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

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

April 12, 2011

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 AND PAYMENT OF THOSE COSTS SHALL BE MADE UPON FILING OF THE APPLICATION.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION AND AGREED TO BY THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

PLANNING COMMISSION MEETING RULES OF CONDUCT:

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.

2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.

3. If areas of concern are known in advance, or if the applicant does not accept staff's condition, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.

4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.

5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.

6. After all objectors' input has been received; the applicant will be invited to respond to any new issues raised.

7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.

8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

BUSINESS ITEMS:

1. CALL TO ORDER

2. ANNOUNCEMENT: COMPLIANCE WITH OPEN MEETING LAW

3. ROLL CALL

4. APPROVAL OF THE FINAL MINUTES FOR THE PLANNING COMMISSION WORKSHOP MEETING OF FEBRUARY 24, 2011 AND THE PLANNING COMMISSION MEETING OF MARCH 8, 2011

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

CONSENT ITEMS:

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

ONE MOTION - ONE VOTE

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

6. **ZON-41006 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: CHARLESTON RANCHO, LLC** - Request for a Rezoning FROM: C-D (DESIGNED COMMERCIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.72 acre at 2324 West Charleston Boulevard (APN 139-32-802-032), Ward 1 (Tarkanian). Staff recommends APPROVAL.

7. **RQR-40786 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: 1701 WESTERN PROPERTIES, LLC** - Required Review of a previously approved Special Use Permit (SUP-3285) FOR A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 1703 Western Avenue (APN 162-04-703-001), M (Industrial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

8. **SUP-40837 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: G & N, LLC - OWNER: DARIO PINI** - Request for a Special Use Permit FOR A PROPOSED 8,763 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT at 707 Fremont Street (APN 139-34-612-005), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

9. **SUP-40899 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BODY SPA - OWNER: MICAH 6:8 HOLDING, LLC** - Request for a Special Use Permit FOR A 661 SQUARE-FOOT MASSAGE ESTABLISHMENT WITHIN AN EXISTING 20,189 SQUARE-FOOT SPA FACILITY WITH WAIVERS OF THE DISTANCE SEPARATION REQUIREMENTS TO ALLOW 130 FEET FROM A MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS REQUIRED AND NO DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 400 FEET IS REQUIRED at 8751 West Charleston Boulevard, Suite #150 and #160 (APN 163-05-502-001), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

10. **SUP-41030 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC** - Request for a Special Use Permit FOR A PROPOSED 2,946 SQUARE-FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITH A WAIVER TO ALLOW A 141-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS REQUIRED at 410 South Rampart Boulevard, Suite #120 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

11. **SUP-41080 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: WEINGARTEN NOSTAT, INC.** - Request for a Special Use Permit TO ADD A JEWELRY STORE, CLASS III USE TO AN EXISTING FINANCIAL INSTITUTION, SPECIFIED at 6820 West Charleston Boulevard (APN 138-34-814-006), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

12. **SDR-41023 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CLARK COUNTY LEGAL SERVICES PROGRAM** - Request for a Major Amendment to an approved Site Development Plan Review (SDR-39457) FOR A FOUR-STORY, 49-FOOT TALL PARKING GARAGE WHERE A THREE-STORY, 33-FOOT TALL PARKING GARAGE WAS APPROVED on 0.98 acres at the southwest corner of Gass Avenue and 8th Street (APNs 139-34-410-244 and 245), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

13. **SDR-41035 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: ED BOZARTH CHEVROLET - OWNER: 5501 DREXEL, LLC** - Request for a Major Amendment to an approved Site Development Plan Review (SD-0031-97) FOR A PROPOSED 7,300 SQUARE-FOOT AUTOMOBILE SHOWROOM ADDITION AT AN EXISTING MOTOR VEHICLES SALES (NEW) FACILITY on 9.46 acres at 5501 Drexel Road (APN 125-34-501-003), C-2 (General Commercial) Zone, Ward 6 (Ross). Staff recommends APPROVAL.

PUBLIC HEARING ITEMS

14. **ABEYANCE - ZON-40490 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: MARY BARTSAS 19, LLC** - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.14 acres at 528 East Oakey Boulevard (APN 162-03-311-002), Ward 3 (Reese). Staff recommends APPROVAL.

15. **ABEYANCE - VAR-40491 - VARIANCE RELATED TO ZON-40490 - PUBLIC HEARING - APPLICANT/OWNER: MARY BARTSAS 19, LLC** - Request for a Variance TO ALLOW THREE PARKING SPACES WHERE SIX ARE REQUIRED on 0.14 acres at 528 East Oakey Boulevard (APN 162-03-311-002), R-4 (High Density Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 3 (Reese). Staff recommends DENIAL.

16. **ABEYANCE - SDR-40492 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-40490 AND VAR-40491 - PUBLIC HEARING - APPLICANT/OWNER: MARY BARTSAS 19, LLC** - Request for a Site Development Plan Review FOR THE CONVERSION OF A 1,632 SQUARE-FOOT RESIDENTIAL DUPLEX TO AN OFFICE, OTHER THAN LISTED WITH WAIVERS TO ALLOW NO PERIMETER LANDSCAPE BUFFERS ALONG THE NORTH AND EAST PERIMETERS WHERE 15 FEET IS REQUIRED AND ALONG THE SOUTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED on 0.14 acres at 528 East Oakey Boulevard (APN 162-03-311-002), R-4 (High Density Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 3 (Reese). Staff recommends DENIAL.

17. **ABEYANCE - RENOTIFICATION - SUP-40748 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC** - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) WITHIN A 28.44-ACRE MIXED-USE DEVELOPMENT WITH WAIVERS TO ALLOW A DISTANCE SEPARATION OF 141 FEET FROM A PARK WHERE 400 FEET IS REQUIRED AND NO DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at 430 South Rampart Boulevard, Suite #B160 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson). NOTE: THE WAIVER REQUESTED FROM A CITY PARK IS 141 FEET WHERE 1,500 FEET IS REQUIRED Staff recommends APPROVAL.

18. **ABEYANCE - RENOTIFICATION - SUP-40749 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC** - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) WITHIN A 28.44-ACRE MIXED-USE DEVELOPMENT WITH WAIVERS TO ALLOW A DISTANCE SEPARATION OF 141 FEET FROM A PARK WHERE 400 FEET IS REQUIRED AND NO DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at 430 South Rampart Boulevard, Suite #B130 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson). NOTE: THE WAIVER REQUESTED FROM A CITY PARK IS 141 FEET WHERE 1,500 FEET IS REQUIRED Staff recommends APPROVAL.

19. **GPA-40839 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: DRIVETIME CAR SALES COMPANY, LLC - OWNER: LINDA LEE WARD REVOCABLE LIVING TRUST** - Request to amend the General Plan FROM: PF (PUBLIC FACILITIES) TO: GC (GENERAL COMMERICAL) on 1.8 acres at 2301 McLeod Street (APN 162-01-801-013), Ward 3 (Reese). Staff recommends APPROVAL.

20. **SUP-41115 - SPECIAL USE PERMIT RELATED TO GPA-40839 - PUBLIC HEARING - APPLICANT: DRIVETIME CAR SALES COMPANY, LLC - OWNER: LINDA LEE WARD REVOCABLE LIVING TRUST** - Request for a Special Use Permit FOR A PROPOSED AUTO REPAIR GARAGE, MAJOR use at 2301 McLeod Street (APN 162-01-801-013), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

21. **SDR-41114 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-40839 AND SUP-41115 - PUBLIC HEARING - APPLICANT: DRIVETIME CAR SALES COMPANY, LLC - OWNER: LINDA LEE WARD REVOCABLE LIVING TRUST -** Request for a Major Amendment to a previously approved Site Development Plan Review (Z-0003-76) FOR A PROPOSED AUTO REPAIR GARAGE, MAJOR WITHIN AN EXISTING 4,800 SQUARE-FOOT BUILDING on 1.8 acres at 2301 McLeod Street (APN 162-01-801-013), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

22. **ZON-40999 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: WAI CHUN GINN** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 1.44 acres at the southwest corner of Owens Avenue and "N" Street (APNs 139-28-501-002 and 003), Ward 5 (Barlow). Staff recommends APPROVAL.

23. **SDR-40998 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-40999 - PUBLIC HEARING - APPLICANT/OWNER: WAI CHUN GINN** - Request for a Site Development Plan Review FOR A PARKING LOT WITH WAIVERS TO ALLOW NO PERIMETER LANDSCAPE BUFFER ALONG THE WEST PERIMETER WHERE EIGHT FEET IS REQUIRED AND A FIVE-FOOT PERIMETER LANDSCAPE BUFFER ALONG THE NORTH AND EAST PERIMETERS WHERE FIFTEEN FEET IS REQUIRED on a portion of 0.53 acres at the southwest corner of Owens Avenue and "N" Street (APN 139-28-501-002), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 5 (Barlow). Staff recommends DENIAL.

24. **VAR-40797 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: MARGARITA OJEDA** - Request for a Variance TO ALLOW A SIX-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED FOR A PROPOSED ACCESSORY STRUCTURE (CLASS II) AND TO ALLOW THREE ACCESSORY STRUCTURES WITH A TOTAL BUILDING AREA OF 1,048 SQUARE FEET WHERE 1,011 SQUARE FEET IS THE MAXIMUM ALLOWED on 0.45 acres at 5313 Patricia Avenue (APN 138-01-710-017), R-E (Residence Estates) Zone, Ward 6 (Ross). Staff recommends DENIAL.

25. **VAR-41002 - VARIANCE - PUBLIC HEARING - APPLICANT: SA RECYCLING - OWNER: 1701 WESTERN AVENUE, LLC, ET AL** - Request for a Variance TO ADD TWO FEET OF RAZOR WIRE TO AN EXISTING EIGHT-FOOT HIGH PERIMETER WALL on 3.31 acres at 1701 Western Avenue (APNs 162-04-703-001, 002 and 003), M (Industrial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

26. **VAR-41060 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES** - Request for a Variance TO ALLOW A ZERO-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED on 0.54 acres at 4944 Vegas Drive (APN 138-24-803-022), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

27. **VAR-41216 - VARIANCE RELATED TO VAR-41060 - PUBLIC HEARING - APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES** - Request for a Variance TO ALLOW 11 PARKING SPACES WHERE 22 ARE REQUIRED on 0.54 acres at 4944 Vegas Drive (APN 138-24-803-022), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

28. **SDR-41059 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-41060 - PUBLIC HEARING - APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES** - Request for a Site Development Plan Review FOR A PROPOSED 4,428 SQUARE-FOOT CHURCH AND A 2,880 SQUARE-FOOT MODULAR CLASSROOM BUILDING WITH WAIVERS TO ALLOW NO LANDSCAPE BUFFERS ALONG THE NORTH, EAST AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED AND A FIVE FOOT WIDE LANDSCAPE BUFFER ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED on 0.54 acres at 4944 Vegas Drive (APN 138-24-803-022), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

29. **VAR-41197 - VARIANCE - PUBLIC HEARING - APPLICANT: OVATION DEVELOPMENT - OWNER: LONE MOUNTAIN APARTMENTS I, LLC** - Request for a Variance TO ALLOW 56 PARKING SPACES WHERE 57 ARE REQUIRED on 1.77 acres at the southeast corner of Rainbow Boulevard and Lone Mountain Road (APN 138-02-101-015), C-1 (Limited Commercial) Zone, Ward 6 (Ross). Staff recommends APPROVAL.

30. **SUP-41039 - SPECIAL USE PERMIT RELATED TO VAR-41197 - PUBLIC HEARING - APPLICANT: OVATION DEVELOPMENT - OWNER: LONE MOUNTAIN APARTMENTS I, LLC** - Request for a Major Amendment of a previously approved Special Use Permit (SUP-37601) FOR A 75-UNIT SENIOR CITIZEN APARTMENT COMPLEX WHERE A 152-UNIT SENIOR CITIZEN APARTMENT COMPLEX WAS APPROVED at the southeast corner of Rainbow Boulevard and Lone Mountain Road (APN 138-02-101-015), C-1 (Limited Commercial) Zone, Ward 6 (Ross). Staff recommends APPROVAL.

31. **SDR-41043 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-41197 AND SUP-41039 - PUBLIC HEARING - APPLICANT: OVATION DEVELOPMENT - OWNER: LONE MOUNTAIN APARTMENTS I, LLC** - Request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 75-UNIT SENIOR CITIZEN APARTMENT COMPLEX WITH WAIVERS TO ALLOW A ZERO-FOOT WIDE LANDSCAPE BUFFER ALONG PORTIONS OF THE SOUTH AND EAST PERIMETERS WHERE SIX FEET IS REQUIRED on 1.77 acres at the southeast corner of Rainbow Boulevard and Lone Mountain Road (APN 138-02-101-015), C-1 (Limited Commercial) Zone, Ward 6 (Ross). Staff recommends APPROVAL.

32. **SUP-40843 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: THREE BS, INC.** - Request for a Special Use Permit FOR A PROPOSED CAR WASH, FULL SERVICE USE at 8601 West Charleston Boulevard (APN 163-05-517-007), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

33. **SDR-40836 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-40843 - PUBLIC HEARING - APPLICANT/OWNER: THREE BS, INC.** - Request for a Site Development Plan Review FOR A PROPOSED 1,000 SQUARE-FOOT CAR WASH, FULL SERVICE FACILITY on 3.72 acres at 8601 West Charleston Boulevard (APN 163-05-517-007), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

34. **SUP-41036 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DANIEL J. COUGHLIN - OWNER: T-BREO II, LLC** - Request for a Special Use Permit FOR A PROPOSED 1,983 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT at 523 Fremont Street (APN 139-34-611-017), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

35. **SUP-41046 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DOWNTOWN GUITAR BAR, LLC - OWNER: 3RD & CHARLESTON, LLC** - Request for a Special Use Permit FOR AN URBAN LOUNGE IN AN EXISTING ANTIQUE/COLLECTIBLE STORE at 1106 South 3rd Street (APN 162-03-110-036), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

36. **SDR-41049 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: TEN15 CENTENNIAL, LLC** - Request for a Major Amendment to an approved Site Development Plan Review (SDR-27051) FOR A PROPOSED 8,775 SQUARE-FOOT AUTO REPAIR GARAGE (MINOR) on 2.14 acres approximately 230 feet north of Deer Springs Way, adjacent to the west side of Durango Drive (APN 125-20-216-004), T-C (Town Center) Zone [GC-TC (General Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

DIRECTOR'S BUSINESS:

37. **TXT-41185 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend Table 1 of Town Center Development Standards to establish regulations, applicable zoning districts, and requirements for the Auto Sales Showroom use. 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
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting

SUBJECT:
CALL TO ORDER

City of Las Vegas Agenda Item No.: **2.**

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting

SUBJECT:
ANNOUNCEMENT: COMPLIANCE WITH OPEN MEETING LAW

City of Las Vegas Agenda Item No.: **3.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting

SUBJECT:
ROLL CALL

City of Las Vegas Agenda Item No.: **4.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting

SUBJECT:
APPROVAL OF THE FINAL MINUTES FOR THE PLANNING COMMISSION WORKSHOP MEETING OF FEBRUARY 24, 2011 AND THE PLANNING COMMISSION MEETING OF MARCH 8, 2011

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

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **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

PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

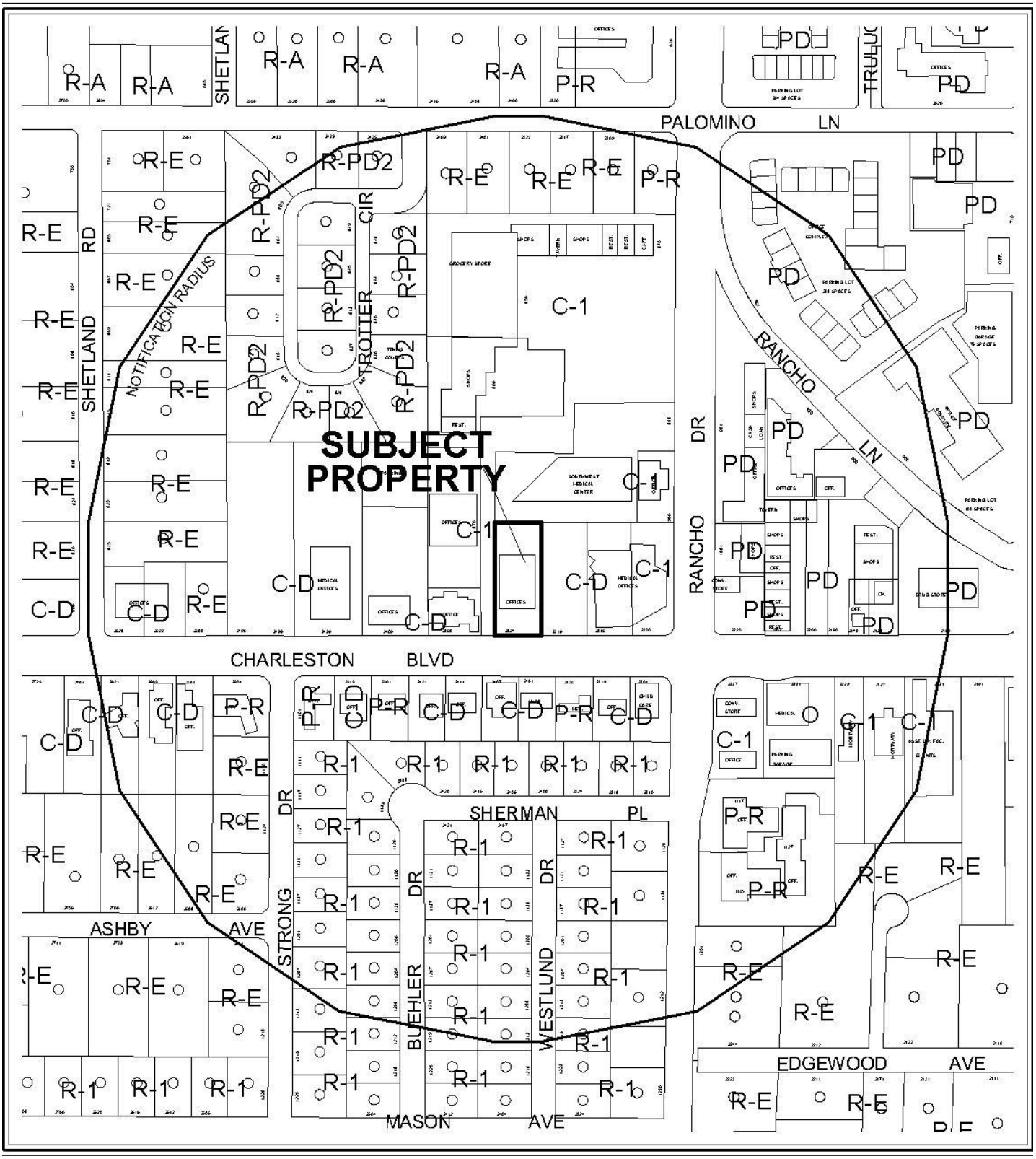
SUBJECT:
ZON-41006 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: CHARLESTON RANCHO, LLC - Request for a Rezoning FROM: C-D (DESIGNED COMMERCIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.72 acre at 2324 West Charleston Boulevard (APN 139-32-802-032), Ward 1 (Tarkanian). Staff recommends APPROVAL.

C.C.: 05/04/2011

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

RECOMMENDATION:
Staff recommends APPROVAL.

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



0 300 600 Feet

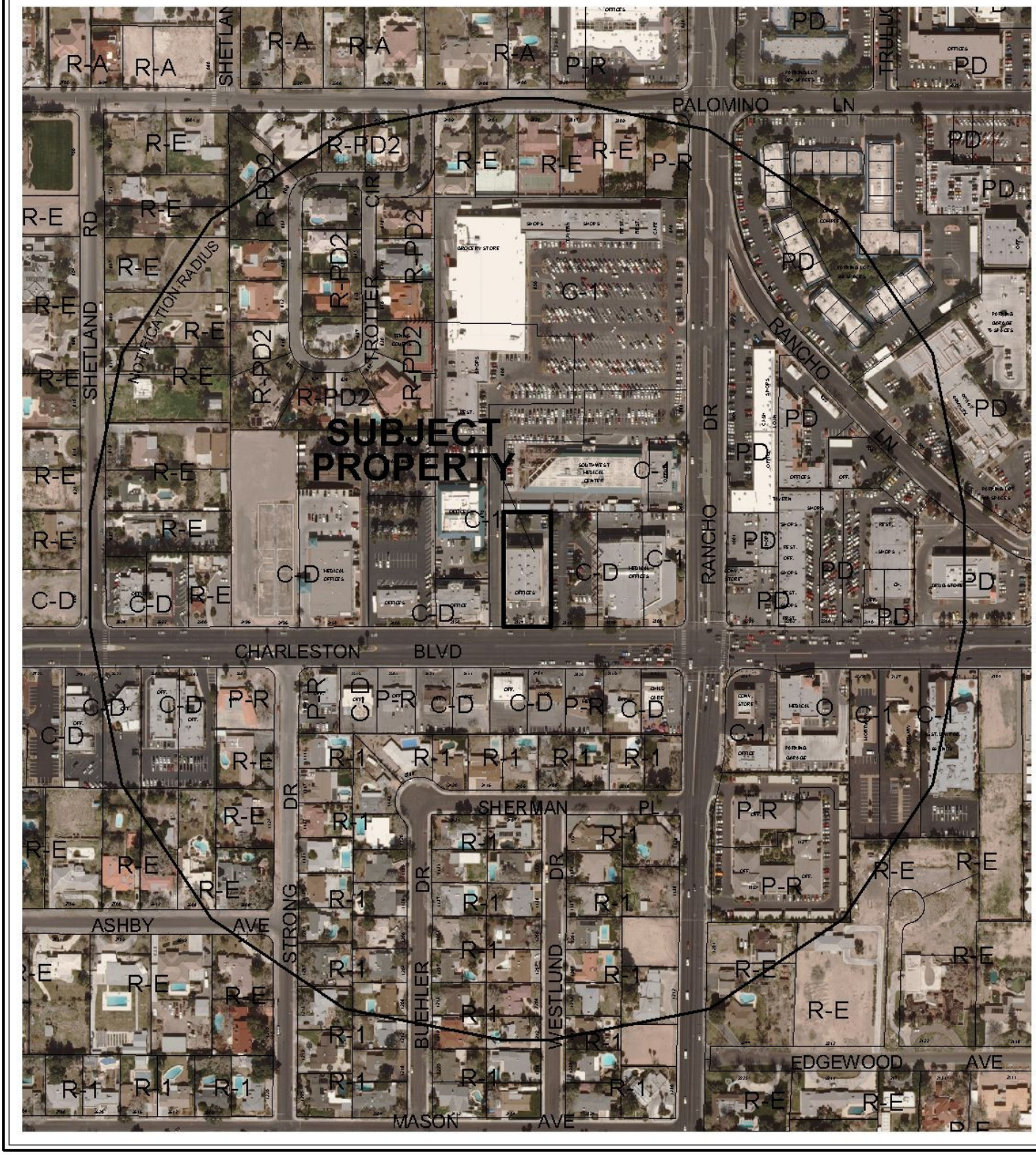
CASE: **ZON-41006**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-D (DESIGNED COMMERCIAL)

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

N



0 300 600 Feet

CASE: **ZON-41006**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-D (DESIGNED COMMERCIAL)

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CHARLESTON RANCHO, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ZON-41006	Staff recommends APPROVAL.	N/A

RG

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Rezoning of property located at 2324 West Charleston Boulevard, from C-D (Designed Commercial) zoning district to C-1 (Limited Commercial) zoning district. The property contains a vacant office building and no new development is being proposed as part of this application. The subject site is one of three parcels zoned C-D, but surrounded by C-1 zoned properties. As the proposed C-1 District conforms to the existing land use designation of SC (Service Commercial) and will be compatible with the surrounding land uses and zoning districts, staff recommends approval. If this application is denied, the zoning designation would remain C-D (Designed Commercial).

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/18/71	The Board of City Commissioners approved a request for a Rezoning (Z-0045-71) of property generally located on the north side of Charleston Boulevard between Rancho Road and Shetland Road from R-E (Residence Estates) to C-D (Designed Commercial). The Planning Commission recommended approval.
12/12/91	The Planning Commission approved a request for a Plot Plan and Building Elevation Review (Z-0045-71) for a proposed office building and temporary office trailer on property located at 2324 West Charleston Boulevard. The Department of Planning staff recommended approval.
02/15/92	The City Council approved a request for a Variance (V-0163-91) to allow a proposed office building at 47 percent lot coverage where 30 percent is the maximum lot coverage allowed, and a request to allow a temporary modular trailer office until the permanent office structure is completed on property located at 2324 West Charleston Boulevard. The Board of Zoning Adjustment and staff recommended denial.
05/19/93	The City Council approved a request for an Extension of Time [V-0163-91(1)] which allowed a proposed office building with 47 percent lot coverage where 30 percent is the maximum coverage allowed and allowed a temporary modular trailer office on property located at 2324 West Charleston Boulevard. The Board of Zoning Adjustment and staff recommended approval.
04/20/94	The City Council approved a request for an Extension of Time [V-0163-91(2)] which allowed a proposed office building with 47 percent lot coverage where 30 percent is the maximum coverage allowed and allowed a temporary modular trailer office on property located at 2324 West Charleston Boulevard. The Board of Zoning Adjustment and staff recommended approval.

03/15/95	The City Council approved a request for an Extension of Time [V-0163-91(3)] which allowed a proposed office building with 47 percent lot coverage where 30 percent is the maximum coverage allowed and allowed a temporary modular trailer office on property located at 2324 West Charleston Boulevard. The Board of Zoning Adjustment and staff recommended approval.
03/20/96	The City Council approved a request for an Extension of Time [V-0163-91(4)] which allowed a proposed office building with 47 percent lot coverage where 30 percent is the maximum coverage allowed and allowed a temporary modular trailer office on property located at 2324 West Charleston Boulevard. The Board of Zoning Adjustment and staff recommended approval.

Most Recent Change of Ownership	
09/23/03	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
11/05/96	A building permit (#96020490) was issued for a three story building at 2324 West Charleston Boulevard. The project was completed on 07/29/97.
07/02/04	A building permit (#04016794) was issued for a tenant improvement remodel at 2324 West Charleston Boulevard. The project was completed on 08/27/04.

Pre-Application Meeting	
02/15/11	A pre-application meeting was held with the applicant where the submittal requirements for a Rezoning were discussed.

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

Field Check	
03/03/11	A site visit was conducted by staff. The building on site is vacant and is well maintained.

Details of Application Request	
Site Area	
Net Acres	0.72

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Office (Vacant)	SC (Service Commercial)	C-D (Designed Commercial)
North	Medical Office	SC (Service Commercial)	C-1 (Limited Commercial)
South	Office, Other than Listed General Retail	O (Office)	C-D (Designed Commercial)
East	Parking Lot	SC (Service Commercial)	C-D (Designed 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			
A-O (Airport Overlay) District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

Street Name	*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

The subject property contains a vacant office building. The request for rezoning will not result in the change of the physical characteristics of the property. The property is located in the Airport Overlay District with a 175-foot height restriction, which will not be impacted by this request. It is part of the Rancho/Charleston Land Use Study and Strategic Plan, which designates the property for service commercial uses.

The C-1 (Limited Commercial) zoning district is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The subject property is adjacent to a shopping center to the north and abuts Charleston Boulevard to the south, a primary arterial, as designated by the Master Plan of Streets and Highways.

The proposed rezoning from C-D (Designed Commercial) zoning district to C-1 (Limited Commercial) zoning district will be consistent with the SC (Service Commercial) land use designation of the 2020 Las Vegas Master Plan (Southeast Sector). The proposed rezoning of this property meets the zoning strategy as specified by the Rancho/Charleston Land Use Study and Strategic Plan, by proposing an appropriate C-1 Zoning District with the SC (Service Commercial). This action would fulfill the recommendations contained within the Rancho/Charleston Land Use Study and Strategic Plan; therefore, staff recommends approval.

FINDINGS (ZON-41006)

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

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

   The proposed C-1 (Limited Commercial) zoning district is consistent with the existing SC (Service Commercial) land use designation of 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 proposed Rezoning to C-1 (Limited Commercial) will be compatible with the surrounding commercial land uses and zoning districts.

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

   The Rancho/Charleston Land Use Study and Strategic Plan designates the subject site for Service Commercial land use. This request to rezone the property to C-1 (Limited Commercial) conforms to the existing land use designation of SC (Service Commercial) of the General Plan and the Rancho/Charleston Land Use study.

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

The access to the subject site is provided along Charleston Boulevard. This street is adequate in size to meet the requirements of the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 135

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-41006** APN: 139-32-802-032

Name of Property Owner: Charleston Rancho LLC

Name of Applicant: Phyllis R. Schwartz

Name of Representative: Robert (Bob) Genzer

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: Phyllis Schwartz manager Charleston Rancho LLC

Print Name: Phyllis R. Schwartz

Subscribed and sworn before me

This 18th day of February, 20 11

_____

Notary Public in and for said County and State

AARON OROSCO
Notary Public State of Nevada
No. 05-100547-1
My appt. exp. Jan. 11, 2014

RECEIVED
FEB 22 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Rezoning

Project Address (Location) 2324 W. Charleston Blvd.

Project Name _____ **Proposed Use** Office Building

Assessor's Parcel #(s) 139-32-802-032 **Ward #** 1

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

Commercial Square Footage 21,280. **Floor Area Ratio** n/a

Gross Acres 0.72 **Lots/Units** n/a **Density** n/a

Additional Information This is an existing structure that is unoccupied. Rezoning to C-1 will provide the applicant greater ability to lease the structure as more types of uses are allowed.

PROPERTY OWNER Charleston Rancho LLC **Contact** Phyllis R. Schwartz

Address 2877 Paradise Rd. **Phone:** 360-5510 **Fax:** _____

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

E-mail Address phylschwar@aol.com

APPLICANT Same as above **Contact** _____

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

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

E-mail Address _____

REPRESENTATIVE Genzer Consulting **Contact** Bob Genzer

Address 9612 Hawksbill Ct. **Phone:** 281-7496 **Fax:** 254-4733

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

E-mail Address genzerconsulting@cox.net

Property Owner Signature* _____ manager Charleston Rancho LLC

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

Print Name Phyllis R. Schwartz

Subscribed and sworn before me

This 18th day of February, 20 11.

_____

Notary Public in and for said County and State

RECEIVED
FEB 22 2011

AARON OROSCO
Notary Public State of Nevada
No. 05-100547-1
My appt. exp. Jan. 11, 2014

FOR DEPARTMENT USE ONLY

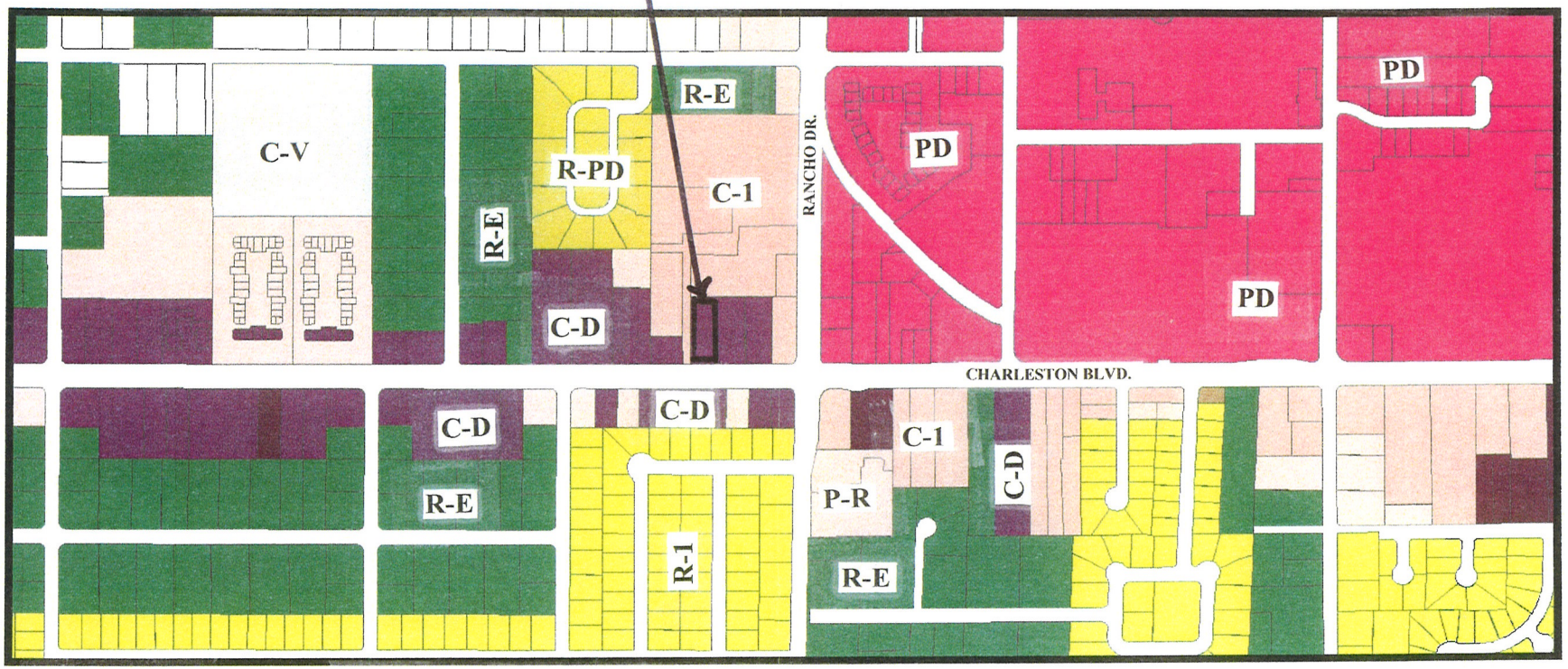
Case #	ZON-41006
Meeting Date:	4-12-11
Total Fee:	$1,200.00
Date Received:*	2-22-11
Received By:	JPM

*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.

SUBJECT PROPERTY TO BE REZONED
FROM: C-D (DESIGNED COMMERCIAL)
TO: C-1 (LIMITED COMMERCIAL)

ZONING LEGEND :

- R-PD - Residential Planned Development
- R-1 - Single Family Residential
- P-R - Profesional Offices And Parking
- C-D - Designed Commercial
- C-1 - Limited Commercial
- C-V - Civic
- PD - Planned Development



NOT TO SCALE

LOCATION MAP
PROPERTY LOCATED AT 2324 W. CHARLESTON BLVD.
LAS VEGAS, NV
APN: 139-32-802-032

RECEIVED
FEB 22 2011

ZON-41006



ZON-41006 – APPLICANT/OWNER: CHARLESTON RANCHO, LLC
2324 WEST CHARLESTON BOULEVARD

03/03/11

February 15, 2011

Mr. Flinn Fagg, Acting Director
City of Las Vegas
Planning and Development Department
330 N. Rancho Dr.
Las Vegas, NV 89106

Re: 2324 W. Charleston Blvd.
APN: 139-32-802-032

Dear Mr. Fagg:

This letter is submitted as justification for an application for Rezoning for the above listed property. The parcel is located in Ward 1, on the north side of Charleston Boulevard, a 100 foot wide primary roadway, approximately 330 feet west of Rancho Drive, a 100 foot wide primary roadway. The surrounding area is primarily commercial and office, with the Las Vegas Medical District located east of Rancho Drive. Single-family residential in the rural to low density range is located to the north and south of the commercial properties along Charleston Boulevard.

The request is to change the existing C-D (Designed Commercial) designation to C-1 (Limited Commercial) to allow the applicant greater flexibility in attracting a tenant for the existing office structure on the site. As you are aware, the C-D district was designed to provide standards for the development of light commercial uses along this section of Charleston Boulevard, while acting as a buffer to the adjacent low density residential properties. In this particular case there is no adjacent residential. In fact, while the two adjacent parcels to the east are similarly zoned C-D, the property to the immediate north and west is the site of a long-standing commercial shopping center zoned C-1. To the west of that property are additional C-D parcels that buffer the closest residential to this site, approximately 150 feet west and 100 feet north of the subject parcel. It should also be noted that in the proposed Unified Development Code, the C-D district is to be converted from a zoning district to an overlay district. Lastly, and possibly most importantly, the Rancho/Charleston Study Area Proposed Future Land Use Plan designates the subject property for Service Commercial use.

As the applicants representative for this application 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

RECEIVED
FEB 22 2011

ZON-41006

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

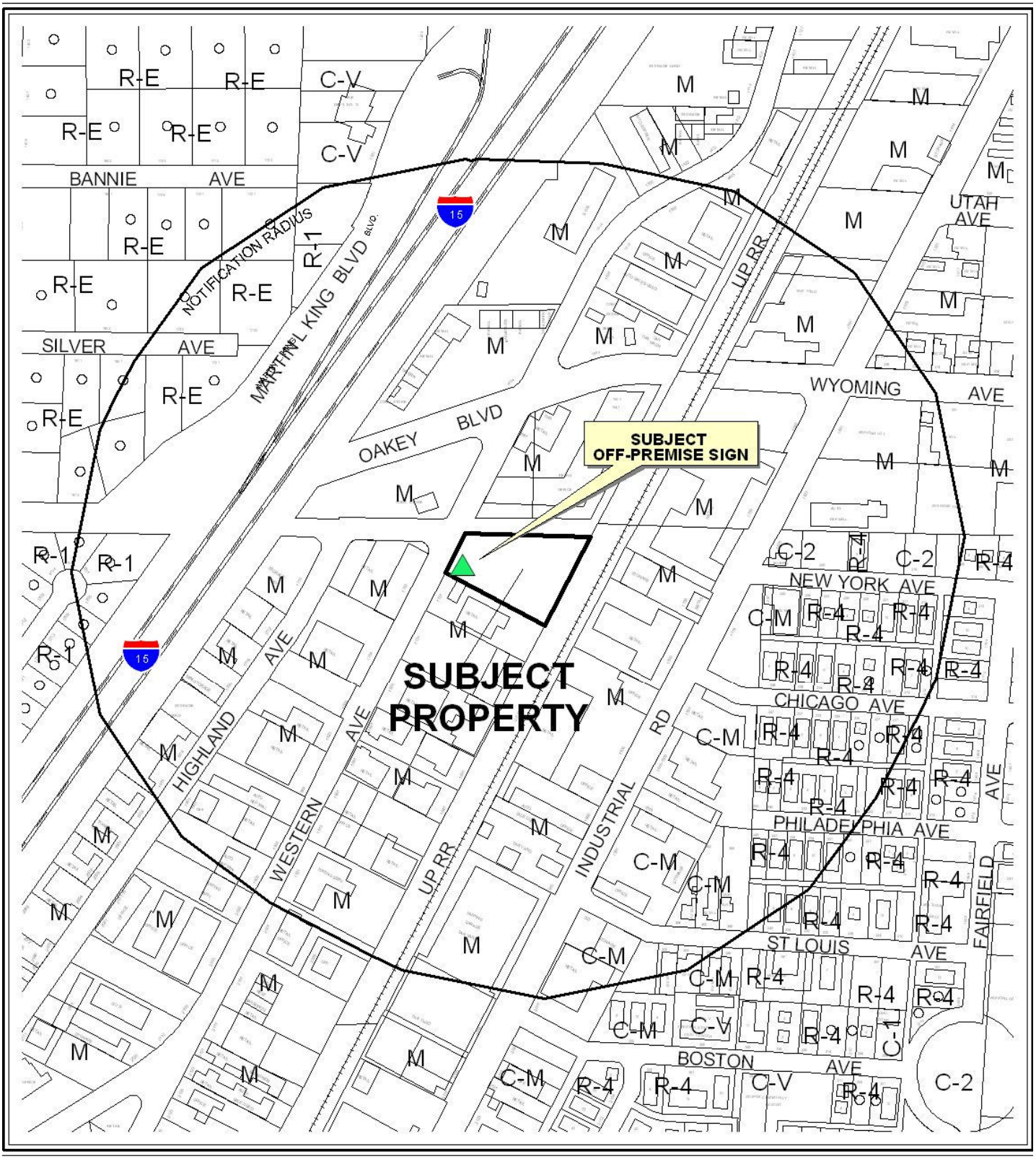
SUBJECT:
RQR-40786 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: 1701 WESTERN PROPERTIES, LLC - Required Review of a previously approved Special Use Permit (SUP-3285) FOR A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 1703 Western Avenue (APN 162-04-703-001), M (Industrial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
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-3285



0 300 600 Feet

CASE: **RQR-40786**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



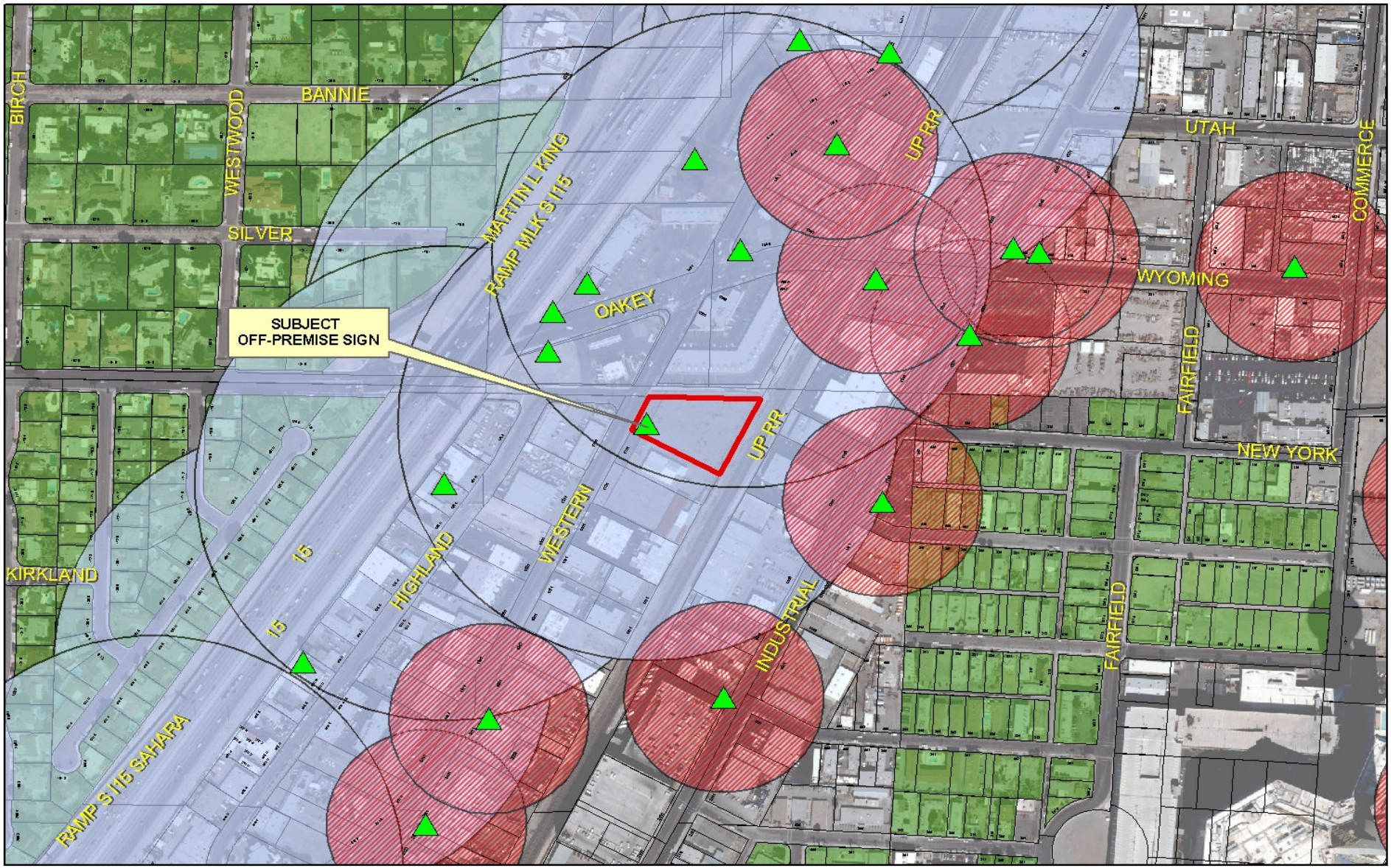
0 300 600 Feet

CASE: **RQR-40786**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



RQR-40786

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

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: 1701 WESTERN PROPERTIES, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
RQR-40786	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

RQR-40786 CONDITIONS

Planning

1. The Special Use Permit (SUP-3285) shall be reviewed in three (3) years, at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise 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. If the existing Off-Premise Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise 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.

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

Staff Report Page One
April 12, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This request is for a Required Five Year Review of an approved Special Use Permit (SUP-3825), which allowed a 14-foot by 48-foot Off-Premise Sign at the southeast corner of Highland Drive and Western Avenue. Staff recommends approval, with conditions subject to a Three-Year Review, as the sign continues to meet Title 19.14 requirements and the area has not changed significantly since the previous review. If denied, the Off-Premise Sign must be removed.

ISSUES

- This is the second Required Review since the initial approval of the Special Use Permit (SUP-3825) on 02/04/04.
- Installation of the Off-Premise Sign was completed on 01/12/07 and is addressed as 1703 Western Avenue for the sign permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/21/92	The City Council approved a Special Use Permit (U-0225-92) to allow an Auto Pawn Business on property located at 1701 Western Avenue. The Board of Zoning Adjustment and staff recommended approval. A Business Licensing inspection conducted on 01/06/03 indicated that the Auto Auction and Sales use was out of business; therefore, the license expired. An automobile towing business is the only current operating business on the subject site.
02/04/04	The City Council approved a Special Use Permit (SUP-3825) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at the southeast corner of Highland Drive and Western Avenue, subject to review in two years. The Planning Commission and staff recommended approval.
04/19/06	The City Council approved a Required Two-Year Review (RQR-11565) of an approved Special Use Permit (SUP-3825) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at the southeast corner of Highland Drive and Western Avenue, subject to review in five years. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
05/21/08	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/30/04	A building permit (#04019436) was issued for an Off-Premise Sign at 1703 Western Avenue. The project was completed on 01/12/07.

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

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

Field Check	
03/09/11	A site visit was conducted by staff with the following observations: • The Off-Premise Sign and supporting structure was well maintained. • There are no discernable signs of bird waste or graffiti. • There are no sign protrusions, extensions, or double-faced signage.

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	Vacant	LI/R (Light Industry/Research)	M (Industrial)
North	General Retail	LI/R (Light Industry/Research)	M (Industrial)
South	Recycling Collection Center	LI/R (Light Industry/Research)	M (Industrial)
East	General Retail	LI/R (Light Industry/Research)	M (Industrial)
West	General Retail	LI/R (Light Industry/Research)	M (Industrial)

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
Live/Work Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.14.100, the following standards apply:

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas.	Not within Exclusionary Zone, nor Public Right-of-Way	Y
Zoning	Off-Premise Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only.	Currently the property and surrounding area is zoned M (Industrial	Y

ANALYSIS

This is the second Required Review of an approved Special Use Permit (SUP-3825) to allow a 14-foot by 48-foot Off-Premise Sign. A site visit was conducted on 03/03/11 by the Planning Department, revealing a well-maintained Off-Premise Sign and related equipment. The sign is free of graffiti, bird nuisance, or any modifications from the original approval. This sign is located within the 200-foot Airport Overlay; however, no additional height is proposed and thus the sign continues to meet the requirements of this overlay district.

FINDINGS (RQR-40786)

A final sign inspection for the construction of the Off-Premise Sign at 1703 Western Avenue was completed on 12/09/97. The area has not changed significantly in land use or related development over the review period, and the sign remains in conformance with all other Title 19.14 requirements for the Off-Premise Sign use. Staff recommends approval of this review, subject to a three-year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

NOTICES MAILED 116

APPROVALS 0

PROTESTS 0

MH

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-40786** APN: 162 04 703 001

Name of Property Owner: 1701 Western Properties, LLC

Name of Applicant: Clear Channel Outdoor

Name of Representative: Rod Carter

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

_____Yes ___X___No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: David J. Christensen

Print Name: David J. Christensen

Subscribed and sworn before me

This 21 day of January, 2011

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
VICTOR H. ALVARADO
Appt. No. 04-86631-1
My Appt. Expires Nov. 21, 2011

RECEIVED
JAN 25 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Required Review- SUP 3285

Project Address (Location) 1701 Western Ave

Project Name RQR- Clear Channel Outdoor **Proposed Use** existing

Assessor's Parcel #(s) 162-04-703-001 **Ward #** (3) Reese

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

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

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

Additional Information Required Review of an approved Off-Premise Advertising Billboard Sign located at 1701 Western Ave.

PROPERTY OWNER 1701 Western Properties LLC **Contact** David Christenson

Address 5113 Alpine Place **Phone:** (702) 732-7811 **Fax:** (702) 732-7911

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

APPLICANT Clear Channel Outdoor **Contact** Rod Carter

Address 2880-B Meade Ave., Suite 350 **Phone:** (702) 238-7209 **Fax:** (702) 238-7266

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

REPRESENTATIVE Same As Applicant **Contact** _____

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

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

Property Owner Signature* David J. Christensen

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

Print Name David J. Christensen

Subscribed and sworn before me

This 21 day of January, 20 11.

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
VICTOR H. ALVARADO
Appt. No. 04-86631-1
My Appt. Expires Nov. 21, 2011

FOR DEPARTMENT USE ONLY

Case #	RQR-40796
Meeting Date:	4-12-11
Total Fee:	$800
Date Received:*	1-25-11
Received By:	J. Fmund

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

RECEIVED
JAN 25 2011

Revised 04/26/05

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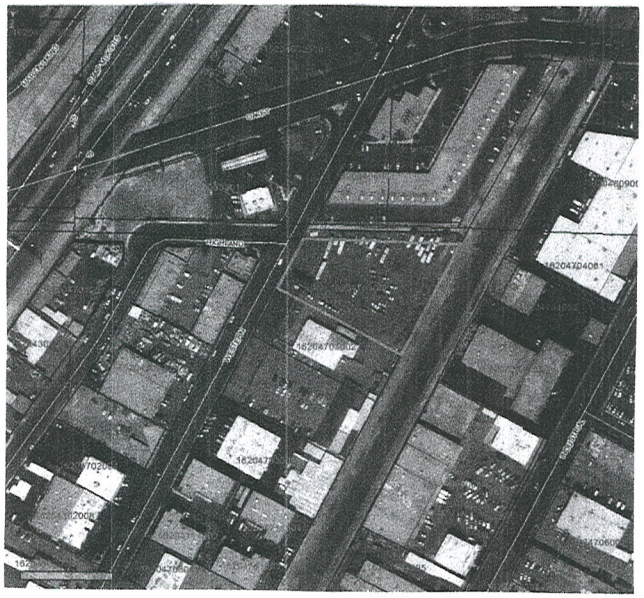
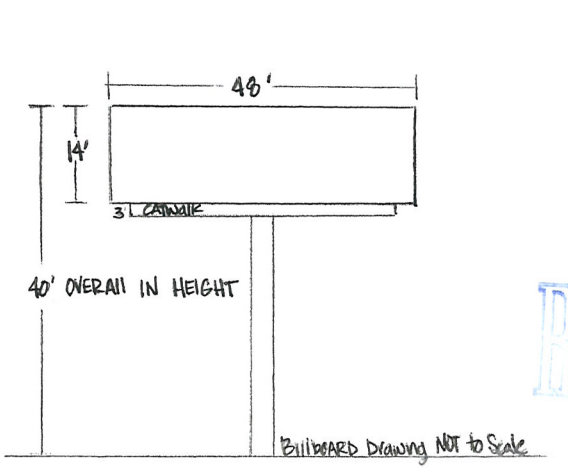








162-04-703-001
1701 WESTERN PROPERTIES LLC
1701 WESTERN AVE
LAS VEGAS, NV 89102

ZONING (M)

Building Permit NO. 04019436 (225 FINAL INSPECTION) 1/12/2007

RECEIVED
JAN 25 2011

RQR-40786



RQR-40786 - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: 1701 WESTERN PROPERTIES, LLC
1701 WESTERN AVENUE

03/03/11



RQR-40786 - APPLICANT: CLEAR CHANNEL OUTDOOR, INC. - OWNER: 1701 WESTERN PROPERTIES, LLC
1701 WESTERN AVENUE

03/03/11



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

February 5, 2004

Mr. Vern Christensen
Nevada Recycling Corporation
856 East Sahara Avenue
Las Vegas, Nevada 89104

RE: SUP-3285 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF FEBRUARY 4, 2004

Dear Mr. Christensen:

The City Council at a regular meeting held February 4, 2004 APPROVED the request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN located adjacent to the southeast corner of Highland Drive and Western Avenue (APN: 162-04-703-001), M (Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on February 5, 2004. This approval is subject to:

Planning and Development

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

2. 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.

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. Only one advertising sign is permitted per sign face.

5. 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.

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-40786

6. 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.

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

Public Works

8. The proposed billboard 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,

Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, 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

Ms. Vicky Troy
Total Scope
528 Goldhill Road
Henderson, Nevada 89074

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

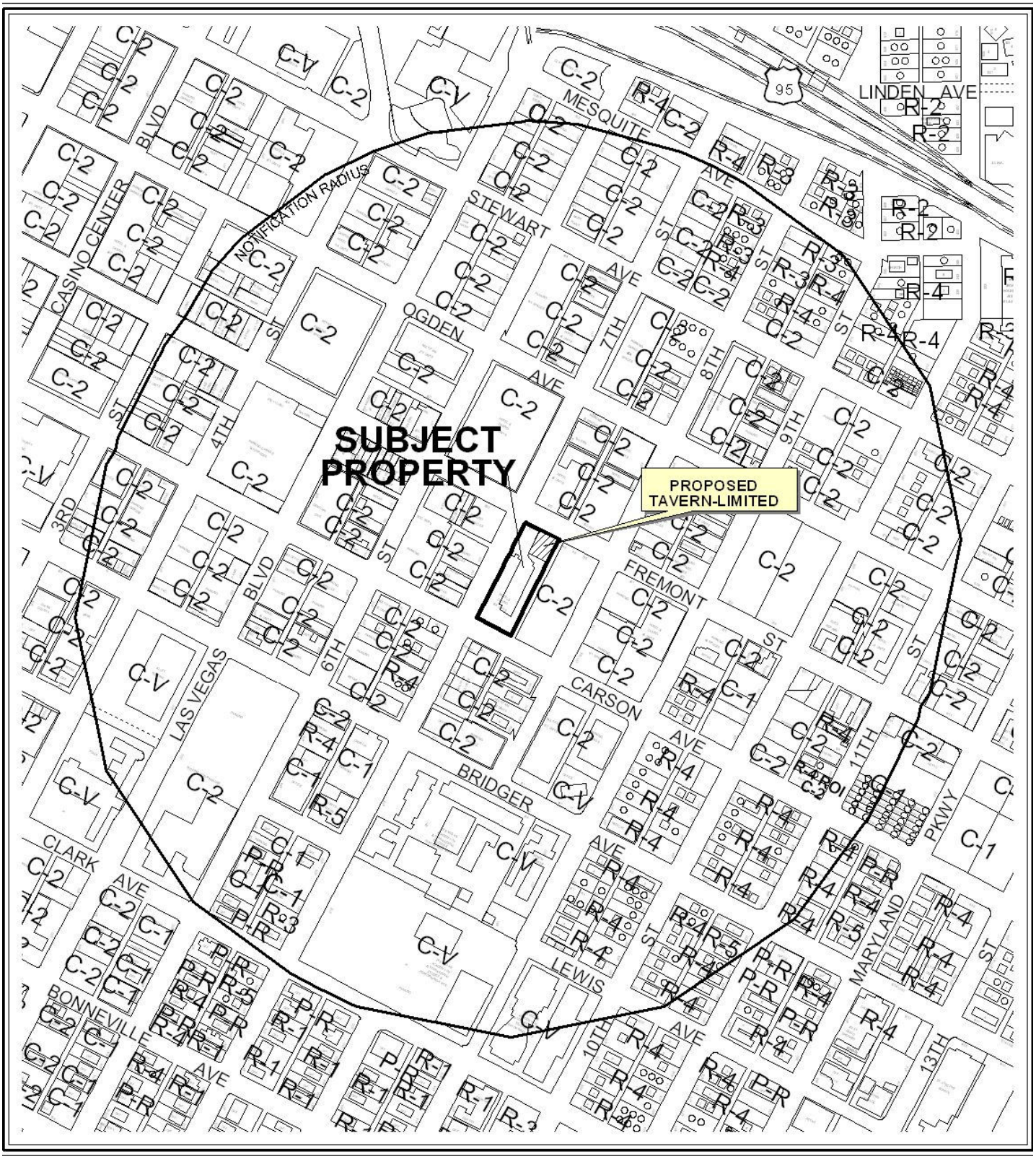
SUBJECT:
SUP-40837 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: G & N, LLC - OWNER: DARIO PINI - Request for a Special Use Permit FOR A PROPOSED 8,763 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT at 707 Fremont Street (APN 139-34-612-005), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 500 1000 Feet

CASE: **SUP-40837**

RADIUS: 1500 FT

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

N



0 500 1000 Feet

CASE: **SUP-40837**

RADIUS: 1500 FT

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: G & N, LLC - OWNER: DARIO PINI

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-40837	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-40837 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Tavern-Limited Establishment use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

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

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

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

Staff Report Page One
April 12, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request of a Special Use Permit for the proposed Tavern-Limited Establishment use within an existing hotel at 707 Fremont Street. Two previous Special Use Permits were approved allowing the use on this site; however, each of them expired, most recently on 09/05/10 when the Special Use Permit (SUP-33956) was not exercised. As the current request would utilize the same space and amenities as the previously approved facility and can be conducted in a manner that is compatible with the surrounding, staff is recommending approval of this request. If this request is denied, the Tavern-Limited Establishment use cannot operate in this site.

ISSUES

- A Tavern-Limited Establishment use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- The subject site is located within Downtown Centennial Plan (Fremont East District).

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/16/64	The Board of Commissioners approved a request for a Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) to C-2 (General Commercial) for approximately 230 acres generally located on property bounded by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard on the south. The subject site was a part of a larger request.
07/07/04	The City Council approved a request for a Special Use Permit (SUP-4366) for a Tavern-Limited Establishment located at 707 Fremont Street. The Planning Commission and staff recommended approval. This Special Use Permit expired on 03/08/09.
01/14/09	A Code Enforcement case (#73719) was processed for having the rear doors open with vagrants inside at 707 Fremont Street. Code Enforcement closed the case on 01/20/09.

02/04/09	A Code Enforcement case (#74309) was processed for assistance to Fire Prevention, who asked for assistance in checking out the night club and the motel for various code violations and have corrections made in a timely manner at 707 Fremont Street. Code Enforcement closed the case on 02/19/09.
07/01/09	The City Council approved a request for a Special Use Permit (SUP-33956) for a Tavern-Limited Establishment located at 707 Fremont Street. The Planning Commission and staff recommended approval. This Special Use Permit expired on 09/05/10.

Most Recent Change of Ownership	
12/22/03	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/01/51	A business license (H05-01009) was issued for a Hotel (199 rooms or less) at 707 Fremont Street. The license is still active.
10/04/04	A building permit (#4020366) was issued for a non-work certificate of occupancy for a night club at 707 Fremont Street. The permit was finaled on 10/13/04.
10/14/04	A business license (R09-01262) was issued for a Restaurant (45 or more seats) at 707 Fremont Street. The license was marked out of business on 09/09/08.
	A business license (L38-00001) was issued for a Tavern – Limited Establishment at 707 Fremont Street. The license was marked inactive on 09/08/08.
08/14/06	A business license (C05-02474) was issued for a Tobacco Dealer at 707 Fremont Street. The license was marked out of business on 02/11/08.
02/06/09	An application was submitted for a business license (D14-96911) for a Dance Hall at 707 Fremont Street. The application was marked out of business on 03/06/09 when the applicant failed to respond to a Fire denial letter.
03/03/09	An application was submitted for a business license (L38-97367) for a Tavern – Limited Establishment at 707 Fremont Street. The application was marked out of business on 03/05/10 when the application was denied by the City Council on 09/02/09.
04/10/09	A building permit (#136019) was issued for a tenant improvement for a night club at 707 Fremont Street. The building permit expired as of 05/15/09.
04/13/09	A business license (M18-04688) was issued for a Management Consulting Service at 707 Fremont Street. The license was marked out of business on 06/29/09.

04/15/09	An application was submitted for a business license (D19-98398) for a Nightclub at 707 Fremont Street. The application was marked out of business on 03/05/10 when the application was denied by the City Council on 09/02/09.
04/24/09	A business license (B23-96909) was issued for a Banquet Facility at 707 Fremont Street. The license was marked out of business on 06/29/09.
	A business license (P26-96910) was issued for a Party Planning Service at 707 Fremont Street. The license was marked out of business on 06/26/09

Pre-Application Meeting	
01/27/11	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Special Use Permit for a Tavern-Limited Establishment use.

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

Field Check	
03/03/11	A site visit conducted by staff noted a well maintained hotel site.

Details of Application Request	
Site Area	
Gross Acres	1.28

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Hotel	C (Commercial)	C-2 (General Commercial)
North	Motel	C (Commercial)	C-2 (General Commercial)
South	Retail and Multi-Family Residential	MXU (Mixed Use)	C-2 (General Commercial)
East	Undeveloped	C (Commercial)	C-2 (General Commercial)
West	Retail, Hotel and Parking Lot	C (Commercial)	C-2 (General Commercial)

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

DEVELOPMENT STANDARDS

Pursuant to 19.06, the following standards apply:

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Fremont Street	Secondary Collector	Master Plan of Streets and Highways	80	Y
7th Street	Local	N/A	80	Y

Parking Requirement - Downtown							
Use	***Gross Floor Area or Number of Units***	***Base Parking Requirement***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Hotel	147 Rooms	1 Space / Room	147				
Tavern-Limited Establishment	8,763 SF (3,560 SF Seating Area, 5,203 SF Remaining Area)	1 Space/50 SF of seating /waiting area, plus 1 space/ 200 SF of remaining GFA	98				
TOTAL SPACES REQUIRED			245		94		N
Regular and Handicap Spaces Required			238	7	92	2	N

RG

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City. The analysis should take a number of factors into consideration when discussing parking availability, including pedestrian access, nearby parking structures, on-street parking, etc.

ANALYSIS

A Tavern-Limited Establishment use is defined by Title 19.20.020 as "an establishment that is licensed with a tavern-limited license in accordance with LVMC Chapter 6.50." The proposed Tavern-Limited Establishment use will occupy the same space as a Tavern-Limited Establishment use previously approved by Special Use Permit (SUP-4366), which expired when the use was discontinued for more than six months. Subsequently, a second Special Use Permit (SUP-33956) for a Tavern-Limited Establishment use was approved, but no business license was issued within one year of the approval, and it also expired.

The proposed Tavern-Limited Establishment is located in the Downtown Centennial Plan (Fremont East District), Live/Work, Las Vegas Redevelopment Area, and Entertainment Overlay District. The proposed use would not have a negative impact relating to the above mentioned Special Area Plans and Districts. The subject property is adjacent to an existing Downtown Entertainment Trail along Fremont Street and an approved Multi-Use Non-Equestrian Trail, which has not been constructed as of this time. No exterior site modifications are proposed as part of this request. Pursuant to Title 19.06.120, a distance separation from a similar use is not required, and on-site parking requirements are not applicable. The submitted site plan indicates a total of 94 parking spaces on the site, including two handicapped accessible spaces. There are 53 additional parking spaces available in a parking lot across the street from the subject site to the west side of 7th Street. The property across the street is under the same ownership as the subject site, but no record of an off-site parking agreement exists. Staff is recommending approval of this request, as the use is appropriate for the Downtown Entertainment Overlay District, and is compatible with the surrounding land uses.

FINDINGS (SUP-40837)

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

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

The proposed Tavern–Limited Establishment is a permitted use in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit, and is the type of use that is encouraged in the Downtown Overlay District. It can be conducted in a manner that is harmonious and compatible with the surrounding land uses, and with the future surrounding land uses.

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

The subject site is physically suitable for the type and intensity of the proposed Tavern–Limited Establishment. A previously approved Tavern–Limited Establishment was operated on the subject site using the same facilities from 10/14/04 until 09/08/08.

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

Access to the site is provided by Fremont Street, and 7th Street. Both of these streets are adequate to meet the requirements of the proposed use.

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

The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

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

The use meets all applicable conditions of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 37

NOTICES MAILED 285

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-40837** APN: 139-34-612-005

Name of Property Owner: Dario Pini

Name of Applicant: G & N, LLC

Name of Representative: Kolesar & Leatham, Chtd./Benjamin J. Volmer, Esq.

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Dario Pini

Print Name: Dario Pini

Subscribed and sworn before me

This 28 day of Jan , 2011

John McFadden Cameron

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JOHN MCFADDEN CAMERON
Appt. No. 98-60831-1
My Appt. Expires Dec. 4, 2014

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PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 707 Fremont Street, Las Vegas, Nevada 89101

Project Name G & N, LLC dba **Proposed Use** Tavern Limited Estab.

Assessor's Parcel #(s) 139-34-612-005 **Ward #** 5

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

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

Gross Acres 1.29 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Dario Pini **Contact** Paul Pizzi (805)

Address 1335 Mission Ridge Road **Phone:** 895-4700 **Fax:** _____

City Santa Barbara **State** CA **Zip** 93103-2056

E-mail Address Ken@valiantgroup.com

APPLICANT G & N, LLC dba **Contact** Gabriel Nuno - 504-3246

Address 1014 Yucca Ave. **Phone:** (702) 504-3246 **Fax:** _____

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

E-mail Address _____

REPRESENTATIVE Kolesar & Leatham, Chtd. **Contact** Benjamin J. Volmer, Esq.

Address 3320 W. Sahara Ave., Suite 380 **Phone:** (702) 362-7800 **Fax:** (702) 362-9472

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

E-mail Address bvolmer@klnevada.com

Property Owner Signature* Dario Pini

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

Print Name Dario Pini

Subscribed and sworn before me

This 28 day of Jan, 20 11.

John McFadden Cameron

Notary Public in and for said County and

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JOHN MCFADDEN CAMERON
Appt. No. 99-50931-1
My Appt. Expires Dec. 4, 2014

FOR DEPARTMENT USE ONLY

Case #	SUP-40837
Meeting Date:	4/12/11
Total Fee:	$4,280
Date Received:*	1/31/11
Received By:	

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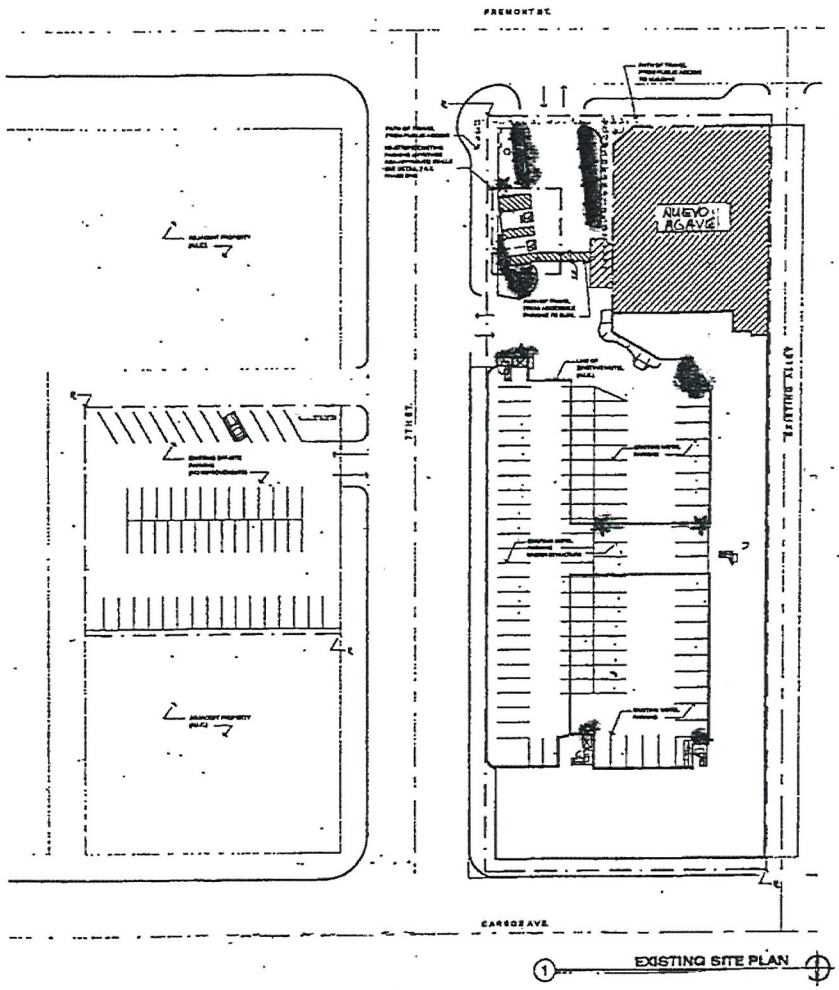
*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with

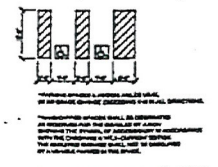
G & N, LLC dba
NUEVO AGAVE
707 EAST FREMONT ST
LAS VEGAS, NV 89101

SUP Application to
City of Las Vegas
Tavern-Limited
Nightclub and Restaurant

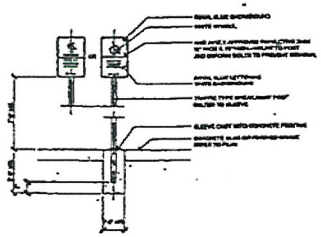


1 EXISTING SITE PLAN





2 ACCESSIBLE PARKING
PHASE ONE



3 ACCESSIBLE PARKING SIGN
PHASE ONE

OFF-SITE PARKING PROPERTY / OWNER:
PINE, BAND

BUILDING CODES:
2006 INTERNATIONAL BUILDING CODE
2006 NATIONAL ELECTRICAL CODE
2006 UNIFORM PLUMBING CODE
2006 UNIFORM MECHANICAL CODE
2006 INTERNATIONAL ENERGY CONSERVATION CODE

SITE INFORMATION:

PROJECT ADDRESS:
707 FREMONT ST., LAS VEGAS, NV 89101

ASSESSOR'S PARCEL NO.:
139-34-[illegible]

OFF-SITE PARKING ADDRESS:
716 S. 7TH ST., LAS VEGAS, NV 89101 &
722 S. 7TH ST., LAS VEGAS, NV 89101

ASSESSOR'S PARCEL NO.:
139-34-[illegible]

ZONING @ ALL (3) PARCELS:
GENERAL COMMERCIAL DISTRICT (C-2)

NIGHTCLUB / RESTAURANT BUILDING INFORMATION

TENANT IMPROVEMENT OCCUPANCIES: A-2

NEW HANDICAPPED PARKING @ NIGHTCLUB / RESTAURANT: 2
EXISTING UNIMPROVED OFF-SITE PARKING ACROSS 7TH ST.
FOR NIGHTCLUB / RESTAURANT: ± 13

EXISTING MOTEL OCCUPANCY: R-1
EXISTING MOTEL PARKING: 32

TENANT IMPROVEMENT INFORMATION:

TYPE OF CONSTRUCTION:
V-A

HEIGHT ALLOWED:
2 STORIES
EXISTING STRUCTURE IS 1 STORY

GROSS SQUARE FEET
@ NIGHTCLUB / RESTAURANT:
6,700 S.F.
71,266 S.F. ALLOWED

FIRE SPRINKLERS:
FULLY SPRINKLERED (EXISTING TO BE ALTERED
FOR CODE COMPLIANCE @ REMODELED AREAS)

FIRE ALARMS:
EXISTING

OCCUPANT LOAD:
308 PERSONS

FIRE EXITS:
(2) REQUIRED, 3 PROVIDED

FIRE EXIT WIDTH:
72" REQUIRED, 264" PROVIDED

REQUIRED FIRE-RESISTANCE @ EXTERIOR WALLS: 1-HOUR

NIGHTCLUB & RESTAURANT PLUMBING FIXTURE REQUIREMENTS:

RESTAURANT:
WATER CLOSET = 1 PER (75 OCCUPANTS / MALE & FEMALE)
LAVATORY = 1 PER (200 OCCUPANTS / MALE & FEMALE)

NIGHTCLUB:
WATER CLOSET = 1 PER (40 OCCUPANTS / MALE & FEMALE)
LAVATORY = 1 PER (75 OCCUPANTS / MALE & FEMALE)

TOTAL OCCUPANT LOAD (RESTAURANT):
83 OCCUPANTS

TOTAL OCCUPANT LOAD (NIGHTCLUB):
284 OCCUPANTS

FIXTURE REQUIREMENT (RESTAURANT):
WATER CLOSET = 83 / 75 = 1.03
LAVATORY = 83 / 200 = 0.48

FIXTURE REQUIREMENT (NIGHTCLUB):
WATER CLOSET = 284 / 40 = 7.10
LAVATORY = 284 / 75 = 3.80

TOTAL FIXTURE REQUIREMENT (RESTAURANT + NIGHTCLUB):
WATER CLOSET = 1.8 = 7.3 / 2 = 4 EA. MALE & FEMALE
LAVATORY = 4.48 = 3.80 / 2 = 2 EA. MALE & FEMALE

TOTAL FIXTURES PROVIDED:
MALE
WATER CLOSET = 3
URINAL = 2
LAVATORY = 2

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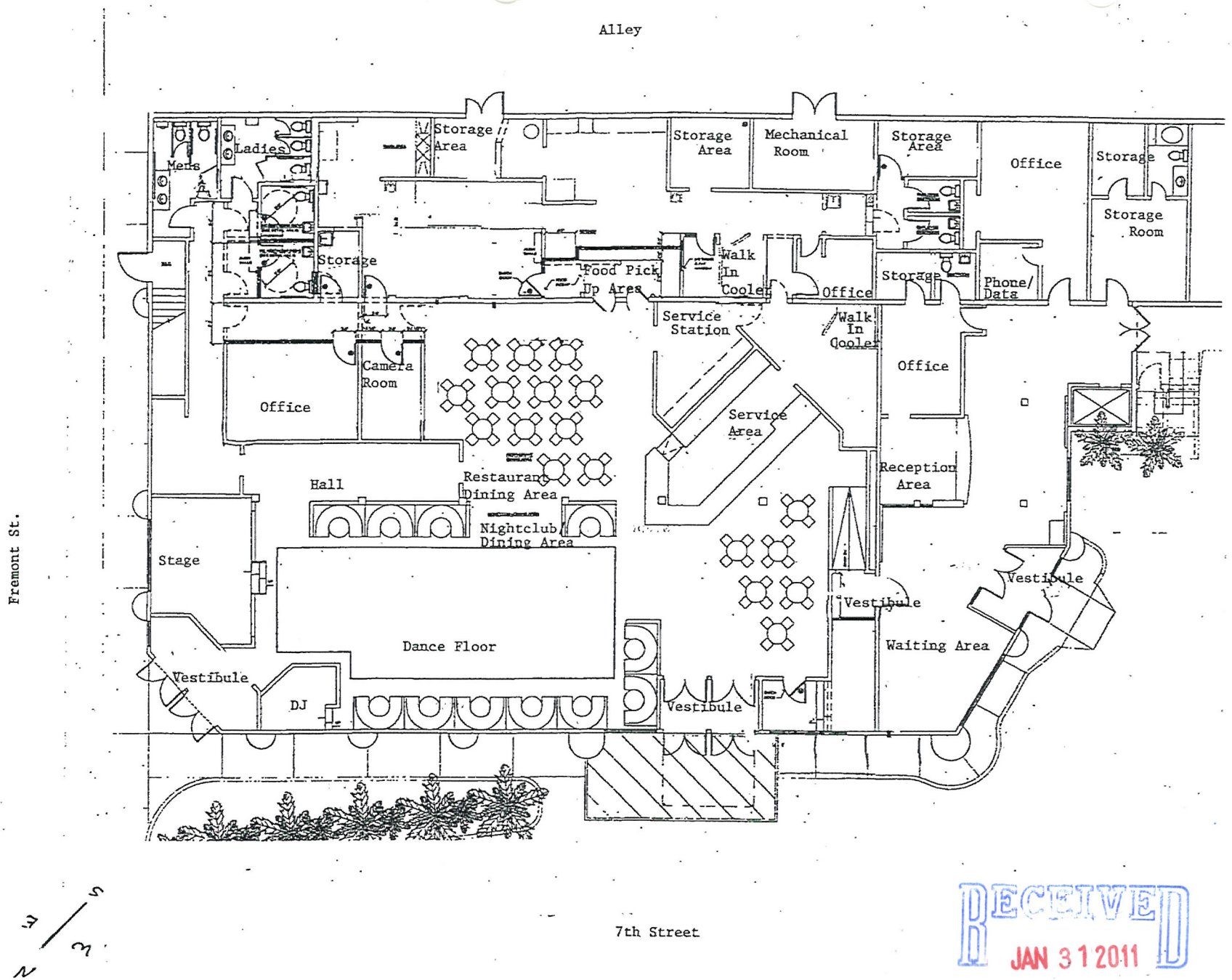
NUEVO AGAVE
707 EAST FREMONT ST
LAS VEGAS, NV 89101

SUP Application to
City of Las Vegas
Tavern-Limited
Nightclub and Restaurant



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SUP-40837 – APPLICANT: G & N, LLC – OWNER: DARIO PINI
707 FREMONT STREET

03/03/11



SUP-40837 – APPLICANT: G & N, LLC – OWNER: DARIO PINI
707 FREMONT STREET

03/03/11

BENJAMIN J. VOLMER, ESQ.
bvolmer@klnevada.com

LAW OFFICES
KOLESAR & LEATHAM, CHTD.
WELLS FARGO FINANCIAL CENTER
3320 WEST SAHARA AVENUE
SUITE 380
LAS VEGAS, NEVADA 89102

TELEPHONE
702/362-7800
FAX
702/362-9472
www.klnevada.com

January 31, 2011

VIA HAND-DELIVERY

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

Re: Special Use Permit Application for Tavern-Limited License – Justification Letter

Applicant: **G & N, LLC**
APN: **139-34-612-005**
Business Location: **707 Fremont Street**
Las Vegas, NV 89101

Dear Sir/Madam:

This firm represents G & N, LLC, a Nevada limited liability company (the "Applicant").

The Applicant desires to open and operate an upscale tavern and nightclub establishment within the Las Vegas Downtown Centennial Plan, Fremont East District, at the above-referenced business location. The business will apply for a Tavern-Limited License and additional business licenses at the premises.

The business will operate during the hours of 10:00 am to 10:00 pm on Monday - Wednesday and from 10:00 am to 5:00 am on Thursday - Sunday. The business will employ approximately ten (10) employees.

The Las Vegas Zoning Code requires a Tavern-Limited establishment to have one parking space for each 50 square feet of public seating and waiting area and one space for each 200 square feet of the total remaining gross floor area. The business currently provides 94 parking spaces available for business patrons, including disabled parking. The Applicant respectfully requests the City of Las Vegas to issue the Special Use Permit with the current parking allocation.

As an upscale tavern and nightclub, the business will provide a benefit to the community and the neighboring businesses within the Las Vegas Downtown Centennial Plan and add to the Plan's target values of diverse entertainment and unique nightlife. The Applicant is committed to operating and maintaining the business in accordance with local and state law.

The introduction of alcohol sales at the business location will not adversely affect the environment or character of the immediate community, nor will it have a detrimental impact on adjacent properties. The business is sufficiently accessible from Fremont Street and 7th Street to easily

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SUP-40837

accommodate access to the property. No additional public services, utilities, parking or waivers will be necessary to accommodate the Applicant's proposed business operations at the location.

In the event you have any questions with regard to the foregoing, please do not hesitate to contact us. Thank you.

Very truly yours,

KOLESAR & LEATHAM, CHTD.

Benjamin J. Volmer, Esq.

BJV:dms

cc: Matthew D. Saltzman, Esq. (w/o encls.)
Dianne M. Sheridan, Paralegal (w/o encls.)

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SUP-40837

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

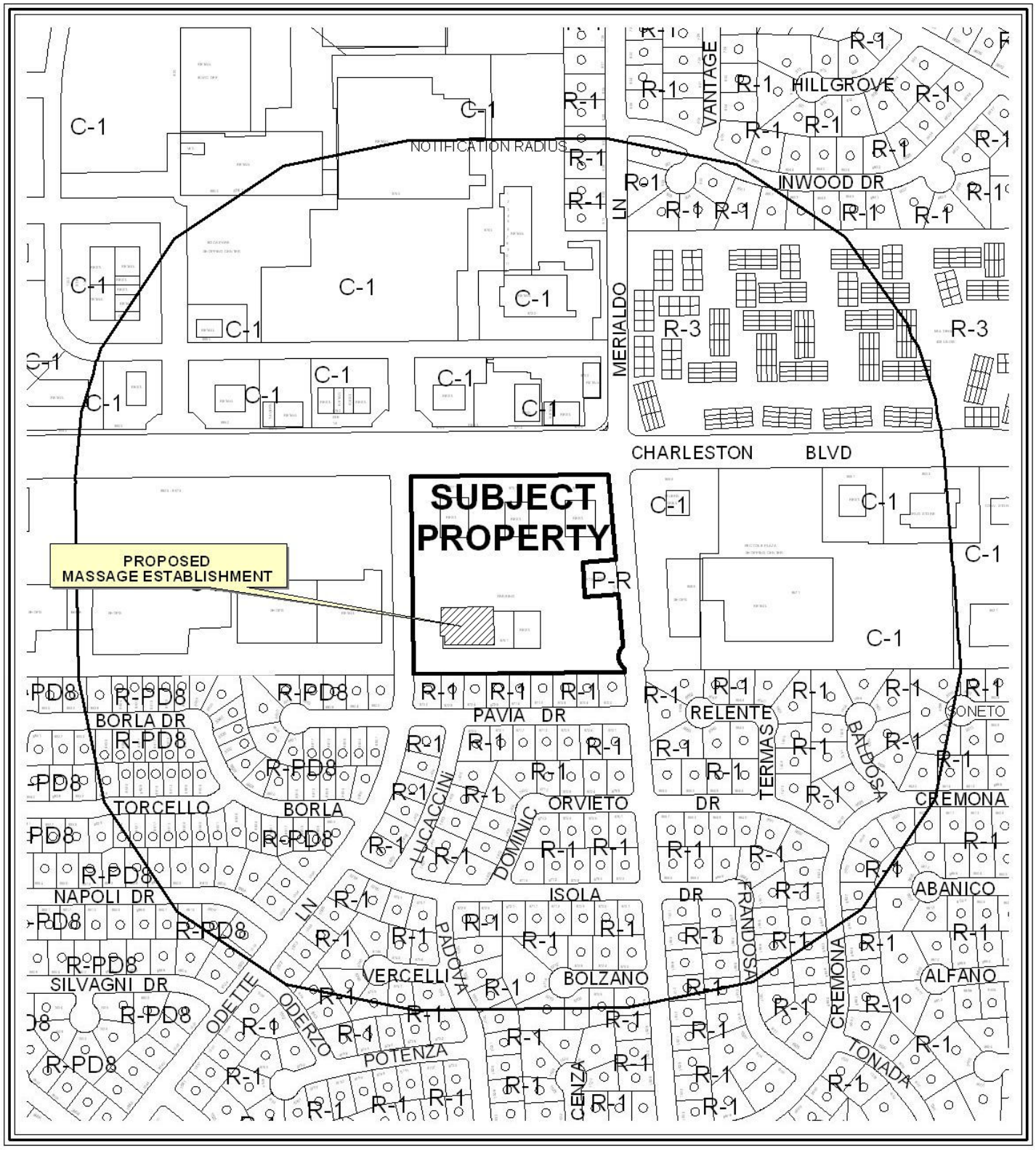
SUBJECT:
SUP-40899 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BODY SPA - OWNER: MICAH 6:8 HOLDING, LLC - Request for a Special Use Permit FOR A 661 SQUARE-FOOT MASSAGE ESTABLISHMENT WITHIN AN EXISTING 20,189 SQUARE-FOOT SPA FACILITY WITH WAIVERS OF THE DISTANCE SEPARATION REQUIREMENTS TO ALLOW 130 FEET FROM A MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS REQUIRED AND NO DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 400 FEET IS REQUIRED at 8751 West Charleston Boulevard, Suite #150 and #160 (APN 163-05-502-001), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
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



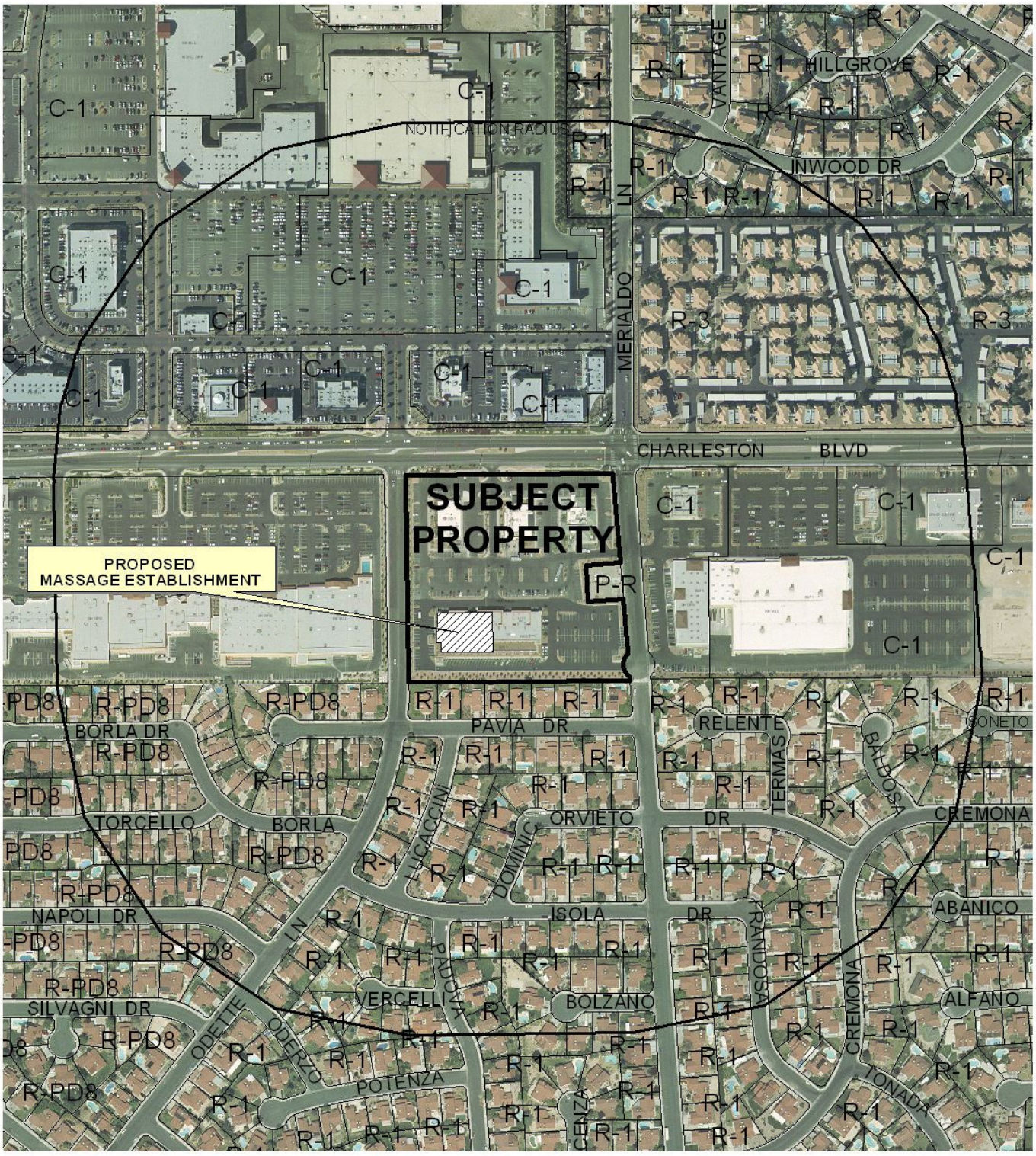
0 400 800 Feet

CASE: **SUP-40899**

RADIUS: 1000 FT

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

N



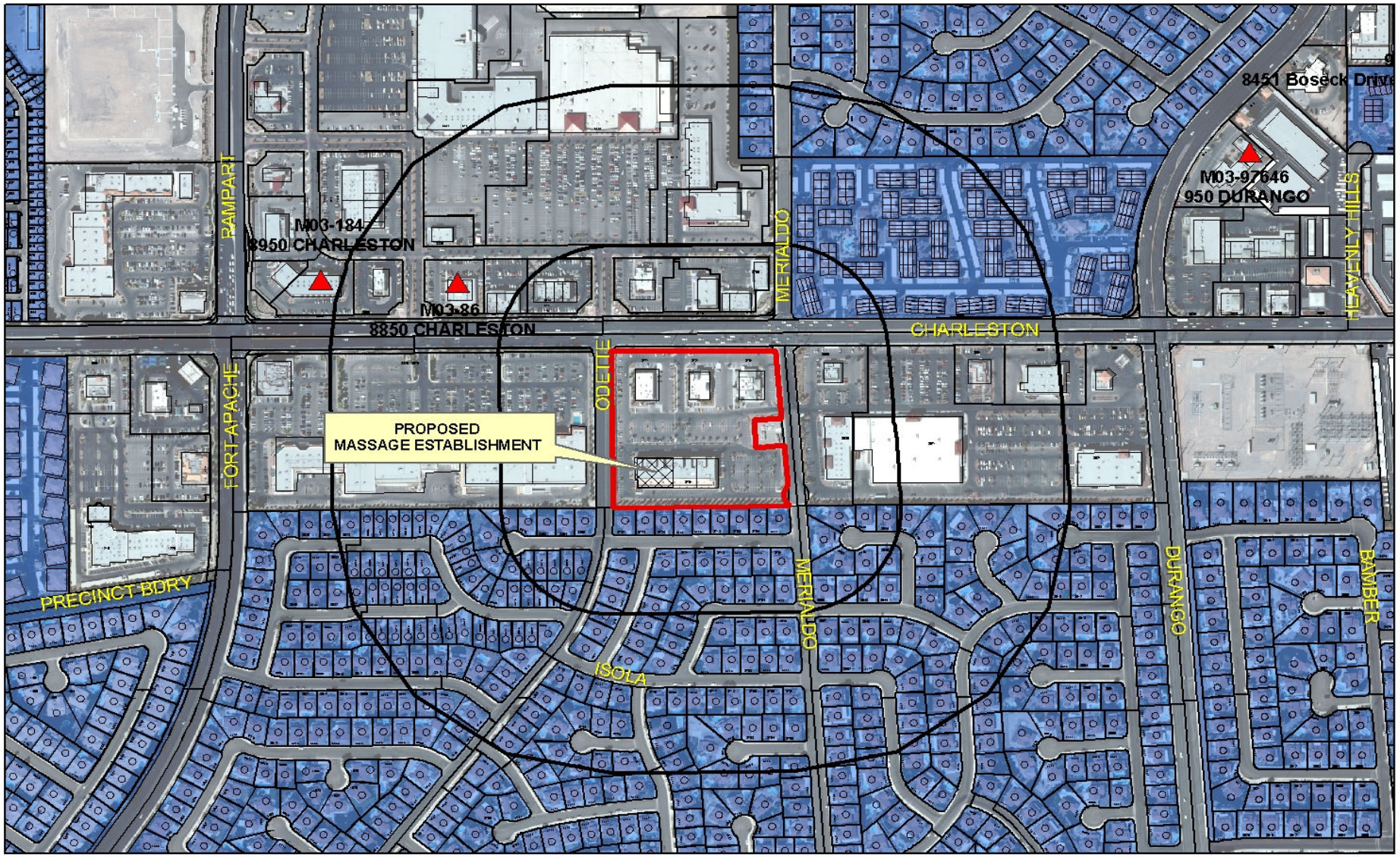
0 400 800 Feet

CASE: **SUP-40899**

RADIUS: 1000 FT

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

N



SUP-40899
Massage Establishment

Business Licenses

- Massage Establishment
- Child Care/ Children Facility

Protected Landuses

- RELIGIOUS
- CITY PARKS
- SCHOOLS

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

0 305 610 1,220 Feet

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: BODY SPA - OWNER: MICAH 6:8 HOLDING, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-40899	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-40899 CONDITIONS

Planning

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

2. Conformance to the approved conditions for Rezoning (Z-0071-00), Site Development Plan Review [Z-0071-00(1)] and Site Development Plan Review (SDR-1307).

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to Las Vegas Municipal Code Title 19.18. 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.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a Massage Establishment use in conjunction with an existing 20,189 square-foot Spa Facility at 8751 West Charleston Boulevard, Suites #150 and #160. The proposed use is located in a 51,167 square-foot shopping center located on a 3.20 acre parcel. The use can be conducted in a manner that is harmonious and compatible with surrounding uses, and staff recommends approval with conditions. If this application is denied, the proposed Massage Establishment use cannot be located within the existing Spa Facility, nor can a business license be obtained for the use at this location.

ISSUES

- A Massage Establishment use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- Waivers are required to allow no distance separation from a residential use where 400 feet is required and 130 feet from another Massage Establishment where 1,000 feet is required. Staff can support the waivers requested as the use is proposed to be operated in conjunction with an existing spa facility and is located within a shopping center that can accommodate a variety of uses.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/18/00	The City Council approved a Rezoning (Z-0071-00) from U (Undeveloped) to C-1 (Limited Commercial) and a Site Development Plan Review [Z-0071-00(1)] for a proposed 58,683 square-foot Retail Shopping Center.
12/04/02	The City Council approved a Site Development Plan Review (SDR-1307) for a proposed 51,718 square-foot two-story retail/office building on a portion of 8.26 acres adjacent to the southeast corner of Charleston Boulevard and Odette Lane. Staff recommended approval of this application which was not considered by the Planning Commission.
10/29/03	The City Council approved a Master Sign Plan (MSP-2858) for an approved retail center on 8.26 acres adjacent to the southeast corner of Charleston Boulevard and Odette Lane. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
11/22/02	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
11/17/03	A building permit (03024366) was issued for a Certificate of Completion of a shell building at 8751 West Charleston Boulevard. The permit was finaled on 11/17/04.
05/14/04	A building permit (04012552) was issued for a Certificate of Occupancy at 8751 West Charleston Boulevard. The permit was finaled on 11/18/04.
10/31/05	A building permit (05007656) was issued for a Certificate of Occupancy at 8751 West Charleston Boulevard, Suite #190. The permit was finaled on 01/10/06.
07/08/09	A business license (P03-00041) was issued for Permanent Make-up at 8751 West Charleston Boulevard, Suite #150. This license is currently active.
07/30/09	A building permit (142719) was issued for a Certificate of Occupancy at 8751 West Charleston Boulevard, Suite #170. The permit was finaled on 09/15/09.
10/08/09	A business license (B05-03000) was issued for a Nail Salon at 8751 West Charleston Boulevard, Suite #190. This license is currently active.
10/12/09	A business license (R05-00654) was issued for a Snack Bar at 8751 West Charleston Boulevard, Suite #190. This license is currently active.
12/09/09	A business license (Q07-01762) was issued for a Medical Firm at 8751 West Charleston Boulevard, Suite #170. This license is currently active.
07/08/10	A building permit (163570) was issued for a Certificate of Occupancy at 8751 West Charleston Boulevard, Suite #160. The permit was finaled on 09/23/10.
07/08/10	A building permit (163560) was issued for a Certificate of Occupancy at 8751 West Charleston Boulevard, Suite #150. The permit was finaled on 03/02/11.
10/18/10	A business license (J01-02152) was issued for Accessory Sales at 8751 West Charleston Boulevard, Suite #150. This license is currently active.
12/03/10	A business license (M11-98285) was issued for Ancillary Massage at 8751 West Charleston Boulevard, Suite #190. This license is currently active.

Pre-Application Meeting	
11/29/10	A pre-application meeting was held with the applicant where the submittal requirements for a Special Use Permit for a Massage Establishment were discussed.

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

Field Check	
03/03/11	Staff conducted a site visit and noted a shopping center, free of trash and debris.

Details of Application Request	
Site Area	
Net Acres	8.24

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
East	Shopping Center	SC (Service Commercial) PF (Public Facility)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-2 (General Commercial)

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

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Charleston Boulevard	Primary Arterial	Master Plan of Streets and Highways	130*	Y
Merialdo Lane	N/A	N/A	60	N/A

*Street width is 100 feet per the Master Plan of Streets and Highways.

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	73,656 SF	1/250 SF	295				
TOTAL SPACES REQUIRED			295		477		Y
Regular and Handicap Spaces Required			288	7	462	15	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
A 400-foot minimum distance separation from a residentially zoned property.	To allow no distance separation.	Approval
A 1,000-foot minimum distance separation from another Massage Establishment.	To allow a 130-foot distance separation.	Approval

ANALYSIS

A Massage Establishment use is defined by Title 19.20.020 as "a facility which is occupied and used for the purpose of practicing massage therapy as defined in LVMC Chapter 6.52. The term does not include the use accessory massage as defined in this Title." As the proposed use will be conducted in five rooms totaling 661 square feet, or approximately three percent of the total floor area, in conjunction with an existing 20,189 square-foot Spa Facility to provide aesthetic and massage therapy services, staff can support the requested Waivers.

The existing shopping center was constructed in 2003. The Massage Establishment use, as proposed, does not meet all of the minimum Title 19 requirements as indicated by the requested Waivers. The use can be conducted in a manner that is harmonious and compatible with surrounding uses, as the site was originally approved as an office, but over time the subject site has transitioned into a shopping center that accommodates a variety of uses. The site is adequately screened from adjacent residential uses. Staff recommends approval with conditions. If denied, the applicant may not operate the Massage Establishment use at this location.

FINDINGS (SUP-40899)

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

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

   The proposed Massage Establishment use will be located in two suites of an existing shopping center. The proposed use can be conducted in a manner that is harmonious and compatible with the various uses at the existing site and with the commercial uses on adjacent properties.

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

   The subject site is physically suitable for the type and intensity of the proposed use, as the shopping center exceeds the parking requirements of Title 19.10.010.

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 Charleston Boulevard and Merialdo Lane. These streets are of sufficient size to accommodate the needs of the proposed Massage 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.**

   Pursuant to Title 19.04, the Minimum Special Use Permit Requirements for a Massage Establishment use mandate that the use not be located within 400 feet of residential property and 1,000 feet from another Massage Establishment use. Staff supports the requested Waivers, as the use will be operated in conjunction with a Spa Facility, and is located within a shopping center that can accommodate a variety of uses.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 622

APPROVALS 1

PROTESTS 0

JG

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-40899** APN: 163-05-502-001

Name of Property Owner: MICAH 6:8 HOLDING, LP

Name of Applicant: DEBRA RITCHEY

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: Lynn Piccoli Osturio

State of Nevada
County of Clark

Print Name: Lynn Piccoli Osturio

Subscribed and sworn before me

This 9th day of Dec, 2010

Jim Liaos

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
JIM LIAOS
My Appointment Expires
December 29, 2010
No: 07-1102-1

Revised 11-14-06

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: SPECIAL USE PERMIT - MASSAGE IN DAY SPA

Project Address (Location) 8751 W. CHARLESTON BLVD, LAS VEGAS

Project Name BODY SPA **Proposed Use** _____

Assessor's Parcel #(s) 163-05-502-001 **Ward #** _____

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

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

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

Additional Information _____

PROPERTY OWNER MICAH 6:8 HOLDING, LP **Contact** C/O OUTBACK STEAKHOUSE

Address 2202 N. WESTSHORE BLVD 5TH FL **Phone:** (813) 282-1225 **Fax:** _____

City TAMPA, FL 33607 **State** _____ **Zip** _____

E-mail Address _____

APPLICANT Body SPA **Contact** Debbie Ritchey

Address 8751 W Charleston **Phone:** 702 338 3608 **Fax:** 702 870 8663

City LV **State** NV **Zip** 89117

E-mail Address Bodyspa1@yahoo.com

REPRESENTATIVE Debbie Ritchey **Contact** _____

Address 1364 Opal Valley **Phone:** 702-338-3608 **Fax:** 702 870 8663

City Henderson **State** NV **Zip** 89052

E-mail Address Same as Above

Property Owner Signature* Joma P. Ostrum

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

Print Name _____

State of Nevada County of Clark

Subscribed and sworn before me

This 26th day of January, 20 11.

Katherine A Liaos

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KATHERINE A. LIAOS
No: 08-5406-1
My Appointment Expires Jan. 7, 2012

FOR DEPARTMENT USE ONLY

Case #	VB SUP-40899
Meeting Date:	~~4/12/11~~ 3/16/11 CC
Total Fee:	$1,030
Date Received:*	2-7-11
Received By:	

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FEB 07 2011

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

Revised 10/27/08

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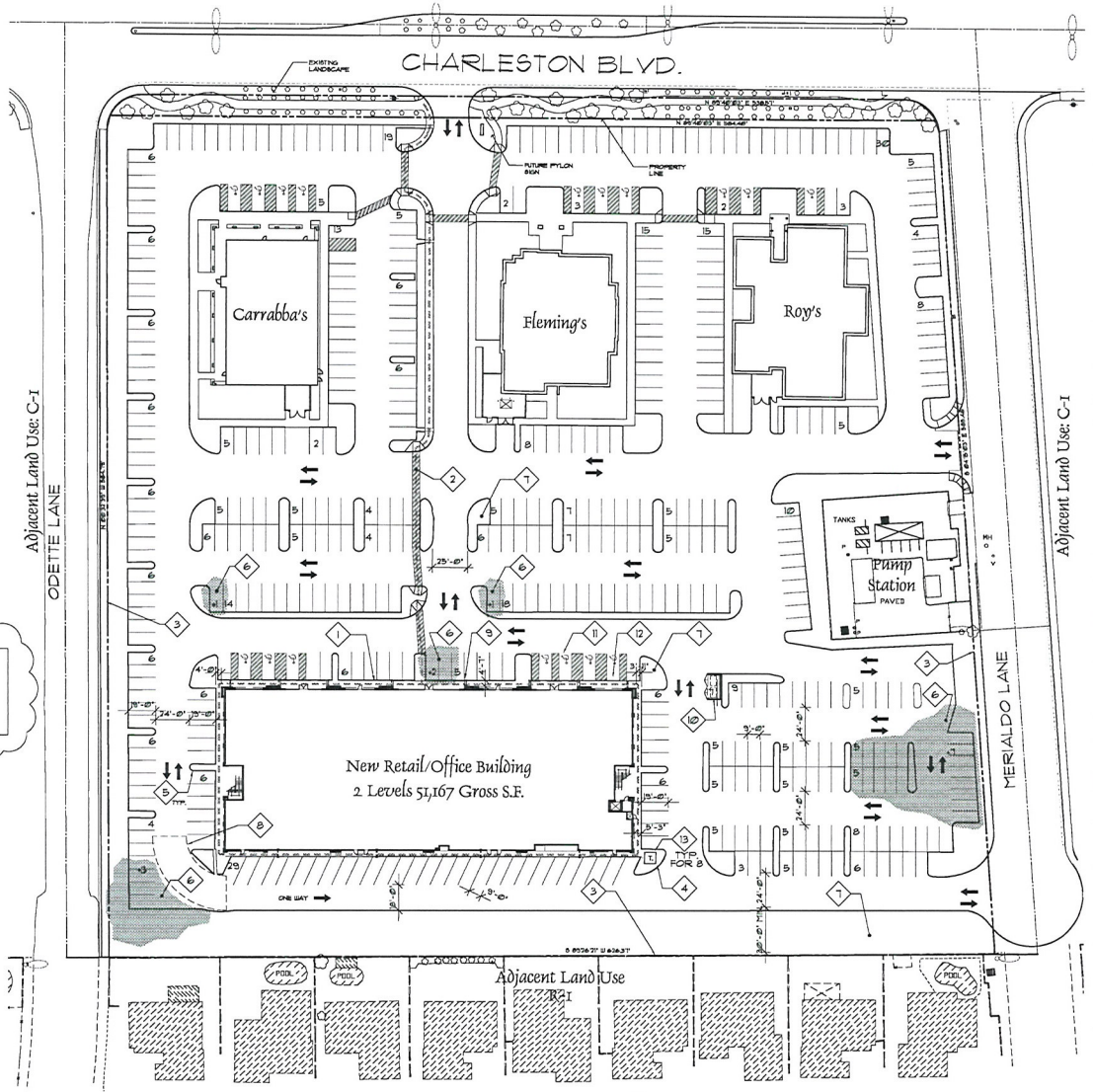
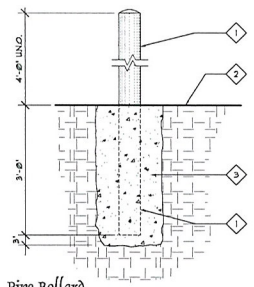


Site Plan

SCALE: 1" = 40'-0"

GENERAL NOTE:
SEPERATE PERMITS ARE REQUIRED FOR RETAINING WALLS, SCREEN WALLS, WATER FEATURES, AND SIGNS ADDED ON SITE.



