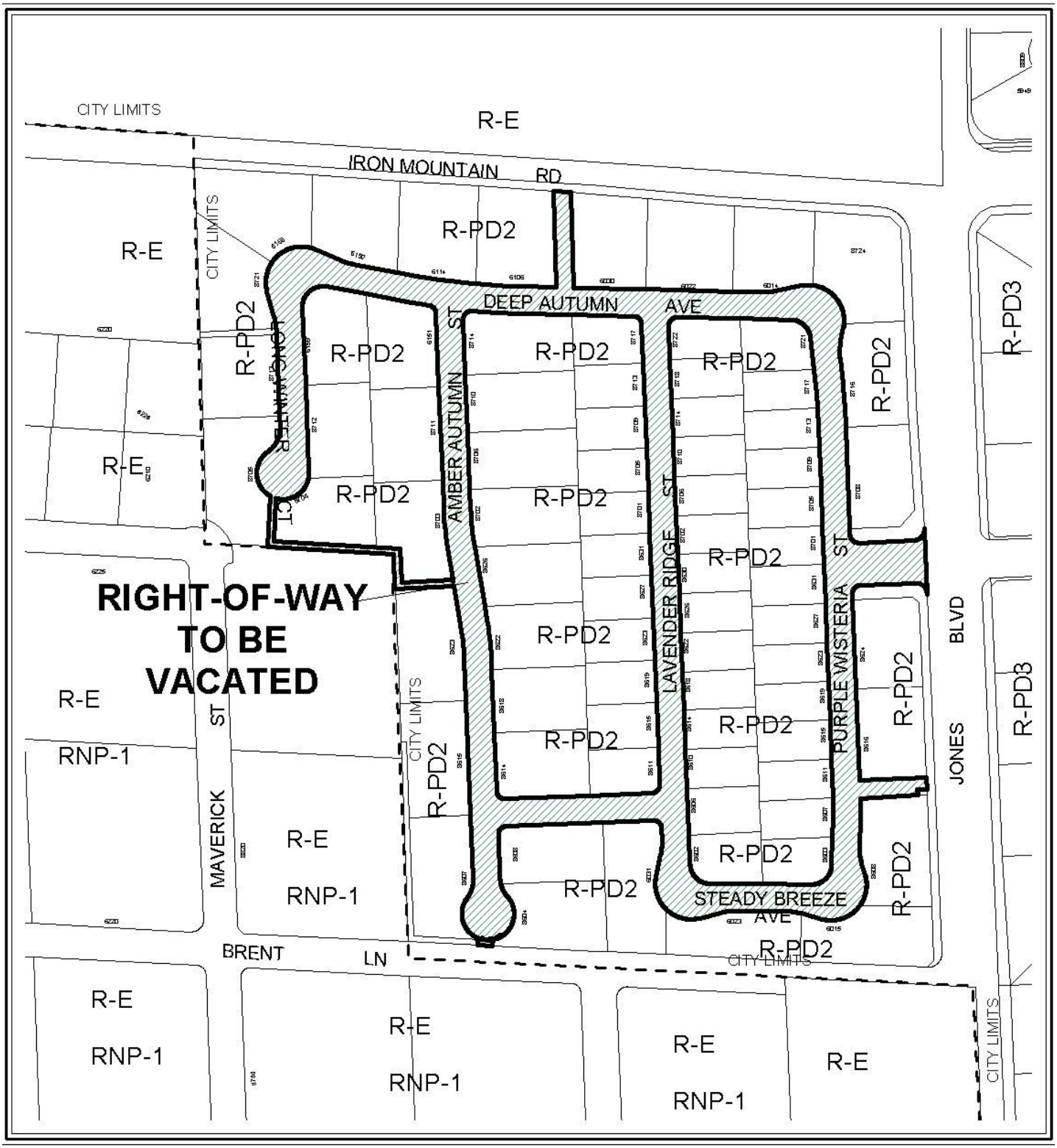
SUBJECT:
VAC-39142 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: WILLIAM LYON HOMES - Petition to Vacate the sewer and drainage easements generally located at the southwest corner of Iron Mountain Road and Jones Boulevard, Ward 6 (Ross). Staff recommends APPROVAL.

SET DATE: 10/06/2010
C.C.: 10/20/2010

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. Planning and Development Approval Letter for FMP-38588
6. Justification Letter



CASE: **VAC-39142**

0 200 400 Feet

CASE: **VAC-39142**

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: WILLIAM LYON HOMES

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAC-39142	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

VAC-39142 CONDITIONS

1. The limits of this Petition of Vacation shall be all of the City of Las Vegas' interest in the recorded plat of Stratton 35, Book 137 Page 54, including but not limited to Public Drainage Easements, Public Sewer Easements, and Public Access Easements located within all private streets and common lots, excluding those areas overlapping the private streets and common elements of the Amended Plat of Stratton 35 [FMP-38588]. This action will vacate only City of Las Vegas interests, and does not affect the interests any other public utility company may have.

2. 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.

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

4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City

right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

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

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting to Vacate the existing Public Utility easements in order to match the amended Final Map (FMP-38588). Site access and circulation to the proposed homes as approved by site plan of a previously remain unchanged. Staff recommends approval of this request with conditions, as the previously approved Tentative Map addresses access and drainage issues. 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

- This Vacation is required in order for the Amended Final Map (FMP-38588) 77-lot Single-Family Residential development to proceed as approved.
- 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.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/18/04	The City Council approved the request for a Rezoning (ZON-4200) to R-PD2 (Residential Planned Development – 2 Units Per Acre) and the related Site Development Plan Review (SDR-4198) for a 27-lot single-family residential subdivision on 18.2 acres adjacent to the southeast corner of Iron Mountain Road and Jones Boulevard. The Planning Commission recommended approval and staff recommended denial on 07/08/04.
11/03/04	The City Council approved the request to Annex (ANX-4777) 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain Road. The Planning Commission and staff recommended approval on 8/26/04. The effective date of the annexation was 11/12/2004.
12/01/04	The City Council approved a request for Rezoning (ZON-5302) of the subject property to R-PD2 (Residential Planned Development – 2 Units Per Acre) and the related Site Development Plan Review (SDR-5304) for Phase II of a Residential Planned Development consisting of 33 lots on 15.79 acres. The City Council also approved a related Variance (VAR-5306) to reduce the amount of required open space to 0 acres. The Planning Commission and staff recommended approval for these cases on 11/04/04.

04/28/05	The Planning Commission approved a Tentative Map (TMP-6271) for a 60-lot Single Family Residential Planned Development on 33.39 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard. Staff recommended approval of this request.
01/04/06	The City Council approved a Site Development Plan Review (SDR-9095) for an 83-lot Single Family Residential Planned Development and a Rezoning (ZON-9093) request for Rezoning from R-PD2 (Residential Planned Development – 2 Units per Acre) to R-PD2 (Residential Planned Development - 2 Units per Acre) on 33.39 acres on 33.39 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard. The Planning Commission recommended approval, but staff recommended denial on 12/01/05.
03/09/06	The Planning Commission approved a Variance (VAR-11387) that allowed no open space where 55,364 square-feet is required on 33.39 acres adjacent to the southwest corner of Iron Mountain Road and North Jones Boulevard. Staff recommended approval.
04/13/06	The Planning Commission approved a Tentative Map (TMP-12092) for a 77-lot Single-Family Residential subdivision on 36.68 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard. Staff recommended approval.
07/21/06	The City Council approved a request for a Review of Condition Number 13 (ROC-14027) of an approved Site Development Plan Review (SDR-9095) to allow a minimum lot size of 8,500 square feet where 10,003 square feet is required for a proposed 83-lot Single Family Residential Planned Development on 36.68 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard. Staff recommended approval.
05/15/07	A request for a Final Map Technical Review (FMP-15912) for a 77-lot Single Family Residential Subdivision on 33.61 acres south of Iron Mountain Road and west of Jones Boulevard was approved by the Planning and Development Department. This map was recorded on 06/29/2007.
08/20/08	The City Council approved a Review of Condition Number 14 (ROC-28418) of an approved Site Development Plan Review (SDR-9095) which required the setbacks for this development to be a minimum of 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 7 feet on the side, 15 feet on the corner, and 20 feet in the rear. Staff recommended approval.
08/21/08	The applicant submitted a request for an Amended Final Map Technical Review (FMP-29575) for a 77-lot Single Family Residential Subdivision on 33.61 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard. This map was not recorded.
08/26/10	The request for an Amended Final Map Technical Review (FMP-38588) for a 77-lot Single Family Residential Subdivision on 33.17 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard was approved by the Planning and Development Department. This map has not been recorded.

Most Recent Change of Ownership	
12/30/2009	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no building permits or business licenses associated with this request.

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	
08/19/2010	A field check was carried out by staff with the following observations: • There has been no construction other than site clearing and grading.

Details of Application Request	
Site Area	
Gross Acres	36.68
Net Acres	33.17

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	DR (Desert Rural Density Residential)/ RNP (Rural Neighborhood Preservation)	R-PD2 (Residential Planned Development – 2 Units Per Acre) Zone
North	Undeveloped	PR-OS (Parks/Recreation/Open Space)	R-E (Residence Estates)
South	Undeveloped	RNP (Rural Neighborhood Preservation)	R-E (Rural Estates Residential) Clark Preservation) County Designation

East	Single Family Residential	R (Rural Density Residential)	RPD-3 (Residential Planned Development 3 Units Per Acre)
West	Undeveloped/ Single Family Residential	RNP (Rural Neighborhood Preservation)	R-E (Rural Estates Residential) Clark Preservation) County Designation

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

LEGAL DESCRIPTION

Lying within the northeast quarter (NE¼) of the northeast quarter (NE¼) of section 11, Township 19 South, Range 60 east, M.D.M., City of Las Vegas, Clark County, Nevada, being portions of the common lots of Stratton 35, a common interest community, as shown on that certain map on file in the office of Clark County, Nevada recorder in book 137, page 54 of plats, described as follows: the emergency access easement and public drainage easement within Common Lot C; the City of Las Vegas sewer easement and the emergency access easement within Common Lot D; the public drainage easement within the north 20 feet of Common Lot D and the prolongation thereof across common lot b; the public utility easement within Common Lot E; the public utility easement, City of Las Vegas sewer easement and the public drainage easement within Common Lot F; and the public drainage easement within Common Lot H.

ANALYSIS

This Vacation application proposes to vacate the City of Las Vegas sewer and existing public utility easements. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this request to the utility companies and franchise holders, nor wait for their responses. Since only City easements are involved; any utility company interests will need to be addressed with each respective utility company and will not be affected by the City vacating its interest.

The Public Utility Easement is no longer needed for this parcel as drainage and access has been addressed in Amended Plat of Stratton 35 (FMP-38588). The proposed Vacation is located within the R-PD2 (Residential Planned Development – 2 Units per Acre) zoning district and meets the criteria set forth by the concurrent approval of the requested Rezoning (ZON-9093) and related Site Development Plan Review (SDR-9095). Staff supports the single-family residential subdivision, and therefore has no objection to the requested petition to vacate the subject Public Utility Easement.

NOTICES MAILED 10

APPROVALS 0

PROTESTS 0

MH

COPY

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-39142** APN: 125-511-001 Thru 085

Name of Property Owner: William Lyon Homes, INC.

Name of Applicant: William Lyon Homes, INC.

Name of Representative: Taney Engineering, 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** ☒ **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: TERRY CONNELLY

Subscribed and sworn before me

This 9 day of August, 2010

Erica J. Morales

Notary Public in and for said County and State

ERICA J. MORALES
Notary Public, State of Nevada
Appointment No. 06-109216-14
My Appt. Expires June 26, 2014

RECEIVED
AUG 10 2010
City of Las Vegas

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

COPY

Application/Petition For: Vacation

Project Address (Location) Jones & Iron Mountain

Project Name Stratton 35 **Proposed Use** _____

Assessor's Parcel #(s) 125-11-511-001 Thru 085 **Ward #** _____

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

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

Gross Acres 33.07 **Lots/Units** 77 **Density** _____

Additional Information _____

PROPERTY OWNER William Lyon Homes **Contact** Scott Swapp

Address 500 Pilot Road, Suite G **Phone:** 263-8200 **Fax:** 263-8220

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

E-mail Address Scott.swapp@lyonhomes.com

APPLICANT William Lyon Homes **Contact** Scott Swapp

Address 500 Pilot Road, Suite G **Phone:** 263-8200 **Fax:** 263-8220

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

E-mail Address Scott.swapp@lyonhomes.com

REPRESENTATIVE Taney Engineering **Contact** Shaelyn Sandoval

Address 6030 S. Jones, Suite 100 **Phone:** 362-8844 **Fax:** 362-5233

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

E-mail Address Shaes@taneycorp.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 TERRY CONNELLY

Subscribed and sworn before me

This 9 day of August, 20 10.

Erica J. Morales

Notary Public in and for Clark County and State

ERICA J. MORALES
Notary Public, State of Nevada
Appointment No. 06-109216-14
My Appt. Expires June 26, 2014

RECEIVED
AUG 10 2010
City of Las Vegas

FOR DEPARTMENT USE ONLY

Case #	VAC-39142
Meeting Date:	9-23-10
Total Fee:	1000
Date Received:*	8-10-10
Received By:	F.S

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

CERTIFICATE OF SECRETARY

COPY

I, W. Douglass Harris, do hereby certify that I am the duly elected, qualified and acting Vice President-Corporate Controller and Corporate Secretary of WILLIAM LYON HOMES, INC., a California corporation.

I further certify that the following is a true and complete list of the duly elected and current acting officers of WILLIAM LYON HOMES, INC., which officers have been duly elected to serve in their respective capacities until the next annual meeting or until their successors are elected and duly qualified.

Officers:	Titles:
William Lyon	Chairman & Chief Executive Officer
Wade H. Cable	President & Chief Operating Officer
Michael D. Grubbs	Sr. Vice President, Chief Financial Officer, Treas.& Asst.Secy.
Richard S. Robinson	Sr. Vice President - Finance
W. Douglass Harris	Vice President - Corporate Controller & Corporate Secretary
Cynthia E. Hardgrave	Vice President - Tax & Internal Audit & Asst. Secretary
C. Dean Stewart	Vice President - Operations
Dorothy M. Albertson	Asst. Secretary
Justine Black	Asst. Secretary
William H. Lyon	Asst. Secretary
Kathryn A. Sampson	Asst. Secretary
Brian J. Aitken	Asst. Treasurer
Gary W. Cogan	Asst. Treasurer
Matthew R. Zaist	Asst. Treasurer

Officers:	Titles:	Division Titles:
"DBA: LYON SOUTHERN CALIFORNIA DIVISION"		
Thomas J. Mitchell	Sr. Vice President	So. Calif. Division President
Dan C. George	Vice President	Vice President
Gary S. Wangler	Vice President	V.P.-Dir. of Operations
Karick M. Brown	Asst. Secretary	Asst. Secretary
J. Desmond Bunting	Asst. Secretary	Asst. Secretary
Brian W. Doyle	Asst. Secretary	Asst. Secretary
Thomas G. Grable	Asst. Secretary	Asst. Secretary
Carl S. Morabito	Asst. Secretary	Asst. Secretary
Mark A. Thomas	Asst. Secretary	Asst. Secretary
Renato C. Millar	Asst. Treasurer	Asst. Treasurer
Christina E. Estrada	Designated Signer for Escrow Amendments	
Tara K. Morenc	Designated Signer for Contracts and Purchase Orders	
Lesley A. Pennington	Designated Signer for Purchase Agreements and Escrow Amendments	

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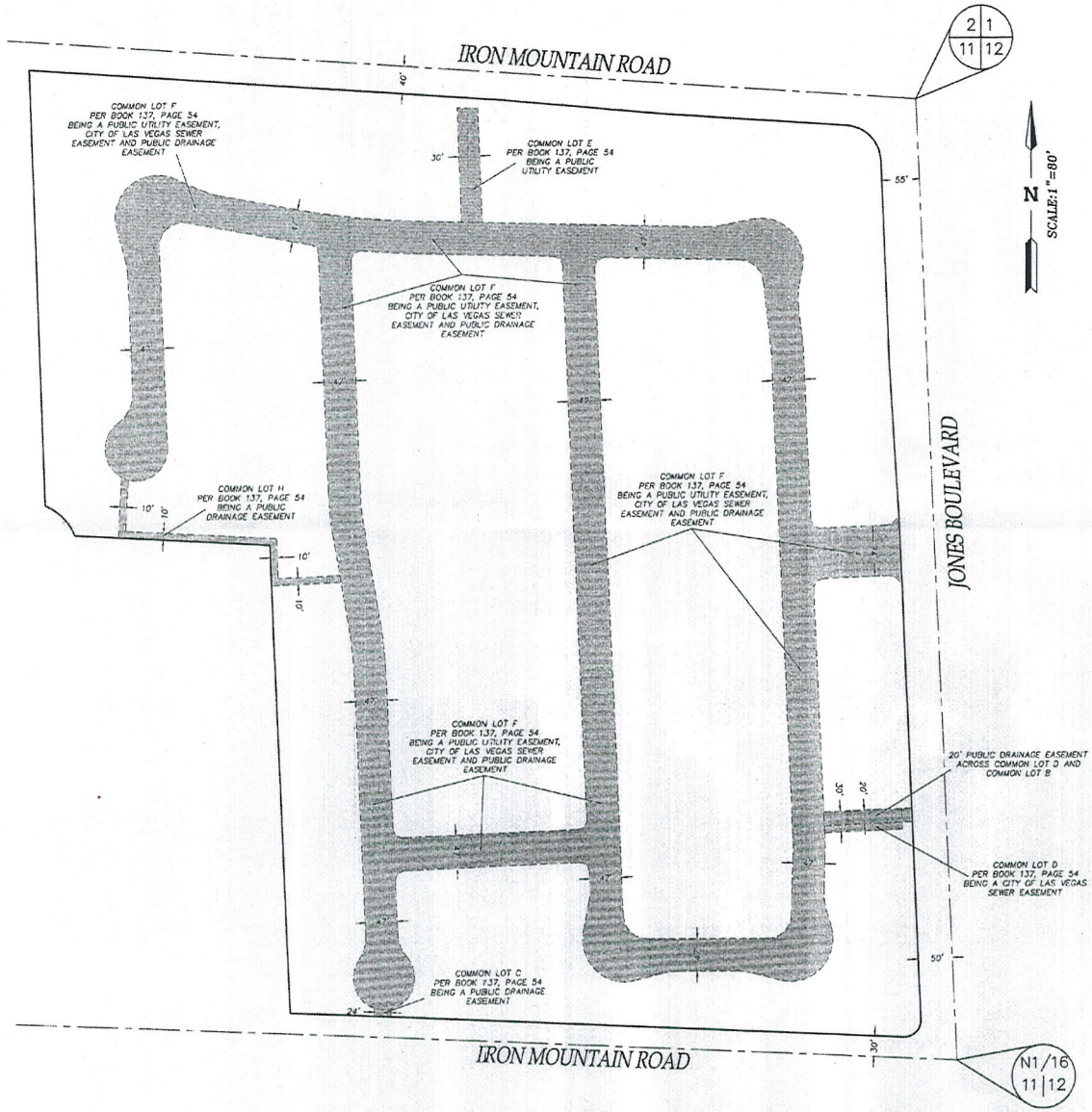
Officers:	Titles:	Division Titles:
"DBA: LYON ARIZONA DIVISION"		
W. Thomas Hickcox	Sr. Vice President	Arizona Division President
Jeffrey D. Carlson	Vice President	V.P.-Land Acquisition
Bryan J. Cazier	Vice President	V.P.-Purchasing
Julie E. Collins	Vice President	V.P.-Operations
Larry Sears	Vice President	V.P.-Construction
Eileen V. Andrews	Asst. Secy. & Des. Broker	Asst. Secretary
Charles Caldwell	Asst. Secretary	Asst. Secretary
Maureen W. Maxwell	Asst. Secretary	Asst. Secretary
Jane E. Cochrane	Asst. Treasurer	Asst. Treasurer
Karen B. Beacom)	Designated Signers for Addendums to: Homebuyer's Purchase	
Adrienne M. Kautzman)	Contracts, Warranty Deeds, Affidavits of Property Value; and	
Jeanette Lakavage)	Miscellaneous Mortgage Documents	
"DBA: LYON NEVADA DIVISION"		
Mary J. Connelly	Sr. Vice President	Nevada Division President
Terry A. Connelly	Vice President	V.P.-Dir. of Operations
Linda Kemper-Eknayan	Asst. Secretary	Asst. Secretary
Kathleen Martin-Jensen	Asst. Treasurer	Asst. Treasurer
Debra L. Coroch	Designated Signer for Purchase Orders	

WITNESS my hand and the seal of the Corporation this 19th day of May, 2003.

W. Douglass Harris

W. Douglass Harris
Vice President-Corporate Controller and
Corporate Secretary

VACATION EXHIBIT



LEGEND

- PUBLIC EASEMENT TO BE VACATED
- SUBDIVISION BOUNDARY
- CENTERLINE

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AUG 10 2010
City of Las Vegas

TANEY ENGINEERING
6030 SO. JONES BLVD. #100
LAS VEGAS, NEVADA 89118
(702) 362-8844 FAX:(702) 362-5233

VAC-39142

VAC-39142

VAC-39142 - APPLICANT/OWNER: WILLIAM LYON HOMES
IRON MOUNTAIN ROAD AND JONES BOULEVARD

08/19/10

VAC-39142 - APPLICANT/OWNER: WILLIAM LYON HOMES
IRON MOUNTAIN ROAD AND JONES BOULEVARD

08/19/10

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08/19/10

VAC-39142 - APPLICANT/OWNER: WILLIAM LYON HOMES
IRON MOUNTAIN ROAD AND JONES BOULEVARD

08/19/10

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

July 2, 2010

Mr. Scott Swapp
William Lyon Homes
500 Pilot Road, Suite G
Las Vegas, Nevada 89119

RE: FMP-38588 - STRATTON 35 AMENDED

Dear Mr. Swapp:

Your request for Final Map Technical Review was completed by the departments of Planning and Development and Public Works on July 2, 2010. The departments have administratively ***APPROVED*** your request, subject to the conditions noted below, which shall be incorporated into the Final Map Mylar when submitted for signature by the City.

Planning and Development

1. The Original Final Map Mylar shall be in conformance with the approved Tentative Map – STRATTON 35 (TMP-12092) and all other land use entitlements associated with Final Map – STRATTON 35 (FMP-15912).
2. On the cover sheet, insert the file number "FMP-38588" above the signature block in the lower right-hand corner.
3. The "CERTIFICATE OF DIRECTOR OF PLANNING AND DEVELOPMENT APPROVAL" should read as follows:

   I certify that this final map substantially complies with the tentative map and any approved alterations thereto; that the map complies with applicable statutory and ordinance provisions; that all conditions imposed upon the final map have been met; and that the map was approved and the parcels herein were accepted for dedication by the Director of Planning and Development on the ____ day of _____, 200___.

   _____
   M. Margo Wheeler, AICP Date
   Director of Planning and Development
   City of Las Vegas, Nevada

Mayor
Oscar B. Goodman

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

City Manager
Elizabeth N. Fretwell

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VAC-39142

Public Works

4. Coordinate with the Collection System Planning Section of the Department of Public Works for an Oversizing Agreement for sewer line construction in Jones Boulevard prior to the recordation of this Map.

5. No permanent structures, landscape trees, or shrubs with potential growth of three feet or greater in height shall be permitted within the sewer easement located in common element D (between lots 4 & 5). A note to this affect shall be placed on this Map.

6. Submit a Vacation application for all existing City of Las Vegas easements that are no longer needed due to amendments shown on this map. The Order of Vacation must be recorded concurrently with this Map. Relocate the City Engineer's signature block such that it does not appear to be an approval of Vacating City of Las Vegas Easements, as such easements can only be eliminated through the Vacation process, not by Amended Map.

7. Dimensions and information presented on the currently approved civil improvement plans should match this amended Final Map. Revise drawings as necessary.

If you have any questions concerning this matter, please contact me at (702) 229-6301.

Sincerely,

Peter Lowenstein, AICP
Planning Supervisor
Planning and Development Department

PL:clb

cc: Ms. Shaelyn Sandoval
Taney Engineering
6030 South Jones Boulevard, Suite #100
Las Vegas, Nevada 89118

TANEY ENGINEERING
6030 JONES BLVD #100
LAS VEGAS, NEVADA 89118
TELEPHONE: (702) 362-8844
FAX: (702) 362-5233

August 10, 2010

City of Las Vegas
Planning & Development
731 S. Fourth Street
Las Vegas, NV 879101

Re: Stratton 35 Vacation

We are requesting the vacation of the public easements granted per the recorded final map. our client purchased the property and has submitted for revisions to the improvement plans and submitted an amended final map to modify the layout of the site. We are requesting the vacation of the easements granted per the original final map in favor of the new easements which will be dedicated with the recordation of the amended final map.

Thank you,

Shaelyn Sandoval
Taney Engineering

VAC-39142

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City of Las Vegas Agenda Item No.: **21.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

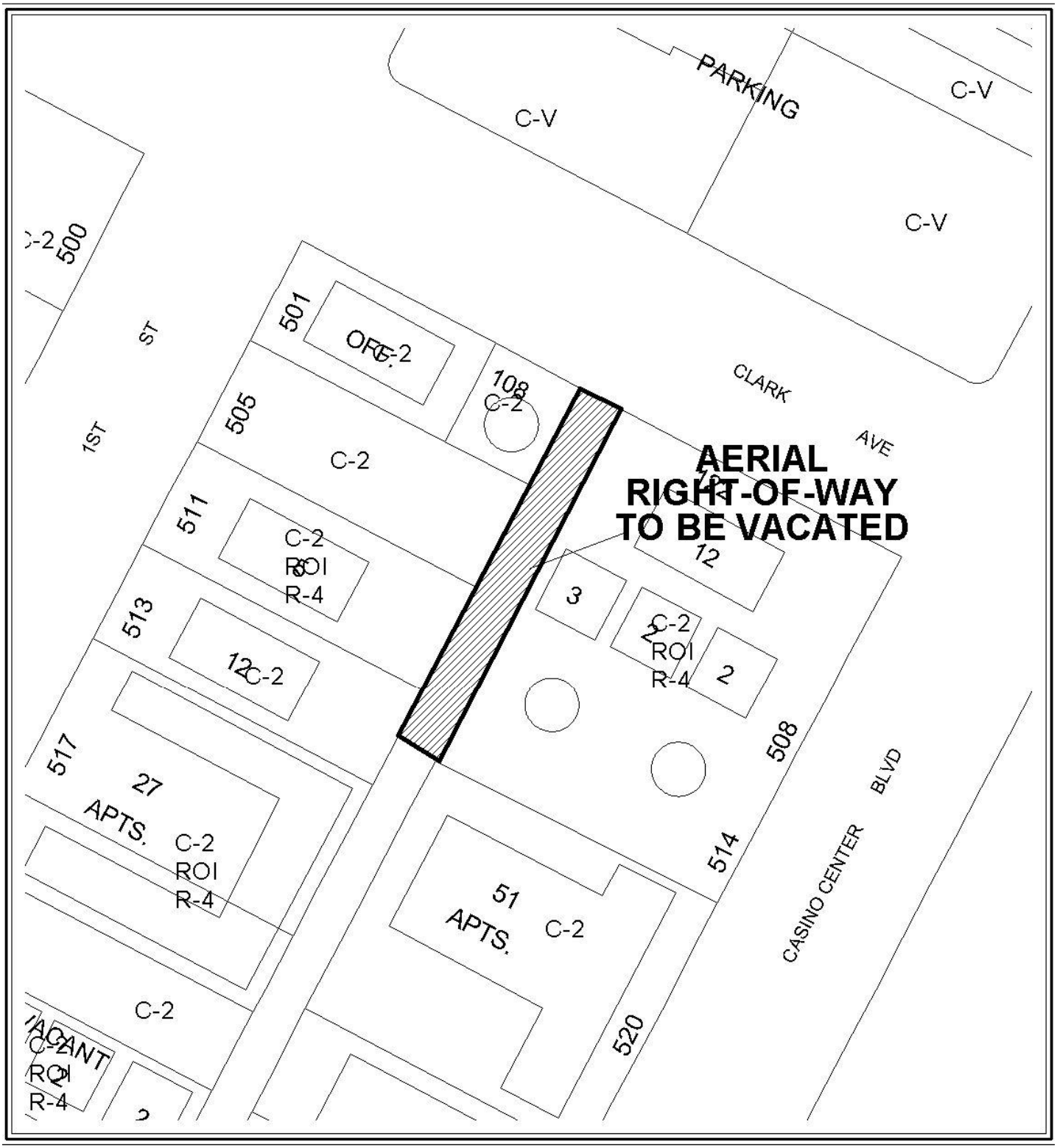
SUBJECT:
VAC-39145 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Petition to Vacate the aerial right-of-way for a portion of an existing 20-foot wide public alley located between Clark Avenue and Bonneville Avenue, and between 1st Street and Casino Center Boulevard, Ward 3 (Reese). Staff recommends APPROVAL.

SET DATE: 10/06/2010
C.C.: 10/20/2010

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



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CASE: VAC-39145

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0 50 100 Feet

CASE: **VAC-39145**

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAC-39145	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

VAC-39145 CONDITIONS

1. The limits of this Petition of Vacation shall be defined as the aerial right-of-way beginning at 16 feet above the highest point of the roadway constructed along the 20-foot wide alley located between Clark Avenue and Bonneville Avenue and between 1st Street and Casino Center Boulevard.

2. 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.

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

MH

Conditions Page Two
September 23, 2010 - Planning Commission Meeting

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

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

Staff Report Page One
September 23, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

- This application is a petition to Vacate the aerial right-of-way for a portion of an existing 20-foot wide public alley located between Clark Avenue and Bonneville Avenue, and between 1st Street and Casino Center Boulevard. The requested vacation is a required step in order to complete the second phase of the Bonneville – Clark Downtown Connector. Staff recommends approval, with conditions as the requested action will not impede current or future traffic flow in the downtown area. If denied, the Bonneville – Clark Connector will not be able to move forward, as designed.

ISSUES

- This Vacation is required to accommodate the second phase of the Bonneville – Clark Connector

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc
There is no history of relevant actions taken on the northern portion of this public alley.

Most Recent Change of Ownership
There is no deed associated with this request as it pertains to aerial rights-of-way.

Related Building Permits/Business Licenses
There are no building permits or business licenses associated with this request.

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 for this type of request, nor was one held.

Field Check	
08/19/2010	A field check was performed by staff with the following observations: • The site to be vacated is located within the northern half of a public alley that terminates at Clark Avenue.

Details of Application Request
Site Area
This request is to vacate the aerial right-of-way.

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Right-of-Way (Public Alley)	Right-of-Way (Public Alley)	Right-of-Way (Public Alley)
North	Right-of-Way (Clark Avenue)	Right-of-Way (Clark Avenue)	Right-of-Way (Clark Avenue)
South	Right-of-Way (Public Alley)	Right-of-Way (Public Alley)	Right-of-Way (Public Alley)
East	Apartments	C (Commercial)	R-4 (High Density Residential)
West	Office/ Undeveloped/ Apartments	C (Commercial)	C-2 (General Commercial)/ R-4 (High Density Residential)

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

LEGAL DESCRIPTION

The above is legally described as being a portion of a 20-foot wide alley right-of-way granted in block 10 of that subdivision known as "Clark's Las Vegas Townsite" on file in the Office of the County Recorder, Clark County Nevada in Book 1 of Plats, at Page 37, lying within the Southwest Quarter (SW 1/4) of Section 34, Township 20 South, Range 61 East, M.D.M., City of Las Vegas, Clark County, Nevada. Excepting therefrom, all areas falling below an elevation of 2,042 feet, being a point a minimum of 18 feet above the highest crown elevation of the "Bonneville Clark Oneway Couplet Phase 1" improvement plans, between Bonneville Avenue and Clark Avenue, as shown on City of Las Vegas Drawing Number 107v5201. Containing 3,498 square feet measured two dimensionally, more or less, as determined by computer methods.

ANALYSIS

If approved, the requested Vacation will remove the aerial right-of-way for a portion of an existing 20-foot wide public alley located between Clark Avenue and Bonneville Avenue, and between 1st Street and Casino Center Boulevard. This is needed in order to accommodate the separation of the pedestrian right-of-way from the vehicular component of the one-way collector. If denied, the completed design for the Collector would have to be resubmitted at significant cost in scheduling and construction.

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? *N/A as it is to vacate the aerial right-of-way above the alley.*

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since it is above the ground.*

C. Does it appear that the vacation request involves only excess right-of-way? *No, it is for a proposed aerial walkway.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, it is in conjunction with the City's Bonneville-Clark connector project.*

E. Does this vacation request eliminate public street access to any abutting parcel? *No.*

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

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

NOTICES MAILED 2

APPROVALS 0

PROTESTS 0

MH

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-39145** APN: _____

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: CHERI EDELMAN

Name of Representative: BART ANDERSON

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: Cheri Edelman

Print Name: Cheri Edelman

Subscribed and sworn before me

This 9th day of August, 2010

Rosana G. Cogle

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ROSANA G. COGLE
Appt. No. 96-27148-1
My Appt. Expires May 16, 2014

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City of Las Vegas

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: VACATION OF AERIAL RIGHT-OF-WAY

Project Address (Location) A PORTION OF A PUBLIC ALLEY BOUNDED BY 1st St., CLARK AVE., CASINO CENTER, & BONNEVILLE

Project Name BONNEVILLE - CLARK COUPLET **Proposed Use** AERIAL PARCEL

Assessor's Parcel #(s) 139-34-302-009; **Ward #** 3

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

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

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

Additional Information _____

PROPERTY OWNER CITY OF LAS VEGAS **Contact** CHERI EDELMAN

Address 400 E. STEWART AVE. **Phone:** 229-5926 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89101

E-mail Address _____

APPLICANT CHERI EDELMAN **Contact** _____

Address 400 E. STEWART AVE **Phone:** 229-5926 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89101

E-mail Address _____

REPRESENTATIVE BARTON T. ANDERSON **Contact** _____

Address _____ **Phone:** 229-2198 **Fax:** _____

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

E-mail Address _____

Property Owner Signature* Cheri Edelman

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

Print Name Cheri Edelman

Subscribed and sworn before me

This 8th day of August, 20 10.

Kevin Cerny

Notary Public in and for said County and State

RECEIVED
AUG 10 2010
City of Las Vegas

KEVIN CERNY
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 04-90775-1
MY APPT. EXPIRES JULY 29, 2012

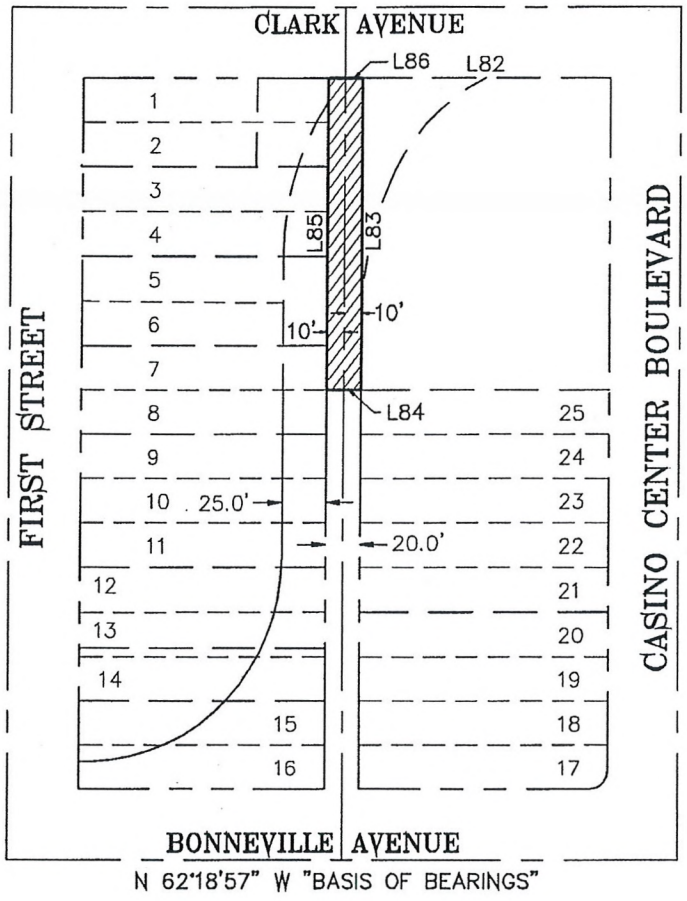
Revised 10/21/08

FOR DEPARTMENT USE ONLY

Case #	VAC-39145
Meeting Date:	9/23/10
Total Fee:	$1000.00
Date Received:*	8-10-10
Received By:	J Fuller

*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



N.T.S.

LINE TABLE		
LINE	BEARING	DISTANCE
L82	S62°21'45"E	139.99'
L83	N27°40'14"E	174.95'
L84	S62°19'46"E	20.00'
L85	N27°40'14"E	174.94'
L86	S62°21'45"E	20.00'

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION
A PORTION OF BLOCK 10 OF
"CLARK'S LAS VEGAS TOWNSITE"
IN MAP BOOK 1, PAGE 37

CITY OF LAS VEGAS – SURVEY
3001 RONEMUS DRIVE, LAS VEGAS, NEVADA 89128 (702) 229-6217

DRAWING: EXHIBIT
DRAWN BY: HJB
CHECKED BY: ARR
DATE: 06/28/2010

RECEIVED
AUG 10 2010
City of Las Vegas

VAC-39145 - APPLICANT/OWNER: CITY OF LAS VEGAS
BETWEEN CLARK AVENUE AND BONNEVILLE AVENUE, BETWEEN 1st STREET AND CASINO CENTER BOULEVARD

08/19/10

VAC-39145 - APPLICANT/OWNER: CITY OF LAS VEGAS
BETWEEN CLARK AVENUE AND BONNEVILLE AVENUE, BETWEEN 1st STREET AND CASINO CENTER BOULEVARD

08/19/10

VAC-39145 - APPLICANT/OWNER: CITY OF LAS VEGAS
BETWEEN CLARK AVENUE AND BONNEVILLE AVENUE, BETWEEN 1st STREET AND CASINO CENTER BOULEVARD

08/19/10

VAC-39145 - APPLICANT/OWNER: CITY OF LAS VEGAS
BETWEEN CLARK AVENUE AND BONNEVILLE AVENUE, BETWEEN 1st STREET AND CASINO CENTER BOULEVARD

08/19/10

To whom it may concern:

We request a Petition for Vacation of aerial right-of-way for a portion of an existing public alley located between Clark Avenue and Bonneville Avenue, and between 1st Street and Casino Center Boulevard. This petition is in accordance with the terms of the Bonneville-Clark Connecter Master Agreement between the City of Las Vegas and FC Vegas 39, LLC (the Agreement).

Approval of this petition will facilitate the continued development of the Bonneville-Clark connector project, and supports the City's redevelopment efforts in the downtown area as described in the Agreement.

Thank you,

Barton T. Anderson,
Project Manager, Development Coordination
City of Las Vegas, Department of Public Works

VAC-39145

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AUG 10 2010
City of Las Vegas

City of Las Vegas Agenda Item No.: **22.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

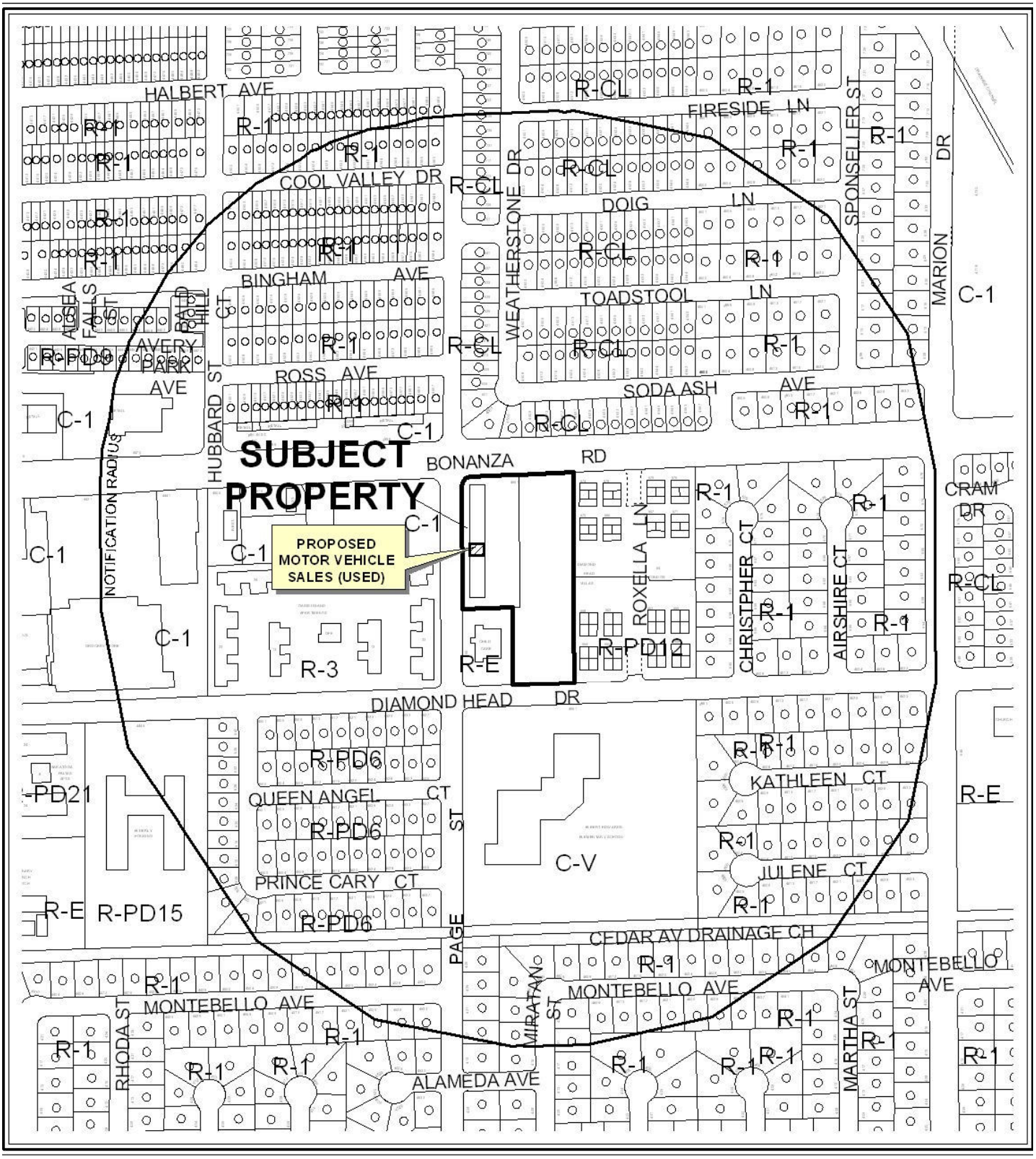
SUBJECT:
ABEYANCE - SUP-38523 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: HECTOR CAMACHO - Request for a Special Use Permit FOR A PROPOSED MOTOR VEHICLE SALES (USED) USE at 4561 East Bonanza Road, Suite #130 (APN 140-32-101-017), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE FINAL ACTION
(Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**4**	**Planning Commission Mtg.**	**1**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

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



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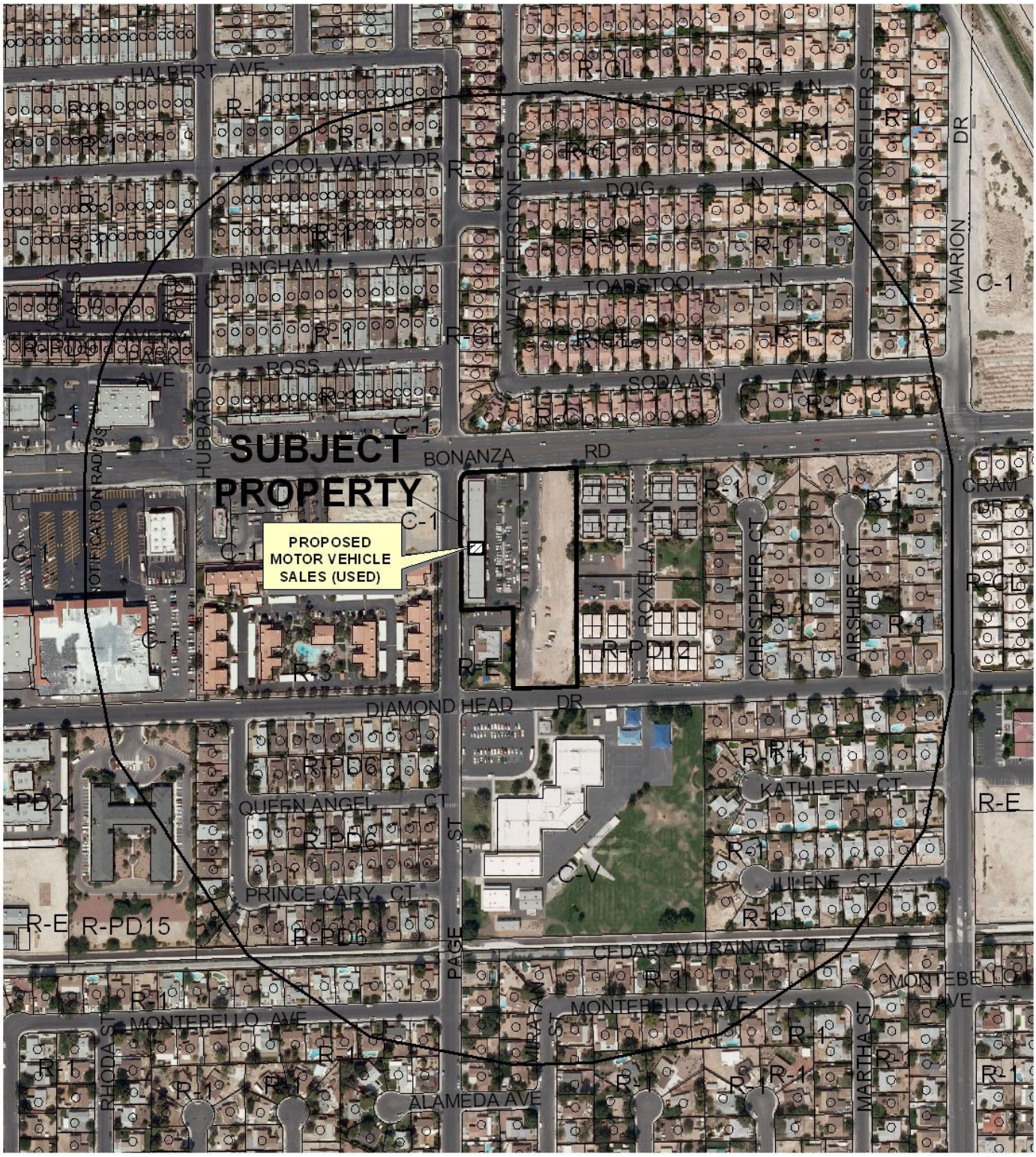
CASE: **SUP-38523**

RADIUS: 1000

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

N



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CASE: **SUP-38523**

RADIUS: 1000

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: HECTOR CAMACHO

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-38523	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

SUP-38523 CONDITIONS

Planning and Development

1. Display of vehicles for sale shall be limited to the six spaces at the north end of the parking area, as designated in the site plan date stamped 06/11/10.

2. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Motor Vehicle Sales (Used) use.

3. Conformance to the approved conditions for Rezoning (ZON-2967), Special Use Permit (SUP-3223), Site Development Plan Review (SDR-3224), Site Development Plan Review (SDR-25148) and Variance (VAR-25220)

4. This approval shall be void two years from the date of final approval, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

5. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining item or devices shall be displayed upon the subject property without the appropriate permits.

6. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

JG

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

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 2,000 square-foot Motor Vehicle Sales (Used) use at 4561 East Bonanza Road, Suite #130. The subject property contains an existing 16,250 square-feet Auto Repair Garage, Major building and has been approved through Site Development Plan Review (SDR-25148) for a 19,500 square-foot General Retail and Restaurant building. In addition, the subject property has also received a parking Variance (VAR-25220) to allow 201 parking spaces where 250 are required. The applicant is proposing to convert a 2,000 square-foot storage area of the existing 16,250 square-foot Auto Repair Garage, Major building into a Motor Vehicle Sales (Used) use. Placing an additional use on the subject property, in addition to the existing and approved uses, will create an overly developed site and will negatively impact the surrounding neighborhood; therefore, staff recommends denial of this request. If this application is denied, the existing 16,250 square-foot Auto Repair Garage, Major building and use would remain.

ISSUES

- 4561 East Bonanza Road, Suites # 125 and # 145 have had permits issued, but were never finaled.
- The applicant currently has six code enforcement cases open at 4561 East Bonanza Road.
- Per Title 19.04 Minimum Special Use Permit Requirement # 7 for the Auto Repair Garage, Major use, no vehicles may be parked on the premises for the purposes of offering the vehicle for sale. Approval of this Special Use Permit request would circumvent this requirement of the previously approved Special Use Permit (SUP-3223).

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/02/03	A Code Enforcement complaint (#3208) was issued for various code violations at 4561 East Bonanza Road. The case was resolved on 10/24/03.
10/30/03	A Code Enforcement complaint (#6336) was issued for various code violations at 4561 East Bonanza Road. The case was resolved on 12/15/03.

01/24/04	The City Council approved a General Plan Amendment (GPA-2966) from SC (Service Commercial) to GC (General Commercial), a Rezoning (ZON-2967) from R-E (Residence Estates) Zone under Resolution of Intent to O (Office) and C-1 (Limited Commercial) to C-2 (General Commercial), a Special Use Permit (SUP-3223) and Site Development Plan Review (SDR-3224) for an Auto Repair Garage (Major) and a proposed Self Serve Car Wash on 3.41 acres adjacent to the southeast corner of Bonanza Road and Page Street. The Planning Commission and staff recommended denial of these requests. The area designated Phase Two on the site plan was zoned to C-1 (Limited Commercial) by the City Council.
03/02/04	A Code Enforcement complaint (#10625) was issued for graffiti at 4561 East Bonanza Road. The case was resolved on 03/19/04.
06/21/04	A Code Enforcement complaint (#16380) was issued for trash on the vacant lot portion at 4561 East Bonanza Road. The case was resolved on 06/30/04.
07/27/04	A Code Enforcement complaint (#19314) was issued for various code violations at 4561 East Bonanza Road. The case was resolved on 12/06/04.
10/27/04	A Reversionary Final Map (FMP-5529) was administratively approved by the Planning and Development Department on property located on the southeast corner of Bonanza Road and Page Street. The map was recorded 01/19/05.
03/02/05	A Code Enforcement complaint (#26624) was issued for various code violations at 4561 East Bonanza Road. The case was resolved on 04/04/05.
04/20/06	A Code Enforcement complaint (#40443) was issued for various code violations at 4561 East Bonanza Road. The case was resolved on 07/06/06.
07/21/06	A Code Enforcement complaint (#44724) was issued for various code violations at 4561 East Bonanza Road. The case was resolved on 02/10/07.
11/27/07	A Code Enforcement complaint (#59626) was issued for various code violations at 4561 East Bonanza Road. The case was resolved 08/12/08.
03/19/08	The City Council approved a Site Development Plan Review (SDR-25148) to add a proposed 20,400 square-foot General Retail Development to an existing 16,250 square-foot Auto Repair Garage, Major with Waivers of perimeter landscape buffers to allow a five-foot buffer along a portion of the south property line where 15 feet is required and a five-foot buffer along a portion of the east property line where eight feet is required and a Variance (VAR-25220) to allow 201 parking spaces where 250 spaces are required on 3.41 acres at the southeast corner of Page Street and Bonanza Road. The Planning Commission and staff recommended denial of these requests.
07/16/08	The City Council approved a Special Use Permit (SUP-27933) for a proposed Restaurant with Service Bar with Waivers to allow a zero-foot distance separation from a Child Care Facility and to allow a 58-foot distance separation from a school where 400 feet is required at 4561 East Bonanza Road. The Planning Commission and staff recommended denial of this request.

09/29/08	The Planning and Development Department administratively approved a Parcel Map (PMP-27923) for 3.42 acres located at 4561 East Bonanza Road. The map recorded on 06/09/09.
03/24/09	The Planning and Development Department conducted a Planning Inspection at 4561 East Bonanza Road. At the time of inspection unmaintained landscape, non-permitted temporary signs, graffiti, a non-compliant trash enclosure, vehicles for sale within the parking lot, outside display and faded parking lot striping were noted. The violations were turned over to Code Enforcement 03/26/09 for further action.
04/23/09	The Planning Commission denied a Special Use Permit (SUP-33611) for a proposed Motor Vehicle Sales (Used). The Planning and Development Department staff recommended denial.
05/11/10	A Code Enforcement complaint (#90670) was issued for various code violations at 4561 East Bonanza Road. The case is still open.
05/27/10	A Code Enforcement complaint (#91303) was issued for various code violations at 4561 East Bonanza Road, Suite #110. The case is still open.
05/27/10	A Code Enforcement complaint (#91304) was issued for various code violations at 4561 East Bonanza Road, Suite #130. The case is still open.
05/27/10	A Code Enforcement complaint (#91305) was issued for various code violations at 4561 East Bonanza Road, Suite #140. The case is still open.
05/27/10	A Code Enforcement complaint (#91306) was issued for various code violations at 4561 East Bonanza Road, Suite #145. The case is still open.
07/29/10	The Planning Commission accepted the applicant's request to abey a Special Use Permit (SUP-38523) for a proposed 2,000 square-foot Motor Vehicle Sales (Used) use at 4561 East Bonanza Road, Suite #130.

Most Recent Change of Ownership	
03/01/07	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/25/05	A building permit (#05000428) was issued for on-sites at 4561 East Bonanza Road. The permit received final approval 11/22/05.
01/25/05	A building permit (#05000427) was issued for a shell building at 4561 East Bonanza Road. The permit received final approval on 05/17/06.
06/22/06	A business license (#G03-02357) was issued for major auto repair at 4561 East Bonanza Road Suite #110. The license is currently active.
07/25/06	A business licenses (#G02-00753) was issued for an auto repair garage/tire sales at 4561 East Bonanza Road Suite #160. The license is currently active.
10/10/06	A business license (#G03-02372) was issued for major auto repair at 4561 East Bonanza Road Suite #120. The license is currently active.

03/17/07	A building permit (#07000850) was issued for a tenant improvement remodel at 4561 East Bonanza Road, Suite #125. The permit expired 09/08/07 without receiving final approval.

10/04/07	A business licenses (#A39-00431) was issued for auto parts sales at 4561 East Bonanza Road, Suite #160. The license is currently active.
03/04/09	A business licenses (#S02-01136) was issued for a truck driving school at 4561 East Bonanza Road, Suite #130. The license is currently active.
03/09/09	A business license application (#R05-97501) was submitted for a hot dog cart at 4561 East Bonanza Road. The license is currently under review, awaiting proper documentation to be submitted.
03/09/09	A business license application (#G03-97502) was submitted for major auto repair/body work at 4561 East Bonanza Road, Suite #130. The license was reviewed by the Planning and Development Department 03/18/09, and is currently under review by other City departments.
07/23/09	A business license (#G03-97502) was issued for major auto repair/body work at 4561 East Bonanza Road, Suite #130. The license was marked out of business on 09/21/09.
10/26/09	A building permit (#150118) was issued for a non-work certificate of occupancy at 4561 East Bonanza Road, Suite #145. The permit was never finaled.

Pre-Application Meeting	
06/03/10	A pre-application meeting was held with the applicant where elements of submitting a Special Use Permit for Motor Vehicle Sales (Used) were discussed. The topics included the submittal of application materials, meeting dates, and deadlines.

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

Field Check	
06/24/10	A poorly maintained site was noted with missing landscaping, disabled vehicles, trash enclosures used for storing various items, a destroyed trash enclosure, trash dumpsters that are out in the open, graffiti on buildings and inaccessible drive aisles. There are open Code Enforcement actions on the subject site.

Details of Application Request	
Site Area	
Net Acres	1.33

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Automotive Repair Center	GC (General Commercial)	C-2 (General Commercial)
North	Single-Family Residences	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
South	Child Care Facility/ Elementary School	SC (Service Commercial)/ PF (Public Facilities)	R-E (Residence Estates)/ C-V (Civic)
East	Condominiums	ML (Medium Low Density Residential)	R-PD12 (Residential Planned Development – 12 Units per Acre)
West	Apartments/ Undeveloped	M (Medium Density Residential) / SC (Service Commercial)	R-3 (Medium Density Residential) / C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Motor Vehicle Sales (Used)	2,000 SF; 6 Vehicle Display Spaces	1/500 SF of GFA	10				
Existing Auto Repair Garage,	14,250 SF	1/200 SF +5 spaces	77				

JG

Major							

General Retail Store (Furniture Store)	11,280 SF	1/175 SF	65				
Restaurant 2,000 SF or more (without Drive-Through)	3,623 SF	1:50 SF of Public Seating	73				
		1:200 SF of total remaining GFA	13				
General Retail Store (Meat Market)	2,584 SF	1:200 SF of total remaining GFA	12				
TOTAL SPACES REQUIRED			**250**		**201**		**Y**
TOTAL (With Handicapped)			243	7	194	7	Y
Loading Spaces			3		3		Y

ANALYSIS

The applicant is proposing to convert 2,000 square feet of an existing 16,250 square-foot Auto Repair Garage, Major into a Motor Vehicle Sales (Used) establishment. A previous Variance (VAR-25220) approved 201 parking spaces for a 16,250 square-foot Auto Repair Garage, Major, a 6,207 square-foot Restaurant, and 13,315 square-feet of General Retail where 250 parking spaces are required. The applicant was denied a previous a Special Use Permit (SUP-33611) for a proposed 1,000 Motor Vehicle Sales (Used) at this site on 04/23/09. This request would allow vehicle sales in conjunction with an Auto Repair Garage, Major, which was previously approved through Special Use Permit (SUP-3223). This would circumvent a Minimum Special Use Permit Requirement of that use that prohibits the display and sale of vehicles at an Auto Repair Garage, Major site. As such, staff cannot support this request and recommends denial.

FINDINGS (SUP-38523)

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 cannot be conducted in a manner that is harmonious and compatible with the existing and surrounding land uses, as the surrounding businesses within the subject property are high-volume uses, and over 20,400 square feet of additional uses have been approved for the site through Site Development Plan Review (SDR-25148). The surrounding parcels are residential and commercial in nature, and the proposed use will not be harmonious or compatible with the adjacent residential land uses, as the proposed use is too intense for the subject property.

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 land use proposed, as evidenced by the approved Variance (VAR-25220) for parking. The isolation of this parcel from others zoned C-2 (General Commercial) creates a significant conflict with adjacent, less-intensely zoned properties.

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 Bonanza Road, a 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways, which will provide adequate access to the site. There is only one access driveway to the site with an emergency crash gate at the south end of the site, at Diamond Head Drive, a 60-foot Local Street, which will provide adequate emergency access. The subject property is also adjacent to Page Street, a 60-foot Local Street to the east; however, no access is provided to this roadway.

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 proposed use meets all of the applicable conditions per Title 19.04; however, the request would allow vehicle sales in conjunction with an Auto Repair Garage, Major, which was previously approved through Special Use Permit (SUP-3223). This would circumvent a Minimum Special Use Permit Requirement of that use that prohibits the display and sale of vehicles at an Auto Repair Garage, Major site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

NOTICES MAILED 543

APPROVALS 0

PROTESTS 0

JG

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-38523** APN: 140-32-101-017

Name of Property Owner: HECTOR CAMACHO

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: HECTOR CAMACHO

Subscribed and sworn before me

This 11th day of June, 2010

Jeannie M Becknell

Notary Public in and for said County and State

State of Nevada

County of Clark

JEANNIE M. BECKNELL
Notary Public State of Nevada
No. 99-23658-1
My appt. exp. Apr. 10, 2011

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JUN 11 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUP MOTOR VEHICLES BUS ED

Project Address (Location) 4561 E BONANZA = 130 -

Project Name CAMACHO PLAZA **Proposed Use** 3

Assessor's Parcel #(s) 140-32-101-017 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing C2 proposed GC

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

Gross Acres 1.32 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER HECTOR CAMACHO **Contact** 460 1775

Address 1501 S MARYLAND PK **Phone:** 460 1775 **Fax:** _____

City LV NEV 89104 **State** _____ **Zip** _____

E-mail Address ESTRELLALV@HOTMAIL.COM

APPLICANT HECTOR CAMACHO **Contact** HECTOR

Address SAME **Phone:** 460 1775 **Fax:** _____

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

E-mail Address _____

REPRESENTATIVE HECTOR **Contact** HECTOR

Address SAME ABOBE **Phone:** 460 1775 **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 _____

Subscribed and sworn before me

This 11th day of June, 20 10.

_____

Notary Public in and for said County and State

State of Nevada
Clark County

Revised 10/27/08

JEANNIE M. BECKNELL
Notary Public State of Nevada
No. 99-25658-1
My appt. exp. Apr. 10, 2011

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JUN 11 2010

FOR DEPARTMENT USE ONLY

Case #	SUP-38523
Meeting Date:	7/29/10
Total Fee:	1039 00
Date Received:*	6/11/10
Received By:	M REX

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

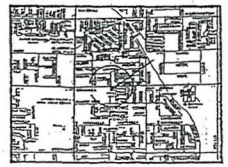
f:\depot\Application Packet\Application Form.pdf

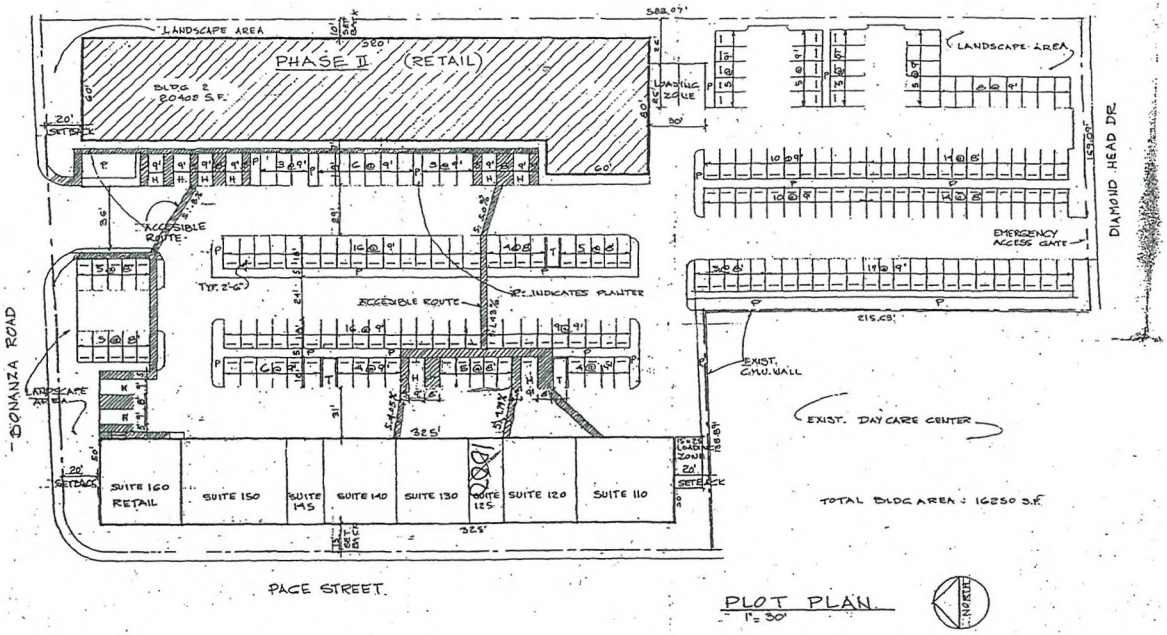
SUP-33611 (S2) Stamped 3-4-09 :PC 4-23-09 Denied

LEGAL DESCRIPTION:

BEING A PORTION OF THE NE/4 AT THE NW/4 OF SECTION 32, TOWNSHIP 20 S, RANGE 62 E AS RECORDED AT THE CLARK COUNTY, NV, RECORDER'S OFFICE.

A.P.N.: 140-32-114-045





BUILDING ANALYSIS

Furniture Store	8740 S.F.
Furniture warehouse	2810 S.F.
Subtotal	11550 S.F.
Fast Food Eatery. Seating	3623 S.F.
" " " Kitchens	2100 S.F.
" " " Rest rooms	484 S.F.
Subtotal	6207 S.F.
Meat Market	2035 S.F.
Sprinklers raiser room	44 S.F.
Exterior walls	526 S.F.
Interior 6" wall	38 S.F.
Subtotal	2643 S.F.
TOTAL BUILDING AREA	20400 S.F.

PARKING ANALYSIS

PHASE 1 (EXISTING)

Auto repair garage: 5 spaces + 1 per 200 S.F.
5 + (16250 S.F. ÷ 200)= 86.25 spaces.

PHASE 2 (PROPOSED)

Furniture Store	8470 S.F.÷175= 49.4 spaces.
Furniture warehouse	2810 S.F.÷2500= 1.12 spaces.
Subtotal:	49.5spaces.
Fast Food Eatery	3623 S.F.÷50= 72.46 spaces.
" " Kitchens	2584 S.F.÷200= 12.92 spaces.
Subtotal:	85.38 spaces.
Meat Market	2035 S.F.÷175= 11.62 spaces.

TOTAL PARKING REQUIRED: 232.7 SPACES.

TOTAL PARKING PROVIDED: 201 SPACES plus 3 loading.

	NORA H.MASANA ARCHTECT 2207 WEST JOWAN ROAD NORTH LAS VEGAS NV 89032 (702) 38-0727	CAMACHO AUTO CENTER, PHASE 2 4161 EAST BONANZA Las Vegas NV 89110 Owner: Hector Camacho (702) 460-1775	SITE PLAN	DRAWN : R.H.M. DATE : 10-16-07 SCALE : 1" =30'

SUP-38523

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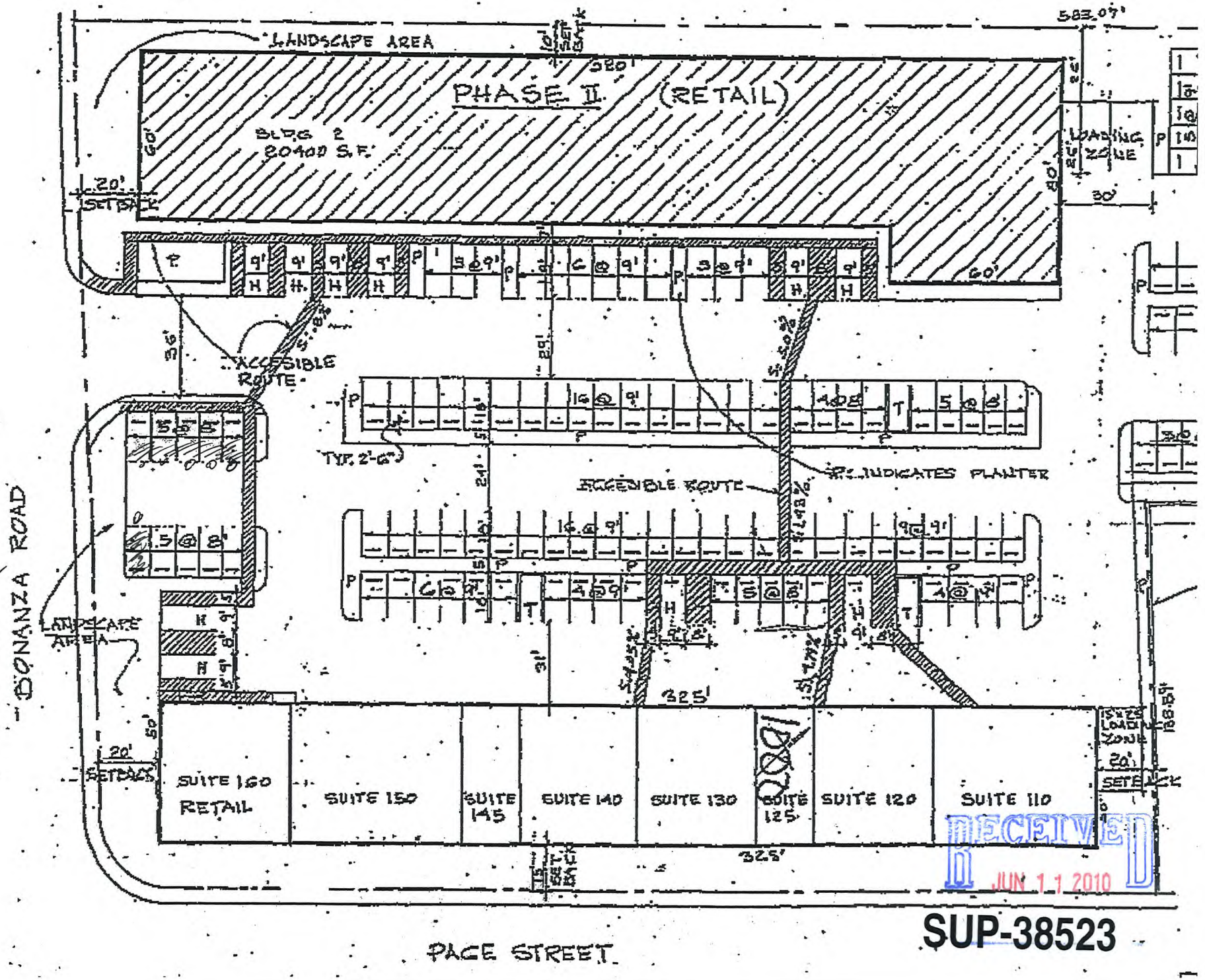
JUN 17 2010



111 DISPLAY AREA

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SUP-38523

SUP-38523 - APPLICANT/OWNER: HECTOR CAMACHO
4561 EAST BONANZA ROAD, SUITE #130

06/24/10

SUP-38523 - APPLICANT/OWNER: HECTOR CAMACHO
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06/24/10

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06/24/10

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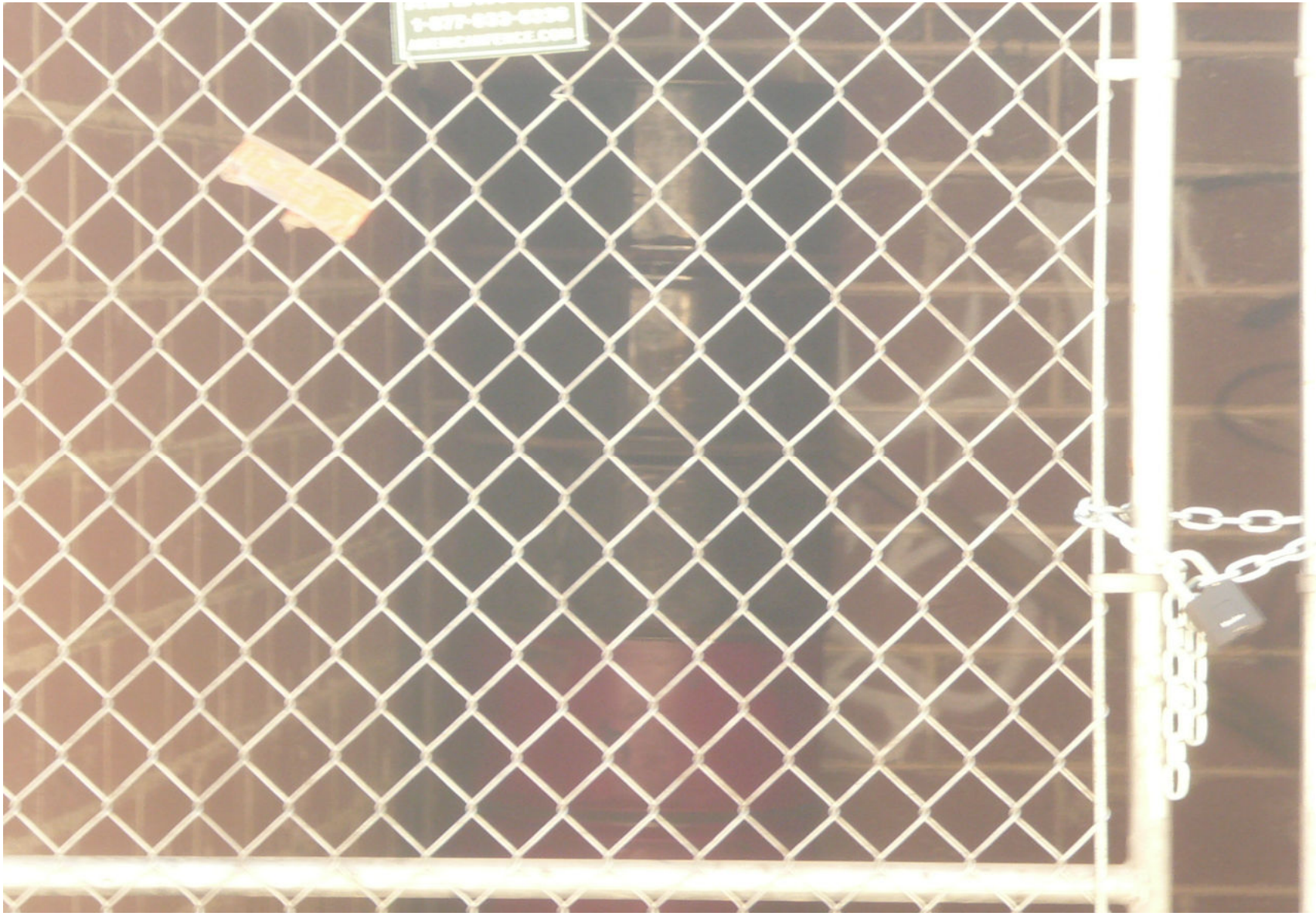
06/24/10



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4561 EAST BONANZA ROAD, SUITE #130

06/24/10

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06/24/10

SUP-38523 - APPLICANT/OWNER: HECTOR CAMACHO
4561 EAST BONANZA ROAD, SUITE #130

06/24/10

HECTOR CAMACHO
1501 S. MARYLAND PKWY
LAS VEGAS, NEVADA 89104
(702)460-1775

May 10, 2010

Attn: PLANNING AND DEVELOPMENT DEPARTMENT

Re: JUSTIFICATION LETTER

To whom it may concern.

I am applying for a Use Permit for an Auto Sales at 4561 E. Bonanza Road, Las Vegas, Nevada 89110. The property is zoned as a C2 which is for a heavy mechanic repair of which is comparable with Use Permit of which I am applying for.

Further this is vital to me because at this time I have filed a chapter 11 bankruptcy and this will give more proof to the judge and trustees that I do intent to have future income.

Respectfully

HECTOR CAMACHO

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JUN 11 2010

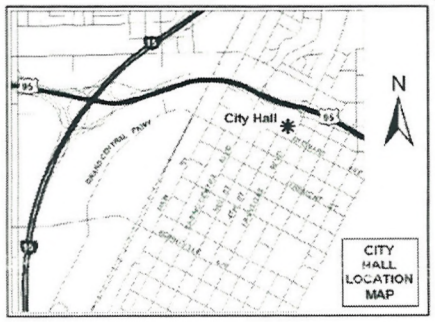
SUP-38523

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUL 16 2010
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



Can A park be built or an open decorative park; example Just an open Area where People can meet, Have Public events

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

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-38523
Planning Commission Meeting of 7/29/2010

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JUN 21 2010

Case: SUP-38523
14029414065
LUKE LAWRENCE LEROY & RAMONA M
612 MARION DR
LAS VEGAS NV 89110-5413

41P

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 JUL 16 2010
MAILED FROM ZIP CODE 89101

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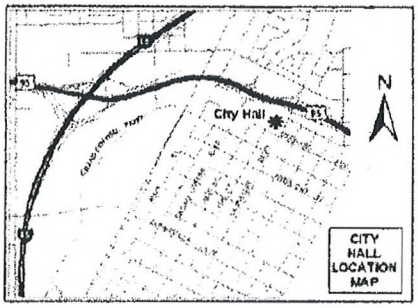
Official Notice of Public Hearing



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

Please use available blank space on card for your comments.

SUP-38523
Planning Commission Meeting of 7/29/2010

Oppose for all the reasons the Law requires a Special Use Permit multiplied by Mr. Camacho's demonstrated inability to manage his property responsibily.

Case: SUP-38523

14032102002
D T MARK PROPERTIES L L C
16161 VENTURA BLVD #435
ENCINO CA 91436-2522

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41P

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

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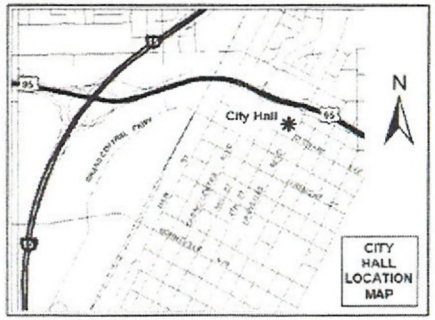

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council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

☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-38523
Planning Commission Meeting of 7/29/2010

RECEIVED
JUL 23 2010

Case: SUP-38523
14032210004
MAHON PATRICK J & COLLENE C
4520 MONTEBELLO AVE
LAS VEGAS NV 89110-3389

Submitted after final agenda
Date
Item 41P

Telephone Protest/ Approval Log

Meeting Date: 07.29.10 **Case Number:** SUP-38523

Date: 07.28.10
Name: Mary Paz
Address: 4608 Kathleen Court
89110
Phone: 702-438-6211
[X] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

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Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

4 IP

Telephone Protest/ Approval Log

Meeting Date: 7/29/10 PC **Case Number:** SUP-38523

Date: MON - July 19, '10
Name: John Brochius Sr.
Address: 4580 ~~Ross~~ Ave.

Phone: 752-9189

☐ PROTEST ☒ APPROVE

Date:
Name:
Address:

Phone:

☐ PROTEST ☐ APPROVE

Date:
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Date:
Name:
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Phone:

☐ PROTEST ☐ APPROVE

RECEIVED
JUN 27 2010

Submitted after final agenda
Date Item 41 A

City of Las Vegas Agenda Item No.: **23.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

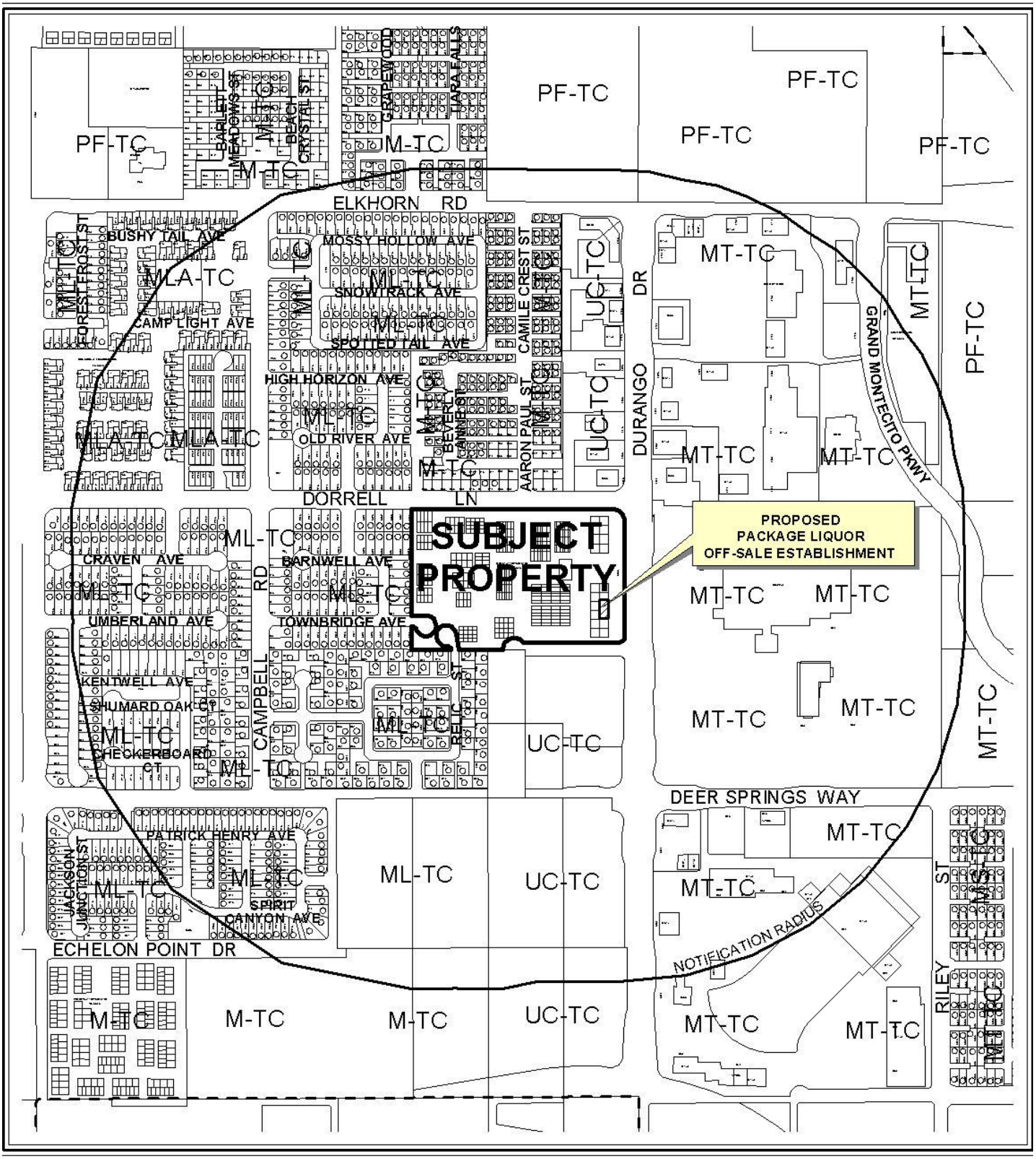
SUBJECT:
ABEYANCE - SUP-38909 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DURANGO MARKET - OWNER: MNLK, LLC - Request for a Special Use Permit FOR A PACKAGE LIQUOR OFF-SALE ESTABLISHMENT USE WITHIN AN EXISTING 2,326 SQUARE-FOOT GENERAL RETAIL STORE at 6955 North Durango Drive, Suite #1114 (APNs 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.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE FINAL ACTION
(Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**4**	**Planning Commission Mtg.**	**821**
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 Petitions

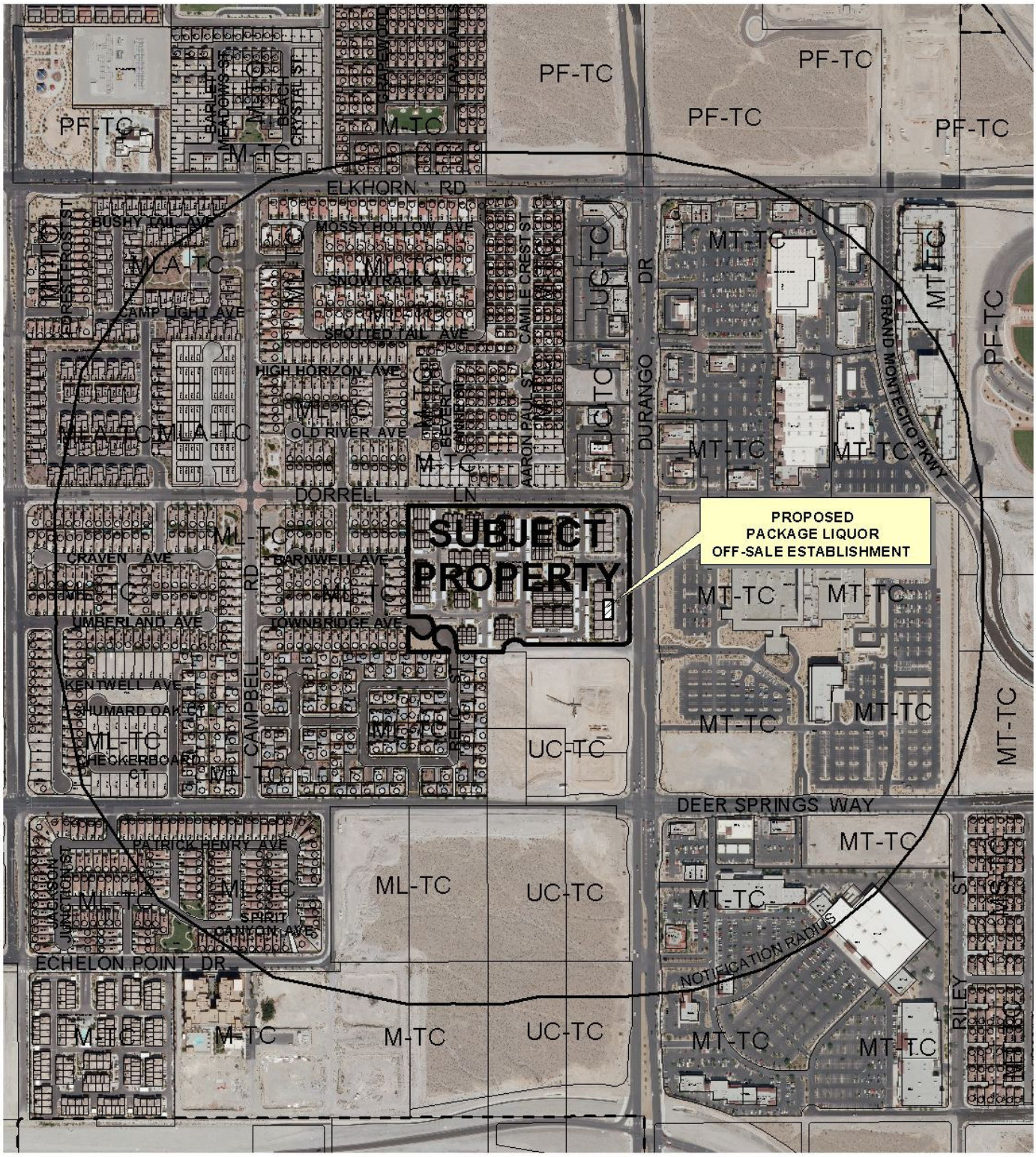


CASE: **SUP-38909**

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

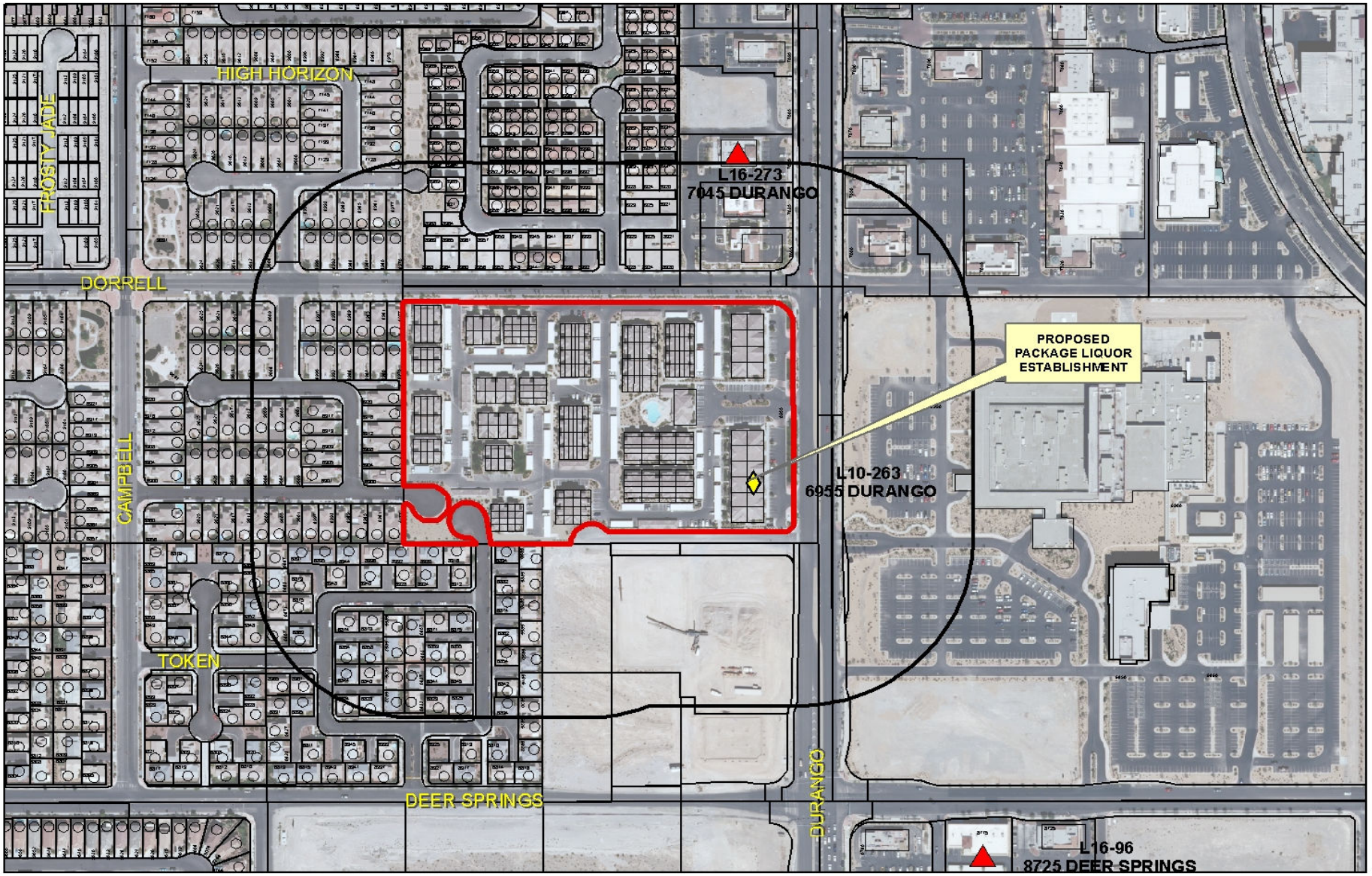
CASE: **SUP-38909**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

N



SUP-38909

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: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: DURANGO MARKET - OWNER: MNLK, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-38909	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-38909 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 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. 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.

ISSUES

- The Package Liquor Off-Sale Establishment use is permitted within the UC-TC (Urban Center Mixed Use – Town Center) Special Land Use district only in conjunction with the approval of a Special Use Permit.

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 Centennial Hills 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, at the request of the applicant, held in abeyance a request for a Special Use Permit (SUP-37739) for a Package Liquor Off-Sale use within an existing 2,326 square-foot retail establishment at 6955 North Durango Drive, Suite #1114.
06/24/10	The Planning Commission, at the request of the applicant, struck a request for a Special Use Permit (SUP-37739) for a Package Liquor Off-Sale use within an existing 2,326 square-foot retail establishment at 6955 North Durango Drive, Suite #1114.

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 build out 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 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. There are no Waivers required for this application as no protected uses are located 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	Mixed Use	UC-TC (Urban Center Mixed Use)	T-C (Town Center)
North	Single-Family Residential and Commercial	M-TC (Medium Density Residential) UC-TC (Urban Center Mixed Use)	T-C (Town Center)
South	Undeveloped	UC-TC (Urban Center Mixed Use) and GC-TC (General Commercial)	T-C (Town Center)
East	Hospital	UC-TC (Urban Center Mixed Use)	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			
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	
Multi-Family Residential	One Bedroom Units (104)	1.25/Unit	130				
	Two Bedroom Units (138)	1.75/Unit	242				
	Three Bedroom Units (32)	2/Unit	64				
	Plus 1 Space / 6 Units for Guests		46				
Retail	16,000 SF	1/250	64				
TOTAL SPACES REQUIRED			546		599		Y*
TOTAL (With Handicapped)			543	3	593	6	Y*

**Parking per approved Site Development Plan Review [Z-0099-01(1)].*

ANALYSIS

The applicant is proposing to add a Package Liquor Off-Sale use to be operated in conjunction with an 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 increase the parking requirement for the subject site. This request meets all minimum Special Use Permit Requirements and can be conducted in a manner that is compatible and harmonious with the surrounding uses; therefore, staff is recommending approval of this application.

FINDINGS (SUP-38909)

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, and 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 26

NOTICES MAILED 1,197

APPROVALS 821

PROTESTS 4

SG

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-38909** APN: 125-20-215-270 | 125-20-215-269

Name of Property Owner: LISA STRAW | MNLK, LLC

Name of Applicant: DURANGO MARKET

Name of Representative: TAYLOR CONSULTING GROUP, LLC

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

_____Yes _____✓_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

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JUL 16 2010

Signature of Property Owner: Lisa Straw

Print Name: LISA STRAW

Subscribed and sworn before me

This 7th day of July, 2010

Marguerite B. Lehr

Notary Public in and for said County and State

MARGUERITE BROGAN LEHR

MARGUERITE BROGAN LEHR
Commission # 1852399
Notary Public - California
Orange County
My Comm. Expires Jun 5, 2013

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SPECIAL USE PERMIT

Project Address (Location) 6955 North Durango Drive, LV, NV units 1113, 1114

Project Name Durango Market **Proposed Use** _____

Assessor's Parcel #(s) 125-20-215-270 125-20-215-269 **Ward #** _____

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

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

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

Additional Information _____

PROPERTY OWNER Lisa Straw, MNLK, LLC **Contact** Lisa Straw

Address 28081 Las Brisas Del Mar **Phone:** 949-697-0866 **Fax:** _____

City San Juan Capistrano **State** CA **Zip** 92675

E-mail Address lisad@cox.net

APPLICANT TOMA HERFI / DURANGO MKT **Contact** NATHANIEL TAYLOR

Address 6955 N. DURANGO DR. **Phone:** _____ **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89149

E-mail Address _____

REPRESENTATIVE TAYLOR CONSULTING GRP **Contact** NATHAN TAYLOR

Address P.O. BOX 750521 **Phone:** 702.280.6175 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89136

E-mail Address info@thetaylorconsultinggroup.com

Property Owner Signature* Lisa Straw

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

Print Name LISA STRAW

Subscribed and sworn before me

This 7th day of July, 20 10

Marguerite B. Lehr

MARGUERITE BROGAN LEHR

Notary Public in and for said County and State

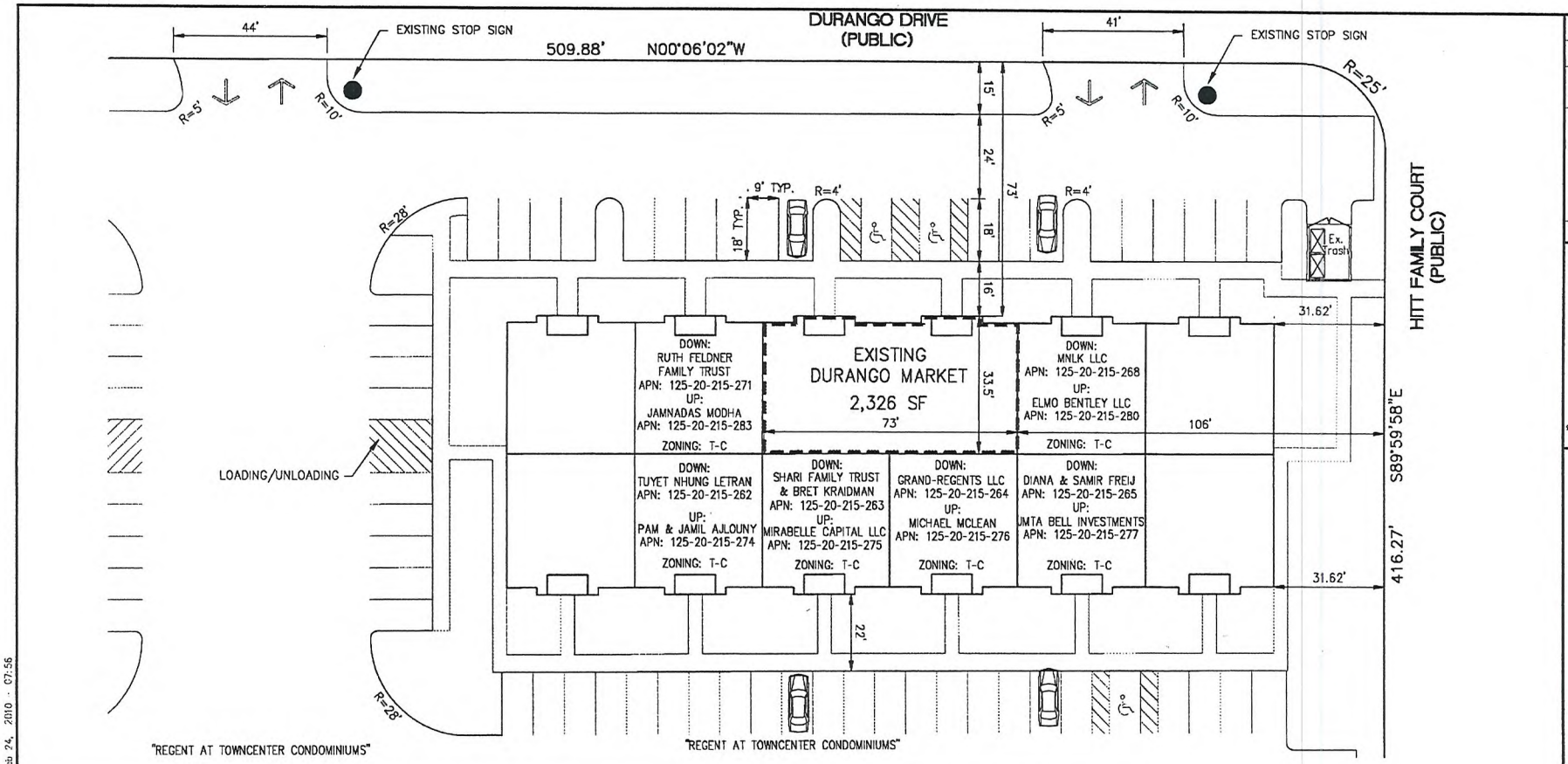
MARGUERITE BROGAN LEHR
Commission # 1852399
Notary Public - California
Orange County
My Comm. Expires Jun 5, 2013

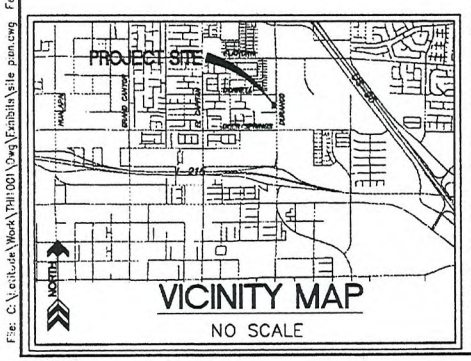
FOR DEPARTMENT USE ONLY

Case #	SUP-38909
Meeting Date:	08260
Total Fee:	WAIVED
Date Accepted:	071610
Accepted By:	

RECEIVED JUL 16 2010

*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.





VICINITY MAP
NO SCALE

LEGEND

- BACK OF CURB
- EGDE OF PAVEMENT
- PROJECT BOUNDARY
- INGRESS/EGRESS ARROWS
- FREESTANDING SIGN
- HANDICAP PARKING STALL

SITE DATA

ASSESSOR PARCEL NUMBERS	=	125-20-215-269
	=	125-20-215-270
EXISTING ZONING	=	T-C
TOTAL BUILDING AREA	=	2,326 SF

NORTH

0 30 60
FEET

RECEIVED
JUL 16 2010

NO.	DESCRIPTION	DATE	BY	APP.

LATITUDE CONSULTING, LLC
CIVIL ENGINEERING AND PLANNING
2677 AFRICAN VIOLET AVENUE, HENDERSON, NV 89074
PHONE: (702) 812-8891 FAX: (866) 266-5582

TOMA HERFI, INC.

DURANGO MARKET
SITE PLAN-B+W

DATE: 2/24/10
DRAFTER: DCL
DESIGNER: DCL
CHECKED: DCL
PROJECT NO. THI1001.000

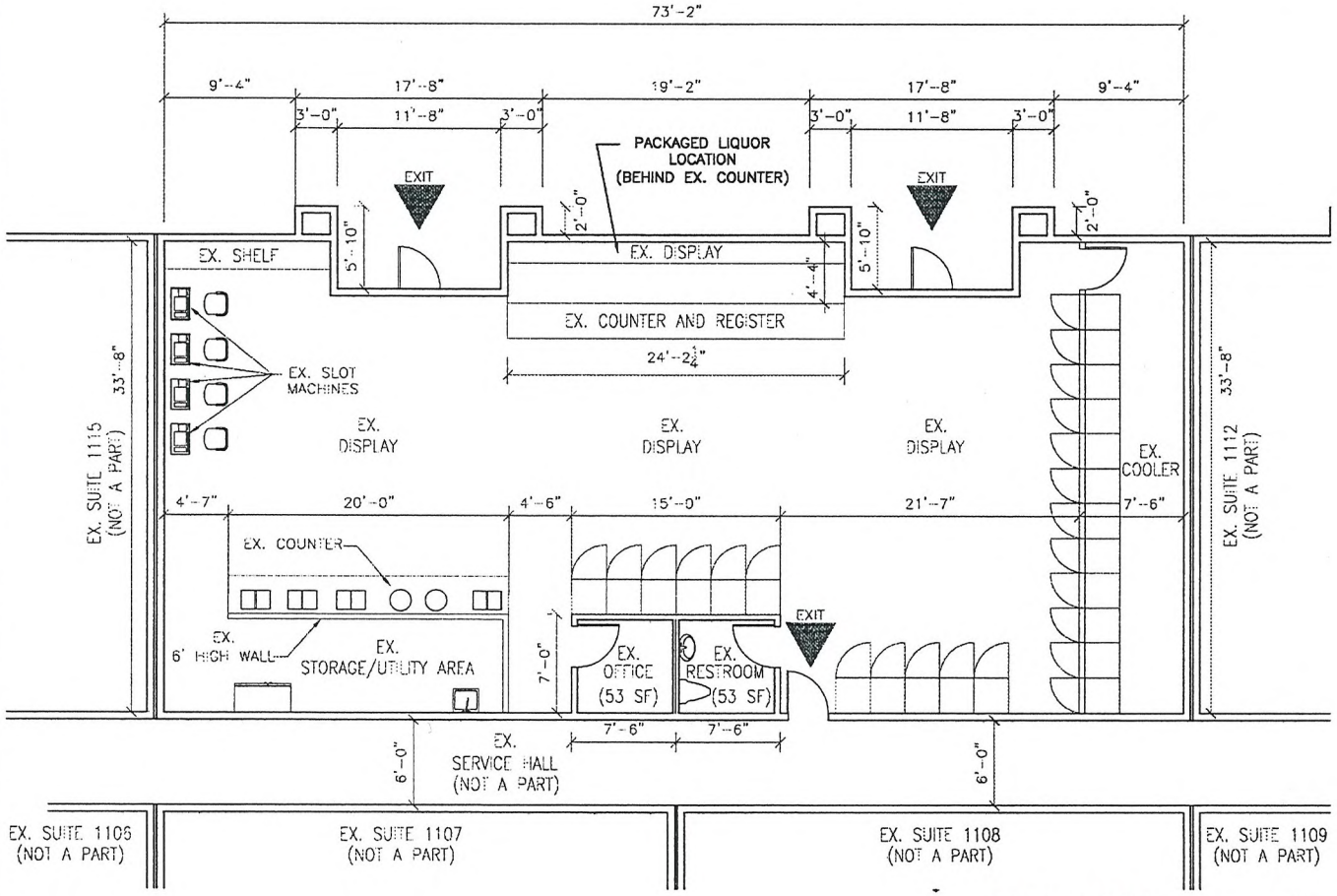
SP-BW
SHEET 1 OF 4

File: C:\Latitude\Work\THI1001\Dwg\Exhibits\site plan.dwg Feb 24, 2010 - 07:56

SUP-38909

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
2877 AFRICAN VIOLET AVENUE, HENDERSON, NV 89074
PHONE: (702) 612-8891 FAX: (866) 286-5582

TOMA HERFI, INC.

DURANGO MARKET
FLOOR PLAN-B+W

DATE: 2/24/10
DRAFTER: DCL
DESIGNER: DCL
CHECKED: DCL
PROJECT NO. TH11001.000

FP-BW
SHEET 3 OF 4

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SUP-38909

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JUL 16 2010

SUP-38909 - APPLICANT: DURANGO MARKET - OWNER: MNLK, LLC
6955 NORTH DURANGO DRIVE, SUITE #1114

04/22/10

July 16, 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,

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JUL 16 2010

Nathaniel Taylor

Eddie Marogi

TAYLOR CONSULTING GROUP LLC, P.O. BOX 750521, LAS VEGAS, NEVADA 89136
(702) 280.6175
www.thetaylorconsultinggroup.com

SUP-38909

AUG/16/2010/MON 10:21 AM CANYON RIDGE FAX No. 702 658 9622 P. 001/001

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

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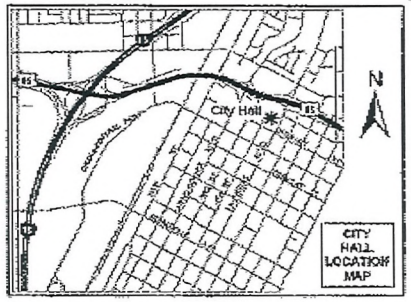

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments:

SUP-38909

Planning Commission Meeting of 8/26/2010

Case: SUP-38909

12520213032
VALENCIA FAMILY LIVING TRUST
9113 UMBERLAND AVE
LAS VEGAS NV 89149-3028

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AUG 16 2010

30p

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

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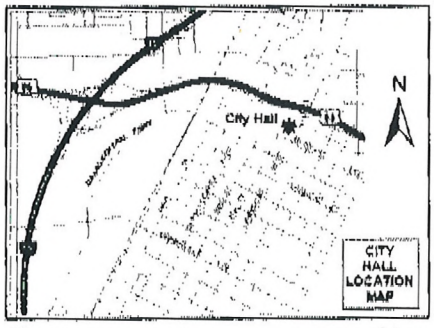
AUG 16 2010

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-38909

Planning Commission Meeting of 8/26/2010

Case: SUP-38909

12520310025
MORANTES FAMILY TRUST
8656 CACTUS CREEK DR
LAS VEGAS NV 89129-2205

grocery store is across the street

30P

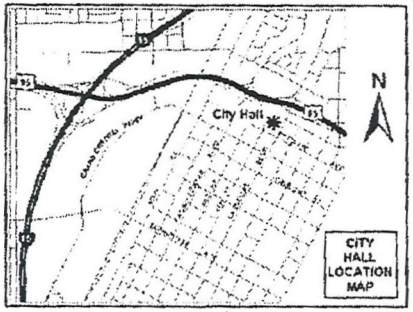
AUG-16-2010 05:11 PM MORANTES 702 655 0818 P.01

Aug 16 10 12:58p rick matto 702 655 7552 p.1

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

Return Service Requested

Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-38909

Planning Commission Meeting of 8/26/2010

Case: SUP-38909
12520112144
MATTO RICHARD A
9125 GOOSE LAKE WY #103
LAS VEGAS NV 89149-3185

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AUG 16 2010

301

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

PRESORTED FIRST CLASS

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

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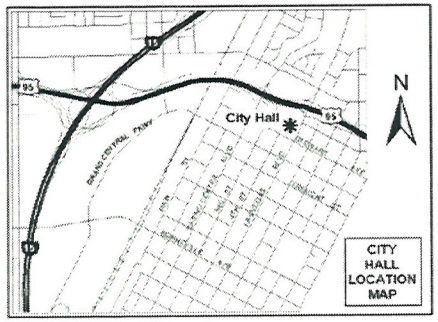

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-38909

Planning Commission Meeting of 8/26/2010

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Case: SUP-38909

12520112194
DEAN JEFFREY MICHAEL
9133 FISH TRAIL AVE #102
LAS VEGAS NV 89149-0000

30p

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

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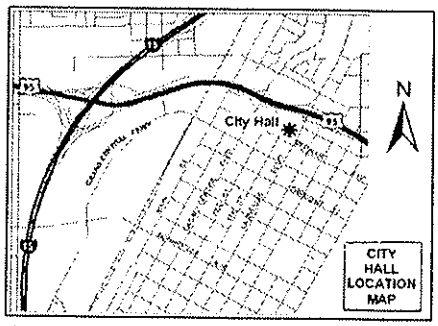

THERE IS NO NEED FOR MORE LIQUOR STORES IN THIS AREA

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. 474-0352

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-38909

Planning Commission Meeting of 8/26/2010

Case: SUP-38909
12520112050
TYSON TRUST
4200 PARADISE RD #1090
LAS VEGAS NV 89169-6577

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

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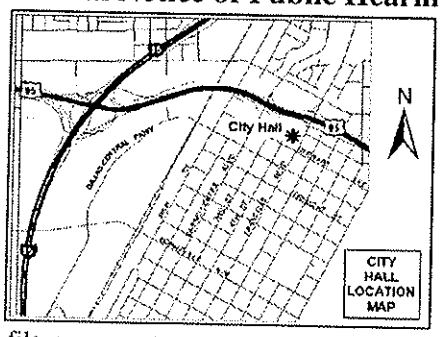

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-38909

Planning Commission Meeting of 8/26/2010

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Case: SUP-38909

12520215207
OWINGS ERIC J & SONJA C
8591 MOUNTAIN PEAK CIR
LAS VEGAS NV 89147-5277

30P

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

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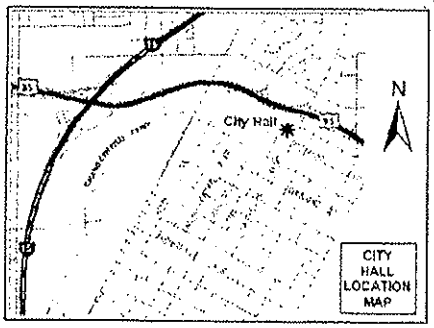

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-38909

Planning Commission Meeting of 8/26/2010

Case: SUP-38909
12520214016
RAMSAY AMBER K & CHRISTOPHER
9060 W LA MADRE WY
LAS VEGAS NV 89149-3535

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AUG-19-2010 13:49 FROM:MOORE A/C & HEATING 7026854433 TO:3857268 P.1/1

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

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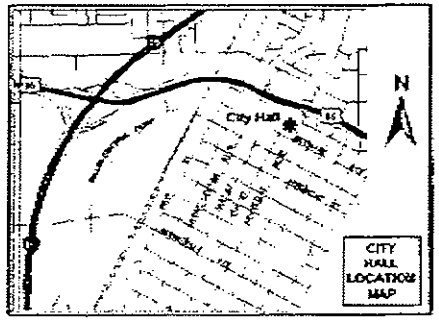

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[X] I SUPPORT this Request
[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-38909
Planning Commission Meeting of 8/26/2010

Case: SUP-38909
12520110009
DAIGNEAU LESA & MICHAEL
8984 HIGH HORIZON AVE
LAS VEGAS NV 89149-3032

FAX051 8949

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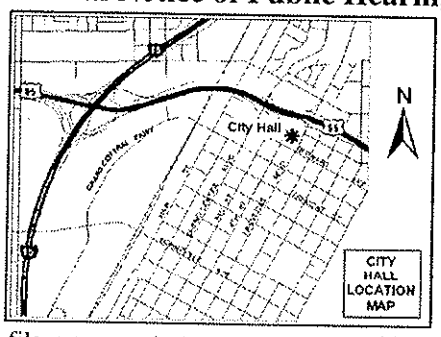

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-38909

Planning Commission Meeting of 8/26/2010

Case: SUP-38909

12520110032
GIBSON CHARLES MICHAEL & TRACY L
9012 OLD RIVER AVE
LAS VEGAS NV 89149-3033

30A

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

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MAILED FROM ZIP CODE 89101

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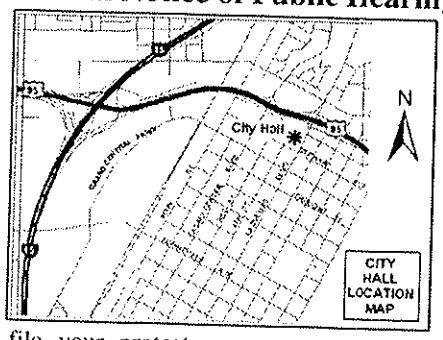

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-38909

Planning Commission Meeting of 8/26/2010

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Case: SUP-38909

12520213045
CHEN WEI TING & FANG YU
3583 WIND CAVE CT
PLEASANTON CA 94588-5252

30A

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

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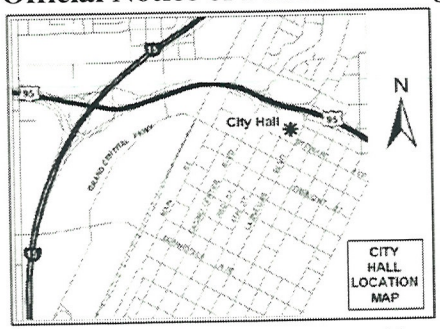

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-38909

Planning Commission Meeting of 8/26/2010

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AUG 18 2010

Case: SUP-38909

12520211018
HUMMEL BRAD M & ELIZABETH J
9020 BARNWELL AVE
LAS VEGAS NV 89149-3014

304

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

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MAILED FROM ZIP CODE 89101

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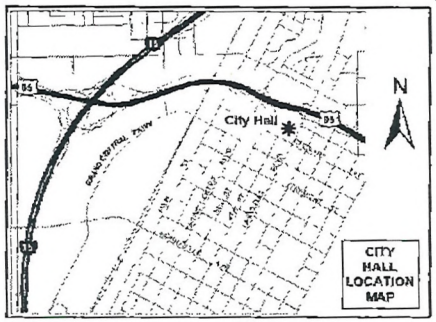

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-38909
Planning Commission Meeting of 8/26/2010

Case: SUP-38909
12520113040
LEHMAN EDWARD W
9016 SPOTTED TAIL AVE
LAS VEGAS NV 89149-2994

GOIN POSTAL

08/16/2010 16:56 FAX 7029534725

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AUG 16 2010

304

Meet 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		6916 Winter Ridge Las Vegas 89149
		1125 Monte
Corey LaFlora		7900 Smokey Ridge Ct. L.V. 89131
Dean Kinchen		8921 Ethan Patrick L.V. NV. 89149
Ramona Thomas	Ramona Thomas	8921 Ethan Patrick L.V. NV 89149
Tim Swanson		9303 Gilcrease L.V. NV 89149
Chris Voss		9522 Grandview Spring Ave N, NV 89166

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MAR 22 2010

Submitted at Planning Commission

Date 8-26-10 Item 30 BY NATHAN TAYLOR

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	Jen M Yanik	6955 N Durango #3082
Erin Turner	Erin Turner	8941 Carter Montgomery Ave. LV, NV 89149
Verleda Burge	Verleda Burge	9745 Grand Teton Dr Las Vegas, NV 89146
Veronica Bor	[illegible]	92341 Gran Montgomery Vegas NV 89148
Jay Lewis	Jay Lewis	16411 Bayshore lane HB, CA 92649.
Steve	[illegible]	6955 N Durango [illegible]
Janie	[illegible]	[illegible] Mountain 32541
Rick	[illegible]	89148 5554 Jacobs Fields L. LV
Amy Tolman	Amy Tolman	6680 Farm Road 89131
Roshon Williams	Roshon Williams	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 Mosh. 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 Billinski	Dustin Billinski	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	[illegible]	9009 Barnwell Ave LV NV 89149
Mr Keith Hamlin	[illegible]	9444 Kingsley Ct
Jason Brown	[illegible]	9529 Grand Grove
Heather Swanson	[illegible]	9579 Grand Grove
Steven Z	[illegible]	6955 N. Durango
B. Whitehead		
[illegible]	Alpha Williams	
Sheila Joy Burford	[illegible]	9153 Cumberland Ave. 89149
Chris Powlesland	[illegible]	9745 Grand Teton
Kelly Ford	[illegible]	7628 Tender Tassle St Lasvegas 89149
Ed DeMeo	Eddie DeMeo	8112 Cimarron Ridge LV NV 89128
GERAD BUMBERA	Gerad Bumbera	1213 Silver Prospect L.V. N.V. 89128

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MAR 22 2010

11A

Print Name	Signature	Address
Rozario Love	Rozario Love	6500 W. Charleston
Paul Matijevich	Paul Matijevich	6490 Albina Creek St.
Mari Stutz	[illegible]	9561 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	828 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
Joe Perez		5765 W. 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 5621 Melissa Dr.
Marissa Demster		9301 Grand Gate street
Joe Moncabante		9332 Garden Springs 89149
Lee Posey		692 - N 12th St
Marco Dunete		8953 Aurora Bay Court
Randall Murillo		7812 Silver Mallard Las Vegas, NV, 89131.

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13A

Print Name	Signature	Address
Paul Archuit	[signature]	6935 China Ridge Ct
John Shaughnessy	[signature]	6955 N Durango
Rob Gough	[signature]	9157 fishtail
Jacquelinne Gutierrez	[signature]	9157 fish tail.
Phillip Weaver	[signature]	3790 S. Torrey Pines
CHRISTINA CALHOUN	[signature]	6718 KOSTNER ST
ALEX ORLANDO	[signature]	9076 BUSHY TAIL AVE UNIT 103 LV, NV 89149
Mike Beckstoff	[signature]	
JEFF McDONALD	[signature]	9851 Twilight Walk LV NV 89144
JACOB DAVIS	[signature]	7715 GATSBY HOUSE ST. LV. 89166
Dean Smith	DEON SMITH	968 Alawdk W 1 NV
CRAIG MATTHEWS	[signature]	6833 - RELIC LAV, NV
Tyler Schroder	[signature]	7208 Bon Bay Reef Ct Lasvegas NV. 89104

12A

Print Name	Signature	Address
Cody Wombold	[signature]	7208 Bombay reef court Las Vegas NV 89109
Cody Leoni	[signature]	6901 Gothic 89149 Marigold
Russel Kahre	[signature]	8250 Grand Canyon Dr
Jon Williamson	[signature]	6643 McDoggle Ave LV NV 89166
Michelle Helton	[signature]	6955 N. Durango Apt 2067
Marcus Carter	[signature]	same
Rachel Hayes	[signature]	Same
Jim Scott	[signature]	7813 MARBLE DOE ST. LAS VEGAS, NV, 89149
Mike Moore	[signature]	6867 Momentus ST Las Vegas N.V. 89149
Stephanie Wallace	[signature]	8573 Melocactus Las Vegas N.V. ~~981~~ 89149
Venus Powers	[signature]	17420 Oldamere Cleve ON 44128
Janis Persha	[signature]	8313 Valley Stream LV NV 89131
Billy Barker	[signature]	7041 Knob Creek St.

