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
Steven Evans, Vice Chair
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Glenn E. Trowbridge
Vicki Quinn
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Todd L. Moody

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.

November 18, 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 OCTOBER 21, 2010

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

CONSENT ITEMS:

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

ONE MOTION - ONE VOTE

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

6. ABEYANCE - GPA-39334 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS, ET AL - Request for a General Plan Amendment FROM: PF (PUBLIC FACILITIES) TO: C (COMMERCIAL) on 2.12 acres at the northwest corner of Las Vegas Boulevard and Gass Avenue (APNs 139-34-410-149 and 152 through 156), Ward 3 (Reese). Staff recommends APPROVAL.

7. TMP-39472 - TENTATIVE MAP - VILLAGE 23A PARCEL L ANDALUSIA - APPLICANT/OWNER: THE HOWARD HUGHES CORPORATION - Request for a Tentative Map FOR AN 81-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 26.9 acres adjacent to the south side of Alta Drive, between Desert Foothills Drive and Fox Hill Drive (APNs 137-34-621-001, 137-34-210-002 and 007), P-C (Planned Community District) Zone [SF3 (Single Family Detached) Summerlin West Land Use Designation], Ward 2 (Wolfson). Staff recommends APPROVAL.

8. ZON-39754 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-V (CIVIC) on 2.45 acres at 4200 East Charleston Boulevard (APN 140-31-802-001), Ward 3 (Reese). Staff recommends APPROVAL.

9. ZON-39757 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-V (CIVIC) on 1.35 acres at 1301 Michael Way (APN 138-25-105-002), Ward 5 (Barlow). Staff recommends APPROVAL.

10. ZON-39769 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-V (CIVIC) on 1.55 acres at 232 Shadow Lane (APN 139-33-101-001), Ward 5 (Barlow). Staff recommends APPROVAL.

11. RQR-39371 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: COG III, LTD - Required Review of a previously approved Special Use Permit (SUP-2758) FOR A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 1110 South Rainbow Boulevard (APN 163-02-101-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

12. RQR-39499 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: FONG IMPERIAL PLAZA, LIMITED PARTNERSHIP - Required Review of a previously approved Special Use Permit (SUP-3061) FOR A 40-FOOT TALL, 12-FOOT X 24-FOOT OFF-PREMISE SIGN at 1571 North Decatur Boulevard (APN 138-25-503-003), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

13. RQR-39575 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI - Required Review of a previously approved Special Use Permit (SUP-38242) FOR A SECONDHAND DEALER USE (JEWELRY) WITHIN AN EXISTING 2,300 SQUARE-FOOT JEWELRY STORE at 1300 East Sahara Avenue (APN 162-02-410-095), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

14. MSP-39809 - MASTER SIGN PLAN - PUBLIC HEARING - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY - Request for a Master Sign Plan FOR AN EXISTING MOTOR VEHICLE SALES (NEW) ESTABLISHMENT on 17.01 acres at 3100 and 3222 East Sahara Avenue (APN 162-01-801-022), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

PUBLIC HEARING ITEMS

15. TABLED - RENOTIFICATION - GPA-38579 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: PAITAKA P. AND TASEY R. MIYAHIRA - Request for a General Plan Amendment FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 0.90 acres at 6640 West Cheyenne Avenue (APN 138-11-406-012), Ward 4 (Anthony). Staff recommends APPROVAL.

16. TABLED - RENOTIFICATION - ZON-38580 - REZONING RELATED TO GPA-38579 - PUBLIC HEARING - APPLICANT/OWNER: PAITAKA P. AND TASEY R. MIYAHIRA - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.90 acres at 6640 West Cheyenne Avenue (APN 138-11-406-012), Ward 4 (Anthony). Staff recommends APPROVAL.

17. TABLED - RENOTIFICATION - VAR-38576 - VARIANCE RELATED TO GPA-38579 AND ZON-38580 - PUBLIC HEARING - APPLICANT/OWNER: PAITAKA P. AND TASEY R. MIYAHIRA - Request for a Variance TO ALLOW A 10-FOOT SETBACK FROM THE WEST AND EAST PROPERTY LINES AND A 20-FOOT SETBACK FROM THE NORTH PROPERTY LINE WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 81 FEET FROM THE WEST PROPERTY LINE AND 84 FEET FROM THE NORTH AND EAST PROPERTY LINES on 0.90 acres at 6640 West Cheyenne Avenue (APN 138-11-406-012), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Anthony). NOTE: THE VARIANCE REQUEST HAS BEEN AMENDED TO ALLOW A 10-FOOT SETBACK FROM THE EAST PROPERTY LINE WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 30 FEET. A VARIANCE FROM THE WEST AND NORTH PROPERTY LINES IS NO LONGER NEEDED.
Staff recommends DENIAL.

18. TABLED - RENOTIFICATION - SUP-38574 - SPECIAL USE PERMIT RELATED TO GPA-38579, ZON-38580, AND VAR-38576 - PUBLIC HEARING - APPLICANT/OWNER: PAITAKA P. AND TASEY R. MIYAHIRA - Request for a Special Use Permit FOR A PROPOSED 47-BED, 17,777 SQUARE-FOOT CONVALESCENT CARE FACILITY/NURSING HOME at 6640 West Cheyenne Avenue (APN 138-11-406-012), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Anthony). NOTE: THE SPECIAL USE PERMIT REQUEST HAS BEEN AMENDED TO A PROPOSED 31-BED, 15,114 SQUARE-FOOT CONVALESCENT CARE FACILITY/NURSING HOME. Staff recommends DENIAL.

19. TABLED - RENOTIFICATION - SDR-38577 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-38579, ZON-38580, VAR-38576 AND SUP-38574 - PUBLIC HEARING - APPLICANT/OWNER: PAITAKA P. AND TASEY R. MIYAHIRA - Request for a Site Development Plan Review FOR A PROPOSED TWO STORY, 17,777 SQUARE-FOOT CONVALESCENT CARE FACILITY/NURSING HOME AND A WAIVER OF THE PERIMETER BUFFER STANDARDS TO ALLOW FOUR FEET ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO FEET ALONG A PORTION OF THE WEST AND EAST PERIMETERS WHERE EIGHT FEET IS REQUIRED AND ZERO FEET BETWEEN THE SIDEWALK AND BACK OF CURB WHERE FIVE FEET IS REQUIRED ADJACENT TO ARTERIAL STREETS on 0.90 acres at 6640 West Cheyenne Avenue (APN 138-11-406-012), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Anthony). NOTE: THE SITE DEVELOPMENT PLAN REVIEW REQUEST HAS BEEN AMENDED TO A PROPOSED SINGLE-STORY, 15,114 SQUARE-FOOT CONVALESCENT CARE FACILITY/NURSING HOME AND A WAIVER TO ALLOW A THREE-FOOT LANDSCAPE BUFFER ALONG THE SOUTH PERIMETER. Staff recommends DENIAL.

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

21. VAR-39804 - VARIANCE - PUBLIC HEARING - APPLICANT: WESTERN LINEN SERVICES, INC. - OWNER: ASSAF NEVADA, INC. - Request for a Variance TO ALLOW ZERO ADDITIONAL PARKING SPACES WHERE 44 ADDITIONAL PARKING SPACES ARE REQUIRED FOR A CLEANERS, COMMERCIAL/INDUSTRIAL on 7.55 acres at 7350 Prairie Falcon Road (APN 138-15-310-048), C-PB (Planned Business Park) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

22. SUP-39801 - SPECIAL USE PERMIT RELATED TO VAR-39804 - PUBLIC HEARING - APPLICANT: WESTERN LINEN SERVICES, INC. - OWNER: ASSAF NEVADA, INC. - Request for a Special Use Permit FOR A CLEANERS, COMMERCIAL/INDUSTRIAL at 7350 Prairie Falcon Road (APN 138-15-310-048), C-PB (Planned Business Park) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

23. VAR-39813 - VARIANCE - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: MS RIALTO CLIFF'S EDGE NV, LLC - Request for a Variance TO ALLOW A THREE-FOOT SIDE YARD SETBACK WHERE TEN FEET IS REQUIRED AND A THREE-FOOT REAR YARD SETBACK FOR 50% OF THE STRUCTURE WITH A SEVEN-FOOT SETBACK FOR THE REMAINING HALF WHERE TEN FEET FOR 50% OF THE STRUCTURE WITH 15 FEET FOR THE REMAINING HALF IS REQUIRED FOR 31 INTERIOR AND PERIMETER LOTS on 20 acres at the northwest corner of Elkhorn Road and Egan Crest Drive (APNs Multiple), PD (Planned Development) Zone, Ward 6 (Ross). Staff recommends DENIAL.

24. VAR-39815 - VARIANCE - PUBLIC HEARING - APPLICANT: MAHOGANY RUN - OWNER: ISAIAH 54:17, LLC - Request for a Variance TO ALLOW A ONE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR A PROPOSED 6,006 SQUARE-FOOT AUTO REPAIR GARAGE (MINOR) on a portion of 5.93 acres on the south side of Rome Boulevard, approximately 640 feet west of Riley Street (APN 125-20-801-005 and 125-20-802-003), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center), UC-TC (Urban Center Mixed Use) and MS-TC (Main Street Mixed Use - Town Center) Special Land Use Designation],Ward 6 (Ross). Staff recommends DENIAL.

25. VAR-39816 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CHARLES HOPPER - Request for a Variance TO ALLOW A ONE-FOOT, SIX-INCH SIDE YARD SETBACK WHERE 15 FEET ARE REQUIRED FOR A PROPOSED TWO-CAR CARPORT on 0.54 acres at 305 Rosemary Lane (APN 139-32-214-034), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

26. SUP-39745 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RONG JIE NIA - OWNER: PK I CHEYENNE COMMONS, LLC - Request for a Special Use Permit TO ADD A BEER/WINE/COOLER ON-SALE ESTABLISHMENT USE WITHIN AN EXISTING 2,400 SQUARE-FOOT RESTAURANT WITH A WAIVER TO ALLOW A 390-FOOT DISTANCE SEPARATION FROM A CHURCH OR SYNAGOGUE WHERE 400 FEET IS REQUIRED at 3175 North Rainbow Boulevard (APN 138-15-502-006), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

27. SUP-39812 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ALLSTAR MINIMART - OWNER: BECKER INVESTMENT COMPANY, LP - Request for a Special Use Permit TO ADD A 15 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 2,400 SQUARE-FOOT CONVENIENCE STORE WITH A WAIVER TO ALLOW A 100-FOOT DISTANCE SEPARATION FROM A CHURCH OR SYNAGOGUE WHERE 400 FEET IS REQUIRED at 2339 North Jones Boulevard (APN 138-24-101-001), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

28. SUP-39819 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: D2801 WESTWOOD, INC. - Request for a Major Amendment to a previously approved Special Use Permit (U-0109-99) FOR A PROPOSED 7,399 SQUARE-FOOT EXPANSION OF AN APPROVED 37,151 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) at 2801 Westwood Drive (APN 162-08-604-001), M (Industrial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

29. SDR-39818 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-39818 - PUBLIC HEARING - APPLICANT/OWNER: D2801 WESTWOOD, INC., ET AL. - Request for a Major Amendment to a previously approved Site Development Plan Review (SD-0063-01) TO ADD 7,399 SQUARE FEET, INCLUDING A THIRD FLOOR WITH DECK, TO AN APPROVED 37,151 SQUARE-FOOT SEXUALLY ORIENTED BUSINESS, AND FOR PARKING LOT MODIFICATIONS on 4.51 acres at 2801 Westwood Drive (APNs 162-08-604-001 and 162-09-102-004), M (Industrial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

30. SUP-39821 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MONEYTREE, INC. - OWNER: KATSAM, LLC - Request for a Special Use Permit FOR AN AUTO TITLE LOAN USE WITHIN AN EXISTING 3,093 SQUARE-FOOT NONCONFORMING FINANCIAL INSTITUTION, SPECIFIED WITH WAIVERS TO ALLOW A 90-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 200 FEET IS REQUIRED, A 990-FOOT DISTANCE SEPARATION FROM A FINANCIAL INSTUTION, SPECIFIED WHERE 1,000 FEET IS REQUIRED AND HOURS OF OPERATION FROM 7:00 A.M. to 11:00 P.M. WHERE 8:00 A.M. to 11:00 P.M. IS ALLOWED at 2950 West Sahara Avenue (APN 162-05-816-006), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

31. SDR-39810 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: RANCHO ALTA MIRA HOMEOWNERS ASSOCIATION - Request for a Major Amendment to previously approved Rezonings (Z-0108-88) and (Z-0037-93) TO ALLOW 191 TREES IN THE PERIMETER LANDSCAPE BUFFER WHERE 418 TREES ARE REQUIRED at the southwest corner of Lone Mountain Road and Decatur Boulevard (APNs Multiple), R-PD5 (Residential Planned Development - 5 Units Per Acre) and R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 6 (Ross). Staff recommends DENIAL.

DIRECTOR'S BUSINESS:

32. ABEYANCE - TXT-38353 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.14 and Title 19.20 to define standards for building wrap signage. Staff has NO RECOMMENDATION.

33. TXT-39750 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to merge LVMC Title 18 (Subdivision Regulations) and Title 19 (Zoning Code) into a Unified Development Code (UDC) for the City of Las Vegas. Staff recommends APPROVAL.

34. TXT-39836 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to update the Downtown Centennial Plan to add various commercial uses to the 18b Arts District and to add language pertaining to the I-515/U.S. 95 widening project. Staff recommends APPROVAL.

35. DIR-39955 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Update on Long Range Planning Items. Staff has NO RECOMMENDATION.

36. DIR-40082 - DIRECTORS BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to approve a revision of the 2010 and 2011 Planning Commission Meeting Schedules. Staff recommends APPROVAL.

37. DIR-40129 - DIRECTORS BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to approve a revision of the Planning Commission bylaws. Staff recommends APPROVAL.

CITIZENS PARTICIPATION:

38. 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: NOVEMBER 18, 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: NOVEMBER 18, 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 NOVEMBER 18, 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 NOVEMBER 18, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

SUBJECT:
APPROVAL OF THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF OCTOBER 21, 2010

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

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF: NOVEMBER 18, 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: NOVEMBER 18, 2010

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

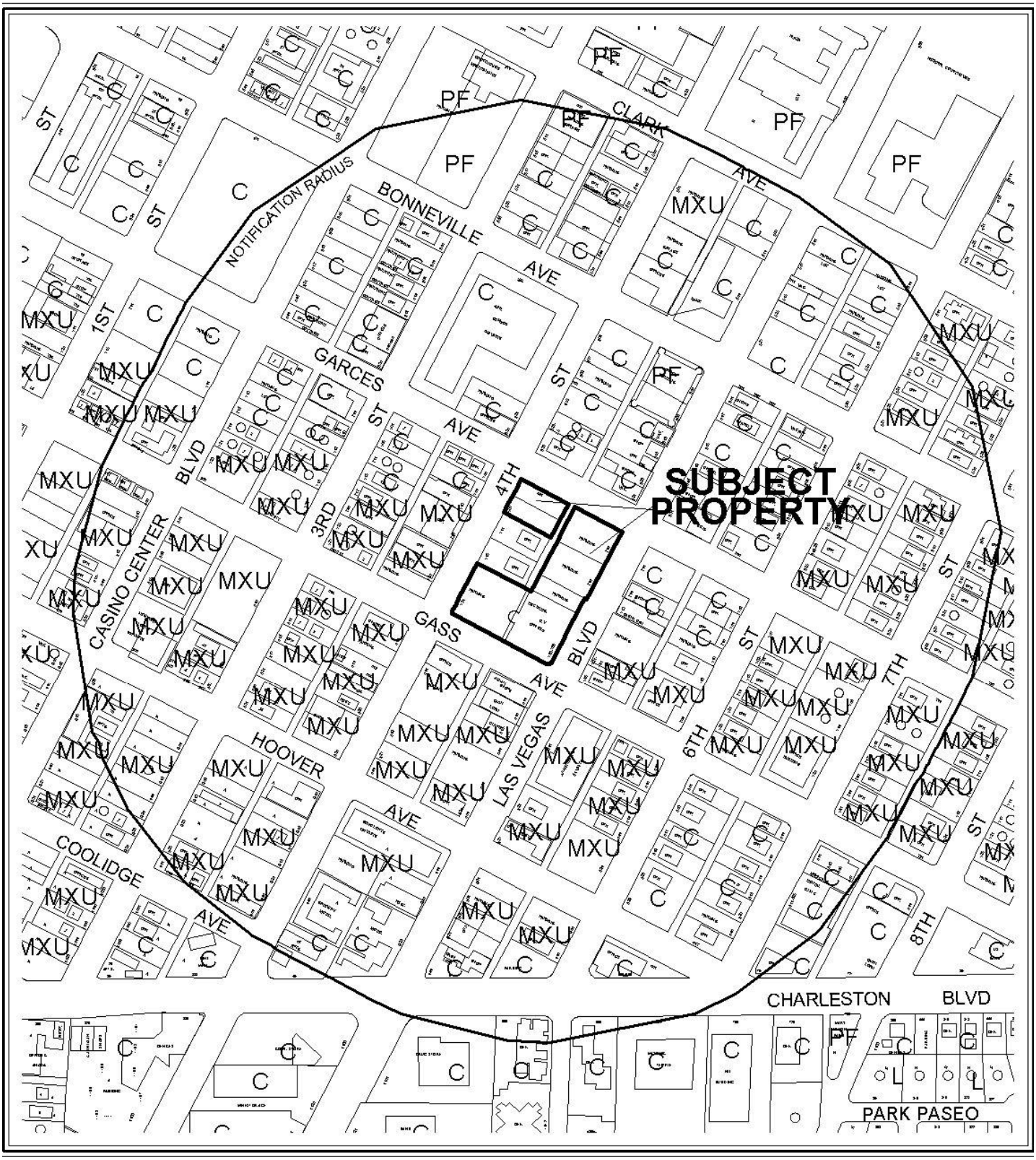
SUBJECT:
ABEYANCE - GPA-39334 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS, ET AL- Request for a General Plan Amendment FROM: PF (PUBLIC FACILITIES) TO: C (COMMERCIAL) on 2.12 acres at the northwest corner of Las Vegas Boulevard and Gass Avenue (APNs 139-34-410-149 and 152 through 156), Ward 3 (Reese). Staff recommends APPROVAL.

C.C.: 12/15/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**5**
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
6. Protest/Support Postcards



0 300 600 Feet

CASE: **GPA-39334**

RADIUS: 1000 FT

GENERAL PLAN LAND USE OF SUBJECT PROPERTY:

PF (PUBLIC FACILITIES)

PROPOSED GENERAL PLAN LAND USE OF SUBJECT PROPERTY:

C (Commercial)

N

0 300 600 Feet

CASE: **GPA-39334**

RADIUS: 1000 FT

GENERAL PLAN LAND USE OF SUBJECT PROPERTY:

PF (PUBLIC FACILITIES)

PROPOSED GENERAL PLAN LAND USE OF SUBJECT PROPERTY:

C (Commercial)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS, ET AL

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
GPA-39334	Staff recommends APPROVAL.	N/A

JG

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to amend a portion of the Southeast Sector Plan of the General Plan from PF (Public Facilities) to C (Commercial) on six non-contiguous parcels located at the northwest corner of Las Vegas Boulevard and Gass Avenue, totaling 2.12 acres. The subject properties are home to the City of Las Vegas Development Services Center and five parking lots. As the City of Las Vegas no longer anticipates long-term civic uses on these sites, staff recommends approval. If these applications are denied, the General Plan designation would remain PF (Public Facilities) and remain inconsistent with the current C-2 (General Commercial) zoning designation.

ISSUES

- No changes to the existing sites are proposed with this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/16/64	The Board of City Commissioners approved a request for Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) to C-2 (General Commercial) on approximately 230 acres generally located on property bounded by Main Street to the west, Bonanza Road to the north, Las Vegas Boulevard on the east and Charleston Boulevard on the south. The Planning Commission recommended approval.
10/21/10	The Planning Commission voted to hold this item in abeyance at the request of the applicant.

Most Recent Change of Ownership	
07/26/89	A deed was recorded for a change in ownership. (139-34-410-154)
10/21/02	A deed was recorded for a change in ownership. (139-34-410-152 and 153)
01/31/01	A deed was recorded for a change in ownership. (139-34-410-155)
12/04/06	A deed was recorded for a change in ownership. (139-34-410-149 and 156)

Related Building Permits/Business Licenses	
C.1963	The City of Las Vegas Development Services Center building was constructed at 731 South 4th Street.
05/01/96	A building permit (96008678) was issued for a building demolition at 401 Garces Avenue. The permit was never finaled.
08/07/97	A building permit (97016287) was issued for a Tenant Improvement remodel at 731 South 4th Street. The permit was finaled on 09/02/07.
08/06/99	A building permit (99015781) was issued for flood repair at 731 South 4th Street. The permit was never finaled.
04/17/90	A building permit (960064708) was issued for demolition at 704 South Las Vegas Boulevard. The permit was finaled on 01/30/91.
11/30/00	A building permit (21671) was issued for demolition at 708 South Las Vegas Boulevard. The permit was finaled on 02/22/01.
02/01/01	A building permit (01001702) was issued for a trash enclosure at 731 South 4th Street. The permit was finaled on 02/05/01.
02/15/01	A building permit (1002488) was issued for ornamental iron fence at 708 South Las Vegas Boulevard. The permit was finaled on 03/08/01.
04/10/09	A building permit (137419) was issued for fire damage at 731 South 4th Street. The permit was finaled on 07/21/09.

Pre-Application Meeting	
08/16/10	A pre-application meeting was conducted internally, as the City is the applicant for the request.

Neighborhood Meeting	
09/21/10	A neighborhood meeting was held on Tuesday, September 21, 2010 from 5:30 pm to 6:00 pm at the Development Services Center located at 731 South 4th Street, Las Vegas, Nevada in Conference Room 2B. In attendance were four members of the public, one Planning and Development Departments staff member and the Ward 5 liaison. No significant concerns were expressed relative to the proposed land use designation changes.

Field Check	
09/16/10	During a site visit, staff observed the City of Las Vegas Development Services Center and surrounding parking lots, which are clean and free of debris and trash.

Details of Application Request	
Site Area	
Net Acres	2.12

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Government Facility/ Parking Lot	PF (Public Facilities)	C-2 (General Commercial)
North	Office/General Retail	C (Commercial)	C-2 (General Commercial)
South	Office/Dry Cleaners	MXU (Mixed Use)	C-2 (General Commercial)
East	Pawn Shop/General Retail	MXU (Mixed Use)/ C (Commercial)	C-2 (General Commercial)
West	Office	MXU (Mixed Use)/ C (Commercial)	C-2 (General Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area			
Downtown Centennial Plan (Downtown South)	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District	X		Y
Live/Work Overlay District	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

Functional Classification of Street(s)	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Gass Avenue: Secondary Collector	Master Plan of Streets and Highways	80	Y
4th Street: Secondary Collector	Master Plan of Streets and Highways	80	Y
Garces Avenue:	N/A	80	N/A
Las Vegas Boulevard: Primary Arterial	Master Plan of Streets and Highways	100	Y

ANALYSIS

The subject sites are located within the same block in the Downtown Centennial Plan (Downtown South) Master Plan, Live/Work Overlay District, Las Vegas Boulevard Scenic Byway Overlay District and the Las Vegas Redevelopment Plan Area. Future projects within each master plan and overlay district will be subject to the standards and requirements of the master plan and overlay districts, as well as the existing and approved, but undeveloped Bike Trails. The proposed General Plan Amendment is appropriate, as the City of Las Vegas no longer anticipates long-term civic uses on the sites. The C (Commercial) General Plan designation allows for commercial uses that are normally allowed within the existing C-2 (General Commercial) zoning district; therefore, staff recommends approval. If these applications are denied, the General Plan designation would remain PF (Public Facilities) and remain inconsistent with the current C-2 (General Commercial) zoning designation.

FINDINGS (GPA-39334)

Section 19.18.030(I) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

   The intensity of the proposed C (Commercial) General Plan designation is compatible with the existing adjacent C (Commercial) and MXU (Mixed Use) land use designations.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

   The proposed General Plan designation is compatible with the existing C-2 (General Commercial) zoning district. This district is compatible with the existing adjacent land uses and zoning districts

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**

   The subject properties are located within an area of the City where all utilities, fire and police services are currently in place and available. Therefore, there are adequate facilities available to accommodate the uses and densities permitted by the proposed General Plan Amendment.

4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

No applicable plans are affected by this request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

NOTICES MAILED 527

APPROVALS 5

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-39334 APN: 139-34-410-149 and 152 through 156

Name of Property Owner: City of Las Vegas ET AL

Name of Applicant: City of Las Vegas

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: Andrew P Reed

Print Name: Andrew P. Reed

Subscribed and sworn before me

This 27th day of August, 2010

Nora Lares

Notary Public in and for said County and State

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

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: General Plan Amendment

Project Address (Location) Northwest corner of Las Vegas Blvd and Gass Avenue

Project Name _____ **Proposed Use** _____

Assessor's Parcel #(s) 139-34-410-149 and 152 thru156 **Ward #** 3

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

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

Gross Acres 2.12 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER City of Las Vegas ET AL **Contact** _____

Address 400 Stewart Avenue **Phone:** _____ **Fax:** _____

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

E-mail Address _____

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

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

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

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

Property Owner Signature* Andrew P. Reed

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

Print Name Andrew P. Reed

Subscribed and sworn before me

This 27th day of August, 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

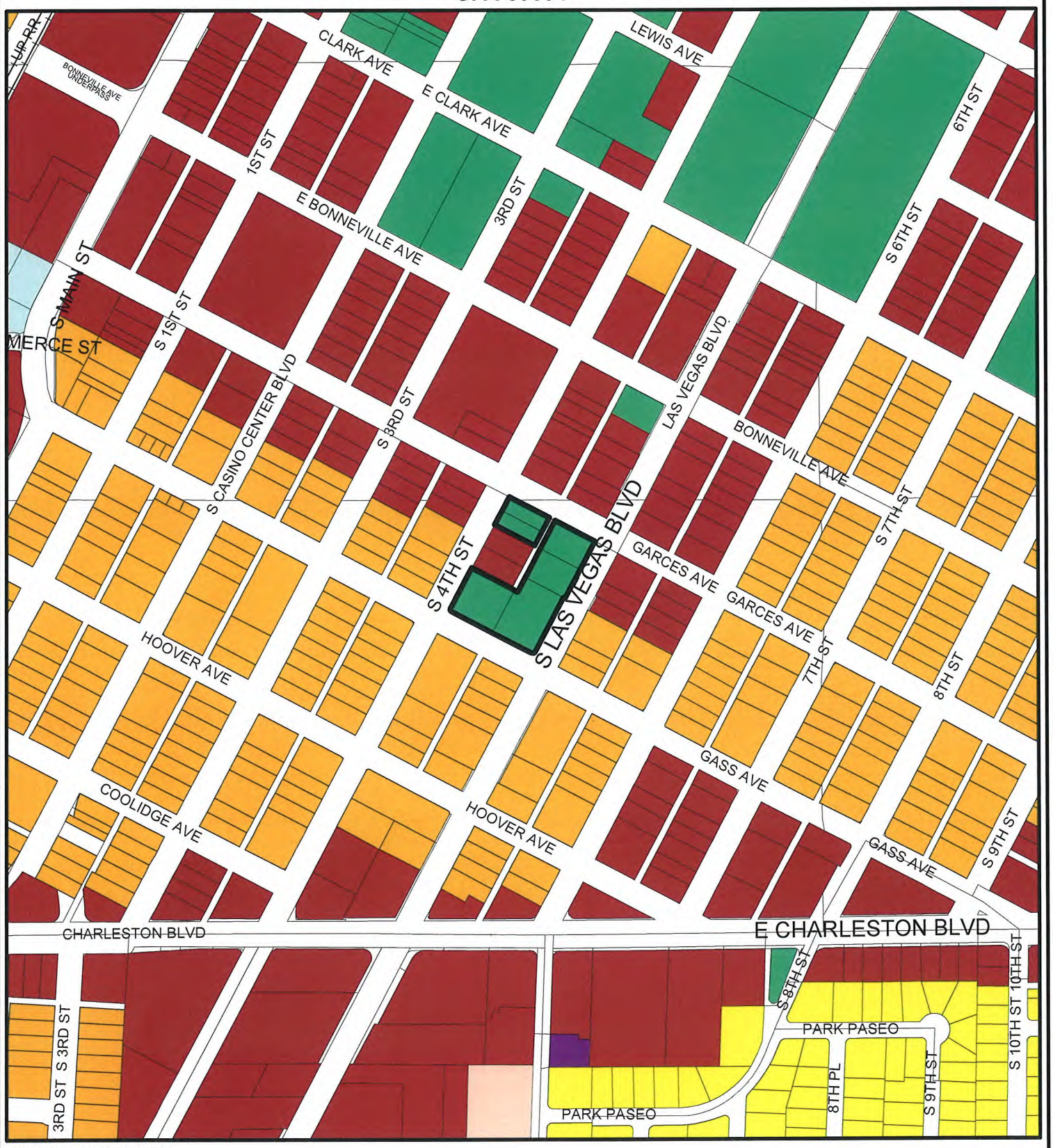
Case #	GPA-39334
Meeting Date:	10-21-10
Total Fee:	0
Date Received:*	8-30-10
Received By:	

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

Revised 10/27/08

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

GENERAL PLAN AMENDMENT Parcel: 139-34-410-149 and 152 through 156
GPA-39334



GENERAL PLAN AMENDMENT

- Rural Neighborhood Preservation
- Rural Estates
- Desert Rural
- Rural
- Low
- Medium - Low
- Medium - Low Attached
- Medium
- High
- Office
- Service Commercial
- General Commercial
- Tourist Commercial
- Las Vegas Medical District
- Light Industrial / Research
- Planned Community Development
- Downtown Redevelopment Area
- Park / Recreation / Open Space
- Public Facility
- Public Facility - School
- Public Facility - Clark County
- Town Center
- Resource Conservation
- Downtown - Commercial
- Downtown - Mixed Use
- Not in City
- Subject Parcel
- City Limits

FROM PF TO C

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: September 03, 2010

GPA-39334 - APPLICANT/OWNER: CITY OF LAS VEGAS, ET AL
NORTHWEST CORNER OF LAS VEGAS BOULEVARD AND GASS AVENUE

09/16/10

GPA-39334 - APPLICANT/OWNER: CITY OF LAS VEGAS, ET AL
NORTHWEST CORNER OF LAS VEGAS BOULEVARD AND GASS AVENUE

09/16/10

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NORTHWEST CORNER OF LAS VEGAS BOULEVARD AND GASS AVENUE

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09/16/10

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NORTHWEST CORNER OF LAS VEGAS BOULEVARD AND GASS AVENUE

09/16/10

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

August 30, 2010

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

RE: Application GPA-39334
Assessor's Parcel Number 139-34-410-149 and 152 through 156

Dear Mr. Gebeke:

In regard to this parcel, staff has determined that the existing General Plan designation and zoning classifications are inconsistent with possible future development. In order to resolve this inconsistency and ensure that future development is compatible with existing development, staff is proposing to change the General Plan Designation of these sites to C (Commercial). 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

RECEIVED
AUG 31 2010

CITY OF LAS VEGAS NEVADA
07101-001-06-09

GPA-39334

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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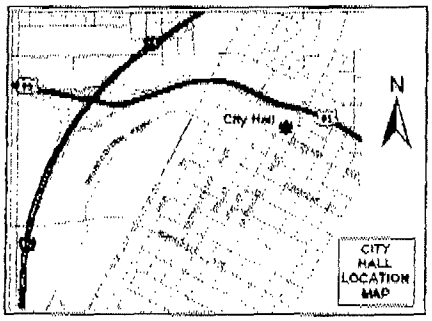
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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

☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-39334
Planning Commission Meeting of 10/21/2010

Case: GPA-39334
13934412113
BRUNS NICHOLAS A & YVONNE S
140 PRAIRIE LAKE RD
EAST DUNDEE IL 60118-9134

10/14/2010 08:30 FAX 7023854640 BERNSTEIN & ASSOC 002/004

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

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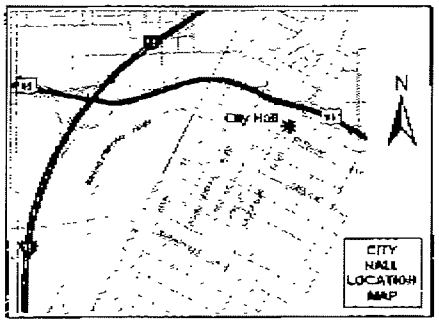

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-39334
Planning Commission Meeting of 10/21/2010

Case: GPA-39334
13934311116
CROSSHILL I L L C
500 S 4TH ST
LAS VEGAS NV 89101-6599

PRESORT BOX

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

PRESORTED FIRST CLASS

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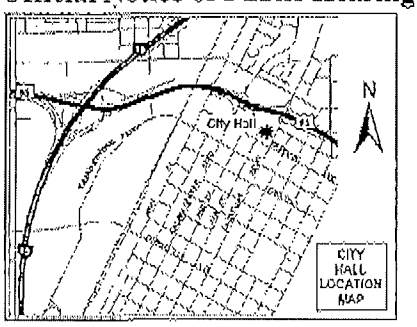
Official Notice of Public Hearing



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GPA-39334
Planning Commission Meeting of 10/21/2010

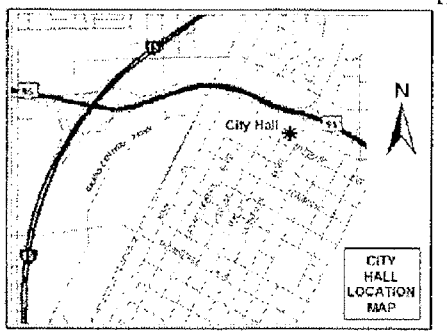
Case: GPA-39334
13934410099
CAVIGLIA DENNIS G & C M MARTL TR
%D HECKETHORN
4181 SQUAW CREEK CT
LAS VEGAS NV 89120-3872

Oct 11 10 01:51p chicago joe's resraurant 702-877-5637 p.1

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

Return Service Requested

Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-39334

Planning Commission Meeting of 10/21/2010

Case: GPA-39334

13934410126
COLLURA MARY ETAL
3220 BRYANT AVE
LAS VEGAS NV 89102-2055

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

PRESORTED FIRST CLASS

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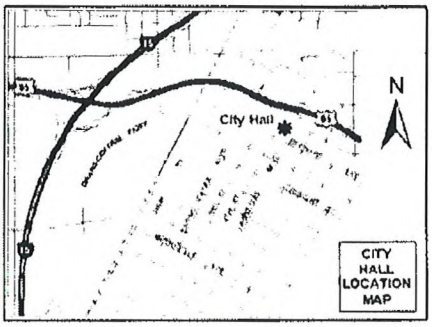
Official Notice of Public Hearing



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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-39334
Planning Commission Meeting of 10/21/2010

Case GPA-39334
13934311141
GARCES VENTURE L L C
%R FINVARB
1065 KANE CONCOURSE #201
BAY HARBOR ISLANDS FL 33154-2100

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

PRESORTED FIRST CLASS

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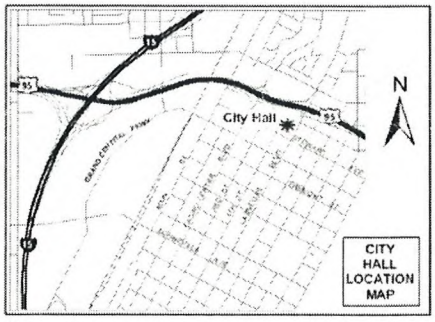

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-39334
Planning Commission Meeting of 10/21/2010

Case: GPA-39334
13934310045
RUDEL WESTON W LIVING TRUST
[illegible]WY #15
FESSENDEN ND 58438-9312

RECEIVED
OCT 18 2010

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

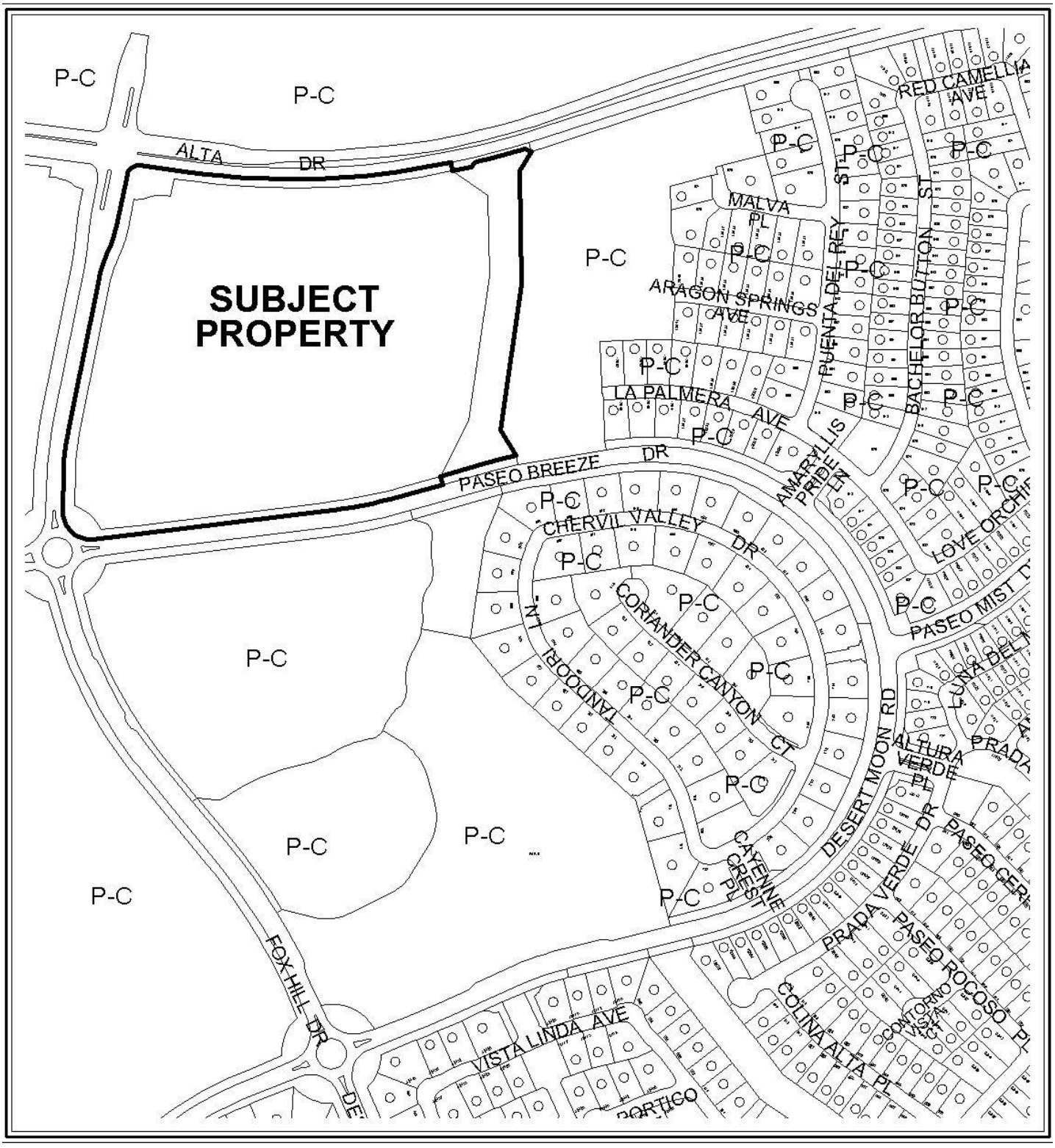
SUBJECT:
TMP-39472 - TENTATIVE MAP - VILLAGE 23A PARCEL L ANDALUSIA - APPLICANT/OWNER: THE HOWARD HUGHES CORPORATION - Request for a Tentative Map FOR AN 81-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 26.9 acres adjacent to the south side of Alta Drive, between Desert Foothills Drive and Fox Hill Drive (APNs 137-34-621-001, 137-34-210-002 and 007), P-C (Planned Community District) Zone [SF3 (Single Family Detached) Summerlin West Land Use Designation], Ward 2 (Wolfson). Staff recommends APPROVAL.

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

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

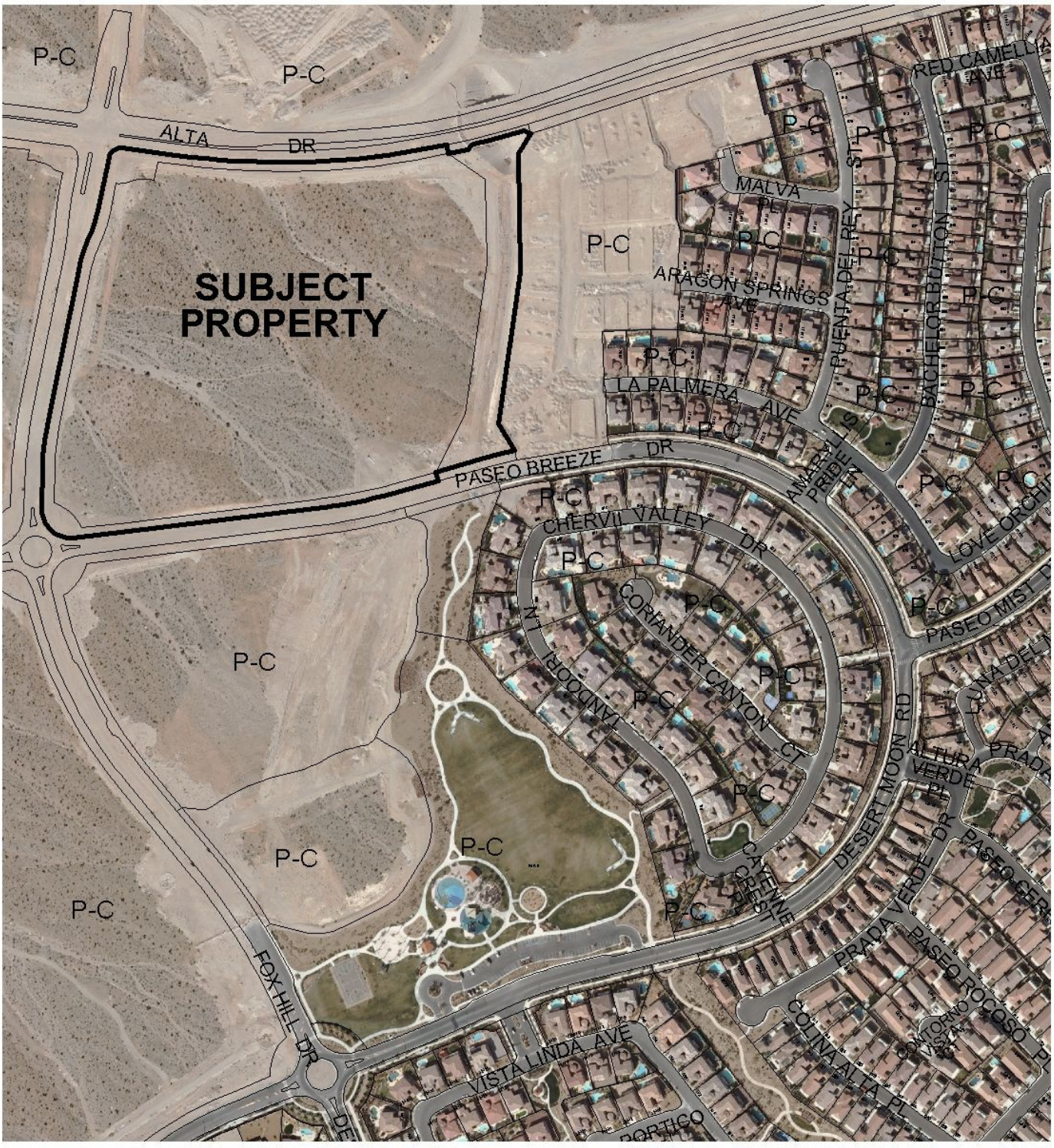
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: TMP-39472

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

N



0 300 600 Feet

CASE: TMP-39472

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: THE HOWARD HUGHES CORPORATION

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TMP-39472	Staff recommends APPROVAL.	

** CONDITIONS **

TMP-39472 CONDITIONS

Planning and Development

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

2. Street names must be provided in accordance with the City's Street Naming Regulations. Per the Las Vegas Fire & Rescue Department, Street names may not start with the word, "Via". Street names will have to be changed prior to the Final Map being recorded.

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

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

Public Works

5. All Private streets must be granted as public utility easements (P.U.E.), City of Las Vegas Sewer Easements and Public Drainage Easements to be privately maintained by the Homeowners' Association on the Final Map for this site. Additionally, grant appropriate public easements across Common Lots A, H, and I.

6. The Final Map for this site shall be labeled as a "Merger and Resubdivision".

7. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

8. The submitted drainage study shall be approved prior to the recordation of a Final Map for this site.

9. A minimum of two lanes of asphalt pavement on Paseo Breeze Drive and Fox Hill Drive adjacent to this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this development. Full permanent improvements on Paseo Breeze Drive and Fox Hill Drive, including all required landscaped areas between the perimeter wall and adjacent public street, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50% of all units within this development. All off-site improvements for Paseo Breeze Drive and Fox Hill Drive adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings unless otherwise allowed by the Department of Public Works.

10. The Special Improvement District section of the Department of Public Works must be contacted (229-2136) prior to the recordation of a Final Map or the issuance of any building permits, whichever may occur first. An apportionment report will be prepared following recordation of the Final Map to recalculate and/or redistribute all assessments of record on this site.

11. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

12. Site development to comply with all applicable conditions of approval for Summerlin Village 23A, CRG-2243 and all other applicable site-related actions.

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Tentative Map for an 81-lot single family residential subdivision on 26.9 acres, at the southeast corner of Alta Drive and Fox Hill Drive. As this request conforms to Title 18 and Summerlin Development Standards, staff recommends approval, with conditions.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/14/02	The Planning Commission approved a Tentative Map (TMP-0006-02) for a 20-lot subdivision on the southeast corner of Alta Drive and Fox Hill Drive. Staff recommended approval.
04/30/03	The City Referral Group Administratively approved a Community, Village and Neighborhood Entry Monument.
03/25/04	The Planning & Development Department Administratively approved an Extension of Time (EOT-3886) for a previously approved Tentative Map (TMP-0006-02).
02/23/06	The Planning Commission approved a Tentative Map Request (TMP-11173) for a 90-lot single family subdivision on the southeast corner of Alta Drive and Fox Hill Drive. Staff recommended approval. Expired on 02/23/08.

Most Recent Change of Ownership	
12/18/87	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No building permits or business licenses are associated with this request.

Pre-Application Meeting	
08/18/10	A pre-application meeting was held where the submittal requirements for a Tentative Map were discussed with the following items: • Tentative Map Submittal checklist to be submitted with application; • Access to site will be off Fox Hill Drive; • Perimeter screen wall height is less than 6 feet.

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

Field Check	
10/15/10	Staff inspected the property and found an undeveloped vacant lot with naturally growing desert vegetation.

Details of Application Request	
Site Area	
Gross Acres	26.9
Net Acres	22.5

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	SF3 (Single Family Detached)	P-C (Planned Community)
North	Undeveloped	SF3 (Single Family Detached)	P-C (Planned Community)
South	Undeveloped	SF3 (Single Family Detached)	P-C (Planned Community)
East	Undeveloped	SF3 (Single Family Detached)	P-C (Planned Community)
West	Undeveloped	SF3 (Single Family Detached)	P-C (Planned Community)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Summerlin West	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
P-C (Planned Community) District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

YK

ANALYSIS

A previous 90-lot Tentative Map Plan (TMP-11173) was approved by the Planning Commission on February 23, 2006 but expired two years later. The applicant states that the economic conditions prevented this project from moving forward under the previous Tentative Map Plan and thus dictates the need for a new one. The proposed Tentative Map is for an 81-lot single family subdivision. The subject site is directly adjacent to undeveloped land on all sides with no Transportation or Recreation Trail alignments within or adjacent to the site. Cross sections show an 81- lot subdivision which does not exceed more than 2% grade.

The proposed street names will have to be reviewed and approved by Las Vegas Fire & Rescue prior to the Final Map being recorded. For safety purposes, streets may not begin with the word, "Via". The five proposed street names will have to be adjusted to meet this requirement.

FINDINGS

The proposed Tentative Map conforms to all requirements of Title 18 and the Summerlin Development Standards; therefore, staff is recommending approval, with conditions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

YK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **TMP-39472** APN: 137-34-621-001;137-34-210-002 & 007

Name of Property Owner: The Howard Hughes Company, LLC

Name of Applicant: The Howard Hughes Company, LLC

Name of Representative: G.C. Wallace, 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: KEVIN T. ORROCK

Subscribed and sworn before me

This 7th day of September, 20 10

Stella Clark Clark, NEVADA

Notary Public in and for said County and State

STELLA CLARK
Notary Public-State of Nevada
APPT. NO. 06-107247-1
My App. Expires June 07, 2014

Revised 11-14-06

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Tentative Map for V23A Parcel L- Andalusia

Project Address (Location) Village 23A Parcel L- Fox Hill and Paseo Breeze

Project Name V23A Parcel L Andalusia Tentative Map **Proposed Use** R3

Assessor's Parcel #(s) 137-34-621-001;137-34-201-002 & 007 **Ward #** 2

General Plan: existing PC proposed PC **Zoning:** existing PC proposed PC

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

Gross Acres 26.9 **Lots/Units** 81 **Density** 3.01 (gross)

Additional Information _____

PROPERTY OWNER The Howard Hughes Company **Contact** Julie Cleaver

Address 10,000 W. Charleston Blvd. Suite 200 **Phone:** (702) 791-4388 **Fax:** _____

City Las Vegas **State** NV **Zip** 89135

E-mail Address Julie.cleaver@generalgrowth.com

APPLICANT The Howard Hughes Company, LLC **Contact** Julie Cleaver

Address 10,000 W. Charleston Blvd. Suite 200 **Phone:** (702) 791-4388 **Fax:** _____

City Las Vegas **State** NV **Zip** 89135

E-mail Address Julie.cleaver@generalgrowth.com

REPRESENTATIVE G.C Wallace, Inc **Contact** Josh Johnson

Address 1555 S. Rainbow Blvd. **Phone:** (702) 804-2157 **Fax:** (702) 804-2299

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

E-mail Address jjohnson@gcwallace.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 KEVIN ORROCK

Subscribed and sworn before me

This 8th day of SEPTEMBER, 20 10.

_____

Notary Public in and for said County and State

VICTORIA L. ROBERTS
Notary Public State of Nevada
No. 00-63116-1
My appt. exp. June 6, 2012

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	TMP - 39472
Meeting Date:	11/18/10 PC
Total Fee:	$ 750.00
Date Received:*	9/8/10
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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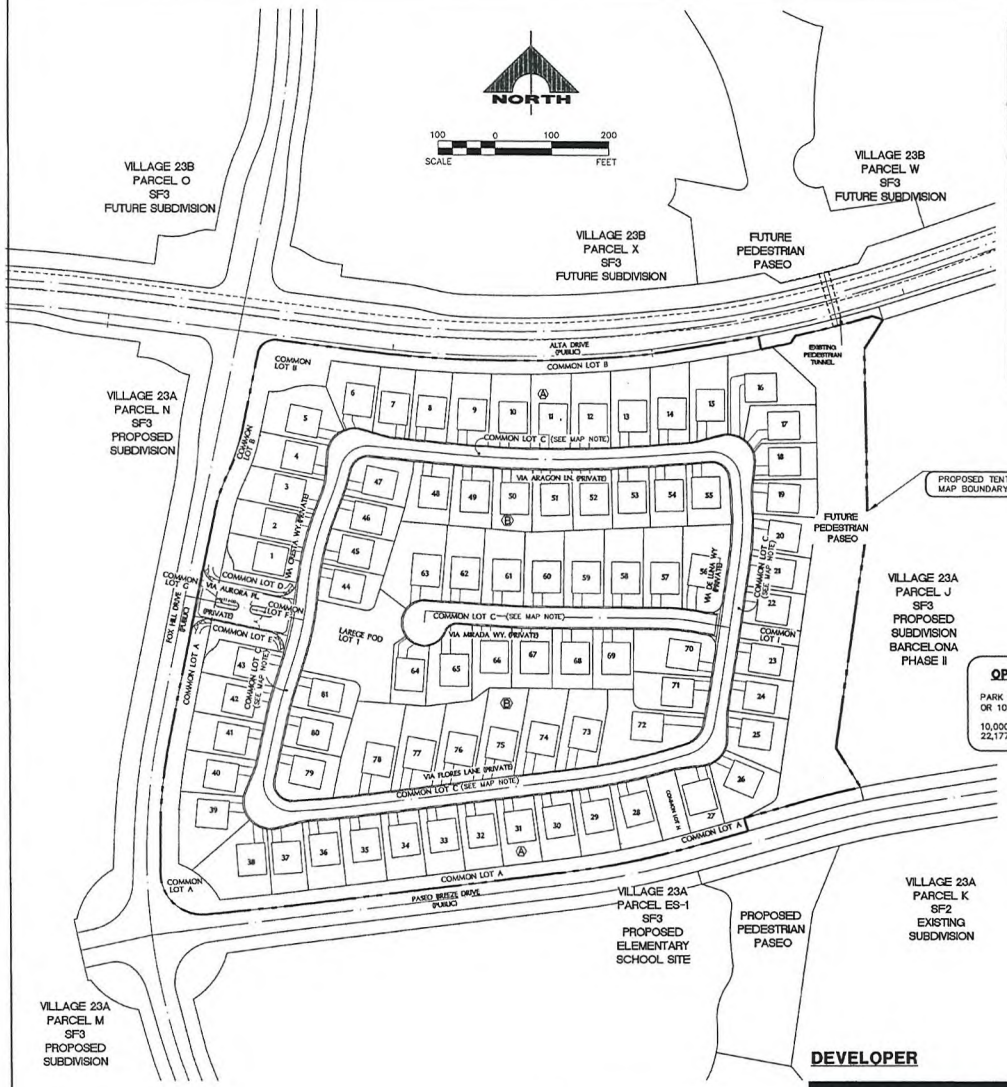


ENGINEER & SURVEYOR

G.C. WALLACE INC.
1555 S. RAINBOW BLVD.
LAS VEGAS, NEVADA 89146
PHONE (702) 804-2000

UTILITY SERVICE BY

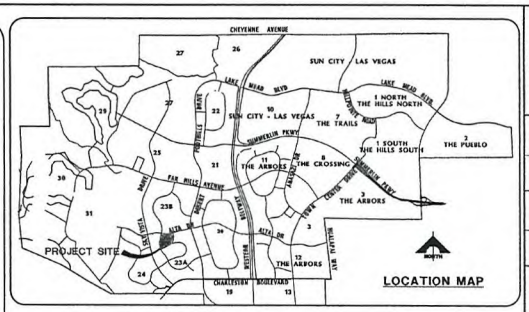
LAS VEGAS VALLEY WATER DISTRICT
CITY OF LAS VEGAS SEWER
REPUBLIC SERVICES of SOUTHERN NEVADA
NV ENERGY
CENTURY LINK TELEPHONE COMPANY
SOUTHWEST GAS CORPORATION
COX COMMUNICATIONS

RECORD OWNER

THE HOWARD HUGHES COMPANY, LLC
10000 W. CHARLESTON BLVD, STE 200
LAS VEGAS, NEVADA 89135
PHONE (702) 731-4300

SUBDIVIDER

THE HOWARD HUGHES CORPORATION
10000 W. CHARLESTON BLVD, STE 200
LAS VEGAS, NEVADA 89135
PHONE (702) 731-4300



LAND USE

EXISTING ZONING	=	PC
EXISTING LAND USE	=	SF3
TOTAL GROSS ACREAGE	=	26.9 AC.
TOTAL NET ACREAGE	=	24.6 AC.
TOTAL NET/NET ACREAGE	=	22.5 AC.
NUMBER OF RESIDENTIAL LOTS	=	81
NUMBER OF LARGE POD LOTS	=	1
NUMBER OF COMMON LOTS	=	9
MIN. LOT SIZE	=	62' X 104'
LOTS PER ACRE (NET/NET)	=	3.6
MIN. CURB RETURN RADIUS	=	20'
MIN. PL RADIUS	=	15'
TYP. BUILDING SIZE (APPROX.)	=	3400 SQ. FT.

SEWAGE CONTRIBUTION:
AVERAGE: 81 ERU'S X 250 GPD/ERU = 0.020 MGD
PEAK FLOW: 0.020 MGD X 3.5 (PF) = 0.070 MGD

BUILDING SETBACK REQUIREMENTS

FRONT ENTRY GARAGE	= 23'
SIDE ENTRY GARAGE	= 18'
BUILDING FACE/ OR FRONT PORCH	= 18'
CORNER LOT SIDE YARD	= 15'

SETBACKS LISTED ABOVE ARE MEASURED FROM BACK OF SIDEWALK OR BACK OF CURB, IF NO SIDEWALK EXISTS.

SIDE YARD (INTERIOR)	= 6' MIN.
SIDE YARD (PERIMETER)	= 6' FOR SINGLE STORY ELEMENT WITH NO GABLE END 10' FOR TWO STORY ELEMENT OR SINGLE STORY ELEMENT WITH A GABLE END.
REAR YARD	= 25'

MAP NOTE:

COMMON LOT "C" IS A PRIVATE STREET, CITY OF LAS VEGAS PUBLIC SEWER EASEMENT, PUBLIC UTILITY EASEMENT, AND PUBLIC DRAINAGE EASEMENT. SURFACE TO BE PRIVATELY MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

GENERAL NOTES:

1. TO OUR KNOWLEDGE THERE ARE NO GROUND FAULTS OR FISSURES AND NO GROUNDWATER WITHIN 20 FEET OF EXISTING GROUND SURFACE.
2. THERE ARE NO EXISTING STRUCTURES OR EXISTING DEDICATIONS FOR PARKS LOCATED ON THIS PROPERTY.

OPEN SPACE CALCULATION:

PARK SITE TABULATION 81 UNITS X 100 SQ.FT. OR 10,000 SQ. FT. (WHICHEVER IS GREATER)

10,000 SQ.FT. REQUIRED
22,177 SQ.FT PROVIDED

LEGAL DESCRIPTION

LOT 7, 8, & COMMON LOT "G" OF BLOCK B OF "SUMMERLIN VILLAGE 23A UNIT NO. 2" ON FILE IN BOOK 121, PAGE 12 OF PLATS IN THE COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA LYING WITHIN SECTION 34, TOWNSHIP 20 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

IMPROVEMENT NOTES:

1. FOX HILL DRIVE AND PASEO BREEZE DRIVE WILL BE CONSTRUCTED, PER CITY OF LAS VEGAS APPROVED PLANS "VILLAGE 23A UNIT 2 IMPROVEMENTS" (CLV DWG. NO. 107V3574-2) TO PROVIDE ACCESS AND UTILITIES TO THIS SUBDIVISION.
2. ALTA DRIVE CONSTRUCTION IS TO BE DEFERRED UNTIL REQUIRED FOR ACCESS TO FUTURE VILLAGE 23B. THE FUTURE CONSTRUCTION OF ALTA DRIVE IS GUARANTEED UNDER EXISTING S.I.D. 809, PROJECTS 8 & 11.

DEVELOPER

The Howard Hughes Company, LLC℠
an affiliate of General Growth Properties, Inc.

HOWARD HUGHES COMPANY, LLC
10000 W. CHARLESTON, SUITE 200
LAS VEGAS, NEVADA 89135
OFFICE PHONE NO. (702) 791-4300
OFFICE FAX NO. (702) 791-4450

SUMMERLIN℠

VILLAGE 23A
PARCEL L - ANDALUSIA
TENTATIVE MAP

SEPTEMBER 03, 2010

APN # 137-34-210-002
137-34-210-007
137-34-621-001
CLV DRAWING NO.

RECEIVED
SEP 08 2010

TMP-39472

PROJECT NO. 62023.981
DESIGN:
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PLOT DATE: 09-07-10
PLOT TIME: 01:55:36
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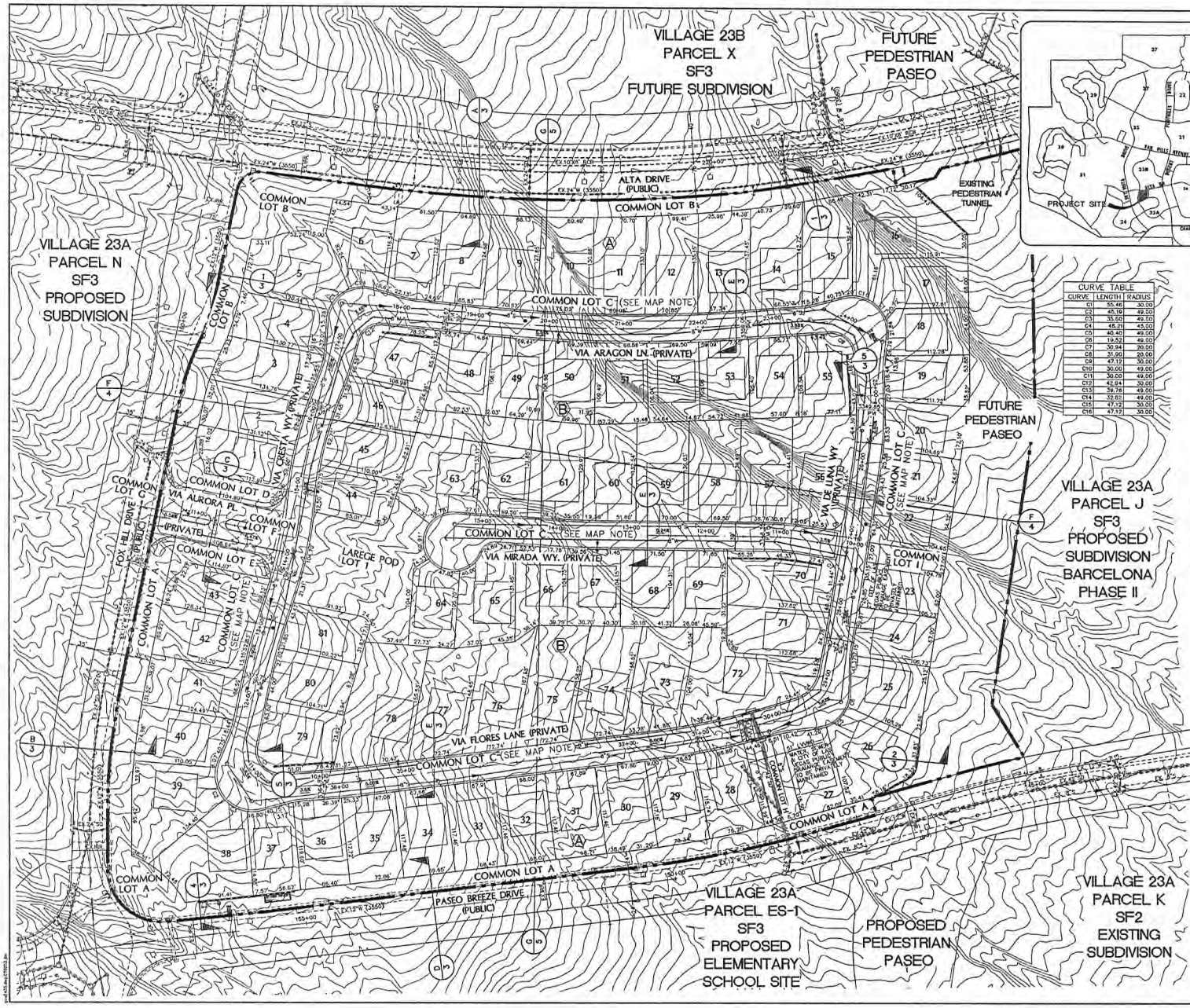
G.C. WALLACE COMPANIES
ENGINEERS | PLANNERS | SURVEYORS
1555 S. RAINBOW BLVD. LAS VEGAS, NV 89146
TEL 702.804.2000 FAX 702.804.2099 GCWALLACE.COM

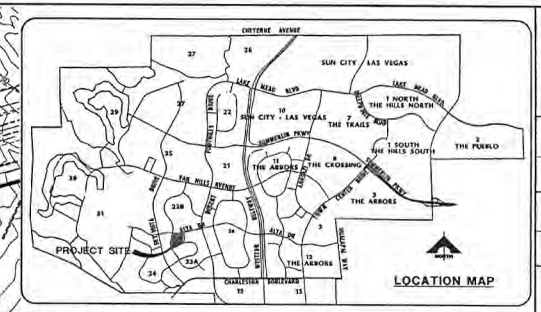
LAS VEGAS, NEVADA

THE HOWARD HUGHES COMPANY, LLC
SUMMERLIN VILLAGE 23 PARCEL L- ANDALUSIA
COVER SHEET

DRAWING 1
1 OF 5 SHTS

REV	DATE	DESCRIPTION	DATE	CON APP	DATE	HDEN APP	DATE	% COMPLETE





CURVE TABLE		
CURVE	LENGTH	RADIUS
C1	55.46	30.00
C2	45.19	49.00
C3	35.60	49.00
C4	48.21	45.00
C5	40.40	49.00
C6	19.52	49.00
C7	30.94	20.00
C8	31.90	20.00
C9	47.12	30.00
C10	30.00	49.00
C11	30.00	49.00
C12	42.94	30.00
C13	39.78	49.00
C14	32.82	49.00
C15	47.12	30.00
C16	47.12	30.00

NORTH

60 0 60 120
SCALE FEET

MAP NOTE:

COMMON LOT "C" IS A PRIVATE STREET, CITY OF LAS VEGAS PUBLIC SEWER EASEMENT, PUBLIC UTILITY EASEMENT, AND PUBLIC DRAINAGE EASEMENT. SURFACE TO BE PRIVATELY MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

BENCHMARK

BM #	DESC.	NAVD 88 DATUM	NAVD 88 DATUM
CLV BM No. 0368 3	U.S.C.& G.S. BRASS DISC SET IN ROCK ON THE EAST SIDE OF CHARLESTON BOULEVARD AND SOUTH OF THE RED ROCK DETENTION BASIN.	3246.71 (FEET)	989.599 (METERS)

BASIS OF BEARINGS

NORTH 05°59'55" WEST BEING THE BEARING OF THE WEST LINE OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 59 EAST, M.D.M., AS SHOWN BY MAP THEREOF ON FILE IN FILE 91, PAGE 28 OF PARCEL MAPS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA

LEGEND

- 2595 EXISTING CONTOURS
- EXISTING WATERLINE
- EXISTING SEWER LINE
- EXISTING STORM DRAIN LINE
- WATER LINE
- SEWER LINE W/MANHOLE
- UNIT BOUNDARY
- CENTERLINE
- RETAINING WALL
- EXISTING STREET LIGHT
- FIRE HYDRANT

LEGAL DESCRIPTION

LOT 7, 8, & COMMON LOT "G" OF BLOCK B OF "SUMMERLIN VILLAGE 23A UNIT NO. 2" ON FILE IN BOOK 121, PAGE 12 OF PLATS IN THE COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA LYING WITHIN SECTION 34, TOWNSHIP 20 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

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137-34-210-007
137-34-621-001
CLV DRAWING NO.

PROJECT NO. 62023981
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DRAWN:
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PLOT TIME: 16:07:57

G.C. WALLACE COMPANIES
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1555 S. RAINBOW BLVD. LAS VEGAS, NV 89146
T:702.804.2300 F:702.804.2399 GCWALLACE.COM
LAS VEGAS - MESQUITE
F:\Projects\600\62023-981\DWG\Production\TM\V23A_RDN.dwg
Pamela Pike

THE HOWARD HUGHES COMPANY, LLC
SUMMERLIN VILLAGE 23 PARCEL L- ANDALUSIA
TENTATIVE MAP

DRAWING 2
2 OF 5 SHTS

REV DATE DESCRIPTION DATE AGEN APP DATE GCW APP DATE: 9/3/10
% COMPLETE

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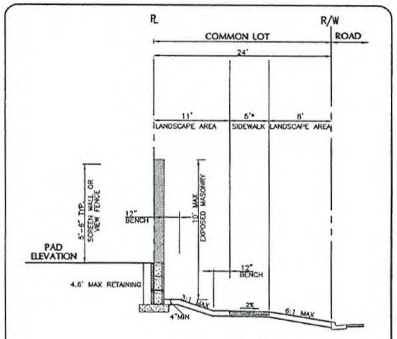
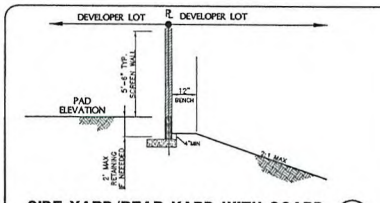
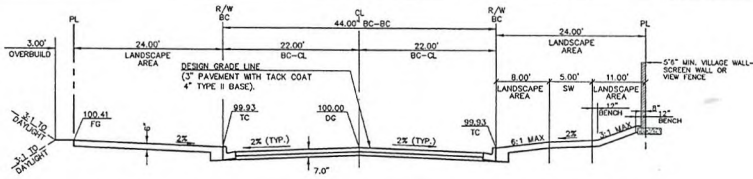
TMP-39472



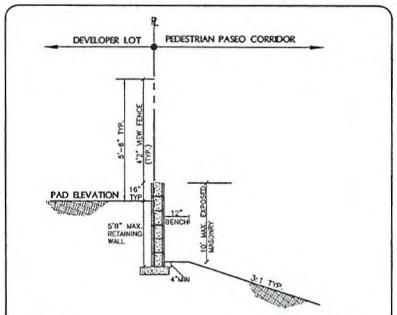
PASEO BREEZE DRIVE (4)
NOT TO SCALE



SIDE YARD/REAR YARD WITH SCARP (3)
NOT TO SCALE



PASEO BREEZE DRIVE TYPICAL STREET SECTION (PUBLIC) (D)
RESIDENTIAL COLLECTOR (WITH SPACE ALLOWANCE FOR SHARED BIKE LANES) PER S.I.S. DWG. NO. S-7
NOT TO SCALE



PASEO (2)
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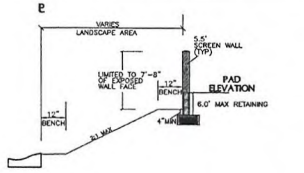
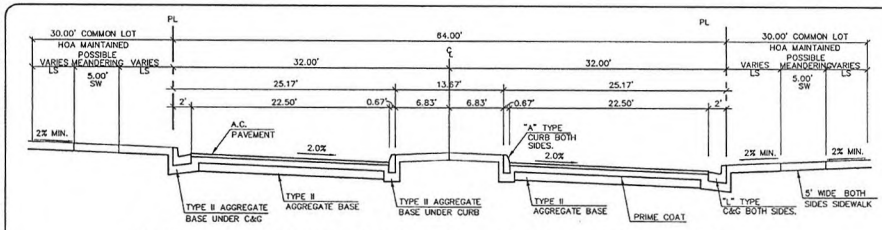
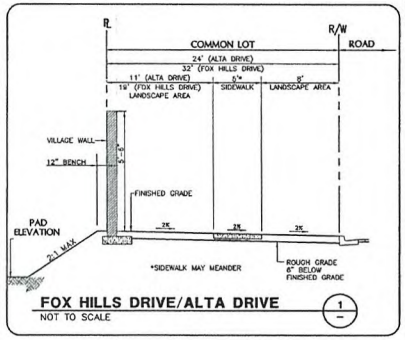


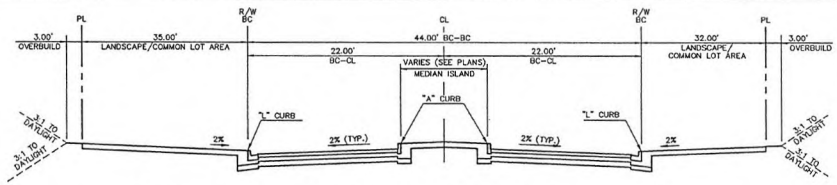
CORNER LOT DETAIL (5)
NOT TO SCALE



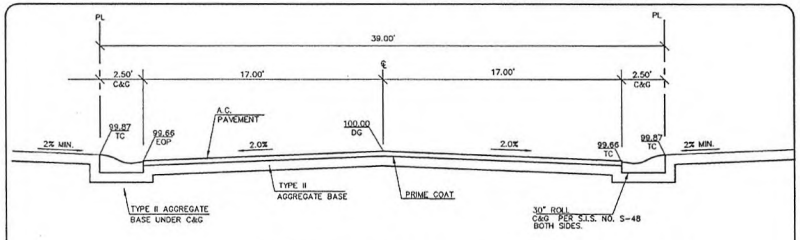
GATED PARCEL ENTRY TYPICAL STREET SECTION (PRIVATE) (C)
PARCEL ENTRY ROAD PER S.I.S. DWG. NO. S-12A
NOT TO SCALE



FOX HILLS DRIVE/ALTA DRIVE (1)
NOT TO SCALE



FOX HILL DRIVE TYPICAL STREET SECTION (PUBLIC) (B)
NEIGHBORHOOD COLLECTOR WITH SHARED BIKE LANES PER S.I.S. DWG. NO. S-6
NOT TO SCALE



39' TYPICAL STREET SECTION (PRIVATE) (E)
RESIDENTIAL STREET PER S.I.S. DWG. NO. S-14A
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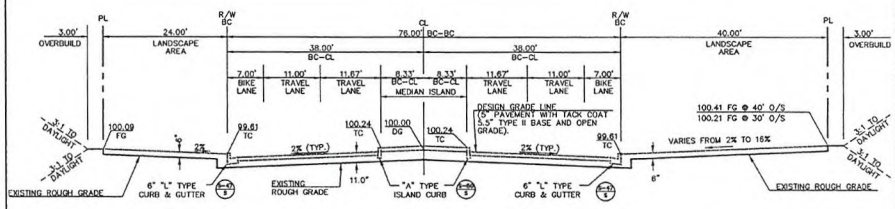

ALTA DRIVE TYPICAL STREET SECTION (PUBLIC) (A)
(PUBLIC NEIGHBORHOOD ARTERIAL WITH BIKE LANES)
NOT TO SCALE

APN # 137-34-210-002
137-34-210-007
137-34-621-001
CLV DRAWING NO.

RECEIVED
SEP 03 2010

TMP-39472

STATE OF NEVADA — ENGINEER — 9/3/10 — % COMPLETE

NO.	DESCRIPTION	DATE	KGN APP	DATE	CW APP	DATE

PROJECT NO.
DESIGN:
DRAWN:
CHECK:
PLOT DATE 09-07-10
PLOT TIME 08:56:44

G.C. WALLACE COMPANIES
ENGINEERS | PLANNERS | SURVEYORS
6555 S. RAINBOW BLVD - LAS VEGAS, NV 89146
TEL 702.804.3000 - FAX 702.804.3299 - GCWALLACE.COM
LAS VEGAS - MESQUITE

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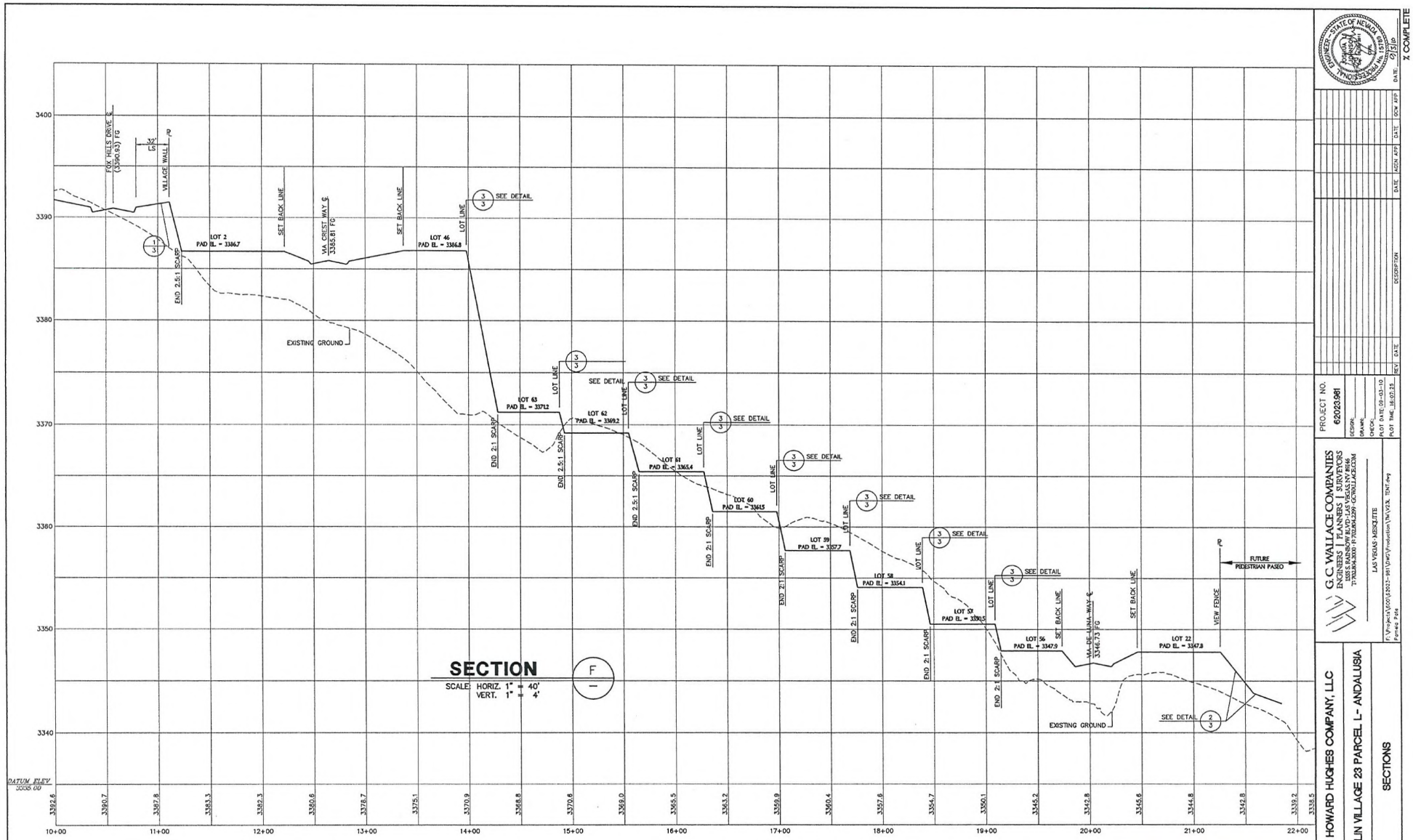
THE HOWARD HUGHES COMPANY, LLC

SUMMERLIN VILLAGE 23 PARCEL L - ANDALUSIA

SECTIONS

DRAWING 3
3 OF 5 SHTS



G.C. WALLACE COMPANIES
ENGINEERS | PLANNERS | SURVEYORS
1555 S. RAINBOW BLVD - LAS VEGAS, NV 89146
T: 702.804.3000 - F: 702.804.3399 - GCWALLACE.COM
LAS VEGAS - HENDERSON

PROJECT NO. 62023981
DESIGN:
DRAWN:
CHECK:
PLOT DATE: 09-03-10
PLOT TIME: 15:07:23
F:\Projects\62023-881\Civil\Production\Tm\V24_TM-Prj
Pen-key: Pete

REV	DATE	DESCRIPTION	DATE	AGEN APP	DATE	DOW APP

ENGINEER - STATE OF NEVADA
No. 9857
PROFESSIONAL
DATE 9/3/10

% COMPLETE

THE HOWARD HUGHES COMPANY, LLC

SUMMERLIN VILLAGE 23 PARCEL L - ANDALUSIA

SECTIONS

DRAWING 4

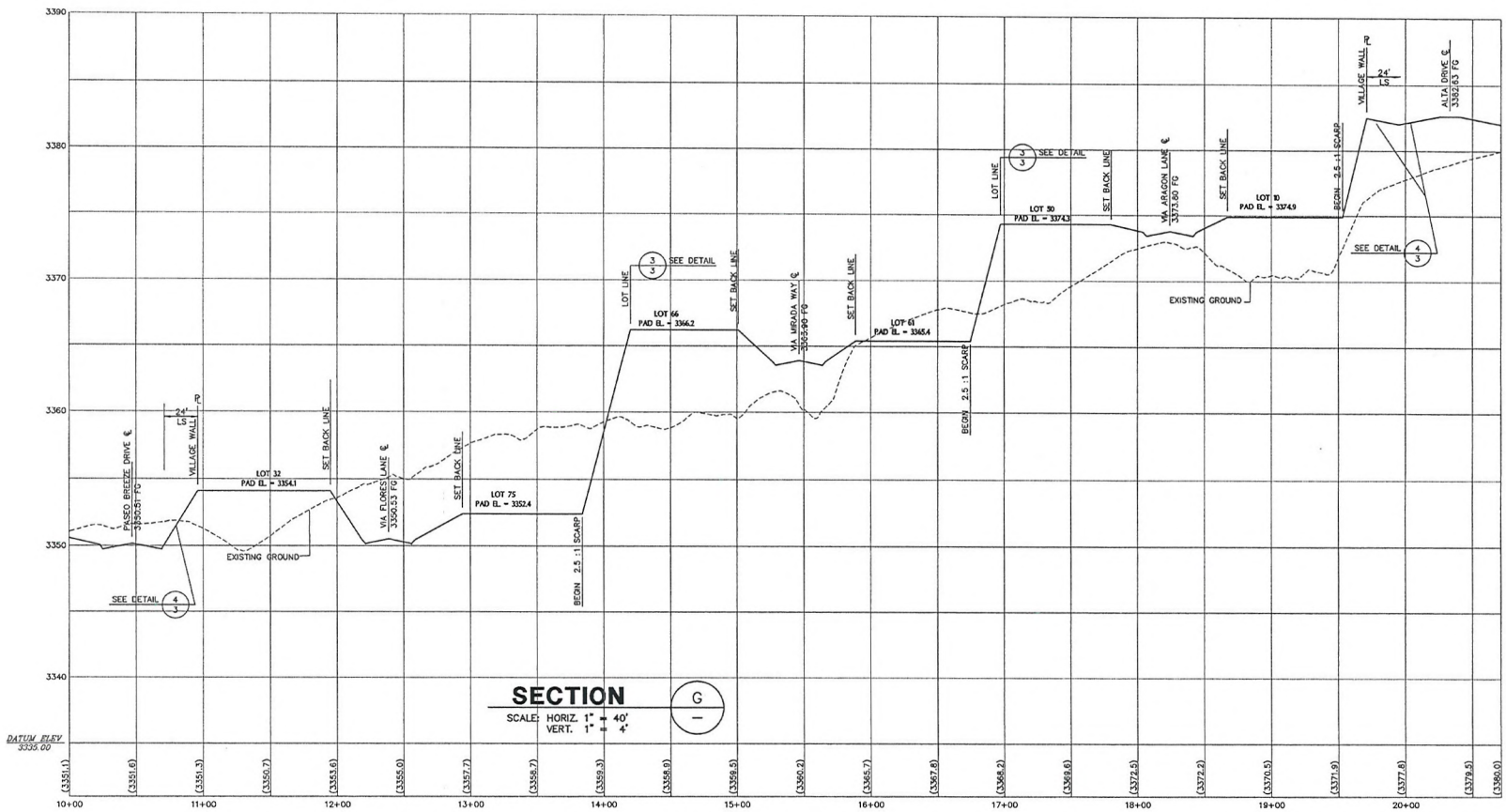
4 OF 5 SHTS

APN # 137-34-210-002
137-34-210-007
137-34-621-001

CLV DRAWING NO.

RECEIVED
SEP 08 2010

TMP-39472



SECTION G

SCALE: HORIZ. 1" = 40'
VERT. 1" = 4'

APN # 137-34-210-002
137-34-210-007
137-34-621-001

CLV DRAWING NO.

RECEIVED
SEP 08 2010

TMP-39472

THE HOWARD HUGHES COMPANY, LLC

SUMMERLIN VILLAGE 23 PARCEL L- ANDALUSIA

SECTIONS

G.C. WALLACE COMPANIES
ENGINEERS | PLANNERS | SURVEYORS
1555 S. RAINBOW BLVD · LAS VEGAS, NV 89146
T: 702.804.2000 · F: 702.804.2299 · GCWALLACE.COM

LAS VEGAS · MESQUITE

F:\Projects\600\62023-981\DWG\Production\TM\V23L TENT.dwg
Pamela Pate

PROJECT NO. 62023.981

DESIGN:
DRAWN:
CHECK:
PLOT DATE: 09-03-10
PLOT TIME: 16:07:39

REV	DATE	DESCRIPTION	DATE	AGEN APP	DATE	GCW APP

DATE: 9/15/10

% COMPLETE

DRAWING 5

5 OF 5 SHTS

TMP-39472 - APPLICANT/OWNER: THE HOWARD HUGHES CORPORATION
SOUTH SIDE OF ALTA DRIVE, BETWEEN DESERT FOOTHILLS DRIVE AND FOX HILL DRIVE

10/15/10

G. C. WALLACE COMPANIES
ENGINEERS | PLANNERS | SURVEYORS

G. C. WALLACE, INC.
G. C. WALLACE OF CALIFORNIA, INC.
G. C. WALLACE HOLDINGS, INC.

Writer's Contact Information:

804-2157
jjohnson@gcwallace.com

62023-981

September 2, 2010

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

Re: Summerlin Village 23A Parcel L- Andalusia
Justification Letter – Tentative Map

To whom it may concern:

The Howard Hughes Corporation (THHC), an affiliate of General Growth Properties, Inc. (GGP), requests the resubmittal of the Tentative Map for Village 23A Parcel "L" – Andalusia. The original Tentative Map (TMP-11173) was approved by the City of Las Vegas on February 23, 2006 and has since expired. The layout of the new tentative map has been modified slightly from the original design. The total lot count has been reduced from 90 residential lots to 81 residential lots.

The recent slow-down in the real estate market has removed the impetus for project completion on its original aggressive schedule. It is expected that this work will continue and will be complete within approximately two (2) years.

Please feel free to contact me if you have any questions or concerns.

Cordially,

G. C. WALLACE, INC.

Josh Johnson, PE, LEED AP
Vice President

c: Julie Cleaver, THHC

RECEIVED
SEP 08 2010
TMP-39472

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

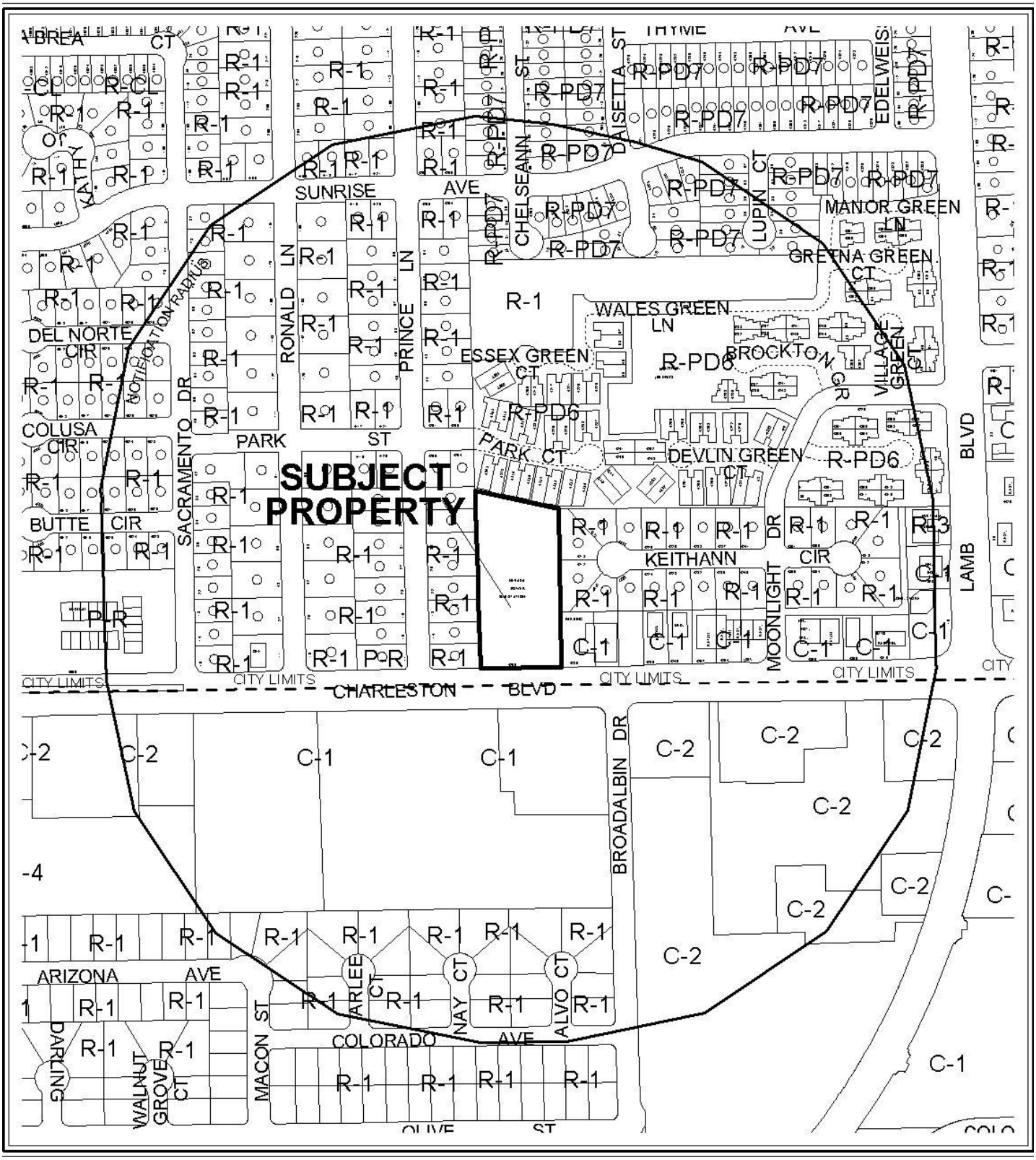
SUBJECT:
ZON-39754 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-V (CIVIC) on 2.45 acres at 4200 East Charleston Boulevard (APN 140-31-802-001), Ward 3 (Reese). Staff recommends APPROVAL.

C.C.: 12/15/2010

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

RECOMMENDATION:
Staff recommends APPROVAL.

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



CASE: **ZON-39754**

RADIUS: 1000 FT

0 400 800 Feet

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

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

N

0 400 800 Feet

CASE: **ZON-39754**

RADIUS: 1000 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 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-39754	Staff recommends APPROVAL.	

YK

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to rezone property at 4200 East Charleston Boulevard from R-1 (Single Family Residential) to C-V (Civic), containing 2.45 acres. Currently, a power sub-station is located on this lot. The lot is already designated for PF (Public Facilities) land uses by the General Plan. As the proposed zoning conforms to the General Plan and the existing use is compatible with the existing surrounding land uses, staff recommends approval. If denied, the lot will remain designated R-1 (Single Family Residential) and the zoning designation will remain inconsistent with the existing land use designation.

ISSUES

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

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
04/24/63	The City Council approved a Rezoning (Z-0059-63) from R-R (Rural Residence) and R-2 (Two Family Residence) to R-1 (Single Family Residential) at the northwest corner of Lamb Boulevard and Charleston Boulevard. The Planning Commission and Staff recommended approval.
03/12/08	Code Enforcement opened a case (#63339) for temporary signage at 4200 East Charleston Boulevard. The case was resolved 03/20/08.

Most Recent Change of Ownership	
06/12/63	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No permits were found for this site.

YK

Pre-Application Meeting	
09/30/10	The requirements for a rezoning application were reviewed with the applicant. No issues were identified.

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

Field Check	
10/15/10	Staff inspected the property and found it to be well maintained.

Details of Application Request	
Site Area	
Gross Acres	2.45

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Utility Installation, Other Than Listed	PF (Public Facilities)	R-1 (Single Family Residential)
North	Residential	ML(Medium-Low Density Residential)	R-PD (Residential Planned Development)
South	Commercial Retail	Commercial General (Clark County)	C (Commercial)
East	Residential	L (Low Density Residential)	R-1 (Single Family Residential)
	Medical Office	SC (Service Commercial)	C-1 (Limited Commercial)
West	Residential	L (Low Density Residential)	R-1 (Single Family Residential)
	Office	O (Office)	P-R (Professional Office and Parking)

Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
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

ANALYSIS

If approved, this request would rezone the subject site from R-1 (Single Family Residential) to C-V (Civic). Such action would conform to the existing PF (Public Facility) General Plan land use designation on this lot. The C-V (Civic) zoning district is intended to provide for existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, and other public utility facilities. Rezoning of this lot is appropriate, as the proposed C-V (Civic) zoning district is consistent with the existing PF (Public Facilities) General Plan designation, the existing power sub-station use is a permissible use in the C-V (Civic) zoning district, and the zoning is compatible with the surrounding adjacent land uses. Staff therefore recommends approval.

FINDINGS (ZON-39754)

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

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

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

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

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

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

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

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

   Access to this site is provided from Charleston Boulevard, a fully improved 100-foot wide right-of-way and is capable of meeting the access requirements of the property.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 311

APPROVALS 0

PROTESTS 1

YK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number ZON-39754 APN: 140-31-802-001

Name of Property Owner: NV Energy

Name of Applicant: City of Las Vegas

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~~ APPLICANT: _____

Print Name: Andrew P. Reed

Subscribed and sworn before me

This 1ST day of OCTOBER, 2010

_____

Notary Public in ~~and~~ for said County and State

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

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Rezoning

Project Address (Location) 4200 E. CHARLESTON BLVD

Project Name _____ **Proposed Use** _____

Assessor's Parcel #(s) 140-31-802-001 **Ward #** 3

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

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

Gross Acres 2.45 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER NV Energy **Contact** Thomas Dombrowski

Address 6226 W. Sahara Avenue **Phone:** 402-2620 **Fax:** 402-5064

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

E-mail Address TDombrowski@nvenergy.com

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

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

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

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

APPLICANT

~~**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 1st day of OCTOBER, 20 10.

Nora Lares

Notary Public in and for said County and State

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

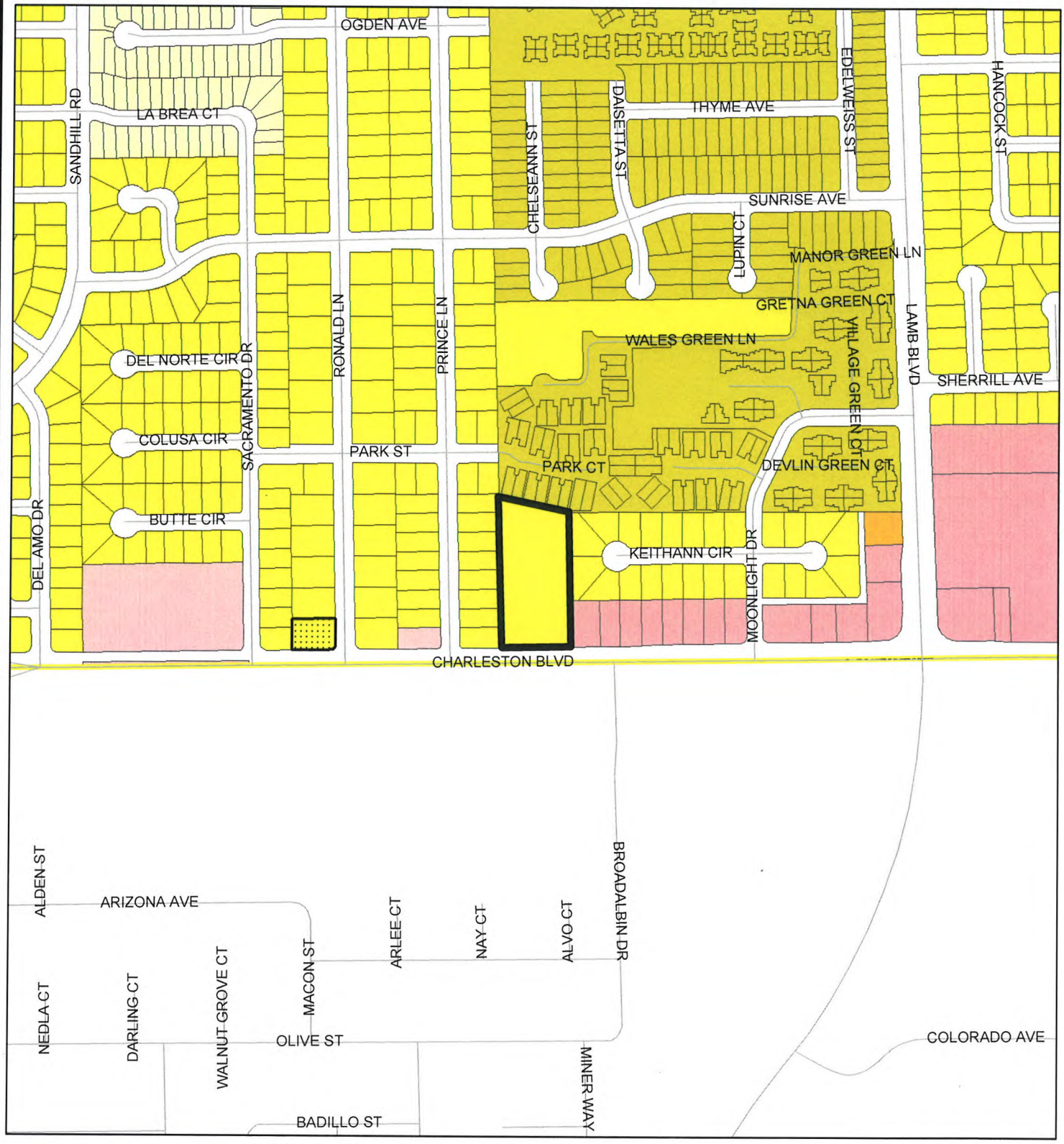
FOR DEPARTMENT USE ONLY

Case #	ZON-39754
Meeting Date:	11-18
Total Fee:	Ø
Date Received:*	10-4-10
Received By:	

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

REZONING Parcel: 140-31-802-001

ZONE- 39754



ZONING

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

FROM R-1 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

Printed: September 28, 2010

ZON-39754 - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY
4200 EAST CHARLESTON BOULEVARD

10/15/10

ZON-39754 - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY
4200 EAST CHARLESTON BOULEVARD

10/15/10

ZON-39754 - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY
4200 EAST CHARLESTON BOULEVARD

10/15/10

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

October 4, 2010

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

RE: Application ZON-39754
Assessors Parcel Number 140-31-802-001

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

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

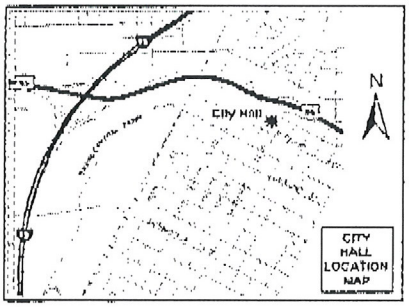
ZON-39754

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
02 1M $ 00.41⁴
0004279218 NOV 05 2010
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-39754
Planning Commission Meeting of 11/18/2010

Case: SUP-38574
13811407006
LIGHT RICKI S & RONNIE D
3265 SISK RD
LAS VEGAS NV 89108-4950

RECEIVED
NOV - 8 2010

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

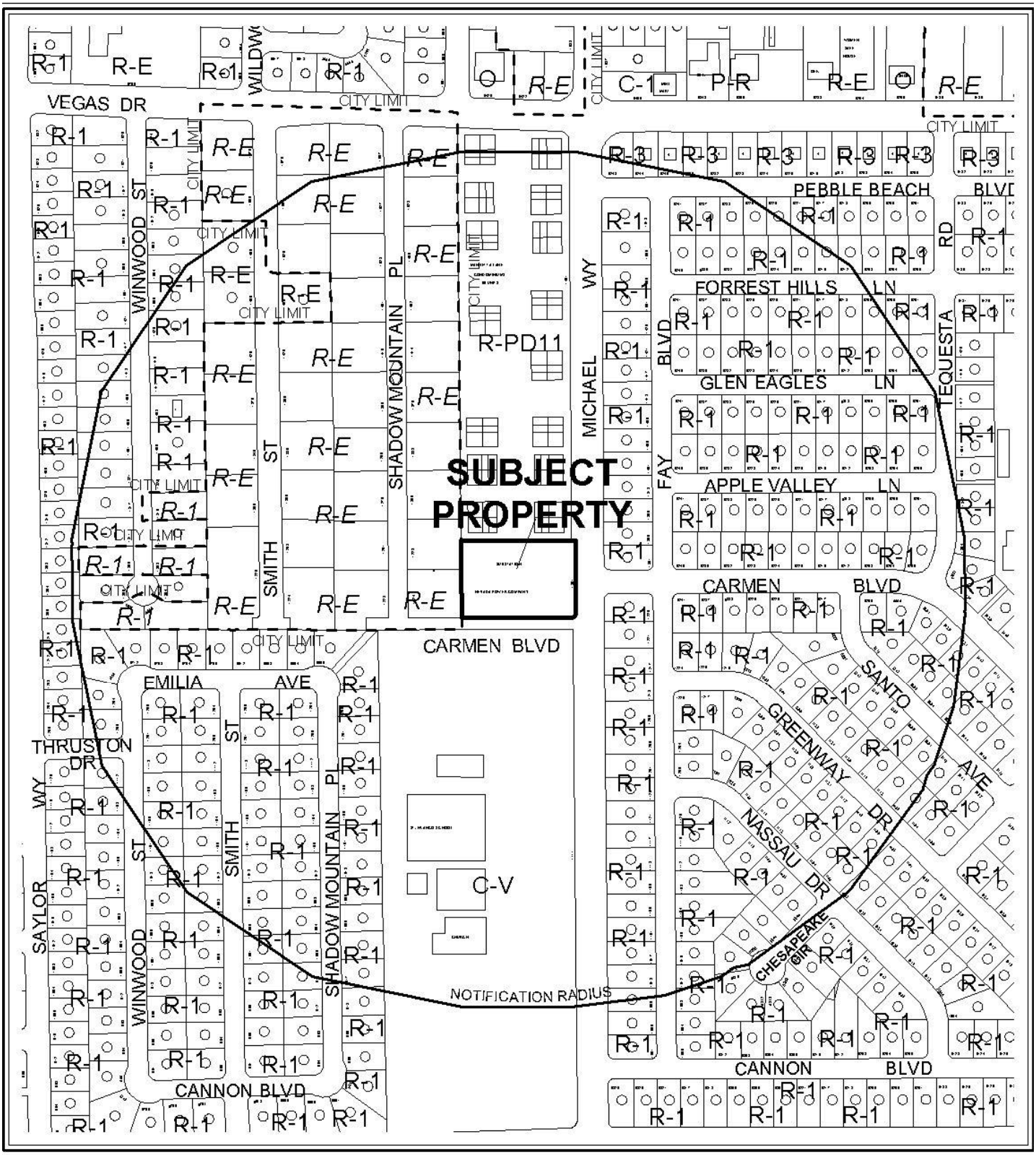
SUBJECT:
ZON-39757 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-V (CIVIC) on 1.35 acres at 1301 Michael Way (APN 138-25-105-002), Ward 5 (Barlow). Staff recommends APPROVAL.

C.C.: 12/15/2010

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

RECOMMENDATION:
Staff recommends APPROVAL.

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



CASE: **ZON-39757**

RADIUS: 1000 FT

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

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

0 300 600 Feet

CASE: **ZON-39757**

RADIUS: 1000 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 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-39757	Staff recommends APPROVAL.	

YK

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to rezone property at 1301 Michael Way from R-E (Residence Estates) to C-V (Civic), containing 1.35 acres. Currently, an Electric Utility Sub-Station is located on this lot. The lot is already designated for PF (Public Facilities) land uses by the General Plan. As the proposed zoning conforms to the General Plan and the existing use is compatible with the existing surrounding land uses, staff recommends approval. If denied, the lot will remain designated R-E (Residence Estates) and the zoning designation will remain inconsistent with the existing land use designation.

ISSUES

- The proposed zoning would allow for conformance with the existing General Plan land use designation for this lot.
- The existing use of the subject site as an Electric Utility Sub-Station is a permissible use in the C-V (Civic) zoning district, and is consistent with the existing General Plan designations. No changes to the site are proposed at this time.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/19/72	The City Council approved an Annexation (A-0001-72) of 10 acres on the southwest corner of Vegas Drive and Michael Way. The Planning Commission and Staff recommended approval.
03/21/73	The City Council denied a Rezoning (Z-0018-73) to rezone 10 acres on the southwest corner of Vegas Drive and Michael Way from R-E (Residence Estates) to C-1 (Limited Commercial). The Planning Commission and Staff recommended denial.
10/02/74	The City Council approved a Variance (V-0054-74) for the construction of a power sub-station at 1301 Michael Way. The Planning Commission and Staff recommended approval.
08/08/05	Planning & Development Staff Administratively approved a Site Development Plan Review (SDR-19892) for the addition of T-frame mounted antennas to an existing cell tower at 1301 Michael Way.
10/20/06	Planning & Development Staff Administratively approved a Site Development Plan Review (SDR-17536) for the addition of 12 antennas to an existing cell tower at 1301 Michael Way.

09/13/07	Planning & Development Staff Administratively denied a Site Development Plan Review (SDR-23626) to co-locate antennas to an existing cell tower at 1301 Michael Way.
12/05/07	The City Council denied a Special Use Permit (SUP-24800) to add three antennas on an existing 60-foot high non-stealth communications tower at 1301 Michael Way. The Planning Commission and Staff recommended denial.
04/23/09	Planning & Development Staff Administratively approved a Site Development Plan Review (SDR-33741) for the addition of four antennas to an existing cell tower at 1301 Michael Way.
07/23/09	Planning & Development Staff Administratively approved a Site Development Plan Review (SDR-34615) for the addition of three antennas and four microwave dishes to an existing cell tower at 1301 Michael Way.

Most Recent Change of Ownership	
10/18/74	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
12/20/05	A Building Permit (#10931) was issued for Power Plans at 1301 Michael Way. The permit was finalized on 02/17/06.
03/20/06	A Building Permit (#10007) was issued for Phone Work at 1301 Michael Way. The permit was finalized on 03/20/06.
04/11/06	A Building Permit (#12693) was issued for Revision to Power Plans at 1301 Michael Way. The permit was finalized on 04/25/06.
02/09/10	A Building Permit (#37369) was issued for Power Plan Emergency at 1301 Michael Way. The permit was finalized on 02/09/10.

Pre-Application Meeting	
09/30/10	The requirements for a rezoning application were reviewed with the applicant. No issues were identified.

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

Field Check	
10/15/10	Staff inspected the property and found it to be well maintained.

Details of Application Request	
Site Area	
Net Acres	1.35

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-E (Residence Estates)
North	Residential (Condominiums)	ML (Medium-Low Density Residential)	R-PD11 (Residential Planned Development) – 11 Units Per Acre)
South	School (Private)	PF (Public Facilities)	C-V (Civic)
East	Single Family Residential Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family Residential Detached	R-E (Rural Estates) - Clark County	Clark County

Special Purpose and Overlay Districts	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts			
A-O (Airport Overlay) 105 Feet	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

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

YK

FINDINGS (ZON-37854)

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

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

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

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

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

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

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

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

   Access to this site is provided from Michael Way, a fully improved 80-foot wide right-of-way and is capable of meeting the access requirements of the property.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 25

NOTICES MAILED 421

APPROVALS 0

PROTESTS 1

YK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-39757** APN: 138-25-105-002

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: _____

APPLICANT

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

Print Name: Andrew P. Reed

Subscribed and sworn before me

This 1ST day of OCTOBER, 2010

Nora Lares

Notary Public in and for said County and State

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

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Rezoning

Project Address (Location) 1301 MICHAEL WAY

Project Name _____ **Proposed Use** _____

Assessor's Parcel #(s) 138-25-105-002 **Ward #** 5

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

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

Gross Acres 1.35 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER NV Energy **Contact** Thomas Dombrowski

Address 6226 W. Sahara Avenue **Phone:** 402-2620 **Fax:** 402-5064

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

E-mail Address TDombrowski@nvenergy.com

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

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

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

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

APPLICANT

~~**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 1ST day of OCTOBER, 20 10.

Nora Lares

Notary Public in and for said County and State

Notary Public - State of Nevada
COUNTY OF CLARK
NORA LARES
No. 06-103908-1 My Appointment Expires Nov. 9, 2012

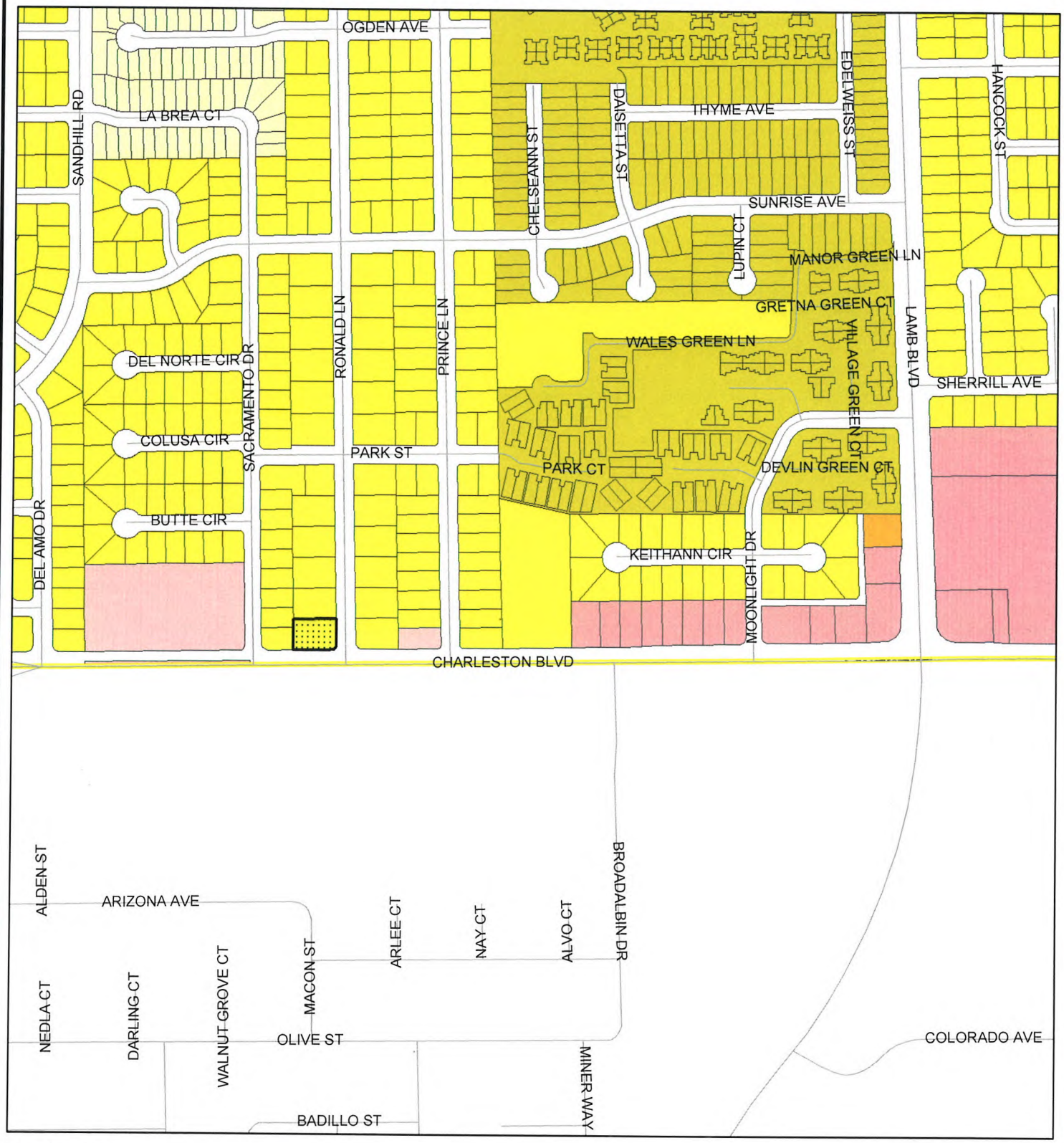
FOR DEPARTMENT USE ONLY

Case #	ZON-39757
Meeting Date:	11-18-10
Total Fee:	0
Date Received:*	10-4-10
Received By:	Andrew Reed

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

REZONING Parcel: 138-25-105-002

ZONE-39757



ZONING

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

FROM R-E 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

Printed: September 28, 2010

PLANNING & DEVELOPMENT

ZON-39757 - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY
1301 MICHAEL WAY

10/15/10

ZON-39757 - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY
1301 MICHAEL WAY

10/15/10

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

October 4, 2010

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

RE: Application ZON-39757
Assessors Parcel Number 138-25-105-002

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

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-39757

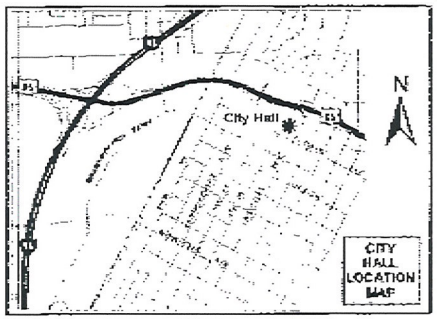
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41[4]
0004279216 NOV 05 2010
MAILED FROM ZIPCODE 89101

Return Service Requested

Official Notice of Public Hearing



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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-39757

Planning Commission Meeting of 11/18/2010

Case: ZON-39757

13825216037
CARTER ALICE MASSEY TRUST
916 SHADOW MOUNTAIN PL
LAS VEGAS NV 89108-1530

RECEIVED
NOV – 8 2010

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

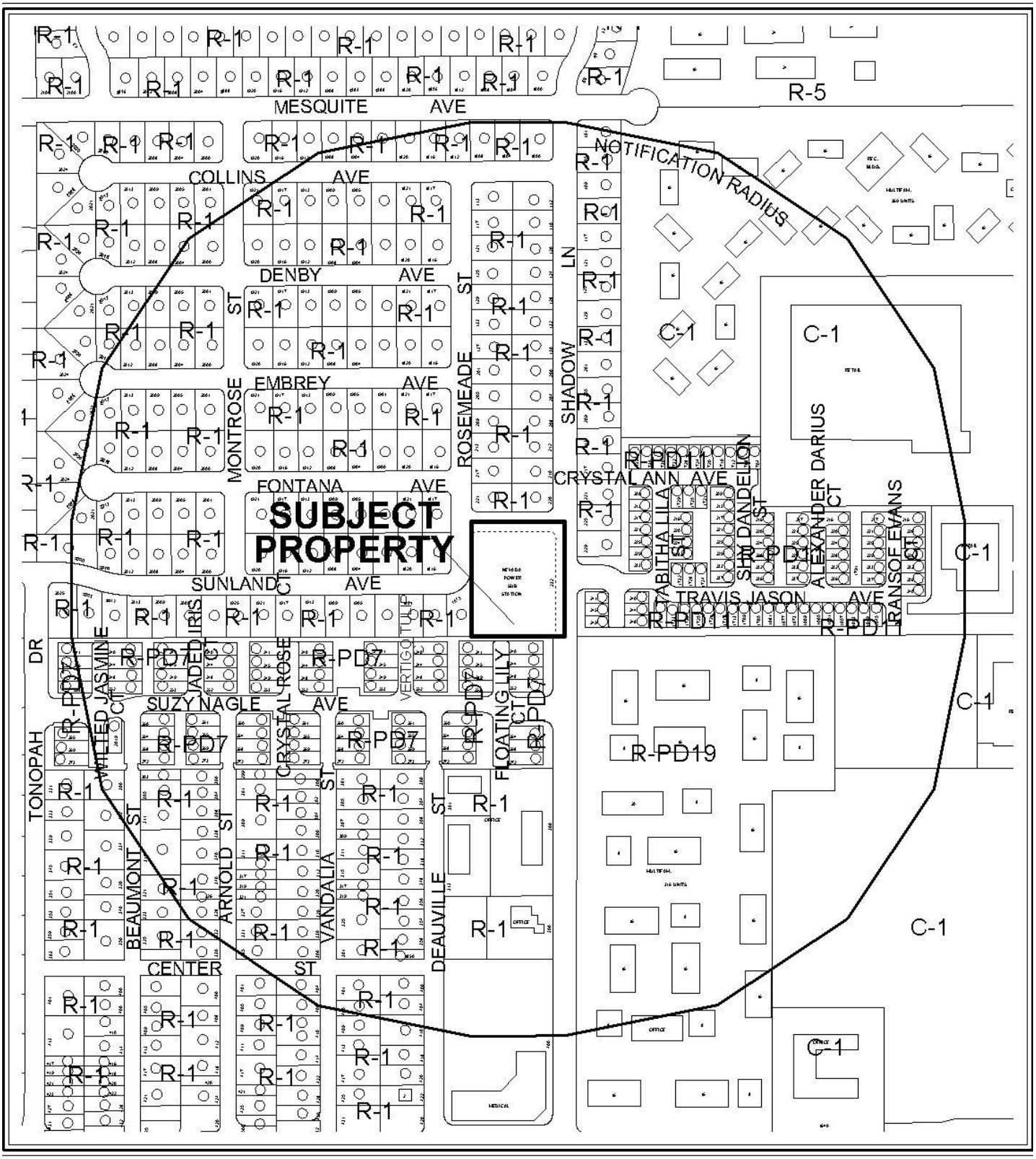
SUBJECT:
ZON-39769 - REZONING - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-V (CIVIC) on 1.55 acres at 232 Shadow Lane (APN 139-33-101-001), Ward 5 (Barlow). Staff recommends APPROVAL.

C.C.: 12/15/2010

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

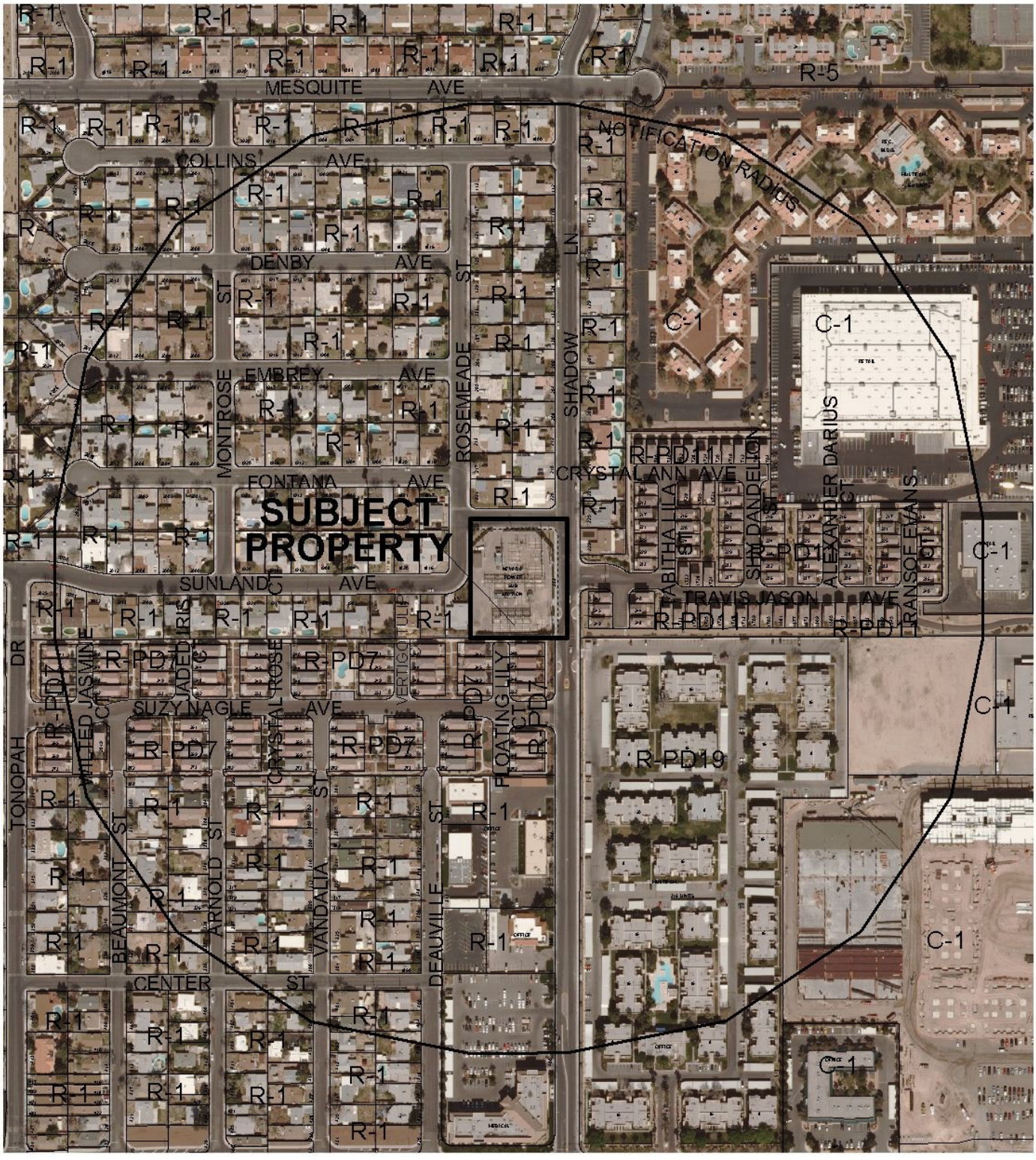


CASE: **ZON-39769**

RADIUS: 1000 FT

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

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



0 300 600 Feet

CASE: **ZON-39769**

RADIUS: 1000 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 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-39769	Staff recommends APPROVAL.	

YK

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to rezone property at 232 Shadow Lane from R-1 (Single Family Residential) to C-V (Civic), containing 1.55 acres. Currently, a NV Energy Electric Utility Substation use is located on this lot. The lot is already designated for PF (Public Facilities) land uses by the General Plan. As the proposed zoning conforms to the General Plan and the existing use is compatible with the existing surrounding land uses, staff recommends approval. If denied, the lot will remain designated R-1 (Single Family Residential) and the zoning designation will remain inconsistent with the existing land use designation.

ISSUES

- The proposed zoning would allow for conformance with the existing General Plan land use designation for this lot.
- The existing use of the subject site as an Electric Utility Substation is a permissible use in the C-V (Civic) zoning district, and is consistent with the existing General Plan designations. No changes to the site are proposed at this time.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc
No record of zoning actions on file.

Most Recent Change of Ownership	
06/10/64	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
09/26/05	A Building Permit (#9500) was issued for a Re-conductor Project at 232 Shadow Lane. The permit was finalized on 10/12/05.
10/19/05	A Building Permit (#9943) was issued to install cables at 232 Shadow Lane. The permit was finalized on 12/07/05.
04/07/10	A Building Permit (#37876) was issued to install cables at 232 Shadow Lane. The permit was finalized on 10/12/05.

Pre-Application Meeting	
09/30/10	The requirements for a rezoning application were reviewed with the applicant. No issues were identified.

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

Field Check	
10/15/10	Staff inspected the property and found it to be well maintained.

Details of Application Request	
Site Area	
Net Acres	1.55

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-1 (Single Family Residential)
North	Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Residential	ML(Medium-Low Density Residential)	R-PD7 (Residential Planned Development – 7 Units per Acre)
East	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
		ML (Medium-Low Density Residential)	R-PD11 (Residential Planned Development – 11 Units per Acre)
West	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) 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

YK

ANALYSIS

If approved, this request would rezone the subject site from R-1 (Single Family Residential) to C-V (Civic). Such action would conform to the existing PF (Public Facility) General Plan land use designation on this lot. The C-V (Civic) zoning district is intended to provide for existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, and other public utility facilities. Rezoning of this lot is appropriate, as the proposed C-V (Civic) zoning district is consistent with the existing PF (Public Facilities) General Plan designation, the Electric Utility Substation use is a permissible use in the C-V (Civic) zoning district, and the zoning is compatible with the surrounding adjacent land uses. Staff therefore recommends approval.

FINDINGS (ZON-37854)

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

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

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

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

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

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

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

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

   Access to this site is provided from Shadow Lane, a fully improved 60-foot wide right-of-way and is capable of meeting the access requirements of the property.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 321

APPROVALS 0

PROTESTS 0

YK

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-39769 APN: 139-33-101-001

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~~ APPLICANT: Andrew P Reed

Print Name: Andrew P. Reed

Subscribed and sworn before me

This 1ST day of OCTOBER, 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, 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Rezoning

Project Address (Location) 232 SHADOW LANE

Project Name _____ **Proposed Use** _____

Assessor's Parcel #(s) 139-33-101-001 **Ward #** 5

General Plan: existing PF proposed N/A **Zoning:** existing R-1 proposed C-V

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

Gross Acres 1.55 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER NV Energy **Contact** Thomas Dombrowski

Address 6226 W. Sahara Avenue **Phone:** 402-2620 **Fax:** 402-5064

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

E-mail Address TDombrowski@nvenergy.com

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

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

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

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

APPLICANT

~~**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 1ST day of OCTOBER, 2010.

Nora Lares

Notary Public in and for said County and State

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

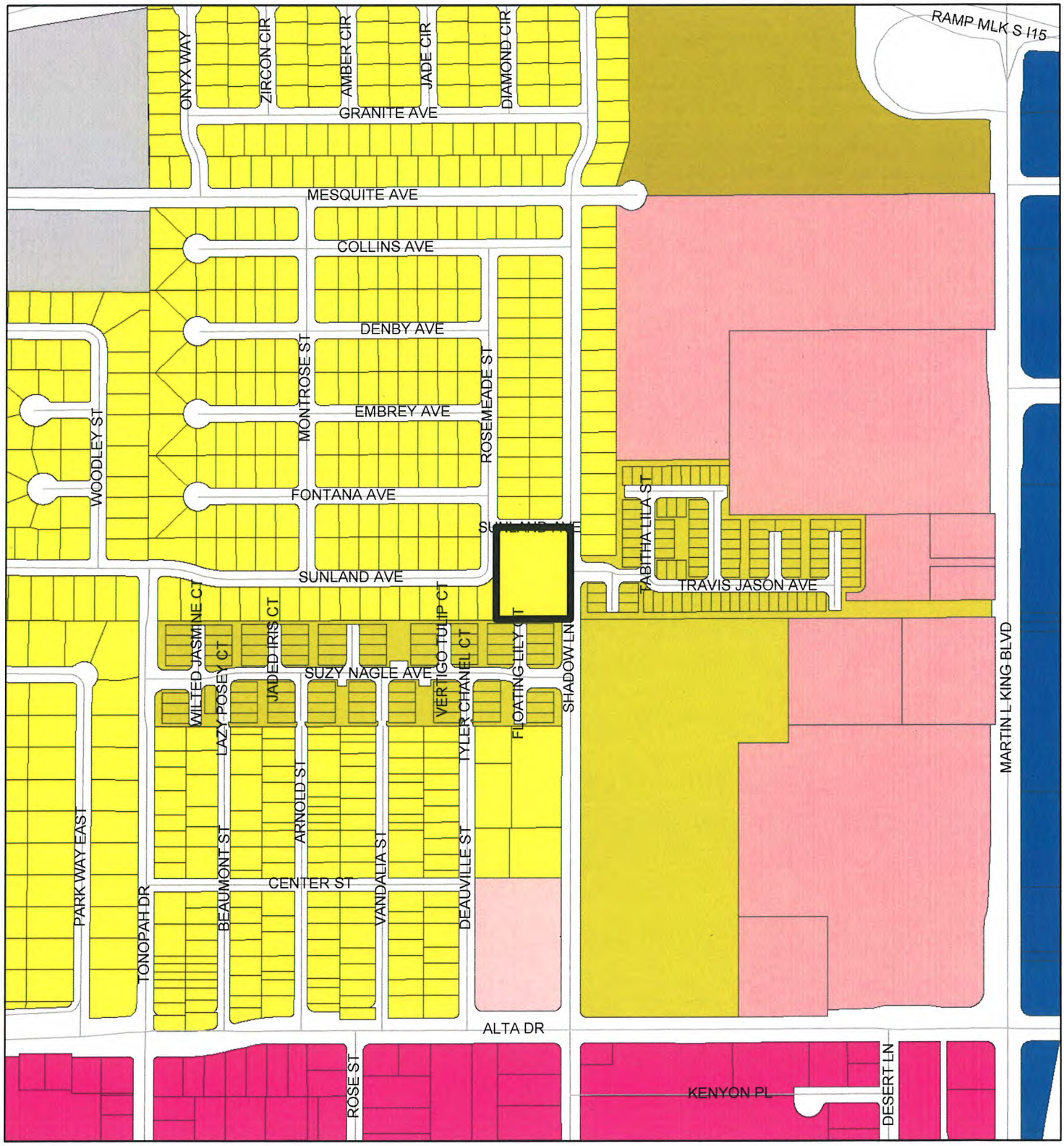
FOR DEPARTMENT USE ONLY

Case #	ZON-39769
Meeting Date:	11-18-10
Total Fee:	0
Date Received:*	10-4-10
Received By:	

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

REZONING Parcel: 139-33-101-001

ZONE-39769



ZONING

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

FROM R-1 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

Printed: September 28, 2010

PLANNING & DEVELOPMENT

ZON-39769 - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY
232 SHADOW LANE

10/15/10

ZON-39769 - APPLICANT: CITY OF LAS VEGAS - OWNER: NV ENERGY
232 SHADOW LANE

10/15/10

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
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Voice: 702-229-6301
Fax: 702-474-0352
TTY 702-386-9108
www.lasvegasnevada.gov

October 4, 2010

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

RE: Application ZON-39769
Assessors Parcel Number 139-33-101-001

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

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-39769

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

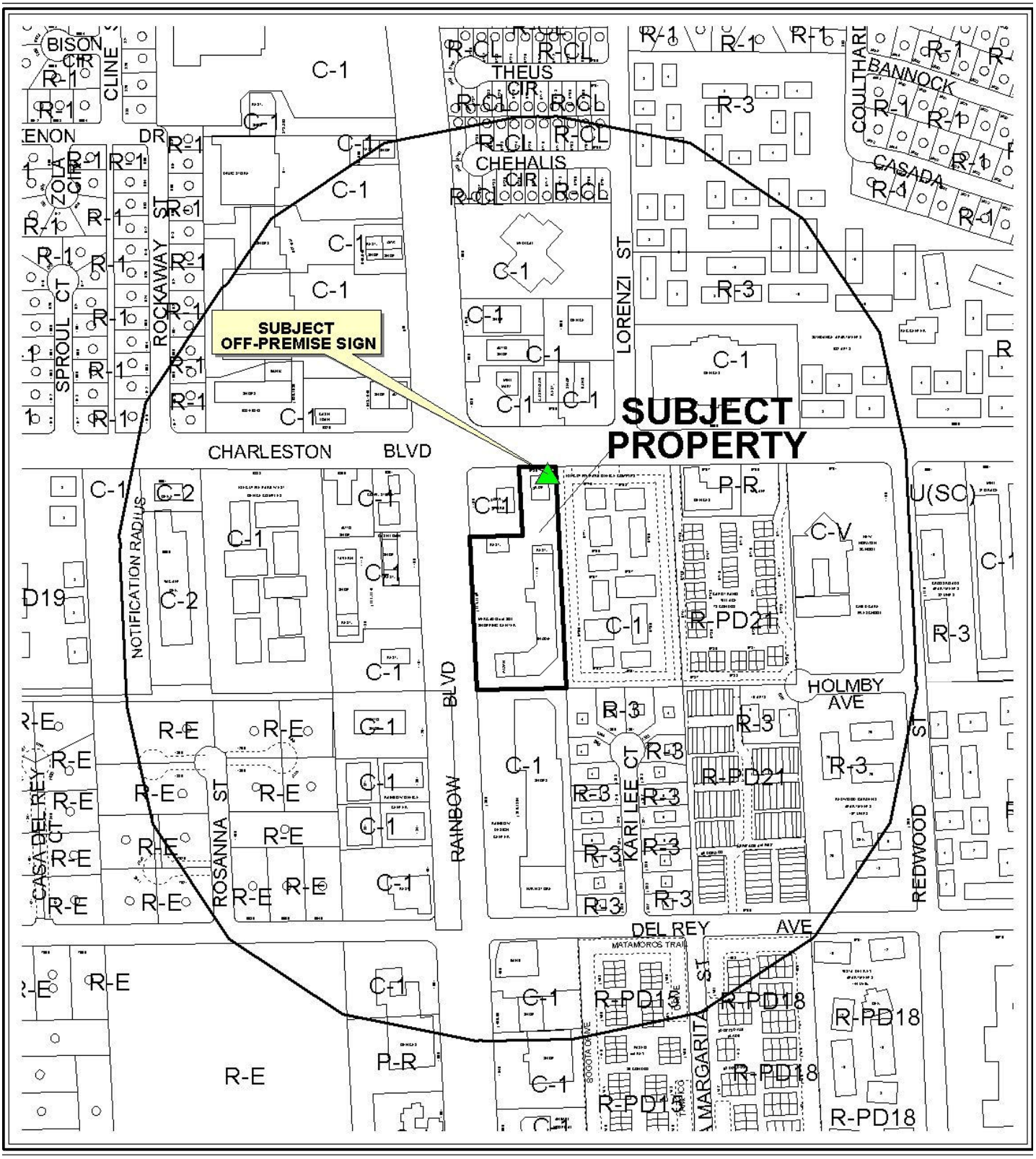
SUBJECT:
RQR-39371 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: COG III, LTD - Required Review of a previously approved Special Use Permit (SUP-2758) FOR A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 1110 South Rainbow Boulevard (APN 163-02-101-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 12/15/10 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 SUP-2758
6. City Council Approval Letter for RQR-18686



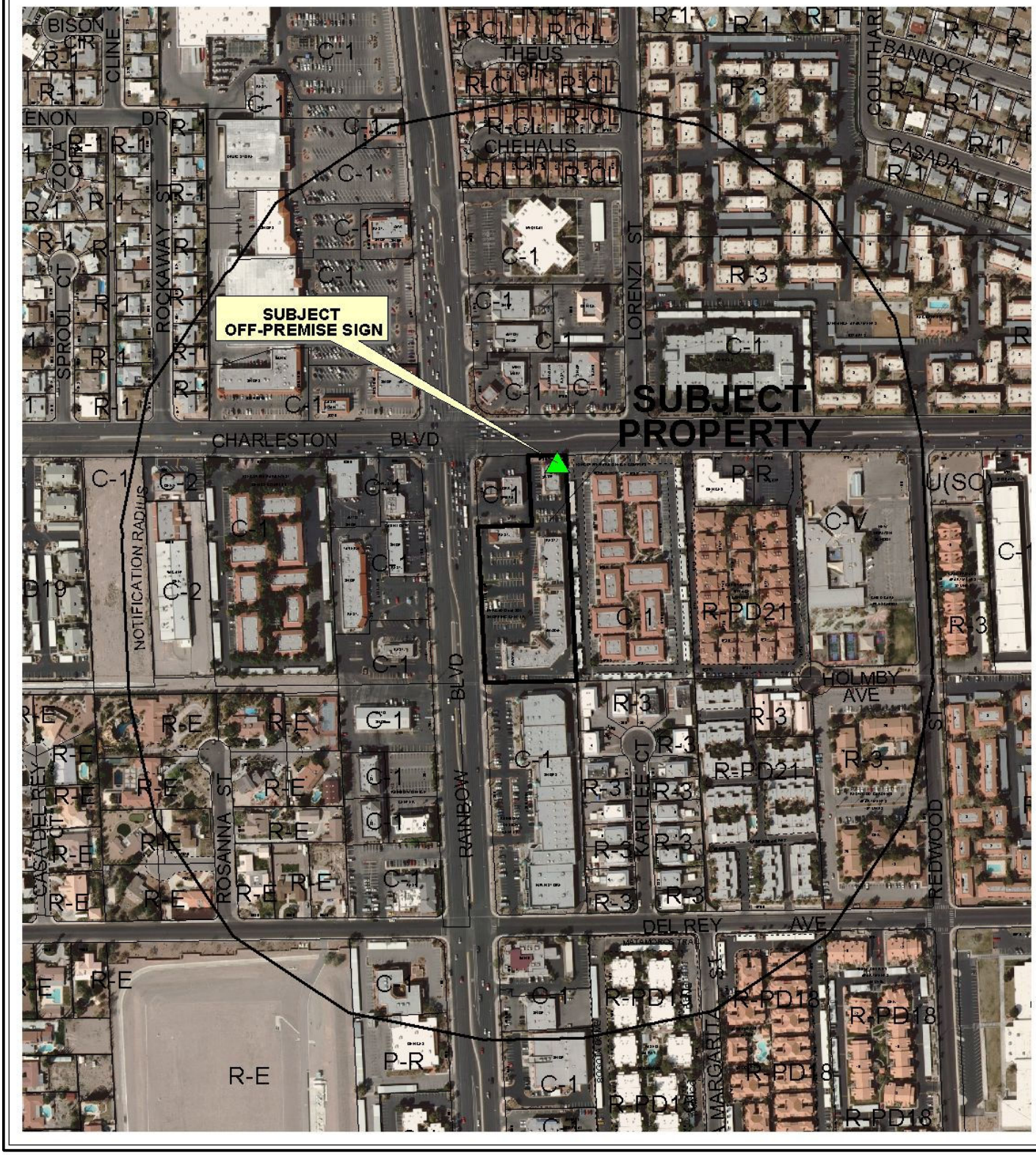
0 300 600 Feet

CASE: **RQR-39371**

RADIUS: 1000 FT

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

N

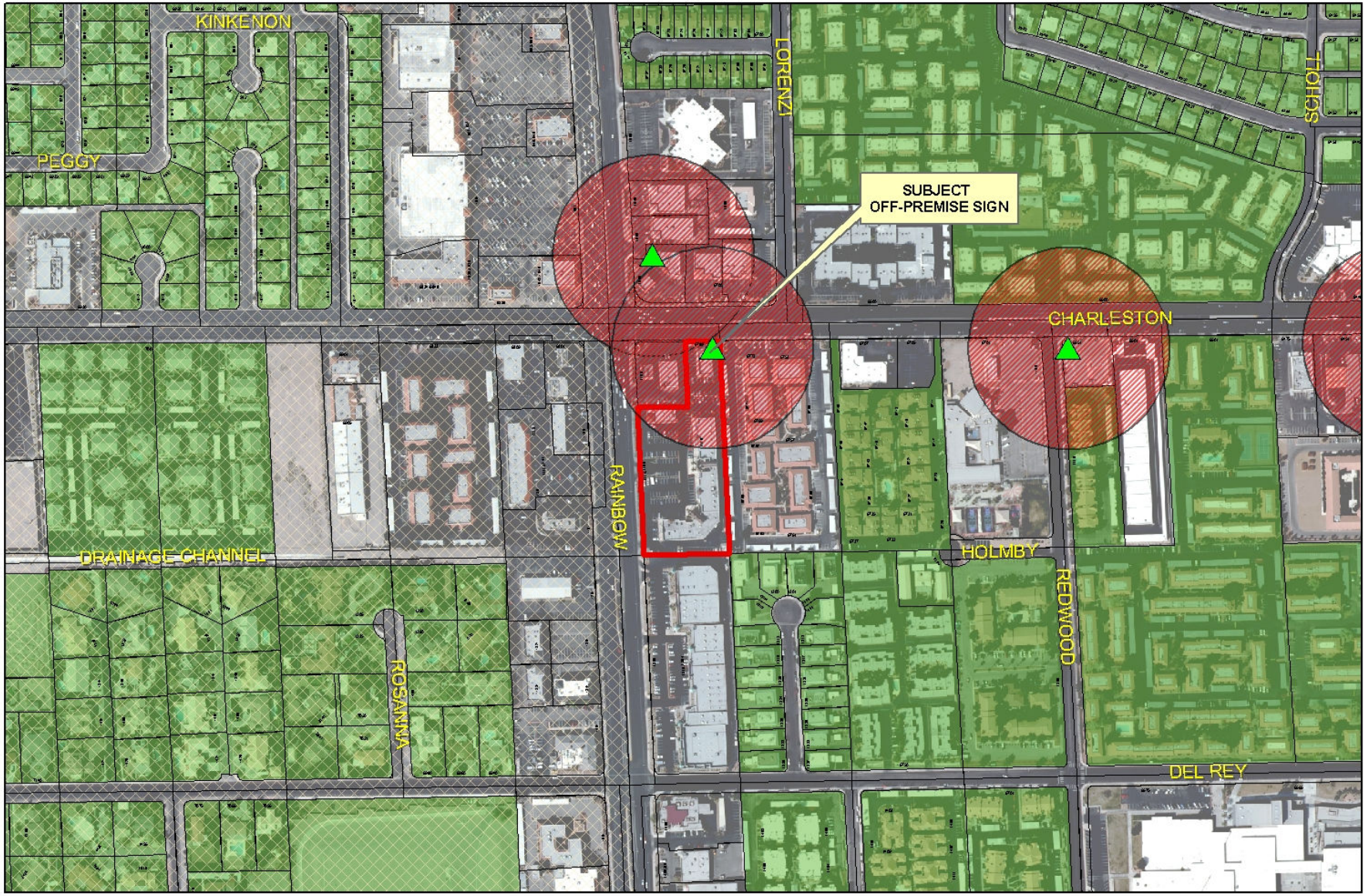


CASE: **RQR-39371**

RADIUS: 1000 FT

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

0 300 600 Feet



RQR-39371

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: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: COG III, LTD

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
RQR-39371	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

RQR-39371 CONDITIONS

Planning and Development

1. This Special Use Permit (SUP-2758) 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 (SUP-2857) 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 Page One
November 18, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Required Review of an approved Special Use Permit (SUP-2758), which allowed a 40-foot high, 14-foot x 48-foot Off-Premise Sign at 1110 South Rainbow Boulevard. The sign is in conformance with all previous conditions of approval, has been permitted and received a final inspection, and the surrounding area has not changed in character since the previous review. Staff recommends approval of this review, subject to conditions, with a required review in three years. If denied, the Off-Premise Sign would be required to be removed.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/01/03	The City Council granted the appeal of the denial of the Planning Commission of a Special Use Permit (SUP-2758) for a proposed 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 1110 South Rainbow Boulevard, subject to review in two years. Staff recommended approval.
12/07/05	The City Council approved a Required Two year Review (RQR-8789) an approved Special Use Permit (SUP-2758), which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 1110 South Rainbow Boulevard. The Planning Commission recommended approval. Staff recommended denial.
12/16/05	The City Council denied the appeal of the denial of the Planning Commission of a Special Use Permit (SUP-2848) for a proposed 40-foot tall, 14-foot by 48-foot Off-Premise Sign on the subject property. Staff recommended denial. The off-premise sign was to face Rainbow Boulevard.
08/02/06	A Special Use Permit (SUP-13381) for a proposed 40-foot, 14-foot x 48-foot Off-Premise Sign at 1110 South Rainbow Boulevard was withdrawn without prejudice.
06/06/07	The City Council approved a Required One year Review (RQR-18626) of an approved Special Use Permit (SUP-2758), which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 1110 South Rainbow Boulevard. The Planning Commission recommended approval. Staff recommended denial.

Most Recent Change of Ownership	
04/19/99	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
12/05/03	A building permit (03025821) was issued for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 6785 West Charleston Boulevard. The Off-Premise Sign was assigned Tag # 07316. The permit has not been finaled.
10/25/10	A building permit (174818) was issued for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 6785 West Charleston Boulevard. The permit was finaled on 10/27/10.

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	
10/15/10	During a site visit, staff noted an Off-Premise Sign to be graffiti free with a small amount of bird droppings.

Details of Application Request	
Site Area	
Net Acres	3.03

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Office Park	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts		X	N/A
Trails		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	Located south of the Charleston Boulevard right-of-way. 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 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 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.	Each face is 672 square feet. The sign contains no embellishments.	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 from view; in addition, the support pole is covered to match the on-premises building design	Y
Off-Premise Sign	At least 300 feet to another Off Premise Sign	330 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.	350 feet from "R" zoned property to the east.	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; located on strictly commercial property	Y

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

ANALYSIS

This is the third required review for an Off-Premise Sign located at 1110 South Rainbow Boulevard. The sign is in compliance with the original conditions of approval as required by Special Use Permit (SUP-2758) that was approved by the City Council on October 1, 2003.

The Off-Premise Sign was originally addressed at 1110 South Rainbow Boulevard from the Special Use Permit (SUP-2758) and all subsequent required reviews. A building permit (03025821) was issued for the 40-foot tall, 14-foot by 48-foot Off-Premise Sign with the address of 6785 West Charleston Boulevard, but no final inspection was obtained. A building permit (174818) was issued on 10/25/10 for the 40-foot tall, 14-foot by 48-foot Off-Premise Sign and finaled on 10/27/10. The subject Off-Premise Sign shall have the permanent address as 6785 West Charleston Boulevard for all future reviews.

The continued use of the Off-Premise Sign on the subject site is appropriate, in that the vicinity has not changed in land use or character since the last required review and the continuation of the use will be in compliance with the original conditions of approval. In the event that the conditions of the surrounding area change in land use or character such that the Off-Premise Sign no longer meets the required standards, then 19.14.100 allows for the removal of a noncompliant Off-Premise Sign.

FINDINGS

A site inspection was conducted on October 15, 2010, and photos were taken of the Off-Premise Sign. The inspection revealed the sign is in good physical condition and free of graffiti. Staff recommends approval of this review, with conditions. This Off-Premise Sign use will be subject to review in three years.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 435

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-39371** APN: 163-02-101-002

Name of Property Owner: COG III, LTD

Name of Applicant: Reagan National Advertising

Name of Representative: Daniel (Dewey) Reagan

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: Charles Grigsby

Print Name: Charles Grigsby

Subscribed and sworn before me

This 30 day of Sept, 2010

Kathleen Landers

Notary Public in and for said County and State

State of Florida, County of: Palm Beach

KATHLEEN LANDERS
Notary Public - State of Florida
My Comm. Expires May 19, 2013
Commission # DD 890929
Bonded Through National Notary Assn.

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Off Premise Sign

Project Address (Location) 1110 South Rainbow Blvd.

Project Name _____ **Proposed Use** Off Premise sign

Assessor's Parcel #(s) 163-02-101-002 **Ward #** 1

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

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

Gross Acres 3.02 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER COG III LTD **Contact** Charles Grigsby

Address 7287 Green Mountain Court **Phone:** (702) 233-3418 **Fax:** _____

City Las Vegas **State** Nevada **Zip** 89135

E-mail Address _____

APPLICANT Reagan National Advertising **Contact** Dewey Reagan

Address 1775 North Warm Springs Road **Phone:** (801) 521-1775 **Fax:** (801) 521-9741

City Salt Lake City **State** Utah **Zip** 84116

E-mail Address _____

REPRESENTATIVE Jay Brown **Contact** Jay Brown

Address 520 South 4th Street **Phone:** (702) 384-5563 **Fax:** (702) 385-1023

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

E-mail Address _____

Property Owner Signature* Charles Grigsby

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

Print Name Charles Grigsby

Subscribed and sworn before me

This 30th day of Oct., 20 10.

Kathleen Landers

State of: Florida County of: Palm Beach

Notary Public in and for said County and State

KATHLEEN LANDERS
Notary Public - State of Florida
My Comm. Expires May 19, 2013
Commission # DD 890929
Bonded Through National Notary Assn.

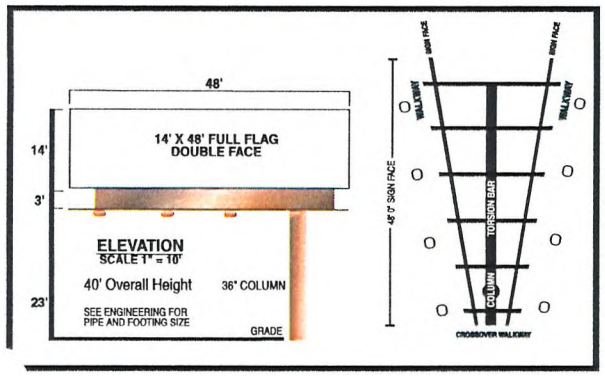
FOR DEPARTMENT USE ONLY

Case #	RQR-39371
Meeting Date:	11/18/10
Total Fee:	800.00
Date Received:*	10/04/10
Received By:	

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

Revised 10/27/08

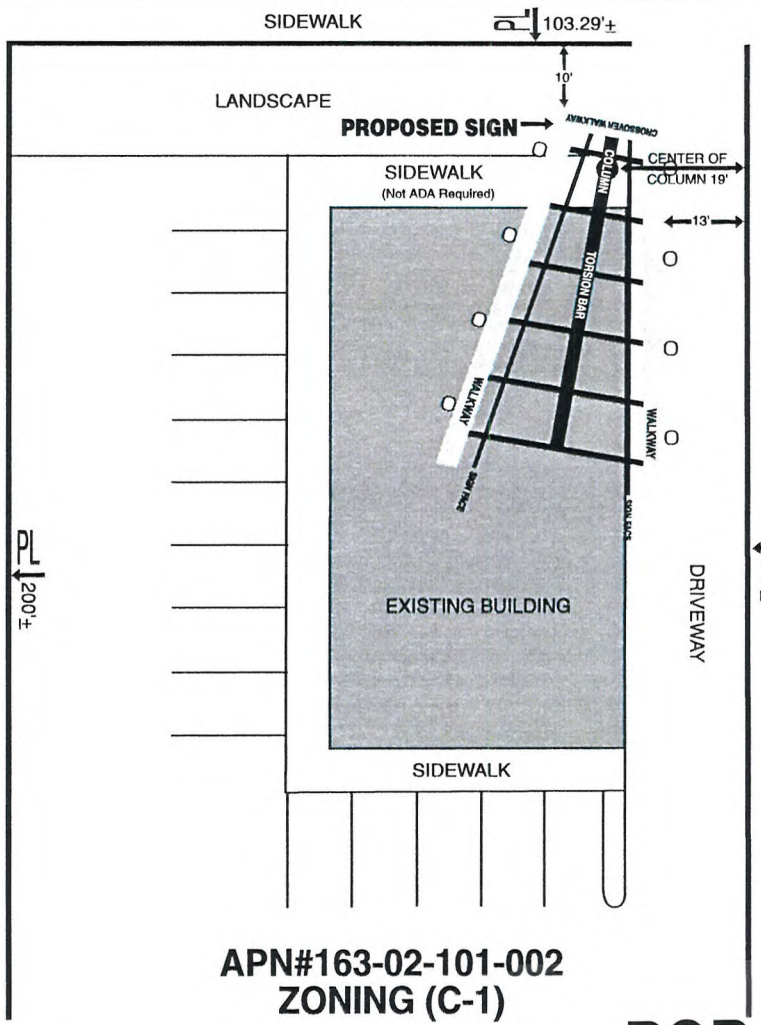
f:\depot\Application Packet\Application Form.pdf



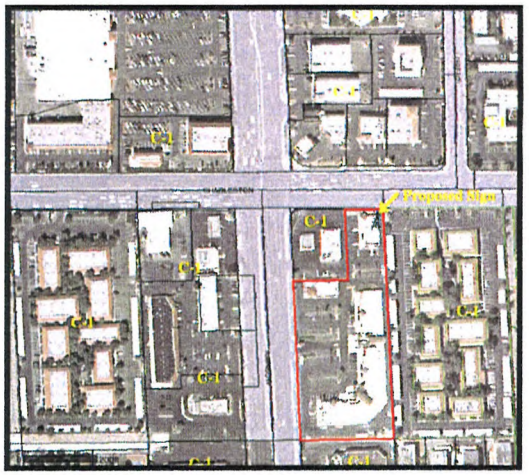
TOP VIEW

SCALE 1" =7.5'

CHARLESTON BLVD.



APN#163-02-101-002
ZONING (C-1)



GENERAL NOTES

1. Not within 300 Feet of another off premise sign.
2. Not within 300 feet of residential use.
3. No parking spaces will be taken for this location.

Reagan Outdoor Advertising

1775 N. Warm Springs Rd. Salt Lake City, UT 84116 · 801.521.1775

OWNER: GOG III LTD		
SCALE: NOTED	APPROVED BY:	DRAWN BY: MELANIE PULS
DATE: 6-4-03		REVISED:
LOCATION: 1110 S. RAINBOW BLVD.		
APN# 163-02-101-002		DRAWING #:

RQR-39371

RECEIVED
AUG 30 2010

RQR-39371 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: COG III, LTD
1110 SOUTH RAINBOW BOULEVARD

10/15/10

RQR-39371 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: COG III, LTD
1110 SOUTH RAINBOW BOULEVARD

10/15/10

RQR-39371 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: COG III, LTD
1110 SOUTH RAINBOW BOULEVARD

10/15/10

RQR-39371 - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: COG III, LTD
1110 SOUTH RAINBOW BOULEVARD

10/15/10

MAYOR
OSCAR B. GOODMAN

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

CITY MANAGER
DOUGLAS A. SELBY

October 2, 2003

Mr. Charles Grigbsy
COG III, Limited
2287 Green Mountain Court
Las Vegas, Nevada 89135

RE: SUP-2758 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF OCTOBER 1, 2003

Dear Mr. Grigbsy:

The City Council at a regular meeting held October 1, 2003 considered the Appeal filed by Singer & Brown from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1110 South Rainbow Boulevard (APN: 163-02-101-002), C-1 (Limited Commercial) Zone.

The City Council granted the Appeal; thereby APPROVING the Special Use Permit. The Notice of Final Action was filed with the Las Vegas City Clerk on October 2, 2003. This approval is subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two (2) 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 be removed.

2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.

3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained 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 off-premise advertising (billboard) sign support pole shall be redesigned to include finish materials to complement the existing on-site building.

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

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

68112-012-6/03

RQR-39371

5. Only one advertising sign is permitted per sign face.

6. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

7. If the 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 of the Las Vegas Municipal Code 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.

8. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

9. Signs shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

Sincerely,

Diana Davis

Diana Davis
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

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

Mr. Andy Bilanzich
Reagan National Advertising
3851 Pennwood Avenue, Suite #B-1
Las Vegas, Nevada 89102

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

July 18, 2007

Mr. Andy Bilanzich
COG III, Limited
1775 North Warm Springs Road
Salt Lake City, Utah 84116

RE: RQR-18626 – REQUIRED REVIEW
CITY COUNCIL MEETING OF JUNE 6, 2007

Dear Mr. Bilanzich:

The City Council at a regular meeting held June 6, 2007 APPROVED the Required One Year Review of an approved Special Use Permit (SUP-2758) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1110 South Rainbow Boulevard (APN 163-02-101-002), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on June 7, 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. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.

RQR-39371

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

7. There shall be no video or digital display.

Sincerely,

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

M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Andy Bilanzich
Reagan National Advertising
1775 North Warm Springs Road
Las Vegas, Nevada 89116

RQR-39371

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

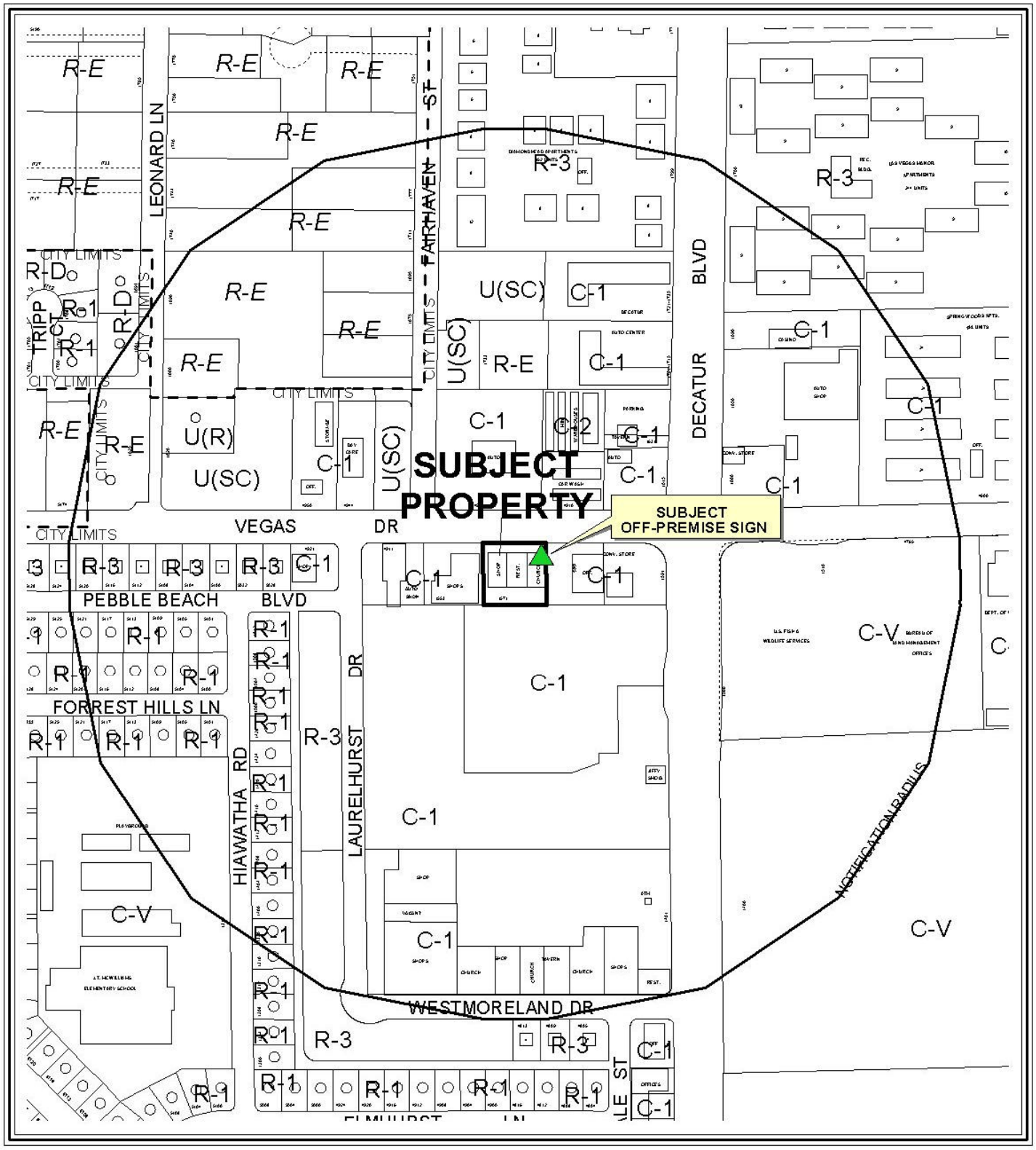
SUBJECT:
RQR-39499 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: FONG IMPERIAL PLAZA, LIMITED PARTNERSHIP - Required Review of a previously approved Special Use Permit (SUP-3061) FOR A 40-FOOT TALL, 12-FOOT X 24-FOOT OFF-PREMISE SIGN at 1571 North Decatur Boulevard (APN 138-25-503-003), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 12/15/10 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 SUP-3061
6. Justification Letter



CASE: **RQR-39499**

RADIUS: 1000 FT

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

0 300 600 900 Feet

N

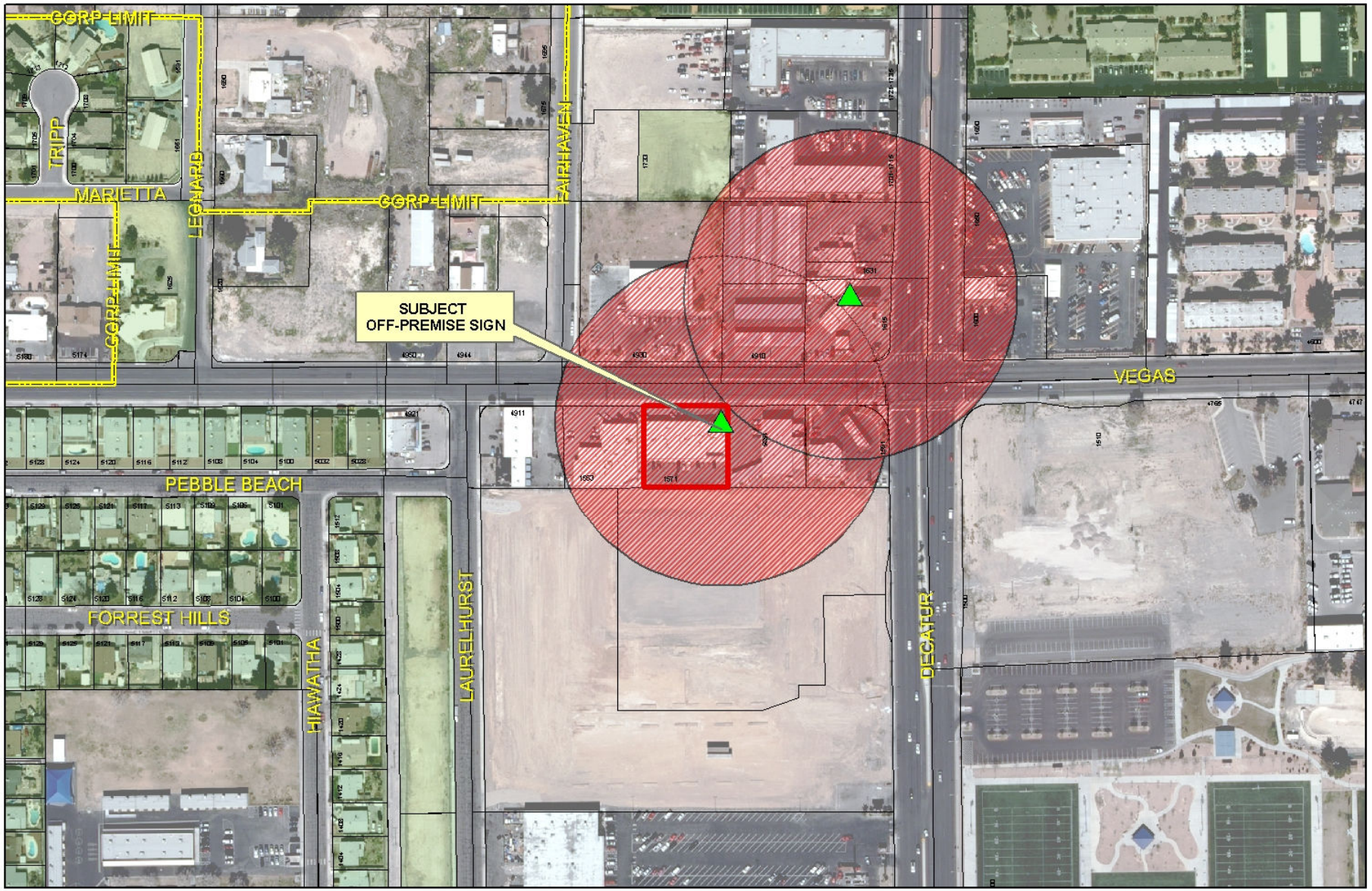
CASE: **RQR-39499**

RADIUS: 1000 FT

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

0 300 600 900 Feet

N



RQR-39499

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: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: LAS VEGAS BILLBOARDS - OWNER: FONG IMPERIAL PLAZA, LIMITED PARTNERSHIP

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
RQR-39499	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

RQR-39499 CONDITIONS

Planning and Development

1. This Special Use Permit (SUP-3061) 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 (SUP-3061) 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 application is a Required Review of an Approved Special Use Permit (SUP-3061) which allowed a 40-foot high, 12-foot x 24-foot Off-Premise Sign at 1571 North Decatur Boulevard. The sign is in conformance with all previous conditions of approval, has been permitted and received a final inspection, and the surrounding area has not changed in character since the previous review. Staff recommends approval of this review, subject to conditions, with a required review in three years. If denied, the Off-Premise Sign would be required to be removed.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/24/61	The Board of City Commissioners approved a request for Rezoning (Z-0018-61) generally located on the southwest corner of Decatur and Vegas Drive, from R-1 (Single Family Residential), to R-4 (High Density Residential) and C-1 (Limited Commercial).
12/03/03	The City Council approved an appeal of the Planning Commissions denial of a Special Use Permit (SUP-3061) for a proposed 40-foot tall, 12-foot by 24-foot Off-Premise Sign at 1571 North Decatur Boulevard. The Planning and Development staff recommended approval.
04/05/06	The City Council approved a Required Two-Year Review (RQR-11336) of an approved Special Use Permit (SUP-3061) for a 40-foot tall, 12-foot by 24-foot Off-Premise Sign at 1571 North Decatur Boulevard. The Planning Commission and staff recommended approval.
11/21/07	The City Council approved a Required Two-Year Review (RQR-24404) of an approved Special Use Permit (SUP-3061) for a 40-foot tall, 12-foot by 24-foot Off-Premise Sign at 1571 North Decatur Boulevard. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
03/22/07	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/30/04	A building permit (#4019437) was issued for the Off-Premise Sign at 1571 North Decatur Boulevard. The applicant renewed the permit on 10/06/05 and again on 08/09/06. The permit was finaled on 08/28/06.

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	
10/15/10	During a site visit, staff noted an Off-Premise Sign that was clean and graffiti free.

Details of Application Request	
Site Area	
Net Acres	.52

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Retail, Restaurant and Church	SC (Service Commercial)	C-1 (Limited Commercial)
North	Retail	SC (Service Commercial)	C-1 (Limited Commercial)
South	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
East	Office	SC (Service Commercial)	C-1 (Limited Commercial)
West	Retail and Auto Repair, Minor	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 (105 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

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	Located south of the Charleston Boulevard right-of-way. 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 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 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.	Each face is 288 square feet. The sign contains no embellishments.	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 from view; in addition, the support pole is covered to match the on-premises building design	Y
Off-Premise Sign	At least 300 feet to another Off Premise Sign	330 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.	405 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; located on strictly commercial property	Y

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

ANALYSIS

This is the third required review for an Off-Premise Sign located at 1571 North Decatur Boulevard. The sign is in compliance with the original conditions of approval as required by Special Use Permit (SUP-3061) that was approved by the City Council on December 3, 2003. The Off-Premise Sign meets the minimum 300-foot distance separation requirement from another Off-Premise Sign and residentially zoned properties. The Off-Premise Sign is located in the A-O (Airport Overlay) District and meets the height restriction of 105 feet. The Off-Premise Sign is also located in the Las Vegas Redevelopment Plan Area; the existing sign does not impact the Las Vegas Redevelopment Plan Area. There is an existing on street bike lane located along the northern property line, the existing sign does not impact the on street bike lane.

The continued use of the Off-Premise Sign on the subject site is appropriate, in that the vicinity has not changed in land use or character since the last required review and the continuation of the use will be in compliance with the original conditions of approval. In the event that the conditions of the surrounding area change in land use or character such that the Off-Premise Sign no longer meets the required standards, then 19.14.100 allows for the removal of a noncompliant Off-Premise Sign.

FINDINGS

A site inspection was conducted on October 15, 2010, and photos were taken of the Off-Premise Sign. The inspection revealed the sign is in good physical condition and free of graffiti. Staff recommends approval of this review, with conditions. This Off-Premise Sign use will be subject to review in three years.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 85

APPROVALS 0

PROTESTS 0

JG

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-39499 APN: 138-25-503-003

Name of Property Owner: Fong Imperial Plaza Limited Partnership

Name of Applicant: Las Vegas Billboards

Name of Representative: Mr. Chad Harris

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: _____

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Signature of Property Owner: Kenneth W Fong

Print Name: Kenneth W. Fong
General Partner

Subscribed and sworn before me

This 13th day of August, 2010

Laura Moreno

Notary Public in and for said County and State of CLARK NEVADA

LAURA MORENO
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 01-15-13
Certificate No: 03-80323-1

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Las Vegas Billboards

Project Address (Location) 1571 N. Decatur Boulevard, Las Vegas, NV

Project Name _____ **Proposed Use** Billboard

Assessor's Parcel #(s) 138-25-503-003 **Ward #** Ricki Barlow 5

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

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

Gross Acres .52 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Fong Imperial Plaza Limited Partnership **Contact** Mr. Ken Fong

Address 1553 N. Decatur Blvd. Las Vegas, NV **Phone:** 203-6170 **Fax:** 646-4277

City Las Vegas **State** NV **Zip** 89108

E-mail Address kennethfong2003@yahoo.com

APPLICANT Las Vegas Billboards **Contact** Mr. Chad Harris

Address 5665 S. Valley View Blvd. **Phone:** 837-7822 **Fax:** 837-7821

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

E-mail Address _____

REPRESENTATIVE Greater Nevada Planning **Contact** Mr. Mark Sabraw

Address 8610 S. Eastern Ave., Suite #8 **Phone:** 332-3021 **Fax:** 965 2477

City Las Vegas **State** NV **Zip** 89123

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 KENNETH W. FONG

Subscribed and sworn before me

This 13th day of August 20 10

_____

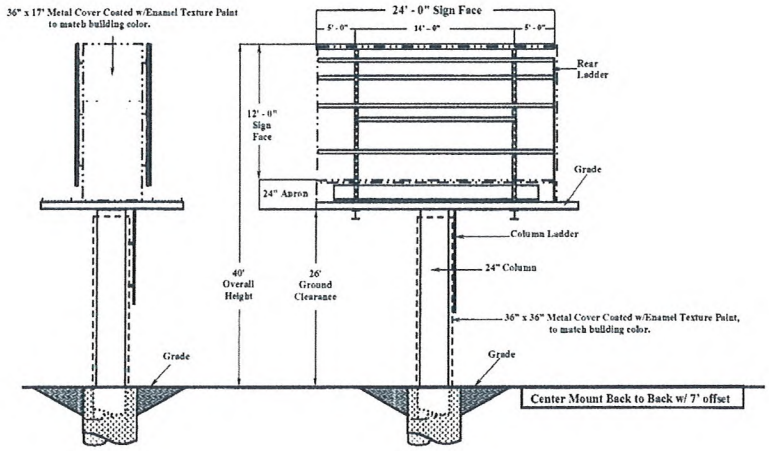
Notary Public in and for said County and State of CLARK of NEVADA

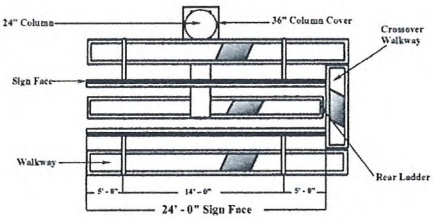
LAURA MORENO
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 01-15-13
Certificate No: 03-80323-1

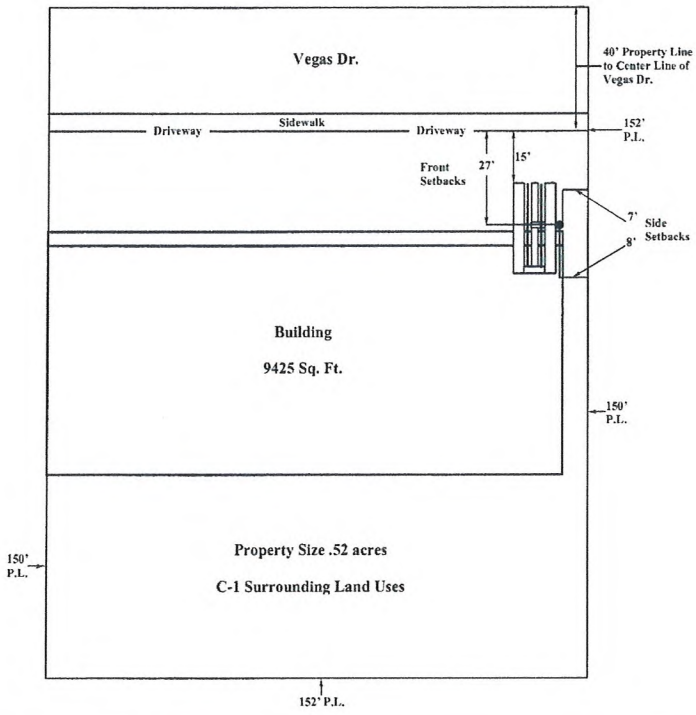
FOR DEPARTMENT USE ONLY

Case #	RQR-39499
Meeting Date:	11-18-10
Total Fee:	800
Date Accepted:	9-8-10
Accepted By:	ES

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.







PROPERTY OWNER:	WING GAY FONG TRUST 1553 N. DECATUR BLVD. LAS VEGAS, NV 89108-1204
PROPERTY ADDRESS:	1571 N. DECATUR BLVD. LAS VEGAS, NV 89108
CONTACT:	CHAD HARRIS @ LAS VEGAS BILLBOARDS 5665 S. VALLEY VIEW BLVD. LAS VEGAS, NV 89118 837-7822

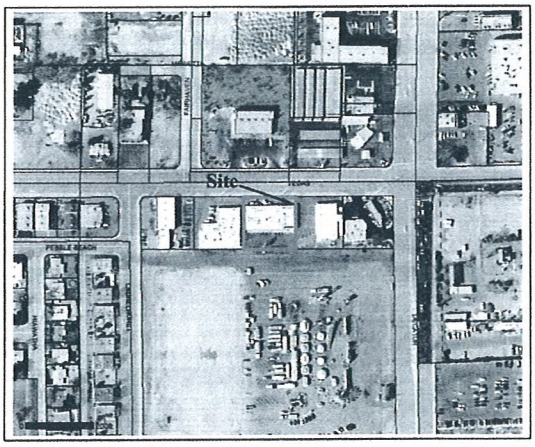
APN: 138-25-503-003
ZONED: C-1
12' x 24' CENTER MOUNT WITH OFFSET
40' OVERALL HEIGHT
NO ADJACENT ON-PREMISE SIGN WITHIN 100'
NO ADJACENT OFF-PREMISE SIGN WITHIN 300'
NO R ZONE WITHIN 300'
SCALE 1" = 20'

NORTH

SIGN ANALYSIS TABLE

TYPE OF SIGN:	12' X 24' OFF-PREMISE SIGN
SIGN HEIGHT:	40' OVERALL HEIGHT
SIGN WIDTH:	24' OVERALL WIDTH
SIGN AREA:	336' SQUARE FT.
ILLUMINATION TYPE:	HALLOGEN LIGHTING
ANIMATION:	NONE

LOCATION:
15' FRONT SETBACK FROM VEGAS DR. TO LEADING EDGE OF SIGN.
27' FRONT SETBACK FROM VEGAS DR. TO CENTER OF COLUMN.
7' SIDE SETBACK FROM EAST PROPERTY LINE TO EDGE OF COLUMN.
8' SIDE SETBACK FROM EAST PROPERTY LINE TO CENTER OF COLUMN.