1. 3" DIA. x ¼" THICK STEEL PIPE. FILL WITH CONCRETE AND SLUMP CAP. GRIND SMOOTH ALL EXPOSED EDGES.
2. FINISH GRADE
3. 18" DIA. CONCRETE FOOTING

Pipe Bollard

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

2 A1.01

Keynotes

SHEET A1.01

1. FULL HEIGHT CURB
2. EXISTING ACCESSIBLE ROUTE WITH EXISTING RAMPS AND HATCHED TRAFFIC CROSSINGS, SEE CIVIL FOR MORE INFORMATION.
3. PROPERTY LINE, TYP.
4. NEW TRANSFORMER LOCATION
5. EXISTING LANDSCAPE TO REMAIN
6. NEW AC PAVING SEE CIVIL
7. EXISTING LANDSCAPE AREA, REPAIR AND REPLACE AS REQUIRED.
8. FIRE TURNING RADIUS 28'-6" & 52'-8"
9. DAYLIGHT ROOF & OVERFLOW DRAIN AT CONCRETE CURB TYP. SEE FLOOR PLAN
10. EXISTING TRASH ENCLOSURE
11. EXISTING PAINTED ACCESSIBLE PARKING SYMBOL
12. EXISTING ACCESSIBLE PARKING SIGN POST IN FRONT OF EACH ACCESSIBLE SPACE

Site Data

ASSESSORS PARCEL NUMBER (APN)
163-05-502-01

CURRENT ZONING C-1
SDR-1307

Parking

REQUIRED PARKING:		
CARRABBA'S RESTAURANT		84 SPACES
FLEMING'S RESTAURANT		115 SPACES
ROY'S RESTAURANT		96 SPACES
BARCELONE RETAIL	4/1000	128 SPACES
BARCELONE OFFICE	3.3/1000	63 SPACES
TOTAL PARKING REQUIRED		486 SPACES
TOTAL PARKING PROVIDED		486 SPACES

General Notes

1. CONTRACTOR TO FIELD VERIFY ALL CONDITIONS PRIOR TO CONSTRUCTION
2. ANY DISCREPANCY BETWEEN CIVIL, LANDSCAPE, PLUMBING, ELECTRICAL AND ARCHITECTURAL SITE PLANS SHALL BE BROUGHT TO THE ARCHITECTS ATTENTION IMMEDIATELY.
3. REFER TO CIVIL FOR HORIZONTAL CONTROL
4. REFER TO LANDSCAPE FOR PLANTING INFO
5. REFER TO CIVIL DRAWINGS FOR NEW & EXISTING UTILITY LOCATIONS & ADDITIONAL LINES TO BE INSTALLED.

Indigo Architecture, Inc.

ANTHONY E. YOUNG REGISTERED No. 3943 STATE OF NEVADA

SEAL:

CONSULTANT:

8290 S. Maryland Parkway, Suite 400 • Las Vegas, Nevada 89123 • Phone (702) 436-2772 • Fax (702) 436-2736

PROJECT NAME: Barcelone, W. Charleston Blvd.

SHEET TITLE: Architectural Site Plan

REVISIONS:
2. PLANS CHECK 5/20/03
4. PLANS CHECK 6/12/03

Project No: 0213

Drawn By: AEY, CES
Date: April 30, 2003
Scale: 1" = 40'-0"

Sheet No: A1.01

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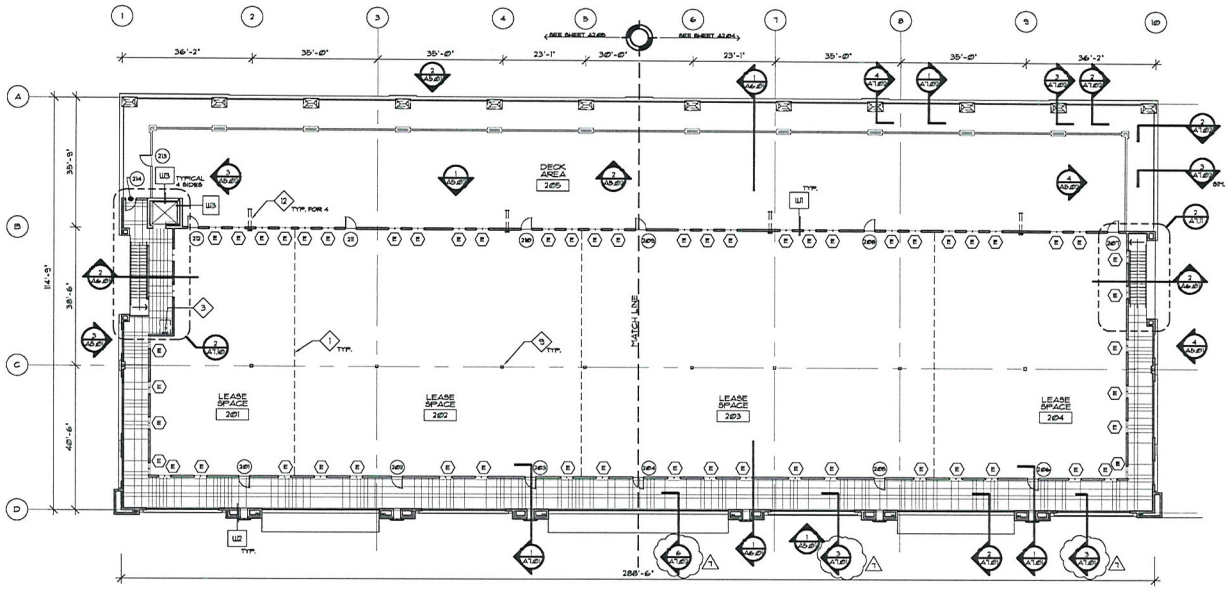
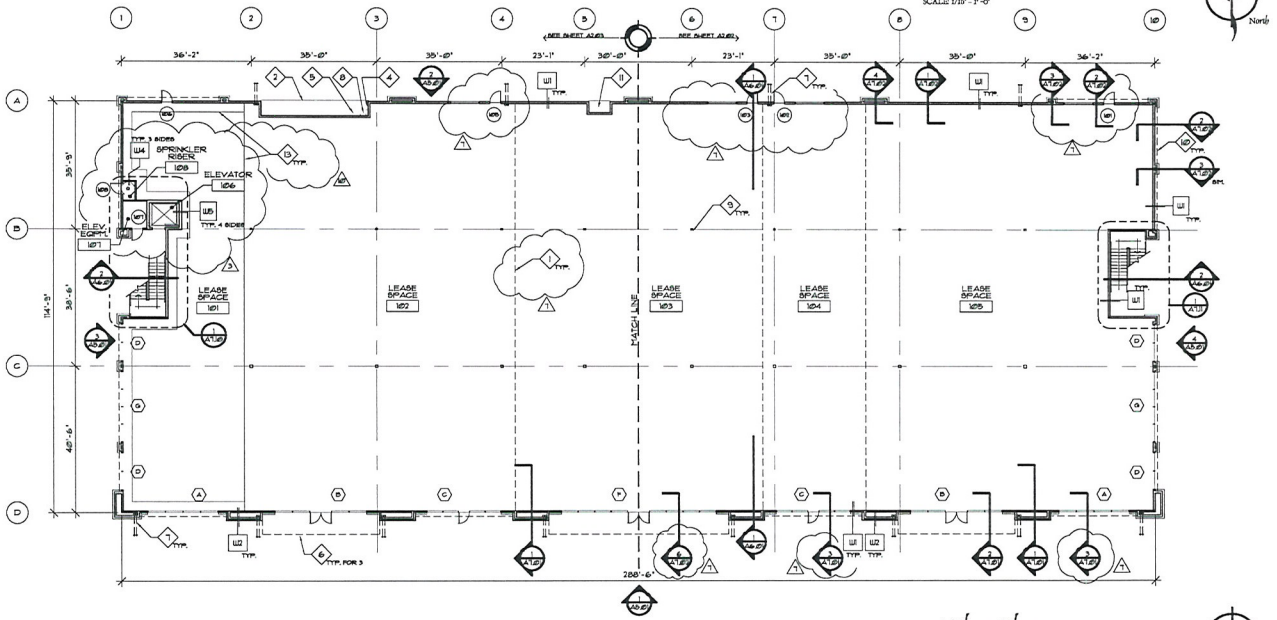
SUP-40899



2nd Floor Plan
SCALE: 1/16" = 1'-0"



1st Floor Plan
SCALE: 1/16" = 1'-0"

Keynotes
SHEET A2.01

1 TENANT DEMISING LINE, TYP.
2 MAIN SWITCH GEAR LOCATION
3 ROOF ACCESS LADDER & HATCH LOCATION
4 LANDSCAPE CONTROLLER
5 PHONE BOARD
6 CANOPY ABOVE, TYPICAL
7 DAYLIGHT ROOF AND OVERFLOW DRAIN AT CONCRETE CURB - REFER TO SITE PLAN
8 HOUSE PANEL
9 COLUMN, SEE STRUCTURAL
10 SOFFIT ABOVE - SEE ELEVATIONS AND CEILING PLAN
11 GAS METER ALCOVE - SEE PLUMBING DWGS
12 RUN ROOF DRAIN BETWEEN JOISTS
13 IN CEILING SPACE OF FIRST FLOOR
14 EDGE OF MONOLITHIC SLAB AND TURN-DOWN FOOTING, REFER TO STRUCTURAL

Symbols

1. FOR DOOR SIZE SEE SCHEDULE ON A2.50
   REFERS TO DOOR TYPE
2. FOR WINDOW SIZE SEE SCHEDULE ON A2.50
   REFERS TO WINDOW TYPE

Wall Types

W1 7/8" EXTERIOR CEMENT PLASTER OVER PAPER BACKED METAL LATH ON PLYWOOD SHEATHING ON 2x WOOD STUDS AT 16" O.C. WITH R-19 BATT INSULATION.

W2 THINSET STONE TILE VENEER OVER EXTERIOR CEMENT PLASTER BROWN COAT OVER PLYWOOD SHEATHING ON 2x WOOD STUDS AT 16" O.C. WITH R-19 BATT INSULATION.

W3 (EXTERIOR SHAFT WALL) 2x WOOD STUDS AT 16" O.C. WITH 1" GYPSUM SHAFT LINER INSIDE AND 7/8" EXTERIOR CEMENT PLASTER 3 COAT SYSTEM OVER PAPER BACKED METAL LATH ON PLYWOOD SHEATING AT EXTERIOR SIDE.

W4 1 HOUR RATED WALL: 2x4 WOOD STUDS AT 16" O.C. WITH R-19 BATT INSULATION WITH 5/8" TYPE 'X' GYPSUM BOARD EACH SIDE. SEE ASSEMBLY DETAIL 8 ON A2.51

W5 (INTERIOR SHAFT WALL) 2x WOOD STUDS AT 16" O.C. WITH 1" GYPSUM SHAFT LINER INSIDE AND 5/8" TYPE 'X' GYPSUM BOARD OVER ACOUSTICAL INSULATION AT INTERIOR SIDE.

NOTE:
REFER TO STRUCTURAL DRAWINGS FOR STUD FRAMING SIZES AND PLYWOOD SHEATHING.

General Notes

1 CONTRACTOR TO FIELD VERIFY ALL CONDITIONS
2 ALL DIMENSIONS ARE TAKEN FROM FACE OF STUD, MASONRY, OR CONCRETE U.N.O.
3 SEE STRUCTURAL DRAWINGS FOR WOOD FRAMING STUD SIZES AND SPACING.

Indigo Architecture, Inc.

SEAL: ANTHONY E. YOUNG REGISTERED No. 3943 ARCHITECT STATE OF NEVADA

CONSULTANT:

PROJECT NAME: Barcelone
W. Chalreston Blvd.

SHEET TITLE: 1st and 2nd Floor Plan

REVISIONS:
3 PLANS CHECK 5/20/03
7 Clarification 12/23/03
10 Clarification 01/26/04

Project No: 02133

Drawn By: AEY, SDM, CES
Date: April 30, 2003
Scale: AS NOTED
Sheet No: A2.01

© 8990 S. Maryland Parkway, Suite 400 ● Las Vegas, Nevada 89123 ● Phone: (702) 456-2772 ● Fax: (702) 456-2731 ●

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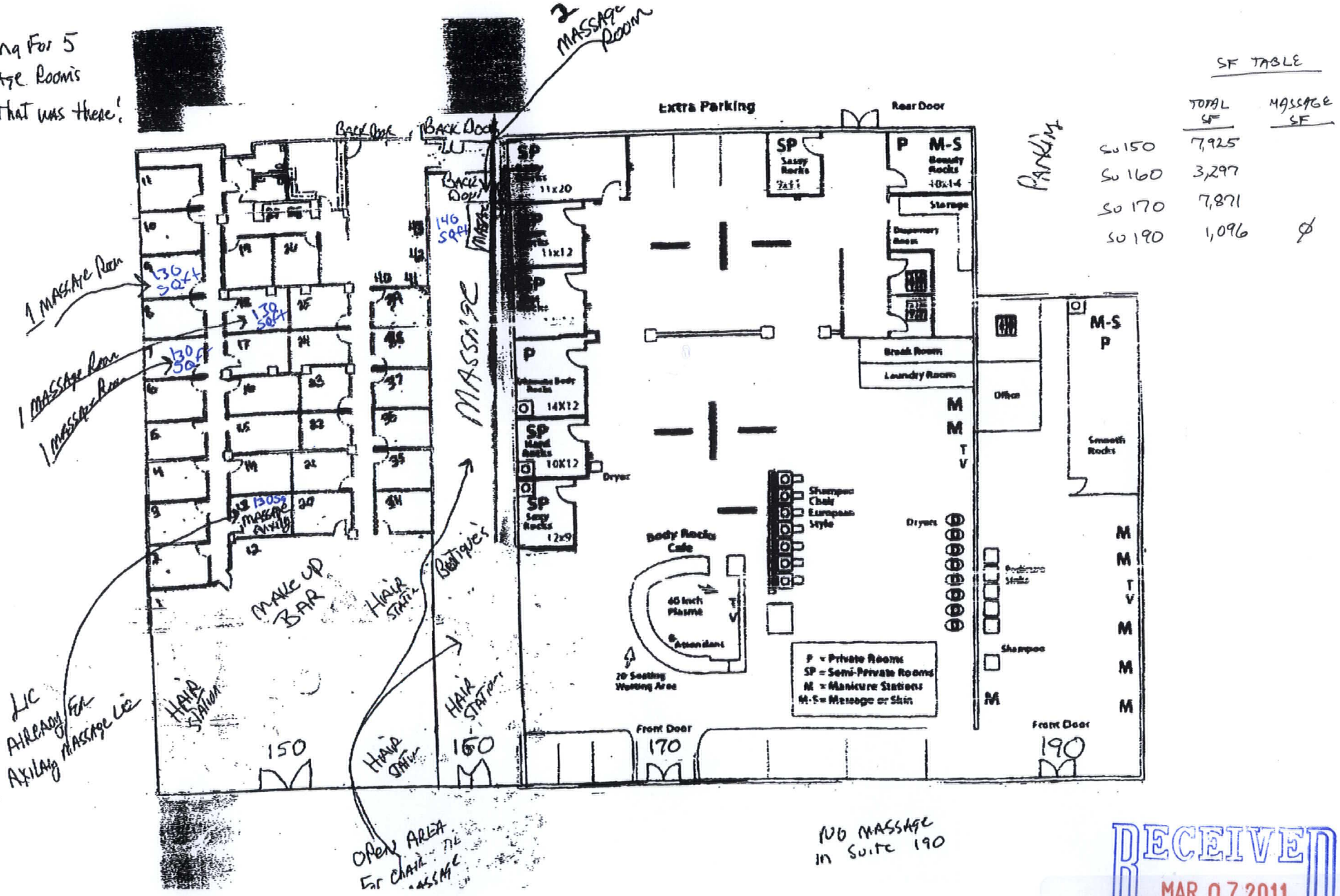

SF TABLE

	TOTAL SF	MASSAGE SF
Su 150	7,925	
Su 160	3,297	
Su 170	7,871	
Su 190	1,096	ø

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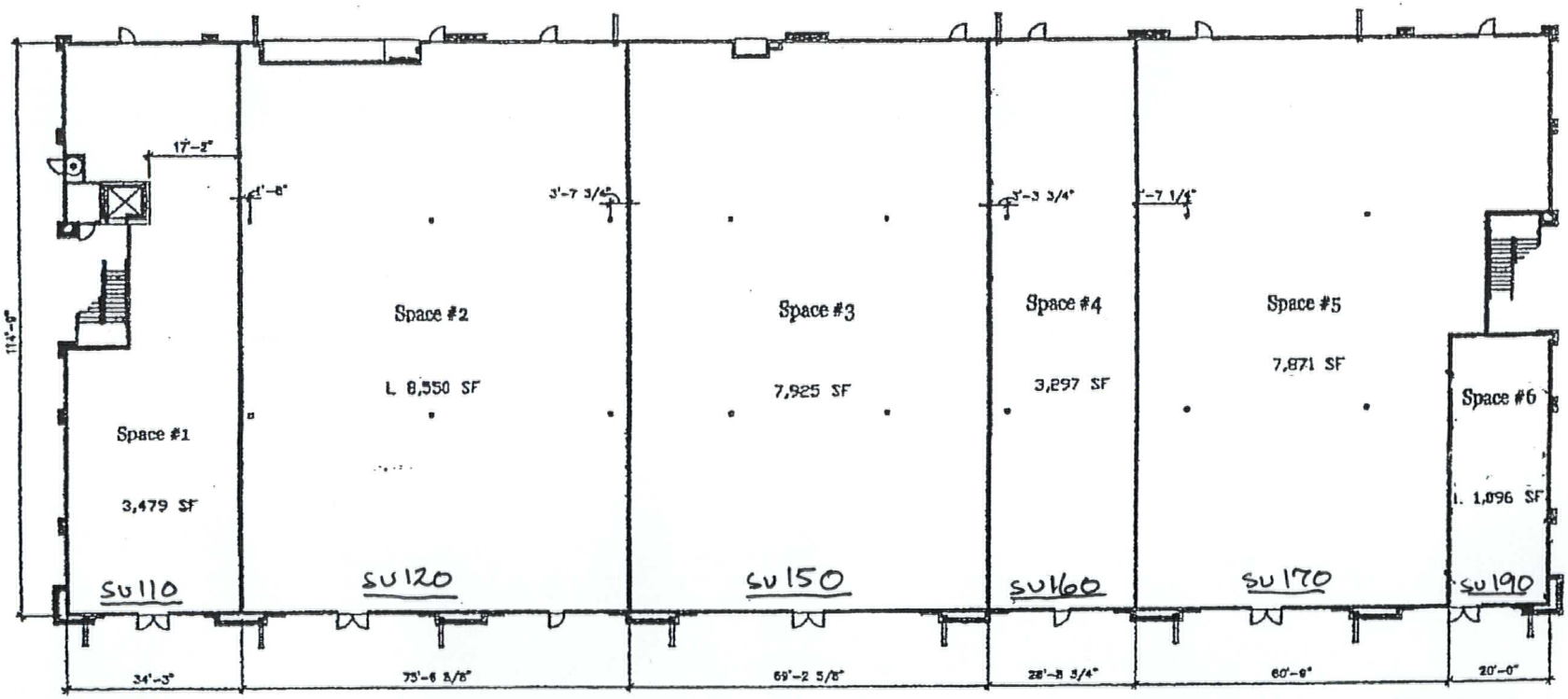
SUP-40899

~~REVISED~~

BARCELONE

SITE PLAN

(GROUND FLOOR)



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SUP-40899
REVISED



SUP-40899 - APPLICANT: BODY SPA - OWNER: MICAH 6:8 HOLDING, LLC
8751 WEST CHARLESTON BOULEVARD, SUITE #190

03/03/11



SUP-40899 - APPLICANT: BODY SPA - OWNER: MICAH 6:8 HOLDING, LLC
8751 WEST CHARLESTON BOULEVARD, SUITE #190

03/03/11



SUP-40899 - APPLICANT: BODY SPA - OWNER: MICAH 6:8 HOLDING, LLC
8751 WEST CHARLESTON BOULEVARD, SUITE #190

03/03/11



SUP-40899 – APPLICANT: BODY SPA – OWNER: MICAH 6:8 HOLDING, LLC
8751 WEST CHARLESTON BOULEVARD, SUITE #190

03/03/11



SUP-40899 – APPLICANT: BODY SPA – OWNER: MICAH 6:8 HOLDING, LLC
8751 WEST CHARLESTON BOULEVARD, SUITE #190

03/03/11

From The Desk of Debbie Ritchey

March 7, 2011

Attn: John Grider

Planning Department

To whom it may concern:

Per your request I am formally requesting 5 additional massage rooms at my beauty salon facility located at 8751 West Charleston Ave Suite 150, and 160. We are not asking for a special use permit for suite 190. The additional 4 rooms requested square footage per each room is 130 sq ft., and one room at 141 sq ft.

As we have the largest spa/salon on the west coast located here in Summerlin I am very confident that this new addition to our facility will help increase our revenues as well as the cities tax revenue from our increased new business with the additional massage rooms requested. We noticed a significant increase in our business when we added massage to our 6,000, and 7,000 sq foot spa/salon's located in Henderson (which we obtained a FULL massage establishment licencse). As such we are very bullish on the prospects of the same great outcome for our Summerlin facility.

Respectfully,

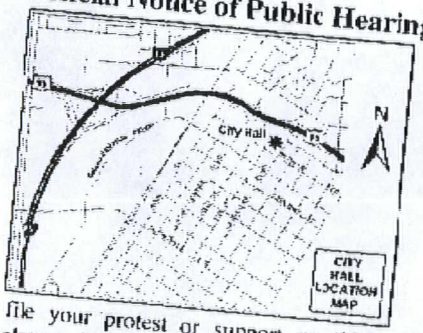
Debbie Ritchey

RECEIVED
MAR 07 2011
SUP-40899
REVISED

04/04/2011 16:55 7022569362 STEVEN S HOLT PAGE 01/01

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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 Department of Planning, Case Planning Division 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-40899

Planning Commission Meeting of 4/12/2011

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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13832819195 Case: SUP-40899
BORGNA REAL ESTATE THREE L L C
10624 S EASTERN AVE #A-124
HENDERSON NV 89052-2992

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APR -5 2011

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

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

SUBJECT:

SUP-41030 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC - Request for a Special Use Permit FOR A PROPOSED 2,946 SQUARE-FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITH A WAIVER TO ALLOW A 141-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS REQUIRED at 410 South Rampart Boulevard, Suite #120 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

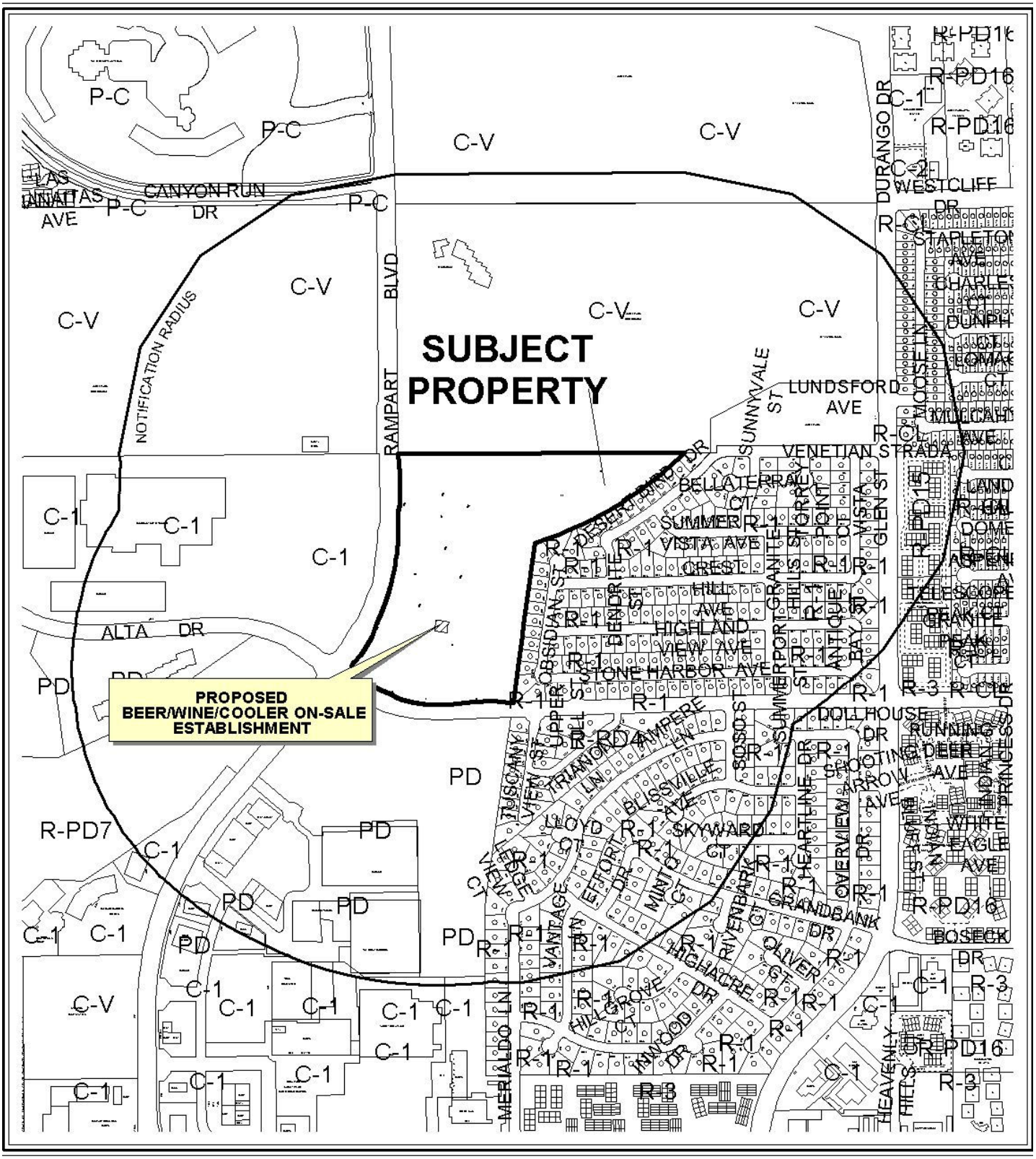
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**1**
City Council Meeting	**0**	**City Council Meeting**	**0**

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-41030**

RADIUS: 1500 FT

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

N



0 300 600 Feet

CASE: **SUP-41030**

RADIUS: 1500 FT

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

N

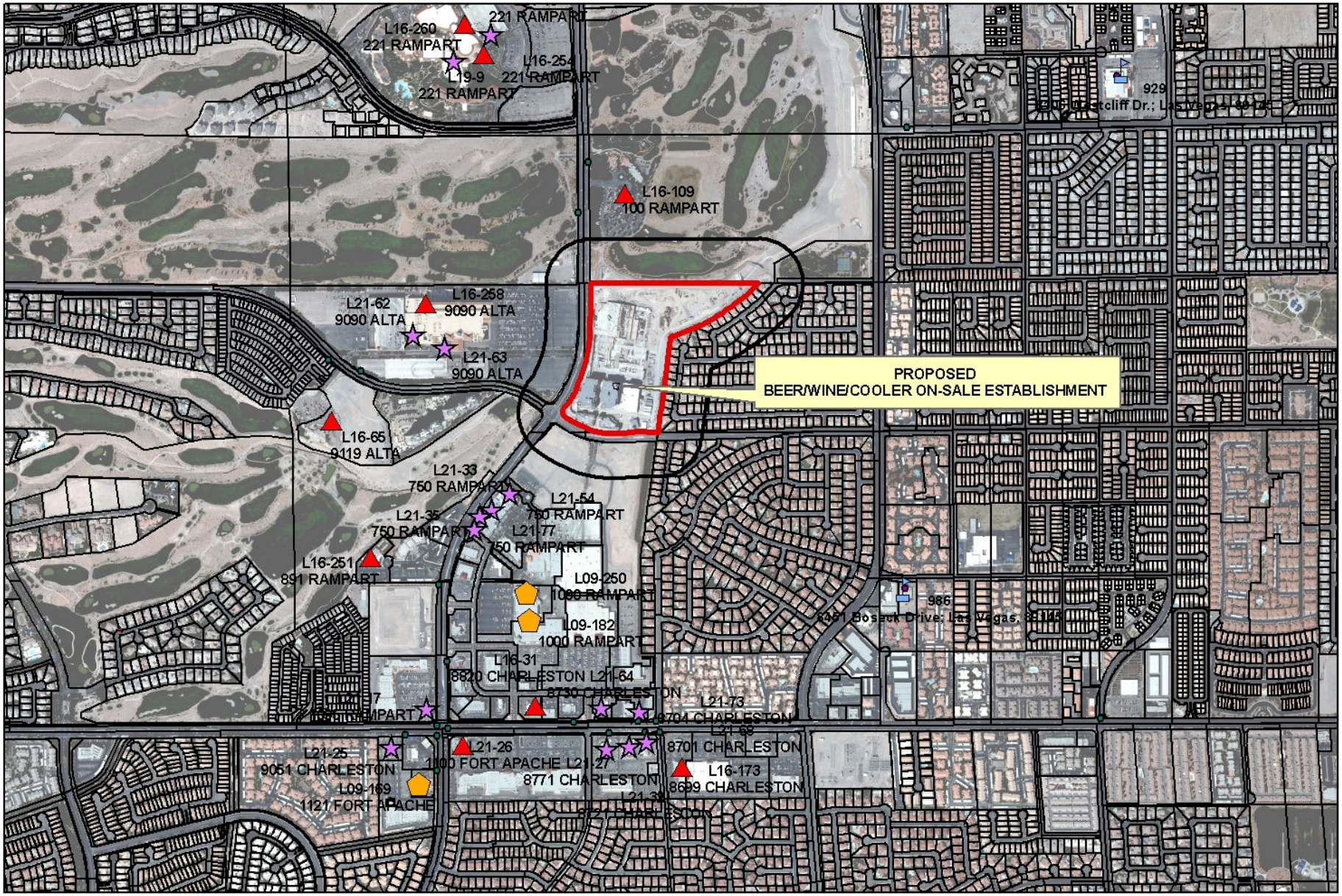


APPROVED & PENDING ALCOHOL ENTITLEMENTS FOR APN: 13832601003

ALCOHOL USES

- Tavern
- Supper Club/ Restaurant Service Bar
- Beer/Wine/Cooler On Sale
- Subject Property
- 400 foot buffer

N



SUP-41030

Business Licenses

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: GREAT WASH PARK, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-41030	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-41030 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Beer/Wine/Cooler On-Sale Establishment use.

2. Conformance to the approved conditions for Rezoning (ZON-5653), Special Use Permit (SUP-5853) and Site Development Plan Review (SDR-10770).

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to Las Vegas Municipal Code Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

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

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

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

Staff Report Page One
April 12, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a Beer/Wine/Cooler On-Sale Establishment use within a proposed 2,946 square-foot Restaurant at 410 South Rampart Boulevard, Suite #120. The proposed use will be located within the Tivoli Village at Queensridge Mixed-Use development that is currently under construction. The Restaurant with a Beer/Wine/Cooler On-Sale Establishment use complies with all Title 19.04 requirements with the exception of the requested waiver, which staff supports, and can be conducted in a manner that is harmonious and compatible with existing surrounding development and land uses; therefore, staff recommends approval with conditions. If this application is denied, the proposed Beer/Wine/Cooler On-Sale Establishment use cannot be located within the proposed restaurant, nor can a business license for alcohol use be obtained for the use at this location.

ISSUES

- A Beer/Wine/Cooler On-Sale Establishment use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- A Waiver is required to allow a distance separation of 141 feet from a City Park where 400 feet is required for the Beer/Wine/Cooler On-Sale Establishment use. A Waiver of this requirement is possible due to the location of the proposed use within a mixed-use development in excess of 15 acres and 250,000 square feet of nonresidential floor space.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/26/98	The City Council approved a Rezoning (Z-0127-97) from U (Undeveloped) zone, M (Medium Density Residential) and SC (Service Commercial) General Plan Designation, under Resolution of Intent to R-PD16 (Residential Planned Development – 16 Units per Acre), to C-2 (General Commercial) at the northeast corner of the intersection of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval of the request.
03/02/05	The City Council approved a request for a Site Development Plan Review (SDR-5657) to allow a Mixed-Use development to include 700,000 square feet of commercial space and 375 residential condominium units in on 10-story and two five-story residential condominium buildings on 30.21 acres adjacent to the northeast corner of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval of the request.

03/02/05	The City Council approved a request for a Special Use Permit (SUP-5853) to allow a proposed Mixed-Use commercial and residential development adjacent to the northeast corner of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval of the request.
04/19/06	The City Council approved a request for a Variance (VAR-10773) to allow 3,955 parking spaces where 4,961 parking spaces is the minimum number of parking spaces required for a proposed Mixed-Use development on 28.69 acres at 8750 Alta Drive. The Planning Commission recommended approval, but staff recommended denial of the request.
	The City Council approved a request for a Site Development Plan Review (SDR-10770) for a 10-story Mixed-Use development consisting of 699,000 square feet of commercial space and 340 residential units on 28.69 acres 8750 Alta Drive. The Planning Commission recommended approval, but staff recommended denial of the request.
06/06/07	The City Council approved a Review of Condition (ROC-21668) to modify Condition Number 9 of an approved Site Development Plan Review (SDR-10770) which stated that all perimeter landscape buffers shall comply with the minimum requirements listed in Title 19.12. Tree spacing within the buffers shall conform to the minimum requirements listed in Title 19.12. To allow a four-foot landscape buffer along the south property line where eight feet is the minimum required for an approved Mixed-Use development on 28.69 acres at 420 South Rampart Boulevard. Staff recommended approval of the request.
07/12/07	The Planning Commission approved a Tentative Parcel Map (TMP-20197) for a 324 unit Mixed-Use development on 28.62 acres at 302 South Rampart Boulevard. Staff recommended approval of the request.
10/01/08	The City Council approved a request for a Special Use Permit (SUP-28998) for a Supper Club and a Waiver to allow a 141-foot separation from a City Park where 400 feet is the minimum required at the northeast corner of Rampart Boulevard and Alta Drive. The Planning Commission and staff recommended approval of the request.
12/17/08	The City Council approved a request for a Special Use Permit (SUP-30583) for a proposed 12,195 square-foot Supper Club and a Waiver to allow a distance separation from a City Park where 400 feet is the minimum required at 440 South Rampart Boulevard, Suite #8120. The Planning Commission and staff recommended approval of the request.
07/01/09	The City Council approved a request for a Special Use Permit (SUP-34175) for a proposed Liquor Establishment (Tavern) with a Waiver to allow no distance separation from a similar use and a 141-foot distance separation from a City Park where 1,500 feet is the allowed at 330 South Rampart Boulevard, Suite #215. The Planning Commission and staff recommended approval of the request.

09/23/10	The Planning Commission approved a request for a Special Use Permit (SUP-39146) for a Liquor Establishment (Tavern) within a 28.69-acre Mixed-Use development with waivers to allow a distance separation of 141 feet from a City Park and to allow no distance separation from a similar use where 1,500 feet is required at 440 South Rampart Boulevard, Suite #180. The Planning and Development Department staff recommended approval of the request.
10/21/10	The Planning Commission approved a request for a Special Use Permit (SUP-39440) for a Supper Club with a waiver to allow a 141-foot distance separation from a City Park where 400 feet is the minimum required at 420 South Boulevard, Suite #180. The Planning and Development Department staff recommended approval of the request.
10/21/10	The Planning Commission approved a request for a Special Use Permit (SUP-39441) for a Liquor Establishment (Tavern) within a 28.69-acre Mixed-Use development with waivers to allow a distance separation of 141 feet from a City Park and to allow no distance separation from a similar use where 1,500 feet is required at 440 South Rampart Boulevard, Suite #B190. The Planning and Development Department staff recommended approval of the request.
12/16/10	The Planning Commission approved a request for a Special Use Permit (SUP-40087) for a Supper Club with a waiver to allow a 141-foot distance separation from a City Park where 400 feet is the minimum required at 400 South Boulevard, Suite #190. The Planning and Development Department staff recommended approval of the request.
	The Planning Commission approved a request for a Master Sign Plan (MSP-40230) for an approved Mixed-Use development on 28.44 acres at the northeast corner of Alta Drive and Rampart Boulevard. The Planning and Development Department staff recommended approval of the request.
03/08/11	The Planning Commission abeyed a Special Use Permit (SUP-40748) for a Liquor Establishment (Tavern), located at 430 South Rampart Boulevard, Suite #B160 to the 04/12/11 Planning Commission meeting.
	The Planning Commission abeyed a Special Use Permit (SUP-40749) for a Liquor Establishment (Tavern), located at 430 South Rampart Boulevard, Suite #B130 to the 04/12/11 Planning Commission meeting.

Most Recent Change of Ownership	
01/16/04	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
There is no business license history at 410 South Rampart Boulevard, Suite #120, since the building has not received its final certificate of completion.	
02/23/09	A building permit (7002966) was issued for Shell Building #17 located at 410 South Rampart Boulevard. The permit has not been finaled.

Pre-Application Meeting	
02/15/11	A pre-application meeting was held with the applicant, where elements of submitting a Special Use Permit for a Restaurant with Beer/Wine/Cooler On-Sale Establishment use were discussed. The topics included: • A waiver is required due to the proximity of the proposed use within 400 feet from a City Park, pursuant to Minimum Special Use Permit requirement Number 1. • The proposed use is located within a Mixed-Use development.

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

Field Check	
03/03/11	A site visit was conducted by staff, at which time it was noted that the subject site is currently under construction.

Details of Application Request	
Site Area	
Net Acres	28.44

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Mixed-Use Development (under construction)	GC (General Commercial)	C-2 (General Commercial)
North	Angel Park	PR-OS (Parks/Recreation and Open Space)	C-V (Civic)
South	Shopping Center	SC (Service Commercial)	PD (Planned Development)

East	Single-Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
West	Casino	SC (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Rampart Boulevard	***Primary Arterial***	Master Plan of Streets and Highways	100	Y
Alta Drive	***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, Per approved Variance (VAR-10773)							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Mixed-Use	794,482 SF & 340 Residential Units	Case-by case basis (when originally approved)					
TOTAL SPACES REQUIRED			4,961		3,955		
Regular and Handicap Spaces Required			4,891	70	3,895	60	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
400-foot distance separation from City Park.	To allow a 141-foot distance separation.	Approval

ANALYSIS

A Beer/Wine/Cooler On-Sale Establishment use is defined by Title 19.20 as "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 forty-five or more people may be served with meals at any one time at tables or stools." The applicant is proposing a 2,946 square-foot Gourmet Pizzeria with Beer/Wine/Cooler On-Sale Establishment use. The proposed floor plan indicates seating at the bar, dining area and an outdoor terrace that will accommodate 87 patrons.

Tivoli Village at Queensridge Mixed-Use development is located adjacent to a Pedestrian Path Trail along Rampart Boulevard as designated within the Transportation Trails Element of the Las Vegas 2020 Master Plan. The trail is currently under construction.

The proposed use is compatible with the neighboring commercial and residential uses within the approved Mixed-Use development. The proposed use will be compatible and harmonious with the existing and future surrounding land uses; therefore, staff recommends approval with conditions.

FINDINGS (SUP-41030)

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 Restaurant with a Beer/Wine/Cooler On-Sale Establishment use is compatible use with the neighboring commercial and residential uses within the approved Mixed-Use development.

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

The site is physically suitable for this type of use and the intensity is appropriate in this area of the City. Ample site access is provided and adequate parking is being provided in accordance with the approved Variance (VAR-10773) for the Mixed-Use development. The proposed Restaurant with Beer/Wine/Cooler On-Sale Establishment is appropriate in these types of Mixed-Use developments.

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

The subject site is accessed by Rampart Boulevard and Alta Drive. Both streets are sufficient to accommodate the amount of vehicular trips associated with the proposed use.

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

Approval of the Special Use Permit is consistent with the General Plan, and will not compromise the public health, safety, or welfare.

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

The proposed use does not meet all Minimum Special Use Permit requirements pursuant to Title 19.04 due to the proximity to a City Park. The requested Waiver of the minimum distance separation requirement is appropriate for the proposed use within a Mixed-Use development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 732

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41030** APN: 138-32-601-003

Name of Property Owner: Great Wash Park LLC

Name of Applicant: Great Wash Park LLC, Tivoli Village At Queensridge

Name of Representative: Brwon Brown & Premsrirut - Contact Lora Dreja

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Todd D. Davis

Subscribed and sworn before me

This ____ day of February, 20 11

Cynthia Callegaro

Notary Public in and for said County and State
Cynthia Callegaro

NOTARY PUBLIC
CYNTHIA CALLEGARO
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. MARCH 22, 2011
No: 07-2542-1

RECEIVED
FEB 24 2011

Revised 11-14-06

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

LCD

Application/Petition For: Special Use Permit for BEER/WINE/COOLER ON-SALE

Project Address (Location) within Tivoli Village, 410 S. Rampart Blvd. Suite 120 LCD

Project Name ~~Pesci's Pizza~~ GOURMET PIZZERIA **Proposed Use** Restaurant

Assessor's Parcel #(s) 138-32-601-003 **Ward #** C - Wolfsen

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

Commercial Square Footage Back Area - 1,052 sqft Front Area - 861 sqft Patio Area - 1,033 sqft Total Sqft - 2,946 **Floor Area Ratio** See SUP - 5853

Gross Acres 29+ **Lots/Units** N/A **Density** N/A

Additional Information Subject Use Permit is on a portion of a 29 acre C-2 zoned parcel that holds a mixed use permit SUP - 5853. See also Ordinance 6013

PROPERTY OWNER Great Wash Park LLC **Contact** Vickie DeHart
Address 9755 West Charleston Boulevard **Phone:** (702) 946-6930 **Fax:** (702) 940-6931
City Las Vegas **State** Nevada **Zip** 89117
E-mail Address vickie@ehbinc.com

APPLICANT Great Wash Park LLC - Tivoli Village at Queensridge **Contact** Cynthia Callegaro
Address 1215 S. Fort Apache Rd, Suite 240 **Phone:** (702) 946-6680 **Fax:** (702) 946-6681
City Las Vegas **State** Nevada **Zip** 89117
E-mail Address ccallegaro@ehbcompanies.com

REPRESENTATIVE Brown Brown & Premsrirut **Contact** Lora Dreja
Address 520 South Fourth Street **Phone:** (702) 384-5563 **Fax:** (702) 385-1023
City Las Vegas **State** Nevada **Zip** 89101
E-mail Address lora@brownlaw.com

Property Owner Signature* _____

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

Print Name Todd D. Davis

Subscribed and sworn before me

This 23rd day of February, 20 11.

Cynthia Callegaro

Notary Public in and for said County and State

NOTARY PUBLIC
CYNTHIA CALLEGARO
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. MARCH 22, 2011
No: 07-2542-1

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-41030
Meeting Date:	4-12-11 PC
Total Fee:	$1,280
Date Received:*	2-24-11
Received By:	

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

RECEIVED FEB 24 2011

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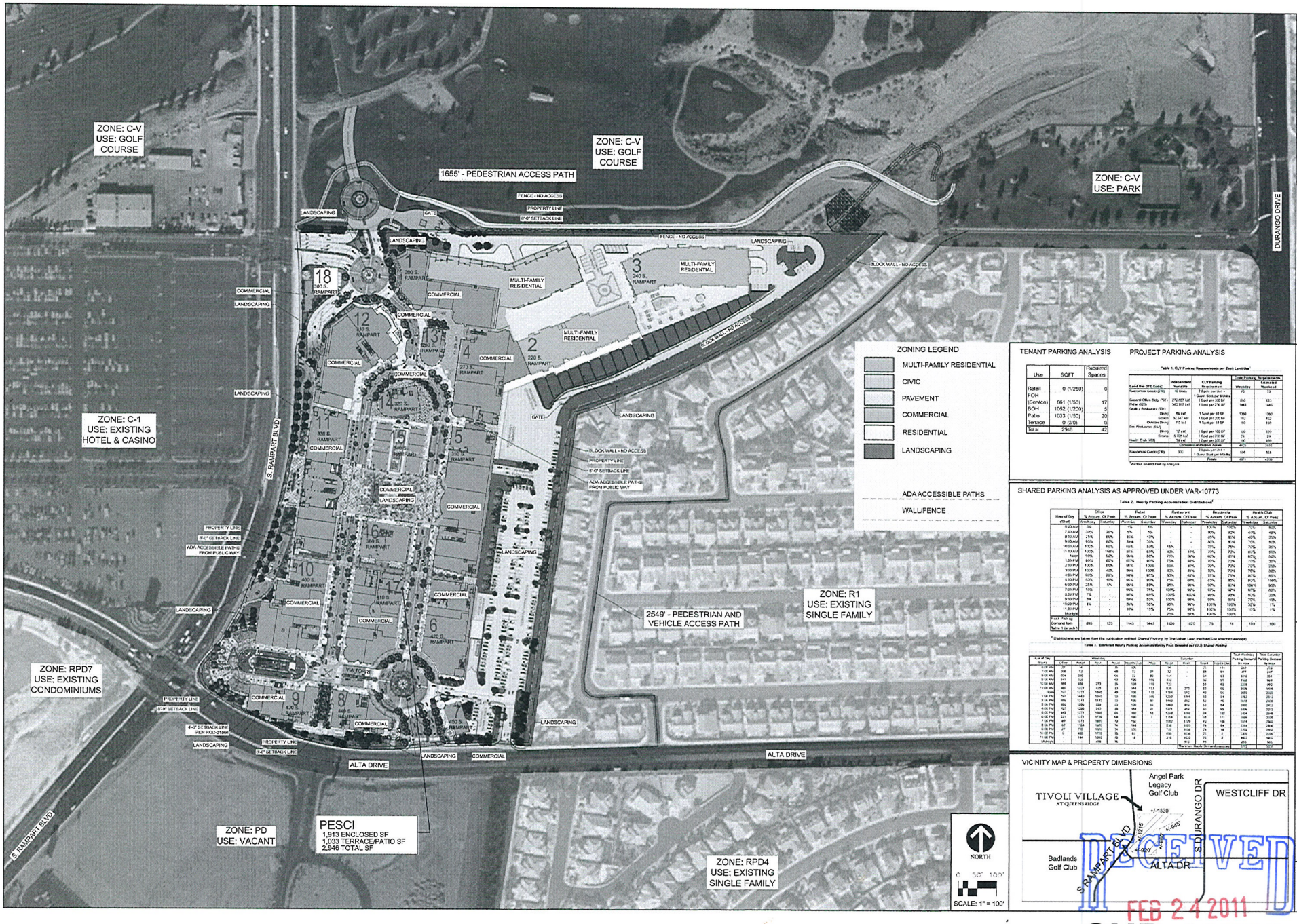


TENANT PARKING ANALYSIS

Use	SQFT	Required Spaces
Retail	0 (1/250)	0
F/OH (Service)	861 (1/50)	17
BOH	1052 (1/200)	5
Patio	1033 (1/50)	20
Terrace	0 (0/0)	0
Total	2946	42

PROJECT PARKING ANALYSIS

"Table 1. CLV Parking Requirements per Land Use"

Land Use (ITE Code)	Independent Variable	CLV Parking Requirement	Code Parking Requirements Required Weekday	Required Weekend
Residential Condo (230)	40 Units	2 Spots per Unit + 1 Guest Spot per 8 Units	73	73
General Office Bldg. (701)	272,627 sqf	1 Spot per 250 SF	895	533
Retail (820)	360,777 sqf	1 Spot per 250 SF	1443	1443
Quality Restaurant (931)	Dining	1 Spot per 65 SF	1392	1392
	90 sqf	1 Spot per 250 SF	162	162
	Service 32,247 sqf	1 Spot per 65 SF	150	150
	Outdoor Dining 7.5 sqf			
Fast Restaurant (934)	Dining 12 sqf	1 Spot per 100 SF	120	120
	Terrace 1,034 sqf	1 Spot per 250 SF	10	10
Health Club (492)	16 sqf	1 Spot per 200 SF	081	080
		Commercial Parking Totals	2831	2831
Residential Condo (230)	300	1 Spot per Unit + 1 Guest Spot per 5 Units	508	508
		Total	4081	4036

"Without Shared Parking Analysis

SHARED PARKING ANALYSIS AS APPROVED UNDER VAR-10773

Table 2. Hourly Parking Accumulation Distributions[1]

Hour of Day (Start)	Office % Accum. Of Peak Weekday	Office % Accum. Of Peak Saturday	Retail % Accum. Of Peak Weekday	Retail % Accum. Of Peak Saturday	Restaurant % Accum. Of Peak Weekday	Restaurant % Accum. Of Peak Saturday	Hotel/Club % Accum. Of Peak Weekday	Hotel/Club % Accum. Of Peak Saturday
6:00 AM	2%	-	1%	-	-	-	100%	100%	100%	100%
7:00 AM	20%	20%	5%	5%	-	-	90%	90%	40%	40%
8:00 AM	75%	60%	15%	10%	-	-	85%	85%	40%	30%
9:00 AM	95%	80%	35%	30%	-	-	80%	80%	70%	50%
10:00 AM	100%	90%	65%	50%	15%	-	75%	75%	70%	30%
11:00 AM	100%	100%	85%	65%	40%	15%	70%	70%	80%	50%
12:00 PM	90%	90%	95%	90%	90%	40%	70%	70%	90%	60%
1:00 PM	80%	80%	95%	90%	70%	95%	70%	70%	70%	30%
2:00 PM	100%	70%	90%	100%	70%	100%	70%	70%	70%	30%
3:00 PM	100%	40%	80%	100%	40%	40%	70%	70%	70%	30%
4:00 PM	90%	30%	90%	90%	30%	30%	70%	70%	80%	60%
5:00 PM	50%	10%	85%	80%	70%	60%	80%	80%	90%	100%
6:00 PM	25%	5%	90%	80%	90%	80%	90%	90%	100%	90%
7:00 PM	10%	-	95%	70%	100%	90%	90%	90%	90%	80%
8:00 PM	5%	-	90%	60%	100%	90%	90%	90%	80%	30%
9:00 PM	3%	-	70%	50%	90%	90%	90%	90%	70%	10%
10:00 PM	2%	-	50%	30%	90%	90%	100%	100%	50%	5%
11:00 PM	-	-	30%	15%	70%	90%	100%	100%	10%	1%
Midnight	-	-	-	-	70%	90%	100%	100%	-	-
Peak Parking Demand from Table 1 (at each)	895	133	1443	1443	1620	1623	75	75	150	150

[1] Distributions are taken from the publication entitled *Shared Parking* by The Urban Land Institute(See attached excerpt).

Table 3. Estimated Hourly Parking Accumulation by Peak Demand per ULI's Shared Parking

Hour of Day (Start)	Weekday Office	Weekday Retail	Weekday Hotel	Weekday Restaurant	Weekday Club	Weekday Total	Saturday Office	Saturday Retail	Saturday Hotel	Saturday Restaurant	Saturday Club	Saturday Total	Total Weekday Parking Demand	Total Saturday Parking Demand
6:00 AM	27	14	-	75	128	244	-	-	-	-	128	128	244	128
7:00 AM	268	72	68	75	51	534	27	72	68	68	51	286	534	286
8:00 AM	804	215	-	64	77	960	144	-	64	64	51	323	960	323
9:00 AM	1,072	430	-	64	77	1,643	268	-	64	64	51	447	1,643	447
10:00 AM	1,340	859	273	64	128	2,664	402	215	64	64	51	796	2,664	796
11:00 AM	1,340	1,430	341	64	128	3,303	536	358	64	64	51	1,073	3,303	1,073
12:00 PM	1,206	1,373	409	64	128	3,180	482	344	64	64	51	1,005	3,180	1,005
1:00 PM	1,072	1,373	409	64	128	3,046	429	344	64	64	51	952	3,046	952
2:00 PM	1,072	1,430	409	64	128	3,103	429	358	64	64	51	966	3,103	966
3:00 PM	1,072	1,430	409	64	128	3,103	429	358	64	64	51	966	3,103	966
4:00 PM	1,072	1,373	409	64	128	3,046	429	344	64	64	51	952	3,046	952
5:00 PM	670	1,145	409	64	128	2,416	335	286	64	64	51	800	2,416	800
6:00 PM	335	1,259	409	64	128	2,195	134	315	64	64	51	628	2,195	628
7:00 PM	134	1,373	409	64	128	2,108	67	344	64	64	51	590	2,108	590
8:00 PM	67	1,259	409	64	128	1,927	67	315	64	64	51	561	1,927	561
9:00 PM	40	1,030	409	64	128	1,671	40	258	64	64	51	477	1,671	477
10:00 PM	27	716	341	64	128	1,276	27	179	64	64	51	385	1,276	385
11:00 PM	-	401	273	64	128	866	-	100	64	64	51	279	866	279
Midnight	-	201	136	64	128	529	-	50	64	64	51	229	529	229
											Maximum Hourly Demand		3,303	1,073

VICINITY MAP & PROPERTY DIMENSIONS

RECEIVED
FEB 24 2011

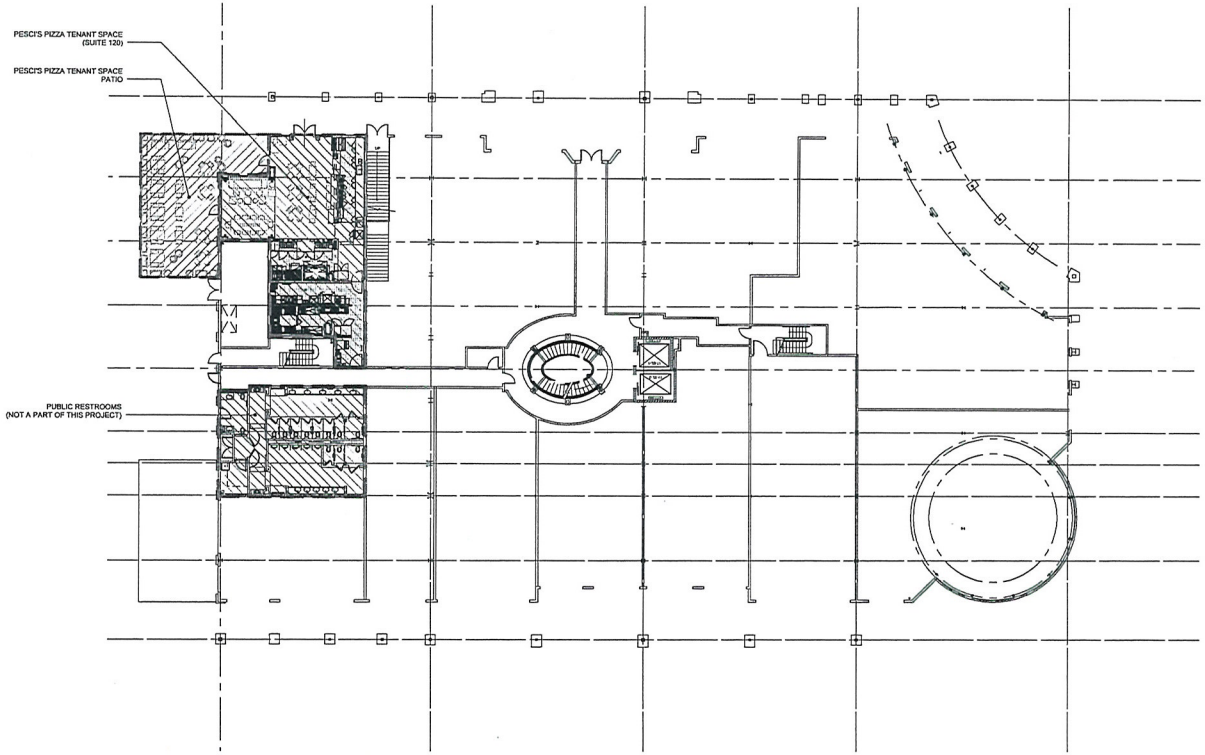
SUP-41030

TIVOLI VILLAGE

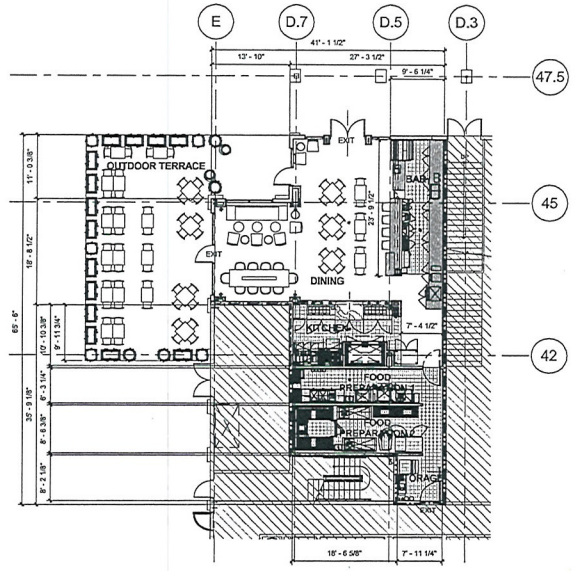
PESCI
Tivoli Village at Queensridge
(Aka The Village at Queensridge)
410 S. Rampart Ste. 120
Las Vegas, NV 89145
A Portion of A.P.N. 138-32-601-003

SITE PLAN

01



2 SPECIAL USE PERMIT BUILDING 17 PROXIMITY PLAN EXHIBIT
1/16" = 1'-0"



1 SPECIAL USE PERMIT FLOOR PLAN EXHIBIT
1" = 10'-0"

N

ALLOWABLE AREA:
ALLOWABLE AREA 58,125sf PER IBC TABLE 503.
TOTAL AREA OF PREMISES IS AS FOLLOWS:

ACTUAL TENANT IMPROVEMENT AREA:

SEATING AREA	861 SF
PATIO SEATING AREA	1033 SF
BACK AREA	1052 SF
RETAIL AREA	N/A
TERRACE AREA	N/A
TOTAL TENANT IMPROVEMENT AREA:	2946 SF

OCCUPANCY:

TOTAL DINING AREA OCCUPANT LOAD	51
TOTAL OUTDOOR PATIO OCCUPANT LOAD	70
TOTAL KITCHEN & SERVICE AREA LOAD	5
TOTAL PREMISES OCCUPANT LOAD	126

SEATING CAPACITY:

DINING ROOM SEATING CAPACITY	36
BAR SEATING CAPACITY	6
OUTDOOR PATIO SEATING CAPACITY	45
TOTAL PREMISES SEATING CAPACITY	87

RECEIVED
FEB 24 2011

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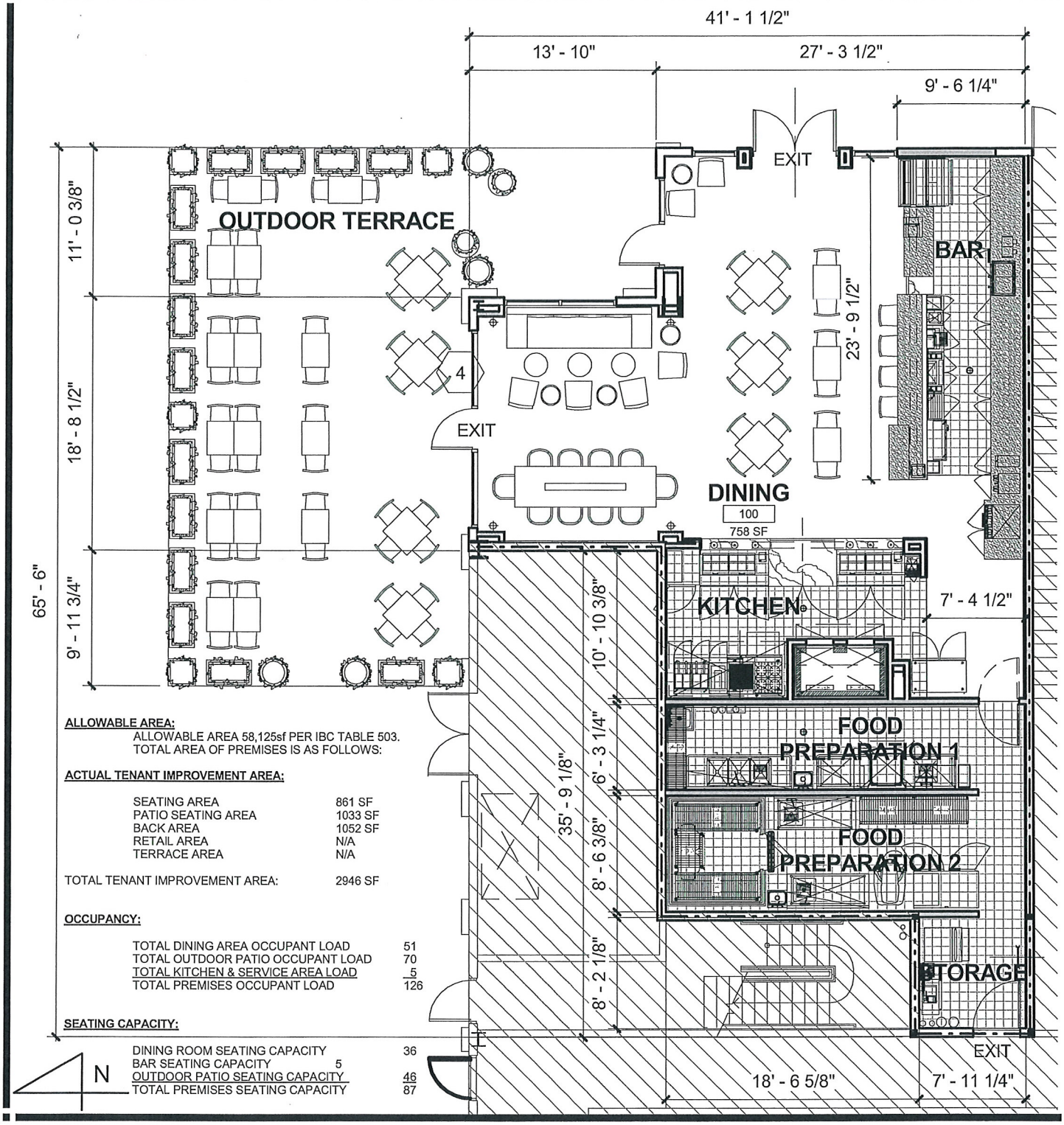
PROJECT NAME
PESCI'S PIZZA
(FORMERLY KNOWN AS GARDENSHOE)
THE VILLAGE at QUEENSRIDGE
410 S RAMPART BLVD
BUILDING 17 SUITE 120
LAS VEGAS NV 89145
A PORTION OF APN #138-32-601-003

FRIEDMUTTER GROUP
ARCHITECTURE | INTERIOR DESIGN | BRANDING STUDIOS

JOB NUMBER: 40209D1
DRAWN BY: JRM
CHECKED BY:
DATE: 01/29/11

SHEET NAME: PESCI'S PIZZA SUP EXHIBIT
SHEET NUMBER: SUP EX.1

SUP-41030



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TOTAL AREA OF PREMISES IS AS FOLLOWS:

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BACK AREA	1052 SF
RETAIL AREA	N/A
TERRACE AREA	N/A
TOTAL TENANT IMPROVEMENT AREA:	2946 SF

OCCUPANCY:

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TOTAL OUTDOOR PATIO OCCUPANT LOAD	70
TOTAL KITCHEN & SERVICE AREA LOAD	5
TOTAL PREMISES OCCUPANT LOAD	126

SEATING CAPACITY:

DINING ROOM SEATING CAPACITY		36
BAR SEATING CAPACITY	5	
OUTDOOR PATIO SEATING CAPACITY		46
TOTAL PREMISES SEATING CAPACITY		87

PROJECT NAME
PESCI'S PIZZA
TIVOLI VILLAGE at QUEENSRIDGE
(f/k/a THE VILLAGE at QUEENSRIDGE)
410 S RAMPART BLVD
BUILDING 17 SUITE 120
LAS VEGAS NV 89145
A PORTION OF APN #138-32-601-003

SHEET NAME
PESCI'S PIZZA SUP EXHIBIT

RECEIVED
FEB 24 2011

SUP-41030

SHEET NUMBER
SUP EX.2

FRIEDMUTTER GROUP
ARCHITECTURE / INTERIOR DESIGN / BRANDING STUDIOS
SPECIALIZING IN MULTI-USE PROJECTS
HOTELS • CASINOS • RESTAURANTS • ENTERTAINMENT • HIGH-RISE RESIDENTIAL
LAS VEGAS, NV P 702.736.7477 | NEW YORK, NY P 212.453.4445 | NEWPORT BEACH, CA P 949.574.7710 | ATLANTIC CITY, NJ P 609.407.0047 | BILOXI, MS P 228.374.1750 | SOUTH BEACH, FL P 702.736.7477 | DUBAI, UAE P +971.4.319.9157
WWW.FGLV.COM

JOB NUMBER
462B001
DRAWN BY
Author
CHECKED BY
Checker
DATE
02/21/11

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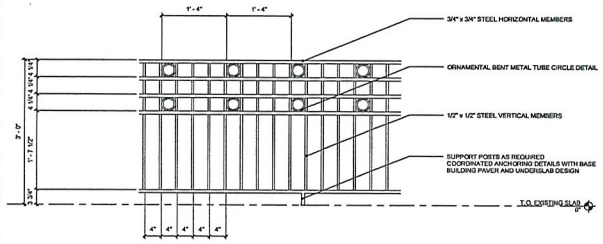
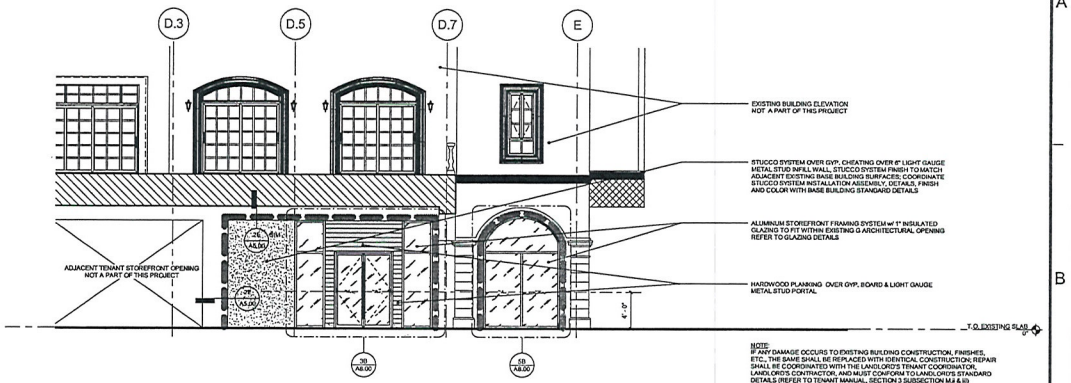
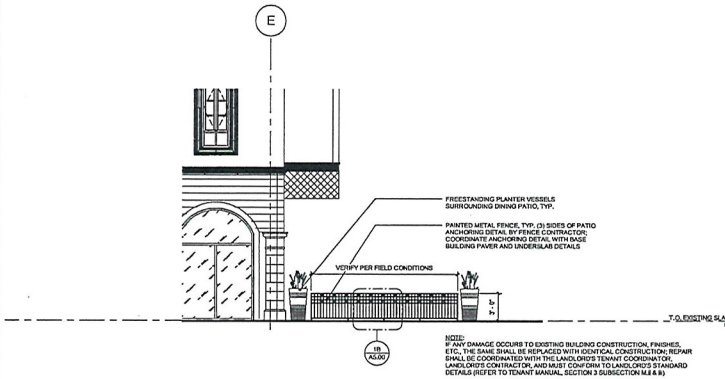


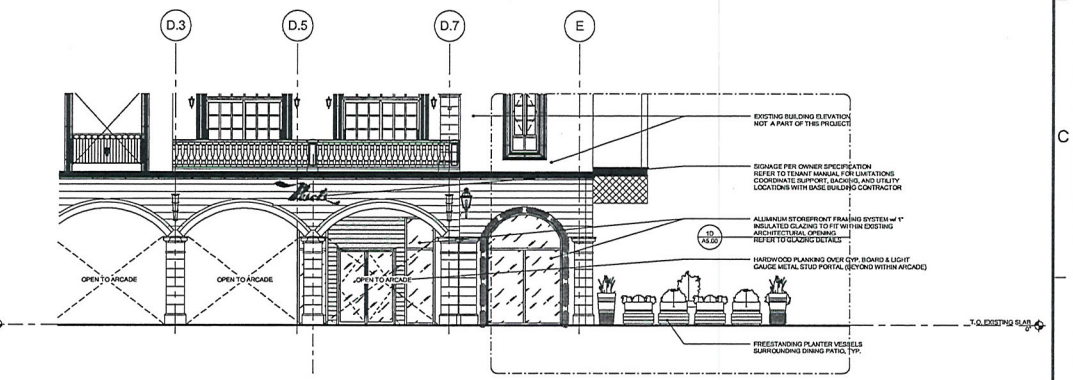
1B ALTERNATE PATIO ENCLOSURE - FENCE DETAIL
1" = 1'-0"



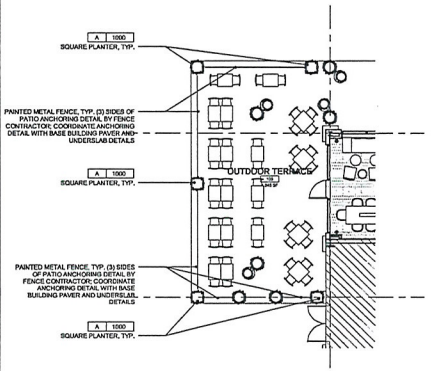
3B EAST EXTERIOR ELEVATION (INSIDE ARCADE)
3/16" = 1'-0"



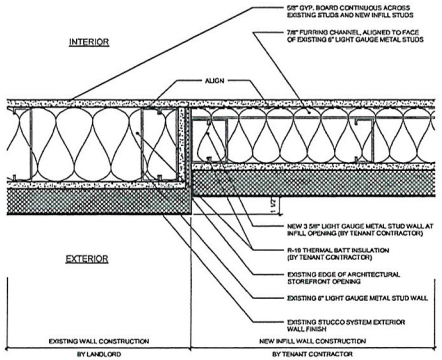
1D ALTERNATE PATIO ENCLOSURE - FENCE DESIGN ELEVATION
3/16" = 1'-0"



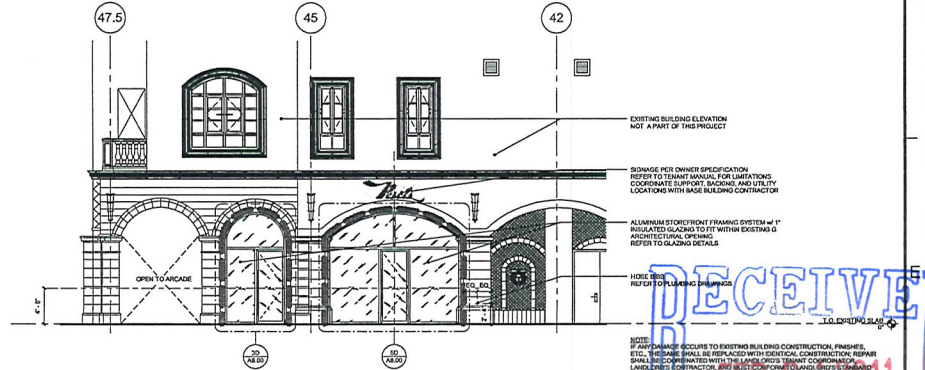
3D EAST EXTERIOR ELEVATION
3/16" = 1'-0"



1E ALTERNATE PATIO ENCLOSURE - FENCE DESIGN PLAN
1/8" = 1'-0"



2E STUCCO INFILL WALL TRANSITION AT EXISTING WALL
3" = 1'-0"



4E NORTH EXTERIOR ELEVATION
3/16" = 1'-0"

Δ	Date	Description
-	2-15-11	ISSUE FOR PLAN REVIEW
-	2-18-11	ISSUE FOR CONSTRUCTION

FRIEDMUTTER GROUP
ARCHITECTURE / INTERIOR DESIGN / BRANDING STUDIOS
[illegible]

PROJECT NAME
PESCIS PIZZA
TIVOLI VILLAGE at QUEENSRIDGE
405 S RAMPART BLVD
SUITE 115 & 116
LAS VEGAS NV 89145

Pescis

KEY PLAN

DRAWN BY
JSM
CHECKED BY
FRIEDMUTTER GROUP
DATE
18 FEBRUARY 2011
JOB NUMBER
1030011
SHEET NAME
EXTERIOR ELEVATIONS
SHEET NUMBER
A5.00

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SUP-41030

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SUP-41030 – APPLICANT/OWNER: GREAT WASH PARK, LLC
410 SOUTH RAMPART BOULEVARD, SUITE #120

03/03/11

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

March 2, 2011

City of Las Vegas Planning and Zoning
333 North Rancho Drive
Las Vegas, Nevada 89106

Revised: Special Use Permit for on-sale beer and wine within Tivoli Village at Queensridge
Parcel 138-32-601-003

Dear Sir/Madam;

Please consider this request to allow a restaurant that serves beer and wine a Gourmet Pizzeria within the Tivoli Villages mixed use development (SUP-5853). The site is located within a 29 acre commercial and residential development located at the northeast corner of Alta Drive and Rampart Boulevard. The underlying zoning is C-2.

The proposed Pizzeria meets the Title 19 definition of a restaurant with on-premise sale of beer and wine and in conjunction with meals. While there are four stools located at the beer and wine bar, there is also the capacity for more than 100 units of table seating. The parking allocation for this restaurant is grandfathered into the project-wide parking agreement. Please reference VAR-10773 that approved 3,955 spaces where 4,961 would otherwise be required.

This application requires a waiver of separation distance to allow less than 400 feet from the property line of the subject parcel to the property line of the nearest city park. The Tivoli Village mixed use development is situated on a parcel on which the north easternmost corner measures 141 feet from a playground within Angel Park (138-32-501-003). It is important to note that the commercial portion of this 30 acre parcel is on the westernmost side of the mixed use area. Consequently approximately 560 feet of mid-rise residential development is situated between the commercial portion of Tivoli Villages and the subject playground. It is also notable that there are two barriers between this park and Tivoli Village. The first is an approximate 600 foot fence along the northern boundary of the property. The second is a drainage channel that is more than 20 feet deep. As a result, a pedestrian must walk 1655 feet to the park while there is no direct vehicular access. For this reason, the park is suitably protected from this restaurant.

If you have additional concerns please phone me at 598-1408.

Very truly yours,

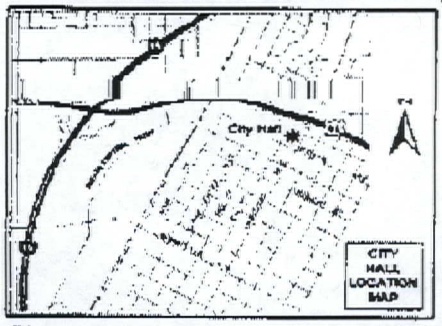
L U Dreja

Lora Dreja
Land Entitlements
Law Offices of Jay Brown

RECEIVED
MAR 02 2011
SUP-41030
REVISED

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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 Department of Planning, Case Planning Division 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-41030

Planning Commission Meeting of 4/12/2011

PRESORTED FIRST CLASS

UNITED STATES POSTAGE

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MAILED FROM ZIP CODE 89101

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APR - 4 2011

Case: SUP-41030
13832610054
MALLETTE GLENDON L JR & MELANIE
8540 BELLATERRA CT
LAS VEGAS NV 89145-4846

28 BRDCN11 89145

Apr 04 11 08:24a Glen Mallette 7022562814 p.1

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

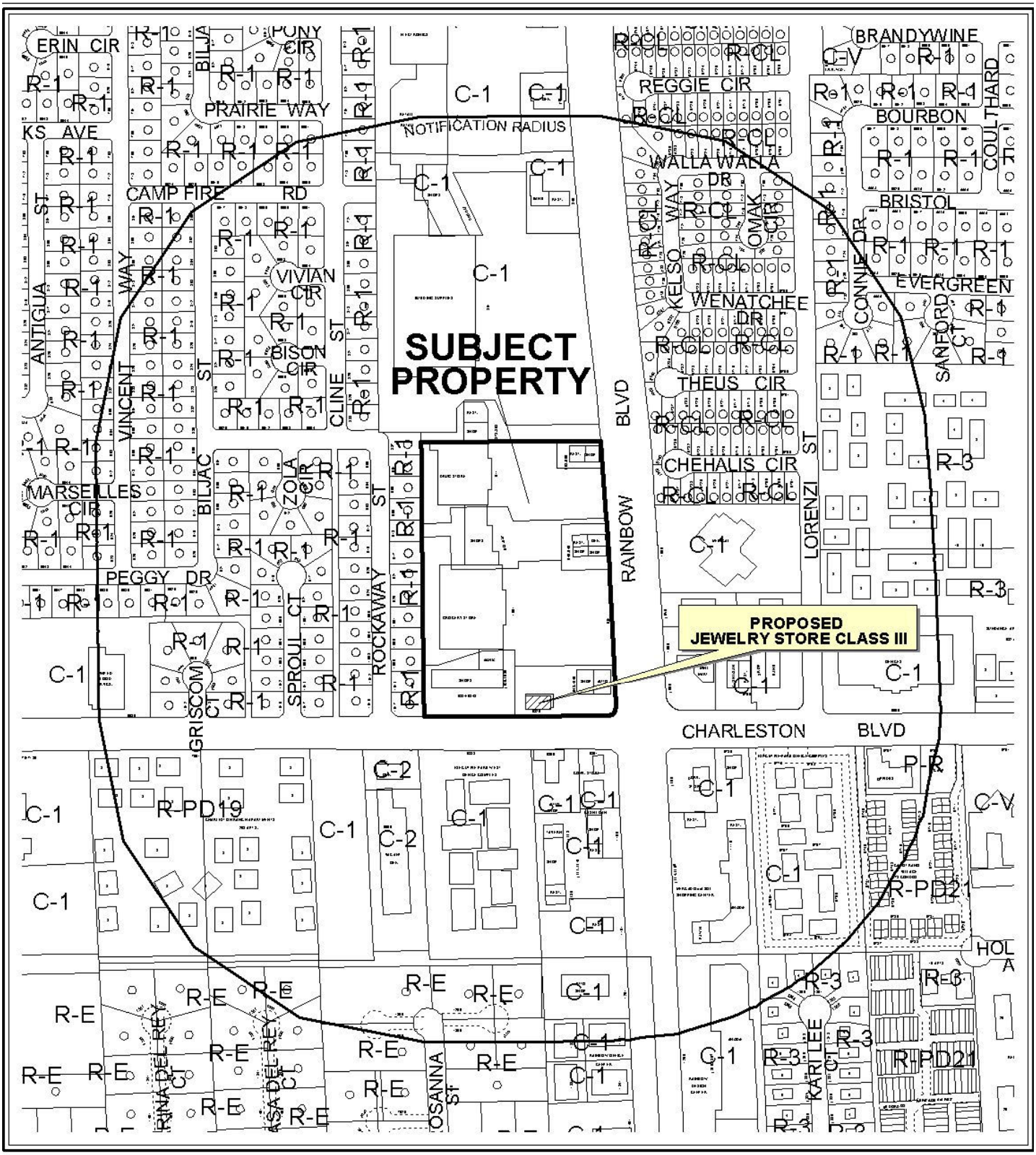
SUBJECT:
SUP-41080 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: WEINGARTEN NOSTAT, INC. - Request for a Special Use Permit TO ADD A JEWELRY STORE, CLASS III USE TO AN EXISTING FINANCIAL INSTITUTION, SPECIFIED at 6820 West Charleston Boulevard (APN 138-34-814-006), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 300 600 Feet

CASE: **SUP-41080**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SUP-41080**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CHECK CITY - OWNER: WEINGARTEN NOSTAT, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-41080	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-41080 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Jewelry Store, Class III use.

2. Conformance to the Conditions of Approval for Rezoning (Z-0080-78), Plot Plan Review [Z-0080-78(1)], and all other site-related actions shall be required, if approved.

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. 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.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant seeks to add a Jewelry Store, Class III use within a legal, nonconforming 3,078 square-foot Financial Institution, Specified use at 6820 West Charleston Boulevard. The applicant intends to purchase jewelry only for the salvageable materials (precious metals) and does not intend to pawn or make loans against the jewelry. Staff recommends approval of this request, as the proposed use meets all minimum Special Use Permit requirements, and can be conducted in a manner that is compatible with the surrounding uses. If denied, the existing Financial Institution, Specified would remain as it is.

ISSUES

- The Jewelry Store, Class III use requires a Special Use Permit to operate within the C-1 (Limited Commercial) zoning district.
- The Jewelry Store, Class III use allows for the purchase of the jewelry for its precious metals and not for resale.
- The existing Financial Institution, Specified is a legal, nonconforming use as it was operating prior to a requirement for a Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
11/15/78	The City Council approved a request for Rezoning (Z-0080-78) to R-1 (Single Family Residential) and C-1 (Limited Commercial) as part of a larger request.
11/28/89	The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0080-78(1)] for a Retail Shopping Center on a portion of the overall site.
06/17/92	The City Council approved a request for a Special Use Permit (U-0103-92) to allow the sale of beer and wine in conjunction with an existing Restaurant. The Board of Zoning Adjustment recommended approval.
09/16/92	The City Council approved a request for a Special Use Permit (U-0194-92) to allow five additional coin-operated gaming machines for a total of 20 machines within a Grocery Store. The Board of Zoning Adjustment recommended approval
02/03/93	The City Council approved a request for a Special Use Permit (U-0219-92) to allow 5 additional Coin Operated Gaming Machines (for a total of 20 machines) in an existing Drug Store. The Board of Zoning Adjustment recommended approval.

Most Recent Change of Ownership	
12/28/00	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
12/16/02	A business license (#N02-00101) was issued for a Non-Depository Lender.
04/14/09	A business license (#W10-002241) was issued for a Wire Transfer Service.
09/24/10	A business license (#A23-02430) was issued for Tax Services.

Pre-Application Meeting	
02/16/11	A Pre-Application meeting was held with staff to discuss the requirements for adding a proposed Jewelry Store, Class III use to a legal, nonconforming Financial Institution, Specified use. The applicant was informed of the minimum requirements and application deadlines.

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

Field Check	
03/09/11	A field check was performed by staff with the following observations made: • The existing Financial Institution, Specified use is well maintained and neat in appearance. • The building housing the proposed use has adequate parking located along three sides and has ample additional parking located within the Shopping Center.

Details of Application Request	
Site Area	
Net Acres	1.09

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Financial Institute, Specified	SC (Service Commercial)	C-1 (Limited Commercial)
North	Grocery Store	SC (Service Commercial)	C-1 (Limited Commercial)
South	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
East	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
West	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	*Yes*	*No*	*Compliance*
Master Plan Area		X	NA
Special Purpose and Overlay Districts	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts		X	NA
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

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	136,709 SF	1: 250 SF					
Jewelry Store, Class III	-	-					
TOTAL SPACES REQUIRED			547		630		Y
Regular and Handicap Spaces Required			11	536	14	616	Y

ANALYSIS

The applicant is requesting a Special Use Permit for a Jewelry Store, Class III use within an existing Financial Institution, Specified at West Charleston Boulevard. The Jewelry Store, Class III use is described by Title 19.04 as, "a store which buys and sells scrap precious metals for marketing as a commodity in bar form or in other than jewelry form, or which buys and sells precious metal bars and coins that are sold as a commodity rather than for numismatic purposes. This may include operations similar to a new jewelry store." The applicant intends operate this use within the limits of this description and buy jewelry with the intent of salvaging the precious metals, with no resale of the acquired items to the general public.

The proposed Jewelry Store, Class III will not increase the parking demand, as the use will occur concurrently with the existing Financial Institution, Specified use. The parking requirement for the existing Financial Institution, Specified, which is located within a large Shopping Center, is one space per 250 square feet. The 3,078 square-foot building requires 13 spaces, for which there are 21 spaces adjacent to the north, east, and west sides. In addition, the Shopping Center provides 630 spaces where 547 are required. The proposed use is compatible with the surrounding areas, as Service Commercial uses exist on three sides of the subject property.

Staff recommends approval, with conditions. If denied, the Financial Institution, Specified use will remain as is.

FINDINGS (SUP-41080)

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 Jewelry Store Class III use can be conducted in a manner that is harmonious and compatible with the uses in the existing shopping center and with the commercial uses on adjacent properties.

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

   The proposed use will be operated in conjunction with the existing Financial Institution, Specified use. 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.**

   Site access is provided from Charleston Boulevard is adequate in size to accommodate the proposed use. The existing site circulation will remain unchanged, as the proposed use will operate in an existing Financial Institution, Specified use.

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

Approval of the proposed Special Use Permit for a Jewelry Store, Class III use 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 for a Jewelry Store, Class III use. There are no distance separation requirements for a Jewelry Store Class III use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 387

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41080** APN: 138-34-814-006

Name of Property Owner: Weingarten Nostat

Name of Applicant: Visionary Properties, Inc. (d/b/a Eyemasters)

Name of Representative: Check City

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: WEINGARTEN NOSTAT, INC. a Texas corporation

Print Name: Jan W. Odom Associate Counsel

Subscribed and sworn before me

This 3 day of August, 2010

Barbara McKinney

Notary Public in and for said County and State

BARBARA McKINNEY
Notary Public
STATE OF TEXAS
My Comm. Exp. 03-28-2013

RECEIVED
FEB 28 2011

INCUMBENCY CERTIFICATE

I, the undersigned, Mark D. Stout, am Secretary of Weingarten Nostat, Inc., a Texas corporation, and hereby certify as follows:

The following named individual is a duly authorized signatory of the corporation, holding the position set forth opposite her name below, and the signature written opposite her name and title is her genuine signature.

Name	Title	Signature
Jan W. Odom	Associate Counsel	Jan Odom

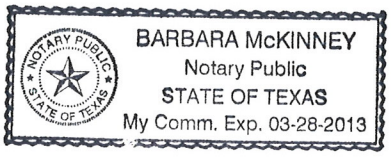
IN WITNESS WHEREOF, I have set my hand on behalf of the Corporation this 3rd day of February, 2011.

Mark D. Stout
Assistant Secretary

RECEIVED
FEB 28 2011

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 3 day of February, 2011, by Mark D. Stout, Assistant Secretary of WEINGARTEN NOSTAT, INC., a Texas corporation, on behalf of said corporation.



Barbara McKinney
NOTARY PUBLIC in and for
The State of Texas

[SEAL]

Printed Name of Notary

Commission Expiration: _____

RECEIVED
FEB 28 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SUP for Class III Jewelry

Project Address (Location) 6820 W. Charleston Ave., Las Vegas, NV 89145

Project Name Check City Rainbow Plaza 1 Proposed Use Class III Jewelry

Assessor's Parcel #(s) 138-34-814-006 Ward # 1

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

Commercial Square Footage 3000 Floor Area Ratio

Gross Acres 1 Lots/Units 1 Density

Additional Information Adding Use of Gold Purchase to existing financial institution

PROPERTY OWNER Weingarten Nostat Inc. Contact

Address 2600 Citadel Plaza Dr. Suite 300 Phone: Fax:

City Houston State TX Zip 77008

E-mail Address SHayslett@Weingarten.com

APPLICANT ~~RAPID CASH~~ CHECK CITY Contact Jim Marchesi

Address 2640 Crimson Canyon Phone: (702) 258-8888 Fax:

City Las Vegas State NV Zip 89128

E-mail Address jtskee@aol.com

REPRESENTATIVE c/o Twainy Associates Contact Lucy Stewart

Address 101 Convention Center #1002 Phone: (702) 255-5555 Fax: (702) 946-9857

City Las Vegas State NV Zip 89109

E-mail Address stewplan@aol.com

WEINGARTEN NOSTAT, INC.
a Texas corporation

Property Owner Signature* Jan W. Odom

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

Print Name Jan W. Odom
Associate Counsel

Subscribed and sworn before me

This 4th day of MARCH, 20 11.

Susan V. Julian

Notary Public in and for said County and State

SUSAN V. JULIAN
Notary Public, State of Texas
My Commission Expires
AUGUST 03, 2012

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-41080
Meeting Date:	4/12/11
Total Fee:	$1030.00
Date Received:*	3/8/11
Received By:	Mike Howe

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

RECEIVED
MAR - 8 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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

INCUMBENCY CERTIFICATE

I, the undersigned, Mark D. Stout, am Secretary of Weingarten Nostat, Inc., a Texas corporation, and hereby certify as follows:

The following named individual is a duly authorized signatory of the corporation, holding the position set forth opposite her name below, and the signature written opposite her name and title is her genuine signature.

Name	Title	Signature
Jan W. Odom	Associate Counsel	Jan Odom

IN WITNESS WHEREOF, I have set my hand on behalf of the Corporation this 3rd day of February, 2011.

Mark D. Stout
Assistant Secretary

RECEIVED
MAR - 8 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 3 day of February, 2011, by Mark D. Stout, Assistant Secretary of WEINGARTEN NOSTAT, INC., a Texas corporation, on behalf of said corporation.

BARBARA McKINNEY
Notary Public
STATE OF TEXAS
My Comm. Exp. 03-26-2013

Barbara McKinney
NOTARY PUBLIC in and for
The State of Texas

[SEAL]

Printed Name of Notary

Commission Expiration: _____

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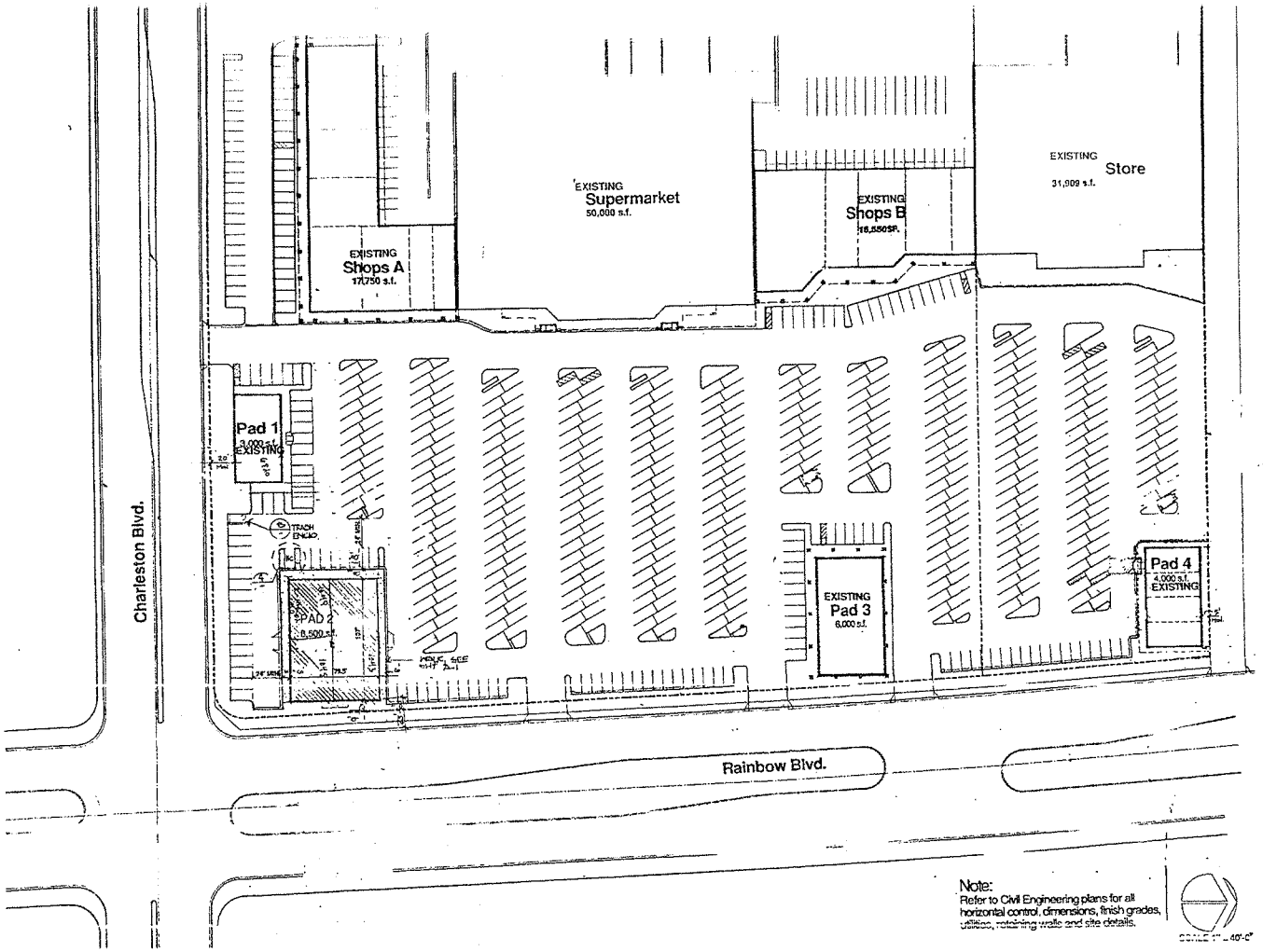
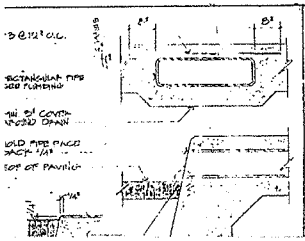
MAR - 8 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

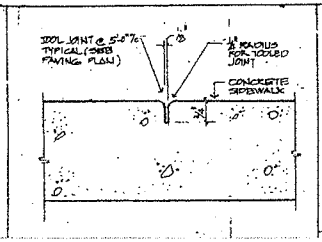


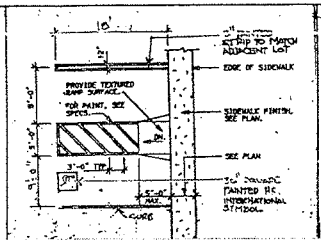
Note:
Refer to Civil Engineering plans for all horizontal control, dimensions, finish grades, utilities, retaining walls and site details.

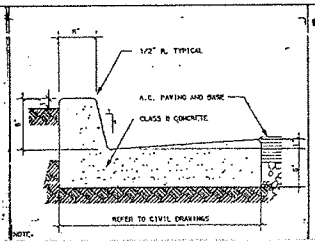
SCALE: 1" = 40'-0"

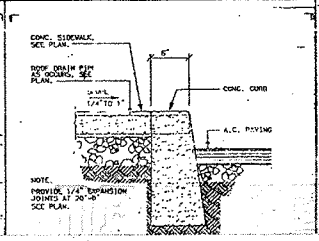
SITE PLAN 1" = 40'-0" 7

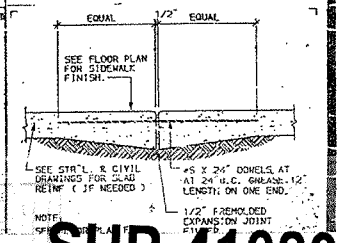




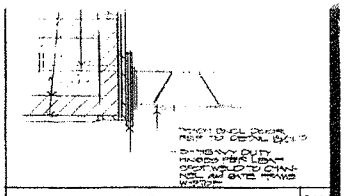




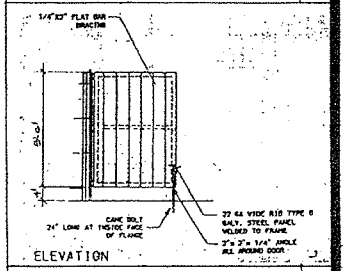




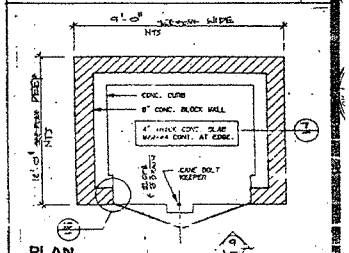
TRASH ENCLOSURE WALL 7



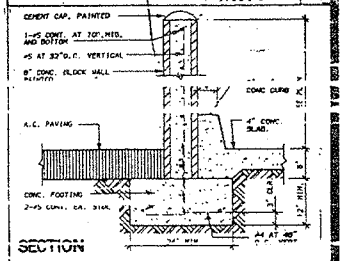
GATE HINGE 10



GATE ELAVATION 9

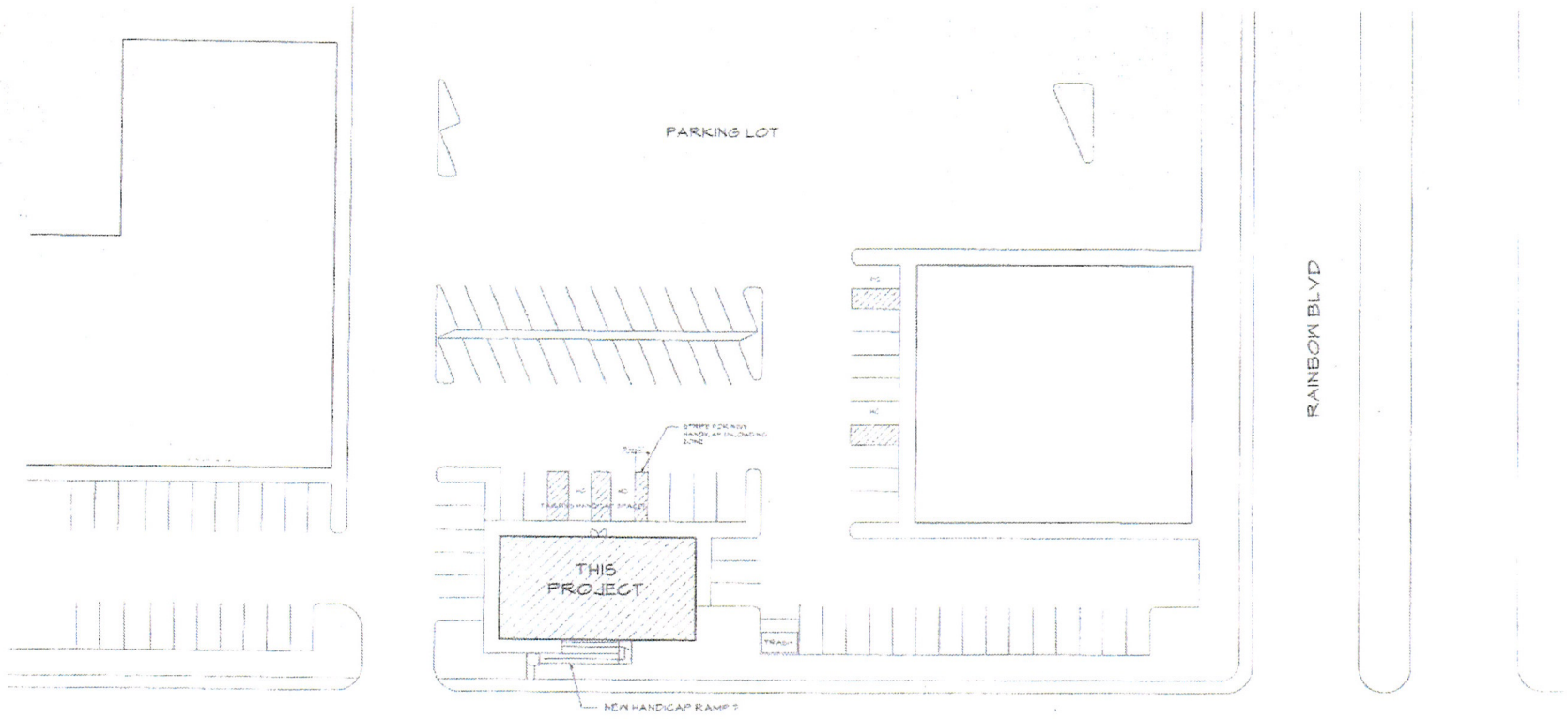


TRASH ENCLOSURE PLAN 8



FEB 26 2011

SUP-41080



SITE PLAN
SCALE: 1" = 20'-0"

PROJECT SYNOPSIS

PROPOSED CHECK CASHING OFFICE TI WITHIN EXISTING 1 STORY SHELL STRUCTURE

SHELL SIZE = 3,000 S.F.
UBC ALLOWABLE SIZE: 6,000 S.F.

OCCUPANCY : B

OCCUPANCY LOAD : 3000/100 = 30 PERSONS

TYPE OF CONSTRUCTION : V - NON RATED
SPRINKLERS : NO
HEIGHT ALLOWED : 95'

EXITS REQUIRED : 2
EXITS PROVIDED : 2

PRELIMINARY PLAN
6/10/02

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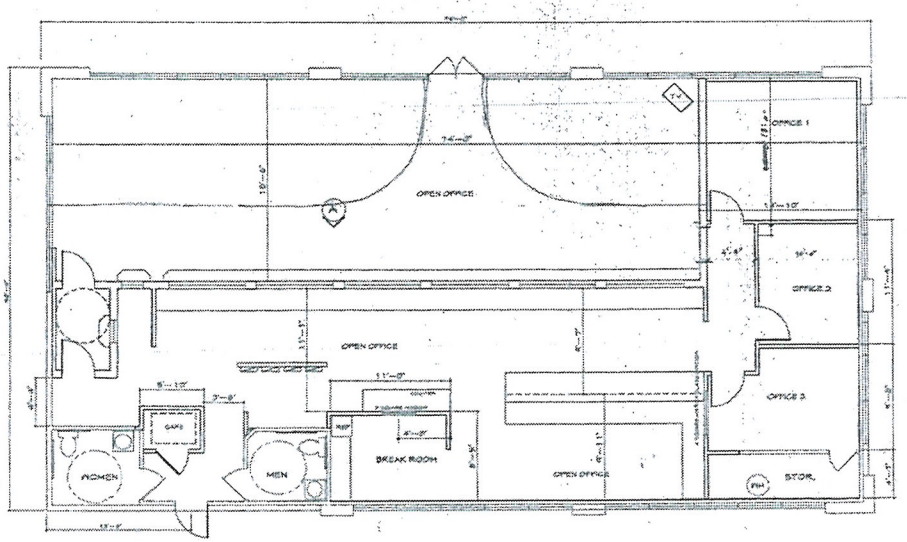
FEB 28 2011

SUP-41080

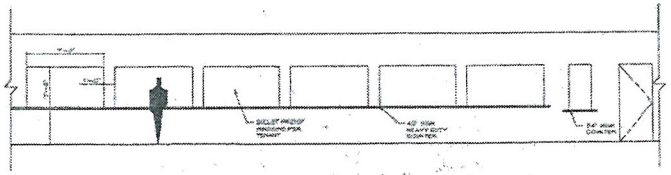
CHECK CASH
AT RAINBOW AND CHARLESTON
LAS VEGAS NEVADA

RICHARD P. THRELFALL ARCHITECT, INC.
(702) 388-0716

A-1



FLOOR PLAN
1/4" SCALE



INTERIOR ELEVATION "A"

CHECK CASH
AT RAINBOW AND CHARLESTON
LAS VEGAS NEVADA

RICHARD P. THRELFALL ARCHITECT, INC.
(702) 566-0116

REVISIONS

A-2

PRELIMINARY PLAN
6/10/02

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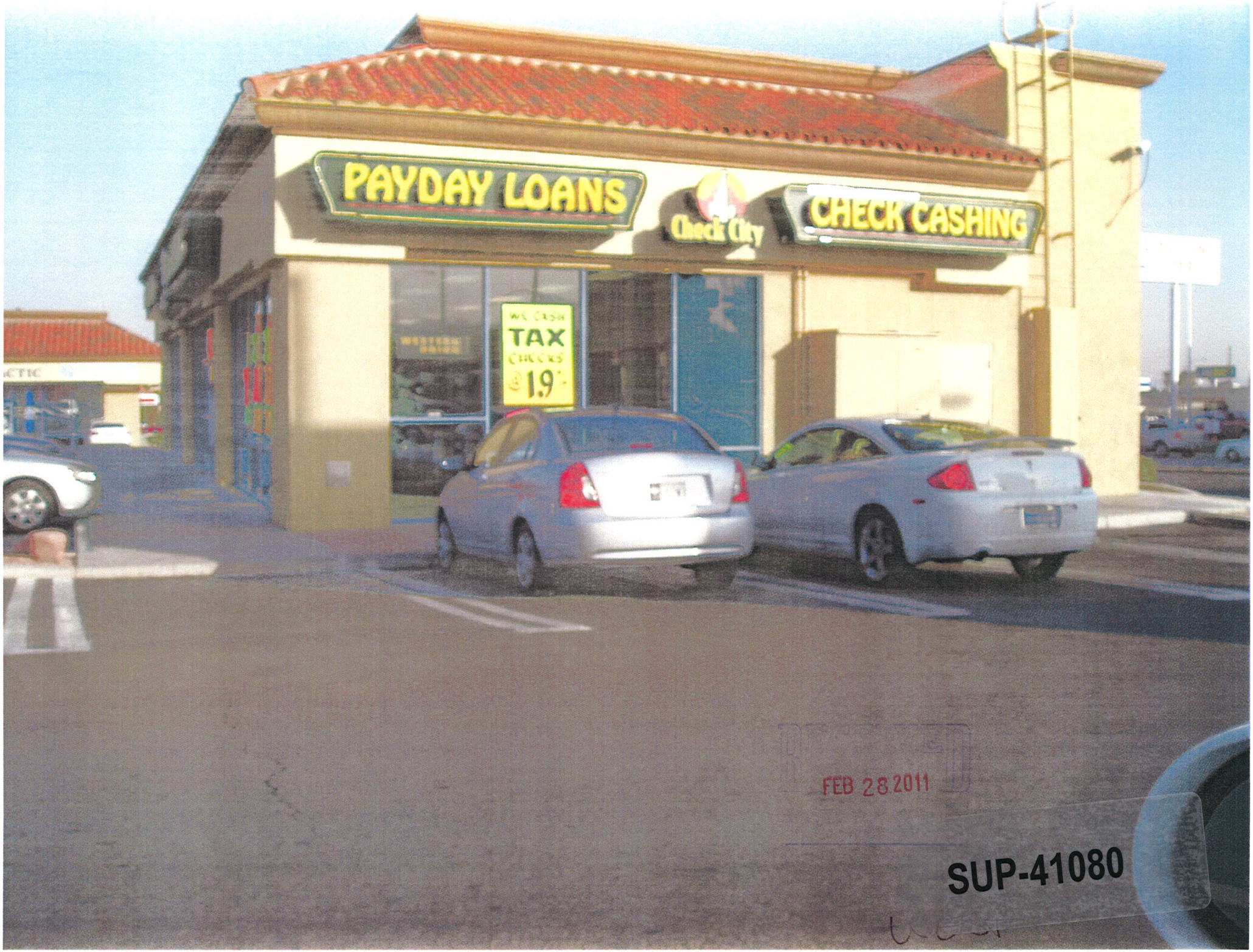
FEB 28 2011

SUP-41080


PAYDAY LOANS
Check City
CHECK CASHING
Quick & Easy
TAX
FREE
RECEIVED
FEB 28 2011
SUP-41080
SOUTH


PAYDAY LOANS
Check City
CHECK CASHING
WE CASH
TAX
CHECKS
@1.9%
FEB 28 2011
SUP-41080



RECEIVED
FEB 28 2011

SUP-41080

NORTH/EAST


PAYDAY LOANS
Check City
CHECK CASHING
6820
OPEN 24
OPEN 24
Quick & Easy
TAX PREP
FEB 28 2011
SUP-41080
NORTH


PAYDAY LOANS
Check City
CHECK CASHING
6820
OPEN 24
OPEN 24
Quick & Easy
TAX PREP
FEB 28 2011
SUP-41080

LA Stewart Consulting
c/o Twainy Associates
Las Vegas, NV 89109
(702) 499-6469-Cell
(702) 946-0857-fax

February 24, 2011

City of Las Vegas, Planning & Development
739 South Fourth Street
Las Vegas, NV. 89101

RE: APN 138-34-814-006, 6820 W. Charleston

Dear Sir or Madam:

Please accept this letter as our request for a Special Use Permit to allow ~~the~~ existing Check City Payday & Auto Title Loan store to purchase gold on the premises. Recently there have been several commercials on TV for gold purchase where the customer requests an envelope, places their broken or discarded gold jewelry in the envelope and send it to the company. In turn, ~~the~~ company send the customer a check for approximately 10-15 cents on ~~the dollar~~.
.
Check City would like to do something similar, only with more controls ~~and~~ a better situation for the customer. The customer brings the jewelry to the store and it is weighed and the customer walks away with a check for approximately 60-65 cents on the dollar-5 times more than if they mailed it. ~~Also~~, the customer has control because they actually hand it over to a person, ~~not~~ a post office. In addition, it is held for 30 days so if the customer changes ~~the~~ir mind they can return and get their jewelry back. Also, every purchase is ~~reported~~ to Metro on a daily basis. There is no resale of the jewelry, it is not a loan ~~but~~ a purchase of the jewelry for the gold. It will be an incidental use to the main business and is considered just another service for the customer.