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11A

Print Name	Signature	Address
Joshua Sandoval	[illegible]	8540 Amarillo Hill Ave
Leonel Garcia	Leonel Garcia	8540 Amarill 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 #3 of 2 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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MAR 22 2010

13A

Print Name	Signature	Address
Francisco Mendoza		9473 Milkweed Lane 89166
Betty Saguanpory		9433 Grandview
JOHN COLLINS		9712 SIGNA VALLEY AVE 89149
Jen Wallace		9457 Solitude Canyon Las Vegas, NV 89149
Patrick Lee		10635 Troy Mountain Ave Las Vegas, NV 89166
John Gallagher		1708 Cabin Fever St LV NV 89149
Emogene Bradford	Emogene Bradford	1307 Stonehedge Ct. Ontario, CA 91762
John Duncan		6879 Moments LV NV 89149
Quint Zuhlke		3874 E. Delling Ct LV, NV 89104
Judith Crenshaw		7222 Regent Pond Las Vegas NV. 89166
DAN HACKETT		7625 Garden St LV, NV 89149
Chris Lawrence		7216 Robins Roost St, Las Vegas NV. 89131
Ceil Nugent		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 Durango Las Vegas LV NV 89149
MARK RINK		8290 W. SAHARA AVE LAS VEGAS NV 89149
WALTER Witter		7852 Garden Lock 89149
Michele Ridout	Michele Ridout	Durango 3097 89149
Irene Tobiason		6955 N Durango #1112 LV, NV 89149
Mark Sadman		8625 Grand Pine 89143
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 Casere	Cindy Casere	6955 N. Durango LV NV 89149
~~Kathi Russo~~	Kathi Russo	6955 N Durango LV NV 89149
Glenda Legakes		6955 Durango #1002 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
Delnicco Wright	Delnicco Wright	3550 Paradise 89115
Brittney Mays	Brittney	3550 Paradise 89115
Brandy Massey	[illegible]	6955 N Durango The Regent
Robert Hayes	[illegible]	8005 Dominion 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 Gray	[signature]	9321 Palomino Ranch LV NV 89030
Cheryl Williams	[signature]	4420 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	[illegible]	6955 N Durango. Lv NV 89149
Armando Flores	[illegible]	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
[illegible]	[illegible]	6809 Sweet Pecan
Jazlyn Gaspard	[illegible]	2951 Siena Heights Henderson, NV 89052
Brandy Davis	[illegible]	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
Andrea Mianna	[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. Stanton Ave Ontario, CA 91762
David Cassadi	[signature]	6875 Montoya St. Las Vegas NV 89149
Vinny Barni	[signature]	7409 Royal Crystal St Las Vegas NV 89149

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Print Name	Signature	Address
Kelli Gomez	Kelli Gomez	9056 Patrick Henry Ave LV NV
Rudy Zepeda	Rudy Zepeda	11812 agave ocean Ave LV NV. 89166
Dante Riley		3572. Tobel Springs
Trey Stanley		702K Knox Circle #103
~~Josh Hyde~~	Josh Hylton	9016 Patrick Henry ave.
~~Melissa Davis~~	Melissa Davis	9016 Patrick Henry ave.
Silvia Tirado	S. Tirado	6955 N Durango Dr 1075
Johnny Sawyer		6643 Weeping Pine 89149
William Morgan		8250 N. GRAND CANYON DR UNIT 1051 LV, NV 89166
RYAN MASSEY		6955 N. Durango Dr Las vegas NV 89149
Hadiza Gines		6824 Relic St. LV, NV 89149.
Charon Williams		6955 N. Durango
Harold Sheppard		11 pame -

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 Reef
Burk Boschetto	[illegible]	6855 DESERT ISLAND Las Vegas 89149
Tahirah Williams	[illegible]	6709 Kostnee 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 Leadhan	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
Allysm Vela Cruz	A.K. Vela Cruz	9145 Echelon Point 1008 LV NV 89149
JACKIE TAYLOR	Jackie Taylor	REGENT Apt 3202 6955 N. DURANGO DR
STEPHANIE BUTLER	[illegible]	7434 Riva Ridge LV NV, 89149
Rod Choffee	[illegible]	9303 Gilcrease Ave #1080 LV, NV 89149
Kendal Carden	Kendal Carden	9017 High Horizon LV NV 89149
Christy Mays	Christy Mays	9017 High Horizon LV NV 89149
Spencer Eaton	Spencer Eaton	8524 Myrsine Ct, Las Vegas, NV. 89149
AARON MACK	[illegible]	9551 HAVASU CANYON AVE LV, NV 89168
Sharon Breaux	[illegible]	6812 Sweet Pecon St LV NV 89149
Andre Williams	Andre Willi	6812 Sweet Pecon St LV NV 89149
Joel Garcia	[illegible]	6864 Pipil LV NV 89166
Chris Hagood	[illegible]	9335 White Waterfall Ave Las Vegas, NV 89149
ANDREW HEMINGWAY	A Hemingway	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 Arge	[illegible]	10151 W. Dolfel Lane 89166, LV
[illegible]	[illegible]	8249 Brilliant Pompon pl.
Melina Jadzek	[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 No. Durango #250 L.V. NV. 89149
Mary Manda		10397 Kathleen Ave Las Vegas Nev
Dustin Burton		9303 Gilercrest LV, NV 89149
Bryan Mosser		7106 Brighton Village LV, NV 89166
Chris Benites		9425 Santana Siesta LV NV 89166
Krista Benites	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 Regents #1107 Las Vegas, NV. 89149
Jennifer Lindsey	[illegible]	6955 N. Durango Regents #1107 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 BRONSTON	Jeremy Bronston	9303 Gilcrease AVE LAS VEGAS 89149
PATTY SHOGREN	Patty Shogren	4820 Hrey Wolf #101 Las Vegas, NV 89149
Mike LaCasse Nick Foi	Mike LaCasse Nicholas Foi	9424 Clavon Ave LV NV 89149 6955 N Durango Dr #1071 LV NV 89149
ROBERT KINAW	Robert A. Kinlaw	9303 GILCREASE AVE UNIT 1215 L.V. NEV 89149
Vonsheila Reed	Von Shila Reed	6955 N Durango Las Vegas NV. 2059
MEGAN DIAMOND	Megan D	9745 Grand Teton Dr Las Vegas NV 89166
JUAN SOTO	[illegible]	1477 S. KENDALL AP#93 S.B. C.A 92324
HELEN ROJAS	[illegible]	3660 TEAK HOLLOW CT LAS VEGAS, NV 89147
Teresa MAYS	Teresa Mays	6955 N. Durango Dr. unit 1048 LAS Vegas, NV 89149
Hugo Morales	Hugo M Mays	7340 Misty Glow Court
Tammy Brown	[illegible]	9182 Dorrell LV NV 89129
Paul Reynolds	Paul Reynolds	6848 Tropicaire St
Ed Doyle	[illegible]	7216 Silver Valley St LV NV 89149

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Print Name	Signature	Address
Chris Graham	[illegible]	7412 Beguiling CT Las Vegas NV 89149
CSILLA PENTEK	Csilla Pentek	9745 GRAND TETON LV, NV 89166
SCOTT BOUTIN	[illegible]	7065 Knob Creek ST 161 Las Vegas NV, 89149
[illegible]	[illegible]	2837 Lovely Ring.
William E Dante JR	William E Dante Jr	9325 HAMPSTEAD Hills Las Vegas NV 89149
Willie Foreman	[illegible]	8359 Tamar Sage Ct Las Vegas 89149
Anthony Windom	[illegible]	9016 DORRELL LN Las Vegas NV 89149
Anthony Realmuto	[illegible]	6955 N Durango Las Vegas 89149 #1017 Regent Apt
Courtney DelValle	Courtney DelValle	6955 N Durango Las Vegas Nevada
Jacci Taylor	Jacci Taylor	6955 N Durango Dr Unit 3030 LV NV 89149
VIVIAN CATAO	Vivian Catao	2375 E Tropicana Ave 82183 Las Vegas, NV 89119
Joel Bello	[illegible]	9057 Captivating AVE Las Vegas NV 89149
Karsha Fox	Karsha Fox	9128 Craven Ave Las Vegas NV 89149

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Print Name	Signature	Address
Cindy Nunn		9207 Farralon Ridge Ct. LV NV 89149
STACIA MEHL		7621 FABLED FILIGREE ST LAS VEGAS, NV 89149
Sheila Leech		9936 Shark Ridge Las Vegas NV 89149
Thomas Surman		9145 Echelon Pl. Dr. #2078 Las Vegas NV 89149
ROBERT & MACIE COREY		6955 N. DURANGO DR 3101 LAS VEGAS, NV 89149
Cory Marshall		9132 CRAVEN AVE 89149
Anthony Farmer		6958 N. Durango 3876 89149
Steven Grizzell		7837 Dry Dust ct. 89149
REYES, A		3724 CRESCENT CANYON ST.
Chason Hellum		9324 Mountain Rise Ave.
TIFFANY SAMUEL		7148 FOREST FROST LN CV, NV 89149 (702) 234-2292
Lisa ESTEP		8909 Thacking Springs LN NV 89149
Brett Davis		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 Cedarguia Las Vegas, NV 89131
Brad Gomez	B. Gomez	9056 Patrick Henry Ave Las Vegas 89149
Donna Petty	[illegible]	848 N. Rainbow Blvd #106 Las Vegas, NV 89107
Daniel Downes	[illegible]	4952 Grey Mesa Las Vegas, NV 89149
Aaron McDial	[illegible]	9119 Willowdale 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 Pr. 1055 Las Vegas, NV 89149
Allen Herle	[signature]	7024 Caribou Ridge St #102 LV NV 89149
Renee Bernier ~~Allen Herle~~	[signature]	7024 Caribou Ridge St #102 LV NV 89149
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 Arsuan	[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 Matthews	[signature]	3906 Tower Dr 89101

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Print Name	Signature	Address
Sal Vereen	[signature]	7628 Tiny Tortoise St. 89149
Elliott Chase Froby	[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. 2039 89148
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 2025
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 Pl 89149
Tom Cartidgit		7613 Tiny Tortoise CASVegas Nv 89149
JOSH NEMEROW		7204 BUSHIRE 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 Quarantine Ave LV NV 89149
Chris Welch		8129 Tilkum Dr LV NV 89166
Nicholas Taraborrell	N.J.	6912 Gothic Marigold St LV NV 89149
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	Billy Griffith	9117 CRANE AVE. L.V., NEV. 89149
Ashley Martin	Ashley Martin	1150 Durango Apt 8130
Melissa Meyer	Melissa M.	6955 N. Durango dr. Apt #3100
Diana Kapanos	Diana Kapanos	7128 Antique Olive L.V. NV 89149
Lissa Ortiz	Lissa Ortiz	9060 Entrancing LV. 89149
Rafael Villaul	Rafael Villaul	1900 E. Flamingo NV LV 89119
Jacob Hughes	Jacob Hughes	6816 Armistead St. LV 89149
James McKeon	James McKeon	6816 Armstead st 89149
Calder Kurez	Calder Kurez	6955 N. Durango 89149
Jesus V	Jesus V	1001 INTERLODE
KAREN WARREN	Karen Warren	9303 Gilcrease Ave #1213 89149
HAZEL GONZALES	Hazel Gonzales	9303 Horseshoe Basin Ave 89149
Laura Miller	Laura Miller	8272 Brilliant Pompon Pl LV NV 89164

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	[illegible]	8993 Dorrell LN LV, NV 89149
Randy Berry	Randy Berry	9303 Gilcrease LV NV 89149
DeAndre Barkin	[illegible]	"
Ray Zenee	[illegible]	
Ziad Elias	Ziad Elias	
Sandra Vandenhout	Sandra Vandenhout	6955 N Durango LN NV 89149
Lachelle Fortune	[illegible]	8924 Jennifer Am 89149

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Print Name	Signature	Address
Lorraine Thomas		
Camille Ealy		6829 N. Campbell Ave
Kevin Mulgrew		6541 Macdoogle St.
Nancy McMahan		6705 Blueberry Garden 89129
Karen Meissner		7555 Hecham Ave L.V.
Kyle Flemming		2300 Rock Springs
Sue Kubiak		9303 Gil Ave
Ed Kolesh		10553 Laurelwood Lake Ave
Stacy Henderson		8925 Jamie Lee 89149
Mahmud Ahmad		10738 Arsdale
Chris Meier		316 Harbor Gulf Ct
Shawn Robinson		3305 Morning Wind
David Lee		7820 Golden Talon

12A

Print Name	Signature	Address
Harvorish Collins	[illegible]	8932 David Allen Ct
Romey Lea	Romey Lea	8931 Appleton
Kent Henry	Kent Henry	8943

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PETITION

August 27, 2010

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Ward 6 Residents Petition in Support of Durango Market's SUP #38909

We the undersigned do support Durango Market's Special Use Permit for a Package Liquor License located at 6955 N. Durango Drive, #1114 Las Vegas, NV 89149

Printed Name	Signature	Address	Telephone	Email
Jason Quinlan		6535 W Quendo Rd	702-499-1328	
Kim Konie		7119 Noble Range	702-239-2805	
WEN TORRES		7208 Hawkstone Ct	702 [illegible] 9862	
[illegible]			702 337 6651	
Jerry Rodriguez		6955 N. Durango DR	596-3482	
Darian Spriggs		6955 N Durango Dr	283-9254	
ERIK GRIGG			702 378 9376	
Glenn Taylor		9524 Grand Grove	702 233-1130	
Kerry Gutow		6623 MacDoyle	702 425-8469	
[illegible]		8952 Miller Point	702 271-0228	

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PETITION

August 27, 2010

Ward 6 Residents Petition in Support of Durango Market's SUP #38909

We the undersigned do support Durango Market's Special Use Permit for a Package Liquor License located at 6955 N. Durango Drive, #1114 Las Vegas, NV 89149

Printed Name	Signature	Address	Telephone	Email
James Thompson	[signature]	8937 Elwood Ct Las Vegas NV 89149	702-325-8902	Sirthomas sh3@aol
Christina Watkins	[signature]	8937 Elwood Ct. Las Vegas, NV 89149	702-408-2637	
Jim Schmidt	[signature]	9141 Camp Light Ave #101 Las Vegas NV 89149	702-324-9546	
Jason Garci	[signature]	9297 Palmerhouse ave Las Vegas, NV 89149	(702) 269-5444	
Christina Sarg	[signature]	N/A	N/A	
Michael Maida	[signature]	9824 Fast Elk St Las Vegas N.V 89143	(702) 370-9092	—
Anthony Spence	[signature]	N/A	N/A	
[illegible]	[signature]	N/A	702 2286153	
Marcus Huibok	[signature]	9533 Dorrel Lv LV NV 89142	702-656-2395	
Anthony Mancuso	[signature]	10974 Mountain Willow St. LV NV 89179	702-232-9549	—

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PETITION

August 27, 2010

Ward 6 Residents Petition in Support of Durango Market's SUP #38909

We the undersigned do support Durango Market's Special Use Permit for a Package Liquor License located at 6955 N. Durango Drive, #1114 Las Vegas, NV 89149

Printed Name	Signature	Address	Telephone	Email
Pete Ruscingno	[illegible]	3025 Treasure Island Rd	201-696-6664	
Kattrina Finck	[illegible]	8452 Wandering Sun LV, NV 89129	862-485-8861	
Alyssa Naylor	[illegible]	6955 N Durango RR #2106	430-0449	
Mike Estrada	[illegible]	2887 Lincoln Wood Ave	360-2887	
[illegible]	Sheryla Lopez	3851 Flamgo Ave	6127019297	
Jen O'Connor	Jen O'Connor	3824 Summer Breeze	702-875-1031	
David Langford	[illegible]	9145 Echelon Point Dr. #2107	702-372-6357	
Tia Jones	[illegible]	10151 Dowell Ln	(612)221-9397	
Sal Sigala	[illegible]	8250 N Grand Canyon Dr	626)506-8865	
Hiram Tillman	[illegible]	6955 N. Durango	608-0883	Tillman.Hiram@com

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PETITION

August 27, 2010

Ward 6 Residents Petition in Support of Durango Market's SUP #38909

We the undersigned do support Durango Market's Special Use Permit for a Package Liquor License located at 6955 N. Durango Drive, #1114 Las Vegas, NV 89149

Printed Name	Signature	Address	Telephone	Email
Terrence Young	T. Young		845-9295	
Lorin Lewis	[illegible]	6955 N. Durango Dr.	472-5634	Lorinlewis@AOL
Albert Tagle	[illegible]	2305 Tuscarora Ct. 89149	702-277-5277	altagle@cox.net
Sophia Apo	[illegible]	9014 Spotted Tail Ave LV NV	702-629-8765	sophia.brownfield@gmail.
Sergio Caldera	[illegible]	3750 E. Bonanza	702-3001944	
Fernando Rodriguez	Fernando Rodriguez	2233 McCarran St Apt #B N. Las Vegas N.V. 89030	702-401-2866	
Benjamin Rodriguez	Benjamin Rodriguez	3909 Lighthouse Ave Las Vegas N.V 89110	702-459-23-11	
Jeremy Schmitz	[illegible]	10761 Broxden Junction LV NV 89166	(702)810-4964	
Abou Bakar Toure	[illegible]	6701 Bluebell Garden	(702)4279687	A77Toure@yahoo.com
[illegible]	Andrew Bateman	8813 Crooked Shell Ave	702 396 9878	

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August 27, 2010

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Ward 6 Residents Petition in Support of Durango Market's SUP #38909

We the undersigned do support Durango Market's Special Use Permit for a Package Liquor License located at 6955 N. Durango Drive, #1114 Las Vegas, NV 89149

Printed Name	Signature	Address	Telephone	Email
John Shaughnessy	[signature]	6955 N Durango Dr. #2042 Las Vegas, NV 89149	702 767 5712	
Sandra Vanderhoof	[signature]	6955 N Durango #3103	(707) 764-2686	
TAMARA Fleming	[signature]	8112 Cimarron Ridge	702 256-1887	
eddie DeMeo	eddie DeMeo	8117 Bonanza CR	702 575-7274	
Carol Scarpati	Carol Scarpati	7537 tuffer Lane	702 497-3634	
Christy Horsington	[signature]	9025 Townbridge Ave LV NV 89149	~~702~~	C_hasy@hotmail.com
Thomas C Kenney	[signature]	9041 Adorable Ave Las Vegas NV 89149	702-215-9907	
Steven Malaney	[signature]	100 S Martin L King 2052 Las Vegas NV	702 742 5922	SIDEWAYS@MAC
Dianna Curtis	[signature]	8250 N Grand Canyon Dr.	702.253.7379	
Allyson DelaCruz	[signature]	9145 Echelon Dr. 1008	755 2040	

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PETITION

August 27, 2010

Ward 6 Residents Petition in Support of Durango Market's SUP #38909

We the undersigned do support Durango Market's Special Use Permit for a Package Liquor License located at 6955 N. Durango Drive, #1114 Las Vegas, NV 89149

Printed Name	Signature	Address	Telephone	Email
John Rondinella	John Rondinella	4480 Sirus Ave	702-400-7736	
DIANE Lechefsky	Diane Lechefsky	6955 N Durango DR Ste 1115	702-955-6552	
Wilbert Davis	Wilbert Davis	1020 Madison	7079275174	
Jeff Leonard	Jeff Leonard	9306 DORRELL	7025159145	
DARYL PORTER	Daryl Porter	6955 N. DURANGO #2109	702 349 8363	
KIMBERLY WALLACE	Kimberly Wallace	6955 N Durango #1049	702 834-7480	
Luis Cabrera	Luis Cabrera	6955 N. Durango #2074	702-810-5431	
Terry Hamblet	Terry Hamblet	PO Box 34777 LV NV	702-308-7122	
BRIAN THURMAN	Brian Thurman	9533 SOLITUDE CANYON	810-516-5976	
Debbie Thurman	Debbie Thurman	9533 Solitude Canyon	810-252-9050	

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August 27, 2010

Ward 6 Residents Petition in Support of Durango Market's SUP #38909

We the undersigned do support Durango Market's Special Use Permit for a Package Liquor License located at 6955 N. Durango Drive, #1114 Las Vegas, NV 89149

Printed Name	Signature	Address	Telephone	Email
Zachary Lindsey	Zachary Lindsey	9305 Grassy Butte Ct	702-506-8896	zlindsey@gmail.com
Anna D	[illegible]	—	N/A	N/A
Brenda F.	Brenda Flores	—	N/A	N/A
Vince Truth	Vince Truth	—	—	
Dana Brown	Dana Brown			browndana34@yahoo.com
BRET CATTANEO	[illegible]	—	—	—
MICKY MILES	[illegible]			
Beth Glazman	Beth Glaz	6955 N. Durango Dr.	702-466-4101	blg5980@yahoo
Elizabeth Brown	Elizabeth Brown	6955 N. Durango		
Rena Beals	[illegible]	6955 N. Durango	—	rbeals25@yahoo

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Ward 6 Residents Petition in Support of Durango Market's SUP #38909

We the undersigned do support Durango Market's Special Use Permit for a Package Liquor License located at 6955 N. Durango Drive, #1114 Las Vegas, NV 89149

Printed Name	Signature	Address	Telephone	Email
William DiDonato	[signature]	6039 Quiet Glow Ave LV, NV	7026229668	
Krystal Marcondl	[signature]	2975 C. Karen		
D. Belera	[signature]	6955 N Durango		
Lynda Friend	[signature]	9416 Kingsley Ct	419-6923	—
AARON FRIEND	[signature]	9416 KINGSLEY CT	237-1033	—
Calder Kurcz	[signature]	6809 Sweet Pecan St.	702-349-9337	
Nicolas Herrera	[signature]	9164 Willow B.	715-0137	
Ines Cabrera	[signature]	6955 N Durango #2074 #1005	810-5431	Cabrera-Ines30@yahoo.com
MELISSA PHILLIPS	[signature]	6955 N DURANGO	—	—
Michael Conrad	[signature]	6914 N Campbell	602 494-1128	

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Ward 6 Residents Petition in Support of Durango Market's SUP #38909

We the undersigned do support Durango Market's Special Use Permit for a Package Liquor License located at 6955 N. Durango Drive, #1114 Las Vegas, NV 89149

Printed Name	Signature	Address	Telephone	Email
Joe markey	[signature]	6955 N Durango	542-1123	
Deb Guenther	[signature]		702-218-0663	
Veronica Tillman	[signature]	6955 N. Durango	944-8569	
Robert Sipple	[signature]	9675 Elkhorn Rd	413-5146	
Michael Sweeney	[signature]	10028 Village Walk Av	544-8525	jfmike@gmail.com
MAT SZYGOWSKI	[signature]	9303 GILCREASE	885-4689	
EDWARD Jones	[signature]	6955 N Durango Dr	(312)317-6629	
Blair Brockholm	[signature]	10316 Mark Kahre Ave	3199813254	
Curtis Bang	[signature]	7333 misty glow Ct.	702-210-3228	
GINA RUAN	[signature]	9132 AIPINEGROVEAVE #103	(702)715-3252	

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Printed Name	Signature	Address	Telephone	Email
Darrel Monfe		7656 Lithel Valley	709.2459556	
JANET HOPKINS		9525 Valley Vision Ct	702-395-5699	
Mike Grimes		9457 Solitude Canyon	702-630-9133	
Stephanie Prentice		7029 Overhill Ave	702-275-4619	
Timothy L Swanson		9036 Crease Ave #249	9025777564	
Jennifer Wallace		9457 Solitude Canyon LV NV 89149	702-266-5715	
Jess Stuart		9432 white ridge LV NV 89149	702-379-4457	
ROBERT SHOOKHOFF		9328 LONGHORN FALL CT LV NV 89149	702.574-7415	
CRISTIN Walker		7428 Midnight Rambler St Las Vegas NV 89149	702-242-9272	
Chris Hewitt		10151 Dorrell lane LV NV 89166	702-406-6007	

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We the undersigned do support Durango Market's Special Use Permit for a Package Liquor License located at 6955 N. Durango Drive, #1114 Las Vegas, NV 89149

Printed Name	Signature	Address	Telephone	Email
ROBERT COREY	[signature]	6955 N. DURANGO DR 3101, LAS VEGAS, NV	587-4785	
Ely Prussin	[signature]	8157 Loma Del Rey St. Las Vegas, NV 89131	467-5373	
Jessica Romero	[signature]		494-3241	
JAKE HOLZWORTH	[signature]	10717 Cape Shore Ave Las Vegas, NV 89166	455-5512	
Kieran Coppenbarger	[signature]	5816 DeerSpring Springs	762-2382	
Andrew Vandewalle	[signature]	6955 North Durango	510-3226	
Desmond Abram	[signature]	7545 Oso Blanca	347-565-5252	
Robert Eblen	[signature]	6725 Boston Tea	591-2212	
Melvin Killings	Melvin Killings	8933 Bentonville Ct	416-6780	
Alexander Porter	[signature]	2151 Citrus Hill Ave. apt #2042	638-2899	

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Printed Name	Signature	Address	Telephone	Email
Damon D	[illegible]	3800 Dukrest	(702) 416-4146	
Maribeth Pangas	[illegible]	8057 Farthings Hill	946-0386	
Breckell Maxwell	[illegible]	3031 Cone Canyon Ct.	463-1527	
Andrew Appell	[illegible]	7763 Lunesheppeld Dr.	533-0558	
Joe Heidt	[illegible]	9124 Entrancing	375-1841	
Josh Brunk	[illegible]	9425 Medford Falls.	909 273-3286	
Javarius Millender	[illegible]	6955 N. Durango	(702) 772-6484	
Rene Villalpando	[illegible]	9516 Havasu Cyn Ave	702 629 2169	sttbllcoach@yahoo
Baba Siazan	[illegible]	8453 Cheerfulness	700-8[illegible]	
[illegible]	[illegible]	1514 Woodward Heights	510 8707	

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Printed Name	Signature	Address	Telephone	Email
Lynn Wadley	[signature]	8553 Rothmannia Ct Las Vegas, NV	702-522-0917	lwadley@hotmail.com
M. Tej	[signature]	6705 Lookout Lodge Ln NLV NV	702-845-8301	mandei@gmail.com
Kara Bratton	[signature]	9194 Brilliant Prairie 89147	8104941	kbatten@gmail.com
ENRIQUE MENDEZ	[signature]	9161 VERANDA CT	562 533-3268	ENRIQUE2624@yahoo.com
Jesus Oviedo	[signature]	9161 Veranda CT.	323 926-6983	gohkun_2020@yahoo.com
Jose Barrer	[signature]	9049 Sprit Cannyon	702-4063500	JoseBarrera@yahoo.com
Page Maguire	[signature]	7099 N. Hualapai	702-628-0588	KATMYND@HOTMAIL
BRANDON OFFENBACHER	[signature]	~~9161~~ 9210 Horseshoe Station	702-804-0409	— n/a —
Heather Caffey	[signature]	7545 Oso Blanca Ka	(702) 576-1580	hwhite1980@gmail.com
Yerryl SAMUELS	[signature]	9122 Patricko.	823 0408	YSAMUELSA.yahoo.com

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Printed Name	Signature	Address	Telephone	Email
Michelle Elliott		6834 Relic St	—	pah04044@yahoo
DAVID JACKSON		↑ ↑	—	—
Chris Davis		1110 Grand Seahorse Ct	—	
Grace Quiñones		6831 N. Campbell rd	702-419-4771	
Dorcas Gray		616 Cowboy Cross		Dorcasethan73@yahoo
Mary Lopez		7859 Askew	(702) 489-2742	Lopezfamily of3
Alvin Lopez III		7859 Askew	(702) 809-9010	@hotma
Leisa Glans		8557 Akocasia ct.	702-478-7108	
Raymond Madonia		8923 Mossy Hollow Ave	702-755-3939	
Clifford Hammontree		8828 square knot ave	702-202-7982	cliffh899@yahoo.com

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Printed Name	Signature	Address	Telephone	Email
Jon Cureton	[signature]	4701 Lawrence N Las Vegas	542-6820	—
Monica Marie	[signature]	6955 N. Durango, Las Vegas	202-3511	—
Robert Johnson	[signature]	6351 Sandpiper Way Las Vegas	772-5073	—
Tom Stetter	[signature]	13716 Broadview Junction	419-5610	—
Carl Moyes	[signature]	1888 Royal Paynes	725-3629	—
Terry [illegible]	" "	9640 Ski Point Dr.	—	—
Quency Thomas	[signature]	8217 Spring Arts Ave	355-2327	
Christy Magsaroc	[signature]	7632 Concord Heights	249-9416	—
Josie Gonzalez	[signature]		234 3819	
Donald Colbert	[signature]	6660 Witshington #267	—	—

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Printed Name	Signature	Address	Telephone	Email
Sahar Korkees	Sahar Korkees	8064 Starling View Court Las Vegas NV 89166	702)540-7185	Sahar_Korkees@yahoo.com.
JOANNE FILIPPONE	Joanne M Filippone	6955 N. DURANGO DR. #2038 89149	639-1651	djgizmo@cox.net
DAN CIOFFI	Daniel C. Cioffi	6955 N. DURANGO DR. #2038	234-9072	
Kym Roundtree	K Roundtree	9303 Gilcrease Ave #2207	603-674-7408	kproundtree@hotmail.com
Cody Collins	[illegible]	8317 Winterchase Dr Las Vegas NV 89143	702-994-7199	cody-collins@yahoo.com
ERIN MACKEY	Erin Mackey	8985 Old River Ave. LV, NV 89149	702-275-0268	erin_mackey@yahoo.com
Lisa Lazzaro	Lisa Lazzaro	6955 N. Durango Dr LV NV 89149	702-742-7200	
Paula Lazzaro	Paula Lazzaro	3701 El Conlon Dr LV NV 89102	702-501-1313	
Richard Hill	[illegible]	6955 N. Durango Dr	702-646-9448	
Bill Sublette	W R Sublette	5945 N. Grand Canyon Dr Las Vegas, NV 89149	702-645-9916	billsublette@cox.net

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We the undersigned do support Durango Market's Special Use Permit for a Package Liquor License located at 6955 N. Durango Drive, #1114 Las Vegas, NV 89149

Printed Name	Signature	Address	Telephone	Email
Jeff McDonald	[signature]	9851 Twilight Walk LV NV 89149	702 355-2771	Jeff2614@Gmail.com
Rosanne Shepherd	Rosanne Shepherd	6908 Trace Hollow ST LV, NV 89149	702-750-8148	
Robert C Shepherd	Robert C Shepherd	6908 Trace Hollow ST LV, NV 89149	702-430-0011	
Nathan Herrick	Nathan Herrick	6908 Trace Hollow St LV, NV 89149	N/A	
Carol Caverley	Carol Caverley	6955 N. Durango DR #3088	702 582-3878	
Mike Caverley	Mike Caverley	6955 N. Durango DR #3088	702 582-3878	
Scott Mosley	Scott E Mosley	7732 Hand wovenct	702 403-0920	
Randy Kuehn	[signature]	Indian Springs NV	233-4259	
Lisi Rickers		9425 Higtwien RC		
Frankie Brown	Frankie Brown	6955 N. Durango Dr. #3088	702-2499	

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We the undersigned do support Durango Market's Special Use Permit for a Package Liquor License located at 6955 N. Durango Drive, #1114 Las Vegas, NV 89149

Printed Name	Signature	Address	Telephone	Email
ARTURO JAIMES		6955 N. DURANGO #2004	(702) 862-0097	Libisink2006@yahoo.com
Joel Tenpenny		9613 Eland Ct	(702) 2029935	DeeStones79@Hotmail.com
Matt Gonser		9338 Pencil Cedar Ave	702 622 2873	—
Chris Jones		6904 Gothic Marigold St. LV. NV. 89149	702-240-7115	—
Levia Hayes		7135 Cabinteeost #101 LV. NV 89149	702-562-1686	
Noah Grimm		7129 Antique Olive St. 89149	702-610-0135	
Teia Harris		10001 Peace way #2198 LV. 89147	702-927-4885	sexygirlsatvegas@yahoo
Shyce Harris		2010 Hidden Cave Ct 89149	702-804-1040	—
GABES Anchez		8997 DARRELL AV	702-558-2227	—
CHARLES THOMPSON	Charles Thompson	4664 NELLIS E L.V.	702 510-7731	—

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Printed Name	Signature	Address	Telephone	Email
Leontyne Sloan	Leontyne Sloan	2349 Statham Ave NLV 89081	702-3996548	lsloan05@embargmail.com
DAWN McConnell	[illegible]	9928 Kalahari Ct	702-752-3457	Inosints@gmail.com
Mike Lorenz	[illegible]	7219 Silver Valley	702 325 5020	
JOHN M. SIMO	John M. Simo	6020 MONTECITO WAY	702) 658-9336	Flyboy4414@COX.NET
Scot Amorose	Scot Amorose	6732 Boston Tens	517-294-9140	
Carlos Rentero	Carlos Rentero	2850 Cedar #120	8081242	
Cynthia Cary	[illegible]	9461 Hala Sa Cary	324-3188	Cyn.nauk.yahoo
Wednesday Janis	[illegible]	7049 Knob Creek St #103	247-6281	Wednesdayjanis@gma
Daniel Mitchell	Daniel Mitchell	8250 N Grand Canyon #1281	702 351-2639	Danny2Timeso@yahoo.com
DAVID TUTTLE	[illegible]	LV, NV 89166 9145 Echalon Point Lv, NV 89141	702) 666-5432	

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Printed Name	Signature	Address	Telephone	Email
Matsuda, Nathan	[illegible]	1712 Mexican Poppy St. Las Vegas, NV. 89128	(702) 869-0059	
Conroy, Sarah	Sarah Conroy	6822 Relic St LV NV 89149	(702) 612-4282	
DARVIOUS ALEXANDER	[illegible]	7308 LA MONA CRT	(702) 325-2584	NINASMILIE@YAHOO
Thomas MAZINTAS	[illegible]	8941 David allen ct	(702) 202-1486	
BRETT SCHMIDT	[illegible]	9145 ECHELON POINT DR LV NV	(702) 782-4055	
Kendall Carder	Kendall Carder	9017 HORIZON DR.	(702) 3286371	—
SOHA ZORA	Soha Zora	3637 Oakcliff Dr. LV, 89149	(702) 685-5525	
Ryan Wilson	[illegible]	9323 Horseshoe Basin Ave Las Vegas NV 89149	702-334-0937	
Kimberly Powell	[illegible]	10151 Dorrell Lane Las Vegas NV 89166	(702) 629-6053	Kenvious@yahoo.com
KENNETH GIBBONS	[illegible]	8936 ADDISON WALK CT LAS VEGAS NV 89149	(702) 215-5325	

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Printed Name	Signature	Address	Telephone	Email
Hosea Tate	[signature]	9101 W. Dorrell Ln	(702) 428-5367	N/A
Tamara Fulde	[signature]	5304 Pacific Opal Ave. LV NV 89131	(702) 521-5737	
Nelson Holly	[signature]	6043 Carlsbad Ave LV NV 89156	702 883 0008	N/A
Brian Duncan	[signature]	8152 Hodgson Mill Ct L.V. 89131	(702) 275-7762	N/A
Kevin Frenchman	[signature]	3820 Begonia Blush Dr. Las Vegas. 89166	(702) 354-8325	N/A
Eric Radcliffe	[signature]	6812 Pleasantville	702 400 4167	N/A
Paula Gifford	[signature]	6405 TRACE Hollow	702 234 1727	N/A
Angela Keesha	[signature]	8521 LAWSONIA Ct.	702 481 8973	
M. Jewel Radcliffe	[signature]	9304 Enchanted Bd	702-4566151	
Emily Tucker	[signature]	8993 Dorrell Ln	702 7567742	N/A

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Printed Name	Signature	Address	Telephone	Email
Tony Ingabbe	[signature]	5505 Greenley Gardens St LVNV 89081	702-689-6082	
Karen Ryan	[signature]	6955 N. Durango 1115-212 LVNV 89149	702 238-3857	
Kenny Payne	[signature]	9125 Spirit Cayon St. LAS Vegas NV 89149	702 994 8424	KPAYNE@cox.net
[illegible]	[signature]	9168 Umberland Ave Las Vegas NV 89132	702 576-4256	
Charles Schaffner	[signature]	4813 Palm tree ct 89131	(702) 785-4788	
Megan Cheek	[signature]	9293 Vervain Ct. 89149	(702) 658-2741	
GILBERT ROLAND	[signature]	2657 WINDMILL PKWY	702.523-9877	
Chad Girndt	[signature]	8925 Paula Jean	254-733-3577	
Derek Buckler	[signature]	8925 Paula Jean Ave	512-709-5403	dlbuckler@gmail.com
Dave Franke	[signature]	7604 Quiet Springs 89149	876-9036	

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Printed Name	Signature	Address	Telephone	Email
Sandra Dietrich		6955 N Durango 3077	702-409-1331	Sandy21@attinet
Joe Martinez		8931 Mossy Hollow	702-762-6870	Tattoojoem@aol.com
Gary Yeargan		9128 Spirit Canyon	702-234-8734	Cookymonstr@hotm
Beth Babcock		N/A	N/A	bconsondunkleman@yahoo.c
Victor Frias		N/A	(702) 327-4978	
Frank Norman		N/A	702-359-9897	
Joel maldonado	Joel maldonado	N/A	409-401-4798	
Alonzo Flores	Alonzo Flores	401 Baker Ave las vegas nv.	(702) 689 3935	
Todd Jackson		7417 Delicious Ct	(702) 542-5055	TEJACKSONSR@YAHOO.COM
Tammi Manden		7417 Delicious Ct	(702) 742-7929	

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Printed Name	Signature	Address	Telephone	Email
Christian Guzman	[signature]	7318 Fools gold st LV NV 89149	(702) 927-7625	Christianiguzman@Hotmail.com
[illegible]	[signature]		702 418 7765	[illegible]@Hotmail.com
Von-Sheila Reed	Von Shila Reed	6955 N Durango Dr #2059	702-541-0523	
Robert Colburn	Robert Colburn	Her 38 Box 105 Mt Charleston 89124	702 237 2017	
THOMAS DAKE	[signature]	9353 LADYFINGER CT	702-767-9522	tdake77@hotmail.com
Maria Ross	[signature]	8408 Vivid Violet Ave	702 515-1551	RiA603@yahoo
[illegible] Digales	[signature]	8224 Ebony Peak St	702 376-6871	[illegible]@gmail
Maria Benvenuto	Maria Benvenuto	8224 Ebony Peak St	702 3963314	—
Nicole Smith	[signature]	7545 Oso Blanca Pkwy	702 629-2253	Nickey143@aol.com
Kyle Dawkins	[signature]	1 Aclay st LV 89115	336/455/0241	kal_expo@yahoo.com

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Printed Name	Signature	Address	Telephone	Email
Trever Lane		8221 Hoffler Ct.	702-769-4915	Trevlasvegas@yahoo.com
Madreia Crawford	Madreia Crawford	9457 Milkweed Canyon	702-576-1548	madreia@yahoo.com
Coleman Harris		2116 Bachelor Ct	702-213-6006	big.drastik420@gmail.com
Matt Litzinger		7048 Caribou Ridge St #103	702-468-9234	MAL_Ltz@hotmail.com
Randal Murillo		5850 Skypointe dr.	702-275-6635	
Chris Diaz		7935 Dexter falls	702 526-1580	
Charles Fuds		9012 Glenstar Gate Ave	702-630-9752	info@charlesfud.com
Wynikia Nava		513 N. 12th st #B	702-418-8385	NIKNAKN@TMail.com
Shontayia Dennis		513 N 12th ST #B	702 824-2841	Princess10v103@yahoo.
Darla Baek	Darla Baek	8250 Grand Canyon Dr #177	702809-2666	N/A

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Printed Name	Signature	Address	Telephone	Email
Rochelle Lemons	[signature]	6815 Momentos LV NV 89149	702)635-6976	
Michael Marg	[signature]	6955 N Durango	(951)664-5831	
Jeff Ferguson	[signature]	9333 Gilcrease Ave	702 942 6600	
George Smith	[signature]	6777 BlueBell	702 756-0284	
Karen Brown	[signature]	6955 no Durango Dr.	702-441-3856	Kbecolorblind@aol.co
Michael K. Moore	[signature]	6867 Momentos DR L.V.	702-818-5303	Michael KMoore@Live.a
DeShawn Temple	[signature]	6857 Sweet Pecan St	(702)254-0084	Deshawn@yahoo.com
Nick Pfarr	[signature]	10323 Settlers Run	336-4500	
JEFF Groom	[signature]	4712 Bannister Ln	(702)360-0600	
Mike Bailey	[signature]	7848 Ithaca Falls St.	(702)885-1621	

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PETITION

August 27, 2010

Ward 6 Residents Petition in Support of Durango Market's SUP #38909

We the undersigned do support Durango Market's Special Use Permit for a Package Liquor License located at 6955 N. Durango Drive, #1114 Las Vegas, NV 89149

Printed Name	Signature	Address	Telephone	Email
LaWanda Burks	LaWanda Burks	8451 Lucero Ave	7023846426	lllaswondo@aol.com
Trish Kerry		10359 Softfall Ln	702 375-9765	—
CLIFF Howay		9808 Sienna Valley	702 648-3011	—
Christy Mays	Christy Mays	9017 High Horizon	(702)808-8661	—
Nathan Pinkney		9421 Moonsplash ct	702 684-7189	—
Chad Carpenter		9540 Victory Garden	533-5928	
Kimberly S Swanson	Kimberly S Swanson	9033 mossy Hollow ave	7026657138	
Kim R		9745 E. Teeton Ave #104	702 6666 7414	
Andrew White		7640 Highland Pony st	702 461-6695	—
Mari White		7640 Highland Pony st	714-402-3883	—

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Printed Name	Signature	Address	Telephone	Email
Shawn Lodwick		LAS Echelon Point	755-0186	
CRAIG MARALDO		6955 N. DURANGO	515-0951	
JEFF LISTON		9525 SPRING SUNSET CT	496-2323	
Terrell Winbush		6955 Durango #2057	764-0992	
BRIAN DASHER		9268 ENCHANTED GROVE	301 0877	
Patrice Hall		6955 Durango #1108	418-7765	
		6955 Durango #1071	982-3025	
JOHNNY GOMEZ		7712 TURTLE HAVEN	409 8375	
Verleda Burge		[illegible] Campbell	313 [illegible]	
Dave Woodrow		6955 N Durango 2007	951-454-7122	

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Printed Name	Signature	Address	Telephone	Email
JASON DAVIS	Jason Davis	6224 Sterling Ranch Wy	702-771-9957	jbordg@hotmail.com
ERIC SWANSON	Eric Swanson	9033 Mossy Hollow Ave	702-604-2671	
Paula COBB	Paula Cobb	7065 Kuch Creek St #101	702-591-1822	
James Smith	James Smith	5968 Running Dog Ct.	702-561-9234	
Nelson Lee	Nelson Lee	9465 W. Hammer Ln	801-571-1515	
Felica Tillman	Felica Tillman	6995 N. Durango Dr.	(702)656-5778	fmarkeshia@yahoo.com
DANIELLE WHITE	Danielle White	6955 N. Durango #1008	541-591-5028	
DARIO ROMERO	Dario Romero	6955 N. Durango #1008	541 363-2209	
Markeshia Tillman	Felica Tillman	6995 N. Durango Dr.	(702)656-5778	fmarkeshia@yahoo.com
Louise Tillman	Louise Tillman	1608 modern it St.	(702)685-5068	

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Printed Name	Signature	Address	Telephone	Email
MARC MCNEAL	6705 Blue Bell	[illegible]	702 656-7334	
Nichole Bujalski	[illegible]	9232 Longhorn Falls	702 355 8633	
Arthur Guy	[illegible]	9232 Longhorn Falls	702 353 9806	
Irma Padilla	[illegible]	9924 Markhorn	702 405 9406	IPADILLA3513@yahoo
Dion LaBranch	[illegible]	9745 Grand Teton Dr. 1002	702 622-3612	Kneeondion@aol.com
Scott Boutin	[illegible]	7065 Knob Creek St #101 LV NV 89149	702-242-0732	
Greg Robin	[illegible]	9303 Gilcrease	—	—
Howard [illegible]	[illegible]	2015 Penn	702 396-6626	
Tim Smith	[illegible]	6955 N. Durango Apt 2077	702 234 4228	
Brian White	[illegible]	8407 Quarentina Ave 89149	—	—

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Printed Name	Signature	Address	Telephone	Email
CARI D REID	Cari D Reid	PO BOX 130 INDIAN SPRING	702-555-7261	N/A
ERIN OHAIKA	[illegible]	9211 Brownstone Lyde	702-617-2557	
Dominique Lawson	Dominique Lawson	6955 N. Durango	510-927-7707	N/A
SHERRY GRAY	[illegible]	6955 N. Durango	702-689-8778 ~~323~~	N/A
ESSENCE HANKINS	[illegible]	6955 N. DURANGO	SAME #	N/A
Juan Mura	[illegible]	8064 Farthing Hill	702 348-7767	
Earl Alexander	[illegible]	6955 N Durango	702 5774761	N/A
Patrice Kelly	[illegible]	9453 White Ridge	617 763-2995	
David Blakey	[illegible]	3091 Durango	702-3434117	N/A
Melissa Kinas	Melissa Kinas	7333 Misty Glow Ct	702-505-0209	N/A

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Printed Name	Signature	Address	Telephone	Email
Curtis Wilson	[signature]	6955 N. Durango Unit 2019		wasserkuhlervdub@yahoo
Latasha Campbell	[signature]	6955 N. Durango 2051		
LAKisha Pitts	[signature]	6955 N Durango unit 2051		Kishap01@yahoo
Nicole Sims	[signature]	8920 Cambridge Glenck	533-0717	Nicole-Sims@Apria.com
Stacia Mehl	[signature]	7621 Faded Filigree St	395-9120	
TOM ZUKAKIS	[signature]	7621 Faded Filigree St	595-6061	
EARL ROUSE	[signature]	6857 Sweet Pecan St LV NV 89149	541 2230	
Josh Clayton	[signature]	8133 Starling View Ct LV, NV 89166	261-4647	
LOUIE MORALES	[signature]	6611 Colorado Spruce Las Vegas NV 89149	(702)606-9636	louie25@cox.net
MEL APRUEBO	[signature]	9109 Spirit Canyon LV. NV 89148	(702)445-5747	N/A

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Printed Name	Signature	Address	Telephone	Email
Jessica Wilson	[signature]	5701 Pacific Opal Ave Las Vegas NV 89131	517974-5377	Jessicagerman@yahoo.com
Kelly Schuster	[signature]	9312 Thunder Falls Ct. LV, NV 89149	(702)280-4566	AKRibas13@gmail.com
Esther Diedrich	Esther Diedrich 7212 Gentle Valley LV NV 89149		702655-7228	Auntmo63@AOL.COM
MICHAEL JOHNSTON	[signature]	13307 PLUTO ROCK LN #102 LAS VEGAS, NV 89128	(650)776-1108	[illegible]
CHRIS LOWER	[signature]	10809 Mystic Shore LV NV 89166	(702)354-6335	maddynick2003@yahoo.com
ROBERT GRAINPIEW	Robert Grainpiew	9303 Gilcrese L.V. NV. 89149	(702) 645-2015	
LINDA COLANDER	[signature]	7320 Silver Spirit St. 89131	702 281-3747	
Lauren Fisher	[signature]	8997 Dorrell Ln 773	220-4099	[illegible]
[illegible]	[signature]			
Robert Szalay	[signature]	8937 Amy Olivia Ave	(702) 860-6689	Rob.szalay@yahoo.com

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Printed Name	Signature	Address	Telephone	Email
JUSTIN SORKER	Justin Sorker	10151 DORRELL	7023354011	J.SORKER@GMail.c
Brad Coulter	Brad Coulter	9017 High Horizon		—
Courtney Hurdle		3040 E. Charleston	702-475-1696	
Shawn Hutchings	S. Hutchings	9000 Old River Ave	702-8184206	—
Nathan Allen		9313 Palmer House AVE	202-308-6688	
Jose Rivadeneira		Palacio de Loreto AP. de Fam. Osoblanca	702-764-2068	
Brandey Massey		6955 N Durango Dr 1037 Las Vegas, NV 89149	702-683-6177	parents of Zane @ yahoo.com
Casey Rector		7817 Tweetbird St	702-449-9311	
Cameron Hutchings		9000 old river	702-818-4206	
Dean Martin		6913 Gothic Marigold St	360-420-2001	

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Printed Name	Signature	Address	Telephone	Email
Michael Borden		6955 N Durango 2057	(702) 373-[illegible]	mjizzle79@yahoo.com
Carrie Benner		8914 Mossy Hollow Ave	714) 514-4267	
Robyn Predmore	Robyn Predmore	8984 Barnwell Ave.	702-395-0986	
Ryan Tate		9957 Scenic Walk Ave	702-373-1033	
Ian Johnson		8132 Hesperider Ave.	702-845-3253	
Shonda Decker		4982 N Campbell	702-242-9740	
Lyndell Lewis		7712 Unicorn Tapestry	702-666-4780	
Joe Kalisek		3242 cactus Wheat Lane		Srider@hotmail.com
Jeremy Cutlers		4661 Cattle St		
Sean TUTTLE		7855 Deer Springs	(702) —	—

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Printed Name	Signature	Address	Telephone	Email
Angela Jones	[signature]	9745 Grand Teton	213-259-7915	Realtor Angela 661 @ AOL.
Dwayne Sanchez	[signature]	6430 Iguassu Falls	370-3010	
Laurel Gunnerding	[signature]	6529 MacDougle St LV	—	—
Jen Messinger	[signature]	5029 Tropical Cliff	241-0316	
B Gates	B Gates	6740 Old Valley	—	—
Kevin Harrington	Kevin Harrington	6955 Durango	415-684-5569	—
Liana Morgan	[signature]	9133 Camp Light Ave #101	306-0573	—
Rosemary Nagasubo	[signature]	7545 Oso Blanca rd	702 581 3141	—
Joey Devine	[signature]	9453 White Ridge Ave	702-279-3223	—
Patricia Conat	[signature]	HCR 38 Box 326 Mt. Charleston 89127	7024764243	—

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Printed Name	Signature	Address	Telephone	Email
Jennie Skeens	[signature]	7205 Glen Shire Ct 89149	(702) 340-4154	
Diana Wheelock	[signature]	9017 Dorrell Ln 89149	(702) 325-9320	
Jesse Mascitelli	[signature]	6923 China Ridge Ct 89149	702-875-5309	
Melissa Blatman	Melissa Blatman	6863 Momentos 89140	461-7264	
CHRISTIAN HDEZ	[signature]	7545 Osa Blanca	(714) 649 9563	
Gina Perez	[signature]	8250 Grand Canyon Dr #12183 89166	702-772-0829	
Jillian Miller	Jillian Miller	6817 N Campbell Rd.	(702) 742-0296	
Sharon Breaux	[signature]	6812 Sweet Pecan St	(702) 541-4152	
Andre William	Andre William	6812 Sweet Pecan St	(702) 883-3807	
[illegible]	[signature]	4325 W. Rancho Blvd.	486 5000	

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Printed Name	Signature	Address	Telephone	Email
Carmen Escobedo	Carmen Escobedo	6955 N Durango	685-1128	
LAURENCE LONG		8010 Palm Cove Ct	655-1246	
[illegible]		8524 [illegible] Ave	702 363-4635	
RAMA AKASH		9145 ECHELON PT	702 544 4500	
JACKIE SMITH		9145 ECHELON PT	702 238-6475	[illegible]@yahoo.com
Chris Woolman		6955 N Durango	702-752-8502	
Holli Woolman		8900 Goldstone Ave	461-9807	
TED SMITH		8900 GOLDSTONE	461-4867	
DARREN MITCHELL		9113 CRANEN AVE	702 [illegible]	
Nina Gouden		2150 N Tenaya Way #1016	(951) 742-6201	harmaani@yahoo.com

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Printed Name	Signature	Address	Telephone	Email
Tom Fava	[signature]	9069 Tantalizing Ave	702 755-6999	Ton2v69@gmail.com
Javier	[signature]	NE	702 4015507	
Victor Ramirez	[signature]		702 325-4837	anothe.wordforthe@gmail
Brent Buckley	[signature]	5051 Villa Pulido St	702-655-9550	—
Dean Stemmer	[signature]	1500 Desert Rigade	702 2105826	—
Sarah Lora	[signature]	7540 Florine Ave	702-336-8997	mylifeismygirl5@gmail.com
Tyson Subia	[signature]	8944 Catlina canyon ct 89149	702 4133625	TMan1121 66 yahoo
[signature] Aaron Rounds	[signature]	N/A	N/A	Tasmep18@Gmail
DAN FILIPPONE	[signature]	6955 N DURANGO DR #2038	N A	N/A
Amber Turney	[signature]	5815 W. Agate Ave	N/A	N/A

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Printed Name	Signature	Address	Telephone	Email
Travis Verzich	[signature]	6712 old valley st	355-6278	JBH24@Hotmail
Christina Ley	[signature]	7560 Swan Cove Ct	3270125	Christina Ley
Shawn Clayton	[signature]	8915 Snow Trace	65851-20	
Gabriel Aadarme	[signature]	9775 Severence Ln. Las Vegas NV. 89149	726-1901	Kthnxbi@gmail.com
D. Scott Dungan	[signature]	6955 N Durango Dr 89149	(702)452-9453	DSCOTTD1701@YAHOO.COM
Jason Luxem	[signature]	9526 Michelle Falls Ave	702-417-4650	
Jerry Rodriguez	[signature]	6995 N Durango	702-927-1081	
Doug Cox	[signature]	8957 Amy Olivia Ave	210-787-0529	
Angela Cox	[signature]	8957 Amy Olivia Ave	210-478-6828	
Tahira H Bobo	[signature]	6709 Kostner St	702-439-4094	TAstiebud@YAHOO

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Printed Name	Signature	Address	Telephone	Email
Scott Fausle	[signature]	8945 Rudien Creek Ave LV, NV 89149	702-237-1260	Scottfausle@msn.com
Murchelle Jackson	[signature]	9409 Arcadia Woods Pl. 89149	702-478-9895	ixmonny@yahoo.com
Kelli Gomez	[signature]	9056 Patrick Henry Ave	702-430-8191	kgomez65@cox.net
Justin Salyer	[signature]	9303 Gilcrease #1086	702-302-6346	Ali.Revw@Gmail.com
Louie Maldonado	[signature]	8976 High Horizon	702 883-2215	
Zuyma Bonilla	[signature]	6955 N. Durango Dr. #2046		bonillazay@yahoo.c
Richard Koran	[signature]	9069 TANTALIZING AVE	678-9695	
Sy Hernandez	[signature]	6955 N. Durango 2004	6863649	SySy Hernandez@aol.com
Gema Jaimes	[signature]	6955 N DURANGO Dr. #2004	862-0097	gemazart@yahoo.com
Aaron McDal	[signature]	9412 Willow St.	765-2518	

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City of Las Vegas Agenda Item No.: **24.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

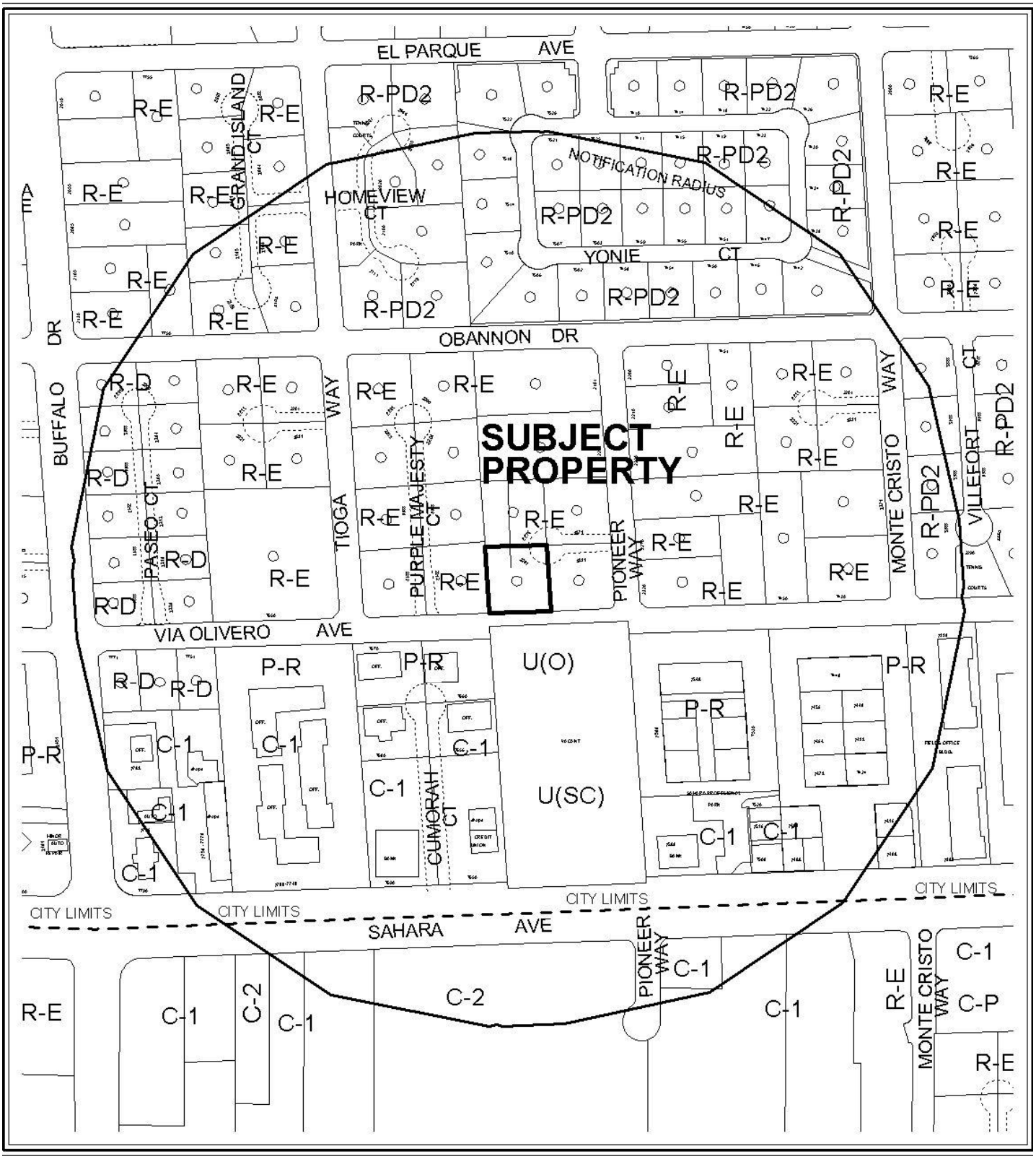
SUBJECT:
VAR-39068 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ROXANNE SHERIDAN - Request for a Variance TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED on 0.54 acres at 2281 South Pioneer Way (APN 163-03-402-007), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE 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 - VAR-39068 and SUP-39069
2. Conditions and Staff Report - VAR-39068 and SUP-39069
3. Supporting Documentation
4. Photos - VAR-39068 and SUP-39069
5. Justification Letter - VAR-39068 and SUP-39069



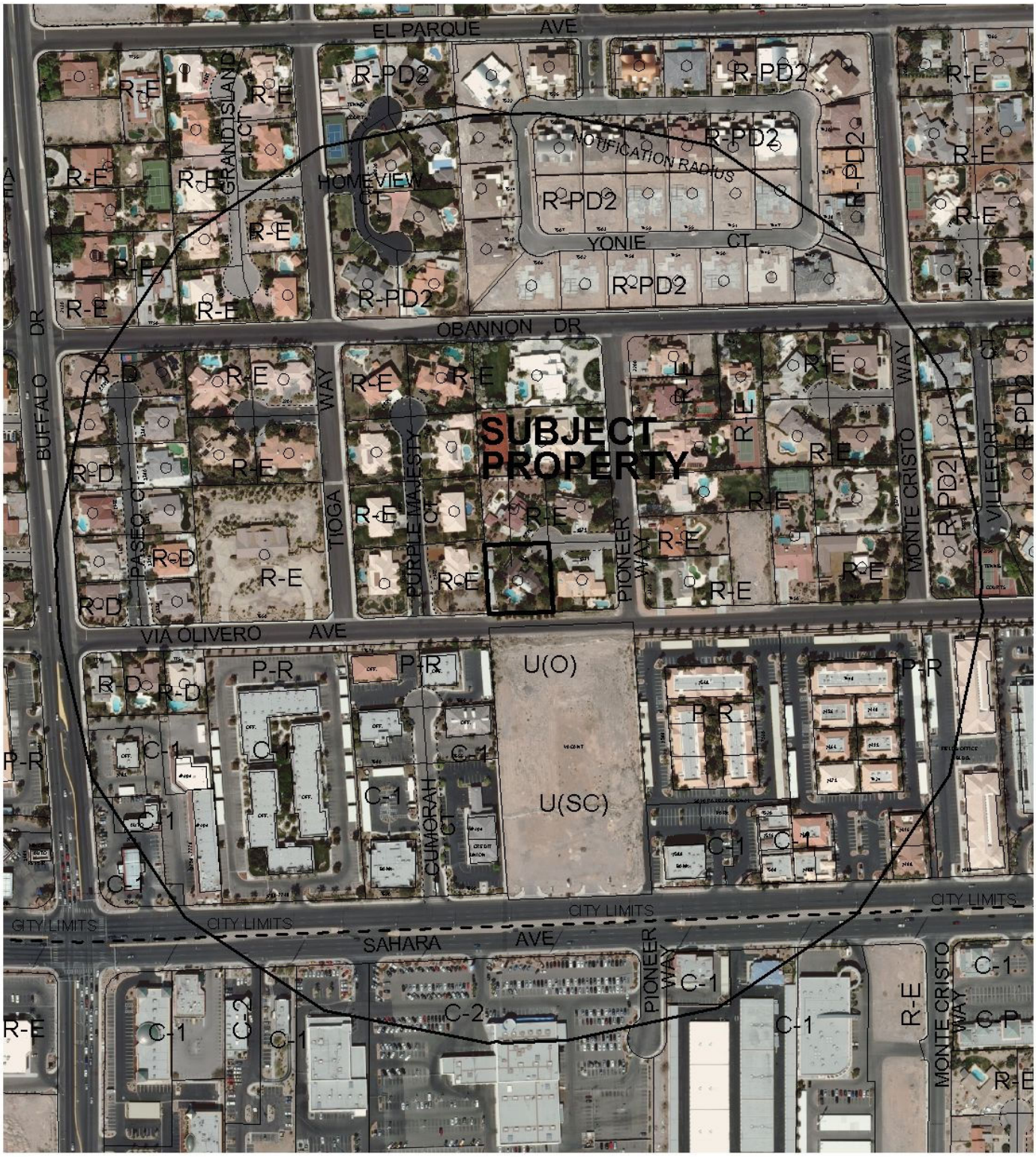
CASE: **VAR-39068 AND SUP-39069**

0 300 600 Feet

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **VAR-39068 AND SUP-39069**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: ROXANNE SHERIDAN

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-39068	Staff recommends DENIAL, if approved subject to conditions:	
SUP-39069	Staff recommends DENIAL, if approved subject to conditions:	VAR-39068

** CONDITIONS **

VAR-39068 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-39069) shall be required, if approved.

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

3. Prior to occupancy, all necessary building permits for all structures on the site 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 any 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.

SUP-39069 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for an Accessory Structure (Class I) use.

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-39068) shall be required.

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

4. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

5. One additional parking space for a total of three spaces shall be provided on site in conformance with the provisions of 19.04 and 19.10.

6. Pursuant to Title 18.12.250(C)(1), approval of a second driveway location to Via Olivero shall be obtained from the Director of Public Works within 30 days of final approval.

7. All necessary building permits shall be obtained for all existing accessory structures within 60 days of final approval or the structures shall be removed.

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

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

Public Works

10. Prior to the issuance of any building permits, abandon the existing septic tank system per Southern Nevada Health District regulations and connect to the public sewer line in Via Olivero Avenue. Alternatively, provide a letter from the Southern Nevada Health District stating that the existing septic tank is acceptable.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for an existing 1,088 square-foot Accessory Structure (Class I) on a developed single-family residential lot at 2281 South Pioneer Way. The lot contains an existing 3,840 square-foot residence and an unpermitted accessory structure totaling 1,088 square feet of building area. Staff recommends denial, as the use does not comply with Title 19 requirements for an Accessory Structure (Class I) use. The structure was built without building permits and with a zero side yard setback. If these applications are denied, the Accessory Structure (Class I) will need to be removed from the property.

ISSUES

- An Accessory Structure (Class I) use is permitted in the R-E (Residence Estates) zoning district with the approval of a Special Use Permit.
- Approval of an associated Variance (VAR-39068) is required prior to approval of a Special Use Permit, to allow a zero-foot side yard setback where three feet is required.
- A second accessory structure is also present on the subject site, but was not included in this review. Building permits are required for all structures on site, as conditioned.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/19/86	The City Council approved an Annexation (A-0009-85) of 1,470 acres, including the subject parcel. The Annexation became final on 03/28/86.
11/23/98	The City Council approved a request to amend a portion of the Southwest Sector of the General Plan on properties bounded by the Holmby Avenue Drainage Alignment, Via Olivero Avenue, Rainbow Boulevard and Durango Drive, From: R (Rural Density Residential) To: DR (Desert Rural Density Residential).
08/09/03	A code enforcement case (2262) was processed for a propane tank without permits. The case was resolved on 08/14/03.
11/03/04	A code enforcement case (23553) was processed for a using a residential property having parties and banquets that are catered and/or weddings with valet. The case was resolved on 11/30/04.
05/10/07	A code enforcement case (23553) was processed for a using a residential property having parties and banquets that are catered and/or weddings with valet. The case was resolved on 05/16/07.

12/03/09	A code enforcement case (84553) was processed for a using a residential property having parties and banquets that are catered and/or weddings with valet. Several apartments/guest houses were built on the property which they apparently are renting out. The case is still open.

Most Recent Change of Ownership	
03/29/96	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
C.1986	The single family residence was constructed.

Pre-Application Meeting	
03/26/10	A pre-application meeting was held with the applicant where the submittal requirements for a Special Use Permit were discussed. Topics included: • A Variance will be required for a zero-foot side yard setback.

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

Field Check	
08/19/10	Staff conducted a field check and noted a well maintained Single Family Residence, with multiple unpermitted accessory structures.

Details of Application Request	
Site Area	
Net Acres	.56

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single Family Residence	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Single Family Residence	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Undeveloped	O (Office)	U (Undeveloped)

East	Single Family Residence	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Single Family Residence	DR (Desert Rural Density Residential)	R-E (Residence Estates)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District	X		N
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 (19.08.040.), the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size	20,000 SF	23,948 SF	Y
Min. Lot Width	100 Feet	159 Feet	Y
Min. Setbacks (Accessory Structure) • Front • Side • Corner • Rear	 Not Allowed 3 Feet N/A 3 Feet	 N/A 0 Feet N/A 8 Feet	 N/A N N/A Y
Min. Distance Between Buildings	6 Feet	17 Feet	Y
Max. Building Height	Lesser of 2 stories, 35 feet or the height of the principal building	10 Feet	Y
Max. Floor Area (Accessory Structures)	1,920 SF	1,088 SF	Y

Functional Classification of Street(s)	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Private Street via Pioneer Way	N/A	40-foot	Y
Via Olivero Avenue a local street	N/A	60 feet	Y

Pursuant to Title 19.04 and 19.10, the following parking standards apply:

Parking Requirement						
Use		***Required***		***Provided***		***Compliance***
		Parking Ratio	Parking		Parking	
Single Family Residence	2 spaces per dwelling unit	2		2		Y
Accessory Structure (Class I)	One additional space must be provided beyond the number of spaces normally required	1		0		N
TOTAL SPACES REQUIRED		3		2		N

ANALYSIS

This is a request for a Special Use Permit for an existing unpermitted 1,088 square-foot, single story Accessory Structure, (Class I) on a developed single-family residential lot at 2281 South Pioneer Way. An Accessory Structure (Class I) use is defined by Title 19.20.020 as "an accessory structure which is located on the same residential parcel as a principal dwelling and which, as an ancillary use, provides living quarters, including full kitchen facilities, for the occupants of the principal dwelling or their tenants, domestic employees or temporary guests." If the principal dwelling is owner-occupied, a Class I accessory structure may be offered or occupied as a rental unit. The subject property is located in the Rural Preservation Overlay District and fails to meet Objective # 3, which is to provide adequate buffer areas, as is evidenced by the requested Variance. Located at the southwest corner of the site is a gate that allows access to Via Olivera. Pursuant to Title 18.12.250(C)(1), no more than a single entrance or circular driveway shall be provided for any single-family residential lot, unless approved by the Director of Public Works. The submitted site plan does not indicate the location of an additional space that is required for an Accessory Structure (Class I), pursuant to Title 19.04. Conditions of Approval have been added to address these issues.

Approval of an associated Variance (VAR-39068) is required as the existing Accessory Structure, (Class I) was constructed with a zero-foot side yard setback. Since the hardship is a self-created, staff recommends denial of the Variance and consequently staff recommends denial of this Special Use Permit request.

FINDINGS (VAR-39068)

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 constructing the Accessory Structure, (Class I) contrary to Title 19 requirements without obtaining building permits. Removal of the existing Accessory Structure, (Class I) and reconstruction with building permits and inspections would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (SUP-39069)

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

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

The proposed use is incompatible with the DR (Desert Rural Density Residential) General Plan designation and is located within an existing R-E (Residence Estates) subdivision and is incompatible due to the required buffer areas are not provided from neighboring properties. Therefore, the use cannot be conducted in a manner that is harmonious and compatible with the surrounding residential uses as the requested Variance indicates.

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 existing Accessory Structure (Class I) use. However, the location of the structure on the lot does not conform to Title 19.08 Development standards.

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

The main access to the site is from a private street off of Pioneer Way. The site also has a secondary access entry from Via Olivero Way. No more than a single entrance or circular driveway shall be provided for any single-family or duplex residential lot. Except as otherwise permitted by this Chapter or by City standards, or as otherwise approved by the Director of Public Works

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

If approved, the proposed use on this site will be subject to periodic inspection by regulatory agencies for business licensing and environmental health, and it will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

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

As conditioned, the proposed use meets all applicable conditions of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 107

APPROVALS 0

PROTESTS 0

JG

JG

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-39068 APN: 3103 20 052

Name of Property Owner: Roxanne Sheridan

Name of Applicant: (SAME)

Name of Representative: BILL SPAULDING

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

_____ Yes ✓ No

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

City Official: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner: Roxanne Z Sheridan

Print Name: Roxanne Zana Sheridan
AKA Roxanne Welsh Sheridan

Subscribed and sworn before me

This _____ day of _____, 20__

SEE ATTACHED CALIFORNIA JURAT

Notary Public in and for said County and State

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City of Las Vegas

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Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of MARIN

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

1ST (Date) day of JULY (Month), 2010 (Year), by

(1) ROXANNE ZONA SHERIDAN (Name of Signer),

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

(and

(2) _____ (Name of Signer),

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

Signature _____ (Signature of Notary Public)

JENNIFER S. HARWOOD
Commission # 1775591
Notary Public - California
Marin County
My Comm. Expires Nov 4, 2011

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Further Description of Any Attached Document

Title or Type of Document: STATEMENT OF FINANCIAL INTEREST

Document Date: JULY 1, 2010 Number of Pages: 1

Signer(s) Other Than Named Above: NO OTHER SIGNERS

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Pool Room / Summer Outdoor Kitchen

Project Address (Location) 2281 S. Pioneer Way Las Vegas, NV

Project Name Residence **Proposed Use** Pool

Assessor's Parcel #(s) ~~310320052~~ 16363402007 **Ward #** 1

General Plan: existing DR proposed ____ **Zoning:** existing RE proposed ____

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

Gross Acres .55 **Lots/Units** ____ **Density** ____

Additional Information ____

PROPERTY OWNER Roxanne Sheridan **Contact** Bill Spaulding

Address 2281 S. Pioneer Way **Phone:** 661-917-6887 **Fax:** N/A

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

E-mail Address rzsheridan@aol.com

FAX (702) 228-9496

APPLICANT (Same As Owner Above) **Contact** ____

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

City ____ **State** ____ **Zip** ____

E-mail Address ____

REPRESENTATIVE BILL SPAULDING **Contact** BILL

Address 39610-87th ST. W. **Phone:** 661-917-6887 **Fax:** ____

City LEONA VALLEY **State** CA. **Zip** 93551

E-mail Address BILL SPAULDING 55 AT YAHOO.COM

Property Owner Signature* Roxanne K Sheridan

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

Print Name Roxanne W. Sheridan

AKA Roxanne Zena Sheridan

Subscribed and sworn before me

This ____ day of ____, 20 ____

Notary Public in and for said County and State

SEE ATTACHED CALIFORNIA JURAT

FOR DEPARTMENT USE ONLY

Case #	VAR-39068
Meeting Date:	9-23-10
Total Fee:	$30
Date Accepted:	8-31-10
Accepted By:	F.S

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

Revised 10/27/08

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☐ See Statement Below (Lines 1–5 to be completed only by document signer[s], *not* Notary)

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Signature of Document Signer No. 1 — Signature of Document Signer No. 2 (if any)

State of California

County of MARIN

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

1ST (Date) day of JULY (Month), 20 10 (Year), by

(1) ROXANNE ZONA SHERIDAN (Name of Signer),

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

(and

(2) _____ (Name of Signer),

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

Signature _____ (Signature of Notary Public)

JENNIFER S. HARWOOD
Commission # 1775591
Notary Public - California
Marin County
My Comm. Expires Nov 4, 2011

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Title or Type of Document: APPLICATION / PETITION FORM

Document Date: JULY 1, 2010 Number of Pages: 1

Signer(s) Other Than Named Above: NO OTHER SIGNERS

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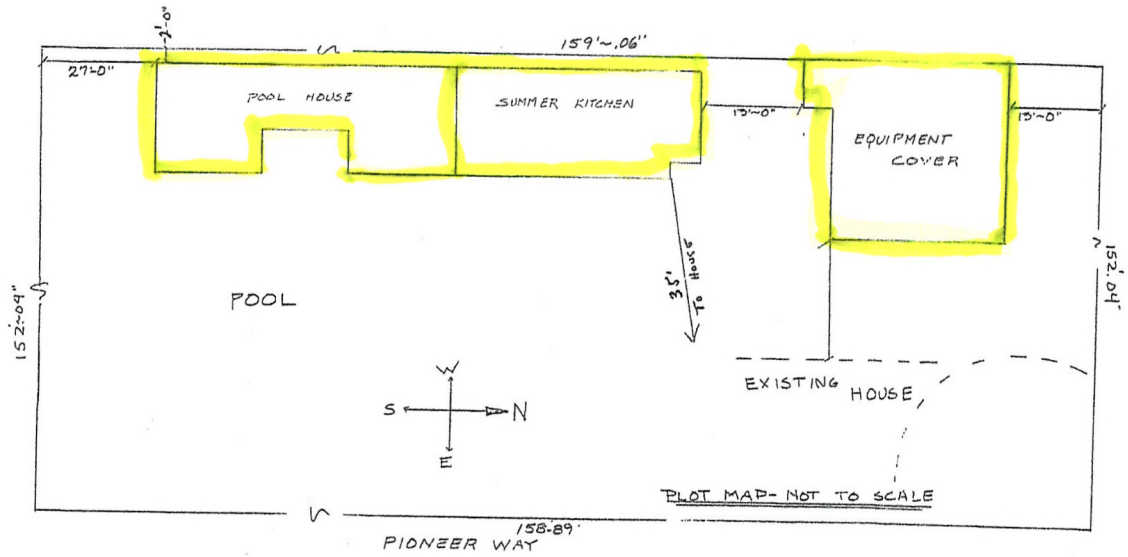
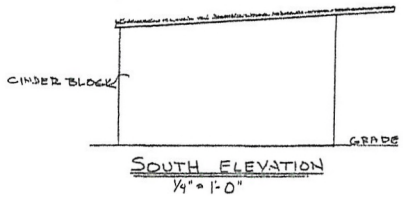
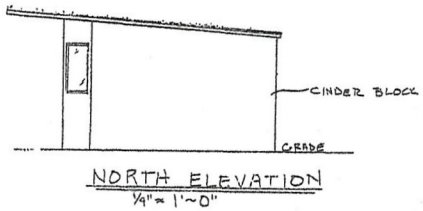
PLOT PLAN VARIANCE





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



NORTH ELEVATION
1/4" = 1'~0"

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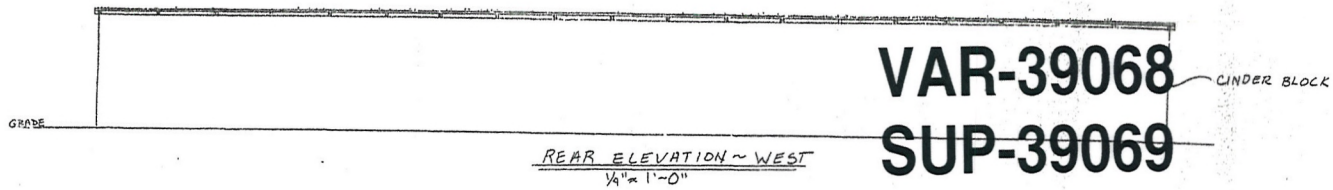
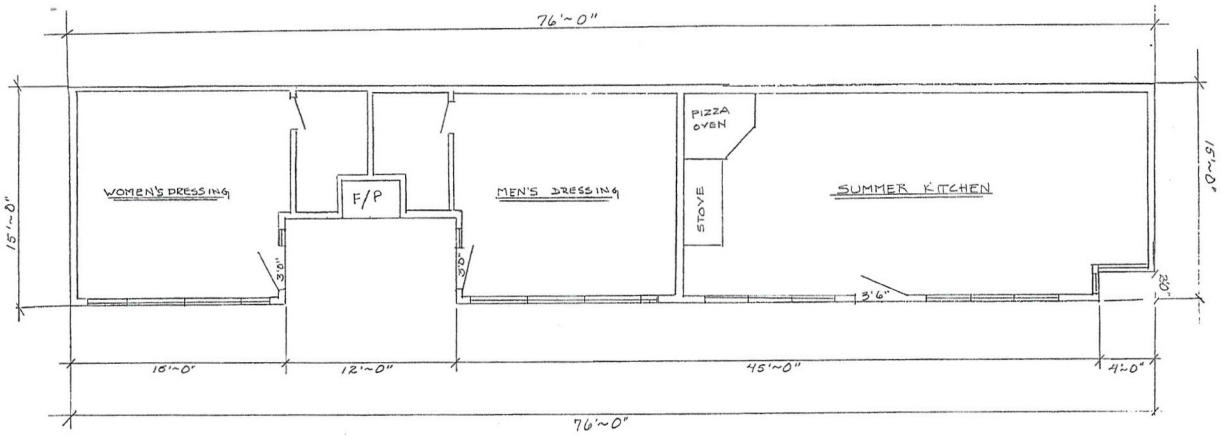


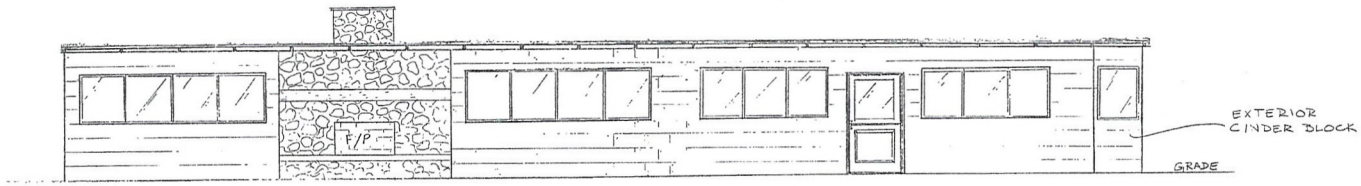
REAR ELEVATION ~ WEST
1/4" = 1'-0"

VAR-39068
SUP-39069

FLOOR PLAN



FLOOR PLAN 1/4"=1'-0" 1088 SQ. FT.



FRONT ELEVATION
EAST

SHERIDAN~ Pool House~
APN: 2129932
2281 South Pioneer Way
LAS VEGAS, NEVADA

CONTACT: BILL SPAULDING
(661) 917-6887

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VAR-39068
SUP-39069

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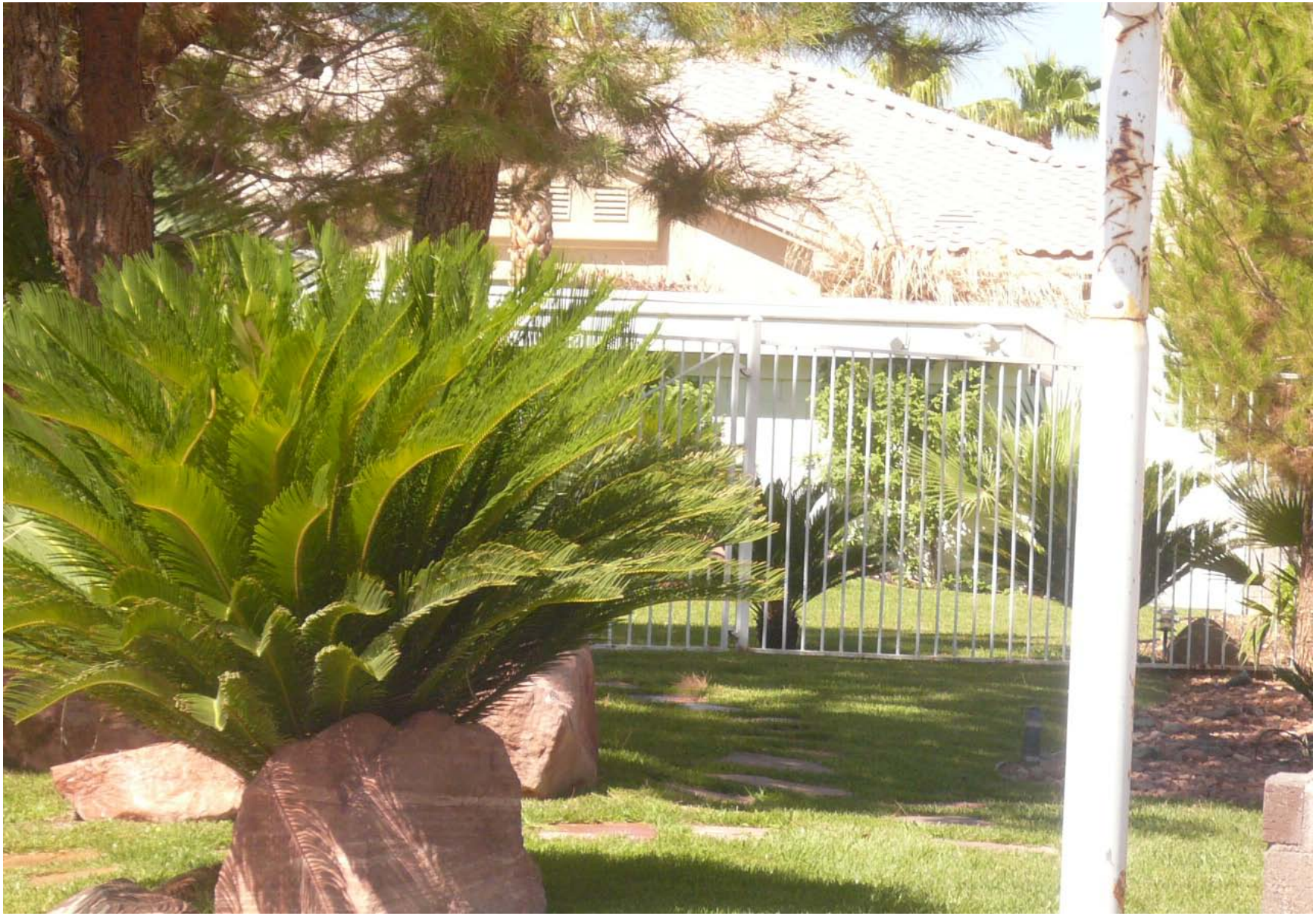
VAR-39068 & SUP-39069 - APPLICANT/OWNER: ROXANNE SHERIDAN
2281 SOUTH PIONEER WAY

08/19/10

VAR-39068 & SUP-39069 - APPLICANT/OWNER: ROXANNE SHERIDAN
2281 SOUTH PIONEER WAY

08/19/10



VAR-39068 & SUP-39069 - APPLICANT/OWNER: ROXANNE SHERIDAN
2281 SOUTH PIONEER WAY

08/19/10

VAR-39068 & SUP-39069 - APPLICANT/OWNER: ROXANNE SHERIDAN
2281 SOUTH PIONEER WAY

08/19/10

Roxanne W. Sheridan
2281 S. Pioneer Way
Las Vegas, Nevada 89117

February 18, 2010

VIA FACSIMILE (702) 474-0352

Planning Department
City of Las Vegas

Re: 2281 S. Pioneer Way
Las Vegas, Nevada 89117
Parcel No: 310-320-052

To Whom It May Concern:

Pursuant to your request for a Justification Letter, please be advised the outer structure located in the backyard at 2281 S. Pioneer Way is utilized as a Men/Women Pool House/Dressing Room and an outdoor Summer Kitchen area. These areas are used by myself as owner for personal purposes only. None of the structure is utilized for any non-residential or business purpose. The satellite building which existed when I purchased the home is utilized strictly for personal entertainment.

Consequently, I am requesting a variance for use aligned with the above only. All inquiries and/or communications should be directed to Bill Spaulding – Spaulding Construction at (661) 917-6887. Mr. Spaulding has informed me that he will be forwarding the plot plan by Friday February 26, 2010.

Thank you for your assistance in this matter.

Very truly yours,

Roxanne W. Sheridan

/rs

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VAR-39068
SUP-39069

City of Las Vegas Agenda Item No.: **25.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

SUBJECT:
SUP-39069 - SPECIAL USE PERMIT RELATED TO VAR-39068 - PUBLIC HEARING - APPLICANT/OWNER: ROXANNE SHERIDAN - Request for a Special Use Permit FOR A PROPOSED 1,088 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) WITH KITCHEN at 2281 South Pioneer Way (APN 163-03-402-007), R-E (Residence Estate) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE 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. 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-39069 APN: 310320052

Name of Property Owner: Roxanne Sheridan

Name of Applicant: (Same)

Name of Representative: Bill Spaulding

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

_____Yes ✓ _____No

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

City Official: n/A

Partner(s): n/A

APN: n/A

Signature of Property Owner: Roxanne T Sheridan

Print Name: Roxanne Tona Sheridan
AKA Roxanne Welsh Sheridan

Subscribed and sworn before me

This _____day of _____, 20__

SEE ATTACHED CALIFORNIA JURAT

Notary Public in and for said County and State

Revised 11-14-06

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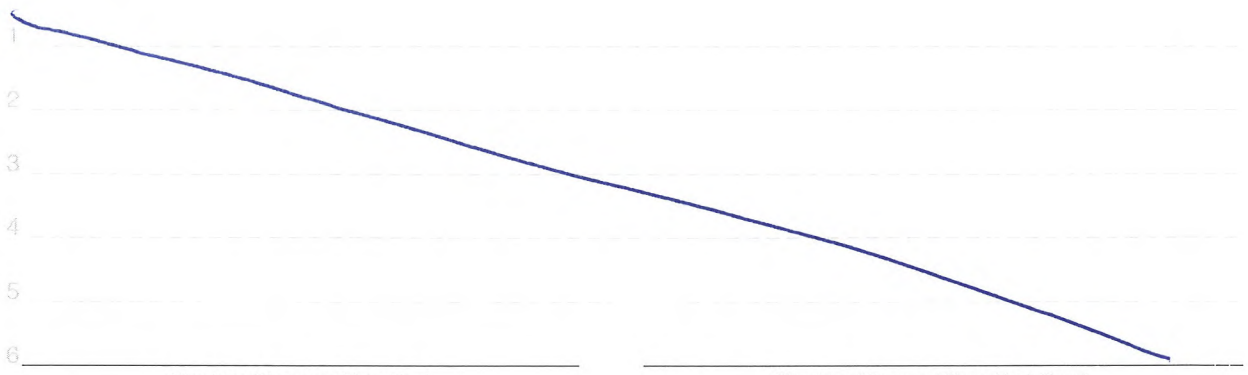

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of MARIN

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

1ST (Date) day of JULY (Month), 20 10 (Year), by

(1) ROXANNE ZONIA SHERIDAN (Name of Signer),

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

(and

(2) _____ (Name of Signer),

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

Signature _____ (Signature of Notary Public)

JENNIFER S. HARWOOD
Commission # 1775591
Notary Public - California
Marin County
My Comm. Expires Nov 4, 2011

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Document Date: JULY 1, 2010 Number of Pages: 1

Signer(s) Other Than Named Above: NO OTHER SIGNERS

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: POOL ROOM / SUMMER OUTDOOR KITCHEN

Project Address (Location) 2281 S. PIONEER WAY LAS VEGAS, NV

Project Name RESIDENCE **Proposed Use** POOL

Assessor's Parcel #(s) ~~3108200052~~ 1636340007 **Ward #** _____

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

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

Gross Acres .55 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER ROXANNE SHERIDAN **Contact** BILL SPAULDING

Address 2281 S. PIONEER WAY **Phone:** 661-917-6887 **Fax:** NA

City LAS VEGAS NV **State** _____ **Zip** _____

E-mail Address rgsheridan@aol.com
RZSHERIDAN@AOL.COM (702) FAX 228-9496

APPLICANT (same as owner above) **Contact** _____

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

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

E-mail Address _____

REPRESENTATIVE BILL SPAULDING **Contact** BILL

Address 39610-87th ST. W. **Phone:** 661-917-6887 **Fax:** _____

City LEONA VALLEY **State** CA. **Zip** 93551

E-mail Address BILL SPAULDING55 AT YAHOO.COM

Property Owner Signature* Roxanne K Sheridan

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

Print Name Roxanne K Sheridan aka Roxanne Lona Sheridan

Subscribed and sworn before me

This _____ day of _____, 20 ____

_____

Notary Public in and for said County and State SEE ATTACHED CALIFORNIA JURAT

FOR DEPARTMENT USE ONLY

Case #	SUP-39069
Meeting Date:	9-23-10
Total Fee:	1032.00
Date Accepted:	8-3-10
Accepted By:	F.S

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

Revised 10/27/08

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6 _____ _____

Signature of Document Signer No. 1 — Signature of Document Signer No. 2 (if any)

State of California

County of MARIN

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

1ST (Date) day of JULY (Month), 20 10 (Year), by

(1) ROXANNE ZONA SHERIDAN, (Name of Signer)

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

(and

(2) _____, (Name of Signer)

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

Signature _____ (Signature of Notary Public)

JENNIFER S. HARWOOD
Commission # 1775591
Notary Public - California
Marin County
My Comm. Expires Nov 4, 2011

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OPTIONAL

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Further Description of Any Attached Document

Title or Type of Document: APPLICATION / PETITION FORM

Document Date: JULY 1, 2010 Number of Pages: 1

Signer(s) Other Than Named Above: NO OTHER SIGNERS

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

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City of Las Vegas Agenda Item No.: **26.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

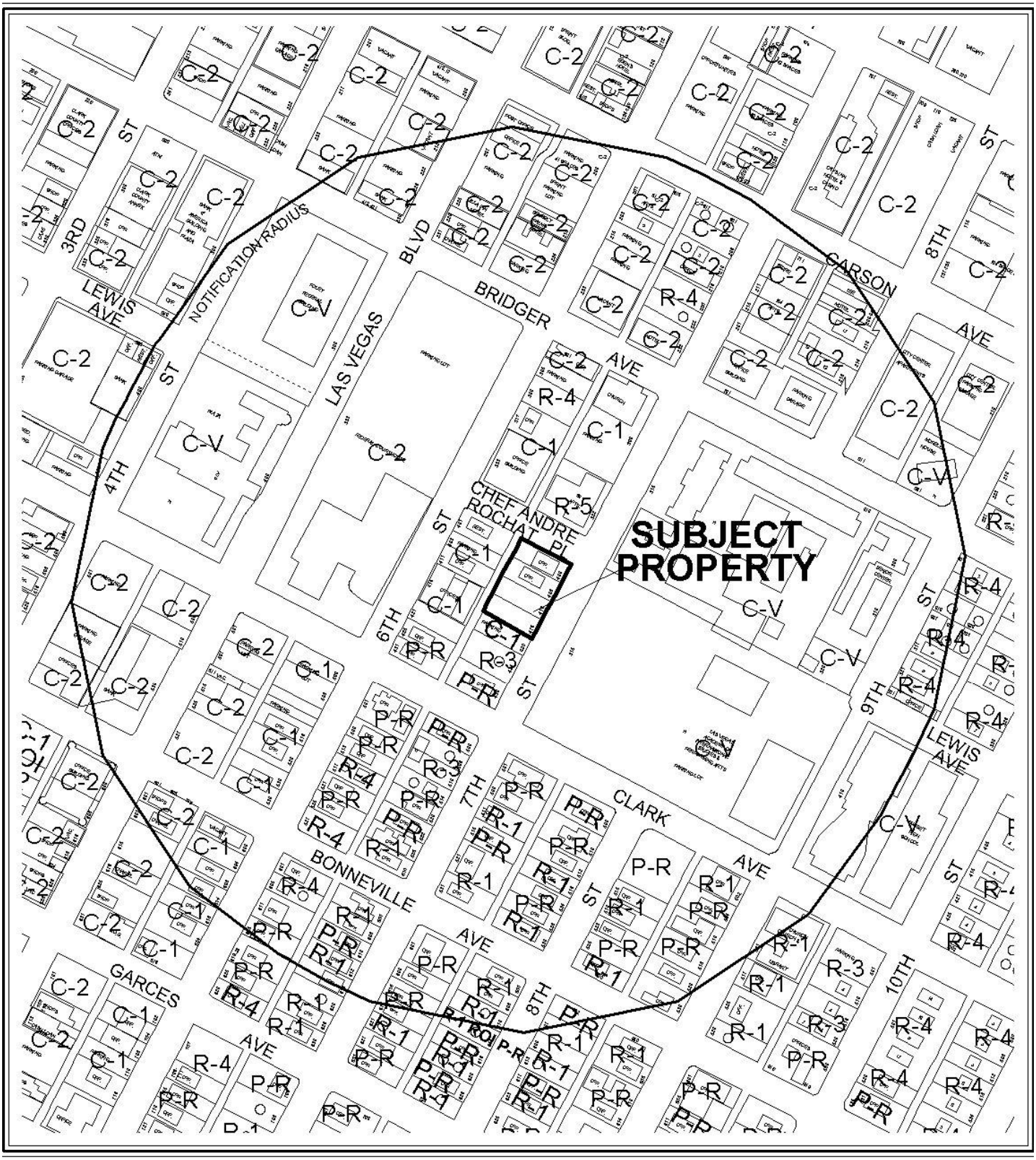
SUBJECT:
VAR-39122 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: EVAPS, LLC - Request for a Variance TO ALLOW ZERO-FOOT SETBACKS WHERE A 10-FOOT SIDE YARD, 15-FOOT CORNER SIDE YARD, AND 20-FOOT FRONT AND REAR YARD SETBACKS ARE REQUIRED, AND TO ALLOW 86% LOT COVERAGE WHERE 50% LOT COVERAGE IS THE MAXIMUM ALLOWED on 0.65 acres at 400 South 7th Street (APNs 139-34-710-030, 031, 032, 033), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE 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 - VAR-39122 and SDR-39121
2. Conditions and Staff Report - VAR-39122 and SDR-39121
3. Supporting Documentation
4. Photos - VAR-39122 and SDR-39121
5. Justification Letter - VAR-39122 and SDR-39121



0 300 600 Feet

CASE: **VAR-39122 AND SDR-39121**

RADIUS: 1000 FT

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

N

0 300 600 Feet

CASE: **VAR-39122 AND SDR-39121**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: EVAPS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-39122	Staff recommends DENIAL, if approved subject to conditions:	SDR-39121
SDR-39121	Staff recommends DENIAL, if approved subject to conditions:	VAR-39122

** CONDITIONS **

VAR-39122 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-39121) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for new construction. 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 any plan set submitted for building permit.

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

SDR-39121 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-39122) shall be required, if approved.

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

3. All development shall be in conformance with the site plan and landscape plan date stamped 08/09/2010, and building elevations date stamped 09/01/2010, except as amended by conditions herein.

4. A Waiver from Title 19.12 is hereby approved, to allow a zero-foot landscape buffer where an eight-foot buffer is required along the west and south property lines and to allow a zero-foot landscape buffer where a 15-foot buffer is required along the east and north property lines.

5. The Reversionary Parcel Map (PMP-38638) shall be completed and recorded prior to the issuance of any building permits.

6. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped date stamped 08/09/2010. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

7. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

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

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

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

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

12. 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. Dedicate a ten-foot radius at the southwest corner of 7th Street and Chef Andre Rochat Place.

16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site 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. Landscape and maintain all unimproved rights-of-way on 7th Street and Chef Andre Rochat Place 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.

18. Submit an Encroachment Agreement for all landscaping and private improvements, including the proposed balconies, located in the 7th Street and Chef Andre Rochat Place public rights-of-way adjacent to this site prior to issuance of permits for this site.

19. Site development to comply with all applicable conditions of approval for ZON-15045 and all other site-related actions.

** STAFF REPORT **

PROJECT DESCRIPTION

The requested Site Development Plan Review and Variance are for a proposed five-story, 120-foot tall, 55,132 square-foot Office building to be located on 0.65 acres on the southwest corner of 7th Street and Chef Andre Rochat Place. Included with the Site Development Plan Review are requested Waivers of the perimeter landscape buffer width requirements. The related Variance (VAR-39122) is to allow zero-foot setbacks where a 10-foot side yard, 15-foot corner side yard, and 20-foot front and rear yard setback is required, and to allow 86% lot coverage where 50% lot coverage is the maximum allowed. Staff recommends denial of this request as the Site Development Plan Review (SDR-39121) does not meet the development standards as required by Title 19 for the C-1 (Limited Commercial) zoning district and the site, as proposed, will be overbuilt. In addition, the applicant has provided no evidence of unique or extraordinary circumstances pursuant to Title 19.18.070 that substantiate the requested Variance (VAR-39122). If denied, the property will remain in its current configuration with the southern half of the subject property undeveloped and the remaining northern half with two buildings.

ISSUES

- A Variance (VAR-39122) is required to allow a zero-foot front and rear yard setback where 20 feet is required; a zero-foot corner side yard setback where 15 feet is required; a zero-foot side yard setback where 10 feet is required; and 86% lot coverage where 50% is allowed.
- Waivers of Title 19.12.040 are required to allow no landscape buffer along the east, west and north perimeters where a 15-foot wide buffer is required and no landscape buffer along the south perimeter where eight feet is required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/20/06	The City Council approved a Rezoning (ZON-15045) from R-3 (Medium Residential) to C-1 (Limited Commercial); a Site Development Plan Review (SDR-15043) for a proposed 23,613 square-foot Office building with a Waiver of perimeter landscape buffer width requirements; a Waiver of the street tree planting requirements; a Variance (VAR-15048) to allow 55 percent lot coverage where 50 percent is the maximum lot coverage allowed; a Variance (VAR-15596) to reduce the front yard setback of 10 feet where 20 feet is the minimum setback required; and a Variance (VAR-15049) to allow 58 parking spaces where 79 spaces is the minimum required on 0.64 acres at the subject site. The Planning Commission had no recommendation; staff

	recommended denial.

Staff Report Page Two
September 23, 2010 - Planning Commission Meeting

09/25/08	The Planning Commission heard the requests for a Site Development Plan Review (SDR-29051) for a five-story Mixed Use development with 52,498 square feet of commercial space and seven residential units; a Special Use Permit (SUP-29306) for a Mixed Use development; and a Variance (VAR-29730) to allow 100% lot coverage where 50% is allowed and to allow no setbacks where a 10-foot front yard setback, a 15-foot corner side yard setback, a 10-foot side yard setback, and a 20-foot rear yard setback are required. These items were forwarded to the City Council with no recommendation. Staff recommended denial. NOTE: These items were tabled at the 11/05/2008 City Council.
10/15/08	The City Council approved the request for an Extension of Time (EOT-29831) of an approved Rezoning (ZON-15045) from R-3 (Medium Density Residential) and R-3 (Medium Density Residential) under Resolution of Intent to P-R (Professional Office and Parking) to C-1 (Limited Commercial) on 0.64 acres at the southwest corner of Seventh Street and Chef Andre Rochat Place. Staff recommended approval.
07/23/10	The technical review for a Reversionary Map (PMP-38638) was approved by Planning and Development staff for a reversion to acreage for four lots, approximately .65 acres. The map has not been recorded.

Most Recent Change of Ownership	
03/02/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no active building permits or business licenses associated with this request.

Pre-Application Meeting	
07/28/2010	A pre-application meeting was held with staff to discuss the applicant's request to develop a five-story Office building covering four adjacent lots located at the southwest corner of 7th Street and Chef Andre Rochat Place. Due to the chosen design path, an approved Variance for building setbacks was determined to be necessary prior to the issuance of building permits.

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

Field Check	
08/19/10	A field check was conducted by staff with the following observations: • There are two vacant single-family homes and a two undeveloped lots on the proposed site. • The site is located across the street from the historic Las Vegas Academy High School campus.

Details of Application Request	
Site Area	
Gross Acres	0.65

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Offices/Undeveloped Lots	C (Commercial)	C-1 (Limited Commercial)
North	Apartments	C (Commercial)	C-1 (Limited Commercial)
South	Parking Lot	C (Commercial)	C-1 (Limited Commercial)
East	High School	PF (Public Facilities)	C-V (Civic)
West	Restaurant/Offices/Parking Lots	C (Commercial)	C-1 (Limited Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area		X	NA
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
H (Historic Designation)	X		Y
Live/Work Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	NA
Las Vegas Redevelopment Plan Area		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.050, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Width	100 Feet	205 Feet	Y
Min. Setbacks			
• Front	20 Feet	0 Feet	N
• Side	10 Feet	0 Feet	N
• Corner	15 Feet	0 Feet	N
• Rear	20 Feet	0 Feet	N
Max. Lot Coverage	50 %	86 %	N
Max. Building Height	NA	120 Feet	Y
Trash Enclosure	Screened, w/ a Roof or Trellis	Internally located	Y
Mech. Equipment	Screened	Internally located	Y

Pursuant to Title 19.12.040, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	5 Trees	0 Trees	N
• South	1 Tree / 30 Linear Feet	3 Trees	0 Trees	N
• East	1 Tree / 20 Linear Feet	10 Trees	0 Trees	N
• West	1 Tree / 30 Linear Feet	7 Trees	0 Trees	N
TOTAL PERIMETER TREES		**25 Trees**	**0 Trees**	**N**
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		0 Feet	N
• South	8 Feet		0 Feet	N
• East	15 Feet		0 Feet	N
• West	8 Feet		0 Feet	N

Functional Classification of Street(s)	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
7th Street: *Local*	N/A	45	N/A
Chef Andre Rochat Place: *Local*	N/A	45	N/A

Pursuant to Title 19.04 and 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Office	55,132 SF	1:300 SF	184		184		
TOTAL SPACES REQUIRED			**184**		**184**		Y
Regular and Handicap Spaces Required			178	6	178	6	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
A 15-foot wide landscape buffer adjacent to right-of-way.	To allow no landscape buffer along 7th Street and Chef Andre Rochat Place.	Denial
An eight-foot wide landscape buffer along the interior perimeter.	To allow no landscape buffer along the west and west perimeter.	Denial

ANALYSIS

Although the subject site is located within close proximity of the Downtown Centennial Master Plan and would meet or exceed those Design Standards, it is important to note that this proposal is bound to the standard Title 19.08.050 Commercial and Industrial Development Standards and the Title 19.12.040 Perimeter Landscape Buffering requirements. As such, the proposed scope of development exceeds the limitations in required setbacks and lot coverage as required by Title 19.08.050 for the C-1 (Limited Commercial) zoning district.

In relation to the zero-foot setbacks, there are insufficient landscape buffers widths provided adjacent to the public rights-of-way or the interior perimeter. Per Title 19.12, the applicant is required to provide a 15-foot wide landscape buffer inside the property line with a 24-inch box tree spaced 20 feet apart along 7th Street and Chef Andre Rochat Place and an eight-foot wide landscape buffer with 24-inch box trees along the south and west perimeters.

In order to address the deficiency of on-site landscaping that stems from the proposed zero-foot build-to line, the applicant is proposing enhanced streetscaping along the existing detached sidewalks on 7th Street and Chef Andre Rochat Place, with 24-inch box trees spaced 14-feet, six-inches apart within the existing landscape planter. No landscaping has been proposed along the public alley or southern property line.

The materials specified on the landscape plan are acceptable for the surrounding area. Although ineligible for consideration as perimeter buffer trees, the applicant proposes to install 20 24-inch box trees within the detached sidewalk planter along 7th Street and Chef Andre Rochat Place. In addition to the proposed streetscape trees, an additional 14 trees are proposed on the third floor roof garden along the southern and eastern building edge.

Considering the dark appearance of the brick building, a darker broad-leafed street tree, such as the proposed Raywood Ash, would be acceptable for the site. However, if Raywood Ash trees are utilized, the spacing between each tree should be revised from 14 feet to a minimum of 20 feet on-center. Consideration should be given to providing pathways, sidewalk extensions or other similar allowances within the amenity zones adjacent to Seventh Street and Chef Andre Rochat Place in order to reduce the loss of landscape due to pedestrian traffic and soil compaction.

Provided that 14% of the tree population in Downtown Las Vegas consists of Ash trees, consideration should be given to the possibility of utilizing other species in order to better prevent monocultures. The following alternative tree species could be considered for the proposed building:

Seventh Street:

- *Gleditsia triacanthos* (Thornless Honey Locust and related cultivars, including 'Imperial', 'Shademaster', 'Skyline' or 'Trueshade') spaced at a minimum of 20-feet on center.
- *Pistachia chinensis* (Chinese Pistache and related cultivars, including 'Red Push') spaced a minimum of 20-feet on center.

Chef Andre Rochat Place (*Due to the anticipated shade that Chef Andre Rochat Place will receive due to the northern exposure and 50-foot adjacent building, the following species should be considered*):

- *Arbutus unedo* (Strawberry Tree) spaced 20 to 25 feet on center.
- *Elaeocarpus decipiens* (Japanese Blueberry Tree) 18 to 20 feet on center.

The subject property is located within the Las Vegas High School Historic District, which is not on the local City of Las Vegas historic property register. Two structures located on the proposed site have a substantial historic interest as they are greater than 70 years old, but are also not on the City of Las Vegas historic property register. One of those structures, located at 408 South 7th Street, is a Spanish Revival home constructed in 1931 for R.B. Griffith. This house was later the residence of Pop Squires, who was the publisher of *The Las Vegas Age* for forty years. Most of the single-family homes in the district have been converted to professional office space over the past decade. An off-street Multi-Use Transportation Trail is shown along the 7th Street right-of-way. This trail will be installed along the east side of the street and thus does not apply to this project.

Staff recommends denial of this Site Development Plan Review (SDR-39121), as the proposed development does not meet the development standards as required by Title 19 for the C-1 (Limited Commercial) zoning district, and the site, as proposed, will be overbuilt, as is evidenced by the requested Variance and Waivers.

FINDINGS (VAR-39122)

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 placing the building adjacent to the property line. Even with an alternative design showing the required 20-foot front setback, 15-foot corner side setback, 10-foot side setback, and 20-foot rear setback, the applicant would need to further reduce the building's footprint by approximately 4,400 square feet in order to meet the 50% lot coverage requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (SDR-39121)

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 contextually compatible with the neighboring four-story apartment building to the north, the three-story office building to the southwest, and the high school campus to the east; however, the proposed development does not meet the minimum requirements of the C-1 (Limited Commercial) zoning district development standards and is not compatible in scale with the residential and commercial development to the south.

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

   The proposed development is consistent with the applicable Objectives listed for the Neighborhood Revitalization Area as stated in the Master Plan and the stated objective of the Redevelopment Plan. However, the streetscape alternative to the required landscape buffers along with the zero-foot building setbacks do not meet the development standards as required by Title 19.

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

   The proposed primary public access to the Office building is through the subterranean parking garage located off of 7th Street. A secondary, private access is provided via the public alley that runs west along the rear side of the building. Staff finds that the proposed access should not negatively impact the traffic flow of the area.

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

   Although staff is recommending denial based upon the scope of the proposed development, the provided brick façade and tree-lined sidewalks are appropriate for the area and the City.

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

   The proposed building elevations and aesthetic features are not unsightly, undesirable, or obnoxious in appearance. The proposed tree-lined sidewalks along the east and north sides of the building create an orderly and aesthetically pleasing environment and are harmonious and compatible with development in the area.

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

   If approved, the proposed development will be subject to inspection during both building construction and business licensing and will therefore not compromise the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 26

NOTICES MAILED 127

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-39122** APN: 139-34-710-030, -031, -032, -033

Name of Property Owner: EVAPS, LLC

Name of Applicant: Robert T. Eglet

Name of Representative: Scott Brown, Architect

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Robert T. Eglet

Print Name: Robert T. Eglet

Subscribed and sworn before me

This 9th day of July, 2010

Kathryn D. Hardesty

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KATHRYN D. HARDESTY
Appt. No. 92-0380-1
My Appt. Expires July 30, 2012

RECEIVED
AUG 09 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Variance: 19.08.050 no setbacks (all sides) and 86% lot coverage

Project Address (Location) 400 South 7th Street

Project Name Law Offices **Proposed Use** Office

Assessor's Parcel #(s) 139-34-710-030, -031, -032, -033 **Ward #** 3 - Gary Reese

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

Commercial Square Footage 55,132 SF gross **Floor Area Ratio**

Gross Acres 0.65 net **Lots/Units** 1 **Density**

Additional Information Multi-story office building with parking garage

PROPERTY OWNER EVAPS, LLC **Contact** Robert T. Eglet

Address 400 South 4th Street #600 **Phone:** (702) 450-5400 **Fax:** (702) 450-5451

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

E-mail Address n/a

APPLICANT -Same as Property Owner- **Contact**

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

City **State** **Zip**

E-mail Address

REPRESENTATIVE DesignCell Architecture **Contact** Scott Brown, Architect

Address 10777 West Twain Ave. #125 **Phone:** (702) 403-1575 **Fax:** (877) 403-1575

City Las Vegas **State** NV **Zip** 89135

E-mail Address scott@designcell.cc

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 Robert T. Eglet

Subscribed and sworn before me

This 9th day of August, 2010.

Kathryn D. Hardesty

Notary Public in and for said County and State

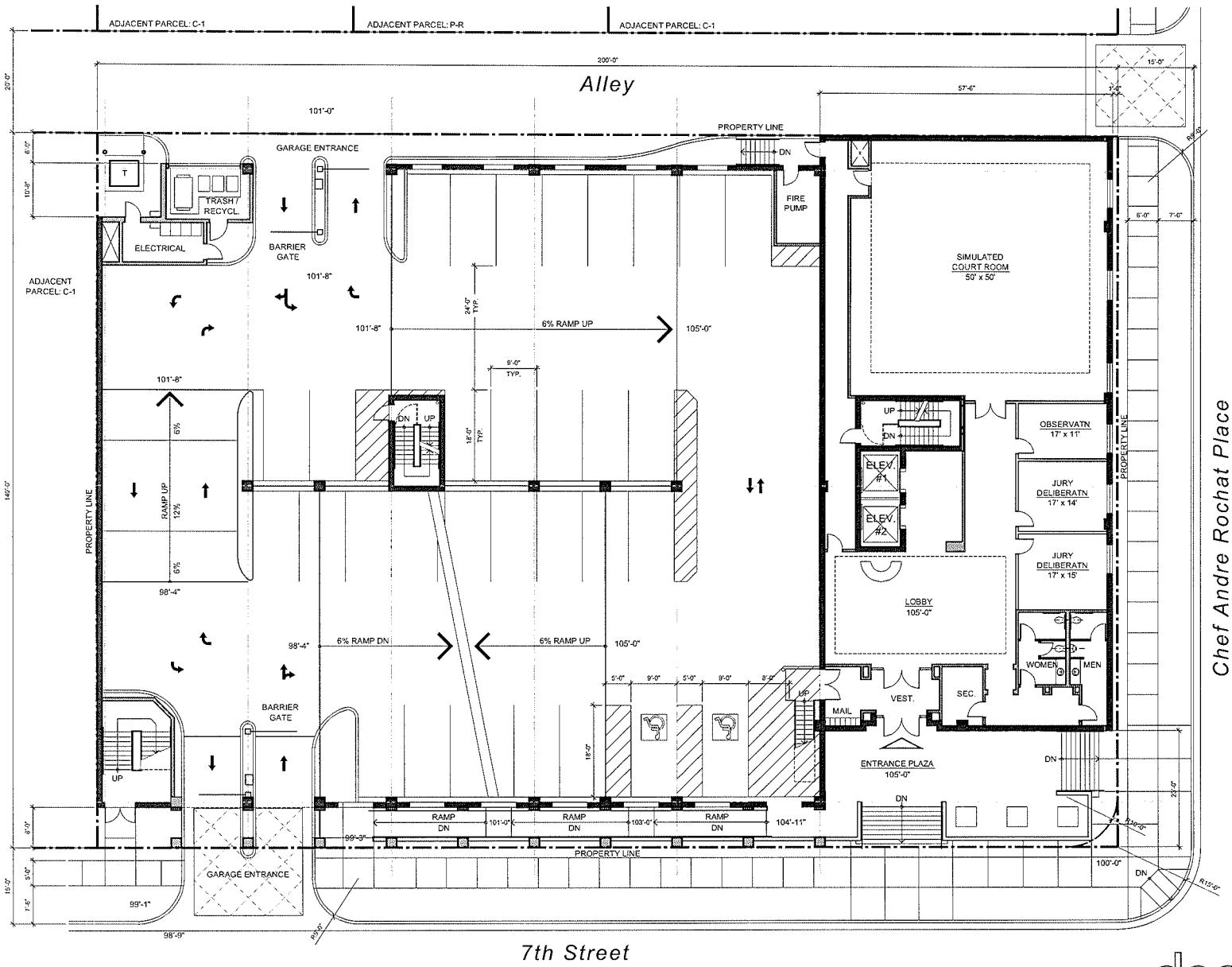
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KATHRYN D. HARDESTY
Appt. No. 92-0380-1
My Appt. Expires July 30, 2012

RECEIVED
AUG 09 2010

FOR DEPARTMENT USE ONLY

Case #	VAR 39122
Meeting Date:	9/23/10
Total Fee:	830.00
Date Received:*	8/9/10
Received By:	LHM

*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.