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RQR-39499

RQR-39499 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: FONG IMPERIAL PLAZA, LIMITED PARTNERSHIP
1571 NORTH DECATUR BOULEVARD

10/15/10

RQR-39499 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: FONG IMPERIAL PLAZA, LIMITED PARTNERSHIP

1571 NORTH DECATUR BOULEVARD

10/15/10

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

November 26, 2007

Mr. Ken Fong
Fong Imperial Plaza, Limited Partnership
1553 North Decatur Boulevard
Las Vegas, Nevada 89108

RE: RQR-24404 – REQUIRED REVIEW
CITY COUNCIL MEETING OF NOVEMBER 21, 2007

Dear Mr. Fong:

The City Council at a regular meeting held November 21, 2007 APPROVED the Required One Year Review of an approved Special Use Permit (SUP-3061) WHICH ALLOWED A 40 FOOT TALL, 12-FOOT X 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1571 North Decatur Boulevard (APN 138-25-503-003), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on November 21, 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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RQR-39499

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

Sincerely,

Angela Crolli
Deputy City Clerk II for
Beverly K. Bridges, CMC, City Clerk

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

Mr. Chad Harris
Las Vegas Billboards
5665 South Valley View Boulevard
Las Vegas, Nevada 89118

Mr. Mark Sabraw
Greater Nevada Planning
8610 South Eastern Avenue, Suite #8
Las Vegas, Nevada 89123

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

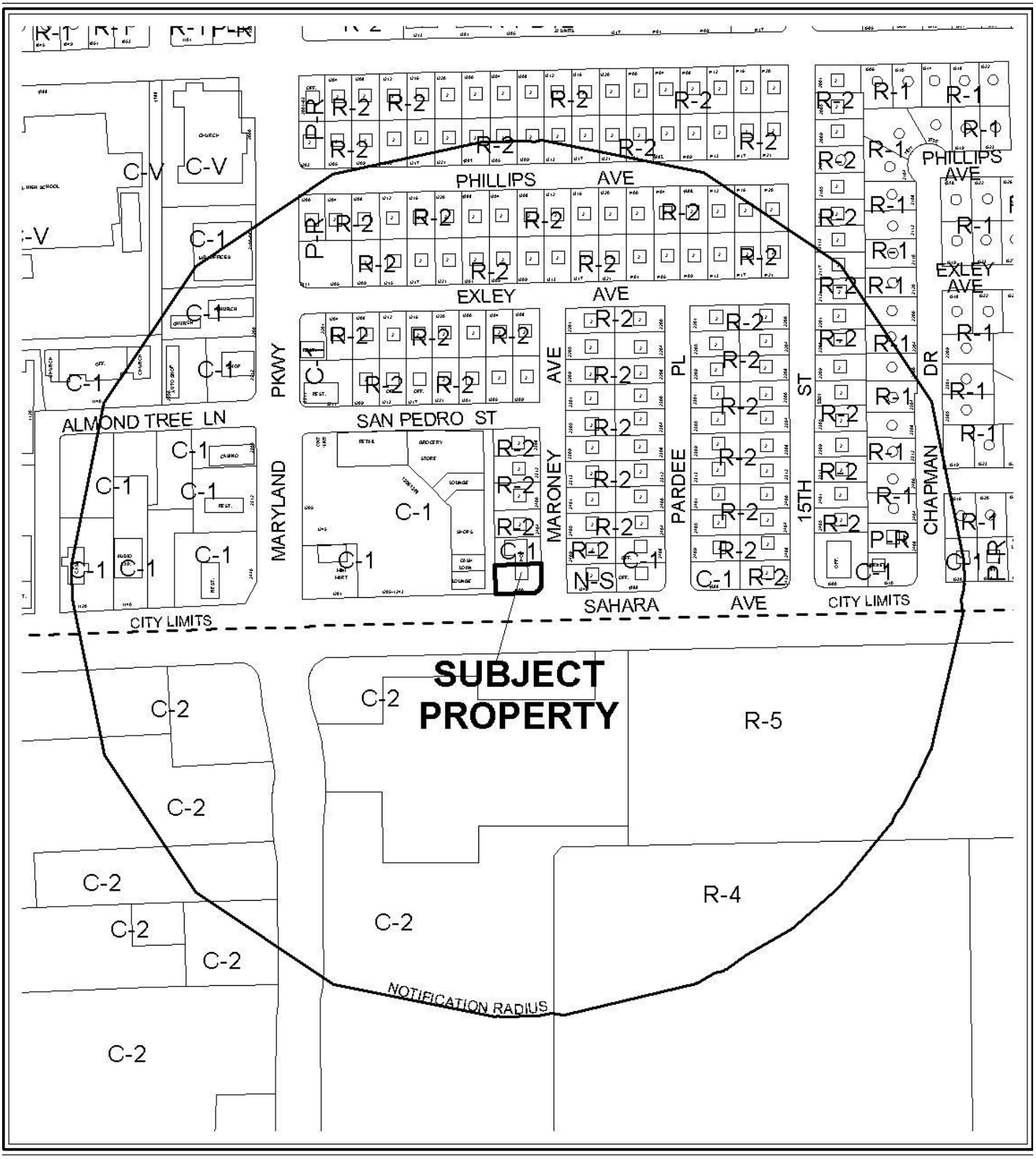
SUBJECT:
RQR-39575 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI - Required Review of a previously approved Special Use Permit (SUP-38242) FOR A SECONDHAND DEALER USE (JEWELRY) WITHIN AN EXISTING 2,300 SQUARE-FOOT JEWELRY STORE at 1300 East Sahara Avenue (APN 162-02-410-095), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 12/15/10 OR MAY BE FINAL ACTION
(Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Planning Commission Approval Letter for SUP-38242
6. Protest Postcard



CASE: **RQR-39575**

RADIUS: 1000 FT

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

0 300 600 Feet

CASE: **RQR-39575**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
RQR-39575	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

RQR-39575 CONDITIONS

Planning and Development

1. Conformance to the approved conditions for Reclassification of property and Plot Plan Review (Z-0078-71), and Special Use Permit (SUP-38242).

2. No further reviews shall be required for the Secondhand Dealer use on this site.

3. The applicant shall obtain approval of a final inspection for all sign permits within 30 days of final approval.

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

RG

** STAFF REPORT **

PROJECT DESCRIPTION

This is a Required Review of a previously approved Special Use Permit (SUP-38242) for a Secondhand Dealer use located within an existing 2,300 square-foot Jewelry Store at 1300 East Sahara Avenue. The Special Use Permit was approved by the Planning Commission with a condition for a 90 day review. Staff recommends approval with conditions, as the Secondhand Dealer use meets all conditions of approval of the Special Use Permit and requirements pursuant to Title 19.

ISSUES

- Approval of a final inspection of sign permits is required by condition within 30 days of final approval.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/15/72	The Board of City Commissioners approved a request to rezone (Z-0078-71) property from R-2 (Medium Density Residential) to C-1 (Limited Commercial) generally located on the northwest corner of Maryland Parkway and Maroney Avenue. The Planning Commission and staff recommended approval.
06/13/81	The Board of Zoning Adjustment approved a request for a Variance (V-0029-81) to allow three 55-foot tall billboard signs where 40 feet is the maximum height allowed at 1300, 1380, and 1500 East Sahara Avenue.
06/2410	The Planning Commission approved a request for a Special Use Permit (SUP-38242) for a Secondhand Dealer Use (Jewelry) within an existing 2,300 square-foot jewelry store at 1300 East Sahara Avenue. Staff recommended approval.

Most Recent Change of Ownership	
03/09/06	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
c.1954	The existing building was constructed.
06/07/06	A Code Enforcement citation (#43040) was issued for an inoperable vehicle at 1300 East Sahara Avenue. The citation was closed by Code Enforcement on 06/19/06.
03/11/09	A Code Enforcement citation (#75498) was issued for an inoperable vehicle at 1300 East Sahara Avenue. The citation was close by Code Enforcement on 04/27/09.
05/05/09	A Code Enforcement citation (#77829) was issued for graffiti at 1300 East Sahara Avenue. The Citation was closed by Code Enforcement on 05/06/09.
04/13/10	A building permit (#160769) was issued for a non-work certificate of occupancy for a New Jewelry Sales use at 1300 East Sahara Avenue. The permit received its final inspection on 04/22/10.
04/23/10	A business license (J01-02132) was issued for a New Jewelry Sales use at 1300 East Sahara Avenue. The license is currently active.
08/14/10	A business license (S26-95912) was issued for a Secondhand Dealer use at 1300 East Sahara Avenue. The license is currently active.
07/09/10	A building permit (#167033) was issued to install six cabinet wall signs at 1300 East Sahara Avenue. The permit is still active.

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

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

Field Check	
10/15/10	A site visit by staff noted no outdoor display, sales or storage of any merchandise. The existing freestanding pole sign contains signage related to the on-premise use.

Details of Application Request	
Site Area	
Net Acres	0.16

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Jewelry Sales, New and Secondhand Dealer	SC (Service Commercial)	C-1 (Limited Commercial)
North	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
South	Shopping Center	Clark County	Clark County
East	Office, Other than Listed	SC (Service Commercial)	N-S (Neighborhood Service)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District – 175 feet	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Functional Classification of Street(s)	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Primary Arterial – Sahara Avenue	Master Plan of Streets and Highways	100	Y
Local Street – Maroney Avenue	N/A	60	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	
Secondhand Dealer	2,300 SF	1:250	10		10		Y
TOTAL SPACES REQUIRED			10		10		Y
Regular and Handicap Spaces Required			9	1	9	1	Y

ANALYSIS

A business license for a Secondhand Dealer use has been issued at 1300 East Sahara Avenue. A site visit by staff noted that the property conforms to all minimum requirements under Title 19.04.010 for a Secondhand Dealer use. The landscaping buffer between Sahara Avenue and the sidewalk has four new trees planted within it. The existing freestanding pole sign contains signage related to the on-premise use. The applicant has applied for a building permit (#167033) for the unpermitted signs, but a recent final inspection for the wall signage was failed by Building and Safety Department on October 28, 2010. As the applicant is working with staff to address the noted deficiencies, a condition of approval has been added to require approval of a final inspection within 30 days of final approval. Staff recommends approval with conditions, as the Secondhand Dealer use meets all conditions of approval of SUP-38242 and Title 19 requirements and has been shown to be compatible with surrounding land uses.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 152

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-39575** APN: 162-02-410-095

Name of Property Owner: SOLIMANI HABASHI

Name of Applicant: Gold & Silver Jewelry Supply

Name of Representative: STEVEN GIBSON

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

_____ Yes _____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Soliman H

Print Name: Soliman Habashi

Subscribed and sworn before me

This 13 day of Sept, 2010

Nancy Harvieux

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
NANCY HARVIEUX
No: 99-20354-1
My Appointment Expires April 2, 2011

RECEIVED
SEP 13 2010

Revised 11-14-06

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SPECIAL USE PERMIT

Project Address (Location) 1300 E. SAHARA

Project Name Gold & Silver Jewelry Supply **Proposed Use** SECOND HAND DEALER

Assessor's Parcel #(s) 162-02-410-095 **Ward #** 3

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

Commercial Square Footage 2300 **Floor Area Ratio** —

Gross Acres 0.169 **Lots/Units** — **Density** —

Additional Information —

PROPERTY OWNER SOLIMAN HABASHI **Contact** —

Address 1300 E. SAHARA AVE. **Phone:** 339-6655 **Fax:** —

City LAS VEGAS **State** NV **Zip** 89104

E-mail Address —

APPLICANT Gold & Silver Jewelry Supply **Contact** ANTHONY RILA

Address 3962 EUCLID ST. **Phone:** 604-0606 **Fax:** 669-5416

City LV NV **State** NV **Zip** 89121

E-mail Address TONYRILA@YAHOO.COM

REPRESENTATIVE STEVEN GIBSON **Contact** —

Address 1405 S. 16TH ST. **Phone:** 762-5366 **Fax:** —

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

E-mail Address —

Property Owner Signature* Soliman

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

Print Name Soliman Habashi

Subscribed and sworn before me

This 13 day of Sept, 20 10

Nancy Harvieux

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
NANCY HARVIEUX
No: 99-20354-1
My Appointment Expires April 2, 2011

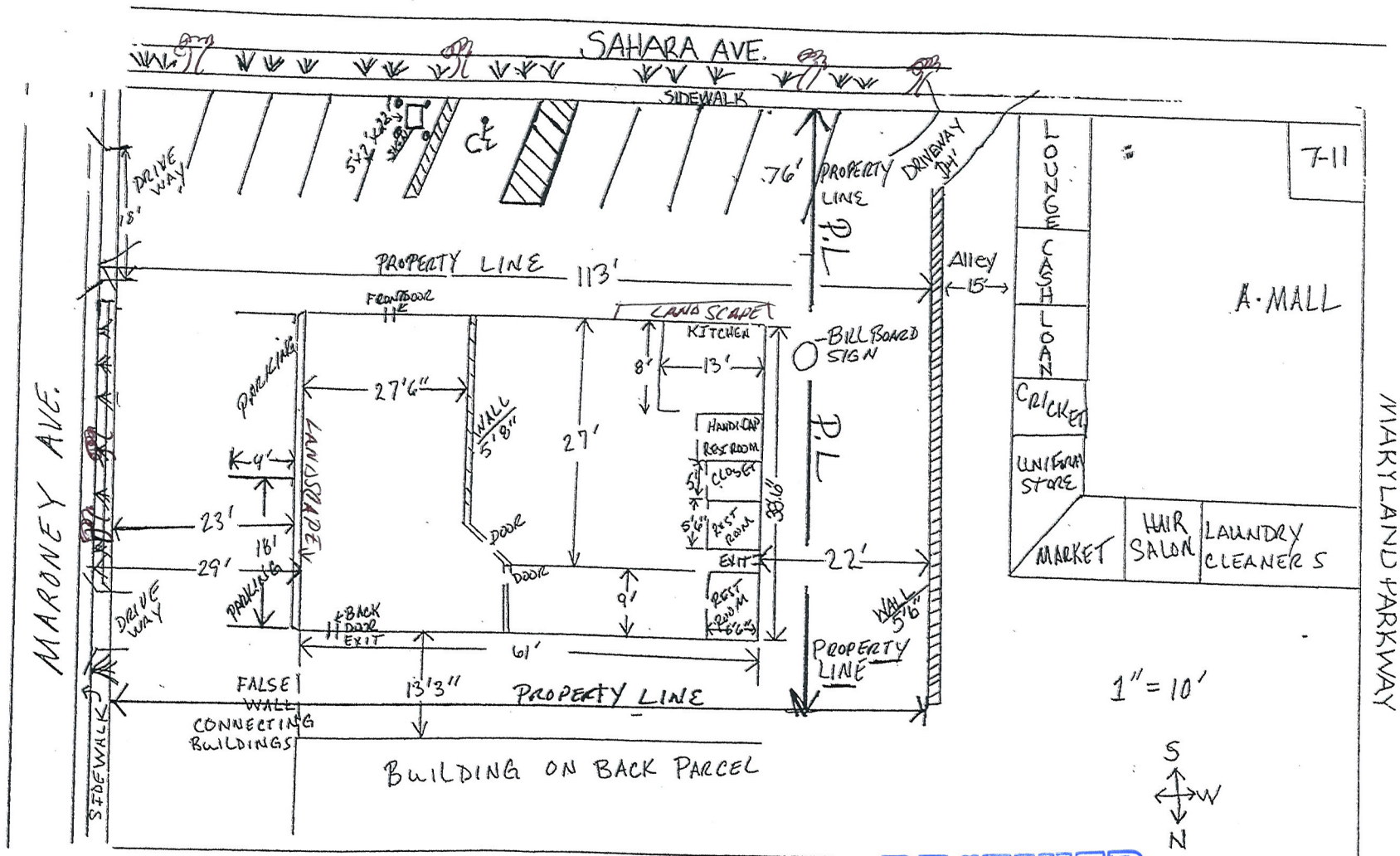
FOR DEPARTMENT USE ONLY

Case #	R0R-39575
Meeting Date:	11/18/10
Total Fee:	$800
Date Accepted:	9/13/10
Accepted By:	

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

FLOOR PLAN

300 E. SAHARA AVE. LV. NV 89104



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OCT 26 2010

RQR-39575
REVISED

RECEIVED
SEP 15 2010
RQR-39575

RECEIVED
SEP 13 2010
RQR-39575

RQR-39575

BUYERS
RECEIVED
SEP 13 2010
RQR-39575

RQR-39575 - APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI
1300 EAST SAHARA AVENUE

10/15/10

RQR-39575 - APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI
1300 EAST SAHARA AVENUE

10/15/10

RQR-39575 - APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI
1300 EAST SAHARA AVENUE

10/15/10

RQR-39575 - APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI
1300 EAST SAHARA AVENUE

10/15/10

RQR-39575 - APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI
1300 EAST SAHARA AVENUE

10/15/10

RQR-39575 - APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI
1300 EAST SAHARA AVENUE

10/15/10

RQR-39575 - APPLICANT: GOLD & SILVER JEWELRY SUPPLY - OWNER: SOLIMAN HABASHI
1300 EAST SAHARA AVENUE

10/15/10

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

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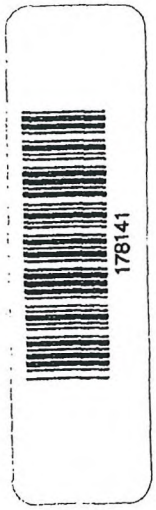
Fax: 702-474-0352
TTY 702-386-9108
www.lasvegasnevada.gov



Mayor
Oscar B. Goodman

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

City Manager
Elizabeth N. Fretwell

FM-0073-09-09 MD 32531

June 25, 2010

Mr. Soliman Habashi
1300 East Sahara Avenue
Las Vegas, Nevada 89104

RE: SUP-38242 - SPECIAL USE PERMIT
PLANNING COMMISSION MEETING OF JUNE 24, 2010

Dear Mr. Habashi:

Your request for a Special Use Permit FOR A SECONDHAND DEALER USE (JEWELRY) WITHIN AN EXISTING 2,300 SQUARE-FOOT JEWELRY STORE at 1300 East Sahara Avenue (APN 162-02-410-095), C-1 (Limited Commercial) Zone, Ward 3 (Reese), was considered by the Planning Commission on June 24, 2010.

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

Planning and Development

1. Conformance to the approved conditions for the Reclassification of Property and Plot Plan Review (Z-0078-71).

2. There shall be a review at a Planning Commission hearing 90 days after issuance of a business license for a secondhand dealer use.

3. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Secondhand Dealer use.

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

RECEIVED
SEP 13 2010
RQR-39575

6. Pursuant to Title 19.14.140, the sign face of the existing freestanding pole sign shall be replaced with signage related to the on-premise use, or with a blank sign face, within 30 days of final approval. In addition, if the sign is not used to display signage relating to the on-premise use, the sign shall be deemed to be an abandoned sign, and shall be removed within one year of final approval.

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

This action by the Planning Commission is final. The notice of final action was filed with the City Clerk on ***June 25, 2010***.

Sincerely,

Steve Gebeke
Planning Supervisor
Case Planning Division

SG:clb

cc: Mr. Steve Gibson
1405 South 16th Street
Las Vegas, Nevada 89104

RECEIVED
SEP 13 2010
RQR-39575

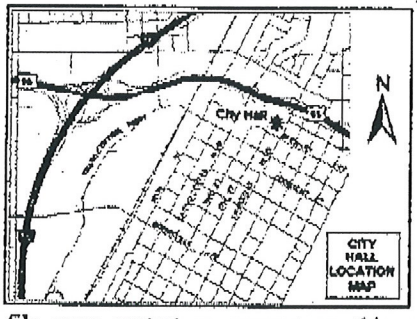
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 NOV 05 2010
MAILED FROM ZIP CODE 89101

Return Service Requested

Official Notice of Public Hearing



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

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-39575

Planning Commission Meeting of 11/18/2010

Case: RQR-39575

16202410128
FLORES JESUS
2201 PARDEE PL
LAS VEGAS NV 89104-3424

RECEIVED
NOV - 8 2010

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

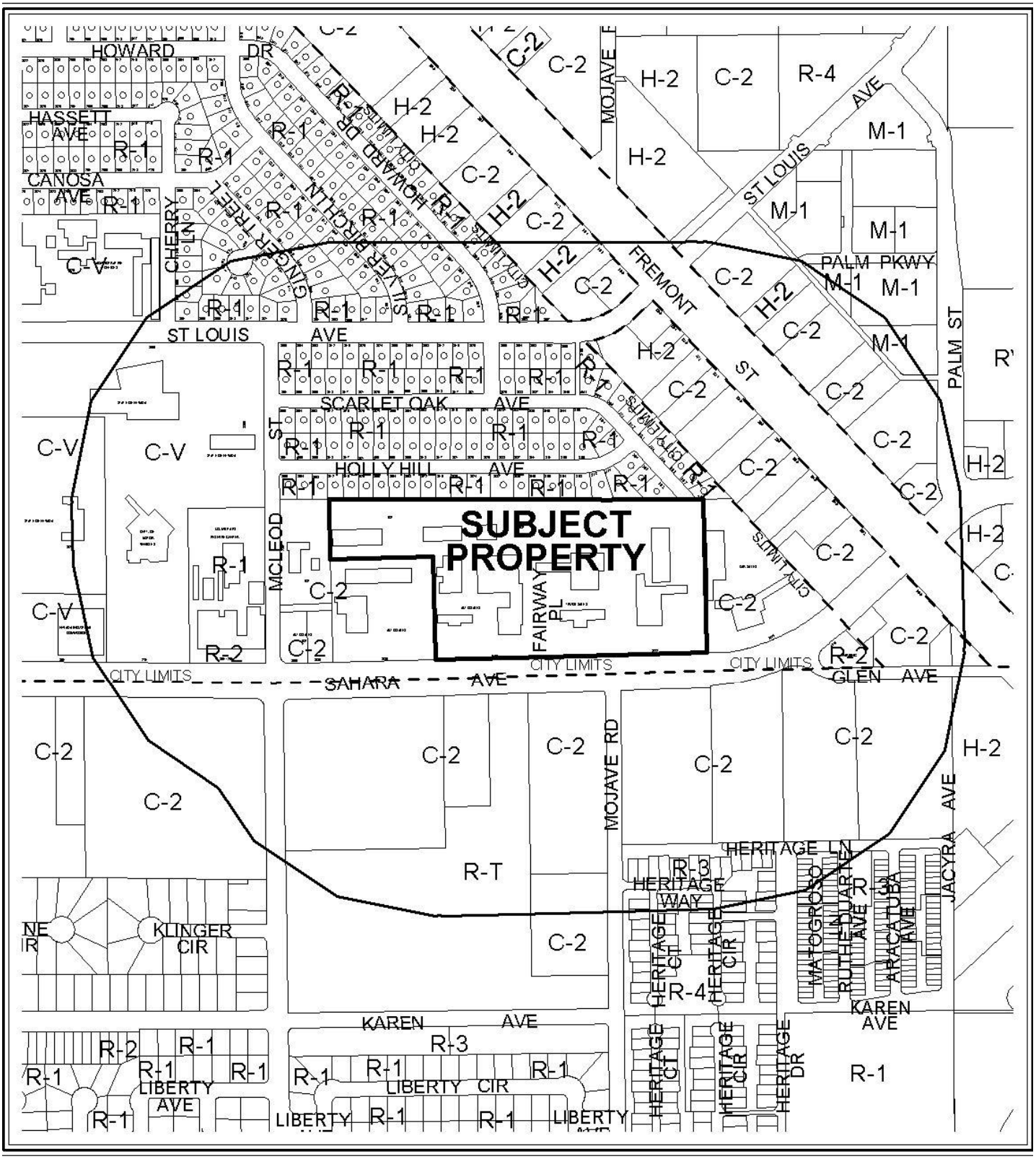
SUBJECT:
MSP-39809 - MASTER SIGN PLAN - PUBLIC HEARING - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY - Request for a Master Sign Plan FOR AN EXISTING MOTOR VEHICLE SALES (NEW) ESTABLISHMENT on 17.01 acres at 3100 and 3222 East Sahara Avenue (APN 162-01-801-022), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 12/15/10 OR MAY BE FINAL ACTION
(Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



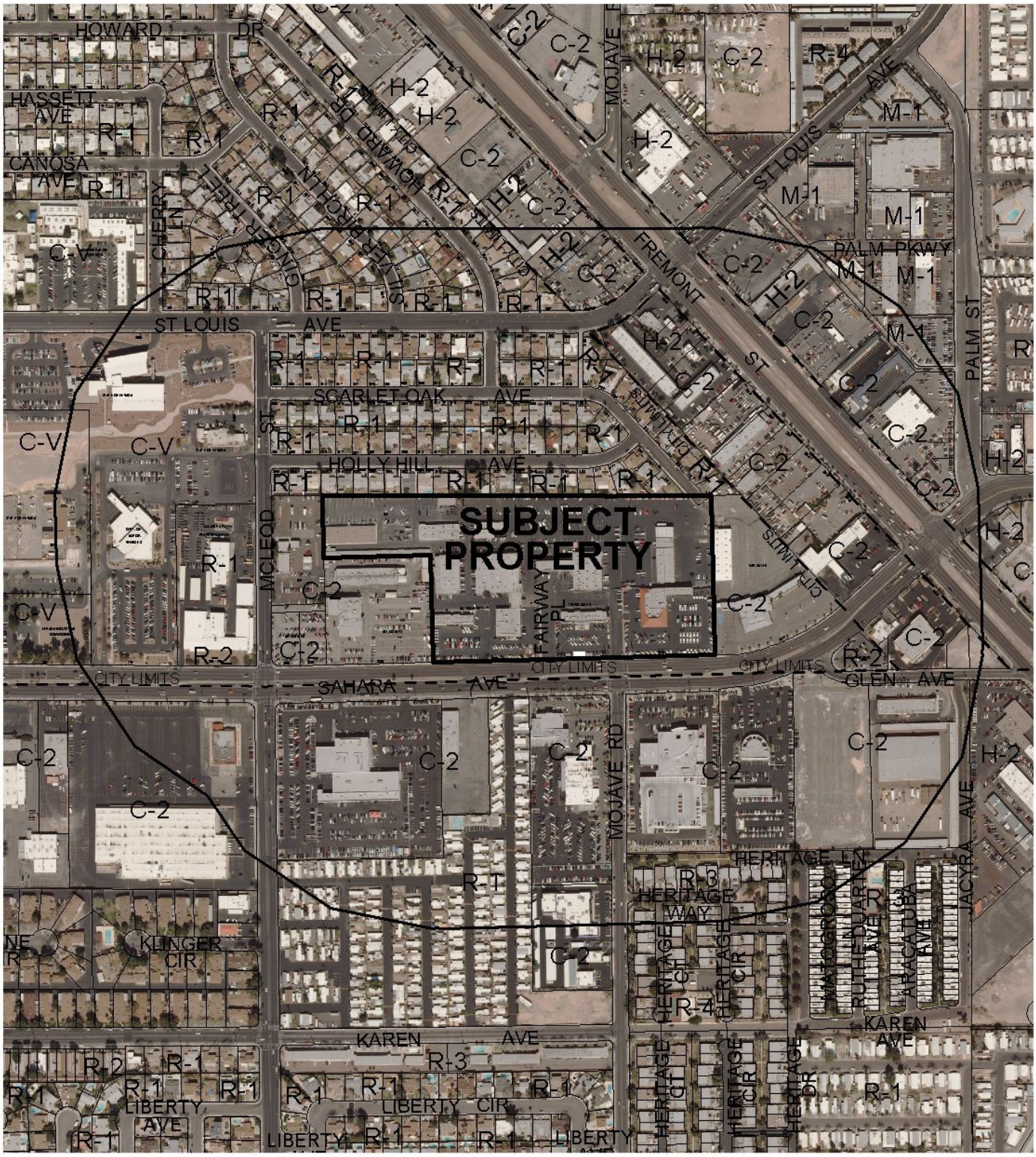
CASE: **MSP-39809**

RADIUS: 1000 FT

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

0 300 600 Feet

N



CASE: **MSP-39809**

RADIUS: 1000 FT

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

0 300 600 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
MSP-39809	Staff recommends APPROVAL.	

** CONDITIONS **

MSP-39809 CONDITIONS

Planning and Development

1. Conformance to the conditions of approval for Site Development Plan Review (SDR-38855).

2. Conformance to the sign elevations and documentation as submitted in conjunction with this request, date stamped 10/28/10, except as amended by conditions herein.

3. All signage shall have proper permits obtained through 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. Any future amendments to the approved signage within the Master Sign Plan in conformance with Title 19 standards may be reviewed and approved administratively by the Planning and Development Department.

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

Public Works

7. The proposed signs shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The proposed ground mounted bases shall not be located within existing or proposed public sewer or drainage easements.

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site, which is located at 3100 and 3222 East Sahara Avenue, contains an existing Motor Vehicles Sales (New) establishment. In August 2010, modifications were approved for the development that will require new signage and replacement or relocation of existing signage. Current as well as new signage will be included within a master sign plan. As the existing nonconforming signage is compatible with surrounding development and the proposed signage is in compliance with Title 19.14 sign standards, staff recommends approval with conditions. If denied, approval of a new master sign plan would be necessary to allow any new signage on the site, as the master sign plan was required as a condition of approval of SDR-38855.

ISSUES

- Title 19.14 requires commercial developments of greater than 15 acres in size to have an approved master sign plan in place prior to installation of on-premise signage.
- In addition to the Title 19.14 requirement, Site Development Plan Review (SDR-38855) requires approval of a Master Sign Plan prior to the issuance of any sign permits for any additional signage in the development.
- Several of the existing signs included in the master sign plan are nonconforming and will be allowed to continue in use pursuant to Title 19.14.160.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/19/70	The Board of City Commissioners approved a Rezoning (Z-0043-70) from R-1 (Single Family Residence) and R-2 (Two Family Residence) to C-2 (General Commercial) and a Plot Plan Review for a proposed new car dealership generally located on the north side of Sahara Avenue between McLeod Street and Boulder Highway. The Planning Commission and staff recommended approval.
05/27/71	The Board of Zoning Adjustment approved a Variance (V-0023-71) to allow two ground signs and three protruding signs per street frontage where one ground sign and one protruding sign is permitted on property located at 3100 East Sahara Avenue. Staff recommended denial.

11/08/72	The Board of City Commissioners approved a Rezoning (Z-0080-72) from R-1 (Single Family Residence) and R-2 (Two Family Residence) to C-2 (General Commercial) and a Plot Plan Review for expansion of an existing new car dealership generally located on the north side of Sahara Avenue between McLeod Street and Fremont Street, east of the area rezoned by Z-0043-70. The Planning Commission and staff recommended approval.
06/07/72	The Board of City Commissioners approved a Plot Plan Review (Z-0043-70) for a second body shop associated with an existing new car dealership generally located on the north side of Sahara Avenue between McLeod Street and Boulder Highway. The Planning Commission recommended approval.
02/22/73	The Board of Zoning Adjustment approved a Variance (V-0071-72) to allow a fourth freestanding sign where one is permitted and three were previously approved on property located at 3100 East Sahara Avenue. Staff recommended approval. The Metropolitan Beautification Committee recommended denial.
10/16/74	The Board of City Commissioners approved a Plot Plan Review (Z-0043-70) for a 1,600 square-foot addition to the existing office and an addition to the existing paint and body shop on property generally located on the north side of Sahara Avenue between McLeod Street and Boulder Highway. The Planning Commission and staff recommended approval.
04/16/75	The Board of City Commissioners approved a Plot Plan Review (Z-0043-70) for a proposed 2,079 square-foot masonry file storage building on property generally located on the north side of Sahara Avenue between McLeod Street and Boulder Highway. The Planning Commission and staff recommended approval.
08/06/75	The Board of City Commissioners approved a Plot Plan Review (Z-0043-70) for a proposed 8,085 square-foot, 36-bay garage for storage of antique automobiles on property generally located on the north side of Sahara Avenue between McLeod Street and Boulder Highway. The Planning Commission and staff recommended approval.
10/07/87	The City Council approved a Rezoning (Z-0083-87) from R-1 (Single Family Residence) and R-2 (Two Family Residence) to C-2 (General Commercial) on 5.10 acres adjacent to the north side of Sahara Avenue, west of Fremont Street. The Planning Commission recommended approval without a cul-de-sac to be provided on Scarlet Oak Avenue. Staff recommended approval with a cul-de-sac to be provided on Scarlet Oak Avenue.
12/17/87	The City Council approved a Review of Condition to delete Condition Number 7 of a previously approved Rezoning (Z-0083-87), which required installation of a six-foot wide landscape planter along the north property line of 5.10 acres located adjacent to the north side of Sahara Avenue, west of Fremont Street. The Planning Commission and staff recommended approval.

06/27/89	The Planning Commission approved a Plot Plan Review (Z-0083-87) for a proposed 4,460 square-foot addition to an existing service building at 3222 East Sahara Avenue. Staff recommended approval.
09/14/89	The Planning Commission approved a Plot Plan Review (Z-0083-87) for a proposed new service building at 3222 East Sahara Avenue. Staff recommended approval.
05/16/07	The City Council approved a Waiver of Title 18.12.130 (WVR-19784) to allow no circular cul-de-sac at the termination of Scarlet Oak Avenue where such is required; a Special Use Permit (SUP-19359) to allow a Motor Vehicle Sales (New) Facility and a Waiver to allow service bays to face the public right-of-way; and a Site Development Plan Review (SDR-19363) for a proposed 251,828 square-foot Motor Vehicle Sales (New) Facility and a Waiver to allow no perimeter landscape buffer along the east property line where an eight-foot buffer is required on 17.01 acres at 3100-3200 East Sahara Avenue. The Planning Commission and staff recommended approval. The Special Use Permit and Site Development Plan Review approvals expired on 05/16/09.
06/14/07	A Merger and Resubdivision Parcel Map (PMP-19451) to combine three parcels into one lot comprising 17.01 acres was recorded.
08/26/10	The Planning Commission approved a Site Development Plan Review (SDR-38855) for the addition of 32,667 square feet of floor area, chain link, and site modifications to an existing Motor Vehicle Sales (New) establishment with a waiver of perimeter landscape buffer requirements to allow zero feet on the south perimeter where five feet was previously approved on the subject site. Staff recommended denial.

Most Recent Change of Ownership	
04/25/07	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
09/14/71	A Certificate of Occupancy was issued for a Motor Vehicle Sales (New) showroom, offices, maintenance facility and detail building at 3100 East Sahara Avenue.
1971	A business license (A16-00009) was issued for automobile sales at 3100 East Sahara Avenue. The license is still active.
04/29/71	A building permit (#59983) was issued for a 20 square-foot double-faced electric sign at 3100 East Sahara Avenue. A final inspection was approved 07/19/71.

04/29/71	A building permit (#59984) was issued for a 245 square-foot double-faced electric sign at 3100 East Sahara Avenue. A final inspection was approved 05/10/71.
06/23/71	A building permit (#81073) was issued for a 42 square-foot double-faced electric sign at 3100 East Sahara Avenue. A final inspection was approved 06/25/71.
	A building permit (#81074) was issued for a sign less than 25 square feet at 3100 East Sahara Avenue. A final inspection was approved 06/25/71.
	A building permit (#81075) was issued for a 121 square-foot double-faced electric sign at 3100 East Sahara Avenue. A final inspection was approved 06/25/71.
09/12/72	A building permit (#7164) was issued for a 16 square-foot wall sign at 3100 East Sahara Avenue. A final inspection was approved 09/13/72.
	A building permit (#7165) was issued for a 16 square-foot double-faced electric sign at 3100 East Sahara Avenue. A final inspection was approved 09/13/72.
03/12/73	A building permit (#9829) was issued for a 121 square-foot double-faced electric freestanding pole sign at 3100 East Sahara Avenue. A final inspection could not be verified.
05/08/73	A building permit (#11132) was issued for a 32 square-foot wall sign at 3100 East Sahara Avenue. A final inspection was approved 05/15/73.
02/13/75	A building permit (#480) was issued for two 16 square-foot wall signs at 3100 East Sahara Avenue. A final inspection was approved 06/04/75.
05/05/88	A building permit (#9970) was issued for one freestanding pole sign and four directional signs at 3200 East Sahara Avenue. A final inspection was approved 07/07/88.
07/12/88	A building permit (#2580) was issued for a 16 square-foot wall sign at 3222 East Sahara Avenue. A final inspection was approved 11/03/88.
10/27/88	A business license was issued for a new car dealership at 3222 East Sahara Avenue. The license was marked out of business.
06/05/92	A building permit (#92148292) was issued for an 87 square-foot wall sign at 3222 East Sahara Avenue. A final inspection was approved 07/20/92.
12/28/94	A building permit (#94361658) was issued for a 260 square-foot wall sign and light bar at 3100 East Sahara Avenue. A final inspection could not be verified.
01/26/95	A building permit (#95364984) was issued for a 140 square-foot wall sign at 3222 East Sahara Avenue. A final inspection could not be verified.
08/26/97	A building permit (#97017661) was issued for a 236 square-foot wall sign at 3100 East Sahara Avenue. A final inspection was approved 09/24/97.
10/27/97	A building permit (#97021710) was issued for a 36 square-foot neon directional sign at 3100 East Sahara Avenue. A final inspection was approved 01/22/98.

11/20/97	A building permit (#97023439) was issued for an 11 square-foot wall sign ("Bowtie") at 3100 East Sahara Avenue. A final inspection was approved 03/04/98.
02/12/98	A business license (A19-00123) was issued for automobile rental at 3100 East Sahara Avenue. The license was marked out of business on 12/03/08.
07/19/99	A building permit (#99013969) was issued for a 21 square-foot wall sign at 3100 East Sahara Avenue. A final inspection could not be verified.
07/27/99	A building permit (#99014791) was issued for an interior neon sign at 3100 East Sahara Avenue. A final inspection was approved 10/01/99.
08/14/08	A business license (A16-01295) was issued for automobile sales at 3222 East Sahara Avenue. The license is still active.
05/15/09	A business license (A19-00155) was issued for automobile rental at 3222 East Sahara Avenue. The license is still active.
09/21/10	City Staff approved civil improvement plans for a 251,828 square-foot Motor Vehicle Sales establishment at 3100 East Sahara Avenue.
09/24/10	City Staff approved a Commercial Plan Check (39385) for a motor vehicle sales showroom expansion and façade improvements at 3222 East Sahara Avenue.
09/27/10	A building permit (171127) was issued for onsite improvements in conjunction with expansion of the motor vehicle sales establishment at 3222 East Sahara Avenue. A final inspection has not been approved.

Pre-Application Meeting	
09/24/10	A pre-application meeting was held with the applicant, where submittal requirements for a Master Sign Plan application were discussed. Other major issues discussed included the following: • Several existing signs on the site are believed to be legally nonconforming. • The applicant was concerned that signage proposed for a canopy would not meet Title 19 area standards. The applicant was informed that a variance would be required for signs not in compliance with Title 19. • Existing signage that is not listed on the sign plan will be removed at the time of site construction. • Changes to signage after approval of the Master Sign Plan will require a minor review.

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

Field Check	
10/15/10	A field check was conducted, where the following items were noted: • The Motor Vehicle Sales (New) establishment is under renovation. • There are six existing on-premise freestanding signs along Sahara Avenue, in addition to directional, wall and canopy signage on the interior. • There are numerous signs posted on streetlights along Sahara Avenue, as well as pennants and banners.

Details of Application Request	
Site Area	
Net Acres	17.01

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Motor Vehicle Sales (New)	GC (General Commercial)	C-2 (General Commercial)
North	Single Family Dwelling, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South	Motor Vehicle Sales (New)	GC (General Commercial)	C-2 (General Commercial)
	Motor Vehicle Sales (New)	CG (Commercial General) – Clark County	C-2 (General Commercial) – Clark County
	Mobile Home Park	RH (Residential High) – Clark County	R-T (Manufactured Home Residential) – Clark County
East	Motor Vehicle Sales (New)	GC (General Commercial)	C-2 (General Commercial)
West	Motor Vehicle Sales (New)	GC (General Commercial)	C-2 (General Commercial)
	Outside Vehicle Storage	PF (Public Facilities)	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		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

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	N

Freestanding Signs: *[Signs C, E, F, G, J, K (all existing)]*			
Standard	**Allowed**	**Provided**	**Compliance**
Maximum Number	1 per 200 feet of frontage or portion thereof 5 total	6 total	N*
Maximum Area	2 SF/foot frontage total 2,112 SF	710 SF	Y
Maximum Height	40 feet	47 feet	N**
Minimum Setback	5 feet	4 feet	N***
Minimum Separation	100 feet	105 feet	Y
Illumination	Internal/External/ Animated/EMU	Internal only	Y

*Freestanding signs along Sahara Avenue are nonconforming with respect to number.
**Two existing freestanding signs (E and G) are nonconforming with respect to height.
***One existing freestanding sign (F) is nonconforming with respect to setback.

Incidental Signs (Directional): *[Signs D, H, X (2 existing, 1 proposed)]*			
Standard	**Allowed**	**Provided**	**Compliance**
Maximum Number	Two signs per driveway or access 10 total	3 total	Y
Maximum Area per sign	12 SF	39 SF	N*
Maximum Height per sign	7 feet	9 feet	N**
Minimum Setback	5 feet	5 feet	Y
Illumination	Internal only	Internal	Y
Other	Up to 50% of sign area may contain logo	0% (no logo)	Y

*One existing freestanding directional sign (H) is nonconforming with respect to sign area.
**Two existing freestanding directional signs (D and H) are nonconforming with respect to height.

Canopy Signs: *[Signs P, R, S, S1, S2, S3, T, U (all proposed)]*			
Standard	**Allowed**	**Provided**	**Compliance**
Maximum Number	Limited by area	8 total	Y
Maximum Area	25% of canopy face	23.5%	Y
Illumination	Internal/External/ Animated/EMU	Internal only	Y

Wall Signs: *[Signs A1, A2, B, L, M, N1, N2, Q, V, W1,W2,W3, Y, Z (all proposed)]*			
Standard	**Allowed**	**Provided**	**Compliance**
Maximum Number	Limited by area	14 total	Y
Maximum Area	20% of building elevation	Less than 20% of any one elevation	Y
Maximum Projection	4 Feet	Less than 4 Feet	Y
Illumination	Internal/External/ Animated/EMU	Internal only	Y

ANALYSIS

Title 19.14.130 requires approval of a master sign plan for any nonresidential project on a site larger than 15 acres prior to installation of any on-premise signage. The most recent Site Development Plan Review (SDR-38855) approval also required the master sign plan pursuant to Title 19.14.

Two of the existing freestanding signs located along Sahara Avenue are taller than what is currently allowed by Code. At the time of their construction, Las Vegas Municipal Code did not specify a height restriction for on-premise signs in the C-2 (General Commercial) District. As nonconforming signs, they are allowed to continue in use pursuant to Title 19.14.160. In particular, sign copy may be changed as long as the change does not increase the area of the sign face. The applicant indicates that no changes will be made to any of the six existing freestanding signs. Additionally, Sign "F" slightly encroaches into the required five-foot setback as shown on the site plan. The governing code at the time of construction allowed sign encroachment up to the property line and into the right-of-way, provided that signs remain at least three feet from the street curb. Two Variances (V-0023-71 and V-0071-72) also allowed more signs along the Sahara Avenue street frontage than code allowed. The current zoning code allows the current spacing of the existing freestanding signs along Sahara Avenue.

The two existing directional signs are nonconforming with respect to height and sign area. Sign "D" is about nine percent taller than currently allowed by Code, and the height of Sign "H" deviates by about 30 percent. Sign "H" is also 225 percent larger than currently allowed. These signs are still useful for directing traffic and do not pose any harm to the public good.

All proposed signs are in full compliance with Title 19.14.060(F) sign standards for the C-2 (General Commercial) zoning district.

No sign submitted in the proposed master sign plan is subject to the Residential Protection Standards in Title 19.14.070. Property zoned for single-family residential use is 340 feet from the nearest sign on the subject property.

Numerous other signs currently exist on the property. Those not listed in the proposed master sign plan will be removed at the time of construction. This includes signage currently on structures proposed to be removed or replaced.

The proposed master sign plan is compatible with the scale and arrangement of buildings on the site. The signage does not interfere with site circulation, parking or loading requirements. For these reasons, staff recommends approval of the master sign plan with conditions. Any future amendments to the approved signage within the Master Sign Plan in conformance with Title 19 standards may be reviewed and approved administratively by the Planning and Development Department. All new signage proposed must be in conformance with Title 19.14 standards; otherwise, a variance is required.

NOTICES MAILED 251

APPROVALS 1

PROTESTS 0

SS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **MSP-39809** APN: 162-01-801-022

Name of Property Owner: Fairway Chevrolet Company

Name of Applicant: Fairway Chevrolet Company

Name of Representative: APTUS

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: S W Heinrich

Print Name: Greg W. Heinrich

Subscribed and sworn before me

This 29th day of September 2010

Debra Santo

Notary Public in and for said County and State

RECEIVED
OCT 05 2010

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DEBRA SANTO
Appt. No. 04-88628-1
My Appt. Expires Oct. 30, 2012

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Master Sign Plan

Project Address (Location) 3100 E. Sahara

Project Name Fairway Chevrolet and Buick/GMC **Proposed Use** Motor Vehicle Sales

Assessor's Parcel #(s) 162-01-801-022 **Ward #** 3-Reese

General Plan: existing _____ proposed _____ **Zoning:** existing C-2 proposed n/a

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

Gross Acres 17.01 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Fairway Chevrolet Company **Contact** Greg Heinrich

Address 3100 E. Sahara **Phone:** (702) 558-2438 **Fax:** (702) 641-1460

City Las Vegas **State** NV **Zip** 89104

E-mail Address gwhceo@aol.com

APPLICANT Fairway Chevrolet Company **Contact** Greg Heinrich

Address 3100 E. Sahara **Phone:** (702) 558-2438 **Fax:** (702) 641-1460

City Las Vegas **State** NV **Zip** 89104

E-mail Address gwhceo@aol.com

REPRESENTATIVE APTUS **Contact** Kristen Neuman

Address 1200 S. 4th Street, Suite 206 **Phone:** (702) 839-1200 **Fax:** (702) 839-1213

City Las Vegas **State** nv **Zip** 89104

E-mail Address kristen@aptusgroup.com

Property Owner Signature* GW Heinrich

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

Print Name Greg W. Heinrich

Subscribed and sworn before me

This 29th day of September, 2010.

Debra Santo

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DEBRA SANTO
Appt. No. 04-88628-1
My Appt. Expires Oct. 30, 2013

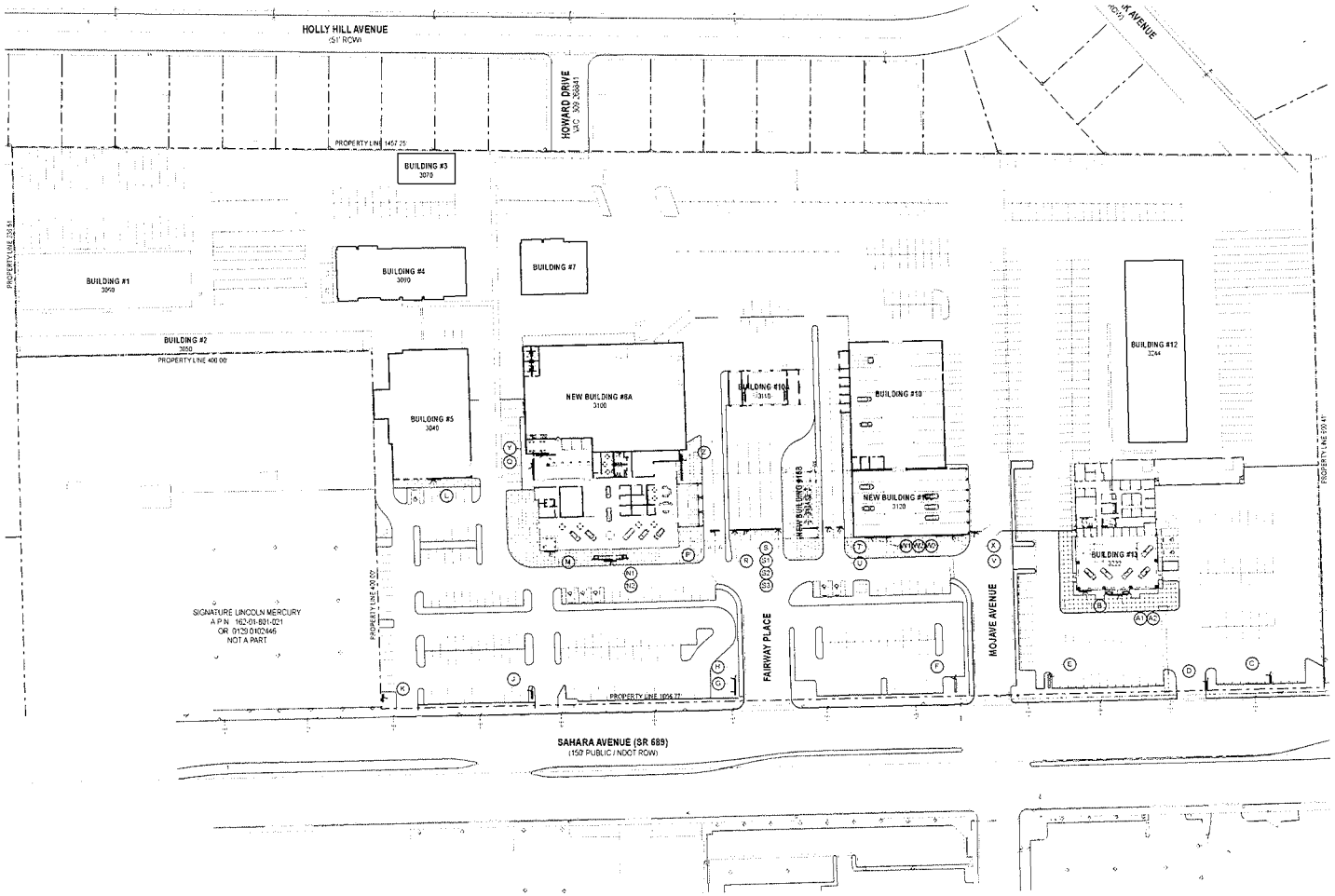
RECEIVED
OCT 05 2010

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	MSP-39809
Meeting Date:	11/18/10
Total Fee:	$330.00
Date Received:*	10/5/10
Received By:	JFM

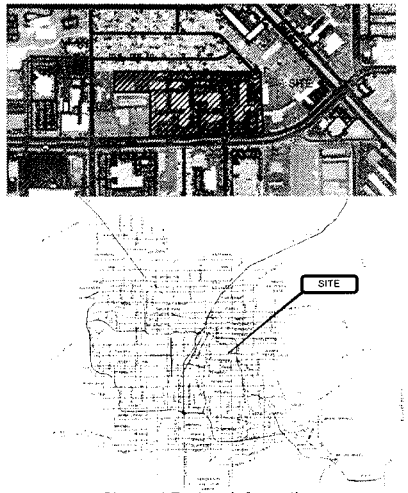
*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.



SITE PLAN

1:720 (1" = 60')

VICINITY MAP (NTS)



Site and Project Information

ADDRESS	3040 to 3244 East Sahara Avenue
PARCEL NUMBER	162-01-801-022
JURISDICTION	City of Las Vegas
EXISTING GENERAL PLAN	General Commercial
EXISTING ZONING	C-2 (General Commercial)
PROPOSED USE	Auto Dealership
SITE AREA	740,963 sf (Net) 17.01 Acres (Net)

SIGN ANALYSIS TABLE

Sign No.	Exist (E) / New (N)	Copy (Tenant copy may vary)	Type	Location	Height	Width	Overall Height	Area of Sign SF	Wall / Canopy SF	Actual %	Type of Illumination	Animation
A1	N	[illegible]	Wall	On Building	1'-0"	34'-5"	see elev.	29.1	2464	1.0	Internal	No
A2	N	GMC	Wall	On Building	2'-6"	10'-5"	see elev.	24.1	2464	1.0	Internal	No
B	N	Fairway	Wall	On Building	1'-0"	18'-7"	see elev.	51.25	2464	2.1	Internal	No
C	E	Fairway Certified Used Vehicles	Freestanding	Site	4'-6"	8'-0"	18'-6"	72.25	n/a	n/a	Internal	No
D	E	Service	On Monument	Site	4'-9"	5'-1"	7'-8"	12.25	+/-	n/a	Internal	No
E	E	Fairway GMC/Buick	Freestanding	Site	14'-0"	14'-6"	31'-0"	231	+/-	n/a	Internal	No
F	E	Fairway Chevrolet	Freestanding	Site	14'-0"	14'-6"	31'-0"	231	+/-	n/a	Internal	No
G	E	Fairway Chevrolet	Freestanding	Site	14'-0"	14'-6"	31'-0"	231	+/-	n/a	Internal	No
H	E	Port Cochere	On Monument	Site	5'-7"	12'-0"	6'-11"	67	+/-	n/a	Internal	No
I	E	Fairway Commercial Specials Welcome	Freestanding	Site	6'-0"	6'-0"	23'-6"	36	+/-	n/a	Internal	No
K	E	Fairway Certified Used Vehicles	Freestanding	Site	8'-4"	6'-6"	30'-0"	77.25	+/-	n/a	Internal	No
L	N	Collision Center	Wall	On Building	2'-0"	31'-0"	see elev.	62	1440	4.3	Internal	No
M	N	Fairway	Wall	On Building	1'-0"	88'-7"	see elev.	92.75	8251	0.7	Internal	No
N	N	Chevrolet	Wall	On Building	1'-0"	24'-0"	see elev.	1	8251	0.0	Internal	No
N2	N	Buick	Wall	On Building	1'-0"	19'-6"	see elev.	25	8251	0.3	Internal	No
O	N	Fuel Lane	Canopy	On Canopy	4'-0"	8'-0"	see elev.	32	3540	0.9	Internal	No
P	N	Parts	Wall	On Building	2'-6"	8'-0"	see elev.	20	3225	1.5	Internal	No
Q	N	Fairway Quick Lane	Canopy	On Canopy	4'-0"	18'-6"	see elev.	74	3540	4.4	Internal	No
R	N	Service	Canopy	On Canopy	1'-0"	88'-6"	see elev.	56	3540	1.6	Internal	No
S	N	Wash	Canopy	On Canopy	1'-0"	9'-6"	see elev.	28	3540	1.4	Internal	No
S2	N	Sales	Canopy	On Canopy	1'-0"	11'-3"	see elev.	0.5	3540	0.1	Internal	No
S3	N	Lube	Canopy	On Canopy	2'-6"	10'-2"	see elev.	24.3	3540	1.1	Internal	No
T	N	Rental Car	Canopy	On Canopy	4'-0"	8'-0"	see elev.	35	3540	1.1	Internal	No
U	N	Commercial Fleet Service	Canopy	On Canopy	4'-0"	17'-0"	see elev.	68	3540	1.9	Internal	No
V	N	Cavalier Chevrolet Service	Wall	On Building	4'-0"	24'-0"	see elev.	141	3520	4.2	Internal	No
W1	N	Fairway	Wall	On Building	1'-0"	24'-0"	see elev.	13.5	3520	1	Internal	No
W2	N	Used Cars	Wall	On Building	1'-0"	24'-0"	see elev.	13.5	3520	1	Internal	No
W3	N	Chevrolet	Wall	On Building	1'-0"	9'-6"	see elev.	28	3520	0.8	Internal	No
X	N	Fairway Sign	Free-standing	On Wall	5'-0"	4'-0"	7'-0"	3	n/a	n/a	Internal	No
Y	N	Parts	Wall	On Building	1'-0"	15'-6"	see elev.	46.5	1454	3.2	Internal	No
Z	N	Cashier	Wall	On Building	2'-6"	4'-0"	see elev.	21	525	4.1	Internal	No

* ALL EXISTING SIGNS NOT NOTED HERE WILL BE REMOVED.

OVERALL SITE PLAN

AS100

10.069...Fairway Chevrolet and Fairway GMC/Buick

Fairway Chevrolet and Fairway GMC/Buick
Master Sign Plan
3040-3244 East Sahara
Las Vegas, Nevada 89104

MSP-39809

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Master Sign Plan Submittal 10.05.10
Master Sign Plan Submittal (Rev.) 10.26.10

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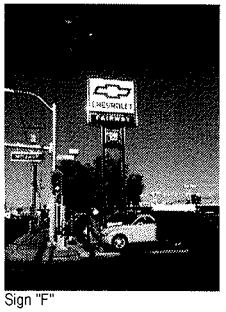
P:\10069\Fairway Chevrolet (BMC)\CAD\SIGN\MSP\Fairway Chevrolet - Master Sign Plan.pln 10/26/2010 9:13 AM by Maureen

Sign "C"

Sign "D"

Sign "E"



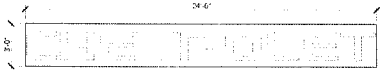
Sign "F"

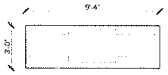
Sign "G" and "H"

Sign "J"

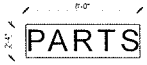
Sign "K"

Sign "L"


Signs "N1" and "W2"


Signs "N2", "S1", and "W3"

Sign "P"



Sign "Q"

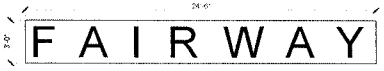
Sign "R"

Sign "S"

Sign "T"

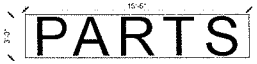
Sign "U"

Sign "V"

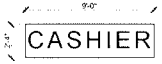


Sign "W1"

Sign "X"



Sign "Y"



Sign "Z"

ALL SIGNS - ACTUAL COPY MAY VARY

MSP-39809

SIGNAGE DRAWINGS / PHOTOS

Fairway Chevrolet and Fairway GMC/Buick

Master Sign Plan

3040-3244 East Sahara

Las Vegas, Nevada 89104

Master Sign Plan Submittal 10.05.10

AS101

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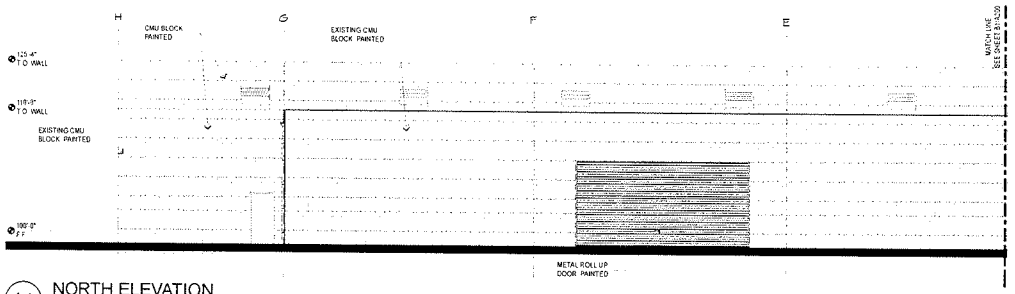
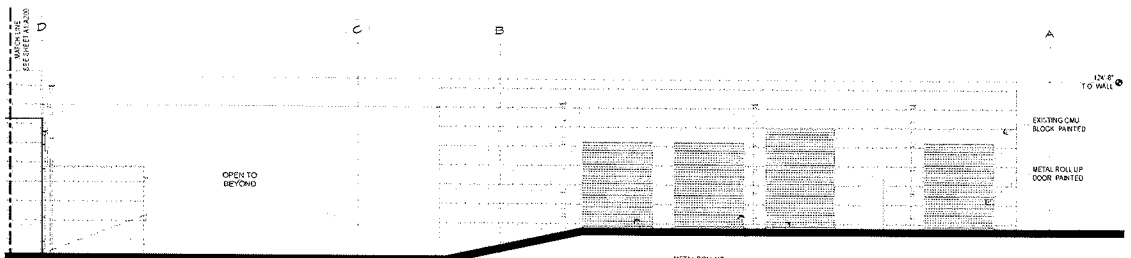
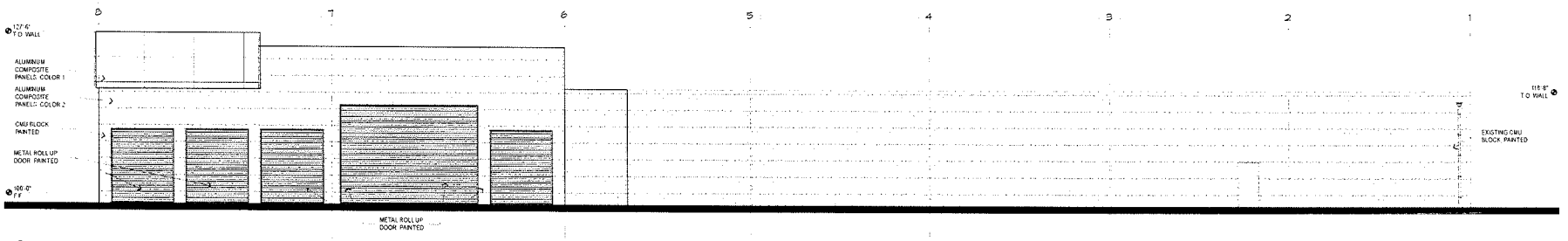


A1 NORTH ELEVATION
1/8" = 1'-0"



B1 NORTH ELEVATION
1/8" = 1'-0"



C1 EAST ELEVATION
1/8" = 1'-0"

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EXTERIOR ELEVATIONS - SERVICE BLDG. ADDITION

A200

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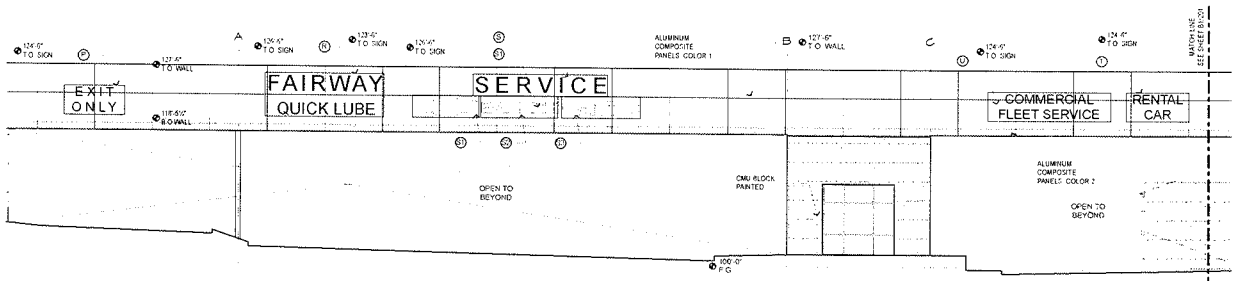
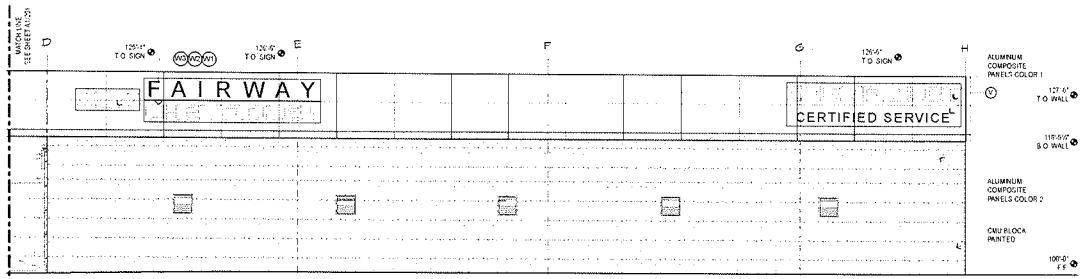
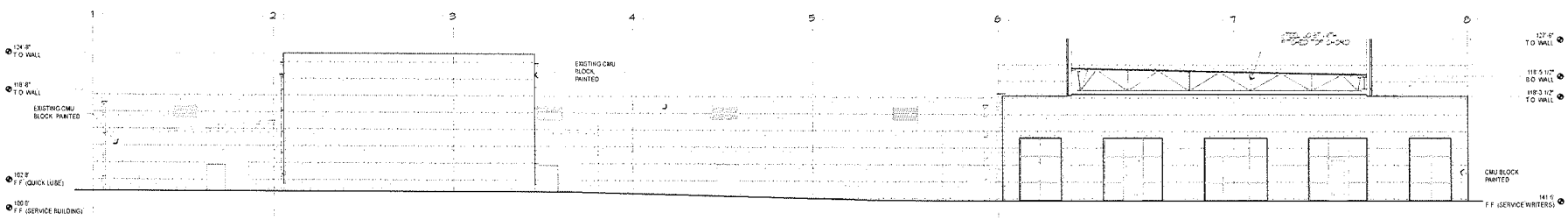


A1 SOUTH ELEVATION
1/8" = 1'-0"



B1 SOUTH ELEVATION
1/8" = 1'-0"



C1 WEST ELEVATION
1/8" = 1'-0"

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Fairway Chevrolet and Fairway GMC/Buick
Master Sign Plan
3040-3244 East Sahara
Las Vegas, Nevada 89104

EXTERIOR ELEVATIONS - SERVICE BLDG. ADDITION

A201

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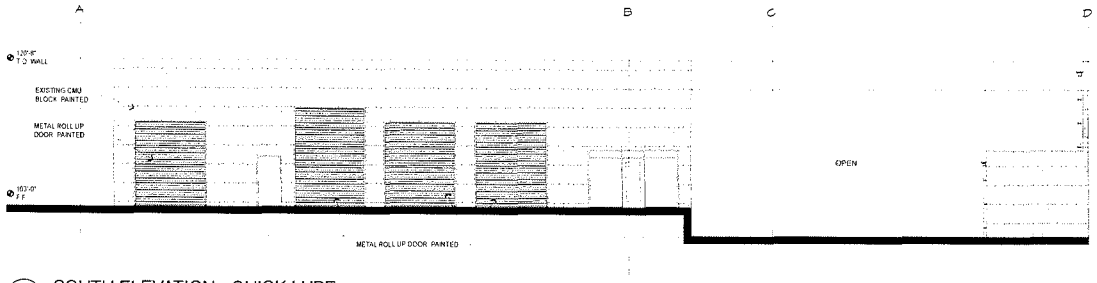
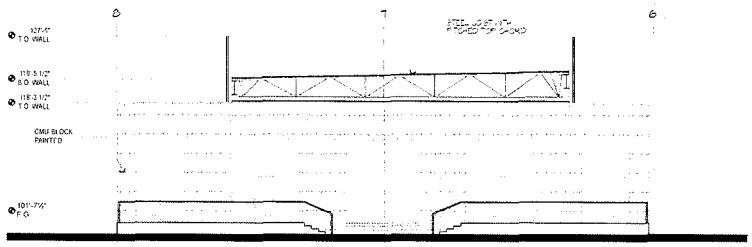
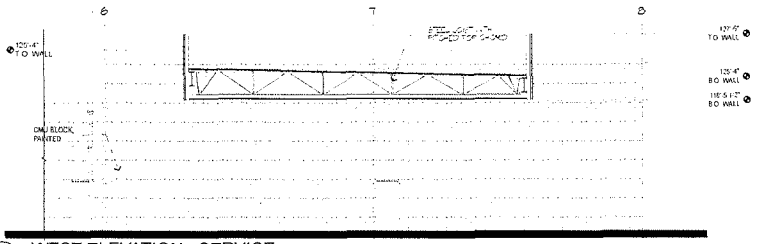


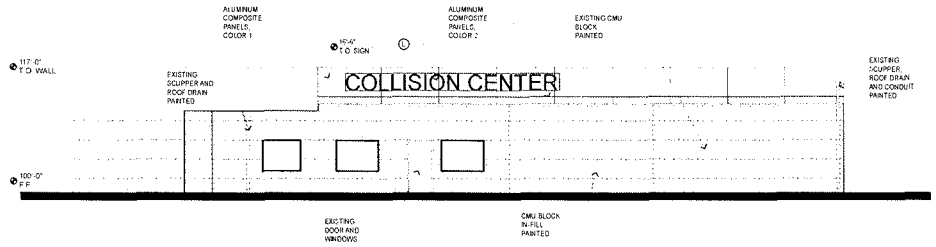
A1 SOUTH ELEVATION - QUICK LUBE
1/8" = 1'-0"



B1 EAST ELEVATION - SERVICE WRITERS
1/8" = 1'-0"



B3 WEST ELEVATION - SERVICE
1/8" = 1'-0"



C1 BODY SHOP SOUTH ELEVATION
1/8" = 1'-0"

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Master Sign Plan
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EXTERIOR ELEVATIONS - SVC. WRITERS, QUICK LUBE & BODY SHOP

A202

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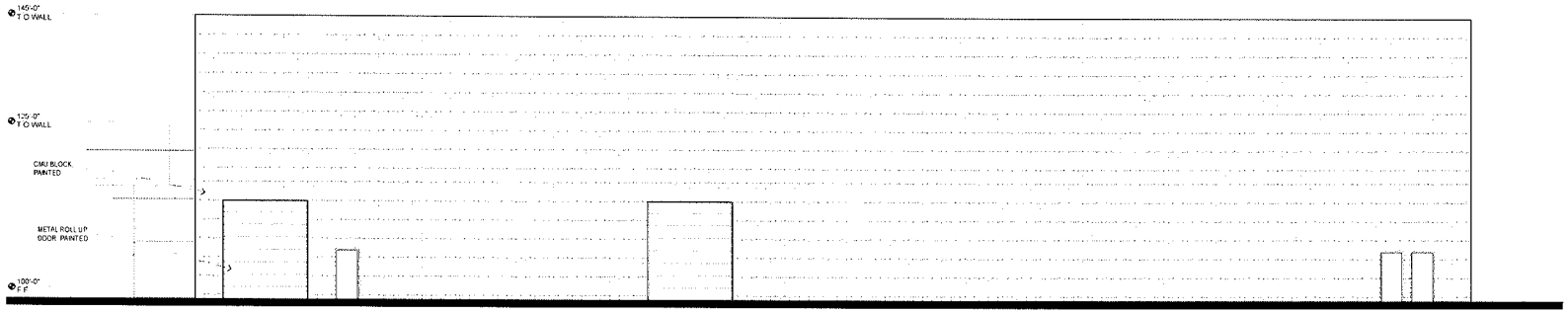
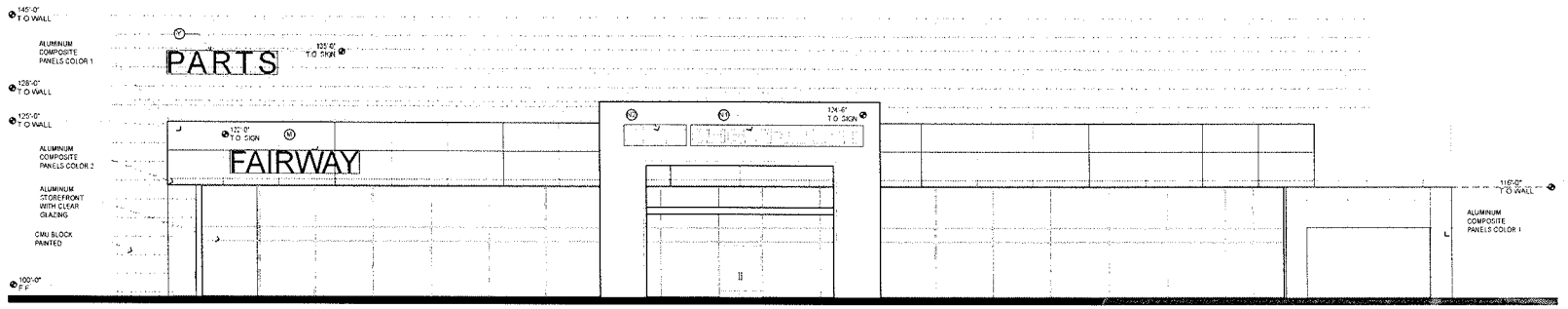


B1 NORTH ELEVATION
1/8" = 1'-0"



C1 SOUTH ELEVATION
1/8" = 1'-0"

MSP-39809

EXTERIOR ELEVATIONS - CHEVROLET SHOWROOM

A203

10.069 Fairway Chevrolet and Fairway GMC/Buick

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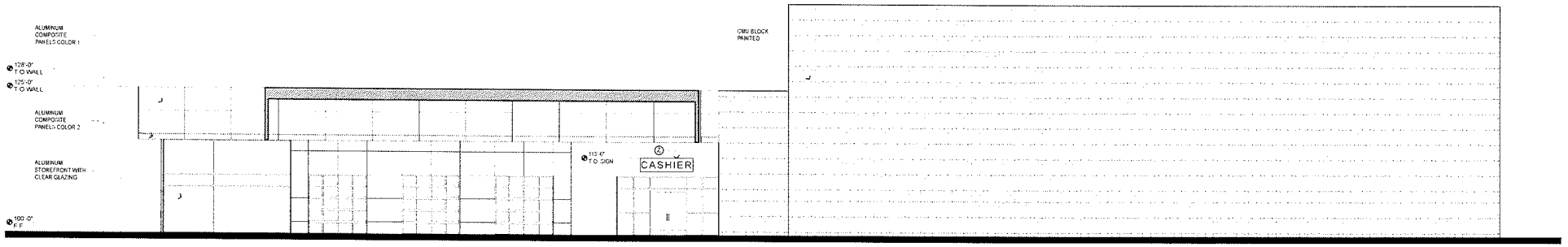
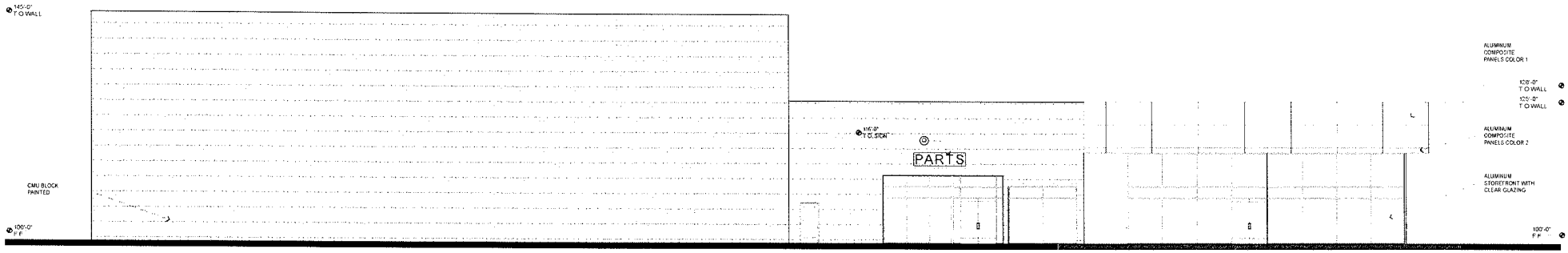


B1 EAST ELEVATION

1/8" = 1'-0"



C1 WEST ELEVATION

1/8" = 1'-0"

MSP-39809

EXTERIOR ELEVATIONS - CHEVROLET SHOWROOM

A204

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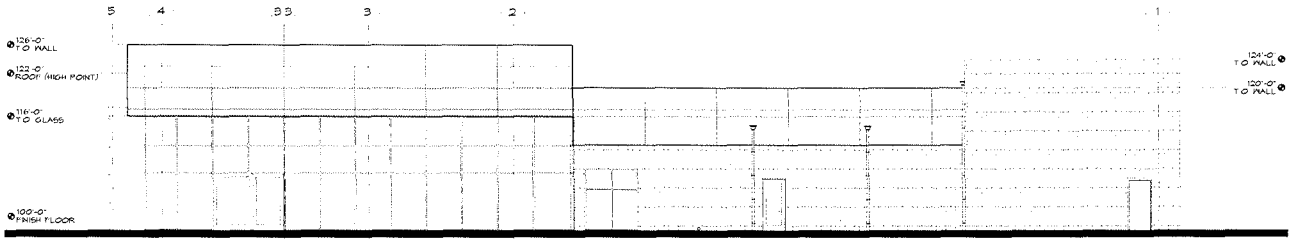
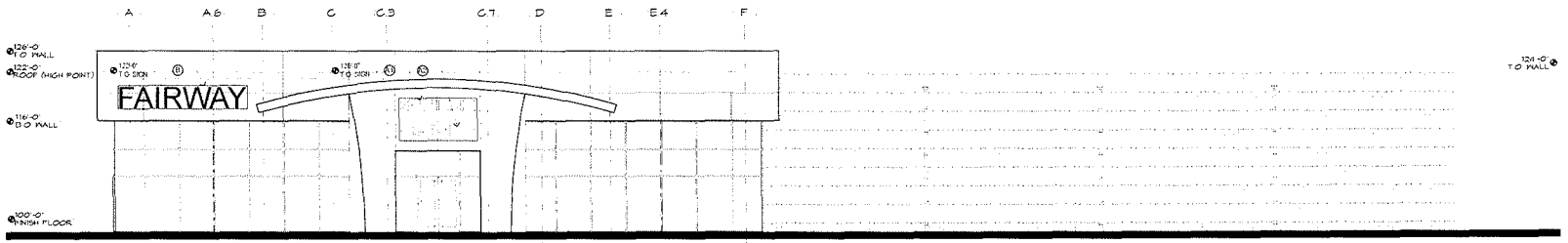


B1 EAST ELEVATION
1/8" = 1'-0"



C1 SOUTH ELEVATION
1/8" = 1'-0"

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EXTERIOR ELEVATIONS - GMC SHOWROOM

A205

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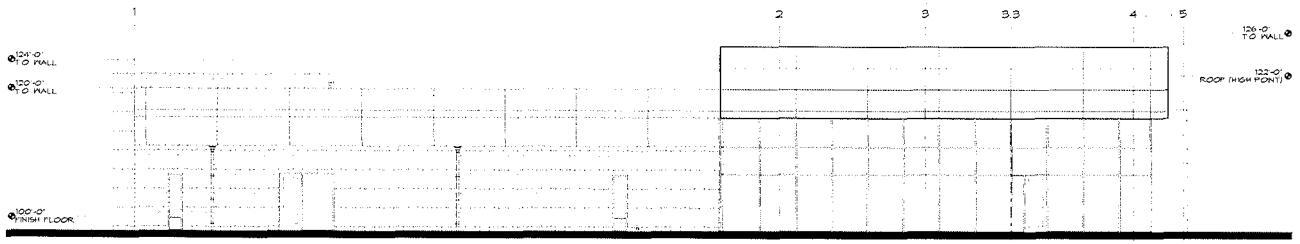
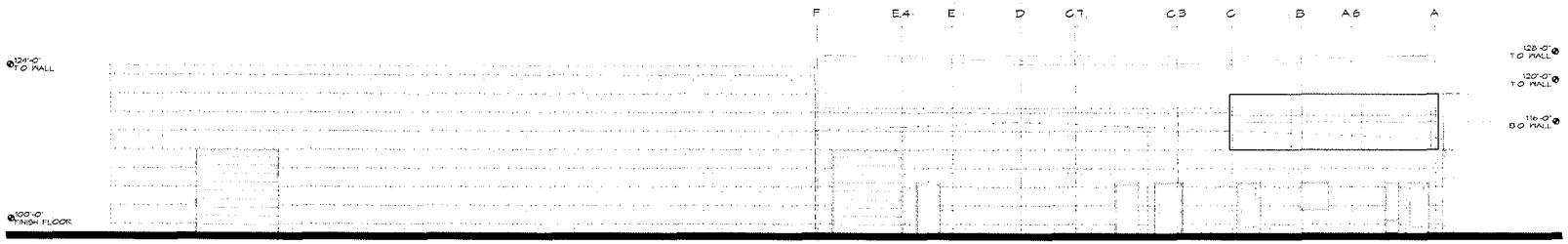


B1 WEST ELEVATION
1/8" = 1'-0"



C1 NORTH ELEVATION
1/8" = 1'-0"

MSP-39809

EXTERIOR ELEVATIONS - GMC SHOWROOM

A206

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Master Sign Plan
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MSP-39809 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY
3100 AND 3222 EAST SAHARA AVENUE

10/15/10

MSP-39809 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY
3100 AND 3222 EAST SAHARA AVENUE

10/15/10

MSP-39809 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY
3100 AND 3222 EAST SAHARA AVENUE

10/15/10

MSP-39809 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY
3100 AND 3222 EAST SAHARA AVENUE

10/15/10

MSP-39809 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY
3100 AND 3222 EAST SAHARA AVENUE

10/15/10

MSP-39809 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY
3100 AND 3222 EAST SAHARA AVENUE

10/15/10

MSP-39809 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY
3100 AND 3222 EAST SAHARA AVENUE

10/15/10

MSP-39809 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY
3100 AND 3222 EAST SAHARA AVENUE

10/15/10

MSP-39809 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY
3100 AND 3222 EAST SAHARA AVENUE

10/15/10

MSP-39809 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY
3100 AND 3222 EAST SAHARA AVENUE

10/15/10

MSP-39809 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY
3100 AND 3222 EAST SAHARA AVENUE

10/15/10

MSP-39809 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY
3100 AND 3222 EAST SAHARA AVENUE

10/15/10

MSP-39809 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY
3100 AND 3222 EAST SAHARA AVENUE

10/15/10

APTUS

October 1, 2010

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

RE: APN: 162-01-801-022
Re: A. Master Sign Plan

To whom it may concern:

We are submitting a Master Sign Plan for review to complement the new façade upgrades and expansion to the existing GMC/Buick showroom, a new Chevrolet showroom and parts building, a new service writer's building and an addition to the service building. Fairway Chevrolet and Fairway GMC/Buick auto dealerships are located on an existing 17.01 acre site at 3100 and 3222 E. Sahara (APN 162-01-801-022). We feel this project will be a tremendous catalyst to help jumpstart the revitalization of the eastern end of Sahara in Las Vegas.

Architecture
Engineering
Planning
Interiors
Landscape

This project is part of the General Motors dealership improvement program and will be completed in phases so that the major operations of the dealerships can remain intact during construction.

Freestanding Signs: Currently there are (6) six freestanding signs along Sahara. The street frontage is 1056.77' and would allow (5) five signs under the current code, but these (6)six signs would be legally non-conforming since they are existing.

Directional Signs: There are (3) two directional signs. Two signs are existing along Sahara stating "Parts/Service" and "Entrance". These existing signs are legally non-conforming due to their size. There is (1) one other sign, with directions to different departments on site. This sign will be within the allowable standards.

Canopy Signs: There will be (8) seven canopy signs. The total sf of the canopy signs is within the allowable standards.

Wall Signs: There will be (14) wall signs. The area of the signs is within the allowable standards.

We feel this project meets and supports existing city regulations for Master Sign Plans. This development is being upgraded aesthetically to be compatible with other development in the area and it is generally consistent with Title 19 standards. We have made every attempt to follow City of Las Vegas Title 19. Please join us in our attempt to bring much-needed high caliber product to Las Vegas residents.

Respectfully Submitted,

Kristen G. Neuman

Kristen G. Neuman, AIA
APTUS (owner's representative)

RECEIVED
OCT 05 2010
MSP-39809

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

Sign	Exist. or New	Copy *actual copy may vary*	Type	Location	Height	Width	Overall Height	Area of Sign SF	Wall / Canopy SF	Actual %	Type of Illumin.	Animated
A1	N	BUICK	Wall	On Building	1'-9"	11'-3"	see elev.	19.7	2464	0.8	Internal	No
A2	N	GMC	Wall	On Building	2'-4"	10'-5"	see elev.	24.3	2464	1.0	Internal	No
B	N	Fairway	Wall	On Building	3'-0"	18'-7"	see elev.	55.75	2464	2.3	Internal	No
C	E	Fairway Certified Used Vehicles	Freestanding	Site	8'-6"	8'-6"	30'-0"	72.25	n/a	n/a	Internal	No
D	E	Entrance	Directional	Site	1'-6"	8'-0"	see elev.	12	n/a	n/a	Internal	No
E	E	Fairway GMC/Buick	Freestanding	Site	14'-0"	14'-6"	47'-0"	203	n/a	n/a	Internal	No
F	E	Fairway Chevrolet	Freestanding	Site	11'-0"	11'-3"	36'-0"	123.75	n/a	n/a	Internal	No
G	E	Fairway Chevrolet	Freestanding	Site	14'-0"	14'-6"	47'-0"	203	n/a	n/a	Internal	No
H	E	Parts/Service	Directional	Site	2'-4"	12'-0"	8'-0"	28	n/a	n/a	Internal	No
J	E	Fairway Commerical Specialty Vehicles	Freestanding	Site	6'-0"	6'-0"	21'-0"	36	n/a	n/a	Internal	No
K	E	Fairway Certified Used Vehicles	Freestanding	Site	8'-6"	8'-6"	30'-0"	72.25	n/a	n/a	Internal	No
L	N	Collision Center	Wall	On Building	2'-4"	30'-0"	see elev.	70	1439	4.9	Internal	No
M	N	Fairway	Wall	On Building	3'-0"	18'-7"	see elev.	55.75	8055	0.7	Internal	No
N1	N	Chevrolet	Wall	On Building	3'-0"	24'-6"	see elev.	73.5	8055	0.9	Internal	No
N2	N	*Bowtie*	Wall	On Building	3'-0"	9'-4"	see elev.	28	8055	0.3	Internal	No
P	N	Exit Only	Canopy	On Canopy	4'-0"	8'-6"	see elev.	34	1546	2.2	Internal	No
Q	N	Parts	Wall	On Building	2'-4"	8'-0"	see elev.	19	1275	1.5	Internal	No
R	N	Fairway Quick Lube	Canopy	On Canopy	6'-0"	16'-6"	see elev.	99	1546	6.4	Internal	No
S	N	Service	Canopy	On Canopy	3'-0"	18'-8"	see elev.	56	1546	3.6	Internal	No
S1	N	*Bowtie*	Canopy	On Canopy	3'-0"	9'-4"	see elev.	28	1546	1.8	Internal	No
S2	N	BUICK	Canopy	On Canopy	1'-9"	11'-3"	see elev.	19.7	1546	1.3	Internal	No
S3	N	GMC	Canopy	On Canopy	2'-4"	10'-5"	see elev.	24.3	1546	1.6	Internal	No
T	N	Rental Car	Canopy	On Canopy	4'-0"	8'-9"	see elev.	35	1546	2.3	Internal	No
U	N	Commercial Fleet Service	Canopy	On Canopy	4'-0"	17'-0"	see elev.	68	1546	4.4	Internal	No
V	N	Certified Chevrolet Service	Wall	On Building	6'-0"	24'-6"	see elev.	147	3520	4.2	Internal	No
W1	N	Fairway	Wall	On Building	3'-0"	24'-6"	see elev.	73.5	3520	2.1	Internal	No
W2	N	Chevrolet	Wall	On Building	3'-0"	24'-6"	see elev.	73.5	3520	2.1	Internal	No
W3	N	*Bowtie*	Wall	On Building	3'-0"	9'-4"	see elev.	28	3520	0.8	Internal	No
X	N	*Directional Sign*	Directional	On Wall	3'-0"	4'-0"	7'-0"	12	n/a	n/a	Internal	No
Y	N	Parts	Wall	On Building	3'-0"	15'-6"	see elev.	46.5	8055	0.6	Internal	No
Z	N	Cashier	Wall	On Building	2'-4"	9'-0"	see elev.	21	925	2.3	Internal	No

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MSP-39809

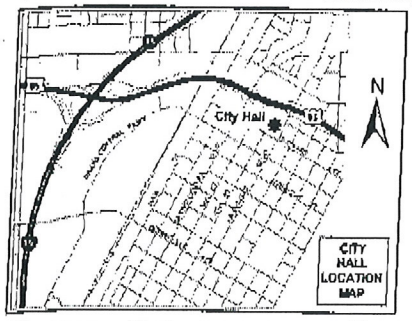
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 NOV 05 2010
MAILED FROM ZIPCODE 89101

Return Service Requested

Official Notice of Public Hearing



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

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

MSP-39809

Planning Commission Meeting of 11/18/2010

Case: MSP-39809

16201701008
3188 FREMONT STREET L L C
5243 W CHARLESTON BLVD #8
LAS VEGAS NV 89146-1304

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NOV - 8 2010

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

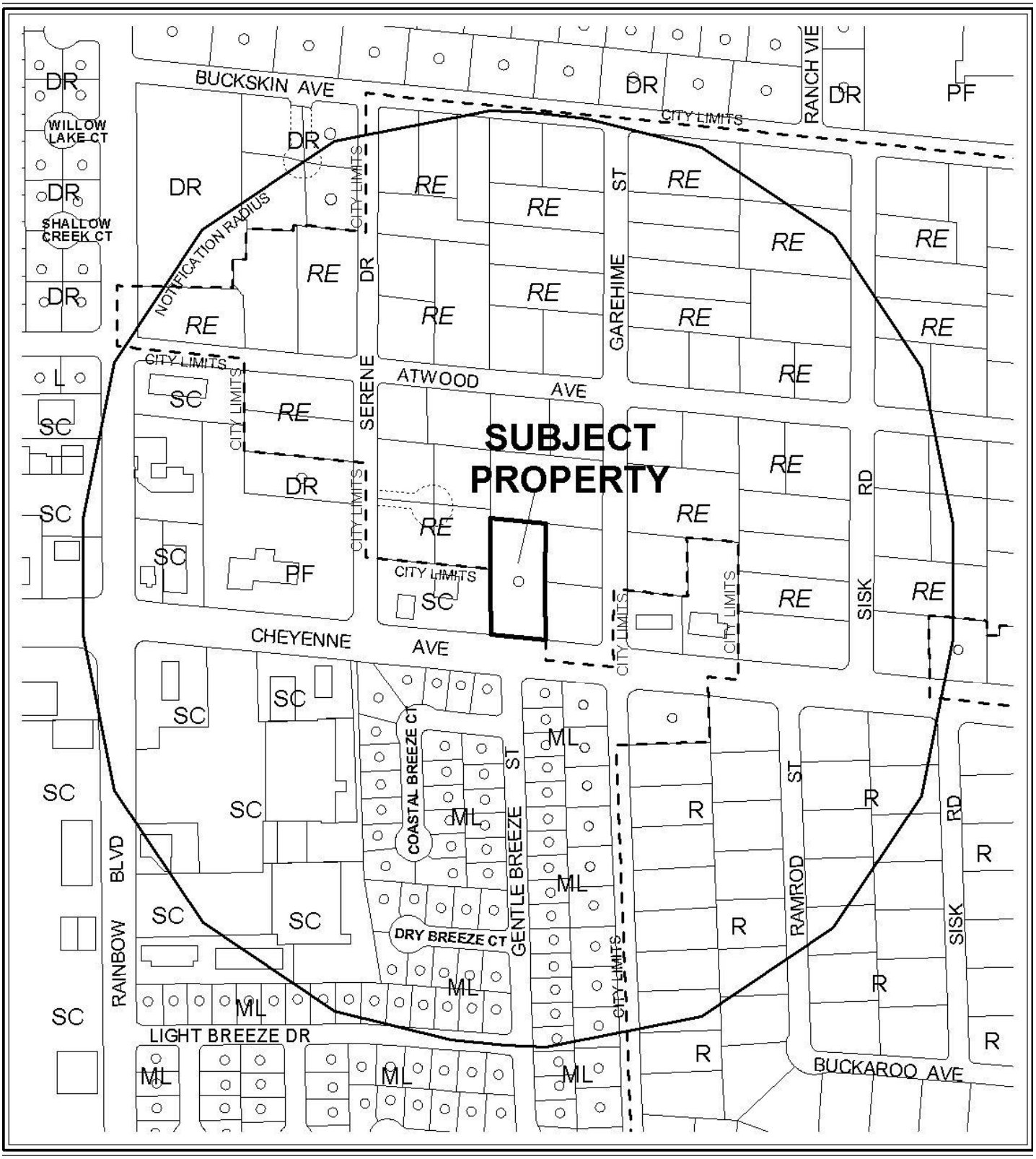
SUBJECT:
TABLED – RENOTIFICATION - GPA-38579 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: PAITAKA P. AND TASEY R. MIYAHIRA - Request for a General Plan Amendment FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 0.90 acres at 6640 West Cheyenne Avenue (APN 138-11-406-012), Ward 4 (Anthony). Staff recommends APPROVAL.

C.C.: 12/15/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**8**	**Planning Commission Mtg.**	**4**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report - GPA-38579, ZON-38580, VAR-38576, SUP-38574 and SDR-38577
3. Supporting Documentation
4. Photos - GPA-38579, ZON-38580, VAR-38576, SUP-38574 and SDR-38577
5. Justification Letter - GPA-38579, ZON-38580, VAR-38576, SUP-38574 and SDR-38577
6. Protest/Support Postcards – GPA-38579 and ZON-38580



0 300 600 Feet

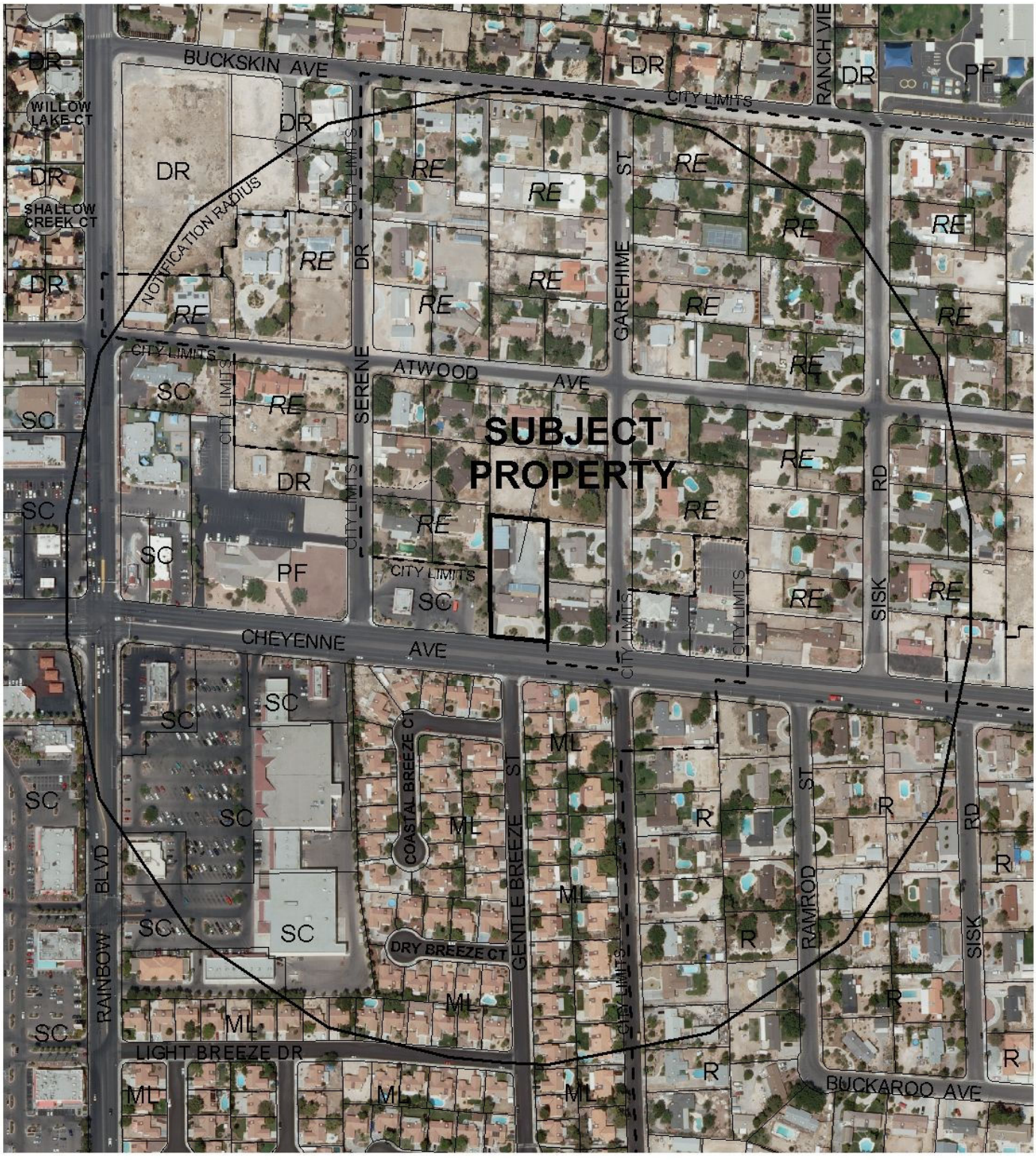
CASE: **GPA-38579**

RADIUS: 1000 FT

GENERAL PLAN LAND USE OF SUBJECT PROPERTY:
DR (DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL)

N



0 300 600 Feet

CASE: **GPA-38579**

RADIUS: 1000 FT

GENERAL PLAN LAND USE OF SUBJECT PROPERTY:
DR (DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: PAITAKA P. MIYAHIRA AND TASEY R. MIYAHIRA

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
GPA-38579	Staff recommends APPROVAL.	
ZON-38580	Staff recommends APPROVAL.	GPA-38579
VAR-38576	Staff recommends DENIAL, if approved subject to conditions:	GPA-38579 ZON-38580
SUP-38574	Staff recommends DENIAL, if approved subject to conditions:	GPA-38579 ZON-38580 VAR-38576
SDR-38577	Staff recommends DENIAL, if approved subject to conditions:	GPA-38579 ZON-38580 VAR-38576 SUP-38574

** CONDITIONS **

VAR-38576 CONDITIONS

Planning and Development

1. Approval of a General Plan Amendment (GPA-38579) and Rezoning (ZON-38580); approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-38574) and Site Development Plan Review (SDR-38577) 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.

SUP-38574 CONDITIONS

Planning and Development

1. Approval of a General Plan Amendment (GPA-38579) and Rezoning (ZON-38580); and approval of and conformance to the Conditions of Approval for Variance (VAR-38576) and Site Development Plan Review (SDR-38577) shall be required.

2. Special Use Permit SUP-37892 shall be expunged.

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

SDR-38577 CONDITIONS

Planning and Development

1. Approval of a General Plan Amendment (GPA-38579) and Rezoning (ZON-38580); and approval of and conformance to the Conditions of Approval for Variance (VAR-38576) and Special Use Permit (SUP-38574) shall be required.

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

3. All development shall be in conformance with the site plan and landscape plan, date stamped 10/28/10 and building elevations, date stamped 10/18/10, except as amended by conditions herein.

4. A Waiver from Title 19.12.040(A) is hereby approved to allow a three-foot landscape buffer along the south property line where 15 feet is required and a zero-foot landscape buffer along the east and west property lines where eight feet is required.

5. A Waiver from Title 19.08.040(F) is hereby approved to allow a zero-foot landscape buffer between back of curb and sidewalk along Cheyenne Avenue where a minimum of five feet is required along arterial streets.

6. An Exception from Title 19.08.040(B) is hereby approved, to allow six trees along portions of the west and east property lines where eight additional trees are required.

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

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

9. The applicant shall file a "Notice of Proposed Construction or Alteration" with the Federal Aviation Administration or submit to the Director of the Clark County Department of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Clark County Department of Aviation prior to issuance of a building permit.

10. 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 10/28/10. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

11. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: All required perimeter buffer trees shall be 24-inch box size and shall include four (4) five-gallon shrubs per required tree.

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

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

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

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

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

17. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

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

Public Works

19. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

20. Prior to the issuance of any building permits, abandon the existing septic tank system per Southern Nevada Health District regulations and connect to the public sewer line in Cheyenne Avenue. Alternatively, provide a letter from the Southern Nevada Health District stating that the existing septic tank is acceptable.

21. The location of the crash gate and ADA gate are acceptable as shown as long as no part of the gates, either in the opened or closed position, intrude into the public right of way and it meets all requirements of the Fire Department.

22. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.

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

24. Meet with the Traffic Engineering Representative for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. The driveway accessing this site from Cheyenne Avenue shall also receive written approval from the Nevada Department of Transportation. Any deviation from standard drawings shall be submitted to the Department of Public Works and approved prior to submittal of construction drawings or the issuance of permits, whichever may occur first.

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

** STAFF REPORT **

PROJECT DESCRIPTION

The site at 6640 West Cheyenne Avenue consists of a 0.90-acre parcel containing an existing 3,508 square-foot single-family residential dwelling. There are two existing shade canopies with existing parking spaces in the rear yard. The rear yard also contains an unpermitted 1,200 square-foot masonry building, a storage container, and some stored vehicles. The applicant obtained approval for a 10-bed group residential care facility (now termed Community Residence by Title 19) on the site, in which some additional landscaping was required. The Special Use Permit (SUP-37892) for the group residential care facility shall be expunged if the current proposal is approved and exercised. The previous request to increase the scope of the project by turning it into a Convalescent Care Facility/Nursing Home was tabled by the Planning Commission at the applicant's request.

The applicant has submitted a revised site plan that is somewhat scaled back from the previous proposal. The plan shows one additional single-story building (11,240 square feet) on the northern portion of the site that would add 21 additional beds. The garage of the existing residence will also be converted into living space as a part of this request. Because a Convalescent Care Facility is a commercial use, land use and zoning classifications must be changed from residential to commercial. The proposed change in land use is appropriate, as it is situated on a primary arterial street that mainly contains commercial uses to the east and west. Staff therefore recommends approval of the General Plan Amendment and Rezoning requests. As proposed, the site is overbuilt, which triggers the need for landscape waivers and a residential adjacency variance. Therefore, staff recommends denial of the associated Variance, Special Use Permit and Site Development Plan Review. If the applications are denied, the site will remain residentially designated with an approved 10-bed Community Residence use.

ISSUES

- A Special Use Permit for a proposed 31-bed, 15,114 square-foot Convalescent Care Facility in the C-1 (Limited Commercial) zoning district is required for approval of a Site Development Plan Review. Title 19.04 requires a Special Use Permit for this use in the C-1 (Limited Commercial) Zoning District. There are no minimum use conditions.
- A General Plan Amendment is required to amend the Centennial Hills Sector Plan of the General Plan from a land use designation of DR (Desert Rural Density Residential) to SC (Service Commercial) to allow the appropriate commercial zoning districts on the site. If denied, the site will remain residentially designated.

- A Rezoning is required from R-E (Residence Estates) to C-1 (Limited Commercial) to allow the Convalescent Care/Nursing Home use on the site.
- A Variance to allow a 10-foot side yard setback where residential adjacency standards require a 30-foot setback from the east property line is required for approval of the Site Development Plan Review.
- Waivers of perimeter landscape buffer requirements are required to allow a three-foot buffer along the south perimeter where 15 feet is required and zero-foot buffers along a portion of the east and west perimeters where eight feet is required.
- A Waiver is required to allow a zero-foot buffer where a five-foot landscape buffer between back of curb and sidewalk along Cheyenne Avenue is required.
- If the proposed Special Use Permit for a Convalescent Care Facility/Nursing Home use on this site is approved and exercised, the previous Special Use Permit approval for a Group Residential Care Facility will be expunged.
- The applicant is required to file documentation notifying the Federal Aviation Administration of the project. This requirement is noted as a condition of approval of the Site Development Plan Review.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
04/03/74	A three-lot Parcel Map that included the subject lot was recorded on property generally located at the northwest corner of Cheyenne Avenue and Garehime Avenue (Street).
07/14/94	The Planning Commission approved the Annexation (A-0013-94) of approximately 1.05 gross acres located at 6640 West Cheyenne Avenue. Staff recommended approval. The annexation became effective 10/14/94.
07/21/10	The City Council approved a request for a Special Use Permit (SUP-37892) for a 3,508 square-foot Group Residential Care Facility (10 senior citizens) within an existing residence with a Waiver to allow a 1,481-foot distance separation from another Group Residential Care Facility where 1,500 feet is the minimum required at 6640 West Cheyenne Avenue. The Planning Commission and staff recommended approval. The approval is subject to a one-year administrative required review following issuance of a business license for the use.
07/29/10	The Planning Commission accepted the applicant's request to abey a General Plan Amendment request (GPA-38579) to amend the land use designation of this site from DR (Desert Rural Density Residential) to SC (Service Commercial) and a request for a Rezoning (ZON-38580) from R-E (Residence Estates) to C-1 (Limited Commercial) on this site to the 08/26/10 Planning Commission meeting.

08/26/10	The Planning Commission accepted the applicant's request to table GPA-38579 and ZON-38580, and requests for a Variance (VAR-38576) to deviate from residential adjacency standards, a Special Use Permit (SUP-38574) for a proposed 47-bed, 17,777 square-foot Convalescent Care Facility/Nursing Home and a Site Development Plan Review (SDR-38577) for a proposed two-story, 17,777 square-foot Convalescent Care Facility/Nursing Home and a Waiver of the perimeter buffer standards to allow four feet along the south perimeter where 15 feet is required, zero feet along a portion of the west and east perimeters where eight feet is required and zero feet between the sidewalk and back of curb where five feet is required adjacent to arterial streets on 0.90 acres at 6640 West Cheyenne Avenue. Staff had recommended denial of VAR-38576, SUP-38574 and SDR-38577 and approval of GPA-38579 and ZON-38580.

Most Recent Change of Ownership	
04/14/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
c. 1977	The subject residence was constructed.
02/04/97	A building permit (#97002442) was issued to reroof the main dwelling unit at 6640 West Cheyenne Avenue. A final inspection was completed 02/11/97.
01/22/98	A business license (C11-03277) was issued for an excavating contractor at 6640 West Cheyenne Avenue in conjunction with a home occupation permit (HO-0107-98). The license is still active.

Pre-Application Meeting	
06/09/10	A pre-application meeting was held with the applicant, where submittal requirements for General Plan Amendment, Rezoning, Variance, Special Use Permit and Site Development Plan Review applications were discussed. The following items were also discussed: • The existing site has two driveways from Cheyenne Avenue. The applicant met with NDOT, which required the west driveway to be gated. • Variances of Residential Adjacency standards are required for building setback, proximity slope setback and trash enclosure setback, unless the plans are revised to meet Title 19 requirements.

06/09/10	• Waivers of perimeter landscape standards are required to allow less than 15 feet of buffer width along Cheyenne and zero buffer width along the east and west property lines. • • Exceptions of landscape requirements for tree spacing and parking lot landscaping will be required. • Business licensing requirements were discussed, including licensing for additional activities to take place within the proposed convalescent facility.
10/13/10	At the applicant's request, the applicant met with staff to discuss submittal of revised plans showing only single-story buildings. The applicant was advised to hold an additional neighborhood meeting to discuss the changes.

Neighborhood Meeting	
07/14/10	A neighborhood meeting was held at 3300 North Buffalo Drive. Four members of the public, two city staff members and four members representing the applicant were in attendance. The following concerns were voiced regarding the proposed project: • The proposed structure is too close to the property lines. • The two-story height of the structure will eliminate the privacy of the residential properties that abut the subject site, and residents of the care center will be looking into the adjoining back yards. • The proposed use will change the residential character of the neighborhood and decrease property values by introducing a commercial use adjacent to residential properties. • Landscape buffers will not be adequate to screen the proposed structure from the abutting residential properties. • A couple of the attendees were of the opinion that a restricted office use would be an appropriate commercial use of the property, provided any structures would be limited to one story in height and located adjacent to Cheyenne Avenue; the remainder felt that the residential land use should be maintained. • Residents expressed frustration with repeated attempts in the area by developers to rezone residential properties for commercial uses.

Field Check	
07/22/10	A field check was conducted on the subject site. The following items were noted: • The site contains a well maintained single family residence. • A large storage container in the rear yard was visible from the public right-of-way. • A recreational vehicle and dump truck were being stored on the site.

Details of Application Request	
Site Area	
Net Acres	0.90

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single Family Dwelling, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Single Family Dwelling, Detached	RE (Rural Estates – Clark County)	R-E (Rural Estates Residential – Clark County)
South	Single Family Dwelling, Detached	ML (Medium-Low Density Residential)	R-CL (Single Family Compact-Lot)
East	Single Family Dwelling, Detached	RE (Rural Estates – Clark County)	R-E (Rural Estates Residential – Clark County)
West	Single Family Dwelling, Detached	RE (Rural Estates – Clark County)	R-E (Rural Estates Residential – Clark County)
	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply to the subject site:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	39,264 SF	N/A
Min. Lot Width	100 Feet	136 Feet	Y
Min. Setbacks: • Front • Side • Rear	 20 Feet 10 Feet 20 Feet	 49 Feet 10 Feet 20 Feet	 Y Y Y
Min. Distance Between Buildings	10 Feet	84 Feet	Y
Max. Lot Coverage	50%	38%	Y
Max. Building Height	N/A	15 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, gated, w/roof	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.08.060, the following Residential Adjacency standards apply to the subject proposal:

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
Adjacent development matching setback (north lot line)	10 Feet	20 Feet	Y
Adjacent development matching setback (east lot line)	30 Feet	10 Feet	N
Trash Enclosure	50 Feet	66 Feet	Y

Existing Zoning	*Permitted Density*	*Units Allowed*
R-E (Residence Estates)	2.18 du/ac	1
Proposed Zoning	***Permitted Density***	***Units Allowed***
C-1 (Limited Commercial)	N/A	N/A
Existing General Plan	***Permitted Density***	***Units Allowed***
DR (Desert Rural Density Residential)	2.49 du/ac	2
Proposed General Plan	***Permitted Density***	***Units Allowed***
C-1 (Limited Commercial)	N/A	N/A

Pursuant to Title 19.12, the following landscape standards apply to the subject proposal:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	7 Trees	24 Trees	Y
• South	1 Tree / 20 Linear Feet	4 Trees	8 Trees	Y
• East	1 Tree / 20 Linear Feet	14 Trees	14 Trees	Y
• West (adjacent to residential use)	1 Tree / 20 Linear Feet	6 Trees	16 Trees	Y
• West (adjacent to commercial use)	1 Tree / 30 Linear Feet	5 Trees	3 Trees	N
TOTAL PERIMETER TREES		**36 Trees**	**65 Trees**	**Y**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	8 Trees	11 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		20 Feet	Y
• South	15 Feet		3 Feet	N
• East	8 Feet		0 Feet	N
• West	8 Feet		0 Feet	N
Buffer Width adjacent to arterial street	5 Feet		0 Feet	N
Wall Height	6 to 8 Feet Adjacent to Residential		6 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Convalescent Care Facility/ Nursing Home	31 beds; 7 employees on largest shift	1 space/ 6 beds, plus one space/ employ-yee on largest shift, plus 3 spaces	16		17		Y
TOTAL SPACES REQUIRED			**16**		**17**		Y
TOTAL (With Handicapped)			15	1	16	1	Y
Compact Spaces Allowed (maximum)			4	N/A	4	N/A	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
Title 19.12.040(A) Buffer Zones—Min. 15 feet buffer width adjacent to rights-of-way	Three feet minimum along the south perimeter	Denial
Title 19.12.040(A) Buffer Zones—Min. 8 feet buffer width adjacent along interior lot lines	Zero feet minimum along a portion of the east and west perimeter	Denial
Title 19.08.040(F) Sidewalks—Min. 5 feet buffer between back of curb and sidewalk along 100-foot arterial streets	Zero feet	Denial

Exceptions		
Requirement	***Request***	***Staff Recommendation***
Title 19.08.040(B) Tree Spacing—1 Tree per 20' adjacent to residential uses; 1 Tree per 30' adjacent to commercial uses	3 trees adjacent to commercial and 3 trees adjacent to residential on a portion of the east perimeter	Denial

ANALYSIS

The project site is located on a primary arterial street in a predominantly low density, single-family neighborhood. This lot is adjacent to a convenience store to the west; all other neighboring lots have single-family residential uses, including a lot to the west within the jurisdiction of Clark County. The adjacent lot to the east contains a single-family dwelling and also has frontage along Cheyenne Avenue. Lots along the south side of Cheyenne Avenue are exclusively single-family residential in this area. However, there is a precedent for rezoning residential property for commercial uses along the north side of Cheyenne Avenue. Commercial uses that could be allowed on this site would be compatible with the existing commercial and residential uses in this area. Staff therefore recommends approval of the General Plan Amendment and Rezoning requests.

The subject site is located within the North Las Vegas Airport Overlay District. The ultimate height of the proposed buildings will be well below the 140-foot height restriction in this area; however, the Clark County Department of Aviation has noted that the proposed development will exceed a slope of 100:1 for a distance of 20,000 feet from the nearest point of any airport runway. As a result, the applicant is required to file documentation notifying the Federal Aviation Administration of the project. This requirement is noted as a condition of approval of this Site Development Plan Review request.

The site receives access from a 28-foot driveway from Cheyenne Avenue. A crash gate is proposed on the west driveway to comply with Nevada Department of Transportation requirements. Circulation around the site is adequate and will allow for emergency vehicle access to all buildings. However, in order to accommodate the path of circulation, a portion of the east and west perimeter landscape buffers have been eliminated, requiring waivers of Title 19.12. Additionally, a waiver is required to allow a zero-foot buffer between the sidewalk and back of curb where five feet containing drought-tolerant plant materials is required. Staff cannot support these waivers because they reflect overbuilding of the site and adequate justification has not been shown for their approval. While additional trees along the north perimeter and the northern portion of the east and west perimeters have been provided to make up for the lack of trees adjacent to commercial and residential properties, an exception is necessary to allow this configuration.

Sufficient parking is provided to meet Title 19 requirements for the use, given a maximum of seven employees on the largest shift. It is noted that four spaces are eight-foot wide compact spaces.

The revised site plan shows a proposed single-story, 11,240 square-foot building (Building 1) to be located at the rear of the property. This configuration improves upon the previous plan, which showed a two-story building on the east side of the site, and a one-story building with a partial second story on the west side. All other existing structures except the existing residence will be removed to allow for the new building. The overall floor area has decreased slightly to 15,114 square feet, a 15% decrease. While the proximity slope setback requirement has been eliminated because of the reduction in height, residential adjacency standards still require Building 1 to be set back at least 30 feet from the neighboring residential property line. As the proposed site remains overbuilt relative to the size of the property, staff recommends denial of the associated Variance, Special Use Permit and Site Development Plan Review requests. If these requests are denied, the site will retain its entitlement for a Community Residence on a single-family residential lot. If approved and exercised, the existing Special Use Permit approval will be expunged.

The submitted elevations show that the existing residence (Building 2) will be altered to create dormers at each window along the south elevation, as well as to convert the existing garage to living space. Most of the façade will consist of stucco, with masonry reserved for accents. Building 1 will have a similar appearance to Building 2, but will not contain the dormers. Building 2 will contain 10 residential rooms and approximately 375 square feet of common area. Building 1 will contain 21 residential rooms and 970 square feet of common area. This facility is also proposed to contain a nurse station, kitchen, salon, office, physical therapy room, storage room, two dining rooms and space for meeting rooms or recreation.

FINDINGS (GPA-38579)

Section 19.18.030(I) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

   The intensity of the proposed amendment to an SC (Service Commercial) land use designation is compatible with existing Service Commercial property to the west. Some mitigation of negative effects may be necessary from adjacent residentially designated properties.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

The proposed amendment to SC (Service Commercial) would allow zoning districts that permit new and converted offices, neighborhood services and light retail and other commercial uses. These uses will be compatible with the existing commercial and residential uses on adjacent properties.

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**

   The subject property is located within an area of the City where all utilities, fire and police services are currently in place and available. Cheyenne Avenue, a 100-foot wide Primary Arterial street, provides adequate access to any proposed commercial use. Thus, there are adequate facilities available to accommodate the uses and densities permitted by the proposed General Plan Amendment.

4. **The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.**

   There are no special area plans that include this site or neighboring parcels.

FINDINGS (ZON-38580)

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

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

   With approval of an associated request proposing to amend the General Plan on this site from DR (Desert Rural Density Residential) to SC (Service Commercial), the request to rezone from R-E (Residence Estates) to C-1 (Limited Commercial) would conform to the General Plan.

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

   The wide range of commercial uses that would be allowed on this site will be compatible with the surrounding land uses and zoning districts, which include a C-1 (Limited Commercial) property to the west and O (Office) to the east.

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

   There is precedence for rezoning existing residential properties for commercial use along the north side of Cheyenne Avenue; rezoning of the subject property will not result in leapfrog development.

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.**

   Cheyenne Avenue, a 100-foot Primary Arterial street, provides access to the property. This street provides adequate capacity to meet the needs of development on the subject parcel.

FINDINGS (VAR-38576)

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

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

Additionally, Title 19.18.070(L) states:

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

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

FINDINGS (SUP-38574)

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 Convalescent Care Facility cannot be conducted in a manner that is harmonious and compatible with the adjacent low density residential uses, unless it is reduced in size.

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

   At 0.90 acre, the site cannot accommodate the size of the buildings proposed without approval of applicable landscape waivers and a variance of residential adjacency standards. The land use type may be appropriate if the project were designed for fewer residents.

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.**

   Cheyenne Avenue, a 100-foot Primary Arterial street, provides access to the property. This street provides adequate capacity to meet the needs of development on the subject parcel.

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 Convalescent Care Facility will be subject to building and licensing inspection and will not compromise the public health, safety and welfare.

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

   There are no minimum Special Use Permit requirements for a Convalescent Care Facility/Nursing Home use located within a commercial zoning district.

FINDINGS (SDR-38577)

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 15,114 square-foot Convalescent Care Facility is not adequately buffered from protected residential uses and its scale of development is out of character with existing development in the area.

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

   The proposed Convalescent Care Facility requires a variance from residential adjacency setback requirements and waivers from perimeter landscape buffer requirements.

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

   Site access is provided by one driveway from Cheyenne Avenue, a 100-foot Primary Arterial. A second driveway access is provided for emergency vehicles and is proposed to be gated. The circulation designed for the site is adequate and should not impede neighborhood traffic.

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

   Buildings contain stucco exteriors and masonry accents with concrete tile roofs, typical of other residential, office and retail buildings in this area. Landscape materials cover a variety of drought-tolerant species and are appropriate for the area.

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

   The building elevations are suitable for the use and create an orderly and pleasing environment that is harmonious and compatible with adjacent single-family residential development.

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

   The proposed project will be subject to licensing and building inspections and maintenance, thereby securing the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 1,012

APPROVALS 4

PROTESTS 8

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-38579** APN: 138-11-406-012

Name of Property Owner: PAITAKA P. MIYAHIRA

Name of Applicant: PAITAKA P. MIYAHIRA or Tasey Miyahira

Name of Representative: Paitaka Miyahira, Geoff Robins

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: PAITAKA P. MIYAHIRA

Subscribed and sworn before me

This 15th day of June, 2010

_____

Notary Public in and for said County and State

SUZANNE FIFIELD
Notary Public State of Nevada
No. 07-2474-1
My appt. exp. Mar. 29, 2011

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JUN 15 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: GENERAL PLAN AMENDMENT

Project Address (Location) 6640 W. CHEYENNE

Project Name OHANA (FAMILY) CARE MANOR **Proposed Use** GROUP CARE

Assessor's Parcel #(s) 138-11-406-012 **Ward #** 4

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

Commercial Square Footage 22,314 **Floor Area Ratio** 48%

Gross Acres 1.057 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER P & S MIYAHIRA **Contact** PAT MIYAHIRA

Address 6640 W. CHEYENNE **Phone:** 289 1743 **Fax:** 645 7093

City LAS VEGAS **State** NEVADA **Zip** 89106

E-mail Address SUZY@MAUI ONE INC.COM

APPLICANT PAITAKA MIYAHIRA **Contact** PAT MIYAHIRA

Address 6640 W. CHEYENNE **Phone:** 289 1748 **Fax:** 645 7093

City LAS VEGAS **State** NEVADA **Zip** 89105

E-mail Address SUZY@MAUI ONE INC.COM

REPRESENTATIVE GEOFF ROBINS **Contact** GEOFF ROBINS

Address 2261 ROSANNA ST **Phone:** 376 2558 **Fax:** 228 4672

City LAS VEGAS **State** NEVADA **Zip** 89117

E-mail Address _____

Property Owner Signature* Tasey Miyahira Paitaka P. Miyahira

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

Print Name Tasey Miyahira Paitaka P. Miyahira

Subscribed and sworn before me

This 10TH day of JUNE, 20 10.

Suzanne Fifield

Notary Public in and for said County and State

SUZANNE FIFIELD
Notary Public State of Nevada
No. 07-2474-1
My appt. exp. Mar. 29, 2011

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	GPA-38579
Meeting Date:	7/29/10
Total Fee:	$2,000
Date Received:*	6/15/10
Received By:	

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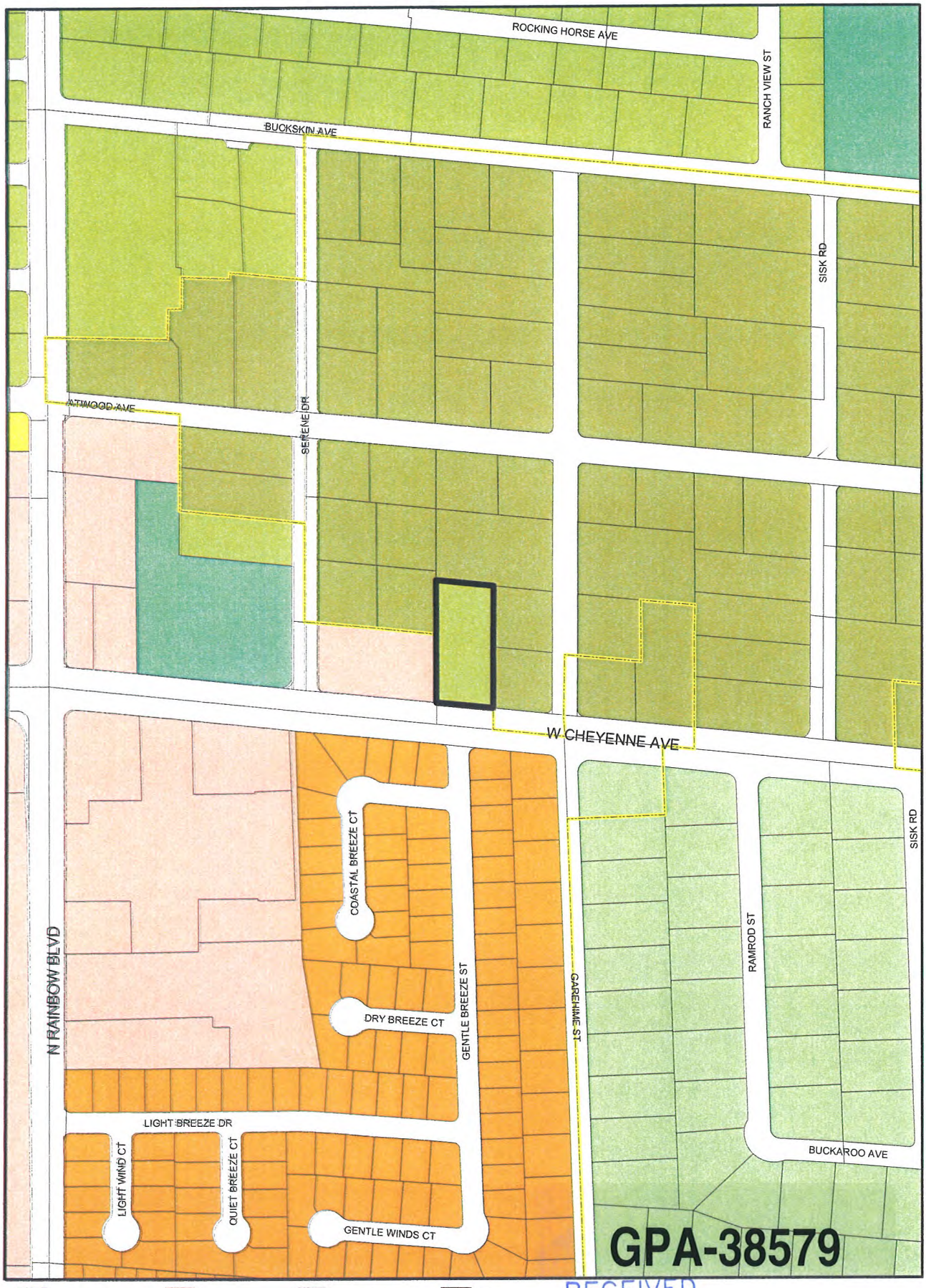
JUN 15 2010

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

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

GENERAL PLAN AMENDMENT Parcel: 138-11-406-012



Rural Neighborhood Preservation
Rural Estates
Desert Rural
Rural
Low
Medium - Low
Medium - Low Attached
Medium
High
Office
Service Commercial
General Commercial
Tourist Commercial
Las Vegas Medical District
Light Industrial / Research
Planned Community Development
Downtown Redevelopment Area
Park / Recreation / Open Space
Public Facility
Public Facility - School
Public Facility - Clark County
Town Center
Resource Conservation
Downtown - Commercial
Downtown - Mixed Use
Not in City
Subject Parcel
City Limits

RECEIVED
JUN 15 2010

From DR TO SC

Data Current as of: June 10, 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

SITE INFORMATION

ZONING APN No 138-11-402-012
CURRENT ZONING: R-E
REZONE TO: C-1

AREA (Approximate, to be verified)
Net Area: 39,264 SF
39,264 ÷ 43,560 = .90 ACRES

PARKING REQUIREMENTS

Parking Calculations (per Code)	Required	Provided
Parking Ratio:	16	17
1 SPACE PER 8 X BEDS = 8 ÷ 2 =	4	
EMPLOYEES ON LARGEST SHIFT =	7	
MEDICAL PROFESSIONALS =	5	
	REQ. 16	
	PROVIDED 17	

SETBACKS
Front: 20'
Rear: 20'
Side: 10'
Corner Street Side:

BUILDING HEIGHT
Allowed: 15'
Provided: 15'

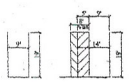
BUILDING COVERAGE
Allowed: 50%
Provided: 57%

BUILDING AREAS

BUILDING #1	11,240 SQ FT
BUILDING #2	3,879 SQ FT
TOTAL	15,119 SQ FT

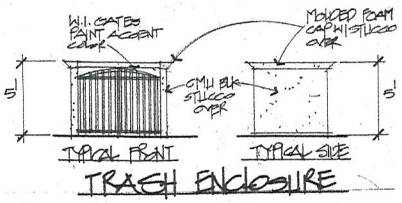
15,119 S.F ÷ 39,264 SF = 39%

Fire Turning Radius

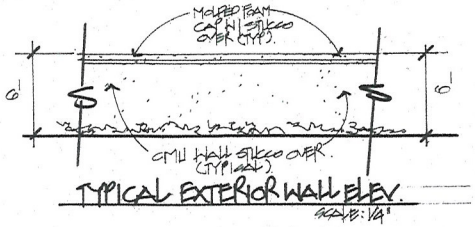


Typical Parking Spaces

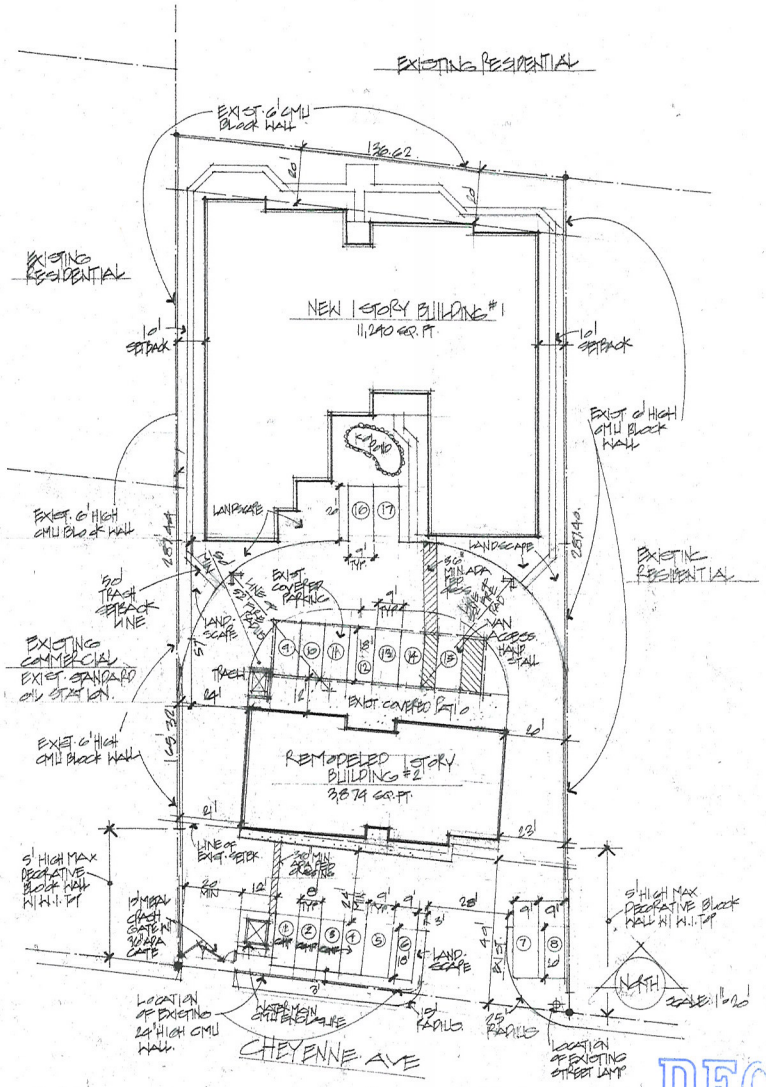
CMU Wall C-C



TRASH ENCLOSURE



TYPICAL EXTERIOR WALL ELEV.
SCALE: 1/4"



SITE PLAN

GPA-38579 ZON-38580
VAR-38576 SUP-38574
SDR-38577 REVISED

RECEIVED
OCT 28 2010

OHANA ADULT DAY CARE HOME
6040 CHEYENNE AVE.
LAS VEGAS, NV.

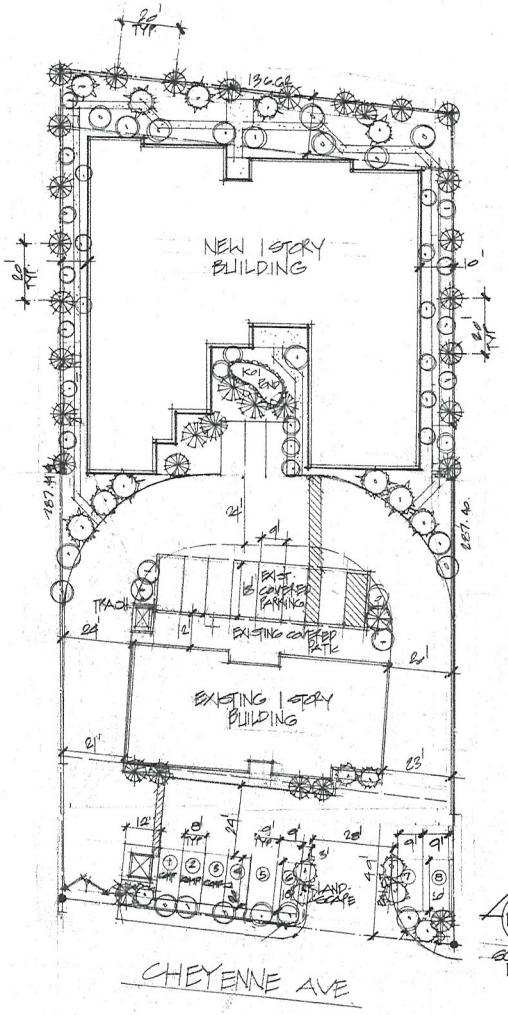
Residential & Commercial Design & Rendering
J W DESIGN
Jeffrey Weinberg
15 W. Pacific Ave., Suite 3
Henderson, NV 89015
(702) 896-7734

10.4.10

1 OF 5

TREE / PLANT SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
	82	24" Box or 15 GAL.	20'-30' On Center	MODESTO ASH	Fraxinus velutina "Modesto"
	28	24" Box or 15 GAL.	20'-30' On Center	TEXANUM PRIVET	Ligustrum japonicum "Texanum"
	49	24" Box or 15 GAL.	20'-30' On Center	MONDEL PINE	Pinus pigra
	24	Height Varies	Varies, See Setback Requirements	MEXICAN FAN PALM	Washingtonia robusta "Mexican Fan Palm"
	12	24" Box or 15 GAL.	Varies, See Setback Requirements	FLOWERING PLUM	Prunus blireiana
	47	1- 5 Gallon	N/A	Ornamental Ground Shrubs and Cover	
		N/A	N/A	Xeroscape / Turf	



LANDSCAPE PLAN

GPA-38579 ZON-38580
VAR-38576 SUP-38574
SDR-38577 REVISED

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CHANA
ADULT GROUP CARE HOME
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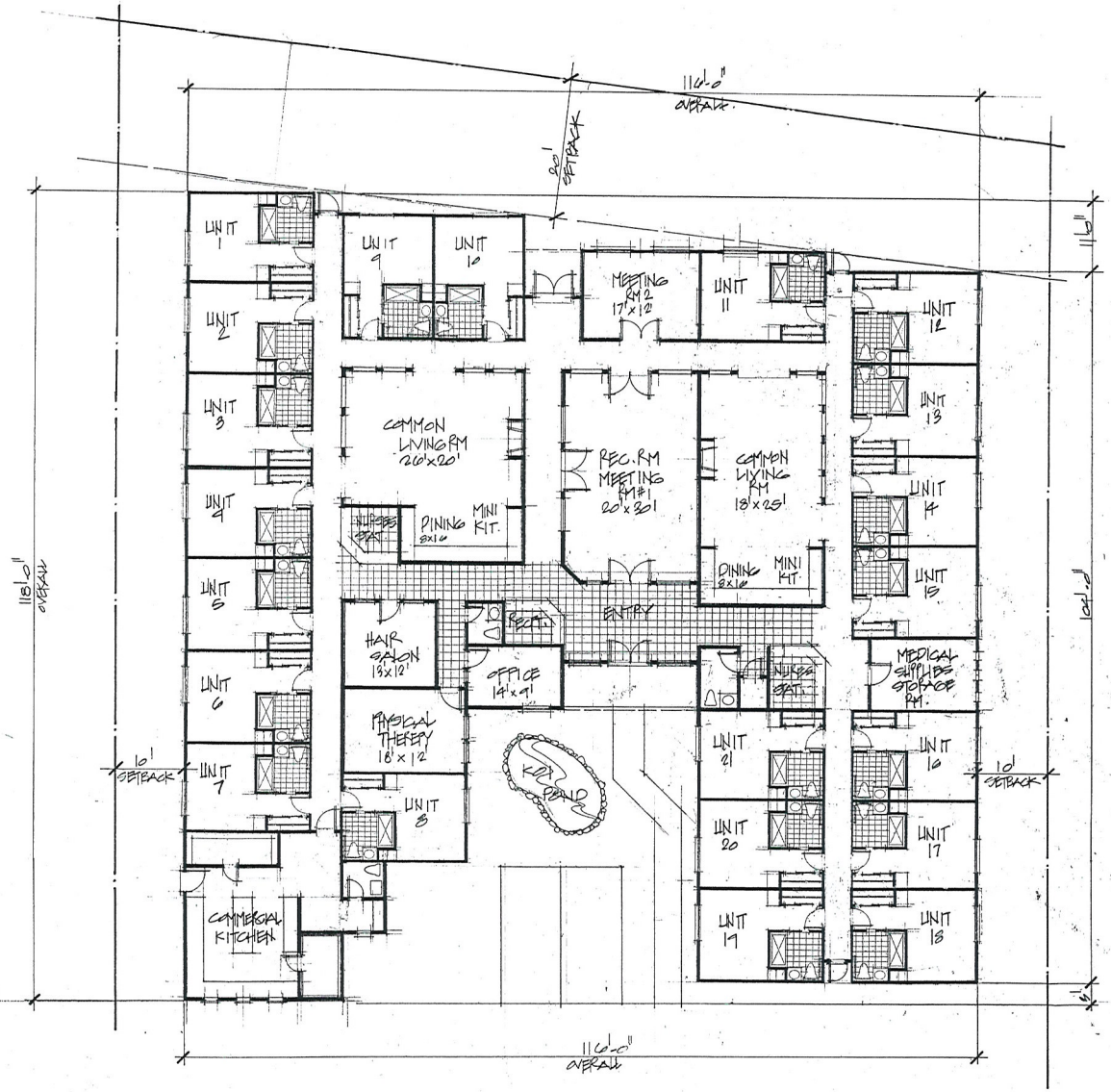
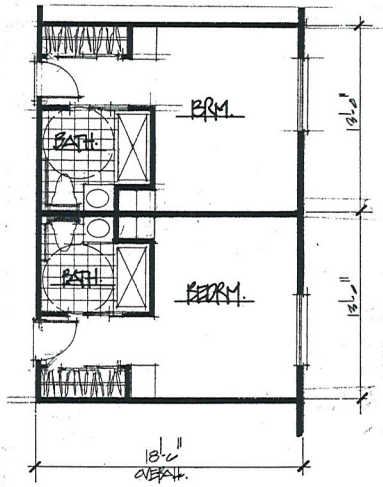
2 of 5



FLOOR PLAN BUILDING 1
TOTAL SQ. FT. 11,240 SQ. FT. SCALE: 1/8"



UNIT FLOOR PLAN 234 SF.
SCALE: 1/4"

OHANA
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10-4-10

3 of 5

GPA-38579 ZON-38580
VAR-38576 SUP-38574
SDR-38577 REVISED

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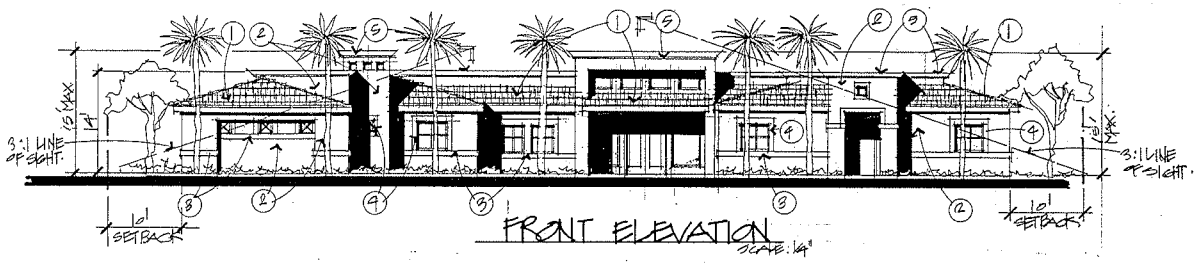
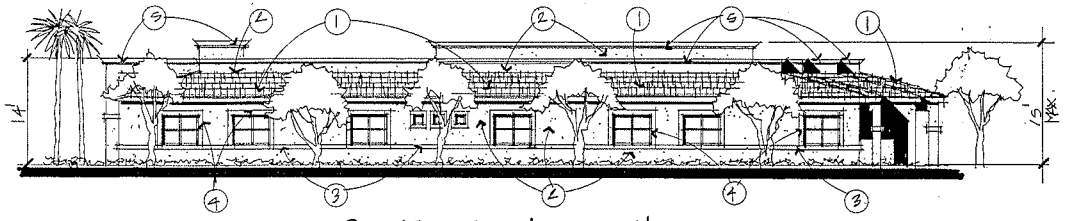
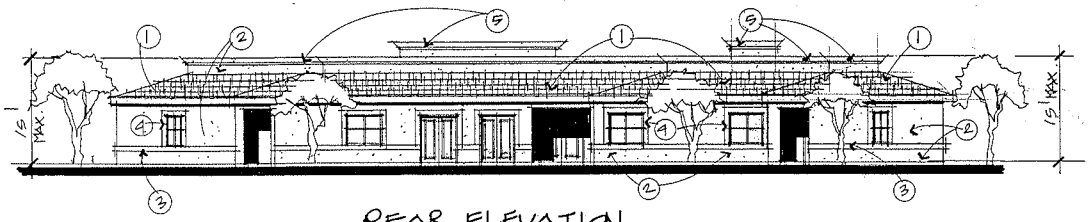
OCT 18 2010



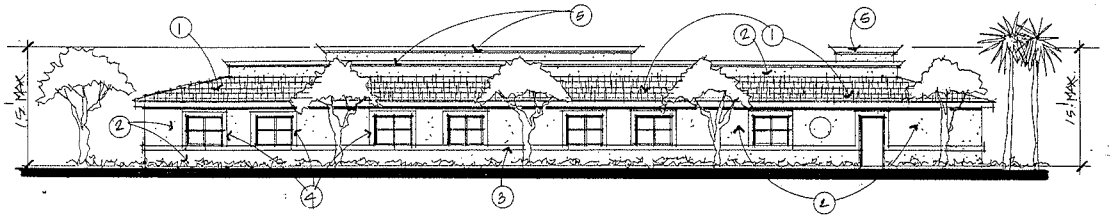
FRONT ELEVATION
SCALE: 1/4"



RIGHT SIDE ELEVATION SCALE: 1/8"



REAR ELEVATION
SCALE: 1/8"



LEFT SIDE ELEVATION
SCALE: 1/8"

EXTERIOR KEYNOTES

1. LITE WEIGHT CONCRETE FLAT TILE ROOF
2. EXTERIOR STUCCO
3. 8" FOAM TRIM STUCCO OVER
4. 6" STUCCO WINDOW SURROUNDS.
5. 12" MOLDED FOAM CAP W/STUCCO OVER.

GPA-38579 ZON-38580
VAR-38576 SUP-38574
SDR-38577 REVISED

RECEIVED
OCT 18 2010

CHANA
ADULT GROUP CARE HOME
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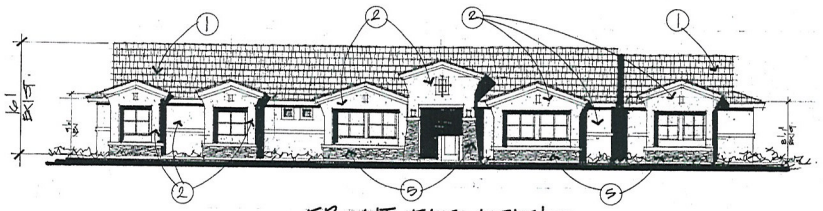
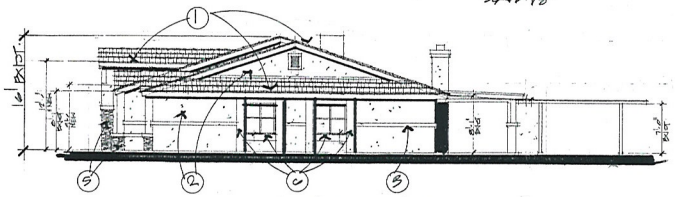
(702) 558-9776

10.4.10

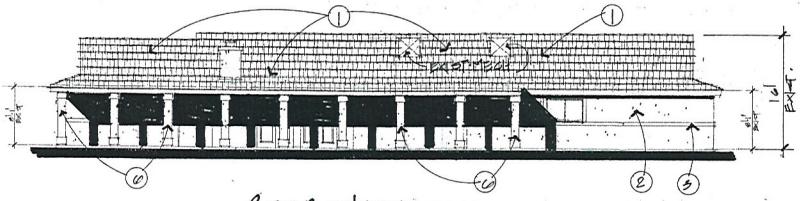
4 of 5



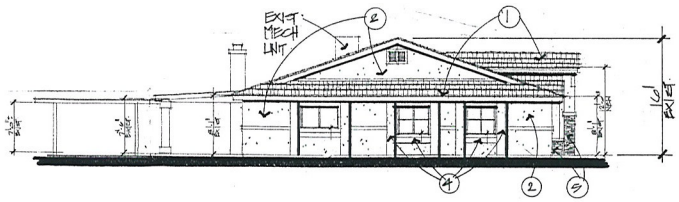
FRONT ELEVATION
SCALE: 1/8"



RIGHT SIDE ELEV.
SCALE: 1/8"

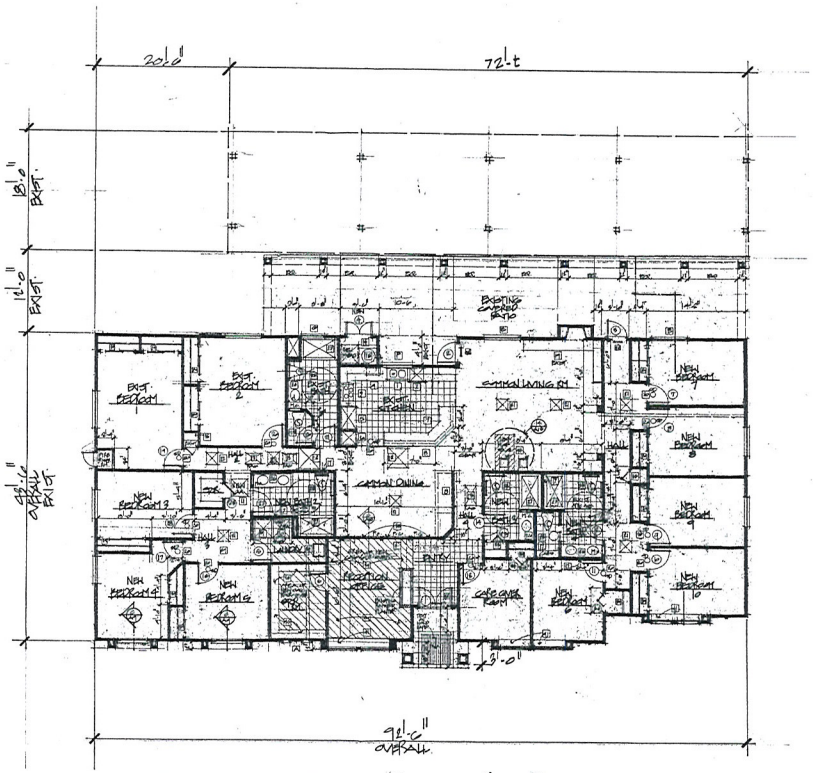


REAR ELEV.
SCALE: 1/8"



LEFT SIDE ELEV.
SCALE: 1/8"

ELEVATIONS BLDG #2



FLOOR PLAN BLDG. #2
38.74 SQ. FT.

EXTERIOR KEYNOTES

1. LITE WEIGHT CONCRETE FLAT TILE ROOF
2. EXTERIOR STUCCO
3. 8" FOAM TRIM STUCCO OVER
4. 12" STUCCO WINDOW SURROUNDS.
5. MASONRY VENEER.
6. 12" SQ. BUILT-UP STUCCO COLMS.

GPA-38579 ZON-38580
VAR-38576 SUP-38574
SDR-38577 REVISED

RECEIVED
OCT 18 2010

OHANA
ADULT GROUP CARE HOME
6640 CHEYANNE AVE.
LAS VEGAS, NV.

Residential & Commercial Design & Rendering
J W DESIGN
Jeffrey Weinberg
16 W. Pacific Ave., Suite 2
Henderson, NV 89015
(702) 598-9736

10.4.10

S of S

GPA-38579, ZON-38580, VAR-38576, SUP-38574 & SDR-38577 - APPLICANT/OWNER: PAITAKA P. AND TASEY R. MIYAHIRA
6640 WEST CHEYENNE AVENUE

06/24/10

GPA-38579, ZON-38580, VAR-38576, SUP-38574 & SDR-38577 - APPLICANT/OWNER: PAITAKA P. AND TASEY R. MIYAHIRA
6640 WEST CHEYENNE AVENUE

06/24/10

GPA-38579, ZON-38580, VAR-38576, SUP-38574 & SDR-38577 - APPLICANT/OWNER: PAITAKA P. AND TASEY R. MIYAHIRA
6640 WEST CHEYENNE AVENUE

06/24/10

Tuesday, October 6, 2010

To Whom It May Concern:

We are applying for a General Plan Amendment from DR (Desert Rural Density Residential) to SC (Service Commercial) and rezoning from R-E (Residence Estates) to C-1 (Limited Commercial) for a proposed single story Convalescent Care Facility/Nursing Home, per Title 19, located at 6640 W. Cheyenne Avenue, Las Vegas, NV 89108. The home will be called Ohana (Family) Care Manor and will house 31adults and will employ approximately 23 staff members. More specifically: 1 Activity Director, 2 Cooks, 1 Pantry Helpers, 1 Kitchen Helper, 1 Dishwasher, 1 Registered Dietician (can be contracted), 10 Caregivers, 1 Medication Technician, 1 Maintenance Person, 1 Laundry, 1 Transportation, 1 Administrator, and 1 Office Clerk. It will have the ability to accommodate 31 adults and be open 24 hours a day, 7 days a week. The ages of the senior citizens will start from 55 years and older only. This facility will only be used as a care center for seniors. The care facility will be professionally managed by a licensed administrator, who has been my consultant, and is currently managing a facility with over 100 beds, and manages it magnificently. Our philosophy is to hire the best qualified people in all phases of our employment. Our number 1 goal is to earn the greatest reputation for care, quality and service.

We request a waiver of 3 feet where 15 feet is the minimum landscape buffer zone depth adjacent to the right of way along Cheyenne Avenue. We also request a waiver for 0 feet where 5 feet is required. We feel that this request is warranted as there are businesses along Cheyenne Avenue that are currently not meeting the minimum requirements and have had City approval as they are existing businesses in operation and we request the same consideration. More specifically, 2 doors to the East of our location at the Beauty Salon, next door at the Day Spa, and the Church and Veteran's building at Sisk and Cheyenne. We will meet the City's requirements for our landscaping. We are proposing to plant various types of trees and shrubs which will provide much shade and screen barriers for beautification. We have 17 parking spaces, including 1 handicap spaces available. This meets the requirements for 1 space per 6 beds (31÷6=6). We also have 7 spaces for our 7 employees on the largest shift. We also have 3 spaces available for medical professionals. This totals 16 spaces which meets the requirement.

We are also requesting a waiver for a portion of the East/West perimeter of zero feet where 8 feet is required. There are two areas of the property that we are requesting this for as we propose our edge of driveways to be 24" from this area of the property line. On the East property line coming North from back of sidewalk on Cheyenne approximately 60' is the starting point, continuing 60' to the North. The West property line from back of sidewalk at Cheyenne coming North approximately 50' is the starting point and continuing North approximately 50' to the North. So we are requesting these two areas to be 2' from property line to the edge of driveway instead of the 8' requirement.

We request to leave the existing 24" tall block wall and brick pillars. We will have to make adjustments to this area to accommodate the 30' driveway coming in from Cheyenne Avenue as the two existing brick pillars may need to be moved to the East a few feet to accommodate a new commercial driveway.

According to the April 2nd, 2010 issue of the Las Vegas Sun, it states that Nevada is due for an influx of seniors. Experts say the state is unprepared because of limited resources. The U.S. Census Bureau projects that the fastest growing segment of Nevada's population over the next 10 years will be senior citizens, and the prospect has policy makers on edge. In 2008, although Nevada's population grew 1.4 percent that year, the Census Bureau estimated that the number of residents age 65 and older increased by 3.9 percent. In short, this article addresses the immediate and upcoming urgent need for adult care facilities such as the one we are proposing. See attached article.

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GPA-38579 ZON-38580
VAR-38576 SUP-38574
SDR-38577 REVISED

We feel that given the location of our proposed facility on Cheyenne Avenue, that it will impact the community in a positive manner. There will be none or a minimal increase in traffic to the area. Street elevations will be vastly improved and add to the value and attractiveness of the neighborhood. The landscaping will be such that it will be very attractive and enhance the surrounding neighborhood. We will plant above and beyond the amount of trees and shrubs required by city specifications. There will be meandering pathways for walking, sitting, visiting and lush vegetation, some of which will be small palm trees and asparagus ferns. This landscaping will be similar to what you would see at the Mirage Resort where various species of plants enhance a Polynesian atmosphere. We will install within the courtyard area a pond, water feature, misting systems and areas for meditation. Some of the amenities this facility will include are pets, koi ponds, garden areas, walking paths, beauty salon, group exercise and shuttle service. This facility will be as energy efficient as practical using professional guidance for energy benefits. The manor will also provide employment opportunities at a time when so many in the work force are being let go or laid off. This will help at a time when employment is at an all time low and will provide our economy with a boost in moral and encouragement. This will certainly help our current economy with added jobs. JOBS!!

The surrounding properties consist of a Chevron Gas Station, the 2 properties to the East are owned by one family and we have enclosed a letter that concurs with our proposal. See attached letter.

Please consider our request as there will come a time that our parents, grandparents and even ourselves will need some assistance as we become senior citizens.

Thank you in advance for your consideration of this project.

Paitaka P. Miyahira
Property Owner

GPA-38579 ZON-38580
VAR-38576 SUP-38574
SDR-38577 REVISED

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OCT 22 2010

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

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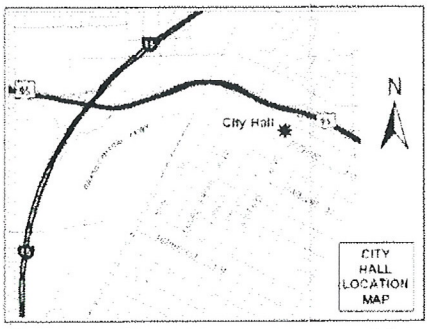
Official Notice of Public Hearing



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Case GPA-38579

13811402008
FORTE JOSEPH & DONNA
3365 GAREHIME
LAS VEGAS NV 89108-4934

I SUPPORT this Request

I OPPOSE this Request

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NOV - 8 2010

Please use available blank space on card for your comments.
GPA-38579 & ZON-38580
Planning Commission Meeting of 11/18/2010

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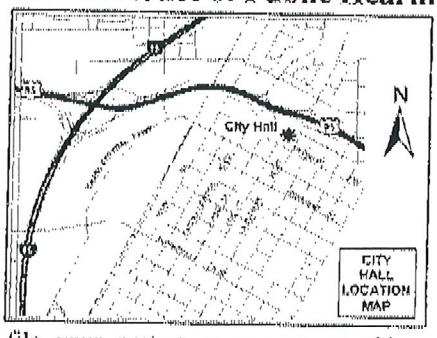

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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GPA-38579 & ZON-38580
Planning Commission Meeting of 11/18/2010

Case: GPA-38579
13811408001
WONG PAUL A LIVING TRUST
6485 ATWOOD AVE
LAS VEGAS NV 89108-4909

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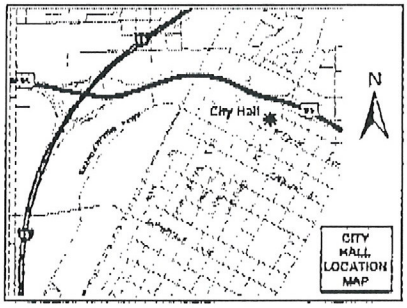

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GPA-38579 & ZON-38580

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Case: GPA-38579
13811407006
LIGHT RICKI S & RONNIE D
3265 SISK RD
LAS VEGAS NV 89108-4950

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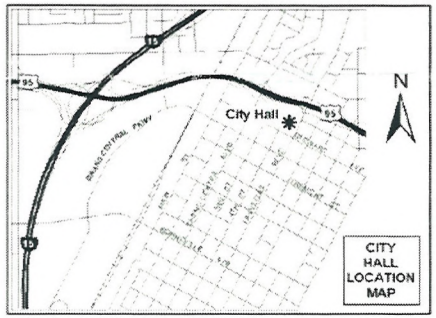

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GPA-38579 & ZON-38580

Planning Commission Meeting of 7/29/2010

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Case: GPA-38579
13814113004
DRAKELEY YVONNE REVOCABLE LIV TR
3119 SISK RD
LAS VEGAS NV 89108-4320

28-29 P

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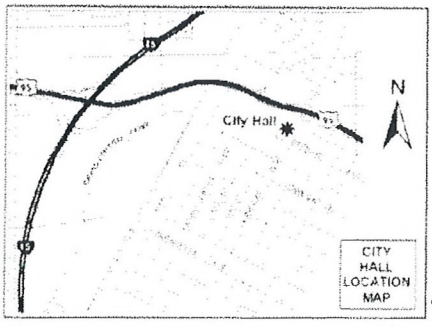

If this is allowed, what next?
There will be NO parking! Where are employees and visitors going to park? Went from a 10 bed, senior home to a 2 story complex – looking into my back yard.
Please say NO!

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JUN 19 2010

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GPA-38579 & ZON-38580
Planning Commission Meeting of 7/29/2010

Case: GPA-38579
3811402008
FORTE JOSEPH & DONNA
3365 GAREHIME
LAS VEGAS NV 89108-4934

28-29 P

07/18/2010 15:06 FAX 6563564 001

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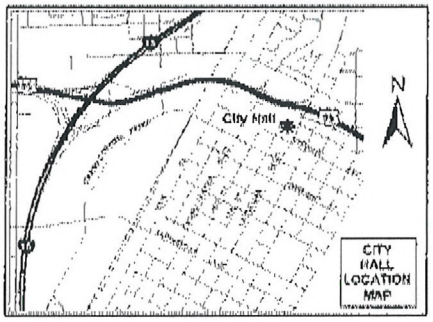

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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GPA-38579 & ZON-38580

Planning Commission Meeting of 7/29/2010

Case: GPA-38579

13811408001
WONG PAUL A LIVING TRUST
6485 ATWOOD AVE
LAS VEGAS NV 89108-4909

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28-29 P

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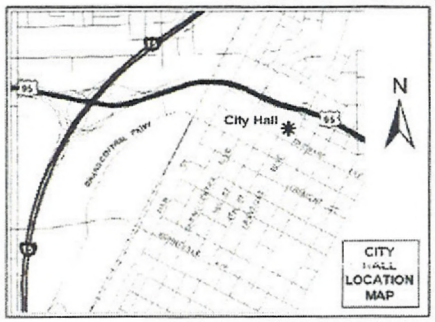

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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GPA-38579 & ZON-38580
Planning Commission Meeting of 7/29/2010

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JUL 23 2010

Case: GPA-38579
~~13811406003~~
CAMERON ROY EUGENE & CAROLYN L
6635 ATWOOD AVE
LAS VEGAS NV 89108-4913

Submitted after final agenda
Date 28-29
Item P

City of Las Vegas
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Las Vegas, Nevada 89101-2986

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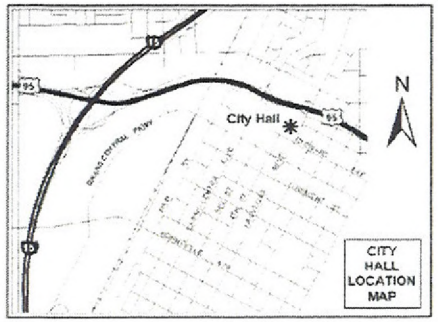

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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GPA-38579 & ZON-38580
Planning Commission Meeting of 7/29/2010

JUL 26 2010

Case: GPA-38579
13811407001
KINSINGER FAMILY LIVING TRUST
3284 N GAREHIME ST
LAS VEGAS NV 89108-4933

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JUN 27 2010

Submitted after final agenda
Date
Item 28, 29
P

Gordon E. Bywater 702-645-0766 p.1

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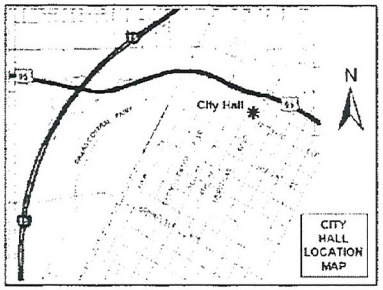

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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-38579 & ZON-38580
Planning Commission Meeting of 7/29/2010

Case: GPA-38579
13811403010
BYWATER FAMILY TRUST
6560 W ATWOOD
LAS VEGAS NV 89108-4912

RECEIVED
JUN 21 2010

29-29
A

Jul. 19 2010 08:46AM P1
PHONE NO. : 7022531841
FROM : .....

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

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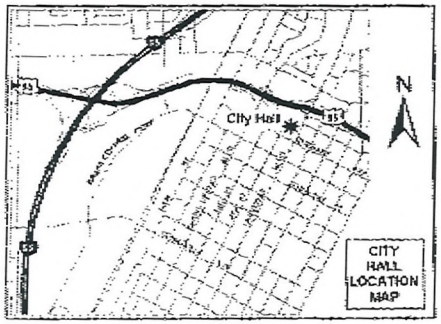

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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GPA-38579 & ZON-38580
Planning Commission Meeting of 7/29/2010

Case: GPA-38579
13811401001
OMNI FAMILY L P
2827 S MONTE CRISTO WY
LAS VEGAS NV 89117-2952

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28-29 A

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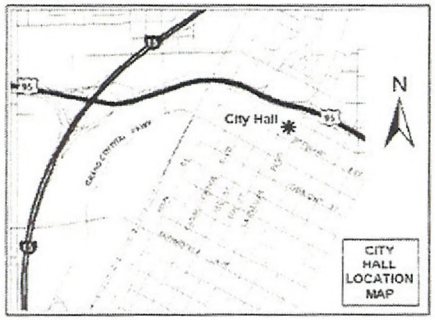

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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GPA-38579 & ZON-38580
Planning Commission Meeting of 7/29/2010

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Case: GPA-38579
13814110004
SCHULTZ BARRY KAYE & MARIANNE
6612 COASTAL BREEZE CT
LAS VEGAS NV 89108-4353

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JUN 27 2010

Submitted after final agenda
Date
Item 29-29 A

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Las Vegas, Nevada 89101-2986

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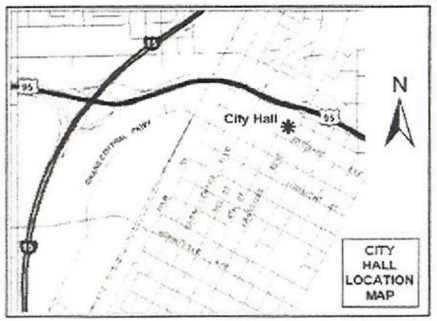

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GPA-38579 & ZON-38580

Planning Commission Meeting of 7/29/2010

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JUL 23 2010

Case: GPA-38579
13811408011
PERKINS JANET B
7737 TINTED MESA CT
LAS VEGAS NV 89149-6440

Submitted after final agenda
Date
Item 28-29 A

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

SUBJECT:
TABLED - RENOTIFICATION - ZON-38580 - REZONING RELATED TO GPA-38579 - PUBLIC HEARING - APPLICANT/OWNER: PAITAKA P. AND TASEY R. MIYAHIRA - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.90 acres at 6640 West Cheyenne Avenue (APN 138-11-406-012), Ward 4 (Anthony). Staff recommends APPROVAL.

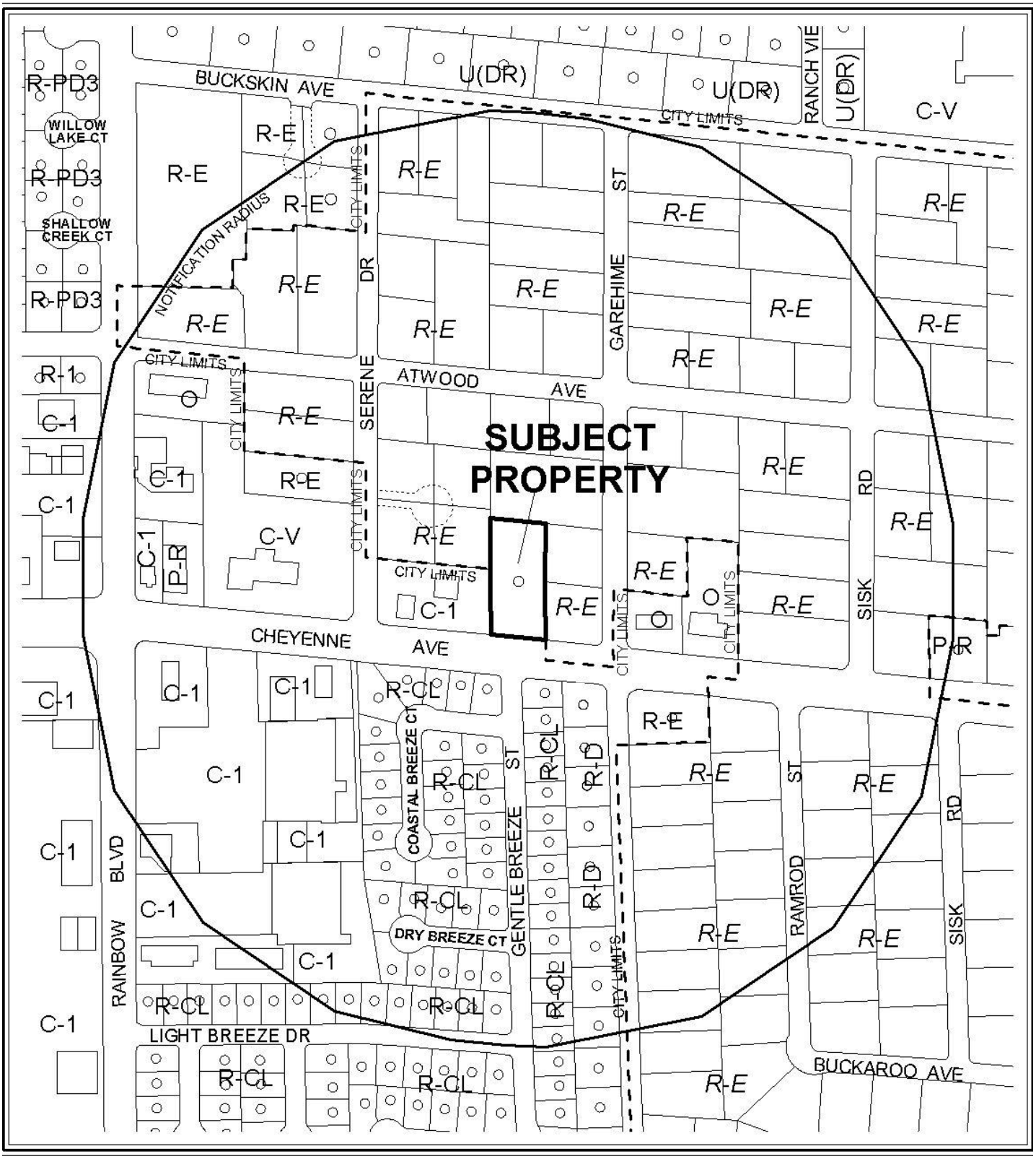
C.C.: 12/15/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**8**	**Planning Commission Mtg.**	**4**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Location and Aerial Maps – ZON-38580, VAR-38576, SUP-38574 and SDR-38577
3. Supporting Documentation

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.



0 300 600 Feet

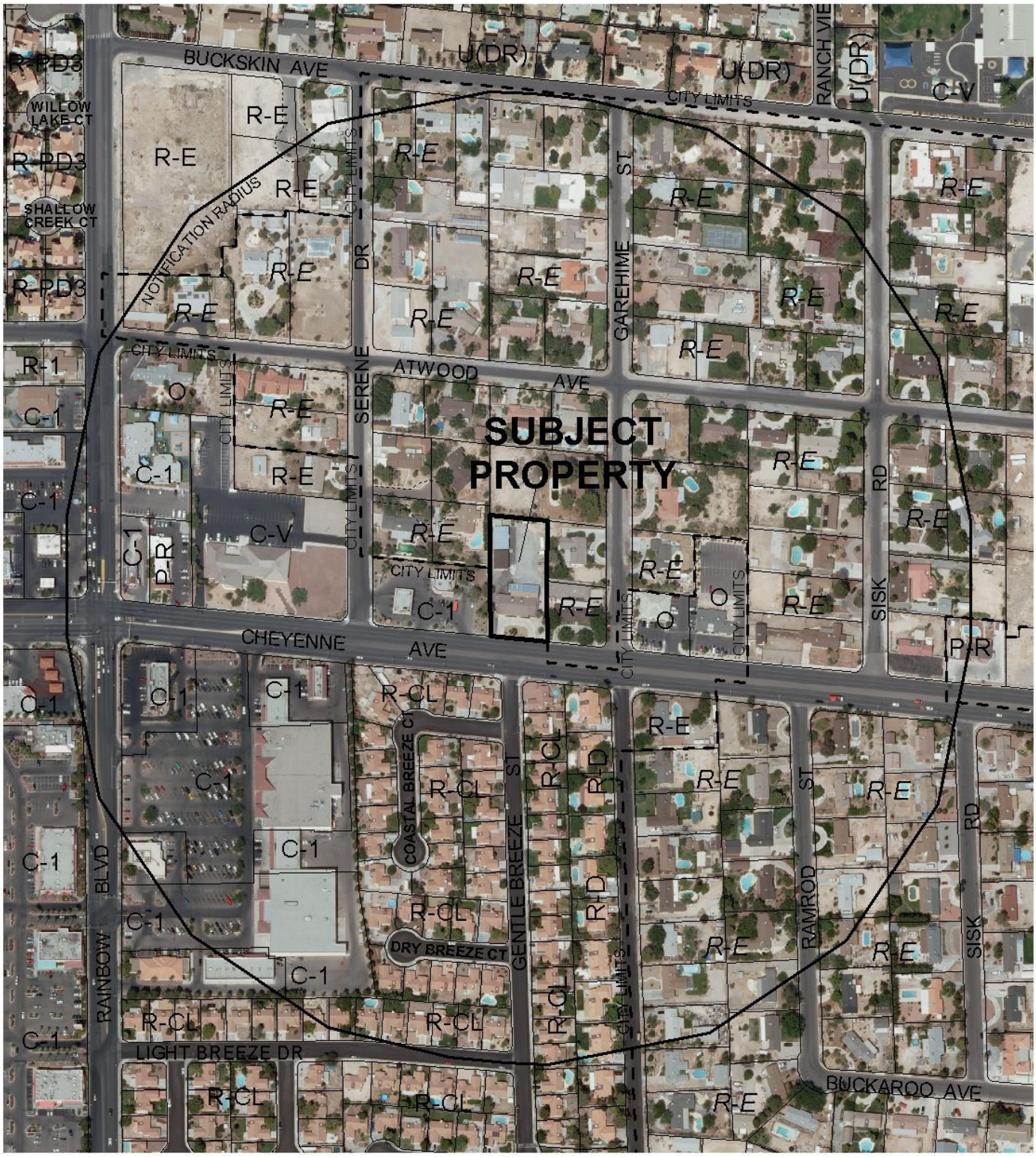
CASE: **ZON-38580, VAR-38576, SUP-38574 AND SDR-38577**

RADIUS: 1000 FT

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

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

N



CASE: **ZON-38580, VAR-38576, SUP-38574 AND SDR-38577**

0 300 600 Feet

RADIUS: 1000 FT

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

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

N

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-38580** APN: 138-11-406-012

Name of Property Owner: PAITAKA P. MIYAHIRA.

Name of Applicant: PAITAKA P. MIYAHIRA or Tassy Miyahira

Name of Representative: Paitaka Miyahira, Geoff Robins

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: PAITAKA P. MIYAHIRA

Subscribed and sworn before me

This 15th day of June, 2010

_____

Notary Public in and for said County and State

SUZANNE FIFIELD
Notary Public State of Nevada
No. 07-2474-1
My appt. exp. Mar. 29, 2011

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JUN 15 2010

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: REZONING

Project Address (Location) 6640 W

Project Name OHANA (FAMILY) CARE MANOR **Proposed Use** GROUP CARE

Assessor's Parcel #(s) 138-11-406-012 **Ward #** 4

General Plan: existing ~~PR~~ proposed CI **Zoning:** existing _____ proposed _____

Commercial Square Footage 22,314 **Floor Area Ratio** 48%

Gross Acres 1.057 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER ~~PTS~~ MIYAHIRA **Contact** PAT MIYAHIRA

Address 6640 W CHEYENNE **Phone:** 289 1743 **Fax:** 645 7093

City LAS VEGAS **State** NEVADA **Zip** 89106

E-mail Address SUZY @ MAUI ONE INC "COM

APPLICANT PAITAKA MIYAHIRA **Contact** PAT MIYAHIRA

Address 6640 W. CHEYENNE **Phone:** 289 1743 **Fax:** 645 7093

City LAS VEGAS **State** NEVADA **Zip** 89105

E-mail Address SUZY @ MAUI ONE INC "COM

REPRESENTATIVE GEOFF ROBINS **Contact** GEOFF ROBINS

Address 2261 ROSANNA ST **Phone:** 3762518 **Fax:** 2284674

City LAS VEGAS **State** NEVADA **Zip** 89117

E-mail Address _____

Property Owner Signature* Tasey Miyahira Paitaka P Miyahira

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

Print Name Tasey Miyahira Paitaka P Miyahira

Subscribed and sworn before me

This 10th day of June, 20 10.

Suzanne Fifield

Notary Public in and for said County and State

SUZANNE FIFIELD
Notary Public State of Nevada
No. 07-2474-1
My appt. exp. Mar. 29, 2011

FOR DEPARTMENT USE ONLY

Case #	ZON - 38580
Meeting Date:	7-29-10
Total Fee:	$1,200
Date Received:*	6/15/10
Received By:	

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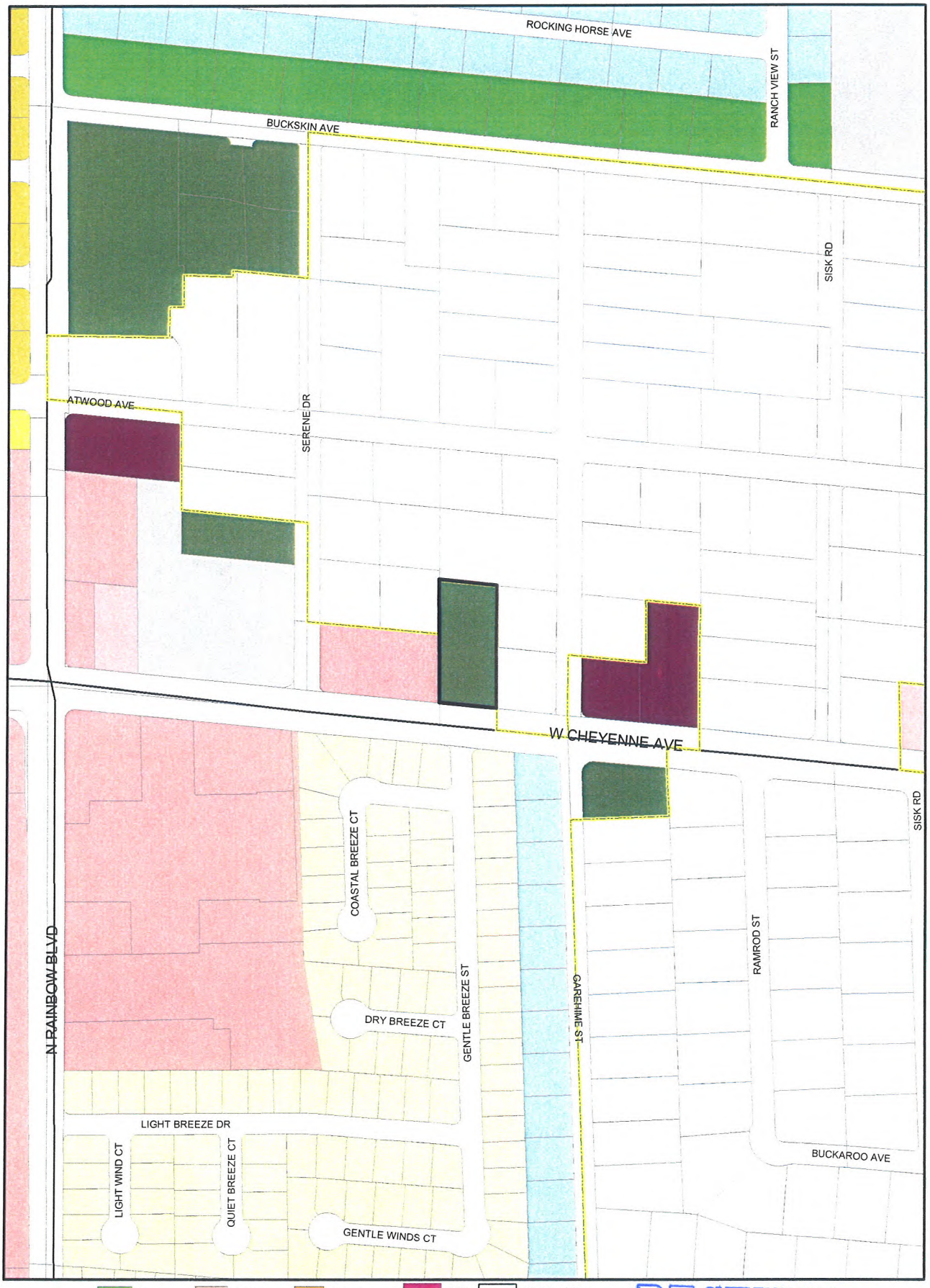
*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08

REZONING Parcel: 138-11-406-012



ZONING

C-V	U	R-MH	R-MHP	PD	Not in City		
C-PB	R-A	R-CL	P-R	T-D	Subject Parcel		
P-C	R-E	R-2	N-S	TC	City Limits		
	R-D	R-3	O	C-2			
	R-PD	R-4	C-D	C-M			
	R-1	R-5	C-1	M			

From R-E TO C-1

Data Current as of: June 10, 2010

ZON-38580

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JUN 15 2010
PLANNING & DEVELOPMENT
GIS maps are normally prepared 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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

SUBJECT:
TABLED - RENOTIFICATION - VAR-38576 - VARIANCE RELATED TO GPA-38579 AND ZON-38580 - PUBLIC HEARING - APPLICANT/OWNER: PAITAKA P. AND TASEY R. MIYAHIRA - Request for a Variance TO ALLOW A 10-FOOT SETBACK FROM THE WEST AND EAST PROPERTY LINES AND A 20-FOOT SETBACK FROM THE NORTH PROPERTY LINE WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 81 FEET FROM THE WEST PROPERTY LINE AND 84 FEET FROM THE NORTH AND EAST PROPERTY LINES on 0.90 acres at 6640 West Cheyenne Avenue (APN 138-11-406-012), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Anthony). NOTE: THE VARIANCE REQUEST HAS BEEN AMENDED TO ALLOW A 10-FOOT SETBACK FROM THE EAST PROPERTY LINE WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 30 FEET. A VARIANCE FROM THE WEST AND NORTH PROPERTY LINES IS NO LONGER NEEDED. Staff recommends DENIAL.

C.C.: 12/15/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**15**	**Planning Commission Mtg.**	**1**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation – VAR-38576, SUP-38574 and SDR-38577
3. Protest/Support Postcards – VAR-38576 and SUP-38574

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-38576** APN: 138-11-406-012

Name of Property Owner: Paitaka Miyahira

Name of Applicant: Paitaka or Tasey Miyahira

Name of Representative: Paitaka Miyahira Geoff Robins

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: PAITAKA P. MIYAHIRA

Subscribed and sworn before me

This 15th day of June, 2010

_____

Notary Public in and for said County and State

SUZANNE FIFIELD
Notary Public State of Nevada
No. 07-2474-1
My appt. exp. Mar. 29, 2011

RECEIVED
JUN 15 2010

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: VARIANCE

Project Address (Location) 6640 W. CHEYENNE

Project Name OHANA (FAMILY) CARE MANOR **Proposed Use** GROUP CARE

Assessor's Parcel #(s) 138-11-406-012 **Ward #** _____

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

Commercial Square Footage 22,314 **Floor Area Ratio** 48%

Gross Acres 1.057 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER PAT MIYAHIRA **Contact** PAT MIYAHIRA

Address 6640 W. CHEYENNE **Phone:** 289 1743 **Fax:** 645 7098

City LAS VEGAS **State** NEVADA **Zip** 89105

E-mail Address SUZY@MAUI ONE INC.COM

APPLICANT PAITAKA MIYAHIRA **Contact** PAT MIYAHIRA

Address 6640 W. CHEYENNE **Phone:** 289 1743 **Fax:** 645 7098

City LAS VEGAS **State** NEVADA **Zip** 89105

E-mail Address SUZY@MAUI ONE INC.COM

REPRESENTATIVE GEOFF ROBINS **Contact** GEOFF ROBINS

Address 2261 ROSANNA ST **Phone:** 376 2518 **Fax:** 228 4672

City LAS VEGAS **State** NEVADA **Zip** 89117

E-mail Address _____

Property Owner Signature* Tasey Miyahira Paitaka P Miyahira

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

Print Name Tasey Miyahira Paitaka P Miyahira

Subscribed and sworn before me

This 10TH day of JUNE, 20 10.