The shopping center is 139,704 square feet and the parking requirement is 1 space /250 square feet, for a total of 559 parking spaces. The shopping ~~center~~ provides 695, for an excess of 136 spaces. This building is 3000 squ~~are feet~~ in size. Please contact me with any questions regarding this matter. Thank you for your consideration in this matter.

Yours truly,

Lucy Stewart

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FEB 28 2011
SUP-41080

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

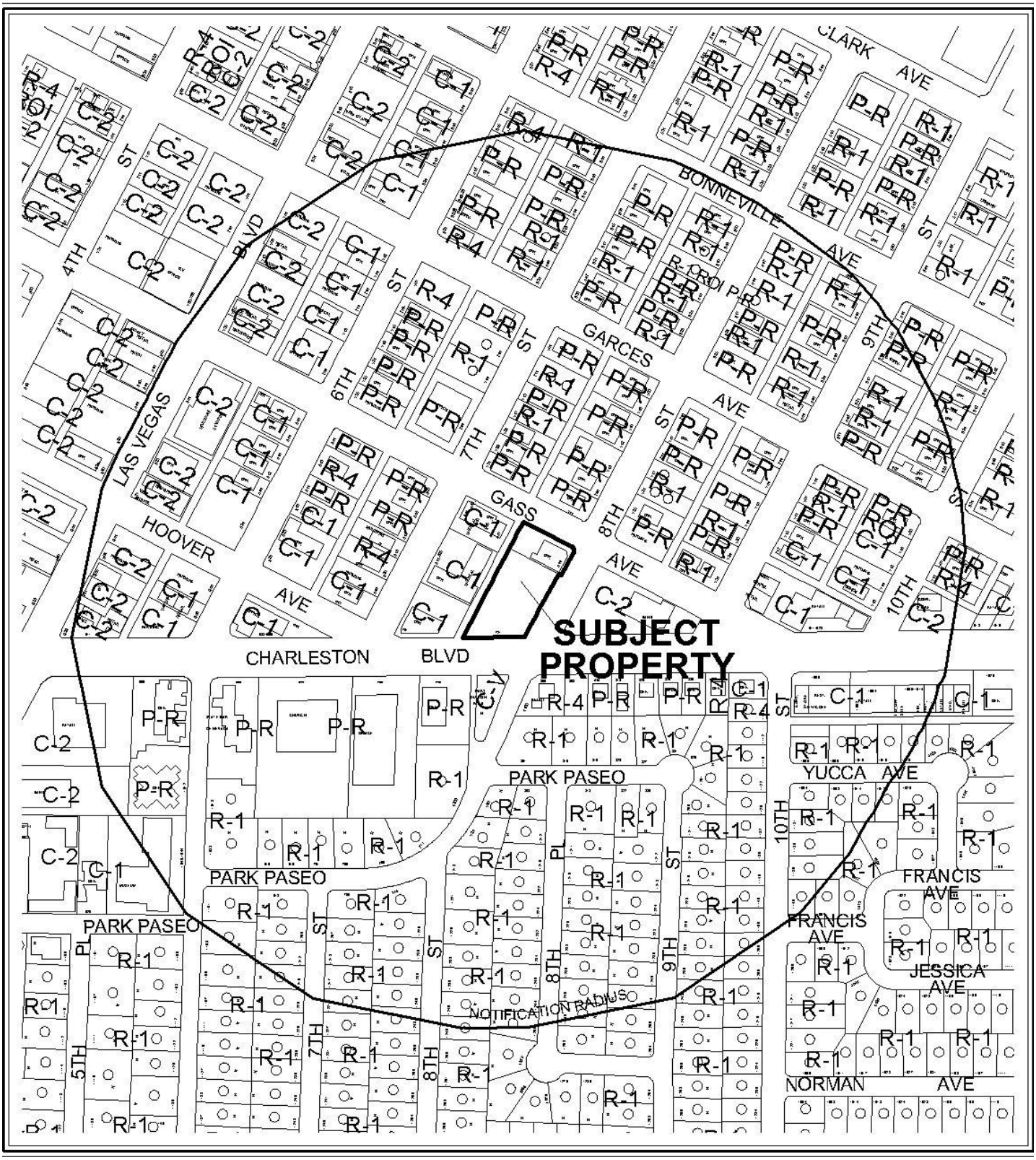
SUBJECT:
SDR-41023 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CLARK COUNTY LEGAL SERVICES PROGRAM - Request for a Major Amendment to an approved Site Development Plan Review (SDR-39457) FOR A FOUR-STORY, 49-FOOT TALL PARKING GARAGE WHERE A THREE-STORY, 33-FOOT TALL PARKING GARAGE WAS APPROVED on 0.98 acres at the southwest corner of Gass Avenue and 8th Street (APNs 139-34-410-244 and 245), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
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



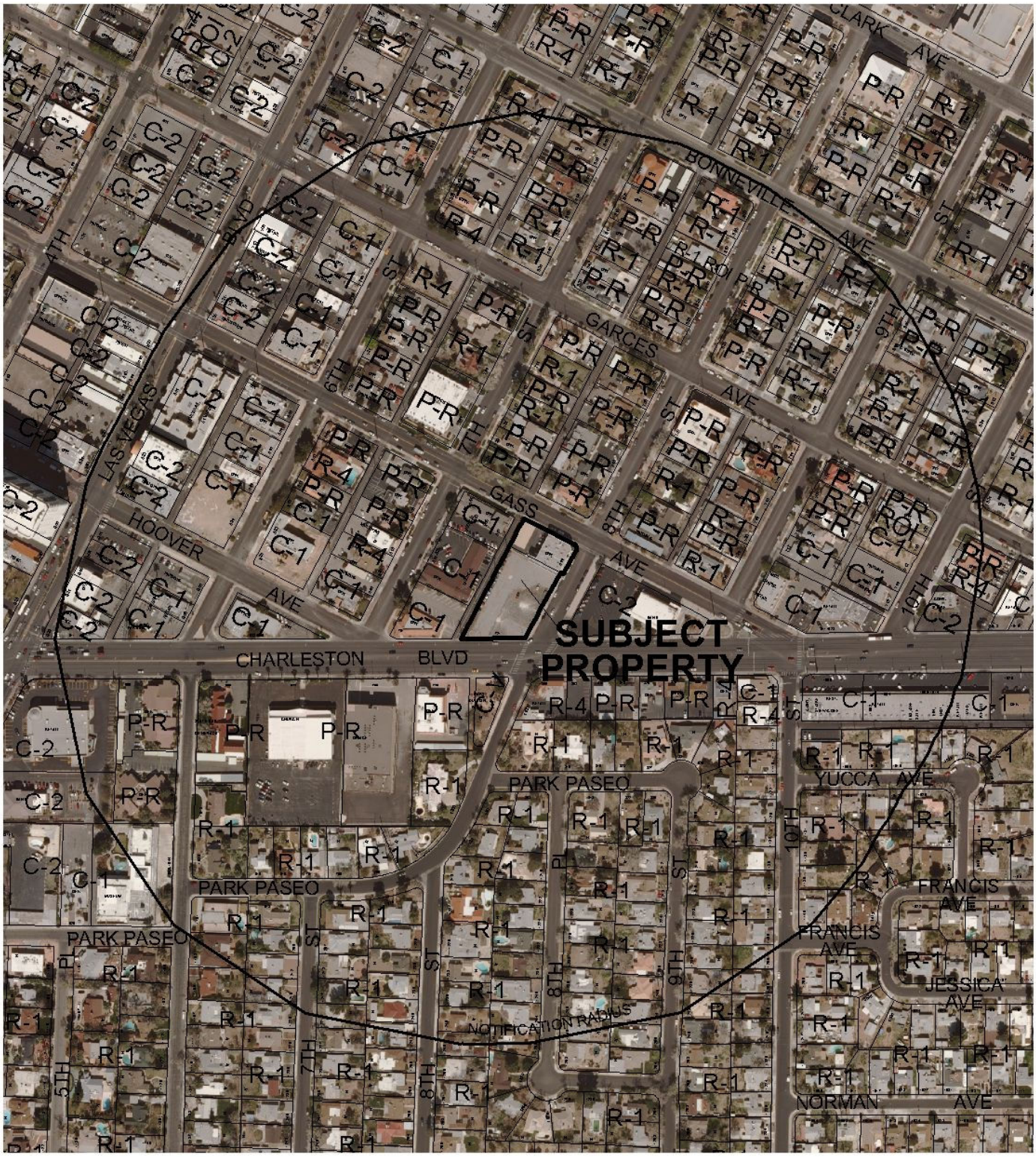
CASE: **SDR-41023**

RADIUS: 1000 FT

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

0 300 600 Feet

N



CASE: **SDR-41023**

RADIUS: 1000 FT

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

0 300 600 Feet

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CLARK COUNTY LEGAL SERVICES PROGRAM

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

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-41023	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

SDR-41023 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All development shall be in conformance with all applicable conditions of approval for Site Development Plan Review (SDR-39457) and all other site-related actions, except as amended by conditions herein.

3. All development shall be in conformance with the building elevations, date stamped 02/23/11 except as amended by conditions herein.

4. Trash enclosure gates shall not open into the alley right-of-way.

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 03/02/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

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

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

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is a major modification to a previously approved Site Development Plan Review (SDR-39457) project that will entail the destruction of the existing office building and the construction of a proposed 48-foot tall, four-story, 112-space parking garage. This is the second phase of this project. There are three significant changes to note in this submittal: first, the addition of another half level increasing the height from 33 feet to 49 feet; second, the addition of 20 parking spaces; and third, the addition of another vehicle entrance off of the public alley on the west side of the garage. Since the proposed project would decrease the intensity of a previously approved parking variance by 16% and is in substantial compliance with previously approved entitlements, staff is recommending approval. If the application is denied, the proposed parking garage would have to be built as previously approved.

ISSUES

- A Site Development Plan Review (Major) is required since the project height and building area have increased by more than ten percent.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
12/16/94	The City Council approved a Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) to C-2 (General Commercial) for approximately 230 acres generally located on property bounded by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard on the south. The Planning Commission recommended approval on 12/10/94.
11/05/08	The City Council approved a Site Development Review Plan (SDR-29445) for a 39,000 Square Foot Office Building, Variance (VAR-29446) to allow 84 parking spaces where 130 are required and Variance (VAR-29447) to allow a 10-foot front yard setback where 20 feet is required, a five-foot side yard setback where 10 feet is required, a zero-foot corner side setback where 15 feet is required a zero-foot rear yard setback where 20 feet is required, and to allow approximately 83% lot coverage where 50% is the maximum allowed on 0.71 acres at the northwest corner of Charleston Boulevard and 8th Street. The Planning Commission recommended Approval, and Staff recommended denial.

YK

10/21/10	The Planning Commission approved a Site Development Review Plan (SDR-39457) and Variance (VAR-39458) to allow a 10-foot side yard setback where 20 feet is required, a zero-foot side yard setback where 10 feet is required, a six-foot corner side yard setback where 15 feet is required, a five-foot rear yard setback where 20 feet is required and to allow 82% lot coverage where 50% is the maximum allowed for a parking garage on 0.71 acres at the northwest corner of Charleston Boulevard and 8th Street. Staff recommended denial.
10/21/10	The Planning Commission approved a Site Development Review Plan (SDR-39098), Variances (VAR-39100) and (VAR-39099) to allow a 10-foot front yard setback where 20 feet is required, a five-foot side yard setback where 10 feet is required, and a 10-foot corner side yard setback where 15 is required and to allow zero parking spaces where 118 parking spaces are on 0.71 acres at 721 East Charleston Boulevard. Staff recommended denial.

Most Recent Change of Ownership	
11/15/07	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
06/30/94	A Building Permit (#94338242) was issued for an interior remodel at 800 South 8th Street. The permit was finalized on 07/22/94.
08/09/99	A Building Permit (#99015816) was issued for interior demolition. The permit was finalized on 10/26/99.
11/03/99	A Building Permit (#99021186) was issued for tenant improvement at 800 South 8th Street. The permit was finalized on 02/04/00.
11/08/99	A Building Permit (#99021463) was issued for tenant improvement at 800 South 8th Street. The permit was finalized on 02/07/00.
12/28/99	A Building Permit (#99024534) was issued for a sign at 800 South 8th Street. The permit was finalized on 02/15/00.
05/21/01	A Building Permit (#L-3747-01) was issued for a non-work certificate of occupancy at 721 East Charleston Boulevard.

Pre-Application Meeting	
02/16/11	Staff reviewed the proposal with the applicant and the requirements for a Major Amendment to an approved Site Development Plan Review application were provided.

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

YK

Field Check	
03/03/11	Staff visited the site and found no outstanding issues.

Details of Application Request	
Site Area	
Net Acres	0.98

Surrounding Property	***Existing Land Use***	***Planned Land Use***	***Existing Zoning***
Subject Property	Parking Lot/Office	C (Commercial)	C-1 (Limited Commercial)
North	Offices	C (Commercial)	C-1 (Limited Commercial)
South	Mary Dutton Park	PF (Public Facilities)	C-V (Civic)
	Offices	C (Commercial)	P-R (Professional Office and Parking)
East	Financial Institution, General (with Drive-Through)	C (Commercial)	C-2 (General Commercial)
West	Offices, Medical or Dental	C (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			
Live/Work Overlay District	X		N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Las Vegas Redevelopment Plan	X		Y
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.010, the following development standards are proposed:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size	N/A	31,052 SF	N/A

YK

Min. Lot Width	100 feet	142 feet	Y
Min. Setbacks • Front (north property line) • Side (west property line) • Corner (east property line) • Rear (south property line)	 20 feet 10 feet 15 feet 20 feet	 6 feet 5 feet 10 feet 0 feet	 Y* Y Y Y
Max. Lot Coverage	50%	82%	Y
Max. Building Height	N/A	32 feet	N/A
Trash Enclosure	Screened	Screened	Y
Mech. Equipment	Screened	Screened	Y

- Per approved Variance (VAR-39458)

Pursuant to Title 19.12 the following development standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Parking Area	1 Tree/ 6 Spaces	N/A	0 Trees	N/A
Buffer: Min. Trees (Front: north property line) (Corner: east property line) (Side: west property line) (Rear: north property line)	 1 Tree/20 Linear Feet 1 Tree/20 Linear Feet 1 Tree/30 Linear Feet 1 Tree/30 Linear Feet	 5 Trees 9 Trees 12 Trees 5 Trees	 0 Trees 0 Trees 0 Trees 0 Trees	 Y* Y Y Y
TOTAL		28 Trees	0 Trees	Y
Min. Zone Width (Front: north property line) (Corner: east property line) (Side: west property line) (Rear: south property line)	 15 Feet 15 Feet 8 Feet 8 Feet		 0 Feet 0 Feet 0 Feet 0 Feet	 Y Y Y Y

- Per approved Site Development Plan Review (SDR-39454)

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Garage	N/A	N/A	0	0	106	6	
TOTAL			0		112		Y
Loading Spaces			0		0		Y

YK

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
8th Street	N/A	80	Y
Gass Avenue	N/A	70	Y

ANALYSIS

Previously approved Variances and Waivers for reduced setbacks, maximum lot coverage and perimeter landscape buffers remain with the parcel and have not changed with this proposal. A Major Amendment is required, as the height of the structure and building area has increased by more than ten percent.

A new entrance/exit has been added for access to the alley located on the west side of the property. This addition will improve traffic movement and access throughout the project. The additional 20 parking spaces that will be provided will reduce the intensity of the existing parking Variance (VAR-29446) for the overall project. The additional height will only have a slight change to the aesthetics of the structure.

As the additional parking spaces provided reduces the intensity of the parking Variance, and the structure is in substantial compliance with previously approved entitlements, staff is therefore recommending approval.

FINDINGS (SDR-41023)

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 project is compatible with the area as it will add additional parking spaces to the proposed adjacent office building and does not increase intensity of the use. It is also in substantial compliance with previously approved entitlements.

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 project is in conformance with the General Plan and Title 19 requirements with the exception of previously approved Variances and Waivers.

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

   Adequate site access is provided from Eighth Street, an 80-foot right-of-way and a 20-foot wide public alley.

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

   Building materials are appropriate for the area. Previously approved Waivers were granted from Title 19.10 Landscape and Buffer Standards.

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 materials and aesthetics are harmonious and compatible with the area.

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

   The proposed plan will not impact public health, safety or welfare since the development will be subject to City inspections during construction of the addition, as well as routine business license inspections for any commercial activities.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 34

NOTICES MAILED 270

APPROVALS 1

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41023** APN: 139-34-410-244 & 139-34-410-345

Name of Property Owner: Clark County Legal Services Program

Name of Applicant: Clark County Legal Services Program

Name of Representative: The Capitol Company, Alisa Nave

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: Barbara Buckley

Subscribed and sworn before me

This 23 day of February, 2011

Maryann Gorski

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
MARYANN GORSKI
My Appointment Expires
No: 06-102210-1 December 29, 2013

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DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review (Major Amendment)

Project Address (Location) 800 South 8th Street

Project Name Legal Aid Center of Southern Nevada Garage **Proposed Use** Parking Garage

Assessor's Parcel #(s) 139-34-410-244 & -245 **Ward #** 3 - Reese

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

Commercial Square Footage 48,050 **Floor Area Ratio** -

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

Additional Information

PROPERTY OWNER Clark Co. Legal Serv. Program **Contact** Terry Bratton

Address 800 South Eight Street **Phone:** (702) 386-1070 **Fax:** (702) 366-0569

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

E-mail Address tbratton@lacsn.org

APPLICANT Clark Co. Legal Serv. Program **Contact** Terry Bratton

Address 800 South Eight Street **Phone:** (702) 366-1070 **Fax:** (702) 366-0569

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

E-mail Address tbratton@lacsn.org

REPRESENTATIVE The Capitol Company **Contact** Alisa Nave

Address 10100 West Charleston, Suite 200 **Phone:** (702) 525-1245 **Fax:**

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

E-mail Address anave@thecapitolcompany.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 BARBARA BUCKLEY

Subscribed and sworn before me

This 23 day of February, 20 11.

Maryann Gorski

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
MARYANN GORSKI
My Appointment Expires
No: 06-102210-1 December 29, 2013

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SDR-41023
Meeting Date:	4-12-11 PC
Total Fee:	$ 1,030
Date Received:*	2-23-11
Received By:	

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

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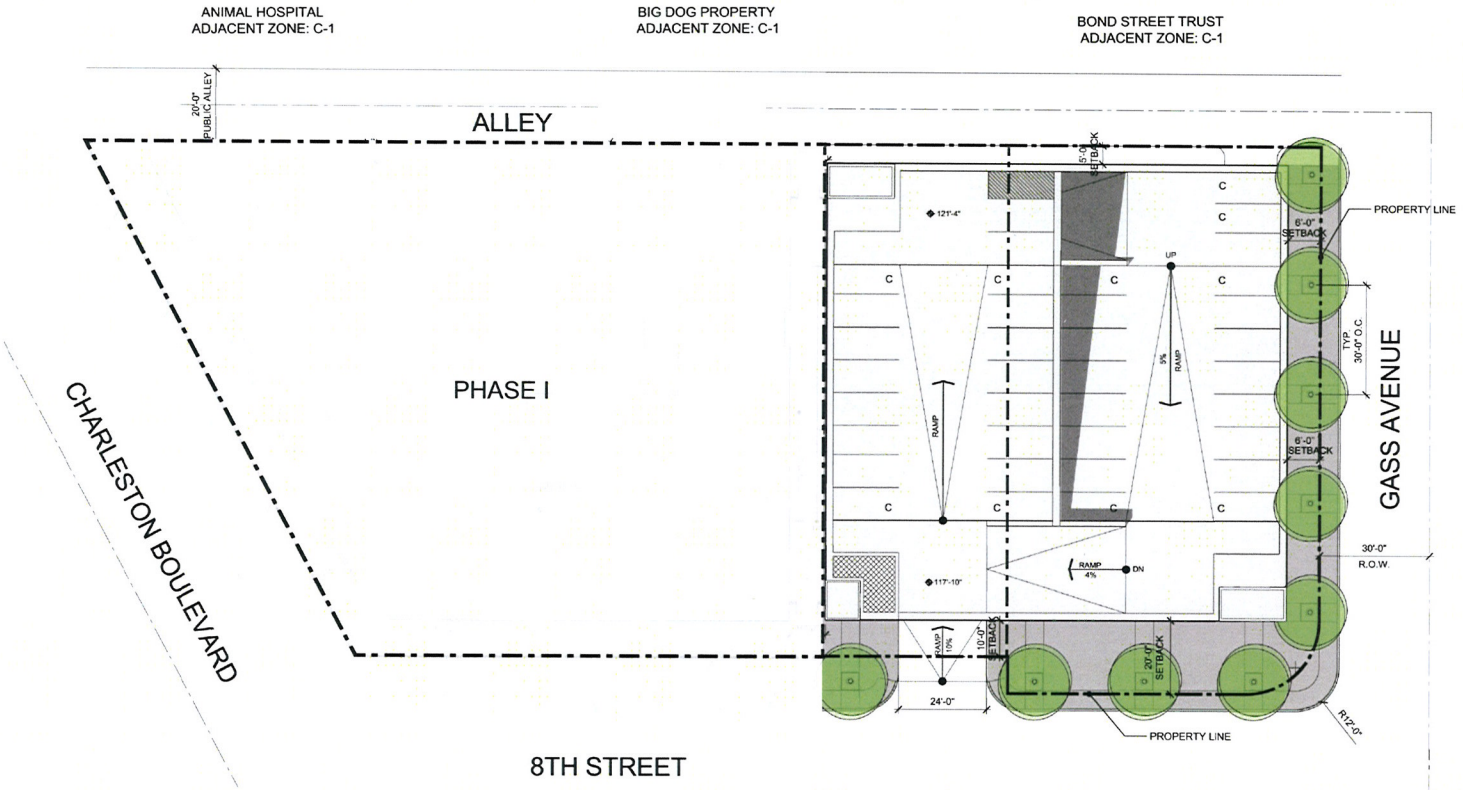
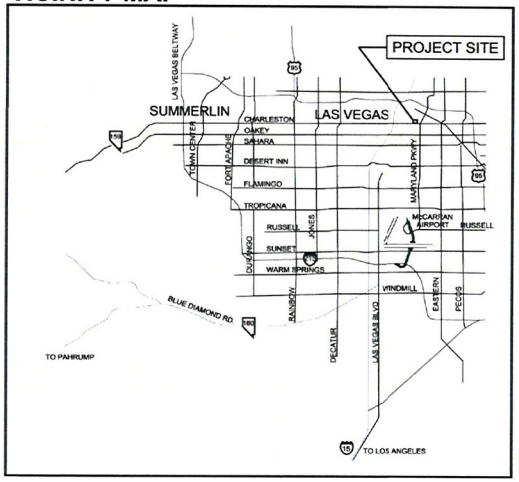


VICINITY MAP



SITE ANALYSIS

SITE AREA	.98 AC (NET) 1.63 AC(GROSS)
APN#	A PORTION OF 139-34-410-245 139-34-410-244
CURRENT ZONING	C-1
F.A.R. (FLOOR AREA RATIO)	0
LOT COVERAGE	82%

PARKING ANALYSIS

PARKING PROVIDED	92 SPACES
(INCLUDING 4 HANDICAP PARKING SPACES)	
(INCLUDING 22 COMPACT PARKING SPACES)	

SITE PLAN/ LANDSCAPE - APPROVED

PLANTING LEGEND

SYMBOL	BOTANICAL NAME / COMMON NAME
	PISTACIA CHINENSIS CHINESE PISTACHE
	SHRUBS, SEE BELOW

SUGGESTED SHRUBS

BOTANICAL NAME / COMMON NAME

ALOE SINKATANA
ALOE

DALEA CAPITATA 'SIERRA GOLD'
SIERRA GOLD DALEA

FESTUCA GLAUCA
BLUE FESCUE

HESPERALOE FUNIFERA
GIANT HESPERALOE

LEUCOPHYLLUM LANGMANIAE
RIO BRAVO

MANFREDA MACULOSA
TEXAS TUBEROSE

SALVIA DORRII
DESERT SAGE

TETRANEURIS ACAULIS
ANGELITA DAISY

TRADESCANTIA PALLIDA
PURPLE HEART

VINCA MINOR
PERIWINKLE

YUCCA BACCATA
BANANA YUCCA

ZEPHYRANTHES SPECIES
RAIN LILY

SITE FURNITURE LEGEND

SYMBOL	DESCRIPTION
	TREE GRATES BY IRONSMITH, (702) 253-6622. MODEL: 60" SQUARE MARKET STREET.
	TRENCH GRATES BY IRONSMITH, (702)253-6622. MODEL: MARKET STREET, 6" WIDTH.
	COLORED CONCRETE BY SOLOMON. COLOR: SANDSTONE, LIGHT BROOM FINISH.

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SDR-41023

LEGAL AID CENTER OF SOUTHERN NEVADA

PROJECT 2009232
02/23/2011

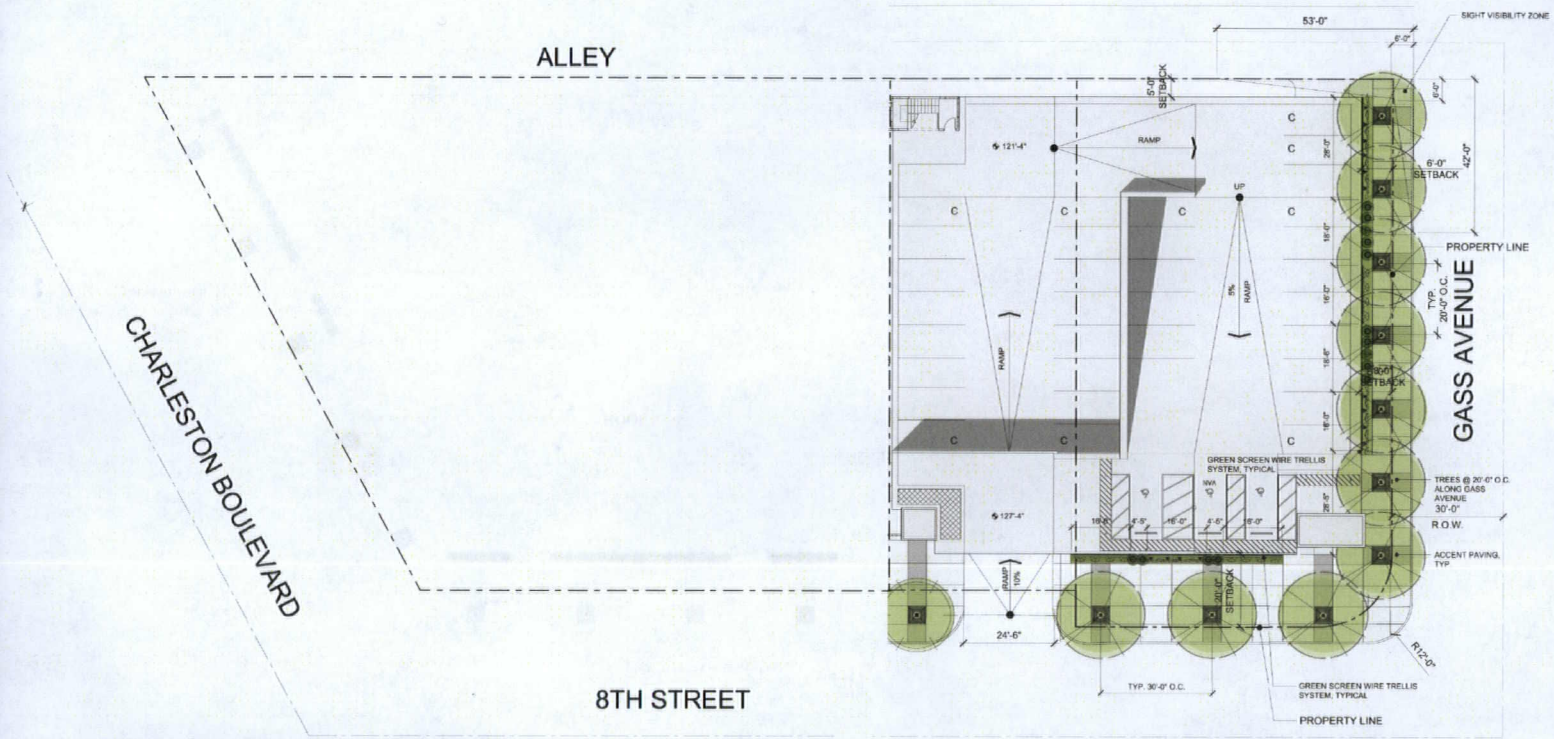
SITE PLAN/ LANDSCAPE APPROVED

jma studios
10150 COVINGTON CROSS DRIVE | LAS VEGAS, NEVADA 89144 | 702.731.2033 T | 702.731.2034 F | www.jmaarch.com

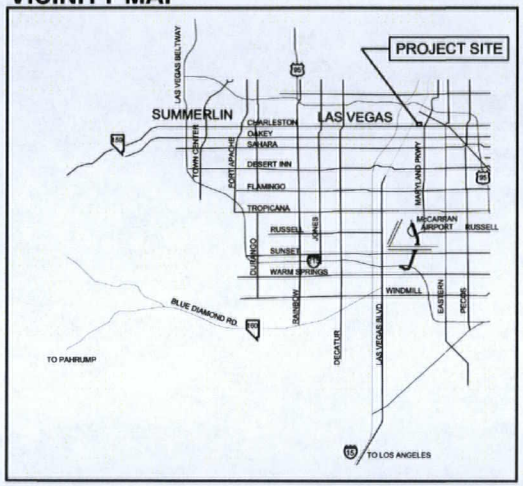
ANIMAL HOSPITAL
ADJACENT ZONE: C-1

BIG DOG PROPERTY
ADJACENT ZONE: C-1

BOND STREET TRUST
ADJACENT ZONE: C-1



VICINITY MAP



SITE ANALYSIS

SITE AREA	.98 AC (NET) 1.63 AC(GROSS)
APN#	A PORTION OF 139-34-410-245 139-34-410-244
CURRENT ZONING	C-1
F.A.R. (FLOOR AREA RATIO)	0
LOT COVERAGE	82%

PARKING ANALYSIS

PARKING PROVIDED — 112 SPACES
(INCLUDING 7 HANDICAP PARKING SPACES)
(INCLUDING 32 COMPACT PARKING SPACES)

SITE PLAN/ LANDSCAPE - PROPOSED

PLANT & SITE AMENITY LEGEND

TREES

SYMBOL	BOTANICAL NAME COMMON NAME	QTY.	CALIPER MINIMUM SIZE
	QUERCUS ILEX HOLLY OAK STANDARD TRUNK	1	1 1/4" 24" BOX
	RHUS LANCEA AFRICAN SUMAC STANDARD TRUNK	10	1 1/4" 24" BOX

SHRUBS

SYMBOL	BOTANICAL NAME COMMON NAME	QTY.	MINIMUM SIZE
	CAMPSIS RADICANS TRUMPET CREEPER VINE VINE	14	5 GALLON
	DIETES BICOLOR EVERGREEN IRIS	2	5 GALLON
	HEDERA HELIX ENGLISH IVY VINE	12	5 GALLON
	MYRTUS COMMUNIS 'COMPACTA' SWEET MYRTLE	12	5 GALLON

SITE AMENITIES

SYMBOL	DESCRIPTION	QTY.	DETAIL
	TREE GRATES BY IRONSMITH, (702) 253-6622. MODEL: 60" SQUARE MARKET STREET. OR APPROVED EQUAL. TREE GRATE COLOR TO BE DARK BROWN. PLACE DECOMPOSED GRANITE UNDER TREE GRATES. SIZE TO BE 1/2" MINUS. COLOR: GOLD. 2" MINIMUM DEPTH.	11	
	GREENSCREEN WIRE TRELLIS SYSTEM BY GREENSCREEN (NOD) 450-3494. OR APPROVED EQUAL. COLOR: GREEN. INSTALL PER MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS. TIE VINES TO SCREEN USING CLEAR GARDEN TAPE. (4' WIDTH)	27	

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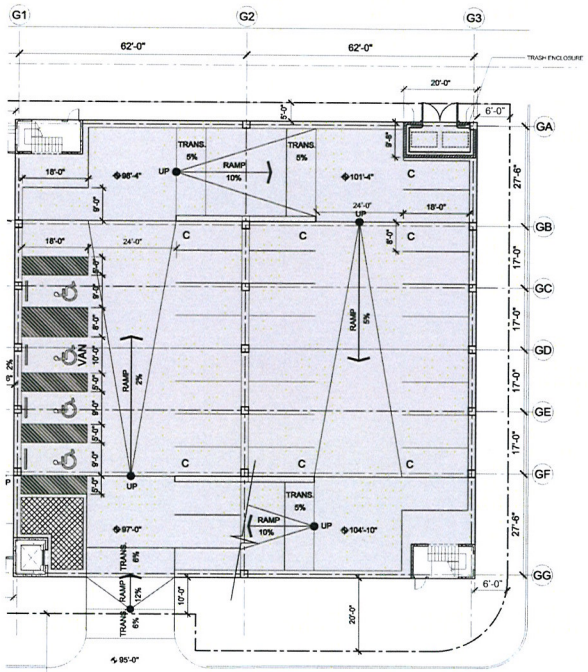
LEGAL AID CENTER OF SOUTHERN NEVADA

PROJECT 2009232
02/23/2011 (03/2/2011)

SITE PLAN/ LANDSCAPE APPROVED

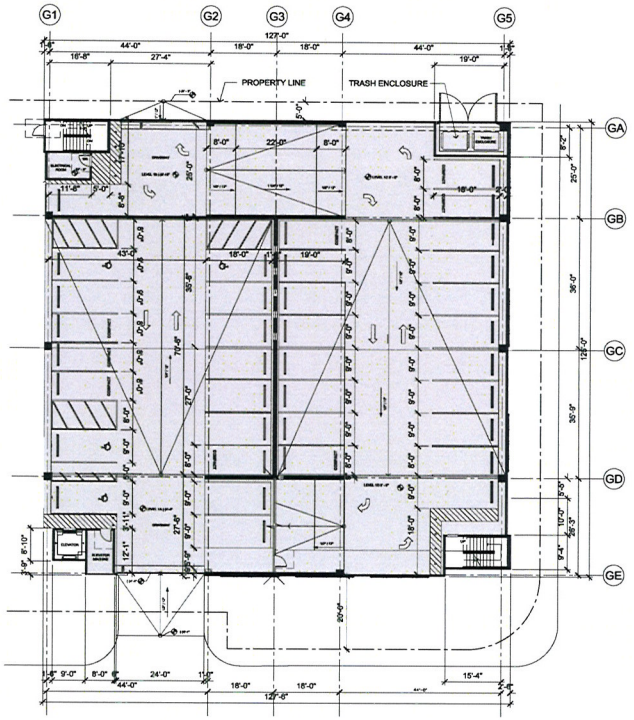
SDR-41023
REVISED

10150 COVINGTON CROSS DRIVE | LAS VEGAS, NEVADA | 702.731.2033 T. | 702.731.2039 F. | www.jmaarch.com



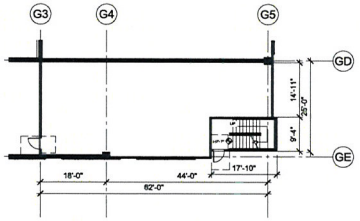
PARKING GARAGE LEVEL 1
APPROVED

APPROVED



PARKING GARAGE LEVEL 1
PROPOSED

PROPOSED



PARKING GARAGE SUB LEVEL 1
PROPOSED

PROPOSED

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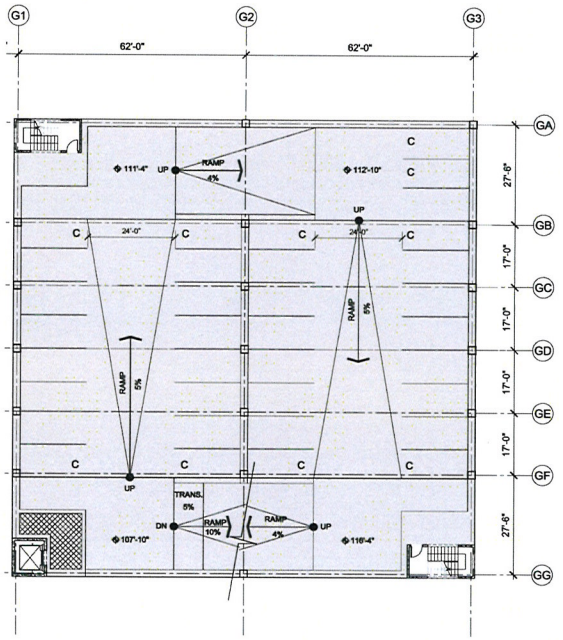
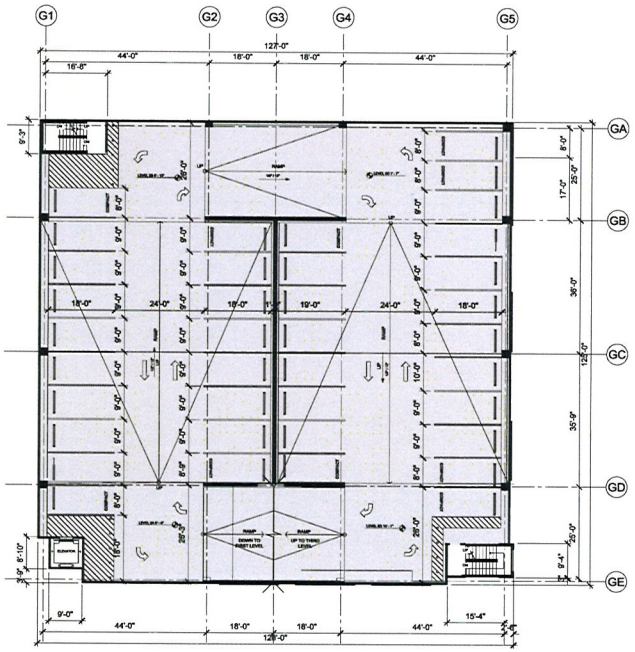


PARKING GARAGE LEVEL 2
APPROVED

APPROVED



PARKING GARAGE LEVEL 2
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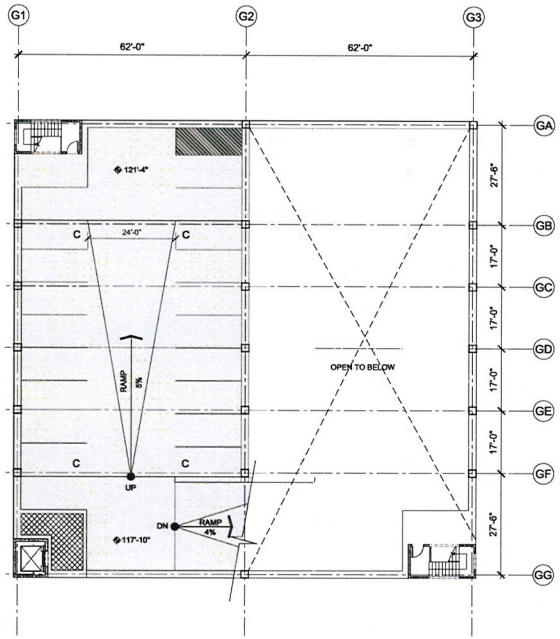
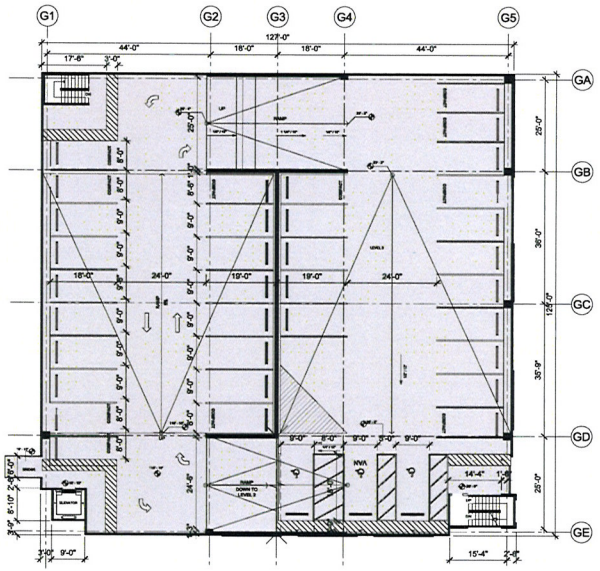
SDR-41023



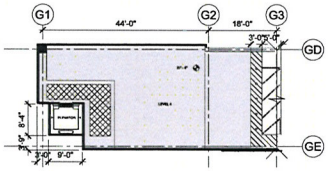
PARKING GARAGE LEVEL 3
APPROVED

APPROVED



PARKING GARAGE LEVEL 3
PROPOSED

PROPOSED



PARKING GARAGE LEVEL 4
PROPOSED

PROPOSED

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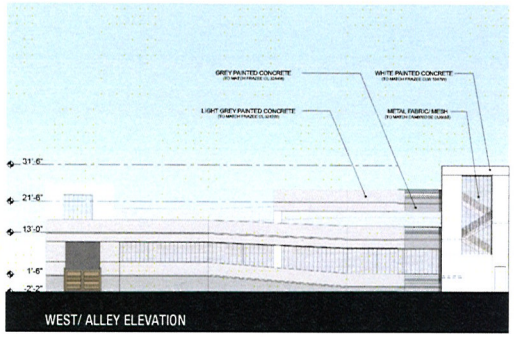
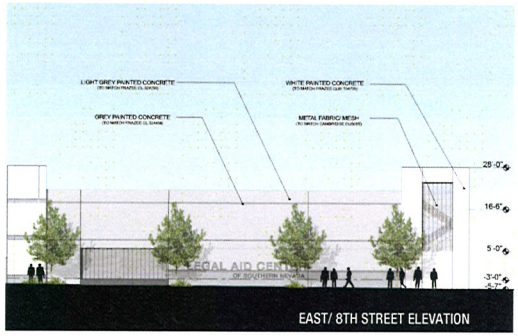
SDR-41023

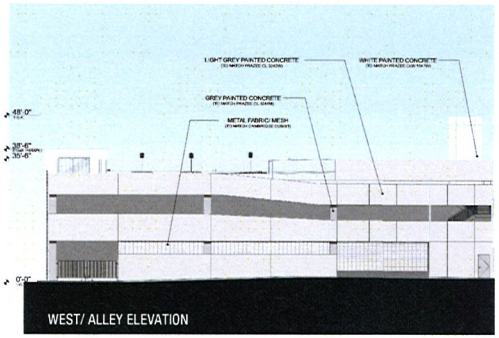


WEST/ ALLEY ELEVATION



EAST/ 8TH STREET ELEVATION

APPROVED



WEST/ ALLEY ELEVATION



EAST/ 8TH STREET ELEVATION

PROPOSED

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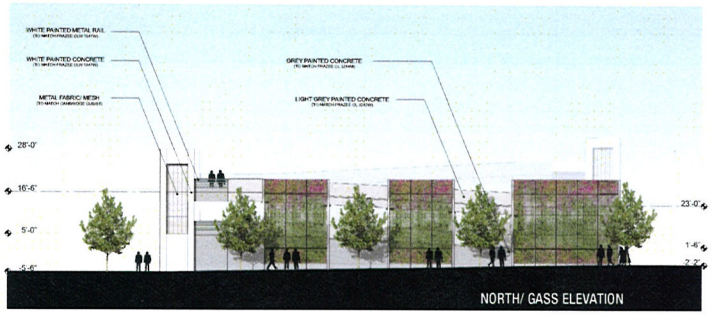
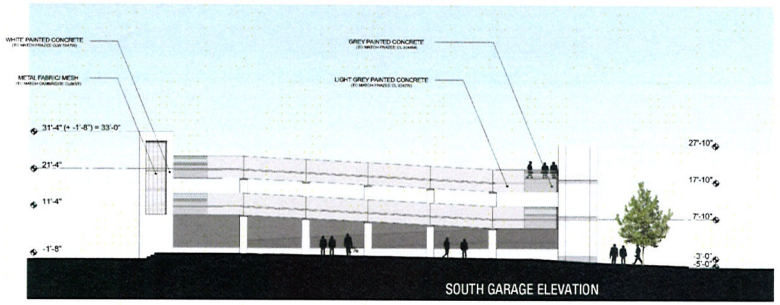
SDR-41023

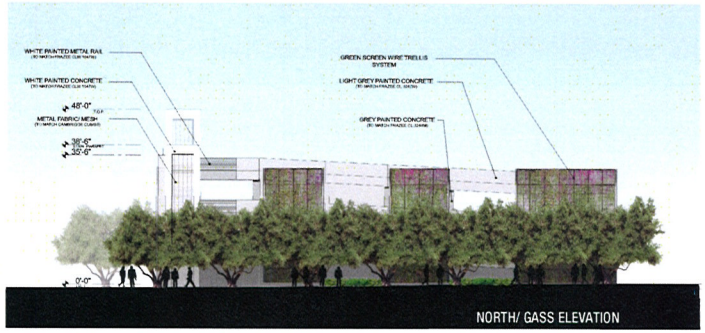


NORTH/ GASS ELEVATION

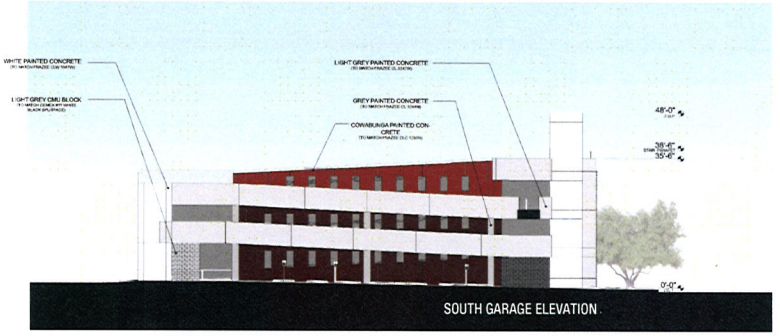


SOUTH GARAGE ELEVATION

APPROVED



NORTH/ GASS ELEVATION



SOUTH GARAGE ELEVATION

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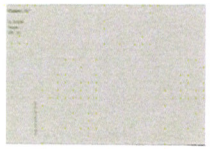
SDR-41023



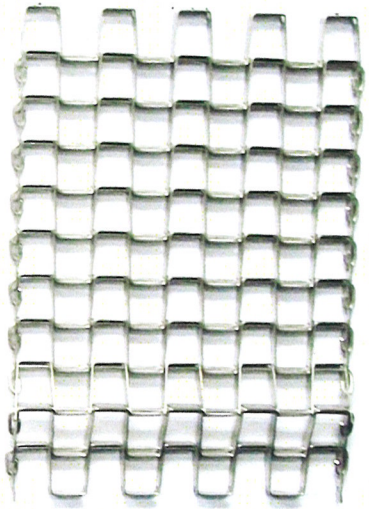
FRAZEE COLORLIFE



FRAZEE COLORLIFE



FRAZEE COLORLIFE



CAMBRIDGE ARCHITECTURAL - CUBIST
EXTERIOR - STAINLESS STEEL - FLEXIBLE

APPROVED



CMU - CEMEX #11
WHITE W/ BLACK SPLITFACE



FRAZEE COLORLIFE
CLC 1290N - COWABUNGA



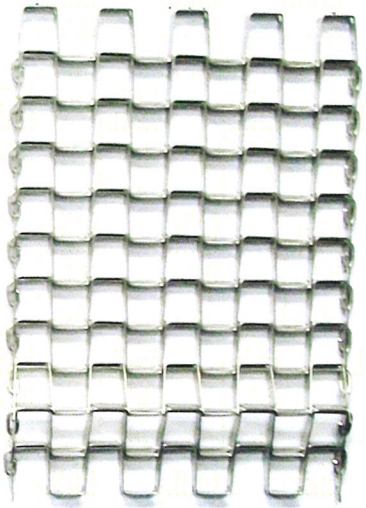
FRAZEE COLORLIFE



FRAZEE COLORLIFE



FRAZEE COLORLIFE



CAMBRIDGE ARCHITECTURAL - CUBIST
EXTERIOR - STAINLESS STEEL - FLEXIBLE

PROPOSED

jma
architecture studios

LEGAL AID CENTER OF SOUTHERN NEVADA

PROJECT 2009232
02/23/2011

MATERIAL BOARD

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SDR-41023



SDR-41023 - APPLICANT/OWNER: CLARK COUNTY LEGAL SERVICES PROGRAM
SOUTHWEST CORNER GASS AVENUE & EIGHTH STREET

03/03/11

The Capitol Company

Public Policy & Government Affairs

Yorgo Kagafas
City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, Nevada 89101

Alisa D. Nave-Worth
The Capitol Company
10100 West Charleston Boulevard
Suite 200
Las Vegas, Nevada 89135

Re: ***Justification Letter,***
Amendment to Site Development Plan
Parking Garage
Legal Aid Center of Southern Nevada
APNs: 139-34-410-244 and a Portion of 139-34-410-245

Dear Mr. Kagafas:

This firm represents Legal Aid Center of Southern Nevada (LACSN) with respect to the development of a four story parking garage located at the southwest corner of Gass Avenue and Eighth Street. The site is within the Downtown Redevelopment Plan with a General Commercial (GC) master plan designation and is currently zoned C-1. This request consists of Major Amendment to Site Development Plan. Note that this application represents a revision of the project, which was previously approved by the City Council (SDR-39457 & Var-39458).

Major Amendment to Site Development Plan

The parking garage is associated with a related project, already approved by the City Council, for an office building on the adjacent parcel to the south, which will serve as the new headquarters for LACSN. The parking garage will serve as the required parking for staff and clients of LACSN's new building.

On October 2010, the Planning Commission approved SDR-39457 for a three-story parking garage with a maximum height of 33'8". The approved parking garage

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SDR-41023

covered 39,400 square feet and provided for 92 permanent parking spaces. At the same time, the Planning Commission approved VAR-39458 regarding setbacks associated with the Parking Garage.

The parking structure will consist of multi-tone grey and white paints while also including metal fabric/mesh along the stairwells. The garage will be open on all sides, except along Eighth Street, and will include a green screen wire trellis system for aesthetics. The entrances to the parking lot on Eighth Street and on the Alley (between Gass Avenue and Charleston Boulevard) will be gated for security during non-business hours.

This amendment proposes a 48,050 square foot parking garage (previously approved as 39,400 square feet), four story structure at a maximum height of 48 feet (previously approved as a three story structure with a maximum height of 33 feet, 8 inches). The amended project will accommodate 112 parking spaces (previously 92 spaces). Additionally, the amended project proposes the addition of a vehicular entrance on the alley way located between Gass Avenue and Charleston Boulevard. The original footprint of the parking garage will not change. Additionally, the proposed amendment makes no changes to VAR-39458. A comparison of the proposed project and the previously approved SDR-39457 & VAR-39458 follows:

SDR Land Use Application (Past Application SDR-39457 & Var-39458)			
	Code	Approved	Proposed
Story	N/A	3 story	4 story
Maximum Height	N/A	33'-8"	48'-0"
Main Garage Height	N/A	28'-0"	35'-6"
Parking Spaces	N/A	92 spaces	112 spaces
Parking Floor Area	N/A	39,400 SF	48,050 SF.
Landscape Buffer			
South	8 ft.	Zero	no change
West (alley)	8 ft.	Zero	no change
North	15 ft.	Zero	no change
East	15 ft.	Zero	no change
Setback			
Front	20 ft.	10 ft. (portion)	no change
Side	10 ft.	zero feet	no change
Corner Side	15 ft.	6 ft.	no change
Rear	20 ft.	5 ft.	no change
Lot Coverage	50%	82%	no change

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SDR-41023

With this amendment, the applicant seeks to reduce the amount of parking variance previously awarded (SDR-39098 & VAR-39099) so as to enhance the project. The increase in height and square footage accommodates a ½ floor increase in the parking structure. When completed, this parking structure will have 112 spaces, representing a 6% reduction in parking or 6 spaces. Notably, the previously approved project was granted a 22% reduction in parking or 26 spaces. The amended project will ultimately provide a superior parking solution than previously approved.

In order to accommodate the additional traffic flow, the amended proposed project includes a vehicular entrance on the alley way located between Gass Avenue and Charleston Boulevard. This entrance will ensure easier access for LACSN staff and customer, and will ensure better circulation within the structure as demonstrated on the enclosed site plan.

Notably, the need for the additional parking was created by a partnership between the City of Las Vegas and the applicant. At the City's request, the applicant has agreed to house the City of Las Vegas Senior Citizen Law Project. This partnership will provide senior citizens in our community the ability to access comprehensive legal assistance from one central location. The additional parking requested by this amendment will further this goal.

When completed this project will add a vibrant, new structure to Charleston Boulevard and the Downtown Redevelopment area that will set a standard for small-sized office buildings. Moreover, it will allow LACSN to continue providing legal access to the poor, indigent, elderly and immigrant communities in southern Nevada at a location that is accessible to all citizens of our community. The proposed amendment will further this cause.

Thank you in advance for your time and consideration regarding this application. Please feel free to contact me should you have any questions or need additional information.

Sincerely,

Alisa D. Nave-Worth, Esq.

cc: Cherie Guzman, JMA

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FEB 23 2011
SDR-41023

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
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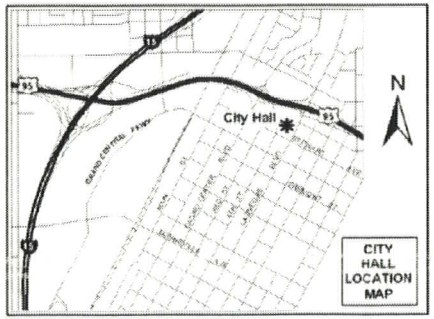
MAR 31 2011
MAILED FROM ZIP CODE 89101

RECEIVED
APR -4 2011

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 Department of Planning, Case Planning Division 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-41023
Planning Commission Meeting of 4/12/2011

Case: SDR-41023

13934810097
SAINT MAISIE L L C
3204 PLAZA DE RAFAEL
LAS VEGAS NV 89102-4024

32 BRDCN11 89102

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

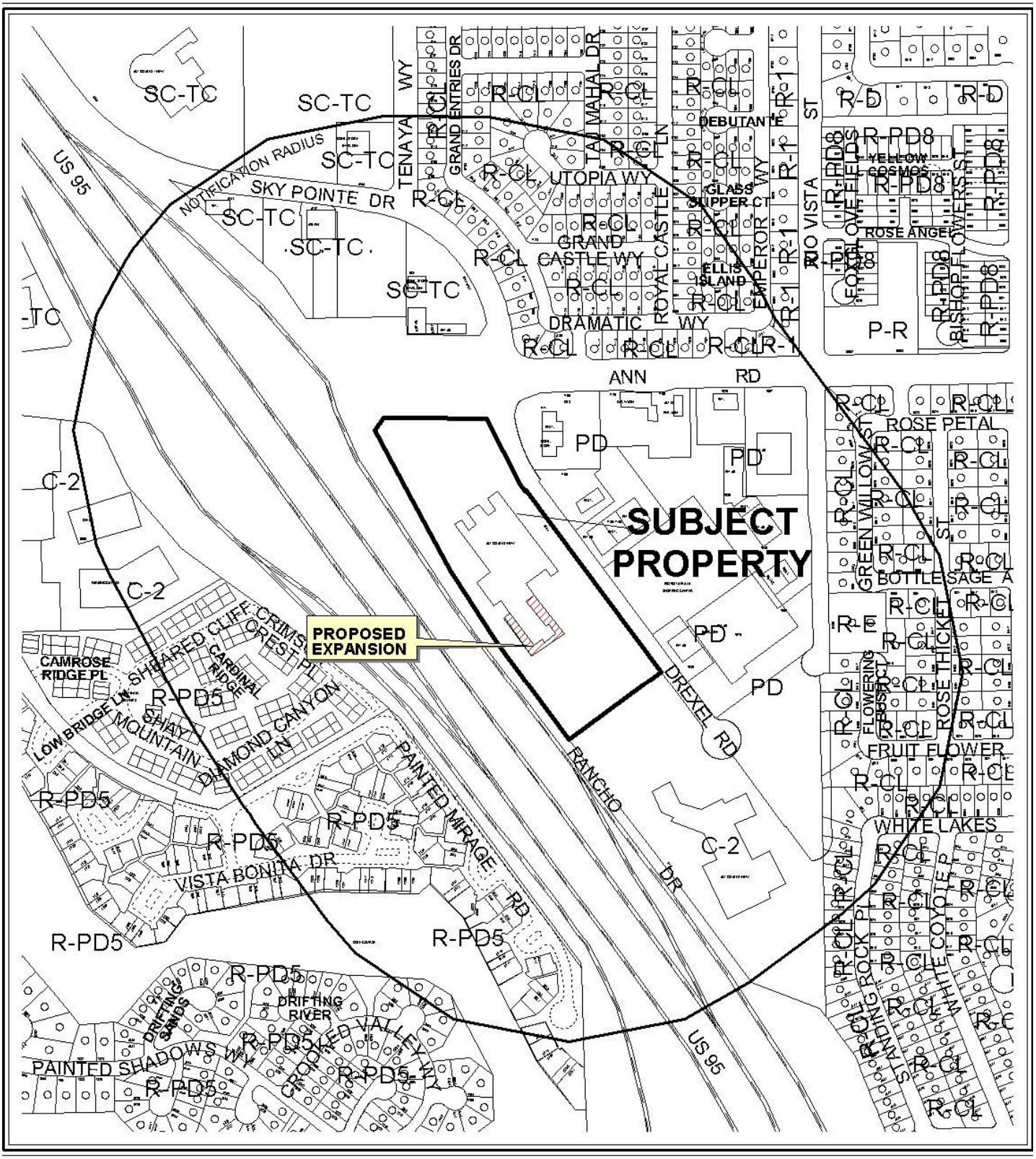
SUBJECT:
SDR-41035 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: ED BOZARTH CHEVROLET - OWNER: 5501 DREXEL, LLC - Request for a Major Amendment to an approved Site Development Plan Review (SD-0031-97) FOR A PROPOSED 7,300 SQUARE-FOOT AUTOMOBILE SHOWROOM ADDITION AT AN EXISTING MOTOR VEHICLES SALES (NEW) FACILITY on 9.46 acres at 5501 Drexel Road (APN 125-34-501-003), C-2 (General Commercial) Zone, Ward 6 (Ross). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 300 600 Feet

CASE: **SDR-41035**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **SDR-41035**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: ED BOZARTH CHEVROLET - OWNER: 5501 DREXEL, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-41035	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SDR-41035 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All development shall be in conformance with the site plan and building elevations, date stamped 02/24/11, except as amended by conditions herein.

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 Department of Building and Safety.

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

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

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

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

8. 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.

9. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property without the appropriate permits. Existing temporary signage located at the site shall be permitted pursuant to Title 19.14, or removed within 10 days of final approval.

10. 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.

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

Public Works

12. Remove all substandard sidewalk improvements, if any, adjacent to this site and replace with new sidewalk meeting current City Standards concurrent with on-site development activities as shown on the approved Site Plan.

13. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

14. Comply with all applicable previous conditions of approval for SD-31-97 and all other site-related actions.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request is for a Major Amendment to an approved Site Development Plan Review (SD-0031-97) for a proposed 7,300 square-foot showroom addition to an existing 89,490 square-foot Motor Vehicle Sales (New) use located on 5501 Drexel Road. The applicant is proposing to enclose an existing covered patio area to create a showroom with multiple sales offices. The proposed design of the facility substantially complies with the previously approved elevations; therefore, staff recommends approval of this request, with conditions. If denied, the site will remain as it is.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/05/89	The City Council approved a petition for Annexation (A-0006-89) for three parcels totaling 31 acres located on the east side of Rancho Drive and south of Ann Road. The Planning Commission and staff recommended approval. The effective date was 07/14/89.
02/12/98	The Planning Commission approved a Site Development Plan Review (SD-0031-97) for an 89,490 square-foot Automobile Dealership located on the southwest corner of Drexel Road and Ann Road. The Planning Department staff recommended approval.
02/16/00	The City Council approved a Site Development Plan Review [(SD-0031-97) (1)] to permit two freestanding ground signs (47 feet and 60 feet tall) at 5501 Drexel Road. The Planning Commission recommended denial and staff recommended approval.

Most Recent Change of Ownership	
08/31/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
04/22/99	A building permit (99007732) was issued for Building A (Showroom, Office, Parts Department and Service Bays) at 5501 Drexel Road. The permit was finaled on 06/20/00.
	A building permit (99007735) was issued for Building D (Deliveries) at 5501 Drexel Road. The permit was finaled on 06/20/00.

04/22/99	A building permit (99007734) was issued for Building C (Security Booth) at 5501 Drexel Road. The permit was finaled on 06/20/00.
	A building permit (99007733) was issued for Building B (Greeter Booth) at 5501 Drexel Road. The permit was finaled on 06/20/00.
03/28/00	A business license (A16-01219) was issued for Automobile Sales at 5501 Drexel Road. The license was marked out of business on 03/02/09.
06/12/01	A business license (A28-01031) was issued for Automobile Leasing at 5501 Drexel Road. The license was marked out of business on 03/18/09.
06/12/02	A building permit (02010368) was issued for a 783 square-foot addition at 5501 Drexel Road. The permit was finaled on 09/20/02.
05/05/05	A building permit (107514) was issued for an 830 square-foot addition to the parts department. The permit was finaled on 03/04/09.
12/05/08	A business license (A16-01299) was issued for Automobile Sales at 5501 Drexel Road. The license is active.
	A business license (A28-01038) was issued for Automobile Leasing at 5501 Drexel Road. The license is active.

Pre-Application Meeting	
02/10/11	A pre-application meeting was held with the applicant where elements of submitting a Major Amendment to an approved Site Development Plan Review (SD-0031-97) were discussed. The proposed expansion does not appear to affect landscape or building setback requirements, but the site plan will need to demonstrate compliance with development standards for the C-2 (General Commercial) zoning district. The required setbacks for C-2 zoning district: 20' front yard (Ann Road); 10' side yard (U.S.95); 15' corner side (Drexel Road); and 20' rear yard (south Property Line).

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

Field Check	
03/03/11	During a site visit, staff noted multiple advertisement signs installed in the landscape buffer along Drexel Road and an unpermitted banner facing U.S. 95.

Details of Application Request	
Site Area	
Net Acres	9.46

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	Convenience Store / General Retail	SC-TC (Service Commercial)	T-C (Town Center)
South	Motor Vehicle Sales (New)	GC (General Commercial)	C-2 (General Commercial)
East	Shopping Center	SC (Service Commercial)	PD (Planned Development)
West	Medical Office	GC (General Commercial)	C-2 (General Commercial)
	Multi Family Residential	ML (Medium Low Density Residential)	R-PD5 (Residential Planned Development – 5 Dwelling 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		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 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Width	100 Feet	343 Feet	Y
Min. Setbacks			
• Front	20 Feet	297 Feet	Y
• Side	10 Feet	67 Feet	Y
• Corner	15 Feet	55 Feet	Y
• Rear	20 Feet	292 Feet	Y
Max. Lot Coverage	50 %	24 %	Y
Max. Building Height	28 Feet	28 Feet	Y
Mech. Equipment	Screened	Screened	Y

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Drexel Road	N/A	N/A	60	N/A

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Motor Vehicle Sales (New)	96,790 SF	1/500 SF	194				
TOTAL SPACES REQUIRED			194		1,009		
Regular and Handicap Spaces Required			188	6	1,002	7	Y

ANALYSIS

The request is to enclose an existing covered patio to create a 7,300 square-foot automobile showroom. The patio was constructed in 2000. The proposed showroom will also provide sales offices for the existing Motor Vehicle Sales (New) facility. The proposed showroom will not increase the height of the existing structure, as it is presently a covered patio that is attached to the main building located at 5501 Drexel Road. The applicant is proposing no other changes to the existing Motor Vehicle Sales (New) facility. A condition has been added to address the existing temporary signage, which shall be removed or brought into compliance with Title 19.14. As the proposed showroom addition is compatible with the existing facility and with development in the area, staff recommends approval of this proposal, with conditions.

FINDINGS (SDR-41035)

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 7,300 square-foot automobile showroom is compatible with the surrounding commercial development to the south and east, as it is an expansion of an existing use within the existing site.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

   The project is in conformance with the General Plan and Title 19 requirements.

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

   The site is accessed by Drexel Road. This street is of sufficient size to accommodate the needs of the proposed Automobile Showroom use.

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

   No additional landscaping is proposed as part of this request.

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 elevations are well-integrated with the established aesthetic of the existing Motor Vehicle Sales (New) facility and are appropriate for the area and for the City.

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

   The proposed automobile showroom is subject to Building Permit and Business License review and inspection prior to occupancy; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 407

APPROVALS 0

PROTESTS 0

JG

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41035** APN: 125-34-501-003

Name of Property Owner: 5501 Drexel, Llc dba: Ed Bozarth Chevrolet

Name of Applicant: Ed Bozarth

Name of Representative: Youngblood Architecture - Richard Youngblood

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

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City of Las Vegas

Signature of Property Owner: _____

Print Name: MARK MILLER

Subscribed and sworn before me

This 23 day of FEBRUARY, 20 11

_____
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
PAT A. GREEN
Appt. No. 94-2629-1
My Appt. Expires December 2, 2013

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Design Review - Additional building area & exterior materials/signage

Project Address (Location) 5501 Drexel Road, Las Vegas, NV 89130

Project Name Ed Bozarth Chevrolet - Showroom Addition **Proposed Use** Automobile Sales

Assessor's Parcel #(s) 125-34-501-003 **Ward #** 6

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

Commercial Square Footage 89490 Exist + 7300 New **Floor Area Ratio** -

Gross Acres 9.45 **Lots/Units** NA **Density** NA

Additional Information Design review for new exterior materials and building signage.

PROPERTY OWNER 5501 Drexel, Llc **Contact** Ed Bozarth

Address 5501 Drexel Road **Phone:** 967-5500 **Fax:** 967-5561

City Las Vegas **State** Nevada **Zip** 89130

E-mail Address edbozarth@aol.com

APPLICANT Ed Bozarth Chevrolet **Contact** Ed Bozarth

Address 5501 Drexel Road **Phone:** 967-5500 **Fax:** 967-5561

City Las Vegas **State** Nevada **Zip** 89130

E-mail Address edbozarth@aol.com

REPRESENTATIVE Youngblood Architecture, Ltd **Contact** Richard Youngblood

Address 4045 Dean Martin Drive **Phone:** 997-5080 **Fax:** 995-0208

City Las Vegas **State** Nevada **Zip** 89103

E-mail Address richard@rjyoungblood.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 Mark Miller

Subscribed and sworn before me

This 14th day of March, 2011.

[signature]

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
PAT A. GREEN
Appt. No. 94-2629-1
My Appt. Expires December 2, 2013

FOR DEPARTMENT USE ONLY

Case #	SDR-41035
Meeting Date:	4/12/11
Total Fee:	1030.00
Date Received:*	2/24/11
Received By:	F.S.

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

Revised 10/27/08

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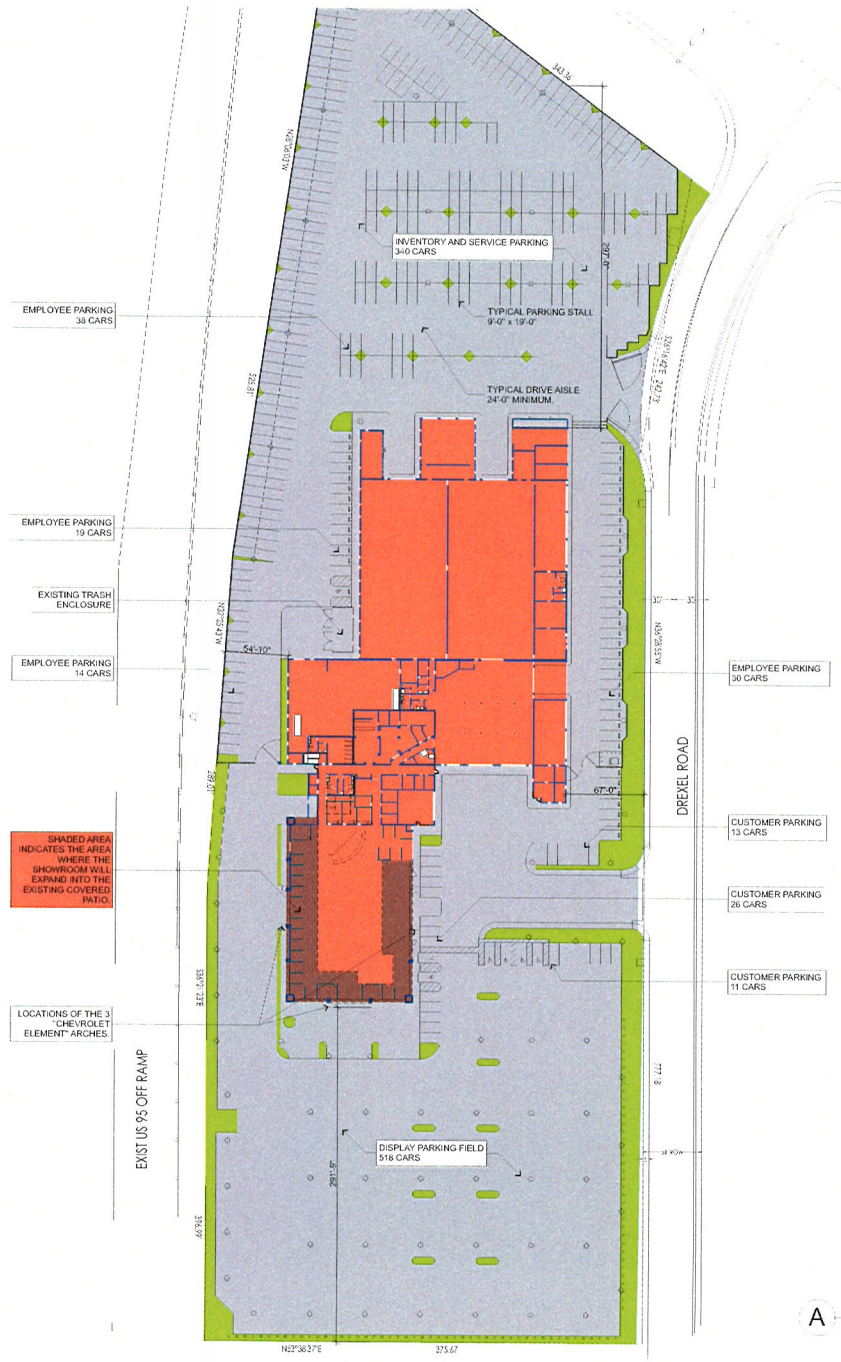

PROJECT DATA

BUILDING	
EXISTING ENCLOSED AREA	89,490 sf
ADDED ENCLOSED AREA	7,300 sf
TOTAL ENCLOSED AREA	96,790 sf
Note: The total roof area has remained unchanged.	
PARKING REQUIRED	
EXISTING 89,490 sf / 500	179 Cars
ADDED 7,300 sf / 500	15 Cars
TOTAL REQUIRED	194 Cars
PARKING PROVIDED	
CUSTOMER PARKING	50 Cars
EMPLOYEE PARKING	101 Cars
SERVICE / INVENTORY PARKING	340 Cars
SUB TOTAL	491 Cars
DISPLAY PARKING	518 Cars
TOTAL PARKING PROVIDED	1,009 Cars

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A Site Plan
Scale: 1"=20'

SDR-41035

YOUNGBLOOD ARCHITECTURE

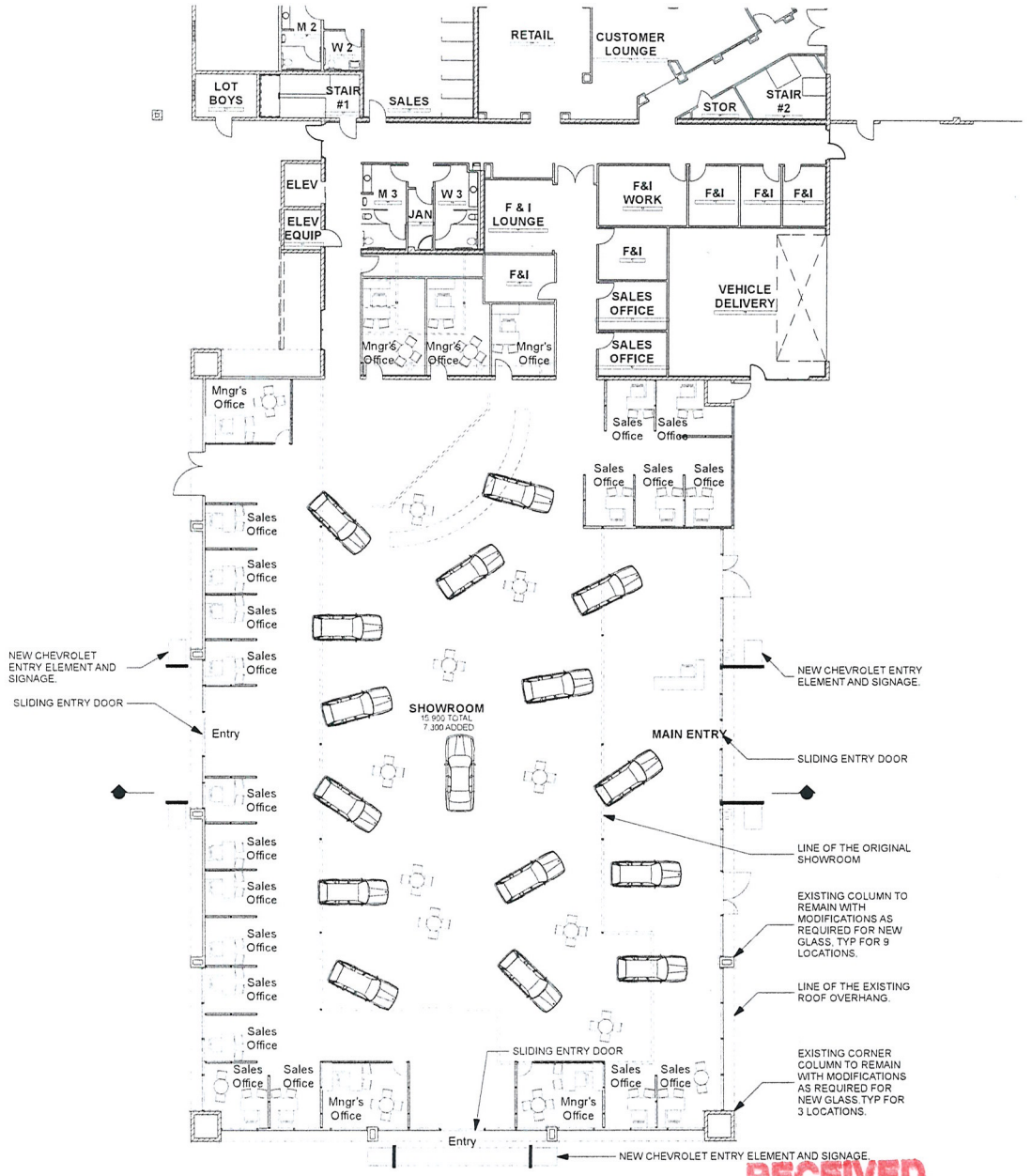
YOUNGBLOOD ARCHITECTURE, Ltd
4045 Dean Martin Drive
Las Vegas, NV 89103
o 702-997-5680 / 702-995-0208

REVISIONS

PROJECT
ED BOZARTH CHEVROLET
LAS VEGAS
5501 DREXEL ROAD
LAS VEGAS, NEVADA 89130
APN 125-34-501-003

SHEET TITLE:
Site Plan

ISSUE DATE: 2/24/11
PROJECT NO: 18.001.10
ISSUED FOR: DESIGN REVIEW
SHEET NO: G-0.02



01 FLOOR PLAN - SHOWROOM EXPANSION
Scale 3/32" = 1'-0"

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YOUNGBLOOD ARCHITECTURE

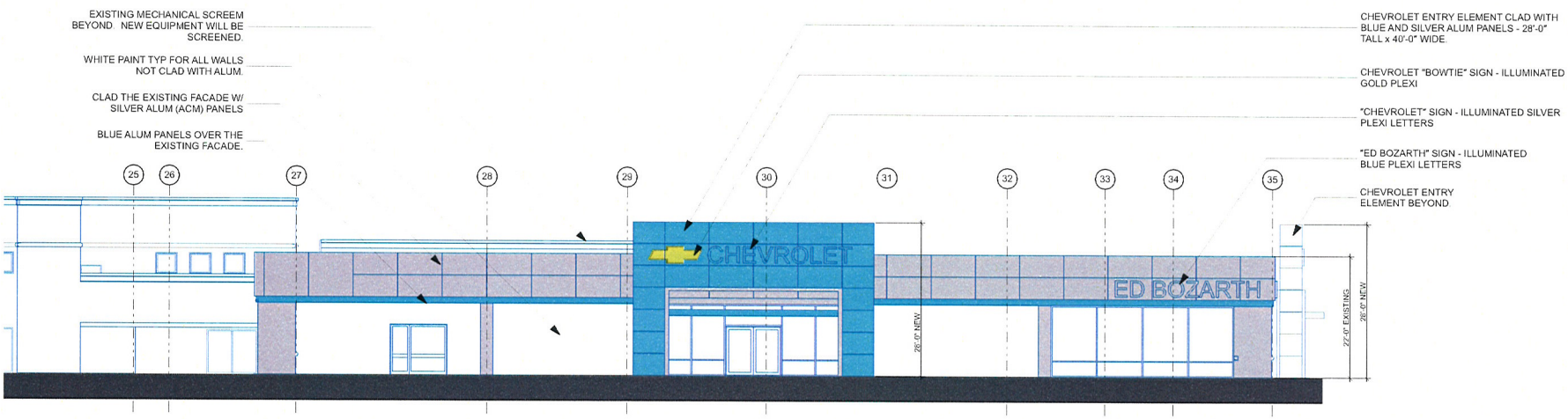
YOUNGBLOOD ARCHITECTURE, Ltd.
4345 Dean Martin Drive
Las Vegas, NV 89103
o 702-997-5680 f 702-995-0208

REVISIONS

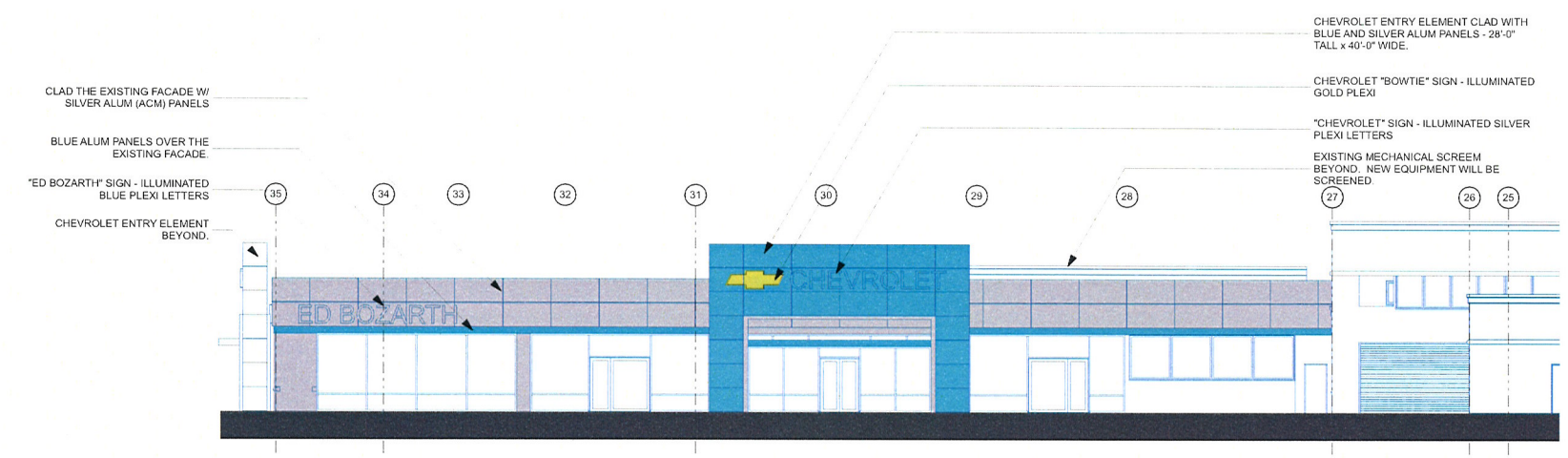
PROJECT
ED BOZARTH CHEVROLET
LAS VEGAS
5501 DREXEL ROAD
LAS VEGAS, NEVADA 89130
APN 125-34-501-003

SHEET TITLE
Floor Plan - Showroom Expansion

ISSUE DATE 2/24/11
PROJECT NO. 18-001-10
ISSUED FOR: DESIGN REVIEW
SHEET NO. A1.01



1 West Elevation of the Showroom Remodel
Scale:1/8" = 1'-0"



2 East Elevation of the Showroom Remodel
Scale:1/8" = 1'-0"

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SDR-41035

YOUNGBLOOD ARCHITECTURE

YOUNGBLOOD ARCHITECTURE, Ltd.
4045 Dean Martin Drive
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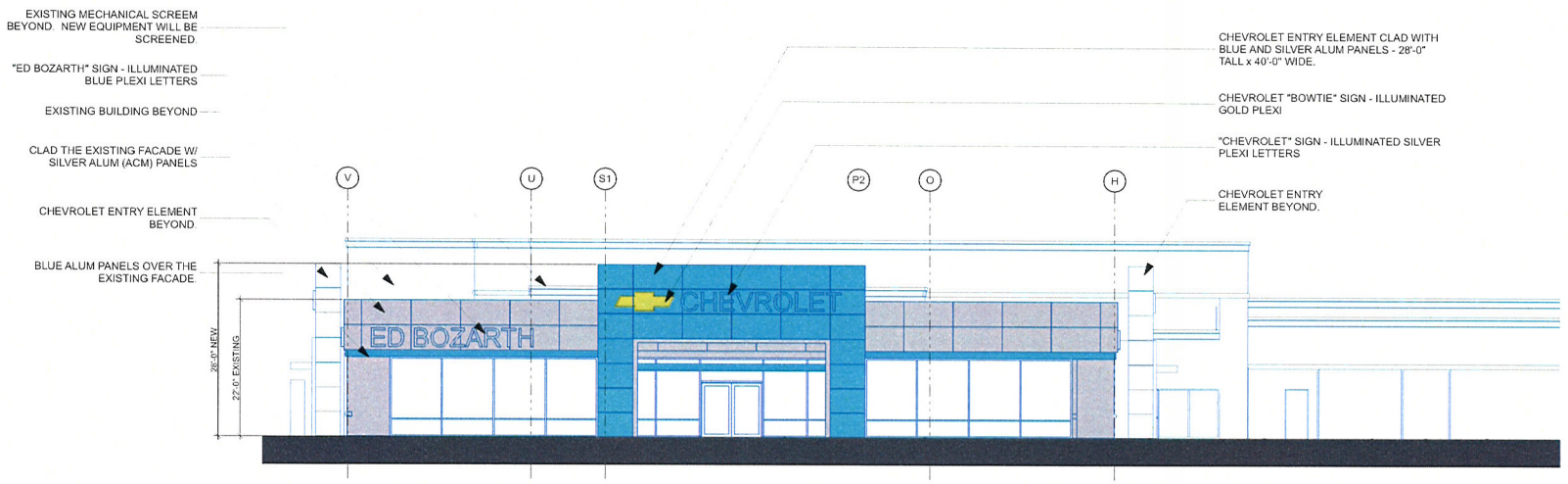
o 702.997.5080 f 702.995.0208

REVISIONS

PROJECT
ED BOZARTH CHEVROLET
LAS VEGAS
5501 DREXEL ROAD
LAS VEGAS, NEVADA 89130
APN 125-34-501-003

SHEET TITLE
OVERALL SHOWROOM ELEVATIONS

PROJECT NO: 18 001 10
ISSUED FOR:
DESIGN REVIEW
SHEET NO: A-2.07



1 South Elevation of the Showroom Remodel
Scale: 1/8" = 1'-0"

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YOUNGBLOOD ARCHITECTURE, Ltd.
4045 Doan Martin Drive
Las Vegas, NV 89103
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REVISIONS

PROJECT
ED BOZARTH CHEVROLET
LAS VEGAS
5501 DREXEL ROAD
LAS VEGAS, NEVADA 89130
APN 125-34-501-003

SHEET TITLE
OVERALL SHOWROOM ELEVATIONS

ISSUE DATE: 2/24/11
PROJECT NO: 18 001 10
ISSUED FOR:
DESIGN REVIEW:
SHEET NO: A-2.08

YOUNGBLOOD
ARCHITECTURE

Ed Bozarth Chevrolet
Color and Material Board
February 24, 2011

Lapis Blue
- Aluminum panel trim on the Chevrolet Entry Element
- Aluminum Trim on the bottom of the fascia
- "Ed Bozarth" Sign Letters

Bright Silver Metallic
- Aluminum panels on the fascia
- Aluminum Trim on the Chevrolet Entry Element
- "Chevrolet" Sign Letters on the Chevrolet Entry Element
- Window Mullions

Starlight White
- Paint for all existing and new walls

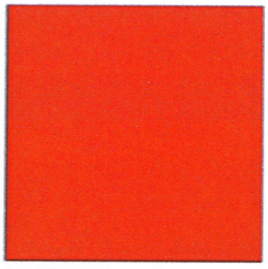
Cosmos Black
- NOT USED

Mystic Red
- NOT USED

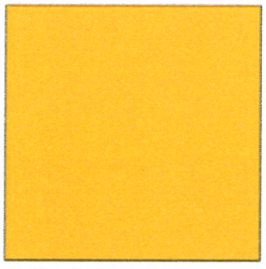

LAPIS BLUE — 50


STARLIGHT WHITE — 50


COSMOS BLACK — 50


MYSTIC RED — 50
(FEVE — 3)


BRIGHT SILVER
METALLIC — 50
(FEVE — 3)


SUNFLOWER YELLOW — 50
(FEVE — 3)

Youngblood Architecture, Ltd. ■ Richard J. Youngblood, A.I.A. ■ 4045 Dean Martin Drive, Las Vegas, NV 89103
T: 702-997-5080 ■ F: 702-995-0208 ■ richard@rjyoungblood.com

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SDR-41035



SDR-41035 - APPLICANT: YOUNGBLOOD ARCHITECTURE – OWNER: 5501 DREXEL, LLC
5501 DREXEL ROAD

03/03/11



SDR-41035 - APPLICANT: YOUNGBLOOD ARCHITECTURE – OWNER: 5501 DREXEL, LLC
5501 DREXEL ROAD

03/03/11



SDR-41035 - APPLICANT: YOUNGBLOOD ARCHITECTURE – OWNER: 5501 DREXEL, LLC
5501 DREXEL ROAD

03/03/11



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SDR-41035 - APPLICANT: YOUNGBLOOD ARCHITECTURE – OWNER: 5501 DREXEL, LLC
5501 DREXEL ROAD

03/03/11

YOUNGBLOOD
ARCHITECTURE

27 January 2011

City of Las Vegas
Planning & Development Department

Re: **Justification Letter - 5501 Drexel, Llc - dbd: Ed Bozarth Chevrolet**

To Whom It May Concern:

In reference to the above-mentioned project, we provide the following Justification Letter to accompany our application.

Issue
Construct and maintain an addition to the existing Ed Bozarth Chevrolet Dealership at 5501 Drexel Road. The addition is at the south end of the facility and will increase the showroom size by 7,300 Square feet. The addition will cause minor modifications to a portion of the exterior façade.

Information
As it is an existing facility and business, the number of employees will remain the same. The existing hours of operation, owners, managers and licenses will be unchanged.

Findings
This project is compatible with the adjacent businesses in the area as it is an existing facility. All city policies and standards are met; they are unchanged from what is already in place. There will be no negative impact to neighborhood traffic or adjacent roadways. All building and landscape materials are consistent with what is already in place. Again, all design characteristics are the same and will remain harmonious with the surrounding developments and neighborhoods. And, all measures ensuring the public health, safety and welfare will remain in place with this existing facility.

Please contact me with any further clarifications you may require.

Sincerely,

Richard J. Youngblood, A.I.A.
President

RECEIVED
FEB 24 2011
City of Las Vegas

Youngblood Architecture, Ltd. ■ Richard J. Youngblood, A.I.A. ■ 4045 Dean Martin Drive, Las Vegas, NV 89103
T: 702-997-5080 ■ F: 702-995-0208 ■ richard@rjyoungblood.com

SDR-41035

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

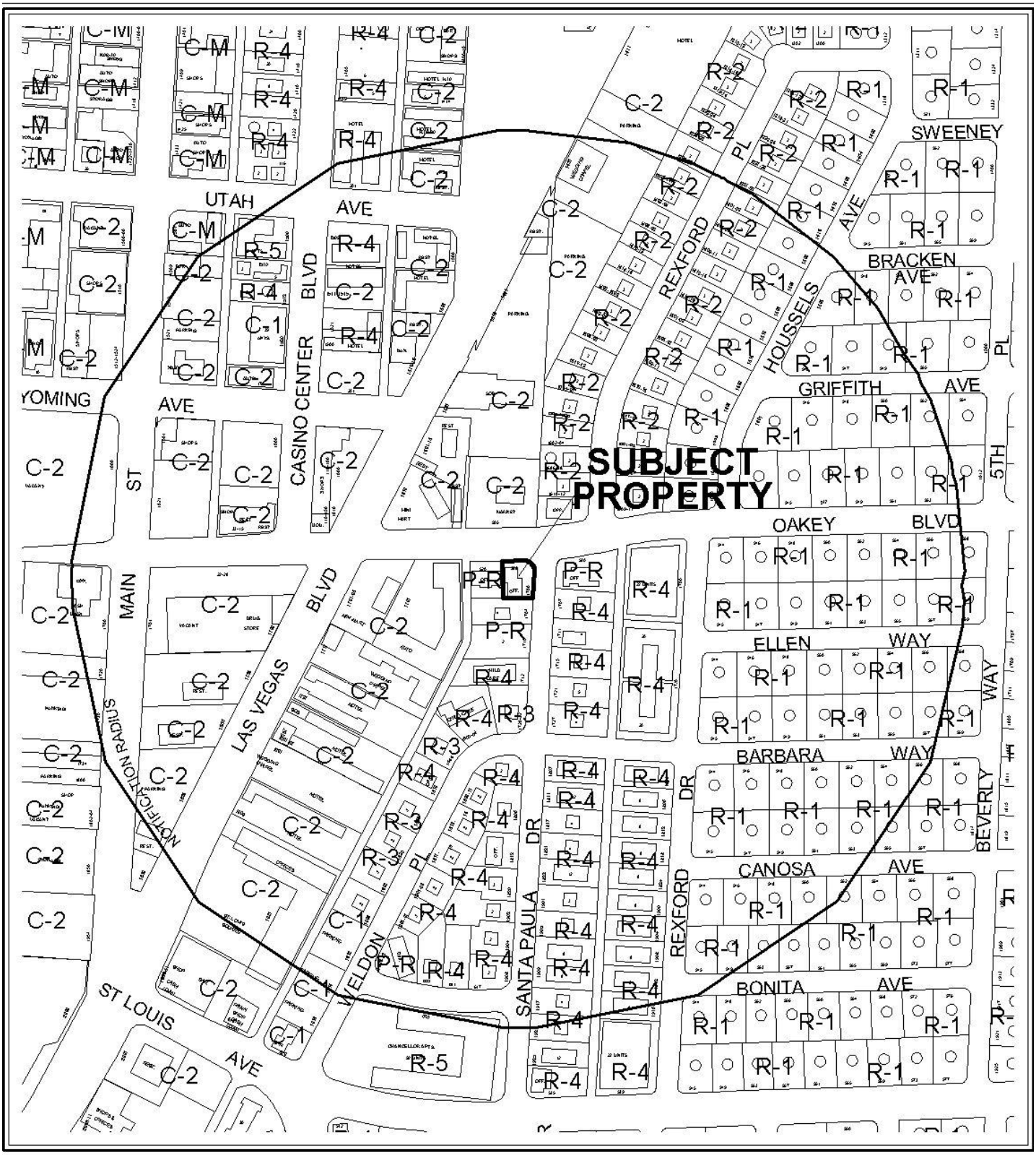
SUBJECT:
ABEYANCE - ZON-40490 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: MARY BARTSAS 19, LLC - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.14 acres at 528 East Oakey Boulevard (APN 162-03-311-002), Ward 3 (Reese). Staff recommends APPROVAL.

C.C.: 05/18/2011

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**2**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps – ZON-40490, VAR-40491 and SDR-40492
2. Conditions and Staff Report - ZON-40490, VAR-40491 and SDR-40492
3. Supporting Documentation
4. Photos - ZON-40490, VAR-40491 and SDR-40492
5. Justification Letter - ZON-40490, VAR-40491 and SDR-40492
6. Protest/Support Postcards - ZON-40490 and VAR-40491



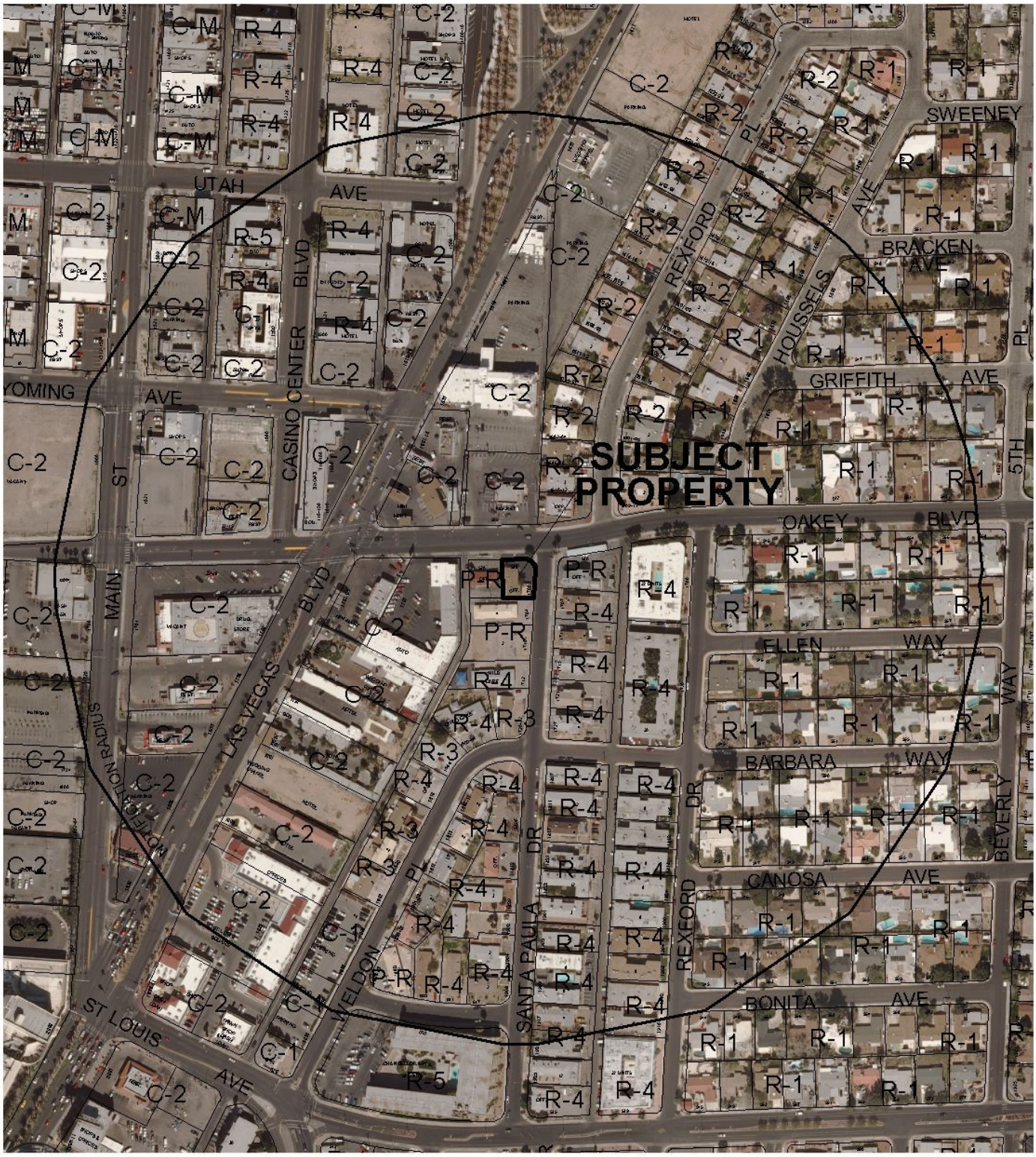
CASE: **ZON-40490; VAR-40491; SDR-40492**

0 300 600 Feet

RADIUS: 1000 FT

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

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



0 300 600 Feet

CASE: **ZON-40490; VAR-40491; SDR-40492**

RADIUS: 1000 FT

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

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

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: MARY BARTSAS 19, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ZON-40490	Staff recommends APPROVAL.	
VAR-40491	Staff recommends DENIAL, if approved subject to conditions:	ZON-40490
SDR-40492	Staff recommends DENIAL, if approved subject to conditions:	ZON-40490 VAR-40491

** CONDITIONS **

VAR-40491 CONDITIONS

Planning

1. Approval of Rezoning (ZON-40490) shall be required and the approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-40492) shall be required, if approved.

2. This approval shall be void two years from the date of final approval unless a building permit has been issued for the change in building occupancy. 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. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to depict three parking spaces on the site; two spaces under the existing carport and one van accessible handicap accessible space to the north of the access drive off of Santa Paula Drive. All parking spaces and drive aisles must meet the minimum requirements of Title 19.10 and spaces may neither be located within the public right-of-way, nor be located so that vehicles must back out onto a public street.

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

SDR-40492 CONDITIONS

Planning

1. Approval of Rezoning (ZON-40490) shall be required and the approval of and conformance to the Conditions of Approval for Variance (VAR-40491) shall be required, if approved.

2. This approval shall be void two years from the date of final approval unless a building permit has been issued for the change in building occupancy. 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 and landscape plan date stamped 02/09/11 and floor plans and building elevations date stamped 12/23/10, except as amended by conditions herein.

4. A Waiver from Title 19.12 is hereby approved, to allow no landscape buffer along the north and east perimeter where a 15-foot wide buffer is required and to allow no landscape buffer along the south and west perimeter where an eight-foot wide buffer is required.

5. An Exception from 19.08.050 is hereby approved, to allow curbside refuse pick-up in lieu of a trash enclosure. The applicant shall provide a letter from the waste service provider to the Department of Planning prior to the issuance of a building permit indicating that curb-side pickup of trash is acceptable after the conversion of the site to commercial use.

6. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 02/09/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

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

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

9. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to depict three parking spaces on the site; two spaces under the existing carport and one van accessible handicap accessible space to the north of the access drive off of Santa Paula Drive. All parking spaces and drive aisles must meet the minimum requirements of Title 19.10 and spaces may neither be located within the public right-of-way, nor be located so that vehicles must back out onto a public street.

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

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

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

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

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

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

Public Works

16. Remove all substandard sidewalk improvements and unused driveway cuts adjacent to this site and replace with new sidewalk meeting current City Standards concurrent with on-site development activities as shown on the approved Site Plan. The existing "pan" style driveways may remain. All existing public improvements damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

17. No onsite parking shall be allowed to back into the public right-of-way.

18. Provide proof of joint access with the adjacent parcel to the west (APN# 162-03-311-001) prior to occupancy of this site.

19. All landscaping and private improvements, if any, 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.

20. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Oakey Boulevard and Santa Paula Drive public rights-of-way adjacent to this site prior to occupancy of this site. The installation and maintenance of all landscaping in the public right of way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the Encroachment Agreement

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site consists of an existing 1,632 square-foot residential duplex at 528 East Oakey Blvd. The applicant proposes to rezone the site from R-4 (High Density Residential) to P-R (Professional Office and Parking) and complete a Site Development Plan Review in order to convert the existing duplex into a professional office. The front and side yards are paved with asphalt and a seven-foot tall detached accessory structure (carport) is located in the rear corner side yard. The site currently contains minimal landscaping with some planters at the front and side of the building, but no new landscaping has been proposed to be added along the perimeter. A Variance to allow three parking spaces where six spaces are required accompanies this request. Staff recommends approval of the requested Rezoning as it is appropriate for the site and will conform to the existing General Plan designation; however, denial of the requested Site Development Plan Review and Variance is recommended. If denied, the site would remain a single-family residence, and a new Site Development Plan Review would be required to convert the site to a commercial use.

ISSUES

- The existing C (Commercial) land use designation supports the requested Rezoning from R-4 (High Density Residential) to P-R (Professional Office and Parking).
- A Variance from Title 19.04 is required to allow three parking spaces where six spaces are required (50% deviation).
- The requested Site Development Plan Review is required due to the change in building occupancy from Residential to Commercial.
- The applicant is proposing no alterations to the existing building or site; therefore a Waiver to the required Perimeter Landscape Buffer Requirement to allow no landscape buffers along all property lines has been requested.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
04/23/81	The Board of Zoning Adjustment approved a Variance (V-0021-81) to allow a parking cover two feet from the side property line where a five-foot setback is required. Staff recommended approval.