EVAPS Law Offices

SWC OF 7th & CHEF ANDRE ROCHAT
LAS VEGAS, NEVADA 89101

SITE PLAN / FIRST FLOOR PLAN

SCALE: 1" = 20'-0"
AUGUST 9, 2010

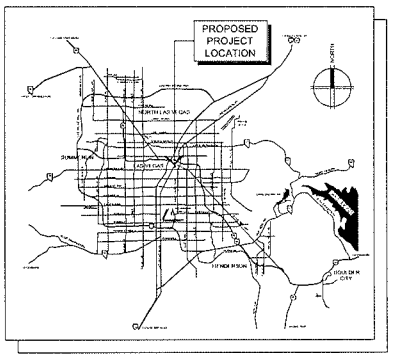
0 10' 20' 40'

1 LEVEL

SITE DATA

APN #	139-34-710-030 139-34-710-031 139-34-710-032 139-34-710-033	
CURRENT ZONING	C-1	
SITE AREA (NET)	28,000 SF	
BUILDING AREAS:		
OFFICE (GROSS):	LEVEL 1	6,587 SF
	LEVEL 2	N/A
	LEVEL 3	16,553 SF
	LEVEL 4	15,996 SF
	LEVEL 5	15,996 SF
TOTAL OFFICE:		55,132 SF GROSS
PARKING GARAGE:	LEVEL 2	14,100 SF
	LEVEL 1	17,600 SF
	LEVEL P1	24,500 SF
	LEVEL P2	24,500 SF
TOTAL PARKING GARAGE:		80,700 SF GROSS
PARKING REQUIRED:		
OFFICE (GROSS) (1/300 SF):		184 SPACES
OF WHICH ACCESSIBLE:		6 SPACES (1 VAN)
PARKING PROVIDED:		
REGULAR:		170 SPACES
COMPACT:		8 SPACES (4.5%)
ACCESSIBLE:		6 SPACES (INCL. 1 VAN)
TOTAL:		184 SPACES
F.A.R (OFFICE+PKG. GARAGE) / SITE:		4.9

VICINITY MAP

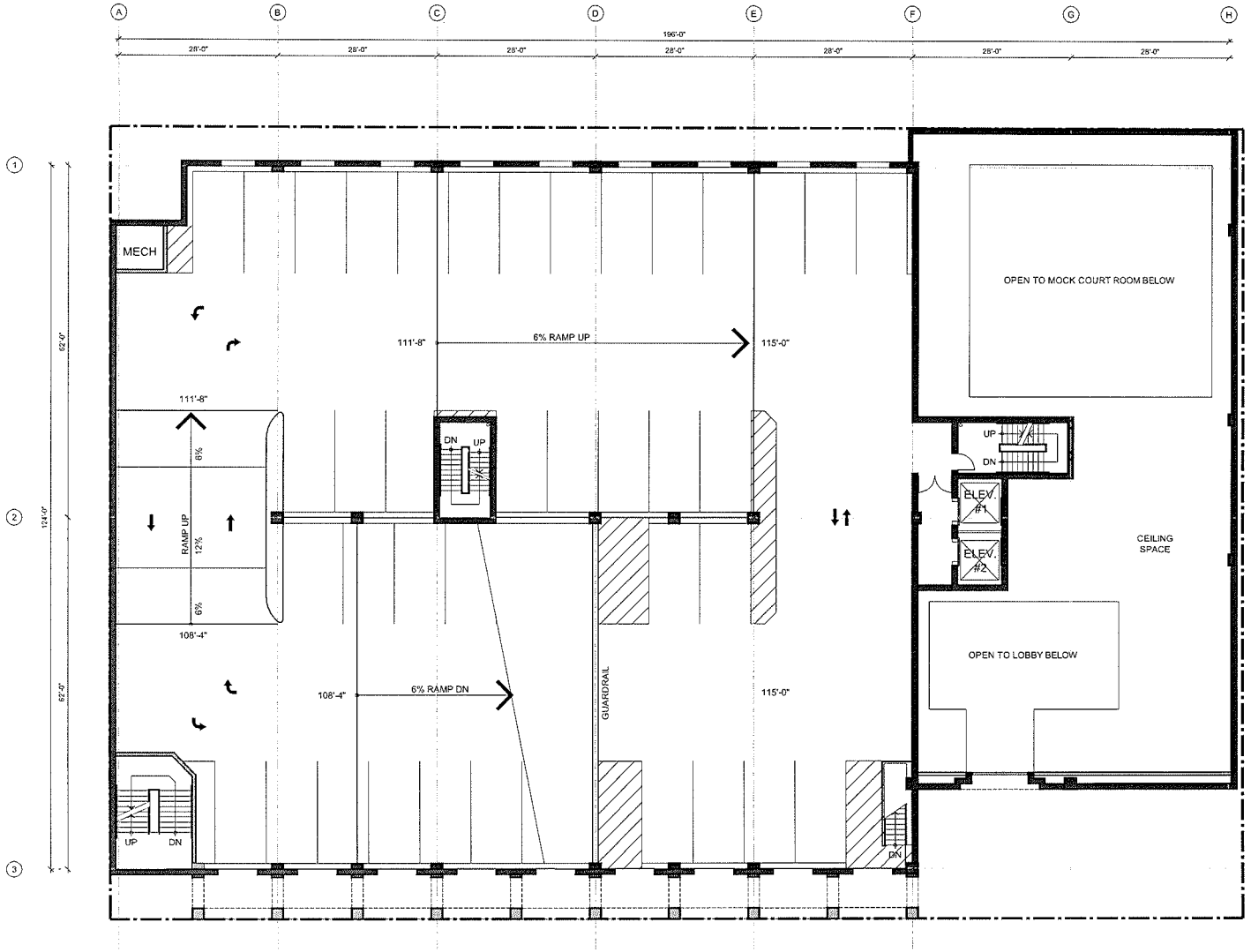


designcell
10777 W.TWAIN AVE, STE 125 T 702-403-1575
LAS VEGAS, NV 89135 WWW.DESIGNCELL.CC

DR01

RECEIVED
AUG 09 2010

VAR-39122
SDR-39121



2 LEVEL

EVAPS Law Offices

SWC OF 7th & CHEF ANDRE ROCHAT
LAS VEGAS, NEVADA 89101

SECOND FLOOR PLAN

SCALE: 1" = 20'-0"
AUGUST 9, 2010

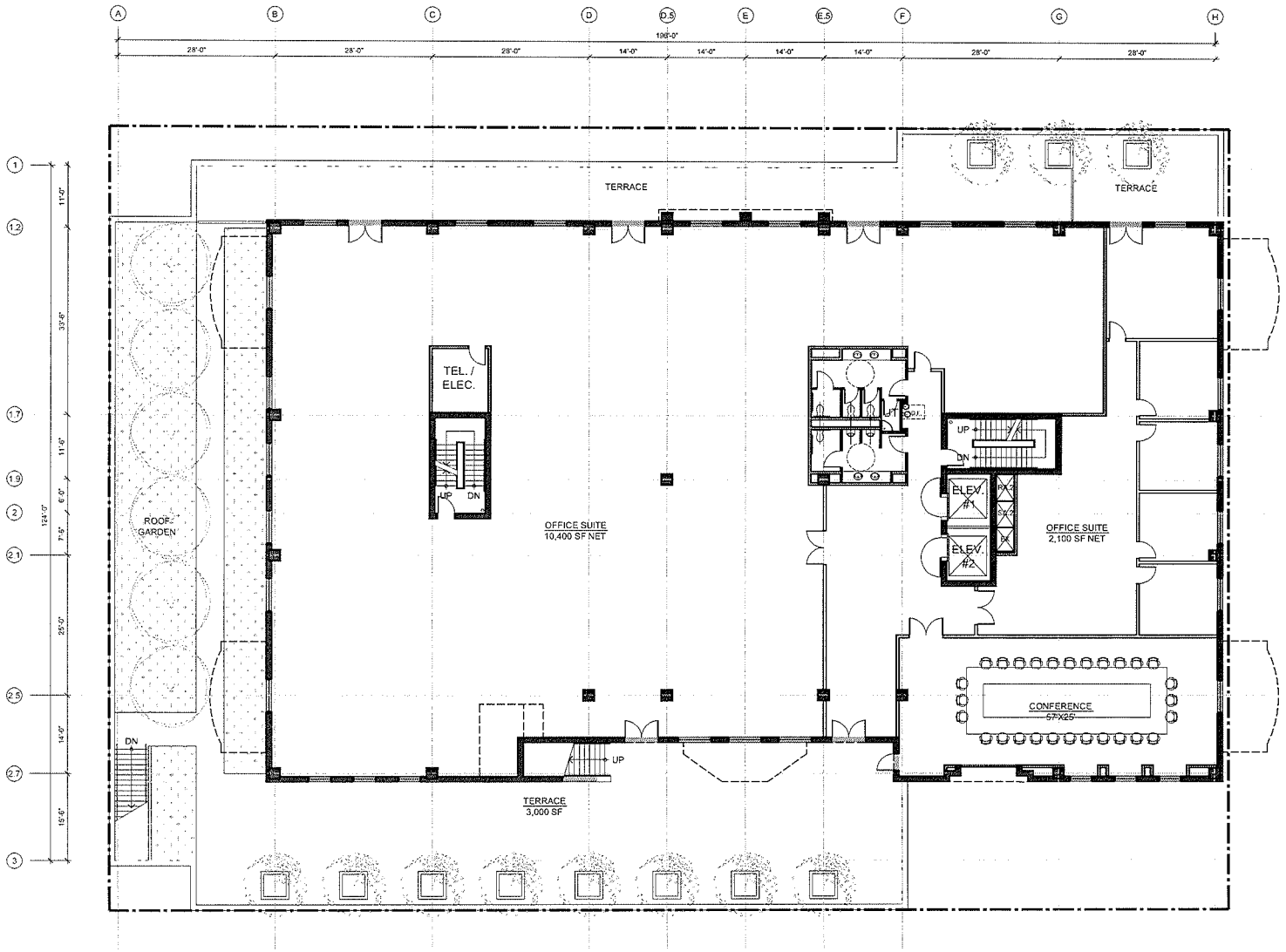
0 10' 20' 40'

NORTH

designcell
10777 W.TWAIN AVE, STE 125 T 702-403-1575
LAS VEGAS, NV 89135 WWW.DESIGNCELL.CC

DR02

VAR-39122 RECEIVED
SDR-39121 AUG 09 2010



3 LEVEL

EVAPS Law Offices

SWC OF 7th & CHEF ANDRE ROCHAT
LAS VEGAS, NEVADA 89101

THIRD FLOOR PLAN

SCALE: 1" = 20'-0"
AUGUST 9, 2010

0 10' 20' 40'

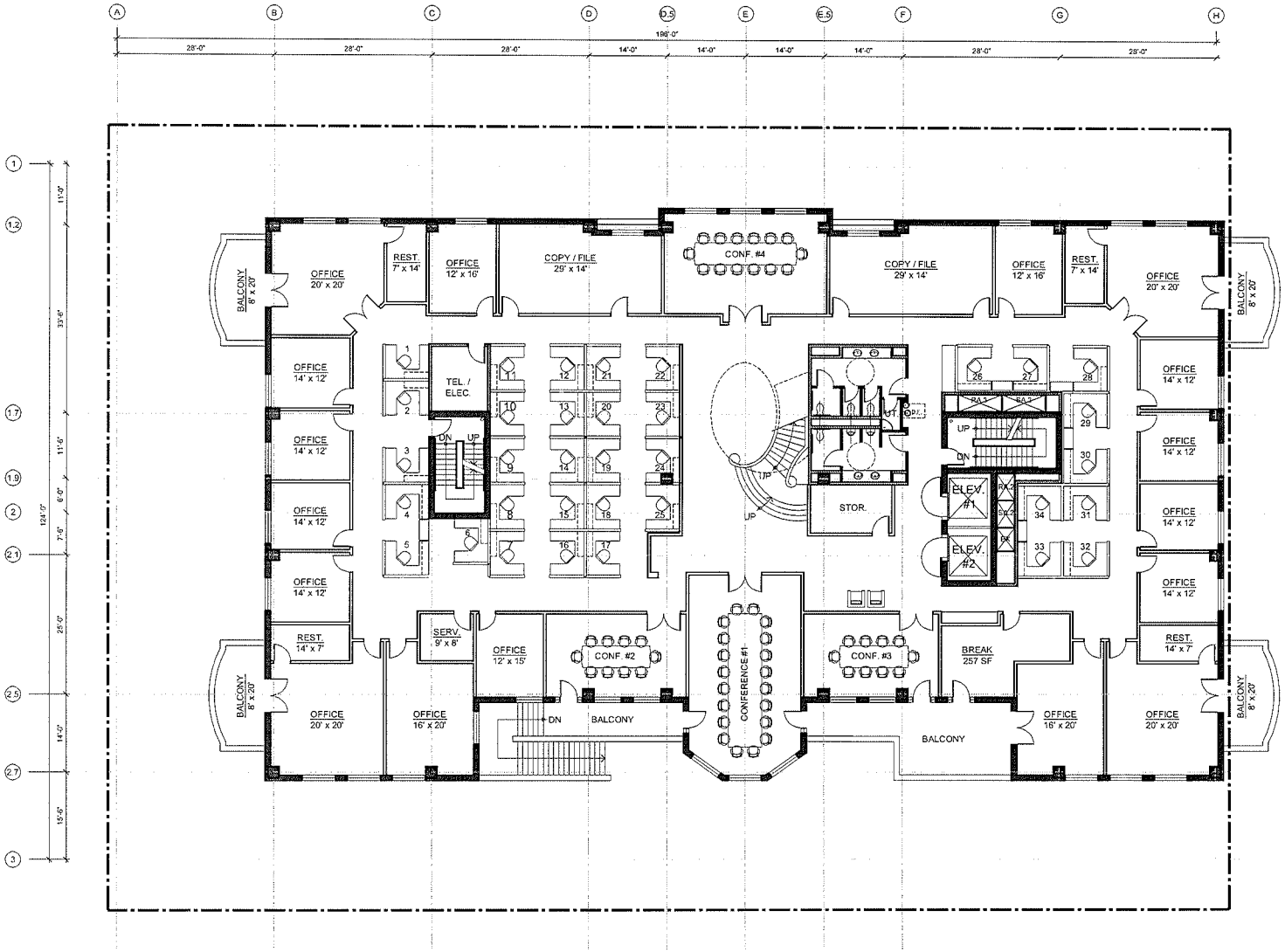
NORTH

designcell
10777 W.TWAIN AVE, STE 125 T 702-403-1575
LAS VEGAS, NV 89135 WWW.DESIGNCELL.CC

DR03

VAR-39122
SDR-39121

RECEIVED
AUG 09 2010



4 LEVEL

EVAPS Law Offices

SWC OF 7th & CHEF ANDRE ROCHAT
LAS VEGAS, NEVADA 89101

FOURTH FLOOR PLAN

SCALE: 1" = 20'-0"
AUGUST 9, 2010

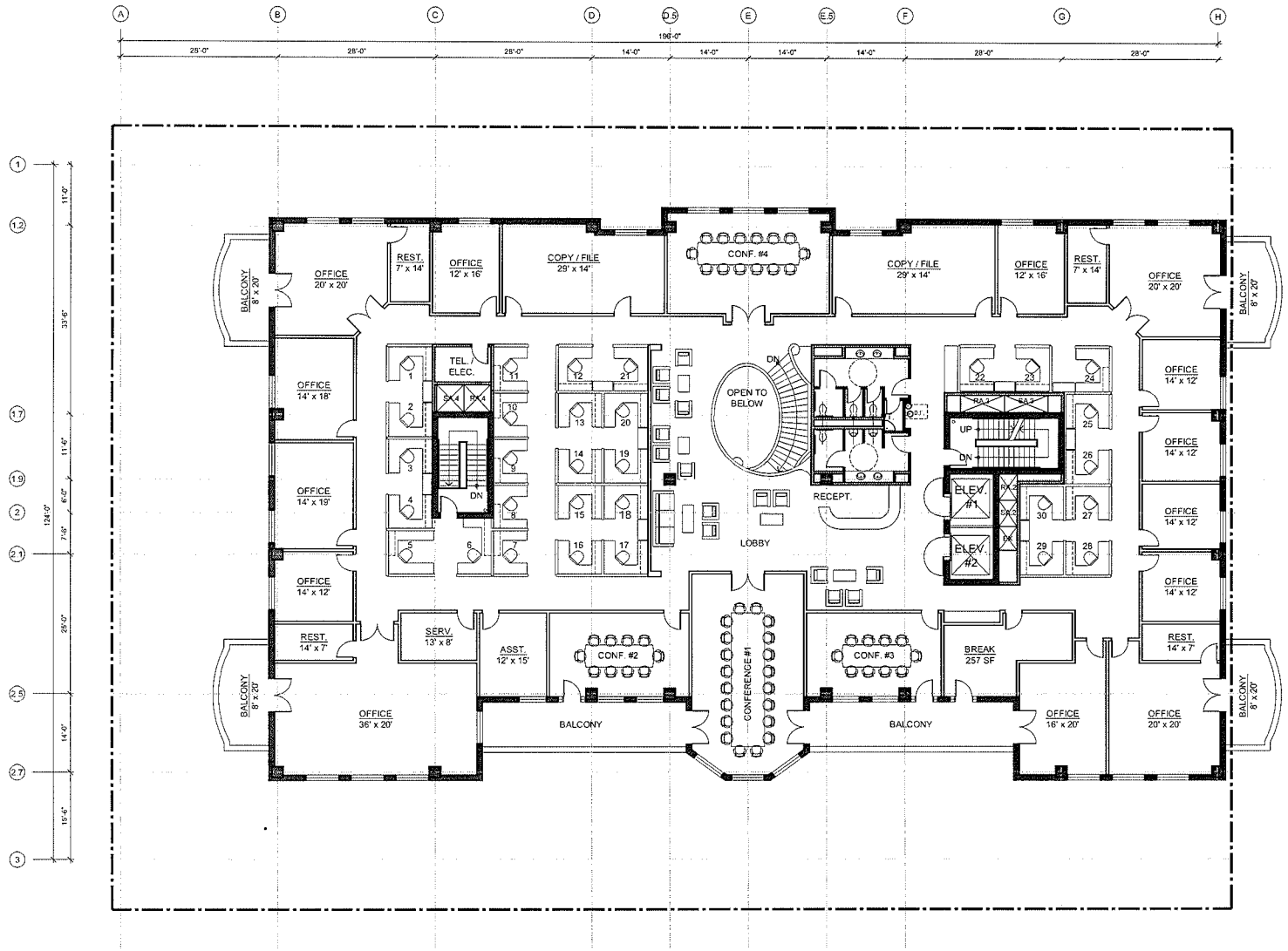
0 10' 20' 40'

designcell
10777 W.TWAIN AVE, STE 125 T 702-403-1575
LAS VEGAS, NV 89135 WWW.DESIGNCELL.COM

DR04

VAR-39122
SDR-39121

RECEIVED
AUG 09 2010



5 LEVEL

EVAPS Law Offices

SWC OF 7th & CHEF ANDRE ROCHAT
LAS VEGAS, NEVADA 89101

FIFTH FLOOR PLAN

SCALE: 1" = 20'-0"
AUGUST 9, 2010

0 10' 20' 40'

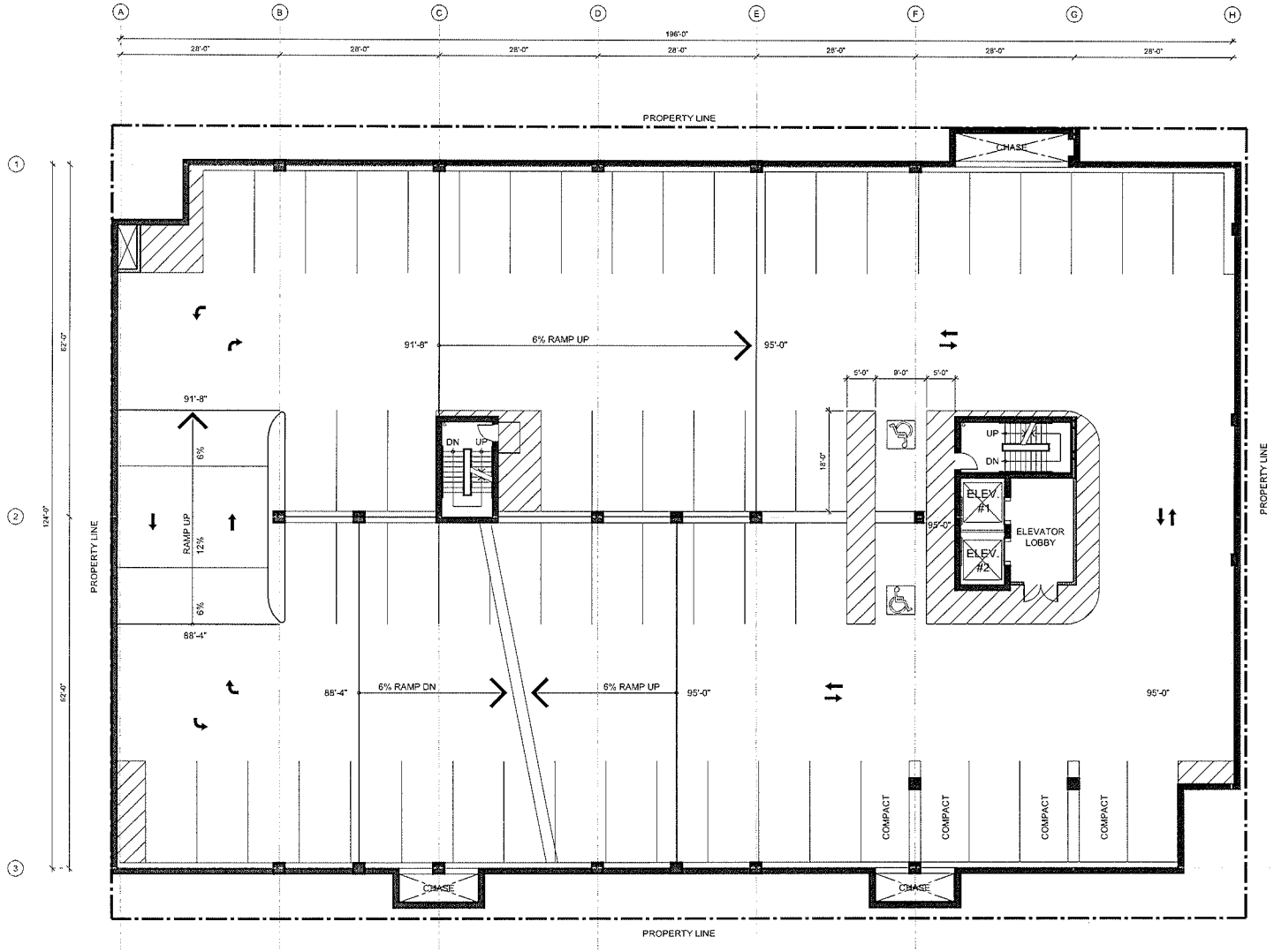
NORTH

designcell
10777 W.TWAIN AVE, STE 125 T 702-403-1575
LAS VEGAS, NV 89135 WWW.DESIGNCELL.CC

DR05

RECEIVED
AUG 09 2010

VAR-39122
SDR-39121



P1
LEVEL

EVAPS Law Offices

SWC OF 7th & CHEF ANDRE ROCHAT
LAS VEGAS, NEVADA 89101

BASEMENT LEVEL 1 FLOOR PLAN

SCALE: 1" = 20'-0"
AUGUST 9, 2010

0 10' 20' 40'

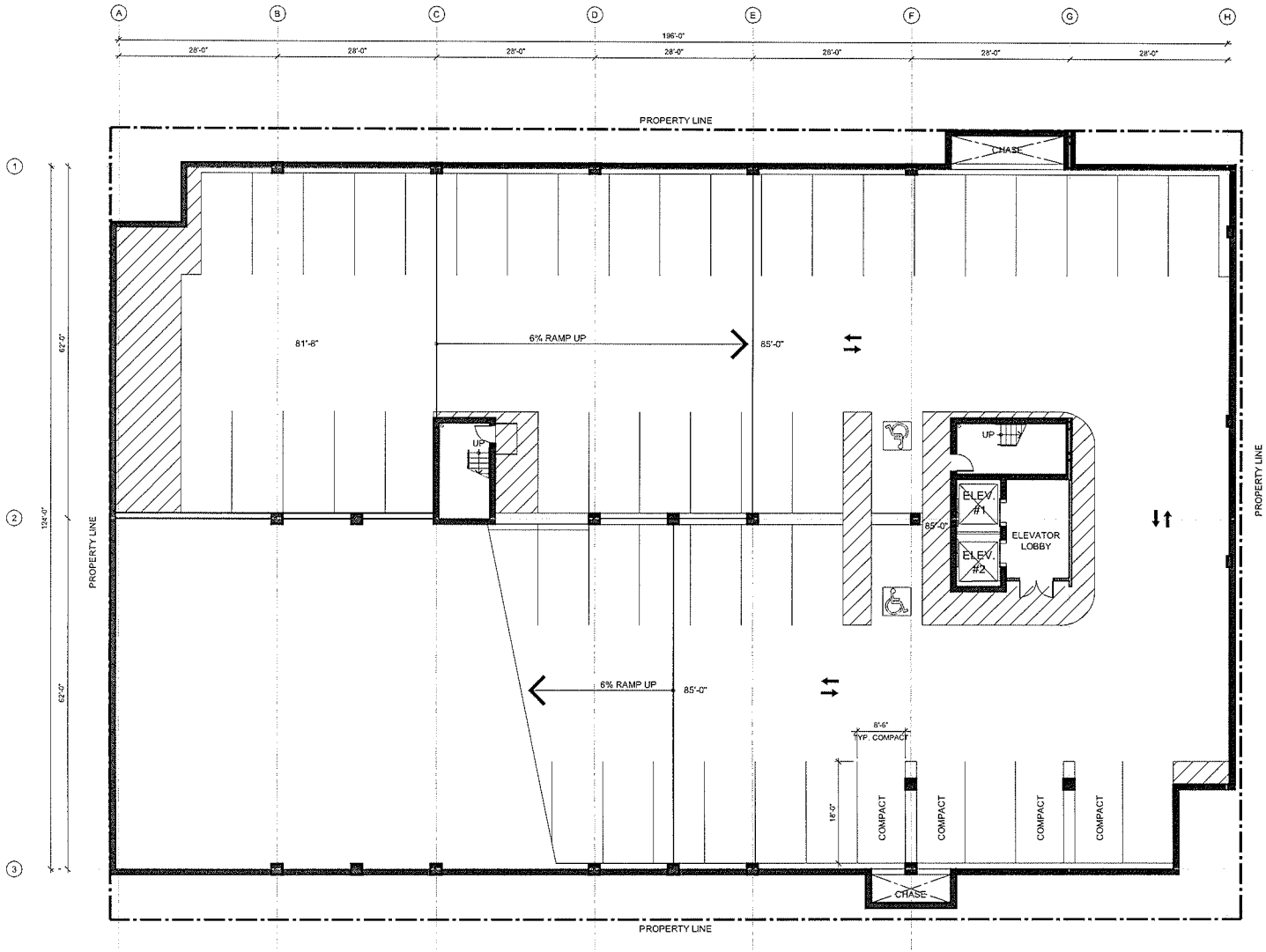
NORTH

designcell
10777 W.TWAIN AVE, STE 125 T 702-403-1575
LAS VEGAS, NV 89135 WWW.DESIGNCELL.CO

DR06

RECEIVED
AUG 09 2010

SDR-39121
09/23/10 PC



P2 LEVEL

EVAPS Law Offices

SWC OF 7th & CHEF ANDRE ROCHAT
LAS VEGAS, NEVADA 89101

BASEMENT LEVEL 2 FLOOR PLAN

SCALE: 1" = 20'-0"
AUGUST 9, 2010

0 10' 20' 40'

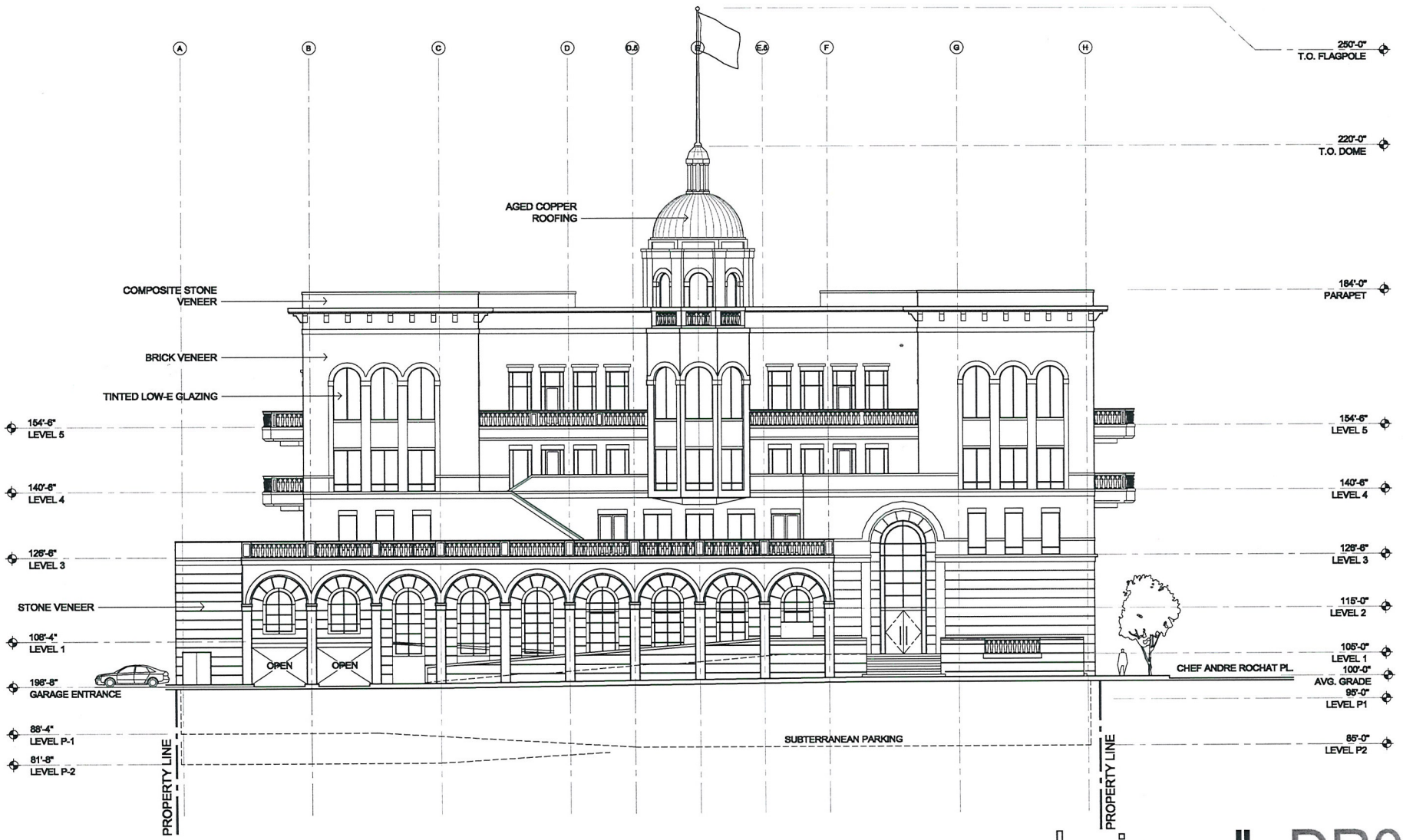
NORTH

VAR-39122
SDR-39121

designcell
10777 W.TWAIN AVE, STE 125 T 702-403-1575
LAS VEGAS, NV 89135 WWW.DESIGNCELL.CC

DR07

RECEIVED
AUG 09 2010



EVAPS Law Offices

SWC OF 7th & CHEF ANDRE ROCHAT
LAS VEGAS, NEVADA 89101

EAST ELEVATION

SCALE: 1" = 20'-0" BRICK
AUGUST 31, 2010

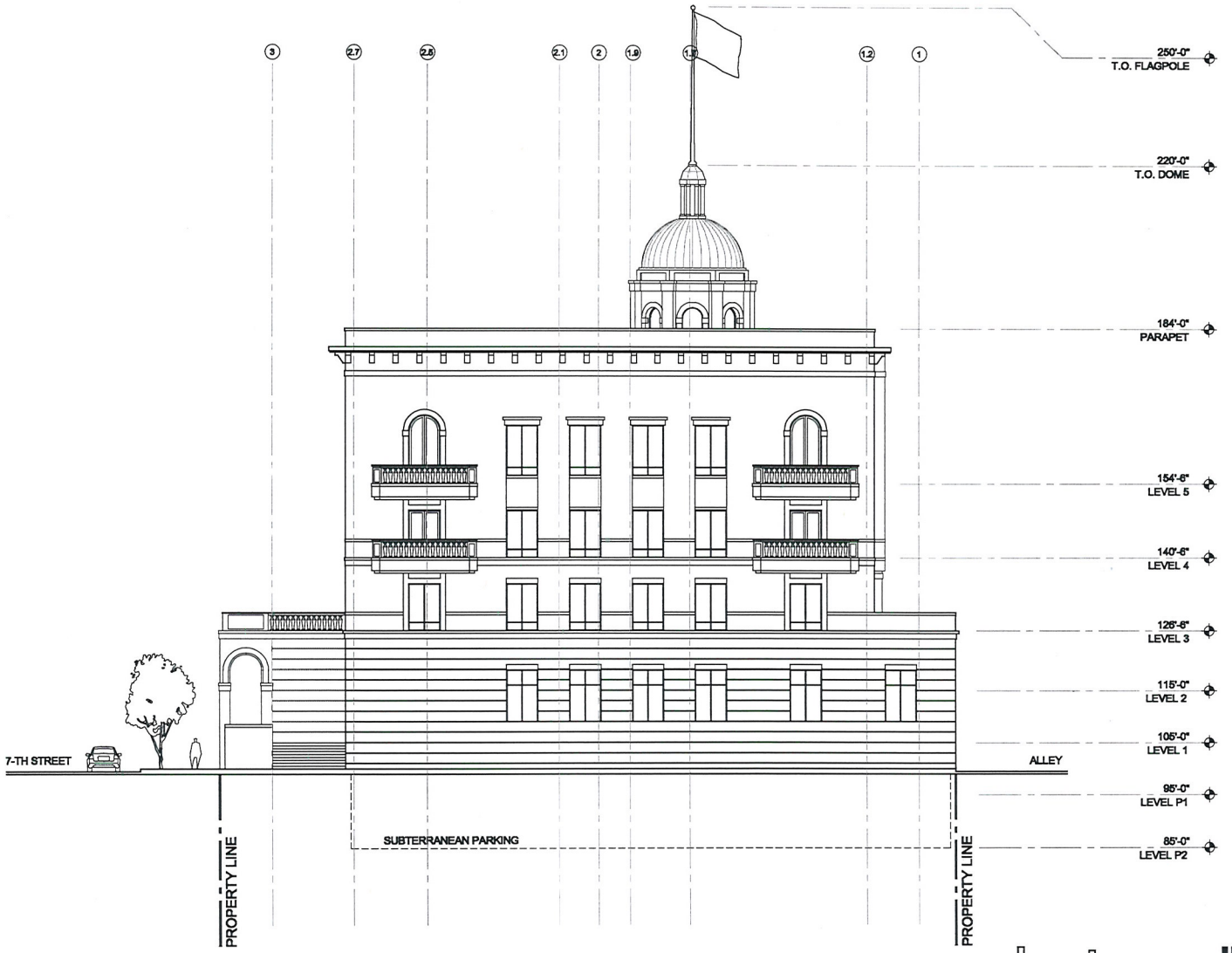
0 10' 20' 40'

designcell
10777 W.TWAIN AVE, STE 125 T 702-403-1575
LAS VEGAS, NV 89135 WWW.DESIGNCELL.CC

DR08

RECEIVED
SEP 01 2010

VAR-39122
SDR-39121
REVISED



EVAPS Law Offices

SWC OF 7th & CHEF ANDRE ROCHAT
LAS VEGAS, NEVADA 89101

NORTH ELEVATION

SCALE: 1" = 20'-0"
AUGUST 31, 2010

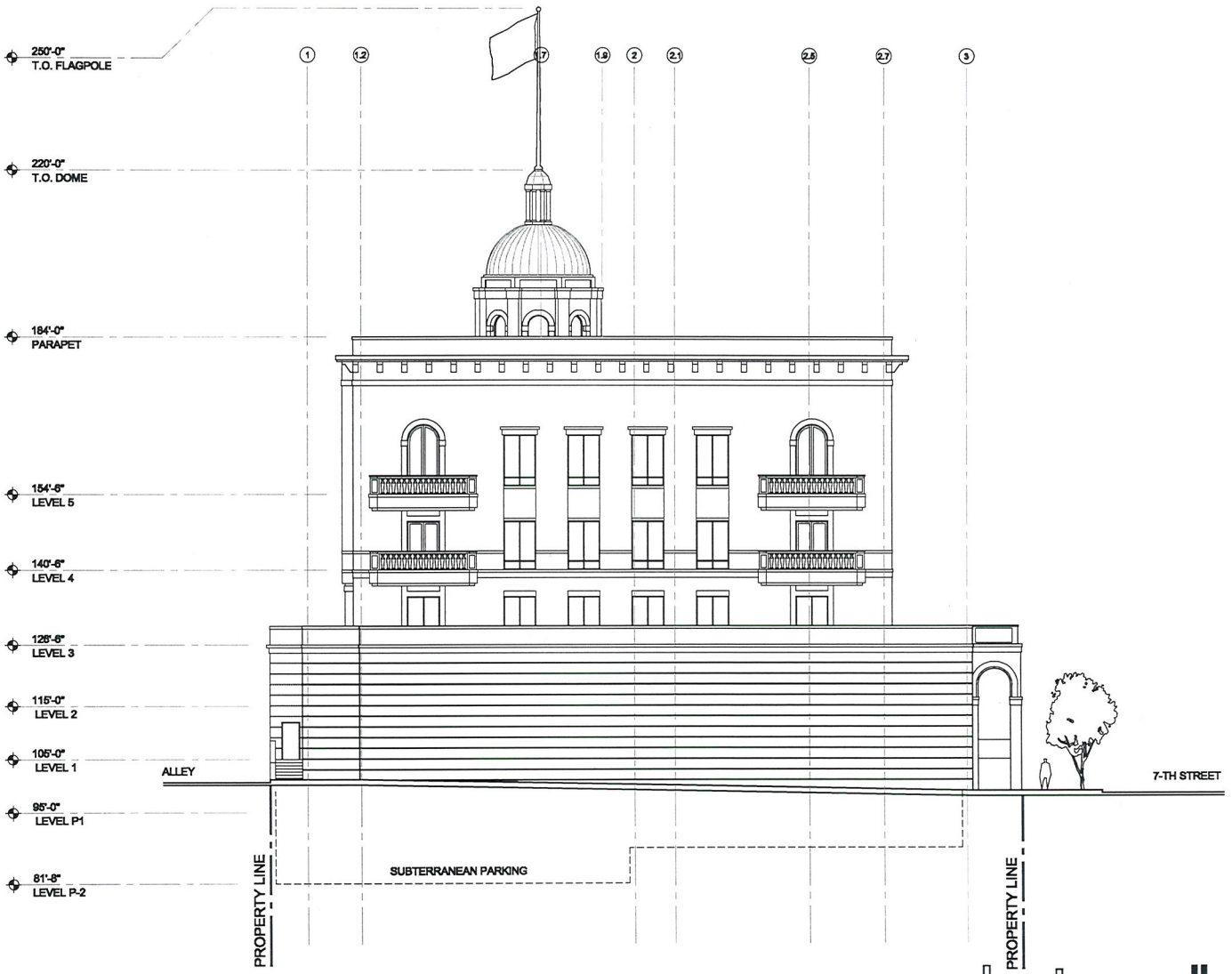
0 10' 20' 40'

designcell
10777 W.TWAIN AVE, STE 125 T 702-403-1575
LAS VEGAS, NV 89135 WWW.DESIGNCELL.CC

DR09

RECEIVED
SEP 01 2010

VAR-39122
SDR-39121
REVISED



EVAPS Law Offices

SWC OF 7th & CHEF ANDRE ROCHAT
LAS VEGAS, NEVADA 89101

SOUTH ELEVATION

SCALE: 1" = 20'-0"
AUGUST 31, 2010

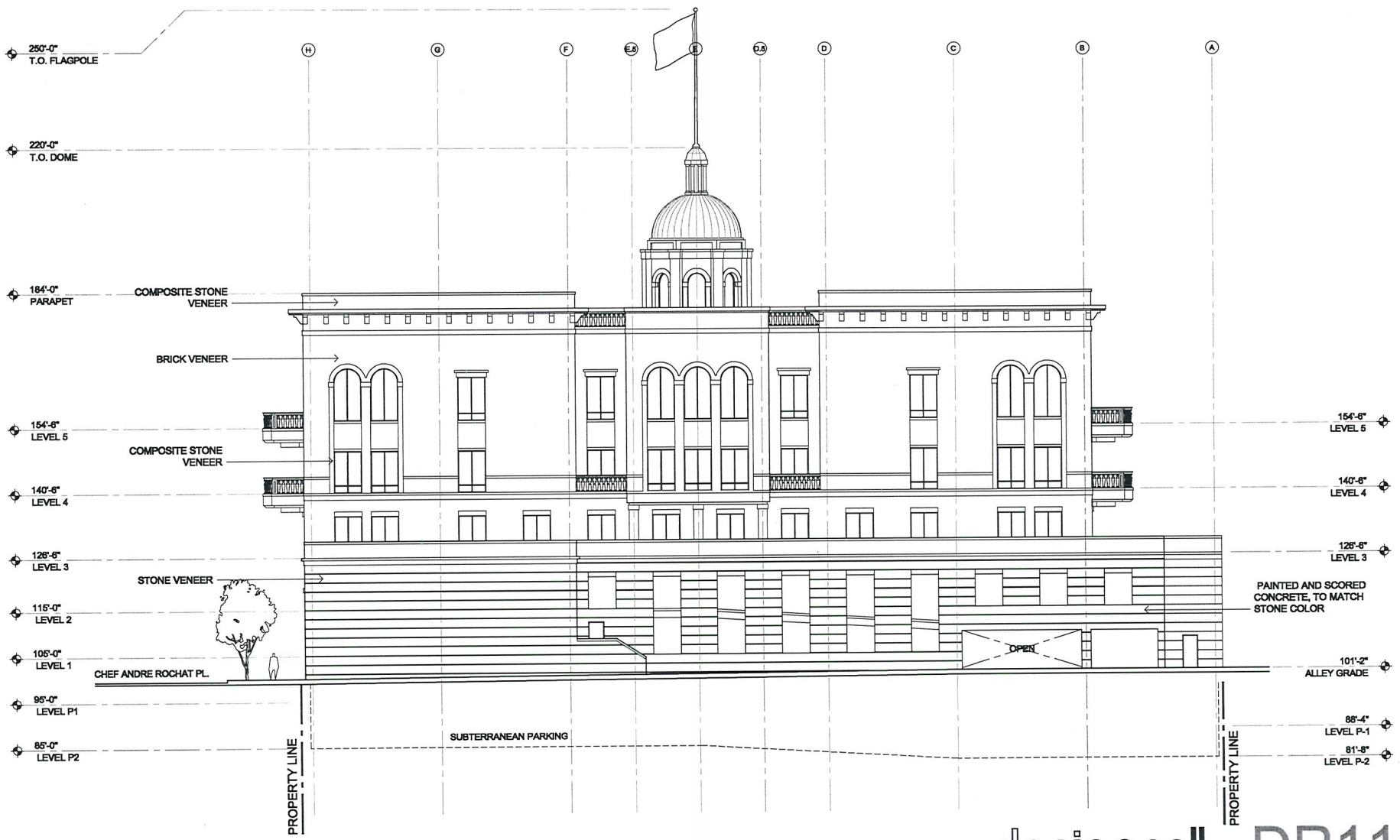
0 10' 20' 40'

designcell
10777 W.TWAIN AVE, STE 125 T 702-403-1575
LAS VEGAS, NV 89135 WWW.DESIGNCELL.CO

DR10

RECEIVED
SEP 01 2010

VAR-39122
SDR-39121
REVISED



EVAPS Law Offices

SWC OF 7th & CHEF ANDRE ROCHAT
LAS VEGAS, NEVADA 89101

WEST ELEVATION

SCALE: 1" = 20'-0"
AUGUST 31, 2010

0 10' 20' 40'

designcell
10777 W.TWAIN AVE, STE 125 T 702-403-1575
LAS VEGAS, NV 89135 WWW.DESIGNCELL.CC

DR11

VAR-39122
SDR-39121
REVISED

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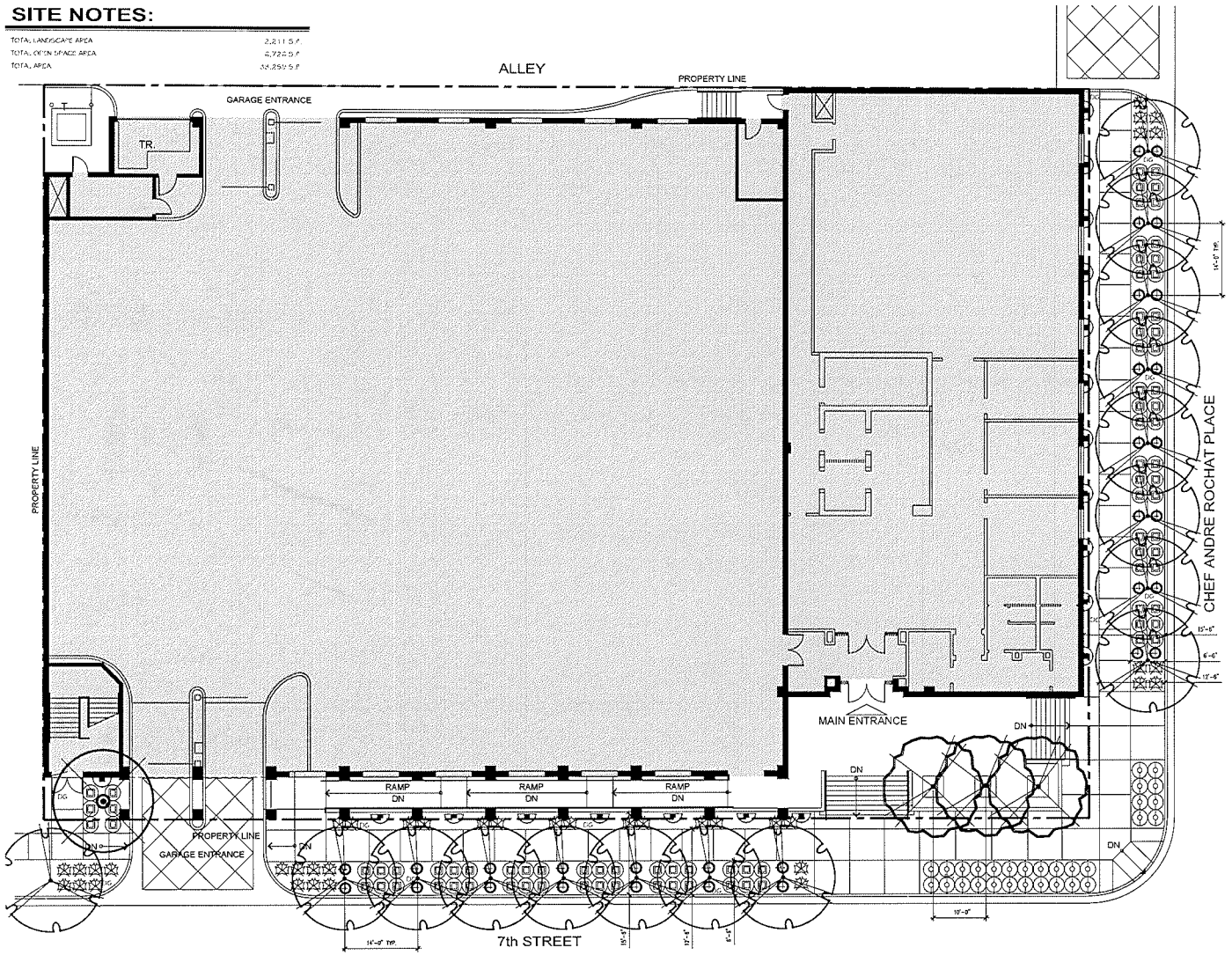
SEP 01 2010

SITE NOTES:

TOTAL LANDSCAPE AREA	2,211 S.F.
TOTAL OPEN SPACE AREA	4,724 S.F.
TOTAL AREA	33,259 S.F.



southwick LANDSCAPE ARCHITECTS

12 Commerce Center Drive
Henderson NV 89014

www.southwickla.com
702.597.3108

1 LEVEL

PLANTING LEGEND

TREES

SYMBOL	BOTANICAL NAME / COMMON NAME	QTY	CALIPER / MINIMUM SIZE
	ARBUTUS UNEDO / STRAWBERRY TREE / MULTI-TRUNK	1	1 1/2" / 24" BOX
	FRAXINUS ANGUSTIFOLIA RAYWOOD / RAYWOOD ASH	16	1 1/2" / 24" BOX
	PRUNUS CERASTERA ATROPURPUREA / PURPLE-LEAF PLUM	3	1 1/4" / 24" BOX

SHRUBS

SYMBOL	BOTANICAL NAME / COMMON NAME	QTY	MINIMUM SIZE
	BUXUS MICROPHYLLA JAPONICA / JAPANESE BOXWOOD	84	5 GALLON
	DALEA CAPITATA SIERRA GOLD TM / SIERRA GOLD DALEA	39	5 GALLON
	HEDERA HELIX / ENGLISH IVY / VINE	17	5 GALLON
	JUNIPERUS HORIZONTALIS BLUE CHIP / BLUE CHIP JUNIPER	30	5 GALLON
	VINCA MAJOR / VINCA	36	1 GALLON

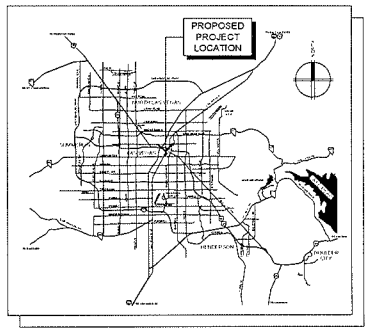
LANDSCAPE ELEMENTS

SYMBOL	DESCRIPTION	QTY	DETAIL
DG	CRUSHED SLATE GROUNDCOVER SIZE 1/2" 1 1/2" COLOR BLUE/GRAY 2" MINIMUM DEPTH SEE NOTE #2	2,898 S.F.	X LX.XX

PLANTING NOTES

1. SEE SHEET LX.XX FOR PLANTING DETAILS
2. CRUSHED SLATE GROUNDCOVER (DG) - INSTALL THE MINIMUM LAYER OF CRUSHED SLATE IN ALL LANDSCAPE AREAS WITHIN LANDSCAPE LIMIT OF WORK EXCEPT WHERE NOTED OTHERWISE. CONTRACTOR TO PROVIDE SAMPLES OF DECOMPOSED GRANITE/ROCK FOR APPROVAL BEFORE PLACING GRANITE. COMPACT SUB-GRADE TO 85% AND APPLY A PRE-EMERGENT HERBICIDE TO SOIL. AFTER PLACING GRANITE RAKE SMOOTH, WET TO ENTIRE DEPTH, ALLOW TO DRY, THEN LIGHTLY SCARIFY SURFACE WITH A LEAF RAKE. APPLY A SECONDARY APPLICATION OF PRE-EMERGENT HERBICIDE TO TOP OF GRANITE. DO NOT ALLOW GRANITE TO TOUCH THE TRUNK OF ANY TREE. INSTALL AFTER INSTALLATION OF PLANT MATERIAL.
4. ANY TREE PLANTED WITHIN 5 FEET OF A SIDEWALK OR WALL SHALL BE PLANTED WITH A ROOT GUARD DESIGNED TO DIRECT ROOT GROWTH DOWNWARD. SEE DETAIL X, SHEET

VICINITY MAP



EVAPS Law Offices

SWC OF 7th & CHEF ANDRE ROCHAT
LAS VEGAS, NEVADA 89101

PRELIMINARY PLANTING PLAN

SCALE: 1" = 10'-0"
AUGUST 9, 2010

0 10' 20' 40'

NORTH

designcell

10777 W.TWAIN AVE, STE 125 T 702-403-1575
LAS VEGAS, NV 89135 WWW.DESIGNCELL.CC

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VAR-39122
SDR-39121

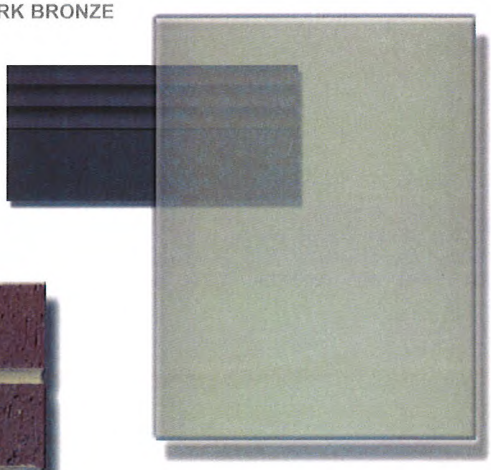
designcell
ARCHITECTURE

MATERIAL FINISHES

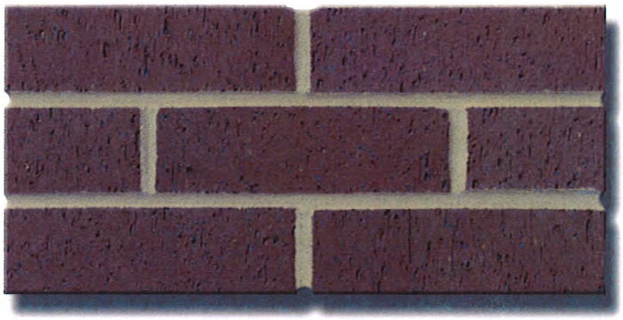
BUILDING BASE:
STONE VENEER

TRIM, ACCENT:
COMPOSITE STONE VENEER

FRAMES:
DARK BRONZE



GLAZING:
SOLARCOOL GRAY, LOW-E



BRICK VENEER

EVAPS LAW OFFICES
LAS VEGAS, NEVADA
AUGUST 9, 2010

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AUG 09 2010

VAR-39122
SDR-39121

VAR-39122 & SDR-39121 - APPLICANT/OWNER: EVAPS, LLC
400 SOUTH 7TH STREET

08/19/10

VAR-39122 & SDR-39121 - APPLICANT/OWNER: EVAPS, LLC
400 SOUTH 7TH STREET

08/19/10

VAR-39122 & SDR-39121 - APPLICANT/OWNER: EVAPS, LLC
400 SOUTH 7TH STREET

08/19/10

VAR-39122 & SDR-39121 - APPLICANT/OWNER: EVAPS, LLC
400 SOUTH 7TH STREET

08/19/10

VAR-39122 & SDR-39121 - APPLICANT/OWNER: EVAPS, LLC
400 SOUTH 7TH STREET

08/19/10

VAR-39122 & SDR-39121 - APPLICANT/OWNER: EVAPS, LLC
400 SOUTH 7TH STREET

08/19/10

VAR-39122 & SDR-39121 - APPLICANT/OWNER: EVAPS, LLC
400 SOUTH 7TH STREET

08/19/10

EVAPS Law Office Building
Project # 10 016
Page 1 of 1

August 9, 2010

CLV Planning & Development
731 South Fourth Street
Las Vegas, NV 89101
Phone: (702) 229-6301
Fax: (702) 474-7463

Re: Variance Request (Setbacks and Site Coverage) for a Law Office Building
APN: 139-34-710-030, -031, -032, -033

To whom it may concern:

The purpose of this letter is to request a variance to the provisions of the code regarding setbacks and site coverage ratio for the proposed Law Office Building located at 400 South 7th Street in Las Vegas, Nevada 89101.

All four parcels are currently zoned C-1, for which an office building is best suited. The current general plan designation for this site is 'C'.

A historic and traditional office building is envisioned by the property owner. The tenants are expected to be predominantly law firms and related office users. The building is designed to have a classical architectural theme consisting of arches, brick veneer, colonnade, and a capitol dome.

The building site is situated just outside of downtown centennial office core district. It is designed to fit in the context of the urban neighborhood. The project consists of 3-story office building situated on top of (2) levels above grade parking and (2) levels subterranean parking. The building's parapet height is 84'-0", the top of the dome is 96'-0", and the top of the flag pole is 126'-0" in height which conforms to the unlimited height limit of the C-1 zone.

We are requesting a variance for the required setbacks and site coverage. Code requirements for general C-1 development are 20' (front) 10' (side yard), 15' (corner yard) and 20' (rear yard). In a downtown area, with small lot sizes and anticipated urban core density, conformance to setback requirements would substantially limit the site's development potential. In addition, this property is situated on a corner lot and thus would be greatly impacted by the required setbacks. The proposed design requires zero lot setbacks on all sides. This meets the spirit and a language of the urban area. Zero setback as an element of urban site development is a requirement in the adjacent downtown centennial office core district. The resulting site coverage of 86% is proposed (where 50% is allowed by code) and meets the spirit of code language for urban areas. In this context, given the relatively small site area, setback and lot coverage code conformance would result in substantially less viable project.

We appreciate your assistance in moving forward with this proposed project.

Sincerely,

8/9/10

Scott L. Brown, NCARB date
Principal
DesignCell, LLC

VAR-39122
SDR-39121

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AUG 09 2010

10777 W. TWAIN AVE. LAS VEGAS, NV 89135 T. 702.403.1575 F. 702.403.1576 WWW.DESIGNCELL.CO

City of Las Vegas Agenda Item No.: **27.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

SUBJECT:
SDR-39121 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-39122 - PUBLIC HEARING - APPLICANT/OWNER: EVAPS, LLC - Request for a Site Development Plan Review FOR A PROPOSED FIVE-STORY, 120-FOOT TALL, 55,132 SQUARE-FOOT OFFICE BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER WIDTH REQUIREMENTS TO ALLOW ZERO-FOOT BUFFERS WHERE 15 FEET IS REQUIRED ON THE NORTH AND EAST PERIMETERS AND EIGHT FEET IS REQUIRED ON THE SOUTH AND WEST PERIMETERS on 0.65 acres at 400 South 7th Street (APNs 139-34-710-030, 031, 032, 033), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE 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. 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-39121** APN: 139-34-710-030, -031, -032, -033

Name of Property Owner: EVAPS, LLC

Name of Applicant: Robert T. Eglet

Name of Representative: Scott Brown, Architect, DesignCell, LLC.

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Robert T. Eglet

Subscribed and sworn before me

This 9th day of August, 2010

Kathryn D. Hardesty

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KATHRYN D. HARDESTY
Appt. No. 92-0380-1
My Appt. Expires July 30, 2012

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AUG 09 2010

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review

Project Address (Location) 400 South 7th Street

Project Name Law Offices **Proposed Use** Office

Assessor's Parcel #(s) 139-34-710-030, -031, -032, -033 **Ward #** 3 - Gary Reese

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

Commercial Square Footage 55,132 SF gross **Floor Area Ratio**

Gross Acres 0.65 net **Lots/Units** 1 **Density**

Additional Information Multi-story office building with parking garage

PROPERTY OWNER EVAPS, LLC **Contact** Robert T. Eglet

Address 400 South 4th Street #600 **Phone:** (702) 450-5400 **Fax:** (702) 450-5451

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

E-mail Address n/a

APPLICANT -Same as Property Owner- **Contact**

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

City **State** **Zip**

E-mail Address

REPRESENTATIVE DesignCell Architecture **Contact** Scott Brown, Architect

Address 10777 West Twain Ave. #125 **Phone:** (702) 403-1575 **Fax:** (877) 403-1575

City Las Vegas **State** NV **Zip** 89135

E-mail Address scott@designcell.cc

Property Owner Signature* _____

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

Print Name Robert T. Eglet

Subscribed and sworn before me

This 9th day of August, 2010.

Kathryn D. Hardesty

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KATHRYN D. HARDESTY
Appt. No. 92-0380-1
My Appt. Expires July 30, 2012

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AUG 09 2010

FOR DEPARTMENT USE ONLY

Case #	SDR-39121
Meeting Date:	9/23/10
Total Fee:	1030.00
Date Received:*	8/9/10
Received By:	LHH

*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 39121
EVAPS, LLC

400 S. 7th Street

Proposed 55.132 thousand square foot office building.

Traffic produced by proposed development:

Proposed Increase	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	55.132	11.01	607
AM Peak Hour			1.55	85
PM Peak Hour			1.49	82

Existing traffic on all nearby streets:

Las Vegas Blvd	
Average Daily Traffic (ADT)	22,075
PM Peak Hour (heaviest 60 minutes)	1,766

Bridger Avenue	
Average Daily Traffic (ADT)	8,450
PM Peak Hour (heaviest 60 minutes)	676

Clark Avenue	
Average Daily Traffic (ADT)	2,150
PM Peak Hour (heaviest 60 minutes)	172

Traffic Capacity of adjacent streets:

	Adjacent Street ADT Capacity
Las Vegas Blvd	34,500
Bridger Avenue	25,875
Clark Avenue	12,225

This project is expected to add 607 trips per day on Las Vegas Blvd., 6th Street, Bridger Ave. and Clark Ave. This will increase traffic on Las Vegas Blvd. by about 3 percent, Bridger Ave. by about 7 percent and on Clark Ave. by about 28 percent. Currently, Las Vegas Blvd. is at about 64 percent of capacity, Bridger Ave. is at about 33 percent of capacity and Clark Ave. is at about 6 percent of capacity. Counts are not available for 7th Street, but it is believed to be under capacity.

Based on Peak Hour use, this development will add about 85 additional cars into the area in the peak hour, or about three every two minutes.

Note that this report assumes all traffic from this development uses all named streets.

August 9, 2010

CLV Planning & Development

731 South Fourth Street
Las Vegas, NV 89101
Phone: (702) 229-6301
Fax: (702) 474-7463

Re: Site Development Review for a Law Office Building
APN: 139-34-710-030, -031, -032, -033

To whom it may concern:

The purpose of this letter is to request a Site Development Review for the proposed Law Office Building located at 400 South 7th Street in Las Vegas, Nevada 89101.

All four parcels are currently zoned C-1, for which an office building is best suited. The current general plan designation for this site is 'C'. The site also lies within the Las Vegas High School Neighborhood Historic District. This project intends on conforming to the goals and policies of the current zoning and general plan.

A historic and traditional office building is envisioned by the property owner. The tenants are expected to be predominantly law firms and related office users. The building is designed to have a classical architectural theme consisting of arches, brick veneer, colonnade, and a capitol dome.

The building site is situated just outside of downtown centennial office core district. It is designed to fit in the context of the urban neighborhood. The project consists of 3-story office building situated on top of (2) levels above grade parking and (2) levels subterranean parking. The building's parapet height is 84'-0", the top of the dome is 96'-0", and the top of the flag pole is 126'-0" in height which conforms to the unlimited height limit of the C-1 zone.

By a separate application we are also requesting a variance for the required setbacks and site coverage. The proposed design requires zero lot setbacks on all sides. This meets the spirit and a language of the urban area. Zero setback as an element of urban site development is a requirement in an adjacent downtown centennial office core district. Site coverage of 86% is proposed (where 50% is allowed by code) and meets the spirit of code language for urban areas. In this context setback and lot coverage code conformance would result in substantially less viable project.

As a result of urban design approach that fits downtown area, we are requesting a waiver to reduce the landscape perimeter buffer width. Proposed landscape along the 7th Street and Chef André Rochat Place includes densely spaced trees, shrubs in the planters and vines on building facades, which should adequately compensate for the reduced width of the buffer.

All required parking, totaling 184 spaces is located within the 4-storey (2 of which are subterranean) parking garage. Six (6) ADA parking stalls, including an ADA van accessible parking stall is provided. Please refer to the site plan, floor plans, landscape plans and elevations dated 8-9-10 that accompany this letter.

As you can see, the applicant has made a considerable effort to work with the property and historic nature of the neighborhood. This project is consistent with the surrounding area, the City of Las Vegas Development Code, and does not have any adverse impacts on the area. There are adequate utilities, public transportation, and services to the development. Located in the heart of a successful downtown district, the site presents a great opportunity for this office development.

We appreciate your assistance in moving forward with this proposed project.
Sincerely,

8/9/10

Scott L. Brown, NCARB date
Principal
DesignCell, LLC

RECEIVED

SDR-39121 AUG 09 2010

City of Las Vegas Agenda Item No.: **28.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

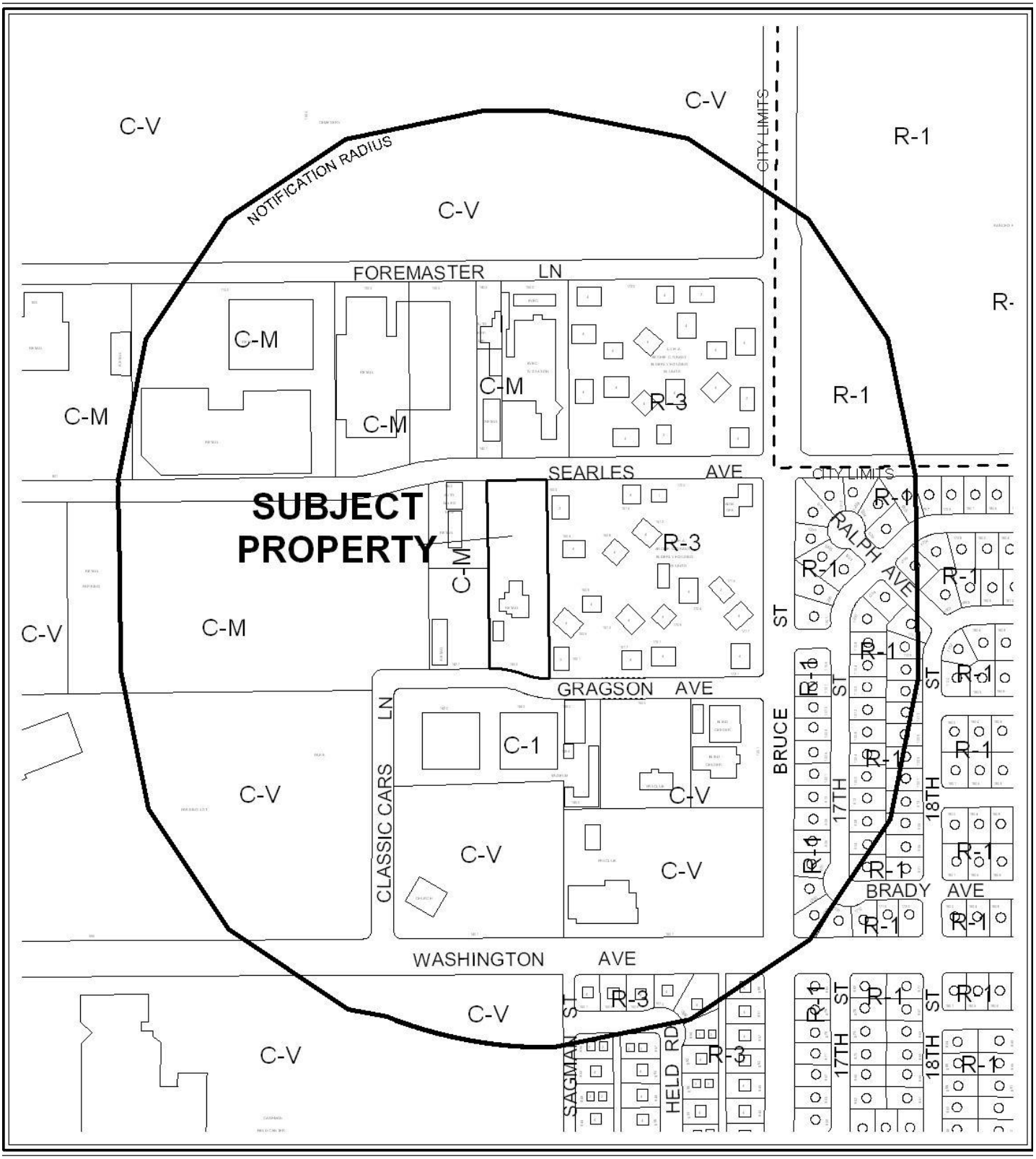
SUBJECT:
VAR-39148 - VARIANCE - PUBLIC HEARING - APPLICANT: A CAB TAXI COMPANY - OWNER: FOUR FOURS, LLC - Request for a Variance TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE EIGHT FEET IS REQUIRED FOR ACCESSORY STRUCTURES on 1.94 acres at 1500 Searles Avenue (APN 139-26-201-004), C-M (Commercial/Industrial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE 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 - VAR-39148, SUP-39149 and SDR-39147
2. Conditions and Staff Report - VAR-39148, SUP-39149 and SDR-39147
3. Supporting Documentation
4. Photos - VAR-39148, SUP-39149 and SDR-39147
5. Justification Letter - VAR-39148, SUP-39149 and SDR-39147



CASE: **VAR-39148; SUP-39149; SDR-39147**

0 300 600 Feet

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

N

0 300 600 Feet

CASE: VAR-39148; SUP-39149; SDR-39147

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: A CAB TAXI COMPANY - OWNER: FOUR FOURS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-39148	Staff recommends DENIAL, if approved subject to conditions:	
SUP-39149	Staff recommends DENIAL, if approved subject to conditions:	VAR-39148
SDR-39147	Staff recommends DENIAL, if approved subject to conditions:	VAR-39148 SUP-39149

** CONDITIONS **

VAR-39148 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-39149) and Site Development Plan Review (SDR-39147) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless a final inspection has been completed. 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 any 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.

SUP-39149 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for the Outdoor Storage, Accessory use.

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-39148) and Site Development Plan Review (SDR-39147) shall be required.

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

4. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

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

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

SDR-39147 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-39148) and Special Use Permit (SUP-39149) shall be required, if approved.

2. Conformance to the approved conditions for Site Development Plan Review (SDR-35195), except as amended herein.

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

4. All development shall be in conformance with the site plan and landscape plan, date stamped 08/24/10 and building elevations, date stamped 08/10/10, except as amended by conditions herein.

5. A Waiver from Title 19.12.040 is hereby approved, to allow a zero-foot perimeter landscape buffer along a portion of the east property line where eight feet is required.

6. An Exception from Title 19.12.040(B) is hereby approved, to allow 24 trees within perimeter landscape buffers where 37 trees were approved by SDR-35195.

7. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 08/24/10. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

8. 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.

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

10. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the issuance of a building permit, to extend the sidewalk adjacent to Gragson Avenue to abut the proposed wall along the south property line.

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

Public Works

12. Prior to submittal of construction plans or the issuance of any building or grading permits for amendments to this Site Plan, whichever may occur first, meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations, drainage patterns, and required flood protection for this site, and comply with the recommendations of the Flood Control Section. Alternatively, 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 grading or building permits, whichever may occur first.

13. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-35195 and all other subsequent site-related actions.

** STAFF REPORT **

PROJECT DESCRIPTION

The site is currently approved for a Taxicab/Limo Yard with a 4,400 square-foot existing office, 1,100 square-foot existing storage building, 300 square-foot existing paint spray booth and a proposed 3,000 square-foot auto maintenance facility. The remainder of the site consists of parking and outside storage containers along the north, south and west perimeters of the site. As part of a request for a Major Amendment to the approved Site Development Plan Review (SDR-35195), the applicant proposes to increase the approved auto maintenance facility from a 30-foot tall, single story 3,000 square-foot building to a 29-foot, two-story 5,000 square-foot facility and move it 76 feet to the north. In addition, a nine-foot by nine-foot supervisor office has been located along the east property line. The applicant also proposes to shift existing storage containers to form a wall along the north side of the site from the west property line to the east. Existing containers along the south property line will be removed from the site. Self-imposed deviations from Title 19 exceeding the approved Site Development Plan Review (SDR-35195) will require an additional variance, waiver, exception and Special Use Permit. Staff recommends denial, as the applicant has provided no evidence of unique or extraordinary circumstances pursuant to Title 19.18.070 that would substantiate the required variance, and the additional waiver, exception and Special Use Permit requested will not be compatible with the adjacent commercial and residential land uses. If denied, the site will remain as previously approved.

ISSUES

- A Special Use Permit for the Outdoor Storage, Accessory use on this site is required because a minimum use condition disallowing storage within required setbacks or buffer yards cannot be met. The applicant proposes that storage containers be located within the west side yard.
- Prior to approval of a Major Amendment to the previously approved Site Development Plan Review, a Variance from Title 19.08.050 is required to allow a zero-foot setback from the east property line where eight feet is required for an existing 81 square-foot accessory building.
- Waivers of Title 19.12.040 are required to allow a zero-foot perimeter landscape buffer for a portion of the east property line where eight feet is required and along the south property line where six feet is required. The City Council approved a previous waiver of this standard through SDR-35195; however, this current request is beyond the scope of that waiver, and buffering will be further reduced along the east property line than was previously approved.
- Permits have not been obtained for the existing 81 square-foot supervisor office. Permits and inspections will be required prior to occupancy of any new buildings.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/21/03	The City Council approved a General Plan Amendment (GPA-2249) to amend the Southeast Sector Plan by adopting the Downtown North Land Use Plan. The Planning Commission and staff recommended approval.
05/17/06	The City Council approved a General Plan Amendment (GPA-9219) changing the future land use designation to Industrial on this property as part of an update to the Las Vegas Redevelopment Plan. The Planning Commission and staff recommended approval.
06/18/09	Code Enforcement processed a complaint (79197) that electrical, plumbing and concrete work was being done without a permit at 1500 Searles Avenue. Code Enforcement closed the case on 02/10/10.
10/07/09	The City Council approved a Petition to Vacate (VAC-35193) a 3,126 square-foot portion of public right-of-way generally located on the north side of Gragson Avenue, approximately 580 feet west of Bruce Street. The Planning Commission recommended approval. Staff recommended denial. The Order of Vacation, which only included 2,305 square feet of public right-of-way, was recorded 12/30/09.
10/07/09	The City Council approved a Site Development Plan Review (SDR-35195) for a proposed 8,800 square-foot Taxicab/Limo Yard with ancillary Vehicle Service and Auto Repair within 5,800 square feet of existing buildings and a proposed 3,000 square-foot building with waivers of the perimeter landscape requirements to allow a zero-foot buffer along the west and a portion of the east perimeters where eight feet is required, a six-foot buffer along the south perimeter where 15 feet is required, to allow a zero-foot sidewalk where five feet is required and to allow barbed wire fencing on 1.89 acres at 1500 Searles Avenue. The Planning Commission recommended approval. Staff recommended denial. As conditions of the City Council's approval, no barbed wire was to be allowed on site and the waiver of the requirement for a sidewalk along Gragson Avenue was deleted.
04/20/10	Code Enforcement processed a complaint (89642) that a taxicab company is working on its own vehicles without a license and sending out vehicles without seatbelts and license plates at 1500 Searles Avenue. Code Enforcement resolved the case on 04/22/10, determining that this was not a Code Enforcement issue.
08/26/10	The Planning Commission accepted the applicant's request to withdraw a request for a Major Amendment (SDR-37613) to a previously approved Site Development Plan Review (SDR-35195) to increase the area of Building C from 3,000 square feet to 5,000 square feet with waivers of the perimeter landscape buffer standards to allow a buffer width of zero feet along the east perimeter where eight feet was previously approved and to allow eight perimeter trees where 39 trees were previously approved on 1.89 acres at

	1500 Searles Avenue. Staff had recommended denial.

Most Recent Change of Ownership	
08/07/08	A deed was recorded for a change in ownership.
12/29/09	A deed was recorded for a change in name but retaining the same ownership.

Related Building Permits/Business Licenses	
12/28/61	A building permit (#7174) was issued for an office building and storage building at 1500 Searles Avenue. A final inspection was approved on 05/09/62.
04/30/63	A building permit (#19801) was issued for a 1,024 square-foot service garage at 1500 Searles Avenue. A final inspection was approved on 11/04/64.
07/30/73	A building permit (#12364) was issued for a loading dock at 1500 Searles Avenue.
12/01/83	A building permit (#4641) was issued for a single-faced electric freestanding sign on the interior of the site at 1500 Searles Avenue. A final inspection was approved on 01/27/84.
Pre-1993	A business license (I02-00081) was issued for product delivery at 1500 Searles Avenue. The license was marked out of business on 06/01/09.
03/02/93	A business license (D01-00001) was issued for dairy products and sales at 1500 Searles Avenue after this business changed ownership. The original license pre-dated 1993. This license was marked out of business on 10/18/07.
03/05/02	A building permit (#02003896) was issued for replacement of a four-inch sewer line at 1500 Searles Avenue. A final inspection was completed on 03/06/02.
10/09/09	A building permit (146417) was issued for a tenant improvement remodel for certificate of occupancy for a 4,400 square-foot building at 1500 Searles Avenue. A final inspection was completed on 02/11/10.
10/09/09	A building permit (149327) was issued for demolition work at 1500 Searles Avenue. A final inspection was completed on 10/28/09.
01/05/10	A building permit (154090) was issued for installation of low voltage electrical with conduit for data transmission at 1500 Searles Avenue. A final inspection was completed on 01/20/10.
08/05/10	An application for a building permit (169266) was submitted for a 10-foot combined retaining and screen wall along the south property line at 1500 Searles Avenue. The permit has not yet been issued.
08/05/10	An application for a building permit (169262) was submitted for existing paint mixing and spray booths at 1500 Searles Avenue. This permit has not been issued and is pending approval of SDR-39147.

Pre-Application Meeting	
07/20/10	A pre-application meeting was held with the applicant's representative. The following issues were discussed: • Submittal requirements for a Major Amendment to the approved Site Development Plan Review, a Variance for accessory building setback and a Special Use Permit to allow Outdoor Storage within required setback and buffer yards. • Unless the proposed wall along the south property line meets Title 19.12.075 requirements, a Variance will be required. • Barbed and concertina wire shall be removed from the site per condition of approval of SDR-35195. Chain link gates at the two access points of the site are expected to remain. • A new plan was discussed in which an accessory check-in supervisor booth would be placed along the east property line, requiring a setback variance. • The wall along the east property line was constructed by the property to the east and will remain. • The landscape buffer along the east property line would be reduced further from the approved landscape plan; this will require a waiver of Title 19.12. • The City Council struck the previous request for a waiver of sidewalk requirements along Gragson Avenue; however, the new sidewalk will either need to span the full distance from the curb to the proposed wall or the area in front of the wall, if wide enough, should contain decomposed granite and/or shrubs. • Replacement of palm trees in the parking lot planter islands with shade trees.

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

Field Check	
08/19/10	A field check was performed at the site, where the following items were noted: • Storage containers exist along the north and south perimeters and within the interior of the subject site. • The site is surrounded by chain link fencing with the exception of the south perimeter; however, a portion of the chain link fencing along the east side has been dismantled. Barbed wire along the property lines and gates has been removed. • Along the south property line, the site is at a lower grade than Gragson Avenue. • There is little or no landscaping along rights-of-way. • A series of telephone poles are located along the east property line.

Details of Application Request	
Site Area	
Net Acres	1.94

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Taxicab/Limo Yard	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
North	TV Broadcasting & Other Communication Service	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
South	Museum (Private)	C (Commercial)	C-1 (Limited Commercial)
East	Multi-Family Residential (apartments)	ML (Medium Low Density Residential)	R-3 (Medium Density Residential)
West	Museum (Private)	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
	Building Maintenance Service and Sales	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
	Commercial, Other than listed (Armored Car Service)	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)

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

DEVELOPMENT STANDARDS

Standard/Requirement	Previously Approved (SDR-35195)	Proposed (SDR-39147)	Change
Lot size	82,283 SF	84,588 SF	2,305 SF
Building size	8,800 SF	10,800 SF	2,000 SF
Lot coverage (N/A)	10.7%	12.8%	2.1%
Wall height (10' max)	8 feet along north and south property lines	8 feet along north 10 feet along south	0 feet N 2 feet S
Parking Required	66 employees on largest shift; 67 taxis at maximum capacity (133 spaces)	133 spaces	None
Parking Provided	66 employees on largest shift; 67 taxis at maximum capacity (133 spaces)	133 spaces	None
Height of new Building 'C'	30 feet	29 feet	-1 foot
Setbacks (Building 'A')			
• Front (north PL) – 10'	277 feet	277 feet	None
• Side (west PL) – 10'	36 feet	36 feet	None
• Side (east PL) – 10'	44 feet	44 feet	None
• Rear (south PL) – 20'	168 feet	149 feet	-19 feet
Setbacks (Accessory Structures)			
• Front (north PL) – 10'	395 feet	204 feet	-191 feet
• Side (west PL) – 8'	8 feet	10 feet	2 feet
• Side (east PL) – 8'	32 feet	0 feet	-32 feet (100% dev.)
• Rear (south PL) – 8'	8 feet	11 feet	3 feet

Perimeter landscape buffers			
• North – 10’	10 feet	10 feet	None
• South – 15’	6 feet	0 feet	-6 feet (100% dev.)
• East – 8’	0 feet (portion) 472 feet provided	0 feet (portion) 133 feet provided	-339 feet (72% dev.)
• West – 8’	0 feet	0 feet	None
Sidewalk along Gragson Avenue	6 feet	5 feet	-1 foot
Parking lot trees	Exception to allow 0 trees where 23 trees are required	Exception to allow 7 shade trees where 23 trees are required	7 trees/islands
Perimeter buffer trees 75 trees required	Exception to allow 37 trees	Exception to allow 24 trees	-13 trees (35% dev.)
Storage containers	8-foot setback from side PL	0-foot setback	-8 feet (100% dev.)

Functional Classification of Street(s)	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Searles Avenue – Collector	N/A	60	N/A
Gragson Avenue – Collector	N/A	60	N/A

Pursuant to Title 19.04 and 19.10, the following parking standards apply:

Parking Requirement							
		Required			***Provided***		***Compliance***
			Parking		*Parking*		
Use	***Gross Floor Area or Number of Units***	***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Taxicab/Limo Yard	66 employees on largest shift; 67 taxis at maximum capacity	One space per employee plus one space per taxi	133		133		Y
TOTAL SPACES REQUIRED			133		133		Y
Compact Spaces (max. 30%)			40		37		Y
Regular and Handicap Spaces Required			128	5	128	5	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
LVMC 19.12.040(A): Perimeter Landscape Buffer – 8 feet along interior property lines	To allow zero feet along a 377-foot portion of the east perimeter where a 38-foot portion was previously approved at zero feet	Denial
LVMC 19.12.040(A): Perimeter Landscape Buffer – 8 feet along interior property lines (waiver for 6 feet approved by SDR-35195)	To allow zero feet	Denial

Exceptions		
Requirement	***Request***	***Staff Recommendation***
LVMC 19.12.040(B): Perimeter tree spacing – 37 trees approved by SDR-35195	To allow 24 trees	Denial

ANALYSIS

The site is located within the Downtown North Land Use Plan area. The site is also located within the Downtown Redevelopment Area, which designates this site as appropriate for industrial land uses. The Taxicab/Limo Yard use is a permitted use within the C-M (Commercial/Industrial) zoning district, which conforms to the LI/R (Light Industry/Research) land use category. The Land Use Plan Strategy outlined in the Downtown North Land Use Plan emphasizes enhancement of existing commercial properties through the implementation of commercial design standards. In the absence of specific design standards for the Downtown North area, Title 19 development standards will be used to evaluate commercial properties.

An Order of Vacation was recorded in December 2009 that added 2,305 square feet of existing right-of-way in Gragson Avenue to the existing 82,283 square-foot lot. This ensured that existing construction within that portion of right-of-way would be located completely on private property. The grade of the property adjacent to Gragson Avenue is lower than the current right-of-way. In order to adequately screen and protect the property, the applicant has proposed a maximum 10-foot tall decorative block wall spanning the length of the south property line. The

wall meets Title 19.12 retaining, screening and design standards. The sidewalk that was required by the City Council as part of the approval of SDR-35195 is depicted as five feet wide and between one to four feet from the proposed wall. It is recommended that the sidewalk be extended onto the site up to the proposed wall to eliminate the creation of a narrow zone where landscaping cannot survive and hardscaping such as decomposed granite would create maintenance problems. A condition of approval addresses this issue.

The originally approved site plan showed four existing 320 square-foot storage containers on the north side of the site. The amended plan shows three such containers extending from the west property line to the site's north entrance. Accessory Outdoor Storage is a conditional use in a C-M (Commercial/Industrial) zoning district; however, a Special Use Permit is required to allow this configuration of containers, as a Title 19.04 minimum use requirement prohibits all outdoor storage located within required setbacks or buffer yards. Title 19.04 also limits outdoor accessory storage to five percent of the total lot area. Four other shipping containers are located on the site adjacent to the proposed auto repair garage. The total outdoor storage area would increase from 1,280 square feet to 2,240 square feet, still less than the maximum five percent allowed. The shipping containers will be screened by a proposed eight-foot decorative block wall behind the required 10-foot landscape buffer along the north property line. Per Title 19.04, no screening is required from the adjacent C-M-zoned property. The existing approved chain link fence along the west property line will remain. However, all barbed wire has been removed from this fence and all other sections of chain link fencing throughout the property. Staff recommends denial of the Special Use Permit, as it supports Title 19.04 requirements and the encroachment in the side yard is not compatible with the uses on the adjacent property to the west.

The site plan as amended either meets Title 19 development standards or adheres to the previously approved plan, with the exception of an 81 square-foot supervisor office that is proposed to be located along the east property line. Title 19.08 requires accessory structures in a C-M zone to be at least eight feet from the side property line. The request represents a 100 percent deviation from the standard. Because the hardship due to the code requirement is self-imposed, staff recommends denial of the associated Variance (VAR-39148) request.

The amended site plan contains some minor changes from the approved plan. Although the number of parking spaces required and provided have not changed, the location of several of the spaces has shifted. The employee parking area in the center of the site will be covered by a canopy. The trash enclosure has moved from the west property line to a place south of the existing outdoor shipping containers. The proposed auto repair garage (Building 'C') has moved 76 feet to the north. The canopy that had covered the garage and the existing spray booths has been removed. The booths have also shifted slightly from their original positions. These changes are allowed by and compliant with Title 19.

The applicant has requested waivers of perimeter landscape buffer standards along the east and south property lines. A Waiver had been granted through SDR-35195 to allow zero feet of buffer along a portion of the east property line where eight feet was required; however, the new request is beyond the scope of that waiver, as the buffer is proposed to be further reduced along the east property line than was previously approved to allow for parking and placement of the proposed supervisor office. The proposed landscaping does not provide the buffering required for commercial properties adjacent to a residential use. The waiver along the south property line would reduce the previously approved six-foot buffer to zero feet to allow for parking of taxicabs. Staff supports Title 19.12 buffer requirements and does not support the placement of the supervisor office in the proposed location. Therefore, denial of the waivers is recommended.

The exception of Title 19.12 tree spacing requirements is the result of the proposed further reduction of landscape buffer area along the east property line; therefore, staff recommends denial. The reduction in the number of trees is a 35 percent deviation from the amount approved by SDR-35195. There is no exception for parking lot landscaping, as the site was previously approved for zero trees and islands, and the applicant is adding seven trees and islands with this request.

The proposed accessory auto repair garage consists of the same materials as previously approved (painted metal siding), but the height has decreased approximately 1.5 feet from the previously approved structure and it contains a flat, rather than sloped, roof. The large canopy has been removed and there are now two 10-foot tall roll-up bay doors on the east elevation where three 16-foot doors had been approved on the north elevation. Though the proposed building is of similar height to the approved structure, a second floor is proposed for storage purposes. An open floor plan is proposed, similar to the previously approved garage floor plan. The structure is proposed to be shifted 76 feet north of its previous location. The result of this arrangement is a more compact and aesthetically superior building.

FINDINGS (VAR-39148)

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 constructing an accessory structure on the east property line without a building permit. Moving the structure out of the eight-foot side yard would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (SUP-39149)

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 Outdoor Storage, Accessory use can be conducted in a way that is harmonious and compatible with the neighboring properties; however, the encroachment of outdoor shipping containers into the side yard adjacent to the west property line as proposed creates the possibility of a nuisance to the adjoining property and the use is therefore made incompatible.

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

   There is adequate space on the site for storage. Less than three percent of the site is proposed to be occupied by the Outdoor Storage, Accessory use. The site is zoned C-M (Commercial/Industrial), which allows this use within certain parameters.

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.**

   Both Gragson Avenue and Searles Avenue are 60-foot rights-of-way, and are adequate for the primary use, which is for a Taxicab/Limo Yard. These streets are also adequate for any needs concerning the Outdoor Storage, Accessory 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.**

   Location of the proposed storage within required setbacks and buffer yards may compromise the health and safety of the public; this proposal defeats the purpose of setbacks.

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

   The proposed use cannot meet a condition that requires all storage to be located outside of required setbacks or buffer yards. Failure to meet this condition requires approval of a Special Use Permit to conduct the use. The proposal conforms to all other applicable conditions of the use.

FINDINGS (SDR-39147)

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

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

   The proposed development is not compatible with adjacent residential, commercial and industrial development in the area. The applicant proposes to place storage and a small office structure along the west and east property lines, as well as reduce required landscape buffer areas from residential property, thereby reducing the amount of landscaping overall.

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

The proposed development as amended does not meet Title 19.08.050 accessory setback standards for commercial properties, nor does it adhere to Title 19.12 landscape buffer zone or tree spacing standards. A Special Use Permit is required for the Outdoor Storage, Accessory use, as storage containers are not proposed to be located within side yard buffers as required by Title 19.04. The use is compatible with the LI/R (Light Industry/Research) land use designation of the Las Vegas Redevelopment Plan Area. The proposed supervisor building, which has already been added to the site, has not yet been permitted by the Department of Building and Safety.

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

Adequate site access is provided from both Searles Avenue and Gragson Avenue. Existing gates restrict traffic from entering the site during non-business hours. Traffic in the area should not be negatively impacted.

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

Building materials are typical for industrial accessory structures, which are appropriate in this area of the city. The proposed landscape materials are appropriate for this area, but are insufficient in number to adequately buffer this property from neighboring parcels. The applicant is requesting a number of Waivers and Exceptions of Title 19.12 and 19.10.

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;**

Although building materials are acceptable for the type of development, the proposed auto repair garage building will not be aesthetically compatible with the other existing buildings on the site. Outdoor storage areas will be screened from view of the adjoining residential property and from public rights-of-way.

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

Several buildings are still in need of building permits or are in the process of being permitted. As a condition of approval, 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 in order to ensure the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 76

APPROVALS 0

PROTESTS 0

SS

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AUG 10 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-39148** APN: 139-26-201-004

Name of Property Owner: Four Fours, LLC

Name of Applicant: A Cab Taxi Co.

Name of Representative: Ballard Spahr, LLP

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Creighton J. Nady

Subscribed and sworn before me

This 4th day of August, 2010

Cindy Lou Ord

Notary Public in and for said County and State

CINDY LOU ORD
Notary Public State of Nevada
No. 00-63415-1
My appt. exp. July 15, 2012

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Variance to allow 0' setback where 8' is required

Project Address (Location) 1500 Searles

Project Name A Cab Taxi Co. **Proposed Use** Taxi/Limo Yard

Assessor's Parcel #(s) 139-26-201-004 **Ward #** 5- Barlow

General Plan: existing LI-R proposed n/a **Zoning:** existing CM proposed n/a

Commercial Square Footage _____ **Floor Area Ratio** n/a

Gross Acres 1.89 **Lots/Units** n/a **Density** n/a

Additional Information _____

PROPERTY OWNER Four Fours, LLC **Contact** Jay Nady

Address 1500 Searles Ave **Phone:** (702) 277-1333 **Fax:** _____

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

E-mail Address cjnoui@yahoo.com

APPLICANT A Cab Taxi Co. **Contact** Jay Nady

Address 1500 Searles **Phone:** (702) 277-1333 **Fax:** _____

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

E-mail Address cjnoui@yahoo.com

REPRESENTATIVE Ballard Spahr, LLP **Contact** Bill Curran

Address 100 City Parkway, Suite 1750 **Phone:** (702) 471-7000 **Fax:** (866) 381-5357

City Las Vegas **State** NV 89102 **Zip** 89106

E-mail Address curranb@ballardspahr.com

Property Owner Signature* _____

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

Print Name Creighton J. Nady

Subscribed and sworn before me

This 4th day of August, 20 10.

Cindy Lou Ord

Notary Public in and for said County and State

CINDY LOU ORD
Notary Public State of Nevada
No. 00-63415-1
My appt. exp. July 15, 2014

FOR DEPARTMENT USE ONLY

Case #	VAR-39148
Meeting Date:	9.23.10
Total Fee:	$830.-
Date Received:*	8.10.10
Received By:	JFA

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

Revised 10/27/08

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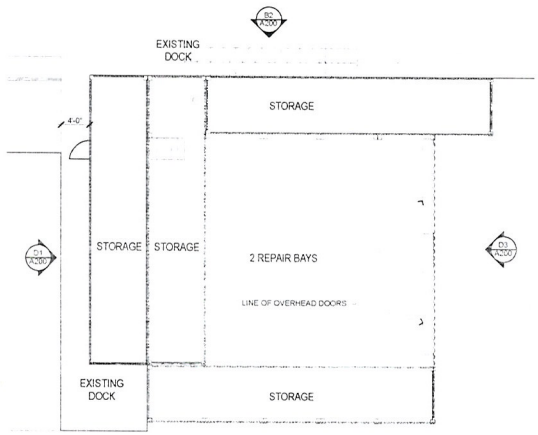
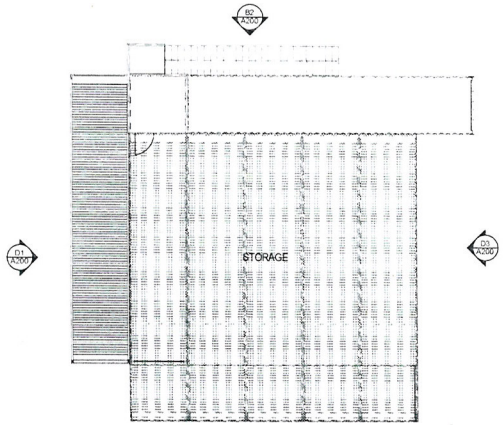


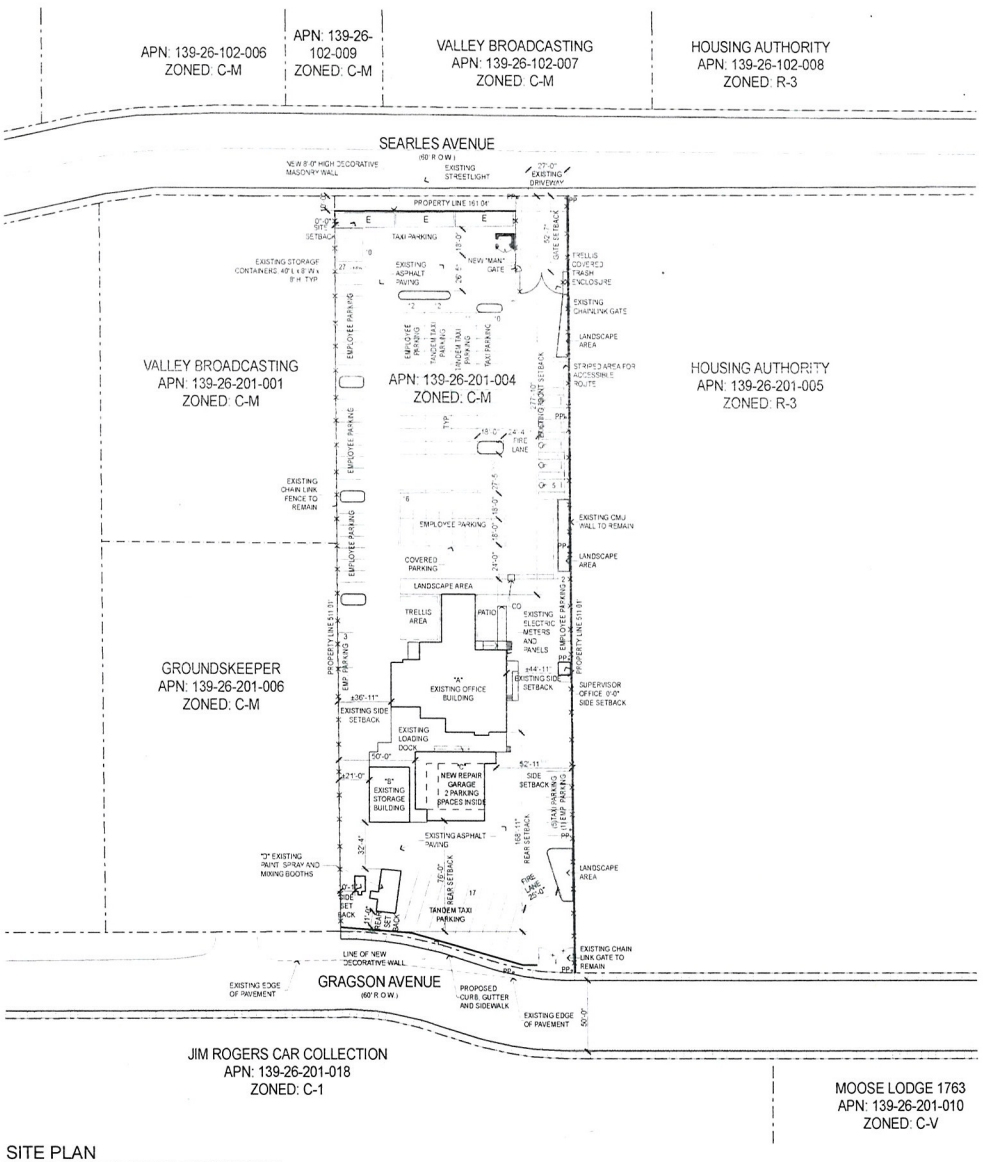
FLOOR PLAN - REPAIR GARAGE

1/8" = 1'-0"



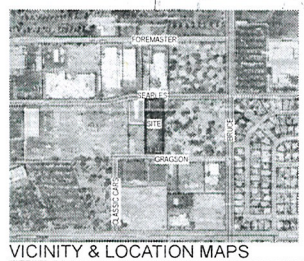
SECOND FLOOR PLAN

1/8" = 1'-0"



SITE PLAN

1" = 40'



VICINITY & LOCATION MAPS

Site and Project Information

SITE DATA

PARCEL NUMBER	139-26-201-004
JURISDICTION	CITY OF LAS VEGAS - 89101
EXISTING GENERAL PLAN	LIGHT INDUSTRIAL / RESEARCH
EXISTING ZONING	C-M
PROPOSED USE	TAXI / LIMO YARD, AUTO REPAIR GARAGE (MINOR) AUTO PAINT AND BODY REPAIR SHOP, OUTDOOR STORAGE
SITE AREA	82,283 SF 1.89 GROSS ACRES

SETBACKS - (PRINCIPAL STRUCTURE)

	REQ'D	PROVIDED
FRONT	15'-0"	27'-10"
INTERIOR SIDE	15'-0"	36'-11", 44'-11"
REAR	20'-0"	168'-11"

SETBACKS - (ACCESSORY STRUCTURE)

	REQ'D	PROVIDED
FRONT	15'-0"	470'-6"
INTERIOR SIDE	8'-0"	0'-0", 6'-0", 50'-0" (Variance Requested)
REAR	8'-0"	76'-0"

MAX HEIGHT	N/A
ACTUAL HEIGHT	28'-6"
LOT COVERAGE ALLOWED	N/A
ACTUAL LOT COVERAGE	10.7%
% OF OUTSIDE STORAGE ALLOWED	5%
ACTUAL % OF OUTSIDE STORAGE	3.9%

BUILDING INFORMATION

CODE	2006 INTERNATIONAL BUILDING CODE
CONSTRUCTION TYPE	VB
OCCUPANCY	B/F/S-1
FIRE SPRINKLERS PROVIDED	NO

BUILDING AREAS

A EXISTING OFFICE BUILDING (± 16' HIGH)	4,400 SF
B EXISTING STORAGE BUILDING (± 16' HIGH)	1,100 SF
C NEW REPAIR GARAGE 28'-4" HIGH)	3000 SF (1st) + 2000 SF (2nd) = 5,000 SF
D EXISTING PAINT SPRAY AND MIXING BOOTH (± 11' HIGH)	300 SF
E STORAGE CONTAINER (8' X 40') TYP. OF 3 (± 8' HIGH)	960 SF
TOTAL	11,760 SF

PARKING AREA

BUILDING AREA	REQUIRED PARKING	PROVIDED
# OF EMPLOYEES ON LARGEST SHIFT	66	66
# OF TAXIS @ MAXIMUM CAPACITY	67	67
STANDARD PARKING SPACES PROVIDED		91
COMPACT PARKING SPACES PROVIDED		(28%) 37
HANDICAPPED SPACES PROVIDED		5
TOTAL PARKING		133

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0' 10' 40' 80'

A Cab Taxi Company
Site Development Review
1500 Searles Avenue
Las Vegas, Nevada 89101

City of Las Vegas Site Development Review Submittal 08.10.10
City of Las Vegas Site Development Review Submittal (Rev 1) 08.24.10

DEC

AUG 24 2010

VAR-39148 SUP-39149
SDR-39147 REVISED

SITE PLAN AND FLOOR PLAN

AS100

09.065 A Cab Taxi Company

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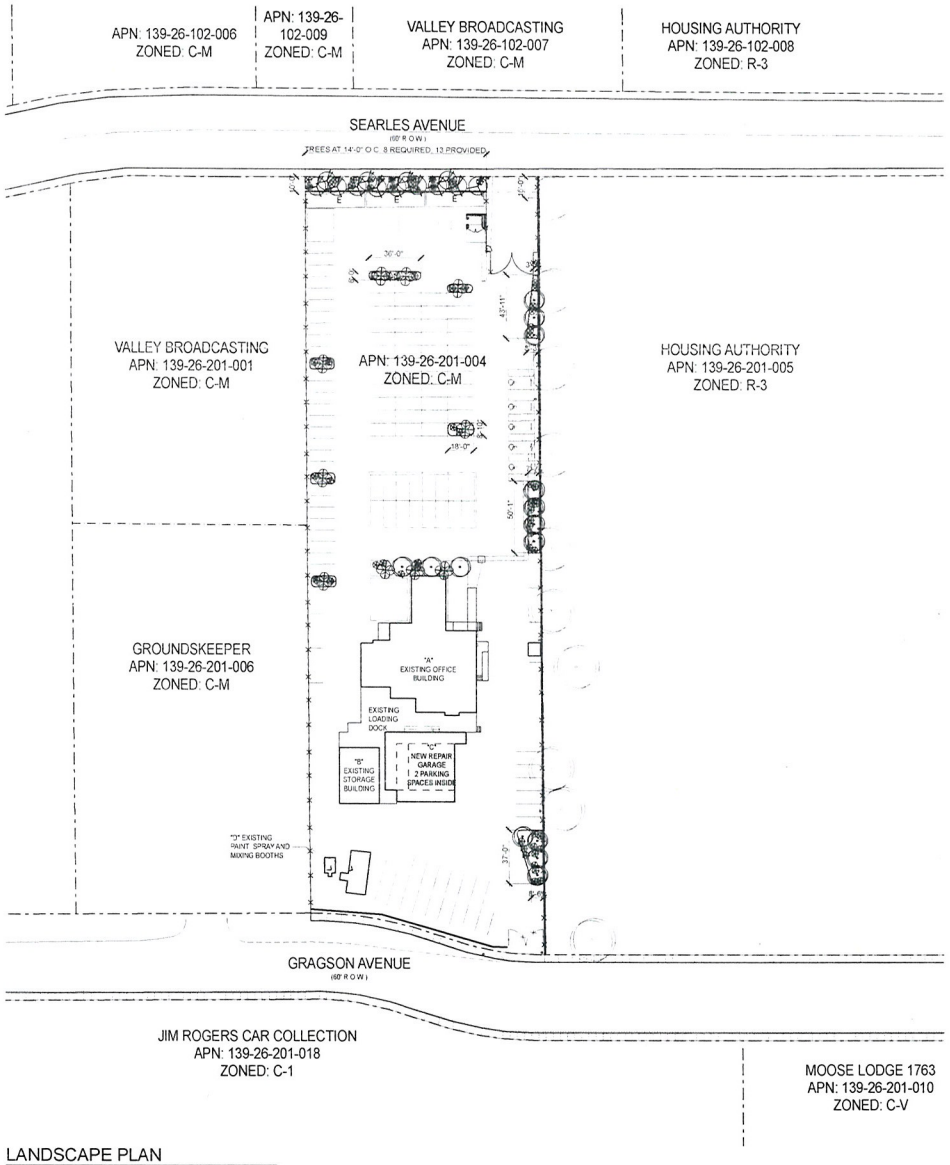
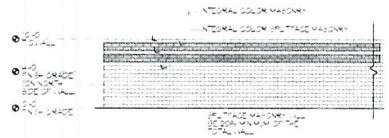


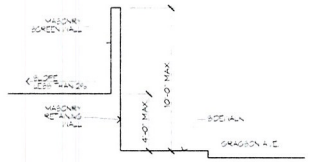
LANDSCAPE PLAN

1" = 40'



WALL ELEVATION

1" = 10'



WALL SECTION

1/4" = 1'-0"

LANDSCAPE SCHEDULE

SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE
TREES			
	HONEY LOCUST	prosopis	24" Box
	SHOESTRING ACACIA	acacia stenophylla	24" Box
	PURPLE ROBE LOCUST	robinia pseudoacacia	24" Box
	WESTERN HONEY MESQUITE	prosopis glandulosa	24" Box
	EXISTING TREES	---	---
SHRUBS			
	TEXAS RANGER	leucophyllum frutescens 'Green Cloud'	5 gal
	CREPE MYRTLE	lagerstroemia indica	5 gal
GROUND COVER			
	LANTANA	lantana	5 gal
	REGAL MIST FOUNTAIN GRASS	muhlenbergia capillaris 'regal mist'	5 gal
ROCK MULCH	SIZE	COLOR	DEPTH
	3/8" CRUSHED GRANITE	TO BE SELECTED BY ARCHITECT FROM MANUFACTURERS STD COLORS	MIN. 2" DEEP

LANDSCAPE BUFFERS

	REQ'D	PROVIDED
FRONT (ADJ. TO ROW)	10'-0"	10'-0"
INTERIOR SIDE (ADJ. TO RESIDENTIAL)	8'-0"	0'-0" (WAIVER REQUESTED)
INTERIOR SIDE (ADJ. TO INDUSTRIAL)	0'-0"	0'-0"
REAR (ADJ. TO ROW)	15'-0"	0'-0" (WAIVER REQUESTED)

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0' 10' 40' 80'

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VAR-39148 SUP-39149
SDR-39147 REVISED

PLANTING PLAN

L100

09.065 A Cab Taxi Company

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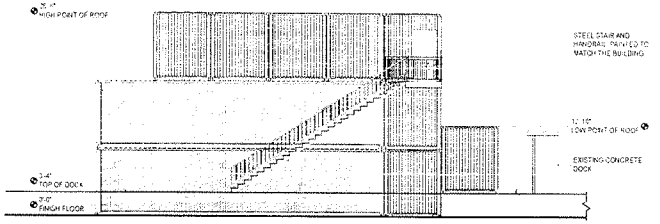
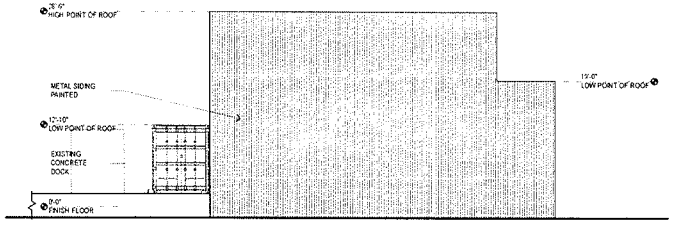
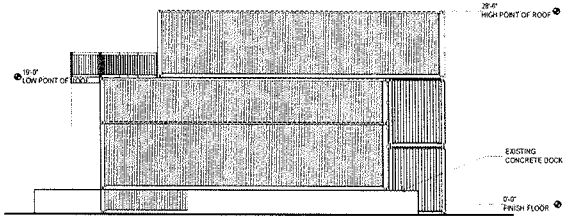


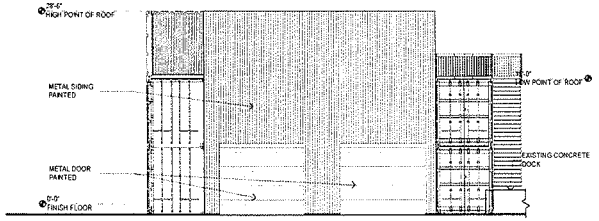
NORTH ELEVATION
1/8" = 1'-0"



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



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



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

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Suite 206
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P 702.839.1200
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0' 4' 8' 16'

A Cab Taxi Company
Site Development Review
1500 Searles Avenue
Las Vegas, Nevada 89101

City of Las Vegas Site Development Review Submittal 08.10.10

VAR-39148
SUP-39149
SDR-39147

EXTERIOR ELEVATIONS - AUTO REPAIR

A200

09065 A Cab Taxi Company

AUG 1 0 2010

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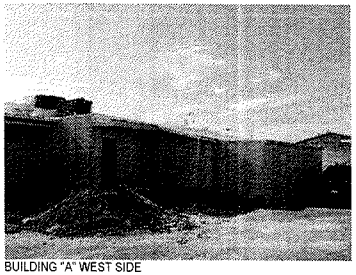
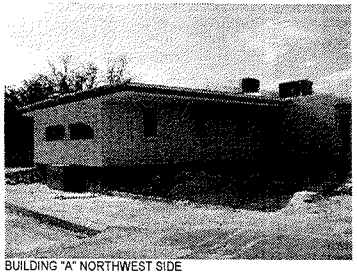
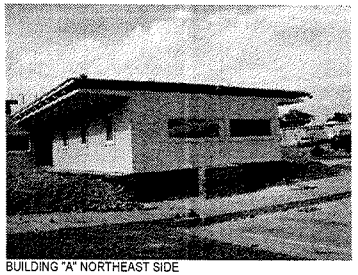
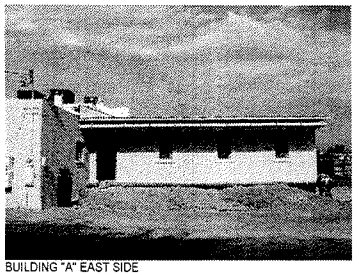

BUILDING "A" WEST SIDE


BUILDING "A" NORTHWEST SIDE


BUILDING "A" NORTHEAST SIDE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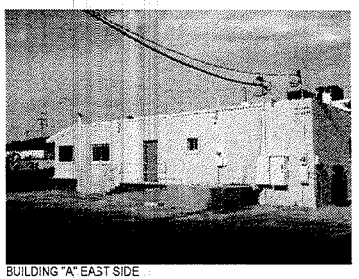
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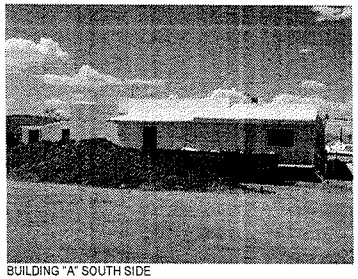
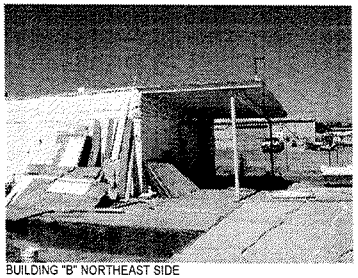
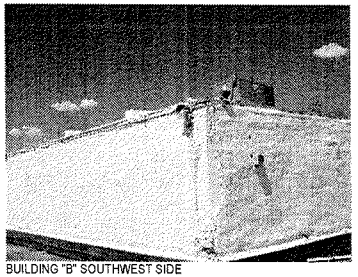
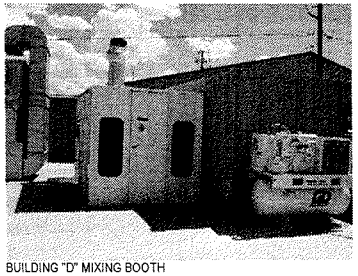
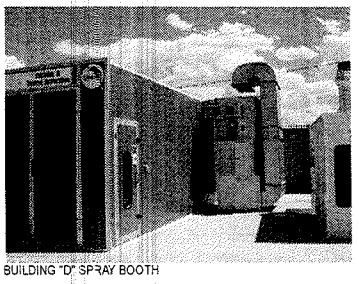
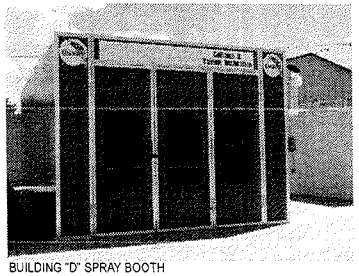

BUILDING "A" SOUTH SIDE


BUILDING "B" NORTHEAST SIDE


BUILDING "B" SOUTHWEST SIDE


BUILDING "D" MIXING BOOTH


BUILDING "D" SPRAY BOOTH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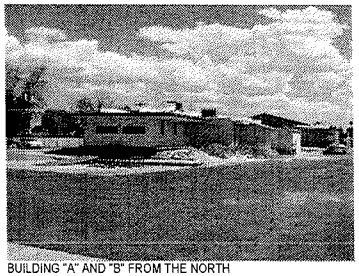
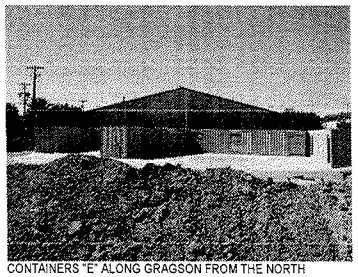
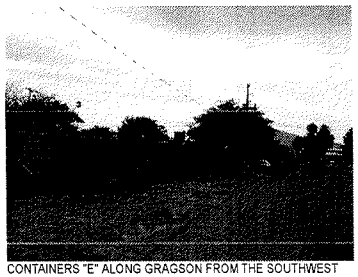
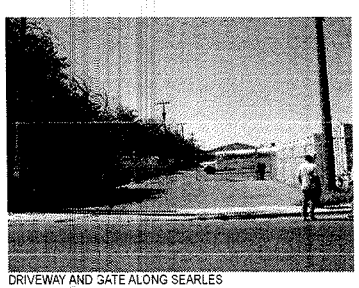
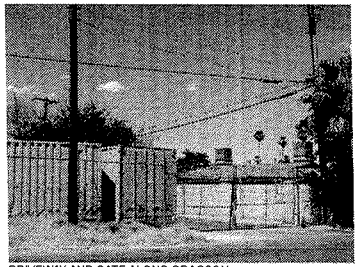
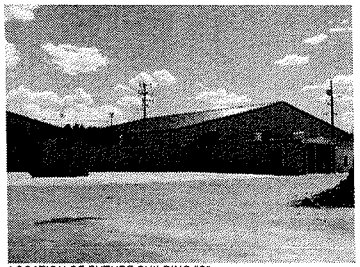

BUILDING "A" AND "B" FROM THE NORTH


CONTAINERS "E" ALONG GRAGSON FROM THE NORTH


CONTAINERS "E" ALONG GRAGSON FROM THE SOUTHWEST


DRIVEWAY AND GATE ALONG SEARLES


DRIVEWAY AND GATE ALONG GRAGSON


LOCATION OF FUTURE BUILDING "C"

Copyright 2010 © by APTUS Architecture

APTUS Architecture
1700 South 4th Street
Suite 206
Las Vegas, Nevada 89104
P 702.839.1200
F 702.839.1213

AUG 10 2010

A Cab Taxi Company
Site Development Review
1500 Searles Avenue
Las Vegas, Nevada 89101

City of Las Vegas Site Development Review Submittal 08.13.10

VAR-39148
SUP-39149
SDR-39147

EXISTING PHOTOS

A201

09065 A Cab Taxi Company

F:\09065 A Cab Taxi Co\DWGS\09065 A Cab Taxi ENTER.mpf, 8/10/2010 9:33 AM, EVAnderson

VAR-39148, SUP-39149 & SDR-39147 - APPLICANT: A TAXI CAB COMPANY - OWNER: FOUR FOURS, LLC

1500 SEARLES AVENUE

08/19/10

VAR-39148, SUP-39149 & SDR-39147 - APPLICANT: A TAXI CAB COMPANY - OWNER: FOUR FOURS, LLC
1500 SEARLES AVENUE

08/19/10

VAR-39148, SUP-39149 & SDR-39147 - APPLICANT: A TAXI CAB COMPANY - OWNER: FOUR FOURS, LLC
1500 SEARLES AVENUE

08/19/10

VAR-39148, SUP-39149 & SDR-39147 - APPLICANT: A TAXI CAB COMPANY - OWNER: FOUR FOURS, LLC
1500 SEARLES AVENUE

08/19/10

VAR-39148, SUP-39149 & SDR-39147 - APPLICANT: A TAXI CAB COMPANY - OWNER: FOUR FOURS, LLC
1500 SEARLES AVENUE

08/19/10

VAR-39148, SUP-39149 & SDR-39147 - APPLICANT: A TAXI CAB COMPANY - OWNER: FOUR FOURS, LLC
1500 SEARLES AVENUE

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1500 SEARLES AVENUE

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1500 SEARLES AVENUE

08/19/10

VAR-39148, SUP-39149 & SDR-39147 - APPLICANT: A TAXI CAB COMPANY - OWNER: FOUR FOURS, LLC

1500 SEARLES AVENUE

08/19/10

VAR-39148, SUP-39149 & SDR-39147 - APPLICANT: A TAXI CAB COMPANY - OWNER: FOUR FOURS, LLC

1500 SEARLES AVENUE

08/19/10

VAR-39148, SUP-39149 & SDR-39147 - APPLICANT: A TAXI CAB COMPANY - OWNER: FOUR FOURS, LLC
1500 SEARLES AVENUE

08/19/10

APTUS

August 10, 2010

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

Re: A Cab Taxi Dispatch Center
APN: 139-26-201-004
Major Modification to SDR-35195
Special Use Permit
Variance

AUG 10 2010

To Whom It May Concern:

Architecture
Engineering
Planning
Interiors
Landscape

Enclosed please find the required application materials associated with the following requests:

- Major modifications to an existing Site Development Plan Review for a Taxi Yard with waivers of a portion of the landscaping requirement.
- Special Use Permit for outside storage within the side setback
- Variance for 0'-0" side setback where 8'-0" is required

A Cab Taxi Co. has been operating at its existing site located at 4444 South Valley View since 2004 and received its first medallion from the Taxicab Authority in 2001. Its current site on .86 acres has continually met the company's needs since that time. The recent condemnation of the existing site to facilitate the expansion of Harmon Avenue has required that the business be relocated. The proposed 1.89 acre site located at 1500 Searles Avenue is a suitable location for the permitted use within a C-M zone. A Cab has been operating out of the Searles location for approximately 6 months.

The existing office building has been remodeled to accommodate the company's approximately 12 non-driver employees. Adequate parking for both these employees, as well as those drivers who may bring a personal vehicle to work is provided, although experience has shown that many employees choose public transportation instead of driving private vehicles. The Certificate of Occupancy has been granted for this structure as of 02.11.10.

Accessory buildings on site reflect the site's use for limited maintenance of company owned vehicles. Auto Repair Garage (Minor) and Auto Paint and Body Repair Shop are both Conditional Uses in the C-M zone, and any maintenance performed on site will consist only of preventative or basic maintenance such as oil changes, tire changing, and minor paint jobs to keep the taxis prepared for their usual schedules. No fueling services will be offered, and more intense body work, such as that associated with vehicles involved in collisions, will be performed elsewhere. As required, the repair and service work will be performed within the proposed building in an area which will be completely enclosed. The repair garage previously shown on the site has been relocated just south of the existing office building and a portion of the parking has been relocated along the southern property line and the eastern property line.

We are requesting a variance for the eastern (side setback) of the Supervisor Shelter of 0'-0" where 8'-0" is required. This structure allows the cab drivers to download their information to the computer for billing purposes.

VAR-39148
SUP-39149
SDR-39147

Las Vegas
1200 South 4th Street
Suite 206
Las Vegas, Nevada 89104
P 702.839.1200
F 702.839.1213

Riverside
3750 Sante Fe Avenue
Suite 106
Riverside, California 92507
P 951.823.0555
F 951.823.0550

aptusgroup.com

We are also requesting a special use permit to allow outside storage within the side setback at the north end of the property. This will help to provide a buffer from the site to the street and will provide a continuous landscape strip.

We are requesting a waiver (in addition to the waivers already approved with the previous SDR) to provide a 0'-0" landscape buffer where an 8'-0" landscape buffer is required along the east property line and to provide a 0'-0" landscape buffer where 15'-0" landscape buffer is required along the southern property line. A sidewalk along Gragson has been shown on the plans at the councilman's request. The existing trees on the residential side of the wall offer an adequate buffer between the two properties.

If you have any questions or need additional information regarding anything with respect to these requests, please do not hesitate to contact my office.

Sincerely,

Kristen G. Neuman

Kristen G. Neuman, AIA
APTUS Architecture

RECEIVED
AUG 10 2010

VAR-39148
SUP-39149
SDR-39147

City of Las Vegas Agenda Item No.: **29.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

SUBJECT:
SUP-39149 - SPECIAL USE PERMIT RELATED TO VAR-39148 - PUBLIC HEARING - APPLICANT: A CAB TAXI COMPANY - OWNER: FOUR FOURS, LLC - Request for a Special Use Permit FOR OUTDOOR STORAGE, ACCESSORY WITHIN THE REQUIRED SETBACK AND LANDSCAPE BUFFER AREA ALONG THE WEST PERIMETER at 1500 Searles Avenue (APN 139-26-201-004), C-M (Commercial/Industrial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE 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. 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.

RECEIVED
AUG 10 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-39149** APN: 139-26-201-004

Name of Property Owner: Four Fours, LLC

Name of Applicant: A Cab Taxi Co.

Name of Representative: Ballard Spahr, LLP

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Creighton J. Nady

Subscribed and sworn before me

This 4th day of August, 2010

Cindy Lou Ord

Notary Public in and for said County and State

CINDY LOU ORD
Notary Public State of Nevada
No. 00-63415-1
My appt. exp. July 15, 2012

AUG 10 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit to allow outside storage in a side yard setback

Project Address (Location) 1500 Searles

Project Name A Cab Taxi Co. **Proposed Use** Taxi/Limo Yard

Assessor's Parcel #(s) 139-26-201-004 **Ward #** 5- Barlow

General Plan: existing LI-R proposed n/a **Zoning:** existing CM proposed n/a

Commercial Square Footage _____ **Floor Area Ratio** n/a

Gross Acres 1.89 **Lots/Units** n/a **Density** n/a

Additional Information _____

PROPERTY OWNER Four Fours, LLC **Contact** Jay Nady

Address 1500 Searles Ave **Phone:** (702) 277-1333 **Fax:** _____

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

E-mail Address cjnoui@yahoo.com

APPLICANT A Cab Taxi Co. **Contact** Jay Nady

Address 1500 Searles **Phone:** (702) 277-1333 **Fax:** _____

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

E-mail Address cjnoui@yahoo.com

REPRESENTATIVE Ballard Spahr, LLP **Contact** Bill Curran

Address 100 City Parkway, Suite 1750 **Phone:** (702) 471-7000 **Fax:** (866) 381-5357

City Las Vegas **State** NV 89102 **Zip** 89106

E-mail Address curranb@ballardspahr.com

Property Owner Signature* _____

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

Print Name Creighton J. Nady

Subscribed and sworn before me

This 4th day of August, 2010.

Cindy Lou Ord

Notary Public in and for said County and State

CINDY LOU ORD
Notary Public State of Nevada
No. 00-63415-1
My appt. exp. July 15, 2012

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP - 39149
Meeting Date:	9.23.10
Total Fee:	$1,030.-
Date Received:*	8.10.10
Received By:	JRA

*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

City of Las Vegas Agenda Item No.: **30.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

SUBJECT:
SDR-39147 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-39148 AND SUP-39149 - PUBLIC HEARING - APPLICANT: A CAB TAXI COMPANY - OWNER: FOUR FOURS, LLC - Request for a Major Amendment to a previously approved Site Development Plan Review (SDR-35195) FOR A PROPOSED 10,800 SQUARE-FOOT TAXICAB/LIMO YARD WITH ANCILLARY VEHICLE SERVICE AND AUTO REPAIR WHERE AN 8,800 SQUARE-FOOT TAXICAB/LIMO YARD WAS APPROVED, A PROPOSED 5,000 SQUARE-FOOT AUTO REPAIR GARAGE WHERE A 3,000 SQUARE-FOOT BUILDING WAS APPROVED AND TO ALLOW 24 TREES WITHIN PERIMETER LANDSCAPE BUFFERS WHERE 37 TREES WERE APPROVED, WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW A ZERO-FOOT BUFFER ALONG A PORTION OF THE EAST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED AND ALONG THE SOUTH PERIMETER WHERE SIX FEET IS REQUIRED on 1.94 acres at 1500 Searles Avenue (APN 139-26-201-004), C-M (Commercial/Industrial) Zone, Ward 5 (Barlow).. Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE 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. 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.

RECEIVED
AUG 10 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-39147** APN: 139-26-201-004

Name of Property Owner: Four Fours, LLC

Name of Applicant: A Cab Taxi Co.

Name of Representative: Ballard Spahr, LLP

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Creighton J. Nady

Subscribed and sworn before me

This 4th day of August, 2010

Cindy Lou Ord

Notary Public in and for said County and State

CINDY LOU ORD
Notary Public State of Nevada
No. 00-63415-1
My appt. exp. July 15, 2012

AUG 1 0 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Major Modification to previously approved SDR-35195

Project Address (Location) 1500 Searles

Project Name A Cab Taxi Co. **Proposed Use** Taxi/Limo Yard

Assessor's Parcel #(s) 139-26-201-004 **Ward #** 5- Barlow

General Plan: existing LI-R proposed n/a **Zoning:** existing CM proposed n/a

Commercial Square Footage _____ **Floor Area Ratio** n/a

Gross Acres 1.89 **Lots/Units** n/a **Density** n/a

Additional Information _____

PROPERTY OWNER Four Fours, LLC **Contact** Jay Nady

Address 1500 Searles Ave **Phone:** (702) 277-1333 **Fax:** _____

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

E-mail Address cjnoui@yahoo.com

APPLICANT A Cab Taxi Co. **Contact** Jay Nady

Address 1500 Searles **Phone:** (702) 277-1333 **Fax:** _____

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

E-mail Address cjnoui@yahoo.com

REPRESENTATIVE Ballard Spahr, LLP **Contact** Bill Curran

Address 100 City Parkway, Suite 1750 **Phone:** (702) 471-7000 **Fax:** (866) 381-5357

City Las Vegas **State** NV 89102 **Zip** 89106

E-mail Address curranb@ballardspahr.com

Property Owner Signature* _____

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

Print Name Creighton J. Nady

Subscribed and sworn before me

This 4th day of August, 20 10.

Cindy Lou Ord

Notary Public in and for said County and State

CINDY LOU ORD
Notary Public State of Nevada
No. 00-63415-1
My appt. exp. July 15, 2012

FOR DEPARTMENT USE ONLY

Case #	SDR - 39147
Meeting Date:	9.23.10
Total Fee:	$1,030.-
Date Received:*	8.10.10
Received By:	JFA

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

Revised 10/27/08

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

City of Las Vegas Agenda Item No.: **31.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

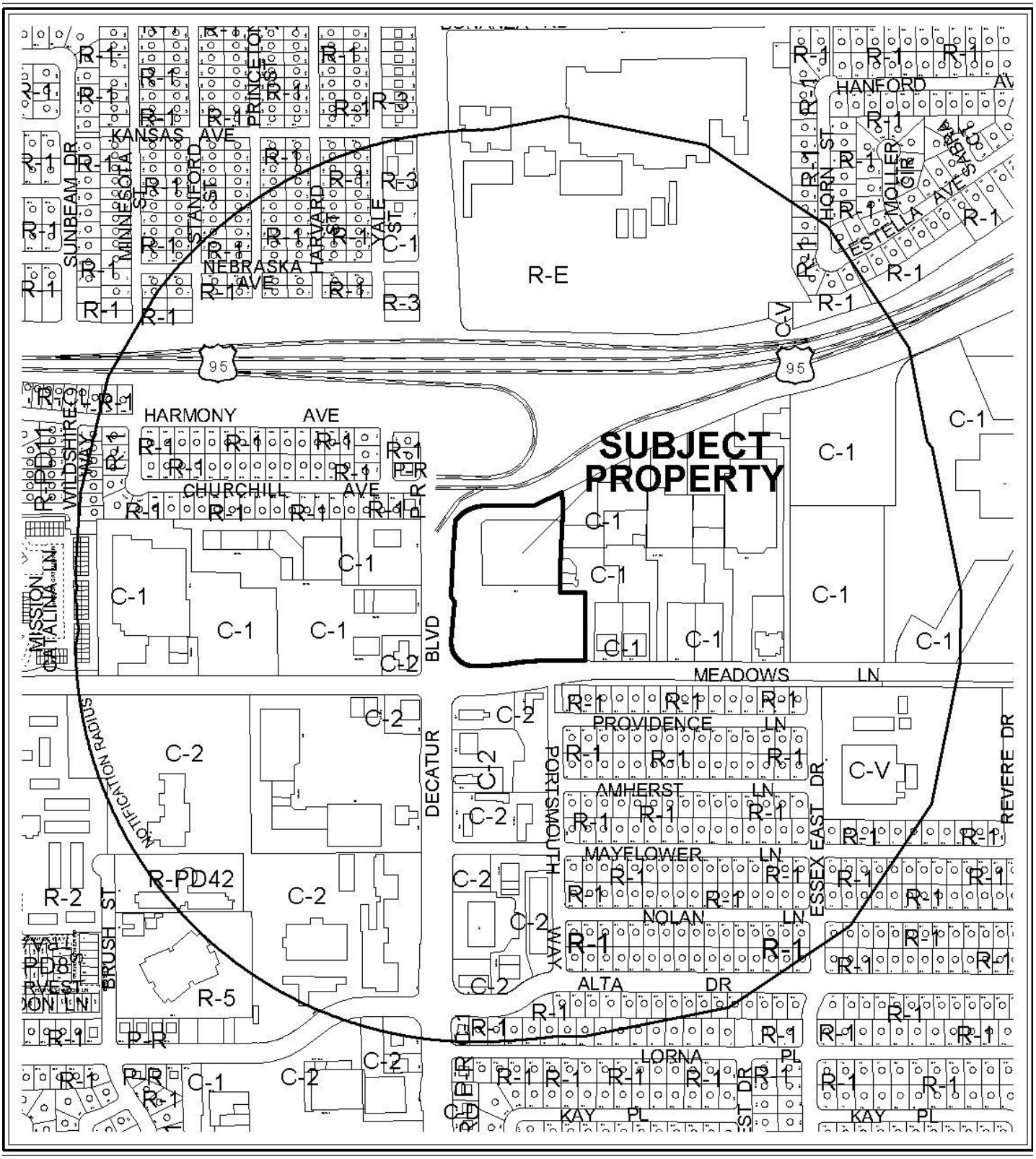
SUBJECT:
SUP-38860 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CARDENAS MARKETS, INC. - OWNER: LAMANZA, LLC - Request for a Special Use Permit FOR A 500 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN A PROPOSED 66,926 SQUARE FOOT RETAIL ESTABLISHMENT (GROCERY STORE) at 4700 Meadows Lane (APN 139-31-111-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE FINAL ACTION
(Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**3**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 300 600 Feet

CASE: **SUP-38860**

RADIUS: 1500 FT

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

N

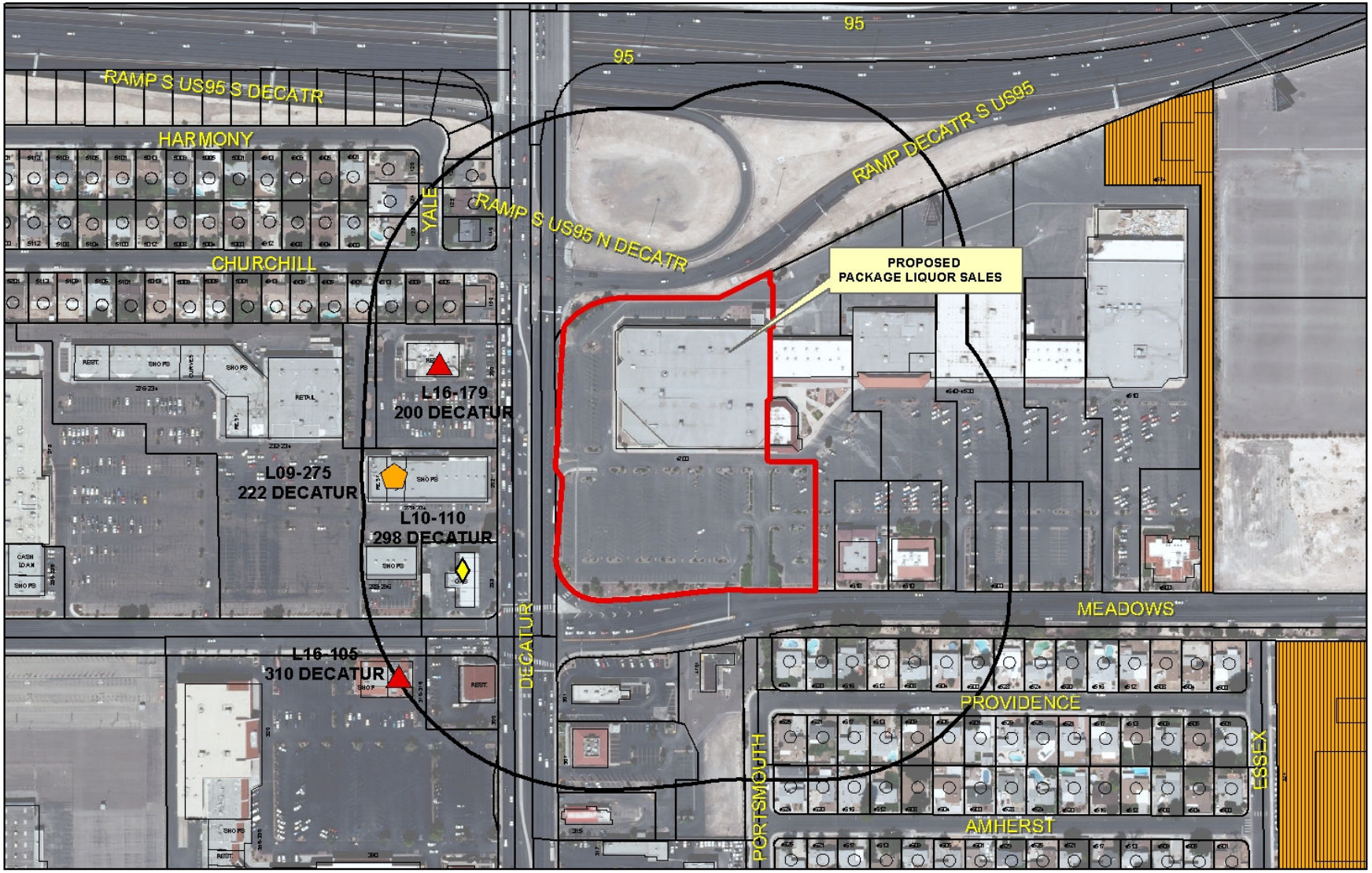
0 300 600 Feet

CASE: **SUP-38860**

RADIUS: 1500 FT

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

N



SUP-38860

Package Liquor Sales

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: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: CARDENAS MARKETS, INC. - OWNER: LAMANZA, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-38860	Staff recommends APPROVAL, subject to conditions:	SDR-38861

SUP-38860 CONDITIONS

Planning and Development

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

2. Conformance to the Conditions of Approval of Site Development Plan Review (SDR-38861), except as amended herein.

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. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

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

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

MH

Conditions Page Two
September 23, 2010 - Planning Commission Meeting

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

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

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

Staff Report Page One
September 23, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This request is for a Special Use Permit to allow an Accessory Package Liquor Off-Sale use within a proposed Grocery Store at 4700 Meadows Lane. Staff recommends approval of this request, with conditions as the use will be operated in conjunction with a Grocery Store and is compatible with adjacent land uses. If denied, the applicant may proceed with the Grocery Store use but may not sell alcoholic beverages.

ISSUES

- Per Title 19.04, the Accessory Package Liquor Off-Sale Use is permissible in the C-1 (Limited Commercial) zoning district with an approved Special Use Permit.
- An associated Minor Site Development Review (SDR-38861) to remodel an existing 77,637 square-foot General Retail Establishment (department store) into a Grocery Store has been administratively approved.
- The display and merchandising area permitted for the Accessory Package Liquor Off-Sale use is limited to 5,570 square feet (10% of the 55,706 square-foot retail portion of the 66,964 square-foot Grocery Store). Per the submitted plans, the area dedicated to alcohol sales is 500 square feet.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/23/1974	The City Council denied the request to Rezone (Z-0102-73) 100 acres from R-1 (Single-Family Residential) and C-V (Civic) to C-1 (Limited Commercial) for a Regional Shopping Mall. The Planning Commission recommended approval.
02/05/1975	The Board of City Commissioners adopted Ordinance No. 1014 to Rezone (Z-0102-73) 100 acres from R-1 (Single-Family Residential) and C-V (Civic) to C-1 (Limited Commercial) for a Regional Shopping Mall as required by the District Court and affirmed by the Supreme Court of Nevada.
12/28/1977	The Board of City Commissioners approved a Plot Plan Review (Z-0102-73) for property located at the northeast corner of Decatur Boulevard and Meadows Lane. The City Planning Commission recommended approval on 12/08/1977.

Related Building Permits/Business Licenses	
1978	Building Permits were issued against Plan Check C-0142-78 for a new Retail Building located at 4700 Meadows Lane.
05/10/79	A Business License (#D16-00004) was issued for a Department Store at 4700 Meadows Lane. This license expired and was marked out of business 01/13/2009.
04/28/10	A Building Permit (#161092) was issued for a Non-Work Certificate of Occupancy for 4700 Meadows Lane. A final inspection was completed on 04/28/2010.
04/30/10	A Business License (#G11-00022) was issued for a Mega Store (Department Store) at 4700 Meadows Lane. The license remains active but there were no signs of operation during the field check.
08/16/10	A Building Permit (#170105) was issued over the counter for interior demolition work to a 76,637 square-foot retail building. This permit has not received a final inspection.

Most Recent Change of Ownership	
08/11/2010	A deed was recorded for a change in ownership.

Pre-Application Meeting	
07/13/2010	A pre-application meeting was held with staff to discuss the required process for converting a vacant 70,000 Retail into a Grocery Store with Accessory Liquor Off-Sale. Staff briefed the applicant on the submittal requirements for the Minor Site Development Plan Review, to cover the renovation of the existing structure, and the requirements for a Special Use Permit, to cover the required Special Use Permit for the Accessory Liquor Off-Sale use.

Neighborhood Meeting
A neighborhood meeting is not required for this type of request nor was one held.

Field Check	
08/19/10	Staff conducted a field inspection of the subject site. • There are no businesses currently operating at this location. • The site is currently free of graffiti but has dead vegetation located within some landscape planters. • The rear loading dock has an accumulation of trash but is in good physical condition.

Details of Application Request	
Site Area	
Net Acres	6.8

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
North	Right of Way (US-95)	Right of Way (US-95)	Right of Way (US-95)
South	Restaurant	GC (General Commercial)	C-2 (General Commercial)
	Minor Auto Repair	GC (General Commercial)	C-2 (General Commercial)
	Landscape buffer	SC (Service Commercial)	C-1 (Limited Commercial)
East	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	Gas Station/General Retail	SC (Service Commercial)	C-1 (Limited Commercial)

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

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Approved Z-0102-73(1)***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Grocery Store	66,926 SF	1:250	268				Y
General Retail	9,711 SF	1:175	56				Y
TOTAL SPACES REQUIRED			**320**		**406**		Y

MH

TOTAL (With Handicapped)	324	4	413	9	Y

ANALYSIS

The subject site of the proposed use maintains the SC (Service Commercial) land use designation and is located within the C-1 (Limited Commercial) zoning district. The proposed Retail Establishment with Accessory Package Liquor Off-Sale use is permissible only with an approved Special Use Permit.

Regarding the physical impact of the proposed Special Use Permit, only the internal layout of the Grocery Store would be affected. Site access and overall parking count remain unchanged; however, the applicant has updated the existing handicapped parking spaces to meet the current City of Las Vegas Title 19.10.010(G) Handicapped Parking Requirements by providing five additional Handicapped spaces with the required five-foot access to each space.

Per Title 19.04, the description of the Retail Establishment with Accessory Package Liquor Off-Sale use limits the amount of area devoted to the display and merchandising of alcoholic beverages to 10 percent of the retail floor space. The applicant has received approval for an Amendment (SDR-38861) to convert the existing 77,637 square-foot General Retail Establishment (department store) into a 66,926 square foot Grocery Store with 9,711 square-feet of General Retail space sectioned into five leasable suites on the west side of the building. Based upon the Amended floor plan (SDR-38861), the Grocery Store maintains 55,706 square feet of retail area, of which the applicant would be allowed to utilize up to 5,570 square feet of floor space for the display and merchandizing of alcoholic beverages. The applicant has requested 500 square feet of area which constitutes approximately 1% of the retail area. Staff recommends approval of this request, with conditions.