Suzanne Fifield

Notary Public in and for said County and State

SUZANNE FIFIELD
Notary Public State of Nevada
No. 07-2474-1
My appt. exp. Mar. 29, 2011

FOR DEPARTMENT USE ONLY

Case #	VAR-38576
Meeting Date:	7-29-10
Total Fee:	$830.00
Date Received:*	6/15/10
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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JUN 15 2010

Revised 10/27/08

SITE INFORMATION

ZONING APN No. 138-11-406-012
CURRENT ZONING: R-E
REZONE TO: C-1

AREA (Approximate, to be verified)
Net Area: 39,264 SF
39,264 ÷ 43,560 = .90 ACRES

PARKING REQUIREMENTS

Parking Calculations (per Code)	Required	Provided
Parking Ratio: 1 SPACE PER 6 BEDS + 3 DOCTORS + 19	19	19 STALLS
Parking Required: 1 SPACE PER EMPLOYEE		
PARKING PROVIDED:		19

47 BEDS ÷ 6 = 8 STALLS
DOCTORS 3
EMPLOYEE 8

SETBACKS
Front: 20'
Rear: 20'
Side: 10'
Corner Street Side:

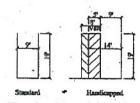
BUILDING HEIGHT
Allowed:
Provided: 28'

BUILDING COVERAGE
Allowed: 50%
Provided: 31%

BUILDING AREAS

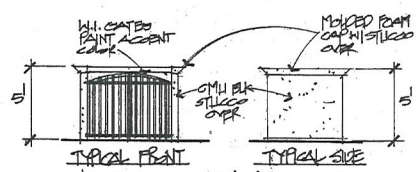
NEW BUILDING A	3085 SF
EXIST. BLDG	1200 SF
2ND FLOOR	1152 SF
NEW BUILDING B	8832 SF
EXIST. BUILDING C	3508 SF
TOTAL	17,777 SF

Fire Turning Radius



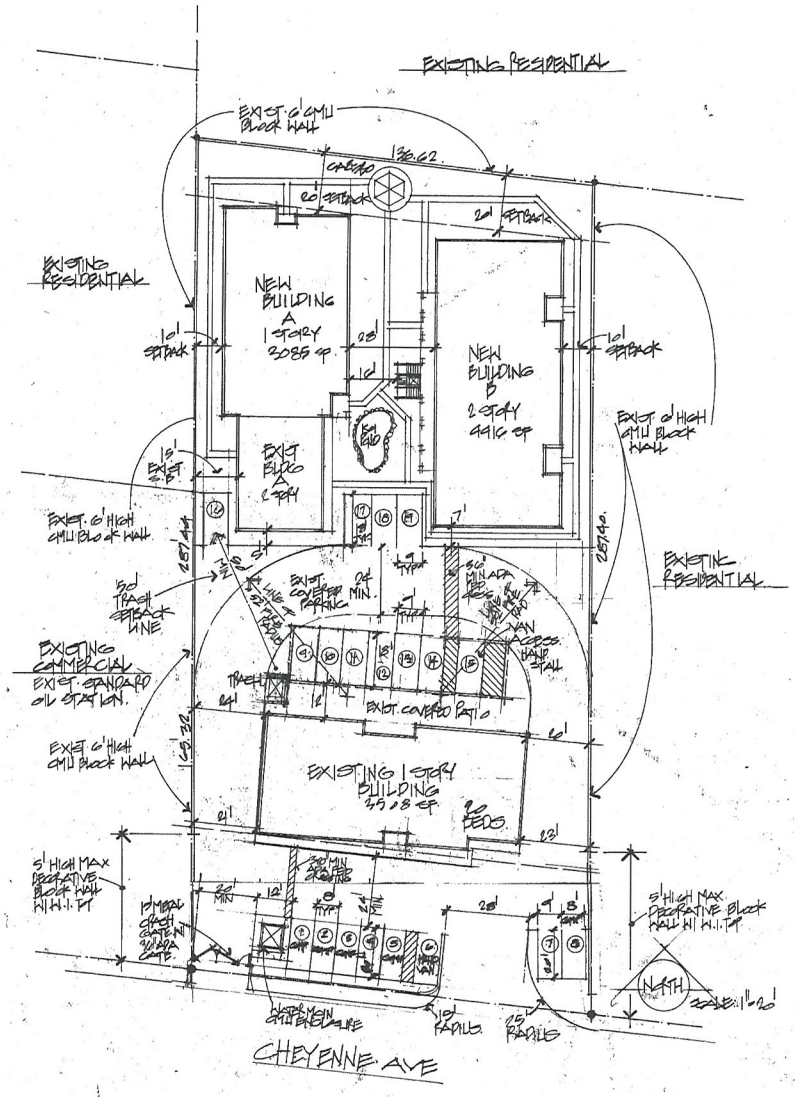
Typical Parking Spaces

CMU Wall C-C



TRASH ENCLOSURE

TYPICAL EXTERIOR WALL ELEV.
SCALE: 1/4"



SITE PLAN

GPA-38579 ZON-38580
VAR-38576 SUP-38574
SDR-38577 REVISED

RECEIVED
AUG 04 2010

5·8·10
7·6·10
7·23·10
8·4·10

CHANA
ADULT GROUP CARE HOME
6640 CHEYANNE AVE.
LAS VEGAS, NV.

Residential & Commercial Design & Handling
J W DESIGN
Jeffrey Weinberg
16 W. Pacific Ave., Suite 3
Henderson, NV 89015
(702) 598-9726

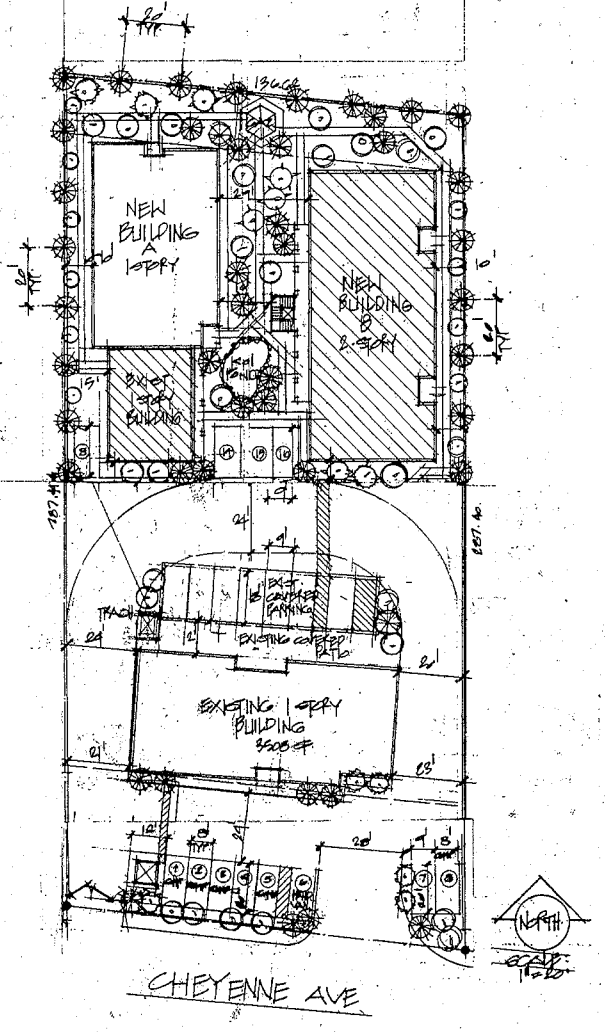
5·18·10

1/6

TREE / PLANT SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
	82	24" Box 10' Clear	20'-30' On Center	MODESTO ASH	Fraxinus velutina "Modesto"
	28	24" Box 10' Clear	20'-30' On Center	TEXANUM PRIVET	Ligustrum japonicum "Texanum"
	49	24" Box 10' Clear	20'-30' On Center	MEXICAN PINE	Pinus pigra
	36	Multiple Varies	Varies, See Landscape Requirements	MEXICAN FAN PALM	Washingtonia robusta "Mexican Fan Palm"
	12	24" Box 10' Clear	Varies, See Landscape Requirements	FLOWERING PLUM	Prunus blireiana
	47	1-5 Gallon	N/A	Ornamental Ground Covers and Other	
		N/A	N/A	Xeriscape / Turf.	

NOTE:
LANDSCAPE TO INCLUDE 4 - 5GAL. SHRUBS PER EVERY BOX TREE.



LANDSCAPE PLAN

GPA-38579 ZON-38580
VAR-38576 SUP-38574
SDR-38577 REVISED

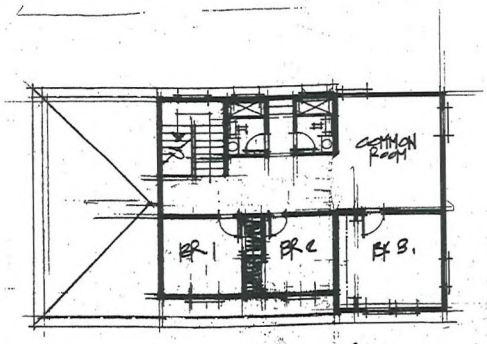
RECEIVED
AUG 04 2010

5.5.10 PLANS
7.6.10
7.23.10 REV
8.4.10 REV.

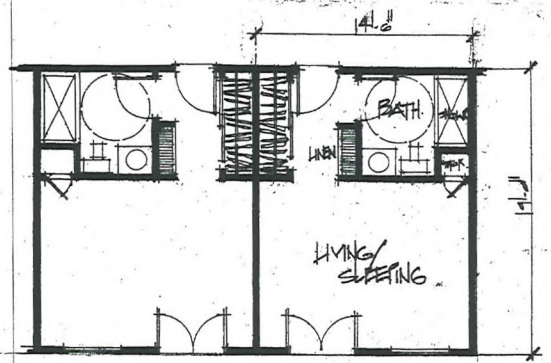
GHANA ADULT DAY CARE HOME
6640 CHEYANNE AVE.
LAS VEGAS, NV.

J W DESIGN

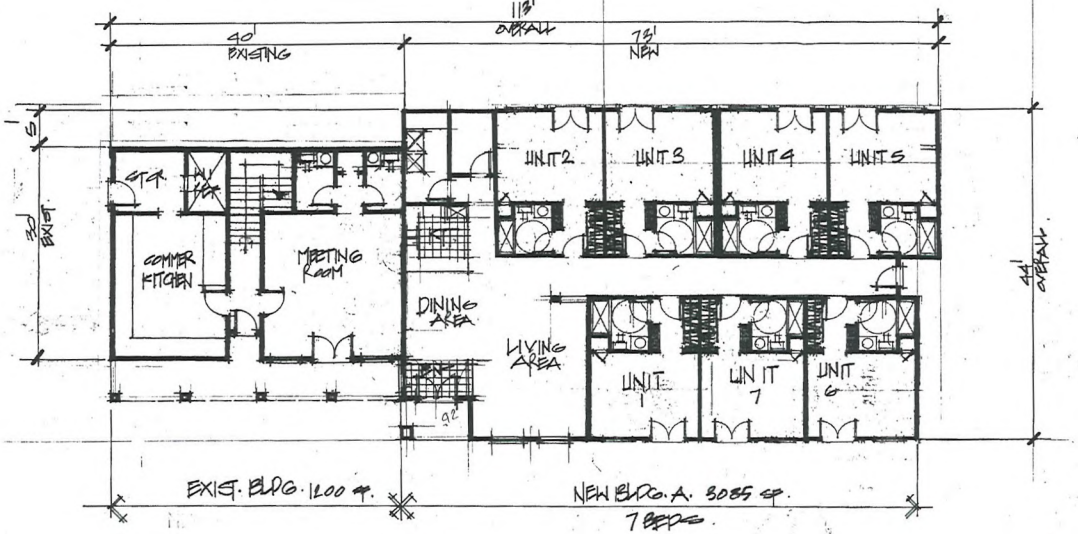
5.18.10



SECOND FLOOR 1152 SF.
SCALE: 1/8"



TYPICAL UNIT FLOOR PLAN
SCALE: 1/4" 275 SF



BUILDING A.
SCALE: 1/8"

6.14.10
7.6.10.

CHANA
ADULT GROUP CARE HOME
6640 CHEYANNE AVE.
LAS VEGAS, NV.

J W DESIGN

5.18.10

3 of 6

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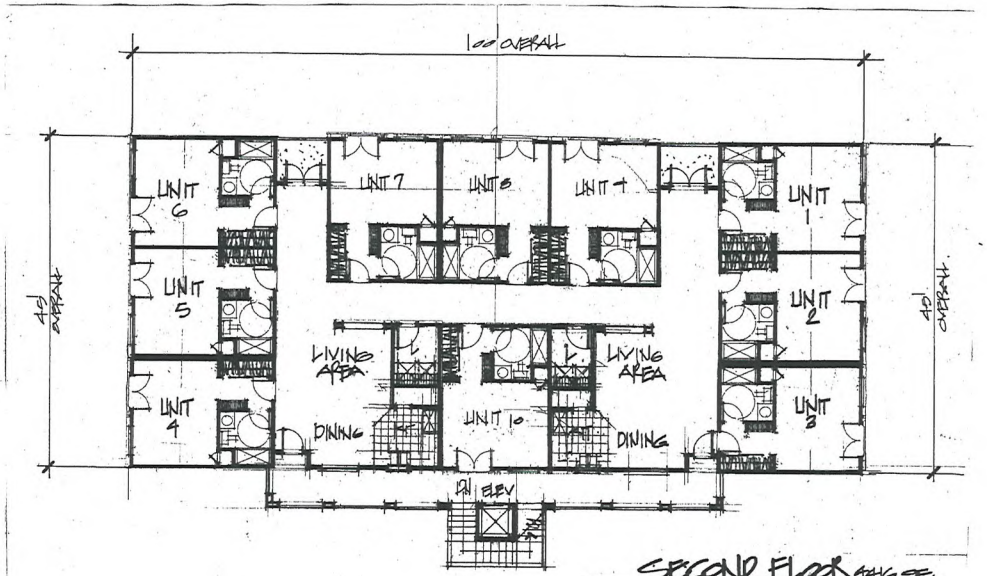
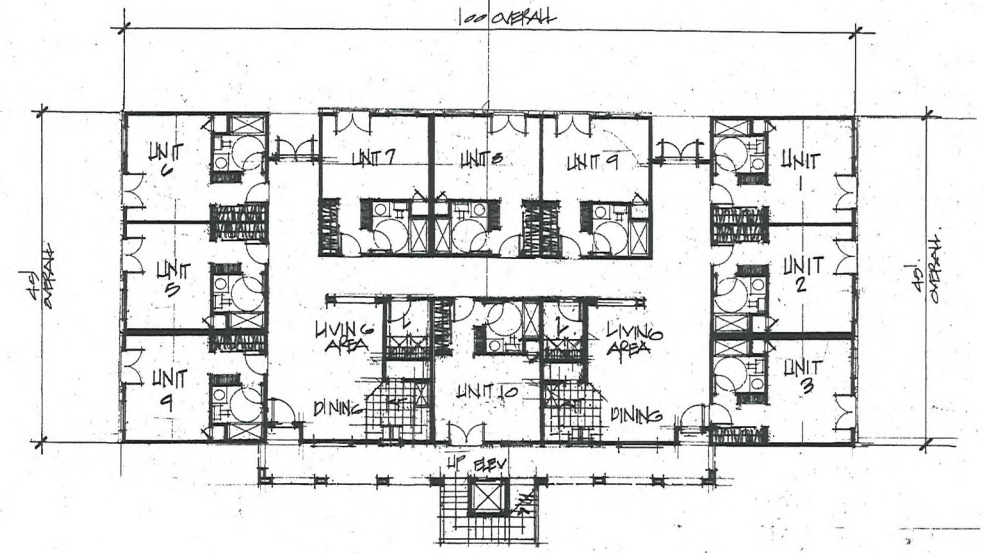
JUL 08 2010

VAR-38576 SUP-38574
SDR-38577 REVISED



SECOND FLOOR 4416 SF.
SCALE: 1/8"



FIRST FLOOR 4416 SF.
SCALE: 1/8"

BUILDING B

FIRST FLR.	4416 SF.	10 BEDS.
SECOND FLR.	4416 SF.	10 BEDS
TOTAL	8832 SF.	20 BEDS TOTAL.

VAR-38576 SUP-38574
SDR-38577 REVISED

RECEIVED
JUL 08 2010

6.14.10.
7.6.10.

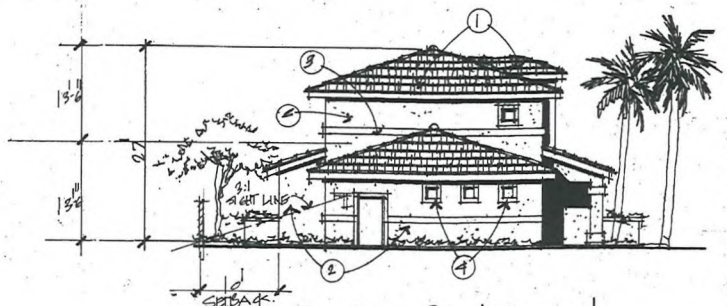
OHANA ADULT GROUP CARE HOME
6640 CHEYANNE AVE.
LAS VEGAS, NV.

J W DESIGN

5.18.10

4 of 6

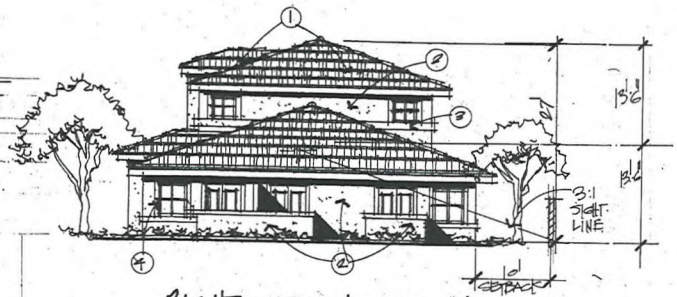
FRONT ELEVATION
SCALE: 1/8"



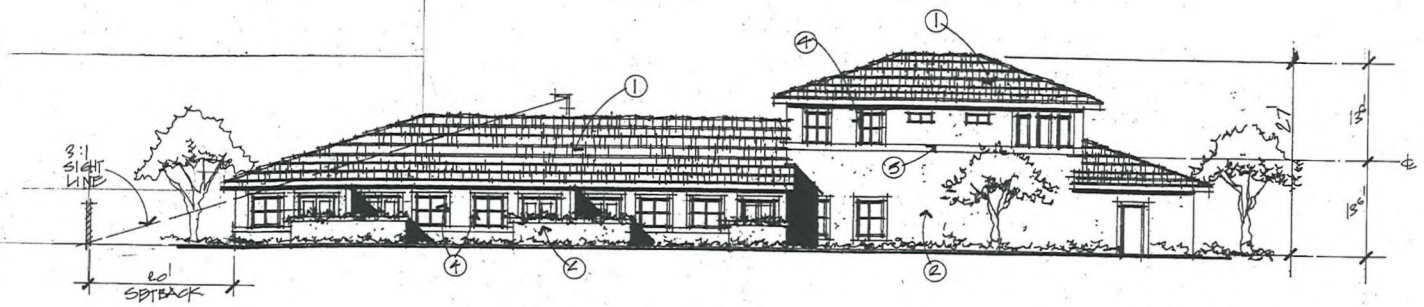
LEFT SIDE ELEVATION
SCALE: 1/8"

EXTERIOR KEYNOTES

1. LITE WEIGHT CONCRETE FLAT TILE ROOF
2. EXTERIOR STUCCO
3. 8" BOOM TRIM STUCCO OVER
4. 6" STUCCO WINDOW SURROUNDS



RIGHT SIDE ELEVATION
SCALE: 1/8"



REAR ELEVATION
SCALE: 1/8"

BUILDING A

7.6.10
17.23.10

OHANA
ADULT DAY CARE HOME
6040 CHEYANNE AVE.
LAS VEGAS, NV.

J W DESIGN

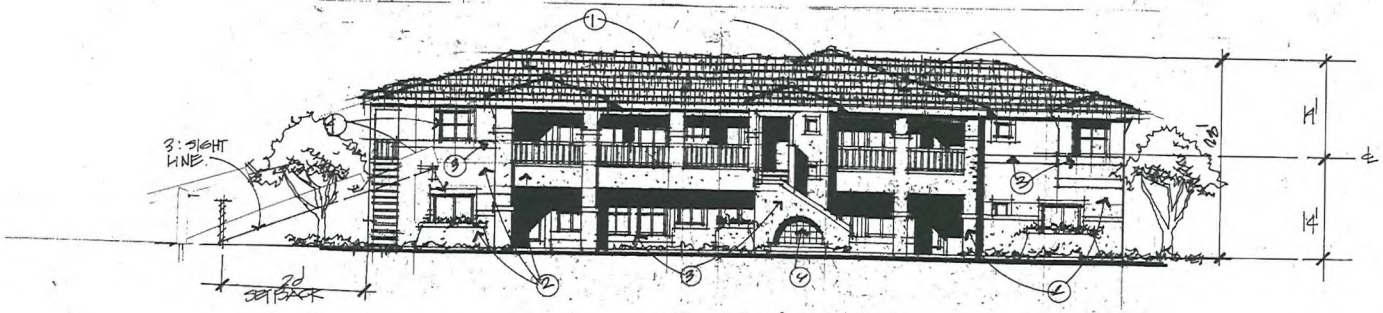
3.18.10

5
6

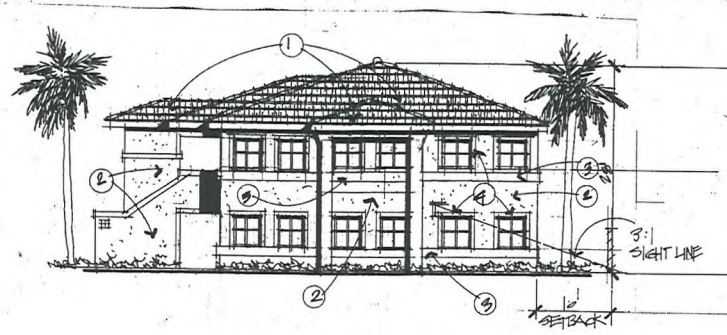
VAR-38576 SUP-38574
SDR-38577 REVISED

RECEIVED
JUL 26 2010

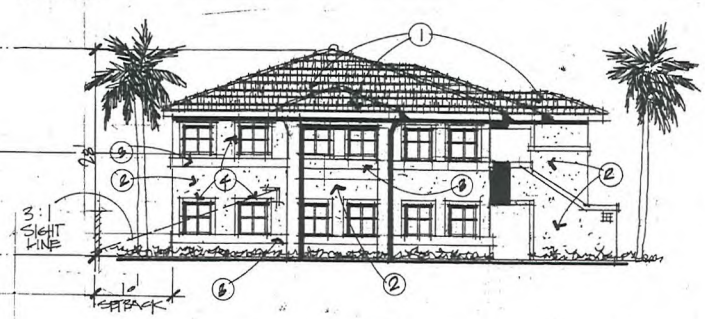
7.6.10
7.23.10



FRONT ELEVATION
SCALE: 1/8"



RIGHT SIDE ELEV
SCALE: 1/8"



LEFT SIDE ELEV.
SCALE: 1/8"

REAR ELEVATION
SCALE: 1/8"

EXTERIOR KEYNOTES

1. LITE WEIGHT FLAT CONCRETE TILE ROOF
2. EXTERIOR STUCCO
3. 8" FOAM TRIM STUCCO OVER
4. 6" STUCCO WINDOW SURROUNDS
5. WOOD LATTICE SHADE STRUCTURE
6. CERAMIC TILE WATER FEATURE

CHANA
ADULT GROUP CARE HOME
6640 CHEYANNE AVE.
LAS VEGAS, NV.

Residential & Commercial Design & Marketing
J W DESIGN
Jeffrey Weinberg
16 W. Pacific Ave., Suite 3
Henderson, NV 89015
(702) 598-9734

6 of 6

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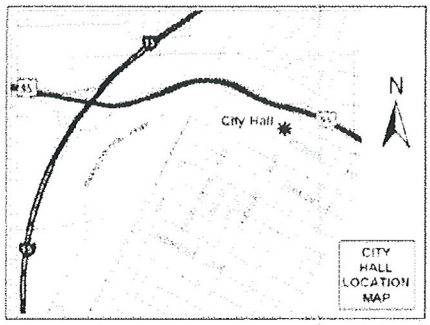
JUL 26 2010

VAR-38576 SUP-38574
SDR-38577 REVISED

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

Return Service Requested
Official Notice of Public Hearing



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

I SUPPORT this Request

I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-38576
Planning Commission Meeting of 11/18/2010

Case VAR-38576
13811402008
FORTE JOSEPH & DONNA
3365 GAREHIME
LAS VEGAS NV 89108-4934

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NOV - 8 2010

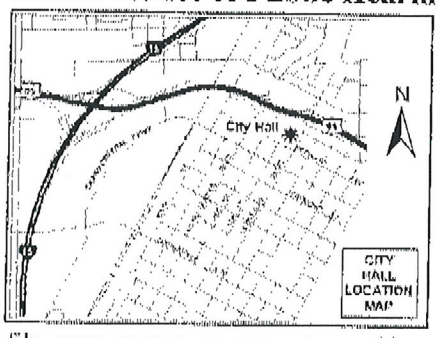
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

02 1M $ 00.41⁴
0004279218 NOV 05 2010
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-38576

Planning Commission Meeting of 11/18/2010

Case: VAR-38576
13811408001
WONG PAUL A LIVING TRUST
6485 ATWOOD AVE
LAS VEGAS NV 89108-4909

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

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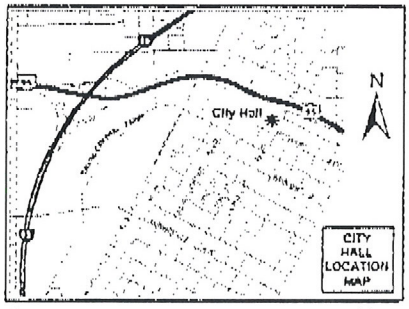

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VAR-38576

Planning Commission Meeting of 11/18/2010

Case: VAR-38576
13811407006
LIGHT RICKI S & RONNIE D
3265 SISK RD
LAS VEGAS NV 89108-4950

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Las Vegas, Nevada 89101-2986

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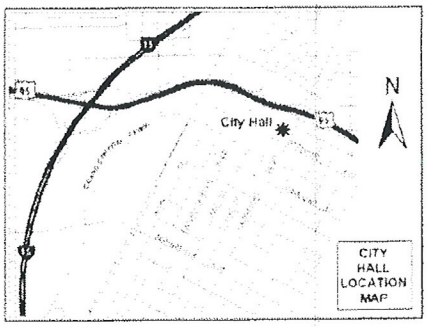

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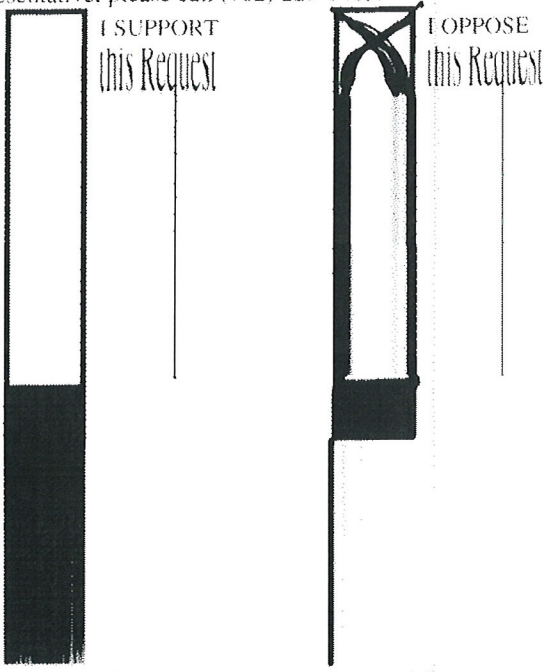

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SUP-38574
Planning Commission Meeting of 11/18/2010

Case SUP-38574
13811402008
FORTE JOSEPH & DONNA
3365 GAREHIME
LAS VEGAS NV 89108-4934

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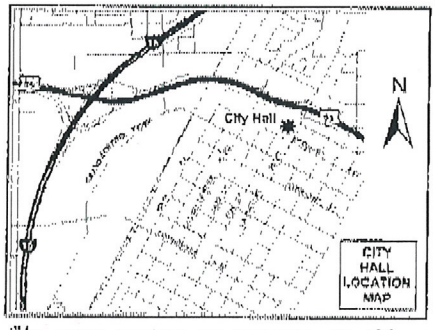

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SUP-38574

Planning Commission Meeting of 11/18/2010

Case: SUP-38574
13811408001
WONG PAUL A LIVING TRUST
6485 ATWOOD AVE
LAS VEGAS NV 89108-4909

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Las Vegas, Nevada 89101-2986

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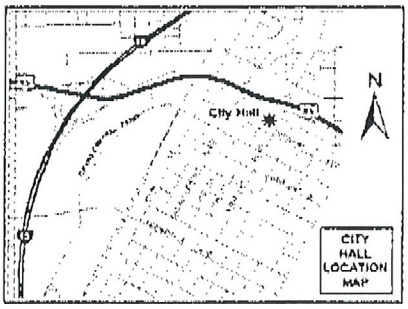

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13811407006
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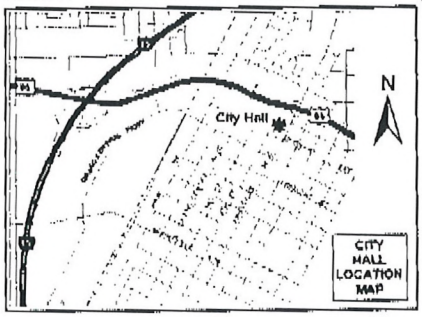

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VAR-38576 & SUP-38574

Planning Commission Meeting of 8/26/2010

Case: VAR-38576

13811408005
FLETCHER FAMILY TRUST
3264 N SISK RD
LAS VEGAS NV 89108-0000

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

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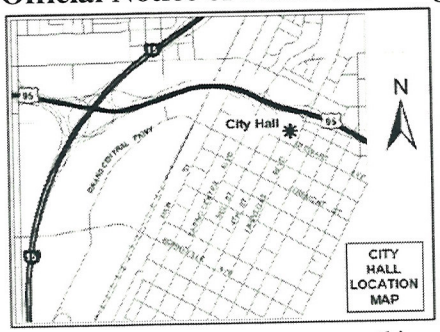

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VAR-38576 & SUP-38574

Planning Commission Meeting of 8/26/2010

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Case: VAR-38576

13811407001
KINSINGER FAMILY LIVING TRUST
3284 N GAREHIME ST
LAS VEGAS NV 89108-4933

6-19

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

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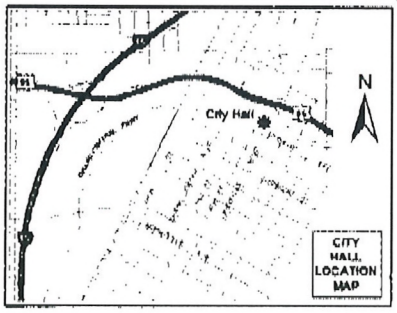

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-38576 & SUP-38574

Planning Commission Meeting of 8/26/2010

It was purchased with adjacency requirements and should be used with them. No value upgrade.

VAR-38576 Occupant, Space 173
The Highlands Mobile Home Park
830 Lamb Boulevard
Las Vegas, Nevada 89110

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

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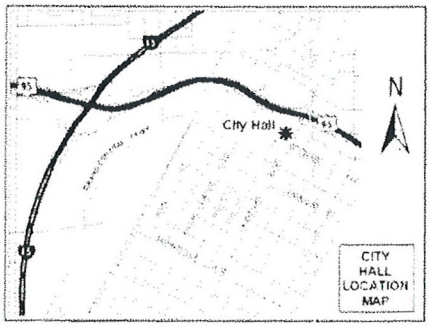

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VAR-38576 & SUP-38574

Planning Commission Meeting of 8/26/2010

Case VAR-38576

13811402008
FORTE JOSEPH & DONNA
3365 GAREHIME
LAS VEGAS NV 89108-4934

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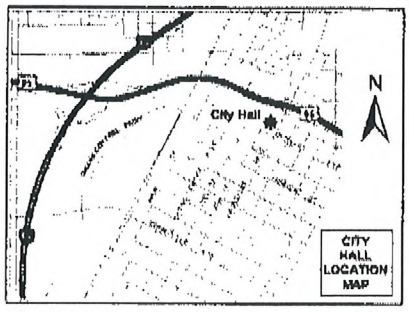

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

ease use available blank space on card for your comments.

DR-38577

anning Commission Meeting of 8/26/2010

Case: SDR-38577
13814112017
CLAYTON CLIFFORD R
3060 RAMROD ST
LAS VEGAS NV 89108-4399

ty of Las Vegas
anning & Development Department
velopment Services Center
1 S. Fourth Street
s Vegas, Nevada 89101-2986

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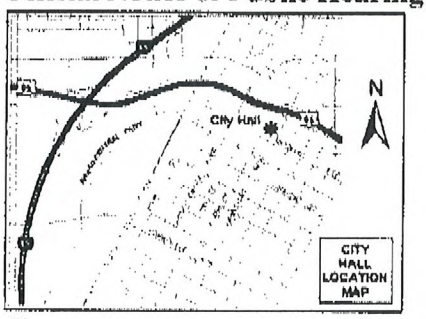
Official Notice of Public Hearing



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AR-38576 & SUP-38574

anning Commission Meeting of 8/26/2010

Case: VAR-38576
13814112017
CLAYTON CLIFFORD R
3060 RAMROD ST
LAS VEGAS NV 89108-4399

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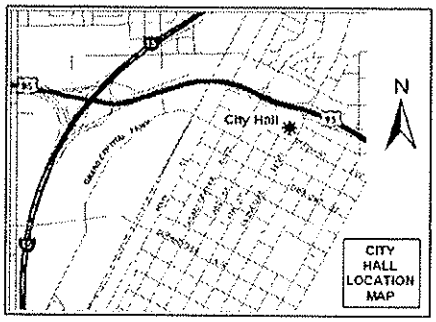

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VAR-38576 & SUP-38574
Planning Commission Meeting of 8/26/2010

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Case: VAR-38576

13811406008
~~BELL MICHAEL A~~
3240 SERENE DR
LAS VEGAS NV 89108-4947

18-19P

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

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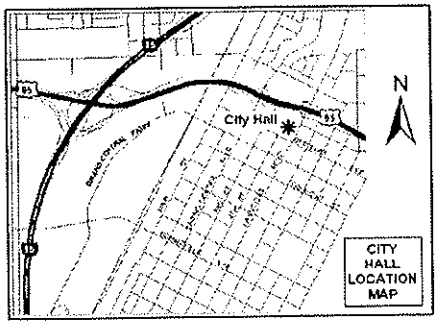

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VAR-38576 & SUP-38574
Planning Commission Meeting of 8/26/2010

RECEIVED
AUG 24 2010

Case: VAR-38576
13811406003
CAMERON ROY EUGENE & CAROLYN L
6635 ATWOOD AVE
LAS VEGAS NV 89108-4913

1. Block shown at right doesn't accommodate 47-bed facility. Is this an honest sketch? Do not want further extension of land for that facility.

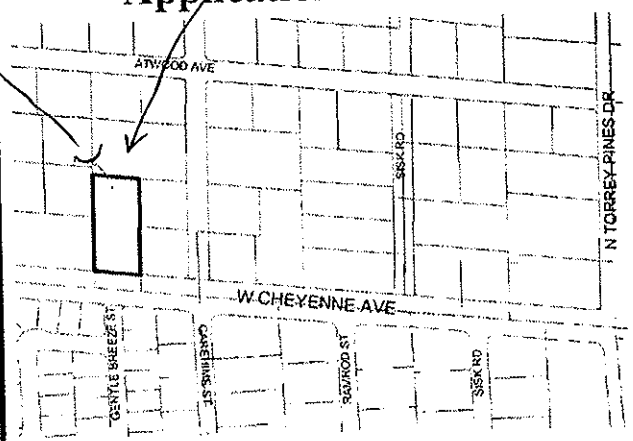
Application Information

- After 2 dishonest applications, can I trust this?
- Define "convalescent care" !! what population?

VAR-38576 - VARIANCE RELATED TO GPA-38579 AND ZON-38580 - PUBLIC HEARING - APPLICANT/OWNER: PAITAKA P. AND TASEY R. MIYAHIRA - Request for a Variance TO ALLOW A 10-FOOT SETBACK FROM THE WEST AND EAST PROPERTY LINES AND A 20-FOOT SETBACK FROM THE NORTH PROPERTY LINE WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM OF 81 FEET FROM THE WEST PROPERTY LINE AND 84 FEET FROM THE NORTH AND EAST PROPERTY LINES on 0.90 acres at 6640 West Cheyenne Avenue (APN 138-11-406-012), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Anthony).

SUP-38574 - SPECIAL USE PERMIT RELATED TO GPA-38579, ZON-38580, AND VAR-38576 - PUBLIC HEARING - APPLICANT/OWNER: PAITAKA P. AND TASEY R. MIYAHIRA - Request for a Special Use Permit FOR A PROPOSED 47-BED, 17,777 SQUARE-FOOT CONVALESCENT CARE FACILITY/NURSING HOME at 6640 West Cheyenne Avenue (APN 138-11-406-012), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Anthony). They can't get 47 beds on the area shown. They will ask for more LAND. 47 IS OVERCROWDING

Application Location



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

Public Hearing Information

Meeting:	Planning Commission
Date:	*August 26, 2010*
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Planning and Development Department, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For further information, including the full staff report, please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

10-19 P

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egas, Nevada 89101-2986

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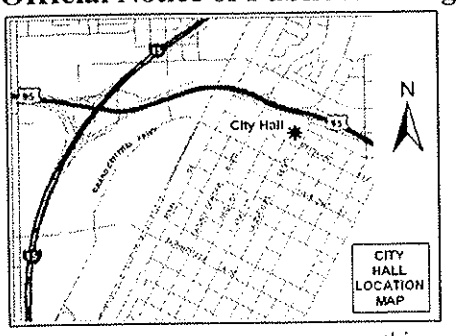

I oppose any application that deals with changing R-E to C-1. Businesses do not belong in residential estates zoned areas!

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AR-38576 & SUP-38574
lanning Commission Meeting of 8/26/2010

Case: VAR-38576
13811403003
CAMPBELL ROBERT & GWEN
3376 GAREHIME ST
LAS VEGAS NV 89168-4935

REC'D AUG 23 2010

14-19P

City of Las Vegas
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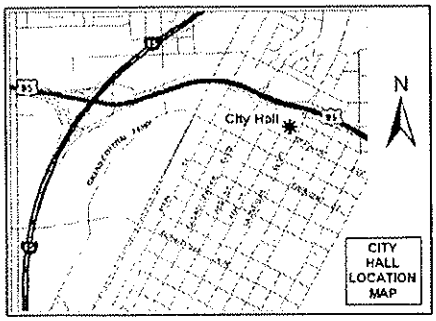

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VAR-38576 & SUP-38574
Planning Commission Meeting of 8/26/2010

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Case: VAR-38576
13814112016
CATES JEFFERY G & G L REV LIV TR
3163 RAMROD ST
LAS VEGAS NV 89108-4312

18-19
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of Las Vegas
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. Fourth Street
Vegas, Nevada 89101-2986

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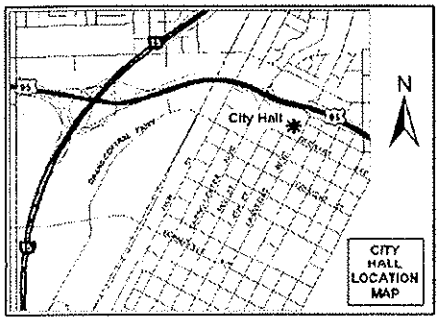

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AR-38576 & SUP-38574
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Case: VAR-38576
13814110012
ANDERTON ADRIENNE A
6641 COASTAL BREEZE CT
LAS VEGAS NV 89108-4356

18-19P

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Las Vegas, Nevada 89101-2986

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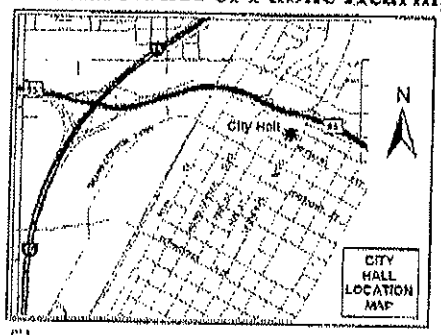

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VAR-38576 & SUP-38574

Planning Commission Meeting of 8/26/2010

13811408001 Case: VAR-38576
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6485 ATWOOD AVE
LAS VEGAS NV 89108-4909

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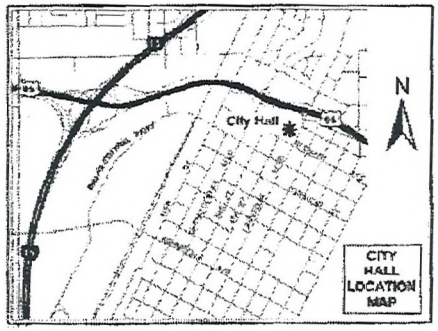

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-38576 & SUP-38574

Planning Commission Meeting of 8/26/2010

Case: VAR-38576

13814110104
SCHNIPPEL MARK A & J R FAM TR
9960 W CHEYENNE AVE #210
LAS VEGAS NV 89129-7702

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AUG 17 2010

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City of Las Vegas Agenda Item No.: **18.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

SUBJECT:
TABLED - RENOTIFICATION - SUP-38574 - SPECIAL USE PERMIT RELATED TO GPA-38579, ZON-38580, AND VAR-38576 - PUBLIC HEARING - APPLICANT/OWNER: PAITAKA P. AND TASEY R. MIYAHIRA - Request for a Special Use Permit FOR A PROPOSED 47-BED, 17,777 SQUARE-FOOT CONVALESCENT CARE FACILITY/NURSING HOME at 6640 West Cheyenne Avenue (APN 138-11-406-012), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Anthony). NOTE: THE SPECIAL USE PERMIT REQUEST HAS BEEN AMENDED TO A PROPOSED 31-BED, 15,114 SQUARE-FOOT CONVALESCENT CARE FACILITY/NURSING HOME.. Staff recommends DENIAL.

C.C.: 12/15/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**15**	**Planning Commission Mtg.**	**1**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-38574** APN: 138-11-406-012

Name of Property Owner: PAITAKA Miyahira

Name of Applicant: Paitaka P. Miyahira or Tasey Miyahira

Name of Representative: Paitaka Miyahira or Geoff Robins

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: PAITAKA P. MIYAHIRA

Subscribed and sworn before me

This 15th day of June, 2010

_____

Notary Public in and for said County and State

SUZANNE FIFIELD
Notary Public State of Nevada
No. 07-2474-1
My appt. exp. Mar. 29, 2011

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JUN 15 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SPECIAL USE PERMIT

Project Address (Location) 6640 W. CHEYENNE

Project Name OHANA (FAMILY) CARE MANOR **Proposed Use** GROUP CARE

Assessor's Parcel #(s) 138-11-406-012 **Ward #** 4

General Plan: existing DR proposed C/ **Zoning:** existing _____ proposed _____

Commercial Square Footage 22,314 **Floor Area Ratio** 48%

Gross Acres 1.057 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER PUS MIYAHIRA **Contact** PAT MIYAHIRA

Address 6640 W. CHEYENNE **Phone:** 289 1743 **Fax:** 645 7098

City LAS VEGAS **State** NEVADA **Zip** 89105

E-mail Address SUZY@MAUIONEINC.COM

APPLICANT PAITAKA MIYAHIRA **Contact** PAT MIYAHIRA

Address 6640 W. CHEYENNE **Phone:** 289 1743 **Fax:** 645 7089

City LAS VEGAS **State** NEVADA **Zip** 89105

E-mail Address SUZY@MAUIONEINC.COM

REPRESENTATIVE GEOFF ROBINS **Contact** GEOFF ROBINS

Address 2261 ROSANNA ST **Phone:** 376 2518 **Fax:** 228 4672

City LAS VEGAS **State** NEVADA **Zip** 89117

E-mail Address _____

Property Owner Signature* Tasey Miyahira Paitaka P. Miyahira

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

Print Name Tasey Miyahira Paitaka P. Miyahira

Subscribed and sworn before me

This 10th day of June, 20 10.

Suzanne Fifield

Notary Public in and for said County and State

SUZANNE FIFIELD
Notary Public State of Nevada
No. 07-2474-1
My appt. exp. Mar. 29, 2011

FOR DEPARTMENT USE ONLY

Case #	SUP-38574
Meeting Date:	7/29/10
Total Fee:	$1,030.00
Date Received:*	6/15/10
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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JUN 15 2010

Revised 10/27/08

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City of Las Vegas Agenda Item No.: **19.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

SUBJECT:
TABLED - RENOTIFICATION - SDR-38577 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-38579, ZON-38580, VAR-38576 AND SUP-38574 - PUBLIC HEARING - APPLICANT/OWNER: PAITAKA P. AND TASEY R. MIYAHIRA - Request for a Site Development Plan Review FOR A PROPOSED TWO STORY, 17,777 SQUARE-FOOT CONVALESCENT CARE FACILITY/NURSING HOME AND A WAIVER OF THE PERIMETER BUFFER STANDARDS TO ALLOW FOUR FEET ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO FEET ALONG A PORTION OF THE WEST AND EAST PERIMETERS WHERE EIGHT FEET IS REQUIRED AND ZERO FEET BETWEEN THE SIDEWALK AND BACK OF CURB WHERE FIVE FEET IS REQUIRED ADJACENT TO ARTERIAL STREETS on 0.90 acres at 6640 West Cheyenne Avenue (APN 138-11-406-012), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Anthony). NOTE: THE SITE DEVELOPMENT PLAN REVIEW REQUEST HAS BEEN AMENDED TO A PROPOSED SINGLE-STORY, 15,114 SQUARE-FOOT CONVALESCENT CARE FACILITY/NURSING HOME AND A WAIVER TO ALLOW A THREE-FOOT LANDSCAPE BUFFER ALONG THE SOUTH PERIMETER.R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Anthony). Staff recommends DENIAL.

C.C.: 12/15/2010

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**15**	**Planning Commission Mtg.**	**1**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. Protest/Support Postcards

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-38577** APN: 138-11-406-012

Name of Property Owner: PAITAKA P. MIYAHIRA

Name of Applicant: PAITAKA P. MIYAHIRA or Tasey Miyahira

Name of Representative: Paitaka Miyahira Groff Robins

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: PAITAKA P. MIYAHIRA

Subscribed and sworn before me

This 15th day of JUNE, 20 10

_____

Notary Public in and for said County and State

SUZANNE FIFIELD
Notary Public State of Nevada
No. 07-2474-1
My appt. exp. Mar. 29, 2011

RECEIVED
JUN 15 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) 6640 W. CHEYENNE

Project Name OHANA (FAMILY) CARE MANOR **Proposed Use** GROUP CARE

Assessor's Parcel #(s) 138-11-406-012 **Ward #** 4

General Plan: existing DR proposed C/ **Zoning:** existing _____ proposed _____

Commercial Square Footage 22,314 **Floor Area Ratio** 48/1

Gross Acres 1.057 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER P&S MIYAHIRA **Contact** PAT MIYAHIRA

Address 6640 W. CHEYENNE **Phone:** 289 1743 **Fax:** 645 7093

City LAS VEGAS **State** NEVADA **Zip** 89105

E-mail Address SUZA@MACH1ONEINC.COM

APPLICANT PAITAKA MIYAHIRA **Contact** PAT MIYAHIRA

Address 6640 W. CHEYENNE **Phone:** 289 1743 **Fax:** 645 7093

City LAS VEGAS **State** NEVADA **Zip** 89105

E-mail Address SUZY@MACH1ONEINC.COM

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Address 2261 ROSANNA ST **Phone:** 376 2558 **Fax:** 228 4672

City LAS VEGAS **State** NEVADA **Zip** 89117

E-mail Address _____

Property Owner Signature* Tasey Miyahira

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

Print Name Tasey Miyahira Paitaka P Miyahira

Subscribed and sworn before me

This 10th day of June, 20 10.

Suzanne Fifield

Notary Public in and for said County and State

SUZANNE FIFIELD
Notary Public State of Nevada
No. 07-2474-1
My appt. exp. Mar. 29, 2011

FOR DEPARTMENT USE ONLY

Case #	SDR-38577
Meeting Date:	7-29-10
Total Fee:	$ 1,030
Date Received:*	6/15/10
Received By:	

RECEIVED
JUN 15 2010

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

SDR 38577
Paitaka P. Miyahira & Tasey R. Miyahira

6640 W. Cheyenne Ave.

Proposed 37 bed expansion of an existing convalescent facility.

Traffic produced by proposed development:

Existing Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	ADULT CONG. LIVING FAC [DWELL]	20	2.02	40
AM Peak Hour			0.06	1
PM Peak Hour			0.17	3

Proposed Increase	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	ADULT CONG. LIVING FAC [DWELL]	37	2.02	75
AM Peak Hour			0.06	2
PM Peak Hour			0.17	6

Project Total	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	ADULT CONG. LIVING FAC [DWELL]	57	2.02	115
AM Peak Hour			0.06	3
PM Peak Hour			0.17	9

Existing traffic on all nearby streets:

Cheyenne Ave	
Average Daily Traffic (ADT)	37,375
PM Peak Hour (heaviest 60 minutes)	2,990

Rainbow Blvd	
Average Daily Traffic (ADT)	22,050
PM Peak Hour (heaviest 60 minutes)	1,764

Torrey Pines Dr	
Average Daily Traffic (ADT)	6,550
PM Peak Hour (heaviest 60 minutes)	524

Traffic Capacity of adjacent streets:

	Adjacent Street ADT Capacity
Cheyenne Ave	51,800
Rainbow Blvd	34,500
Torrey Pines Dr	34,500

This project is expected to add 75 trips per day on Cheyenne Ave., Rainbow Blvd. and Torrey Pines Dr. This will increase traffic on Cheyenne Ave., Rainbow Blvd. & Torrey Pines Dr. by under 1 percent. Currently, Cheyenne is at about 72 percent of capacity, Rainbow is at about 64 percent of capacity and Torrey Pines is at about 19 percent of capacity.

Based on Peak Hour use, this development will add about 9 additional cars into the area in the peak hour, or about one every seven minutes.

Note that this report assumes all traffic from this development uses all named streets.

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

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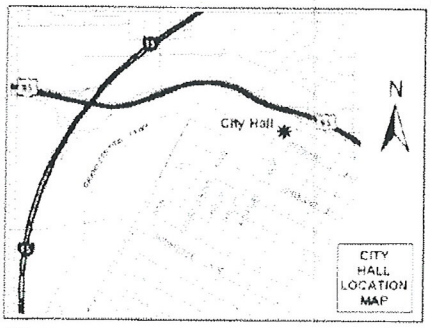

THERE is not Enough Room on this PARCEL to accomadate this LARGE STRUCTURE. It will further decrease the value of our homes.

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

Case SDR-38577
13811402008
FORTE JOSEPH & DONNA
3365 GAREHIME
LAS VEGAS NV 89108-4934

Please use available blank space on card for your comments.

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SDR-38577
Planning Commission Meeting of 11/18/2010

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

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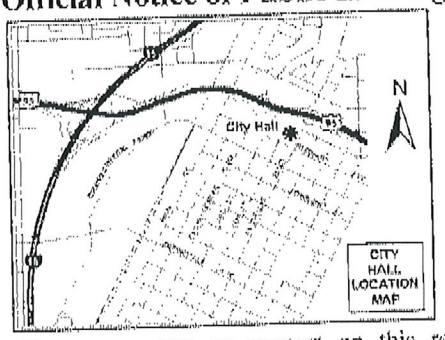

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SDR-38577

Planning Commission Meeting of 11/18/2010

Case: SDR-38577
13811408001
WONG PAUL A LIVING TRUST
6485 ATWOOD AVE
LAS VEGAS NV 89108-4909

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

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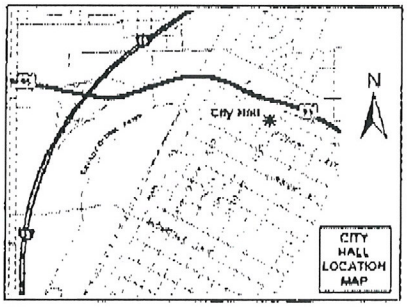
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-38577

Planning Commission Meeting of 11/18/2010

Case: SDR-38577
13811407006
LIGHT RICKI S & RONNIE D
3265 SISK RD
LAS VEGAS NV 89108-4950

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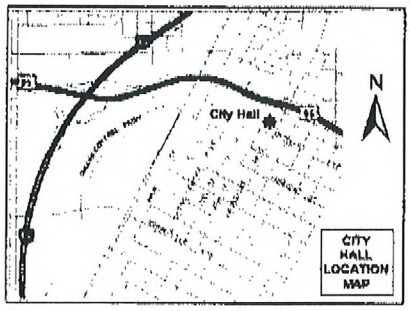

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

ease use available blank space on card for your comments.

DR-38577

anning Commission Meeting of 8/26/2010

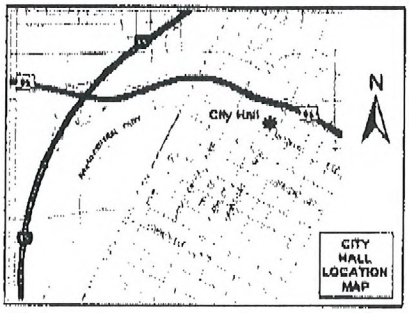
Case: SDR-38577

13814112017
CLAYTON CLIFFORD R
3060 RAMROD ST
LAS VEGAS NV 89108-4399

ty of Las Vegas
anning & Development Department
velopment Services Center
1 S. Fourth Street
s Vegas, Nevada 89101-2986

Return Service Requested

Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

ease use available blank space on card for your comments.

AR-38576 & SUP-38574

anning Commission Meeting of 8/26/2010

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Case: VAR-38576

13814112017
CLAYTON CLIFFORD R
3060 RAMROD ST
LAS VEGAS NV 89108-4399

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

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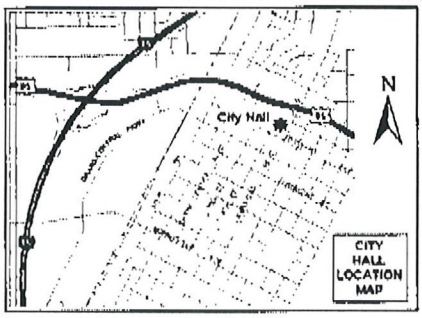
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-38577
Planning Commission Meeting of 8/26/2010

Case: SDR-38577
13811408005
FLETCHER FAMILY TRUST
3264 N SISK RD
LAS VEGAS NV 89108-0000

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AUG 16 2010

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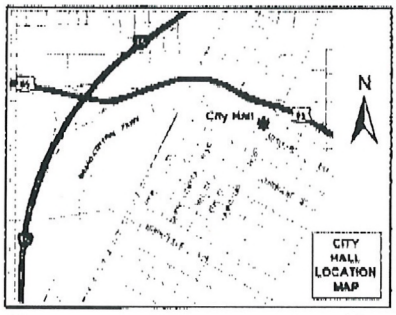
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested

Official Notice of Public Hearing



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☒ I OPPOSE this Request

I OPPOSE

Please use available blank space on card for your comments.

SDR-38577

Planning Commission Meeting of 8/26/2010

SDR-38577 Occupant, Space 173
The Highlands Mobile Home Park
830 Lamb Boulevard
Las Vegas, Nevada 89110

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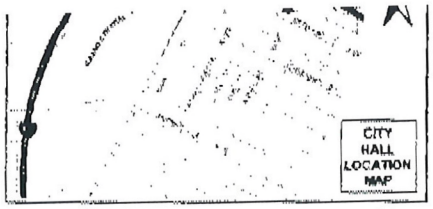

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-38577

Planning Commission Meeting of 8/26/2010

SDR-38577 Occupant
The Highlands Mobile Home Park
830 Lamb Boulevard, Space 148
Las Vegas, Nevada 89110

RECEIVED
AUG 16 2010

20P

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

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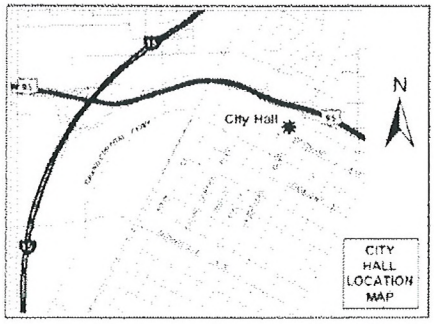

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SDR-38577

Planning Commission Meeting of 8/26/2010

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AUG 16 2010

Case: SDR-38577

13811402008
FORTE JOSEPH & DONNA
3365 GAREHIME
LAS VEGAS NV 89108-4934

2DP

08/16/2010 11:02 FAX 6563564

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

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FIRST CLASS

UNITED STATES POSTAGE
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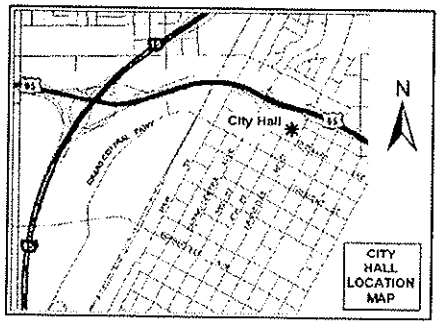
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-38577

Planning Commission Meeting of 8/26/2010

RECEIVED
AUG 23 2010

Case: SDR-38577

13814110012
ANDERTON ADRIENNE A
6641 COASTAL BREEZE CT
LAS VEGAS NV 89108-4356

ZDP

ity of Las Vegas
lanning & Development Department
evelopment Services Center
31 S. Fourth Street
as Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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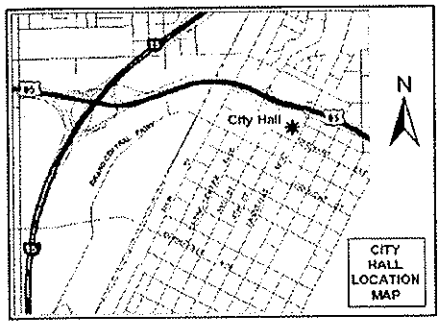
Official Notice of Public Hearing



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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

We

Please use available blank space on card for your comments.

Case: SDR-38577

13811406003
CAMERON ROY EUGENE & CAROLYN L
6635 ATWOOD AVE
LAS VEGAS NV 89108-4913

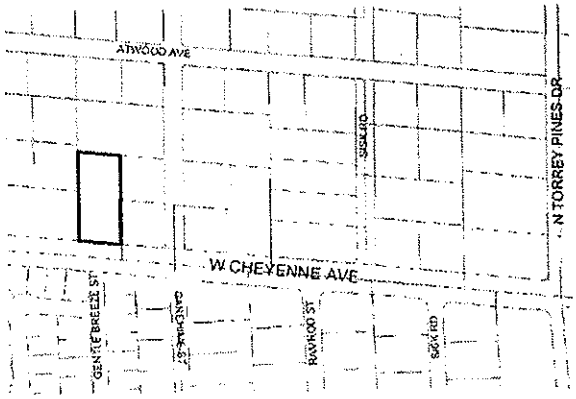
SDR-38577
Planning Commission Meeting of 8/26/2010

Application Information

SDR-38577 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-38579, ZON-38580, VAR-38576 AND SUP-38574 - PUBLIC HEARING - APPLICANT/OWNER: PAITAKA P. AND TASEY R. MIYAHIRA - Request for a Site Development Plan Review FOR A PROPOSED TWO STORY, 17,777 SQUARE-FOOT CONVALESCENT CARE FACILITY/NURSING HOME AND A WAIVER OF THE PERIMETER BUFFER STANDARDS TO ALLOW FOUR FEET ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED, ZERO FEET ALONG A PORTION OF THE WEST AND EAST PERIMETERS WHERE EIGHT FEET IS REQUIRED AND ZERO FEET BETWEEN THE SIDEWALK AND BACK OF CURB WHERE FIVE FEET IS REQUIRED ADJACENT TO ARTERIAL STREETS on 0.90 acres at 6640 West Cheyenne Avenue (APN 138-11-406-012), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 4 (Anthony).

What are These dishonest applicants TRICKS now ??
They are playing with minutia of zoning, whereas a 2 story facility (1) is too large for the lot shown. (2) is architecturally incongruent with surroundings 3) abuts an all-night gas station - not quiet/peaceful

Application Location



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

Public Hearing Information

Meeting:	Planning Commission
Date:	*August 26, 2010*
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Planning and Development Department, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For further information, including the full staff report, please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

The applicants have NO experience managing any medical facility (admitted that in last public meeting)
Convalescents deserve better.

JDP

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

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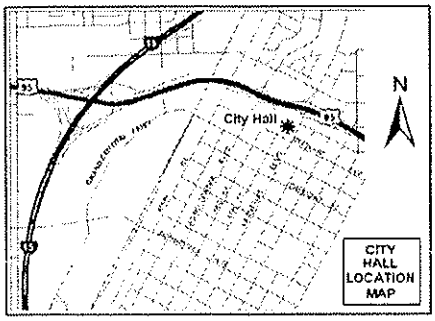

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SDR-38577
Planning Commission Meeting of 8/26/2010

Case: SDR-38577
13814112016
CATES JEFFERY G & G L REV LIV TR
3163 RAMROD ST
LAS VEGAS NV 89108-4312

20P

ty of Las Vegas
anning & Development Department
evelopment Services Center
31 S. Fourth Street
as Vegas, Nevada 89101-2986

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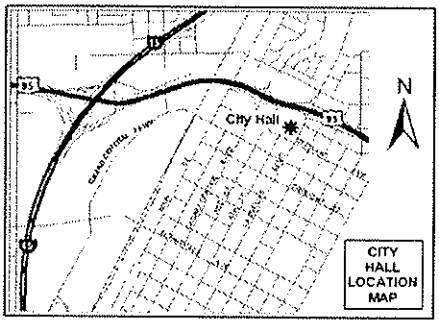

I oppose any application that deals with changing R-E to C-1. Businesses do not belong in residential estates zoned areas!

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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

lease use available blank space on card for your comments.

DR-38577

lanning Commission Meeting of 8/26/2010

Case: SDR-38577
13811403003
CAMPBELL ROBERT & GWEN
3376 GAREHIME ST
LAS VEGAS NV 89108-4935

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/elopment Services Center
S. Fourth Street
Vegas, Nevada 89101-2986

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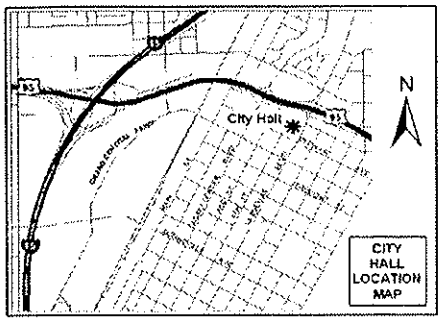

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

ease use available blank space on card for your comments.

)R-38577

anning Commission Meeting of 8/26/2010

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Case: SDR-38577
13811406008
BELL MICHAEL A
3240 SERENE DR
LAS VEGAS NV 89108-4947

20P

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

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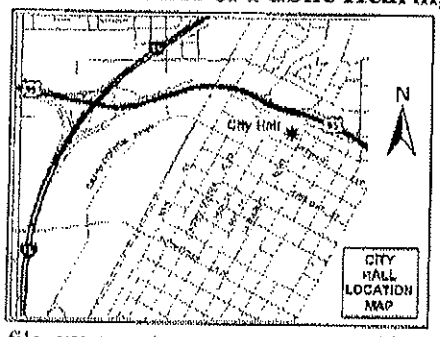

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-38577

Planning Commission Meeting of 8/26/2010

Case: SDR-38577

13811408001
WONG PAUL A LIVING TRUST
6485 ATWOOD AVE
LAS VEGAS NV 89108-4909

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

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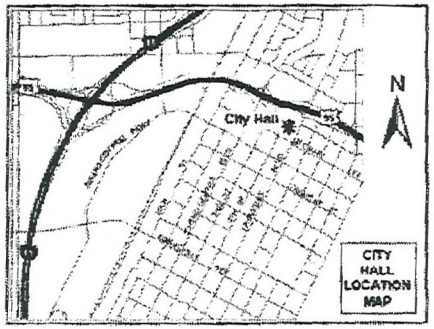
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-38577
Planning Commission Meeting of 8/26/2010

Case: SDR-38577
13814110104
SCHNIPPEL MARK A & J R FAM TR
9960 W CHEYENNE AVE #210
LAS VEGAS NV 89129-7702

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A

City of Las Vegas Agenda Item No.: **20.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

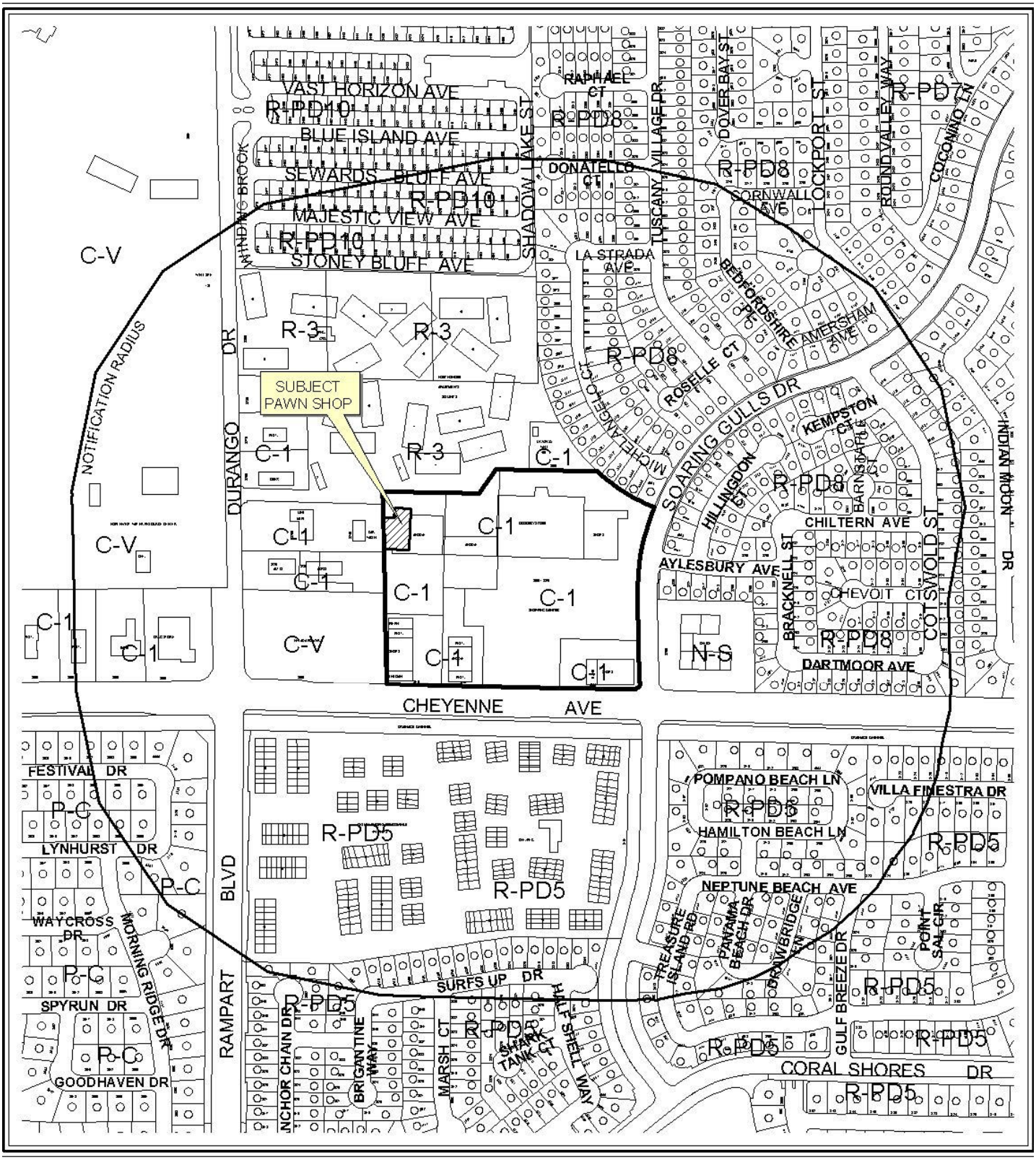
SUBJECT:
ABEYANCE - SUP-37362 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CASH AMERICA/SUPER PAWN - OWNER: NORTHSHORE PLAZA, LLC - Request for a Special Use Permit FOR A PAWN SHOP WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A RESIDENTIALLY ZONED PROPERTY AND A FINANCIAL INSTITUTION,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

MAY GO TO CITY COUNCIL ON 12/15/10 OR MAY BE FINAL ACTION
(Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**137**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Request to Untable Letter Submitted by Kaempfer Crowell Renshaw Gronauer & Fiorentino
6. Justification Letter
7. Protest/Support Postcards and Protest Telephone Log



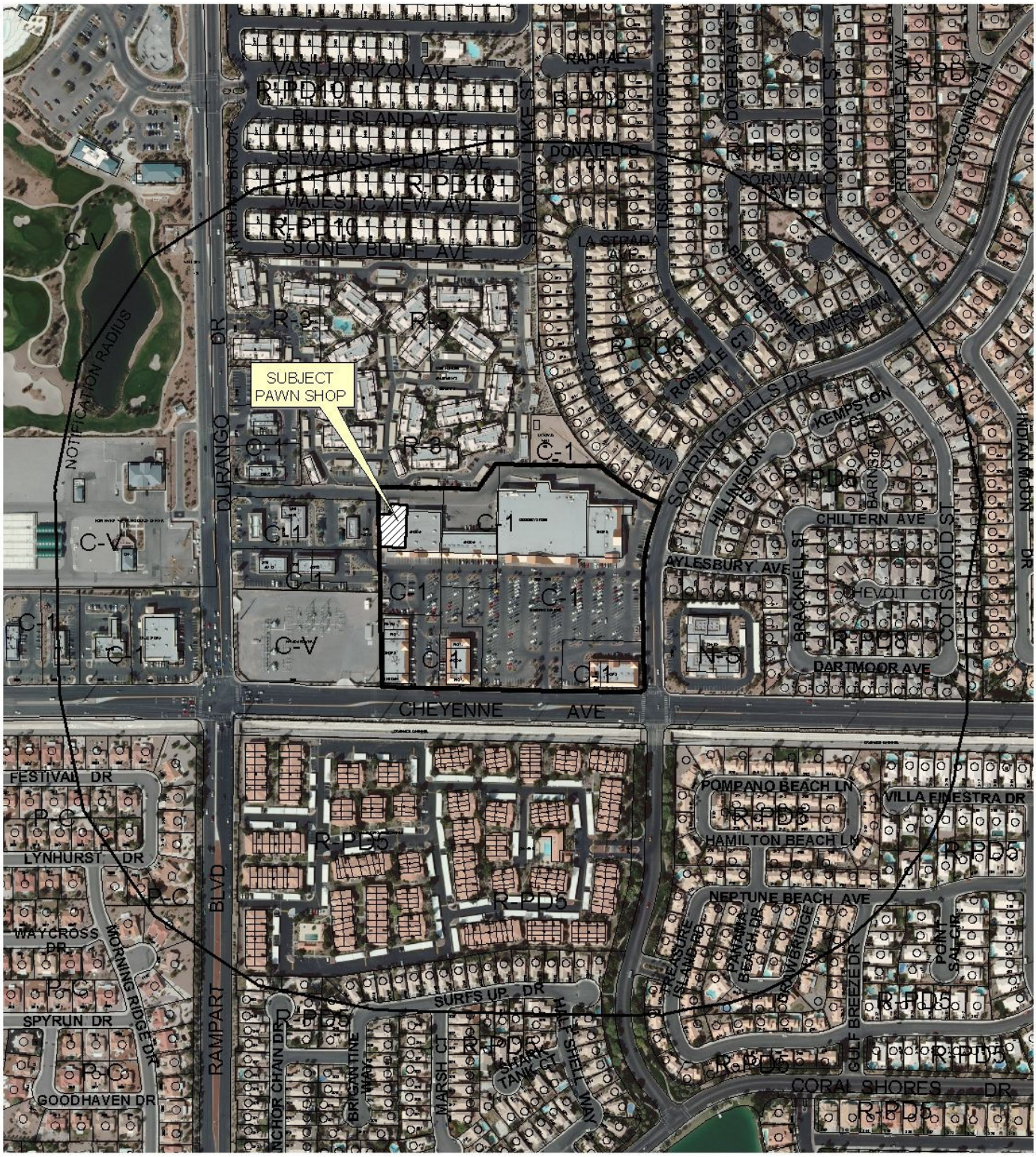
0 500 1000 Feet

CASE: **SUP-37362**

RADIUS: 1000 FT

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

N



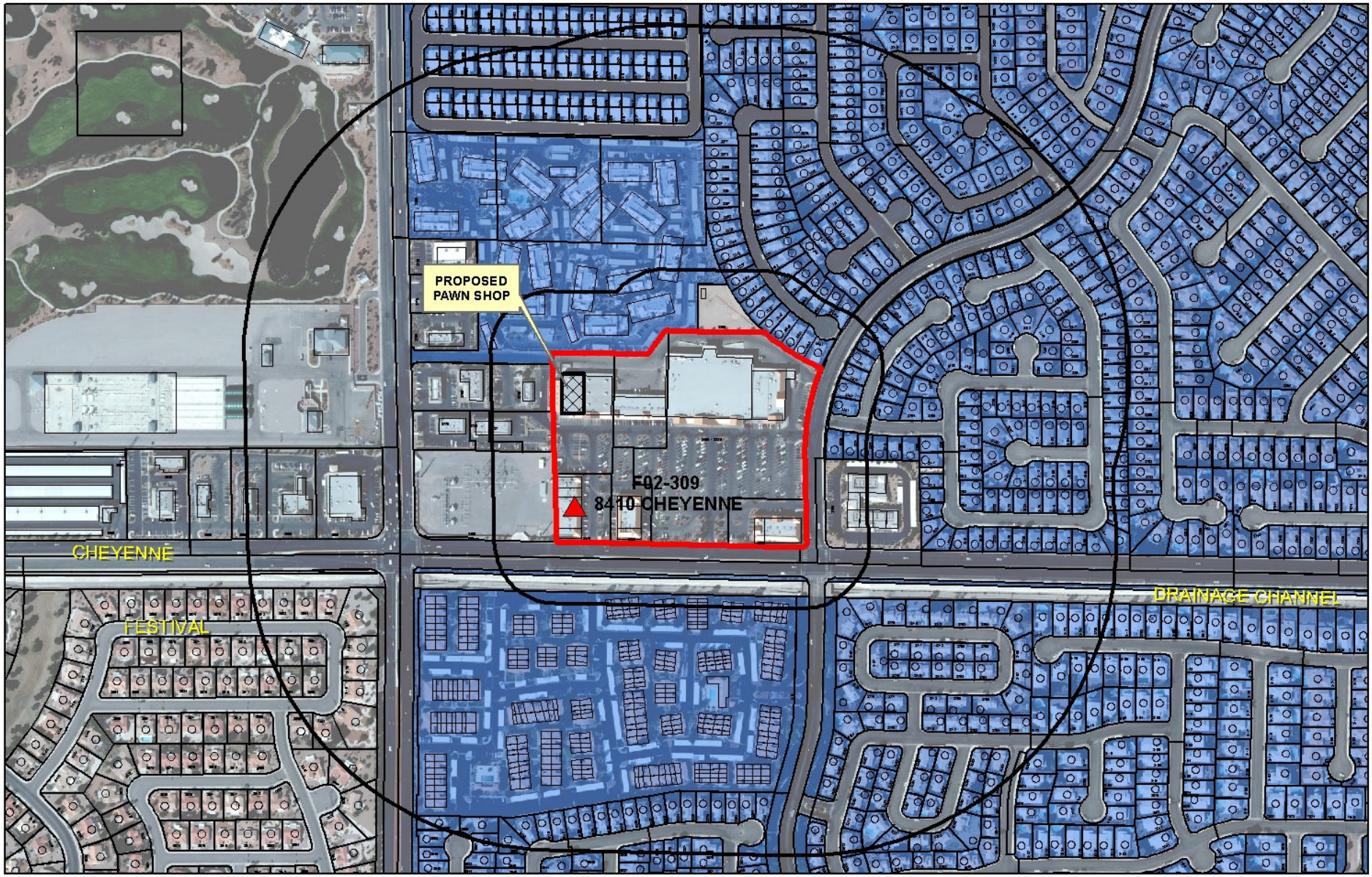
0 500 1000 Feet

CASE: **SUP-37362**

RADIUS: 1000 FT

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

N



SUP-37362

Financial Business Locations

Financial Institution, Specified

Pawnshops

Automobile Title Loan

Subject Property

Residential Property

200ft & 1000ft Buffer

N

0 280 560 1,120 Feet

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: CASH AMERICA/SUPER PAWN - OWNER: NORTHSHORE PLAZA, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-37362	Staff recommends DENIAL. If approved, subject to conditions	N/A

** CONDITIONS **

SUP-37362 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Pawn Shop use.

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

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

RG

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Pawn Shop within a portion of an existing building with waivers to allow a zero-foot distance separation from residentially zoned property and a Financial Institution, Specified where 200 feet and 1000 feet, respectively, are required at 8400 West Cheyenne Avenue. The proposed Pawn Shop use will occupy 9,650 square feet of the building space with a 2,900 square-foot outdoor patio. Staff is recommending denial of this request because the proposed use cannot be conducted in a manner that is compatible with the surrounding land uses, as is evidenced by the requested waivers of distance separation requirements. If this request is denied, the Pawn Shop use will not be allowed to operate at this location.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
03/16/94	The City Council approved a request for a General Plan Amendment (GPA-0004-94 from ML (Medium Low Density Residential) to SC (Service Commercial) on the northeast corner of Durango Drive and Cheyenne Avenue. The Planning Commission recommended approval
03/16/94	The City Council approved a request for Reclassification of Property (Z-0007-94) from N-U (Non-Urban) to R-PD8 (Residential Planned Development) and C-1 (Limited Commercial) on the northeast corner of Durango Drive and Cheyenne Avenue. The Planning Commission recommended approval.
09/14/95	The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0007-94(3)] for a proposed retail shopping center located on the northwest corner of Cheyenne Avenue and Soaring Gulls Drive. Planning and Development recommended approval.
03/25/10	The item for the request of a Special Use Permit (SUP-37362) was tabled at the request of the applicant from the Planning Commission meeting.

Related Building Permits/Business Licenses	
09/16/96	A building permit (#9618721) was issued for a retail building at 8400 West Cheyenne Avenue. The project was completed on 02/10/97.
09/26/03	A building permit (#03020713) was issued for a Non-Work Certificate of Occupancy at 8400 West Cheyenne Avenue. The project was completed on 10/2/03.
10/06/03	A business license (F07-01794) was issued for a Furniture Store at 8400 West Cheyenne Avenue. The license was marked out of business on 06/26/09.

Pre-Application Meeting	
01/25/10	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Pawn Shop were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed. • Provide floor plan upon submittal of Special Use Permit application. • Revise Site Plan to include building size with parking calculations. • Waiver for the 200-foot residential use and the 1000-foot distance separation requirement from Financial Institution, Specified use.

Neighborhood Meeting	
03/15/10	A voluntary neighborhood meeting was held at 6:00 pm at the Durango Hills Community Center YMCA located at 3521 North Durango Drive Las Vegas, Nevada 89129. No submitted results from this meeting.
10/13/10	A voluntary neighborhood meeting is to be held at 6:00 pm at the Durango Hills Community Center YMCA located at 3521 North Durango Drive Las Vegas, Nevada 89129.

Field Check	
09/16/10	A site visit was conducted by staff. The subject property is properly maintained. The subject building is currently vacant.

Details of Application Request	
Site Area	
Net Acres	1.74

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Service Station with Convenience Store and Self Service Car Wash	SC (Service Commercial)	C-1 (Limited Commercial)

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

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

DEVELOPMENT STANDARDS

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	
Shopping Center	155,663 SF	1:250 SF	623		600		
TOTAL SPACES REQUIRED			623		600		
Regular and Handicap Spaces Required			610	13	577	23	N

Waivers		
Requirement	***Request***	***Staff Recommendation***
200-foot distance separation from residential property to the north.	Zero feet	Denial
1,000-foot distance separation from a Financial Institution, Specified at 8350 West Cheyenne Ave.		

ANALYSIS

This is a request for a Special Use Permit for a Pawn Shop use within a portion of an existing 21,733 square-foot building in the Northshore Plaza Shopping Center, which is a parking impaired site. The Site Plan indicates 623 parking spaces are required, whereas only 600 parking spaces are provided, as depicted in approved civil plans for this commercial center. The Shopping Center parking requirement is one space per 250 square feet, regardless of the use.

The minimum Special Use Permit requirements for the proposed use are a 200-foot distance separation from adjacent residential property and a 1,000-foot distance separation from a Financial Institution, Specified use. The applicant has requested waivers of these requirements. Due to the waiver requests, the proposed use is not compatible with this commercial center and the surrounding area; therefore, staff recommends denial of this request.

FINDINGS

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

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

   The proposed Pawn Shop use cannot be conducted in a manner that is harmonious and compatible with the existing site due to the waiver requests to allow a zero-foot distance separation from residential property and a Financial Institution, Specified use.

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

   The proposed use is located directly adjacent to a residential property and a Financial Institution Specified use is located within the same shopping center. The subject site does not meet the minimum standards set forth in Title 19.04 for a Pawn Shop within a C-1 (Limited Commercial) zoned property. The subject site is not physically suitable for the intensity of the proposed land use, due to the need for waivers of Title 19.04 standards.

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

   Site access is provided from Cheyenne Avenue and Durango Drive. These streets are adequate in size to accommodate the proposed Pawn Shop use.

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

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

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

   The proposed Pawn Shop use does not comply with the minimum Special Use Permit requirements. The proposed use will be located within 200 feet of a parcel used or zoned for residential use. In addition, the use will be located within 1,000 feet of a Financial Institution, Specified use. A waiver has been requested from these requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 1,387

APPROVALS 2

PROTESTS 137

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-37362** APN: 138-09-420-005

Name of Property Owner: Northshore Plaza, LLC

Name of Applicant: Cash America/Super Pawn

Name of Representative: Jennifer Lazovich -- Kaempfer Crowell

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

_____Yes ✓ _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: [signature], Pres.

Print Name: Richard Gordon

Subscribed and sworn before me

This 29 day of Jan, 2010

[signature]

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LAURA GROSETH
Appt. No. 98-3646-1
My Appt. Expires July 1, 2010

RECEIVED

FEB 08 2010

Revised 11-14-06

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393052.1

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit for a Pawn Shop

Project Address (Location) 8400 W. Cheyenne Avenue

Project Name Super Pawn **Proposed Use** Pawn Shop

Assessor's Parcel #(s) 138-09-420-005 **Ward #** 4

General Plan: existing _____ **proposed** N/A **Zoning: existing** C-1 **proposed** N/A

Commercial Square Footage 13,000 +/- **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** 1 **Density** _____

Additional Information See attached justification letter

PROPERTY OWNER Northshore Plaza, LLC **Contact** _____

Address 8400 W. Cheyenne Avenue **Phone:** _____ **Fax:** _____

City Las Vegas **State** Nevada **Zip** 89129

E-mail Address _____

APPLICANT Cash America/Super Pawn **Contact** Caroline Ciocca

Address 3021 Business Lane **Phone:** 735-4444 **Fax:** 739-7888

City Las Vegas **State** Nevada **Zip** 89103

E-mail Address cciocca@casham.com

REPRESENTATIVE Kaempfer Crowell Renshaw Gronauer & Fiorentino **Contact** Jennifer Lazovich

Address 8345 W. Sunset Road, Suite 250 **Phone:** 792-7000 **Fax:** 796-7181

City Las Vegas **State** Nevada **Zip** 89113

E-mail Address jlazovich@kcnvlaw.com

Property Owner Signature* _____

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

Print Name Richard Gordon

Subscribed and sworn before me

This 29 day of Jan, 20 10.

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LAURA GROSETH
Appt. No. 98-3646-1
My Appt. Expires July 1, 2010

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-37362
Meeting Date:	3/25/2010
Total Fee:	1030.00
Date Received:*	2/8/10
Received By:	M REX

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

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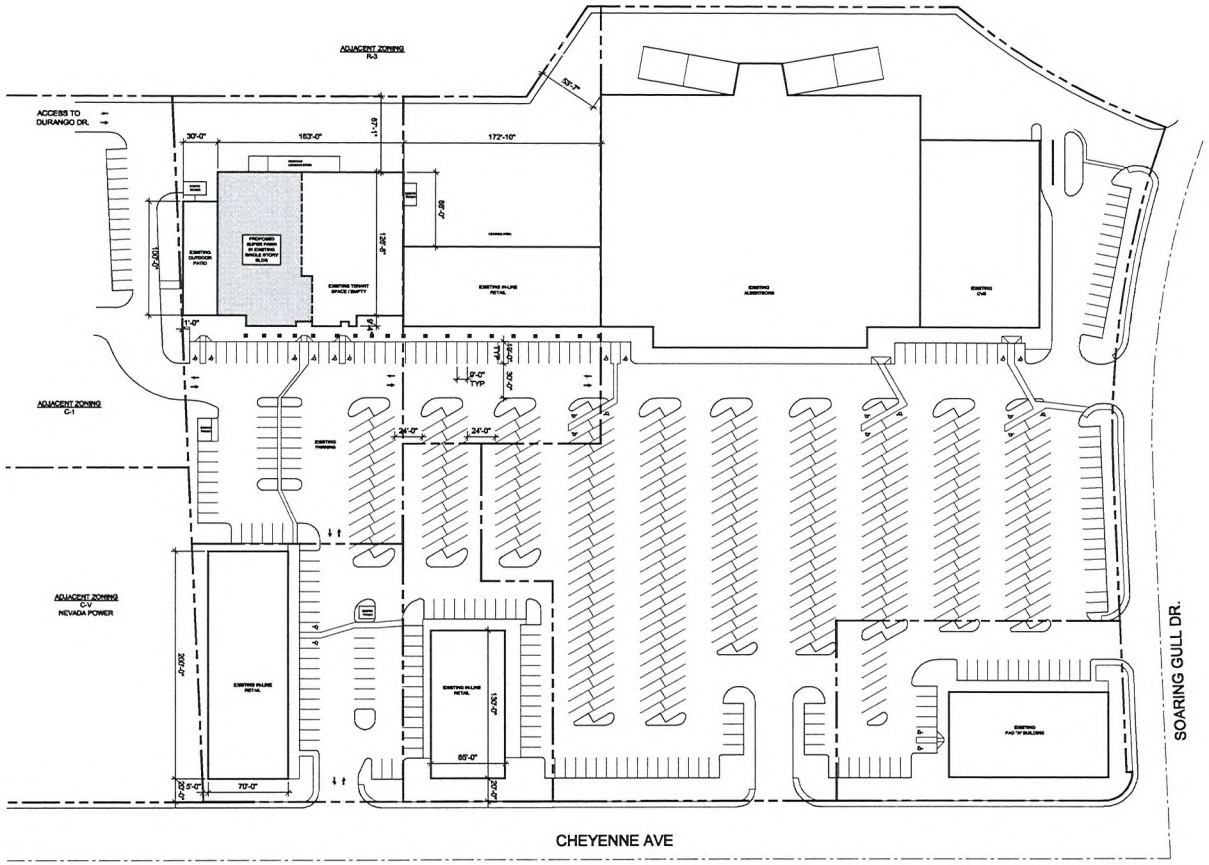


EXISTING SITE PLAN

PROJECT DESCRIPTION

THIS PROJECT IS A REMODEL OF A PORTION OF AN EXISTING COMMERCIAL BUILDING CONVERTING IT FROM FORMER HARDWARE STORE INTO A PAWN SHOP USE. THE BUILDING IS EXISTING. ARCHITECTURAL PLANS DEPICT A PORTION OF EXISTING SINGLE STORY BUILDING THAT IS APPROXIMATELY 9,650 SF.

SITE DATA

SITE DATA:

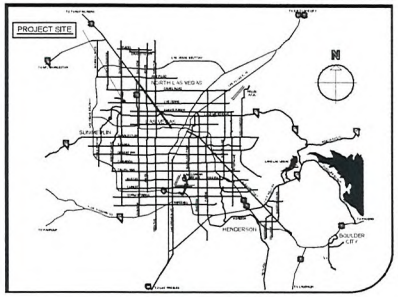
JURISTICTION:	LAS VEGAS
APN #	138-09-420-005
SITE AREA:	1.74 ACRES
EXISTING BLDG. FOOTPRINT:	24,500 SF
LOT COVERAGE:	32.2 %
CURRENT ZONING:	C-1 LIMITED COMMERCIAL DISTRICT

PARKING CALCULATION:

TENANT NAME	AREA (SF)
SUPER PAWN	9,650
PAD A	10,500
PAD B	8,450
PAD C	14,000
ADJACENT TENANT	21,426
IN-LINE SHOPS	12,133
GROCERY STORE	62,279
DRUG STORE	17,275
TOTAL	155,713

TOTAL PARKING REQUIRED: (1/250 SF)	623
TOTAL PARKING PROVIDED	600
ACCESSIBLE PARKING REQUIRED	13
ACCESSIBLE PARKING PROVIDED	23

VICINITY MAP



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FEB 19 2010

CASH AMERICA SUPER PAWN
8400 W CHEYENNE AVE. LAS VEGAS, NV 89129

SUP-37362
REVISED
03/25/10 PC

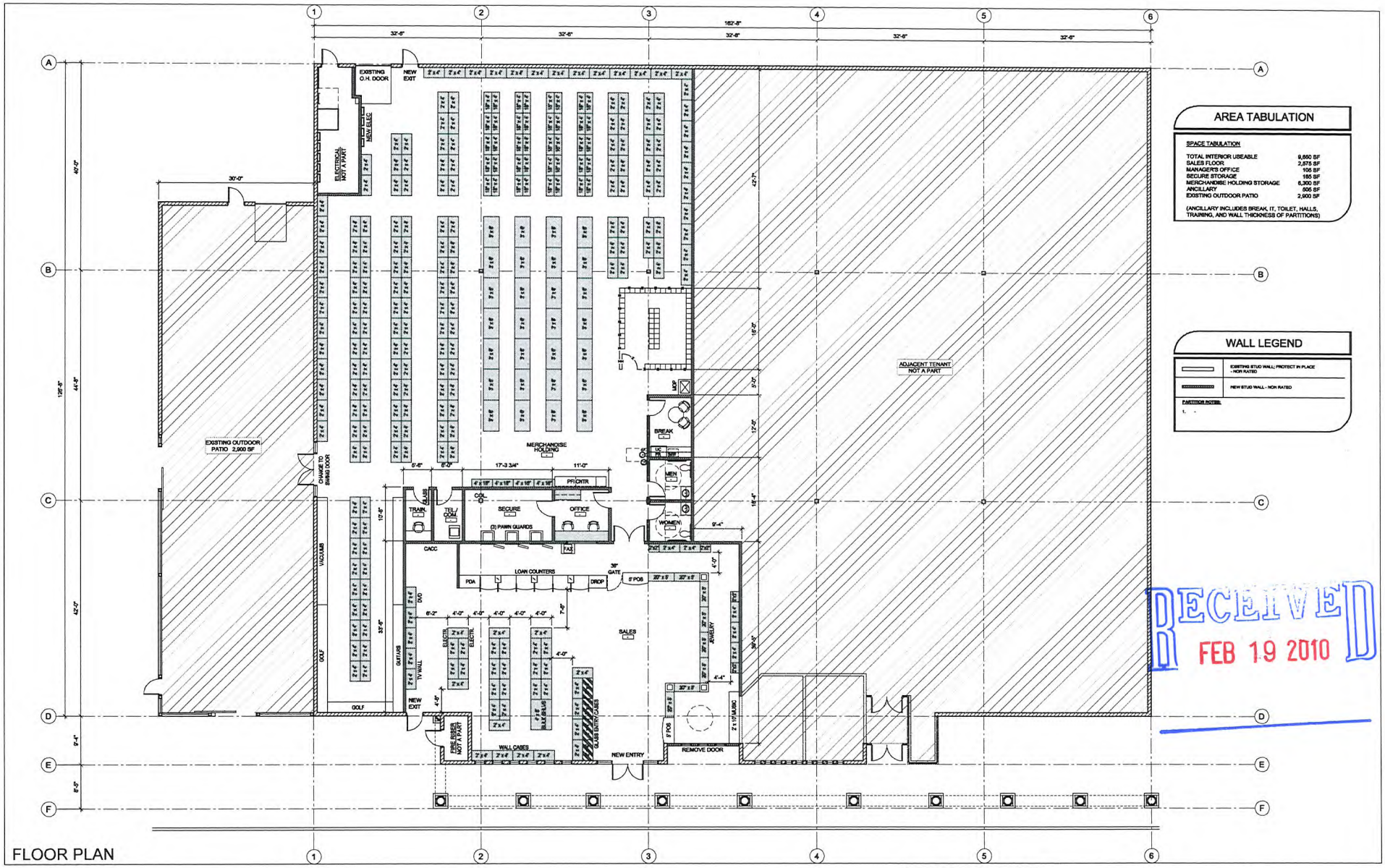
PROJECT NO: 10.005
DATE: 02/18/10

0 25' 50' 100'
SCALE: 1"=50'-0"

NORTH

SHEET NO:
DR-01

designcell
10777 W.TWAIN AVE, SUITE 125, T 702-403-1575
LAS VEGAS NV 89135 WWW.DESIGNCELL.CC



FLOOR PLAN

CASH AMERICA SUPER PAWN
8400 W. CHEYENNE LAS VEGAS, NV

SUP-37362
REVISED
03/25/10 PC

PROJECT NO: 10 005
DATE: 2/18/10

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

NORTH

SHEET NO:
DR-02

designcell
10777 W.TWAIN AVE, SUITE 125, T 702-403-1575
LAS VEGAS NV 89135 WWW.DESIGNCELL.CC

SUP-37362 - APPLICANT: CASH AMERICA/SUPER PAWN - OWNER NORTHSHORE PLAZA, LLC
8400 WEST CHEYENNE AVENUE

09/16/10

SUP-37362 - APPLICANT: CASH AMERICA/SUPER PAWN - OWNER NORTHSHORE PLAZA, LLC
8400 WEST CHEYENNE AVENUE

09/16/10

SUP-37362 - APPLICANT: CASH AMERICA/SUPER PAWN - OWNER NORTHSHORE PLAZA, LLC
8400 WEST CHEYENNE AVENUE

09/16/10

KAEMPFER CROWELL

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kcnvlaw.com
702.792.7050

LAS VEGAS OFFICE
8345 West Sunset Road
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Las Vegas, NV 89113
Tel: 702.792.7000
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

September 9, 2010

VIA HAND DELIVERY

Doug Rankin
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT
731 S. 4th Street
Las Vegas, NV 89101

Re: ***Request to Place SUP-37362***
Cash America – 8400 West Cheyenne Avenue

Dear Mr. Rankin:

We respectfully request that SUP-37362 be placed on a City of Las Vegas Planning Commission agenda. This item was tabled at the March 25, 2010 Planning Commission hearing. We are enclosing a check in the amount of $500.00 to cover re-notification fees. At this time, we have no changes to the plans that are currently on file with the City of Las Vegas.

It is our understanding that this item will be placed on the October 21, 2010 agenda for the Planning Commission.

If you need any additional information, please do not hesitate to contact me.

Sincerely,

KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO

Jennifer Lazovich

JJL/sfm
cc: Caroline Ciocca
Anthony Ruggiero

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SEP 10 2010

KAEMPFER CROWELL

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

ATTORNEYS AT LAW
LAS VEGAS OFFICE

ANTHONY J. CELESTE
aceleste@kcnvlaw.com
702.693.4215

LAS VEGAS OFFICE
8345 West Sunset Road
Suite 250
Las Vegas, NV 89113
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

February 18, 2010

VIA HAND DELIVERY

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

Re: Second Revised Justification Letter – Special Use Permit to Allow for a Pawn Shop & Waiver of Separation Requirements
8400 W. Cheyenne (APN: 138-09-420-005)

To Whom It May Concern:

Please be advised this office represents Cash America/SuperPawn (the "Applicant"). The Applicant is seeking a special use permit for a pawn shop in the above referenced location (the "Site"). The Site is zoned C-1. Pawn shops are allowed in a C-1 zone with the approval of a special use permit. Additionally, the Applicant is seeking a waiver for: (i) the 200 foot distance requirement to a residential use and (ii) the 1000 foot distance requirement from any other payday use.

The Applicant is a well established and highly regarded pawn shop operator throughout the Las Vegas valley. The Applicant is proposing to locate in an existing building, formerly occupied by a Sears Hardware Store. The building is approximately 9,650 square feet with an additional 2,900 square foot existing outdoor storage area. The existing building is part of a large commercial center with an Albertson's, Blockbuster, and CVS.

The Applicant is requesting a use permit to allow for a pawn shop. Accessory uses such as jewelry sales, payday loans/cash checking services and second hand sales will be included. Since the Applicant is proposing to locate in an existing building, waivers of the distance requirements are necessary. The property line of the existing building abuts an apartment complex. However, the actual distance is approximately 120 feet measured from the rear existing building to the closest apartment unit. The existing building and the apartment units are separated by drive aisles for both the shopping center and the apartment complex. The entrance into SuperPawn would be about 260 feet from the nearest apartment unit. Additionally, the Applicant is seeking a waiver from the required distance to another payday loan use. Similar to the residential separation, the property line from the existing building to the payday loan use abut each other. However, the actual distance between the proposed SuperPawn and the existing payday loan use is about 170 feet. There are no existing pawn shops within the required distance separation.

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SUP-37362
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03/25/10 PC

KAEMPFER
CROWELL

SuperPawn would be an appropriate business in the vacant building. The hours of operation would be 9:00 a.m. to 7:00 p.m. Therefore, the limited hours of operation would not be detrimental to the residential use and would be compatible with the existing shopping center's hours of operation.

Thank you, in advance, for your consideration of this request. If you need any additional information, please do not hesitate to contact me.

Sincerely,

KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO

Anthony J. Celeste

AJC/dmf

Cc: Caroline Ciocca

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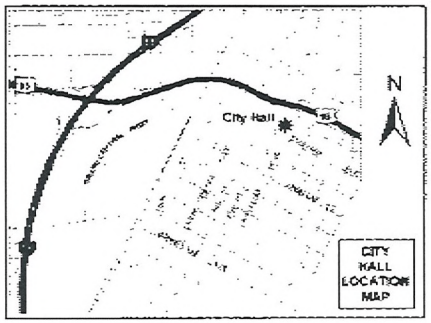
FEB 19 2010

SUP-37362
REVISED
03/25/10 PC

09/25/2009 03:11 8088857000 S4 PAGE 01

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

Return Service Requested
Official Notice of Public Hearing



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

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 3/25/2010

$ 00.41

Case: SUP-37362
13816120254
HELM GORDON LAVERN
64-5272 PUANUANU PL
KAMUELA HI 96743-8220

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MAR 16 2010

ASP

Mar. 15. 2010 6:57AM AGGREGATE IND. No. 5542 P. 1

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Development Services Center
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Las Vegas, Nevada 89101-2986

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0004279218 MAR 12 2010
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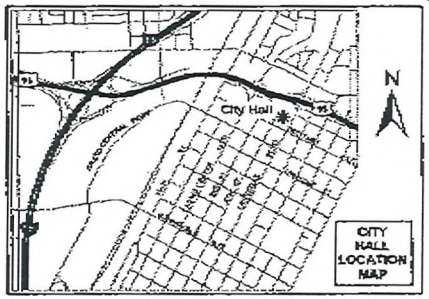

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362

Planning Commission Meeting of 3/25/2010

Case: SUP-37362
13809411009
LONGO ROBERT & SHARON
3345 INDIAN MOON DR
LAS VEGAS NV 89129-7325

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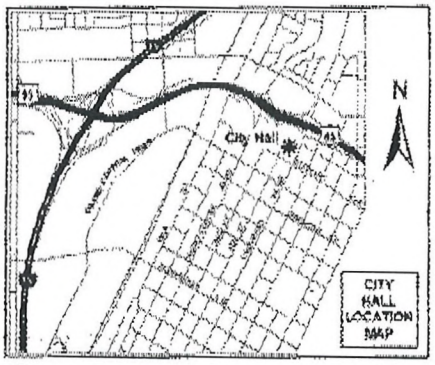

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 3/25/2010

Case: SUP-37362

13809413013
YOUNG BEN D & LARENDA G
7872 MORNING FLOWER
LAS VEGAS NV 89129-2138

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Planning & Development Department
Development Services Center
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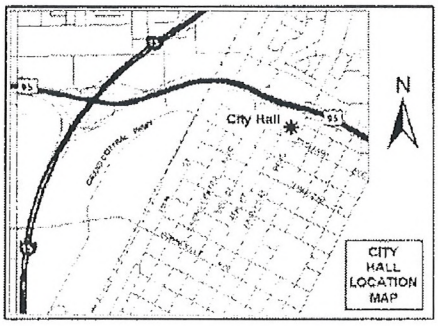

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SUP-37362

Planning Commission Meeting of 3/25/2010

Case: SUP-37362
13817512016
WEISROCK CARL J REVOCABLE TRUST
8508 FESTIVAL DR
LAS VEGAS NV 89134-8610

AAVDS11 89134

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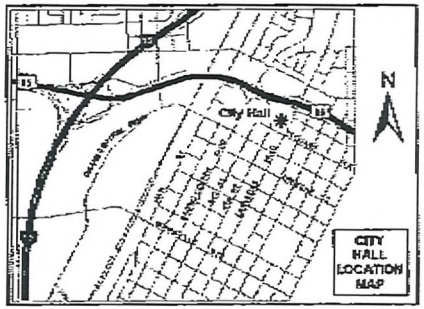

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☐ I SUPPORT this Request

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SUP-37362

Planning Commission Meeting of 3/25/2010

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Case: SUP-37362

13809315024
STOUGHTON ALETHEA W
8105 GREENWICH CT
LAS VEGAS NV 89129-7364

AAVDS11 89129

MAR-15-10 06:54 FROM-

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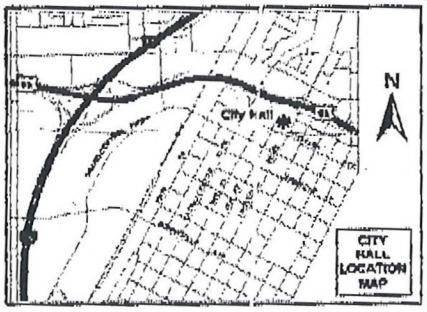

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 3/25/2010

Case: SUP-37362
13809419029
LEWIS SUZAN D
2731 PARSONS RUN CT
HENDERSON NV 89074-1907

AAVDS11 89074

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Planning & Development Department
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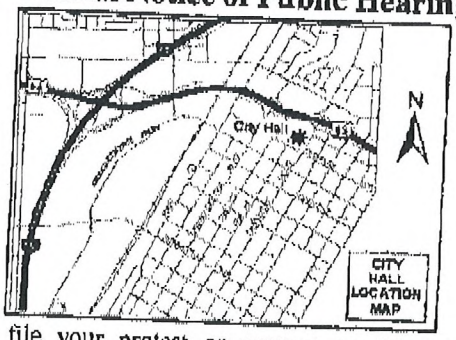

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☐ I SUPPORT this Request

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Planning Commission Meeting of 3/25/2010

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Case: SUP-37362
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ROBERTO ELANA E & JOSEPH M
8264 ROSELLE CT
LAS VEGAS NV 89129-2155

258

Mar 15 2010 5:44PM HP LASERJET FAX 671-4359 p.1

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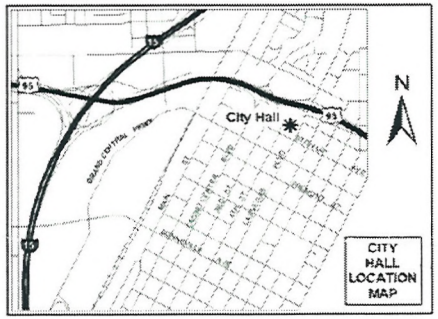

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-37362

Planning Commission Meeting of 3/25/2010

Case: SUP-37362

13816111069
FEE FAMILY TRUST
3029 DRAWBRIDGE LN
LAS VEGAS NV 89128-7058

AAVDS11 89128

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City of Las Vegas
Planning & Development Department
Development Services Center
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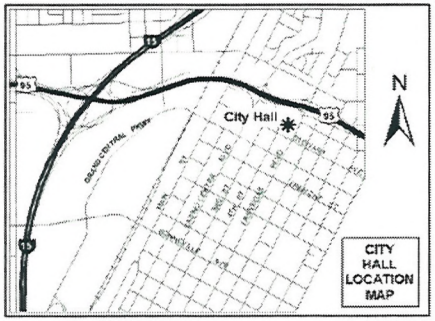

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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Case: SUP-37362
13816111020
DRYDEN TRUST
10640 HERITAGE HILLS DR
LAS VEGAS NV 89134-5213

AAUDS11 89134

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

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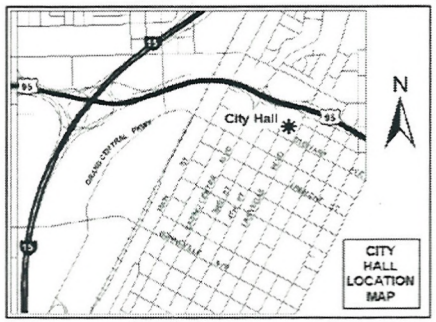

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-37362

Planning Commission Meeting of 3/25/2010

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Case: SUP-37362

13809313060
SHABAREKH ALBERT & MARIE
8401 SEWARDS BLUFF AVE
LAS VEGAS NV 89129-7374

AAVD511 89129

25P

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

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0004279218 MAR 12 2010
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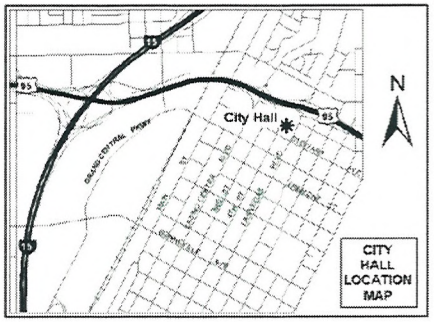

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 3/25/2010

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MAR 16 2010

Case: SUP-37362
13809315005
MULLEN JOSEPH W & RENA R FAM TR
8216 CORNWALL AVE
LAS VEGAS NV 89129-7362

AAVDS11 89129

250

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

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UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41[4]
0004279218 MAR 12 2010
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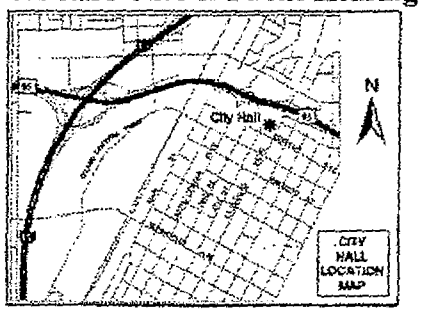

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-37362

Planning Commission Meeting of 3/25/2010

Case: SUP-37362

13816120010
OELKE R J
P O BOX 94311
LAS VEGAS NV 89193-4311

Submitted after final agenda
Date
Item 16P

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MAR 18 2010

Mar 18 2010 7:34PM RA Holdings 702 436-2133 p.1

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

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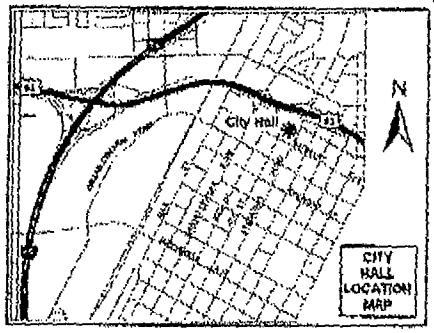
Official Notice of Public Hearing



PAWN SHOPS BRING TROUBLE
THE FARTHER THEY ARE AWAY
THE BETTER.

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

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 3/25/2010

Case: SUP-37362
13816120231
STERN KEVIN REVOCABLE TRUST
13111 BASSETT ST
NORTH HOLLYWOOD CA 91605-4726

RECEIVED
MAR 18 2010

Submitted after final agenda
Date Item 25P

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 MAR 12 2010
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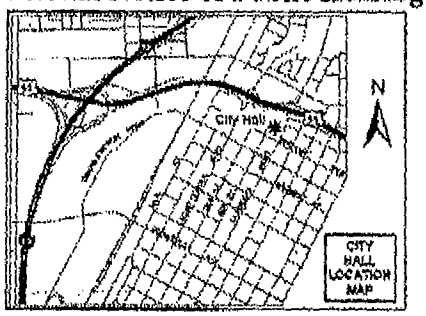

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 3/25/2010

Case: SUP-37362
13809413067
GILMAN BRETT D & VICKI L
8105 CHILTERN AVE
LAS VEGAS NV 89129-7389

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Date Item 25P

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

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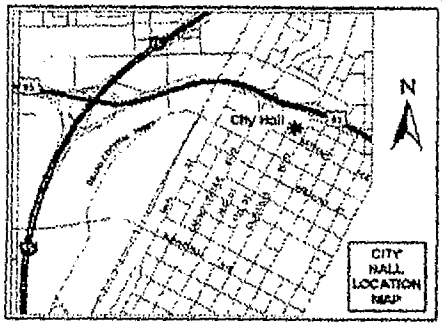

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 3/25/2010

Case: SUP-37362
13816120098
LOSITO KAREN E & PAUL T
1918 S CLUB DR
WELLINGTON FL 33414-9075

AAVDS11 33414

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MAR 22 2010

Submitted after final agenda
Date Item 25P

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

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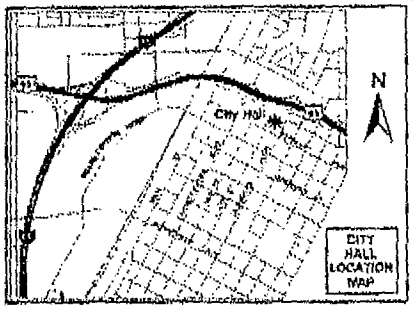

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 3/25/2010

Case: SUP-37362

13809413039
STOUT RICHARD E
3308 BARNSTABLE CT
LAS VEGAS NV 89129-6709

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Submitted after final agenda

Date Item 25P

PAGE 01/01

DEAN & ANDREA DYCK

0040158676

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

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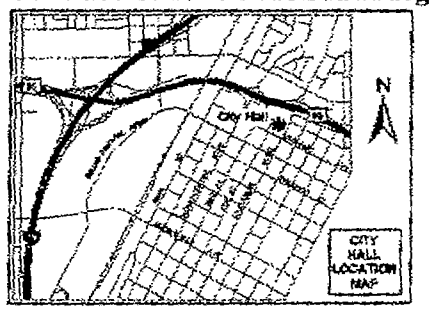

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-37362

Planning Commission Meeting of 3/25/2010

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0004219218 MAR 12 2010
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Case: SUP-37362
13816120068
DYCK DEAN & ANDREA
21255 89TH AVE
LANGLEY BC V1M2E2
CANADA 00000-0000

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0029983401

Submitted after final agenda
Date
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City of Las Vegas
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Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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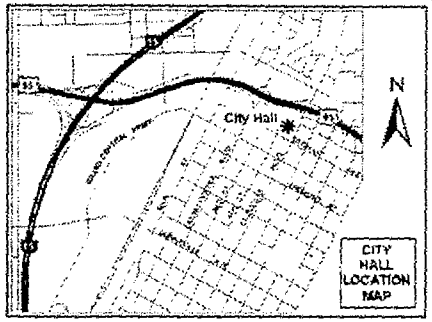

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 3/25/2010

MAR 19 2010

Case: SUP-37362
13816111080
KSKSLLC
4004 MOUNTAIN TREK ST
LAS VEGAS NV 89129-3668

AADC 411 89129

Submitted after final agenda
Date
Item 25

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

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 3/25/2010

138161116038
MCALEARNEY SHARON M REVOCABLE
2208 NEPTUNE BEACH AVE
LAS VEGAS NV 89128-7076

Case: SUP-37362

RECEIVED
MAR 22 2010

Submitted after final agenda
Date
Item 25 P

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

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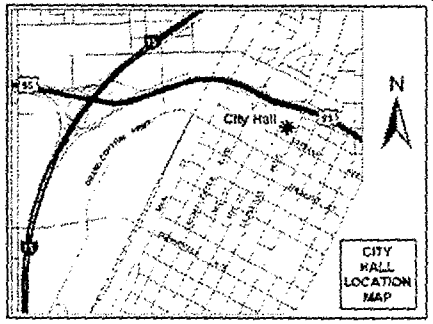

MAR 19 2010

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 3/25/2010

Case: SUP-37362
13816120150
TOOBIAN BIJAN & HAYDEH
18938 PASADERO DR
TARZANA CA 91356-5122

Submitted after final agenda
Date
Item 25P

AAUDS11 91356

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

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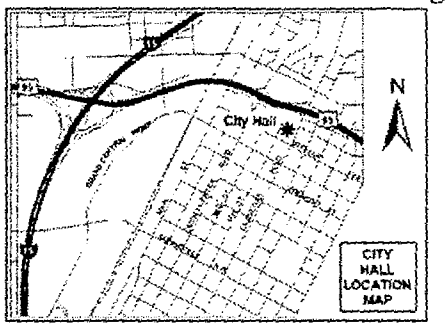

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 3/25/2010

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Case: SUP-37362
13816120164
TOOBIAN BIJAN & BAYDAH
18938 PASADERO DR
TARZANA CA 91356-5122

AAUDE11 91356

Submitted after final agenda
Date
Item 25

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

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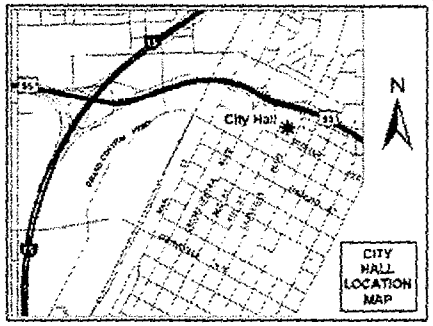

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 3/25/2010

Case: SUP-37362
13809411016
WASHINGTON ROSIE LEE
3313 INDIAN MOON DR
LAS VEGAS NV 89129-7323

AAUDE11 89129

Submitted after final agenda
Date
Item 25

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

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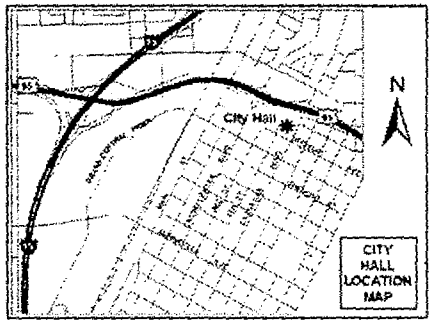
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362

Planning Commission Meeting of 3/25/2010

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MAR 19 2010

Case: SUP-37362
13809318055
G M S HORIZONS I L L C
%G SAUTER
2620 REGATTA DR #102
LAS VEGAS NV 89128-6892

AAVDS11 89128

Submitted after final agenda
Date
Item 25P

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

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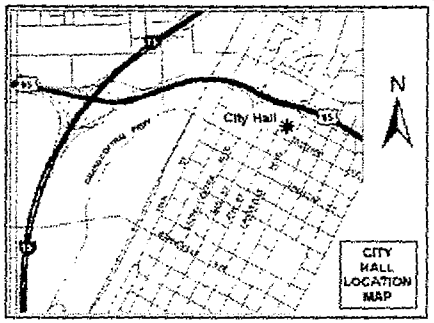
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-37362

Planning Commission Meeting of 3/25/2010

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10 MAR 25 AM 11:1
PLANNING AND DEVELOPMENT

Case: SUP-37362

13809322005
MAYORGA FAMILY TRUST
9420 WISDOM VALLEY AVE
LAS VEGAS NV 89149-0162

Submitted after final agenda
Date
Item 25

AAVDS11 89149

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

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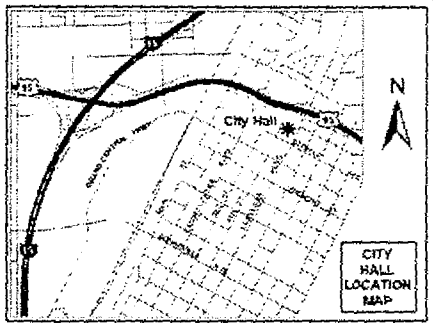

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SUP-37362

Planning Commission Meeting of 3/25/2010

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10 MAR 25 AM 11:24
PLANNING & DEVELOPMENT

Case: SUP-37362

13816111039
MCALEARNEY SHARON M REVOCABLE
8208 NEPTUNE BEACH AVE
LAS VEGAS NV 89128-7076

AAUDS11 89128

Submitted after final agenda
Date
Item 25R

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

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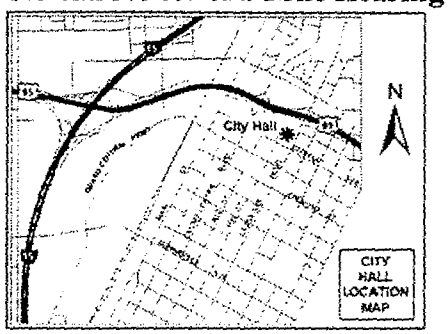

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 3/25/2010

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10 MAR 25 AM 11:24
PLANNING AND DEVELOPMENT

Case: SUP-37362

13809313115
BROOKS CARMEN & STUART
10566 COLEBROOK ST
SUNLAND CA 91040-1402

AAUDS11 91040

Submitted after final agenda
Date
Item #67

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

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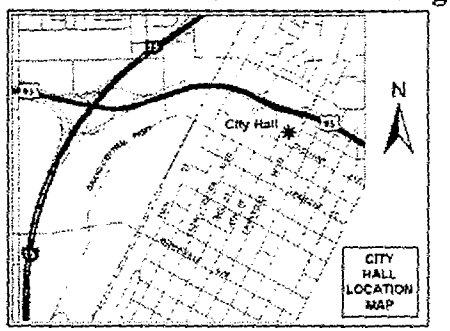

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 3/25/2010

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PLANNING AND DEVELOPMENT

Case: SUP-37362

13816113006
DANING AMY JO
8332 SURFS UP DR
LAS VEGAS NV 89128-7003

Submitted after final agenda
Date
Item 75

AAVOS11 89128

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

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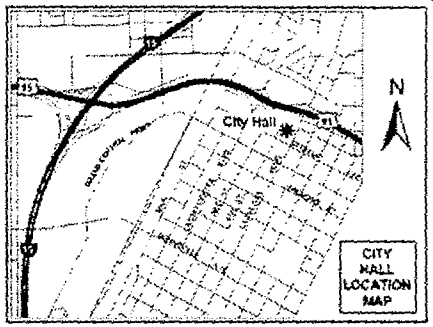

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

~~SUP-37362~~
Planning Commission Meeting of 3/25/2010

MAR 19 2010

Case: SUP-37362
13809318009
SAUTER GAIL M TRUST
2620 REGATTA DR #102
LAS VEGAS NV 89128-6892

Submitted after final agenda
Date
Item 25P

AAUDS11 89128

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

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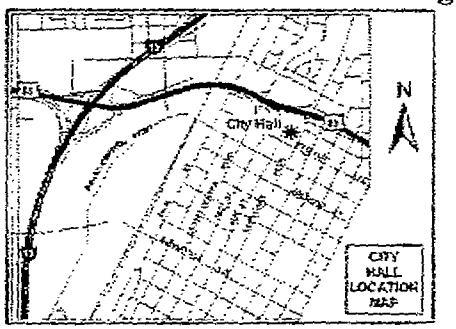

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 3/25/2010

Case: SUP-37362
13816111082
HASTINGS MARTIN D
8105 SAPPHIRE BAY CIR
LAS VEGAS NV 89128-7738

Submitted after final agenda
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City of Las Vegas
Planning & Development Department
Development Services Center
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Las Vegas, Nevada 89101-2986

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0004279218 MAR 12 2010
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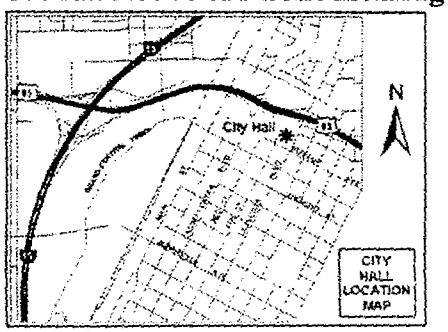

TERRIBLE IDEA – IT WILL HASTEN THE DECLINE OF PROPERTY VALUES IN THE SURROUNDING NEIGHBORHOODS.

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

~~SUP~~-37362
Planning Commission Meeting of 3/25/2010

Case: SUP-37362
13809313049
ESTREICHER HERBERT A & JUDITH K
8445 SEWARDS BLUFF AVE
LAS VEGAS NV 89129-7376

MAR 19 2010

AAVDS11 89129

Submitted after final agenda
Date
Item 25P

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

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UNITED STATES POSTAGE PITNEY BOWES

02 1M $ 00.41⁴
0004279219 MAR 13 2010
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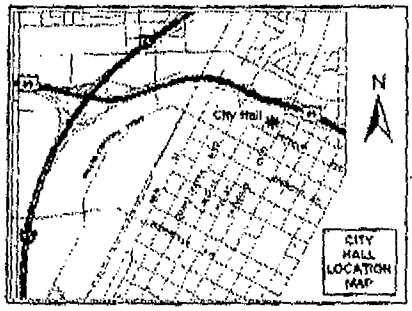
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 3/25/2010

Case: SUP-37362

13809413053
BURNS LESLIE
8217 AYLESBURY AVE
LAS VEGAS NV 89129-7342

RECEIVED
MAR 24 2010

Submitted after final agenda

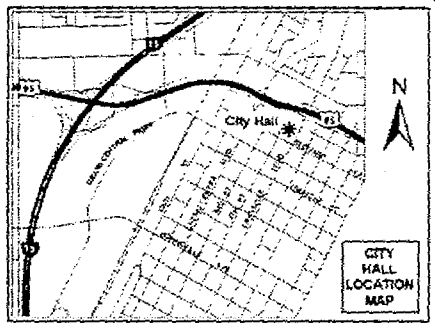
Date Item 25P

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

PRESORTED
FIRST CLASS

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

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 3/25/2010

MAR 19 2010

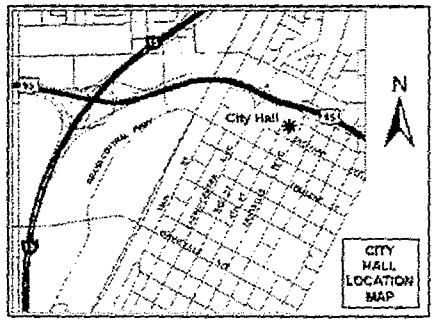
Case: SUP-37362
13809313089
DAIGLE CLIFTON & LORNA FAM TR
8445 MAJESTIC VIEW AVE
LAS VEGAS NV 89129-2101

AADC 111 89129

Submitted after final agenda
Date
Item 25

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-37362

Planning Commission Meeting of 3/25/2010

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0004279218 MAR 12 2010
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RECEIVED
MAR 19 2010

Case: SUP-37362
13809413024
MICHEL PETER J & POLLY C
3344 HILLINGDON CT
LAS VEGAS NV 89129-7328

AAVDS11 89129

Submitted after final agenda
Date
Item 25

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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0004279218 MAR 12 2010
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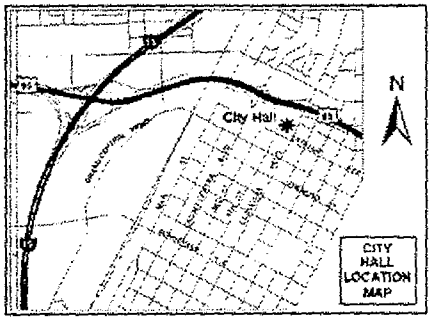
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 3/25/2010

PAWN SHOPS BRING CRIME, CHILDREN, WALK THAT WAY TO SHOOL AND BACK EVERYDAY. I HOPE THE COUNTY CARES ENOUGH NOT TO ALLOW THIS BUILDING

Case: SUP-37362
13809313074
ROMO MATI R
8452 MAJESTIC VIEW AVE
LAS VEGAS NV 89129-7399

MAR 19 2010

AAUDF11 89129

Submitted after final agenda
Date
Item 25P

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

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0004279218 MAR 12 2010
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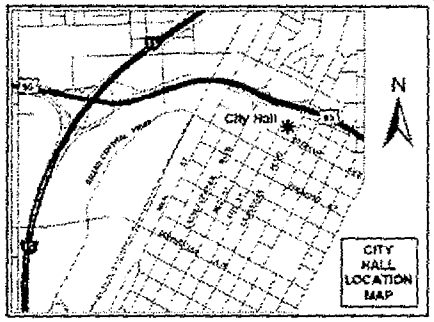
Return Service Requested
Official Notice of Public Hearing



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MAR 22 2010

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 3/25/2010

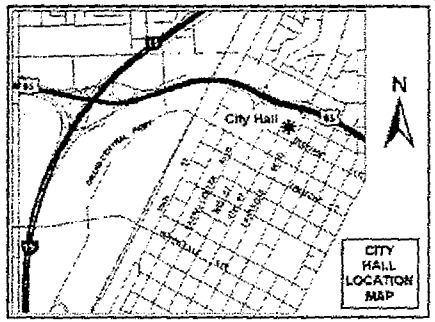
Case: SUP-37362
13809313106
SIMON COKI L L C
1652 MANNING AVE
LOS ANGELES CA 90024-5810

AAUDE11 90024

Submitted after final agenda
Date
Item 25P

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 ☒ OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 3/25/2010

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0004279218 MAR 12 2010
MAILED FROM ZIP CODE 89101

RECEIVED
MAR 22 2010

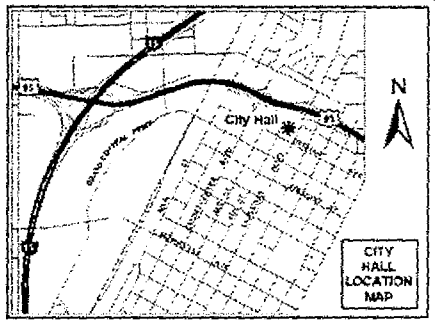
Case: SUP-37362
13816120024
LEAVITT FAMILY TRUST
17010 BUTTERFIELD TRL
POWAY CA 92064-1332

AAVDS11 92064

Submitted after final agenda
Date
Item 25P

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-37362

Planning Commission Meeting of 3/25/2010

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

MAR 23 2010

Case: SUP-37362

13809413057
GLASSER JOAN B
3325 HILLINGDON CT
LAS VEGAS NV 89129-7328

AAVDP11 89129

Submitted after final agenda
Date
Item 25P

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

PRESORTED FIRST CLASS

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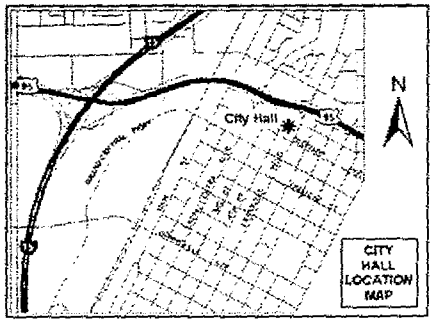
PITNEY BOWES
02 1M $ 00.41⁴
0004279218 MAR 12 2010
MAILED FROM ZIP CODE 89101

MAR 23 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-37362
Planning Commission Meeting of 3/25/2010

Case: SUP-37362
13809413010
GLASSER JOAN B
3325 HILLINGTON CT
LAS VEGAS NV 89129-7328

Submitted after final agenda
Date
Item 75P

AAUDE11 89129

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

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UNITED STATES POSTAGE
PITNEY BOWES
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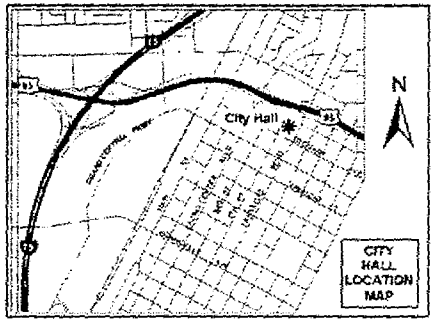
0004279218 MAR 12 2010
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 3/25/2010

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MAR 22 2010

Case: SUP-37362
13816120224
LEAVITT ROBERT A & PENELOPE N
17010 BUTTERFIELD TRL
POWAY CA 92064-1332

Submitted after final agenda
Date
Item 25P

AAVDS11 92064

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

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UNITED STATES POSTAGE PITNEY BOWES
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0004279218 MAR 12 2010
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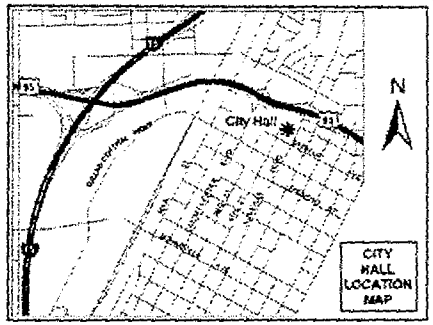
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 3/25/2010

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MAR 22 2010

Case: SUP-37362
13809318051
M K T HOLDINGS L L C
7976 LOOKOUT ROCK CIR
LAS VEGAS NV 89129-5366

Submitted after final agenda
Date
Item 25

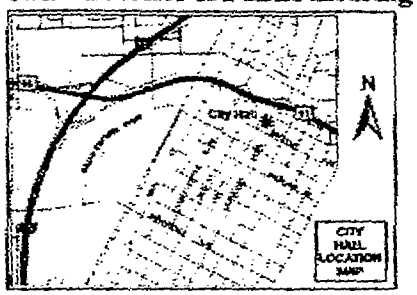
AAUDE11 89129

1/1

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-37362

Planning Commission Meeting of 3/25/2010

Case: SUP-37362
13816120047
ONG CHENG A
1977 BEACH BLVD
PACIFICA CA 94044-2510

AAVDS11 94044

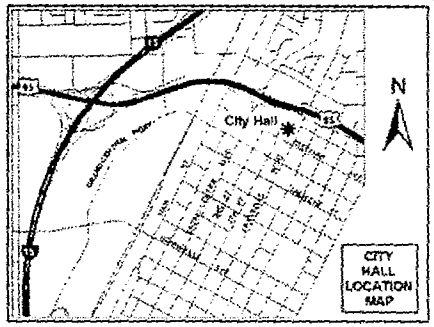
Submitted after final agenda
Date
Item 15P

RECEIVED
MAR 22 2010

Mar-22-2010 08:28 AM HSBC BANK USA, N.A. 14155640849

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 Strongly oppose!

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 3/25/2010

MAR 22 2010

UNITED STATES POSTAGE PITNEY BOWES

PRESORTED FIRST CLASS

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

This is a residential community. With a crime. Robbery in the area this will impact & further increase the accessibility for disposing stolen properties. Very bad for this neighborhood!

Case: SUP-37362
13809413062
LLASUS CARMELO M & LUDY S M
8125 CHILTERN AVE
LAS VEGAS NV 89129-7389

AAVDS11 89129

Submitted after final agenda
Date
Item 25

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 MAR 12 2010
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Return Service Requested

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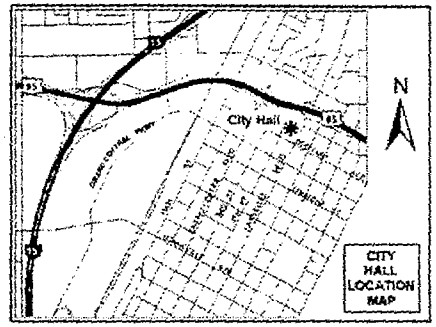

Whether it is true or not, there is at least a perception that Pawn Shops are located in low income, high crime areas. My property value has fallen over 50% already. Don't drive it down more!

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 3/25/2010

Case: SUP-37362
13816111032
NICHOLS RALEIGH B & MELISSA C
3152 MAPLE WOOD WY
LAS VEGAS NV 89128-7096

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MAR 19 2010

891283709S C023

Submitted after final agenda
Date
Item 25

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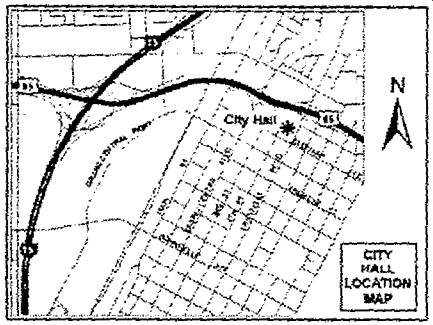
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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-37362

Planning Commission Meeting of 3/25/2010

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

MAR 19 2010

Case: SUP-37362
13817512019
HIRNI TERRY D & JUDITH
3128 RICHLAND DR
LAS VEGAS NV 89134-863

AAVDS11 89134

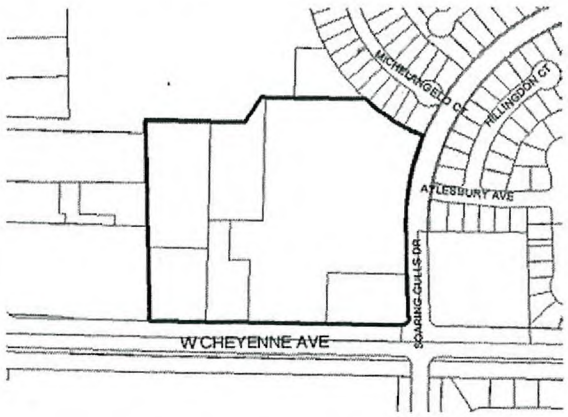
Submitted after final agenda
Date Item 25

Application Information

SUP-37362 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CASH AMERICA/SUPER PAWN - OWNER: NORTHSHORE PLAZA, LLC - Request for a Special Use Permit FOR A PAWN SHOP WITH WAIVERS TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A RESIDENTIALLY ZONED PROPERTY AND A FINANCIAL INSTITUTION, SPECIFIED WHERE 200-FEET AND 1000-FEET, RESPECTIVELY, ARE REQUIRED at 8400 West Cheyenne Avenue (APN 138-09-420-005), C-1 (Limited Commercial) Zone, Ward 4 (Anthony)

I do not want this or what it will bring to my neighborhood. I live in the subdivision directly behind the shopping center and it's a nice place to live. I want to keep it that way.

Application Location



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

Public Hearing Information

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

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Planning and Development Department, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. You may not receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) http://www.lasvegasnevada.gov.

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

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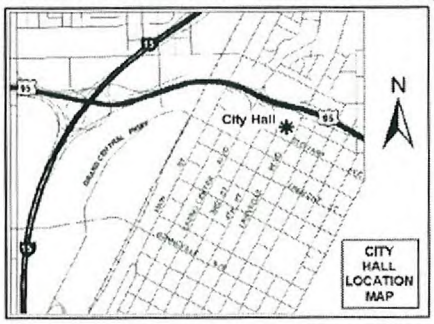

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 3/25/2010

Case: SUP-37362
13809417005
DOMNITZ JENNIFER L
3300 TUSCANY VILLAGE DR
LAS VEGAS NV 89129-2156

Submitted after final agenda

Date 3/25/10 - Item 25

AAUDS11 A3123

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

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UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 OCT 08 2010
MAILED FROM ZIP CODE 89101

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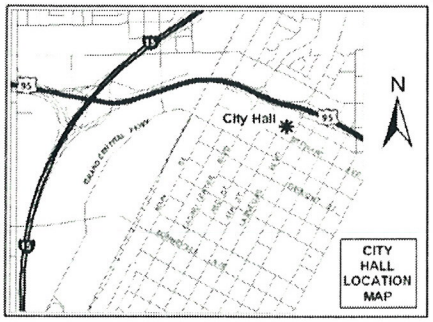

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13816111061
BOLLINGER GERALD & SARAH
3017 PANAMA BEACH DR
LAS VEGAS NV 89128-7060

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

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UNITED STATES POSTAGE PITNEY BOWES
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0004279218 OCT 08 2010
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Return Service Requested
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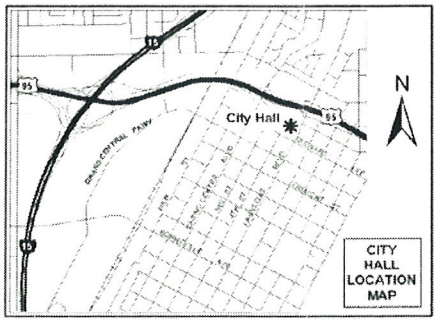

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13816111069
FEE FAMILY TRUST
3029 DRAWBRIDGE LN
LAS VEGAS NV 89128-7058

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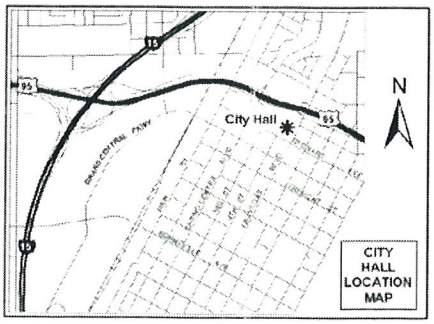

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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SUP-37362

Planning Commission Meeting of 10/21/2010

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SUP-37362
Add to congestion
+ have a memo
impact on the
Property values —

Case: SUP-37362
13809413034
BARDSLEY ROBERT H JR & BARBARA A
3309 COTSWOLD ST
LAS VEGAS NV 89129-7358

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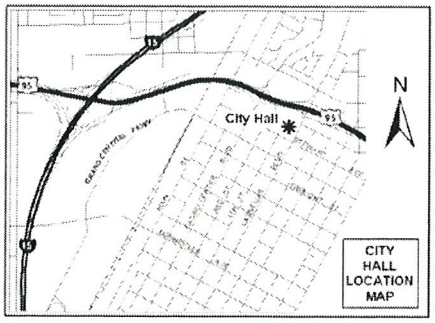

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SUP-37362

Planning Commission Meeting of 10/21/2010

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Case: SUP-37362
13809411016
WASHINGTON ROSIE LEE
3313 INDIAN MOON DR
LAS VEGAS NV 89129-7323

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

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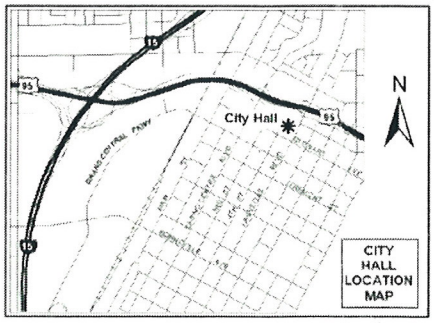

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809413023
BRINGS DANIEL M & MARY P
3220 COTSWOLD ST
LAS VEGAS NV 89129-2107

PROPERTY VALUES WILL SUFFER EVEN MORE WITH A PAWN SHOP AT THE CORNER! TOTALLY OPPOSE THIS REQUEST!

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

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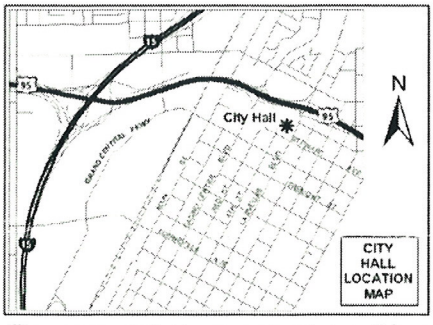

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 10/21/2010

I Dont Think we need a pawn shop here! There is one on Cheyenne Ave close to Rainbow and the 95 Freeway that serves the Area.

Case: SUP-37362
13809314089
BOHRER IVAN L & K D REV LIV TR
3428 ROUND VALLEY WY
LAS VEGAS NV 89129-2124

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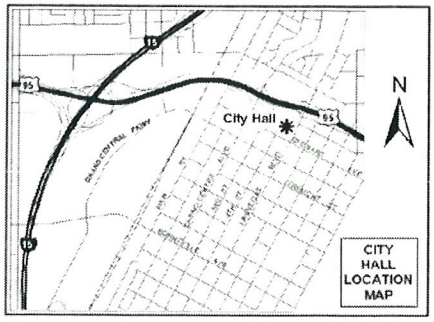

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809323059
WILEY DENA L
8405 INDIGO SKY AVE
LAS VEGAS NV 89129-2193

SEND TO

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Planning & Development Department
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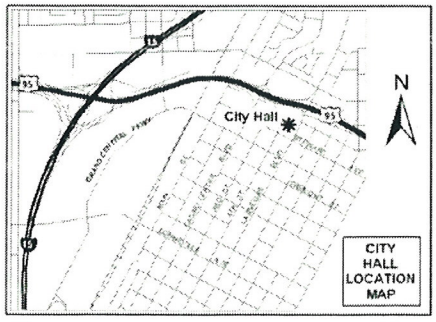

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13816111015
GOLDBERG MURRAY & BERNICE S
8228 NEPTUNE BEACH AVE
LAS VEGAS NV 89128-7077

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Las Vegas, Nevada 89101-2986

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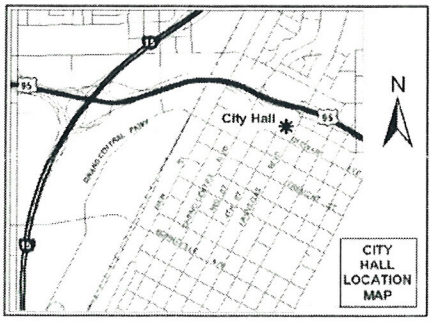

A Pawn Shop will, Increase Bulglaries, It will make it easier for the Thieves To Impound their stolen Items. Also It will attract Bulglars To our Neighborhood.
10/13/10

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13816120034
CRUZATA LELIS
3151 SOARING GULLS DR #1146
LAS VEGAS NV 89128-7029

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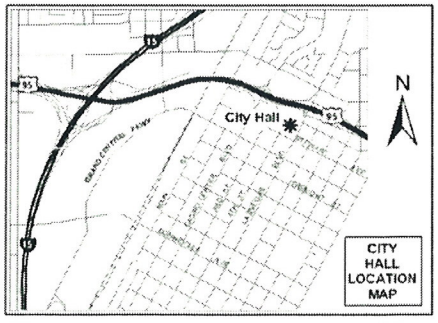

HELL NO!!

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809413024
MICHEL PETER J & POLLY C
3344 HILLINGDON CT
LAS VEGAS NV 89129-7328

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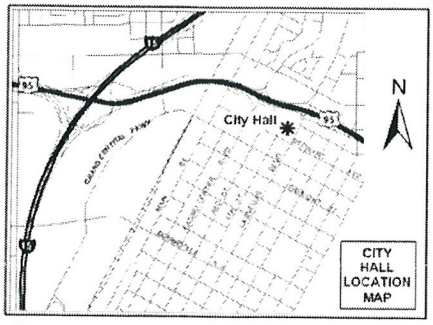

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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SUP-37362

Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809318017
PAPPAS RICHARD T & MARTHA REV TR
3516 TUSCANY VILLAGE DR
LAS VEGAS NV 89129-2115

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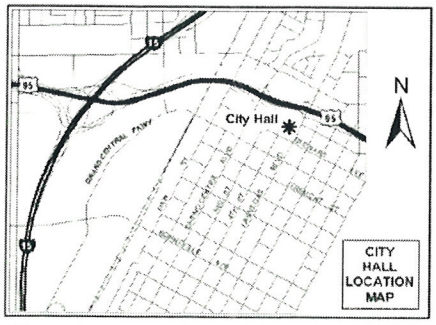

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SUP-37362

Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13816111039
MCALEARNEY SHARON M REVOCABLE
8208 NEPTUNE BEACH AVE
LAS VEGAS NV 89128-7076

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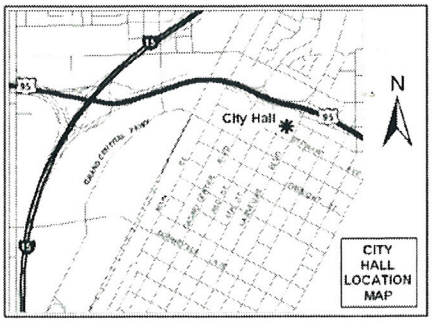

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SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809317001
MILKOWSKI THOMAS B
3429 PAINTED RIVER LN
LAS VEGAS NV 89129-7302

89129$7302 C072

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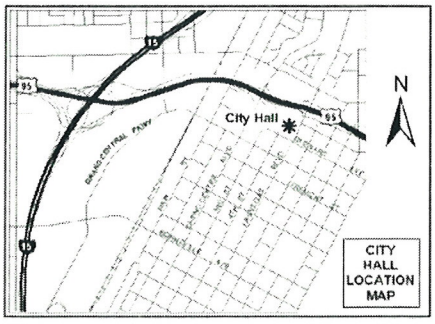

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SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809317002
COPPOLA CHERYL L
3433 PAINTED RIVER LN
LAS VEGAS NV 89129-7302

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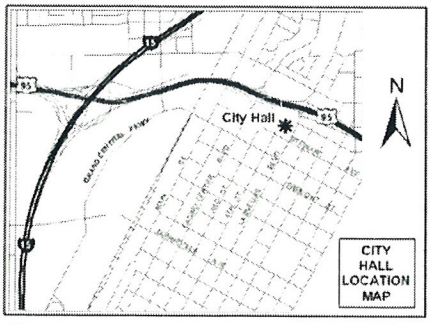

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SUP-37362
Planning Commission Meeting of 10/21/2010

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13809315013 Case: SUP-37362
KADISH ROBERT M & CHARLEAN E
3420 BEDFORDSHIRE PL
LAS VEGAS NV 89129-7353

89129B7353 C072

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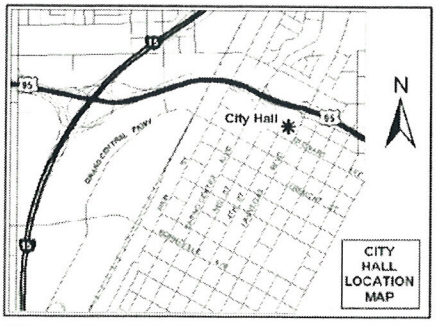

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SUP-37362
Planning Commission Meeting of 10/21/2010

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13816118007 Case: SUP-37362
KIRSCH ROBERT N & ARDYS Y
8112 VILLA FINESTRA DR
LAS VEGAS NV 89128-6943

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Las Vegas, Nevada 89101-2986

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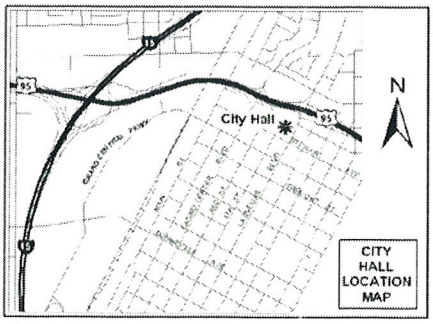

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SUP-37362
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Case: SUP-37362
13809315007
WATSON A V REVOCABLE LIVING TR
3437 BEDFORDSHIRE PL
LAS VEGAS NV 89129-7370

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Development Services Center
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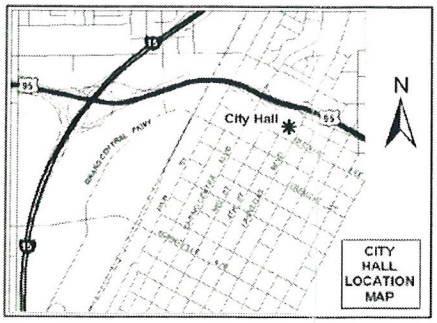

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SUP-37362
Planning Commission Meeting of 10/21/2010

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Case: SUP-37362
13809313049
ESTREICHER HERBERT A & JUDITH K
8445 SEWARDS BLUFF AVE
LAS VEGAS NV 89129-7376

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

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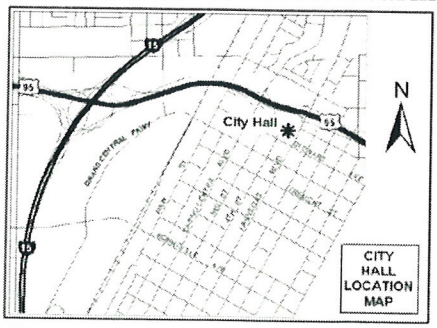

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362

Planning Commission Meeting of 10/21/2010

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Case: SUP-37362
13809315031
KIMBER MARTHA M
3424 LOCKPORT ST
LAS VEGAS NV 89129-7371

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

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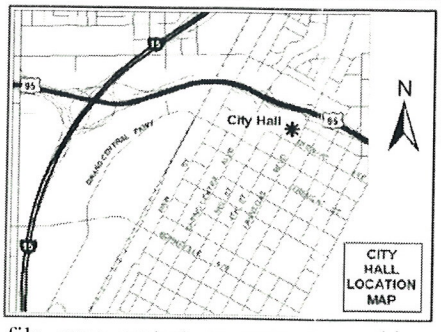

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SUP-37362

Planning Commission Meeting of 10/21/2010

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Case: SUP-37362
13809315032
KAUFMAN IVAN G & VIRGINIA A
3428 LOCKPORT ST
LAS VEGAS NV 89129-7371

10/12/10

THIS TYPE OF BUSINESS ATTRACTS MORE PEOPLE WITH UNDESIREABLE CHARACTERISTICS INTO THE COMMUNITY. ALSO, POSSIBILITY OF NEEDING ADDED SECURITY & POLICE SUPPORT (COST ADDED).

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

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UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 OCT 08 2010
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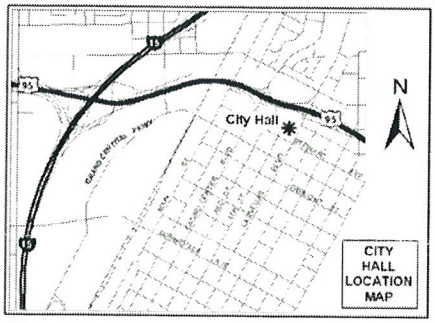

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

Case: SUP-37362

13809314017
STEVENSON WILLIE & DOLORES A
3408 COCONINO LN
LAS VEGAS NV 89129-2164

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

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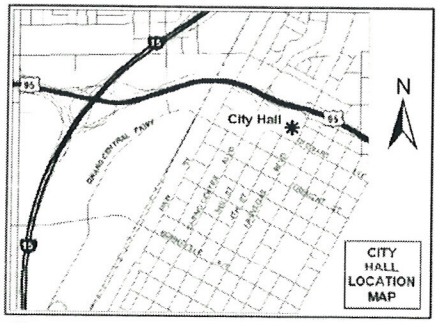

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

NO WAY! WITH ALL THE COMM'L PROPERTY EMPTY ARE THEY CRAZY!

Case: SUP-37362

13809314018
WRIGHT DAVID & DONNA
3401 ROUND VALLEY WY
LAS VEGAS NV 89129-2127

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

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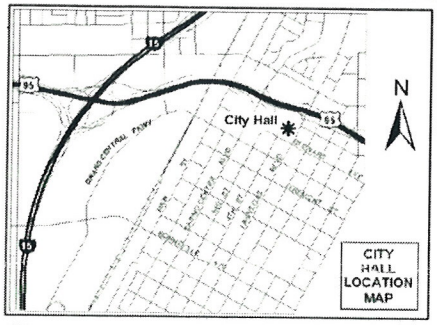

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809417002
SILVERS FAMILY TRUST
8309 GREEN CLOVER AVE
LAS VEGAS NV 89149-2010

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

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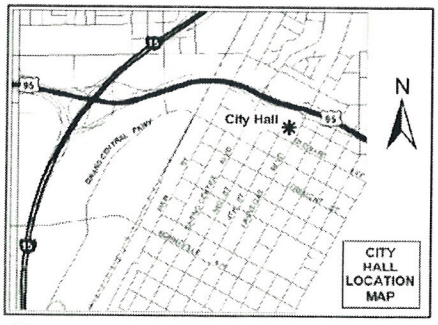

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 10/21/2010

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Case: SUP-37362
13809315005
MULLEN JOSEPH W & RENA R FAM TR
8216 CORNWALL AVE
LAS VEGAS NV 89129-7362

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

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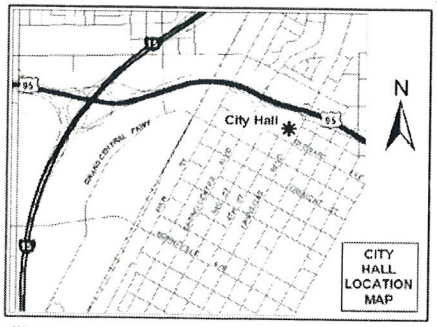

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809313106
SIMON COKI L L C
1652 MANNING AVE
LOS ANGELES CA 90024-5810

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OCT 18 2010

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

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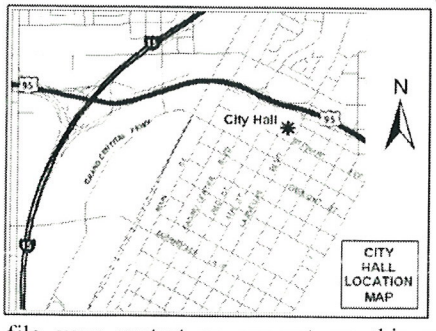

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809313060
SHABAREKH ALBERT & MARIE
8401 SEWARDS BLUFF AVE
LAS VEGAS NV 89129-7374

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

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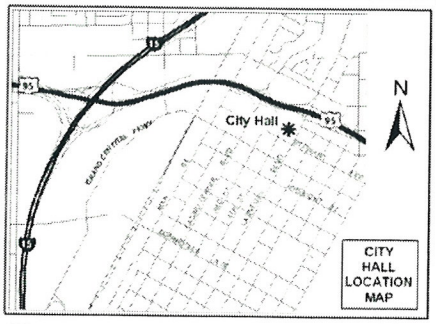
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

This will cause a devaluation in residental property. In the long term the city & state will lose tax dollars because of it

Case: SUP-37362
13816120275
JENKINSON ROBERT & KARIN
17591 STILL HARBOR LN
HUNTINGTON BEACH CA 92647-6434

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OCT 18 2010

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

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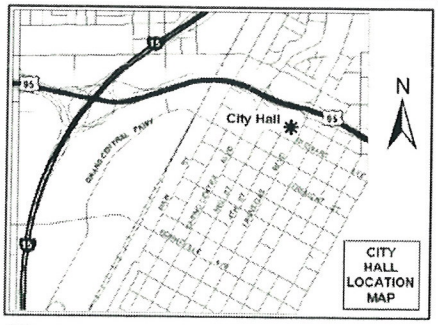

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

I strongly oppose a Pawn ~~Shop~~ in my community!

Case: SUP-37362
13809314022
MCMANUS JOHN J & JEANETTE V
3417 ROUND VALLEY WY
LAS VEGAS NV 89129-2127

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OCT 18 2010

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

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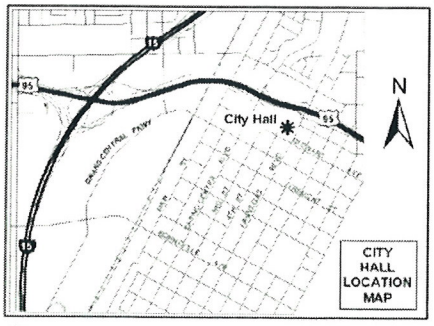

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809411037
GORDON KELLEY T & ANN M
3404 PAINTED RIVER LN
LAS VEGAS NV 89129-7300

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OCT 19

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

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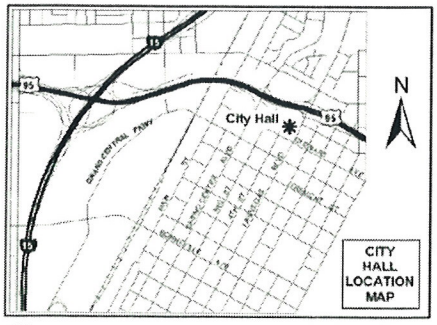

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809313032
EMLOCK HELEN A
8444 SEWARDS BLUFF AVE
LAS VEGAS NV 89129-7375

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

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0004279218 OCT 08 2010
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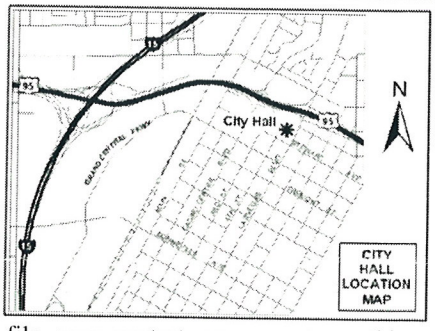

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809419003
TATNER JOSEPH L
3309 MICHELANGELO CT
LAS VEGAS NV 89129-2179

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

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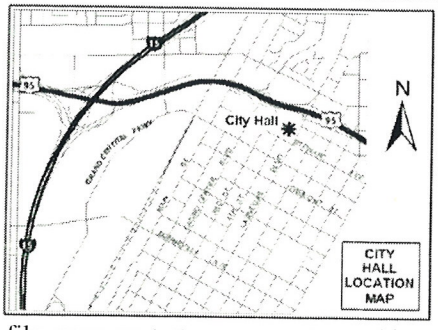

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 10/21/2010

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OCT 21 2010

Case: SUP-37362
13809413047
MILLER RAYMOND L
3237 BRACKNELL ST
LAS VEGAS NV 89129-6739

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

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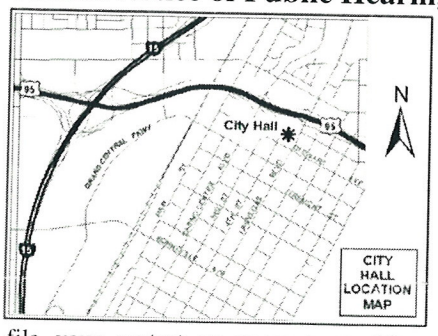

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

Case: SUP-37362

13809318040
SOMMERS CHERYL A
3537 TUSCANY VILLAGE DR
LAS VEGAS NV 89129-2116

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

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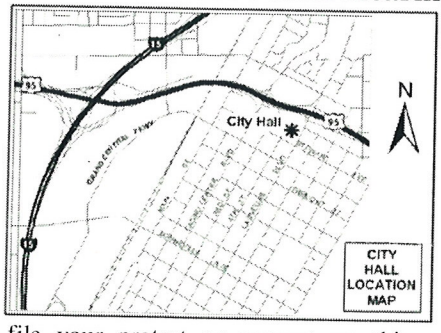

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

Case: SUP-37362

13816119011
HALL TRUST
8108 RIVIERA BEACH DR
LAS VEGAS NV 89128-6948

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OCT 14 2010

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

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0004279218
$ 00.41⁴
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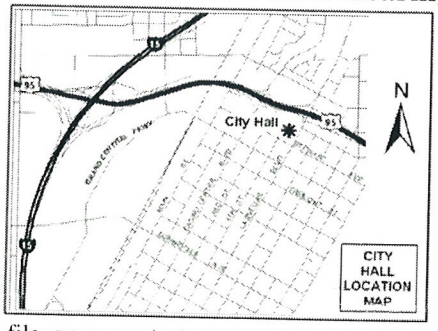

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

13816120071
DAVIS WILLIAM K & VALERIE J
8304 AQUA SPRAY AVE
LAS VEGAS NV 89128-7432

Case: SUP-37362

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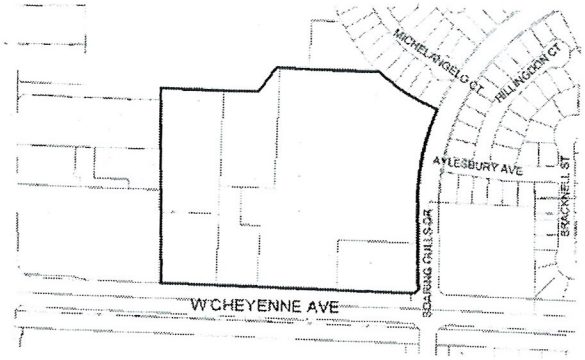
OCT 19 2010

Application Information

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

We need nicer businesses for this corner —

Application Location



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

Public Hearing Information

Meeting: Planning Commission
Date: *October 21, 2010*
Time: 6:00 P.M.
Location: City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Planning and Development Department, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For further information, including the full staff report, please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

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

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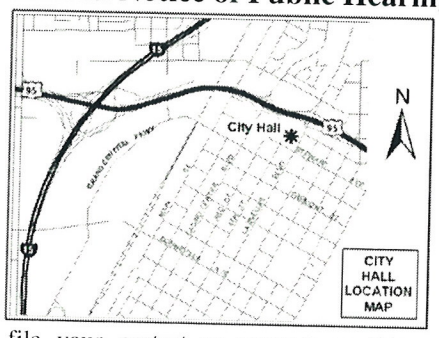

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362

13809318055
G M S HORIZONS I L L C
%G SAUTER
2620 REGATTA DR #102
LAS VEGAS NV 89128-6892

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OCT 19 2010

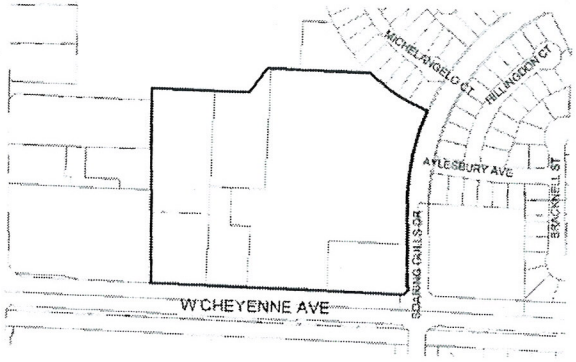
89128$6892 C042

Application Information

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

I HIGHLY OBJECT TO A PAWN BUSINESS IN THIS LOCATION. THIS SAME BUSINESS OWNER HAS A UNIT ABOUT 3 MILES WEST, WHERE IT BELONGS. WE DO NOT WANT IT HERE, WHERE WE PAY ASSOCIATION FEES TO MAINTAIN A HIGHER STANDARD OF APPEARANCES AND NEIGHBORS.

Application Location



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Public Hearing Information

Meeting:	Planning Commission
Date:	***October 21, 2010***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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

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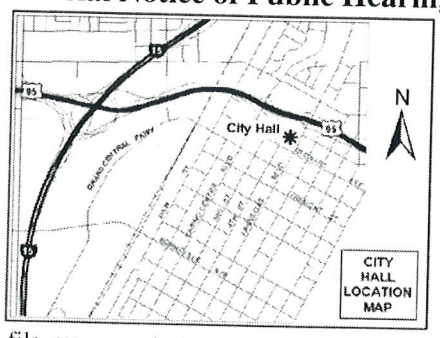

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362

13809318009
SAUTER GAIL M TRUST
2620 REGATTA DR #102
LAS VEGAS NV 89128-6892

RECEIVED
OCT 19 2010

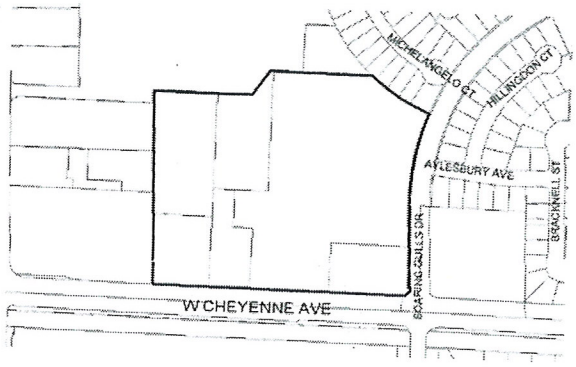
Application Information

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

THIS NEIGHBORHOOD OF GATED COMMUNITIES IS NOT ENHANGED BY THIS BUSINESS TYPE,

WE PAY HIGH MONTHLY ASSOCIATION FEES TO MAINTAIN A STANDARD OF LIVING & PROPERTY ENVIRONMENT THAT DOES NOT INCLUDE PAWN BUSINESS.

Application Location



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Public Hearing Information

Meeting:	Planning Commission
Date:	***October 21, 2010***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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

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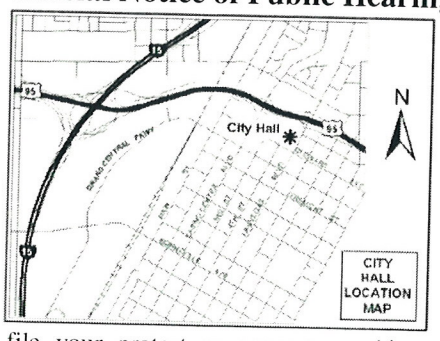

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

Lorene C. Kincer

SUP-37362
Planning Commission Meeting of 10/21/2010

13809417008 Case: SUP-37362
KINCER LORENE C
3317 TUSCANY VILLAGE DR
LAS VEGAS NV 89129-2157

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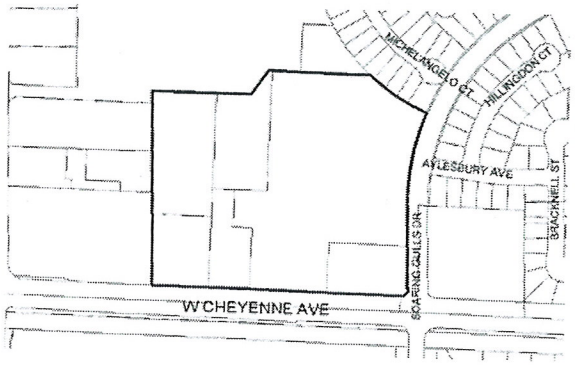
Application Information

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

There is enough crime living next to a large grocery store and shops. I don't want a pawn shop added to the existing problems.

Application Location



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Public Hearing Information

Meeting: Planning Commission
Date: ***October 21, 2010***
Time: 6:00 P.M.
Location: City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

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

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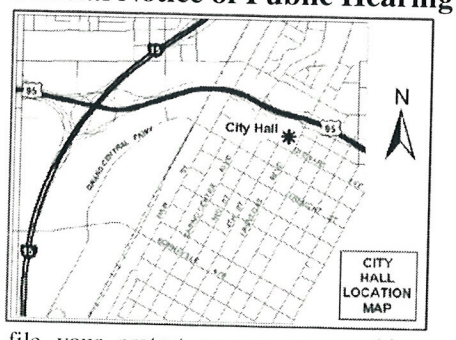

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☐ I SUPPORT this Request ■ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 10/21/2010

13816515020
BLENDEN MICHAEL J
7932 VILLA FINESTRA
LAS VEGAS NV 89128-6935

Case: SUP-37362

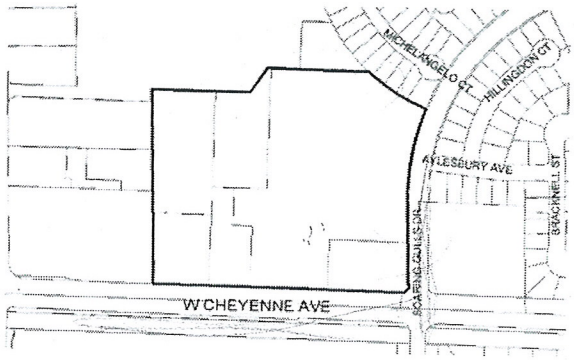
RECEIVED
OCT 18 2010

Application Information

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

We are adamantly opposed to Super Pawn in this location. We feel a Super Pawn would greatly decrease home values and increase crime, of all sorts, in our neighborhood.

Application Location



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Public Hearing Information

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

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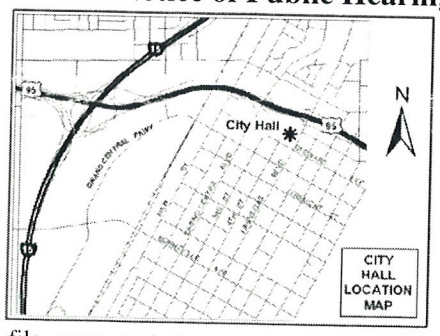
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 10/21/2010

RECEIVED
OCT 21 2010

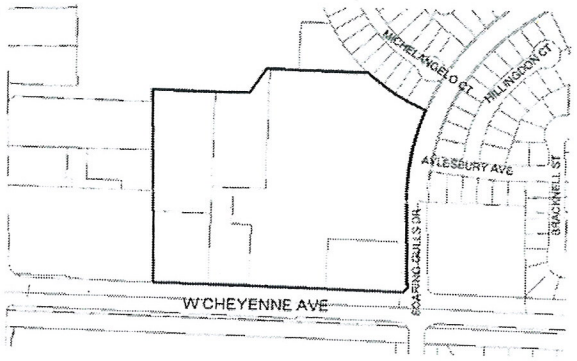
13809815029 Case: SUP-37362
DEJACK KATHERINE S & SCOTT D
3309 MISTY CLOUD CT
LAS VEGAS NV 89129-7365

Application Information

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

Are you Kidding!? Our neighborhood Shopping Corner, across from a Church - A grocery Store and Dense family Homes? Meaning families - Kids - NO!
Scott & Kathy DeJack

Application Location



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Public Hearing Information

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

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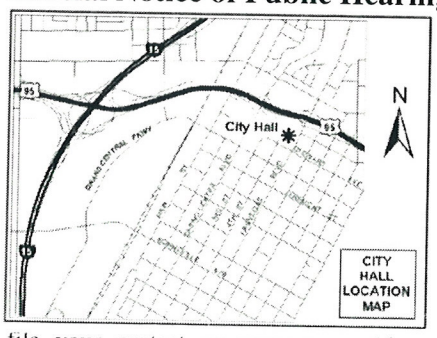

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 10/21/2010

RECEIVED
OCT 14 2010

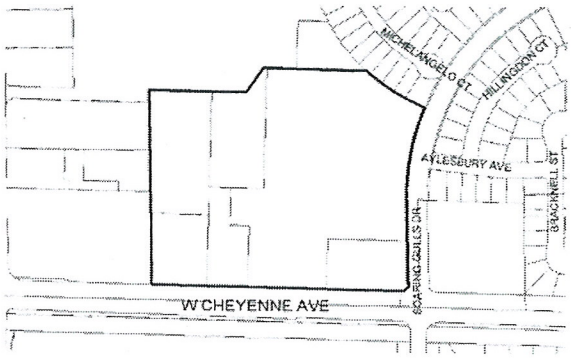
Case: SUP-37362
13816115009
DICKEY BILL JR & RUTH REV LIV TR
7805 LONESOME HARBOR AVE
LAS VEGAS NV 89131-5001

Application Information

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

This is not a business that is needed in the neighborhood. There are others near the area for use by anyone who needs them. The residential neighborhood needs to be kept as it is. Residential area should remain as it is w/o the waiver.

Application Location



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Public Hearing Information

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

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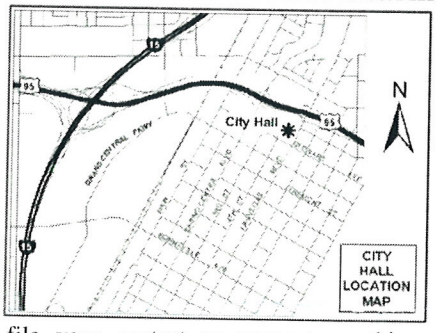

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 10/21/2010

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OCT 14 2010

Case: SUP-37362
13809313089
DAIGLE CLIFTON & LORNA FAM TR
8445 MAJESTIC VIEW AVE
LAS VEGAS NV 89129-2101

Application Information

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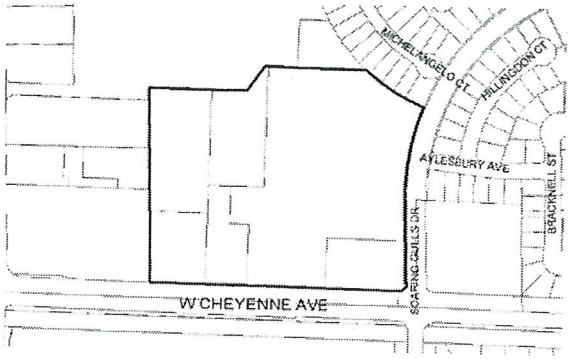
We don't need this Pawn shop in our Neighborhood. We don't want this pawnshop in our Neighborhood!

Application Location



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Public Hearing Information

Meeting: Planning Commission
Date: *October 21, 2010*
Time: 6:00 P.M.
Location: City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

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

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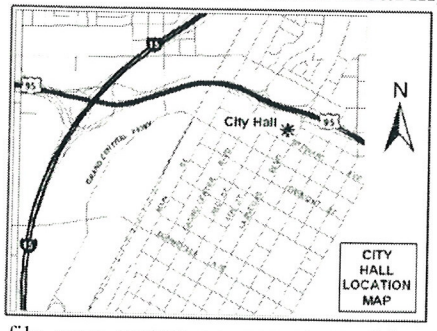

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 10/21/2010

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Case: SUP-37362
13809419025
IGNAGNI NATALINO & SUSIE REV TR
3364 MICHELANGELO CT
LAS VEGAS NV 89129-2185

89129$2185 C072

Application Information

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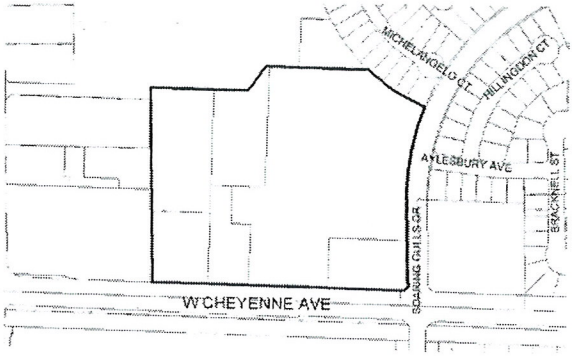
Ms. Anthoney - We have enough problems in this area - We don't need more —
Mr. & Mrs.
Natalino Ignagni

Application Location



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Public Hearing Information

Meeting:	Planning Commission
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City of Las Vegas
Planning & Development Department
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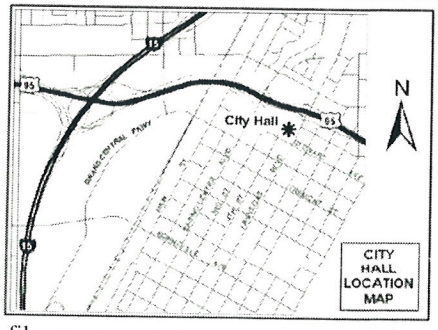

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362

13809418037
JORCZAK JOHN K
8109 CHEVOIT CT
LAS VEGAS NV 89129-2153

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OCT 14 2010

Application Information

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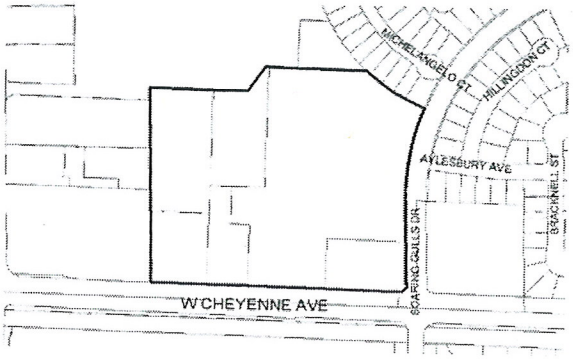
I object strongly to this zoning change which will bring a criminal element and trashy people to our neighborhood and will certainly lower property values which are already very low. We already have a pawn shop in close proximity at Cheyenne and Rainbow and don't need another one.