Most Recent Change of Ownership	
12/09/03	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
1950	A 1,632 square-foot Residential Duplex was constructed.
07/01/83	A Business License (#Q01-00925) was issued for a Real Estate Firm. This license went inactive on 10/27/08.

Pre-Application Meeting	
08/11/10	A pre-application meeting was held to discuss the requirements for the conversion of an existing residential structure for a commercial occupancy.
03/21/11	Staff communicated with the applicant via email regarding potential additional landscaping. The submitted sketch showed additional plants within the encroachment area and did not specify size or type of plants. No formal landscape plans were submitted.

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

Field Check	
01/26/11	Staff conducted a field check on the indicated date. The following items were noted: • The existing building is currently vacant, the entire site is paved with no parking stripes, and there is one mature Date Palm located at the corner of Santa Paula Drive and Oakey Boulevard. • There is a covered parking structure large enough for two standard parking spaces. • There are curbs cuts located on Oakey Boulevard and Santa Paula Drive. • There are currently two separate power meters for each residential unit.

Details of Application Request	
Site Area	
Net Acres	0.14

Surrounding Property	*Existing Land Use Per Title 19.04*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Apartments	C (Commercial)	R-4 (High Density Residential) [PROPOSED: P-R (Professional Office and Parking)]
North	General Retail	C (Commercial)	C-2 (General Commercial)
South	Offices	C (Commercial)	P-R (Professional Office and Parking)
East	Offices	H (High Density Residential)	P-R (Professional Office and Parking)
West	Offices	C (Commercial)	P-R (Professional Office and Parking)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.050, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Width	60 Feet	70 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	25 Feet	Y
• Rear	15 Feet	5 Feet	N*

Max. Lot Coverage	50 %	26 %	Y
Max. Building Height	Lesser of 2 stories or 35 Feet	12 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	No Trash Enclosure is shown	N
Mech. Equipment	Screened	Unscreened	N

**The existing structure is legally nonconforming for rear yard setbacks.*

Pursuant to Title 19.12, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	2 Trees	0 Trees	N
• South	1 Tree / 30 Linear Feet	2 Trees	0 Trees	N
• East	1 Tree / 20 Linear Feet	3 Trees	0 Trees	N
• West	1 Tree / 30 Linear Feet	3 Trees	0 Trees	N
TOTAL PERIMETER TREES		**10 Trees**	**0 Trees**	**N**
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		0 Feet	N
• South	5 Feet		0 Feet	N
• East	15 Feet		0 Feet	N
• West	8 Feet		0 Feet	N

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Oakey Boulevard	NA	N/A	80	NA
Santa Paula Drive	NA	N/A	50	NA

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Other than Listed	1,632 SF	1:300 SF	6				
TOTAL SPACES REQUIRED			6		3		
Regular and Handicap Spaces Required			5	1	2	1	N
Percent Deviation			50%				

MH

Waivers		
Requirement	***Request***	***Staff Recommendation***
A 15-foot wide landscape buffer along the north and east perimeter as required by Title 19.12.040(A).	No landscape buffer along the north and east perimeter.	Denial
An 8-foot wide landscape buffer along the south and west perimeter as required by Title 19.12.040(A).	No landscape buffer along the south and west perimeter.	Denial

Exceptions		
Requirement	***Request***	***Staff Recommendation***
Refuse collection areas and dumpsters shall be provided in sufficient size and numbers to meet the needs of the development.	To allow curbside pick-up of refuse on a regular schedule.	Denial

ANALYSIS

The surrounding neighborhood land use has been transitioning from residential to commercial over the years, and the underlying C (Commercial) General Plan designation reflects this. Staff recommends approval of the requested rezoning because it is supported by the designated commercial land use. However, an approved Rezoning to the P-R (Professional Office and Parking) zoning district will only change the permitted uses and development standards; therefore, an approved Site Development Plan Review and subsequent completion of a building permit is the process for changing the existing building occupancy. The existing residential duplex, without any internal modifications to the building or any external modifications to the site, cannot operate in a suitable or code-compliant commercial manner in its current state.

The project is accompanied by a Variance to allow three parking spaces where six spaces are required. While public parking within the right-of-way is permissible, the parking spaces within the right-of-way cannot count towards the total number of parking spaces required for onsite parking at this site, as it may be taken away at any time. Three of the required six parking spaces are provided in the corner side yard of the property and are accessed from Santa Paula Drive. The result reflects a 50% reduction in the required parking. This Variance request does not meet the minimum requirements for a variance in that it is a self-imposed hardship. The applicant could provide additional spaces or offset the parking deficiency with shared parking agreements or offsite parking arrangements. Therefore, staff does not support the requested Variance as presented.

The applicant is not proposing any changes to the existing structure or the site and has requested a Waiver to allow no perimeter landscape buffers along the north and east perimeters where 15 feet is required and along the south and west perimeters where eight feet is required. The one mature Date Palm located at the corner of Oakey Boulevard and Santa Paula Drive is within the public right-of-way. Alterations to the building and the site are strongly recommended in order to make the transition from the residential duplex to a professional office building more compatible with the surrounding neighborhood.

In addition to the requested Waiver, an Exception to Title 19.08.050(E)(4)(b) has been requested to allow no dedicated refuse collection area (trash enclosure). The applicant will be required to demonstrate that all refuse will be collected curbside on a regularly scheduled pick-up.

Because of the reluctance to make any significant improvements to the site, staff recommends denial of the Site Development Plan Review and accompanying Variance as requested. If denied, the property will retain the residential occupancy it currently maintains, but will not be allowed to be leased or occupied as a commercial property until a new Site Development Plan Review is approved and exercised.

FINDINGS (ZON-40490)

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 subject site currently maintains the MXU (Mixed Use) General Plan land use designation, which supports the requested P-R (Professional Office and Parking) zoning. Approval of the requested zoning change will change the permitted uses and development standards; however, an approved Site Development Plan Review will only be considered exercised upon the issuance of a building permit demonstrating appropriate building code compliance.

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

   The proposed Office, Other than Listed use is permitted by right within the requested P-R (Professional Office and Parking) zoning district and is compatible with the adjacent P-R zoned properties to the west and south and the neighboring commercial uses to the north and east.

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

   The C (Commercial) land use and the ongoing transformation of the residential properties to office uses demonstrate the appropriateness for the requested Rezoning to the P-R (Professional Office and Parking) zoning district.

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

   Access to the site is provided by Oakey Boulevard and Santa Paula Drive. A cross-access agreement is in place to allow the utilization of the driveway on Oakey Boulevard on the adjacent property to the west. However, the primary access to the site is from Santa Paula Drive as the only suitable area for vehicular parking is located on the east side of the property.

FINDINGS (VAR-40491)

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 not providing any alterations to the site to accommodate the greater demand created by the requested conversion of a residential duplex to an Office building. Alternative site layouts and parking arrangements such as a shared parking agreement or an offsite parking arrangement would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (SDR-40492)

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 requested Rezoning (ZON-40490) to P-R (Professional Office and Parking) is suited for professional office development and these types of uses are anticipated by the General Plan. The residential architectural character of the neighborhood will be maintained to ensure the compatibility with the adjacent 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 site, with approval of a request to rezone the lot at 758 Oakey Avenue to P-R (Professional Office and Parking), will be in conformance with the existing C (Commercial) General Plan land use designation on the site. Waivers of perimeter landscaping buffers are required for approval of the site as proposed. Staff supports the requested request for Rezoning but does not support the Site Development Plan Review or Variance due to the lack of any mitigating design alternatives being presented.

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

   Site access is provided via driveways along Santa Paula Drive and Oakey Boulevard. The parking will be accessed off of Santa Paula Drive and will not have a negative impact on the surrounding streets. There is a shared-access agreement in place with the western adjacent property to utilize the driveway along Oakey Boulevard; however, due to the proximity of the public right-of-way and the resulting depth of the front yard, onsite parking is severely limited, if not impossible, at the north end of the site.

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

There have been no proposed alterations to the existing building or site. The building materials are not appropriate as no improvements are proposed, and the existing structure is somewhat in disrepair. Landscaping materials cannot be considered appropriate as no new materials have been proposed and what is present is considerably deficient in amounts and size. The successful conversion of the existing residential duplex to an office building should incorporate moderate improvements to the building's appearance and the inclusion of landscaping at this time; therefore, staff recommends denial of this requested Site Development Plan Review.

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;

There are no proposed accommodations for commercial property other than what is currently provided for the residential duplex. Staff finds that the lack of any site or façade improvements provides little to support in the way of creating an orderly or aesthetically pleasing environment for a successful Office building conversion.

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

The proposed conversion of the existing residential duplex is subject to permit review and inspection. Appropriate measures must be met prior to the certification of building occupancy in order to protect the health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

NOTICES MAILED 199

APPROVALS 2

PROTESTS 2

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-40490** APN: 162-03-311-002

Name of Property Owner: MARY BARTSAS 19, LLC

Name of Applicant: MARY BARTSAS ENTERPRISES, LL

Name of Representative: ARNOLD STALK

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: AARON HANSEN

Subscribed and sworn before me

This 7th day of September, 2010

Margaret A. Messinger

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARGARET A. MESSINGER
No:94-0231-1
My Appointment Expires June 22, 2014

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: MARY BARTGAS 19, LLC

Project Address (Location) 5240 E. OAKEY BLVD.

Project Name MARY BARTGAS 19, LLC **Proposed Use** PR

Assessor's Parcel #(s) 162-03-311-002 **Ward #** 3-REESE

General Plan: existing C proposed C **Zoning:** existing R-4 proposed PR

Commercial Square Footage 1,632 SF **Floor Area Ratio**

Gross Acres 0.14 **Lots/Units** 1 **Density**

Additional Information

PROPERTY OWNER MARY BARTGAS 19, LLC **Contact** ARNOLD STALK

Address 601 S. RANCHO DR. C-23 **Phone:** 366-0103 **Fax:** 366-9413

City LAS VEGAS **State** NV **Zip** 89106

E-mail Address AHANSEN@BARTGASENTERPRISES.ORG

APPLICANT MARY BARTGAS 19, LLC **Contact** ARNOLD STALK

Address 601 S. RANCHO DR. **Phone:** 366-0103 **Fax:** 366-9413

City LAS VEGAS **State** NV **Zip** 89106

E-mail Address AHANSEN@BARTGASENTERPRISES.ORG

REPRESENTATIVE ARNOLD STALK **Contact** ARNOLD STALK

Address 2701 ACTA DR. **Phone:** 624-5712 **Fax:** 243-2317

City LAS VEGAS **State** NV **Zip** 89107

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 AARON HANSEN

Subscribed and sworn before me

This 7th day of September, 2010.

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARGARET A. MESSINGER
No:94-0231-1
My Appointment Expires June 22, 2014

FOR DEPARTMENT USE ONLY

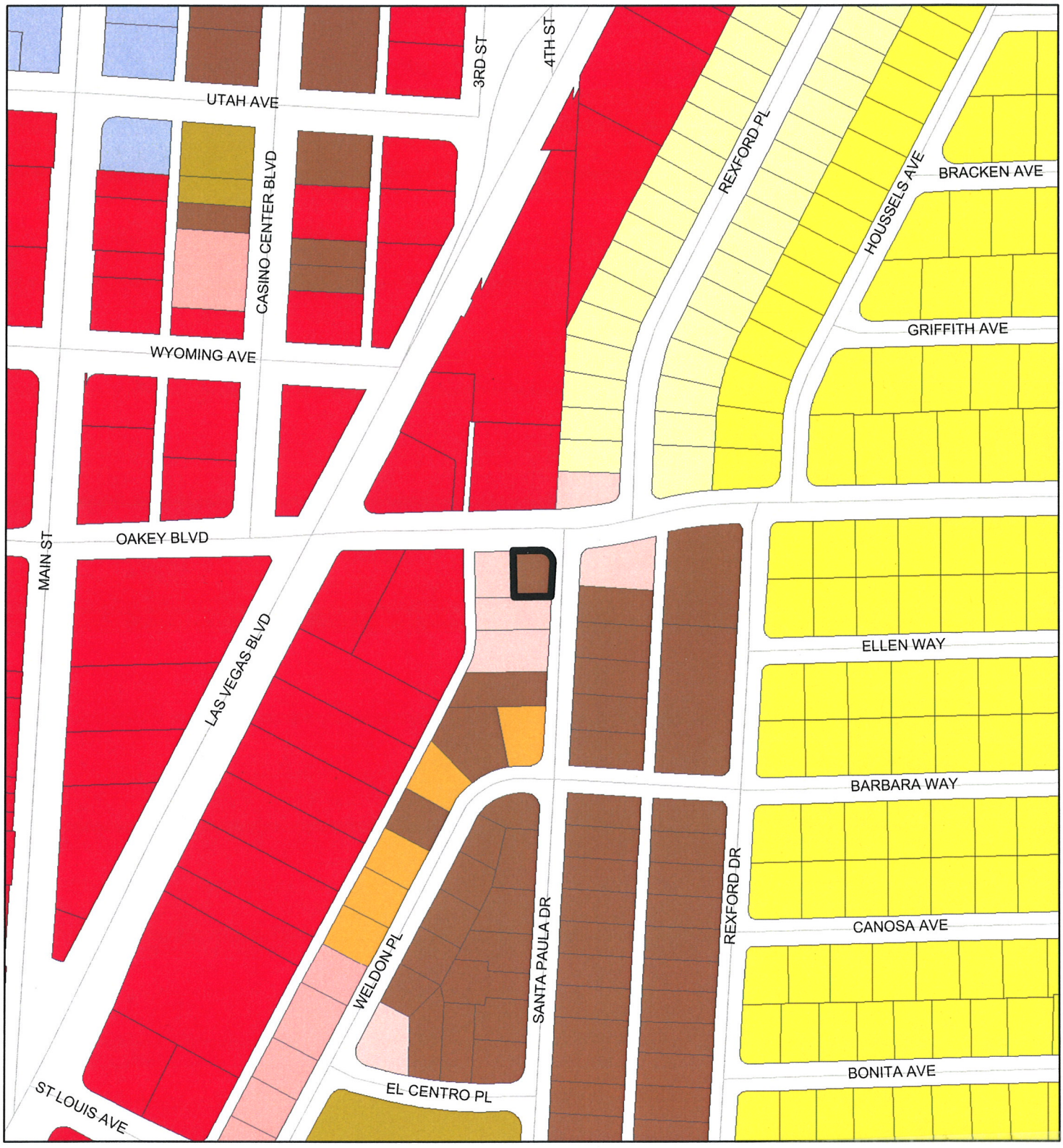
Case #	ZON-40490
Meeting Date:	2-8-10
Total Fee:	1200
Date Received:*	12-16-10
Received By:	F.S

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

Revised 10/27/08

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

REZONING Parcel: 162-03-311-002



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-4 TO P-R

ZON-40490

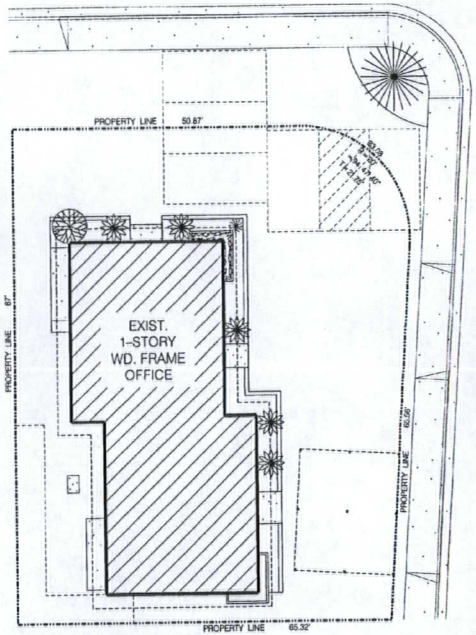
GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.

Geographic Information System
Planning & Development Dept.
702-229-6301

Printed: December 16, 2010

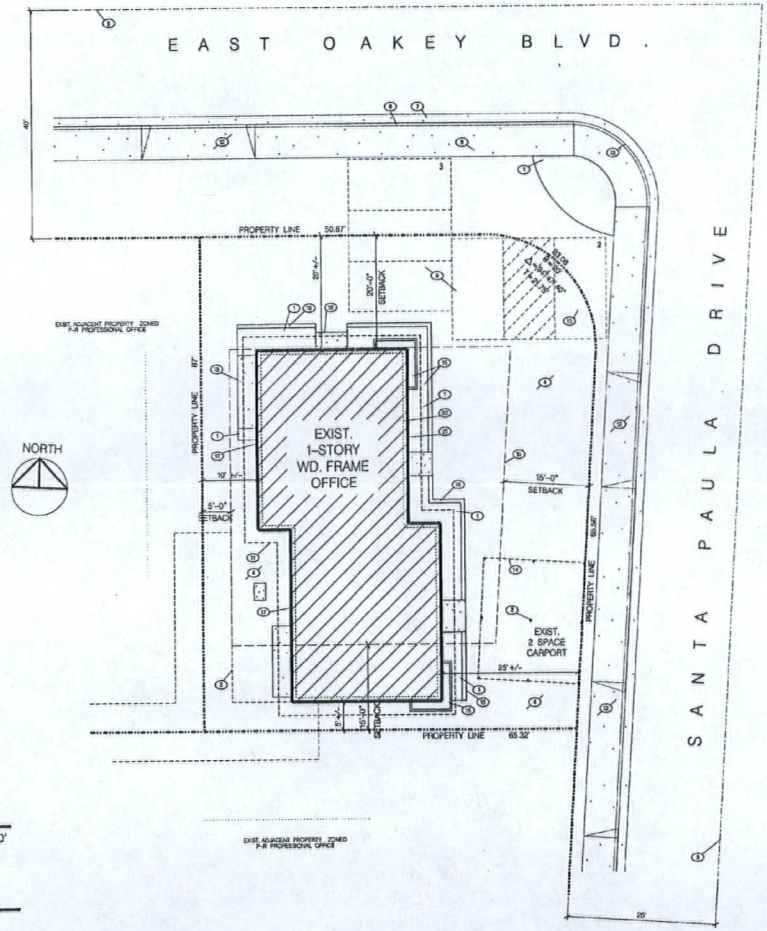
PLANNING & DEVELOPMENT

CONTINUE EXISTING OFFICE USE
528 EAST OAKEY BLVD.
LAS VEGAS, NV



LANDSCAPE PLAN

1" = 10'

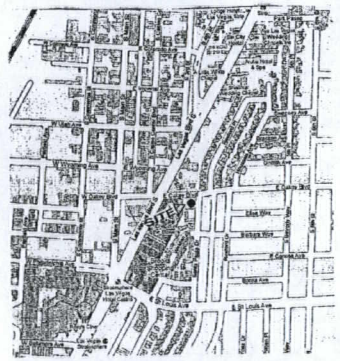


SITE PLAN

1" = 10'

PLANT SCHEDULE

SYMBOL	COMMON NAME	SIZE
	EXIST. LOW WATER USE SHRUB	
	EXIST. YUCCA /YUCCA ALOIFOLIA	
	EXIST. LOW WATER USE GROUND COVER	
	EXIST. PALM TREE	
	EXIST. LOW WATER USE GROUND TREE	



VICINITY MAP

N.T.S.

KEYNOTES

1. EXIST. PLANTER
2. EXIST. 3" SQ. CARPORT COLUMS
3. EXIST. EASEMENT
4. EXIST. ASPHALT PAVED DRIVEWAY
5. CENTERLINE OF STREET
6. EXIST. CONC. CURB
7. EXIST. CONC. GUTTER
8. EXIST. CONC. 6' WIDE SIDEWALK
9. EXIST. (9'x18') REGULAR PARKING SPACE
10. EXIST. (9'x18') HC PARKING SPACE
11. EXIST. 2'-4" ROOF OVERHANG ABOVE
12. EXIST. CURB CUT
13. EXIST. HC DEPRESSED CURB
14. EXIST. CARPORT ROOF OVERHANG ABOVE
15. EXIST. 1'-4" HIGH PLANTER
16. EXIST. PLANTER CURB
17. EXIST. ELECT.
18. EXIST. CONC. PAD
19. REQ'D SETBACK LINE
20. NET FLOOR AREA LINE
21. GROSS FLOOR AREA LINE

CODE ANALYSIS

- SCOPE OF PROJECT: CONTINUE EXISTING PROFESSIONAL OFFICE USE
- CODES USED: LAS VEGAS ZONING CODE TITLE 19A
- ZONING: R-4 TO P-R
- GROSS SITE AREA: 5,808 SQ. FT.
- OCCUPANCY GROUP: B (BUSINESS)
- NET FLOOR AREA 1,493 SQ. FT.
- GROSS FLOOR AREA: 1,632 SQ. FT.
- PARKING REQ'D: 1,632 /300 = 6
- PARKING PROVIDED: 7 SPACES PROVIDED (INCLUDING 1 VAN HC)

LIST OF DRAWINGS

A-1 CODE ANALYSIS, EXISTING SITE PLAN & EXISTING LANDSCAPE PLAN
A-2 EXISTING FLOOR PLAN
A-3 EXISTING BUILDING ELEVATIONS

RECEIVED
FEB - 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

ZON-40490
VAR-40491
SDR-40492

REVISIONS	BY

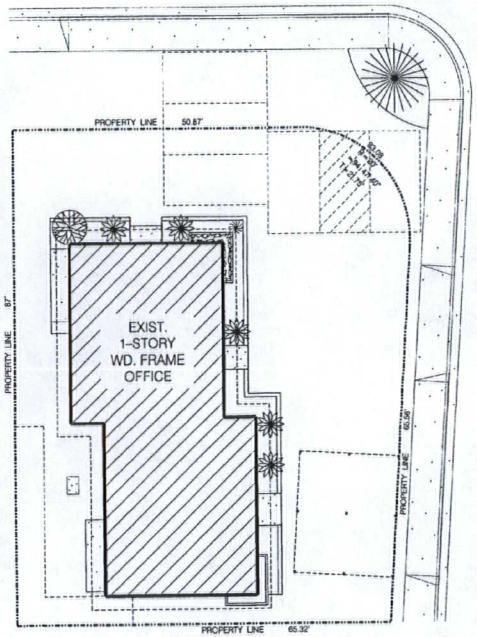
CONTINUE EXISTING OFFICE USE
528 EAST OAKEY BLVD.
LAS VEGAS, NV

ARCHITECTURE DESIGN AND DEVELOPMENT
702-382-0427
fax. 382-9952
2160 W. Charleston Blvd. Suite J
Las Vegas, NV 89102

CODE ANALYSIS
EXISTING SITE PLAN
EXISTING LANDSCAPE PLAN

Date: 9 /14 /10
Scale: 1" = 10'-0"
Drawn:
Job:
Sheet: A-1

CONTINUE EXISTING OFFICE USE
528 EAST OAKEY BLVD.
LAS VEGAS, NV



LANDSCAPE PLAN

1" = 10'

PLANT SCHEDULE

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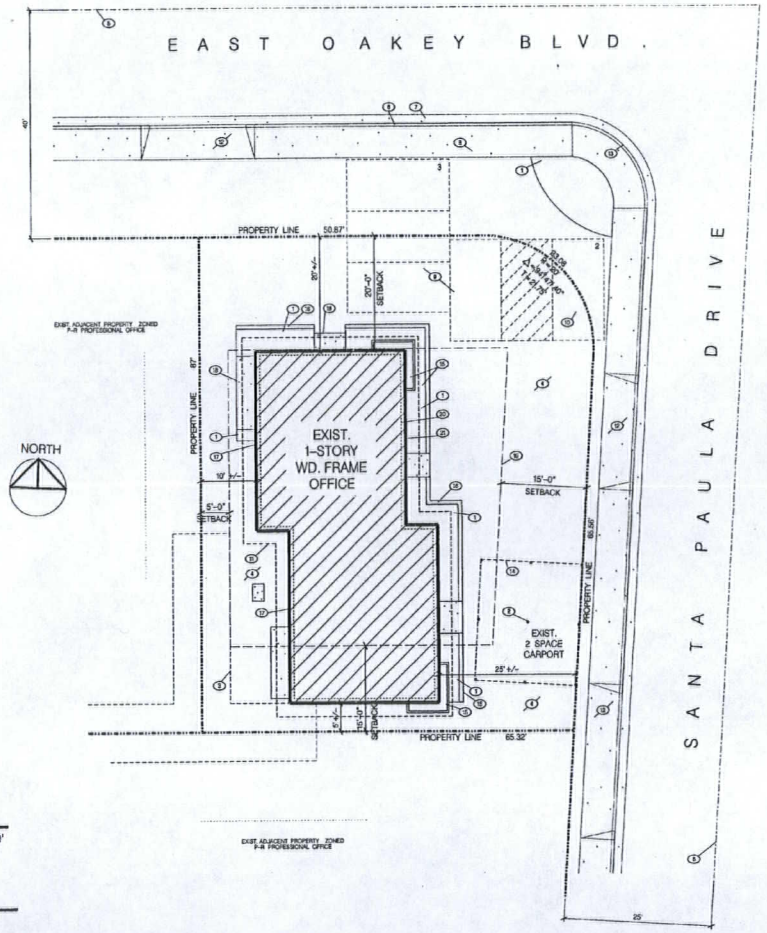
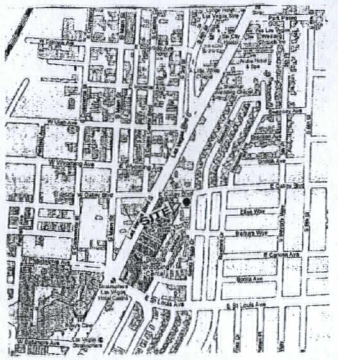
	EXIST. PALM TREE	
	EXIST. LOW WATER USE GROUND TREE	



SITE PLAN

1" = 10'

RECEIVED
FEB - 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT



VICINITY MAP

N.T.S.

KEYNOTES

1. EXIST. PLANTER
2. EXIST. 3" SQ. CARPORT COLUMN
3. EXIST. EASEMENT
4. EXIST. ASPHALT PAVED DRIVEWAY
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17. EXIST. ELECT.
18. EXIST. CONC. PAD
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20. NET FLOOR AREA LINE
21. GROSS FLOOR AREA LINE

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- CODES USED: LAS VEGAS ZONING CODE TITLE 19A
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- PARKING PROVIDED: 7 SPACES PROVIDED (INCLUDING 1 VAN H/C)

LIST OF DRAWINGS

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A-3 EXISTING BUILDING ELEVATIONS

ZON-40490
VAR-40491
SDR-40492

REVISIONS	BY

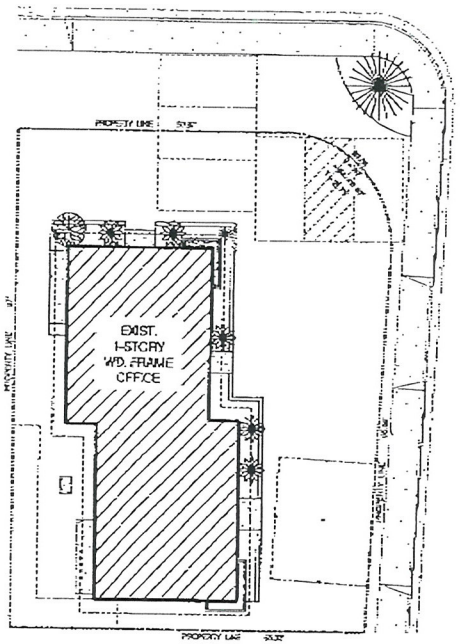
CONTINUE EXISTING OFFICE USE
528 EAST OAKEY BLVD.
LAS VEGAS, NV

ARCHITECTURE
DESIGN AND
DEVELOPMENT
702-382-0427
fax. 382-9952
2160 W. Charleston Blvd. Suite J
Las Vegas, NV 89102

CODE ANALYSIS
EXISTING SITE PLAN
EXISTING LANDSCAPE PLAN

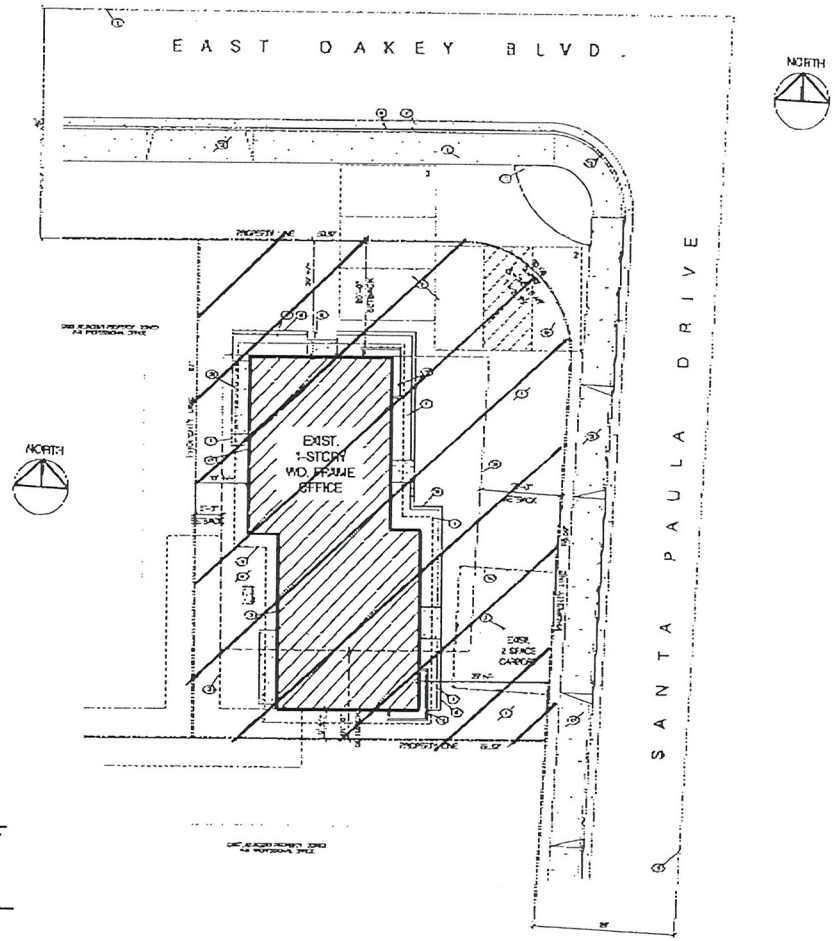
Date: 9 /14 /10
Scale: 1" = 10'-0"
Draft:
Job:
Sheet: A-1
OF

CONTINUE EXISTING OFFICE USE
528 EAST OAKEY BLVD.
LAS VEGAS, NV



LANDSCAPE PLAN

1" = 10'

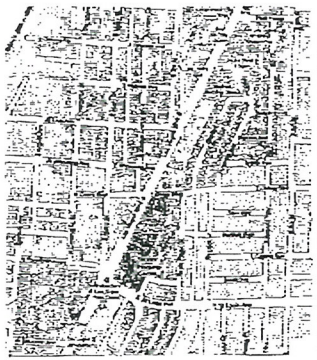


SITE PLAN

1" = 10'

PLANT SCHEDULE

SYMBOL	COMMON NAME	SIZE
	EXIST. LOW WATER USE SHRUB	
	EXIST. YUCCA / YUCCA ALOIFOLIA	
	EXIST. LOW WATER USE GROUND COVER	
	EXIST. PALM TREE	
	EXIST. LOW WATER USE GROUND TREE	



VICINITY MAP

N.T.S.

KEYNOTES

1. EXIST. PLANTER
2. EXIST. 3" SQ. CARPORT COLUMN
3. EXIST. BASEMENT
4. EXIST. REPAVE PAVED GRAVEL
5. EXISTING OF STREET
6. EXIST. CONC. CURB
7. EXIST. CONC. GUTTER
8. EXIST. CONC. 6 WIDE SIDEWALK
9. EXIST. 3 SQ. REGULAR PARKING SPACE
10. EXIST. 3 SQ. HC PARKING SPACE
11. EXIST. 2-4" ROOF OVERHAND ABOVE
12. EXIST. CURB CUT
13. EXIST. HC DEPRESSED CURB
14. EXIST. CARPORT ROOF OVERHANG ABOVE
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16. EXIST. PLANTER CURB
17. EXIST. ELECT.
18. EXIST. CONC. PAD
19. REQ'D SETBACK LINE

CODE ANALYSIS

- SCOPE OF PROJECT: CONTINUE EXISTING PROFESSIONAL OFFICE USE
- CODES: LAS VEGAS ZONING CODE TITLE 19A
- ZONING: R-4 TO R-R
- GROSS SITE AREA: 8,306 SQ. FT.
- OCCUPANCY GROUP: B - BUSINESS
- FLOOR AREA: 1,402 SQ. FT.
- PARKING RATIO: 1:300 / 300 = 3
- PARKING PROVIDED: 7 SPACES PROVIDED (INCLUDING 1 NAV. HC)

LIST OF DRAWINGS

A-1 CODE ANALYSIS EXISTING SITE PLAN & EXISTING LANDSCAPE PLAN
A-2 EXISTING FLOOR PLAN
A-3 EXISTING BUILDING ELEVATIONS

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DEC 23 2010

EXHIBIT 'A'

ZON-40490
VAR-40491
SDR-40492

REVISIONS	BY

CONTINUE EXISTING OFFICE USE
528 EAST OAKEY BLVD.
LAS VEGAS, NV

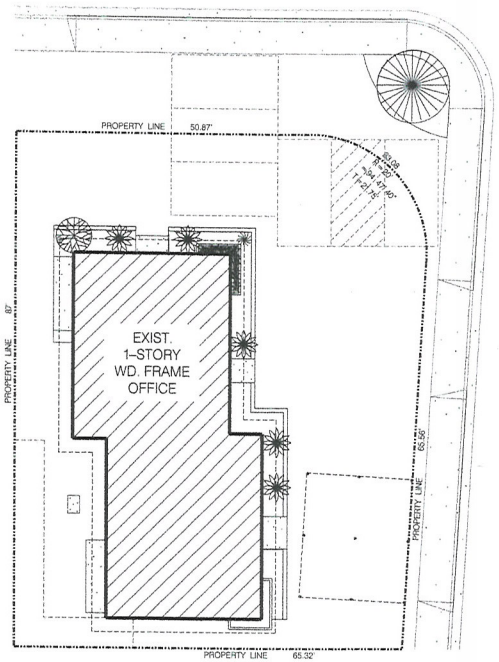
ARCHITECTURE DESIGN AND DEVELOPMENT

CODE ANALYSIS
EXISTING SITE PLAN
EXISTING LANDSCAPE PLAN

A-1

11/17/2010 10:08 7022432377 PAGE 02/02

CONTINUE EXISTING OFFICE USE
528 EAST OAKEY BLVD.
LAS VEGAS, NV



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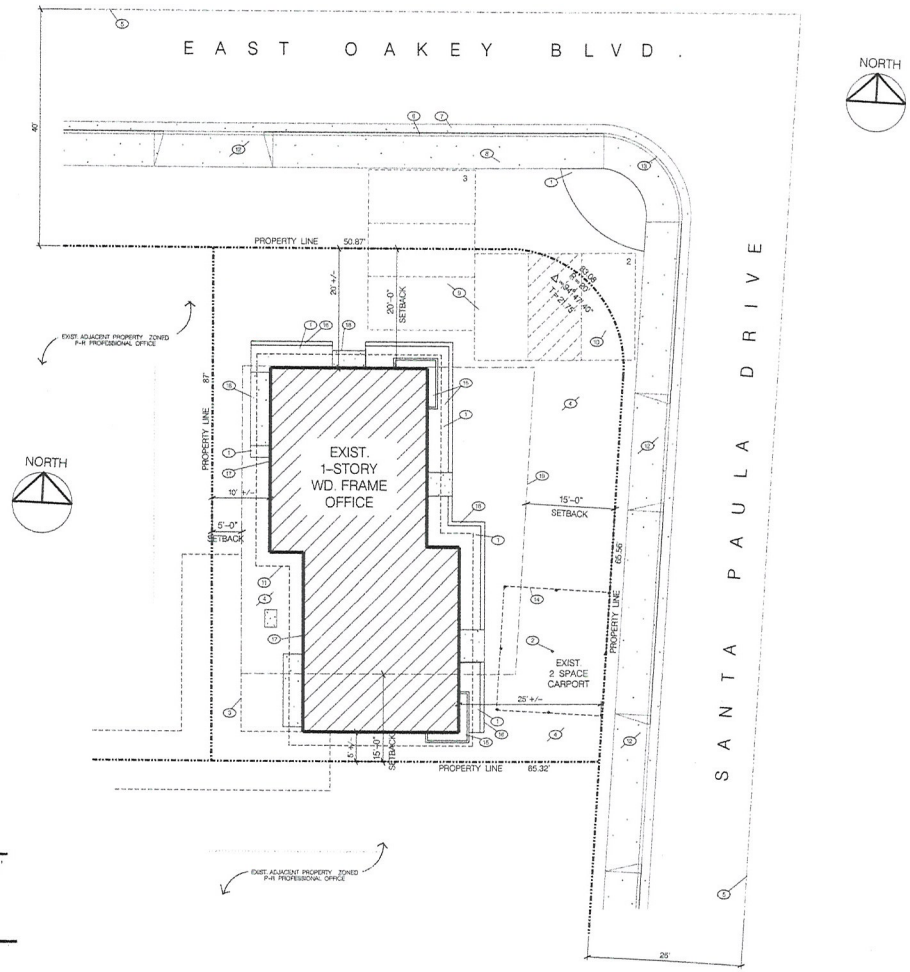

SITE PLAN

1" = 10'

PLANT SCHEDULE

SYMBOL	COMMON NAME	SIZE
	EXIST. LOW WATER USE SHRUB (5 TOTAL)	
	EXIST. YUCCA /YUCCA ALOIFOLIA (1 TOTAL)	
	EXIST. LOW WATER USE GROUND COVER	
	EXIST. PALM TREE (1 TOTAL)	
	EXIST. LOW WATER USE GROUND TREE (1 TOTAL)	

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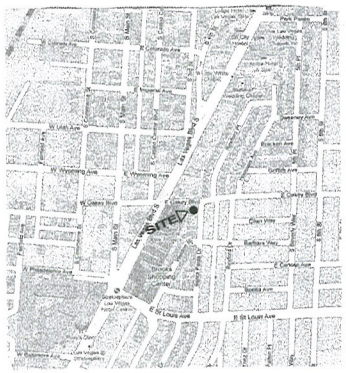
DEC 23 2010



VICINITY MAP

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fax. 382-9952
2190 W. Charleston Blvd. Suite J
Las Vegas, NV 89102

CODE ANALYSIS
EXISTING SITE PLAN
EXISTING LANDSCAPE PLAN

Date 9 /14 /10
Scale 1" = 10'-0"
Drawn
Job
Sheet A-1 OF



KEYNOTES

1. EXIST. WD. FRAME WALLS
2. EXIST. DOOR
3. EXIST. SHELVES
4. EXIST. WALL HUNG CABINETS
5. EXIST. SINK
6. EXIST. 2'-4" ROOF OVERHANG
7. EXIST. CONC. PAD
8. EXIST. TOILET
9. EXIST. STEEL SECURITY GATE
10. EXIST. TUB
11. EXIST. ELECT.
12. EXIST. HANDRAIL
13. EXIST. 1'-4" HIGH PLANTER
14. EXIST. PLANTER
15. EXIST. PLANTER CURB
16. EXIST. CARPORT 3" SQ. MET. COLUMN
17. EXIST. CARPORT ROOF OVERHANG ABOVE

NORTH

EXISTING FLOOR PLAN

1,632 S.F. **BLDG. OCCUPANT LOAD: 17 (@ 1 OCCUP. PER 100 SQ. FT., PER IBC CODE)** 1/4" = 1'-0"

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SDR-40492

REVISIONS	BY

CONTINUE EXISTING OFFICE USE
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LAS VEGAS, NV

ARCHITECTURE
DESIGN AND
DEVELOPMENT

702-382-0427
fax. 382-9952

2160 W. Charleston Blvd. Suite J
Las Vegas, NV 89102

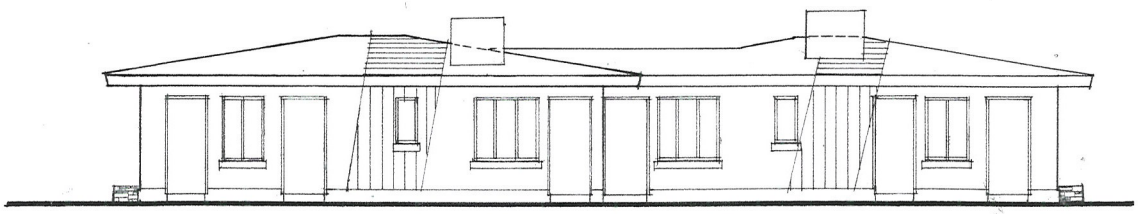
EXISTING FLOOR PLAN

Date: 9 /14 /10
Scale: 1/4" = 1'-0"
Drawn:
Job:
Sheet: A-2
OF

KEYNOTES

ALL ELEVATION FEATURES ARE EXISTING-NO NEW CONSTRUCTION

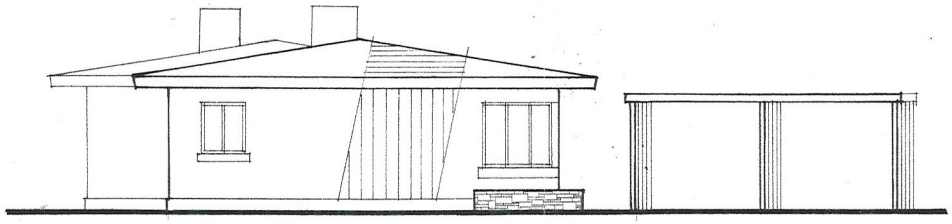
1. ASPHALT SHINGLES
2. 2x8 MASONITE BD. FASCIA
3. 1x6 MASONITE BD. TRIM (UNDER LARGE CORNER WINDOWS)
4. FIELD STONE PLANTER
5. MASONITE BD. SIMULATED WOOD GRAIN SIDING W/ SCORE LINES @ 8" O.C.
6. 1x8 MASONITE BASE TRIM BD.
7. 1x4 MASONITE TRIM BD. (UNDER SMALLER WINDOWS)
8. METAL CARPORT CANOPY STRUCTURE
9. 3" SQ. MTL. CARPORT COLUMN
10. A/C UNIT



KEYNOTES & DIMENS. SAME AS EAST ELEV. BELOW, U.N.O.

EXISTING WEST ELEVATION

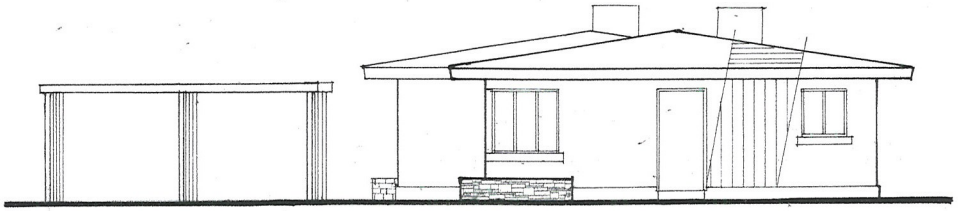
1/4"=1'-0"



KEYNOTES & DIMENS. SAME AS EAST ELEV. BELOW, U.N.O.

EXISTING SOUTH ELEVATION

1/4"=1'-0"



KEYNOTES & DIMENS. SAME AS EAST ELEV. BELOW, U.N.O.

EXISTING NORTH ELEVATION

1/4"=1'-0"

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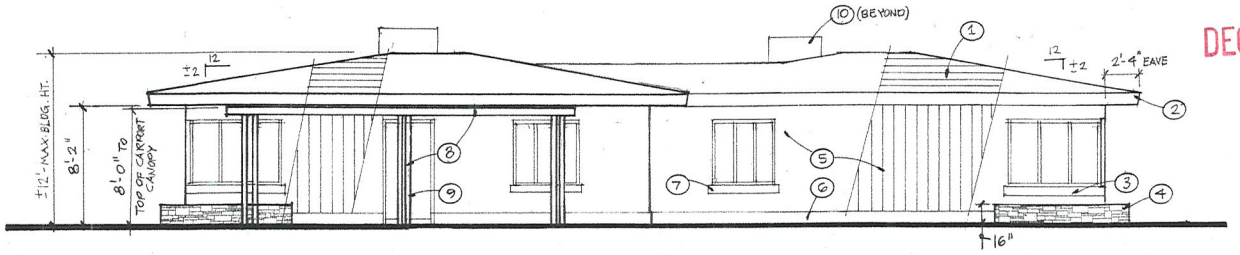
DEC 23 2010



EXISTING EAST ELEVATION

1/4"=1'-0"

ZON-40490
VAR-40491
SDR-40492

REVISIONS	BY

CONTINUE EXISTING OFFICE USE
528 EAST OAKEY BLVD.
LAS VEGAS, NV

Architecture
Design and
Development

702•382•0427
fax: 382•0952

2160 W Charleston • Suite 1
Las Vegas, NV 89102

EXISTING ELEVATONS

Date 9/14/10
Scale
Drawn
Job
Sheet A-3
Of Sheets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NO TRESPASSING
NO LOITERING
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ZON-40490
VAR-40491
SDR-40492


Firestone
RECEIVED
DEC 23 2010
ZON-40490
VAR-40491
SDR-40492


NO TRESPASSING
NO LOITERING
RECEIVED
DEC 23 2010
ZON-40490
VAR-40491
SDR-40492

2701 Alta Drive
Las Vegas, Nevada 89106
702-624-5792 243-2377/FAX

Mary Bartsas 19, LLC

September 1, 2010

City of Las Vegas Department of Planning
731 South Fourth Street
Las Vegas, Nevada 89101

Justification Letter

Re: **Site Development Review**
Variance
Rezoning

Bartsas Office Building
528 E Oakey Blvd., Las Vegas, NV 89104
APN # 162-03-311-002

Proposed Use

The site is currently located with the General Plan designation which is Commercial (C). No change is proposed. The proposed Rezoning proposed is from existing R-4 (High Density Residential) to the proposed P-R (Professional Office and Parking).

The proposed is for Professional office.

The subject site is located within the Beverly Green/Southridge neighborhood. The subject site is also located within the Las Vegas redevelopment project area.

The proposed Rezoning of the site will be consistent and in conformity with the immediate surrounding uses which are professional office uses. The properties located at 520 East Oakey Blvd (Immediately west of the subject site) and 1704 Santa Paula Avenue (Immediately south of the subject site) are have a zoning designation of PR (Professional Office).

A part of this action, we request the following:

1. Variance for parking.
2. Waiver of landscaped buffer.

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DEC 23 2010

Submitted by:

Arnold Stalk PhD
Representative

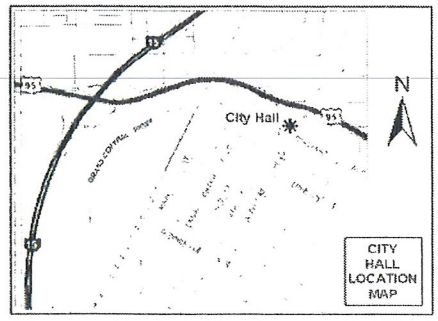
ZON-40490
VAR-40491
SDR-40492

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41[4]
0004279218 FEB 24 2011
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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MAR - 3 2011

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 Department of Planning, Case Planning Division 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-40490 & VAR-40491
Planning Commission Meeting of 3/8/2011

Case: ZON-40490
16203314056
MCELMURRAY DANIEL W
555 ELLEN WY
LAS VEGAS NV 89104-2859

22-23

27 KRDGN11 89104

Application Information

ZON-40490 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: MARY BARTSAS 19, LLC - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.14 acres at 528 East Oakey Boulevard (APN 162-03-311-002), Ward 3 (Reese).

VAR-40491 - VARIANCE RELATED TO ZON-40490 - PUBLIC HEARING - APPLICANT/OWNER: MARY BARTSAS 19, LLC - Request for a Variance TO ALLOW THREE PARKING SPACES WHERE SIX ARE REQUIRED on 0.14 acres at 528 East Oakey Boulevard (APN 162-03-311-002), R-4 (High Density Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 3 (Reese).

SHOULD NOT BE REZONED. IF YOU CANT MEET REQUIREMENTS, THEN THE PROPERTY IS ALREADY ZONED FOR HIGHEST & BEST USE.

Application Location



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

Public Hearing Information

Meeting:	Planning Commission
Date:	***March 08, 2011***
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 Department of Planning, Case Planning Division, Development Services Center, 333 North Rancho Drive, 3rd Floor, Las Vegas, Nevada 89106. 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
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41[4]
0004279218 FEB 24 2011
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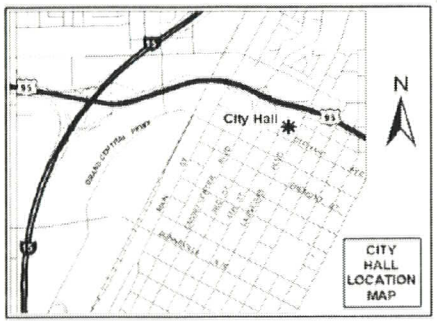
Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-40490 & VAR-40491
Planning Commission Meeting of 3/8/2011

RECEIVED
MAR 23 2011

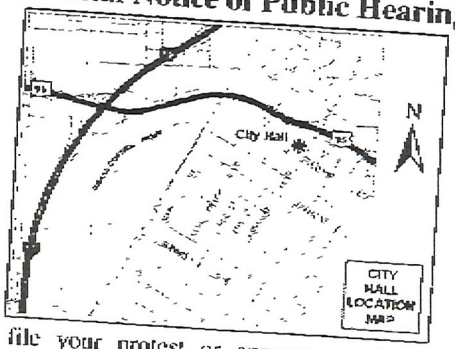
Case: ZON-40490

16203212016
MOONEY COURTNEY
1608 HOUSSELS AVE
LAS VEGAS NV 89104-1431

27 KRDGN11 89104

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request

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ZON-40490 & VAR-40491

Planning Commission Meeting of 3/8/2011

PRESORTED FIRST CLASS

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MAR - 7 2011

16203311002 Case: ZON-40490
BARTSAS MARY 19 L L C
601 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

26 KRDGN11 89106

22-23

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

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0004279218 FEB 24 2011
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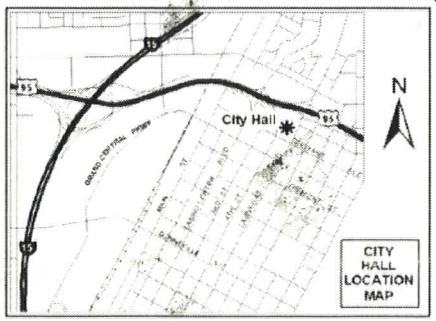
RECEIVED
MAR 14 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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.

ZON-40490 & VAR-40491
Planning Commission Meeting of 3/8/2011

Case: ZON-40490
16203314069
PREECHAYOS SANAN
558 E OAKEY BLVD
LAS VEGAS NV 89104-1442

27 KRDGN11 89104

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

SUBJECT:
ABEYANCE - VAR-40491 - VARIANCE RELATED TO ZON-40490 - PUBLIC HEARING - APPLICANT/OWNER: MARY BARTSAS 19, LLC - Request for a Variance TO ALLOW THREE PARKING SPACES WHERE SIX ARE REQUIRED on 0.14 acres at 528 East Oakey Boulevard (APN 162-03-311-002), R-4 (High Density Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 3 (Reese). Staff recommends DENIAL.

C.C.: 05/18/2011

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**2**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-40491** APN: 162-03-311-002

Name of Property Owner: MARI ~~BARTSAS~~ 19, LLC

Name of Applicant: MARI ~~BARTSAS~~ ENTERPRISES, LLC

Name of Representative: ARNOLD STALK

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: AARON HANSEN

Subscribed and sworn before me

This 7th day of September, 2010

Margaret A. Messinger

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARGARET A. MESSINGER
No:94-0231-1
My Appointment Expires June 22, 2014

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: MARI BARTSAS 19, LLC

Project Address (Location) 528. E. OAKEY BLVD.

Project Name MARI BARTSAS 19, LLC **Proposed Use** _____

Assessor's Parcel #(s) 162-03-311-002 **Ward #** 3-REESE

General Plan: existing C proposed C **Zoning:** existing R-4 proposed PR

Commercial Square Footage 1,632 SF **Floor Area Ratio** _____

Gross Acres 0.14 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER MARI BARTSAS 19 LLC **Contact** ARNOLD STALK

Address 601 S. RANCHO DR. C-23 **Phone:** 366-0103 **Fax:** 366-9413

City LAS VEGAS **State** NV. **Zip** 89106

E-mail Address AHANSEN@BARTSASENTERPRISES.ORG

APPLICANT MARI BARTSAS 19 LLC **Contact** ARNOLD STALK

Address 601 S. RANCHO DR. C-23 **Phone:** 366-0103 **Fax:** 366-9413

City LAS VEGAS **State** NV **Zip** 89106

E-mail Address AHANSEN@BARTSASENTERPRISES.ORG

REPRESENTATIVE ARNOLD STALK **Contact** ARNOLD STALK

Address 2701 ALTA DRIVE **Phone:** 624-5192 **Fax:** 243-2377

City LAS VEGAS **State** NV. **Zip** 89106

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 AARON HANSEN

Subscribed and sworn before me

This 7th day of September, 20 10.

Margaret A. Messinger

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARGARET A. MESSINGER
No:94-0231-1
My Appointment Expires June 22, 2014

FOR DEPARTMENT USE ONLY

Case #	VAR-40491
Meeting Date:	2-8-11
Total Fee:	830
Date Received:*	12/16/10
Received By:	FS

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

Revised 10/27/08

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-40492 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-40490 AND VAR-40491 - PUBLIC HEARING - APPLICANT/OWNER: MARY BARTSAS 19, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 1,632 SQUARE-FOOT RESIDENTIAL DUPLEX TO AN OFFICE, OTHER THAN LISTED WITH WAIVERS TO ALLOW NO PERIMETER LANDSCAPE BUFFERS ALONG THE NORTH AND EAST PERIMETERS WHERE 15 FEET IS REQUIRED AND ALONG THE SOUTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED on 0.14 acres at 528 East Oakey Boulevard (APN 162-03-311-002), R-4 (High Density Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 3 (Reese). Staff recommends DENIAL.

C.C.: 05/18/2011

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**3**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. Protest/Support Postcards

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-40492 APN: 162-03-311-002

Name of Property Owner: MARY BARTSAS 19, LLC

Name of Applicant: MARY BARTSAS ENTERPRISES, LLC

Name of Representative: ARNOLD STALK

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: AARON HANSEN

Subscribed and sworn before me

This 7th day of September, 2010

Margaret A. M

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARGARET A. MESSINGER
No:94-0231-1
My Appointment Expires June 22, 2014

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: MARY BARTSAS 19, LLC

Project Address (Location) 528 E. OAKEY BLVD.

Project Name MARY BARTSAS 19, LLC **Proposed Use** PR

Assessor's Parcel #(s) 162-03-311-002 **Ward #** 3 - REESE

General Plan: existing C proposed C **Zoning:** existing R-4 proposed PR

Commercial Square Footage 1,632 SF **Floor Area Ratio**

Gross Acres 0.14 **Lots/Units** 1 **Density**

Additional Information

PROPERTY OWNER MARY BARTSAS 19, LLC **Contact** ARNOLD STALK

Address 601 S. RANCHO DRIVE C-23 **Phone:** 366-0103 **Fax:** 366-9413

City LAS VEGAS **State** NV **Zip** 89106

E-mail Address AHANSEN@BARTSASENTERPRISES.ORG

APPLICANT MARY BARTSAS 19, LLC **Contact** ARNOLD STALK

Address 601 S. RANCHO DRIVE C-23 **Phone:** 366-0103 **Fax:** 366-9413

City LAS VEGAS **State** NV **Zip** 89106

E-mail Address AHANSEN@BARTSASENTERPRISES.ORG

REPRESENTATIVE ARNOLD STALK **Contact** ARNOLD STALK

Address 2701 ALTA DRIVE **Phone:** 624-5792 **Fax:** 243-2377

City LAS VEGAS **State** NV **Zip** 89107

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 AARON HANSEN

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This 7th day of September, 2010.

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Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARGARET A. MESSINGER
No:94-0231-1
My Appointment Expires June 22, 2014

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SDR-40492
Meeting Date:	2-8-10
Total Fee:	1030.20
Date Received:*	12-16-09
Received By:	FS

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

SDR 40492
Mary Bartsas 19 LLC

528 E. Oakey Avenue

Existing 1.632 thousand square foot office building.

Traffic produced by the development:

Curent Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	1.632	11.01	18
AM Peak Hour			1.55	3
PM Peak Hour			1.49	2

(heaviest 60 minutes)

Existing traffic on all nearby streets:

Las Vegas Blvd.

Average Daily Traffic (ADT)	24,163
PM Peak Hour	1,933

(heaviest 60 minutes)

Oakey Dr.

Average Daily Traffic (ADT)	5,901
PM Peak Hour	472

(heaviest 60 minutes)

Traffic Capacity of adjacent streets:

	Existing Street Capacity
Las Vegas Blvd.	34,500
Oakey Dr.	13,040

This project currently adds approximately 18 trips per day on Las Vegas Blvd., Oakey Rd. and Santa Paula Dr. Las Vegas is currently at about 70 percent of capacity and Oakey is currently at about 45 percent of capacity. This project does not significantly impact these capacities. Counts are not available for Santa Paula Rd., but it is believed to be under capacity.

Based on Peak Hour use, this development adds roughly 3 additional cars into the area; which works out to about one every twenty minutes.

Note that this report assumes all traffic from this development uses all named streets.

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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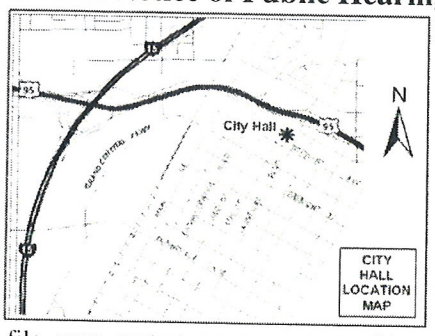
0004279218 FEB 24 2011
MAILED FROM ZIP CODE 89101

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-40492
Planning Commission Meeting of 3/8/2011

Case: SDR-40492
16203314056
MCELMURRAY DANIEL W
555 ELLEN WY
LAS VEGAS NV 89104-2859

27 KROGN11 89104

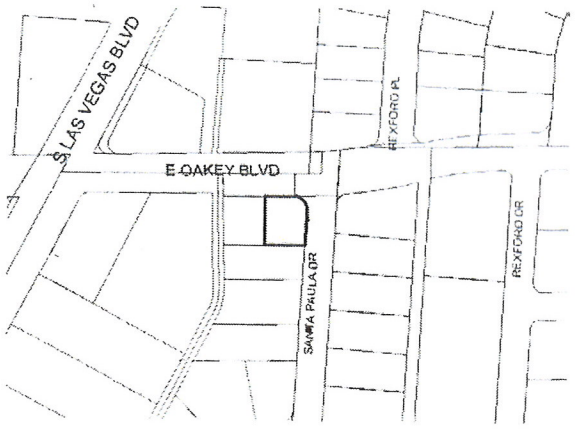
24

Application Information

SDR-40492 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-40490 AND VAR-40491 - PUBLIC HEARING - APPLICANT/OWNER: MARY BARTSAS 19, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 1,632 SQUARE-FOOT RESIDENTIAL DUPLEX TO AN OFFICE, OTHER THAN LISTED WITH WAIVERS TO ALLOW NO PERIMETER LANDSCAPE BUFFERS ALONG THE NORTH AND EAST PERIMETERS WHERE 15 FEET IS REQUIRED AND ALONG THE SOUTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED on 0.14 acres at 528 East Oakey Boulevard (APN 162-03-311-002), R-4 (High Density Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 3 (Reese).

There should be a buffer between Office & residential uses.

Application Location



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

Public Hearing Information

Meeting:	Planning Commission
Date:	***March 08, 2011***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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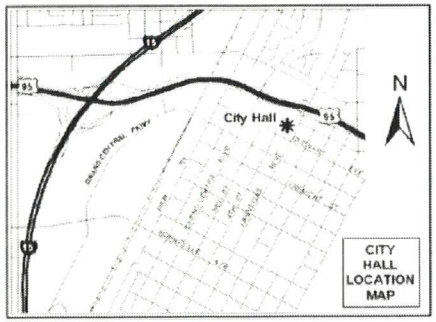

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-40492

Planning Commission Meeting of 3/8/2011

RECEIVED
MAR 23 2011

Case: SDR-40492

16203212016
MOONEY COURTNEY
1608 HOUSSELS AVE
LAS VEGAS NV 89104-1431

27 KRDGN11 89104

City of Las Vegas
Department of Planning
Development Services Center
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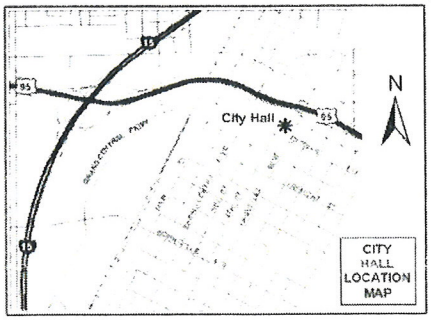

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SDR-40492
Planning Commission Meeting of 3/8/2011

Case: SDR-40492
16203212010
MORNINGSTAR PAULA
1504 HOUSSELS AVE
LAS VEGAS NV 89104-1433

27 KRDGN11 89104

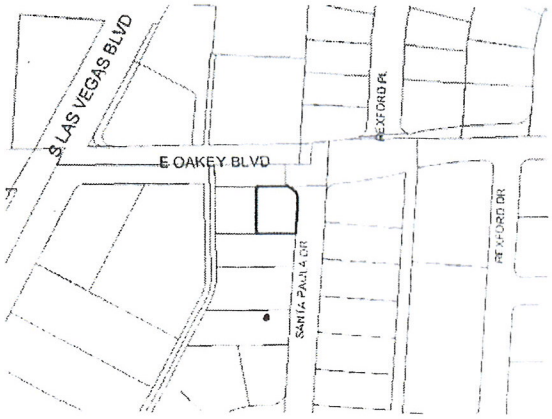
24

Application Information

SDR-40492 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-40490 AND VAR-40491 - PUBLIC HEARING - APPLICANT/OWNER: MARY BARTSAS 19, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 1,632 SQUARE-FOOT RESIDENTIAL DUPLEX TO AN OFFICE, OTHER THAN LISTED WITH WAIVERS TO ALLOW NO PERIMETER LANDSCAPE BUFFERS ALONG THE NORTH AND EAST PERIMETERS WHERE 15 FEET IS REQUIRED AND ALONG THE SOUTH AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED on 0.14 acres at 528 East Oakey Boulevard (APN 162-03-311-002), R-4 (High Density Residential) Zone [PROPOSED: P-R (Professional Office and Parking)], Ward 3 (Reese).

While I support the rezoning of this property, I'd like to see the landscaping requirement upheld in the interest of making this neighborhood's appearance pleasing.

Application Location



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Public Hearing Information

Meeting:	Planning Commission
Date:	***March 08, 2011***
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Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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Department of Planning
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333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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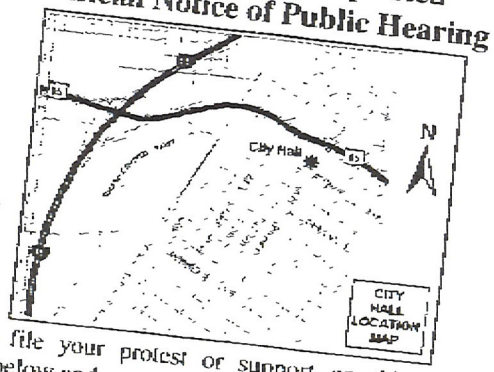

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☒ I SUPPORT this Request

☐ I OPPOSE this Request

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SDR-40492

Planning Commission Meeting of 3/8/2011

RECEIVED
MAR - 7 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

16203311002 Case: SDR-40492
BARTSAS MARY 19 L L C
601 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

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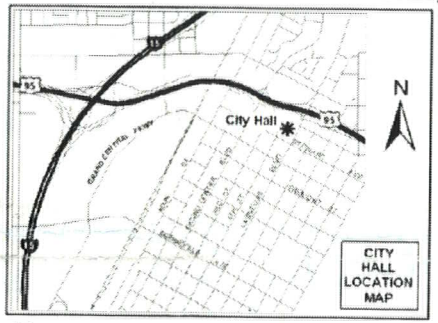
MAR 14 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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 Department of Planning, Case Planning Division 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-40492
Planning Commission Meeting of 3/8/2011

Case: SDR-40492
16203314069
PREECHAYOS SANAN
558 E OAKEY BLVD
LAS VEGAS NV 89104-1442

27 LRDFN11 89104

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

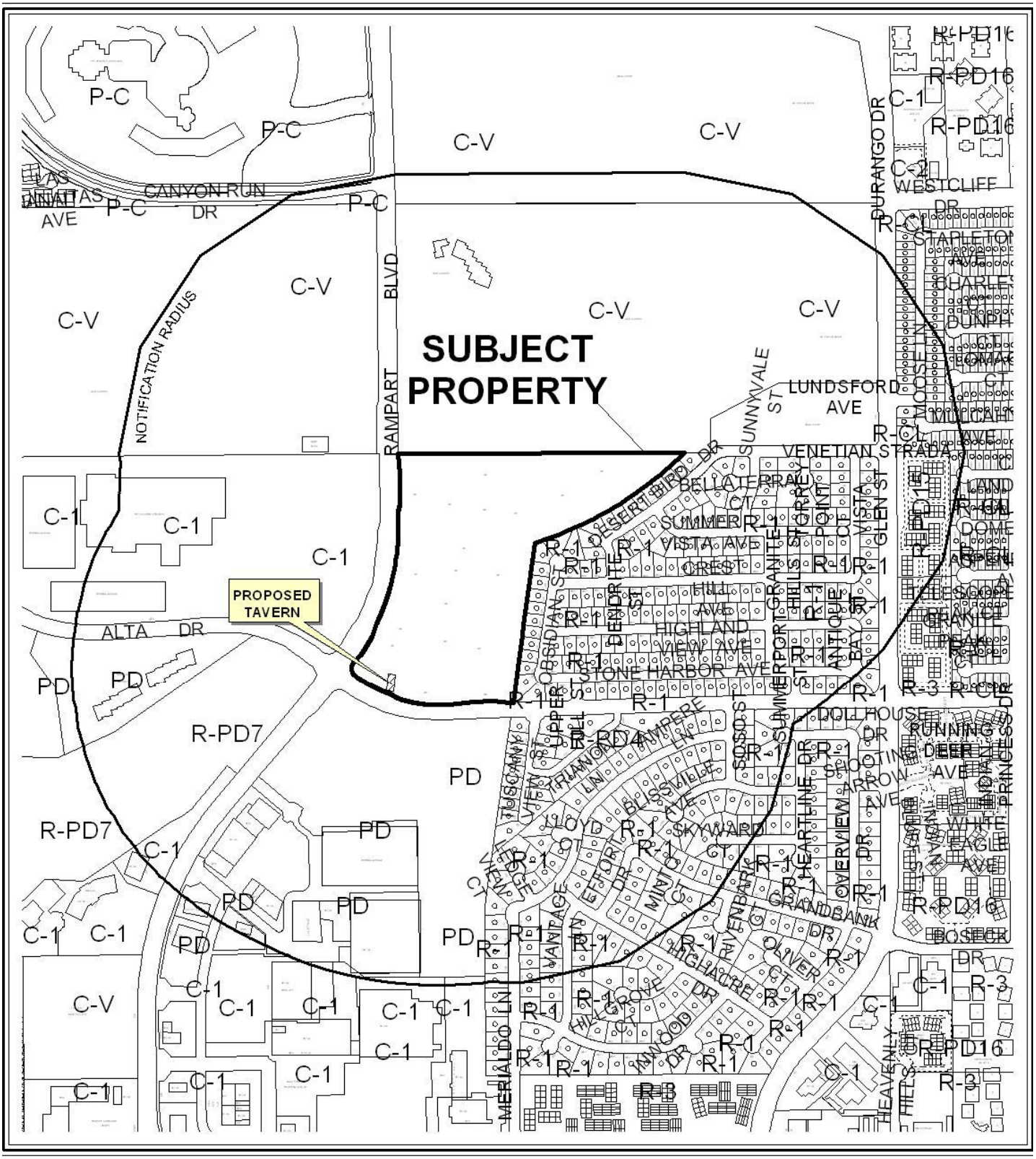
SUBJECT:
ABEYANCE - RENOTIFICATION - SUP-40748 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) WITHIN A 28.44-ACRE MIXED-USE DEVELOPMENT WITH WAIVERS TO ALLOW A DISTANCE SEPARATION OF 141 FEET FROM A PARK WHERE 400 FEET IS REQUIRED AND NO DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at 430 South Rampart Boulevard, Suite #B160 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson). **NOTE: THE WAIVER REQUESTED FROM A CITY PARK IS 141 FEET WHERE 1,500 FEET IS REQUIRED** Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**10**	**Planning Commission Mtg.**	**14**
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. Abeyance Request Letter Submitted by Brown Brown & Premsrirut
4. Supporting Documentation
5. Photos
6. Justification Letter
7. Protest/Support Postcards and Protest Postcard with Correspondence



0 300 600 Feet

CASE: **SUP-40748**

RADIUS: 1500 FT

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



0 300 600 Feet

CASE: **SUP-40748**

RADIUS: 1500 FT

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

N



SUP-40748

Taverns

Business Licenses

Child Care/ Children Facility

Tavern

0 365 730 1,460 Feet

RELIGIOUS

CITY PARKS

SCHOOLS

Subject Property

1500 foot buffer

N



APPROVED ALCOHOL ENTITLEMENTS FOR APN: 13832601003

ALCOHOL USES

- Tavern
- Supper Club/ Restaurant Service Bar
- Beer/Wine/Cooler On Sale
- Subject Property
- 400 foot buffer

N

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

March 29, 2011

City of Las Vegas Planning and Zoning
333 North Rancho Drive
Las Vegas, Nevada 89106

Attention: John Grider

Re: Request for abeyance from April 12, 2011 Planning Commission meeting

Dear Mr. Grider,

Please be advised that this firm represents the property owner, of the Tivoli Villages mixed use property. Items SUP-40748 and SUP-40749 are requests for tavern use permits. Since the time the application was filed, each lessee has requested more floor area within Tivoli Village. As a result, the floor plans are being modified. In order to allow your staff sufficient time to review the pending modifications, we request the items be deferred to the May 10, 2011 Planning Commission hearing.

If you have additional concerns please phone me at 598-1408.

Very truly yours,

Lora Dreja
Land Entitlements
Law Offices of Jay Brown

RECEIVED
MAR 29 2011

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: GREAT WASH PARK, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-40748	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-40748 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Liquor Establishment (Tavern) use.

2. Conformance to the approved conditions for Rezoning (ZON-5653), Special Use Permit (SUP-5853) and Site Development Plan Review (SDR-10770).

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

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

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

6. All 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 6,044 square-foot Liquor Establishment (Tavern) use at 430 South Rampart Boulevard, Suite #B160. The proposed use will be located within the Tivoli Village at Queensridge Mixed-Use development that is currently under construction. The Liquor Establishment (Tavern) use complies with all Title 19.04 requirements and can be conducted in a manner that is harmonious and compatible with existing surrounding development and land uses; therefore, staff recommends approval with conditions. If this application is denied, the proposed Liquor Establishment (Tavern) cannot be located within the subject site, nor can a business license be obtained for the use at this location.

ISSUES

- A Liquor Establishment (Tavern) use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- Waivers are required to allow no distance separation from another Liquor Establishment (Tavern) where 1,500 feet is required and 141 feet from a City Park where 400 feet is required for approval of the Special Use Permit for the Liquor Establishment (Tavern) use. Waivers of these requirements are possible due to the location of the proposed use within a mixed-use development in excess of 15 acres and 250,000 square feet of nonresidential floor space.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/26/98	The City Council approved a Rezoning (Z-0127-97) from U (Undeveloped) zone, M (Medium Density Residential) and SC (Service Commercial) General Plan Designation, under Resolution of Intent to R-PD16 (Residential Planned Development – 16 Units per Acre), to C-2 (General Commercial) at the northeast corner of the intersection of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval of the request.
03/02/05	The City Council approved a request for a Site Development Plan Review (SDR-5657) to allow a Mixed-Use development to include 700,000 square feet of commercial space and 375 residential condominium units in on 10-story and two five-story residential condominium buildings on 30.21 acres adjacent to the northeast corner of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval of the request.

03/02/05	The City Council approved a request for a Special Use Permit (SUP-5853) to allow a proposed Mixed-Use commercial and residential development adjacent to the northeast corner of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval of the request.
04/19/06	The City Council approved a request for a Variance (VAR-10773) to allow 3,955 parking spaces where 4,961 parking spaces is the minimum number of parking spaces required for a proposed Mixed-Use development on 28.69 acres at 8750 Alta Drive. The Planning Commission recommended approval, but staff recommended denial of the request.
	The City Council approved a request for a Site Development Plan Review (SDR-10770) for a 10-story Mixed-Use development consisting of 699,000 square feet of commercial space and 340 residential units on 28.69 acres 8750 Alta Drive. The Planning Commission recommended approval, but staff recommended denial of the request.
06/06/07	The City Council approved a Review of Condition (ROC-21668) to modify Condition Number 9 of an approved Site Development Plan Review (SDR-10770) which stated that all perimeter landscape buffers shall comply with the minimum requirements listed in Title 19.12. Tree spacing within the buffers shall conform to the minimum requirements listed in Title 19.12. To allow a four-foot landscape buffer along the south property line where eight feet is the minimum required for an approved Mixed-Use development on 28.69 acres at 420 South Rampart Boulevard. Staff recommended approval of the request.
07/12/07	The Planning Commission approved a Tentative Parcel Map (TMP-20197) for a 324 unit Mixed-Use development on 28.62 acres at 302 South Rampart Boulevard. Staff recommended approval of the request.
10/01/08	The City Council approved a request for a Special Use Permit (SUP-28998) for a Supper Club and a Waiver to allow a 141-foot separation from a City Park where 400 feet is the minimum required at the northeast corner of Rampart Boulevard and Alta Drive. The Planning Commission and staff recommended approval of the request.
12/17/08	The City Council approved a request for a Special Use Permit (SUP-30583) for a proposed 12,195 square-foot Supper Club and a Waiver to allow a distance separation from a City Park where 400 feet is the minimum required at 440 South Rampart Boulevard, Suite #8120. The Planning Commission and staff recommended approval of the request.
07/01/09	The City Council approved a request for a Special Use Permit (SUP-34175) for a proposed Liquor Establishment (Tavern) with a Waiver to allow no distance separation from a similar use and a 141-foot distance separation from a City Park where 1,500 feet is the allowed at 330 South Rampart Boulevard, Suite #215. The Planning Commission and staff recommended approval of the request.

09/23/10	The Planning Commission approved a request for a Special Use Permit (SUP-39146) for a Liquor Establishment (Tavern) within a 28.69-acre Mixed-Use development with waivers to allow a distance separation of 141 feet from a City Park and to allow no distance separation from a similar use where 1,500 feet is required at 440 South Rampart Boulevard, Suite #180. The Planning and Development Department staff recommended approval of the request.
10/21/10	The Planning Commission approved a request for a Special Use Permit (SUP-39440) for a Supper Club with a waiver to allow a 141-foot distance separation from a City Park where 400 feet is the minimum required at 420 South Boulevard, Suite #180. The Planning and Development Department staff recommended approval of the request.
10/21/10	The Planning Commission approved a request for a Special Use Permit (SUP-39441) for a Liquor Establishment (Tavern) within a 28.69-acre Mixed-Use development with waivers to allow a distance separation of 141 feet from a City Park and to allow no distance separation from a similar use where 1,500 feet is required at 440 South Rampart Boulevard, Suite #B190. The Planning and Development Department staff recommended approval of the request.
12/16/10	The Planning Commission approved a request for a Special Use Permit (SUP-40087) for a Supper Club with a waiver to allow a 141-foot distance separation from a City Park where 400 feet is the minimum required at 400 South Boulevard, Suite #190. The Planning and Development Department staff recommended approval of the request.
	The Planning Commission approved a request for a Master Sign Plan (MSP-40230) for an approved Mixed-Use development on 28.44 acres at the northeast corner of Alta Drive and Rampart Boulevard. The Planning and Development Department staff recommended approval of the request.
03/08/11	The Planning Commission voted to hold a Special Use Permit (SUP-40749) for a Liquor Establishment (Tavern), located at 430 South Rampart Boulevard, Suite #B130 in abeyance to the April 12, 2011 Planning Commission meeting

Most Recent Change of Ownership	
01/16/04	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
There is no business license history at 430 South Rampart Boulevard, Suite #B160, since the building has not received its final certificate of completion.	
02/23/09	A building permit (#07002847) was issued for a renewal of a permit for a certificate of completion for Building #9 at 430 South Rampart Boulevard.

Pre-Application Meeting	
01/10/11	A pre-application meeting was held with the applicant where elements of submitting a Special Use Permit for a Liquor Establishment (Tavern) use were discussed. The topics included: • A waiver is required due to the proximity of the proposed use within 400 feet from a City Park and zero feet from another Liquor Establishment (Tavern), pursuant to Minimum Special Use Permit requirement Number 5d. • The proposed use is located within a Mixed-Use development.

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

Field Check	
01/26/11	A site visit noted that the subject site for this application is currently under construction.

Details of Application Request	
Site Area	
Net Acres	28.44

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Mixed-Use Development (under construction)	GC (General Commercial)	C-2 (General Commercial)
North	Angel Park	PR-OS (Parks/Recreation and Open Space)	C-V (Civic)
South	Shopping Center	SC (Service Commercial)	PD (Planned Development)
East	Single-Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
West	Casino	SC (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Rampart Boulevard	***Primary Arterial***	Master Plan of Streets and Highways	100	Y
Alta Drive	***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 **- Per approved Variance (VAR-10773).**							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Mixed-Use	794,482 SF & 340 Residential Units	Case-by case basis (when originally approved)					
TOTAL SPACES REQUIRED			4,961		3,955		
Regular and Handicap Spaces Required			4,891	70	3,895	60	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
1,500-foot distance separation from another Liquor Establishment (Tavern).	To allow no distance separation.	Approval
400-foot distance separation from City Park.	To allow a 141-foot distance separation.	Approval

ANALYSIS

The Liquor Establishment (Tavern) use is defined by Title 19.20 as "a facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold." The applicant is proposing a 6,044 square-foot lounge/nightclub with a DJ and a stage for live entertainment.

Tivoli Village at Queensridge Mixed-Use development is located adjacent to a Pedestrian Path Trail along Rampart Boulevard as designated within the Transportation Trails Element of the Las Vegas 2020 Master Plan. The pedestrian sidewalk is currently under construction.

The applicant is requesting Waivers to allow no distance separation from a Liquor Establishment (Tavern) use where 1500 feet is required and a 141-foot distance separation from a City Park where 400 feet is required, pursuant to Minimum Special Use Permit requirement Number 5d. The first waiver results from taverns located at the adjacent Angel Park Golf Club and also within the subject Mixed-Use development, as approved through Special Use Permits (SUP-34175 and SUP-39146). The second Waiver is for a City Park located to the north of the mixed-use development.

As the proposed Liquor Establishment (Tavern) will be located within a mixed-use development in excess of 15 acres and 250,000 square feet of nonresidential floor space, the distance separation requirement can be waived per Title 19.04. The development has a net site area of 28.44 acres. The proposed Liquor Establishment (Tavern) is a compatible use with neighboring commercial and residential uses within the approved Mixed-Use development. The proposed use will be compatible and harmonious with the existing uses and future surrounding land uses; therefore, staff recommends approval with conditions.

FINDINGS (SUP-40748)

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 Liquor Establishment (Tavern) use is a compatible use with neighboring commercial and residential uses within the approved Mixed-Use development.

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

The site is physically suitable for this type of use and the intensity is appropriate in this area of the City. Ample site access is provided and adequate parking is being provided in accordance with the approved Variance (VAR-10773) for the Mixed-Use development. The proposed Liquor Establishment (Tavern) is appropriate in these types of Mixed-Use developments.

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

The subject site is accessed by Rampart Boulevard and Alta Drive. Both streets are sufficient to accommodate the amount of vehicular trips associated with the proposed use.

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

Approval of the Special Use Permit is consistent with the General Plan, and will not compromise the public health, safety, or welfare.

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

The proposed use does not meet all Minimum Special Use Permit requirements pursuant to Title 19.04 due to the proximity to a City Park and another Liquor Establishment (Tavern). The requested Waivers of the minimum distance separation requirement are appropriate for the proposed use within a Mixed-Use development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 731

APPROVALS 14

PROTESTS 10

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-40748** APN: 138-32-601-003

Name of Property Owner: Great Wash Park LLC

Name of Applicant: Sofa by Santo Lounge

Name of Representative: Brown Brown & Premsrirut - Contact Lora Dreja

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Todd D. Davis

Subscribed and sworn before me

This 18th day of January, 20 11

Cynthia Callegaro

Notary Public in and for said County and State

NOTARY PUBLIC
CYNTHIA CALLEGARO
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. MARCH 22, 2011
No: 07-2542-1

RECEIVED
JAN 19 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit for Liquor Establishment (Tavern)

Project Address (Location) within Tivoli Village, 430 S. Rampart Boulevard, Suite B160

Project Name Sofa by Santo Lounge **Proposed Use** Tavern

Assessor's Parcel #(s) 138-32-601-003 **Ward #** 2- Wolfson

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

Commercial Square Footage Front Area - 2,804 sqft / Total sqft - 6,044 / Back Area - 3,240 sqft **Floor Area Ratio** See SUP - 5853

Gross Acres 29 + **Lots/Units** N/A **Density** N/A

Additional Information Subject Use Permit is on a portion of a 29 acre C - 2 zoned parcel that holds a mixed use permit SUP - 5853. See also Ordinance 6013.

PROPERTY OWNER Great Wash Park LLC **Contact** Vickie DeHart

Address 9755 West Charleston Boulevard **Phone:** 702-946-6930 **Fax:** 702-946-6931

City Las Vegas **State** Nevada **Zip** 89117

E-mail Address vickie@ehbinc.com

APPLICANT Great Wash Park LLC **Contact** Cynthia Callegaro

Address 1215 S. Fort Apache Road, Suite 240 **Phone:** 702-946-6680 **Fax:** 702-946-6681

City Las Vegas **State** Nevada **Zip** 89117

E-mail Address ccallegaro@ehbcompanies.com

REPRESENTATIVE Brown Brown & Premsrirut **Contact** Lora Dreja

Address 520 South Fourth Street **Phone:** 702-384-5563 **Fax:** 702-385-1023

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

E-mail Address lora@brownlawlv.com

Property Owner Signature* [signature]

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

Print Name Todd D. Davis

Subscribed and sworn before me

This 18th day of January, 20 11.

Cynthia Callegaro

Notary Public in and for said County and State

NOTARY PUBLIC
CYNTHIA CALLEGARO
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. MARCH 22, 2011
No: 07-2542-1

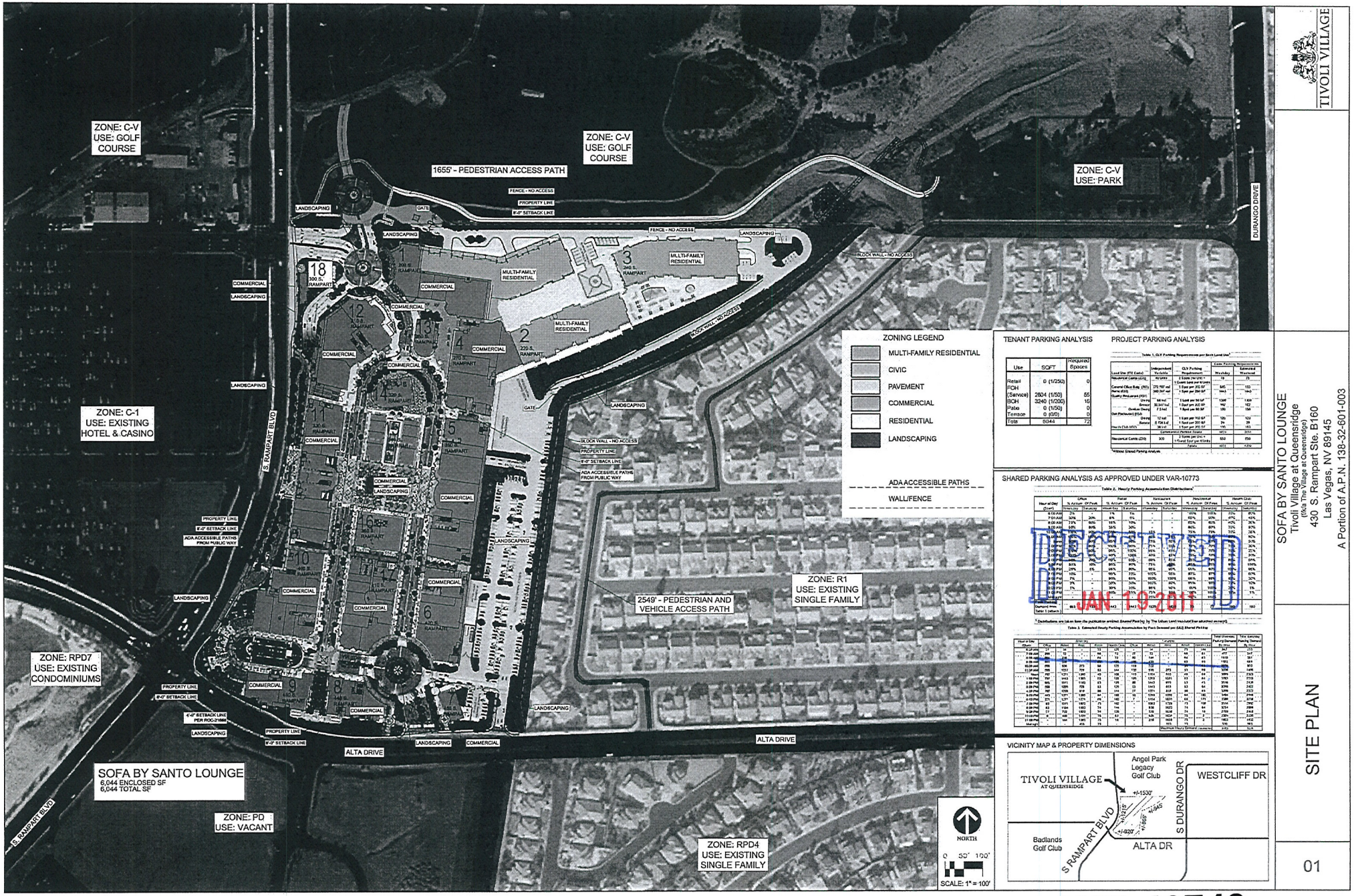
FOR DEPARTMENT USE ONLY

Case #	SUP-40748
Meeting Date:	3/8/11
Total Fee:	$1280
Date Received:*	1/19/11
Received By:	Romeo

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

RECEIVED JAN 19 2011

Revised 10/27/08



ZONING LEGEND

- MULTI-FAMILY RESIDENTIAL
- CIVIC
- PAVEMENT
- COMMERCIAL
- RESIDENTIAL
- LANDSCAPING
- ADA ACCESSIBLE PATHS
- WALL/FENCE

TENANT PARKING ANALYSIS

Use	SQFT	Required Spaces
Retail	0 (1/250)	0
FOH (Service)	2804 (1/50)	56
BOH	3240 (1/200)	16
Patio	0 (1/50)	0
Terrace	0 (0/0)	0
Total	6044	72

PROJECT PARKING ANALYSIS

SHARED PARKING ANALYSIS AS APPROVED UNDER VAR-10773

RECEIVED
JAN 19 2011

VICINITY MAP & PROPERTY DIMENSIONS

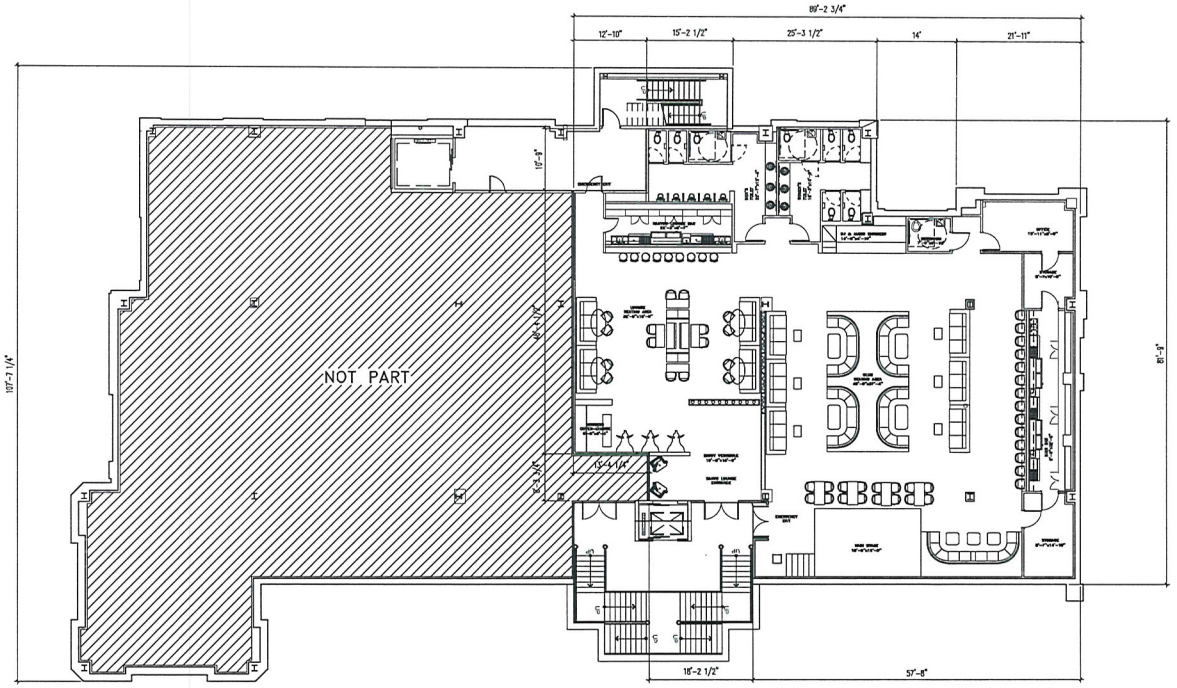
TIVOLI VILLAGE

SOFA BY SANTO LOUNGE
Tivoli Village at Queensridge
(f/k/a The Village at Queensridge)
430 S. Rampart Ste. B160
Las Vegas, NV 89145
A Portion of A.P.N. 138-32-601-003

SITE PLAN

01

SUP-40748



1 Floor Plan
A1.00 SCALE: 1"=10'-0"

Occupancy Load Calculation / Square Footage Chart				
Area description	sq. ft.	sq. ft. total	load factor	occupants
Seating Areas		2,804	15	187
Back Areas:		3,240		
Bar Areas	488		200	3
Restrooms	691		100	7
Office	155		100	2
Storage	237		300	1
DJ Audio Engineer	71		100	1
Stage	225		15	15
Hostess Station	54		100	1
Entry Vestibule	353		100	4
Walkways, Wallspace, Misc	966		100	10
Total		6,044		231

Seat Count Calculation / Capacity	
Area description	Seating
Club Area	77
Lounge Area	36
Bar Areas	23
Total Seating Capacity	136

REC... JAN 19 2011

SUP-40748

SYM.	INIT.	REVISION DESCRIPTION	DATE:

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. THIS DOCUMENT, INCLUDING THE IDEAS AND DESIGNS IT CONTAINS IS AN INSTRUMENT OF PROFESSIONAL SERVICES RENDERED BY PENGUIN CONSTRUCTION. THIS DOCUMENT MAY NOT BE USED, COPIED OR PUBLISHED BY ANY METHOD IN WHOLE OR IN PART FOR ANY PURPOSE OTHER THAN THE SPECIFIC PROJECT WITHOUT THE EXPRESSED CONSENT AND AUTHORIZATION OF PENGUIN CONSTRUCTION.

PENGUIN CONSTRUCTION
NEVADA LIC# 0070384
4080 W. DESERT INN RD STE.#W-111
LAS VEGAS, NEVADA 89102

DAVE Y1

Sofa by Santo Lounge
Tivoli Village At Queensridge
(f/k/a The Village At Queensridge)
430 S. Rampart Blvd., Suite B160
Las Vegas, NV 89145
A Portion of APN #138-32-601-003

FLOOR PLAN

DATE: 01/13/2011
DRAWN BY: STAFF
CHECKED BY: PS
SCALE: AS NOTED

Copyright 2011, Penguin Construction

SHEET
A1.00



SUP-40748 - APPLICANT/OWNER: GREAT WASH PARK, LLC
430 SOUTH RAMPART BOULEVARD, SUITE #B160

01/26/11

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

February 22, 2011

City of Las Vegas
Planning & Development
731 S Fourth Street
Las Vegas, Nevada 89101

Re: Special Use Permit with separation waivers for Liquor Establishment within Tivoli Village at Queensridge Parcel 138-32-601-003, Building 9, Unit B 160 and 170

Dear Sir/Madam;

Please consider this request to allow a Liquor Establishment within a previously approved mixed use development (SUP-5853). Specifically in the basement and on the first level of 430 S. Rampart Boulevard. The site is located within a 29 acre commercial and residential development located at the northeast corner of Alta Drive and Rampart Boulevard. The proposed lounge is accessed from the promenade into a 2566 SF area. Another 6044 SF of the lounge is located subgrade, beneath building nine in the mixed use development. The total area is therefore 8610 SF.

Sofa by Santos Lounge has a lounge/nightclub atmosphere. Under the provisions of Title 19 it is classified as a liquor establishment within a mixed use district. The lease allows the tenant the option to serve food.

Please refer to ordinance 6013 that permits an applicant to request a waiver for the 1500 foot minimum separation requirement between Liquor Establishment and protected uses when the proposed tavern is located in a mixed use district. This Use Permit request requires the application of ordinance 6013 in order for Sofa to operate one the same property as previously approved taverns within Tivoli Village. This request also requires the application of ordinance 6013 to allow this tavern a 0 foot separation between to the liquor establishment located on Angel Park Golf Course that is the adjacent property. A third waiver is required to allow this tavern to be located approximately 141 feet from the boundary of a children's play ground located at Angel Park. This distance is measured property line to property line. The actual walking distance from the proposed tavern is more than 1500 feet and the pathway is encumbered by numerous other buildings, fences and drainage channels. There is not a direct route to drive from this establishment to the park.

If you have additional concerns please phone me at 598-1408.

Very truly yours,

Lora Dreja
Land Entitlements

RECEIVED
FEB 22 2011

SUP-40748
REVISED

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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0004279218 FEB 24 2011
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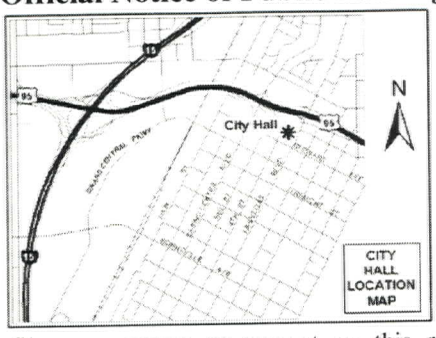
Official Notice of Public Hearing



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MAR 22 2011
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PLANNING & DEVELOPMENT

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-40748
Planning Commission Meeting of 3/8/2011

Case: SUP-40748
13833224056
GOD-GONZALEZ ANNA MARIE
P O BOX 3886
MERRIFIELD VA 22116-3886

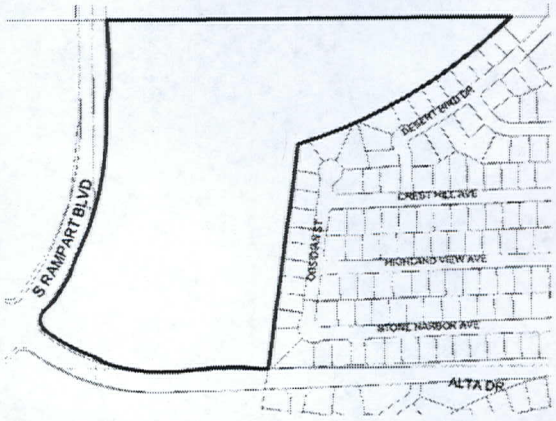
2 KRDGN11 22116

Application Information

SUP-40748 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) WITHIN A 28.44-ACRE MIXED-USE DEVELOPMENT WITH WAIVERS TO ALLOW A DISTANCE SEPARATION OF 141 FEET FROM A PARK WHERE 400 FEET IS REQUIRED AND NO DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at 430 South Rampart Boulevard, Suite #B160 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson).

The residential condos did not need another bar as a neighbor. Please do not allow this usage in our neighborhood. I appose this special use permit.

Application Location



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

Public Hearing Information

Meeting:	Planning Commission
Date:	***March 08, 2011***
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 Department of Planning, Case planning Division, Development Services Center, 333 North Rancho Drive, 3rd Floor, Las Vegas, Nevada 89106. 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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Development Services Center
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Las Vegas, Nevada 89106

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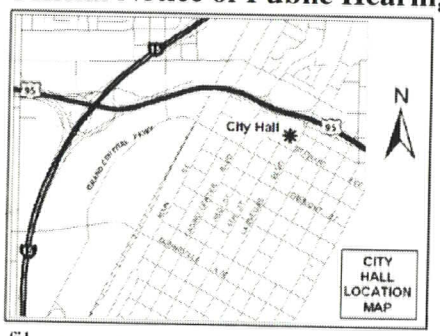

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-40748

Planning Commission Meeting of 3/8/2011

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MAR 28 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-40748

13833224024
CHIOVARI LOU & ANTOINETTE
BOX 25 25 RFD
LONG GROVE IL 60047-0025

112 KRDGN11 60047

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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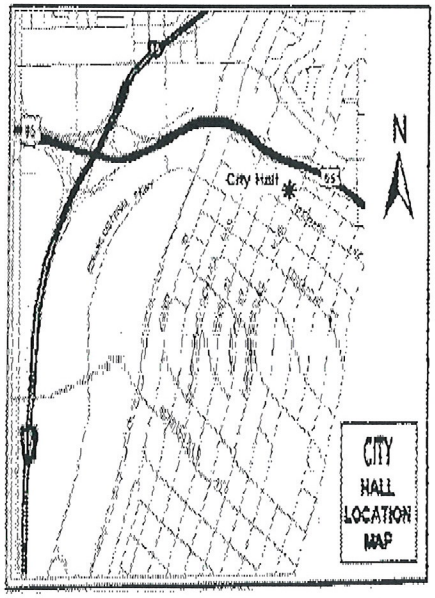

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SUP-40748

Planning Commission Meeting of 3/8/2011

Case: SUP-40748

13832613007
HOOGE JOHN L & JUDITH M REV TR
8620 HIGHLAND VIEW AVE
LAS VEGAS NV 89145-5708

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FEB 28 2011

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Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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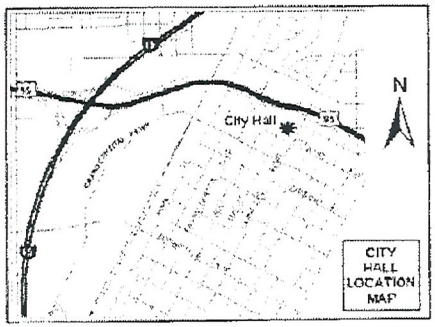

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SUP-40748

Planning Commission Meeting of 3/8/2011

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FEB 28 2011

Case: SUP-40748
13833226003
HARAND ROBERT & CARMENCITA
602 N LINCOLN
BURBANK CA 91506-1930

City of Las Vegas
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Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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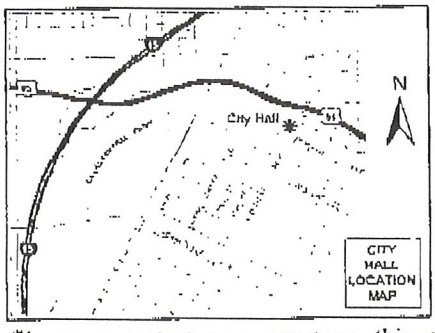

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Planning Commission Meeting of 3/8/2011

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Case: SUP-40748
13832610031
FRANTZEN 1984 FAMILY TRUST
305 VISTA GLEN ST
LAS VEGAS NV 89145-4837

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2011-Mar-02 09:26 From-Neighborhood Justice Center T-627 P.001/001 F-685
7024553652

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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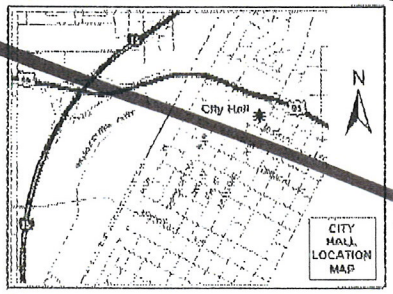

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-40749

Planning Commission Meeting of 3/8/2011

Case: SUP-40749

13832614001
GRAF EDWARD JR
123 SAN MIGUEL RD
PASADENA CA 91105-1442

2 KRDGM11 91105

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Development Services Center
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Las Vegas, Nevada 89106

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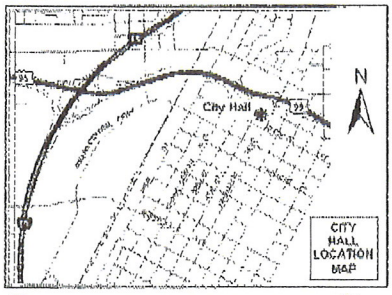

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-40748

Planning Commission Meeting of 3/8/2011

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Case: SUP-40748

13832614001
GRAF EDWARD JR
123 SAN MIGUEL RD
PASADENA CA 91105-1442

2 KRDGM11 91105

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Development Services Center
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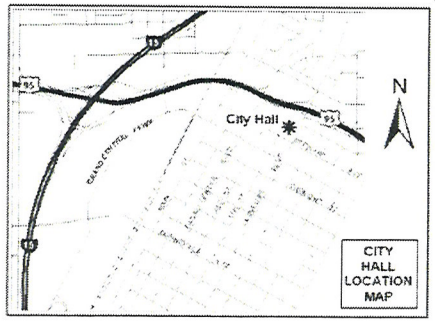

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-40748
Planning Commission Meeting of 3/8/2011

Case: SUP-40748
13832719007
ALTER HARRY & ADELAIDE FAM TR
8625 TRIANON LN
LAS VEGAS NV 89145-4875

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28 KRDGN11 89145

City of Las Vegas
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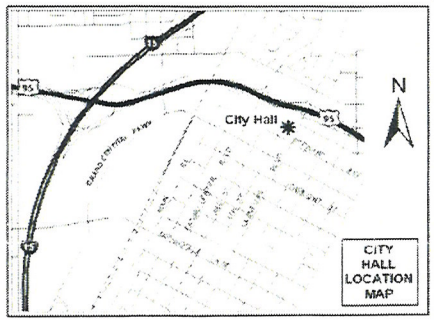

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-40748
Planning Commission Meeting of 3/8/2011

Note: We don't need more Liquor stores in this location. We have enough already! Please stop this madness

Case: SUP-40748

13832613010
ADAMS EDITH A TRUST
8608 HIGHLAND VIEW AVE
LAS VEGAS NV 89145-5708

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MAR -3 2011

37

28 KRDGN11 89145

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Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
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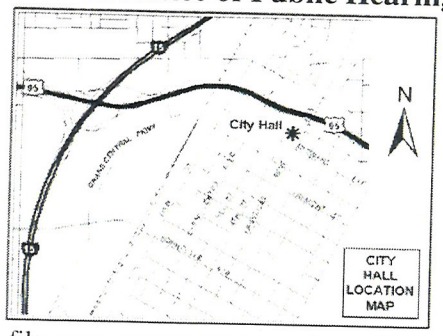

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-40748

Planning Commission Meeting of 3/8/2011

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Case: SUP-40748

13832613041
JENSEN FAMILY TRUST
8505 HIGHLAND VIEW AVE
LAS VEGAS NV 89145-5701

28 KRDGN11 89145

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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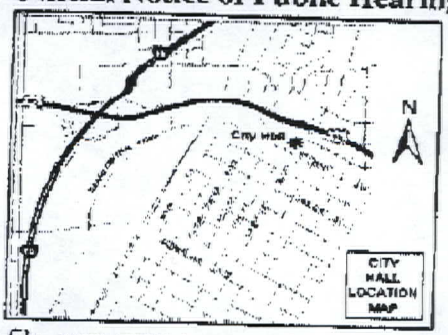

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SUP-40748

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Case: SUP-40748
13832610054
MALLETTE GLENDON L JR & MELANIE
8540 BELLATERRA CT
LAS VEGAS NV 89145-4845

89145 NEVADA

Apr 04 11 08:23a Glen Mallette 7022562814 p.1

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Development Services Center
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Las Vegas, Nevada 89106

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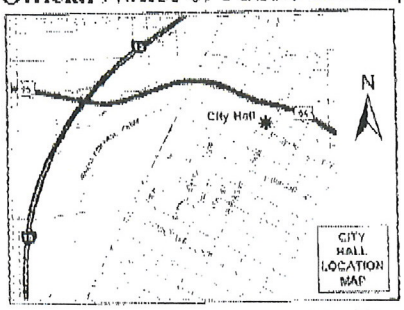

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-40748

Planning Commission Meeting of 3/8/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-40748

13832213202
RIKLIS KADY
P O BOX 11409
BEVERLY HILLS CA 90213-4409

11B KRDCM11 90213

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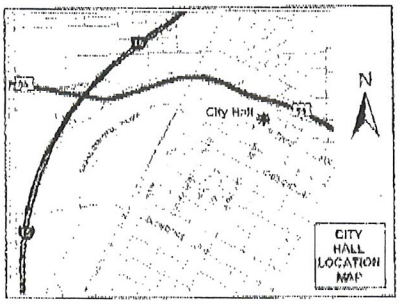

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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-40748

Planning Commission Meeting of 3/8/2011

Case: SUP-40748

13832213201
RIKLIS KRISTOFER
P O BOX 11409
BEVERLY HILLS CA 90213-4409

118 KRDGN11 90213

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City of Las Vegas
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Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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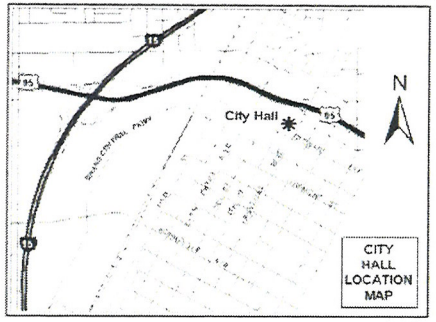

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-40748

Planning Commission Meeting of 3/8/2011

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MAR - 7 2011

Case: SUP-40748

13832213145
HARARI ALON
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

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18 KRDGN11 89117

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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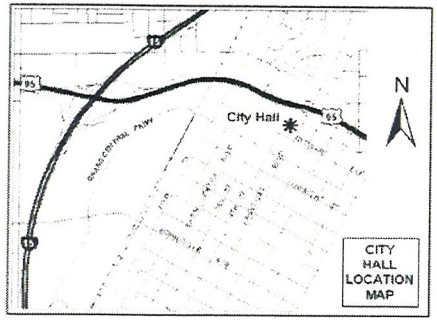

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SUP-40748

Planning Commission Meeting of 3/8/2011

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MAR - 7 2011

Case: SUP-40748

13832723001
R A SOUTHEAST LAND COMPANY L L C
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

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18 KRDGN11 89117

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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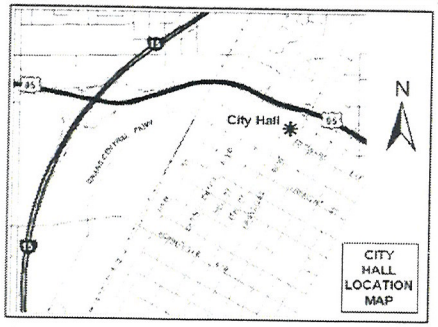

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Planning Commission Meeting of 3/8/2011

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MAR - 7 2011

Case: SUP-40748

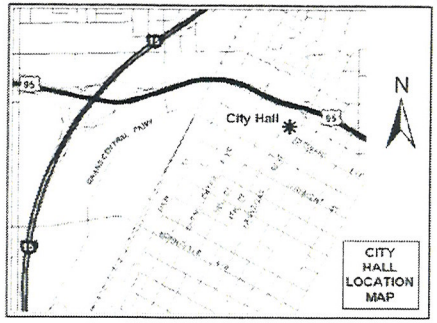
13832213136
PENINI ERAN E & GUY
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

37

18 KRDGN11 89117

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



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

Please use available blank space on card for your comments.