FINDINGS (SUP-38860)

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 adjacent properties, consisting of Shopping Centers to the east and west, the US-95 Expressway to the north, and a Single Family Residential neighborhood separated by a thirty-foot wide landscape buffer with 6-foot high screen wall, are all compatible with the addition of a Grocery Store use where neighborhood.

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

The subject site has been approved (SDR-38861) to convert the thirty-two year old department store into a 66,926 square foot grocery store with 9,711 square feet of leasable commercial suites. The applicant is providing additional landscaping and features that support and encourage pedestrian use and will be providing a needed Grocery Store for the nearby residential neighborhoods.

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 subject site is provided from Decatur Boulevard, a 100-foot Primary Arterial, and Meadows Lane, a 70-foot Local Street, as defined by the Master Plan of Streets and Highways and Meadows Lane. Adequate site access to the adjacent roadways and internal site circulation remain unchanged since the originally approved Plot Plan Review (Z-0102-73).

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

The proposed use will be subject to permit review and inspections prior to operating a business; therefore, appropriate measures will be taken to protect the health, safety and general welfare of the public.

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

The proposed use meets all Minimum Special use Permit requirements for the Retail Establishment with Accessory Package Liquor Off-Sale use. Because of the size and location of the Grocery Store, the primary use, all separation distance requirements have been met.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 28

NOTICES MAILED 569

APPROVALS 2

PROTESTS 3

MH

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-38860** APN: 1393111001

Name of Property Owner: PACPROP / LAMANZA

Name of Applicant: CARDENAS MARKET

Name of Representative: LENDALL MAINS

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: Steve Glusker

Subscribed and sworn before me A. G. Fyffe

This 29th day of July, 2010

_____

Notary Public in and for said County and State

A. G. FYFFE
Commission # 1810171
Notary Public - California
Los Angeles County
My Comm. Expires Aug 19, 2012

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Cardenas Market #30

Project Address (Location) 4700 Meadows Lane

Project Name Cardenas Market #30 **Proposed Use** Grocery Store

Assessor's Parcel #(s) 13931111001 **Ward #** _____

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

Commercial Square Footage 76,678 square feet **Floor Area Ratio** 25.8%

Gross Acres 6.81 **Lots/Units** 1 **Density** _____

Additional Information Special Use Permit for Liquor and Gaming

PROPERTY OWNER PACPROP / LAMANZA **Contact** Steve Glusker

Address 12100 Wilshire Boulevard, Suite 1025 **Phone:** (310) 447-0707 **Fax:** (310) 447-0936

City Los Angeles **State** CA **Zip** 90025

E-mail Address steve@ppgla.com

APPLICANT Cardenas **Contact** Robert Gonzalez

Address 1040 S. Vintage Ave., Suite #A **Phone:** (909) 923-7426 **Fax:** (909) 201-7262

City Ontario **State** CA **Zip** 91761

E-mail Address rgonzalez@cmkts.com

REPRESENTATIVE SSA Architecture **Contact** Lendall Mains

Address 4630 S. Arville St., Suite A **Phone:** (702) 873-1718 **Fax:** (702) 873-1726

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

E-mail Address mains@smallstudioassociates.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 Steve Glusker

Subscribed and sworn before me A.G. Fyffe

This 29th day of July, 20 10.

_____

Notary Public in and for said County and State

A. G. FYFFE
Commission # 1810171
Notary Public - California
Los Angeles County
My Comm. Expires Aug 19, 2012

FOR DEPARTMENT USE ONLY

Case #	SUP-38860
Meeting Date:	9-23-10
Total Fee:	$1280.00
Date Received:*	AUG 12, 2010
Received By:	M. Have

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

Revised 10/27/08

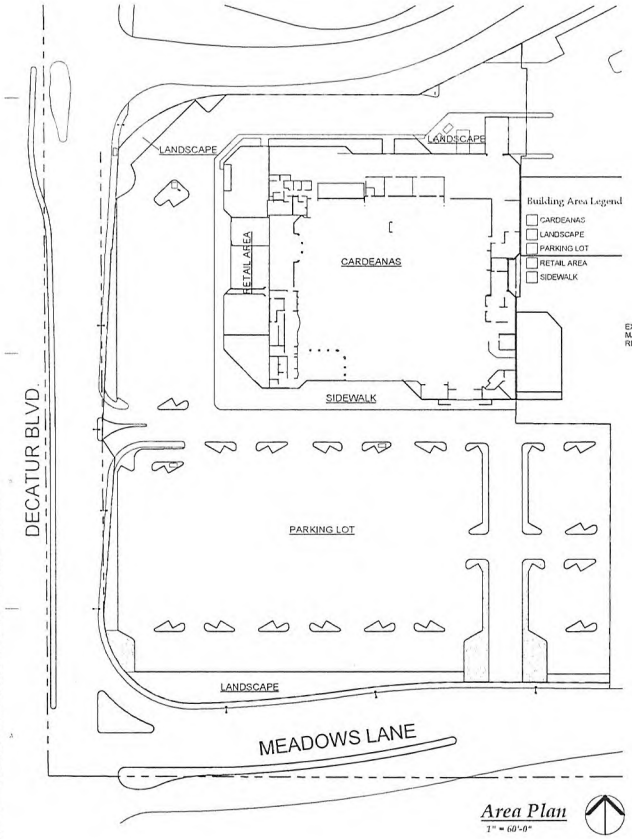
f:\depot\Application Packet\Application Form.pdf

Proposed Tenant Improvement:

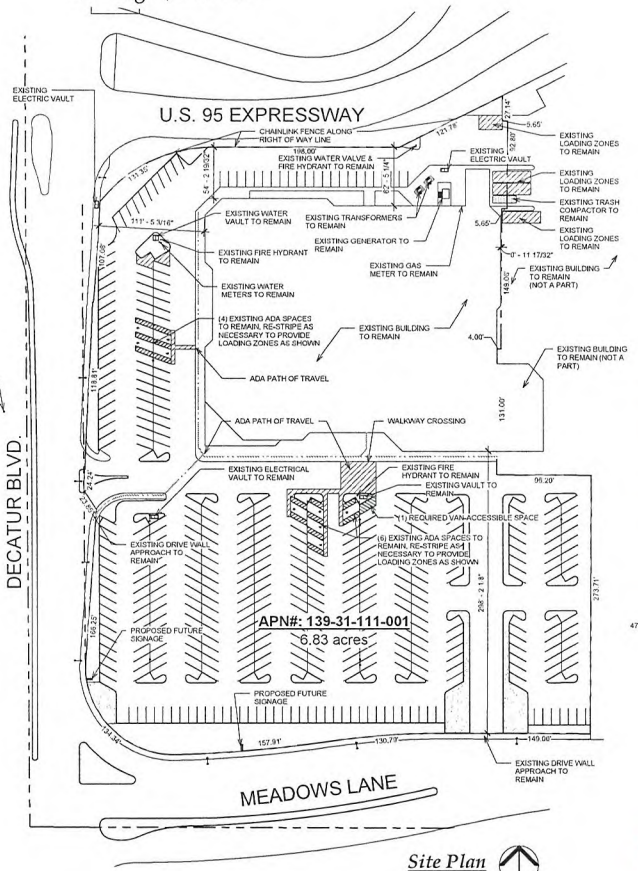
CARDENAS

APN#: 139-31-111-001
4700 Meadows Lane
Las Vegas, Nevada

Area Schedule (Gross Building)		
Name	*Area*	*% Of Lot*
LANDSCAPE	32596 SF	11%
PARKING LOT	175777 SF	59%
SIDEWALK	12807 SF	4%
Exterior Area	221180 SF	74%
CARDEANAS	66055 SF	22%
RETAIL AREA	10582 SF	4%
Gross Building Area	76637 SF	26%
Grand total	297727 SF	100%



Area Plan
1" = 60'-0"



Site Plan
1" = 60'-0"

TENANT:	CARDENAS MARKETS 1040 S. VINTAGE AVE., SUITE A, ONTARIO, CA 91761 TEL. (909) 923-7426 FAX. (909) 535-3157 CONTACT: ROBERT GONZALEZ EMAIL: rgonzalez@cmkts.com
PROJECT ADDRESS:	4700 MEADOWS LANE LAS VEGAS, NEVADA
ARCHITECT:	KENNETH SMALL, AIA SSA ARCHITECTS 4630 SOUTH ARVILLE, SUITE A LAS VEGAS, NEVADA 89103 (702) 873-1718 FAX 873-1720
OCCUPANCY:	M
CONSTRUCTION:	TYPE III-B
FIRE SPRINKLERS:	**EXISTING** - MODIFY AS REQUIRED TO ACCOMMODATE NEW CONSTRUCTION. CONTRACTOR TO SUBMIT PLANS UNDER SEPARATE PERMIT.
ZONING:	C-2
LAND USE:	SC (SERVICE COMMERCIAL)
FLOOR SQUARE FOOTAGE:	76,637 SF

PROJECT DESCRIPTION:

EXISTING MERVYNS TO BE REMOLDED IN TO A NEW CÁRDENAS GROCERY STORE.

PARKING REQUIREMENTS:

72,700SF RETAIL AT 1/250SF =291 SPACES	
3,948SF TORTILLERIA AND SEATING AT 1/100SF =	40 SPACES
REQUIRED PARKING =	331 SPACES
PROVIDED PARKING =	413 SPACES
HANDICAPPED SPACES REQUIRED =	9 SPACES
HANDICAPPED SPACES PROVIDED =	10 SPACES
(1 ADDITIONAL SPACE NEEDED)	
ON SITE LOADING REQUIRED 15'W X 25'D =	4 SPACES
ON SITE LOADING PROVIDED =	4 SPACES (EXISTING)

Vicinity Map

Sequence Of Drawings	
Number	*Description*
DR1	Site Plan
DR2	Overall Floor Plan
DR3	Elevations
DR4	Elevations
DR5	Landscaping Plan - North
DR6	Landscaping Plan - South

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SUP-38860
SDR-38861

SSA ARCHITECTURE
4630 SOUTH ARVILLE, SUITE A
LAS VEGAS, NEVADA 89103
(702) 873-1718
FAX 873-1720

Cardenas Market
APN#: 139-31-111-001
4700 Meadows Lane
Las Vegas, Nevada

SHEET TITLE
Site Plan

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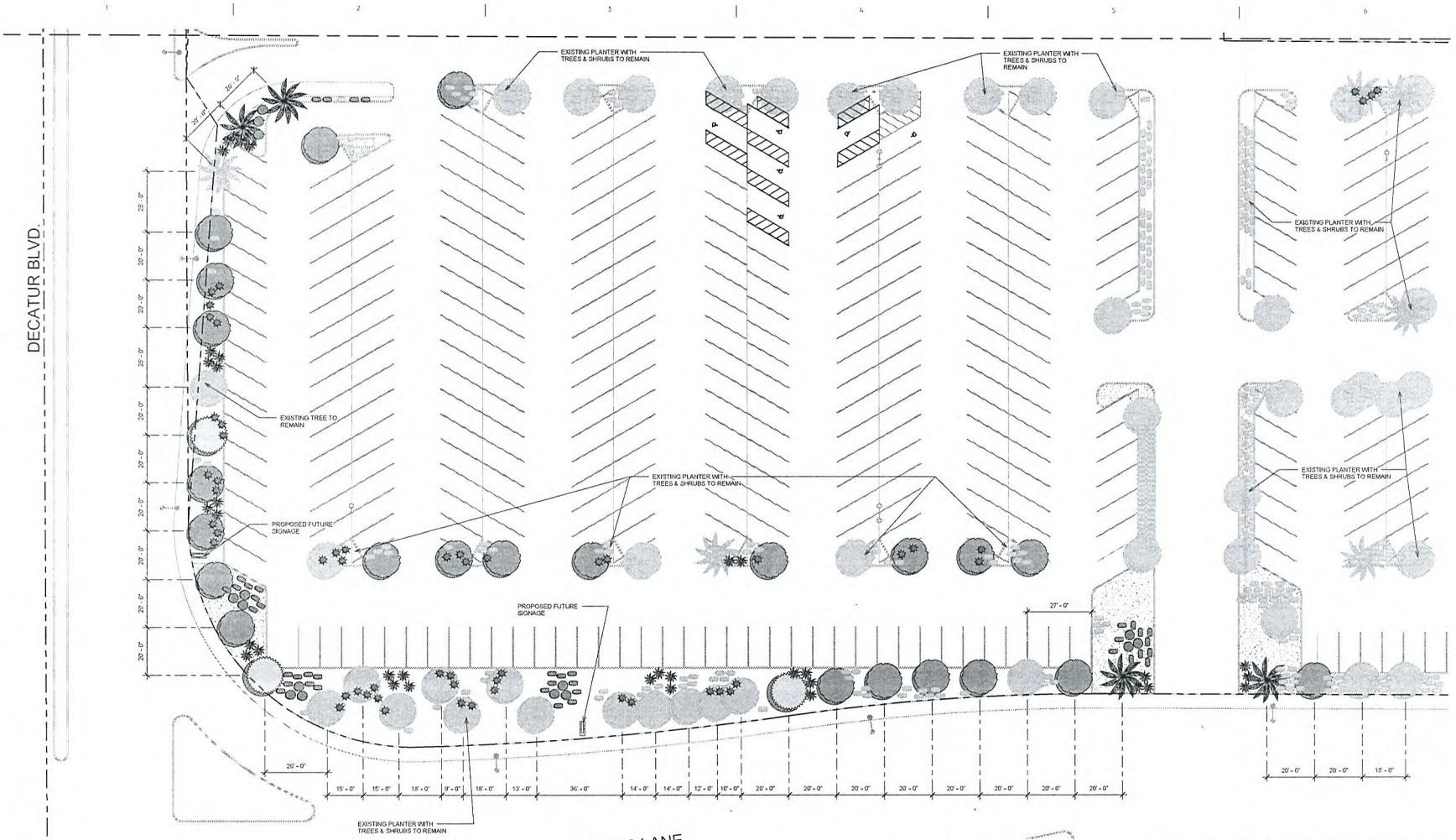
REVISION	DATE

SHEET NAME
DR1

JOB NO. 10 July 2010
RELEASE DATE 09 Aug 10



Landscaping Plan - South
1" = 20'-0"

Planting Legend

Planting Schedule (Existing)	
Common Name	Quantity
Shrub (Existing)	
Shrub (Existing)	487
Tree (Existing)	
Palm (Existing)	7
Pine (Existing)	2
Tree (Existing)	57

Planting Schedule				
Common Name	Genus	Species	Size	Quantity
Shrub				
Damianta	Chrysactinia	mexicana	5 gallon	22
Red Yucca	Hesperaloe	parvifolia	5 gallon	43
Sage / Salvia	Salvia	sp.	5 gallon	76
Sierra Gold Dalea	Dalea	capitata	5 gallon	56
Tree				
Acacia (Mulga Tree)	Acacia	aneura	24" box	36
Mediterranean Fan Palm	Chamaerops	humilis	24" box	4
Pine (Aleppo)	Pinus	halepensis	24" box	5

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SDR-38861

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SSA ARCHITECTURE
4650 South Decatur, Suite A
Las Vegas, Nevada 89103
(702) 873-1778
Fax: 873-1720

Cardenas Market
APN#: 139-31-111-001
4700 Meadows Lane
Las Vegas, Nevada

SHEET TITLE
Landscaping Plan - South

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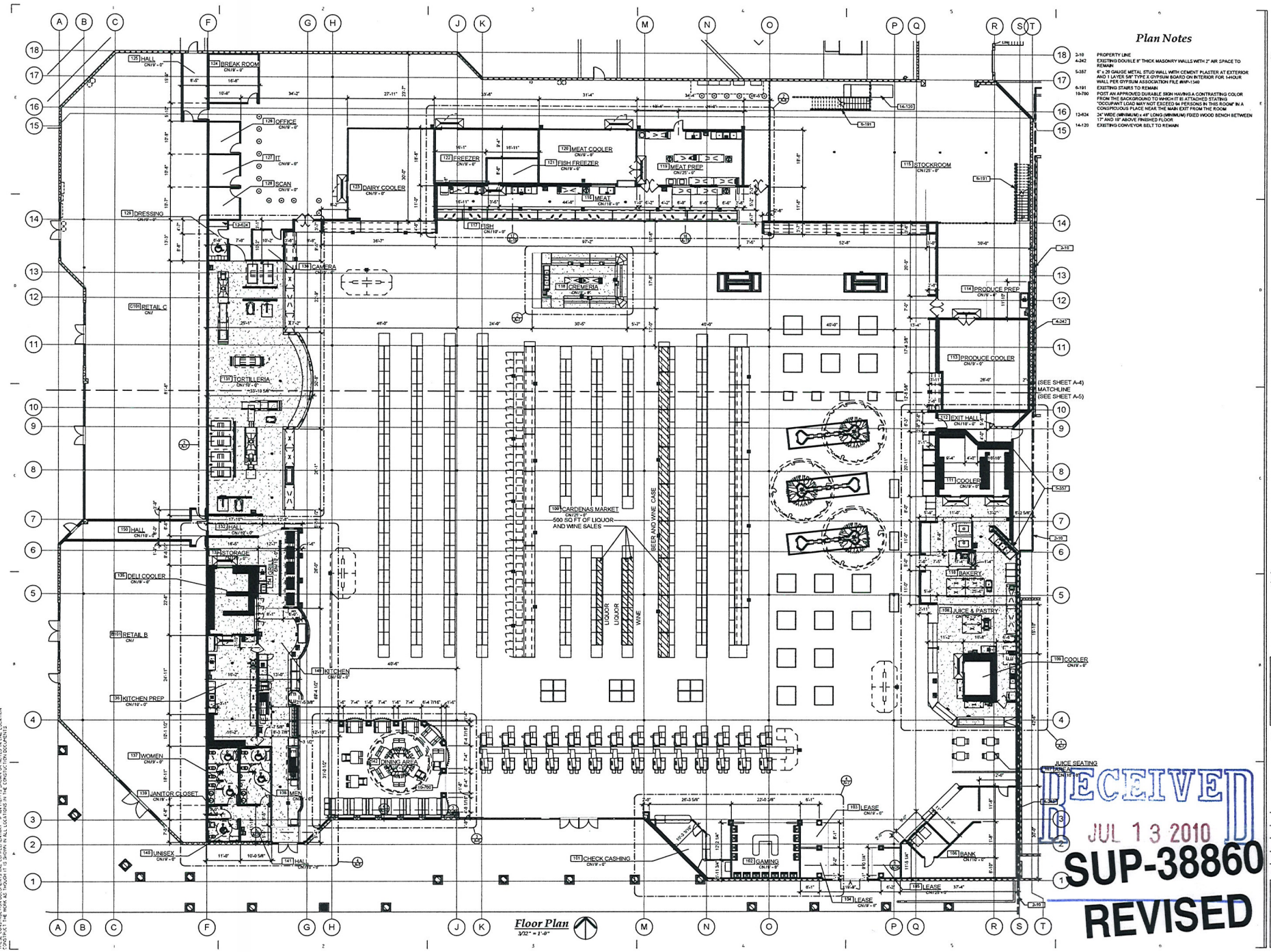
REVISION	DATE

SHEET NAME
OF
DR6

JOB NO: 12 July 2010
RELEASE DATE: 09-NO - 30



SEA ARCHITECTURE
6651 South Apache, Suite A
Las Vegas, Nevada 89113
(702) 872-1781
Fax: 873-1726

Cardenas Market
4700 Meadows Lane, Las Vegas, NV

SHEET TITLE:
Overall Floor Plan

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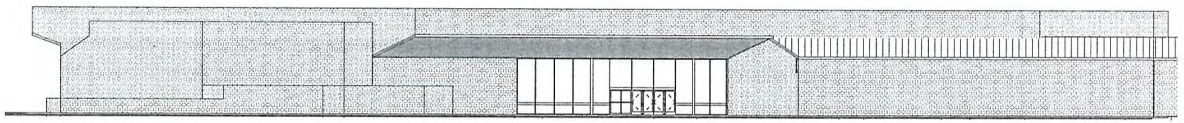
REVISED

REVISION | DATE

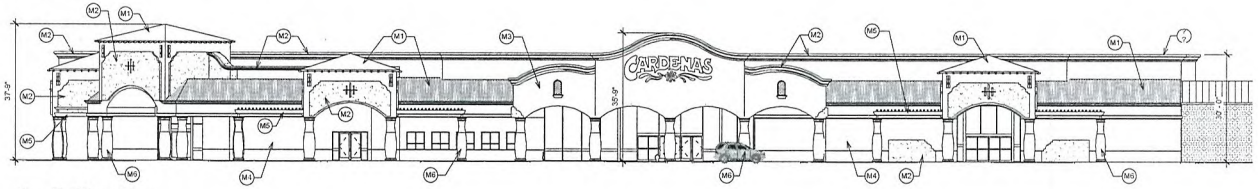
SHEET NAME:
A-3

JOB NO: 09-045 - 20
RELEASE DATE: 8 Sep 2010

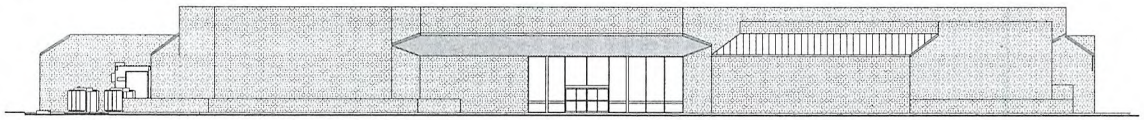
THESE CONSTRUCTION DOCUMENTS ARE COMPLEMENTARY. IF AN ITEM IS SHOWN OR NOTED IN ONE LOCATION CONSTRUCT THE WORK AS THOUGH IT IS SHOWN IN ALL LOCATIONS IN THE CONSTRUCTION DOCUMENTS



Existing South Elevation
1/16" = 1'-0"



South Elevation
1/16" = 1'-0"



Existing West Elevation
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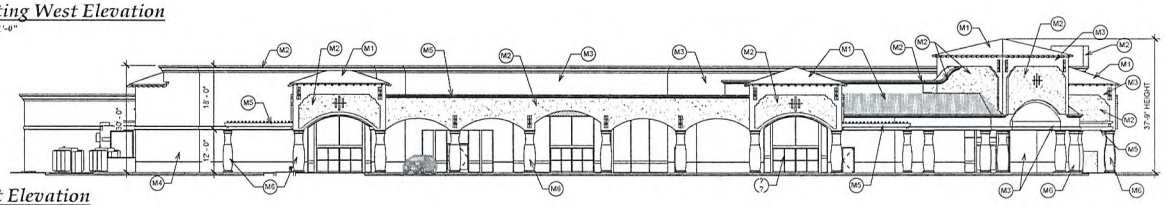

West Elevation
1/16" = 1'-0"

MATERIAL LEGEND			
MARK	DESCRIPTION	MANUFACTURER	MODEL
M1	ROOFING - CAPISTRANO	EAGLE ROOFING	KONA RED RANGE (3698)
M2	FOAM TRIM & ACCENT STUCCO COLOR	DUNN EDWARDS PAINT	NEUTRAL VALLEY (DE6119)
M3	MAIN STUCCO COLOR	DUNN EDWARDS PAINT	DAY LILY (DEQ317)
M4	LIGHT ACCENT STUCCO COLOR	DUNN EDWARDS PAINT	TERRACOTTA SAND (DE6136)
M5	WOOD TRELLIS COLOR	DUNN EDWARDS PAINT	BBQ (DE5118)
M6	PREFABRICATED CONCRETE COLUMN	CONCRETE DESIGNS, INC.	HACIENDA TAN (GH20)

SSA ARCHITECTURE
4650 South Arville, Suite A
Las Vegas, Nevada 89103
(702) 873-4718
Fax: 873-1726

Cardenas Market
APN#: 139-31-111-001
4700 Meadows Lane
Las Vegas, Nevada

SHEET TITLE
Elevations

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SHEET NAME
OF
DR3
JOB NO: 12 July 2010
RELEASE DATE: 09-065-30

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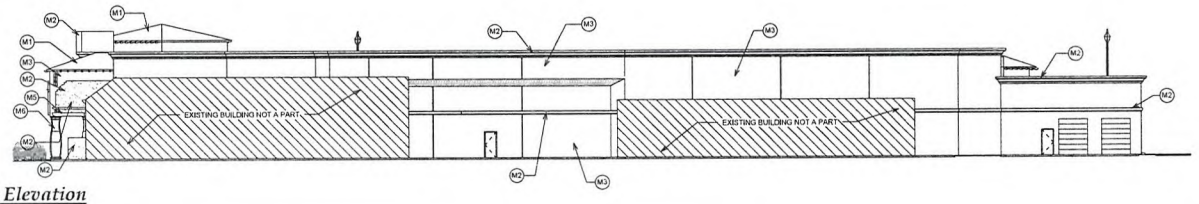
SDR-38861

MATERIAL LEGEND			
MARK	DESCRIPTION	MANUFACTURER	MODEL
M1	ROOFING - CAPISTRANO	EAGLE ROOFING	KONA RED RANGE (3698)
M2	FOAM TRIM & ACCENT STUCCO COLOR	DUNN EDWARDS PAINT	NEUTRAL VALLEY (DE6119)
M3	MAIN STUCCO COLOR	DUNN EDWARDS PAINT	DAY LILY (DEQ317)
M4	LIGHT ACCENT STUCCO COLOR	DUNN EDWARDS PAINT	TERRACOTTA SAND (DE6136)
M5	WOOD TRELLIS COLOR	DUNN EDWARDS PAINT	BISQUE (DE5118)
M6	PREFABRICATED CONCRETE COLUMN	CONCRETE DESIGNS, INC.	HACIENDA TAN (GHC0)

Existing East Elevation
1/16" = 1'-0"



East Elevation
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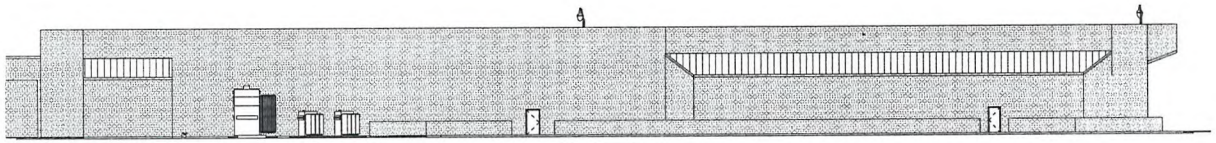

Existing North Elevation
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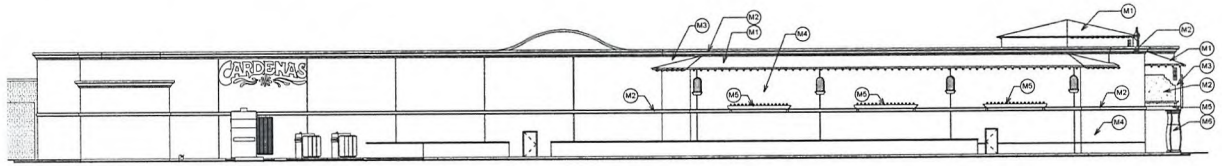
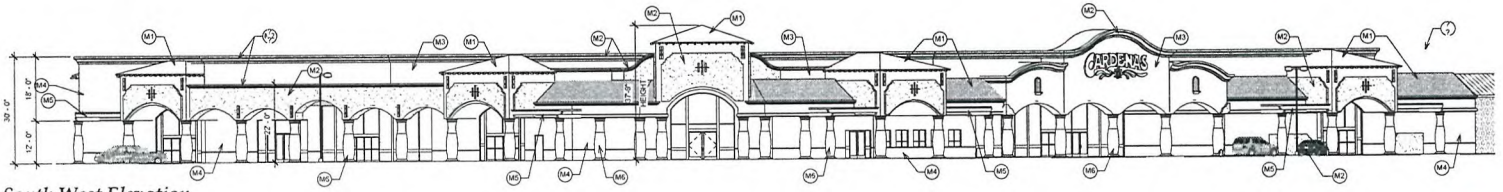


North Elevation
1/16" = 1'-0"



South West Elevation
1/16" = 1'-0"

SUP-38860
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City of Las Vegas

SSA ARCHITECTURE
4630 South Arville Suite A
Las Vegas, Nevada 89103
(702) 873-1718
FAX: 873-1726

Cardenas Market
APN#: 139-31-111-001
4700 Meadows Lane
Las Vegas, Nevada

SHEET TITLE
Elevations

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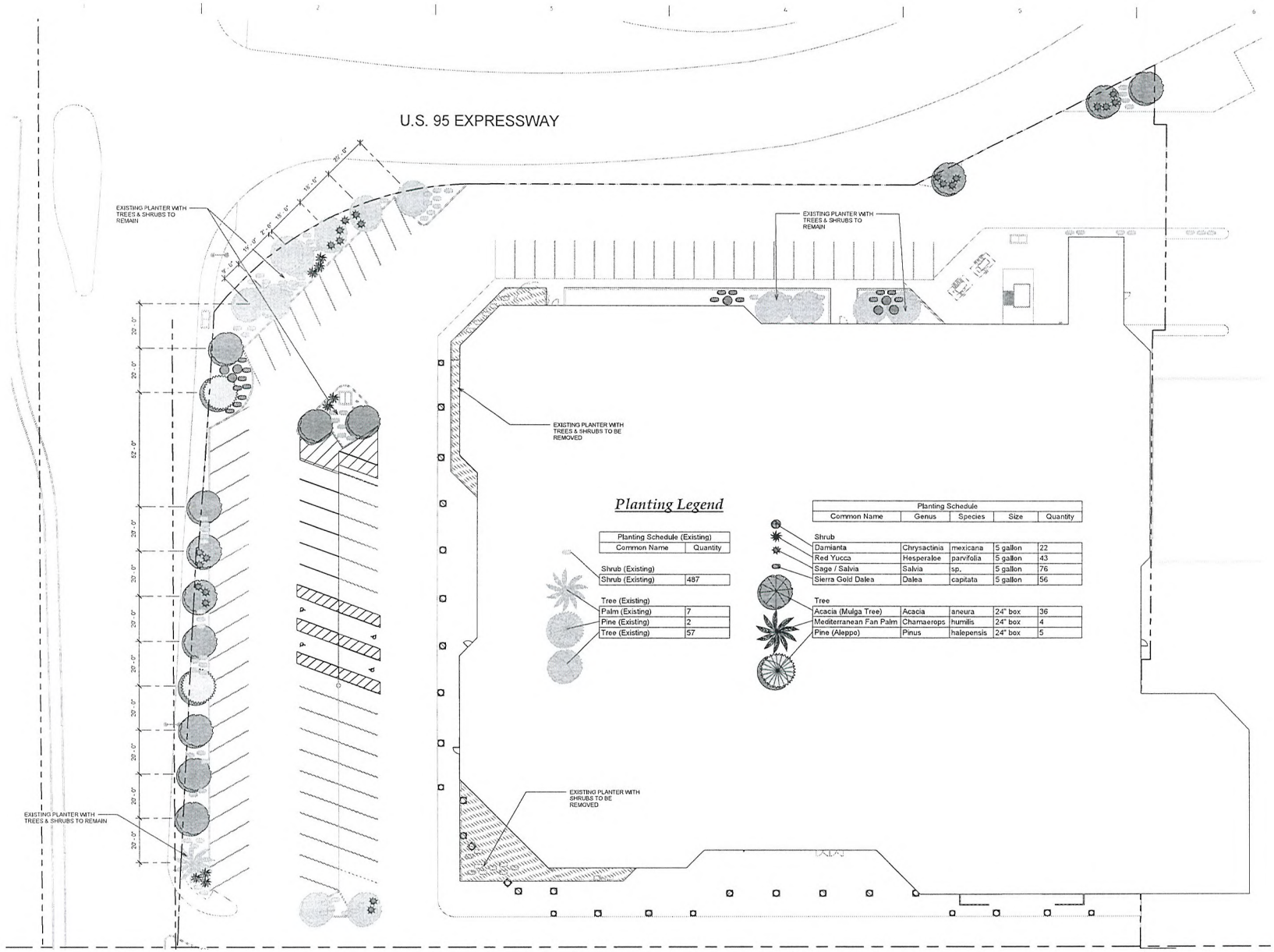
REVISION	DATE

SHEET NAME
DR4

JOB NO: 11 July 2010
RELEASE DATE: 09-065 - 30



Planting Legend

Planting Schedule (Existing)	
Common Name	Quantity
Shrub (Existing)	
Shrub (Existing)	487
Tree (Existing)	
Palm (Existing)	7
Pine (Existing)	2
Tree (Existing)	57

Planting Schedule				
Common Name	Genus	Species	Size	Quantity
Shrub				
Damianta	Chrysactinia	mexicana	5 gallon	22
Red Yucca	Hesperaloe	parvifolia	5 gallon	43
Sage / Salvia	Salvia	sp.	5 gallon	76
Sierra Gold Dalea	Dalea	capitata	5 gallon	56
Tree				
Acacia (Mulga Tree)	Acacia	aneura	24" box	36
Mediterranean Fan Palm	Chamaerops	humilis	24" box	4
Pine (Aleppo)	Pinus	halepensis	24" box	5

Landscaping Plan - North
1" = 20'-0"

SSA ARCHITECTURE
4650 SOUTH ARVILLE, SUITE A
LAS VEGAS, NEVADA 89103
(702) 873-1718
FAX: 873-1726

Cardenas Market
APN#: 139-31-111-001
4700 Meadows Lane
Las Vegas, Nevada

SHEET TITLE
Landscaping Plan - North

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REVISION	DATE
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△	
△	
△	

SHEET NAME
OF
DR5
JOB NO: 12 July 2010
RELEASE DATE: 09-965-30

SUP-38860
SDR-38861

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City of Las Vegas

SUP-38860 - APPLICANT: CARDENA MARKETS, INC. - OWNER: PACPROP
4700 MEADOWS LANE

07/22/10

SUP-38860 - APPLICANT: CARDENA MARKETS, INC. - OWNER: PACPROP
4700 MEADOWS LANE

07/22/10

SUP-38860 - APPLICANT: CARDENA MARKETS, INC. - OWNER: PACPROP
4700 MEADOWS LANE

07/22/10

SUP-38860 - APPLICANT: CARDENA MARKETS, INC. - OWNER: PACPROP
4700 MEADOWS LANE

07/22/10

SUP-38860 - APPLICANT: CARDENA MARKETS, INC. - OWNER: PACPROP
4700 MEADOWS LANE

07/22/10

SUP-38860 - APPLICANT: CARDENA MARKETS, INC. - OWNER: PACPROP
4700 MEADOWS LANE

07/22/10

SSA Architecture
4630 S. Arville Street · Suite A
Las Vegas, Nevada 89103-5341
702.8731718 · 702.8731726 *fax*
web site www.ssarch.org

July 12, 2010

Development Services Center
Planning Department
731 South Fourth Street
Las Vegas, NV 89101,

Re: Justification Letter for Cardenas Market #30
4700 Meadows Lane

Dear Sir or Madam:

Enclosed please find all of the exhibits and application for the proposed Cardenas Market at the location of Highway 95, Meadows Lane and Decatur Blvd. The proposed market will provide new vitality for this area and a face lift for the existing closed Mervyn's Store.

As you are well aware, Cardenas Markets have several locations in Las Vegas at 4421 East Bonanza Road and 4500 East Tropicana Ave. This store will be the third store established in Southern Nevada and the 30th family store and will help to rejuvenate the Decatur and 95 area.

The existing building will remain as is in size with a new façade and new covered entry walk areas. The building is buffered adequately from the residential properties and will bring a neighborhood market to this area and help the existing and future businesses along Decatur Blvd. The hours of operation are seven days a week from 6:00 a.m. to 11:00 p.m. The site, parking, infrastructure, sewer, water, roadway, gas and electric are existing.

We are required to have 331 parking spaces and 413 parking spaces are provided. We are also upgrading the existing Accessible parking from the original 8 to the required 9 plus adding 1 van space for a total of 10. All accessible spaces are being brought up to Title 19 with the 5' access isles on both sides and the 8' access isle on the passenger side of the van parking. We have also done a comprehensive site review of the existing landscape and are adding trees and shrubs in the spirit of Title 19 along Decatur Blvd. and Meadows lane that are spaced 20' apart with 4 shrubs per tree and in the existing parking islands we are adding trees where they are missing with additional shrubs for a minimum of 1 tree per island and 4 shrubs per tree. The proposed signage is also shown on the site plan with one sign on Decatur Blvd. and one sign on Meadows Lane. The minimal adverse affects during construction will all be mitigated appropriately and the end result will be an extraordinary commercial establishment.

The Cardenas family in1979 opened their first supermarket. Today, Cardenas Markets cater to shoppers, with a wide variety of products from Mexico and Central and South America. The stores feature extensive meat and produce departments, bakeries, and tortillerias.

SUP-38860
SDR-38861

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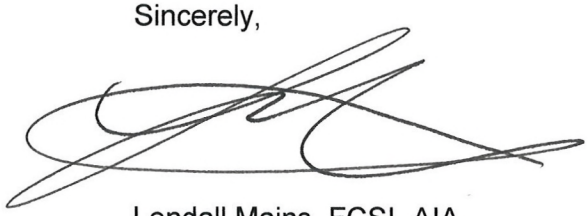
SSA ARCHITECTURE

On behalf of Cardenas Markets, SSA Architecture has been authorized and directed to request an Administrative Approval for the proposed changes to the existing building. Since the facility will contain a grocery store with accessory uses of a package liquor off-sale establishment of approximately 500 square feet and a gaming area of approximately 503 square feet which require state licenses we are also requesting a special use permit for these items separate from the Administrative approval. The overall Cardenas Market area will be 66,055 square feet and there will also be five retail spaces totaling 10,582 square feet along the Decatur Blvd. side for lease to complementary businesses of the Cardenas Market.

Sincerely,



Lendall Mains, FCSI, AIA
Architect

SSA Architecture, Small Studio Associates, LLC
4630 S Arville Suite A, Las Vegas, Nevada 89103

SUP-38860
SDR-38861

PACPROP LLC.

July 8, 2010

City of Las Vegas
C/O Mr. Robert Gonzalez
Cardenas Markets, Inc.
Via email

Re: Former Mervyn's, 4700 Meadows Lane, Las Vegas, NV

Ladies/Gentlemen:

We are under contract to purchase from an affiliate of Developers Diversified Realty the former Mervyn's store at the above address. Upon close of escrow, we will be leasing the building to Cardenas Markets, Inc. It is our understanding that Cardenas will be making modifications to both the interior and exterior so they can utilize the building as a supermarket. In order to accomplish this, we understand that Cardenas is in the process of obtaining various planning and building approvals from the city which require our consent. We hereby consent.

For your records, I attach the first and last page of the executed purchase contract for the property.

A notarized acknowledgement is also attached.

Please call with any questions.

Sincerely,

Steve Glusker
Manager

RECEIVED
JUL 13 2010
City of Las Vegas

SUP-38860
SDR-38861

12100 Wilshire Boulevard, Suite 1025 · Los Angeles, CA 90025 · (310) 447-0707 Fax (310) 447-0936

MEADOWS NEIGHBORHOOD PRESERVATION ASSOC.

RECEIVED
AUG 12 2010
P&D

August 11, 2010

City of Las Vegas
Planning Commission
400 Stewart Avenue
Las Vegas, NV 89101

Dear Commissioners,

The Meadows Neighborhood Preservation Assoc. , in total agreement, is totally in disagreement for case #SUP38860 regarding Cardenas going into the vacant Mervyns building on Meadows Lane and Alta.

Our neighborhood, which has a multitude of senior original homeowners, want their peaceful living back and we don't think this business will contribute to that cause.

Thank you for your consideration,

Sincerely,

Thelma Zora, Sec. Treas.
C Councilwoman Lois Tarkanian

Bette Craik
President

Thelma Zora
Sec. - Treas.

Elva Decker
Director

Linda Nalley
Director

4416 ALTA DRIVE - LAS VEGAS - NV - 89107 - (702-870-4002)

P

Telephone Protest/ Approval Log

Meeting Date: ~~08.26.10 PC~~ 9.23.10 PC **Case Number:** SUP-38860

Date: 08.09.10
Name: Hazel Pennington
Address: 4416 Nolan Ln
Las Vegas Nv 89107
Phone: 870-3781
[X] PROTEST [ ] APPROVE

Date: 08.09.10
Name: Lynn Fralley
Address: 4713 Baxter Place
Las Vegas Nv 89107
Phone: 878-1599
[X] PROTEST [ ] APPROVE

Date: 08.09.10
Name: Juanita Clark
Address: 137 Lorenzi St
Las Vegas Nv 89107
Phone: 877-2438
[ ] PROTEST [X] APPROVE

Date:
Name:
Address:
Phone:
[ ] PROTEST [ ] APPROVE

Date:
Name:
Address:
Phone:
[ ] PROTEST [ ] APPROVE

Date:
Name:
Address:
Phone:
[ ] PROTEST [ ] APPROVE

Carman Burney

From: Rob Levrant
Sent: Thursday, August 26, 2010 7:47 AM
To: Carman Burney
Subject: SUP-38860

Carman –

I received this feedback regarding the SUP-38860 from the Easy Street Neighborhood Association in support of the proposal.

From: fernando coronado [mailto:desertwolf102255@hotmail.com]
Sent: Thursday, August 26, 2010 6:48 AM
To: Rob Levrant
Subject: Support for the Cardenas Market

Dear Rob and City Planners of Las Vegas,

Regarding case number SUP-38860, the building of a Cardenas Market at Decatur and Meadows Lane, we from the Easy Street Neighborhood Association, just around the corner would like to show not only our support but our encouragement in this project. We feel that this will be a very good thing because ever since the Vons, previously located there, went out of business the area has looked near abandoned and all of us who used that grocery store had to travel further. So not only will this help to fill empty buildings, it will also be very useful to the area to have a quality and family-owned establishment in the area. So please note that the Easy Street Neighborhood Association welcomes this project with open arms and hopes to see Cardenas open its doors soon.

Thank you Fernando Coronado-President of the Easy Street Neighborhood Association

City of Las Vegas Agenda Item No.: **32.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

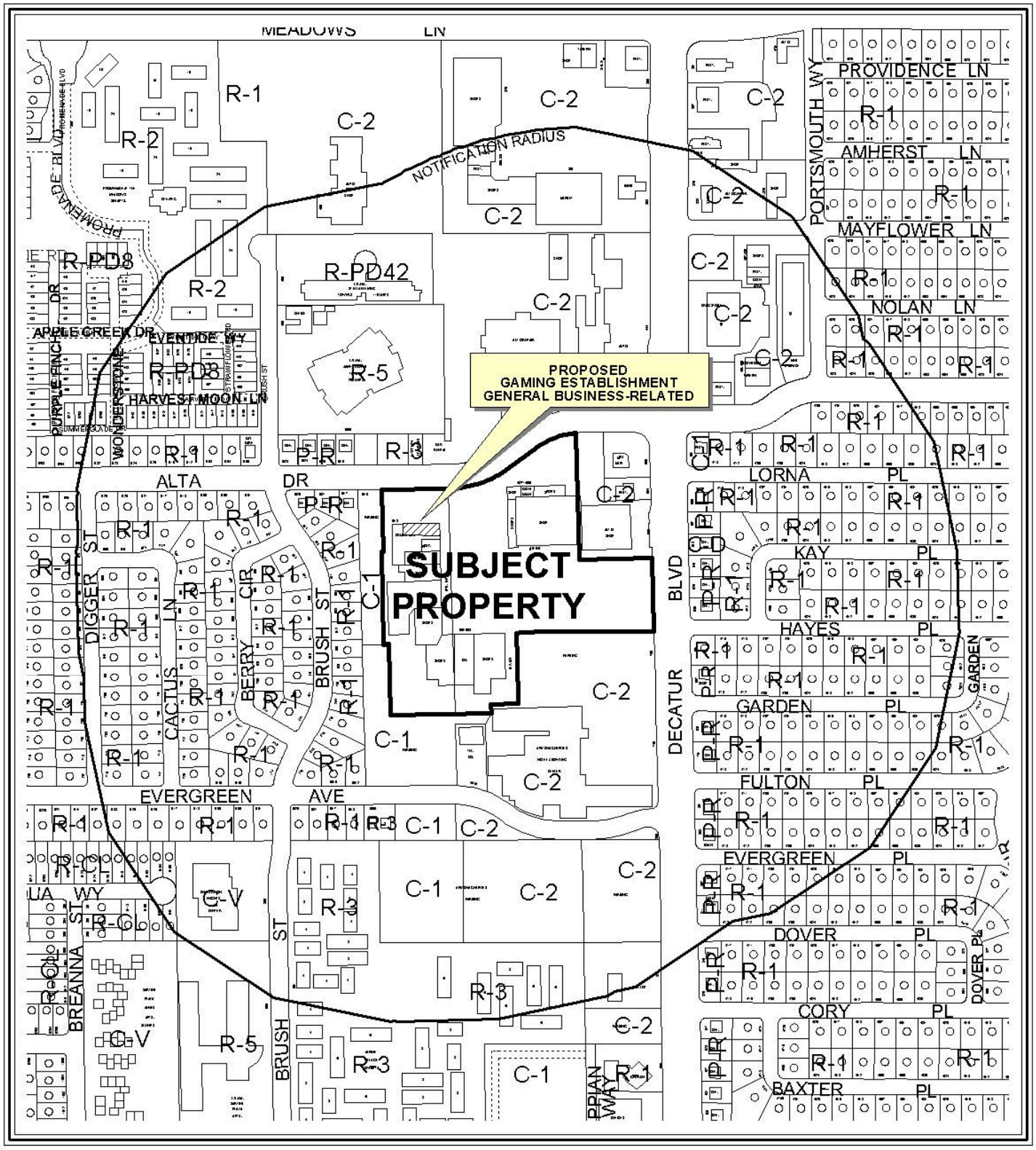
SUBJECT:
SUP-38996 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RP SLOTS, LLC - OWNER: CHARLESTON HEIGHTS SHOPPING CENTER, LLC - Request for a Special Use Permit FOR A GAMING ESTABLISHMENT, GENERAL BUSINESS-RELATED (10 Gaming Devices) WITHING AN EXISTING 6,440 SQUARE-FOOT GENERAL RETAIL STORE at 542 South Decatur Boulevard (APN 138-36-701-018), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE 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:

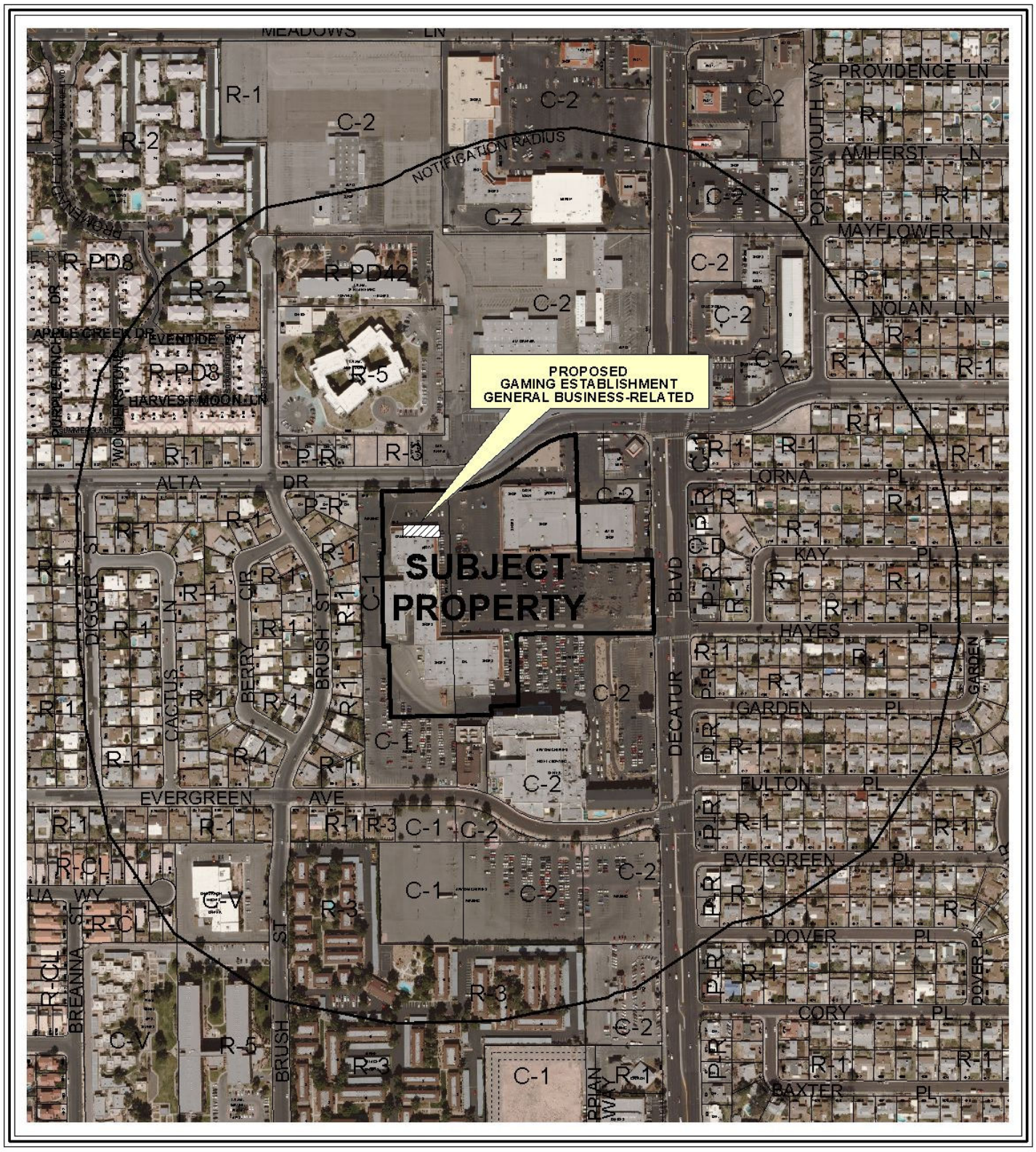
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: **SUP-38996**

RADIUS: 1000 FT

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



CASE: **SUP-38996**

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: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: RP SLOTS, LLC - OWNER: CHARLESTON HEIGHTS SHOPPING CENTER, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-38996	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-38996 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Gaming Establishment, General Business-Related use.

2. Approval of this Special Use Permit does not constitute approval of a gaming license.

3. Conformance to the approved conditions for Rezoning (Z-0053-60), Site Development Plan Review (Z-0053-60) and Site Development Plan Review [Z-0053-60(2)].

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 signage shall conform to Title 19 standards. Sign permits shall be obtained for all unpermitted signage within 30 days of final approval, or removed.

6. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

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

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Gaming Establishment, General Business Related (10 Gaming Devices) within an existing 6,440 square-foot General Retail Store located at 542 South Decatur Boulevard. The existing General Retail Store is part of an existing 141,250 square-foot Shopping Center. Staff recommends approval with conditions, as the proposed use meets Title 19 minimum requirements and is compatible with surrounding land uses. If this application is denied the existing 6,440 square-foot General Retail Store would remain.

ISSUES

- A Gaming Establishment, General Business-Related use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
04/18/61	The Board of City Commissioners approved a Rezoning (Z-0053-60) from R-4 (High Density Residential) to C-1 (Limited Commercial) on property located south of Alta Drive, between Brush Street and Decatur Boulevard. The Planning Commission recommended approval.
10/19/83	The City Council approved a Site Development Plan Review (Z-0053-60) for a proposed addition to an existing shopping center. The Planning Commission recommended approval.
12/21/93	The Planning Commission approved a Site Development Plan Review [Z-0053-60(2)] for a proposed 22,000 square-foot addition to an existing shopping center located at 560 South Decatur Boulevard.
02/10/94	The Planning Commission approved a request for a Review of Condition [Z-0053-60 (3)] regarding landscaping along the west property line and to revise the parking layout on property located at 560 South Decatur Boulevard.

Most Recent Change of Ownership	
08/01/06	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
C.1964	The original shopping center was constructed.
08/01/08	A building permit (117786) was issued for a Tenant Improvement at 542 South Decatur Boulevard. The permit was never finaled.
03/17/09	A business license (D11-00229) was issued for a Drug Store at 542 South Decatur Boulevard. The license is still active.
03/17/09	A business license (Q04-00097) was issued for a Pharmacy at 542 South Decatur Boulevard. The license is still active.
05/25/10	Business license applications were submitted for (C20-96187) Convention Hall Gaming Tax and (G01-96188) Gaming Restricted at 542 South Decatur Boulevard. The applications have been denied by Planning and Development pending approval of a Special Use Permit.

Pre-Application Meeting	
07/20/10	A pre-application meeting was held with the applicant where the submittal requirements for a Special Use Permit were discussed.

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

Field Check	
08/19/10	Staff conducted a field check and noted a well maintained Shopping Center with two unpermitted banners on the Pharmacy.

Details of Application Request	
Site Area	
Net Acres	11.61

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	Vacant	SC (Service Commercial)	R-3 (Medium Density Residential)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

East	Shopping Center	SC (Service Commercial)	C-2 (General Commercial)
West	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175 feet)	X		Y
Trails	X		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

Functional Classification of Street(s)	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Decatur Boulevard-Primary Arterial	Master Plan of Streets and Highways	***100 foot***	Y
Alta Drive- Secondary Collector	Master Plan of Streets and Highways	***80 foot***	Y

Pursuant to Title 19.04 and 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	141,146 SF	1/250 SF	565		1,430		Y
TOTAL SPACES REQUIRED			565		1,430		Y
Regular and Handicap Spaces Required			536	29	1,400	30	Y

JG

ANALYSIS

A Gaming Establishment, General Business Related use is defined by Title 19.20.020 as "a building or structure which is primarily used for some business other than gaming but in which restricted gaming is permitted pursuant to Title 6. For purposes of the Special Use Permit requirements of this Title, the term does not include a location that has obtained and maintains current licensing and zoning approvals to sell alcoholic beverages." Currently, no licenses have been issued for the sale of alcoholic beverages on this site, and none are proposed. The applicant is requesting 10 Gaming devices to be located at the front of the General Retail Store.

The existing General Retail Store is within the A-O (Airport Overlay) District and meets the restriction of 175 feet. An existing bike route runs along the northern property line on Alta Drive as designated by the Master Plan Transportation Trails Element, which does not impact the subject site.

No additional parking is required for a Gaming Establishment, General Business Related use. There are no minimum use conditions for the Special Use Permit and the use can be conducted in a manner that is compatible with existing and surrounding land uses; therefore, staff recommends approval of this request, with conditions.

FINDINGS (SUP-38996)

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

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

   The proposed Gaming Establishment, General Business Related use can be conducted in a manner that is harmonious and compatible with the existing surrounding commercial uses. The proposed use will be operated in conjunction with the existing General Retail Store.

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

   The subject site has more than sufficient on-site parking facilities that make it physically suitable for the proposed Gaming Establishment, General Business Related use.

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

Access to the subject site is provided via Decatur Boulevard and Alta Drive. These streets are capable of accommodating the traffic flow created by the site and the use.

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

   If approved, the proposed use on this site will be subject to periodic inspection by regulatory agencies for business licensing and environmental health, and it will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

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

   The proposed Gaming Establishment, General Business Related use meets all applicable conditions of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 29

NOTICES MAILED 424

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-38996** APN: 138-36-701-018

Name of Property Owner: Charleston Heights Shopping Center, LLC

Name of Applicant: RP Slots, 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: Barry W. Backer

Subscribed and sworn before me

This 01 day of July, 20 10

Bunny J. Reiman

Notary Public in and for said County and State

NOTARY PUBLIC
BUNNY J. REIMAN
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. APRIL 25, 2012
No: 08-6529-1

RECEIVED
JUL 27 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: RP Slots, LLC

Project Address (Location) 542 S. Decatur

Project Name RP Slots, LLC **Proposed Use** Gaming General / Business Related

Assessor's Parcel #(s) 138-36-701-018 **Ward #** 1

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

Commercial Square Footage 6,440 SqFt **Floor Area Ratio** ____

Gross Acres ~~1.61~~ **Lots/Units** ____ **Density** ____

Additional Information ____

PROPERTY OWNER Charleston Heights Shopping Center, LLC **Contact** ____

Address 50 S. Jones **Phone:** ____ **Fax:** ____

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

E-mail Address ____

APPLICANT RP Slots, LLC **Contact** Roger Szepelak

Address 542 S. Decatur **Phone:** 283-1088 **Fax:** 870-1063

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

E-mail Address RMSz64@hotmail.com

REPRESENTATIVE ____ **Contact** ____

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

City ____ **State** ____ **Zip** ____

E-mail Address ____

Property Owner Signature* [signature]

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

Print Name Barry W. Becker

Subscribed and sworn before me

This 21 day of July, 2010.

[signature]

Notary Public in and for said County and State

NOTARY PUBLIC
BUNNY J. REIMAN
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. APRIL 25, 2012
No: 08-6529-1

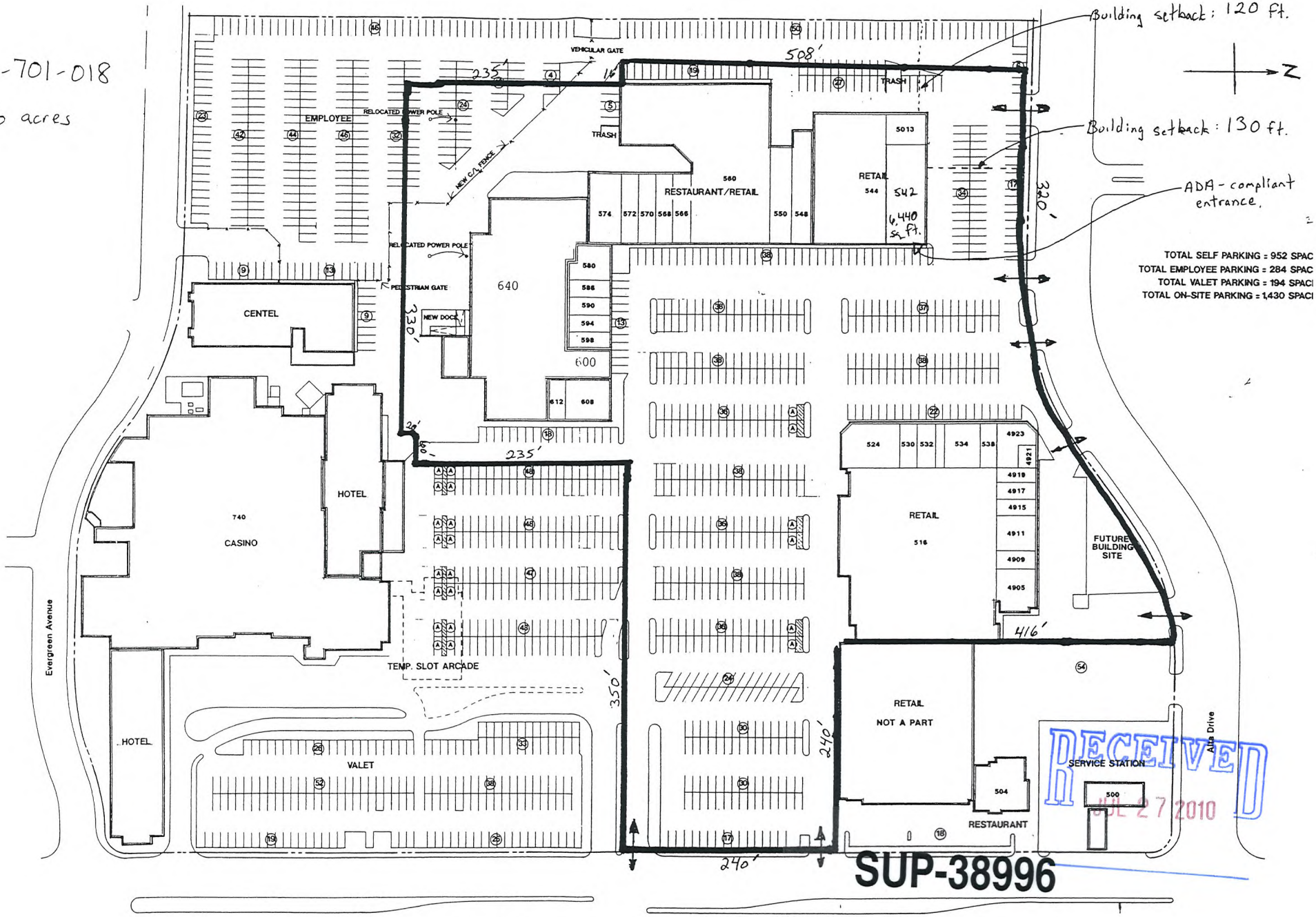
FOR DEPARTMENT USE ONLY

Case #	SUP-38996
Meeting Date:	9/23/10 PC
Total Fee:	$ 1,050
Date Received:*	7/27/10
Received By:	

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

Revised 10/27/08

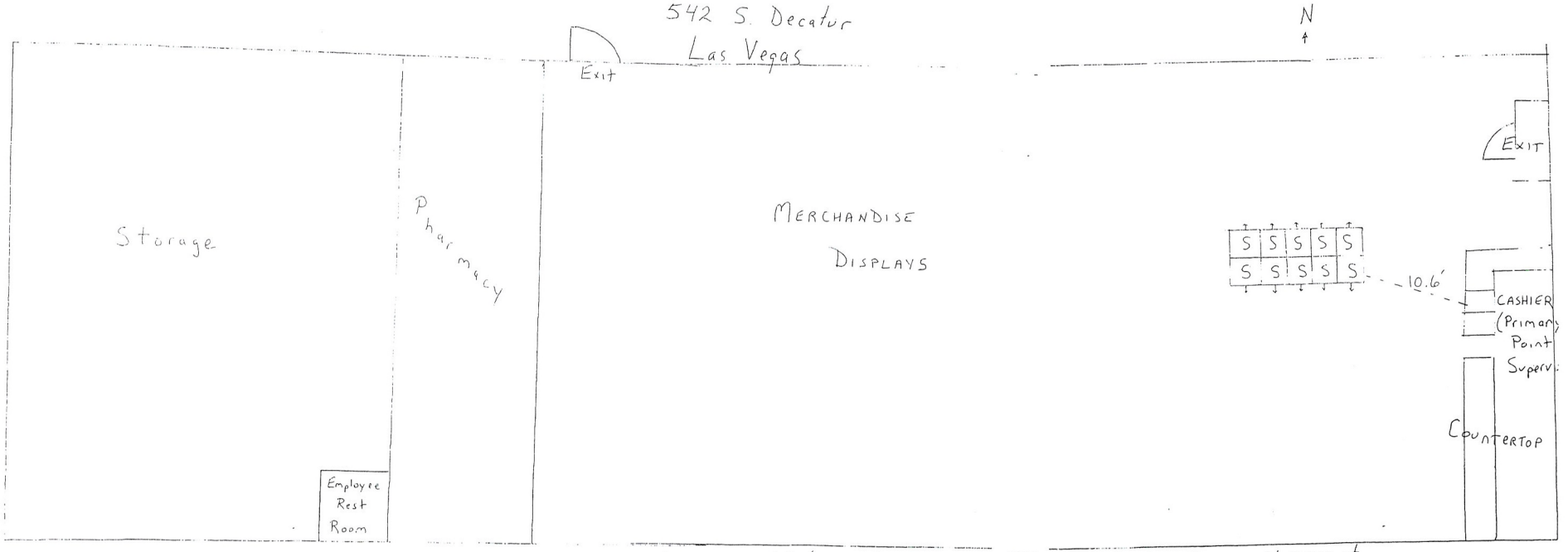
APN
138-36-701-018
11.6 acres



RECEIVED
JUL 27 2010

SUP-38996

DECATUR DRUG
542 S. Decatur
Las Vegas



Length = 140' Width = 46'
Sq Ft = 6,440 ☐'

Public Space · 4,300 ☐

5-22-07

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JUL 27 2010
SUP-38996

SUP-38996 - APPLICANT: RP SLOTS, LLC - OWNER: CHARLESTON HEIGHTS SHOPPING CENTER
542 SOUTH DECATUR BOULEVARD

08/19/10

SUP-38996 - APPLICANT: RP SLOTS, LLC - OWNER: CHARLESTON HEIGHTS SHOPPING CENTER
542 SOUTH DECATUR BOULEVARD

08/19/10

RP Slots, LLC
542 S. Decatur Blvd
Las Vegas, NV 89107

July 8, 2010 JUSTIFICATION LETTER

Planning & Development
City of Las Vegas
Las Vegas, NV

RE: RP Slots, LLC Application for Slot Route Operation at 542 S. Decatur Blvd.

Dear Sir or Madam:

Please consider this to be our justification letter in connection with the Special Use Permit process for the above-referenced project. The location at 542 S. Decatur has been a pharmacy with slot machines since the early 1960's.

In February 2009 when Wellcare Pharmacy became the new pharmacy operator, the existing gaming machines were removed and the gaming license surrendered. RP Slots, LLC submitted an application with the City and the State of Nevada to be licensed as a slot route operator, with the intent of operating gaming at this location. It took over a year for the licensing process to conclude, and in May 2010, both the State and City approved RP Slots, LLC as a slot route operator.

RP Slots, LLC then submitted an application to both the City and State to operate slots at 542 S. Decatur. I have been advised that because gaming has been ceased at this location for over 12 months (although the delay was solely caused by the time required to obtain necessary approvals from the

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JUL 27 2010
SUP-38996

State), the City requires a Special Use Permit in order to re-establish gaming at the location.

It is important to recognize that approval of this request will restore the location to the exact same nature that it had operated for over 40 years. The operation has always been deemed to be harmonious and compatible with surrounding land uses. The physical site is suitable and street facilities are adequate. Approval of the Special Use Permit will not be inconsistent with or compromise the public health, safety and welfare.

Hours of operation will be unchanged: Mon-Sat 7a-9p and Sunday 8a-5p. Number of employees will be unchanged with four. State Gaming approval is being obtained concurrently. The current owners of RP Slots, LLC had previously operated slots in this location from January 2008 - February 2009, under the corporate entity of DDRT, LLC.

This letter is being submitted with the Pre-Application Conference Request Form.

I will be happy to provide any additional information necessary to expedite this process.

Sincerely,

Roger M. Szepelak
Managing Member
RP Slots, LLC

RECEIVED
JUL 27 2010
SUP-38996

City of Las Vegas Agenda Item No.: **33.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

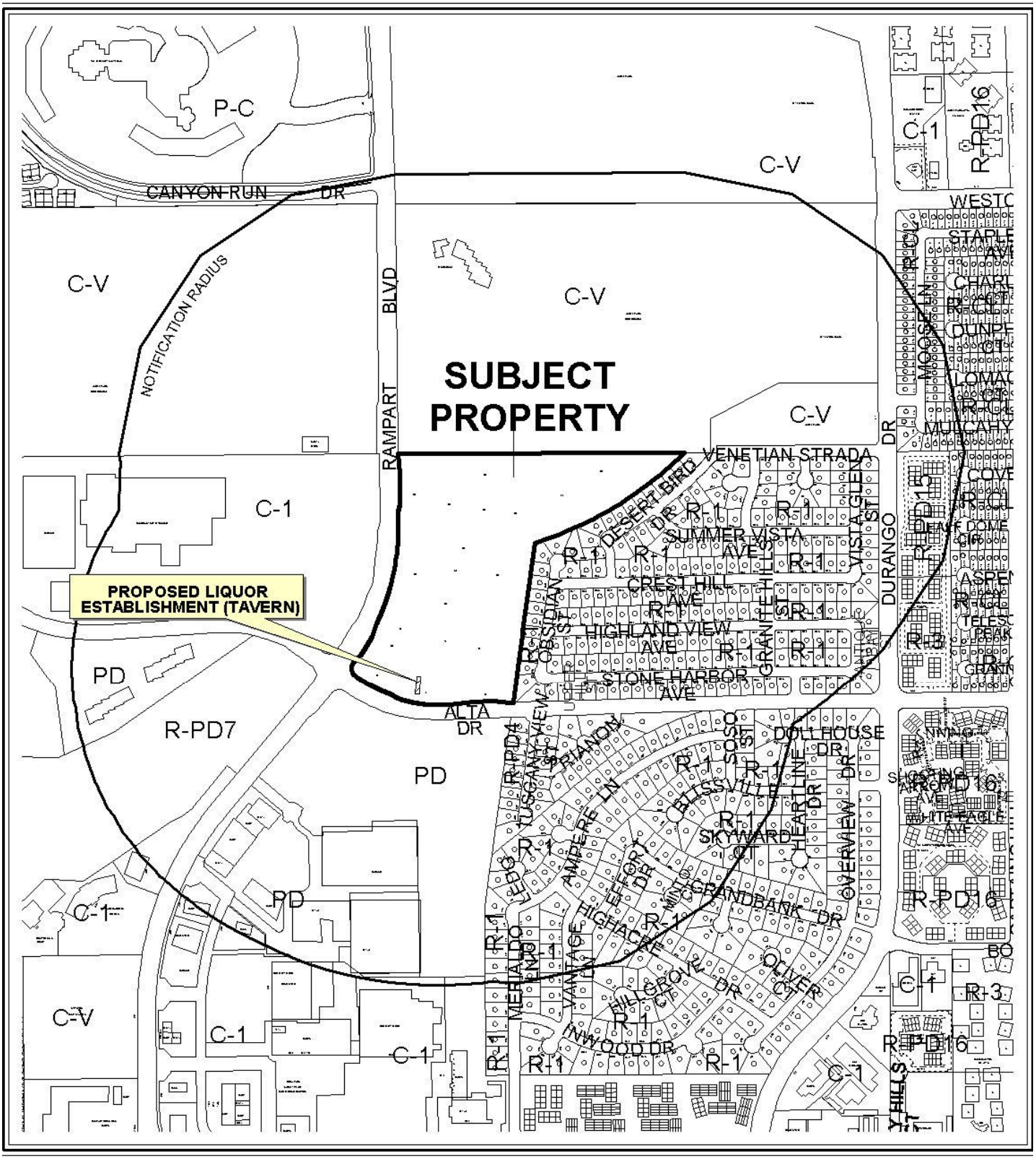
SUBJECT:
SUP-39146 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) WITHIN A 28.69-ACRE MIXED USE DEVELOPMENT WITH WAIVERS TO ALLOW A DISTANCE SEPARATION OF 141 FEET FROM A CITY PARK AND TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at 440 South Rampart Boulevard, Suite #180 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE 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-39146**

RADIUS: 1500 FT

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

SUBJECT PROPERTY
PROPOSED LIQUOR ESTABLISHMENT (TAVERN)
NOTIFICATION RADIUS
CANYON RUN DR
RAMPART BLVD
VENETIAN STRADA
DESERT BIRD DR
SUMMER VISTA AVE
CREST HILL AVE
HIGHLAND VIEW AVE
STONE HARBOR AVE
ALTA DR
DURANGO DR
DOLL HOUSE DR
SKYWARD DR
OVERVIEW DR
INVERNESS DR
INVERNESS CT
INVERNESS TER
INVERNESS CIR
INVERNESS VILLAGE DR
INVERNESS VILLAGE CT
INVERNESS VILLAGE PL
INVERNESS VILLAGE WAY
INVERNESS VILLAGE CIR
INVERNESS VILLAGE LN
INVERNESS VILLAGE TER
INVERNESS VILLAGE AVE
INVERNESS VILLAGE BLVD
INVERNESS VILLAGE ALY
INVERNESS VILLAGE PKWY
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SUP-39146

Taverns

Business Licenses

Child Care/ Children Facility

Tavern

0 365 730 1,460 Feet

RELIGIOUS

CITY PARKS

SCHOOLS

Subject Property

1500 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: GREAT WASH PARK, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-39146	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-39146 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Liquor Establishment (Tavern) use.

2. Conformance to the conditions for Rezoning (ZON-5653), Special Use Permit (SUP-5853) and Site Development Plan Review (SDR-10770) if approved.

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 any 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
September 23, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a 6,630 square-foot Liquor Establishment (Tavern) use at 440 South Rampart Boulevard, Suite #180. The proposed use will be located in a Mixed-Use Development that is currently under construction. The Liquor Establishment (Tavern) use complies with all Title 19.04 requirements and can be conducted in a manner that is harmonious and compatible with existing surrounding development and land uses; therefore, staff recommends approval with conditions. If this application is denied, the proposed Liquor Establishment (Tavern) use cannot be located within the subject site, nor can a business license be obtained for the use at this location.

ISSUES

- A Liquor Establishment (Tavern) use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- Waivers to allow distance separations of zero feet from another Liquor Establishment (Tavern) and 141 feet from a City Park where 1,500 feet and 400 feet is required, respectively, are required for approved of the Special Use Permit for the Liquor Establishment (Tavern) use.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/26/98	The City Council approved a Rezoning (Z-0127-97) from U (Undeveloped) zone, M (Medium Density Residential) and SC (Service Commercial) General Plan Designation), under Resolution of Intent to R-PD16 (Residential Planned Development – 16 Units per Acre), to C-2 (General Commercial) at the northeast corner of the intersection of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval of the request.
03/02/05	The City Council approved a request for a Site Development Plan Review (SDR-5657) to allow a Mixed-Use development to include 700,000 square feet of commercial space and 375 residential condominium units in one 10-story and two five-story residential condominium buildings on 30.21 acres adjacent to the northeast corner of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval of the request.
	The City Council approved a request for a Special Use Permit (SUP-5853) to allow a proposed Mixed-Use commercial and residential development adjacent to the northeast corner of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval of the request.

04/19/06	The City Council approved a request for a Variance (VAR-10773) to allow 3,955 parking spaces where 4,961 parking spaces is the minimum number of parking spaces required for a proposed Mixed-Use development on 28.69 acres at 8750 Alta Drive. The Planning Commission recommended approval, but staff recommended denial of the request.
	The City Council approved a request for a Site Development Plan Review (SDR-10770) for a 10-story Mixed-Use development consisting of 699,000 square feet of commercial space and 340 residential units on 28.69 acres 8750 Alta Drive. The Planning Commission recommended approval, but staff recommended denial of the request.
06/06/07	The City Council approved a Review of Condition (ROC-21668) to modify Condition Number 9 of an approved Site Development Plan Review (SDR-10770) which stated that all perimeter landscape buffers shall comply with the minimum requirements listed in Title 19.12. Tree spacing within the buffers shall conform to the minimum requirements listed in Title 19.12. To allow a four-foot landscape buffer along the south property line where eight feet is the minimum required for an approved mixed-use development on 28.69 acres at 420 South Rampart Boulevard. Staff recommended approval of the request.
07/12/07	The Planning Commission approved a Tentative Parcel Map (TMP-20197) for a 324 unit Mixed-Use development on 28.62 acres at 302 South Rampart Boulevard. Staff recommended approval of the request.
10/01/08	The City Council approved a request for a Special Use Permit (SUP-28998) for a Supper Club and a Waiver to allow a 141-foot separation from a City Park where 400 feet is the minimum required at the northeast corner of Rampart Boulevard and Alta Drive. The Planning Commission and staff recommended approval of the request.
12/17/08	The City Council approved a request for a Special Use Permit (SUP-30583) for a proposed 12,195 square-foot Supper Club and a Waiver to allow a distance separation from a City Park where 400 feet is the minimum required at 440 South Rampart Boulevard, Suite #8120. The Planning Commission and staff recommended approval of the request.
07/01/09	The City Council approved a request for a Special Use Permit (SUP-34175) for a proposed Liquor Establishment, Tavern with a Waiver to allow a zero-foot distance separation from a similar use and a 141-foot distance separation from a City park where 1,500 feet is the minimum required at 330 South Rampart Boulevard, Suite #215. The Planning Commission and staff recommended approval of the request.

Most Recent Change of Ownership	
01/16/04	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
There is no business license history at 440 South Rampart Boulevard, Suite #180, since the building has not received its final certificate of occupancy.	
02/23/09	A Building Permit (#07002891) was issued for a renewal of a permit for a certificate of occupancy for Building #8 at 440 South Rampart Boulevard.

Pre-Application Meeting	
07/28/10	A pre-application meeting was held with the applicant where elements of submitting a Special Use Permit for a Liquor Establishment (Tavern) were discussed The topic included: • A waiver is required due to the proximity of the similar use and a City Park, pursuant to Minimum Special Use Permit requirement Number 5d. • The proposed use is located within a mixed-use development.

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

Field Check	
08/19/10	A site visit was conducted by staff and noted that the subject site for this application is currently under construction.

Details of Application Request	
Site Area	
Gross Acres	28.69

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Mixed-Use Development (under construction)	GC (General Commercial)	C-2 (General Commercial)
North	Angel Park	PR-OS (Parks/Recreation and Open Space)	C-V (Civic)
South	Shopping Center	SC (Service Commercial)	PD (Planned Development)

East	Single-Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
West	Casino	SC (Service Commercial)	C-1 (Limited Commercial)

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

Functional Classification of Street(s)	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Primary Arterial – Rampart Boulevard	Master Plan of Streets and Highways	100	Y
Secondary Collector – Alta Drive		80	Y

Pursuant to Title 19.04 and 19.10, the following parking standards apply:

Parking Requirement							
		Required			***Provided***		***Compliance***
			Parking		*Parking*		
Use	***Gross Floor Area or Number of Units***	***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Mixed-Use	794,482 SF & 340 Residential Units	Case-by case basis (when originally approved)					
TOTAL SPACES REQUIRED			4,961		3,955		
Regular and Handicap Spaces Required			4,891	70	3,895	60	Y*

*Per approved Variance (VAR-10773).

Waivers		
Requirement	***Request***	***Staff Recommendation***
1,500-foot distance separation from other Liquor Establishment (Tavern) and City Park	To allow distance separation of zero feet from other Liquor Establishment and 141 feet from City Park.	Approval

ANALYSIS

The Liquor Establishment (Tavern) use is defined by Title 19.20 as a facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold.

The applicant is requesting Waivers of the required 1,500-foot distance separation from a similar use and from a City Park, pursuant to Minimum Special Use Permit requirement Number 5d. The first Waiver is from a similar use and requires a zero-foot distance separation, as there are taverns located at the adjacent Angel Park Golf Club and also within the subject Mixed-Use development, as approved through Special Use Permit (SUP-34175). The second Waiver is from a City Park, which is approximately 141 feet from the proposed Tavern. There was a previous Special Use Permit (SUP-34175) for a Liquor Establishment (Tavern) use within the Mixed-Use development.

As the proposed Liquor Establishment (Tavern) will be located within the Mixed-Use development, the distance separation requirement can be waived per Title 19.04. The development has a minimum net site area of 28.69 acres and the minimum is 15 acres. The Mixed-Use development has a gross floor area of nonresidential space greater than 250,000 square feet. The proposed Liquor Establishment (Tavern) is a compatible use with neighboring commercial and residential uses within the approved Mixed-Use development. The proposed use will be compatible and harmonious with the existing uses and future surrounding land uses; therefore, staff recommends approval with conditions.

FINDINGS (SUP-39146)

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

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

The proposed Supper Club is a compatible use with neighboring commercial and residential uses within the approved Mixed-Use development. Therefore, the proposed use will be compatible and harmonious with the existing uses and future surrounding land uses.

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

   The site is physically suitable for this type of use and the intensity is appropriate in this area of the City. Ample site access is provided and adequate parking is being provided in accordance with the approved Variance (VAR-10773) for the Mixed-Use development. The proposed Liquor Establishment, Tavern is appropriate in these types of Mixed-Use developments.

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

   The subject site is accessed by Rampart Boulevard and Alta Drive. Both streets are sufficient to accommodate the amount of vehicular trips associated with the proposed use.

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

   Approval of the Special Use Permit is consistent with the General Plan, and will not compromise the public health, safety, or welfare.

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

   The proposed use does not meet all Minimum Special Use Permit Requirements pursuant to Title 19.04 due to the proximity to a City Park and another Liquor Establishment (Tavern). The requested Waivers of the minimum distance separation requirement are appropriate for the proposed use within a Mixed-Use development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 732

APPROVALS 0

PROTESTS 0

RG

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-39146** APN: 138-32-601-003

Name of Property Owner: Great Wash Park LLC

Name of Applicant: Great Wash Park LLC, Tivoli Village at Queensridge

Name of Representative: Brown Brown & Premsrirut - Contact Lora Dreja

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: Todd D. Davis

Subscribed and sworn before me

This 7th day of September, 20 10

Cynthia Callegaro

Notary Public in and for said County and State

NOTARY PUBLIC
CYNTHIA CALLEGARO
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. MARCH 22, 2011
No: 07-2542-1

RECEIVED
SEP 08 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit for Liquor Establishment (Tavern)

Project Address (Location) within Tivoli Village, 440 S. Rampart Boulevard, Suite 180

Project Name Opa Taverna **Proposed Use** Tavern

Assessor's Parcel #(s) 138-32-601-003 **Ward #** 2 -Wolfsen

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

Back Area - 3202 sqft Front Area - 1371 sqft Patio Area - 1245 sqft Terrace area - 812 sqft

Commercial Square Footage Total Sqft 6,630 **Floor Area Ratio** See SUP - 5853

Gross Acres 29+ **Lots/Units** N/A **Density** N/A

Additional Information Subject Use Permit is on a portion of a 29 acre C - 2 zoned parcel that holds a mixed use permit SUP-5853. See also ordinance 6013.

PROPERTY OWNER Great Wash Park LLC **Contact** Vickie DeHart

Address 9755 West Charleston Boulevard **Phone:** (702) 940-6930 **Fax:** (702) 940-6931

City Las Vegas **State** Nevada **Zip** 89117

E-mail Address vickie@ehbinc.com

APPLICANT Great Wash Park LLC - Tivoli Village at at Queensridge **Contact** Cynthia Callegaro

Address 1215 South Fort Apache Road, Suite 240 **Phone:** (702) 946-6680 **Fax:** (702) 946-6681

City Las Vegas **State** Nevada **Zip** 89117

E-mail Address ccallegaro@ehbinc.com

REPRESENTATIVE Brown Brown & Premsrirut **Contact** Lora Dreja

Address 520 South Fourth Street **Phone:** (702) 384-5563 **Fax:** (702) 385-1023

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

E-mail Address lora@brownlawlv.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 Todd D. Davis

Subscribed and sworn before me

This 9th day of August, 20 10.

Cynthia Callegaro

Notary Public in and for said County and State

NOTARY PUBLIC
CYNTHIA CALLEGARO
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. MARCH 22, 2011
No: 07-2542-1

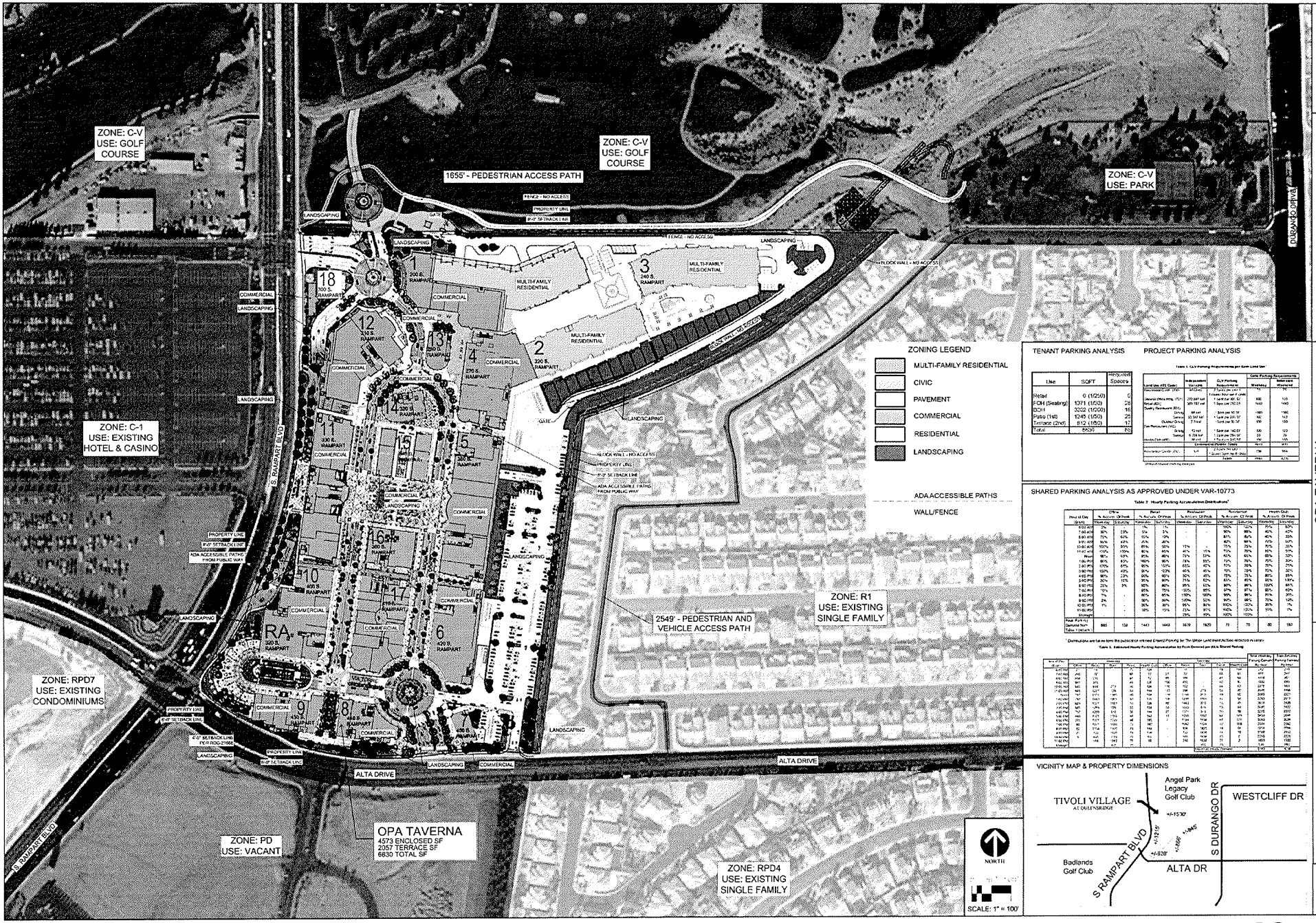
FOR DEPARTMENT USE ONLY

Case #	SUP-39146
Meeting Date:	9/23/10
Total Fee:	1250.00
Date Received:*	8/10/10
Received By:	LHM

*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
AUG 10 2010

Revised 10/27/08



TENANT PARKING ANALYSIS

Use	SQFT	Required Spaces
Retail	0 (1/250)	0
FOH (Seating)	1371 (1/50)	28
BOH	3022 (1/200)	16
Patio (1st)	1245 (1/50)	25
Terrace (2nd)	812 (1/50)	17
Total	6530	86

PROJECT PARKING ANALYSIS

SHARED PARKING ANALYSIS AS APPROVED UNDER VAR-10773

VICINITY MAP & PROPERTY DIMENSIONS

TIVOLI VILLAGE

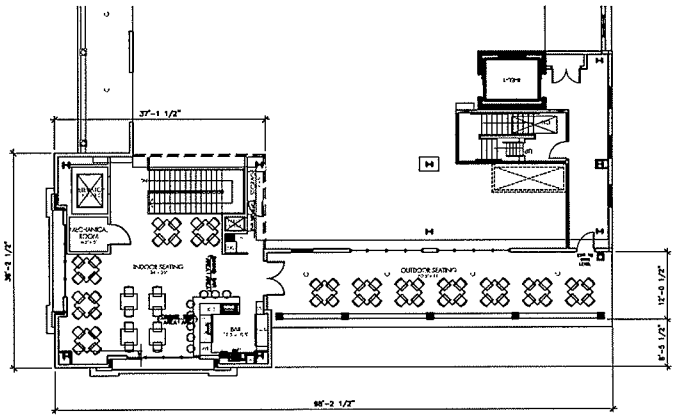
AUG 10 2010

OPA TAVERNA
Tivoli Village at Queensridge
(f/k/a The Village at Queensridge)
440 S. Rampart Ste. 180
Las Vegas, NV 89145
A Portion of A.P.N. 138-32-601-003

SITE PLAN

01

SUP-39146



1 LEVEL 2 FLOOR PLAN
SCALE: 1" = 10'

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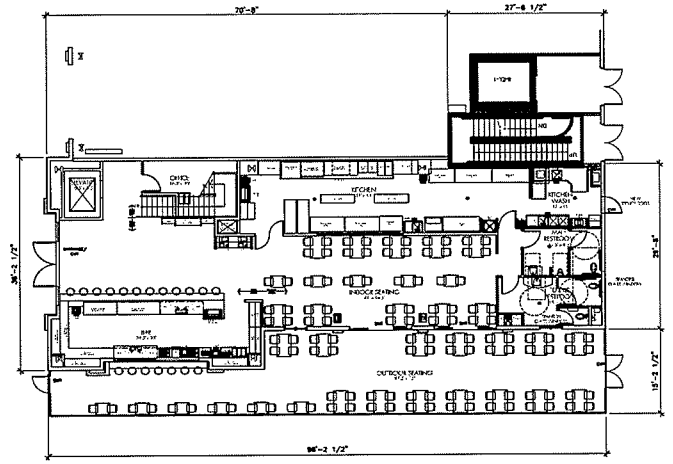

1 LEVEL 1 FLOOR PLAN
SCALE: 1" = 10'

N

SEATING COUNT	
QTY	ROOM NAME
19	MAIN BAR SEATING
50	INDOOR SEATING AT MAIN LEVEL
88	OUTDOOR SEATING AT MAIN LEVEL
28	INDOOR SEATING AT UPPER LEVEL
28	OUTDOOR SEATING AT UPPER LEVEL
8	BAR AT UPPER LEVEL
201	TOTAL COMBINE SEATING

OCCUPANT LOAD			
OCCUPANT LOAD SPACE	SQ.FT.	OCC. LOAD FACT.	OCC. LOAD
OFFICE	537	300	1
INDOOR DINING SEATING		TABLE SEATING	79
OUTDOOR DINING SEATING		TABLE SEATING	90
KITCHEN	773	200	4
OFFICE	157	300	1
STORAGE/MACHINE ROOM	57	300	1
BAR		FIXED SEATING	20
MALE & FEMALE	530	300	1
		TOTAL BUILDING OCCUPANTS:	314

ROOM SQUARE FOOTAGE	
AREA	ROOM NAME
N/A	RETAIL
3202	BACK AREA
1371	SEATING AREA
1245	PATIO SEATING
812	TERRACE SEATING
6630	TOTAL

RECEIVED
AUG 10 2010

PINNACLE ARCHITECTURAL STUDIO, INC.
9755 West Charleston Blvd Las Vegas, Nevada 89117 Phone (702) 940-6920 Fax (702) 940-6921

OPA TAVERNA
Tivoli Village At Queensridge
(f/k/a Th Village At Queensridge)
440 S. Rampart Boulevard, Suite 180
Las Vegas, NV 89145
a Portion of APN #138-32-601-003

Revisions:

SCALE DRAWING NOTE

Drawn By:
Check By:
Job Number: 10503
Date: JULY 30, 2010

A-1

SUP-39146

SUP-39146 - APPLICANT/OWNER: GREAT WASH PARK, LLC
440 SOUTH RAMPART BOULEVARD, SUITE #180

08/19/10

SUP-39146 - APPLICANT/OWNER: GREAT WASH PARK, LLC
440 SOUTH RAMPART BOULEVARD, SUITE #180

08/19/10

LAW OFFICE

Brown, Brown & Premsrirut

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6520

JAY H. BROWN
DAVID T. BROWN
PUOY K. PREMSRIRUT

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jbrown@brownlawlv.com

August 10, 2010

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

Re: Special Use Permit with separation waivers for Opa Tavern Liquor Establishment within Tivoli Village at Queensridge Parcel 138-32-601-003

Dear Sir/Madam;

Please consider this request to allow a Liquor Establishment (tavern) within a previously approved mixed use development (SUP-5853). The site is located within a 29 acre commercial and residential development located at the northeast corner of Alta Drive and Rampart Boulevard.

Opa Taverna uses a unique two-story design. The first story has indoor and outdoor table seating. There is also a bar on the first level that is surrounded by stools placed both indoor and outdoor. The second story also offers an outdoor terraced seating area and additional indoor seating area. Patrons may also be seated at a small bar within the interior of the second story.

This establishment expects to have more alcohol sales than food sales and therefore should be considered a Liquor Establishment (tavern). The parking allocation for this restaurant is grandfathered into the project-wide parking agreement. Please reference VAR-10773 that approved 3,955 spaces where 4,961 would otherwise be required.

Please also refer to ordinance 6013 that permits a waiver of the 1500 foot separation requirement between taverns and protected uses when the proposed tavern is located in a mixed use district. This Use Permit request requires the application of ordinance 6013 in order to Opa Taverna operate amongst previously approved taverns within Tivoli village as well as exist within 1500 feet of a City Park. Therefore, separation waivers are needed between taverns and from a tavern to a City Park.

The Tivoli Village mixed use development is situated on a parcel on which the north easternmost corner measures 160 feet from a playground within Angel Park (138-32-501-003). It is important to note that the commercial portion of this 30 acre parcel is on the westernmost side of the mixed use area. Consequently approximately 560 feet of mid-rise residential development is situated between the commercial portion of Tivoli Villages and the subject playground. Further, the subject suite is at the opposite end of the mixed-use parcel thereby providing more than 1000 feet from the front door of the supper-club to the property line of the playground. It is also notable that there are two barriers between this park and Tivoli Village. The first is an approximate 600 foot fence along the northern boundary of the property. The second is a drainage channel that is more than 20 feet deep. As a result, a pedestrian must walk more than 2600 feet to the park while there is no direct vehicular access. For this reason, the park is suitably protected from this liquor establishment.

SUP-39146

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If you have additional concerns please phone me at 598-1408.

Very truly yours,

Lora Dreja
Land Entitlements

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AUG 10 2010

SUP-39146

City of Las Vegas Agenda Item No.: **34.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

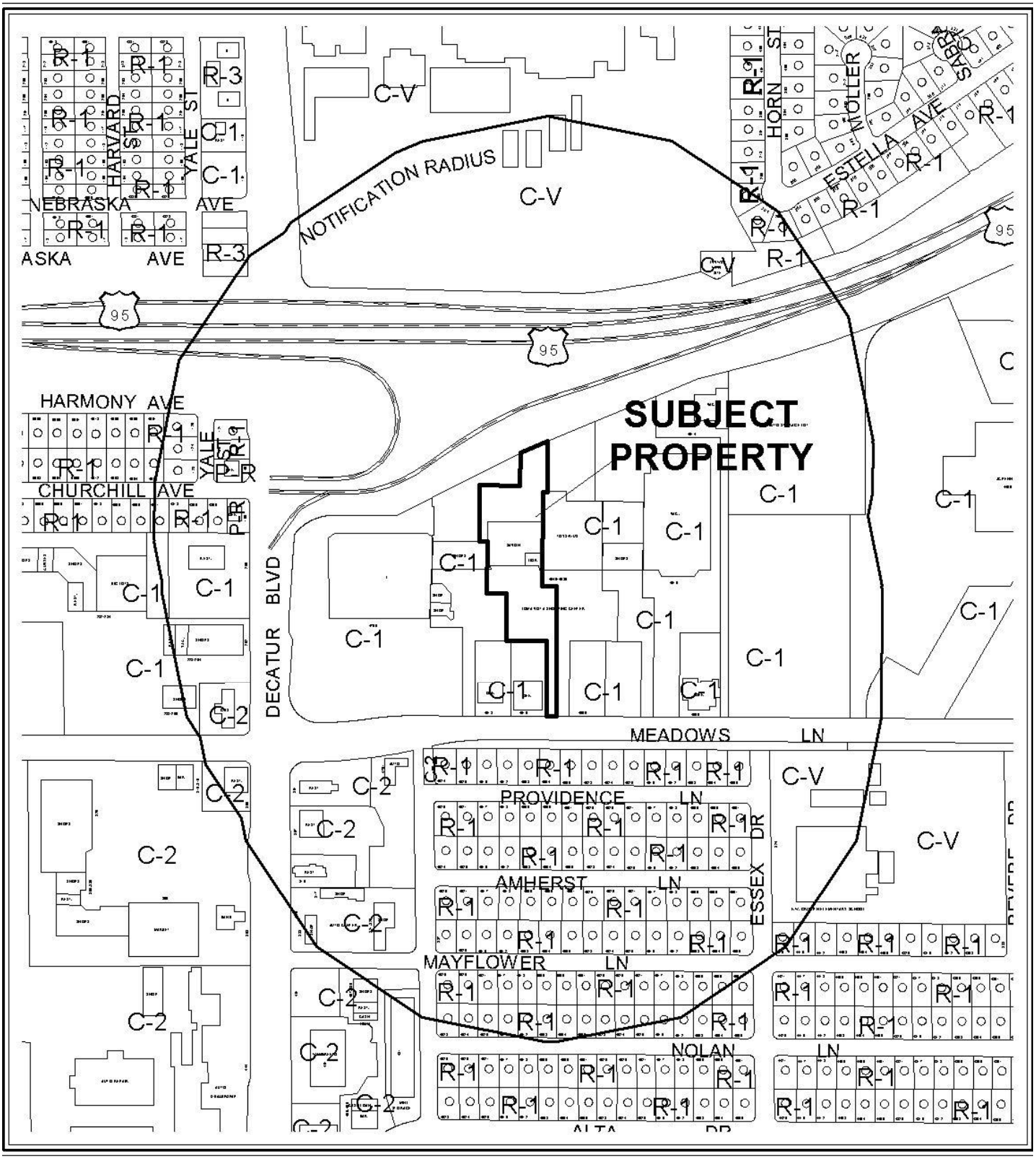
SUBJECT:
SUP-39219 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: OPPORTUNITY VILLAGE - OWNER: AFTON MEADOWS, LLC - Request for a Special Use Permit FOR A PROPOSED 25,062 SQUARE-FOOT THRIFTSHOP, NON-PROFIT WITHIN AN EXISTING BUILDING at 4600 Meadows Lane (APN 139-31-110-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE 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

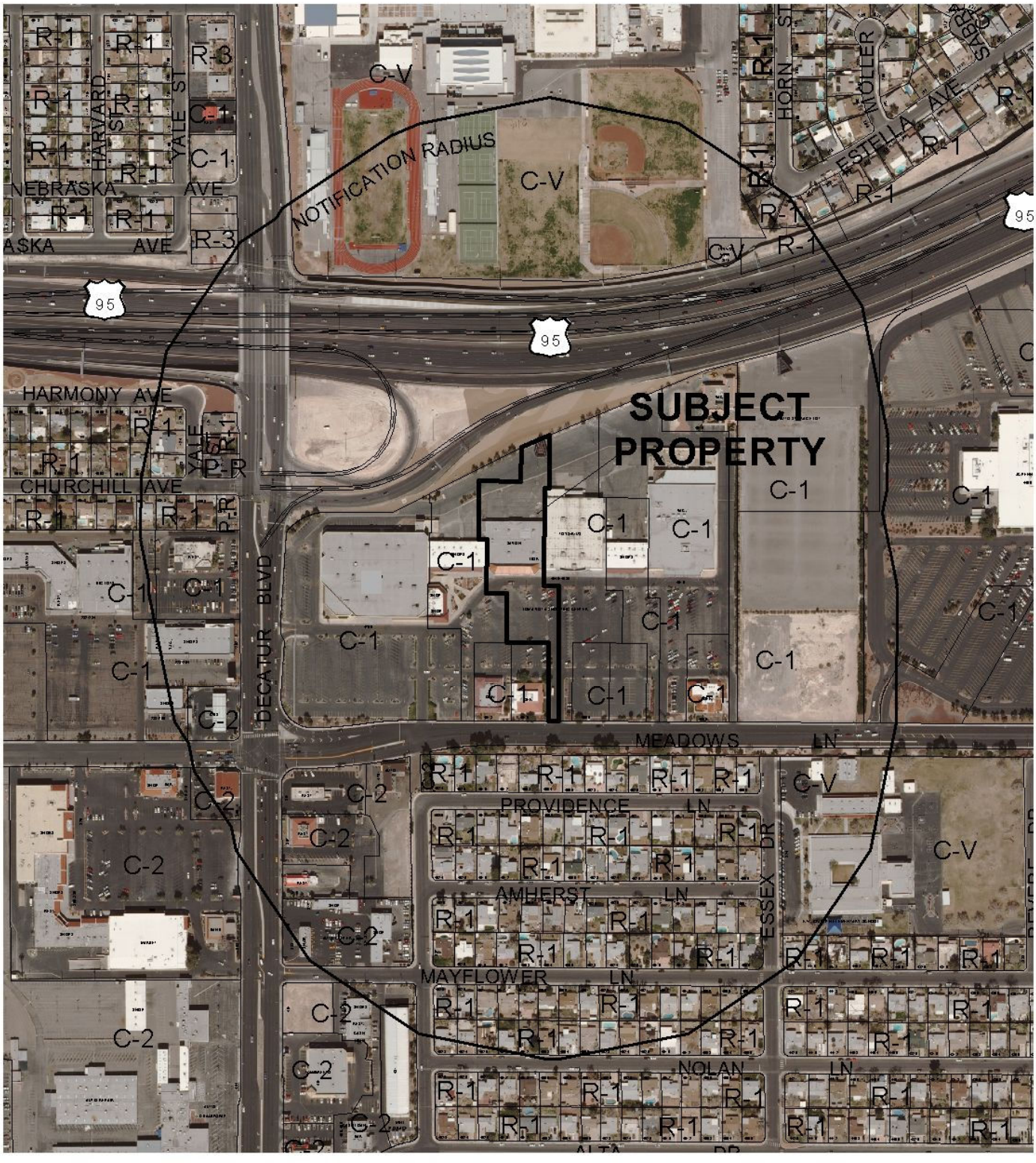


CASE: **SUP-39219**

RADIUS: 1000 FT

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

0 300 600 Feet



CASE: **SUP-39219**

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: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: OPPORTUNITY VILLAGE, ARC - OWNER: AFTON MEADOWS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-39219	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-39219 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Thriftshop, Non-Profit 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. No outside display, sales or storage of merchandise shall be permitted.

4. Donations shall only be delivered and accepted during hours of operation.

5. The site shall remain free of trash, rubble and graffiti at all times.

6. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

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

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

YK

** STAFF REPORT **

PROJECT DESCRIPTION

Opportunity Village is a non-profit organization established to assist developmental disabled people to contribute and function in society. The organization accepts donations of clothing, household goods and furniture for re-sale to the community. The organization was forced to find a new location after a fire gutted their current Main Street location in downtown. The proposed site has been utilized as a retail establishment for over thirty years and thus the proposed use is compatible for the location. The applicant states that the hours of operation will be 9:00 a.m. to 6:00 p.m. Monday thru Saturday and 10:00 a.m. to 4:00 p.m. on Sunday. Staff recommends approval with conditions. If denied, Opportunity Village would not be able to operate at this location.

ISSUES

- Title 19.04 allows Thrift Shop, Non-Profit use in a C-1 (Limited Commercial) Zone with an approved Special Use Permit.
- No outside display, storage or sales are permitted; this is a non-waivable Special Use Permit Requirement.
- The delivery of donations will be limited to the hours of operation only as stated by the applicant.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/23/74	The City Council denied Rezoning (Z-0102-73) from R-1 (Single-Family Residential) to C-1 (Limited Commercial) for a regional shopping mall. The Planning Commission recommended approval.
02/04/74	The Eighth Judicial District Court of the State of Nevada ordered the City to grant the Rezoning (Z-0102-73) application.

Most Recent Change of Ownership	
05/13/83	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
1980	The building was constructed in 1980 for a J.C. Penny's retail store.
02/10/09	The City's Code Enforcement division closed a violation (#73835) for trash/graffiti/landscaping.

YK

Pre-Application Meeting	
08/20/10	Staff reviewed the requirements for a Special Use Permit application. No specific concerns were raised at this time.

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

Field Check	
08/19/10	Staff conducted a field inspection of the subject site. The site was vacant and free of graffiti; howeve, there were small piles of rubble at the rear of the building.

Details of Application Request	
Site Area	
Net Acres	2.75 acres

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Vacant	SC (Service Commercial)	C-1 (Limited Commercial)
North	US-95 Right-of-Way	US-95 Right-of-Way	US-95 Right-of-Way
South	Vacant	SC (Service Commercial)	C-1 (Limited Commercial)
East	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)

Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (140' 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

YK

Functional Classification of Street(s)	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Meadows Lane	N/A	73 feet	Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.04 and 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	25,062 SF	1 per 250 SF	101		111		Y
TOTAL SPACES REQUIRED			101		111		Y
Regular and Handicap Spaces Required			96	5	106	5	Y
Loading Spaces	25,062 SF	2 per 10,000 – 29,999 SF	2		2		Y

ANALYSIS

This is a request for a Special Use Permit for a Thrift Shop, Non-Profit use for Opportunity Village. The applicants' current location at 915 S. Main Street suffered a devastating fire in June requiring the relocation of the store. Title 19 allows a Thrift Shop, Non-Profit use in the C-1 (Limited Commercial) district with an approved Special Use Permit. There is a minimum Special Use Permit Requirement that prohibits all outdoor display, sales or storage of merchandise. This provision is not waivable. The applicant is proposing the use of storage bins in the rear of the store for donations. This will not be permitted. However, the applicant also states that the majority of donations are picked-up by Opportunity Village trucks. There will be a specific condition that prohibits the outside storage of merchandise that will include all donations.

The site is subject to a 140-foot Airport Overlay. This proposal does not adjust the height of the building and thus the overlay requirement is met.

FINDINGS (SUP-39219)

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 Thrift Shop, Non-Profit use can be conducted in a manner that is harmonious and compatible with the existing surrounding commercial uses.

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

   The site was designed for a large retail establishment with ample parking for the size of the project.

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

   Access to the site is via Meadows Lane, which will be adequate to meet the requirements of the Thriftshop, Non-Profit use.

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

   If approved, the proposed use on the site will be subject to periodic inspection by business licensing inspectors, and it will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

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

   The proposed Thrift Shop, Non-Profit use meets all applicable conditions of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 27

NOTICES MAILED 154

APPROVALS 0

PROTESTS 0

YK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-39219** APN: 139-3111-0002

Name of Property Owner: Afton Meadows, LLC

Name of Applicant: Opportunity Village ARC

Name of Representative: ~~Steve~~ Bill Risley

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: Steve Boss, Managing Member

Subscribed and sworn before me

This _____ day of _____, 20____

_____

Notary Public in and for said County and State

RECEIVED AUG 25 2010

State of California)

County of Los Angeles)

Subscribed and sworn to (or affirmed) before me on this 23rd day of August, 2010, by Steve Boss, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

P. KUSUMI
Commission # 1848585
Notary Public -- California
Los Angeles County
My Comm. Expires May 16, 2013

Signature P. Kusumi

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AUG 25 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: OPPORTUNITY VILLAGE THRIFTSTORE

Project Address (Location) 4600 MEADOWS LANE, LAS VEGAS NV, 89107

Project Name OPPORTUNITY VILLAGE THRIFTSTORE **Proposed Use** COMMERCIAL

Assessor's Parcel #(s) 139-31-110-002 **Ward #** _____

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

Commercial Square Footage 25,062 SF **Floor Area Ratio** _____

Gross Acres 2.008 **Lots/Units** 5 **Density** _____

Additional Information _____

PROPERTY OWNER AFTON MEADOWS LLC **Contact** STEVE BOSS

Address 2600 MISSION STREET **Phone:** _____ **Fax:** _____

City SAN MARINO **State** CA **Zip** 91108

E-mail Address _____

APPLICANT OPPORTUNITY VILLAGE **Contact** BILL RISLEY

Address 6050 SOUTH BUFFALO **Phone:** (702) 880-4078 **Fax:** (702) 256-0652

City LAS VEGAS **State** NV **Zip** 89113

E-mail Address risleyb@opportunityvillage.org

REPRESENTATIVE OPPORTUNITY VILLAGE **Contact** BILL RISLEY

Address 6050 SOUTH BUFFALO **Phone:** (702) 880-4078 **Fax:** (702) 256-0652

City LAS VEGAS **State** NV **Zip** 89113

E-mail Address risleyb@opportunityvillage.org

Property Owner Signature* _____

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

Print Name STEVE BOSS

Subscribed and sworn before me

This _____ day of _____, 20 _____.

_____

Notary Public in and for said County and State

FOR DEPARTMENT USE ONLY

Case #	SUP - 39219 (39325)
Meeting Date:	9-23-10
Total Fee:	1,030
Date Received:*	8/25/10
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

State of California)

County of Los Angeles)

Subscribed and sworn to (or affirmed) before me on this 25th day of August, 2010, by Steve Boss, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

P. KUSUMI
Commission # 1848585
Notary Public -- California
Los Angeles County
My Comm. Expires May 16, 2013

Signature P. Kusumi

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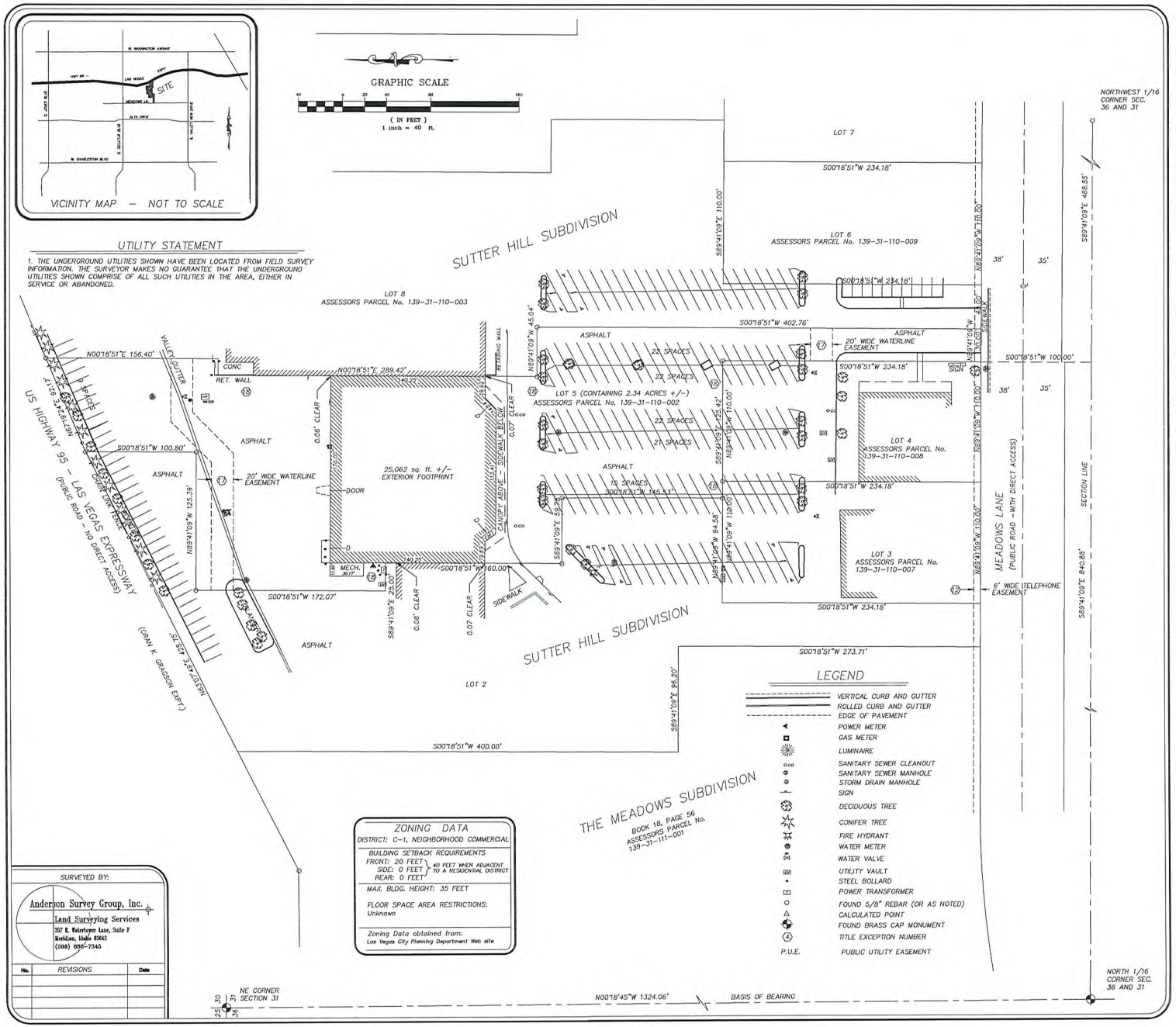
AUG 25 2010


VICINITY MAP – NOT TO SCALE
GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft.
UTILITY STATEMENT
1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE OF ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED.
SUTTER HILL SUBDIVISION
LOT 8
ASSESSORS PARCEL No. 139-31-110-003
LOT 7
LOT 6
ASSESSORS PARCEL No. 139-31-110-009
LOT 5 (CONTAINING 2.34 ACRES +/-)
ASSESSORS PARCEL No. 139-31-110-002
LOT 4
ASSESSORS PARCEL No. 139-31-110-008
LOT 3
ASSESSORS PARCEL No. 139-31-110-007
LOT 2
MEADOWS LANE
(PUBLIC ROAD - WITH DIRECT ACCESS)
US HIGHWAY 95 - LAS VEGAS EXPRESSWAY
(PUBLIC ROAD - NO DIRECT ACCESS)
(GRAN K. GRAHAM EXPY.)
THE MEADOWS SUBDIVISION
BOOK 18, PAGE 56
ASSESSORS PARCEL No.
139-31-111-001
25,062 sq. ft. +/- EXTERIOR FOOTPRINT
ASPHALT
22 SPACES
75 SPACES
CONC
RET. WALL
CHAIN LINK FENCE
VALLEY GUTTER
SIDEWALK
CANOPY ABOVE
MECH. 30.17'
DOOR
20' WIDE WATERLINE EASEMENT
6' WIDE TELEPHONE EASEMENT
SIGN
N00°18'51"E 156.40'
N00°18'51"E 289.42'
S00°18'51"W 100.80'
S00°18'51"W 172.07'
S00°18'51"W 60.00'
S00°18'51"W 400.00'
S00°18'51"W 234.18'
S00°18'51"W 402.76'
S00°18'51"W 100.00'
S00°18'51"W 145.33'
S00°18'51"W 273.71'
N89°41'09"W 125.39'
S89°41'09"E 65.20'
S89°41'09"E 468.55'
S89°41'09"E 840.88'
N89°41'09"W 45.04'
N89°41'09"W 110.00'
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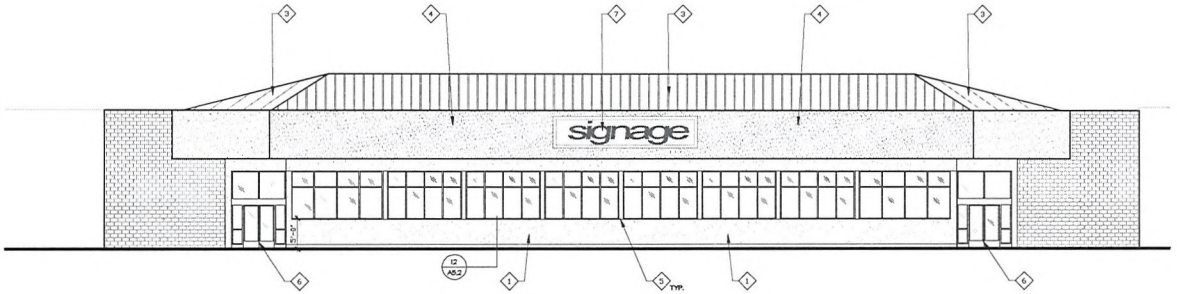
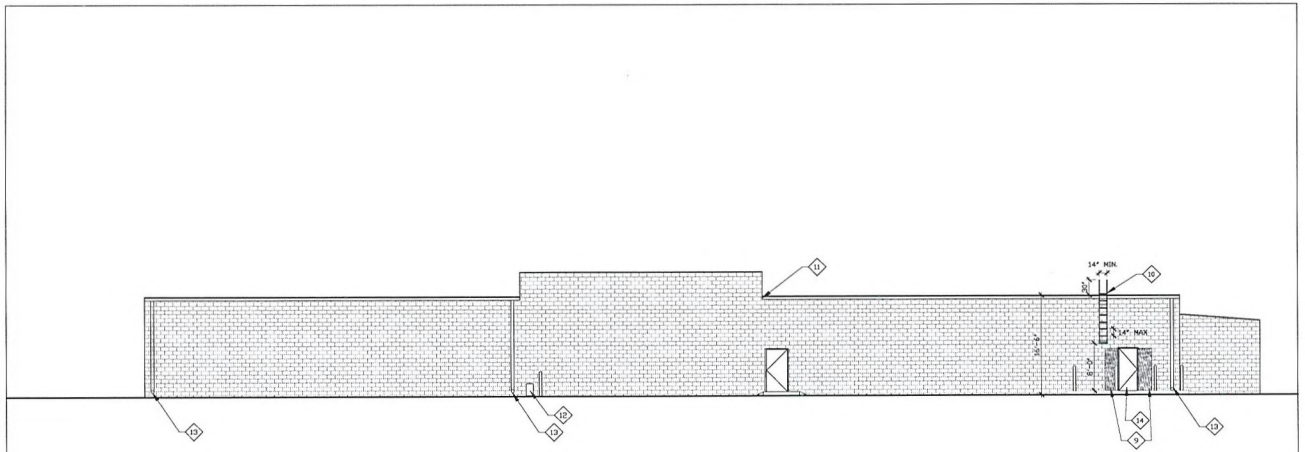
N89°41'09"W 110.00'
N89°41'09"W 110.00'
N89°41'09"W 110.00



1 **FRONT ELEVATION**
1/8"=1'-0"



2 **REAR ELEVATION**
1/8"=1'-0"

Reflected Ceiling Plan Keynotes

1. NEW STUCCO - 7/8" SAND FINISH. COLOR AND PAINT PER OWNER.
2. NEW STOREFRONT SYSTEM. PROVIDE STOREFRONT SYSTEM TO FIT BETWEEN EXISTING COLUMNS. BRUSHED ALUMINUM FINISH. GLAZING PER IECC CALCULATIONS.
3. PAINT STANDING SEAM ROOF. REPAIR ALL SURFACE IRREGULARITIES AND REPAIR ALL LEAKS. EXTERIOR GRADE PAINT PER OWNER.
4. REPAIR STUCCO ON MANSARD AS NECESSARY AND REPAIR ALL DRY-ROTTED FRAMING MEMBERS. PROVIDE SMOOTH TRANSITION BETWEEN EXISTING AND NEW FINISHES.
5. EXISTING STEEL TUBE COLUMN TO REMAIN. PAINT AND REPAIR AS NECESSARY TO PROVIDE SMOOTH AND EASILY PAINTABLE FINISH.
6. NEW DOUBLE DOOR STOREFRONT. 3'-0" x 7'-0" DBL DOORS. DOORS TO MATCH STOREFRONT SYSTEM. PROVIDE PANIC HARDWARE.
7. SIGNAGE BY OTHERS. NOT A PART OF THIS PERMIT. SHOWN FOR REFERENCE ONLY.
8. EXISTING ADJACENT RETAIL STORES. SHOWN FOR REFERENCE ONLY.
9. NEW INFILL AT THIS LOCATION. 2X STUD WALL FRAMING, 7/8" EXTERIOR STUCCO OVER 2 LAYERS 15# FELT OVER 3/4" OSB. PROVIDE 5/8" TYPE-X DRYWALL AT INTERIOR.
10. NEW ROOF ACCESS LADDER. SEE ROOF ACCESS LADDER DETAILS.
11. CONTRACTOR TO REPAIR DOWNSPOUT AT THIS LOCATION TO DIVERT DRAINAGE AROUND EXTERIOR EXIT DOOR BELOW.
12. EXISTING GAS METER TO REMAIN. NO CHANGES TO GAS METER PROPOSED.
13. EXISTING GUTTER DOWNSPOUT TO REMAIN. PAINT AS NECESSARY.
14. NEW 3'-0" X 7'-0" EXTERIOR GRADE STEEL DOOR. PROVIDE LOCKING HARDWARE. PAINT FINISH.

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AUG 25 2010

SUP-39219

JOHN HAMILTON ARCHITECT
32122 VENICE BOULEVARD TELEPHONE 310-383-3505
SUITE A FACSIMILE 310-388-3506
LOS ANGELES, CA 90066 HAMILTONARCHITECTS.NET

PROJECT:
Commercial Retail
Tenant Improvement
4600 Meadows LN
Las Vegas, NV 89107

NO.	DATE	REVISION
	8.15.2007	Project Begin

CLIENT:
Steve Boss
Afton Properties
2600 Mission Street, Suite 100
San Marino, CA 91108
PHONE: (626) 799-3319
FAX: (626) 799-3277

FRONT ELEVATION

Project: 0027
Date:
Drawn by: MMC
Checked by: JPH
Drawing Number A3.1

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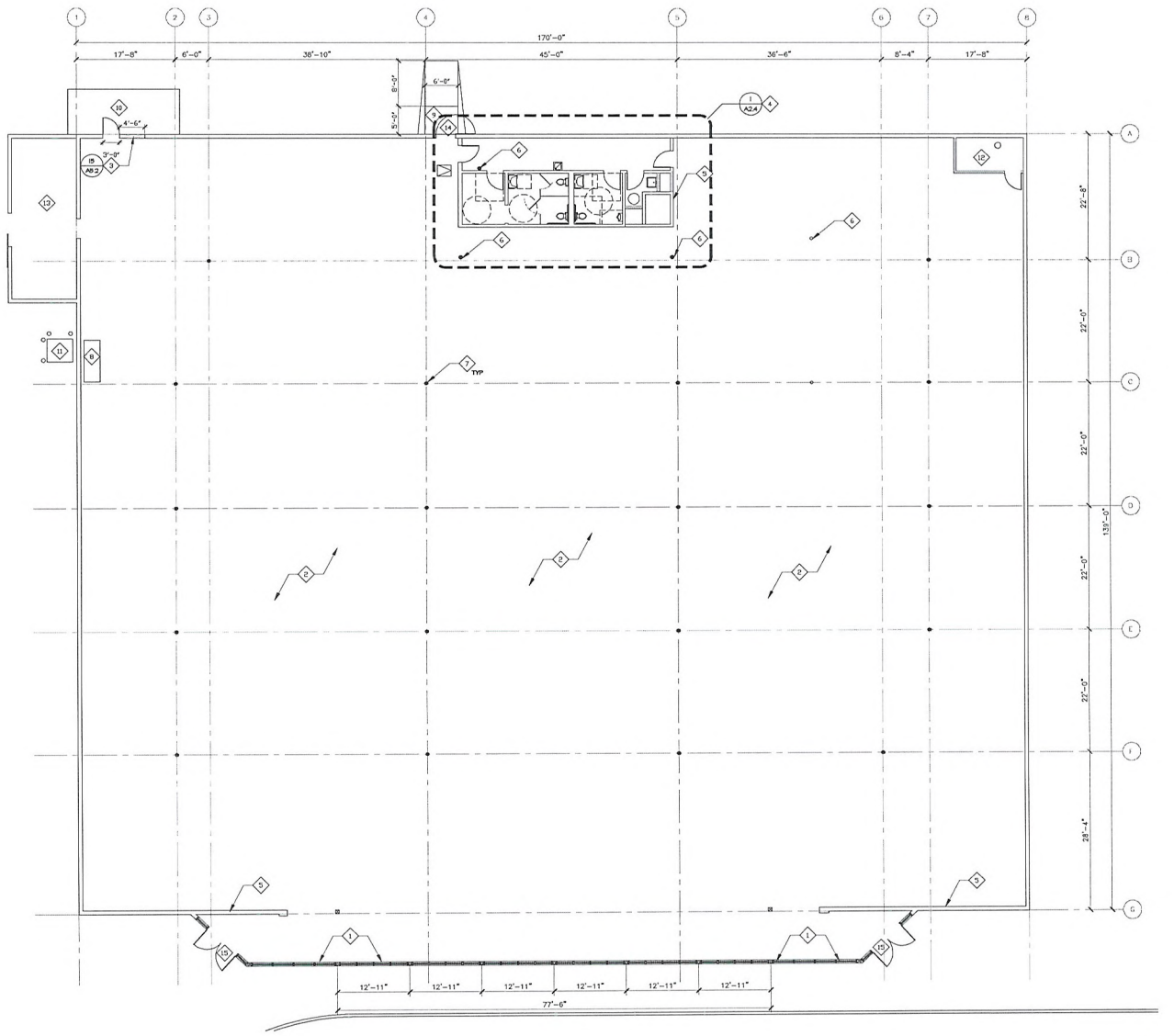

1 FLOOR PLAN
1/8"=1'-0"

Floor Plan Keynotes

1. (N) STOREFRONT SYSTEM. BRUSHED ALUMINUM FINISH. GLAZING TO BE PROVIDED AS INDICATED IN IECC CALCULATIONS.
2. GRIND ALL SURFACE IRREGULARITIES AS NECESSARY AND REMOVE ALL EXISTING FLOORING.
3. REMOVE EXISTING DOORS AT THIS LOCATION AND PROVIDE WOOD STUD INFILL FOR (N) 3'-0" ACCESS DOOR PER FUTURE TENANT REQUIREMENTS.
4. FOR RESTROOM DETAILS, INCLUDING DIMENSIONS AND ACCESSIBILITY, SEE DETAILS AND ENLARGEMENT ON SHEET A2.4
5. REPAIR FURRING ALONG THIS WALL AS NECESSARY TO PROVIDE A SMOOTH, PAINTABLE, SURFACE.
6. EXISTING COLUMN TO REMAIN. PROVIDE REPAIR TO COLUMN FINISH AS NECESSARY TO PROVIDE A SMOOTH, PAINTABLE SURFACE.
7. PRIMER EXISTING COLUMNS AND REMOVE ALL SURFACE IRREGULARITIES TO PREPARE FOR PAINT.
8. LOCATION OF NEW ELECTRICAL SWITCHGEAR. SEE ALSO ELECTRICAL PLANS. PROVIDE CLEARANCES AS REQUIRED AROUND ELECTRICAL EQUIPMENT.
9. EXISTING CONFORMING ACCESSIBLE RAMP TO REMAIN. CONTRACTOR TO PROVIDE STRIPING ON RAMP AS NECESSARY TO DELINEATE AREA FROM PARKING AREA AT REAR OF BUILDING.
10. EXISTING LOADING AREA. PROVIDE CONTRASTING FINISH ON EDGE OF DOCK. REPAIR CRACKS / SPALLING AS NECESSARY.
11. EXISTING TRANSFORMER TO REMAIN. SEE ELECTRICAL PLANS FOR DETAILS.
12. FIRE RISER ACCESS. PROVIDE PARTITION WALL AND 3'-0" DOOR AS INDICATED TO PROVIDE ACCESS ROOM FOR FIRE RISER EQUIPMENT. DOOR TO BE LABELED IN 2" BLOCK LETTERS INDICATING THE USAGE OF SAID AREA.
13. TRASH ROOM. PRIME ALL WALLS AND REPAIR ALL SURFACE IRREGULARITIES TO PREPARE ROOM FOR FUTURE TENANT.
14. EXISTING EXIT DOOR TO REMAIN. REPAIR PANIC HARDWARE AS NECESSARY.
15. NEW DOUBLE DOORS AS A PART OF NEW STOREFORNT SYSTEM. 3'-0" X 7'-0" STOREFRONT DOORS.