John K. Jorczak

Application Location



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

Public Hearing Information

Meeting:	Planning Commission
Date:	***October 21, 2010***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any ... and object to or express approval of this request; or may, prior to this meeting, file a written ... Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For further information, including the full staff report, please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

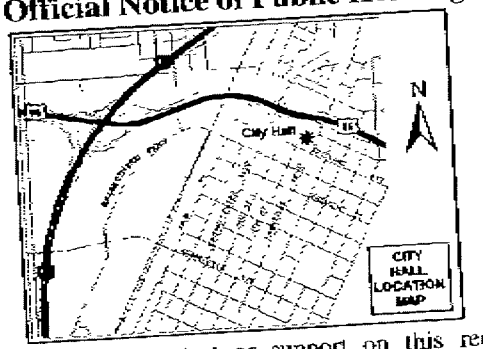
OCT 12 2010 16:23 FR 1 7026978170 TO 3857268 P.01/01

** TOTAL PAGE.01 **

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

Return Service Requested

Official Notice of Public Hearing



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

☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

02 1M
0004279218

$ 00.41⁴

OCT 08 2010

MAILED FROM ZIP CODE 89101

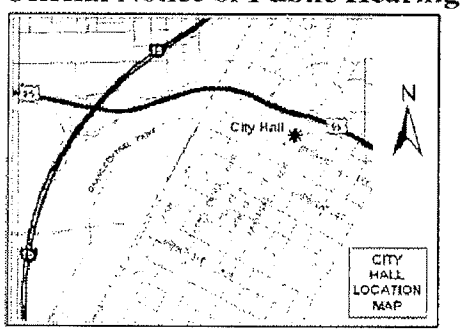
Case: SUP-37362

13809419018
HSU SHOU CHING
10391 BLUE GINGER DR
LAS VEGAS NV 89135-4058

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

Return Service Requested

Official Notice of Public Hearing



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Case: SUP-37362

13809323101
KELLY LAWRENCE R
8991 UNION GAP RD
LAS VEGAS NV 89123-3030

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

Oct. 12 2010 06:10PM P1
PHONE NO. : 3964086
FROM : BILL

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
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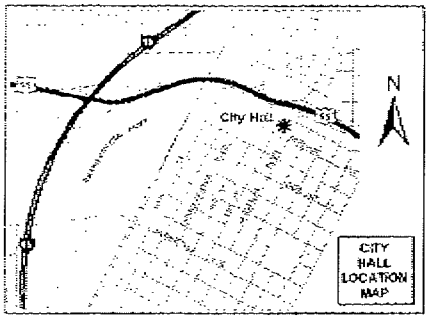
0004279218 OCT 08 2010
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809315034
KLEPPETSCH WILLIAM E JR & DEBRA
3436 LOCKPORT ST
LAS VEGAS NV 89129-7371

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

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FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
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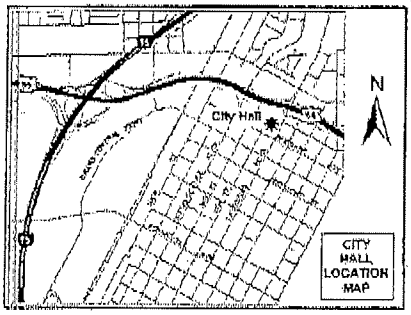

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809321047
ALDAYS,ERIK J & LEANNE
8201 EVENSHAM CT
LAS VEGAS NV 89129-2160

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

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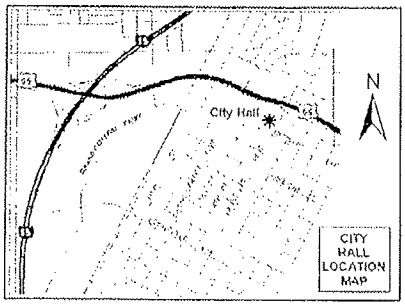

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

Case: SUP-37362

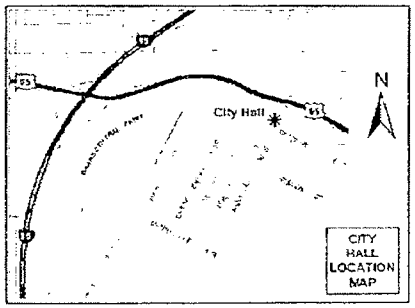
13817512128
CUSUMANO SUSAN
7905 TURTLE ISLAND CT
LAS VEGAS NV 89129-7346

OCT-11-2010 10:50A FROM:PATRICKSAMPSON-GM 17027963378 TO:93857268 P.1/1

~~702 385 7268~~

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-37362

Planning Commission Meeting of 10/21/2010

02 1M $ 00.41
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MAILED FROM ZIPCODE 89101

Case SUP-37362
13816116003
SAMPSON PATRICK D & TIFFANY
8152 BAY HARBOR DR
LAS VEGAS NV 89128-7080

Oct. 11. 2010 8:15AM No. 0029 P. 1

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

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
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OCT 08 2010
MAILED FROM ZIP CODE 89101

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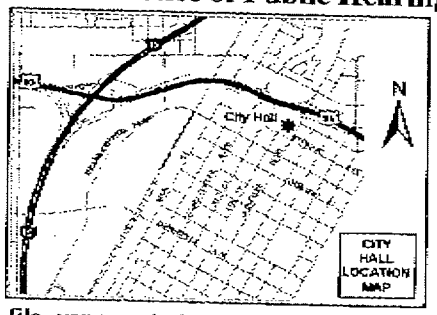

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

Case: SUP-37362

13809315024
STOUGHTON ALETHEA W
8105 GREENWICH CT
LAS VEGAS NV 89129-7364

ty of Las Vegas
anning & Development Department
evelopment Services Center
1 S. Fourth Street
is Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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MAILED FROM ZIP CODE 89101

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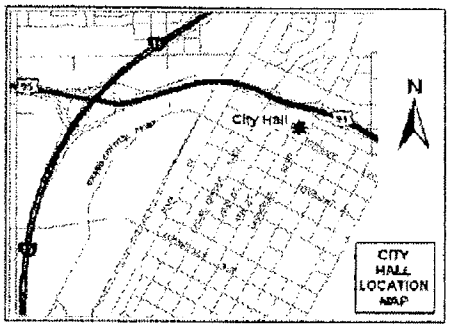

you wish to file your protest or support on this request, check the
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anning & Development Department at the address listed above or fax this
le of this card to (702) 385-7268. If you would like to contact your Council
epresentative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

ease use available blank space on card for your comments.

UP-37362

anning Commission Meeting of 10/21/2010

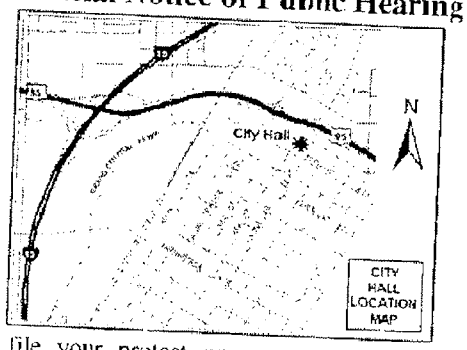
Case: SUP-37362

13809413067
GILMAN BRETT D & VICKI L
8105 CHILTERN AVE
LAS VEGAS NV 89129-7389

Oct 11 2010 9:26AM AL ORMAX LAS VEGAS 7029405001 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-37362

Planning Commission Meeting of 10/21/2010

13809315027 Case: SUP-37362
KIRKPATRICK MELINDA & WILLIAM G
3408 LOCKPORT ST
LAS VEGAS NV 89129-7371

89129-7371 C072

TO: (702) 385-7268

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

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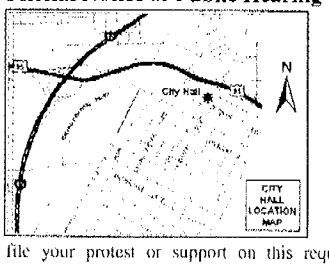
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

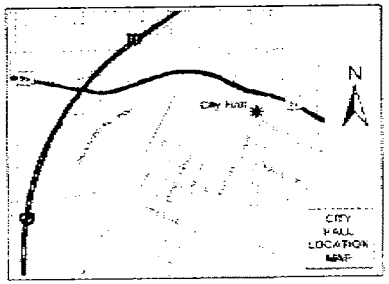
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809317008
BOTKIN GARY L & JEAN M
8812 REINING SPUR AVE
LAS VEGAS NV 89143-1129

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-37362

Planning Commission Meeting of 10/21/2010

Case SUP-37362

13816118009
ROTHKOFF STEPHEN D & MONA
8120 VILLA FINESTRA DR
LAS VEGAS NV 89128-6943

Oct.09.2009 01:38 PM

PAGE. 1/ 1

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

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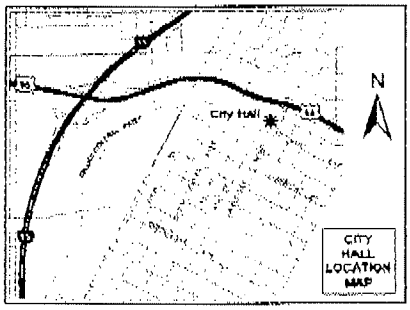
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809413001
MOLL SHARON
8100 KEMPSTON CT
LAS VEGAS NV 89129-6708

City of Las Vegas
Planning & Development Department
Development Services Center

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

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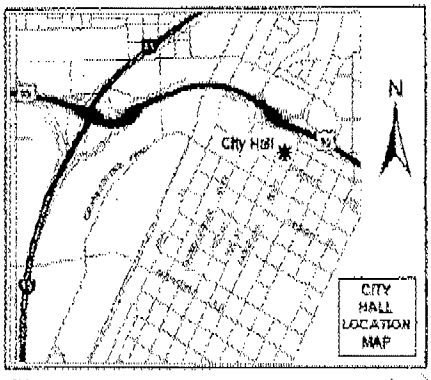


We have Section 8 individuals living in Desert Shores begging for money in the Albertsons parking lot already, our property values have taken a dramatic free fall and now you are requesting to place a Pawn Shop in our back door. This request does not comply with City ordinance. Please, council members, deny this request and stop further degradation of our neighborhood.

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

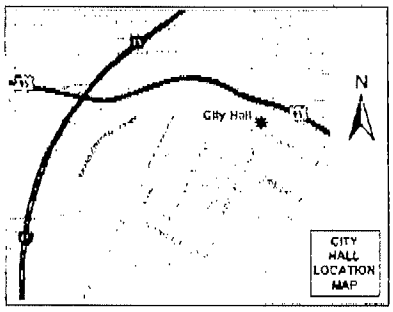
Case: SUP-37362
13809413013
YOUNG BEN D & LARENDA G
7872 MORNING FLOWER
LAS VEGAS NV 89129-2138

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 10/21/2010

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

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

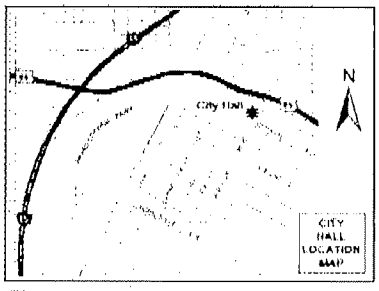
Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809313074
ROMO MATI R
8452 MAJESTIC VIEW AVE
LAS VEGAS NV 89129-7399

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



Our house value is already down 65%. Allowing this permit and subsequent Pawn Shop would make our home nearly worthless due to the perception of increased crime associated with these establishments.

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.

Case: SUP-37362
13816111032
NICHOLS RALEIGH B & MELISSA C
3152 MAPLE WOOD WY
LAS VEGAS NV 89128-7096

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

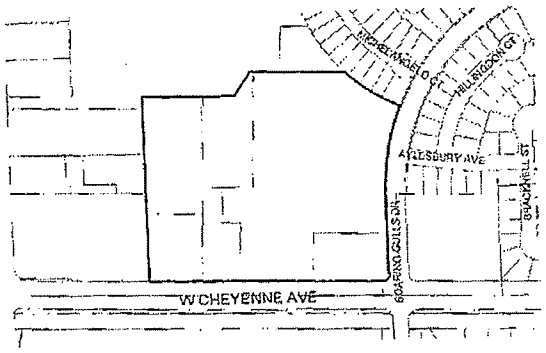
SUP-37362
Planning Commission Meeting of 10/21/2010

Application Information

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

Residents opposed this the last time. What makes you think we will support it the second time?

Application Location



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

Public Hearing Information

Meeting:	Planning Commission
Date:	*October 21, 2010*
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Planning and Development Department, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For further information, including the full staff report, please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

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 OCT 08 2010
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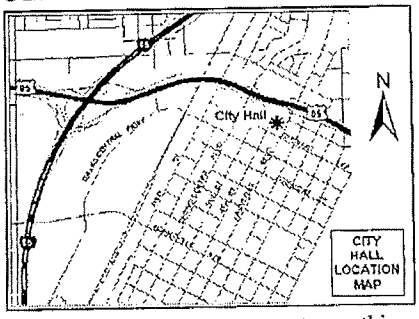

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362
Planning Commission Meeting of 10/21/2010
This is the second time. Residents are not supporting this !!!

Case: SUP-37362
13809413062
LLASUS CARMELO M & LUDY S M
8125 CHILTERN AVE
LAS VEGAS NV 89129-7389

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

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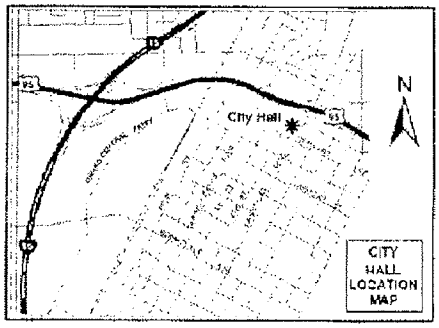

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809313067
MURRIN 2003 FAMILY TRUST
1160 SOMERSET DR
SAN JOSE CA 95132-3043

PAGE 01
OANH HILL
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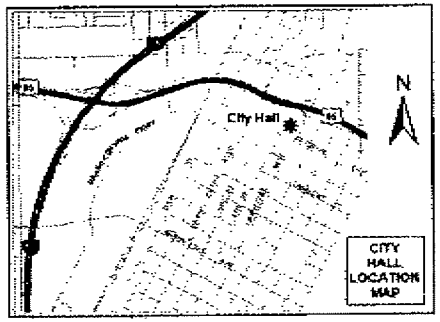
04/29/2002 20:55

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-37362

Planning Commission Meeting of 10/21/2010

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

02 1M $ 00.41⁴
0004279218 OCT 08 2010
MAILED FROM ZIPCODE 89101

Case: SUP-37362

13816119003
HILL RICHARD H & OANH N
3020 GULF BREEZE DR
LAS VEGAS NV 89128-7009

NSTec Procurement Fax:702-295-1865 Oct 13 2010 05:04pm P001/001

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
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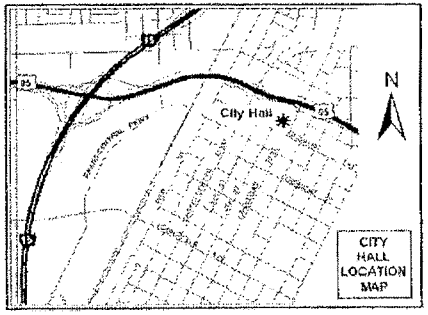

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SUP-37362

Planning Commission Meeting of 10/21/2010

Case: SUP-37362

13809323131
WERNIKOVE CORY TRUST
8432 BLUE ISLAND AVE
LAS VEGAS NV 89129-7381

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

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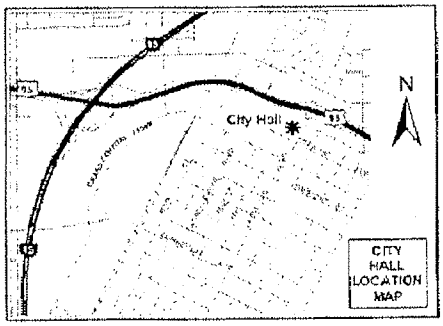

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SUP-37362
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809321011
PALAFOX ALBERT R & PROFETIZA M
3635 W FOSTER AVE
CHICAGO IL 60625-5527

Oct 15 10 12:53p Albert Palafox 773-539-3726 p.1

Fax to: 702.385.7268

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

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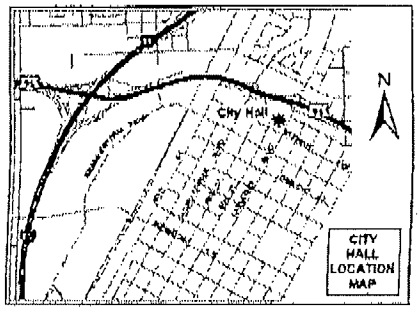

Your Name: Elana & Joe Roberto
Your Address: 8264 Roselle Ct
Las Vegas, NV 89129

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SUP-37362
Planning Commission Meeting of 10/21/2010

Application Information

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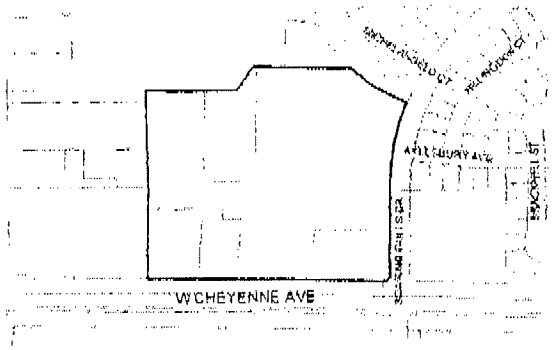

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Public Hearing Information

Meeting:	Planning Commission
Date:	*October 21, 2010*
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There are 6 Super Pawn's within 5 miles of our neighborhood already!!

Fax to: 702.385.7268

City of Las Vegas
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Las Vegas, Nevada 89101-2986

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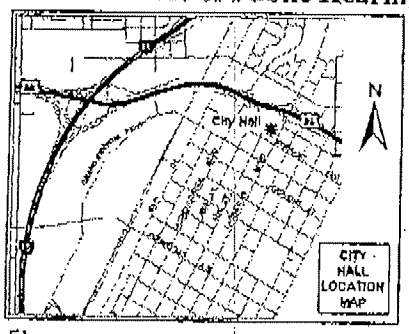

Your Name: ERIN NEED

Your Address: 3376 MICHELANGELO CT.
Las Vegas, NV 89129

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SUP-37362
Planning Commission Meeting of 10/21/2010

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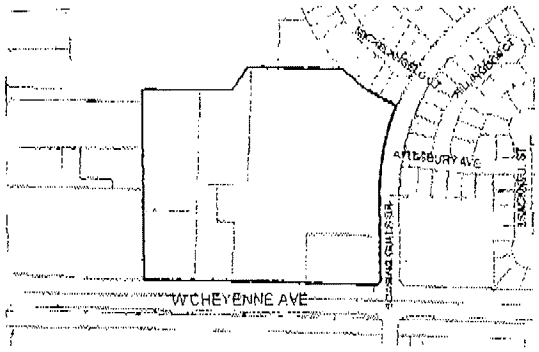

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There are 6 Super Pawn's within 5 miles

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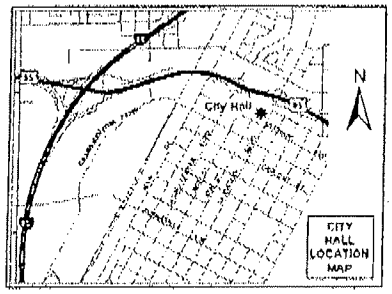

Your Name: Myrna Aldecoa / [illegible]
Your Address: 3217 Bracknell St
Las Vegas, NV 89129

Comments: We absolutely oppose to the plan of a pawnshop opening in our neighborhood!! Please help us.

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 10/21/2010

Application Information

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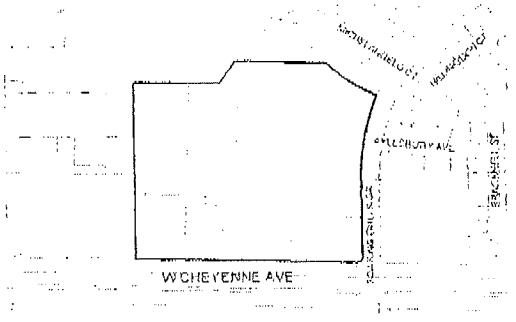

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City of Las Vegas
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Development Services Center
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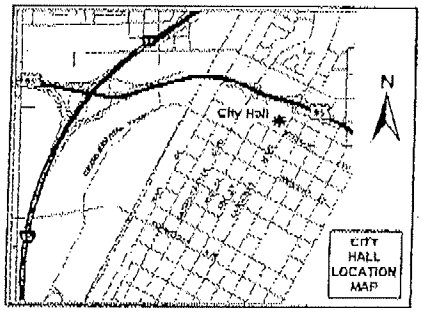

Your Name: Theresa Anderson

Your Address: 3520 Tuscany Village
Las Vegas, NV

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SUP-37362
Planning Commission Meeting of 10/21/2010

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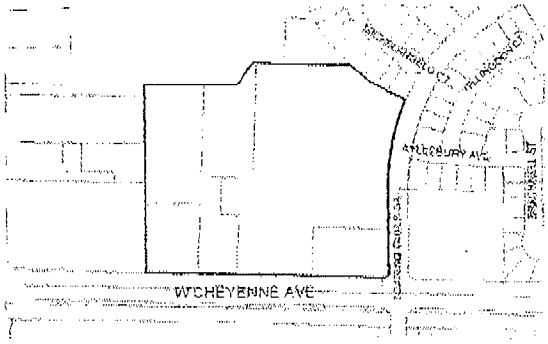

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City of Las Vegas
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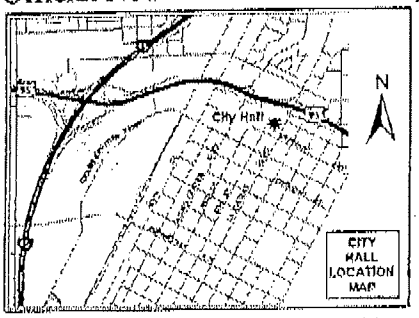

Your Name: Keelie Wright

Your Address: 8128 Chillero Ave
Las Vegas, NV

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SUP-37362

Planning Commission Meeting of 10/21/2010

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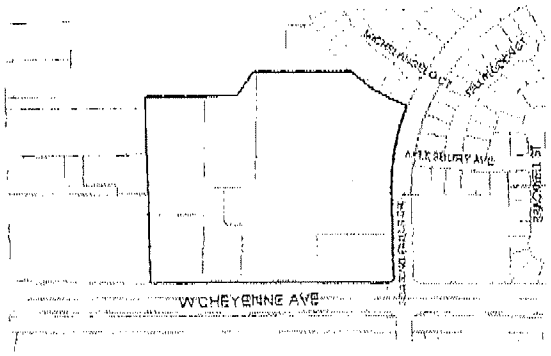

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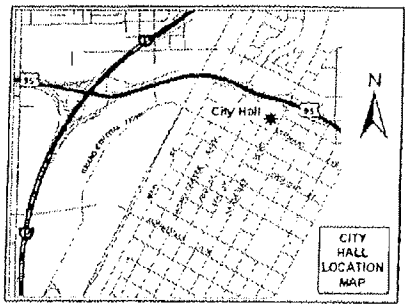

Your Name: KEITH UHDA

Your Address: 8221 AMESBURY AVE.
Las Vegas, NV

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SUP-37362
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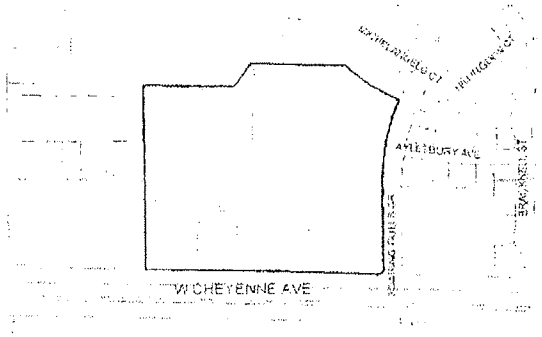

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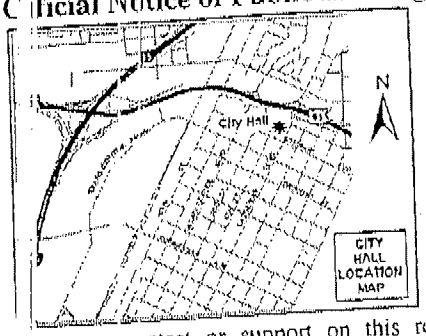

Your Name: Lisa Lynn Ohes
Your Address: 3321 Michelangelo Ct.
Las Vegas, NV

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SUP-37362
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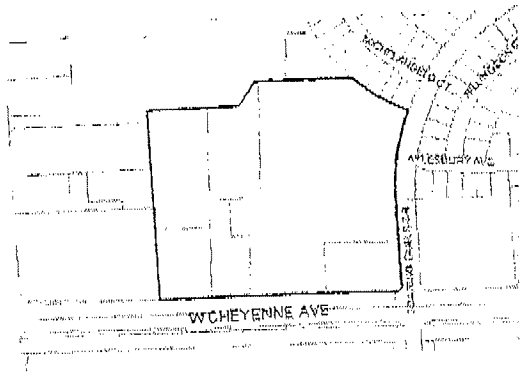

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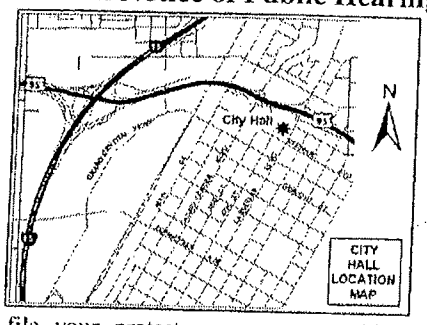

Your Name: Julie Hurd

Your Address: 3340 Hillingdon Ct.
Las Vegas, NV 89129

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-37362
Planning Commission Meeting of 10/21/2010

Application Information

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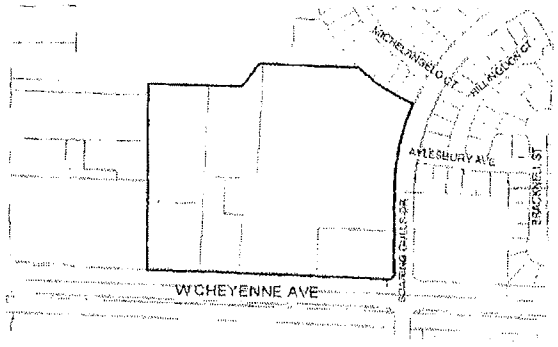

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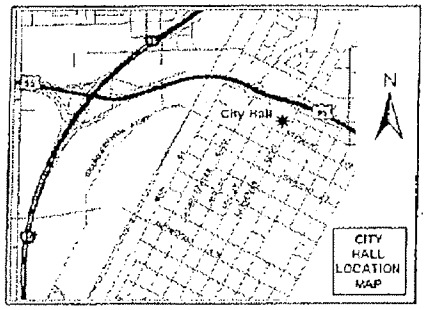

Your Name: ERIC AVANCENA

Your Address: 8113 CHEVOIT CT
Las Vegas, NV 89129

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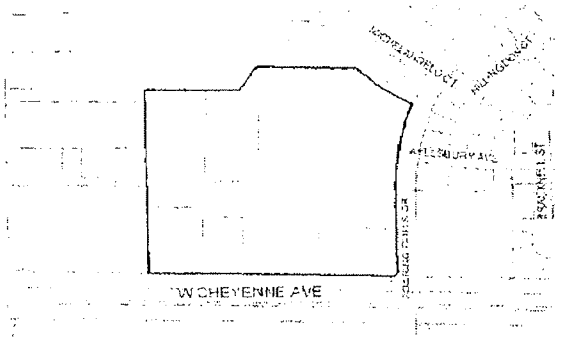

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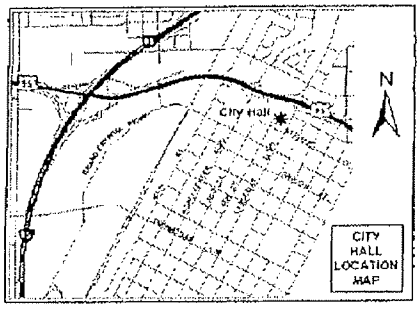

Your Name: MARK E FRAZEE

Your Address: 3328 COTSWOLD ST
Las Vegas, NV

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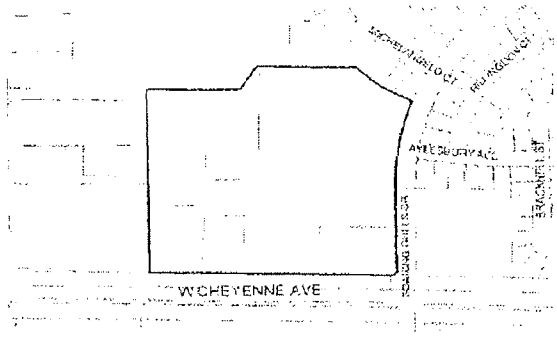

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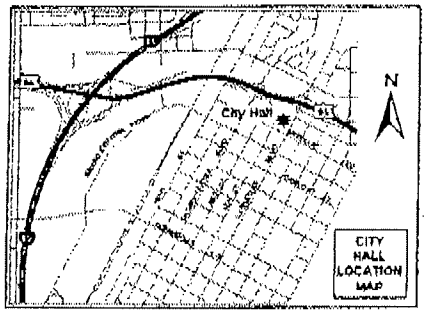

Your Name: MR GARY SUTTON

Your Address: 8129 DARTMOOR AVE
Las Vegas, NV

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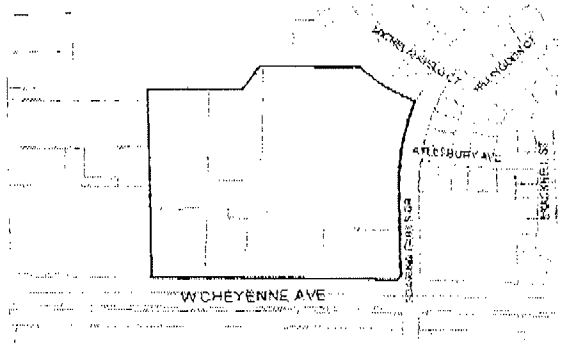

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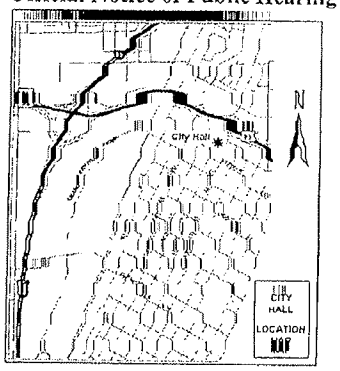

Your Name: Victoria Miller
Your Address: 8200 W. Aylesbury
Las Vegas, NV 89129

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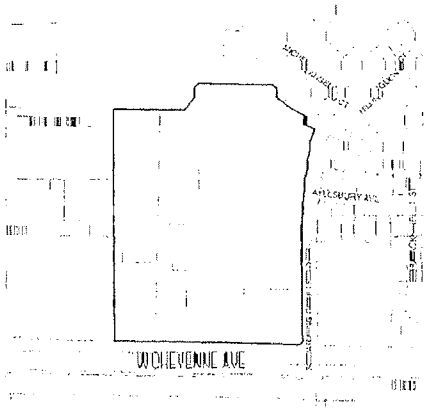

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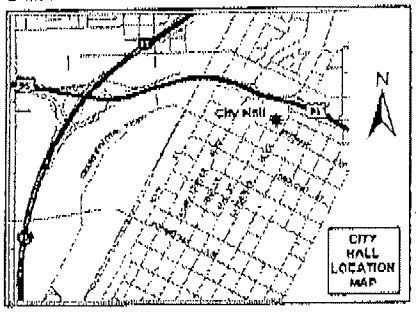

Your Name: Richard Stout

Your Address: 3308 Barnstaple Ct.
Las Vegas, NV 89129

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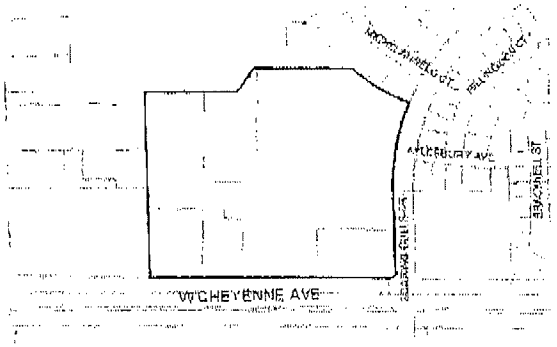

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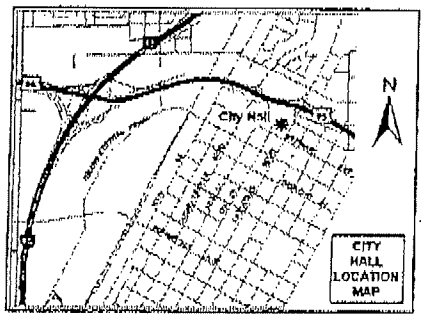

Your Name: DAN GOORE
Your Address: 3365 MICHELANGELO Ct
Las Vegas, NV 89129

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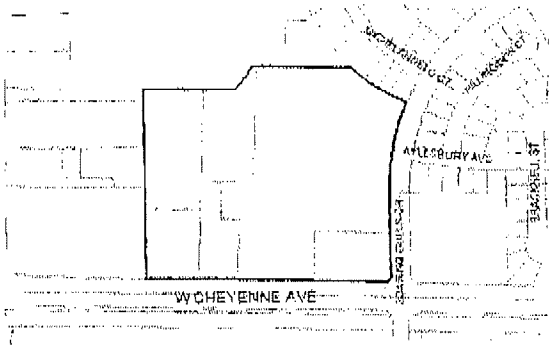

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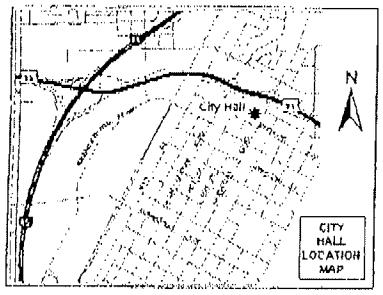

Your Name: HARVEY SMITH

Your Address: 3332 MICHELANGELO COURT
Las Vegas NV 89129

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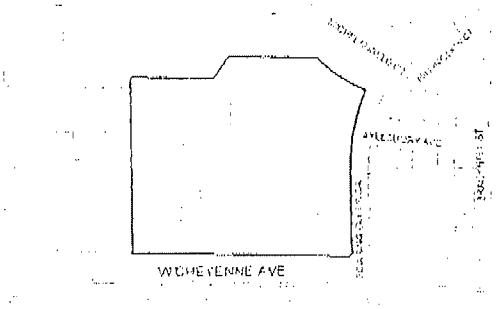

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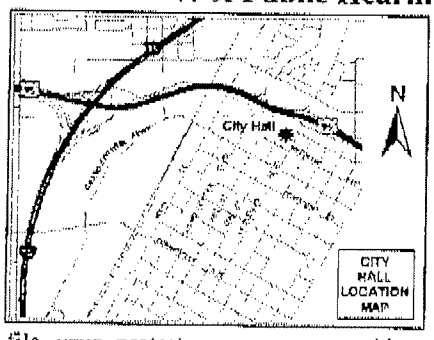

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SUP-37362

Planning Commission Meeting of 10/21/2010

Case: SUP-37362

13809413053
BURNS LESLIE
8217 AYLESBURY AVE
LAS VEGAS NV 89129-7342

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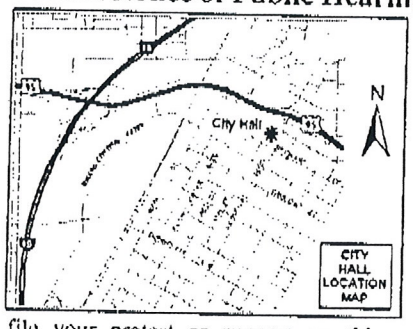

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809313107
GOD-GONZALEZ ANNA MARIE
P O BOX 3886
MERRIFIELD VA 22116-3886

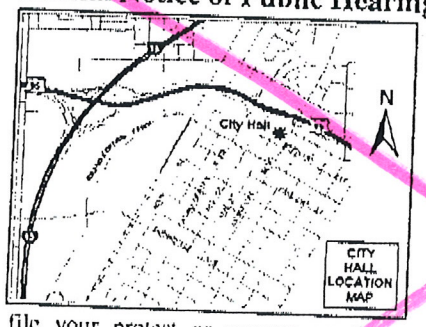
22116$3886 B056

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

PRESORTED FIRST CLASS

$ 00.41⁴
OCT 08 2010
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-39412

Planning Commission Meeting of 10/21/2010

W 150 10-09-10

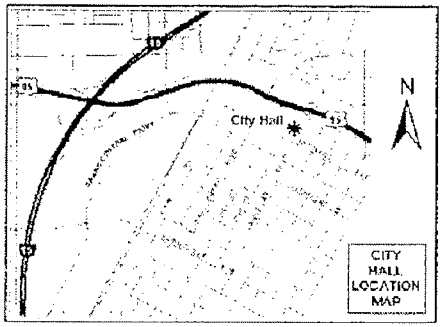
Case: SUP-39412
13833224056
GOD-GONZALEZ ANNA MARIE
P O BOX 3886
MERRIFIELD VA 22116-3886

22116$3886 B056

Oct 17 10 01:50p Mary Ellen Majkut 518-356-0533 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-37362

Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809419001
MAJKUT MICHAEL D & MARY E
4112 STONEFIELD WY
SCHENECTADY NY 12306-7000

PAGE 02/02
WENGERT ELEMTARY
04/08/2006 02:03 7027990116

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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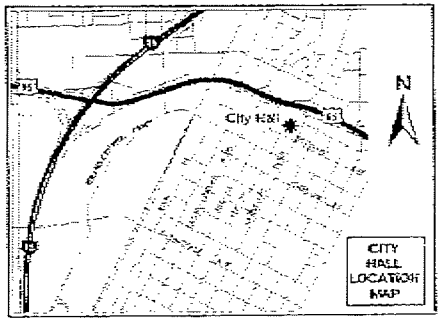
Return Service Requested

Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

Case: SUP-37362

13809313088
ROBISON CHERYL MARIE
8449 MAJESTIC VIEW AVE
LAS VEGAS NV 89129-2101

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

PRESORTED FIRST CLASS

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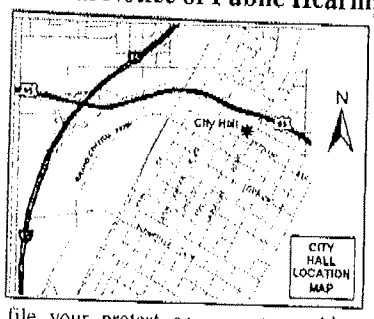
Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

13809323090 Case: SUP-37362
O'CONNOR BARBARA K
8441 WANDERING SUN AVE
LAS VEGAS NV 89129-2190

10/18/2010 13:03 FAX 001

Oct 18 2010 10:09AM NUGENT LLC SALONS 7022438351 p.1

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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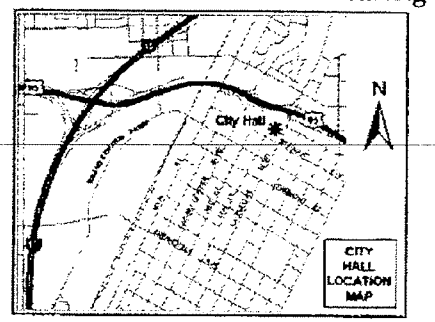
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

Case: SUP-37362

13816116002
HAGADORN FAMILY TRUST
3005 HARBOR COVE DR
LAS VEGAS NV 89128-7084

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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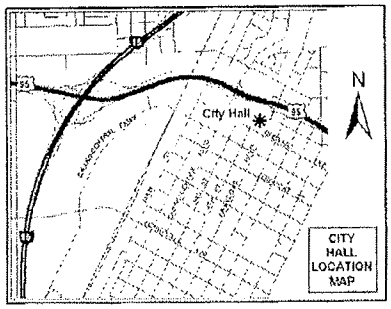
MAILED FROM ZIPCODE 89101

Return Service Requested

Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

Case: SUP-37362

13809413010
GLASSER JOAN B
3325 HILLINGTON CT
LAS VEGAS NV 89129-7328

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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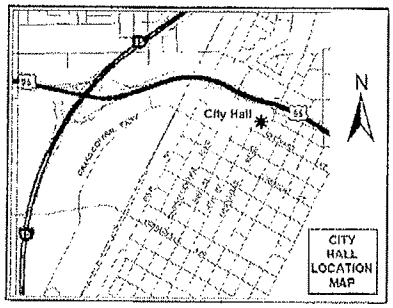
MAILED FROM ZIP CODE 89101

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-37362

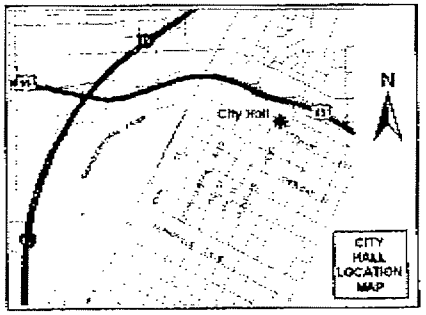
Planning Commission Meeting of 10/21/2010

Case: SUP-37362
13809413057
GLASSER JOAN B
3325 HILLINGDON CT
LAS VEGAS NV 89129-7328

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



Please Do NoT Approve
SUP-37362

This use is NoT A proper fit for our Neighborhood

S. Smith

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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

Case: SUP-37362

13809413037
SMITH SANJA
3300 BARNSTAPLE CT
LAS VEGAS NV 89129-6709

PAGE 01/01
KEITH CACERES
7028399015
10/20/2010 18:09

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
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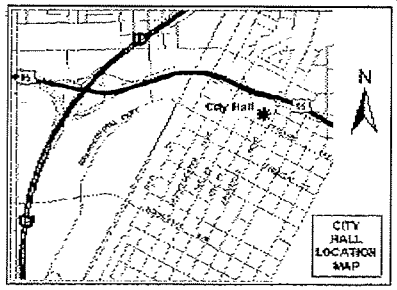
MAILED FROM ZIP CODE 89101

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-37362
Planning Commission Meeting of 10/21/2010

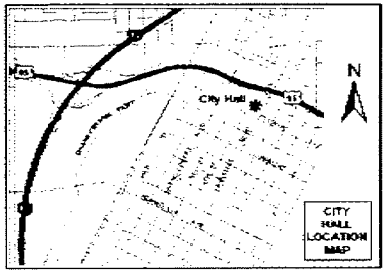
I oppose this request. These zoning laws exist for a reason. Why have such laws on the books if they arent going to be enforced. There is already a Super Pawn location 2.3 miles directly east of this location. I hope the council will take the interests of residents into consideration and uphold the integrity of our neighborhood.

Case: SUP-37362
13809419013
CACERES KEITH A
3349 MICHELANGELO CT
LAS VEGAS NV 89129-2185

Thank You,
Keith Caceres

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-37362

Planning Commission Meeting of 10/21/2010

$ 00.41

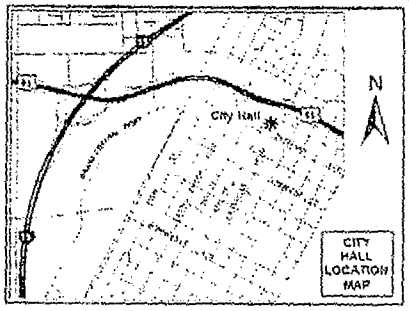
Case: SUP-37362
13809413066
DIAZ MICHAEL J & JAMIE M S
8109 CHILTERN AVE
LAS VEGAS NV 89129-7389

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
FIRST ROWLS
02 1M $ 00.41⁴
0004279215 MAR 12 2010
MAILED FROM ZIP CODE 8910

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-37362
Planning Commission Meeting of 3/25/2010

Case: SUP-37362
13809413042
ANGELL TAMARA W
3305 BARNSTAPLE CT
LAS VEGAS NV 89129-6709

AAVDS11 89129

RECEIVED
MAR 18 2010

Submitted after final agenda
Date Item 25A

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

PRESORTED FIRST CLASS

$00.41

MAILED FROM ZIPCODE

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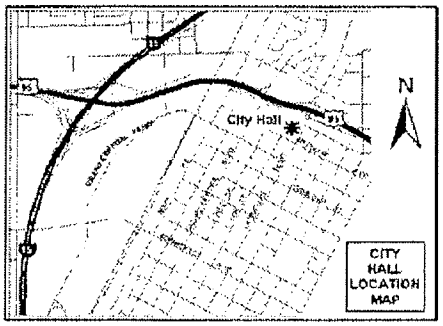
Official Notice of Public Hearing



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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-37362

Planning Commission Meeting of 10/21/2010

Case: SUP-37362

13816120098
LOSITO KAREN E & PAUL T
1918 S CLUB DR
WELLINGTON FL 33414-9075

Telephone Protest/ Approval Log

Meeting Date: 03/25/10 **Case Number:** SUP-37362

Date: 03/18/10
Name: Ludy Llasus
Address: 8125 Chiltoon Ave
LV 89129
Phone: 656-0584
[X] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Submitted after final agenda
Date [redacted] Item 75P

City of Las Vegas Agenda Item No.: **21.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

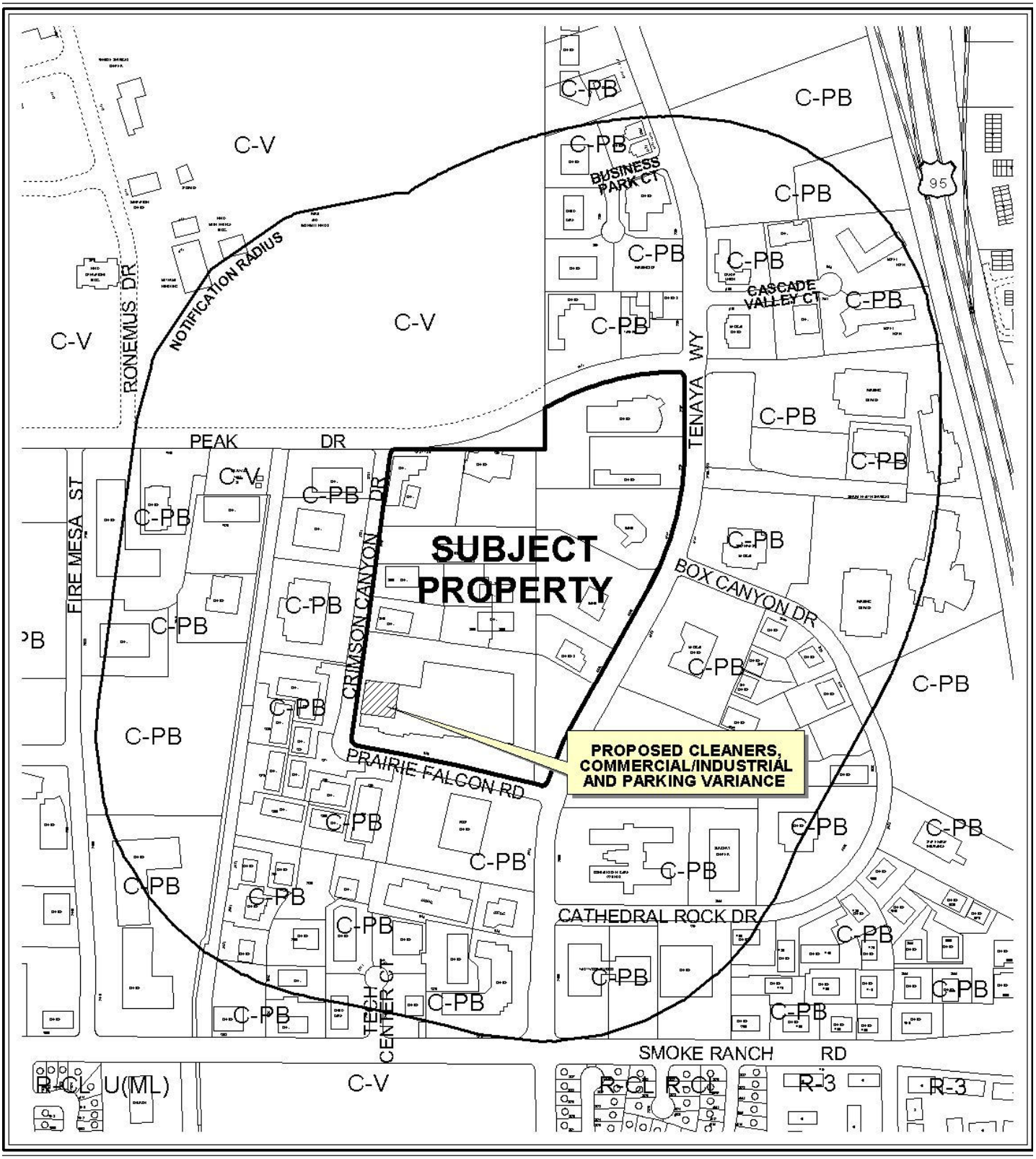
SUBJECT:
VAR-39804 - VARIANCE - PUBLIC HEARING - APPLICANT: WESTERN LINEN SERVICES, INC. - OWNER: ASSAF NEVADA, INC. - Request for a Variance TO ALLOW ZERO ADDITIONAL PARKING SPACES WHERE 44 ADDITIONAL PARKING SPACES ARE REQUIRED FOR A CLEANERS, COMMERCIAL/INDUSTRIAL on 7.55 acres at 7350 Prairie Falcon Road (APN 138-15-310-048), C-PB (Planned Business Park) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 12/15/10 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 - VAR-39804 and SUP-39801
2. Conditions and Staff Report - VAR-39804 and SUP-39801
3. Supporting Documentation
4. Photos - VAR-39804 and SUP-39801
5. Justification Letter - VAR-39804 and SUP-39801



0 500 1000 Feet

CASE: **VAR-39804 AND SUP-39801**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-PB (PLANNED BUSINESS PARK)

N

0 500 1000 Feet

CASE: **VAR-39804 AND SUP-39801**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-PB (PLANNED BUSINESS PARK)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: WESTERN LINEN SERVICES, INC. - OWNER: ASSAF NEVADA, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-39804	Staff recommends APPROVAL, subject to conditions:	
SUP-39801	Staff recommends APPROVAL, subject to conditions:	VAR-39804

** CONDITIONS **

VAR-39804 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-39801) shall be required, if approved.

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

3. 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-39801 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for A Cleaners, Commercial/Industrial use.

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-39804) shall be required.

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

4. 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. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.

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

Public Works

8. Prior to the issuance of any building permits, coordinate the connection of this site to public sewer with the Collection Systems Planning Section of the Department of Public Works to determine if there are any capacity related issues for the discharge of wastewater from this facility.

9. Prior to submittal of construction drawings or occupancy of this site, whichever may occur first, contact the Environmental Compliance Section of the Department of Public Works at 229-6594 to determine environmental pre-treatment requirements. Comply with the requirements of the Environmental Compliance Section.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to locate a 50,600 square-foot Cleaners, Commercial/Industrial business in the westerly portion of a 141,419 square-foot building in the Las Vegas Technology Center at 7350 Prairie Falcon Road. The use is permitted in the center with an approved Special Use Permit. This proposal also requires a Variance for parking to allow zero spaces where 44 additional spaces are needed. Evidence has been provided that the site can accommodate the proposed use, and will not negatively impact the existing uses on site or in the surrounding area. Therefore, staff recommends approval, with conditions. If denied, the business would not be permitted to operate at this location.

ISSUES

- A Cleaners, Commercial/Industrial Use is permitted in a C-PB (Planned Business Park) with the approval of a Special Use Permit.
- A Variance is required for reduced parking to allow no additional spaces where 44 are required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/05/84	The City Council approved Annexation (A-0015-84) for land between Buffalo Drive/Cheyenne Avenue/Lorenzi Boulevard/Smoke Ranch Road. The Planning Commission and Staff recommended approval.
11/20/85	The City Council approved Rezoning (Z-0068-85) from N-U (Non Urban) to C-PB (Planned Business Park) for 7350 Prairie Falcon Road. The Planning Commission and Staff recommended approval.
04/03/91	The City Council approved a Review of Condition [Z-0068-85(4)] to remove Condition One of Z-0068-85 that required a screen wall on the north perimeter of 7350 Prairie Falcon Road. The Planning Commission and Staff recommended approval.
03/30/99	The Planning & Development Department provided a Zoning Verification Letter [Z-0068-85(3)] for 7350 Prairie Falcon Road.

01/19/00	The City Council approved Site Development Plan Review [Z-0068-85(51)] for a 90,819 square-foot addition at 7350 Prairie Falcon Road. The Planning Commission and Staff recommended approval.
08/19/09	The City Council approved Variance (VAR-34603) to allow 176 parking spaces where 331 are required for a Commercial Recreation/Amusement (Indoor) use at 7350 Prairie Falcon Road. The Planning Commission and Staff recommended approval.

Most Recent Change of Ownership	
11/05/07	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
05/04/99	A Building Permit (#99008492) was issued for a Non-Work Certificate of Occupancy. It was finalized on 05/07/99.
03/14/01	A Building Permit (#1004189) was issued for a Tenant Improvement Certificate of Occupancy. It was finalized on 09/27/02.
12/04/09	A Business License (A06-00019) was issued for an Amusement Park at 7350 Prairie Falcon Road. The license is currently active.
12/04/09	A Business License (R05-00660) was issued for a Snack Bar, Take Out Only at 7350 Prairie Falcon Road. The license is currently active.
12/17/09	A Business License (C08-01917) was issued for a Coin Amusement Machine at 7350 Prairie Falcon Road. The license is currently active.

Pre-Application Meeting	
09/24/10	Staff reviewed the application requirements for a Cleaners, Commercial/Industrial use and noted the following: • A Variance for parking is required due to the increased parking requirement for the proposed use; • A Special Use Permit will be required; • For any exterior changes to the site, a letter of approval from the Las Vegas Technology Architectural Review Committee is required prior to submittal of materials to the City. A copy of this letter will also be required at time of submittal for any required building permits.

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

Field Check	
10/15/10	Staff inspected the property and found it to be well maintained.

Details of Application Request	
Site Area	
Gross Acres	7.55

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Office	LI/R (Light Industry/Research)	C-PB (Planned Business Park)
North	Office	LI/R (Light Industry/Research)	C-PB (Planned Business Park)
South	Post Office, Local Service	LI/R (Light Industry/Research)	C-PB (Planned Business Park)
	Office	LI/R (Light Industry/Research)	C-PB (Planned Business Park)
East	Private Park	LI/R (Light Industry/Research)	C-PB (Planned Business Park)
West	Office	LI/R (Light Industry/Research)	C-PB (Planned Business Park)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Technology Center	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O (Airport Overlay) 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

Functional Classification of Street(s)	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Tenaya Way (Secondary Collector)	Master Plan of Streets and Highways	80	Y
Prairie Falcon Road	N/A	60	N/A
Crimson Canyon Drive	N/A	60	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	
Commercial Recreation/ Amusement (Indoor)	45,098 SF	1 per 200 S.F.	226				
Warehouse (Existing)	96,321 SF	1 per 1,000 S.F.	97				
Warehouse (To Be Removed)	(-50,600) SF	1 per 1,000 S.F.	-51				
Cleaners, Commercial/ Industrial (Proposed)	50,600 SF	1 per 500 plus 5	107				
TOTAL SPACES REQUIRED			379		188		N
Regular and Handicap Spaces Required			371	8	181	7	N
Loading Spaces	141,419	3 for first 50,000 S.F. then 1 for each 100,000 or fraction thereafter	4		12		Y
Percent Deviation (VAR only)			41%				

YK

ANALYSIS

The site contains a 141,419 square-foot building, 45,098 square feet for a Commercial Recreation/Amusement (Indoor) Facility and the remaining 96,321 square feet utilized for warehouse space. A previously approved Variance (VAR-34603) was required to allow 176 parking spaces where 331 were required at the time that the recreational facility was established. Upon further review, it has been determined that the previous variance is inconsistent with current site conditions, and that 188 parking spaces are available on site, as verified by staff during a site visit. In addition, handicap parking required for the site was incorrectly added to the overall total required. Therefore, the change in use for 50,600 square feet of warehouse to commercial cleaners results in a net increase in required parking by 44 spaces.

The previous Variance approval was based on the use of the facility as a Commercial Recreation Facility (Indoor), with a parking requirement of one space per 200 square feet of gross floor area. The majority of the floor area is race track, with limited access. A submitted parking demand analysis for a similar 32,771 race track located in Murrieta, California indicated a peak parking demand of 44 spaces, well below the 64 spaces required for that location.

In addition, the applicant states that no more than 15 employees will be present on any shift and that many of them are expected to utilize public transportation. A bus stop is located on Tenaya Way, immediately to the east of the subject site. Approximately two-thirds of the floor space will be occupied by cleaning equipment. Furthermore, no traffic or parking issues have been reported on the site since the previously approved parking Variance. Parking for delivery vehicles can be accommodated within the loading dock area, which is not included in the number of parking spaces for the site. Deliveries for the proposed use will take place overnight, and will not conflict with the normal business hours of the existing uses.

For these reasons, staff supports the Variance and Special Use Permit requests, and recommends approval, with conditions.

FINDINGS (VAR-39804)

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

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

Additionally, Title 19.18.070(L) states:

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

Evidence has been provided that the site can accommodate the proposed use, and will not negatively impact the existing uses on site or in the surrounding area.

FINDINGS (SUP-39801)

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 Cleaners, Commercial/Industrial Use can be conducted in a manner that is harmonious and compatible with the uses in the existing shopping center and with the uses on adjacent properties.

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

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

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

   The site is located within the center of the Las Vegas Technology Center and adjacent to three public streets. These streets provide adequate access to and from the subject property.

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

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

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

   The proposed use complies with the Minimum Special Use Permit requirements. There are no distance separation requirements for Cleaners, Commercial/Industrial Use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

NOTICES MAILED 93

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-39804** APN: 138-15-310-048

Name of Property Owner: Assaf Nevada, Inc

Name of Applicant: Western Linen Services, Inc

Name of Representative: Jim Slatcher

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: Allen M. Shema

Print Name: Allen M. Shema, Agent for Owner

Subscribed and sworn before me

This 16 day of September, 2010

Kathleen Shea

Notary Public in and for said County and State

KATHLEEN SHEA
NOTARY PUBLIC • STATE OF OHIO
Recorded in Lake County
My commission expires Oct. 21, 2012

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OCT 04 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Parking Variance

Project Address (Location) 7350 Prairie Falcon Road

Project Name Western Linen Services, Inc **Proposed Use** Commercial Laundry

Assessor's Parcel #(s) 138-15-310-048 **Ward #** _____

General Plan: existing LI/O proposed _____ **Zoning:** existing C-PB proposed _____

Commercial Square Footage 20,131. **Floor Area Ratio** _____

Gross Acres 7.42 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Assaf Nevada, Inc **Contact** Allen M. Shema

Address 4832 Richmond Road, Suite 100 **Phone:** (440) 914-8421 **Fax:** (216) 896-0470

City Cleveland **State** Ohio **Zip** 44128

E-mail Address Ashema@Teamweston.com

APPLICANT Western Linen Services, Inc **Contact** James Slatcher

Address 4575 S.Procyon, Suite A **Phone:** (702) 743-8854 **Fax:** (702) 365-5347

City Las Vegas **State** Nevada **Zip** 89103

E-mail Address Jims217@earthlink.net

REPRESENTATIVE Western Linen Services, Inc **Contact** James Slatcher

Address 4575 S Procyon, Suite A **Phone:** (702) 743-8854 **Fax:** (702) 365-5347

City Las Vegas **State** Nevada **Zip** 89103

E-mail Address Jims217@earthlink.net

Property Owner Signature* Allen M. Shema

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

Print Name ALLEN M. SHEMA

Subscribed and sworn before me

This 16th day of September, 20 10.

Kathleen Shea

Notary Public in and for said County and State

KATHLEEN SHEA
NOTARY PUBLIC • STATE OF OHIO
Recorded in Lake County
My commission expires Oct. 21, 2012

FOR DEPARTMENT USE ONLY

Case #	VAR-39804
Meeting Date:	11/18/10
Total Fee:	830.00
Date Received:*	10/4/10
Received By:	CHM

*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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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Parking Variance

Project Address (Location) 7350 Prairie Falcon Road

Project Name Western Linen Services, Inc **Proposed Use** Commercial Laundry

Assessor's Parcel #(s) 138-15-310-048 **Ward #** 4

General Plan: existing LI/R proposed _____ **Zoning:** existing C-PB proposed _____

Commercial Square Footage 20,131. **Floor Area Ratio** _____

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Notary Public in and for said County and State

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OCT 04 2010

Revised 10/27/08

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

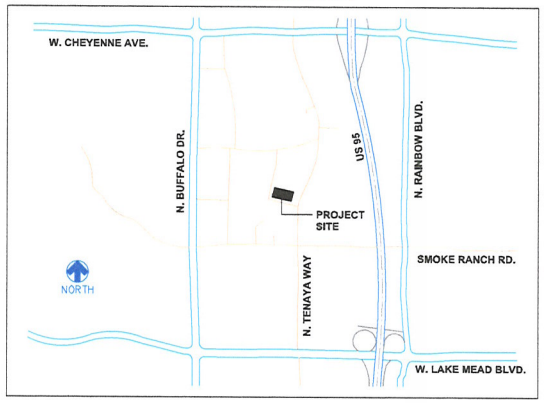
PARKING CALCULATIONS

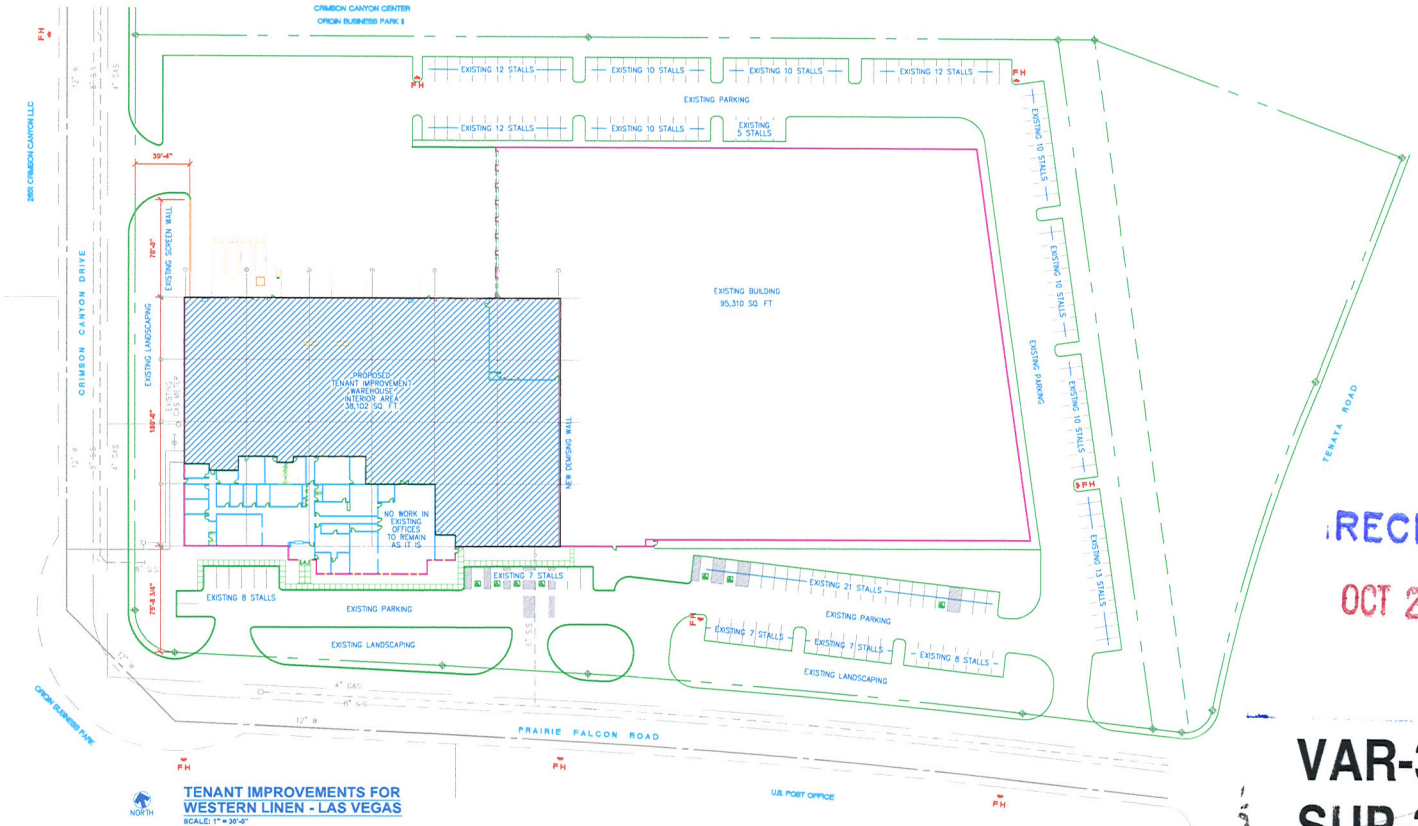
EXISTING PARKING — 172 STANDARD PARKING STALLS W/ITH
7 HANDICAPPED PARKING STALLS

PER CITY OF LAS VEGAS MUNICIPAL CODE 19.04.010 LAND USE TABLE
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

WESTERN LINEN SERVICES AREA IS 50,600 SQ. FT.
50,600 / 500 = 101.2 OR 102 PARKING STALLS

LOCATION MAP





TENANT IMPROVEMENTS FOR
WESTERN LINEN - LAS VEGAS
SCALE: 1" = 30'-0"

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VAR-39804
SUP-39801
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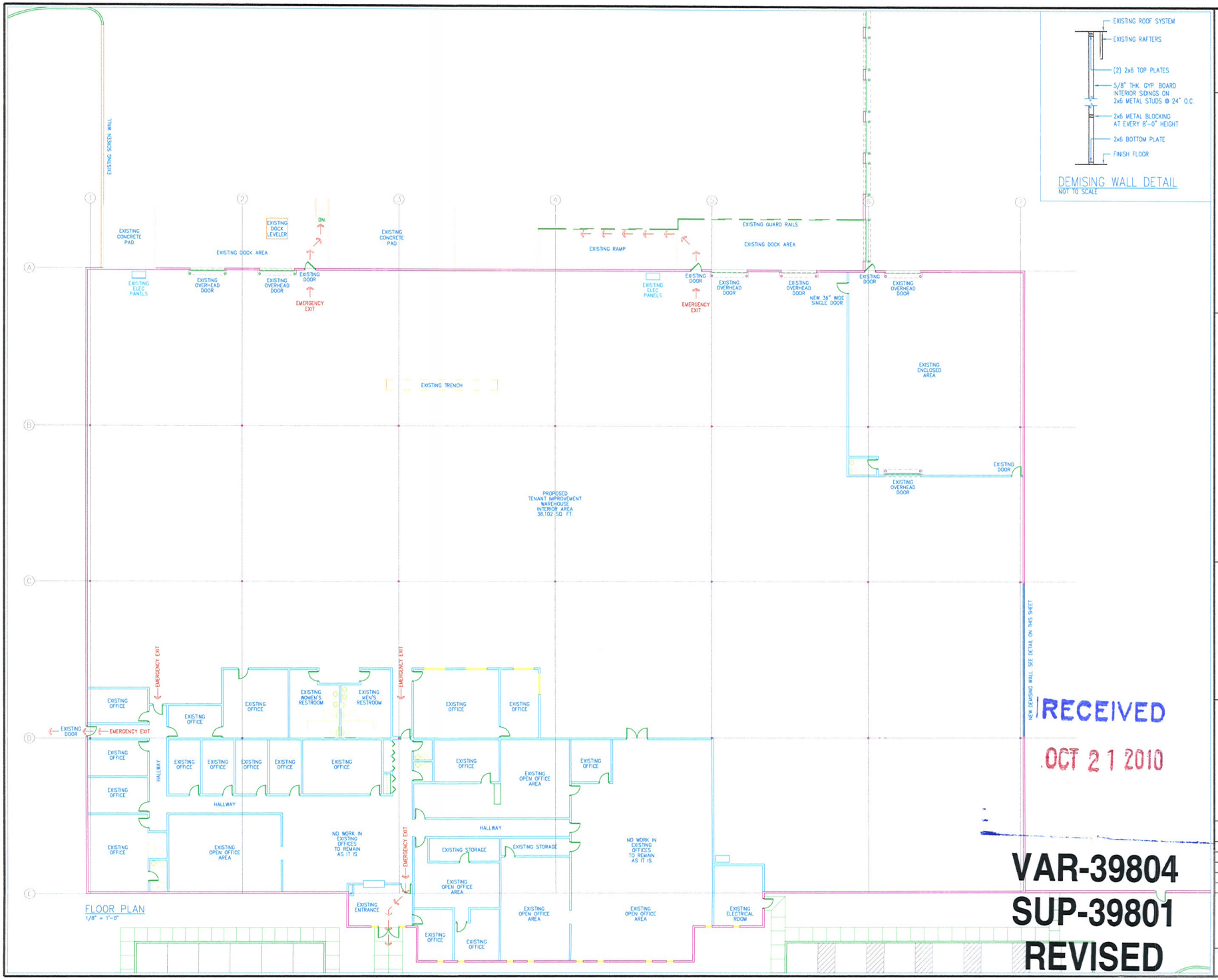
PLAN NORTH

WESTERN LINEN SERVICES
7350 PRAIRIE FALCON
LAS VEGAS, NEVADA 89128

AMERICAN LAUNDRY SYSTEMS
A Division of E&O Mechanical, Inc.
800 Broadway, Haverhill, MA 01832
978-373-1883 Fax: 978-521-0780

DRAWING TITLE: SITE PLAN

DRAWN BY: RAM
DATE: AUG 27, 2010
DRAWING NUMBER: 1.0
SHEET OF



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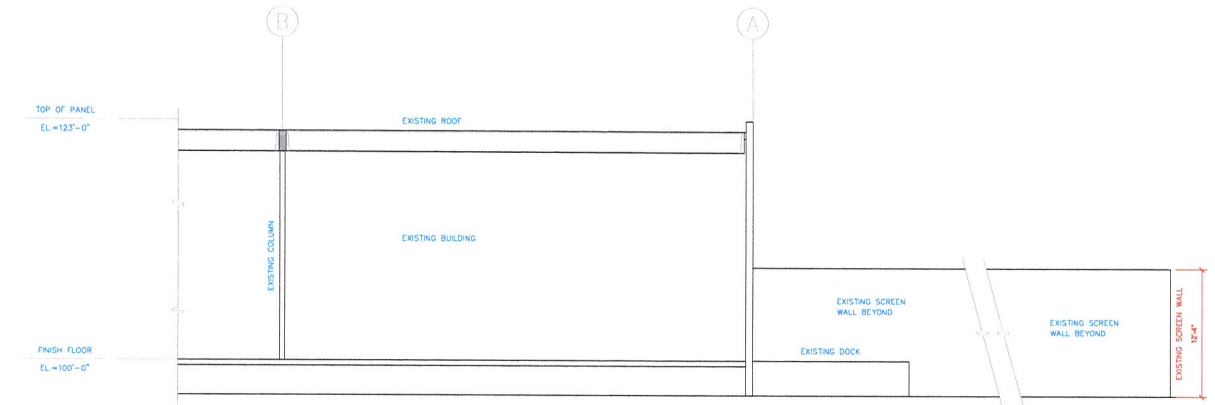
PLAN NORTH

WESTERN LINEN SERVICES
7350 PRAIRIE FALCON
LAS VEGAS, NEVADA 89128

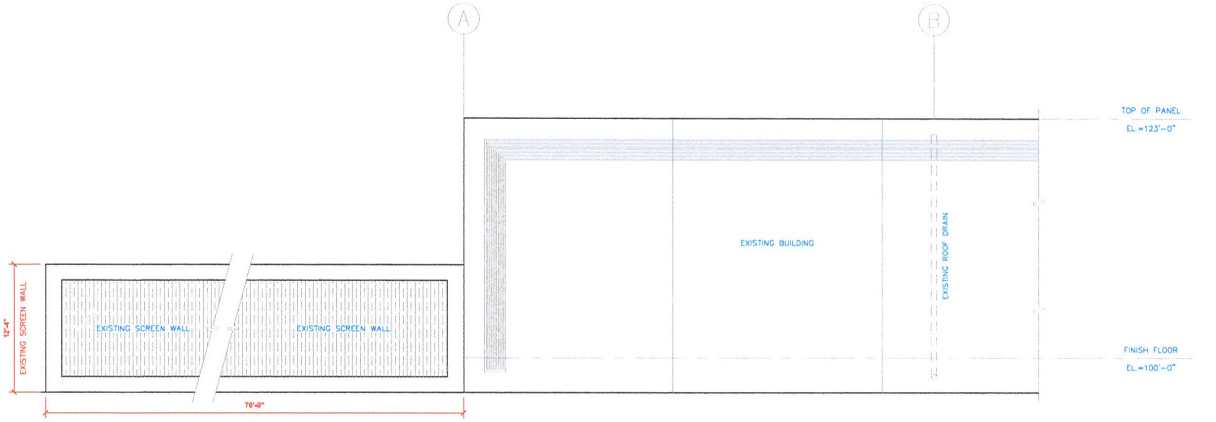
AMERICAN LAUNDRY SYSTEMS
A Division of E&O Mechanical, Inc.
800 Broadway, Haverhill, MA 01832
978-373-1883 Fax: 978-521-0780

DRAWING TITLE
FLOOR PLAN

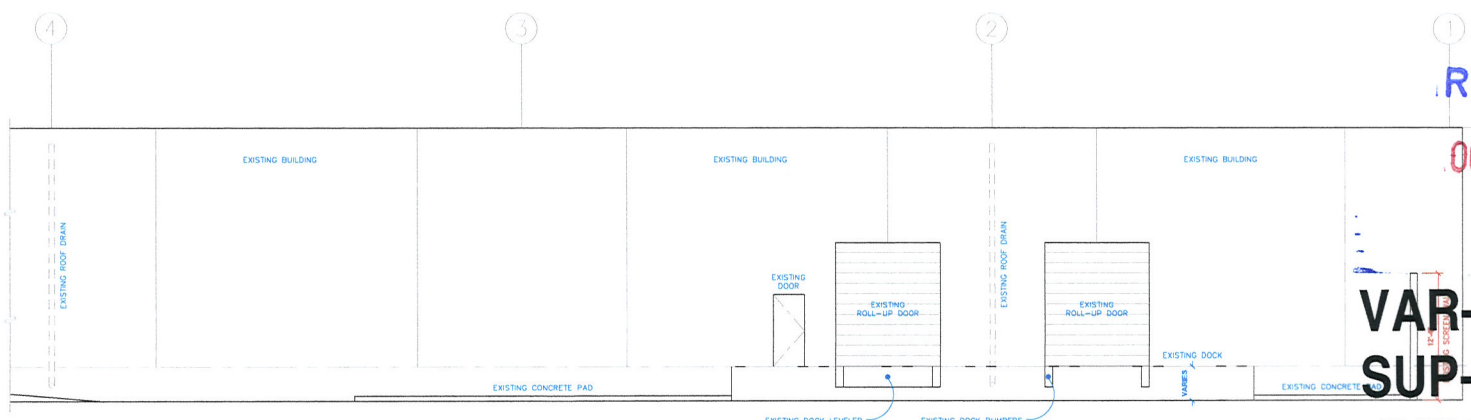
DRAWN BY: RAM
DESIGNED BY:
SCALE:
DATE: AUG 27, 2010
DRAWING NUMBER: 2.0
SHEET: OF



PARTIAL INTERIOR & REAR DOCK SECTION VIEW



PARTIAL WEST EXTERIOR ELEVATION



PARTIAL NORTH EXTERIOR ELEVATION

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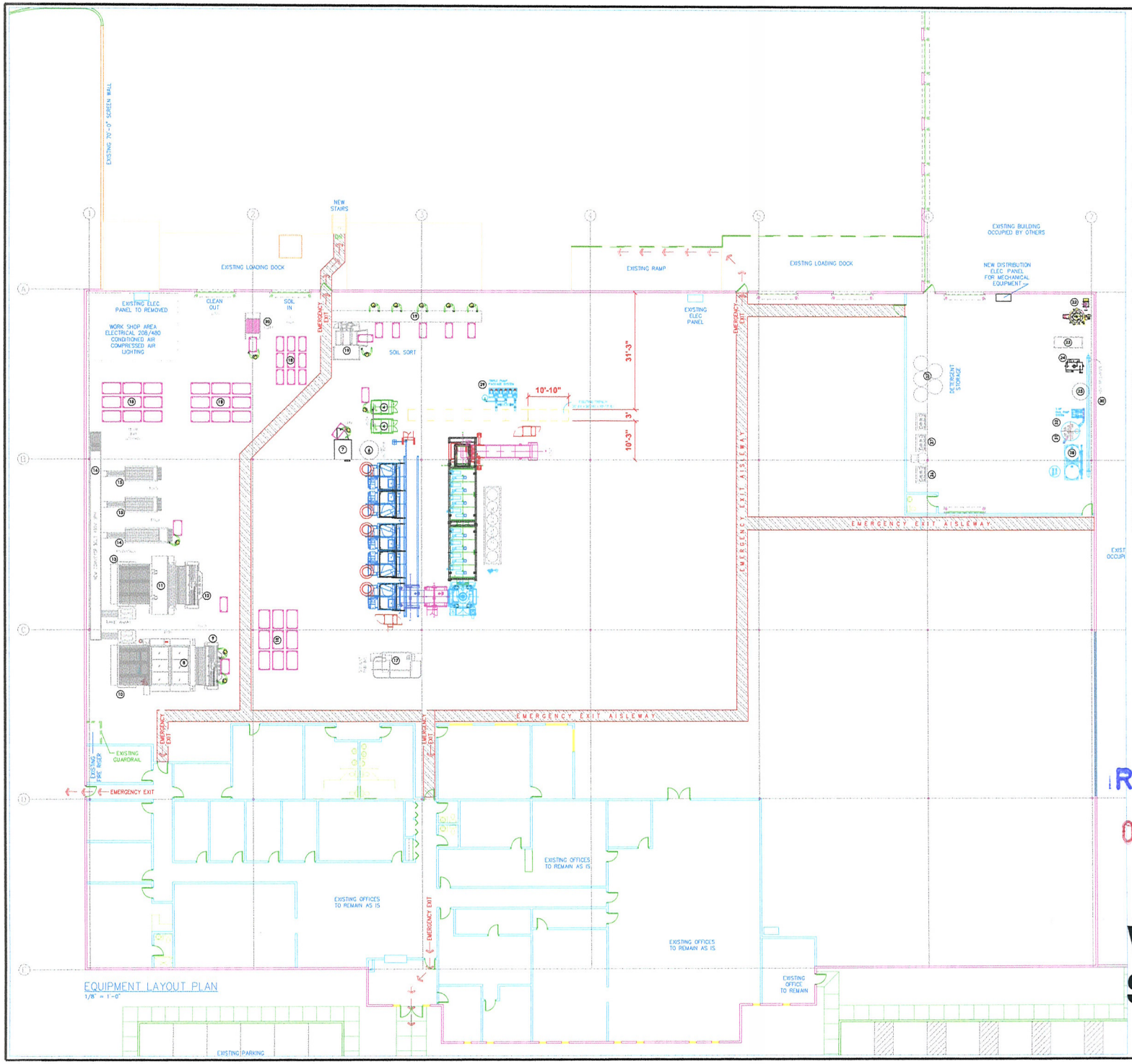
WESTERN LINEN SERVICES
7350 PRAIRIE FALCON
LAS VEGAS, NEVADA 89128

AMERICAN LAUNDRY SYSTEMS
A Division of E&O Mechanical, Inc.
800 Broadway, Haverhill, MA 01832
978-373-1883 Fax: 978-521-0780

DRAWING TITLE
EXTERIOR ELEVATIONS

DRAWN BY: RAM
CHECKED BY:
SCALE:
DATE: AUG 27, 2010
DRAWING NUMBER: 3.0
SHEET: OF



EQUIPMENT LAYOUT PLAN
1/8" = 1'-0"

EQUIPMENT LEGEND

1	MILNOR Conwa Loading Conveyor
2	MILNOR 4 Mod CBW
2a	MILNOR Inverter Box
2b	MILNOR Mentor Controls
2c	MILNOR Flow Splitter Tank
2d	MILNOR Press Water Reuse Tank
3	MILNOR Extractor
3a	MILNOR Extractor Controls
3b	MILNOR Hydraulic Tank
4	(Existing/Relocated) MILNOR 85 lb. Washer
5	(Existing/Relocated) MILNOR 96 lb. Dryer
6	(Existing/Relocated) MILNOR 170 lb. Dryer
7	(Existing/Relocated) MILNOR 190 lb. Dryer
8	CHICAGO Ironer Powerhouse 2-Roll 52" - Thermal Oil
9	CHICAGO King Edge w/ Vacuum Spreader Feeder
10	CHICAGO Skyline w/ (1) Stacker S-13-1200
11	(Existing/Relocated) CHICAGO King Edge w/ Vac Spreader Feeder
12	(Existing/Relocated) CHICAGO Ironer Imperial 2-Roll 32" - Natural Gas
13	(Existing/Relocated) CHICAGO Skyline w/ (1) Stacker S-13-1200
14	CHICAGO Towel Folder XL
15	(Existing/Relocated) CHICAGO Towel Folder
16	Take Away Conveyor
17	(Existing/Relocated) COLMAC Steam Tunnel 12 ft.
18	Laundry Carts
19	(Existing/Relocated) CHICAGO Cart Dumper
20	(Existing/Relocated) Floor Scale
21	CLEAN CYCLE Lint Filter
21a	CLEAN CYCLE Lint Filter
22	FULTON BOILER 30 bhp Boiler
23	HAMILTON Hot Water Heater
24	(Existing/Relocated) PARKER BOILER 9.5 bhp Boiler
25	Water Storage Tank 1,200 Gallons
26	INGERSOLL RAND Air Compressor
26a	Air Dryer
27	INGERSOLL RAND Air Compressor
27a	Air Dryer
28	Water Softener System w/ Brine Tank
29	Process Water Triple Pump Package System
30	Heat Reclaimer
31	Tempered Water Tank
32	Dual Water Pump System

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PLAN NORTH

WESTERN LINEN SERVICES
7350 PRAIRIE FALCON
LAS VEGAS, NEVADA 89128

AMERICAN LAUNDRY SYSTEMS
A Division of E&O Mechanical, Inc.
800 Broadway, Haverhill, MA 01832
978-373-1883 Fax: 978-521-0780

DRAWING TITLE
EQUIPMENT LAYOUT PLAN

DRAWN BY: RAM
CHECKED BY:
SCALE:
DATE: AUG 27, 2010
DRAWING NUMBER: 4.0
SHEET: OF

VAR-39804 & SUP-39801 - APPLICANT: WESTERN LINEN SERVICES, INC. - OWNER: ASSAF NEVADA, INC.
7350 PRAIRIE FALCON ROAD

10/15/10

VAR-39804 & SUP-39801 - APPLICANT: WESTERN LINEN SERVICES, INC. - OWNER: ASSAF NEVADA, INC.
7350 PRAIRIE FALCON ROAD

10/15/10

VAR-39804 & SUP-39801 - APPLICANT: WESTERN LINEN SERVICES, INC. - OWNER: ASSAF NEVADA, INC.
7350 PRAIRIE FALCON ROAD

10/15/10

October 20, 2010

Ms. Margo Wheeler, Director
City of Las Vegas
Planning and Development Department
731 S. Fourth St.
Las Vegas, NV 89101

Re: APN: 138-15-310-048

Dear Ms. Wheeler:

This letter is submitted as justification for Special Use Permit and Variance applications for the above listed property located in the Las Vegas Technology Center at 7350 Prairie Falcon Road. The property was originally developed for a printing company but has more recently been divided into three spaces, one of which is currently occupied by an indoor amusement facility containing a go-kart track and related retail uses which by code are parking intensive and which, on August 19, 2009, received approval from the City Council to allow 176 parking spaces where 327 spaces are required. While there is nothing to indicate that that approval has caused any issues on the site, it does necessitate any new use in the remaining portions of the building to also apply for a parking variance because the parking calculation is based on the various uses within the total square footage of the building.

The applicant, Western Linen Services, is requesting approval to locate a commercial/industrial cleaning facility in the westerly 50,600 square feet of the overall 141,419 square foot building which is located in the virtual center of the tech park, with access to two streets, which makes the location ideal for a facility of this type. Per the Land Use Table in the Retail & Personal Services section of Chapter 19.04 a commercial laundry requires a Special Use Permit when located in the C-PB zone. In regard to the determinations for approval of a SUP, all work will be conducted within the facility and all equipment, such as hot water and air tanks and an air compressor system will be located within the building, thus eliminating any potential noise from equipment from being heard on adjacent properties. An existing block at the rear of the west edge of the building and running northerly to the rear driveway will help block the view of the existing loading docks from traffic on Crimson Canyon Drive.

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VAR-39804
SUP-39801
REVISED

Based on the parking standard for this type of use a total of 101 spaces is required, not including spaces for delivery vehicles which will be located at the rear of the building. The applicant has indicated that a maximum of 50 employees will work at this facility with an average of 15 employees per shift. The applicant has further indicated that of the 15 employees per shift, a significant number of those use public transportation to get to and from work, further reducing the need for the required number of spaces. It is also important to note that while the code requires parking spaces based on the total square footage of the facility, approximately two-thirds of the interior space is utilized for machinery. In regard to the determinations needed for approval of a Variance, as indicated in paragraph one above, this request is clearly not self-imposed because the previous Variance approved by the City Council created a unique circumstance in which any new use in any remaining portion of the building will require an additional Variance.

As the applicants representative on these applications I will be happy to provide any additional information you may require or respond to any questions you may have. Thank you for your consideration.

Respectfully,

Robert S Genzer
Genzer Consulting
9612 Hawksbill Ct.
Las Vegas, NV
89117-0646
702-256-6022

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VAR-39804
SUP-39801
REVISED

City of Las Vegas Agenda Item No.: **22.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

SUBJECT:
SUP-39801 - SPECIAL USE PERMIT RELATED TO VAR-39804 - PUBLIC HEARING - APPLICANT: WESTERN LINEN SERVICES, INC. - OWNER: ASSAF NEVADA, INC. - Request for a Special Use Permit FOR A CLEANERS, COMMERCIAL/INDUSTRIAL at 7350 Prairie Falcon Road (APN 138-15-310-048), C-PB (Planned Business Park) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 12/15/10 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. 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-39801 APN: 138-15-310-048

Name of Property Owner: Assaf Nevada, Inc

Name of Applicant: Western Linen Services, Inc

Name of Representative: Jim Slatcher

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: Allen M. Shema

Print Name: Allen M. Shema, Agent for Owner

Subscribed and sworn before me

This 1st day of September, 2010

Kathleen Shea

Notary Public in and for said County and State

KATHLEEN SHEA
NOTARY PUBLIC • STATE OF OHIO
Recorded in Lake County
My commission expires Oct. 21, 2012

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PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 7350 Prairie Falcon Road

Project Name Western Linen Services, Inc. **Proposed Use** Commercial Laundry

Assessor's Parcel #(s) 138-15-310-048 **Ward #** 4

General Plan: existing LI/R proposed _____ **Zoning:** existing C-PB proposed _____

Commercial Square Footage 20,131. **Floor Area Ratio** _____

Gross Acres 7.42 **Lots/Units** _____ **Density** _____

Additional Information _____

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REPRESENTATIVE Western Linen Services, Inc **Contact** James SLatcher

Address 4575 S. Procyon, Suite A **Phone:** (702) 743-8854 **Fax:** (702) 365-5347

City Las Vegas **State** Nevada **Zip** 89103

E-mail Address Jims217@earthlink.net

Property Owner Signature* Allen M. Shema

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

Print Name ALLEN M. SHEMA

Subscribed and sworn before me

This 2 day of October, 20 10.

Susan Brunt

Notary Public in and for said County and State

NOTARIAL SEAL — STATE OF OHIO — Revised 10/27/08

SUSAN BRUNT
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
March 06, 2012

FOR DEPARTMENT USE ONLY

Case #	SUP-39801
Meeting Date:	11/18/10
Total Fee:	1030.00
Date Received:*	10/4/10
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.

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

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OCT 04 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 7350 Prairie Falcon Road

Project Name Western Linen Services, Inc. **Proposed Use** Commercial Laundry

Assessor's Parcel #(s) 138-15-310-048 **Ward #** 4

General Plan: existing LI/R proposed _____ **Zoning:** existing C-PB proposed _____

Commercial Square Footage 20,131. **Floor Area Ratio** _____

Gross Acres 7.42 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Assaf Nevada, Inc **Contact** Allen M. Shema

Address 4832 Richmond Road, Suite 100 **Phone:** (440) 914-8421 **Fax:** (216) 896-0470

City Cleveland **State** Ohio **Zip** 44128

E-mail Address Ashema@teamweston.com

APPLICANT Western Linen Services, Inc. **Contact** James Slatcher

Address 4575 S. Procyon, Suite A **Phone:** (702) 743-8854 **Fax:** (702) 365-5347

City Las Vegas **State** Nevada **Zip** 89103

E-mail Address Jims217@earthlink.net

REPRESENTATIVE Western Linen Services, Inc **Contact** James SLatcher

Address 4575 S. Procyon, Suite A **Phone:** (702) 743-8854 **Fax:** (702) 365-5347

City Las Vegas **State** Nevada **Zip** 89103

E-mail Address Jims217@earthlink.net

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Print Name ALLEN M. SHEMA

Subscribed and sworn before me

This 2 day of October, 20 10.

Susan Baird

Notary Public in and for said County and State

NOTARIAL SEAL SUSAN BAIRD NOTARY PUBLIC STATE OF OHIO Comm. Expires March 06, 2012

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-39801
Meeting Date:	11/18/10
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OCT 04 2010

City of Las Vegas Agenda Item No.: **23.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

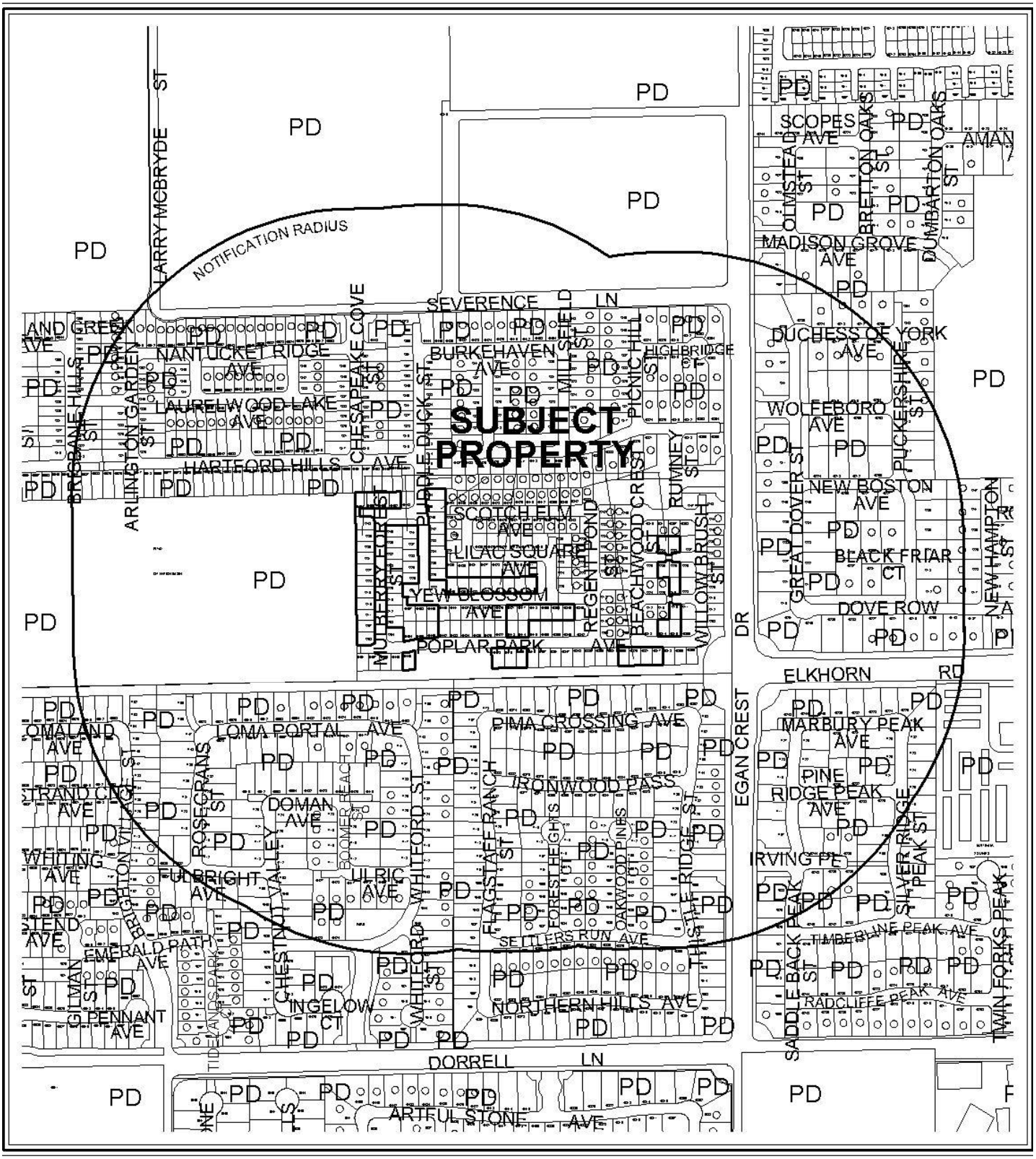
SUBJECT:
VAR-39813 - VARIANCE - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: MS RIALTO CLIFF'S EDGE NV, LLC - Request for a Variance TO ALLOW A THREE-FOOT SIDE YARD SETBACK WHERE TEN FEET IS REQUIRED AND A THREE-FOOT REAR YARD SETBACK FOR 50% OF THE STRUCTURE WITH A SEVEN-FOOT SETBACK FOR THE REMAINING HALF WHERE TEN FEET FOR 50% OF THE STRUCTURE WITH 15 FEET FOR THE REMAINING HALF IS REQUIRED FOR 31 INTERIOR AND PERIMETER LOTS on 20 acres at the northwest corner of Elkhorn Road and Egan Crest Drive (APNs Multiple), PD (Planned Development) Zone, Ward 6 (Ross). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 12/15/10 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. Providence Design Review Committee Approval Letter
6. Justification Letter



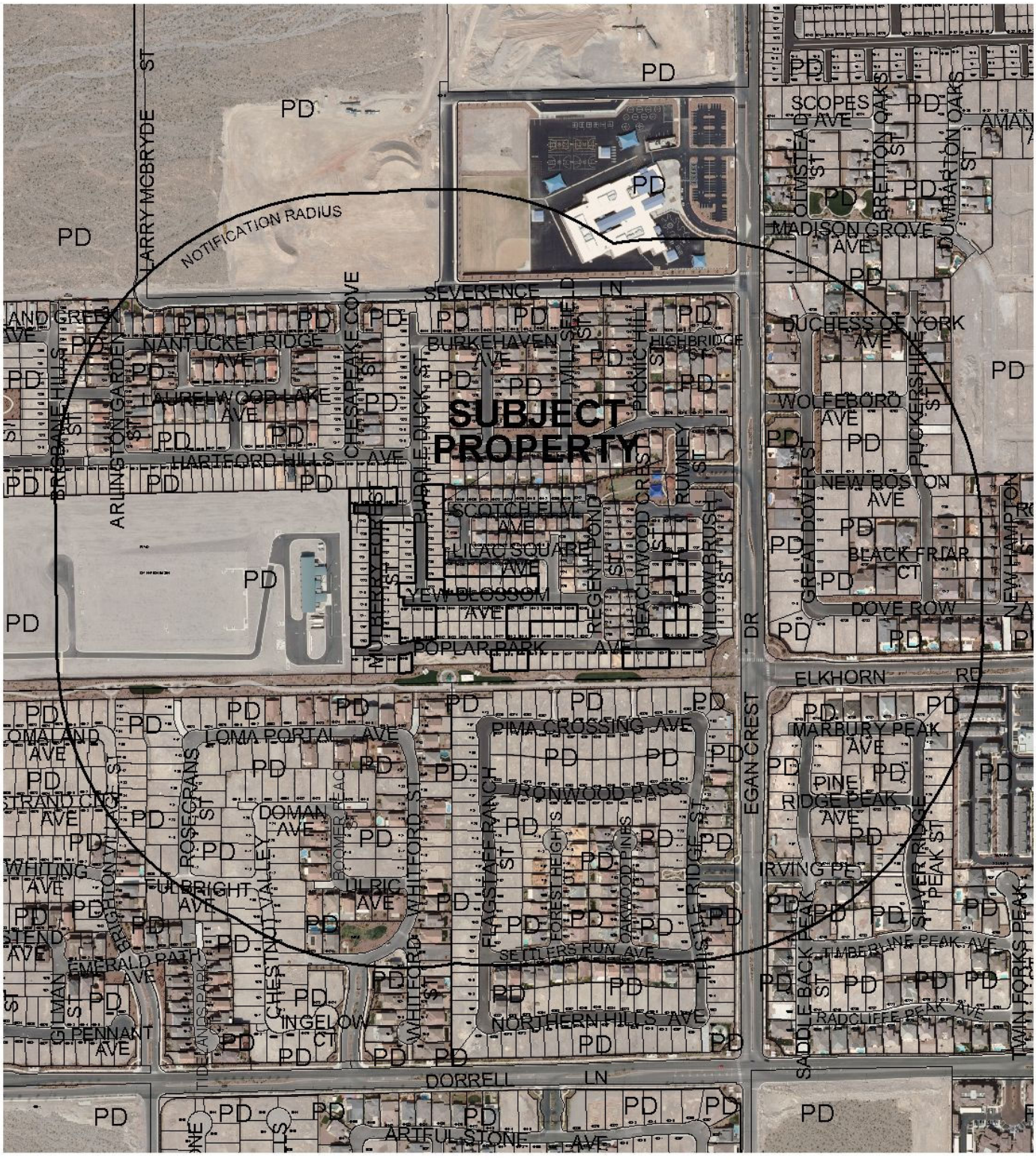
0 300 600 Feet

CASE: **VAR-39813**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

N



CASE: **VAR-39813**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: GREYSTONE NEVADA, LLC - OWNER: MS RIALTO CLIFF'S EDGE NV, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-39813	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

VAR-39813 CONDITIONS

Planning and Development

1. Conformance to the approved conditions for Rezoning (ZON-1520 and ZON-2184) and the Cliff's Edge Master Development Plan and Design Guidelines.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the construction of a single family residence on one of the specified lots. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. A three-foot side yard setback and a three-foot rear yard setback for 50% of the structure with a seven-foot rear yard setback for the remaining half of the structure may be utilized for the following 31 interior and perimeter lots: 115 through 118; 135 through 137; 395 through 402; 489 through 494; 444 and 445; 448 and 449; 452 and 453; 460 and 461; 529 and 530 of Cliff's Edge Pod 115, 116, and 117 Subdivision.

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 a building permit.

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

** STAFF REPORT **

PROJECT DESCRIPTION

The requested Variance is to allow a three-foot side yard setback for seven Medium Low Density Residential Perimeter Lots where the Cliff's Edge Master Development Plan and Design Guidelines require a 10-foot side yard setback for two-story models. Three of these perimeter lots are located along the south side of Poplar Park Avenue and the remaining four are located along the south side of Jolly Hill Avenue. Included in this Variance is a request to allow a 3-foot rear yard setback for 50% of structure with a seven-foot rear yard setback for remaining half of the structure for 31 undeveloped Medium Low Density Residential Lots where the Cliff's Edge Master Development Plan and Design Guidelines require a 15-foot rear yard setback for 50% of structure with a 10-foot rear yard setback for the remaining half of the structure. All 31 lots are within a 20-acre, 205-lot single family residential subdivision located at the northwest corner of Elkhorn Road and Egan Crest Drive. Because the hardship is self-imposed, staff recommends denial, with conditions is approved. If this application is denied, the residential subdivision will continue development with the approved model home plans that comply with the established setbacks.

ISSUES

- The applicant is proposing to apply the setbacks established for the Residential Small Lot (RSL) Development Standards to properties that maintain the Medium Low Density Residential Land Use.
- The Variance is required for a proposed two-story model home plan to provide a full-depth driveway (18-feet) for 31 existing lots by means of decreased side and rear yard setbacks.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/19/03	The City Council approved the "Cliff's Edge Master Development Plan" to regulate development and the provision of infrastructure in the area around the subject site. The Planning Commission and staff recommended approval.
04/16/03	The City Council approved a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on 297.50 acres and to establish a Master Plan for the Cliff's Edge Development adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission recommended approval on 02/13/03.

07/16/03	The City Council approved a request for a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres covering 21 separate parcels in the Cliff's Edge area, and approved amendments to the approved Cliff's Edge Master Development Plan. The Planning Commission and staff recommended approval on 06/12/03.
12/04/03	A Minor Modification (MOD-3189) to the Cliff's Edge Master Development Plan and Design Guidelines was administratively approved by the Planning and Development Department, subject to a number of conditions.
02/18/04	The City Council approved a Development Agreement (DIR-3451) between the City of Las Vegas and Cliff's Edge, Limited Liability Company, for the Cliff's Edge Master Planned Community. The Planning Commission recommended approval on 01/08/04. Staff recommended approval of this application.
02/18/04	The City Council approved a request for a Rezoning (ZON-3241) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 90 acres covering 20 separate parcels in the Cliff's Edge area. The Planning Commission recommended approval on 01/08/04. Staff recommended approval of this application.
03/11/04	The Planning Commission approved a Tentative Map (TMP-3798) for a 35-lot mixed-use subdivision on 922.96 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. This Tentative Map is to serve as the guiding map for the further subdivision of land within the Cliff's Edge Master Development Plan Area.
05/05/04	The City Council approved a Major Modification (MOD-3955) to the Cliff's Edge Master Development Plan to change land use designations from Village Commercial to Medium Low Density Residential and Medium Residential; from Medium Residential to Residential Small Lot; and from Medium Low Density Residential to Public Facilities; to modify Section 6.2.3 regarding retaining walls; and to modify Table 1 (Section 2.2) to reflect changes to the land use categories on 40 total acres within the Cliff's Edge Master Development Plan area. The Planning Commission and staff both recommended approval.
06/16/04	The City Council approved an amendment to the Master Plan of Streets and Highways (MSH-4197) to add major roads within the Cliff's Edge Master Development Plan area, generally located between Grand Teton Drive and Clark County 215, and between Puli Road and Hualapai Way. The preparation and submission of this request was a condition of approval of the Cliff's Edge parent Tentative Map, as approved by the Planning Commission on 03/11/04.

07/20/05	The City Council approved a Waiver of Title 18.12.160 (WVR-6704) to allow a minimum of 51 feet between internal street intersections where 125 feet is the minimum distance separation required for a proposed Single-Family Residential Development on 94.18 acres adjacent to the northwest corner of Hualapai Way and Elkhorn Road. The Planning Commission recommended approval on 06/23/05.
08/03/05	The City Council approved a Major Modification (MOD-6279) to the Cliff's Edge Master Development Plan to change land use designations from: ML (Medium Low Density Residential) to: L (Low Density Residential) and RSL (Residential Small Lot); from: L (Low Density Residential) to: ML (Medium Low Density Residential); and from: RSL (Residential Small Lot) to: ML (Medium Low Density Residential); and to modify the following sections of the Master Development Plan: Sections 2.2, 2.3.5, 2.3.6 and 2.3.7; to modify or add to the Design Guidelines as follows: section 3.1.1, 3.2.3b, 5.10, 5.10.1, 6.2.1, 6.2.2, 6.2.3, 7 and exhibits 2, 7a,7b, 8a, 14a, 14b, 14c, 15 and 17 on 1,156 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission recommended approval on 05/26/05.
08/11/05	The Planning Commission approved a request for a Tentative Map (TMP-6845) for a 612-lot Single Family Residential Subdivision on 94.0 acres adjacent to the west side Hualapai Way, between Severance Lane and Elkhorn Road.
11/16/05	The City Council approved a request for a Major Modification (MOD-9174) to the Cliff's Edge Master Development Plan and Design Guidelines to establish standards for rear-loaded Residential Small Lot housing products and to add section 3.2.5b to the Cliff's Edge Design Guidelines on 1,156 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission recommended approval 10/20/2005.
02/15/06	The City Council approved a request for a Major Modification (MOD-10531) to the Cliff's Edge Master Development Plan and Design Guidelines to change land use designations from: M (Medium Residential) to: RSL (Residential Small Lot); to modify Section 2.2 and the accompanying exhibit of the Master Development Plan; and to modify Section 2.1, Exhibit 2-4 of the Design Guidelines to reflect changes to the land use categories on two separate parcels (Pod 113 - located on 17.1 acres adjacent to the southwest corner of Farm Road and Hualapai Way and a portion of Pod 308 - located on 9.12 acres adjacent to the northeast corner of West Centennial Parkway and North Shaumber Road). Planning Commission and staff recommended approval.

03/08/06	A Final Map Technical Review (FMP-10135) for a 4-Lot Single Family Residential Subdivision on 1.44 acres adjacent to the west side Egan Crest Drive, south of Severence Lane was approved by staff. This map recorded on 04/14/2006.
03/08/06	A Final Map Technical Review (FMP-10201) for a 4-Lot Single Family Residential Subdivision on 1.44 acres adjacent to the west side Egan Crest Drive, south of Severence Lane. The map was recorded on 04/17/2006.
03/13/06	The Planning and Development Department administratively approved a request for a Minor Modification (MOD-10809) to the Cliff's Edge Master Development Plan and Design Guidelines to revise and clarify Section 6 (Entry and Wall Guidelines) of the Cliff's Edge Master Development Plan and Guidelines.
06/21/06	A Final Map Technical Review (FMP-10599) for a 79-Lot Single Family Residential Subdivision on 15.28 acres adjacent to the southwest corner of Severence Lane and Egan Crest Drive. The map was recorded on 06/30/2006.
06/26/2006	A Final Map Technical Review (FMP-10587:) for a 205-lot Single Family Residential Subdivision on 19.01 acres adjacent to the west side of Egan Crest Drive, south of Severence Lane: The map was recorded on 06/30/2006.
04/04/07	The City Council approved a request for a Major Modification (MOD-19114) to the Cliff's Edge Master Development Plan and Design Guidelines (to clarify certain setback, landscape, design, wall, architectural projection separation and balcony separation standards; to allow three-story single family dwellings with a maximum height of 38 feet and to add a sign standard section. Planning Commission and staff recommended approval.
09/19/07	The City Council approved a request for a Major Modification (MOD-22968) to the Cliff's Edge Master Development Plan and Design Guidelines to change the land use designation from RSL (Residential Small Lot) to M (Medium Density Residential) on 9.12 acres at the northeast corner of Centennial Parkway and Shaumber Road. Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
11/29/2007	A deed was recorded for a change in ownership for the 31 specified lots.

Related Building Permits/Business Licenses
There are no building permits or business licenses associated with the 31 lots specified in this request.

Pre-Application Meeting	
09/07/10	A pre-application meeting was held with staff to discuss the required actions necessary for the addition of a new model home plan to an existing residential subdivision to allow modified rear and side yard setbacks for the selected Medium-Low Density Residential Lots. Staff discussed the submittal requirements for a Variance request

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

Field Check	
10/15/10	A Field Check was performed by staff with the following observations: • There are 72 homes of the 205 lot subdivision completed. • There are XXX homes completed along the southern perimeter of the neighborhood. • Perimeter walls have been completed for the subdivision.

Details of Application Request	
Site Area	
Gross Acres	20

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single-Family Residential Subdivision	ML (Medium Low Density Residential) – Cliff's Edge Special Land Use Designation	PD (Planned Development)
		RSL (Residential Small Lot) – Cliff's Edge Special Land Use Designation	
North	Single-Family Residential Subdivision	ML (Medium Low Density Residential) – Cliff's Edge Special Land Use Designation	PD (Planned Development)
		RSL (Residential Small Lot) – Cliff's Edge Special Land Use Designation	

South	Single-Family Residential Subdivision	ML (Medium Low Density Residential) – Cliff's Edge Special Land Use Designation L (Low Density Residential) – Cliff's Edge Special Land Use Designation	PD (Planned Development)
East	Single-Family Residential Subdivision	L (Low Density Residential) – Cliff's Edge Special Land Use Designation	PD (Planned Development)
West	Detention Basin	RSL (Residential Small Lot) – Cliff's Edge Special Land Use Designation PF (Public Facility) – Cliff's Edge Special Land Use Designation	PD (Planned Development)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Cliff's Edge	X		N
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
PD (Planned Development) District	X		N
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

DEVELOPMENT STANDARDS

Cliff's Edge Master Development Plan and Design Guidelines 3.2.5

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Setbacks • Front Entry Garage • Side (Perimeter) • Side (Interior) • Corner Side • Rear	≥5 feet or ≤18 feet 10 feet 3 feet 10 feet 15 feet for 50% of structure with 10 feet for remaining half	≥5 feet or ≤18 feet 3 feet 3 feet 3 feet 3 feet for 50% of structure with 7 feet for remaining half	Y N Y N N
Percentage of Deviation from Standard	70%		

ANALYSIS

The applicant states that the requested Variance is necessary in order to accommodate a proposed 1,585 square-foot, two-story model home plan with a goal to provide a full-depth (18-foot) driveway. The Master Developer, through the Providence Design Review Committee (DRC), has approved the applicant's request for the proposed 1,585 square-foot, two-story model home plan, but no compelling justification for the resulting three-foot wide side and rear yard setbacks has been given.

The typical lot size in this Medium Low Density Residential subdivision is 40 feet wide by 55 feet deep. The proposed model home plan for the 31 selected lots is too large to conform to the Cliff's Edge Design Guidelines for the Medium Low Density Residential Land Use and would constitute a 70 percent deviation from the Side and Rear Setbacks Standards. As the developer has selected a model home for the single-family subdivision that does not conform to the development standards, the hardship is self-preferential in nature and cannot be supported by staff.

Presently 72 homes of the 205 lots have been constructed and, if approved, this request would allow the requested Variance to apply to 31 of the remaining 133 undeveloped lots. A three-foot setback does not provide adequate space from the rear or side property line for useful space, and there are public safety concerns regarding the limited access created by the narrow yards. If denied, the applicant would still be allowed to proceed with model home plans that comply with the established setbacks.

Additionally, this Variance operates in the spirit of a Major Modification to the Cliff's Edge Master Development Plan and Design Guidelines by applying the Residential Small Lot Design Standards to select lots in a neighborhood that maintains the Medium Low Density Residential Land Use.

FINDINGS (VAR-39813)

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

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

Additionally, Title 19.18.070(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a model home plan that does not provide adequate side and rear yard setbacks within the mapped lots. The approved model home plans allow conformance to the Cliff's Edge Master Development Plan and Design Guidelines requirements, whereas the proposed 1585 Model floor plan does not. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 428

APPROVALS 0

PROTESTS 0

MH

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-39813** APN: Multiple, see attached list

Name of Property Owner: MS Rialto Cliff's Edge NV, LLC, a Delaware limited liability compan

Name of Applicant: Robert Johnson

Name of Representative: Robert Johnson

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

☐ **Yes** ☒ **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 JOHNSON

Subscribed and sworn before me

This 4 day of October, 2010

Lisa Eckhardt

Notary Public in and for said County and State

LISA ECKHARDT
Notary Public, State of Nevada
Appointment No. 02-76774-1
My Appt. Expires Aug 9, 2014

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Cliff's Edge POD 115, 116 117 Unit 3B "Arbor Ridge"

LOT	APN#
115	12613816016
116	12613816017
117	12613816018
118	12613816019
135	12613816036
136	12613816037
137	12613816038
138	12613816039
143	12613816044
144	12613816045
145	12613816046
146	12613816047
147	12613816048
148	12613816049
149	12613816050
150	12613816051
151	12613816052
152	12613816053
153	12613816054
154	12613816055
155	12613816056
156	12613816057
157	12613816058
386	12613816060
387	12613816061
388	12613816062
398	12613816063
390	12613816064
391	12613816065
392	12613816066
393	12613816067
395	12613816069
396	12613816070
397	12613816071
398	12613816072
399	12613816073
400	12613816074
401	12613816075
402	12613816076
444	12613816114
445	12613816115
448	12613816118
449	12613816119
452	12613816122
453	12613816123
460	12613816130
461	12613816131
489	12613816159
490	12613816160
491	12613816161
492	12613816162

LOT	APN#
493	12613816163
494	12613816164
501	12613816171
502	12613816172
503	12613816173
505	12613816175
506	12613816176
507	12613816177
508	12613816178
509	12613816179
510	12613816180
511	12613816181
512	12613816182
513	12613816183
514	12613816184
515	12613816185
516	12613816186
517	12613816187
518	12613816188
520	12613816190
521	12613816191
522	12613816192
529	12613816199
530	12613816200

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OCT 0 5 2010

REQUESTED LOTS AND APN NUMBERS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Variance to allow Mini Lot (Residential Small Lot) setback criteria

Project Address (Location) West Side of Hualapai Way, between Severence Ln and Elkhorn Rd

Project Name Cliff's Edge POD 116 "Arbor Ridge" **Proposed Use** SFRPD

Assessor's Parcel #(s) Multiple, see attached list **Ward #** 6 - Ross

General Plan: existing PCD proposed N/A **Zoning:** existing PCD proposed N/A

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

Gross Acres 20 +/- **Lots/Units** 3B **Density**

Additional Information

PROPERTY OWNER MS Rialto Cliff's Edge NV, LLC **Contact** Sandy Goldberg

Address 700 N.W 107th Avenue **Phone:** (309) 559-4000 **Fax:** (309) 226-4158

City Miami **State** Florida **Zip** 33172

E-mail Address

APPLICANT Greystone Nevada, LLC **Contact** Robert Johnson

Address 6750 Via Austi Parkway, Suite 400 **Phone:** (702) 736-9100 **Fax:** (702) 458-7708

City Las Vegas **State** Nevada **Zip** 89119

E-mail Address robert.johnson@lennar.com

REPRESENTATIVE Greystone Nevada, LLC **Contact** Robert Johnson

Address 6750 Via Austi Parkway, Suite 400 **Phone:** (702) 450-4903 **Fax:** (702) 458-7708

City Las Vegas **State** Nevada **Zip** 89119

E-mail Address robert.johnson@lennar.com

Property Owner Signature* [signature]

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

Print Name ROBERT JOHNSON

Subscribed and sworn before me

This 4 day of October, 20 10.

Lisa Eckhardt

Notary Public in and for said County and State

RECEIVED
OCT 05 2010

LISA ECKHARDT
Notary Public, State of Nevada
Appointment No. 02-76774-1
My Appt. Expires Aug 9, 2014

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	VAR-39813
Meeting Date:	11/18/10
Total Fee:	830.00
Date Received:*	10/05/10
Received By:	JFmuel

*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.

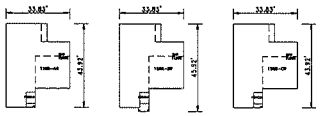
LEGEND

- ROW OR PROPERTY LINE
- CENTERLINE
- STREET LIGHT
- WATER METER
- FIRE HYDRANT
- CURB AND GUTTER
- VALLEY GUTTER
- TOP OF SLOPE / TOE OF SLOPE — CUT OR FILL SLOPES
- RETAINING WALL
- 85 — LOT NUMBER
- C-F — COMMON ELEMENT NUMBER
- SIGHT VISIBILITY ZONE
- 1585-RL — HOUSE PLAN NUMBER
- EXISTING HOMES / NOT A PART

SETBACKS

SINGLE STORY FRONT TO BUILDING = 8' LIVING / 5' PORCH
TWO STORY FRONT TO BUILDING = 8' LIVING (FOR UP TO 80% OF THE WALL PLANE) – OTHERWISE 12'
FRONT SETBACK TO GARAGE = UP TO 5' OR 18' PLUS
SOC – INTERIOR = 5'
CORNER SIDE OR PERIMETER = 10'
REAR =7' (FOR AT LEAST 50% OF THE ELEVATION) – OTHERWISE 3'
REAR YARD WITH PATIO COVER = 5'
2ND STORY BALCONY: FRONT = 6', REAR = 7', SIDE =
NOT ALLOWED UNLESS ADJACENT TO MASTERPLAN ROAD OR OPEN SPACE

PLANS



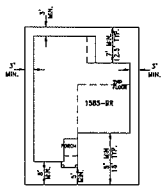
SCALE: 1" = 50'

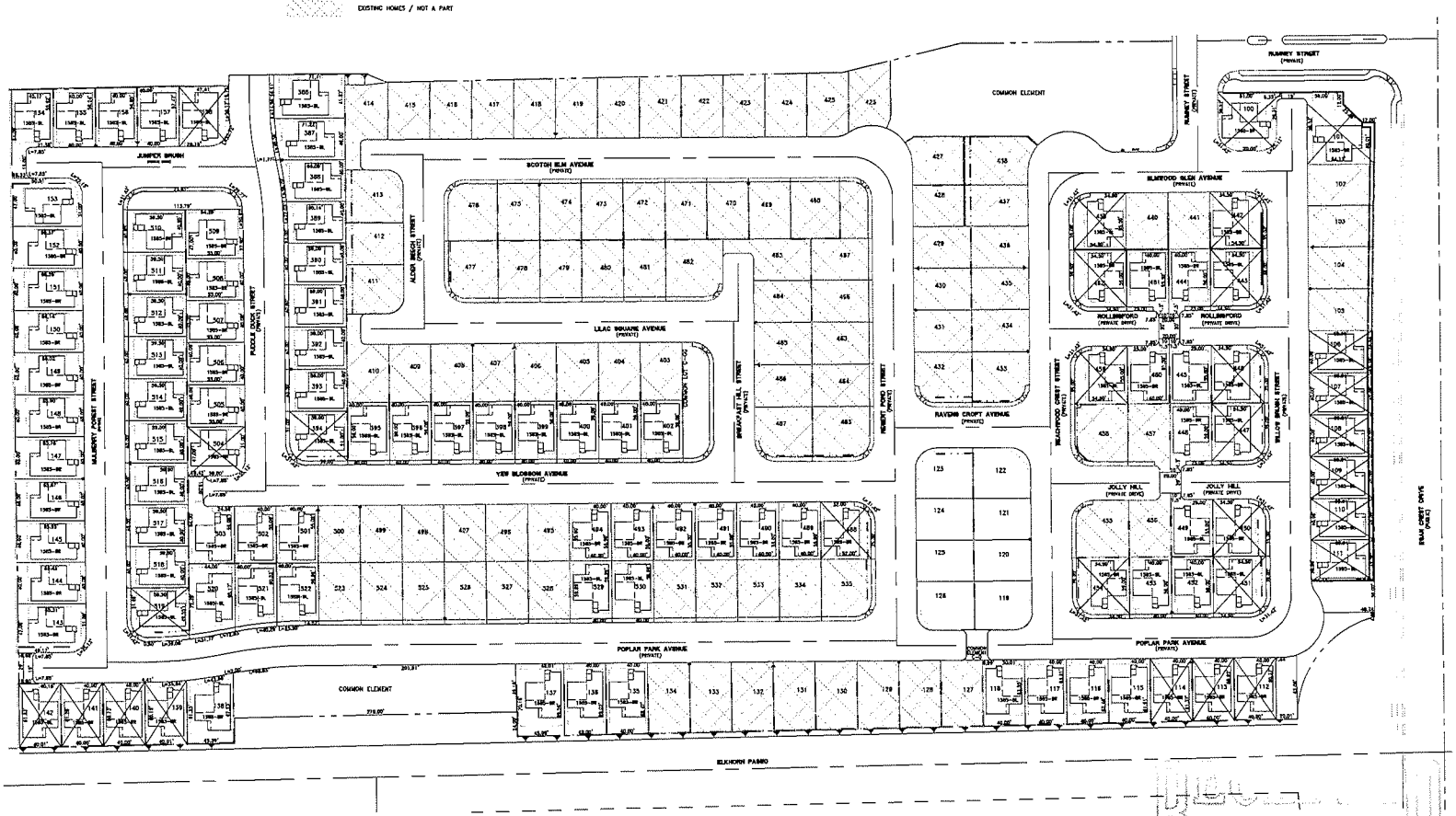
PLAN 1585 – ELEVATIONS A, B AND C

LOT #	1585	LOT #	1585	LOT #	1585	LOT #	1585
100	X	146	●	398	●	492	●
101	X	147	●	400	●	493	●
106	X	148	●	401	●	494	●
107	X	149	●	402	●	501	●
108	X	150	●	439	X	502	●
109	X	151	●	442	X	503	●
110	X	152	●	443	X	504	X
111	X	153	●	444	●	505	●
112	X	154	●	445	●	508	●
113	X	155	●	448	X	507	●
114	X	156	●	447	X	508	●
115	●	157	●	448	●	509	●
116	●	158	●	449	●	510	●
117	●	368	●	450	X	511	●
118	●	367	●	451	X	512	●
133	●	366	●	452	●	513	●
136	●	388	●	453	●	514	●
137	●	390	●	454	X	515	●
138	●	391	●	459	X	516	●
139	X	392	●	460	●	517	●
140	X	393	●	461	●	518	●
141	X	394	X	462	X	519	X
142	X	395	●	486	X	520	●
143	●	396	●	489	●	521	●
144	●	397	●	490	●	522	●
145	●	398	●	491	●	529	●
						530	●

● = PLAN FITS
X = PLAN DOES NOT FIT

TYPICAL LOT





ENVIRO
6750 VIA AUSTI PARKWAY, SUITE 400
LAS VEGAS, NEVADA 89119
PHONE (702) 458-7700
STATE LICENSE NO. 39337
RCI Engineering
2301 Emeth Hubbard Drive, Suite 810, Las Vegas, NV 89169
PHONE 702.650.6000 FAX 702.650.6001

DATE: October 31, 2010
HORZ. SCALE: 1"=50'
VERT. SCALE: N/A
DRAWN BY: JPL
DESIGNED BY: JPL
CHECKED BY: JPL
APPROVED BY: JPL
PROJECT #: 2006008

BY	APPD	DATE	DESCRIPTION	REV

LOT FIT FOR
ARBOR RIDGE UNIT 3B
PLAN 1586 LOT FIT
CITY OF LAS VEGAS NEVADA

DRAWING
L-1
SHT 1 OF 1

RECEIVED
OCT 0 5 2010

VAR-39813

VAR-39813 - APPLICANT: GREYSTONE NEVADA, LLC – OWNER: MS RIALTO CLIFF'S EDGE NV, LLC
NWC ELKHORN ROAD AND EGAN CREST DRIVE

10/15/10

ARBOR RIDGE
FOCUS APPROVAL
LETTER PLAN 1585

PROVIDENCE
Master Planned Community

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

9/16/2010

Steve Jones
Lennar
6750 Via Austi Parkway
Suite 400
Las Vegas, NV 89119

Via: E-mail (steve.jones@lennar.com) and Prolog Website

RE: Providence Master Plan Community
Project Plan: Rear Yard Setback Waiver
POD: 116 – Arbor Ridge
Plan Date: Received September 13, 2010

Dear Steve:

The Providence Design Review Committee (DRC) is in receipt of your request to the reduce the rear yard setback to 3' for 75% for plan 1585 in the Arbor Ridge community

The DRC **approves** your request for the above referenced POD. Approval of this request will not have an adverse impact on the residents of the community. The private open space requirement is still being met be a combination of the side and rear yard. The model will also have an 18' driveway in a community that currently only has 5' driveways.

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
OCT 05 2010

Document in Prolog Manager 2007 R1

VAR-39813

LENNAR

August 26, 2010

City of Las Vegas
Planning and Development
731 S. Fourth Street,
Las Vegas, NV 89032

RE: Cliff's Edge Pod 115, 116 & 117 – Request for rear setback reduction

To Whom It May Concern:

Greystone Nevada LLC would like to add a new house plan into the existing Arbor Ridge community located within Providence Pod 116. The plan is a 1585 square foot two story home that conforms architecturally to the Providence Design Guidelines. This plan will incorporate an 18 foot front setback to the garage, while the existing approved plans have a front setback of 5 feet to the garage. By adding this plan, the street scene will be enhanced and the amount of on-street parking will be reduced. This will be a great benefit to the entire community.

The typical lot size in Arbor Ridge is 40' wide by 55' deep. The existing plans were designed to conform to modified residential medium setback standards including rear setbacks of 8 feet for 50% of the home and 12' for the remainder. We are requesting to modify the rear setbacks for the remaining home sites in this community (approximately 100 homesites). A site plan has been included which depicts the remaining homesites within the community. The requested setback modification would be consistent with the residential small lot setback standards which include rear setbacks of 3' for 50% and 7' for the remainder. These modified setbacks would only be incorporated when the proposed 1585 plan was constructed.

We are excited to offer a full-depth driveway in the Arbor Ridge community. The Master Developer supports this request, and we are respectfully requesting your approval to reduce the rear setback development standards for the remaining homesites in order to accommodate our proposed plan.

Please do not hesitate to contact me at 702-821-4627 if you have any questions.

Sincerely,

RECEIVED
OCT 21 2010

Steve Jones
Greystone Nevada (dba Lennar Homes)
Steve.jones@lennar.com

VAR-39813
REVISED

ARBOR RIDGE
FOCUS APPROVAL
LETTER PLAN 1585

PROVIDENCE
Master Planned Community

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

9/16/2010

Steve Jones
Lennar
6750 Via Austi Parkway
Suite 400
Las Vegas, NV 89119

Via: E-mail (steve.jones@lennar.com) and Prolog Website

RE: Providence Master Plan Community
Project Plan: Rear Yard Setback Waiver
POD: 116 – Arbor Ridge
Plan Date: Received September 13, 2010

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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
OCT 05 2010

Document in Prolog Manager 2007 R1

VAR-39813

City of Las Vegas Agenda Item No.: **24.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

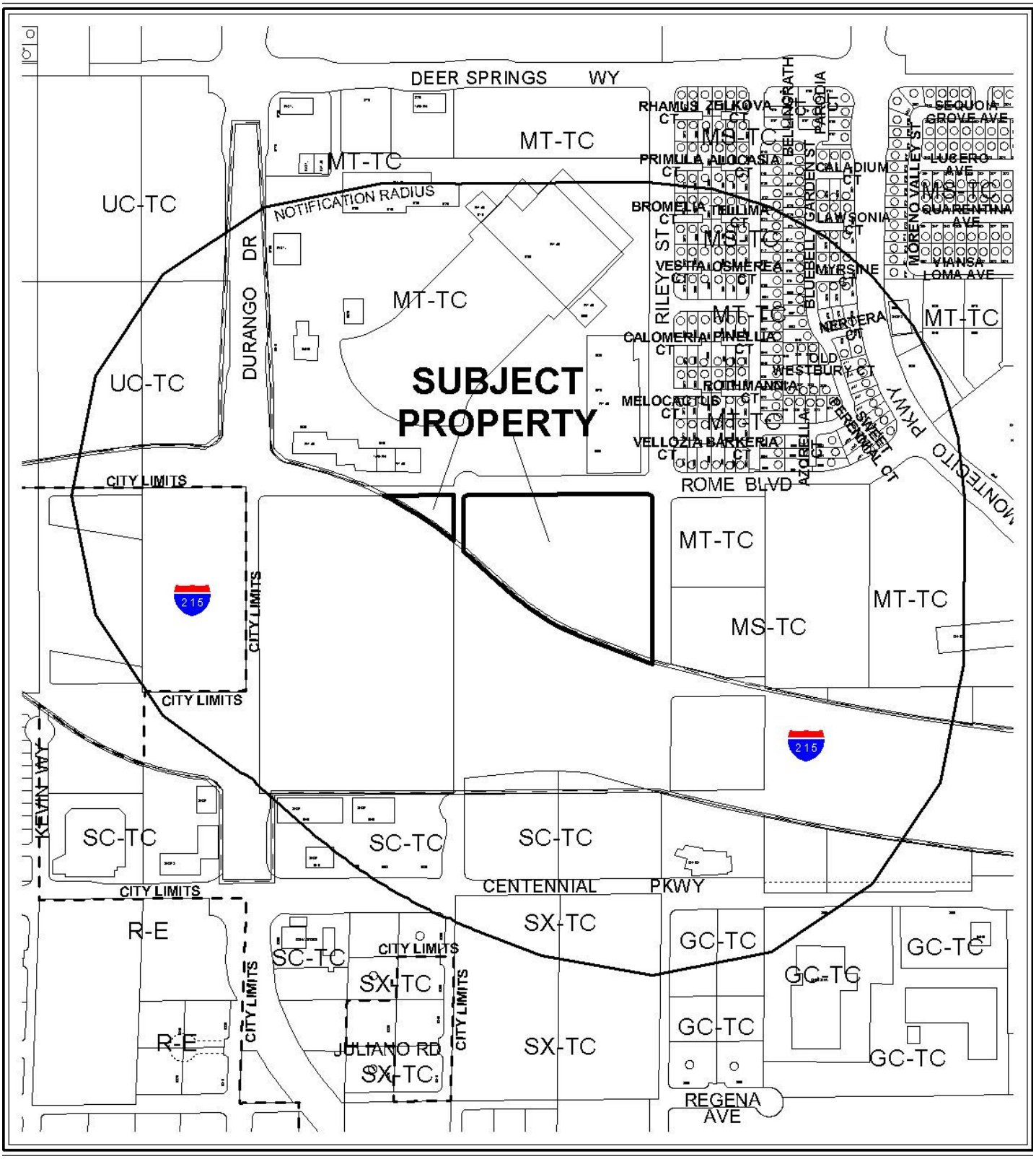
SUBJECT:
VAR-39815 - VARIANCE - PUBLIC HEARING - APPLICANT: MAHOGANY RUN - OWNER: ISAIAH 54:17, LLC - Request for a Variance TO ALLOW A ONE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED FOR A PROPOSED 6,006 SQUARE-FOOT AUTO REPAIR GARAGE (MINOR) on a portion of 5.93 acres on the south side of Rome Boulevard, approximately 640 feet west of Riley Street (APN 125-20-801-005 and 125-20-802-003), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center), UC-TC (Urban Center Mixed Use) and MS-TC (Main Street Mixed Use - Town Center) Special Land Use Designation],Ward 6 (Ross). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 12/15/10 OR MAY BE FINAL ACTION
(Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends DENIAL.

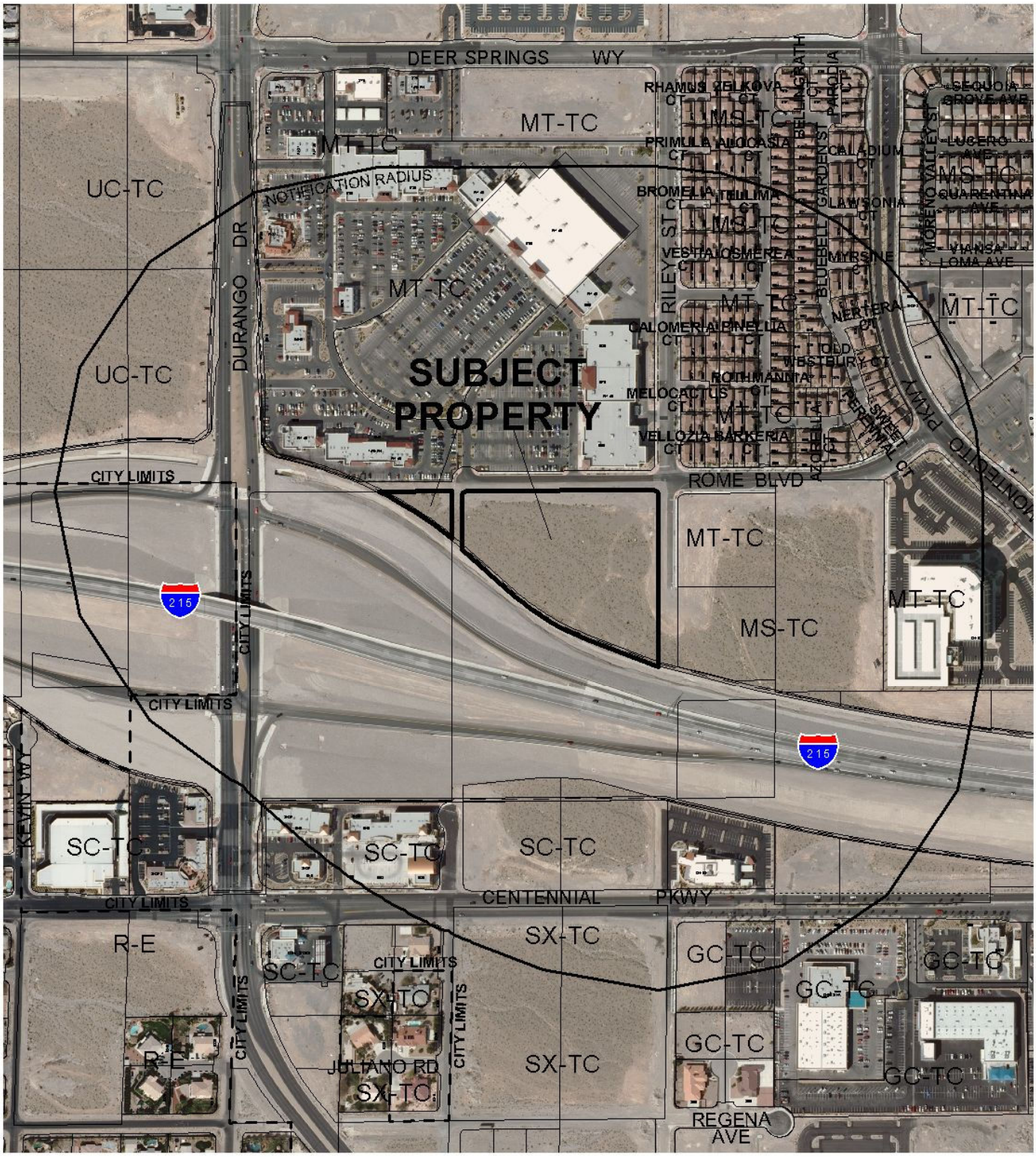
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcard



CASE: **VAR-39815**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center), UC-TC (Urban Center Mixed Use) and MS-TC (Main Street Mixed Use - Town Center) Special Land Use Designation]



0 300 600 Feet

CASE: **VAR-39815**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center), UC-TC (Urban Center Mixed Use) and MS-TC (Main Street Mixed Use - Town Center) Special Land Use Designation]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: MAHOGANY RUN - OWNER: ISAIAH 54:17, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-39815	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

VAR-39815 CONDITIONS

Planning and Development

1. Conformance to the approved conditions for Variances (VAR-36954 and VAR-37101), Special Use Permit (SUP-36950) and Site Development Plan Review (SDR-36953).

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. Recordation and execution of an agreement satisfactory to the City Attorney outlining the terms and conditions for offsite parking on APN 125-20-802-003 shall be required prior to the issuance of any building permits for development related to Site Development Plan Review (SDR-36953).

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.

Staff Report Page One
November 18, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site is currently undeveloped and abuts the north side of the Las Vegas Beltway right-of-way. Entitlements were approved for a 6,126 square-foot Auto Repair Garage (Minor) on the site, with a portion of the adjacent lot to the east to be used for access and parking. The east half of Juliano Road will be vacated to allow for the access and parking. Although the two lots are under the same ownership, they are not required to be combined through a separate mapping action. However, without such action, the proposed building would be located one foot from the east property line, encroaching nine feet into the required setback for SC-TC designated properties. A variance is therefore required. As the hardship is self-imposed, staff recommends denial of the variance request with conditions if approved. If denied, remapping of the site will be required for development of the property in conformance to the previously approved Site Development Plan Review, or a new Site Development Plan Review will be required.

ISSUES

- The unused right-of-way to the east is approved to be vacated to allow development of parking and access to the subject site. Site Development Plan Review (SDR-36953) was approved with the understanding that the vacated area would become part of the subject site. Instead, the vacated right-of-way will become part of the lot to the east, which is also owned by the applicant.
- An associated Variance (VAR-36954) to allow 25 parking spaces over the full development where 36 spaces are required was approved with the same understanding as SDR-36953. Under the current circumstances, the subject site will be deficient 11 parking spaces. A condition of approval will require recordation of an offsite parking agreement prior to the issuance of any building permits for development related to SDR-36953.
- The site plan indicates that the size of the proposed Auto Repair Garage (Minor) building has decreased two percent from the approved floor area.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/03/96	The City Council approved the Annexation (A-0002-96) of approximately 115.72 acres generally located south of Deer Springs Way between El Capitan Way and Durango Drive, including current APN 125-20-801-005. The Planning Commission and staff recommended approval. The annexation became effective 07/12/96.
02/05/03	The City Council approved the Annexation (A-0038-02) of approximately 495 acres, including current APN 125-20-802-003. The Planning Commission and staff recommended approval. The annexation became effective 02/14/03.
03/03/10	The City Council approved a Major Modification (MOD-36955) of the Centennial Hills Town Center Land Use Plan to change the Special Land Use Designation from UC-TC (Urban Center Mixed-Use – Town Center) to SC-TC (Service Commercial – Town Center) on 0.35 acres on the south side of Rome Boulevard, approximately 640 feet west of Riley Street. The Planning Commission recommended approval. Staff recommended denial.
	The City Council approved a Rezoning (ZON-36949) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) on 5.93 acres at the southwest corner of Rome Boulevard and Riley Street. The Planning Commission and staff recommended approval.
	The City Council approved Variances (VAR-36954 and VAR-37101) to allow 25 parking spaces where 36 are required and to allow a one-foot rear yard setback where 20 feet is required on 0.35 acres on the south side of Rome Boulevard, approximately 640 feet west of Riley Street. The Planning Commission recommended approval. Staff recommended denial.
	The City Council approved a Special Use Permit (SUP-36950) to allow a proposed 6,126 square-foot Auto Repair Garage (Minor) with service bay openings facing a public right-of-way on the south side of Rome Boulevard, approximately 640 feet west of Riley Street. The Planning Commission recommended approval. Staff recommended denial.
	The City Council approved a Petition to Vacate (VAC-37100) a portion of the south side of Rome Boulevard between Juliano Road and Clark County 215 and a portion of the east side of Juliano Road between Rome Boulevard and Clark County 215. The Planning Commission and staff recommended approval. The Vacation has not yet recorded.

03/03/10	The City Council approved a Site Development Plan Review (SDR-36953) for a proposed 6,126 square-foot Auto Repair Garage (Minor) with Waivers of the Town Center Development Standards to allow zero percent build-to-line where 80 percent is required, to allow the parking area to encroach seven feet into the front landscape planter where a maximum of five feet is allowed, a Waiver of Town Center Parking Lot Landscaping Standards and Waivers of Title 19 Landscape Buffer Standards to allow a zero-foot landscape buffer along portions of the side property lines where eight feet is required on a portion of 5.93 acres on the south side of Rome Boulevard, approximately 640 feet west of Riley Street. The Planning Commission recommended approval. Staff recommended denial.

Most Recent Change of Ownership	
06/10/09	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/12/10	Civil improvement plans (39167) for a 6,008 square-foot Auto Repair Garage (Minor) on the subject site were submitted for review by City staff. The plans are in the blueline review stage and have not been approved.
08/12/10	A plan check (39169) for a 6,008 square-foot Auto Repair Garage (Minor) on the subject site was initiated by City staff. The plans have been reviewed but have not been approved.
No business licenses have been issued for the subject site.	

Pre-Application Meeting	
09/30/10	A pre-application meeting was held, where submittal requirements for a setback Variance were discussed. There were no major issues discussed.

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

Field Check	
10/15/10	A field check was conducted on the subject site. The following items were noted: • The site is undeveloped and is free of trash and debris. • The north side of the cul-de-sac in Rome Boulevard is improved and contains a five-foot landscaped amenity zone and five-foot sidewalk.

Details of Application Request	
Site Area	
Net Acres	0.35

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped [approved Auto Repair Garage (Minor)]	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
North	Shopping Center	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)
South	Freeway (Clark County 215)	ROW (CC 215)	ROW (CC 215)
East	Undeveloped	UC-TC (Urban Center Mixed Use – Town Center) MS-TC (Main Street Mixed Use – Town Center)	T-C (Town Center)
West	Freeway (Clark County 215)	ROW (CC 215)	ROW (CC 215)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Town Center Master Plan	X		N
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
T-C (Town Center) District	X		Y
Trails (Town Center Tertiary)	X		N
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 the Town Center Development Standards Manual, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Setbacks			
• Front	15 Feet	92 Feet	Y
• Side	10 Feet	1 Foot	N
• Rear	20 Feet	1 Feet	Y*

*A Variance (VAR-37101) was previously approved to allow a one-foot rear yard setback on this site.

Functional Classification of Street(s)	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Rome Boulevard -- Town Center Tertiary	Town Center Development Standards Manual	60	Y

ANALYSIS

The site is located within the Town Center Master Plan area; the portion of the site containing the Auto Repair Garage (Minor) use is designated SC-TC (Service Commercial – Town Center), while the remaining portion is designated UC-TC (Urban Center Mixed Use – Town Center) and MS-TC (Main Street Mixed Use – Town Center). Rome Boulevard, currently developed on the north half, is to be built out to Town Center Tertiary Street specifications, which include a five-foot sidewalk (trail) and five-foot amenity zone with alternating flowering and shade trees around the cul-de-sac bulb adjacent to the site. These requirements were specified in a previous action (SDR-36953). Building plans for the Auto Repair Garage site have been submitted for review, but no permits have been issued.

The subject site encompasses two lots, a small triangular parcel on which the approved Auto Repair Garage (Minor) is situated, and a large parcel of which only a small portion will be developed for access and parking along the west property line. In a previous action the vacation of the city's interest in the east half of Juliano Road between the two parcels was approved. Because the vacated right-of-way will attach to the eastern parcel, the property line of the western triangular parcel will not shift as was indicated in the previous approval once the vacation records. This circumstance creates two issues: the proposed building, which would have met Town Center setback requirements, will now encroach nine feet into the required side yard setback area (a 90 percent deviation from the Town Center Development Standards); and onsite parking will be reduced by 11 spaces (a 56 percent deviation from the approved parking variance).

Although the western parcel is irregularly shaped, staff recommended denial of the Site Development Plan review for this site in part because the building proposed was too large to be placed on the site in accordance with Title 19 and Town Center standards. Without movement of the property line to the east, as was depicted in the approved plans, the western parcel becomes even more constricted. In response, the applicant has reduced the building size by two percent to 6,006 square feet. The reduction is not enough to meet the setback requirement. To address the onsite parking deficiency, the applicant has drafted an offsite parking agreement pursuant to Title 19.10.010(H). The agreement is under review but has not yet been recorded. A condition of approval will require recordation of the parking agreement prior to issuance of permits for any development related to Site Development Plan Review (SDR-36953).

Without the addition of land from the vacated portion of right-of-way, as previously depicted and approved, the proposed development will not meet Town Center setback requirements. The hardship is self-created and staff cannot recommend approval.

FINDINGS (VAR-39815)

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

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

Additionally, Title 19.18.070(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by designing a building within the side yard setback area. Remapping to move the property line east to encompass the whole of the development would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED 162

APPROVALS 0

PROTESTS 1

SS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-39815** APN: 125-20-801-005

Name of Property Owner: ISAIAH 54:17, LLC

Name of Applicant: MAHOGANY RUN

Name of Representative: MATT TURNEY

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 A Lawson

Print Name: BARBARA A. LAWSON

Subscribed and sworn before me

This 30th day of Sept., 2010

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
EVELYN WASHINGTON
No: 01-68713-1
My Appointment Expires May 4, 2013

RECEIVED
OCT 05 2010
City of Las Vegas

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SUN AUTO

Project Address (Location) DURANGO & ROME

Project Name SUN AUTO **Proposed Use**

Assessor's Parcel #(s) 125-20-801-005 **Ward #**

General Plan: existing / proposed **Zoning:** existing / proposed

Commercial Square Footage 7,000 ± **Floor Area Ratio**

Gross Acres .52 **Lots/Units** 1 **Density**

Additional Information

PROPERTY OWNER ISAIAH 54 17 LLC **Contact** BARBARA LAWSON

Address 10420 DESIGNATA AVE **Phone:** 702-878-3000 **Fax:**

City TEMPE **State** AZ **Zip** 85135

E-mail Address

APPLICANT MAHOGANY RUN **Contact** JOEL HIGGINBOTHAM

Address 830 E. ELLIOT RD **Phone:** 480-491-4210 **Fax:**

City TEMPE **State** AZ **Zip** 85284

E-mail Address

REPRESENTATIVE MATT TURNEY **Contact**

Address 1722 S. MCALLISTER **Phone:** 602 769 9757 **Fax:** 480 839-1036

City TEMPE **State** AZ **Zip** 85283

E-mail Address MATT@FAIRWAYPROPERTYADVISORS.COM

Property Owner Signature* Barbara A. Lawson

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

Print Name BARBARA A. LAWSON

Subscribed and sworn before me

This 30th day of Sept., 20 10.

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
EVELYN WASHINGTON
No: 01-68713-1
My Appointment Expires May 4, 2013

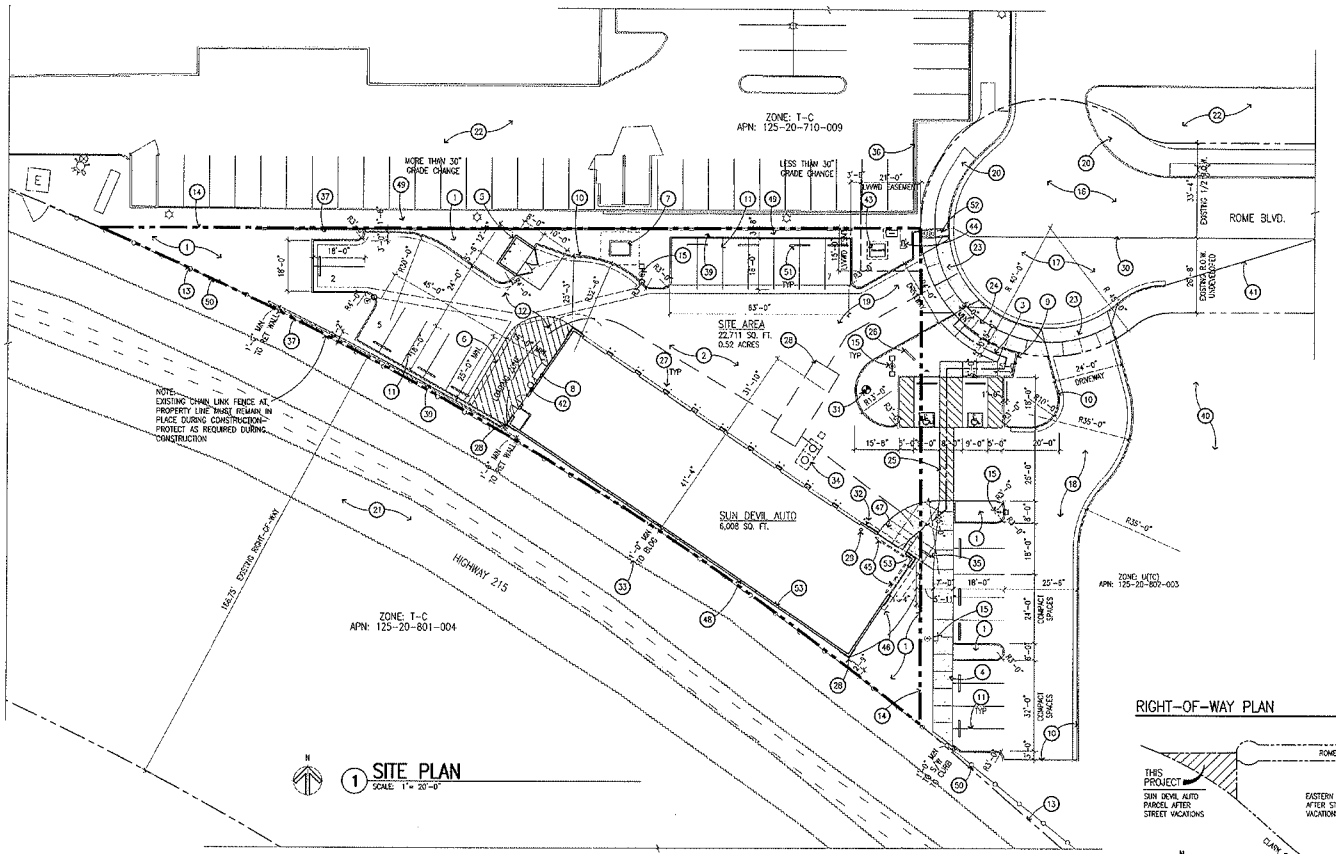
FOR DEPARTMENT USE ONLY

Case #	VAR-39815
Meeting Date:	11-18-10
Total Fee:	830.00
Date Received:*	10-4-10
Received By:	TS

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

Revised 10/27/08

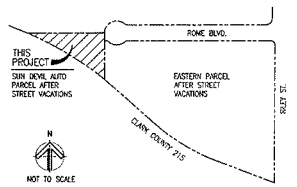
f:\depot\Application Packet\Application Form.pdf



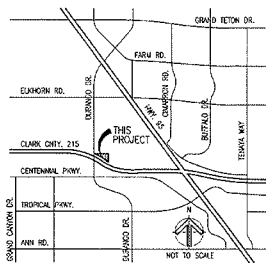
SITE KEY NOTES

1. LANDSCAPED / PLANTER AREA
2. ASPHALT PAVED PARKING & DRIVEWAY
3. 5'-0" WIDE MIN. CONCRETE SIDEWALK SLOPED UP TO ACCESSIBLE PARKING STALLS- NOT A RAMP
4. NOT USED
5. CMU TRASH ENCLOSURE WITH CONCRETE APRON- SEE SHEET SP3
6. LOADING ZONE WITH PAINTED STRIPING (MIN. 15' X 25') PER CITY OF LAS VEGAS STANDARDS
7. PROPOSED ELECTRIC UTILITY TRANSFORMER - VERIFY WITH NEVADA POWER
8. ELECTRIC SERVICE ENTRY SECTION (S.E.S.)
9. PROVIDE CURBS AS REQUIRED AT SIDEWALK
10. 6" CONCRETE CURB
11. PARKING STRIPING PER CITY OF LAS VEGAS STANDARDS
12. TRUCK TURNING RADIUS, 20' INSIDE, 40' OUTSIDE, TYPICAL
13. EXISTING PROPERTY LINE
14. PROPERTY LINE AFTER EXISTING R.O.W. ABANDONMENT
15. 20' HIGH SITE LIGHT FIXTURE AND POLE (2'-6" BASE PLUS 17'-6" POLE)
16. EXISTING 1/2 PAVED STREET TO REMAIN
17. COMPLETE EXISTING 1/2 CUL-DE-SAC PER CITY'S STANDARD DETAILS
18. NEW PAVED DRIVE WAY ON ADJACENT PROPERTY
19. NEW PAVED DRIVEWAY
20. EXISTING SIDEWALK AND AMENITY ZONE TO REMAIN
21. HIGHWAY 215 RIGHT-OF-WAY
22. EXISTING ADJACENT SITE TO REMAIN
23. DUSTPAN TYPE ENTRY DRIVEWAY AND SIDEWALK PER CITY OF LAS VEGAS STANDARDS
24. PROVIDE NEW SIDEWALK WITH AMENITY ZONE PER TOWN CENTER DEVELOPMENT STANDARDS
25. ACCESSIBLE PATH OF TRAVEL, TYPICAL
26. PROPOSED MONUMENT SIGN (UNDER SEPARATE PERMIT)
27. 6" CONCRETE FILLED STEEL BOLLARD
28. FIRE TRUCK AT FIRE ACCESS WITH 250' MAXIMUM DISTANCE (176' ACTUAL) TO FURTHEST POINT OF BUILDING
29. FIRE RISER LOCATION INSIDE BUILDING
30. NEW PAVEMENT TO MATCH EXISTING GRADE AT EXISTING 1/2 CUL-DE-SAC
31. PROPOSED PRIVATE FIRE HYDRANT
32. PROPOSED FIRE DEPARTMENT CONNECTION (F.D.C.)
33. BUILDING SET BACK- SEE APPROVED VAR-37101 VARIANCE
34. SAND AND GREASE INTERCEPTOR PER CITY OF LAS VEGAS STANDARDS
35. BIKE RACK
36. EXISTING RETAINING WALL ON ADJACENT PROPERTY TO REMAIN
37. RETAINING WALL- MUST BE 12" MIN. FROM BELTWAY PROPERTY LINE- PROVIDE RAIL WHERE GRADE DIFFERENCE IS MORE THAN 30"
38. RETAINING WALL WHERE GRADE DIFFERENCE IS LESS THAN 30" (NO RAIL REQUIRED)
39. PROVIDE FOOTING DEPTH AT RETAINING WALL FOR LANDSCAPE MATERIALS
40. EXISTING VACANT SITE TO REMAIN
41. EDGE OF ASPHALT PAVING
42. AIR COMPRESSOR
43. FIRELINE BACKFLOW PREVENTER
44. WATER METER AND BACKFLOW PREVENTER
45. PROVIDE WATER CURTAIN AT WINDOWS WITHIN 10' OF PROPERTY LINE PER IBC 704.12 "EXCEPTION"
46. TOWER OVERHANG ABOVE
47. METAL AWNING OVERHANG ABOVE (AT STOREFRONT WINDOWS)
48. NO OPENINGS ALLOWED IN BUILDING ALONG PROPERTY LINE
49. PROTECT EXISTING LANDSCAPE ON ADJACENT PROPERTY AND REPLACE ALL LANDSCAPE MATERIALS DAMAGED/REMOVED DURING CONSTRUCTION
50. EXISTING CHAIN LINK FENCE ALONG EXISTING BELTWAY PROPERTY LINE AT HIGHWAY 215 TO REMAIN. PROTECT AS REQUIRED DURING CONSTRUCTION- CHAIN LINK FENCE MUST REMAIN IN PLACE DURING CONSTRUCTION
51. CONCRETE WHEEL STOPS IN PARKING SPACE PER CITY OF LAS VEGAS STANDARDS
52. CONCRETE DRAIN WITH METAL SIDEWALK COVER
53. TWO-HOUR WALL REQUIRED FOR Y-N CONSTRUCTION AND S-1 OCCUPANCY BY TABLE 602 LESS THAN 5' FROM PROPERTY LINE- 8" THICK CONCRETE MASONRY WALL CLASSIFIED AS THREE-HOUR WALL BY TABLE 720.1(2)

RIGHT-OF-WAY PLAN



VICINITY MAP



BUILDING CODE ANALYSIS

GOVERNING CODES :

1997	UNIFORM ADMINISTRATIVE CODE (UAC) WITH SUPPLEMENTAL DOCUMENT
2006	INTERNATIONAL BUILDING CODE (IBC) WITH SOUTHERN NEVADA AMENDMENTS
2005	NATIONAL ELECTRICAL CODE (NEC) WITH SOUTHERN NEVADA AMENDMENTS AND DOCUMENT ENTITLED "A SUPPLEMENTAL DOCUMENT AMENDING THE NATIONAL ELECTRICAL CODE, 2005 EDITION"
2006	UNIFORM MECHANICAL CODE (UMC) WITH SOUTHERN NEVADA AMENDMENTS
2006	UNIFORM PLUMBING CODE (UPC) WITH SOUTHERN NEVADA AMENDMENTS
2003	UNIFORM FIRE CODE, NFPA 1 (UFC) WITH SUPPLEMENTAL DOCUMENT
2008	INTERNATIONAL ENERGY CONSERVATION CODE (IECC) WITH SOUTHERN NEVADA AMENDMENTS

OCCUPANCY (IBC 304, 311) :
B OFFICE/LOBBY/DISPLAY (ASSEMBLY, SECTION 303.1, EXCEPTION 1)
S-1 MOTOR VEHICLE REPAIR GARAGES

CONSTRUCTION TYPE (IBC CHAP. 6) :
V-B (SPRINKLERED)

FIRE SPRINKLERS (IBC 903, 903.3)
YES, NFPA 13 (NOTE AFES IS A DEFERRED SUBMITTAL)

FIRE ALARM (IBC 907) :
YES

BUILDING HEIGHT (IBC 503, 504 & TABLE 503) :
ALLOWED: 60'-0" (2 STORY) MAX.
ACTUAL: 30'-0" (TO TOP OF TOWER (1 STORY))

ALLOWABLE AREA (IBC 503 - 507 & TABLE 503) :
Aa =[At +[At x If]+[Ar x Ir]]
39,282 S.F. =[9,000+[9,000 x .3657]+[9,000 x 3]]
If =[(Fr/P-0.25)W/30
.3657 =[(224/360-0.25)30/30
39,282 S.F. ALLOWED
6,008 S.F. ACTUAL

OCCUPANT LOAD (IBC 1604 & TABLE 1004.1.1) :

SERVICE BAYS	5,114 SF/ 300	= 17
PUBLIC/ DISPLAY	343 SF/ 100	= 4
SERVICE/OFFICE	305 SF/ 100	= 3
RESTROOM	168 SF/ N/A	N/A
CORRIDOR	80 SF/ N/A	N/A
TOTAL OCC. LOAD	6,008 SF	= 24

EXITS (IBC TABLE 1015 & TABLES 1015.1, 1015.1, 1019.2) :
REQUIRED: 2
PROVIDED: 2

FIRE RESISTANCE OF EXTERIOR WALLS (IBC 704, 711.4 AND TABLE 601 & 602) :
REAR EXTERIOR WALL OF THE BUILDING IS REQUIRED TO HAVE A MINIMUM 2 HOUR FIRE SEPARATION BASED ON TATLE 602, OCCUPANCY S-1 WHERE THE FIRE SEPARATION DISTANCE IS LESS THAN 5 FEET.
8" CMU WALL PROVIDED = 3 HOURS PER IBC TABLE 711.11

FIRE RESISTANCE FOR BUILDING ELEMENTS (IBC 508, CHAP. 7, 1020, 1022, 2006.4 AND TABLES 601 & 1017.1):
ALLOWABLE: ZERO HOURS (TABLE 601)
ACTUAL: ZERO HOURS

MIXED USE OCCUPANCY (IBC 508 AND TABLE 508.3.3) :
"B" AND "S-1" DO NOT REQUIRE FIRE RESISTANCE SEPARATION.

ROOF COVERING MATERIAL (IBC TABLE 1505.1) :
ALLOWABLE: CLASS 'C'
ACTUAL: CLASS 'B'

REQUIRED & PROVIDED PLUMBING FIXTURES (IBC 2902 AND TABLE 2902.1) :
"B" OCCUPANCY = 7 OCCUPANTS
1 WATER CLOSET REQ'D AND 1 WATER CLOSET PROV'D
1 LAVATORY REQ'D AND 1 LAVATORY PROV'D
1 SERVICE SINK REQ'D AND 1 SERVICE SINK PROV'D

"S-1" OCCUPANCY = 17 OCCUPANTS
1 WATER CLOSET REQ'D AND 1 WATER CLOSET PROV'D
1 LAVATORY REQ'D AND 1 LAVATORY PROV'D
1 SERVICE SINK REQ'D AND 1 SERVICE SINK PROV'D
1 EMERGENCY SHOWER & EYEWASH REQ'D AND PROV'D

PROJECT DATA

ADDRESS	TO BE DETERMINED
LOCATION	NORTHEAST OF THE INTERSECTION BETWEEN N. DURANGO DR. & CLARK COUNTY HIGHWAY 215 LAS VEGAS, NV 89149
DESCRIPTION	AUTO REPAIR GARAGE (MINOR) 10 BAYS
JURISDICTION	CITY OF LAS VEGAS, NEVADA
APN	125-20-801-005
LAND USE DES.	SC-IC (PER APPROVED MOD-36955 MAJOR MODIFICATION AND APPROVED ZON-36949 RE-ZONING)
ZONING	I-C (PER APPROVED MOD-36955 MAJOR MODIFICATION AND APPROVED ZON-36040)
NET SITE AREA	22,711 SQ. FT. (0.52 ACRES)
GROSS BLDG AREA	6,008 SQ. FT.
BUILDING COVERAGE	6,008/ 22,711 = 26.4%
LANDSCAPE AREA	4,757 SQ. FT.
LANDSCAPE COVERAGE	4,757/ 22,711= 20.9%
PARKING CALCULATION (TITLE 19.04, TABLE 2)	
PARKING SPACES REQUIRED : (6,008 S.F. / 200) + 5	=36
PARKING SPACES PROVIDED (TITLE 19.10, TABLE 4) : 16 (STANDARD), 7 (COMPACT, 30%)	=23
ACCESSIBLE SPACES PROVIDED (TITLE 19.10, TABLE 7)	=2
TOTAL PARKING PROVIDED (SEE APPROVED PARKING VARIANCE VAR-36954 VARIANCE)	=25
LOADING SPACES (TITLE 19.10, TABLE 8) :	
REQUIRED: 1	
PROVIDED: 1	

PROJECT DIRECTORY

OWNER / DEVELOPER	SUN DEVIL AUTO 1830 E. ELLIOTT RD., SUITE 104 TEMPE, ARIZONA 85284 (480) 491-6651 PHONE (480) 491-4054 FAX CONTACT: JOEL HIGGINBOTHAM
ARCHITECT	JEFF LOOKER, ARCHITECT 2070 EAST SOUTHERN AVENUE TEMPE, ARIZONA 85282 (480) 730-1776 PHONE (480) 968-0571 FAX CONTACT: JEFF LOOKER

PREVIOUSLY APPROVED WAIVERS/VARIANCES

APPROVED BY PLANNING COMMISSION JANUARY 28, 2010
APPROVED BY CITY COUNCIL MARCH 03, 2010

MAJOR MODIFICATION LAND USE PLAN	MOD-36955 MAJOR MODIFICATION
ZONING RE-ZONING	ZON-36949 RE-ZONING
SITE DEVELOPMENT REVIEW PLAN REVIEW	SDR-36953 SITE DEVELOPMENT PLAN REVIEW
VARIANCES BUILDING SETBACK PARKING	VAR-37101 VARIANCE VAR-36954 VARIANCE
USE PERMIT REPAIR GARAGE	SUP-36950 SPECIAL USE PERMIT REPAIR GARAGE (MINOR) WITH SERVICE BAY OPENINGS FACING A PUBLIC RIGHT-OF -WAY

REQUESTED VARIANCES

VARIANCES BUILDING SETBACK	VARIANCE TO ALLOW BUILDING ENCROACHMENT WITHIN SIDE PROPERTY SETBACK AT EAST PROPERTY LINE

Jeff Looker Architect
2070 E. SOUTHERN AVE.
TEMPE, ARIZONA 85282
PHONE: 480-730-1776
FAX: 480-968-0571

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JEFF LOOKER ARCHITECT

SUN DEVIL AUTO
N. Durango Dr. & Clark County Hwy. 215
LAS VEGAS, NEVADA 89149

VARIANCE SITE PLAN

REVISIONS

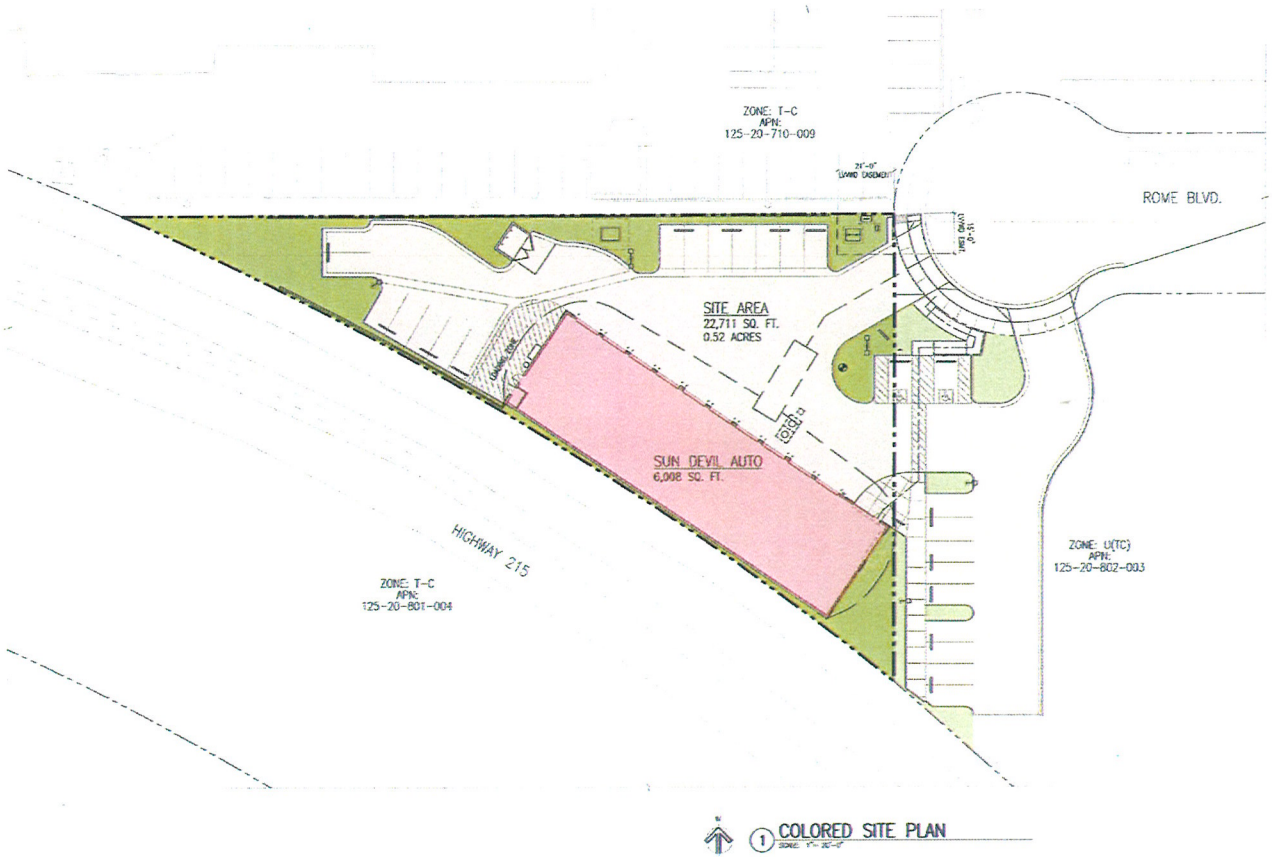
JEFF A. LOOKER REGISTERED No. 2947 ARCHITECT STATE OF NEVADA

ISSUE DATE
OCTOBER 01, 2010
JOB NO.: LC 007

SP-1

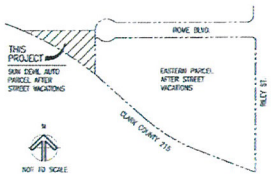
VAR-39815
REVISED

RECEIVED
OCT 28 2010



1 COLORED SITE PLAN

RIGHT-OF-WAY PLAN



VICINITY MAP

Jeff Looker Architect
2075 E. SOUTHERN AVE.
TEMPE, ARIZONA 85282
PHONE: 480-730-1776
FAX: 480-988-6573

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JEFF LOOKER ARCHITECT

SUN DEVIL AUTO

N. Durango Dr. & Clark County Hwy. 215
LAS VEGAS, NEVADA 89149

VARIANCE
COLOR SITE PLAN

REVISIONS

JEFF LOOKER
No. 2947
REGISTERED
ARCHITECT
STATE OF NEVADA
10/10

ISSUE DATE
CONTRACT NO. 8910
JOB NO. LC087

SP-1C

VAR-39815
REVISED

RECEIVED
OCT 28 2010

VAR-39815 - APPLICANT: MAHOGANY RUN – OWNER: ISAIAH 54:17, LLC
SOUTH OF ROME BOULEVARD, WEST OF RILEY STREET

10/15/10

VAR-39815 - APPLICANT: MAHOGANY RUN – OWNER: ISAIAH 54:17, LLC
SOUTH OF ROME BOULEVARD, WEST OF RILEY STREET

10/15/10

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10/15/10

VAR-39815 - APPLICANT: MAHOGANY RUN – OWNER: ISAIAH 54:17, LLC
SOUTH OF ROME BOULEVARD, WEST OF RILEY STREET

10/15/10

JEFF LOOKER, ARCHITECT

2070 E. Southern Avenue • Tempe • AZ 85282 • Voice (480) 730-1776 • FAX (480) 968-6571

VARIANCE JUSTIFICATION LETTER

October 4, 2010

Attn: Doug Rankin
Planning Manager
City of Las Vegas
731 S. First Street
Las Vegas, NV 89101

RE: Sun Devil Auto, Petition for Variance, APN 125-20-801-005

Doug,
We are petitioning for a variance to allow building encrouchment in the required 10' side yard setback along our east property line at the vacated Juliano Rd.

The site plan is the same as approved on March 3, 2010 by the City Council and indicates the intended property boundary after the vacation of the Juliano Rd. ROW while including various regulatory and utility requirements. The City of Las Vegas development department was working under the assumption the boundary line would be moved east thirty feet (30') to include the vacated Juliano Rd. ROW thus not requiring a variance for the side yard setback. The vacated Juliano Rd. ROW will become part of the parcel to the east and therefore requires our project to request the side yard setback variance.

Our project is on an odd shaped parcel and the site plan is designed to accommodate the parking, ingress/egress, Las Vegas Valley Water District, site drainage, and Fire Dept. access requirements. The position of the building has not been modified from the previously approved site plan SDR-36953.

The Project has previously been approved for the following Waivers/Variances: Major Modification MOD-36955, Re-Zone ZON-36949, Site Development Review SDR-36953, Building Setback Variance VAR-37101, Parking Variance VAR-36954, and a Special Use Permit for a Repair Garage SUP-36950.

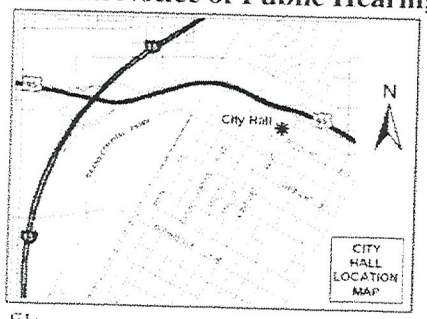
Jeff Looker, Architect

RECEIVED
OCT 05 2010
City of Las Vegas
VAR-39815

11/08/10 09:21AM LEGAL AID CENTER 702-388-1642 p.01

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

Return Service Requested
Official Notice of Public Hearing



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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-39815

Planning Commission Meeting of 11/18/2010

RECEIVED
NOV - 8 2010

12520712045 Case: VAR-39815
MARROQUIN MARTHA L
6608 AZORELLA CT
LAS VEGAS NV 89149-0214

City of Las Vegas Agenda Item No.: **25.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

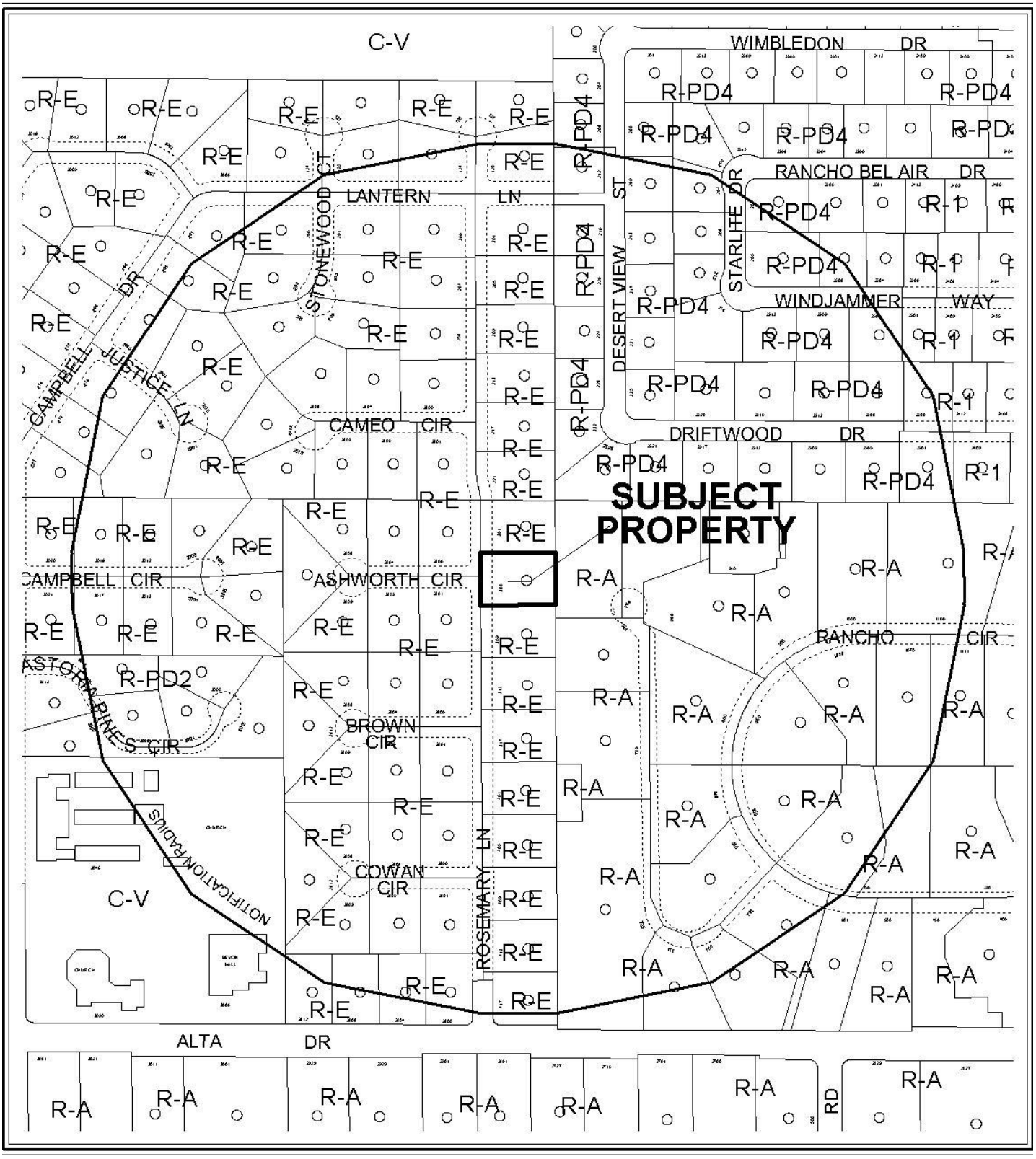
SUBJECT:
VAR-39816 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CHARLES HOPPER - Request for a Variance TO ALLOW A ONE-FOOT, SIX-INCH SIDE YARD SETBACK WHERE 15 FEET ARE REQUIRED FOR A PROPOSED TWO-CAR CARPORT on 0.54 acres at 305 Rosemary Lane (APN 139-32-214-034), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 12/15/10 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. Justification Letter



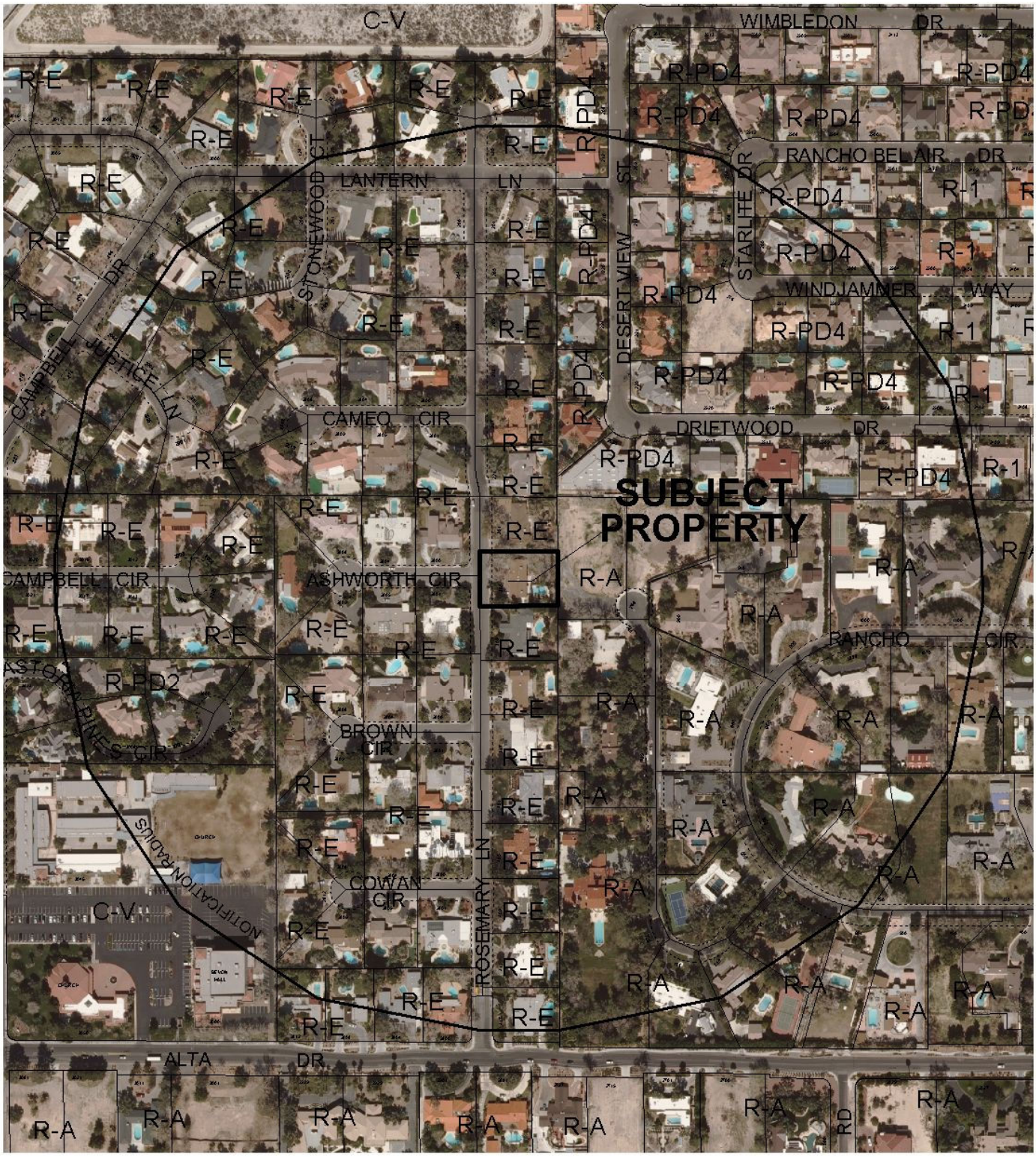
CASE: **VAR-39816**

RADIUS: 1000 FT

0 300 600 Feet

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

N



CASE: **VAR-39816**

RADIUS: 1000 FT

0 300 600 Feet

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CHARLES HOPPER

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-39816	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

VAR-39816 CONDITIONS

Planning and Development

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

2. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department. The carport structure shall be fire resistance rated to comply with all requirements of the Building and Safety Department.