SUP-40748

Planning Commission Meeting of 3/8/2011

PRESORTED FIRST CLASS

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Case: SUP-40748

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WEIL SHAI
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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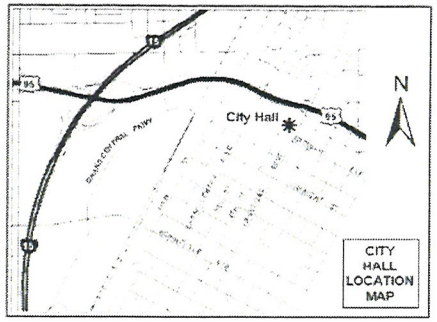

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SUP-40748

Planning Commission Meeting of 3/8/2011

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Case: SUP-40748

13832213168
PANKRATZ FAMILY TRUST
9103 ALTA DR #801
LAS VEGAS NV 89145-8501

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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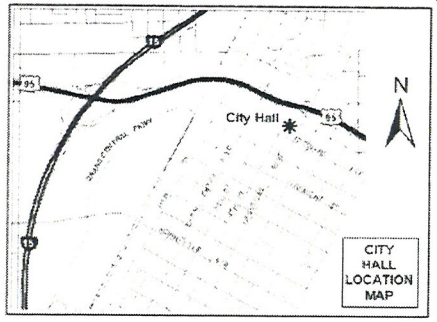

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SUP-40748

Planning Commission Meeting of 3/8/2011

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Case: SUP-40748

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RISSIN LIOR & LIAT
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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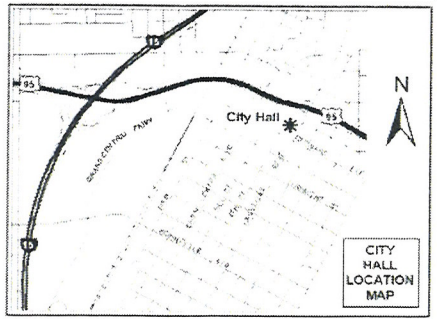

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SUP-40748
Planning Commission Meeting of 3/8/2011

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Case: SUP-40748
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QUEENSRIDGE TOWERS L L C
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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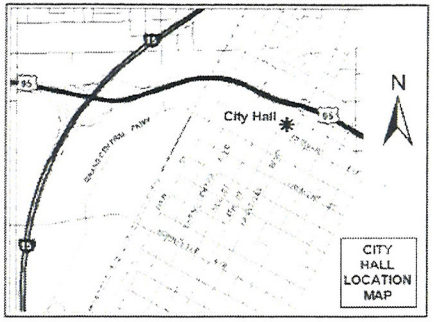

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SUP-40748
Planning Commission Meeting of 3/8/2011

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Case: SUP-40748

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PENINI GUY
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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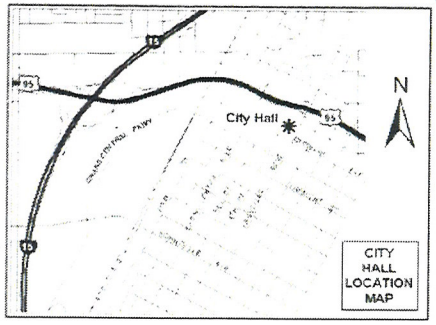

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SUP-40748
Planning Commission Meeting of 3/8/2011

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MAR - 3 2011

Case: SUP-40748

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Q TOWERS F12 L L C
9103 W ALTA DR #1206
LAS VEGAS NV 89145-8501

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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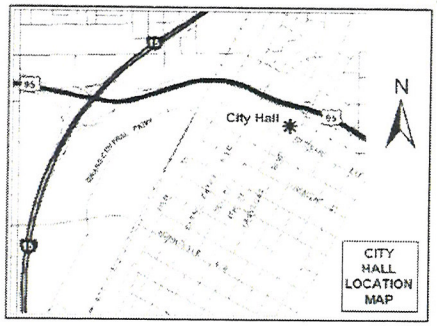

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SUP-40748

Planning Commission Meeting of 3/8/2011

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Case: SUP-40748

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DEHART PAUL B & VICKIE NV RES TR
9103 ALTA DR #2-101
LAS VEGAS NV 89145-8501

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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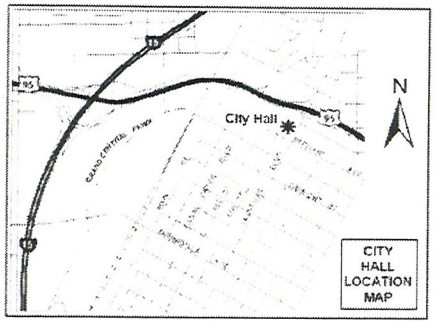

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[X] I SUPPORT this Request

[ ] I OPPOSE this Request

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SUP-40748

Planning Commission Meeting of 3/8/2011

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Case: SUP-40748

13832213195
DEHART SUMMER
9103 W ALTA DR #1207
LAS VEGAS NV 89145-8501

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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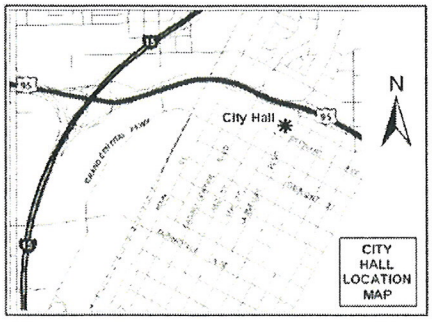

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Please use available blank space on card for your comments.

SUP-40748
Planning Commission Meeting of 3/8/2011

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13832718015 Case: SUP-40748
THOMPSON MARGRETT & JERALYN M
8644 BLISSVILLE AVE
LAS VEGAS NV 89145-4872

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192

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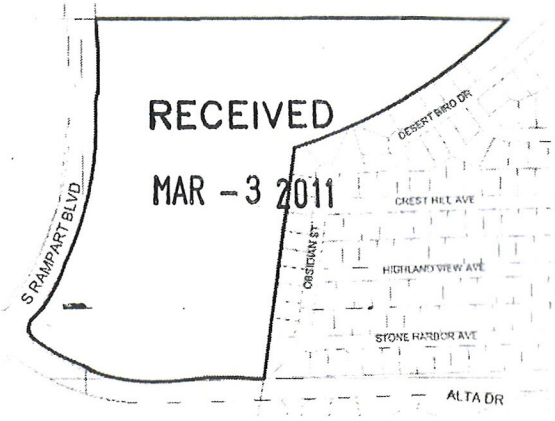
SUP-40748 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) WITHIN A 28.44-ACRE MIXED-USE DEVELOPMENT WITH WAIVERS TO ALLOW A DISTANCE SEPARATION OF 141 FEET FROM A PARK WHERE 400 FEET IS REQUIRED AND NO DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at 430 South Rampart Boulevard, Suite #B160 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson).

No More Bars You Screwed West Mesa & Angel Park Blockade The Entrance To Boca Park With Divider & Red light That Brings Traffic Thru Our Once Quiet Neighborhood & Right Turn Only To Rampart Would Have Worked. Why Would You Disturb Our Neighborhood For A Distance Of 2 Blocks



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

Public Hearing Information

Meeting:	Planning Commission
Date:	*March 08, 2011*
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 Department of Planning, Case Planning Division. Development Services Center, 333 North Rancho Drive, 3rd Floor, Las Vegas, Nevada 89106. 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.

Just To Use Durango – How Inconsiderate To The Tax Payers Of This Area. Triple Five Got Away Without Building The Wall Bethany

Our Neighborhood (West Mesa). I Bet you forgot about that one.

You allowed Queens Ridge to Build ugly Gothic looking Buildings that have Destroyed the look of our Neighborhood.

You allowed a Big ugly stacked up Building to Be Built over a Gorge (once naturally Beautiful).

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MAR - 3 2011

The Buildings are sitting to close to the street (Alta Side) & Now we are possibly looking at a Bridge across Alta ???

It now takes me approximately six minutes from Alta & SoSo to get to the Durango-95 on Ramp.

Can't Imagine what it will Be like once your new vision of this area is fully operational.

In this economy our once nice/quiet Neighborhood will look like the strip as a ghost town.

282

I Guess we can salvage it as a ghost town & it can Become a new attraction for tourist — But then again — you don't want to lose any Business on the strip. Meanwhile we'll all Be waiting at Alta & Durango in traffic.

City of Las Vegas Agenda Item No.: **18.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

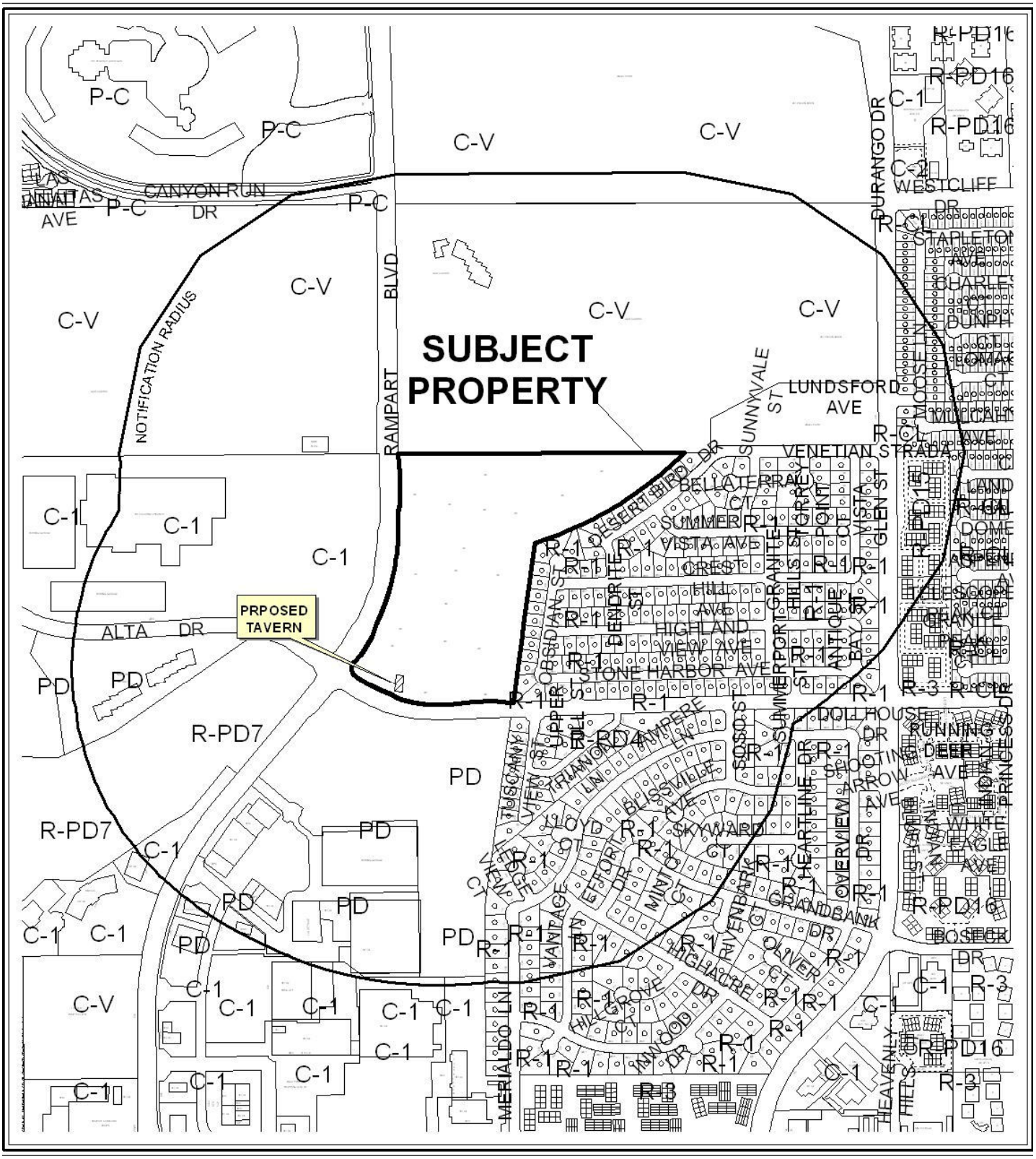
SUBJECT:
ABEYANCE - RENOTIFICATION - SUP-40749 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) WITHIN A 28.44-ACRE MIXED-USE DEVELOPMENT WITH WAIVERS TO ALLOW A DISTANCE SEPARATION OF 141 FEET FROM A PARK WHERE 400 FEET IS REQUIRED AND NO DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at 430 South Rampart Boulevard, Suite #B130 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson). **NOTE: THE WAIVER REQUESTED FROM A CITY PARK IS 141 FEET WHERE 1,500 FEET IS REQUIRED** Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**10**	**Planning Commission Mtg.**	**15**
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. Abeyance Request Letter Submitted by Brown Brown & Premsrirut
4. Supporting Documentation
5. Photos
6. Justification Letter
7. Protest/Support Postcards



0 300 600 Feet

CASE: **SUP-40749**

RADIUS: 1500 FT

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

N



0 300 600 Feet

CASE: **SUP-40749**

RADIUS: 1500 FT

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

N



SUP-40749

Taverns

Business Licenses

Child Care/ Children Facility

Tavern

0 360 720 1,440 Feet

RELIGIOUS

CITY PARKS

SCHOOLS

Subject Property

1500 foot buffer

N



APPROVED ALCOHOL ENTITLEMENTS FOR APN: 13832601003

ALCOHOL USES

- Tavern
- Supper Club/ Restaurant Service Bar
- Beer/Wine/Cooler On Sale
- Subject Property
- 400 foot buffer

N

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

March 29, 2011

City of Las Vegas Planning and Zoning
333 North Rancho Drive
Las Vegas, Nevada 89106

Attention: John Grider

Re: Request for abeyance from April 12, 2011 Planning Commission meeting

Dear Mr. Grider,

Please be advised that this firm represents the property owner, of the Tivoli Villages mixed use property. Items SUP-40748 and SUP-40749 are requests for tavern use permits. Since the time the application was filed, each lessee has requested more floor area within Tivoli Village. As a result, the floor plans are being modified. In order to allow your staff sufficient time to review the pending modifications, we request the items be deferred to the May 10, 2011 Planning Commission hearing.

If you have additional concerns please phone me at 598-1408.

Very truly yours,

Lora Dreja
Land Entitlements
Law Offices of Jay Brown

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MAR 29 2011

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: GREAT WASH PARK, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-40749	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-40749 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Liquor Establishment (Tavern) use.

2. Conformance to the approved conditions for Rezoning (ZON-5653), Special Use Permit (SUP-5853) and Site Development Plan Review (SDR-10770).

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

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

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

6. All 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 6,898 square-foot Liquor Establishment (Tavern) use at 430 South Rampart Boulevard, Suite #B130. The proposed use will be located within the Tivoli Village at Queensridge Mixed-Use development that is currently under construction. The Liquor Establishment (Tavern) use complies with all Title 19.04 requirements and can be conducted in a manner that is harmonious and compatible with existing surrounding development and land uses; therefore, staff recommends approval with conditions. If this application is denied, the proposed Liquor Establishment (Tavern) cannot be located within the subject site, nor can a business license be obtained for the use at this location.

ISSUES

- A Liquor Establishment (Tavern) use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- Waivers are required to allow no distance separation from another Liquor Establishment (Tavern) where 1500 feet is required and 141 feet from a City Park where 400 feet is required for approval of the Special Use Permit for the Liquor Establishment (Tavern) use. Waivers of these requirements are possible due to the location of the proposed use within a mixed-use development in excess of 15 acres and 250,000 square feet of nonresidential floor space.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/26/98	The City Council approved a Rezoning (Z-0127-97) from U (Undeveloped) zone, M (Medium Density Residential) and SC (Service Commercial) General Plan Designation, under Resolution of Intent to R-PD16 (Residential Planned Development – 16 Units per Acre), to C-2 (General Commercial) at the northeast corner of the intersection of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval of the request.

03/02/05	The City Council approved a request for a Site Development Plan Review (SDR-5657) to allow a Mixed-Use development to include 700,000 square feet of commercial space and 375 residential condominium units in on 10-story and two five-story residential condominium buildings on 30.21 acres adjacent to the northeast corner of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval of the request.
	The City Council approved a request for a Special Use Permit (SUP-5853) to allow a proposed Mixed-Use commercial and residential development adjacent to the northeast corner of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval of the request.
04/19/06	The City Council approved a request for a Variance (VAR-10773) to allow 3,955 parking spaces where 4,961 parking spaces is the minimum number of parking spaces required for a proposed Mixed-Use development on 28.69 acres at 8750 Alta Drive. The Planning Commission recommended approval, but staff recommended denial of the request.
	The City Council approved a request for a Site Development Plan Review (SDR-10770) for a 10-story Mixed-Use development consisting of 699,000 square feet of commercial space and 340 residential units on 28.69 acres 8750 Alta Drive. The Planning Commission recommended approval, but staff recommended denial of the request.
06/06/07	The City Council approved a Review of Condition (ROC-21668) to modify Condition Number 9 of an approved Site Development Plan Review (SDR-10770) which stated that all perimeter landscape buffers shall comply with the minimum requirements listed in Title 19.12. Tree spacing within the buffers shall conform to the minimum requirements listed in Title 19.12. To allow a four-foot landscape buffer along the south property line where eight feet is the minimum required for an approved Mixed-Use development on 28.69 acres at 420 South Rampart Boulevard. Staff recommended approval of the request.
07/12/07	The Planning Commission approved a Tentative Parcel Map (TMP-20197) for a 324 unit Mixed-Use development on 28.62 acres at 302 South Rampart Boulevard. Staff recommended approval of the request.
10/01/08	The City Council approved a request for a Special Use Permit (SUP-28998) for a Supper Club and a Waiver to allow a 141-foot separation from a City Park where 400 feet is the minimum required at the northeast corner of Rampart Boulevard and Alta Drive. The Planning Commission and staff recommended approval of the request.
12/17/08	The City Council approved a request for a Special Use Permit (SUP-30583) for a proposed 12,195 square-foot Supper Club and a Waiver to allow a distance separation from a City Park where 400 feet is the minimum required at 440 South Rampart Boulevard, Suite #8120. The Planning Commission and staff recommended approval of the request.

07/01/09	The City Council approved a request for a Special Use Permit (SUP-34175) for a proposed Liquor Establishment (Tavern) with a Waiver to allow no distance separation from a similar use and a 141-foot distance separation from a City Park where 1,500 feet is the allowed at 330 South Rampart Boulevard, Suite #215. The Planning Commission and staff recommended approval of the request.
09/23/10	The Planning Commission approved a request for a Special Use Permit (SUP-39146) for a Liquor Establishment (Tavern) within a 28.69-acre Mixed-Use development with waivers to allow a distance separation of 141 feet from a City Park and to allow no distance separation from a similar use where 1,500 feet is required at 440 South Rampart Boulevard, Suite #180. The Planning and Development Department staff recommended approval of the request.
10/21/10	The Planning Commission approved a request for a Special Use Permit (SUP-39440) for a Supper Club with a waiver to allow a 141-foot distance separation from a City Park where 400 feet is the minimum required at 420 South Boulevard, Suite #180. The Planning and Development Department staff recommended approval of the request.
10/21/10	The Planning Commission approved a request for a Special Use Permit (SUP-39441) for a Liquor Establishment (Tavern) within a 28.69-acre Mixed-Use development with waivers to allow a distance separation of 141 feet from a City Park and to allow no distance separation from a similar use where 1,500 feet is required at 440 South Rampart Boulevard, Suite #B190. The Planning and Development Department staff recommended approval of the request.
12/16/10	The Planning Commission approved a request for a Special Use Permit (SUP-40087) for a Supper Club with a waiver to allow a 141-foot distance separation from a City Park where 400 feet is the minimum required at 400 South Boulevard, Suite #190. The Planning and Development Department staff recommended approval of the request.
	The Planning Commission approved a request for a Master Sign Plan (MSP-40230) for an approved Mixed-Use development on 28.44 acres at the northeast corner of Alta Drive and Rampart Boulevard. The Planning and Development Department staff recommended approval of the request.
03/08/11	The Planning Commission will hear a Special Use Permit (SUP-40748) for a Liquor Establishment (Tavern), located at 430 South Rampart Boulevard, Suite #B160.

Most Recent Change of Ownership	
01/16/04	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
There is no business license history at 430 South Rampart Boulevard, Suite #B130, since the building has not received its final certificate of completion.	
02/23/09	A building permit (#07002847) was issued for a renewal of a permit for a certificate of completion for Building #9 at 430 South Rampart Boulevard.

Pre-Application Meeting	
01/10/11	A pre-application meeting was held with the applicant where elements of submitting a Special Use Permit for a Liquor Establishment (Tavern) use were discussed. The topics included: • A waiver is required due to the proximity of the proposed use within 400 feet from a City Park and no distance seperation from another Liquor Establishment (Tavern), pursuant to Minimum Special Use Permit requirement Number 5d. • The proposed use is located within a Mixed-Use development.

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

Field Check	
01/26/11	A site visit noted that the subject site for this application is currently under construction.

Details of Application Request	
Site Area	
Net Acres	28.44

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Mixed-Use Development (under construction)	GC (General Commercial)	C-2 (General Commercial)
North	Angel Park	PR-OS (Parks/Recreation and Open Space)	C-V (Civic)
South	Shopping Center	SC (Service Commercial)	PD (Planned Development)

East	Single-Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
West	Casino	SC (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Rampart Boulevard	***Primary Arterial***	Master Plan of Streets and Highways	100	Y
Alta Drive	***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 **- Per approved Variance (VAR-10773).**							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Mixed-Use	794,482 SF & 340 Residential Units	Case-by case basis (when originally approved)					
TOTAL SPACES REQUIRED			4,961		3,955		
Regular and Handicap Spaces Required			4,891	70	3,895	60	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
1,500-foot distance separation from another Liquor Establishment (Tavern).	To allow no distance separation.	Approval
400-foot distance separation from City Park.	To allow a 141-foot distance separation.	Approval

ANALYSIS

The Liquor Establishment (Tavern) use is defined by Title 19.20 as "a facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold." The applicant is proposing a 6,898 square-foot Irish Pub with dart boards, billiard tables, televisions with live sporting events and a stage for live entertainment.

Tivoli Village at Queensridge Mixed-Use development is located adjacent to a Pedestrian Path Trail along Rampart Boulevard as designated within the Transportation Trails Element of the Las Vegas 2020 Master Plan. The pedestrian sidewalk is currently under construction.

The applicant is requesting Waivers to allow no distance separation from a Liquor Establishment (Tavern) use where 1500 feet is required and a 141-foot distance separation from a City Park where 400 feet is required, pursuant to Minimum Special Use Permit requirement Number 5d. The first waiver results from taverns located at the adjacent Angel Park Golf Club and also within the subject Mixed-Use development, as approved through Special Use Permits (SUP-34175 and SUP-39146). The second Waiver is for a City Park located to the north of the mixed-use development.

As the proposed Liquor Establishment (Tavern) will be located within a mixed-use development in excess of 15 acres and 250,000 square feet of nonresidential floor space, the distance separation requirement can be waived per Title 19.04. The development has a net site area of 28.44 acres. The proposed Liquor Establishment (Tavern) is a compatible use with neighboring commercial and residential uses within the approved Mixed-Use development. The proposed use will be compatible and harmonious with the existing uses and future surrounding land uses; therefore, staff recommends approval with conditions.

FINDINGS (SUP-40749)

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 Liquor Establishment (Tavern) is a compatible use with neighboring commercial and residential uses within the approved Mixed-Use development.

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

   The site is physically suitable for this type of use and the intensity is appropriate in this area of the City. Ample site access is provided and adequate parking is being provided in accordance with the approved Variance (VAR-10773) for the Mixed-Use development. The proposed Liquor Establishment (Tavern) is appropriate in these types of Mixed-Use developments.

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

   The subject site is accessed by Rampart Boulevard and Alta Drive. Both streets are sufficient to accommodate the amount of vehicular trips associated with the proposed use.

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

   Approval of the Special Use Permit is consistent with the General Plan, and will not compromise the public health, safety, or welfare.

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

   The proposed use does not meet all Minimum Special Use Permit requirements pursuant to Title 19.04 due to the proximity to a City Park and another Liquor Establishment (Tavern). The requested Waivers of the minimum distance separation requirement are appropriate for the proposed use within a Mixed-Use development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 731

APPROVALS 15

PROTESTS 10

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-40749** APN: 138-32-601-003

Name of Property Owner: Great Wash Park LLC

Name of Applicant: Tivoli Irish Pub

Name of Representative: Brown Brown & Premsrirut - Contact Lora Dreja

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Todd D. Davis

Subscribed and sworn before me

This 18th day of January, 20 11

Cynthia Callegaro

Notary Public in and for said County and State

NOTARY PUBLIC
CYNTHIA CALLEGARO
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. MARCH 22, 2011
No: 07-2542-1

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit for Liquor Establishment (Tavern)

Project Address (Location) within Tivoli Village, 430 S. Rampart Boulevard, Suite B130

Project Name Tivoli Irish Pub **Proposed Use** Tavern

Assessor's Parcel #(s) 138-32-601-003 **Ward #** 2- Wolfson

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

Commercial Square Footage Front Area - 2,642 sqft Total sqft - 6,898 Back Area - 4,256 sqft **Floor Area Ratio** See SUP - 5853

Gross Acres 29 + **Lots/Units** N/A **Density** N/A

Additional Information Subject Use Permit is on a portion of a 29 acre C - 2 zoned parcel that holds a mixed use permit SUP - 5853. See also Ordinance 6013.

PROPERTY OWNER Great Wash Park LLC **Contact** Vickie DeHart

Address 9755 West Charleston Boulevard **Phone:** 702-946-6930 **Fax:** 702-946-6931

City Las Vegas **State** Nevada **Zip** 89117

E-mail Address vickie@ehbinc.com

APPLICANT Great Wash Park LLC **Contact** Cynthia Callegaro

Address 1215 S. Fort Apache Road, Suite 240 **Phone:** 702-946-6680 **Fax:** 702-946-6681

City Las Vegas **State** Nevada **Zip** 89117

E-mail Address ccallegaro@ehbcompanies.com

REPRESENTATIVE Brown Brown & Premsrirut **Contact** Lora Dreja

Address 520 South Fourth Street **Phone:** 702-384-5563 **Fax:** 702-385-1023

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

E-mail Address lora@brownlawlv.com

Property Owner Signature* Todd D. Davis

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

Print Name Todd D. Davis

Subscribed and sworn before me

This 18th day of January, 20 11.

Cynthia Callegaro

Notary Public in and for said County and State

NOTARY PUBLIC
CYNTHIA CALLEGARO
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. MARCH 22, 2011
No: 07-2542-1

FOR DEPARTMENT USE ONLY

Case #	SUP - 40749
Meeting Date:	3/8/11
Total Fee:	$1280
Date Received:*	$ 1/19/11
Received By:	Romeo

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

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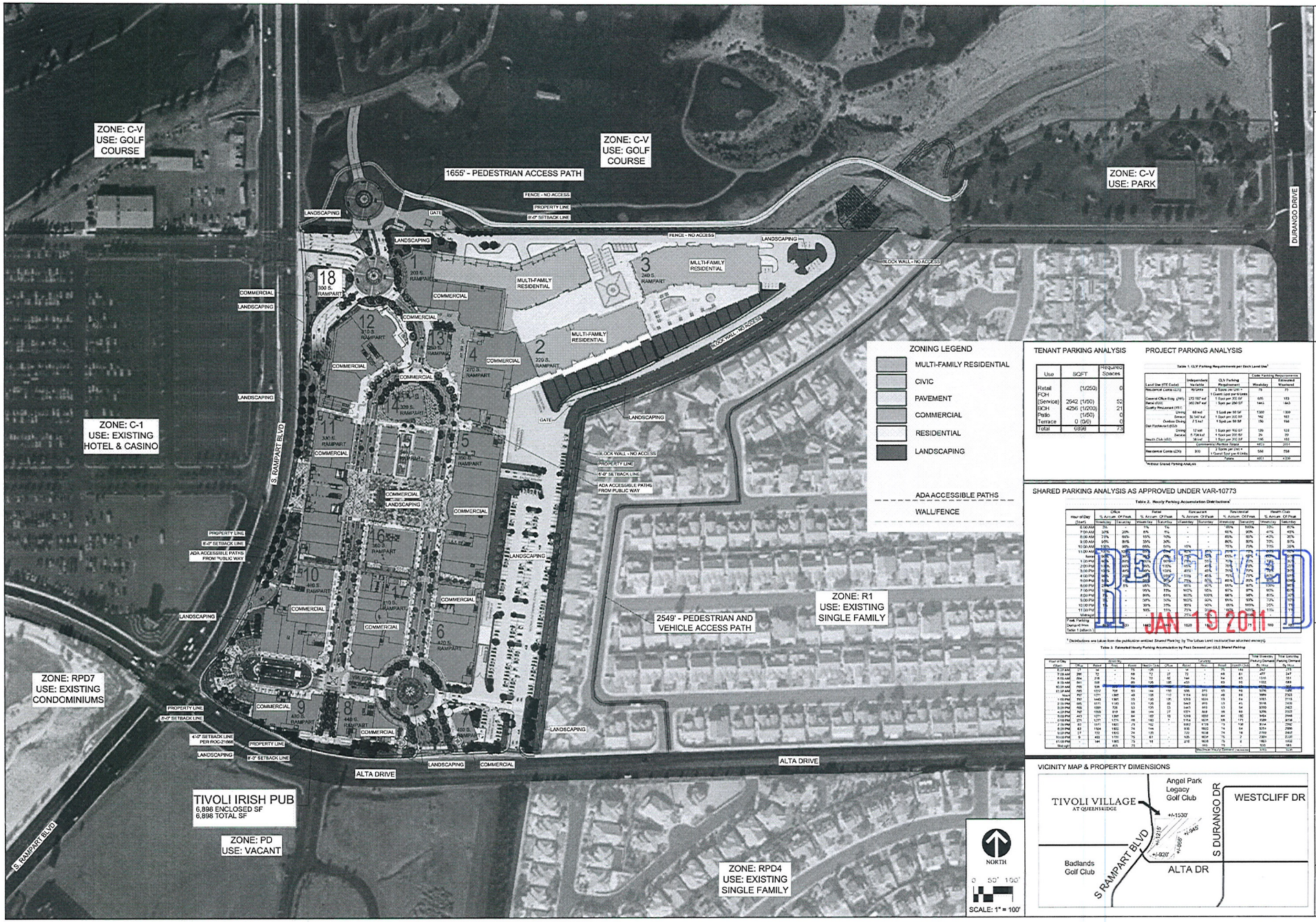
f:\depot\Application Packet\Application Form.pdf

Revised 10/27/08



TENANT PARKING ANALYSIS

Use	SQFT	Required Spaces
Retail	(1/250)	0
FOH		
(Service)	2942 (1/50)	59
BOH	4256 (1/200)	21
Patio	(1/50)	0
Terrace	0 (0/0)	0
Total	6898	79

PROJECT PARKING ANALYSIS

Table 1. CLV Parking Requirements per Each Land Use[1]

Land Use (ITE Code)	Independent Variable	CLV Parking Requirement	Code Parking Requirement Estimated Weekday	Code Parking Requirement Estimated Weekend
Residential Condo (220)	80 Units	2 Spaces per Unit + 1 Guest Spot per 4 Units	180	180
General Office Bldg. (710)	372.167 ksf	1 Spot per 250 SF	1,489	1,489
Retail (820)	362.167 ksf	1 Spot per 250 SF	1,449	1,449
Quality Restaurant (931)		Dining: 1 Spot per 50 SF	1,300	1,300
	64 ksf	Service: 1 Spot per 200 SF	962	962
	36.547 ksf	Outdoor Dining: 1 Spot per 50 SF	1,461	1,461
Fast Food w/out D.T. (933)	7.5 ksf	1 Spot per 100 SF	750	750
	12 ksf	Dining: 1 Spot per 100 SF	120	120
	6.726 ksf	Service: 1 Spot per 200 SF	34	34
	36 ksf	1 Spot per 200 SF	180	180
		Commercial Portion Totals	6,473	6,473
Residential Condo (220)	300	2 Spots per Unit + 1 Guest Spot per 4 Units	540	750
		Totals	6,913	7,223

[1] Without Shared Parking Analysis

SHARED PARKING ANALYSIS AS APPROVED UNDER VAR-10773

Table 2. Hourly Parking Accumulation Distributions[1]

Hour of Day (Start)	Office % Annual Of Peak Weekday	Office % Annual Of Peak Saturday	Retail % Annual Of Peak Weekday	Retail % Annual Of Peak Saturday	Restaurant % Annual Of Peak Weekday	Restaurant % Annual Of Peak Saturday	Residential % Annual Of Peak Weekday	Residential % Annual Of Peak Saturday	Health Club % Annual Of Peak Weekday	Health Club % Annual Of Peak Saturday
6:00 AM	3%	-	1%	-	-	-	86%	100%	10%	87%
7:00 AM	30%	20%	6%	1%	-	-	86%	96%	41%	43%
8:00 AM	73%	90%	55%	10%	-	-	86%	90%	41%	30%
9:00 AM	95%	8%	55%	30%	-	-	86%	89%	70%	87%
10:00 AM	100%	90%	75%	100%	10%	-	75%	79%	77%	30%
11:00 AM	95%	90%	75%	100%	40%	10%	75%	79%	77%	30%
Noon	95%	90%	75%	100%	40%	10%	75%	79%	77%	30%
1:00 PM	95%	90%	75%	100%	40%	10%	75%	79%	77%	30%
2:00 PM	95%	90%	75%	100%	40%	10%	75%	79%	77%	30%
3:00 PM	95%	90%	75%	100%	40%	10%	75%	79%	77%	30%
4:00 PM	95%	90%	75%	100%	40%	10%	75%	79%	77%	30%
5:00 PM	95%	90%	75%	100%	40%	10%	75%	79%	77%	30%
6:00 PM	95%	75%	90%	95%	90%	40%	85%	87%	90%	30%
7:00 PM	95%	75%	90%	95%	90%	40%	95%	87%	90%	30%
8:00 PM	95%	75%	90%	95%	90%	40%	98%	87%	90%	30%
9:00 PM	30%	30%	90%	90%	90%	90%	95%	89%	73%	10%
10:00 PM	30%	30%	90%	90%	90%	90%	95%	89%	73%	10%
11:00 PM	10%	10%	75%	75%	90%	90%	95%	89%	73%	10%
Midnight	3%	-	1%	-	-	-	86%	100%	10%	87%
Peak Parking Demand Rate	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Table 1 (above)	1,863	1,863	1,449	1,449	1,461	1,461	1,489	1,489	180	180

[1] Distributions are taken from the publication entitled Shared Parking by The Urban Land Institute (see attached excerpts)

Table 3. Estimated Hourly Parking Accumulation by Peak Demand per (ULI) Shared Parking

Hour of Day (Start)	Weekday Office	Weekday Retail	Weekday Restaurant	Weekday Residential	Weekday Health Club	Total Weekday Parking Demand	Total Weekday Parking Demand By Hour
6:00 AM	57	14	15	156	18	260	260
7:00 AM	294	72	68	72	37	477	247
8:00 AM	708	72	68	72	74	1,000	523
9:00 AM	921	108	68	135	157	1,389	389
10:00 AM	968	1,449	135	135	157	2,844	1,455
11:00 AM	921	1,449	540	135	157	3,202	358
Noon	797	1,371	1,365	135	139	3,807	605
1:00 PM	797	1,371	1,365	135	139	3,807	0
2:00 PM	797	1,371	1,365	135	139	3,807	0
3:00 PM	797	1,371	1,365	135	139	3,807	0
4:00 PM	797	1,371	1,365	135	139	3,807	0
5:00 PM	797	1,371	1,365	135	139	3,807	0
6:00 PM	797	1,371	1,365	135	139	3,807	0
7:00 PM	797	1,371	1,365	135	139	3,807	0
8:00 PM	797	1,371	1,365	135	139	3,807	0
9:00 PM	257	1,303	1,365	135	139	3,199	608
10:00 PM	257	1,303	1,365	135	139	3,199	0
11:00 PM	86	1,086	1,365	135	139	2,811	388
Midnight	57	14	15	156	18	260	2,551
Peak Parking Demand Rate	1,863	1,449	1,461	1,489	180		
Table 1 (above)	1,863	1,449	1,461	1,489	180		

VICINITY MAP & PROPERTY DIMENSIONS

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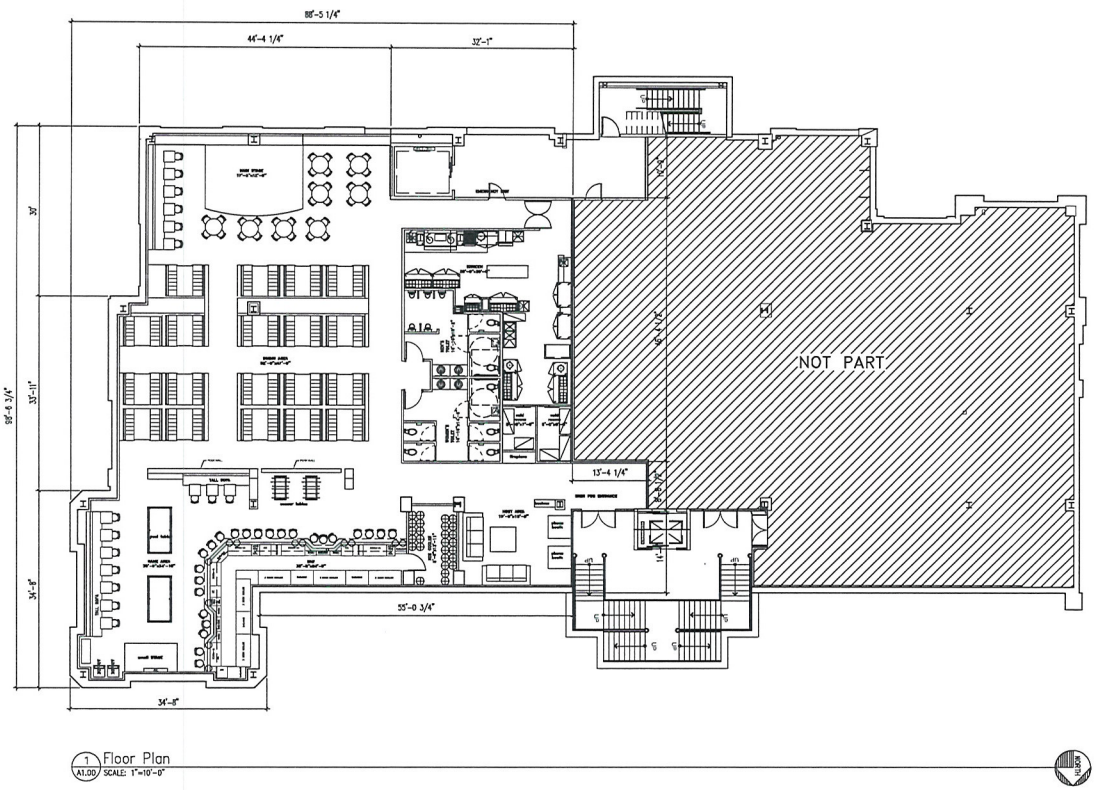
TIVOLI VILLAGE

TIVOLI IRISH PUB
Tivoli Village at Queensridge
(f/k/a The Village at Queensridge)
430 S. Rampart Ste. B130
Las Vegas, NV 89145
A Portion of A.P.N. 138-32-601-003

SITE PLAN

01

SUP-40749



1 A1.00 Floor Plan
SCALE: 1"=10'-0"

Occupancy Load Calculation / Square Footage Chart

Area description	sq. ft.	sq. ft. total	load factor	occupants
Seating Areas		2,642	15	177
Back Areas:		4,256		
Bar Area	381		200	2
Restrooms	509		100	6
Game Area	584		100	6
Storage (Keg Cooler, Cold Room)	253		300	1
Kitchen	624		200	4
Stage	214		15	15
Hostess Station	54		100	1
Entry Vestibule/Hallway	300		100	3
Walkways, Wallspace, Misc.	1,337		100	14
Total		6,898		229

Seat Count Calculation / Capacity

Area description	Seating
Dining Area	76
Game Area	20
Host Area	6
Main Stage Area	44
Bar Areas	24
Total Seating Capacity	170

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SYM.	INIT.	REVISION DESCRIPTION	DATE:
△			

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PENGUIN CONSTRUCTION
NEVADA LIC# 0070384
4080 W. DESERT INN RD STE.#W-111
LAS VEGAS, NEVADA 89102

DAVE Y1

Tivoli Irish Pub
Tivoli Village At Queensridge
(f/k/a The Village At Queensridge)
430 S. Rampart Blvd., Suite B130
Las Vegas, NV 89145
Portion of APN #138-32-601-003

FLOOR PLAN

DATE: 01/13/2011
DRAWN BY: STAFF
CHECKED BY: PS
SCALE: AS NOTED

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SHEET
A1.00

SUP-40749



SUP-40749 – APPLICANT/OWNER: GREAT WASH PARK, LLC
430 SOUTH RAMPART BOULEVARD, SUITE #B130

01/26/11

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

February 22, 2011

City of Las Vegas
Planning & Development
731 S Fourth Street
Las Vegas, Nevada 89101

Re: Special Use Permit with separation waivers for Liquor Establishment within Tivoli Village at Queensridge Parcel 138-32-601-003, Building 9, Unit B 130 and 140

Dear Sir/Madam;

Please consider this request to allow a Liquor Establishment within a previously approved mixed use development (SUP-5853). Specifically, the building located at 430 S. Rampart Boulevard. The site is located within a 29 acre commercial and residential development located at the northeast corner of Alta Drive and Rampart Boulevard. The proposed lounge is has a 3500 SF access by the outdoor promenade then 6898 SF located subgrade, beneath building nine in the mixed use development.

Brickell is an Irish Pub featuring a full menu of Burgers, entrees and appetizers. Patrons are entertained by dart boards, billiard tables and several televisions that broadcast domestic sports as well as overseas football and rugby. A stage for live entertainment is available as allowed in a C-2 district.

Please refer to ordinance 6013 that permits an applicant to request a waiver for the 1500 foot minimum separation requirement between Liquor Establishment and protected uses when the proposed tavern is located in a mixed use district. This Use Permit request requires the application of ordinance 6013 in order for Sofa to operate one the same property as previously approved taverns within Tivoli Village. This request also requires the application of ordinance 6013 to allow this tavern a 0 foot separation between to the liquor establishment located on Angel Park Golf Course that is the adjacent property. A third waiver is required to allow this tavern to be located approximately 141 feet from the boundary of a children's play ground located at Angel Park. This distance is measured property line to property line. The actual walking distance from the proposed tavern is more than 1500 feet and the pathway is encumbered by numerous other buildings, fences and drainage channels. There is not a direct route to drive from this establishment to the park.

If you have additional concerns please phone me at 598-1408.

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FEB 22 2011

Very truly yours,

Lora Dreja
Land Entitlements

SUP-40749
REVISED

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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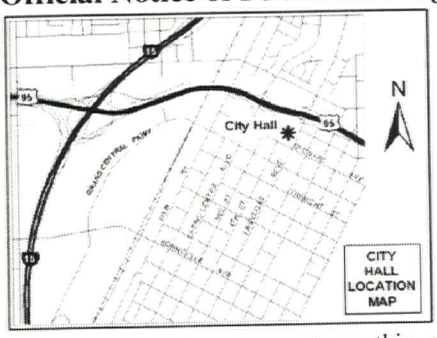

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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 Department of Planning, Case Planning Division 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-40749
Planning Commission Meeting of 3/8/2011

Case: SUP-40749
13833224056
GOD-GONZALEZ ANNA MARIE
P O BOX 3886
MERRIFIELD VA 22116-3886

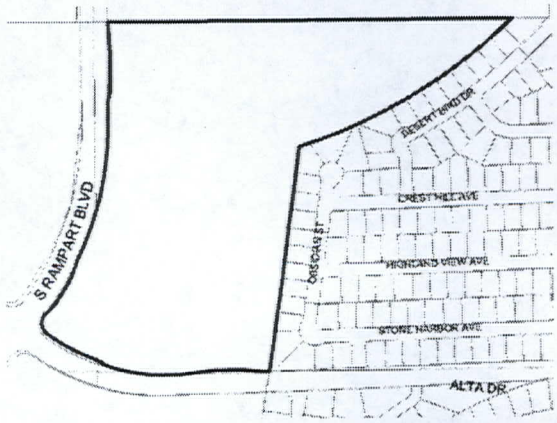
2 KRDGN11 22116

Application Information

SUP-40749 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) WITHIN A 28.44-ACRE MIXED-USE DEVELOPMENT WITH WAIVERS TO ALLOW A DISTANCE SEPARATION OF 141 FEET FROM A PARK WHERE 400 FEET IS REQUIRED AND NO DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at 430 South Rampart Boulevard, Suite #B130 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson).

The residential community needs more parkland. We do not need another bar and liquor license. I oppose this special use permit

Application Location



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

Public Hearing Information

Meeting:	Planning Commission
Date:	***March 08, 2011***
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 Department of Planning, Case planning Division, Development Services Center, 333 North Rancho Drive, 3rd Floor, Las Vegas, Nevada 89106. 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
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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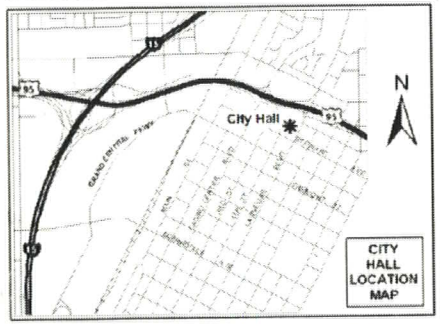
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-40749
Planning Commission Meeting of 3/8/2011

RECEIVED
MAR 28 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-40749

13833224024
CHIOVARI LOU & ANTOINETTE
BOX 25 25 RFD
LONG GROVE IL 60047-0025

112 KRDGN11 60047

Department of Planning, Case Planning Division at the address listed above or
Tax this side of this card to (702) 205-7200. 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-40749

Planning Commission Meeting of 3/8/2011

Case: SUP 40749

13832613007

HOOGE JOHN L & JUDITH M REY TR
9620 HIGHLAND VIEW AVE

LAS VEGAS NY 89145-5708

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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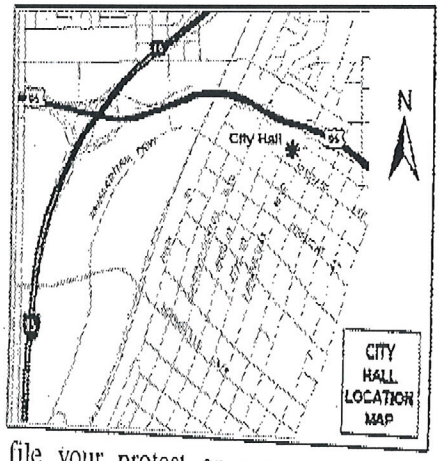

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-40749

Planning Commission Meeting of 3/8/2011

13832613007 Case: SUP-40749
HOOGE JOHN L & JUDITH M REV TR
8620 HIGHLAND VIEW AVE
LAS VEGAS NV 89145-5708

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Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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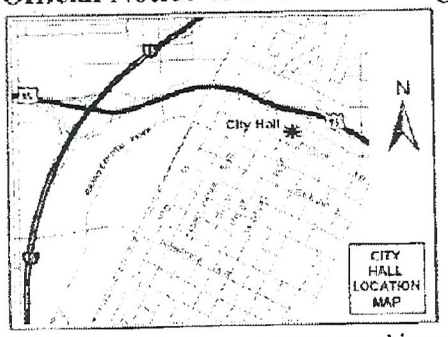

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-40749

Planning Commission Meeting of 3/8/2011

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Case: SUP-40749
13833226003
HARAND ROBERT & CARMENCITA
602 N LINCOLN
BURBANK CA 91506-1930

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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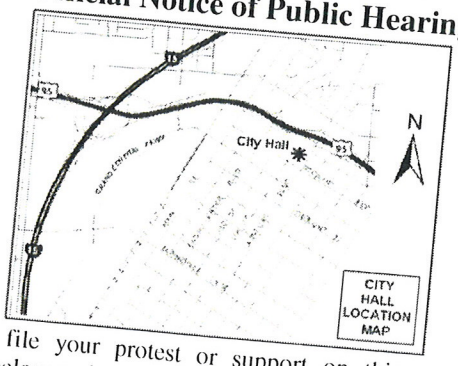

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SUP-40749

Planning Commission Meeting of 3/8/2011

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13832718015 Case: SUP-40749
THOMPSON MARGRETT & JERALYN M
8644 BLISSVILLE AVE
LAS VEGAS NV 89145-4872

28 KRDGM11 89145

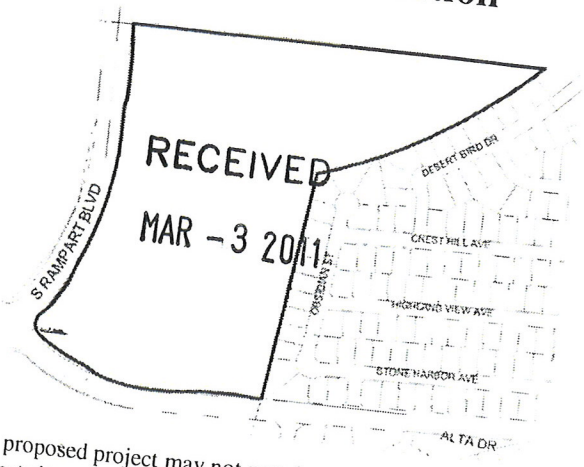
38

Application Information

SUP-40749 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) WITHIN A 28.44-ACRE MIXED-USE DEVELOPMENT WITH WAIVERS TO ALLOW A DISTANCE SEPARATION OF 141 FEET FROM A PARK WHERE 400 FEET IS REQUIRED AND NO DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at 430 South Rampart Boulevard, Suite #B130 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson).

No More Bars -
don't Care if its for
a Restaurant

Application Location



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

Public Hearing Information

Meeting: Planning Commission
Date: *March 08, 2011*
Time: 6:00 P.M.
Location: City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

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 n objection thereto or approval thereof with the Department of Planning, Case Planning Division, Development Services Center, 333 North Rancho Drive, 3rd Floor, Las Vegas, Nevada 89106. Final n 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 il. 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, call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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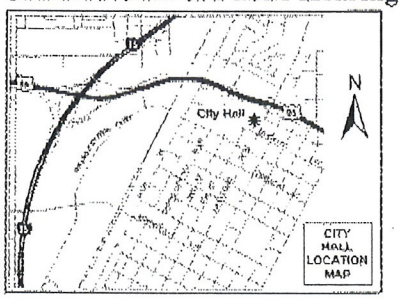

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-40749

Planning Commission Meeting of 3/8/2011

Case: SUP-40749
13832614001
GRAF EDWARD JR
123 SAN MIGUEL RD
PASADENA CA 91105-1442

2 KRDGM11 91105

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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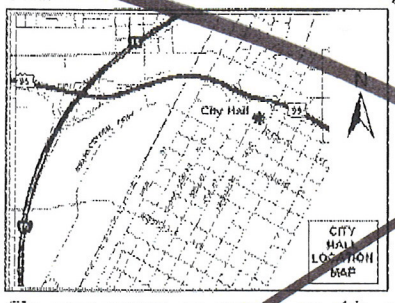

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SUP-40748

Planning Commission Meeting of 3/8/2011

Case: SUP-40748
13832614001
GRAF EDWARD JR
123 SAN MIGUEL RD
PASADENA CA 91105-1442

2 KRDGM11 91105

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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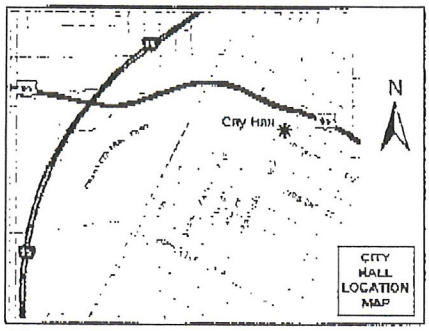
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-40749
Planning Commission Meeting of 3/8/2011

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MAR - 2 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-40749
13832610031
FRANTZEN 1984 FAMILY TRUST
305 VISTA GLEN ST
LAS VEGAS NV 89145-4837

29 KRDGN11 89145

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partment of Planning
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North Rancho Drive, 3rd Floor
Vegas, Nevada 89106

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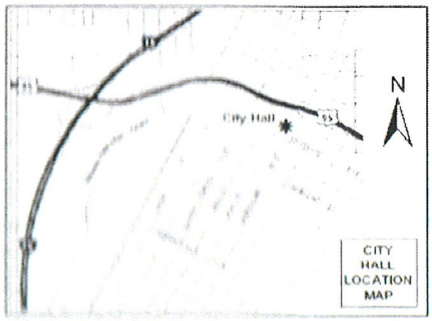

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

ase use available blank space on card for your comments.

Case: SUP-40749

13832613041
JENSEN FAMILY TRUST
8505 HIGHLAND VIEW AVE
LAS VEGAS NV 89145-5701

P-40749
nning Commission Meeting of 3/8/2011

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28 KRDCM11 89145

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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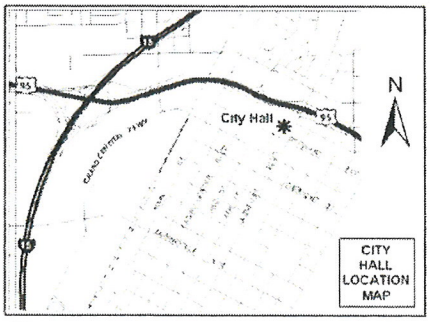

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-40749

Planning Commission Meeting of 3/8/2011

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MAR - 3 2011

Case: SUP-40749
13832719007
ALTER HARRY & ADELAIDE FAM TR
8625 TRIANON LN
LAS VEGAS NV 89145-4875

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28 KRDGN1 1 89145

08 29.57 02-28-2011 1 /1

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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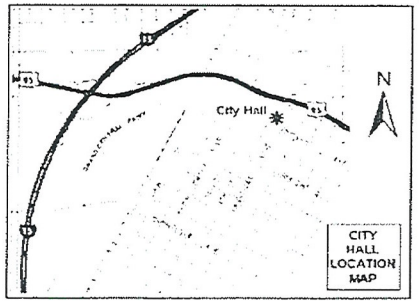

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[X] I SUPPORT this Request [ ] I OPPOSE this Request

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SUP-40749

Planning Commission Meeting of 3/8/2011

Case: SUP-40749

13832719005
GLOVER LORI K
%L DYER
8617 TRIANON LN
LAS VEGAS NV 89145-4875

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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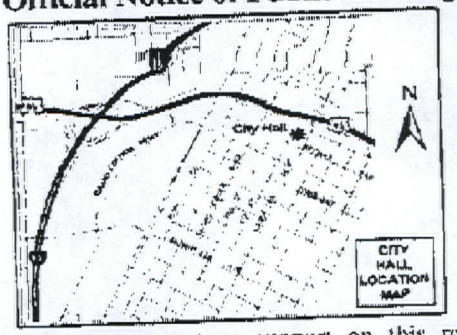

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or fax this [redacted] (702) 385-7268. If you would like to contact your Council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

☒ I SUPPORT this Request

☐ I OPPOSE this Request

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SUP-40749

Planning Commission Meeting of 4/12/2011

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Case: SUP-40749
13832610054
MALLETTE GLENDON L JR & MELANIE
8540 BELLATERRA CT
LAS VEGAS NV 89145-4846

28 BRDGN11 89145

Apr 04 11 08:21a Glen Mallette 7022562814 p.1

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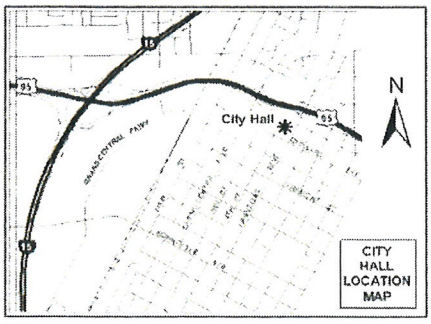

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SUP-40749
Planning Commission Meeting of 3/8/2011

Case: SUP-40749
13832213119
DEHART PAUL B & VICKIE NV RES TR
9103 ALTA DR #2-101
LAS VEGAS NV 89145-8501

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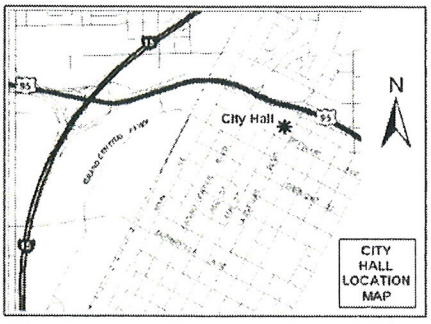

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SUP-40749
Planning Commission Meeting of 3/8/2011

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Case: SUP-40749
13832213195
DEHART SUMMER
9103 W ALTA DR #1207
LAS VEGAS NV 89145-8501

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28 KRDGN11 89145

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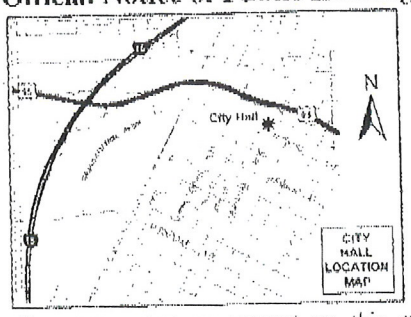

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[X] I SUPPORT this Request
[ ] I OPPOSE this Request

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SUP-40749
Planning Commission Meeting of 3/8/2011

Case: SUP-40749
13832213202
RIKLIS KADY
P O BOX 11409
BEVERLY HILLS CA 90213-4409

118 KRDGN11 90213

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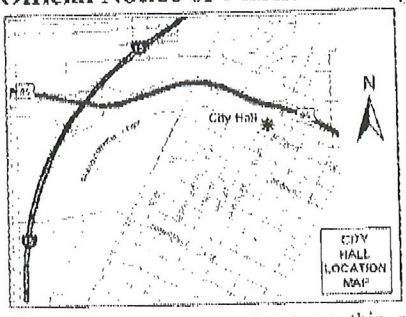

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SUP-40749
Planning Commission Meeting of 3/8/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-40749
13832213201
RIKLIS KRISTOFER
P O BOX 11409
BEVERLY HILLS CA 90213-4409

118 KRDCM11 90213

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Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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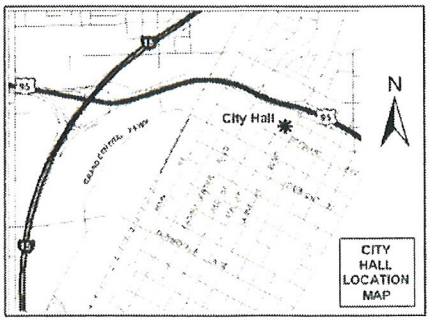

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SUP-40749

Planning Commission Meeting of 3/8/2011

Case: SUP-40749

13832213080
PENINI GUY
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

38

18 KRDGM11 89117

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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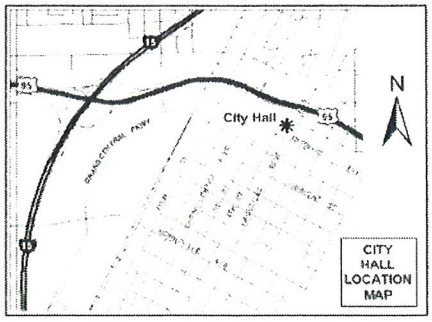

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SUP-40749

Planning Commission Meeting of 3/8/2011

Case: SUP-40749

13832213145
HARARI ALON
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

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18 LRDFN11 89117

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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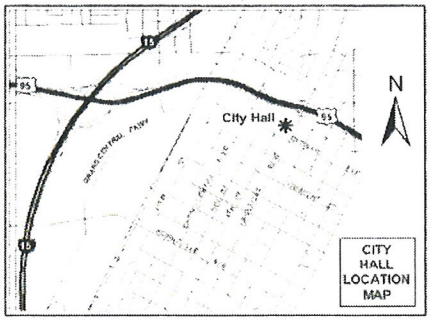

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SUP-40749

Planning Commission Meeting of 3/8/2011

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Case: SUP-40749
13832723001
R A SOUTHEAST LAND COMPANY L L C
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

38

18 KROGN11 89117

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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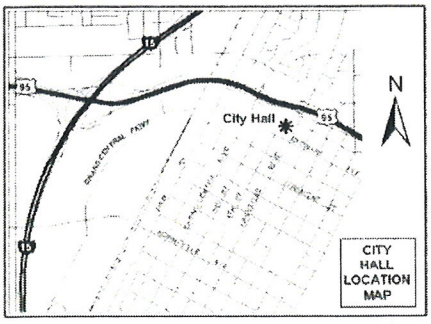

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Case: SUP-40749

13832213136
PENINI ERAN E & GUY
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-40749
Planning Commission Meeting of 3/8/2011

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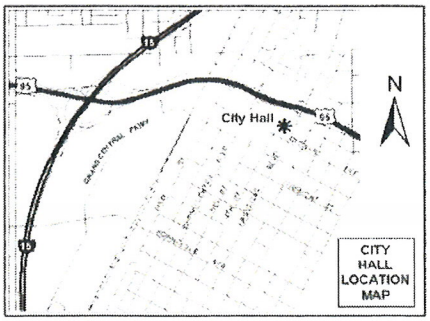

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SUP-40749
Planning Commission Meeting of 3/8/2011

Case: SUP-40749

13832213158
WEIL SHAI
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

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Department of Planning
Development Services Center
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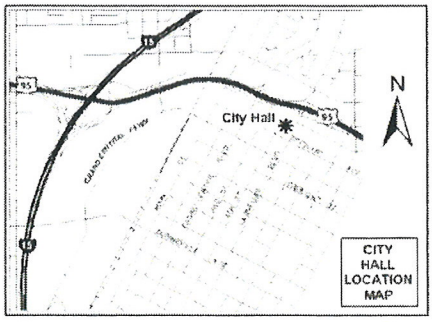

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SUP-40749

Planning Commission Meeting of 3/8/2011

Case: SUP-40749

13832213165
RISSIN LIOR & LIAT
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

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Department of Planning
Development Services Center
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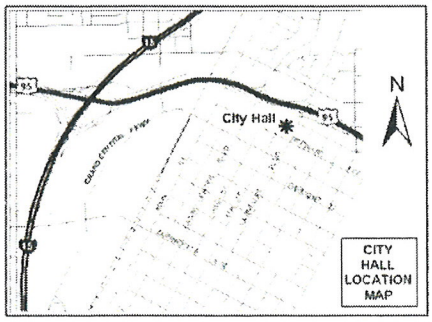

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Case: SUP-40749

13832601003
GREAT WASH PARK L L C
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-40749
Planning Commission Meeting of 3/8/2011

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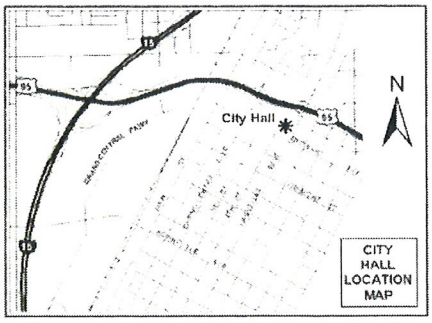

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SUP-40749
Planning Commission Meeting of 3/8/2011

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Case: SUP-40749
13832213176
QUEENSRIDGE TOWERS L L C
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

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City of Las Vegas
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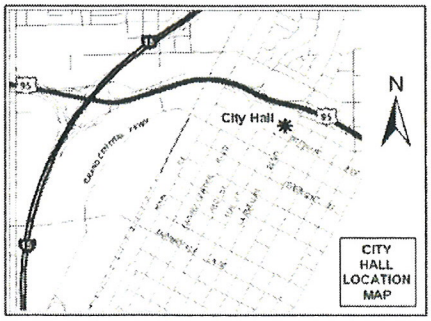

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SUP-40749

Planning Commission Meeting of 3/8/2011

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Case: SUP-40749

13832213017
Q TOWERS M L L C
9755 W CHARLESTON BLVD
LAS VEGAS NV 89117-7536

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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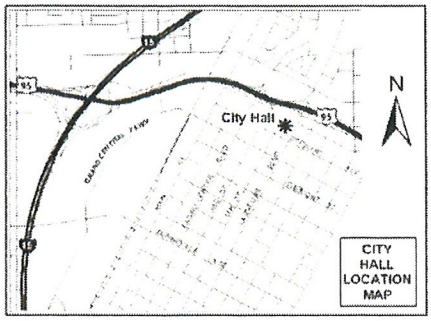

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-40749
Planning Commission Meeting of 3/8/2011

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MAR - 7 2011

Case: SUP-40749

13832213168
PANKRATZ FAMILY TRUST
9103 ALTA DR #801
LAS VEGAS NV 89145-8501

38

28 KRDGN11 89145

City of Las Vegas Agenda Item No.: **19.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

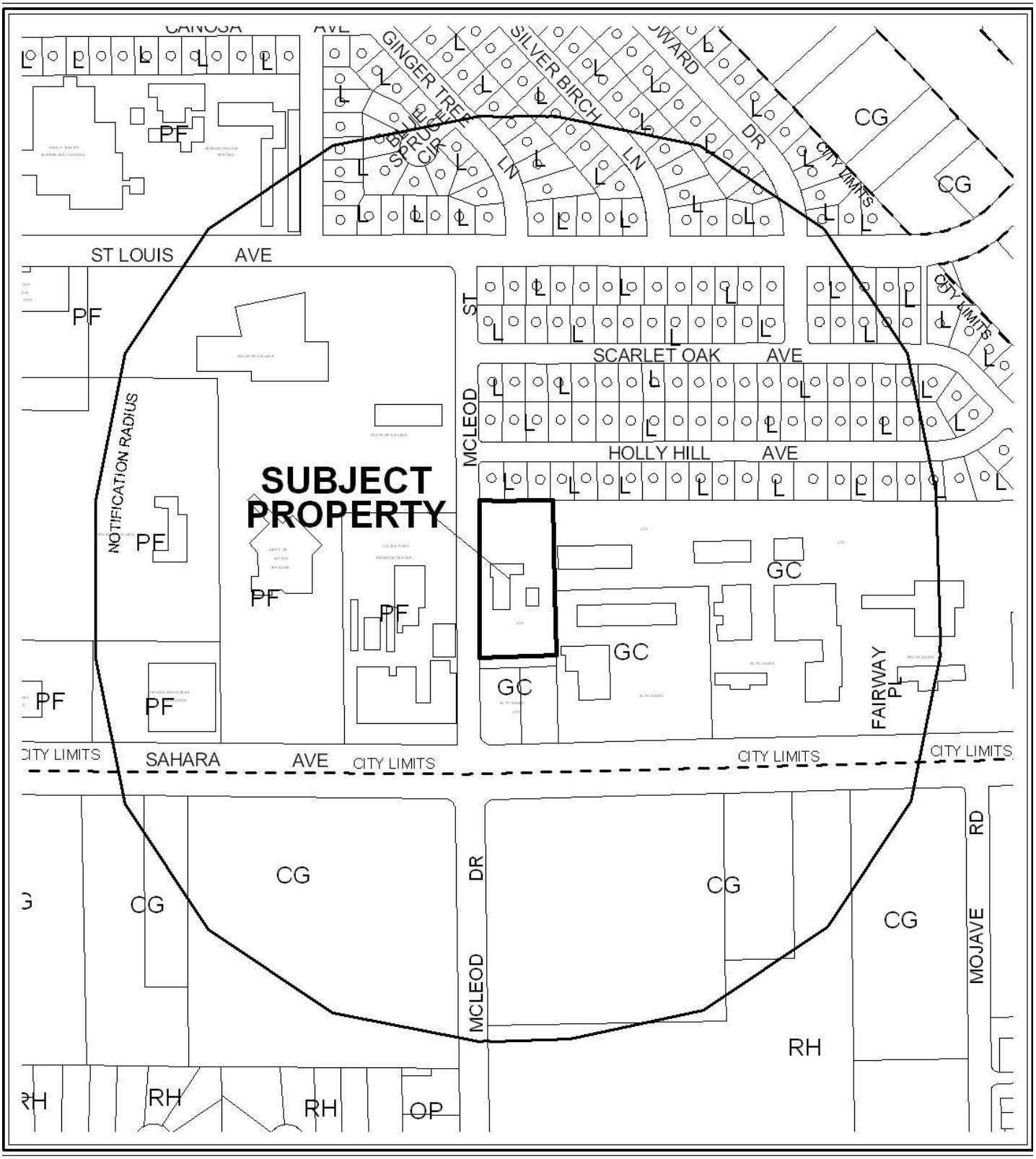
SUBJECT:
GPA-40839 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: DRIVETIME CAR SALES COMPANY, LLC - OWNER: LINDA LEE WARD REVOCABLE LIVING TRUST - Request to amend the General Plan FROM: PF (PUBLIC FACILITIES) TO: GC (GENERAL COMMERICAL) on 1.8 acres at 2301 McLeod Street (APN 162-01-801-013), Ward 3 (Reese). Staff recommends APPROVAL.

C.C.: 05/18/2011

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. Conditions and Staff Report – GPA-40839, SUP-41115 and SDR-41114
3. Supporting Documentation
4. Photos - GPA-40839, SUP-41115 and SDR-41114
5. Justification Letter - GPA-40839, SUP-41115 and SDR-41114



0 300 600 Feet

CASE: **GPA-40839**

RADIUS: 1000 FT

GENERAL LAND USE OF SUBJECT PROPERTY:

PF (PUBLIC FACILITIES)

PROPOSED GENERAL LAND USE OF SUBJECT PROPERTY:

SC (SERVICE COMMERICAL)

N



0 300 600 Feet

CASE: **GPA-40839**

RADIUS: 1000 FT

GENERAL LAND USE OF SUBJECT PROPERTY:

PF (PUBLIC FACILITIES)

PROPOSED GENERAL LAND USE OF SUBJECT PROPERTY:

SC (SERVICE COMMERICAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION APPLICANT: DRIVETIME CAR SALES COMPANY, LLC - OWNER: LINDA LEE WARD REVOCABLE LIVING TRUST

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
GPA-40839	Staff recommends APPROVAL.	N/A
SUP-41115	Staff recommends APPROVAL, subject to conditions:	GPA-40839
SDR-41114	Staff recommends APPROVAL, subject to conditions:	GPA-40839 SUP-41115

** CONDITIONS **

SUP-41115 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for an Auto Repair Garage, Major use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-41114) shall be required.

3. Conformance to the approved conditions for Rezoning (Z-0003-76), except as amended herein.

4. This approval shall be void two years from the date of final approval, unless exercised pursuant to Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

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

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

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

SDR-41114 CONDITIONS

Planning

1. Approval of a General Plan Amendment (GPA-40839) from PF (Public Facilities) to GC (General Commercial) and conformance to the Conditions of Approval for Special Use Permit (SUP-41115) shall be required, if approved.

2. Conformance to the Conditions of Approval of Site Development Plan Review (Z-0003-76), except as amended herein.

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 03/23/11, 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 03/23/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

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

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

8. 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.

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

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

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

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

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

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

Public Works

15. Remove all substandard sidewalk improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. The existing "pan" style driveways accessing this site from McLeod Street may remain.

16. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to amend the general Plan designation from PF (Public Facilities) to GC (General Commercial) at 2301 McLeod Street. The purpose for the General Plan Amendment is to amend the land use designation to be consistent with the existing C-2 (General Commercial) Zoning District of the property. The site was previously utilized by a government entity, but has since transitioned to private commercial use. As a result, the PF (Public Facilities) land use designation is no longer appropriate. Staff recommends approval as the intensity of the proposed General Plan land use designation is compatible with the existing zoning designation. If this application is denied, the General Plan land use designation would remain PF (Public Facilities), with a non-conforming C-2 zoning district.

The applicant is requesting a companion Special Use Permit (SUP-41115) to convert a 4,800 square-foot building, previously approved for an Auto Repair Garage, Minor use to an Auto Repair Garage, Major use at this location. The subject property of the proposed use is to be operated in conjunction with two properties located at 3000 and 3030 East Sahara Avenue, which has been entitled for Motor Vehicle Sales (Used). Staff is recommending approval of the request, as the use is compatible with surrounding development. If denied, the proposed use will not be permitted at the proposed location.

The applicant is requesting a companion Site Development Plan Review (SDR-41114) for a Major Amendment to a previously approved Site Development Plan Review (Z-0003-76) for a proposed Auto Repair Garage, Major within an existing 4,800 square-foot building formerly used for Auto Repair Garage, Minor. Staff recommends approval, as the proposed use is compatible with the surrounding Commercial zoning. If this application is denied the subject site would remain vacant.

ISSUES

- An Auto Repair Garage, Major use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- This item has been deemed a Project of Regional Significance. No comments were received in response to this.
- Improvements to the site are proposed for buffering, landscaping and building aesthetics.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/03/76	The Board of City Commissioners approved a request for Rezoning (Z-0003-76) from R-1(Single Family Residential) to C-2 (General Commercial), with a proposed use of a Federal Motor Pool facility on property generally located on the east side of McLeod Street between Sahara Avenue and Holly Hill Avenue. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
07/12/04	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
04/14/76	A building permit (1922) was issued for a 4,780 square-foot Motor Pool at 2301 McLeod Street. The permit was finaled on 08/27/76.
05/13/76	A building permit (2806) was issued for a 6-foot high by 60-foot long block wall at 2301 McLeod Street. The permit was finaled on 08/27/76.
No business licenses are associated with the subject property.	

Pre-Application Meeting	
12/02/10	A pre-application meeting was held with the applicant, where the submittal requirements for a General Plan Amendment, Special Use Permit and Site Development Plan Review were discussed.

Neighborhood Meeting	
03/22/11	A neighborhood meeting was held at 3333 Fremont Street, Sunrise Manor, NV 89104 at 5:30 p.m. There were three representatives for the applicant, a member of the Planning department staff and no members of the public present. The applicant and staff remained at the meeting location until 6:00 p.m.

Field Check	
03/03/11	A site visit by staff noted the subject property is clean and free of debris. It has an existing chain link fence along the west, south, north and a portion of the east property lines. A freestanding canopy and accessory structure are located to the east of the main building. (No building permits were located for either structure). Landscape islands that are filled with concrete and light poles that exceed Title 19.08 lighting standards were observed.

Details of Application Request			
Site Area			
Net Acres	1.80		
Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Vacant, Auto Repair Garage, Minor	PF (Public Facilities)	C-2 (General Commercial)
North	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)
South	Motor Vehicle Sales (Used)	GC (General Commercial)	C-2 (General Commercial)
East	Motor Vehicle Sales (New)	GC (General Commercial)	C-2 (General Commercial)
West	Government Facility	PF (Public Facilities)	R-1 (Single Family Residential)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails	X		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 19.08, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Width	100 Feet	195 Feet	Y
Min. Setbacks (Auto Repair Building)			
• Front	20 Feet	20 Feet	Y
• Side (N)	10 Feet	177 Feet	Y
• Side (S)	10 Feet	120 Feet	Y
• Rear	20 Feet	125 Feet	Y
Min. Distance Between Buildings	6 Feet	8 Feet	Y
Max. Building Height	N/A Feet	20 Feet	N/A
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.12, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required (Per Z-0003-76)***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	0 Trees	1 Tress	9 Trees	Y
• South	0 Trees	1 Trees	1 Trees	Y
• West	1 Tree / 8 Linear Feet	29 Trees	13 Trees	N
TOTAL PERIMETER TREES		**31 Trees**	**23 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	0 Trees	4 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	5 Feet		5 Feet	Y
• South	5 Feet		5 Feet	Y
• East	5 Feet		5 Feet	Y
• West	5 Feet		5 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		Not Indicated	N/A

Functional Classification of Street(s)	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
McLeod Street	N/A	60	N/A

Pursuant to Title 19.04, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Auto Repair Garage, Major	4,800 SF	5 spaces, plus 1/200 SF	29		137		
TOTAL SPACES REQUIRED			29				
Regular and Handicap Spaces Required			27	2	135	2	Y

ANALYSIS

The PF (Public Facilities) category is intended to provide for existing public and quasi-public uses and for the development of new schools, libraries, and public parks, in addition to any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. As the subject site is currently under private ownership, the existing land use designation is no longer appropriate. However, the GC (General Commercial) category is consistent with the existing C-2 zoning district and generally allows retail, service, wholesale, office and other general business uses of a more intense commercial nature. These uses may include outdoor storage or display of products or parts, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas without significant transition. The proposed amendment is compatible with the surrounding uses; therefore, staff recommends approval of this request.

An Auto Repair Garage, Major is defined by Title 19.20.020 as "a facility for the repair or reconditioning of any type of motorized vehicle, other than the types of repair and service authorized to be performed in a minor auto repair garage. The term includes a facility which performs any repairs to vehicles with a gross vehicle weight over ten thousand pounds." The applicant is proposing an Auto Repair Garage, Major use on property that was formally the Federal Motor Pool facility, that was approved for an Auto Repair Garage, Minor use. The proposed hours of operation would be from 10:00 a.m. to 8:00 p.m. Monday through Thursday, from 8:30 a.m. to 8:30 p.m. Friday and Saturday and closed on Sunday. The proposed use complies with Title 19.04 minimum Special Use Permit Requirements and can be conducted in a manner that is compatible with existing and surrounding land uses; therefore, staff recommends approval with conditions.

The applicant is requesting a Major Amendment to a previously approved Site Development Plan Review (Z-0003-76) to convert an existing 4,800 square-foot building that was approved for an Auto Repair Garage, Minor use to an Auto Repair Garage, Major use. The applicant is proposing site improvements that will increase compatibility with the residential neighborhood to the north. This includes the removal of the existing 60-foot light poles, which will be replaced with 30-foot light poles that meet the current Title 19.08 lighting requirements, the removal of the unpermitted accessory and canopy structures are to be removed from the site, and additional perimeter landscaping to buffer the use.

The submitted landscape plan depicts a new landscape buffer along the north perimeter abutting single family residences with nine 24-inch box trees and 32-five gallon shrubs. No buffer was previously provided or required at this location. The applicant is upgrading the landscaping buffer along McLeod Drive, with 13, 24-inch box Chaste trees and 51 five-gallon shrubs. Previously, only pine trees at eight feet on center were provided. The proposed parking lot landscaping will consist of a 24-inch box tree and four five-gallon shrubs in each parking lot island, where five gallon shrubs were originally approved.

Staff supports the improved landscaping as the applicant has provided adequate landscape materials where possible. This is an improvement over the previously approved landscape plan, which provided no shrubbery along the perimeter landscape buffer areas, and limited trees in perimeter landscape buffer areas.

The applicant is proposing to upgrade the existing building by adding windows, paint and architectural elements to enhance the building exterior. The building materials are appropriate for the area and city and will improve the aesthetics of the existing building from a spartan governmental building.

Comments were received from the Las Vegas Valley Water District, and include the following: An existing 11/2" meter with 1/12" RPPA. This property does not have a fire line, just domestic. If fire sprinklers will be needed, plans will need to be submitted to LVVWD.

The proposed development is compatible with the development in the area; therefore, staff is recommending approval of the Site Development Plan Review with conditions, along with the General Plan Amendment and Special Use Permit.

FINDINGS (GPA-40839)

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

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

   The proposed amendment is compatible with the surrounding uses as the properties to the south and east has the existing GC (General Commercial) land use designation.

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

   The zoning designations allowed by the proposed amendment to GC (General Commercial) are 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 property is 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.

FINDINGS (SUP-41115)

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

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

   The proposed use will be located on a former Auto Repair Garage, Minor site. The proposed use can be conducted in a manner that is harmonious and compatible with the existing and future surrounding land uses as conditioned.

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

   The subject site has ample area for on-site parking, circulation and required landscaping which makes it physically suitable for the proposed Auto Repair Garage, Major 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 McLeod Street, which is of sufficient size to accommodate the needs of the proposed Auto Repair Garage, Major 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 use complies with the minimum Special Use Requirements for an Auto Repair Garage, Major use.

FINDINGS (SDR-41114)

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 property is located in a C-2 (General Commercial) Zoning District. While there are residential properties to the north, the additional landscaping and parking lot lighting modification will provide adequate buffering to minimize the negative impact of the development.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

   The proposed development is consistent with the General Plan and Title 19.

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

   The site is accessed by existing driveways from McLeod Drive and will not have a negative impact on the adjacent residential neighborhood.

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

   The building materials are appropriate for the area and for the city and will be enhanced by the proposed improvements. The landscape materials as conditioned are appropriate for the area and the city.

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

   The existing single story structure will remain, but aesthetic improvements are proposed to ensure the structure is compatible with the development in the area.

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

   The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 156

APPROVALS 0

PROTESTS 0

JG

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-40839** APN: 162-01-801-013

Name of Property Owner: Linda Lee Ward, as Trustee of The Linda Lee Ward Revocable Living Trust

Name of Applicant: DriveTime Car Sales Company, LLC -- Steven Johnson

Name of Representative: Neal Tomlinson, Snell & Wilmer L.L.P.

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: Linda Lee Ward

Subscribed and sworn before me

This 26 day of January, 20 11

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MISTY HUFF
Appt. No. 04-90236-1
My Appt. Expires July 6, 2012

RECEIVED
FEB 0 1 2011

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: General Plan Amendm't,

Project Address (Location) 2301 McLeod St., Las Vegas, NV 89104

Project Name DriveTime Car Sales Company, LLC **Proposed Use** Auto Repair Garage

Assessor's Parcel #(s) 162-01-801-013 **Ward #** 3 - Reese

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

Commercial Square Footage 4,800 sq. feet **Floor Area Ratio** 1:14.16

Gross Acres 1.8 acres **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Linda Lee Ward as Trustee of the Linda Lee Ward Revocable Living Trust **Contact** _____

Address 9101 W. Sahara Ave., Ste. 105 C-31 **Phone:** _____ **Fax:** _____

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

E-mail Address rbreese@fletcherjones.com

APPLICANT DriveTime Car Sales Company, LLC **Contact** Steven Johnson

Address 4020 E. Indian School Road **Phone:** (602) 778-5003 **Fax:** (602) 778-5025

City Phoenix **State** AZ **Zip** 85018

E-mail Address Steven.Johnson@drivetime.com

REPRESENTATIVE Snell & Wilmer, LLP **Contact** Neal Tomlinson

Address 3883 Howard Hughes Parkway, Suite 1100 **Phone:** (702) 784-5276 **Fax:** (702) 784-5252

City Las Vegas **State** NV **Zip** 89169

E-mail Address ntomlinson@swlaw.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 Linda Lee Ward

Subscribed and sworn before me

This 26 day of January, 20 11.

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MISTY HUFF
Appt. No. 04-90236-1
My Appt. Expires July 6, 2012

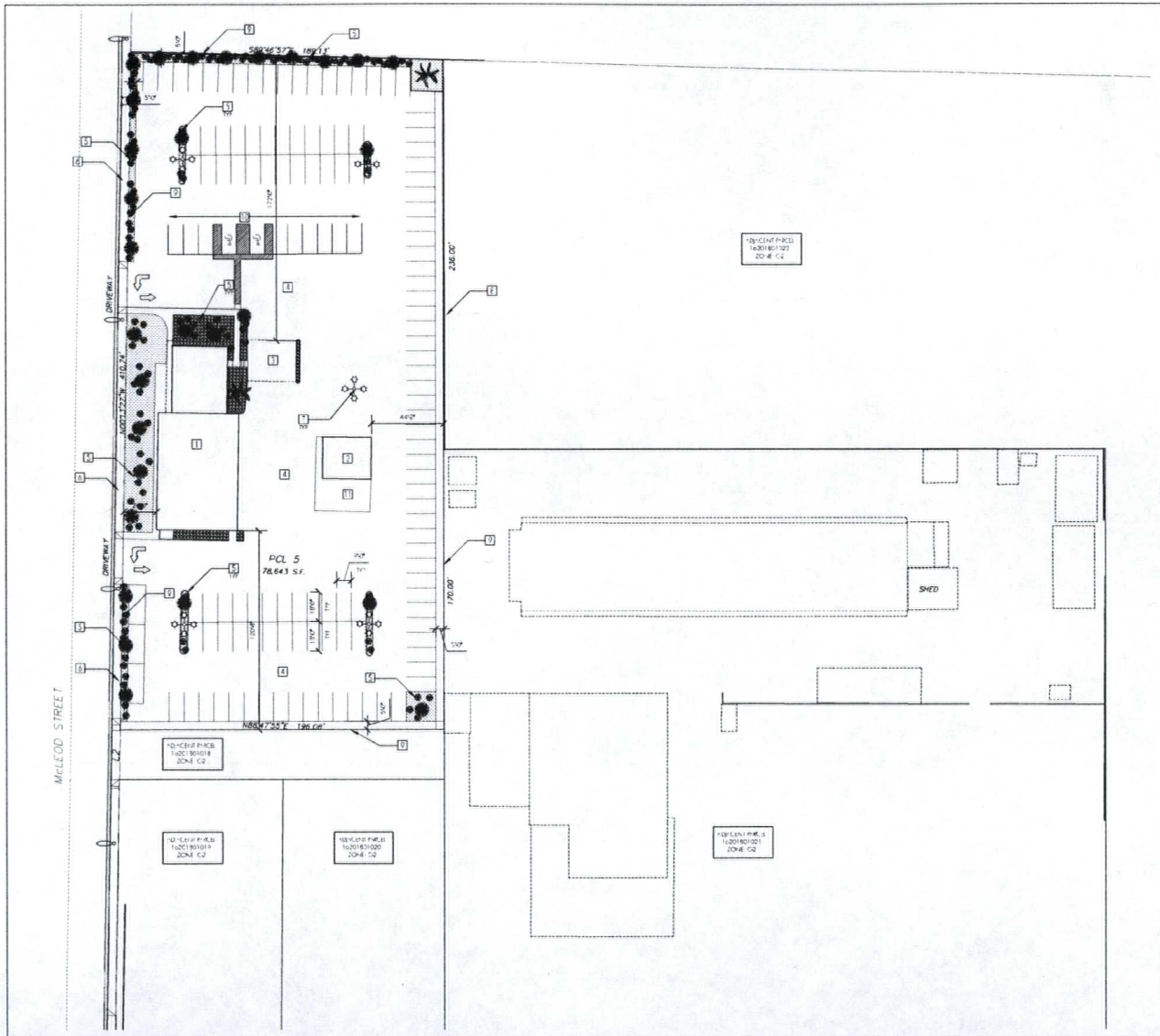
FOR DEPARTMENT USE ONLY

Case #	GPA-49839
Meeting Date:	4/12/11
Total Fee:	$2,050
Date Received:*	2/1/11
Received By:	BMS

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

RECEIVED
FEB 01 2011

Revised 10/27/08



KEYNOTES

1. EXISTING AUTO REPAIR BUILDING
2. EXISTING SHED TO BE REMOVED
3. EXISTING CANOPY
4. EXISTING ASPHALT PAVING
5. MICROSCAPING
6. EXISTING CONCRETE WALK
7. REPLACE EXISTING POLE LIGHT WITH MAXIMUM 30 FEET HIGH SHIELDED LIGHT POLE
8. EXISTING BLOCK WALL - MAX HEIGHT 10 FEET
9. EXISTING CHAIN LINK FENCE - MAX HEIGHT 10 FEET
10. RESTRIPE TO PROVIDE ACCESSIBLE STALLS AND ROUTE
11. EXISTING CANOPY TO BE REMOVED

PARKING

AUTO REPAIR MINOR	4,800 SF
REQUIRED:	1,200 SF ± 5 ± 29 STALLS
PROVIDED:	137 STALLS

SITE DATA

PARCEL	16201801013
ADDRESS	2301 McLEOD ST
JURISDICTION	L-5 VEG-S-89134
ZONING	C2
LOT SIZE:	1.8 ACRE
F.A.R.	1:14.16

VICINITY



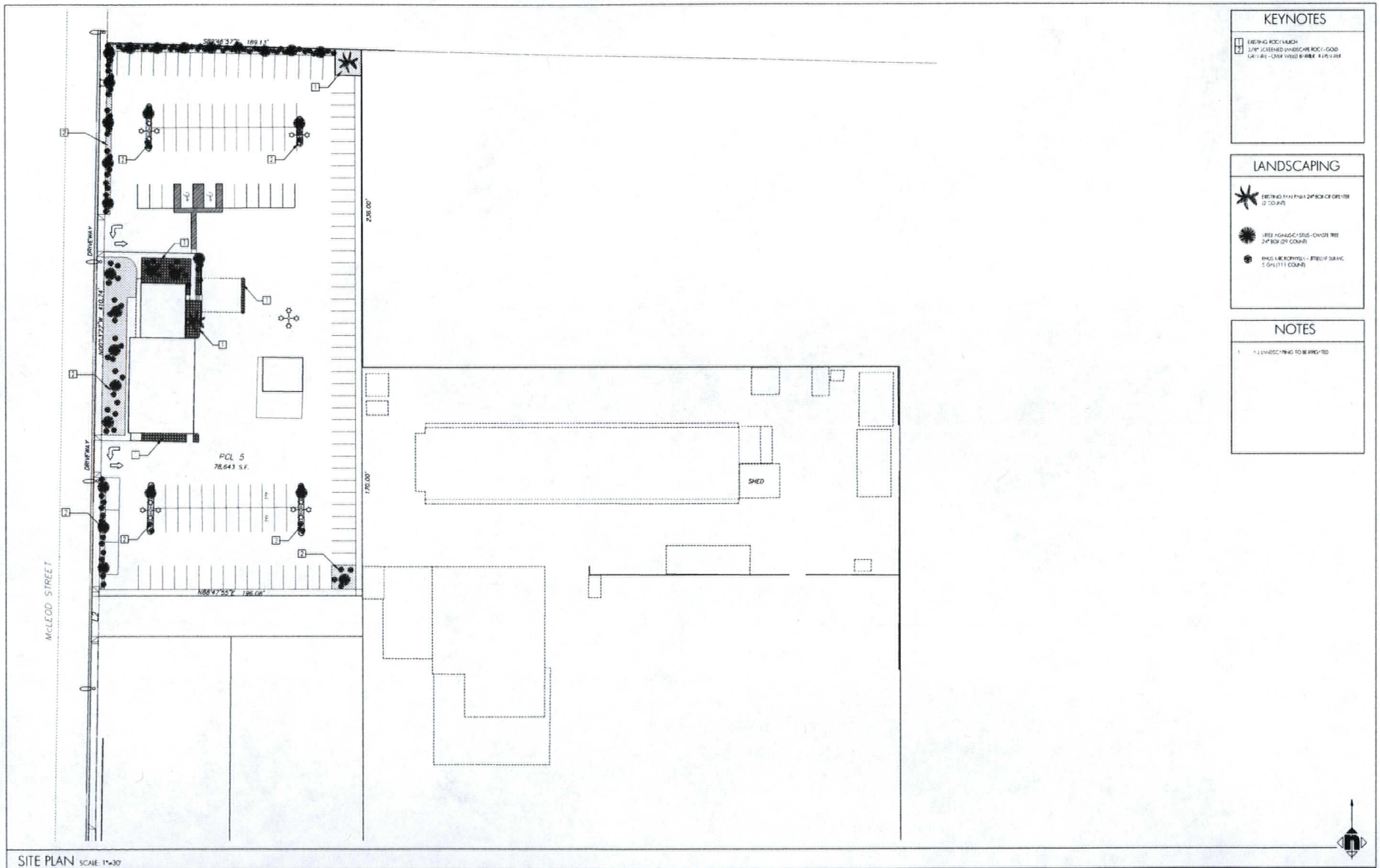
SITE PLAN SCALE: 1"=30'

DRIVETIME CAR SALES COMPANY

RBA ARCHITECTURE December 9, 2010

RECEIVED
MAR 23 2011

GPA-40839 SUP-41115
SDR-41114 REVISED



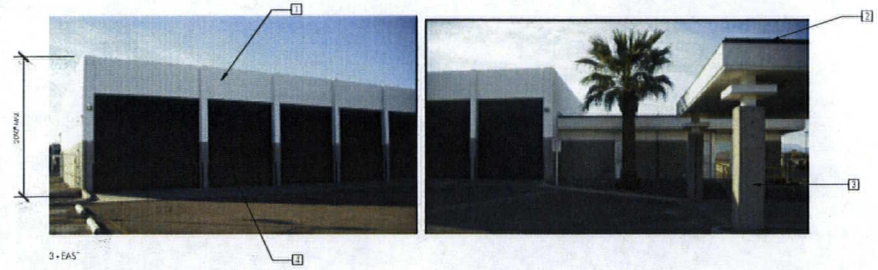
SITE PLAN SCALE: 1"=30'

DRIVETIME CAR SALES COMPANY

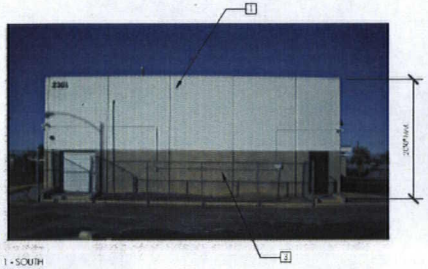
RBA ARCHITECTURE

RECEIVED
MAR 23 2011

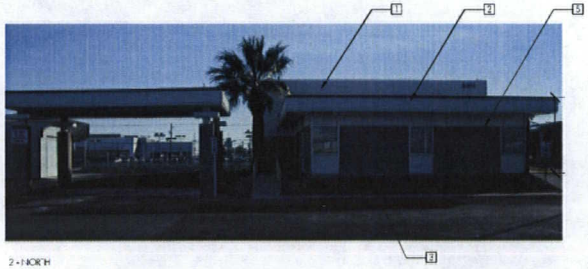
GPA-40839 SUP-41115
SDR-41114 REVISED



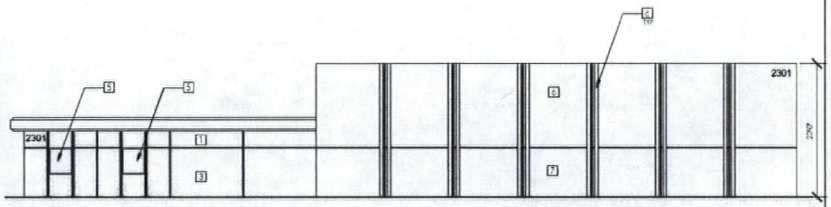
3 - EAST



1 - SOUTH



2 - NORTH



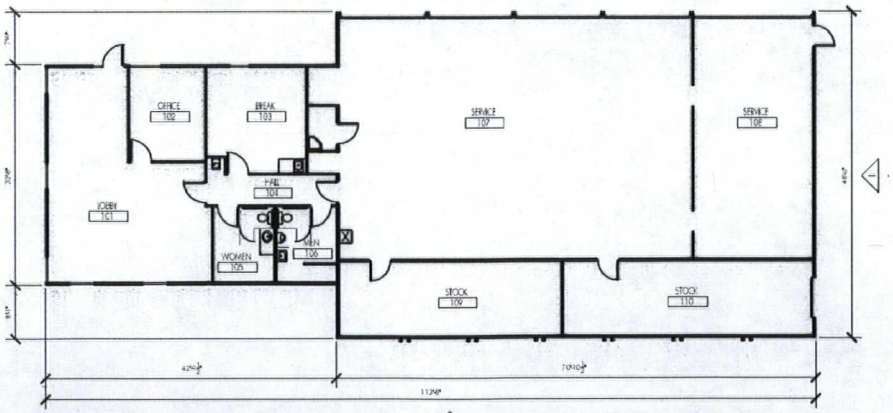
4 - WEST

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

KEYNOTES	
1	PAINTED STUCCO - WHITE
2	PAINTED METAL TRIM - BLACK
3	PAINTED STUCCO - GREY
4	PAINTED METAL DOORS - BLACK
5	STOREFRONT WINDOWS - SILVER FRAME
6	PAINTED CONCRETE PANEL - WHITE
7	PAINTED CONCRETE PANEL - GREY
8	6" EIFS ARTICULATION ELEMENTS

BUILDING DATA	
AREA:	4,800 SF
USE:	AUTO REPAIR GARAGE, MINOR
STORIES:	ONE
OCCUPANTS:	24 PERSONS

NOTES



AUTO REPAIR GARAGE FLOOR PLAN SCALE: 1/8" = 1'-0"

DRIVETIME CAR SALES COMPANY

RBA ARCHITECTURE

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MAR 23 2011

GPA-40839 SUP-41115
SDR-41114 REVISED



GPA-40839, SUP-41115 & SDR-41114 - APPLICANT: DRIVE TIME CAR SALES COMPANY, LLC - OWNER: LINDA LEE WARD REVOCABLE LIVING TRUST
2301 MCLEOD STREET

03/03/11



GPA-40839, SUP-41115 & SDR-41114 - APPLICANT: DRIVE TIME CAR SALES COMPANY, LLC - OWNER: LINDA LEE WARD REVOCABLE LIVING TRUST
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2301 MCLEOD STREET

03/03/11

Snell & Wilmer
L.L.P.
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702.784.5252 (Fax)
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LOS CABOS
ORANGE COUNTY
PHOENIX
SALT LAKE CITY
TUCSON

D. Neal Tomlinson
702.784.5276
ntomlinson@swlaw.com

March 23, 2011

38764.0084

Steve Gebeke, Planning Supervisor
John Grider, Planner 1
City of Las Vegas
Department of Planning and Development
333 N. Rancho Drive
Las Vegas, Nevada 89106

Re: Amended Justification Letter for Applicant DriveTime Car Sales Company, LLC (Parcel No. 162-01-801-013)

As you know, this firm represents DriveTime Car Sales Company, LLC ("DriveTime"). DriveTime has entered into an agreement to purchase the above-referenced parcel number which is located at 2301 McLeod Street, at the intersection of McLeod Street and East Sahara Avenue (the "Property").

DriveTime intends to use the Property for the service and repair of used motor vehicles to complement the sale of used motor vehicles on its adjacent property located at 3000 and 3030 East Sahara Avenue (the "Sahara Property"). DriveTime will simply utilize the existing buildings on the Property as an auto body and service facility in support of the used motor vehicle sales operations on the Sahara Property. Currently, the Property is classified as Public Facilities (PF) for the General Plan, and is designated as a General Commercial (C-2) zoning district. Pursuant to Las Vegas Municipal Code Title 19.18.03(I), in order to approve a General Plan Amendment, the Planning Commission and City Council must determine, among other factors, that, "[t]he density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations," and "[t]he zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts." Therefore, because the General Plan and Zoning designations for the property are currently not compatible, DriveTime submits this General Plan Amendment application in order for the General Plan and Zoning designations to be compatible with one another as required.

DriveTime intends to have 25 employees at the Sahara Property, and the proposed hours of operation are Monday through Thursday from 10:00 a.m. to 8:00 p.m., Friday and Saturday from 8:30 a.m. to 8:30 p.m., and closed on Sundays, with the proposed hours for the subject Property varying depending upon need and demand. DriveTime will obtain the requisite used

GPA-40839 SUP-41115
SDR-41114 REVISED
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Snell & Wilmer is a member of LEX MUNDI, The Leading Association of Independent Law Firms.

motor vehicle dealer license issued by the Nevada Department of Transportation, Motor Vehicle Division in order to operate.

DriveTime also operates two similar used car sales dealerships located at 3333 East Fremont Street (opened in 1996) and a used car sales dealership at 1616 South Decatur (opened in 2004). Pictures of both locations, as well as the Department of Motor Vehicles Dealer Licenses for both locations have previously been submitted.

Title 19.18.03(I) of the Las Vegas Municipal Code sets forth various issues for the Planning Commission and City Council to consider when determining whether or not to approve a General Plan Amendment. In order to approve a 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.

DriveTime is able to satisfy all of the above criteria. Although the property is currently vacant, it was previously operated as a new and used car dealership and service facility. As such, the subject site is physically suitable for the density and intensity of land use being proposed since the previous use was for a similar purpose. Furthermore, much of the surrounding property areas are also used for the same purpose (*i.e.* the sale of motor vehicles), which indicates that DriveTime's intended use would be compatible with the surrounding land uses and zoning districts. The Property is located at the intersection of McLeod Street and East Sahara Avenue, both major thoroughfares, and is easily accessible via Boulder Highway and other alternative routes to accommodate future customers. Lastly, approval of a General Plan Amendment to allow DriveTime to service used motor vehicles on the Property would in no way compromise public health or safety, as DriveTime's intended use is consistent with the surrounding areas and previous use of the Property.

DriveTime is also proposing numerous improvements to the currently vacant Property, as depicted on the revised plans, including, but not limited to, the following:

1. Replace and upgrade existing landscaping to include irrigated 24" box trees and 5 gallon shrubs;
2. Add landscaping to the north property line to include irrigated 24" box trees and 5 gallon shrubs;
3. Add landscaping to existing, but obstructed light pole planters;

GPA-40839 SUP-41115
SDR-41114 REVISED

4. Add windows, paint and articulation elements to improve existing building facade;
5. Replace existing 60' light poles with 30' shielded light poles;
6. Remove existing unpermitted structure and canopy; and
7. Restripe to provide accessible parking, handicap parking and route.

Based on the foregoing, DriveTime's intended use of the property as a service facility for the repair and service of used motor vehicles is justified. Please feel free to contact me should you have any questions or require additional information.

Very truly yours,

Snell & Wilmer L.L.P.