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AUG 25 2010

SUP-39219

JOHN HAMILTON ARCHITECT
1240 VENICE BOULEVARD TELEPHONE 310-398-1500
SUITE NO. TWENTY-FIVE FACSIMILE 310-398-8600
LOS ANGELES, CA 90066 HAMILTONARCHITECTS.NET

PROJECT:
Commercial Retail
Tenant Improvement
4600 Meadows LN
Las Vegas, NV 89107

NO.	DATE	REVISION
	8.15.2007	Project Begin

CLIENT:
Steve Boss
Afton Properties
2600 Mission Street, Suite 100
San Marino, CA 91108

PHONE: (626) 799-3319
FAX: (626) 799-3277

FLOOR PLAN

Project:	0027	Drawing Number
Date:	-	A2.1
Drawn by:	-	
Checked by:	JPH	

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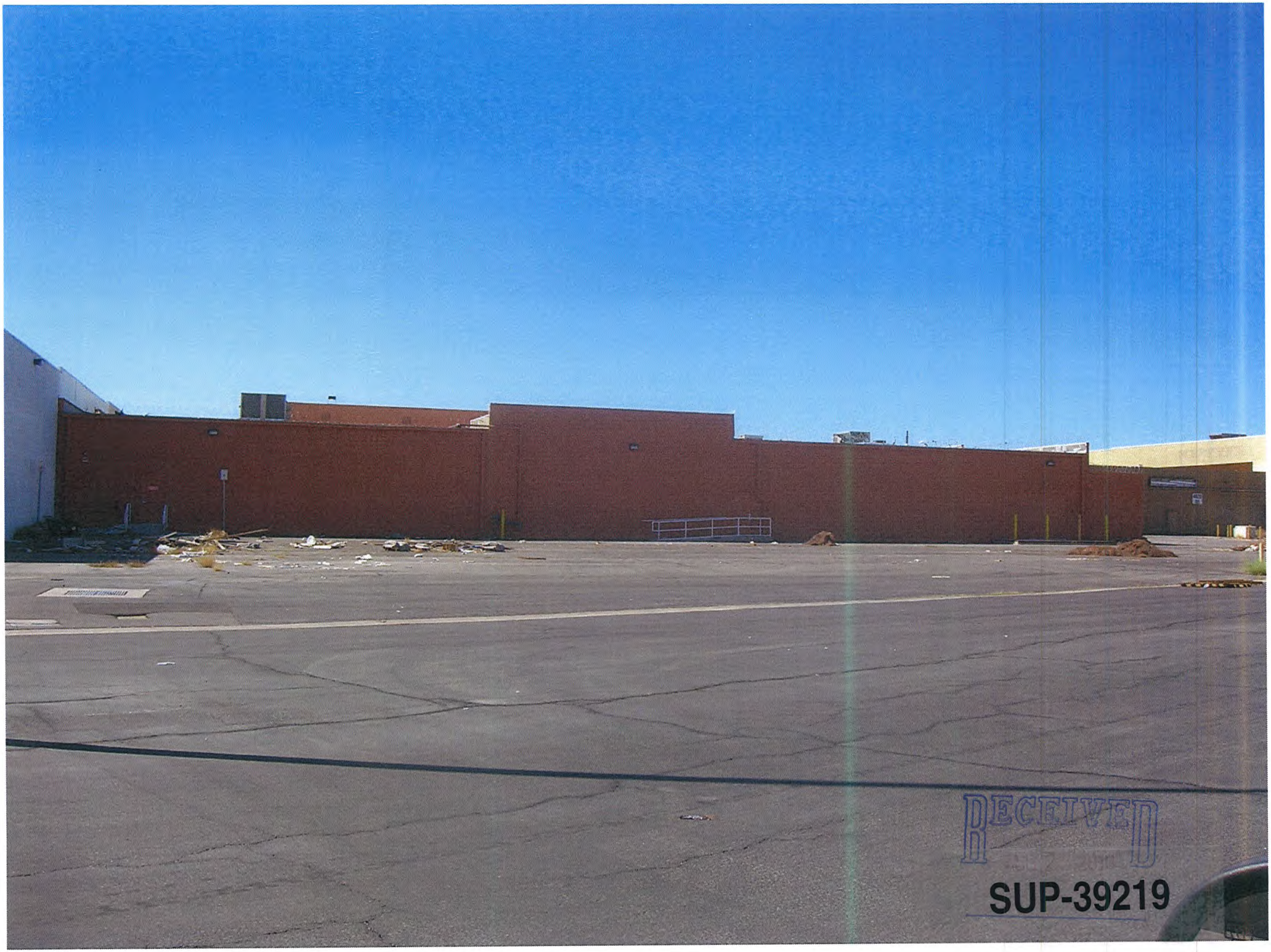
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SUP-39219

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SUP-39219

SUP-39219 - APPLICANT: OPPORTUNITY VILLAGE - OWNER: AFTON MEADOWS, LLC
4600 MEADOWS LANE

08/19/10

SUP-39219 - APPLICANT: OPPORTUNITY VILLAGE - OWNER: AFTON MEADOWS, LLC
4600 MEADOWS LANE

08/19/10

SUP-39219 - APPLICANT: OPPORTUNITY VILLAGE - OWNER: AFTON MEADOWS, LLC
4600 MEADOWS LANE

08/19/10

SUP-39219 - APPLICANT: OPPORTUNITY VILLAGE - OWNER: AFTON MEADOWS, LLC
4600 MEADOWS LANE

08/19/10

SUP-39219 - APPLICANT: OPPORTUNITY VILLAGE - OWNER: AFTON MEADOWS, LLC
4600 MEADOWS LANE

08/19/10

OPPORTUNITY VILLAGE
LAS VEGAS' FAVORITE CHARITY

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Lance Earl – 1st Vice Chair
Mark Stark – 2nd Vice Chair
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Larry Carter – Treasurer
Terri Sturm – Past Chair
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Bill Walters
John Wasserburger
Mark Wayman
Lawrence Weekly
Stephen Wynn

Executive Director:
Edward R. Guthrie

William (Bill) Risley
Director of Building Services
Opportunity Village, ARC
6050 S. Buffalo Drive
Las Vegas, NV 89113
W: 702-880-4078
F: 702-258-6944
risleyb@opportunityvillage.org

August 23, 2010

Planning & Development Department
City of Las Vegas

Dear Planning & Development Department,

Opportunity Village, ARC (OV) is requesting a "Special Use Permit" from the City of Las Vegas. On July 11, 2010, Opportunity Village, ARC, (OV) sustained heavy damage in a building fire at our thrift store location, 921 South Main St. This fire will require OV to rebuild the structure, with an estimated completion time of 2 years. To mitigate the impact on our clients with intellectual disabilities and to help alleviate the economic effect, we need to re-establish an OV thrift store in a temporary location for approximately 2 years until the Main Street location can be rebuilt.

OV has found a suitable temporary location at 4600 Meadows Ln, Las Vegas, NV. It is appropriately sized at 25,062 SF with the proper infrastructure and is demographically correct. Together with ADA accessibility and large amount of parking, this location is ideally suited. The property is currently zoned C1. We are requesting a "Special Use Permit" to allow the thrift store to operate at this location. There is a similar store located at 4530 Meadows Lane, Suite 1

Donations are made primarily by OV truck pick up. Access is available at the rear of the building for off loading and customer pickup of oversized items. Anyone making donations at the store will be directed to the rear of the building where specific storage bins will be located for this purpose. There are four steel bollards at the loading door two will have to be removed to facilitate the use of a forklift. It is our intention to place dumpsters for trash at the rear to mitigate the current trash problem. Combined, these measures will ensure the location will remain clean, neat and not adversely impact current businesses.

The location is fully functional as is and OV will not perform any Tenant Improvements to the building. We will place signage on the building structure and will follow all regulations and requirements as set forth by the City of Las Vegas. Maximum occupancy is expected to be 250. We will employee approximately 35 people. Our hours of operation will be 9:00am to 6:00pm, Monday through

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SUP-39219

OPPORTUNITY VILLAGE

LAS VEGAS' FAVORITE CHARITY

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Stephen Wynn

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Saturday and 10:00am to 4:00pm on Sunday. We will be transferring our business license from our old thrift store location at 921 South Main Street to this new location.

Opportunity Village Thrift Store is a known and loved icon of Las Vegas with an established customer base and as such we feel the presence of this temporary location will be a valuable addition to the area and offer a much needed service to the local community.

Sincerely,

William Risley
Requesting Special Use Permit Applicant

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AUG 25 2010
SUP-39219

6300 W. Oakey Blvd., Las Vegas, Nevada 89146 • ph: 702.259.3700 • fax: 702.259.3753 • www.opportunityvillage.org

City of Las Vegas Agenda Item No.: **35.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

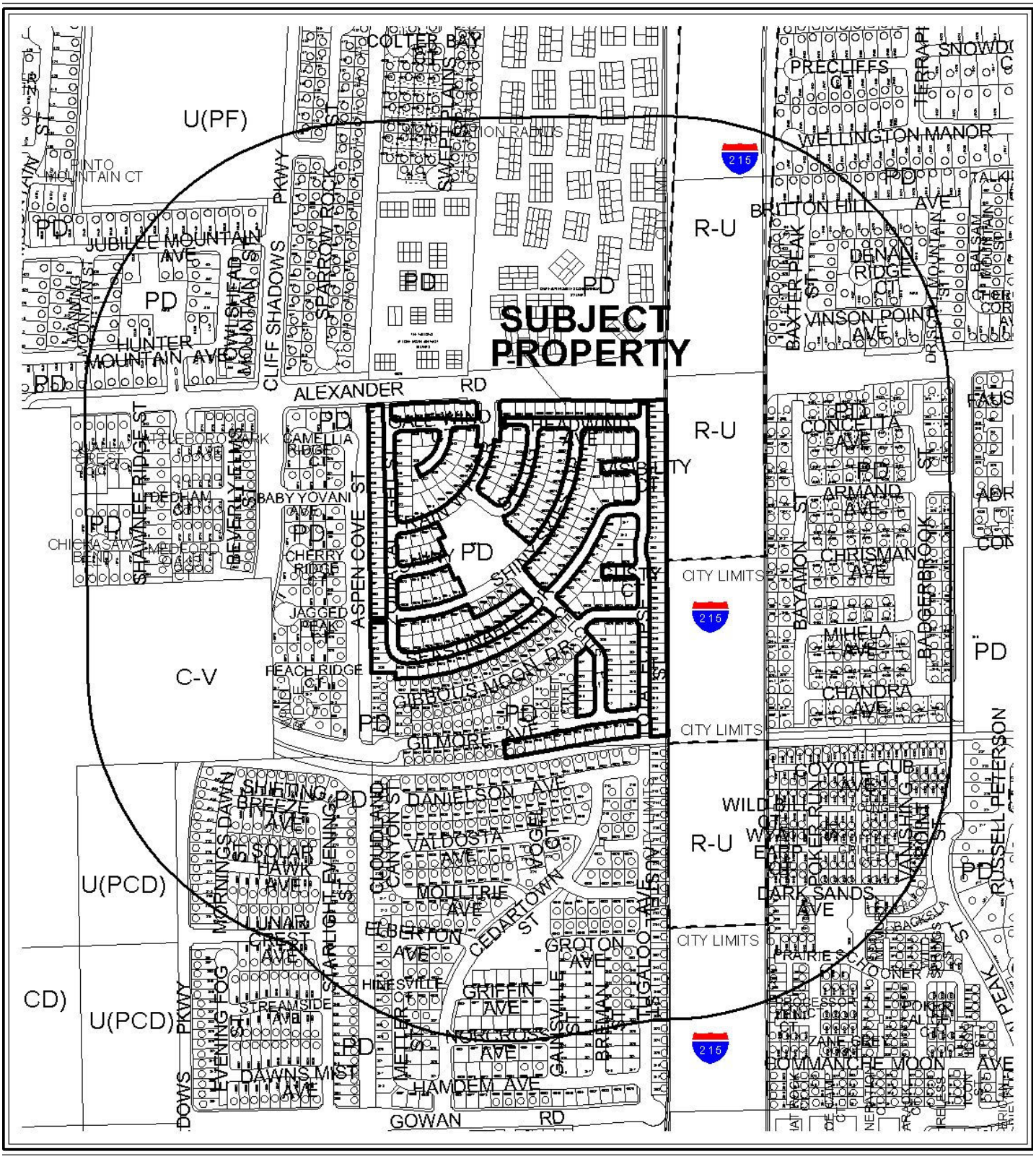
SUBJECT:
SDR-39117 - MAJOR SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RB HILLSIDE, LLC - Request for a Major Amendment of a previously approved Site Development Plan Review (SDR-8635) TO ADD ALTERNATE MODEL HOME PLANS AND TO ALLOW AN EIGHT-FOOT GARAGE SETBACK WHERE SIX FEET OR LESS OR 18 FEET OR GREATER IS REQUIRED at the southwest corner of Alexander Road and Clark County 215 (APNs 137-12-114-001 thru 077,122 thru 126, 158 thru 304, 310 thru 371), PD (Planned Development) Zone [ML (Medium Low Density Residential) Lone Mountain West Special Land Use Designation], Ward 4 (Anthony). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 10/20/10 OR MAY BE 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. City Council Approval Letter for SDR-8635
6. Justification Letter



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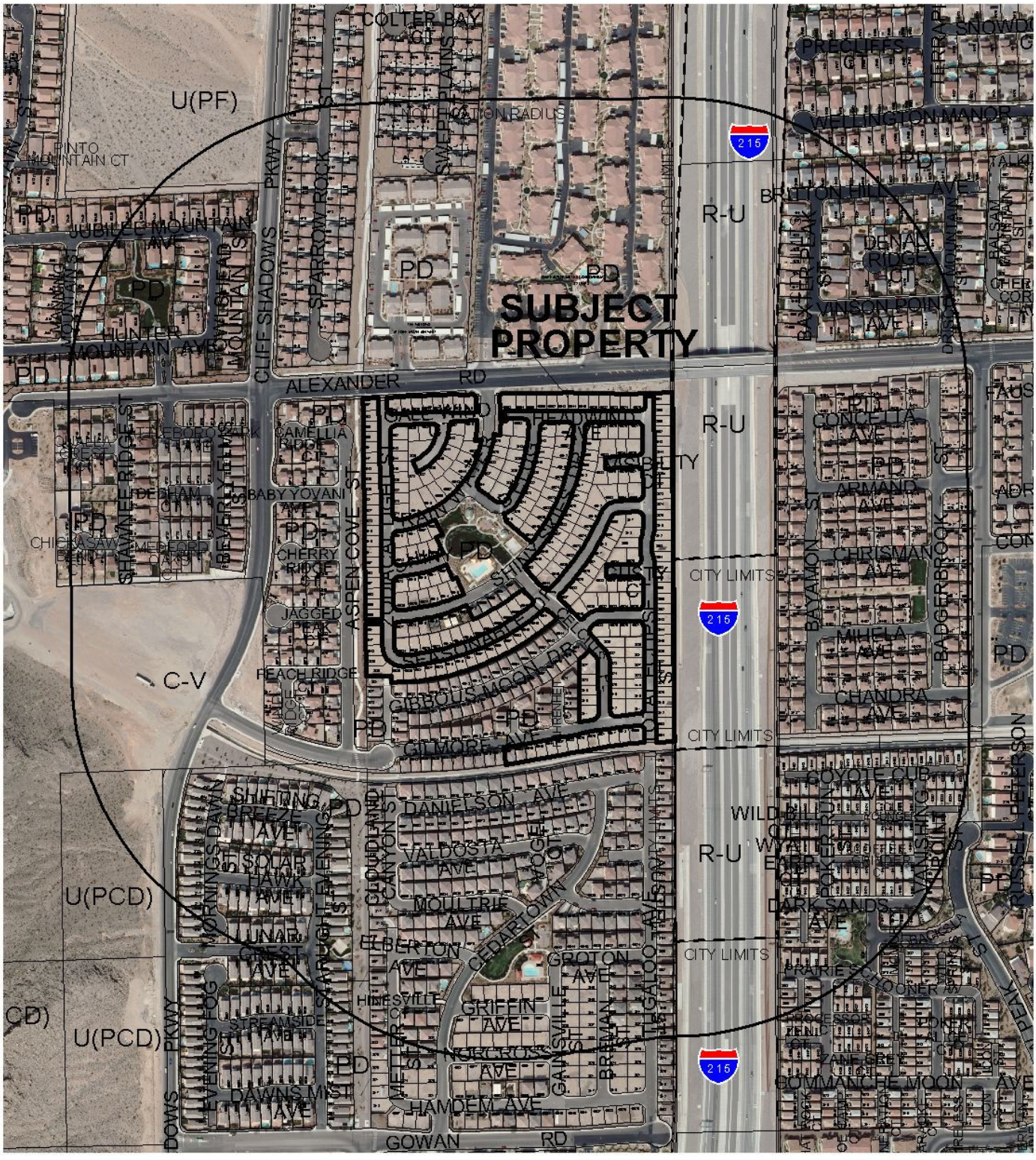
CASE: **SDR-39117**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N



0 300 600 Feet

CASE: **SDR-39117**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RB HILLSIDE, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-39117	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

SDR-39117 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-8635) shall be required, if approved, except as amended herein.

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

3. All development shall be in conformance with the site plan date stamped 08/19/10, and building elevations, date stamped 08/19/10 and 08/26/10, except as amended by conditions herein.

4. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

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

6. The standards for this development shall include a Minimum lot size of 1,855 square feet and Building height shall not exceed two stories or 35 feet, whichever is less.

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

Public Works

8. The distance from the face of the garage door to the back of sidewalk (or curb, if no sidewalk is proposed) shall be a minimum distance of 18 feet or a maximum distance of 8 feet to prevent a vehicle in the driveway from encroaching into the vehicular or pedestrian travel corridor.

9. The developer shall disclose to potential buyers of all lots shown on the approved Site Plan in which the garage door is less than eighteen feet that parking in the driveway will impede pedestrian traffic and shall not be allowed. This condition shall be included on the CC&Rs and shall be enforced by the Homeowner's Association.

10. Site development to comply with all applicable previous conditions of approval for Site Development Plan Review SDR-8635, the Alexander/215 Final Map and all other site-related actions.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Major Amendment to a previously approved Site Development Plan Review (SDR-8635) for a 371-lot single family residential development to add five alternate model home plans and to allow an eight-foot garage setback where six feet or less or 18 feet or greater is required. There are 80 lots that were developed by the previous developer that conform to the approved Site Development Plan Review, which leaves 291 lots presently undeveloped. Staff recommends denial, as the proposed request of eight feet would encourage residents to park in the driveway, resulting in blockage of sidewalks and streets. Six feet or less discourages residents from parking in the driveway and 18 feet or greater can accommodate driveway parking without sidewalk or street obstruction. If this application is denied, the 291 remaining lots can only be developed as previously approved.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/14/99	The City Council approved a request for Rezoning (Z-0024-99) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 227 acres located on the west side of the proposed Beltway, between Cheyenne Avenue and Lone Mountain Road. The Planning Commission and staff recommended approval.
07/05/01	The City Council approved a Site Development Plan Review [Z-0024-99(24)] for a proposed 340-unit Senior Living Facility on approximately 30 acres located on the south side of the Alexander Road alignment and on the west side of the Western Beltway alignment. The Planning Commission and staff recommended approval.
10/01/03	The City Council approved a request for an Extension of Time (EOT-2623) on an approved Site Development Plan Review [Z-0024-99(24)] for a proposed 340-unit Senior Living Facility on approximately 30 acres located on the south side of the Alexander Road alignment and on the west side of the Western Beltway alignment. The Planning Commission and staff recommended approval. The Planning Commission and staff recommended approval.

11/02/05	The City Council approved a Major Modification (MOD-8637) to the Lone Mountain West Master Development Plan to amend section 2.3.4 Medium-Low Density Residential to allow 3-story dwellings where 2 stories is the maximum allowed and to amend tables 2, 3, and 4 to reflect the proposed changes in land use designations and to change the land use designation from MFM (Multi-Family Medium Residential) to ML (Medium-Low Density Residential) on 30.0 acres adjacent to the southwest corner of Alexander Road the I-215 Beltway. The Planning Commission recommended approval, staff recommended denial.
11/02/05	The City Council approved a Site Development Plan Review (SDR-8635) for a proposed 371-lot single family residential development and a waiver of section 3.5.3 of the Lone Mountain West Master Development Plan to allow a 3.5 foot setback where a setback of less than two feet or more than ten feet is required on 30.0 acres adjacent to the southwest corner of Alexander Road and the I-215 Beltway. The Planning Commission recommended approval, staff recommended denial.
11/02/05	The City Council approved a Variance (VAR-8636) to allow 95,028 square feet of open space where 122,430 square feet of open space is required for a proposed 371-lot single family residential development on 30.00 acres adjacent to the southwest corner of Alexander Road the 215 Beltway. The Planning Commission recommended approval, staff recommended denial.
11/02/05	The City Council approved a Variance (VAR-8962) to allow 557 parking spaces where 742 parking spaces are required for a proposed 371-lot single family residential development on 30.00 acres adjacent to the south of Alexander Road and east of the 215 Beltway. The Planning Commission recommended approval, staff recommended denial.
11/02/05	The City Council approved a Waiver (WVR-8638) of Title 18.12.130 to allow 770-foot and 180-foot length private drives where 150 feet is the maximum length allowed for a proposed 371-lot single-family residential development on 30.0 acres adjacent to the southwest corner of Alexander Road and the I-215 Beltway. The Planning Commission recommended approval, staff recommended denial.
12/01/05	The Planning Commission approved a Variance (VAR-9903) to allow retaining walls with a maximum of eight feet where six feet is the maximum height allowed on 30.0 acres adjacent to the southwest corner of Alexander Road and the I-215 Beltway. Staff recommended approval.
12/01/05	The Planning Commission approved a Tentative Map (TMP-9901) for a 371-lot single family residential development on 30.00 acres adjacent to the southwest corner of Alexander Road the 215 Beltway. Staff recommended approval.

02/01/06	The City Council approved a Review of Condition (ROC-10964) of conditions #6 and #30 of an approved Site Development Plan Review (SDR-8635) to allow front yard setbacks of six feet to the front of the garage and five feet to the front of the house, where 18 feet is the minimum required to the front of the garage and 10 feet is the minimum required to the front of the house for an approved single-family residential development on 30.0 acres at the southwest corner of Alexander Road and the 215 Beltway. Staff recommended denial.
05/05/06	A Final Map (FMP-11314) was recorded for a 371-lot single family residential development on 30.00 acres adjacent to the southwest corner of Alexander Road the 215 Beltway.
06/21/06	The City Council approved a Variance (VAR-12913) to allow one enclosed off-street parking space where two enclosed off-street spaces is the minimum required for 371 lots on 30.0 acres adjacent to the southwest corner of Alexander Road and the I-215 Beltway. The Planning Commission recommended approval, staff recommended denial.
06/18/08	The City Council approved a Variance (VAR-27287) to allow 432 parking spaces where 557 spaces were allowed on 30.0 acres at the southwest corner of Alexander Road and I-215. The Planning Commission recommended approval, staff recommended denial.

Most Recent Change of Ownership	
02/12/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/26/06	A building permit (#58544) was issued for site grading on 10 acres. The permit was finaled on 01/26/06.
03/28/06	A building permit (#62458) was issued for site grading on 20 acres. The permit was finaled on 03/28/06.
06/27/06	A building permit (#66403) was issued for retaining walls. The permit was finaled on 03/17/07.
07/14/06	A building permit (#06004646) was issued for park on-sites at the subject development. The permit was finaled on 03/01/07.
10/05/06	A building permit (#67909) was issued for a community pool/spa. The permit was finaled on 03/24/07.

Pre-Application Meeting	
07/20/10	A pre-application meeting was held with the applicant, where the submittal requirements for a Major Amendment to a Site Development Plan Review were discussed.

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

Field Check	
08/19/10	Staff conducted a field check and noted a well maintained partially developed single family residential subdivision.

Details of Application Request	
Site Area	
Net Acres	30.0

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single Family Homes / Graded Single Family Lots	ML (Medium Low Density Residential)	PD (Planned Development)
North	Multi Family Residential	MFM (Multi-Family Medium Residential)	PD (Planned Development)
South	Single Family Homes	ML (Medium Low Density Residential)	PD (Planned Development)
East	I-215 Beltway	ROW (Right-of-Way)	ROW (Right-of-Way)
West	Single Family Homes	ML (Medium Low Density Residential)	PD (Planned Development)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Lone Mountain West	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
PD (Planned Development) 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 (SDR-8635) and (ROC-10964), the following standards apply:

Standard	*Approved*	*Proposed*	*Compliance*
Min. Lot Size	1,855 SF	1,855 SF	Y
Min. Lot Width	35 Feet	35 Feet	Y
Min. Setbacks			
• Front- (House/Garage)	5/6 Feet	5/8 or 18+ Feet	N
• Side	3.5 Feet	3.5 Feet	Y
• Corner	3.5 Feet	3.5 Feet	Y
• Rear	5 Feet	5 Feet	Y
Min. Distance Between Buildings	7 Feet	7 Feet	Y
Max. Building Height	3 stories or 35 feet, whichever is less	2 stories or 35 feet, whichever is less	Y

Functional Classification of Street(s)	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Private Streets	FMP-11314	39	Y

Pursuant to (SDR-8635) and (VAR-27287), the following parking standards apply:

Use	*Gross Floor Area or Number of Units*	*Required Per Title 19.04* *Parking* Regular	*Approved (VAR-27287)* *Parking* Regular
Single Family, Detached	371 Units (2 spaces per dwelling unit)	742	432
TOTAL		742	432
Percent Deviation			42%

ANALYSIS

The proposed models conform to the Lone Mountain West Design Standards for single family residential. The proposed models are also located in the PD (Planned Development) District and achieve one of the goals of the district, by providing a variety of housing types to achieve variety and integration of economic and redevelopment opportunities. An existing Multi-Use Non-Equestrian Trail runs along the north property line on Alexander Road as designated by the Master Plan Transportation Trails Element, which does not impact the subject site.

The applicant is proposing to add five alternate model home plans. The previously approved Site Development Plan Review (SDR-8635) permitted homes to be up to three stories or 35 feet, whichever is less. The applicant is proposing models having a height of two stories or 35 feet, whichever is less. However, the alternate homes will have a larger footprint. The applicant is also requesting to allow an eight-foot garage setback, where six feet or less or 18 feet or greater is required. As the applicant has presented no compelling evidence for the change in setbacks, staff recommends denial. The existing setback of six feet or less discourages residents from parking in the driveway, and 18 feet or greater can accommodate driveway parking without sidewalk or street obstruction. The proposed request of eight feet would encourage residents to park in driveways, resulting in blockage of sidewalks and streets.

The Department of Public Works has expressed concern in the past regarding vehicles blocking driveways and consequently, pedestrian paths. Public works has consistently recommended that the distance from the face of the garage door to the front property line shall be a minimum distance of 18 feet or a maximum distance of five feet to avoid potential issues with vehicles blocking pedestrian and vehicular travel corridors. On February 1, 2006 the previous developers of this site were approved to move the minimum garage door distance from the front property line from five feet to six feet. As the proposed eight-foot garage setback would encourage parking in the driveway, resulting in impediments to the sidewalks and streets. Therefore, staff recommends denial.

FINDINGS (SDR-39117)

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

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

   The proposed development is not compatible with adjacent development and development in the area, as the requested increase of the minimum driveway length would encourage parking that would block pedestrian and vehicular circulation within the subdivision.

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 applicant has recently purchased existing lots previously graded and owned by a different developer and would like to construct homes with different floor plans which requires certain driveways to be a minimum of eight feet in length to keep driveway slopes within City threshold requirements. This request is self imposed in nature, due to the fact

that the developer could design the floor plans for new models so that they could be accommodated under the current conditions.

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

   Adequate site access is provided from Alexander Road, which is designated as 80-foot Secondary Collector by the Master Plan of Streets and Highways.

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

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

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

   The proposed five new model home elevations are appropriate for the single family residential subdivision and are harmonious and compatible with the surrounding area.

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

   Proposed development on the site will be subject to permit review and inspection, thereby protecting the public's health, safety and general welfare. However, the potential for parked vehicles in the eight-foot driveways could present safety issues for both pedestrians and moving vehicles.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 1,361

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-39117** APN: 137-12-114-001-077;122-126;158-304;310-371

Name of Property Owner: RB Hillside LLC

Name of Applicant: Richmond American Homes

Name of Representative: Thomason Consulting Engineers

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: Jeff Barcy

Print Name: JEFF BARCY

Subscribed and sworn before me

This 21 day of JULY, 2010

Aimee Moreno

Notary Public in and for said County and State

AIMEE MARLETH GAJON MORENO
Commission # 1846418
Notary Public - California
Marin County
My Comm. Expires Apr 25, 2013

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Hillside
APN's

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SDR-39117

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review

Project Address (Location) Alexander / 215

Project Name Alexander 215 **Proposed Use** SFR

Assessor's Parcel #(s) 137-12-114-001-077;122-126;158-304;3 **Ward #** 4

General Plan: existing - proposed - **Zoning:** existing PD proposed PD

Commercial Square Footage - **Floor Area Ratio** -

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

Additional Information _____

PROPERTY OWNER RB Hillside LLC **Contact** JEFF BARCY

Address 97 ROUND HILL RD **Phone:** 415-435-3201 **Fax:** 415-789-5274

City TIBURON **State** CA **Zip** 94920

E-mail Address jbarcy@ridgeback-partners.com

APPLICANT Richmond American Homes **Contact** Brian Walsh

Address 7770 S Dean Martin **Phone:** (702) 617-8400 **Fax:** (702) 617-8499

City Las Vegas **State** Nevada **Zip** 89139

E-mail Address Brian.Walsh@mdch.com

REPRESENTATIVE Thomason Consulting Engineers **Contact** Sonia Macias

Address 3277 E. Warm Springs #400 **Phone:** (702) 932-6125 **Fax:** (702) 932-6129

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

E-mail Address smacias@tce-lv.com

Property Owner Signature* _____

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

Print Name JEFF BARCY

Subscribed and sworn before me

This 21 day of JULY, 20 10.

JEFF BARCY

Notary Public in and for said County and State

AIMEE MARLETH GAJON MORENO
Commission # 1846418
Notary Public - California
Marin County
My Comm. Expires Apr 25, 2013

FOR DEPARTMENT USE ONLY

Case #	SDR-39117
Meeting Date:	9/23/10
Total Fee:	$1,030
Date Received:*	8/9/10
Received By:	BLS.

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

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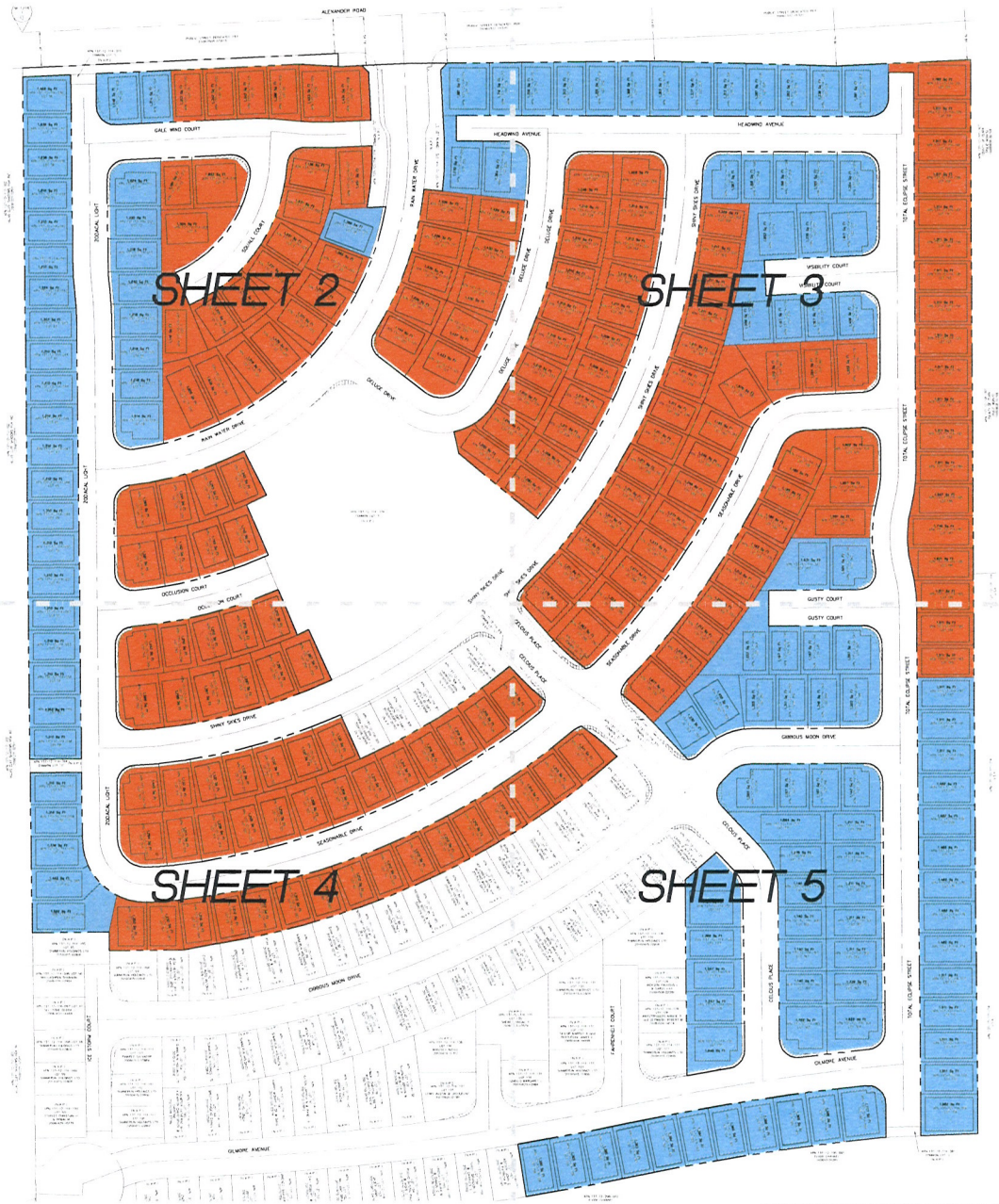
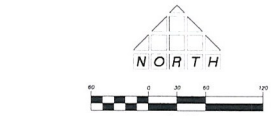
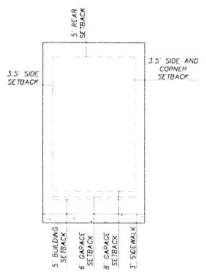
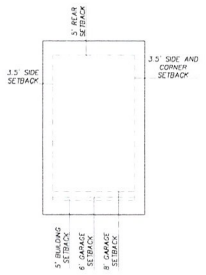
Revised 10/27/08







PROPOSED LOT SETBACKS W/ SIDEWALK
SCALE: 1" = 20'



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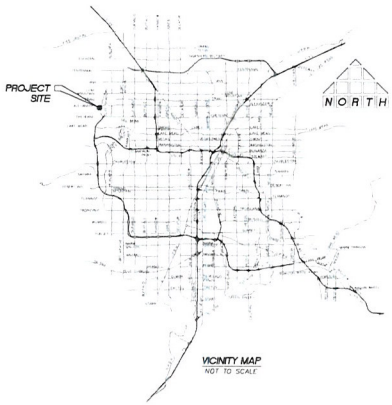
SCALE: 1" = 20'



VICINITY MAP
NOT TO SCALE

LEGEND

- PROPERTY LINE / RIGHT-OF-WAY
- STREET CENTERLINE
- LOTLINE
- 30' ROLL CURB
- BUILDING SETBACK
- LOTS - NOT A PART
- 6'/18'+ GARAGE SETBACK
- 8'/18'+ GARAGE SETBACK
- MAXIMUM BUILDING ENVELOPE

TABLE #1
GARAGE SETBACK BREAKDOWN

PROPOSED GARAGE SETBACK	NUMBER OF LOTS
6'/18'	167
8'/18'	124
	291 TOTAL

TABLE #2
STREET SLOPE / DRIVEWAY SLOPE CONSTRAINTS ANALYSIS

PROPOSED GARAGE SETBACK	MAXIMUM STREET SLOPE
6'	4.50%
8'	6.00%

THE MAXIMUM STREET SLOPE IS BASED UPON A DRIVEWAY SLOPE OF 12%. THIS IS THE MAXIMUM ALLOWED BY THE CLV.

THE MAXIMUM STREEET SLOPE FOR THIS DEVELOPMENT IS 6.16%

TABLE #3
EFFECTIVE LOT DEPTH

EFFECTIVE LOT DEPTH	NUMBER OF LOTS
53'	65
54'	8
55'	70
56'	36
57'	13
58'	4
59'	26
60'	9
63'	33
64'	2
65'	3
75'	2
	291 TOTAL

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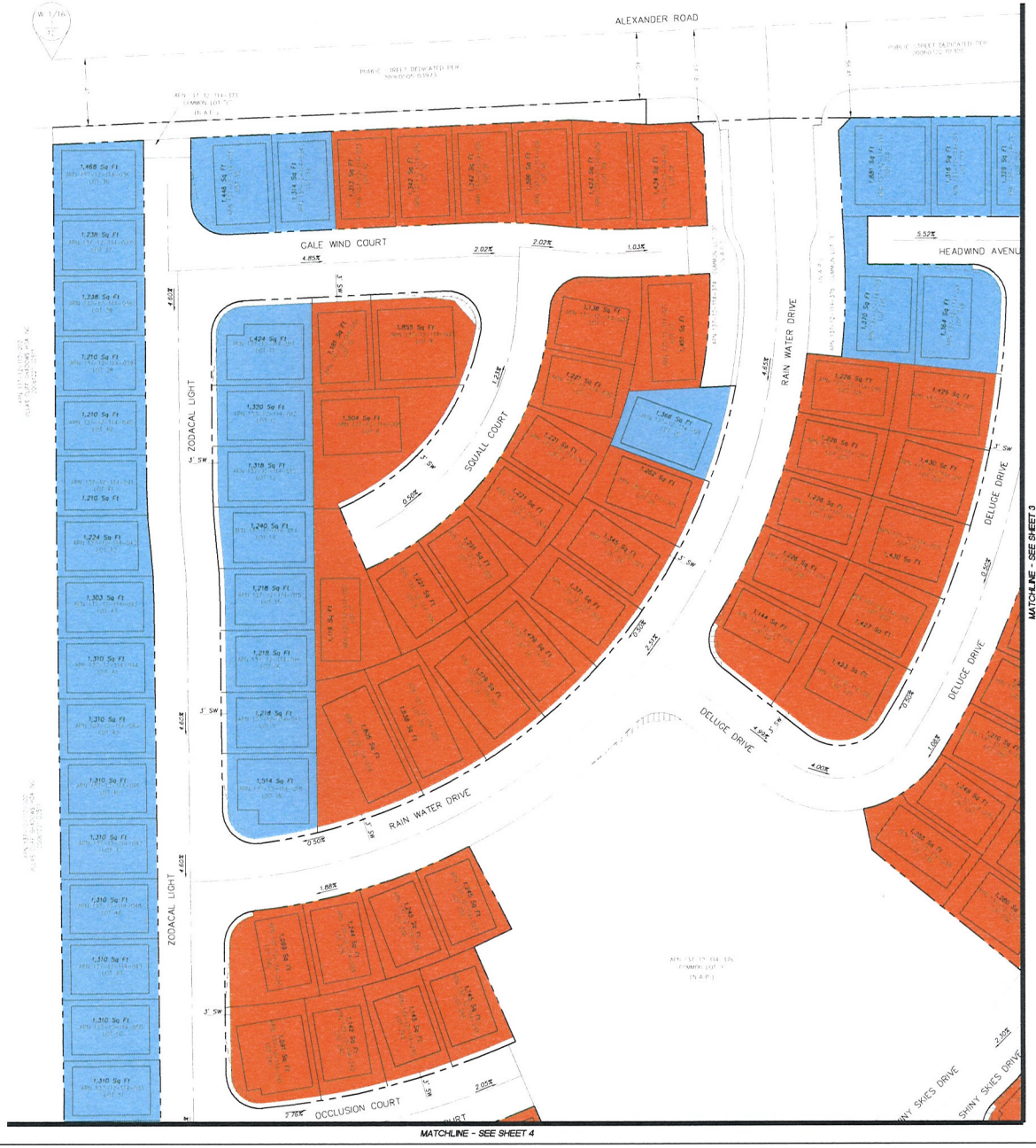
1 7/7/10 KBJ VERSION - 1

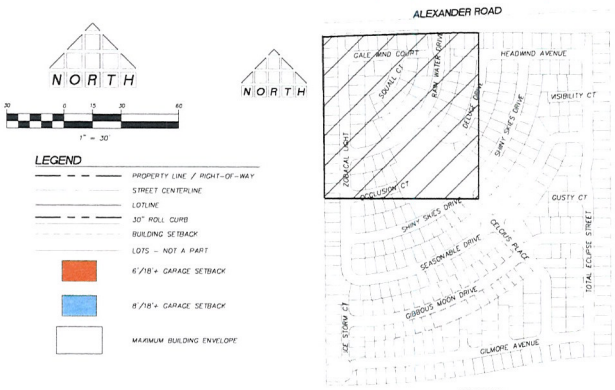
THOMASON CONSULTING ENGINEERS
1237 E. MAIN STREET, SUITE 400
LAS VEGAS, NEVADA 89101
702-932-6125 FAX: 702-932-6129

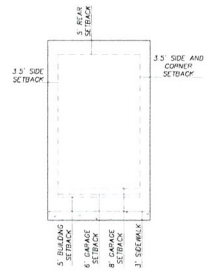
RICHMOND AMERICAN HOMES
ALEXANDER / 215

CITY OF LAS VEGAS
MAJOR AMENDMENT TO SDR EXHIBIT

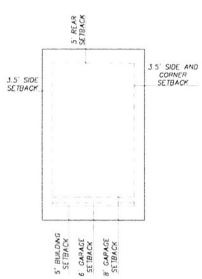
SHEET 1
1 5







PROPOSED LOT SETBACKS W/ SIDEWALK
SCALE 1" = 20'



PROPOSED LOT SETBACKS
SCALE 1" = 20'

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THOMASON CONSULTING ENGINEERS
3277 E. WARM SPRINGS ROAD, SUITE 400
LAS VEGAS, NEVADA 89120
702-932-6125 FAX 702-932-6129

RICHMOND AMERICAN HOMES
ALEXANDER / 215
CITY OF LAS VEGAS
MAJOR AMENDMENT TO SDR EXHIBIT

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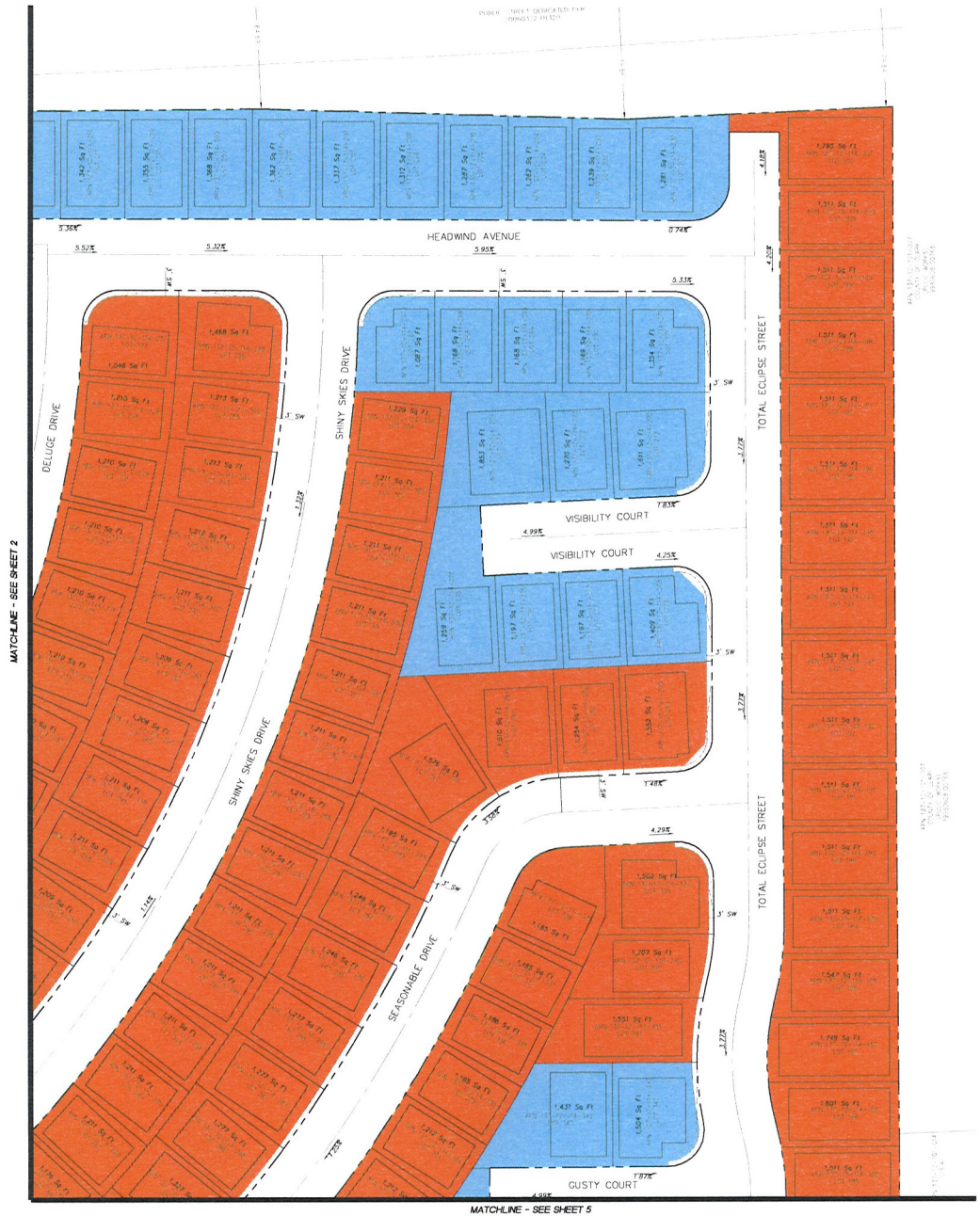
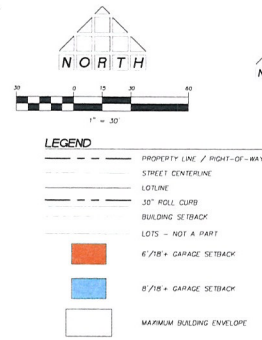
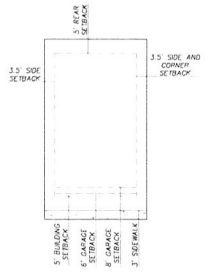
SHEET 2 OF 5

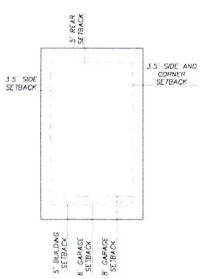




KEY MAP
NOT TO SCALE



PROPOSED LOT SETBACKS W/ SIDEWALK
SCALE 1" = 20'



PROPOSED LOT SETBACKS
SCALE 1" = 20'

LOT NUMBER	APN	SETBACK
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2	137-12-114-002	6
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4	137-12-114-004	6
5	137-12-114-005	6
6	137-12-114-006	6
7	137-12-114-007	6
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REVISED

AUG 19 2010

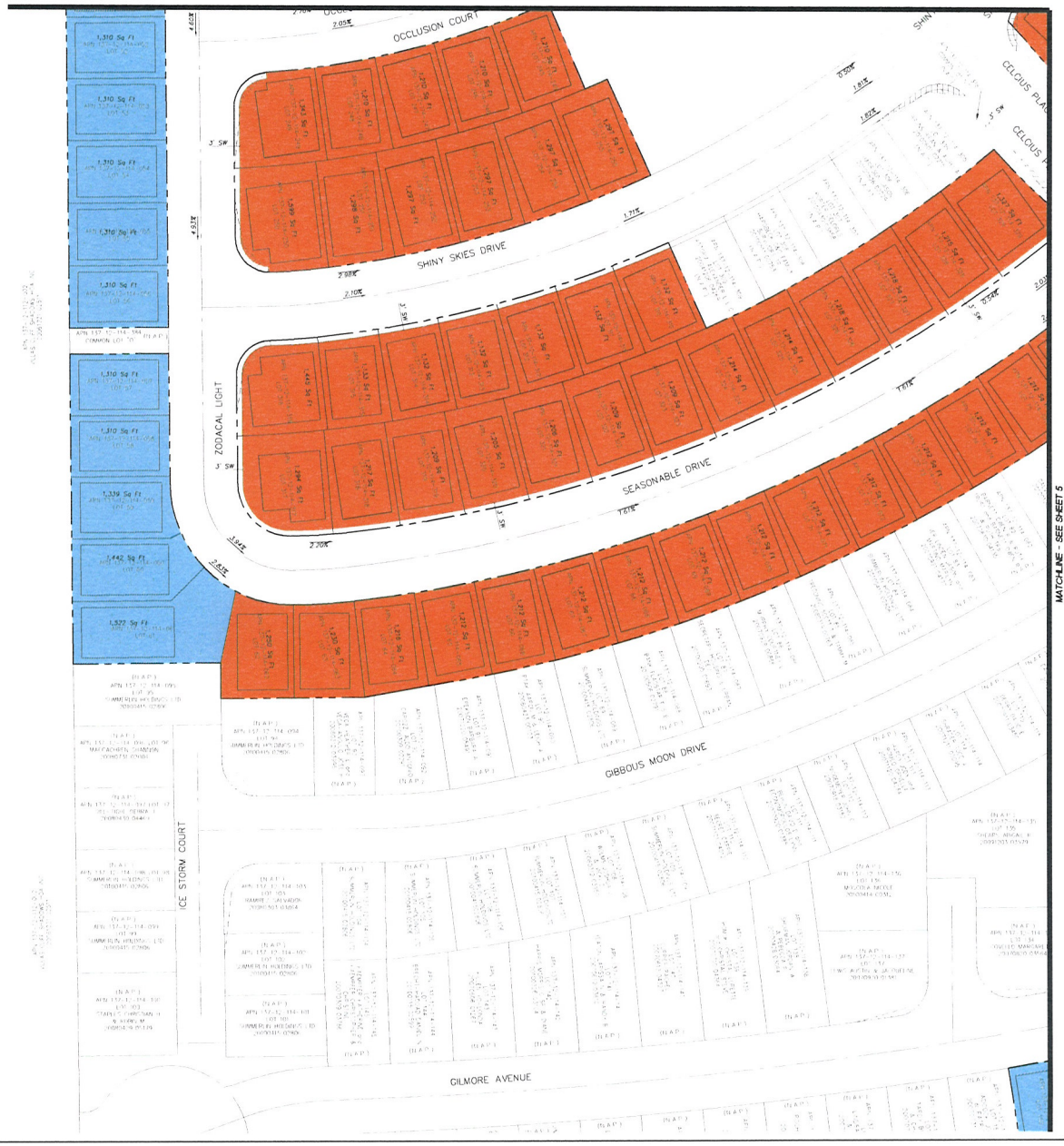
T THOMASON
C CONSULTING
E ENGINEERS
3277 E. WARM SPRINGS ROAD, SUITE 400
LAS VEGAS, NEVADA 89120
702-932-6125 FAX: 702-932-6129

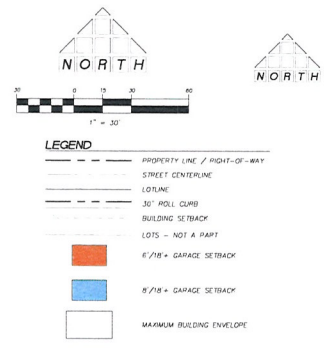
RICHMOND AMERICAN HOMES
ALEXANDER / 215

CITY OF LAS VEGAS
MAJOR AMENDMENT TO SDR EXHIBIT

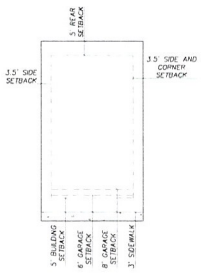
001.10118

3 of 5

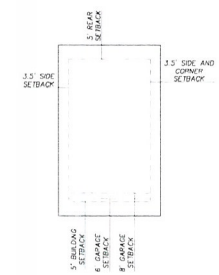




KEY MAP
NOT TO SCALE



PROPOSED LOT SETBACKS W/ SIDEWALK
SCALE 1" = 20'



PROPOSED LOT SETBACKS
SCALE 1" = 20'

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PROJECT NO. 001.10118

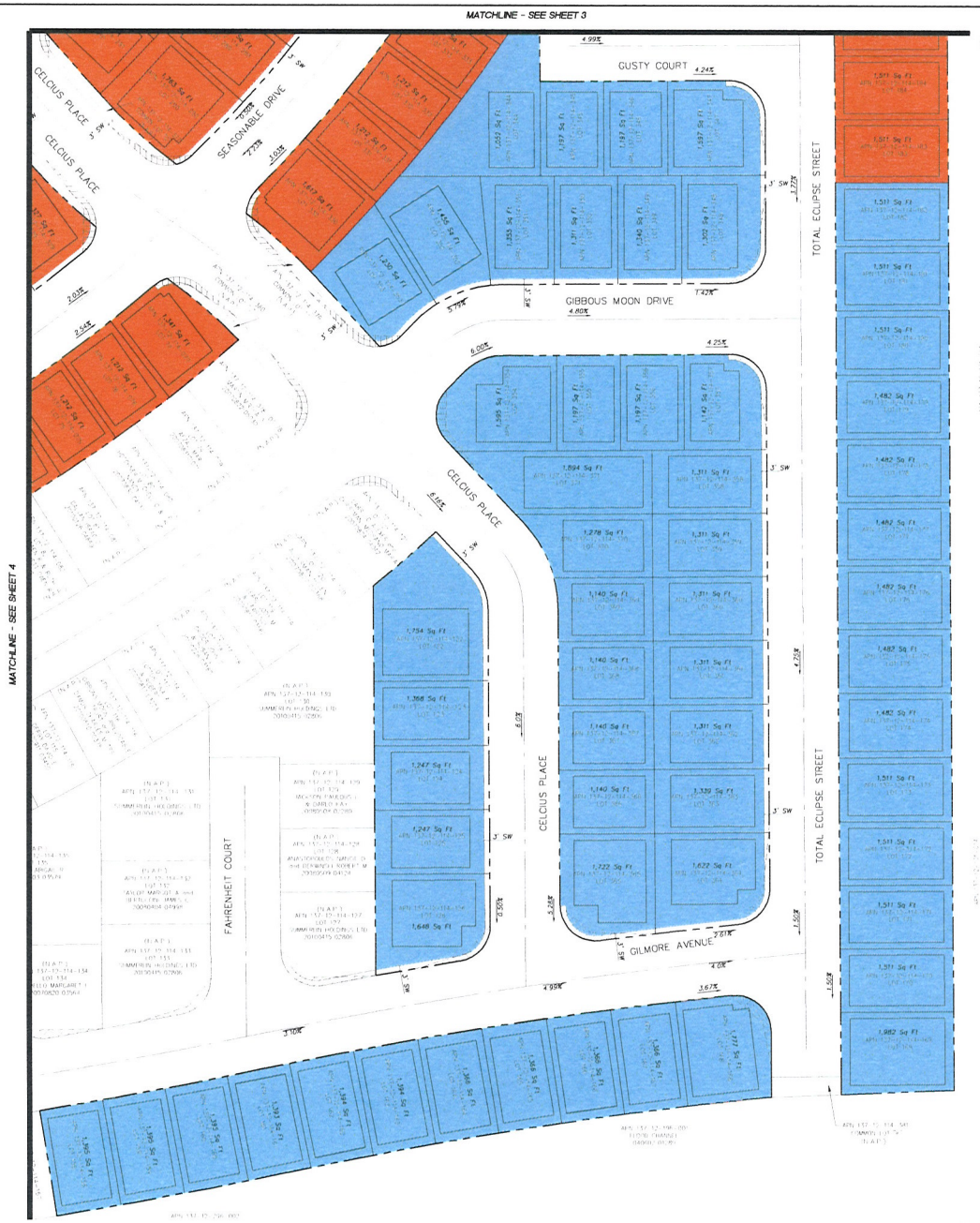
1 7/7/10 KRJ VERSION - 1

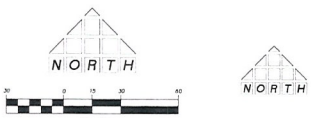
T THOMASON
C CONSULTING
E ENGINEERS
3277 E. WARM SPRINGS ROAD, SUITE 400
LAS VEGAS, NEVADA 89120
702-932-6125 FAX: 702-932-6129

RICHMOND AMERICAN HOMES
ALEXANDER / 215

CITY OF LAS VEGAS
MAJOR AMENDMENT TO SDR EXHIBIT

SHEET 4 OF 5

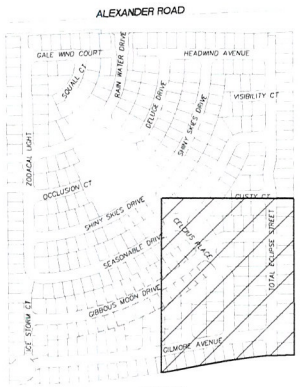




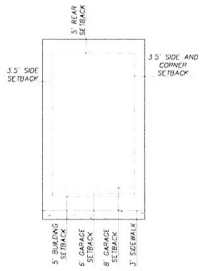
NORTH

LEGEND

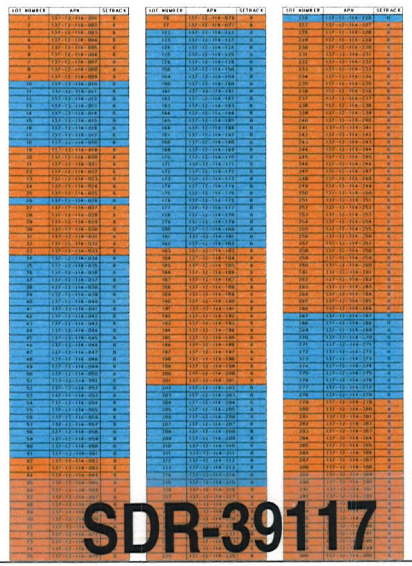
- PROPERTY LINE / RIGHT-OF-WAY
- STREET CENTERLINE
- LOTLINE
- 30" ROLL CURB
- BUILDING SETBACK
- LOTS - NOT A PART
- 6'/18'+ GARAGE SETBACK
- 8'/18'+ GARAGE SETBACK
- MAXIMUM BUILDING ENVELOPE

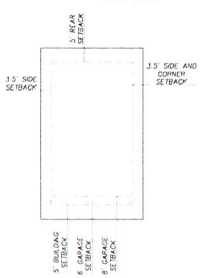


KEY MAP
NOT TO SCALE

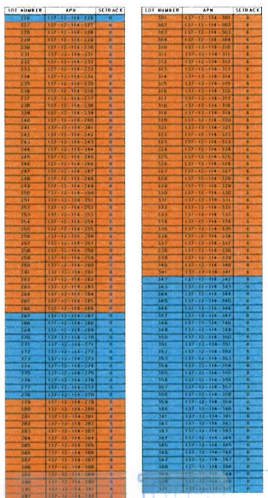


PROPOSED LOT SETBACKS W/ SIDEWALK
SCALE 1" = 20'





PROPOSED LOT SETBACKS
SCALE 1" = 20'



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THOMASON CONSULTING ENGINEERS
1277 E. WARM SPRINGS ROAD, SUITE 400
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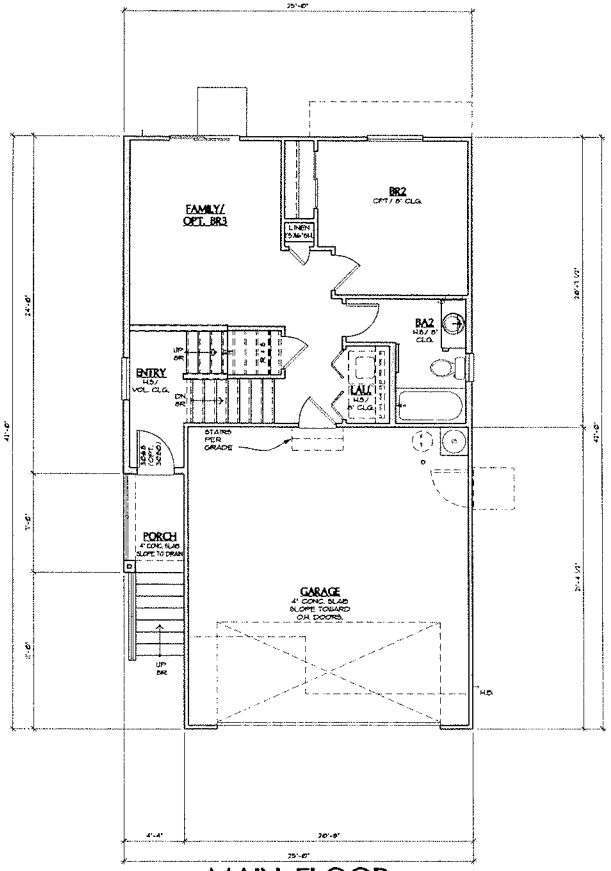
702-932-6125 FAX 702-932-6139

001.10118

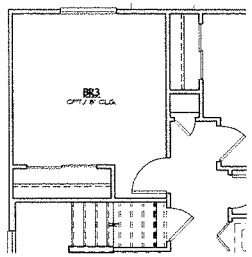
RICHMOND AMERICAN HOMES
ALEXANDER / 215

CITY OF LAS VEGAS
MAJOR AMENDMENT TO SDR EXHIBIT

SHEET 5 OF 5

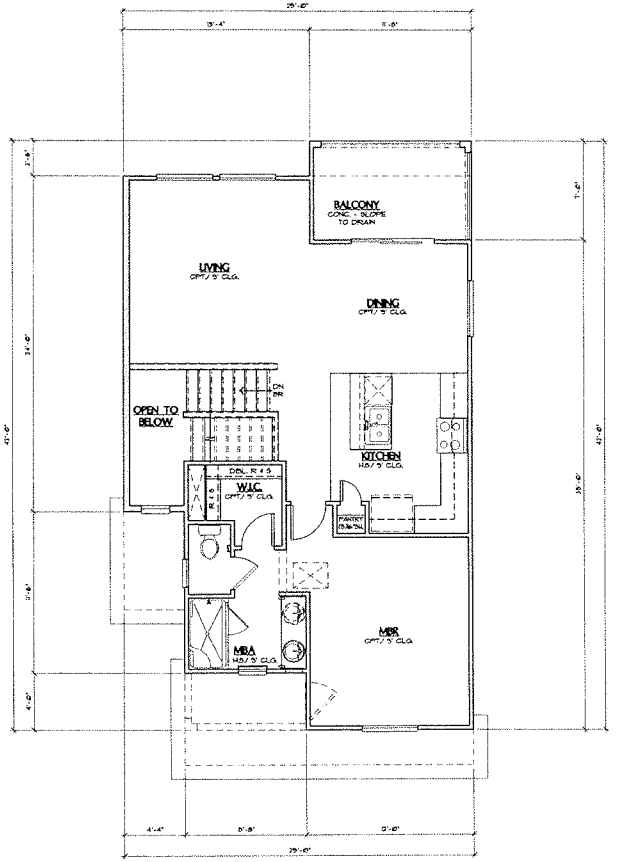


MAIN FLOOR
ELEVATION 'A' SHOWN



OPT. BR3

SQUARE FOOTAGE CALC.			
	FINISHED	OPT. FINISHED	UNFINISHED
2 CAR GARAGE	-	-	441 SQ. FT.
PORCH AREA	-	-	30 SQ. FT.
BALCONY	-	-	60 SQ. FT.
OPT. BALCONY @ MBR	-	-	35 SQ. FT.
FIRST FLOOR	931 SQ. FT.	-	-
SECOND FLOOR	149 SQ. FT.	-	-
TOTAL	1280 SQ FT		-



UPPER FLOOR
ELEVATION 'A' SHOWN

RICHMOND AMERICAN HOMES

HILLSIDE
LAS VEGAS

PLAN 1
1,280 SQ. FT.

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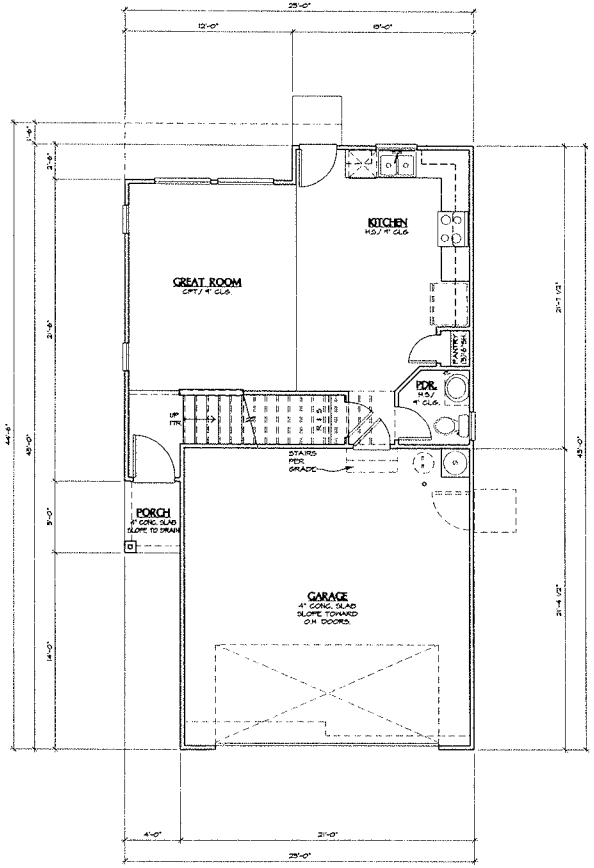
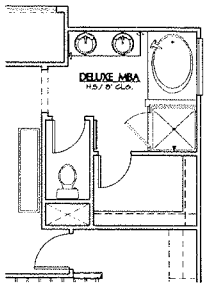
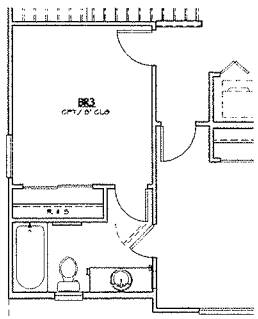


MAIN FLOOR
ELEVATION 'A' SHOWN

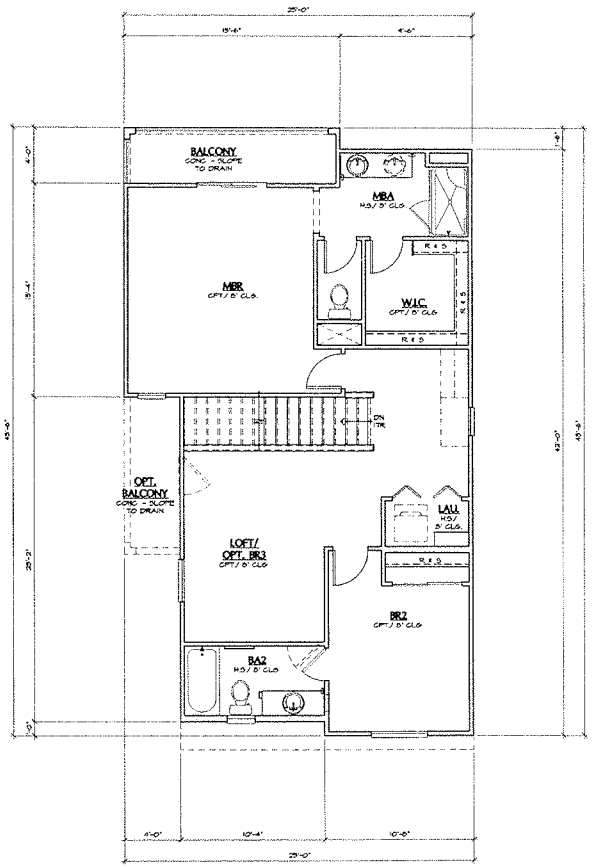


OPT. DELUXE MBA



OPT. BR3

SQUARE FOOTAGE CALC.			
	FINISHED	OPT. FINISHED	UNFINISHED
2 CAR GARAGE	-	-	446 SQ. FT.
PORCH AREA	-	-	20 SQ. FT.
BALCONY	-	-	61 SQ. FT.
OPT. BALCONY @ LOFT	-	-	45 SQ. FT.
FIRST FLOOR	521 SQ. FT.	-	-
SECOND FLOOR	857 SQ. FT.	-	-
TOTAL	1378 SQ FT.		-



UPPER FLOOR
ELEVATION 'A' SHOWN

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RICHMOND AMERICAN HOMES

HILLSIDE
LAS VEGAS

PLAN 2
1,378 SQ. FT.

AUG 19 2010

SDR-39117
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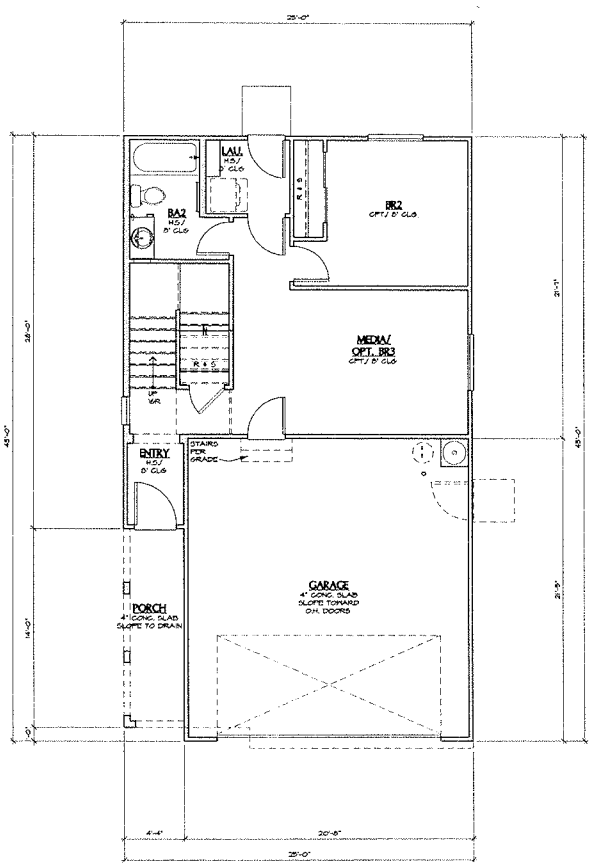
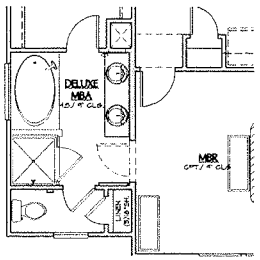
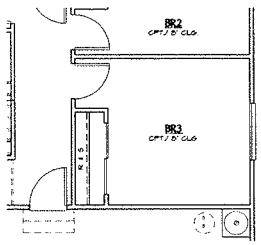


MAIN FLOOR
ELEVATION 'A' SHOWN

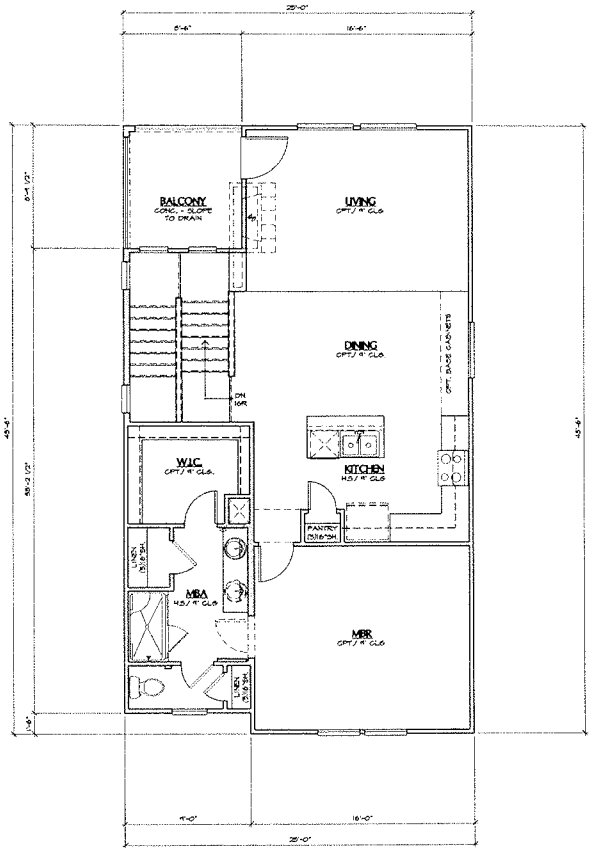


OPT. DELUXE MBA



OPT. BR3

SQUARE FOOTAGE CALC.			
	FINISHED	OPT. FINISHED	UNFINISHED
2 CAR GARAGE	-	-	441 SQ. FT.
PORCH AREA	-	-	61 SQ. FT.
BALCONY	-	-	75 SQ. FT.
FIRST FLOOR	569 SQ. FT.	-	-
SECOND FLOOR	904 SQ. FT.	-	-
TOTAL	1473 SQ FT		-



UPPER FLOOR
ELEVATION 'A' SHOWN

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RICHMOND AMERICAN HOMES

HILLSIDE
LAS VEGAS

PLAN 3
1,473 SQ. FT.

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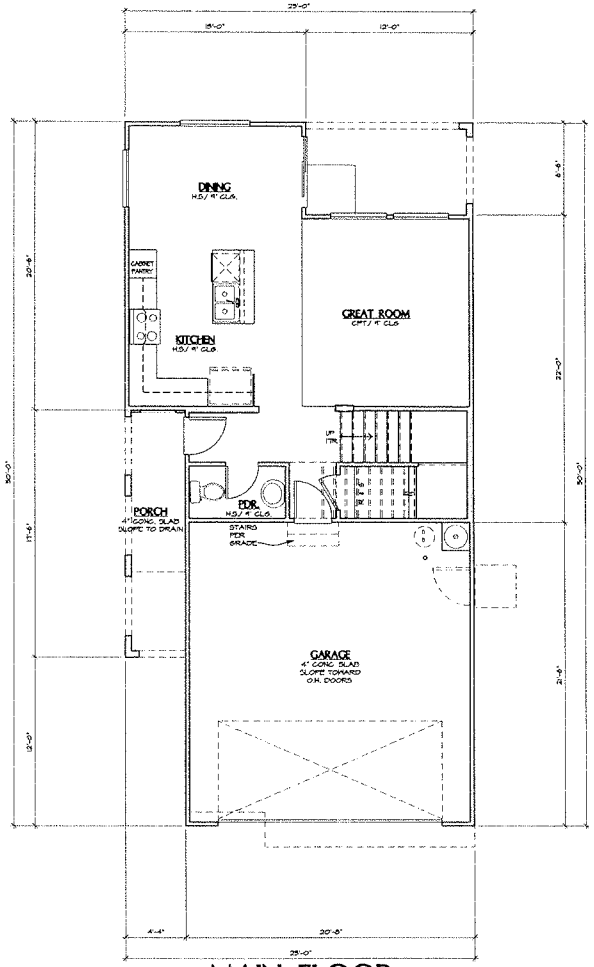

MAIN FLOOR
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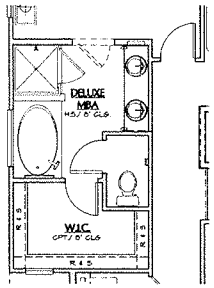
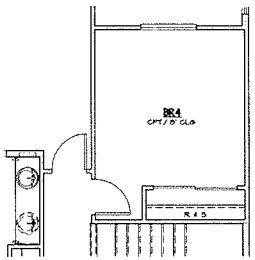
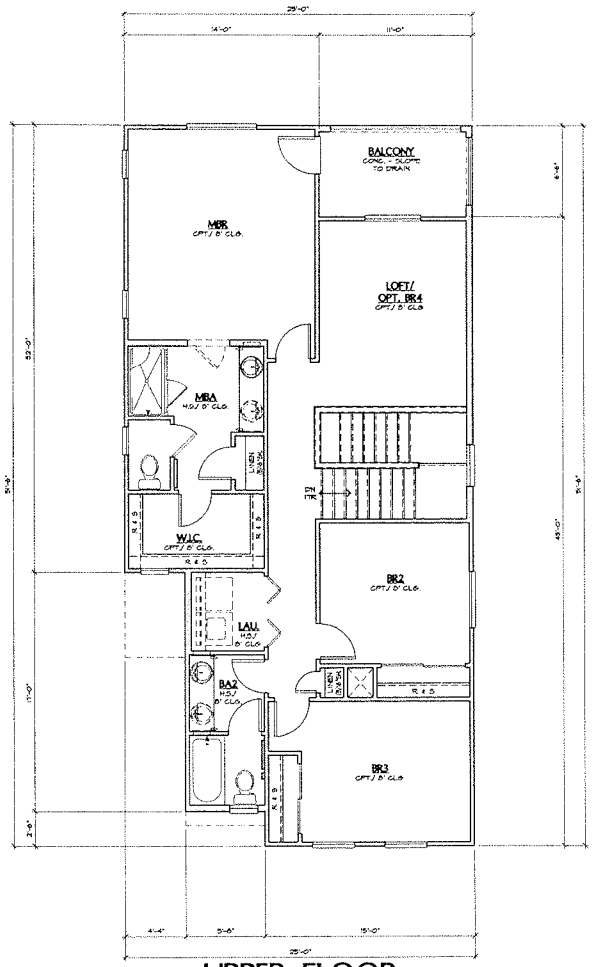


OPT. DELUXE MBA



OPT. BR4

SQUARE FOOTAGE CALC.			
	FINISHED	OPT. FINISHED	UNFINISHED
2 CAR GARAGE	-	-	444 SQ. FT.
PORCH AREA	-	-	76 SQ. FT.
BALCONY	-	-	72 SQ. FT.
FIRST FLOOR	600 SQ. FT.	-	-
SECOND FLOOR	1033 SQ. FT.	-	-
TOTAL	1633 SQ.FT.		-



UPPER FLOOR
ELEVATION 'A' SHOWN

RICHMOND AMERICAN HOMES

HILLSIDE
LAS VEGAS

PLAN 4
1,633 SQ. FT.

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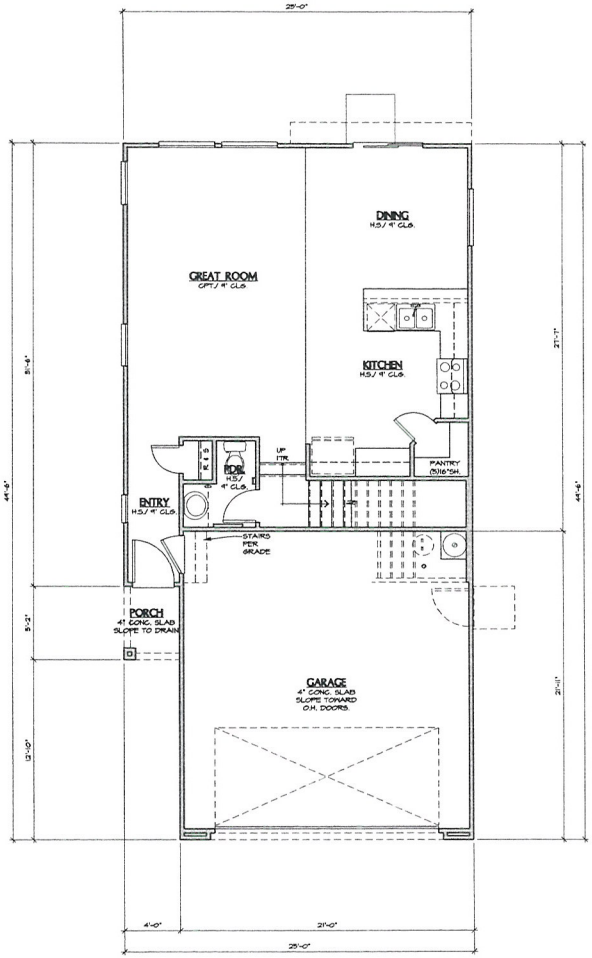
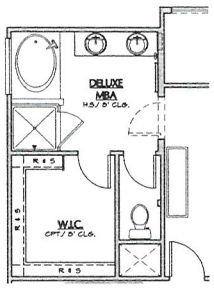
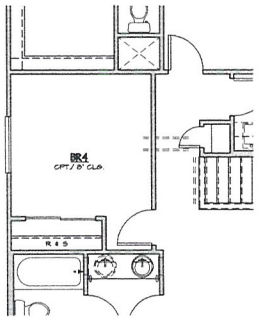


MAIN FLOOR
ELEVATION 'A' SHOWN

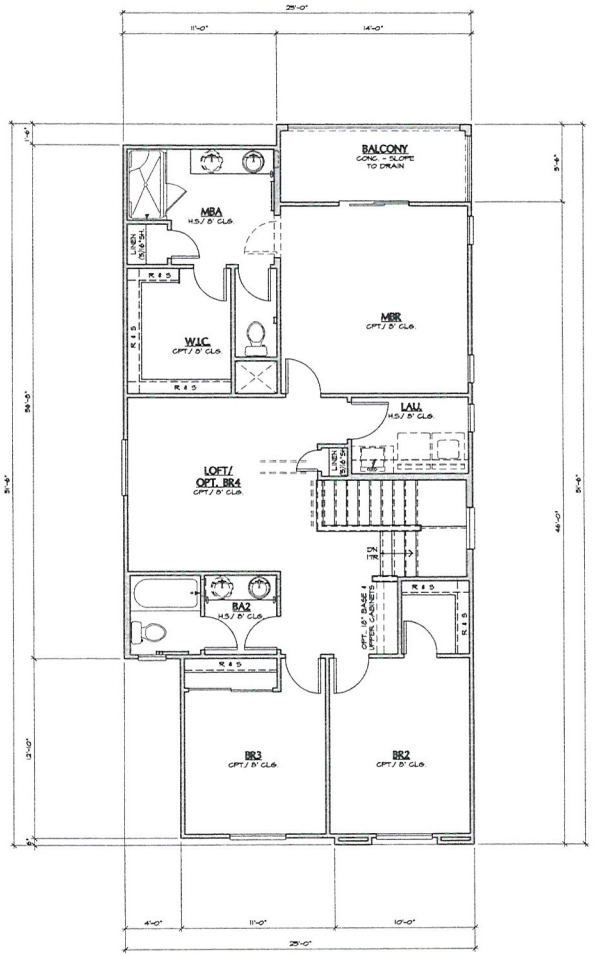


OPT. DELUXE MBA



OPT. BR4

SQUARE FOOTAGE CALC.			
	FINISHED	OPT. FINISHED	UNFINISHED
2 CAR GARAGE	-	-	449 SQ. FT.
PORCH AREA	-	-	21 SQ. FT.
BALCONY	-	-	76 SQ. FT.
FIRST FLOOR	706 SQ. FT.	-	-
SECOND FLOOR	1072 SQ. FT.	-	-
TOTAL	1778 SQ.FT.		-



UPPER FLOOR
ELEVATION 'A' SHOWN

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RICHMOND AMERICAN HOMES

HILLSIDE
LAS VEGAS

PLAN 5
1,778 SQ. FT.

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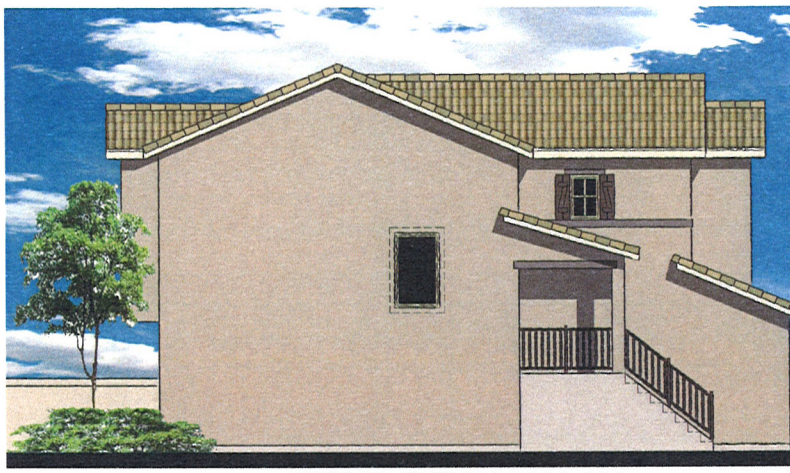
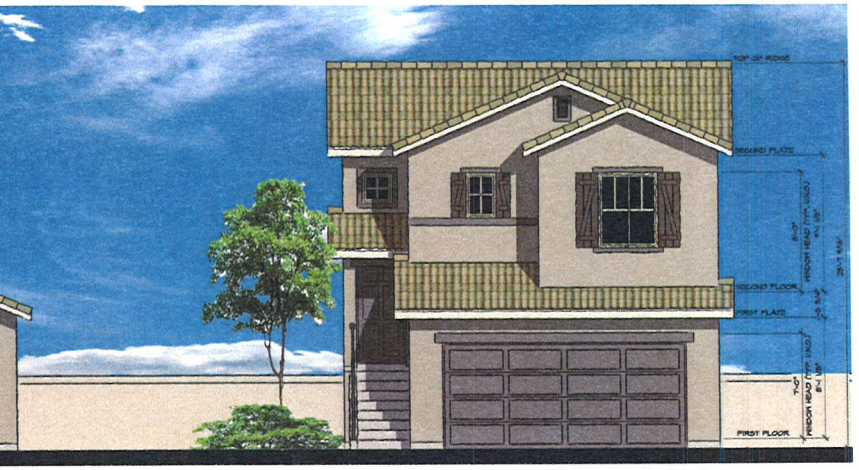
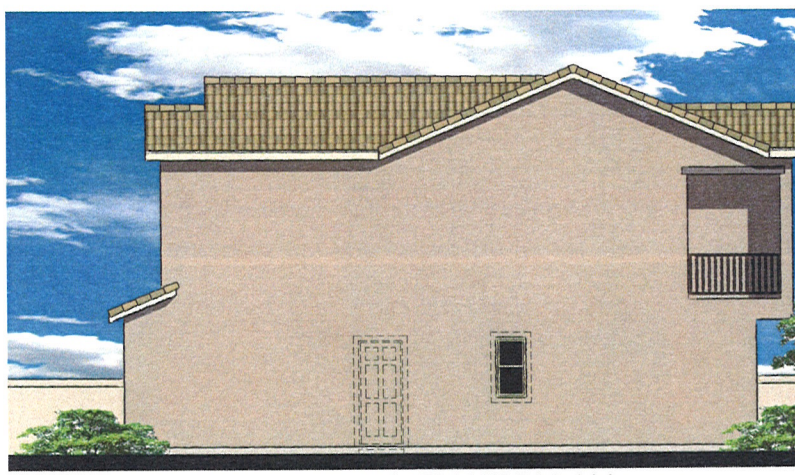


RIGHT ELEVATION 'A'



FRONT ELEVATION 'A'



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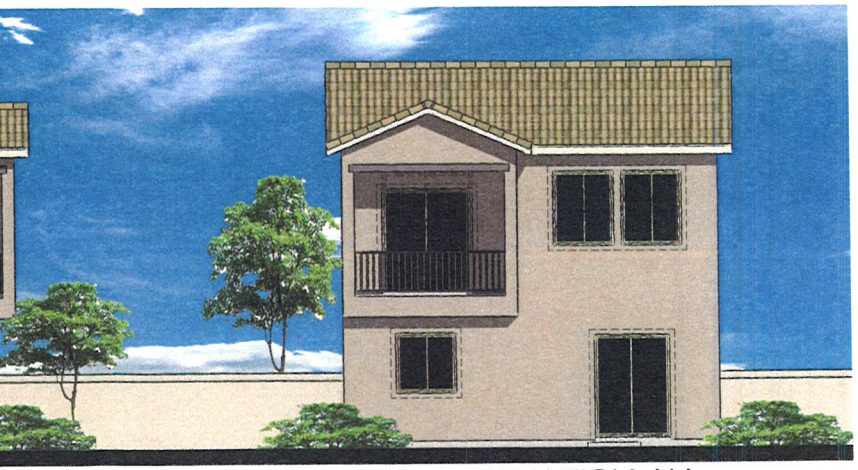

REAR ELEVATION 'A'

RICHMOND AMERICAN HOMES

HILLSIDE
LAS VEGAS

PLAN 1
1,280 SQ. FT.

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RICHMOND AMERICAN HOMES

HILLSIDE
LAS VEGAS

PLAN 1
1,280 SQ. FT.

FRONT ELEVATION 'B'

RIGHT ELEVATION 'B'

REAR ELEVATION 'B'

LEFT ELEVATION 'B'

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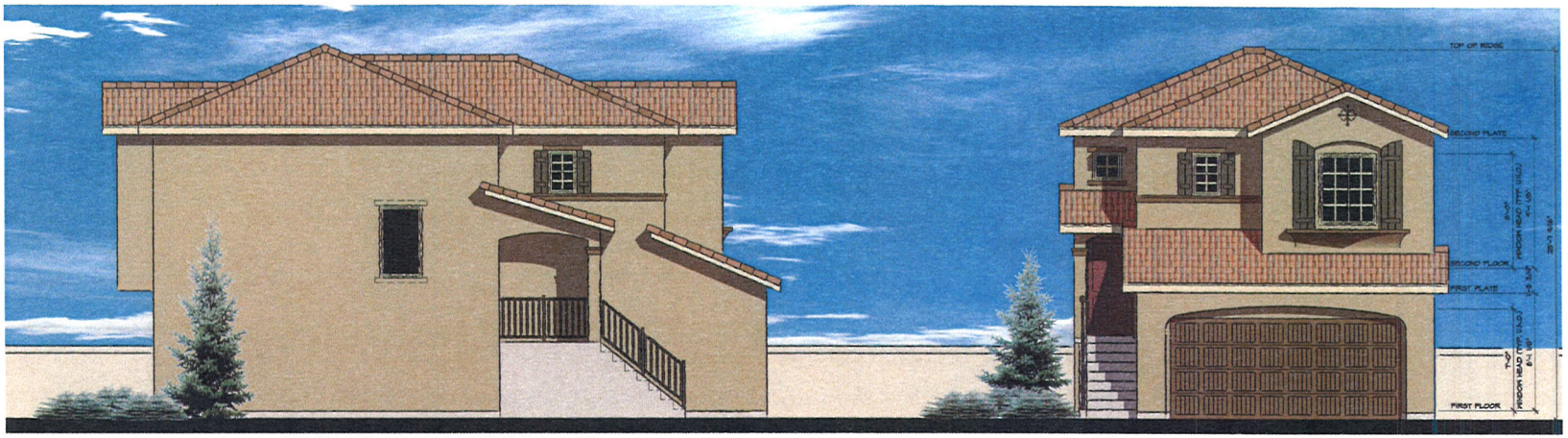
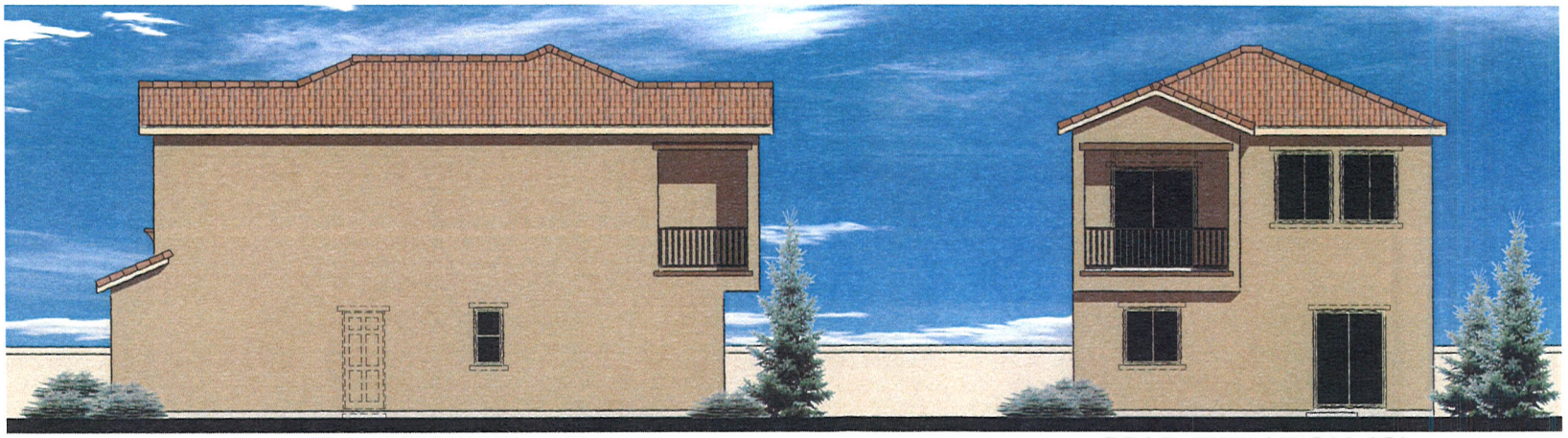


RIGHT ELEVATION 'C'

FRONT ELEVATION 'C'



LEFT ELEVATION 'C'

REAR ELEVATION 'C'

RICHMOND AMERICAN HOMES

HILLSIDE
LAS VEGAS

PLAN 1
1,280 SQ. FT.

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RICHMOND AMERICAN HOMES

HILLSIDE
LAS VEGAS

PLAN 2
1,378 SQ. FT.

FRONT ELEVATION 'A'

RIGHT ELEVATION 'A'

REAR ELEVATION 'A'

LEFT ELEVATION 'A'

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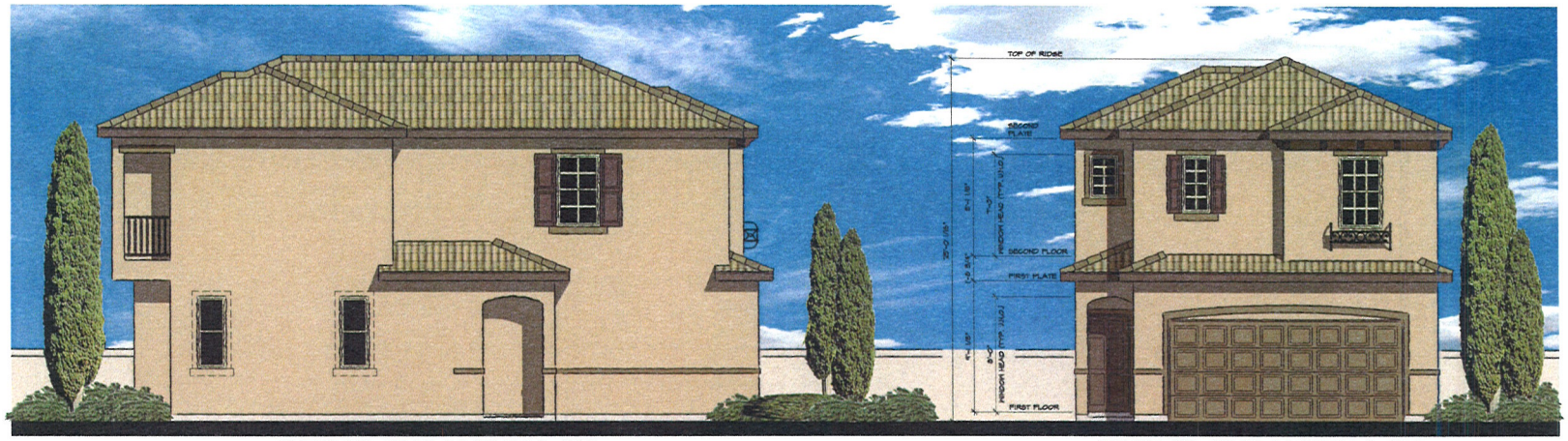

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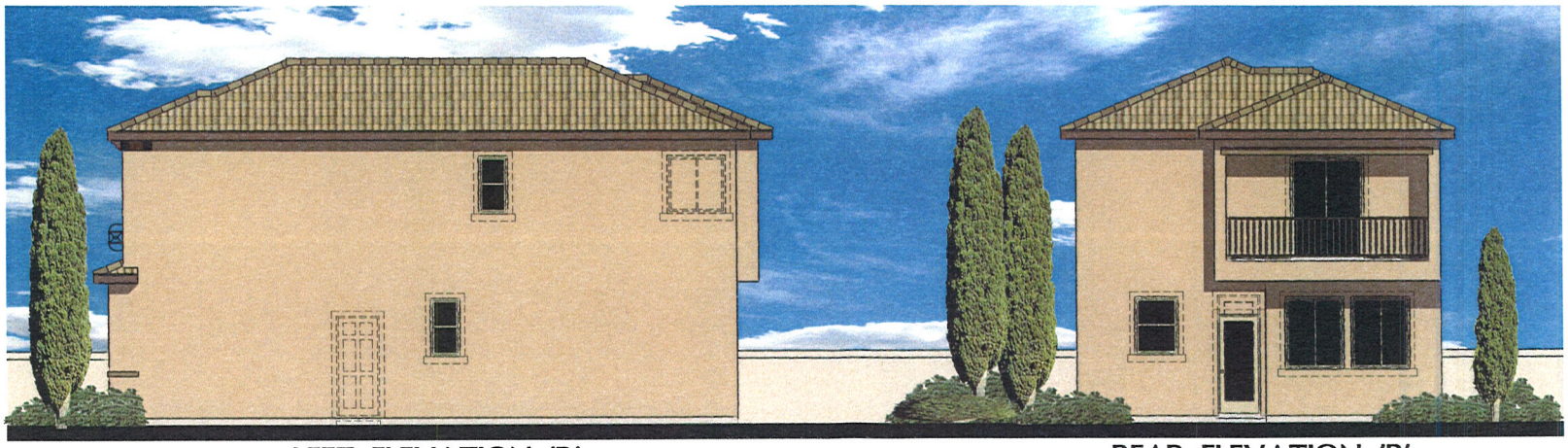

LEFT ELEVATION 'B'

REAR ELEVATION 'B'

RICHMOND AMERICAN HOMES

HILLSIDE
LAS VEGAS

PLAN 2
1,378 SQ. FT.

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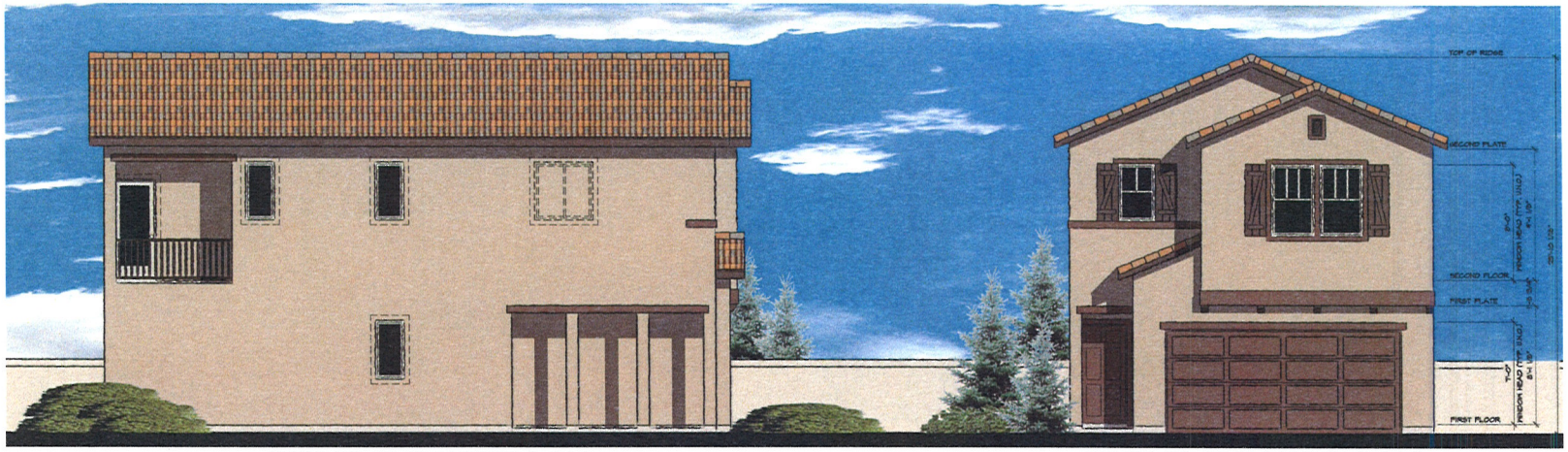

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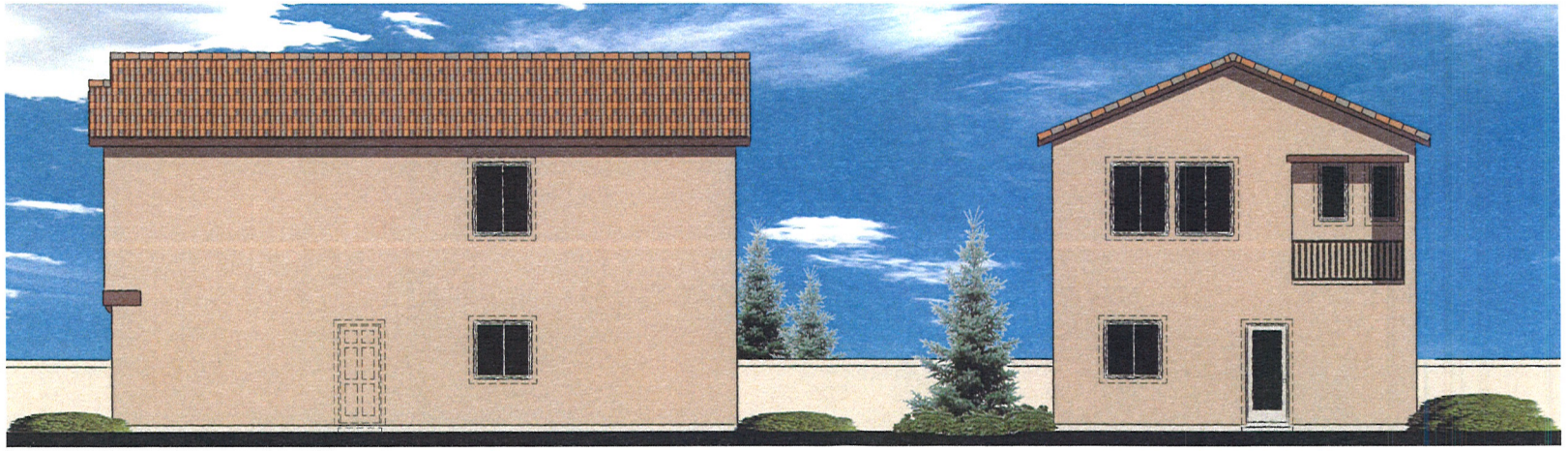

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RICHMOND AMERICAN HOMES

HILLSIDE
LAS VEGAS

PLAN 3
1,473 SQ. FT.

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HILLSIDE
LAS VEGAS

PLAN 3
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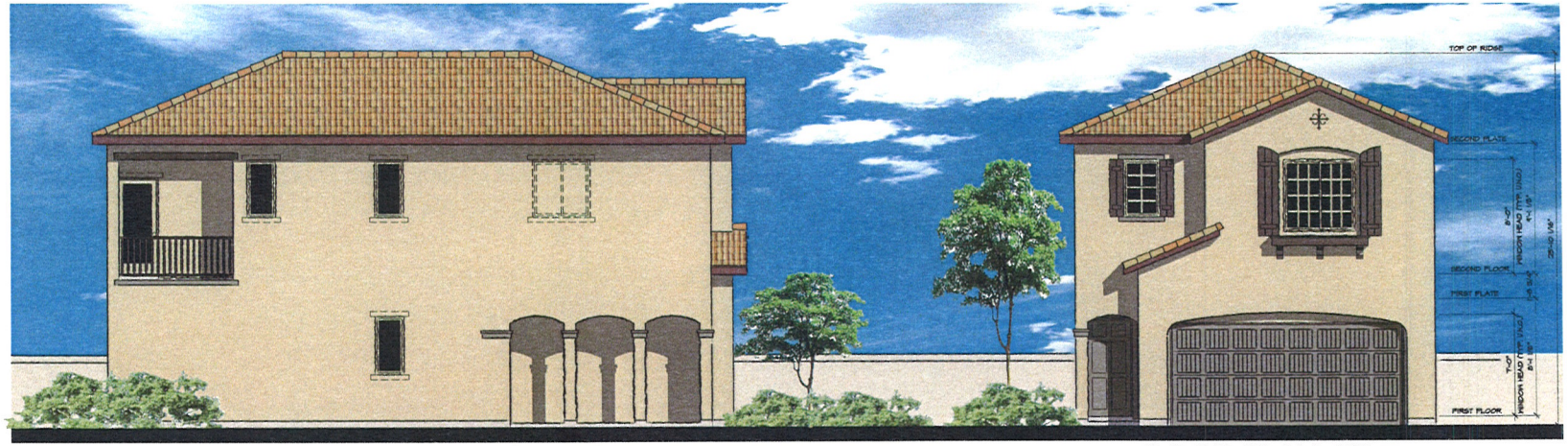
REVISED



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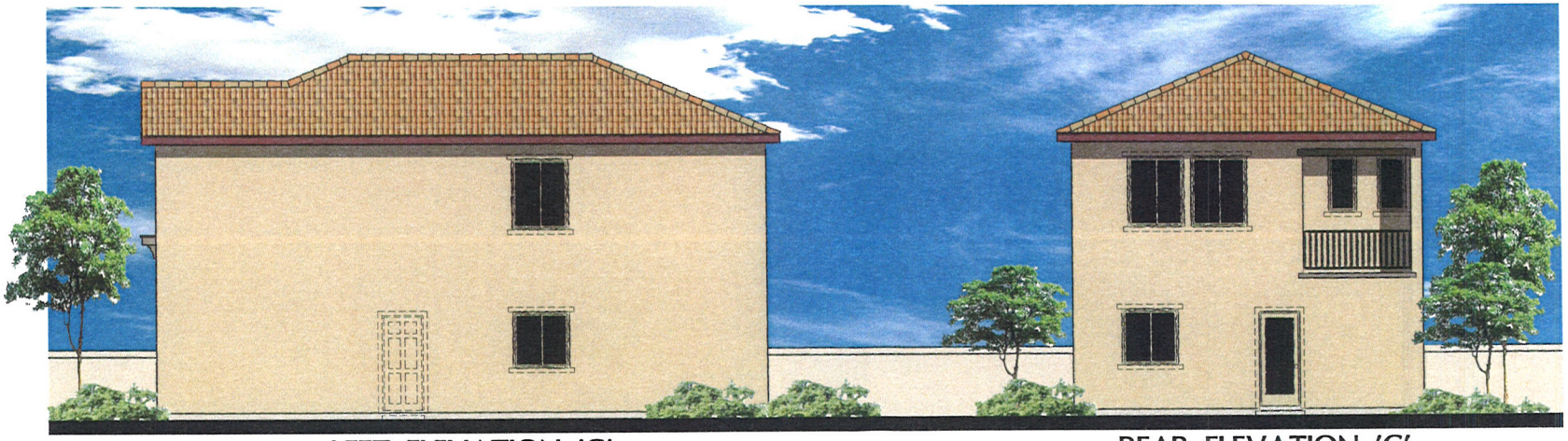
ROOF PLAN 'C'



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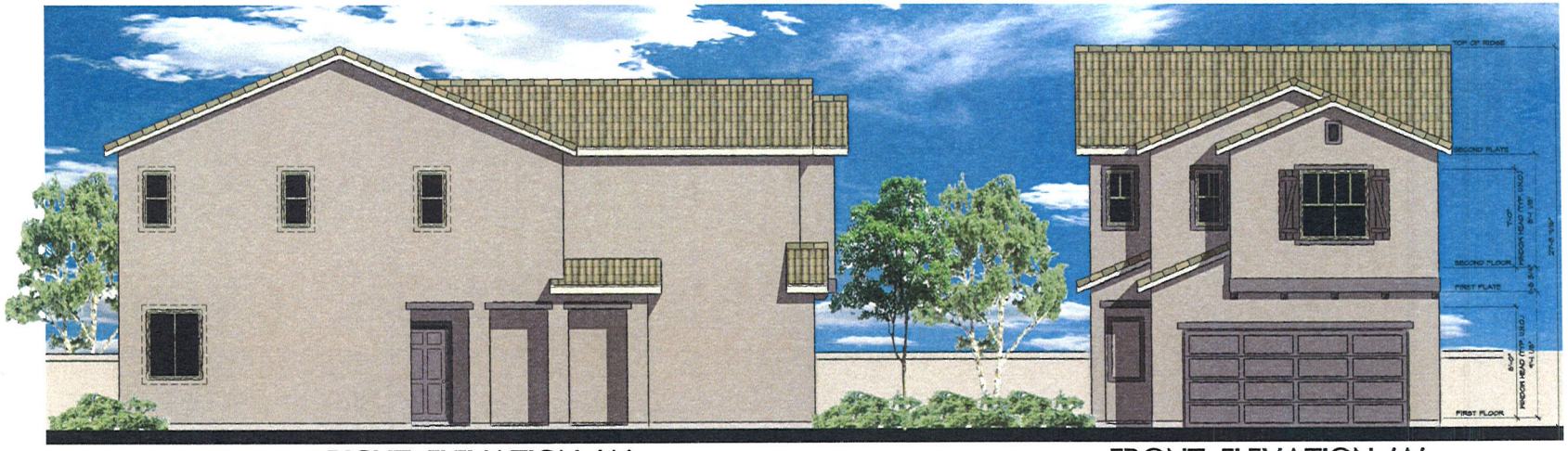

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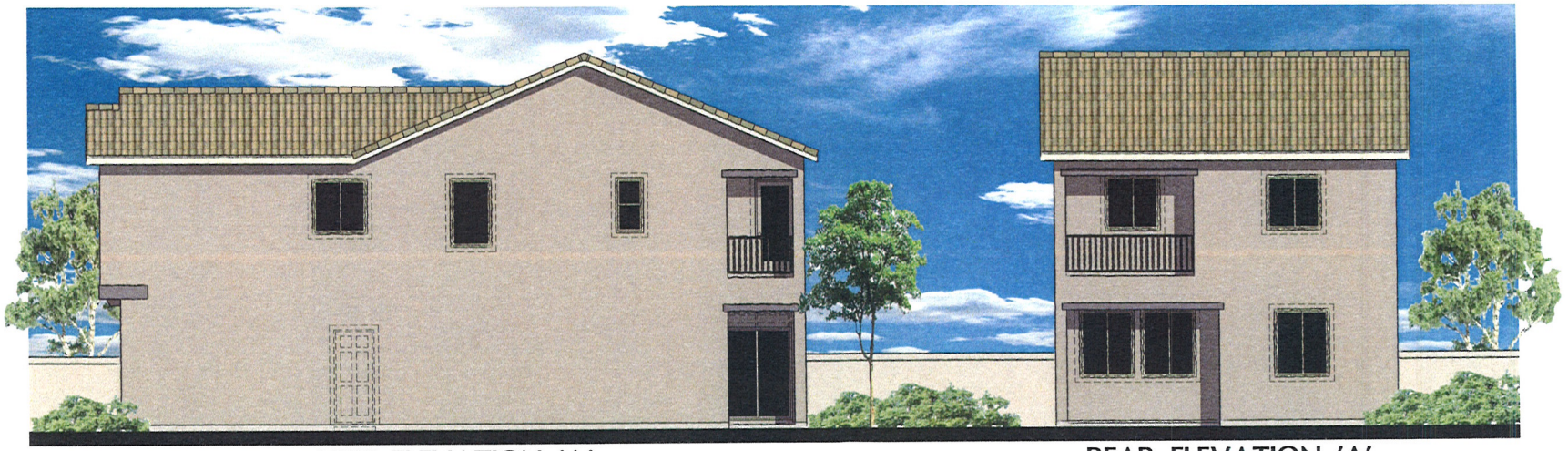

LEFT ELEVATION 'A'

REAR ELEVATION 'A'

RICHMOND AMERICAN HOMES

HILLSIDE
LAS VEGAS

PLAN 4
1,633 SQ. FT.

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PLAN 5
1,778 SQ. FT.

HILLSIDE
LAS VEGAS

RICHMOND AMERICAN HOMES

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PLAN 5
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HILLSIDE
LAS VEGAS

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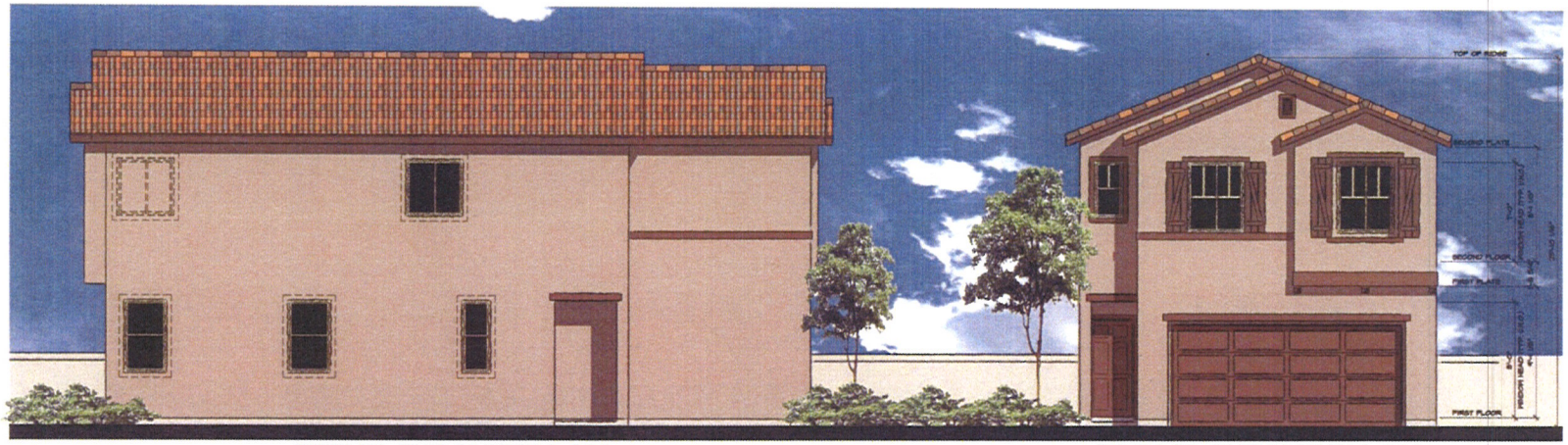

RIGHT ELEVATION 'A'

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RICHMOND AMERICAN HOMES

HILLSIDE
LAS VEGAS

PLAN 5
1,778 SQ. FT.

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Apple Bark	1BCCS0431
Mansard Trim	1MACS0431H
Mansard Hip Starter	1MICS0431
Mansard Apex 3-Way	1M3CS0431

Sandstorm	1BCCS0026
Mansard Trim	1MACS0026H

Desert Sunset	1BCCS6676

Charcoal Brown Blend	1BCCS1132
Mansard Trim	1MACS1132H
Mansard Hip Starter	1MICS1132
Mansard Apex 3-Way	1M3CS1132

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SCHEME 12

BODY
7037 Balanced Beige

TRIM
7039 Virtual Taupe

FASCIA & FRONT DOOR
6069 French Roast

GARAGE DOOR
7003 Toque White

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SCHEME 11

BODY
6121 Whole Wheat

TRIM
6123 Baugette

FASCIA & FRONT DOOR
2803 Rookwood
Terra Cotta

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GARAGE DOOR
7008 Alabaster

BODY
2823 Rookwood Clay

SCHEME 10

TRIM
6103 Tea Chest

FASCIA & FRONT DOOR
7735 Palm Leaf

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GARAGE DOOR
7526 Maison Blanche

SCHEME 9

BODY
6150 Universal Khaki

TRIM
6151 Quiver Tan

FASCIA & FRONT DOOR
7020 Black Fox

GARAGE DOOR
6126 Navajo White

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SDR-39117

BODY
6080 Utterly Beige

SCHEME 8

TRIM
6081 Down Home

FASCIA & FRONT DOOR
6006 Black Bean

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AUG 09 2010

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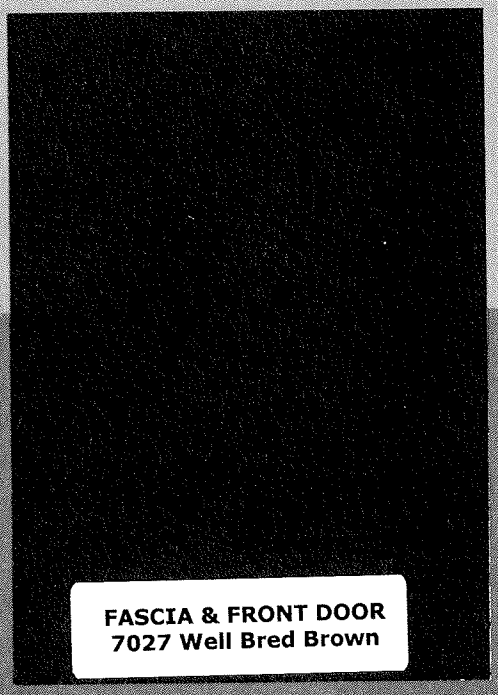
GARAGE DOOR
6080 Utterly Beige

BODY
6120 Portabello

SCHEME 7



FASCIA & FRONT DOOR
7027 Well Bred Brown

TRIM
6143 Basket Beige

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SDR-39117

~~GARAGE~~ DOOR
6120 Portabello

SCHEME 6

BODY
7539 Cork Wedge

TRIM
6102 Portabello

FASCIA & FRONT DOOR
6013 Bitter Chocolate

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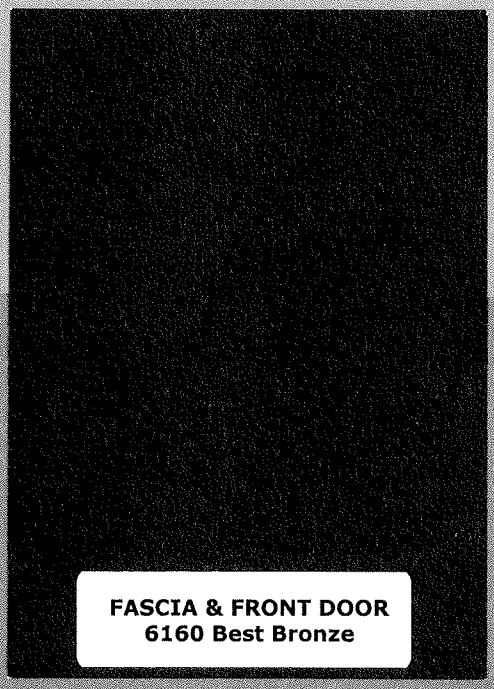
GARAGE DOOR
7539 Cork Wedge

SCHEME 5

BODY
6158 Sawdust

TRIM
6143 Basket Beige



FASCIA & FRONT DOOR
6160 Best Bronze

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GARAGE DOOR
6158 Sawdust

BODY
7513 Sanderling

SCHEME 4

TRIM
7556 Crème

FASCIA, FRONT DOOR
& SHUTTERS
2848 Roycroft Pewter

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GARAGE DOOR
7032 Warm Stone

SCHEME 3

BODY
6101 Sands of Time

TRIM
6105 Divine White

FASCIA, FRONT DOOR
& SHUTTERS
6083 Sable

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AUG 09 2010

SDR-39117

GARAGE DOOR
6102 Portabello

SCHEME 2

BODY
6133 Muslin

TRIM
7008 Alabaster

FASCIA, FRONT DOOR
& SHUTTERS
7705 Wheat Penny

GARAGE DOOR
6150 Universal Khaki

RECEIVED
AUG 09 2010

SDR-39117

BODY
6120 Believable Buff

SCHEME 1

TRIM
7011 Natural Choice

FASCIA, FRONT DOO
R & SHUTTERS
6090 Java

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SDR-39117

GARAGE DOOR
6122 Camelback

SDR-39117 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RB HILLSIDE, LLC
SOUTHWEST CORNER OF ALEXANDER ROAD AND I-215

08/19/10

SDR-39117 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RB HILLSIDE, LLC
SOUTHWEST CORNER OF ALEXANDER ROAD AND I-215

08/19/10

SDR-39117 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RB HILLSIDE, LLC
SOUTHWEST CORNER OF ALEXANDER ROAD AND I-215

08/19/10

T THOMASON
C CONSULTING
E ENGINEERS

August 19, 2010

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

Reference: **Alexander - 215**
Major Amendment to Site Development Review
APN #137-12-114-001-077;122-126;158-304;310-371

On behalf of Richmond American Homes, we respectfully request your consideration of the attached Major Amendment to the Site Development Review doe Alexander-215.

Location:

The proposed site is located on Alexander Road and I-215 within Section 12, Township 20 South, Range 59 East.

Request:

At this time we are requesting the approval of a Major Amendment to a Site Development Review application to update the existing SDR for the Alexander-215 project (SDR-8635). Richmond American Homes is contemplating the purchase of the remaining lots in the Alexander-215 subdivision and would like to offer different architectural house plans in the place of those originally approved with SDR-8635 and reduce the front setbacks of those originally approved with SDR-8635.

Richmond American Homes proposes **A)** to offer different architectural house plans, **B)** to reduce the front setback from the approved 10' setback to a 5' setback and **C)** to reduce the existing garage setback from the approved 18' setback to a distance of 6', 8', or 18'+ depending on the lot and constraints.

Richmond American Homes wants to offer two story house products on the Alexander – 215 project instead of the two and three story house product offered by the previous developer. In order to achieve this more desirable house plan, Richmond American Homes will need a larger foundation footprint than what was required for the existing house plans. Therefore, Richmond American Homes is requesting reduced front setbacks to achieve a two story house with a comparable square footage of a three story house on the same sized lot.

This project has an existing grade change of more than 90 vertical feet from the northwest corner down to the southeast corner of the project. This significant elevation difference resulted in the previously approved design of street slopes reaching 6.0 percent. With the steepness of the street, a 5 foot long

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

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AUG 19 2010

driveway would exceed CLV allowed driveway slopes on the downhill side of the driveway if the uphill side of the driveway was to be higher than the adjacent top of curb grade. Therefore TCE is requesting garage setbacks of 6', 8', or 18'+ dependent on the slope of the existing street to maintain CLV approvable driveway slopes. These driveway lengths will also keep the distance between the house finish floor and the garage finish floor under two feet which is preferable to prospective home buyers. The following table breaks down the number of lots that would be requested for each driveway length.

PROPOSED GARAGE SETBACK	MAXIMUM STREET SLOPE	NUMBER OF LOTS WITH 3' SIDEWALK	NUMBER OF LOTS WITHOUT 3' SIDEWALK	TOTAL NUMBER OF LOTS
6 FEET	4.50%	65	102	167
8 FEET	6.00%	32	92	124

As shown in the table above, only 32 of the 291 lots would have a garage setback of 8' adjacent to a sidewalk producing an effective driveway length of 11' with the added 3' sidewalk.