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

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

Staff Report Page One
November 18, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Variance to allow a one-foot, six inch side yard setback for a proposed 19-foot by 32-foot two-car carport at 305 Rosemary Lane. A ranch style single family dwelling currently exists on site and the carport is proposed to be attached to the south side of the dwelling. Staff recommends denial, as no characteristic of the property prevents the carport from being designed to meet Title 19 standards. If this request is denied, the carport will not be permitted to be built within the required setback.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/19/02	The City Council approved a request a General Plan Amendment (GPA-0047-01) to amend portions of the Southeast Sector map of the General Plan in the general vicinity of the Charleston Boulevard/Rancho Drive intersection from SC (Service Commercial) to O (Office); from R (Rural Density Residential) to DR (Desert Rural Density Residential); from O (Office) to DR (Desert Rural Density Residential) and from L (Low Density Residential) to DR (Desert Rural Density Residential) in accordance with the recommendations of the Rancho Charleston Land Use Study and Strategic Plan. The Planning Commission recommended denial and staff recommended approval.

Most Recent Change of Ownership	
06/15/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
05/10/63	A building permit (#17908) was issued for a Single Family Residence at 305 Rosemary Lane. The project was completed on 11/07/63.
10/15/63	A building permit (#21962) was issued for a Swimming Pool at 305 Rosemary Lane. The project was completed on 12/30/63.
05/07/74	A building permit (#16534) was issued for a Garage Conversion for living space at 305 Rosemary Lane. The project was completed on 11/21/74.
04/27/79	A building permit (#3495) was issued for a Brick Veneer at 305 Rosemary Lane. The project was completed on 06/01/79.

Pre-Application Meeting	
09/21/10	A pre-application meeting was held with the applicant, where elements of submitting a Variance for the side yard setback for a proposed carport were discussed. The topics included: • The materials to be used for the carport must be fire rated with a setback less than five feet from property line. • If enclosure of the proposed carport is planned in the future, another Variance is required due to requirements of the dwelling side yard setback. • The setback requirement for the proposed carport is the same as the patio cover standards of Title 19.08, which is 15 feet from the rear and side property lines in the R-E (Residence Estates) zoning districts.

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

Field Check	
10/15/10	A site visit by staff noted a well maintained Single Family Dwelling.

Details of Application Request	
Site Area	
Net Acres	0.54

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	Single Family Residence	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Undeveloped	DR (Desert Rural Density Residential)	R-A (Ranch Acres)
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			
A-O (Airport Overlay) District (140 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District	X		Y
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Carport			
Min. Setbacks			
• Front	50 Feet	50 Feet	Y
• Side	15 Feet	1.5 Feet	N
• Rear	15 Feet	74 Feet	Y

Functional Classification of Street(s)	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Private Street - Rosemary Lane	N/A	50	N/A

ANALYSIS

The subject property is located within the Airport Overlay District with a 140-foot height restriction and the height of the proposed carport is measured to the mid-point of a gabled roof at 11 feet, with the roof line even with the existing dwelling; therefore, the proposed height will not exceed the allowed height. The property is located within the RPOD (Rural Preservation Overlay District). The intent of the RPOD is to ensure that the rural character of each rural preservation neighborhood is preserved.

The proposed 19-foot by 32-foot two-car carport will be attached on the south side of the existing single family dwelling. The carport is classified as a Patio Cover per Title 19.08, and may encroach within 15 feet from the rear and side property lines in the R-E (Residence Estates) zoning district. The setback shall be measured from the supporting post; however, the overhang of the patio cover may not extend closer than three feet from a property line. The proposed

carport supporting post is within three and a half feet from the property line and the overhang is one and a half feet from the property line. The proposed carport is therefore not in compliance with the requirements of Title 19.08. The submitted elevation did not specify whether the carport structure has the fire resistance rating as required by the Building and Safety Department for a structure that is less than five feet from the property line. Therefore, a condition of approval has been added that the carport structure shall be fire resistance rated to comply with all requirements of the Building and Safety Department. If this request is approved, building permits for the proposed carport must be obtained from the Building and Safety Department.

As there is no hardship associated with the physical characteristics of the site, failure to meet code requirements with regard to the proposed carport is self-imposed and staff cannot recommend approval.

FINDINGS (VAR-39816)

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

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

Additionally, Title 19.18.070(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a carport that has an eave that is within one-foot, six inches from the property line**.** The site plan indicates a new Porte Cochere to be located within the front yard attached onto the existing dwelling, and this is a viable alternative that would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 153

APPROVALS 0

PROTESTS 0

RG

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-39816** APN: 139-32-214-034

Name of Property Owner: Charles "Dee" Hopper

Name of Applicant: Charles Hopper

Name of Representative: Trevor Hayes

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: Charles Hopper

Subscribed and sworn before me

This 5 day of Oct., 2010

Daisy Rodriguez

Notary Public in and for said County and State

DAISY RODRIGUEZ
Notary Public State of Nevada
No. 04-88738-1
My appt. exp. Mar. 13, 2012

RECEIVED
OCT 05 2010

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Variance for sideyard setback

Project Address (Location) 305 Rosemary Lane

Project Name 305 Rosemary Lane Carport **Proposed Use** Residential

Assessor's Parcel #(s) 139-32-214-034 **Ward #** 1

General Plan: existing DR proposed ____ **Zoning:** existing RE proposed RE

Commercial Square Footage 0 **Floor Area Ratio** ____

Gross Acres 0.54 **Lots/Units** 1 **Density** ____

Additional Information ____

PROPERTY OWNER Charles Hopper **Contact** Same

Address 231 South 3rd Street, Suite 130 **Phone:** (702) 384-3399 **Fax:** ____

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

E-mail Address vivalastexas@yahoo.com

APPLICANT Same **Contact** ____

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

City ____ **State** ____ **Zip** ____

E-mail Address ____

REPRESENTATIVE Trevor Hayes **Contact** ____

Address 6060 Elton Ave. Suite A **Phone:** (702) 366-1125 **Fax:** ____

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

E-mail Address thayes@cooperlevenson.com

Property Owner Signature* D H

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

Print Name Charles Hopper

Subscribed and sworn before me

This 5 day of Oct., 2010.

Daisy Rodriguez

Notary Public in and for said County and State

DAISY RODRIGUEZ
Notary Public State of Nevada
No. 04-88738-1
My appt. exp. Mar. 13, 2012

FOR DEPARTMENT USE ONLY

Case #	VAR-39816
Meeting Date:	11/18/10
Total Fee:	$880
Date Received:*	10/5/10
Received By:	BS

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

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

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Revised 10/27/08

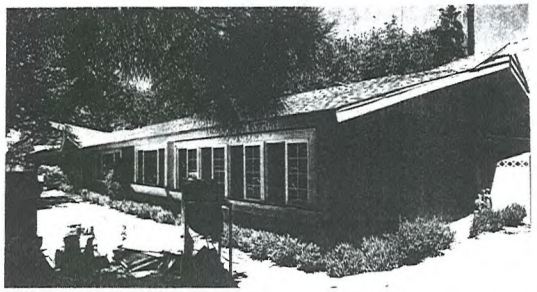
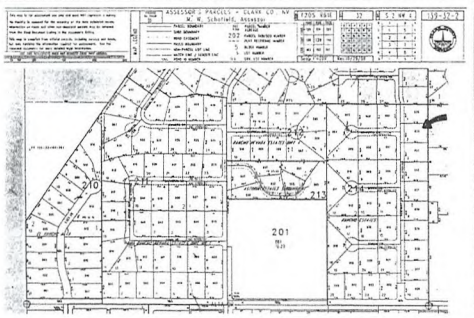
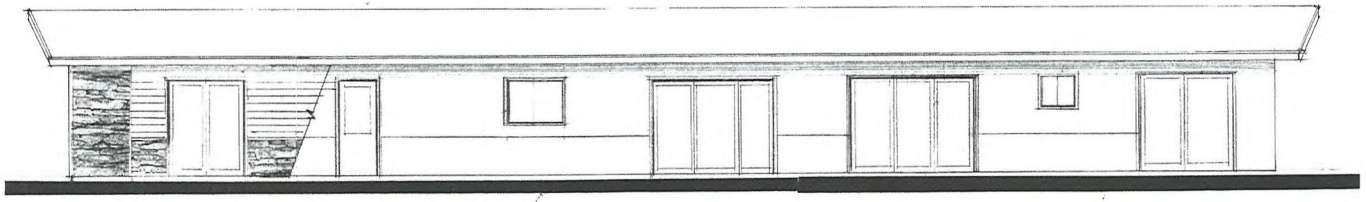


PHOTO OF EXISTING FRONT ELEVATION

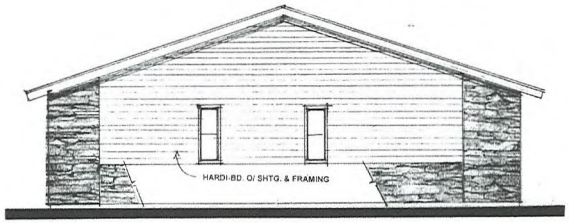
VICINITY MAP



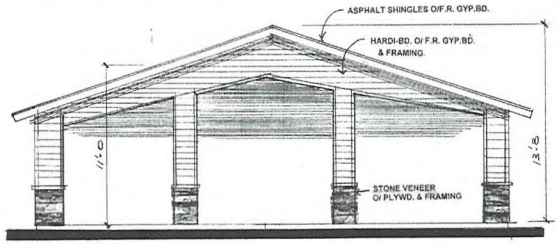
ASSESSOR'S MAP APN = 139-32-214-034



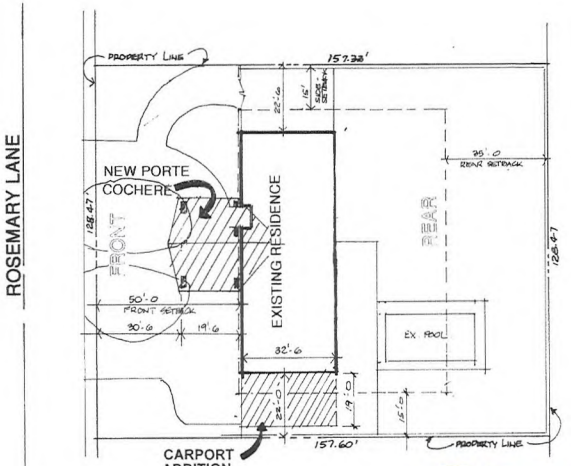
REAR ELEVATION
SCALE:1/4"=1'-0



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



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



SITE PLAN
SCALE= 1" =20'-0
SEE ENLARGED SITE PLAN SHEET T.1a

CITY OF LAS VEGAS

CODE YEAR 2006 IBC/IRC 15 AMEND
Constr. = 1979
Occupancy Type R-3
Zoning Category ..... RE
Building height ..... SINGLE STORY
No.Fireplaces ..... 2 ..... EX
New Construction .....
Addition .....
1st Floor sq ft ..... 2780 EX'G
2nd floor sq ft ..... —
Garage ..... —
Patio sq ft ..... —
Deck/Balcony ..... —
Covered Entry sq ft 84.5F
Total Building sqft. N/A
Lot Coverage sq ft. N/A
(Under roof)

DRAWING INDEX

Sheet	Description
T.1	COVER SHEET, SITE PLAN, CODE ANALYSIS
T.1a	ENLARGED SITE PLAN
T.2	FLOOR PLAN & NOTES.
T.2a	PORTE COCHERE PLAN, ELEVATION, CROSS-SECTIONS.
T.3	PORTE COCHERE STRUCTURAL PLANS & NOTES.
T.4	DETAILS
M.1	MECHANICAL PLAN BY OTHERS
P.1	PLUMBING PLAN AND NOTES BY OTHER
E.1	ELECTRICAL PLAN & NOTES.
S.1	STRUCTURAL PLAN BY OTHERS at INTERIOR BEDROOM SUITE.

INTERIOR REMODEL AND CARPORT ADDITION for
MR CHARLES HOPPER
305 ROSEARY LANE, LAS VEGAS, NEVADA 89107-3200

TIM BLISH
ARCHITECTURAL SERVICES
2375 EAST TROPICANA #41
LAS VEGAS, NEVADA 89119
739-9987
FAX 739-9522

9-1-10

T.1

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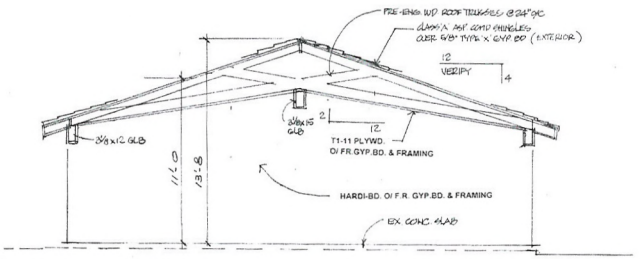
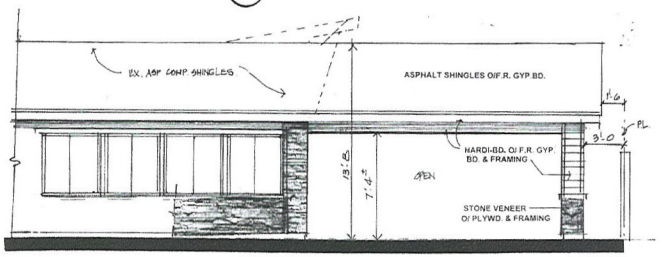
VAR-39816

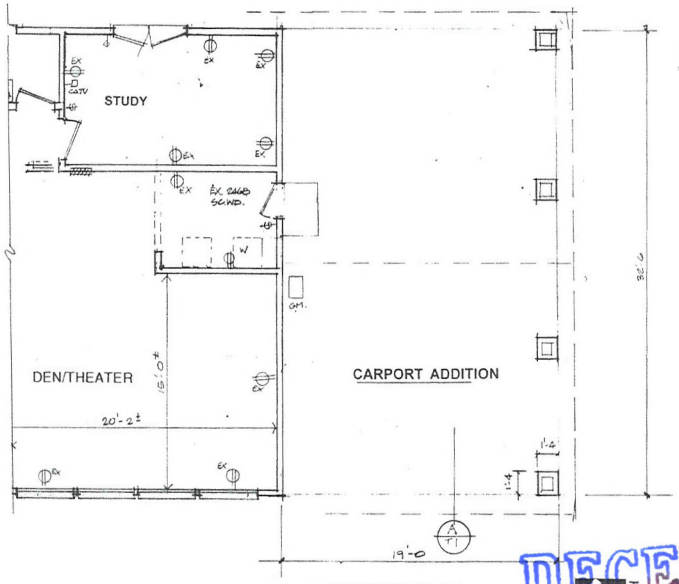


SECTION A



WEST SIDE ELEVATION

SCALE:1/4"=1'-0



CARPORT PLAN

SCALE:1/4"=1'-0

PLAN NOTES

INTERIOR REMODEL AND CARPORT
ADDITION for
MR CHARLES HOPPER
305 ROSEARY LANE, LAS VEGAS,NEVADA

TIM BLISH
Registered Architect
739-9987 2375 EAST TROPICANA #4
FAX:739-9922 LAS VEGAS,NEVADA 89119

T.2

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VAR-39816

VAR-39816 - APPLICANT/OWNER: CHARLES HOPPER
305 ROSEMARY LANE

10/15/10

VAR-39816 - APPLICANT/OWNER: CHARLES HOPPER
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10/15/10

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305 ROSEMARY LANE

10/15/10

VAR-39816 - APPLICANT/OWNER: CHARLES HOPPER
305 ROSEMARY LANE

10/15/10

COOPER LEVENSON
ATTORNEYS AT LAW

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Las Vegas, NV 89107-0126
Phone 702-366-1125
Fax 702-366-1857
www.cooperlevenson.com

Direct Phone (702) 366-1125
Direct Fax (702) 366-1857

TREVOR HAYES
EMAIL: thayes@cooperlevenson.com

FILE NO.: 56080.1

October 5, 2010

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

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OCT 19 2010

Re: Variance application for 305 Rosemary Lane

Dear Planning Department:

My client, Charles "Dee" Hopper, is applying for a variance at his residence to build a carport attached to his home at 305 Rosemary Lane (APN: 139-32-214-034). We are requesting a waiver for the side building setback to 1.5 feet where 15 feet is required.

Mr. Hopper would like to build a carport attached to the south side of his property that would match the existing roofline of the home and would extend to 1.5 feet of his neighbor to the south. The home is zoned R-E.

I was informed by the planning department that this carport would fall under the category of "Patio Cover" in the Las Vegas Municipal Code.

Section 19.08.040(4)(a) of the LVMC requires a patio cover to have a side yard setback of five feet in most residential areas, however in R-E it calls for a 15-foot setback.

The home is located in the Rancho Nevada Estates neighborhood, north of Alta between Rancho Drive and Valley View Boulevard. This neighborhood differs significancly from many R-E zoned areas. LVMC 19.02.040(A)(2) defines the purpose of R-E districts as "to provide for low density residential units located on large lots and conveying a rural environment."

This neighborhood is located near the center of the City of Las Vegas and does not convey a rural environment. It is a conventional neighborhood of primarily single-story ranch-style houses on lots of approximately 18,000 square feet or greater that was developed in the 1960s. The homes were built long before the R-E designation and requirements were imposed on the neighborhood.

VAR-39816
REVISED

Currently, more than 90 homes in the neighborhood have less than a 15-foot side yard setback from neighboring properties. In many instances, it is actually the home itself, rather than a garage, carport or accessory structure, which is built closer than 15 feet from its neighbor.

You will notice the plans also call for a porte cochere to be built in the front of the home. This porte cochere conforms with the Code's requirement for a 15-foot front yard setback.

Allowing a carport to be built within 1.5 feet of the home's southern neighbor would not be incompatible with neighborhood. In fact, the property to the immediate south, which would be most affected by this carport, has a carport on its southern side that is less than 15 feet from the neighboring property and is at a height well above the home's roofline.

If Mr. Hopper were to build the carport, or a garage, with a six-foot separation from his home, LVMC 19.08.040(B) would allow him to build to a height of 35 feet and with a three-foot side yard setback. However, separating the carport from the home could be less aesthetically pleasing to the neighbors and less compatible with the community.

Because the addition of a carport 1.5 feet from the southern property line and with a roofline matching the home would be consistent with the other homes in the neighborhood, we ask your support in granting these variances.

Regards,

Trevor Hayes

TH/os
CLAC; 490862.1

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OCT 19 2010

VAR-39816
REVISED

City of Las Vegas Agenda Item No.: **26.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

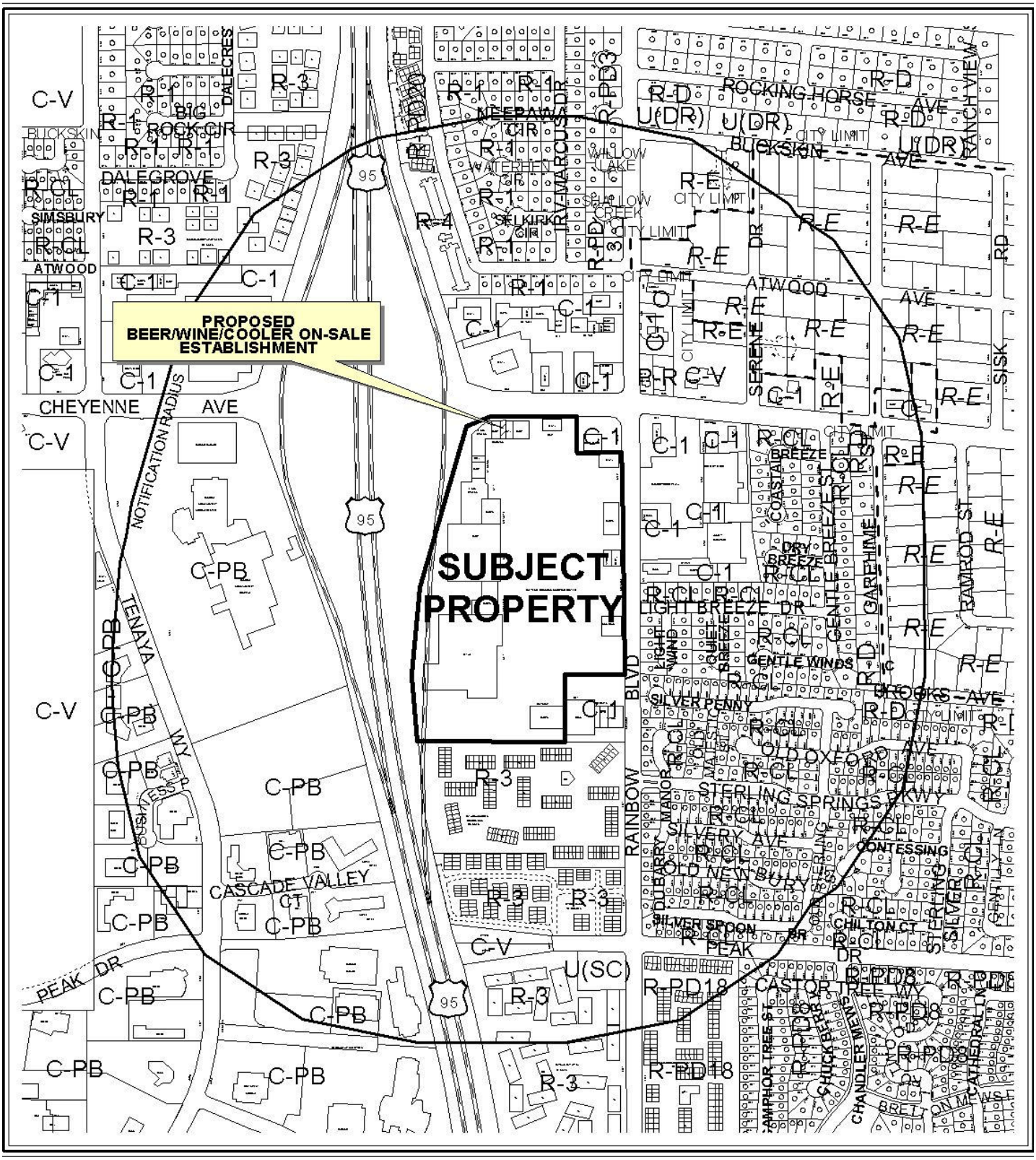
SUBJECT:
SUP-39745 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RONG JIE NIA - OWNER: PK I CHEYENNE COMMONS, LLC - Request for a Special Use Permit TO ADD A BEER/WINE/COOLER ON-SALE ESTABLISHMENT USE WITHIN AN EXISTING 2,400 SQUARE-FOOT RESTAURANT WITH A WAIVER TO ALLOW A 390-FOOT DISTANCE SEPARATION FROM A CHURCH OR SYNAGOGUE WHERE 400 FEET IS REQUIRED at 3175 North Rainbow Boulevard (APN 138-15-502-006), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 12/15/10 OR MAY BE FINAL ACTION
(Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



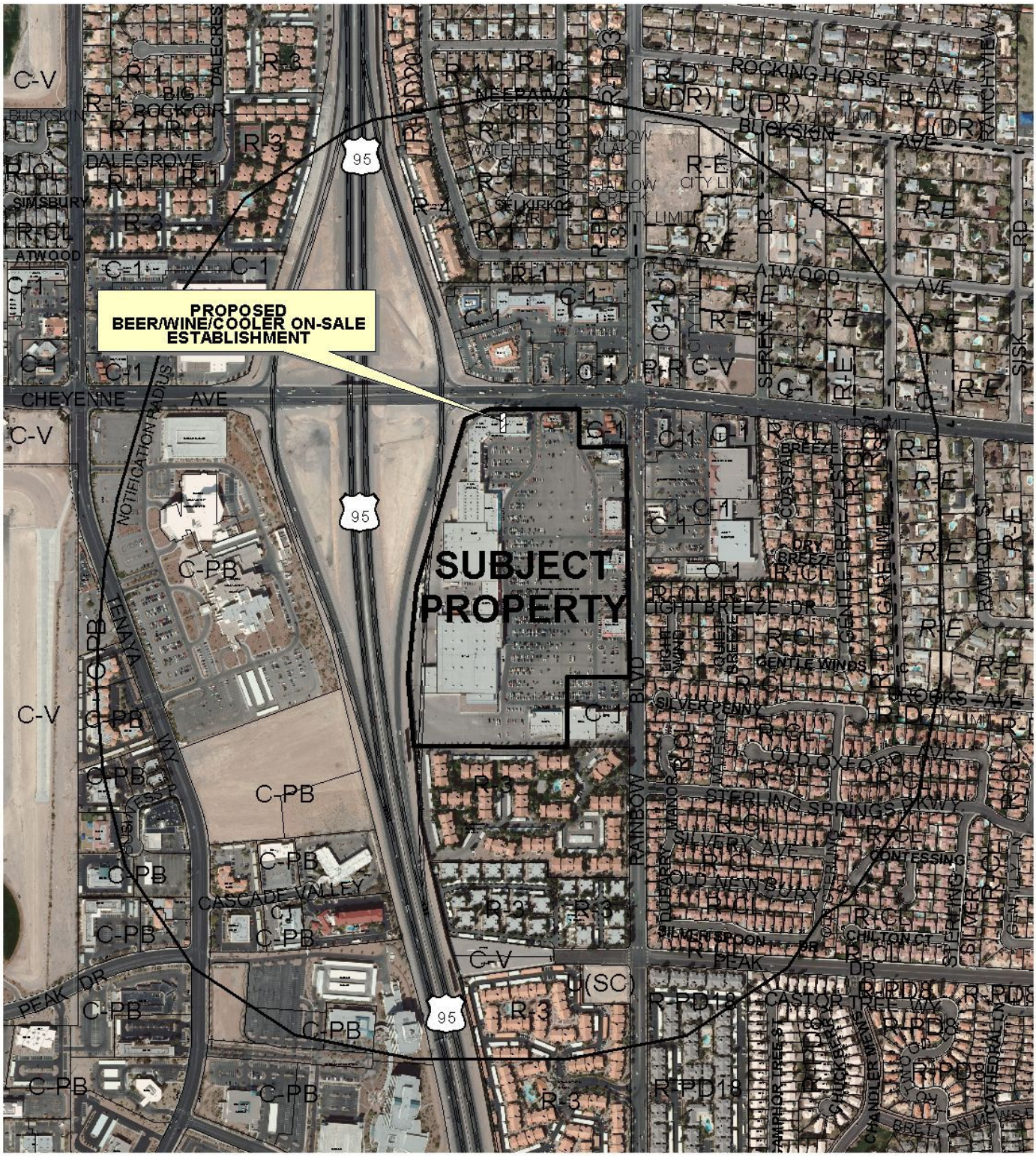
0 300 600 Feet

CASE: **SUP-39745**

RADIUS: 1500 FT

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

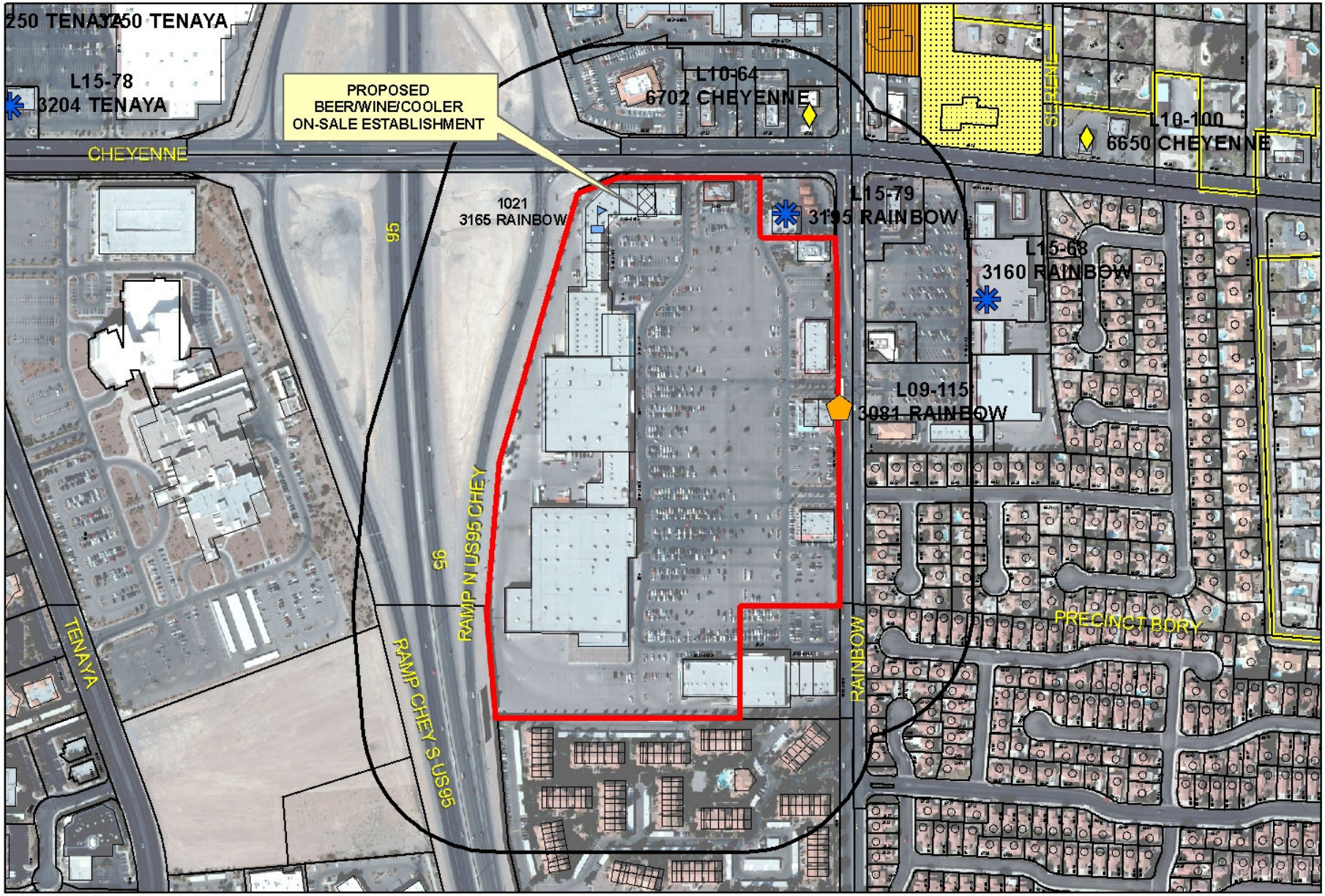
N



CASE: **SUP-39745**

RADIUS: 1500 FT

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



SUP-39745

BEER/WINE/COOLER ON-SALE

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: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: RONG JIE NIA - OWNER: PK I CHEYENNE COMMONS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-39745	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-39475 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Beer/Wine/Cooler On-Sale Establishment use.

2. Conformance to the approved conditions for Rezoning (Z-0114-89) and Site Development Plan Review [Z-0114-89(2)].

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 necessary building permits shall be obtained for all unpermitted existing signage within 30 days of final approval, or the signage shall be removed.

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.

JG

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Beer/Wine/Cooler On-Sale Establishment within an existing restaurant at 3175 North Rainbow Boulevard. The restaurant is 2,400 square feet in size with seating for 85 people. The Beer/Wine/Cooler On-Sale use will be ancillary to the existing restaurant. The proposed use will not require additional parking beyond that which is required for the principal use on the site. This project is located within a 32.53 acre shopping center, which is able to accommodate a variety of uses. Staff recommends approval of this request and the accompanying distance separation waiver, with conditions as the use can be conducted in a manner that is compatible with the surrounding uses. If this application is denied, the restaurant would not be allowed to sell alcoholic beverages.

ISSUES

- A Beer/Wine/Cooler On-Sale Establishment use is permitted in the C-1 (Limited Commercial) zoning district with an approval of a Special Use Permit.
- A Waiver to allow a 390-foot distance separation where 400 feet is required between the proposed use and a religious facility is needed for approval of a Special Use Permit for the Beer/Wine/Cooler On-Sale Establishment.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/06/89	The City Council approved a request for Rezoning (Z-0114-89) from N-U (Non-Urban) under Resolution of Intent to R-3 (Medium Density Residential) and C-1 (Limited Commercial) to C-1 (Limited Commercial) for this property as part of a larger request that approved the overall commercial center on this site. The Planning Commission and staff recommended approval.
01/10/91	The Planning Commission approved a Site Development Plan Review [Z-0114-89(2)] for a 404,586 square-foot shopping center that includes the subject property. The Planning and Development staff recommended approval.
06/04/03	The City Council approved a Special Use Permit (SUP-2081) for a proposed Restaurant Service Bar and a Waiver of the minimum distance requirement from a protected use (Religious Facility) on property located at 3059 North Rainbow Boulevard, which is within the subject commercial center.

01/04/06	The City Council approved a Special Use Permit (SUP-9992) for a Beer/Wine/Cooler On-Sale Establishment and a Waiver of the minimum distance requirement from a protected use (Religious Facility) at 3175 North Rainbow Boulevard. The Planning Commission recommended approval and staff recommended denial.

Most Recent Change of Ownership	
01/24/07	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
11/04/91	A building permit (91125342) was issued for on-site improvements at 3001 North Rainbow Boulevard. The permit was finaled on 03/24/93.
03/03/92	A building permit (92138042) was issued for shell building K at 3001 North Rainbow Boulevard. The permit was finaled on 10/09/92.
07/29/92	A building permit (92154729) was issued for Tenant Improvement for Certificate of Occupancy at 3175 North Rainbow Boulevard. The permit was finaled on 11/18/92.
11/19/92	A business license (L09-00026) for a Beer/Wine/Cooler On-Sale Establishment use was issued at 3175 North Rainbow Boulevard. The license was marked out of business on 08/21/08.
12/08/92	A business license (R09-01567) for a Restaurant with seating for 30 or more was issued at 3175 North Rainbow Boulevard. The license was marked out of business on 05/04/10.
07/22/10	A business license application (L09-97205) for a Beer/Wine/Cooler On-Sale Establishment use at 3175 North Rainbow Boulevard was submitted; the Planning and Development Department denied the application on 08/11/10. A Special Use Permit is required for a Beer/Wine/Cooler On-Sale Establishment use at 3175 North Rainbow Boulevard.
08/10/10	A business license (R09-01567) for a Restaurant with seating for 30 or more was issued at 3175 North Rainbow Boulevard. The license is currently active.

Pre-Application Meeting	
08/11/10	A pre-application meeting was held to discuss the requirements for the submittal of a Special Use Permit for a Beer/Wine/Cooler On-Sale Establishment use. No major issues were discussed.

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

Field Check	
10/15/10	During a site visit, staff noted a Shopping Center to be clean and free of debris. The existing restaurant has an unpermitted banner and menu board.

Details of Application Request	
Site Area	
Net Acres	32.53

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Apartment Complex	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	US-95 Right of Way	ROW (Right of Way)	ROW (Right of Way)

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

DEVELOPMENT STANDARDS

Functional Classification of Street(s)	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Cheyenne Avenue: Freeway/ Expressway	Master Plan of Streets and Highways	115	Y
Rainbow Boulevard: Secondary Collector	Master Plan of	80	Y

	Streets and Highways		

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	374,502 SF	1/250 SF	1,499		2,426		Y
TOTAL SPACES REQUIRED			1,499		2,426		Y
Regular and Handicap Spaces Required			1,474	25	2,379	47	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
A 400-Foot minimum distance separation from a religious facility.	To allow a 390-Foot distance separation.	Approval

ANALYSIS

A Beer/Wine/Cooler On-Sale Establishment use is defined by Title 19.20.020 as "an establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers to consumers only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which thirty or more people may be served with meals at any one time at tables or stools."

The proposed use requires a Waiver of the minimum 400-foot distance separation requirement from a religious facility (Church Lutheran Holy Spirit) in order to comply with all minimum Special Use Requirements of Title 19.04 requirements for a Beer/Wine/Cooler On-Sale Establishment. No additional parking is required for the proposed use. The proposed Beer/Wine/Cooler On-Sale Establishment use is located in the A-O (Airport Overlay) District and meets the height restriction of 140 feet. A condition has been added to address the unpermitted signage. Staff recommends approval of these requests, with conditions. The proposed use will be operated in conjunction with an existing restaurant; the requested Waiver is minimal, and can it be conducted in a manner that is compatible with the surrounding uses.

FINDINGS (SUP-39745)

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

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

   The proposed Beer/Wine/Cooler On-Sale Establishment use will be located within a 2,400 square-foot restaurant and will be ancillary to the existing restaurant. The proposed use can be conducted in a manner that is harmonious and compatible with the uses on the existing site and with the commercial uses on the adjacent properties.

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

   The subject site is located within a commercial shopping center, and is suitable for the type and intensity of land use proposed. The proposed use will not require additional parking beyond that which is required for the principal use on the site.

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

   The site is accessed by Cheyenne Avenue and Rainbow Boulevard. These streets are of sufficient size to accommodate the needs of the proposed Beer/Wine/Cooler On-Sale Establishment use.

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

   Approval of a Special Use Permit for this use at this location will not compromise the public health, safety, or welfare, as the use is subject to licensing and inspections by the City of Las Vegas.

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

   The proposed Beer/Wine/Cooler On-Sale Establishment use meets the applicable conditions per Title 19.04, with the exception of the requested Waiver; which is minimal. The Beer/Wine/Cooler On-Sale Establishment use is located within a shopping center and will be operated in conjunction with an existing restaurant.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 759

APPROVALS 1

PROTESTS 0

JG

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-39745** APN: P# 138-15-601-004 P# 138-15-502-006.

Name of Property Owner: PK 1 CHEYENNE COMMONS LLC

Name of Applicant: N/A, RONGJIE

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: Robert M. Rice 8/25/10.

Print Name: ROBERT M. RICE

Subscribed and sworn before me

This 25 day of August, 2010

Wendi R. Schessl

Notary Public in and for said County and State

WENDI R. SCHESSL
Notary Public State of Nevada
No. 99-54311-1
My appt. exp. April 23, 2014

RECEIVED
SEP 28 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 3175 N. RAINBOW BLVD, LAS VEGAS, NV.

Project Name BANGKOK 9 **Proposed Use** _____

Assessor's Parcel #(s) ~~P# 138-15-601-008~~; P# 138-15-502-006 **Ward #** 5

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

Commercial Square Footage 361,486 **Floor Area Ratio** _____

Gross Acres ~~34.81~~ 32.59 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER PK I CHEYENNE COMMONS LLC **Contact** ROBERT M. RICE

Address 1919 S. JONES BLVD., # I **Phone:** 702-446-8818 **Fax:** 702-258-6484

City LAS VEGAS. **State** NV **Zip** 89129

E-mail Address RRICE@KIMCOREALTY.COM

APPLICANT RONG JIE N/A **Contact** _____

Address 8403 OPULENT AVE **Phone:** (702) 378-1068 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89147

E-mail Address NiaNicki@yahoo.com

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

Property Owner Signature* Robert M. Rice. 8/25/10.

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

Print Name ROBERT M. RICE

Subscribed and sworn before me

This 25th day of August, 20 10.

Wendi R. Schessl

Notary Public in and for said County and State

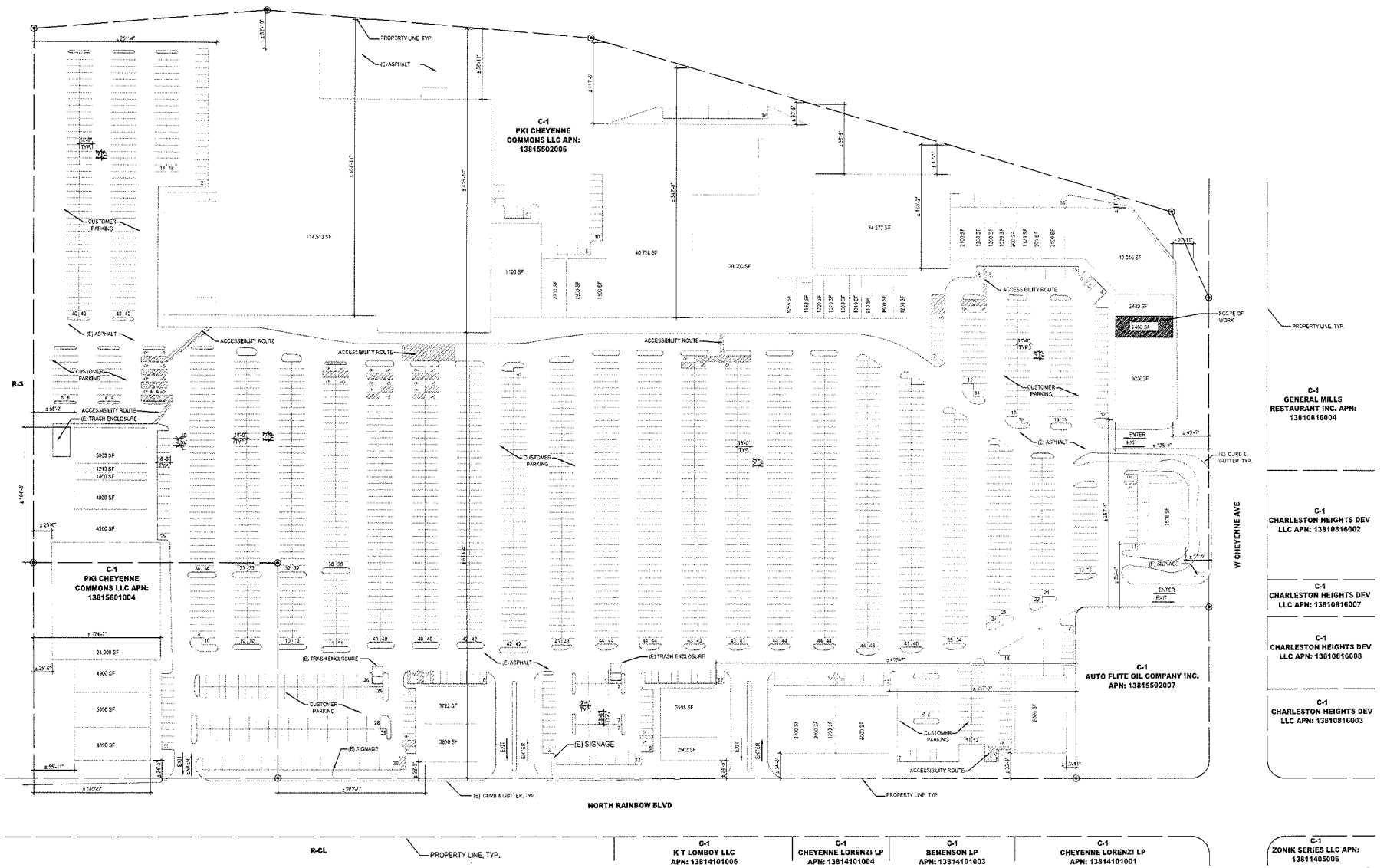
WENDI R. SCHESSL
Notary Public State of Nevada
No. 99-54311-1
My appt. exp. April 23, 2014

RECEIVED SEP 28 2010

FOR DEPARTMENT USE ONLY

Case #	SUP-39745
Meeting Date:	11-18-10
Total Fee:	1280.00
Date Received:*	9-28-10
Received By:	JFM

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



SITE PLAN

SCALE: 1"=60'-0"

Pugsley. Simpson. Coulter.
ARCHITECTS
2480 E. Tompkins Ave., Ste 222
Las Vegas, NV 89121
702.435.1150
www.pscarchitects.com

Revisions:

No.	Date	Description

Consultant:

Stamp:

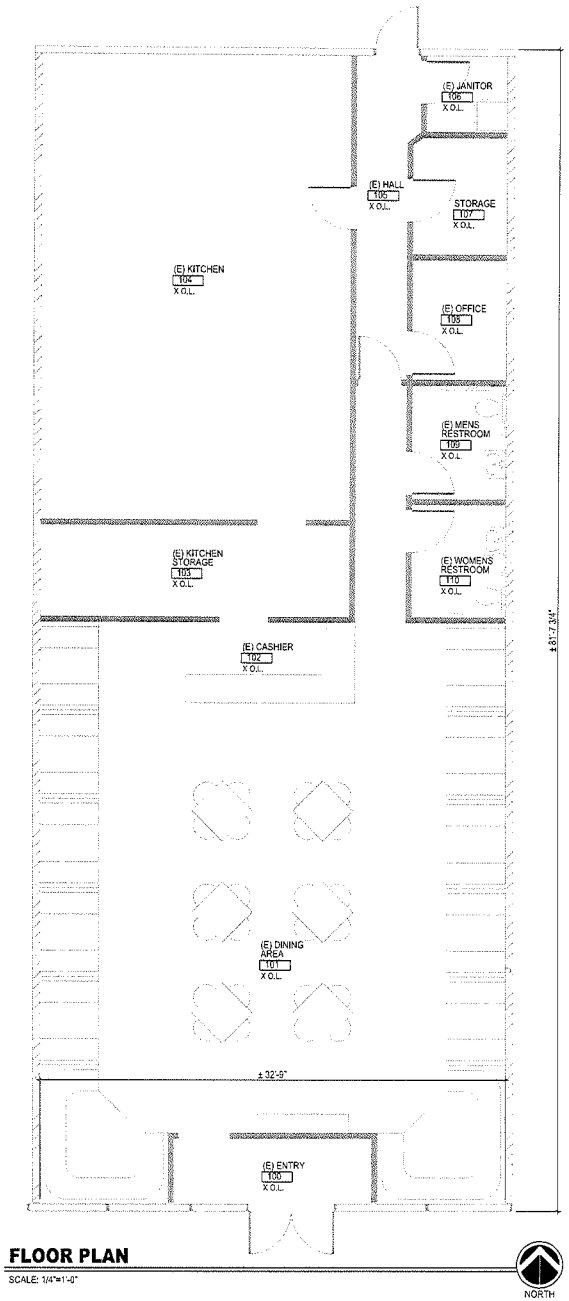
Owner: MICHAEL NIA
Project Name: BANGKOK 9 TI
3175 N. RAINBOW BLVD., LAS VEGAS, NV 89108
Project No. WP-1025
Sheet Title: SITE PLAN

Date: 09.07.10
Checked By: CS
Submittal: PLAN CHECK

Sheet No. **AS1.01**

RECEIVED
SEP 23 2010

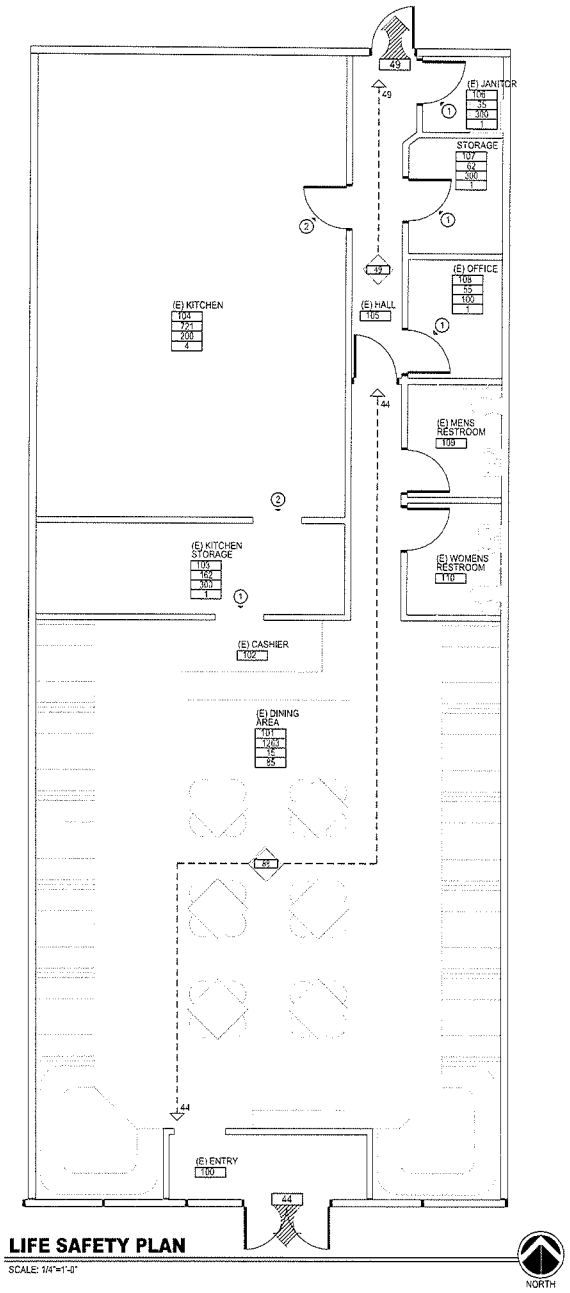
SUP-39745



FLOOR PLAN

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

NORTH



LIFE SAFETY PLAN

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

NORTH

LIFE SAFETY LEGEND

ROOM OCCUPANCY LOAD MATRIX
XXXX ROOM AREA/SF
XXX LOAD FACTOR
XXX NUMBER OF OCCUPANTS

SINGLE EXIT OCCUPANT LOAD

DIRECTION OF EXIT TRAVEL

MULTIPLE EXIT OCCUPANT LOAD

OLF = OCCUPANT LOAD FACTOR

FEC = FIRE EXTINGUISHER CABINET

FE = SURFACE MOUNTED FIRE EXTINGUISHER

INTERMEDIATE ACCUMULATED OCCUPANT LOAD

ACCUMULATED OCCUPANT LOAD AT EXIT PATH

GENERAL NOTES

1. ALL WALLS AND FURNITURE ARE EXISTING IN PLACE.
2. ANY DESIGNATION INDICATED WITH AN (E) MEANS EXISTING.

WALL TYPE LEGEND

EXISTING EXTERIOR WALLS & STOREFRONT

EXISTING DEMISING WALLS

EXISTING INTERIOR WALLS

OCCUPANCY COUNT

OCCUPANCY LOAD
TABLE 1004.1.1, MAXIMUM FLOOR AREA ALLOWANCE PER OCCUPANT

ROOM NO.	ROOM NAME	OCCUPANCY GROUP	AREA (S.F.)/LOAD FACTOR	NUMBER OF OCCUPANTS
100	ENTRY	N/A	N/A	-
101	DINING AREA	ASSEMBLY	1263/15	85
102	CASHIER	N/A	N/A	-
103	KITCHEN STORAGE	STORAGE	162/300	1
104	KITCHEN	ASSEMBLY	721/200	4
105	HALL	N/A	N/A	-
106	JANITOR	STORAGE	35/300	1
107	STORAGE	STORAGE	62/300	1
108	OFFICE	BUSINESS	55/100	1
109	MENS RESTROOM	N/A	N/A	-
110	WOMENS RESTROOM	N/A	N/A	-
			TOTAL OCCUPANTS	93

SEP 23 2010

SUP-39745

Pugsley. Simpson. Coulter.
ARCHITECTS
2480 E. Tompkins Ave., Ste 222
Las Vegas, NV 89121
702.435.1150
www.pscarchitects.com

Revisions:
No. Date Description

Consultant:

Stamp:

Owner: MICHAEL NIA
Project Name: BANGKOK 9 TI
3175 N. RAINBOW BLVD., LAS VEGAS, NV 89108
Project No. WP-1025
Sheet Title: OCCUPANCY & FLOOR PLAN

Date: 09.07.10
Checked By: CS
Submittal: PLAN CHECK

Sheet No.
A1.01

SHEET INDEX

GENERAL

G1.01 INDEX, LEGENDS, & GENERAL NOTES

ARCHITECTURAL

AS1.01 SITE PLAN
A1.01 FLOOR PLAN & OCCUPANCY COUNT

SYMBOL LEGEND

ACCESSIBLE FACILITY

GENERAL NOTES

1. ANY DESIGNATION INDICATED WITH AN (E) MEANS EXISTING.

PROPERTY INFORMATION

OWNER:	PKI CHEYENNE COMMONS LLC
ADDRESS:	3001 NORTH RAINBOW BLVD LAS VEGAS, NEVADA 89108
APN#:	138-15-502-006
LOT AREA:	± 33 ACRES
ZONING:	C-1
BUILDING AREA:	± 374,502 S.F.
F.A.R.:	26%

RESTAURANT INFORMATION

OWNER:	MICHAEL NIA
NAME:	BANGKOK 9
ADDRESS:	3175 NORTH RAINBOW BLVD LAS VEGAS, NEVADA 89108
SUITE AREA:	2400 S.F.

PARKING CALCULATIONS

TIELE 19 ON SITE PARKING REQUIREMENTS:
ONE SPACE PER 250 SQUARE FEET OF GROSS FLOOR AREA

PARKING CALCULATIONS:
374,502/250 = 1499

PARKING REQUIRED = 1499; PARKING PROVIDED = 2426 OK

HANDICAPPED PARKING REQUIRED PER CHAPTER 19.10.010 TABLE 2:
FOR 1001 AND ABOVE (TOTAL NUMBER OF PARKING REQUIRED) - TWENTY SPACES, PLUS ONE SPACE FOR FOR EACH 100 OVER 1000 SPACES OF FRACTION THEREOF

1000 = 20 SPACES
1499 - 1000 = 499; 5 ADDITIONAL SPACES

HANDICAPPED PARKING REQUIRED = 25; HANDICAPPED PARKING PROVIDED = 47 OK

BUILDING SETBACKS

BUILDING SETBACKS FOR EXISTING BUILDING:
(SETBACKS LISTING ARE FOR THE BUILDING WITH THE SUITE LISTED AS THE "SCOPE OF WORK" ON THE SITE PLAN ONLY. ALL OTHER DIMENSIONS ARE ON THE SITE PLAN)

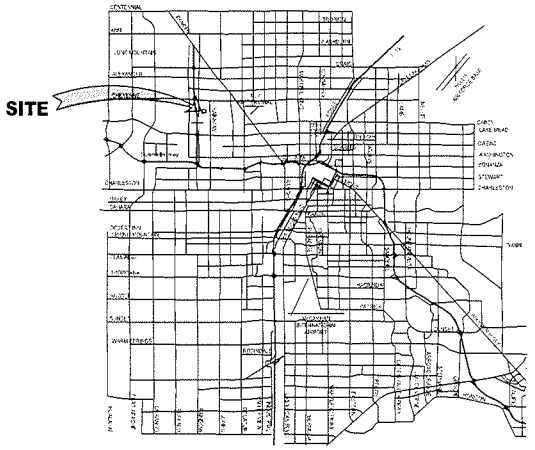
NORTH: ± 27'-11"
SOUTH: ± 251'-4"
EAST: ± 257'-4"
WEST: ± 11'-11"

BUILDING HEIGHT

BUILDING HEIGHT FOR EXISTING BUILDING:
(BUILDING HEIGHT LISTED IS FOR THE BUILDING WITH THE SUITE LISTED AS THE "SCOPE OF WORK" ON THE SITE PLAN ONLY)

BUILDING HEIGHT: ± 25'-0"

VICINITY MAP



VICINITY MAP
NO SCALE

Pugsley. Simpson. Coulter.
ARCHITECTS
2480 E. Tompkins Ave., Ste 222
Las Vegas, NV 89121
702.435.1150
www.pscarchitects.com

Revisions:

No.	Date	Description

Consultant:

Stamp:

Owner: MICHAEL NIA
Project Name: BANGKOK 9 TI
3175 N. RAINBOW BLVD., LAS VEGAS, NV 89108
Project No. WP-1025
Sheet Title: GENERAL INFORMATION

Date: 09.07.10
Checked By: CS
Submittal: PLAN CHECK

Sheet No.
G1.01

SEP 23 2010

SUP-39745

SUP-39745 - APPLICANT: RONG JIE NIA - OWNER: PK I CHEYENNE COMMONS, LLC
3175 NORTH RAINBOW BOULEVARD

10/15/10

Jostification letter 07/23/2010

Planning and Development Dept. city of Las Vegas

To whom it may concern,

I have recently signed a lease agreement from 06/30/2010 to 06/30/2020 with KIMCO REALTY/ PK1 CHEYENNE COMMONS LLC to lease the old china restaurant at 3175 N. Rainbow (parcel no. 13815502003),

I am appling for a beer and wine use permit for my new restaurant, Bangkok 9.

I am leasing the space "as is" and plan to open the new restaurant without any construction/ development changes.

The attached site and floor plans are therefore consistent with the old china king plans and do not show any changes for Bangkok 9.

My contact information is given below, and I thank you in advance for your attention in this matter.

Michael Nia OWNER

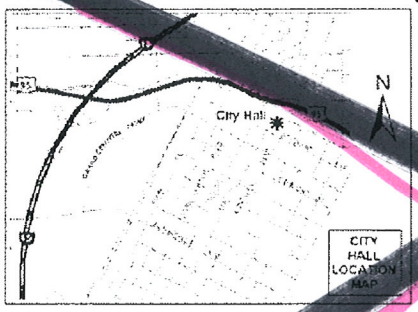
7-23-10

RECEIVED
SEP 28 2010

SUP-39745

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

Return Service Requested
Official Notice of Public Hearing



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

☐ I SUPPORT this Request ☒ I OPPOSE this Request

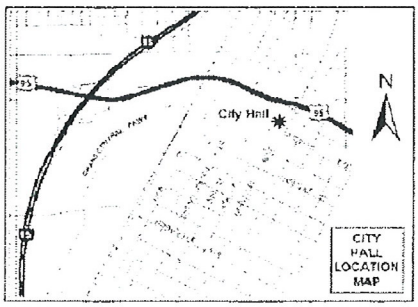
Please use available blank space on card for your comments.

SDR-39810
Planning Commission Meeting of 11/18/2010

Case: SDR-39810
13801211007
TARMANN FRED & PHYLLIS FAMILY TR
35534 WOODBRIDGE PL
FREMONT CA 94536-3378

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-39745
Planning Commission Meeting of 11/18/2010

RECEIVED
NOV – 8 2010

Case: SUP-39745
13814210076
TARMANN FRED & PHYLLIS FAMILY TR
35534 WOODBRIDGE PL
FREMONT CA 94536-3378

City of Las Vegas Agenda Item No.: **27.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

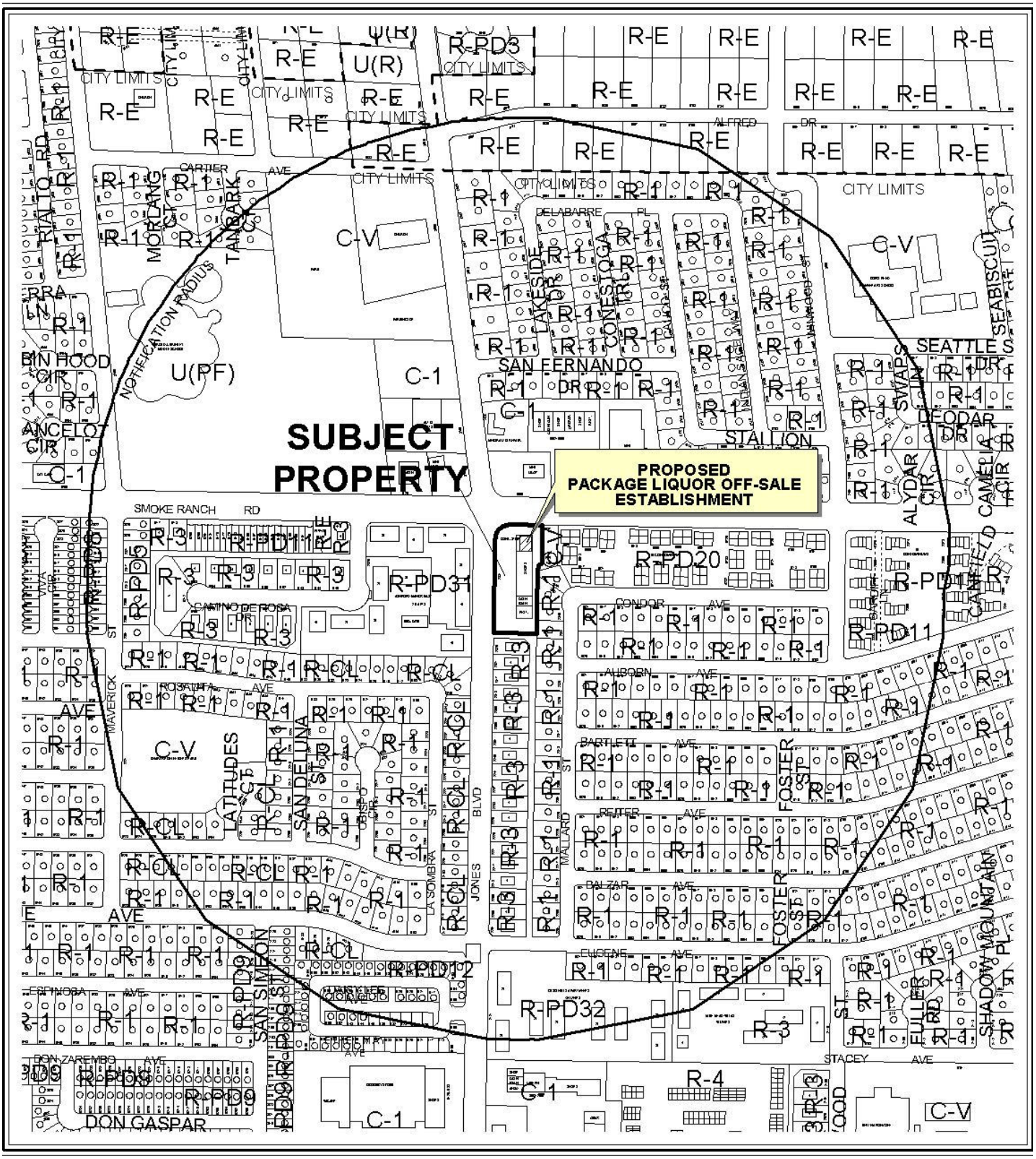
SUBJECT:
SUP-39812 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ALLSTAR MINIMART - OWNER: BECKER INVESTMENT COMPANY, LP - Request for a Special Use Permit TO ADD A 15 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 2,400 SQUARE-FOOT CONVENIENCE STORE WITH A WAIVER TO ALLOW A 100-FOOT DISTANCE SEPARATION FROM A CHURCH OR SYNAGOGUE WHERE 400 FEET IS REQUIRED at 2339 North Jones Boulevard (APN 138-24-101-001), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 12/15/10 OR MAY BE FINAL ACTION
(Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends DENIAL.

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



CASE: **SUP-39812**

RADIUS: 1500 FT

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

0 300 600 Feet

N

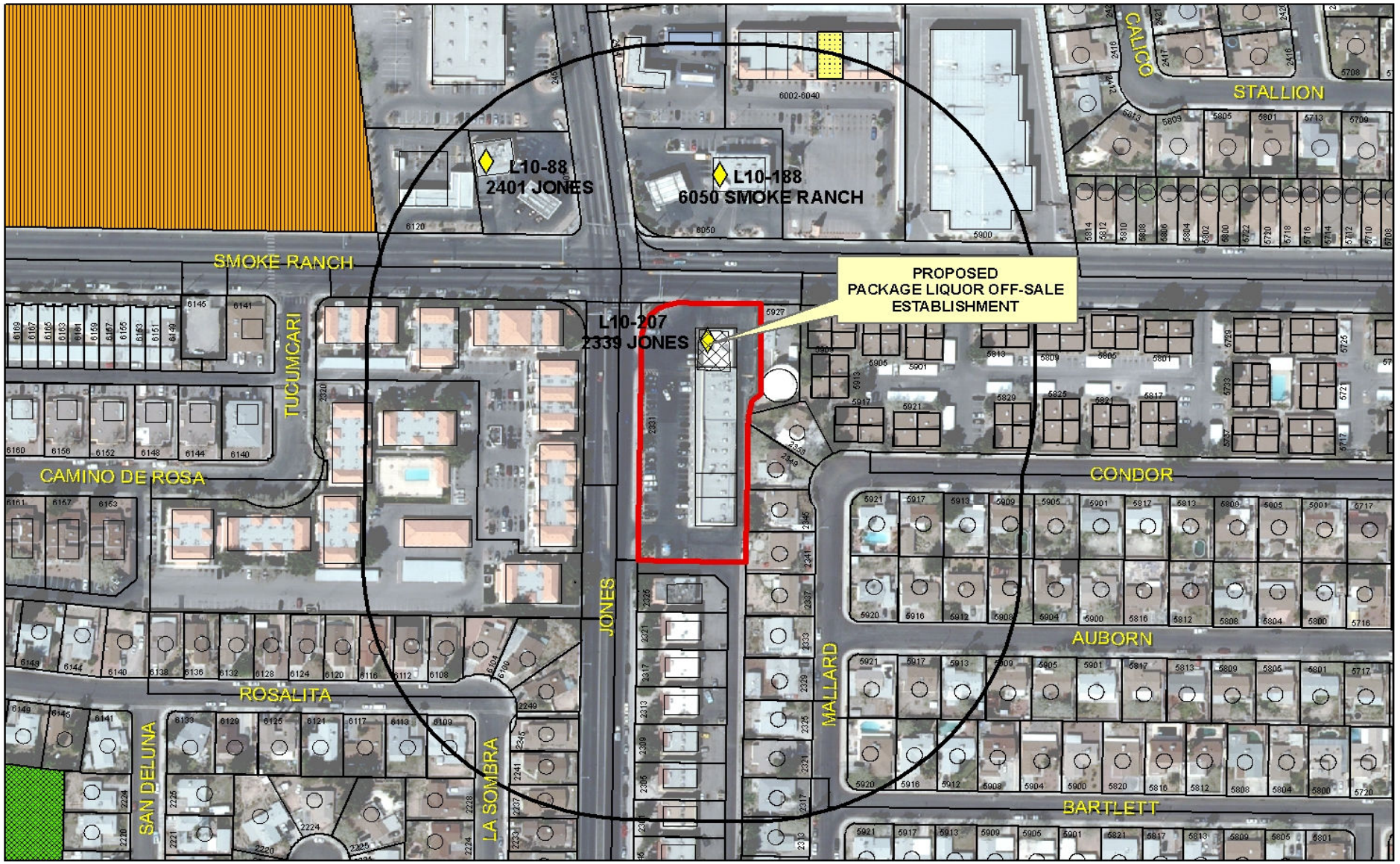
CASE: **SUP-39812**

RADIUS: 1500 FT

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

0 300 600 Feet

N



SUP-39812

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: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: ALLSTAR MINIMART - OWNER: BECKER INVESTMENT COMPANY, LP

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-39812	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

SUP-39812 CONDITIONS

Planning and Development

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

2. Conformance to the approved conditions for Rezoning (Z-0069-73).

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 issuance of a business license, 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. All necessary building permits shall be obtained for all unpermitted existing signage within 30 days of final approval, or the signage shall be removed.

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

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

8. All 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 **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a 15 square-foot Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 2,400 square-foot Convenience Store located at 2339 North Jones Boulevard. The use will be ancillary to the existing Convenience Store. The proposed use is less than 10% of the total retail floor space of the establishment and will not require additional parking beyond that which is required for the principal use on the site. This project is located within a 1.47-acre retail center, which is able to physically accommodate a variety of uses; however, the close proximity to a religious facility (Agape Bible Fellowship Christian Center) is not harmonious or compatible with the proposed use. Staff recommends denial of this request and the accompanying distance separation waiver, as the use cannot be conducted in a manner that is compatible with the surrounding uses. If this application is denied, the Convenience Store would not be allowed to conduct the Accessory Package Liquor Off-Sale use on the premises.

ISSUES

- A Retail Establishment with Accessory Package Liquor Off-Sale use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit).
- A Waiver to allow a 100-foot distance separation where 400 feet is required between the proposed use and a religious facility is needed for approval of the Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/26/73	The City Council approved a reclassification of property (Z-0069-73) generally located on the southeast corner of Jones Boulevard and Smoke Ranch Road, from R-3 (Medium Density Residential) to C-1 (Limited Commercial) on the subject property. The Planning Commission recommended denial.
11/27/79	The Planning Commission approved a request for a Review of Conditions (Z-0069-73) relative to deferring landscaping on property generally located at the southeast corner of Jones Boulevard and Smoke Ranch Road. Staff recommended approval.
02/01/84	The City Council denied a request for a Plot Plan Review (Z-0069-73) to allow a 12-foot by 24-foot off-premise sign on property located at 2351 North Jones Boulevard. The Planning Commission and staff recommended denial.
08/20/03	The City Council denied a Special Use Permit (SUP-2329) for the sale of Accessory Package Liquor for Off-Premise consumption in conjunction with an existing Convenience Store at 2339 North Jones Boulevard. The Planning Commission and staff recommended denial.

Most Recent Change of Ownership	
05/21/02	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
C.1979	The retail center was constructed.
05/23/00	A building permit (0000992) was issued for a Non-work Tenant Improvement at 2339 North Jones Boulevard. The permit was finaled on 05/26/00.
06/15/00	The business licenses (C05-02027) Tobacco Dealer-Retail, (C15-00256) Convenience Store, (G01-02054) Gaming Restricted, and (L10-00207) Beer/Wine/Cooler Off-Sale were issued at 2339 North Jones Boulevard. The licenses are currently active.
03/07/07	A business license (N02-00141) for Check Cashing Only was issued at 2339 North Jones Boulevard. The license is active.
01/29/09	A business license (W10-00219) for a Wire Service was issued at 2339 North Jones Boulevard. The license is active.

Pre-Application Meeting	
09/15/10	Staff reviewed the submittal requirements for a Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-Sale use. It was noted that a Waiver is required for the minimum 400-foot distance separation between the proposed use and a religious facility.

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

Field Check	
09/15/10	During a site visit, staff noted a Retail Center to be clean and free of debris. The existing Convenience Store has two unpermitted banners.

Details of Application Request	
Site Area	
Net Acres	1.47

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Retail Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Convenience Store & Service Station	SC (Service Commercial)	C-1 (Limited Commercial)
South	Multi-Family Residence	M (Medium Low Density Residential)	R-3 (Medium Density Residential)
East	Utility Installation	PF (Public Facilities)	C-V (Civic)
	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)
West	Multi-Family Residence	H (High Density Residential)	R-PD31 (Residential - Planned Development - 31 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 (105 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*
Smoke Ranch Road: Primary Arterial	Master Plan of Streets and Highways	100	Y
Jones Boulevard: Secondary Collector	Master Plan of Streets and Highways	80	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	
Proposed Retail Establishment with Package Liquor Off-Sale use	15 SF	N/A	N/A				
Convenience Store	2,400 SF	1/175 SF	14				
Beauty Salon	1,000 SF or 4 stations	3 spaces per station	12				
Restaurant	1,500 SF 1,500 SF	1/50 SF, 1/200 SF	30 8				
Office	1,000 SF	1/300 SF	4				
Retail	1,000 SF	1/175 SF	6				
Barber Shop	1,000 SF or 6 chairs	2 spaces per chair	12				
Liquor Establishment (Tavern)	1,000 SF 3,000 SF	1/50 SF 1/200 SF	20 15				
Financial Institution, Specified	1,040 SF	1/250 SF	4				
TOTAL SPACES REQUIRED			125		69		Y
Regular and Handicap Spaces Required			120	5	62	7	Y*

*The subject site is parking impaired, per Title 19.10.

Waivers		
Requirement	***Request***	***Staff Recommendation***
A 400-Foot minimum distance separation from a religious facility.	To allow a 100-Foot distance separation.	Denial

ANALYSIS

A Retail Establishment with Accessory Package Liquor Off-Sale use is defined by Title 19.20.020 as "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 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."

The proposed use requires a Waiver of the minimum 400-foot distance separation requirement from a religious facility (Agape Bible Fellowship Christian Center) in order to comply with all minimum Special Use Requirements of Title 19.04 requirements for a Retail Establishment with Accessory Package Liquor Off-Sale use. No additional parking is required for the proposed use. The proposed Retail Establishment with Accessory Package Liquor Off-Sale use is located in the A-O (Airport Overlay) District and meets the restriction of 105 feet. The proposed Retail Establishment with Accessory Package Liquor Off-Sale use has an existing on street bike lane located along the northern property line, the proposed Retail Establishment with Accessory Package Liquor Off-Sale use has no impact to the on street bike lane. Staff recommends denial of this request, due to the proximity of a religious facility. A similar application for a Special Use Permit (SUP-2329) was denied on August 23 2003.

FINDINGS (SUP-39812)

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

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

   The proposed Retail Establishment with Accessory Package Liquor Off-Sale use will be located within a 2,400 square-foot Convenience Store and will be ancillary to the existing Convenience Store. The proposed use cannot be conducted in a manner that is harmonious and compatible with the uses on the existing site and with the religious use on the adjacent properties.

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

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

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

   The site is accessed by Smoke Ranch Road and Jones Boulevard. These streets are of sufficient size to accommodate the needs of the proposed Retail Establishment with Accessory Package Liquor Off-Sale use.

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

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

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

   The proposed Retail Establishment with Accessory Package Liquor Off-Sale use meets the applicable conditions per Title 19.04, with the exception of the requested Waiver. Staff recommends denial of the request as the Retail Establishment with Accessory Package Liquor Off-Sale use, as indicated by the required waiver.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 786

APPROVALS 0

PROTESTS 2

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-39812** APN: 138-24-101-001

Name of Property Owner: Becker Investment Company LP

Name of Applicant: George Shoshani

Name of Representative: Lora Dreja of Brown, Brown & Premsrirut

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. Becker Gen Partner

Subscribed and sworn before me

This 2 day of September, 2010

_____

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
OCT 05 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Use Permit for package Liquor Off-Sale Establishment

Project Address (Location) 2339 North Jones Blvd

Project Name Allstar Minimart **Proposed Use**

Assessor's Parcel #(s) 138-24-101-001 **Ward #** 5 - Barlow

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

Commercial Square Footage 2310 **Floor Area Ratio**

Gross Acres 1.47 **Lots/Units** **Density**

Additional Information

PROPERTY OWNER Becker Investment Company LP **Contact**

Address 50 South Jones #100 **Phone:** **Fax:**

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

APPLICANT Allstar Minimart **Contact** George Shoshani

Address 2339 North Jones Blvd **Phone:** (619) 733-0526 **Fax:**

City Las Vegas **State** NV **Zip** 89130

REPRESENTATIVE Brown, Brown & Premsrirut **Contact** Lora Dreja

Address 520 South 4th St **Phone:** (702) 384-5563 **Fax:** (702) 385-1023

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

Property Owner Signature* GP

*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 2 day of September, 20 10.

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-39812
Meeting Date:	11/18/10 PC
Total Fee:	$1,280
Date Received:*	10/5/10
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.

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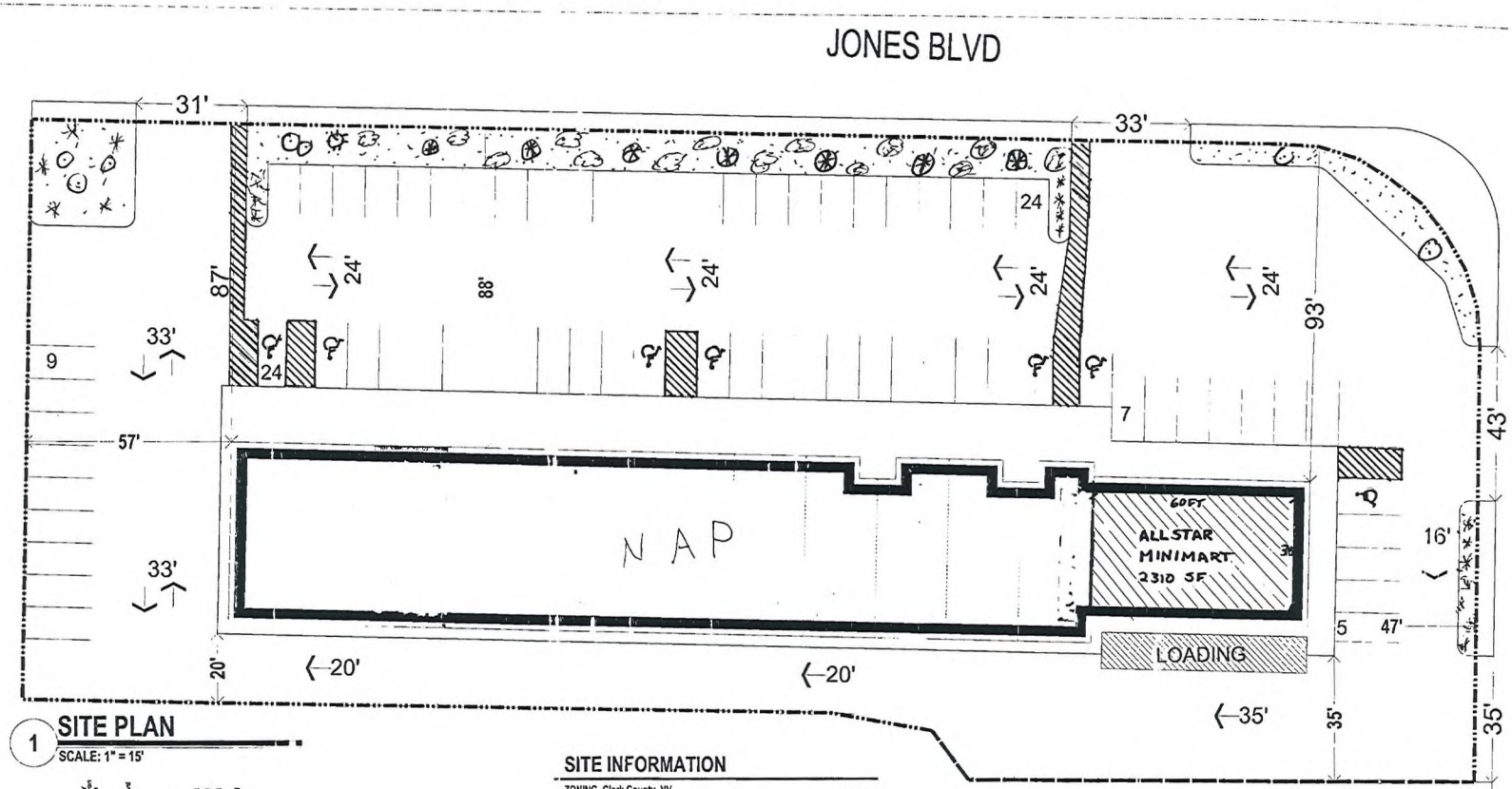


1 **SITE PLAN**
SCALE: 1" = 15'

SMOKE RANCH RD

Vicinity Map SCALE: N.T.S.

Location Map

SITE INFORMATION

ZONING- Clark County, NV
APN#: 138-24-101-001
Zoning- C-1

AREA (Approximate, to be verified)

Gross Area	91,115 Sq. Ft.	2.09 - Acres
Net Area	64,033 Sq.Ft.	1.47 - Acres
Lot Coverage		16 %

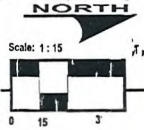
SETBACKS	REQUIRED	PROVIDED
Front:	20 ft	99 ft Existing
Side:	10 ft	0 ft Existing
Corner Side:	15 ft	90 ft Existing
Rear:	20 ft	19 ft Existing

BUILDING HEIGHT
Allowed: 35 ft
Provided: N/A Existing

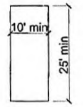
PARKING

Suite #	Name of Business	Type of Use	Parking Requirements	Tenant Space	Parking Required	Parking Provided
101	"Be Georgeous Wigs and Salon"	Beauty Salon	3 spaces per station (per business license there are 4 stations)	~~1000~~ 760 GSF	12 Spaces	
102	Joey's Pizza	Restaurant	1 space per 50 SF of the seating area plus 1 space per 200 SF of the remaining floor area	500 GSF 500 GSF	10 Spaces 3 Spaces	
103	Discount Car Insurance	Office	1 space per 300 SF of Gross Floor Area	1000 GSF	4 Spaces	
104	Vacant	Retail	use retail parking requirements: (1 space per 175 SF of Gross Floor Area)	1000 GSF	6 Spaces	
105	Gerardo's Classic Barber Shop	Barber Shop	2 spaces per chair (per business license there are 6 chairs)	1,000 GSF	12 Spaces	
108	Saddle N Spurs Saloon	Tavern	1 space per 50 SF of the seating area plus 1 space per 200 SF of the remaining floor area	1,000 GSF 3,000 GSF	20 Spaces 15 Spaces	
110	Cash Today Loans	Financial	1 space per 250 SF of the Gross Floor Area	1040SF	4 Spaces	
112	Mariscos Playa Azul	Restaurant	1 space per 50 SF of the seating area plus 1 space per 200 SF of the remaining floor area	1,000 GSF 1,000 GSF	20 Spaces 5 Spaces	
	All Star Minimart	C-Store	(1 space per 175 SF of Gross Floor Area)	2,300SF	13Spaces	
				Total	123Spaces	69 Spaces Existing

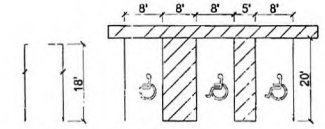
H.C. PARKING
Required: 2 Spaces
Provided: 7 Spaces Existing



Fire Turning Radius



Typical Loading Spaces



2339 N. Jones, City of Las Vegas, NV

ALL STAR-MINI MART SUP PACKAGED LIQUOR
ACCESSORY PACKAGE LIQUOR OFFSALE

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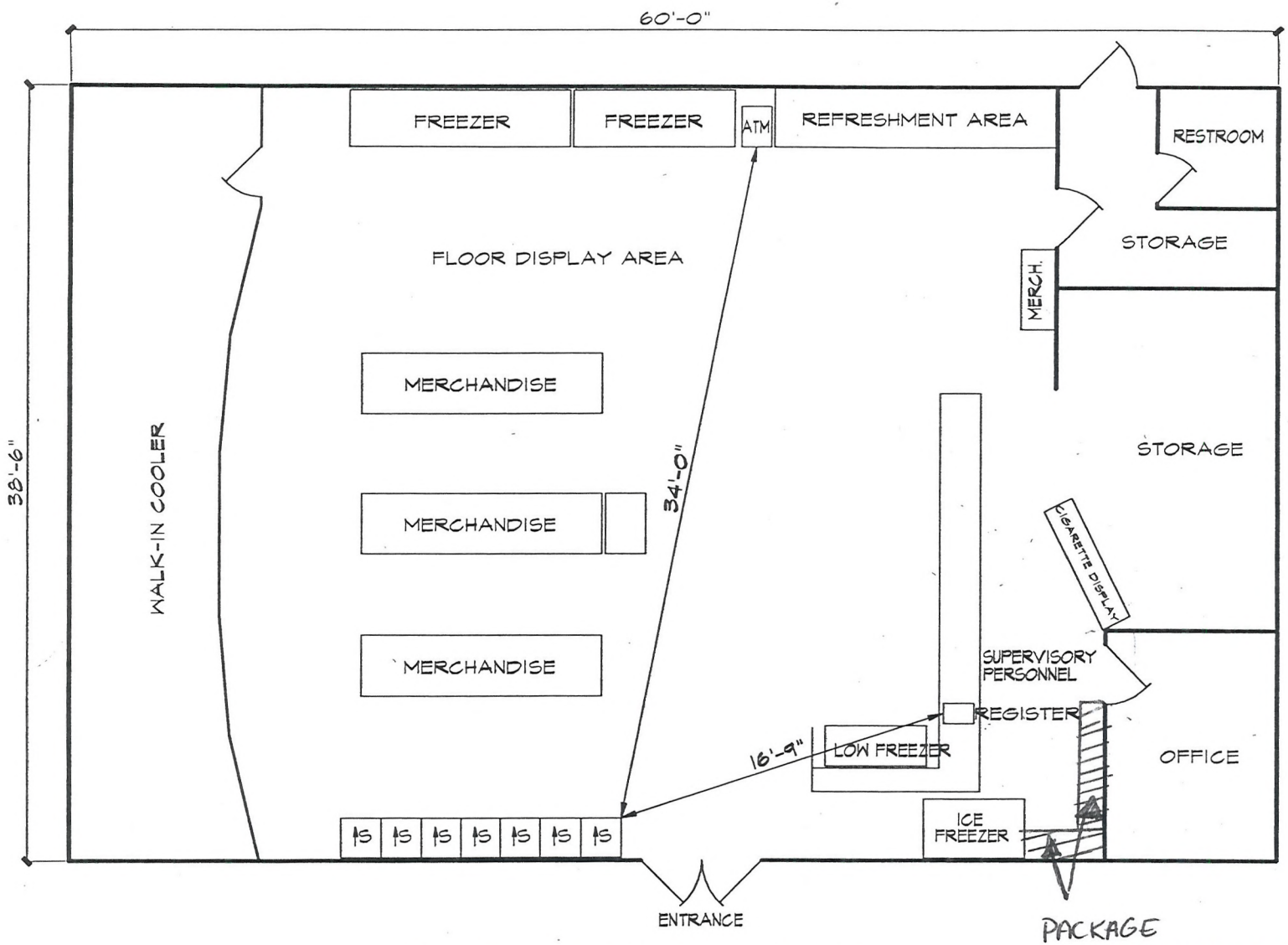
OCT 05 2010

SUP-39812



FLOOR PLAN DIAGRAM

SCALE: ~~1/8"=1'-0"~~ 1" = 10'

SUP-39812

RECEIVED OCT 05 2010

RETAIL SQUARE FOOTAGE: 1,387 SQ.FT.
OVERALL SQUARE FOOTAGE: 2,310 SQ.FT
S= SLOT MACHINE/GAMING DEVICE

DATE PREPARED: 11-22-2000
LOCATION NAME: ALL-STAR MINI MART
ADDRESS: 2339 N. JONES BLVD

SUP-39812 - APPLICANT: ALLSTAR MINIMART - OWNER: BECKER INVESTMENT COMPANY, LP
2339 NORTH JONES BOULEVARD

10/15/10

LAW OFFICE

Brown, Brown & Premsrirut

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

JAY H. BROWN
DAVID T. BROWN
PUOY K. PREMSRIRUT

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6520

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jbrown@brownlawlv.com

October 4, 2010

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

Re: Use Permit to allow sale of Off-sale Accessory Packaged Liquor

Please be advised that this firm represents Allstar Minimart located at 2339 North Jones Blvd. The convenience store is within the northernmost unit of a commercial center located at the southeast corner of Jones Blvd at Smoke Ranch Road. The property is currently zoned C-1 which allows the sale of accessory packaged liquor with a use permit. This will require a Use Permit per 19.04 Retail and Personal Services (*see Retail Establishment with Accessory Package Liquor off-sale.*)

The area designated for the packaged liquor is approximately 15 square feet in area and is located behind the payment counter. As such, only employees of the store can access the packaged liquor products.

Title 19 stipulates a 400 foot separation between this use and protected uses as measured from the nearest points of each property line .The subject parcel is approximately 105 feet from a property line of a parcel that leases to a religious institution. The religious institution is within a strip mall located at 6010 Smoke Ranch Road. The code allows for a waiver in situations where a 100 foot street separates the parcel lines. Being that Smoke Ranch Road is a 100 foot right-of-way, we request a waiver of separation requirements.

Please call me at (702) 384-5563 if you have additional concerns.

Very truly yours,

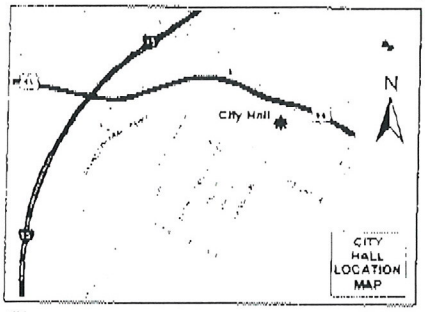
L U Dreja

Lora Dreja

RECEIVED
OCT 05 2010
SUP-39812

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

Return Service Requested
Official Notice of Public Hearing



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

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-39812

Planning Commission Meeting of 11/18/2010

Case SUP-39812

13824213008
CANADA HELEN R
5817 EUGENE AVE
LAS VEGAS NV 89108-6205

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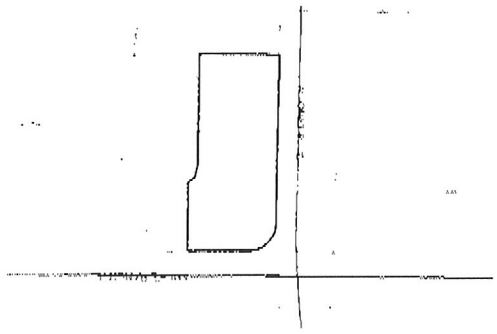
NOV - 8 2010

Application Information

SUP-39812 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ALLSTAR MINIMART - OWNER: BECKER INVESTMENT COMPANY, LP - Request for a Special Use Permit TO ADD A 15 SQUARE-FOOT ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 2,400 SQUARE-FOOT CONVENIENCE STORE WITH A WAIVER TO ALLOW A 100-FOOT DISTANCE SEPARATION FROM A CHURCH OR SYNAGOGUE WHERE 400 FEET IS REQUIRED at 2339 North Jones Boulevard (APN 138-24-101-001), C-1 (Limited Commercial) Zone, Ward 5 (Barlow)

Give a/c Abrahic —
Ice Vice Cloud
Trouble in this neighb-
Bookies, without yoke
Liquor stores here!!

Application Location



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

Public Hearing Information

Meeting: Planning Commission
Date: *November 18, 2010*
Time: 6:00 P.M.
Location: City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

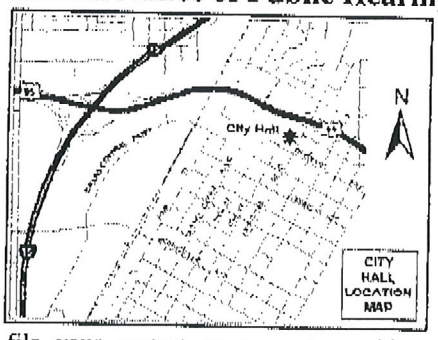
Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request, or may, prior to this meeting, file written objection thereto or approval thereof with the Planning and Development Department, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on Gene Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The de of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For further information, including the full staff report, please call (7 339-6301 (1100) 386-9108) or go to http://www.lasvegasnevada.gov

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 NOV 05 2010
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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

☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-39812

Planning Commission Meeting of 11/18/2010

Case: SUP-39812
138241111016
COLTRIN JEFFREY A & AMY NICOLE
3418 GUARDSMAN LN
NO LAS VEGAS NV 89032-0579

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NOV - 8 2010

City of Las Vegas Agenda Item No.: **28.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

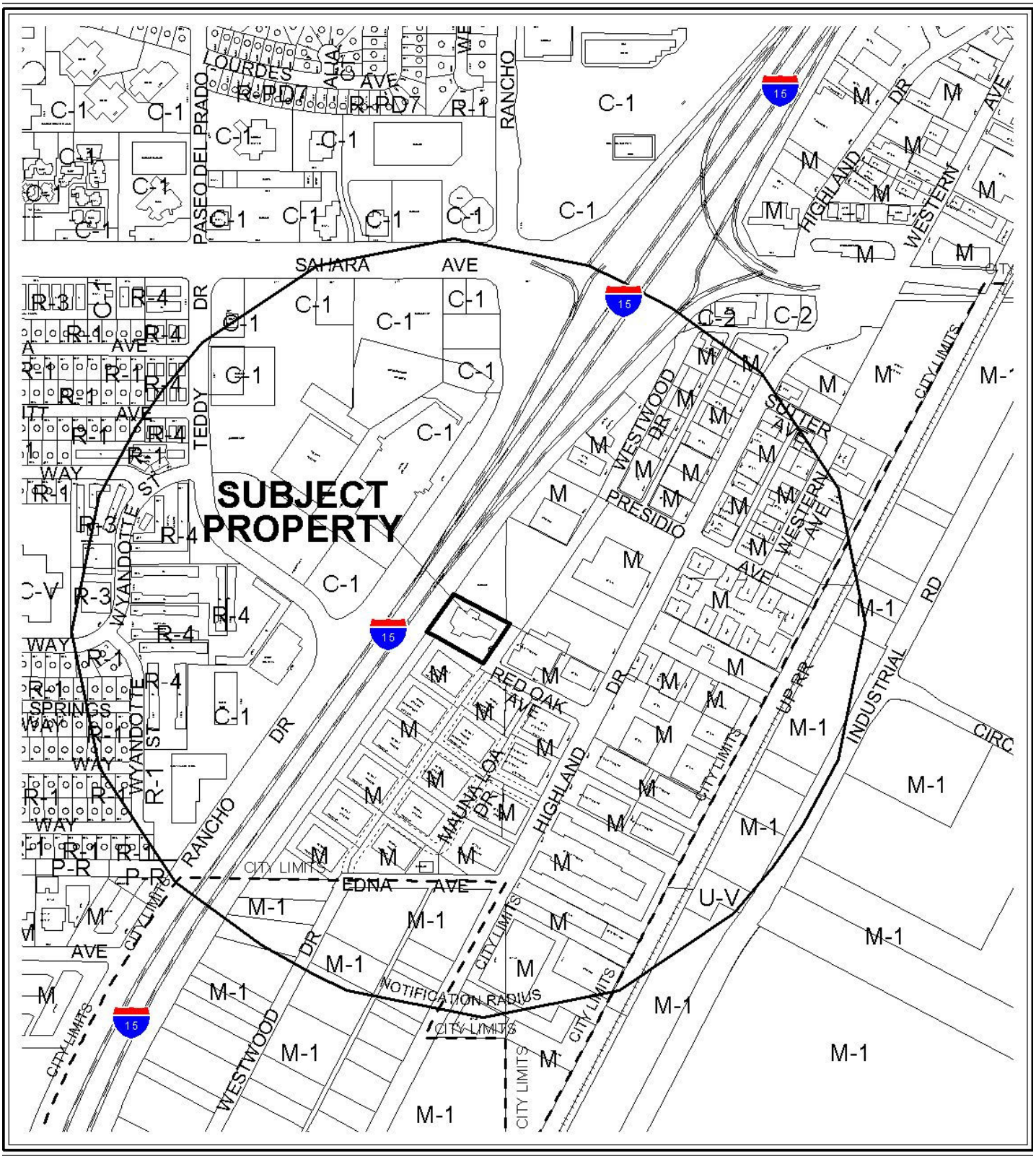
SUBJECT:
SUP-39819 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: D2801 WESTWOOD, INC. - Request for a Major Amendment to a previously approved Special Use Permit (U-0109-99) FOR A PROPOSED 7,399 SQUARE-FOOT EXPANSION OF AN APPROVED 37,151 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) at 2801 Westwood Drive (APN 162-08-604-001), M (Industrial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 12/15/10 OR MAY BE FINAL ACTION
(Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report - SUP-39819 and SDR-39818
3. Supporting Documentation
4. Photos - SUP-39819 and SDR-39818
5. Justification Letter - SUP-39819 and SDR-39818
6. Support Postcards



CASE: **SUP-39819**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

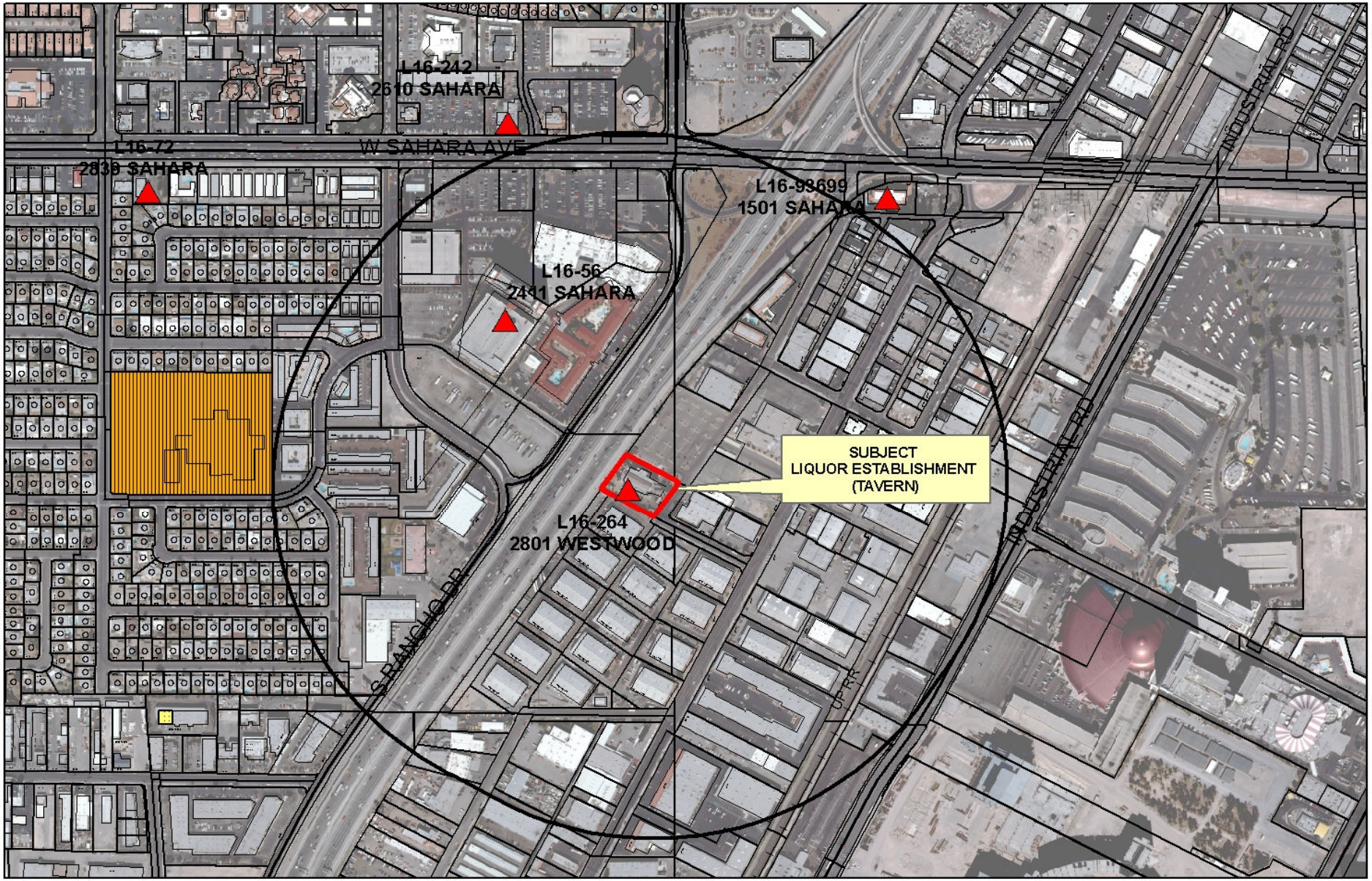
0 300 600 Feet

CASE: **SUP-39819**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 300 600 Feet



SUP-39819

Taverns

Business Licenses

Child Care/ Children Facility

Tavern

0 305 610 1,220 Feet

RELIGIOUS

CITY PARKS

SCHOOLS

Subject Property

1500 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: D2801 WESTWOOD, INC., ET AL.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-39819	Staff recommends APPROVAL, subject to conditions:	
SDR-39818	Staff recommends APPROVAL, subject to conditions:	SUP-39819

** CONDITIONS **

SUP-39819 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-39818) shall be required.

2. Conformance to the approved conditions for Special Use Permits (U-0109-99 and SUP-36436) and Site Development Plan Review (SD-0063-01 and SDR-36434), except as amended by conditions herein.

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

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.

SDR-39818 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-39819) shall be required, if approved.

2. Conformance to the approved conditions for Special Use Permits (U-0109-99 and SUP-36436) and Site Development Plan Reviews (SD-0063-01 and SDR-36434), except as amended by conditions herein.

3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the new construction. 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 10/05/10, and building elevations, date stamped 10/05/10 and 10/27/10, except as amended by conditions herein.

5. 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 10/05/10. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

6. Prior to a final inspection for the requested additions, 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. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan: ten (10) 24-inch box shade trees shall be planted within the north perimeter buffer; one (1) 24-inch box shade tree shall be planted in landscape islands or at the ends of each parking row; palm trees depicted in these planters shall be replaced by 24-inch box shade or evergreen trees; and four (4) five-gallon shrubs shall be planted for each tree depicted in parking lot islands or perimeter landscape buffers.

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

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

Public Works

11. Site development to comply with all applicable conditions of approval for SDR-36434 and all other site-related actions.

** STAFF REPORT **

PROJECT DESCRIPTION

The subject property currently contains an existing 25,417 square-foot Sexually Oriented Business, parking area and signage. The applicant amended the approved entitlement in January 2010 to add 11,734 square feet to the existing building and expand the existing Tavern use on the site. The applicant has requested an additional 7,399 square feet of floor area to be added, which includes modifications to the first and second stories and a new third story with a roof deck. The expansion would bring the total gross building area to 44,550 square feet. Because of this expansion, the Special Use Permit must also be amended for the use to include the new area. A portion of the adjacent parking lot is also proposed to be amended to include a drop-off area as part of this request. The additions and modifications are compatible with the existing structure and the surrounding area, and expansion of the Tavern use can be conducted in a manner that is harmonious and compatible with the surrounding land uses. Staff therefore recommends approval of the Major Amendments to the approved Special Use Permit and Site Development Plan Review, with conditions. If denied, the extent of the use and building would be limited to the floor area approved on 01/06/10.

ISSUES

- A Major Amendment of a previously approved Special Use Permit (U-0109-99) is required to allow expansion of the tavern use on the subject site.
- A Major Amendment of a previously approved Site Development Plan Review (SD-0063-01) is required to allow expansion of the existing Sexually Oriented Business building and site.
- The proposed amendments are in addition to, not replacing, the previously approved amendments to the Special Use Permit and Site Development Plan review approved in January 2010.
- A mapping action to ensure that the site containing the Tavern use maintains at least a 1,500-foot distance separation from another Tavern has not yet been submitted to the City of Las Vegas for review. As a condition of approval of SDR-36434, this map shall be recorded prior to issuance of building permits.
- Condition of Approval Number 6 of SDR-36434 requires recordation of an offsite parking agreement prior to issuance of a certificate of occupancy. This agreement has not yet been recorded.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
04/05/00	The City Council approved a Special Use Permit (U-0109-99) for a Liquor Establishment (Tavern) at 2801 Westwood Drive. The Planning Commission and staff recommended denial of the request.
01/16/02	The City Council approved a Site Development Plan Review (SD-0063-01) for a 24,093 square-foot Sexually Oriented Business with a Waiver of Perimeter Landscaping on property located at 2801 Westwood Drive. The Planning Commission and staff recommended approval of the request.
08/21/02	The City Council approved an Extension of Time [U-0109-99(2)] of an approved Special Use Permit (U-0109-99), which allowed a Liquor Establishment (Tavern) at 2801 Westwood Drive. The Planning Commission and staff recommended approval of the request.
04/16/03	The City Council approved a Master Sign Plan (MSP-1409) for an approved Sexually Oriented Business at 2801 Westwood Drive. The Planning Commission and staff recommended approval of the request.
08/06/03	The City Council approved an Extension of Time (EOT-2333) of an approved Special Use Permit (U-0109-99) which allowed a Liquor Establishment (Tavern) at 2801 Westwood Drive. The Planning Commission and staff recommended approval of the request.
08/20/03	The City Council approved a Master Sign Plan (MSP-2565) for an approved Sexually Oriented Business at 2801 Westwood Drive. The Planning Commission and staff recommended approval of the request.
08/18/04	The City Council approved a Master Sign Plan (MSP-4380) for an approved Sexually Oriented Business at 2801 Westwood Drive, thereby expunging approvals for MSP-1409 and MSP-2565. The Planning Commission and staff recommended approval of the request.
09/15/04	The City Council approved a Variance (VAR-4733) to allow an existing 34-foot tall Off-Premise Sign to be raised to 55 feet where 40 feet is the maximum height allowed at 2801 Westwood Drive. The Planning Commission and staff recommended denial of the request.
05/17/06	The City Council approved a General Plan Amendment (GPA-9219) to change the future land use designation to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission and staff recommended approval of the request.
08/27/08	Planning and Development administratively approved a Site Development Plan Review (SDR-29354) to modify an existing Off-Premise Sign for a digital display on 1.23 acres located at 2801 Westwood Drive.

09/03/09	A Code Enforcement case (81539) was processed for building a steel fence without a permit. The case was resolved by Code Enforcement on 09/08/09.
01/06/10	The City Council approved a Major Amendment (SUP-36436) to a previously approved Special Use Permit (U-0109-99) for a proposed 11,734 square-foot addition to an existing Liquor Establishment (Tavern) and a Major Amendment (SDR-36434) to a previously approved Site Development Plan Review (SD-0063-01) for a proposed 11,734 square-foot addition to an existing 25,417 square-foot Sexually Oriented Business with a waiver of perimeter landscape buffer standards to allow a 10-foot buffer along a portion of the east perimeter where 15 feet is required at 2801 Westwood Drive. The Planning Commission and staff recommended approval.
11/18/10	The Planning Commission will consider requests for a Major Amendment (SUP-39819) to a previously approved Special Use Permit (U-0109-99) for a proposed 6,443 square foot expansion of an approved 37,151 square foot Liquor Establishment (Tavern); and a Major Amendment (SDR-39818) to a previously approved Site Development Plan Review (SD-0063-01) to add a 6,443 square-foot third floor with outdoor balcony to an approved 37,151 square-foot Sexually Oriented Business, and for parking lot modifications at 2801 Westwood Drive.

Most Recent Change of Ownership	
03/29/01	A deed was recorded for a change in ownership on APN 162-08-604-001.
11/19/01	A deed was recorded for a change in ownership on APN 162-09-102-004.

Related Building Permits/Business Licenses	
Pre-1991	A business license (L16-00016) was issued for a tavern at 1501 West Sahara Avenue. The license was marked out on 02/10/10.
09/25/00	A business license (T29-00006) was issued for a topless club/boutique at 2801 Westwood Drive. The license remains active at this location.
07/12/02	A building permit (#02012503) was issued for a certificate of occupancy for a restaurant at 2801 Westwood Drive. A final inspection was approved on 12/04/03.
06/13/03	A building permit (#03012256) was issued for a sign at 2801 Westwood Drive. A final inspection was approved on 12/15/03.
07/25/03	A building permit (#03015969) was issued for a sign at 2801 Westwood Drive. A final inspection was approved on 09/24/03.
08/21/03	A building permit (#03018001) was issued for a sign at 2801 Westwood Drive. A final inspection was approved on 09/15/03.

09/02/03	A building permit (#03018862) was issued for a sign at 2801 Westwood Drive. A final inspection was approved on 12/03/03.
09/15/03	A business license (L16-00264) was issued for a tavern at 2801 Westwood Drive. The license remains active at this location.
08/04/04	A business license (V01-00027) was issued for a valet parking operation at 2801 Westwood Drive. The license was marked out of business on 05/02/08.
01/10/05	A building permit (#05000142) was issued for an off-premise sign at 2801 Westwood Drive. A special inspection report confirming compliance with 2003 IBC codes was received on 10/06/05.
04/05/05	A business license (C05-02370) was issued for tobacco dealer license at 2801 Westwood Drive. The license remains active at this location.
12/15/06	A building permit (78279) was issued for fire repair at 2801 Westwood Drive. A final inspection was approved on 03/28/07.
06/05/08	A business license (V01-00046) was issued for a valet parking operation at 2801 Westwood Drive. The license was marked out of business on 06/15/09.
10/29/08	A business license (V01-00047) was issued for a valet parking license at 2801 Westwood Drive. The license remains active at this location.
11/05/08	A building permit (125482) was issued for installation of an LED unit on the south face of an existing off-premise sign, and to upgrade the existing structure to meet the 2006 IBC at 2801 Westwood Drive. A final inspection was approved on 09/10/09.
07/15/09	A building permit (142198) was issued for a six-foot tall ornamental iron fence at 2500 Western Avenue. A final inspection was approved on 07/22/09.
10/19/10	A business license (L16-00338) was issued for a tavern at 1501 West Sahara Avenue following a change of license ownership.

Pre-Application Meeting	
09/24/10	A pre-application meeting was held with the applicant, in which requirements for the submittal of a Special Use Permit and Site Development Plan Review applications were discussed. The following topics were also discussed: • A partial third story and roof deck will be added to what was previously approved. The increase in height and floor area will require a Major Amendment to the approved Special Use Permit and Site Development Plan Review. • The timing of a mapping action to adjust the property line between the north parking lot and the building was discussed. The action must be completed prior to the issuance of permits. • The height of the building must be dimensioned to determine compliance with the Airport Overlay District. • Sprinklers must be extended to the new parts of the building.

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

Field Check	
10/15/10	A field check was conducted, where the following item was noted: • The site contains a well maintained Sexually Oriented Business.

Details of Application Request	
Site Area	
Net Acres	1.27 (4.51 with parking lot)

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Sexually Oriented Business	LI/R (Light Industry/ Research)	M (Industrial)
North	Parking Lot	LI/R (Light Industry/ Research)	M (Industrial)
South	Office and Warehouse	C (Commercial)	M (Industrial)
East	Office and Warehouse	LI/R (Light Industry/ Research)	M (Industrial)
West	Right-of-Way (Interstate 15)	ROW (Right-of-Way)	ROW (Right-of-Way)

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 SDR-36434, the following development standards apply to the subject site:

Standard	*Approved SDR-36434*	*Proposed*	*Change*	*Compliance*
Min. Setbacks:				
• Front	35 Feet	35 Feet	None	Y
• Side	10 Feet	20 Feet	+10 Feet	Y
• Rear	30 Feet	25 Feet	-5 Feet	Y
Max. Building Height	2 stories/41.5 Feet	3 stories/68 Feet	+26.5 Feet	Y
Parking Spaces Required	149	179	+30 spaces	Y
Parking Spaces Provided	249	203	-46 spaces	Y
Perimeter trees:				
• North	10 Trees	7 Trees	-3 Trees	N
• South	23 Trees	23 Trees	None	Y
• East	11 Trees	13 Trees	+2 Trees	Y
• West	12 Trees	12 Trees	None	Y
Total floor area	37,151 SF	44,550 SF	+7,399 SF	N/A
First Floor Addition	6,703 SF	7,365 SF	+662 SF	N/A
Second Floor Addition	5,031 SF	5,325 SF	+294 SF	N/A
Third Floor Addition	N/A	2,748 SF	+2,748 SF	N/A
3rd Floor Roof Deck	N/A	3,695 SF	+3,695 SF	N/A

Pursuant to Title 19.12, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	43 Trees	36 Trees	N
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		8 Feet	Y
• South	8 Feet		8 Feet	Y
• East	10 Feet		10 Feet	Y
• West	8 Feet		8 Feet	Y

Functional Classification of Street(s)	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Westwood Drive – Local Street (adjacent to APN 162-08-604-001)	N/A	50	N/A
Westwood Drive – Private Street (adjacent to APN 162-09-102-004)	N/A	50	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	
Sexually Oriented Business	44,550 SF	1/250 SF GFA	179		203		Y
TOTAL SPACES REQUIRED			179		203		Y
Regular and Handicap Spaces Required			173	6	197	6	Y
Loading Spaces	44,550 SF		3		5		Y

ANALYSIS

The site remains in substantial conformance with the previously approved plan. The expansion will add about 27 feet to the height of the building; this height remains well below the 175-foot Airport Overlay restriction and remains compatible with surrounding development. The overall site will lose a total of 46 parking spaces as a result of the expansion, and although the parking requirement has increased, the site will still be overparked by 24 spaces. With the exception of trees provided along the north perimeter of the site, perimeter buffer landscaping is provided to meet the requirements of previously approved Site Development Plan Review (SDR-36434). The deficiency will be addressed in a condition of approval. The parking lot landscaping has been altered to accommodate a proposed drop-off area at the south end of the lot. It is noted that three trees within the interior parking field required by SDR-36434 are missing from the landscape plan, and one tree on the end of a parking row in the amended area has been omitted; these trees must be shown on a revised landscape plan at the time of permits. In addition, only deciduous or evergreen tree species are allowed in parking areas. Several of the deciduous trees approved on the previous landscape plan have been replaced by palm trees. A condition of approval will address this issue.

The new additions will be located at the northwest side of the previously approved expansion, facing Interstate 15 and the existing parking lot. The first and second floor plans will be amended to expand the approved north lobby and to provide additional restrooms. The proposed third floor will contain club area, new restrooms and a 3,695 square-foot outdoor deck. The deck will face the parking lot to the north and east. A series of covered booths (cabanas) will be located at the south end of the deck. A 2.5-foot parapet wall with a three-foot decorative balustrade will surround the deck. A drawing has been submitted showing the sight lines to the deck in all directions. The existing tavern use is proposed to be expanded to capture the increased floor area. Expansion will not affect any previously approved waiver of distance separation. A new mechanical area enclosure will be located at the southwest corner of the property, approximately 10 feet from the west property line. The equipment and enclosure meet Title 19 mechanical and screening requirements. Due to the proposed addition to the existing building, civil improvement plans are required to be submitted to the Las Vegas Valley Water District to verify adequate domestic and fire flow can be met.

The existing parking lot is proposed to be modified to create a drop-off area north of the expanded building area. The two lanes will be able to accommodate stacking for at least five buses or limousines. Two of the parking islands at the north side of the lot are proposed to be modified to accommodate a 24-foot wide fire lane around the site.

The additions and modifications are compatible with the existing structure and the surrounding area, and expansion of the Tavern use can be conducted in a manner that is harmonious and compatible with the surrounding land uses. Staff therefore recommends approval of the Major Amendments to the approved Special Use Permit and Site Development Plan Review, with conditions.

FINDINGS (SUP-39819)

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

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

   The proposed expansion of the Liquor Establishment (Tavern) use is compatible with the existing use and with the surrounding land uses in the area.

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

   The subject site is physically suitable for a Liquor Establishment (Tavern) use, and can accommodate the proposed expansion.

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 provided from Westwood Drive is adequate to facilitate the traffic generated by the proposed expansion of the Liquor Establishment (Tavern) use.

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

   Approval of this Special Use Permit will not compromise the public health, safety, or welfare, as the proposed expansion of the existing Liquor Establishment (Tavern) use will be subject to regular inspections.

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

   A Waiver of Title 19.04 minimum distance separation requirements to allow 300 feet from a similar use where 1,500 feet is the minimum distance required was approved through a previous action (SUP-36436). The waiver remains in effect and is not affected by expansion of the use on the same parcel.

FINDINGS (SDR-39818)

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

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

   The proposed addition to the existing Sexually Oriented Business is compatible with development in the area. The expanded area will face Interstate 15 and the parking lot to the north.

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;**

   Proposed changes in parking lot landscaping do not conform to Title 19 or the previous approval, nor does the number of trees located in the landscape buffer along the north perimeter. A condition of approval will require conformance to Title 19 standards. All other development conforms to Title 19 requirements.

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

   There is adequate space on the site to accommodate vehicles without conflicts. The access from Westwood Drive will not negatively impact neighborhood industrial traffic.

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

   Building materials are similar to those used for the previous expansion and are compatible with the existing building. The proposed landscape materials, as conditioned, are appropriate for the area and for the City. Palm trees in the parking area shall be replaced by deciduous or evergreen trees in conformance with Title 19 requirements.

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

   The proposed building elevations will be harmonious with the existing and approved portions of the Sexually Oriented Business and will be compatible with adjacent development in the area.

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

   The proposed addition to the existing Sexually Oriented Business will be subject to final Building and Safety and Planning and Development inspections; therefore this development will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 88 (SUP-39819)
60 (SDR-39818)

APPROVALS 2

PROTESTS 0

SS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Numbe. SUP-39819 APN: 162-08-604-001

Name of Property Owner: 2801 Westwood, Inc

Name of Applicant: 2801 Westwood, Dr

Name of Representative: Winston Henderson

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: W Henderson

Print Name: Winston Henderson

Subscribed and sworn before me

This 5th day of October, 2010

Sunshine Muangsopa

Notary Public in and for said County and State

State of Nevada, County of Clark

SUNSHINE MUANGSOPA
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 7-13-2011
Certificate No: 03-83783-1

RECEIVED
OCT 0 5 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: AMENDMENT TO SDR 36434 & SUP 36436

Project Address (Location) 2801 WESTWOOD DR., LAS VEGAS, NV, 89109

Project Name TREASURES GENTLEMANS CLUB **Proposed Use** S.O.B.

Assessor's Parcel #(s) 162036040011/16209102004 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing M proposed N/A

Commercial Square Footage 44,550 **Floor Area Ratio** _____

Gross Acres ~~44,350~~ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER D2801 WESTWOOD INC. **Contact** _____

Address 2801 WESTWOOD DRIVE **Phone:** _____ **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89109

E-mail Address _____

APPLICANT _____ **Contact** _____

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

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

E-mail Address _____

REPRESENTATIVE WINSTON HENDERSON ESQ. **Contact** WINSTON HENDERSON

Address 1555 E. FLAMINGO **Phone:** 893-9700 **Fax:** 893-9797

City LAS VEGAS **State** NV **Zip** 89119

E-mail Address WINSTON@WHALV.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 Winston Henderson

Subscribed and sworn before me

This 5 day of October, 2010.

_____

Notary Public in and for said County and State

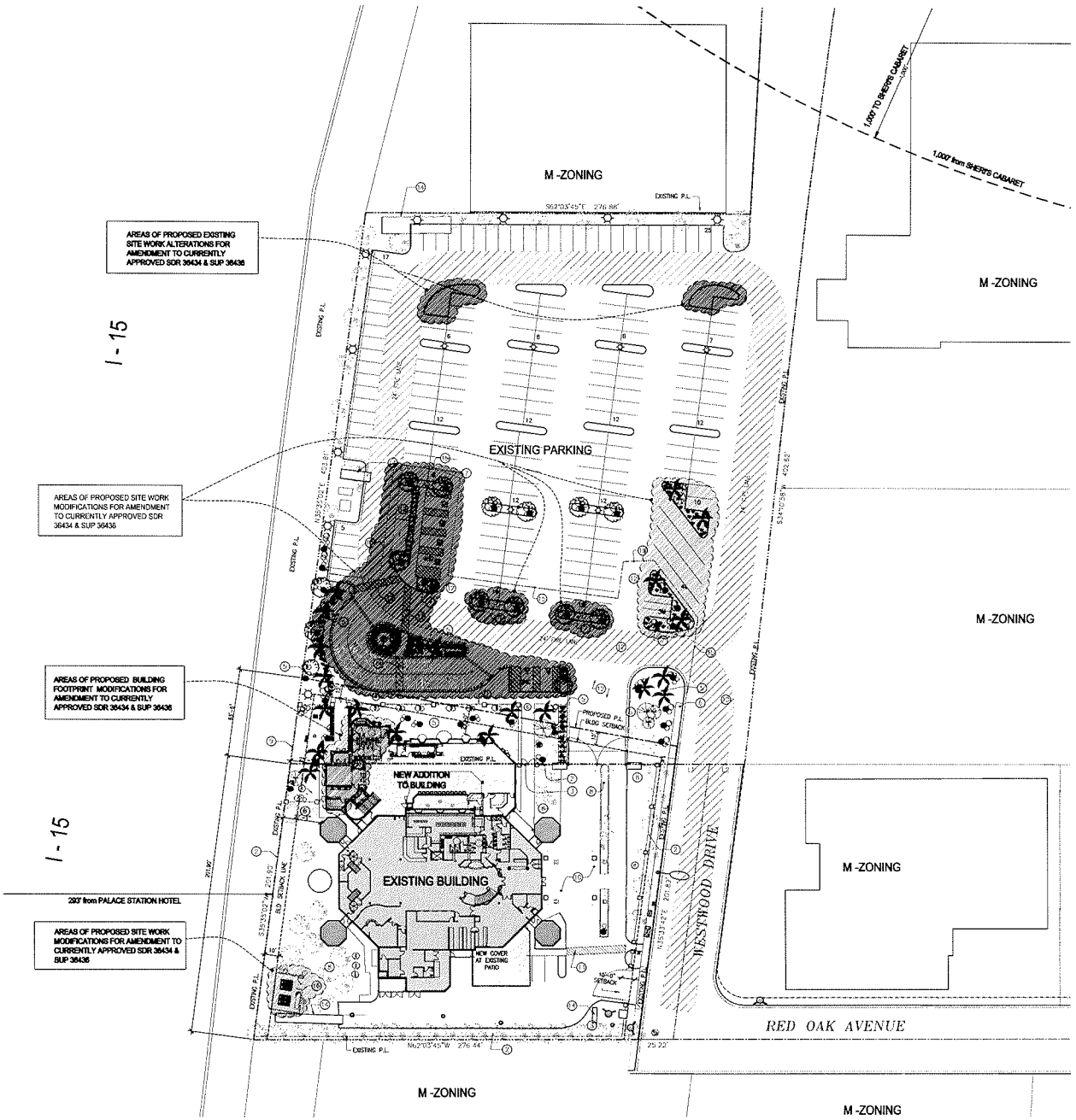
RECEIVED
OCT 05 2010

ALISON WHITNEY
Notary Public State of Nevada
No. 06-105840-1
My appt. exp. April 11, 2014

FOR DEPARTMENT USE ONLY

Case #	SUP-39819
Meeting Date:	11/19/10
Total Fee:	$ 1280.00
Date Received:*	10/05/10
Received By:	FMC

*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 SITE PLAN

KEY NOTE

1	NEW 6' HT. WROUGHT IRON FENCE. MATCH WITH EXISTING WROUGHT IRON FENCE
2	EXISTING FENCE TO REMAIN (REPAIR AS NEEDED)
3	EXISTING GATES TO REMAIN (REPAIR AS NEEDED)
4	NEW WROUGHT IRON GATES W/ PANIC HARDWARE, MATCH WITH EXISTING GATES
5	NEW LANDSCAPE (SEE LANDSCAPE DWGS)
6	NEW SIDEWALK (MATCH EXISTING IN COLOR AND TYPE.)
7	NEW PLANTER WITH TREES PER CITY OF LAS VEGAS LANDSCAPING REQUIREMENTS. TYPICAL AS SHOWN.
8	EXISTING LANDSCAPE (SEE LANDSCAPE DWGS)
9	NEW CHAIN-LINK FENCE IN PLACE ALONG FREEWAY RIGHT-OF-WAY
10	EXISTING STAMPED CONCRETE PAVEMENT AREA AT ENTRY AREA
11	ACCESSIBLE ROUTE FROM PARKING LOT AND PUBLIC RIGHT-OF-WAY
12	NEW ASPHALT PAVEMENT
13	EXISTING ASPHALT PAVEMENT SHALL REMAIN IN PLACE EXCEPT WHERE NEW PLANTERS ARE BEING INSTALLED. EXISTING PARKING LOT SHALL BE RESTRIPED AS SHOWN.
14	EXISTING BILLBOARD
15	AREA OF NEW PAVING WORK (COORDINATE WITH CIVIL DWGS)
16	PROPOSED NEW AQUA-CHILLER ENCLOSURE

PROPOSED - BUILDING SF.

TOTAL FIRST FLOOR ADDITION:	7,365 SF.
TOTAL SECOND FLOOR ADDITION:	5,325 SF.
TOTAL THIRD FLOOR ADDITION:	2,748 SF.
TOTAL ADDITION FLOOR AREA:	15,438 SF.
TOTAL ROOF DECK ADDITION:	3,695 SF.
TOTAL ADDITION AREA:	19,133 SF.

TOTAL BUILDING SF.

EXISTING BUILDING AREA:	25,417 SF.
NEW ADDITIONAL BUILDING AREA:	15,438 SF.
TOTAL ENCLOSED BUILDING AREA:	40,855 SF.
TOTAL ROOF DECK AREA:	(3,695 SF.)
TOTAL BUILDING AREA:	44,550 SF.

PARKING ANALYSIS

EXISTING BUILDING AREA: 25,417 SF. (1 PER 250) = 102	102
NEW BUILDING AREA: 19,133 SF. (1 PER 250) = 77 ON SITE PARKING REQUIREMENT PER CLV TITLE 19: IF 25,000 SF. OR MORE, (1) SPACE PER 250 SF. OF G.F.A. (CHAPTER 19.04 TABLE 2 - SPECIALLY ORIENTED BUSINESS)	77
TOTAL REQUIRED PARKING SPACES PER CLV TITLE 19_19.10 (INCLUDES ADA SPACES REQUIRED PER 19.10_TABLE 2 - (6))	179
TOTAL PROVIDED PARKING SPACES	203
(2) NON REQUIRED MOTORCYCLE SPACES (ADDITIONAL TO PROVIDED)	

GENERAL NOTES

1. SEE LANDSCAPE DRAWING FOR LANDSCAPE INFORMATION
2. SEE CIVIL DRAWING FOR ALL SITE LAYOUT, DIMENSION OF CURBS, GUTTER, RAMP, SIDE WALKS AND OTHER SITE WORKS.
3. ALL SITE WORKS SHALL BE COORDINATED WITH CIVIL DRAWINGS AND IF DISCREPANCY WAS DISCOVERED OR EXIST ALL DRAWINGS SHALL BE COORDINATED AND UPDATED TO MATCH ARCHITECTURAL DRAWING AND CIVIL DRAWING. INFORM ARCHITECT OF ANY DISCREPANCY DISCOVERED AND EXIST.
4. REFER TO CIVIL DRAWING FOR ALL DRAINAGE, GRADING, AND OTHER EXISTING UTILITIES
5. ALL SLOPE FOR PLANTER AREAS SHALL BE 2% AWAY FROM THE BUILDING
6. ALL SLOPE ALONG ACCESSIBLE PATHWAY SHALL NOT BE 5% MIN. TO THE DIRECTION OF TRAVEL AND 2% SLOPE FOR CROSS SLOPE.
7. ALL PAVEMENT STRIPE & MARKING AS PER REQUIREMENT

RECEIVED
OCT 0 5 2010

SUP-39819
SDR-39818

ISSUED TO CLV PLANNING — ISSUE DATE 10/04/10 — FOR APPROVED SDR & SUP AMENDMENT

WINSTON H. HENDERSON ARCHITECTS
1555 EAST FLAMINGO ROAD STE. #550, LAS VEGAS, NV 89119
OFFICE (702) 963-8700 FAX (702) 963-8797

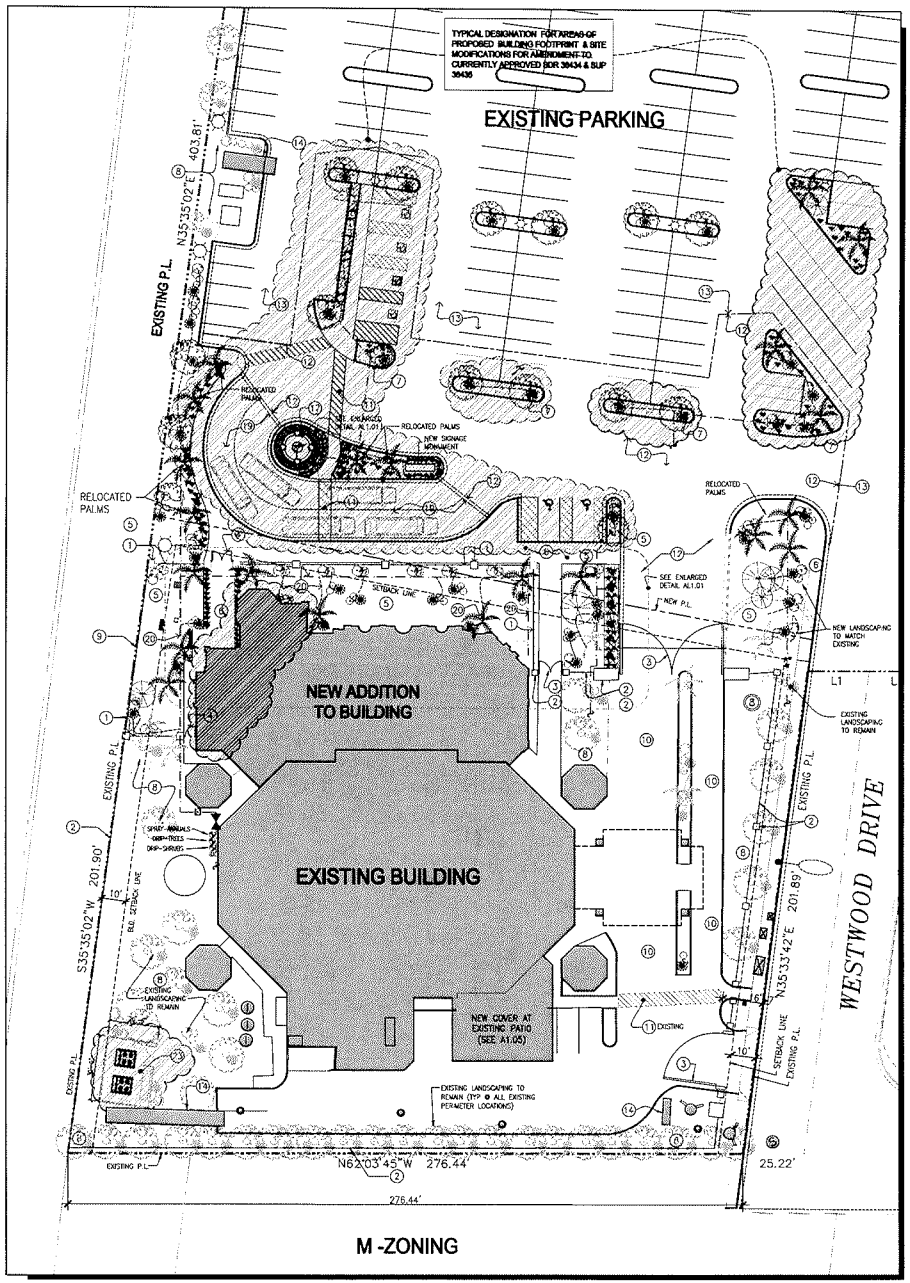
TREASURES GENTLEMEN'S CLUB EXPANSION
2801 WESTWOOD DR. LASVEGAS, NEVADA 89109
APN: 16208604001, 16209102004

SITE PLAN

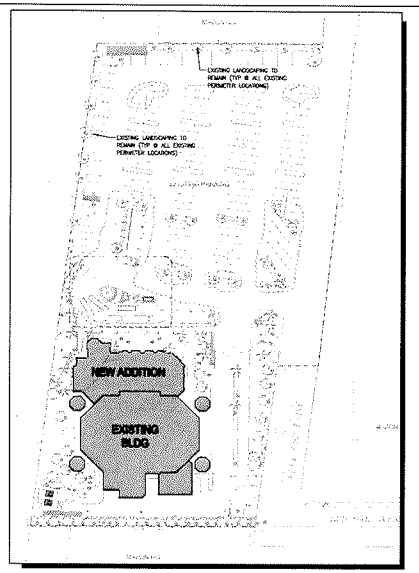
Date: 07-27-2009
Job No.: 09220
Designed: WHH
Drawn: TEP/BK
Update:
Checked: TEP/WHH

Sheet
AS1.0

© WINSTON HENDERSON ARCHITECTS



2 LANDSCAPE PLAN



1 LANDSCAPE KEY PLAN

KEY NOTE

1. NEW 6' HT. WROUGHT IRON FENCE & PILASTERS. MATCH WITH EXISTING WROUGHT IRON FENCE (SEE DETAILS SHEET AS1.1)
2. EXISTING FENCE AND PILASTERS TO REMAIN, NO WORK OTHER THAN THAT REQUIRED TO INSTALL NEW PORTION WERE REQUIRED.
3. EXISTING GATES TO REMAIN U.O.N., REPAIR EXISTING AS MAY BE REQUIRED
4. NEW WROUGHT IRON GATES W/ PANIC HARDWARE. MATCH EXISTING GATE DESIGN AND COLOR
5. NEW LANDSCAPING TO MATCH EXISTING LANDSCAPE DESIGN IN TYPE, MATERIAL AND LAYOUT
6. NEW SIDEWALK TO MATCH EXISTING IN MATERIAL AND COLOR. INSTALL EXPANSION BREAKS AS REQUIRED
7. NEW PARKING ISLAND PLANTER WITH TREES / SHRUBS PER CITY OF LAS VEGAS LANDSCAPING REQUIREMENTS. TYPICAL AS SHOWN.
8. EXISTING LANDSCAPE TO REMAIN. REPAIR / REPLACE ALL PLANTING AND MATERIAL DAMAGED BY CONSTRUCTION
9. NEW CHAIN-LINK SECURITY FENCE IN PLACE ALONG FREEWAY RIGHT-OF-WAY.
10. EXISTING STAMPED CONCRETE PAVEMENT AREA AT ENTRY AREA TO REMAIN, MATCH MATERIAL AT EXTENSION OF NEW DRIVE, PROVIDE FLUSH AND SEALED JOINT WHERE NEW MEETS EXISTING
11. ACCESSIBLE ROUTE FROM PARKING LOT AND PUBLIC RIGHT-OF-WAY. INSTALL STRIPING AS PER CLVBID AND TITLE 19 REQUIREMENTS
12. NEW ASPHALT PAVEMENT TO MATCH EXISTING, SEE CIVIL DWGS FOR DETAIL AT NEW / EXISTING JOINT CONDITIONS
13. EXISTING ASPHALT PAVEMENT SHALL REMAIN IN PLACE EXCEPT WHERE NEW ISLAND PLANTERS AND DRIVE WORK ARE BEING INSTALLED. REFER TO DEMO AND CIVIL DWGS. EXISTING PARKING LOT SHALL BE RESTRIPED AS SHOWN PER CLV CODE AND ORDINANCE'S
14. EXISTING BUILDINGS TO REMAIN, COORDINATE NEW WORK AROUND BASES AND VERIFY LOCATION OF ANY / ALL UNDERGROUND UTILITY FEEDS TO EACH PRIOR TO COMMENCING NEW WORK.
15. RELOCATED EXISTING PALM TREE TO BE REINSTALLED AT LOCATIONS SHOWN. (SEE SITE DEMO PLAN)
16. NEW "MATURE" PALM TREES TO MATCH EXISTING IN SPECIES AND GENERAL HEIGHT VERIFY EXISTING TYPE
17. NEW WATER FEATURE POOL / FOUNTAIN WITH STATUE TO MATCH TYPE & THEME OF EXISTING STATUES WITHIN EXISTING AND NEW NICHES. PROVIDE POWER FOR IN-FOUNTAIN W.F. LIGHTS AND EXTERIOR LANDSCAPE LIGHTS. PROVIDED WATER LINES, PUMPS AND SAUCER OFF. PROVIDE DESIGN SHOP DWGS AND CUT SHEET SUBMITTALS FOR OWNER AND CLV APPROVAL.
18. NEW DECORATIVE PAVERS AROUND FOUNTAIN BASE. PROVIDE SAMPLES FOR OWNER APPROVAL
19. NEW DRIVE THROUGH DROP OFF TO MATCH STAMPED CONCRETE AT EXISTING DROP OFF DRIVE
20. NEW IRRIGATION SYSTEM MAIN AND DRIP LINES, INSTALL AS PER AL1.01, PROVIDE INSTALLATION SHOP DWGS WITH SUBMITTAL SHEETS FOR APPROVAL
21. NEW LANDSCAPE LIGHTING TO BE TIED INTO EXISTING CONTROL SYSTEM (SEE L.V. KEY / SCHEDULE AND ELECTRICAL DWGS)
22. RELOCATED LIGHT FIXTURE SET ATOP NEW PILASTERS. PROVIDE NEW TO MATCH EXISTING IF REQUIRED OR IF ANY SAVED UNIT IS DAMAGED (VERIFY QUANTITY AND REFER TO ELECTRICAL DWGS)
23. NEW AQUA-CHILLER AC PLANT W/ RELATED EQUIPMENT WITHIN CMU & STUCCO ENCLOSURE (TO MATCH WALL & CORNICE STYLES OF BUILDING)

LANDSCAPE SCHEDULE

	SYMBOL	BOTANICAL NAME / COMMON NAME	QUAN	COND	REMARKS
TREES		PINE PINUS SPECIES	5	24" BOX	
		PRUNUS	20	24" BOX	
		PALM (EXISTING / RELOCATED) PALM (NEW TO MATCH EXISTING)		EXISTING 60" BOX	
SHRUBS		DWARF ROYAL PURPLE CALLISTEMON "LITTLE JOHN"	75	5 GAL	
		WATERFALL RUG - WHITE MYO WHITE	29	5 GAL	
		LEUCOPHYLLUM ZYCOPHYLLUM BLUE RANGER	29	5 GAL.	
		LANTANA CAMARA LANTANA	29	5 GAL	
		LILY OF THE NILE AGAPANTHUS AFRICANUS	29	5 GAL	
		TOTAL SHRUB	145		

IRRIGATION LEGEND

	BACKFLOW DEVICE	WILKINS 850XL Ø
A	IRRIGATION CONTROLLER	RAINBIRD ESP-8 STATION (MIN) MOUNT
	IRRIGATION VALVE	RAINBIRD PEB 1in W/ SYRINGE Ø 30 PSI REGULATOR AND AC PRODUCTS AC-1in-150 MODEL PEB
	QUICK COUPLER	RAINBIRD 25 HC 3/4
	GATE VALVE	RAINBIRD BRASS GATE VALVE
	MANIFOLD	1in SCH 40 PVC
	LATERAL LINE (EMITTER)	3/4in POLYTUBE W/ 1/4" DISTRIBUTION TUBING TO EMITTER
	LATERAL LINE (DRIPTIP)	3/4in POLYTUBE W/ 1/4" DISTRIBUTION TUBING TO EMITTER
	SLEEVES (MAINLINE)	2in SCH 40 PVC
	SLEEVES (LATERALS)	1-1/2in SCH 40 PVC
	EMITTERS	RAINBIRD TURBOKEY PRESSURE COMPENSATING EMITTER 2 GPH - 12 PER SHRUB
	EMITTERS	RAINBIRD TURBOKEY PRESSURE COMPENSATING EMITTER 1 GPH - 2 PER SHRUB (5 GAL) 0.5 GPH - 2 PER 1 GAL SHRUB
	FLUSH VALVE	AC PRODUCTS FOR 3/4" FLUSH VALVE
	MANIFOLD NON-SWAY @ ANGLES	

GENERAL NOTES

1. CONTRACTOR IS RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES. THE PLANT LIST IS INTENDED AS REFERENCE ONLY.
2. CONTRACTOR IS TO APPROVE ALL PLANT MATERIAL PRIOR TO INSTALLATION WITH PRIOR NOTICE OF 48 HOURS.
3. PLANT MATERIAL IS TO HAVE IDENTIFICATION TAGS ON 10% OF TOTAL QUANTITY OF EACH SPECIES SHOWING GENUS, SPECIES AND VARIETY, ETC.
4. PROVIDE MATCHING SIZES AND FORMS OF LIKE SHRUB SPECIES AS SHOWN ON DRAWINGS
5. IT IS THE INTENT OF THIS DRAWING TO CREATE AN IMMEDIATE AESTHETIC APPEARANCE. THIS PROJECT MAY REQUIRED VEGETATION REMOVAL AND /OR THINNING OUT AT A FUTURE DATE
6. CONTRACTOR TO DESIGN BUILD IRRIGATION SYSTEM IN ACCORDANCE TO CODE AND STANDARDS
7. DECOMPOSED GRANITE, 3/4" MINUS, COLOR "MOHAVE GOLD", 2" DEPTH TYP IN ALL PLANTING BEDS. DECOMPOSED GRANITE TO CONTAIN ADE FINES AND BOE AGGREGATE. CONTRACTOR RECEIVE VERIFICATION OF THIS FROM THE SUPPLIER AND PRESENT VERIFICATION TO THE OWNER PRIOR TO ANY CONSTRUCTION.
8. LANDSCAPE BOULDERS: COLOR TO MATCH OR COMPLEMENT ROCK GROUND COVER BOULDERS TO BE GRANITE, ROUND IN SHAPE 2" TO 4" DIAMETER SIZED ACCORDING TO THE FOLLOWING PERCENTAGES. 20% 4" LARGEST DIAMETER, ADD 3" LARGEST DIAMETER, ADD 2" DIAMETER. CONTRACTOR TO SET ⅓ OF ROCK DIAMETER INTO FINISHED GRADE

OCT 0 5 2010

SUP-39819
SDR-39818

ISSUED TO CLV PLANNING — ISSUE DATE 10/04/10 — FOR APPROVED SDR & SUP AMENDMENT

WINSTON H. HENDERSON ARCHITECTS
1555 EAST FLAMINGO ROAD STE. #330, LAS VEGAS, NV 89119
OFFICE (702) 893-4700 FAX (702) 893-9787

TREASURES GENTLEMEN'S CLUB EXPANSION
2801 WESTWOOD DR. LASVEGAS, NEVADA 89109
APN: 16209604001, 16209102004

LANDSCAPE AND IRRIGATION PLAN

Date: 07-27-2009
Job No.: 09220
Designed: WHH
Drawn: TEP/BK
Update:
Checked: TEP/WHH

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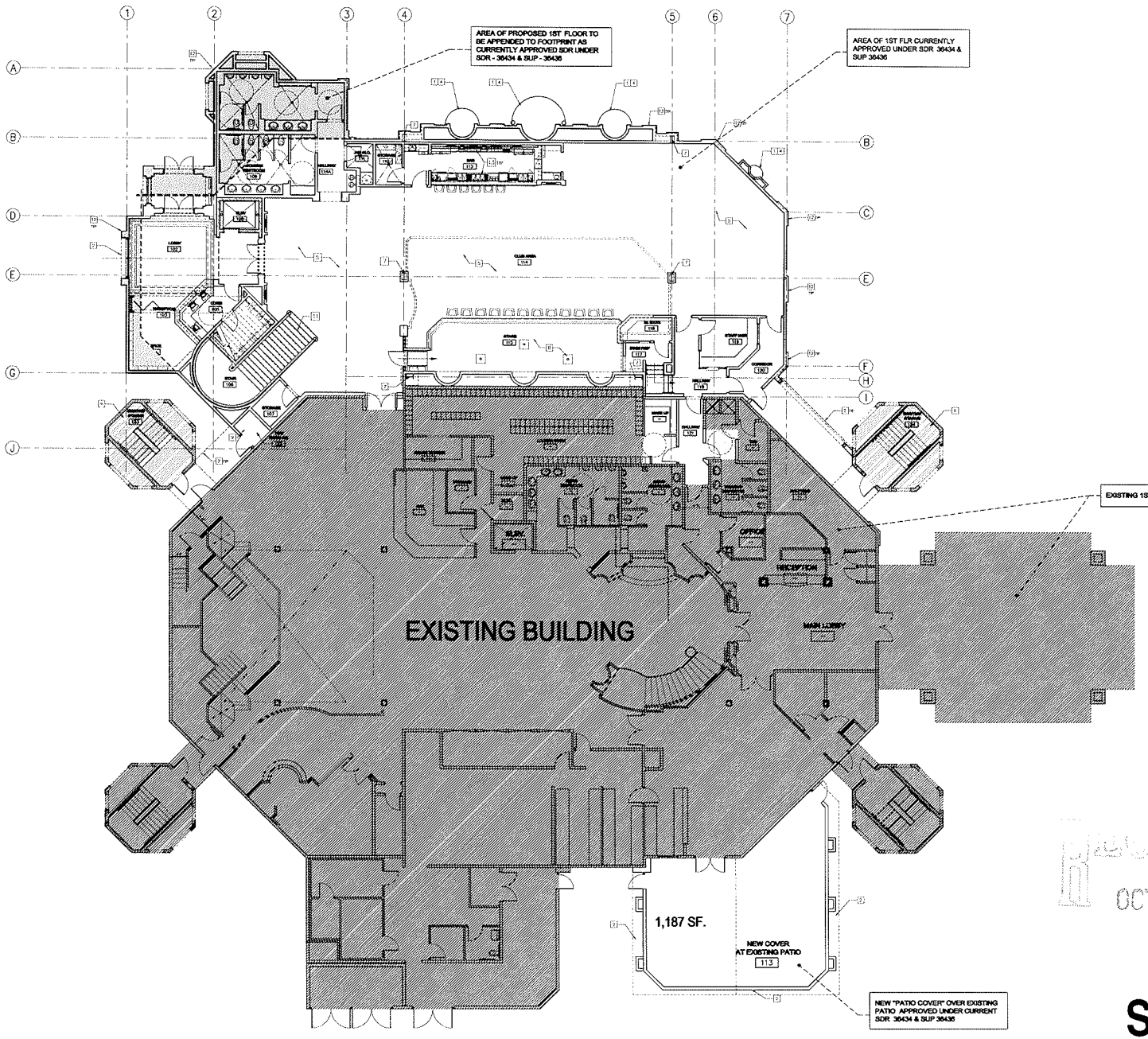

1 OVERALL FIRST FLOOR PLAN

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

NORTH

KEY NOTE

1	STATUE LOCATION FOR OWNER FURNISHED, OWNER INSTALLED STATUES
2	LINE OF ROOF EDGE OVERHANG. SEE ROOF PLAN FOR ADDITIONAL INFORMATION
3	METAL DETECTOR SHALL BE OWNER FURNISHED OWNER INSTALLED. SEE ELECTRICAL SHEETS FOR ELECTRICAL CONNECTION.
4	DISPLAY NICHE FOR OWNER FURNISHED ART WORK/ SCULPTURE.
5	OWNER FURNISHED, OWNER INSTALLED FURNISHINGS. COORDINATE WITH OWNER.
6	EXISTING METAL STAIRS WITH CONCRETE PAN FILLED STEPS.
7	STRUCTURAL COLUMN WITH FIRE RATED SURROUND. SEE STRUCTURAL DRAWINGS FOR COLUMN INFORMATION. SEE WALL TYPES FOR SPRAY-ON FIRE PROOFING REQUIREMENTS.
8	PLATFORM AREA. SEE ENLARGED PLAN FOR ADDITIONAL INFORMATION. COORDINATE SPECIAL LIGHTING WITH THE ELECTRICL SHEETS
9	FIRE RISER ROOM. SEE "P" SHEETS FOR ADDITIONAL INFORMATION
10	CMU COLUMNS WITH EIFS FINISH. SEE STRUCTURAL DRAWINGS FOR DESIGN AND REINFORCING NOTES. SEE EXTERIOR ELEVATIONS FOR DECORATIVE EIFS FINISH.
11	WOOD STAIRS WITH CARPETED TREADS AND RISERS. SEE STAIR SECTION FOR ADDITIONAL INFORMATION. PROVIDE METAL HANDRAILS PER ADA REQUIREMENTS. RAILING SHALL BE DECORATIVE WROUGHT IRON. LIGHTING SHALL BE PROVIDED AT EACH RISER. REFER TO ELECTRICAL SHEETS FOR ADDITIONAL INFORMATION.
12	EIFS PLANT-ON COLUMN. SEE EXTERIOR ELEVATIONS FOR ADDITIONAL INFORMATION.
13	BAR EQUIPMENT.
14	22"X30" ROOF HATCH WITH METAL LADDER. INSTALL PER MANUFACTURE REQUIREMENTS. SEE ROOF PLAN FOR ADDITIONAL INFORMATION. INSTALL HATCH CLOSE TO WALL TO ALLOW FOR EASY USE OF THE LADDER.
15	DECORATIVE RAILING SYSTEM. SEE EXTERIOR ELEVATIONS FOR ADDITIONAL INFORMATION.
16	GLASS ROOF. SEE ROOF PLAN FOR ADDITIONAL INFORMATION.
17	DECORATIVE RAILING SYSTEM.
18	INTERIOR GLASS ROOF.
19	NEW SHAFT FOR AUGMENTED AC AT EXISTING RECEPTION

FOR APPROVED SDR & SUP AMENDMENT

ISSUE DATE 10/04/10

ISSUED TO CLV PLANNING

OCT 0 5 2010

SUP-39819
SDR-39818

WINSTON H. HENDERSON ARCHITECTS
1555 EAST FLAMINGO ROAD STE. #550, LAS VEGAS, NV 89119
OFFICE (702) 893-9700 FAX (702) 893-9797

TREASURES GENTLEMEN'S CLUB EXPANSION
2801 WESTWOOD DR. LASVEGAS, NEVADA 89109
APN: 16208804001, 16209102004

OVERALL FIRST FLOOR PLAN

Date: 07-27-2009
Job No.: 09220
Designed: WHH
Drawn: TEP/BK
Update:
Checked: TEP/WHH

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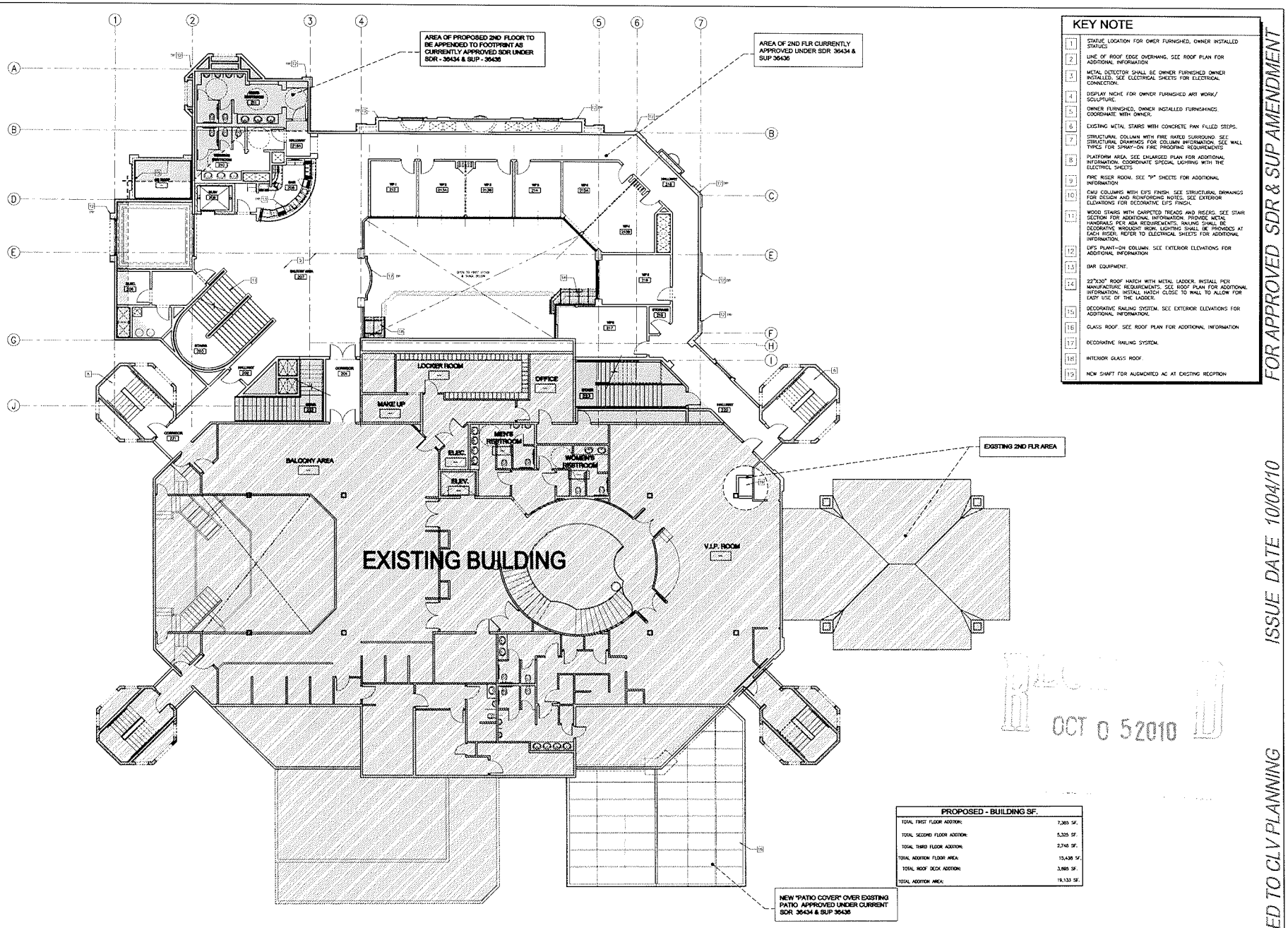

KEY NOTE

1	STATUE LOCATION FOR OWER FURNISHED, OWNER INSTALLED STATUES
2	LINE OF ROOF EDGE OVERHANG. SEE ROOF PLAN FOR ADDITIONAL INFORMATION
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4	DISPLAY NICHE FOR OWNER FURNISHED ART WORK/ SCULPTURE.
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7	STRUCTURAL COLUMN WITH FIRE RATED SURROUND. SEE STRUCTURAL DRAWINGS FOR COLUMN INFORMATION. SEE WALL TYPES FOR SPRAY-ON FIRE PROOFING REQUIREMENTS
8	PLATFORM AREA. SEE ENLARGED PLAN FOR ADDITIONAL INFORMATION. COORDINATE SPECIAL LIGHTING WITH THE ELECTRICL SHEETS
9	FIRE RISER ROOM. SEE "P" SHEETS FOR ADDITIONAL INFORMATION
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15	DECORATIVE RAILING SYSTEM. SEE EXTERIOR ELEVATIONS FOR ADDITIONAL INFORMATION.
16	GLASS ROOF. SEE ROOF PLAN FOR ADDITIONAL INFORMATION
17	DECORATIVE RAILING SYSTEM.
18	INTERIOR GLASS ROOF
19	NEW SHAFT FOR AUGMENTED AC AT EXISTING RECEPTION

PROPOSED - BUILDING SF.	
TOTAL FIRST FLOOR ADDITION:	7,360 SF.
TOTAL SECOND FLOOR ADDITION:	5,335 SF.
TOTAL THIRD FLOOR ADDITION:	2,748 SF.
TOTAL ADDITION FLOOR AREA:	15,438 SF.
TOTAL ROOF DECK ADDITION:	3,695 SF.
TOTAL ADDITION AREA:	19,133 SF.

1 OVERALL SECOND FLOOR PLAN

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

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FOR APPROVED SDR & SUP AMENDMENT

ISSUE DATE 10/04/10

ISSUED TO CLV PLANNING

WINSTON H. HENDERSON ARCHITECTS
1555 EAST FLAMINGO ROAD STE. #350, LAS VEGAS, NV 89119
OFFICE (702) 893-9700 FAX (702) 893-9797

TREASURES GENTLEMEN'S CLUB EXPANSION
2801 WESTWOOD DR. LASVEGAS, NEVADA 89109
APN: 162098004001, 162091102004

OVERALL SECOND FLOOR PLAN

Date: 07-27-2009
Job No.: 09220
Designed: WHH
Drawn: TEP/BK
Update:
Checked: TEP/WHH

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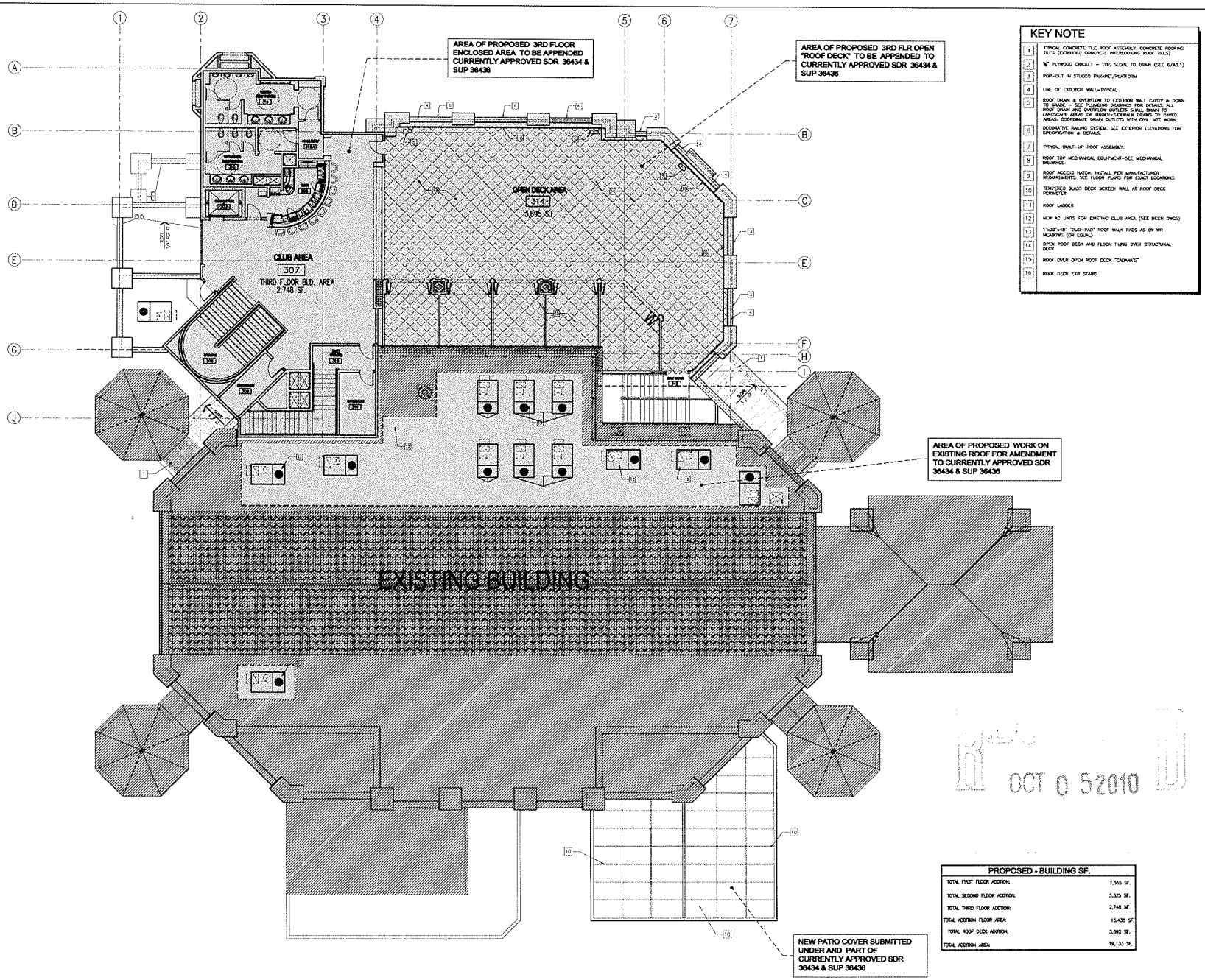
SDR-39818



1 THIRD FLOOR OVERALL PLAN

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

ISSUED TO CLV PLANNING

ISSUE DATE 10/04/10

FOR APPROVED SDR & SUP AMENDMENT

WINSTON H. HENDERSON ARCHITECTS
1505 EAST FLAMINGO ROAD STE. #550, LAS VEGAS, NV 89119
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TREASURES GENTLEMEN'S CLUB EXPANSION
2801 WESTWOOD DR. LAS VEGAS, NEVADA 89109
APN: 162-08-804-001, 162-09-102-004

THIRD FLOOR PLAN

Date: 07-27-2009
Job No.: 09220
Designed: WHH
Drawn: TEP/BK
Update:
Checked: TEP/WHH

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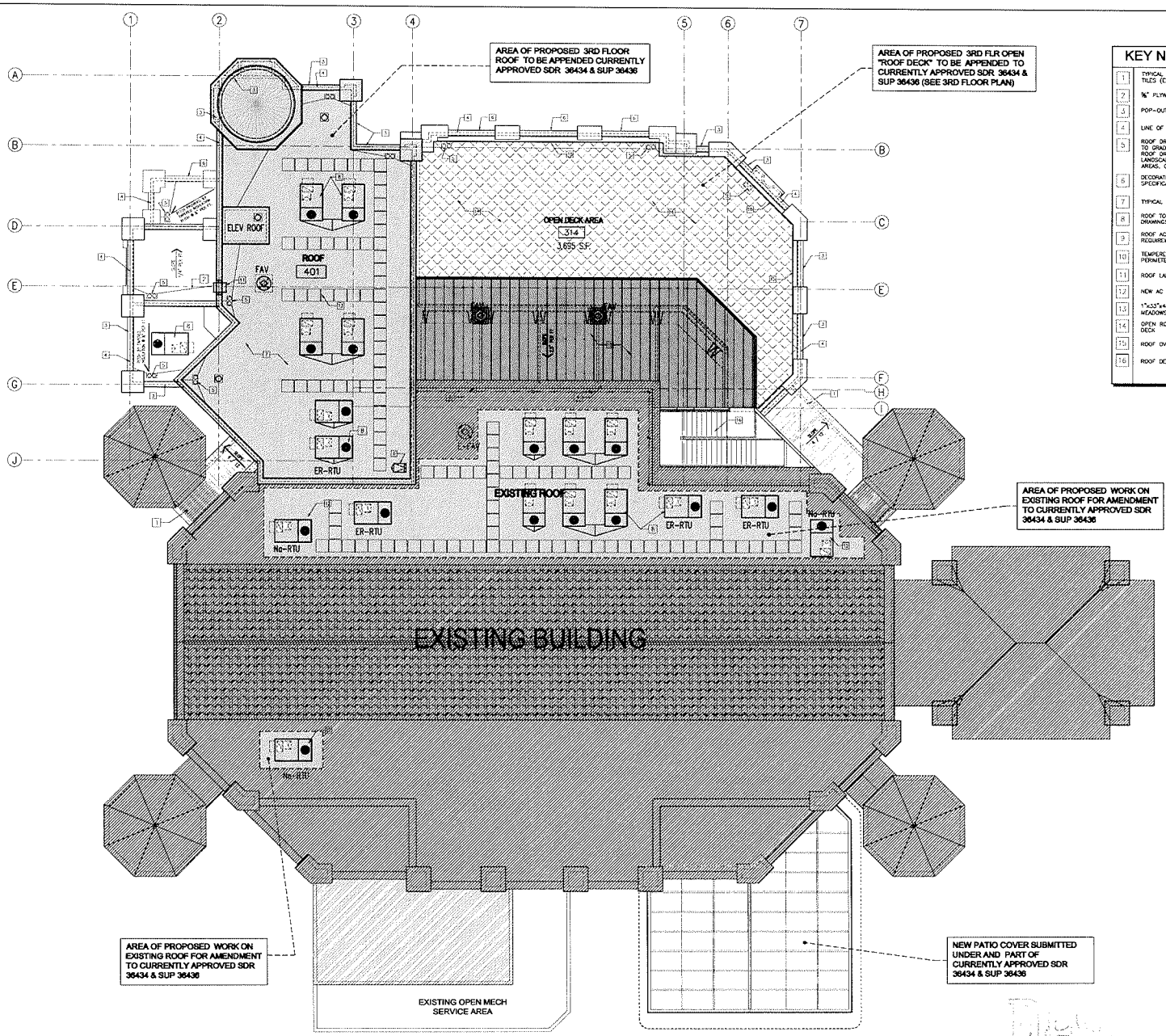

KEY NOTE

1	TYPICAL CONCRETE TILE ROOF ASSEMBLY, CONCRETE ROOFING TILES (EXTRUDED CONCRETE INTERLOCKING ROOF TILES)
2	¾" PLYWOOD CRICKET – TYP. SLOPE TO DRAIN (SEE 6/A3.1)
3	POP-OUT IN STUCCO PARAPET/PLATFORM
4	LINE OF EXTERIOR WALL-TYPICAL
5	ROOF DRAIN & OVERFLOW TO EXTERIOR WALL CAVITY & DOWN TO GRADE – SEE PLUMBING DRAWINGS FOR DETAILS. ALL ROOF DRAIN AND OVERFLOW OUTLETS SHALL DRAIN TO LANDSCAPE AREAS OR UNDER-SIDEWALK DRAINS TO PAVED AREAS. COORDINATE DRAIN OUTLETS WITH CIVIL SITE WORK
6	DECORATIVE RAILING SYSTEM. SEE EXTERIOR ELEVATIONS FOR SPECIFICATION & DETAILS.
7	TYPICAL BUILT-UP ROOF ASSEMBLY.
8	ROOF TOP MECHANICAL EQUIPMENT-SEE MECHANICAL DRAWINGS
9	ROOF ACCESS HATCH. INSTALL PER MANUFACTURER REQUIREMENTS. SEE FLOOR PLANS FOR EXACT LOCATIONS.
10	TEMPERED GLASS DECK SCREEN WALL AT ROOF DECK PERIMETER
11	ROOF LADDER
12	NEW AC UNITS FOR EXISTING CLUB AREA (SEE MECH DWGS)
13	1"=33"=48" "DUO-PAD" ROOF WALK PADS AS BY WR MEADOWS (OR EQUAL)
14	OPEN ROOF DECK AND FLOOR TILING OVER STRUCTURAL DECK
15	ROOF OVER OPEN ROOF DECK "CABANA'S"
16	ROOF DECK EXIT STAIRS

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

ISSUED TO CLV PLANNING ISSUE DATE 10/04/10 FOR APPROVED SDR & SUP AMENDMENT

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WINSTON H. HENDERSON ARCHITECTS
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TREASURES GENTLEMEN'S CLUB EXPANSION
2801 WESTWOOD DR. LASVEGAS, NEVADA 89109
APN: 16203804001, 16203102004

ROOF PLAN

Date: 07-27-2009
Job No.: 09220
Designed: WHH
Drawn: TEP/BK
Update:
Checked: TEP/WHH

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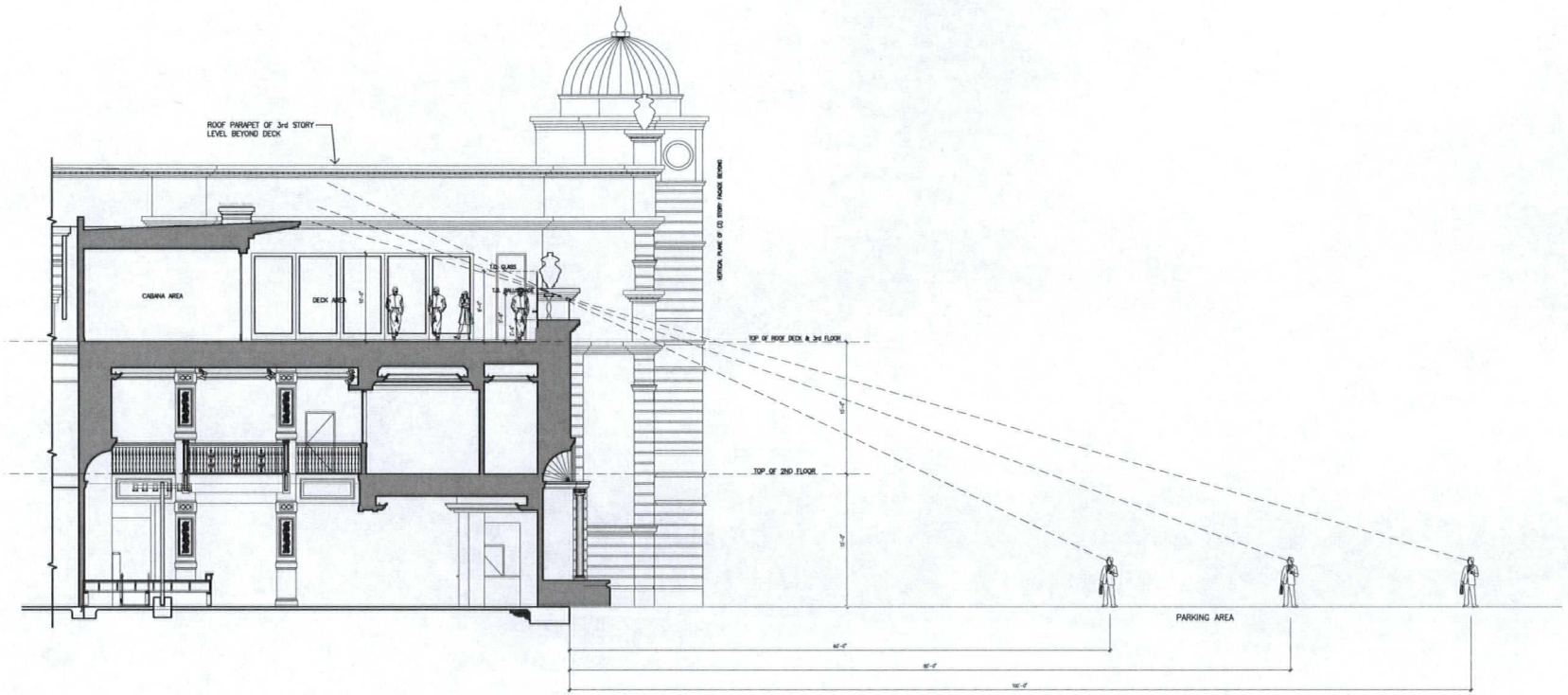
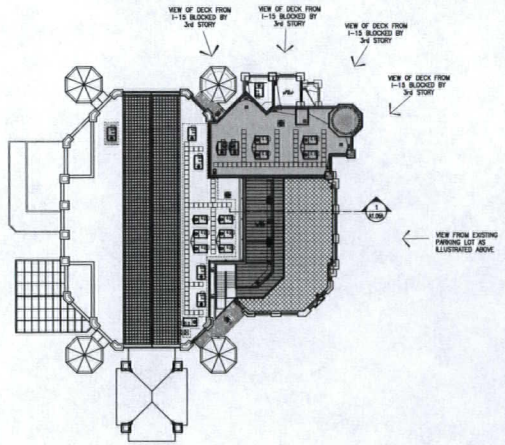


1 SIGHT LINE SECTION
SCALE: 3/16" = 1'-0"



2 SIGHT LINE ROOF PLAN SECTION KEY
SCALE: 3/16" = 1'-0"

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OCT 27 2010

SUP-39819
SDR-39818
REVISED

WINSTON H. HENDERSON ARCHITECTS
1355 EAST FLAMINGO ROAD STE. #B50, LAS VEGAS, NV 89119
OFFICE: (702) 893-9700 FAX: (702) 893-9797

TREASURES GENTLEMEN'S CLUB EXPANSION
2801 WESTWOOD DR. LASVEGAS, NEVADA 89109
APN: 16208604001, 16209102004

SIGHT LINE SECTION

Date: 07-27-2009
Job No.: 09220
Designed: WHH
Drawn: TEP/BK
Update:
Checked: TEP/WHH

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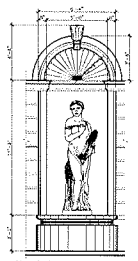
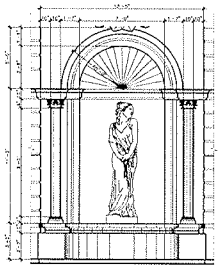


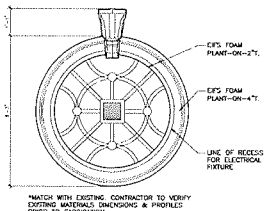
*MATCH WITH EXISTING PREFABRICATED STATUARY NICHE. CONTRACTOR TO VERIFY EXISTING DIMENSIONS & TYPE BEFORE COMMENCING WORK

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



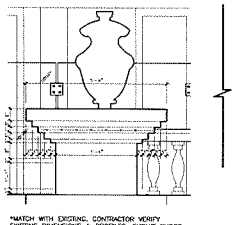
*MATCH WITH EXISTING PREFABRICATED STATUARY NICHE. CONTRACTOR TO VERIFY EXISTING DIMENSIONS & TYPE BEFORE COMMENCING WORK

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



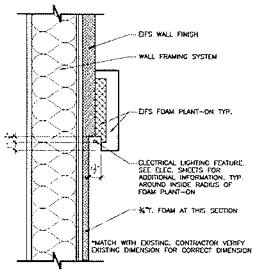
*MATCH WITH EXISTING. CONTRACTOR TO VERIFY EXISTING MATERIALS, DIMENSIONS & PROFILES PRIOR TO FABRICATION

5 PLANT-ON DETAIL
SCALE: 1/2" = 1'-0"



*MATCH WITH EXISTING. CONTRACTOR VERIFY EXISTING DIMENSIONS & PROFILES. SUBMIT SHOPS

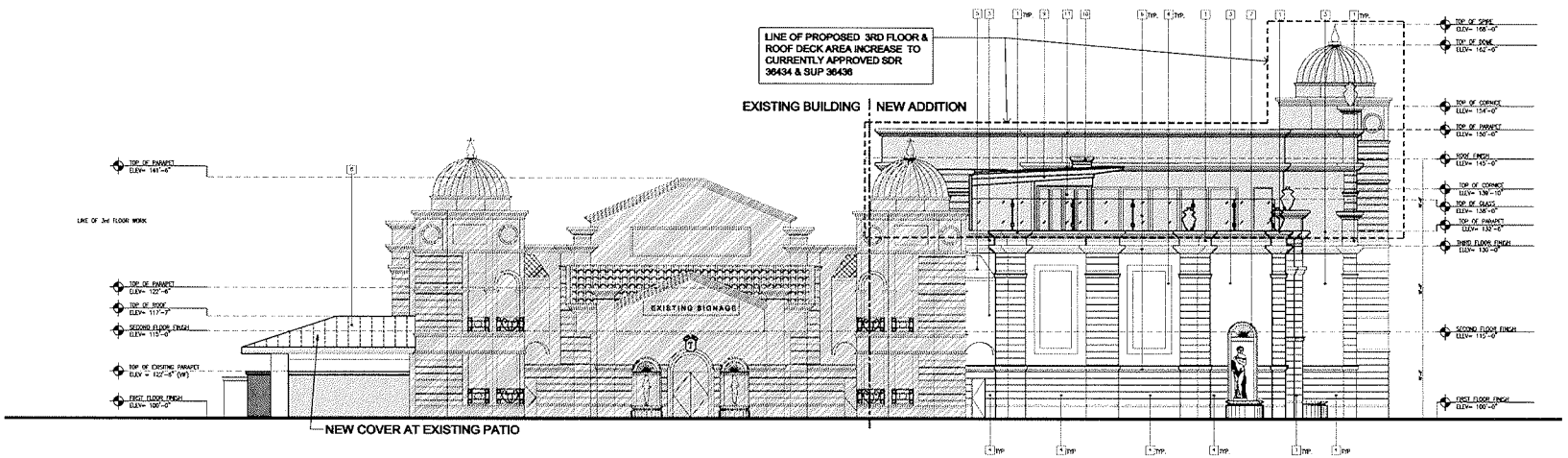
6 TYP. COLUMN CAP DETAIL
SCALE: 1/2" = 1'-0"



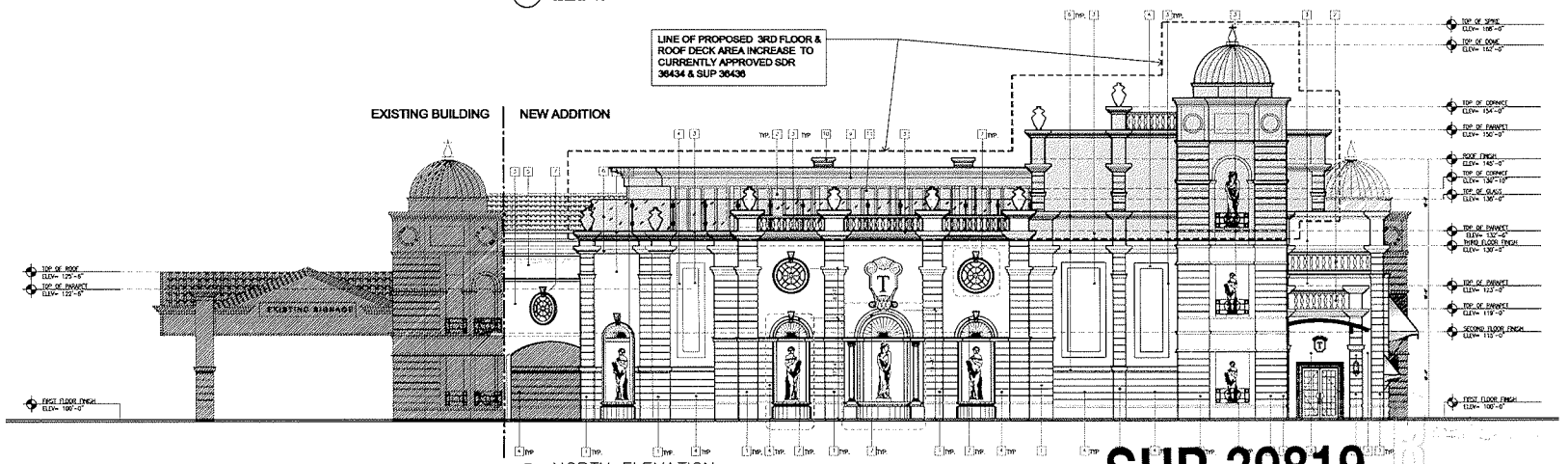
7 PLANT-ON SECTION
SCALE: 3" = 1'-0"

KEY NOTE

1. EIFS POP OUT COLUMNS AND CAPITALS, TYPICAL AROUND BUILDING AS SHOWN. COLUMNS SHALL BE PAINTED WITH TRIM COLOR. MATCH WITH EXISTING.
2. DECORATIVE RAILING FEATURE. MATCH WITH EXISTING DECORATIVE RAILING FEATURE.
3. EIFS WALL FINISH SHALL HAVE LIGHT SAND TEXTURE. STUCCO SHALL BE PAINTED FOR MATCHING WITH EXISTING BUILDING COLOR. TYPICAL AROUND ENTIRE BUILDING.
4. EIFS POP-OUT WALLS. TYPICAL AROUND BUILDING AS SHOWN WALLS SHALL BE PAINTED WITH TRIM COLOR. MATCH WITH EXISTING.
5. CONCRETE MISSION STYLE TILE ROOFING MATERIAL AT ALL PITCHED ROOF AREAS. SEE ROOF PLAN FOR ADDITIONAL INFORMATION. MATCH WITH EXISTING.
6. DECORATIVE FASCIA TRIM SHALL BE EIFS OVER FOAM PLANT-ON AND SHALL BE PAINTED TRIM COLOR, TYPICAL AROUND ENTIRE BUILDING. MATCH WITH EXISTING TYPICAL.
7. EIFS FOAM PLANT-ON TYPICAL SHALL BE PAINTED WITH TRIM COLOR. MATCH WITH EXISTING EIFS FOAM PLANT-ON TYPICAL.
8. GLASS ROOF COVER AT EXISTING PATIO AREA. SEE ROOF PLAN FOR ADDITIONAL INFORMATION.
9. COVER OVER ROOF DECK CABANA'S
10. FALSE "PILASTER" ENCLOSES AIR MAKE FROM BELOW, W/ LIGHTED "CAP"
11. SLIDING "STACKABLE" GLASS DOORS AT CABANA'S



2 EAST ELEVATION
SCALE: 1/8" = 1'-0"



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

FOR APPROVED SDR & SUP AMENDMENT

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ISSUED TO CLV PLANNING

SUP-39819

SDR-39818

OCT 0 5 2010

WINSTON H. HENDERSON ARCHITECTS
1555 EAST FLAMINGO ROAD STE. #330, LAS VEGAS, NV 89119
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TREASURES GENTLEMEN'S CLUB EXPANSION
2801 WESTWOOD DR. LASVEGAS, NEVADA 89109
APN: 16209804001, 16209102004

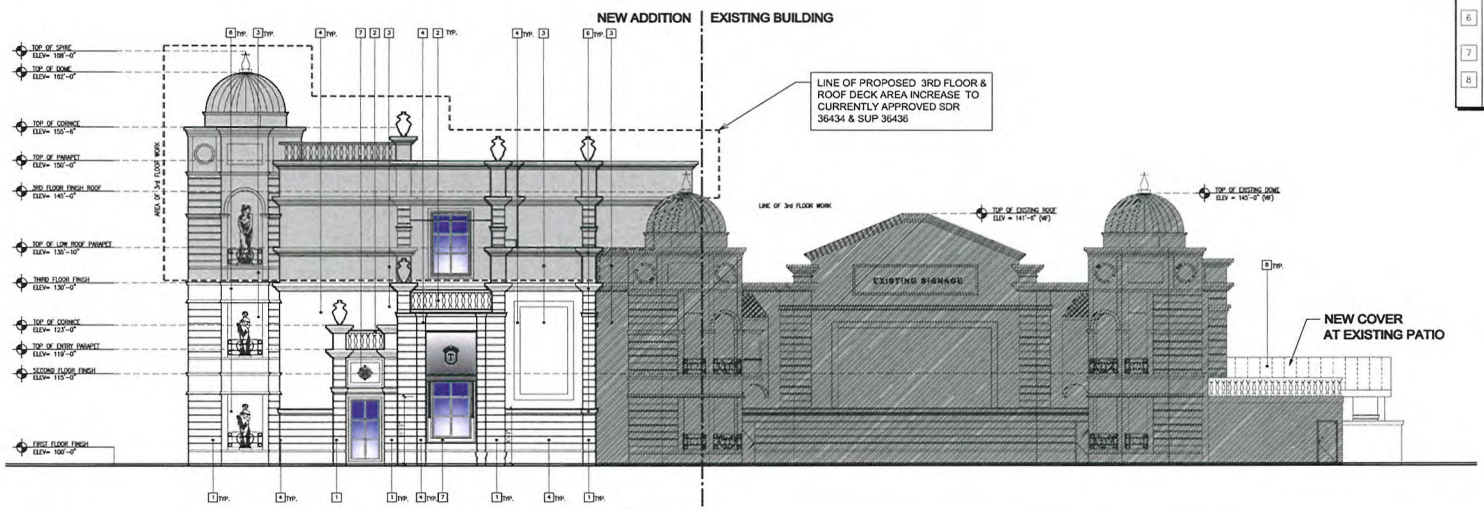
ELEVATIONS

Date: 07-27-2009
Job No.: 09220
Designed: WHH
Drawn: TEP/BK
Update:
Checked: TEP/WHH

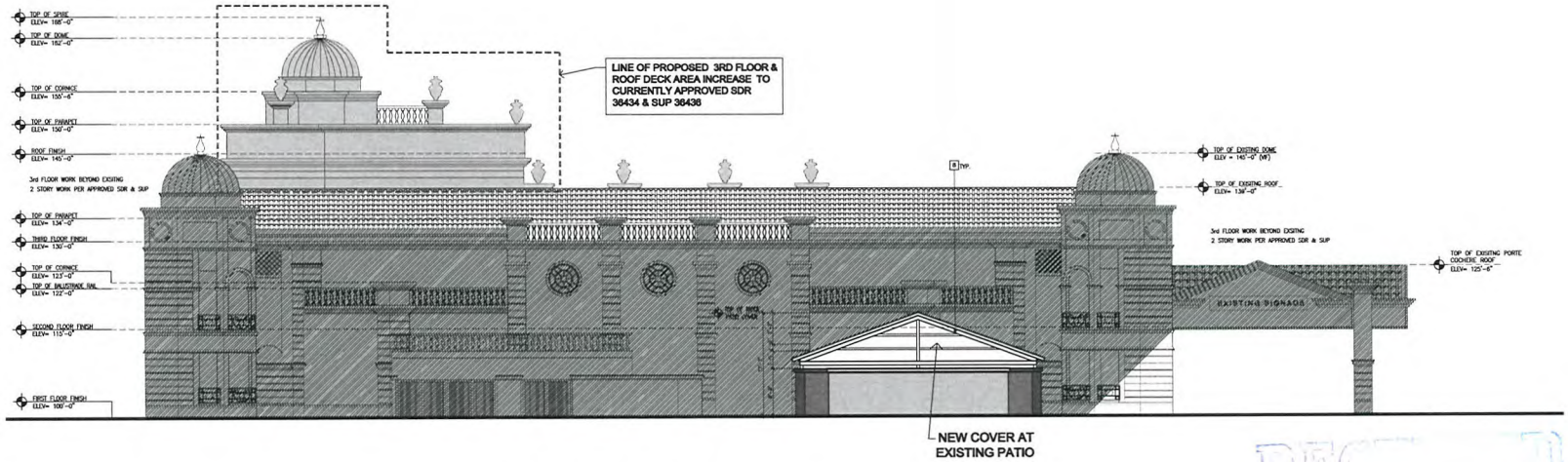
Sheet
A3.00

KEY NOTE

1	EIFS POP OUT COLUMNS AND CAPITALS. TYPICAL AROUND BUILDING AS SHOWN COLUMNS SHALL BE PAINTED WITH TRIM COLOR. MATCH WITH EXISTING.
2	DECORATIVE RAILING FEATURE. MATCH WITH EXISTING DECORATIVE RAILING FEATURE.
3	EIFS WALL FINISH SHALL HAVE LIGHT SAND TEXTURE. STUCCO SHALL BE PAINTED FOR MATCHING WITH EXISTING BUILDING COLOR. TYPICAL AROUND ENTIRE BUILDING.
4	EIFS POP-OUT WALLS. TYPICAL AROUND BUILDING AS SHOWN WALLS SHALL BE PAINTED WITH TRIM COLOR. MATCH WITH EXISTING.
5	CONCRETE MISSION STYLE TILE ROOFING MATERIAL AT ALL PITCHED ROOF AREAS. SEE ROOF PLAN FOR ADDITIONAL INFORMATION. MATCH WITH EXISTING.
6	DECORATIVE FASCIA TRIM SHALL BE EIFS OVER FOAM PLANT-ON AND SHALL BE PAINTED TRIM COLOR. TYPICAL AROUND ENTIRE BUILDING. MATCH WITH EXISTING TYPICAL.
7	EIFS FOAM PLANT-ON TYPICAL. SHALL BE PAINTED WITH TRIM COLOR. MATCH WITH EXISTING EIFS FOAM PLANT-ON TYPICAL.
8	GLASS ROOF COVER AT EXISTING PATIO AREA. SEE ROOF PLAN FOR ADDITIONAL INFORMATION.