D. Neal Tomlinson

DNT:bls

GPA-40839 SUP-41115
SDR-41114 REVISED

City of Las Vegas Agenda Item No.: **20.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-41115 - SPECIAL USE PERMIT RELATED TO GPA-40839 - PUBLIC HEARING - APPLICANT: DRIVETIME CAR SALES COMPANY, LLC - OWNER: LINDA LEE WARD REVOCABLE LIVING TRUST - Request for a Special Use Permit FOR A PROPOSED AUTO REPAIR GARAGE, MAJOR use at 2301 McLeod Street (APN 162-01-801-013), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

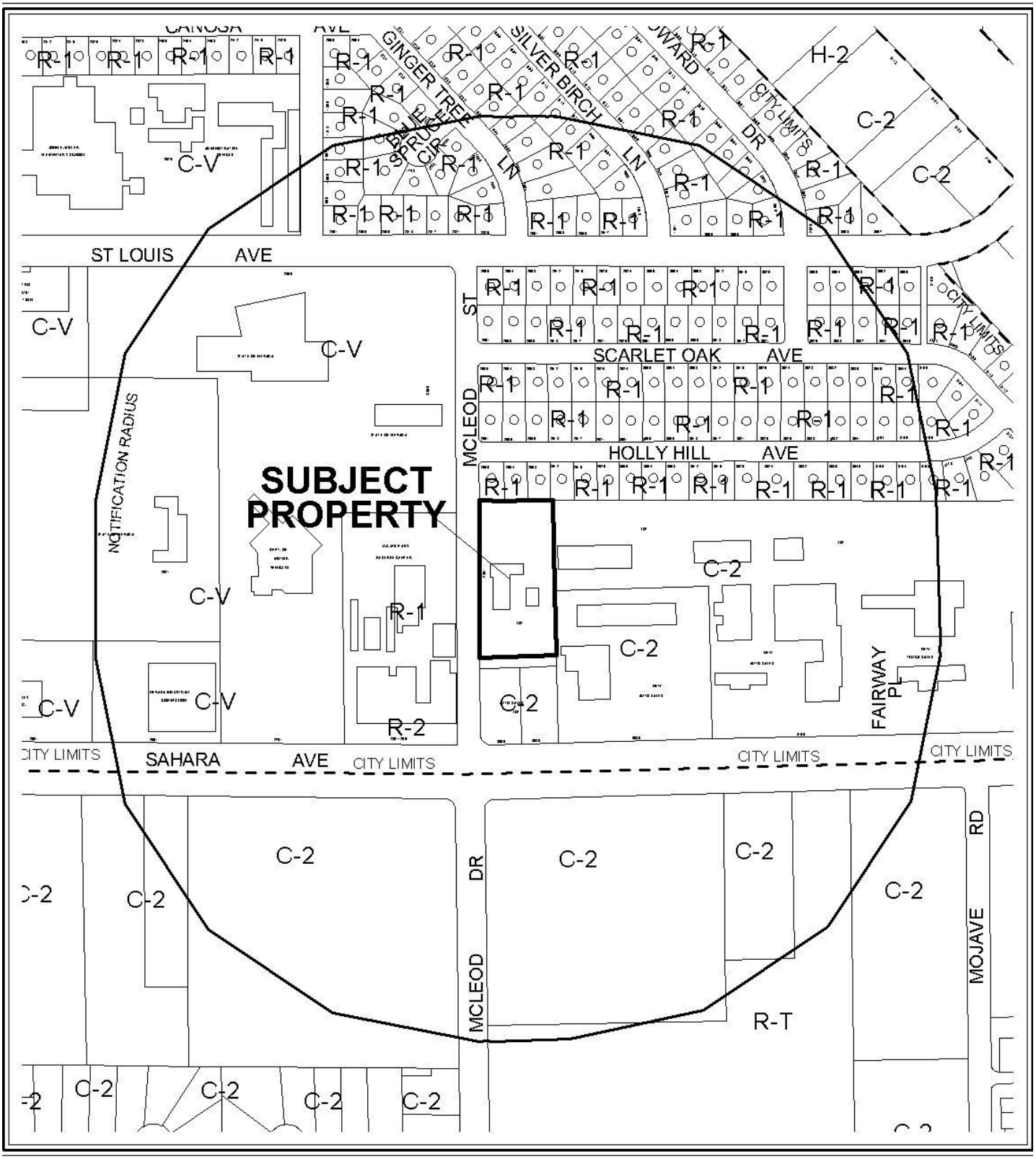
C.C.: 05/18/2011

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. Location and Aerial Maps - SUP-41115 and SDR-41114
3. Supporting Documentation

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.



CASE: **SUP-41115 AND SDR-41114**

RADIUS: 1000 FT

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

0 300 600 Feet

N



CASE: **SUP-41115 AND SDR-41114**

RADIUS: 1000 FT

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

0 300 600 Feet

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41115** APN: 162-01-801-013, Special Use Permit

Name of Property Owner: Linda Lee Ward as Trustee of the Linda Lee Ward Revocable Living Trust

Name of Applicant: DriveTime Car Sales Company, LLC--Steven Johnson

Name of Representative: Snell & Wilmer, LLP--Neal Tomlinson

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: Linda Lee Ward

Print Name: Linda Lee Ward

Subscribed and sworn before me

This 1 day of March, 2011

Notary Public in and for said County and State

Clark County, Nevada

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MISTY HUFF
Appt. No. 04-90236-1
My Appt. Expires July 6, 2012

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MAR 03 2011

Revised 11-14-06

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

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 2301 McLeod St., Las Vegas, NV 89104

Project Name DriveTime Car Sales Company, LLC **Proposed Use** Auto Repair Garage

Assessor's Parcel #(s) 162-01-801-013 **Ward #** 3 - Reese

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

Commercial Square Footage 4,800 sq. feet **Floor Area Ratio** 1:14.16

Gross Acres 1.8 acres **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Linda Lee Ward as Trustee of the Linda Lee Ward Revocable Living Trust **Contact** _____

Address 9101 W. Sahara Ave., Ste. 105 C-31 **Phone:** _____ **Fax:** _____

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

E-mail Address rbreese@fletcherjones.com

APPLICANT DriveTime Car Sales Company, LLC **Contact** Steven Johnson

Address 4020 E. Indian School Road **Phone:** (602) 778-5003 **Fax:** (602) 778-5025

City Phoenix **State** AZ **Zip** 85018

E-mail Address Steven.Johnson@drivetime.com

REPRESENTATIVE Snell & Wilmer, LLP **Contact** Neal Tomlinson

Address 3883 Howard Hughes Parkways, Suite 1100 **Phone:** (702) 784-5276 **Fax:** (702) 784-5252

City Las Vegas **State** NV **Zip** 89169

E-mail Address ntomlinson@swlaw.com

Property Owner Signature* Linda Lee Ward

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

Print Name Linda Lee Ward

Subscribed and sworn before me

This 1st day of March, 20 11.

Clark County, Nevada

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MISTY RUFF
Appt. No. 04-90236-1
My Appt. Expires July 6, 2012

FOR DEPARTMENT USE ONLY

Case #	SUP-41115
Meeting Date:	4-12-11
Total Fee:	1030.00
Date Received:*	3-3-11
Received By:	JFmud

RECEIVED
MAR 03 2011

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

Revised 10/27/08

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

City of Las Vegas Agenda Item No.: **21.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-41114 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-40839 AND SUP-41115 - PUBLIC HEARING - APPLICANT: DRIVETIME CAR SALES COMPANY, LLC - OWNER: LINDA LEE WARD REVOCABLE LIVING TRUST - Request for a Major Amendment to a previously approved Site Development Plan Review (Z-0003-76) FOR A PROPOSED AUTO REPAIR GARAGE, MAJOR WITHIN AN EXISTING 4,800 SQUARE-FOOT BUILDING on 1.8 acres at 2301 McLeod Street (APN 162-01-801-013), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

C.C.: 05/18/2011

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.

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41114** APN: 162-01-801-013, Site Development Review

Name of Property Owner: Linda Lee Ward as Trustee of the Linda Lee Ward Revocable Living Trust

Name of Applicant: DriveTime Car Sales Company, LLC--Steven Johnson

Name of Representative: Snell & Wilmer, LLP--Neal Tomlinson

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: Linda Lee Ward

Print Name: Linda Lee Ward

Subscribed and sworn before me

This 1st day of March, 2011

Clark County, Nevada

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MISTY HUFF
Appt. No. 04-90236-1
My Appt. Expires July 6, 2012

RECEIVED
MAR 03 2011

Revised 11-14-06

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

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Site Development Review

Project Address (Location) 2301 McLeod St., Las Vegas, NV 89104

Project Name DriveTime Car Sales Company, LLC **Proposed Use** Auto Repair Garage

Assessor's Parcel #(s) 162-01-801-013 **Ward #** 3 - Reese

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

Commercial Square Footage 4,800 sq. feet **Floor Area Ratio** 1:14.16

Gross Acres 1.8 acres **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Linda Lee Ward as Trustee of the Linda Lee Ward Revocable Living Trust **Contact** _____

Address 9101 W. Sahara Ave., Ste. 105 C-31 **Phone:** _____ **Fax:** _____

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

E-mail Address rbreese@fletcherjones.com

APPLICANT DriveTime Car Sales Company, LLC **Contact** Steven Johnson

Address 4020 E. Indian School Road **Phone:** (602) 778-5003 **Fax:** (602) 778-5025

City Phoenix **State** AZ **Zip** 85018

E-mail Address Steven.Johnson@drivetime.com

REPRESENTATIVE Snell & Wilmer, LLP **Contact** Neal Tomlinson

Address 3883 Howard Hughes Parkway, Suite 1100 **Phone:** (702) 784-5276 **Fax:** (702) 784-5252

City Las Vegas **State** NV **Zip** 89169

E-mail Address ntomlinson@swlaw.com

Property Owner Signature* Linda Lee Ward

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

Print Name Linda Lee Ward

Subscribed and sworn before me

This 1st day of March, 20 11.

Clark County, Nevada

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MISTY HUFF
Appt. No. 04-90236-1
My Appt. Expires July 6, 2012

FOR DEPARTMENT USE ONLY

Case #	SDR-41114
Meeting Date:	4-12-11
Total Fee:	1030.00
Date Received:*	3-3-11
Received By:	JFnud

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

RECEIVED
MAR 03 2011

Revised 10/27/08

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City of Las Vegas Agenda Item No.: **22.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

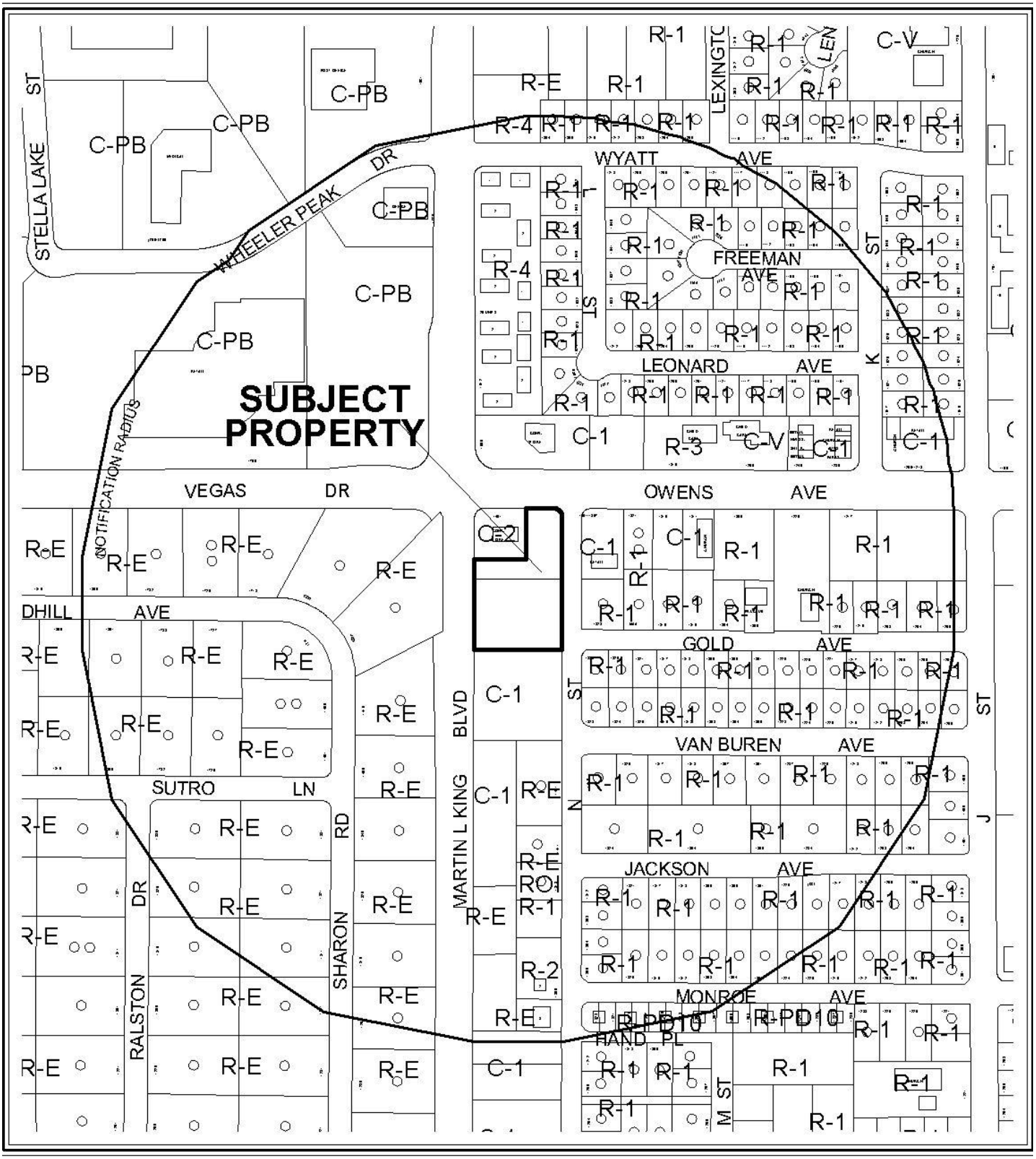
SUBJECT:
ZON-40999 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: WAI CHUN GINN - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 1.44 acres at the southwest corner of Owens Avenue and "N" Street (APNs 139-28-501-002 and 003), Ward 5 (Barlow). Staff recommends APPROVAL.

C.C.: 05/18/2011

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 - ZON-40999 and SDR-40998
2. Conditions and Staff Report - ZON-40999 and SDR-40998
3. Supporting Documentation
4. Photos - ZON-40999 and SDR-40998
5. Justification Letter - ZON-40999 and SDR-40998



0 300 600 Feet

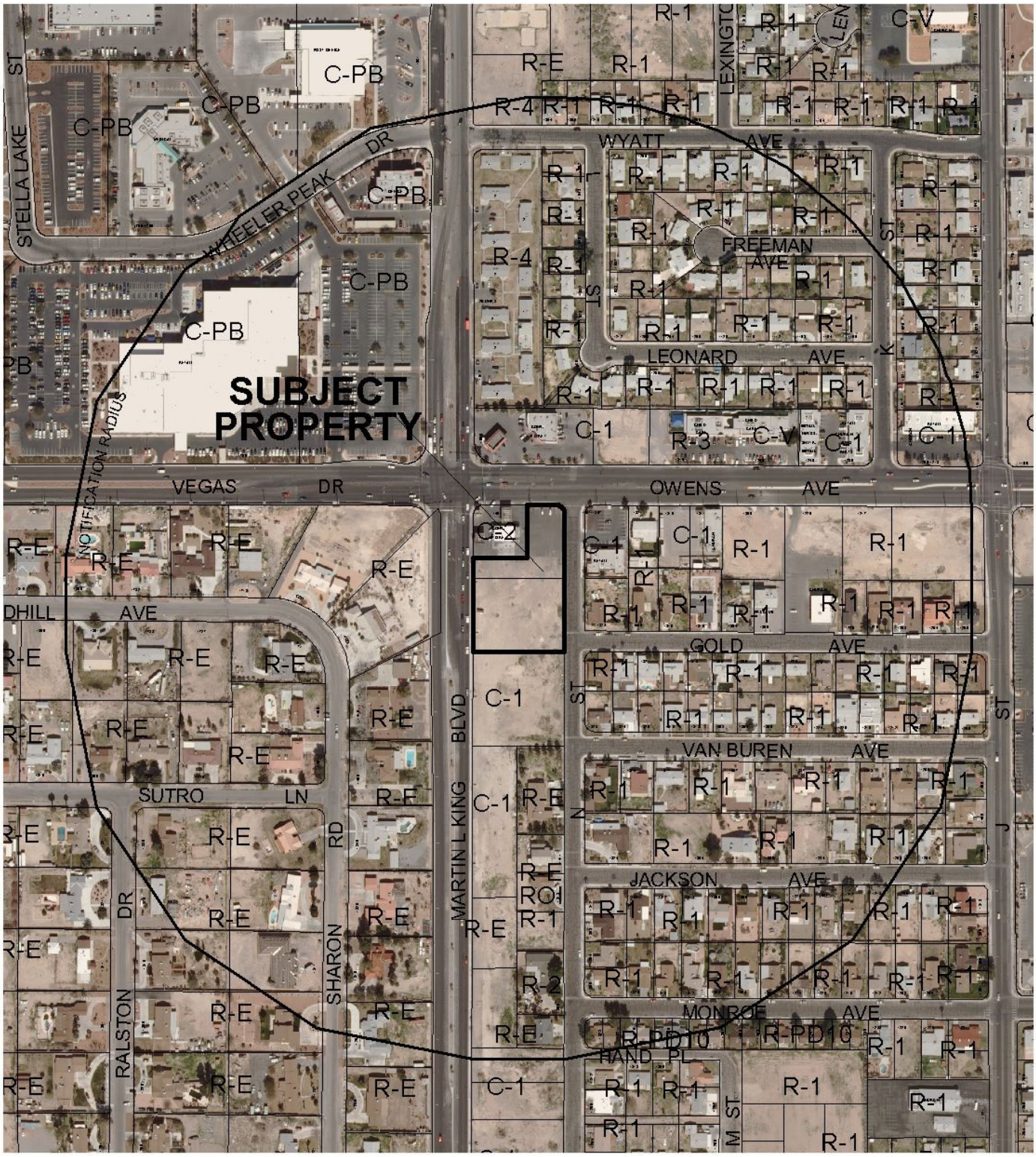
CASE: **ZON-40999 AND SDR-40998**

RADIUS: 1000 FT

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

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

N



CASE: **ZON-40999 AND SDR-40998**

RADIUS: 1000 FT

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

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

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: WAI CHUN GINN

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ZON-40999	Staff recommends APPROVAL.	
SDR-40998	Staff recommends DENIAL, if approved subject to conditions:	ZON-40999

** CONDITIONS **

SDR-40998 CONDITIONS

Planning

1. Approval of Rezoning (ZON-40999) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. 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, landscape plan, and building elevations, date stamped 03/09/11, except as amended by conditions herein.

4. A Waiver from Title 19.12 is hereby approved, to allow a zero-foot landscape buffer along the west perimeter and to allow a five-foot wide perimeter landscape buffer on the north and east perimeters.

5. An Exception from Title 19.10 is hereby approved, to allow no parking lot screening.

6. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 03/09/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

YK

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

8. 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.

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

Public Works

10. Remove all substandard sidewalk improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. The existing "pan" style driveway accessing this site from "N" Street may remain.

11. Sign and record a Covenant Running with Land agreement for the future installation of half-street improvements (including sidewalks, streetlighting, and possibly fire hydrants) on "N" Street adjacent to this site prior to occupancy of this site.

12. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant was issued a violation notice for an illegal commercial parking lot by City of Las Vegas Code Enforcement. To remedy the situation, the owner has applied to rezone the property to C-1 (Limited Commercial) to allow a commercial parking with an approved site development plan review application. In addition, the applicant is proposing to rezone the parcel adjacent to the south in conjunction with the rezoning application.

Staff is recommending approval of the Rezoning (ZON-40999) application, as it would conform to the General Plan designation. However, staff is recommending denial of the Site Development Plan Review (SDR-40998), as the project is not designed to meet minimum Title 19 development standards. If denied, a new Site Development Plan Review shall be required prior to development or use of the site.

ISSUES

- A Rezoning application is required for a commercial parking lot.
- Waivers are required to allow a zero-foot perimeter landscape buffer along the west side where eight feet is required and a five-foot wide perimeter landscape buffer along the north and east sides where 15-foot buffers are required.
- An Exception is required to allow no parking lot screening where one is required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
04/20/94	The City Council denied an appeal of Variance (V-0022-94) for a 40 foot high, 12-feet by 24-feet off premise sign on the east side of Martin L. King Boulevard, south of Owens Avenue. The Board of Zoning Adjustment and staff recommended denial.
06/20/05	The Code Enforcement Division issued a violation (#31492) for a junk vehicle on a vacant lot on the east side of Martin L. King Boulevard, south of Owens Avenue. Case was resolved on 06/25/05.
08/08/05	The Code Enforcement Division issued a violation (#33397) for trash and high weeds on a vacant lot on the east side of Martin L. King Boulevard, south of Owens Avenue. Case was resolved on 08/27/05.
07/24/10	The Code Enforcement Division issued a violation (#93029) for an illegal commercial parking lot on a vacant R-E (Residence Estates) zoned lot on the east side of Martin L. King Boulevard, south of Owens Avenue. Case remains open.

YK

09/29/10	The Code Enforcement Division issued a violation (#94976) for trash on a vacant lot on the east side of Martin L. King Boulevard, south of Owens Avenue. Case was resolved on 10/15/10.

Most Recent Change of Ownership	
06/08/93	A deed was recorded for a change in ownership for both parcels.

Related Building Permits/Business Licenses
No activity on file.

Pre-Application Meeting	
08/18/10	Staff met with the applicant and found that a Rezoning and a Site Development Plan Review application would be required. The Site Development Plan Review is only required for APN 139-28-501-002.

Neighborhood Meeting
No Neighborhood Meeting was required nor held.

Field Check	
03/03/11	Staff visited the site and found the proposed parking lot has already been paved, but not to code standards. The vacant lot to the south was generally clean but had a few piles of dirt dumped on it and weeds were widely scattered.

Details of Application Request	
Site Area	
Net Acres	1.44

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Site 139-28-501-002	Parking Lot	C (Commercial)	R-E (Residence Estates)
North	Convenience Store	C (Commercial)	C-1 (Limited Commercial)

South	Undeveloped	C (Commercial)	R-E (Residence Estates)
East	Retail	C (Commercial)	C-1 (Limited Commercial)
West	Single-Family	R (Residential Rural Density)	R-E (Residence Estates)
	Convenience Store	C (Commercial)	C-2 (General Commercial)

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Site 139-28-501-003	Undeveloped	C (Commercial)	R-E (Residence Estates)
North	Parking Lot	C (Commercial)	R-E (Residence Estates)
South	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
East	Single-Family	C (Commercial)	R-1 (Single Family Residential)
West	Single-Family	R (Residential Rural Density)	R-E (Residence Estates)

Master Plan Areas	***Yes***	***No***	***Compliance***
West Las Vegas Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
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		Y
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	3 Trees	5 Trees	Y
• South	1 Tree / 20 Linear Feet	0 Trees	0 Trees	N/A
• East	1 Tree / 20 Linear Feet	4 Trees	4 Trees	Y
• West	1 Tree / 30 Linear Feet	0 Trees	0 Trees	N/A

YK

TOTAL PERIMETER TREES		7 Trees	9 Trees	Y
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	4 Trees	4 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		5 Feet	N
• South	0 Feet		0 Feet	N/A
• East	15 Feet		5 Feet	N
• West	8 Feet		0 Feet	N

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Martin Luther King Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y
Owens Avenue	Primary Arterial	Master Plan of Streets and Highways	100	Y
N Street	N/A	N/A	50	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
Install a 15 foot wide perimeter landscape buffer along adjacent right-of-ways.	To install a five-foot wide perimeter landscape buffer along the north and east perimeters.	Denial
Install an eight foot wide perimeter landscape buffer along interior lot lines.	To allow a zero perimeter landscape buffer along the developed portion of the west side of the lot.	Approval

Exception		
Requirement	***Request***	***Staff Recommendation***
Parking lots shall be screened from adjacent roadways by a low wall or berm with a maximum height of thirty inches, or a solid living hedge with an approximate maximum height of thirty-six inches.	To allow no screening.	Denial

YK

ANALYSIS

The two parcels are designated as C (Commercial) under the General Plan. The request to rezone the two undeveloped parcels from R-E (Residence Estates) to C-1 (Limited Commercial) will bring these two parcels into conformance with the General Plan, and will be consistent with surrounding commercial zoning districts, and therefore staff supports the request.

The applicant has also requested a Site Development Plan Review for a commercial parking lot on the northern portion of parcel 139-28-501-002. This lot has been used as both parking and a driveway to the adjacent convenience store. The owner has been notified by Code Enforcement that the paved area was not developed to minimum Title 19 standards and that it is a residentially zoned parcel. The owner had previously paved the area as a dust control measure.

The applicant is now applying for a Site Development Plan Review with Waivers of the Landscape Buffer requirements and an Exception for parking lot screening to develop a portion of the parcel as a commercial parking lot. Staff supports the requested Waiver for a zero-foot perimeter landscape buffer along the west, as the proposed parking lot will be utilized to serve the convenience store on the adjacent lot. However, the proposed Waiver to limit the perimeter landscape buffers along the rights-of-way to five feet where fifteen feet is required is not supported by staff. The applicant has stated that the reason for requesting the Waivers and Exception is due to the fact that the parking lot has already been built with a five-foot wide landscape buffer. The parcel has ample room to be developed as a large parking lot meeting all Title 19 standards. Therefore, staff recommends denial of the Site Development Plan Review application. If denied, a new Site Development Plan Review shall be required prior to development or use of the site.

FINDINGS (ZON-40999)

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 General Plan Land Use designation is C (Commercial) that allows C-1 (Limited Commercial) zoning designation. The West Las Vegas Plan also designates these parcels for future commercial development.

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.**

   A commercial parking lot is a permitted use under the C-1 (Limited Commercial) zoning designation and is compatible with the surrounding uses.

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

   The recent widening of Martin Luther King Boulevard is conducive to the redevelopment of these two parcels for commercial use.

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

   The parcels can be accessed off of both Martin Luther King Boulevard and "N" Street, which are fully developed public rights-of-way.

FINDINGS (SDR-40998)

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 commercial parking lot is compatible with adjacent developments.

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 General Plan designation for the site is C (Commercial). The proposal doesn't meet Title 19 development standards for a commercial parking lot. The proposal is consistent with the West Las Vegas Plan.

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

   The parking lot is accessed off N Street, a 50-foot right-of-way. The parking lot can also be accessed from the adjacent lot to the west with direct access off both Martin Luther King Boulevard and Owens Avenue.

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

   The proposed Blue Mexican Palm and Acacia Aneura Mulga trees and Texas Sage 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 proposal does not meet the minimum right-of-way perimeter landscape buffer requirements. The lack of required screening will make the parking lot unsightly, and have a negative impact on the surrounding area.

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

   The proposed parking lot will be subject to inspection and will therefore not compromise the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 223

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-40999** APN: _____

Name of Property Owner: WAI CHUN GINN

Name of Applicant: WAI CHUN GINN

Name of Representative: WAI CHUN GINN

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: WAI CHUN GINN

Subscribed and sworn before me

This 1 day of September, 2010

_____

Notary Public in and for said County and State

ALVIN J. LOCSIN
Notary Public, State of Nevada
Appointment No. 08-6221-1
My Appt. Expires Feb 6, 2012

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: REZONING. FROM RE TO C

Project Address (Location) 1451 W. OWENS AVE, LAS VEGAS, NV. 89106

Project Name GINN'S VACANT LOTS. **Proposed Use** PARKING.

Assessor's Parcel #(s) 139285010O2 AND 139285010O3 **Ward #** 5

General Plan: existing X proposed X **Zoning:** existing RE proposed C

Commercial Square Footage 59050 SQ. FT **Floor Area Ratio**

Gross Acres 1.52 **Lots/Units** **Density**

Additional Information 72ft x 107 ft PAVED PARKING LOT, REMAING ARE VACANT UNDEVELOPE LAND. SEE REVITALISATION REDEVERLOPMENT WEST LAS VEGAS.

PROPERTY OWNER WAI CHUN GINN **Contact** CANDIE GINN

Address 2199 NATALIE AVE **Phone:** 7027358027 **Fax:**

City LAS VEGAS **State** NV **Zip** 89169

E-mail Address PWCGINN@YAHOO.COM

APPLICANT WAI CHUN GINN **Contact** CANDIE GINN

Address 2199 NATALIE AVE., **Phone:** 7027358027 **Fax:**

City LAS VEGAS **State** NV **Zip** 89169

E-mail Address PWCGINN@YAHOO.COM.

REPRESENTATIVE AS ABOVE, **Contact**

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

City **State** **Zip**

E-mail Address

Property Owner Signature* Wai Chun Ginn

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

Print Name WAI CHUN GINN

Subscribed and sworn before me

This 1 day of September, 2010.

Notary Public in and for said County and State

ALVIN J. LOCSIN
Notary Public, State of Nevada
Appointment No. 08-6221-1
My Appt. Expires Feb 6, 2012

FOR DEPARTMENT USE ONLY

Case #	ZON-40999
Meeting Date:	4/12/11
Total Fee:	$1,200
Date Received:*	2/22/11
Received By:	B.S.

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

Revised 10/27/08

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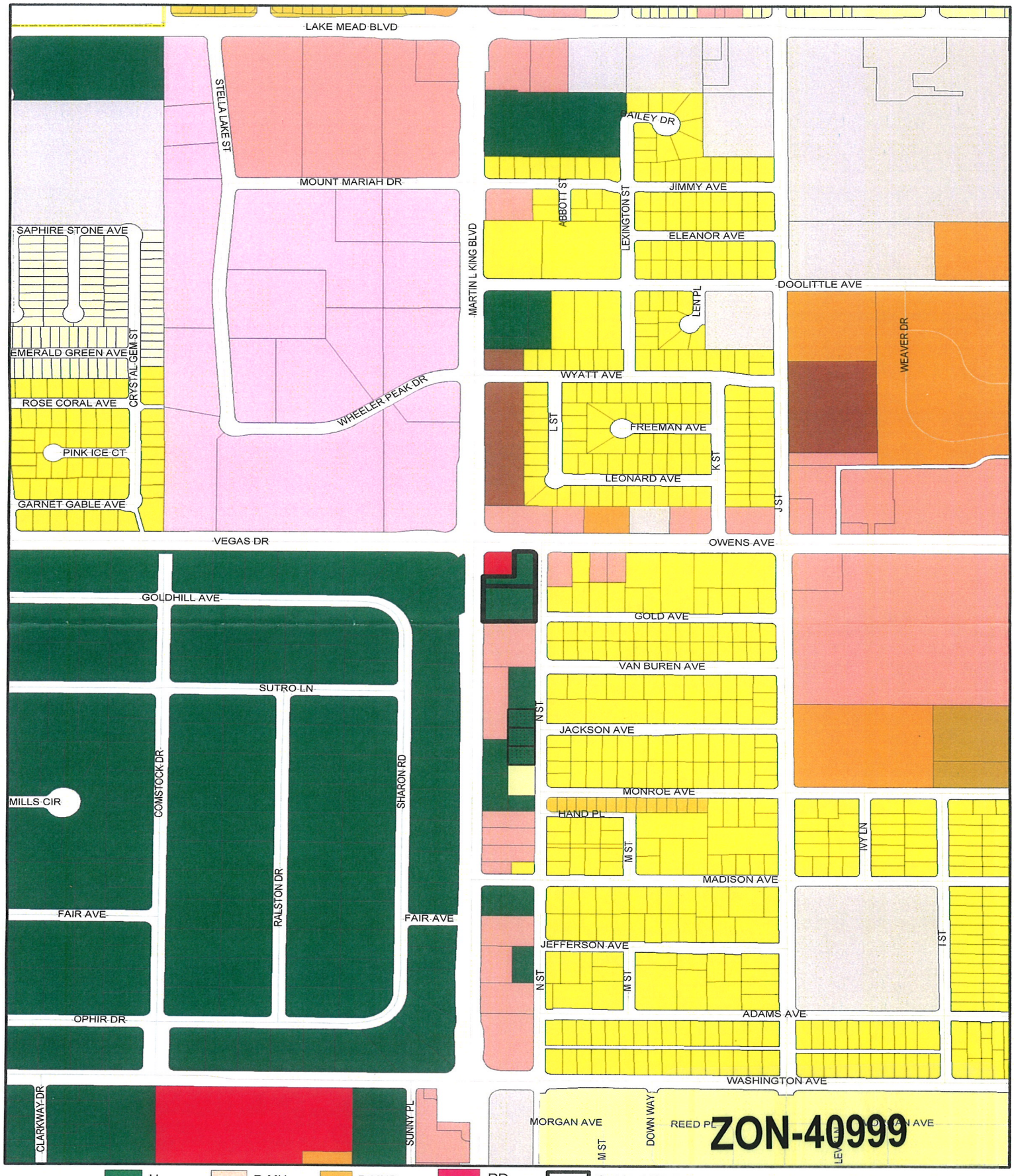
FEB 22 2011

REZONING Parcel: 13928501002 and 13928501003



ZONING

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

Subject Parcel

City Limits

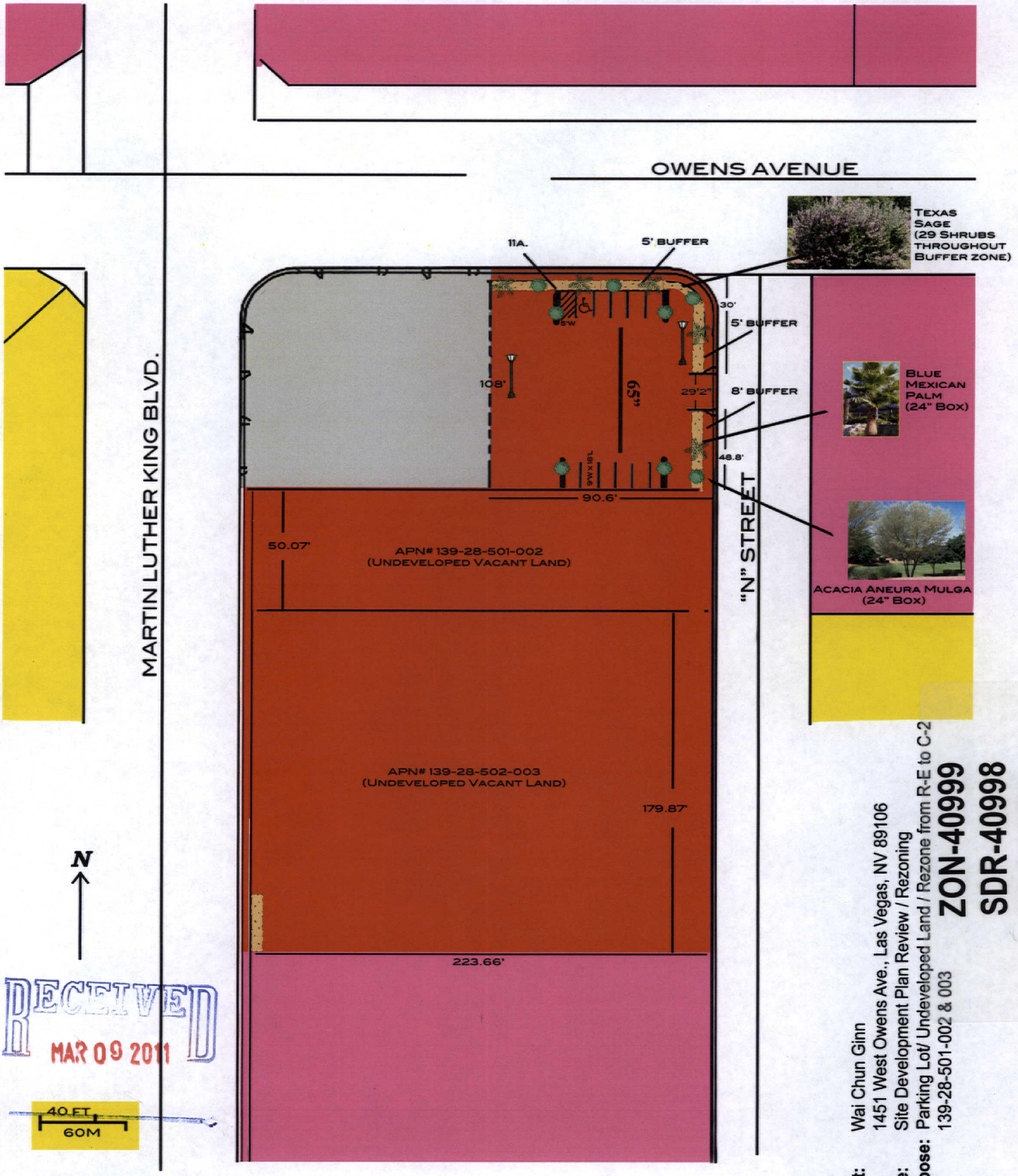
ROI Zoning

FROM R-E TO C-2

RECEIVED
FEB 22 2011

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

Printed: August 18, 2010



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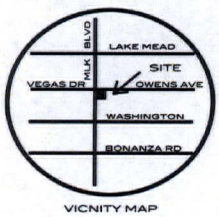
MAR 09 2011



VICINITY MAP

PAT'S CHINESE FOOD & MINI-MART

Owner/Applicant: Wai Chun Ginn
Site Location: 1451 West Owens Ave., Las Vegas, NV 89106
Application Type: Site Development Plan Review / Rezoning
Application Purpose: Parking Lot/ Undeveloped Land / Rezone from R-E to C-2
APN: 139-28-501-002 & 003

ZON-40999
SDR-40998
REVISED



ZON-40999 & SDR-40998 – APPLICANT/OWNER: WAI CHUN GINN
SOUTHWEST CORNER OF OWENS AVENUE AND "N" STREET

03/03/11



ZON-40999 & SDR-40998 - APPLICANT/OWNER: WAI CHUN GINN
SOUTHWEST CORNER OF OWENS AVENUE AND "N" STREET

03/03/11



ZON-40999 & SDR-40998 – APPLICANT/OWNER: WAI CHUN GINN
SOUTHWEST CORNER OF OWENS AVENUE AND "N" STREET

03/03/11



ZON-40999 & SDR-40998 – APPLICANT/OWNER: WAI CHUN GINN
SOUTHWEST CORNER OF OWENS AVENUE AND "N" STREET

03/03/11

City of Las Vegas

Department

Planning and Development,

333 N Rancho Drive

Las Vegas, Nevada 89106

Mar 8, 2011

To Whom It May Concern,

Case #93029 Locations: 13928501002 & 13928501003

Please accept this correspondence as a request of "Waiver for the width on Landscaping Buffer".

We would also like to a request a width-waiver on the 120.6 feet, the required 8 ft. wide landscaping buffer, reduce to the width to exciting 5 feet wide landscaping buffer.

The 90.6 feet length on the north side of the property, the side adjacent to "West Owens Ave", and the 30.0 feet on the east side of the property, that curved around adjacent to "N" Street. We already have an existing 5 feet wide landscaping buffer.

The lot was a vacant undeveloped land, covered by dirt and gravels, and the public was using it as thoroughfare, driveway, and parking lot – which stirred up a lot of dust and pollution. In order to diminish the dust and pollution, we paved the 90.6ft x 108ft and converted it into a paved lot.

On 07/24/2010, City of Las Vegas Code Enforcement cited us for illegal parking lot - land use violation 19.04.010.

We are requesting rezoning Vacant R-E lot to C2 – to reverse the enforcement issue.

Sincerely

Wai Chun Ginn

Pat's Chinese Food & Mini Mart

1451 W Owens Ave, Las Vegas, NV 89106

702 6387287

702 7358027

pwcginn@yahoo.com

RECEIVED
MAR 09 2011

ZON-40999
SDR-40998
REVISED

City of Las Vegas Agenda Item No.: **23.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-40998 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-40999 - PUBLIC HEARING - APPLICANT/OWNER: WAI CHUN GINN - Request for a Site Development Plan Review FOR A PARKING LOT WITH WAIVERS TO ALLOW NO PERIMETER LANDSCAPE BUFFER ALONG THE WEST PERIMETER WHERE EIGHT FEET IS REQUIRED AND A FIVE-FOOT PERIMETER LANDSCAPE BUFFER ALONG THE NORTH AND EAST PERIMETERS WHERE FIFTEEN FEET IS REQUIRED on a portion of 0.53 acres at the southwest corner of Owens Avenue and "N" Street (APN 139-28-501-002), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 5 (Barlow). Staff recommends DENIAL.

C.C.: 05/18/2011

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-40998** APN: _____

Name of Property Owner: WAI CHUN GINN

Name of Applicant: WAI CHUN GINN

Name of Representative: WAI CHUN GINN

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: Wai Chun Ginn

Print Name: WAI CHUN GINN

Subscribed and sworn before me

This 1 day of September, 20 10

_____

Notary Public in and for said County and State

ALVIN J. LOCSIN
Notary Public, State of Nevada
Appointment No. 08-6221-1
My Appt. Expires Feb 6, 2012

RECEIVED
FEB 22 2011

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) 1451 W. Owens Ave Las Vegas, Nv. 89106

Project Name GINN'S VACANT LOTS. **Proposed Use** Parking.

Assessor's Parcel #(s) 139285010002 AND 139285010003 **Ward #** 5

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

Commercial Square Footage 59050 Sq Ft **Floor Area Ratio** _____

Gross Acres 1.52 **Lots/Units** _____ **Density** _____

Additional Information 72 Ft x 107 ft PAVED parking LOT, REMAINING ARE VACANT undeVELOPE LAND. SE REVITALISATION REDEVELOPMENT WEST LAS VEGAS

PROPERTY OWNER WAI CHUN GINN **Contact** CANDIE GINN

Address 2199 NATALIE AVE. **Phone:** 7027358027 **Fax:** _____

City LAS VEGAS **State** NV. **Zip** 89169

E-mail Address PWCGINN@YAHOO.COM

APPLICANT WAI CHUN GINN **Contact** CANDIE GINN

Address 2199 NATALIE AVE, **Phone:** 7027358027 **Fax:** _____

City LAS VEGAS. **State** NV. **Zip** 89169

E-mail Address PWCGINN@YAHOO.COM

REPRESENTATIVE AS ABOVE **Contact** _____

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

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

E-mail Address _____

Property Owner Signature* _____

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

Print Name WAI CHUN GINN

Subscribed and sworn before me

This 1 day of September, 20 10.

_____

Notary Public in and for said County and State

ALVIN J. LOCSIN
Notary Public, State of Nevada
Appointment No. 08-6221-1
My Appt. Expires Feb 6, 2012

FOR DEPARTMENT USE ONLY

Case #	SDR-10998
Meeting Date:	4/12/11
Total Fee:	$1,030
Date Received:*	2/22/11
Received By:	B.S.

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

RECEIVED
FEB 22 2011

Revised 10/27/08

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

City of Las Vegas Agenda Item No.: **24.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

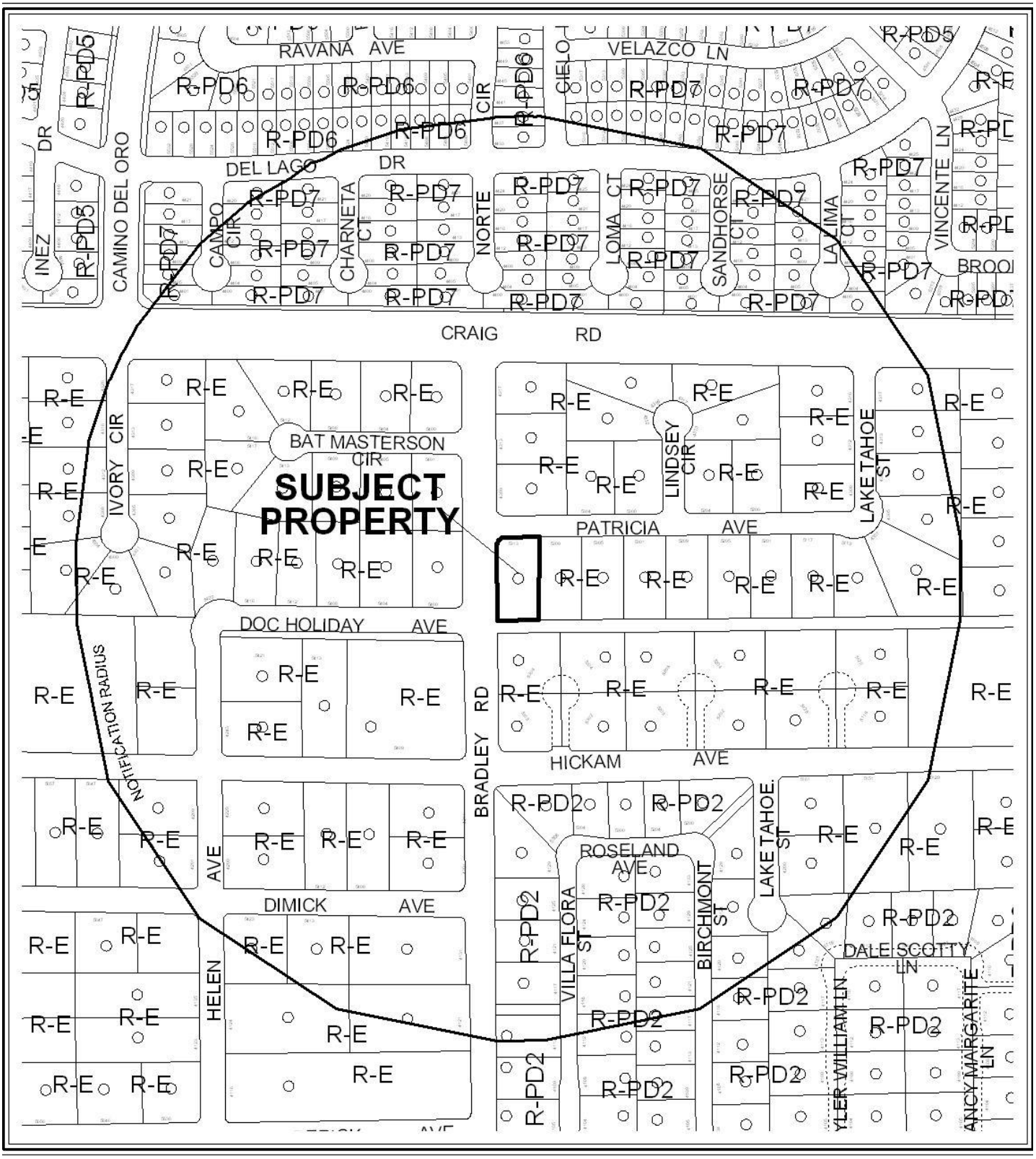
SUBJECT:
VAR-40797 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: MARGARITA OJEDA - Request for a Variance TO ALLOW A SIX-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED FOR A PROPOSED ACCESSORY STRUCTURE (CLASS II) AND TO ALLOW THREE ACCESSORY STRUCTURES WITH A TOTAL BUILDING AREA OF 1,048 SQUARE FEET WHERE 1,011 SQUARE FEET IS THE MAXIMUM ALLOWED on 0.45 acres at 5313 Patricia Avenue (APN 138-01-710-017), R-E (Residence Estates) Zone, Ward 6 (Ross). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
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



0 300 600 Feet

CASE: VAR-40797

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: VAR-40797

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: MARGARITA OJEDA

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-40797	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

VAR-40797 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

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

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.

Public Works

5. Connect to public sewer in Bradley Road and abandon the existing Individual Sewage Disposal System (ISDS) according to Southern Nevada Health Department (SNHD) regulations unless documentation is provided from the SNHD allowing the existing ISDS to remain.

6. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

Staff Report Page One
April 12, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This request is for a Variance to allow a maximum 1,048 square feet of combined floor area where 1,011 square feet is the maximum allowed, to allow the proposed Accessory Structure (Class II) with a six-foot side yard setback, where 15 feet is required in the R-E (Residence Estates) zoning district, and a proposed 484 square-foot Accessory Structure (Class II) on an existing single family residential lot at 5313 Patricia Avenue. The subject property contains a 2,022 square-foot Single Family Dwelling and two existing Accessory Structures (Class II). Staff recommends denial, as the use does not comply with Title 19 requirements for an Accessory Structure (Class II) use. The proposed Class II accessory structure will be six feet from the side property line on a corner lot. The combined floor area of the existing and proposed accessory structures is greater than 50 percent of the primary dwelling. If this application is denied, the proposed Accessory Structure (Class II) will not be permitted to be located on the property.

ISSUES

- A building permit (#176731) was issued 02/24/11 for a 567 square-foot addition to the residence. Once constructed and all final inspections are completed, the Variance for the building area will no longer apply, as the total area allowed for accessory structures will be 1,295 square feet. The building setback variance will still be required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/28/76	The Board of Zoning Adjustment approved a request for a Variance (V-0077-76) to allow a 30-foot front yard setback where 50 feet is required on 69 proposed lots on property generally located on the south side of Craig Road between Jones Boulevard, and Thom Boulevard.

Most Recent Change of Ownership	
04/24/09	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/17/77	A building permit (#227) was issued for a Single Family Dwelling at 5313

	Patricia Avenue. The residence was completed on 03/21/78.

02/17/11	A plan check review (#40800) was approved for Single Family Dwelling room addition, a storage shed and free standing patio cover at 5313 Patricia Avenue.
02/24/11	A building permit (#176731) was issued for a Single Family Dwelling room addition at 5313 Patricia Avenue. The building permit has not been finaled.
	A building permit (#180154) was issued for an Accessory Structure (Class II) and free standing patio cover at 5313 Patricia Avenue. The building permit has not been finaled.

Pre-Application Meeting	
01/06/11	A pre-application meeting was held with the applicant where the submittal requirements for a Variance were discussed.

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

Field Check	
03/04/11	A site visit by staff noted a well maintained Single Family Dwelling.

Details of Application Request	
Site Area	
Net Acres	0.45

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Single Family, Detached	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 (105 feet)	X		X
Trails		X	N/A
Rural Preservation Overlay District	X		Y
Las Vegas Redevelopment Plan Area			N/A
Development Impact Notification Assessment			N/A
Project of Regional Significance			N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	20,000 SF	19,741 SF	N*
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks (Accessory Structure) • Front • Side • Corner • Rear	 Not Allowed 3 Feet 15 Feet 3 Feet	 N/A Feet 71 Feet 6 Feet 91 Feet	 N/A Y N Y
Min. Distance Between Buildings	6 Feet	14 Feet	Y
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	Lesser of two stories, (with a maximum of 35 feet), or height of the main building, whichever is less.	12.5 Feet	Y

*****The subject site is legally non-conforming for the lot size.

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Patricia Avenue	Local	N/A	51	N/A
Bradley Road	Collector	N/A	80	N/A

ANALYSIS

The subject property is located within the Airport Overlay District with a 105-foot height restriction and Rural Preservation Overlay District. The proposed development conforms to the requirements of these districts.

An Accessory Structure (Class II) use is defined by Title 19.20.020 as "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)." The applicant is proposing a 484 square-foot detached Class II accessory structure that will be utilized as an automobile garage and will be accessed via a driveway from Patricia Avenue. The property contains an existing 2,022 square-foot Single Family Dwelling. The rear yard of the property contains a 420 square-foot freestanding accessory structure and 144 square-foot storage shed.

The request for a Variance is required, as the combined floor area of the two existing Class II accessory structures, and the proposed Class II accessory structure, exceeds 50 percent of the floor area of the principal dwelling. Pursuant to Title 19.08.040, the total area of all accessory structures shall not exceed 50 percent of the principal dwelling, which is 2,022 square feet. The maximum area allowed for all accessory structures is 1,011 square feet.

A building permit (#176731) was issued 02/24/11 for a 567 square-foot addition to the residence. Once constructed and all final inspections are completed, the Variance for the building area will no longer apply, as the total area allowed for accessory structures will be 1,295 square feet. The building setback variance will still be required.

In addition, the proposed class II accessory structure side yard setback is six feet from the property line along Bradley Road. Pursuant to Title 19.08.040, accessory structures in the rear yard of corner lots may not be located closer to the side property line than that required for the primary dwelling. In the R-E (Residence Estates) zoning district, the side yard setback is 15 feet. No characteristics of the property prevent the Accessory Structure (Class II) from being designed to meet Title 19 standards; therefore, staff recommends denial of the request for a Variance. If this request is approved, it is subject to conditions.

FINDINGS (VAR-40797)

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 an Accessory Structure (Class II) that exceeds the building floor area allowed by Title 19.08 and is proposed to be located six feet from the property line on a corner lot. Reduction and relocation of the proposed Class II accessory structure 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 10

NOTICES MAILED 207

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-40797** APN: 138-01-710-017

Name of Property Owner: MARGARITA OJEDA

Name of Applicant: MARGARITA OJEDA

Name of Representative: LARRY'S ENGINEERING, LLC.

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Margarita Ojeda - 3-22-11

Print Name: MARGARITA OJEDA

Subscribed and sworn before me

This 22nd day of March, 2011

Notary Public in and for said County and State

VERONICA M. GONZALEZ
Notary Public, State of Nevada
Appointment No. 05-96698-1
My Appt. Expires Jun 6, 2013

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SETBACK VARIANCE

Project Address (Location) 5313 PATRICIA AVE.

Project Name OJEDA DETACHED GARAGE **Proposed Use** R-E

Assessor's Parcel #(s) 138-01-710-017 **Ward #** 6

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

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

Gross Acres 0.45 **Lots/Units** 1 **Density** _____

Additional Information DETACHED GARAGE

PROPERTY OWNER MARGARITA OJEDA **Contact** 860-0740

Address 5313 PATRICIA AVE. **Phone:** 860-0740 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89131

E-mail Address BALULOPEZ@HOTMAIL.COM

APPLICANT MARGARITA OJEDA **Contact** 860-0740

Address 5313 PATRICIA AVE. **Phone:** 860-0740 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89131

E-mail Address BALULOPEZ@HOTMAIL.COM

REPRESENTATIVE LARRY'S ENGINEERING LLC. **Contact** ENGINEER, STRUCTURAL

Address 8744 SOARING BROOK ST. **Phone:** 340-7927 **Fax:** 639-6868

City LAS VEGAS **State** NV **Zip** 89131

E-mail Address LARRY7405@YAHOO.COM

Property Owner Signature* Margarita Ojeda -3-22-11

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

Print Name MARGARITA OJEDA.

Subscribed and sworn before me

This 22nd day of March, 20 11.

Notary Public in and for said County and State

VERONICA M. GONZALEZ
Notary Public, State of Nevada
Appointment No. 05-96698-1
My Appt. Expires Jun 6, 2013

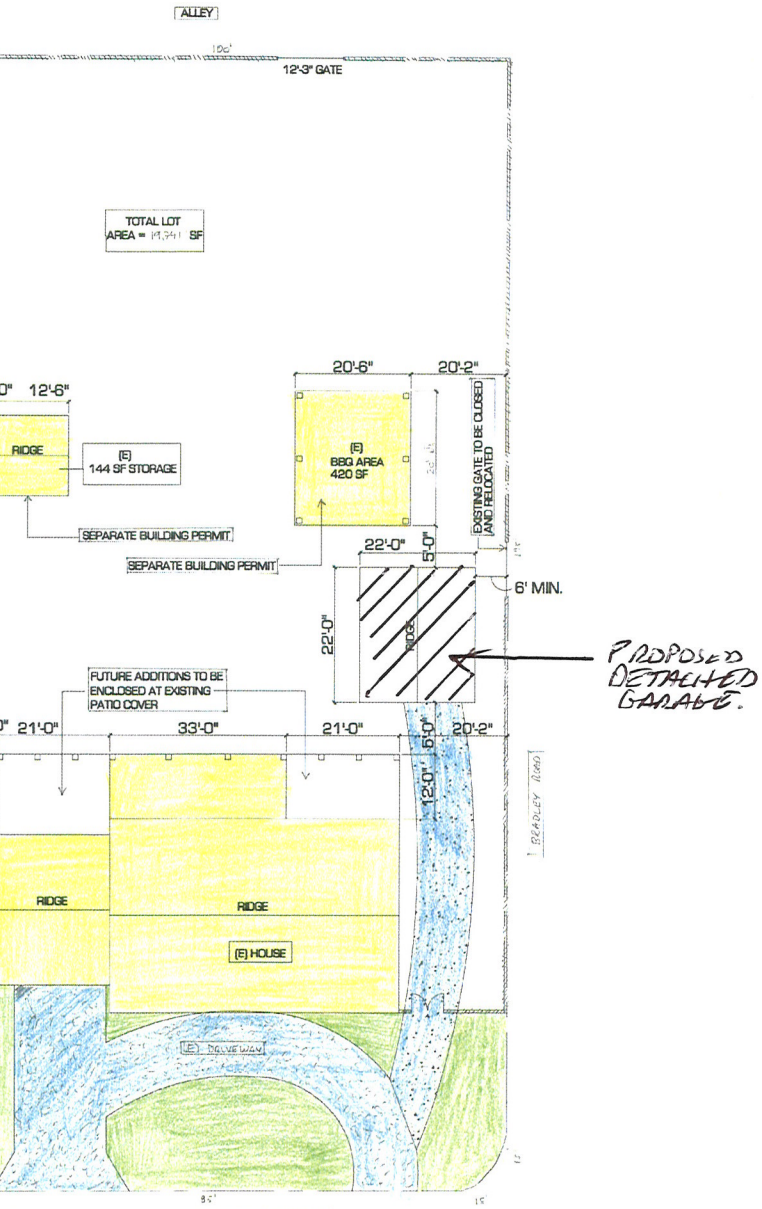
FOR DEPARTMENT USE ONLY

Case #	VAR-40797
Meeting Date:	4/12/11
Total Fee:	$830
Date Received:*	3/22/11
Received By:	Romeo

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

1. Note: Fireblocking shall be provided to cut off all concealed draft openings (both vertical and horizontal) and to form an effective fire barrier between stories, and between a top story and the roof space. Fireblocking shall be provided in wood-frame construction in the following locations. (R602.8)
   1. In concealed spaces of stud walls & partitions, including furred spaces & parallel rows of studs or staggered studs, as follows:
      1.1 Vertically at the ceiling & floor levels.
      1.2 Horizontally at intervals not exceeding 10-feet.
   2. At all interconnections between concealed, vertical and horizontal spaces such as occur at soffits, drop ceilings and cove ceilings.
   3. In concealed spaces between stair stringers at the top and bottom of the run.
   4. At openings around vents, pipes, and ducts at ceiling and floor level, with an approved material to resist the free passage of flame and products of combustion.
   5. For the fireblocking of chimneys and fireplaces, comply with IRC Section R1003.19.
   6. Fireblocking of cornices of a two-family dwelling is required at the line of dwelling unit separation.
2. Note: Cement, fiber-cement or glass mat gypsum backers in compliance with ASTM C 1288, C 1325 or C 1178 and installed in accordance with manufacturer's recommendations shall be used as backers for wall tile in tub and shower areas and wall panels in shower areas. (R702.4.2)
3. Note: Bathtub and shower floors and walls above bathtubs with installed shower heads and in shower compartments shall be finished with a nonabsorbent surface. Such wall surfaces shall extend to a height of not less than 6 feet above the floor. (R307.1 as amended)
4. If textured ceiling, provide 5/8" gypsum board at ceiling or ½" slag resistant gypsum board.
5. Note: In every kitchen, family room, dining room, living room, parlor, library, den, sunroom, bedroom, recreation room, or similar room or area of dwelling units, receptacle outlets shall be installed in accordance with the general provisions specified in the following articles. Spacing NEC Article 210.52(A) (1), Wall Space NEC Article 210.52(A) (2) as amended & Floor Receptacles NEC Article 210.52(A) (3) as amended.
6. Note: The following fastened-in-place appliances are required to have a separate minimum 20-ampere circuit: dishwasher, trash compactor, microwave oven, range hood, clothes washer and hydro-massage bathtub.

   The clothes washer circuit may serve one (1) additional outlet in the laundry area. (NEC Article 210.23(E)(4) as amended)
7. Note: Countertops in kitchen and dining rooms of dwelling units, receptacle outlets for counter spaces shall be installed in accordance with the following articles. Wall Counter Space NEC Article 210.52(C)(1), Island Counter Space NEC Article 210.52(C)(2) as amended, Peninsular Counter Space NEC Article 210.52(C)(3) as amended, Separate Spaces NEC Article 210.52(C)(4) & Receptacle Outlet Locations NEC Article 210.52(C)(5). (NEC Article 210.52(A))
8. Note: In the kitchen, pantry, breakfast room, dining room, or similar area of a dwelling unit, the two or more 20-ampere small-appliance branch circuits required by 210.11(C)(1) shall serve all wall and floor receptacle outlets covered by 210.52(A), all countertop outlets covered by 210.52(C), and receptacle outlets for refrigeration equipment. (NEC Article 210.52(B)(1))
9. Note: No more than (5) duplex receptacle outlets serving the required countertop receptacles shall be installed on any small appliance branch circuit. (NEC Article 210.23(E)(3) as amended)
10. Note: The maximum number of outlets on a 20-ampere, 125-volt circuit used either exclusively for receptacles or exclusively for lighting fixtures or for any combination of receptacles and lighting fixtures shall be 12. (See exceptions) (NEC Article 210.23(E)(2) as amended)
11. Note: A receptacle installed outdoors in a location protected from the weather or in other damp locations shall have an enclosure for the receptacle that is weatherproof when the receptacle is covered (attachment plug cap not inserted and receptacle covers closed). (NEC Article 406.8(A))
12. Note: 15- and 20-ampere, 125- and 250-volt receptacles installed in a wet location shall have an enclosure that is weatherproof whether or not the attachment plug cap is inserted. (NEC Article 406.8(B)(1))
13. Note: Luminaires in clothes closets shall be installed in accordance with NEC Article 410.8.
14. Note: All luminaires (fixtures) installed in damp locations shall be marked, "Suitable for Wet Locations" or "Suitable for Damp Locations." (NEC Article 410.4(A))
15. Unless prohibited by structural design a wall switch shall be located within 6-feet of the point of entry, and shall not be located behind an active door in the fully open position. (NEC Article 210.70(A)(1) as amended)
16. Note: Plumbing shall comply with the 2006 Uniform Plumbing Code and local amendments.
17. Note: Water heaters shall be anchored or strapped to resist horizontal displacement due to earthquake motion. Strapping shall be at points within the upper one-third and lower one-third of its vertical dimensions. At the lower point, a minimum distance of four inches shall be maintained above the controls with the strapping. (UPC 508.2)
18. Note: Water heaters are required to have a heat trap. Exception: if the trap is integral to the water heater or if part of hot water circulating system. (2006 IECC)
19. All building water supply systems in which quick acting valves are installed shall be provided with devices to absorb the hammer caused by high pressures resulting from the quick closing of valves. (i.e. dishwashers, washing machines) (UPC 609.10)



SITE PLAN
SCALE: 3/32" = 1'-0"

VARIANCE
FOR MARGARITA OJEDA
5313 PATRICIA AVE.
LAS VEGAS NV 89130
APN#: 138-01-710-017

SHEET INDEX

AG0	SITE PLAN + VICINITY MAP
AG1	ELEVATIONS
SG1	FOUNDATION FRAMING AND ROOF FRAMING PLAN

ZONING INFORMATION

WARD #:	6-ROSS
LOT SF:	19,741 SF [0.45 ACRE]
USE:	SINGLE FAMILY DWELLING, DETACHED GARAGE
PLAN:	CN: DESERT RURAL
ZONING:	RE [RESIDENCE ESTATES]
HOUSE SF:	2022 SF

TOTAL FLOOR AREA
(E) STORAGE = 144 SF
(E) BBQ AREA = 420 SF
(N) DETACHED GARAGE = 484 SF
TOTAL = 1048 SF
(E) HOUSE = 2022 SF

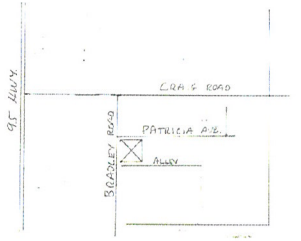
50% OF (E) HOME = 1011 SF
1048 SF EXCEEDS BY 3%

CODE SUMMARY

THIS PROJECT SHALL COMPLY WITH:

2006 IBC
2006 IRC
2006 IECC
2005 NEC
AND THE SOUTHERN NEVADA CODE AMENDMENTS

JURISDICTION:	CITY OF LAS VEGAS
OCCUPANCY:	R-3
CONSTRUCTION TYPE:	V-B
HEIGHT: ACTUAL	15'-0"
HEIGHT: ALLOWABLE	25'-0"
STORY: ACTUAL	(1)
STORY: ALLOWABLE	(2)
AREA: DETACHED GARAGE	484 SF



VICINITY MAP
SCALE: NTS

RECEIVED
MAR 22 2011

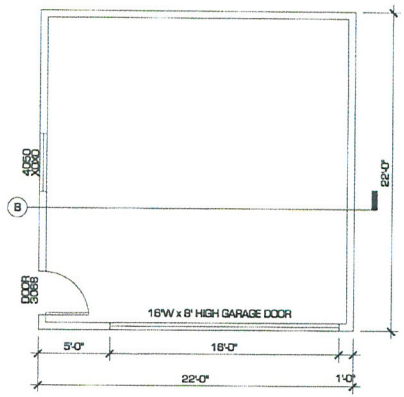
VAR-40797
REVISED

REVISIONS	BY:

LARRY'S ENGINEERING
7844 BOARING BROOK STREET
LAS VEGAS, NV 89131
CELL: 702.340.7927
FAX: 702.838.8888

TITLE: SITE PLAN
PROJECT: VARIANCE
LUIS AND MARGARITA OJEDA
ADDRESS: 5313 PATRICIA AVE.
LAS VEGAS, NV 89130

DRAWN: PK
CHECKED: LARRY SANCHEZ
DATE: 4-28-2009
SCALE: AS SHOWN
JOB NO.
SHEET: AG0



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

WALL LEGEND

GRAPHIC	DESCRIPTION
▬	NEW WALL 2x4 STUDS AT 16" O.C. WITH 1/2" TYPE "X" GYP. INSIDE FACE
▭	EXISTING WALL

WINDOW SCHEDULE

① DUEL PANED TEMPERED LOW E, 1" INSULATED GLASS, FRAME STOBE WOOD

DOOR SCHEDULE

① 3068 WOOD HOLLOW CORE PRIVACY LOCK

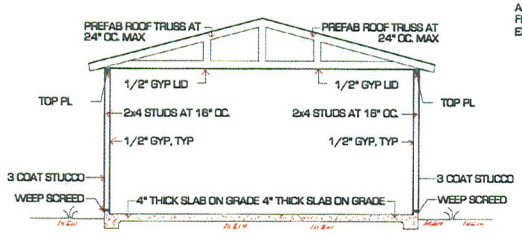
LIGHT + VENT SCHEDULE

ROOM	AREA SF	LITE REQ	LITE ACTUAL	VENT REQ	VENT ACTUAL
ROOM ADDITION	484	38 SF	41 SF	3.22 SF	10.0 SF

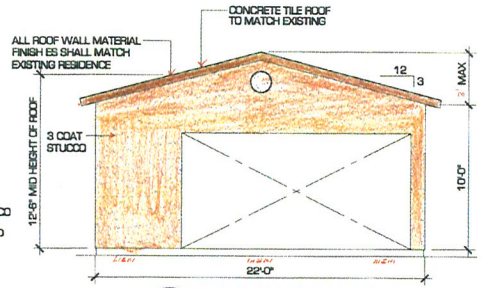
NOTES

1. PROVIDE 8% OF THE FLOOR AREA IN GLAZED OPENINGS (WINDOWS, GLASS, DOORS, SKYLITES) IN ALL HABITABLE ROOMS, RELOCATE EXISTING REQUIRED GLAZING THAT IS REMOVED FOR REMODEL OR ADDITION. IN LIEU OF NATURAL LIGHTING ARTIFICIAL LIGHTING MAY BE PROVIDED CAPABLE OF PRODUCING 6 FOOT-CANDLES 30" ABOVE THE FLOOR GROUND FAULT CIRCUIT INTERRUPTERS ARE REQUIRED FOR KITCHENS, BATHROOMS, GARAGES, AND EXTERIOR OUTLETS.

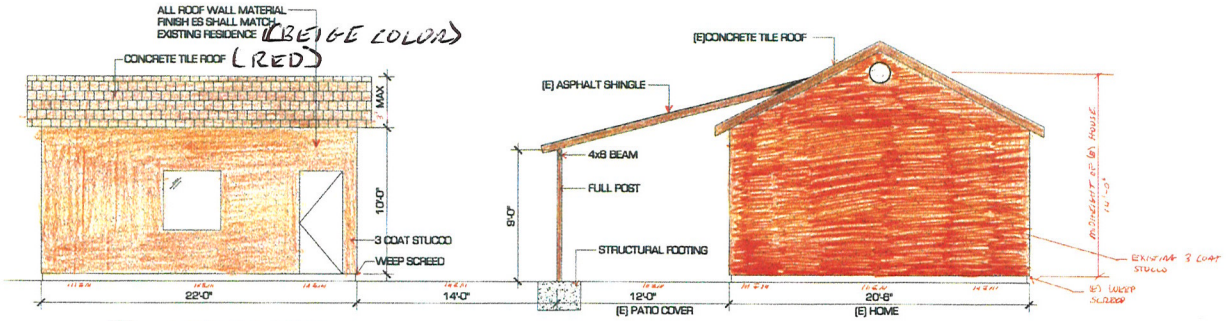
2. EXTERIOR WALLS: 3 COAT STUCCO OVER ⅜" PLY WOOD WITH R-13 INSULATION ON 2x4 STUDS AT 16" OC. WITH ½" GYP.BOARD.



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



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



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

RECEIVED
MAR 22 2011

VAR-40797
REVISED

REVISIONS	BY:

LARRY'S ENGINEERING
7844 SOARING BROOK STREET
LAS VEGAS, NV 89131
CELL: 702.340.7927
FAX: 702.838.6868

TITLE: FLOOR PLAN
PROJECT: VARIANCE
LUIS AND MARGARITA OJEDA
ADDRESS: 5313 PATRICIA AVE.
LAS VEGAS, NV 89130

DRAWN	PK
CHECKED	LARRY SANCHEZ
DATE	4-28-2008
SCALE	AS SHOWN
JOB NO.	
SHEET	AG1

WALL LEGEND

GRAPHIC	DESCRIPTION
	(EX) WALL 2x4 STUDS AT 16" O.C. WITH 1/2" TYPE "X" GYP. INSIDE FACE 3 COAT STUCCO OUTSIDE FACE

WINDOW SCHEDULE

ALL WINDOWS DUEL PANED TEMPERED LOW E, 1" INSULATED GLASS, FRAME STOBE WOOD

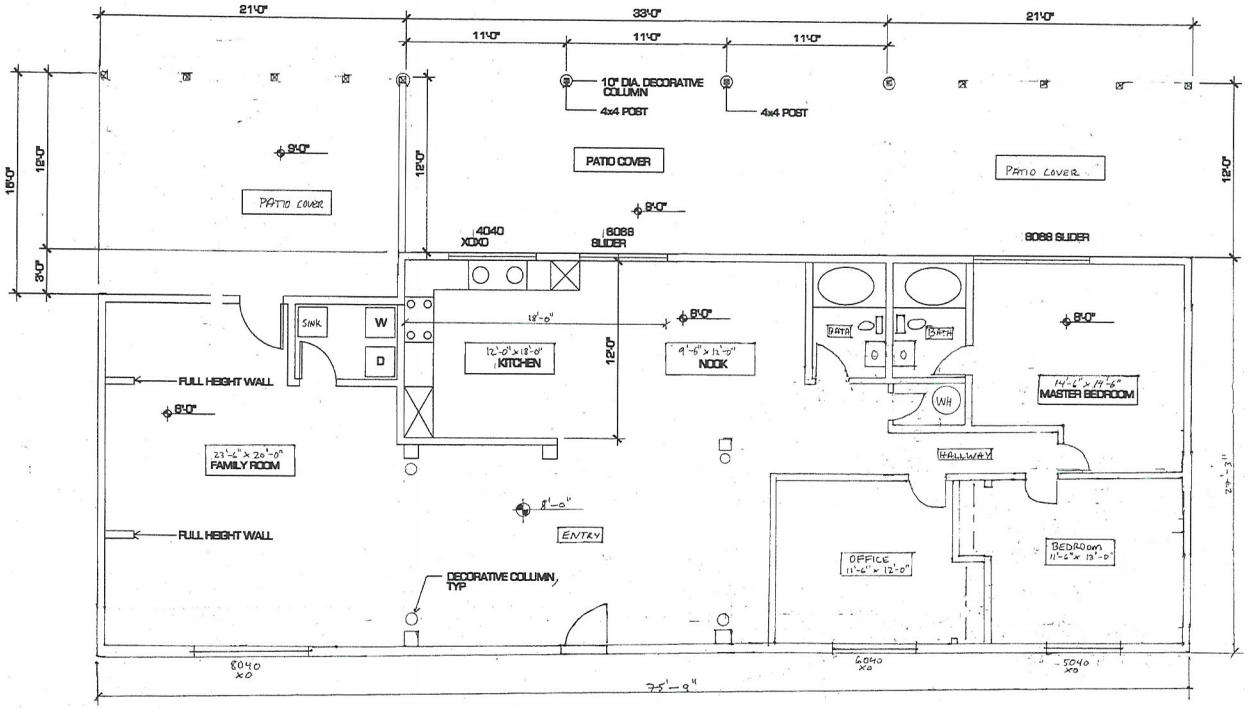
DOOR SCHEDULE

ALL DOORS 3068 WOOD HOLLOW CORE PRIVACY LOCK

NOTES

1. PROVIDE 8% OF THE FLOOR AREA IN GLAZED OPENINGS (WINDOWS, GLASS DOORS, SKYLITES) IN ALL HABITABLE ROOMS, RELOCATE EXISTING REQUIRED GLAZING THAT IS REMOVED FOR REMODEL OR ADDITION. IN LIEU OF NATURAL LIGHTING ARTIFICIAL LIGHTING MAY BE PROVIDED CAPABLE OF PRODUCING 6 FOOT-CANDLES 30" ABOVE THE FLOOR GROUND FAULT CIRCUIT INTERRUPTERS ARE REQUIRED FOR KITCHENS, BATHROOMS, GARAGES, AND EXTERIOR OUTLETS.

2. EXTERIOR WALLS: 3 COAT STUCCO OVER ½" PLY WOOD WITH R-13 INSULATION ON 2x4 STUDS AT 16" CC. WITH ½" GYP.BOARD.



FLOOR PLAN

SCALE ¼" = 1'-0"

RECEIVED
MAR 22 2011

VAR-40797
REVISED

REVISIONS	BY:

LARRY'S ENGINEERING
7944 BOARING BROOK STREET
LAS VEGAS, NV 89131
CELL: 702.340.7827
FAX: 702.838.8888

TITLE: FLOOR PLAN
PROJECT: VARIANCE(S) FOR MARGARITA OJEDA
ADDRESS: 5313 PATRICIA AVE. LAS VEGAS, NV 89130

DRAWN	PK
CHECKED	LARRY SANCHEZ
DATE	4-28-2009
SCALE	AS SHOWN
JOB NO.	
SHEET	AG2



VAR-40797 – APPLICANT: ISRAEL LOPEZ - OWNER: MARGARITA OJEDA
5313 PATRICIA AVENUE

03/03/11

Larry's Engineering
7844 Soaring Brook St.
Las Vegas, NV 89131
Phone (702) 340-7927
Fax (702) 639-6868

January 25, 2011

City of Las Vegas
Department of Planning
333 W. Rancho Drive
Las Vegas, NV

Attention: **Planning Department**
Subject: **Justification Letter**

Dear to whom this may concern:

The purpose of this letter is to allow a new 5'-0" to 6'-0" side setback inside a 20'-0" easement for a detached garage. Also, the owner would like to verify the 50% accessory structure to main house variance. Currently, the existing state of the house is in excellent condition. However, the owner needs a garage close to his main house for loading purposes. By allowing this variance, the owner can maneuver quickly into the house his residential as opposed to locating detached garage in the back of property.

Should you have any further questions regarding this matter, please do not hesitate to contact me at (702) 340-7927.
Sincerely,
Larry J. Sanchez, PE

RECEIVED
JAN 25 2011
VAR-40797

City of Las Vegas Agenda Item No.: **25.**

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

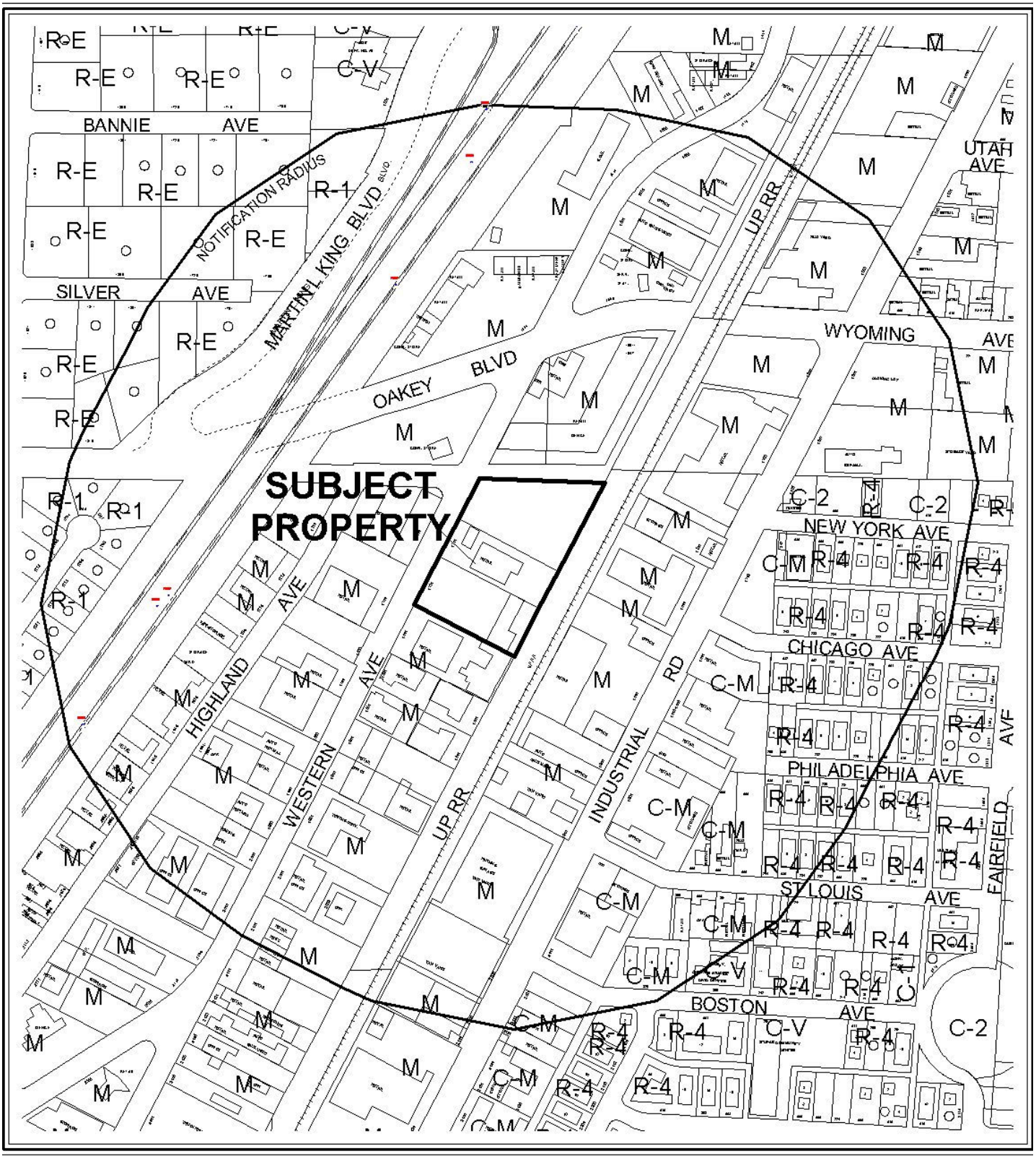
SUBJECT:
VAR-41002 - VARIANCE - PUBLIC HEARING - APPLICANT: SA RECYCLING - OWNER: 1701 WESTERN AVENUE, LLC, ET AL - Request for a Variance TO ADD TWO FEET OF RAZOR WIRE TO AN EXISTING EIGHT-FOOT HIGH PERIMETER WALL on 3.31 acres at 1701 Western Avenue (APNs 162-04-703-001, 002 and 003), M (Industrial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 300 600 Feet

CASE: **VAR-41002**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



0 300 600 Feet

CASE: **VAR-41002**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: SA RECYCLING - OWNER: 1701 WESTERN AVENUE, LLC, ET AL

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-41002	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

VAR-41002 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of Las Vegas Municipal Code Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

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

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 **

PROJECT DESCRIPTION

This is a request for a Variance to allow the installation of two feet of razor wire on top of an existing eight-foot high steel wall, where eight feet is the maximum height allowed for walls at an existing Recycling Collection Center located at 1701 Western Avenue. The subject site is currently surrounded by an eight-foot high steel wall that has proven ineffective against problems with site trespassing and vandalism, as the property is located adjacent to a railroad corridor that provides greater access to the site while limiting the ability to monitor activity from the public right-of-way. The applicant proposes to increase the eight-foot high steel wall by installing two feet of razor wire on top in order to prevent unauthorized site access. Staff recommends approval of this request. If denied, the applicant will be unable to incorporate the razor wire to the steel fence for site security.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/07/06	The City Council approved a General Plan Amendment (GPA-9219) to change the Future Land Use designation for various parcels located in the Las Vegas Redevelopment Plan Area to Commercial, Mixed-Use, Industrial or Public Facilities, which includes the subject parcels as part of a larger request. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
05/21/08	A deed was recorded for a change in ownership at APN 162-04-703-001.
05/21/08	A deed was recorded for a change in ownership at APN 162-04-703-002.
08/12/08	A deed was recorded for a change in ownership at APN 162-04-703-003.

Related Building Permits/Business Licenses	
C.1956	The structures at 1701 Western Avenue were constructed.
07/18/97	A building permit (97014775) was issued for a metal building at 1701 Western Avenue. The permit was finaled on 08/27/97.
10/30/02	A business license (A29-00053) was issued for a Towing Company at 1701 Western Avenue. The license was marked out of business on 03/04/10.
06/29/10	A building permit (166376) was issued for demolition at 1701 Western Avenue. The permit was finaled on 10/01/10.

07/21/10	A building permit (167156) was issued for a 4,671 square-foot Tenant Improvement Certificate of Occupancy at 1701 Western Avenue. The permit was finaled on 09/24/10.
08/23/10	A building permit (170176) was issued for Ornamental Iron on top of the existing block wall at 1701 Western Avenue. The permit has not been finaled.
12/07/10	A business license (R04-00003) was issued for a Commercial Recycler at 1701 Western Avenue. The license is currently active.

Pre-Application Meeting	
02/09/10	A pre-application meeting was held on the indicated date where the requirements for a Variance were discussed, as the existing 8-foot high perimeter wall will increase two feet beyond the allowed height.

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

Field Check	
03/03/11	Staff conducted a field check on the indicated date and noted. A Recycling Collection Center that is clean of trash and debris. The north and west perimeter wall contains graffiti. A partially destroyed chain link fence along the northern property line.

Details of Application Request	
Site Area	
Net Acres	3.31

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Recycling Collection Center	LI/ (Light Industry/Research)	M (Industrial)
North	Retail Shops and Offices	LI/ (Light Industry/Research)	M (Industrial)
South	Building Supplies and Hardware Sales	LI/ (Light Industry/Research)	M (Industrial)
East	Print Shop Office/ Industrial Complex	LI/ (Light Industry/Research)	M (Industrial)
West	Office Complex	LI/ (Light Industry/Research)	M (Industrial)

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
Live/Work Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to 19.12.075, the following standards apply:

	Allowed	**Proposed**
Wall Height	8 Feet (96 inches)	10 Feet (120 inches)
Percent Deviation	N/A	20 %

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Western Avenue	Secondary Collector	Master Plan of Streets and Highways	80	N*

*Actual street width is 60 feet.

ANALYSIS

The Variance request is necessary pursuant to Title 19.12.075, which limits walls and fences to eight feet in height. The subject site is currently surrounded by an eight-foot high steel wall that has proven ineffective against problems with site trespassing and vandalism, as the property is located adjacent to a railroad corridor that provides greater access to the site while limiting the ability to monitor activity from the public right-of-way. The proposed two-foot razor wire extension will increase the level of site security without creating a public safety hazard, as the razor wire will not be visible from the adjacent rights-of-way. The requested Variance constitutes a 20% deviation from the eight-foot wall height permitted by Title 19.12.075. Staff recommends approval of this request with conditions. If denied, no permit to allow razor wire can be issued.

JG

FINDINGS (VAR-41002)

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 of a unique or extraordinary circumstance has been presented, in that the applicant has demonstrated that the location of the site in proximity to a railroad corridor that allows access to the site while limiting the ability to monitor the site from the public right-of-way has resulted in an ongoing issue with unauthorized site access and vandalism to the Recycling Collection Center holdings. It is concluded that the applicant's hardship is not preferential in nature, and it is within the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

NOTICES MAILED 132

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number **VAR-41002** APN: 163-04-703-003

Name of Property Owner: GAZELEM PROPERTIES

Name of Applicant: PHILLIP JOHNSON

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: Vern Christensen

Print Name: Vern Christensen

Subscribed and sworn before me

This 16th day of March, 2011

Shari High

Notary Public in and for said County and State

SHARI HIGH
Notary Public, State of Nevada
Appointment No. 05-97773-1
My Appt. Expires June 6, 2013

Revised 11-14-06

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

RECEIVED
MAR 24 2011

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41002** APN: 162-04-703-001 + 002

Name of Property Owner: 1701 WESTERN LLC

Name of Applicant: SA RECYCLING

Name of Representative: PHILLIP 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: Theresa Hartke

Print Name: Theresa Hartke

Subscribed and sworn before me

This 23 day of February, 2011

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
VICTOR H. ALVARADO
Appt. No. 04-86631-1
My Appt. Expires Nov. 21, 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Height Variance

Project Address (Location) 1731 Western

Project Name SA Recycling **Proposed Use** _____

Assessor's Parcel #(s) 162-04-703-003 **Ward #** _____

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

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

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

Additional Information _____

PROPERTY OWNER Gazelem Properties **Contact** Vern Christensen

Address 5113 Alpine Place **Phone:** 877-6111 **Fax:** 258.6326

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

E-mail Address _____

APPLICANT SA Recycling **Contact** Phillip Johnson

Address 1701 Western Ave **Phone:** 386-9575 **Fax:** 386-9577

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

E-mail Address pjohnson@sarecycling.com

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

Property Owner Signature* _____

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

Print Name Vern Christensen

Subscribed and sworn before me

This 16th day of March, 20 11.

Shari High

Notary Public in and for said County and State

SHARI HIGH
Notary Public, State of Nevada
Appointment No. 05-97773-1
My Appt. Expires June 6, 2013

FOR DEPARTMENT USE ONLY

Case #	VAR-41002
Meeting Date:	4/12/11
Total Fee:	$830.00
Date Received:*	3/24/11
Received By:	

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

RECEIVED
MAR 24 2011

Revised 10/27/08

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DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: HEIGHT VARIANCE

Project Address (Location) 1701 WESTERN Ave.

Project Name SA RECYCLING **Proposed Use** _____

Assessor's Parcel #(s) 162-04-703-001 + 002 **Ward #** 3- REESE

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

Commercial Square Footage 4656 **Floor Area Ratio** _____

Gross Acres 3.1 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER 1701 WESTERN Ave **Contact** THERESA HARTKE

Address 1701 WESTERN Ave. **Phone:** 278.0072 **Fax:** 258.6326

City LAS VEGAS **State** NV **Zip** 89107

E-mail Address mcurran@srbuilt-usa.com

APPLICANT SA RECYCLING **Contact** PHILLIP JOHNSON

Address 1701 WESTERN Ave. **Phone:** 386-9575 **Fax:** 386-9577

City LAS VEGAS **State** NV **Zip** _____

E-mail Address pjohnson@sarecycling.com

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

Property Owner Signature* Theresa Hartke

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

Print Name Theresa Hartke

Subscribed and sworn before me

This 23 day of February, 20 11.

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
VICTOR H. ALVARADO
Appt. No. 04-86631-1
My Appt. Expires Nov. 21, 20[illegible]

FOR DEPARTMENT USE ONLY

Case #	VAR-41002
Meeting Date:	4/12/11
Total Fee:	$830
Date Received:*	2-24-11
Received By:	

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

Revised 10/27/08

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SA RECYCLING LLC / DBA: LAS VEGAS
WESTERN AVE (YARD 50)
SITE PLAN

ENGINEERING *Department*

LAND AREA:
143,866' SQUARE FEET
3.30 ACRES

SURVEY BENCHMARK:
CITY OF LAS VEGAS BENCHMARK T21S, R61E, SEC. 4 USC&GS BRASS CAP TOP OF CONCRETE HEADWALL N. SIDE OAKEY BLVD. ⊕ E. SIDE OF RAILROAD TRACKS 300'± W. OF INDUSTRIAL ROAD..

ELEVATION = 2047.07' (U.S. FEET) OR 623.949 METER FEET.

PARKING SPACE TABLE	
TYPE OF SPACE	TOTAL EXISTING
STANDARD	25
HANDICAP	2
TOTAL	27

FOUND & USED
ALUMINUM-CAP
STAMPED "WCE PLS 16196"
CHECKED PER REFERENCES ACCEPTED

N27°52'31"E 225.00'

WESTERN (60' WIDE PUBLICLY DEDICATED RIGHT OF WAY) AVENUE

361.96'

679.84'

27.93' CALCD. POINTS

404.84'

33.52'

N27°52'31"E

30.00'

300.00'

10' FRONT YARD SETBACK LINE

AC PAVEMENT

PARKING STALLS

INGRESS EGRESS

GATE

BILLBOARD SIGN

PROPOSED RAZOR WIRE FENCING "SEE RAZOR WIRE FENCING DETAIL"

S88°37'17"E

LEGEND:

A.C.	–	ASPHALTIC CONCRETE
C.L.	–	CENTER LINE
CPT	–	CONTROL POINT
DI	–	DRAIN INLET
E	–	EAST
EC	–	ELECTRICAL CABINET
EVLT	–	ELECTRICAL VAULT
FD.	–	FOUND
F.F.	–	FINISH FLOOR
FH	–	FIRE FIRE HYDRANT
GP	–	GUARD POST
LP	–	LIGHT POLE
OH	–	OVERHANG
PP	–	POWER POLE
SMH	–	SEWER MANHOLE
STL	–	STREET LIGHT
UC	–	UTILITY CABINET
UVLT	–	UTILITY VAULT
W	–	WEST
WM	–	WATER METER
WV	–	WATER VALVE
℄	–	CENTER LINE
	–	CONCRETE

SCALE: 1" = 20'-0"

A — EXISTING 1 STORY METAL BUILDING

B — EXISTING 1 STORY METAL BUILDING

C — EXISTING 1 STORY METAL BUILDING

CANOPY

ATM MACHINE

TRUCK SCALE 10' X 70'

RADIATION DETECTORS

PARTIALLY ENCLOSED STEEL CANOPY

CAGED AREA

CANOPY

NEW CONCRETE

CONCRETE

PROPOSED RAZOR WIRE FENCING "SEE RAZOR WIRE FENCING DETAIL"

N62°07'29"W

335.20'

33.52'

S27°52'31"W

534.40'

SCALED FOR A ARCH D SIZE 24" X 36" LANDSCAPE

VICINITY MAP
NO SCALE

CITY OF LAS VEGAS
COUNTY OF CLARK

W. OAKEY BLVD.
W. WYOMING AVE.
W. SAHARA AVE.
LAS VEGAS BLVD.
WESTERN AVE.
INDUSTRIAL RD.
S. RANCHO DR.
SITE

FENCE SECTION:

PROPERTY LINE
CIRCULAR RAZOR WIRE FENCING W/ ANGLED SUPPORT BRACKET
8.0'
OUTSIDE OF PROPERTY
INSIDE OF PROPERTY
EXISTING PAVEMENT
N.T.S.

SITE RESTRICTIONS:

SETBACKS:

FRONT	–	10 FEET
STREET SIDE	–	10 FEET
SIDE	–	10 FEET
REAR	–	NONE
HEIGHT	–	35 FEET / 2 STORIES
ZONE	–	M (INDUSTRIAL)

PARKING REQUIREMENT – 1 STALL PER 1,000 S.F. (INTERIOR)

THE INTERIOR SQUARE FOOTAGE CANNOT BE DETERMINED FROM THE EXTERIOR FOOTPRINT OF THE BUILDING(S); THEREFORE THE REQUIRED AMOUNT OF PARKING STALLS HAS NOT BEEN SHOWN HEREON.

ALL SITE RESTRICTIONS WERE OBTAINED PER THE CITY OF LAS VEGAS (PLANNING DEPARTMENT). ANY QUESTIONS REGARDING ZONE DEFINITIONS OR INTERPRETATIONS SHOULD BE DIRECTED

CONTACT– PLANNING DEPARTMENT
PHONE NUMBER – (702) 229-6353

SA Recycling
Anaheim California
3200 E. FRONTERA ST ANAHEIM, CA 92806

SA/RECYCLING LLC,
BRANCH NAME
LAS VEGAS, NEVADA
EXISTING SITE PLAN PLAN
1701 Western Ave, Las Vegas, NV 89102

DESCRIPTION

REVISIONS

DELTA MARK	DESCRIPTIVE MODIFICATION	DATE
A		
B		
C		

Engineering Conversion Chart
Engineering Conversion Chart_2
Steel Weights

TOLERANCES UNLESS OTHERWISE SPECIFIED:
DIMENSIONS ARE IN INCHES

THIS DRAWING IS THE PROPERTY OF SA RECYCLING LLC / AND IS FURNISHED IN CONFIDENCE AND MAY NOT BE USED EXCEPT IN CONFIDENCE AND FOR OUR WORK. ALL PATENT RIGHT, FOR DESIGN AND DETAIL, RESERVED

JACK RODRIGUEZ
February 15, 2011
866.772.9420

Jeff Ferraro, Jr. jferraro@sarecycling.com
Ryan Rushton rrushton@sarecycling.com
Anthony Reyes areyes@sarecycling.com
310.971.3487
Jack Rodriguez jrodriguez@sarecycling.com
714.542.2091 Ext. 106

1 OF 1
1" = 20'-0"
LV_Western_Proposed_CLF_100

Z:\Drawings\Las Vegas-Western_(Yard_50)\Proposed_Razor_CL_Fencing_Plan

RECEIVED
FEB 22 2011

VAR-41002



VAR-41002 – APPLICANT: SA RECYCLING - OWNER: 1701 WESTERN AVENUE, LLC
1701 WESTERN AVENUE

03/03/11



VAR-41002 – APPLICANT: SA RECYCLING - OWNER: 1701 WESTERN AVENUE, LLC
1701 WESTERN AVENUE

03/03/11



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03/03/11



VAR-41002 – APPLICANT: SA RECYCLING - OWNER: 1701 WESTERN AVENUE, LLC
1701 WESTERN AVENUE

03/03/11

SA Recycling

February 18, 2011

Las Vegas Planning Department

Attn: To Whom It May Concern

Subject: Justification Letter for Razor Wire to be installed at SA Recycling, Recycling Center - 1701 Western Ave. Las Vegas, NV 89102

SA Recycling is requesting that it be allowed to install "Razor Wire" on top of its permitted 8 foot perimeter fence. The purpose of the "Razor Wire" is to safeguard SA Recycling's property. Because of the nature of our business, the "Razor Wire" will protect the property but will also act as a deterrent to any prospective thieves. We are requesting that "Razor Wire" only be added to three of the four perimeter walls, excluding the west frontage wall facing Western Ave. The "Razor Wire" will be added to the top of the existing wall or fence following all guidelines set forth by the City of Las Vegas.

Submitted by:

Phillip Johnson
Regional EHS Manager
SA Recycling

RECEIVED
FEB 22 2011
VAR-41002

City of Las Vegas Agenda Item No.: **26.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

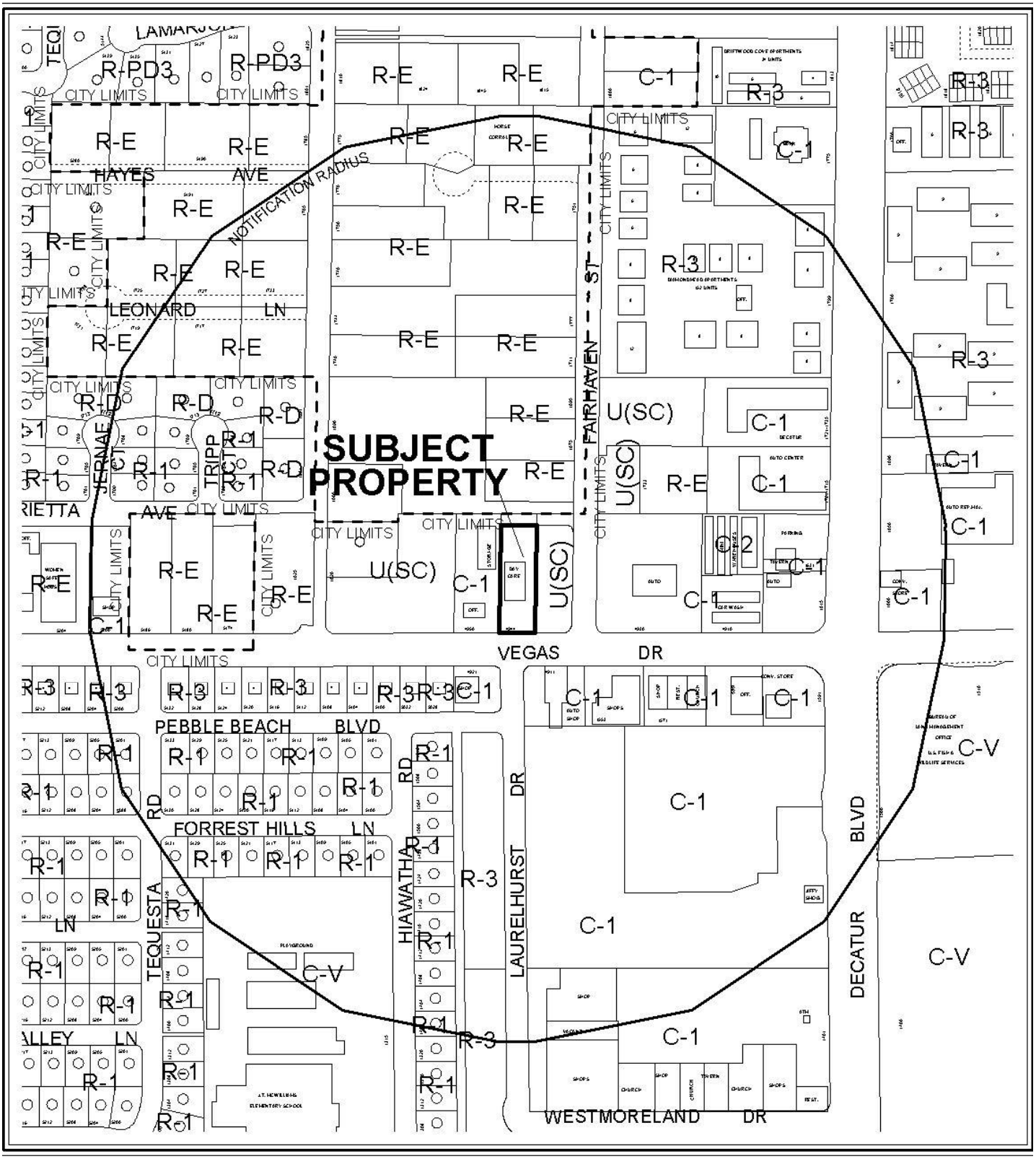
SUBJECT:
VAR-41060 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES - Request for a Variance TO ALLOW A ZERO-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED on 0.54 acres at 4944 Vegas Drive (APN 138-24-803-022), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - VAR-41060 and SDR-41059
2. Conditions and Staff Report - VAR-41060 and SDR-41059
3. Supporting Documentation
4. Photos - VAR-41060 and SDR-41059
5. Justification Letter - VAR-41060 and SDR-41059



0 300 600 Feet

CASE: **VAR-41060; VAR-41216; SDR-41059**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **VAR-41060; VAR-41216; SDR-41059**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-41060	Staff recommends DENIAL, if approved subject to conditions:	
VAR-41216	Staff recommends DENIAL, if approved subject to conditions:	
SDR-41059	Staff recommends DENIAL, if approved subject to conditions:	VAR-41060 VAR-41216

** CONDITIONS **

VAR-41060 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-41216) and Site Development Plan Review (SDR-41059) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. 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 Department of Building and Safety.

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.

VAR-41216 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variances (VAR-41060 and VAR-41216) and Site Development Plan Review (SDR-41059) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. 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 Department of Building and Safety.

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

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

SDR-41059 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variances (VAR-41060 and VAR-41216) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. 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, landscape plan, and building elevations, date stamped 02/28/11, except as amended by conditions herein.

4. A Waiver from Title 19.12.040 is hereby approved, to allow no landscape buffers along the north, south, east and west perimeters.

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 02/28/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

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

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.

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

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

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

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

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

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

Public Works

15. Prior to the issuance of any permits for this site, provide proof of a perpetual 24-foot wide legal access across parcel #138-24-803-033 and parcel #138-24-803-032 for the proposed fire access road. Additionally, to ensure the required fire access to this site, walls or barriers shall not be allowed between assessor parcel numbers #138-24-803-033 and #138-24-803-032 for the entire width of the approved fire access route. Alternatively, the proposed building shall be sprinkled and meet the requirements of the Fire Department.

16. Remove all substandard sidewalk improvements, if any, adjacent to this site and replace with new sidewalk meeting current City Standards concurrent with on-site development activities as shown on the approved Site Plan. The existing "pan" style driveways may remain until they are reconstructed to align with Laurelhurst Drive.

17. The owner shall sign a Covenant Running with Land agreement for the future construction of a single driveway per Uniform Standard Drawing #222a that will be aligned with Laurelhurst Drive and will accommodate the future signalization of this driveway prior to the approval of construction drawings for this site or the recordation of a map, whichever may occur first. Provide traffic signal easements as required per the Traffic Engineering Section of the Department of Public Works to accommodate the future signalization of this driveway.

18. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

19. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Vegas Storm Drain project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

20. 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 Page One
April 12, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant has submitted a request to install a 2,880 square-foot modular structure at the rear of the parcel with a zero-foot rear yard setback. After conducting research of the site, staff determined that the existing use was never issued a Building & Safety Department Certificate of Occupancy for a Church and therefore is not legal. The result is that the project will be reviewed in its entirety as a proposed new use. This finding resulted in the need for two Variances and a Site Development Plan Review with two Waivers and three Exceptions.

The applicant has informed staff that they have agreements with the owners of adjacent parcels to the east and west of the site for additional parking. However, the parcel to the east is not developed for a commercial parking lot and thus cannot be utilized for parking. The parcel to the west only has four legal parking spaces and doesn't have any excess parking spaces to permit overflow parking for the church. Staff recommends denial of all three applications, as the facts clearly indicate that the site is not large enough to accommodate the proposed use. If denied, the church would not be permitted to operate at this location and the accessory structure would not be allowed to be installed.

ISSUES

- A Variance is required to allow a zero foot rear setback where 20 feet is required.
- A Variance is required to allow 11 parking spaces where 21 are required.
- Waivers are required to allow for zero perimeter landscape buffers along the north, west and east perimeters and to allow a five foot wide landscape buffer along the south perimeter where 15-feet are required.
- Exceptions are required to allow zero perimeter trees where three are required along the south perimeter landscape buffer, to allow no parking lot screening where parking lot screening from the right-of-way is required and to allow zero landscaped islands in the parking lot where four are required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/21/04	The City Council approved a Special Use Permit (SUP-4382) for a Social Service Provider at 4944 Vegas Drive. The Planning Commission and Staff recommended approval. The permit was not acted on and no Extension of Time application was made therefore the permit expired on 07/21/05.

YK

07/21/04	The City Council approved a Variance (VAR-4397) to allow 11 parking spaces where 16 are required for a Kinder Care Business at 4944 Vegas Drive. The Planning Commission and Staff recommended approval. The Variance expired on 07/21/04 when on action was taken.

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

Related Building Permits/Business Licenses
No relative permits are on file.

Pre-Application Meeting	
02/09/11	Staff reviewed requirements for installing a modular structure on the rear of the parcel. A Variance is required to allow a zero rear setback and Waivers of the perimeter landscape buffers on the north, west and east sides. A floor plan of the primary structure is required to evaluate the parking requirements. The modular will be required to be sprinkled per Fire Department unless the rear was paved along with an access road to the modular structure. Upon further review it was determined a Variance would be needed for parking as no Building Department Certificate of Occupancy was ever issued for a Church use on the site.