The proposed garage setback distances are based upon the perpendicular distance from the face of the garage to the front property line (back of curb or sidewalk if it exists) for linear streets and from the nearest garage corner to the front property line on curvilinear streets. Due to the curvilinear street design of this project the actual driveway lengths may exceed the proposed garage setbacks based upon the angle at which the driveway intersects the front property line. The exact driveway length for each lot can not be determined until the plot plan stage of the project when the final driveway design is completed based upon the architectural house plan chosen for that lot.

This request for a Major Amendment to the SDR is similar to the previously approved Review of Condition for this project (ROC-10964) which was approved to allow a 5' front house setback and a 6' garage setback. Approval of this Major Amendment will allow Richmond American Homes greater flexibility in designing 2 story floor plan houses to fit on the smaller compact lots of the Alexander – 215 subdivision.

Please place this request for a Major Amendment to the SDR on the next available Planning Commission agenda. If you have any questions or need additional information, please call me at 932-6125.

Sincerely,

Kurt Johansen, P.E
Senior Project Manager

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

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August 6, 2010

City of Las Vegas
Planning and Development
731 South 4th Street
Las Vegas, NV 89101-6706

RE: Alexander/215 (Hillside) Project

Dear Sir or Madam,

I am writing this letter on behalf of the Homeowner's Association for Hillside in full support of Richmond American's plans. In summary, we are excited about the prospects of a homebuilder starting construction and support their application to the planning commission; very few of us want to live in a half-built community.

We had a Homeowners Association meeting on August 5, 2010 to review and discuss Richmond American's plans to build at Hillside. In addition to residents of Hillside, in attendance were Brian Walsh from Richmond American homes and Council Liaison Anthony Ruggiero, who was there to listen to the questions and concerns of the residents.

Brian Walsh made a presentation to the homeowners to discuss the product that they intend to build on the Hillside lots which included large diagrams and architectural drawings, and also discussed the setback variance for the driveways that they need so that they can fit their homes to the lots. None of our residents raised any concerns about five to eight foot driveways; most of the questions were whether the new product would blend in somewhat with the older homes, and what the new color scheme would look like so that as a whole the community looked nice. There were also questions about the location of the model homes and phasing of the community. The residents expressed a desire for two-story homes and said that they did not want any additional three story homes because it would potentially block their views. Views are a very important part of why many Hillside homeowners choose to live here, and have a significant impact on home values. Because the five to eight foot driveway variance would obviate the need for three story homes on a number of the lots, there is additional support for the driveway variance which will allow Richmond American to do two story homes on all their lots and preserve more views for the existing homeowners.

A motion was made to support Richmond American and its application to the planning commission for the variance on driveway lengths to allow Richmond to fit its product to the lots, and the motion was passed.

Please do not hesitate to contact me should you have any questions.

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1 of 2

Sincerely,

Steve Christal
Board of Directors
Hillside HOA

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City of Las Vegas Agenda Item No.: **36.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

SUBJECT:
DIR-39288 - 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 RECOMMENDATION.

BACKUP DOCUMENTATION:
NONE

City of Las Vegas Agenda Item No.: **37.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

SUBJECT:
DIR-39291 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Presentation of the proposed Unified Development Code (UDC) chapters related to General Provisions, Permitted Uses, Nonconforming Uses and Structures and Definitions and Measures, All Wards. 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 RECOMMENDATION.

BACKUP DOCUMENTATION:
1. Staff Report
2. DRAFT Unified Development Code General Provision Chapter
3. DRAFT Unified Development Code Permissible Uses Chapter
4. DRAFT Unified Development Code Nonconforming Uses and Structures Chapter
5. DRAFT Unified Development Code Definitions and Measures Chapter

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 24, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
DIR-39291	Staff has NO RECOMMENDATION	

RTS

Staff Report Page One
September 23, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is an introduction for discussion purposes of the proposed Unified Development Code (UDC) chapters related to General Provisions, Permitted Uses, Nonconforming Uses and Structures and Definitions and Measures.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/29/08	The Planning & Development Department introduced the form-based code project to the Planning Commission at the Planning Commission Workshop.
03/23/09	At the Joint City Council and Planning Commission Workshop, the form-based code project was described as being a critical component for implementing corridor plans and walkable community plans.
03/26/09	The Planning & Development Department introduced the form-based code project to the Southern Nevada Home Builders Association (SNHBA) at their Community Development Committee meeting.
05/28/09	Project update presented at Planning Commission meeting under a Director's Business Item (DIR-34177).
01/28/10	The Planning & Development Department provided an update on the form-based code project to the Southern Nevada Home Builders Association (SNHBA) at their Community Development Committee meeting.
01/28/10	The Planning & Development Department held their first Customer Feedback Group meeting with representatives from various stakeholder groups.
03/04/10	The Planning & Development Department provided an overview and update on the form-based code project to the National Association of Industrial and Office Properties (NAIOP) at their membership meeting.
05/13/10	The Planning & Development Department provided an update on the form-based code project to the Planning Commission at the Planning Commission Workshop.

Neighborhood Meeting	
n/a	A neighborhood meeting has not yet been held. The public input sessions are being scheduled for October 2010.

ANALYSIS

Introduction:

Title 19 of the Las Vegas Municipal Code, which is the city's zoning regulations, was last revised in 1997. As the city continues to grow and mature, codes must be updated to reflect changing conditions and adopted initiatives. Consequently, Planning & Development staff has initiated revisions to Title 19 to reflect current development patterns and incorporate new initiatives, such as sustainability and transit-oriented development. A form-based code approach has been selected as the appropriate format for the code revision, as a means to promote understanding and application of zoning regulations. A form-based code is characterized by the following two qualities: the use of diagrams and visual examples to explain regulations, and an emphasis on regulating the form of the built environment.

Draft Organization:

Currently, staff is proposing to organize the revision into generalized chapters that address the requirements of both the current subdivision regulation and zoning code as one comprehensive title. The merging of these two titles (Title 18 and 19) will create a Unified Development Code (UDC) for the city that will provide greater assurance that development is occurring in conformance with the master plan. UDCs streamline the development process by weaving development standards together, reducing conflicts between standards and providing staff and the community a single point of reference for standards and regulations related to development.

At this time staff is presenting draft chapters for Chapter 19.00 – General Provisions, Chapter 19.12 – Permitted Uses, Chapter 19.16 – Nonconforming Uses and Structures and Chapter 19.18 – Definitions and Measures. The following table summarizes the substantive changes reflected in these four chapters from their corresponding existing regulations:

Proposed Chapter Reference/Subject	Summary of Substantive Change
19.00 – General Provisions	• Merged Title 18 and 19 elements related to the stated purpose, reference title, administration, interpretation, enforcement and fee schedule • Relocated Official Zoning Map sections
19.12 – Permitted Uses	• Reorganized Permitted Uses Table by eliminating the categorical listing and alphabetizing the uses • Separated the use/district matrix from the description/requirements text associated with each use • Relocated the Off-Premise Sign section to this chapter
19.14 – Nonconforming Uses and Structures	• No substantive changes from currently adopted non-conformity provisions

19.18 – Definitions and Measures	• Merged Title 18 and 19 elements related to how terms and phases are defined • Addressed a number of inconsistent definitions and added many illustrations to provide greater clarity • Added a Subchapter to address how measurements and calculations are intended to be done

Partnerships:

Staff has worked with a wide variety of stakeholders in the review of the proposed revisions. As the draft document is completed and moves through the adoption process staff will continue to work with these groups to address the public and development industries concerns and questions. Groups department staff is working with includes:

- ***Customer Feedback Group*** – Staff has worked representatives of the development community and other stakeholder groups to review various aspects of the proposed code revision. This group consists of representatives of various community and professional organizations, including the Southern Nevada Home Builders Association (SNHBA), National Association of Industrial and Office Properties (NAIOP), Regional Transportation Commission (RTC) and Clark County School District (CCSD). Additional, the group contains land use attorneys, architects and private sector planning professionals.

- ***Southern Nevada Home Builders Association (SNHBA)*** – In addition to the Customer Feedback Group, staff has worked with representatives of the SNHBA's Community Development Subcommittee in reviewing their industries specific concerns.

- ***Regional Transportation Commission (RTC)*** – As mentioned above, staff has reviewed RTC transportation plans in connection with proposed street sections and TOD standards. Staff continues to work with the RTC regarding the location of future transportation infrastructure projects, like the Downtown Transit Center, and how the city can capitalize on those improvements in the planning for future TOD districts, corridors or projects.

- ***Public Works Department*** – The revisions anticipated as a part of this project extend beyond the Planning and Development Department. Staff has been working closely with members of the city's Public Works Department to ensure that goals and proposed changes are achievable across the range of interests represented by the two departments. Areas where the staff has been working collaboratively include the merge of Titles 18 and 19 into a UDC, addressing street widths and streetscapes as a part of the improved streets effort, and working on site development standards that integrate Low Impact Development (LID) principles as a part of the city's stormwater management program.

Timeline*:

- Upcoming events:
  - Mid-October 2010 — Three neighborhood meetings to present the draft code and receive comments
  - October 21, 2010 — Planning Commission review of the proposed Unified Development Code (UDC) chapters related to Complete Streets, Residential Districts - Purpose and Development and Design Standards and Applications and Procedures
  - November 18, 201 — Public hearing before the Planning Commission to discuss the remaining draft UDC chapters, project overall and make a recommendation to the City Council
  - 1st Quarter 2011 — Based on the actions of the Planning Commission, the City Council will receive the revised code in ordinance form for their action
  - 2nd Quarter 2010 — Provided the City Council adopts the revisions, staff training and public outreach regarding any changes and how to use the new code will be conducted

* All time frames are tentative based the current available information and resources; anticipated action by the Commission and Council and the staff's progress so far on this project. Any changes could advance or delay the occurrence of these events.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

19.00

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General Provisions

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SHORT TITLE 19.00.010

The provisions of this Title shall be known and may be cited as the Unified Development Code of the City of Las Vegas and may be referred to as "this Title".

AUTHORITY 19.00.020

This Title is adopted pursuant to the provisions of the Nevada Revised Statutes (NRS), including NRS Chapter 278. The City Council may amend the text of this Title or the Official Zoning Map Atlas which is a part of this Title whenever public necessity, safety, general welfare or convenience requires.

PURPOSE AND INTENT 19.00.030

It is the purpose and intent of the City Council that this Title promotes the following purposes:

General

A. To preserve and enhance the present qualities and advantages that exist in the City;

B. To encourage the most appropriate use of land, water and natural resources consistent with the public interest;

C. To overcome present problems and handicaps and effectively manage future problems that may result from the use and development of land and property;

D. To prevent the impacts of both overcrowding of land and undue concentrations of population as well as the negative effects of leapfrogging sprawl and under-utilization of land and property;

E. To manage the orderly and efficient provision of adequate levels of public facilities and services necessary to support planned development;

F. To protect human, environmental, social, natural and economic resources;

G. To maintain, through orderly growth and development, the character and stability of present and future land use and development in the City.

H. To ensure that required on-site and off-site dedications and public improvements are properly installed or guaranteed;

Implementation of General Plan

I. To coordinate and ensure the execution of the City's General Plan through effective implementation of development review requirements, adequate facility and services review and other goals, policies or programs contained in the General Plan.

Comprehensive, Consistent and Equitable Regulations

J. To establish a system of fair, comprehensive, consistent and equitable regulations, standards and procedures for the review and approval of all proposed development, divisions, and mapping of land within the City in a manner consistent with State law.

Efficiently and Effectively Managed Procedures

K. To promote fair procedures that are efficient and effective in terms of time and expense and that appropriate process is followed in the review and approval of applications made under this Title;

L. To be effective and responsive in terms of the allocation of authority and delegation of powers and duties among ministerial, appointed and elected officials; and

M. To foster a positive customer service attitude and to respect the rights of all applicants and affected citizens.

Sustainability

N. To promote the implementation of the "Sustaining Las Vegas" Policy, Sustainable Energy Strategy and Climate Protection resolution of the City.

RELATIONSHIP TO GENERAL PLAN 19.00.040

The adoption of this Title is consistent and compatible with and furthers the goals, policies, objectives and programs of the General Plan. It is the intent of the City Council that all regulatory decisions made pursuant to this Title be consistent with the General Plan.

For purposes of this subchapter, "consistency with the General Plan" means not only consistency with the Plan's land use and density designations, but also consistency with all policies and programs of the General Plan, including those that promote compatibility of uses and densities, and orderly development consistent with available resources.

RELATIONSHIP OF ZONING DISTRICTS TO GENERAL PLAN 19.00.050

The establishment of zoning districts is intended to be one of the means of implementing the City's General Plan and any amendment thereto, as such implementation is permitted and required by State Law. The General Plan serves as a guideline and framework for the zoning and regulatory provisions of this Title. With respect to the Land Use Element of the General Plan, there are goals, objectives and provisions for use categories and density ranges, but also for the achievement of other planning objectives such as appropriate mixing and buffering of uses to ensure overall compatibility.

EFFECTIVENESS AND APPLICABILITY 19.00.060

A. General

The provisions of this Title take effect upon adoption by the City Council and shall apply to the development of all land, public or private, within the corporate limits of the City, except as specifically provided otherwise in Nevada Revised Statutes. No application for the development of land, or for approval of a map under this Title, shall be approved unless the application is determined to be in conformance with the requirements of this Title and all applicable development regulations, including any standards, plans or policies that have been adopted so as to have a regulatory effect. No land shall be divided, used, or structure constructed, except in accordance with the regulations and requirements of this Title, including the requirement to obtain applicable approvals and permits prior to the development of the property. All development applications filed on or after the effective date of this Title, whether for new development or for the expansion or alteration of existing development, shall be processed in accordance with the standards, requirements and procedures established herein. For development applications which were filed before and are pending on the effective date of this Title, the City may require compliance with the standards and procedures set forth in this Title unless the applicant demonstrates that it is inequitable for the City to do so.

B. Exceptions

The provisions of this Title and any amendments hereto shall not affect the validity of any lawfully issued and effective building permits for development issued prior to the effective date of this Title, if the construction was prior to the effective date of this ordinance, and if the construction continued under valid permits until complete. If any such permit expires prior to completion, all future development shall be in conformance with the requirements of this Title.

ADMINISTRATION 19.00.070

A. Director of Planning and Development

For the purposes of this Title, the term "Director" means the Director of the Department of Planning and Development. The Director is hereby designated as the Secretary of the Planning Commission. Except where otherwise specified, the Director of Planning and Development is responsible for the administration and enforcement of this Title. In connection with that responsibility, the Director shall have the authority to:

1. Accept and process applications under this Title;
2. Organize and maintain records associated with those applications;
3. Conduct the necessary review of maps and development documentation which have been submitted under this Title;
4. Verify compliance with all subdivision, zoning and development requirements;
5. Adopt specifications and procedures relating to the administration of this Title;
6. Take action to approve, deny or otherwise act upon applications in accordance with the provisions of this Title;
7. Approve or deny administrative deviations, exceptions and waivers in accordance with the provisions of this Title;
8. Perform any other function described in this Title that is not otherwise assigned to a particular person or entity; and
9. Delegate, designate or assign to another person any function described in this Section or Title, except to the extent not permitted by law.

B. Delegation of Authority

Whenever reference is made to the head of a Department or to some other City officer or employee, the reference shall be construed as authorizing the head of the Department or other officer to designate, delegate to and authorize professional-level subordinates to perform the required act or duty, unless the terms of the provisions or an applicable State statute specifies otherwise.

INTERPRETATION 19.00.080

A. Rules of Interpretation

In interpreting the language of this Title, the rules set out in this subchapter shall be observed unless the interpretation would be inconsistent with the express language of this Title. In the case of conflicting language, the more restrictive language shall apply.

B. Meaning and Intent

All provisions, terms, phrases and expressions contained in this Title shall be liberally construed in order to carry out the intent of the City Council. Terms used in this ordinance, unless otherwise specifically defined, shall have the meanings prescribed by NRS for the same terms. Any term not specifically defined or prescribed shall have the ordinary meaning ascribed to it in a dictionary of common usage.

C. Text Controls

In case of any conflict between the text of this Title and any figure, the text shall control.

D. Computation of Time

The time within which an act is to be performed shall be computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday or legal holiday, that day shall be excluded. The following time-related words shall have the meanings ascribed below:

"Day" means a calendar day unless otherwise stated.

"Week" means seven calendar days.

"Month" means one calendar month.

"Year" means a calendar year, unless a fiscal year is indicated.

E. Other Clarifications

1. Headings

a. Levels of headings used in this Title include Chapters (for example "Chapter 19.00"), Subchapters (for example "19.00.010"), Sections (for example "A."), Subsections (for example "1.") and Paragraphs (for example "a").

b. The headings contained in this Title are for convenience only and do not limit or modify the intent or meaning of the provisions.

2. Tense. Unless clearly indicated to the contrary, words used in the present tense shall include the future, words used in the plural shall include the singular, words used in the singular shall include the plural, and words of one gender shall include the other.

3. Use of Certain Words. The words "shall," "must," and "will" are always mandatory. The words "may" and "should" are discretionary. Words and phrases shall be construed according to the common and approved usage in the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to that meaning.

4. Written Information. References to "written" information shall mean any representation of words, letters or figures whether by printing or other form or method of writing.

5. Conjunctions. Unless the context clearly indicates the contrary, conjunctions shall be interpreted as follows:

"And" indicates that all connected items or provisions apply; and

"Or" indicates that the connected items or provisions may apply singularly or in any combination.

H. Implementation

All applications which have been accepted as complete by the Director prior to the effective date of this Title shall be processed in accordance with, and subject to, the regulations and requirements in effect at the time the application was accepted as complete. Unless otherwise provided in this Title, the review of previously approved Special Use Permits and other zoning actions bearing a time limitation or subject to periodic review may be evaluated with reference to the requirements of this Title, as amended, unless the property owner or developer demonstrates that it is inequitable for the City to do so. Except as otherwise provided in Section 19.00.060 (B), any application accepted as complete after the effective date of this Title shall be processed in accordance with and subject to this Title.

I. Minimum Requirements

Within the scope and authority of this Title, the provisions hereof are intended to be the minimum requirements adopted for the promotion of the public health, safety and general welfare. Where the provisions of this Title impose greater restrictions than those of any other

ordinance, resolution or regulation, the provisions of this Title shall prevail. Where the provisions of any other ordinance, resolution or regulation impose greater restrictions than those of this Title, the provisions of that other ordinance, resolution or regulation shall prevail.

J. Private Covenants or Deed Clauses

No provision of this Title is intended to interfere with or abrogate or annul any easement, private covenants, deed restriction or other agreement between private parties. In cases in which this Title imposes a greater restriction upon the use of land or structures, the provisions of this Title shall prevail and control. By virtue of this Title, the City is not a party to and has no power or authority to enforce private deed covenants, conditions or restrictions. Private covenants or deed restrictions which impose conditions more restrictive than those imposed by this Title, or which impose restrictions not covered by this Title, are not implemented nor superseded by this Title.

K. Regulatory Conflicts

Except as otherwise specifically provided, it is not the intent of this Title to repeal, abrogate, annul, or in any way to impair or interfere with any other existing provisions or law or ordinance, or any other rules, regulations or permits previously adopted or issued, or which will be adopted or issued pursuant to law relating to the erection, construction or alteration of an establishment or the moving or enlargement of any buildings.

L. Limitations on City Action

The issuance or granting of a building permit or approval of plans or specifications under the authority of the Building Code shall not be construed to be a permit for, or an approval of, any violation of any provisions of this Title or any amendments thereto, or of any other law. No permit, approval, representation, action or inaction on the part of a City officer or employee which purports, or could be interpreted, to authorize the violation or cancellation of any of the provisions of this Title shall limit the City's authority to enforce the provisions of this Title or any other provision of the Municipal Code. No permit or other approval issued under the provisions of this Title shall constitute or imply approval of any business license or permit required by any provision of the Municipal Code. Any permit, license or other approval which is issued in error in conflict with this Title is voidable by order of the City.

M. Other Limitations

No provision in this Title amounts to a guarantee, warranty or promise that any particular type of construction will be free from defect, will perform in a certain manner, or will be exempt from other legal requirements applicable thereto. The issuance of a permit, or the inspection or approval of any permit, plans or work under this Title, shall in no way constitute a guarantee, warranty or promise that any particular material, labor or construction will be free from defect, or perform in a certain manner, or will be durable, safe or fit for a particular purpose or use. Compliance with this Title is not intended to substitute for the performance of any private duty, nor to reduce or eliminate any private liability on the part of an owner, developer or permittee.

N. Appeals of Interpretation

Any person aggrieved in connection with the inability to obtain a building permit or by the decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of any provision of this Title may appeal the decision to the Planning Commission. An appeal must be in written form and must be filed in the office of the Department of Planning and Development, with a copy to be filed in the office of the City Clerk. 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 Planning Commission.

ENFORCEMENT 19.00.090

A. General

1. **Purpose**. Enforcement of the provisions of this Title shall be pursued in order to provide for its effective administration, to ensure compliance with any condition of development approval, to promote the City's planning efforts, and to protect the public health, safety and general welfare.

2. **Responsibility**. The provisions of this Title, and any conditions of development approval which have been imposed thereunder, may be enforced by the Director of the Department of Planning and Development; the Las Vegas Metropolitan Police Department; and any other City of Las Vegas officer and employee designated to do so. Any structure or use which is established, operated, erected, moved, altered, enlarged, or maintained contrary to the provisions of this Title shall be subject to the remedies and penalties set forth in this chapter. A building permit, business license, subdivision or other application may be denied for failure to comply with this Title, including any condition or standard imposed on any application granted

under this Title.

3. **Stop Work Order.** A "Stop Work Order" may be issued with respect to any construction which is in violation of this Title or in violation of any condition which has been imposed on a permit or other approval under this Title.

B. Violations

1. **Misdemeanor.** It is unlawful for any person, whether acting as a principal, agent or employee, to violate any provision of this Title, or of any condition imposed upon a Tentative Map, Parcel Map, Special Use Permit, Site Development Review, Variance, Administrative Deviation, Home Occupation Permit or Temporary Commercial Permit granted hereunder. It is unlawful for the owner, general agent, lessee or tenant of a building or premises or for any other person to cause, permit or assist in the occurrence or commitment of a violation of any provision of this Title or of any condition imposed upon a Special Use Permit, Site Development Review, Variance, Administrative Deviation, Home Occupation Permit or Temporary Commercial Permit granted hereunder.

2. **Administrative Action.** For any violation of this Title, or of any approval granted or condition of approval imposed hereunder, the City may pursue administrative action to:

   a. Review, modify, suspend, or revoke an approval or permit issued hereunder;

   b. Require the discontinuance of a use operating as a conditional use under Subchapter 19.12.040; or

   c. As an alternative to requiring discontinuance under Subparagraph (b) above, require that a use operating as a conditional use under Subchapter 19.12.040 comply with additional conditions or limitations.

3. **Nuisance**. Any building or structure set up, erected, built, moved, or maintained or any use of property contrary to the provisions of this Title shall be, and is declared to be, unlawful and a public nuisance and the City Attorney shall, upon order of the City Council, immediately commence actions or proceedings for the abatement, removal and enjoinment of it in a manner provided by law and shall take such other steps and shall apply to the court as may have jurisdiction to grant relief to abate or remove the building, structure or use, and restrain and enjoin any person from setting up, erecting, building, moving, or maintaining any building or structure, or using any property contrary to the provisions of this Title.

4. **Remedies Cumulative.** All remedies provided herein shall be cumulative and not exclusive.

5. **Violations Continue.** Any violation of the previous Subdivision Regulations or Zoning Code will continue to be a violation under this Title and be subject to penalties and enforcement under this Subchapter, unless the use, development, construction, or other activity complies with the provisions of this Title.

OFFICIAL ZONING MAP 19.00.100

A. Adoption of Official Zoning Map

The boundaries of each zoning district are delineated and shown on the Official Zoning Map of the City of Las Vegas. The Official Zoning Map, together with all notations, references, dimensions, designations and other information shown on the map, is adopted and made part of this Title by reference. The Official Zoning Map shall be stored, maintained, and kept current by the Department of Planning and Development.

B. Establishment of Zones

1. The residential zoning districts established by this Title are as follows and shall be known and cited as:

Abbreviated Designation	Zoning District Name	Zoning District Purpose
U	Undeveloped	page #
R-E	Residential Estates	page #
R-1	Single Family Residential	page #
R-CL	Single Family Compact-Lot	page #
R-TH	Single Family Attached	page #
R-2	Medium-Low Density Residential	page #
R-3	Medium Density Residential	page #
R-4	High Density Residential	page #
R-MH	Mobile/Manufactured Home	page #

2. The commercial and industrial zoning districts established by this Title are as follows and shall be known and cited as:

Abbreviated Designation	Zoning District Name	Zoning District Purpose
P-O	Professional Office	page #
O	Office	page #
C-1	Limited Commercial	page #
C-2	General Commercial	page #
C-M	Commercial/Industrial	page #
M	Industrial	page #

3. The special area zoning districts established by this Title are as follows and shall be known and cited as:

Abbreviated Designation	Zoning District Name	Zoning District Purpose
C-V	Civic	page #
P-C	Planned Community	page #
T-C	Town Center	page #

4. The overlay zones established by this Title are as follows and shall be known and cited as:

Abbreviated Designation	Zoning District Name	Zoning District Purpose
DCP-O	Downtown Centennial Plan Overlay	page #
G-O	Gaming Overlay	page #
A-O	Airport Overlay	page #
HD-O	Historic Designation Overlay	page #
DC-O	Downtown Casino Overlay	page #
DE-O	Downtown Entertainment Overlay	page #
LW-O	Live/Work Overlay	page #
SB-O	Las Vegas Boulevard Scenic Byway Overlay	page #
HS-O	Hillside Development Overlay	page #

C. Transitional Rules

Property which, on the effective date of this Title, was classified under a zoning classification which no longer exists under this Title will be reclassified by the City to an existing classification by subsequent Rezoning action. Until that action occurs, such property shall be governed by the requirements and limitations applicable to the zoning classification in effect just before the adoption of this Title.

D. Amendments

1. No change to the Official Zoning Map shall be authorized without the approval of a rezoning application. The application shall be processed in accordance with the requirements of Subchapter 19.16.090 of this Title. No change to the Official Zoning Map shall be authorized or become effective without final action of the City Council or a court of competent jurisdiction.

2. No amendment or rezoning shall be approved unless it is consistent with the goals, objectives and policies of the General Plan.

3. The Official Zoning Map shall show the dates and appropriate action references for all approved amendments.

E. Correction of Errors

The new Official Zoning Map may correct drafting and clerical errors or omissions in the previous Official Zoning Map, but no corrections shall have the effect of amending this Title or any subsequent amendment thereto except in accordance with the notice and hearing procedures set forth in Subchapter 19.16.090.

F. Preservation of Old Maps

Unless the previous Official Zoning Map is lost or totally destroyed, all of the remaining parts shall be preserved, together with all available records pertaining to its adoption or amendment.

RULES FOR INTERPRETATION OF ZONING DISTRICT BOUNDARIES 19.00.110

A. Boundary Presumptions

The following presumptions shall apply in determining uncertain boundaries of a district as shown on the Official Zoning Map:

1. Where a boundary follows a public street or alley,

the centerline of the street shall be the boundary.

2. Where a boundary follows a lot line, the lot line shall be the boundary.

3. In cases where district boundary lines are indicated as approximately paralleling street, alley, right-of-way or easement lines existing at the time of the enactment of this Title, they shall be construed as meaning 100 feet distant from the street, alley, right-of-way or easement line, unless otherwise specifically dimensioned on the Official Zoning Map.

4. In instances where district boundary lines divide a parcel of unsubdivided property, the precise location of the district boundary shall be determined by the use of the scale appearing on the Official Zoning Map, unless the boundary is indicated by a specific dimension on the Official Zoning Map.

5. Where any public right-of-way is officially vacated or abandoned, the land use district regulations applied to abutting property shall thereafter extend to the former centerline of the vacated or abandoned right-of-way.

B. Determination

With regard to any uncertainty of boundaries that cannot be resolved with reference to the above presumptions, the Director shall determine the location of the district boundary.

FEE SCHEDULE 19.00.120

A. Adopted

The Director is authorized to charge fees related to the processing of applications, appeals and other requests in accordance with the Fee Schedule. The fee schedule, which is adopted by resolution of the City Council and is incorporated by this reference, shall be maintained on file in the office of the City Clerk. The fee schedule may be revised or amended from time to time by resolution of the City Council.

B. When payable

Fees for filing applications, appeals and other requests under this Title are set forth in the Fee Schedule and are due at the time the application or request is filed.

C. Additional Fees

With respect to any application, appeal or other request under this Title that requires notification of a public hearing, the applicant shall also pay the notification and advertising costs identified in the Fee Schedule. Payment of those costs shall be made upon filing of the application.

D. Waiver of Fees

The City Manager may waive any fee referred to in the Fee Schedule on behalf of:

1. Any member of the Southern Nevada Regional Planning Coalition; or

2. Any entity with whom the Coalition is required to integrate long-term planning programs pursuant to NRS 278.02584.

19.12

Permissible Uses

Unified Development Code
Title 19

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LAND USE TABLES 19.12.010

A. Buildings, structures and land shall be used in accordance with the uses permitted in the following Land Use Tables, subject to all other applicable requirements of this Title.

B. Uses that are listed in Table 2 are provided with a description, applicable conditions and requirements in Subchapter 19.12.070.

Interpretation of Land Use Tables **Table 1**

Symbol	Meaning
P	The use is permitted as a principal use in that zoning district by right.
A	The use is permitted as an accessory use to a main use in the district. This does not exclude other land uses which are generally considered accessory to the primary use.
C	The use is permitted, but only in accordance with the conditions specified in Subchapter 19.12.070 for conditional uses.
S	The principal use is permitted in that zoning district only after first obtaining a Special Use Permit (SUP) as set forth in Subchapter 19.16.110. Base standards may apply to an SUP approval, as specified in Subchapter 19.12.070.
H	The use is permitted by means of a Home Occupation Permit.
T	The use is permitted by means of a Temporary Commercial Permit in accordance with Chapter 19.16.160.
	A blank square shall mean that the use is not allowed in that zoning district.

19.12.010
Permitted Use - Table 2

P - Permitted	A - Accessory	C - Conditional
S - Special Use Permit	H - Home Occupation Permit	T - Temporary Commercial Permit

	U	R-E	R-1	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-M	M	C-V	Additional Information
Accessory Structure (Class I)	S	S	S														page
Accessory Structure (Class II)	C	C	C	C	C	C	C	C	C								page
Adult Day Care Center	S	S	S			S	S	S	S	C	C	P	P	P	P		page
Airport, Heliport or Landing Field														P	P		page
Amphitheater												S	C	C	C		page
Animal Hospital, Clinic, or Shelter (with no Outside Pens)											S	S	P	P	P		page
Animal Hospital, Clinic, or Shelter (with Outside Pens)	S	S										S	P	P	P		page
Animal Keeping & Husbandry	C	C															page
Animal Keeping, Wild or Exotic	C														C		page
Animal Production	P																page
Antique/Collectible Store												P	P	P	P		page
Asphalt or Concrete Batch Plant															P		page
Assisted Living Apartments						S	P	P				S	S				page
Astrologer, Hypnotist, or Psychic Art and Science										S		P	P	P	P		page
Auction House													S	S	S		page
Auto Broker												C	C	C	C		page
Auto Dealer Inventory Storage												S	S	S	S		page
Auto Paint & Body Repair Shop													S	C	C		page
Auto Parts (Accessory Installation)												C	P	P	P		page
Auto Parts (New & Rebuilt) (Accessory Sales & Service)												S	C	P	P		page
Auto Repair Garage, Major													S	C	C		page
Auto Repair Garage, Minor												S	C	C	C		page
Auto Smog Check												C	C	C	C		page
Auto Title Loan											S	S	S	C	C		page
Automobile Rental												S	S	S	C		page
Automobile Repossession Agency												C	C	C	C		page
Bakery, Retail											A	P	P	P	P		page
Bailbond Service												S	S	P	P		page
Banquet Facility												P	P	P			page
Bed & Breakfast Inn	S	S	S	S	S	S	S	S		S							page
Beer/Wine/Cooler Off-Sale Establishment												S	S	S	S		page
Beer/Wine/Cooler On- and Off-Sale Establishment												S	S	S	S		page

P - Permitted	A - Accessory	C - Conditional
S - Special Use Permit	H - Home Occupation Permit	T - Temporary Commercial Permit

19.12.010
Permitted Use - Table 2

	U	R-E	R-1	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-M	M	C-V	Additional Information
Beer/Wine/Cooler On-Sale Establishment												S	S	S	S		page
Billiard Parlor or Pool Hall												S	P	P	P		page
Blood Plasma Donor Center													S	S	S		page
Boarding or Rooming House							P	P						S			page
Boat & Trailer Dealership (New and Used)												S	S	C	C		page
Building & Landscape Material/ Lumber Yard												S	C	P	P		page
Building Maintenance Service and Sales												S	C	P	P		page
Bus Charter Service & Service Facility														P	P		page
Business School											P	P	P	P	P		page
Car Wash, Full Service or Auto Detailing												S	C	C	C		page
Car Wash, Self-Service												S	C	C	C		page
Catering Service												P	P	P	P		page
Cemetery/Mausoleum	C	C											C	C	C		page
Check Cashing Service, Limited											C	C	C	C	C		page
Child Care – Family Home	P	P	P	P	P	P	P	P	P								page
Child Care – Group Home	S	S	S	S	S	S	S	S	S								page
Child Care Center	S	S					S	S	S	C	C	P	P	P	P		page
Church/House of Worship	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P		page
Cleaners, Commercial/Industrial													S	P	P		page
Clinic												P	P	P	P		page
Cold Storage Plant													P	P	P		page
College, University, or Seminary											S	P	P	P	P		page
Commercial Recreation/ Amusement (Indoor)											S	P	P	P	P		page
Commercial Recreation/ Amusement (Outdoor)													P	P	P		page
Commercial, Other than Listed												S	P	P	P		page
Community Center, Private (Accessory)	C	C	C	C	C	C	A	A	C								page
Community Recreational Facility (Public)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		page
Community Residence (including Family Community Residence and Transitional Community Residence)	C	C	C	C	C	C	C	C	C		C	C	C				page
Condominium					P	P	P	P		C	C	C	C				page

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	U	R-E	R-1	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-M	M	C-V	Additional Information
Construction Material Supply Yard														P	P		page
Contractor's Plant, Shop & Storage Yard														P	P		page
Convalescent Care Facility/Nursing Home	S	S	S	S		S	S	S				S	S				page
Convent or Monastery							P	P									page
Copy Center										P	P	P	P	P	P		page
Convenience Store											A	C	C	C	C		page
Country Club, Private	S	S	S	S		S	S	S	S	S	P	P	P	P	P		page
Crematory													C	C	C		page
Crop Production	P																page
Custodial Institution														S	S		page
Custom & Craft Work												S	C	P	P		page
Daily Labor Service												S	S	S	S		page
Delivery and Service Vehicle Storage													S	P	P		page
Desktop Publishing										P	P	P	P	P	P		page
Dry Cleaners											S	P	P	P	P		page
Electric Generating Plant													S	S	S		page
Electric Utility Substation	S						S	S			S	P	P	P	P		page
Electrical, Watch, Clock, Jewelry & Similar Repair											A	P	P	P	P		page
Emergency Ambulance Services, Ground												S	P	P	P		page
Employment Agency										P	P	P	P	P	P		page
Environmentally Hazardous Materials															P		page
Escort Bureau												S	S	P	P		page
Facility for Transitional Living for Released Offenders							S	S									page
Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse												S	S	C	C		page
Financial Institution, General (with Drive-Through)											C	C	C	C	C		page
Financial Institution, General (without Drive-Through)											P	P	P	P	P		page
Financial Institution, Specified											S	S	S	C	C		page
Food Processing													C	P	P		page
Fraternity, Sorority House or Private Dorm							S	S									page

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	U	R-E	R-1	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-M	M	C-V	Additional Information
Gaming Establishment, General Business-Related												S	S	S	S		page
Gaming Establishment, Non-restricted												S	S	S	S		page
Gaming Establishment, Restricted												A	A	A	A		page
Garden Supply/Plant Nursery												C	C	P	P		page
General Personal Service											A	P	P	P	P		page
General Retail Store, Other Than Listed (3500 Square Feet or More)												P	P	P	P		page
General Retail Store, Other Than Listed (Less than 3500 Square Feet)											A	P	P	P	P		page
Golf Driving Range											S	P	P	P	P		page
Government Facility										P	P	P	P	P	P	P	page
Grocery Store												P	P	P	P		page
Group Residential Care Facility	C	C	C	C	C	C	C	C									page
Gun Club, Skeet or Target Range, or Archery Club (Indoor)													S	P	P		page
Gun Club, Skeet or Target Range, or Archery Club (Outdoor)	S													S	P		page
Halfway House for Recovering Alcohol and Drug Abusers	C	C	C	C	C	C	C	C									page
Health Club											A	P	P	P	P		page
Heavy Machinery and Equipment (Storage)															P		page
Heavy Machinery and Equipment (Rental, Sales & Service)														P	P		page
Helipad											S	S	S	S	P		page
Home Occupation	H	H	H	H	H	H	H	H	H								page
Horse Corral or Stable (Commercial)	S	S										C	C	C	C		page
Horse Corral or Stable (Private)	C	C															page
Hospice		S					S	S		S	S	P	P	S			page
Hospital											S	C	P	P	P		page
Hotel Lounge Bar												S	S	S	S		page
Hotel, Motel or Hotel Suites												S	P	P	P		page
Hotel, Residence								S				S	S	P			page
Individual Residential Care Facility	P	P	P	P	P	P	P	P	P								page
Internet Cafe												C	C	C	C		page
Internet/Catalogue Sales Office										C	C	P	P	P	P		page
Jewelry Store, Class III												S	S	S	C		page
Jewelry Store, New												P	P	P	P		page

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	U	R-E	R-1	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-M	M	C-V	Additional Information
Keeping of Carrier or Racing Pigeons	S	S	S									S	S	S	S		page
Laboratory, Medical or Dental										A	A	P	P	P	P		page
Landfill															S		page
Laundry, Self-Service												P	P	P	P		page
Library, Art Gallery or Museum (Public)										P	P	P	P	P	P		page
Light Assembly & Fabrication												C	C	P	P		page
Liquefied Petroleum Gas Installation (Over 288 Gallons)												S	S	S	S		page
Liquor Establishment (Tavern)												S	S	S	S		page
Livestock Farming (Bovines/Horses)	C	C															page
Manufactured Home (Not Qualifying for Treatment as Single Family Detached Dwelling)									P								page
Manufactured Home (Qualifying for Treatment as Single Family Detached Dwelling)	C	C	C	C	C	C	C	C									page
Manufacturing, Heavy														S	P		page
Manufacturing, Light														P	P		page
Martial Arts Studio												P	P	P	P		page
Massage, Accessory										A	A	A	A	A	A		page
Massage Establishment												S	S	S	C		page
Mining, Sand & Gravel Excavation	S													S	S		page
Mini-Storage Facility												S	C	C	C		page
Mixed-Use							S	S		S	S	C	C				page
Mobile Home									P								page
Mobile Home Park									C								page
Monorail	S	S	S	S		S	S	S	S	S	S	S	S	S	S		page
Mortuary or Funeral Chapel												S	P	P	P		page
Motor Vehicle Sales (New)													C	C	C		page
Motor Vehicle Sales (Used)													S	C	C		page
Motorcycle/Motor Scooter Sales												S					page
Mounted Antenna of 15 Feet or Less (Ultimate Height)	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P		page
Mounted Antenna over 15 Feet (Ultimate Height)	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P		page
Multi-Family Residential							P	P									page
Museum, Art Display, or Art Sales (Private)										S	P	P	P	P	P		page

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	U	R-E	R-1	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-M	M	C-V	Additional Information
Night Club												S	P	P	P		page
Office, Medical or Dental										P	P	P	P	P	P		page
Office, Other than Listed										P	P	P	P	P	P		page
Off-Premise Sign												S	S	S	S		page
Open Air Vending/ Transient Sales Lot												C	C	C	C		page
Outcall Entertainment Referral Service												S	S	P	P		page
Outdoor Storage, Accessory													C	C	C		page
Package Liquor Off-Sale Establishment												S	S	S	S		page
Parking Lot/Sidewalk Sale												T	T	T	T		page
Parking, Commercial										C	S	P	P	P	P		page
Pawn Shop												S	S	S	C		page
Pawn, Auto														S	C		page
Pet Boarding												C	C	C	C		page
Pet Shop												C	C	C	C		page
Post Office, Local Service										P	P	P	P	P	P		page
Post Office, Regional													P	P	P		page
Printing & Publishing														P	P		page
Private Club, Lodge or Fraternal Organization											S	P	P	P	P		page
Private Sports Arena, Stadium or Track													S	S	P		page
Private Street	C	C	C	C	C	C	C	C	C								page
Psychology Practice										P	P	P	P	P	P		page
Public or Private School, Primary	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		page
Public or Private School, Secondary	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		page
Public Park or Playground	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		page
Radio Broadcasting											P	P	P	P	P		page
Radio, TV or Microwave Communication Tower											S	S	S	S	P		page
Rail/Transit Yard or Shop															P		page
Recording Studio												S	P	P	P		page
Recreational Vehicle and Boat Storage												S	C	C	C		page
Recycling Collection Center														C	C		page
Rental Store (with Outside Storage)													S	P	P		page
Rental Store (without Outside Storage)												P	P	P	P		page

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	U	R-E	R-1	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-M	M	C-V	Additional Information
Rescue Mission or Shelter for the Homeless													S	S	S		page
Restaurant with Service Bar											S	S	S	S	S		page
Restaurant, 2000 sq. ft. or more (with Drive-Through)												C	C	C	C		page
Restaurant, 2000 sq. ft. or more (without Drive-Through)											A	P	P	P	P		page
Restaurant, Less than 2000 sq. ft. (with Drive-Through)												C	C	C	C		page
Restaurant, Less than 2000 sq. ft. (without Drive-Through)											A	P	P	P	P		page
Retail Establishment with Accessory Package Liquor Off-Sale												S	S	S	S		page
Salvage or Reclamation of Products (Indoor)														P	P		page
Salvage or Reclamation of Products (Outdoor)															C		page
Satellite Dish	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page
Seasonal Outdoor Sales										T		T	T	T	T		page
Secondhand Dealer												S	S	C	C		page
Senior Citizen Apartments							C	C				S					page
Service Station (with Incidental Automotive Repair)												S	S	C	C		page
Service Station (without Automotive Repair)												C	C	C	C		page
Sex Offender Counseling Facility												S	S	C	C		page
Sexually Oriented Business														C	C		page
Shopping Center												P	P	P	P		page
Short-Term Residential Rental	C	C	C	C	C	C	C	C	C								page
Single Family, Attached					P	P	P	P									page
Single Family, Detached	P	P	P	P	P	P	P	P	P								page
Single Family, Zero Lot Line				C	C												page
Single Room Occupancy Residence													S	P			page
Slaughtering and Processing of Live Poultry												S	S	S	P		page
Small Wind Energy System		C	C			C	C	C		C	C	C	C	C	C		page
Social Event with Alcoholic Beverage Sales										S	S	S	S	S	S		page
Social Service Provider											S	S	S	S	S		page
Solar Panel	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page
Sound Stage												S	S	S	S		page

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	U	R-E	R-1	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-M	M	C-V	Additional Information
Supper Club											S	S	S	S	S		page
Swap Meet												S	S	C	C		page
Tattoo Parlor/Body Piercing Studio													S	P	P		page
Tavern-Limited Establishment												S	S	S	S		page
Taxicab/Limo Yard														P	P		page
Teen Dance Center												C	C	C	C		page
Temporary Contractor's Construction Yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T		page
Temporary Outdoor Commercial Event	T	T										T	T	T	T		page
Temporary Real Estate Sales Office	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page
Tennis Courts, Accessory	C	C	C	C	C	C	C	C	C		C	C	C				page
Thriftshop												S	S	C	C		page
Thriftshop, Nonprofit												S	S	S	C		page
Time-Share Development													C				page
Towing & Impound Yard														C	C		page
Towing Service (with No Storage)													S	P	P		page
Townhouse					P		P	P									page
Trade School											C	P	P	P	P		page
Trailer/RV Camp or Park												S	S	S	P		page
Transit Passenger Facility												C	C	P	P		page
Truck Rental													S	P	P		page
Trucking Company													S	P	P		page
Tutoring Center										C	C	C	C	C	C		page
TV Broadcasting & Other Communication Service											S	S	S	P	P		page
Two-Family Dwelling						P	P	P									page
Urban Lounge												S	S	S	S		page
Utility Installation, Other Than Listed	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P		page
Utility Transmission Lines	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page
Valet Parking											C	C	C	C	C		page
Vehicle Parking, Storage or Repair in Residential Zoning Districts	C	C	C	C	C	C	C	C	C								page
Warehouse/Distribution Center														P	P		page
Wedding Chapel												P	P	P	P		page
Welding Repair														P	P		page
Wholesale Showroom Facility													P	P	P		page

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	U	R-E	R-1	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-M	M	C-V	Additional Information
Wireless Communication Facility, Non-Stealth Design (Not Qualifying for Conditional Use Approval)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		page
Wireless Communication Facility, Non-Stealth Design (Qualifying for Conditional Use Approval)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page
Wireless Communication Facility, Stealth Design	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page

ACCESSORY USES AND STRUCTURES 19.12.020

A. General

An accessory use or structure which is customarily incidental to the principal use or structure, and is located on the same lot or tract of land shall be permitted as an accessory use without being separately listed as a permitted use.

B. Particular Accessory Uses

In any residential zoning district, each of the following uses shall be considered an accessory use to the extent described, without being separately listed in the Land Use Tables, provided in each case that the use is incidental to the property's use as a dwelling and does not alter the character of its use as a dwelling of the character permitted in the respective district:

1. Garage or yard sales, provided that:

a. No property may be offered for sale which has not been owned and used by the occupant of the premises;

b. No more than two garage or yard sales shall be conducted on the premises in any calendar year;

c. No garage or yard sale shall be conducted for longer than three days duration;

d. Garage or yard sales may be conducted during the daylight hours only; and

e. All signage shall conform to the provisions of LVMC 19.06.140(D)(5).

2. On a single-family residential lot, the parking of a motor vehicle that bears a sign advertising the vehicle for sale, provided that:

a. The vehicle is:

i. Owned by or registered to an owner or occupant of the property;

ii. Parked on an improved parking surface; and

iii. Not being sold in connection with an automobile sales business;

b. The vehicle identification number is clearly visible from outside the vehicle, if the vehicle was manufactured to include a visible vehicle identification number;

c. No more than one vehicle is parked on the lot for purposes of display and sale at any one time; and

d. No more than two vehicles are parked on the lot for purposes of display and sale within a twelve month period.

C. Unless otherwise permitted by this Title, any type of use listed in Section (B) that exceeds the limitations set forth for that use in Section (B) does not qualify as an accessory use and shall be deemed to be in violation of this Title.

TEMPORARY COMMERCIAL PERMITS 19.12.030

Temporary uses are permitted in accordance with the standards and procedures found in Subchapter 19.16.160.

CONDITIONAL USES 19.12.040

A. General

Any use that is marked with the letter "C" in the Land Use Tables for a particular zoning district may be approved administratively as a conditional use if certain minimum conditions, identified as conditional use regulations, can be met. A use approved as a conditional use is subject to, and shall comply with:

1. The conditions use regulations that are listed in the Tables for that use; and

2. All other applicable requirements of this Title.

B. Special Use Permit Required

Expect as otherwise specifically provided regarding a particular use, when one or more of the itemized conditional use regulations cannot or will not be met, a Special Use Permit is required for the use. Approval of such a Special Use Permit may be conditioned on requirements beyond those that are itemized as conditional use regulations for that use.

C. Conditional Use Verification

Uses that are permitted conditionally pursuant to this Subchapter are made subject to conditional use regulation, some of which are conditions that must be met before a use may commence and others that represent ongoing requirements or limitations. In order for the

Department to verify compliance with the applicable conditional use regulations, the Director may require the submission of documentation regarding such compliance. For uses concerning which the Director requires such documentation, the submission shall be in the form of a Conditional Use Verification provided by the Department. Within the time period for submission established by the Department, the form must be signed, notarized and acknowledged, and filed with the Department. The form must be signed by the owner of record of the property for which the verification is sought; provided however, that such submission is also sufficient if it is signed and acknowledged by a lessee, a contract purchaser or an optionee of the property upon which such conditional use is maintained. However, interest in such property must exist in a written agreement with the owner of the record attached to which is a copy of the submission and in which the owner of record has authorized the lessee, contract purchaser or optionee to sign the submission.

D. Noncompliance

Whether or not the Director requires the submittal of a Conditional Use Verification under Section (C) of this Subchapter, each person or entity maintaining, operating or permitting a conditional use must comply with all provisions of this Title. Failure to comply with this Subchapter or with any other requirement of this Title pertaining to conditional uses shall be grounds for enforcement action pursuant to LVMC 19.00.090 against the person or entity that owns the property or the person or entity that operated the conditional use.

SPECIAL USE PERMITS 19.12.050

A. General

Except as otherwise provided in this Section (A), any use that is marked with the letter "S" in the Land Use Tables for a particular zoning district may be permitted only by means of a Special Use Permit. A Special Use Permit may also be required by other provisions of law for other activities that are not listed as a use in the Land Use Tables. Notwithstanding the provisions of the first sentence of this Section (A), alcoholic beverage-related uses with an on-sale component that are ancillary to a non-restricted gaming establishment operated in conjunction with a hotel having more than two hundred rooms are deemed to be part of that use and are allowed without regard to the requirements of Chapter 19.12 provided that each such use otherwise conforms to the provisions of this Title and LVMC Chapters 6.40 and 6.50.

B. Conditions and Requirements of Approval.

Any use approved by means of a Special Use Permit is subject to, and shall comply with:

1. The Special Use Permit requirements, if any, that are listed in Subchapter 19.12.070 for that use, which are the minimum conditions required for approval;

2. Other or additional requirements that may be imposed as conditions of Special Use Permit approval in order to ensure compatibility of the use in relation to surrounding uses and the pattern of development; and

3. All other applicable requirements of this Title.

C. Waivers.

The Special Use Permit requirements listed in Subchapter 19.12.070 must be satisfied unless it can be shown by convincing and substantial evidence by the applicant that any waiver of these requirements will not compromise the objective of the City in safeguarding the interests of the City and the public. However, it shall not be permissible to waive any Special Use Permit requirement that is listed in Subchapter 19.12.070 and marked with an asterisk (*).

PARKING REQUIREMENTS 19.12.060

The minimum number of on-site parking spaces for uses listed in Table 2 of Subchapter 19.12.010 shall be as listed in Subchapter 19.12.070.

PERMISSIBLE USE DESCRIPTIONS AND APPLICABLE CONDITIONS AND REQUIREMENTS 19.12.070

The descriptions contained hereunder for each identified land use generally corresponds to the definition for that use that appears in LVMC 19.18.020. In each such case, the description that appears in this Subchapter is for convenience of reference only and is not intended to supersede any corresponding definition in LVMC 19.18.020, which shall prevail in the event of conflict.

Accessory Structure (Class I)

Description: An accessory structure which is located on the same residential parcel as a principal dwelling and which, as an ancillary use, provide living quarters, including full kitchen facilities, for the occupants of the principal dwelling or their tenants, domestic employees or temporary guests.

Minimum Special Use Permit Requirements:

* 1. The size of the lot or parcel must exceed 6500 square feet.

2. Unless the principal dwelling is owner-occupied, a Class I accessory structure may not be offered or occupied as a rental unit.

On-site Parking Requirement: One additional parking space must be provided beyond the number of spaces normally required.

Accessory Structure (Class II)

Description: An accessory structure which is located on the same lot as a principal structure, is detached therefrom, is incidental or subordinate thereto, and does not qualify as an "Accessory Structure (Class I)."

Conditional Use Regulations:

1. The use shall comply with all provisions of Section 19.06.040 applicable to accessory structure.
2. Any use that does not comply may be permitted only by means of a Variance.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use on the site.

Adult Day Care Center

Description: A facility that provides personal care and related services to more than ten dependent adults in a supervised, protective, congregate setting during some portion of a twenty-four hour day. Services typically offered in conjunction with an adult day care center include social and recreational activities, training, meals, and services such as rehabilitation and medication assistance.

Conditional Use Regulations:

1. The facility must comply on an ongoing basis with all governmental licensing requirements.
2. Access to the facility shall be by means of a collector street or larger.
3. The maximum lot coverage shall not exceed 50 percent.
4. The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site. The layout driveways, circulation pattern and parking must be approved by the City Traffic Engineer prior to issuance of any building permits.
5. Usable floor space per client shall comply with State regulations.
6. Where adult day center properties have residential adjacency:
   a. An eight foot block wall shall be installed along the common property line, with an additional buffer of evergreen trees along any open space or recreational area.
   b. The building entrance and access shall be oriented away from residential uses on local streets.
   c. Outdoor activity shall be limited to daylight hours.
   d. Outdoor lighting shall be designed so as to not shine directly onto any abutting residential property.
7. The hours of operation shall not extend beyond the hours of 6:00 a.m. to 9:00 p.m.

Minimum Special Use Permit Requirements:

1. The facility must comply on an ongoing basis with all governmental licensing requirements.
2. Access to the facility shall be by means of a collector street or larger.
3. The maximum lot coverage shall not exceed 50 percent.
4. The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site. The layout driveways, circulation pattern and parking must be approved by the City Traffic Engineer prior to issuance of any building permits.
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   b. The building entrance and access shall be oriented away from residential uses on local streets.
   c. Outdoor activity shall be limited to daylight hours.
   d. Outdoor lighting shall be designed so as to not shine directly onto any abutting residential property.
7. The hours of operation shall not extend beyond the hours of 6:00 a.m. to 9:00 p.m.

On-site Parking Requirement: One space for each staff member, plus one space for each 10 clients.

Airport, Heliport or Landing Field

Description: Any area of land designated and set aside for the landing and taking off of any aircraft regulated by the Federal Aviation Administration, together with related refueling and terminal facilities.

On-site Parking Requirement: One space for each 100 square feet of public lobby area.

Amphitheater

Description: An oval, circular or semicircular outdoor theater in which the stage or screen area is surrounded by rising tiers of seating or assembling areas, or both.

Conditional Use Regulations:

1. The applicant must submit, for administrative review and approval, the following:
   a. A sound study that addresses how noise levels will be attenuated so as not to exceed the ambient noise levels adjacent to and beyond the subject site.
   b. An engineering and traffic study that addresses, as applicable, each of the following elements as they pertain to traffic movement and to stopping, standing and parking restrictions:
      i. Accident analysis.
      ii. Capacity analysis.
      iii. Geometric review, including roadway width.
      iv. Parking measurements, including parking angle and parking and maneuvering area.
      v. Pedestrian volume within parking and maneuvering area.
      vi. Sight distance, including corner sight distance.
      vii. Speed data, including speed limit.
      viii. Traffic volumes, including peak-hour volume.
2. The use shall comply with the approved sound study and traffic and engineering study, as well as all requirements and conditions imposed by the City in connection with the approval thereof.
3. The hours of operation shall be limited to the period between 7:00 a.m. and 10:00 p.m.
4. All screen and stage areas shall be screened from view from any public right-of-way.

Minimum Special Use Permit Requirements:

1. The use shall comply with a sound study and a traffic and engineering study that have been approved by the City, as well as all requirements and conditions imposed by the City in connection with the approval thereof.
2. The hours of operation shall be limited to the period between 7:00 a.m. and 10:00 p.m.
3. All screen and stage areas shall be screened from view from any public right-of-way.

On-site Parking Requirement: One space for every 3 persons that the facility is designed to accommodate when used to maximum capacity.

Animal Hospital, Clinic, or Shelter (with Outside Pens)

Description: A facility that:

1. Provides medical or surgical treatment for animals or pets, as well as shelter and care during the time of such treatment;
2. Uses outdoor pens in providing such shelter and care.

On-site Parking Requirement: One space for every 2 on-duty employees, plus one space per doctor and one space per examination room.

Animal Hospital, Clinic, or Shelter (with no outside Pens)

Description: A facility that:

1. Provides medical or surgical treatment for animals or pets, as well as shelter and care during the time of such treatment; and
2. Does not use any outdoor pens in providing such shelter and care.

Minimum Special Use Permit Requirements:

1. The use shall have access to a collector street or larger.
2. Animals shall be confined within an enclosed building at all times.
3. The building shall be designed to provide complete sound barriers and odor protection for adjacent properties.
4. Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls adjacent to residences.
5. Noise levels must comply with the applicable provisions of LVMC Title 7.
6. No more than 25% of the floor area may be used for the boarding of animals.

On-site Parking Requirement: One space for every 2 on-duty employees, plus one space per doctor and one space per examination room.

Animal Keeping & Husbandry

Description: The raising, keeping and breeding of domestic animals, including without limitation dogs, cats, birds, sheep, goats and pot-bellied pigs. The use must be ancillary to the principal use, but may be conducted for commercial purposes.

Conditional Use Regulations:

1. The applicant must submit to the Planning and Development Department, for administrative review and approval, a site plan with notes indicating the number and types of animals to be kept or reproduced on the premises.
2. No more than 3 sheep or goats may be kept for each one-half acre of land included in the building site.
3. All operations and activities shall be in accordance with LVMC Title 7

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use on the site.

Animal Keeping, Wild or Exotic

Description: The keeping of non-domestic animals, including without limitation wild animals as defined in LVMC 7.04.500.

Conditional Use Regulations:

1. Animals shall be confined at all times within a secured, enclosed or fenced area.
2. Animals which are kept outdoors must be located at least 1,500 feet from any residential dwelling, school, child care facility or public park.
3. The site must have a minimum area of 2 acres.
4. All operations and activities shall be in accordance with LVMC Title 7.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Animal Production

Description: A facility or area for raising animals (including fish and birds) and the development of animal products, such as meat, fur or eggs on a commercial basis. This use does not include raising animals to sell as pets.

On-site Parking Requirement: One space for each 1000 square feet of gross floor area designated for this use, plus one space for each 2,500 square feet of gross yard area so designated.

Antique/Collectible Store

Description: Any building used for the sale of:

1. Any old and authentic object of personal property which was made, fabricated or manufactured 60 or more years earlier and which has a unique appeal and enhanced value mainly because of its age; or
2. Any article of personal property which was made, fabricated or manufactured 20 or more years earlier and because of public demand has attained value in a recognized commercial market which is in excess of its original value.

On-site Parking Requirement:

1. If less than 25,000 square feet, one space per 175 square feet of gross floor area.
2. If 25,000 square feet or more, one space per 250 square feet of gross floor area.

Asphalt or Concrete Batch Plant

Description: A permanent facility or area for the mixing of concrete or asphalt.

On-site Parking Requirement: One space for each employee on the largest shift, plus one space for each facility vehicle.

Assisted Living Apartments

Description: An apartment or apartment complex which provides personal care services to senior citizens for daily living needs. Such services may include, but are not limited to, preparation and service of meals, housekeeping, laundry, monitoring of rooms, monitoring of medication, or assistance with bathing. This use includes commercial uses that are ancillary to an apartment complex as long as the total amount of floor space dedicated to such uses does not exceed five percent of the total gross floor area of the apartment complex and there is no external signage for, nor external access to, the commercial uses. This use does not include a convalescent care facility, nursing home or other medical facility that is specifically defined in Chapter 19.20.

On-site Parking Requirement: One space per three residents.

Astrologer, Hypnotist, or Psychic Art and Science

Description: Any person who practices, teaches, or professes to practice the business of astrology, hypnotism or the psychic arts and sciences for a fee, gift, donation, or otherwise. Psychic arts and sciences may include palmistry, phrenology, life reading, fortune telling, cartomancy, clairvoyance, clairaudience, crystal gazing, mediumship, prophecy, augury, divination, magic or necromancy. This use does not include a hypnotherapy practice.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Auction House

Description: An enclosed establishment for the temporary storage and offering by an auctioneer of qualified property which is offered or sold to the highest bidder by means of a request or invitation for bids. For purposes of this description, the term "qualified property" means property of any kind belonging to another, but excluding animals, motor vehicles and business inventory to be liquidated following or in connection with the closing of a business. This use does not include a secondhand dealer.

Minimum Special Use Permit Requirements:

* 1. Temporary storage shall be limited to three weeks or less.
2. No outdoor display, sales or storage of any merchandise shall be permitted.
3. The use shall comply with the applicable requirements of LVMC Title 6.

4. The installation and use of an outside public address system or bell system is prohibited.
5. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.

On-site Parking Requirement: One space for each 2 fixed seats, or one space for each 50 square feet of non-fixed seating area in the assembly area. Where fixed seating consists of benches, each 20 linear inches of bench shall be considered one seat.

Auto Broker

Description: A facility or area used primarily for the wholesaling of used motor vehicles, typically on an intermediary basis between an auction house and a used car dealership. This use does not include a facility or area used for the retail sales of used vehicles.

Conditional Use Regulations:

1. No more than 2 vehicles may be displayed or stored on the property.
2. The installation and use of an outside public address system 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. The repair or servicing of vehicles is not allowed.
6. No retail sales of vehicles is allowed.
7. The Special Use Permit provisions of Section 19.12.050(B) do not apply to an auto broker use.

On-site Parking Requirement: One space for each 300 square feet of gross floor area, plus two additional spaces for vehicle display.

Auto Dealer Inventory Storage

Description: The parking or storage, other than for purposes of display, of new motor vehicles which constitute inventory of a new motor vehicle sales dealership, where such parking or storage is maintained by the dealership either on the same parcel as the dealership or on a separate parcel.

Minimum Special Use Permit Requirements:

1. All areas used for the parking or storage of vehicles shall be paved.
2. Stored vehicles shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.
3. The parcel must be located on a primary or secondary thoroughfare, or on a parcel that is adjacent to and accessed through a parcel located on a primary or secondary thoroughfare.
4. Lighting shall be shielded from adjacent properties.
5. The use shall not occupy or interfere with any parking spaces that are required for the dealership use or any other existing or proposed use for which required parking is or will be provided on the site. For commercial or industrial sites 15 acres or greater in size, the use may occupy up to 50 percent of the parking area that is provided in excess of the parking that is required by this Table 2 for other uses.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Auto Paint & Body Repair Shop

Description: A facility for collision services, including body, frame or fender straightening or repair and painting of vehicles in an appropriate paint booth.

Conditional Use Regulations:

1. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.
2. All disabled or wrecked vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets.
3. Openings in service bays shall not face public right-of-way and shall be designed to minimize visual intrusion into adjoining properties.
4. All repair work shall be performed within an enclosed building.

On-site Parking Requirement: Five spaces, plus one space for each 200 square feet of gross floor area.

Auto Parts (Accessory Installation)

Description: A facility for the retail sale and installation of auto accessories such as stereos, alarms and other types of accessories.

Conditional Use Regulations:

1. The use is limited to the installation of auto accessories and minor parts only, including stereos, car alarms, other accessories, batteries, windshield wipers, hoses, fuses, lights, radios and similar minor elements, and excludes engine, transmission and differential service, repair or installation.
2. All installation work shall be done within a completely enclosed building.
3. Access doors to the installation bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
4. No dismantling, re-manufacturing or rebuilding shall be permitted.
5. No used or discarded minor automotive parts shall be located or stored in any open area outside of an enclosed building.

On-site Parking Requirement: Five spaces, plus one space for each 200 square feet of gross floor area.

Auto Parts (New & Rebuilt) (Accessory Sales & Service)

Description: A facility for the retail sale and installation of lubricating oils, tires, filters and other new or rebuilt goods for use in motor vehicles. The resurfacing of rotors, pressing of bearings, grinding of brake drums, and similar activities are permitted as incidental uses, as well as the installation of auto accessories.

Conditional Use Regulations:

1. If an installation service is offered, the service shall be restricted to the installation of auto accessories and minor parts only, including stereos, car alarms, other accessories, batteries, windshield wipers, hoses, fuses, lights, radios and similar minor elements, and excludes engine, transmission and differential service, repair or installation.
2. All installation work shall be done within a completely enclosed building.
3. Access doors to the installation bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
4. No dismantling, re-manufacturing or rebuilding shall be permitted.
5. No used or discarded minor automotive parts shall be located or stored in any open area outside of an enclosed building.

On-site Parking Requirement: Five spaces, plus one space for each 200 square feet of gross floor area.

Auto Repair Garage, Major

Description: A facility for the repair or reconditioning of any type of motorized vehicle, other than the types of repair and service authorized to be performed in a minor auto repair garage. This use includes a facility which performs any repairs to vehicles with a gross vehicle weight over 10,000 pounds.

Conditional Use Regulations:

1. All repair and service work shall be performed within a completely enclosed building.
2. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
3. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of the enclosed building.
4. No outside storage of stock, equipment or residual used equipment shall be located or stored in any open area outside of the enclosed building.
5. All disabled vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets.

Minimum Special Use Permit Requirements:

1. All repair and service work shall be performed within a completely enclosed building. All windows and doors shall be completely closed when body and fender work, hammering, sanding or other noise-generating activities are being performed.
2. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of the enclosed building.
3. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
4. All disabled or wrecked vehicles shall be stored in an area that is screened from view from the surrounding properties and adjoining streets.
5. Outdoor hoists are prohibited.
6. All hazardous materials resulting from the repair, storage, or dismantling of vehicles shall be properly stored and removed from the premises in a timely manner. Storage, use and removal of toxic substances, solid waste pollution and flammable liquids, particularly gasoline, paints, solvents and thinners, shall conform to all applicable Federal, State, and local regulations.
7. No vehicle may be parked on the premises for the purposes of offering the vehicle for sale.
8. Outdoor bells and loudspeakers are prohibited.

On-site Parking Requirement: Five spaces, plus one space for each 200 square feet of gross floor area.

Auto Repair Garage, Minor

Description: A facility for the performance of minor repairs and service on vehicles of 10,000 pounds gross vehicle weight or less. Such repairs and service are limited to electronic tune-ups, brake repairs (including drum turning), air conditioning repairs, generator and starter repairs, tire repairs, front end alignments, battery recharging, lubrication, selling/installing minor parts and accessories, and other similar activities. This use also includes the repair and installation of other minor elements of an automobile such as windshield wipers, hoses, windows, etc., but excludes general engine repairs, engine installation, and the repair and installation of transmissions and differentials.

Conditional Use Regulations:

1. All repair and service work shall be performed within a completely enclosed building.
2. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.

3. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of the enclosed building.
4. No outside storage of stock, equipment or residual used equipment shall be located or stored in any open area outside of the enclosed building.
5. All disabled vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.

On-site Parking Requirement: Five spaces, plus one space for each 200 square feet of gross floor area.

Auto Smog Check

Description: A facility for the testing of vehicle emissions.

Conditional Use Regulations:

1. The facility must have a minimum size of 400 square feet, of which a minimum of 200 square feet must be an enclosed structure, with the remainder of the facility allowed to be located under service canopies.
2. All equipment must be stored and utilized within the enclosed structure.
3. If conducted as an accessory use to a service station, minor auto repair facility, or major auto repair facility, the auto smog check facility shall be designed to be architecturally compatible with the primary building on the site.
4. If service bay doors are provided, openings to service bay doors shall not face public rights of-way and shall be designed to minimize the visual intrusion into adjoining properties.
5. When operated as a primary use, no other automobile repair shall be permitted in conjunction with the facility.
6. Each station shall have a stacking lane that will accommodate at least 3 cars, and no parking spaces required for this use or another on-site use shall be used or eliminated in order to provide smog services.

On-site Parking Requirement: One space, independent of vehicle stacking space.

Auto Title Loan

Description: A business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself.

Conditional Use Regulations:

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.
3. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed 30 days.
4. Window signs shall not:
   a. Cover more than 20 percent of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
7. No auto title loan use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than 1000 feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this Regulation 7, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

Minimum Special Use Permit Requirements:

* 1. The use shall comply with all applicable requirements of LVMC Title 6.

* 2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed 30 days.
4. Window signs shall not:
   a. Cover more than 20 percent of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or

c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
7. No auto title loan use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than 1000 feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this Requirement 7, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

On-site Parking Requirement: One space for each 250 square feet of gross floor area. Vehicles whose title is serving as security for a loan may not be parked or stored in parking spaces that are designated as required on-site parking. Any parking or storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.

Automobile Rental

Description: A facility for the rental of new or used automobiles or other passenger vehicles. For purposes of the limitations of this Title on outside storage, vehicles kept on a lot for rental purposes are not considered to be outside storage.

Conditional Use Regulations:

1. The minimum site area designated for rental services shall be 25,000 square feet.
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 or stored 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. Service bays for repairs, installations, cleaning or gas dispensing services facing a public street or a residential zoning district shall be screened to a height of at least 8 feet.

Minimum Special Use Permit Requirements:

1. No more than 5 rental vehicles shall be stored on the site at any one time.
2. No vehicles shall be offered for sale on the premises.
3. The installation and use of an outside public address or bell system is prohibited.
4. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.
5. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
6. Service bays for repairs, installations, cleaning or gas dispensing services facing a public street or a residential zoning district shall be screened to a height of at least 8 feet.

On-site Parking Requirement: One space for each 200 square feet of gross floor area.

Automobile Repossession Agency

Description: Any parking area used for the storage of up to 2 operable vehicles which have been repossessed by or on behalf of a lender, together with related office operations. This use does not include the storage of more than 2 vehicles, which shall be treated as if the use were motor vehicles sales.

Conditional Use Regulations:

1. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
2. No vehicle repair or maintenance shall take place on the premises.
3. No used or discarded automotive parts or equipment shall be located in any open areas.

On-site Parking Requirement: One space for each 200 square feet of gross floor area.

Bailbond Service

Description: An establishment that makes available to the public undertakings of bail in connection with judicial proceedings.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Bakery, Retail

Description: An establishment which specializes in the retail sale of baked goods, such as doughnuts, cookies, pastries and other similar goods, but does not provide meals as found in a restaurant.

On-site Parking Requirement: One space for each 175 square feet of gross floor area.

Banquet Facility

Description: An establishment which is rented by individuals or groups to accommodate private functions such as banquets,

weddings, anniversaries, and other similar celebrations. Such a use may or may not include:

1. Kitchen facilities for the preparation or catering of food;
2. The sale of alcoholic beverages for on-premises consumption, only during an event; and
3. Outdoor gardens or reception facilities.

On-site Parking Requirement: One space per 100 square feet of gross floor area.

Bed & Breakfast Inn

Description: A facility wherein overnight accommodations and a morning meal are provided in a dwelling unit to tourists for compensation.

Minimum Special Use Permit Requirements:

1. The establishment must have a minimum of 2 and a maximum of 5 guest bedrooms.
2. Required on-site parking for guest bedrooms shall be screened by a 6 foot fence or by dense landscaping.
3. Access to the parcel on which the establishment is located must be by means of a paved street with a right of way width of at least 50 feet.
4. Cooking facilities for guest rooms are not permitted.
5. The Department of Fire and Rescue must inspect and approve the occupancy of an establishment before it may be used as a bed and breakfast inn.
6. Individual guest occupancy is limited to no more than one month in any 3-month period.
7. No sale or display of merchandise or other commodities may occur in connection with the establishment.
8. Private functions such as weddings, receptions, luncheons, parties and similar activities are not permitted, except to the extent such activities represent personal activities of the owner/resident.
9. Not more than one on premise sign shall be permitted. With respect to that sign:
   a. The copy may contain only the name and address of the establishment.
   b. The sign may not exceed 3 square feet in size or 4 feet in height.
   c. The sign may be freestanding or may be located on the dwelling itself or on a fence or wall.
   d. Any sign illumination must be exterior to the sign and must be shielded so as not to produce glare upon an adjacent property or a public right of way.
   e. The design materials and colors of the sign must be compatible with the architectural style of the dwelling.

On-site Parking Requirement: Two spaces for the primary resident, plus one additional space for each guest room.

Beer/Wine/Cooler Cultural Establishment

Description: An establishment

1. Whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only:
   a. At a facility licensed as an art studio or otherwise licensed for art sales or display (or both); and
   b. During the hours of an artistic exhibition, presentation or performance; and
2. That meets the Minimum Special Use Permit Requirements set forth below.

Minimum Special Use Permit Requirements:

1. The use is limited to the area located within the boundaries of 18b The Las Vegas Arts District, as described in the Downtown Centennial Plan and as amended from time to time.
2. No gaming is permitted as part of this Special Use Permit.
3. The use must 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.

Beer/Wine/Cooler Off-Sale Establishment

Description: An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold, and is operated in connection with a grocery store, drug store, convenience store or specialty merchandise store.

Minimum Special Use Permit Requirements:

* 1. Except as otherwise provided, no beer/wine/cooler off-sale establishment (hereinafter "establishment") 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 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 establishment 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 establishment. 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 an establishment proposed to be 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:

a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or

b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for an establishment 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 requirements in Requirement 1 do not apply to:

a. An establishment which has a nonrestricted 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; or

b. A proposed establishment having more than 50,000 square feet of retail floor space.

* 6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

7. The minimum distance requirements set forth in Requirement 1, which are otherwise nonwaivable under the provisions of Section 19.12.050(C), may be waived:

a. In accordance with the provisions of Section 19.12.050(C) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;

b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS- TC (Main Street Mixed Use) in the Town Center Land Use Plan;

c. In connection with a proposed establishment having between 20,000 square feet and 50,000 square feet of retail floor space, if no more than 10 percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages; or

d. In connection with a retail establishment having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right of way with a width of at least 100 feet.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Beer/Wine/Cooler On- and Off-Sale Establishment

Description: An establishment:

1. Whose license to sell alcoholic beverages is limited to:

a. The sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold; and

b. The sale of beer, wine and coolers to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold; and

2. Is operated in connection with a restaurant, grocery store or convenience store in which 30 or more people may be served with meals at any one time at tables or stools.

Minimum Special Use Permit Requirements:

* 1. Except as otherwise provided, no beer/wine/cooler off-sale establishment (hereinafter "establishment") 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 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 establishment 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 establishment. 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 an establishment proposed to be 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:
   a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
   b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for an establishment 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 requirements in Requirement 1 do not apply to:
   a. An establishment which has a nonrestricted 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; or
   b. A proposed establishment having more than 50,000 square feet of retail floor space.
* 6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.
7. The minimum distance requirements set forth in Requirement 1, which are otherwise nonwaivable under the provisions of Section 19.12.050(C), may be waived:
   a. In accordance with the provisions of Section 19.12.050(C) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;
   b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan;
   c. In connection with a proposed establishment having between 20,000 square feet and 50,000 square feet of retail floor space, if no more than 10 percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages; or
   d. In connection with a retail establishment having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right of way with a width of at least 100 feet.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Beer/Wine/Cooler On-Sale Establishment

Description: An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which 30 or more people may be served with meals at any one time at tables or stools.

Minimum Special Use Permit Requirements:

1. Except as otherwise provided, no beer/wine/cooler on-sale establishment (hereinafter "establishment") 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 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 establishment 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 establishment. 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 an establishment proposed to be 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:
   a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
   b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for an establishment 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 requirements in Requirement 1 do not apply to:
   a. An establishment which has a nonrestricted 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; or
   b. A proposed establishment having more than 50,000 square feet of retail floor space.

* 6. 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.

Billiard Parlor or Pool Hall

Description: A business establishment whose principal purpose is to make billiard tables available for use by the public for amusement or entertainment.

On-site Parking Requirement: Two spaces per billiard table.

Blood Plasma Donor Center

Description: A building used for the collection of human blood plasma from plasma donors. This use does not include a facility for the provision of medical care or treatment.

On-site Parking Requirement: One space for each 200 square feet of gross floor area.

Boarding or Rooming House

Description: A building or portion thereof, other than a hotel, with no more than four guest rooms where, for compensation, lodging and meals are provided for no more than four persons who are not members of the immediate family occupying such building.

On-site Parking Requirement: Two spaces for the owner or principal occupant, plus one additional space for each rental unit.

Boat & Trailer Dealership (New and Used)

Description: The use of any building or lot for the display and sale of new or used boats, jet skis or other marine vessels, along with corresponding trailers.

Conditional Use Regulations:

1. The minimum site area shall be 25,000 square feet.
2. No vehicle, boat or trailer service or repair work shall occur except within a fully enclosed structure.
3. Service bays with individual access from the exterior of the structure shall not directly face or front on a public right-of-way.

Minimum Special Use Permit Requirements:

1. The minimum site area shall be 25,000 square feet.
2. No vehicle, boat or trailer service or repair work shall occur except within a fully enclosed structure.
3. Service bays with individual access from the exterior of the structure shall not directly face or front on a public right-of-way.
4. All sales activities and storage shall be within an enclosed structure. (C-1 only).

On-site Parking Requirement: One space for each 500 square feet of enclosed gross floor area.

Building & Landscape Material/Lumber Yard

Description: A facility for the sale of home, lawn and garden supplies and construction materials such as brick, lumber and other similar materials.

Conditional Use Regulations:

1. Outside storage shall be screened from view from adjacent properties and streets. The screening must be architecturally consistent with the principal building in terms of materials, colors and details.

Minimum Special Use Permit Requirements:

1. Outside storage shall be screened from view from adjacent properties and streets. The screening must be architecturally consistent with the principal building in terms of materials, colors and details.

On-site Parking Requirement: One space for each 500 square feet of gross floor area, including any outside sales area.

Building Maintenance Service and Sales

Description: A facility or area for contracting services such as building repair and maintenance, the installation of plumbing, electrical, air conditioning and heating equipment, janitorial services, and exterminating services. The retail sale of supplies is permitted as an accessory use.

Conditional Use Regulations:

1. Outside storage shall be screened from view from adjacent properties and streets.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Bus Charter Service & Service Facility

Description: Any premises for the transient housing, parking, servicing or repair of motor-driven buses.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Business School

Description: A facility or area for instruction and training in secretarial and related office skills, cosmetology, commercial art, computer software, cooking or similar training.

On-site Parking Requirement: One space for each staff member, plus one space for every 2 students in class when the school is at maximum capacity.

Car Wash, Full Service or Auto Detailing

Description: An establishment that provides for the washing, cleaning, waxing or detailing of passenger vehicles, either by means of employees or by means of automated or semi-automated methods of cleaning, or by a combination thereof.

Conditional Use Regulations:

1. Each wash bay shall have a stacking lane that will accommodate at least 6 cars.

Minimum Special Use Permit Requirements:

1. Each wash bay shall have a stacking lane that will accommodate at least 6 cars.

On-site Parking Requirement: One space for each 150 square feet of gross floor area, independent of vehicle stacking space.

Car Wash, Self-Service

Description: A coin operated car wash facility that is operated by the customer and does not utilize automobile conveyors or other automated or semi-automated methods of cleaning.

Conditional Use Regulations:

1. Each stall shall have a stacking lane that will accommodate at least 2 cars.

Minimum Special Use Permit Requirements:

1. The hours of operation shall be limited to the period between 7:00 a.m. and 10:00 p.m.
2. Openings to the wash bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
3. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel.
4. No retail sale of vehicles is allowed.
5. No repair or servicing of vehicles is allowed.
6. The use must not be located within 200 feet of a residential property unless the use is separated from the residential property by a street with a minimum right-of-way width of 80 feet.
7. The applicant must demonstrate that the use can be made inoperable and inaccessible to the public after business hours.
8. Vacuum bays are permitted as part of this use if their operation is in compliance with the other Minimum Special Use Permit Requirements for this use.
9. The use must be operated in conjunction with another motor vehicle related use, such as gasoline sales, smog inspection, minor automotive repair, or recreational vehicle and boat storage.
10. An attendant must be on the premises during all times the equipment is operational.
11. Each stall shall have a stacking lane that will accommodate at least 2 cars.

On-site Parking Requirement: Two spaces per stall, independent of vehicle stacking space.

Catering Service

Description: A service that provides for the preparation, storage, and delivery of food and food utensils for off-premise consumption.

Conditional Use Regulations:

1. No more than 2 delivery vehicles shall be dispatched from the site.
2. The maximum floor area shall not exceed 2,500 square feet.

On-site Parking Requirement: One space for each 500 square feet of gross floor area.

Cemetery/Mausoleum

Description: Property and facilities used for interring of the dead.

Conditional Use Regulations:

1. A decorative masonry and/or wrought iron fence with a minimum height of 6 feet shall be constructed around the perimeter of the cemetery site. The wall along the primary street frontage shall be set back a minimum of 35 feet from the front property line. The front yard area shall not be used for interment and shall be landscaped.
2. Cemeteries shall only be allowed on parcels abutting and having access to collector streets or larger.

On-site Parking Requirement: One space for each employee on the largest shift.

Check Cashing Service, Limited

Description: The service of cashing checks for a fee, service charge or other consideration as a service that is supplemental to a retail business that otherwise does not provide services normally associated with a financial institution. The term does not include a general financial institution, specified financial institution, or any business that provides any kind of loan, cash advance, or deferred deposit service.

Conditional Use Regulations:

1. The use shall comply with all applicable requirements of Title 6.
2. No loan, cash advance, or deferred deposit service may be provided in connection with this use.
3. No exterior advertising of this use is permitted.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Child Care – Family Home

Description: A residential dwelling used primarily as a residence which also provides day or overnight care for a maximum of 6 children for compensation. Such a use is subject to the child care regulations and standards of the State of Nevada.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use on the site.

Child Care – Group Home

Description: A residential dwelling used primarily as a residence which also provides day or overnight care for a minimum of 7 children and a maximum of 12 children for compensation. Such a use is subject to the child care regulations and standards of the State of Nevada.

Minimum Special Use Permit Requirements:

* 1. The minimum lot size shall be 6500 square feet.

* 2. The site shall be designed so that all loading and unloading of passengers occurs on-site.

* 3. In order for this use to be conducted on a parcel developed with multi-family housing, the child care must be provided within a separate structure.

* 4. The use shall be subject to the child care regulations and standards of the State of Nevada.

5. Access to the facility shall be by means of a right-of way with a width of 60 feet or less.
6. The use of outdoor play areas shall be limited to the hours between 6:00 A.M. and 10:00 P.M.
7. All lighting shall be designed so it does not shine directly onto any abutting residential property.

On-site Parking Requirement: One space for each staff member, plus one space for each 6 children.

Child Care Center

Description: Any commercial facility which provides day or overnight care for more than 12 children. Such a use is subject to the child care regulations and standards of the State of Nevada.

Conditional Use Regulations:

1. Access to the child care center shall be by means of a collector street or larger.
2. The maximum lot coverage shall not exceed 30 percent.
3. The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site. The layout of driveways, circulation patterns and parking must be approved by the City Traffic Engineer prior to the issuance of any building permits.
4. Where structures or play areas have residential adjacency:
   a. An 8-foot high block wall shall be installed along the common property line, with an additional buffer of evergreen trees along the play area. The trees shall be a minimum of 24-inch box, shall be installed at a minimum of 20 feet on center, and shall be a variety that will grow together to form a visual screen.
   b. The building entrance and access shall be oriented away from residential uses on local streets.
   c. Outdoor play shall be limited to daylight hours.
   d. Outdoor lighting shall be designed so as to not shine directly onto any abutting residential property.

On-site Parking Requirement: One space for each staff member, plus one space for each 10 children.

Church/House of Worship

Description: Any building used for religious worship services, religious education and fellowship activities and programs of a religious organization. This use includes the use of the building and premises for other related activities, such as child care facilities, formal educational programs, preschool classes and recreational activities, but only when those activities are ancillary to the religious use and only after those uses have been approved by means of a use review or other procedure under Chapter 19.16. This use does not include any class of child care center, general education classroom or facility, thrift shop, homeless shelter or commercial activity.

Minimum Special Use Permit Requirements:

1. The Special Use Permit approval may include such activities as religious services, religious instruction, church club activities and similar activities.

2. The Special Use Permit approval may also include accessory functions, such as child care facilities, formal educational programs, preschool classes and similar related activities, if:
   a. The uses are specifically proposed in the application; and
   b. The Director finds that each such use is ancillary to the primary use.
3. Following approval of a Special Use Permit, if any additional uses not specifically covered by that Special Use Permit are proposed, an additional public hearing process shall be required to add the uses.

* 4. In residential districts, related uses such as thrift shops, homeless shelters and other similar activities may not be conducted and are not eligible for approval as part of a Special Use Permit. Such uses may be conducted only in the zoning districts in which such uses are permitted as primary uses, and must receive specific approval to operate.

* 5. Churches on sites larger than 5 acres shall not be permitted in the U District or a district with an "R" prefix.

On-site Parking Requirement: One space for each 4 fixed seats, or one space for each 100 square feet of non-fixed seating area in the gathering room. Where fixed seating consists of benches or pews, each 20 linear inches of bench or pew shall be considered one seat.

Cleaners, Commercial/Industrial

Description: A facility or premises which is used for cleaning items in bulk quantities, such as clothing and linens. This use includes diaper cleaning services and cleaning services for hospitals, restaurants, hotels and similar clients, as well as rug and dry cleaning plants, and may include on-premise retail services to individual households as an use incidental to the operation of the plant.

Minimum Special Use Permit Requirements:

1. The plant operation shall be within a fully enclosed building.
2. The use shall be at least 50 feet from any property which is zoned P-O, O, C-D, C-1, or is zoned for any residential use. The distance requirement with respect to a nearby commercially-zoned property may be waived if the applicant demonstrates that the use is compatible with the area.

On-site Parking Requirement: One space for each 500 square feet of gross floor area, plus the greater of:

1. One space for each delivery vehicle; or
2. Five spaces.

Clinic

Description: A facility which is occupied and used for the purpose of providing dental or medical care, and which regularly provides any of those services to the general public on an emergency basis or without appointment. This use does not include a hospital or a facility which provides for the overnight care or overnight stay of patients.

On-site Parking Requirement: One space for each 200 square feet of gross floor area up to 2,000 square feet, plus one space for each additional 250 square feet.

Cold Storage Plant

Description: A facility for the protective storage of items such as food or furs, in a refrigerated place.

On-site Parking Requirement: One space for each 500 square feet of gross floor area.

College, University, or Seminary

Description:

1. College or university – An academic institution of higher learning beyond the level of secondary school.
2. Seminary – An institution for the training of candidates for the priesthood, ministry, rabbinate or other religious order.

On-site Parking Requirement: One space for every 4 students or trainees.

Commercial, Other than Listed

Description: Any commercial use not specifically identified in this Table 2.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Commercial Recreation/Amusement (Indoor)

Description: An enclosed facility or area for sport, entertainment, games of skill, or recreation that is open to use by the general public for a fee. This use includes without limitation bowling alleys, indoor miniature golf courses, roller and ice skating rinks, game courts, swimming pools, walk-in movie theaters, physical fitness centers, gyms and video arcades.

Minimum Special Use Permit Requirements:

1. The use shall not be open to the public between the hours of 9:00 p.m. and 8:00 a.m.
2. The use must be consistent with and authorized by an approved Site Development Plan for an office project, and may not occupy more than 35 percent of the floor area of the project.
3. No structure that houses the use may exceed 35 feet in height.
4. Each structure that houses the use shall be designed to provide reasonable sound barriers for adjoining properties.

On-site Parking Requirement:

Indoor Miniature Golf Course	Three spaces per hole
Skating Rink	One space for each 150 square feet of rink area
Indoor Game Courts	Three spaces per court
Walk-in Theater	One space per 4 seats, plus one space for each employee
Video Arcade	One space for each 200 square feet of gross floor area, plus one space per 3 persons that the facility is designed to accommodate at maximum capacity.
Other Uses	One space for each 200 square feet of gross floor area.

Commercial Recreation/Amusement (Outdoor)

Description: An outdoor facility or area for sport, entertainment, games of skill, or recreation that is open to use by the general public for a fee. This use includes without limitation game courts, water slides, golf courses, outdoor miniature golf courses, drive-in theaters, batting cages, practice/instructional fields, amusement parks, and sports events, but does not include an amphitheater.

On-site Parking Requirement:

Miniature Golf Course	Three spaces per hole.
Golf Course	Four spaces per hole.
Amusement Park	One space per 3 persons that the facilities are designed to accommodate at maximum capacity.
Other Uses	One space for each 200 square feet of gross floor area.

Community Center, Private (Accessory)

Description: A facility associated with a planned residential development or multi-family development which provides for community activities for residents of the development.

Conditional Use Regulations:

1. The facility must be located on a collector street or larger.
2. The facility shall be limited to a single story in height and shall not exceed 3000 square feet in floor area.
3. The facility shall be designed to be integrated into the community.
4. No retail sales or other commercial activity shall be permitted.
5. The facility shall be for the exclusive use and enjoyment of the residents of the development.

On-site Parking Requirement: One space for each 200 square feet of gross floor area.

Community Recreational Facility (Public)

Description: A facility which provides for community activities and is available to the general public.

On-site Parking Requirement: One space for each 200 square feet of gross floor area.

Community Residence (including Family Community Residence and Transitional Community Residence)

Description: A residential family-like living arrangement for 5 to 10 unrelated individuals with disabilities who are in need of the mutual support furnished by other residents, as well as the support services, if any, provided by the operator of the Community Residence. Residents may be self-governing or supervised by a sponsoring entity or its staff which furnishes habilitative or rehabilitative services related to the needs of the residents. Interrelationships among residents are an essential component of a Community Residence. A Community Residence shall be considered a residential use of property for purposes of all zoning and building codes. However, the Fire Marshal, pursuant to and consistent with the City's Fire Code, may require enhanced fire protection, including the installation of fire sprinklers and other mitigating measures, where one or more residents has a lessened ability to ambulate adequately. The use includes a Family Community Residence and a Transitional Community Residence, but does not include any of the following:

1. Senior Citizen Apartment;
2. Adult Day Care Center;
3. Convalescent Care Facility/Nursing Home;
4. Facility for Transitional Living for Released Offenders;
5. Facility to Provide Testing, Treatment, or Counseling for Drug and Alcohol Abuse;
6. Hospice;
7. Sex Offender Counseling Facility;
8. Boarding House or Rooming House;
9. Any other group living arrangement for unrelated individuals who are not disabled; or
10. Any of the following, as defined by NRS Chapter 449:
    a. Facilities for the Treatment of Drug and Alcohol Abuse;

b. Modified Medical Detoxification Facilities;

c. Transitional Living Facilities for Released Offenders;

d. Facility for the Treatment of Narcotics; or

e. Community Triage Center.

Conditional Use Regulations:

1. Except as otherwise provided in Regulations 2 and 3, a Community Residence may not be located closer than 660 feet to any other Community Residence (measured from property line to property line).
2. Where there is a street, freeway or drainage channel at least 100 feet wide between the proposed Community Residence and an existing Community Residence, the minimum separation requirement
3. When the population of proposed Community Residence is of such a nature that its location must be kept confidential for it to function successfully, such as a Community Residence for victims of domestic abuse, the minimum separation requirements set forth in Regulations 1 and 2 above shall not apply.
4. A maximum of 2 persons who function as facility operator or support staff may reside in a Community Residence without being counted toward the 10-resident limit established for that use. Resident operator/support staff in excess of 2 shall be counter toward the 10-person limit.
5. A Community Residence shall comply with all public health and safety requirements including all Building and Fire Code requirements for the dwelling type in question.
6. In Federal or State law or regulations require the proposed Community Residence to be licensed or certified, then the applicant must obtain that required license or certification before commencing operation of the Community Residence.
7. When located in an O, C-1 or C-2 Zoning District, a Community Residence may not be established unless it is part of a mixed-use development.
8. The operator of the Transitional Community Residence:
   a. Must require residents to be actively and continuously enrolled in an offsite support program, including without limitation Alcoholics Anonymous or an equivalent program, or
   b. Must prohibit the use of alcohol and illegal drugs by residents; and
   c. Upon request and with reasonable notice, must produce evidence satisfactory to the Director or the Code Enforcement Manager residents are in compliance with this Regulation.
9. Occupancy within a Community Residence shall not be made available to any individual whose tenancy would constitute a direct threat to the health and safety of individuals or would result in substantial physical damage to the property of others. The fact that a person is sentenced or referred to a Transitional Community Residence by a judge does not, without other evidence of a person's actual danger to other persons or property, establish that the person is a direct threat to the health and safety of others.
10. The Community Residence must be consistent with the scale and architectural character of the neighborhood.
11. The Special Use Permit provisions of LVMC 19.12.040(B) shall not apply to Regulations 5 through 10 above.
12. In case of a Special Use Permit application that is filed as a consequence of not qualifying for conditional use treatment under Regulations 1 and 2 above, the application must be approved unless the Planning Commission or City Council determines that one or more of the following conditions would occur:
    a. The building to be occupied as a Community Residence would be established or modified in a manner that would make it inconsistent with the scale and architectural character of the neighborhood.
    b. The proposed Community Residence, together with existing Community Residences, would alter the residential character of the neighborhood by creating an institutional atmosphere due to the concentration of the Community Residences on a block or adjoining blocks; or
    c. The application or Community Residence does not or would not comply with Regulations 5 through 10 above.

On-site Parking Requirement: Two spaces per dwelling unit.

Condominium

Description: A multi-family dwelling or a commercial building within which the occupied area is owned individually and the structure, land, common open space areas and facilities are owned by all of the owners on a proportional, undivided basis.

Conditional Use Regulations (for residential condominiums only):

1. The use is limited to the following area: The Downtown Las Vegas Redevelopment Area, as established by Ordinance Nos. 3218, 3339, 3637, and 4036.
2. The condominium use shall be developed only in connection with ground-level nonresidential development, and, in the case of a multi-floor structure, shall not itself be permitted on the ground floor, except for access and entryways.
3. Structures associated with the use shall comply with the following design criteria:
   a. The primary resident/guest entryway to the condominium use shall be independent of ground floor commercial uses, and shall be directly from and oriented to a street.

b. The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.

On-site Parking Requirement: Calculated by the capacity of each unit as described below, plus one additional guest space for every 6 units spread throughout the development:

1. Studio and One Bedroom Units – 1.25 spaces per unit.
2. Two Bedroom Units – 1.75 spaces per unit.
3. Three Bedroom and Above Units – Two spaces per unit.

Construction Material Supply Yard

Description: A facility for the storage and sales of construction materials.

On-site Parking Requirement: One space for each 500 square feet of gross yard area.

Contractor's Plant, Shop & Storage Yard

Description: A facility for the storage and maintenance of contractor's supplies and operational equipment, including accessory office uses.

On-site Parking Requirement: One space for each 500 square feet of gross floor area.

Convalescent Care Facility/Nursing Home

Description: A building or structure designed, used, or intended to be used to house and provide care for persons who have a chronic physical or mental illness or infirmity, but who do not need medical, surgical or other specialized treatment normally provided by a hospital. This use includes a "rest home" and "nursing home," as well as a use that would qualify as a Community Residence except for the limitation on the number of residents, but does not include an "assisted living apartment," "hospital" or other medical facility that is specifically defined in Chapter 19.18.

Minimum Special Use Permit Requirements:

U through R-CL Districts

1. The minimum parcel size shall be 20,000 square feet.
2. The maximum number of beds per acre shall be 25.
3. Setbacks for buildings shall be the same as required for a single family dwelling in the zoning district where located.
4. The maximum building height shall be 2 stories.
5. The facility must be located on a collector street or larger.

R-2 and R-4 Districts

1. The minimum parcel size shall be 10,000 square feet.
2. The maximum number of beds per acre of land shall be 50.
3. Minimum building setbacks and building height are as follows:
   a. A one-story structure shall be set back a minimum of 25 feet from all property lines.
   b. A two-story structure shall be set back a minimum of 35 feet from all property lines.
4. The facility must be located on a collector street or larger.

On-site Parking Requirement: One space for each 6 beds, plus one space for each employee on the largest shift, plus 3 spaces for use by medical professionals.

Convenience Store

Description: A facility, limited in size and scope, that is primarily used for the retail sale to the public of merchandise for off-site consumption, including prepackaged food products, sundries, household items and similar consumer items. This term does not include a retail business licensed as a "drugstore" pursuant to LVMC Title 6.

Conditional Use Regulations:

1. The building or portion thereof that is dedicated to the use shall have a minimum size of 1200 square feet, and shall be designed to have no more than 5000 square feet of floor space, exclusive of warehouse and office area, devoted to the display of merchandise.
2. All loading areas shall be screened from view from adjacent residential properties.

On-site Parking Requirement: One space for each 175 square feet of gross floor area.

Convent or Monastery

Description: A house or set of buildings used as a residence by persons under religious vows.

On-site Parking Requirement: One space per three beds.

Copy Center

Description: A facility for the custom reproduction of written or graphic materials on a custom order basis for individuals or businesses. Typical processes include but are not limited to, photocopying, small offset printing, blueprint, and facsimile sending and receiving.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Country Club, Private

Description: A facility that is made available for use on a membership basis for recreational or athletic purposes, where membership is

limited and the use of the facility is primarily restricted to members and their guests. This use includes accessory uses, such as:

1. A clubhouse.
2. Retail and restaurant facilities which do not have separate signage or advertising.

On-site Parking Requirement: One space for each 200 square feet of gross floor area.

Crematory

Description: A facility used for the cremation of corpses.

Conditional Use Regulations:

1. All operations shall be within a completely enclosed building.
2. There shall be no audible or noticeable indication of the use outside of the building.
3. All structures shall be set back 100 feet from any residential use.

On-site Parking Requirement: If operated in conjunction with a mortuary or funeral chapel, one space for each 4 fixed seats or one space for each 100 square feet of non-fixed seating area in the gathering room, whichever is greater. If operated otherwise, one space for each employee on the largest shift.

Crop Production

Description: An area for raising or harvesting agricultural crops.

On-site Parking Requirement: One space for each employee on the largest shift.

Custodial Institution

Description: One or more buildings and related facilities used for the housing or detention of persons who have been charged with or have been convicted of felonies or misdemeanors.

On-site Parking Requirement: One space for each 20 inmates at full capacity.

Custom & Craft Work

Description: A facility for the production of finished, personal or household items which are either made to order or involve considerable handwork. Examples include, but are not limited to, textiles, pottery, furniture repair or refinishing, woodworking, upholstery, sculpting and other work or wood products on an individualized single item basis. This use does not include cabinetmaking, cabinet assembly or the use of mechanized assembly line production.

Conditional Use Regulations:

1. All work shall be performed within an enclosed building.
2. All outside storage shall be screened from view from public streets and adjacent properties.

Minimum Special Use Permit Requirements:

1. All work shall be performed within an enclosed building.
2. All outside storage shall be screened from view from public streets and adjacent properties.

On-site Parking Requirement: One space for each 500 square feet of gross floor area.

Daily Labor Service

Description: Any building or premises which serves as a staging point or gathering place for persons who are seeking immediate employment in daily labor activities and who accept or are assigned such employment in accordance with whatever employment is available on that particular day. For purposes of this paragraph, "daily labor" means manual labor, including without limitation, construction cleanup, garbage pickup and removal, demolition, convention setup and takedown, landscaping, planting and digging.

Minimum Special Use Permit Requirements:

* 1. The use must be located on a primary or secondary thoroughfare.

2. The use shall not be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, City park, or residential zoning district.

* 3. The hours of operation shall be limited to the hours between sunrise and sunset.

* 4. Signage must be posted on the premises indicating that loitering on the premises is not allowed. The signage may not exceed 4 square feet in size.

* 5. Persons who are seeking employment must wait for employment within a fully-enclosed structure or an area screened from public view.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Delivery and Service Vehicle Storage

Description: The use of an area or facility for the parking and storage of commercial fleet vehicles that are used primarily in connection with the delivery of goods and services to the surrounding community.

Minimum Special Use Permit Requirements:

1. All areas used for the parking and storage of vehicles shall be paved, and shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.

2. Lighting shall be shielded from adjacent properties.
3. The use shall not occupy or interfere with any parking spaces that are required for any other existing or proposed areas for which required parking is or will be provided on the site.
4. None of the following activities shall be permitted on site:
   a. The repair or servicing of vehicles.
   b. The storage or warehousing of goods or merchandise.

On-site Parking Requirement: .75 spaces for employee on the largest shift, plus one space per delivery or service vehicle.

Desktop Publishing

Description: An establishment that provides custom set-up of graphics and text for publication in an office setting. This use does not include an establishment that performs offset printing or related distribution.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Dry Cleaners

Description: A facility which is used to provide, to individual households, cleaning services for items such as clothing and linens. This use includes such facilities whether the plant operation is located on- or off-site.

Minimum Special Use Permit Requirements:

1. The operation shall be within a fully enclosed building.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Electric Generating Plant

Description: A facility that generates electricity from mechanical power produced by solar, gas, coal, hydraulic power sources or nuclear fission and that is properly licensed or franchised by the authorities having jurisdiction.

On-site Parking Requirement: One space for each 1000 square feet of gross floor area.

Electric Utility Substation

Description: A facility for transforming electricity for distribution to individual customers.

On-site Parking Requirement: None

Electrical, Watch, Clock, Jewelry & Similar Repair

Description: An establishment that provides repair services for small electronics, clocks, watches, jewelry and other similar items.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Emergency Ambulance Services, Ground

Description: A facility which provides emergency ambulance service and does not include the use of helicopters.

On-site Parking Requirement: One space for each employee on the largest shift, plus one space for each facility vehicle.

Employment Agency

Description: Any establishment, other than a daily labor service, which provides one or both of the following:

1. Assistance to employers in finding and employing permanent or temporary employees, whether part-time or full-time.
2. Assistance to potential employees in identifying and obtaining permanent or temporary employment, whether part-time or full-time.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Environmentally Hazardous Materials

Description: The location of activities or products which have the potential to be dangerous, extremely obnoxious, or cause substantial environmental impacts on or beyond the boundaries of the property on which the activity or use is conducted. Environmentally hazardous materials include, but are not limited to, the following activities:

1. The manufacture, storage and testing of explosives, fireworks or munitions.
2. The refining of petroleum and the storage and distribution of natural and liquid gas or other petroleum derivatives in bulk including terminals, tank farms or other similar facilities.
3. The manufacture, blending, or mixing of pesticides, certain acids and fertilizer.
4. Stockyards; feed pens; livestock sales with pens and/or shipping facilities; rendering of animal fats; slaughtering or processing of animals; and industrial manufacturing processes using the following raw materials: bones, garbage, offal and dead animals.
5. The refining of raw materials, such as, but not limited to, chemicals, rubber, wood or wood pulp, into other products.

6. The forging, casting, melting, refining, extruding, rolling, drawing or alloying of metals.
7. The testing of jet engines or other engines.
8. Refuse disposal services not listed elsewhere in this Title, including but not limited to landfills, incinerators and other locations which receive garbage and refuse generated off-site for storage, treatment or disposal.
9. Boiler works.

On-site Parking Requirement: One space for each 500 square feet of gross floor/yard area.

Escort Bureau

Description: A business establishment which, for a fee, commission, hire, or profit, furnishes or arranges for escorts to accompany other persons for social engagements.

Minimum Special Use Permit Requirements:

1. The business must be located at least 500 feet from any residentially-zoned property and 1500 feet from any church, school, child care facility or park, measured in each case from property line to property line without regard to intervening obstacles.
2. No escorts or escort runners shall be physically dispatched from the property.
3. No business may be transacted with patrons on the property.
4. Except as may otherwise be required by ordinance or by the Director, there shall be no on-site signage or other advertising of any kind, whether on the property or elsewhere, which advertises the address or physical location of the business.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Facility for Transitional Living for Released Offenders

Description: A dwelling unit of a residential character that provides housing and a living environment for up to six persons who have been released from prison and who require assistance with reintegration into the community, other than such a residence that is operated or maintained by a state or local government or an agency thereof. There term does not include a halfway house for recovering alcohol and drug abusers or a facility for the treatment of abuse of alcohol or drugs. As used in this description, "person who has been released from prison" means:

1. A parolee
2. A person who is participating in:
   a. A judicial program pursuant to NRS 209.4886 or 213.625; or
   b. A correctional program pursuant to NRS 209.488 or 213.632;
3. A person who is supervised by the Division of Parole and Probation of the Department of Public Safety through residential confinement pursuant to NRS 213.371 to 213.410, inclusive; or
4. A person who, within the past 20 years, has been released from prison by expiration of his term of sentence.

Minimum Special Use Permit Requirements:

* 1. The facility must comply on an ongoing basis with all governmental licensing requirements.
2. The facility must be located on a parcel with a minimum size of six thousand five hundred square feet.
3. The facility must be located on a parcel that is within one thousand five hundred feet of an existing bus stop served by a regional bus system.
4. Off-street parking shall be provided on the basis of at least one space per five residents, plus an additional space for the administrator.
5. Indoor common area shall be provided on the basis of a minimum of fifteen square feet per resident.
6. The facility shall not be established or modified in a manner that would make it inconsistent with the scale and architectural character of the neighborhood.
7. No signage, graphics, display, or other visual representation that is visible from a public street shall be used to identify to facility as a Facility for Transitional Living for Released Offenders.
8. A facility may not be located closer than one thousand five hundred feet (measured by means of the shortest distance from property line to property line) from another Facility for Transitional Living for Released Offenders, a Community Residence, church, synagogue, school, child care facility licensed for more than twelve children, or City park.
9. The number of occupants within a Facility for Transitional Living for Released Offenders shall not exceed the following occupancy standards
   a. For the first bedroom (deemed to be the largest bedroom), a maximum of two adults (eighteen years of age or older).
   b. For each bedroom thereafter:
      i. A maximum of one adult, for bedrooms less than one hundred square feet in area; and
      ii. A maximum of two adults, for bedrooms one hundred square feet in area or greater.

On-site Parking Requirement: Off-street parking shall be provided on the basis of at least one space per five residents, plus an additional space for the administrator.

Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse

Description: A facility that:

1. Operates under or is subject to the provisions of NRS Title 40 and, by means of certified detoxification technicians or otherwise, provides care or treatment related to the physical and mental effects of the abuse of alcohol or drugs, or the effects of alcohol or drug dependency; or

2. Provides court-ordered or court-sanctioned testing, analysis, treatment or counseling related to the physical and mental effects of the abuse of alcohol or drugs, or the effects of alcohol or drug dependency.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Financial Institution, General (with Drive-Through)

Description: Any business or organization:

1. Whose primary service is the exchange of currency; and

2. Whose service includes drive-through service.

This use includes without limitation banks and credit unions, but does not include any business engaged in retail sales or a business whose primary service is to lend money for repayment at a future date.

Conditional Use Regulations:

1. Each drive-through service window and drive-up automatic teller machine shall have a stacking lane that will accommodate at least 6 cars per lane and that is screened in accordance with LVMC 19.08.XXX(X)(X).
2. In the O and C-D Districts, drive-thru's shall be separated from residential properties by an intervening building and shall not have access to local residential streets.

On-site Parking Requirement: One space for each 200 square feet of gross floor area.

Financial Institution, General (without Drive-Through)

Description: Any business or organization:

1. Whose primary service is the exchange of currency; and

2. Whose service does not include drive-through service.

This use includes without limitation banks and credit unions, but does not include any business engaged in retail sales or a business whose primary service is to lend money for repayment at a future date.

On-site Parking Requirement: One space for each 200 square feet of gross floor area.

Financial Institution, Specified

Description: Any business whose primary function is to:

1. Lend money;

2. Cash checks or other negotiable instruments for a fee, service charge or other consideration; or

3. Provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis.

This use includes without limitation a business that provides check cashing, services as a principal service offered, a paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances. The term does not include a pawn shop or a limited check cashing service, as described in this Section.

Conditional Use Regulations:

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.
3. No temporary signs (as described in LVMC 19.08.XXX) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed 30 days.
4. Window signs shall not:
   a. Cover more than 20 percent of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
7. No specified financial institution use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than 1000 feet from any other specified financial institution use, auto title loan use, or auto pawn use. For purposes of this Regulation 7, distances shall be measured in a

straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

Minimum Special Use Permit Requirements:

* 1. The use shall comply with all applicable requirements of LVMC Title 6.

* 2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

3. No temporary signs (as described in LVMC 19.08.XXX) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed 30 days.

4. Window signs shall not:

   a. Cover more than 20 percent of the area of all exterior windows;

   b. Include flashing lights or neon lighting; or

   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

6. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).

7. No specified financial institution use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than 1000 feet from any other specified financial institution use, auto title loan use, or auto pawn use. For purposes of this Requirement 7, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Food Processing

Description: A facility in which food for human consumption is provided in its final form, such as candy, baked goods and ice cream, and the food is distributed to retailers or wholesalers for resale on or off the premises. This use does not include food or beverage processing which uses any mechanized assembly line production of canned or bottled goods.

Conditional Use Regulations:

1. Food processing shall be permitted only in conjunction with retail use.

2. A maximum of 5000 square feet in floor area shall be permitted.

On-site Parking Requirement: One space for each 500 square feet of gross floor area.

Fraternity, Sorority House or Private Dorm

Description: A residential building associated with a college or university that provides sleeping quarters, but not separate dwelling units, and may include common dining, cooking, recreation or bathing facilities.

Minimum Special Use Permit Requirements:

1. The minimum lot area shall be 6000 square feet for the first five occupants of the building's designed occupancy and 900 square feet for each additional residential occupant.

On-site Parking Requirement: One and one-half spaces per guest room.

Gaming Establishment, Restricted

Description: An establishment which is used or intended to be used for gaming activities for which a restricted gaming license is required pursuant to Title 6. For informational purposes, this description refers to an establishment whose gaming operations are limited to not more than 15 slot machines, incidental to the primary business at the establishment, and no other game or gaming device.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Gaming Establishment, Non-restricted

Description: An establishment which is used or intended to be used for the conduct of gaming activities for which a non-restricted gaming license is required pursuant to LVMC Title 6. For informational purposes, this description refers to an establishment whose gaming operations consist of 16 or more slot machines, or any number of slot machines together with any other game, gaming device, race book or sports pool at that establishment. When operated in conjunction with a hotel having more than 200 rooms this use includes any number of ancillary alcoholic beverage-related uses with an on-sale component, without regard to the requirements of LVMC Chapter 19.12, but only to the extent such uses conform to the applicable requirements of LVMC Chapters 6.40 and 6.50.

Minimum Special Use Permit Requirements:

* 1. Except as otherwise exempted by State law, non-restricted gaming establishments must be located within the Gaming Enterprise Overlay District described in Section 19.10.120.

* 2. A Special Use Permit is required for:

a. Any new non-restricted gaming establishment.

b. Any increase in the amount, variety or magnitude of gaming to be offered within an existing non-restricted gaming establishment whether or not the existing gaming was approved by means of a Special Use Permit.

* 3. The Special Use Permit requirement in Paragraph (2) above:

a. Applies to all property in the City, wherever located and whether or not it is located in the Gaming Enterprise Overlay District;

b. Applies to existing non-restricted gaming establishments whether or not they have applied for an increase in the amount, variety or magnitude of gaming to be offered;

c. Applies to any property or establishment irrespective of any rights or purported rights established by prior adjudication, to the extent such rights have not become vested by the exercise thereof; and

d. Supersedes and prevails over every other provision of the Municipal Code to the contrary, or that might be deemed to be interpreted to the contrary.

On-site Parking Requirement: One space for each 90 square feet of gross floor area.

Gaming Establishment, General Business-Related

Description: A building or structure which is primarily used for some business other than gaming but in which restricted gaming is permitted pursuant to Title 6. For purposes of the Special Use Permit requirements of this Title, this use does not include a location that has obtained and maintains current licensing and zoning approvals to sell alcoholic beverages

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Garden Supply/Plant Nursery

Description: A facility for the growing, display, or sale of plant stock, seeds or other horticulture items. This use may include raising plants outdoors or in greenhouses for sale either as food or for use in landscaping.

Conditional Use Regulations:

1. Garden tools, supplies and fertilizer may be allowed outside an enclosed building, provided all storage is screened from view from any abutting streets.
2. Live plants may be located outside of an enclosed building.

On-site Parking Requirement: One space for each 500 square feet of indoor display area, plus one space for each 2500 square feet of outdoor display area.

General Personal Service

Description: A facility for the sale of personal services. Typical personal services include barber/beauty shop, tanning salon, nail salon, shoe repair, tailor, instructional arts studio, photography studio, hand-crafted art studio, safe deposit boxes, house cleaning service, weight reduction center, day spa, florist (excluding greenhouses), and permanent makeup establishment.

On-site Parking Requirement:

Barber/Beauty Shop ..... For a use located in a shopping center with more than 25,000 square feet of gross floor area, one space for each 250 square feet of gross floor area. Otherwise, two spaces for each barber chair and three spaces for each beautician station.

Tanning Salon ..... Two spaces per tanning bed.

Nail Salon ..... Two spaces per chair/station.

Other Uses Not Listed ..... One space for each 250 square feet of gross floor area.

General Retail Store, Other Than Listed (3500 Square Feet or More)

Description: A facility (with 3500 square feet or more) for the retail sale of general merchandise to the general public for direct consumption and not for wholesale. This use does not include a "grocery store," "convenience store," or other retail facility that is specifically defined in Chapter 19.18.

On-site Parking Requirement:

1. If less than 25,000 square feet, one space per 175 square feet of gross floor area.
2. If 25,000 square feet or more, one space per 250 square feet of gross floor area.

General Retail Store, Other Than Listed (Less than 3500 Square Feet)

Description: A facility (with less than 3500 square feet) for the retail sale of general merchandise to the general public for direct consumption and not for wholesale. This use does not include a "grocery store," "convenience store," or other retail facility that is specifically defined in Chapter 19.18.

Conditional Use Regulations:

1. The following are not permitted:

a. The sale or dispensing of gasoline or other automotive fuels.

b. The sale of alcoholic beverages for off-premise consumption.

c. Outdoor storage and sales.

2. All loading areas shall be screened from view from adjacent residential properties.

On-site Parking Requirement: One space per 175 square feet of gross floor area.

Golf Driving Range

Description: A facility or area that is made available to the public for the practice of golf driving techniques

On-site Parking Requirement: Three spaces, plus one space per tee.

Government Facility

Description: A facility or area used for public purposes and owned or operated by an instrumentality or agency of Federal, State, or local government.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Grocery Store

Description: A facility, over 5000 square feet in size, that is primarily used for the retail sale of household foodstuffs for offsite consumption, including any combination of fresh produce, meats, poultry, fish, deli products, dairy products, canned foods, dry foods, baked food, prepared foods, and beverages. This use may include the sale of other household supplies and products, but only if secondary to the primary purpose of food sales.

On-site Parking Requirement:

1. If less than 25,000 square feet, one space per 175 square feet of gross floor area.

2. If 25,000 square feet or more, one space per 250 square feet of gross floor area.

waived in connection with the approval of a Special Use Permit.

c. Approval of a waiver may be conditioned upon measures designed to ensure compatibility of the use.

8. The number of occupants within a Group Residential Care Facility shall not exceed the following occupancy standards:

a. For the first bedroom (deemed to be the largest bedroom), a maximum of two adults (eighteen years of age or older).

b. For each bedroom thereafter:

Gun Club, Skeet or Target Range, or Archery Club (Indoor)

Description: A facility or area used for archery or the shooting of firearms, whether for practice or sport.

On-site Parking Requirement: One space per target or shooting position.

Gun Club, Skeet or Target Range, or Archery Club (Outdoor)

Description: A facility or area used for archery or the shooting of firearms, whether for practice or sport.

On-site Parking Requirement: One space per target or shooting position.

Health Club

Description: An establishment that operates physical fitness facilities, sports clubs or recreation clubs.

Conditional Use Regulations:

1. The structure shall not exceed 5000 square feet in size

On-site Parking Requirement: One space for each 200 square feet of gross floor area.

Heavy Machinery and Equipment (Rental, Sales & Service)

Description: A facility for the display, sale and rental of tools, heavy machinery, dump trucks or commercial and heavy equipment, such as those used in building construction, farming, restaurants or manufacturing.

On-site Parking Requirement: One space for each 250 square feet of gross floor area. Rental equipment may not be parked or stored in parking spaces that are designated as required on-site parking.

Heavy Machinery and Equipment (Storage)

Description: A lot or facility used for the storage of heavy construction equipment, machinery and vehicles.

On-site Parking Requirement: One space for each employee on the largest shift, plus one space for each facility vehicle.

Helipad

Description: A facility for the landing and taking off of helicopters, but with no accessory gas sales, maintenance or other services.

Minimum Special Use Permit Requirements:

1. The use shall be permitted only as an accessory use to a hospital, medical facility or medical office.
2. The operator shall designate flight paths that minimize flight over residential areas and shall provide the City with evidence that such flight paths have been approved by the Clark County Department of Aviation.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Home Occupation

Description: An income producing activity conducted in a residential zone pursuant to Section 19.18.110.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use on the site.

Horse Corral or Stable (Commercial)

Description: A structure for the keeping of horses, mules or ponies which are boarded for compensation or for use in providing instructional or recreational activities for persons other than occupants of the premises.

Conditional Use Regulations:

1. Stables or corrals shall be placed more than 50 feet from any dwelling on an adjacent residential lot and at least 100 feet from the front property line.
2. All accessory structures shall comply with the setback requirements set forth in Chapter 19.08, and in no event shall be placed closer than 5 feet from any side or rear property line abutting a residential zoning district.

On-site Parking Requirement: One space for each 5 horses that can be boarded at the maximum capacity on the property.

Horse Corral or Stable (Private)

Description: An accessory structure for the keeping of horses, mules or ponies for the use of occupants of the premises.

Conditional Use Regulations:

1. Stables or corrals shall be placed at least 50 feet from any dwelling on an adjacent residential lot and at least 100 feet from the front property line.
2. Structures shall be placed at least 5 feet from any side or rear property line abutting a residential zoning district.
3. Barns and other structures shall conform to the standards for accessory buildings.
4. No more than three horses may be stabled for each one-half acre of land included in the building site.
5. In the R-D Zoning District, no more than 2 horses may be stabled on the building site, and the site must have a minimum net lot size of 18,000 square feet.

On-site Parking Requirement: One space for each 5 horses that can be boarded at the maximum capacity on the property.

Hospice

Description: A home for the terminally ill.

On-site Parking Requirement: One space for each 8 beds, plus one space for each employee on the largest shift.

Hospital

Description: An institution, designed within an integrated campus setting, for the diagnosis, care, and treatment of human illness, including surgery and primary treatment.

Conditional Use Regulations:

1. The use shall be located on a secondary thoroughfare or larger.

On-site Parking Requirement: One and one-half spaces for each patient bed.

Hotel Lounge Bar

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.

Minimum Special Use Permit Requirements:

1. No hotel lounge bar business use 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 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 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 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 lounge bar will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for a hotel 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 nonrestricted 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. 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.

Hotel, Motel or Hotel Suites

Description:

1. Hotel – A building or group of buildings whose main function is to provide rooms for temporary lodging where entrance to each room is gained from a completely enclosed area. A hotel may also contain restaurants, conference rooms and personal service shops. The phrase "temporary lodging" refers to a rental period with a normal duration of no more than 1 week.
2. Motel – A building or group of buildings whose main function is to provide rooms for temporary lodging, rooms which are directly accessible from an outdoor parking area. The phrase "temporary lodging" refers to a rental period with a normal duration of no more than 1 week.
3. Hotel Suites – A facility offering temporary lodging accommodations to the general public in which rooms or suites may include kitchen facilities and sitting rooms in addition to the sleeping room. The phrase "temporary lodging" refers to a rental period with a normal duration of no more than 1 week.

On-site Parking Requirement: One space per guest room.

Hotel, Residence

Description: A multi-dwelling facility for extended stay lodging, consisting of:

1. Efficiency units or suites with a complete kitchen suitable for long term occupancy;
2. Customary hotel services such as linen, maid service, telephone and upkeep of furniture; and
3. Optional resident and guest amenities such as meeting rooms, club house and recreation facilities.

This use does not include facilities which qualify as other types of dwelling units defined in this Title.

On-site Parking Requirement: One space per guest room.

Internet Café

Description: An establishment that provides for public use 5 or more computers or other electronic devices:

1. For purposes of accessing the internet, a local area network, e-mail programs or other computer software programs; and
2. The public use of which is in exchange for compensation of any kind and paid in any manner, including but not limited to the payment of a membership fee.

This use will generally include establishments commonly known as PC cafes, cyber cafes, cyber centers, and similar designations.

Conditional Use Regulations:

1. No persons under the age of 16 years may use the computers or other electronic devices between the hours of 8:00 A.M. through 2:00 P.M., Monday through Friday, and after 10:00 P.M. daily, unless accompanied by a parent or guardian. The 8:00 A.M. through 2:00 P.M. restriction shall not apply during school

holidays and school vacation periods recognized by schools within the City.

2. Accessible and adequate storage for bicycles and skateboards shall be provided to prevent an accumulation of bicycles and skateboards in such a manner as to interfere with the public use of sidewalks or streets.

On-site Parking Requirement: One space for every computer or electronic device provided for use, plus one space for each staff member on the largest shift.

Internet/Catalogue Sales Office

Description: An establishment which specializes in the sale of products via the internet or by catalogue for delivery to a customer's home or business. This use may include in-person customer consultations at the establishment.

Conditional Use Regulations:

1. Neither the sale of products located on-site nor the delivery of products on-site is permitted.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Jewelry Store, Class III

Description: A store which buys and sells scrap precious metals for marketing as a commodity in bar form or in other than jewelry form, or which buys and sells precious metal bars and coins that are sold as a commodity rather than for numismatic purposes. The use may additionally include operations similar to a new jewelry store.

Conditional Use Regulations:

1. The use shall comply with the applicable requirements of LVMC Title 6.
2. No outdoor display, sales or storage of any merchandise shall be permitted.
3. No such use shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

Minimum Special Use Permit Requirements:

* 1. The use shall comply with the applicable requirements of LVMC Title 6.

* 2. No outdoor display, sales or storage of any merchandise shall be permitted.

* 3. No such use shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

On-site Parking Requirement:

1. If less than 25,000 square feet, one space per 175 square feet of gross floor area.

2. If 25,000 square feet or more, one space per 250 square feet of gross floor area.

Jewelry Store, New

Description: A store which primarily sells new merchandise and some used merchandise from estate sales or reconstitutes precious metals into jewelry forms which are sold at retail on the premises.

On-site Parking Requirement:

1. If less than 25,000 square feet, one space per 175 square feet of gross floor area.

2. If 25,000 square feet or more, one space per 250 square feet of gross floor area.

Keeping of Carrier or Racing Pigeons

Description: The keeping of pigeons that are bred and kept for the purpose of demonstration or racing, are registered with a national pigeon registry or organization, and are identified as to ownership and registration by a stamp or a band.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Laboratory, Medical or Dental

Description: A facility, other than a hospital, that:

1. Conducts general medical or scientific research, investigation, testing, or experimentation; or

2. Upon referral by or request of a medical professional, provides radiological or medical testing, or creates prosthesis or artificial dental work.

This use does not include a facility for the manufacture or sale of other products, except as incidental to the main purpose of the laboratory. This use also does not include a "facility to provide testing, treatment, or counseling for drug or alcohol abuse," as that term is defined in this Title.

On-site Parking Requirement: One space for each 200 square feet of gross floor area up to 2,000 square feet, plus one space for each additional 175 square feet.

Landfill

Description: A lot or premises used for the disposal of garbage, trash, refuse or waste material (other than sewage) which is officially sanctioned by proper authorities of the jurisdiction in which it is located.

On-site Parking Requirement: One space for each employee on the largest shift.

Laundry, Self-Service

Description: A laundry facility that provides coin operated washing and drying machines for customer operation. This use includes a facility that provides additional services such as fluff and fold or dry cleaning, provided that no dry cleaning equipment is located on the premises. This use does not include a laundry room located within a residential development that is provided solely for the use of residents of the development.

On-site Parking Requirement: One space per 250 square feet of gross floor area.

Library, Art Gallery or Museum (Public)

Description: A publicly-operated facility used for:

1. The housing of a collection of books, magazines, audio and video tapes, or other material for borrowing and use by the general public; or

2. The acquisition, preservation, study or exhibition of works of artistic, historic or scientific value.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Light Assembly & Fabrication

Description: The assembly or manufacturing of objects or items that:

1. Are made from standard parts or components;

2. Are distinct from the individual parts or components; and

3. Are not of another type of assembly or fabrication specifically described in this Table 2.

Conditional Use Regulations:

1. All processing, manufacturing, and storage of materials, equipment and products shall be performed in a completely enclosed building.
2. There shall be no audible or noticeable indication of a manufacturing operation outside the building.
3. There shall be no smoke, dust or foreign matter emitted.
4. All exterior storage of material shall be in sturdy containers or enclosures which screen storage from surrounding properties and abutting streets. Storage containers for flammable materials shall be constructed of nonflammable material. [C-2 only]
5. No outside storage is permitted. [C-1 only]
6. The bulk manufactured items and raw materials stored shall not exceed 4 percent of the cubic content of the building. [C-1 only]
7. No more than 7 employees shall be engaged in the manufacture, treatment or processing operation. [C-1 only]
8. Only the following operations shall be allowed: [C-1 only]
   a. Lens grinding;
   b. Jewelry manufacture;
   c. Wholesale medallion sales and assembly;
   d. Wholesale and retail cooking;
   e. Sewing and embroidery shop;
   f. Stained glass assembly;
   g. Drapery manufacture; and
   h. Wholesale printing.