2 WEST ELEVATION
SCALE: 1/8" = 1'-0"



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

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OCT 0 5 2010

SUP-39819
SDR-39818

ISSUED TO CLV PLANNING ISSUE DATE 10/04/10 FOR APPROVED SDR & SUP AMENDMENT

WINSTON H. HENDERSON ARCHITECTS
1556 EAST FLAMINGO ROAD STE. #350, LAS VEGAS, NV 89119
OFFICE (702) 893-9700 FAX (702) 893-9797

TREASURES GENTLEMEN'S CLUB EXPANSION
2801 WESTWOOD DR. LASVEGAS, NEVADA 89109
APN: 16208804001, 16209102004

ELEVATIONS

Date: 07-27-2009
Job No.: 09220
Designed: WHH
Drawn: TEP/BK
Update:
Checked: TEP/WHH

Sheet
A3.01

© 2009 WINSTON HENDERSON ARCHITECTS

SUP-39819 & SDR-39818 - APPLICANT/ONWER: D2801 WESTWOOD, INC.
2801 WESTWOOD DRIVE

10/15/10

SUP-39819 & SDR-39818 - APPLICANT/ONWER: D2801 WESTWOOD, INC.
2801 WESTWOOD DRIVE

10/15/10

SUP-39819 & SDR-39818 - APPLICANT/ONWER: D2801 WESTWOOD, INC.
2801 WESTWOOD DRIVE

10/15/10

SUP-39819 & SDR-39818 - APPLICANT/ONWER: D2801 WESTWOOD, INC.
2801 WESTWOOD DRIVE

10/15/10

JUSTIFICATION LETTER

AMENDMENT to SUP-36436 & SDR-36434

Project: TREASURES GENTLEMEN'S CLUB

Location: 2805 Westwood Drive
Las Vegas, Nv. 89109

APN: #16208604001, #16209102004

Owner: D 2801 Westwood, Inc.

Treasures is an existing Gentlemen's Club located at 2805 Westwood drive immediately east of I-15 freeway and south of Sahara Blvd. There is currently an approved SUP-36435 and SDR-36434 for a two story addition to the existing building.

The proposed amendment to the current SUP and SDR is for the addition of a third floor roof deck and lounge space above the approved two story addition. The proposed third floor addition will add 2,748 sf of lounge area with 3,695 sf of roof top deck area, and miscellaneous adjustments at the first and second floor to facilitate the new third floor.

The total area will be approximately as follows:

Total first floor addition	7,365
Total second floor addition	5,325
Total third floor addition	2,748
Total bldg addition floor area	15,438
Total roof deck addition	3,695
Total Addition area	19,133
Existing Building area	25,417
Total combined building area	44,550

A property line adjustment in the previously approved SUP / SDR remains unchanged. This adjustment has been submitted to CLV Public Works and is awaiting approval and recordation. A vehicle "drop-off" lane has been added to facilitate a required fire lane and allow ease of on site vehicle flow. Required parking has increased to 179 spaces, however the provided 203 spaces still exceeds that requirement.

All Building "set back" requirements, landscaping conditions, access locations, and conditions for approval for the previously approved SUP / SDR remain in effect and unchanged.

Winston Henderson, Principal
WHA

SUP-39819
SDR-39818
REVISED

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OCT 27 2010

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

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02 1M $ 00.41⁴
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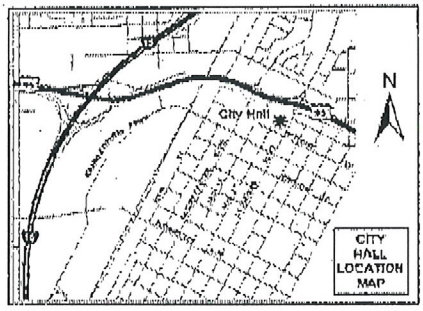
Official Notice of Public Hearing



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

☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-39819

Planning Commission Meeting of 11/18/2010

Case: SUP-39819

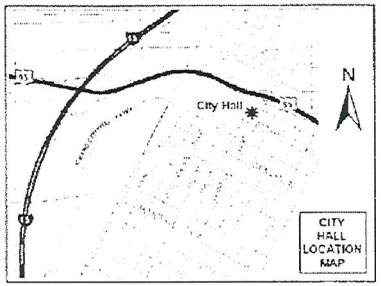
16209202008
KHAZAI SHAHRIAR & ISABELA
%IMPERIOAL DESIGN
14100 KINGSLEY DR
GARDENA CA 90249-3018

RECEIVED
NOV - 8 2010

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

Return Service Requested

Official Notice of Public Hearing



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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-39819

Planning Commission Meeting of 11/18/2010

Case: SUP-39819
16208703001
MARTIN ROBERT E & KAYE
7045 LAREDO ST
LAS VEGAS NV 89117-3021

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NOV - 8 2010

Nov 08 10 08:11a Robert Martin 702-873-4030 p.1

City of Las Vegas Agenda Item No.: **29.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

SUBJECT:
SDR-39818 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-39818 - PUBLIC HEARING - APPLICANT/OWNER: D2801 WESTWOOD, INC., ET AL. - Request for a Major Amendment to a previously approved Site Development Plan Review (SD-0063-01) TO ADD 7,399 SQUARE FEET, INCLUDING A THIRD FLOOR WITH DECK, TO AN APPROVED 37,151 SQUARE-FOOT SEXUALLY ORIENTED BUSINESS, AND FOR PARKING LOT MODIFICATIONS on 4.51 acres at 2801 Westwood Drive (APNs 162-08-604-001 and 162-09-102-004), M (Industrial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

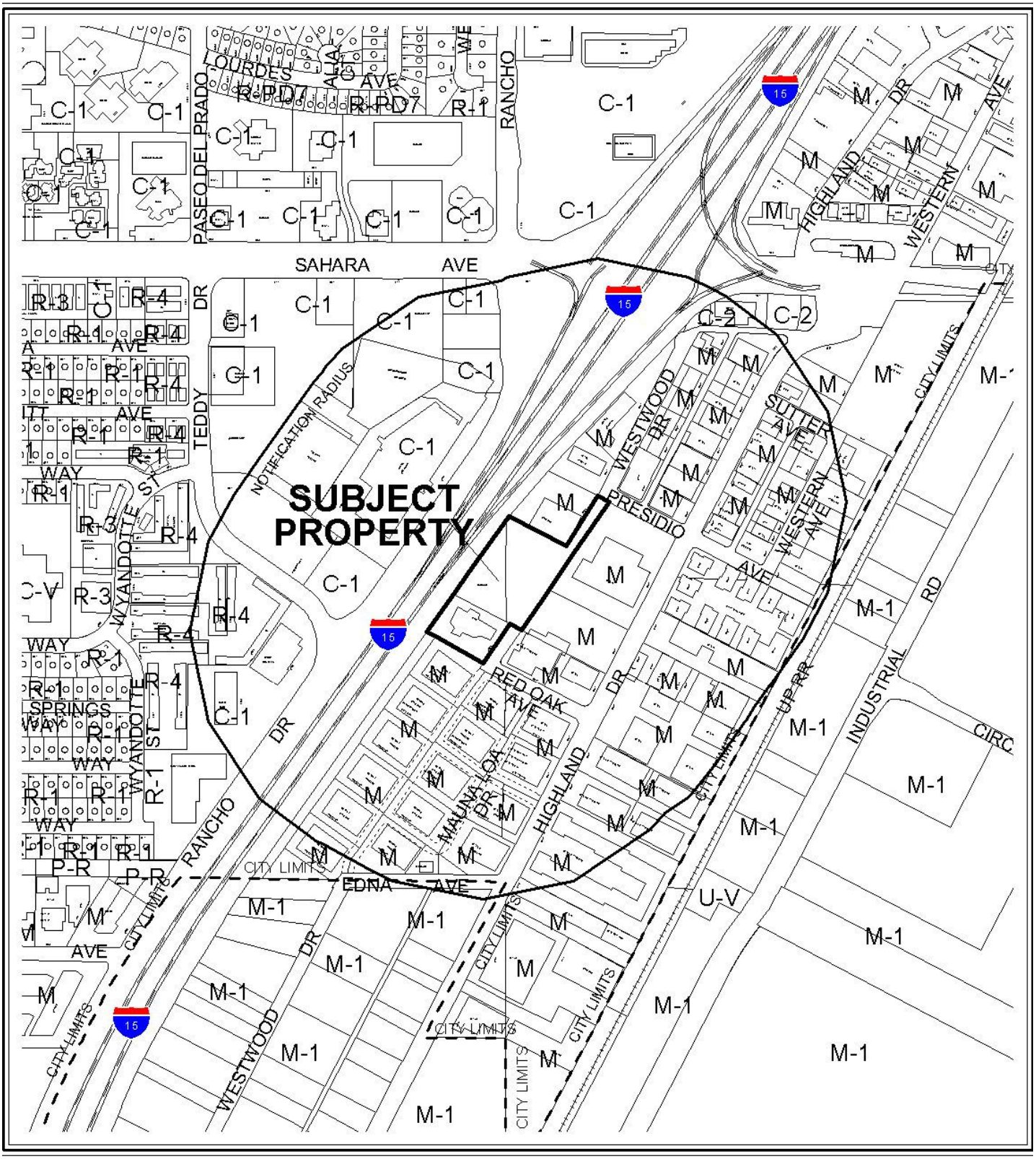
MAY GO TO CITY COUNCIL ON 12/15/10 OR MAY BE FINAL ACTION
(Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Location and Aerial Maps
3. Supporting Documentation
4. Support Postcard

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

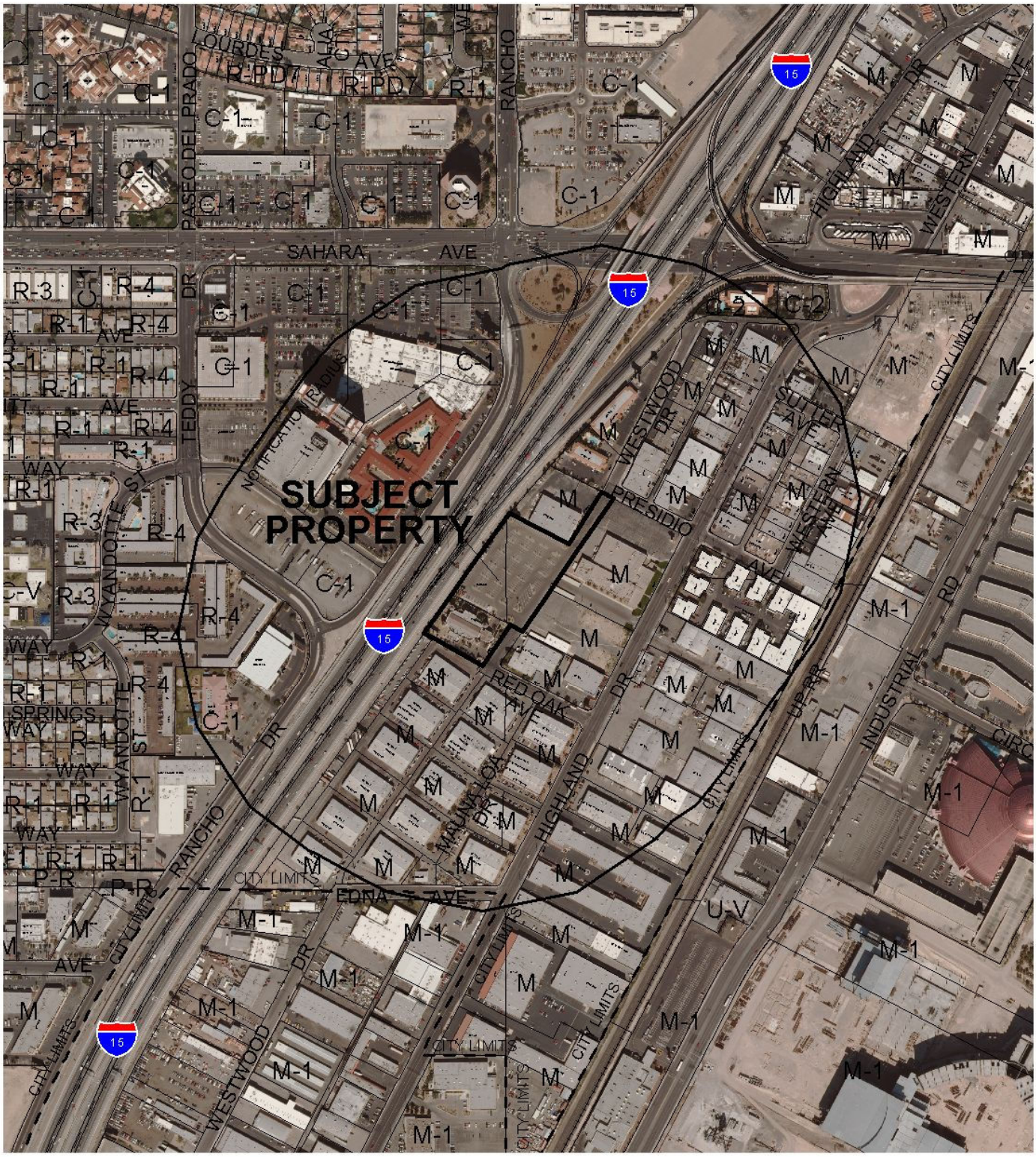


CASE: **SDR-39818**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 300 600 Feet



CASE: **SDR-39818**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 300 600 Feet

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-39818** APN: 162-08-604-001

Name of Property Owner: 2801 Westwood, Inc.

Name of Applicant: 2801 Westwood, Dr.

Name of Representative: Winston Henderson

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: W Henderson - rep

Print Name: Winston Henderson

Subscribed and sworn before me

This 5th day of October, 20 10

Sunshine Muangsopa

Notary Public in and for said County and State

State of Nevada, County of Clark

SUNSHINE MUANGSOPA
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 7-13-2011
Certificate No: 03-83788-1

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OCT 0 5 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: AMENDMENT TO SDR 36434 & SUP 36436

Project Address (Location) 2801 WESTWOOD DR., LAS VEGAS, NV, 89109

Project Name TREASURES GENTLEMANS CLUB **Proposed Use** S.O.B.

Assessor's Parcel #(s) 162080400 1/162091020 04 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing M proposed N/A

Commercial Square Footage 44,550 **Floor Area Ratio** _____

Gross Acres ~~44,550~~ **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER D2801 WESTWOOD INC **Contact** _____

Address 2801 WESTWOOD DRIVE **Phone:** _____ **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89109

E-mail Address _____

APPLICANT _____ **Contact** _____

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

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

E-mail Address _____

REPRESENTATIVE WINSTON HENDERSON ESQ. **Contact** WINSTON HENDERSON

Address 1555 E. FLAMINGO **Phone:** 893-9700 **Fax:** 893-9797

City LAS VEGAS **State** NV **Zip** 89119

E-mail Address WINSTON@WHALV.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 Winston Henderson

Subscribed and sworn before me

This 5 day of October, 20 10.

_____

Notary Public in and for said County and State

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OCT 0 5 2010

ALISON WHITNEY
Notary Public State of Nevada
No. 06-105840-1
My appt. exp. April 11, 2014

FOR DEPARTMENT USE ONLY

Case #	SDR-39813
Meeting Date:	11/18/10
Total Fee:	$1030.00
Date Received:*	10/05/10
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

SDR 39818
D2801 Westwood, Inc.

2801 Westwood Dr.

Proposed 6.44 thousand square foot addition to an existing sexually oriented business.

Traffic produced by proposed development:

Existing/Currently Approved Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	DRINKING PLACE [1000SF]	38.11	0.00	0
AM Peak Hour			0.00	0
PM Peak Hour			11.34	432

Proposed Addition	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	DRINKING PLACE [1000SF]	6.44	0.00	0
AM Peak Hour			0.00	0
PM Peak Hour			11.34	73

Net Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	DRINKING PLACE [1000SF]	44.55	0.00	0
AM Peak Hour			0.00	0
PM Peak Hour			11.34	505

Existing traffic on all nearby streets: Count data unavailble for Westwood Dr.

Presidio Ave.	
Average Daily Traffic (ADT)	280
PM Peak Hour	22
(heaviest 60 minutes)	

Highland Dr.	
Average Daily Traffic (ADT)	2,417
PM Peak Hour	193
(heaviest 60 minutes)	

Traffic Capacity of adjacent streets

	Adjacent street ADT Capacity
Presidio Ave.	16900
Highland Dr.	26775

Based on Peak Hour use, this development will add roughly 73 additional cars into the area; or about 5 every four minutes. Currently, Presidio Ave. is at about 2 percent of capacity and Highland Dr. is at about 9 percent of capacity. Count data was unavailble for Westwood Dr., but it is believed to be under capacity.

Note that this report assumes all traffic from this development uses all named streets.

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

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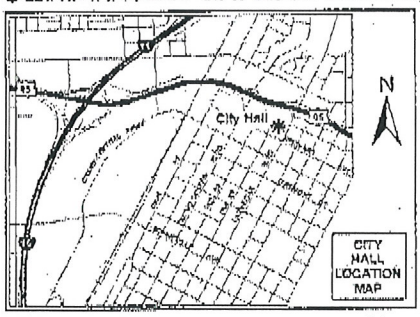
Return Service Requested
Official Notice of Public Hearing



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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-39818
Planning Commission Meeting of 11/18/2010

Case: SDR-39818
16209202008
KHAZAI SHAHRIAR & ISABELA
%IMPERIOAL DESIGN
14100 KINGSLEY DR
GARDENA CA 90249-3018

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NOV - 8 2010

City of Las Vegas Agenda Item No.: **30.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

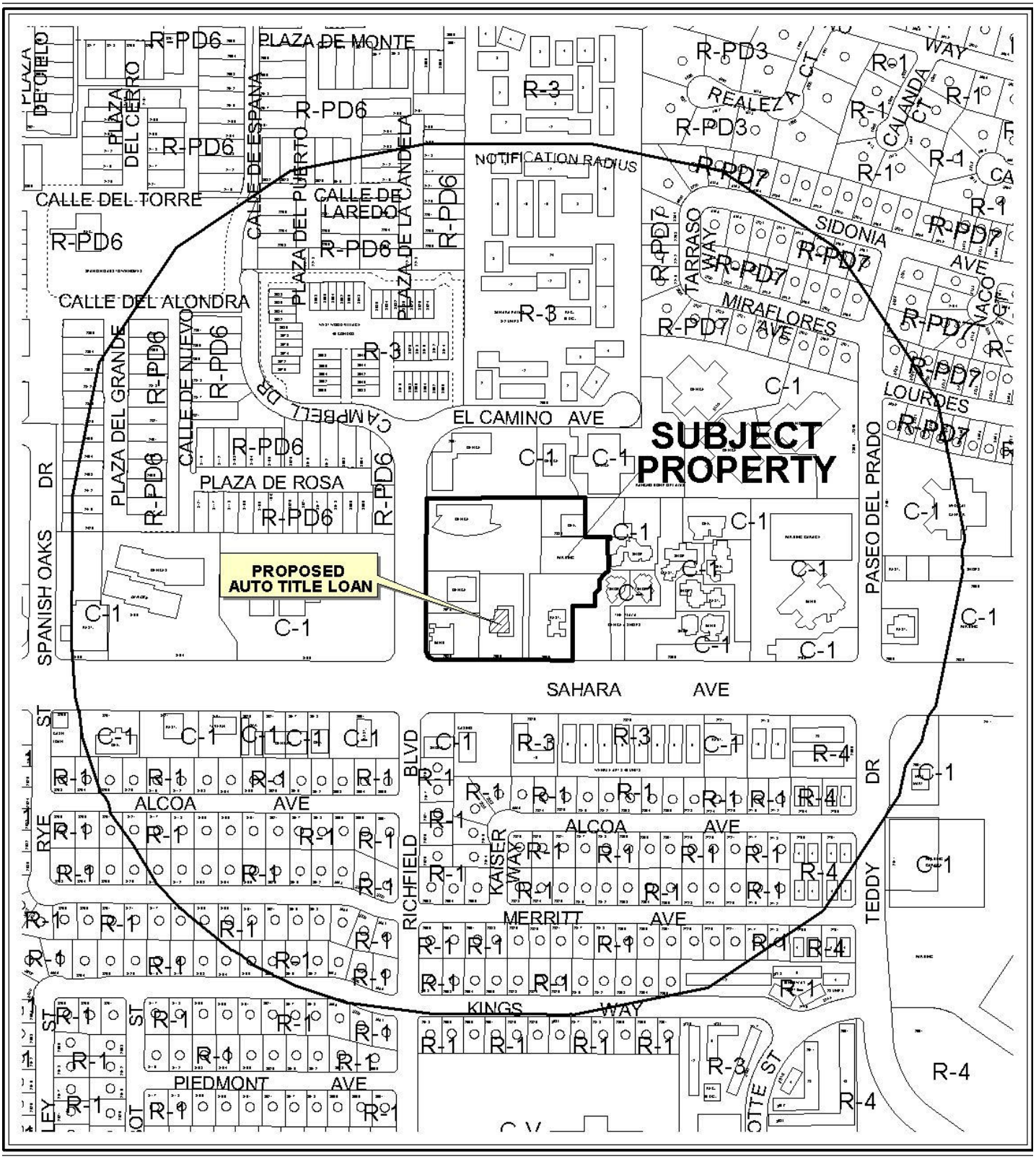
SUBJECT:
SUP-39821 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MONEYTREE, INC. - OWNER: KATSAM, LLC - Request for a Special Use Permit FOR AN AUTO TITLE LOAN USE WITHIN AN EXISTING 3,093 SQUARE-FOOT NONCONFORMING FINANCIAL INSTITUTION, SPECIFIED WITH WAIVERS TO ALLOW A 90-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 200 FEET IS REQUIRED, A 990-FOOT DISTANCE SEPARATION FROM A FINANCIAL INSTUTION, SPECIFIED WHERE 1,000 FEET IS REQUIRED AND HOURS OF OPERATION FROM 7:00 A.M. to 11:00 P.M. WHERE 8:00 A.M. to 11:00 P.M. IS ALLOWED at 2950 West Sahara Avenue (APN 162-05-816-006), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 12/15/10 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. Request for Abeyance Letter Submitted by Lionel Sawyer & Collins
4. Supporting Documentation
5. Photos
6. Justification Letter
7. Protest/Support Postcards



0 300 600 Feet

CASE: **SUP-39821**

RADIUS: 1000 FT

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

N

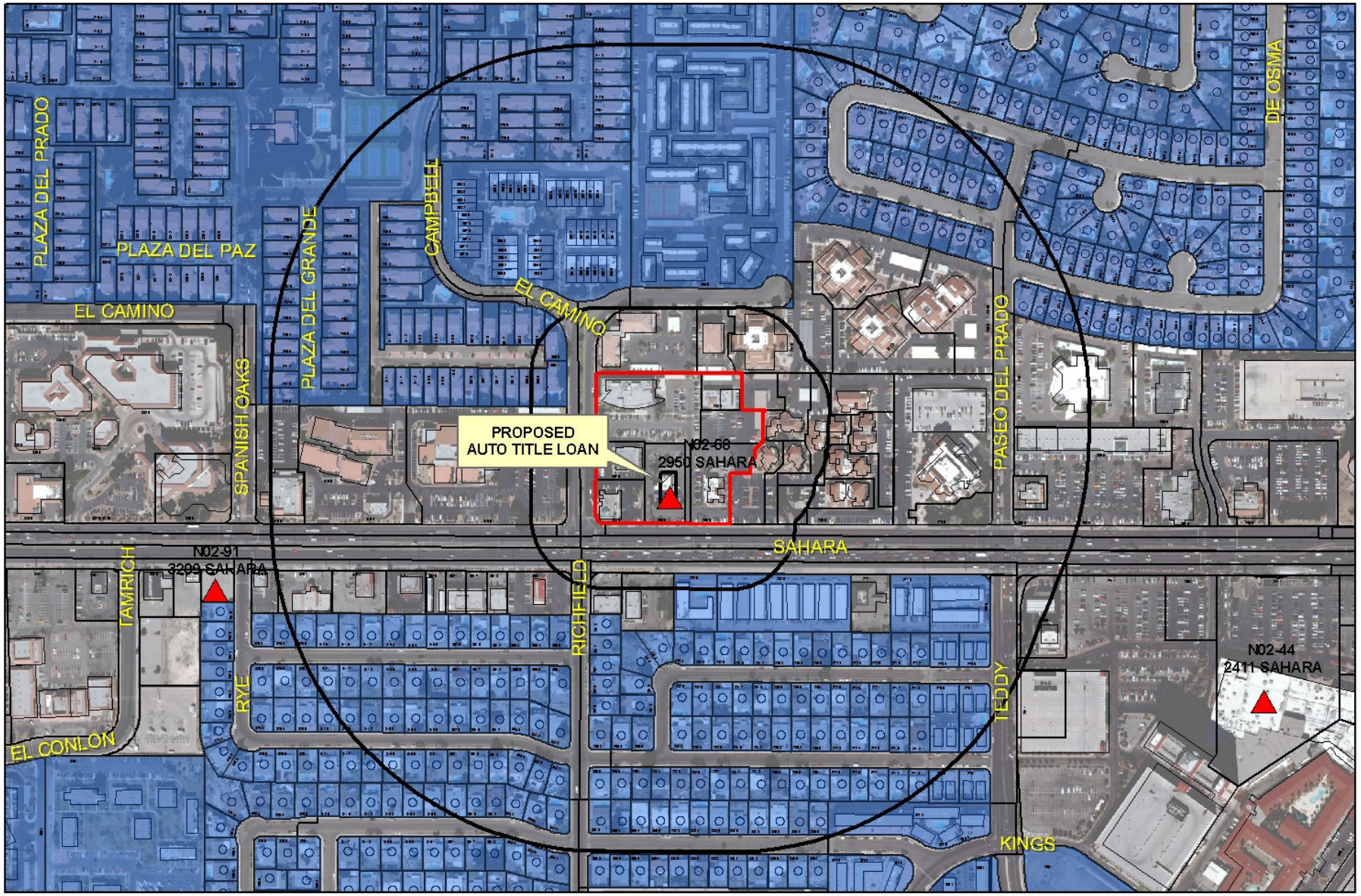
0 300 600 Feet

CASE: **SUP-39821**

RADIUS: 1000 FT

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

N



SUP-39821
Financial Institution

Financial Business Locations

- Financial Institution, Specified
- Automobile Title Loan
- Pawnshops

Subject Property
Residential Property
200ft & 1000ft Buffer

0 245 490 980 Feet

N

LIONEL SAWYER & COLLINS

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

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

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

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

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

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

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

October 28, 2010

VIA FACSIMILE & U.S. MAIL

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

RE: *SUP-39821 – Application for Special Use Permit and Waivers of the Distance to Residential; Distance to a Financial Institution, Specified; and the Condition on Hours of Operation*

Dear Mr. Grider:

I am writing on behalf of Monctryee, Inc., concerning its application for a special use permit and waivers of the distances to residential and another financial institution, specified, and of the condition on hours of operation for the addition of auto title loan use to its existing financial institution, specified operations at 2950 West Sahara Avenue (APN #162-05-816-006).

The application is currently scheduled for hearing before the Planning Commission on November 18, 2010. This letter serves as a request to hold the application in abeyance until the March 2011 Planning Commission hearing. Moneytree understands that clarification on the parking will be required prior to the hearing date.

Please let me know if you have any questions or require additional information.

RECEIVED
OCT 28 2010

Sincerely,

Jennifer Roberts

cc: Ms. Chung-yu Lin

RECEIVED
OCT 28 2010

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: MONEYTREE, INC. - OWNER: KATSAM, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-39821	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

SUP-39821 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for an Auto Title Loan use.

2. Conformance to the approved conditions for Rezoning (Z-0108-63) and Site Development Plan Review [Z-0108-63(32)].

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

JG

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for an Auto Title Loan use within an existing 3,093 square-foot nonconforming Financial Institution, Specified at 2950 West Sahara Avenue. Staff is recommending denial of this application because the proposed use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, as evidenced by the required waivers of distance separation requirements and hours of operation allowed. If this request is denied, the Auto Title Loan cannot be permitted on this site.

ISSUES

- An Auto Title Loan use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- A Waiver to allow a 90-foot distance separation from a residential property, where 200 feet is required is needed for approval of the Special Use Permit.
- A Waiver to allow a 990-foot distance separation from another Financial Institution, Specified use, where 1,000 feet is required is needed for approval of the Special Use Permit.
- A Waiver to allow hours of operation from: 7:00 a.m. to 11:00 p.m., where 8:00 a.m. to 11:00 p.m. is allowed is needed for approval of the Special Use Permit.
- The existing Financial Institution, Specified is nonconforming as it was established at the location prior to the requirement for a Special Use Permit. As such, it is not subject to the requirements of distance separation and restricted hours of operation.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/11/63	The City Council approved a request to Rezone (Z-0108-63) from R-1 (Single Family Residence) to C-1 (Limited Commercial) at 2950 West Sahara Avenue. The Planning Commission recommended Approval.
08/26/93	The Planning Commission approved a Plot Plan and Building Elevation Review [Z-0108-63(18)] for a restaurant with drive through at 2950 West Sahara Avenue.
04/05/02	The Planning Commission approved a request for a Site Development Plan Review [Z-0108-63(32)] for the conversion and expansion of an existing building to a Financial Institution, Specified at 2950 West Sahara Avenue.
11/06/02	The City Council approved a Master Sign Plan (MSP-0008-02) for an approved Financial Institution at 2950 West Sahara Avenue.

Most Recent Change of Ownership	
02/04/02	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
12/29/93	A building permit (93213738) was issued for a Certificate of Occupancy at 2950 West Sahara Avenue. The permit was finaled on 03/16/94.
06/14/02	A building permit (02010825) was issued for a Tenant Improvement Certificate of Occupancy at 2950 West Sahara Avenue. The permit was finaled on 10/16/02.
02/28/02	A building permit (02003494) was issued for a wall sign at 2950 West Sahara Avenue. The permit was finaled on 12/02/02.
10/30/02	A business license (C21-00123) Non-Depository Lender was issued at 2950 West Sahara Avenue. The license was reclassified to (N02-00068) on 09/10/09. The license is still active.
10/30/02	A business license (W10-00029) Wire Service was issued at 2950 West Sahara Avenue. The license is still active.
05/19/09	A business license (W10-00029) Wire Service was issued at 2950 West Sahara Avenue. The license is still active.
08/10/09	A business license (M06-03073) for Miscellaneous Sales was issued at 2950 West Sahara Avenue. The license is still active.
03/23/10	A building permit (159249) was issued for a 3.8 square-foot illuminated wall sign at 2950 West Sahara Avenue. The permit was finaled on 06/30/10.

Pre-Application Meeting	
09/13/10	A pre-application meeting was held to discuss the requirements for the submittal of a Special Use Permit for an Auto Title Loan use. It was noted that a Waiver is required for the minimum 200-foot distance separation between the proposed use and a residential property and a Waiver is required for the minimum 1,000-foot distance separation between the proposed use and another Financial Institution, Specified use.

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

Field Check	
10/14/10	During a site visit, staff noted a Financial Institution, Specified to be clean and free of debris.

Details of Application Request	
Site Area	
Net Acres	0.69

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Financial Institution, Specified	SC (Service Commercial)	C-1 (Limited Commercial)
North	Office	SC (Service Commercial)	C-1 (Limited Commercial)
South	Tavern	SC (Service Commercial)	C-1 (limited Commercial)
	Apartments		R-3 (Medium Density Residential)
East	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
West	Bank, Office	SC (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

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	Y
Richfield Boulevard: Local Street	N/A	90	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	
Financial Institution, Specified / Auto Title Loan (Proposed)	3,093 SF	1/250 SF	13		45		
TOTAL SPACES REQUIRED			13		45		
Regular and Handicap Spaces Required			12	1	43	2	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
A 200-Foot minimum distance separation from a residential property	90 feet	Denial
A 1,000-Foot minimum distance separation from another Financial Institution, Specified.	990 feet	Denial
Hours of operation from 8:00 a.m. to 11:00 p.m.	7:00 a.m. to 11:00 p.m.	Denial

ANALYSIS

The proposed Auto Title Loan use will allow a business whose primary function is to lend money on the security of the title to a motor vehicle rather than the security of the vehicle itself. A nonconforming Financial Institution, Specified use currently exists within the building where the proposed Auto Title Loan is to be located. The required parking for the proposed use is the same as the existing Financial Institution, Specified, and no additional spaces are required. No vehicular storage is allowed at the site in conjunction with this use. The subject property is located within the Airport Overlay District with a 200-foot height restriction. The application for an Auto Title Loan use proposes no change to the height of the building.

The minimum Special Use Permit requirements for the proposed Auto Title Loan use include a 200-foot distance separation from residential property, a 1,000-foot distance separation from any other Financial Institution, Specified and hours of operation from 8:00 a.m. to 11:00 p.m. The applicant has requested waivers to allow a 90-foot distance separation from residential property, a 990-foot distance separation from another Financial Institution, Specified and to allow hours of operation from 7:00 a.m. to 11:00 p.m. Staff is recommending denial of this application because the proposed use cannot be conducted in a manner that is compatible with the surrounding land use, as is evidenced by the requested waivers of distance separation and hours of operation. The applicant has not provided sufficient evidence that would warrant the granting of waivers to allow reduced distance separation and increase in the hours of operation.

FINDINGS (SUP-39821)

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

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

   The proposed use cannot be conducted in a manner that is harmonious and compatible with the uses in the existing site and with the commercial uses on adjacent properties, due to waivers of the distance separation from residentially zoned property, from another Financial Institution, Specified and proposed increase of the hours of operation.

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

   The subject site is physically suitable for the type and intensity of the proposed Auto Title Loan use, as the suite where the proposed Auto Title Loan use is to be located is 3,093 square feet, exceeding the minimum Special Use Permit requirement of 1,500 square feet dedicated to the use.

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

   The subject site is accessed by Sahara Avenue and Richfield Boulevard. 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. Waivers are required to allow a 90-foot distance separation from a residential property where 200 feet is required, to allow a 990-foot distance separation from another Financial Institution, Specified where 1,000 feet is required, and to allow hours of operation from 7:00 a.m. to 11:00 p.m., where 8:00 a.m. to 11:00 p.m. is allowed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

NOTICES MAILED 339

APPROVALS 1

PROTESTS 4

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-39821** APN: 162-05-816-006

Name of Property Owner: KATSAM, LLC

Name of Applicant: Moneytree, Inc.

Name of Representative: Lionel Sawyer & Collins c/o Jennifer Roberts

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: David E. Bassford

Print Name: David E. Bassford
Managing Member

Subscribed and sworn before me

This 27th day of July, 2010

King County Washington State

Notary Public in and for said County and State

CHUNG LIN NOTARY PUBLIC COMMISSION EXPIRES 3-29-11 STATE OF WASHINGTON

OCT 0 0 2010

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit -- Auto Title Loan

Project Address (Location) 2950 West Sahara

Project Name Moneytree **Proposed Use** Auto Title Loan

Assessor's Parcel #(s) 162-05-816-006 **Ward #** 1

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

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

Gross Acres 0.69 **Lots/Units** 1 **Density** _____

Additional Information _____

PROPERTY OWNER Katsam, LLC **Contact** Kari Harris

Address 6720 Fort Dent Way, Suite 230 **Phone:** (206) 246-3500 **Fax:** (206) 835-2635

City Seattle **State** WA **Zip** 98188

E-mail Address Kari.Harris@Moneytreeinc.com

APPLICANT Moneytree, Inc. **Contact** Kari Harris

Address 6720 Fort Dent Way, Suite 230 **Phone:** (206) 246-3500 **Fax:** (206) 835-2635

City Seattle **State** WA **Zip** 98188

E-mail Address Kari.Harris@Moneytreeinc.com

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

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

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

E-mail Address jroberts@lionelsawyer.com

Property Owner Signature* David E. Bassford

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

Print Name David E. Bassford

Subscribed and sworn before me

This 10th day of June, 20 10.

CHUNG LIN NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES 9-29-11

Notary Public in and for said County and State

FOR DEPARTMENT USE ONLY

Case #	SUP-39821
Meeting Date:	11/18/10
Total Fee:	$1030.00
Date Received:*	10/4/10
Received By:	

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

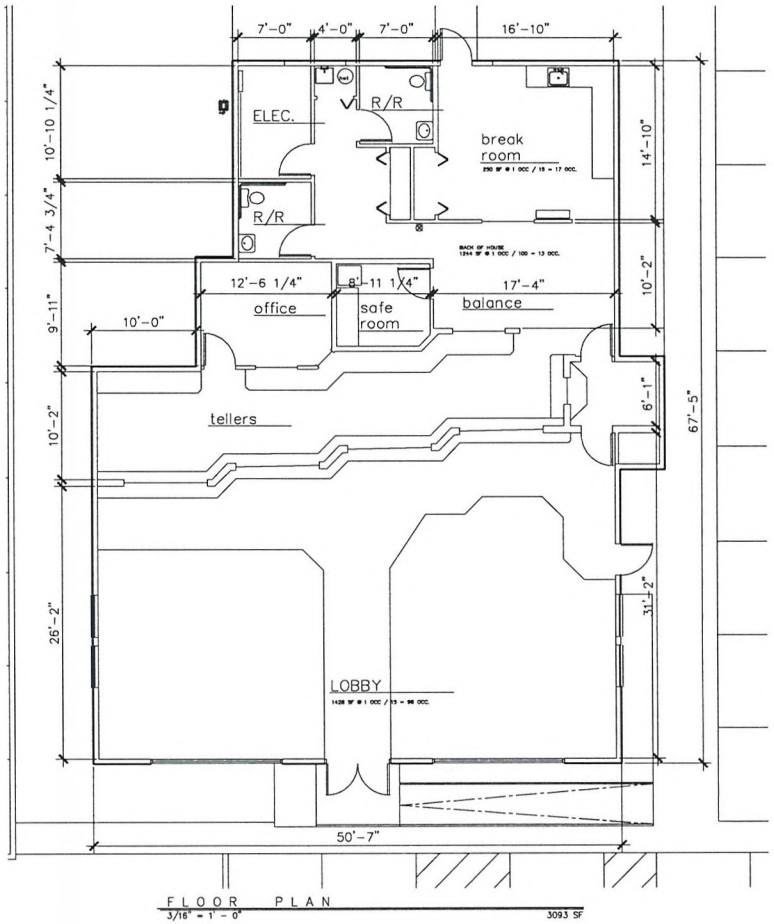
OCT 04 2010

Revised 10/27/08

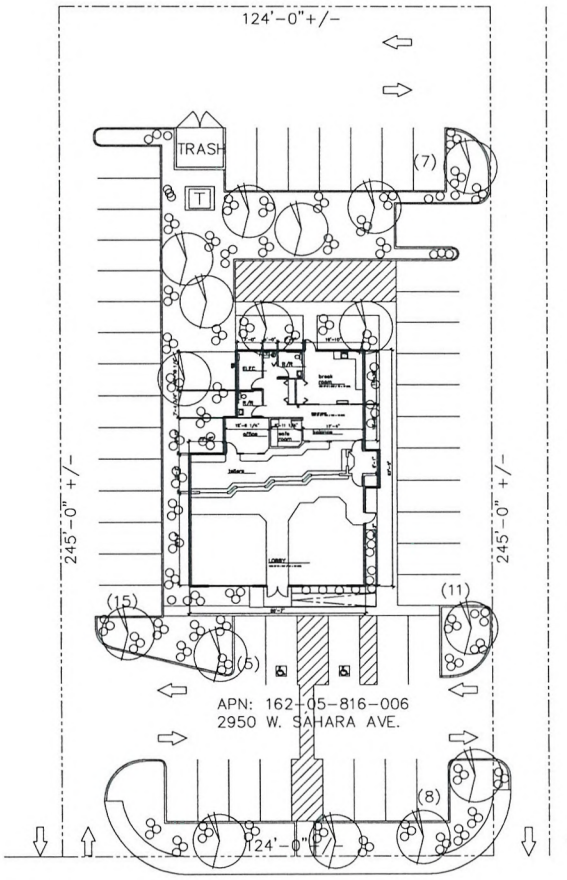
PROJECT INFORMATION	APN: 162-05-816-006	Zoning: C-1
Site Area:	.69 Acres (+/- 30,380 SF)	
Total Building Area:	3,093 GSF	
Parking Required: (financial)	4/1,000 SF = 13 STALLS REQ'D	
Total Parking Provided:	47 STALLS W/ 2 HNDCP	
Parking Stall Dimensions:	9' X 18'	
Handicap Stall Size:	9' X 20'	
Lot Coverage:	10%	
Max Occupant Load:	126 Occupants	

VICINITY MAP

SAHARA/RICHFIELD COMMERCIAL SUBDIVISION



FLOOR PLAN
3/16" = 1' - 0"
3093 SF



SITE PLAN
1/16" = 1' - 0"

REVISIONS:

BAKER CONSTRUCTION

PATCO BUILDING SYSTEMS

E. 2711 SPRAGUE
SPOKANE, WASHINGTON 99202
509-535-3668
FAX. 509-535-3720

PROJECT:
MONEY TREE INC.
store #75
2950 W. sahara ave
las vegas nv. 89102

SITE & FLOOR PLAN

DATE:
JULY 2 2010

SHEET:
A-1

SUP-39821

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SUP-39821 - APPLICANT: MONEYTREE, INC. - ONWER: KATSAM, LLC
2950 WEST SAHARA AVENUE

10/15/10

SUP-39821 - APPLICANT: MONEYTREE, INC. - ONWER: KATSAM, LLC
2950 WEST SAHARA AVENUE

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10/15/10

SUP-39821 - APPLICANT: MONEYTREE, INC. - ONWER: KATSAM, LLC
2950 WEST SAHARA AVENUE

10/15/10

LIONEL SAWYER & COLLINS

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

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

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

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

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

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

*ADMITTED IN CA ONLY

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

October 4, 2010

VIA HAND DELIVERY

Attn: John Grider, Planner I
Planning and Development Department
City of Las Vegas
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101

RE: ***Application for Special Use Permit and Waivers of the Distance to Residential; Distance to Financial Institution, Specified; and the Condition on Hours of Operation***

To Whom It May Concern:

I am writing on behalf of Moneytree, Inc., in support of the application for a special use permit for the addition of auto title loan use to an existing Moneytree location at 2950 West Sahara Avenue (APN #: 162-05-816-006). Moneytree also seeks waivers of the separation requirement from residential use and another financial institution, specified, as well as the hours of operation condition.

This location is zoned C-1, Limited Commercial. The addition of the auto title loan use would not adversely affect surrounding properties, as this store is surrounded by commercial uses and is located along the major commercial corridor of Sahara Avenue. Although the commercial center lot containing the Moneytree site touches a parcel with residential use, requiring a waiver of the 200-foot distance separation requirement to allow a 90-foot distance separation, the Moneytree is buffered by other commercial buildings and parking, as well as a street that separates the residential and commercial uses. Moreover, although the Moneytree may be more than 1,000 feet away from another auto title loan; auto pawn; or financial institution, specified, use when measured building to building, a waiver of the distance separation to allow 900

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SUP-39821

feet distance between such uses when 1,000 feet is required when measured property line to property line.

As the auto title loan use is also consistent with the current financial institution, specified, operations that exist at the location, there would be no variable impact by addition of auto title loans. Thus, Moneytree will continue to maintain its standard of operations, and the design, traffic generation, lighting, and noise at this location will remain the same. Moreover, the addition of the proposed use would not contribute in any adverse way to traffic, fire safety, or citizen safety.

Moneytree has been in business at this location since October 2002 and currently operates from 7:00 a.m. to 11:00 p.m., Monday through Saturday, and 9:00 a.m. to 9:00 p.m. on Sunday. In order to maintain its current operational standards, Moneytree respectfully requests a waiver of the condition that the auto title loan use be limited to the hours of 8:00 a.m. to 11:00 p.m.

Moneytree is an established company with operations throughout southern Nevada that are aesthetically discreet and that maintain a low impact on neighboring properties. The company is an excellent corporate citizen that has contributed to local charitable organizations. Moneytree has also worked with the Nevada State Legislature during past sessions to enact regulations that prohibit predatory lending practices.

In this current economy, banks have often been unwilling to extend short-term loans. An auto-title loan allows customers seeking such financing the opportunity to obtain immediate, necessary funds while allowing the use of their vehicle to continue. Moneytree is looking to offer auto-title loans so that customers have the option of utilizing a variety of short-term loan that is most convenient to them.

Because Moneytree is an existing establishment that is compatible with the surrounding area and the addition of the auto title use is consistent with current operations at this location, the company respectfully requests a special use permit to add auto title loan use with waivers of the distance to residential; distance to another auto title loan, auto pawn, or financial institution, specified, use; and the hours of operation condition.

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

Sincerely,

Jennifer Roberts

SUP-39821

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

cc: Ms. Chung-yu Lin

SUP-39821

FROM :TIMON S. GREENE FAX NO. :7028715924 Nov. 08 2010 04:20PM P1

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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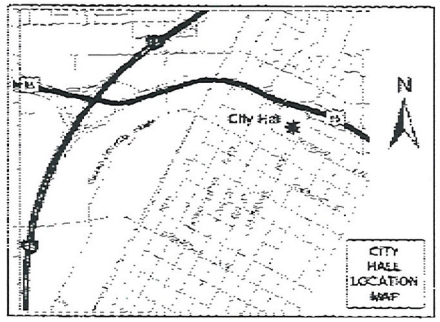
Official Notice of Public Hearing



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

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-39821
Planning Commission Meeting of 11/18/2010

Case: SUP-39821
16205415027
GREENE TIMON S
3022 EL CAMINO AVE #27
LAS VEGAS NV 89102-4056

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

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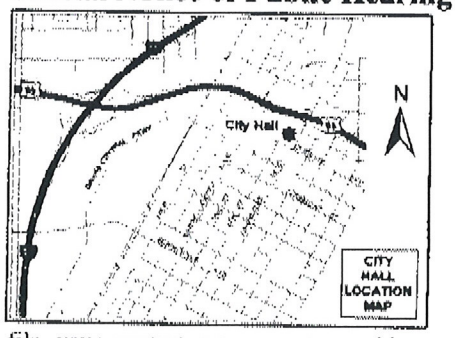
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-39821

Planning Commission Meeting of 11/18/2010

Case: SUP-39821

16205812007
PEARSON ROBERT & KATHLEEN
2725 MIRAFLORES AVE
LAS VEGAS NV 89102-4260

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

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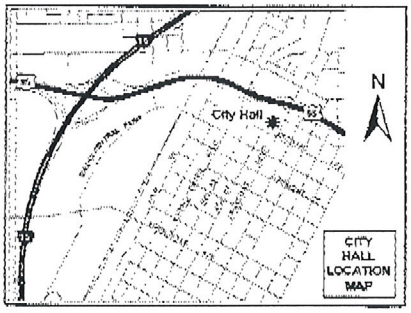

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-39821

Planning Commission Meeting of 11/18/2010

Case: SUP-39821

16208511058
UPTON RANDALL S & LYNN E REV TR
2805 MERRITT AVE
LAS VEGAS NV 89102-6048

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

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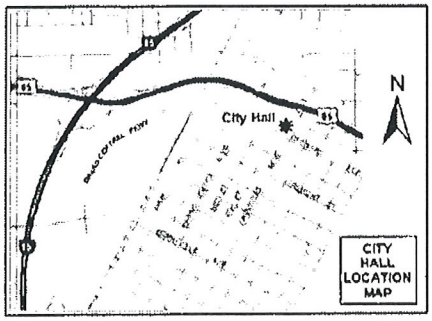
Official Notice of Public Hearing



THESE AUTO TITLE LOAN SHARKS NEED TO FOLLOW THE RULES LIKE EVERY-ONE ELSE DOES. WE ALREADY HAVE 3 IN A 2 BLOCK AREA ON SAHARA - YOU MAKE AN EXCEPTION FOR ONE - NEXT IT WILL ALL OF THEM. I OPPOSE !!

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-39821
Planning Commission Meeting of 11/18/2010

Case SUP-39821
16205416025
CUMMINGS FAMILY TRUST
3025 PLAZA DE ROSA
LAS VEGAS NV 89102-4048

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

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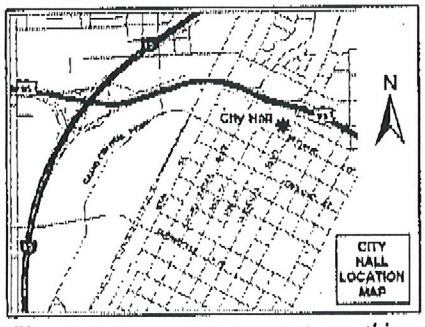
MAILED FROM ZIP CODE 89101

Return Service Requested

Official Notice of Public Hearing



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

☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-39821

Planning Commission Meeting of 11/18/2010

Case: SUP-39821

16205801010
BAILES FAMILY TRUST ETAL
%BAILES & ASSOC
11911 SAN VICENTE BLVD #325
LOS ANGELES CA 90049-6611

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NOV - 8 2010

City of Las Vegas Agenda Item No.: **31.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

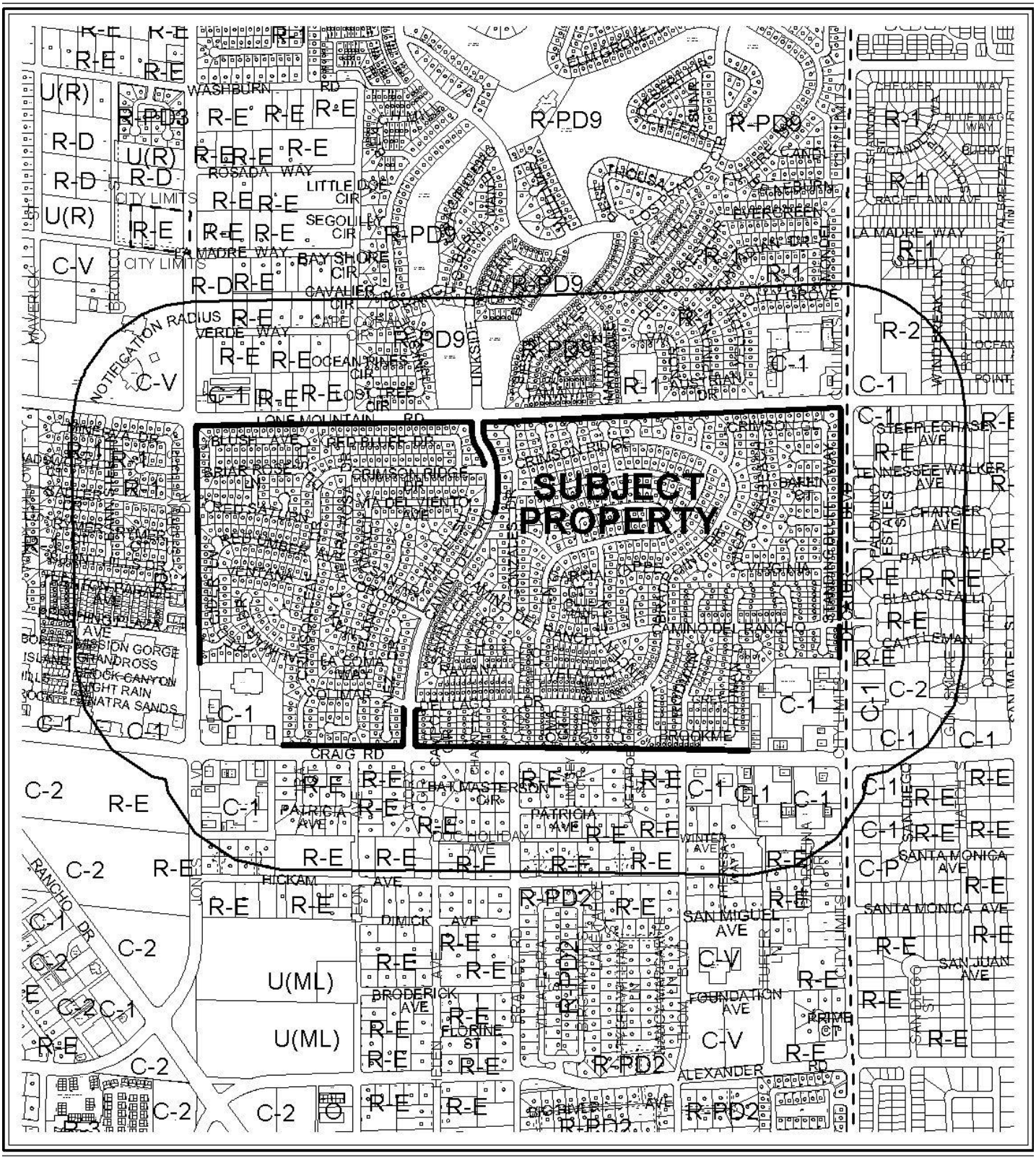
SUBJECT:
SDR-39810 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: RANCHO ALTA MIRA HOMEOWNERS ASSOCIATION - Request for a Major Amendment to previously approved Rezonings (Z-0108-88) and (Z-0037-93) TO ALLOW 191 TREES IN THE PERIMETER LANDSCAPE BUFFER WHERE 418 TREES ARE REQUIRED at the southwest corner of Lone Mountain Road and Decatur Boulevard (APNs Multiple), R-PD5 (Residential Planned Development - 5 Units Per Acre) and R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 6 (Ross). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 12/15/10 OR MAY BE FINAL ACTION
(Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**5**	**Planning Commission Mtg.**	**7**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

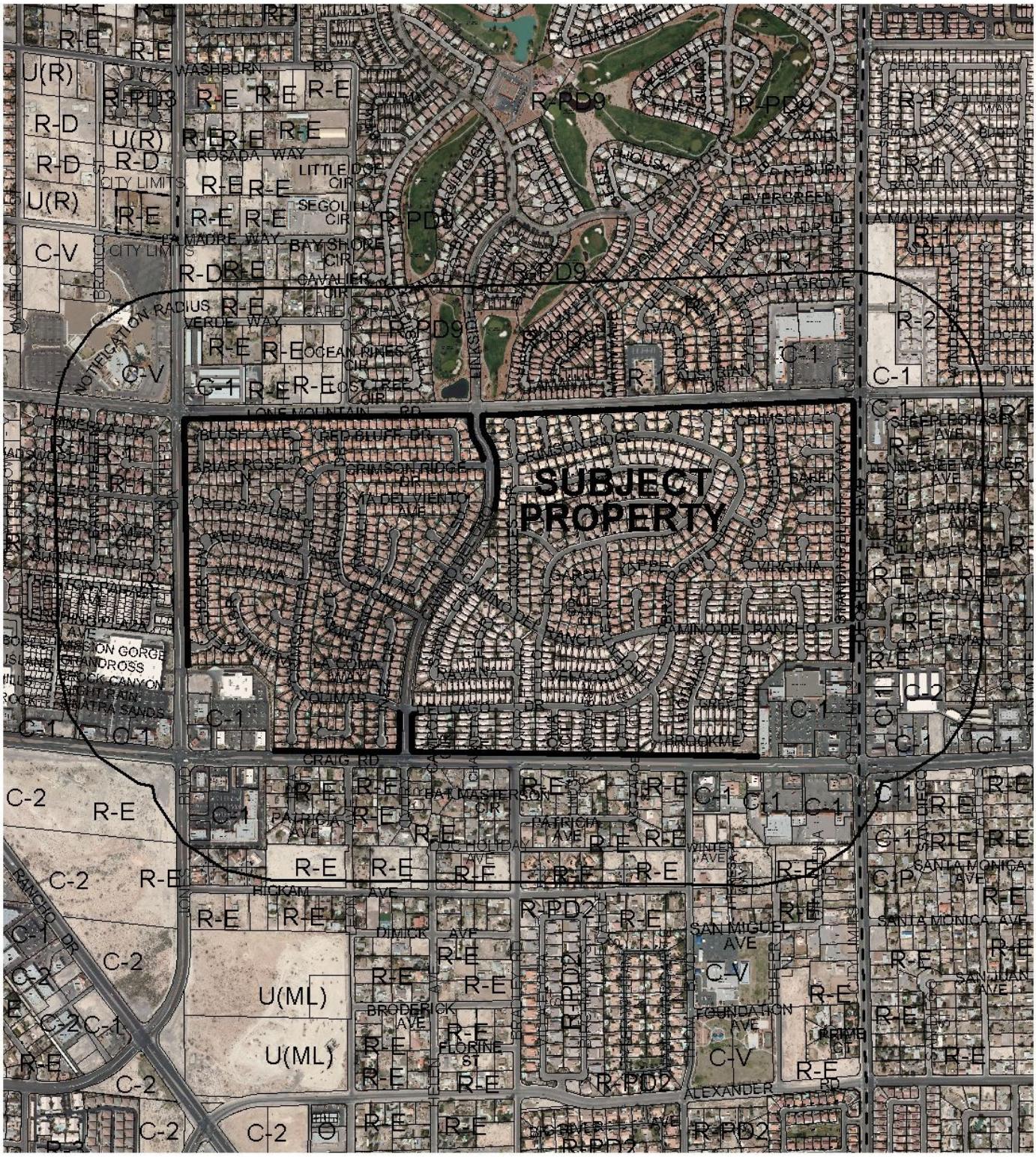
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letters
6. Protest/Support Postcards



CASE: **SDR-39810**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-PD5 (Residential Planned Development - 5 Units Per Acre)



CASE: **SDR-39810**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-PD5 (Residential Planned Development - 5 Units Per Acre)

0 500 1000 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: RANCHO ALTA MIRA HOMEOWNERS ASSOCIATION

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-39810	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

SDR-39810 CONDITIONS

Planning and Development

1. Conformance to the Conditions of Approval for Rezonings (Z-0108-88 and Z-0037-93) shall be required, except as amended herein.

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. All development shall be in conformance with the landscape plan date stamped 10/20/10, except as amended by conditions herein.

4. An Exception from the Landscape, Wall and Buffer Standards is hereby approved, to allow 191 trees where 418 trees are required and to allow 1,097 existing shrubs where 1,672 shrubs are required.

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

8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to approval of a final inspection. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

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

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

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

Public Works

12. All new landscaping 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.

13. Vegetation that will ultimately grow to over three feet tall shall not be allowed within Public Sewer Easements. Public Sewer Easements are located between Craig Road and Crimson Leaf Drive, between Craig Road and Norte Circle, between Lone Mountain Road and Gonzalez Drive, and between Lone Mountain Road and Standing Bluff Way.

14. Remove and replace all substandard sidewalk improvements adjacent to this site along Craig Road, Jones Boulevard, Lone Mountain Road, and Decatur Boulevard. Any existing sidewalk damaged or removed by the removal of landscaping shall be repaired and restored at its original location concurrent with the installation of new landscaping for this site. Permits for all work in the public right-of-way shall be issued prior to commencing any work in the right-of-way.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Major Amendment to previously approved Rezonings (Z-0108-88) and (Z-0037-93). The request is to replace 191 existing Mondel Pine trees in the perimeter landscape buffer with the same quantity of different types of trees, and to allow the existing 1,097 shrubs to remain as they are in perimeter landscape buffers surrounding the Rancho Alta Mira Subdivision. The existing numbers of perimeter landscape buffer trees and shrubs do not meet the requirements of the Landscape, Wall and Buffer Standards in place at the time of approval. A minimum of 418 trees and 1,672 shrubs are required to meet the minimum standards. The proposed planting scheme will result in a perimeter with large gaps between trees, and will not be compatible with the surrounding area. Staff is therefore recommending denial of this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/07/88	The City Council approved the request for a Rezoning (Z-0108-88) located on property bounded by Decatur Boulevard, Craig Road, Jones Boulevard and Lone Mountain Road, from R-E (Residence Estates) to R-PD5 (Residential Planned Development – 5 Units per Acre), R-PD7 (Residential Planned Development – 7 Units Per Acre), R-PD18 (Residential Planned Development – 18 Units Per Acre), C-1 (Limited Commercial). The Planning Commission and staff recommended approval.
02/27/89	The City Council approved the request for a clarification of certain conditions of approval and for ratification of those conditions required to be brought back to the City Council (Z-0108-88) on property bounded by Decatur Boulevard, Craig Road. Staff recommended approval.
11/22/89	The City Council approved the required review of the Conditions, Covenants and Restrictions for the Rancho Alta Mira project located on property bounded by Decatur Boulevard and Craig Road.
04/24/90	The Planning Commission approved a request for a Building Elevation Review (Z-0108-88) regarding proposed single family dwellings on property located on the southeast corner of Lone Mountain Road and Jones Boulevard. The Planning and Development Department staff recommended approval.
12/05/90	The City Council denied a request for a Plot Plan and Building Elevation Review (Z-0108-88) of a proposed condominium project on property located on the west side of Camino Del Oro, south of Lone Mountain Road. The Planning Commission and staff recommended approval.

10/02/91	The City Council approved the request of VTN on behalf of Rancho Alta Mira for a Review of Condition of Approval (Z-0108-88) Number 28, which required that all off-site improvements on Craig Road, Jones Boulevard and Lone Mountain Road be installed no later than 24 months after the first permit is issued for the first phase. Staff had no objection – subject to all improvements being completed within 30 days of the completion of the Craig Road project.
05/20/92	The City Council approved the request for a Review of Condition of approval (Z-0108-88), which required installation of all off-site improvements on Craig Road, Decatur Boulevard and Lone Mountain Road project, whichever comes first, in relation to Phase 2 of the Rancho Alta Mira development. Staff recommended approval.
06/03/92	The City Council approved a Review of Condition of approval [Z-0108-88(5)] to allow a portion of original Parcel Number 10 to be re-designated from Area 3 to Area 2, which will allow 6,000 square foot minimum lots and 1,250 square-foot minimum homes where 6,500 square-foot minimum lots and 1,500 square-foot minimum homes were required on property generally located on the southwest corner of Decatur Boulevard and Lone Mountain Road. The City Council approved reduction in the minimum square footage of the homes to 1,420 square feet; however, the minimum lot size of 6,500 square feet shall be maintained. Staff recommended denial.
08/05/92	The City Council approved the request for a Plot Plan and Building Elevation Review [Z-0108-88(6)] of proposed condominium development on property generally located on the west side of Camino Del Oro, south of Lone Mountain Road. The Planning Commission and staff recommended approval.
01/20/93	The City Council withdrew at the request of the applicant the request for a Review of Condition of approval (Z-0108-88), which required minimum square footage of homes to be 1,250 square feet in Area #2, located on the southeast corner of Lone Mountain Road and Jones Boulevard, to be amended to allow one model to be a minimum of 1,075 square feet in an R-PD5 zone.
06/02/93	The City Council approved the request for a Rezoning (Z-0037-93) located on the northwest corner of Decatur Boulevard and Camino Del Rancho, from R-E (Residence Estates) to R-PD7 (Residential Planned Development – 7 Units per Acre). The Planning Commission and staff recommended approval.
02/16/94	The City Council approved the request for a Plot Plan and Building Elevation Review [Z-0108-88(9)] of proposed single family detached dwelling units on property located on the southeast corner of Camino Del Rancho and Camino Del Oro. The Planning Commission and staff recommended approval.
	The City Council approved the request for a Plot Plan and Building Elevation Review [Z-0108-88(10)] of proposed single family detached dwelling units on property located on the northwest corner of Orono Lane and Camino Del Oro. The Planning Commission and staff recommended approval.

08/03/94	The City Council approved the request for Rezoning (Z-0066-94) located on the southeast corner of Camino Del Oro and Camino Del Rancho, from R-E (Residence Estates) – under Resolution of Intent to R-PD17, to R-PD6 (Residential Planned Development – 6 Units per Acre). The Planning Commission and staff recommended approval.
	The City Council approved the request for Rezoning (Z-0068-94) located on the northwest corner of Camino Del Oro and Orono Lane, from R-E (Residence Estates) – under Resolution of Intent to R-PD17, to R-PD4 (Residential Planned Development – 4 Units per Acre). The Planning Commission and staff recommended approval.
11/16/94	The City Council approved the request for reclassification of property (Z-0124-94) located on the north side of Camino Del Rancho, approximately 700 feet west of Decatur Boulevard, from R-E (Residence Estates) to R-PD6 (Residential Planned Development – 6 Units per Acre). The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
04/05/94	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no building permits issued for the existing perimeter landscaping buffer.

Pre-Application Meeting	
06/16/10	A pre-application meeting was held with the applicant, where elements of submitting a Site Development Plan Review for the tree replacement within the Rancho Alta Mira subdivision perimeter landscape buffer were discussed. The topics included: • The Title 19 planting requirement is 24-inch box minimum tree per 30 feet on center; the existing trees planted within the perimeter landscape buffer do not comply with these standards. There are 191 existing trees within the perimeter landscaping buffer where 418 are required. • A Major Amendment for Rezonings (Z-0108-88) and (Z-0037-93 will be required, due to the applicant's requests to change out the same tree quantity. • Submittal of the phasing plan will be required in addition to, the proposed landscaping plan.

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

Field Check	
10/15/10	A site visit by staff noted that two segments of the perimeter block wall are damaged. One segment includes the wall along Jones Boulevard in proximity to the Jones Boulevard and Lone Mountain Road intersections. The other damaged wall is located along Decatur Boulevard in proximity to the Decatur Boulevard and Lone Mountain Road intersections.

Details of Application Request	
Site Area	
Gross Acres	2.53

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Landscape Buffer	ML (Medium Low Density Residential)	R-PD5 (Residential Planned Development – 5 Units per Acre)
			R-PD7 (Residential Planned Development 7 – Units per Acre)
North	Convenience Store, Service Station (without Automotive Repair)	SC (Service Commercial)	R-E (Residence Estates)
	Mini-Storage Facility		C-1 (Limited Commercial)
	Day Care Center	R (Rural Density Residential)	R-E (Residence Estates)
	Single Family Residence		
		ML (Medium Low Density Residential)	R-PD9 (Residential Planned Development 9 – Units per Acre)
	Golf Course	PR-OS (Parks/Recreation/Open Space)	
	House of Worship	L (Low Density Residential)	R-1 (Single Family Residential)
	Single Family Residence		
	Shopping Center	SC (Service	C-1 (Limited

		Commercial)	Commercial)

South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
	Single Family Residence	DR (Desert Rural Density Residential)	R-E (Residence Estates)
	Animal Hospital with no Outside Pens	SC (Service Commercial)	C-1 (Limited Commercial)
	Day Care Center		
	Shopping Center		
East	Single Family Residence	North Las Vegas	North Las Vegas
	Service Station, Self-Service Car Wash		
West	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)
		MLA (Medium Low Attached Density Residential)	R-PD11 (Residential Planned Development – 11 Units per Acre)
	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	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.12, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 30 Linear Feet	167 Trees	70 Trees	N
• South	1 Tree / 30 Linear Feet	122 Trees	65 Trees	N
• East	1 Tree / 30 Linear Feet	65 Trees	30 Trees	N
• West	1 Tree / 30 Linear Feet	64 Trees	26 Trees	N
TOTAL PERIMETER TREES		**418 Trees**	**191 Trees**	**N**
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		15 Feet	Y
• South	15 Feet		15 Feet	Y
• East	15 Feet		15 Feet	Y
• West	15 Feet		15 Feet	Y

Functional Classification of Street(s)	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Primary Arterial – Decatur Boulevard	Master Plan of Streets and Highways	100	Y
Primary Arterial – Lone Mountain Road			
Primary Arterial – Jones Boulevard			
Primary Arterial – Craig Road			

Exceptions		
Requirement	***Request***	***Staff Recommendation***
One 24-inch box deciduous or evergreen tree per 30 linear feet within the perimeter landscape buffer, or 418 trees.	191 trees	Denial
Four, five-gallon shrubs are required for every required tree, or total of 1,672 shrubs.	1,097 shrubs	Denial

ANALYSIS

Rancho Alta Mira subdivision is bounded by Lone Mountain Road, Craig Road, Jones Boulevard and Decatur Boulevard. It is adjacent to an existing off-street Bike Path located along Lone Mountain Road, which is included in the Trails Element of the General Plan. The subdivision is also located within the Airport Overlay District with a 140-foot height restriction; the request for landscaping modification will have no impact on the overlay.

The residential subdivision was approved under Rezonings (Z-0108-88) and (Z-0037-93). The approval for Rezoning (Z-0108-88) contained a standard condition requiring compliance with all city requirements and ordinances. Under Rezoning (Z-0108-88), a condition of approval was added to require that a landscape plan be submitted to and approved by the Planning Department. No such plan was submitted or has been approved. At the time of approval, the standard requirement for perimeter landscaping, per the Landscape, Wall and Buffer Standards, was one 24-inch box sized deciduous or evergreen tree for every 30 linear feet of planter, plus one additional tree at the end of the planter. In addition, four five-gallon sized shrubs were required for each required tree. When applied to the subject site, this results in a requirement for 418 trees and 1,672 shrubs along the perimeter of the subdivision.

The submitted landscape plan consists of the existing and proposed planting plan. The existing landscape plan shows that the existing perimeter landscaping buffer contains Mondel Pine trees planted along Lone Mountain Road, Craig Road, Jones Boulevard, and Decatur Boulevard. The existing numbers of Mondel Pine trees and shrubs within the landscape buffer do not meet the minimum requirements of the Landscape, Wall and Buffer Standards. Currently, there are 191 Mondel Pine trees and 1,097 existing shrubs consisting of 17 different shrub types within the perimeter landscaping buffer. The applicant is proposing to replace the existing Mondel Pine trees with four different tree types, including the Swan Hill Olive, Chaste Tree, Holly Oak, and Carob Tree, on a one-for-one basis, and to allow the existing shrubs to remain as they are. This will require an Exception to allow 191 perimeter trees where 418 trees were required and 1,097 shrubs where 1,672 shrubs were required.

An exhibit was submitted to illustrate different phases of the perimeter landscaping modification. The first phase will include the perimeter landscape buffer along Jones Boulevard and Lone Mountain Road east to Casa Del Oro. The second phase will be from Casa Del Oro east along Lone Mountain Road and Decatur Boulevard. The third phase will be entire segments of Craig Road.

The existing landscape buffer is inconsistent with the Landscape, Wall and Buffer Standards in place at the time of approval. The proposed planting scheme will result in a perimeter with large gaps between trees, and will not be compatible with the surrounding area. Staff is therefore recommending denial of this request.

The Las Vegas Valley Water District (LVVWD) has requested that final landscape plans be submitted to them for a courtesy review to verify that the location of the proposed trees do not conflict with the existing meters on site.

FINDINGS (SDR-39810)

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 existing subdivision is compatible with adjacent development and development in the area.

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

   The existing landscape buffer is inconsistent with the Landscape, Wall and Buffer Standards in place at the time of approval.

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

   The site is an existing subdivision; therefore, site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

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

   Landscaping materials are appropriate, but not provided in sufficient quantities to conform to the requirements in place at the time of approval.

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;**

   No buildings are proposed as part of this request.

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

The landscaping plan will be subject to plan check review by the City of Las Vegas.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 2,075

APPROVALS 7

PROTESTS 5

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-39810** APN: _____

Name of Property Owner: Rancho Alta mira HOA

Name of Applicant: Rancho Alta mira HOA

Name of Representative: James E. Abbinett

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: James E Abbinett

Print Name: James E Abbinett

Subscribed and sworn before me

This 21st day of June, 2010

M. Harrod

Notary Public in and for said County and State

M. HARROD
Notary Public State of Nevada
No. 99-51985-1
My appt. exp. Oct. 24, 2010

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OCT 05 2010

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Rancho Alta MIRA HOA

Project Address (Location) Craig Rd - between Jones / Decatur

Project Name Pine Tree Replacement **Proposed Use** residential

Assessor's Parcel #(s) _____ **Ward #** 6

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

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

Gross Acres _____ **Lots/Units** 1352 **Density** _____

Additional Information _____

PROPERTY OWNER Rancho Alta MIRA HOA **Contact** ~~Jim Abbinett~~ Jessica Riano

Address C/o Terra West Prop. Mgt **Phone:** 251-4506 **Fax:** _____

City 2655 S. Rainbow Las Vegas **State** NV **Zip** 89146

E-mail Address _____

APPLICANT Rancho Alta MIRA HOA **Contact** Jim Abbinett

Address 5613 San Acdo PL **Phone:** 658-5610 **Fax:** 656-5687

City Las Vegas **State** NV **Zip** 89130

E-mail Address jabbinette@cox.net

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

FOR DEPARTMENT USE ONLY

Case #	SDR-39810
Meeting Date:	11/18/10 PC
Total Fee:	$1,030
Date Received:*	10/5/10
Received By:	

Property Owner Signature* James & Abbinett

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

Print Name James & Abbinett

Subscribed and sworn before me

This 21st day of June, 20 10.

Notary Public in and for said County and State

M. HARROD
Notary Public State of Nevada
No. 99-51985-1
My appt. exp. Oct. 24, 2010

M. HARROD
Notary Public State of Nevada
No. 99-51985-1
My appt. exp. Oct. 24, 2010

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

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OCT 05 2010
PLANNING & DEVELOPMENT

PHASE EXHIBIT

SDR-39810

Jaramillo
LANDSCAPE & MAINTENANCE, LLC
"Our Work Is Our Reference"
5275 SOUTH JONES BLVD.
LAS VEGAS NV. 89139
NVCL# 0043675A
PH: 702.251.0011
FAX: 702.870.5000

Rancho Alta Mira Homeowner's Association

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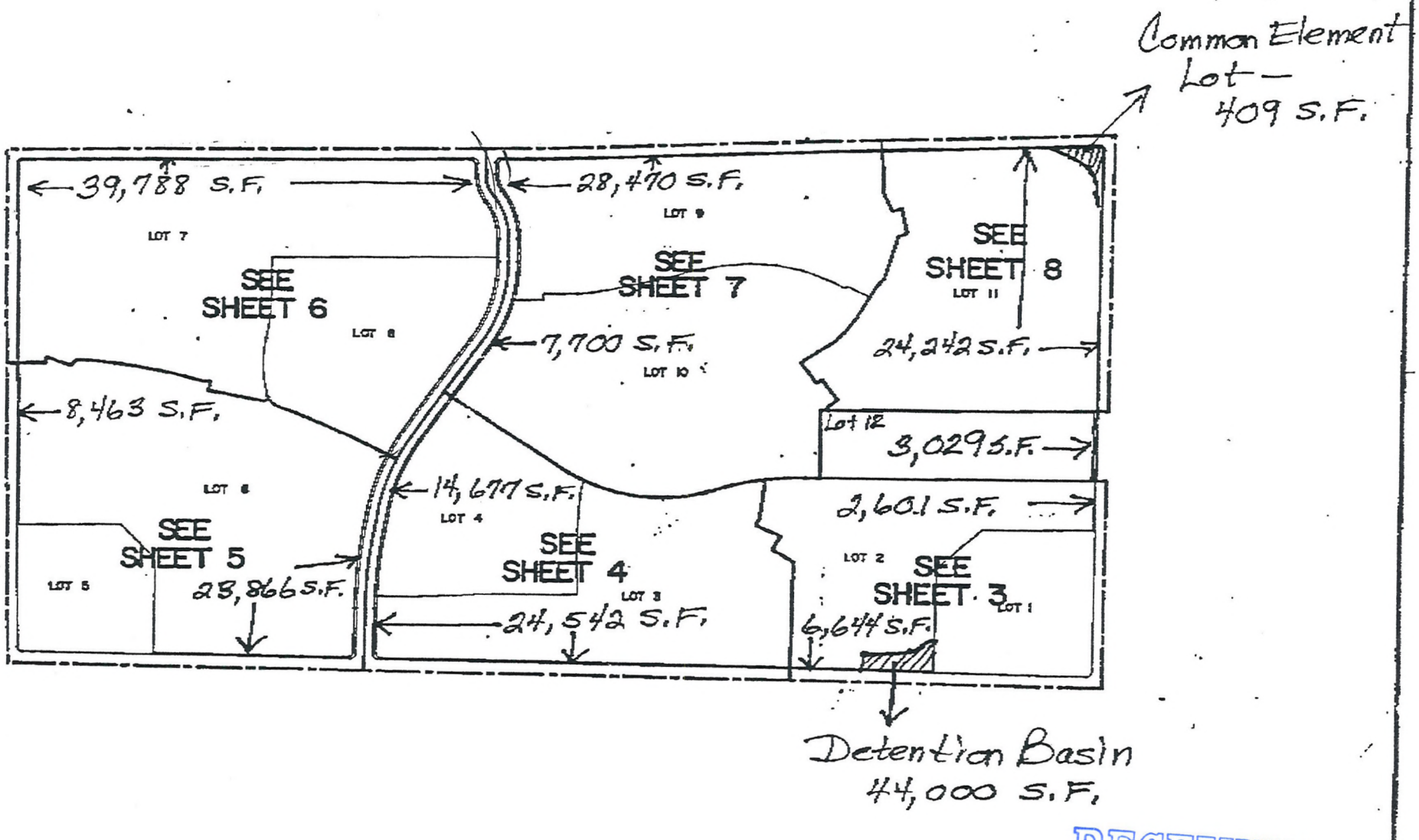
OCT 06 2010

PERIMETER IMPROVEMENT PROJECT

October 5, 2010



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OCT 05 2010

SDR-39810

SHEET 2 OF 8

Rancho Alta Mira Homeowner's Association

PERIMETER IMPROVEMENT PROJECT

Craig Road, Lone Mountain, Jones and Decatur

Landscape Plans

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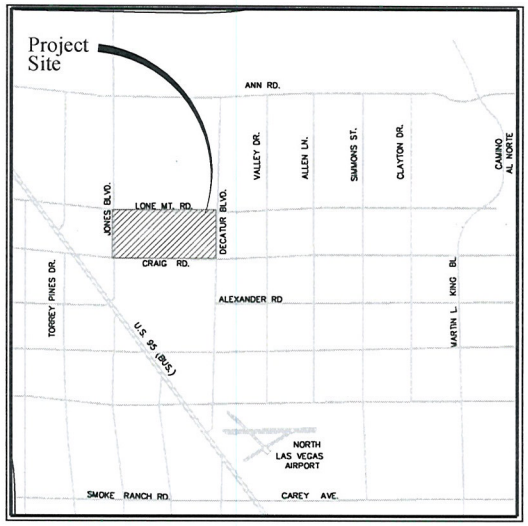
OCT 20 2010

Site Map



Vicinity Map

Location Map

Project Calculations for Tree Requirements

DESCRIPTION	QUANTITY
TOTAL LINEAR FEET OF PERIMETER	12,540 LINEAR FEET
TOTAL TREES NEEDED PER CITY REQUIRED 30' ON CENTER SPACING	418 TREES
TREES NEEDED TO MEET CITY REQUIREMENTS	418 TREES

Pine Tree Total

DESCRIPTION	QUANTITY
TOTAL PINES ON-SITE	191 TREES

Project Calculations for Shrub Requirements

DESCRIPTION	QUANTITY
TOTAL SHRUBS NEEDED PER CITY REQUIRED (4) 5 GALLON PER TREE	1672 SHRUBS
EXISTING SHRUBS AND ACCENTS	1097 SHRUBS
SHRUBS NEEDED TO MEET CITY REQUIREMENT	575 SHRUBS

1 CITY COMMENTS 10-15-10

Sheet Index

SHEET	DESCRIPTION
L0.0	TITLE SHEET
L1.0	EXISTING PLANTING PLAN
L1.1	EXISTING PLANTING PLAN
L1.2	EXISTING PLANTING PLAN
L1.3	EXISTING PLANTING PLAN
L2.0	PLANTING PLAN
L2.1	PLANTING PLAN
L2.2	PLANTING PLAN
L2.3	PLANTING PLAN

Owner: RANCHO ALTA MIRA HOA
LAS VEGAS, NEVADA 89000

Consultant:

Landscape Architect: JARAMILLO LANDSCAPE AND MAINTENANCE, LLC.
Kemon Cisto RLA #804
4275 S. JONES BLVD.
LAS VEGAS, NEVADA 89139
phone (702) 251-0011
fax (702) 870-3041

SDR-39810
REVISED

LANDSCAPE PLANS
RANCHO ALTA MIRA

JOB: RANCHO ALTA MIRA PERIMETER THREE YEAR TREE REMOVAL AND REPLACEMENT PROJECT
LONE MOUNTAIN, DECATUR, CRAIG, AND JONES

Jaramillo LANDSCAPE & MAINTENANCE, LLC
"Our Work Is Our Reference"

LANDSCAPE PLANS
1 CITY COMMENTS 10-15-10

KUC
KUC
October 4, 2010
L0.0

EXISTING MATERIAL LEGEND

TREES

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
	Pinus eldarica SNWA 368 Existing Pines to be Removed and Replaced	Mondel Pine	Existing	191*

PALMS

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
	Washingtonia robusta SNWA 133	Mexican Fan Palm	Existing 15' or taller	15
	Trachycarpus fortunei SNWA 59	Windmill Palm	Existing 15' or taller	3
	Washingtonia robusta SNWA 133	Mexican Fan Palm	Existing < 15'	1
	Trachycarpus fortunei SNWA 59	Windmill Palm	Existing< 15'	1
	Chamaerops humilis SNWA 133	Mediterranean Fan Palm	Existing < 15'	12

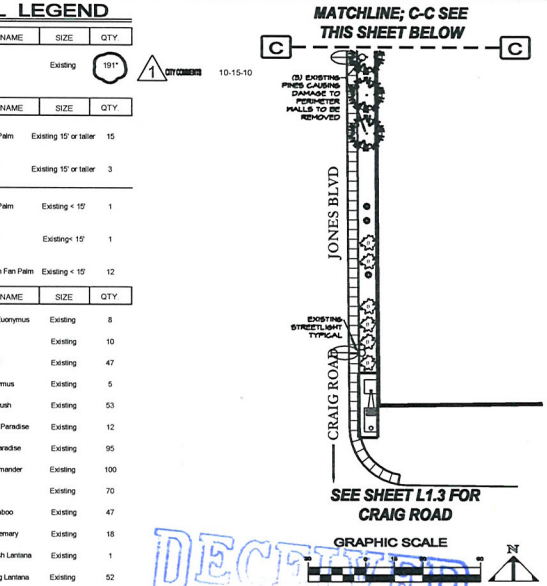
SHRUBS

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
	Euonymus japonica 'Green Spire' SNWA CC 28	Green Spire Euonymus	Existing	8
	Chrysactinia mexicana SNWA CC 3	Damianita	Existing	10
	Hymenoxys acaulis	Angelita Daisy	Existing	47
	Euonymus japonicus 'microphyllus' SNWA CC 3	Boxleaf Euonymus	Existing	5
	Callistemon viminalis 'Little John' SNWA CC 7	Dwarf Bottlebrush	Existing	53
	Caesalpinia gilliesii SNWA CC 50	Yellow Bird of Paradise	Existing	12
	Caesalpinia pulcherrima SNWA CC 28	Red Bird of Paradise	Existing	95
	Teucrium chamaedrys 'Prostratum' SNWA CC 3	Prostrate Germander	Existing	100
	Myoporum parvifolium SNWA CC 50	Myoporum	Existing	70
	Nandina domestica 'Compacta' SNWA CC 13	Heavenly Bamboo	Existing	47
	Rosmarinus officinalis 'Prostratus' SNWA CC 28	Prostrate Rosemary	Existing	18
	Lantana 'Radiation' SNWA CC 28	Radiation Bush Lantana	Existing	1
	Lantana montevidensis 'Purple' SNWA CC 28	Purple Trailing Lantana	Existing	52
	Dasylirion longissimum	Toothless Desert Spoon	Existing	12
	Dasylirion wheeleri SNWA CC 28	Desert Spoon	Existing	193
	Baccharis Sp SNWA CC 20	Baccharis	Existing	136
	Xylosma congestum SNWA CC 79	Shiny Xylosma	Existing	238

Existing Granite Boulders

* Existing pines to be removed due to damage to perimeter walls.

1 CITY COMMENTS 10-15-10



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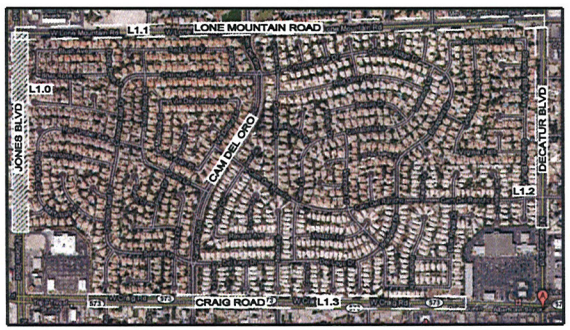

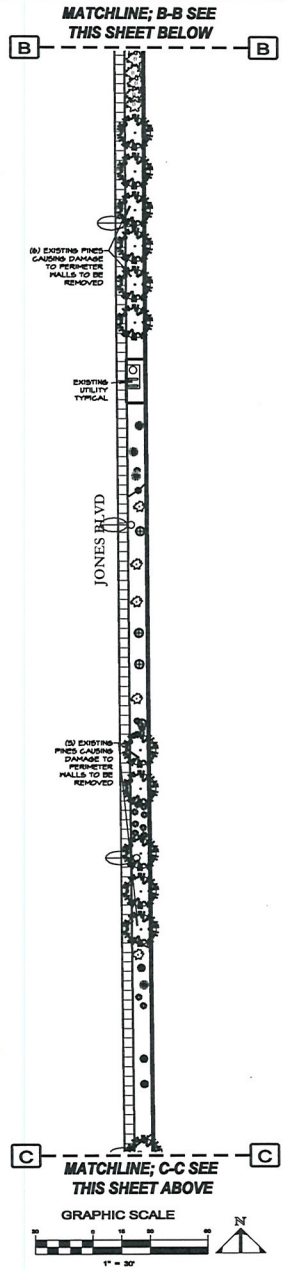

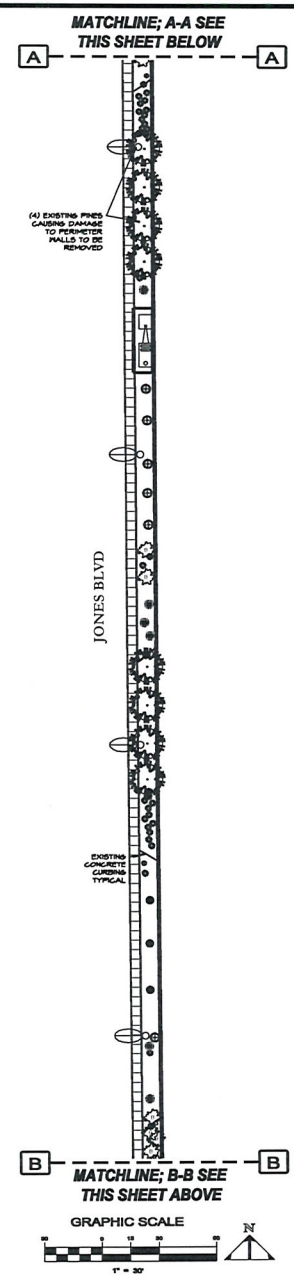

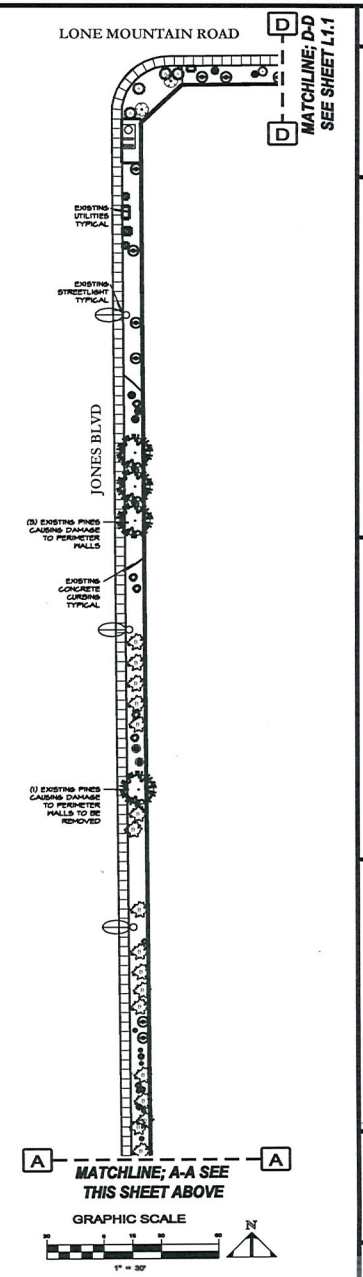

LANDSCAPE PLANS
RANCHO ALTA MIRA

JOB: RANCHO ALTA MIRA PERIMETER FIVE YEAR TREE REMOVAL AND REPLACEMENT PROJECT
LONE MOUNTAIN, DECATUR, CRAIG, AND JONES

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JONES BLVD EXISTING PLANTING
1 CITY COMMENTS 10-15-10

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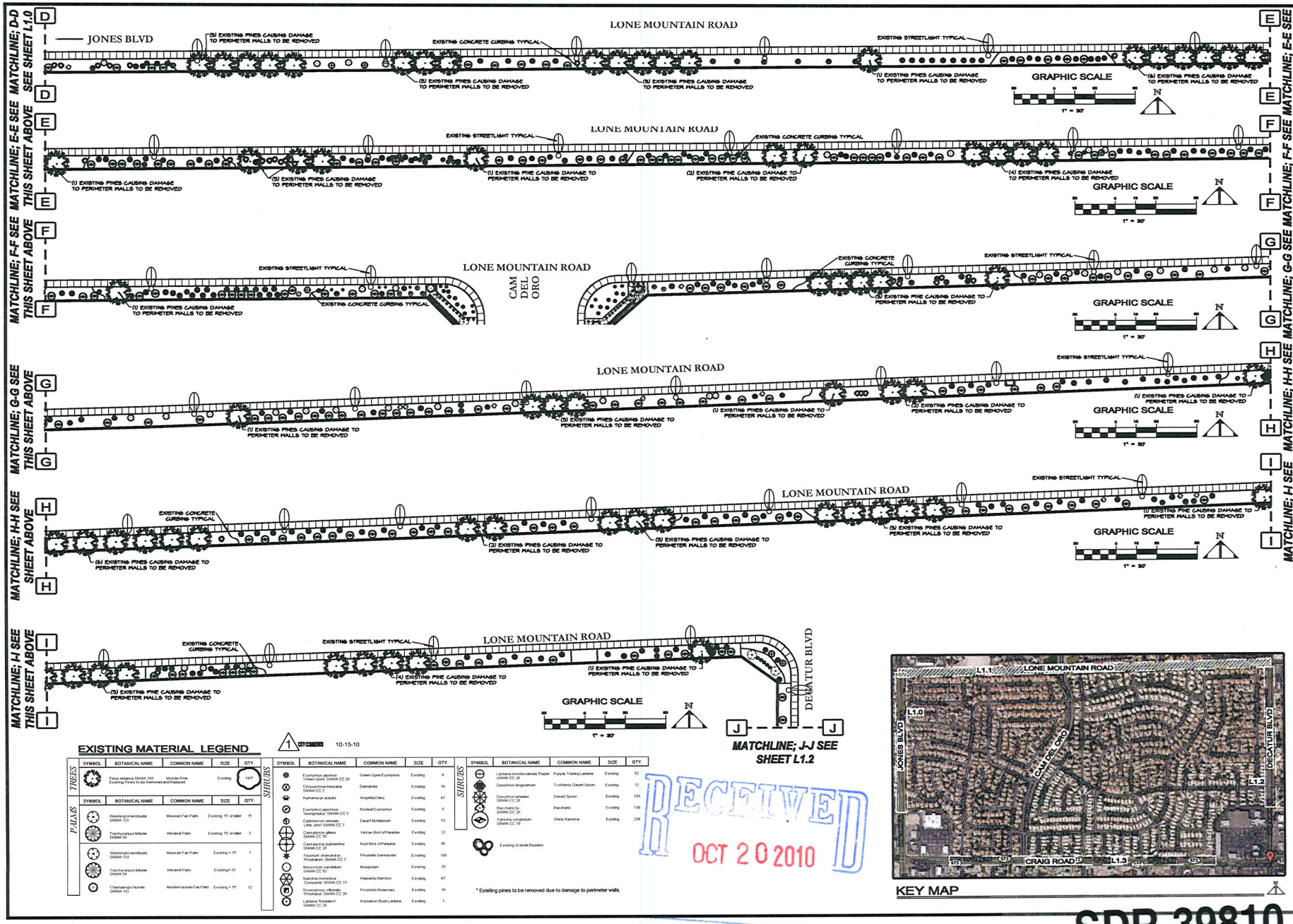

EXISTING MATERIAL LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
TREES	Pinus eldarica SNWA 368 Existing Pines to be Removed and Replaced	Monder Pine	Existing	197
PALMS				
	Washingtonia robusta SNWA 133	Mexican Fan Palm	Existing 15' or taller	15
	Trachycarpus fortunei SNWA 59	Windmill Palm	Existing 15' or taller	3
	Washingtonia robusta SNWA 133	Mexican Fan Palm	Existing < 15'	1
	Trachycarpus fortunei SNWA 59	Windmill Palm	Existing< 15'	1
	Chamaerops humilis SNWA 133	Mediterranean Fan Palm	Existing < 15'	12

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
SHRUBS	Euonymus japonicus 'Green Spire' SNWA CC 28	Green Spire Euonymus	Existing	8
	Chrysactinia mexicana SNWA CC 3	Damianita	Existing	10
	Hymenoxys acaulis	Angelita Daisy	Existing	47
	Euonymus japonicus 'Aureopictus' SNWA CC 3	Blackleaf Euonymus	Existing	5
	Callistemon viminalis 'Little John' SNWA CC 7	Dwarf Bottlebrush	Existing	53
	Caesalpinia gilliesi SNWA CC 50	Yellow Bird of Paradise	Existing	12
	Caesalpinia pulcherrima SNWA CC 20	Red Bird of Paradise	Existing	95
	Teucrium chamaedrys 'Prostratum' SNWA CC 3	Prostrate Germander	Existing	100
	Myoporum parvifolium SNWA CC 50	Myoporum	Existing	70
	Nandina domestica 'Compacta' SNWA CC 13	Heavenly Bamboo	Existing	47
	Rosmarinus officinalis 'Prostratus' SNWA CC 28	Prostrate Rosemary	Existing	19
	Lantana 'Radiation' SNWA CC 28	Radiation Bush Lantana	Existing	1

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
SHRUBS	Lantana montevidensis 'Purple' SNWA CC 28	Purple Trailing Lantana	Existing	52
	Dasylirion longissimum	Toothless Desert Spoon	Existing	12
	Dasylirion wheeleri SNWA CC 28	Desert Spoon	Existing	193
	Baccharis SNWA CC 20	Baccharis	Existing	136
	Xylosma congestum SNWA CC 79	Shiny Xylosma	Existing	238
	Existing Granite Boulders			

* Existing pines to be removed due to damage to perimeter walls.

1 CITY COMMENTS 10-15-10

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LANDSCAPE PLANS
RANCHO ALTA MIRA

RANCHO ALTA MIRA PERIMETER FIVE YEAR TREE REMOVAL AND REPLACEMENT PROJECT

LONE MOUNTAIN, DECATUR, CRAIG, AND JONES

Jaramillo LANDSCAPE & MAINTENANCE, LLC "Our Work Is Our Reference"

LONE MOUNTAIN ROAD EXISTING PLANTING

1 CITY COMMENTS 10-15-10

KUC DESIGNED BY:

KUC DRAWN BY:

July 6, 2010 DATE:

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EXISTING MATERIAL LEGEND

TREES

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	Pinus eldarica SNWA 368 Existing Pines to be Removed and Replaced	Mondel Pine	Existing	191*

1 CITY COMMENTS 10-15-10

PALMS

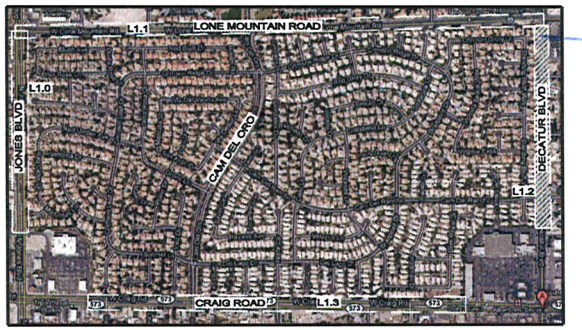
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	Washingtonia robusta SNWA 133	Mexican Fan Palm	Existing 15' or taller	15
	Trachycarpus fortunei SNWA 59	Windmill Palm	Existing 15' or taller	3
	Washingtonia robusta SNWA 133	Mexican Fan Palm	Existing < 15'	1
	Trachycarpus fortunei SNWA 59	Windmill Palm	Existing< 15'	1
	Chamaerops humilis SNWA 133	Mediterranean Fan Palm	Existing < 15'	12

SHRUBS

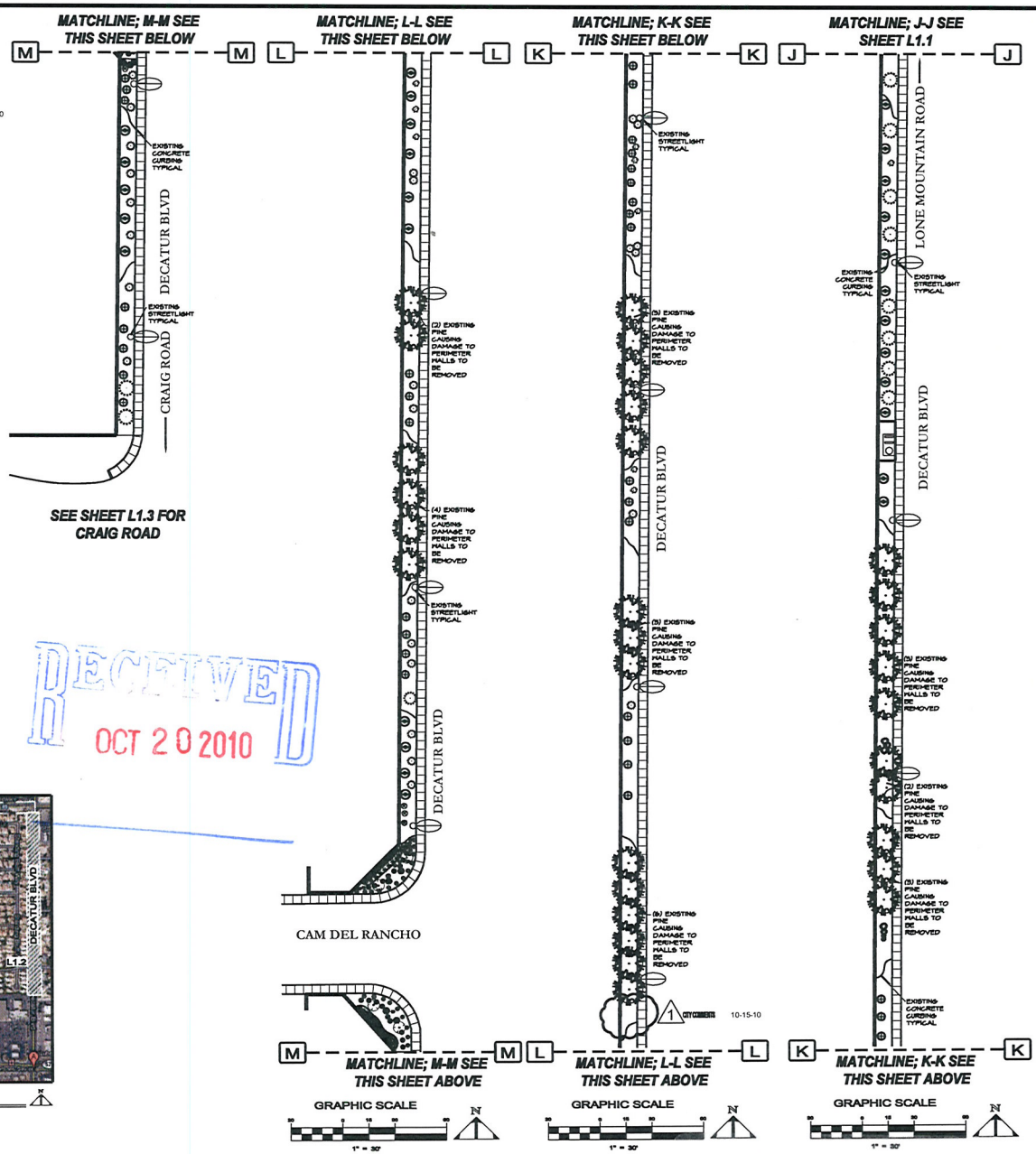
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	Euonymus japonica 'Green Spire' SNWA CC 28	Green Spire Euonymus	Existing	8
	Chrysactinia mexicana SNWA CC 3	Damianita	Existing	10
	Hymenoxys acaulis	Angelita Daisy	Existing	47
	Euonymus japonicus 'microphyllus' SNWA CC 3	Boxleaf Euonymus	Existing	5
	Callistepon viminalis 'Little John' SNWA CC 7	Dwarf Bottlebrush	Existing	53
	Caesalpinia gilliesii SNWA CC 50	Yellow Bird of Paradise	Existing	12
	Caesalpinia pulcherrima SNWA CC 28	Red Bird of Paradise	Existing	95
	Teucrium chamaedrys 'Prostratum' SNWA CC 3	Prostrate Germander	Existing	100
	Myoporum parvifolium SNWA CC 50	Myoporum	Existing	70
	Nandina domestica 'Compacta' SNWA CC 13	Heavenly Bamboo	Existing	47
	Rosmarinus officinalis 'Prostratus' SNWA CC 28	Prostrate Rosemary	Existing	18
	Lantana 'Radiation' SNWA CC 28	Radiation Bush Lantana	Existing	1
	Lantana montevidensis 'Purple' SNWA CC 28	Purple Trailing Lantana	Existing	52
	Dasylirion longissimum	Toothless Desert Spoon	Existing	12
	Dasylirion wheeleri SNWA CC 28	Desert Spoon	Existing	193
	Baccharis Sp SNWA CC 20	Baccharis	Existing	136
	Xylosma congestum SNWA CC 79	Shiny Xylosma	Existing	238

Existing Granite Boulders

* Existing pines to be removed due to damage to perimeter walls.



KEY MAP



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LANDSCAPE PLANS
RANCHO ALTA MIRA

ADD: RANCHO ALTA MIRA PERIMETER FIVE YEAR TREE REMOVAL AND REPLACEMENT PROJECT
LONE MOUNTAIN, DECATUR, CRAIG, AND JONES

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DECATUR BLVD EXISTING PLANTING
1 CITY COMMENTS 10-15-10

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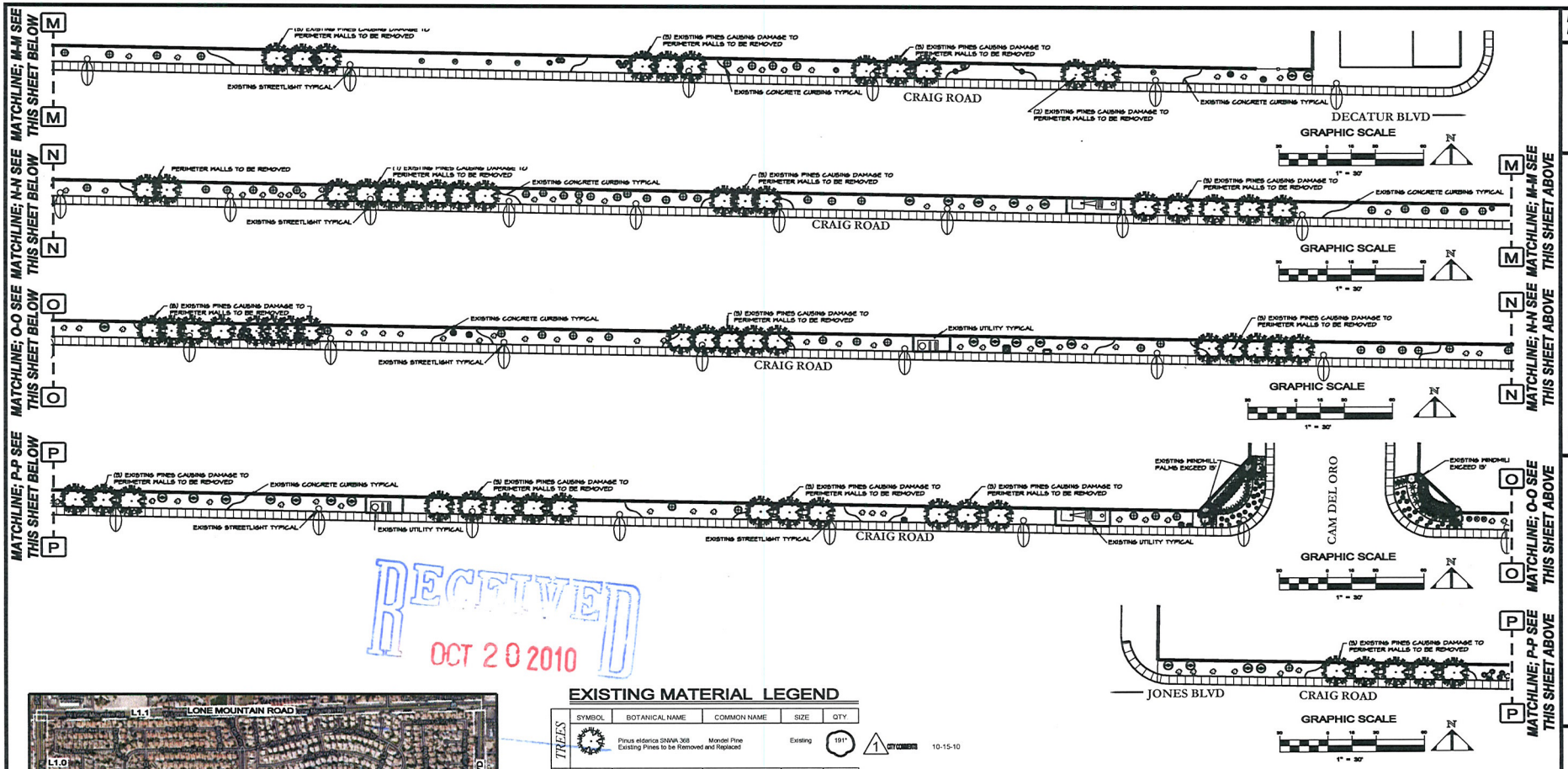

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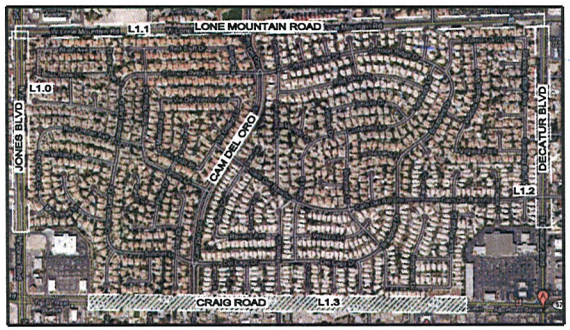

KEY MAP

EXISTING MATERIAL LEGEND

TREES

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	Pinus eldarica SNWA 368 Existing Pines to be Removed and Replaced	Mondel Pine	Existing	191*

1 CITY COMMENTS 10-15-10

PALMS

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	Washingtonia robusta SNWA 133	Mexican Fan Palm	Existing 15' or taller	15
	Trachycarpus fortunei SNWA 59	Windmill Palm	Existing 15' or taller	3
	Washingtonia robusta SNWA 133	Mexican Fan Palm	Existing < 15'	1
	Trachycarpus fortunei SNWA 59	Windmill Palm	Existing< 15'	1
	Chamaerops humilis SNWA 133	Mediterranean Fan Palm	Existing < 15'	12

SHRUBS

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	Euonymus japonica 'Green Spire' SNWA CC 28	Green Spire Euonymus	Existing	8
	Chrysactinia mexicana SNWA CC 3	Damianita	Existing	10
	Hymenoxys acaulis	Angelita Daisy	Existing	47
	Euonymus japonicus 'microphyllus' SNWA CC 3	Boxleaf Euonymus	Existing	5
	Callistemon viminalis 'Little John' SNWA CC 7	Dwarf Bottlebrush	Existing	53

SHRUBS

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	Caesalpinia gilliesii SNWA CC 50	Yellow Bird of Paradise	Existing	12
	Caesalpinia pulcherrima SNWA CC 28	Red Bird of Paradise	Existing	95
	Teucrium chamaedrys 'Prostratum' SNWA CC 3	Prostrate Germander	Existing	100
	Myoporum parvifolium SNWA CC 50	Myoporum	Existing	70
	Nandina domestica 'Compacta' SNWA CC 13	Heavenly Bamboo	Existing	47
	Rosmerinus officinalis 'Prostratus' SNWA CC 28	Prostrate Rosemary	Existing	18
	Lantana 'Radiation' SNWA CC 28	Radiation Bush Lantana	Existing	1
	Lantana montevidensis 'Purple' SNWA CC 28	Purple Trailing Lantana	Existing	52
	Dasylirion longissimum	Toothless Desert Spoon	Existing	12
	Dasylirion wheeleri SNWA CC 28	Desert Spoon	Existing	193
	Baccharis Sp SNWA CC 20	Baccharis	Existing	136
	Xylosma congestum SNWA CC 79	Shiny Xylosma	Existing	238
	Existing Granite Boulders			

* Existing pines to be removed due to damage to perimeter walls.

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LANDSCAPE PLANS
RANCHO ALTA MIRA

JOB#

RANCHO ALTA MIRA PERIMETER FIVE YEAR TREE REMOVAL AND REPLACEMENT PROJECT

LONE MOUNTAIN, DECATUR, CRAIG, AND JONES

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CRAIG ROAD
EXISTING PLANTING

1 CITY COMMENTS 10-15-10

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MATERIAL LEGEND

	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
TREES		Olea europaea 'Swan Hill' Multi-Trunk SNWA 236	Swan Hill Olive	24" Box	44
		Vitex agnus-castus Natural Multi-Trunk SNWA 309	Chaste Tree	24" Box	47
		Quercus ilex Standard	Holly Oak	24" Box	53
		Ceratonia siliqua Natural Multi-Trunk	Carob Tree	24" Box	47

1 CITY COMMENTS 10-15-10

EXISTING MATERIAL LEGEND

	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
SHRUBS		Euonymus japonica 'Green Spire' SNWA CC 28	Green Spire Euonymus	Existing	8
		Chrysactinia mexicana SNWA CC 3	Damianita	Existing	10
		Hymenoxys acaulis	Angelita Daisy	Existing	47
		Euonymus japonicus 'microphyllus' SNWA CC 3	Boxleaf Euonymus	Existing	5
		Callistemon viminalis 'Little John' SNWA CC 7	Dwarf Bottlebrush	Existing	53
		Caesalpinia gilliesii SNWA CC 50	Yellow Bird of Paradise	Existing	12
		Caesalpinia pulcherrima SNWA CC 28	Red Bird of Paradise	Existing	95
		Teucrium chamaedrys 'Prostratum' SNWA CC 3	Prostrate Germander	Existing	100
		Myoporum parvifolium SNWA CC 50	Myoporum	Existing	70
		Nandina domestica 'Compacta' SNWA CC 13	Heavenly Bamboo	Existing	47
		Rosmarinus officinalis 'Prostratus' SNWA CC 28	Prostrate Rosemary	Existing	18
		Lantana 'Radiation' SNWA CC 28	Radiation Bush Lantana	Existing	1
		Lantana montevidensis 'Purple' SNWA CC 28	Purple Trailing Lantana	Existing	52
		Dasylirion longissimum	Toothless Desert Spoon	Existing	12
		Dasylirion wheeleri SNWA CC 28	Desert Spoon	Existing	193
		Baccharis Sp. SNWA CC 20	Baccharis	Existing	136
		Xylosma congestum SNWA CC 79	Shiny Xylosma	Existing	238
		Existing Granite Boulders			

* Existing pines to be removed due to damage to perimeter walls.

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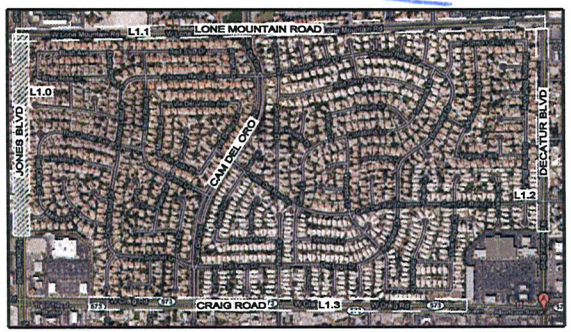

KEY MAP

MATCHLINE; C-C SEE THIS SHEET BELOW

C — C

JONES BLVD

PHASE 1

EXISTING LANDSCAPE TYPICAL

CRAIG ROAD

SEE SHEET L1.3 FOR CRAIG ROAD

GRAPHIC SCALE

1" = 30'

MATCHLINE; B-B SEE THIS SHEET BELOW

B — B

EXISTING LANDSCAPE TYPICAL

JONES BLVD

PHASE 1

EXISTING PINES LOCATIONS TYPICAL

EXISTING LANDSCAPE TYPICAL

MATCHLINE; C-C SEE THIS SHEET ABOVE

C — C

GRAPHIC SCALE

1" = 30'

MATCHLINE; A-A SEE THIS SHEET BELOW

A — A

JONES BLVD

PHASE 1

EXISTING PINES LOCATIONS TYPICAL

EXISTING BOULDERS TYPICAL

EXISTING LANDSCAPE TYPICAL

MATCHLINE; B-B SEE THIS SHEET ABOVE

B — B

GRAPHIC SCALE

1" = 30'

LONE MOUNTAIN ROAD

D — D

MATCHLINE; D-D SEE SHEET L1.1

EXISTING LANDSCAPE TYPICAL

JONES BLVD

PHASE 1

EXISTING LANDSCAPE TYPICAL

MATCHLINE; A-A SEE THIS SHEET ABOVE

A — A

GRAPHIC SCALE

1" = 30'

LANDSCAPE PLANS
RANCHO ALTA MIRA

RANCHO ALTA MIRA PERIMETER FIVE YEAR TREE REMOVAL AND REPLACEMENT PROJECT

LONE MOUNTAIN, DECATUR, CRAIG, AND JONES

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JONES BLVD PLANTING PLAN

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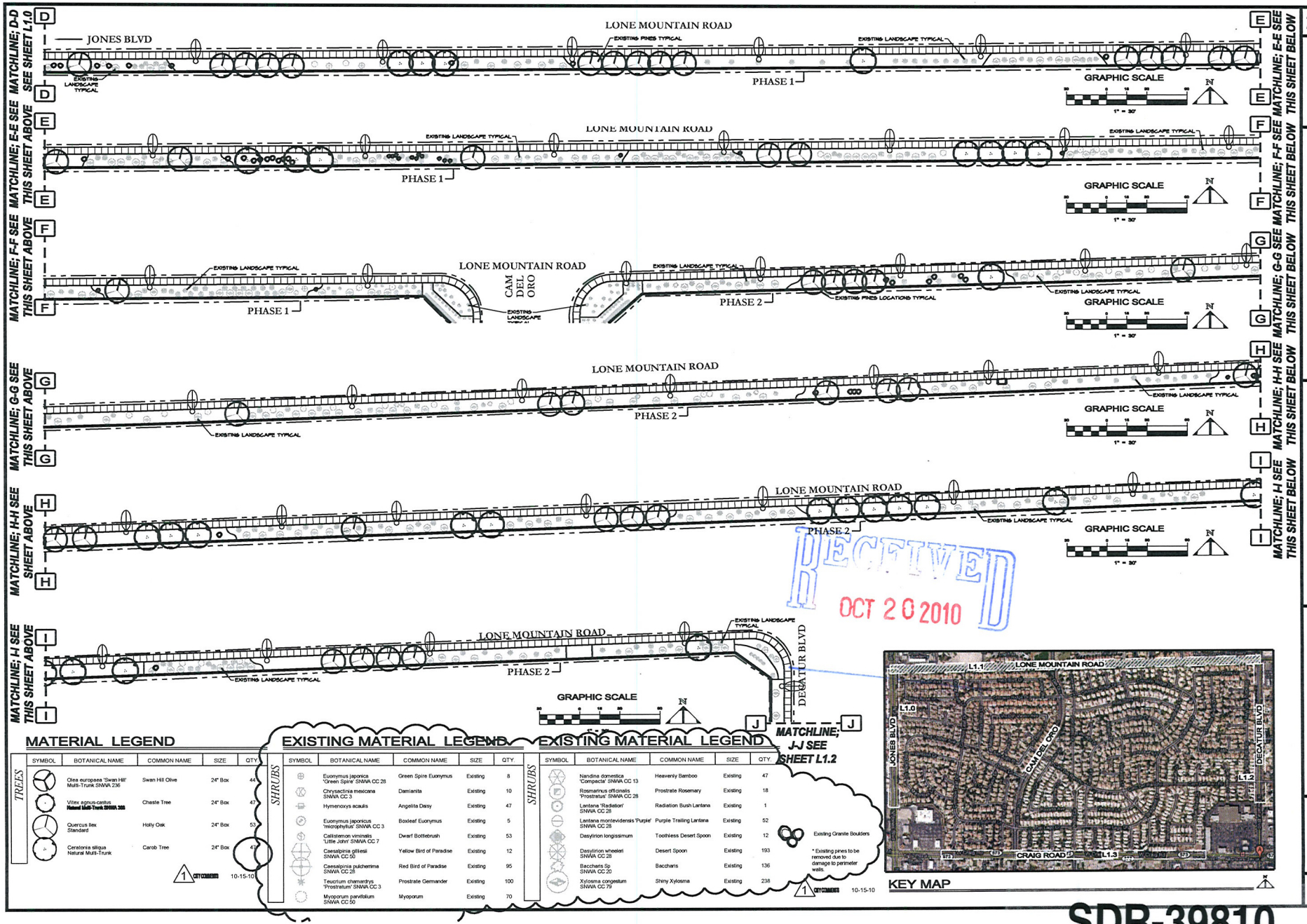

MATERIAL LEGEND

TREES

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
	Olea europaea 'Swan Hill' Multi-Trunk SNWA 236	Swan Hill Olive	24" Box	44
	Vitex agnus-castus Natural Multi-Trunk SNWA 305	Chaste Tree	24" Box	47
	Quercus ilex Standard	Holly Oak	24" Box	53
	Ceratonia siliqua Natural Multi-Trunk	Carob Tree	24" Box	47

1 CITY COMMENTS 10-15-10

EXISTING MATERIAL LEGEND

SHRUBS

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
	Euonymus japonica 'Green Spire' SNWA CC 28	Green Spire Euonymus	Existing	8
	Chrysactinia mexicana SNWA CC 3	Damianita	Existing	10
	Hymenoxys acaulis	Angelita Daisy	Existing	47
	Euonymus japonicus 'microphyllus' SNWA CC 3	Boxleaf Euonymus	Existing	5
	Callistemon viminalis 'Little John' SNWA CC 7	Dwarf Bottlebrush	Existing	53
	Caesalpinia gilliesii SNWA CC 50	Yellow Bird of Paradise	Existing	12
	Caesalpinia pulcherrima SNWA CC 28	Red Bird of Paradise	Existing	95
	Teucrium chamaedrys 'Prostratum' SNWA CC 3	Prostrate Germander	Existing	100
	Myoporum parvifolium SNWA CC 50	Myoporum	Existing	70

EXISTING MATERIAL LEGEND

SHRUBS

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
	Nandina domestica 'Compacta' SNWA CC 13	Heavenly Bamboo	Existing	47
	Rosmarinus officinalis 'Prostratus' SNWA CC 28	Prostrate Rosemary	Existing	18
	Lantana 'Radation' SNWA CC 28	Radiation Bush Lantana	Existing	1
	Lantana montevidensis 'Purple' SNWA CC 28	Purple Trailing Lantana	Existing	52
	Dasylirion longissimum	Toothless Desert Spoon	Existing	12
	Dasylirion wheeleri SNWA CC 28	Desert Spoon	Existing	193
	Baccharis Sp SNWA CC 20	Baccharis	Existing	136
	Xylosma congestum SNWA CC 79	Shiny Xylosma	Existing	238

Existing Granite Boulders

* Existing pines to be removed due to damage to perimeter walls.

1 CITY COMMENTS 10-15-10

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KEY MAP

LANDSCAPE PLANS
RANCHO ALTA MIRA

JOB: RANCHO ALTA MIRA PERIMETER FIVE YEAR TREE REMOVAL AND REPLACEMENT PROJECT

LONE MOUNTAIN, DECATUR, CRAIG, AND JONES

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LONE MOUNTAIN ROAD PLANTING PLAN

10-15-10

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MATERIAL LEGEND

TREES

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	Olea europaea 'Swan Hill' Multi-Trunk SNWA 236	Swan Hill Olive	24" Box	44
	Vitex agnus-castus Natural Multi-Trunk SNWA 288	Chaste Tree	24" Box	47
	Quercus ilex Standard	Holly Oak	24" Box	53
	Ceratonia siliqua Natural Multi-Trunk	Carob Tree	24" Box	47

1 CITY COMMENTS 10-15-10

EXISTING MATERIAL LEGEND

SHRUBS

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
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	Hymenoxys acaulis	Angelita Daisy	Existing	47
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	Teucrium chamaedrys 'Prostratum' SNWA CC 3	Prostrate Germander	Existing	100
	Myoporum parvifolium SNWA CC 50	Myoporum	Existing	70
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	Rosmarinus officinalis 'Prostratus' SNWA CC 28	Prostrate Rosemary	Existing	18
	Lantana 'Radiation' SNWA CC 28	Radiation Bush Lantana	Existing	1
	Lantana montevidensis 'Purple' SNWA CC 28	Purple Trailing Lantana	Existing	52
	Dasylirion longissimum	Toothless Desert Spoon	Existing	12
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	Existing Granite Boulders			

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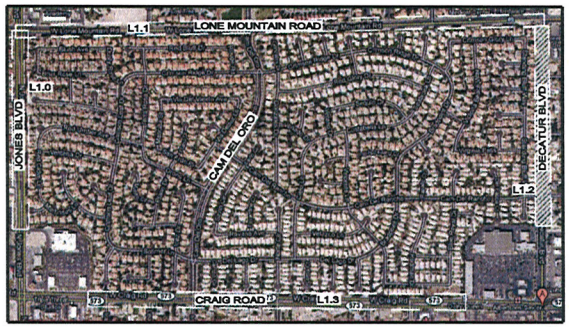
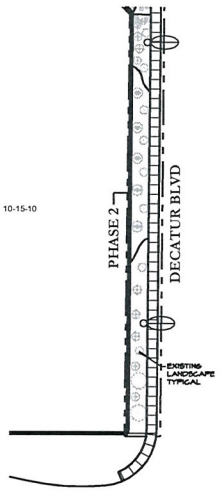
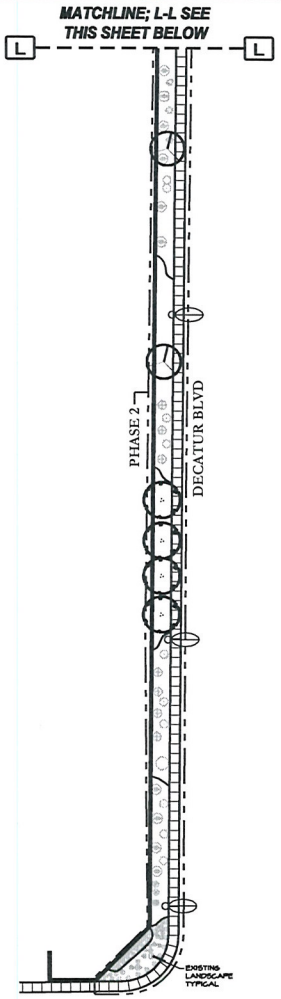
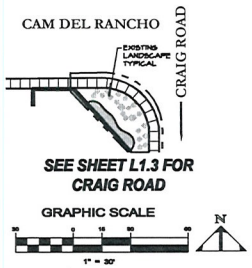


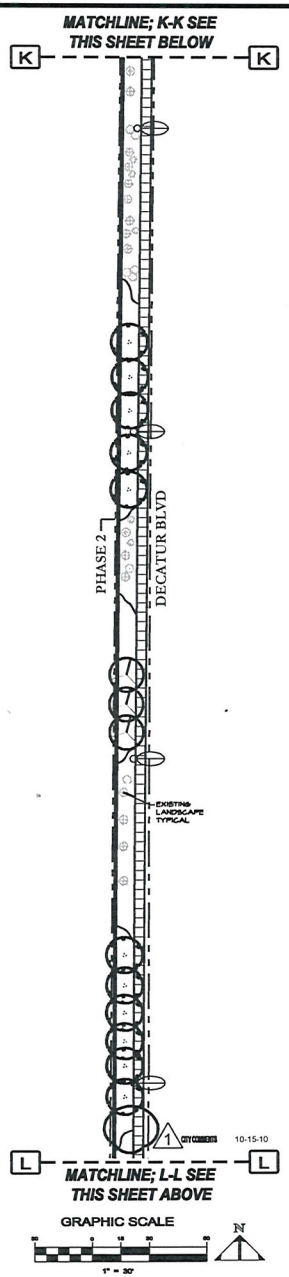
KEY MAP







GRAPHIC SCALE N
1" = 30'



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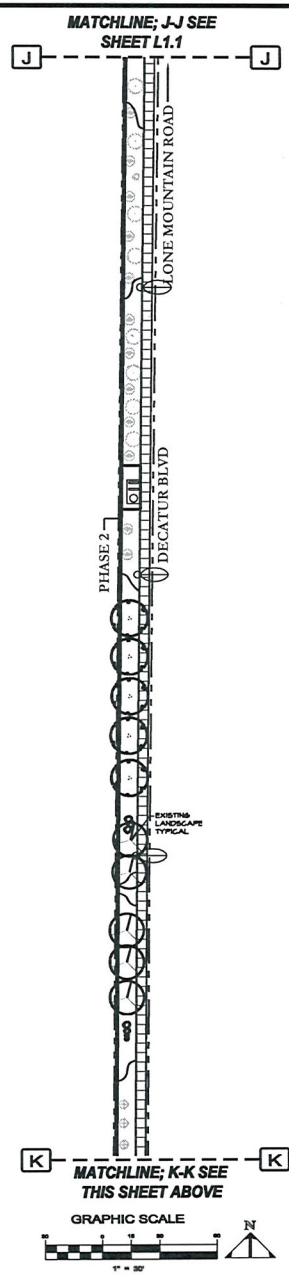


GRAPHIC SCALE N
1" = 30'

LANDSCAPE PLANS
RANCHO ALTA MIRA

JOB:
RANCHO ALTA MIRA PERIMETER FIVE YEAR TREE REMOVAL AND REPLACEMENT PROJECT
LONE MOUNTAIN, DECATUR, CRAIG, AND JONES

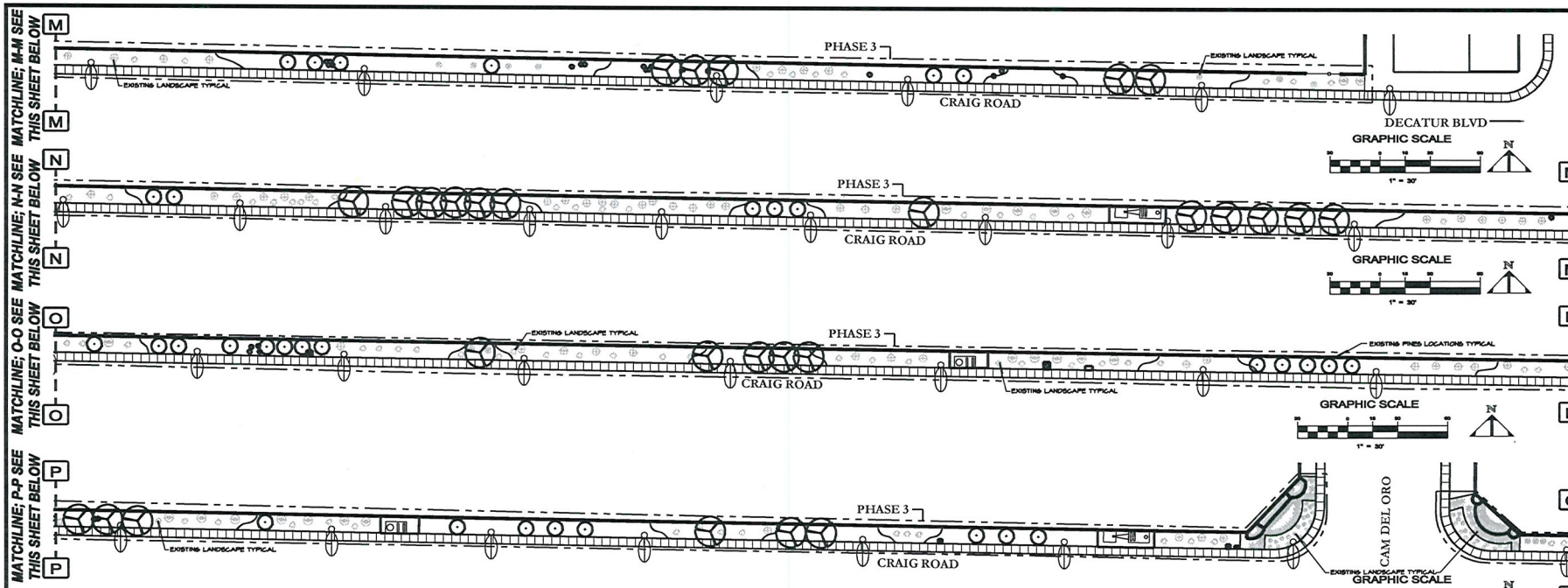
Jaramillo LANDSCAPE & MAINTENANCE, LLC
"Our Work Is Our Reference"

DECATUR BLVD PLANTING PLAN
1 CITY COMMENTS 10-15-10

KUC
KUC
October 4, 2010

L2.2

SDR-39810
REVISED



MATERIAL LEGEND

	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
TREES		Olea europaea 'Swan Hill' Multi-Trunk SNWA 236	Swan Hill Olive	24" Box	44
		Vitex agnus-castus Natural Multi-Trunk SNWA 305	Chaste Tree	24" Box	47
		Quercus Ilex Standard	Holly Oak	24" Box	50
		Ceratonia siliqua Natural Multi-Trunk	Carob Tree	24" Box	47

1 CITY COMMENTS 10-15-10

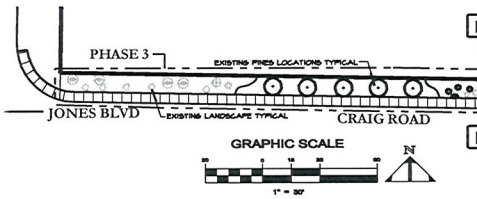
KEY MAP

EXISTING MATERIAL LEGEND

	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
SHRUBS		Euonymus japonica 'Green Spire' SNWA CC 28	Green Spire Euonymus	Existing	8
		Chrysactinia mexicana SNWA CC 3	Damianita	Existing	10
		Hymenoxys acaulis	Angelita Daisy	Existing	47
		Euonymus japonicus 'microphyllus' SNWA CC 3	Boxleaf Euonymus	Existing	5
		Callistemon viminalis 'Little John' SNWA CC 7	Dwarf Bottlebrush	Existing	53
		Caesalpinia gilliesii SNWA CC 56	Yellow Bird of Paradise	Existing	12
		Caesalpinia pulcherrima SNWA CC 28	Red Bird of Paradise	Existing	95
		Teucrium chamaedrys 'Prostratum' SNWA CC 3	Prostrate Germander	Existing	100
		Myoporum parvifolium SNWA CC 50	Myoporum	Existing	70
		Nandina domestica 'Compacta' SNWA CC 13	Heavenly Bamboo	Existing	47
		Rosmarinus officinalis 'Prostratus' SNWA CC 28	Prostrate Rosemary	Existing	18
		Lantana 'Radiation' SNWA CC 28	Radiation Bush Lantana	Existing	1
		Lantana montevidensis 'Purple' SNWA CC 28	Purple Trailing Lantana	Existing	52
		Dasylirion longissimum	Toothless Desert Spoon	Existing	12
		Dasylirion wheeleri SNWA CC 28	Desert Spoon	Existing	193
		Baccharis Sp SNWA CC 20	Baccharis	Existing	136
		Xylosma congestum SNWA CC 79	Shiny Xylosma	Existing	238
		Existing Granite Boulders			

* Existing pines to be removed due to damage to perimeter walls.

1 CITY COMMENTS 10-15-10



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LANDSCAPE PLANS
RANCHO ALTA MIRA

JOB: RANCHO ALTA MIRA PERIMETER FIVE YEAR TREE REMOVAL AND REPLACEMENT PROJECT
LONE MOUNTAIN, DECATUR, CRAIG, AND JONES

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CRAIG ROAD PLANTING PLAN
1 CITY COMMENTS 10-15-10
2

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October 4, 2010
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SDR-39810 - APPLICANT/OWNER: RANCHO ALTA MIRA HOMEOWNERS ASSOCIATION
SWC LONE MOUNTAIN ROAD & DECATUR BOULEVARD

10/15/10

SDR-39810 - APPLICANT/OWNER: RANCHO ALTA MIRA HOMEOWNERS ASSOCIATION
SWC LONE MOUNTAIN ROAD & DECATUR BOULEVARD

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10/15/10

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10/15/10

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10/15/10

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10/15/10

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SWC LONE MOUNTAIN ROAD & DECATUR BOULEVARD

10/15/10

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LANDSCAPE & MAINTENANCE, LLC
"Our Work Is Our Reference"

September 30, 2010

City of Las Vegas
Attn: Doug Rankin
c/o Rancho Alta Mira
731 S. Fourth Street
Las Vegas, NV. 89101

Re: Justification Letter for Landscape Improvements around Perimeter Landscape Buffer at Rancho Alta Mira

Dear Sir:

Rancho Alta-Mira home owners association (HOA) is located in the City of Las Vegas bordering Craig road on the South, Lone Mountain Road on the North, Jones Boulevard on the West, and Decatur Boulevard on the East. This community sits on approximately 330 acres and houses 1,353 single family residences. The community was built in 1990 and completed in 1996.

Rancho Alta-Mira HOA has a landscape buffer zone surrounding the community on all streetscapes. The existing plant material consists of large pine trees, large shrubs, accents, groundcover, decorative rock mulch, boulders, and an automatic irrigation system.

The reason for this letter is to justify replacing all (191) existing pine trees in the perimeter landscape buffer area that are overgrowing into the perimeter walls and sidewalks causing damage. There are approximately 90 areas documented where damage to the walls and sidewalk have occurred. It is our intent to repair the damaged walls and sidewalks and to remove and dispose of all the pine trees in (3) phases and to replace them with 24-inch box trees that potentially have a smaller root system, and are slower growing, to protect the walls and sidewalks from further damage, enhancing the visual aesthetic and providing shade.

As required by title 19.12 the residential perimeter landscape buffer shall have a 24-inch minimum box tree and shall be placed at one per 30 linear feet with (4) 5-gallon shrubs per tree. The total tree and shrub count per the requirement is (418) trees and (1,672) shrubs, an increase of the existing trees and shrubs on-site to (228) 24-inch box trees and (575) 5-gallon shrubs. This increase of trees and shrubs would more than double the cost of the project, increase the cost of maintenance, and triple the water consumption and bill resulting in a approximately 8% increase in homeowner's dues. Therefore Rancho Alta-Mira HOA is requesting an exception for the required number of trees (418) and (575) shrubs based on the title 19 requirement and to only replace the (191) existing pine trees.

For the reasons listed above we are requesting approval for these landscape improvements.

Keman Clute RLA #804

C.C. Chris Jaramillo

C.C. Kristen Remhoff

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OCT 20 2010

SDR-39810
REVISED

9275 South Jones Blvd. Las Vegas, NV 89139 Ph: 251-0011 Fax: 870-5099 NV.C.L. 0043875A

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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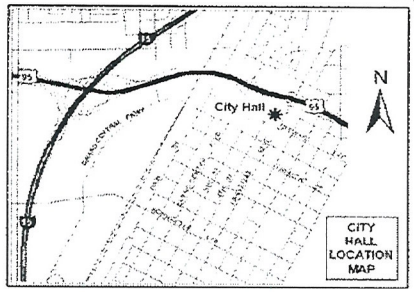

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council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

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-39810

Planning Commission Meeting of 11/18/2010

Case: SDR-39810

13802510079
WOLFE GREY & SHERI
6121 BURNT HILLS DR
LAS VEGAS NV 89130-2329

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11/08/2010 MON 8:53 FAX 7029148609 Silverton Casino, LLC

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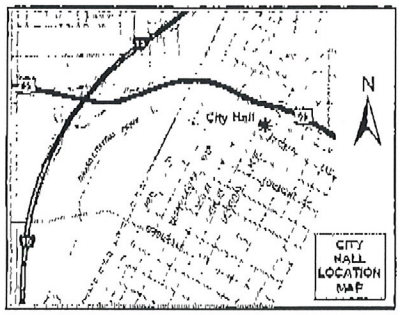

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☐ I SUPPORT this Request

☒ I OPPOSE Strongly this Request

Please use available blank space on card for your comments.

SDR-39810
Planning Commission Meeting of 11/18/2010

I see NO damage to block walls.

Case: SDR-39810
13801518008
COLES STUART A
4804 CRIMSON GLORY LN
LAS VEGAS NV 89130-5348

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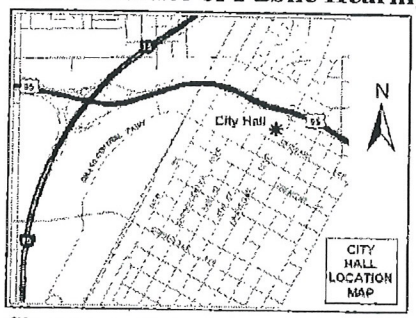

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SDR-39810

Planning Commission Meeting of 11/18/2010

*We need all our trees !!!

Case: SDR-39810
13801110043
EATMON KENNETH D & KAY WHITNEY
5917 BLUSH AVE
LAS VEGAS NV 89130-5162

Application Information

SDR-39810 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: RANCHO ALTA MIRA HOMEOWNERS ASSOCIATION - Request for a Major Amendment to previously approved Rezonings (Z-0108-88) and (Z-0037-93) TO ALLOW 191 TREES IN THE PERIMETER LANDSCAPE BUFFER WHERE 418 TREES ARE REQUIRED at the southwest corner of Lone Mountain Road and Decatur Boulevard (APNs Multiple), R-PD5 (Residential Planned Development - 5 Units Per Acre) and R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 6 (Ross).

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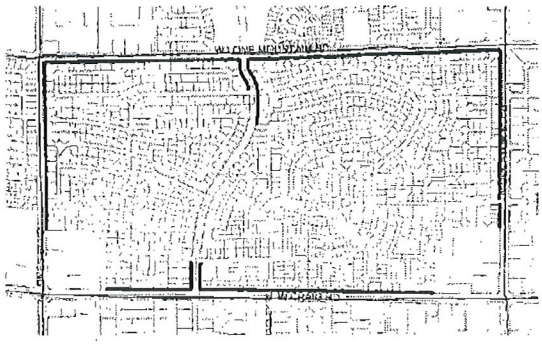
Application Location



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

Public Hearing Information

Meeting:	Planning Commission
Date:	***November 18, 2010***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Planning and Development Department, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For further information, including the full staff report, please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

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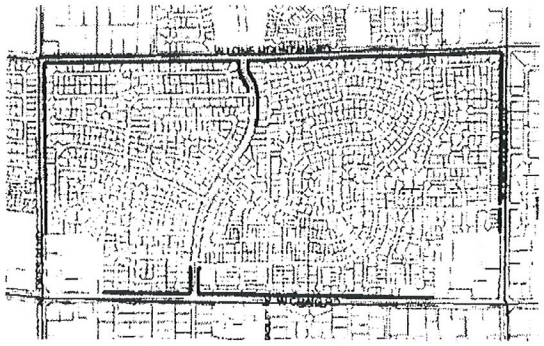
This is an attempt by the HOA board to remove perfectly healthy trees. The HOA won a lawsuit regarding the walls and were supposed to have used that money to repair them. Now they're blaming the trees, they are irrigating them incorrectly!!

Application Location



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Development Services Center
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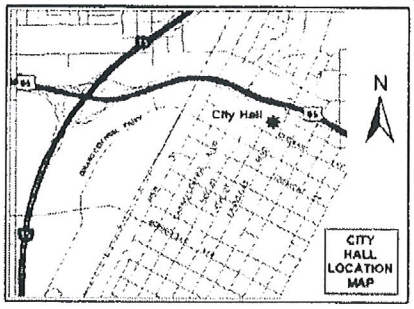

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SDR-39810
Planning Commission Meeting of 11/18/2010

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Case: SDR-39810

13801117029
HARMAN FAMILY TRUST
4617 RED CIDER LN
LAS VEGAS NV 89130-5155

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Las Vegas, Nevada 89101-2986

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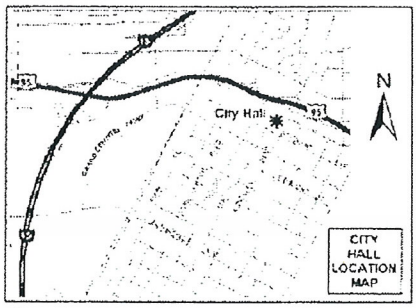

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SDR-39810

Planning Commission Meeting of 11/18/2010

Case: SDR-39810
13801211007
TARMANN FRED & PHYLLIS FAMILY TR
35534 WOODBRIDGE PL
FREMONT CA 94536-3378

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

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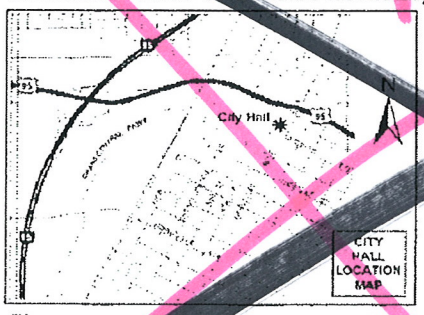

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-39745

Planning Commission Meeting of 11/18/2010

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Case: SUP-39745
13814210076
TARMANN FRED & PHYLLIS FAMILY TR
35534 WOODBRIDGE PL
FREMONT CA 94536-3378

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

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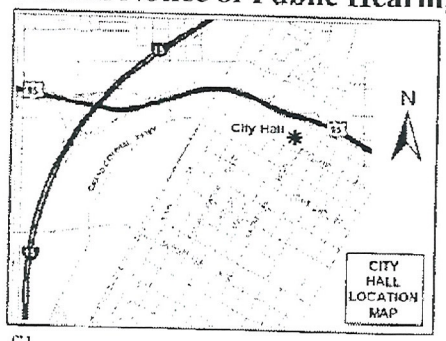

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SDR-39810

Planning Commission Meeting of 11/18/2010

13801119020 Case: SDR-39810
ABBINETT JAMES E & KARYN L
5613 SAN ARDO PL
LAS VEGAS NV 89130-5187

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Las Vegas, Nevada 89101-2986

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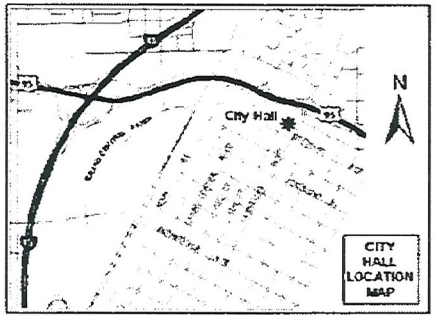

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-39810

Planning Commission Meeting of 11/18/2010

Case: SDR-39810

13801511030
ANDERSON GREGORY M & DARLA K
4636 N SEABROOK LN
LAS VEGAS NV 89130-5331

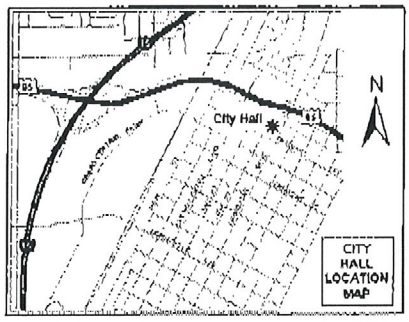
RECEIVED
NOV - 8 2010

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279216 NOV 05 2010
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-39810

Planning Commission Meeting of 11/18/2010

Case: SDR-39810

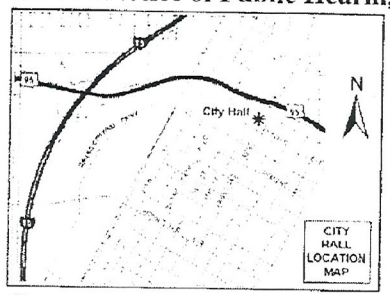
13801613025
BASSFORD MARK J & HELEN D REV TR
5224 DEL LAGO DR
LAS VEGAS NV 89130-5210

RECEIVED
NOV - 8 2010

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

Return Service Requested

Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-39810

Planning Commission Meeting of 11/18/2010

Case: SDR-39810

13801616030
DIPPNER ROBERT F & MARY E
6340 W FARM RD
LAS VEGAS NV 89131-2124

RECEIVED
NOV - 8 2010

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
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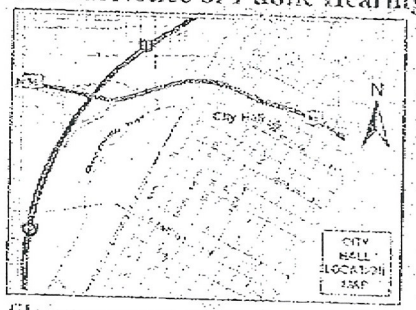
MAILED FROM ZIPCODE 89101

Return Service Requested

Official Notice of Public Hearing



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

Please use available blank space on card for your comments.

SDR-39810

Planning Commission Meeting of 11/18/2010

13801116030 Case: SDR-39819
KING FAMILY TRUST
4420 CRIMSON LEAF DR
LAS VEGAS NV 89130-5113

RECEIVED
NOV – 8 2010

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

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
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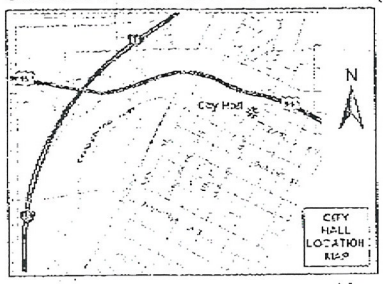
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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

Please use available blank space on card for your comments.

SDR-39810
Planning Commission Meeting of 11/18/2010

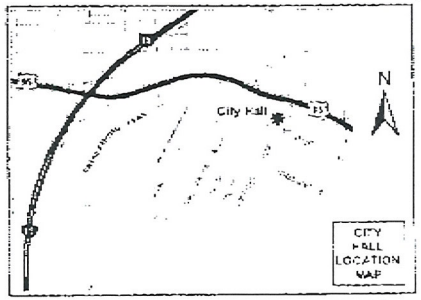
Case: SDR-39810
13801211077
WARREN JAMES E & SHERYL B
4420 CRIMSON LEAF DR
LAS VEGAS NV 89130-5113

RECEIVED
NOV - 8 2010

P.1/1
TO:3857268
JAN-01-2002 12:23 FROM:

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

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-39810
Planning Commission Meeting of 11/18/2010

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41[4]
0004279218 NOV 05 2010
MAILED FROM ZIPCODE 89101

Case: SDR-39810

13801618029
BIONDICH MARIA
5008 CAMINO DEL RANCHO
LAS VEGAS NV 89130-5282

RECEIVED
NOV - 8 2010

City of Las Vegas Agenda Item No.: **32.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

SUBJECT:
ABEYANCE - TXT-38353 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.14 and Title 19.20 to define standards for building wrap signage. 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:
Proposed Amendment and Staff Report

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-38353	Staff has NO RECOMMENDATION	

RTS/FF

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** PROPOSED AMENDMENT(S) **

1. Title 19.14.100(B) is hereby amended to define the approval process for building wrap signage which incorporates off-premise messages:

Title 19.14.100 OFF-PREMISE SIGNS

(B) SPECIAL USE PERMIT REQUIRED

(1) Except as otherwise provided in Subsections (F) and (G) of this Section 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 Section 19.18.060. 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) Building wrap signage that incorporates off-premise messages, as described in Section 19.14.XXX, shall require the approval of a Special Use Permit. However, building wrap signage that incorporates off-premise messages shall be exempt from the following requirements for off-premise signage:

(a) Size limitations, as listed in subsection 19.14.100(C)(4);
(b) Separation requirements, as listed in subsection 19.14.100(C)(5);
(c) Height limitations, as listed in subsection 19.14.100(C)(7) and (C)(8); and
(d) Right-of-way setback requirements, as listed in subsection 19.14.100(C)(9).

RTS/FF

~~(3)~~(4) 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)~~(5) 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 19.18.060(L).

2. Title 19.14.100(C) is hereby amended to prohibit building wrap signage and free-standing off-premise (billboard) signage on the same parcel:

Title 19.14.100 OFF-PREMISE SIGNS

(C) LOCATIONAL PROVISIONS

(12) No off-premise sign shall be allowed on a parcel where building wrap signage has been approved and/or is currently in place.

3. Title 19.14 is hereby amended to add a new section, to be entitled "Building Wrap Signage," as follows below:

Title 19.14.XXX BUILDING WRAP SIGNAGE

(A) BUILDING WRAP SIGN DEFINED

A large-format sign, consisting of an image printed on vinyl, mesh or other material with or without written text, supported and attached to a wall by an adhesive and/or by using stranded cable and eye-bolts and/or other materials or methods.

(B) GENERAL PROVISIONS

(1) Building wrap signage shall be limited to buildings occupied by commercial uses. Building wrap signage shall not be located on multifamily residential buildings or mixed-use buildings with a residential component.

(2) Building wrap signage shall only be permitted on buildings with a minimum height of ten stories and a minimum gross floor area of 200,000 square feet.

(3) Building wrap signage shall not be permitted on any parcel where there is an existing off-premise sign.

(C) LOCATIONAL PROVISIONS

(1) Building wrap signage shall only be permitted in the C-1 and C-2 zoning districts.

(2) Building wrap signage shall not be permitted within the Off-Premise Sign Exclusionary Zone, as defined in subsection 19.14.100(E).

(D) DIMENSIONAL AND OTHER STANDARDS

(1) Minimum area. Building wrap signage shall have a minimum area of 2,400 square feet.

(2) Maximum area. None.

(3) Maximum height. Building wrap signage shall not extend above the roof or parapet of the building to which it is attached. Building wrap signage shall be located a minimum height of 15 feet above the grade of the abutting sidewalk or the average finished grade of the subject property, whichever is greater.

(4) Maximum Projection. Building wrap signage shall not project more than two feet from the facade of the building to which it is attached.

(5) Maximum number. One building wrap sign is permitted per building elevation, not to exceed a maximum of four building wrap signs per parcel, except as otherwise limited herein.

(6) Orientation.

(a) Downtown Centennial Plan Overlay District: Building wrap signage may be oriented in any direction.

(b) Outside of the Downtown Centennial Plan Overlay District: Building wrap signage shall not be oriented towards any adjacent "R"-zoned residential properties.

(7) Illumination.

(a) Building wrap signage may be illuminated internally or externally.

(b) Building wrap signage located within the boundaries of the Downtown Casino Overlay District, the Downtown Entertainment Overlay District or the Scenic Byway Overlay District, as defined in Title 19.06, shall be exempt from the requirement for 75% neon illumination.

(c) Illuminated building wrap signage shall be subject to the Residential Protection Standards contained in Section 19.14.070.

(E) REVIEW AND APPROVAL PROCEDURES

(1) Certificate Required. All building wrap signage shall require the approval of a sign certificate. No building wrap signage shall be installed unless a sign certificate has been obtained.

(2) Downtown Centennial Plan Overlay District. Within the boundaries of the Downtown Centennial Plan Overlay District, applications for building wrap signage shall be submitted to the Planning & Development Department for review and approval by the Downtown Design Review Committee (DDRC). The DDRC shall not have the ability approve waivers from the dimensional standards and location provisions contained herein.

(3) Off-Premise Messages. Building wrap signage that is to be utilized for off-premise messages shall require the approval of a Special Use Permit in accordance with the procedures listed in Section 19.14.100(B), in addition to the approval procedures listed above.

4. Title 19.20.020 is hereby amended to add the following definitions as follows:

Title 19.20.020 WORDS AND TERMS DEFINED

Building Wrap Sign. A large-format sign, consisting of an image printed on vinyl, mesh or other material with or without written text, supported and attached to a wall by an adhesive and/or by using stranded cable and eye-bolts and/or other materials or methods.

Building Façade. That portion of any exterior elevation on the building extending from grade to top of the parapet, wall, or eaves and the entire width of the building elevation.

Staff Report Page One
November 18, 2010 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to amend Title 19.14 and Title 19.20 to define standards for building wrap signage in the C-1 and C-2 zoning districts. The signage is proposed to be permitted only in conjunction with commercial buildings that have a minimum height of ten stories and a minimum floor area of 200,000 square feet.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/28/08	The Planning Commission recommended approval of TXT-26651, which proposed the creation of a new district within the Downtown Centennial Plan, and would have allowed the installation of building wrap signage within the new district. The text amendment was stricken from the 11/05/08 City Council agenda.
10/21/10	TXT-38353 was scheduled to be heard by the Planning Commission at their meeting of 10/21/10, but was held in abeyance for 30 days as minor modifications to the text amendment were required.

ANALYSIS

The amendment as proposed would create a new type of sign called "building wrap signage," which is defined as large-format signage that is affixed or adhered to a building façade. The new sign type would be limited to buildings in the C-1 and C-2 zoning districts that are occupied solely by commercial uses and meet minimum height and square footage requirements.

The minimum threshold requirements assist in limiting the number of buildings that would qualify for building wrap signage, thereby reducing the potential impact of the signage. Building wrap signage would not be permitted within the Off-Premise Sign Exclusionary Zone, which is defined generally as the area west of Rainbow Boulevard and north of Sahara Avenue, encompassing the western and northwestern areas of the city. This further assists in reducing the impact of the proposed signage.

As there are also concerns that building wrap signage has the potential to impact residential neighborhoods, several protections have been put in place. First, building wrap signage may not be located on a building elevation that directly faces a residential zoning district. Secondly, any lighting used in conjunction with building wrap signage must adhere to the same Residential Protection Standards as applies to any other sign types within the city. It should also be noted that building wrap signage shall not be permitted on multifamily residential towers or mixed-use buildings with residential units.

The following table is offered as a comparison of the proposed building wrap signage regulations with the building wrap signage regulations for Clark County and Los Angeles:

Requirements	City of Las Vegas	Clark County	Los Angeles
Minimum requirements:	• Min. of 10 stories/ 200,000 SF • Limited to buildings with commercial uses only	• None	• Must participate in signage reduction program
Where permitted:	• C-1 and C-2 districts	• All zones/districts where wall signage is permitted	• Only in specific plan area districts • May be allowed elsewhere by development agreement
Exclusions:	• Not permitted where off-premise signage is already located on property • Not permitted in Off-Premise Sign Exclusionary Zone	• None	• Not permitted where off-premise signage or solid panel roof sign is located on property
Minimum sign area:	• 2,400 SF	• None	• 1,200 SF
Maximum sign area:	• None	• 80 SF/first 20,000 SF of lot area • 40 SF/each 20,000 SF of add'l lot area	• As approved through review
Maximum height:	• Cannot extend above roof/parapet • Must be minimum of 15' above grade	• H-1 zone: No maximum; letter height limited to 8'-10' • All other zones: No maximum; letter height limited to 4'-6'	• Topmost portion of sign shall not be greater than 150' above grade
Maximum #:	• 1 per building elevation	• H-1 zone: Unlimited; businesses in hotel limited to 100 SF per business • All other zones: Unlimited	• 2 per building
Maximum projection:	• 2' max from building face	• 3' max from building face	• No limitation

Requirements	City of Las Vegas	Clark County	Los Angeles
Orientation:	• Centennial Plan: No orientation requirements • All other areas: Cannot be oriented towards residential districts	• May not face residential unless separated by a street	• Images cannot be viewed at the same time from any one location
Illumination:	• Internal or external • Neon not required in downtown overlay districts	• Illumination permitted	• Not permitted
Approval:	• Downtown overlay districts: DDRC • All other areas: Sign certificate only	• BCC as a result of Design Review • Non-Design Review Sign Certificate	• Project permit compliance review
Off-premise messages:	• SUP required • Separation, size and other billboard limitations not applied	• Allowed at same location or within same commercial complex as existing licensed/ permitted use conducting the promotion	• Special events only

FINDINGS

The proposed text amendment will achieve the following:

- Establish standards for building wrap signage within certain areas of the city;
- Restrict the signage to buildings in commercial districts that meet minimum height and square footage requirements, limiting the possibility for excessive building wrap signage;
- Building wrap signage with off-premise messages must be approved through the Special Use Permit process for consistency with existing off-premise sign regulations; and
- Lighting and orientation restrictions are in place to reduce impacts to residential neighborhoods.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas Agenda Item No.: **33.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

SUBJECT:
TXT-39750 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to merge LVMC Title 18 (Subdivision Regulations) and Title 19 (Zoning Code) into a Unified Development Code (UDC) for the City of Las Vegas. Staff recommends APPROVAL.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Staff Report
2. TXT-39750 UDC 19.00 Draft
3. TXT-39750 UDC 19.02 Draft
4. TXT-39750 UDC 19.04 Draft
5. TXT-39750 UDC 19.06 Draft
6. TXT-39750 UDC 19.08 Draft
7. TXT-39750 UDC 19.10 Draft
8. TXT-39750 UDC 19.12 Draft
9. TXT-39750 UDC 19.14 Draft
10. TXT-39750 UDC 19.16 Draft
11. TXT-39750 UDC 19.18 Draft

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-39750	Staff recommends APPROVAL.	N/A

RTS

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for discussion and possible action regarding the merging of Titles 18 (Subdivision Regulations) and 19 (Zoning Code) into one Title to be known as the Unified Development Code (UDC) of the City of Las Vegas. Various chapters of the proposed UDC have been presented at past meetings. While the entire document is presented as a part of this text amendment, the staff presentation focus will be on the three chapters not previously presented. Those chapters are the chapters related to Subdivision Design, Construction and Improvement Requirements; Complete Street Standards; and Commercial and Industrial Districts – Purpose and Development and Design Standards.

Previously, the chapters related to General Provisions; Residential Districts – Purpose and Development and Design Standards; Special Purpose and Overlay Districts – Purpose and Design Standards; Permissible Uses; Nonconforming Uses and Structures; Applications and Procedures; and Definitions and Measures were presented and discussed.

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 was presented at the 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.

09/23/10	A review of Chapters 19.00, 19.12, 19.14 and 19.18 was presented at the Planning Commission meeting under a Director's Business Item (DIR-39291).
10/21/10	A review of Chapters 19.06, 19.10 and 19.16 was presented at the Planning Commission meeting under a Director's Business Item (DIR-39292).

Neighborhood Meeting	
10/10/10	A neighborhood meeting was held at the Mirabelli Community Center, 6200 Hargrove Avenue between 6:00 and 7:00 PM. Planning and Development staff was present to provide public guidance regarding the proposed Unified Development Code.
10/21/10	A neighborhood meeting was held at the Durango Hills Community Center, 3521 North Durango Drive between 6:00 and 7:00 PM. Planning and Development staff was present to provide public guidance regarding the proposed Unified Development Code.
11/09/10	A neighborhood meeting was held at the East Las Vegas Senior Center, 250 North Eastern Avenue between 6:00 and 7:00 PM. Planning and Development staff was present to provide public guidance regarding the proposed Unified Development Code.

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 graphic 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. This form-based approach has been hybridized with current text standards in the creation of the proposed Unified Development Code.

Draft Organization:

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.

Public Input:

Staff has provided multiple avenues for public comment and review of the proposed Unified Development Code. These avenues have consisted of community open houses, public review and updates at the Planning Commission meetings and the creation of an online forum where all members of the community can review and comment on each section of the UDC.

Community open house meetings were held on October 10th, October 21st and November 9th 2010 at the Mirabelli Community Center, Durango Hills Community Center and the East Las Vegas Senior Center, respectively. Each open house was held between 6:00 and 7:00 p.m. and each meeting was advertised in the Review Journal as well as on the main page of the city's website, www.lasvegasnevada.gov. Copies of the proposed Unified Development Code and existing Titles 18 and 19 were on hand and available for review.

Updates to the Planning Commission were provided at the September 23rd and October 21st meetings, with a final presentation scheduled as a part of the November 18th meeting. Both of the prior meetings allowed for at least three sections of the UDC to be presented in one setting. Chapters 19.00, 19.12, 19.14 and 19.18 were presented September 23rd and Chapters 19.06, 19.10 and 19.16 were presented October 21st. Chapters 19.02, 19.04, 19.08 will be presented as a part of this text amendment. Each presentation has been accompanied by a discussion of the substantive and cosmetic changes proposed for each Chapter.

Additionally, opportunities for public comment and review have been provided on the city's website. Notifications were placed on the main page of the city's website, on the main page of the Planning and Development Department's website and a page devoted to the Unified Development Code, www.lasvegasnevada.gov/UDC, was created to allow for public review. The website will be operational throughout the Unified Development Code public hearing and adoption process and contains meeting information, updates, draft copies of each chapter, tables indicating the cosmetic and substantive changes for each chapter and the opportunity for comments.

Summary of Changes:

The following text and tables summarize the purpose of each chapter under the UDC and the cosmetic and substantive changes reflected in the chapters from their corresponding existing regulations in Titles 18 and 19:

Chapter 19.00 – General Provisions:

This chapter provides the introduction to the code and outlines the purpose and intent of the standards contained within this portion of the municipal code. In addition this chapter explains the relationship of the code and zoning districts establish by it to the city's Master Plan. Finally, this chapter addresses a number of housekeeping items such as how the text is to be interpreted, what the responsibilities of the Planning and Development Director are, and the adoption process for the Fee Schedule, among other things.

Cosmetic Changes	Substantive Changes
• Use of new table formats and general text formatting for improved usability	• Merged Title 18 and 19 elements related to the stated purpose, reference title, administration, interpretation, enforcement and fee schedule
	• Relocated Official Zoning Map sections

What has changed since the original Planning Commission presentation of this material?

- There have been minor corrections and formatting fixes.

Chapter 19.02 – Subdivision Design, Construction and Improvement Requirements:

This chapter provides the minimum standards for subdivision design. In addition this chapter outlines the documentation requirements for civil improvements and other elements related to off-site improvement requirements. Finally, this chapter addresses the responsibilities of the Public Works Director.

Cosmetic Changes	Substantive Changes
• Reorganization of material currently found in Title 18	• No substantive changes have been made to the existing standards reflected here.

Chapter 19.04 – Complete Street Standards:

This chapter is a mix or revised and reorganized standards form Title 18 and 19 along with some new requirements for creating communities of lasting value. Specifically, this chapter address street connectivity, roadway network requirements, introduces the Traffic and Transportation Plan (TTP) and Connectivity Ratios, and provides the Transportation – Land Use Matrix. Further, this chapter introduces street schematics for the various street types that are considered standard for the city's roadway network. Finally, this chapter addresses an improved pedestrian experience and reduced vehicle miles traveled by improving the right-of-way design to provide more frequent and convenient access points and to include an Amenity Zone that consist of sufficient space for street trees, light poles and other public safety or utility elements while maintain an unobstructed sidewalk or bicycle/pedestrian pathway.

Cosmetic Changes	Substantive Changes
• Reorganization of material	• Introduction of street tree section
• Greater use of graphics, figures, and tables to illustrate standards	• Clear definition of the expectations for the amenity zone
	• Consolidation of requirements for streetscape and street trees
	• Introduction of land use matrix which is meant to demonstrate land use – transportation combinations which are most compatible
	• Refined road network requirements
	• Introduction of Connectivity Ratio and establishes a minimum ratio for new development of 1.3
	• Introduction of the Traffic Transportation Plan (TTP) which works to ensure adequate connections from proposed development to a more connected grid street network

Chapter 19.06 - Residential Districts - Purpose and Development and Design Standards:

This chapter provides standards applicable to residential development in the city. Where the existing Title 19 provides standards for residential development across a range of chapters; this proposed chapter will bring all the various standards that impact residential development into one place. Additionally, the base standards for each district have been outlined on one to four pages using the new graphic and table format to convey a lot of basic requirements at one time, in one place in an easier to understand manner.

Cosmetic Changes	Substantive Changes
• Reorganization of material (e.g. standards present per district vs. summary comprehensive table with applicable standards spread through-out chapter)	• Streamlined the number of residential districts by merging several districts as follows: o Retire R-PD, PD and T-D o Remove R-CL from undesirable status ▪ Consolidate R-A into R-E ▪ Consolidate R-D into R-1 ▪ Consolidate R-3 into R-4 • Address standards within those new combined districts to ensure they are still compatible and properly transitioned

• Greater use of graphics, figures, and tables to illustrate standards	• Standards for signage, parking, and landscaping related to residential development placed in chapter
	• Added a Single Family Attached (R-TH) district as an additional zoning option to the development community

What has changed since the original Planning Commission presentation of this material?

- Added text to address Landscaping, Fences and Walls and Residential Adjacency; completed the residential sign section and made other minor corrections and formatting fixes.

Chapter 19.08 – Commercial and Industrial Districts - Purpose and Development and Design Standards:

This chapter provides standards applicable to commercial and industrial development in the city. Where the existing Title 19 provides standards for commercial and industrial development across a range of chapters; this proposed chapter will bring all the various standards that impact commercial and industrial development into one place. Additionally, the base standards for each district have been outlined on one to four pages using the new graphic and table format to convey a lot of basic requirements at one time, in one place in an easier to understand manner.

Cosmetic Changes	Substantive Changes
• Reorganization of material	• Streamlines the number of commercial districts o Merger of C-PB into O/M (as appropriate) o Convert C-D from zoning district to overlay district o Convert N-S to C-1
• Greater use of graphics, figures, and tables to illustrate standards	• Reduced building setbacks in the C-1 district
• Renaming of P-R district to P-O district	• Increased allowable lot coverage in commercial districts and updated parking lot design standards to allow for landscape

Chapter 19.10 - Special Area and Overlay Districts - Purpose and Development and Design Standards:

This chapter provides standards applicable to the various special area districts and overlay zones in the city. This proposed chapter is very similar to the existing Chapter 19.06, but the information for each district has been outlined using the new graphic and table format.

Cosmetic Changes	Substantive Changes
• Reorganization of material	• Added maps (as appropriate) to connect the text of these districts where the text is applicable
• Greater use of graphics, figures, and tables to illustrate standards	• C-V district has graphics and modified text to better detail expectations for development within this district
	• C-V use information moved to the Permitted Uses chapter

What has changed since the original Planning Commission presentation of this material?

- Added some standards to the C-V district for signage and basic design elements for utility installations and buildings and plazas. There have been other minor corrections and formatting fixes.
- Added CD-O District which has been moved the Designed Commercial from a standard zoning district to an overlay district.

Chapter 19.12 – Permissible Uses:

This chapter is mainly a reformatting of the existing Chapter 19.04 and provides the provisions for the allowance of various uses within the city. The provisions for Off-Premise signage has also been moved to this chapter.

Cosmetic Changes	Substantive Changes
• Reorganization of material	• Reorganized Permitted Uses Table by eliminating the categorical listing and alphabetizing the uses
• Greater use of graphics, figures, and tables to illustrate standards	• Separated the use/district matrix from the description/requirements text associated with each use
	• No substantive changes from currently adopted non-conformity provisions

What has changed since the original Planning Commission presentation of this material?

- There have been other minor corrections and formatting fixes.

Chapter 19.14 – Nonconforming Uses and Structures:

This chapter is mainly a reformatting of the existing Chapter 19.16 and provides the provisions for the continuation, expansion, relocation, or rebuilding of nonconforming uses and structures. The provisions for nonconforming signage and nonconformity resulting from city action have been moved to this chapter.

Cosmetic Changes	Substantive Changes
• Reorganization of material	• No substantive changes from currently adopted non-conformity provisions

What has changed since the original Planning Commission presentation of this material?

- Non-conforming sign language moved from current 19.14.160 (Sign Standards - Non-conforming Signs) to new subchapter in UDC 19.14 (Nonconforming Uses and Structures)
- Language related to lots made non-conforming due to city action moved from current 19.08.030(G) (Development Standards – General: Non-Conformity Resulting from City Action) to new subchapter in UDC 19.14 (Nonconforming Uses and Structures)
- There have been other minor corrections and formatting fixes.

Chapter 19.16 - Applications and Procedures:

This chapter is mainly a reformatting of the existing Chapter 19.18 and provides the provisions the submitting of various land use entitlement applications. Text has been added to address applications for Extensions of Time, Waivers and Sign Certificates.

Cosmetic Changes	Substantive Changes
• Merged Title 18 and 19 applications and refined various common application elements	• Added sections for actions not previously addressed (e.g. Extensions Of Time, etc.)
	• Added flow charts for each application type to visually represent the typical work flow for said application

What has changed since the original Planning Commission presentation of this material?

- Added text for applications and procedures for Sign Certificates, Extensions of Time and Waivers.
- There have been other minor corrections and formatting fixes.