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

Field Check	
03/03/11	Staff visited the site and found the church is utilizing the parcel to the east as an illegal parking and storage lot.

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	Church	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single-Family Residential	R (Residential) Clark County	R-E (Residence Estates) Clark County
South	Retail	SC (Service Commercial)	C-1 (Limited Commercial)
East	Undeveloped	SC (Service Commercial)	U(Undeveloped)
West	Office/Storage	SC (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.050, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	23,850 SF	N/A
Min. Lot Width	100 Feet	90 Feet	N/A
Min. Setbacks			
• Front	20 Feet	76 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	N/A	N/A
• Rear	20 Feet	0 Feet	N
Min. Distance Between Buildings	6 Feet	44 Feet	Y
Max. Lot Coverage	50 %	28 %	Y
Max. Building Height	N/A	N/A	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	N	N
Mech. Equipment	Screened	N	N

Pursuant to Title 19.12, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	5 Trees	0 Trees	N
• South	1 Tree / 30 Linear Feet	3 Trees	0 Trees	N
• East	1 Tree / 20 Linear Feet	14 Trees	0 Trees	N
• West	1 Tree / 30 Linear Feet	9 Trees	0 Trees	N
TOTAL PERIMETER TREES		**31 Trees**	**0 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	6 Trees	0 Trees	N
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		0 Feet	N
• South	15 Feet		5 Feet	N
• East	8 Feet		19.5 Feet	Y
• West	8 Feet		12.5 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		N	N

Street Name	***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

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Church	2,020 SF	1 per 100 SF non-fixed seating in gathering area	21				
TOTAL SPACES REQUIRED			21		10		N

YK

Regular and Handicap Spaces Required			20	1	10	1	N
Loading Spaces			N/A				N/A

Waivers		
Requirement	***Request***	***Staff Recommendation***
An Eight Foot wide Landscape Buffer on all interior lot lines is required.	To allow a zero-foot landscape buffer along north, east and west interior lot perimeters.	Denial
A 15 foot wide Landscape Buffer is required adjacent to rights-of-way.	To allow a five-foot landscape buffer along the south perimeter.	Denial

Exceptions		
Requirement	***Request***	***Staff Recommendation***
Parking lots shall be screened from adjacent roadways by a low wall or berm with a maximum height of thirty inches.	To allow no parking lot screening.	Denial
To install a landscape island at the end of each row of parking spaces.	To allow no landscape islands at the end of each row of parking spaces.	Denial
To install one tree for every 30 linear feet along the south perimeter landscape buffer.	To allow no trees where three are required.	Denial

ANALYSIS

The applicant states they operate a Church on the proposed site. However, no Certificate of Occupancy for a Church Use at 4944 Vegas Drive has ever been applied for by the applicant or issued by the City of Las Vegas Building and Safety Department and therefore is an illegal use. With this fact, the application is therefore being reviewed for a Site Development Plan Review for a Church with the addition of an accessory structure consisting of four modular units. The proposed Church use requires 21 parking spaces per Title 19.04. Since only 11 parking spaces are provided, a 50% Variance for parking is required. The applicant is proposing to install the modular accessory structure on the rear property line. This will require an additional Variance to allow a zero-foot rear yard setback where a minimum of 20 feet is required.

During discussions with the applicant and subsequent site visits, it was discovered that the Church has agreements with adjacent property owners on both the east and west sides for additional parking. Neither of these parcels is currently able to legally allow this parking to take place. The parcel on the west only has four parking spaces to handle the office and storage uses on that site. There are no excess spaces available for additional uses. The parcel on the east is an undeveloped vacant lot. In order for this parcel to legally be available for commercial use, a Site Development Plan Review would need to be approved for a commercial parking lot. No plans have been submitted as of this submittal and therefore the parking taking place on this site is illegal.

The existing parking lot does not meet Title 19 design standards. Specifically, there is no screening from the right-of-way and no landscaped islands for every six parking spaces. In addition to not meeting the minimum parking standards, the site does not meet the minimum perimeter landscape buffers or have the required trash enclosure. The mechanical equipment is not screened and is visible from the Vegas Drive right-of-way. If these Exceptions are not approved, the required perimeter landscape shall be installed, the trash enclosure shall be enclosed with a roof or trellis and the landscape islands shall be installed in the parking lot.

The applicant notes that they are in the process of acquiring the landlocked parcel to the north. Although this parcel is not included in this request, Public Works has the following comment:

> We note that this Site Plan incorporates parcel # 138-24-803-032 (northerly parcel) which is a land locked parcel and is not owned by River of Life Word Ministries at this time. We also note that this Site Plan proposes fire access across parcel #138-24-803-033 (northeasterly parcel) which they also do not own at this time. If perpetual legal access across parcel #138-24-803-033 and parcel #138-24-803-032 cannot be obtained, the Fire Department will require the proposed building to be sprinkled. If parcel #138-24-803-032 can be obtained, we recommend that the Planning Department impose the conditions that states "The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits."

Condition fifteen has been added to address this concern.

The addition of the modular units would only compound the parking shortage. Instead of the modular units being added to the site, the proposed area could be used as additional parking thus alleviating the parking shortage for a Church.

The proposed Church Use is too intense for the size of the parcel. The requested Site Development Plan Review with Waivers, Exceptions and two Variances clearly illustrates that this is not an appropriate site for the use. Staff recommends denial of all three applications.

FINDINGS (VAR-41060)

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 install a modular structure that is too large for the parcel. A smaller modular structure 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.

FINDINGS (VAR-41216)

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 Church Use that does not have adequate parking for the use on the parcel. Alternative would be to propose a smaller assembly area that would allow conformance to the Title 19 requirements or to add additional parking in the rear of the building. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (SDR-41059)

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 use is not compatible with adjacent development in that it would create a demand for more parking then the site can accommodate. This could create parking pressures on adjacent parcels.

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;**

   This project is not consistent with Title 19 which is illustrated by the multiple Variance, Waiver and Exceptions being requested.

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

The lack of required parking could have a negative impact on adjacent roadways and neighborhood traffic during peak demand periods when Church services and events take place.

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

   The lack of appropriate landscape plants and materials will have a negative effect on 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 modular units are not aesthetically compatible with the primary structure on the site.

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

   The proposed Church and accessory structure is subject to permit review and inspection. Appropriate measures must be met prior to the certification of building occupancy in order to protect the health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 127

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-41060 APN: 138-24-803-022

Name of Property Owner: RIVER OF LIFE WORD MINISTRIES

Name of Applicant: RIVER OF LIFE WORD MINISTRIES

Name of Representative: THOMAS HELLUMSS

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: Sullivan R Causey Sr

Print Name: Sullivan R. Causey, Sr.

Subscribed and sworn before me

This 16th day of March, 2011

Vicki K Dwyer

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
VICKIE K. DWYER
My Appointment Expires
May 1, 2011
No: 07-3000-1

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: VARIANCE (SETBACK)

Project Address (Location) 4944 Vegas Drive

Project Name RIVER OF LIFE WORD MINISTRIES **Proposed Use** CHURCH

Assessor's Parcel #(s) 138-24-803-022 **Ward #** _____

General Plan: existing SC proposed N/A **Zoning:** existing C-1 proposed N/A

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

Gross Acres .53 **Lots/Units** 1 **Density** _____

Additional Information _____

PROPERTY OWNER River of Life Word Ministries **Contact** Pastor Sullivan Causey Sr.

Address 4944 Vegas Drive **Phone:** (702) 258-9673 **Fax:** (702) 258-9264

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

E-mail Address _____

APPLICANT River of Life Word Ministries **Contact** Pastor Sullivan Causey Sr.

Address 4944 Vegas Drive **Phone:** (702) 258-9673 **Fax:** (702) 258-9264

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

E-mail Address _____

REPRESENTATIVE DWYER ENGINEERING **Contact** THOMAS HELLUMS

Address 7310 SMOKE RANCH ROAD, SUITE E **Phone:** (702) 254-2200 **Fax:** (702) 254-2236

City LAS VEGAS **State** NV **Zip** 89128

E-mail Address thellums@dwyerengineering.com

Property Owner Signature* Sullivan R Causey

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

Print Name Sullivan R. Causey, SR.

Subscribed and sworn before me

This 16th day of March, 20 11.

Vickie K Dwyer

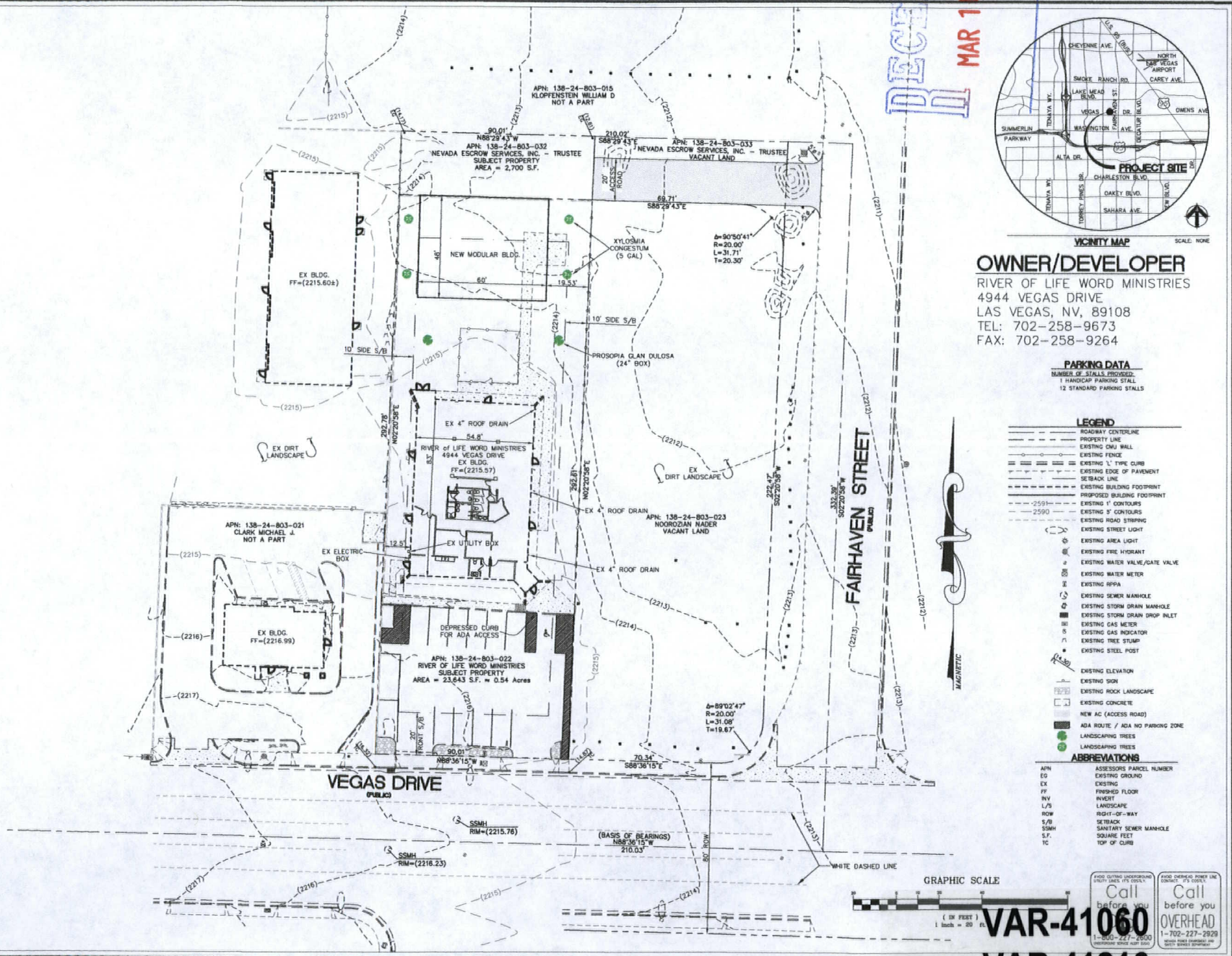
Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
VICKIE K. DWYER
My Appointment Expires
May 1, 2011
No: 07-3000-1

FOR DEPARTMENT USE ONLY

Case #	VAR-41060
Meeting Date:	4-12-11 PC
Total Fee:	$830.00
Date Received:*	2-28-11
Received By:	Greg K.

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



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MAR 16 2011

VICINITY MAP SCALE: NONE

OWNER/DEVELOPER

RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE
LAS VEGAS, NV, 89108
TEL: 702-258-9673
FAX: 702-258-9264

PARKING DATA

NUMBER OF STALLS PROVIDED:
1 HANDICAP PARKING STALL
12 STANDARD PARKING STALLS

LEGEND

- ROADWAY CENTERLINE
- PROPERTY LINE
- EXISTING CMU WALL
- EXISTING FENCE
- EXISTING 'L' TYPE CURB
- EXISTING EDGE OF PAVEMENT
- SETBACK LINE
- EXISTING BUILDING FOOTPRINT
- PROPOSED BUILDING FOOTPRINT
- EXISTING 1' CONTOURS
- EXISTING 5' CONTOURS
- EXISTING ROAD STRIPING
- EXISTING STREET LIGHT
- EXISTING AREA LIGHT
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE/GATE VALVE
- EXISTING WATER METER
- EXISTING RPPA
- EXISTING SEWER MANHOLE
- EXISTING STORM DRAIN MANHOLE
- EXISTING STORM DRAIN DROP INLET
- EXISTING GAS METER
- EXISTING GAS INDICATOR
- EXISTING TREE STUMP
- EXISTING STEEL POST
- EXISTING ELEVATION
- EXISTING SIGN
- EXISTING ROCK LANDSCAPE
- EXISTING CONCRETE
- NEW AC (ACCESS ROAD)
- ADA ROUTE / ADA NO PARKING ZONE
- LANDSCAPING TREES
- LANDSCAPING TREES

ABBREVIATIONS

APN	ASSESSORS PARCEL NUMBER
EG	EXISTING GROUND
EX	EXISTING
FF	FINISHED FLOOR
INV	INVERT
L/S	LANDSCAPE
ROW	RIGHT-OF-WAY
S/B	SETBACK
SSMH	SANITARY SEWER MANHOLE
S.F.	SQUARE FEET
TC	TOP OF CURB

AVOID CUTTING UNDERGROUND UTILITY LINES. IT'S COSTLY. Call before you DIG 1-800-227-2600
AVOID OVERHEAD POWER LINE CONTACT. IT'S COSTLY. Call before you OVERHEAD 1-702-227-2929

REUSE OF DOCUMENTS

APPROVED

REVISIONS

NO.	DATE	DESCRIPTION

DEVER ENGINEERING INC.
CIVIL ENGINEERING
LAND SURVEYING
LAND DEVELOPMENT PLANNING
7251 ARROYO BEACH RD., SUITE E
LAS VEGAS, NEVADA 89128
PHONE (702) 254-0580
FAX (702) 254-0585

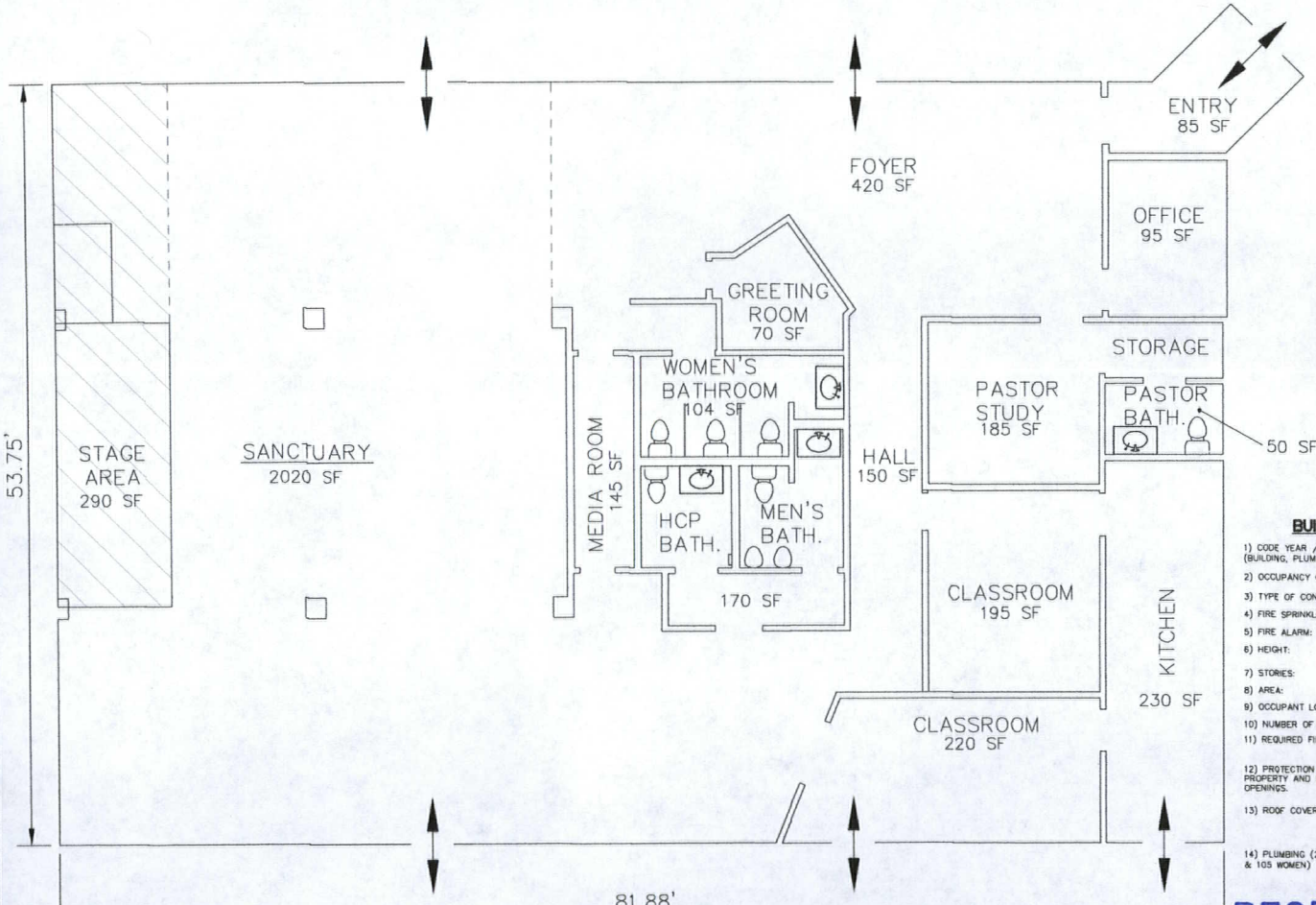
SITE PLAN WITH LANDSCAPING
RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE

CITY OF LAS VEGAS, NEVADA A.P.N.: 138-24-803-022, 032 & 033

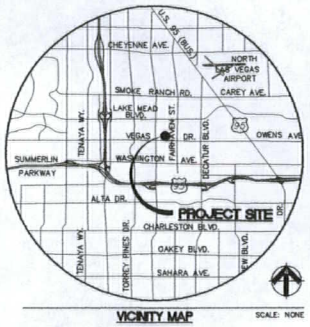
JOB No.	10035
DATE	02/23/11
VERT. SCALE	N/A
HORIZ. SCALE	1" = 20'
DRAWN BY:	JGR
CHECKED BY:	DAD
SHEET	1 of 1

VAR-41060
VAR-41216
SDR-41059

RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE
CITY OF LAS VEGAS, NEVADA
APN: 138-24-803-022 & 032



EXISTING CHURCH
RIVER OF LIFE WORD MINISTRIES
APPROXIMATE BUILDING AREA=4430 SF



VICINITY MAP

SCALE: NONE

OWNER/DEVELOPER

RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE
LAS VEGAS, NV, 89108
TEL: 702-258-9673
FAX: 702-258-9264

ZONING DATA

ZONING CLASSIFICATION: THE PROPERTY IS ZONED C-1

SETBACKS: THE CURRENT ZONING CODE REQUIRES:
FRONT: A 20 FOOT MINIMUM INTERIOR SIDE: A 10 FOOT MINIMUM
REAR: A 20 FOOT MINIMUM CORNER SIDED: A 15 FOOT MINIMUM
MAX BUILDING HEIGHT: NA (PER TITLE 19)

PARKING DATA

1 SPACE/100 SF SANCTUARY = 21 SPACES

BUILDING CODE ANALYSIS FOR PLAN SUBMITTAL

1) CODE YEAR / TYPE (BUILDING, PLUMBING, MECHANICAL, ELECTRICAL, FIRE)	CITY ORDINANCE-2006
2) OCCUPANCY CLASSIFICATION:	A-3
3) TYPE OF CONSTRUCTION:	V-B
4) FIRE SPRINKLERS:	NO FIRE SPRINKLER SYSTEM
5) FIRE ALARM:	NO FIRE ALARM
6) HEIGHT:	ALLOWABLE: NA (TITLE 19), ACTUAL: 25 FEET 1 STORY (TABLE 503 IBC)
7) STORIES:	ALLOWABLE: 1 STORY, ACTUAL: 1 STORY
8) AREA:	ALLOWABLE: 6000 SF, ACTUAL: 4300 SF
9) OCCUPANT LOAD:	210 SEATS
10) NUMBER OF EXITS:	REQUIRED: 2, PROVIDED: 7
11) REQUIRED FIRE RESISTANCE OF EXTERIOR WALLS	TYPE V CONSTRUCTION (ANY APPROVED MATERIAL) WOOD AND STUCCO
12) PROTECTION OF OPENINGS DUE TO LOCATION ON PROPERTY AND MAXIMUM AREA OF EXTERIOR WALL OPENINGS.	THE SUBJECT BUILDING IS AT LEAST 30 FEET FROM ALL OTHER SURROUNDING STRUCTURES AND BUILDINGS.
13) ROOF COVERING MATERIAL	ALLOWABLE: EFFECTIVE AGAINST LIGHT FIRE-TEST EXPOSURE. (CLASS C) ACTUAL: HOT MOP AND SHINGLES.
14) PLUMBING (210 OCCUPANCY TOTAL, i.e., 105 MEN & 105 WOMEN)	WATER CLOSET: MEN - 1 WOMEN - 2 LAVATORY MEN - 1 WOMEN - 2 DRINKING FOUNTAIN 1

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VAR-41060
VAR-41216
SDR-41059

S:\ENGINEERING\eng10\10035\exhibits\10035 BLDG analysis 031511.dwg 3/16/2011 8:33:30 AM PDT

Job No.
FILE No.

REUSE OF DOCUMENTS

APPROVED

REVISIONS

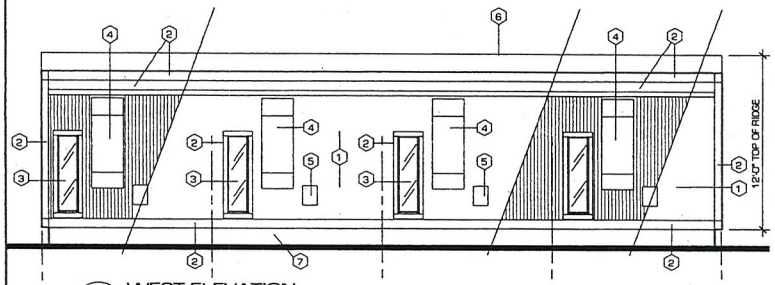
NO.	DATE	DESCRIPTION

STAMP

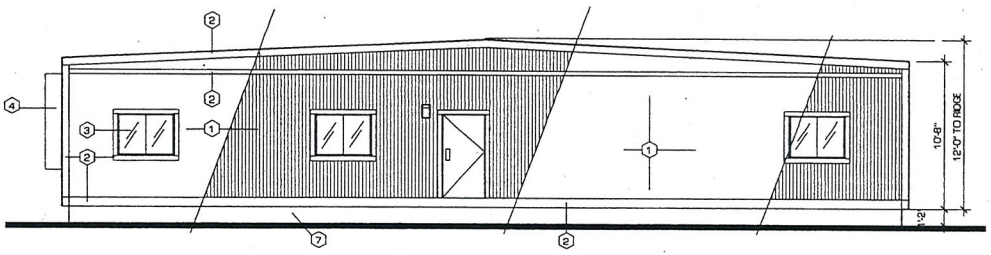
DWYER ENGINEERING INC.
CIVIL ENGINEERING LAND SURVEYORS
WATER RIGHTS LAND DEVELOPMENT
7510 SMOKE RANCH RD., SUITE E
LAS VEGAS, NEVADA 89128
(702) 254-0000
fax: (702) 254-0220

BUILDING CODE ANALYSIS EXHIBIT
RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE
CITY OF LAS VEGAS, NEVADA A.P.N.: 138-24-803-022 & 032

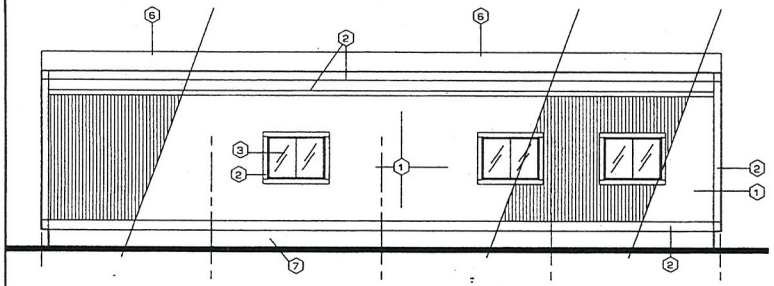
JOB No.	10035
DATE	03/16/11
VERT. SCALE	N/A
HORIZ. SCALE	1/4"= 1'
DRAWN BY:	JGR
CHECKED BY:	DAD
SHEET	1 of 1



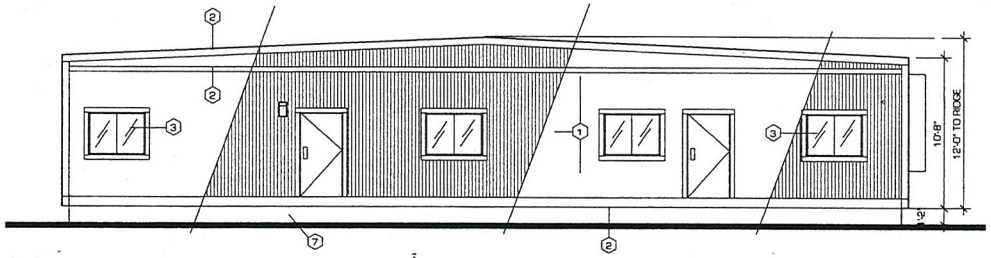
2 WEST ELEVATION
SCALE 1/4" = 1'-0"



3 SOUTH ELEVATION...ENTRY
SCALE 1/4" = 1'-0"



1 EAST ELEVATION
SCALE 1/4" = 1'-0"



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

KEY NOTES

1. EXISTING T 1-11 WOOD SIDING TO BE PAINTED " WHITE " TO MATCH COLOR OF EXISTING CHURCH BUILDING
2. EXISTING WOOD TRIM . PAINTED ACCENT COLOR " BRONZE " TO MATCH CHURCH TRIM COLOR
3. EXISTING ALUMINUM FIXED WINDOW
4. EXISTING WALL PACK A/C HEATING UNIT
5. EXISTING ELECTRICAL SERVICE ENTRANCE
6. EXISTING METAL ROOFING
7. NEW FOUNDATION . SEE STRUCTURAL PLANS

Drawings as instruments of service are the sole property of O'KEEFE Architect, and any use or reproduction in whole or impart without his written consent is strictly prohibited. Drawing and specifications remain the sole property of the design professional. Copies of the drawings and specifications retained by the client may be used only for his use and for occupying the project for which they were prepared and not for the construction of any other project.
NAC. 620.780

REVISIONS	BY:
1	L.J.

OSCAR O'KEEFE ARCHITECT
10001 W. PEACE WAY . SUITE #2292
LAS VEGAS, NV 89147
PHONE: 461-4848
FAX: (702) 876-0248
E-MAIL: OOKOSCAR@AOL.COM

TITLE: CLASSROOM BUILDING ...ELEVATIONS

PROJECT: CLASSROOM BUILDING FOR " RIVER OF LIFE " WORD MINISTRIES

ADDRESS: 4944 VEGAS DRIVE
CITY OF LAS VEGAS

DRAWN OKEEFE
CHECKED OKEEFE
DATE 2-14-2011
SCALE AS SHOWN
JOB NO.
SHEET A-2

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FEB 28 2011

VAR-41060
SDR-41059



VAR-41060, VAR-41216 & SDR-41059 – APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE

03/03/11



VAR-41060, VAR-41216 & SDR-41059 – APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE

03/03/11



VAR-41060, VAR-41216 & SDR-41059 – APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE

03/03/11



VAR-41060, VAR-41216 & SDR-41059 – APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE

03/03/11



VAR-41060, VAR-41216 & SDR-41059 – APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES
4944 VEGAS DRIVE

03/03/11

DWYER ENGINEERING, INC.
CIVIL ENGINEERS, LAND SURVEYORS, WATER RIGHTS, LAND USE PLANNING

March 1, 2011

City of Las Vegas
Planning Department
333 N. Rancho Drive
Las Vegas, NV 89106

Re: River of Life Word Ministries, APN 139 24-803-022
Justification Letter for Variance & Waiver

This letter is a formal request for approval of a variance for a zero lot line setback on the rear property line of the parcel at 4944 Vegas Drive. This letter is also a request for a waiver for zero (0') foot landscaping where eight (8') feet is required on the 30' of exposed North property line and for 50' on the East & West property lines. To offset this request, two trees will be installed in the area not included in the waiver.

The adjacent properties (APN: 139-24-803-032 and 033) were created for right-of-way purposes but were never dedicated. The property owner, Nevada Escrow Services Inc., is a defunct business and the property is now addressed as Clark County, 500 S. Grand Central Parkway, Las Vegas, NV. Clark County has confirmed it is not right-of-way and suggested the Church file for adverse possession which the Church is currently doing.

The approval of the zero lot line set back and the landscape waiver will permit the existing lot to be more fully utilized.

The applicant will be providing new landscaping in the rear of the property.

We request this variance be approved.

Sincerely,
DWYER ENGINEERING, INC.

David A. Dwyer, P.E.
Principal

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MAR – 3 2011

VAR-41060
SDR-41059
REVISED

7310 SMOKE RANCH ROAD, SUITE E ▪ LAS VEGAS, NV 89128 ▪ (702) 254-2200 ▪ fax: (702) 254-2236
www.dwyerengineering.com ▪ email: dwyereng@lvcm.com

City of Las Vegas Agenda Item No.: **27.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

SUBJECT:
VAR-41216 - VARIANCE RELATED TO VAR-41060 - PUBLIC HEARING - APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES - Request for a Variance TO ALLOW 11 PARKING SPACES WHERE 22 ARE REQUIRED on 0.54 acres at 4944 Vegas Drive (APN 138-24-803-022), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. Justification Letter

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41216** APN: 138-24-803-022+032

Name of Property Owner: RIVER OF LIFE WORD MINISTRIES

Name of Applicant: RIVER OF LIFE WORD MINISTRIES

Name of Representative: THOMAS HELLUMSS

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

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MAR 16 2011

Signature of Property Owner: Sullivan L Causey Sr

Print Name: Sullivan L. Causey Sr.

Subscribed and sworn before me

This 16th day of March, 2011

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
VICKIE K. DWYER
My Appointment Expires
May 1, 2011
No: 07-3000-1

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance

Project Address (Location) 4944 Vegas Drive

Project Name RIVER OF LIFE WORD MINISTRIES **Proposed Use** _____

Assessor's Parcel #(s) 138-24-803-022 **Ward #** _____

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

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

Gross Acres _____ **Lots/Units** 1 **Density** _____

Additional Information _____

PROPERTY OWNER River of Life Word Ministries **Contact** Pastor Sullivan Causey Sr.

Address 4944 Vegas Drive **Phone:** (702) 258-9673 **Fax:** (702) 258-9264

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

E-mail Address _____

APPLICANT River of Life Word Ministries **Contact** Pastor Sullivan Causey Sr.

Address 4944 Vegas Drive **Phone:** (702) 258-9673 **Fax:** (702) 258-9264

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

E-mail Address _____

REPRESENTATIVE DWYER ENGINEERING **Contact** THOMAS HELLUMS

Address 7310 SMOKE RANCH ROAD, SUITE E **Phone:** (702) 254-2200 **Fax:** (702) 254-2236

City LAS VEGAS **State** NV **Zip** 89128

E-mail Address thellums@dwyerengineering.com

Property Owner Signature* Sullivan R Causey Sr

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

Print Name Sullivan R. Causey, Sr.

Subscribed and sworn before me

This 16th day of March, 2011.

Victoria K Dwyer

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
VICKIE K. DWYER
My Appointment Expires
May 1, 2011
No: 07-3000-1

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	VAR-41216
Meeting Date:	4/12/11
Total Fee:	$830.00
Date Received:*	3-16-11
Received By:	JFM

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

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DWYER ENGINEERING, INC.
CIVIL ENGINEERS, LAND SURVEYORS, WATER RIGHTS, LAND USE PLANNING

March 16, 2011

City of Las Vegas
Planning Department
333 N. Rancho Drive
Las Vegas, NV 89106

Re: River of Life Word Ministries, APN 139-24-803-022
Justification Letter for Parking Variance

Dear Sirs:

We formally request a variance to the parking requirements to allow the existing parking lot to remain in use. Currently the parking lot is used when services are held in the sanctuary.

The addition of the modular units in back will not place any additional burden on the parking lot as the modular units will be used at a different time than when the sanctuary is used.

We request this variance be approved.

Sincerely,
DWYER ENGINEERING, INC.

David A. Dwyer, P.E.
Principal

RECEIVED
MAR 16 2011

VAR-41216

7310 SMOKE RANCH ROAD, SUITE E ▪ LAS VEGAS, NV 89128 ▪ (702) 254-2200 ▪ fax: (702) 254-2236
www.dwyerengineering.com ▪ email: dwyereng@lvcm.com

City of Las Vegas Agenda Item No.: **28.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-41059 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-41060 - PUBLIC HEARING - APPLICANT/OWNER: RIVER OF LIFE WORD MINISTRIES - Request for a Site Development Plan Review FOR A PROPOSED 4,428 SQUARE-FOOT CHURCH AND A 2,880 SQUARE-FOOT MODULAR CLASSROOM BUILDING WITH WAIVERS TO ALLOW NO LANDSCAPE BUFFERS ALONG THE NORTH, EAST AND WEST PERIMETERS WHERE EIGHT FEET IS REQUIRED AND A FIVE FOOT WIDE LANDSCAPE BUFFER ALONG THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED on 0.54 acres at 4944 Vegas Drive (APN 138-24-803-022), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-41059 APN: 138-24-803-022

Name of Property Owner: RIVER OF LIFE WORD MINISTRIES

Name of Applicant: RIVER OF LIFE WORD MINISTRIES

Name of Representative: THOMAS HELLUMSS

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: Sullivan R. Causey Sr

Print Name: Sullivan R. Causey, Sr.

Subscribed and sworn before me

This 16th day of March, 20 11

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
VICKIE K. DWYER
My Appointment Expires
May 1, 2011
No: 07-3000-1

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SITE Development PLAN Review

Project Address (Location) 4944 Vegas Drive

Project Name RIVER OF LIFE WORD MINISTRIES **Proposed Use** CHURCH

Assessor's Parcel #(s) 138-24-803-022 **Ward #** 5

General Plan: existing SC proposed N/A **Zoning:** existing C-1 proposed N/A

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

Gross Acres .53 **Lots/Units** 1 **Density** _____

Additional Information _____

PROPERTY OWNER River of Life Word Ministries **Contact** Pastor Sullivan Causey Sr.

Address 4944 Vegas Drive **Phone:** (702) 258-9673 **Fax:** (702) 258-9264

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

E-mail Address _____

APPLICANT River of Life Word Ministries **Contact** Pastor Sullivan Causey Sr.

Address 4944 Vegas Drive **Phone:** (702) 258-9673 **Fax:** (702) 258-9264

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

E-mail Address _____

REPRESENTATIVE DWYER ENGINEERING **Contact** THOMAS HELLUMS

Address 7310 SMOKE RANCH ROAD, SUITE E **Phone:** (702) 254-2200 **Fax:** (702) 254-2236

City LAS VEGAS **State** NV **Zip** 89128

E-mail Address thellums@dwyerengineering.com

Property Owner Signature* Sullivan R Causey Sr

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

Print Name Sullivan R. Causey, Sr.

Subscribed and sworn before me

This 16th day of March, 20 11.

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
VICKIE K. DWYER
My Appointment Expires
May 1, 2011
No: 07-3000-1

FOR DEPARTMENT USE ONLY

Case #	SDR-41059
Meeting Date:	4-12-11 PC
Total Fee:	$1,030
Date Received:*	2-28-11
Received By:	Greg K.

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

Revised 10/27/08

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City of Las Vegas Agenda Item No.: **29.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

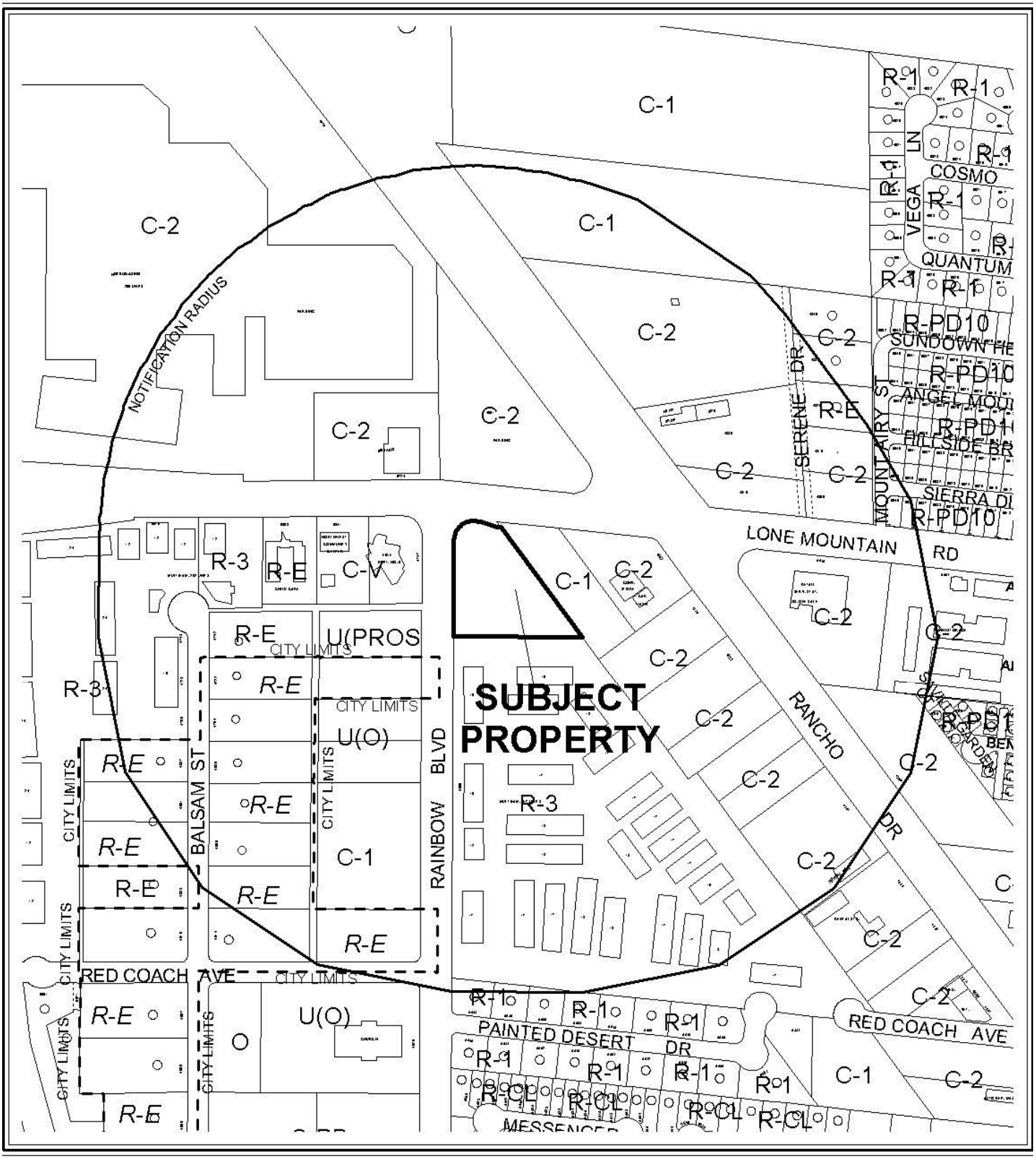
SUBJECT:
VAR-41197 - VARIANCE - PUBLIC HEARING - APPLICANT: OVATION DEVELOPMENT - OWNER: LONE MOUNTAIN APARTMENTS I, LLC - Request for a Variance TO ALLOW 56 PARKING SPACES WHERE 57 ARE REQUIRED on 1.77 acres at the southeast corner of Rainbow Boulevard and Lone Mountain Road (APN 138-02-101-015), C-1 (Limited Commercial) Zone, Ward 6 (Ross). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
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-41197, SUP-41039 and SDR-41043
2. Conditions and Staff Report - VAR-41197, SUP-41039 and SDR-41043
3. Supporting Documentation
4. Photos - VAR-41197, SUP-41039 and SDR-41043
5. Justification Letter - VAR-41197, SUP-41039 and SDR-41043



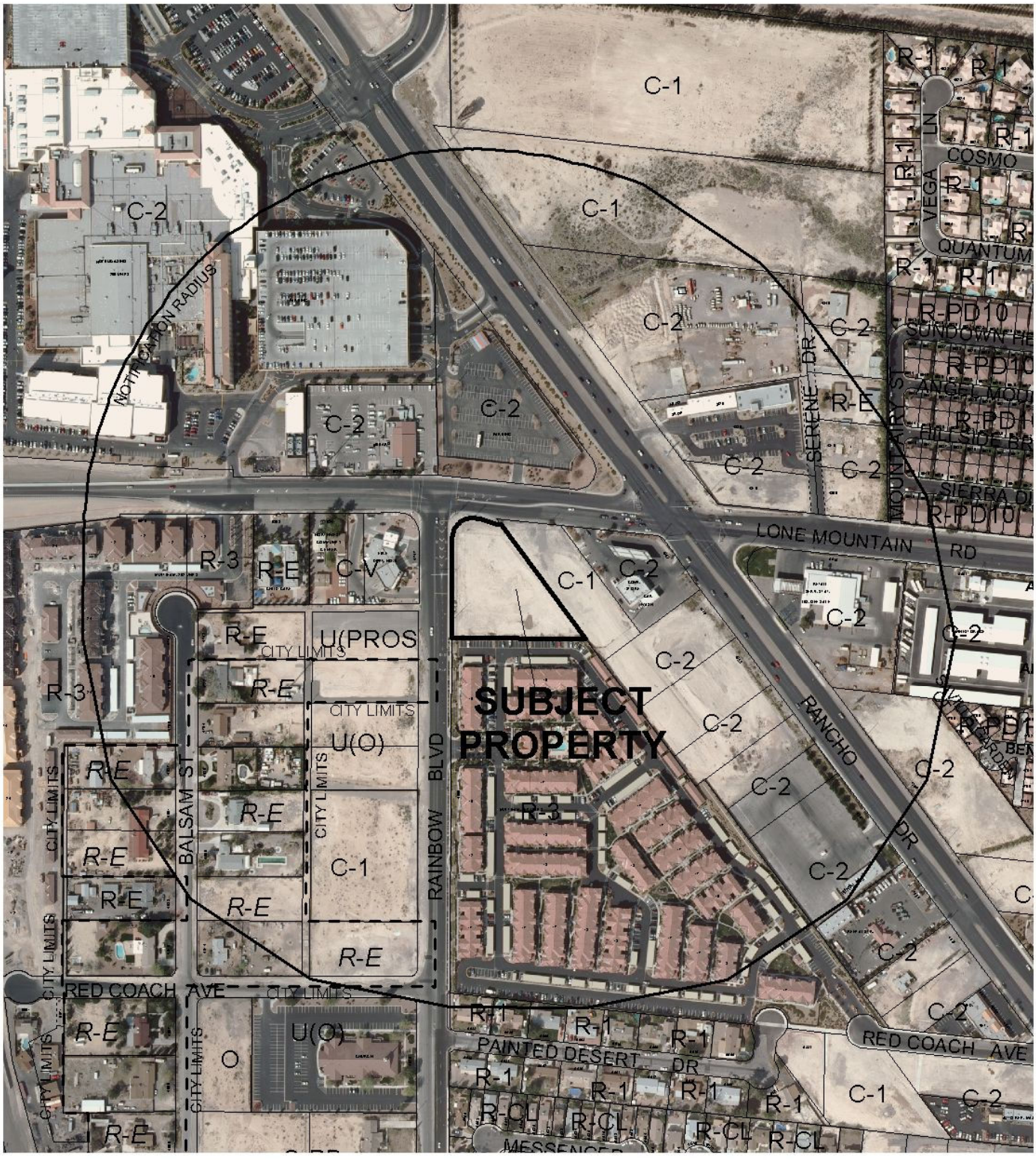
0 300 600 Feet

CASE: **VAR-41197; SUP-41039; SDR-41043**

RADIUS: 1000 FT

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

N



0 300 600 Feet

CASE: **VAR-41197; SUP-41039; SDR-41043**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: OVATION DEVELOPMENT - OWNER: LONE MOUNTAIN APARTMENTS I, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-41197	Staff recommends APPROVAL, subject to conditions:	
SUP-41039	Staff recommends APPROVAL, subject to conditions:	VAR-41197
SDR-41043	Staff recommends APPROVAL, subject to conditions:	VAR-41197 SUP-41039

** CONDITIONS **

VAR-41197 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-41039) and Site Development Plan Review (SDR-41043) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. 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 Department of Building and Safety.

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-41039 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-41197) and Site Development Plan Review (SDR-41043) shall be required.

2. Conformance to the approved conditions for Special Use Permit (SUP-37601), except as amended herein.

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

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

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

SDR-41043 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-41197) and Special Use Permit (SUP-41039) shall be required, if approved.

2. Site Development Plan Review (SDR-37602) shall be expunged.

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 03/15/11, except as amended by conditions herein.

5. A Waiver from 19.12.040(A) is hereby approved, to allow a zero-foot perimeter landscape buffer along portions of the east and south property lines where six feet is required.

6. An Exception from Title 19.10.010(J.11) is hereby approved, to allow zero landscape islands and one tree within the parking area where one island and eight trees are required.

7. An Exception from Title 19.08.040(B) is hereby approved, to allow 13 trees within the perimeter buffer along the south property line where 17 trees are required.

8. An Exception from Title 19.08.040(B) is hereby approved, to allow trees within the west perimeter buffer to be aligned to the eastern edge of the buffer where they are required to be planted in the center of the buffer.

9. 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 03/15/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

10. 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 Department of Building and Safety.

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

12. 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.

13. 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).

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

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

16. 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.

17. 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.

18. A Comprehensive Construction Staging Plan shall be submitted to the Department of Planning Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.

19. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning 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.

20. Sign and record a deed restriction with language determined to be satisfactory by the City Attorney which restricts the use of the site to an age-restricted community for those persons 55 years of age or older, to the full extent of the law.

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

Public Works

22. Grant a multi-use non equestrian trail easement for all portions of the required trail outside the Lone Mountain Road public right-of-way concurrent with development of this site.

23. Construct all incomplete half-street improvements on Lone Mountain Road and Rainbow Boulevard adjacent to this site and construct the multi-use non-equestrian trail west of the Lone Mountain Road driveway in accordance with Multi-Use Non-Equestrian Trail Standards and conditions as amended herein concurrent with development of this site. Extend widened pavement east to eliminate the potential for a "saw tooth" condition on Lone Mountain Road concurrent with the on site development activities.

24. 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.

25. The driveway to Lone Mountain Road shall be an exit only. The proposed exit gate shall be signed exit only to prevent vehicles from attempting to enter the site from Lone Mountain Road and shall be set back a sufficient distance so as not to impede any pedestrian access on Lone Mountain road. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right of way and non-equestrian trail easement.

26. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Gowan Outfall, Lone Mountain Branch project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer. We note that the proposed driveway as shown on the site plan may conflict with the future storm drain drop inlet per CLV Gowan Outfall, Lone Mountain Capital Improvement Project.

27. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

28. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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

** STAFF REPORT **

PROJECT DESCRIPTION

A three-story, 75-unit Senior Citizen Apartment complex is proposed on 1.77 acres of undeveloped land at the southeast corner of Rainbow Boulevard and Lone Mountain Road. This project is being scaled back from the 152-unit Senior Citizen Apartment complex previously approved, which included this site and the parcel to the east of the subject site. Because the project is redesigned to function on a smaller, irregularly shaped site, a parking variance, a perimeter landscape buffer waiver and several exceptions have been requested, which staff can support. The complex as proposed is compatible with existing development in the area and remains aesthetically similar to what was previously approved. Staff therefore recommends approval of all requests with conditions. If denied, the approval for a 152-unit Senior Citizen Apartment will remain until its expiration.

ISSUES

- A Major Amendment of the previously approved Special Use Permit (SUP-37601) for a Senior Citizen Apartment complex is required, pursuant to Title 19.18.060. The number of units is proposed to be reduced by more than 50 percent, and the project is limited to only one of the two parcels for which it was approved. The original waivers approved as part of this action will be retained.
- If this request is approved, the previously approved Site Development Plan Review (SDR-37602) will be expunged, as the project is proposed to be limited to a smaller site than the one previously approved.
- A Waiver of Title 19.12.040(A) is required to allow a zero-foot wide landscape buffer at two points along the south and east perimeters where six feet is required. Staff can support this waiver, since additional buffer area is included along the southeast corner of the site adjacent to provided parking spaces.
- An Exception of Title 19.10.010(J.11) is required to allow no landscape islands and one tree within the parking area where one island and eight trees are required. Staff can support this request, as the spacing of the uncovered parking spaces does not warrant the practical placement of islands and trees, and additional trees would obstruct access to the trash enclosure.
- An Exception of Title 19.12 is required to allow 13 trees within the perimeter buffer along the south property line where spacing requires 17 trees. Staff supports this waiver, as the buffer area must narrow to allow for adequate driveway width and throat depth.
- An Exception of Title 19.12 is also required to allow trees within the west perimeter buffer to be aligned to the eastern edge of the buffer where they are required to be planted in the center of the buffer. Staff can support this exception, as an NV Energy easement disallows trees in the center of the proposed buffer area due to existing overhead power lines.

- A multi-use non-equestrian trail is approved for the south side of Lone Mountain Road adjacent to the north side of the subject site. A bus turnout is also located adjacent to the site along Lone Mountain Road. The trail path and landscaping on the interior side of the path will be provided by the applicant; however, the landscaping on the street side of the path cannot be provided, due to the provision of the bus turnout. The Transportation Trails Element of the Las Vegas 2020 Master Plan allows for the path to encroach to the edge of the trail in this instance without the provision of landscaping.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/05/63	The Board of Commissioners approved a request for Annexation (A-0003-63) of approximately 150 acres of land generally located on the south side of Gowan Road, between Tonopah Highway (now Rancho Drive) and Decatur Boulevard. The Planning Commission and staff recommended approval. The annexation became effective on 06/14/63.
04/02/03	The City Council approved a General Plan Amendment (GPA-1363) to change portions of the Centennial Hills Sector Plan and the Southwest Sector Map from GC (General Commercial), SC (Service Commercial) and DR (Desert Rural) to GC (General Commercial), O (Office), PF (Public Facility), ML (Medium-Low Density Residential) and DR (Desert Rural Density Residential) on property located on, or in close proximity to, both sides of Rancho Drive from Vegas Drive to the northern City limits at Moccasin Road. The Planning Commission and staff recommended approval.
03/10/05	A Parcel Map (PMP-5221) for three residential lots on 20.39 acres located on the southeast corner of Rainbow Boulevard and Lone Mountain Road was recorded.
11/17/10	The City Council approved a General Plan Amendment (GPA-37599) to amend the land use designation from GC (General Commercial) to SC (Service Commercial) on 1.25 acres adjacent to the south side of Lone Mountain Road, approximately 120 feet east of Rainbow Boulevard. The Planning Commission and staff recommended approval.
	The City Council approved a Rezoning (ZON-37600) from C-2 (General Commercial) to C-1 (Limited Commercial) on 3.02 acres at the southeast corner of Lone Mountain Road and Rainbow Boulevard. The Planning Commission and staff recommended approval.
	The City Council approved a Special Use Permit (SUP-37601) for a Senior Citizen Apartment use with Waivers to allow apartments on the ground floor where none are permitted, a primary resident or guest entryway in conjunction with commercial uses and a front elevation that does not highlight the difference in uses at the southeast corner of Lone Mountain Road and Rainbow Boulevard. The Planning Commission and staff recommended approval.

11/17/10	The City Council approved a Site Development Plan Review (SDR-37602) for a proposed three-story, 37-foot tall, 152-unit Senior Citizen Apartment complex on 3.02 acres at the southeast corner of Lone Mountain Road and Rainbow Boulevard. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
09/03/04	A deed was recorded for a change in ownership on APN 138-02-101-015.

Related Building Permits/Business Licenses
There are no building permits or business licenses pertaining to the subject site.

Pre-Application Meeting	
02/16/11	A pre-application meeting was held, where requirements for submittal of applications for a Special Use Permit and Site Development Plan Review were discussed. The key issues discussed included the following: • A major amendment of the previously approved Special Use Permit will be required, as the project will be limited to a smaller site and the number of units will be reduced beyond 50 percent of the approved units. • The previously approved Site Development Plan Review will be expunged. • A Waiver of the perimeter landscape buffer standards is required where parking spaces encroach into the required landscape buffer area. • Exceptions are required for missing parking lot landscape islands and trees, and also trees missing from the perimeter buffer areas due to utility installations. • Based on the plans shown at the meeting, vehicular access and onsite circulation may be difficult, especially for refuse and delivery vehicles; these vehicles cannot turn around on the site, while smaller vehicles would only be able to turn around only if there is at least one vacant space at the end of the parking row. Traffic Engineering requested that a turnaround be provided on the site or that access to Lone Mountain Road be designated as egress only. • Two of the parking spaces as shown on the plans are not functional. • Access to fire hydrants must be provided.

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

Field Check	
03/03/11	A field check was conducted on the site. The site is vacant and free of trash and debris. A chain link fence is located along the west property line and encloses a portion of the interior. A fire hydrant is located at the corner of the site near the street intersection.

Details of Application Request	
Site Area	
Net Acres	1.77

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
North	Parking Lot (accessory to Hotel/Casino)	SC (Service Commercial)	C-2 (General Commercial)
South	Multi-Family Residential (Condominiums)	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
West	Government Facility (Fire Station)	PF (Public Facilities)	C-V (Civic)
	Undeveloped	PR-OS (Parks/Recreation/Open Space)	U (Undeveloped)

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 (Multi-Use Non-Equestrian Trail)	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	1.77 acres	N/A
Min. Lot Width	100 Feet	130 Feet	Y
Min. Setbacks			
• Front (Lone Mountain Road)	20 Feet	23 Feet	Y
• Side	10 Feet	39 Feet	Y
• Corner	15 Feet	30 Feet	Y
• Rear	20 Feet	59 Feet	Y
Max. Lot Coverage	50 %	40 %	Y
Max. Building Height	N/A	35 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened	By condition
Mech. Equipment	Screened	Screened	Y

Standard	*Previously Approved (SUP-37601)*	*Proposed (SUP-41039)*	*Change*
Building size	137,391 SF	74,259 SF	-46.0%
Number of units	152	75	-50.7%
Residential density	51 du/ac	42.4 du/ac	-16.9%
Building height	37 feet	35 feet	-5.4%

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	3 Trees	8 Trees	Y
• South	1 Tree / 20 Linear Feet	17 Trees	13 Trees	N
• East	1 Tree / 30 Linear Feet	12 Trees	19 Trees	Y
• West	1 Tree / 30 Linear Feet	9 Trees	10 Trees	Y
TOTAL PERIMETER TREES		**41 Trees**	**50 Trees**	**Y**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	8 Trees	1 Tree	N

LANDSCAPE BUFFER WIDTHS			
Min. Zone Width • North • South • East • West	 10 Feet 6 Feet 6 Feet 10 Feet	 10 Feet 0 Feet 0 Feet 25 Feet	 Y N N Y
Wall Height	6 to 8 Feet Adjacent to Residential	Existing 6-foot wall along south PL	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Lone Mountain Road	Primary Arterial	Master Plan of Streets and Highways	100	Y
Rainbow Boulevard	Secondary Collector	Master Plan of Streets and Highways	90	Y

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Senior Citizen Apartments	75 units	0.75 spaces per unit	57				
TOTAL SPACES REQUIRED			**57**		**56**		N
Regular and Handicap Spaces Required			54	3	53	3	N
Percentage Deviation					2%		N
Compact Spaces Allowed			17		17		Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
Title 19.12.040(A): A six-foot wide perimeter landscape buffer	To allow a zero-foot wide buffer along portions of the east and south property lines	Approval

Exceptions		
Requirement	***Request***	***Staff Recommendation***
Title 19.12.040(B): Trees shall be spaced on center of landscape buffer	To allow trees within the west perimeter buffer to be aligned with the east edge of the buffer	Approval
Title 19.12.040(B): Trees shall be spaced a min. 20 feet apart within south perimeter buffer area (17 trees)	To allow 13 trees within the south perimeter buffer	Approval
Title 19.10.010(J.11): One landscape island and eight trees within the parking area	To allow zero islands and one tree	Approval

ANALYSIS

The proposed development is located within the Airport Overlay District with a 140-foot height restriction, with which the development is in conformance. No other special plan areas or overlay districts apply to this site.

It is noted that a multi-use transportation trail is required along the south side of Lone Mountain Road adjacent to this site. The site plan depicts the required 10-foot wide bi-directional concrete path, as well as five feet of landscaping on either side of the path except where adjacent to a required bus turnout lane. The Transportation Trails Element of the Las Vegas 2020 Master Plan states that when adjacent to a bus turnout lane, the 10-foot wide concrete path is allowed to abut the right-of-way without an intervening landscape buffer. A general plan amendment to amend the Transportation Trails Element is therefore not required. The Department of Public Works will require dedication of an easement for all portions of the trail outside of the right-of-way concurrent with site development.

Access to the site is provided by a driveway at Rainbow Boulevard with an exit only to Lone Mountain Road. The gate restricted entry previously approved has been removed from the site plan. Circulation continues around the perimeter of the site, with covered parking available to the north and west of the access drive. Six additional parking spaces are also available at the southeast corner of the site. The parking and circulation layout is adequate, given the irregular shape of the site.

In regards to the use of the property, despite the reduction in area, the building size and number of units have also reduced, allowing for a decrease in density from 51 dwelling units per acre to about 42 dwelling units per acre. The height of the apartment building also decreased slightly, from 37 feet to 35 feet. The use will still be exclusively residential and retain the previously

approved waivers to eliminate the ground-level commercial component. The use will continue to be appropriate for this site and compatible with the adjacent land uses.

There are several deficiencies in the development for which a variance, waiver and exceptions are required. The site can safely provide no more than 56 parking spaces as designed. A hardship has been demonstrated in that the additional space necessary to meet the required number would have been provided given a more rectilinear site. The landscape waiver stems from the necessary provision of parking at the southeast corner of the site. Staff supports this waiver, since additional buffer area is provided along the southeast corner of the site adjacent to the parking spaces. The landscape exceptions are necessary to honor an existing power line easement along Rainbow Boulevard and to allow for safer ingress to the site. Landscape islands, though required, are not practical, given the locations of parking canopies and the trash enclosure.

The proposed elevations for the Senior Citizen Apartments have changed slightly, but have retained the same color scheme and overall character established by the Site Development Plan Review (SDR-37602) approval. The exterior staircase shown on the previously approved east elevation has been enclosed on the proposed elevation. The same one and two bedroom floor plans as were previously approved are proposed.

FINDINGS (VAR-41197)

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

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

Additionally, Title 19.18.070(L) states:

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

The proposed site is triangularly shaped, which only allows for a limited number of parking spaces to be provided along the perimeter of the building. The reduction of required parking by a single space represents only a two percent deviation from the requirement and will allow for the safest configuration of parking spaces at the southeast corner of the site. A hardship has

therefore been demonstrated that is not preferential and is within the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (SUP-41039)

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 Senior Citizen Apartment use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses and with future surrounding land uses. The proposed use will be an appropriate buffer between the existing multi-family residences to the south and the commercial properties to the north and east.

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

   The site is suitable for the reduced density Senior Citizen Apartment complex, as compared to the previously approved complex. Access and circulation have been altered to accommodate the shape of the site and to increase safety.

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.**

   Lone Mountain Road and Rainbow Boulevard are both built to capacity and are adequate in size to meet the requirements of the Senior Citizen Apartment use.

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

   The site will be subject to permitting, inspections and licensing by the City of Las Vegas, and will not compromise the health, safety, and welfare, or the overall objectives of the General Plan.

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

   The proposed Senior Citizen Apartment use is consistent with the requirements of LVMC Title 19.04, except for those requirements that were waived per the approval of SUP-37601, which included allowing apartments on the ground floor where none are permitted, a resident or guest entryway in conjunction with commercial uses, and a front elevation that does not highlight the difference between residential and commercial uses.

FINDINGS (SDR-41043)

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

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

   The proposed development is compatible with adjacent development and development in the area. In particular, the development will provide a buffer between the existing residences to the south and the existing commercial development 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;**

   The proposed development is consistent with the proposed SC (Service Commercial) General Plan designation. A Variance to allow a reduction in the amount of required parking, a minimal landscape waiver and several landscape exceptions are necessary for approval of this site, which staff supports. The proposed development is in conformance with all other Title 19 requirements.

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

   Site access is provided by a driveway at Rainbow Boulevard with an exit only to Lone Mountain Road. The parking and circulation layout is adequate, given the irregular shape of the site, and will not negatively impact the adjacent roadways.

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

   The building elevations and landscape materials are similar to those previously approved for this site and remain appropriate for this area of the city.

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

   The building elevations are not unsightly or obnoxious, and will be compatible with development in the area.

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

   The site will be subject to permitting, inspections and licensing by the City of Las Vegas, and will not compromise the health, safety, and welfare of the public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 46

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41197** APN: 138-02-101-015

Name of Property Owner: Lone Mountain Apts I LLC

Name of Applicant: Ovation Development

Name of Representative: Janet Goyer

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: Alan L Molasky

Print Name: Alan L. Molasky

Subscribed and sworn before me

This 14th day of March, 2011

Jennifer Mackey

Notary Public in and for said County and State

JENNIFER MACKEY
NOTARY PUBLIC
STATE OF NEVADA
CLARK COUNTY
APPT. No. 09-9537-1
MY APPT. EXPIRES MAR. 13, 2013

RECEIVED
MAR 15 2011

PLANNING & DEVELOPMENT
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Variance to Parking Requirements

Project Address (Location) SE corner of Rainbow Blvd and Lone Mountain Road

Project Name Lone Mountain Senior Apartments **Proposed Use** Apartment Rentals

Assessor's Parcel #(s) 138-02-101-015 **Ward #** 6

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

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

Gross Acres 1.77 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Lone Mountain Apts I LLC **Contact** Janet Goyer

Address 6021 S. Fort Apache Road, #100 **Phone:** (702) 990-2325 **Fax:** (702) 990-2391

City Las Vegas **State** NV **Zip** 89148

E-mail Address jang@ovationdev.com

APPLICANT Ovation Development **Contact** Janet Goyer

Address 6021 S. Fort Apache Road, #100 **Phone:** (702) 990-2325 **Fax:** (702) 990-2391

City Las Vegas **State** NV **Zip** 89148

E-mail Address jang@ovationdev.com

REPRESENTATIVE Impulse Engineering **Contact** Pete Laas

Address 625 Dinard Way **Phone:** (702) 338-7115 **Fax:** (702) 478-8535

City Las Vegas **State** NV **Zip** 89113

E-mail Address Impulse-ce@cox.net

Property Owner Signature* Alan L Molasky

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

Print Name Alan L. Molasky

Subscribed and sworn before me

This 14th day of March, 2011.

Jennifer Mackey

Notary Public in and for said County and State

JENNIFER MACKEY
NOTARY PUBLIC
STATE OF NEVADA
CLARK COUNTY
APPT. No. 09-9537-1
MY APPT. EXPIRES MAR. 18, 2013

FOR DEPARTMENT USE ONLY

Case #	VAR-71197
Meeting Date:	4/12/11
Total Fee:	$830.—
Date Received:*	3/15/11
Received By:	Bm S

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

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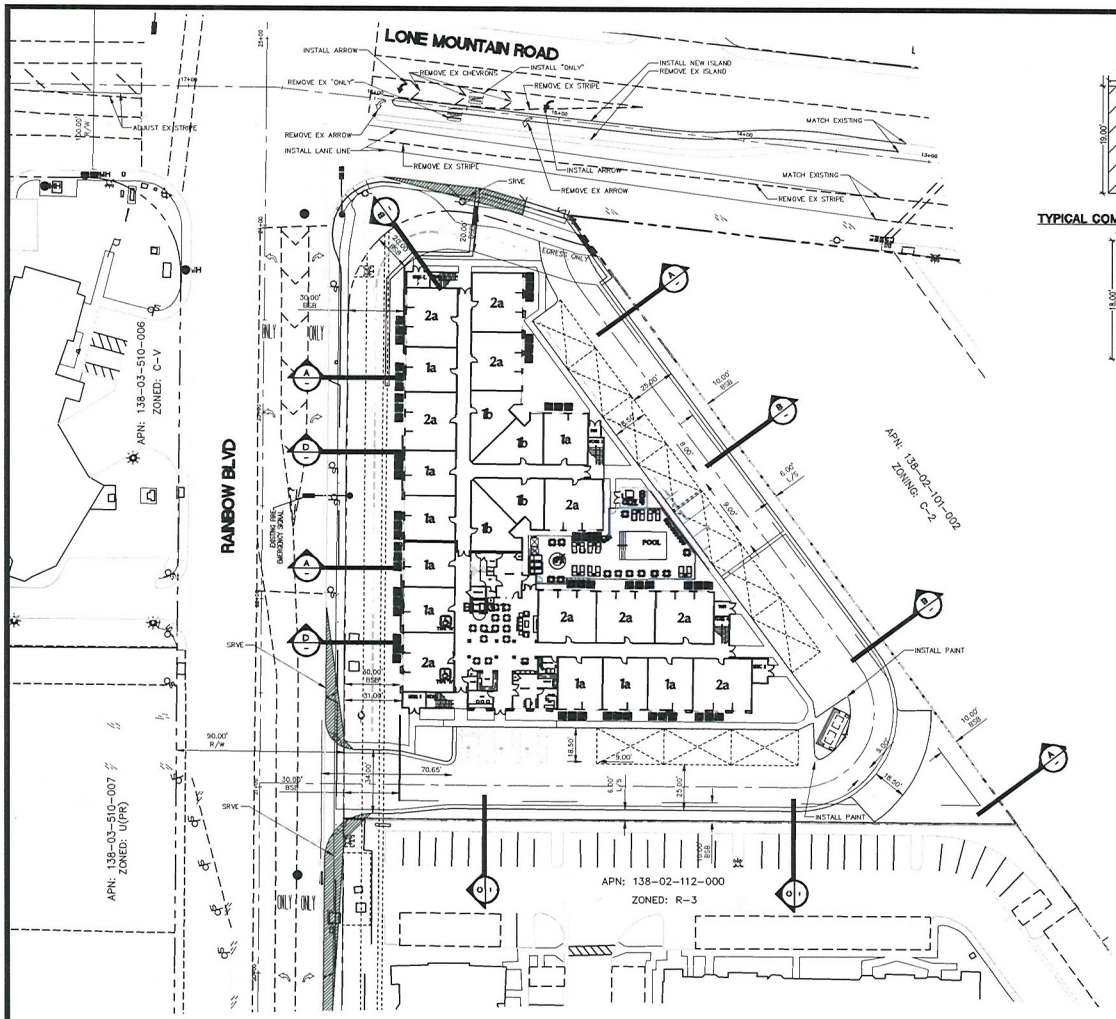
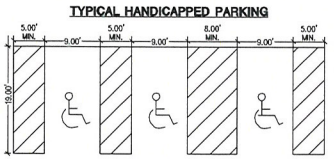
MAR 15 2011

Revised 10/27/08

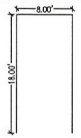
I:\depot\Application Packet\Application Form.pdf



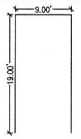
TYPICAL HANDICAPPED PARKING



TYPICAL COMPACT PARKING SPACE

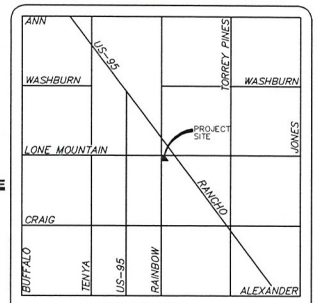


TYPICAL PARKING SPACE



VICINITY MAP

N.T.S.



SECTION A

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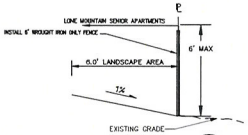

SECTION B

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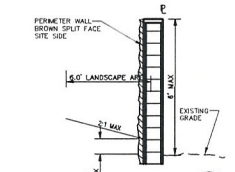
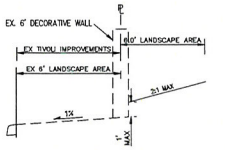


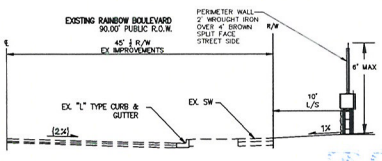
SOUTHERN SECTION

NOT TO SCALE



RAINBOW BOULEVARD

NOT TO SCALE



GRAPHIC SCALE 24"X36"

(IN FEET)
1 inch = 30 ft.

GRAPHIC SCALE 11"X17"

(IN FEET)
1 inch = 60 ft.

BUILDING DATA

BLDG 1 LIVABLE:	
FIRST FLOOR	16,950 SF
SECOND FLOOR	18,900 SF
THIRD FLOOR	18,900 SF
TOTAL:	54,750 SF
BLDG 1 GROSS:	
FIRST FLOOR	24,753 SF
SECOND FLOOR	24,753 SF
THIRD FLOOR	24,753 SF
TOTAL:	74,259 SF

SITE DATA

SITE	
PRESENT ZONING	C-1
PROPOSED ZONING	C-1
APN	138-02-101-015
UNITS	75
NET AREA	1.77 AC±
GROSS AREA	1.77 AC±
DENSITY (GROSS)	43 UNITS / AC±
BUILDING FOOTPRINT AREA	24,753 SF = 0.57 AC±
COVERED PARKING AREA	6,460 SF = 0.14 AC±
PAVED AREA	0.59 AC±
OPEN SPACE	0.78 AC±
TOTAL LOT COVERAGE	0.57+0.14) / 1.77 = 40.1%

PARKING	
– PARKING REQUIRED	57 SPACES
1–BEDROOM	0.75 x 45 = 34 SPACES
2–BEDROOM	0.75 x 30 = 23 SPACES
HANDICAP REQUIREMENT	51 – 75 STALLS: 3 SPACES
– PARKING PROVIDED	56 SPACES
HANDICAP	3 SPACES

CAUTION TO CONTRACTOR !

EXISTING UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE ONLY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT VERTICAL AND HORIZONTAL LOCATION OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO COMMENCING CONSTRUCTION. NO REPRESENTATION IS MADE THAT ALL EXISTING UTILITIES ARE SHOWN HEREON. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN OR UTILITIES NOT SHOWN IN THEIR PROPER LOCATION.

CALL BEFORE YOU DIG OVERHEAD — 1-702-599-6111

Call Before You Dig 811 — 1-800-227-2600 AND CLARK COUNTY TRAFFIC OPERATIONS 1-800-455-7544

Call before you UnderGround — 1-702-455-7511 CLARK COUNTY TRAFFIC OPERATIONS AND 1-702-432-5300

BENCH MARK:

CITY OF LAS VEGAS BENCH MARK 1LV00 3NEE6

CITY OF LAS VEGAS PIN AND PLATE IN THE TOP OF CURB, SOUTHWEST CORNER OF RAINBOW BOULEVARD AND RED COACH AVENUE NEAR THE PT OF RED COACH AVENUE
NAVD '88 DATUM

ELEVATION = 2319.021 U.S. SURVEY FEET
ELEVATION = 706.839 METERS

BASIS OF BEARINGS:

THE BASIS OF BEARING FOR THIS SURVEY IS THE WESTERLY LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 2, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA, WHICH BEARS NORTH 00°31'01" EAST. AS PER MAP RECORDED IN BOOK 139, PAGE 33 OF PLATS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

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MAR 15 2011

VAR-41197
SUP-41039
SDR-41043

OVATION DEVELOPMENT
6021 SOUTH FORT APACHE ROAD SUITE 100
LAS VEGAS, NEVADA 89148
CONTACT: JAN GOYER (702) 990-2325

OVATION
DEVELOPMENT CORP

Impulse Civil Engineering & Planning
I=/F·dt CIVIL ENGINEERS - PLANNERS
835 GRAND WAY
NORTH LAS VEGAS, NEVADA 89030
(702) 388-7161
FAX (702) 974-8168

NO	DATE	BY	REVISION

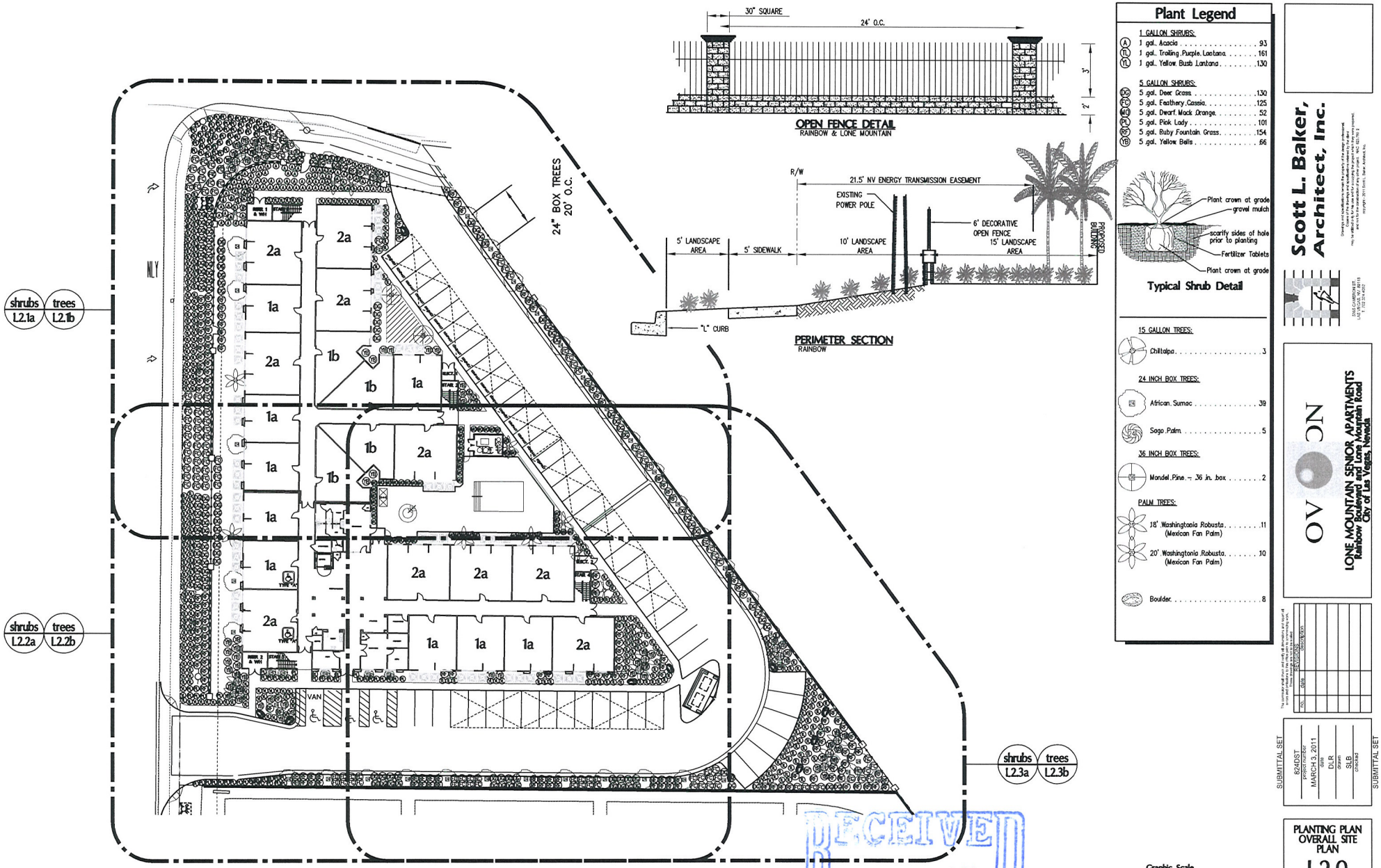
SHEET: SITE PLAN
TITLE: LONE MOUNTAIN SENIOR APARTMENTS

DRAWN BY: JRH — FEBRUARY 2011
DESIGNED BY: JRH — FEBRUARY 2011
CHECKED BY: P.A. — FEBRUARY 2011
PROJECT NO: 2010012 — SCALE: N.T.S.

REGISTERED PROFESSIONAL ENGINEER — STATE OF NEVADA — PETER A. LAKS — No. 11447 — Exp: 12/31/11 — CIVIL

SHEET DT3
13 OF 19 SHEETS
DRAWING NO.

File: C:\Impulse\Projects\Clients\Ovation Lone Mountain\Improvement Plans Revised\12 SITE PLAN.dwg Sheet: SITE Date: 11-Mar-11 3:57:43pm



OVERALL SITE PLAN – LANDSCAPE PLANTING PLAN

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SUP-41039
SDR-41043

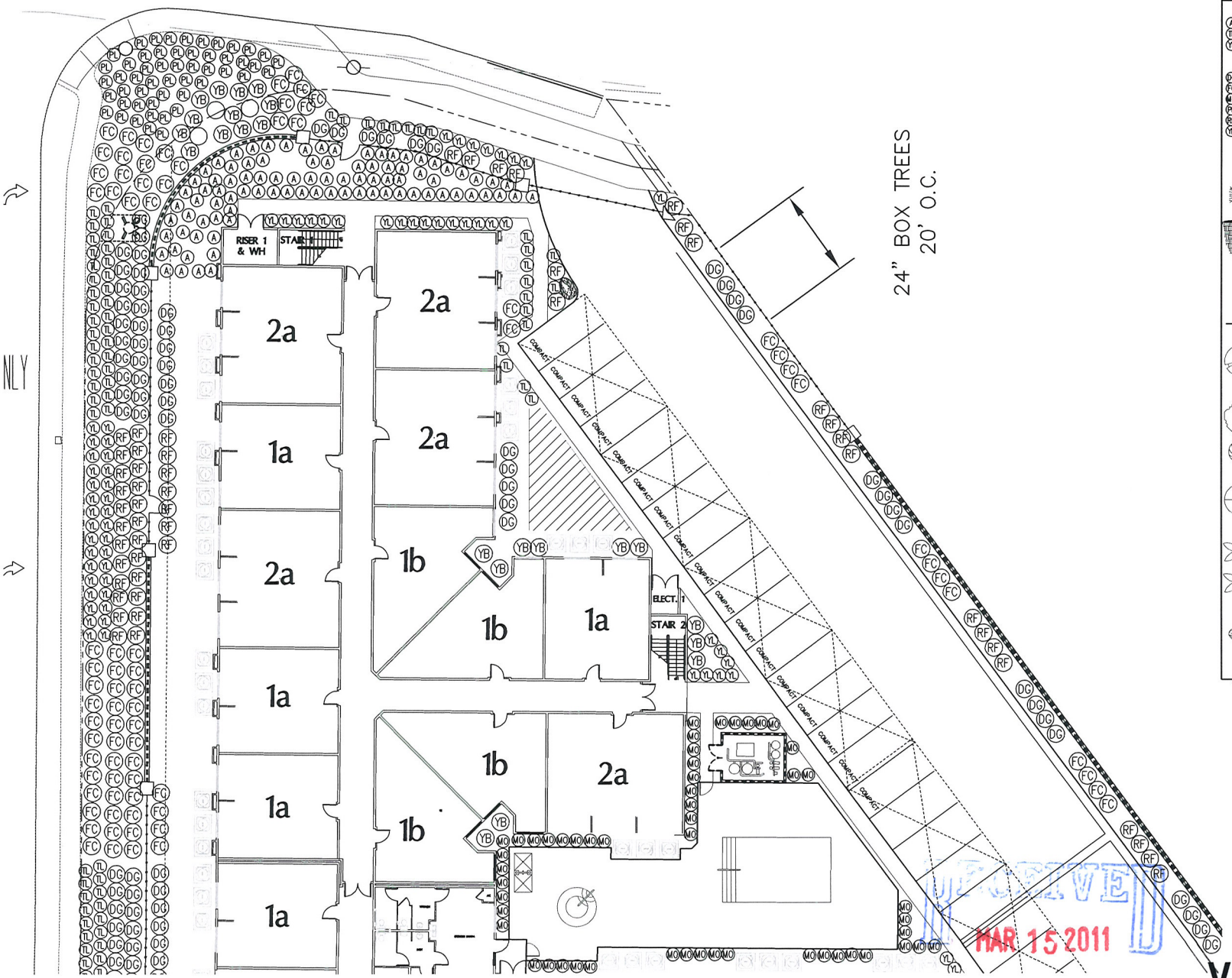
Scott L. Baker, Architect, Inc.

LONE MOUNTAIN SENIOR APARTMENTS
Rainbow Boulevard and Lone Mountain Road
City of Las Vegas, Nevada

SUBMITTAL SET

824DST
project number
MARCH 3, 2011
date
DLR
drawn
SLB
checked

PLANTING PLAN
OVERALL SITE PLAN
L2.0



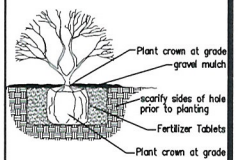
Plant Legend

1 GALLON SHRUBS:

(A)	1 gal. Acacia	93
(TL)	1 gal. Trailing Purple Lantana	161
(YL)	1 gal. Yellow Bush Lantana	130

5 GALLON SHRUBS:

(DG)	5 gal. Deer Grass	130
(RF)	5 gal. Feathery Cassia	125
(MO)	5 gal. Dwarf Mock Orange	52
(PL)	5 gal. Pink Lady	101
(FC)	5 gal. Ruby Fountain Grass	154
(YB)	5 gal. Yellow Bells	66



Typical Shrub Detail

15 GALLON TREES:

	Chilltalpa	3

24 INCH BOX TREES:

	African Sumac	39
	Sago Palm	5

36 INCH BOX TREES:

	Mondel Pine - 36 in. box	2

PALM TREES:

	18' Washingtonia Robusta (Mexican Fan Palm)	11
	20' Washingtonia Robusta (Mexican Fan Palm)	10
	Boulder	8

GRAPHIC SCALE

(IN FEET)

1 inch = 20 ft.

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MAR 15 2011

VAR-41197
SUP-41039
SDR-41043

Scott L. Baker, Architect, Inc.

3205 CLAIRMONT ST.
LAS VEGAS, NV 89109
T 702.314.4202

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LONE MOUNTAIN SENIOR APARTMENTS
Rainbow Boulevard and Lone Mountain Road
City of Las Vegas, Nevada

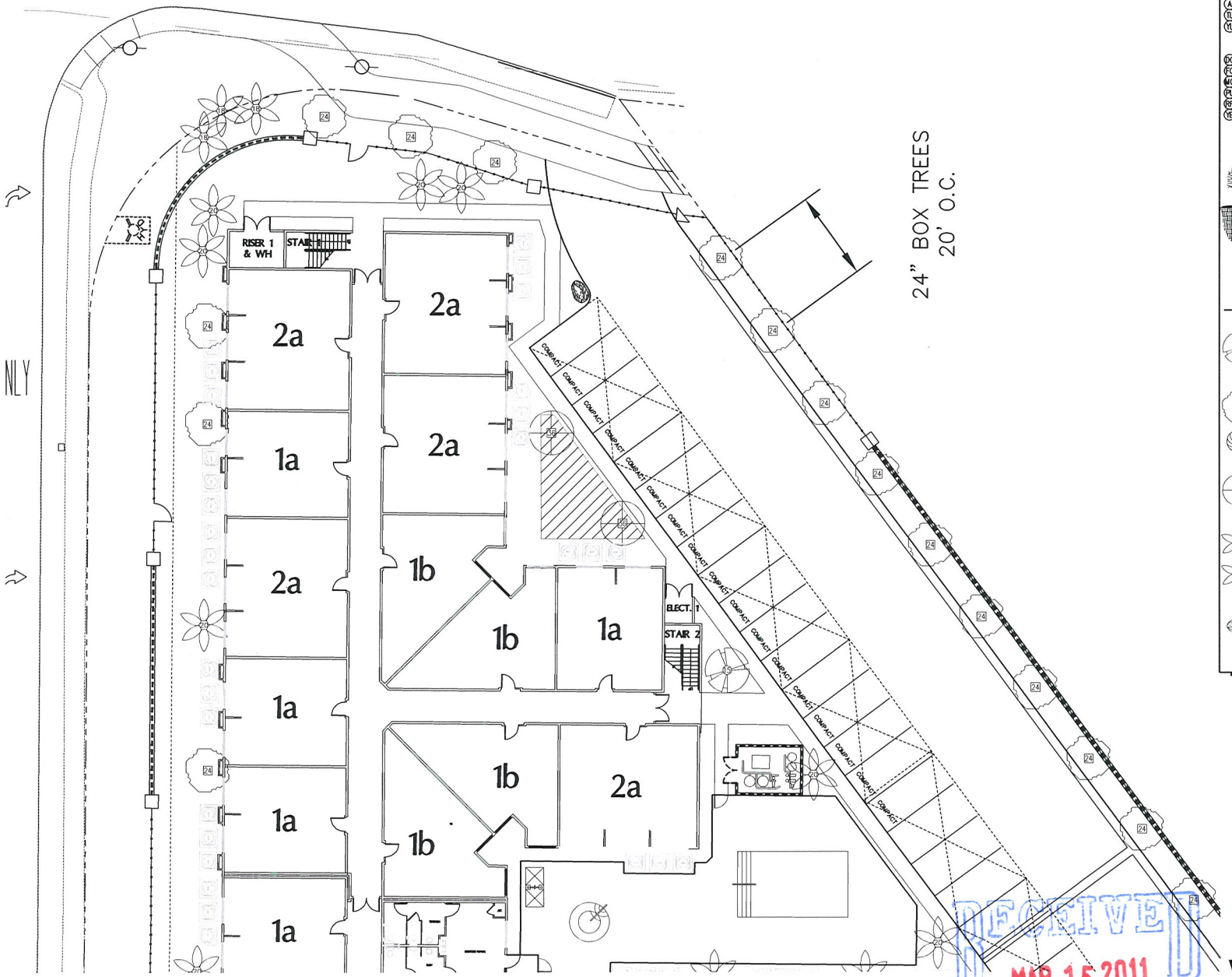
NO.	DATE	DESCRIPTION
1	6/8/11	PER CITY COMMENTS

SUBMITTAL SET

824DST
project number
MARCH 3, 2011
date
DLR
drawn
SLB
checked

SUBMITTAL SET

PLANTING PLAN
ENLARGED
SHRUB PLAN
L2.1a



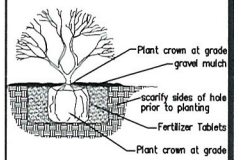
Plant Legend

1 GALLON SHRUBS:

A	1 gal. Acacia	93
P2L	1 gal. Trailing Purple Lantana	161
P2	1 gal. Yellow Bush Lantana	130

5 GALLON SHRUBS:

DG	5 gal. Deer Grass	130
FC	5 gal. Feathery Cassia	125
MO	5 gal. Dwarf Mock Orange	52
PL	5 gal. Pink Lady	101
RFG	5 gal. Ruby Fountain Grass	154
YB	5 gal. Yellow Bells	66



Typical Shrub Detail

15 GALLON TREES:

Ch	Chiltalpa	3

24 INCH BOX TREES:

K	African Sumac	39
S	Sago Palm	5

36 INCH BOX TREES:

M	Mondel Pine - 36 in. box	2

PALM TREES:

W	18' Washingtonia Robusta (Mexican Fan Palm)	11
W	20' Washingtonia Robusta (Mexican Fan Palm)	10
	Boulder	8

GRAPHIC SCALE

(IN FEET)

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VAR-41197
SUP-41039
SDR-41043

Scott L. Baker, Architect, Inc.
5255 Lindell Road #131
Las Vegas, Nevada 89118
T 702.324.4502

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LONE MOUNTAIN SENIOR APARTMENTS
Rainbow Boulevard and Lone Mountain Road
City of Las Vegas, Nevada

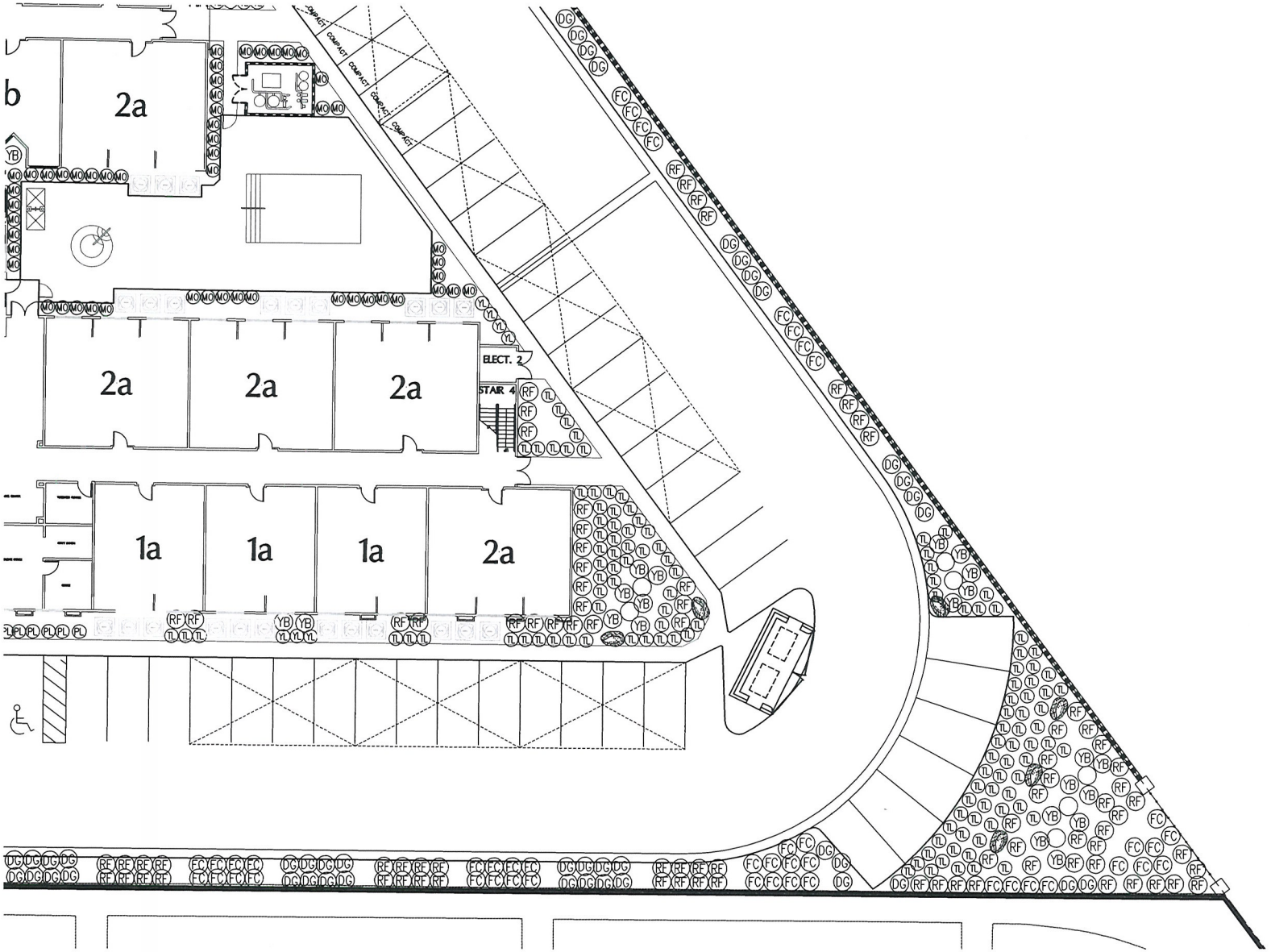
NO.	DATE	PROVISIONS

SUBMITTAL SET

82dDST
project number
MARCH 3, 2011
date
DLR
drawn
SLB
checked

SUBMITTAL SET

PLANTING PLAN
ENLARGED
TREE PLAN
L2.1b



Plant Legend

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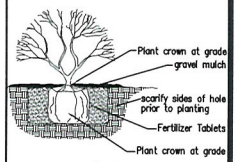
(RB)	5 gal. Ruby Fountain Grass	154
(YB)	5 gal. Yellow Bells	66



Typical Shrub Detail

15 GALLON TREES:

	Chilitalpa	3

24 INCH BOX TREES:

(A)	African Sumac	39
(24)	Sago Palm	5

36 INCH BOX TREES:

	Mondel Pine - 36 in. box	2

PALM TREES:

	18' Washingtonia Robusta (Mexican Fan Palm)	11
	20' Washingtonia Robusta (Mexican Fan Palm)	10
	Boulder	8

Scott L. Baker, Architect, Inc.
2532 CHARLESTON ST
LAS VEGAS, NEVADA 89104
T. (702) 515-4420

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LONE MOUNTAIN SENIOR APARTMENTS
Southwest corner of Lone Mountain Road
Rainbow Boulevard
City of Las Vegas, Nevada

NO.	date	REVISIONS description

SUBMITTAL SET

824DST
project number
MARCH 3, 2011
date
DLR
drawn
SLB
checked

SUBMITTAL SET

PLANTING PLAN
ENLARGED
SHRUB PLAN
L2.3a

GRAPHIC SCALE

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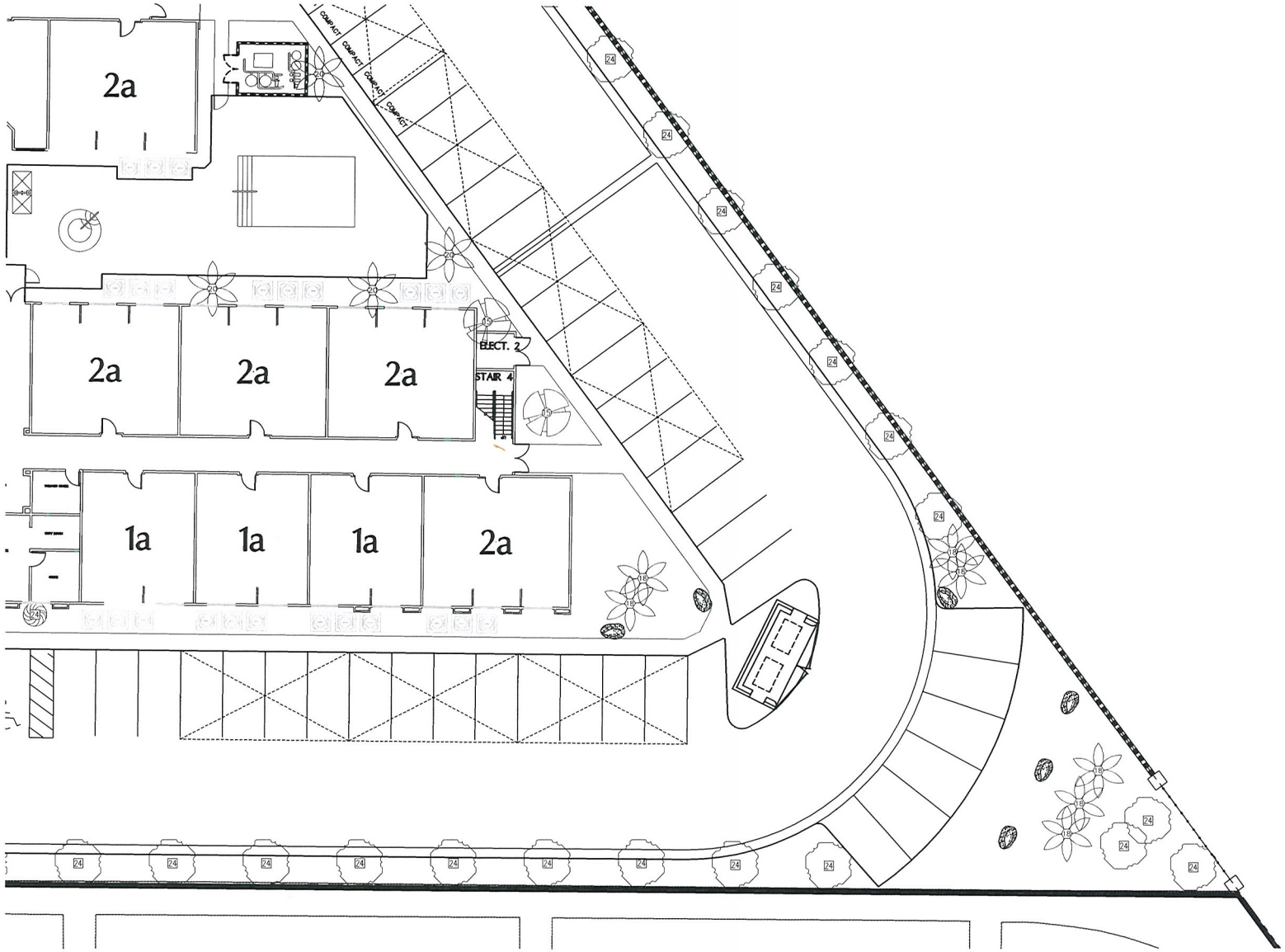
SDR-41043



Plant Legend

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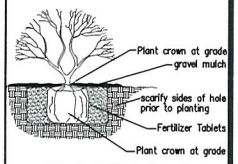

Typical Shrub Detail

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24	Sago Palm	5

36 INCH BOX TREES:

36	Mondel Pine - 36 in. box	2

PALM TREES:

18'	Washingtonia Robusta (Mexican Fan Palm)	11
20'	Washingtonia Robusta (Mexican Fan Palm)	10
	Boulder	8

Scott L. Baker, Architect, Inc.

2300 CAMERON ST.
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T 702 324 4052

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OVOCON

LONE MOUNTAIN SENIOR APARTMENTS
Rainbow Boulevard and Lone Mountain Road
City of Las Vegas, Nevada

REVISIONS

no.	date	description

SUBMITTAL SET

824DST	project number
MARCH 3, 2011	date
DLR	drawn
SLB	checked

SUBMITTAL SET

PLANTING PLAN ENLARGED TREE PLAN

L2.3b

GRAPHIC SCALE

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VAR-41197
SUP-41039
SDR-41043

20050310-0001129
Fee: $61.00
RPTT Fee: $0.00
01/10/2005
Requestor:
VPOINT
Frances Deane
Clark County Recorder
Pgs: 5
Instr:
20050310-0001129
Fee/Pgs/Add'l/Page:
PM 109 0012
Parcel Map

PARCEL MAP

LONE MOUNTAIN APARTMENTS

BEING A MERGER AND RESUBDIVISION OF PARCELS I, II, AND III AS PER THAT CERTAIN DEED RECORDED SEPTEMBER 3, 2004 IN BOOK 20040903, INSTRUMENT NUMBER 00194 IN THE OFFICE OF THE CLARK COUNTY, NEVADA RECORDERS, SITUATED IN THE NORTH HALF (N 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 2, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA

OWNER'S CERTIFICATE AND DEDICATION

WE, LONE MOUNTAIN APARTMENTS I, LLC A NEVADA LIMITED LIABILITY COMPANY HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND SUBDIVIDED WITHIN THE BOUNDARY SHOWN HEREON; DO HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS PARCEL MAP THAT HAS CAUSED THE LAND TO BE SURVEYED AND DIVIDED INTO SEPARATE PARCELS; AND DOES HEREBY OFFER AND DEDICATE TO THE CITY OF LAS VEGAS, ITS SUCCESSORS AND ASSIGNS, ANY STREETS, EASEMENTS OR OTHER RIGHTS-OF-WAY AS INDICATED AND OUTLINED HEREON FOR THE USE OF THE PUBLIC, THE UNDERSIGNED OWNER HEREBY GRANTS AND CONVEYS TO THE CITY OF LAS VEGAS AND TO ITS SUCCESSORS AND ASSIGNS A FIVE-FOOT WIDE EASEMENT ADJACENT TO ALL PROPERTY LINES WHERE LOTS OR COMMON AREAS ABUT PUBLIC STREETS FOR PURPOSES OF PLACING PUBLIC FIRE HYDRANTS, PUBLIC STREET LIGHTS, CONDUITS, TRAFFIC SIGNALS, AND APPURTENANCES THERETO, AND AN ADDITIONAL EASEMENT OF UP TO TWO FEET IN RADIUS FROM EACH FIRE HYDRANT AND STREET LIGHT, CONDUIT, TRAFFIC SIGNAL AND APPURTENANCE, TO EXTEND BEYOND THE FIVE FOOT EASEMENT IF NECESSARY, TOGETHER WITH THE RIGHT OF INGRESS TO AND EGRESS FROM THESE EASEMENTS.

LONE MOUNTAIN APARTMENTS I, LLC., A NEVADA LIMITED LIABILITY COMPANY

Alan X Molasky 1/19/05

ALAN MOLASKY — DATE
SECRETARY OF LONE MOUNTAIN APARTMENTS, MM, INC., A NEVADA CORPORATION, FOR LONE MOUNTAIN APARTMENTS I, LLC., A NEVADA LIMITED LIABILITY COMPANY

ACKNOWLEDGMENT

STATE OF NEVADA)
)SS
COUNTY OF CLARK)

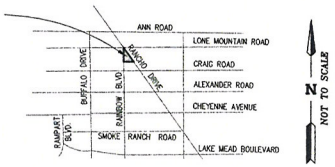
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 1-19-05 BY ALAN MOLASKY AS SECRETARY OF LONE MOUNTAIN APARTMENTS, MM, INC., A NEVADA CORPORATION, FOR LONE MOUNTAIN APARTMENTS I, LLC., A NEVADA LIMITED LIABILITY COMPANY

Carolyn G Hanson

NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE
MY COMMISSION EXPIRES 2-17-08.

CAROLYN G. HANSON
Notary Public, State of Nevada
Appointment No. 01-93831
My Appt. Expires Feb. 17, 2006

PROJECT LOCATION



VICINITY MAP

NOT TO SCALE

BASIS OF BEARINGS:

THE BASIS OF BEARING FOR THIS SURVEY IS THE WESTERLY LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 2, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA, WHICH BEARS NORTH 00°31'01" EAST, AS PER MAP RECORDED IN BOOK 105, PAGE 58 OF PLATS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

AREA OF PARCEL MAP

TOTAL AREA OF PARCEL IS 20.390 ACRES, MORE OR LESS.

APPROVAL

THIS IS TO CERTIFY THAT THE DEPARTMENT OF PLANNING AND DEVELOPMENT, FOR THE CITY OF LAS VEGAS, CLARK COUNTY, NEVADA ON THIS 15TH DAY OF FEBRUARY 2005 DID APPROVE FOR THE PURPOSES OF LAND DIVISION AND ACCEPT IN BEHALF OF THE PUBLIC, THIS MAP AND ANY PARCELS OF LAND OFFERED FOR DEDICATION FOR THE PUBLIC USE, THAT IT IS IN CONFORMITY WITH THE TERMS DEFINED BY THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE OF THIS APPROVAL.

2/15/05

M. MARK WHEELER, AICP, DIRECTOR — DATE
DEPARTMENT OF PLANNING AND DEVELOPMENT
CITY OF LAS VEGAS

MAP APPROVED FOR THE PURPOSE OF LAND DIVISION THIS 4TH DAY OF MARCH, 2005

3/4/05

ALAN R. RIEKKI, PLS — DATE
CITY OF LAS VEGAS SURVEYOR
NEVADA CERTIFICATE No. 12469

CITY OF LAS VEGAS DEPARTMENT OF PUBLIC WORKS NEVADA

SURVEYOR'S CERTIFICATE:

I, TERRY L. HAMBLET, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF NEVADA, ACTING AS AN AGENT FOR VPOINT, CERTIFY THAT:

1. THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF OVATION DEVELOPMENT.
2. THE LANDS SURVEYED SHOWN HEREON LIE WITHIN THE N 1/2 OF THE NW 1/4 OF SECTION 2, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AND THE SURVEY WAS COMPLETED ON OCTOBER 29, 2003.
3. THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE GOVERNING BODY GAVE ITS FINAL APPROVAL.
4. THE MONUMENTS DEPICTED ON THE PLAT ARE OF THE CHARACTER SHOWN, OCCUPY THE POSITIONS INDICATED AND ARE OF SUFFICIENT NUMBER AND DURABILITY.