On-site Parking Requirement: One space for each 500 square feet of gross floor/yard area.

Liquefied Petroleum Gas Installation (288 Gallons or Less)

Description: A facility or system:

1. Which includes tanks, piping or gas equipment (or any combination thereof);

2. Is used or intended to be used for the storage, dispensing or other utilization of liquefied petroleum gas; and

3. Whose tanks:

   a. Have an aggregate water capacity of 288 gallons or less; or

   b. Are part of an installation in a mobile home park or similar multiple-unit installation whose units are served by individual tanks if the tanks are not interconnected and each individual tank has a water capacity of less than 125 gallons.

Conditional Use Regulations:

1. This use is permitted in accordance with the applicable zoning district requirements if the installation complies with the provisions of NRS 590.465 et seq.
2. Any installation which was made nonconforming by the adoption of the standards of this Title regarding liquefied petroleum gas installations is subject to the expansion and discontinuance provisions set forth in Chapter 19.14.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Liquefied Petroleum Gas Installation (Over 288 Gallons)

Description: A facility or system:

1. Which includes tanks, piping or gas equipment (or any combination thereof);
2. Is used or intended to be used for the storage, dispensing or other utilization of liquefied petroleum gas; and
3. Whose tanks have an aggregate water capacity of more than 288 gallons, unless the tanks are part of an installation in a mobile home park or similar multiple-unit installation whose units are served by individual tanks, the tanks are not interconnected, and each individual tank has a water capacity of less than 125 gallons.

Minimum Special Use Permit Requirements:

1. This use is permitted in accordance with the applicable zoning district requirements if the installation complies with the provisions of NRS 590.465 et seq.
2. Any installation which was made nonconforming by the adoption of the standards of this Title regarding liquefied petroleum gas installations is subject to the expansion and discontinuance provisions set forth in Chapter 19.14.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Liquor Establishment (Tavern)

Description: A facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold.

Minimum Special Use Permit Requirements:

* 1. Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring both a minimum separation between liquor establishments (tavern), and a minimum separation between a liquor establishment (tavern) and certain other uses that should be protected from the impacts associated with a liquor establishment (tavern). Therefore, except as otherwise provided below, no liquor establishment (tavern) may be located within 1500 feet of any other liquor establishment (tavern), church, synagogue, school, child care facility licensed for more than 12 children, or City park.

* 2. The distance separation referred to in Requirement 1 shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment (tavern) 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 liquor establishment (tavern). The distance shall be measured in a straight line without regard to intervening obstacles.

* 3. For the purpose of Requirement 2, and for that purpose only:

   a. The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and

   b. The "property line" of a liquor establishment (tavern) refers to:

      i. The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or

      ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:

         A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement;

         B. The proposed liquor establishment (tavern) will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed liquor establishment (tavern) will be located;

         C. All parking spaces required by this Subchapter 19.12.070 for the liquor establishment (tavern) use will be located on the same parcel as the use; and

         D. The owners of all parcels within the commercial subdivision, including the owner of agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

4. The distance separation requirement set forth 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.
5. The distance separation requirement set forth in Requirement 1 may be waived in accordance with the provisions of Section

19.12.050(C), but only in connection with a proposed liquor establishment (tavern) that:

a. Will be located on a parcel within the C-V District, the Parkway Center District within the Downtown Centennial Plan, the Gaming Enterprise Overlay District, or the Downtown Casino Overlay District;

b. Will be located on a parcel or within a building that, pursuant to State law or City ordinance, has been designated as an historic property, historic building, or landmark;

c. Will be located within a regional mall; or

d. Will be located within a mixed-use development

i. That has been approved by means of Special Use Permit pursuant to Chapters 19.12 and 19.16;

ii. That has a minimum net site area of 15 acres; and

iii. Whose gross floor area of nonresidential space is a minimum of 250,000 square feet; or

e. Will be separated from the existing use by a street or highway with a minimum right-of-way width of 100 feet.

* 6. The use shall conform to, and is subject to, the provisions of LVMC Chapters 6.40 and 6.50.

On-site Parking Requirement: One space for each 50 square feet of public seating and waiting area (including areas for seating and waiting), plus one space for each 200 square feet of the total remaining gross floor area, with a minimum of ten spaces required.

Livestock Farming (Bovines/Horses)

Description: The raising or keeping of bovine animals or horses for recreational, entertainment or training purposes only. This use does not include the breeding or raising of animals for consumption or sale.

Conditional Use Regulations:

1. The minimum allowable parcel size is 1.25 acres.
2. A maximum of 25 animals (bovines or horses) is allowed per parcel.
3. No more than one bovine or horse is allowed per 7500 hundred square feet of lot area.
4. The parcel must also be occupied by a habitable dwelling.
5. Bovines may not be kept at any location south of Cheyenne Avenue.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use on the site.

Manufactured Home (Qualifying for Zoning Treatment as Single Family Detached Dwelling)

Description: A structure (as defined in NRS 489.113) that meets the Conditional Use Regulations listed below in order to qualify for State-law zoning treatment as a Single Family Detached Dwelling.

Conditional Use Regulations:

1. In order to qualify for State-law zoning treatment as a Single Family Detached Dwelling, a manufactured home must:

a. Have been constructed or manufactured within the 6 years immediately preceding the date on which it is affixed to the residential lot;

b. Consist of at least 1200 square feet of living area, unless the Director approves a reduction in size;

c. Be permanently affixed to the residential lot;

d. Have its foundation masked architecturally or by landscaping, berming or planters; and

e. Be demonstrated to be compatible with homes in the immediate vicinity, in terms of siding material, roofing, color, building configuration, design features, etc.

On-site Parking Requirement: Two spaces per site.

Manufactured Home (Not Qualifying for Zoning Treatment as Single Family Detached Dwelling)

Description: A structure (as defined in NRS 489.113) that does not qualify for State-law zoning treatment as a Single Family Detached Dwelling. The fact that a structure does not qualify for State-law zoning treatment as a Single Family Detached Dwelling does not preclude it from being so treated for other purposes, or from being permanently affixed to a residential lot.

Conditional Use Regulations:

1. No sales or display of manufactured homes is permitted, except for:

a. The sale in-place, by the owner or his agent, of a manufactured home that has previously been located and continuously occupied in that mobile home park by the owner.

b. The sale in-place, by a manufactured home dealer, of a manufactured home that has previously been located and continuously occupied in that mobile home park by the owner of the home and that has been taken as a trade-in or purchased from the owner.

c. The placement of a manufactured home within a mobile home park for the purpose of sale or display, or both, as a sales model only.

For purposes of this Conditional Use Regulation 1, a financial institution that has succeeded to the interest in a manufactured

home of its owner, through foreclosure, shall be deemed to be the agent of the owner.

On-site Parking Requirement: Two spaces per site.

Manufacturing, Heavy

Description: A facility for the general mass producing of goods, usually for sale to wholesalers or other industrial or manufacturing uses. This use includes any use which employs any of the following or similar types of processes:

1. Milling of grain.
2. Production of animal food, and the tanning of animal hides.
3. Production of large durable goods such as, but not limited, to motorcycles, cars, manufactured homes or airplanes.
4. Canning or bottling of food or beverages for human consumption using a mechanized assembly line.
5. Manufacturing of paint, oils, pharmaceuticals, cosmetics, solvents and other chemical products, and use of a foundry for metals.
6. Production of items made from stone, clay, metal or concrete.
7. Tire recapping or retreading.
8. Production of items by means of the chemical processing of materials.

On-site Parking Requirement: One space for each 1000 square feet of gross floor/yard area.

Manufacturing, Light

Description: A facility for producing goods without the use of any of the processes described within the definition of "Heavy Manufacturing." This use includes without limitation the following activities:

1. Assembly, finishing, and/or packaging of small items from component parts made at another location. Examples include but are not limited to cabinet making or the assembly of clocks, electrical appliances, or medical equipment.
2. Production of items made from materials derived from plants or animals including, but not limited to, leather, pre-milled wood, rubber, paper, wool or cork, or from textiles or plastics.
3. Electrical component manufacturing.
4. Reproduction, cutting, printing, or binding of written materials, drawings or newspapers on a bulk basis using lithography, offset printing, blue printing and other similar methods.
5. Machine shop where material is processed by machinery, cutting, grinding, or similar processes.

On-site Parking Requirement: One space for each 1000 square feet of gross floor/yard area.

Martial Arts Studio

Description: An establishment whose principal business activity is the instruction of the martial arts as defined by LVMC 6.53.020(C). This use does not include any nonprofit organization or entity that offers martial arts instruction only as an incidental service in its overall program of activities.

On-site Parking Requirement: One space for each staff member, plus one space for every 10 students in class when the facility is at maximum capacity.

Massage, Accessory

Description: The performing of massage therapy or therapeutic massage that:

1. Is accessory to a principal permitted use that is one of the following:
   a. A medical office or physical rehabilitation clinic;
   b. A fitness and health center;
   c. A country club or golf course clubhouse;
   d. A hotel with more than one hundred rooms; or
   e. A facility similar in nature to any of the facilities listed above;
2. Doe not occupy more than 150 square feet of space; and
3. Is not advertised on any exterior signage.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Massage Establishment

Description: A facility which is occupied and used for the purpose of practicing massage therapy as defined in LVMC Chapter 6.52. This use does not include the "accessory massage," as defined in this Title.

Conditional Use Regulations:

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The use must be located on a secondary thoroughfare or larger.
3. The use may not be located within 400 feet of any church, synagogue, school, City park, child care facility, or any parcel zoned for residential use.
4. The use may not be located within 1000 feet of any other massage establishment.

5. The hours of operation shall be limited to the period between 8:00 a.m. and 9:00 p.m.

Minimum Special Use Permit Requirements:

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The use must be located on a secondary thoroughfare or larger.
3. The use may not be located within 400 feet of any church, synagogue, school, City park, child care facility, or any parcel zoned for residential use.
4. The use may not be located within 1000 feet of any other massage establishment.
5. The hours of operation shall be limited to the period between 8:00 a.m. and 9:00 p.m., unless further limited by the City Council on a case-by-case basis.

On-site Parking Requirement: Two spaces for each massage room, massage table or massage chair, with a minimum of six spaces required.

Mining, Sand & Gravel Excavation

Description: The excavation of sand, gravel, minerals or other resources from the earth.

On-site Parking Requirement: One space for each employee on the largest shift, plus one space for each facility vehicle.

Mini-Storage Facility

Description: A facility with enclosed storage space, divided into separate compartments no larger than 500 square feet in size, which is provided for use by individuals to store personal items or by businesses to store materials for operation of a business establishment.

Conditional Use Regulations:

1. No more than one manager's security residence shall be permitted.
2. All storage shall be within an enclosed building except for the storage of recreational vehicles, which shall be completely screened from view from surrounding properties and abutting streets.
3. The following activities are prohibited on or from the premises of a mini-storage facility:
   a. The conducting of a business (other than the mini-storage business itself and permitted accessory uses);
   b. The retail sale of stored items;
   c. The commercial repair of motor vehicles, boats, trailers and other like vehicles;
   d. The operation of spray-painting equipment, power tools, welding equipment or other similar equipment;
   e. The production, fabrication or assembly of products.
4. The rental of single unit trucks and small utility trailers shall be permitted as an accessory use to a mini-storage facility, provided the business is conducted out of the same office as that of the mini-storage facility. No trucks or trailers shall be displayed in public view, and the combined total of all trucks and trailers stored on site shall not exceed a ratio of 2 trucks or trailers for each 100 storage units.
5. Truck and trailer storage shall be screened from streets and adjacent properties.
6. When adjacent to a residential use, the exterior wall of the mini-storage shall be constructed of decorative block.

Minimum Special Use Permit Requirements:

1. No more than one manager's security residence shall be permitted.
2. All storage shall be within an enclosed building except for the storage of recreational vehicles, which shall be completely screened from view from surrounding properties and abutting streets.
3. The following activities are prohibited on or from the premises of a mini-storage facility:
   a. The conducting of a business (other than the mini-storage business itself and permitted accessory uses);
   b. The retail sale of stored items;
   c. The commercial repair of motor vehicles, boats, trailers and other like vehicles;
   d. The operation of spray-painting equipment, power tools, welding equipment or other similar equipment;
   e. The production, fabrication or assembly of products.
4. The rental of single unit trucks and small utility trailers shall be permitted as an accessory use to a mini-storage facility, provided the business is conducted out of the same office as that of the mini-storage facility. No trucks or trailers shall be displayed in public view, and the combined total of all trucks and trailers stored on site shall not exceed a ratio of 2 trucks or trailers for each 100 storage units.
5. Truck and trailer storage shall be screened from streets and adjacent properties.
6. When adjacent to a residential use, the exterior wall of the mini-storage shall be constructed of decorative block.

On-site Parking Requirement: One space per 50 storage units, spread throughout the development, plus a minimum of 5 spaces on the exterior side of the security fence for customers. If truck or trailer rental is conducted as an accessory use, one space for each rental vehicle shall be provided in addition to the number required under the preceding sentence.

Mixed-Use

Description: The vertical integration of residential uses and commercial or civic uses within a single building or a single development, where the uses share pedestrian access, vehicular access, parking functions, or any combination thereof.

Conditional Use Regulations:

1. Residential uses permitted as of right in the R-3 and R-4 Zoning Districts are permitted as conditional uses within a C-1 or C-2 Zoning District.
2. Commercial uses or civic uses shall be located at the ground level fronting the primary public rights-of-way, and the principal entryway for those uses shall be directly accessed from and oriented to the public sidewalk.
3. Residential uses shall not be permitted on the ground floor fronting on primary public rights-of-way, but may be located at or above the second level of the building. Residential uses may be located on the ground floor of any building or portion thereof that is located at the interior of the development site and does not front on an arterial or collector street.
4. Surface parking lots shall be located to the side or the rear of the principal building(s) on the site, and shall be screened from view of the adjacent rights-of-way by the principal building(s) or a landscape buffer in conformance with the requirements of LVMC Chapter 19.08. Parking structures shall not be located along the street frontages of the development site, but shall be screened from view of the adjacent rights-of-way by the principal building(s).

Minimum Special Use Permit Requirements:

1. Residential uses permitted as of right in the R-3 and R-4 Zoning Districts may be permitted by means of a Special Use Permit within a P-O or O Zoning District.
2. Nonresidential uses permitted as of right in the P-O, O and C-1 Zoning District may be permitted by means of a Special Use Permit within an R-3 or R-4 Zoning District.
3. Commercial uses or civic uses shall be located at the ground level fronting the primary public rights-of-way, and the principal entryway for those uses shall be directly accessed from and oriented to the public sidewalk.
4. Residential uses shall not be permitted on the ground floor fronting on primary public rights-of-way, but may be located at or above the second level of the building. Residential uses may be located on the ground floor of any building or portion thereof that is located at the interior of the development site and does not front on an arterial or collector street.
5. Surface parking lots shall be located to the side or the rear of the principal building(s) on the site, and shall be screened from view of the adjacent rights-of-way by the principal building(s) or a landscape buffer in conformance with the requirements of LVMC Chapter 19.08. Parking structures shall not be located along the street frontages of the development site, but shall be screened from view of the adjacent rights-of-way by the principal building(s).

On-site Parking Requirement: To be determined in accordance with the applicable parking calculations for mixed-use developments that are set forth in Subchapter 19.18.030.

Mobile Home

Description: A factory-assembled structure equipped with the necessary service connections and made so as to be movable as a unit on its own running gear and designed to be used for a one-family residential use.

Conditional Use Regulations:

1. No sales or display of mobile homes is permitted, except for:
   a. The sale in-place, by the owner or his agent, of a mobile home that has previously been located and continuously occupied in that mobile home park by the owner.
   b. The sale in-place, by a mobile home dealer, of a mobile home that has previously been located and continuously occupied in that mobile home park by the owner of the home and that has been taken as a trade-in or purchased from the owner.
   c. The placement of a mobile home within a mobile home park for the purpose of sale or display, or both, as a sales model only.

For purposes of this Conditional Use Regulation 1, a financial institution that has succeeded to the interest in a mobile home of its owner, through foreclosure, shall be deemed to be the agent of the owner.

On-site Parking Requirement: Two spaces per site.

Mobile Home Park

Description: An area or tract of land where 2 or more mobile homes or mobile home lots are rented or held out for rent. This use does not include an area or tract of land where:

1. More than half of the lots are rented overnight or for less than three months for recreational vehicles.
2. Mobile homes are used occasionally for recreational purposes and not as permanent residences.

Conditional Use Regulations:

1. No sales or display of mobile homes is permitted, except for:
   a. The sale in-place, by the owner or his agent, of a mobile home that has previously been located and continuously occupied in that mobile home park by the owner.
   b. The sale in-place, by a mobile home dealer, of a mobile home that has previously been located and continuously

occupied in that mobile home park by the owner of the home and that has been taken as a trade-in or purchased from the owner.

c. The placement of a mobile home within a mobile home park for the purpose of sale or display, or both, as a sales model only.

For purposes of this Conditional Use Regulation 1, a financial institution that has succeeded to the interest in a mobile home of its owner, through foreclosure, shall be deemed to be the agent of the owner.

On-site Parking Requirement: Two spaces per site (may be tandem) and one guest space for every 6 mobile home sites, distributed throughout the development.

Monorail

Description: A non technology specific system used to transport passengers, including any system on a fixed land route installed and operated on an extensive fixed guideway or rail, and including a monorail as defined in NRS Chapter 705. This use does not include a system to transport passengers between two end points with no intermediate stops, or a monorail that functions only as a part of a theme park or permanent exhibition under LVMC Chapter 6.81.

Minimum Special Use Permit Requirements:

1. A Special Use Permit may be approved only in conjunction with the approval of necessary licensing for the monorail and the approval of an agreement to authorize the operation of the monorail system with the City.
2. Conditions may be imposed upon associated passenger terminals, power propulsion systems, parking lots, maintenance facilities and other accessory land and buildings that are referred to in the application.
3. Accessory commercial uses may be permitted in conjunction with the system if they are specified in the application.
4. Structures shall be designed to be architecturally compatible with existing buildings and structures in the vicinity of the system. Structures associated with the system may be permitted at heights greater than otherwise permitted by this Title if the heights are specified in the application.
5. Site development standards otherwise applicable, such as yard setbacks, building separation or location requirements, may be reduced or eliminated in connection with the approval of a Special Use Permit.
6. Ground level equipment, power propulsion systems and maintenance facilities shall be screened from streets and residential development with a decorative block wall not to exceed 10 feet in height; landscaping sufficient to screen the equipment, systems and facilities; or a combination thereof, as required in connection with the approval of a Special Use Permit. If the height of the block wall exceeds 6 feet, a notarized letter of approval must be obtained from the owner of any adjacent property that has been developed.
7. Advertising signs are permitted only in accordance with the applicable requirements of this Title or as permitted in agreement with the City to authorize the operation of the monorail system.
8. Approval of a Special Use Permit shall not be deemed to give the monorail system the right to use the property of any person without that person's consent or to compel the City to use its power of eminent domain to acquire property for the system.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on a particular site.

Mortuary or Funeral Chapel

Description: A facility in which one or both of the following activities occur:

1. Dead bodies are prepared for burial or cremation.
2. Funeral services are conducted.

On-site Parking Requirement: If funeral services are conducted, one space for each 4 fixed seats or one space for each 100 square feet of non-fixed seating area in the gathering room, whichever is greater. If operated otherwise, one space for each employee on the largest shift.

Motorcycle/Motor Scooter Sales

Description: A facility or area for the display and sale of motorcycles and motor scooters, whether new or used, but excluding mopeds. This use includes service bays which are incidental and accessory to the sales use. The term "motorcycle/motor scooter sales" is used for the sole purpose of allowing the use by means of Special Use Permit in the C-1 District. For all other purposes, the use described here shall be treated under the appropriate category of motor vehicle sales.

Minimum Special Use Permit Requirements:

1. All display and sales shall take place in an enclosed building.
2. The minimum gross floor area of the building (or tenant space) that is dedicated to this use shall be 7000 square feet.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Motor Vehicle Sales (New)

Description: A facility or area for the display and sale or leasing of new automobiles, trucks, motorcycles and motor scooters, but excluding mopeds. This use 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 land use designation.

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.

Motor Vehicle Sales (Used)

Description: A facility or area used primarily for the display and sale or leasing of used automobiles, motorcycles and motor scooters , but excluding mopeds. This use includes service bays and auto body shops which are incidental and accessory to the sales use.

Conditional Use Regulations:

1. The installation and use of an outside public address or bell system is prohibited.
2. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
3. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
4. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
5. Accessory automobile rental is permitted.

Minimum Special Use Permit Requirements:

1. The minimum site area designated for this use shall be 25,000 square feet.
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. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
6. Accessory automobile rental is permitted.

On-site Parking Requirement: One space for each 500 square feet of enclosed gross floor area designated for this use. 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.

Mounted Antenna of 15 Feet or Less (Ultimate Height)

Description: An antenna that is attached to a structure as permitted under this Title and that has an ultimate height of 15 feet or less.

Conditional Use Regulations:

1. Mounted antennas shall not be placed on top of principal or ancillary residential structures.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Mounted Antenna over 15 Feet (Ultimate Height)

Description: An antenna that is attached to a structure as permitted under this Title and that has an ultimate height that exceeds 15 feet.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Multi-Family Residential

Description: A structure used or designed as a residence for 3 or more families or households living independently of each other.

On-site Parking Requirement: Calculated by the capacity of each unit as described below, plus one additional guest space for every 6 units spread throughout the development:

1. Studio and One Bedroom Units – 1.25 spaces per unit.
2. Two Bedroom Units – 1.75 spaces per unit.
3. Three Bedroom and Above Units – Two spaces per unit.

Museum, Art Display, or Art Sales (Private)

Description: A privately-operated facility or area for the acquisition, preservation, study, exhibition or sales of works of artistic, historic or scientific value.

On-site Parking Requirement: One space per 300 square feet of gross floor area.

Night Club

Description: An establishment, other than a teen dance center, that is operated as a place of entertainment, characterized by any or all of the following as principal activities:

1. Live, recorded, or televised entertainment, including but not limited to performance by magicians, musicians or comedians.
2. Dancing.

On-site Parking Requirement: One space for every 3 persons at maximum capacity.

Office, Medical or Dental

Description: A professional office for the administration of professional medical or dental care, including examinations, screenings and minor outpatient surgical procedures. This use does not include a facility that provides housing for individuals, a clinic, or any other facility that is specifically defined in this Title.

On-site Parking Requirement: One space for each 200 square feet of gross floor area up to 2,000 square feet, plus one space for each additional 175 square feet.

Office, Other than Listed

Description: A building or rooms used for conducting the affairs of a business, profession, service, industry or government other than those which are specifically listed in this Title.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Off-Premise Sign

Description: Any sign advertising or announcing any place, product, goods, services, idea or statement whose subject is not available at, nor is located on, the lot where the sign is erected or placed.

Minimum Special Use Permit Requirements:

1. See LVMC 19.12.110.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Open Air Vending/ Transient Sales Lot

Description: An area that is used exclusively for the sale or taking of orders for any merchandise where:

1. Such merchandise is displayed or sold in the open area;
2. The activity is not part of the operation of an established business; and
3. No permanent physical structures or facilities are used as integral parts of the sales or order taking operations.

This use includes the display or sale of merchandise in or in connection with a truck, trailer or movable building of any type.

Conditional Use Regulations:

1. No signage, including temporary signage, is allowed, except that, in the case of sales activity from a vehicle or cart, the vehicle or cart may include signage which is affixed thereto..
2. The site must be kept free of any litter or debris at all times.
3. No structures shall be allowed within the public right-of-way.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Outcall Entertainment Referral Service

Description: A business which, for a fee, sends or refers an entertainer to an entertainment location (as defined in LVMC 6.57.030) in response to a telephone or other request to entertain a patron at the entertainment location.

Minimum Special Use Permit Requirements:

1. The business must be located at least 500 feet from any residentially-zoned property and 1500 feet from any church, school, child care facility or park, measured in each case from property line to property line without regard to intervening obstacles.
2. No outcall entertainers shall be physically dispatched from the property.
3. No business may be transacted with patrons on the property.
4. Except as may otherwise be required by ordinance or by the Director, there shall be no on-site signage or other advertising of any kind, whether on the property or elsewhere, which advertises the address or physical location of the business.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Outdoor Storage, Accessory

Description: The use of a significant portion of a lot or area for the long term retention (more than 24 hours) of materials and machinery

or equipment, regardless of whether the materials, machinery or equipment are to be bought, sold, repaired, stored, incinerated, or discarded. This use does not include new or used motor vehicle sales and rental display, nor does it include accessory and incidental parking of vehicles for residents, guests, customers or employees in connection with a principal use.

Conditional Use Regulations:

1. Storage shall not be permitted within required setbacks or buffer yards.
2. Except as otherwise provided in this Title or as specifically allowed in connection with the approval of a Special Use Permit:
   a. Outside storage areas that are not screened by an intervening building shall be screened from view from any public street by a screening devise at least 8 feet in height.
   b. Outside storage areas shall be screened from view of any adjoining property by a screening device at least 8 feet in height, except along adjacent property lines of property zoned C-M or M.
3. Except as otherwise provided in this Title, in the C-2 and C-M Zoning Districts, storage shall be limited to no more than 5 percent of the lot area containing the principal use.
4. In the C-2 Zoning District, incidental items that are normally associated with operations allowed as a matter of right are not required to be screened from view.
5. In the C-1 Zoning District, the only items allowable as accessory outdoor storage are live nursery products, which must be screened from view of adjacent properties and right-of-way by means of screening that is architecturally consistent with the principal building in terms of materials, colors and details.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Package Liquor Off-Sale Establishment

Description: An establishment, other than a retail establishment with package liquor off-sale, whose license to sell alcoholic beverages authorizes their sale to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold. This use includes an establishment that provides on-premises wine, cordial and liqueur tasting if the licensee also holds a wine, cordial and liqueur tasting license for that location.

Minimum Special Use Permit Requirements:

* 1. Except as otherwise provided, no package liquor off-sale establishment (hereinafter "establishment") 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 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 establishment 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 establishment. 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

* 3. In the case of an establishment proposed to be 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:
   a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
   b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.

4. The minimum distance requirements in Requirement 1 do not apply to:
   a. An establishment which has a nonrestricted 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; or
   b. A proposed establishment having more than 50,000 square feet of retail floor space.

* 5. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

On-site Parking Requirement:

1. If less than 25,000 square feet, one space per 175 square feet of gross floor area.
2. If 25,000 square feet or more, one space per 250 square feet of gross floor area.

Parking, Commercial

Description: A facility for parking that is operated as a business enterprise by charging the public a fee and is not reserved or required to accommodate occupants, clients, customers or employees of a particular establishment or premises.

Conditional Use Regulations:

1. The parking facility must be ground-level.
2. The parking facility shall conform with any applicable provisions of Chapter 19.10.
3. A 6 foot-high masonry wall shall be installed and maintained along all property lines that adjoin any residential zone.
4. The use of the parking facility shall cease between 9:00 p.m. and 6:00 a.m., including the use of any exterior lighting (except for security lighting).

On-site Parking Requirement: One space, designated as employee-only parking, for each employee on the largest shift.

Parking Lot/Sidewalk Sale

Description: A promotional sales event that is conducted by a business operation outside the confines of the commercial or manufacturing structure in which the business operation is normally conducted.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Pawn Shop

Description: A facility (other than a bank, savings and loan or mortgage banking company) used for the business of lending money on the security of pledged goods or for the business of the purchase of tangible personal property on condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

Conditional Use Regulations:

1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
2. No outdoor display, sales or storage of any merchandise shall be permitted.
3. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.
4. No pawn shop use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no pawn shop use may be located closer than 1000 feet from any other pawn shop use or specified financial institution use. For purposes of this Regulation 4, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

Minimum Special Use Permit Requirements:

* 1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.

* 2. No outdoor display, sales or storage of any merchandise shall be permitted.

* 3. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

4. No pawn shop use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no pawn shop use may be located closer than 1000 feet from any other pawn shop use or specified financial institution use. For purposes of this Regulation 4, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Pawn, Auto

Description: A pawn shop that lends money on the security of a motor vehicle, which the pawn shop takes possession of as the pledged property.

Conditional Use Regulations:

1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
2. Except for the parking of automobiles, no outdoor display, sales or storage of any merchandise shall be permitted.
3. Vehicles that have been pawned may not be parked or stored in parking spaces that are designated as off street parking necessary to meet the minimum requirements of this Subchapter. Any parking or storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.
4. No auto pawn use shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.
5. Window signs shall not:
   a. Cover more than 20 percent of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
7. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
8. No auto pawn use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no auto pawn use may be located closer than 1000 feet from any other auto pawn use, auto title loan use or specified

financial institution use. For purposes of this Regulation 8, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

Minimum Special Use Permit Requirements:

1. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
2. Except for the parking of automobiles, no outdoor display, sales or storage of any merchandise shall be permitted.
3. Vehicles that have been pawned may not be parked or stored in parking spaces that are designated as off street parking necessary to meet the minimum requirements of this Subchapter. Any parking or storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.
4. No auto pawn use shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.
5. Window signs shall not:
   a. Cover more than 20 percent of the area of all exterior windows;
   b. Include flashing lights or neon lighting; or
   c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
6. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
7. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
8. No auto pawn use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no auto pawn use may be located closer than 1000 feet from any other auto pawn use, auto title loan use or specified financial institution use. For purposes of this Regulation 8, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Pet Boarding

Description: A lot, building, premises or structure on which four or more household pets are kept regularly and for extended periods of time for the benefit of persons who do not reside on the premises. This use includes facilities that provide shelter, care, feeding, exercising, grooming or incidental medical care for household pets for remuneration or otherwise on a commercial basis, as well as a kennel operation.

Conditional Use Regulations:

1. All animals shall be confined within an enclosed area or on a leash at all times.
2. Structures shall be designed to provide reasonable sound barriers and odor protection for adjoining properties.
3. Pens shall be screened from view from adjacent streets and adjoining properties.
4. Any exterior pens that are adjacent to a residential parcel shall be located a minimum of 50 feet from the parcel.
5. All operations and activities shall be in accordance with LVMC Title 7.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Pet Shop

Description: A retail establishment engaged in the sale of pets, small animals, pet supplies, or pet grooming services.

Conditional Use Regulations:

1. All animals shall be confined within an enclosed building at all times.
2. The building shall be designed to provide complete sound bafflers and odor protection for the adjacent property.

On-site Parking Requirement:

1. If less than 25,000 square feet, one space per 175 square feet of gross floor area.
2. If 25,000 square feet or more, one space per 250 square feet of gross floor area.

Post Office, Local Service

Description: A branch office of the United States Postal Service that handles the mail for no more than 5 zip codes.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Post Office, Regional

Description: A branch office of the United States Postal Service that handles the mail for more than 5 zip codes.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Printing & Publishing

Description: An establishment that provides printing, publishing, duplicating, or collating services using photocopy, blueprint, off-set printing, or related equipment.

On-site Parking Requirement: One space for each 500 square feet of gross floor area.

Private Club, Lodge or Fraternal Organization

Description:

1. Private Club – A facility of a private organization for the preparation and service of food and/or drink for members and their guests.

2. Lodge or Fraternal Organization – A facility for a special purpose organization for the sharing of sports, arts, literature, politics or other similar interests, but not primarily for profit or to render a service that is customarily carried on as a business.

On-site Parking Requirement: One space for each 50 square feet of assembly area.

Private Sports Arena, Stadium or Track

Description: A facility that:

1. Is used for playing and watching sports, concerts, plays, etc.; and

2. Is not owned or operated by a public or quasi-public organization.

On-site Parking Requirement: One space for every 4 fixed seats or 5 feet of bench length.

Private Street

Description: A street designated for use by specified property owners, maintained by or on behalf of those property owners, and not dedicated to nor intended for access by the general public.

Conditional Use Regulations:

1. Eligibility as Conditional Use. Private streets are permitted pursuant to the following provisions only if:
   a. The streets are public streets within an existing subdivision that are proposed to be converted to private streets; and
   b. All the lots within the subdivision conform to the minimum lot size requirements of Title 19.
2. Design and Construction Standards. Unless otherwise approved by the City Council or otherwise provided by means of a specific regulation governing private streets, every private street shall conform to the same standards that govern the design and construction of public streets.
3. Access Restrictions. The entrances to all private streets must be marked with a sign stating that it is a private street. Guard houses, access control gates and cross arms may be constructed. All restricted access entrances shall be manned 24 hours every day or provide an alternative means of ensuring access to the subdivision by the City and other emergency and utility service providers with appropriate identification. If the association fails to maintain reliable access as required to provide City services, the City may enter the subdivision and remove any gate or device which is a barrier to access at the sole expense of the association. The association documents shall contain provisions in conformity with this paragraph which may not be amended without the written consent of the City.
4. Access Restricted Entrance Design Standards. Any private street which has access control gates or cross arms must be of a break-away design. A turn-around space must be located in front of any restricted access entrance to allow vehicles denied access to safely exit onto public streets. Any guardhouse, or other entry feature designed as a drive-through, must have a minimum clearance of fourteen feet in height above the road surface.
5. Streets Excluded. Streets shown on the Master Plan of Streets and Highways shall not be used, maintained, or constructed as private streets. Also, the Department may deny the creation of any other private street if it is determined that the private street would have any of the following effects:
   a. Negatively affect traffic circulation on public streets;
   b. Impair access to property either on-site or off-site to the subdivision;
   c. Impair access to or from public facilities including schools, parks and libraries; or
   d. Delay the response time of emergency vehicles.
6. Property Owners' Associations Required. Subdivisions developed with private streets must have a mandatory property owners' association which includes the participation of all properties served by private streets. Except as otherwise provided in Regulation 7, the association shall own and be responsible for the maintenance of private streets and appurtenances. The association documents must establish a reserve fund for the maintenance of streets and other improvements. Such documents are subject to review and approval by the City to ensure that adequate provision for maintenance has been made.
7. Private Street Requirements. Private streets must be located on property that is separately owned by a property owners' association or is subject to perpetual access easements running in favor of the owners of lots within the subdivision. Private streets must include provision for appropriate easements to be granted to the City and to other utility providers allowing necessary use and access for utilities and the maintenance thereof. The easements must also provide

the City and protective service providers with the same right of access they would have if the streets were public streets.

8. Waiver of Services. The subdivision final map, property deeds and property owners' association documents shall note that certain City services shall not be provided on private streets. Among the services which will not be provided are: routine police patrols, enforcement of traffic and parking ordinances, preparation of accident reports and other services which may not be reasonably or properly available within a particular development. All private regulatory signs shall conform to State of Nevada regulations.
9. Special Use Permit. In cases where a Special Use Permit is required to allow private streets that do not conform to the provisions of Paragraphs (1) through (5) above, the provisions of Paragraphs (1) through (8) above are minimum standards that shall presumptively apply to a Special Use Permit for this use. The prohibitions and requirements in Paragraphs (5) through (8) are not waivable in connection with a Special Use Permit approval.

On-site Parking Requirement: None

Psychology Practice

Description: A professional office in which a licensed professional, including a psychiatrist, psychologist, social worker, marriage and family therapist, or occupational therapist, provides evaluation, testing, treatment or counseling services related to mental conditions or disorders. This use includes a hypnotherapy practice, but does not include a "facility to provide testing, treatment, or counseling for drug or alcohol abuse," or a "sex offender counseling facility," as those terms are defined in this Title.

On-site Parking Requirement: One space for each 200 square feet of gross floor area up to 2,000 square feet, plus one space for each additional 175 square feet.

Public or Private School, Primary

Description: An institution that provides kindergarten through 8th grade education and is supported by a public, religious or private organization.

Minimum Special Use Permit Requirements:

1. Adequate pick-up and drop-off areas must be provided on-site.

On-site Parking Requirement: Three spaces per classroom.

Public or Private School, Secondary

Description: An institution that provides 9th through 12th grade education and is supported by a public, religious or private organization.

Minimum Special Use Permit Requirements:

1. Schools shall be located on a collector street or larger.

On-site Parking Requirement: Nine spaces per classroom.

Public Park or Playground

Description: A park, playground, swimming pool, reservoir, golf course, or athletic field owned, operated and maintained by a local or State-level government entity.

On-site Parking Requirement: Two spaces per gross acre, plus additional parking for each major sports or recreational facility as determined by reference to the applicable requirements of this table for similar facilities (e.g., commercial recreation/amusement facility, community recreational facility, golf course, golf driving range, game courts, etc.). For facilities not specifically listed, the parking requirement shall be determined by applying the nearest comparable standard, as determined by the Director.

Radio Broadcasting

Description: A building or portion of a building used as a place for radio broadcasting. This use does not include any antenna or antenna structure.

On-site Parking Requirement: One space per 750 square feet of gross floor area.

Radio, TV or Microwave Communication Tower

Description: A freestanding structure which supports antennae that transmit or receive any portion of the electromagnetic spectrum.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Rail/Transit Yard or Shop

Description: A facility or area for the maintenance, repair, or storage of bus, rail or other transit vehicles.

On-site Parking Requirement: One space for each employee on the largest shift.

Recording Studio

Description: A building or portion of a building used as a place to record music and videos. This use does not include broadcasting facilities.

On-site Parking Requirement: One space per 750 square feet of gross floor area.

Recreational Vehicle and Boat Storage

Description: An area or facility used for the storage of recreational vehicles, boats, or any combination thereof. For purposes of this description, a "recreational vehicle" is a vehicle towed, or self-propelled on its own chassis, or attached to the chassis of another vehicle and designed or used for recreational or sporting purposes. This use includes, but is not limited to, travel trailers, pick-up campers, camping trailers, motor coach homes and converted trucks or buses.

Conditional Use Regulations:

1. Storage of recreational vehicles and boats is not permitted within required setbacks or buffer areas.
2. Storage areas that are not screened by an intervening building shall be screened completely from view from any public street by a screening device at least 8 feet in height. In addition, storage areas shall be screened completely from view from any adjoining property by a screening device at least 8 feet in height, except along the property line of any adjoining property that is zoned C-M or M.
3. The commercial repair of recreational vehicles, boats, trailers and other like vehicles is prohibited.

Minimum Special Use Permit Requirements:

1. Storage of recreational vehicles and boats is not permitted within required setbacks or buffer areas. Within the N-S District, no such storage is permitted within 50 feet of property zoned for residential use.
2. Storage areas that are not screened by an intervening building shall be screened completely from view from any public street by a screening device at least 8 feet in height. In addition, storage areas shall be screened completely from view from any adjoining property by a screening device at least 8 feet in height, except along the property line of any adjoining property that is zoned C-M or M.
3. The commercial repair of recreational vehicles, boats, trailers and other like vehicles is prohibited.

On-site Parking Requirement: One space for each 50 storage spaces, spread throughout the development., plus a minimum of five spaces for customer use on the exterior side of the security fence.

Recycling Collection Center

Description: A facility used for the collection and temporary storage of empty beverage containers, aluminum, glass, paper or clothing for recycling purposes conducted totally within an enclosed structure or container. This use does not include processing except for "can banks" that crush cans as they are deposited.

Conditional Use Regulations:

1. A collection center that is located in a parking area may not occupy required off-street parking spaces.
2. A collection center shall be sited so as to not impede traffic flow.
3. The owner of the property and the owner and operator of the collection center shall:
   a. Remove products stored at the collection center at least once a week;
   b. Keep the collection center in proper repair and maintain a neat and clean appearance on the exterior of the center; and
   c. Keep the building site clean and neat in appearance, and shall dispose of collected items and litter from the site.

On-site Parking Requirement: One space for each 500 square feet of enclosed gross floor/yard area.

Rental Store (with Outside Storage)

Description: A facility for the rental of general merchandise to the general public, not specifically listed as a different use elsewhere in this Title, that includes outside storage of rental items. Typical general merchandise includes clothing and other apparel, electronics, videos, tools and garden equipment, furniture and other household appliances, special occasion or seasonal items, and similar consumer goods.

On-site Parking Requirement: One space for each 250 square feet of enclosed gross floor area, plus one space for each 1000 square feet of gross outside storage yard area.

Rental Store (without Outside Storage)

Description: A facility for the rental of general merchandise to the general public, not specifically listed as a different use elsewhere in this Title, that does not include outside storage of rental items. Typical general merchandise includes clothing and other apparel, electronics, videos, tools and garden equipment, furniture and other household appliances, special occasion or seasonal items, and similar consumer goods.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Rescue Mission or Shelter for the Homeless

Description: A building that is used or intended to be used to provide to homeless individuals temporary accommodations, shelter, meals or any combination thereof. For purposes of the preceding sentence, a "homeless individual" includes an individual who lacks a fixed, regular and adequate nighttime residence.

On-site Parking Requirement: One space per four beds, or one space per 750 square feet of gross floor area, if no beds are provided.

Restaurant with Service Bar

Description: A bar wherein alcoholic beverage drinks are prepared for service only at tables in a restaurant and for consumption only in connection with a meal served on the premises, and where customers are not permitted to purchase alcoholic beverage drinks directly from the bar or for off-premise consumption.

Minimum Special Use Permit Requirements:

1. No restaurant service bar 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 restaurant service 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 restaurant service 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 restaurant service bar proposed to be 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:
   a. From the nearest property line of the existing use to the nearest portion of the structure in which the restaurant service bar will be located, without regard to intervening obstacles; or
   b. In the case of a proposed restaurant service bar which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the restaurant service bar will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for a restaurant service 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 nonrestricted 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. * In the O District, a restaurant service bar is permitted only as an accessory use.
7. * All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

On-site Parking Requirement: One space for each 50 square feet of public seating and waiting area (including outdoor areas for seating and waiting), plus one space for each 200 square feet of the total remaining gross floor area, with a minimum of ten spaces required.

Restaurant, 2000 sq. ft. or more (with Drive-Through)

Description: An establishment providing for the preparation and retail sale of food and beverages, including cafes, coffee shops, sandwich shops, ice cream parlors, fast food take-out (i.e. pizza) and similar uses, with the added provision of one or more drive-through lanes for ordering and dispensing food and beverages to patrons remaining in their vehicles.

Conditional Use Regulations:

1. Each drive-through service window shall have a stacking lane that will accommodate at least 6 cars per lane.

On-site Parking Requirement: One space for each 100 square feet of gross floor area, including outdoor areas for seating and waiting.

Restaurant, 2000 sq. ft. or more (without Drive-Through)

Description: An establishment providing for the preparation and retail sale of food and beverages, including cafes, coffee shops, sandwich shops, ice cream parlors, fast food take-out (i.e. pizza) and similar uses.

On-site Parking Requirement: One space for each 50 square feet of public seating and waiting area (including outdoor areas for seating and waiting), plus one space for each 200 square feet of the total remaining gross floor area, with a minimum of ten spaces required.

Restaurant, Less than 2000 sq. ft. (with Drive Through)

Description: An establishment providing for the preparation and retail sale of food and beverages, including cafes, coffee shops, sandwich shops, ice cream parlors, fast food take-out (i.e. pizza) and similar uses, with the added provision of one or more drive-through lanes for ordering and dispensing food and beverages to patrons remaining in their vehicles.

Conditional Use Regulations:

1. Each drive-through service window shall have a stacking lane that will accommodate at least 6 cars per lane.

On-site Parking Requirement: One space for each 100 square feet of gross floor area, including outdoor areas for seating and waiting.

Restaurant, Less than 2000 sq. ft. (without Drive Through)

Description: An establishment providing for the preparation and retail sale of food and beverages, including cafes, coffee shops, sandwich shops, ice cream parlors, fast food take-out (i.e. pizza) and similar uses.

On-site Parking Requirement: One space for each 50 square feet of public seating and waiting area (including outdoor areas for seating and waiting), plus one space for each 200 square feet of the total remaining gross floor area, with a minimum of ten spaces required.

Retail Establishment with Accessory Package Liquor Off-Sale

Description: A retail establishment:

1. Whose license to sell alcoholic beverages authorizes their sale to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold; and

2. In which the sale of alcoholic beverages is ancillary to the retail use, and in which no more than 10 percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages.

This use includes an establishment that provides on-premises wine, cordial and liqueur tasting if the licensee also holds a wine, cordial and liqueur tasting license for that location.

Minimum Special Use Permit Requirements:

* 1. Except as otherwise provided, no retail establishment with accessory package liquor off-sale (hereinafter "establishment") 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 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 establishment 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 establishment. 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 an establishment proposed to be 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:

   a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or

   b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for an establishment 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 requirements in Requirement 1 do not apply to:

   a. An establishment which has a nonrestricted 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; or

   b. A proposed establishment having more than 50,000 square feet of retail floor space.

* 6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

7. The minimum distance requirements set forth in Requirement 1, which are otherwise nonwaivable under the provisions of Section 19.12.050(C), may be waived:

   a. In accordance with the provisions of Section 19.12.050(C) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;

   b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T C (Town Center) Zoning District and which is designated MS TC (Main Street Mixed Use) in the Town Center Land Use Plan;

c. In connection with a proposed establishment having between 20,000 square feet and 50,000 square feet of retail floor space; or

d. In connection with a retail establishment having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right of way with a width of at least 100 feet.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Salvage or Reclamation of Products (Indoor)

Description: An indoor facility for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment which is not considered as another use under this Title. Scrap or discarded material includes, but is not limited to, metal, paper, rags, tires, bottles or inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment and appliances. This use includes facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products, glass, metal cans and other products, which can be returned to a condition in which they may again be used for production.

On-site Parking Requirement: One space for each 1000 square feet of gross floor area.

Salvage or Reclamation of Products (Outdoor)

Description: An outdoor area or facility for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment which is not considered as another use under this Title. Scrap or discarded material includes, but is not limited to, metal, paper, rags, tires, bottles or inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment and appliances. This use includes facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products, glass, metal cans and other products, which can be returned to a condition in which they may again be used for production.

Conditional Use Regulations:

1. The minimum site area dedicated to this use shall be 25,000 square feet.
2. All areas used for the parking and storage of operable vehicles shall be paved.
3. All stored, damaged, or wrecked vehicles, parts and equipment shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.
4. In addition to the requirements in Section 19.12.060, mature evergreen trees shall be installed along the perimeter property lines to screen any vehicle parts storage area from surrounding properties.
5. Perimeter walls, a minimum of 8 feet in height, shall be installed along all property lines.
6. Repair activities and vehicle loading and unloading shall be prohibited on adjoining streets and alleys.
7. Service bays with access from the exterior of the structure shall not face the public rights of way.
8. All on-site lighting shall be stationary and directed away from adjoining properties. All lighting shall be shielded, hooded or otherwise designed so that direct glare and reflections are contained within the boundaries of the parcel. No light shall extend into any residential zoning district.
9. All repair activities and operations shall be conducted entirely within an enclosed structure. Outdoor hoists shall be prohibited.
10. Repair facilities shall close all windows and doors when performing body and fender work, hammering, sanding or other noise-generating activities.
11. All hazardous materials resulting from the repair, storage, or dismantling operation shall be properly stored and removed from the premises in a timely manner. Storage, use and removal of toxic substances, solid waste pollution and flammable liquids, particularly gasoline, paints, solvents and thinners, shall conform to all applicable Federal, State, and local regulations.

On-site Parking Requirement: One space for each 1000 square feet of gross floor area dedicated to this use, plus one space for every 10,000 square feet of gross yard area.

Satellite Dish

Description: A device which:

1. Incorporates a reflective surface that is solid, open mesh, or bar-configured;
2. Has the shape of a shallow dish, cone, horn or cornucopia; and
3. Is used to receive electromagnetic signals.

Conditional Use Regulations:

1. Satellite dishes are permitted as an accessory use, subject to the following:
   a. In single-family residential districts, satellite dishes are permitted in the rear yard only, except that dishes 18 inches in diameter or smaller are also permitted in the side yards. In districts other than single-family residential, satellite dishes are allowed in yard areas or on rooftops.
   b. Satellite dishes shall be fully screened from view of streets and public open areas. When located on ground level, they shall be screened to the full height of the structure with landscaping. When located on a rooftop, they shall

be located and screened so as to minimize visual impact from other properties in the area.

c. Satellite dishes shall not exceed 10 feet in diameter, nor 12 feet in height when the dish is vertically positioned.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Seasonal Outdoor Sales

Description: The temporary outdoor sale and display of the following (and only the following) holiday goods in connection with the corresponding holidays:

1. Christmas trees;
2. Halloween pumpkins;
3. Valentine's Day flowers; and
4. Mother's Day flowers.

This use does not include fireworks sales, which are governed by LVMC Chapter 9.28 and are subject to the requirements of the Department of Fire and Rescue.

No Temporary Commercial Permit required if the sales operation:

1. Takes place on the same site as, and is in conjunction with, the operation of an established commercial business with a valid business license for that site; and
2. Conforms with all applicable City ordinances and standards.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Secondhand Dealer

Description: A specialty shop which deals solely in one kind of used commodity with no new commodities, or a business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. For purposes of this description, the sale of secondhand or used articles is deemed to be incidental to the sale of new articles. Used articles may include wearing apparel, furniture, fixtures, appliances, tableware, offices supplies, pictures, paintings, jewelry, cutlery or guns. This use includes the sale of jewelry (Class III type) and scrap precious metals as defined in LVMC Chapter 6.74, but does not include the sale of junk as defined in that Chapter, the sale of used cars or the sale of other items which the City Council determines do not fit within the intent of this term. This use does not include the buying and selling of foreign or domestic coins for numismatic purposes or used books, which shall be allowed where retail sales of new merchandise is permitted. This use also does not include a thriftshop or nonprofit thriftshop.

Conditional Use Regulations:

1. No outdoor display, sales or storage of any merchandise shall be permitted.
2. The use shall comply with the applicable requirements of LVMC Title 6.
3. No secondhand dealer shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

Minimum Special Use Permit Requirements:

* 1. No outdoor display, sales or storage of any merchandise shall be permitted.

* 2. The use shall comply with the applicable requirements of LVMC Title 6.

* 3. No secondhand dealer shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Senior Citizen Apartments

Description: An apartment house or other multi-family dwelling in which each unit is occupied by at least one person 55 years of age or older, or in which the units are intended and operated for occupancy by persons 55 years of age or older. This use includes an apartment house or other multi-family dwelling that qualifies as "housing for older persons" under the provisions of Federal law, including without limitation housing developments that:

1. Provide significant facilities and services specifically designed to meet the physical or social needs of older persons; and
2. Publish and adhere to policies and procedures that demonstrate an intent to provide housing for persons 55 years of age or older to the extent allowed by applicable State or Federal law.

Conditional Use Regulations:

1. For any development that is over three stories in height:
   a. The structures shall be compatible with the scale and massing of the types of development allowed in the applicable zoning district and shall provide a transition to less intensive development.
   b. Rooflines and facade elements shall be articulated in order to break down the apparent massing of the structures.

Minimum Special Use Permit Requirements:

1. For any development that is over three stories in height:
   a. The structures shall be compatible with the scale and massing of the types of development allowed in the applicable zoning district and shall provide a transition to less intensive development.

b. Rooflines and façade elements shall be articulated in order to break down the apparent massing of the structures.

2. The use shall be developed and operated only in connection with ground-level nonresidential development. In the case of a multi-floor structure, the apartments themselves must be located above the ground floor, but access ways, entryways and community rooms may be located on the ground floor. (C-1 only)
3. The primary resident or guest entryway to the apartments must be independent of ground floor commercial uses, and must be directly accessible from and oriented to a street. (C-1 only)
4. The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors. (C-1 only)
5. For any development that, in accordance with LVMC 19.08.050, is allowed to exceed the maximum lot coverage provisions set forth in that Section, all landscape buffer requirements, and all minimum setback requirements for the C-1 District, shall be met. (C-1 only)

On-site Parking Requirement: .75 spaces per unit (.5 spaces per unit within the Downtown Centennial Plan Overlay District).

Service Station (with Incidental Automotive Repair)

Description: A building or premises used for the dispensing and sale of fuels or oils and accessories for the motor vehicle trade. The use may include incidental minor automotive repair and an automatic car wash facility.

Conditional Use Regulations:

1. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:
   a. The dispensing of petroleum products, water and air from pump islands.
   b. The provision of emergency service of a minor nature.
   c. The sale of items via vending machines which shall be located next to the main structure.
2. Pump islands shall be located a minimum of 20 feet from a street right-of-way line. A canopy or roof structure over a pump island may be located no closer than 10 feet from the street right-of-way line.
3. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.
4. No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.
5. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
6. The installation of LPG tanks shall be permitted only as set forth in this Subchapter.
7. If the use includes a carwash facility, there must be a stacking lane that will accommodate at least 6 cars.

Minimum Special Use Permit Requirements:

1. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:
   a. The dispensing of petroleum products, water and air from pump islands.
   b. The provision of emergency service of a minor nature.
   c. The sale of items via vending machines which shall be located next to the main structure.
2. Pump islands shall be located a minimum of 20 feet from a street right-of-way line. A canopy or roof structure over a pump island may be located no closer than 10 feet from the street right-of-way line.
3. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.
4. No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.
5. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
6. The installation of LPG tanks shall be permitted only as set forth in this Subchapter.
7. If the use includes a carwash facility, there must be a stacking lane that will accommodate at least 6 cars.

On-site Parking Requirement: One space for each 250 square feet of retail/commercial gross floor area.

Service Station (without Automotive Repair)

Description: A building or premises used for the dispensing and sale of fuels or oils and accessories for the motor vehicle trade. The use may include, as an incidental use, an automatic car wash facility, but may not include any automotive repair.

Conditional Use Regulations:

1. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:
   a. The dispensing of petroleum products, water and air from pump islands.
   b. The provision of emergency service of a minor nature.
   c. The sale of items via vending machines which shall be located next to the main structure.
2. Pump islands shall be located a minimum of 20 feet from a street right-of-way line. A canopy or roof structure over a

pump island may be located no closer than 10 feet from the street right-of-way line.

3. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.
4. No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.
5. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
6. The installation of LPG tanks shall be permitted only as set forth in this Subchapter.
7. If the use includes a carwash facility, there must be a stacking lane that will accommodate at least 6 cars.

On-site Parking Requirement: One space for each 250 square feet of retail/commercial gross floor area.

Sex Offender Counseling Facility

Description: A facility that regularly provides court-ordered or court-sanctioned treatment or counseling to sex offenders.

Conditional Use Regulations:

1. The applicant must submit, for administrative review and approval, the following:
   a. A site plan;
   b. A floor plan indicating the use of each room in the facility; and
   c. A business plan clearly indicating that the facility will provide services pursuant to or in conformance with judicial requirements.

On-site Parking Requirement: One space for each 200 square feet of gross floor area up to 2,000 square feet, plus one space for each additional 175 square feet.

Sexually Oriented Business

Description: Sexually Oriented Businesses include the following:

1. Adult emporium – An establishment which engages in the sale, rental or trade of books, films, videotapes, sexual novelties, discs, magazines and other periodicals and which:
   a. Will or does derive 35 percent or more of its gross revenue from the sale, rental or trade of sexual novelties or books, films, videotapes, discs, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specific sexual activities or specific anatomical areas;
   b. At any particular time devotes 35 percent or more of its inventory floor and wall space to the types of inventory described in Paragraph (a) above;
   c. At any particular time has, as 35 percent or more of its total inventory or any category thereof, the types of inventory described in Paragraph (a) above; or
   d. Holds itself out, by advertising or otherwise, primarily as an outlet for the types of inventory described in Paragraph (a) above.
2. Adult mini-motion picture theater – An enclosed building with a capacity of less than 50 persons used for presenting material distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.
3. Adult motel – A motel wherein material is presented, as part of the motel services, via closed circuit television or otherwise, which is distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.
4. Adult motion picture arcade – Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion pictures, projectors or other image-producing devices are maintained to show images to 5 or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.
5. Adult motion picture theater – An enclosed building with a capacity of 50 or more persons used for presenting material distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.
6. Adult paper rack – Each self operated device or container, except those located in an adult emporium, which is primarily used for the distribution of magazines, papers or periodicals which are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas or the advertisement of other sexually oriented businesses.
7. Massage parlor – Any place where, for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatments, or any other treatment or manipulation of the human body occurs as part of or in connection with specified sexual activities or where any person providing such treatment, manipulation or services related thereto exposes specified anatomical areas.
8. Model studio – Any place where, for any form of consideration or gratuity, figure models who display specified anatomical areas are provided to be observed, sketched, drawn, painted,

sculptured, photographed, or similarly depicted by persons paying such consideration or gratuity.

9. Nude show – Any establishment which provides and permits the viewing of live performances of specified sexual activities or the display of specified anatomical areas upon its premises as entertainment or any attraction for business. This use does not include the display of specified anatomical areas in the showroom of a resort hotel and casino with over three hundred rooms which is subject to the casino entertainment tax described in NRS 463.401 and which is located within the Downtown Casino Overlay District. For purposes of the preceding sentence, a showroom must contain a minimum of 300 seats. Any nude show which takes place at an establishment which is licensed or is required to be licensed to sell alcoholic beverages is subject to LVMC 6.50.430.

10. Sexual encounter center – Any building or structure which contains or is used for commercial entertainment where the patron directly or indirectly is charged a fee to engage in personal contact with or to allow personal contact by, employees, devices or equipment or by personnel provided by the establishment which appeals to the prurient interest of the patron, to include, but not limited to, bathhouses, massage parlors and related or similar activities.

Conditional Use Regulations:

1. No person shall cause or permit the establishment of any sexually oriented business in an area zoned other than C-M or M. In addition, no person shall cause or permit the establishment of any sexually oriented business within 1000 feet of any other sexually oriented business, church, public or private school, day care, teen dance center, park or playground. The distance shall be the shortest distance between two property lines, one being the property line of the proposed sexually oriented business 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 sexually oriented business. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of this paragraph, the term "property line" refers to property lines of fee interest parcels and not leasehold parcels.
2. The "establishment" of a sexually oriented business includes the opening of such business as a new business, the relocation of such business, the enlargement of such business in either scope or area or the conversion of an existing business location to any sexually oriented business.
3. Any person establishing a sexually oriented business must first file with the Department of Finance and Business Services the name and address of the business and the type of sexually oriented business to be conducted.
4. Any business existing as of September 16, 1992, that is made nonconforming by the provisions of Ordinance 3674 shall be permitted to remain in operation provided, however, that:
   a. No such business may be increased, enlarged, extended or altered, except to change the use to a conforming use; and
   b. If any such business is terminated or is abandoned for a period of at least 30 days, any future use of the property shall conform to the provisions of Ordinance 3674.
5. The provisions of Regulations 3 and 4 above and the provisions of Chapter 19.14 shall apply to sexually oriented businesses; provided, however, that any existing sexually oriented business located in the M Zoning District that was made nonconforming as to a separation requirement by either of the following circumstances shall be deemed a conforming use for purposes of expansion, enlargement or alteration:
   a. The adoption of a different method of measuring distance; or
   b. The intervening establishment within the required separation area of either a protected use or another sexually oriented business.

   Any such business shall continue to be subject to the provisions regarding discontinuation and removal that are set forth in Sections 19.14.030(A)(3) and 19.14.040, respectively.
6. Nothing in this Title pertaining to sexually oriented businesses is intended to make legal any business or activity that is expressly declared illegal under any other provisions of the Municipal Code or under any State or Federal laws.
7. The Special Use Permit provisions of Section 19.12.040(B) do not apply to a sexually oriented business.

On-site Parking Requirement:

1. If less than 25,000 square feet, one space per 175 square feet of gross floor area.
2. If 25,000 square feet or more, one space per 250 square feet of gross floor area.

Shopping Center

Description: Any structure or group of structures that:

1. House any assemblage of various commercial tenants, including without limitation, retail uses, personal service uses, food service uses, and other ancillary uses;
2. Have a minimum combined gross floor area of 25,000 square feet;
3. Are located upon a single parcel of land or upon contiguous parcels of land; and
4. Have common vehicular access and parking facilities.

This use includes a regional mall.

On-site Parking Requirement: One space per 250 square feet of gross floor area.

Short-Term Residential Rental

Description: The commercial use, or the making available for commercial use, of a residential dwelling unit for dwelling, lodging or sleep purposes, wherein any individual guest rents or occupies the unit for a period of less than 31 consecutive calendar days.

Conditional Use Regulations:

1. The operator must obtain a permit from the Business Services Division to operate the use. The use must be operated by either the property owner or a property manager who holds a permit to engage in property management pursuant to NRS Chapter 645. For a use to be operated by the property owner, a separate permit must be obtained for each rental. For a use to be operated by a property manager, the permit shall be an annual permit, renewable annually at the discretion of the Division, subject to the provisions of Condition Use Regulation 6. In each case the operator shall pay such fee as the Division may establish for the permit. A copy of the permit, including all conditions established or imposed pursuant to Conditional Use Regulation 4, shall be posted in a conspicuous place within the rented premises.
2. The use must comply on an ongoing basis with all governmental licensing and regulatory requirements, including the payment of applicable room taxes and licensing fees. However, a permit issued under Conditional Use Regulation 1 shall be deemed to take the place of a license otherwise required by LVMC 6.46.020.
3. The use must comply with the City's noise regulations as they apply to residential uses.
4. In connection with the issuance of a permit under Conditional Use Regulation 1, the Business Services Division may establish additional conditions on the use, including without limitation a time limit on outdoor activities and a limit on the number of occupants and guests that are on the premises at any one time. In addition, at any time following issuance of the permit, the Division may impose additional conditions on, or otherwise amend, the permit. The permit may be revoked or suspended immediately for noncompliance with these regulations or with applicable permit conditions, at which time the use permitted as a conditional use shall immediately cease.
5. Vehicle parking associated with the use shall comply with applicable parking regulations, and vehicles of guests and invitees shall not obstruct traffic or access to other properties in the area.
6. The operator shall notify the Business Services Division of any change in the operator's telephone number and other contact information. Any change in operator shall require the issuance of a new permit.
7. The operator must be available at all times to respond to law enforcement authorities and to concerns from neighborhood residents, and to take remedial action in the event of noncompliance with law or with permit conditions.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use on the site.

Single Family, Attached

Description: A dwelling unit attached to one or more other dwelling units where each dwelling unit is located on a separate lot. (Such a dwelling unit could include duplexes, townhouses, four-plexes, six-plexes, etc.)

On-site Parking Requirement: Two spaces per dwelling unit, plus one guest space for every 6 dwelling units.

Single Family, Detached

Description: A dwelling unit that is not attached to any other dwelling by any means, is located on a separate and individually owned lot, is surrounded by open space or yards, and is for the exclusive use of a single family maintaining a household. Except where specifically provided in this Title, no such unit may have more than 1 kitchen, and all rooms used for human habitation must have interior access to one another.

On-site Parking Requirement: Two spaces per dwelling unit.

Single Family, Zero Lot Line

Description: A single family dwelling unit that is located directly on 1 or more lot lines.

Conditional Use Regulations:

1. Roof overhangs and any architectural projections shall not be permitted to cross property lines.
2. No architectural openings of any kind shall be permitted on walls sited less than 3 feet from the property line.

On-site Parking Requirement: Two spaces per dwelling unit.

Single Room Occupancy Residence

Description: A residential facility in which furnished rooms are rented on a weekly or monthly basis and which provides common facilities and services for laundry, cleaning and meals.

On-site Parking Requirement: .75 spaces per dwelling unit.

Slaughtering and Processing of Live Poultry

Description: An operation in which live poultry is slaughtered and processed in preparation for human consumption.

Minimum Special Use Permit Requirements:

1. The slaughter and processing of live poultry shall be limited to chickens. The slaughter or processing of any other poultry or animals is prohibited.
2. The use may not be located closer than 1500 feet from any other facility used for the slaughter and processing of live poultry.
3. The slaughter and processing of poultry shall occur only as an accessory use to a retail commercial establishment.
4. The sale of poultry on the site shall be limited to retail sales of processed poultry.
5. There shall be no sale of live poultry from the site and no use of the site for the distribution of live or processed poultry for sale off site.
6. All live poultry shall be stored within an enclosed structure on the site where the processing will take place. The slaughter and processing of poultry shall take place in an enclosed structure that is operated in accordance with all Federal, State and local regulatory criteria, including without limitation all applicable regulations of the Clark County Health District. The processing facility must be available at any time for inspection by any and all regulatory agencies with jurisdiction.
7. The maximum number of live birds allowed to be kept or maintained on site at any one time is 50.
8. The delivery and unloading of live poultry shall be at a designated sealed loading dock and shall take place only between the hours of 8:00 a.m. and 8:00 p.m.
9. The exterior and interior of a processing facility shall be maintained in an attractive, safe and sanitary condition at all times, and all on site activity must be conducted so as not to create noise, dust, debris, odors or other similar nuisances to surrounding property owners.
10. Areas used for slaughtering and butchering shall not exceed 525 square feet and shall be located in an area not readily available to the public.
11. All waste and debris shall be removed from the processing facility on a daily basis in accordance with all Federal, State and local regulatory criteria, including without limitation applicable regulations of the Clark County Health District. Waste removal shall take place only between the hours of 8:00 a.m. and 8:00 p.m.
12. No slaughtering or butchering waste of any kind may be stored outside at any time. All such waste, including any contaminated paper or cardboard, shall be stored indoors in a temperature controlled, sealed room.
13. All glass viewing areas to be used by customers for bird selection shall be installed a minimum of 48 inches above floor level.
14. No live poultry shall remain on site overnight. Any live poultry not sold by 4:00 p.m. must be slaughtered, processed and packaged for sale with other poultry products.
15. The processing facility shall be landscaped and screened as required in connection with a Site Development Plan Review.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Small Wind Energy System

Description: A wind energy conversion system consisting of a wind turbine, a tower or supporting structure, and associated control or conversion electronics, which has a rated capacity of not more than 100kW and which is intended primarily to reduce on-site consumption of utility power. The use is not to be deemed an accessory structure.

Conditional Use Regulations:

1. The minimum parcel size shall be 20,000 square feet.
2. No small wind energy system is eligible for approval if all or part of the property is within a conservation easement or scenic highway corridor, or is listed on the State or National Registers of Historic Places, unless the applicant submits satisfactory evidence that the addition of a small wind energy system is not a violation of the rules that govern the development of the property.
3. A system may be directly mounted on or attached to the principal structure on the site, or may be mounted on a freestanding tower. Where possible, the system should be integrated with other structures, such as buildings, light poles or on-premise sign structures, so as to minimize visual impacts.
4. A system shall not extend to a height greater than the following, measured with reference to the highest point of the fixed structure to which the system is attached (but excluding the wind turbine):
   a. 50 feet, for parcels in the R-1 and R-2 Zoning Districts;
   b. 65 feet, for parcels in the R-E, and R-3 Zoning Districts, and
   c. 90 feet for parcels in the R-4, C-1, C-2, C-M and M Zoning Districts.
5. When a system is mounted on a freestanding tower:
   a. The tower and any guy-wires or other supports shall comply with all minimum setbacks for the property; and
   b. The tower shall be set back from any habitable structure on an adjacent property a distance at least as great as the height of the tower.
6. No more than one system shall be permitted on a parcel of land.
7. A system shall be constructed and maintained so that noise levels do not exceed 60dBA, as measured by a sound level meter at the closest neighboring inhabited dwelling. However, this level may be exceeded during short term events such as utility outages or sever windstorms.
8. The applicant must submit proof of turbine certification approved under the Emerging Technologies program of

the California Energy Commission or any other small wind certification program recognized by the American Wind Energy Association.

9. A system must comply with applicable FAA regulations, including any necessary approvals for installations close to airports. Such approvals must be received prior to the submittal of a building permit application. For locations within the Airport Overlay District, the system must comply with all regulations and requirements applicable to that district.
10. A system must comply with all applicable fire codes and building codes.
11. A building permit application for a system must be accompanied by:
    a. Standard drawings of the wind turbine structure including base, tower and footings;
    b. An engineering analysis of the tower showing compliance with the International Building Code and certified by a licensed professional engineer; and
    c. A line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code.
12. Before the installation of a system, the applicant must provide satisfactory evidence that the electrical utility provider has been informed of the applicant's intent to install a system. An off-grid system shall be exempt from this requirement if the property is not served by an electrical utility provider.
13. No system shall be erected or moved onto any lot prior to construction of the main building unless a building permit has been issued for the construction of the main building.
14. Except with respect to Conditional Use Regulations 1, 3, 4, 5(b), 6 and 12 the Special Use Permit provision of Section 19.12.040(B) do not apply to this use. In the case of a Special use Permit application filed as a consequence of not qualifying for conditional use treatment regarding any of the Regulations listed in the preceding sentence, the remaining Regulations shall apply as Minimum Special Use Permit Requirements, and Regulations 2, 5(a), 7, 8, 9, 10, 11 and 13 above, when imposed as Minimum Special Use Permit Requirements, shall be deemed to be non-waivable.

Minimum Special Use Permit Requirements:

* 1. No small wind energy system is eligible for approval if all or part of the property is within a conservation easement or scenic highway corridor, or is listed on the State or National Registers of Historic Places, unless the applicant submits satisfactory evidence that the addition of a small wind energy system is not a violation of the rules that govern the development of the property.

2. A system may be directly mounted on or attached to the principal structure on the site, or may be mounted on a freestanding tower. Where possible, the system should be integrated with other structures, such as buildings, light poles or on-premise sign structures, so as to minimize visual impacts.
3. A system shall not extend to a height greater than the following, measured with reference to the highest point of the fixed structure to which the system is attached (but excluding the wind turbine):
    a. 50 feet, for parcels in the P-O Zoning District; and
    b. 90 feet, for parcels in the O Zoning District.
4. When a system is mounted on a freestanding tower:

* a. The tower and any guy-wires or other supports shall comply with all minimum setbacks for the property; and
    b. The tower shall be set back from any habitable structure on an adjacent property a distance at least as great as the height of the tower.

* 5. A system shall be constructed and maintained so that noise levels do not exceed 60dBA, as measured by a sound level meter at the closest neighboring inhabited dwelling. However, this level may be exceeded during short term events such as utility outages or severe windstorms.

* 6. The applicant must submit proof of turbine certification approved under the Emerging Technologies program of the California Energy Commission or any other small wind certification program recognized by the American Wind Energy Association.

* 7. A system must comply with applicable FAA regulations, including any necessary approvals for installations close to airports. Such approvals must be received prior to the submittal of a building permit application. For locations within the Airport Overlay District, the system must comply with all regulations and requirements applicable to that district.

* 8. A system must comply with all applicable fire codes and building codes.

* 9. A building permit application for a system must be accompanied by:
    a. Standard drawings of the wind turbine structure including base, tower and footings;
    b. An engineering analysis of the tower showing compliance with the International Building Code and certified by a licensed professional engineer; and
    c. A line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code.

10. Before the installation of a system, the applicant must provide satisfactory evidence that the electrical utility provider has been informed of the applicant's intent to install a system. An off-grid system shall be exempt from this requirement if the property is not served by an electrical utility provider.

*11. No system shall be erected or moved onto any lot prior to construction of the main building unless a building permit has been issued for the construction of the main building.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use on the site.

Social Event with Alcoholic Beverage Sales

Description: The sale of alcoholic beverages for consumption only on the premises where the same are sold in connection with weddings, school graduations, employer and employee events, recognition ceremonies, awards ceremonies, family gatherings, fund-raising events, club and organization events or other similar events which occur 17 times or more per calendar month at a facility not licensed for the sale of alcoholic beverages.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Social Service Provider

Description: A facility that provides assistance to persons with limited ability for self-care, but for whom medical care is not a major element. This use includes a facility that provides assistance concerning psychological problems, employment, learning disabilities or physical disabilities, but does not include a rescue mission, homeless shelter or an adult day care center.

On-site Parking Requirement: One space for each 300 square feet of gross floor area.

Solar Panel

Description: A small-scale unit that is designed and used, on an incidental or accessory basis, to generate power or heat (or both) to be supplied to the principal use of the site: This us:

1. Does not include an "electric generating plant" or any other utility facility that is specifically defined in Chapter 19.18; and
2. Shall not be deemed an accessory structure for purposes of the standards of this Title that govern accessory structures.

Conditional Use Regulations:

1. When visible from a public right-of-way, solar panels shall be installed so that they project no more than 40 inches from the roof surface.
2. When mounted on a sloped roof, the enclosure cladding and support structure of solar panels (excepting the solar collection cells) shall match the roof in color and appearance.
3. Roof-mounted hot water storage systems shall not be visible from neighboring properties or public rights-of-way.
4. Within an area designated as an Historic District, the location of the proposed unit must first be reviewed and approved pursuant to LVMC 19.10.140.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use on the site.

Sound Stage

Description: A building or portion of a building used for the production of movies.

On-site Parking Requirement: One space per 300 square feet of gross floor area.

Supper Club

Description: A restaurant and bar operation with alcoholic beverage sales in which:

1. The bar area is separated from the restaurant area by a barrier sufficient to prevent access to the bar by minors;
2. The actual seating available at all times within the dining area will accommodate at least 125 persons. For purposes of this requirement, the "dining area" does not include bar stool seating at the bar or lounge seating, but may include table or booth seating within the bar area and table seating within a patio area;
3. Alcoholic beverages are served in the restaurant area only in conjunction with the service of food;
4. Full-course meals are available during all hours the bar area is open to the public;
5. A cook and food server, other than a bartender, are available at all times the bar area is open to the public; and
6. The restaurant operation is the principal portion of the business.

Minimum Special Use Permit Requirements:

1. No supper club use 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 supper club 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 supper club. 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 supper club proposed to be 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:
   a. From the nearest property line of the existing use to the nearest portion of the structure in which the supper club will be located, without regard to intervening obstacles; or
   b. In the case of a proposed supper club which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the supper club will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for a supper club 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. In the O District, a supper club is permitted only as an accessory use.

* 6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

On-site Parking Requirement: One space for each 50 square feet of public seating and waiting area, including outdoor areas for seating and waiting, plus one space for each 200 square feet of the total remaining gross floor area, with a minimum of ten spaces required.

Swap Meet

Description: A facility (whether indoor or outdoor) in which multiple vendors, dealers, sellers or traders have rented, leased, purchased or otherwise obtained an area from a swap meet operator for the purpose of selling, bartering, exchanging or trading new or used items of personal property, where the aggregate value of all such property exceeds the amount of 1000 dollars.

Conditional Use Regulations:

1. No outdoor display, sales or storage of any merchandise or equipment is permitted, except in connection with temporary activities that have been authorized by means of a Temporary Commercial Permit.
2. No repair, installation or service work is permitted outside of an enclosed building.
3. All signage, including any temporary signage, shall comply with LVMC Chapter 19.08.
4. The swap meet operation shall comply with all applicable requirements of LVMC Title 6.

Minimum Special Use Permit Requirements:

1. No outdoor display, sales or storage of any merchandise or equipment is permitted, except in connection with temporary activities that have been authorized by means of a Temporary Commercial Permit.
2. No repair, installation or service work is permitted outside of an enclosed building.
3. All signage, including any temporary signage, shall comply with LVMC Chapter 19.08.
4. The swap meet operation shall comply with all applicable requirements of LVMC Title 6.

On-site Parking Requirement:

Indoor: One space for each 175 square feet of gross floor area.

Outdoor: Four spaces for each retail stall or unit.

Tattoo Parlor/Body Piercing Studio

Description: An establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following:

1. The placing of designs, letters, figures, symbols or other marks upon or under the skin of any person, using ink or other substances which result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin.
2. The creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.

This use does not include a permanent makeup establishment.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Tavern-Limited Establishment

Description: An establishment that is licensed with a tavern-limited license in accordance with LVMC Chapter 6.50.

On-site Parking Requirement: One space for each 50 square feet of public seating and waiting area (including outdoor areas for seating and waiting), plus one space for each 200 square feet of the total remaining gross floor area, with a minimum of ten spaces required.

Taxicab/Limo Yard

Description: An area or facility used for the storage or dispatch of taxicabs or limousines.

On-site Parking Requirement: One space for each employee on the largest shift, plus one space per taxi or limo when the facility is at maximum capacity.

Teen Dance Center

Description: An establishment that is primarily operated as a place of entertainment for persons under the age of 18 years, characterized by any or all of the following as principal activities:

1. Live, recorded, or televised entertainment, including but not limited to performance by magicians, musicians or comedians.
2. Dancing.

Conditional Use Regulations:

1. The establishment must be located more than 1000 feet from any sexually oriented business. The distance shall be the shortest distance between the property line of the proposed teen dance center which is closest to the existing sexually oriented business, and the other being the property line of the sexually oriented business which is closest to the proposed teen dance center. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of this paragraph, the term "property line" refers to property lines of fee interest parcels and not leasehold parcels.
2. The hours of operation shall be limited to the period between 6:00 p.m. and midnight.
3. The floor area shall not exceed 5000 square feet.

On-site Parking Requirement: One space for every 3 persons that the establishment is designed to accommodate.

Temporary Contractor's Construction Yard

Description: An on-site or off-site facility for the storage of construction materials and equipment intended for use in conjunction with a specific development, to be removed at the time the development is completed. This use may include a temporary batch plant.

No Temporary Commercial Permit required if the use is located on the same site as the approved development and is operated in conformance with all applicable City ordinances and standards.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Temporary Outdoor Commercial Event

Description: A promotional activity, fair, circus, rodeo, festival, carnival, arts and crafts fair, tent revival, haunted house, amusement system, or concert that will be conducted at a location other than a stadium, auditorium or other public assembly facility that is designed to accommodate such an event. This use does not include one-day residential celebrations; uses within public facilities or recreational facilities regulated or organized through the Department of Leisure Services; parades and similar events that occur in the public right-of-way and are regulated by or organized through the Las Vegas Metropolitan Police Department; or grand openings of new businesses that meet all requirements of the Department of Fire and Rescue.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Temporary Real Estate Sales Office

Description: An office operating at a fixed location within an existing model home, trailer or commercial structure which is used temporarily for the purpose of real estate sales.

Conditional Use Regulations:

1. Within any residential district:
   a. The use may be located within a model home or trailer;
   b. The sales activity shall be limited to lots within the subdivision in which the model home or trailer is located; and
   c. The use shall not be permitted to operate until the requirements of LVMC 18.28.010 have been met, including the approval of a final subdivision map.
2. Within any commercial or industrial district:
   a. The use may be located within a trailer or an existing commercial structure; and
   b. The use shall not be permitted to operate and is not entitled to a certificate of occupancy until a Site Development Plan has been approved for the development to which the sales pertains.
3. If the temporary real estate sales office is a model home or is conducted from a commercial structure, the use shall expire 2 years from the date of building permit approval or whenever sales are completed, whichever occurs first. If the temporary real estate sales office is a trailer, the use shall expire 6 months from the date of approval by the Department of Building and Safety.
4. Upon termination of the use, all temporary access improvements from this site to the abutting street(s) shall be removed and replaced with permanent access improvements that meet all City standards, as required by the Department of Public Works.
5. Pursuant to LVMC 19.16.180, direct vehicular access from primary and secondary street(s) through the back of bordering lots is prohibited unless approval is granted by the Director of Planning and Development.
6. All development must be in conformance with the submitted plot plan and floor plan.
7. Any signage for this use must first be approved in writing by the Planning and Development Department.

On-site Parking Requirement: A minimum of 5 on site parking spaces shall be provided, and the spaces provided shall be in compliance with ADA parking requirements and LVMC Chapter 19.10. In any

commercial or industrial district, the Director may waive one or more of the required on site spaces if an equivalent number of on street parking spaces is available on a street that directly abuts the lot on which the use is located.

Tennis Courts, Accessory

Description: Tennis courts that are available for use only as an incidental or accessory use in connection with the principal residential or commercial use of the premises.

Conditional Use Regulations:

1. Courts shall be screened, and lights shall be shielded, from adjacent residences.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Thriftshop

Description: A business operation that deals primarily in secondhand wearing apparel.

Conditional Use Regulations:

1. No outdoor display, sales or storage of any merchandise shall be permitted.
2. The use shall comply with the applicable requirements of LVMC Title 6.

Minimum Special Use Permit Requirements:

* 1. No outdoor display, sales or storage of any merchandise shall be permitted.

* 2. The use shall comply with the applicable requirements of LVMC Title 6.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Thriftshop, Nonprofit

Description: A shop that is operated by a nonprofit organization and that sells donated used merchandise only.

Conditional Use Regulations:

1. No outdoor display, sales or storage of any merchandise shall be permitted.
2. The use shall comply with the applicable requirements of LVMC Title 6.

Minimum Special Use Permit Requirements:

* 1. No outdoor display, sales or storage of any merchandise shall be permitted.

* 2. The use shall comply with the applicable requirements of LVMC Title 6.

On-site Parking Requirement: One space for each 250 square feet of gross floor area.

Time-Share Development

Description: A development consisting of a minimum of 50 units that are made available for use and occupancy on a recurrent periodic basis according to an arrangement allocating this right among various holders of a time-share ownership, leasehold or other similar interest.

Conditional Use Regulations:

1. No individual time-share unit may serve as a person's primary residence.
2. No access to any accessory use (giftshop, restaurant, beauty shop, etc.) shall be permitted other than from within the time-share development.
3. No exterior advertising or lighting is permitted in excess of that allowed for residential developments.

On-site Parking Requirement: One space for each time-share unit, plus 10 spaces for each 1,000 square feet of accessory uses.

Towing & Impound Yard

Description: A lot or building used for the storage of damaged, wrecked or impounded motor vehicles for a limited period of time, usually awaiting insurance adjustment, transport to a repair shop, or recovery by the owner or operator.

Conditional Use Regulations:

1. All areas used for the parking and storage of operable vehicles shall be paved.
2. All stored, damaged, or wrecked vehicles, parts and equipment shall be effectively screened so as not to be visible from adjoining properties or public rights-of-way.

On-site Parking Requirement: One space for each employee, plus one space for each tow truck that is stationed at the facility. Vehicles that in storage 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 storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.

Towing Service (with No Storage)

Description: An establishment that provides the service of transporting damaged, wrecked or impounded motor vehicles to an off-site storage area or other facility.

On-site Parking Requirement: One space for each employee, plus one space for each tow truck that is stationed at the facility.

Townhouse

Description: A row or cluster of at least 3 attached dwellings in which each dwelling is located on separately owned lot, each unit is separated by 1 or more common vertical walls, each unit has its own front and rear yard access, and no unit is located over another unit. A townhouse complex may include common open space and recreational areas and facilities which are owned by all owners on a proportional, undivided basis.

On-site Parking Requirement: Two spaces per dwelling unit, plus one guest space for every 6 dwelling units spread throughout the development.

Trade School

Description: A facility for instruction and training in trades or crafts such as auto repair, welding, bricklaying, machinery operation or other similar trades or crafts which require the use of large equipment, or outdoor training activities, or both.

Conditional Use Regulations:

1. No instruction or training in welding or auto repair shall be permitted.

On-site Parking Requirement: One space for each staff member, plus one space for every 2 students in class when the school is at maximum capacity.

Trailer/RV Camp or Park

Description: Any lot or tract of land used, or intended to be used, for the renting of space to accommodate 2 or more recreational vehicles.

Minimum Special Use Permit Requirements:

1. The maximum density permitted in a recreational vehicle park is 20 recreational vehicle sites per acre.
2. Recreational vehicle parks shall have a minimum frontage of 100 feet at the building setback line.
3. Recreational vehicle sites, office buildings, accessory buildings and other facilities shall be set back at least 10 feet from any property lines. When adjacent to any property line adjoining a public street, the required setback shall be 15 feet.
4. Vehicular spacing:
   a. Pull-through recreational vehicle sites shall maintain 15 feet between vehicle parking on adjoining sites.
   b. Back-in recreational vehicle sites shall maintain 10 feet between vehicles, to include automobiles parking in adjoining sites.
5. Recreational vehicle sites shall be set back 20 feet from any building.

* 6. A minimum of 10% of the total area of the park shall be reserved for purposes of open space or recreational facilities. Open space area shall be of sufficient size and distribution as to be a functional part of the entire park.

* 7. All access drives shall be a minimum of 20 feet wide and must first be approved by the City Traffic Engineer.

On-site Parking Requirement: One space for each recreational vehicle, plus one guest space for every 10 recreational vehicles.

Transit Passenger Facility

Description: A facility, including a park and ride, for the loading and discharging of train or bus passengers.

Conditional Use Regulations:

1. The facility must be operated by a public entity.
2. The facility must be located along a collector or arterial street.
3. The principal operating hours of the commuter parking lot must not significantly conflict with those of other uses on the parcel.
4. The use must be ancillary to a primary use, and the number of parking spaces dedicated to commuter parking shall not exceed 10% of the total amount of parking required for the primary use under Chapters 19.12.

On-site Parking Requirement: To be determined on a case-by-case basis.

Trucking Company

Description: A business, service or industry involving the use of commercial vehicles in the loading, unloading and transportation of cargo. This use may also include the fueling, maintenance, servicing, storage or repair of commercial vehicles or the storage of cargo.

Minimum Special Use Permit Requirements:

1. The use shall be limited to office operations and the parking of trucks and trailers.
2. No more than 5 trucks or trailers, or combination of trucks and trailers, shall be permitted on the site at any one time.
3. The parking of trucks and trailers shall be restricted to locations to the rear of onsite structures so as to not be visible from adjoining streets.
4. None of the following activities shall be permitted on site:
   a. The repair or servicing of vehicles.
   b. The storage or warehousing of goods or merchandise.
   c. The loading or unloading of goods or merchandise.

On-site Parking Requirement: One space for each 250 square feet of floor area devoted to office use, plus one space for each 1000 square feet of remaining gross floor area.

Truck Rental

Description: A facility for the rental of new or used trucks. For purposes of the limitations of this Title on outside storage, trucks kept on a lot for rental purposes are not considered to be outside storage.

On-site Parking Requirement: One space for each rental vehicle, plus one space for each 250 square feet of gross floor area.

Tutoring Center

Description: An institution or place of education or instruction, other than a public or private school (primary or secondary), business school, or trade school, that is owned and operated privately for profit and that does not offer a complete educational curriculum. This use includes an educational testing center.

Conditional Use Regulations:

1. Adequate pick-up and drop-off areas must be provided on-site.
2. Equipment used for instructional purposes must be stored within the building.
3. Instructional services must be provided with a pupil/instructor ratio no greater than 2:1. (P-O only)

On-site Parking Requirement: One space for each staff member, plus one space for every 5 students in class when the center is at maximum capacity.

TV Broadcasting & Other Communication Service

Description: A building or portion of a building used as a place for television broadcasting or similar communication-related activities.

On-site Parking Requirement: One space per 300 square feet of gross floor area.

Two-Family Dwelling

Description: A detached dwelling designed for and occupied exclusively by 2 families living independently of each other in separate dwelling units on a single lot.

On-site Parking Requirement: Two spaces per dwelling unit.

Urban Lounge

Description: An establishment that:

1. Is licensed for the sale of alcoholic beverages for consumption on the premises where the same are sold, and the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold; and
2. Meets the Minimum Special Use Permit Requirements set forth below.

Minimum Special Use Permit Requirements:

1. The use is limited to the area located within the boundaries of the Las Vegas Arts District, as described in the Downtown Centennial Plan and as amended from time to time.
2. For each seat provided at the bar of the establishment, there must be a minimum of 2 seats within a lounge area located away from the bar.
3. The use is subject to the provisions of Chapter 6.40 relating to gaming and Chapter 6.50 relating to liquor control.

On-site Parking Requirement: To be determined on a case-by-case basis.

Utility Installation, Other Than Listed

Description: A facility or area used as (or for) a utility installation not specifically listed in this Title. This use does not include any type of wind energy conversion system.

On-site Parking Requirement: One space, plus an additional space for each 300 square feet of habitable office space.

Utility Transmission Lines

Description: Utility infrastructure providing electrical power, telephone, or cable television which is installed, operated and maintained by a municipality or a franchised utility company.

Conditional Use Regulations:

1. The location of routes for lines which are 15,000 volts or above must first be approved by the Planning Commission.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Valet Parking

Description: A service provided in conjunction with a business or other establishment by which employees (or others acting on behalf of the establishment) park the vehicles of patrons or visitors in an area set aside for that purpose.

Conditional Use Regulations:

1. A maximum of 20 percent of the number of parking spaces required by this Table for the principal use(s) on the site may be used for valet parking.
2. The applicant must submit to the Department, for administrative review and approval, a site development plan showing where valet spaces will be located and demonstrating that the area and methodology for valet parking will be physically designed to prevent queuing in the right-of-way.

3. The applicant must provide written assurance that the valet parking will be operated to conform with the hours of operation that are proposed and approved for the use.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Vehicle Parking, Storage or Repair in Residential Zoning Districts

Description: The parking, storage or repair of vehicles as an accessory use in residential zoning districts

Conditional Use Regulations:

1. Except as otherwise provided in Regulations 2 to 13, inclusive, motor vehicles, including passenger cars, trucks and motorcycles which are not designed or used for racing or for purposes other than transportation, may be parked, stored or repaired on any property in a residential district, provided the same is accessory and incidental to the use of the property for residential purposes and does not constitute a nuisance, health or fire hazard offense under the provisions of this Code and do not have a detrimental effect on the neighborhood. The motor vehicles shall be stored:
   a. Within a completely enclosed structure;
   b. In the front yard, either on an approved driveway, or on a surface of concrete or asphaltic paving that is adjacent and parallel to an approved driveway and that extends the full length and width of the vehicle; or
   c. In the side yard, either obscured by a 6 foot high fence to adequately screen the vehicles from view, stored on an approved driveway, or stored on a surface of concrete or asphaltic paving that is adjacent and parallel to an approved driveway and that extends the full length of the vehicle; provided, however, that the vehicle storage complies with the other provisions set out in Regulations 1 to 13, inclusive.
2. Except as otherwise provided in Regulation 10 below, on a single family residential lot:
   a. No more than 3 operable vehicles may be stored, or one vehicle per 1250 square feet of lot area, whichever allows the greater number of vehicles;
   b. No more than 50 percent of the front yard area may be used for the storage of vehicles; and
   c. No more than 6 vehicles, whether operable or inoperable may be stored at one time.
3. In any residential district, a recreational vehicle or trailer, or combination thereof, may be stored only as follows:
   a. Within an enclosed structure;
   b. In a rear yard, if stored on a surface of concrete or asphaltic paving, gravel or chat which extends the full length and width of the stored item;
   c. In a front yard, provided that:
      i. The side and rear yards are not reasonably accessible for storage purposes. A corner lot shall be deemed to have reasonable access, and the existence of a fence or block wall, by itself, shall not be deemed to prevent reasonable access to the side or rear yards; or
      ii. The recreational vehicle or trailer, or combination thereof, is stored entirely in the yard area with no portion of the unit located closer than one foot from an adjacent public street or sidewalk; and
      iii. The recreational vehicle or trailer, or combination thereof, is stored on a surface of concrete or asphaltic paving that is adjacent and parallel to an approved driveway and that extends the full length and width of the stored item.
   d. In a side yard, if the recreational vehicle or trailer, or combination thereof, does not extend closer to the street than the front of the main building on the property, and if it is stored on a surface of concrete or asphaltic paving that is adjacent and parallel to an approved driveway and that extends the full length of the stored item.
4. Any vehicle being repaired, stored or parked for more than 4 hours on property in a residential district shall have a manufacturers rated carrying capacity not to exceed one ton, and any vehicle being repaired must be owned by a permanent resident at the location where the repair takes place, except as provided in Regulation 9 below.
5. Except as otherwise provided in Regulation 10 below:
   a. Any vehicle that is located in a residential district and is in mechanically inoperable condition shall be stored or repaired in a garage, shed or other enclosure; in a driveway; or in a rear yard that is enclosed by a 6 foot-high fence to adequately screen the vehicle from view; provided, however, that if the abutting property is undeveloped, the fencing shall not be required until the adjacent property is developed.
   b. In a residential district, no repair outside of an enclosure may occur later than 9:00 p.m. or earlier than 7:00 a.m.
6. Except as otherwise provided in Regulation 10 below:
   a. In a residential district, no more than one vehicle that is in a mechanically inoperable condition shall be stored or repaired at any time outside of a fully enclosed building on the premises, and there shall be no repair of vehicles or storage of mechanically inoperable vehicles in the side yards.
   b. A vehicle shall not be stored in a mechanically inoperable condition in a residential district for more than 90 days.
7. There shall be no storage of junked vehicles, or parts thereof, in any residential district. Only serviceable parts for owned vehicles may be stored on the premises. Such storage shall not be permitted in the front or side yards but shall be permitted in the rear yard only if such storage is either fully enclosed by

a 6 foot high fence to adequately screen the parts from view, or in a fully enclosed building; provided, however, that if the abutting property is undeveloped, the fence or enclosed building shall not be required until the adjacent property is developed. No more than 200 square feet of space shall be used for the storage of serviceable parts.

8. On any lot within a residential district, the following are prohibited, except in connection with an approved construction yard or except as necessary to perform grading or construction work on the premises pursuant to a development permit:
   a. The repair or storage of any vehicle whose primary function is other than the transportation of passengers, including but not limited to forklifts, backhoes, tractors, tow trucks and similar types of machinery, construction or industrial equipment; or
   b. The parking, for more than 4 hours, of any vehicle whose primary function is other than the transportation of passengers, including but not limited to forklifts, backhoes, tractors, tow trucks and similar types of machinery, construction or industrial equipment.
9. Nothing in Regulations 1 to 13, inclusive, shall be construed to permit the operation of a business as defined in Title 6. There shall be no repair, restoration or modification of non-owned vehicles for money or barter on residential property. However, nothing in Regulations 1 to 13, inclusive, prohibits the temporary emergency repair of owned or non-owned vehicles which have become mechanically inoperable while on the property or in the street.
10. On any residential lot owned by a member of a duly-recognized organization of automobile collectors or restorers, the owner may exceed the limitations on vehicle storage and repair set forth in Regulations 2, 5(a) and 6 above with respect to the restoration, refurbishing or rebuilding of his or her own classic or antique vehicle if any such vehicle is covered with a fitted full-vehicle pullover cover when it is not being worked on.
11. In order to facilitate vehicle inspection and enforcement under Regulations 1 to 13, inclusive, any person engaged in the storage, repair, restoration or modification of any vehicle shall, upon request, provide to any authorized enforcement officer:
   a. Evidence regarding the ownership of the vehicle, such as current registration, title, bill of sale or other documentation;
   b. As applicable to the exception set forth in Regulation 10, evidence sufficient to indicate the person's membership in a duly-recognized organization of automobile collectors or restorers; and
   c. As applicable to the exception set forth in Regulation 10, evidence sufficient to indicate that the vehicle or vehicles in question are actually and currently in the process of being restored, refurbished or rebuilt.
12. The provisions of Regulations 1 to 13, inclusive, shall apply to any person in control or lawful possession of any real property within a residential district, including an owner, tenant, occupant, lessee or otherwise.
13. For purposes of Regulations 1 and 3, an "approved driveway" means a driveway that complies with all applicable curb cut requirements that have been established by the City.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal residential use on the site.

Warehouse/Distribution Center

Description: An enclosed structure for the storage of goods for distribution or transfer to another location.

On-site Parking Requirement: One space for each 1000 square feet of gross floor area.

Wedding Chapel

Description: A facility that is made available to be rented for wedding ceremonies, and may include a chapel, dressing rooms, offices, reception facilities and gardens.

On-site Parking Requirement: One space for each 150 square feet in the principal assembly space.

Welding Repair

Description: A facility in which products made of metal or metal alloy are repaired by means of welding.

On-site Parking Requirement: One space for each 500 square feet of gross floor area.

Wholesale Showroom Facility

Description: A building used primarily for the storage of goods and materials, and secondarily for the display of merchandise for wholesale purchase.

On-site Parking Requirement: One space for each 500 square feet of sales/display area, plus one space for each 2500 square feet of warehouse/storage area.

Wireless Communication Facility, Non-Stealth Design (Qualifying for Conditional Use Approval)

Description: A wireless communication facility that does not qualify as a stealth design wireless communication facility (but meets the Conditional Use Regulations listed below).

Conditional Use Regulations:

1. The applicant must submit to the Department, for administrative review and approval, a site plan and an elevation drawing. The Director shall review the documents to determine if the proposed facility conforms to the conditions listed below for this use. If the Director, in his discretion:
   a. Approves the proposed facility to proceed as a conditional use, the Director shall provide written notice of approval to the applicant, with a copy to the office of the City Council. Within 10 days after the notice is mailed or delivered, the applicant may proceed to apply for building permits, unless a member of the City Council files with the Director a written request for the Council to review the approval. If such a request to review is filed, the application must first be reviewed and approved by the Council.
   b. Determines that the proposed facility does not conform to the conditions listed below, a Special Use Permit will be required for the use. Any determination by the Director that a Special Use Permit will be required is not subject to appeal.
2. The facility must qualify as one or more of the following:
   a. An antenna that is to be collocated on an existing antenna tower or other existing structure.
   b. An antenna tower that is to be located on property in the C-V Zoning District.
   c. An antenna tower that is to be located:
      i. On property in the C-M or M Zoning District; and
      ii. A minimum distance of 600 feet from residentially zoned property.
   d. An antenna tower that is proposed to be located on property developed with a utility substation, and is to be located within that substation.
   e. A slim line design pole wireless communications facility.
3. Within an area designated as a Historic Preservation District, the proposed facility must first be reviewed by the Historic Preservation Commission before the Director considers granting approval as a conditional use.
4. The design and location of the proposed facility must be deemed by the Director to be compatible with surrounding uses, and the facility must include appropriate screening and landscaping to ensure such compatibility.
5. The frequencies used by the communication provider shall be in conformance with Federal Communication Commission standards, as certified by a competent professional (such as a radio frequency engineer).

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Wireless Communication Facility, Non-Stealth Design (Not Qualifying for Conditional Use Approval)

Description: A wireless communication facility that does not qualify as a stealth design wireless communication facility.

Minimum Special Use Permit Requirements:

* 1. No residential use may exist on the property.

* 2. Any antenna tower that forms part of the facility shall conform with both the setback requirements of the zoning district and the separation requirements of Section 19.08.XXX.

* 3. Except in the C-V Zoning District, no antenna tower that forms part of a facility may be located within 600 feet of:
   a. Any other antenna tower that forms part of a wireless communication facility; or
   b. Any pole or tower structure of any other type that has a height of at least 60 feet.

* 4. Antenna towers and associated components shall be initially painted and thereafter repainted with a flat paint, using a color that is approved by the City Council. Except as otherwise required by the Federal Communications Commission or the Federal Aviation Administration, the color of any antenna tower must generally match the surroundings or background so as to minimize its visibility.

* 5. Failure to perform necessary maintenance and repainting shall be grounds for administrative and other enforcement action, including action pursuant to Requirement 9 below.

* 6. Any proposed antenna tower must be designed to accommodate at least 2 communication providers or, in the case of a tower that exceeds 80 feet in height, at least 3 communications providers.

* 7. No signals, lights, or other attention gaining devices are permitted on any antenna tower or antenna unless required by the Federal Communications Commission or the Federal Aviation Administration; provided, however, that this condition shall not be construed to prevent the mounting of an antenna on a signal, light or sign that has been legally permitted and installed.

* 8. All ground level equipment, buildings and the base of any antenna tower must be screened so as to not be visible from streets and residences, with appropriate landscaping designed to ensure compatibility with surrounding uses.

* 9. Any abandoned or unused antenna tower, and the associated components of any facility, shall be removed within 6 months after operations at the site cease. In the event that removal is not timely performed, the City may remove, or cause the removal of, the antenna tower and associated components, and assess the costs of removal against the property. Before taking such action, the City must deliver or mail to the property owner a notice of the City's intent to do so. The property owner shall have 30 days from the date notice is delivered or mailed to request a hearing. The failure to request a hearing shall be

deemed to be a waiver of the right to be heard, and the City may immediately cause the removal of the antenna tower and any associated components, and may assess the costs against the property.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

Wireless Communication Facility, Stealth Design

Description: A wireless communication facility that is designed to blend into the surrounding environment. Examples include without limitation: antenna tower alternative structures; roof mounted antennas (with architectural screening when appropriate); building mounted antennas painted to match the existing structure; antennas integrated into architectural elements (such as steeples or cupolas); antennas and antenna structures designed to look like light poles, flagpoles, or any other camouflaging techniques available on the market; and a cable microcell network which utilizes multiple low powered transmitters/receivers or repeaters attached to existing wireline systems, such as conventional cable or telephone wires, or similar technology that does not require the use of towers.

Conditional Use Regulations:

1. The applicant must submit to the Department, for administrative review and approval, a site plan and an elevation drawing. The Director shall review the documents to determine if the proposed facility conforms to the conditions listed below for this use. If the Director, in his discretion:
   a. Approves the proposed facility to proceed as a conditional use, the Director shall provide written notice of approval to the applicant, with a copy to the office of the City Council. Within 10 days after the notice is mailed or delivered, the applicant may proceed to apply for building permits, unless a member of the City Council files with the Director a written request for the Council to review the approval. If such a request to review is filed, the application must first be reviewed and approved by the Council.
   b. Determines that the proposed facility does not conform to the conditions listed below, a Special Use Permit will be required for the use. Any determination by the Director that a Special Use Permit will be required is not subject to appeal.
2. No residential use may exist on the property.
3. The design must conform to the definition of the term "Wireless Communication Facility, Stealth Design," as set forth in Section 19.18.020 and as determined by the Director.
4. Within an area designated as a Historic Preservation District, the proposed facility must first be reviewed by the Historic Preservation Commission before the Director considers granting approval as a conditional use.
5. The design and location of the proposed facility must be deemed by the Director to be compatible with surrounding uses, and the facility must include appropriate screening and landscaping to ensure such compatibility.
6. The frequencies used by the communication provider shall be in conformance with Federal Communication Commission standards, as certified by a competent professional (such as a radio frequency engineer).

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.

USE RESTRICTIONS FOR P-O, O AND C-D DISTRICTS 19.12.080

A. P-O District

All uses in the P-O District shall conform to the following:

1. No products shall be stored, displayed or sold on the premises, except for the sales activities otherwise permitted for the internet/catalogue sales office use.

2. No trucks, vans or other commercial vehicles shall be stored or parked on the property overnight.

3. No service shall be performed upon a client except those related to the service of the medical profession including dentists, opticians, optometrists, chiropractors, etc.

4. Services shall not include the production or repair of any goods except as an incidental use to a permitted service.

5. Instructional services at a physician's office must be provided with a pupil/instructor ratio no greater than two to one; provided, however, that the Director may approve a higher pupil/instructor ratio upon a showing that sufficient off-street parking is available for the number of pupils anticipated. Equipment used for instructional purposes must be stored within the building.

6. Except in accordance with a Special Use Permit approving the establishment of a Mixed-Use use as defined by Chapter 19.18, there shall be no mixed residential and commercial use of any property and in the event there is an existing residential use on a property, no commercial use of the property shall be permitted until the residential use has permanently ceased.

7. No use or business activity shall remain open to the public for business between the hours of 9:00 p.m. through 7:00 a.m. All exterior lighting, except for

security lighting, shall be turned off.

B. O District. In the O District, all storage or display of merchandise and equipment shall be within a completely enclosed building. No trailers or other portable structures may be used for storage purposes.

C. C-D District

All uses in the C-D District shall conform to the following:

1. Retail shops shall sell new merchandise exclusively except for antique shops. All products produced, whether primary or incidental, shall be sold at retail on the premises, and not more than two persons shall be engaged in the production of such products.

2. There shall be no mixed residential and commercial use of any property and in the event there is an existing residential use on a property, no commercial use of the property shall be permitted until the residential use has permanently ceased.

3. No use or business activity shall remain open to the public for business between the hours of 9:00 p.m. and 7:00 a.m.

4. All uses and activity shall be contained within a completely enclosed building and there shall be no outside storage, service or sales. No trailers or other portable structures may be used for storage purposes.

D. All Non-Residential Districts. No outdoor storage, sales, rent or display of products or equipment is permitted except in accordance with the provisions of this Title, or a specific Special Use Permit approval granted thereunder.

SIMILAR AND PROHIBITED USES 19.12.090

A. Unlisted Uses

The uses permitted in this Chapter are classified on the basis of common operational characteristics and land use compatibility. Uses not specifically listed in this Chapter are prohibited. However, additional new and unlisted uses may be permitted by the Director if the Director finds that the use is similar to other uses listed in the same zoning district.

B. Appeals

An applicant who is aggrieved by the decision of the Director with respect to the allowability of an unlisted use may appeal the decision to the City Council. The appeal shall be filed in the office of the City Clerk, with a copy to be filed in the office of the Planning and Development Department. Unless otherwise stated in the Council's action, the determination of the Council with respect to the appeal shall constitute a permanent and consistent interpretative decision which the Director shall apply in all future instances.

C. Conditions

When considering requests to permit a new or unlisted land use as being similar to a listed use, the Planning Director or City Council shall consider the potential effects of the use on adjacent properties in terms of requirements for services, visual impact, traffic generation, the extent to which the use is consistent with other uses allowed in the district, and other issues they deem appropriate. Based upon such consideration, the Director or Council, in approving a request under this Subchapter, may impose appropriate and reasonable conditions designed to ensure compatibility and consistency of uses.

D. Authorization of New Uses

New uses which have been permitted by the Director or City Council, pursuant to the subchapter shall be added by ordinance amendment on a periodic basis.

E. Uses Expressly Prohibited

Without limiting the general applicability of Section (A) of this Subchapter, the commercial use of a residential dwelling unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the unit for a period of less than thirty-one consecutive calendar days, is prohibited except as otherwise permitted under this Title.

INTENT AND EFFECT OF CROSS-REFERENCING TOOLS 19.12.100

The Land Use Tables that appear in Subchapter 19.12.010 and the various minimum standards that are set forth in other Subchapters of this Chapter 19.12 include certain cross-referencing tools that are intended to assist the City and the public in using and applying the Zoning Code. For example, the Land Use Tables include asterisks and plus signs that are intended to remind the user to consult other portions of the Zoning Code for additional information. Likewise, language in the other Subchapters of this Chapter occasionally refers to the Land Use Tables to help the user correlate the various provisions of the Code that apply. These cross-referencing tools are for the sake of convenience and assistance only, and do not diminish the applicability of

substantive standards and limitations of this Code. Except as otherwise specifically indicated, the absence or omission of an asterisk or plus sign in the Land Use Tables shall not be deemed to limit or negate any other provision of this Code.

OFF-PREMISE SIGNS 19.12.110

A. Off-Premise Signs Defined

Off-premise signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-premise signs generally produce revenue to the property owner(s) as a land use as compared to on-premise signs which in themselves do not produce revenue but are incidental to a revenue-producing land use. However, because of the special characteristics of off-premise signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with off-premise signs as a permitted use in certain zoning districts.

B. Special Use Permit Required

1. Except as otherwise provided in Sections (F) and (G) of this Subchapter a Special Use Permit is required for all off-premise signs prior to the construction, placement, erection or modification of the sign in accordance with the requirements of this Chapter. A Special Use Permit application shall be processed in accordance with Subchapter 19.16.110. Furthermore, the property owner(s), owner(s) of the structure or other responsible person shall maintain in force, at all times, a sign certificate for the sign in accordance with the requirements of this Chapter.

2. The Special Use Permit requirement set forth in Paragraph (1) is in addition to and independent of any locational provision or limitation contained in this Section. In determining whether to approve or deny a Special Use Permit under this Section, the Planning Commission and City Council may consider the aesthetic impact of the sign on the area and all other aspects of the sign's compatibility with the surrounding area, including the existence or nonexistence of other signage in the area.

3. In connection with the approval of a Special Use Permit under this Section, the Planning Commission or City Council may impose a time limit on the approval or require a periodic review of the sign as a condition of approval, provided that:

a. In the case of a time limit, the limit is not less than three years; and

b. In the case of a periodic review, the review is not sooner than three years after the approval.

4. After conducting a review, the City Council may require removal of the sign if it is demonstrated that conditions in the surrounding area have changed in such a manner that the sign no longer meets the standards established in Section 19.16.110(L).

C. Locational Provisions

1. No off-premise signs shall be erected in the public right-of-way.

2. No off-premise sign certificate of any kind shall be issued for an existing or proposed sign unless the sign is consistent with all requirements of this Chapter (including those protecting existing signs).

3. Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only.

4. No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet. Any embellishment may include lettering, text, numerals or images, but only to the extent that such items do not exceed fifty percent of any linear side of the sign.

5. Off-premise signs which are within 660 feet of the right-of-way and which can be read from Interstate 15, US 95 from the north city limits to the Oran K. Gragson Highway, the Oran K. Gragson Highway or Interstate 515 shall be no closer than 750 feet (measured along the highway frontage) to any other off-premise sign along the same frontage. Each side of the highway shall be considered a separate frontage. The sign and all other off-premise signs not oriented toward the same highway shall be no closer than 300 feet in any direction to any other off-premise sign, wherever located, including an off-premise sign that is situated outside the corporate boundaries of the City.

6. The distance to and from a sign shall be measured with reference to the point on the ground that is directly beneath the center of the sign structure.

7. Off-premise signs which are within 660 feet of the right-of-way and which can be read from Interstate 15, US 95 from the north city limits to the Oran K. Gragson Highway, the Oran K. Gragson Highway or Interstate 515 shall not be higher than 40 feet except as provided in Subparagraphs (a) and (b)

below. The height shall be measured from the grade at the point of construction to the top of the sign. The display surface shall not be higher than 30 feet nor wider than 60 feet.

a. An off-premise sign within 150 feet of the right-of-way line of an elevated freeway or highway to which it is oriented may be erected 30 feet above the elevation of the elevated roadway surface nearest the sign.

b. An off-premise sign within 150 feet of the right-of-way line of any freeway or highway to which it is oriented which, at a height of 40 feet, will have a significant portion of its display surface obscured from view from the travel lanes of the freeway or highway may be increased to a maximum of 55 feet when authorized by the City Council.

8. All other off-premise signs shall be no higher than 40 feet from grade at the point of construction, except that an off-premise sign within 60 feet of the right-of-way line of the street to which it is oriented which, at a height of 40 feet, will have a significant portion of its display surface obscured from view from the travel lanes of the street may be increased to a maximum of 55 feet when authorized by the City Council.

9. Off-premise signs shall not be located closer than 10 feet to the right-of-way line of a freeway nor closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.

10. No off-premise sign shall be erected or maintained within 660 feet of the nearest travel lanes of the Summerlin Parkway from Station 499 + 78 to Station 601 + 30.

11. No off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in the "U" zoning district or any "R" zoning district.

D. Additional Provisions

1. All structural elements of an off-premise sign to which the display panels are attached shall be screened from view. Display surface panels which are removed for the purpose of changing the advertising message shall be replaced within 30 days with display panels containing a new advertising message or uniformly painted blank panels.

2. All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.

3. For any off-premise sign that is proposed within 660 feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, a State of Nevada sign permit shall be obtained and a copy attached to the application prior to the issuance of a construction permit or sign certificate by the City.

4. No sign certificate shall be issued for an individual off-premise sign unless and until a site plan for the lot on which the sign will be erected has been submitted to and approved by the Director. The site plan shall include the following:

a. An accurate site plan of the lot, at the scale the Director requires;

b. The location of buildings, parking lots, driveways and landscaped areas on the lot;

c. An accurate indication of the location of all existing and proposed off-premise signs; and

d. Drawings that allow the computation of the area and the height of any off-premise signs and which indicate any sign characteristics such as illumination, embellishment areas or moving parts.

5. The permittee or holder of a sign certificate shall notify the Director in advance, by letter or fax and pursuant to Section 19.16.100(F) of any change in the characteristics of an off-premise sign, such as illumination, embellishment areas or moving parts, that are not shown on the approved site plan, and shall provide any additional supplemental drawings as the Director may require. Final approval of any changes under this Paragraph (5) shall be contingent upon final construction inspection and approval by the Department of Building and Safety regarding structural changes, including approval of any necessary electrical inspections. In the case of a proposed embellishment, the proposal shall be processed as in the case of a Minor Site Development Plan Review under Section 19.16.100(F), except that if the Director does not respond to the notice, within ten business days following receipt thereof, regarding whether or not the embellishment complies with this chapter, the embellishment shall be deemed approved.

6. No display panel or advertising message may be placed upon a new off-premise sign structure until:

a. The Department of Building and Safety has performed all necessary final construction inspections of the structure and issued a certificate or other evidence of compliance with applicable codes; or

b. The applicant has obtained and filed with the City a certification by a licensed professional engineer that the sign is structurally sound.

7. Any illumination of an off-premise sign shall be in accordance with the applicable standards and permit requirements of the City's Electrical Code and Administrative Code.

8. With respect to existing signs for which no final construction inspection and approval exists, the owner of the sign, upon notice from the City, shall, within thirty days, obtain either construction inspection and approval by the City or structural certification, as those items are described in Paragraph (6).

E. Off-Premise Sign Exclusionary Zone

1. Off-premise signs are prohibited within the boundaries of the following area:

a. Bounded on the north by the Las Vegas/Clark County boundary.

b. Bounded to the east by the Las Vegas/North Las Vegas boundary (Decatur Boulevard), south to Cheyenne Avenue, then west along Cheyenne Avenue to Rainbow Boulevard, then continuing south along Rainbow Boulevard to Sahara Avenue.

c. Bounded on the south by Sahara Avenue, west to Durango Drive then continuing south along Durango Drive to Desert Inn Road, continuing west to Hualapai Way then north along Hualapai Way to West Charleston Boulevard, then west to the Las Vegas/Clark County boundary.

d. Bounded to the west by the Las Vegas/Clark County boundary, then continuing north to the Las Vegas/Clark County northern boundary.

2. The prohibition contained in Paragraph (1) of this Subsection does not apply to any sign which would be within 660 feet of the right-of-way line, and oriented toward, the following interstate and federal-aid primary routes, as defined by the Nevada Department of Transportation:

a. Oran K. Gragson Highway

b. U.S. Highway 95, south of Ann Road

c. Interstate 515

3. The prohibition of off-premise signs within the area described in Paragraph (1) or within any other area described in this Chapter shall not be deemed or interpreted:

a. As an indication that any other particular location is suitable for an off-premise sign.

b. To eliminate the need for a Special Use Permit or affect the determination of compatibility with respect to a proposed sign.

F. Relocation Of Signs Required To Be Removed For Publicly Funded Improvements

1. If an off-premise sign is required to be removed by a governmental entity in connection with the widening of a public roadway or the installation of publicly-funded improvements, the sign may be relocated without obtaining a Special Use Permit or Variance that would otherwise be required, but only if:

a. The applicant can demonstrate that the sign, at its existing or previous location, received all necessary approvals and permits, and that the approvals and permits remain valid;

b. The relocation will be on the same parcel or within the same commercial subdivision;

c. The applicant submits for and obtains a waiver, pursuant to Paragraph (4) below, of any and all requirements and limitations of this Section pertaining to distance separation and location that cannot otherwise be met by the sign as relocated;

d. There will be no increase in the area of the sign to be relocated; and

e. There will be no increase in the height of the sign, except that:

i. A sign within one hundred fifty feet of the right-of-way line of an elevated freeway or highway to which it is oriented may be erected thirty feet above the elevation of the elevated roadway surface nearest the sign; and

ii. A sign that, at a height of forty feet, will have a significant portion of its display surface obscured from view from the travel lanes of the right –of-way to which it is oriented, may be increased to a maximum of fifty-five feet.

2. The applicant for relocation of a sign under the provisions of Paragraph (1) must submit to the Department a written application for administrative review. The application must include:

a. A site plan;

b. An elevation drawing;

c. Evidence that the sign, at its existing or previous location, received all necessary approvals and permits, and that the approvals and permits remain valid;

d. A request for the waiver of any and all requirements and limitations of this Section pertaining to distance separation and location that cannot otherwise be met with the sign as relocated:

e. A request for any desired increase in the height of the sign that may be permitted under Paragraph (1)(e);

f. A justification letter that includes the reason for removal and relocation; and

g. Any other information required by the Director.

3. If the Director determines that the relocation of the off-premise sign;

a. Conforms to the conditions set forth in Paragraph (1), the Director shall provide written notice of approval to the applicant, with a copy to the office of the City Council. Within ten days after the notice is mailed or delivered, the applicant may proceed to apply for building permits, unless within that time a member of the City Council files with the Director a request for the Council to review the approval. If such a request to review is filed, the application must first be reviewed and approved by the council prior to issuance of any building permits.

b. Does not conform to the conditions set forth in Paragraph (1), the normal Special Use Permit and Variance requirements and limitations will apply. Any determination by the Director that the relocation of an off-premise sign does not conform to the conditions set forth in Paragraph (1) is not subject to appeal.

4. In connection with an application to relocate an off-premise sign pursuant to Paragraph (1), the requirements and limitations of the Section pertaining to distance separation and location may be waived by the Director, or in connection with City Council review pursuant to Paragraph (3)(a), notwithstanding any other provision of this Title, upon a determination that the relocation, under the circumstances, will not have a materially different impact on surrounding properties and uses than the existing sign.

5. Unless otherwise indicated in a written notice of approval pursuant to Paragraph (3)(a), conditions of approval from any previous Special Use Permit and Variance applications pertaining to the sign at its existing or previous location will apply to the relocated sign, and additional conditions may be added as appropriate.

6. A demolition permit must be obtained for the removal of an existing off-premise sign prior to removal. A building permit must be obtained and constructed related to the relocation of the sign completed within six months after issuance of the demolition permit, unless the Director grants an extension of time.

7. For purposes of this Subsection (F), the "relocation" of a sign includes both the re-erection of a sign at a replacement location and the erection of a new structure at that location.

G. Adjustments, Relocations And Modifications Of Signs Near Freeways

1. The Director shall have the authority to grant approval, by means of a Minor Site Development Plan Review under Section 19.18.050(F), to do any of the following regarding an off-premise sign within 660 feet of any highway classified by the State of Nevada as part of the interstate or primary highway system, and, subject to the provision of Paragraph (3) of this Subsection (G), no Special Use Permit or public hearing shall be required in connection therewith:

a. Adjust the height or angle of an off-premise sign to a height or angle that:

i. Restores the visibility of the sign to the same or comparable visibility as before

the construction of a noise abatement or highway improvement project;

ii. Is not more than 45 feet above the noise abatement improvement project, measured from the tallest point of the improvement project to the top of the sign; and

iii. Is not more than 65 feet from the existing grade at the base of the sigh to the top thereof;

b. Relocate a sign to another location on the same existing parcel in order to achieve visibility that was obstructed by a noise abatement or highway improvement project; or

c. Make a structural modification to allow a digital display on a sign that adjoins a controlled-access freeway, in compliance with the size limitations and other applicable requirements of this Title.

2. Application for approval under this Subsection (G) shall require signatures by both the property owner and the sign owner.

3. Action by the Director under this Subsection (G) shall be subject to the appeal provision of Section 19.00.080(N) and those governing Minor Site Development Plan Reviews under Section 19.16.050(F).

4. In the case of an adjustment, relocation or modification that exceeds the scope of the Director's authority under Paragraph (1) above, any approval by the City Council may not be conditioned upon a required periodic review of the sign if a condition requiring a review was not imposed when the sign was initially approved. Action by the City Council under this Paragraph (4) will be pursuant to a Site Development Plan Review with a public hearing rather than by means of the Special Use Permit process otherwise applicable. A sign approved by the City Council under this Paragraph (4) shall maintain any nonconforming status it had immediately before such approval.

19.14

Nonconforming Uses and Structures

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Title 19

19.14

Nonconforming Uses and Structures

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INTENT 19.14.010

Within the zoning districts established by this Title, there may exist lots, structures and uses of land which were lawful before the effective date of this Title or an amendment thereto and which would be prohibited, regulated, or restricted under the terms of this Title. It is generally the intent of this Title to permit these nonconformities to continue until they are removed or abandoned, or until such earlier time as they are ordered to be removed, but not to encourage their survival. It is further the intent of this Title, that such nonconforming lots, buildings, or uses shall not be enlarged upon, expanded or extended, except as otherwise specifically provided, and that such nonconforming lots, buildings or uses may not be used as justification for adding other lots, buildings or uses prohibited elsewhere in the same zoning district. Except as otherwise provided, nonconforming uses are declared to be incompatible with permitted uses in the same zoning districts.

APPLICABILITY 19.14.020

The provisions of this chapter shall apply to lots, uses and buildings which become nonconforming by reason of the adoption of this Title, as well as to any amendment to this Title, as of the effective date of such amendment.

REGULATIONS 19.14.030

A. Nonconforming Use of a Conforming Building

1. General Provisions. A nonconforming use of a conforming building shall not be reestablished in a new building, extended or expanded into any other portion of the conforming building, or relocated on the same parcel or within the same commercial subdivision; provided, however, that an existing use which was made nonconforming by one or more of the following may be expanded or relocated on the same parcel or within the same commercial subdivision in accordance with Subsection (2) of this Section (A):

a. The adoption of a Special Use Permit requirement for that type of use;

b. The adoption of a separation requirement between that type of use and a protected use;

c. The adoption of a separation requirement between two uses of that type;

d. The establishment of a protected use that, by virtue of a separation requirement, would otherwise prohibit the existing use from expanding; or

e. The adoption of a different method of measuring distance for purposes of a separation requirement.

2. Conditions of Allowable Continuation, Expansion, or Relocation of Use. If the proposed expansion of a nonconforming use or relocation of the same use on the same parcel or within the same commercial subdivision qualifies under Subsection (1) of this Section (A), the nonconforming use may be expanded or relocated on the same parcel or within the same commercial subdivision if the proposed expansion or relocation:

a. Will not increase the size or extent of the use by more than 50%; and

b. Will not require a Variance or Waiver regarding any other provision of Title 19, including those that pertain to parking, landscaping and residential adjacency requirements.

3. Discontinuation and Abandonment of Use. If a nonconforming use of a conforming building is discontinued by ceasing to physically occupy or operate within the building, there shall be a rebuttable presumption that the nonconforming use has been abandoned as of the date the use was discontinued and, for purposes of this Subsection (3), the Department may deem the use abandoned as of that date. The owner of the property or operator of the use may rebut the presumption of abandonment by demonstrating that the use has continued or existed beyond that date. The owner or operator shall have the burden of establishing the continuation or existence of the use beyond that date, as well as the burden of establishing the existence or continued operation of the use at any particular time.

a. If a nonconforming use of a conforming building is abandoned for a period of one year, the future use of such building shall be only in conformance with the provisions of this Title.

b. If a conforming building housing a nonconforming use is damaged or partially destroyed by fire, flood, wind, another calamity or act of God, and the use is abandoned for a period of two years, the future use of such building shall be only in conformance with the provisions of this Title.

c. If it appears, by reason of economic hardship, that a nonconforming use described in Paragraph (a) or (b) above will be deemed abandoned for a period of time greater than the applicable abandonment period described in those paragraphs, the owner of the property or operator of the use may request that the abandonment period be extended by the City Council. Such request shall be made by means of an application for an Extension of Time. The application shall include or be accompanied by a letter of justification explaining the economic hardship, which must be based on market conditions or other circumstances beyond the applicant's control, and shall be accompanied by the applicable fees, if any, that are set forth in the fee schedule. The application shall be heard at a public hearing of the City Council. An Extension of Time may be granted by the City Council only upon clear and convincing evidence of qualifying hardship and a determination that the public health, safety and welfare will not be jeopardized. An Extension of Time may not exceed the duration of the applicable abandonment period set forth in Paragraph (a) or (b) above.

4. Notice to Discontinue Use. Independent of any other provision of this Chapter, a nonconforming use of a conforming building shall be discontinued upon written notice from the City to the owner to discontinue the use. The use shall be discontinued no later than the date described in the notice, which in no event shall be later than five years from the date notice is given. Notice shall be provided by mailing to the owner of the property as shown by the County Assessor's records and recording a copy of the notice in the office of the County Recorder. Such notice shall contain the legal description of the property, a description of the use required to be discontinued, the date that the use is to cease and desist and the section of this Title which declares the use to be nonconforming.

B. Nonconforming Use of a Nonconforming Building

The nonconforming use of a nonconforming building legally existing on the effective date of this Title or an amendment thereto may be continued subject to the following conditions:

1. Unoccupied Structure. A nonconforming building occupied by a nonconforming use which is or becomes vacant and remains unoccupied for one year, shall not be occupied thereafter, except by a use which conforms to the use regulations of that zoning district.

2. Expansion of Use. A nonconforming use of a nonconforming building may be extended or expanded into any other portion of the nonconforming building, provided no structural alterations are made thereto, except those required by law or ordinance.