Chapter 19.18 – Definitions & Measures:

This chapter is mainly a reformatting of the existing Chapter 19.20 and provides definitions for the various terms used within the proposed UDC. A section has been added to collect the various provisions for the measurement and calculation of various standards from throughout the proposed code.

Cosmetic Changes	Substantive Changes
• New format to how information is presented	• Merged Title 18 and 19 elements related to how terms and phrases are defined
• Greater use of graphics, figures, and tables to illustrate standards	• 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

What has changed since the original Planning Commission presentation of this material?

- There have been other minor corrections and formatting fixes.

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 concerns and questions of the public and development industries. Department staff has worked with the following groups:

- ***Customer Feedback Group*** – Staff has worked with 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), NAIOP, Regional Transportation Commission (RTC) and Clark County School District (CCSD). Additionally, 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 industry's specific concerns.

- ***Regional Transportation Commission (RTC)*** – As mentioned above, staff has reviewed the RTC's transportation plans in connection with proposed street sections and transit-oriented development (TOD) standards. Staff continues to work with the RTC regarding the location of future transportation infrastructure projects, such as the Downtown Transit Center, and how the city can capitalize on those improvements in the planning for future TOD districts, corridors or projects.

- ***City of Las Vegas Departments*** – 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 and Fire and Rescue Departments and the Office of Sustainability to ensure that goals and proposed changes are achievable across the range of interests represented by these various departments.

    - **Public Works** - 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.

    - **Fire and Rescue** - Staff has been working collaboratively to address and resolve concerns related to street widths as a part of the improved streets effort.

    - **Sustainability** - Areas where the staff has been working collaboratively include the merge of Titles 18 and 19 into a UDC, addressing the elimination of barriers to sustainable development practices, and working on additional improvements to promote sustainable development.

    - **City Attorney's Office** – Staff from the City Attorney's Office have attended the special workshops, joint meetings and Planning Commission meetings where the revisions have been presented and various drafts have been discussed and distributed. Additionally, the CAO has been including in the routing process for the draft review process.

Timeline*:

- Upcoming events:

    - 1st Quarter 2011 — Based on the recommendation 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 on the current available information and resources; anticipated action by the Commission and Council and staff's progress so far on this project. Any changes could advance or delay the occurrence of these events.

NOTICES MAILED NEWSPAPER ONLY

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PROTESTS 0

19.00

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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

1. **General.** Except as otherwise provided in Paragraph (2) below, any person aggrieved in connection with the inability to obtain a building permit or by the decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of any provision of this Title may appeal the decision to the City Council. An appeal must be in written form and must be filed in the office of the City Clerk, with a copy to be filed in the office of the Department. The appeal must be filed within ten days after the administrative decision is made and shall specifically describe the decision at issue and the basis for the appeal. The appeal shall be considered on the next available agenda of the City Council.

2. **Appeal Unavailable.** An appeal pursuant to Paragraph (1) is not available:

   a. For the purpose of avoiding or circumventing the application procedures set forth in LVMC Chapter 19.16; or

   b. Regarding a decision where the result of, or the remedy or relief from, that decision is specifically provided for by means of an application or process described in Chapter 19.16. Such decisions include without limitation:

      i. An administrative decision to deny a particular application where Chapter 19.16 specifically provides for a subsequent application or process to follow such a denial; or

      ii. An administrative decision that a particular development or activity does not qualify or is ineligible for a particular type of application, where Chapter 19.16 specifically provides for a subsequent application or process to follow such a decision.

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	District Purpose
U	Undeveloped	page 69
R-E	Residential Estates	page 73
R-1	Single Family Residential	page 75
R-CL	Single Family Compact-Lot	page 79
R-TH	Single Family Attached	page 83
R-2	Medium-Low Density Residential	page 85
R-3	Medium Density Residential	page 87
R-4	High Density Residential	page 89
R-MH	Mobile/Manufactured Home Residential	page 91

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	District Purpose
P-O	Professional Office	page 145
O	Office	page 147
C-1	Limited Commercial	page 149
C-2	General Commercial	page 151
C-M	Commercial/Industrial	page 155
M	Industrial	page 157

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	District Purpose
C-V	Civic	page 173
P-C	Planned Community	page 175
T-C	Town Center	page 185

4. The overlay zones established by this Title are as follows and shall be known and cited as:

Abbreviated Designation	Zoning District Name	District Purpose
A-O	Airport Overlay	page 193
CD-O	Designed Commercial Overlay	page 197
DC-O	Downtown Casino Overlay	page 199
DCP-O	Downtown Centennial Plan Overlay	page 205
DE-O	Downtown Entertainment Overlay	page 207
G-O	Gaming Overlay	page 209
HS-O	Hillside Development Overlay	page 211
HD-O	Historic Designation Overlay	page 221
SB-O	Las Vegas Boulevard Scenic Byway Overlay	page 233
LW-O	Live/Work Overlay	page 235
RP-O	Rural Preservation Overlay	page 237

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.

19.02

Subdivision Design, Construction and Improvement Requirements

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Title 19

19.02
Subdivision Design and Improvement Requirements

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MINIMUM STANDARDS 19.02.010

The design standards of this Chapter shall constitute the minimum design and construction standards for all development and land divisions created through the parcel map, tentative map and final map processes. All improvements required by this Title shall be designed, installed and maintained in accordance with applicable City standards.

DIRECTOR OF PUBLIC WORKS 19.02.020

The Director of Public Works is responsible for the administration and enforcement of any provisions of this Title that are assigned or delegated to the Director of Public Works by the provisions of this Title. In connection with that responsibility, the Director of Public Works shall have the authority to:

A. Cooperate with the Director of Planning and Development in administering and enforcing this Title;

B. Act upon and process applications under this Title, to the extent assigned or delegated that responsibility;

C. Conduct the necessary review of maps and development documentation which have been submitted under this Title;

D. Provide interpretations and references regarding applicable requirements for off-site improvements, rights-of-way, dedications, and drainage and traffic studies;

E. Provide comments or other input to ensure the inclusion of appropriate survey data, recommendations and related documentation;

F. Approve or deny administrative exceptions and waivers in accordance with the provisions of this Title; and

G. Delegate, designate or assign to another person any function described in this Subchapter, except to the extent not permitted by law.

LOTS 19.02.030

A. City Boundary Line.

Lots shall not be divided by City boundary lines.

B. Minimum Area Requirements

In addition to the minimum lot area requirements of this Title, the size of any lot which is not served by public water supply or which is not served by a public sanitary sewer system must comply with applicable Clark County District Board of Health standards.

SIDEWALKS 19.02.040

Sidewalks shall be provided in accordance with City standards. Alternative pedestrian ways, greenbelt systems or other sidewalk designs may be approved by the Director and the Director of Public Works. The final sidewalk system shall provide a logical and continuous path to area pedestrian destinations, including schools and playgrounds. Sidewalk and pedestrian way width and construction shall be in accordance with City standards.

DRAINAGE IMPROVEMENTS AND FACILITIES 19.02.050

The design and construction of all curbs, gutters and other drainage improvements and facilities shall comply with City standards and with any site-specific drainage plan and technical drainage study that has been accepted or approved by the City.

CURBS AND GUTTERS 19.02.060

All curbs and gutters on streets with a right-of-way width of sixty feet or more shall be L-type. On all other streets, whether private or public, thirty-inch roll-type curb and gutter may be allowed as long as the requirements of the site-specific drainage plan and technical drainage study do not prohibit the use of roll-type curb due to anticipated drainage flows.

SANITARY SEWER IMPROVEMENTS 19.02.070

The design and construction of all sanitary sewer improvements shall comply with City standards.

PUBLIC SANITARY LINES 19.02.080

A. Location

Public sanitary sewer lines shall be located in dedicated public rights-of way, public streets, public sanitary sewer easements or public alleys. In any case where a public sanitary sewer line is located in a public utility easement, a sanitary sewer easement shall also be granted.

B. Installation

Except in commercial subdivisions, public sanitary sew-

er lines shall be installed to provide laterals to each lot. Laterals that serve single-family dwellings shall have a minimum diameter of four inches and be extended to the property line. Plans and profiles showing the exact location of constructed public sewer lines along with all laterals shall be submitted to the City upon completion of construction.

SANITARY SEWER CLEANOUT 19.02.090

No sanitary sewer cleanout shall be permitted in public rights-of-way.

WATER SUPPLY 19.02.100

A. Adequacy

Water supply shall be adequate for all domestic use plus fire protection. The system is adequate if it can furnish the required fire flow (in gallons per minute) from any fire hydrant for the required duration of time while the required residual pressures are maintained in the system. Fire flow shall be provided in accordance with the requirements of the Fire Code and the Department of Fire and Rescue.

B. Delivered By Pump

Adequate water supply does not include the extent to which a system depends upon pumps delivering directly to mains. Required fire flow shall be available even though pumps may not be operating.

C. Source Other Than Water District

For a subdivision that proposes a water supply from a source other than the Las Vegas Valley Water District, the subdivider must submit to the City a copy of a State well permit; the design showing pressure, capacity, potential population capable of being served; and measures necessary to comply with National Board of Fire Underwriters recommended fire flow. The subdivider must submit an agreement or other written commitment satisfactory to the City guaranteeing a water supply for the subdivision. Lines to hydrants shall conform to recommendations of the National Board of Fire Underwriters.

D. From Wells

Any water supply obtained from wells shall be clearly shown on the map. A statement shall be submitted stating the capacity of the well, pressure, population that can be served and State certificate number issued for each well.

FIRE HYDRANTS 19.02.110

A. Determination of Number Required

For purposes of determining the number of hydrants required for a particular development, the maximum amount of flow per hydrant that may be counted in determining the system's adequacy is one thousand five hundred gallons per minute. The criteria for determining the fire flow and number of hydrants for any specific subdivision shall be those set forth in the Fire Code and the I.S.O. Manual adopted by the City.

B. Placement

Fire hydrants shall be spaced in accordance with the requirements of the Fire Code and the Department of Fire and Rescue.

C. Location

Hydrants shall be located in conformance with applicable Standard Drawings and the Fire Code. No hydrant shall be located inside or within twenty feet of the required right-of-way radius of a cul-de-sac. Public fire hydrant easements shall be provided for all public fire hydrants not located within public street rights-of-way.

D. Installation

Fire hydrants shall be installed prior to the commencement of any combustible construction in accordance with the requirements of the Fire Code and the Department of Fire and Rescue. All-weather access, as approved by the Department of Fire and Rescue, shall be provided to all hydrants and combustible construction.

E. Specifications

Hydrants shall conform to the latest edition of American Water Works Standard, C502, for fire hydrants, and the specifications set forth in City standards.

LANDSCAPING PLAN 19.02.120

Where landscaping is proposed or required for a residential subdivision, a landscaping plan shall be provided by the subdivider as an integral part of the subdivision design. Such a plan shall be prepared and submitted with each final map application addressing the landscape design of the subdivision with respect to such features as wall or fence design; land forms or berms; rocks and boulders; trees and plant materials; sculpture, art, paving materials, street furniture; subdivision entrance statements; common area landscaping; and other open space areas. Landscaping

shall conform to all applicable City requirements. In no case shall landscaping or landscaping features be permitted that impede proper visibility at intersections or driveways.

IMPROVEMENTS 19.02.130

A. Essential Rights-Of-Way and Off-Site Improvements

Uses of land permitted in each zoning district shall be allowed only when the permit for any proposed improvement on the land includes provisions for the:

1. Dedication of all essential rights-of-way for major streets, minor streets, flood control, utilities and other public purposes; and

2. Provisions for the installation of essential off-site improvements as directed by the City. Essential rights-of-way and off-site improvements are defined as those rights-of-way and improvements required in connection with a proposed Rezoning, Special Use Permit, Variance, or Site Development Plan; required by the subdivision regulations of the City; or required by the Director of Public Works as appropriate and necessary to mitigate the impact of the development of property in the area. All improvements shall be constructed in accordance with the City standards and specifications.

B. Construction Agreement

The subdivider is responsible for the construction of all public improvements and for any private improvements associated with the parcel map or subdivision that may be required by the City. Required improvements shall be completed prior to the recordation of the parcel map or final map, unless the subdivider enters into an agreement with the City to install such improvements as provided for in Section (C) of this Subchapter or has executed a covenant running with land agreement, whichever is applicable, as determined by the Department of Public Works. Required dedications must be accomplished prior to the release of the parcel map or final map or such dedications must be noted on the approved maps as being offered for dedication.

C. Secured Agreement Required

The subdivider shall execute an agreement that guarantees the construction of the required public improvements and shall provide security for their construction in an amount equal to the estimated cost of construction plus ten percent additional for contingencies. The agreement shall be secured by such good and sufficient bond or other security as is deemed appropriate by the City to protect the public interest, and shall be in an amount determined to be sufficient to complete all required improvements and to remove all rubbish, trash, debris, surplus material and equipment from the area. The Director of Public Works shall be responsible for review and, if deemed acceptable, approval of all cost estimates for construction of required public improvements. The subdivider's engineer shall be responsible for submitting all improvement plans and quantity estimates in a manner and form that complies with City requirements.

D. Common Area Improvements Requirements

1. In connection with the approval of any parcel map or final map, the developer or subdivider must provide for the installation of common area improvements by obtaining the City's approval of either a phasing plan or a development agreement, as determined by the Director and the Director of Public Works.

2. The phasing plan or development agreement shall set out a development schedule for all common area improvements, including but not limited to water, sewer and storm drainage lines; streets; open space improvement; trails; parks; and landscaping. Except as otherwise provided in Subsection (3), completion of common area improvements within any residential subdivision shall be scheduled to be concurrent with development (e.g., when fifty percent of the development is completed, at least fifty percent of the common area improvements shall be completed). Calculation of the percentage of the development that is completed shall be based upon the number of building permits issued.

3. All common area improvements within any residential subdivision shall be completed when seventy-five percent of the development is completed (e.g., when seventy-five percent of the development is completed, one hundred percent of the common area improvements shall be completed). Calculations of the percentage of the development that is completed shall be based on the number of building permits issued.

4. A phasing plan is subject to review and approval by the Director of Public Works, as are revisions to the plan.

5. A development agreement is subject to review and approval pursuant to Subchapter 19.16.150.

6. In the case of either a phasing plan or development agreement, the City is authorized to require security or a performance guarantee for the installation of

common area improvements. The amount of the required security or performance guarantee shall be established by the Director of Public Works, and the form of security or performance guarantee must be acceptable to the City Attorney. To the extent possible, the provisions of Section (C) shall apply directly or by analogy to the installation of improvements and security required under this Section.

7. In accordance with Section 19.16.050(K), a specific parks in-lieu-of plan must be approved with the tentative map if the developer proposes park improvements in lieu of paying residential construction taxes.

E. Security Documents

The surety documents or other documents of security required in connection with an agreement to install improvements shall specify the duration of the security and its manner of release, and shall provide remedies in the event of default. Such security may be in the form of:

1. A cash deposit or approved government securities;

2. A performance or surety bond issued by a company authorized to issue such bonds in Nevada;

3. An agreement with a lending institution operating under Nevada law; providing, that the institution shall reserve sufficient funds out of the subdivider's construction loan (or funds otherwise set aside for the use of the subdivider) to assure completion of all required improvements, shall retain ten percent of the funds until the improvements are accepted by the City and shall not release any funds without the approval of the Director of Public Works;

4. A first deed of trust on real property located in or near the City. The deed of trust must name the City as beneficiary and be accompanied by appropriate agreements or other documents that sufficiently bind the subdivider and trustor to the satisfaction of the City Attorney. The appraised market value of the property which is the subject of the deed of trust must equal or exceed one hundred twenty-five percent of the value of the amount of security determined necessary by the Director of Public Works; or

5. In the case of improvements whose estimated cost is fifty thousand dollars or less, an agreement with the City providing that, in consideration of issuing a building or grading permit, the City may withhold certificates of occupancy or the inspection of buildings associated with the project unless and until the improvements have been completed to the City's satisfaction.

F. Special Improvement Districts

A subdivider may request the inclusion of a subdivision within a special improvement district and the City may include a subdivision in accordance with applicable procedures. If the City Council approves a special improvement district that includes a subdivision, the City shall release the subdivider from the improvement guarantee executed pursuant to Section (E) above. The obligation to release shall not accrue until the contract for the special improvement district project has been awarded, and the release shall be only to the extent that the work of improvement will be accomplished through the special improvement district.

G. May be required

In connection with development approvals or permit approvals for residential and nonresidential developments that are not otherwise subject to the land division requirements of this Title, the City may require, as a condition of approval, that the developer install one or more of the following, to applicable City standards:

1. Appropriate off-site improvements;

2. Site access improvements; and

3. Private streets and common area improvements that are proposed to serve the development.

H. Off-site improvements agreement—Security

In order to assure the installation of any improvements required pursuant to Section (G) of this Subchapter, the developer may be required to do one or more of the following:

1. Enter into a development agreement or covenant running with land agreement;

2. Enter into an off-site improvements agreement and post adequate security therefor in accordance with the provisions of this Subchapter ;

3. Provide an alternate or equivalent means of assurance that is satisfactory to the City, including the payment of moneys in lieu of improvements.

INTERSECTIONS 19.02.140

A. Length

Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty-five feet. The City Traffic Engineer, at his sole discretion, may allow lesser separation than the distances set forth above if the applicant can demonstrate that the alternative design can safely accommodate traffic circulation.

B. Angles

Street intersections shall be at an angle of ninety degrees, or as close to ninety degrees as is practicable. In no case shall an intersection be at an angle less than seventy-five degrees.

VERTICAL CURVES 19.02.150

Vertical curves shall be provided in all changes in grade where the total algebraic difference is one percent or greater meeting the standards of the most recent edition of "A Policy on Geometric Design of Highways and Streets" (also known as The Green Book). The Director of Public Works may waive this requirement if the applicant can demonstrate that meeting this requirement is impractical.

REVERSE OR COMPOUND CURVES 19.02.160

Reverse or compound curves on any street, except residential streets, shall be separated by a tangent of one hundred feet or more. The Director of Public Works may waive this requirement if the applicant can demonstrate that meeting this requirement is impractical.

ROADWAYS AND STREETS -- DESIGN CRITERIA 19.02.170

A. The design of roadways shall take into account and be based upon topography and drainage considerations.

B. All lots shall have frontage on, and access to, a public street or an irrevocable private street or private drive. Public street dedications to ensure lot access or the continuity of necessary public streets adjacent to or through the subdivision also may be required, as necessary, by the Department of Public Works.

STREET GRADE REQUIREMENTS 19.02.180

All streets should be designed and located so that as many building sites as possible are at or above the grade of the street. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves should be avoided. Minimum street grade shall be 0.004 feet per foot, unless an acceptable alternate design is approved by the Director of Public Works.

SIGHT CLEARANCE 19.02.190

A sight visibility restriction zone (SVRZ) shall be provided at all intersections, including roadway with roadway and driveway with roadway intersections. Each such zone shall comply with Standard Drawing No. 201.2 of the Uniform Standard Drawings, Clark County Area, as it may be revised from time to time, or the applicable sign restriction standards set forth in the most recent edition of the manual entitled "A Policy on Geometric Design of Highways and Streets," as published by the American Association of State Highway and Transportation Officials. Each SVRZ shall be detailed on all plans that depict drainage, grading, fence layout, landscaping or other construction improvements. If required by the City Traffic Engineer, an additional exhibit detailing the SVRZ shall be recorded and a copy submitted to the City plans library. The final map shall provide a general statement making reference to the latest approved construction improvement plan. If a separate SVRZ exhibit is required by the City Traffic Engineer, the final map shall make reference to the exhibit as a recorded document identified by its book and instrument numbers. The SVRZ requirements of this Section shall apply to the location of all public and private facilities and improvements, as determined by the Director of Public Works.

PAVING TRANSITIONS AND CROSSOVERS 19.02.200

The Director of Public Works may require the subdivider to install paving transitions and crossovers to accommodate existing and proposed paving improvements with a "sawtooth" or nonuniform alignment or width if the necessary public right-of-way or easement exists or can be obtained by the City.

ACCESS STREET PAVING REQUIREMENTS 19.02.210

The subdivider shall provide paved access from existing paved streets to the subdivision boundary where no such

access exists. The access must be paved to a minimum travel width of twenty-four feet, with AC paving and standard base course as specified by the Director of Public Works. The Director of Public Works shall designate which street must be improved as an access street and may require a secondary paved access route and other mitigation measures deemed necessary as a result of or based upon traffic projects within the subdivision, the location of the subdivision, or neighborhood concerns.

COMPACTION OF STREET SUB-GRADE AND BASE MATERIALS 19.02.220

Compaction of street sub-grade and base materials shall comply with City standards.

DRIVEWAYS 19.02.230

A. Driveway design and construction shall comply with City standards.

B. For nonresidential development, or for residential lots other than single-family or duplex lots, the number, type and location of driveways must first be approved by the Director of Public Works.

C. Except as otherwise permitted by this Chapter or by City standards, or as otherwise approved by the Director of Public Works:

1. For any single-family or duplex residential lot, no more than a single entrance or circular driveway shall be provided.

2. No driveway access shall be permitted from the side or rear yard of any residential lot onto any primary or secondary thoroughfare so designated on the City's Master Plan of Streets and Highways.

STREET LIGHTING 19.02.240

Street lighting for public streets shall be designed, installed or upgraded in accordance with City standards unless the City Council allows an exception. The installation or upgrading of conforming lighting may be deferred if the deferral is approved by the City Council and the applicant executes a covenant running with land agreement to secure the installation or upgrade.

ACCESS CONTROL GATES AND STORAGE AREAS 19.02.250

When utilized on private streets or drives, access control gates and storage areas shall be designed, installed and located in accordance with City standards. Access control gates and all appurtenant facilities and equipment shall not be located in the public right-of-way. An adequate vehicle queuing area as determined by the Director of Public Works must be provided in order to prevent blockage of public streets. A pedestrian gate separate from the vehicular movement area shall also be provided.

EMERGENCY ACCESS GATES 19.02.260

All emergency access gates shall be designed, installed and maintained in accordance with City standards.

PRIVATE DRIVE CONSTRUCTION 19.02.270

Private drives shall be constructed in sufficient manner and width to accommodate anticipated on-site traffic conditions and shall be in accordance with any applicable City standards.

TRAFFIC CIRCULATION SAFETY 19.02.280

Subdivisions shall be designed to provide safe and convenient living environments and traffic circulation. Whenever blocks are longer than one thousand two hundred feet, the Planning Commission may require the dedication and construction of pedestrian walkways, pedestrian or bicycle pathways or greenbelts of not less than five feet in width where deemed necessary for circulation and access to schools and playgrounds. The complete length of any such way shall be fully visible from the adjacent street.

VEHICULAR ACCESS PROHIBITION TO PRIMARY OR SECONDARY THOROUGHFARES 19.02.290

Each lot within a subdivision shall have access to a public or private street or private drive that complies with City standards. Lots with residential zoning and having less than one hundred feet on any side adjacent to a primary or secondary thoroughfare, as designated on the City's Master Plan of Streets and Highways, shall be prohibited vehicular access to the primary or secondary thoroughfare. The access prohibition shall be clearly indicated on the recorded final map. Unless no alternative exists due to the size or depth of the land to be divided, no residential lot shall front onto a primary or secondary thoroughfare. All such lots shall be oriented to have either their rear or side yard lines adjacent to the primary or secondary thoroughfare.

19.04

Complete Streets Standards

Unified Development Code
Title 19

19.04
Complete Streets Standards

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STREET CONNECTIVITY 19.04.010

The purpose of this Chapter is to set forth requirements for achieving a connected transportation system as outlined in the City's General Plan to provide a safe and accessible environment for a variety of transportation modes and users. The connectivity standards set forth in this Chapter shall apply to all development projects whether utilizing public streets, private streets and or private drives, unless otherwise provided.

All proposed development shall be designed in a manner that provides for and facilitates the logical overall design, placement and continuity of streets with respect to adjacent land parcels, and in accordance with the City's Master Plan of Streets and Highways and LVMC Title 13.

ROADWAY NETWORK 19.04.020

A. The roadway network of the City shall generally be laid out as depicted in Figure 1 and outlined below:

1. Arterials shall follow section lines unless otherwise addressed in Title 13.

2. Major collector road spacing shall be of at distances not exceeding 2,640 feet (1/2 mile) from an arterial or another major collector;

3. Minor collector road spacing shall be of at least every 1,320 feet (one-quarter mile) from an arterial or major collector;

4. Residential and Local Street spacing shall be at intervals of no more than 660 feet.

5. High Density Residential or Mixed-Use Development shall provide street connections at intervals of no more than 330 feet.

PEDESTRIAN AND VEHICLE CONFLICT POINTS 19.04.030

Pedestrian and vehicle conflict points shall be minimized. Sidewalks shall be required adjacent to public streets in accordance with City standards. The City may require sidewalks adjacent to private streets and drives to separate pedestrian and vehicular movements along higher traffic volume roadways, such as private drives into shopping center sites.

TRAFFIC AND TRANSPORTATION PLAN (TTP) 19.04.040

A. As set forth in Table 1, all proposed development required to provide a TTP shall demonstrate that the proposed system of streets provides access to and from the development, as well as, access to all existing and future development within the TTP Area.

Table 1

# of acres to be developed	TTP Required	TTP Requirements
Less than 10 acres	No	Proposed development shall be designed to connect to existing linkages on adjacent development or in accordance with a previously approved TTP for the TTP Area; or If no TTP has been approved for the TTP Area, the development shall demonstrate to the satisfaction of the Director of Public Works that the proposed development will provide adequate linkage to the nearest right-of-way that appears on the Master Plan of Streets and Highways.
10 or more acres	Yes	A TTP as set forth in Section B of this Subchapter shall be submitted as a part of a Site Development Plan Review, or the Tentative Map, whichever is submitted first. The project area and the linking to the nearest Master Planned Street shall be as illustrated in Figure 3.

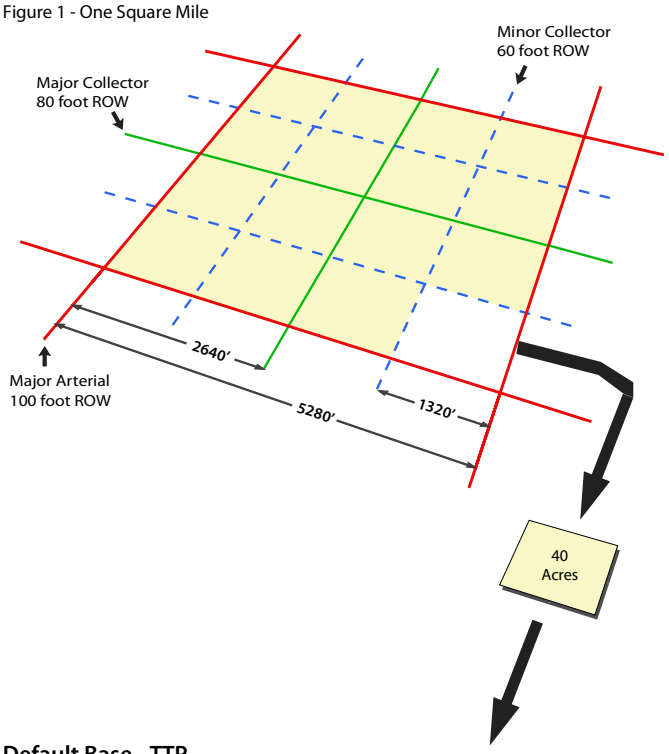
B. Traffic and Transportation Plan Content

1. The TTP shall be a plan sheet or sheets, produced separately from the site plan that shows all proposed subdivision roads for the project and demonstrate how they link to a Planned Street. The proposed traffic circulation region shall be known as the TTP Area.

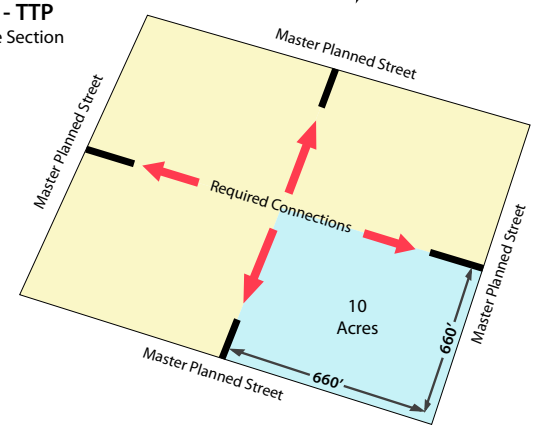
2. The TTP shall be produced at a scale sufficient

Illustrations & Graphics 19.04.040

Master Planned Streets
Figure 1 - One Square Mile



Default Base - TTP
Figure 2 - 40 Acre Section



to provide information on how the proposed development's roadway network will be linked to surrounding existing or proposed development and the overall TTP Area transportation network. The Director of Public Works may require additional information, as necessary.

3. The TTP shall identify linkages of residential and local streets to minor collectors and Higher Order Roads.

C. Default TTP

1. Figure 2 illustrates the Default TTP for a 40 acre TTP Area (1/4 mile section).

2. The intent of the TTP is to demonstrate that a minimum of one complete linkage per every 10 acres of developable land within a square quarter-mile section is provided. In the case of a 40 acre development, there must be linkages to at least four different minor collector or higher order roads which are identified on the Master Plan of Streets and Highways. One such linkage must be situated in each cardinal direction from the 40 acre development.

3. In the absence of site specific TTP, development of less than 40 acres should be designed to meet the objective access pattern of the Default TTP. Such development shall coordinate with City staff and adjacent developments in order to achieve the linkages as described for 40 acres. The linkages may be shown either directly from the development or through connections with adjacent developments within the TTP area, if approved.

D. Waiver

The standards set forth in this Subchapter are minimum requirements. In the event an applicant can not comply with the requirements as stated above due to a hardship that is not self imposed, the applicant may petition for a waiver as part of the development's Site Development Plan Review or separately as provided for in LVMC 19.16.130.

INTRA-CONNECTIVITY 19.04.050

A. Intra-connectivity is a measure of how efficiently a transportation network provides access between internal and external destinations. It is measured using a Connectivity Ratio.

B. A Connectivity Ratio shall be used to determine the adequacy of street layout design for all proposed

development.

1. The Connectivity Ratio is calculated as the ratio of the number of street links (road sections between intersections) in the development's street layout divided by the number of street nodes (intersections and cul-de-sac heads). For comparison purposes, a perfect street grid has a Connectivity Ratio over 2.0, while a conventional cul-de-sac subdivision has a Connectivity Ratio of 1.0.

   a. As set forth in Table 1 of this Section, elements of a development's transportation network shall have the assigned value for use in calculating a development's Connectivity Ratio.

Table 1

Transportation Network Element	Connectivity Value (Link or Node)
Internal Street	1.0 Link
Intersection – Internal	1.0 Node
Cul-de-sac Terminus	1.0 Node
Intersection – External or Stub Terminus (to future adjacent development)	0.5 Link
Intersection – Stub Terminus (to future adjacent development) with Temporary Turn Around Easements	1.0 Link
Non-vehicular (pedestrian/ bicycle) Path – Unrestricted	0.5 Link

   i. Any curve or bend of a street that exceeds 75 degrees shall receive credit as a node. Any curve or bend that does not exceed 75 degrees shall not be considered a node.

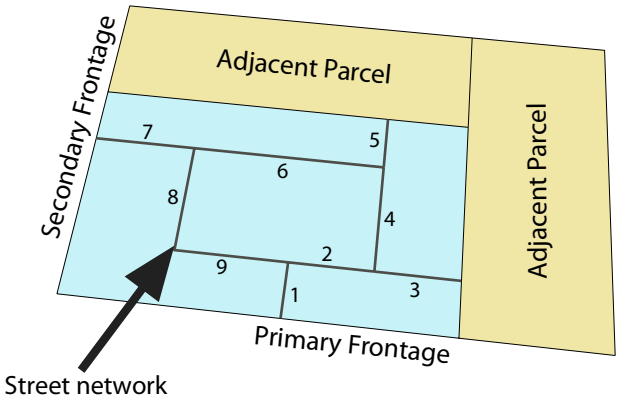
   ii. A node (Intersection) with a master planned street providing access to a proposed subdivision shall not be considered in computing the connectivity ratio.

   iii. If a subdivision is planned to be constructed in distinct development phases, then the TTP shall demonstrate that the initial phase individually and in conjunction with all subsequent phases will achieve and maintain the minimum required connectivity ratio.

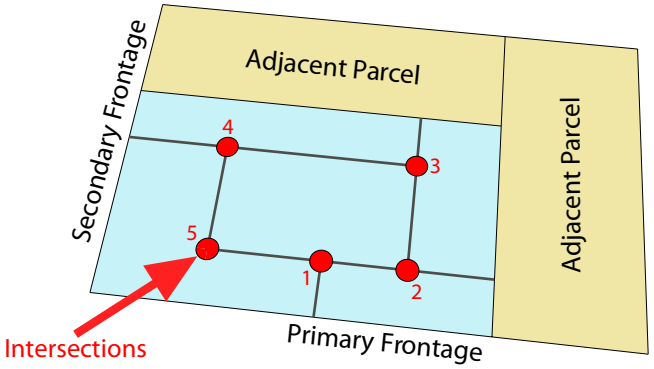
   iv. Temporary stub-out streets shall be constructed to the property line of the

Illustrations & Graphics 19.04.050

How to calculate the Connectivity Ratio for a site



# of Links = 9



# of Nodes = 5

Connectivity Ratio Equation = Links/Nodes*

9(Links)/5(Nodes) = **1.8**

**Only Links and Nodes that are Internal to the site are used in the connecitvity equation.*

development or phase to which access is proposed for future development of adjacent lands. In addition, a temporary turn-around must be provided. The additional right-of-way needed to accommodate a temporary turn around shall be provided through a temporary easement which must be clearly labeled on the Final Map.

v. If the temporary stub-outs street shall ultimately provide connectivity to the adjacent property, the following shall apply:

(A) For all projects where the connection stub street is constructed as part of the initial or only phase of construction, a sign stating "Street Connection to Future Development" shall be installed by the developer at the end of the stub street prior to the first Certificate of Occupancy being issued. Maintenance of the sign shall be the responsibility of the developer until City of Las Vegas, Homeowners Association or other private entity accepts the streets for maintenance.

(B) For projects where the connections are not constructed until future phases, stub streets shall be constructed to extend to the end of the radii at the intersection with the future street. A sign stating "Future Internal Street and Connection to Future Development" shall be installed by the developer at the end of the stub street. The sign shall be placed immediately after the placement of the base paving course. Maintenance of the sign shall be the responsibility of the developer until the City of Las Vegas, Homeowners Association or other private entity accepts the streets for maintenance.

b. The Final Map shall disclose and identify all stub streets and include any notations of any street stubs which are intended to provide future connection to adjoining future streets or undeveloped property.

c. In the event, it is determined that the connectivity ratio is impractical to meet due to topographic conditions, environmental constraints, and property shape or accessibility, the Director of Public Works may reduce the Connectivity Ratio index requirement at his discretion.

2. The minimum Connectivity Ratio required shall be 1.3 (links/nodes) for all development in R-1, R-CL, R-TH, R-2, R-3 and R-4 zoning districts.

3. For developments proposed in zoning districts not identified in Paragraph (2) above, there is no minimum Connectivity Ratio requirement; however, a Connectivity Ratio shall be calculated and submitted with any Site Development Plan Review or Tentative Map submittal.

STREET NAMING AND ADDRESS ASSIGNMENTS 19.04.060

A. The naming of streets and the assignment of addresses and address numbers to building and lots within the City shall conform to the provision of this Subchapter.

B. The intersection of Main and Fremont Streets shall be the initial point of assigning the address numbers to all blocks, lots and building in the City.

C. Street Numbering - East-West Streets

1. All buildings or lots that front on east-west streets which intersect or start from Main Street shall be assigned address numbers beginning at that point with the numbers one and zero, and thereafter be numbered progressively through each block. Following each intersection with a numbered street, the numbering shall begin again with the numbers one and zero, with the number of hundreds indicated by the number of the intersecting street.

2. All numbers on the east-west streets shall be even on the north side and odd on the south side.

3. Where Main Street terminates at Las Vegas Boulevard South, Las Vegas Boulevard South shall be the base line for numbering along east-west streets to the southerly City limits.

D. Street Numbering - North-South Streets

1. All buildings or lots that front on north-south streets which intersect or start from Fremont Street (or the northwesterly prolongation thereof, as described in Subsection (B) of this Section) shall be assigned address numbers beginning at that point with the numbers one hundred and one hundred one, and thereafter progressively through each block. Approximately eight blocks shall be assigned per mile; provided, however, that in areas in which other jurisdictions have established a different pattern, the numbers shall be apportioned accordingly.

2. For purposes of Subsection (A) of this Section, the northwesterly prolongation of Fremont Street shall be defined as follows: Commencing at the intersection of the northwesterly prolongation of Fremont Street and that portion of Ogden Avenue located between City Parkway and Main Street; westerly along U.S. Highway 95 to the easterly prolongation of Westcliff Drive, the easterly prolongation of Westcliff Drive, and the westerly prolongation of Westcliff Drive with minor deviations north and south to the intersection with the CC 215 Beltway; Far Hills Avenue and the westerly prolongation of Far Hills Avenue to the intersection of the westerly prolongation of Westcliff Drive; the westerly prolongation of Westcliff Drive to the westerly City limits.

3. Buildings or lots on north-south streets shall be assigned address numbers that are even on the east side and odd on the west side.

4. Where Fremont Street intersects Charleston Boulevard, Charleston Boulevard shall become the base line for assigning address numbers along north-south streets to the easterly City limits.

5. The assignment of address numbers for buildings or lots on north-south streets south of Charleston Boulevard shall begin with one thousand one hundred. Thereafter, the base numbering for each succeeding block shall increase by one hundred over the preceding block's base number.

6. The assignment of address numbers for buildings or lots on north-south streets north of Charleston Boulevard shall begin with one and zero, and the assignment of numbers up to one hundred shall continue on those streets until their intersection with Sunrise Avenue.

7. The assignment of address numbers for buildings or lots on north-south streets north of Sunrise Avenue shall begin with two hundred and, thereafter, the base numbering of each succeeding block shall increase by one hundred over the preceding block's base number.

E. In internal areas of the City in which numbering conflicts with the rules set out in Sections (C) and (D), the assignment of new numbers shall conform to the existing pattern where possible.

F. That certain document entitled "City of Las Vegas Street Naming and Address Assignment Regulations, 2009 Edition," a copy of which shall be maintained in the office of the City Clerk, is adopted by reference and made a part of this Code as if fully set forth herein. The provisions thereof, as they may be amended and supplemented from time to time by ordinance or resolution of the City Council, shall govern the naming of streets and other rights-of-way and the assigning of addresses within the City.

G. The provisions of this Subchapter are minimum requirements for the naming of streets and assignment of addresses within the City. Any request to deviate from these requirements shall be processed by means of a Variance application, which shall be subject to the procedures and standards set forth in Subchapter 19.16.140.

H. It is unlawful for any person to:

1. Use or display a street name, building number or address number that does not conform to the provisions of this Subchapter;

2. Display a street name, building number or address number in a manner that does not conform to the provisions of this Subchapter; or

3. Fail to display a street name, building number or address number in the manner required by this Subchapter.

AMENITY ZONE BOUNDARIES 19.04.070

The Amenity Zone Boundaries are identified by referenced inside and outside delineations in accordance to one of the following cases:

1. Case (A). The zone is located fully within the dedicated public right-of-way and is delineated as follows:

a. The inside delineation shall be set at the back-of curd, or if there is no curb, then the edge of the paved roadway and

b. The outside delineation shall be the right-of-way line.

2. Case (B). The zone is located partially within the dedicated right-of-way and extends into the adjacent private property, common element, or open space that has been set aside for landscaping and public pedestrian access and is delineated as follows:

a. The inside delineation shall be set at the back-of curd, or if there is no curb, then the edge of the paved roadway and

b. The outside delineation shall be clearly identified, by a recorded document with appropriate public easements for such purposes.

3. Case (3). The zone is located fully outside the dedicated right-of-way, as the right-of-way line is at the back of the curb, and is in the adjacent private property, common element, or open space that has been set aside for landscaping and public pedestrian access and is delineated as follows:

a. The inside delineation shall be set at the back-of curd, or if there is no curb, then the edge of the paved roadway and

b. The outside delineation shall be clearly identified, by a recorded document with appropriate public easements for such purposes.

PRIVATE STREET REQUIREMENTS 19.04.080

Private streets must comply with applicable City standards and with the following requirements:

A. Private streets shall have the same dimensions as the comparable public streets unless separated by gates.

B. Private streets shall meet the minimum construction standards for public streets.

C. Street name signs for private streets shall bear the words "privately maintained," and shall be a color and design established by the City and in conformance with the most recent edition of the Manual of Uniform Traffic Control Devices. The color of such a sign shall be brown with white letters.

D. Any proposed deviations from the minimum public street standards must be approved by a Waiver and must be separated from abutting standard streets by a gate that meets City standards.

PRIVATE DRIVE REQUIREMENTS 19.04.090

Private drives shall only be permitted in non-residential developments and shall:

A. Have a minimum pavement width of twenty-four feet;

B. Be accessible only from a public or private street;

C. Terminate in:

1. An intersection with a public or private street; or

2. A cul-de-sac that conforms to Section 19.04.110; and

D. Be provided with street name signs that bear the words "privately maintained," and are of a color and design established by the City and in conformance with the Manual of Uniform Traffic Control Devices. The color of such a sign shall be brown with white letters.

ALLEY REQUIREMENTS 19.04.100

All alleys constructed after the effective date of this Title shall be private alleys and privately maintained unless otherwise authorized by the Director of Public Works. Where public alleys are to be provided, they shall be paved and have a minimum width of twenty feet and be in accordance with City standards.

CUL-DE-SACS 19.04.110

Cul-de-sacs are discouraged. If approved as part of a Site Development Plan Review or Tentative Map they shall be designed and installed in accordance with City standards. For public streets which terminate other than at an intersection with another public street, and private streets that terminate other than at an intersection with another private or public street, the termination shall be provided by means of a circular cul-de-sac that complies with City standards.

PARTIALLY DEDICATED STREET OR ALLEY 19.04.120

Whenever there exists a partially dedicated street or alley abutting a proposed subdivision, the remainder of the required right-of-way shall be dedicated and improved by the subdivider unless the City approves a plan to vacate the street or alley.

RESIDENTIAL SUBDIVISIONS 19.04.130

A. Interior Blocks Requirements

Within the interior of residential subdivisions:

1. Blocks should be approximately six hundred sixty feet in length;

2. Blocks shall not exceed one thousand feet in length between intersections, except where topographical or other conditions require longer blocks; and

3. Block depths should be designed so as to provide

two rows of lots, except where lots are planned to back on a major highway, drainage channel, shopping center, or common open space area. Nothing in this Subsection, however, is intended to prevent the inclusion within any subdivision plan of blocks of greater depth or of irregular outline, where they are necessary to provide access to central areas within the subdivision.

B. Exterior Blocks Requirements

Along the exterior of residential subdivisions block, lengths shall be consistent with road network spacing standards established by LVMC 19.04.020 or the approved TTP for the area, if a TTP has been approved for the area as provided for in LVMC 19.04.030.

NON-RESIDENTIAL SUBDIVISIONS 19.04.140

Commercial or industrial blocks shall be of a length and width necessary and appropriate for the proposed use with adequate provision for off-street parking and deliveries.

SIGNS IN PUBLIC RIGHTS-OF-WAY 19.04.150

A. Signs Prohibited in Public Rights-of-Way

1. **General Rule.** Signs shall be prohibited in the public right-of-way, except as provided in this Subchapter.

2. **Presumption.** A sign erected or placed in the public right-of-way and containing an individual's name, telephone number, address or identification of a product shall be presumed to have been erected or placed by or at the direction of the person or entity associated with that name, business, telephone number, address or product. That presumption is a rebuttable presumption which the affected person or entity may disprove by competent evidence in any enforcement action or administrative proceeding involving such signs. However, in an administrative proceeding against the affected person or entity, the presumption is not rebutted if the sign was erected or placed by a person or entity who, pursuant to contract or otherwise, is acting on behalf of the affected person or entity.

B. Signs Permitted in Public Rights-of-Way

The following signs may be permitted in the public right-of-way:

1. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information and direct or regulate pedestrian or vehicular traffic;

2. Bus stop signs erected by a public transit company;

3. Informational signs of a public utility regarding its poles, lines, pipes or facilities;

4. Marquee, projecting and suspended signs projecting over a public right-of-way in conformity with the provisions in this Title;

5. Development entry statement signs and interior directional signs may be permitted as provided for in this Title and provided the sign owner(s) enters into an encroachment agreement with the City;

6. Other signs which have been authorized by the City, including but not limited to signs on bus stop shelters, signs permitted by the approval of an encroachment agreement or emergency warning signs erected by a governmental agency, a public utility company or a contractor doing authorized or permitted work within the public right-of-way. Such signs are exempted from all requirements of this Title.

TRANSPORTATION - LAND USE MATRIX 19.04.160

The Transportation - Land Use Matrix, Table 1 of this Section, is intended to demonstrate the inter-connectedness of land use and the adjacent transportation network. As used in this Section, the matrix identifies each zoning district and indicates the compatibility of the that district with the range of streets detailed in this Chapter. As indicated by the matrix key:

A. Green identifies compatible street - land use combinations where no mitigation is anticipated;

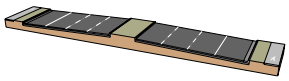
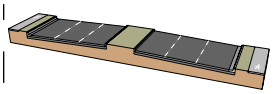
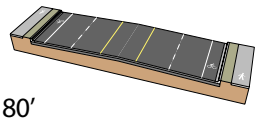
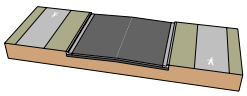
B. Yellow identifies compatible street - land use combinations where mitigation may be requested; and

C. Blue identifies less compatible street - land use combinations where mitigation may be required.

Mitigation may take the form of site orientation considerations, increased perimeter buffer areas, enhanced landscaping or other measures meant to improve the compatibility and connection of development with the adjacent transportation network. Mitigation measures, if any, will be determined on a case-by-case basis as part of the Site Development Plan Review or the Tentative Map review.

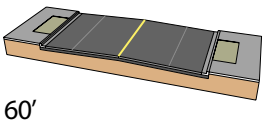
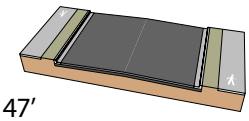
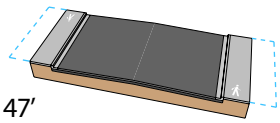
19.04.160

Transportation - Land Use Matrix - Table 1

	 120′ Parkway Arterial Street	 100′ Primary Arterial Street	 80′ Major Collector Street	 60′ Minor Collector Street
U Undeveloped				
R-E Residential Estates				
R-1 Single Family Residential				
R-MH Mobile/Manufactured Home Residential				
R-CL Single Family Compact-Lot				
R-TH Single Family Attached				
R-2 Medium-Low Density Residential				
R-3 Medium Density Residential				
R-4 High Density Residential				
P-O Professional Office				
O Office				
C-1 Limited Commercial				
C-2 General Commercial				
C-M Commercial/ Industrial				
M Industrial				

19.04.160

Transportation - Land Use Matrix - Table 1

 60′ Minor Collector Street - w/ On Street Parking	 47′ Residential Street	 47′ Residential Street - Lot Width Under 40′		**MATRIX KEY**
			U Undeveloped	**Compatible Street - Land Use Combination (No mitigation)**
			R-E Residential Estates	
			R-1 Single Family Residential	
			R-MH Mobile/Manufactured Home Residential	
			R-CL Single Family Compact-Lot	**Compatible Street - Land Use Combination (Mitigation may be requested)**
			R-TH Single Family Attached	
			R-2 Medium-Low Density Residential	
			R-3 Medium Density Residential	
			R-4 High Density Residential	**Less Compatible Street - Land Use Combination (Mitigation may be required)**
			P-O Professional Office	
			O Office	
			C-1 Limited Commercial	
			C-2 General Commercial	
			C-M Commercial/ Industrial	
			M Industrial	

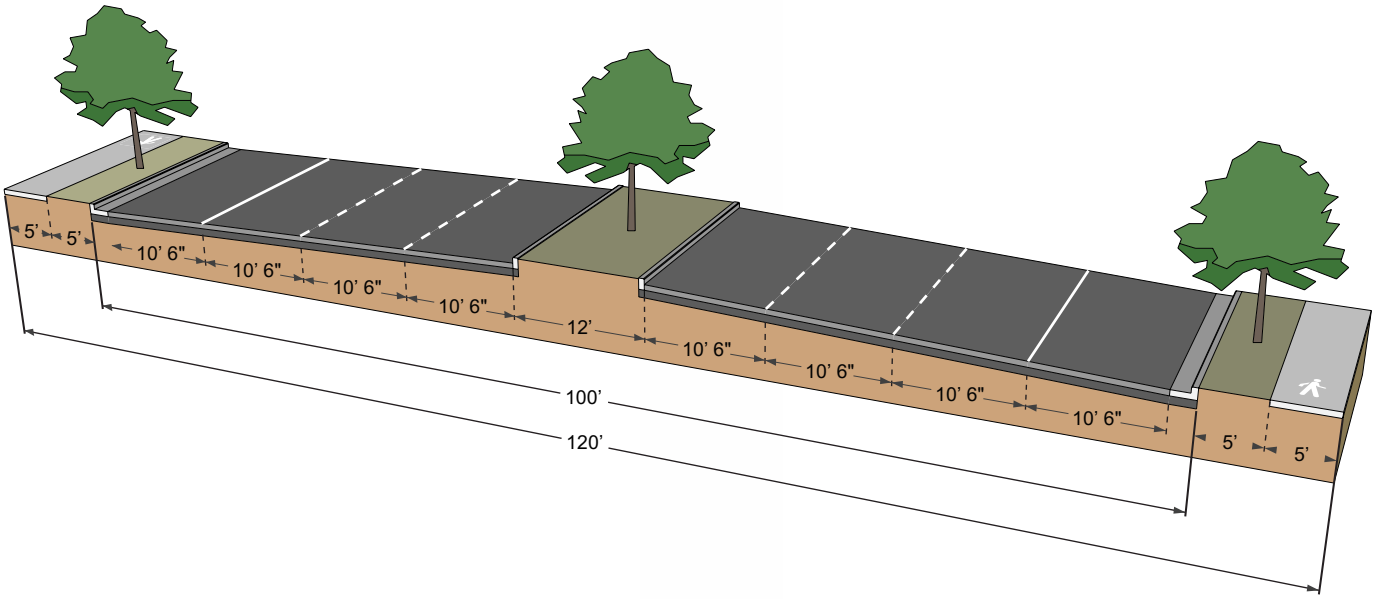
19.04.170

120' PARKWAY ARTERIAL STREET

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.

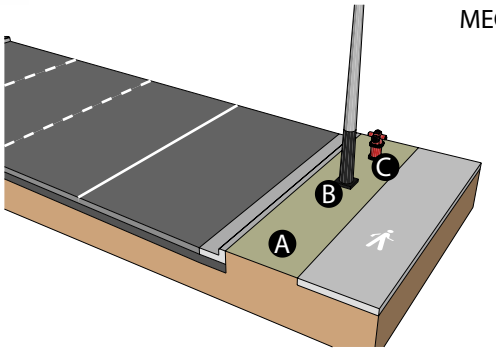
Illustrations & Graphics 19.04.170

STREET DIMENSIONS & STANDARDS



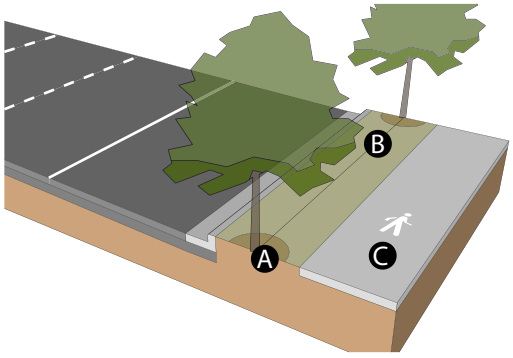
MECHANICAL FEATURES	
A. Utility & Mechanical Boxes	Shall be located within the amenity strip
B. Light Posts & Traffic Lights	Shall be located within the amenity strip and meet City Standards for placement and spacing
C. Public Safety	Shall be located within the amenity strip, unless otherwise determined

MECHANICAL FEATURES



LANDSCAPING	
A. Tree Placement	Trees shall be place within amenity strip to provide maximum shade of sidewalk while providing adequate root growth area
B. Tree Planting Separation	Shall be 20 feet on center
C. Sidewalk	5 foot minimum width

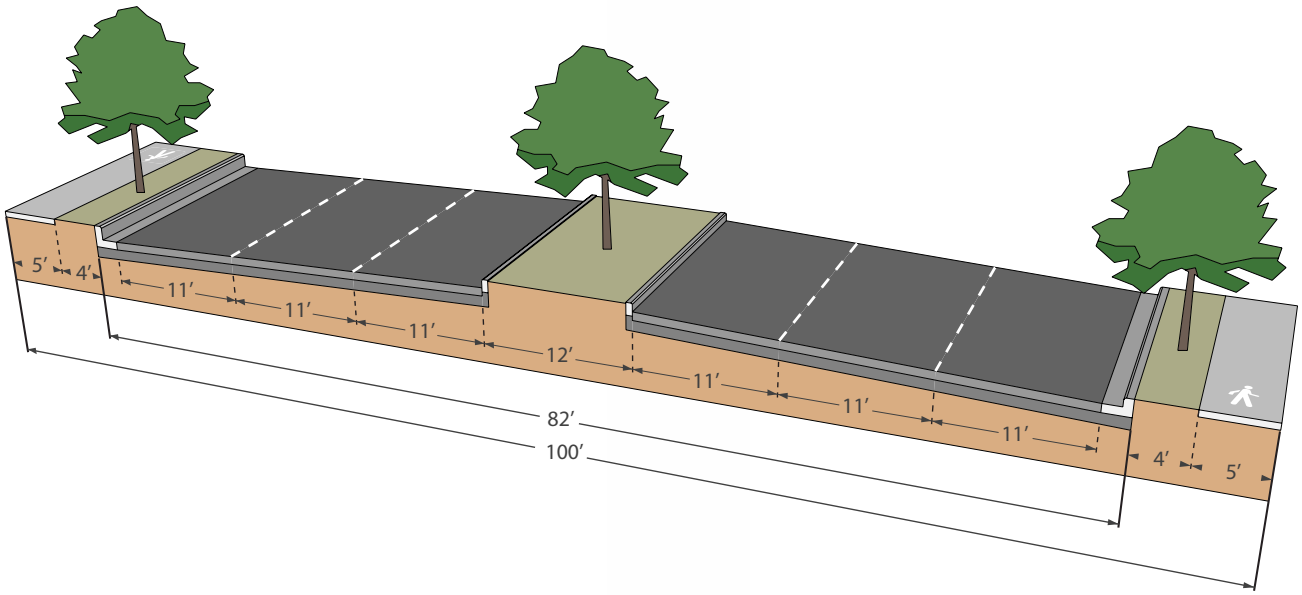
LANDSCAPING



19.04.180

100' PRIMARY ARTERIAL STREET

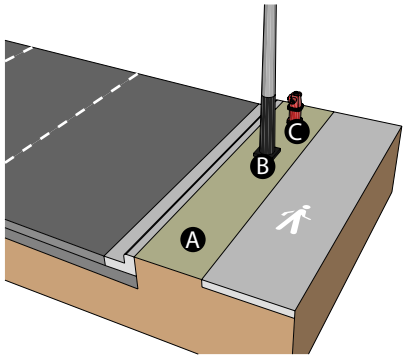
A street which has a minimum right-of-way width of one hundred feet and an existing or potential design capacity of three or more travel lanes of traffic in each direction, divided by a raised median with left turn pockets.



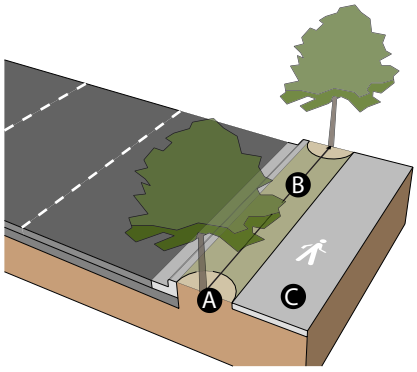
MECHANICAL FEATURES	
A. Utility & Mechanical Boxes	Shall be located within the amenity strip
B. Light Posts & Traffic Lights	Shall be located within the amenity strip and meet City Standards for placement and spacing
C. Public Safety	Shall be located within the amenity strip, unless otherwise determined

LANDSCAPING	
A. Tree Placement	Trees shall be place within amenity strip to provide maximum shade of sidewalk while providing adequate root growth area
B. Tree Planting Separation	Shall be 20 feet on center
C. Sidewalk	5 foot minimum width

MECHANICAL FEATURES



LANDSCAPING



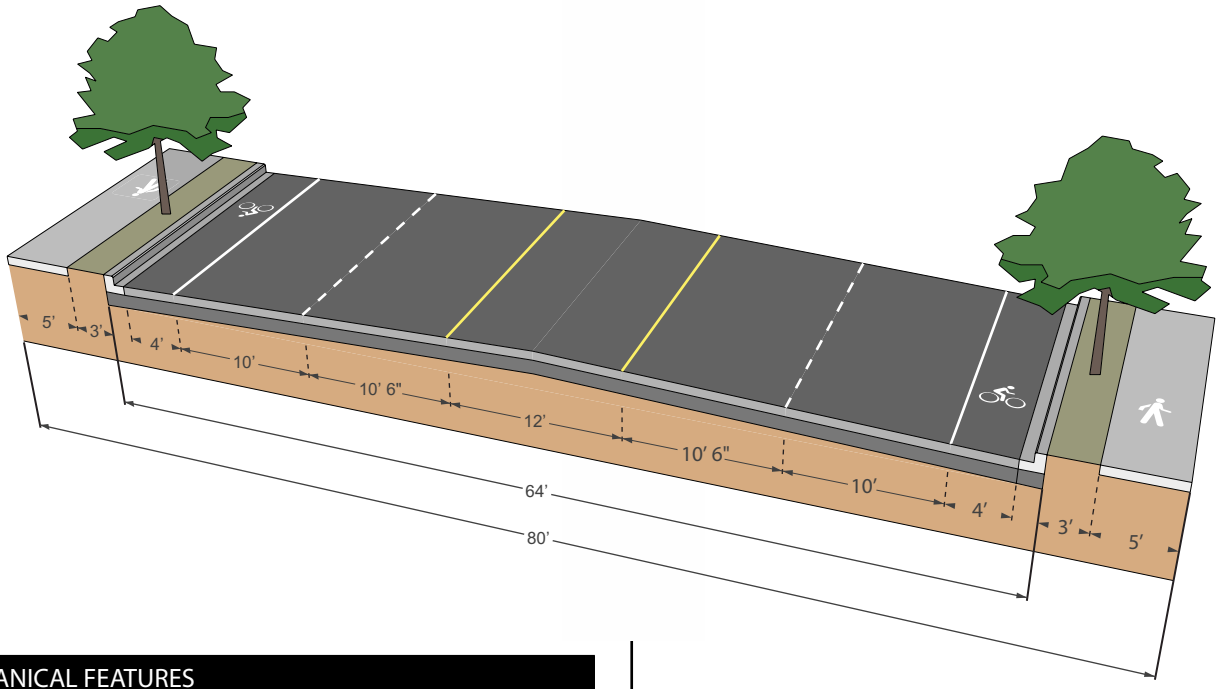
19.04.190

80' MAJOR COLLECTOR STREET

A street which has a minimum right-of-way width of eighty 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.

Illustrations & Graphics 19.04.190

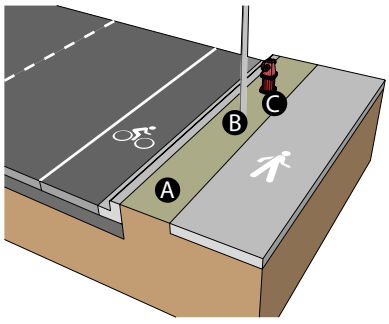
STREET DIMENSIONS & STANDARDS



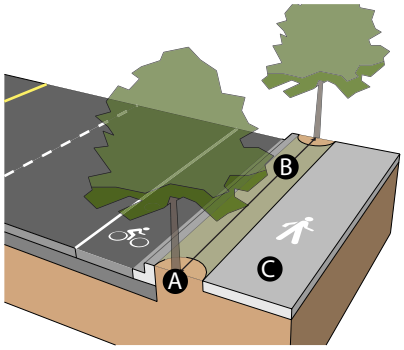
MECHANICAL FEATURES	
A. Utility & Mechanical Boxes	Shall be located within the amenity strip
B. Light Posts & Traffic Lights	Shall be located within the amenity strip and meet City Standards for placement and spacing
C. Public Safety	Shall be located within the amenity strip, unless otherwise determined

LANDSCAPING	
A. Tree Placement	Trees shall be place within amenity strip to provide maximum shade of sidewalk while providing adequate root growth area
B. Tree Planting Separation	Shall be 20 feet on center
C. Sidewalk	5 foot minimum width

MECHANICAL FEATURES



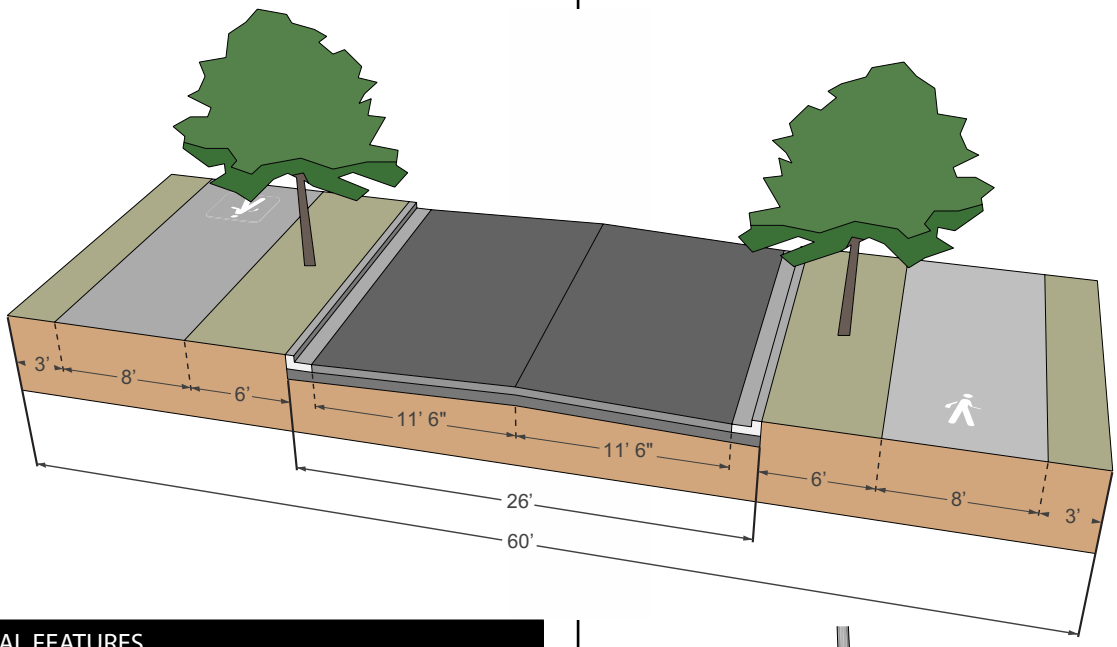
LANDSCAPING



19.04.200

60' MINOR COLLECTOR STREET

A street with a minimum right-of way width of sixty feet which collects traffic from the local streets and distributes them to the major collector or arterial system.

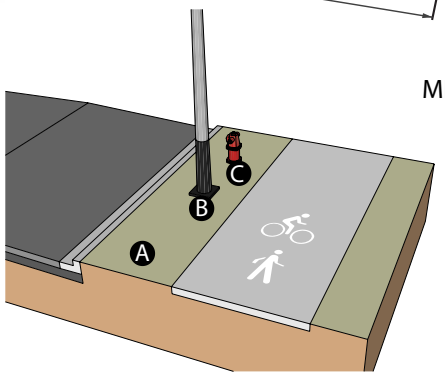


MECHANICAL FEATURES	
A. Utility & Mechanical Boxes	Shall be located within the amenity strip
B. Light Posts & Traffic Lights	Shall be located within the amenity strip and meet City Standards for placement and spacing
C. Public Safety	Shall be located within the amenity strip, unless otherwise determined

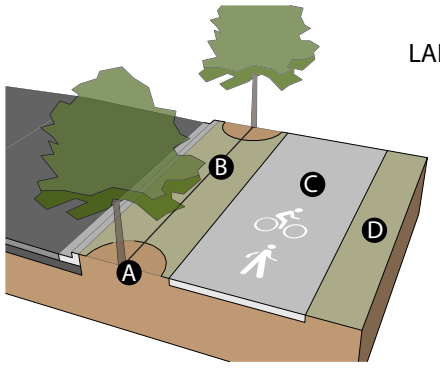
LANDSCAPING	
A. Tree Placement	Trees shall be place within amenity strip to provide maximum shade of sidewalk while providing adequate root growth area
B. Tree Planting Separation	Shall be 20 feet on center
C. Sidewalk (Bicycle/ Pedestrian Path)	10 foot width
D. Off-Site Buffer Strip	3 foot width

Illustrations & Graphics **19.04.200**

STREET DIMENSIONS & STANDARDS



MECHANICAL FEATURES

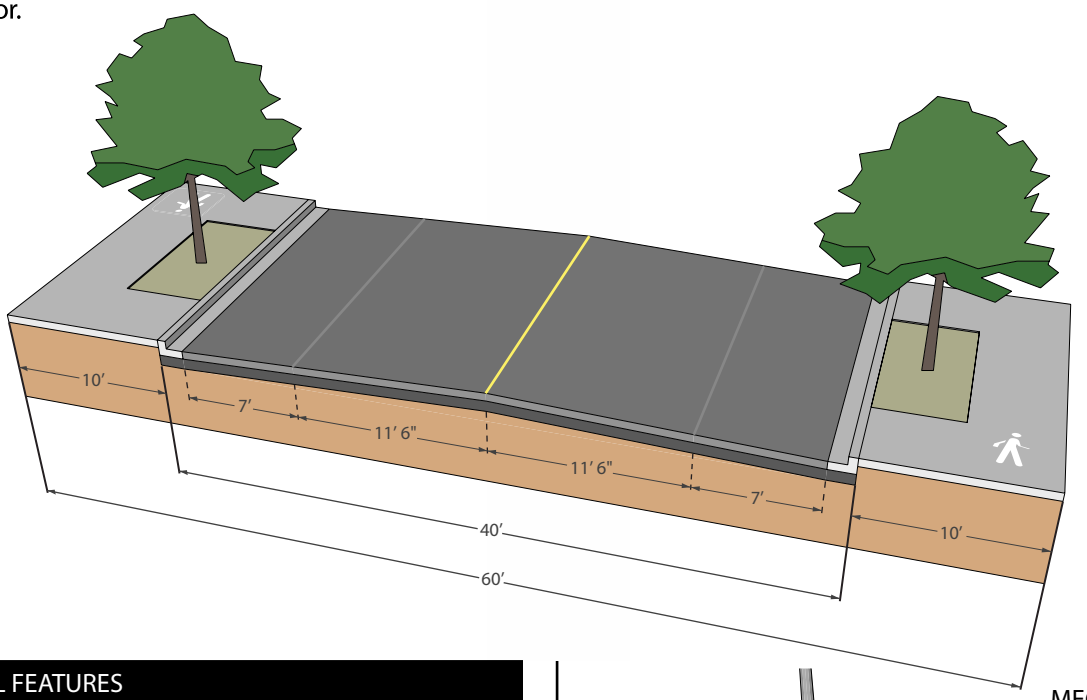


LANDSCAPING

19.04.210

60' MINOR COLLECTOR STREET (URBAN FORM)

A street with a minimum right-of way width of sixty feet which collects traffic from the local streets and distributes them to the major collector or arterial system. This street is intended to include on-street parking unlike the typical minor collector.



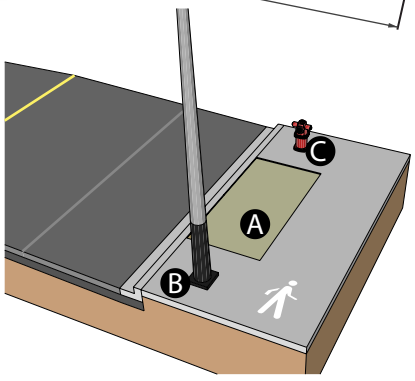
MECHANICAL FEATURES	
A. Tree Well	Shall be free of any mechanical features and be placed every 20 feet
B. Light Posts & Traffic Lights	Shall be located within the five feet of the amenity zone nearest the curb and meet City Standards for placement and spacing
C. Public Safety	Shall be located within the five feet of the amenity zone nearest the curb, unless otherwise determined

LANDSCAPING	
A. Tree Well Dimensions and Tree Placement	Tree wells shall be 5 feet wide by 10 feet long with trees placed within the tree well to provide maximum shade of sidewalk while providing adequate root growth area
B. Sidewalk	5 foot minimum width

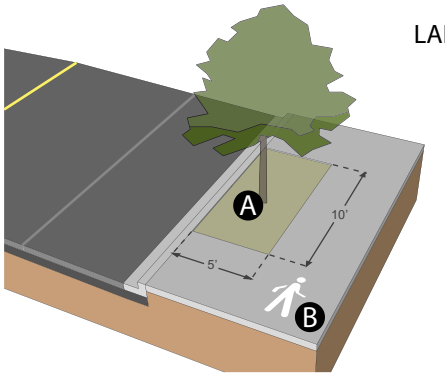
Illustrations & Graphics 19.04.210

STREET DIMENSIONS & STANDARDS

MECHANICAL FEATURES



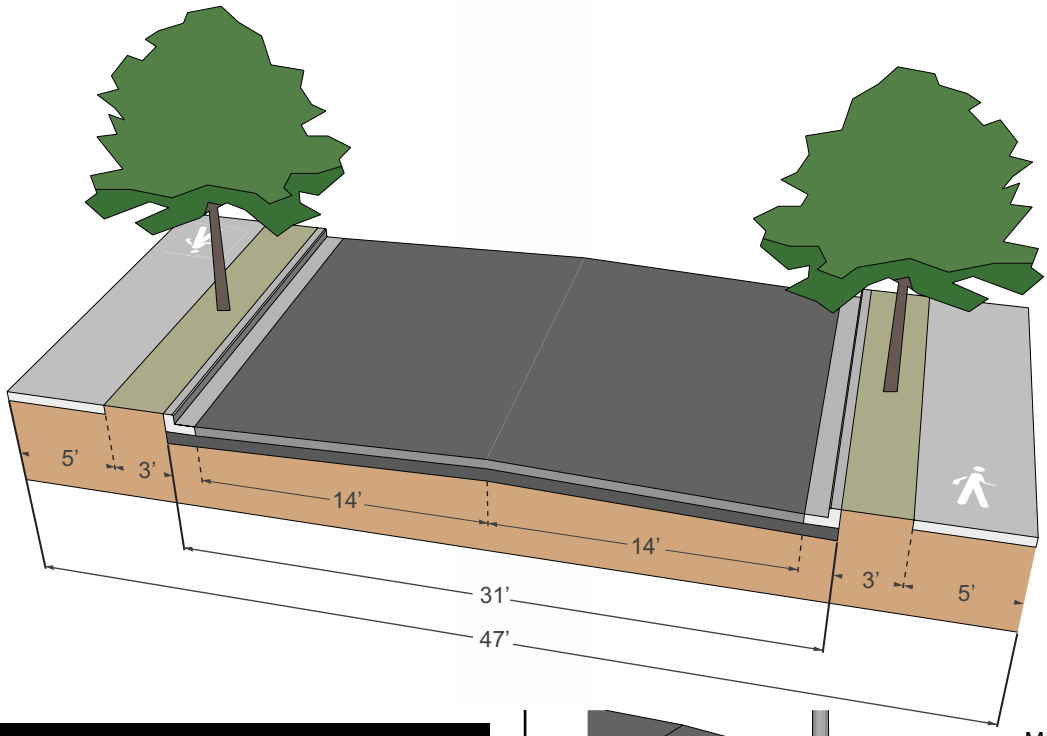
LANDSCAPING



19.04.220

47' RESIDENTIAL STREET

A street with a minimum right-of way width of forty-seven feet which is designed to carry residential traffic between minor collectors and is designed to accommodate on-street parking.

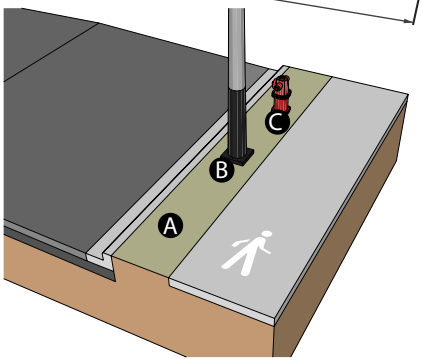


MECHANICAL FEATURES	
A. Utility & Mechanical Boxes	Shall be located within the amenity strip
B. Light Posts & Traffic Lights	Shall be located within the amenity strip and meet City Standards for placement and spacing
C. Public Safety	Shall be located within the amenity strip, unless otherwise determined

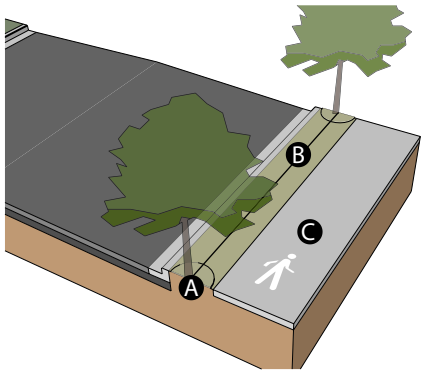
LANDSCAPING	
A. Tree Placement	Trees shall be place within amenity strip to provide maximum shade of sidewalk while providing adequate root growth area
B. Tree Planting Separation	Shall be 20 feet on center
C. Sidewalk	5 foot minimum width

Illustrations & Graphics **19.04.220**

STREET DIMENSIONS & STANDARDS



MECHANICAL FEATURES



LANDSCAPING

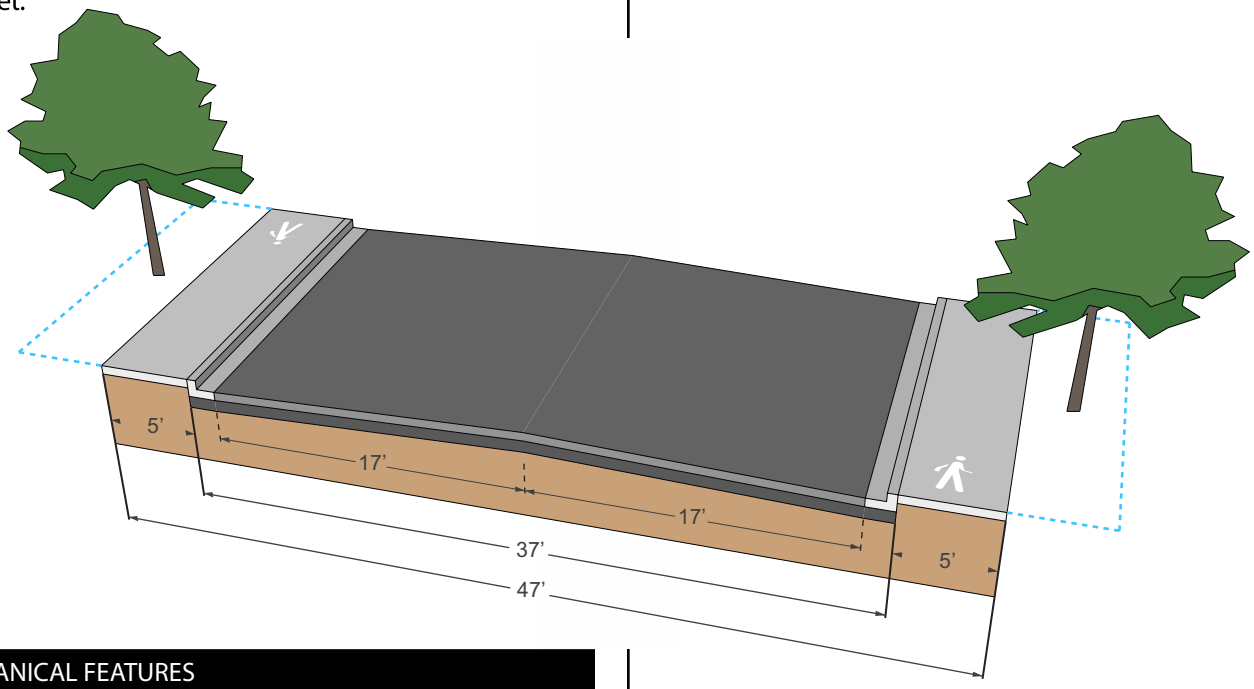
19.04.230

47' RESIDENTIAL STREET (NARROW LOT)

A street with a minimum right-of way width of forty-seven feet which is designed to carry residential traffic between minor collectors and is designed to accommodate on-street parking adjacent to residential lots with lot widths less than forty feet.

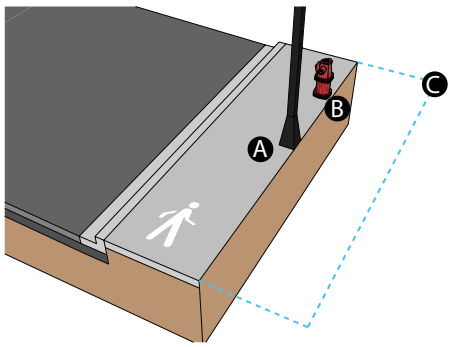
Illustrations & Graphics 19.04.230

STREET DIMENSIONS & STANDARDS



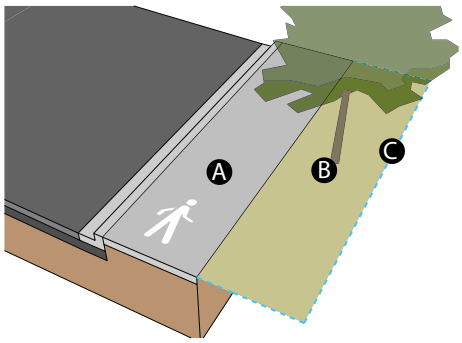
MECHANICAL FEATURES	
A. Light Posts & Traffic Signage	Shall be located in such a way as to minimize disruption of the sidewalk and meet City Standards for placement and spacing
B. Public Safety	Shall be located in the amenity zone in such a way as to minimize disruption of the sidewalk otherwise determined
C. Tree Planting Zone	An on-site area within the front setback area

MECHANICAL FEATURES



LANDSCAPING	
A. Sidewalk	5 foot wide concrete path
B. Tree Placement	1 tree per lot placed to provide maximum shade of sidewalk while providing adequate root growth area
C. Tree Planting Zone	5 foot wide planting area adjacent to the front property line

LANDSCAPING



19.06

Residential Districts – Purpose and Development and Design Standards

Unified Development Code
Title 19

The final draft of this Chapter was not yet ready as of the Agenda Post deadline for the November 2010 Planning Commission meeting. The final draft for this Chapter will be submitted at the November 18th Planning Commission meeting for consideration as a part of TXT-39750.

Prior to the Planning Commission meeting the final draft of this and all other chapters of the proposed Unified Development Code (UDC) will be available on the City of Las Vegas website at:

www.lasvegasnevada.gov/UDC

19.08

Commercial and Industrial Districts – Purpose and Development and Design Standards

Unified Development Code
Title 19

The final draft of this Chapter was not yet ready as of the Agenda Post deadline for the November 2010 Planning Commission meeting. The final draft for this Chapter will be submitted at the November 18th Planning Commission meeting for consideration as a part of TXT-39750.

Prior to the Planning Commission meeting the final draft of this and all other chapters of the proposed Unified Development Code (UDC) will be available on the City of Las Vegas website at:

www.lasvegasnevada.gov/UDC

19.10

Special Area and Overlay Districts – Purpose and Development and Design Standards

Unified Development Code
Title 19

The final draft of this Chapter was not yet ready as of the Agenda Post deadline for the November 2010 Planning Commission meeting. The final draft for this Chapter will be submitted at the November 18th Planning Commission meeting for consideration as a part of TXT-39750.

Prior to the Planning Commission meeting the final draft of this and all other chapters of the proposed Unified Development Code (UDC) will be available on the City of Las Vegas website at:

www.lasvegasnevada.gov/UDC

19.12

Permissible Uses

Unified Development Code
Title 19

19.12
Permissible Uses

19.12.010 Land Use Tables 243

19.12.020 Accessory Uses and Structures 253

19.12.030 Temporary Commercial Permits 253

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19.12.050 Special Use Permits 254

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19.12.100 Similar and Prohibited Uses 317

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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 254
Accessory Structure (Class II)	C	C	C	C	C	C	C	C	C								page 255
Adult Day Care Center	S	S	S			S	S	S	S	C	C	P	P	P	P		page 255
Airport, Heliport or Landing Field														P	P		page 255
Amphitheater												S	C	C	C		page 255
Animal Hospital, Clinic, or Shelter (with no Outside Pens)											S	S	P	P	P		page 256
Animal Hospital, Clinic, or Shelter (with Outside Pens)	S	S										S	P	P	P		page 256
Animal Keeping & Husbandry	C	C															page 256
Animal Keeping, Wild or Exotic	C														C		page 257
Animal Production	P																page 257
Antique/Collectible Store												P	P	P	P		page 257
Asphalt or Concrete Batch Plant															P		page 257
Assisted Living Apartments						S	P	P				S	S				page 257
Astrologer, Hypnotist, or Psychic Art and Science										S		P	P	P	P		page 257
Auction House													S	S	S		page 257
Auto Broker												C	C	C	C		page 258
Auto Dealer Inventory Storage												S	S	S	S		page 258
Auto Paint & Body Repair Shop													S	C	C		page 258
Auto Parts (Accessory Installation)												C	P	P	P		page 258
Auto Parts (New & Rebuilt) (Accessory Sales & Service)												S	C	P	P		page 259
Auto Repair Garage, Major													S	C	C		page 259
Auto Repair Garage, Minor												S	C	C	C		page 259
Auto Smog Check												C	C	C	C		page 260
Auto Title Loan											S	S	S	C	C		page 260
Automobile Rental												S	S	S	C		page 261
Automobile Repossession Agency												C	C	C	C		page 261
Bailbond Service												S	S	P	P		page 261
Bakery, Retail											A	P	P	P	P		page 261
Banquet Facility												P	P	P			page 261
Banquet Facility (with Alcoholic Beverage Sales)																S	page 262
Bed & Breakfast Inn	S	S	S	S	S	S	S	S		S							page 262
Beer/Wine/Cooler Off-Sale Cultural Establishment												S	S	S	S		page 262

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 Off-Sale Establishment												S	S	S	S		page 262
Beer/Wine/Cooler On- and Off-Sale Establishment												S	S	S	S		page 263
Beer/Wine/Cooler On-Sale Establishment												S	S	S	S	S	page 264
Billiard Parlor or Pool Hall												S	P	P	P		page 265
Blood Plasma Donor Center													S	S	S		page 265
Boarding or Rooming House							P	P						S			page 265
Boat & Trailer Dealership (New and Used)												S	S	C	C		page 265
Building & Landscape Material/ Lumber Yard												S	C	P	P		page 265
Building Maintenance Service and Sales												S	C	P	P		page 266
Bus Charter Service & Service Facility														P	P		page 266
Business School											P	P	P	P	P		page 266
Car Wash, Full Service or Auto Detailing												S	C	C	C		page 266
Car Wash, Self-Service												S	C	C	C		page 266
Catering Service												P	P	P	P		page 266
Cemetery/Mausoleum	C	C											C	C	C		page 267
Check Cashing Service, Limited											C	C	C	C	C		page 267
Child Care – Family Home	P	P	P	P	P	P	P	P	P								page 267
Child Care – Group Home	S	S	S	S	S	S	S	S	S								page 267
Child Care Center	S	S					S	S	S	C	C	P	P	P	P		page 267
Church/House of Worship	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P		page 268
Cleaners, Commercial/Industrial													S	P	P		page 268
Clinic												P	P	P	P		page 268
Cold Storage Plant													P	P	P		page 268
College, University, or Seminary											S	P	P	P	P		page 268
Commercial, Other than Listed												S	P	P	P		page 268
Commercial Recreation/ Amusement (Indoor)											S	P	P	P	P		page 269
Commercial Recreation/ Amusement (Outdoor)													P	P	P		page 269
Community Center, Private (Accessory)	C	C	C	C	C	C	A	A	C								page 269
Community Recreational Facility (Public)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		page 269

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
Community Residence (including Family Community Residence and Transitional Community Residence)	C	C	C	C	C	C	C	C	C		C	C	C				page 269
Condominium					P	P	P	P		C	C	C	C				page 271
Construction Material Supply Yard														P	P		page 271
Contractor's Plant, Shop & Storage Yard														P	P		page 271
Convalescent Care Facility/Nursing Home	S	S	S	S		S	S	S				S	S				page 271
Convenience Store											A	C	C	C	C		page 271
Convent or Monastery							P	P									page 272
Convention Facility, Publicly Operated																S	page 272
Copy Center										P	P	P	P	P	P		page 272
Country Club, Private	S	S	S	S		S	S	S	S	S	P	P	P	P	P		page 272
Crematory													C	C	C	S	page 272
Crop Production	P																page 272
Custodial Institution														S	S	S	page 272
Custom & Craft Work												S	C	P	P		page 272
Daily Labor Service												S	S	S	S		page 273
Delivery and Service Vehicle Storage													S	P	P		page 273
Desktop Publishing										P	P	P	P	P	P		page 273
Dry Cleaners											S	P	P	P	P		page 273
Electric Generating Plant													S	S	S		page 273
Electric Utility Substation	S						S	S			S	P	P	P	P		page 273
Electrical, Watch, Clock, Jewelry & Similar Repair											A	P	P	P	P		page 273
Emergency Ambulance Services, Ground												S	P	P	P		page 274
Employment Agency										P	P	P	P	P	P		page 274
Environmentally Hazardous Materials															P		page 274
Escort Bureau												S	S	P	P		page 274
Facility for Transitional Living for Released Offenders							S	S									page 274
Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse												S	S	C	C		page 275
Financial Institution, General (with Drive-Through)											C	C	C	C	C		page 275

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
Financial Institution, General (without Drive-Through)											P	P	P	P	P		page 275
Financial Institution, Specified											S	S	S	C	C		page 275
Food Processing													C	P	P		page 276
Fraternity, Sorority House or Private Dorm							S	S									page 277
Gaming Establishment, General Business-Related												S	S	S	S	S	page 277
Gaming Establishment, Non-restricted												S	S	S	S		page 277
Gaming Establishment, Restricted												A	A	A	A		page 277
Garden Supply/Plant Nursery												C	C	P	P		page 277
General Personal Service											A	P	P	P	P		page 277
General Retail Store, Other Than Listed (3500 Square Feet or More)												P	P	P	P		page 278
General Retail Store, Other Than Listed (Less than 3500 Square Feet)											A	P	P	P	P		page 278
Golf Driving Range											S	P	P	P	P		page 278
Government Facility										P	P	P	P	P	P	P	page 278
Grocery Store												P	P	P	P		page 278
Gun Club, Skeet or Target Range, or Archery Club (Indoor)													S	P	P		page 278
Gun Club, Skeet or Target Range, or Archery Club (Outdoor)	S													S	P		page 279
Health Club											A	P	P	P	P		page 279
Heavy Machinery and Equipment (Rental, Sales & Service)														P	P		page 279
Heavy Machinery and Equipment (Storage)															P		page 279
Helipad											S	S	S	P	P		page 279
Home Occupation	H	H	H	H	H	H	H	H	H								page 279
Horse Corral or Stable (Commercial)	S	S										C	C	C	C		page 279
Horse Corral or Stable (Private)	C	C															page 279
Hospice		S					S	S		S	S	P	P	S			page 279
Hospital											S	C	P	P	P		page 280
Hotel Lounge Bar												S	S	S	S		page 280
Hotel, Motel or Hotel Suites												S	P	P	P		page 280
Hotel, Residence								S				S	S	P			page 281
Internet Cafe												C	C	C	C		page 281
Internet/Catalogue Sales Office										C	C	P	P	P	P		page 281

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
Jewelry Store, Class III												S	S	S	C		page 281
Jewelry Store, New												P	P	P	P		page 281
Keeping of Carrier or Racing Pigeons	S	S	S									S	S	S	S		page 282
Laboratory, Medical or Dental										A	A	P	P	P	P		page 282
Landfill															S		page 282
Laundry, Self-Service												P	P	P	P		page 282
Library, Art Gallery or Museum (Public)										P	P	P	P	P	P		page 282
Light Assembly & Fabrication												C	C	P	P		page 282
Liquefied Petroleum Gas Installation (288 Gallons or Less)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 283
Liquefied Petroleum Gas Installation (Over 288 Gallons)												S	S	S	S	S	page 283
Liquor Establishment (Tavern)												S	S	S	S	S	page 283
Livestock Farming (Bovines/Horses)	C	C															page 284
Manufactured Home (Not Qualifying for Treatment as Single Family Detached Dwelling)									P								page 284
Manufactured Home (Qualifying for Treatment as Single Family Detached Dwelling)	C	C	C	C	C	C	C	C									page 285
Manufacturing, Heavy														S	P		page 285
Manufacturing, Light														P	P		page 285
Martial Arts Studio												P	P	P	P		page 285
Massage, Accessory										A	A	A	A	A	A		page 285
Massage Establishment												S	S	S	C		page 286
Mining, Sand & Gravel Excavation	S													S	S		page 286
Mini-Storage Facility												S	C	C	C		page 286
Mixed-Use							S	S		S	S	C	C				page 287
Mobile Home									P								page 287
Mobile Home Park									C								page 288
Monorail	S	S	S	S		S	S	S	S	S	S	S	S	S	S		page 288
Mortuary or Funeral Chapel												S	P	P	P	S	page 289
Motor Vehicle Sales (New)													C	C	C		page 289
Motor Vehicle Sales (Used)													S	C	C		page 289
Motorcycle/Motor Scooter Sales												S					page 289
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 290

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
Mounted Antenna over 15 Feet (Ultimate Height)	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P		page 290
Multi-Family Residential							P	P									page 290
Museum, Art Display, or Art Sales (Private)										S	P	P	P	P	P		page 290
Night Club												S	P	P	P		page 290
Office, Medical or Dental										P	P	P	P	P	P		page 290
Office, Other than Listed										P	P	P	P	P	P		page 290
Off-Premise Sign												S	S	S	S	S	page 290
Open Air Vending/ Transient Sales Lot												C	C	C	C		page 290
Outcall Entertainment Referral Service												S	S	P	P		page 291
Outdoor Storage, Accessory													C	C	C		page 291
Package Liquor Off-Sale Establishment												S	S	S	S		page 291
Parking Lot/Sidewalk Sale												T	T	T	T		page 292
Parking, Commercial										C	S	P	P	P	P		page 292
Pawn Shop												S	S	S	C		page 292
Pawn, Auto														S	C		page 293
Pet Boarding												C	C	C	C		page 293
Pet Shop												C	C	C	C		page 294
Post Office, Local Service										P	P	P	P	P	P		page 294
Post Office, Regional													P	P	P		page 294
Printing & Publishing														P	P		page 294
Private Club, Lodge or Fraternal Organization											S	P	P	P	P		page 294
Private Sports Arena, Stadium or Track													S	S	P		page 294
Private Street	C	C	C	C	C	C	C	C	C								page 294
Psychology Practice										P	P	P	P	P	P		page 295
Public or Private School, Primary	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	page 295
Public or Private School, Secondary	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	page 295
Public Park or Playground	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		page 295
Radio Broadcasting											P	P	P	P	P		page 296
Radio, TV or Microwave Communication Tower											S	S	S	S	P		page 296
Rail/Transit Yard or Shop															P		page 296
Recording Studio												S	P	P	P		page 296

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
Recreational Vehicle and Boat Storage												S	C	C	C		page 296
Recycling Collection Center														C	C		page 296
Rental Store (with Outside Storage)													S	P	P		page 297
Rental Store (without Outside Storage)												P	P	P	P		page 297
Rescue Mission or Shelter for the Homeless													S	S	S		page 297
Restaurant with Service Bar											S	S	S	S	S	S	page 297
Restaurant, 2000 sq. ft. or more (with Drive-Through)												C	C	C	C		page 297
Restaurant, 2000 sq. ft. or more (without Drive-Through)											A	P	P	P	P		page 298
Restaurant, Less than 2000 sq. ft. (with Drive-Through)												C	C	C	C		page 298
Restaurant, Less than 2000 sq. ft. (without Drive-Through)											A	P	P	P	P		page 298
Retail Establishment with Accessory Package Liquor Off-Sale												S	S	S	S		page 298
Salvage or Reclamation of Products (Indoor)														P	P		page 299
Salvage or Reclamation of Products (Outdoor)															C		page 299
Satellite Dish	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 300
Seasonal Outdoor Sales										T		T	T	T	T		page 300
Secondhand Dealer												S	S	C	C		page 300
Senior Citizen Apartments							C	C				S					page 301
Service Station (with Incidental Automotive Repair)												S	S	C	C		page 301
Service Station (without Automotive Repair)												C	C	C	C		page 302
Sex Offender Counseling Facility												S	S	C	C		page 302
Sexually Oriented Business														C	C		page 302
Shopping Center												P	P	P	P		page 304
Short-Term Residential Rental	C	C	C	C	C	C	C	C	C								page 304
Single Family, Attached				P	P	P	P	P									page 304
Single Family, Detached	P	P	P		P	P	P	P	P								page 304
Single Family, Zero Lot Line				C	C												page 305
Single Room Occupancy Residence													S	P			page 305
Slaughtering and Processing of Live Poultry												S	S	S	P		page 305

P - Permitted	A - Accessory	C - Conditional
S - Special Use Permit	H - Home Occupation Permit	T - Temporary Commercial Permit

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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
Small Wind Energy System		C	C			C	C	C		C	C	C	C	C	C		page 305
Social Event with Alcoholic Beverage Sales										S	S	S	S	S	S	S	page 307
Social Service Provider											S	S	S	S	S		page 307
Solar Panel	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 307
Sound Stage												S	S	S	S		page 307
Supper Club											S	S	S	S	S	S	page 307
Swap Meet												S	S	C	C		page 308
Tattoo Parlor/Body Piercing Studio													S	P	P		page 308
Tavern-Limited Establishment												S	S	S	S		page 309
Taxicab/Limo Yard														P	P		page 309
Teen Dance Center												C	C	C	C		page 309
Temporary Contractor's Construction Yard	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T		page 309
Temporary Outdoor Commercial Event	T	T										T	T	T	T		page 309
Temporary Real Estate Sales Office	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 309
Tennis Courts, Accessory	C	C	C	C	C	C	C	C	C		C	C	C				page 310
Thriftshop												S	S	C	C		page 310
Thriftshop, Nonprofit												S	S	S	C		page 310
Time-Share Development													C				page 310
Towing & Impound Yard														C	C		page 311
Towing Service (with No Storage)													S	P	P		page 311
Townhouse					P		P	P									page 311
Trade School											C	P	P	P	P		page 311
Trailer/RV Camp or Park												S	S	S	P		page 311
Transit Passenger Facility												C	C	P	P		page 311
Truck Rental													S	P	P		page 312
Trucking Company													S	P	P		page 312
Tutoring Center										C	C	C	C	C	C		page 312
TV Broadcasting & Other Communication Service											S	S	S	P	P		page 312
Two-Family Dwelling						P	P	P									page 312
Urban Lounge												S	S	S	S		page 312
Utility Installation, Other Than Listed	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P		page 312
Utility Transmission Lines	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 313
Valet Parking											C	C	C	C	C		page 313

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P - Permitted	A - Accessory	C - Conditional
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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
Vehicle Parking, Storage or Repair in Residential Zoning Districts	C	C	C	C	C	C	C	C	C								page 313
Warehouse/Distribution Center														P	P		page 314
Wedding Chapel												P	P	P	P		page 314
Welding Repair														P	P		page 315
Wholesale Showroom Facility													P	P	P		page 315
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 315
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 315
Wireless Communication Facility, Stealth Design	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		page 316

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.
5. Usable floor space per client shall comply with State regulations.
6. Where adult day center properties have a 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.

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.

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.

Convention Facility, Publicly Operated

Description: 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 that is owned, leased, operated and/or controlled by a local, state, or federal governmental entity.. For purposes of this Title, the term includes a stadium facility that is operated in conjunction with a convention facility.

Minimum Special Use Permit Requirements:

1. The parcel or use is operated or controlled by an agency or subdivision of local, state or federal government.

On-site Parking Requirement:

Convention Facility ..... One space per 1,000 square feet of gross floor area.

Stadium or Arena ..... One space for each 4 fixed seats, or where fixed seating consists of benches, each 20 linear inches of bench shall be considered one seat.

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.

Minimum Special Use Permit Requirements:

1. The parcel or use is operated or controlled by an agency or subdivision of local, state or federal government. (C-V only)

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, 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.

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, 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.

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 (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.

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.

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.

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.

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.

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 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.

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.

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.

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.

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.

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 (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, 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, 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 PROVISIONS FOR C-V DISTRICT 19.12.080

A. Permitted Land Uses

The following uses are permitted in the C-V District:

1. Any use operated or controlled by the City, County, State or Federal government, other than those indicated in Table 2 of this Chapter as requiring a Special Use Permit.

2. Any public or quasi-public use operated or controlled by a recognized religious, fraternal, veteran, civic or service organization, other than those indicated in Table 2 of this Chapter as requiring a Special Use Permit.

3. Utility company facilities, including electrical power substation facilities, telephone switching stations and towers, water district facilities, cable TV lines

and wireless communication facilities.

USE RESTRICTIONS FOR P-O, O AND CD-O DISTRICTS 19.12.090

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. CD-O District

All uses in the CD-O 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 19.12.100

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 19.12.110

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 19.12.120

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 International Building Code	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.

NONCONFORMING SIGNS 19.14.080

A. Applicability

This Subchapter shall not apply to any sign approved by a variance, any sign approved as part of a Master Sign Plan, any off-premise sign, or any other sign protected from such provisions by Nevada law.

B. Continued Use Allowed

A lawfully nonconforming sign, as defined in this Title, may continue in use, except as otherwise provided in or authorized by this Subchapter. A change in the information on the face of an existing nonconforming sign is allowed if the change does not increase the area of the sign face.

C. Burden of Proof

In any matter in which a property owner(s), sign owner(s), sign user or other person seeks the protection provided to lawful, nonconforming signs under this Section, the burden of proof shall be on the person seeking such protection to prove:

1. The date of erection or installation of the sign;
2. That the sign fully conformed to the sign ordinance then in effect;
3. That the person erecting the sign obtained all necessary permits for the erection of the sign; and
4. That any changes to the sign have been made in accordance with the requirements of this Subchapter and in compliance with all applicable permit requirements.

D. Public Right-of-Way Improvements

The City may require signs to be modified or moved if streets are widened, or for other improvements made in the public-right-of-way. If a nonconforming sign or sign structure is moved under this requirement, it may be re-established on the same site without being brought into conformance.

E. Ownership

The status of a nonconforming sign or sign structure is not affected by changes in ownership.

F. Maintenance and Repair

Sign maintenance, sign repair, and changing of permanent sign faces is allowed so long as structural alterations are not made and the sign is not increased in size.

G. Termination of Nonconforming Signs.

1. **Change to a conforming sign.** A nonconforming sign or sign structure may be altered to become or be replaced with a conforming sign or sign structure. Once a sign or sign structure is brought into conformance or is replaced with a conforming sign or sign structure, the nonconforming rights for that sign or sign structure are lost and a nonconforming sign or sign structure may not be re-established.
2. **Alteration.** Except as provided in Section (D), sign structures that are moved, replaced, or the supporting structure is substantially altered, must be brought into conformance with this Subchapter.
3. **Discontinuance.** If there is no sign in place on a sign structure or building wall for 12 continuous months, the nonconforming rights are lost and a nonconforming sign may not be re-established. If the sign structure or building wall sign area is unused for less than 12 continuous months, a nonconforming sign may be re-established.
4. **Removal.** Except as provided in this Subchapter, if a sign or sign structure is permanently removed or intentionally destroyed, replacement signs and sign structures must comply with the current standards.
5. **Damaged or deteriorated nonconforming signs.** If a sign or sign structure is damaged or allowed to deteriorate to such an extent that the cost of repair or restoration is fifty percent or more of the cost of replacement of such sign, replacement signs and sign structures must comply with the current standards.

H. Optional Registration

1. A sign owner(s) or user may register a lawful, nonconforming sign in accordance with this Section. The registration shall be filed on a form provided by the Director, which form shall require at least the following:
   - **a.** Sign certificate number (if any);
   - **b.** Date of installation of the sign;
   - **c.** Address of premises;
   - **d.** Location of the sign on the premises (drawing or precise description of location);
   - **e.** Dimensions of the sign;
   - **f.** For a freestanding sign, the height of the sign; and
   - **g.** Photograph of the sign, as it exists at time of filing registration.

2. The Director shall review the registration within 30 days of receipt and shall notify the applicant of any inaccuracies or other deficiencies in the registration. Such inaccuracies or deficiencies shall be noted in the registration file. All provisions of the registration not subject to such a notice shall be deemed to be accepted by the City.

3. In any proceeding in which the legal status of a sign is material, the unchallenged facts set forth in a registration under this Section shall be presumed to be true; any facts subject to a notice from the Director questioning the accuracy or other matters shall not receive such protection unless the applicant amends the registration to cure the deficiencies.

NON-CONFORMITY RESULTING FROM CITY ACTION 19.14.090

No action by the City in connection with the acquisition or use of right-of-way or the installation of off-site improvements shall have the effect of rendering a previously conforming lot or structure non-conforming as to lot width, lot area, landscape buffer area or setback requirements.

19.16

Applications & Procedures

Unified Development Code
Title 19

19.16 Applications & Procedures

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GENERAL REQUIREMENTS

A. Compliance with General Plan

Except as otherwise authorized by this Title, approval of all Maps, Vacations, Rezonings, Site Development Reviews, Special Use Permits, Variances, Waivers, Exceptions, Deviations and Development Agreements shall be consistent with the spirit and intent of the General Plan.

B. Application

1. **Time of Filing.** In order to provide sufficient time for the necessary investigation by the Department, Planning Commission and/or its Secretary and agents, a complete application for the request must be filed as follows:

   a. Applications that are subject to administrative review must be filed in the office of the Department a minimum of 30 days prior to the date of the meeting at which the application would be heard and considered if it Planning Commission and/or City Council review; and

   b. Applications that are subject to Planning Commission and/or City Council review must be filed in the office of the Department a minimum of 30 days prior to the date of the meeting at which the application is to be heard and considered.

2. **Notarized Application.** Applications shall be signed, notarized and acknowledged by the owner of record of the property for which the General Plan Amendment, rezoning or development application is sought. . If the property has multiple owners, the applicant shall provide the City with a list of all persons and entities with an ownership interest in the property if not all of the owners have signed the application.

3. **Pre-application Conference.** A pre-application conference with a designated representative from the Department is required prior to submitting an application for a Tentative Map, General Plan Amendment, Vacation, Rezoning, Major Site Development Plan Review, Special Use Permit, Variance or Development Agreement.

4. **Review of Applications.** Following the submittal of an application, staff shall review the application to verify that the information is complete and fulfills application requirements. If the application is not complete, staff will notify the applicant, and the application will not be scheduled on an appropriate agenda until the application is complete.

5. **Discretion Regarding the Acceptance of Applications.** The Director has the discretion not to accept any application which seeks action that is not available under this Title.

C. Fees

Fees charged related to the filing, processing or noticing of applications under this Chapter shall be in accordance with the Fee Schedule, as adopted pursuant to Section 19.00.120(A).

D. Posting of Signs

1. **General**

   a. Notification signs shall be posted by the Department or its authorized agent or contractor. An application will not be processed until the applicant has paid the fees established by the City for the posting of signs.

   b. Notification signs shall be posted in conformance with NRS 278.260 as supplemented by this section.

   c. Each notification sign must be of a size not less than four feet high and three feet wide; provided, however, that, in the case of a store frontage, the minimum size of a notification sign placed in the store front window shall be two feet high and two feet wide.

2. **Number of Signs Required**

   a. One notification sign is required for tracts of five acres or less.

   b. The Director may determine that additional notification signs should be posted for each additional five acres or portion thereof.

3. **Timing.** The required number of notification signs shall be posted on the property at least 10 days before the date of the first scheduled public hearing.

4. **Placement of Signs**

   a. The signs must be posted at a prominent location on the subject property and must be easily visible by the general public.

b. Required signs shall remain visible and legible from 10 days prior to the first public hearing and until final action is taken. The applicant is responsible for ensuring compliance with this paragraph once the required signs have been posted.

c. The City or its authorized agent or contractor is responsible for removing the notification signs after the final action on the case.

5. **Inadequate Notice.** If it is determined that adequate notice has not been provided in accordance with this Section, the Planning Commission or City Council may hold the application in abeyance or deny the application.

6. **Illegal Removal of Signs.** It is unlawful to intentionally or knowingly remove a notification sign that has been posted pursuant to this section or conceal the sign message.

E. Development Impact Notice and Assessment (DINA)

1. **Background.** Pursuant to 1999 Statutes of Nevada, Chapter 481, ("Chapter 481"), a person who proposes to develop a project of significant impact is generally required to submit an impact statement to the local zoning authority before specified actions can be taken regarding the project. This Section implements the requirements associated with Chapter 481. The impact statement to be required by the City is identified as a Development Impact Notice and Assessment (DINA), and requires the information described in Chapter 481. The required information includes information regarding vehicle trips, student enrollment, sewage generation, water demand, storm water runoff, distance from public safety facilities, existing and planned capacities of service required for the project, and other anticipated effects of the project.

   For the purposes of this Section, a project is deemed to be a "project of significant impact" if it would create:

   a. Tentative maps, final maps or planned unit developments of 500 units or more;

   b. Tourist accommodations of 300 units or more;

   c. A commercial or industrial facility generating more than 3,000 average daily vehicle trips; or

   d. A nonresidential development encompassing more than 160 acres.

2. **Applicability.** This subchapter applies to all development within the City, except for any project:

   a. Located on property which was the subject of a development agreement with a local government, if the agreement became effective before June 8, 1999; or

   b. Which was approved before June 8, 1999.

3. **Requirements.** Before scheduling a pre-application conference in accordance with Section 19.16.010(B), a person proposing a development of significant impact in connection with an application for tentative map, rezoning, site development plan review, or a special use permit must meet with agencies and service providers from which the information required for a DINA report must be obtained. At the pre-application conference, the applicant must present to Planning and Development staff, on forms provided by the Department, the agency and provider responses that have been obtained by the applicant. A completed DINA report must be submitted no later than at the time of making an application under this Chapter. The department is authorized to withhold the processing of an application until a completed DINA report has been submitted.

4. **Review.** Action by the City Council concerning a project of significant impact shall be in accordance with Chapter 481. Pursuant to the provisions of Chapter 481, the City Council may approve a project with respect to which the capacities of roads, sources of water supply or facilities for wastewater and flood control will not be sufficient to support the project if the Council requires the person who proposes to develop the project to carry out appropriate measures of mitigation to substantially reduce the impact of the project on those elements of infrastructure.

F. Projects of Regional Significance

1. **Determination.** At the earliest stage feasible, the Department shall determine whether a development proposal, proposed zoning map amendment, proposed local land use plan amendment, proposed Special Use Permit, or other proposal qualifies as a "project of regional significance." Where possible, this determination should be made at the time an application is filed for a proposal that requires review at a public meeting.

2. **Assessment and Referral.** Upon determining that a proposal qualifies as a "project of regional

significance" by reason of its proximity to the boundary of another municipal corporation or an unincorporated area (the "affected local government"), the Department shall refer the proposal to the affected government(s). The referral shall consist of a description of the proposal, copies of any application materials, and an impact statement that includes at a minimum:

a. The number of vehicle trips that the proposal will generate, estimated by applying to the proposal the average trip rates for the peak days and hours established by the Institute of Transportation Engineers (or its successor).

b. The estimated number of pupils that the proposal will add to the enrollment of each elementary school, junior high/middle school, and high school that will be impacted by the proposal.

c. The distance from the site of the proposal to the nearest facilities from which firefighting, police and emergency services will be provided, including without limitation facilities of a local government that are planned but not yet constructed, and facilities that have been included in a local government's plan for capital improvements prepared pursuant to NRS 278.0226.

d. A brief statement setting forth the anticipated effect of the proposal on housing, mass transit, open space and recreation.

3. Comment by affected Local Government(s). Upon receipt of a referral, an affected local government shall have 15 calendar days within which to provide comments to the Department. The comments may propose suggestions for the mitigation of any negative impacts of the proposal on the affected local government.

4. Consideration of Comments. The Department shall, within its discretion, give consideration to any suggestions for mitigation that have been received from an affected local government and, in accordance therewith, shall require or recommend mitigation of the proposal's potential negative impacts on the affected local government to the maximum practical extent. For purposes of this paragraph, "maximum practical extent" means that under circumstances:

a. Reasonable efforts have been made to minimize any negative impacts of the proposal;

b. The costs of compliance with the suggestions for mitigation clearly exceed the potential benefits to the public, or would unreasonable burden the proposal; and

c. Reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from the failure to implement the suggestions for mitigation.

5. Report of Findings. The Department shall prepare a written description of the manner in which the suggestions for mitigation by any affected local government(s) were addressed, and shall include the description with or in the staff report regarding the proposal. The description shall be included in the project file for the proposal. The Department shall send the description to any affected locate government that provided comments regarding the proposal, endeavoring to do so by the time that draft staff reports are distributed for the Planning Commission meeting at which the application for the proposal is to be heard.

6. Interpretation of Notification and Separation Requirements. For purposes of applying the distance-separation and property-owner notification requirements of this Title, distances shall be measured, and property owners notified, without regard to jurisdictional boundaries.

G. Treatment of Certain Tabled Applications

Any application under this Chapter that requires a public hearing and that is tabled at the request of an applicant shall expire six months after the last announced public hearing date, unless:

1. Within that period of time, the applicant has requested that the item be scheduled again for hearing; or

2. The motion to table the application specified otherwise.

After an application has expired in accordance with this Subsection (G), the applicant must submit a new application.

H. Recordation of Zoning Actions

In connection with the approval of any application under this Chapter that includes zoning conditions, requirements or limitations, the Department is authorized to record with the County Recorder's Office a notice advising that:

1. Zoning action regarding the property has been taken;

2. Such action is subject to conditions, requirements or limitations; and

3. Inquiry should be made to the City to obtain further information regarding the nature and extent of those conditions, requirements or limitations.

19.16.020

ANNEXATION

A. Purpose

The purpose of the annexation procedures is to establish a process for incorporating property into the City of Las Vegas. The City of Las Vegas will consider annexation of any developed or undeveloped property that satisfies the eligibility requirements and provisions of NRS 268.570 to 268.608. The City will also zone newly annexed areas under the appropriate zoning category in accordance with procedures and guidelines contained in this subchapter and the adopted goals and policies of the City's General Plan.

B. Application

A petition for Annexation shall be made on a form provided by the Department and shall be filed with the Director.

C. Zoning Classification of Newly Annexed Territory

1. General

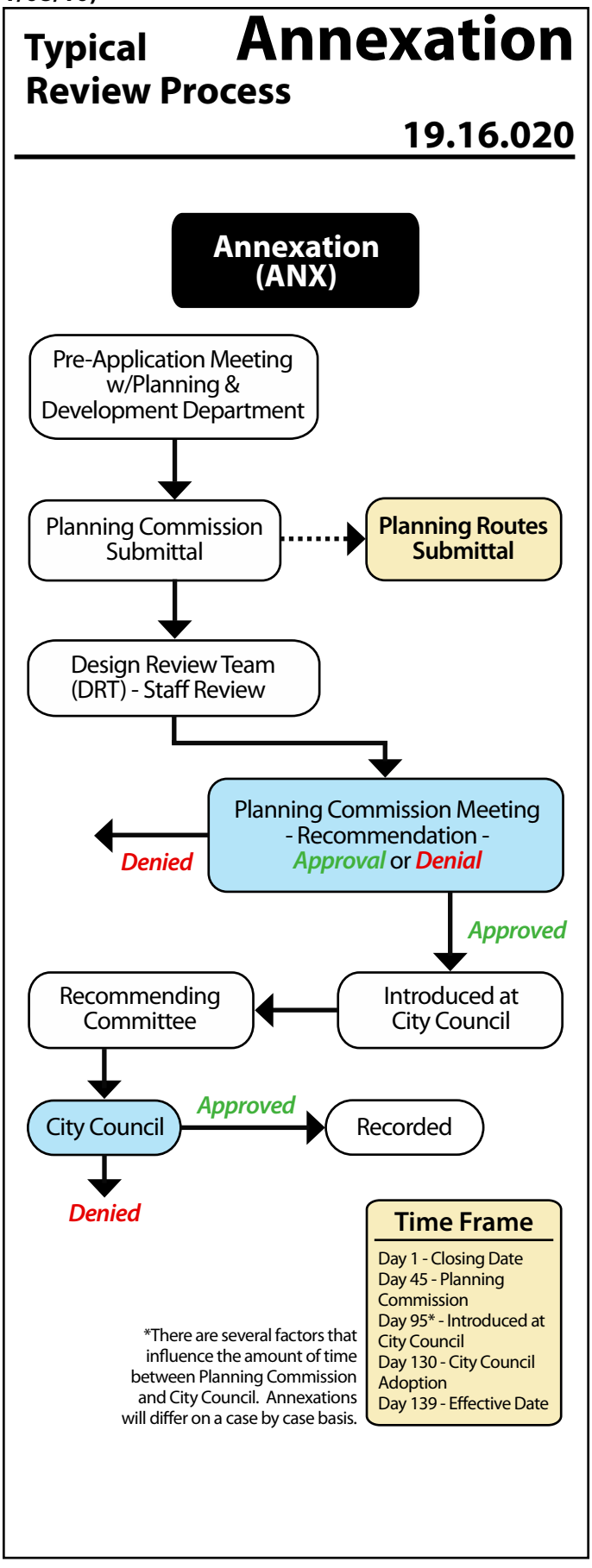
a. Annexation shall be in accordance with the provisions of NRS 268.570 through 268.608.

b. The following guidelines shall be used to determine the zoning classification of any parcel to be annexed to the City:

i. Developed. The annexed territory, if developed, shall be classified with the same zoning classification that was in effect on the property prior to annexation or the nearest comparable classification.

ii. Undeveloped. If the property annexed is undeveloped, but is classified for development other than residential uses or for residential uses permitting more than two dwelling units per acre, it shall be classified with the same zoning classification that was in effect on the property prior to annexation or the nearest comparable classification; or the City Council may, as a condition of annexation, change the classification to a more restrictive classification.

iii. Undeveloped and Classified. If the property annexed is undeveloped and classified for residential uses permitting no more than two dwelling units per acre, the parcel shall be classified with



the same zoning classification that was in effect on the property prior to annexation or the nearest comparable classification; or the City Council may, as a condition of annexation, classify the parcel(s) as U (Undeveloped) until such time as a proper classification is determined, at which time it may be rezoned under the procedures set forth in Subchapter 19.16.090.

iv. **Partially Developed.** If the property to be annexed is partially developed, the property, as described in the above subsections, shall apply separately or collectively to the undeveloped portions and developed portions.

v. **Undeveloped Without Permanent Zoning.** For undeveloped property which has been approved for rezoning by Resolution of Intent or otherwise, but for which the rezoning has not been made permanent by ordinance, the City may, as a condition of annexation, change the zoning to a more restrictive classification.

D. Annexation Process and Procedures

1. **Annexation Process.** Standard annexation of territory must follow the annexation process and procedures established in NRS 268.578 through 268.596.

2. **Alternate Annexation Process.** As an alternative to the procedures set forth in NRS.268.578 through 268.596, the City may annex qualifying territory in accordance with NRS 268.597.

19.16.030

GENERAL PLAN AMENDMENT

A. Purpose

The purpose of this subchapter is to set forth the procedures by which the Planning Commission and City Council will periodically review and evaluate the General Plan to ensure that it remains an accurate statement of the City's land-use goals and policies based on current data.

B. Authority

Whenever the public health, safety and general welfare requires, the City Council may, upon a resolution of the Planning Commission carried by the affirmative votes of not less than five members, or upon review of a requested General Plan Amendment which has not been approved by resolution of the Planning Commission, change the General Plan land use designation for any parcel or area of land to allow different zoning classifications. Subsequent growth and development factors in the community may be considered, among other factors, when determining whether such amendment to the General Plan promotes the public health, safety and general welfare.

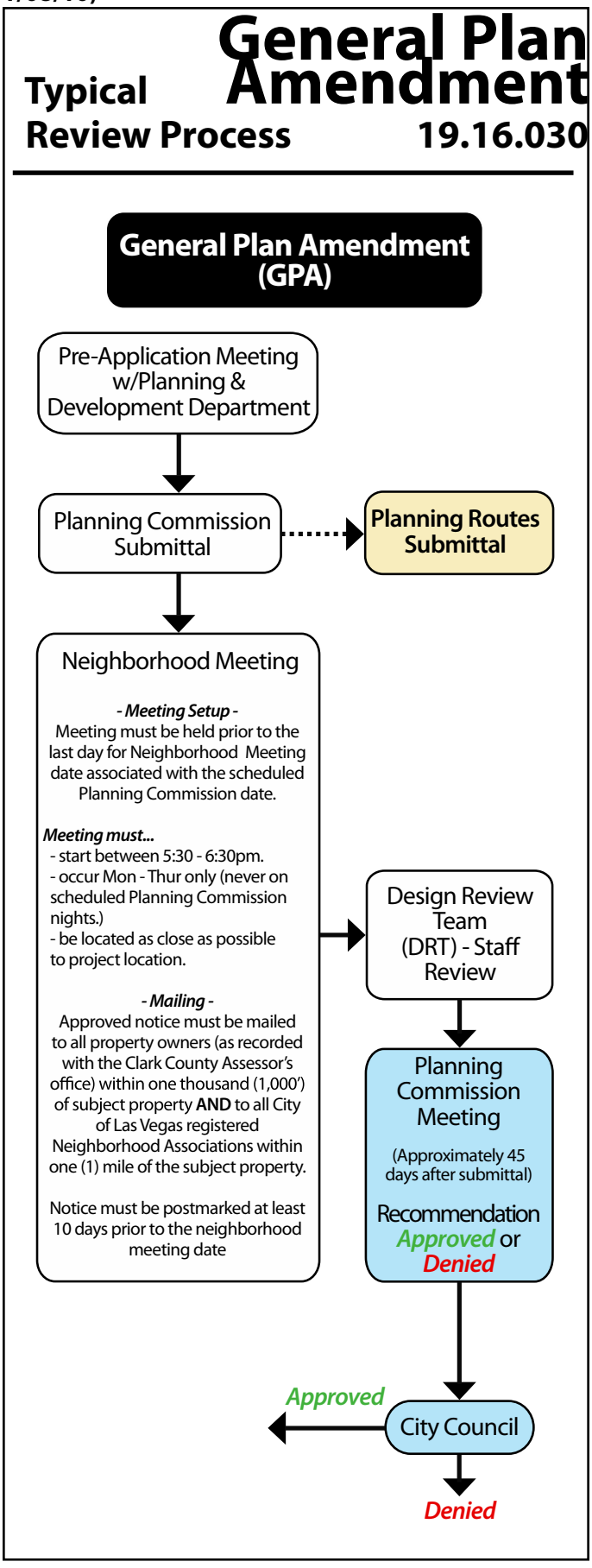
C. Application

1. **Initiation of Application.** A General Plan Amendment may be initiated by the Planning Commission or the City Council, or by means of an application filed by the owner(s) of record of each parcel of property proposed for a General Plan Amendment.

2. **Pre-Application Conference.** Before submitting an application for a General Plan Amendment, the owner or authorized representative shall engage in a pre-application conference with the staff of the Department of Planning and Development to discuss preliminary land planning, including land use relationships, density, transportation systems, infrastructure facilities and landscaping and open space provisions.

3. **Form and Filing.**

   a. An application for a General Plan Amendment shall be made to the Planning Commission on a separate application form to be provided by the Department of Planning and Development. The application shall be signed, notarized and acknowledged by the owner of record of each parcel of property. This application shall be filed with the Secretary of the Planning Commission



at the office of the Department.

b. In addition, any application for a General Plan Amendment shall specifically list reasons for the request and state why the proposed amendment works to promote the public health, safety and general welfare of the community. The application shall contain a list of factors requiring comment by the applicant, including:

i. Whether there has been unanticipated growth and development of the community in the area surrounding the application site or growth and development not specifically considered when the General Plan was adopted;

ii. Whether the proposed amendment to the General Plan will allow a zoning classification which imposes burdens similar to the burdens imposed by the classification currently provided for under the General Plan;

iii. Whether the amendment to the General Plan continues to promote the objectives of the General Plan as designated in NRS 278.

4. **Other Governmental Ownership.** With respect to property which is owned by the State of Nevada or the United States of America, a General Plan Amendment application is sufficient if it is signed and acknowledged by a prospective purchaser of that property who has entered into a contract with the governmental entity to obtain ownership of the property.

5. **Non-Property Owner.** A General Plan Amendment application is sufficient if it is signed and acknowledged by a lessee, a contract purchaser or an optionee of the property for which the General Plan Amendment is sought. However, interest in that property must exist in a written agreement with the owner of record, attached to which is a copy of the General Plan Amendment application and in which the owner of record has authorized the lessee, contract purchaser or optionee to sign the application. The agreement must further stipulate that the owner of record consents to the filing and processing of the application.

6. **Multiple Ownership.** In the case of multiple ownership of a parcel, only one of the owners of record shall be required to sign the application. A list of all other owners shall be provided with the application.

7. **Quarterly Consideration.** In the interest of economy and efficiency in the processing of applications, and in the interest of providing for amendments to the General Plan that are orderly and well-considered in relation to each other and to the public interest, the Director of Planning and Development is authorized to process applications to amend the General Plan so that such applications are presented to the Planning Commission and City Council on a quarterly basis. Such applications may be filed at any time, but the Director may withhold the processing of such applications in order to accomplish the purposes of this Subsection. After its initial presentation to the Planning Commission or City Council, any such application may be held in abeyance to and considered at any subsequent meeting. The Director may withhold the scheduling of related zoning applications until a meeting subsequent to the one at which proposed Plan Amendments are heard.

D. Successive Applications

1. **Previously Denied Application.** An application for a General Plan Amendment for a parcel in which all or any part was the subject of a previous General Plan Amendment application for the same land use category, a similar category or a less restrictive land use category has been denied, or which has been withdrawn subsequent to the noticing of a public hearing, shall not be accepted until the following periods have elapsed between the date of the denial or withdrawal and the date of the meeting for which the proposed application would be scheduled in the normal course:

a. After the first denial or any withdrawal after public notice has been given – one year.

b. After the second or subsequent denial or withdrawal after public notice has been given - two years.

2. **Previously Withdrawn Application.** The time periods that are described in Subsection (1) of this Section and that otherwise would become effective because of the withdrawal of an application shall not become effective if, after consideration of the timing and circumstances of the withdrawal, the Planning Commission or the City Council specifically approves the withdrawal without prejudice.

E. Request for Abeyance

Any applicant who wishes to have an application held

in abeyance following the notice and posting of the agenda of the Planning Commission or the City Council shall state good cause for the request. Good cause shall be more than mere inconvenience to the applicant or lack of preparation.

F. Planning Commission Public Hearing and Action

1. Hearing. Subject to the provisions of Section 19.16.030(C)(7), upon receipt of a complete General Plan Amendment application or an Amendment proposed by the Planning Commission or City Council, the Planning Commission shall hold a public hearing.

2. Notice

a. Notice Provided. Notice of the time, place and purpose of the hearing must be given at least 10 days before the hearing by:

i. Publishing the notice in a newspaper of general circulation within the City;

ii. Mailing a copy of the notice to:

A) The applicant;

B) Each owner of real property located within a minimum of one thousand feet of the property described in the application;

C) Each tenant of any mobile home park that is located within one thousand feet of the property described in the application;

D) The owner of each of the thirty separately-owned parcels nearest to the property described in the application to the extent this notice does not duplicate the notice otherwise required by this Paragraph (2);

E) Any advisory board which has been established for the affected area by the City Council; and

F) The president or head of any registered local neighborhood organization whose organization boundaries are located within a minimum of one mile of the property described in the application.

b. Names Provided. The Department of Planning and Development shall provide, at the request of the applicant, the name, address and phone number of any person notified pursuant to Subparagraph (F) above.

c. Additional Notice. The Department may give additional notice of the hearing by expanding the area of notification or using other means of notification or both. The Department shall endeavor to provide any additional notice at least 10 days before the date of the hearing.

d. Signs. Notification signs shall be posted in conformance with Section 19 .18.010(D).

3. Planning Commission Decision

a. A decision to recommend approval of a General Plan Amendment shall be by resolution of the Planning Commission with the affirmative votes of not less than two-thirds of the total membership of the Commission. The Planning Commission may approve, approve with conditions, or deny an application for a General Plan Amendment.

b. In making a decision to approve the proposed General Plan Amendment, the Planning Commission shall consider the facts presented at the public hearing and shall make the determinations contained in Section (I) of this Subchapter. The Planning Commission may consider recommending the amendment of only a portion of the land described in the application or amend all or a portion of the application to a more restrictive land use category.

c. Following the hearing, the Planning Commission shall make its decision to either recommend approval or denial of the application.

4. Notice of Planning Commission Decision. Following the date of its decision, the Planning Commission shall transmit a report of its recommendation to the City Council. The report shall recite, among other things, the facts and reasons which, in the opinion of the Commission, make the approval or denial of the Amendment necessary to carry out the provisions and general purposes of this Title. A copy of the report shall be mailed to the applicant, agent, or both, at the address(es) shown on the application filed with the Secretary of the Planning Commission. A copy of the report shall also be filed with the City Clerk,

acting as agent for the City Council.

G. Burden of Proof

The applicant bears the burden of proof to establish that the approval of a General Plan Amendment is warranted.

H. City Council Public Hearing and Action

1. **Notice and Hearing.** Subject to the provisions of Section 19.18.030(C)(7), the City Council shall consider a proposed General Plan Amendment and the recommendation of the Planning Commission thereon at the next available meeting following the receipt of the recommendation. The City Clerk shall mail written notice of the Council hearing, at least ten days before the hearing, to the property owners who were notified by mail of the Planning Commission hearing, or to the current owners of record in the case of properties whose ownership has changed in the interim.

2. **City Council Action**

   a. **Decision.** The City Council may approve or deny a proposed General Plan Amendment. In making a decision to approve the proposed General Plan Amendment, the City Council shall consider the recommendation of the Planning Commission and the facts presented at the public hearing. The City Council may amend all or a portion of the application to a more restrictive land use category.

   b. **Change to More Restrictive Category.** If at the Council hearing, the applicant proposes amending the application to a more restrictive land use category, the City Council has the option to refer the application back to the Planning Commission for consideration.

   c. **Significant Changes.** If the applicant proposes significant changes to the application during the hearing or if new information is presented that significantly changes the nature and scope of the application, the request should be referred back to the Planning Commission for consideration.

3. **Notice of City Council Decision.** Following the hearing on a proposed General Plan Amendment, the City Council shall reach a decision concerning the proposal. The decision shall include reasons for the decision and, if the decision is to approve the Amendment, any modifications that the Council may impose. Written notice of the decision shall be provided to the applicant, agent or both. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date that notice of the decision is filed with the City Clerk.

I. General Plan Amendment - Determinations

In order to approve a proposed General Plan Amendment, the Planning Commission and City Council must determine that:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations;

2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts;

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan designation; and

4. The proposed amendment conforms to other applicable adopted plans and policies.

J. Certain Minor Amendments

Notwithstanding any other provision of this Section, the City Council, upon appropriate noticing and public hearing, may amend the General Plan, or any part thereof, without action by the Planning Commission and without limitation as to frequency, in order to:

1. Change a boundary that is based on a geographical feature, including , without limitation, topography, slops, hydrographic features, wetland delineation and floodplains, when evidence is produced that the mapped location of the geographical feature is in error;

2. Reflect the alteration of the name of a jurisdiction, agency, department or district by the governing body, governing board or other governing authority of the jurisdiction, agency, department or district, as applicable, or by another entity authorized by law to make such alteration; or

3. Update statistical information that is based on a new or revised study.

19.16.040

PARCEL MAP

A. Purpose

The provisions of this Subchapter set forth the administrative and procedural requirements for the division of land by a parcel map. The parcel map process does not require Planning Commission or City Council action.

B. Applicability

Whenever a division of real property into four or fewer lots is proposed for purposes of sale, transfer or development the submittal, approval and recordation of a parcel map is required. Parcel maps shall be processed in accordance with the procedures and standards set forth in the remaining sections of this Subchapter.

C. Application -- Form and Copies

The owner of property to be divided by means of the parcel map process shall file with the Director an application on a form to be provided by the Department and made available to the public. The complete parcel map application submission shall be accompanied by a sufficient number of copies, as determined by the Director, of a twenty-four by thirty-two inch original of a parcel map drawing and shall contain the items set forth in Appendix A to this Title.

D. Application -- Review

Upon determining that a parcel map application is complete, the Director shall cause review of the application for a parcel map and obtain comments from other affected departments. This review shall be conducted within the time period specified by NRS Chapter 278.

E. Approval -- Determination

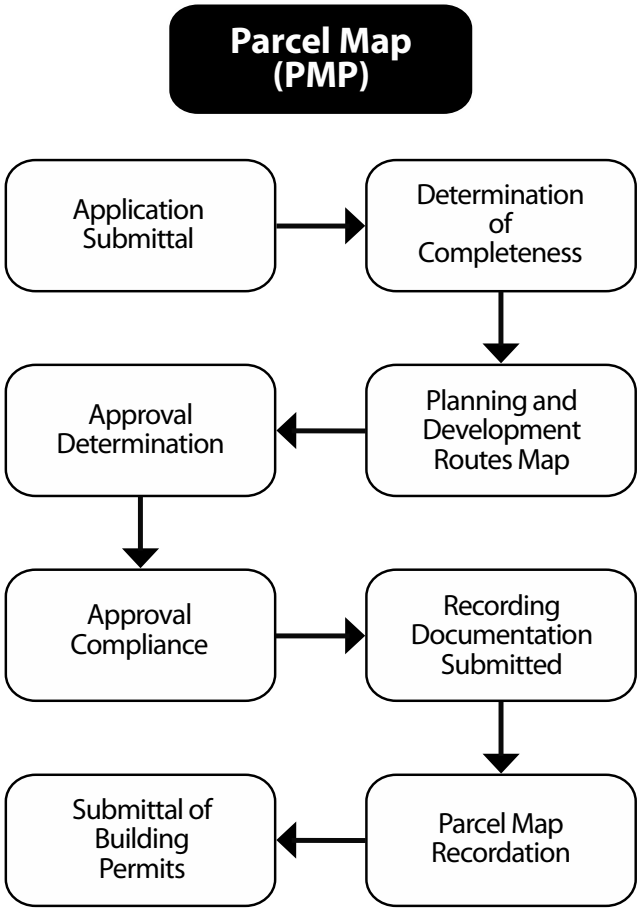
The Director, in conjunction with the Director of Public Works, shall determine whether or not a parcel map complies with this Subchapter. Upon determining, pursuant to this Subchapter, that all conditions and requirements have been met and that all appropriate certification signatures are complete, the Director and the Director of Public Works shall give final approval for the parcel map, sign the appropriate certifications, and release the parcel map for recordation.

F. Approval -- Compliance

Approval of a parcel map shall be contingent upon a determination that the map and the proposed development comply with applicable zoning regulations, the provisions of this Title and all requirements set forth in

Typical Review Process

Parcel Map 19.16.040



Sections (G) to (S), inclusive, of this Subchapter.

G. Water Supply Systems

Water supply systems shall be installed and maintained in accordance with City standards, Las Vegas Valley Water District standards, Clark County District Board of Health standards or State of Nevada standards, whichever are applicable. Approval of a parcel map does not in any manner ensure the adequacy or availability of future water supplies to service the proposed development.

H. Sanitary Sewer Collection and Disposal Systems

Sanitary sewer collection and disposal systems shall be required, installed and maintained in accordance with City standards. Unless septic systems are permitted by the Clark County Health District, connection to the public sanitary sewer system shall be required. If required improvements are deferred, a public improvements covenant which runs with the land shall be recorded which ensures future installation of any deferred improvements.

I. Public Street Access

All lots resulting from the division of land in accordance with the parcel map process shall have frontage on a public street or access to a public street via a private street or private drive. Public street dedications to ensure lot access or the continuity of necessary public streets adjacent to or through the parcel map site also may be required, as necessary, by the Department of Public Works.

J. Lots Less Than Two And One-Half Acres -- Access By Way of All-Weather Street Required

All lots resulting from the division of land in accordance with the parcel map process that are less than two and one-half acres in size shall have access by way of an all-weather street which meets the requirements of the Air Pollution Control Regulations of the Clark County District Board of Health. Proof of legal access to the parcel map site may be required to be submitted prior to approval of the parcel map.

K. Public Improvements

Except as otherwise specifically provided in this Section or in a development agreement, all public improvements adjacent to and, if proposed, interior to the parcel map site shall be fully installed, to current City standards, before the parcel map is released for recordation. The Director of Public Works is authorized to allow the installation of public improvements or any portion thereof to be delayed for any of the following reasons, but only if the applicant provides security, in accordance with Section (O), for the installation of all improvements so delayed prior to the release of the parcel map for recordation:

1. The parcel map will create large lots upon which no immediate development is intended;

2. The parcel map site is located more than six hundred sixty feet (one nominal block) from existing full or partial improvements;

3. The parcel map site is located in an area where partial or full public street improvements are not customary;

4. The parcel map site is located in an area where no street improvements currently exist and none have been obligated by means of a public improvements covenant, a covenant running with land agreement, a valid outstanding condition of approval for zoning or site development plan review, a budget appropriation or signed contract, or another similar document or evidence of commitment; or

5. Other extenuating site-related circumstances exist.

L. Dust Control Improvements

The applicant shall be responsible for the installation of all dust control improvements that may be required under applicable law, or the contribution of moneys in lieu of improvements, on all public streets adjacent to the parcel map site. Bonds will not be allowed in lieu of improvements for dust control improvements.

M. Private Street Improvements

Private streets shall be constructed to applicable City standards.

N. Flood Control Requirements

A parcel map site two gross acres or larger in size shall comply with the requirements of LVMC Title 20, relating to flood control. A parcel map site smaller than two acres gross may be required to meet such requirements if the site is determined by the Department of Public Works to be in an area of known flooding or if the site is in an area of unknown flood potential.

O. Completion of Dedication and Required Improvements

Prior to or concurrent with the release of the parcel map for recordation, all dedications and required improve-

ments shall be completed, unless additional time has been granted pursuant to Section (K) for the installation of improvements, and security for their installation has been provided. The installation of improvements shall be secured by means of a recorded covenant running with land agreement or as otherwise provided under Chapter 19.02.

P. Memorandum of Oaths and Certificate of Surveyor

The parcel map shall include the memorandum of oaths described in NRS 625.320 and the certificate of the surveyor required pursuant to NRS 278.375.

Q. Recording -- Documentation Requirements

A parcel map presented for recording shall include the following items:

1. A report from a title company which lists the names of each owner of record of the land to be divided and each holder of record of a security interest in the land to be divided, if the security interest was created by a mortgage or a deed of trust. The report must be updated as necessary so that it is current within seven days of the date the map is released for recording;

2. The written consent of each holder of record of a security interest described in Subsection (1), consenting to the preparation and recordation of the parcel map. A holder of record may consent by signing the parcel map or a separate document that is filed with the parcel map and that declares his consent to the division of land;

3. Certificates that are in substantial compliance with Appendix E; and

4. All other information required by NRS Chapter 278.

R. Recordation

The parcel map shall be recorded within one year after the map has been approved by the City, or such approval shall become null and void. The approved parcel map and any covenants shall be filed and recorded with the County Recorder prior to the sale or transfer of land that is included within a parcel map. Immediately following recordation of the parcel map, the surveyor (or a designee) shall submit to the Director a reproducible copy of the recorded parcel map or a compatible digital format (or both, if required by the Director).

S. Issuance of Building Permit

No building permit shall be issued for any structure on property within a parcel map land division until:

1. The parcel map has been recorded with the County Recorder;

2. A reproducible copy of the recorded parcel map has been filed in accordance with Section (R);

3. All required public streets and easements, including access from public streets to the parcels, have been dedicated; and

4. Required street improvements have been constructed or their construction adequately secured or guaranteed.

T. Appeals

Any person aggrieved by a decision of the Director or the Director of Public Works to approve or deny a parcel map may appeal to the Planning Commission in writing within fifteen days after receiving written notice of the decision. All appeals of parcel map decisions shall be filed with the Director and be accompanied by a nonrefundable fee as set forth in the fee schedule. The Planning Commission shall hear the appeal within thirty days after the appeal is filed. If the appeal is denied, the applicant shall have seven days in which to file an appeal with the City Council. The City Council shall hear the appeal within thirty days after the appeal to the City Council is filed. All appeals granted by the Planning Commission shall be forwarded automatically to the City Council for final action.

CLV
WEB

19.16.050

TENTATIVE MAP

A. Purpose

The provisions of this Subchapter set forth the administrative and procedural requirements for the subdivision of land by means of a tentative map. The tentative map process requires Planning Commission review and action.

B. Applicability

Whenever a division of land is proposed that does not meet the criteria for a parcel map, the applicant shall file a tentative map of the proposed subdivision with the Secretary of the Planning Commission at the office of the Department. The preparation and submission of a tentative map shall be in compliance with the provisions of NRS Chapter 278 and any additional regulations contained in this Title.

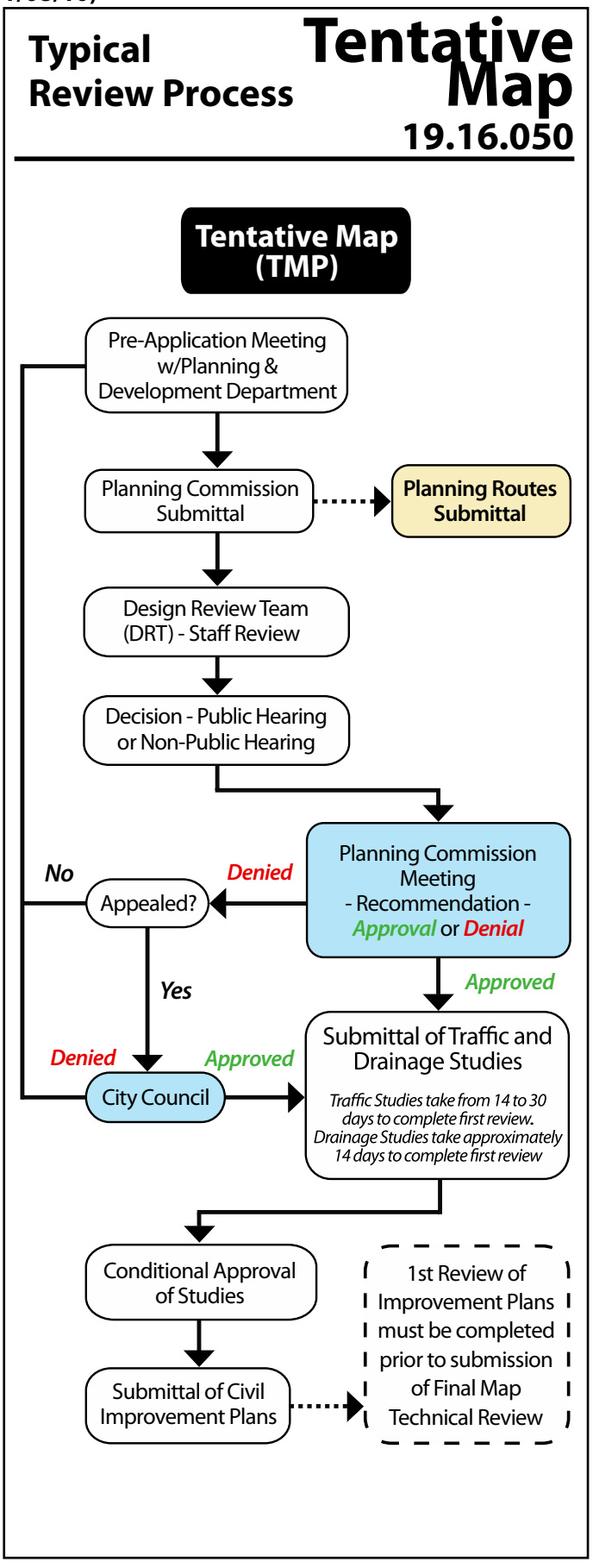
C. Conformance with Zoning Requirements

1. No application for a tentative map is eligible for approval unless it is determined that the proposed subdivision will be in conformance with all applicable zoning regulations, including all applicable provisions of this Title; the zoning classification of the site; and all zoning, master plan or site plan approvals for the site, including all applicable conditions that are in effect. If the proposed subdivision will not so conform, the Director is under no obligation to accept or process an application for a tentative map until the applicant has made any necessary application for rezoning or site development plan review, or both; the Planning Commission has made a recommendation in support of the zoning-related application(s); and a City Council hearing date has been set for the zoning-related application(s).

2. In cases where approval of a rezoning or a site development plan review by the City Council is necessary before a tentative map can be approved:

a. The Director shall withhold presentation of the tentative map to the Planning Commission until at least two weeks after the City Council's final approval of the rezoning or site development plan review application, or both; and

b. The Director may extend the time for reviewing the tentative map if the Council's rezoning or site development plan approval requires that additional issues be addressed or changes made before map approval can occur.



3. In cases where a rezoning is unnecessary and the Planning Commission is authorized to take final action on a site development plan review, the Director shall withhold presentation of the tentative map to the Planning Commission until at least two weeks after the Planning Commission has approved the application for site development plan review.

4. The Director's obligation to withhold action or ability to extend time under Subsection (2) is subject to the time limits referred to in NRS 278.350, as they may be extended by mutual consent. In addition, the Director's failure to comply with any obligation described in this Section shall not be deemed a violation subject to criminal or administrative action and shall not invalidate any action taken.

D. Procedure.

Tentative maps shall be processed in accordance with the procedures and standards set forth in the remaining sections of this Subchapter.

E. Pre-Application Conference Required

Before submitting an application for tentative map, the subdivider or a representative shall attend a pre-application conference with the Department to obtain the Department's assessment of the proposed tentative map and notice of any changes necessary to bring the application into conformance with City requirements.

F. Application -- Form -- Copies

A complete application for a tentative map shall be made to the Planning Commission on a separate application form to be provided by the Department. An application for a tentative map shall be accompanied by a sufficient number of copies, as determined by the Director, each twenty-four by thirty-six inches in size, of a tentative map drawing and contain the items set forth in Appendix B to this Title. The drawing shall be made at an engineer's scale and should be such that it will fill no less than seventy-five percent of the sheet. A scale of 1"=20' is preferred, with 1"=40', 1"=100' and 1"=200' the next most preferred scales. If the Director determines that the tentative map will not fit on a twenty-four by thirty-six inch drawing such that all pertinent information is clearly legible, the Director may approve the use of a larger map size that does not exceed thirty-six by forty-eight inches.

G. Application -- Determination of Completeness

The Director shall determine if the application is complete and includes all required data and information necessary to conduct a complete evaluation. Within five working days after submittal of a tentative map application, the Director shall:

1. Accept the application as complete and begin the review process, scheduling the map for consideration on the next available Planning Commission agenda; or

2. Provide written notice to the applicant specifying the deficiencies of the application. Such notice is sufficient if it has been delivered, mailed or faxed to the applicant. The Director shall take no further action on the application until the deficiencies are remedied.

H. Application -- Review

Upon determining that the tentative map application is complete, the Director shall cause review of the application and preparation of a staff report. The Director shall coordinate the review of the application by other departments and shall incorporate appropriate recommendations by those Departments into the staff report. The report shall be made available to the applicant, if possible, at least five days before the Planning Commission meeting for which the application is scheduled to be heard. The Director shall recommend any changes in the design of the proposed subdivision necessary to achieve the purposes of this Title.

I. Tentative Map Requirements

A tentative map shall indicate, without limitation:

1. Demonstration of compliance with the necessary traffic circulation and access requirements set forth in this Title, including those relating to streets, access points, driveways, and site visibility restriction zones, as well as compliance with Sections 19.04. xxx(x) and 19.04.xxx(x);

2. Demonstration, by means of preliminary drawings, of compliance with good traffic control practices and applicable standards and ordinances, as determined by the Traffic Engineer;

3. Demonstration of compliance with the requirements of the Title regarding residential parking, walls and landscaping; and

4. Any and all trails that are necessary to be provided in accordance with the City's Master Plan and ordinances.

J. Proposed Perimeter Grades

1. It is the intent of the City to minimize to the extent possible those instances in which grade changes result in large expanses of monotonous walls facing adjacent property or public streets. Type "B" and Type "C" drainage and cross-fall streets, while undesirable, may be allowed on a case-by-case basis as measures to mitigate large expanses of monotonous walls.

2. Each tentative map application must include, for all sites, a legible schematic cross section drawing which:

a. Has a minimum size of eleven inches by seventeen inches and a maximum size of twenty-four inches by thirty-six inches;

b. Has an exaggerated vertical scale, with labeled horizontal and vertical dimensions at the property lines;

c. Shows the maximum grade differentials;

d. Includes the existing and proposed condition elevations on the cross sections;

e. Includes cross sections that extend a minimum of one hundred feet beyond the limits of the project at each property line, showing the location and finish floor elevations of adjacent structures. Measurements shall be made from the centerline of adjacent streets, or from the property line where no street exists. The Planning and Development Department may require cross sections for up to one hundred feet beyond the property line or the centerline of an abutting street, whichever is greater; and

f. Includes cross sections, to scale, for maximum wall heights, typical wall heights and wall elevations.

3. When considering the tentative map application, the Planning Commission shall take into account the submitted plan of proposed project perimeter grades. Approval of the tentative map shall constitute approval of the associated plan of project perimeter grades.

4. If the final drainage and grading plan for the project changes an approved plan for project perimeter grades by more than two feet in either direction, as determined by the Director or by the Director of Public Works, the tentative map and a new project perimeter grade plan must be reviewed and approved by the Planning Commission as in the first instance. Nothing in this Subsection (4) affects the application of the maximum retaining wall height limitations contained in this Title.

K. Parks And Playgrounds In Lieu Of Residential Construction Tax

A subdivider who desires to construct parks or playgrounds in lieu of paying the residential construction tax described in LVMC Chapter 4.24 shall show such parks or playgrounds on the tentative map, demonstrating that the parks and playgrounds will conform to all applicable City standards, regulations, plans and policies regarding the construction of such facilities in lieu of paying the tax.

L. Forwarding Copy of Map

1. In connection with an application for tentative map that proposes to subdivide land within one mile of the boundary of an unincorporated area of the county, the City shall forward a copy of the proposed map to the Clark County Planning Commission or its designated representative, as required by NRS 278.345.

2. In connection with any application for tentative map, the City shall forward a copy of the proposed map to the Clark County School District and to any general improvement district in which the property is located, as required by NRS 278.346 and 278.347.

3. Comment and action by the agencies described in this Section concerning the proposed map shall be in accordance with and subject to the provisions of NRS 278.345 to 278.347, inclusive.

M. Planning Commission Review

The Planning Commission shall conduct its review and take action on the application for tentative map in accordance with NRS Chapter 278, and within the time frames set forth in NRS 278.349 and 278.350.

N. Revisions or Amendments to Tentative Map

In the event that Planning Commission approval of a tentative map is contingent upon significant revisions or amendments, the applicant shall submit to the Director four new prints of the revised tentative map incorporating such revisions or amendments before the submission of an application for final map.

O. Recordation Time Limits

1. If a final map is not approved and recorded within:

a. Two years following the date of approval of the tentative map;

b. One year following the date of approval of a previously-recorded final map covering a portion of the tentative map; or

c. One year following an extension of time granted pursuant to Section 19.16.050(G), the tentative map application and approval shall lapse and a new tentative map shall be required.

2. For a phased project, the first of a series of final maps covering a portion of the approved tentative map must be approved and recorded within two years following the date of approval of the tentative map. Subsequent final maps must be approved and recorded within one year following the date of the approval of the previously recorded final map, unless an extension is granted pursuant to Section 19.16.050(G), or all further proceedings concerning the subdivision shall be terminated.

P. Recordation Extension of Time

By delegation, the Director, upon application, may grant a single one-year extension of time within which to present and record a final map or any one of a series of final maps covering a portion of the tentative map, except that no extension may be granted if a final map, or the first in a series of final maps, is not recorded within two years following the date of approval of the tentative map. In order to qualify for an extension of time under this Section, application therefore must be made prior to expiration of the approval.

Q. Appeals

Any person aggrieved by the final action of the Planning Commission with respect to a tentative map may appeal that action, in writing, to the City Council within seven days after receiving written notice of the decision. All appeals shall be filed with the Director and be accompanied by a nonrefundable fee as set forth in the fee schedule. The City Council shall hear the appeal within thirty days after the appeal is filed.

19.16.060

FINAL MAP

A. Purpose of Provisions

The provisions of this Subchapter set forth the administrative and procedural requirements for the subdivision of land by a final map. The final map process requires review and action by the Director, the Director of Public Works, and, in some cases, the Planning Commission.

B. Required

A final map, prepared in accordance with the approved tentative map, or a series of final maps each covering a portion of an approved tentative map, shall be submitted in compliance with the provisions of NRS Chapter 278, Section 19.16.050 (O), and the additional regulations contained in this Title.

C. Application -- Fee

A final map application shall be submitted to the Department, along with the fee set forth in the fee schedule. The fee shall be nonrefundable. The application initially shall be processed under the final map technical review process described in this Chapter.

D. Application -- Form -- Copies

1. Application for a final map shall be made on a form established by the Director and made available to the public. The application must be accompanied by a sufficient number of copies, as determined by the Director, of a twenty-four by thirty-two inch original of the final map drawing. In order to be accepted for review under the final map technical review process, the final map application must:

a. Demonstrate compliance with Sections (N) to (U), inclusive, and Appendix C to this Title;

b. Include documentation from the Department of Public Works that:

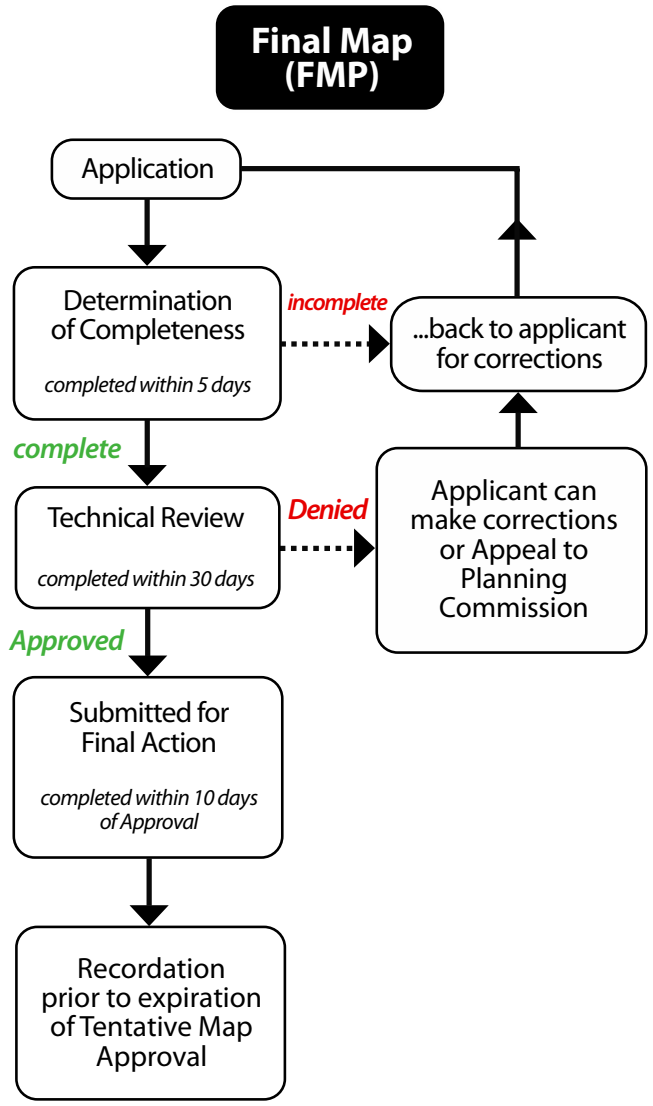
i. A drainage plan and technical drainage study is not required or that the required plan and study have been approved by the Department of Public Works; and

ii. A traffic impact analysis is not required or that the traffic impact analysis has been approved by the Department of Public Works.

2. In order to be deemed complete, the final map application must have been reviewed and approved

Typical Review Process

Final Map 19.16.060



in connection with the final map technical review process described in this Subchapter.

E. Application -- Determination of Completeness

1. The Director shall determine if the application is in proper form and includes all required data and information necessary to conduct the final map technical review in accordance with this Section. Within five working days after submittal of a final map application, the Director shall:

a. Accept the application as being in proper form and containing the necessary information, and begin the final map technical review process; or

b. Provide written notice to the applicant specifying the deficiencies of the application. Such notice is sufficient if it has been delivered, mailed or faxed to the applicant. The Director is under no obligation to take further action on the application until the deficiencies are remedied.

2. If the Director determines that the application is in proper form and contains the necessary information, the Director shall, within the review period, perform the final map technical review, which consists of determining whether the application conforms with the tentative map approved by the Planning Commission, the requirements of NRS Chapter 278, and the provisions of this Title. In connection with that determination, the Director may approve the final map technical review, deny it, or approve it subject to conditions designed to bring it into conformance.

3. Except as otherwise provided in Subsection (4), the review period described in Subsection (2) consists of the thirty-day period following the determination that a final map application is in proper form and contains the necessary information.

4. The review period:

a. Does not apply if the Director elects to refer the final map technical review to the Planning Commission to decide if there is compliance with the tentative map or a condition thereof;

b. Does not apply if the subdivider elects to have an adverse decision by the Director concerning the final map technical review considered by the Planning Commission to decide if there is compliance with the tentative map or a condition thereof; and

c. May be waived by the subdivider in order to allow the subdivider additional time to demonstrate that the final map technical review should be approved.

F. Application -- Approval or Denial

1. Upon approval of the final map technical review, the final map application and final map itself may be submitted for final action by the Director. The Director shall review the application and map for conformance with the final map technical review. Except as otherwise provided in Subsection (2), the Director, within ten days, shall either approve or deny the application and final map.

2. The ten-day period may be waived by the subdivider in order to allow the subdivider:

a. Additional time to demonstrate that the final map should be approved; or

b. As an alternative to denial of the final map by the Director, an opportunity to have the Planning Commission review or consider the final map.

G. Recordation -- Requirements and Conditions

After a final map has been approved, the applicant shall make those modifications necessary to ensure compliance with any conditions imposed by the Director or by the Planning Commission. The Director, together with the Director of Public Works, shall be responsible for determining compliance with all requirements before a final map may be released for recordation. Before signing the final map certificate, the Director must determine that all requirements and conditions have been met, including:

1. Submittal of a corrected final map, if appropriate;

2. Completion of all certification signatures in substantial conformance with Appendix E;

3. Dedication of all easements and rights-of-way approved for inclusion on the final map, and vacation of all existing easements and rights-of way not to be included on the final map;

4. Completion of all public improvements and common area improvements associated with the subdivision, as required by the City, unless the subdivider elects to enter into an agreement with the City to make such improvements pursuant to Chapter 19.02;

5. Approval of a phasing plan or development agreement, if required by Chapter 19.02;

6. Payment of all applicable inspection and developer fees and posting of all required bonds or documents of security;

7. Execution of all required agreements; and

8. Submittal of a one inch equals two hundred foot scale version of the final map drawing or a copy of such drawing in compatible digital format.

H. Traffic Studies or Drainage Studies -- Submission and Approval Required

For any subdivision concerning which traffic studies or drainage studies have been required in connection with zoning or other development approval, those studies must have been submitted and approved before the subdivider submits improvement plans pursuant to this Subchapter. The improvement plans must take into account and be based upon those approved studies.

I. On-Site and Off-Site Improvements Permits

Following approval of a final map, permits for the construction of on-site and off-site improvements may be granted:

1. Upon approval of the following plans, as applicable, by the Department of Public Works:

   a. All public and private street plans, including profiles;

   b. All sewer, storm drains and water plans, including profiles;

   c. All street lighting and traffic plans;

   d. All drainage plans;

   e. All parks plans; and

2. Upon approval by the Director of the plans for any common area improvements or private improvements, other than private streets, which have been required to be installed by the City in connection with development approval.

J. Recordation -- Title Company Report -- Consent of Holders of Record

A final map presented for recording shall include the following items:

1. A report from a title company which lists the names of each owner of record of the land to be divided and each holder of record of a security interest in the land to be divided, if the security interest was created by a mortgage or a deed of trust. If for a common-interest community, as defined in NRS 116.110323, said report shall show that there are no liens of record against the property or any part thereof for delinquent state, county, municipal, federal or local taxes or assessments collected as taxes or special assessments. The report must be updated as necessary so that it is current within seven days of the date the map is released for recording; and

2. The written consent of each holder of record of a security interest described in Subsection (1), consenting to the preparation and recordation of the final map. A holder of record may consent by signing the final map or a separate document that is filed with the final map and that declares his consent to the division of land.

K. Monuments

Monuments must be set before the final map is recorded unless the subdivider furnishes a performance bond or other suitable assurance to the City guaranteeing that the monuments will be set by a land surveyor on or before a date certain. Monumentation shall comply with the specifications set forth in Appendix D to this Title.

L. Recordation -- Time Limits

The provisions of NRS Chapter 278 and this Title shall govern the time within which a subdivider must record a final map or obtain any extension of time therefor. The subdivider shall be responsible for the timely filing of any extension request.

M. Plans and Specifications -- Documents and Information Required

Construction plans and specifications related to a final map shall be accompanied by or include the documents and information described in Sections (N) to (U), inclusive, of this Subchapter. Such plans and specifications shall be submitted to and approved by the Director of Public Works prior to start of construction of any improvements.

N. Plans and Specifications -- Plan Sheets

All subdivision construction plans and specifications shall be sealed by an engineer licensed in the State of

Nevada and shall comply with City standards. Any deviation from City standards must be noted on the plans. In order to obtain a deviation, the request for deviation must be included in a letter to the Director of Public Works which outlines each deviation and the reasons for requesting the deviation. Plans and specifications shall clearly indicate the distinction between existing and proposed improvements, and each plan sheet shall carry in the lower right-hand corner the name of the subdivision, the type of design shown on the plan, the name of the streets shown on the plan, the name of the engineer, the date, the sheet number and any other information deemed necessary by the Director of Public Works. Each plan sheet shall have a north arrow and indicate the scale used. Submitted plans shall be on original reproducible sheets, mylar preferred, with permanent ink, and shall be twenty four inches by thirty-six inches in dimension. A compatible digital format copy of the approved plans may be required by the Department of Public Works.

O. Submission of Street Plans, Profiles, and Plans for Public Alleys

1. The applicant shall submit street plans and profiles showing curve data, centerline and curb-lines with reference to back of curb, including radius, center angle, tangent and length of curve; curb type; street names; benchmarks; all valley gutters; ADA accommodations; and improvements relating to public transportation. Each profile view shall show the existing ground line prior to construction, percent grades of centerline and centerline elevations at all changes in vertical and horizontal alignment. Any documentation from the City Traffic Engineer that is required by Section 19.04.160 (C) shall be submitted with street plans and profiles.

2. The applicant shall submit plans showing any public alleys that are proposed to be dedicated and improved. Public alleys may be included within a subdivision only after consultation with, and approval for inclusion by, the Director of Public Works.

P. Street Lighting

Plans shall indicate the proposed location of each streetlight standard, including pole type and gauge; the number and type of luminaries per pole; luminaire wattage and lamp type; conductor quality, size and insulation type; all underground conduit locations, sizes and types; proposed service connection locations or, if approved prior to submittal, the connection point to an existing street lighting circuit. All equipment and locations shall be in conformance to City standards unless the City Council allows an exception. The installation of conforming lighting may be deferred if the deferral is approved by the City Council and the applicant executes a covenant running with land agreement to secure the installation.

Q. Drainage Patterns

The applicant shall submit sufficient information in the form of maps and profiles prepared by an engineer to indicate the proper drainage of surface water to natural drainage courses or into existing or proposed public drainage-ways. Any modifications to drainage patterns adjacent to the subject site shall also be noted on the plans. If drainage is proposed across lands used as private lots, the location, width and types of rights-of-way and easements shall be indicated on the final map.

R. Sanitary Sewer Collection System

The applicant shall submit sufficient plans and profiles to show all sanitary sewer collection system information necessary to determine compliance with City standards. Each plan view shall show lot lines; lot and block numbers; exact location of wastewater lines with reference to property lines; location of manholes and house laterals; street names; and benchmark elevations. Each profile view shall show the proposed finished grade above the pipe or, if no street construction is involved, existing ground line; top of manhole elevation; invert elevation; stationing and, if available, coordinates (NAD 83) of each manhole; size and type of pipe, percent of grade and distance between manholes.

S. Water Lines, Valves and Fire Hydrants

The applicant shall submit plans showing the exact size and location of all water lines, valves and fire hydrants.

T. Grading Plan

1. The applicant shall submit a grading plan showing:

a. North arrow and scale;

b. Benchmark (City datum);

c. Engineer's dated signature and seal;

d. Existing topography at one-foot contour intervals to extend one hundred feet beyond the tract limits measured from the centerline of adjacent roadways (with the exception that, where grades exceed ten percent, two-foot contour intervals may be used);

e. Property corners and spot elevations sufficient to show drainage patterns and all conforming

conditions;

f. Proposed pad and finished floor elevations;

g. Finished floor elevations of buildings within one hundred feet of the centerline of adjacent roadways or, where no adjacent roadway exists or is planned to exist, the exterior property line of the tract;

h. Proposed curb elevations at grade breaks, beginning and end of curve;

i. Direction of water flow and percent of grade of site;

j. Direction of water flow and percent of grade of existing and proposed drainage ways;

k. Direction of flow, percent of grade and other pertinent features for any off-site drainage improvements which are part of the project;

l. Details of proposed drainage facilities for the lots;

m. Details of all proposed drainage facilities including but not limited to storm drains, pipe sizes, inlets, manholes, valley gutters, swales, berms and easements;

n. Plan and profile drawings of drainage facilities in public rights-of-way or public drainage easements; and

o. Existing walls abutting the subdivision and proposed walls within or adjacent to the subdivision.

2. The grading plan must comply with the cross section drawing required to be submitted with the tentative map pursuant to Section 19.16.050(J). The plan shall be considered to be in substantial compliance if the grades are within two feet of the elevations shown on the cross section drawing and tentative map. If actual grading does not conform to the approved grading pan or the requirements of Section 19.16.050(J), the Director, or the Director of Public Works, may require the subdivider to re-grade the site or to appear before the Planning Commission for appropriate resolution.

3. The grading plan must comply with the approved drainage study on file as certified by an engineer, and the plan shall include a note indicating such certification.

U. Additional Data

The following data shall be submitted with the plans:

1. Excavation and fill (cubic yards);

2. AC paving and gravel base (square yards);

3. Curb and gutter (lineal feet);

4. Sidewalk (square feet);

5. Valley gutter (square feet);

6. Sewer mains, trunk lines, laterals and connections (size and lineal feet);

7. Manholes (each);

8. Street lighting (each);

9. Water mains (size and lineal feet), water services and number of fire hydrants;

10. Quantity takeoffs in tabular form for public drainage facilities; and

11. Sidewalk ramps (each).

V. Commencement of Construction and Installation Work Relating to Required Public Improvements

The applicant shall notify the Director of Public Works at least twenty-four hours in advance of the scheduled date and time that construction and installation work relating to required public improvements or private streets is to commence. If delays occur, the applicant shall notify the Director of Public Works not less than two hours prior to the rescheduled time.

W. Commercial Subdivisions -- Additional Requirements

In addition to the other provisions and requirements set forth in this Subchapter, a final map for a commercial subdivision shall comply with the following requirements prior to being released for recordation:

1. Within the C-1 Zoning District (or its equivalent), the Director of Public Works may require all parcels created through the commercial subdivision process to have perpetual unobstructed access to driveways servicing the overall subdivision site. For sites larger than ten acres in size, the requirement may be imposed only if the requirement has been recommended in an approved Traffic Impact Analysis. If the requirement is imposed, a note to that effect shall be included on the final map.

2. The on-site sewer system servicing the overall commercial subdivision shall be identified as one of the following types, with the appropriate wording to appear as a note on the final map:

a. A public sewer, with a minimum pipe diameter of eight inches, located within dedicated public sewer easements which are a minimum of twenty feet wide.

b. A common element of the commercial subdivision which is privately owned and which is maintained in accordance with covenants, conditions and restrictions that govern the subdivision.

c. A common element of the commercial subdivision which is privately owned and which is maintained in accordance with a joint use agreement applicable to the subdivision.

3. All subdivided parcels comprising the commercial subdivision shall provide perpetual inter-site common drainage rights across all existing and future parcel limits, and a note to this effect shall appear on the final map.

X. Appeals

Any person aggrieved by the final action of the Director with respect to a final map may appeal that action, in writing, to the Planning Commission within seven days after receiving written notice of the decision. All appeals shall be filed with the Director and be accompanied by a nonrefundable fee as set forth in the fee schedule. The Planning Commission shall hear the appeal within thirty days after the appeal is filed.

19.16.070

REVERSIONARY MAPS

A. Amendment of Plats - Generally

Any amendment of a recorded plat, parcel map or other record which changes or purports to change the physical location of any monument, property line or boundary line shall be subject to the requirements of NRS Chapter 278 regarding the amendment of plats.

B. Application -- Review -- Final Action

Any application to revert any final map, parcel map or other instrument to undivided acreage shall comply with the requirements of NRS Chapter 278 regarding the abandonment of maps or reversion of divided land to acreage. The application shall be filed with the Director, who shall be responsible for reviewing and acting upon the application.

C. Merging and Resubdivision Of Contiguous Parcels

In accordance with NRS 278.4925, the owner of two or more contiguous parcels may merge and resubdivide the land into new parcels or lots without reverting the preexisting parcels to acreage pursuant to NRS 278.490. The recording of the resubdivided parcels or lots on any map constitutes the merging of the preexisting parcels into a single parcel and then resubdivision into new parcels or lots. For any public street, easement or utility easement that will not remain in effect after the merger and resubdivision, a certificate must be attached to the parcel map or final map indicating that the Planning Commission or Director, as applicable, has determined that has been vacated or abandoned in accordance with NRS 278.480. If streets, easements and utility easements are to remain in effect after the merger and resubdivision, they shall be clearly delineated on the map.

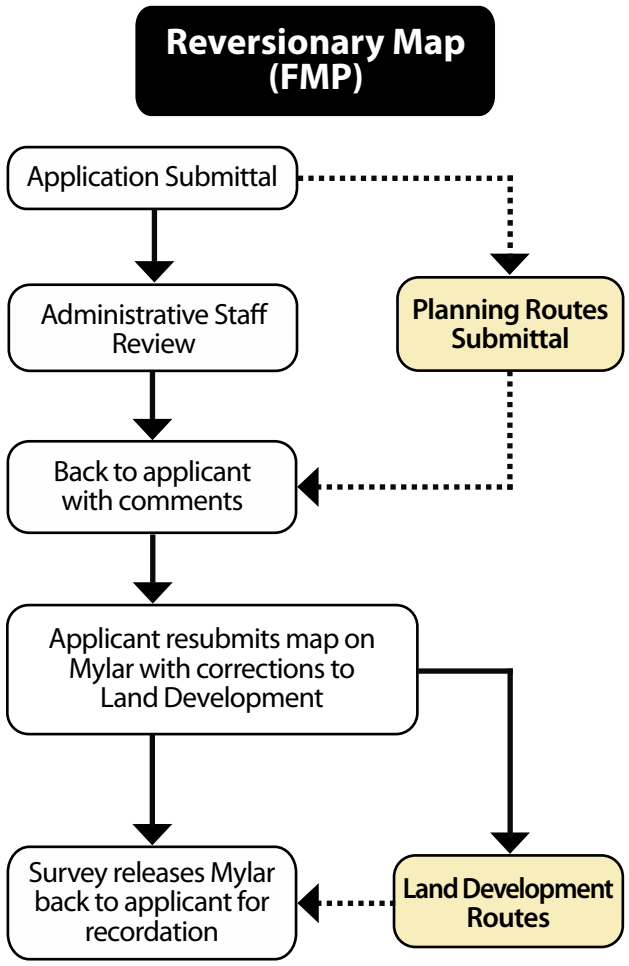
D. Final Map of Reversion – Preparation

The final map of reversion shall be prepared by a professional land surveyor licensed pursuant to NRS Chapter 625. The surveyor shall include in the required surveyor's certificate all the information required by NRS Chapter 278, including the representation that the map has been prepared from information on a recorded map or maps that are being reverted. The certificate:

1. May include a statement that the professional land surveyor assumes no responsibility for the existence of the monuments or for correctness of other information shown on or copied from the recorded document(s).

Typical Reversionary Review Process

Reversionary Maps 19.16.070



2. Shall include information which is sufficient to identify clearly the recorded map or maps being reverted.

E. Final Map of Reversion -- Legibility -- Copies

The final map of reversion shall be clearly and legibly drawn pursuant to the requirements of NRS Chapter 278. The application shall be accompanied by fourteen copies of a twenty-four by thirty-two inch original drawing which complies with the requirements of that chapter.

F. Application – Contents

The application for a map of reversion shall include:

1. A report from a title company which lists the names of each owner of record of the land and each holder of record of a security interest in the land, if the security interest was created by a mortgage or a deed of trust. The report must be updated as necessary so that it is current within seven days of the date the map is released for recording; and

2. The written consent of each holder of record of a security interest listed pursuant to the section above to the preparation and recordation of the map of reversion or abandonment. A holder of record of a security interest may consent by signing the map of reversion or abandonment or a separate document that is filed with the map of reversion or abandonment and declares his consent to the reversion or abandonment, provided the map contains a notation that a separate document has been recorded to this effect.

G. Certificate of Consent

A map of reversion or abandonment must include a certificate, signed and acknowledged pursuant to NRS 111.270, by each person who is an owner of the land, consenting to the preparation and recordation of the map for the purpose of reversion or abandonment.

H. Certificate of Planning Commission Approval

A map of reversion or abandonment presented to the county recorder for recording shall include a certificate by the Secretary of the Planning Commission stating that the Planning Commission approved the map.

I. Lien Deemed Not To Be An Interest In Land

For purposes of Sections (F) and (G) of this Subchapter, a lien for taxes or special assessment and a trust interest under a bond indenture shall be deemed not to be an interest in land.

J. Reversion of City-Owned Street or Easement

If a map of reversion or abandonment includes the reversion of any street or easement owned by the City or other governmental entity, the applicable provisions of NRS 278.480 shall be followed before approval of the map.

19.16.080

VACATIONS

A. Petitions -- Form – Contents

A public street or easement, or the City's interest in a government patent reservation, may be vacated upon the petition of at least one owner of property abutting the area proposed to be vacated, or upon the initiative of the City. In the case of a petition by an abutting property owner, two copies of a properly signed petition shall be filed with the Secretary of the Planning Commission on a form provided by the Department. The petition shall contain a written statement describing the area to be vacated and the reasons for the proposed request, and either a complete legal description from which the right-of way or other property proposed to be vacated may be plotted or a drawing acceptable to the Department showing an accurate representation of the proposed vacation.

B. Petitions – Sufficiency

A petition for vacation must be accompanied by a deed or other sufficient evidence of ownership. In the case of a City-initiated vacation, an appropriate written request shall be filed and processed as if it were a petition under this Subchapter.

C. Petitions -- Public Record

Upon receipt of a properly executed petition, the Secretary of the Planning Commission shall maintain said petition, together with all pertinent attachments and exhibits, in the permanent files of the Department as a public record.

D. Petitions -- Filing – When

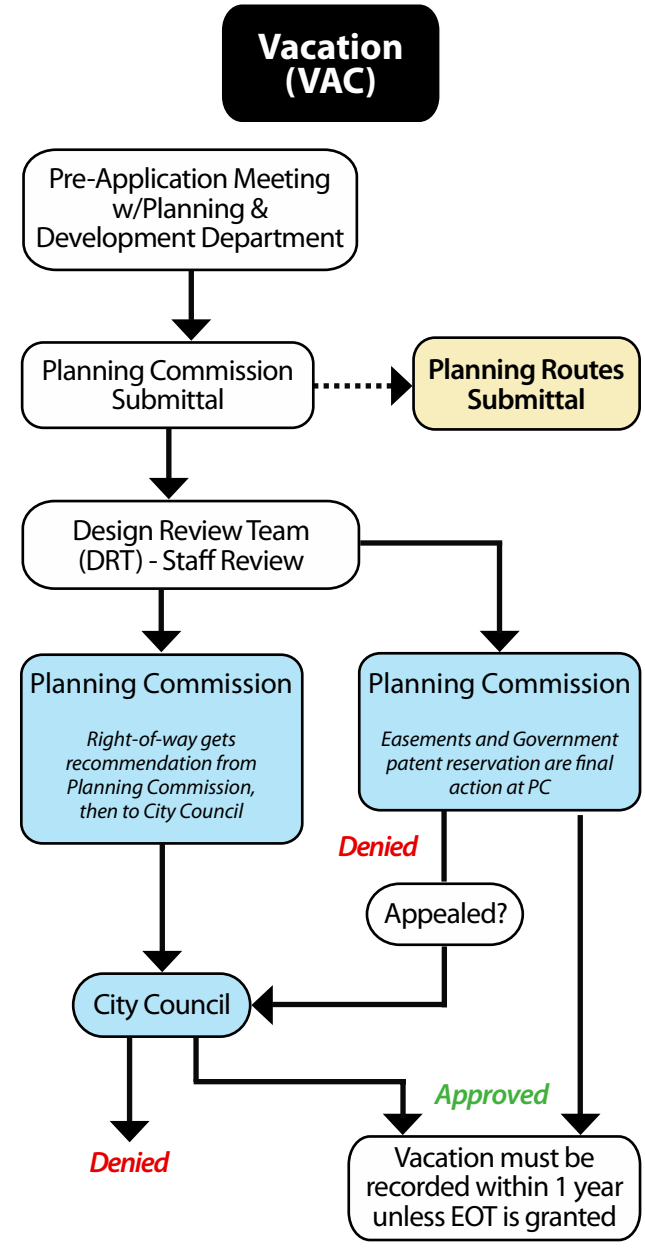
In order to provide sufficient time for the necessary investigation by the Planning Commission and its Secretary and agents, a petition for vacation must be filed with the Secretary of the Planning Commission a minimum of thirty days prior to the date of the meeting of the Planning Commission at which said petition for vacation is to be heard and considered.

E. Public Hearing, Notice And Order Of Vacation – Dedicated Right Of Way

1. In the case of a petition for the vacation of a dedicated right-of-way, the Planning Commission shall hold a public hearing on the petition for vacation. Thereafter, the Planning Commission shall make its finding regarding the petition by way of recommendation, and shall report that recommendation to the City Council.

Typical Review Process — Vacations

19.16.080



2. The City Council shall consider the recommendation at a public hearing. Not less than ten business days before the public hearing, notice of the hearing, setting forth the extent of the proposed vacation and setting the date of the hearing, shall be:

   a. Sent by mail, sufficient to meet the requirements of NRS 278.480, to each owner of property abutting the proposed vacation; and

   b. Published at least once in a newspaper of general circulation in the City.

3. If, following the public hearing, the City Council is satisfied what the public will not be materially injured by the proposed vacation, it may order the right-of-way vacated. The City Council may make the order conditional, and the order shall become effective only upon the fulfillment of the conditions prescribed.

F. Public Hearing, Notice and Order of Vacation – Easement or Government Patent Reservation

1. In the case of a petition for the vacation of an easement or government patent reservation, the Planning Commission shall hold a public hearing on the petition. Not less than ten business days before the public hearing, notice of the hearing, setting forth the extent of the proposed vacation and setting the date for the hearing, shall be:

   a. Sent by mail, sufficient to meet the requirements of NRS 278.480, to each owner of property abutting the proposed vacation; and

   b. Published at least once in a newspaper of general circulation in the City.

2. Following the public hearing, the Planning Commission shall take final action on the petition. If the Planning Commission is satisfied that the public will not be materially injured by the proposed vacation, it may order the easement or government patent reservation vacated. The Planning Commission may make the order conditional, and the order shall become effective only upon the fulfillment of the conditions prescribed. In the case of the a government patent reservation, the order may take the form of a relinquishment of interest or its equivalent, and the order shall be treated as an order of vacation under the provisions of this Chapter.

G. Continuation of Utility Easements

If a utility has an easement over any dedicated right-of-way which is vacated, the City Council shall provide in its order for the continuation of that easement. In the case of a vacation of the City's interest in a government patent reservation, easements for utilities will not be retained because they are not included within the City's interest and, therefore, are not affected by vacation of the City's interest.

H. Requirements to Be Met Prior to Recordation of Order

Following the approval of a vacation, all applicable City code requirements and design standards of all City departments must be met prior to recordation of the Order of Vacation.

I. Modification of Public Improvements

All public improvements adjacent to or in conflict with any proposed vacation shall be modified, as necessary, at the expense of the applicant or other responsible person, as required by the Department of Public Works. Approval of the vacation may be conditioned upon a requirement that existing public improvements and appurtenances with a potential salvage value be:

1. Removed in a manner designed to protect that value; and

2. Delivered to a City facility for reuse, as directed by the Department of Public Works.

J. Drainage Plan and Technical Drainage Study

Where determined necessary by the Department of Public Works, a drainage plan and technical drainage study shall be submitted by the applicant to and approved by that department prior to recordation of an order of vacation. All drainage easements recommended within the approved drainage study shall be retained.

K. Signage

As and to the extent deemed necessary by the Department of Public Works, the applicant or other responsible person shall install appropriate signage to clearly state that the area vacated is private property and shall construct appropriate off-site improvements or erect barricades to block through traffic movements.

L. Removal of Streetlights

All public streetlights located within the vacation area shall be removed and delivered to the City Electrical Yard by the applicant or other responsible person, as required by the Department of Public Works. The applicant or other responsible person shall pay all costs associated with the rerouting of conduits and electrical circuits and any additional electrical service which is required to maintain the continuity of surrounding streetlights.

M. Dedication of Radius Corners

Where needed to provide proper transition of right-of-way, the applicant or other responsible person shall dedicate radius corners as required by the Department of Public Works prior to recordation of an order of vacation.

N. Order Not Recorded Until All Requirements Met – Exception

An order of vacation shall not be recorded until all the requirements imposed on the vacation have been met, except that any requirement may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with Section 19.02.140((D).

O. Time Limitation on Recordation

If the order of vacation is not recorded within one year after approval by the City Council or within such additional time as may be granted by the Director, approval of the vacation terminates and a new petition must be submitted.

19.16.090

REZONING

A. Purpose

The purpose of this subchapter is to set forth the procedures by which the Planning Commission and City Council will periodically review and amend the Official Zoning Map Atlas of the City to ensure that it meets the goals and objectives of the General Plan and related land use policies and plans.

B. Authority

Whenever public necessity, safety and general welfare may require, the City Council may, upon recommendation by the Planning Commission, rezone any parcel or area of land within the City from one zoning district to another when the rezoning will conform to the General Plan and the requirements of Section K of this subchapter.

C. General Plan Amendment

If a proposed rezoning will not conform as to use or density, the application may not be approved unless the General Plan is amended first to accommodate the proposed rezoning. The applicant may submit an application to amend the General Plan and an application for rezoning at the same time, and the applications may be heard concurrently.

D. Minimum Site Requirements

Property which is proposed to be rezoned to the following zoning districts must meet the minimum criteria denoted below in order to be considered for rezoning:

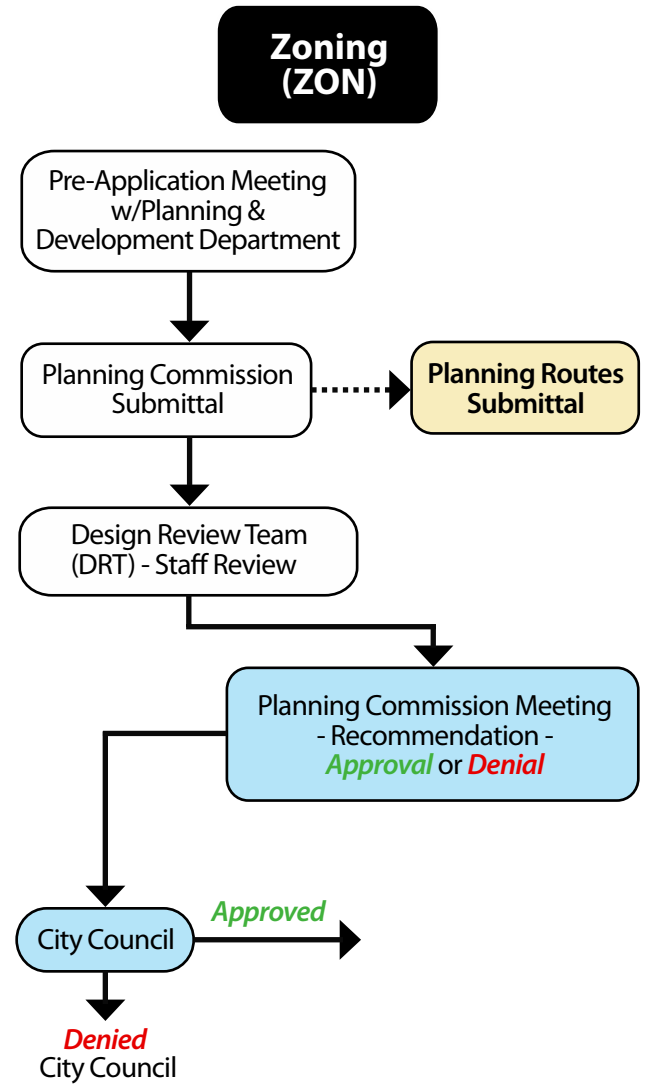
1. **P-C District.** Minimum site area of three thousand acres.
2. **C-PB District.** Minimum site area of twenty acres.
3. **PD District.** Minimum site area of five acres.

E. Application - General

1. **Application Form.** An application to rezone property shall be on a form provided by the Department. The application shall be signed, notarized and acknowledged by the owner of record of each parcel of property. The application shall be filed with the Secretary of the Planning Commission at the office of the Department.
2. **Initiation of Application.** An application for a rezoning may be initiated by the Department,

Typical Review Process **Rezoning**

19.16.090



Planning Commission or by the City Council, or by means of an application filed by the owner(s) of record of each parcel of property proposed for rezoning.

3. **Other Governmental Ownership.**

   a. **Application Requirements.** With respect to property which is owned by the State of Nevada or the United States of America, a rezoning application is sufficient if it is signed and acknowledged by a prospective purchaser of that property who has:

      i. Entered into a contract with the governmental entity to obtain ownership of the property;

      ii. Provided to the Department a letter from the governmental entity indicating that it consents to the filing of the application and agrees to be bound by the application; or

      iii. Provided to the Department a letter from the governmental entity indicating that it has no objection to the filing of the application.

   b. **Effect of Letter of No Objection.** In the case of an application that is supported by a letter of no objection under Subparagraph (a)(iii) of this Paragraph (3), the applicant shall acknowledge in writing by means of a form provided by the Department or in a form acceptable to the City Attorney, that:

      i. The processing of the application is done as an accommodation only;

      ii. The application, the results thereof, and any entitlements related thereto are dependent upon the applicant's obtaining an enforceable contractual interest in the property; and

      iii. The applicant assumes the risk of proceeding without any assurance that approval of the application will lead to an ability to implement the approval.

4. **Non-Property Owner.** A rezoning application is sufficient if it is signed and acknowledged by a lessee, a contract purchaser or an optionee of the property for which the rezoning is sought. However, interest in that property must exist in a written agreement with the owner of record, attached to which is a copy of the rezoning application and in which the owner of record has authorized the lessee, contract purchaser or optionee to sign the application. The agreement must further stipulate that the owner of record consents to the filing and processing of the application and agrees to be bound by the requested rezoning.

5. **Multiple Ownership.** In the case of multiple ownership of a parcel, only one of the owners of record shall be required to sign the application. A list of all other owners shall be provided with the application.

6. **Contiguous Land.** Except with respect to rezoning applications initiated by the Department, Planning Commission or the City Council, all of the land in the application shall be contiguous with at least one common point.

F. Application - Specific Requirements

1. **Pre-Application Conference.** Before submitting an application to rezone, the owner or authorized representative shall engage in a pre-application conference with the staff of the Department to discuss preliminary land planning, including land use relationships, density, transportation systems, infrastructure facilities and landscaping and open space provisions.

2. **R-PD District.** In connection with the pre-application conference, the owner or authorized representative shall submit a concept site development plan, which is subject to design review and approval by the Director to ensure compliance with this zoning classification. A site plan that conforms to the requirements of the design review and Subchapter 19.16.100 shall be submitted concurrently with any application for rezoning to an R-PD District.

3. **PD District.** A site development plan or concept plan, as required by Subchapter 19.10.040, shall be submitted concurrently with any application for rezoning to a PD District.

4. **P-C District.** A concept plan and other documentation specified in Section 19.10.030(E) shall be submitted concurrently with any application for rezoning to a P-C District.

G. Successive Applications

1. **Previously Denied Applications.** An application to rezone a parcel in which all or any part was the subject of a previous application for rezoning to

the same zoning classification, to a less restrictive classification or for the same use or one of a similar density which has been denied or which has been withdrawn subsequent to the noticing of a public hearing shall not be accepted until the following periods have elapsed between the date of the denial or withdrawal and the date of the meeting for which the proposed application would be scheduled in the ordinary course:

a. After the first denial or withdrawal - one year.

b. After the second or a subsequent denial or withdrawal - two years.

2. Previously Withdrawn Applications. An application for a Rezoning concerning all or any part of a previous application for a Special Use Permit or a Variance for the same use, a similar use or a less restrictive use which has been denied or which has been withdrawn subsequent to the noticing of a public hearing shall not be accepted until the time periods described in Subsection (1), above, have elapsed.

3. Applications Withdrawn Without Prejudice. The time periods described in Subsections (1) and (2) above, and that otherwise would become effective because of the withdrawal of an application, shall not become effective if, after consideration of the timing and circumstances of the withdrawal, the Planning Commission or the City Council specifically approves the withdrawal without prejudice.

H. Request for Abeyance

Any applicant who wishes to have an application held in abeyance following the notice and posting of the agenda of the Planning Commission or the City Council shall state good cause for the request. Good cause shall be more than mere inconvenience to the applicant or lack of preparation.

I. Planning Commission Public Hearing and Action

1. Hearing. The Planning Commission shall hold a public hearing when considering any application for rezoning of property.

2. Notice

a. Notice Provided. Notice of the time, place and purpose of the hearing must be given at least 10 days before the hearing by:

i. Publishing the notice in a newspaper of general circulation within the City;

ii. Mailing a copy of the notice to:

A) The applicant;

B) Each owner of real property located within a minimum of one thousand feet of the property described in the application;

C) Each tenant of any mobile home park that is located within on thousand feet of the property described in the application;

D) The owner of each of the thirty separately-owned parcels nearest to the property described in the application to the extent this notice does not duplicate the notice otherwise required by this Paragraph (2);

E) Any advisory board which has been established for the affected area by the City Council; and

F) The president or head of any registered local neighborhood organization whose organization boundaries are located within a minimum of one mile of the property described in the application.

b. Names Provided. The Department shall provide, at the request of the applicant, the name and address of any person notified pursuant to Subparagraph (F) above.

c. Additional Notice. The Department may give additional notice of the hearing by expanding the area of notification or using other means of notification or both. The Department shall endeavor to provide any additional notice at least 10 days before the date of the hearing.

d. Signs. Notification signs shall be posted in conformance with Section 19.16.010 (D).

3. Planning Commission Decision

Following the public hearing or hearings, the Planning Commission shall make its recommendations concerning the application for rezoning. The recommendation may be for approval, approval with conditions, or denial. In considering whether to recommend approval or

denial of an application, the Planning Commission may, when it appears necessary or expedient, consider the rezoning of only a portion of the land described in the application for rezoning, or it may recommend that all or a portion of the property be rezoned to a more restrictive classification.

4. Notice of Planning Commission Decision

Following the date of the Planning Commission decision, a report of its findings and decision shall be forwarded to the City Council. The report shall recite, among other things, the facts and reasons which, in the opinion of the Commission, make the approval or the denial of the rezoning necessary or appropriate to carry out the provisions and general purposes of this Title. Written notice of the decision shall be provided to the applicant, agent, or both.

J. Burden of Proof

The applicant bears the burden of proof to establish that the approval of the rezoning is warranted.

K. City Council Public Hearing and Action

1. Notice and Hearing. The City Council shall consider the proposed rezoning and the recommendation of the Planning Commission at the next available meeting following the receipt of the recommendation. The City Clerk shall mail written notice of the Council hearing, at least ten days before the hearing, to the property owners who were notified by mail of the Planning Commission hearing, or to the current owners of record in the case of properties whose ownership has changed in the interim.

2. City Council Decision

a. Decision. The City Council may approve, approve with conditions, or deny an application for a rezoning. In considering whether to approve or deny an application, the City Council may consider the rezoning of only a portion of the land described in the application for rezoning or amend all or a portion of the application to a more restrictive zoning classification.

b. Change to More Restrictive Zoning. If, at the public hearing, the applicant proposes amending the rezoning application to a more restrictive zoning classification, the City Council may act on the request or refer the application back to the Planning Commission for consideration.

c. Significant Changes to Application. If the applicant proposes significant changes to the application during the hearing, or if new information is presented that significantly changes the nature and scope of the application, the request should be referred back to the Planning Commission for consideration.

3. Notice of City Council Decision. Following the hearing on a proposed rezoning, the City Council shall reach a decision concerning the proposal. The decision shall include the reasons for the decision and, if the decision is to approve the rezoning, any modifications, conditions or limitations that the Council may impose. Written notice of the decision shall be provided to the applicant or his agent, or both. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date that notice of the decision is filed with the City Clerk.

L. Rezoning Determinations—Approval

In order to approve a proposed rezoning, the Planning Commission or City Council must determine that:

1. The proposal conforms to the General Plan.

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

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

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.

M. Rezoning Determinations—Denial or Limited Approval

In order to: (1) Deny a proposed rezoning which conforms to the General Plan as to use or is within the range of density allowable under the General Plan; or (2) Over the applicant's objection, approve the application for a lesser density or for a more restrictive zoning classification than requested, the Planning Commission or City Council must determine that the proposed rezoning is inconsistent with other elements of the General Plan or is incompatible with the surrounding development in the area.

N. Site Development Plan

The Planning Commission and the City Council may, as a part of an approval motion, reserve the right to review any subsequent Site Development Plan for the site.

O. Authorization to Proceed

Approval of a rezoning application by the City Council constitutes a declaration of intent to amend the Official Zoning Map Atlas of the City to reflect the zoning district approved for the property. Such approval authorizes the applicant to proceed with the process to develop and/or use the property in accordance with the development and design standards and procedures of all City departments and in conformance with all requirements and provisions of the City of Las Vegas Municipal Code.

P. Procedures Governing Rezoning Approvals Granted Before July 1, 2007

1. **Resolution of Intent.** Before the City Council adopts an ordinance to effectuate a rezoning, the Council may adopt a Resolution of Intent to reflect the Council's approval of the rezoning. Such a Resolution of Intent is binding upon the City Council in accordance with its terms and shall have a time limit not to exceed two years.

2. **Finalizing Rezoning by Ordinance.** The final step in the rezoning process, whether or not rezoning approval is by means of a Resolution of Intent, is the adoption of a rezoning ordinance in which the zoning classification of one or more parcels is formalized.

3. **Changes.** No substantial change may be made to a development or to the rezoning approval which authorized that development without the approval of the City Council. This approval requirement applies to the rezoned parcel both before and after the adoption of an ordinance rezoning that parcel.

4. **Termination of Rezoning Approvals Subject to a Resolution of Intent**

   a. **Approvals Not Subject to Time Limit.** If development does not occur in a timely manner or if conditions in the area change subsequent to the original approval of a rezoning that is not subject to a time limit, the City Council may schedule a hearing to reconsider the Resolution of Intent. At such time, the Council may rescind the Resolution of Intent or may change the conditions of approval. In addition, if such a rezoning approval no longer conforms to the use and density classification of the General Plan, the City may notify the property owner that the rezoning must be exercised within one year. Thereafter, the approval shall be treated as an approval subject to a time limit in accordance with Subparagraph (b) below.

   b. **Approvals Subject to Time Limit.** Except as otherwise provided in Paragraph (5) below, a rezoning approval which is not exercised within the time limit established for or by the Resolution of Intent shall be void.

   c. **Methods for Exercising Rezoning Approvals.** For purposes of this Paragraph (4), a rezoning approval is exercised as follows:

      i. For applications that require the creation of a residential subdivision, upon the recordation of a final subdivision map;

      ii. For applications that require the construction of one or more new structures, but do not require the creation of a residential subdivision map, upon the issuance of a building permit for the new construction;

      iii. For all other applications, upon the issuance of a certification of occupancy or approval of a final inspection, whichever is applicable.

5. **Extension of Time-General Requirements.** If the approval of a Resolution of Intent is subject to a time limit, the approval expires at the end of that time limit unless the City Council extends the approval period. Extension of an approval period may be granted only if:

   a. Application therefore is made prior to the expiration of the time limit;

   b. The applicant demonstrates good cause; and

   c. The applicant conforms to the additional requirements set forth in Paragraph 6 below.

6. **Extensions of Time-Additional Requirements.** If a time-limited zoning approval that is sought to be extended continues to conform to the use and density classifications of the General Plan, the applicant must demonstrate that the rezoning remains consistent with the surrounding area and the pattern of development in the area. If the rezoning sought to be extended no longer conforms to the use and density classifications of the General Plan, the extension of time, if granted,

shall be limited to a one-year period. If, within that period, the zoning approval is not exercised by means of the recordation of a final subdivision map or by the commencement of actual construction, the approval terminates.

Q. Procedures Governing Rezoning Approvals Granted On or After July 1, 2007

The approval of a rezoning application shall be formalized by the subsequent adoption of an ordinance in which the rezoning of one or more parcels is reflected. No substantial change may be made to a development or to the rezoning approval which authorized that development without the approval of the City Council.

19.16.100

SITE DEVELOPMENT PLAN

A. Purpose

The purpose of the Site Development Plan Review process is to ensure that each development:

1. Is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards and other regulations, plans and policies of the City;

2. Contributes to the long term attractiveness of the City;

3. Contributes to the economic vitality of the community by ensuring compatibility of development throughout the community; and

4. Contributes to the public safety, health and general welfare.

B. Applicability

1. **Site Development Plans Required.** Except as otherwise provided in this Section (B), a Site Development Plan is required for all development in the City.

2. **Exemptions.** Except where the City Council or Planning Commission has specifically reserved the right of review through a prior action, the following activities and improvements do not require a Site Development Plan Review:

   a. Single-family or duplex dwelling units, except as provided in Paragraph (3) below;

   b. Residential accessory buildings;

   c. On-site signs, walls and fences;

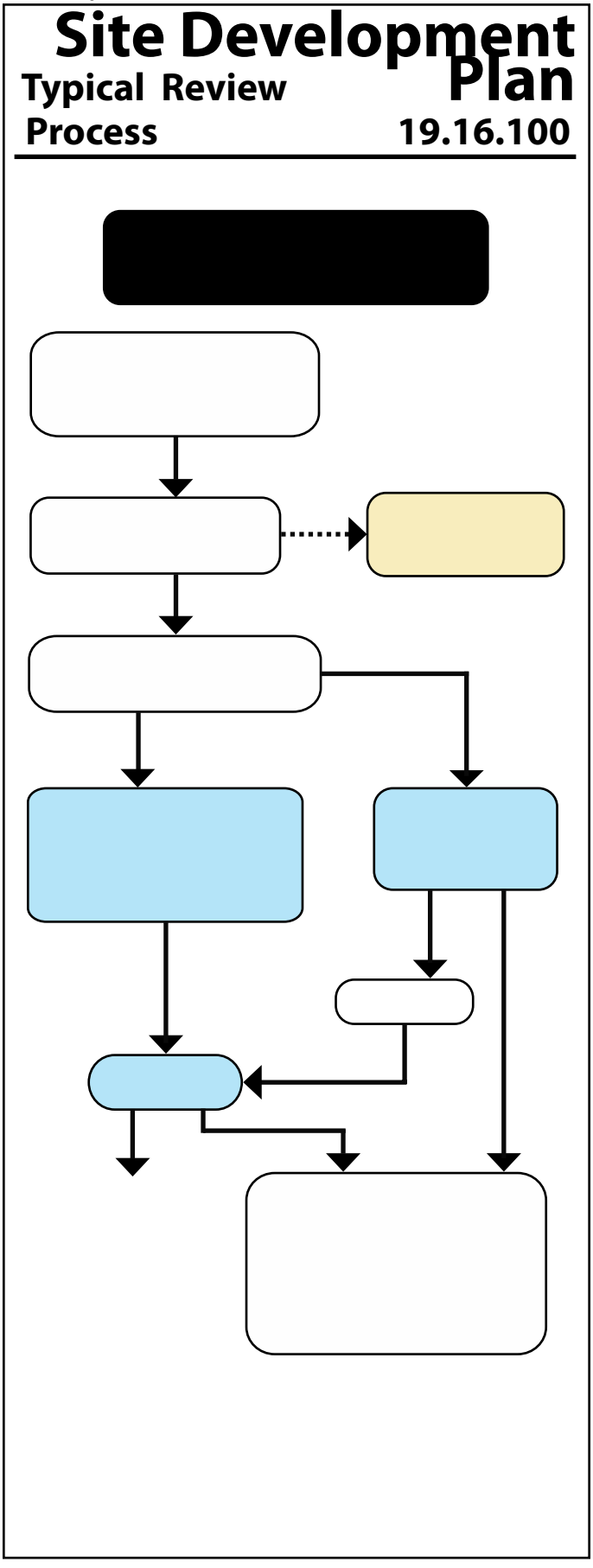
   d. Demolition of a structure;

   e. Sculptures, fountains and other similar improvements;

   f. Normal repairs and maintenance of an existing building or structure;

   g. Activities and improvements undertaken in conjunction with a Temporary Commercial Permit; and

   h. Alterations which do not affect the external



dimensions of an existing building or structure, unless the alterations are made to change the use or type of occupancy within part or all of the altered building or structure.

3. **Certain Conversions.** The conversion of any development from multi-family or apartment development to condominium status shall require a Site Development Plan Review.

C. Authority

1. The Director shall have the authority to:

   a. Determine whether an activity or improvement is exempt under Paragraph (2) of Subsection (B) of this Section;

   b. Determine whether a Site Development Plan will be subject to a major review or a minor review under this Section; and

   c. Approve or deny any Site Development Plan which requires a minor review; provided, however, that final approval authority shall rest with:

      i. The Planning Commission, if the Commission specifically has reserved the right, through prior action, to review and maintain approval authority of any Site Development Plan; or

      ii. The City Council, if the Council specifically has reserved the right, through prior action, to review and maintain approval authority of any Site Development Plan, or if a member of the City Council requests a review pursuant to this Section.

2. In approving a Site Development Plan, the Director, or if applicable, the Planning Commission or City Council, may impose conditions deemed necessary to ensure the orderly development of the site.

D. Design Standards

All required Site Development Plans shall meet or exceed the minimum standards established in this Title. In addition, the City may adopt policy documents as a resource for acceptable standards and design solutions. To the extent that such documents establish minimum requirements and standards and are formally adopted by the City Council, Site Development Plans must comply with those documents.

E. Criteria for Review of Site Development Plans

The review of Site Development Plans is intended to ensure that:

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

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

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

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

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

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

F. Minor Review of Site Development Plans

1. **Minor Review Decisions.** Site Development Plans requiring Minor Reviews may be approved administratively by the Director. Minor Reviews include without limitation:

   a. Alterations which affect the external dimensions of an existing building or structure that complies with all applicable requirements of this Title and with any previous conditions or discretionary approval.

   b. New commercial or industrial construction of five thousand square feet or less that complies with all applicable requirements of this Title.

   c. New residential construction consisting of no more than four dwelling units that complies with all applicable requirements of this Title and is not part of a sequential application for additional units.

2. **Minor Review Process.** A Minor Development Review is initiated by the submission of a Site Development Plan Review application or an application for a Building Permit. If submitted as part of a Building Permit application, issuance of the Building Permit shall constitute approval of the Minor Review and no further action is required.

3. **Review by City Council.** The administrative approval of a Site Development Plan pursuant to this Section (F) shall be final action unless, within 10 days following the approval, a member of the City Council files with the Director a written request for the Council to review the approval. In the event such a request is filed, the Site Development Plan shall be subject to the Major Development Review Process set forth in Subsection (G) of this Section.

G. Major Review of Site Development Plans

1. **Major Review.** A Major Review of a Site Development Plan is required if:

   a. The Planning Commission or City Council, through prior action, has determined that the proposed project or improvement shall be processed as a Major Review;

   b. The proposed development contains a building which is four stories or greater in height; or

   c. The Director determines that the proposed development could significantly impact the land uses on the site or on surrounding properties.

2. **Major Review Process**

   a. Application. A pre-application conference pursuant to LVMC 19.16.010(B)(3) is required prior to submitting an application for a Major Development Review. A Site Development Plan requiring a Major Development Review shall be filed with the Department. The application shall be signed and notorized:

      i. By the owner of the property, where the development is to be undertaken by the owner or the owner's authorized agent; or

      ii. By a prospective purchaser or the property, where the property is owned by the State of Nevada or the United States of America and the prospective purchaser has:

         A) Entered into a contract with the governmental entity to obtain ownership of the property;

         B) Provided to the Department a letter from the governmental entity indicating that it consents to the filing of the application and agrees to be bound by the application; or

      iii. Provided to the Department a letter from the governmental entity indicating that it has no objection to the filing of the application.

   In the case of an application that is supported by a letter of no objection under Subparagraph (a)(ii)(C) of this Paragraph (2), the applicant shall acknowledge in writing by means of a form provided by the Department or in a form acceptable to the City Attorney, that the processing of the application is done as an accommodation only; that the application, the results thereof, and any entitlements related thereto are dependent upon the applicant's obtaining an enforceable contractual interest in the property; and that the applicant assumes the risk of proceeding without any assurance that approval of the application will lead to an ability to implement the approval.

   b. Drawings and Plans Required.

      i. Plans describing the proposed development of the property shall be submitted as required by the Director. Complete working drawings are not necessary; however, proposed structures (including building elevations), streets, driveways and access points, sigh visibility restriction zones (as described in LVMC 19.04.180), on-site circulation and parking, walls, landscaping, building materials, dumpster locations and other improvements must be shown. Preliminary drawings must contain sufficient information to permit the determination of compliance with good planning practices, applicable standards and ordinances. Floor plans are not normally required.

      ii. For any proposed site development plan which would be expected to generate over 100 peak hour vehicle trips, a Traffic Impact Analysis shall be submitted. The estimated peak hour vehicle trips should be made in accordance with the most recent editions

of Trip Generation and Trip Generation Handbook, as published by the Institute if Transportation Engineers (ITE).

iii. For any development site where 20% or more of the aggregate site has a slope of natural grade above 4%, a cross section must be submitted. Each cross section must extend a minimum of 100 feet beyond the limits of the project at each property line, showing the location and finish floor elevations of adjacent structures; the maximum grade differentials; and the elevations of existing and proposed conditions.

c. Circulation to Departments. After an application has been determined complete, it shall be forwarded to interested City Departments for their respective comments, recommendations and requirements.

d. Planning Commission Notice and Hearing. After interested City Departments have had the opportunity for comment and the Department has conducted its review, each application for Major Review shall be presented to the Planning Commission. Notice of the time, place and purpose of the hearing must be given at least ten days before the hearing by:

i. Publishing the notice in a newspaper of general circulation within the City;

ii. Mailing a copy of the notice to:

A) The applicant;

B) Each owner of real property located within a minimum of one thousand feet of the property described in the application;

C) Each tenant of any mobile home park that is located within one thousand feet of the property described in the application;

D) The owner of each of the thirty separately-owner parcels nearest to the property described in the application to the extent this notice does not duplicate the notice otherwise required by this Paragraph (d);

E) Any advisory board which has been established for the affected area by the City Council; and

F) The president or head of any registered local neighborhood organization whose organization boundaries are located within a minimum of one mile of the property described in the application.

e. Planning Commission Decision. In making its final decision, the Planning Commission shall consider the recommendation of the City Departments, the evidence presented at the hearing and the criteria set forth in Section (F) of this subchapter. The Planning Commission may approve, approve with conditions, or deny an application for a Major Review. All actions by the Planning Commission are final unless:

i. An appeal is filed by the applicant in accordance with Paragraph (f) below;

ii. Otherwise required by prior action of the City Council; or

iii. In the case of Planning Commission approval, a member of the City Council files with the City Clerk, within 10 days following the approval, a written request for the Council to review the approval.

f. Appeal of Planning Commission Action. If the applicant is aggrieved by the Planning Commission's denial of an application, or by any condition imposed upon an approval, the applicant may appeal the decision to the City Council by written request. In the case of an approval, an appeal may be filed by any property owner within the area of notification for the Planning Commission hearing, as well as by anyone who appeared, either in person, through an authorized representative or in writing, before the Planning Commission regarding the application. Any appeal must be filed in the Office of the City Clerk within ten days after the Planning Commission's action. Pursuant to LVMC 19.16.010(C), the City Council my establish one or more fees to be paid in connection with the filing of an appeal under this Subparagraph (f), and the amount of any fee so established shall be as set forth in the Fee Schedule.

g. City Council Notice and Hearing. All Major Reviews requiring review by the City Council

shall be forwarded to the Office of the City Clerk and shall be placed on the next available City Council agenda for hearing. The City Clerk shall mail written notice of the Council hearing, at least ten days before the hearing, to the property owners who were notified by mail of the Planning Commission hearing, or to the current owners of record in case of properties whose ownership has changed in the interim.

h. City Council Decision. In making its final decision, the City Council shall consider the recommendation of the City Departments and the Planning Commission, the evidence presented at the hearing and the criteria set forth in Section (F) of this subchapter. The City Council may approve, approve with conditions, or deny an application for a Major Review. All actions by the City Council are final. Written notice of the decision shall be provided to the applicant, agent or both. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

H. Amendment to an Approved Site Development Plan

After a Site Development Plan has been approved, any request to amend the approved Plan shall be submitted to the Department. Upon receipt of an amendment request, the Director shall determine if the amendment is a minor or major change.

1. Minor Amendment. Minor relocation or reorientation of buildings, lot lines and/or easements, relocation of internal access and circulation; relocation or rearrangement of parking areas, reduction of established square footage and/or density limitations, and increase of landscape or building setbacks are considered minor amendments and may be approved administratively. However, the Director has no authority to approve any:

a. Alteration in the basic relationship of the proposed development to adjacent property;

b. Change necessitating a waiver or variance of development standards set forth in this Title;

c. Increase in the maximum density, floor area, or height by more than ten percent;

d. Material decrease in the amount of off-street parking, unless the amount of parking remains sufficient and conforms to the requirements of this Title;

e. Reduction in the minimum yards or setbacks by more than 10 percent;

f. Material change in the characteristics of the elevational drawings so as to alter the basic design quality and character of the proposed development; or

g. Other material change that is not necessitated by the minimum requirements adopted under the authority of Title 6, LVMC Chapter 20.10 or the Uniform Standard Drawings, as adopted by the City.

2. Major Amendment. Any amendment which does not quality as a Minor Amendment shall be deemed to be considered a Major Amendment and shall be processed in the same manner as a new Site Development Plan application.

I. Revocation or Modification

1. Notice. The authority responsible for the final approval of a Site Development Plan may hold a hearing to revoke or modify an approved Site Development Plan. In cases where the Director was the approval authority, the Director may issue a written notice of hearing concerning a possible revocation or modification of the Plan, or may refer the item to the Planning Commission. At least ten days prior to any hearing, written notice of the hearing shall be delivered to the owner, developer, or both. Notice may be delivered in person or by certified mail, return receipt requested, to the address shown in the records of the Clark County Assessor.

2. Grounds. A Site Development Plan approval may be revoked or modified by the reviewing authority for cause, including a finding of one or more of the following:

a. That the Site Development Plan approval was obtained by misrepresentation or fraud;

b. That the development is not in compliance with one or more of the conditions of approval;

c. That the development is in violation of any State or local law, ordinance or regulation.

3. Notice of Decision. Written notice of the decision shall be provided to the owner, developer or agent. A copy of the notice shall also be filed with the City

Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

J. Expiration

A Site Development Plan which is not exercised within the approval period shall be void, unless an extension of time is granted upon a showing of good cause. An extension of time may be granted only if application therefor is made prior to the expiration of the approval period. For purposes of this Subsection (J):

1. The "approval period" for a Site Development Plan is the time period specified in the approval, if one is specified, and is two years otherwise.

2. A Site Development Plan is exercised upon the issuance of a building permit for the principal structure on the site or, in the case of a residential subdivision, upon the recordation of a final subdivision map.

19.16.110

SPECIAL USE PERMIT

A. Purpose

The purpose of the subchapter is to establish a Special Use Permit process to ensure that a proposed use is conducted in a manner that is harmonious and compatible with uses located on the same or surrounding properties. The process recognizes that, within a given zoning district, certain uses may be appropriate and compatible in some locations but not in others. The Special Use Permit process allows a site-specific inquiry into the compatibility of a proposed use at a particular location, taking into account: the characteristics of the site and the surroundings; the relevant zoning and planning principles; and the input of the Planning Commission, City Council and other interested parties.

B. Authority

Except as otherwise provided in this Subsection (B). the Planning Commission shall have the authority to approve, approve with conditions, or deny an application for a Special Use Permit, and the decision of the Planning Commission is final. If the decision of the Planning Commission is appealed or forwarded to the City Council in accordance with this Section19.16.110, the City Council may affirm, modify or reverse the decision of the Planning Commission. The decision of the City Council is final for purposes of judicial review.

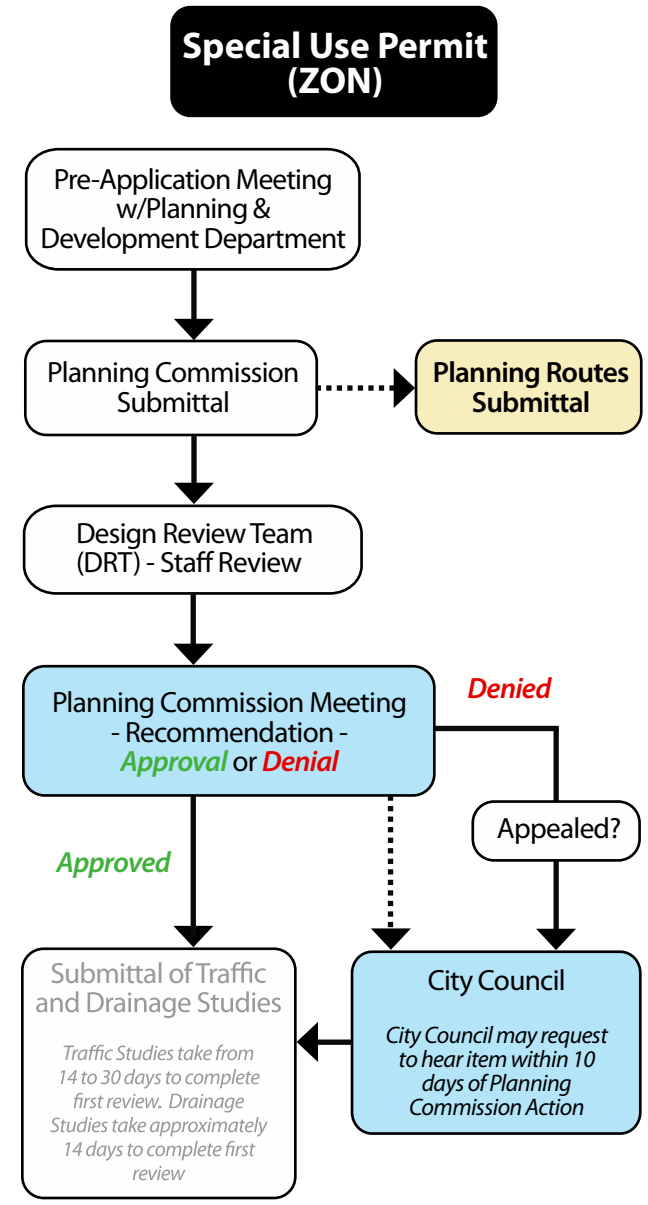
C. Application

A pre-application conference shall be required prior to the submittal of any application for a Special Use Permit. An application for a Special Use Permit shall be made on a form to be provided by the Department. The application shall be filed with the Secretary of the Planning Commission at the office of the Department. The application shall be signed, notarized and acknowledged by the record owner of the property for which the Special Use Permit is sought, provided however, that:

1. **Other Governmental Ownership.** With respect to property which is owned by the State of Nevada or the United States of America, a Special Use Permit application is sufficient if it is signed and acknowledged by a prospective purchaser of that property who has entered into a contract with the governmental entity to obtain ownership of the property;

2. **Non-Owner Applicant.** A Special Use Permit application is sufficient if it is signed and acknowledged by a lessee, a contract purchaser or an optionee of the property for which a Special Use

Typical Review Process — **Special Use Permit 19.16.110**



Permit is sought. However, interest in that property must exist in a written agreement with the owner of record attached to which is a copy of the Special Use Permit application and, in which, the owner of record has authorized the lessee, contract purchaser or optionee to sign the application. The agreement must further stipulate that the owner of record consents to the filing and processing of the application and agrees to honor and be bound by the requested Special Use Permit if it is approved and by any conditions of approval attached thereto.

3. **SUP for Gaming.** Applications for a Special Use Permit to allow gaming pursuant to the requirements of LVMC 6.40.140 (C) and LVMC 6.40.150 (E) may be signed and acknowledged by a lessee of the premises; provided however, that a lessee/applicant must provide copies of lease agreements to show that there are no prohibitions therein to conducting gaming operations on the leased premises. The application need only b accompanied by the applicable lease documents, the floor plan location of the slot machines and the requisite fee.

D. Successive Applications

1. **Previous SUP Application.** An application for a Special Use Permit, of which all or any part of a previous application for the same use, a similar use or a less restrictive use has been denied, or of which a previous application has been withdrawn subsequent to the noticing of a public hearing thereon, shall not be accepted until the following periods will have elapsed between the date of the denial or withdrawal and the date of the meeting for which the proposed application would be scheduled in the normal course:

   a. After the first denial or any withdrawal after public notice has been given – one year.

   b. After the second or subsequent denial or withdrawal after public notice has been given - two years.

2. **Previous Similar Application.** An application for a Special Use Permit concerning all or any part of a previous application for a Variance or Rezoning for the same use, a similar use or a less restrictive use which has been denied, or concerning a previous application which has been withdrawn subsequent to the noticing of a public hearing, shall not be accepted until the periods described in Subsection 1 have elapsed.

3. **Withdrawal Without Prejudice.** The time periods that are described in Subsections 1 and 2 above, and that otherwise would become effective because of the withdrawal of an application, shall not become effective if, after consideration of the timing and circumstances of the withdrawal, the Planning Commission or the City Council specifically approves the withdrawal without prejudice.

E. Required Drawings Plans and Other Submittals

1. **General.** A Site Development Plan and a floor plan of the site which is the subject of the Special Use Permit application shall be submitted concurrently with any application for a Special Use Permit. Guidelines for the preparation of the site plan, floor plans and building elevations are available in the Department. Complete working drawings are not necessary; however, proposed improvements, streets, landscape areas and similar items must be shown. Preliminary drawings must contain sufficient information to permit the determination of compliance with good planning practices, applicable standards and ordinances.

2. **Non-stealth Design Wireless Communication Facility.** In addition to the information required by Subsection (1) of this Section, the applicant for a Special Use Permit for a non-stealth design wireless communication facility shall provide the Department with the following:

   a. An inventory of all of the communication providers (or antenna tower owners if the providers are not yet known) for existing antenna towers that are within the City and within 1500 feet of the border thereof, including specific information about the location, height and design of each such tower. This information is required with the first Special Use Permit application, but may be waived (in conjunction with subsequent applications) at the discretion of the Director if the applicant provides a written statement indicating that no new antenna towers have been constructed since the initial application.

   b. A map of all existing communication towers, buildings, utility poles or other structures over 60 feet in height within 1000 feet of the proposed tower; and

   c. A photo simulation which identifies the potential visual impacts of the antenna tower, especially from public areas and residences. This requirement may be waived if the Director

determines that the visual impacts would be minimal.

d. Assurance that the antenna planned for the proposed antenna tower cannot be accommodated as a stealth design wireless communication facility, or on an existing or approved tower, building or other structure within 1000 feet of the proposed location based on the communications grid established or to be established by the communication provider(s). Reasons which may support a finding that a proposed antenna cannot be accommodated as a stealth design wireless communication facility, or on an existing or approved tower, building or other structure include:

i. That the Director has determined that co-location on an existing or approved tower, building or other structure would be unsightly;

ii. That the owner of the existing tower, building or structure is unwilling to agree to co-location or to provide adequate space on the property for the equipment necessary to support communication antennas;

iii. That the structural capacity for the antenna on the existing tower, building or other structure would be inadequate;

iv. That the new antenna would interfere with existing or other planned equipment on the existing or approved tower, building or other structure;

v. That the existing or approved towers, buildings or other structures in the area are not high enough support the antenna; and

vi. That it is commercially impracticable or technically unfeasible to locate on the existing tower, building or other structure for other reasons. To substantiate these reasons, the applicant shall submit satisfactory written evidence such as correspondence, agreements, contracts, etc., that alternative towers, buildings or other structures are not available for use in the area where the antenna is to be located.

e. In the case of the proposed tower greater than 60 feet in height, a description of the applicant's efforts to design for and accommodate facilities for other communication providers.

3. Amphitheater. In addition to the information required by Subsection (1) of this Section, the applicant for a Special Use Permit for an amphitheater shall provide the Department with 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 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.

F. Request for Abeyance

Any applicant who wishes to have an application held in abeyance following the notice and posting of the agenda of the Planning Commission or the City Council shall state good cause for the request. Good cause shall be more than mere inconvenience to the applicant or lack of preparation.

G. Planning Commission Public Hearing and Action

1. Hearing. The Planning Commission shall hold a public hearing on each application for a Special Use Permit within 65 days after the application is properly filed.

2. Notice

a. Notice Provided. Notice of the time, place and purpose of the hearing must be given at least

10 days before the hearing by:

i. Publishing the notice in a newspaper of general circulation within the City;

ii. Mailing a copy of the notice to:

A) The applicant;

B) Each owner of real property located within a minimum of one thousand feet of the property described in the application, or in the case of an application to authorize the sale of alcoholic beverages, a minimum of one thousand five hundred (1500) feet;

C) Each tenant of any mobile home park that is located within one thousand feet of the property described in the application, or in the case of an application to authorize the sale of alcoholic beverages, a minimum of one thousand five hundred (1500) feet;

D) The owner of each of the thirty separately-owned parcels nearest to the property described in the application to the extent this notice does not duplicate the notice otherwise required by this Paragraph 2;

E) Any advisory board which has been established for the affected area by the City Council; and

F) The president or head of any registered local neighborhood organization whose organization boundaries are located within a minimum of one mile of the property described in the application.

b. Names Provided. The Department shall provide at the request of the applicant, the name and address of any person notified pursuant to Subparagraph (F) above.

c. Additional Notice. The Department may give additional notice of the hearing by expanding the area of notification or using other means of notification or both. The Department shall endeavor to provide any additional notice at least ten days before the date of the hearing.

d. Signs. Notification signs shall be posted in conformance with 19.16.010 (D) and NRS Chapter 278.

3. Hearing. The Planning Commission shall conduct a public hearing on the application. In its discretion and for good cause, the Planning Commission may hold the application in abeyance for further study. However, subject to the provisions of State law, the Commission may not grant to an applicant more than two continuances on the same matter, unless the Commission determines, upon good cause shown, that the granting of additional continuances is warranted. Following the hearing or hearings, the Planning Commission shall approve, approve with conditions, or deny the application for a Special Use Permit. The decision shall be based upon the recommendation of City departments and other evidence that makes the grant or denial of the Special Use Permit appropriate under Subsection (L) of this Section.

4. Conditions of Approval. In connection with the approval of a Special Use Permit, the Planning Commission may impose any conditions, restrictions or limitations as the Commission may determine to be necessary to meet to the general purpose and intent of this Title and to ensure that the public health, safety and welfare are being maintained.

5. Notice of Planning Commission Decision. The Planning Commission shall provide written notice of its decision, which shall include the reasons for the decision,, and if the decision is to approve the Special Use Permit, any modifications, conditions or limitations that the Planning Commission may impose. The notice shall be provided to the owner, developer or agent. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

H. Precedents

The fact that a Special Use Permit for the same or similar use has been granted previously for the subject property or nearby property is a factor to be considered, but is not determinative.

I. Burden of Proof

The applicant bears the burden of proof to establish that the approval of a Special Use Permit is warranted.

J. Appeals and City Council Review

1. **Appeal and Requests for Review.** Except as otherwise provided in Paragraph (2) below, a decision by the Planning Commission becomes final and effective at the expiration of ten days after the date of the decision unless, within that period, a written appeal or written request to review is filed in the office of the City Clerk. An appeal may be filed by the applicant and, with respect to an approval, by any property owner within the area of notification for the Planning Commission hearing, as well as by anyone who appeared, either in person, through an authorized representative or in writing, before the Planning Commission regarding the application. Pursuant to LVMC 19.16.010(C), the City Council may establish one or more fees to be paid in connection with the filing of an appeal under this Subparagraph (f), and the amount of any fee so established shall be as set forth in the Fee Schedule. A request to review may be filed by a member of the City Council.

2. **Applications Automatically Forwarded to City Council.** Special Use Permit applications of the following types, whether approved or denied by the Planning Commission, shall be forwarded automatically to the City Council for final decision:

   a. A Special Use Permit application that is required to be heard by the City Council by virtue of prior Council action;

   b. A Special Use Permit application that is related to and was filed in connection with an application for any of the following:

      i. A General Plan Amendment;

      ii. A Rezoning; or

      iii. A Site Development Plan Review that, pursuant to Section 19.16.100(G) requires final action by the City Council.

K. City Council Public Hearing

1. **Notice and Hearing.** The City Council shall conduct a public hearing on all Special Use Permit applications which are appealed or are forwarded to the Council for final action. The City Clerk is authorized to consolidate all appeals or requests for review that have been filed regarding a particular application, or to schedule them in sequence or otherwise, in which case the City Council may hear the items separately or consolidate them for purposes of hearing, as the Council deems appropriate. The City Clerk shall mail written notice of the Council hearing, at least ten days before the hearing, to the property owners who were notified by mail of the Planning Commission hearing, or to the current owners of record in case of properties whose ownership has changed in the interim.

2. **City Council Decision.** In considering whether to affirm, modify or reverse the decision of the Planning Commission, the City Council shall consider the decision of the Planning Commission and the evidence presented at the public hearing, and shall be guided by the statement of purpose underlying the regulation of the improvement of land expressed in NRS 278.020. Action by the City Council is final for purposes of judicial review. In the case of an appeal, the City Council:

   a. May not grant to an aggrieved person more than two continuances on the same matter, unless the Council determines, upon good cause shown, that the granting of additional continuances is warranted; and

   b. Must render its decision within forty-five days, unless otherwise agreed to by the person filing the appeal.

3. **Notice of City Council Decision.** The City Council shall provide written notice of its decision, which shall include the reasons for the decision and if the decision is to approve the Special Use Permit, any modifications, conditions or limitations that the City Council may impose. The notice shall be provided to the owner, developer or agent. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

L. Special Use Permit - Determinations

1. In order to approve a proposed Special Use Permit application, the Planning Commission or City Council must determine that:

   a. The proposed 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;

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

   c. Street or highway facilities providing access to the property are or will be adequate in size to

meet the requirements of the proposed use; and

d. 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.

2. In order to approve a Special Use Permit application for a non-stealth design wireless communication facility, the Planning Commission or City Council must determine, based upon satisfactory evidence, that:

a. Within an area designated as a Historic Preservation District, the proposed facility has first been reviewed by the Historic Preservation Commission.

b. The antenna planned for the proposed facility cannot be accommodated as part of a stealth design communication facility, or on an existing or approved tower, building or other structure, within 1000 feet of the proposed location based on the communications grid established or to be established by the communication provider.

Reasons which may support such a determination include:

i. That the co-location on an existing or approved tower, building or other structure would be unsightly;

ii. That the owner of the existing tower, building or structure is unwilling to agree to co-location or to provide adequate space on the property for the equipment necessary to support communication antennas;

iii. That the structural capacity for the antenna on the existing tower, building or other structure would be inadequate;

iv. That the new antenna would interfere with existing or other planned equipment on the existing or approved tower, building or other structure;

v. That the existing or approved towers, buildings or other structures in the area are not high enough to support the antenna; and

vi. That it is commercially impracticable or technically unfeasible to locate on the existing tower, building or other structure for other reasons.

c. In the case of a proposed tower greater than 60 feet in height, the applicant has made satisfactory efforts to design for an accommodate facilities for other communication providers.

M. Amendments to an Approved Special Use Permit

Any request to amend or modify an approved Special Use Permit shall be submitted to the Department. Upon receipt of such a request, the Director shall determine if the request constitutes a minor amendment or a major amendment. Minor amendments may be approved administratively. A major amendment requires approval by the Planning Commission or City Council, whichever body took final action to approve the Special Use Permit. Minor and major amendments are categorized as follows:

1. Minor Amendments. An amendment qualifies as a minor amendment if it meets either of the following criteria and does not require the waiver of any minimum Special Use Permit requirement or the increase or expansion of such a waiver that was allowed previously:

a. A reduction or expansion of the use allowed by the Special Use Permit that represents less than fifty percent of the square footage of the original approval.

b. A relocation of the use on the same legal parcel as the original approval where any reduction or expansion of the use qualifies under Subparagraph (a) above.

2. Major Amendment. A major amendment includes any change which does not qualify as a minor amendment.

N. Premature Use of Property

The issuance of a building permit or business license for a use that requires a Special Use Permit, before Special Use Permit is approved, does not replace or otherwise affect the Special Use Permit requirement.

O. Revocation

1. Notice. A Special Use Permit may be revoked or modified by the Planning Commission or the City Council, whichever body took final action to

approve the Special Use Permit. Such action must be preceded by a hearing, written notice of which must be delivered to the owner, developer, or both at least ten days before the hearing. Notice may be delivered in person or by certified mail, return receipt requested, mailed to the address shown in the records of the Clark County Assessor.

2. **Findings.** A Special Use Permit may be revoked or modified for cause, including a finding of one or more of the following:

   a. That the Special Use Permit was obtained by misrepresentation or fraud;

   b. That conditions have changed and the use or development is no longer compatible with surrounding land uses or the General Plan;

   c. That the use or development is not in compliance with one or more of the conditions of approval;

   d. That the use permitted by the Special Use Permit is in violation of any statute, ordinance, law or regulation.

3. **Notice of Decision.** Written notice of a decision regarding the revocation or modification of a Special Use Permit shall be provided to the owner, developer or agent.

4. **Appeal.** In the case of a decision by the Planning Commission to revoke or modify a Special Use Permit that was approved as final action by the Commission, the appeal provisions of Subsection (J) and (K) of this Section shall apply.

P. Termination

1. **Expiration for Failure to Exercise**

   a. A Special Use Permit which cannot be exercised except upon construction of a new building, and which is not exercised within the approval period, shall be void, unless the applicant obtains an extension of time upon a showing of good cause. Application for an extension shall be made to the Planning Commission or City Council, whichever body took final action to approve the Special Use Permit. An extension of time may be granted only if application therefor is made prior to the expiration of the approval period. For purposes of the Subparagraph (a):

      i. The "approval period" for a Special Use Permit is the time period specified in the approval, if one is specified, and is two years otherwise.

      ii. A Special Use Permit is exercised upon the issuance of a building permit for the new construction.

   b. A Special Use Permit which does not require the construction of a new building in order to be exercised, and which is not exercised within the approval period shall be void, unless the applicant obtains an extension of time upon a showing of good cause. Application for an extention shall be made to the Planning Commission or City Council, whichever body took final action to approve the Special Use Permit. An extension of time may be granted only if application therefor is made prior to the expiration of the approval period. For purposes of the Subparagraph (b):

      i. The "approval period" for a Special Use Permit is the time period specified in the approval, if one is specified, and is two years, otherwise.

      ii. A Special Use Permit is exercised upon the approval of a business license to conduct the activity, if one is required, or otherwise, upon the issuance of a no-work certificate of occupancy (where no structural work is required) or the approval for tenant improvements.

2. **Cessation of Use.** A Special Use Permit shall be void without further action if:

   a. The Special Use Permit was issued for alcoholic beverage use and such use ceases for one hundred and eighty days or more, or twenty-four months or more if the building in which the use was being conducted has been damaged or partially destroyed by fire, flood, wind, another calamity or an act of God; or

   b. The Special Use Permit was issued for a use other than alcoholic beverage use and such use ceases for twelve months or more, or twenty-four months or more if the building in which the use was being conducted has been damaged or partially destroyed by fire, flood, wind, another calamity or an act of God.

19.16.120

ADMINISTRATIVE DEVIATION

A. Purpose

The purpose this subchapter is to establish a procedure (entitled an Administrative Deviation) to allow for minor adjustments of specific requirements of this Title where, because of special and unique conditions applicable to a specific lot or structure, the literal enforcement of the requirements as applied to the lot or structure would result in an unnecessary hardship. The Administrative Deviation procedure is available as an alternative to the Variance procedure, to be pursued at the option of the applicant. If an application for Administrative Deviation is denied, the Variance procedure must be followed in order for the applicant to obtain the relief sought.

B. Authority

The Director shall have the authority to grant an Administrative Deviation, in accordance with the provisions of this Subchapter, to allow a deviation of up to ten percent regarding the following:

1. Front, rear and side yard building setbacks;

2. Wall heights;

3. Accessory structure setbacks and heights;

4. Planting areas and materials; and

5. Loading and stacking spaces.

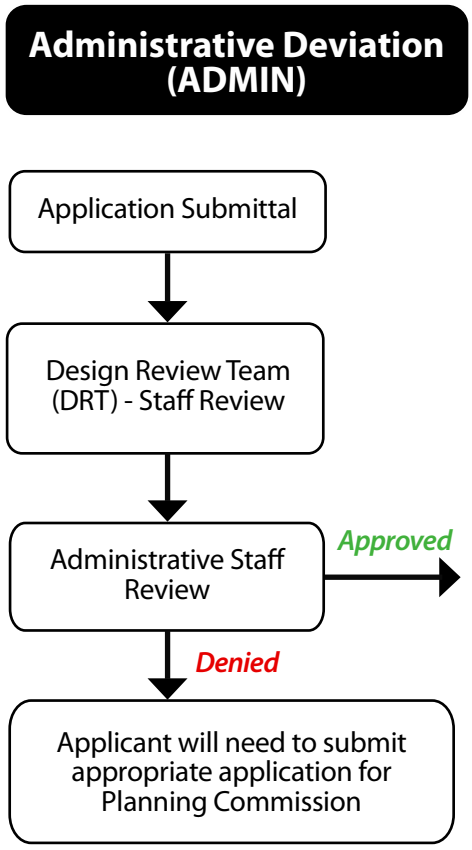
C. Eligibility to Apply

1. No application for an Administrative Deviation regarding a building setback may be submitted unless:

a. In the case of a required side or rear setback of ten feet or less, the requested deviation will not exceed ten percent of the required setback, and construction within the reduced setback will not extend more than 15 feet parallel to the property line from which the setback is measured;

b. In the case of required side or rear yard setback of greater than ten feet or a required front yard setback of greater than ten feet (exclusive of front-loading garages), the requested deviation will not exceed ten percent of the required setback, and construction within the reduced setback will not extend more than 15 feet parallel to the property line from which the

Administrative Deviation
Typical Review Process 19.16.120



setback is measured; and

c. The requested deviation is for a structure that will not exceed the greater of one story or 15 feet in height.

2. No application for an Administrative Deviation may be submitted regarding the height of an accessory structure unless the requested height does not exceed 1.2 times the height of the main dwelling and does not exceed the allowable building height for the zoning district in which the property is located.

D. Application

1. An application for an Administrative Deviation shall be made to the Director on a form provided by the Department. The application shall be filed with the office of the Department.

2. The application shall be signed, notarized and acknowledged by the record owner of the property for which the Administrative Deviation is sought.

E. Decision

Within 30 days after a complete application for Administrative Deviation has been filed and accepted, the Director shall make a decision to approve, approve with conditions or deny the application.

F. Administrative Deviation Determinations

In order to approve an Administrative Deviation, the Director must determine that:

1. The request does not exceed the prescribed limitations of Section (C);

2. Granting the Administrative Deviation will not be inconsistent with the spirit and intent of the General Plan;

3. The request is not intended to be combined with a previous or future Variance request in order to achieve a deviation that would not likely be granted by means of Variance alone; and

4. That one or more of the following conditions exist:

a. There are special circumstances applicable to the property, such as size, shape, topography, location or surroundings and that the strict application of the Code requirement deprives the property of privileges enjoyed by other property in the vicinity and under the identical land use district classification;

b. Granting the Administrative Deviation is necessary for the preservation and enjoyment of a substantial property right possessed by other property owners in the same vicinity and land use district and is denied to the property for which the Administrative Deviation is sought;

c. The Administrative Deviation will not be materially detrimental to the public health, safety, or general welfare, or injurious to the property or improvements in the vicinity and land use district in which the property is located; or

d. Granting the Administrative Deviation does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and land use district in which the property is located.

G. Conditions

In connection with the approval of an Administrative Deviation, the Director may impose any conditions, restrictions or limitations as the Director determines to be necessary to meet the general purpose and intent of this Title and to ensure that the public health, safety and general welfare are being maintained.

H. Notice of Decision

The Director shall provide written notice of his or her decision, which shall include the reasons for the decision and, if the decision is to approve the Administrative Deviation, any modifications, conditions or limitations that the Director may impose. The notice shall be provided to the owner or the owner's agent.

I. Precedents

The fact that an Administrative Deviation for the same or similar use has been granted previously for the subject property or nearby property is a factor to be considered, but is not determinative.

J. Burden of Proof

The applicant bears the burden of proof to establish that the approval of an Administrative Deviation is warranted.

K. Premature Use of Property

The issuance of a building permit or business license for

a development or structure that cannot be permitted without an Administrative Deviation, before an Administrative Deviation is approved, does not replace or otherwise affect the Administrative Deviation requirement.

L. Revocation

1. **Notice.** The Director may hold a hearing to revoke or modify an Administrative Deviation. At least 10 days prior to any hearing, written notice of the hearing shall be delivered to the owner or developer, or both. Notice may be delivered in person or certified mail, return receipt requested, mailed to the address shown in the records of the Clark County Assessor.

2. **Grounds.** An Administrative Deviation may be revoked or modified for cause, including a finding of one or more of the following:

   a. That the Administrative Deviation was obtained by misrepresentation or fraud;

   b. That the development or structure is not in compliance with one or more of the conditions of approval;

   c. That the development or structure permitted by the Administrative Deviation is in violation of any statute, ordinance, law or regulation.

3. **Notice of Decision.** Written notice of the decision shall be provided to the owner, developer or agent. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

19.16.130

WAIVER

A. Purpose

The purpose this subchapter is to establish a procedure to allow for modifications of specific requirements of this Title where, the applicant can show through convincing and substantial evidence that the modification will not compromise the objective of the City in safeguarding the interests of the citizens of the City, the proposal will substantially meet the intent of the standard, and the granting of the modification will not detrimentally affect the public health, safety or general welfare. The Waiver procedure may be granted in connection with the approval of a Site Development Plan Review or Special Use Permit, or as a stand-alone item. .

B. Authority

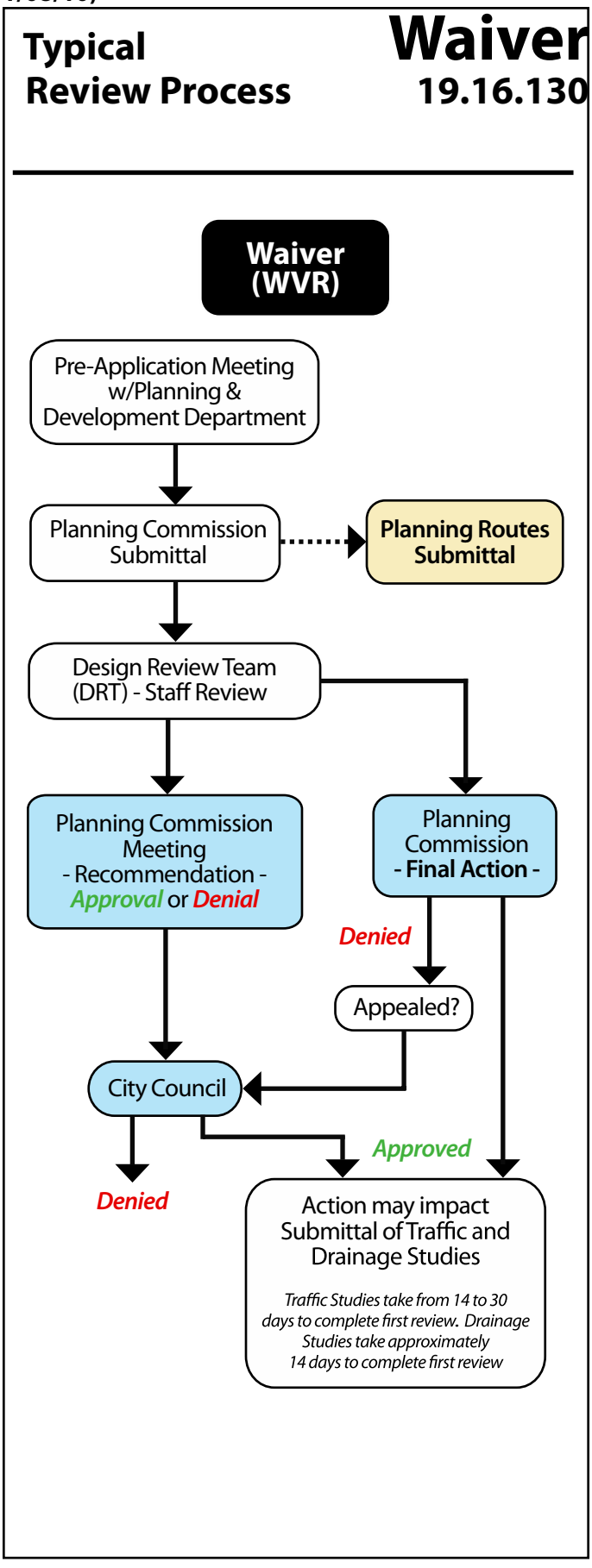
Except as otherwise provided in this subsection (B), the Planning Commission shall have the authority to approve, approve with conditions, or deny an application for a Waiver, and the decision of the Planning Commission is final. If the decision of the Planning Commission is appealed or forwarded to the City Council in accordance with this Section 19.16.XXX, the City Council may affirm, modify or reverse the decision of the Planning Commission. The decision of the City Council is final for purposes of judicial review.

C. Application

The applicant for a Waiver shall schedule and hold a pre-application conference with the Department prior to the submittal of an application. An application for a Waiver shall be filed with the Department in connection with a Site Development Plan Review or Special Use Permit, or as a stand-alone item on a form to be provided by the Department. If submitted in connection with a Site Development Plan Review or Special Use Permit, the Waiver should be requested by submitting a letter to the Director indicating the nature of the Waiver sought and stating why it should be granted. If submitted as a stand-alone item, the application shall be signed and acknowledged by the owner of record of the property for which the Waiver is sought, and shall be notarized as to the owner's signature. Waivers submitted in connection with a Special Use Permit shall follow the application requirements of Section 19.16.XXX(C).

D. Decision

The Planning Commission or City Council, as the case may be, may approve, approve with conditions or deny an application for Waiver. The decision is final, subject to the right of appeal available under State law.



E. Waiver Determinations

In order to approve an Administrative Deviation, the following shall be determined:

1. The request does not exceed the prescribed limitations of Section (C);

2. Granting the Waiver will not be inconsistent with the spirit and intent of the General Plan;

3. That one or more of the following conditions exist:

a. There are special circumstances applicable to the property, such as size, shape, topography, location or surroundings and that the strict application of the Code requirement deprives the property of privileges enjoyed by other property in the vicinity and under the identical land use district classification;

b. Granting the Waiver is necessary for the preservation and enjoyment of a substantial property right possessed by other property owners in the same vicinity and land use district and is denied to the property for which the Waiver is sought;

c. The Waiver will not be materially detrimental to the public health, safety, or general welfare, or injurious to the property or improvements in the vicinity and land use district in which the property is located; or

d. Granting the Waiver does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and land use district in which the property is located.

F. Notice of Decision

Written notice of the decision by the Planning Commission or City Council, as the case may be, including the reasons therefor, shall be provided to the applicant or agent. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

G. Precedents

The fact that a Waiver for the same or similar use has been granted previously for the subject property or nearby property is a factor to be considered, but is not determinative.

H. Burden of Proof

The applicant bears the burden of proof to establish that the approval of a Waiver is warranted.

I. Premature Use of Property

The issuance of a building permit or business license for a development or structure that cannot be permitted without a Waiver, before a Waiver is approved, does not replace or otherwise affect the Waiver requirement.

19.16.140

VARIANCE

A. Purpose

The purpose this subchapter is to establish a procedure to allow for an adjustment of certain specific requirements of this Title, as permitted by State law.

B. Scope and Limitations

Pursuant to NRS Chapter 278 and this subchapter, the Planning Commission and the City Council have the authority to act upon Variance applications as set forth in this subchapter and as they deem appropriate. Variance applications shall initially be heard by the Planning Commission. Where a Variance application is proposed in connection with another application to be heard by the Planning Commission, including an application for Special Use Permit, an application for Rezoning, or an Application for Site Development Plan Review, the Variance application shall be considered by the Planning Commission, as a separate application, in conjunction with the associated application. A Variance:

1. Is not available to permit a use in a zoning district in which the use is not allowed, or to vary any minimum spacing requirement between uses: and

2. Shall not be granted in order to relieve a hardship which is solely personal, self-created or financial in nature.

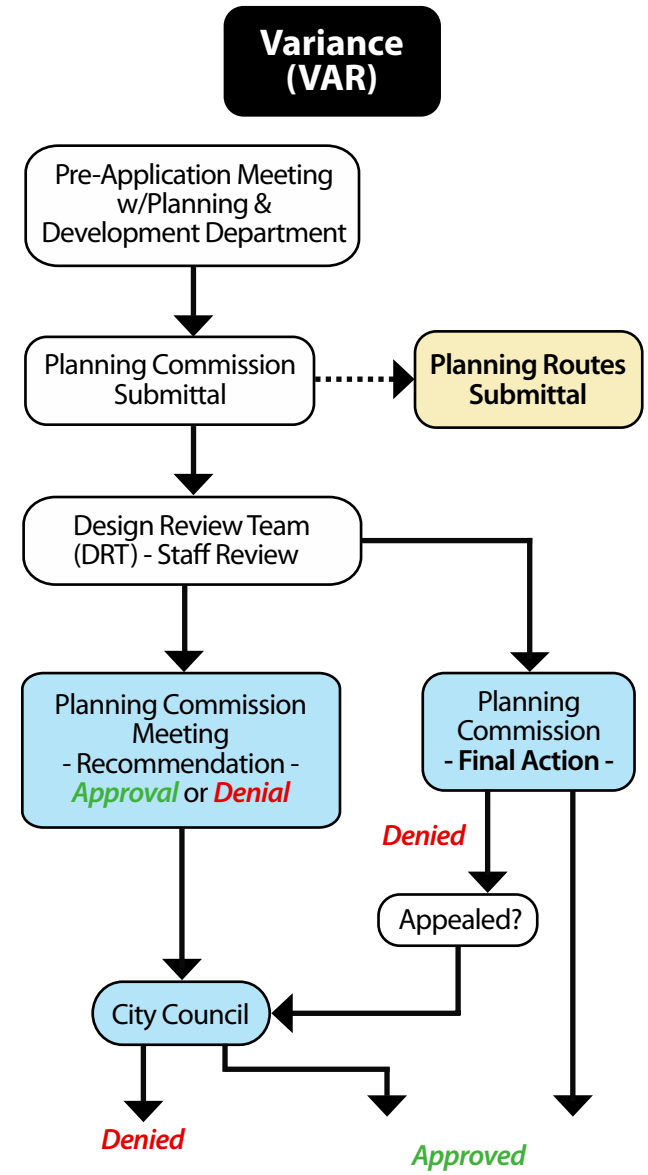
C. Application

An application for a Variance shall be made on a form provided by the Department. This application shall be filed at the office of the Department. The application shall be signed, notarized and acknowledged by the owner of record of the property for which the Variance is sought; provided however, that:

1. **Other Governmental Ownership.** With respect to property which is owned by the State of Nevada or the United States of America, a Variance application is sufficient if it is signed and acknowledged by a prospective purchaser of that property who has entered into a contract with the governmental entity to obtain ownership of the property;

2. **Non-Owner Applicant.** A Variance application is sufficient if it is signed and acknowledged by a lessee, a contract purchaser or an optionee of the property for which a Variance is sought. However, interest in that property must exist in a written agreement with the owner of record attached to which is a copy of the Variance application and

Typical Review Process — **Variance 19.16.140**



in which the owner of record has authorized the lessee, contract purchaser or optionee to sign the application. The agreement must further stipulate that the owner of record consents to the filing and processing of the application and agrees to honor and be bound by the requested Variance if it is approved and by any conditions of approval attached thereto.

D. Successive Applications

1. **Previous Variance Application.** An application for a Variance on property concerning all or any part of a previous application for the same use, a similar use or a less restrictive use which has been denied, or concerning a previous application which has been withdrawn subsequent to the noticing of a public hearing, shall not be accepted until the following periods will have elapsed between the date of the denial or withdrawal and the date of the meeting for which the proposed application would be scheduled in the normal course:

   a. After the first denial or any withdrawal after public notice has been given – one year.

   b. After the second or subsequent denial or withdrawal after public notice has been given - two years.

2. **Previous Similar Application.** An application for a Variance concerning all or any part of a previous application for a Special Use Permit or Rezoning for the same use, a similar use or a less restrictive use which has been denied, or concerning a previous application which has been withdrawn subsequent to the noticing of a public hearing, shall not be accepted until the periods described in this Subsection 1 have elapsed.

3. **Withdrawn Without Prejudice.** The time periods that are described in Subsection 1 and 2 above, and that otherwise would become effective because of the withdrawal of an application, shall not become effective if, after consideration of the timing and circumstances of the withdrawal, the Planning Commission or the City Council specifically approves the withdrawal without prejudice.

E. Request for Abeyance

An applicant who wishes to have an application held in abeyance following the notice and posting of a hearing before the Planning Commission or the City Council shall state good cause for the request. Good cause shall be more than mere inconvenience to the applicant or lack of preparation. The Planning Commission may not grant to an applicant, and the City Council may not grant to an aggrieved person, more than two continuances on the same matter, unless the Commission or Council determines, upon good cause shown, that the granting of additional continuances is warranted.

F. Drawings and Plans Required

Plans describing the proposed development of the property shall be submitted with the application. Guidelines for the preparation of the site development plan, floor plans and building elevations are available in the Department. Complete working drawings are not necessary; however, improvements, streets, landscape areas and similar items must be shown. Preliminary drawings must contain sufficient information to permit the determination of compliance with good planning practices, applicable standards and ordinances.

G. Public Hearing and Action

1. **Hearing.** The Planning Commission shall hold a public hearing upon each applicationfor a Variance within 65 days after the application is properly filed.

2. **Notice**

   a. Notice Provided. Notice of the time, place and purpose of the hearing must be given at least 10 days before the hearing by:

      i) Publishing the notice in a newspaper of general circulation within the City; and

      ii) Mailing a copy of the notice to:

         A) The applicant;

         B) Each owner of real property located within a minimum of one thousand feet of the property described in the application;

         C) Each tenant of any mobile home park that is located within one thousand feet of the property described in the application;

         D) The owner of each of the 30 separately-owned parcels nearest to the property described in the application to the extent this notice does not duplicate the notice otherwise required by this Paragraph (2);

E) Any advisory board which has been established for the affected area by the City Council; and

F) The president or head of any registered local neighborhood organization whose organization boundaries are located within a minimum of one mile of the property described in the application.

b. Names Provided. The Department shall provide, at the request of the applicant, the name, address and phone number of any person notified pursuant to Subparagraph (F) above.

c. Additional Notice. The Department may give additional notice of the hearing by expanding the area of notification or using other means of notification or both. The Department shall endeavor to provide any additional notice at least 10 days before the date of the hearing.

3. Hearing. The Planning Commission shall conduct a public hearing on the application. In its discretion and for good cause, the Planning Commission may hold the application in abeyance for further study. However, subject to the provisions of State law, the Commission may not grant to an applicant more than two continuances on the same matter, unless the Commission determines, upon good cause shown, that the granting of additional continuances is warranted. Following the hearing or hearings, the Planning Commission shall make a decision to approve, approve with conditions, or deny the Variance application. The decision shall be based upon evidence that makes the grant or denial of the Variance appropriate. The decision shall either be a final decision or a recommendation, as determined in accordance with Section 19.16.140(J).

4. Conditions of Approval or Recommendation. In approving or recommending the approval of a Variance, the Planning Commission may impose any conditions, restrictions or limitations as deemed necessary to meet the general purpose and intent of this Title and to ensure that the public health, safety and general welfare are being maintained.

5 Notice of Decision. The Planning Commission shall provide written notice of each decision on a Variance application, which shall include the reasons for the decision and, if the decision is to recommend approval of the Variance, any modifications, conditions or limitations that the Planning Commission may impose or recommend to be imposed in connection with the approval. The notice shall be provided to the owner, developer or agent.

H. Precedents

The fact that a Variance for the same or similar use has been granted previously for the subject property or nearby property is a factor to be considered, but is not determinative.

I. Burden of Proof

The applicant bears the burden of proof to establish that the approval of a Variance is warranted.

J. Appeals

1. Denials Generally. Except as otherwise provided in Subsection (3), a decision by the Planning Commission to deny a Variance application becomes final and effective at the expiration of 10 days after the date of the decision unless, within that period, the applicant appeals the decision by written request filed with the City Clerk. Pursuant to LVMC 19.16.010(C), City Council may establish a fee to be paid in connection with the filing of an appeal, and the amount of any fee so established shall be set forth in the fee schedule.

2. Approvals Generally. Except as otherwise provided in Paragraph (3), a decision by the Planning Commission to approve a Variance application becomes final and effective at the expiration of 10 days after the date of the decision unless, within that period, a member of the City Council requests that the item be reviewed by the Council, or an aggrieved person appeals the decision by written request filed with the City Clerk. For purposes of this Paragraph (2), an "aggrieved person" means any property owner within the area of notification for the Planning Commission hearing, as well as anyone who appeared, either in person, through an authorized representative or in writing, before the Planning Commission regarding the application. Pursuant to LVMC 19.16.010(C), the City Council may establish a fee to be paid in connection with the filing of an appeal, and the amount of any fee so established shall be as set forth in the fee schedule.

3. Automatic Review by City Council. With respect to any Variance application related to and filed in connection with an application for a General Plan Amendment; an application for rezoning; or an application for a Site Development Plan Review or Special Use Permit that requires final action by the City Council, the decision by the Planning

Commission, whether an approval or denial, constitutes a recommendation to the City Council, which shall make the final decision concerning that Variance application.

K. City Council Public Hearing and Action

1. **Notice and Hearing.** The City Council shall conduct a public hearing on any Variance application which is appealed or forwarded to the Council for final action. The City Clerk is authorized to consolidate all appeals or requests for review that have been filed regarding a particular application, or to schedule them in sequence or otherwise, in which case the City Council may hear the items separately or consolidate them for purposes of hearing, as the Council deems appropriate. The City Clerk shall mail written notice of the Council hearing, at least ten days before the hearing, to the property owners who were notified by mail of the Planning Commission hearing, or to the current owners of record in case of properties whose ownership has changed in the interim.

2. **Penalty.** If a structure which is the subject of a Variance application has been or is being constructed without a building permit and is in violation of any of the provisions of this Title, the City Council, in granting the Variance, may impose a penalty in an amount that does not exceed 10 percent of the value of the structure as determined in accordance with the City's Administrative Code.

3. **City Council Decision.** The City Council may review the Variance application de novo, and has the authority to reverse, modify, or confirm any action of the Planning Commission. In making a decision regarding a Variance application, the City Council shall consider the decision of the Planning Commission and the evidence presented at the public hearing and shall be guided by the statement of purpose underlying the regulation of the improvement of land expressed in NRS 278.020 Action by the City Council is final for purposes of judicial review. In the case of an appeal, the City Council:

   a. May not grant to an aggrieved person more than two continuances on the same matter, unless the Council determines, upon good cause shown, that the granting of additional continuances is warranted; and

   b. Must render its decision within forty-five days, unless otherwise agreed to by the person filing the appeal.

4. **Notice of City Council Decision.** The City Council shall provide written notice of its decision, which shall include the reasons for the decision and, if the decision is to approve the Variance, any modifications, conditions or limitations that the Council may impose. The notice shall be provided to the owner, developer or agent. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

L. Determinations

1. In order to recommend approval of, or to approve a Variance application, the Planning Commission or City Council must determine that the Variance is warranted both under State law and this subchapter. The minimum State law standards are set forth in Subsection 2 below.

2. Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the 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.

M. Premature Use of Property

The issuance of a building permit or business license for a development or structure that requires a Variance, before a Variance is approved, does not replace or otherwise affect the Variance requirement.

N. Revocation

1. **Notice.** A Variance may be revoked or modified by the Planning Commission or the City Council, whichever body took final action to approve the Variance. Such action must be preceded by a hearing, written notice of which must be delivered to the owner, developer, or both, at least ten days prior to any hearing. Notice may be delivered in person or by certified mail, return receipt requested, mailed to the address shown in the records of the Clark County Assessor.

2. **Grounds.** A Variance may be revoked or modified for cause, including a finding of one or more of the following:

   a. That the Variance was obtained by misrepresentation or fraud;

   b. That the development or structure is not in compliance with one or more of the conditions of approval; or

   c. That the development or structure permitted by the Variance is in violation of any statute, ordinance, law or regulation.

3. **Notice of Decision.** Written notice of a decision regarding the revocation or modification of a Variance shall be provided to the owner, developer or agent. A copy of the notice shall also be filed with the City Clerk and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

4. **Appeal.** In the case of a decision by the Planning Commission to revoke or modify a Variance that was approved as final action by the Commission, the appeal provisions of Subsections (J) and (K) of this Section shall apply.

O. Termination

1. **Expiration for Failure to Exercise**

   a. A Variance which will require the construction of a new building and which is not exercised within the approval period shall be void, unless the applicant obtains an extension of time upon a showing of good cause. Application for an extension shall be made to the Planning Commission or City Council, whichever body took final action to approve the Variance. An extension of time may be granted only if application therefor is made prior to the expiration of the approval period. For purposes of this Subparagraph (a):

      i. The "approval period" for a Variance is the time period specified in the approval, if one is specified, and two years, otherwise.

      ii. A Variance is exercised upon the issuance of a building permit for the new construction.

   b. A Variance which will not require the construction of a new building and which is not exercised within the approval period shall be void, unless the applicant obtains an extension of time upon a showing of good cause. Application for an extension shall be made to the Planning Commission or City Council, whichever body took final action to approve the Variance. An extension of time may be granted only if application therefore is made prior to the expiration of the approval period. For purposes of this Subparagraph (b), a Variance is exercised upon the approval of a business license to conduct the activity, if one is required, or otherwise, upon the issuance of a no-work certificate of occupancy (where no structural work is required) or the approval of a final inspection for tenant improvements.

2. **Cessation of Use.** A Variance to allow a use that is not permitted in a particular zone shall be void without further action if the use approved by the Variance ceases for a period of twelve months or more.

19.16.150

DEVELOPMENT AGREEMENT

A. Statutory Authority - Conformance Required

Pursuant to the provisions of NRS 278.0201 through 278.0207, the City Council may enter into development agreements to regulate the development of land within the City. The agreements and the procedures applicable thereto shall be governed by and must conform to NRS 278.0201 through NRS 278.0207 and the provisions of this chapter.

B. Planning Commission Review

Before the City Council enters into a development agreement pursuant to this subchapter, the agreement shall be reviewed by the Planning Commission for consistency with the City's General Plan.

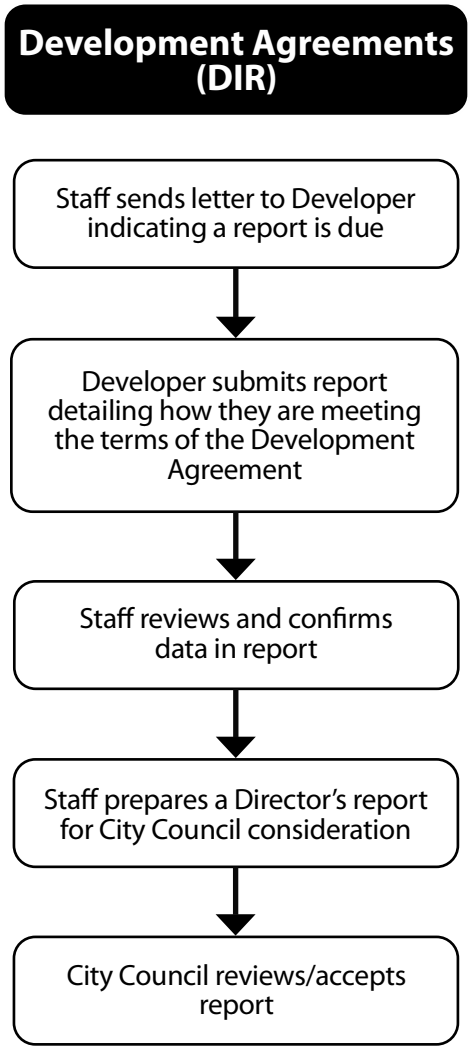
C. Administration and Enforcement

Subject to review and input from other City departments, the Department shall be responsible for applying, administering and enforcing the provisions of this subchapter including the negotiation and enforcement of development agreements.

D. Application of Zoning Provisions

Except as otherwise provided in NRS 278.0201 through 278.0207 or in a development agreement entered into pursuant to this subchapter, all the procedures and requirements of this Title shall apply to the development of property that is the subject of a development agreement.

Development Agreement
Typical Review Process 19.16.150



19.16.160

TEMPORARY COMMERCIAL PERMIT

A. Purpose

The purpose of this subchapter is to provide for a Temporary Commercial Permit to allow certain short-term activities that otherwise would not be allowed and to limit the activities to the circumstances and conditions set forth in this subchapter. The requirements of this subchapter apply to the activities specified herein whether or not they are conducted for profit.

B. Authority

1. The Director shall have the authority to approve, approve with conditions, or deny a Temporary Commercial Permit.

2. The Director may at any time refer an application for a Temporary Commercial Permit to the Planning Commission for decision.

C. Permitted Uses

The following temporary uses may be permitted by means of the issuance of a Temporary Commercial Permit.

1. A Temporary Contractor's Construction Yard in conjunction with an approved development project; provided, however, that no Temporary Commercial Permit is 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.

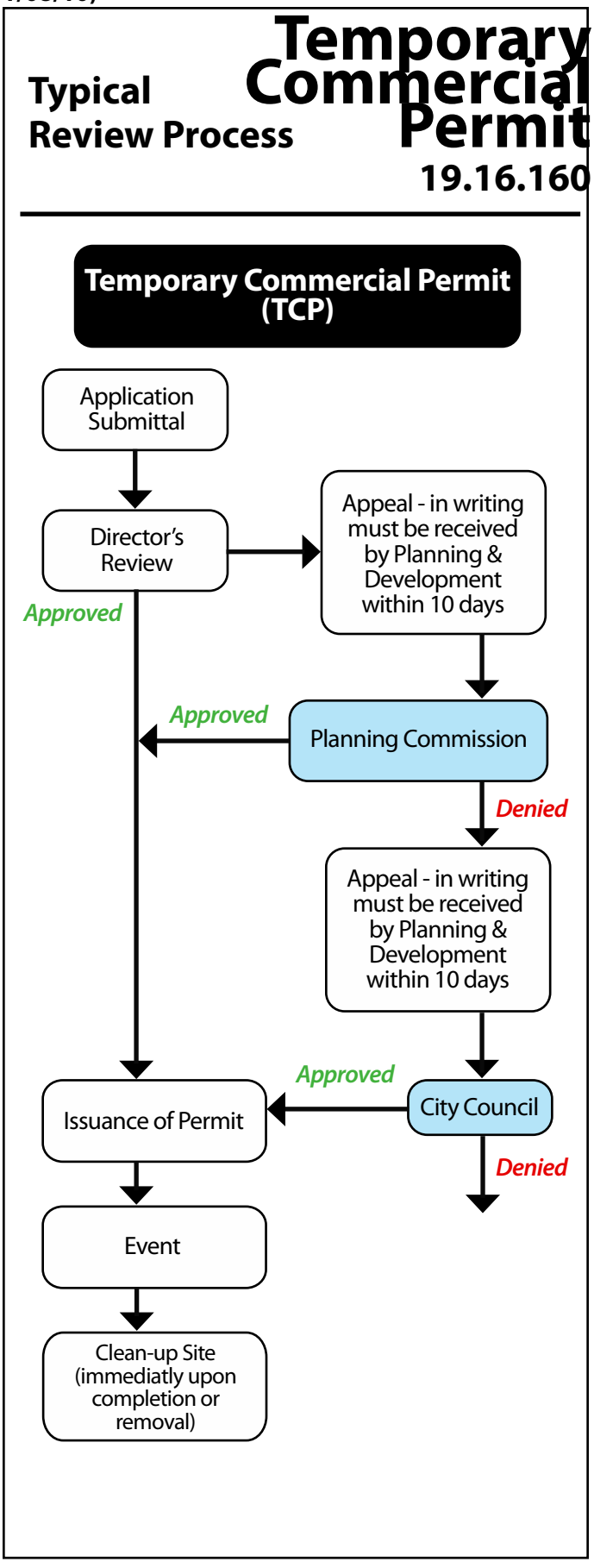
2. Seasonal Outdoor Sales, but only if such sales are limited to a maximum of thirty days prior to the specified holiday. No Temporary Commercial Permit is required when the sales operation:

a. 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

b. Conforms with all applicable City ordinances and standards.

3. Parking Lot/Sidewalk Sales; provided, however, that such sales:

a. Must take place on the same site as, and be in conjunction with, the operation of an established commercial business with a valid business license for that site;



b. Must take place on a paved or concrete area that is located on the same lot or within the same commercial subdivision as the structure that houses the business;

c. Are limited to a duration of seven days each; and

d. Occur no more that four times within a calendar year.

4. Temporary Outdoor Commercial Events; provided, however, that such events:

a. Are limited to a duration of thirty days each; and

b. Occur no more than six times within a calendar year.

5. The sales of new automobiles, new trucks, or new boats at a shopping mall of at least 90 acres in size and located in the C-1 (or a less restrictive) Zoning District. At any one shopping mall, no more than four sales events may occur within any twelve-month period, and no one sale event may last more than three days.

6. Any other temporary use that is similar to those enumerated in this Subsection (C) and that, in the opinion of the Director, is compatible with the zoning district and surrounding land uses.

D. Application and Decision

An application for a Temporary Commercial Permit shall be filed with the Director and shall be accompanied by a filing fee as set forth in the fee schedule. The application shall contain sufficient information and detail to enable the Director to determine the appropriateness of issuing a permit under this subchapter. Within 30 days after receipt of a complete and sufficient application, the Director shall take appropriate action to approve, approve with conditions or deny the application. The Director may approve a Temporary Commercial Permit if the Director determines that:

1. The proposed use is compatible with existing land uses on the same property and on surrounding properties;

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

3. There will be adequate public access to the site and adequate provision for on-site parking;

4. The application is not a continuation of consecutive applications or otherwise an attempt to circumvent the limitations contained in this subchapter.

E. Appeal

The applicant may appeal a decision of the Director to the Planning Commission by filing a written request with the Department. Any appeal pursuant to this section must be filed within 10 days after the date of the decision that is the subject of the appeal. The decision of the Planning Commission is final, unless appealed to the City Council as in the case of a Variance.

F. Conditions of Approval

In approving a Temporary Commercial Permit, the Director (or, upon appeal, the Planning Commission) may impose conditions, stipulations or limitations as are deemed necessary to ensure that the activity will be consistent with Subsection (D) of this Section. Such conditions may include, but are not limited to the following:

1. Provision for temporary parking facilities, including vehicle ingress and egress;

2. Measures to prevent or reduce nuisance factors such as glare, excessive illumination noise, vibration, smoke, dust, dirt, odors, gases and heat;

3. Regulation of placement, height, size and location of structures, facilities, landscaping and equipment, including provision for buffering and separation;

4. Provision for sanitary facilities and for waste collection and disposal;

5. Measures to promote safety and security;

6. Regulation of signs and other attention-gaining devices;

7. Regulation of operating hours and duration of the temporary commercial use;

8. Regulation of the hours and duration of set-up and dismantling activities;

9. Compliance with applicable provisions of the Las Vegas Municipal Code;

10. Any other conditions which will ensure the operation of the proposed temporary use is conducted in an orderly, efficient manner and in accordance with the intent and purpose of this subchapter.

G. Cleanup of Temporary Site

The holder of a Temporary Commercial Permit shall be responsible for leaving the property free of debris, litter or other evidence of the temporary use immediately upon completion or removal of the use. If the holder of the Temporary Commercial Permit is not the record owner of the property, the holder and the property owner(s) are jointly and severally responsible for compliance with this Subsection (G).

H. Revocation

A Temporary Commercial Permit may be revoked or modified by the Director, upon notice to the permit holder, if the Director finds that:

1. The permit was obtained by misrepresentation or fraud;

2. The activity is not in compliance with the permit or any condition of approval;

3. The use to be allowed by means of the permit is conducted in violation of any applicable statute, ordinance, or regulation; or

4. The permit is being employed as a means to circumvent the limitations contained in this Title.

19.16.170

TEMPORARY SIGN PERMIT

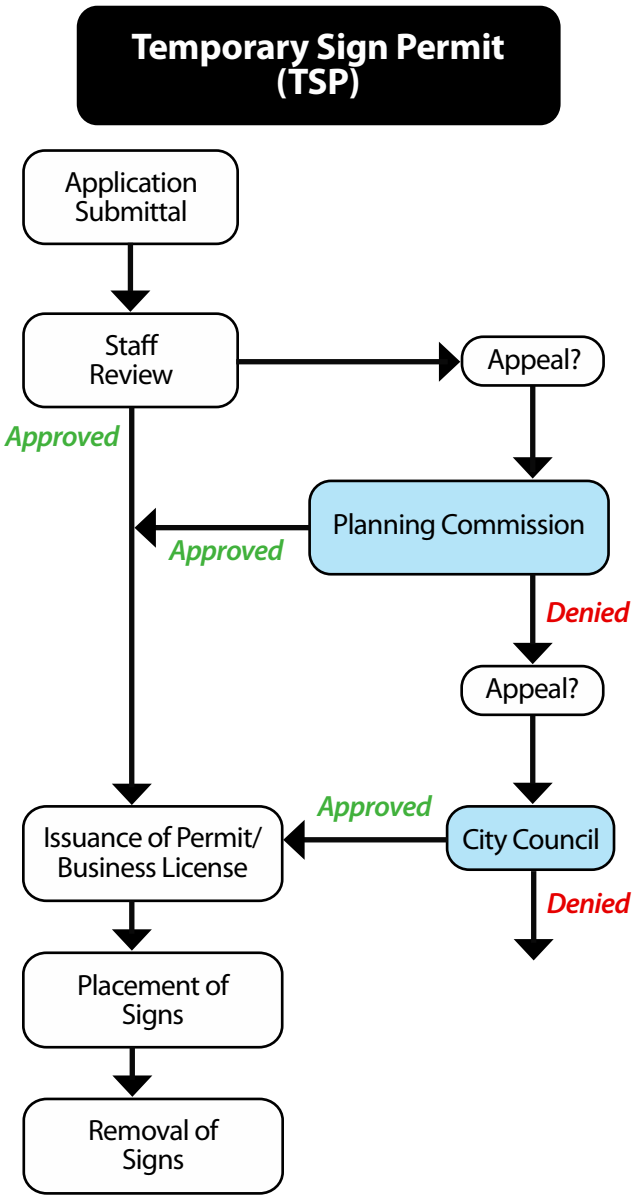
A. Purpose

The purpose of this subchapter is

Language is still being drafted at this time based on provisions in Title 19 temporary signage

Typical Review Process

Temporary Sign Permit 19.16.170



19.16.180

HOME OCCUPATION PERMIT

A. Purpose

The purpose of this subchapter is to provide for a Home Occupation Permit to allow limited types of income producing activities within residential zoning districts. A home occupation is an incidental or secondary use so located that the average neighbor, under normal circumstances, would not be aware of its existence. Except as otherwise provided in this subchapter and Title, no residentially zoned parcel may be used for the purpose of conducting any business or income producing activity except as allowed by means of a Home Occupation Permit.

B. Exceptions

No Home Occupation Permit shall be required for educational activities, including but not limited to music lessons, academic tutoring or religious instruction, provided that no more than two students are present at any one time and the use complies with the requirements of this subchapter.

C. Authority

The Director of Planning and Development or, upon appeal, the Planning Commission, shall have the authority to approve, approve with conditions, or deny a Home Occupation Permit. In approving a Home Occupation application, the Director (or if applicable, the Planning Commission) may impose conditions, stipulations or restrictions as are deemed necessary to ensure that the activity will be consistent with the intent of this subchapter.

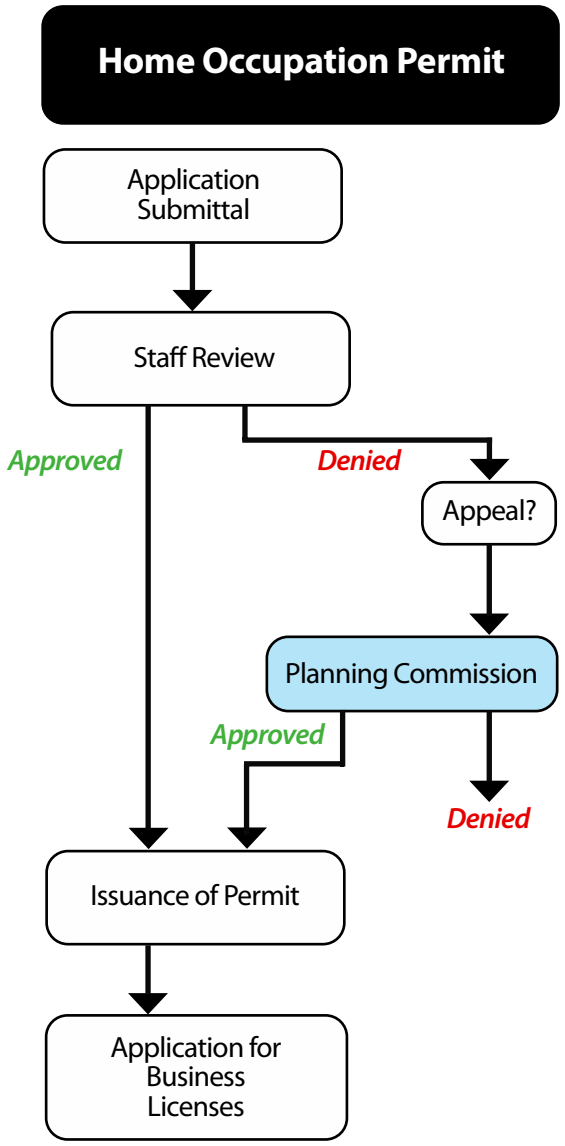
D. Application

An application for a Home Occupation Permit shall be filed with the Director. The application shall contain sufficient information and detail to enable the Director to determine the appropriateness of issuing a permit under this subchapter. If the Home Occupation is to be conducted by the tenant of property which is leased or rented, the tenant shall obtain written authorization from the property owner or property manager and submit the authorization with the Home Occupation Permit application.

E. Process and Review

Within 30 days after receipt of a complete application, the Director shall approve, approve with conditions, or deny the application.

Home Occupation Permit
Typical Review Process
19.16.180



F. Decision and Notice of Decision

1. The Director shall approve a Home Occupation Permit if the Director finds that;

a. The proposed Home Occupation is compatible with the existing residential uses on the property and surrounding properties; and

b. The proposed Home Occupation will conform to the Operational Standards and requirements contained in this subchapter.

2. The Director shall provide written notice of the decision, which shall include the reasons for the decision and, if the decision is to approve the Home Occupation Permit, any modifications, conditions or limitations that the Director may impose. The notice shall be provided to the owner or the owner's agent.

G. Operational Standards

1. In order to approve a Home Occupation Permit, the Director (or if appealed, the Planning Commission) must be satisfied that the proposed Home Occupation can and will comply with the following operational standards:

a. Only the occupants of the dwelling unit shall be engaged in the business activity approved for the Home Occupation Permit;

b. No employees shall report to work or be dispatched from the property;

c. There shall be no transacting of business or offers to transact business with customers or clients who have come to the property;

d. There shall be no signage or other advertising of any kind, whether on the property or elsewhere, which advertises the address or physical location of the property or identifies the existence of a Home Occupation on the property. A home telephone number or a post office box may be advertised by any medium other than on-site signage;

e. No motor vehicle repair, paint or body work; commercial preparation of food for service on the premises; business related to or involving explosives, ammunitions or weapons; beauty parlor or barber shop; or ambulance or related emergency services shall be permitted as a Home Occupation;

f. A Home Occupation shall not create pedestrian, automobile or truck traffic in excess of the normal amount associated with residential uses in the district;

g. A Home Occupation shall be conducted exclusively within the main dwelling or within an accessory structure which has been approved for the Home Occupation Permit, except for horticultural activities;

h. No more than one vehicle, with a maximum capacity of one-ton, shall be used in connection with a Home Occupation Permit;

i. The number of on-site parking spaces shall not be reduced to less than two;

j. There shall be no outdoor storage or use of any toxic chemicals or hazardous materials of any type or in any amount not normally found in a residential structure;

k. There shall be no electrical or mechanical equipment which is not normally found in a residential structure, and no equipment found on the premises shall cause a change in the fire safety or occupancy classification of the dwelling unit; and

l. No Home Occupation shall create or cause noise, dust, light, vibration, gas, fumes, toxic/hazardous materials, smoke, glare, electrical interference or other hazards or nuisances.

2. The following uses are uses that normally may be permitted by means of Home Occupation Permit if they can be conducted in compliance with the Operational Standards in subsection (1) of this section. This is not a comprehensive list but should be used to establish appropriate types of uses for Home Occupations.

a. 800 and 900 number telephone services;

b. Accounting, bookkeeping, tax preparation or related services;

c. Appraisal, real estate or related services;

d. Architectural, engineering, general contractor or related professional services;

e. Artist, artisans, hobbyists, jeweler or related services;

f. Computer based businesses, desktop

publishing, drafting or related services;

g. Consulting or related services;

h. Employment services;

i. Financial investment, brokerage or related services;

j. Handicrafts, gift basket assembly, floral, ceramics or related services;

k. Health fitness training services;

l. Home improvement and repair services;

m. Incidental office and telephone uses;

n. Information services;

o. Insurance services;

p. Interior design and decorating services;

q. Legal, court reporting or related services;

r. Mail order and catalog services;

s. Mobile serve businesses;

t. Network marketing services;

u. Janitorial, maintenance and repair services;

v. Party planning services;

w. Photography, video or related services;

x. Secretarial, typing, answering or related services;

y. Tailoring and sewing services;

z. Teaching or related services with a maximum of two students at any one time;

aa. Travel services;

bb. Vending machine businesses; and

cc. Writers, authors or related professionals.

3. Any Home Occupation Permit which is found to be similar to those enumerated in this section and which, in the opinion of the Director, is compatible with the intent of this subchapter, may be approved or approved with conditions. If the Director determines that a proposed Home Occupation would be detrimental to the public health, safety and welfare or injurious to the existing land uses on the property or to the surrounding properties, or does not substantially conform to the Operational Standards contained in this subchapter, the Director shall deny the Home Occupation Permit.

H. Appeal of Director's Action

If the applicant is aggrieved by the Director's decision, or any conditions attached thereto, the applicant may appeal the decision to the Planning Commission by written request within 10 days after the date of decision by the Director. The appeal must be filed with the Department. The appeal hearing shall be scheduled as soon as is reasonably possible, and appropriate notice of the hearing shall be provided. The Planning Commission may affirm, reverse or modify the Director's decision. Notice of the Planning Commission's decision shall be provided to the applicant or the applicant's agent, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

I. Optional Treatment of Appeal

The Director or Planning Commission may require that an appeal filed pursuant to Section (H) be heard as a public hearing item. The requirement for a public hearing must be based upon a determination that, in the instance of that particular application, the public interest will best be served by providing notice and an opportunity to be heard to surrounding property owners. In such event, the Director shall process the application in accordance with the standards and procedures for Special Use Permit applications.

J. Transfer of Permits

A Home Occupation permit shall not be transferable to:

1. Another address, or

2. Any person other than the applicant, a family member residing in the home, or a legal entity in which the applicant or resident family member has a controlling interest.

K. Expiration

Home Occupation Permits not exercised within one year after approval shall be void without further action unless a greater time limit is specified in the approval. Home Occupation uses which cease for more than 6 months shall be void without further action.

L. Revocation or Modification

1. **Notice and Hearing.** Upon proper notice to, and an opportunity to be heard by, the permit holder, the Director may revoke or modify a Home Occupation permit if the Director determines one or more of the following:

   a. That the Home Occupation is not in compliance with one or more of the Operational Standards of this subchapter;

   b. That the Home Occupation Permit was obtained by misrepresentation or fraud;

   c. That the Home Occupation is being conducted in violation of any statute, ordinance, law or regulation.

2. **Appeal and Notice of Decision.** The Director's decision may be appealed in the same manner as the initial denial of a Home Occupation Permit, in accordance with Section (H). The provisions of Section (I) shall not apply to the appeal, except that the Director and the or the Planning Commission may provide notice and opportunity to be heard to surrounding property owners.

19.16.190

MODEL HOME PERMIT

A. Issuance -- Required Conditions

With respect to any separately identified subdivision, building permits may be issued for not more than six model homes before the final subdivision map pertaining thereto is recorded if and only if all of the following conditions are met:

1. The final map has been approved by the Director or the Planning Commission.

2. All preconstruction requirements of zoning and plot plan approvals have been met.

3. The site and setbacks of the model homes are in conformance with the final map and the approved zoning.

4. Plan checking of the model homes has been completed and all the items described in Subchapter 19.16.060 have been submitted and approved in accordance therewith.

5. The following departments have certified in writing, through their authorized representatives, that their respective preconstruction requirements have been met:

a. The Department of Public Works;

b. The Department of Planning and Development; and

c. The Department of Fire and Rescue.

6. The applicant for such model home permits has acknowledged and agreed in writing that:

a. No changes to the final map as approved will be made, except those required by the City, and all construction and improvements will conform to the approved map.

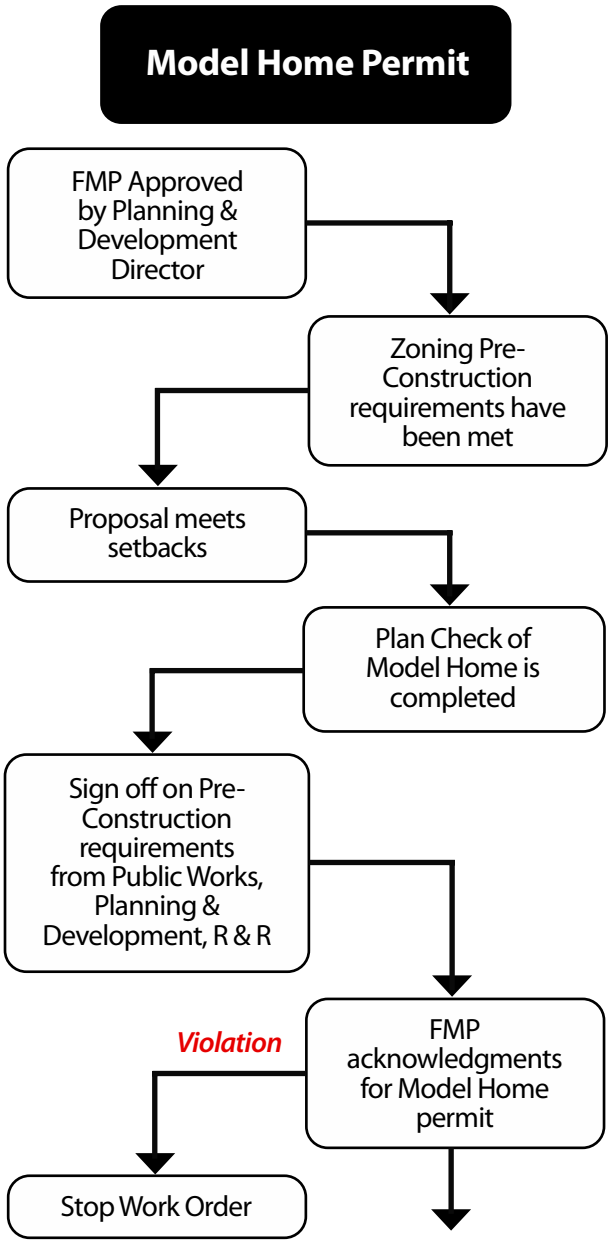
b. The permitted model homes will not be sold or occupied for residential purposes until the final map has been recorded.

c. The issuance of model home permits will be expressly limited to the model home use and will not be construed as a commitment by the City to approve the final map or to approve any zoning matter.

d. The applicant will indemnify, defend and hold

Typical Review Process

Model Home Permit 19.16.190



the City and its officers, agents and employees harmless from any liability and from and against any claim, loss or damage it or they may incur because of the issuance of any such permit.

B. Violation -- Revocation -- Stop-Work Order

If the permittee or applicant violates or fails to comply with any requirement of this Title or breaches any promise or obligation entered into pursuant to this Subchapter, the City may deny, suspend or revoke any building permit for a model home and may issue a stop-work order with respect thereto.

19.16.200

SIGN CERTIFICATE

A. Procedures

The procedures contained in this Subchapter shall govern the application for, and issuance of, all sign certificates under this Title.

1. All applications for sign certificates of any kind shall be submitted to the Department on an application form or in accordance with application specifications published by the Department.

2. Within 5 days of receiving an application for a sign certificate, the Department shall review it for completeness. If the application is complete, then the application shall be processed. If the application is incomplete, then notice shall be sent to the applicant, within a 5-day period, of the specific ways in which the application is deficient.

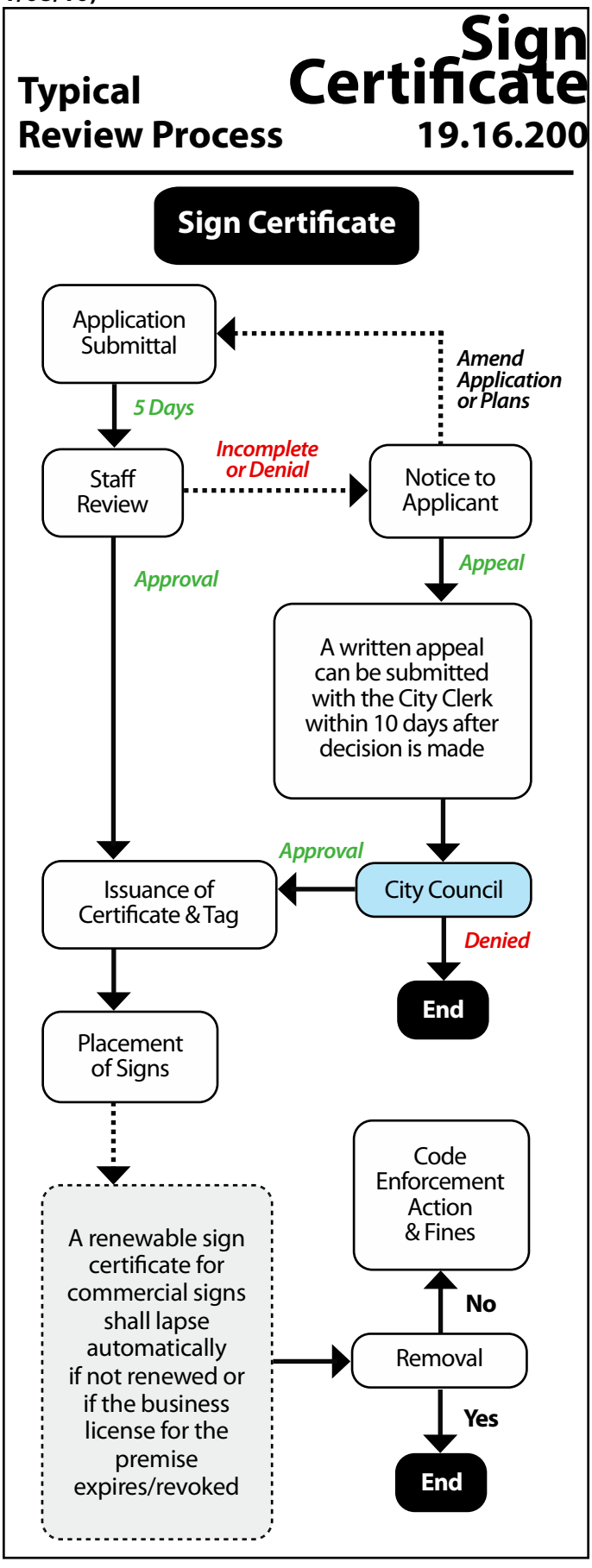
3. Upon approval, the City will issue a certificate and tag for the sign. The tag shall be affixed to the sign in a location where it is plainly visible. Absence of the tag or any record of the issuance of the tag on any sign, which is required by this Title to have a certificate, shall subject that sign to removal in the same manner as in Section 19.##.###(#).

4. A renewable sign certificate for a commercial sign shall lapse automatically if not renewed or if the business license for the premise expires or is revoked.

5. Any sign that is the subject of an application received after the effective date of this Title, or any amendment thereto, shall be subject to all the provisions of this Subchapter and shall not be subject to the nonconforming sign protections described in LVMC 19.14.080. For any sign on property annexed into the City after the effective date of this Title, an application for a sign certificate shall be submitted within three months of the effective date of the annexation or within such period as may be established in an annexation agreement between the City and the land owner(s).

B. Removal

Any sign for which a certificate has lapsed shall be removed immediately. The owner(s) of the property on which the sign is erected or displayed, the certificate holder, the owner(s) of the sign, or any person that caused the sign to be installed shall be jointly and severally responsible for the removal of the sign, provided that nothing herein shall be construed to allow any pri-



vate person to enter onto the property of another person without the permission of the property owner(s).

C. State Sign Permit Required

For any sign that does not qualify as an on-premise sign and that is proposed within 660 feet of any highway classified by the State of Nevada as part of the interstate and primary highway system, a State of Nevada sign permit shall be obtained prior to the issuance of a construction permit or sign certificate by the City. The issuance of a State of Nevada permit does not take the place of the City's Special Use Permit requirement nor compel the granting of a Special Use Permit. Likewise, the approval of a Special Use Permit by the City does not affect the State of Nevada's authority or discretion to deny a state permit.

D. Appeal

Any person aggrieved in connection with the inability to obtain a sign certificate or by any other decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of any provision of this Subchapter may appeal the decision to the City Council. An appeal must be in written form and must be filed in the office of the City Clerk, with a copy to be filed with the Department. The appeal must be filed within 10 days after the administrative decision is made and shall specifically describe the decision at issue and the basis for the appeal. The appeal shall be considered on the next available agenda of the City Council. This Section shall not apply to actions on Master Sign Plans, which shall follow the procedures, including appeals, set forth in LVMC 19.16.260.

E. Violations, Remedies, Penalties

1. Violations

Any of the following shall be a violation of this Subchapter and shall be subject to the enforcement remedies and penalties provided for in this Title:

a. To install, create, erect or maintain any sign in any manner that is inconsistent with any Master Sign Plan;

b. To install, create, erect, or maintain any sign in a way that is inconsistent with any site plan review or aesthetic review governing the sign for the lot on which sign is located;

c. To install, create, erect, or maintain any sign requiring a certificate without such a certificate;

d. To fail to display a tag in conformance with this Subchapter;

e. To fail to remove any sign that is installed, created, erected, or maintained in violation of this Subchapter, or for which the sign certificate has lapsed;

f. To continue any violation. Each day of a continued violation shall be considered a separate violation when applying the penalty portions of this Subchapter;

g. To install, create, erect, or maintain any sign prohibited by or in violation of this Subchapter; or

h. To abandon any sign.

2. Remedies and Penalties

Any sign installed or placed on any property in violation of the requirements of this Subchapter shall be subject to the following:

a. With respect to any sign that constitutes a hazard to the public or a sign without proper certification that has been installed or placed on unimproved property, on public property or within public right-of-way, the sign may be immediately removed and impounded. The City shall notify the sign owner(s) or installer (or other responsible person) of the impoundment, if the person or persons are known to or reasonably can be determined by the City. The notice shall be given within 5 days after impoundment of the sign, or within the additional time as may be necessary in order to identify and locate the person or persons. The City will keep the sign for a period of 30 days following the sign's removal, during which time the owner(s) or other responsible person may reclaim the sign. At the end of the 30-day period, the sign may be destroyed.

b. Signs that are not made subject to the impoundment provisions described in Paragraph (a) above are subject to removal and impoundment 10 days after appropriate notice has been given, or after such shorter period as the notice may indicate. Appropriate notice shall be deemed to have been given if the City provides written notice to the owner(s) or installer of the sign (or other responsible person). If the notice cannot be given after reasonable efforts to identify and locate the person or persons, the City may affix a notice of noncompliance to the sign itself. If the sign has

not been removed or brought into compliance within 10 days, or such shorter time as the notice may indicate, the City may remove and impound the sign. Following the removal and impoundment of a sign, the City will keep the sign for a period of 30 days following the sign's removal, after which the sign may be destroyed.

c. In addition to other remedies, the City shall have the right to recover from the owner(s) or installer of such a sign, or the owner(s) of the property on which it is located, or any other responsible person, the full costs of removal and disposal of the sign. The City shall certify the removal and may charge the owner(s) or installer or other responsible person for the removal, payable within 10 days after receipt of a statement of charges or the charges may be a special assessment and a lien on the property involved and subject to the provisions of LVMC 9.12.150, 9.12.160 and 9.12.170. It is presumed that the person or entity whose identity is represented on the sign is a person responsible for installing the sign, which presumption may be rebutted by competent evidence. However, the presumption is not rebutted if the sign was erected or placed by a person or entity who, pursuant to contract or otherwise, is acting on behalf of the person or entity whose identity is represented on the sign.

d. Removal pursuant to this Section may be accomplished by the City or its authorized agent.

e. For any premises on which there is an existing sign that violates any part of this Subchapter, the City may withhold permits for any other signs, including temporary signs, until the violation has been corrected or the property owner(s) has entered into a written agreement with the City for abatement of the violation by a specified date. The provisions of this Paragraph shall not apply to any sign that is not under the legal control of the applicant for a new sign, whether as owner(s) or lessee(s). A sign user simply renting one space on a larger "tenant board" or other sign advertising multiple businesses shall not be considered to be in control of such sign.

f. Any violation of this Subchapter shall be a misdemeanor. The City may issue a citation and upon conviction seek imposition of fines in accordance with the following schedule:

i. Upon a first conviction, a minimum of $250;

ii. Upon a second conviction within a period of one year, or a first conviction within a period of one year following a finding of civil liability regarding a violation of this Subchapter, a minimum of $500; and

iii. Upon each subsequent conviction a fine of $1,000.

g. As an alternative to a criminal prosecution regarding a particular violation, the City may process the violation as a civil nuisance under LVMC 9.04.04. et seq. Upon a finding of civil liability, the City may seek an imposition of civil liability in accordance with the following schedule:

i. Upon the first finding of civil liability, a minimum of $250;

ii. Upon a second finding of civil liability within period of one year; a first finding of civil liability within a period of one year following a conviction; or any subsequent such finding, a minimum of $500.

h. Each day that any sign has been installed, created, erected, maintained or abandoned in violation of this Subchapter shall be considered a separate violation when applying the criminal or civil penalty portions of this Subchapter

19.16.210

MAINTENANCE DISTRICT

A. State Law Subjectivity

This subchapter is enacted pursuant to, and is subject to, the provisions of NRS 278.478 to 278.4787, inclusive.

B. Definitions

As set forth in this Subchapter, the following terms shall have the meanings ascribed to them:

"Assessment" means the monetary amount levied against each tract or assessment unit as an assessment against a lot or parcel of real property within a development or subdivision for any given assessment period benefitted by an improvement.

"Assessment amount" means the monthly amount established by the City as the amount necessary to pay the proportionate share of the cost to maintain the improvements included within the maintenance district, to include, without limitation, the City's administrative costs, the actual cost for contracted services performed, and the associated labor, equipment, insurance, utility, and material costs.

"Assessment period" means each successive period of time running from and including July 1 to and including June 30 of the following year.

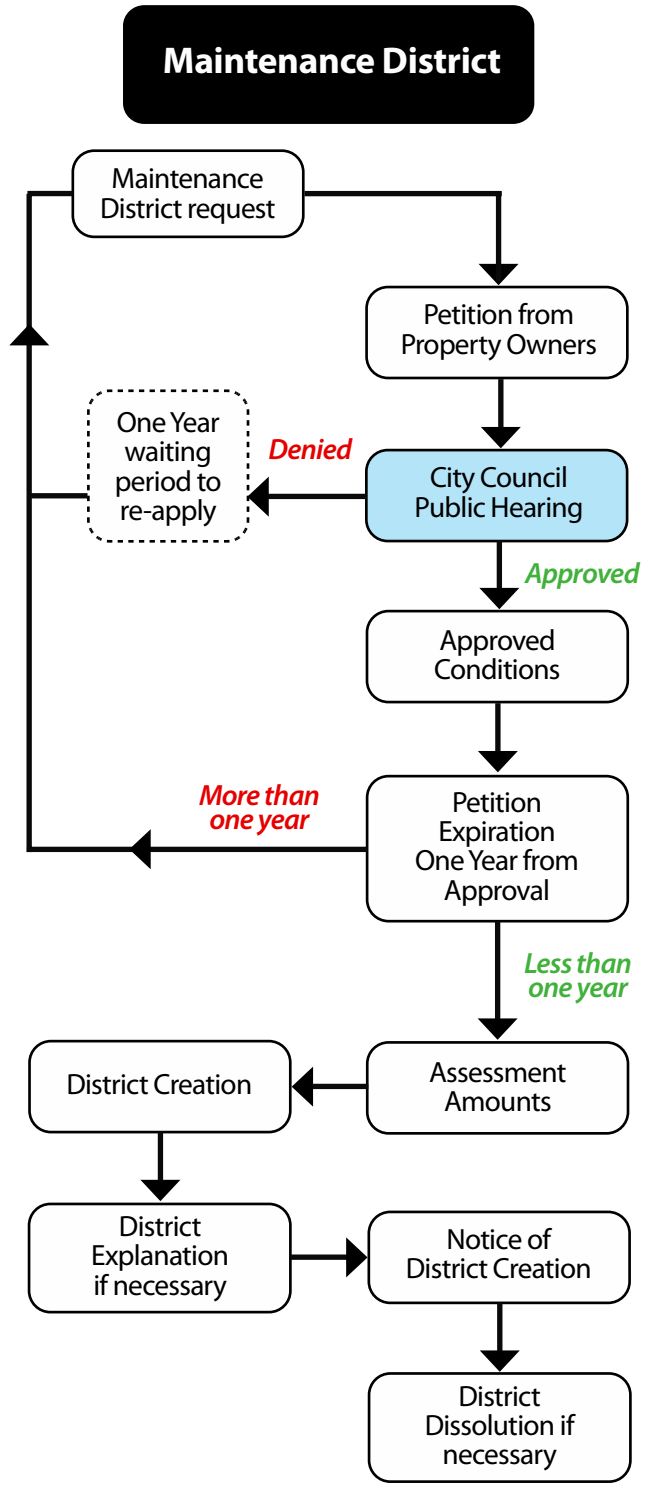
"Assessment unit" means each legal lot or parcel of real property comprising, and being included within, the boundaries of the maintenance district and upon which a building may be constructed, whether such building has been constructed or not.

"Improvement" or "improvements" means any of the following improvements that are included or proposed to be included within a maintenance district in accordance with this Subchapter:

1. Landscaping;
2. Public lighting;
3. Security walls; or
4. Trails, parks and open space that provide a substantial public benefit or are required by the City for the primary use of the public.

"Improvement plan" means the plan approved by the City which details the installation of the improvements proposed to be maintained within the maintenance district.

Maintenance District
Typical Review Process
19.16.210



"Landscaping" has the meaning ascribed to it in NRS 278.4781.

"Maintenance" means the care for and upkeep of improvements, including normal repair and replacement of materials and items to sustain an improvement to a level and quality acceptable to the City.

"Maintenance district" means the assessment district created, formed, and established pursuant to this Subchapter to provide for the maintenance of improvements.

"Maintenance district property" means the sum of all legal parcels of real property containing improvements that are requested by the applicant to be included and maintained within the maintenance district. The maintenance district property shall be shown as common area on the final map for a development or subdivision. The ownership of the maintenance district property will be ownership in common shared by the applicant and all future owners of property within the development or subdivision.

"Public lighting" has the meaning ascribed to it in NRS 278.4783.

"Security wall" has the meaning ascribed to it in NRS 278.4785.

C. Right to Petition the City

Pursuant to NRS 278.4787, persons who propose to divide land for transfer or development into four or more lots pursuant to NRS 278.360 to NRS 278.460, inclusive, or NRS Chapter 278A may, in lieu of providing for the creation of an association for a common interest community, petition the City to assume the maintenance of improvements within the development or subdivision. Additionally, if persons who own tracts of land or residential units within an existing subdivision or development with existing improvements, agree to dissolve the association for their common interest community in accordance with the governing documents of their common interest community they may, in lieu of said association, petition the City to assume the maintenance of those existing improvements.

D. Petition Requirements--General

A request for the City to maintain improvements from a person who proposes to divide land for transfer or development into four or more lots pursuant to NRS 278.360 to NRS 278.460, inclusive, or NRS Chapter 278A, shall be filed with the Department at least one hundred twenty days before the approval of the final map for the land, unless such time is otherwise waived by the City. The request must be made by written petition, on a form to be provided by the City. In order to be deemed complete, the petition must include, or be accompanied by the following:

1. The notarized signature(s) of at least a majority of the owners whose property will be assessed;
2. A description of all tracts of land or residential units that would be subject to an assessment;
3. A list of the improvements (including plans) that are proposed to be maintained by the City;
4. An explanation of why the City should accept maintenance of the improvements and what public benefit the City derives from the maintenance of the improvements;
5. An instrument granting the City, its officers, agents, employees, and contractors the right to enter and access the proposed maintenance district property to the extent necessary to inspect the improvements which are proposed to be maintained within the maintenance district;
6. Such other information as the City deems necessary in order to properly evaluate the petition; and
7. An application fee and inspection fee as set forth in the fee schedule.

E. Petition Requirements--Property Owners

A request for the City to maintain existing improvements from property owners in an existing development or subdivision, who propose to dissolve, or have dissolved, their common interest association in accordance with the governing documents of their common interest association, shall be filed with the Department. The request must be made by written petition, on a form to be provided by the City. In order to be deemed complete, the petition must include, or be accompanied by the following:

1. Notarized signatures from at least fifty-one percent of those property owners who would be subject to an assessment, or notarized signatures from at least the same percentage of property owners that would be required by the governing documents of the common-interest community to dissolve the common interest association, whichever is greater;
2. A description of all tracts of land or residential units that would be subject to an assessment;

3. A list of the improvements (including plans) that are proposed to be maintained by the City;

4. An explanation of why the City should accept maintenance of the improvements and what public benefit the City derives from the maintenance of the improvements;

5. Documentation evidencing that a conditional affirmative vote was had by the membership of the common interest association to dissolve the common interest association upon the City's acceptance of the petition for maintenance;

6. An instrument granting the City, its officers, agents, employees, and contractors the right to enter and access the proposed maintenance district property to the extent necessary to inspect the improvements which are proposed to be maintained within the maintenance district;

7. Such other information as the City deems necessary in order to properly evaluate the petition; and

8. An application fee and inspection fee as set forth in the fee schedule.

F. Petition--Public Hearing

1. Unless the requirement is waived by the City Council, the Council shall hold a public hearing regarding a complete petition described in Section (D) of this Subchapter at least ninety days before the approval of the final map for the land. The City Council shall hold a public hearing regarding a complete petition as described in Section (E) of this Subchapter within one hundred twenty days of its receipt of the completed petition. This time period may be extended at the discretion of the City Council. A petition shall be deemed complete if, in the City's judgment and discretion, it fully complies with the requirements of Section (D) or (E) of this Subchapter. Any petition may be reviewed by City staff, by a committee, or by both, for the purpose of providing a recommendation to the City Council.

2. The purpose of the public hearing described in Subsection (1) shall be for the City to determine the desirability of assuming the maintenance of the specified improvements. The maintenance assessments shall not, however, be effective until the City inspects and accepts the constructed improvements for maintenance. In determining if it is desirable for the City to assume maintenance of the improvements, the following factors may be considered by the City Council:

a. Whether the maintenance of the improvements on the subject property alone, or cumulatively with other maintenance districts in the City, would create an unreasonable administrative or financial burden upon the City;

b. Whether the location of the proposed maintenance district would interfere with the City's ability to efficiently and effectively maintain improvements on the subject property;

c. The extent to which the maintenance district property is located on parcels that are contiguous;

d. Whether the improvement plan submitted by the applicant is consistent with the requirements of the City, City policies, and the City's master plan, including the applicable land use guide approved by the City;

e. Whether the proposed improvements are compatible with the character of the area of the City in which the improvements will be located;

f. Whether the improvements are constructed to any standards for such improvements that have been adopted by the City and are otherwisee acceptable to the City;

g. The number and percentage of property owners who signed the petition and the number of protests received from property owners who would be subject to the assessment;

h. Whether the maintenance of the proposed improvements will promote the health, safety and general welfare of the community;

i. The extent to which the proposed maintenance district would be in the public interest;

j. Any recommendation by City Staff and by any committee that may review the petition; and

k. Any other factor deemed by the City Council to be relevant to the petition or to the proposed maintenance district.

G. Petition--Decision by Council

1. If the City makes a determination that it is desirable to assume the maintenance of the improvements, the City shall form a maintenance district, by

ordinance, in accordance with NRS 278.4787(4).

2. If the City Council determines that it would be undesirable for the City to maintain the specified improvements, the Council shall specify the reasons therefor.

3. An applicant whose petition has been considered by the City Council and denied may not repetition the City for a maintenance district within the same development or subdivision for a period of one year.

H. Petition Approval--Council's Right to Impose Certain Conditions

1. In approving a petition, the City Council may impose conditions designed to address the impacts that otherwise would make maintenance of the improvements by the City undesirable. Such conditions may include, without limitation, a requirement to:

a. Submit an agreement or instrument, acceptable to the City, granting the City, its officers, agents, employees, and contractors an exclusive right to enter and access the maintenance district property to the extent necessary to maintain the improvements on the maintenance district property;

b. Submit a written agreement, acceptable to the City, providing a warranty for all improvements for a period of twelve months, or for a shorter period if agreed to by the City, and indemnifying the City for damage or loss resulting from the improper installation or defective design of the improvements.

c. Provide an assessment deposit, equal to the first year of assessments and start up costs, as estimated by the City, for the maintenance district and the costs associated with recording notice with the Clark County Recorder's Office as required in NRS 278.4787(6);

d. Provide an easement, in a form suitable for recordation, that will provide the necessary access by which the City, through its officers, employees, agents and contractors, may perform the maintenance associated with the maintenance district; and

e. If applicable, submit documentation, acceptable to the City, evidencing the costs that have been incurred in maintaining the improvements that are proposed to be maintained by the City. Documentation regarding the maintenance costs shall be for the three-year period preceding the submission of the petition, unless a different time period is agreed to by the City.

2. The City may impose additional conditions as it deems necessary and appropriate at the time of the public hearing at which the creation of the maintenance district is considered.

I. Petition Expiration

A petition approved by the City shall expire one year from the date of the approval, unless all conditions of approval are met and construction of the improvements in question are commenced within that time period. The City shall have the discretion to establish a different expiration period for any particular maintenance district.

J. Assessment Amounts

1. The assessment amount for each assessment unit, including the billing cycle, shall be determined for each assessment period, subject, however, to an annual adjustment. The maintenance district may be considered for revision or adjustment annually and the assessment amount shall be adjusted accordingly based upon the bids received and the actual contracts approved by the City. Additionally, if costs and expenses are increased within the maintenance district by ten percent or more, the assessment amount shall be increased accordingly during the remainder of the assessment period.

2. Assessment amounts shall be payable according to the payment schedule adopted with the establishment of the maintenance district. The City, or its agent, shall mail to the property owner of the assessment unit a bill for the assessment amount to the same address for the property owner of such assessment unit as billings for real property taxes are sent by the Clark County Assessor's Office.

3. Assessment amounts for any partial assessment period shall be prorated based on a three hundred sixty-five day year.

4. The City shall assess a ten percent penalty for each assessment not paid within sixty days from the due date. Interest shall accrue on delinquent payments at the legal rate with unpaid principal, penalties, and accrued interest compounded semi-annually.

K. Improvement Installation Prior To Maintenance District Creation

1. Prior to the creation of a maintenance district, the improvements to be included therein must be fully installed:

   a. In accordance with the City-approved improvement plan supplied by the applicant;

   b. In accordance with any standards for such improvements that have been adopted by the City; and

   c. In a good, workmanlike, and lien free manner.

2. The City may accept a right-of-entry for access purposes at such time as the maintenance district is created.

3. Once the improvements are installed, the applicant shall notify the City, so that the City may inspect the improvements for compliance with the approved improvement plan and other applicable requirements and standards.

4. The City may undertake, or cause to be undertaken, the maintenance of the improvements consistent with the levels and standards approved by the City upon the City's creation of the maintenance district and acceptance of the public access rights. The maintenance of the improvements may be provided by the City or by a contract approved and administered by the City or its agent, under the provisions of NRS Chapters 271, 332 and 338 where applicable.

L. Maintenance District Expansion

Upon the filing of a supplemental petition, containing the same information as required for a complete petition in Sections (D) and (E) of this Subchapter, and by compliance with all provisions of this Subchapter, the maintenance district may be expanded to include future phases of a development or subdivision provided that the same conditions as required for the creation of the original maintenance district are satisfactorily fulfilled, as determined by the City.

M. Notice Of District Creation

Subsequent to the creation of a maintenance district, the City shall record, in the office of the Clark County Recorder, a notice of the creation of the maintenance district or unit of assessment against the property located within the maintenance district that is sufficient to advise the owners of tracts of land or residential units that the tracts of land or residential units are subject to the assessment. The costs of recording the notice shall be paid by the petitioners. The notice shall be in such form and content so as to encumber the property located within the maintenance district and run with the title thereto.

N. District Dissolution

1. A maintenance district may be dissolved by the City if:

   a. The City determines that the improvements that are covered by the maintenance district are no longer necessary, or maintenance of those improvements is no longer necessary;

   b. A majority of the property owners of the assessment units request that the City dissolve the maintenance district, and an association for a common-interest community has been formed to maintain the improvements in lieu of the maintenance district; or

   c. The City otherwise determines that it is no longer desirable for the City to maintain the improvements within the maintenance district and that an association or other means has been or will be established to maintain the improvements.

2. Any money that may remain in the maintenance district fund after the dissolution of the district may be remitted to an entity that has been created within the development or subdivision to maintain the improvements.

19.16.220

UNIFIED DEVELOPMENT CODE (UDC) TEXT AMENDMENT

A. Purpose

The purpose of this subchapter is to provide for a process to amend the text of this Title.

B. Authority

1. Whenever public health, safety and general welfare may require, the City Council may amend, supplement, modify, change, or repeal any of the regulations contained in this Title.

2. Except where immediate concern for the public health, safety or general welfare dictate otherwise, the substance of any proposed amendment to the text of this Title shall be presented to the Planning Commission for its recommendation.

C. Planning Commission Public Hearing and Action

1. The Planning Commission shall hold a public hearing upon any proposed text amendment that has been presented to the Planning Commission for review.

2. Notice of the time, place and purpose of the hearing shall be given at least 10 days before the hearing by publishing a notice in a newspaper of general circulation within the City.

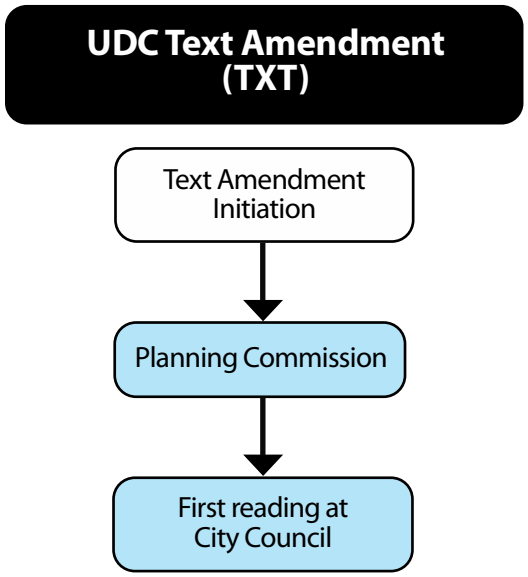
3. The Planning Commission shall hear and consider evidence and facts from any person present at the public hearing who desires to be heard and shall consider written communication from any person.

4. At the conclusion of the public hearing on the text amendment, the Planning Commission may recommend approval, approval with modification or disapproval of the amendment, or may hold the item in abeyance for further study.

D. City Council Consideration

The recommendation of the Planning Commission shall be made available to the City Council in connection with the Council's consideration, if any, of the text amendment.

Typical UDC Text Amendment Review Process 19.16.220



19.16.230

STREET NAME CHANGE

A. Purpose

1. The purpose of this subchapter is to establish a procedure to change the name of any street or a portion of a street.

2. Street name changes will be made consistent with LVMC 19.04.xxx and the edition of the City of Las Vegas Street Naming and Address Assignment Regulations adopted therein, as it may be amended from time to time.

B. Application

A petition for Street Name Change shall be made on a form to be provided by the Department. The applicant shall file two copies of the petition with the Director. The petition shall describe with certainty the portion of the street or streets to be affected. The petition shall be signed by all abutting property owners or a representative of the local government initiating the petition.

C. Time of Filing

In order to provide sufficient time for the necessary investigation by the Planning Commission and/or the Director, an application for a Street Name Change must be filed with the Director a minimum of 30 days prior to the date of the meeting of the Planning Commission at which the Street Name Change application is to be heard and considered.

D. Planning Commission Public Hearing and Action

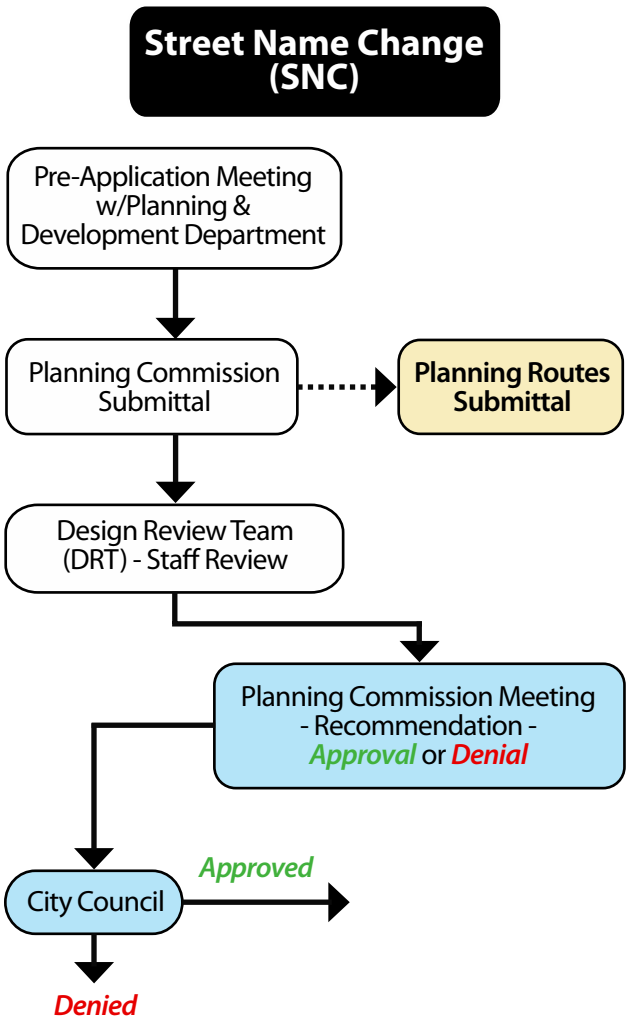
1. **Process and Review.** The Planning Commission shall hold a public hearing upon a completed application for Street Name Change following receipt of the petition.

2. **Notice.** The Director shall endeavor to mail notices of the Planning Commission meeting at which the petition will be considered to all persons owning property abutting the street or streets to be affected by the proposed name change; however, the failure to do so shall not invalidate any action taken at the meeting.

3. **Decision and Report.** Following the conduct of a public hearing or hearings, the Planning Commission shall make its recommendation either to grant or deny the application for a Street Name Change. The Planning Commission shall transmit a report of its recommendation to the City Council.

Typical Review Process

Street Name Change 19.16.230



E. City Council Public Hearing and Review

The City Council shall consider the application for Street Name Change and the recommendation of the Planning Commission at its next available meeting. If the City Council finds that it is in the best interest of the public and that no person will be materially injured, the City Council may order that the name of the street be changed.

F. Recording

The order contemplated in Section E of this subchapter shall be recorded in the office of the County Recorder and in the event the original name of the affected street is indicated on a subdivision map, parcel map or plat on file with the Recorder, the County Recorder shall make a written notation of the change on any map affected by the order.

19.16.240

REVIEW OF CONDITIONS

A. Purpose and Intent

The purpose of a Review of Condition is to provide a mechanism for reviewing proposed modifications to conditions of approval imposed by the City Council or Planning Commission. The provisions of this Section are intended to govern whenever there is a proposal to amend, modify or review a condition of approval of an application under this Chapter, notwithstanding the fact that other provisions of this Chapter regarding amendments and modifications to approved applications or plans might otherwise apply. The provisions of this Section are not intended to limit the authority of the Planning Commission or City Council.

B. Application

The applicant for a Review of Condition shall schedule and hold a pre-application conference with the Department prior to the submittal of an application. An application for Review of Condition shall be filed with the Department on a form to be provided by the Department. The application shall be signed and acknowledged by the owner of record of the property for which the Review of Condition is sought, and shall be notarized as to the owner's signature.

C. Hearing

An application for Review of Condition shall be heard by the Planning Commission or City Council, depending on which body took final action to impose the condition or conditions being reviewed. Notice of the time, place and purpose of the hearing must be given at least ten days before the hearing by:

1. Publishing the notice in a newspaper of general circulation within the City; and

2. Mailing a copy of the notice to:

a. The applicant;

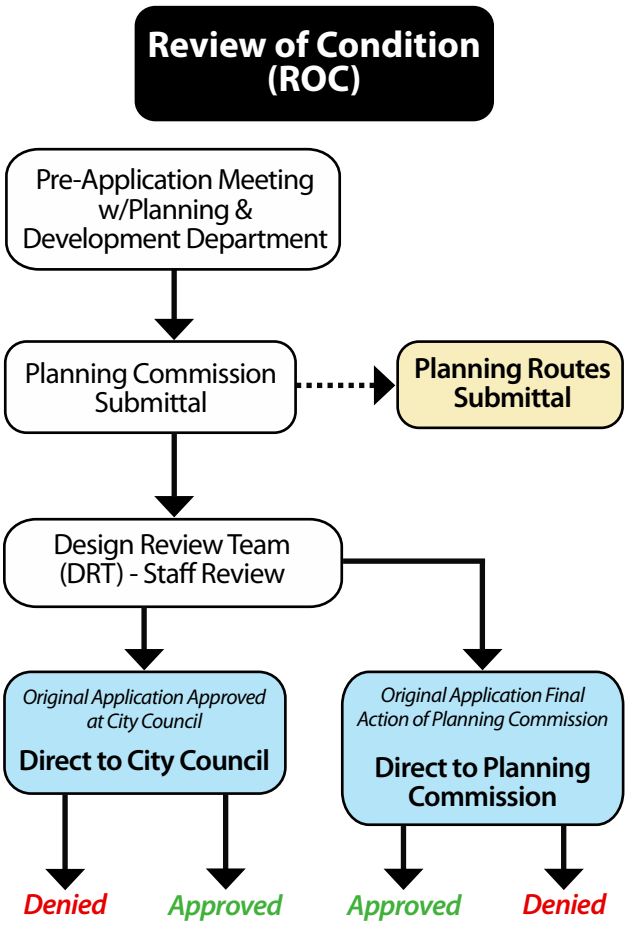
b. Each owner of real property located within a minimum of one thousand feet of the property described in the application;

c. The president or head of any registered local neighborhood organization whose organization boundaries are located within the minimum of one mile of the property described in the application; and

d. The owner of each of the 30 separately-owned

Typical Review Process

Review of Conditions 19.16.240



parcels nearest to the property described in the application to the extent this notice does not duplicate the notice otherwise required by this Paragraph (2)

D. Decision

The Planning Commission or City Council, as the case may be, may approve, approve with conditions or deny an application for Review of Condition. The decision is final, subject to the right of appeal available under State law.

E. Notice of Decision

Written notice of the decision by the Planning Commission or City Council, as the case may be, including the reasons therefor, shall be provided to the applicant or agent. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

19.16.250

REQUIRED REVIEW

A. Purpose

The Planning Commission and City Council are authorized by the provisions of this Title to impose conditions in connection with their approval of applications under this Title. From time to time, such conditions of approval include a condition requiring that the application so approved (the "approved item") be brought back for review, either an administrative review or a review by the approving body. The purpose of the Required Review process described in this Section is to provide the mechanism by which approved items may be reviewed for compliance with the provisions of this Title and with conditions that were imposed in connection with the approval.

B. Application

An application for a Required Review shall be filed with the Department on a form to be provided by the Department. The application shall be signed and acknowledged by the owner of record of the property for which the Required Review is sought, and shall be notarized as to the owner's signature. In the absence of a voluntary application, the Department may process the Required Review on its own initiative.

C. Types of Required Review

Where the type of review required by a condition of approval was an administrative review, the Required Review shall be performed by the Director. Where the type of review required by a condition of approval was not an administrative review, the provisions of Subsections (D) through (F) of this Section shall apply.

D. Hearing

An application or agenda item for a Required Review shall be heard by the Planning Commission or City Council, depending on which body took final action to approve the items subject to a Required Review. Notice of the time, place and purpose of the hearing must be given at least ten days before the hearing by:

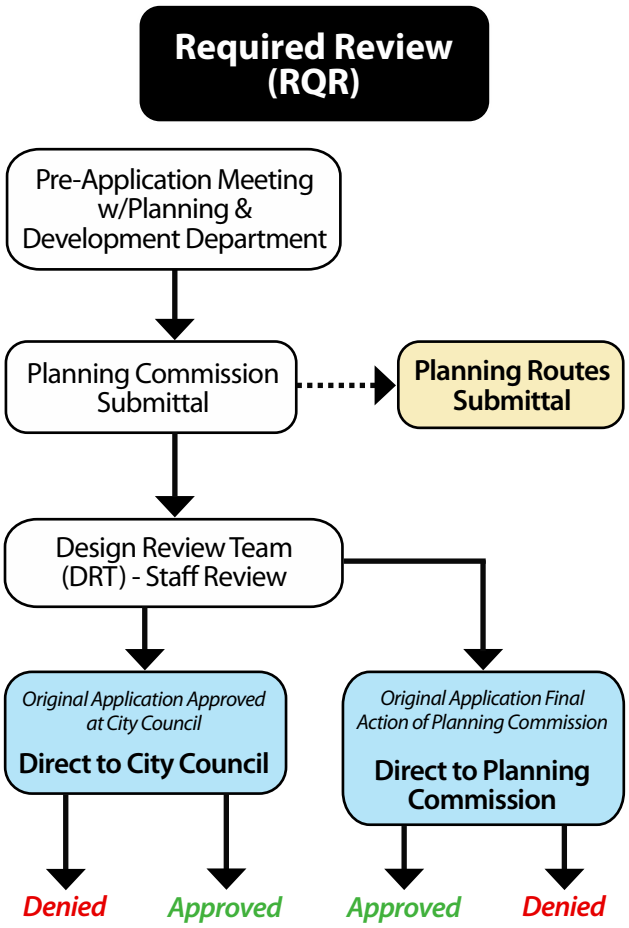
1. Publishing the notice in a newspaper of general circulation within the City; and

2. Mailing a copy of the notice to:

a. The applicant, if any, or otherwise to the property owner, operator of the use, or other representative;

Typical Review Process

Required Review 19.16.250



b. Each owner of real property located within a minimum of one thousand feet of the property described in the application;

c. The president or head of any registered local neighborhood organization whose organization boundaries are located within the minimum of one mile of the property described in the application; and

d. The owner of each of the thirty separately-owned parcels nearest to the property described in the application to the extent that this notice does not duplicate the notice otherwise required by this Paragraph (2).

E. Decision

The Planning Commission or City Council, as the case may be, may take such action as it deems appropriate regarding the application, including without limitation:

1. Allowing the previous approval to continue subject to further review;

2. Allowing the previous approval to continue without further review;

3. Allowing the previous approval to continue subject to a different scope, or subject to conditions other than any previously imposed; or

4. Revoking or otherwise terminating the previous approval, but only if notice of the potential to take such action is provided at least fourteen days in advance of the hearing to:

a. The applicant (if any) or to the applicant's agent; or

b. Otherwise, to the property owner or operator of the use (or an agent).

F. Notice of Decision

Written notice of the decision by the Planning Commission or City Council, as the case may be, including the reasons therefor, shall be provided to the applicant, if any, or the applicant's agent, or otherwise to the property owner, the operator of the use, or an agent thereof. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

19.16.260

EXTENSION OF TIME

A. Purpose

The purpose of an Extension of Time is to provide a mechanism for extending the approval period of an approved application with time limitations imposed by the City Council or Planning Commission. The provisions of this Subchapter are intended to govern whenever there is a proposal to extend an application under this Chapter. The provisions of this Section are not intended to limit the authority of the Planning Commission or City Council.

B. Application

An application for an Extension of Time shall be filed with the Department on a form to be provided by the Department. The application shall be signed and acknowledged by the owner of record of the property for which the Extension of Time is sought, and shall be notarized as to the owner's signature.

C. Hearing

An application for an Extension of Time shall be heard by the Planning Commission or City Council, whichever body took final action to approve the item subject to an Extension of Time. Notice of the time, place and purpose of the hearing must be given at least ten days before the hearing by publishing the notice in the newspaper of general circulation within the City.

D. Decision

The Planning Commission or City Council, as the case may be, may take such action as it deems appropriate regarding the application, including without limitation:

1. Allowing the previous approval to continue subject to further review;

2. Allowing the previous approval to continue without further review;

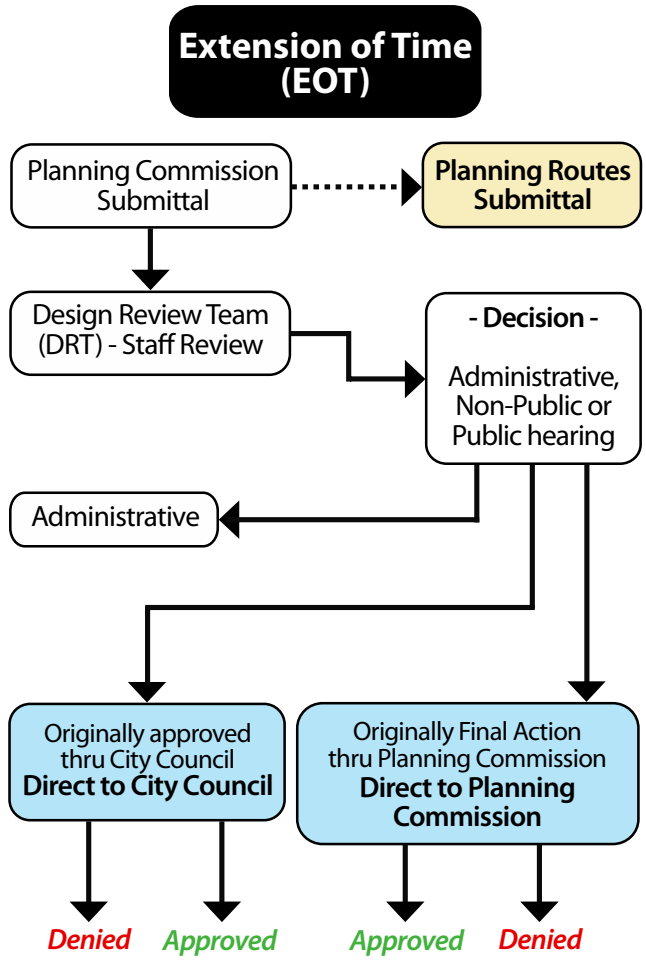
3. Allowing the previous approval to continue subject to a different scope, or subject to conditions other than any previously imposed; or

4. Revoking or otherwise terminating the previous approval, but only if notice of the potential to take such action is provided at least fourteen days in advance of the hearing to:

a. The applicant (if any) or the applicant's agent; or

Typical Review Process

Extension of Time
19.16.260



b. Otherwise, to the property owner or operator of the use (or an agent).

E. Notice of Decision

Written notice of the decision by the Planning Commission or City Council, as the case may be, including the reasons therefore, shall be provided to the applicant, if any, or the applicant's agent, or otherwise to the property owner, to the operator of the use, or an agent thereof. A copy of the notice shall also be filed with the City Clerk, and the date of the notice shall be deemed to be the date notice of the decision is filed with the City Clerk.

19.16.270

MASTER SIGN PLAN

A. Purpose

A Master Sign Plan is required for certain types of development in order to allow the Planning Commission and City Council to ensure the appropriate relationships among building elevations, signage and circulation. Larger commercial developments are likely to generate greater impacts on surrounding residential properties than smaller commercial projects. An effective Master Sign Plan encourages integrated signage, with an emphasis on wall signs and central identification signage rather than multiple freestanding signs along the street frontage. Reducing the amount of sign clutter along street frontages allows the customer of the commercial center to readily identify establishments that have the goods and services they seek.

B. Applicability

1. A Master Sign Plan shall be submitted and approved before any on-premise signage may be installed for the following:

a. Any non-residential project with a site larger than 15 net acres; or

b. Any non-restricted gaming establishment.

2. A Master Sign Plan may be submitted for any development or property not otherwise required to submit a Master Sign Plan to accomplish the following:

a. To establish the requirements and limitations for signs located in the Gaming and Downtown Overlay districts, and any uses not regulated elsewhere in this chapter located in the Planned Community and Planned Development districts; or

b. To establish requirements and limitations for signs in a specific development.

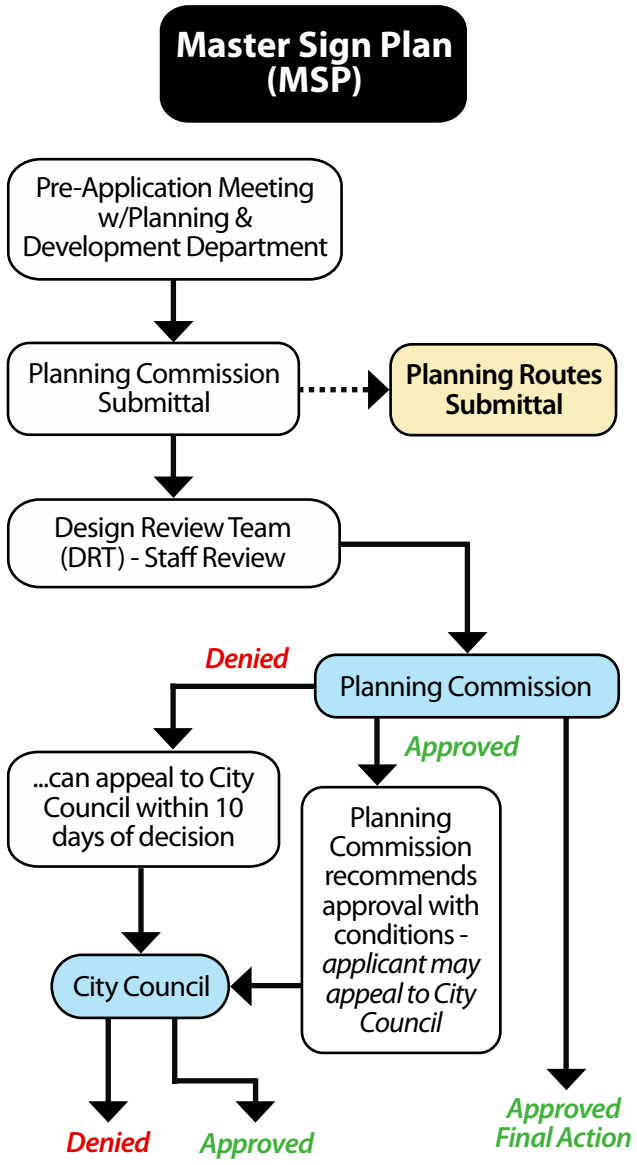
C. Master Sign Plan Requirements

A proposed Master Sign Plan generally may be submitted in connection with a Site Development Plan Review. The Master Sign Plan shall be signed by all the owners or the owner's authorized agent of the subject property on the form the Director requires, and shall include the following:

1. An accurate site plan of the lot, drawn to scale, indicating the location of buildings, parking lots,

Typical Review Process

Master Sign Plan
19.16.270



driveways and landscaped areas on the lot;

2. An accurate indication of the location of each present and proposed sign of any type, whether or not the sign requires a sign certificate, except that incidental signs need not be shown;

3. Design drawings which allow the computation of the sign area and the height of any existing or proposed signs and which indicate any sign characteristics such as illumination or moving parts;

4. A copy of any private restrictions or sign criteria which the owner(s) or developer agrees will govern all signs affected by the Master Sign Plan;

5. The applicable fees set forth in the Fee Schedule;

6. If applicable, standards for window signs that indicate the general type of window signage to be allowed (e.g., paper affixed to window, painted, etched on glass, or some other material hung inside the window); and

7. If applicable, a schedule for bringing all existing signs into conformance with the requirements in the Master Sign Plan.

D. Procedures

1. Hearing

The Planning Commission shall review a proposed Master Sign Plan within 65 days after it is properly submitted for review. The Planning Commission, in its discretion, may hold the Master Sign Plan in abeyance for good cause. Following the review, the Planning Commission shall make its recommendation to approve, approve with conditions, or deny the Master Sign Plan. The decision shall be based upon evidence that makes approval or denial of the Master Sign Plan appropriate.

2. Conditions of Approval

In approving a Master Sign Plan, the Planning Commission may impose the following conditions, restrictions or limitations as the Commission may determine to be necessary to meet the general purpose and intent of this Title and to ensure that the public health, safety and welfare are being maintained. All signs in the Master Sign Plan shall:

a. Either conform to all standards for the zoning district in which the sign will be located, under this Title, or establish the sign requirements and limitations consistent with the standards and criteria set forth in the following Subparagraphs (b) through (g). Master Sign Plans may also be used to establish the requirements and limitations for signs located in the Gaming and Downtown Overlay districts, and the Planned Community and Planned Development Districts;

b. Conform to the Residential Protection Standards set forth in this Title;

c. Conform to site plan and development standards regarding circulation and emergency exit patterns, parking and loading requirements and other standards related generally to the location of structures within a development;

d. Be compatible with the architectural characteristics and spatial relationships of the buildings on which the signs are attached, and the placement of freestanding signs on the site, when considered in terms of location, scale, proportion, color, materials, and illumination;

e. Be professionally designed and fabricated from materials that meet the physical demands of an urban setting;

f. Be creative in the use of two- and three-dimensional forms, iconographic representations, illumination and graphic design, including the use of color, pattern, typography, and materials; and

g. Be designed as attractive and complementary features of the development, which it serves.

3. Effect of Denial; Appeal

A decision by the Planning Commission to deny a Master Sign Plan becomes final and effective at the expiration of 10 calendar days after the date of the decision unless, within that period, the applicant appeals the decision by written request filed with the City Clerk.

4. Final Action Concerning Appeal or Approval

A decision by the Planning Commission to approve a Master Sign Plan constitutes final action, unless, with respect to a conditional approval, the applicant appeals the decision by written request filed with the City Clerk within ten calendar days after the date of the decision. The City Council shall review and make the final decision concerning

each Master Sign Plan which has been appealed to the City Council.

5. City Council Decision

In the case of an appeal, the City Council may approve, approve with conditions, or deny the Master Sign Plan. In doing so, the City Council shall consider the decision of the Planning Commission and the evidence presented at the public hearing. Action by the City Council is final.

6. Deemed Disapproval

If there is no final action by the Planning Commission or City Council on a Master Sign Plan within 90 days after the filing of a complete Master Sign Plan application, exclusive of any period of delay agreed to by the applicant thereof, it shall constitute a denial of the proposed Master Sign Plan. In the case of a failure by the City Council to reach final action on a Master Sign Plan, the applicant may seek direct judicial review of that denial based on the record then pending before the City Council.

E. Amendments

1. Minor Amendment

a. Applicability. This Minor Amendment process shall apply to any amendment to a Master Sign Plan which does not propose any of the following:

i. Any increase by greater than ten percent in the number or size of freestanding or consolidated signs requiring certificates;

ii. Any substantial increase in the size, or illumination of wall, awning, roof, marquee or permanent window signs located within 200 feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use; or

iii. Any substantial change in the location of wall, awning, roof, marquee or permanent window signs located within 200 feet of property zoned or shown on the General Plan as planned for single-family residential (attached or detached) use.

b. Procedure. The applicant shall file an application in writing, with supporting drawings, specifically identifying the proposed changes to the approved Master Sign Plan. The Director shall review the application for completeness, and the applicability of the Minor Amendment process under this Section, within 5 business days of the date the application is received. After the Director finds that the application is complete, and that the Minor Amendment process applies, the Director shall review and act on the Amended Master Sign Plan application within 15 business days of the date the application is received. The application shall be reviewed for consistency with any conditions included in the original Master Sign Plan. If the "Master Sign Plan with Minor Amendments," is consistent with any conditions included in the original Master Sign Plan, the Director shall approve the application. The Director shall mark the approved plan as "Master Sign Plan with Minor Amendments," and indicate the date of approval. From that date, the amended Master Sign Plan shall be the official Master Sign Plan.

c. Resubmission or Appeal. If the Minor Amendment is denied under this Paragraph (1), the applicant may revise and resubmit the application or may submit the complete application as a Major Amendment, in accordance with Paragraph (2). The submission of the application as a Major Amendment shall be in lieu of any appeal.

2. Major Amendment

a. Applicability. Any amendment to a Master Sign Plan, which does not meet the criteria for a "Minor Amendment," as set forth in Paragraph (1), shall be reviewed as a Major Amendment.

b. Procedure. A Major Amendment Master Sign Plan is accomplished by the same process and procedures required establishing a new Master Sign Plan. The proposed Major Amendment shall specifically identify the proposed changes to the existing Master Sign Plan that is in effect.

c. Schedule for Achieving Conformance. If any application for a Major Amendment to a Master Sign Plan is filed for a property on which existing signs are located, the application for the amended Master Sign Plan shall include a schedule for bringing into conformance all signs that do not conform to the proposed amended Master Sign Plan.

F. Effect

After approval of a Master Sign Plan, or amended Mas-

ter Sign Plan, no sign shall be erected, placed, or altered, except in conformance with the Master Sign Plan, and the Master Sign Plan shall be enforced in the same way as any provision of this Chapter. The provisions of this Chapter shall be in force for any provisions not established in a Master Sign Plan. In case of any conflict between the provisions of a Master Sign Plan and any other provision of this Chapter, the Master Sign Plan shall control.

19.16.280

APPENDICES

A. Adopted

There are adopted, as part of this Chapter, seven appendices, designated as Appendices "A," "B," "C," "D," "E," "F," and "G," which are incorporated by this reference and copies of which shall be maintained in the office of the City Clerk and the Department. Appendices "A" through "F" are related to the preparation and submittal of parcel maps, tentative subdivision maps and final subdivision maps under the applicable provision of this Title. Appendix G sets forth requirements related to boundary line adjustments as authorized and described by State law.

19.18

Definitions & Measures

Unified Development Code
Title 19

The final draft of this Chapter was not yet ready as of the Agenda Post deadline for the November 2010 Planning Commission meeting. The final draft for this Chapter will be submitted at the November 18th Planning Commission meeting for consideration as a part of TXT-39750.

Prior to the Planning Commission meeting the final draft of this and all other chapters of the proposed Unified Development Code (UDC) will be available on the City of Las Vegas website at:

www.lasvegasnevada.gov/UDC

City of Las Vegas Agenda Item No.: **34.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

SUBJECT:
TXT-39836 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to update the Downtown Centennial Plan to add various commercial uses to the 18b Arts District and to add language pertaining to the I-515/U.S. 95 widening project. Staff recommends APPROVAL.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
Proposed Amendments and Staff Report

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 18, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-39836	Staff recommends APPROVAL.	

** PROPOSED AMENDMENT(S) **

1. Subsection II(D) Linkages is hereby amended to add the following before the final paragraph, "NDOT has announced plans to widen the I-515/US-95 freeway east of the Spaghetti Bowl interchange. This project will result in the loss of approximately 450' of occupied land to the north of the current alignment. Several projects crucial to the continued rejuvenation of the Downtown area are located directly south of the current alignment. These projects are listed in Map 7".

2. Subsection VII(D)(2)(1) Residential and Lodging Uses is hereby amended to add Bed & Breakfast Inn as a Permitted Use; and

3. Subsection VII(D)(2)(5) Retail and Personal Services is hereby amended to add Auction House (Special Use Permit), Bakery, Beer/Wine/Cooler Off-Sale Establishment, (Special Use Permit), Convenience Store, Custom & Craft Work, Grocery Store, and Internet Café as Permitted Uses.

YK

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for discussion and possible action to amend Section II(D) Linkages to add language relating to the Nevada Department of Transportation's plans to widen I-515/U.S. 95 on the north side. This proposal also includes a request to amend Section VII(D)(2) Permitted Uses of the Downtown Centennial Plan, to include Bed & Breakfast Inn, Auction House (Special Use Permit), Bakery, Beer/Wine/Cooler Off-Sale Establishment, (Special Use Permit), Convenience Store, Custom & Craft Work, Grocery Store and Internet Café in the 18b Las Vegas Arts District.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
07/05/00	The City Council adopted the Las Vegas Downtown Centennial Plan. The Planning Commission recommended the document be adopted at its meeting on 04/27/00.
08/05/09	The City Council adopted Bill No. 2009-29, to adopt a revised Downtown Centennial Plan. The Planning Commission and Staff recommended approval.
11/04/09	The City Council adopted Bill No. 2009-42, to adopt a revised Downtown Centennial Plan. The Planning Commission and Staff recommended approval.
06/24/10	The Planning Commission recommended approval of Text Amendment (TXT-37903) to update sections of the Downtown Centennial Plan. Staff recommended approval.
10/20/10	The City Council held the second reading of Bill No. 2010-43 (TXT-37903).

ANALYSIS

Since the adoption of the Las Vegas Downtown Centennial Plan in 2000, there have been numerous updates and changes to Title 19. These changes often affected the language that is found in the Las Vegas Downtown Centennial Plan. However, some of these changes were never made. In addition, some previously approved Land Uses allowed in the 18b Arts District were mistakenly removed from the Plan. This amendment will correct these errors.

The proposed land uses to be added to the permitted Land Uses in the 18b Arts District are the following: Auction House, Bakery, Bed & Breakfast Inn, Beer/Wine/Cooler Off-Sale Establishment, Convenience Store, Custom & Craft Work, Grocery Store, and Internet Café. These uses are consistent with the goals of creating a vibrant, thriving arts community in downtown Las Vegas.

It is also important to know about major changes outside the Downtown Centennial Plan boundaries that may impact the plan area. As a result, language is being added to the Linkage Section about pending plans to widen I-515/U.S. 95 that forms the northern boundary of the Downtown Centennial Plan. Plans call for a 450-foot wide addition to the northern side of the existing right-of-way.

FINDINGS

The proposed amendment will further the goals of developing a thriving arts district by allowing additional Land Uses in the emerging 18b Arts District in downtown Las Vegas. This proposal will also provide additional information about the transportation network adjacent to the Downtown Centennial Plan area.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas Agenda Item No.: **35.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

SUBJECT:
DIR-39955 - 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.: **36.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

SUBJECT:
DIR-40082 - DIRECTORS BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to approve a revision of the 2010 and 2011 Planning Commission Meeting Schedules. Staff recommends APPROVAL.

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 recommends APPROVAL.

BACKUP DOCUMENTATION:
1. DRAFT Revision of 2010 Planning Commission Meeting Schedule
2. DRAFT Revision of 2011 Planning Commission Meeting Schedule

PLANNING & DEVELOPMENT DEPARTMENT

2010
PLANNING COMMISSION MEETING SCHEDULE

Application Closing Day	Planning Commission Meeting Date
December 1, 2009	January 14, 2010
December 15, 2009	January 28, 2010
December 29, 2009	February 11, 2010
January 12, 2010	February 25, 2010
February 9, 2010	March 25, 2010
March 9, 2010	April 22, 2010
April 13, 2010	May 27, 2010
May 11, 2010	June 24, 2010
June 15, 2010	July 29, 2010
July 13, 2010	August 26, 2010
August 10, 2010	September 23, 2010
September 7, 2010	October 21, 2010
October 5, 2010	November 18, 2010
November 2, 2010	December 16, 2010
December 9, 2010	January 25, 2011

Applications MUST BE submitted by 2:00 P.M. on CLOSING DAYS
Applications WILL BE accepted until 4:00 P.M. on NON-CLOSING DAYS
Call (702) 229-6301 for additional information

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11/9/10

PLANNING & DEVELOPMENT DEPARTMENT

2011
PLANNING COMMISSION MEETING SCHEDULE

Application Closing Day	Planning Commission Meeting Date
December 9, 2010	January 25, 2011
December 23, 2010	February 8, 2011
January 20, 2011	March 8, 2011
February 24, 2011	April 12, 2011
March 24, 2011	May 10, 2011
April 28, 2011	June 14, 2011
May 26, 2011	July 12, 2011
June 23, 2011	August 9, 2011
July 28, 2011	September 13, 2011
August 25, 2011	October 11, 2011
September 22, 2011	November 8, 2011
October 27, 2011	December 13, 2011
November 23, 2011	January 10, 2012
December 29, 2011	February 14, 2012

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Applications MUST BE submitted by 2:00 P.M. on CLOSING DAYS
Applications WILL BE accepted until 4:00 P.M. on NON-CLOSING DAYS
Call (702) 229-6301 for additional information

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City of Las Vegas Agenda Item No.: **37.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 18, 2010

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

SUBJECT:
DIR-40129 - DIRECTORS BUSINESS - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to approve a revision of the Planning Commission bylaws. Staff recommends APPROVAL.

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 recommends APPROVAL.

BACKUP DOCUMENTATION:
DRAFT Planning Commission Bylaws Revisions

CITY OF LAS VEGAS
PLANNING COMMISSION

R U L E S A N D R E G U L A T I O N S

I. NAME:

In accordance with the provisions of Nevada Revised Statues 278.030 and 278.040, and Title II, Chapter 2, Section 44 of the Las Vegas Municipal Code, the name of this Commission shall be the City Planning Commission of the City of Las Vegas, Nevada (hereinafter the Planning Commission).

II. MEMBERSHIP:

A. In accordance with the provisions of Title II, Chapter 2, Section 44 of the Las Vegas Municipal Code, the Planning Commission shall consist of seven (7) members, one recommended by each member of the City Council and approved by the City Council.

B. The term of each Planning Commission member shall be four years or until his/her successor takes office, running concurrent with the term of the elected official recommending their appointment, and any vacancy occurring otherwise than through the expiration of the term must be filled for the unexpired term. All members must be City residents.

C. No incumbent Planning Commission member, or former Planning Commission member who has served at least two consecutive full four-year terms, shall be eligible for appointment to a further term until at least two years have elapsed since the expiration of his/her current term or the most recent term, as the case may be.

D. Members of the Planning Commission may be removed after a public hearing, by a majority vote of the City Council, for inefficiency, neglect of duty, or malfeasance in office.

E. A member of the Commission desiring to resign shall submit in writing a letter of resignation to the City Clerk's Office with copies to the City Council, the Chair, and the Planning & Development Department Director. The resignation shall be effective upon receipt by the City Clerk's Office.

F. Planning Commissioners shall comply with the Code of Ethical Standards as set forth in NRS 281.481 et seq. as applicable and amended.

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III. OFFICERS:

The duly elected or appointed officers of the Planning Commission shall be as follows: Chair, Vice-Chair, and Secretary.

IV. ELECTION OF OFFICERS:

A. The Chair and the Vice-Chair shall be elected annually, at the first regular meeting in January. The Chair and the Vice-Chair shall be elected by a majority vote of the entire Planning Commission.

A. The term of the Chair and Vice-Chair is one year.

B. No Planning Commissioner may serve more than two full consecutive terms as Chair or Vice-Chair.

V. DUTIES OF OFFICERS:

A. Chair:

It shall be the duty of the Chair to act as the presiding officer at all regular and special Planning Commission meetings unless he/she is incapacitated or unable to attend a meeting for any other reason. The Chair may appoint subcommittees as deemed necessary.

B. Vice-Chair:

It shall be the duty of the Vice-Chair to act as presiding officer at any regular or special meeting of the Planning Commission in the absence of the Chair.

C. Secretary:

The Director of the Department of Planning & Development, as appointed by the City Manager, shall serve as Secretary of the Planning Commission, and as such shall be responsible for the administration of the affairs of the Planning Commission. The Secretary shall be the custodian of all official records of the Planning Commission. In the event that both the Chair and Vice-Chair are incapacitated or otherwise unable to attend any regular or special meeting, the Secretary shall appoint another member to act as Chair for that particular meeting. In the absence of the Vice-Chair, the most senior member of the Commission shall act in that capacity. If multiple members have the same term, the Secretary shall appoint.

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VI. MEETINGS:

A. Regular:

The Commission shall hold regular meetings generally on the ~~second Thursday and fourth Thursday~~ second Tuesday of every month at 6:00 p.m. in the City Hall, or other times and locations as the Planning Commission, by majority vote at a regular meeting, shall designate. Whenever this regular meeting date is in conflict with an official holiday, the regular meeting shall be convened on a different meeting day as designated by a majority vote of the Planning Commission at a previously convened regular meeting. A calendar of all meetings for the year shall be placed on ~~the~~ an agenda ~~the first meeting of November~~ for approval by the Planning Commission.

B. Special:

Special meetings shall be held on the call of the Chair with three (3) working days notice to all Planning Commission members as required under the Open Meeting Law. Upon petition of three (3) members, the Chair shall be required to call a special meeting. In the event a special meeting is officially called by the Chair, the Secretary shall use all reasonable means at his/her disposal to make certain that all members of the Planning Commission are notified of the date, hour, and place of the special meeting and the specific purpose for which it is called.

VII. QUORUM:

The attendance by four (4) members of the Planning Commission constitutes a quorum at any regular of special meeting, for purposes of convening a meeting.

VIII. ACTIONS:

All determinations by the Planning Commission shall be made on the basis of a majority vote of the members present and voting except as specifically noted elsewhere in these Rules. The adoption of the Master Plan or of any amendment, extension, or addition thereto, shall be carried by the affirmative votes of not less than two-thirds of the total membership of the Commission pursuant to NRS 278.210. Decisions on public hearing items shall be determined by a roll call vote or through use of an electronic voting device. A tie vote shall constitute failure of a motion and a new motion shall be made on the question at the same meeting. A tie vote after the second motion shall constitute no recommendation of the agenda item by the Planning Commission. A second to a motion duly made is not required and all motions shall be voted upon. Robert's Rules of Orders shall prevail in all cases that are not otherwise provided for in these By-Laws.

IX. VOTING PRIVILEGES:

All members of the Planning Commission shall be entitled to vote on all motions or resolutions presented before the Commission except as specifically noted in these Rules. Any member shall have the right to make a motion except the Chair.

X. CONFLICTS OF INTEREST:

A. A member of the commission shall not approve, disapprove, vote, or otherwise act upon any matter regarding which he has accepted a gift, loan, or other financial interest as defined in NRS 281.501, as applicable and amended, which would reasonably be affected by his/her commitment in a private capacity to the interest of others, or in which he/she has a pecuniary interest, without disclosing the nature and extent of the gift, loan, commitment or interest at the time the matter is considered.

   A member of the Commission shall consider refraining from approving, disapproving, voting, or otherwise acting upon any matter regarding which a member of his/her immediate family or relative has accepted a gift, loan, or other financial interest as defined in NRS 281.501, as applicable and amended without disclosing the full nature and extent of the gift, loan, commitment or interest at the time the matter is considered.

B. Abstentions: A member who decides to abstain whether because of a conflict of interest or otherwise must state his/her reasons for doing so on the record at the time the matter is considered and before the vote is taken. The abstaining member may absent himself or herself from the presence of non-abstaining members during the Commission's consideration of the matter in question.

XI. ATTENDANCE:

A. Each Commissioner who will be unable to attend a meeting of the Commission shall notify the Secretary at the earliest opportunity, but not later than 5:00 p.m. on the day prior to the date of the meeting. The Secretary shall notify the Chair if the projected absence(s) will produce a lack of quorum.

B. If a member of the Planning Commission without excuse fails to attend at least 75% of the meetings held within the previous 12 months or misses three consecutive meetings, the member shall be subject to removal from office at the discretion of the City Council.

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C. Planning Commissioners, who were unable to attend a meeting at which an agenda item was heard but no substantive action was taken, may become informed about the agenda item by reviewing all submissions and either the video or audio tape of the proceedings, if any. After a full review of the materials related to the agenda item, and if otherwise, eligible to vote, the Planning Commissioners may vote on the agenda item simultaneously with the other Planning Commissioners.

XII. ADDRESSING THE COMMISSION:

A. Every Planning Commissioner desiring to speak shall address the Chair and, upon recognition by the Chair, shall confine himself or herself to the question under debate, avoiding all personalities and indecorous language.

B. A Planning Commissioner, once recognized, shall not be interrupted when speaking unless it is to call the Planning Commissioner to order. If a Planning Commissioner, who is speaking, is called to order, the Planning Commissioner shall cease speaking until the question of order is determined, and if in order, shall be permitted to proceed.

C. Any person wishing to address the Planning Commission shall first secure permission of the Chair to do so.

D. Oral presentations given during the Citizens' Participation portion of the agenda or any other agenda item should not be repetitious and shall be confined to three minutes maximum duration, unless the Chair or quorum of the Commission grants additional time. No action shall be taken on issues raised under the Citizens' Participation portion of the agenda.

XIII. USE OF CITY STAFF:

A. Planning Commissioners should always feel free to go to the Planning Director. Commissioners will provide ongoing feedback, information, and perceptions to the Planning Director. When a Commissioner has a concern with the Planning & Development Department, the concern should be discussed with the Planning Director.

B. Planning Commissioners shall make all requests for staff time to the Planning Director, who is authorized to approve or deny such requests.

C. Planning Commissioners may and should seek clarifying information from the Planning Director. Direct communication with employees of the Planning & Development Department is allowed at the discretion of the Director.

D. Planning Commissioners shall address legal questions regarding matters before the Commission to the City Attorney's Office and inform the Planning Director.

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XIV. ADOPTION AND AMENDMENTS:

A. Adoption:

These Rules shall be adopted by a majority vote of the entire Planning Commission.

B. Amendments:

These Rules may be amended from time to time by a majority vote of the entire Planning Commission provided such Amendments are not inconsistent with or in conflict with the City Charter or any Ordinance of the City of Las Vegas or the Nevada Revised Statutes and provided further that any proposal to amend the Rules shall be presented to the Planning Commission at a regular meeting, discussed and tabled, and be included on the Agenda for action by the Planning Commission at the next regular meeting.

RICHARD TRUESDELL, CHAIR
PLANNING COMMISSION

APPROVED: _____

ATTEST:

_____
M. MARGO WHEELER, AICP, SECRETARY

APPROVED AS TO FORM:

_____
BRYAN SCOTT, ASSISTANT CITY ATTORNEY FOR CITY ATTORNEY BRAD JERBIC

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City of Las Vegas Agenda Item No.: **38.**

AGENDA SUMMARY PAGE

PLANNING COMMISSION MEETING OF NOVEMBER 18, 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