C. Additions to Nonconforming Buildings

The Director may approve additions to nonconforming buildings when the nonconformance is a result of inadequate setbacks and provided that the addition conforms to all other provisions of this Title. The addition shall not encroach beyond the encroachment of the existing building, must be located in either a side or rear yard, and must not encroach more than 50 percent. In addition, the total of all such additions or enlargements shall not exceed more than 50 percent of the size of the original footprint of the structure. Additions may also be approved to nonconforming residential buildings in nonresidential zoning districts. Additions may be approved to any residential building made nonconforming by an action of a public entity. The addition, in either instance, shall be secondary in nature to the existing use on the property and will not substantially perpetuate the nonconforming use.

D. Nonconforming Use of Land

A nonconforming use of land that does not take place within a principal building, legally existing on the effective date of this Title or an amendment thereto shall be discontinued upon written notice from the City to the owner to discontinue the use. The use shall be discontinued no later than the date described in the notice, which in no event shall be later than five years from the date notice is given. Notice shall be provided by mailing to the owner of the property as shown by the County Assessor's records and recording a copy of the notice in the office of the County Recorder. Such notice shall contain the legal description of the property, a description of the use required to be discontinued, the date that the use is to cease and desist and the section of this Title which declares the use to be nonconforming.

1. Expansion of Use. No such nonconforming use of land shall in any way be extended or expanded either on the same or adjoining property;

2. Discontinuation of Use. If a nonconforming use of land is discontinued for a period of 90 days or changed to a conforming use, any future use of the land shall be in conformity with the provisions of this Title.

EXPANSION OF A NONCONFORMING USE IN A CONFORMING BUILDING 19.14.040

Except as provided in Subchapter 19.14.030, a nonconforming use may be continued provided no additions or enlargements are made to the building and no structural alterations are made, except those required by law or ordinance. If such nonconforming use is removed or made to conform, every future use of such building or structure shall be in conformity with all the provisions of this Title.

NONCONFORMING USES AND BUILDINGS – RESTORATION AFTER DAMAGE 19.14.050

A. Use of a Damaged or Destroyed Building

1. Except as otherwise provided in Subsection (2) of this Section (A), a nonconforming use which was located in a building that has been damaged or partially destroyed by fire, flood, wind, another calamity or an act of God shall not be continued when the extent of damage or destruction is more than 50 percent of the replacement value of the building.

2. Subsection (1) of this Section (A) does not apply to a use which was made nonconforming by one or more of the following:

a. The adoption of a Special Use Permit requirement for that type of use;

b. The adoption of a 400-foot or 1500-foot separation requirement between that type of use and a protected use;

c. The adoption of a 1500-foot separation requirement between two uses of that type;

d. The establishment of a protected use that, by virtue of a 400-foot or 1500-foot separation requirement, would otherwise prohibit the existing use from expanding or from continuing following redevelopment; or

e. The adoption of a different method of measuring distance for purposes of a separation requirement.

B. Nonconforming Building

Any nonconforming building which has been damaged or partially destroyed by fire, flood, wind, another calamity or an act of God shall be repaired, moved, remodeled or altered entirely in conformity with the provisions of this Title or entirely demolished within a period of ninety days from the date of such damage when the extent of damage or destruction is more than 50 percent of its replacement value. The City Council may extend this period for an additional 90 days, provided the public health, safety and welfare is not jeopardized.

BUILDING - ABATEMENT IN "R" RESIDENTIAL DISTRICTS 19.14.060

Any nonconforming building or structure, which was designed or intended for a use prohibited in any residential district, shall be completely removed or altered and converted to a conforming building and use. Such removal or conversion shall be required when the use or building has reached the age specified in the following table:

Building Type Under Uniform Building Code (UBC)	Age in Years When Conformance Required
I or II	50
III	40
IV	30
V	20

RENEWABLE ENERGY SYSTEMS AND NONCONFORMING USES AND BUILDINGS 19.14.070

Notwithstanding any other provision of this Chapter, a solar panel and or small wind energy system that is approved as a conditional use or approved by means of special use permit pursuant to Chapter 19.12 shall not be considered an impermissible expansion or alteration to a nonconforming use or structure under this Chapter. However, nothing in this Subchapter precludes the denial of a special use permit application for a solar panel and or small wind energy system based upon the extent to which the size, scope and impact of the proposed installation or system would impact surrounding properties or would tend to perpetuate the nonconformity in a manner contrary to the intent of this Chapter as described in Section 19.16.010.

19.18

Definitions & Measures

Unified Development Code
Title 19

19.18 Definitions & Measures

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GENERAL 19.18.010

Terms which are used in this Title and are not specifically defined shall be given their ordinary meaning, unless the context requires or suggests otherwise. In the case of ambiguity or uncertainty concerning the meaning of a particular term, whether or not defined, the Director and staff of the Department shall have the authority to assign an interpretation which is consistent with the intent and purpose of this Title, or an interpretation which is consistent with previous usage or interpretation.

WORDS AND TERMS DEFINED 19.18.020

Abandoned Sign. A sign that:

1. Has ceased to be used to display a message relating to an on-going business, product, service, idea or commercial activity and where the owner(s) of the sign has manifested an intention to permanently cease to use the sign. A sign shall be presumed to be abandoned if it has not been used to display or support such a message during any continuous one-year period;
2. Is an on-premise sign pertaining to a building that has been destroyed or damaged beyond use, and substantial construction work for its repair or replacement has not begun within six months after such destruction. This period may be extended by the Planning Commission upon application of the property owner(s) for good cause shown; or
3. Is an on-premise sign pertaining to a business that has advertised or otherwise publicly indicated that it is "going out of business," closing, moving, or closing at this location by a date that has passed.

Abandoned. Concerning a building or use, means not having been developed or maintained for a stated period of time.

Abut. To physically touch or border upon; or to share a common property line, but not overlap.

Access. A way or means of approach to provide vehicular or pedestrian physical entrance to a property.

Accessory Structure. A structure that is:

1. Located on the same lot as a principal structure;
2. May be detached from or attached to the principal structure; and
3. Incidental or subordinate to the principal structure.

Accessory Structure (Class I). An accessory structure which is located on the same residential parcel as a principal dwelling and which, as an ancillary use, provides living quarters, including full kitchen facilities, for the occupants of the principal dwelling or their tenants, domestic employees or temporary guests.

Accessory Structure (Class II). An accessory structure which is located on the same lot as a principal structure, is detached therefrom, is incidental or subordinate thereto, and does not qualify as an "Accessory Structure (Class I)."

Accessory Use. A use incidental or secondary to the principal use of a lot, building or structure and located on the same lot as the principal use.

Action. The decision made by the reviewing authority on a land use application; the determination made and any conditions of approval.

Adult Day Care Center. A facility that provides personal care and related services to more than ten dependent adults in a supervised, protective, congregate setting during some portion of a twenty-four hour day. Services typically offered in conjunction with an adult day care center include social and recreational activities, training, meals, and services such as rehabilitation and medication assistance.

Advertising. Any writing, painting, display, emblem, drawing, sign or other device designed, used, or intended for display or any type of publicity for the purpose of making anything known or attracting attention to a place, product, goods, services, idea or statement.

Air Rights. The right to use space above ground level.

Airport Elevations. The highest point of an airport's useable landing area measured in feet above mean sea level.

Airport, Heliport or Landing Field. Any area of land designated and set aside for the landing and taking off of any aircraft regulated by the Federal Aviation Administration, together with related refueling and terminal facilities.

Alley. A private or public way which affords only a secondary means of access to abutting property and which is not intended for general travel or circulation.

Alter. To make any change in the structural members or other features of a building; or any change to allow the building to be used for purposes other than those for which it was originally intended. "Alter" includes "enlarge".

Amenity. A natural or created feature that enhances the aesthetic quality, visual appeal or attractiveness of a particular property, place or area.

Amphitheater. An oval, circular or semicircular outdoor theater in which the stage or screen area is surrounded by rising tiers of seating or assembling areas, or both.

Ancillary Use. A use incidental to and customarily associated with a specific principal use and which is located on the same parcel or lot.

Animal Hospital, Clinic, or Shelter. A facility that provides medical or surgical treatment for animals or pets, as well as shelter and care during the time of such treatment. Such a facility may, but does not necessarily, include the use of outdoor pens in providing such shelter and care.

Animal Keeping and Husbandry. The raising, keeping and breeding of domestic animals, including without limitation dogs, cats, birds, sheep, goats and pot-bellied pigs. The use must be ancillary to the principal use, but may be conducted for commercial purposes.

Animal Keeping, Wild or Exotic. The keeping of nondomestic animals, including without limitation wild animals as defined in LVMC 7.04.500.

Animal Production. A facility or area for raising animals (including fish and birds) and the development of animal products, such as meat, fur or eggs on a commercial basis. This use does not include raising animals to sell as pets.

Antenna. Any exterior apparatus that is mounted on a structure and is used for transmitting or receiving communications, including electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless communication signals or other communication signals.

Antenna Tower. A pole or other structure, including any supporting elements, that is used to support one or more wireless communication antennas. The term includes a pole or other structure that supports a wireless communication antenna and that is attached to a trailer or other portable support.

Antenna Tower Alternative Structure. A structure such as a flagpole, man-made tree, clock tower, bell steeple, or similar alternative-design mounting structure that substantially camouflages or conceals the presence of wireless communication antennas or antenna towers.

Antique/Collectible Store. Any building used for the sale of:

1. Any old and authentic object of personal property which was made, fabricated or manufactured sixty or more years earlier and which has a unique appeal and enhanced value mainly because of its age; or
2. Any article of personal property which was made, fabricated or manufactured twenty or more years earlier and because of public demand has attained value in a recognized commercial mark which is in excess of its original value.

Apartment House. A structure which contains three or more apartment dwelling units and which does not qualify as a condominium, townhouse dwelling or residence hotel.

Apartment. A room, or suite of rooms, within an apartment house which has facilities for the preparation of meals, is designed for and used or intended to be used by one family and is intended to be occupied on a rental basis with a rental period of at least one week.

Arcade Sign. A wall or projecting sign attached to the roof or the wall of an arcade and totally within the outside limits of the structural surfaces that delineate the arcade.

Archeological Site. A site that has yielded, or exhibits the promise of yielding, information important in the understanding of human prehistory or history. Such information may consist of evidence of past human life, habitation or activity, as well as material remains.

Architectural Feature. A decorative element intended to enhance the character of a structure and may be an integral part of the structure. Architectural features may include, but are not limited to, porches, eaves or freestanding forms and monuments.

Asphalt or Concrete Batch Plant. A permanent facility or area for the mixing of concrete or asphalt.

Assisted Living Apartment. An apartment or apartment complex which provides personal care services to senior citizens for daily living needs. Such services may include, but are not limited to, preparation and service of meals, housekeeping, laundry, monitoring of rooms, monitoring of medication, or assistance with bathing. The term includes commercial uses that are ancillary to an apartment complex as long as the total amount of floor space dedicated to such uses does not exceed 5% of the total gross floor area of the apartment complex and there is no external signage for, nor external access to, the commercial uses. The term does not include a convalescent care facility/nursing home or other medical facility that is specifically defined in this Chapter.

Astrologer, Hypnotist, or Psychic Art & Science. Any person who practices, teaches, or professes to practice the business of astrology, hypnotism or the psychic arts and sciences for a fee, gift, donation, or otherwise. Psychic arts and sciences may include palmistry, phrenology, life reading, fortune telling, cartomancy, clairvoyance, clairaudience, crystal gazing, mediumship, prophecy,

augury, divination, magic or necromancy. The term does not include a hypnotherapy practice.

Attached Sign. Any sign that is attached to an occupied building or building designed for occupancy.

Attention Gaining Device. Any streamer, pennant, propeller, inflatable sign, tethered balloon, portable sign, bunting or other artificial device, figure, shape, color, sound, light or exhibit, whether live, animated or still, that is intended to attract attention to a use or business being conducted either on or off site.

Auction House. An enclosed establishment for the temporary storage and offering by an auctioneer of qualified property which is offered or sold to the highest bidder by means of a request or invitation for bids. For purposes of this definition, the term "qualified property" means property of any kind belonging to another, but excluding animals, motor vehicles and business inventory to be liquidated following or in connection with the closing of a business. The term "auction house" does not include a secondhand dealer.

Auctioneer. A person who cries out or otherwise requests or solicits bids for purposes of offering to sell property to the highest bidder.

Auto Broker. A facility or area used primarily for the wholesaling of used motor vehicles, typically on an intermediary basis between an auction house and a used car dealership. The term does not include a facility or area used for the retail sales of used vehicles.

Auto Dealer Inventory Storage. The parking or storage, other than for purposes of display, of new motor vehicles which constitute inventory of a new motor vehicle sales dealership, where such parking or storage is maintained by the dealership either on the same parcel as the dealership or on a separate parcel.

Auto Paint & Body Repair Shop. A facility for collision services including body, frame or fender straightening or repair and painting of vehicles in an appropriate paint booth.

Auto Parts (Accessory Installation). A facility for the retail sale and installation of auto accessories such as stereos, alarms and other types of accessories.

Auto Parts (New & Rebuilt) (Accessory Sales & Service). A facility for the retail sale and installation of lubricating oils, tires, filters and other new or rebuilt goods for use in motor vehicles. The resurfacing of rotors, pressing of bearings, grinding of brake drums, and similar activities are permitted as incidental uses, as well as the installation of auto accessories.

Auto Repair Garage, Major. A facility for the repair or reconditioning of any type of motorized vehicle, other than the types of repair and service authorized to be performed in a minor auto repair garage. The term includes a facility which performs any repairs to vehicles with a gross vehicle weight over 10,000 pounds.

Auto Repair Garage, Minor. A facility for the performance of minor repairs and service on vehicles of 10,000 pounds gross vehicle weight or less. Such repairs and service are limited to electronic tune ups, brake repairs (including drum turning), air conditioning repairs, generator and starter repairs, tire repairs, front end alignments, battery recharging, lubrication, selling/installing minor parts and accessories, and other similar activities. The term also includes the repair and installation of other minor elements of an automobile such as windshield wipers, hoses, windows, etc., but excludes general engine repairs, engine installation, and the repair and installation of transmissions and differentials.

Auto Smog Check. A facility for the testing of vehicle emissions.

Auto Title Loan. A business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself.

Automobile Detailing Shop. Any building or premises used for washing and cleaning of passenger vehicles.

Automobile Rental. A facility for the rental of new or used automobiles or other passenger vehicles. For purposes of the limitations of this Title on outside storage, vehicles kept on a lot for rental purposes are not considered to be outside storage.

Automobile Repossession Agency. Any parking area used for the storage of up to two operable vehicles which have been repossessed by or on behalf of a lender, together with related office operations. The term does not include the storage of more than two vehicles, which shall be treated as if the use were motor vehicles sales.

Auxiliary Kitchen. A second kitchen in a single-family detached dwelling that is:

1. Intended solely for use by members of the household for private dinner parties or social gatherings; and
2. Not located within an accessory structure and is directly accessible from the rest of the dwelling.

Average Daily Traffic (ADT). The average number of motor vehicles per day that pass a given point.

Awning. A roof-like cover that projects from the wall of a building for the purpose of shielding a doorway or window from the elements.

Awning Sign. Any sign that is a part of or attached to an awning, or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area.

Bailbond Service. An establishment that makes available to the public undertakings of bail in connection with judicial proceedings.

Bakery, Retail. An establishment which specializes in the retail sale of baked goods, such as doughnuts, cookies, pastries and other similar goods, but does not provide meals as found in a restaurant.

Banner. Any sign of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

Banquet Facility. Establishment which is rented by individuals or groups to accommodate private functions such as banquets, weddings, anniversaries, and other similar celebrations. Such a use may or may not include: 1) kitchen facilities for the preparation or catering of food; 2) the sale of alcoholic beverages for on-premises consumption, only during an event, and 3) outdoor gardens or reception facilities.

Basement. A story partly or completely underground. A basement shall be counted as a story for purposes of height measurement where any portion of a basement has more than one-half of its height above grade.

Beacon. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

Bed & Breakfast Inn. A facility wherein overnight accommodations and a morning meal are provided in a dwelling unit to tourists for compensation.

Beer/Wine/Cooler Art Event. The sale of beer, wine and coolers, for consumption only, at an art gallery or art studio during the hours of an artistic exhibition, presentation or performance.

Beer/Wine/Cooler Cultural Establishment. An establishment:

1. Whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only:
   a. At a facility licensed as an art studio or otherwise licensed for art sales or display (or both); and
   b. During the hours of an artistic exhibition, presentation or performance; and
2. That meets the criteria for a beer/wine/cooler cultural establishment as set forth in Subchapter 19.12.070.

Beer/Wine/Cooler Off-Sale Establishment. An establishments whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold, and is operated in connection with a grocery store, drug store, convenience store or specialty merchandise store.

Beer/Wine/Cooler On-Sale Establishment. An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which thirty or more people may be served with meals at any one time at tables or stools.

Beer/Wine/Cooler On- and Off-Sale Establishment. An Establishment:

1. Whose license to sell alcoholic beverages is limited to:
   a. The sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold; and
   b. The sale of beer, wine and coolers to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold; and
2. Is operated in connection with a restaurant, grocery store or convenience store in which thirty or more people may be served with meals at any one time at tables or stools.

Benchmark. Grade elevations as determined by standardized vertical ground controls established by the National Geodetic Survey, the City of Las Vegas or Clark County.

Billiard Parlor or Pool Hall. A business establishment whose principal purpose is to make billiard tables available for use by the public for amusement or entertainment.

Block. Property designated on an officially recorded map and bounded by streets and other natural or physical barriers which make it a unit not to exceed 660 feet in length.

Blood Plasma Donor Center. A building used for the collection of human blood plasma from plasma donors. The

term does not include a facility for the provision of medical care or treatment.

Boarding or Rooming House. A building or portion thereof, other than a hotel, with no more than four guest rooms where, for compensation, lodging and meals are provided for no more than four persons who are not members of the immediate family occupying such building.

Boat and Trailer Dealership (New and Used). The use of any building or lot for the display and sale of new or used boats, jet skis or other marine vessels, along with corresponding trailers.

Bubbler Heads. An irrigation head that delivers water to the root zone by "flooding" the planted area, usually measured in gallons per minute. Bubblers emit a trickle, umbrella or short stream pattern.

Building. A structure having a roof supported by columns or walls for the housing or enclosure of persons, animals or chattels. "Building" includes "structure".

Building & Landscape Material/Lumber Yard. A facility for the sale of home, lawn and garden supplies and construction materials such as brick, lumber and other similar materials.

Buildable Area. That portion of a building site exclusive of the required setback areas in which a structure or building improvements may be erected including the actual structure, driveway, parking lot, pool and other construction as shown on a Site Development Plan.

Building Coverage. The ratio of the horizontal area measured from the exterior surface of exterior walls of the ground floor of all principal and accessory buildings on a lot to the total lot area.

Building Elevation. The exterior face of a building, including all vertical elements of the building facing in the same general direction.

Building Height. Building height refers to the vertical distance between the average finished grade along the front of a building and either 1) the highest point of the coping of a flat roof; 2) the deck line of a mansard roof; or 3) the average height level between the eaves and ridge line of a gable, hip or gambrel roof.

Building Line. A line established by measuring from the property line, a distance equal to the required setback line, which is generally parallel to the curb line or edge of pavement. No part of a building shall project into the area between the property line and the building line except as otherwise provided in this Title.

Building Maintenance Service & Sales. A facility or area for contracting services such as building repair and maintenance, the installation of plumbing, electrical, air conditioning and heating equipment, janitorial services, and exterminating services. The retail sale of supplies is permitted as an accessory use.

Building Marker. Any sign indicating the name of a building, date or incidental information about its construction. Building markers are cut into the exterior building materials or made of bronze or other permanent material.

Building Mass. The height, width and depth of a structure.

Building Permit. Written permission issued by the Department of Planning and Development for the construction, repair, alteration or addition of a structure.

Building Scale. The relationship of a particular building, in terms of building mass, to other nearby and adjacent buildings.

Building Site. The total area of the building together with all yard areas adjacent thereto, as required by this Title.

Building, Detached. One building on one building lot surrounded by yards or open space; or buildings in a building group that are physically detached one from the other.

Building, Principal. A building in which the principal use of the lot is conducted.

Build-to Line. A line established at a certain distance from the corresponding lot line along which the building, or a portion thereof, must be built.

Bus Charter Service & Service Facility. Any premises for the transient housing, parking, servicing or repair of motor-driven buses.

Business School. A facility or area for instruction and training in secretarial and related office skills, cosmetology, commercial art, computer software, cooking or similar training.

Caliper. The diameter of a tree trunk measured four and one-half feet above the ground.

Canopy. A rigid roof, generally supported at all corners or extremities by poles, posts or direct attachment to a building. A canopy typically has little vertical or wall space on it and is only as thick as necessary to create a functional roof. See "Marquee" and "Awning."

Canopy Sign. A sign attached to or painted on a canopy.

Car Wash, Full Service or Auto Detailing. An establishment that provides for the washing, cleaning, waxing or detailing of passenger vehicles, either by means of employees or by means of automated or semi-automated methods of cleaning, or by a combination thereof.

Car Wash (Self-Service). A coin operated car wash facility operated by the customer and which does not utilize automobile conveyors or other automatic methods of cleaning.

Carport. A permanent roofed structure for vehicle parking which is not completely enclosed.

Casino. A room or structure whose principal use is for the conduct of gaming activities.

Catering Service. A service that provides for the preparation, storage, and delivery of food and food utensils for off-premise consumption.

Cemetery/ Mausoleum. Property and facilities used for interring of the dead.

Changeable Copy Sign. Any sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. The message may be changed manually or electronically. Animated signs shall not be considered changeable copy signs.

Chat. Coarse fragments of hard silica rock principally used for railway ballast, highway construction and concrete production.

Check Cashing Service, Limited. The service of cashing checks for a fee, service charge or other consideration as a service that is supplemental to a retail business that otherwise does not provide services normally associated with a financial institution. The term does not include a general financial institution, specified financial institution, or any business that provides any kind of loan, cash advance, or deferred deposit service.

Child Care Center. Any commercial facility which provides day or overnight care for more than twelve children. Such a use is subject to the child care regulations and standards of the State of Nevada.

Child Care – Family Home. A residential dwelling used primarily as a residence which also provides day or overnight care for a maximum of six children for compensation. Such a use is subject to the child care regulations and standards of the State of Nevada.

Child Care – Group Home. A residential dwelling used primarily as a residence which also provides day or overnight care for a minimum of seven and a maximum of 12 children for compensation. Such a use is subject to the child care regulations and standards of the State of Nevada.

Church, House of Worship. Any building used for religious worship services, religious education and fellowship activities and programs of a religious organization. The term includes the use of the building and premises for other related activities, such as child care, formal educational programs, preschool classes and recreational activities, but only when those activities are ancillary to the religious use and only after those uses have been approved by means of a use review or other procedure under Chapter 19.16. The term does not include any class of child care center, general education classroom or facility, thrift shop, homeless shelter or commercial activity.

City. The City of Las Vegas, Nevada.

City Council (Council). The Mayor and City Council of the City of Las Vegas, Nevada.

City Standards. In their most recent editions and with the most recent amendments adopted by the City, the Standard Drawings for Public Works Construction Off-Site Improvements, Clark County, Nevada, Uniform Standard Specifications for Public Works Construction Off-Site Improvements, Clark County, Nevada; Uniform Regulations for the Control of Drainage and Hydrologic Criteria and Drainage Design Manual, Clark County Regional Flood Control District; Design and Construction Standards for Wastewater Collection Systems of Southern Nevada; Summerlin Development Standards; Summerlin Revised Improvement Standards; Urban Design Standards; Landscape, Wall and Buffer Standards; and any other engineering, development or design standards and specifications adopted by the City Council. The term includes standards for public improvements and standards for private improvements required under this Title.

Civic Event Sign. A temporary sign, other than a commercial sign, posted to advertise a civic event sponsored by a public agency, school, church or religious institution, civic fraternal or other organization.

Cleaners, Commercial/Industrial. A facility or premises which is used for cleaning items in bulk quantities, such as clothing and linens. The term includes diaper cleaning services and cleaning services for hospitals, restaurants, hotels and similar clients, as well as rug and dry cleaning plants, and may include on-premise retail services to individual households as a use incidental to the operation of the plant.

Clinic. A facility which is occupied and used for the purpose of providing dental or medical care, and which regularly provides any of those services to the general public on an

emergency basis or without appointment. The term does not include a hospital or a facility which provides for the overnight care or overnight stay of patients.

Club. Private quarters for a private organization; a principal purpose of which is the preparation and service of food and/or drink for members and their guests only.

Cold Storage Plant. A facility for the protective storage or items such as food or furs, in a refrigerated place.

College, University or Seminary. A college or university is an academic institution of higher learning beyond the level of secondary school. A seminary is an institution for the training of candidates for the priesthood, ministry, rabbinate or other religious order.

Collocation. The use of wireless communication facilities by more than one communication provider.

Commercial Message. Any sign wording, logo or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, idea or commercial activity. The term does not include sign copy that consists solely of the electronic indication of time, temperature, or both.

Commercial Recreation/Amusement (Inside). An enclosed facility or area for sport, entertainment, games of skill, or recreation that is open to use by the general public for a fee. The term includes without limitation bowling alleys, indoor miniature golf courses, roller and ice skating rinks, game courts, swimming pools, walk-in movie theaters, physical fitness centers, gyms and video arcades.

Commercial Recreation/Amusement (Outside). An outdoor facility or area for sport, entertainments, games of skill or recreation that is open to use by the general public for a fee. The term includes without limitation game courts, water slides, golf courses, outdoor miniature golf courses, drive-in theaters, batting cages, practice/instructional fields, amusements parks, and sports events, but does not include an amphitheater.

Commercial Vehicle. A vehicle customarily used as part of a business for the transportation of goods or people.

Commission. The Planning Commission of the City of Las Vegas.

Common Interest Community. Real estate with respect to which a person, by virtue of his ownership of a unit, is obligated to pay for real estate other than that unit. "Ownership of a unit" does not include holding a leasehold interest of less than twenty years in a unit, including options to renew.

Communication Provider. A person or entity that provides a communicative service to the community by means of transmission lines or by electronic transmission via wireless service, such as radio, television, microwave or other means of communicative transmission.

Community Center, Private (Accessory). A facility associated with a planned residential development or multi-family development which provides for community activities for residents of the development.

Community Interior Directional Sign. A sign placed within the interior of a subdivision to provide directions within the subdivision.

Community Recreational Facility, Public. A facility which provides for community activities and is available to the general public.

Community Residence. A residential family-like living arrangement for five to ten unrelated individuals with disabilities who are in need of the mutual support furnished by other residents, as well as the support services, if any, provided by the operator of the Community Residence. Residents may be self-governing or supervised by a sponsoring entity or its staff which furnishes habilitative or rehabilitative services related to the needs of the residents. Interrelationships among residents are an essential component of a Community Residence. A Community Residence shall be considered a residential use of property for purposes of all zoning and building codes. However, the Fire Marshal, pursuant to and consistent with the City's Fire Code, may require enhanced fire protection, including the installation of fire sprinklers and other mitigating measures, where one or more residents has a lessened ability to ambulate adequately. The use includes a Family Community Residence and a Transitional Community Residence, but does not include any of the following:

1. Senior Citizen Apartment;
2. Adult Day Care Center;
3. Convalescent Care Facility/Nursing Home;
4. Facility for Transitional Living for Released Offenders;
5. Facility to Provide Testing, Treatment, or Counseling for Drug and Alcohol Abuse;
6. Hospice;
7. Sex Offender Counseling Facility;
8. Boarding House or Rooming House;
9. Any other group living arrangement for unrelated individuals who are not disabled; or
10. Any of the following, as defined by NRS Chapter 449:

a. Facilities for the Treatment of Drug and Alcohol Abuse;
b. Modified Medical Detoxification Facilities;
c. Transitional Living Facilities for Released Offenders;
d. Facility for the Treatment of Narcotics; or
e. Community Triage Center.

Condominium. A multi-family dwelling or a commercial building within which the occupied area is owned individually and the structure, land, common open space areas and facilities are owned by all of the owners on a proportional, undivided basis.

Connectivity. A measure of how efficiently a transportation network provides access between destinations.

Connectivity Ratio. A measure of connectivity computed by taking the ratio of links (street segments) to nodes (intersections and cul-de-sac terminuses). It is determined by dividing the number of street segments (street sections between intersections and or cul-de-sac terminuses) by the number of intersections and cul-de-sac terminuses. For the purposes of this calculation, proposed street intersections with existing roads and stub roads for future access to vacant developable lands shall count as 0.5 intersections.

Consolidated Sign. An oversized freestanding ground sign which advertises one or more tenants within a non-residential development. Consolidation occurs when the conditions for such signs are met, and the area for multiple signs is consolidated into one sign.

Construction Material Supply Yard. A facility for the storage and sale of construction materials.

Construction Permit. A permit issued pursuant to the City's building and technical codes for the construction of any sign.

Construction Sign. A sign advertising a construction project and the parties involved in its development, proposed to be located on the lot or parcel of land on which the sign is located.

Contractor's Plant, Shop & Storage Yard. A facility for the storage and maintenance of contractor's supplies and operational equipment. Offices are considered an accessory use.

Contributing Property. A classification applied to an individual property within a designated Historic District, signifying that the property contributes generally to the distinctive character of the District, or an archeological site.

Convalescent Care Facility/Nursing Home. A building or structure designed, used, or intended to be used to house and provide care for persons who have a chronic physical or mental illness or infirmity, but who do not need medical, surgical or other specialized treatment normally provided by a hospital. The term includes a "rest home" and "nursing home," as well as a use that would qualify as a Community Residence except for the limitation on the number of residents, but does not include an "assisted living apartment," "hospital" or other medical facility that is specifically defined in this Chapter.

Covenant, Public Improvements. A recorded agreement wherein the owner and all successors in ownership of a parcel of land acknowledge and consent that normal public improvements required under this Code have been deferred with concurrence of the City until such future time that the improvements are then required to be installed per written request of the City or via a special improvement district, or other means, either individually or jointly with other land owners in the vicinity of the parcel. (Also referred to as a "covenant running with land agreement".)

Convent or Monastery. A house or set of buildings used as a residence by persons under religious vows.

Convention Facility. A structure which has at least 100,000 square feet of floor space utilized for scheduling, hosting or accommodating a convention, trade show or temporary event whether the activity is open or closed to the general public. For purposes of this Title, the term includes a stadium facility that is operated in conjunction with a convention facility.

Convenience Store. A facility, limited in size and scope that is primarily used for the retail sale to the public of merchandise for off-site consumption, including prepackaged food products, sundries, household items and similar consumer items. The term does not include a retail business licensed as a "drugstore" pursuant to LMVC Title 6.

Copy Center. A facility for the custom reproduction of written or graphic materials on a custom order basis for individuals or businesses. Typical processes include, but are not limited to, photocopying, small offset printing, blueprint, and facsimile sending and receiving.

Corner Lot. A lot situated at the intersection of two or more streets, with frontage on at least two streets.

Country Club, Private. A facility that is made available for use on a membership basis for recreational or athletic purposes, where membership is limited and the use of the facility is primarily restricted to members and their guests. The term includes accessory uses, such as:

1. A clubhouse.

2. Retail and restaurant facilities which do not have separate signage or advertising.

County. Clark County.

Court. An open, unoccupied space, other than a required yard, on the same lot with a building and bounded on two or more sides by the walls of a building.

Crematory. A facility used for the cremation of corpses.

Crop Production. An area for raising or harvesting agricultural crops.

Cul-de-sac. A local street with only one connection to other streets and with an approved method of termination at the closed end.

Curb. A stone, concrete or other improved boundary usually marking the edge of the roadway or paved area.

Curb Cut. The opening along the curb line at which point vehicles may enter or leave the roadway to access adjacent property.

Custodial Institution. One or more buildings and related facilities used for the housing or detention of persons who have been charged with or have been convicted of felonies or misdemeanors.

Custom & Craft Work. A facility in which finished, personal or household items which are either made to order or which involve considerable handwork are produced. Examples include, but are not limited to textiles, pottery, furniture repair or refinishing, wood working, upholstery, sculpting and other work or wood products on an individualized single item basis. The term does not include cabinet making, cabinet assembly or the use of mechanized assembly line production.

Cut. The excavation and mechanical removal of earth material.

Cut and Fill. The excavation and mechanical removal of earth material, and the relocation thereof, for purposes of altering the level or slope of land.

Daily Labor Service. Any building or premises which serves as a staging point or gathering place for persons who are seeking immediate employment in daily labor activities and who accept or are assigned such employment in accordance with whatever employment is available on that particular day. For purposes of this paragraph, "daily labor" means manual labor, including without limitation, construction cleanup, garbage pickup and removal, demolition, convention setup and takedown, landscaping, planting and digging.

Deciduous Shade Tree. A tree that sheds all its leaves every year during a certain season.

Decorative Block. Generally refers to non-standard masonry building block. The face of the block is typically textured and contains a non-standard finish or shape. Gray, smooth finish CMU is not considered decorative block.

Decorative Wall. A masonry wall where at least 20 percent of the wall is of a type of masonry which is differentiated by texture, color, style or a combination of all three characteristics.

Deed. A legal document conveying ownership of real property.

Delivery and Service Vehicle Storage. The use of an area or facility for the parking and storage of commercial fleet vehicles that are used primarily in connection with the delivery of goods and services to the surrounding community.

Density. The number of families, individuals, dwelling units, households or housing structures per unit of land.

Department. The City's Planning and Development Department.

Design. The design elements of a development site, including the planning and engineering of the following: street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignment and grades thereof; location and size of all easements and rights-of-way; lot size and configuration; traffic access; grading; land to be dedicated for parks or recreational purposes; building design and configuration; landscaping and open space; and other such specific physical requirements.

Designated Property. Any property which has been classified as a Landmark, Historic Property or a contributing property within an Historic District.

Desktop Publishing. An establishment that provides custom set-up of graphics and text for publication in an office setting. The term does not include an establishment that performs off-set printing or related distribution.

Detached. Any building or structure that does not have a roof or wall in common with any other building or structure.

Determination of Application Sufficiency (Completeness). A determination that an application for review and approval of a parcel map, tentative, or final map is or is not complete at the time of filing. Failure to

submit all required forms, fees, studies, drawings, maps and other submission requirements may result in a finding of insufficiency, and no further review or effort to schedule the application for processing is required until sufficiency is achieved.

Development Entry Statement Sign. A sign placed at the entry to a subdivision, apartment development, or identifiable community to identify the subdivision, apartment development, or identifiable community.

Development Plan. A map or maps that identify in the proposed general land use designations, design standards, transportation plans, open space and community facilities.

Development Standards. Documentation that identifies the requirements and standards for commercial and residential development, including, but not limited to, densities; building height, bulk and setback requirements by land use type; signage; landscaping; parking; open space. The "Design Standards Manual," to the extent adopted by the City Council, contains required development standards for development within the City.

Development. The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill or land disturbance; or any use or extension of the use of land.

Director. The Director of the Department of Planning and Development of the City.

Directory Sign. A sign that provides a map or listing of the names of businesses, activities, addresses, locations, uses or places within a building or complex of buildings for the purpose of identification only.

Disability or Disabilities. Refers to:

1. A physical or mental impairment which substantially limits one or more of such person's major life activities;
2. A record of having such impairment; or
3. Being regarded as having such an impairment.

The terms are intended to be coextensive with the terms "handicap" and "disability" as set forth in Federal fair housing legislation and other Federal legislation protecting individuals with a handicap or disability. The terms include the impairment associated with recovery from alcohol and drug abuse, but do not include impairment caused by current, illegal use of, or addiction to a controlled substance.

Domestic Animal. Any animal which is not a wild or exotic animal and which is typically considered to be capable of being kept in or near residential dwellings.

Drainage Facilities. Any type of on-site or off-site berm, containment, conveyance, inlet or discharge improvement to manage storm or nuisance waters within, through or adjacent to a development site.

Drainage Facilities, Type A. Refers to lots which are graded to drain surface water directly to the street independently of other properties.

Drainage Facilities, Type B. Refers to lots which are graded to drain surface water from the rear yards of lots which are higher in elevation onto adjacent lots which are lower in elevation. Surface water from the front and/or side yards drains to the street independently of other properties.

Drainage Facilities, Type C. Refers to lots which are graded to drain all surface water from lots which are higher in elevation onto lots which are lower in elevation.

Drive, Private. A private roadway that provides access:

1. To a limited number of individual dwelling units and their respective garage units, driveways or parking spaces within developments in which the private roadway is held in common; or
2. Within a commercial subdivision.

A private drive typically is a dead-end or looped roadway that intersects with a public roadway.

Driveway. The improved area that provides ingress and egress between a roadway and adjoining property.

Drought Tolerant Plant. A plant that can survive with minimum supplemental water, as defined by the Las Vegas Valley Water District.

Dry Cleaners. A facility which is used to provide, to individual households, cleaning services for items such as clothing and linens. The term includes such facilities whether the plant operation is located on- or off-site.

Duplex. A building containing two attached single-family dwelling units totally separated from each other by an unpierced wall extending from ground to roof with both dwellings located on the same lot or parcel.

Dwelling. A structure with one or more rooms that is used exclusively for human habitation; designed, occupied, or intended for occupancy as a separate living quarter with sleeping, cooking and sanitary facilities provided.

Dwelling, Attached. A one-family dwelling attached to two or more one-family dwellings by common vertical walls.

Dwelling, Detached. A dwelling that is not attached to any other dwelling by any means.

Dwelling, Multi-family. A building or group of buildings which contain at least three attached dwellings and may include units that are located one over the other.

Dwelling, Patio Home. A single-family detached dwelling with open space setbacks on three sides and with a court.

Dwelling, Single-Family Attached. A dwelling unit attached to one or more other dwelling units where each dwelling unit is located on a separate lot. (Such a dwelling unit could include duplexes, townhouses, four-plexes, six-plexes, etc.)

Dwelling, Single-Family Detached. A dwelling unit:

1. That is not attached to any other dwelling by any means;
2. That is located on a separate and individually owned lot;
3. That is surrounded by open space or yards;
4. That is for the exclusive use of a single family maintaining a household;
5. That has no more than one kitchen with full kitchen facilities; and
6. In which all rooms used for human habitation must have interior access to one another.

Nothing in this definition, however, prohibits the construction or use of a Class I accessory structure in accordance with this Title or the construction or use of an auxiliary kitchen as defined in this Chapter.

Dwelling, Townhouse. A row or cluster of at least three attached dwellings in which each dwelling is located on separately owned lot; each unit is separated by one or more common vertical walls; each unit has its own front and rear yard access; and no unit is located over another unit. A townhouse complex may include common open space and recreational areas and facilities which are owned by all owners on a proportional, undivided basis.

Dwelling Unit. One or more rooms, designed, occupied, or intended for occupancy as a separate living quarters, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining the household. Easement. A grant of one or more property rights by the property owner for use by the public, a corporation or another person or entity.

Easement. A grant of one or more property rights by the property owner for use by the public, a corporation or another person or entity as defined by the granting document.

Egress. An exit.

Electric Generating Plant. A facility that generates electricity from mechanical power produced by solar, gas, coal, hydraulic power sources or nuclear fission and that is properly licensed or franchised by the authorities having jurisdiction.

Electric Message Unit. A sign or portion of a sign which provides a message, image or combination of the two that is changed electronically. A sign that is changed fewer than eight times per 24-hour period or that is changed only to reflect changing time or temperature shall not be considered an electric message unit under this Chapter.

Electric Utility Substation. A facility for transforming electricity for distribution to individual customers.

Electrical, Watch, Clock, Jewelry & Similar Repair. An establishment that provides repair services for small electronics, clocks, watches, jewelry and other similar items.

Electronic Reader Board. A sign or portion thereof which can be electronically changed or rearranged without altering the face or the surface of the sign. The term does not include a sign on which the only copy that changes is an electronic or mechanical indication of time or temperature.

Elevation. (1) A vertical distance above or below a fixed reference level; (2) A fully dimensional drawing of the front, rear and sides of a building showing features such as construction materials, design, height, dimensions, windows, doors, other architectural features and relationship of grade to floor level.

Embellishment. A frame or bracket around the outside of a sign that is used to define the boundaries of or hold the sign, or an extension around the outside of the sign that is used as decoration.

Emergency Ambulance Services, Ground. A facility which provides emergency ambulance service and does not include the use of helicopters.

Employment Agency. Any establishment, other than a daily labor service, which provides one or both of the following:

1. Assistance to employers in finding and employing permanent or temporary employees, whether part-time or full-time.

2. Assistance to potential employees in identifying and obtaining permanent or temporary employment, whether part-time or full-time.

Engineer. A person currently registered as a professional engineer under the provisions of NRS Chapter 625.

Enlargement. An increase in the size of an existing structure or use, including physical size of the property, building, parking and other improvements.

Entrance, Public. Any exterior entrance to a building regularly used by the public for ingress or egress. Entrances to storage areas, emergency exits and employee entrances are not considered public entrances.

Environmentally Hazardous Materials. The location of activities or products which have the potential to be dangerous, extremely obnoxious, or cause substantial environmental impacts on or beyond the boundaries of the property on which the activity or use is conducted. Environmentally hazardous materials include, but are not limited to, the following activities:

1. The manufacture, storage and testing of explosives, fireworks or munitions.
2. The refining of petroleum and the storage and distribution of natural and liquid gas or other petroleum derivatives in bulk including terminals, tank farms or other similar facilities.
3. The manufacture, blending, or mixing of pesticides, certain acids and fertilizer.
4. Stockyards; feed pens; livestock sales with pens and/or shipping facilities; rendering of animal fats; slaughtering or processing of animals; and industrial manufacturing process using the following raw materials: bones, garbage, offal and dead animals.
5. The refining of raw materials, such as, but not limited to, chemicals, rubber, wood or wood pulp, into other products.
6. The forging, casting, melting, refining, extruding, rolling, drawing or alloying of metals.
7. The testing of jet engines or other engines.
8. Refuse disposal services not listed elsewhere in the Title, including but not limited to landfills, incinerators and other locations which receive garbage and refuse generated off-site for storage, treatment or disposal.
9. Boiler works.

Erect. To "construct," "reconstruct," "alter," "move in," or "move upon".

Escort Bureau. A business establishment which, for a fee, commission, hire, or profit, furnishes or arranges for escorts to accompany other persons for social engagements.

Establishment. A use, building, structure or premises which is used for business, office, or commercial purposes.

Evergreen Tree. A tree, either broad leaf or conifer, which maintains at least a portion of its leaves or needles throughout the year.

Existing Use. Unless otherwise specified, the use of a lot or structure at the time of the enactment of this Title or an amendment thereto. For purposes of applying any limitation or requirement of this Code with regard to distances between uses, a use shall be deemed to be an existing use if any necessary special use permit approval has been obtained for such use or, if no such approval is necessary, a building permit has been properly issued for the structure in which the use will occur. The lapse of any necessary special use permit approval or, alternatively building permit approval regarding the use shall be sufficient to remove the its status as "existing" for purposes of applying measurement criteria.

Facility for Transitional Living for Released Offenders. A dwelling unit of a residential character that provides housing and a living environment for up to six persons who have been released from prison and who require assistance with reintegration into the community, other than such a residence that is operated or maintained by a state or local government or an agency thereof. The term does not include a Transitional Community Residence or a Facility for the Treatment of Abuse of Alcohol or Drugs. As used in this definition, "person who has been released from prison" means:

1. A parolee;
2. A person who is participating in:
   a. A judicial program pursuant to NRS 209.4886 or 213.625; or
   b. A correctional program pursuant to NRS 209.488 or 21.3632;
3. A person who is supervised by the Division of Parole and Probation of the Department of Public Safety through residential confinement pursuant to NRS 213.371 to 213.410, inclusive; or
4. A person who, within the past twenty years, has been released from prison by expiration of his term of sentence.

Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse. A facility that:

1. Operates under or is subject to the provisions of NRS Title 40 and, by means of certified detoxification technicians or otherwise, provides care or treatment related to the physical and mental effects of the abuse of alcohol or drugs, or the effects of alcohol or drug dependency; or
2. Provides court-ordered or court-sanctioned testing, analysis, treatment or counseling related to the physical and mental effects of the abuse of alcohol or drugs, or the effects of alcohol or drug dependency.

Family. With respect to the occupancy of a dwelling unit:

1. One or more individuals related by blood, marriage, adoption, guardianship or legal custody; or
2. No more than four unrelated individuals living together as a single housekeeping unit.

Family Community Residence. A Community Residence other than a Transitional Community Residence.

Fee Schedule. The schedule of fees which has been adopted by the City Council and which authorizes the City to charge fees for the processing of applications and other activities in connection with zoning and development approval.

Fence. An artificially constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas.

Fill. The placement of sand, gravel or other earth material for purposes of building up the level of land or altering slope.

Final map. A map prepared in accordance with the NRS Chapter 278 and the provisions of Subchapter 19.16.060 of this Title.

Final Map Technical Review. The process by which all technical aspects of a proposed final map are reviewed, excluding the final submittal of approvable mylar copies in preparation for recordation.

Financial Institution, General. Any business or organization, whose primary service is the exchange of currency. The term includes without limitation banks and credit unions, with or without drive-through service, but does not include any business engaged in retail sales or a business whose primary service is to lend money for repayment at a future date.

Financial Institution, Specified. Any business whose primary function is to lend money; to cash checks or other negotiable instruments for a fee, service charge or other consideration; or to provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis. The term includes without limitation a business that provides check cashing services as a principal service offered, a paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances. The term does not include a pawn shop or a limited check cashing service, as defined in this Section.

Finished Elevation. The proposed elevation of the land surface of a site after completion of all site preparation work.

Flag. Any fabric, banner or bunting containing distinctive colors, patterns, logos or symbols, used as a representative symbol of a government, political subdivision or private entity.

Floor Area, Gross. The sum of the gross horizontal areas of all the floors of a building or structure measured from the exterior face of exterior walls, but excluding any space where the floor-to-ceiling height is less than six feet.

Floor Area, Net. The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, and interior vehicular parking or loading. The term excludes any floors which are not used or intended to be used for human habitation or service to the public.

Floor Area Ratio. The gross floor area of all buildings or structures on a lot divided by the total gross lot area.

Food Processing. A facility in which food for human consumption is provided in its final form, such as candy, baked goods and ice cream, and the food is distributed to retailers or wholesalers for resale on or off the premises. The term does not include food or beverage processing which uses any mechanized assembly line production of canned or bottled goods.

Fraternity, Sorority House or Private Dorm. A residential building associated with a college or university that provides sleeping quarters, but not separate dwelling units, and may include common dining, cooking, recreation or bathing facilities.

Freestanding Sign. A detached sign which is supported by columns, uprights, poles or braces from the ground or from an object on the ground, or a detached sign which is erected on the ground, provided that no part of the sign is attached to any part of any building, structure, or other sign.

Functional Classification. A classification system that defines the purposes and hierarchy of all streets and highways within the Master Plan of Streets and Highways.

Gaming Establishment, General Business Related. A building or structure which is primarily used for some business other than gaming but in which restricted gaming is permitted pursuant to Title 6. For purposes of the Special Use Permit requirements of this Title, the term does not include a location that has obtained and maintains current licensing and zoning approvals to sell alcoholic beverages.

Gaming Establishment, Non-restricted. An establishment which is used or intended to be used for the conduct of gaming activities for which a non-restricted gaming license is required pursuant to LVMC Title 6. For informational purposes, the term refers to an establishment whose gaming operations consist of sixteen or more slot machines, or any number of slot machines together with any other game, gaming device, race book or sports pool at that establishment. When operated in conjunction with a hotel having more than 200 rooms, the use includes any number of ancillary alcoholic beverage-related uses with an on-sale component, without regard to the requirements of LVMC Chapter 19.12, but only to the extent such uses conform to the applicable requirements of LVMC Chapters 6.40 and 6.50.

Gaming Establishment, Restricted. An establishment which is used or intended to be used for gaming activities for which a restricted gaming license is required pursuant to Title 6 of the Las Vegas Municipal Code. For informational purposes, the term refers to an establishment whose gaming operations are limited to not more than fifteen slot machines, incidental to the primary business at the establishment, and no other game or gaming device.

Gaming or Gambling. Any activities which are regulated pursuant to Chapter 6.40 of the Las Vegas Municipal Code.

Garage. An enclosed building, or a portion of an enclosed building, used for the parking of vehicles.

Garage, Side-load. A private garage where the overhead doors are perpendicular to the front lot line and generally not visible from a public way.

Garage Sale. Garage or Yard Sale means the sale of personal property from a parcel that is located within a residential district and upon which is located a dwelling.

Garden Supply/Plant Nursery. A facility for the growing, display, or sale of plant stock, seeds or other horticulture items. This use may include raising plants outdoors or in greenhouses for sale either as food or for use in landscaping.

General Personal Service. A facility for the sale of personal services. Typical personal services include barber/beauty shop, tanning salon, nail salon, shoe repair, tailor, instructional arts studio, photography studio, hand-crafted art studio, safe deposit boxes, house cleaning service, weight reduction center, day spa, florist (excluding greenhouses) and permanent makeup establishment.

General Plan. The adopted General Plan or Master Plan of the City, as amended.

General Retail Store, Other than Listed. A facility for the retail sale of general merchandise to the general public for direct consumption and not for wholesale. The term does not include a "grocery store," "convenience store," or other retail facility that is specifically defined in this Chapter.

Gift Basket Limited. A facility which sells alcoholic beverages in original sealed or corked containers in quantities not greater than 25.4 ounces measured in the English system of weights and measures, or in quantities not greater than seven hundred fifty milliliters, measured in the metric system of weights and measurements, to be packaged in a receptacle or a container along with other assorted food items or novelty items, or both, which items have a minimum retail value of thirty-five dollars apart from the retail value of the alcoholic beverages; provided, however:

1. The contents of the gift baskets are not sold separately but, instead, are included as part of the unit price of the gift basket; and
2. The alcoholic beverages are consumed off the premises where the gift basket is sold.

Gift Shop Limited. A facility located within the physical structure of a nonrestricted gaming establishment which sells, to customers only and not for resale, alcoholic beverages in original sealed or corked containers in quantities less than one pint, measured in the English system of weights and measures, or in quantities less than three hundred seventy-five milliliters, measured in the metric system of weights and measures, for consumption off the premises where the same are sold.

Golf Driving Range. A facility or area that is made available to the public for the practice of golf driving techniques.

Governing Body. The City Council of the City.

Government Facility. A facility or area used for public purposes and owned or operated by an instrumentality or agency of Federal, State, or local government.

Grade. The degree of rise or descent of a sloping surface (see Slope).

Grade, Finished. The average proposed level of the finished surface of the ground adjoining a building after all site development work has been completed.

Grade, Natural. The average proposed level of the finished surface of the ground adjoining a building prior to site development work.

Grading. Any stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition, to create new grades.

Grand Opening. A one-time promotional activity not exceeding 30 calendar days used by newly established businesses, within two months after occupancy, to inform the public of their location and service available to the community.

Grocery Store. A facility, over 5,000 square feet in size, that is primarily used for the retail sale of household foodstuffs for off-site consumption, including any combination of fresh produce, meats, poultry, fish, deli produces, dairy products, canned foods, dry foods, baked foods, prepared foods, and beverages. A "grocery store" may include the sale of other household supplies and products, buy only if secondary to the primary purpose of food sales.

Gross Acreage. The total area within the property lines of a lot or parcel of land before public streets, easements or other areas to be dedicated or reserved for a public use are deducted from such lot or parcel. The term does not include adjacent property which has already been dedicated for such purposes.

Gross Density. The number of dwelling units per acre of land, without deduction for public streets, easements or other areas to be dedicated.

Gross Floor Area. The sum of the gross horizontal areas of all the floors of a building or structure measured from the exterior face of exterior walls, but excluding any space where the floor-to-ceiling height is less than six feet.

Ground Cover. Plants grown for their low spreading capabilities for the protection of soils, to prevent growth of weeds and for aesthetic purposes.

Group Dwelling. Two or more detached one-family, two-family or multiple-family dwellings, occupying a parcel of land in one ownership, which may have a yard or porch in common, but not including automobile courts, as herein defined.

Gun Club, Skeet or Target Range. A facility or area used for archery or the shooting of firearms, whether for practice or sport.

Harmonious Relationship. The design, arrangement and location of buildings or other created or natural elements of the urban environment that are sufficiently consistent in design, scale, height, color, character and siting with other buildings, or created or natural elements in the area so as to avoid abrupt or severe differences or incompatibilities.

Hazard to Air Navigation. An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Health Club. An establishment that operates physical fitness facilities, sports clubs or recreation clubs.

Heavy Construction Trade Yard. A lot or facility used for the storage of heavy construction equipment, machinery and vehicles.

Heavy Machinery & Equipment (Storage). A lot or facility used for the storage of heavy construction equipment, machinery and vehicles.

Height, Airport Zoning. For the purpose of determining the height limits in all zones shown on an airspace zoning map, the datum shall be mean sea level elevation unless otherwise specified.

Helipad. A facility for the landing and taking off of helicopters, but with no accessory gas sales, maintenance or other services.

Hillside Area. Land with a slope of 15% or greater.

Historic District. A designation, in the form of overlay zoning, applied to all properties within an area with defined boundaries, as a result of formal adoption by the City Council, which expresses a distinctive character worthy of preservation.

Historic Preservation Plan. A document, formally adopted by the City Council, containing goals and policies directing historic preservation activity within the City.

Historic Property. A designation, in the form of overlay zoning, applied to an individual property, as a result of formal adoption by the City Council, which expresses a distinctive character worthy of preservation; or an archeological site.

Historic Sign. A sign designated as historic in accordance with Section 19.14.080.

Home Occupation. An income producing activity conducted in a residential zone pursuant to Subchapter 19.16.170.

Horse Corral or Stable (Commercial). A structure for the keeping of horses, mules or ponies which are boarded for compensation or for use in providing instructional or recreational activities for persons other than occupants of the premises.

Horse Corral or Stable (Private). An accessory structure for the keeping of horses, mules or ponies for the use of occupants of the premises.

Hospice. A home for the terminally ill.

Hospital. An institution, designed within an integrated campus setting for the diagnosis, care, and treatment of human illness, including surgery and primary treatment.

Hotel 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.

Hotel, Motel, or Hotel Suites.

1. Hotel. A building or group of buildings whose main function is to provide rooms for temporary lodging where entrance to each room is gained from a completely enclosed area. A hotel may also contain restaurants, conference rooms and personal service shops. The phrase "temporary lodging" refers to a rental period with a normal duration of no more than one week.
2. Motel. A building or group of buildings whose main function is to proved rooms for temporary lodging, rooms which are directly accessible from an outdoor parking area. The phrase "temporary lodging" refers to a rental period with a normal duration of no more than one week.
3. Hotel Suites. A facility offering temporary lodging accommodations to the general public in which rooms or suites may include kitchen facilities and sitting rooms in addition to the sleeping room. The phrase "temporary lodging" refers to a rental period with a normal duration of no more than one week.

Hotel, Residence. A multi-dwelling unit for extended stay lodging consisting of efficiency units or suites with a complete kitchen suitable for long term occupancy; customary hotel services such as linen, maid service, telephone and upkeep of furniture; and optional resident and guest amenities such as meeting rooms, club house and recreation facilities. The term does not include facilities which qualify as other types of dwelling units defined in this title.

HPC. The Historic Preservation Commission.

HPO. The Historic Preservation Officer.

Hypnotherapy Practice. A facility in which one or more duly licensed or certified mental health professionals provide psychotherapeutic treatment utilizing hypnosis, or training in self-hypnosis conditioning, to patients or clients. For purposes of this definition "duly licensed or certified" means:

1. Licensed by the State of Nevada Psychological Examiner's Board; or
2. Certified by a nationally recognized professional hypnotherapy organization, with a current membership of a least one thousand members, that is dedicated to providing training, continuing education, and performance testing in hypnotherapy.

Illegal Sign. A sign erected on public property, including the public right-of-way, in violation of this Code; a temporary sign for which the period allowed for its display has expired; or any other sign for which a time period included as a condition of its certificate has expired.

Improvement. Any building, structure, landscaping, place, work of art or other object constituting a physical betterment of real property, or any part of such betterment.

Incidental Sign. A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking," "entrance," "loading only," and "telephone" signs; directory signs and drive-through menu boards; and other similar directives or identifying messages. In order to qualify as an incidental sign, a sign may contain the logo or name of the business that is on the same parcel as the sign but shall not contain any other commercial message legible from a position off the lot on which the sign is located.

Infeasibility Determination. A determination that the Connectivity Ratio is impractical to meet due to topographic conditions, environmental constraints, and property shape or accessibility.

Ingress. Access or entry.

Intensity of Use. The number of dwelling units per acre for residential development and floor area ratio for nonresidential development.

Interconnectivity. Physical connections of roadways and sidewalks between two or more independent developments or residential subdivisions.

Internet Café. An establishment that provides for public use five or more computers or other electronic devices:

1. For purposes of accessing the internet, a local area network, e-mail programs or other computer software programs; and
2. The public use of which is in exchange for compensation of any kind and paid in any manner, including but not limited to the payment of a membership fee.

This term will generally include establishments commonly known as PC cafés, cyber cafés , cyber centers, and similar designations.

Internet/Catalogue Sales Office. An establishment which specializes in the sale of products via the internet or by catalogue for delivery to a customer's home or business. This use may include in-person customer consultations at the establishment.

Institutional Sign. An on-premise sign designed to communicate information about any house of worship, school, or other institution that is a permitted use in the subject zoning district.

Intra-connectivity. Physical connections of streets and sidewalks within a single development or residential subdivision.

Irrigation System. The combination of elements such as automatic controllers, meters, pressure vacuum breakers, pipes, valves, emitters, bubblers, spray heads, tubing and other materials designed for the purpose of transporting water to landscaping.

Jewelry Store, Class III Type. A store which buys and sells scrap precious metals for marketing as a commodity in bar form or in other than jewelry form, or which buys and sells precious metal bars and coins that are sold as a commodity rather than for numismatic purposes. This may include operations similar to a new jewelry store.

Jewelry Store, New. A store which primarily sells new merchandise and some used merchandise from estate sales or reconstitutes precious metals into jewelry forms which are sold at retail on the premises.

Keeping of Carrier or Racing Pigeons. The keeping of pigeons that are bred and kept for the purpose of demonstration or racing, are registered with a national pigeon registry or organization, and are identified as to ownership and registration by a stamp or a band.

Keg Beer. A facility which sells beer in keg containers having a capacity of at least one-quarter barrel size for delivery only to the premises of a purchaser.

Kiosk. A freestanding structure upon which temporary information and/or posters, notices, and announcements are posted.

Kitchen. That portion of a dwelling unit devoted to the cooking or preparation of food for the purpose of consumption by residents of the dwelling unit. The term includes a "kitchenette," "wet bar" or any area equipped with items such as a counter-top hot plate, counter-top grill, or microwave oven, together with an under-counter refrigerator and sink. "Full Kitchen Facilities" indicates the presence of complete cooking facilities (i.e., stove, oven or microwave oven, refrigerator, and sink). The presence within any food preparation area of a ventilation hood, gas stub, two hundred-twenty volt electrical outlet or wiring, or any combination thereof, shall be considered "full kitchen facilities."

Laboratory, Medical or Dental. A facility, other than a hospital, that:

1. Conducts general medical or scientific research, investigation, testing, or experimentation; or
2. Upon referral by or request of a medical professional, provides radiological or medical testing, or creates prosthesis or artificial dental work.

The term does not include a facility for the manufacture or sale of other products, except as incidental to the main purpose of the laboratory. The term also does not include a "facility to provide testing, treatment, or counseling for drug or alcohol abuse," as that term is defined in this Section.

Land Surveyor. One who is licensed by the State as a land surveyor and is qualified to make accurate field measurements and to mark, describe, and define land boundaries.

Landfill. A lot or premises used for the disposal of garbage, trash, refuse or waste material, but not including sewage, which is officially sanctioned by proper authorities of the jurisdiction in which it is located.

Landmark. A designation applied to an individual property as a result of formal action by the City Council in accordance with Subchapter 19.06.090.

Landscaping. The combination of natural elements such as trees, shrubs, ground covers, vines, and other living organic and inorganic material which are installed for purposes of creating an attractive and pleasing environment; screening unsightly views; reducing environmental heat; filtering particulate matter from the air; and boosting oxygen levels.

Laundry, Self-Service. A laundry facility that provides coin operated washing and drying machines for customer operation. The term includes a facility that provides additional services such as fluff and fold or dry cleaning, provided that no dry cleaning equipment is located on the premises. The term does not include a laundry room located within a residential development that is provided solely for the use of residents of the development.

Library, Art Gallery or Museum (Public). A publicly-operated facility used for:

1. The housing of a collection of books, magazines, audio and video tapes, or other material for borrowing and use by the general public; or
2. The acquisition, preservation, study or exhibition of works of artistic, historic or scientific value.

Light Assembly & Fabrication. The assembly or manufacturing of objects or items that:

1. Are made from standard parts or components;
2. Are distinct from the individual parts or components; and
3. Are not of another type of assembly or fabrication specifically described in Table 2, as adopted in Section 19.04.010.

Linkages. Roadways, sidewalks, access-ways and walkways that connect between adjacent development parcels and subdivisions.

Liquefied Petroleum Gas Installation. A facility or system which includes tanks, piping or gas equipment (or any combination thereof) and is used or intended to be used for the storage, dispensing or other utilization of liquefied petroleum gas.

Liquefied Petroleum Gas. Any material which is composed predominantly of any of the following hydrocarbons, or mixtures of propane, propylene, butanes (either normal butane or isobutane) and butylenes.

Liquor Caterer. A person who dispenses, serves or sells alcoholic beverages only for consumption on the premises where the same are dispensed, served or sold during the times, dates and places specified by permit.

Liquor Establishment (Tavern). A facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold.

Live/Work Unit. A structure or portion thereof that combines a low-intensity nonresidential work space with an integrated residential space, with the residential space being subordinate and accessory to the nonresidential use.

Livestock Farming (Bovines/Horses). The raising or keeping of bovine animals or horses for recreational, entertainment or training purposes only. The term does not include the breeding or raising of animals for consumption or sale.

Loading Space. An off-street space or berth used for loading or unloading of cargo, products or materials from vehicles.

Lodge or Fraternal Organization. A facility or area for a special purpose organization or for the sharing of sports, arts, literature, politics or other similar interest; but not primarily for profit or to render a service that is customarily carried on as a business, excluding churches, synagogues or other houses of worship.

Lot. A tract, plot or portion of a subdivision, addition or other parcel of land whose existence, location and dimensions have been defined on a legally recorded subdivision map, survey map of record or a metes and bounds description occupied or to be occupied by a building and its accessory buildings, and including such open spaces as are required under this ordinance and other development regulations, and having its principal frontage upon a public street or officially approved private access easement. Lot includes the words Plot, Parcel, Tract and Premises.

Lot Area. That area of a horizontal plane bounded by the front, side and rear property lines including any portion of an easement which may exist within such property lines but exclusive of rights-of-way for street purposes.

Lot, Corner. A lot situated at the intersection of two or more streets, with frontage on at least two streets.

Lot Coverage. The percentage of lot area covered by all buildings and structures after the area required for dedicated public right-of-way is subtracted.

Lot Depth. The length of a line connecting the mid-point of the front and rear property lines.

Lot, Double Frontage. A lot (not a corner lot) which adjoins two streets which are parallel or within forty-five degrees of being parallel to each other. On a double frontage lot, both street property lines shall be deemed front lot lines, unless designated otherwise on a recorded Final Map.

Lot, Flag. A lot having access or an easement to a public or private street by a narrow, private right-of-way.

Lot Frontage. The side of the lot which fronts on a street or drive. In the case of a corner lot, the "front" of the lot shall be considered to be the side which has the lesser dimension in width, unless the Director authorizes another side to be designated as the "front" and attaches whatever conditions are deemed necessary to ensure that such alternative designation does not result in land use incompatibility with the surrounding area. In the case of a through lot, either side which abuts a street or drive may be considered the "front," except in cases where deed restrictions, covenants or map notes prohibit access from one street.

Lot, Improved. (1) A lot upon which a building can be constructed and occupied; (2) A lot with existing buildings or structures.

Lot, Interior. A lot other than a corner lot.

Lot, Key. A lot with a side property line that abuts the rear property line of any one or more adjoining lots.

Lot Line. A property line that divides one lot from another lot or from a public or private street or any other public space.

Lot Line, Corner. The property line abutting a street or drive, other than a front lot line.

Lot Line, Front. The property line separating the lot frontage from a street right-of-way.

Lot Line, Rear. The property line opposite and most distant from the front property line. In the case of a triangular or otherwise irregularly shaped lot, a line 10 feet in length entirely within the lot, parallel to and at a maximum distance from the front property line.

Lot Line, Side. Any property line which is not a front lot line, rear lot line or corner lot line and is generally perpendicular to a front or rear property line.

Lot, Minimum Area. The smallest lot area permissible in a particular zoning district on which a use or structure may be located.

Lot of Record. A lot that exists as shown or described on a plat or deed in the records of the County Recorder.

Lot, Reverse Corner. A corner lot, the rear of which abuts the side of another lot.

Lot, Substandard. A parcel of land that has less than the minimum area or minimum dimensions required in the zoning district in which the lot is located.

Lot, Through. A lot that fronts upon two parallel streets or that fronts upon two streets that do not intersect at the boundaries of the lot.

Lot, Transition. A lot in one zoning district which abuts another zoning district.

Lot Width. The mean horizontal distance between the side lot lines.

Main Building. A building devoted to the principal use of the lot on which it is situated. On any lot in a residential district, the term refers to the principal dwelling located on that lot.

Maintenance. The upkeep of property, building, structures, amenities, parking facilities, landscaping or lot including repair, painting, trimming, pruning, as well as watering and other on-going activities that are associated with maintenance.

Manufactured Home. A structure as defined in NRS 489.113. A manufactured home may or may not qualify for State-law zoning treatment as a single-family detached dwelling pursuant to Table 2, as adopted in Section 19.10.010.

Manufactured Slope. Slope that results from mechanical excavation or fill activity.

Manufacturing, Heavy. A facility for the general mass producing of goods, usually for sale to wholesalers or other industrial or manufacturing uses. The term includes any use which employs any of the following or similar types of processes:

1. Milling of grain as retail sales and service.
2. Production of animal food, and the tanning of animal hides.
3. Production of large durable goods such as, but not limited, to motorcycles, cars, manufactured homes or airplanes.
4. Canning or bottling of food or beverages for human consumption using a mechanized assembly line.
5. Manufacturing of paint, oils, pharmaceuticals, cosmetics, solvents and other chemical products, and use of a foundry for metals.

6. Production of items made from stone, clay, metal or concrete.
7. Tire recapping or retreading.
8. Production of items by means of the chemical processing of materials.

Manufacturing, Light. A facility for producing goods without the use of any of the processes described within the definition of "Heavy Manufacturing." The term includes without limitation the following activities:

1. Assembly, finishing, and/or packaging of small items from component parts made at another location. Examples include but are not limited to cabinet making or the assembly of clocks, electrical appliances, or medical equipment.
2. Production of items made from materials derived from plants or animals including, but not limited to, leather, pre-milled wood, rubber, paper, wool or cork, or from textiles or plastics.
3. Electrical component manufacturing.
4. Reproduction, cutting, printing, or binding of written materials, drawings or newspapers on a bulk basis using lithography, offset printing, blue printing and other similar methods.
5. Machine shop where material is processed by machinery, cutting, grinding, or similar processes.

Map. The Official Zoning Map of the City of Las Vegas.

Marquee or Porte Cochere. Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Marquee Sign or Porte Cochere Sign. Any sign attached to, in any manner, or made a part of a marquee or porte cochere.

Martial Arts Studio. An establishment whose principal business activity is the instruction of the martial arts as defined by LVMC 6.53.020(C). The term does not include any nonprofit organization or entity that offers martial arts instruction only as an incidental service in its overall program of activities.

Massage, Accessory. The performing of massage therapy or therapeutic massage that:

1. Is accessory to a principal permitted use that is one of the following:
   a. A medical office or physical rehabilitation clinic;
   b. A fitness and health center;
   c. A country club or golf course clubhouse;
   d. A hotel with more than one hundred rooms; or
   e. A facility similar in nature to any of the facilities listed above;
2. Does not occupy more than 150 square feet of space; and
3. Is not advertised on any exterior signage.

Massage Establishment. A facility which is occupied and used for the purpose of practicing massage therapy as defined in LVMC Chapter 6.52.. The term does not include the use "accessory massage," as defined in this Title.

Master Sign Plan. A plot plan and accompanying documentation which identifies all existing and proposed on-premise signage on a development or complex of buildings.

Median. A paved or planted area separating a street or highway into two or more lanes of travel in opposite directions.

Mining, Sand & Gravel Extraction. The excavation of sand, gravel, minerals or other resources from the earth.

Mini-Storage Facility. A facility with enclosed storage space, divided into separate compartments no larger than five hundred square feet in size, which is provided for use by individuals to store personal items or by businesses to store materials for operation of a business establishment.

Miscellaneous Residential Sign. Any incidental or real estate sign on a single dwelling unit lot or other residential lot.

Mixed-Use. The vertical integration of residential uses and commercial or civic uses within a single building or a single development, where the uses share pedestrian access, vehicular access, parking functions, or any combination thereof.

Mobile Home. A factory-assembled structure equipped with the necessary service connections and made so as to be movable as a unit on its own running gear and designed to be used for a one-family residential use.

Mobile Home Park. An area or tract of land where two or more mobile homes or mobile home lots are rented or held out for rent. The term does not include an area or tract of land

where: (a) More than half of the lots are rented overnight or for less than three months for recreational vehicles. (b) Mobile homes are used occasionally for recreational purposes and not as permanent residences.

Mobile Home Space Boundary Line. The lines which bound a mobile home site on its front, sides or rear.

Mobile Home Space. That portion of a mobile home park designated, used, or designed for the occupancy of not more than one mobile home and includes that area set aside or used for automobile parking, carports, cabanas, awnings, accessory buildings or other structures, and the yard area as required herein.

Monorail. A non-technology specific system used to transport passengers, including any system on a fixed land route installed and operated on an exclusive fixed guideway or rail, and including a monorail as defined in NRS Chapter 705. The term does not include a system to transport passengers between two end points with no intermediate stops, or a monorail that function only as part of a theme park or permanent exhibition under LVMC Chapter 6.81.

Monument Sign. A freestanding sign where the base of the sign structure is on the ground or a maximum of 12 inches above the lowest point of the ground adjacent to the sign.

Moped. Means a motor-driven scooter, motor-driven cycle or similar vehicle that is propelled by a small engine which produces not more than two gross brake horsepower, has a displacement of not more than fifty cubic centimeters or produces not more than fifteen hundred watts final output, and is capable of a maximum speed of not more than thirty miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged. For purposes of the provisions of this Title relating to vehicle sales, mopeds shall be considered retail goods rather than motor vehicles.

Mortuary or Funeral Chapel. A facility in which one or both of the following activities occur:

1. Dead bodies are prepared for burial or cremation.
2. Funeral services are conducted.

Motorcycle/Motor Scooter Sales. A facility or area for the display and sale of motorcycles and motor scooters, whether new or used, but excluding mopeds. The term includes service bays which are incidental and accessory to the sales use. The term is used for the sole purpose of allowing the use by means of Special Use Permit in the C-1 District. For all other purposes, the use described in this definition shall be treated under the appropriate category of motor vehicle sales.

Motor Vehicle Sales (New). 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.

Motor Vehicle Sales (Used). A facility or area used primarily for the display and sale (or leasing) of used automobiles, 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.

Mounted Antenna. An antenna, other than a wireless communication facility, that is attached to a structure as permitted under this Code.

Mulch. A protective covering of inorganic material including rock, gravel, and decomposed granite, which is placed on the earth around plants to reduce weed growth, to minimize evaporation of moisture from the soil surface, to maintain even temperatures around plant roots, and to retard erosion.

Multi-Family Residential. A structure used or designed as a residence for three or more families or households living independently of each other.

Multi-phase Development. A development project that is constructed in stages, each stage being capable of existing independently of the others.

Museum, Art Display, or Art Sales (Private). A privately-operated facility or area for the acquisition, preservation, study, exhibition or sales of works of artistic, historic or scientific value.

Natural Area or Feature. May include slopes in excess of Hillside Ordinance for maximum slopes or conservation natural areas.

Natural Slope. Slope which is not manufactured.

Neighborhood. An area of a community with characteristics that distinguish it from other areas and that may include distinct ethnic or economic characteristics, housing types, schools, or boundaries defined by physical barriers, such as major highways and railroads or natural features.

Net Lot Area. The total area within the property lines of a lot or parcel of land after public street rights-of-way or other areas to be dedicated or reserved for public use are deducted from such lot or parcel.

Night Club. An establishment, other than a teen dance center, that is operated as a place of entertainment, characterized by any or all of the following as a principal use:

1. Live, recorded, or televised entertainment, including but not limited to performance by magicians, musicians or comedians.
2. Dancing.

Noncommercial Message. A message, the sole purpose of which is to direct attention to a political, social, community or public-service issue.

Non-Conforming Lot. A lot which was lawful in terms of the area, dimensions or location prior to the adoption, revision or amendment of this Title, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district in which it is located.

Non-Conforming Sign. Unless otherwise provided, any sign that conformed to existing sign regulations at the time it was erected but that would no longer be permitted by virtue of the adoption of this Title, or an amendment thereto.

Non-Conforming Structure. A building or structure legally and properly located on a lot or parcel at the time of construction or erection of said building, but which subsequently would not be permitted to be constructed at that location by virtue of adoption of this Title, or an amendment thereto.

Non-Conforming Use. Any legally pre-existing use of land which is inconsistent with the provisions of this Title, or an amendment thereto.

Non-Contributing Property. A classification applied to an individual property located within a designated Historic District, signifying that the property does not contribute to the distinctive character of the District.

Nonprofit Club General. Any nonprofit corporation, association or organization which has been in continual existence for at least two years and:

1. Is organized or qualified to do business and operate under the laws of the State;
2. Has tax-exempt status granted by the United States Internal Revenue Service;
3. Has a membership of at least one hundred members who are twenty-one years of age or older and who pay dues to the nonprofit corporation, association or organization; and
4. Operates a clubhouse, clubroom or meeting room in a permanent location which it owns or leases.

Nonprofit Club Restaurant Service Bar. A bar wherein alcoholic beverage drinks are prepared for service in connection with meals at tables in the restaurant area of a nonprofit club where members of the general public are invited to dine.

Nuisance. An interference with the enjoyment and use of property.

Obstruction. Any structure, growth or other object, including a mobile object, which exceeds a limiting height set forth in Section 19.06.060 (C).

Occupancy or Occupied. With respect to a structure, refers to the residing of one or more individuals in a dwelling or to the storage or use of equipment, merchandise or machinery in any public, commercial, or industrial building.

Off-Premise Sign. Any sign advertising or announcing any place, product, goods, services, idea or statement whose subject is not located nor available on the lot where the sign is erected or placed.

Off-Site Improvement. In connection with a development proposal, improvements that are required to be made to property which is or will be dedicated or reserved for public use including, but not limited to; street, sidewalk, traffic light and other standard off-site improvements; road widening and upgrading; storm water or drainage facilities; traffic circulation improvements and traffic control devices.

Off-Site Parking. Parking provided for a specific use but located on a site other than the one on which the specific use is located.

Off-Street Loading. Designated areas on a development site for the loading and unloading of cargo adjacent to buildings and not in the public right-of-way.

Office. A building used primarily for conducting the affairs of a business, profession, service, industry or government and which may include ancillary services for office workers, such as restaurants, newsstands or other minor commercial establishments.

Office, Medical or Dental. A professional office for the administration of professional medical or dental care, including examinations, screenings and minor outpatient surgical procedures. The term does not include a facility that provides housing for individuals, a clinic, or any other facility that is specifically defined in this Title.

Office Park. A development which contains a number of separate office buildings, accessory and supporting uses, and open space and which is designed, planned, constructed, and managed on an integrated and coordinated basis.

Office, Other Than Listed. A building or rooms used for conducting the affairs of a business, profession, service, industry or government other than those which are specifically listed in this Title.

On-Premise Sign. Any sign advertising or announcing any place, product, goods, services, idea or statement whose subject is available or located at or on the lot, same site, or within the same Master Sign Plan area where the sign is erected or placed.

On-Site. Located on the lot that is the subject of an application for development.

Open Air Vending/Transient Sales Lot. An area that is used exclusively for the sale or taking of orders for any merchandise where:

1. Such merchandise is displayed or sold in the open area;
2. The activity is not part of the operation of an established business; and
3. No permanent physical structures or facilities are used as integral parts of the sales or order taking operations.

The term includes the display or sale of merchandise in or in connection with a truck, trailer or movable building of any type.

Open Space. Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public use or enjoyment or for the private use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

Open Space, Common. Land within or related to a development that is designed and intended for the common use or enjoyment of the residents of the development and their guests.

Open Space, Private. Open space which is normally limited to the use of the occupants of a single dwelling or building or property that abuts such open space.

Open Space, Public. Open space owned and maintained by a public agency for the use and enjoyment of the general public.

Outcall Entertainment Referral Service. A business which, for a fee, sends or refers an entertainer to an entertainment location (as defined in LVMC 6.57.030) in response to a telephone or other request to entertain a patron at the entertainment location.

Outdoor Storage, Accessory. The use of a significant portion of a lot or area for the long term retention (more than twenty-four hours) of materials and machinery or equipment, regardless of whether the materials, machinery or equipment are to be bought, sold, repaired, stored, incinerated, or discarded. The term does not include new or used motor vehicle sales and rental display, nor does it include accessory and incidental parking of vehicles for residents, guests, customers or employees in connection with a principal use.

Overlay Zone. A zoning district that is imposed on one or more underlying base zoning districts and which provides additional requirements and limitations beyond those required by the underlying zoning district.

Owner. An individual, firm, association, syndicate, partnership or corporation having sufficient proprietary interest to seek development of land.

Package liquor off-sale establishment. An establishment, other than a retail establishment with package liquor off-sale, whose license to sell alcoholic beverages authorized their sale to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold. The term includes an establishment that provides on-premises wine, cordial and liqueur tasting if the licensee also holds a wine, cordial and liqueur tasting license for that location.

Painted Wall Sign. Means any sign that is painted directly on a building wall surface.

Parcel Map. A map prepared for recording in accordance with NRS Chapter 278 and with the provisions of this Title.

Park and Ride. A facility for the boarding and deboarding of transit vehicles that includes an area for the parking of commuters' vehicles in connection with their use of transit vehicles.

Parking Area. A paved area, other than a public right-of-way, used for the parking of automobiles.

Parking, Commercial. A facility for parking that is operated as a business enterprise by charging the public a fee and is not reserved or required to accommodate occupants, clients, customers or employees of a particular establishment or premises.

Parking Lot/Sidewalk Sale. A promotional sales event that is conducted by a business operation outside the confines of the commercial or manufacturing structure in which the business operation is normally conducted.

Parking Space. A space within a building, garage or parking area, as defined, for the temporary parking or storage of one automobile with continuous and unimpeded access to a public right-of-way, service drive or aisle.

Patio Cover. An attached or detached accessory structure which is not enclosed and provides sheltered outdoor space.

Pawn, Auto. A Pawn Shop that lends money on the security of a motor vehicle, which the pawn shop takes possession of as the pledged property.

Pawn Shop. A facility (other than a bank, saving and loan or mortgage banking company) used for the business of lending money on the security of pledged goods or for the business of the purchase of tangible personal property on condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

Pennant. Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, suspended from a rope, wires, or string, usually in a series, designed to move in the wind. A pennant shall be considered a temporary sign.

Permanent Makeup Establishment. A facility that applies natural pigment to the dermal layer of the skin, by the use of needles or other instruments designed to contact or puncture the skin, for the sole purpose of providing either permanent coloration for medical skin restoration or cosmetic coloration to enhance or diminish personal features.

Permitted Use. Any use allowed in a zoning district as a matter of right if it is conducted in accordance with the restrictions applicable to that district. Permitted uses are designated in the Land Use Table by the letter "P".

Person. An individual, firm, partnership, corporation, company, association, joint stock association, governmental entity, trustee, receiver, assignee or similar representative of any of them.

Pet Boarding. A lot, building, premises or structure on which four or more household pets kept regularly and for extended periods of time for the benefit of persons who do not reside on the premises. The term included facilities that provide shelter, care, feeding, exercising, grooming or incidental medical care for household pets for remuneration or otherwise on a commercial basis. The term includes a kennel operation.

Pet Shop. A retail establishment engaged in the sale of pets, small animals, pet supplies, or pet grooming services.

Physical Constraints. Limitation on development or access created by topographical features on the development parcel, or adjacent parcels, such as spacing of existing adjoining streets, freeways, or other physical structures.

Planned Community Program. The development plan and development standards for a development in the P-C (Planned Community) District.

Planning Commission. The Planning Commission of the City of Las Vegas duly appointed by the Mayor with the approval of City Council. The Planning Commission shall have the powers and duty to provide for development as prescribed by State law and City ordinances.

Pole Sign. A Freestanding sign supported by one column, upright, pole, or brace in or upon the ground the sum width/diameter of which is less than 25 percent of the width of the sign.

Political Sign. Any sign relating to a candidate, issue, proposition, ordinance or other matter in a public election or referendum, or any sign pertaining to the advocacy of political views or policies by persons, groups, or parties.

Portable Sign. Any sign which is not permanently attached to the ground or to another permanent structure; including, but not limited to, temporarily placed signs designed to be transported; signs by means of wheels; signs converted to A- or T-frames; movable menu and sandwich board signs; tethered balloons used as signs; and signs attached to or painted on a vehicle or trailer which is parked and visible from the public right-of-way, unless the vehicle is used in the normal day-to-day operations of the business.

Post Office, Local Service. A branch office of the United States Postal Service that handles the mail for no more than five zip codes.

Post Office, Regional. A branch office of the United States Postal Service that handles the mail for more than five zip codes.

Potentially Developable or Re-developable Land. Land that is not restricted from development by virtue of factors such as parklands, conservation transfer areas, federal or state lands, reservation areas or excluded due to environmental constraints.

Pre-Existing Use. A lawful and conforming existing use of a lot or structure prior to the time of the enactment of this Title.

Preservation Covenant. A recorded deed restriction which requires the preservation of a property for an agreed-upon period of time.

Preservation Easement. A non-possessory interest in real property which creates rights and obligations related to the preservation of the distinctive character of that property or a portion thereof.

Primary Ridgeline. The ridgeline that has the greatest prominent public visibility from existing and undeveloped portions of the City.

Principal Building. The building in which the principal use of the lot is conducted. Lots with multiple uses may have multiple principal buildings. The term does not include storage buildings, garages or other buildings which normally are considered accessory buildings.

Principal Use. The purpose for which land, premises or building is designed, arranged or constructed.

Printing & Publishing. An establishment that provides printing, publishing, duplicating, or collating services using photocopy, blueprint, off-set printing, or related equipment.

Private Club, Lodge or Fraternal Organization.

1. Club. A facility of a private organization for the preparation and service of food and/or drink for members and their guests.
2. Lodge or Fraternal Organization. A facility for a special purpose organization for the sharing of sports, arts, literature, politics or other similar interests; but not primarily\ for profit or to render a service that is customarily carried on as a business.

Private Garage. An accessory building, or an attached portion of the main building, designed or used for the shelter and storage of automobiles.

Private Improvements. Improvements installed within a development for private or quasi-public purposes, but not owned or maintained by the City.

Private Sports Arena, Stadium or Track. A facility that:

1. Is used for playing and watching sports, concerts, plays, etc.; and
2. Is not owned or operated by a public or quasi-public organization.

Private Street. Any roadway, other than a private drive, that is not owned by a public entity or is designated for use by specified property owners, maintained by or on behalf of those property owners, and not dedicated to nor intended for access by the general public.

Prohibited Use. A use that is not permitted by any means in a particular zoning district.

Project of Regional Significance. Any of the following:

1. A site-specific building or development project, whether private, public or quasipublic in nature, that is proposed within one-half mile of the boundary of another municipal corporation or an unincorporated area, and that qualifies as one or more of the following:
   a. A project with a tentative map including 500 lots or more;
   b. A planned unit development of 500 units or more;
   c. A development including tourist accommodations of 300 units or more;
   d. A commercial or industrial facility that is estimated to generate more than 6250 average daily vehicle trips, as defined by the Institute of Transportation Engineers (or its successor); or
   e. A nonresidential development encompassing more than 160 acres.
2. A zoning map amendment or local land use plan amendment that is proposed within one-half mile of the boundary of another municipal corporation or an unincorporated area, and that could result in development meeting or exceeding any of the criteria listed in Paragraphs 1(a) through 1(d) above.
3. A Special Use Permit application concerning property within 500 feet of the boundary of another municipal corporation or an unincorporated area.

Projecting Sign. Any sign affixed to a building in such a manner that its leading edge extends more than twelve inches beyond the surface of the building. The term does not include a decorative awning or canopy.

Property. A lot, parcel, or tract of land together with the building and structures located thereon.

Psychology Practice. A professional office in which a licensed professional, including a psychiatrist, psychologist, social worker, marriage and family therapist, or occupational therapist, provides evaluation, testing, treatment or counseling services related to mental conditions or disorders. The term includes a hypnotherapy practice, but does not include a "facility to provide testing, treatment, or counseling for drug or alcohol abuse," or a "sex offender counseling facility," as those terms are defined in this Section.

Public Areas. Parks, playgrounds, trails, paths, and other recreational areas and open spaces; scenic and historic sites; schools and other publicly operated buildings; and other places where the public is directly or indirectly invited to visit or permitted to congregate.

Public Hearing. A meeting, announced and advertised in advance and open to the public, in which members of the public have an opportunity to participate.

Public Improvement. Any improvement, facility, or service, together with its associated site or right-of-way, necessary to provide transportation, drainage, utilities, or similar essential services and facilities and that are usually owned and operated by a governmental agency.

Public Notice. The advertisement of a public hearing in a paper of general circulation and through the mail, or the posting of a sign on property, each designed to indicate the time, date, place, and nature of a public hearing.

Public or Private School, Primary. An institution that provides kindergarten through 8th grade education and is supported by a public, religious or private organization.

Public or Private School, Secondary. An institution that provides 9th through 12th grade education and is supported by a public, religious or private organization.

Public Park or Playground. A park, playground, swimming pool, reservoir, golf course, or athletic field owned, operated and maintained by a local or State level government entity.

Public Right-of-Way. A strip of land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer and/or other public utilities or facilities.

Public Use Airport. Any of the facilities of McCarran International Airport and North Las Vegas Airport.

Public Utility. A regulated enterprise with a franchise for providing to the public a utility service deemed necessary for the public health, safety and welfare.

Pylon Sign. A freestanding sign supported by two or more columns, uprights, poles, or braces in or upon the ground, or a freestanding sign supported by a single column, upright, pole or brace in or upon the ground the sum width/diameter of which is 25 percent or more of the width of the sign.

Quarter Mile Section. A square quarter mile bounded by 1,320 feet offset increments from a section line.

Quasi-Public Use. A use owned or operated by a nonprofit, religious, or eleemosynary institution and providing educational, cultural, recreational, religious, or similar types of programs.

Radio Broadcasting. A building or portion of a building used as a place for radio broadcasting. The term does not include any antenna or antenna structure.

Radio, TV, Microwave Communication Tower. A freestanding structure which supports antennae that transmit or receive any portion of the electromagnetic spectrum.

Rail/Transit yard or Shop. A facility or area for the maintenance, repair, or storage of bus, rail or other transit vehicles.

Ramada. Any freestanding roof or shade structure installed or erected above an occupied mobile home or any portion thereof.

Raw Land. Unimproved land without buildings, structures, utilities or streets.

Real Estate Sign. A sign to advertise a commercial or residential property for sale, lease, or rent.

Recording Studio. A building or portion of a building used as a place to record music and videos. The term does not include broadcasting facilities.

Recreational Vehicle. A vehicle towed, or self-propelled on its own chassis, or attached to the chassis of another vehicle and designed or used for recreational or sporting purposes. The term includes, but is not limited to, travel trailers, pick-up campers, camping trailers, motor coach homes and converted trucks or buses.

Recreational Vehicle and Boat Storage. The storage of recreational vehicles, boats, or any combination thereof.

Recycling Collection Center. A facility used for the collection and temporary storage of empty beverage containers, aluminum, glass, paper or clothing for recycling purposes conducted totally within an enclosed structure or container. The term does not include processing except for "can banks" that crush cans as they are deposited.

Rental Store. A facility for the rental of general merchandise to the general public and not specifically listed as a different use elsewhere in this Title. Typical general merchandise includes clothing and other apparel; electronics; videos; tools and garden equipment; furniture and other household appliances; special occasion or seasonal items; and similar consumer goods.

Regional Mall. An enclosed structure with a minimum square footage of three hundred fifty thousand square feet:

1. That is used or intended to be used as an assemblage of various tenants, including without limitation, retail uses, personal service uses, food service uses, and other ancillary uses;

2. That includes a minimum of two major anchor tenants; and

3. In which the typical means of access to the various uses in from inside the mall structure.

Rescue Mission or Shelter For The Homeless. A building that is used or intended to be used to provide to homeless individuals temporary accommodations, shelter, meals or any combination thereof. For purposes of this Title, a "homeless individual" includes an individual who lacks a fixed, regular and adequate nighttime residence.

Restaurant. A use providing preparation and retail sale of food and beverages, including cafes, coffee shops, sandwich shops, ice cream parlors, fast food take-out (i.e. pizza) and similar uses.

Restaurant, Carry-Out. An establishment designed for selling prepared foods for off-premise consumption.

Restaurant with Drive-Through. A restaurant that includes one or more drive-through lanes for ordering and dispensing food and beverages to patrons remaining in their vehicles.

Restaurant with Service Bar. A bar wherein alcoholic beverage drinks are prepared for service only at tables in a restaurant and for consumption only in connection with a meal served on the premises, and where customers are not permitted to purchase alcoholic beverage drinks directly from the bar or for off-premise consumption.

Review Authority. The authority responsible for the review and final action on an application filed under this Title, such as the City Council, Planning Commission or the Director.

Retail Establishment With Package Liquor Off-Sale. A retail establishment:

1. Whose license to sell alcoholic beverages authorizes their sale to consumer only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold; and

2. In which the sale of alcoholic beverages is ancillary to the retail use, and in which no more than ten percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages.

The term includes an establishment that provides on-premises wine, cordial and liqueur tasting if the licensee also holds a wine, cordial and liqueur tasting license for that location.

Rezone. To change the zoning classification of particular lots or parcels of land.

Ridgeline. A line connecting the series of the highest elevation points of a ridge, mountain, shoulder, hill or mesa.

Right of Access. The legal authority to enter or leave a property.

Right-of-Way. A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer or other public utility or facility.

Right-of-Way Line. The property line that separates the public right-of-way and an adjacent property.

Roadway. A public or private corridor for pedestrian or vehicular movements (or both), along with corresponding right-of-way and easements, and any improvements constructed therein.

Roof Sign. Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the roof or parapet of the building.

Runoff. Irrigation water that is not absorbed by the soil to which it is applied and which flows onto hard-surfaced areas. Runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or where a severe slope exists.

Runway. A defined area on an airport prepared for landing and takeoff of aircraft along its length.

Runway Protection Zone. A trapezoidal area at ground level for the purpose of protecting the safety of approaches and keeping the area clear of the congregation of people.

Rural Preservation Neighborhood. A subdivided or developed area:

1. Which consists of ten or more residential dwelling units;

2. Where the outer boundary of each lot that is used for residential purposes is not more than three hundred thirty feet from the outer boundary of any other lot that is used for residential purposes;

3. Which has no more than two residential dwelling units per acre; and

4. Which allows residents to raise or keep animals non-commercially.

Salvage or Reclamation of Products. A facility or area for storing, keeping, selling, dismantling, or salvaging scrap or discarded material or equipment which is not considered

as another use under this Title. Scrap or discarded material includes, but is not limited to, metal, paper, rags, tires, bottles or inoperable or wrecked motor vehicles, motor vehicle parts, machinery, structural steel, equipment and appliances. The term includes facilities for recycling recoverable resources, such as newspapers, magazines, books, and other paper products, glass, metal cans and other products, which can be returned to a condition in which they may again be used for production.

Satellite Dish. A device which:

1. Incorporates a reflective surface that is solid, open mesh, or bar-configured;
2. Has the shape of a shallow dish, cone, horn, or cornucopia; and
3. Is used to receive electromagnetic signals.

Scale of Development. The physical development of a particular project, in terms of its size, height, bulk, intensity and aesthetics.

Seasonal Outdoor Sales. The temporary outdoor sale and display of the following (and only the following) holiday goods in connection with the corresponding holidays:

1. Christmas trees;
2. Halloween pumpkins;
3. Valentine's Day flowers; and
4. Mother's Day flowers.

The term does not include fireworks sales, which are governed by LVMC Chapter 9.28 and are subject to the requirements of the Department of Fire and Rescue.

Secondhand Dealer. A specialty shop which deals solely in one kind of used commodity with no new commodities, or a business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. For purposes of this definition, the sale of secondhand or used articles is deemed to be incidental to the sale of new articles. Used articles may include wearing apparel, furniture, fixtures, appliances, tableware, offices supplies, pictures, paintings, jewelry, cutlery or guns. The term includes the sale of jewelry (Class III type) and scrap precious metals as defined in LVMC Chapter 6.74, but does not include the sale of junk as defined in that Chapter, the sale of used cars or the sale of other items which the City Council determines do not fit within the intent of this term. The term does not include the buying and selling of foreign or domestic coins for numismatic purposes or used books, which shall be allowed where retail sales of new merchandise, is permitted. The term also does not include a thriftshop or nonprofit thriftshop.

Section Area. A one square mile area bounded by section lines.

Senior Citizen Apartments. An apartment house or other multi-family dwelling in which each unit is occupied by at least one person fifty-five years of age or older. The term includes an apartment house or other multi-family dwelling that qualifies as "housing for older persons" under the provisions of Federal law, including without limitation housing developments that:

1. Provide significant facilities and services specifically designed to meet the physical or social needs of older persons; and
2. Publish and adhere to policies and procedures that demonstrate an intent to provide housing for persons fifty-five years of age or older to the extent allowed by applicable State or Federal law.

Service Station. Any building, or premises used for the dispensing and sale of fuels or oils and accessories for the motor vehicle trade, together with any incidental minor automotive repair or automatic car wash facility.

Setback. The minimum required separation distance between the nearest portion of a structure and the lot line.

Setback Area, Required. That portion of a lot which is required to be unoccupied and unobstructed from the ground to the sky between a required setback line and the property line, except as otherwise provided in this Title.

Setback Area, Front. A yard area of which the width is measured the entire length of the front property line between the side property lines; and the depth is measured as the distance between the street right-of-way line and the required front setback line.

Setback Area, Rear. A yard area of which the width is measured the entire length of the rear property line between the side property lines; and the depth is measured as the distance between the rear property line and the required rear yard setback line.

Setback Area, Side. A yard area of which the width is measured between the side property line and the required side yard setback line and the depth is measured between the front yard setback line and the rear yard setback line.

Sex Offender Counseling Facility. A facility that regularly provides court-ordered or court-sanctioned treatment or counseling to sex offenders.

Sexually-Oriented Business. See Subchapter 19.12.070.

Shopping Center. Any structure or group of structures that:

1. House any assemblage of various commercial tenants, including without limitation, retail uses, personal service uses, food service uses, and other ancillary uses;
2. Have a minimum combined gross floor area of 25,000 square feet;
3. Are located upon a single parcel of land or upon contiguous parcels of land; and
4. Have common vehicular access and parking facilities.

This term includes a regional mall.

SHPO. The State Historic Preservation Office.

Short-Term Residential Rental. The commercial use, or the making available for commercial use, of a residential dwelling unit for dwelling, lodging or sleeping purposes, wherein any individual guest rents or occupies the unit for a period of less than thirty-one consecutive calendar days.

Sidewalk/Parking Lot Sale. A promotional sales event which is conducted outside the confines of the commercial or manufacturing structure in which such business is normally conducted and which occurs on a paved or concrete area on the same lot as the structure.

Sign. Any device, fixture, placard, structure or other medium, including its structure and component parts, that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

Sign, Animated. Any sign that uses any of the following: animation or movement; mechanical devices such as spinning, rotating, revolving or oscillating mechanical or structural components; flashing, sequential or oscillating lights; lighting that moves from bright to dim and back to bright; or other similar continuously automated methods or dynamic devices, such as steam, fog, misting, or change of lighting or message, to depict action or create a special effect or alternating scene that results in movement, the appearance of movement, or the changing of sign image or message. The term includes any sign or portion thereof with characters, letters or illustrations, that can be changed or rearranged manually or electronically without altering the face or the surface of the sign. The term does not include a sign on which the only copy that changes is the electronic indication of time, temperature, or both.

Sign, Off-Premise. Any sign whose copy advertises or announces any place, product, goods, services, idea or statement whose subject is not available, located at, nor on the lot where the sign is erected or placed.

Sign, On-Premise. Any sign whose copy is limited to advertising or announcing any place, product, goods, services, idea or statement whose subject is available or located at or on the lot where the sign is erected or placed.

Sign Certificate. A certificate issued by the Department of Planning and Development to authorize a sign pursuant to Chapter 19.14.

Similar Use. A use that has the same characteristics as the specifically cited uses in terms of the following; trip generation and type of traffic, parking and circulation, utility demands, environmental impacts, physical space needs and clientele.

Single Family Attached Dwelling. See Dwelling, Single-Family Attached.

Single Family Detached Dwelling. See Dwelling, Single-Family Detached.

Single Family Unit Equivalent. A residential density value based on the vehicular traffic generated by a single family dwelling.

Single Family, Zero Lot Line. A single family dwelling unit that is located directly on 1 or more lot lines.

Single Room Occupancy Residence. A residential facility in which furnished rooms are rented on a weekly or monthly basis and which provides common facilities and services for laundry, cleaning and meals.

Site Built Single Family Home. A single family dwelling which is constructed under the standards of the Uniform Building Code (UBC), Uniform Electrical Code (UEC), Uniform Fire Code (UFC), Uniform Mechanical Code (UMC) and the Uniform Plumbing Code (UPC) as adopted in the Las Vegas Municipal Code (LVMC), including all appurtenant supplements thereto.

Slaughtering and Processing of Live Poultry. An operation in which live poultry is slaughtered and processed in preparation for human consumption.

Slope. The incline associated with a land surface.

Small Wind Energy System. A wind energy conversion system consisting of a wind turbine, a tower or supporting structure, and associated control or conversion electronics, which has a rated capacity of not more than 100kW and which is intended to primarily reduce on-site consumption

of utility power. For purposes of this Title, the use shall not be deemed an accessory structure.

Social Event With Alcoholic Beverage Sales. The sale of alcoholic beverages for consumption only on the premises where the same are sold in connection with weddings, school graduations, employer and employee events, recognition ceremonies, awards ceremonies, family gatherings, fund-raising events, club and organization events or other similar events which occur six times or more per month at a facility not licensed for the sale of alcoholic beverages.

Social Service Provider. A facility that provides assistance to persons with limited ability for self-care, but for whom medical care is not a major element. The term includes a facility that provides assistance concerning psychological problems, employment, learning disabilities or physical disabilities, but does not include a rescue mission or homeless shelter, or an adult day care center.

Soil. All unconsolidated mineral and organic material that overlies bedrock and can be readily excavated.

Soil Amendments. Organic and inorganic material added to soils to improve texture, nutrients, moisture holding capacity and infiltration rates.

Solar Panel. A small-scale unit that is designed and used, on an incidental or accessory basis, to generate power or heat (or both) to be supplied to the principal use on the site. A "solar panel":

1. Does not include an "electric generating plant" or any other utility facility that is specifically defined in Chapter 19.18; and
2. Shall not be deemed an accessory structure for purposes of the standards of this Title that govern accessory structures.

Sound Stage. A building or portion of a building used for the production of movies.

Special Use Permit. A specific approval for a use which has been determined to be more intense or to have a potentially greater impact than a permitted or conditional use within the same zoning district.

Spot Zoning. Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding land uses and that does not further the General Plan.

Stacking Lane. An area for temporary queuing of motor vehicles.

Standard Conditions. Conditions which have been approved by the Planning Commission or the City Council and which are designed to be imposed as a matter of course, where applicable, on the approval of development applications.

Standards for Private Drives. Those adopted City standards governing the design and construction of private drives.

Standards for private streets. "Standards for private streets" means those adopted standards governing the design and construction of private streets and detailed in the City standards.

Stem Wall. A wall, usually less than two feet in height, used to divert or direct storm water flows within an area specified by the Department of Public Works.

Storage. A space or place where goods, materials or personal property is placed and kept for more than 24 consecutive hours.

Stored. With reference to vehicles or vehicle parts, means allowed to remain in one place for more than 72 consecutive hours.

Story. That portion of a building between the surface of any floor and the surface of the floor next above it; or if there is no floor above it, then the space between the floor and the ceiling next above.

Street. A strip of land or way subject to vehicular traffic (as well as pedestrian traffic) that provides direct or indirect access to property; including, but not limited to, alleys, avenues, boulevards, courts, drives, highways, lanes, places, roads, terraces, trails or other thoroughfares.

Street, All-weather. A public or private roadway which is surfaced with materials that allow ordinary motorized vehicles to utilize the street in all weather conditions.

Street Classification.

1. Freeway. A divided highway with 150 foot wide minimum right-of-way and classified as "controlled access"; a high-speed road with grade-separated interchanges.
2. Expressway. A divided highway with a 150 foot wide minimum right-of-way and classified as "limited access"; a high-speed road with at-grade, cross-traffic intersections.
3. Parkway Arterial. A street or highway which has a minimum right-of-way width of 120 feet and an existing or potential design capacity of three or more

travel lanes of traffic in each direction with 10 feet for an amenity zone and sidewalk on each side and divided by a landscaped median.

4. Primary Arterial. A street or highway which has a minimum right-of-way width of 100 feet and an existing or potential design capacity of three or more travel lanes of traffic in each direction, divided by a raised median with left turn pockets.
5. Major Collector. A street which has a minimum right-of-way width of 80 feet and an existing or potential design capacity of two travel lanes of traffic in each direction with a center turn lane or raised median with left turn pockets.
6. Minor Collector. A street with a minimum right-of-way width of 60 feet which collects traffic from the local streets and distributes it to the major collector or arterial system.
7. Residential Street. A street which is designed to carry residential traffic between minor collectors.
8. Local Street. A street which is designed to carry a combination of light commercial and residential traffic between minor collectors, major collectors and primary arterials.
9. Local Access or Service Road. A street or that portion of a major or secondary thoroughfare lying outside of the principal roadway designed to provide frontage for individual lots and which primarily carries traffic having a destination or origin on the street itself.

Street Frontage. The distance along which a property line of a lot adjoins a public street, from one side lot line intersecting the street to the furthest distance side lot line intersecting the same street.

Streetscape. The visual image of a street, including the combination of buildings, parking, signs and other hardscape and street furniture.

Structure. An object, including a mobile object, constructed or installed including, but not limited to, a building, tower, crane, smokestack, earth formation, sign, overhead transmission line and an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Subdivider. A person, firm, corporation, partnership or association that has legal or beneficial ownership of land and who causes that land to be divided by means of the parcel map or tentative/final map processes of this Title.

Subdivision. Has the meaning ascribed to that term in NRS Chapter 278.

Subdivision Development Sale Sign. A sign located within the subject residential subdivision that advertises the availability of lots or dwellings for sale.

Subdivision Development Directional Sign. A sign not located within the subject residential subdivision that advertises the availability of lots or dwellings for sale.

Sub-Surface Irrigation System. The application of water via buried pipe and emitters, with flow rates measured in gallons per hour.

Supper Club. A restaurant and bar operation with alcoholic beverage sales in which:

1. The bar area is separated from the restaurant area by a barrier sufficient to prevent access to the bar by minors;
2. The actual seating available at all times within the dining area will accommodate at least one hundred twenty-five persons. For purposes of this requirement, the "dining area" does not include bar stool seating at the bar or lounge seating, but may include table or booth seating within the bar area and table seating within a patio area.
3. Alcoholic beverages are served in the restaurant area only in conjunction with the service of food;
4. Full-course meals are available during all hours the bar area is open to the public;
5. A cook and food server, other than a bartender, are available at all times the bar area is open to the public; and
6. The restaurant operation is the principal portion of the business.

Surveyor. A person currently licensed as a professional land surveyor under the provisions of NRS Chapter 625.

Suspended Sign. A sign that is suspended from the underside of a horizontal plane surface and is supported by the surface.

Swap Meet. A facility (whether indoor or outdoor) in which multiple vendors, dealers, sellers or traders have rented, leased, purchased or otherwise obtained an area from a swap meet operator for the purpose of selling, bartering, exchanging or trading new or used items of personal property, where the aggregate value of all such property exceeds the amount of one thousand dollars.

Tavern-Limited Establishment. An establishment that is licensed with a tavern-limited license in accordance with LVMC Chapter 6.50.

Tattoo Parlor/Body Piercing Studio. An establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following:

1. The placing of designs, letters, figures, symbols or other marks upon or under the skin of any person, using ink or other substances which result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin.
2. The creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration. This term does not include a permanent makeup establishment.

Taxicab/Limo Yard. An area or facility used for the storage or dispatch of taxicabs or limousines.

Teen Dance Center. An establishment that is primarily operated as a place of entertainment for persons under the age of 18 years, characterized by any or all of the following as a principal use:

1. Live, recorded, or televised entertainment, including but not limited to performance by magicians, musicians or comedians.
2. Dancing.

Temporary Contractor's Construction Yard. An on-site or off-site facility for the storage of construction materials and equipment intended for use in conjunction with a specific development, to be removed at the time the development is completed. The term may include a temporary batch plant.

Temporary Outdoor Commercial Event. A promotional activity, fair, circus, rodeo, festival, carnival, arts and crafts fair, tent revival, haunted house, amusement system, or concert that will be conducted at a location other than a stadium, auditorium or other public assembly facility that is designed to accommodate such an event. The term does not include on-day residential celebrations; uses within public facilities or recreational facilities regulated or organized through the Department of Leisure Services; parades and similar events that occur in the public right-of-way and are regulated by or organized through the Las Vegas Metropolitan Police Department; or grand openings of new businesses that meet all requirements of the Department of Fire and Rescue.

Temporary Real Estate Sales Office. An office operating at a fixed location within an existing model home, trailer or commercial structure which is used temporarily for the purpose of real estate sales.

Temporary Sign. Any sign not constructed or intended for long term use, such as for sale or for rent signs, pennants, political campaign signs or other similar signs. The term does not include a temporary special event sign.

Temporary Special Event Sign. Any sign that is used only temporarily and is not permanently mounted, such as banners, pennants, inflatable signs, tethered balloons, portable signs and similar devices.

Temporary Use. A use established for a specified period of time with the intent to discontinue the use at the end of the designated time period.

Tennis Courts, Accessory. Tennis courts that are available for use only as an incidental or accessory use in connection with the principal residential or commercial use of the premises.

Tentative Map. A preliminary plan or map prepared for the purpose of showing the location, design and conditions of a proposed subdivision.

Thirty-Six Inch Box Trees. Trees measuring a minimum of 12 feet in height, and 8 feet in spread with a 3 inch trunk caliper measured at 4 1/2 feet above the soil line.

Thriftshop. A business operation that deals primarily in secondhand wearing apparel.

Thriftshop, Nonprofit. A shop that is operated by a nonprofit organization and that sells donated used merchandise only.

Time-Share Development. A development consisting of a minimum of 50 units that are made available for use and occupancy on a recurrent periodic basis according to an arrangement allocating this right among various holders of a time-share ownership, leasehold or other similar interest.

Topsoil. The top layer of native soil. The term is also used to describe good soil imported for landscaping.

Towing & Impound Yard. A lot or building used for the storage of damaged, wrecked or impounded motor vehicles for a limited period of time, usually awaiting insurance adjustment, transport to a repair shop, or recovery by the owner operator.

Towing Service (with No Storage). An establishment that provides the service of transporting damaged, wrecked or impounded motor vehicles to an off-site storage area or other facility.

Townhouse. See Dwelling, Townhouse.

Trade School. A facility for instruction and training in trades or crafts such as auto repair, welding, bricklaying, machinery operation or other similar trades or crafts which require the use of large equipment, or outdoor training activities, or both.

Traffic and Transportation Plan (TTP). A plan document submitted to the City as part of a complete application for development approval of subdivision streets or of access to development parcels that are 10 acres or larger, depicting proposed local street layout and proposed locations for connections to higher order roads.

Traffic Entry Study (TES). A study of an entry to a residential development with focus on the entry and its impact on the adjacent roadway.

Traffic Impact Analysis (TIA). A study that provides information on the projected traffic likely to be generated by a proposed development and assesses its impact on the roadways in the immediate proximity of a proposed development. The TIA should identify any potential traffic operational problems or concerns and recommend appropriate actions to address such problems or concerns.

Traffic Impact Study. A report which analyzes the conditions of a particular roadway or roadways as they are anticipated to exist if a particular proposed development occurs, as well as if the development does not occur.

Trailer. A vehicle, other than a vehicle defined as a Recreational Vehicle, that is without motor power and is designed for carrying persons, property, equipment or other items on its own structure, including, but not limited to semi-trailers, utility trailers, flatbed trailers and hauling trailers.

Trailer Coach. Any building, structure or vehicle equipped with wheels to facilitate movement from place to place or to travel on a public thoroughfare, and designed, used, and maintained for human habitation. Such definition shall include automobiles or trucks where used for living or sleeping purposes.

Trailer/RV Camp or Park. Any lot or tract of land used, or intended to be used, for renting of space to accommodate two or more recreational vehicles.

Transit Passenger Facility. A facility, including a park and ride, for the loading and discharging of train or bus passengers.

Transition Zone. A zoning district that permits uses compatible with uses permitted in two adjacent zones that, without the transition zones, could be considered incompatible to each other.

Transitional Area. (1) An area in the process of changing from one use to another; (2) An area that acts as a buffer between two land uses of different intensity and compatibility.

Transitional Community Residence. A Community Residence that provides housing and a living environment for recovering alcohol and drug abusers and is operated to facilitate their reintegration into the community, but does not provide any treatment for alcohol or drug abuse.

Truck Rental. A facility for the rental of new or used trucks. Trucks kept on the lot for rental purposes are not considered to be outside storage.

Trucking Company. A business, service or industry involving the use of commercial vehicles in the loading, unloading and transportation of cargo. The term may also include the fueling, maintenance, servicing, storage or repair of commercial vehicles or the storage of cargo.

Turf. Any grassy area maintained by frequent mowing, fertilization and watering, commonly used for lawns and playing fields.

Tutoring Center. An institution or place of education or instruction, other than a public or private school (primary or secondary), business school, or trade school, that is owned and operated privately for profit and that does not offer a complete educational curriculum. The term includes an educational testing center.

TV Broadcasting & Other Communication Service. A building or portion of a building used as a place for television broadcasting or similar communication related activities.

Twenty-four Inch Box Trees. Twenty-four inch box trees shall be a minimum of 8 feet in height, 6 feet in spread and 2 inch trunk caliper measured at 4 1/2 feet above the soil line.

Two-Family Dwelling. A detached dwelling designed for and occupied exclusively by two families living independently of each other in separate swelling units on a single lot.

Ultimate Height. With regard to an antenna, the maximum height of the antenna above ground level.

Urban Core Area. Means the area defined as the Downtown Centennial Plan Overlay District in Section 19.06.060.

Urban Lounge. An establishment that:

1. Is licensed for the sale of alcoholic beverages for consumption o the premises where the same are sold, and the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked

containers, for consumption off the premises where the same are sold; and

2. Meets the criteria for an urban lounge as set forth in Subchapter 19.12.070.

Use. The purpose (type and extent) for which land or a building is arranged, designed, or intended, or for which either land or a structure is occupied or maintained.

Used For Residential Purposes. A lot that is five acres or less in area and contains a residential dwelling unit of a permanent nature.

Utility Installation, Other than Listed. A facility or area used as (or for) a utility installation not specifically listed in this Title. The term does not include any type of wind energy conversion system.

Utility Transmission Lines. An utility infrastructure that:

1. Provides electrical power, telephone, or cable television; and
2. Is installed, operated and maintained by a municipality or a franchised utility company.

Vacation. The abandonment of a right-of-way or easement, or the relinquishment of the City's interest (if any) in a government patent reservation.

Valet Parking. A service provided in conjunction with a business or other establishment by which employees (or others acting on behalf of the establishment) park the vehicles of patrons or visitors in an area set aside for that purpose.

Variance. Approval to vary from the requirements of a development regulation.

Vehicle, Classic or Antique. A motor vehicle that is 25 or more years old and, because of its limited production or exceptionally fine workmanship, is a rarity or of historic interest and has been, or is in the process of being restored, maintained, or preserved by automobile hobbyists.

Vehicle, Junked. Any vehicle which is wrecked, partially wrecked, dismantled, or partially dismantled.

Vehicle, Mechanically Inoperable. A vehicle that is temporarily inoperable due to the need for normal, reasonable and customary repairs before the vehicle can be operated on the roadways.

Vehicle, Parking, Storage or Repair in Residential Zoning Districts. The parking, storage or repair of vehicles as an accessory use in residential zoning districts.

Vehicle, Recreational. Any vehicle or trailer designed and used as a travel trailer, camper, motor home, tent trailer, boat, boat trailer, snowmobile, snowmobile trailer, camping trailer or other vehicle of a similar nature.

Vehicle, Stored. A vehicle that has remained stationary in one place on any property in a residential zoning district for more than seventy-two consecutive hours.

Wall/Fence, Front Yard. A structure which is designed to delineate or provide security along the front property line of a residential parcel, or to provide security within the front setback area of a residential parcel.

Wall, Perimeter. An opaque structure constructed in accordance with Section 19.12.075 with the purpose of providing security or a visual buffer within, along or in proximity to the property line of a subdivision or parcel and separating the subdivision or parcel from right-of-way, another land use or another property.

Wall, Retaining. A wall with the grade on one side greater than the grade on the opposite side that is designed and constructed to withstand the lateral earth and hydrostatic pressures upon it.

Wall, Screen. An opaque structure constructed in accordance with Section 19.12.075 with the purpose of providing a buffer for privacy or to mitigate a potentially negative noise or visual impact.

Wall Sign. Any sign (other than a projecting sign) which is attached parallel to a wall or building, or to a canopy or awning attached to a building. The sign may be painted on or erected upon the building, awning, or canopy.

Warehouse/Distribution Center. An enclosed structure for the storage of goods for distribution or transfer to another location.

Wedding Chapel. A facility which is made available to be rented for wedding ceremonies. Such facilities may include a chapel, dressing rooms, offices, reception facilities and gardens.

Weekend Directional Sign. A sign used to direct traffic to residential subdivisions for sale.

Welding Repair. A facility in which products made of metal or metal alloy are repaired by means of welding.

Wholesale Showroom Facility. A building used primarily for the storage of goods and materials and secondarily for the display of merchandise for wholesale purchase.

Window Sign. Any sign, picture, symbol or combination thereof, designed to communicate information about an on-premises activity, business, commodity, event, sale or service, that is placed inside a window or upon the window panes or glass and is legible from the exterior of the window from a public right-of-way a distance of more than three feet beyond the lot line of the lot or parcel on which the sign is located.

Wireless Communication Antenna. An antenna that transmits or receives, or both transmits and receives, wireless communication signals. The term does not include any device, such as a radio antenna, telephone antenna, television antenna, satellite dish antenna or amateur radio antenna, that is accessory or incidental to a residential use and is employed by an ultimate user to receive radio, television or other communication signals.

Wireless Communication Facility. An antenna tower, wireless communication antenna, or any associated structure or equipment, or combination thereof, that is intended for commercial or institutional use in connection with the transmission or reception of wireless communication signals.

Wireless Communication Facility, Non-stealth Design. A wireless communication facility that does not qualify as a stealth design wireless communication facility.

Wireless Communication Facility, Slim-line Design Pole. A wireless communication facility, consisting of a pole and one or more antennas, on which the antenna panels are narrow and closely spaced with one another atop the pole and extend no more than one foot beyond the circumference of the pole.

Wireless Communication Facility, Stealth Design. A wireless communication facility that is designed to blend into the surrounding environment. Examples include without limitation: antenna tower alternative structures; roof-mounted antennas (with architectural screening when appropriate); building-mounted antennas painted to match the existing structure; antennas integrated into architectural elements (such as steeples or cupolas); antennas and antenna structures designed to look like light poles, flagpoles, or any other camouflaging techniques available on the market; and a cable microcell network which utilized multiple low-powered transmitters/receivers or repeaters attached to existing wireline systems, such as conventional cable or telephone wires, or similar technology that does not require the use of towers.

Wireless Communication Signals. Communication signals, including electromagnetic waves, analog signals, digital signals and other spectrum-based communication signals, that operate within the range of frequencies from 100KHz to 300GHz. The term does not include television broadcast signals; direct broadcast signals; direct broadcast satellite services; multi-channel, multi-point distribution services; or amateur radio signals.

Xeriscape. The use of sound horticultural and creative landscaping practices to achieve water conservation, including proper planning and design, soil improvements; and the use of limited turf areas, mulches, low water demand plants, efficient irrigation and appropriate maintenance.

Yard. The areas on a lot that are unoccupied by structures, except for projections and the specific accessory uses or structures allowed in those areas under the provisions of this Title.

Yard, Corner Side. The yard of a corner lot extending from the front yard to the rear yard and between the street and the primary structure.

Yard, Front. The yard area extending along the entire length of the front property line and the depth between the street right-of-way line and the primary structure.

Yard, Rear. The yard area extending along the entire length of the rear property line and the depth between the rear property line and the primary structure.

Yard, Side. The yard area extending from the front yard to the rear yard and between the side property line and the primary structure.

Zoning District. An area designated on the Official Zoning Map in which certain uses are permitted and certain others are not permitted, all in accordance with this Title.

MEASUREMENT RULES 19.18.030

This Subchapter explains how to calculate results and determine various measurements referenced in this Title.

A. Density/Intensity

1. Gross Acreage

City of Las Vegas Agenda Item No.: **38.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

SUBJECT:
DIR-39495 - DIRECTOR'S BUSINESS - PUBLIC HEARING - Election of the Planning Commission Vice Chairman for the remainder of 2010. Staff has NO RECOMMENDATION.

P.C.: FINAL 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 RECOMMENDATION.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **39.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 23, 2010

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

SUBJECT:
TXT-39217 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Table 2 of Title 19.04 and Title 19.20 to establish regulations, applicable zoning districts, and definition for the Auto Sales Showroom use. Staff has NO RECOMMENDATION.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff has NO RECOMMENDATION.

BACKUP DOCUMENTATION:
1. Proposed Amendments and Staff Report

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-39217	Staff recommends APPROVAL.	

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** PROPOSED AMENDMENT(S) **

1. Table 2 of Title 19.04.010 is hereby amended by adding the description of the use "Auto Sales Showroom" in the "Auto & Marine Related" element of Table 2 as follows:

Table 2 – Auto & Marine Related

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
Auto Sales Showroom	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	C	S	C	C
	Description: An enclosed facility for the display, storage and sale (or leasing) of new or used automobiles and trucks. The term does not include Motor Vehicle Sales (New), Motor Vehicle Sales (Used), Motorcycle/Motor Scooter Sales or Boat & Trailer Dealership (New and Used).																				
	Conditional Use Regulations: 1. All display and sales shall take place in an enclosed building. There shall be no outdoor display or storage of vehicles on the site. 2. No service or repair of any kind shall be performed on any vehicle within the interior of any building or outside of any building on the site. 3. No test driving of vehicles shall be permitted on the site. 4. Accessory automobile or truck rental shall not be permitted except within an enclosed building. 5. The building (or portion thereof) dedicated to the use shall have a minimum gross floor area of 7,000 square feet.																				
	Special Use Permit Requirements: *1. All display and sales shall take place in an enclosed building. There shall be no outdoor display or storage of vehicles on the site. *2. No service or repair of any kind shall be performed on any vehicle within the interior of any building or outside of any building on the site. *3. No test driving of vehicles shall be permitted on the site. *4. Accessory automobile or truck rental shall not be permitted except within an enclosed building. 5. The building (or portion thereof) dedicated to the use shall have a minimum gross floor area of 7,000 square feet.																				
	On-site Parking Requirement: One space per 250 square feet of gross floor area.																				

2. Title 19.20.020 is hereby amended by adding hereto the term "Auto Sales Showroom" and its corresponding definition as follows:

Auto Sales Showroom. An enclosed facility for the display, storage and sale (or leasing) of new or used automobiles and trucks. The term does not include a Motor Vehicle Sales (New), Motor Vehicle Sales (Used), Motorcycle/Motor Scooter Sales or Boat & Trailer Dealership (New and Used).

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to amend Table 2 of Title 19.04 and Title 19.20 to add descriptions, minimum standards, parking regulations and a definition for the Auto Sales Showroom use. The Auto Sales Showroom use is proposed to be a conditional use in the C-2 (General Commercial), C-M (Commercial/Industrial) and M (Industrial) Districts and permitted in the C-1 (Limited Commercial) and C-PB (Planned Business Park) Districts with approval of a Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/07/07	The City Council approved Ordinance No. 5941, thereby updating various use and design standards within the Downtown Centennial Plan, including the addition of the Motor Vehicle Sales use to 18b the Las Vegas Arts District.

Currently, the Motor Vehicle Sales (New) and Motor Vehicle Sales (Used) uses allow the sale of vehicles both on an outdoor lot and within an enclosed showroom. Accessory uses such as auto maintenance, automobile rental, sales of parts and accessories and car washes are permitted with restrictions. There is no separate use in Title 19.04 that restricts the sale, display and storage of motor vehicles (excluding motorcycles and motor scooters) to indoor locations only.

The Motor Vehicle Sales (New) and Motor Vehicle Sales (Used) uses are allowed only in the C-2, C-M and M Districts. New vehicle sales are conditionally permitted without regard to zoning district; however, used vehicle sales are permitted in the C-2 District only with approval of a Special Use Permit with waivable minimum use requirements.

ANALYSIS

The proposed amendment would create a new use entitled “Auto Sales Showroom” along with a definition of the use and minimum use requirements. This use would allow for the display, storage and sales of new and used motor vehicles only within a completely enclosed building, without ancillary facilities for repair and detailing. In contrast, a typical motor vehicle sales lot displays most of its inventory outdoors and contains ancillary facilities for maintenance, detailing, and storage of vehicles on the same site. Other classes of motor vehicles such as motorcycles, motor scooters, boats and recreational vehicles fall under various other use categories listed in Title 19.04 and thus would not be included in the definition of Auto Sales Showroom. A similar use was added to the list of permitted uses within the Arts District in the Downtown Centennial Plan in 2007 with approval of a Special Use Permit.

The proposed amendment would permit the Auto Sales Showroom use with approval of a Special Use Permit in the C-1 and C-PB Districts, which would allow uses to be reviewed on a case-by-case basis. These districts allow most conventional retail uses, but currently do not allow automobile and truck sales. In the C-2, C-M and M Districts where motor vehicle sales are already allowed, the Auto Sales Showroom use would be permitted as long as all minimum use requirements are satisfied. The minimum conditions would ensure that the showroom would function in a similar manner as other retail establishments in which items are displayed and sold within an enclosed building. The prohibition of outdoor display, storage, sales, maintenance and test driving on site are non-waivable conditions, as these activities are contrary to the definition of the use. For these activities, a more appropriate motor vehicle sales use in Title 19.04 should be used.

The parking requirement for the proposed use is one space per 250 square feet of gross floor area, which matches the requirement for many retail uses and the Shopping Center use. The minimum building area or tenant space for the use is 7,000 square feet, which is consistent with that required for sales of motorcycles and motor scooters.

FINDINGS

The proposed text amendment will achieve the following:

- Establish a new use in Title 19.04 entitled Auto Sales Showroom that will be a permitted use in the C-1 and C-PB Districts with approval of a Special Use Permit and a conditional use in the C-2, C-M and M zoning districts;
- Establish conditional use regulations and minimum Special Use Permit requirements; and
- Add a definition of Auto Sales Showroom to Chapter 19.20 consistent with the proposed Land Use Table description.

The following table summarizes all proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
Title 19.04.010 Table 2 Land Use Tables	N/A	• Sales, display and storage shall occur within a completely enclosed building. • No service or repair of any kind shall be performed on any vehicle within the interior of any building or outside of any building on the site. • No test driving of vehicles shall be permitted on the site. • Accessory automobile or truck rental shall not be permitted except within an enclosed building. • The building (or portion thereof) dedicated to the use shall have a minimum gross floor area of 7,000 square feet.

Code Requirements	Existing Regulations	Proposed Regulations
Title 19.20.020 Definitions – Words and Terms Defined	N/A	• Adds a definition for Auto Sales Showroom

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas Agenda Item No.: **40.**

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF SEPTEMBER 23, 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