TERRY L. HAMBLET
PROFESSIONAL LAND SURVEYOR
NEVADA LICENSE No. 11828

PROFESSIONAL LAND SURVEYOR STATE OF NEVADA TERRY L. HAMBLET Exp 6/30/05 No. 11828

1/13/05

REFERENCE SURVEYS:

RECORDS OF SURVEYS:
FILE 5, PAGE 11
FILE 13, PAGE 52
FILE 15, PAGE 62
FILE 68, PAGE 65
FILE 95, PAGE 49
FILE 96, PAGE 9
FILE 123, PAGE 56
FILE 131, PAGE 11

PLATS:
BOOK 6, PAGE 99
BOOK 25, PAGE 90
BOOK 105, PAGE 58

PARCEL MAPS:
FILE 18, PAGE 42
FILE 28, PAGE 64
FILE 35, PAGE 37
FILE 36, PAGE 36
FILE 99, PAGE 42

CLARK COUNTY ASSESSOR MAPS:
138-02-1 DATED: 04/05/04

TITLE REPORT:
TITLE REPORT BY:
NEVADA TITLE COMPANY
ORDER No.: 03-10-2009-DTL 1st AMENDED

COUNTY RECORDER'S NOTE

ANY SUBSEQUENT CHANGES TO THIS MAP SHOULD BE EXAMINED AND MAY BE DETERMINED BY REFERENCE TO THE COUNTY RECORDER'S CUMULATIVE MAP INDEX. N.R.S. 278.5695

PMP- 5221

PARCEL MAP
FOR
LONE MOUNTAIN APARTMENTS
BEING A MERGER RESUBDIVISION OF PARCELS I, II, AND III AS PER THAT CERTAIN DEED RECORDED SEPTEMBER 3, 2004 IN BOOK 20040903, INSTRUMENT NUMBER 00194 IN THE OFFICE OF THE CLARK COUNTY, NEVADA RECORDERS, SITUATED IN THE N 1/2 OF THE NW 1/4 OF SECTION 2, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA

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1030 WHITNEY RANCH DRIVE · HENDERSON, NEVADA 89014 · (702) 243-4115 · FAX (702) 243-4116

W.O. #:	662-E169
BY:	MJM
DATE:	08/31/04
SCALE:	N/A
CHECKED:	TLH
SHT NO.:	5 OF 5 SHEETS

No. 0001129
FILED AT THE REQUEST OF:
VPOINT
DATE 3:10:05 AT 10:03 M.
FILE: 109 PAGE: 12
OF PARCEL MAPS
OFFICIAL RECORDS BOOK No.
20050310
CLARK COUNTY, NEVADA RECORDS
FRANCES DEANE, RECORDER
BY: [illegible] DEPUTY ASF

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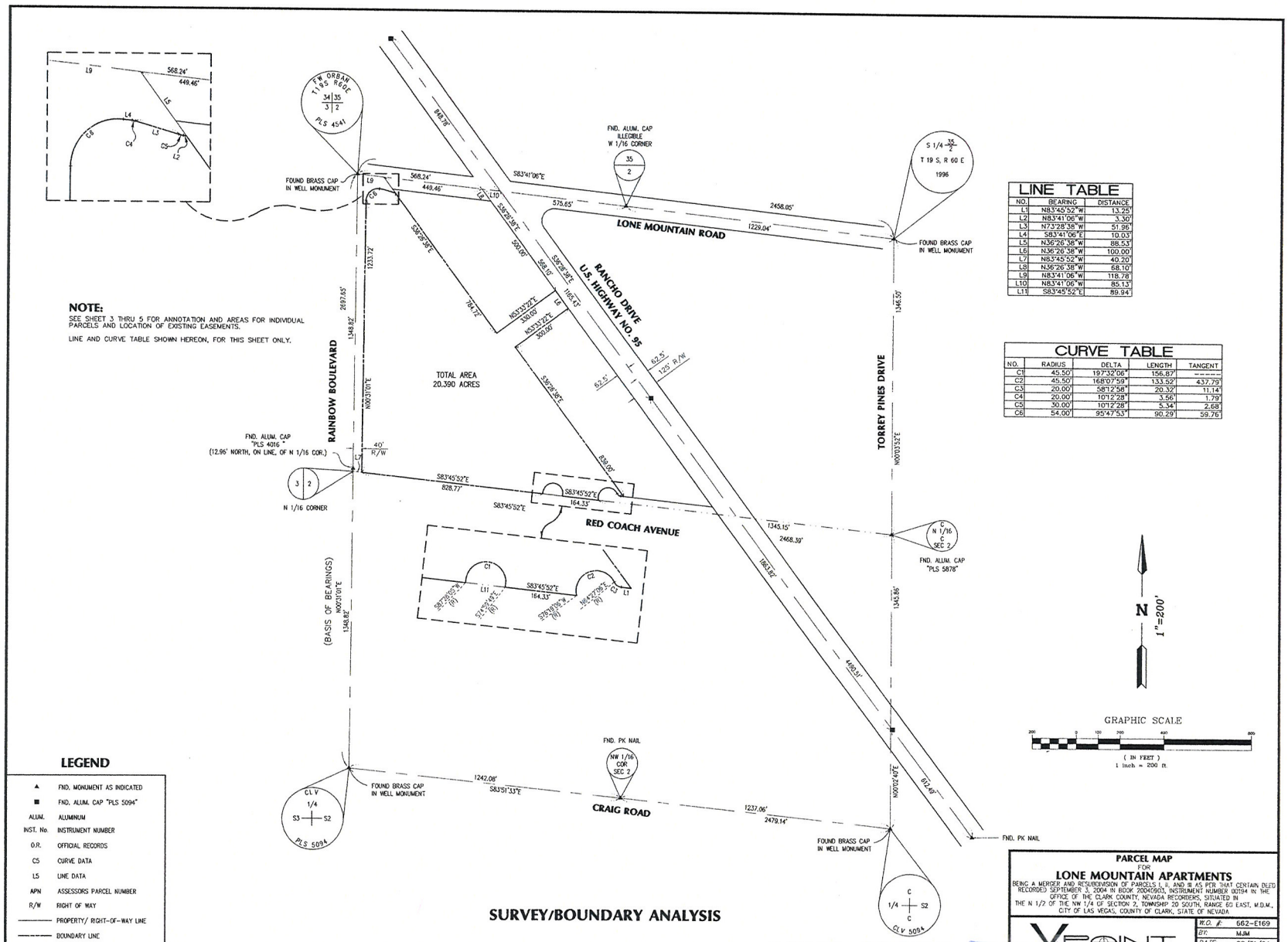
MAR 15 2011

VAR-41197
SUP-41039
SDR-41043



NOTE:
SEE SHEET 3 THRU 5 FOR ANNOTATION AND AREAS FOR INDIVIDUAL PARCELS AND LOCATION OF EXISTING EASEMENTS.

LINE AND CURVE TABLE SHOWN HEREON, FOR THIS SHEET ONLY.

LINE TABLE

NO.	BEARING	DISTANCE
L1	N83°45'52"W	13.25'
L2	N83°41'06"W	3.30'
L3	N73°28'38"W	51.96'
L4	S83°41'06"E	10.03'
L5	N36°26'38"W	88.53'
L6	N36°26'38"W	100.00'
L7	N83°45'52"W	40.20'
L8	N36°26'38"W	68.10'
L9	N83°41'06"W	118.78'
L10	N83°41'06"W	85.13'
L11	S83°45'52"E	89.94'

CURVE TABLE

NO.	RADIUS	DELTA	LENGTH	TANGENT
C1	45.50'	197°32'06"	156.87'	
C2	45.50'	168°07'59"	133.52'	437.79'
C3	20.00'	58°12'58"	20.32'	11.14'
C4	20.00'	10°12'28"	3.56'	1.79'
C5	30.00'	10°12'28"	5.34'	2.68'
C6	54.00'	95°47'53"	90.29'	59.76'

LEGEND

▲	FND. MONUMENT AS INDICATED
■	FND. ALUM. CAP "PLS 5094"
ALUM.	ALUMINUM
INST. No.	INSTRUMENT NUMBER
O.R.	OFFICIAL RECORDS
C5	CURVE DATA
L5	LINE DATA
APN	ASSESSORS PARCEL NUMBER
R/W	RIGHT OF WAY
———	PROPERTY/ RIGHT-OF-WAY LINE
———	BOUNDARY LINE
— — —	CENTERLINE
- - - - - -	EASEMENT LINE

SURVEY/BOUNDARY ANALYSIS

PARCEL MAP
FOR
LONE MOUNTAIN APARTMENTS
BEING A MERGER AND RESUBDIVISION OF PARCELS I, II, AND III AS PER THAT CERTAIN DEED RECORDED SEPTEMBER 3, 2004 IN BOOK 20040903, INSTRUMENT NUMBER 00194 IN THE OFFICE OF THE CLARK COUNTY, NEVADA RECORDERS, SITUATED IN THE N 1/2 OF THE NW 1/4 OF SECTION 2, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA

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1209 WHITNEY RANCH DRIVE · HENDERSON, NEVADA 89014 · (702) 240-4485

W.O. #:	662-E169
BY:	MJM
DATE:	08/31/04
SCALE:	1" = 200'
CHECKED:	TLH
SHT NO.	2 OF 5 SHEETS

VAR-41197
SUP-41039
SDR-41043

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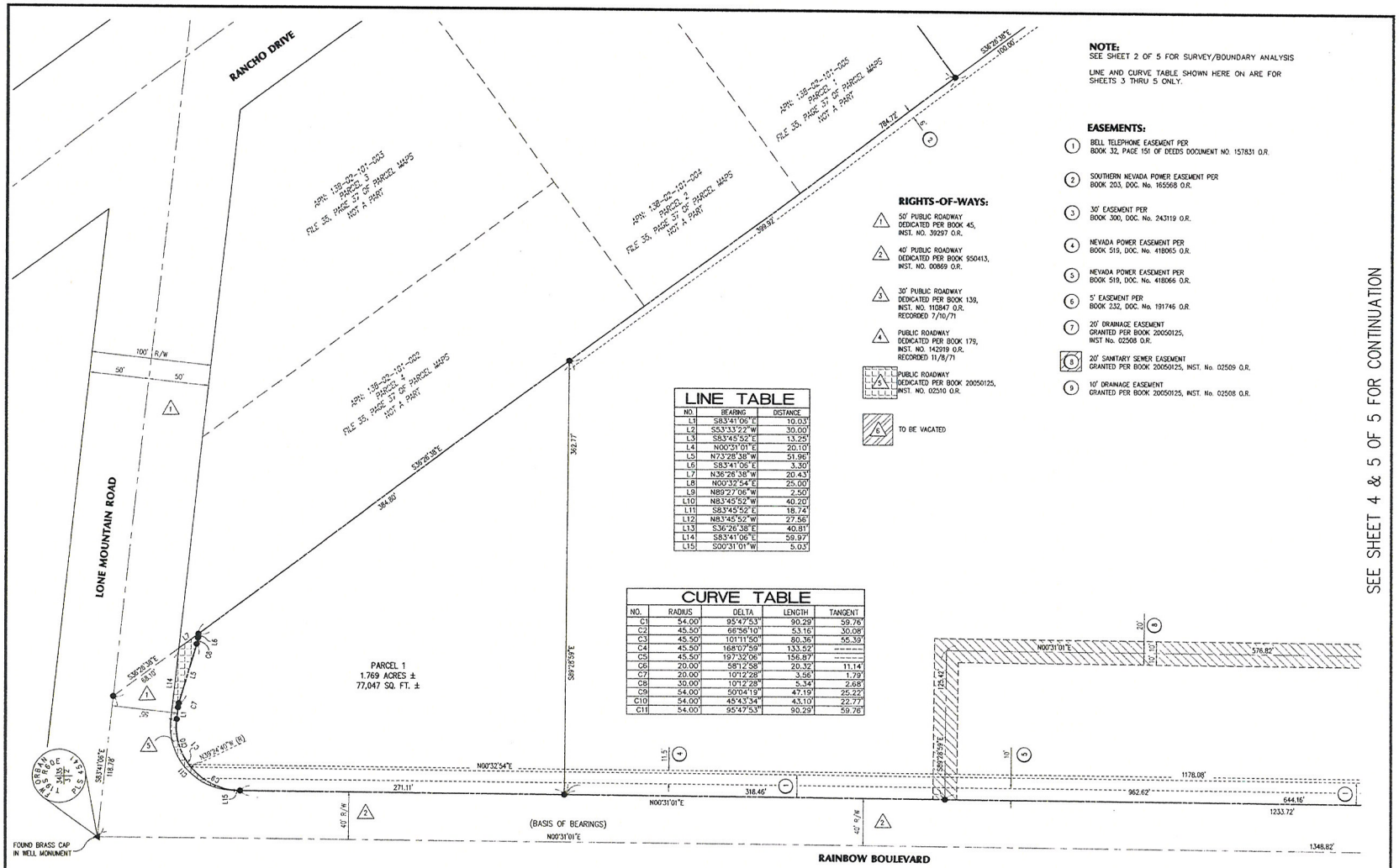
109-12



NOTE:
SEE SHEET 2 OF 5 FOR SURVEY/BOUNDARY ANALYSIS

LINE AND CURVE TABLE SHOWN HERE ON ARE FOR SHEETS 3 THRU 5 ONLY.

EASEMENTS:

1. BELL TELEPHONE EASEMENT PER BOOK 32, PAGE 151 OF DEEDS DOCUMENT NO. 157831 O.R.
2. SOUTHERN NEVADA POWER EASEMENT PER BOOK 203, DOC. No. 165568 O.R.
3. 30' EASEMENT PER BOOK 300, DOC. No. 243119 O.R.
4. NEVADA POWER EASEMENT PER BOOK 519, DOC. No. 418065 O.R.
5. NEVADA POWER EASEMENT PER BOOK 519, DOC. No. 418066 O.R.
6. 5' EASEMENT PER BOOK 232, DOC. No. 191746 O.R.
7. 20' DRAINAGE EASEMENT GRANTED PER BOOK 20050125, INST No. 02508 O.R.
8. 20' SANITARY SEWER EASEMENT GRANTED PER BOOK 20050125, INST. No. 02509 O.R.
9. 10' DRAINAGE EASEMENT GRANTED PER BOOK 20050125, INST. No. 02508 O.R.

RIGHTS-OF-WAYS:

1. 50' PUBLIC ROADWAY DEDICATED PER BOOK 45, INST. NO. 39297 O.R.
2. 40' PUBLIC ROADWAY DEDICATED PER BOOK 950413, INST. NO. 00869 O.R.
3. 30' PUBLIC ROADWAY DEDICATED PER BOOK 139, INST. NO. 110847 O.R. RECORDED 7/10/71
4. PUBLIC ROADWAY DEDICATED PER BOOK 179, INST. NO. 142919 O.R. RECORDED 11/8/71
5. PUBLIC ROADWAY DEDICATED PER BOOK 20050125, INST. NO. 02510 O.R.
6. TO BE VACATED

LINE TABLE

NO.	BEARING	DISTANCE
L1	S83°41'06"E	10.03'
L2	S53°33'22"W	30.00'
L3	S83°45'52"E	13.25'
L4	N00°31'01"E	20.10'
L5	N73°28'38"W	51.96'
L6	S83°41'06"E	3.20'
L7	N36°26'38"W	20.43'
L8	N00°32'54"E	25.00'
L9	N89°27'06"W	2.50'
L10	N83°45'52"W	40.20'
L11	S83°45'52"E	18.74'
L12	N83°45'52"W	27.56'
L13	S36°26'38"E	40.81'
L14	S83°41'06"E	59.97'
L15	S00°31'01"W	5.03'

CURVE TABLE

NO.	RADIUS	DELTA	LENGTH	TANGENT
C1	54.00'	95°47'53"	90.29'	59.76'
C2	45.50'	66°56'10"	53.16'	30.08'
C3	45.50'	101°11'50"	80.36'	55.39'
C4	45.50'	168°07'59"	133.52'	-------
C5	45.50'	197°32'06"	156.87'	-------
C6	20.00'	58°12'58"	20.32'	11.14'
C7	20.00'	10°12'28"	3.56'	1.79'
C8	30.00'	10°12'28"	5.34'	2.68'
C9	54.00'	50°04'19"	47.19'	25.22'
C10	54.00'	45°43'34"	43.10'	22.77'
C11	54.00'	95°47'53"	90.29'	59.76'

SEE SHEET 4 & 5 OF 5 FOR CONTINUATION

LEGEND

▲ FND. MONUMENT AS INDICATED	ALUM. ALUMINUM	———	PROPERTY / RIGHT-OF-WAY LINE
■ FND. ALUM. CAP PLS 5094	R/W RIGHT OF WAY	———	BOUNDARY LINE
● SET 5/8" REBAR W/ALUM. CAP PLS 11828 PER THIS MAP.	INST. No. INSTRUMENT NUMBER	———	CENTERLINE
	O.R. OFFICIAL RECORDS	- - - -	ADJACENT PROPERTY LINE (NOT A PART)
	C5 CURVE DATA	·····	EASEMENT LINE
	L5 LINE DATA		

1"=40'

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

PARCEL MAP
FOR
LONE MOUNTAIN APARTMENTS
BEING A MERGER AND RESUBDIVISION OF PARCELS I, II, AND III AS PER THAT CERTAIN DEED RECORDED SEPTEMBER 3, 2004 IN BOOK 20040903, INSTRUMENT NUMBER 00194 IN THE OFFICE OF THE CLARK COUNTY, NEVADA RECORDERS, SITUATED IN THE N 1/2 OF THE NW 1/4 OF SECTION 2, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA

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W.O. #:	662-E169
BY:	MJM
DATE:	11/11/04
SCALE:	1" = 40'
CHECKED:	TLH
SHT:	NO. 3 OF 5 SHEETS

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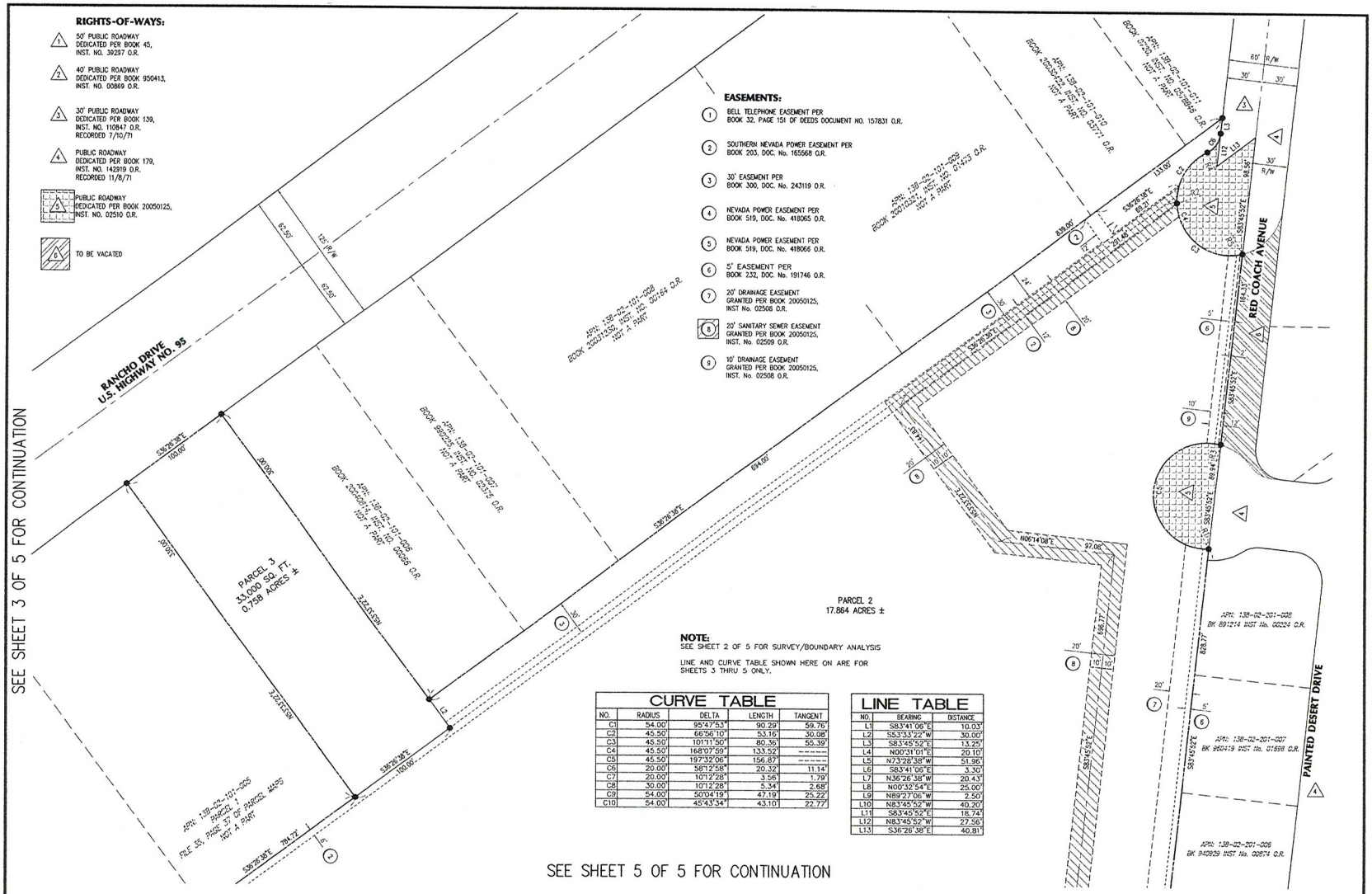
MAR 15 2011

VAR-41197
SUP-41039
SDR-41043



CURVE TABLE				
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C2	45.50'	66°56'10"	53.16'	30.08'
C3	45.50'	101°11'50"	80.36'	55.39'
C4	45.50'	168°07'59"	133.52'	-------
C5	45.50'	197°32'06"	156.87'	-------
C6	20.00'	58°12'58"	20.32'	11.14'
C7	20.00'	101°2'28"	3.56'	1.79'
C8	30.00'	10°12'28"	5.34'	2.68'
C9	54.00'	50°04'19"	47.19'	25.22'
C10	54.00'	45°43'34"	43.10'	22.77'

LINE TABLE		
NO.	BEARING	DISTANCE
L1	S83°41'06"E	10.03'
L2	S53°33'22"W	30.00'
L3	S83°45'52"E	13.25'
L4	N00°31'01"E	20.10'
L5	N73°28'38"W	51.96'
L6	S83°41'06"E	5.30'
L7	N36°26'38"W	20.43'
L8	N00°32'54"E	25.00'
L9	N89°27'06"W	2.50'
L10	N83°45'52"W	40.20'
L11	S83°45'52"E	18.74'
L12	N83°45'52"W	27.56'
L13	S36°26'38"E	40.81'

RADIAL TABLE		
NO.	BEARING	DISTANCE
R1	S87°28'05"W	45.50'
R2	N02°29'04"W	45.50'
R3	N74°59'40"W	45.50'
R4	S64°27'06"W	45.50'
R5	S76°19'06"W	45.50'

LEGEND

▲ FND. MONUMENT AS INDICATED	ALUM.	ALUMINUM	PROPERTY / RIGHT-OF-WAY LINE
■ FND. ALUM. CAP PLS 5094	R/W	RIGHT OF WAY	BOUNDARY LINE
● SET 5/8" REBAR W/ALUM. CAP PLS 11828 PER THIS MAP.	INST. No.	INSTRUMENT NUMBER	CENTERLINE
	O.R.	OFFICIAL RECORDS	ADJACENT PROPERTY LINE (NOT A PART)
	C5	CURVE DATA	EASEMENT LINE
	L5	LINE DATA	

PARCEL MAP
FOR
LONE MOUNTAIN APARTMENTS
BEING A MERGER AND RESUBDIVISION OF PARCELS 1, 2, AND 3 AS PER THAT CERTAIN DEED RECORDED SEPTEMBER 3, 2004 IN BOOK 20040903, INSTRUMENT NUMBER 00314 IN THE OFFICE OF THE CLARK COUNTY, NEVADA RECORDERS, SITUATED IN THE N 1/2 OF THE NW 1/4 OF SECTION 2, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA

VICINITY MAP

VICINITY

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W.O. #	662-E169
BY:	MJM
DATE:	08/31/04
SCALE:	1" = 40'
CHECKED:	TLH
SHT. NO.	4 OF 5 SHEETS

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VAR-41197
SUP-41039
SDR-41043



VAR-41197, SUP-41039 & SDR-41043 - APPLICANT: OVATION DEVELOPMENT - OWNER: LONE MOUNTAIN APARTMENTS I, LLC
SEC RAINBOW BOULEVARD AND LONE MOUNTAIN ROAD

03/03/11



VAR-41197, SUP-41039 & SDR-41043 - APPLICANT: OVATION DEVELOPMENT - OWNER: LONE MOUNTAIN APARTMENTS I, LLC
SEC RAINBOW BOULEVARD AND LONE MOUNTAIN ROAD

03/03/11

Impulse
Civil Engineering & Planning
625 Dinard Way
North Las Vegas, NV 89031
PHONE 702-308-7115
FAX 702-478-8535

February 17, 2011

City of Las Vegas Planning Department
333 North Rancho Drive
Las Vegas, Nevada 89107

Re: Justification Letter for
Lone Mountain Senior Apartments, SUP, SDR, Waivers, & Variance

To Whom it May Concern:

Impulse Civil Engineering represents Ovation Development (the Applicant). We are respectfully requesting a site development plan review, special use permit, exceptions, waivers, and a variance for a proposed senior housing project generally located on the southeast corner of Lone Mountain Road and Rainbow Boulevard, particularly known as APN: 138-02-101-015 (the Site). The Site is approximately 1.77 acres with a proposed 75 unit building. In conjunction with the site development plan review, the Applicant is seeking a special use permit, waivers and a variance.

Special Use Permit to Allow Senior Housing

The Applicant is proposing a senior housing project. Senior housing is an appropriate use within a C-1 zoned district with a use permit. There is a multi-family, R-3 development located just south of the Site. A senior housing development located near commercial uses and other multi-family uses are compatible. The Applicant is seeking a waiver from the following special use permit requirements. Since there is a shortage of senior housing in the Las Vegas Valley, these waivers are appropriate because the project will be primarily residential with no commercial uses open to the public.

- "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."
- "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."
- "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."

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SDR-41043

Site Development Plan Review

The Applicant is proposing a 75 unit senior housing project. Approximately 23 units will be located on the first floor and approximately 26 units will be located on the second and third floors, respectively. The proposed development provides easy access off of Rainbow Boulevard with an "exit only" sliding gate onto Lone Mountain Road. The Applicant is proposing to reconfigure the west bound left turn lane in Lone Mountain Road at Rainbow Boulevard to facilitate the proposed configuration. The multi-family building will be three (3) stories and approximately 39' in height. The building will have elevator access to the living units. The site design and architecture are consistent with the existing multi-family units to the south. Additionally, the Site will provide amenities such as a pool and spa, facilities for meetings and social gatherings, a game room, a salon, exercise room and a library/computer room. There will also be a common area kitchen available for residents' use during social events.

The Applicant is seeking exceptions for the following requirements:

- Parking lot landscaping. In order to reduce parking deficiencies, the Applicant cannot provide landscape diamonds within the parking lot.

- Landscape buffer along Rainbow Boulevard. There is an existing NV Energy easement 21.5 feet wide along Rainbow Boulevard behind the curb with existing overhead power facilities. NV Energy will not allow trees within their easement. We are providing a 30-foot setback to facilitate the required 24" box trees at 20-feet on center, they just will not be located within the landscape buffer.

The Applicant is also seeking the following waivers:

- Multi-Use Trail Landscaping requirement on Lone Mountain Road. Due to the bus turn out transition and existing Site conditions, there are areas where the Multi-Use Trail will not provide the five foot (5') transition strip. However, the ten foot (10') public transportation trail path and the five foot (5') private landscape strip are provided on Lone Mountain Road between Rainbow Boulevard and the property line.

- Reduced landscape buffer. Due to the parking requirements and the odd shape of the site, the six foot (6') landscape buffer cannot be maintained throughout the site. It is reduced to three feet (3') where the entrance flares out and to zero feet (0') where the parking stalls are adjacent to the property line at the southeast corner. This comprises of approximately fifty linear feet (50 lf) where a reduced landscape buffer is requested resulting in a reduction of approximately one hundred and fifty square feet (150 sf) of landscape area. In the southeast corner of the site, we have an opportunity to provide additional landscape area with the

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VAR-41197
SUP-41039
SDR-41043

parking configuration, resulting in approximately one thousand nine hundred square feet (1,900 sf) of landscape area beyond the six foot (6') landscape requirement.

Variance for Parking

The Applicant is requesting a variance to the parking requirement. We are providing 56 parking spaces where 57 are required. Due to the odd shape of the site, a parking configuration that provides 57 spaces is not supportable. This request is a reduction of less than 2% of the required parking. The required number of handicapped stalls are being provided.

We thank you in advance for your time and consideration of this matter. Should you have any questions or concerns, please feel free to contact me.

Sincerely,
Impulse Civil Engineering

Peter J. Laas, P.E.
Principal

cc: Jan Goyer, Ovation Development

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VAR-41197
SUP-41039
SDR-41043

City of Las Vegas Agenda Item No.: **30.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-41039 - SPECIAL USE PERMIT RELATED TO VAR-41197 - PUBLIC HEARING - APPLICANT: OVATION DEVELOPMENT - OWNER: LONE MOUNTAIN APARTMENTS I, LLC - Request for a Major Amendment of a previously approved Special Use Permit (SUP-37601) FOR A 75-UNIT SENIOR CITIZEN APARTMENT COMPLEX WHERE A 152-UNIT SENIOR CITIZEN APARTMENT COMPLEX WAS APPROVED at the southeast corner of Rainbow Boulevard and Lone Mountain Road (APN 138-02-101-015), C-1 (Limited Commercial) Zone, Ward 6 (Ross). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
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

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41039** APN: 138-02-101-015

Name of Property Owner: Lone Mountain Apts I LLC

Name of Applicant: Ovation Development

Name of Representative: Impulse Civil Engineering

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

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FEB 24 2011
City of Las Vegas

Signature of Property Owner: Alan L Molasky

Print Name: Alan L. Molasky

Subscribed and sworn before me

This 17th day of February, 2011

Notary Public in and for said County and State

CHERISE QUIMBY
NOTARY PUBLIC
STATE OF NEVADA
CLARK COUNTY
APPT. No. 09-9540-1
MY APPT. EXPIRES MAR. 13, 2013

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) SE corner of Rainbow Blvd and Lone Mountain Road

Project Name Lone Mountain Senior Apartments **Proposed Use** Apartment Rentals

Assessor's Parcel #(s) 138-02-101-015 **Ward #** 6

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

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

Gross Acres 1.77 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Lone Mountain Apts I LLC **Contact** Janet Goyer

Address 6021 S. Fort Apache Road, #100 **Phone:** (702) 990-2325 **Fax:** (702) 990-2391

City Las Vegas **State** NV **Zip** 89148

E-mail Address jang@ovationdev.com

APPLICANT Ovation Development **Contact** Janet Goyer

Address 6021 S. Fort Apache Road, #100 **Phone:** (702) 990-2325 **Fax:** (702) 990-2391

City Las Vegas **State** NV **Zip** 89148

E-mail Address jang@ovationdev.com

REPRESENTATIVE Impulse Engineering **Contact** Pete Laas

Address 625 Dinard Way **Phone:** (702) 338-7115 **Fax:** (702) 478-8535

City Las Vegas **State** NV **Zip** 89113

E-mail Address Impulse-ce@cox.net

Property Owner Signature* Alan L Molasky

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

Print Name Alan L. Molasky

Subscribed and sworn before me

This 17th day of February, 20 11.

Notary Public in and for said County and State

CHERISE QUIMBY
NOTARY PUBLIC
STATE OF NEVADA
CLARK COUNTY
APPT. No. 09-9540-1
MY APPT. EXPIRES MAR. 13, 2013

FOR DEPARTMENT USE ONLY

Case #	SUP-41037
Meeting Date:	4-12-11
Total Fee:	1030
Date Received:*	2-24-11
Received By:	FS

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

Revised 10/27/08

City of Las Vegas Agenda Item No.: **31.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-41043 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-41197 AND SUP-41039 - PUBLIC HEARING - APPLICANT: OVATION DEVELOPMENT - OWNER: LONE MOUNTAIN APARTMENTS I, LLC - Request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 75-UNIT SENIOR CITIZEN APARTMENT COMPLEX WITH WAIVERS TO ALLOW A ZERO-FOOT WIDE LANDSCAPE BUFFER ALONG PORTIONS OF THE SOUTH AND EAST PERIMETERS WHERE SIX FEET IS REQUIRED on 1.77 acres at the southeast corner of Rainbow Boulevard and Lone Mountain Road (APN 138-02-101-015), C-1 (Limited Commercial) Zone, Ward 6 (Ross). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
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: **SDR-41043** APN: 138-02-101-015

Name of Property Owner: Lone Mountain Apts I LLC

Name of Applicant: Ovation Development

Name of Representative: Impulse Civil Engineering

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Alan L Molasky

Print Name: Alan L. Molasky

Subscribed and sworn before me

This 17th day of February, 2011

Notary Public in and for said County and State

CHERISE QUIMBY
NOTARY PUBLIC
STATE OF NEVADA
CLARK COUNTY
APPT. No. 09-9540-1
MY APPT. EXPIRES MAR. 13, 2013

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review

Project Address (Location) SE corner of Rainbow Blvd and Lone Mountain Road

Project Name Lone Mountain Senior Apartments **Proposed Use** Apartment Rentals

Assessor's Parcel #(s) 138-02-101-015 **Ward #** 6

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

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

Gross Acres 1.77 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Lone Mountain Apts I LLC **Contact** Janet Goyer

Address 6021 S. Fort Apache Road, #100 **Phone:** (702) 990-2325 **Fax:** (702) 990-2391

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APPLICANT Ovation Development **Contact** Janet Goyer

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Property Owner Signature* Alan L Molasky.

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Print Name Alan L. Molasky

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CHERISE QUIMBY
NOTARY PUBLIC
STATE OF NEVADA
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APPT. No. 09-9540-1
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FOR DEPARTMENT USE ONLY

Case #	SDR-41043
Meeting Date:	4-12-11
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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

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

City of Las Vegas Agenda Item No.: **32.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

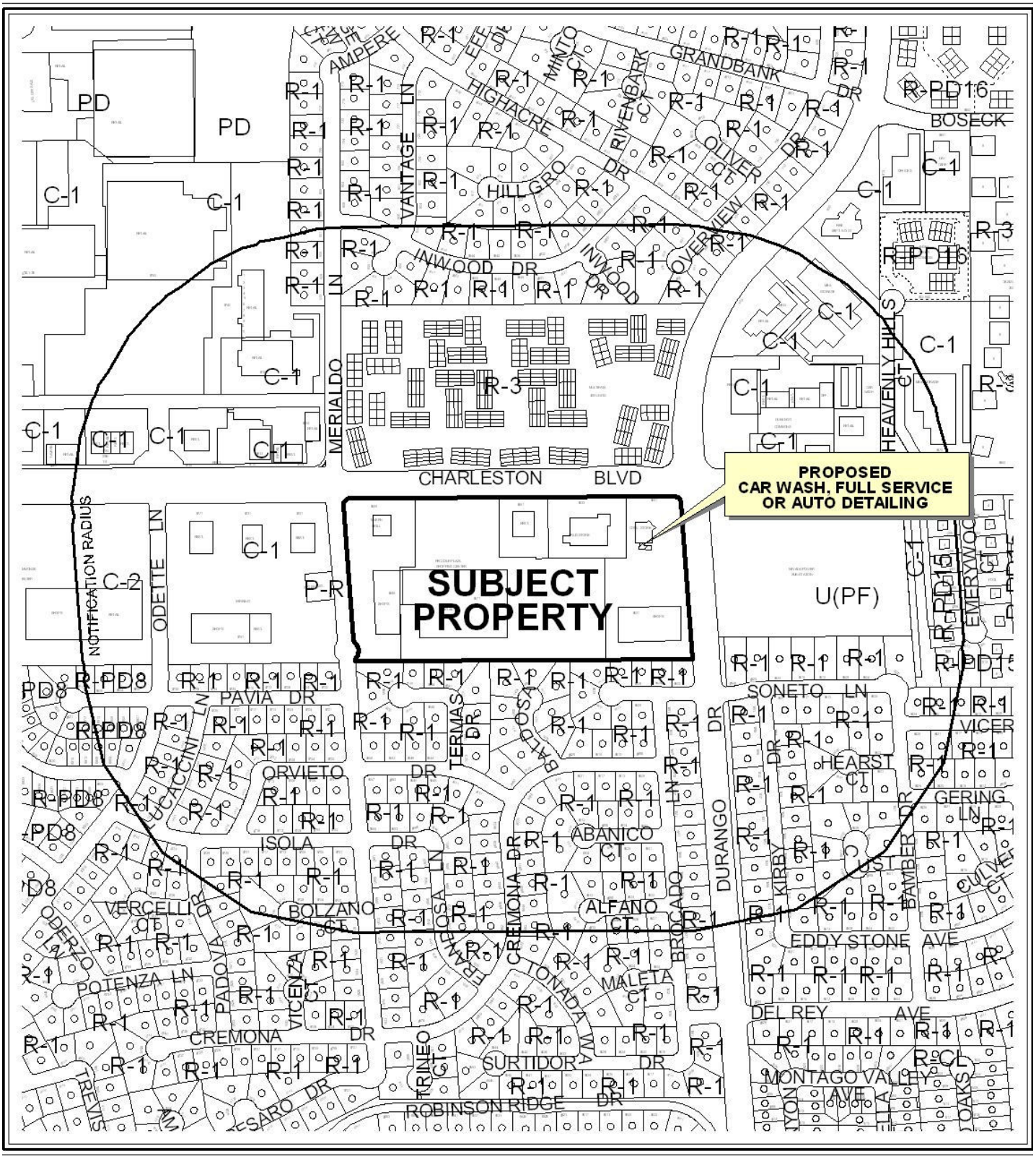
SUBJECT:
SUP-40843 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: THREE BS, INC. - Request for a Special Use Permit FOR A PROPOSED CAR WASH, FULL SERVICE USE at 8601 West Charleston Boulevard (APN 163-05-517-007), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
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 – SUP-40843 and SDR-40836
2. Conditions and Staff Report – SUP-40843 and SDR-40836
3. Supporting Documentation
4. Photos – SUP-40843 and SDR-40836
5. Justification Letter – SUP-40843 and SDR-40836
6. Support Postcard – SUP-40843 and SDR-40836



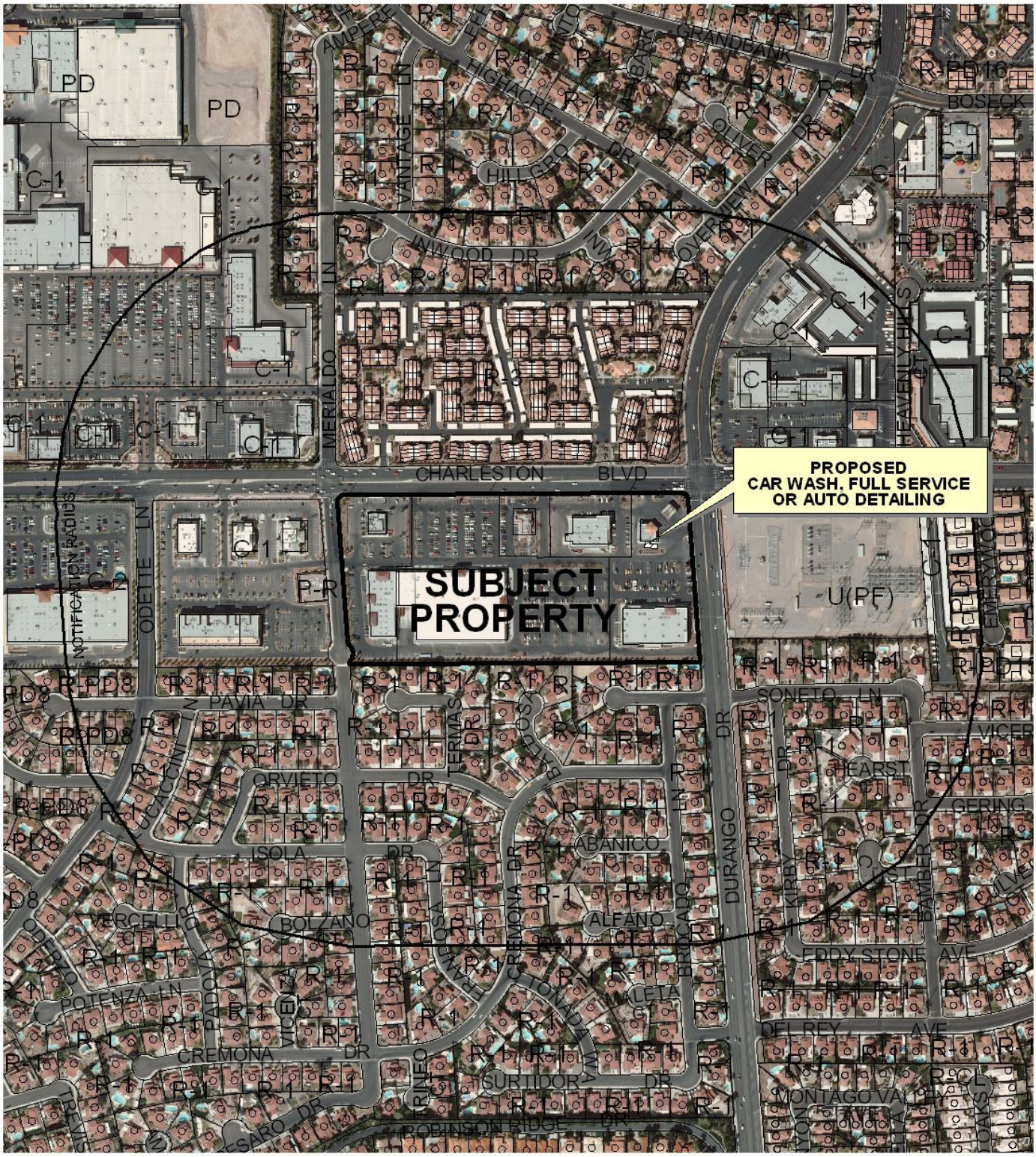
0 300 600 Feet

CASE: **SUP-40843 AND SDR-40836**

RADIUS: 1000 FT

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

N



CASE: **SUP-40843 AND SDR-40836**

RADIUS: 1000 FT

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

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: THREE BS, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-40843	Staff recommends APPROVAL, subject to conditions:	SDR-40836
SDR-40836	Staff recommends APPROVAL, subject to conditions:	SUP-40843

** CONDITIONS **

SUP-40843 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Car Wash, Full Service use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-40836) shall be required.

3. Conformance to the approved conditions for Rezoning Z-0102-86 and Site Development Plan Review Z-0102-86(1).

4. This approval shall be void two years from the date of final approval unless exercised pursuant to the provisions of Las Vegas Municipal Code Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

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

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

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

SDR-40836 CONDITIONS

Planning

1. Conformance to the approved conditions for Rezoning Z-0102-86, Master Sign Plan (MSP-0011-02) and Site Development Plan Review Z-0102-86(1).

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. 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, landscape plan, and building elevations, date stamped 02/01/11, except as amended by conditions herein.

4. 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 02/01/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

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

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

7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

8. 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).

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

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

11. 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.

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

Public Works

13. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

14. Remove and replace handicapped ramps on the nearest driveway accessing Durango Drive to meet Americans with Disabilities Act and current City Standards, concurrent with onsite development.

15. Site development to comply with all previous conditions of approval for Z-34-81(4) and all other site-related actions.

Staff Report Page One
April 12, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant proposes to construct a 1,000 square-foot automated Car Wash, Full Service facility at the south end of an existing 2,000 square-foot Convenience Store located at 8601 West Charleston Boulevard. The proposed use will be ancillary to the Convenience store and is located within a commercial subdivision that features 162,049 square feet of various commercial uses. Staff recommends approval of this request, with conditions, as it meets the Minimum Special Use Permit requirements and the proposed design minimizes the visual and auditory impact typically associated with Car Wash uses. If denied, the site will remain as is.

ISSUES

- A Car Wash, Full Service use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- A Site Development Plan Review is required for the addition of the proposed 1,000 square-foot Car Wash, Full Service facility to the south end of the existing Convenience Store.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/19/85	The City Council approved a Plot Plan Review [Z-34-81(4)] of property generally located south of Charleston Boulevard, west of Durango Drive, N-U (under Resolution of Intent to R-PD8). The Planning Commission recommended approval with staff recommending denial.
02/04/87	The City Council approved a Rezoning (Z-0102-86) of approximately 68 acres of land from N-U to R-1 and C-1 for a single-family residential subdivision and a commercial shopping center. The Planning Commission and staff recommended approval.
01/24/95	The Planning Commission approved a Special Use Permit (U-0327-94) for Beer and Wine sales in conjunction with a Convenience Store with a Gas Station. Staff recommended approval.
01/26/95	The Planning Commission approved a plot plan and building elevation review (Z-0102-86) (1) for a Convenience Store with Gas Station. Staff recommended approval.
12/16/99	A Site Development Plan Review (Z-0102-86) (3) for a 2,804 square-foot Restaurant with Drive-Through was approved by the Planning Commission. Staff recommended approval.

05/09/02	A Site Development Plan Review (Z-0102-86) (6) for a 133,284 square-foot Shopping Center addition to approximately 24,000 square feet of existing Retail uses (157,284 square feet total) was approved administratively.
11/21/02	A Master Sign Plan (MSP-0011-02) was approved for this shopping center by the Planning Commission for two 40-foot tenant panel signs, one along Durango Drive and the other along Charleston Boulevard, along with wall signs on each building.
04/16/06	The City Council approved a Special Use Permit (SUP-11638) for Secondhand Dealer Use at 8621 West Charleston Boulevard, Suite 110. The Planning Commission and staff recommended approval.
09/20/06	The City Council approved a Special Use Permit (SUP-15028) for a Secondhand Dealer Use at 8621 West Charleston Boulevard, Suite 150. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
03/26/96	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
11/03/95	A business license (#C15-00194) was issued for a Convenience Store.
	A business license (#L10-00144) was issued for Liquor Sales.
	A business license (#C05-01736) was issued for Cigarette Sales.
12/15/95	Business licenses (#C20-01706 & #G01-01706) were issued for Gaming.

Pre-Application Meeting	
11/23/10	A pre-application meeting was held with staff to discuss the requirements for adding a 1,000 square-foot automated car wash to the rear of an existing Convenience Store. The applicant was informed of the submittal requirements for a Special Use Permit to allow the Car Wash, Full Service use and concurrent Site Development Plan Review for the car wash facility.

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

Field Check	
03/09/11	A field check was performed by staff with the following observations made: • The existing Convenience Store includes eight gas pumps located under a canopy at the northeast corner of the property. • The area of the proposed car wash has curbing, landscape planters,

	and provides adequate space for vehicle stacking in excess of six cars.

Details of Application Request	
Site Area	
Net Acres	3.72

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	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
East	Utility Substation	PF (Public Facilities)	U (Undeveloped) Zone
	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area		X	NA
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	NA
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

Pursuant to 19.08, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks			
• Front	20 Feet	66 Feet	Y
• Side	10 Feet	110 Feet	Y
• Corner	15 Feet	29 Feet	Y
• Rear	20 Feet	52 Feet	Y

Max. Lot Coverage	50 %	22 %	Y
Max. Building Height	35 Feet	35 Feet	Y
Mech. Equipment	Screened	Screened	Y

Street Name	***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
Durango Drive	Primary Arterial	Master Plan of Streets and Highways	100	Y

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	162,049 SF	1:250 SF	649				
Car Wash, Full Service	1,000 SF	1:150 SF	7				
TOTAL SPACES REQUIRED			656		797		Y
Regular and Handicap Spaces Required			639	17	817	20	Y

ANALYSIS

The proposed 1,000 square-foot Car Wash, Full Service facility will be attached to the south end of a Convenience Store, which was originally approved as a general retail tenant suite from Site Development Plan Review [(Z-0102-86(1)]. The location of the facility, in combination with its moderate size and landscape buffer, diminishes the adverse impacts that this use may have on the residentially-zoned properties that are located over 400 feet to the south of this proposal. In between the proposed car wash and the residential properties are an existing 28,000 square-foot General Retail building, a 20-foot wide landscape buffer with mature pine trees planted 20-feet on center, and an eight-foot high screen wall.

The required parking for the Car Wash, Full Service use is one space per 150 square-feet of gross floor area, independent of the six required stacking lanes. From the original approval of the Shopping Center, which includes the Convenience Store, there are 871 parking spaces provide onsite, with 671 spaces required of the original review. With the seven additional parking spaces for the Car Wash, Full Service use added to the existing 649 spaces onsite, the 817 parking spaces for the site is deemed adequate.

As a Minimum Requirement for the Special Use Permit, each wash bay must provide a stacking lane that will accommodate at least six cars. A continuous 18-foot wide queuing lane over 120 feet in length is located along the west side of the Convenience Store, providing a stacking lane that will accommodate more than six vehicles.

Staff recommends approval of both requests as the use can be conducted in a manner that is compatible with the surrounding uses. If denied, the site will remain as it is.

FINDINGS (SUP-40843)

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 Car Wash, Full Service use can be operated in a manner that is compatible with the existing commercial subdivision, which includes a Convenience Store, Restaurants, and other General Retail uses, with neighboring residential development to the south and east. Title 19.04.050 requires compliance with specific conditions to ensure the appropriateness of the use, which the applicant has adequately demonstrated.

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

   The requested Site Development Plan Review (SDR-40836) accompanying this request will have minimal impact to the overall site with the introduction of a Car Wash. The original Site Development Plan Review [(Z-0102-86(1)] approved a 158,454 square-foot commercial subdivision, to include the Convenience Store that the proposed Car Wash will be attached to.

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

The site is accessed from Durango Drive to the east and Charleston Boulevard to the north. Both streets are adequate in size and capacity to meet the requirements of the proposed Car Wash, Full Service use.

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

   The applicant will be required to obtain all of the necessary development permits, including Department of Building and Safety requirements prior to the issuance of a business license in order to ensure the protection of the public health, safety and general welfare.

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

   The requested Car Wash, Full Service use, as presented in this proposal, meets the Minimum Special Use Permit Requirements listed in Title 19.04. Staff supports the requested use, as the facilities are small and screened by existing structures from the public rights-of-way and from residentially zoned properties to the south.

FINDINGS (SDR-40836)

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 1,000 square-foot Car Wash facility is compatible in size, scope, and location with the area as it will add additional services for patrons of the existing Convenience Store with minimal impact on the surrounding neighborhood.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

   The proposed development is in conformance with the General Plan and Title 19 requirements. There is stacking for six vehicles provided along the west side of the Convenience Store, meeting the Minimum Special Use Permit Requirements.

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

Site access will remain unchanged as the proposed 1,000 square-foot facility is located at the rear of the existing Convenience Store. Site circulation will not be negatively impacted because the area used for vehicle stacking is not essential for cross-access to adjoining lots.

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

   The building materials and landscape materials are compatible in scale and finish with the surrounding Shopping Center. The proposed Car Wash facility has been designed to match seamlessly with the existing Convenience Store.

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 aesthetics of the proposed additional 1,000 square-foot Car Wash facility is compatible with the existing 2,000 square-foot Convenience Store and the surrounding Shopping Center.

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

   The proposed Car Wash, Full Service facility will not impact public health, safety or welfare since the development will be subject to building permit review, site inspections during construction, as well as business license inspections for the proposed commercial activity.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED 684

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-40843** APN: 163-05-517-007

Name of Property Owner: Three B's, Inc.

Name of Applicant: Three B's, Inc.

Name of Representative: Robert N. Peccole, Jr.

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Robert N. Peccole, Jr.

Subscribed and sworn before me

This 9th day of December, 20 10

Lynn K. O'Leary

Notary Public in and for said County and State

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

RECEIVED
FEB 01 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

LX-2 FOR SPECIAL USE

APPLICATION / PETITION FORM

Application/Petition For: SPECIAL USE PERMIT

Project Address (Location) 8601 W CHARLESTON

Project Name PECCOLE PLAZA **Proposed Use** CARWASH

Assessor's Parcel #(s) 163-05-517-007 **Ward #** _____

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

Commercial Square Footage 162,049 **Floor Area Ratio** 4.6

Gross Acres 17.52 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER THREE B'S INC. **Contact** ROBERT PECCOLE

Address 8689 W CHARLESTON **Phone:** 366 9140 **Fax:** 366 9217

City LAS VEGAS **State** NV **Zip** 89117

E-mail Address ROB @ PECCOLE.COM

APPLICANT RSJ ARCHITECTURE **Contact** JEFFREY SMITH

Address 6265 W WARM SPRINGS **Phone:** 978-7839 **Fax:** 978-7849

City LAS VEGAS **State** NV **Zip** 89118

E-mail Address JSMITH @ RSJARCHITECTURE.COM

REPRESENTATIVE RSJ ARCHITECTURE **Contact** JEFFREY SMITH

Address 6265 W WARM SPRINGS **Phone:** 978-7839 **Fax:** 978-7849

City LAS VEGAS **State** NV **Zip** 89118

E-mail Address JSMITH @ RSJARCHITECTURE.COM

Property Owner Signature* _____

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

Print Name Robert N. Peccole, JR

Subscribed and sworn before me

This 31ST day of JANUARY, 20 11.

Lynn K. O'Leary

Notary Public in and for said County and State

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

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP- 40843
Meeting Date:	4-12-11
Total Fee:	1030.00
Date Received:*	1-31-11
Received By:	

RECEIVED
FEB 01 2011

*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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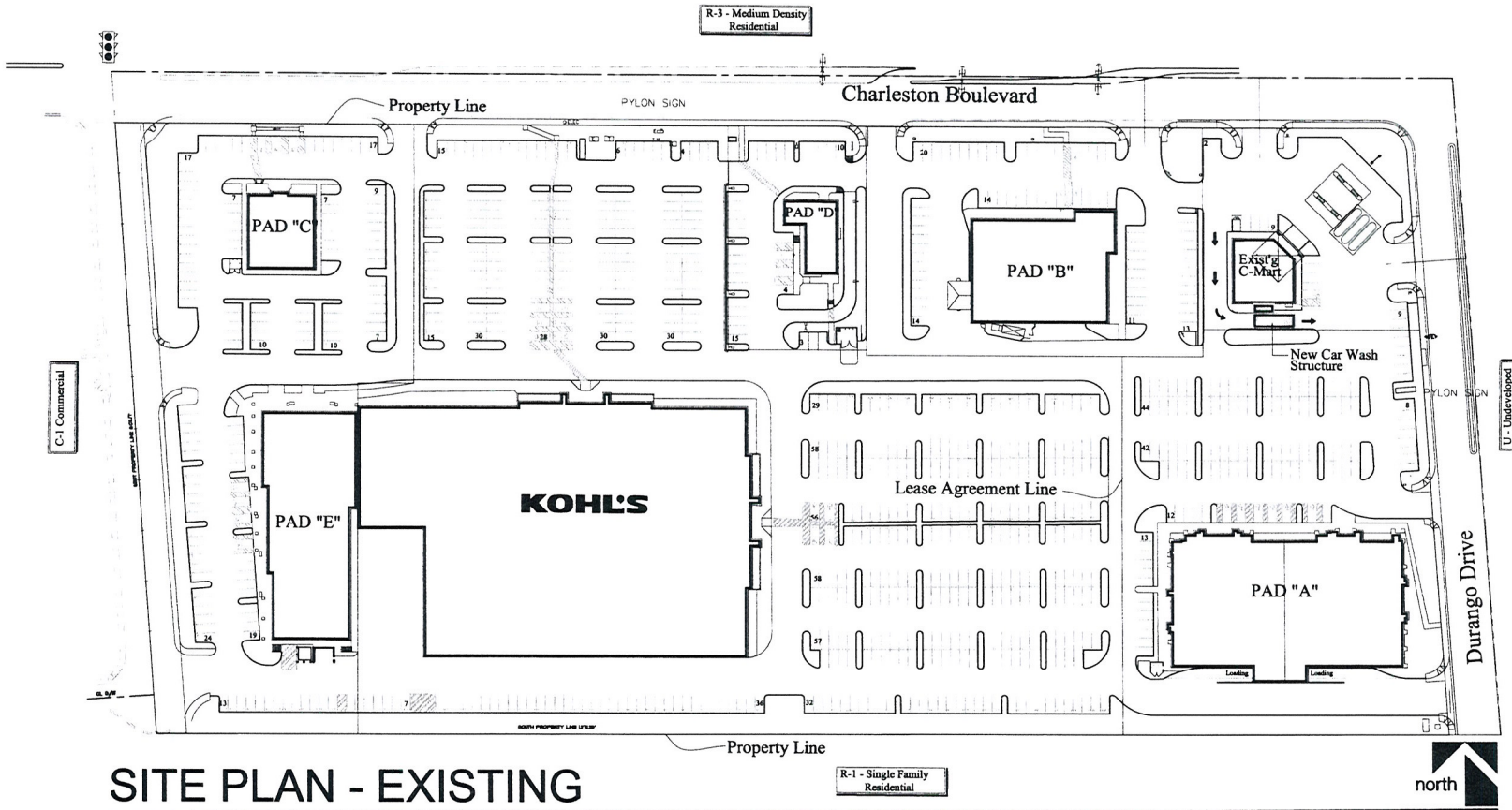
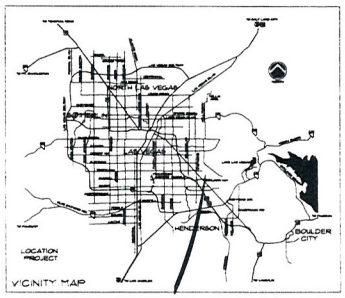


SITE PLAN - EXISTING

SCALE: 1" = 50'



BLDG DATA INFORMATION

PAD	USE	SQUARE FT.
A	M	28,810.00
B	M	14,000.00
C	A-2	4,200.00
C-MART	M	2,000
CARWASH	SPECIAL USE	1,000
D	A-2	2,500
E	B/M	19,498.66
KOHL'S	M	86,740

SITE DATA INFORMATION

MUNICIPALITY:		Las Vegas
ZONING CLASSIFICATION:		
CURRENT:		C-1
DESIRED:		C-1
ASSESSORS PARCEL NUMBER:		163-05-517-007
LAND AREA GROSS		
763,235.55		17.52
LAND AREA NET		
745,600.16		17.12
TOTAL BUILDING AREA:		162,049
LAND/BUILDING RATIO		4.60
LANDSCAPE SETBACK	PROVIDED	REQUIRED
FRONT	15'	15'
REAR	20'	21'
SIDE	10'	10'
CORNER SIDE	10'	10'
BUILDING SETBACK	PROVIDED	REQUIRED
FRONT	66'-5"	25'
REAR	52'-0"	10'
SIDE	110'-6"	10'
CORNER SIDE	29'-1"	15'
BUILDING HEIGHT		
ALLOWED		35'
PROVIDED		35'
PARKING	PROVIDED	REQUIRED
	817	649
PARKING RATIO		5.04
ACCESSIBLE PARKING		
REQUIRED	17	
PROVIDED	29	

rsj architecture
6525 west warm springs rd
suite 150
las vegas, nv 89118
p. 798.7838
f. 798.7849
www.rsjarchitecture.com

NAC 623.760
Drawings and specifications remain the property of the design professional. Copies of the drawings and specifications retained by the client may be utilized only for his use and for occupying the project for which they were prepared, and not for the construction of any other project.

PECCOLE PLAZA AT CHARLESTON & DURANGO
MAJOR SITE PLAN MODIFICATION - CAR WASH
EXISTING CONDITIONS

PROJECT:

ISSUE DATE: 08-26-10
JOB NUMBER: 10-512
PLOT DATE:
DRAWN BY: TEAM
SHEET TITLE:
SHEET NO.
SP01

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SUP-40843
SDR-40836

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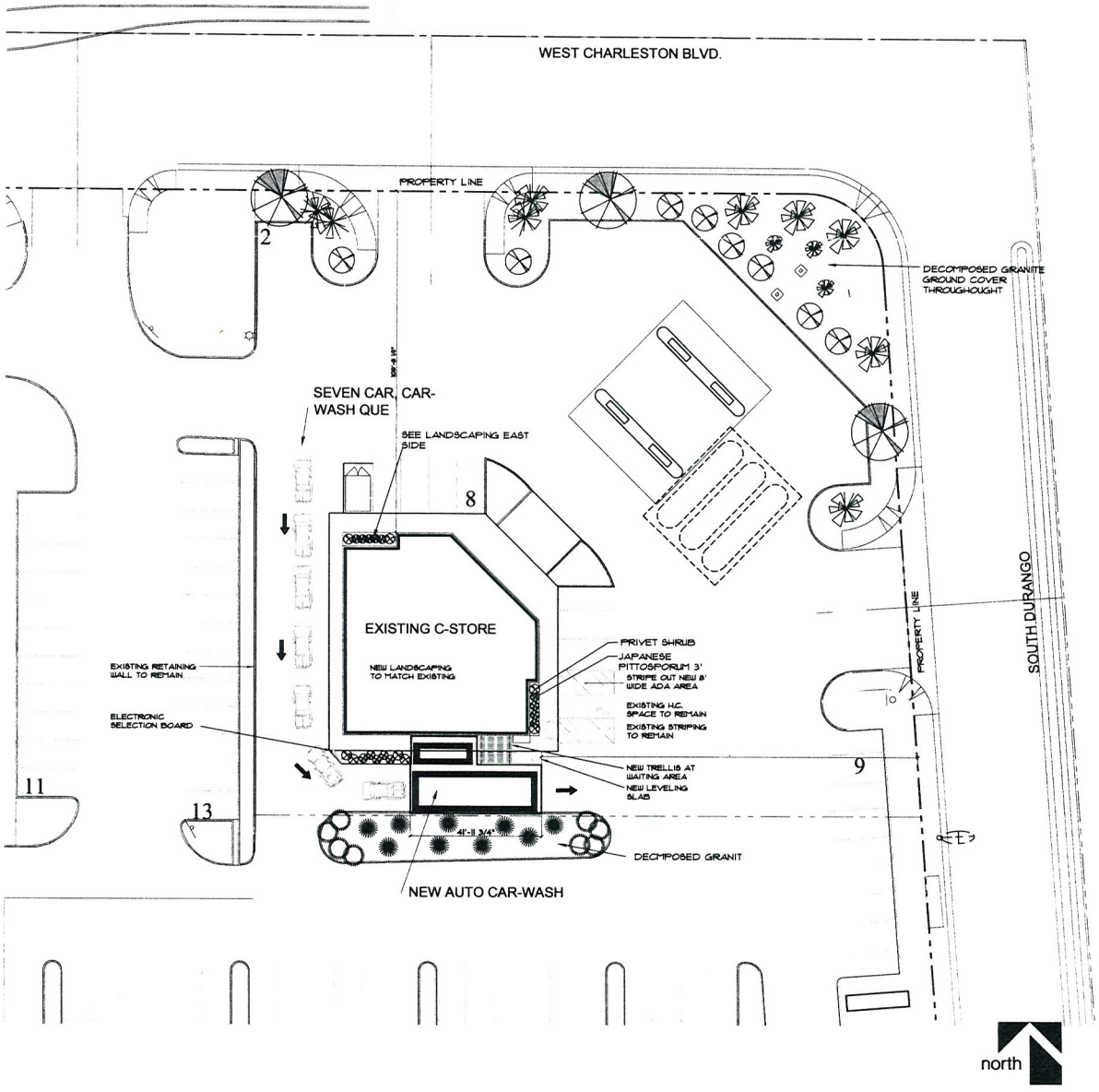
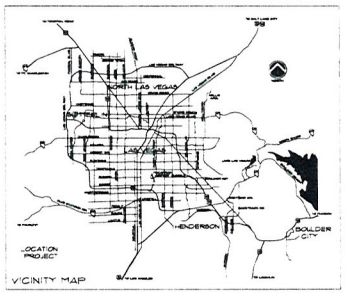


SCALE: 1/16" tO 1'-0"

LANDSCAPE SYMBOLS

- MEDITERRANEAN FAN PALM 25/30'
- GUADELUPE PALM 1/2'
- TEXAS BAGEN 3'
- MESQUITE TREE - 20/25'
- PINK OLEANDER- 3'h x 3-4'
- BEARGRASS

NOTE:
ALL LANDSCAPING IS EXISTING, MATURE AND HEALTHY



Peccole Enterprizes
MAJOR DEVIATION
LAS VEGAS, NEVADA

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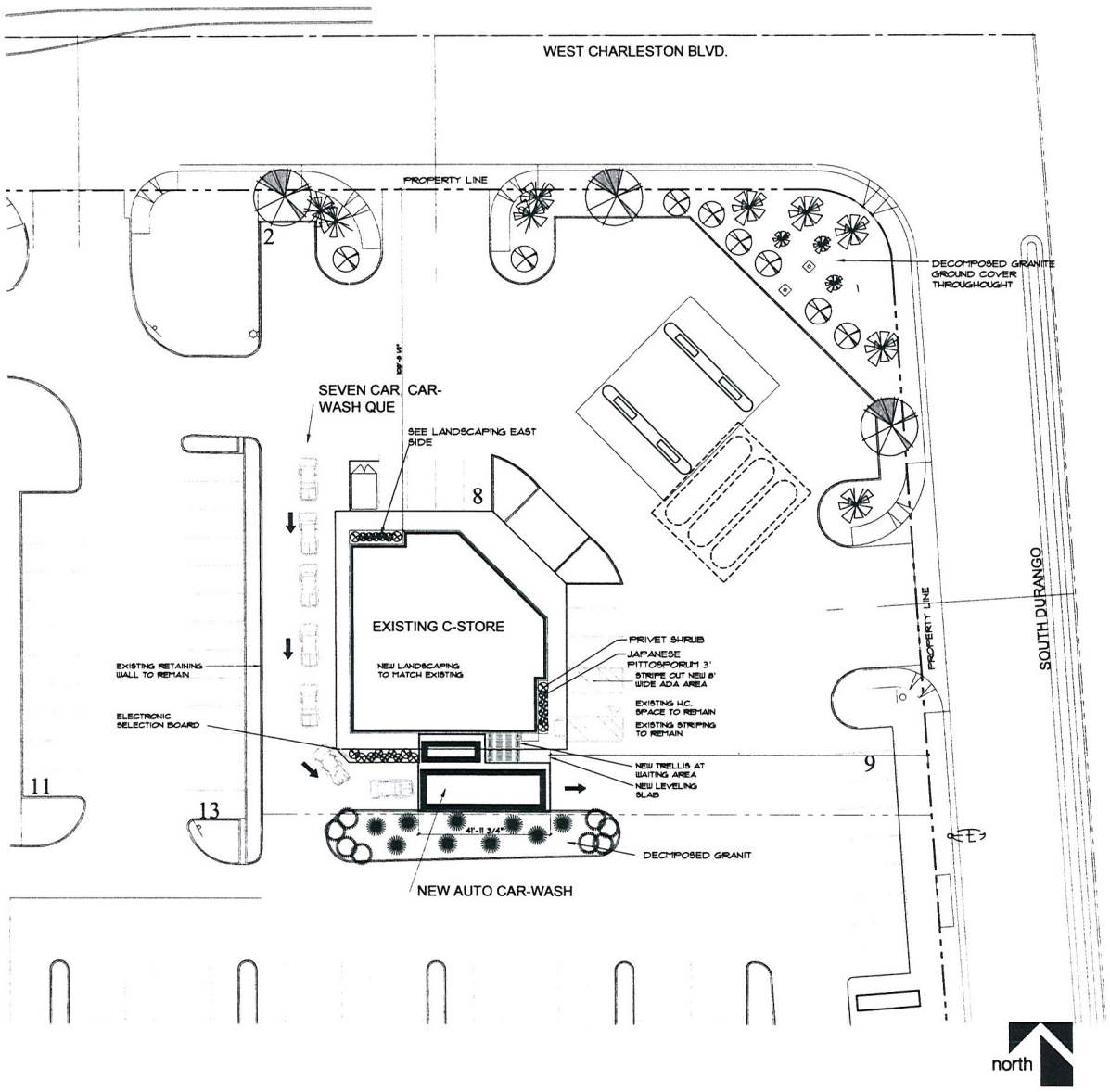

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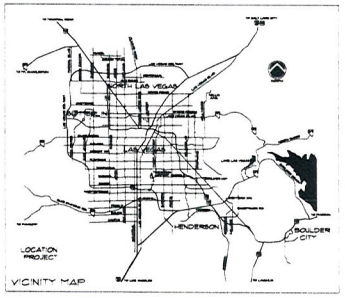

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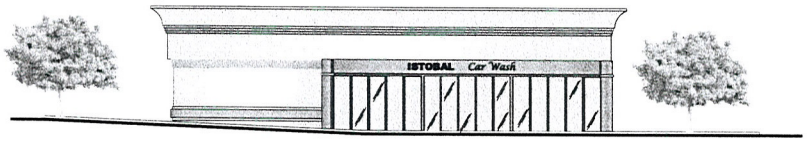


SOUTH ELEVATION



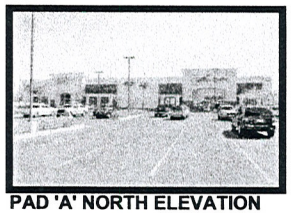
EAST ELEVATION FACING DURANGO

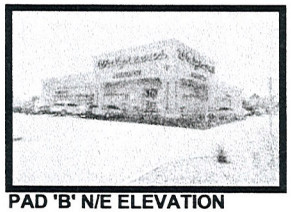
CORNICE AND COLUMN
DUNN EDWARDS DEW380

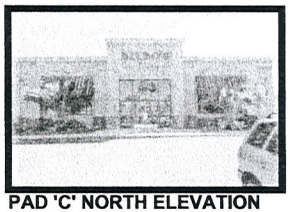
TRIM AND CAR WASH FASCIA
DUNN EDWARDS DEA 104

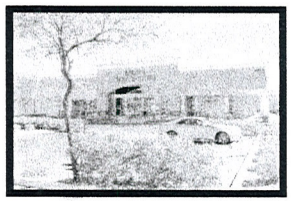
EXISTING TILE ROOF

ACCENT AREAS
COLOR LIFE
TRANQUIL LRV#61


PAD 'A' NORTH ELEVATION

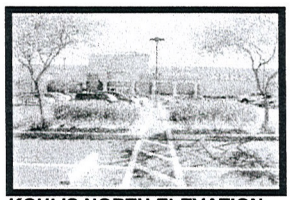

PAD 'B' N/E ELEVATION


PAD 'C' NORTH ELEVATION


PAD 'E' NORTH ELEVATION


PAD 'E' WEST ELEVATION


PAD 'D' N/W ELEVATION


KOHL'S NORTH ELEVATION

Peccole Enterprizes
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SUP-40843
SDR-40836



SUP-40843 & SDR-40836 – APPLICANT/OWNER: THREE B'S, INC.
8601 WEST CHARLESTON BOULEVARD

03/03/11



SUP-40843 & SDR-40836 – APPLICANT/OWNER: THREE B'S, INC.
8601 WEST CHARLESTON BOULEVARD

03/03/11



SUP-40843 & SDR-40836 – APPLICANT/OWNER: THREE B'S, INC.
8601 WEST CHARLESTON BOULEVARD

03/03/11



SUP-40843 & SDR-40836 – APPLICANT/OWNER: THREE B'S, INC.
8601 WEST CHARLESTON BOULEVARD

03/03/11

rsj architecture

January 31, 2011

City of Las Vegas
Planning and Development Center
731 South Fourth Street
Las Vegas, NV 89101

RE: Justification Letter
Car Wash addition to existing Convenience Store
Located at 1801 W. Charleston Blvd.
Las Vegas, Nevada 89117

Please accept this application for the referenced project. The original approved application number is Z-102-86(4).

We feel that this area is underserved with respect to a service of this type. The project is master planned with major retail and shopping centers fronting Charleston Blvd. The existing service building is located on an accessible corner. The Automatic Car Wash will be located on the south side of the C-Store where accessibility and stacking exist. With water usage becoming an increased concern, services such as this offer an opportunity to recycle and save a valuable resource.

The project includes 3,000 sf of building on 162,049sf of total land development. The building uses have not changed with respect to the original submittal.

Please accept this amendment to the original submittal. We are happy to answer any questions you have.

Respectfully,

Jeffrey J. Smith

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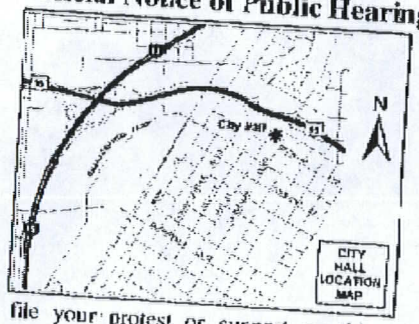
SUP-40843
SDR-40836

6525 w. warm springs rd., ste. 150 . las vegas, nv 89118
p. 702.798.7839 . f. 702.798.7849 . www.rsjarchitecture.com

04/04/2011 16:54 7022569362 STEVEN S HOLT PAGE 01/01

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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 Department of Planning, Case Planning Division 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-40843 & SDR-40836
Planning Commission Meeting of 4/12/2011

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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MAILED FROM ZIPCODE 89101

13832819195 Case: SUP-40843
BORGNA REAL ESTATE THREE L L C
10624 S EASTERN AVE #A-124
HENDERSON NV 89052-2982

89052 NV-US

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City of Las Vegas Agenda Item No.: **33.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

SUBJECT:
SDR-40836 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-40843 - PUBLIC HEARING - APPLICANT/OWNER: THREE BS, INC. - Request for a Site Development Plan Review FOR A PROPOSED 1,000 SQUARE-FOOT CAR WASH, FULL SERVICE FACILITY on 3.72 acres at 8601 West Charleston Boulevard (APN 163-05-517-007), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
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. 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: **SDR-40836** APN: 163-05-517-007

Name of Property Owner: Three B's, Inc.

Name of Applicant: Three B's, Inc.

Name of Representative: Robert N. Peccole, Jr.

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Robert N. Peccole, Jr.

Subscribed and sworn before me

This 9th day of December, 20 10

Lynn K. O'Leary

Notary Public in and for said County and State

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

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PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: MAJOR ALTERATION

Project Address (Location) 8601 W CHARLESTON

Project Name TECCOLE PLAZA **Proposed Use** CAR WASH/RETAIL

Assessor's Parcel #(s) 163-05-517-007 **Ward #** _____

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

Commercial Square Footage 162,049 **Floor Area Ratio** 4.6

Gross Acres 17.52 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER THREE B's INC **Contact** ROBBERT TECCOLE

Address 8689 W CHARLESTON **Phone:** 366 9148 **Fax:** 366 9217

City LAS VEGAS **State** NV **Zip** 89118

E-mail Address JSMITH@RSARCHITECTURE

APPLICANT RS ARCHITECTURE **Contact** JEFFREY SMITH

Address 6265 W WARM SPRINGS **Phone:** 978-7839 **Fax:** 978-7849

City LAS VEGAS **State** NV. **Zip** 89118

E-mail Address JSMITH@RSARCHITECTURE.COM.

REPRESENTATIVE RS ARCHITECTURE **Contact** JEFFREY SMITH

Address 6265 W WARM SPRINGS **Phone:** 978-7839 **Fax:** 978-7849

City LAS VEGAS **State** NV **Zip** 89118

E-mail Address JSMITH@RSARCHITECTURE.COM

Property Owner Signature* _____

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

Print Name Robert N. Teccole, Jr.

Subscribed and sworn before me

This 31st day of January, 20 11.

Lynn K. O'Leary

Notary Public in and for said County and State

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FEB 01 2011

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

FOR DEPARTMENT USE ONLY

Case #	SDR-40836
Meeting Date:	4-12-11
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Date Received:*	1-31-11
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

City of Las Vegas Agenda Item No.: **34.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

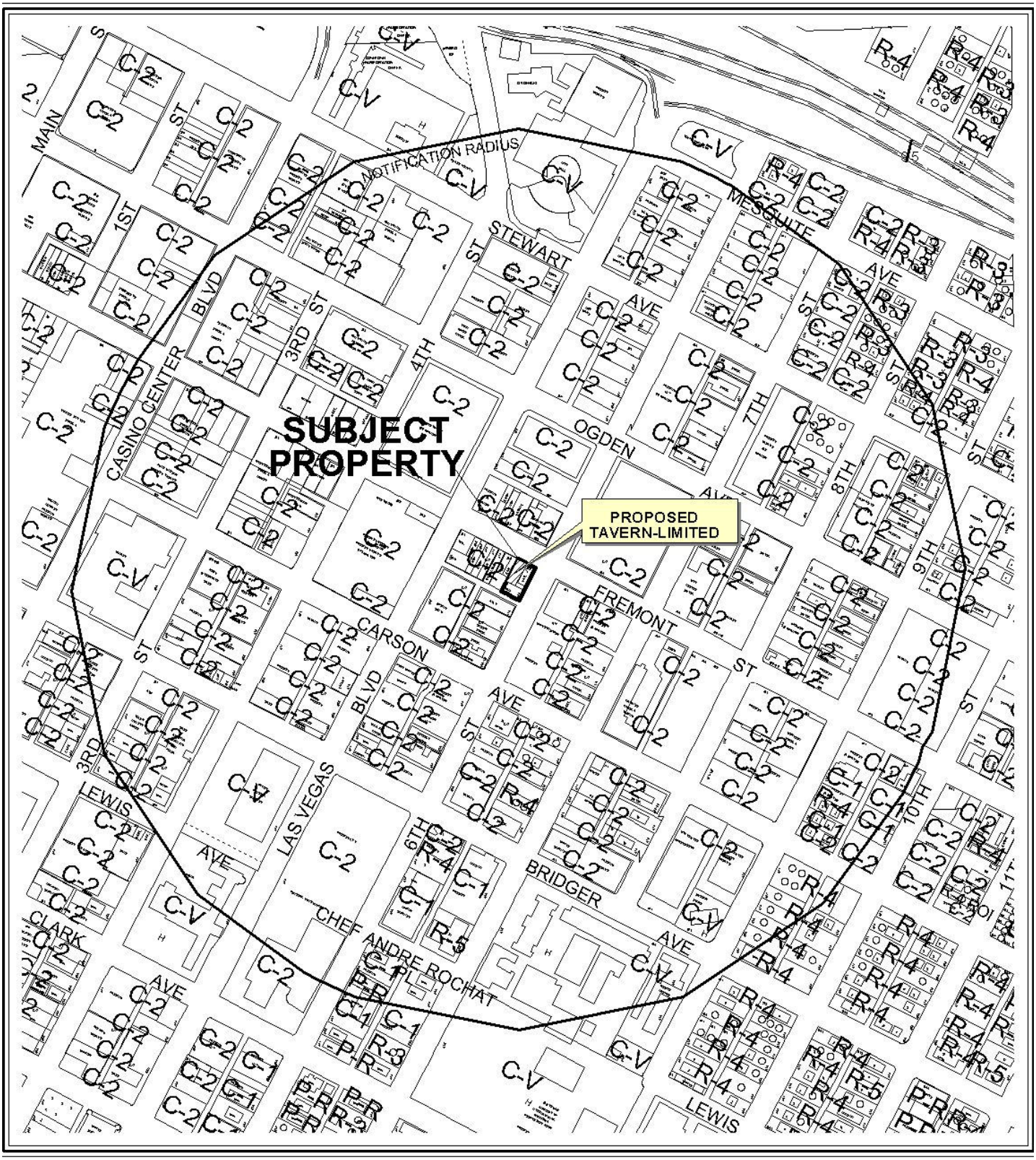
SUBJECT:
SUP-41036 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DANIEL J. COUGHLIN - OWNER: T-BREO II, LLC - Request for a Special Use Permit FOR A PROPOSED 1,983 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT at 523 Fremont Street (APN 139-34-611-017), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



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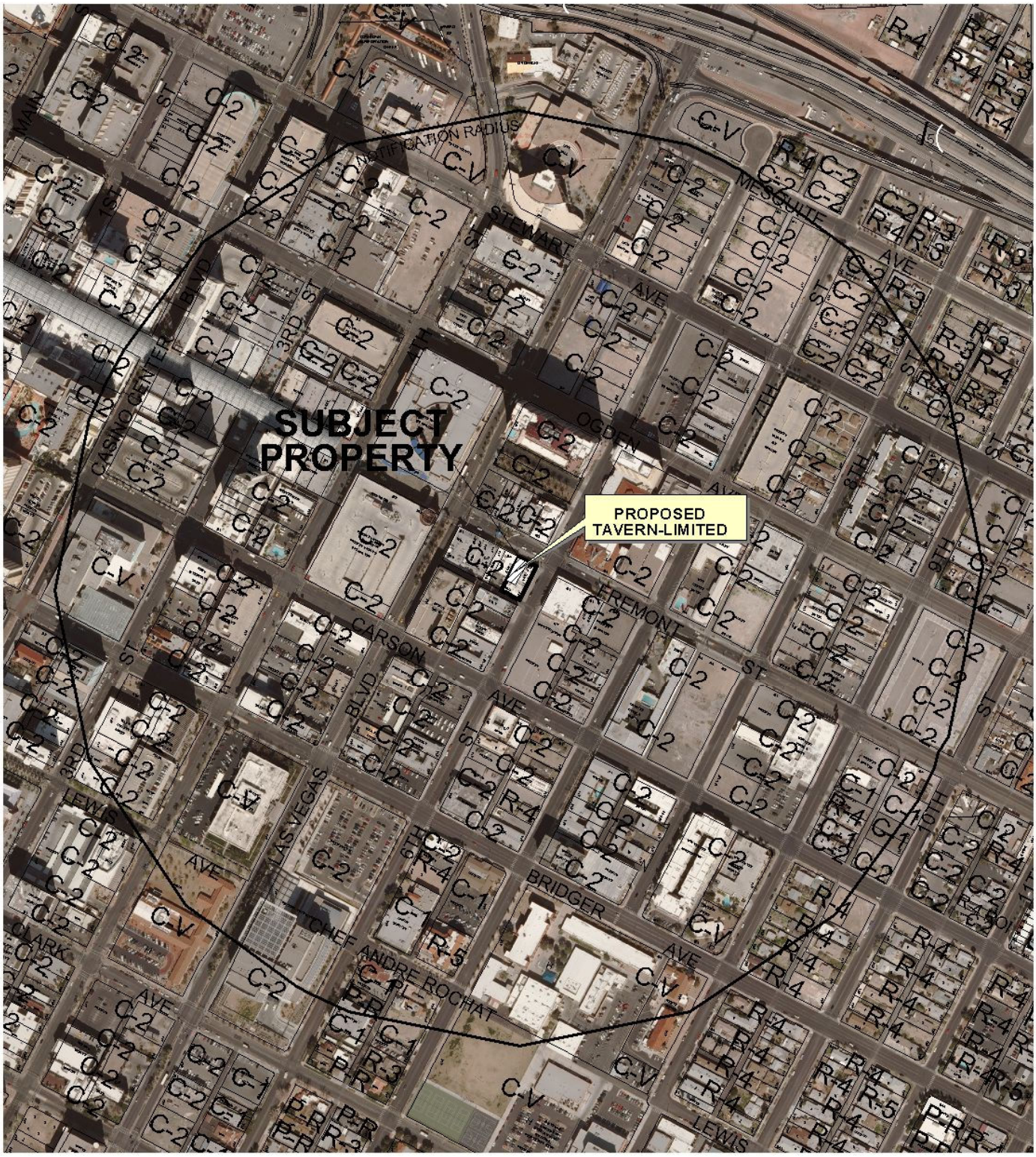
CASE: **SUP-41036**

RADIUS: 1500 FT

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

N



0 400 800 Feet

CASE: **SUP-41036**

RADIUS: 1500 FT

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

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: DANIEL J. COUGHLIN - OWNER: T-BREO II, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-41036	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-41036 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Tavern-Limited Establishment use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. Approval of a Minor Site Development Plan Review is required for outdoor dining areas, pursuant to the Downtown Centennial Plan. Approval of an Encroachment Agreement is also required for dining located within the right-of-way.

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 Department of Building and Safety.

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.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Tavern-Limited Establishment use and restaurant with seating for 22 people at 523 Fremont Street. The restaurant is 981 square feet, with an additional 1,013 square feet of outdoor seating and dining area. Of the outdoor seating, 369 square feet is located on Fremont Street frontage with the remaining 644 square feet located at the rear of the building. The applicant will provide live entertainment a minimum of four nights per week. Staff recommends approval of this request, as it can be conducted in a manner that is compatible with the surrounding uses. If this application is denied, a Tavern Limited Establishment could not be licensed on the site.

ISSUES

- The proposed use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- Pursuant to the Downtown Centennial Plan, approval of a Minor Site Development Plan Review shall be required for the outdoor dining area, and an Encroachment Agreement may be required from Public Works for the use of sidewalks in the Fremont Street right-of-way.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/16/64	The City Council approved a Rezoning (Z-0100-64) to reclassify property in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
04/20/88	The City Council approved a Variance (V-0023-88) to allow a Class III Secondhand Dealership for retail sales of used slot machines at 523 Fremont Street. The Board of Zoning Adjustment recommended approval. Staff recommended denial.

Most Recent Change of Ownership	
11/06/06	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
11/06/07	Code Enforcement issued a violation (59604) for trash and debris in the rear of the property at 523 Fremont Street. Case was resolved on 11/19/07.
08/23/07	Code Enforcement issued a violation (57043) for signage at 523 Fremont Street. Case was resolved on 08/27/07.
02/14/08	The Building and Safety Department issued a permit (108394) for non-structural interior demolition at 523 Fremont Street. Permit was not closed.
11/24/10	The Building and Safety Department issued a permit (176760) to replace existing 200 amp service. Permit was not closed.

Pre-Application Meeting	
02/22/11	Staff reviewed the requirements for a Tavern-Limited Establishment Special Use Permit application.

Neighborhood Meeting
No neighborhood meeting was required nor was one held.

Field Check	
03/03/11	Staff conducted a site visit and found no outstanding issues. The property was vacant and properly secured.

Details of Application Request	
Site Area	
Net Acres	0.20

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

YK

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

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Fremont Street	Secondary Collector	Master Plan of Streets and Highways	80	Y
Sixth Street	N/A	N/A	80	N/A

Parking Requirement - Downtown							
Use	***Gross Floor Area or Number of Units***	***Base Parking Requirement***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Restaurant Less than 200 sq. ft. (without Drive-Through)	1,983 sq. ft.	1 space per 50 sq. ft. of seating area plus 1 space for every 200 sq. ft. remaining	32				
TOTAL SPACES REQUIRED			32				Y*
Regular and Handicap Spaces Required			30	2	0	0	Y*
Loading Spaces			1		0		Y*

* Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City. The analysis should take a number of factors into consideration when discussing parking availability, including pedestrian access, nearby parking structures, on-street parking, etc.

YK

ANALYSIS

A Tavern-Limited Establishment is permitted in the C-2 (General Commercial) zoning district with an approved Special Use Permit. The project is located within the Downtown Centennial Plan area which allows for deviation from the standard parking requirements. This project is located on Fremont Street within a block of two public parking garages, two major public bus routes and several large hotels. In addition, public parking meters are located on surrounding streets. This combination allows for ample parking for the proposed use.

The proposed Tavern Limited Establishment will be operated primarily as a restaurant during the hours of 10:30 a.m. to 10:00 p.m. Monday through Thursday, and 10:30 a.m. to 3:00 a.m. Friday and Saturday. Live entertainment for patrons 21 and over will be provided in an outdoor area toward the rear of the structure that may have a somewhat negative impact on the surrounding uses.

Approval of a Minor Site Development Plan Review and an Encroachment Agreement is required in order to have outdoor seating within the Fremont Street right-of-way. There appears to be ample room to allow for the proposed seating area and maintain ADA required sidewalk access.

This project is located within the Entertainment District Overlay area and will enhance the effort to provide a variety of entertainment options, since the applicant is proposing to provide live entertainment four days a week.

The Las Vegas Valley Water District (LVVWD) had the following comment:

> The existing 2" meter with 2" DCVA; 3/4" meter with 1" DCVA Backflow prevention is incorrect for this use, per NAC 445A.67195. Civil plans will need to be submitted to Las Vegas Valley Water District (LVVWD).

Staff recommends approval as this is an appropriate use within the Entertainment District.

FINDINGS (SUP-41036)

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

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

The proposed use will be located within the Entertainment District. The use can be conducted in a manner that is harmonious and compatible 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. The proposed Tavern-Limited Establishment use is located in the Downtown Centennial Plan (Fremont East District) and the Entertainment Overlay District; as such, the parking standards of Title 19 are not automatically applied.

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 Fremont Street, an 80-foot Secondary Collector as designated in the Master Plan of Streets and Highways and 6th Street, an 80-foot right-of-way. These streets are sufficient in size to accommodate the needs of the proposed use.

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

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 and is subject to licensing restrictions.

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

The proposed use complies with the minimum Special Use Requirements for a Tavern-Limited Establishment.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 38

NOTICES MAILED 217

APPROVALS 0

PROTESTS 0

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41036** APN: 139-34-611-017

Name of Property Owner: T-BREO, II LLC

Name of Applicant: DANIEL COUGHLIN

Name of Representative: DANIEL COUGHLIN

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: JONATHAN JOSSEL

Subscribed and sworn before me

This 23 day of February, 2011

_____
Notary Public in and for said County and State
Clark, Nevada

Notary Public State of Nevada
No. 08-5715-1
My appt. exp. Jan. 23, 2012

RECEIVED
FEB 24 2011

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: LE THAI

Project Address (Location) 523 FREMONT ST

Project Name LE THAI **Proposed Use** RESTAURANT

Assessor's Parcel #(s) 139-34-611-017 **Ward #** 5

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

Commercial Square Footage 1,983 **Floor Area Ratio** —

Gross Acres _____ **Lots/Units** 0 **Density** 0

Additional Information _____

PROPERTY OWNER T-BREO II, LLC **Contact** 212 302 9444

Address 24th Floor, 1500 Broadway **Phone:** 2123029444 **Fax:** _____

City New York **State** NY **Zip** 10036

E-mail Address JJossel@tamares.com

APPLICANT DANIEL J. COUGHLIN **Contact** 414-737-9241

Address 150 LAS VEGAS BLVD. N. # 1712 **Phone:** 414-737-9241 **Fax:** _____

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

E-mail Address DJ_COUGHLIN@YAHOO.COM

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

Property Owner Signature* J. J.

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

Print Name JONATHAN JOSSEL

Subscribed and sworn before me

This 23rd day of February, 2011.

Stephanie J. Mantl

Notary Public in and for said County and State

Clark, Nevada

STEPHANIE J. MANTL
Notary Public State of Nevada
No. 08-5715-1
My appt. exp. Jan. 23, 2012

Revised 10/27/08

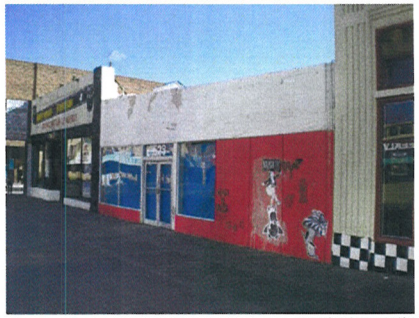
FOR DEPARTMENT USE ONLY

Case #	SUP-41036
Meeting Date:	4-12-11 PC
Total Fee:	$1,280.00
Date Received:*	2-24-11
Received By:	

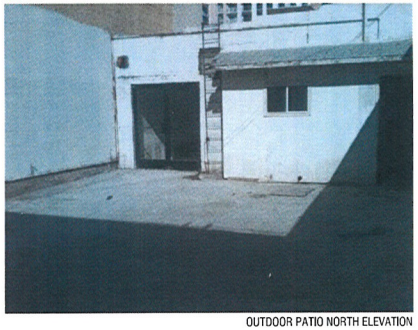
*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

RECEIVED
FEB 24 2011

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



FREMONT ST ELEVATION

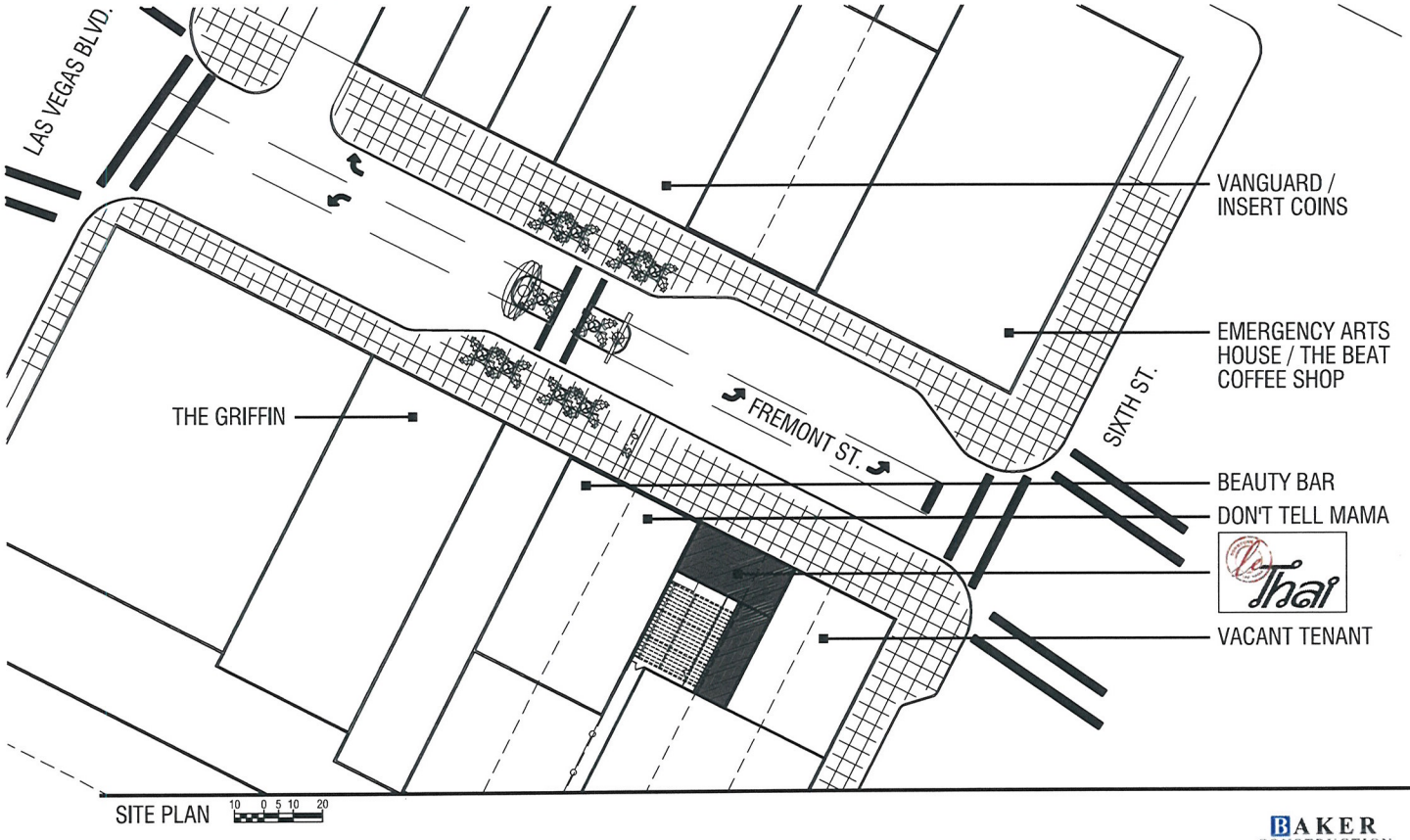


OUTDOOR PATIO NORTH ELEVATION



OUTDOOR PATIO SOUTH ELEVATION

EXISTING BUILDING ELEVATIONS



SITE PLAN 10 0 5 10 20



VICINITY MAP

523 FREMONT ST | APN : 139-34-611-017

NOTE: PER THE DOWNTOWN CENTENNIAL PLAN SECTION I SUBSECTION 3: TITLE 19.10 PARKING STANDARDS ARE NOT AUTOMATICALLY APPLIED.

PARKING IS AVAILABLE AT THE ADJACENT EL CORTEZ PARKING STRUCTURE, THE FREEMONT STREET PARKING GARAGE, AND SURROUNDING STREET METERED PARKING.

BAKER CONSTRUCTION INCORPORATED

N

le Thai

02.24.2011

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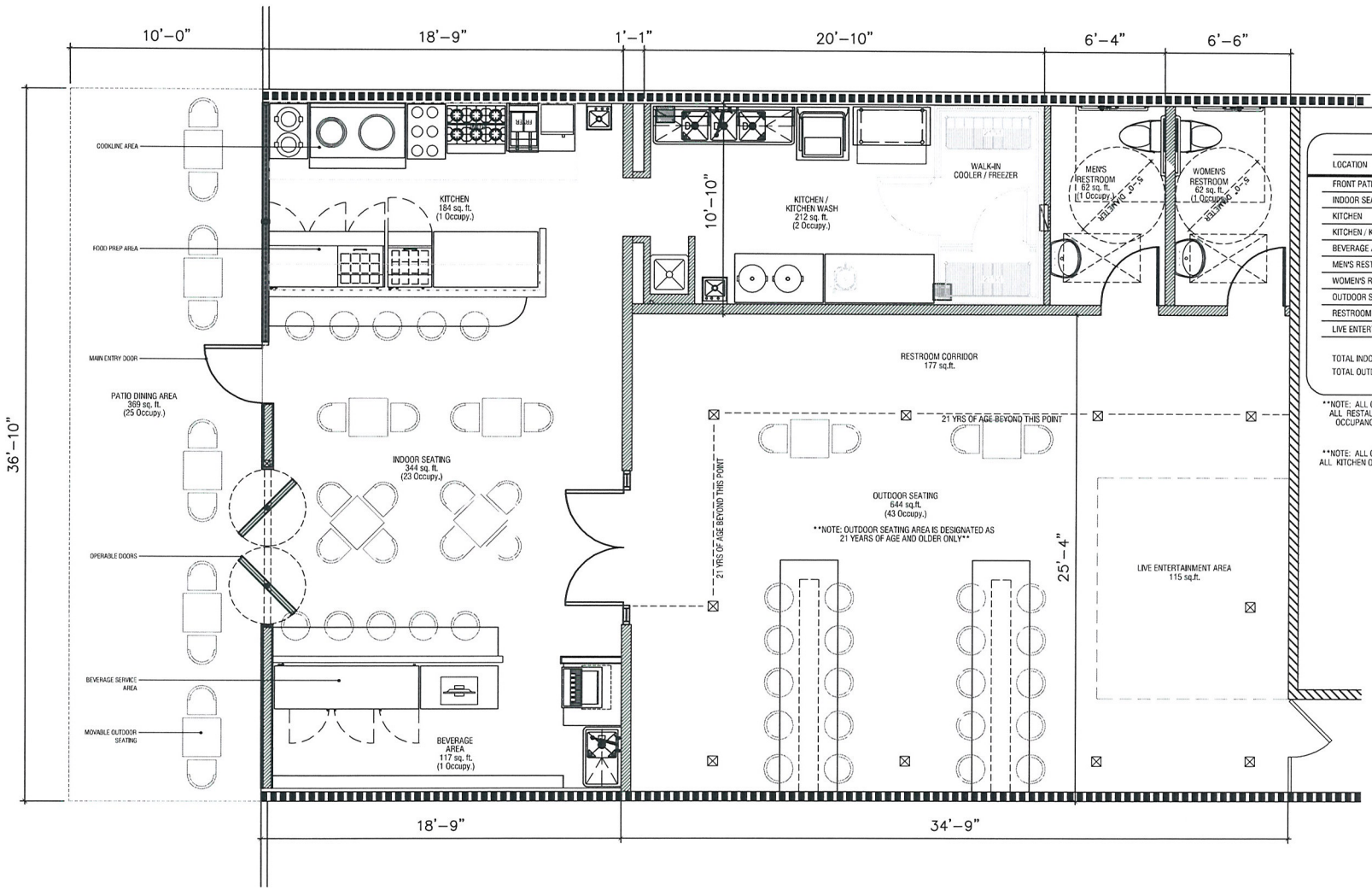
FEB 24 2011

SUP-41036



OCCUPANCY CALCULATION

LOCATION	SQUARE FT.	OCC. LOAD
FRONT PATIO DINING AREA	369 sq. ft.	25 OCCUPY.
INDOOR SEATING AREA	344 sq. ft.	23 OCCUPY.
KITCHEN	184 sq. ft.	1 OCCUPY.
KITCHEN / KITCHEN WASH AREA	212 sq. ft.	2 OCCUPY.
BEVERAGE AREA	117 sq. ft.	1 OCCUPY.
MEN'S RESTROOM	62 sq. ft.	1 OCCUPY.
WOMEN'S RESTROOM	62 sq. ft.	1 OCCUPY.
OUTDOOR SEATING AREA	644 sq. ft.	43 OCCUPY.
RESTROOM CORRIDOR	177 sq. ft.	0 OCCUPY.
LIVE ENTERTAINMENT AREA	115 sq. ft.	N/A - INCLUDED W/ IN OUTDOOR AREA
TOTAL INDOOR SQ. FT.	981 sq. ft.	29 OCCUPY.
TOTAL OUTDOOR SQ. FT.	1,013 sq. ft.	68 OCCUPY.

NOTE: ALL OCCUPANCY COUNTS ARE BASED ON IBC 2006 TABLE 1004.1.1 ALL RESTAURANT OCCUPANCY COUNTS WERE BASED ON AN ASSEMBLY OCCUPANCY W/ UNCONCENTRATED LOADS (TABLES AND CHAIRS) AT 15 NET SQ. FT. PER OCCUPANT

NOTE: ALL OCCUPANCY COUNTS ARE BASED ON IBC 2006 TABLE 1004.1.1 ALL KITCHEN OCCUPANCY COUNTS WERE BASED ON A COMMERCIAL KITCHEN OCCUPANCY AT 200 SQ. FT. PER OCCUPANT

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

BAKER CONSTRUCTION INCORPORATED

N

le Thai

02.24.2011

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FEB 24 2011

SUP-41036



SUP-41036 – APPLICANT: DANIEL J. COUGHLIN - OWNER: T-BREO II, LLC
523 FREMONT STREET

03/03/11



SUP-41036 – APPLICANT: DANIEL J. COUGHLIN - OWNER: T-BREO II, LLC
523 FREMONT STREET

03/03/11

BAKER
CONSTRUCTION
INCORPORATED

5720 Arville Suite 118 Las Vegas, Nevada 89118
Office 263-7561 Fax 263-5135 Email Bakerconst1@aol.com
Nevada License No. 36671 www.bakerconstructioninc.com Nevada License Limit $UNLIMITED

February 24, 2011

City of Las Vegas Planning and Development
333 N. Rancho Dr.
Las Vegas, NV 89106

RE: ***Special Use Permit: Tavern –Limited Establishment with Restaurant at 523 Fremont ST, Downtown, Las Vegas***

To whom it may concern,

This letter is being submitted on behalf of the applicant, Daniel J. Coughlin, for approval of a Special Use Permit for a Tavern-Limited License with Restaurant at 523 Fremont St, just east of the Fremont Street Experience. The existing building is currently vacant, but did have a previous tenant that was a restaurant establishment just prior to its vacancy.

Mr. Coughlin intends to run his Thai restaurant, Le' Thai, during the hours of 10:30 am to 10:00 pm, Monday thru Thursday and 10:30 am to 3:00 am Friday and Saturday, and closed on Sunday's. In the future if business shows profitable and demand grows, then the owner will look at opening Sundays for limited hours. The restaurant will employ in total 9 to 12 employees and expects during the busy shifts having a total of 4 to 8 employees working. It is also the intention of the applicant to have Live Entertainment Venues in the back "over 21 years of age" Outdoor Area anywhere from 3 to 4 times per week.

It is anticipated that roughly 60% of the business of Le' Thai will be from pedestrian traffic and the other 40% from local vehicular or mass transit traffic. A number of parking facilities in the area including Fremont St. parking garage, El Cortez parking garage and various metered street side parking will be able to accommodate this expected traffic.

Mr. Coughlin is no stranger to owning a Thai Restaurant business around the Downtown area as he was the previous owner of Mix Zone Café at Charleston and Rancho. His food has not only seen rave reviews from many local food buffs but has also been featured in local magazines such as the *Las Vegas Weekly*. He owned this business from 2007 to 2010 when he decided to sell and open up Le' Thai in the heart of Downtown. Mr. Coughlin looks forward to becoming the newest business on East Fremont Street and is excited to be able to call downtown his new home.

Sincerely,

Shawn Mitchell
Sr. Project Manager
Baker Construction

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FEB 24 2011

Initials SUP-41036

City of Las Vegas Agenda Item No.: **35.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

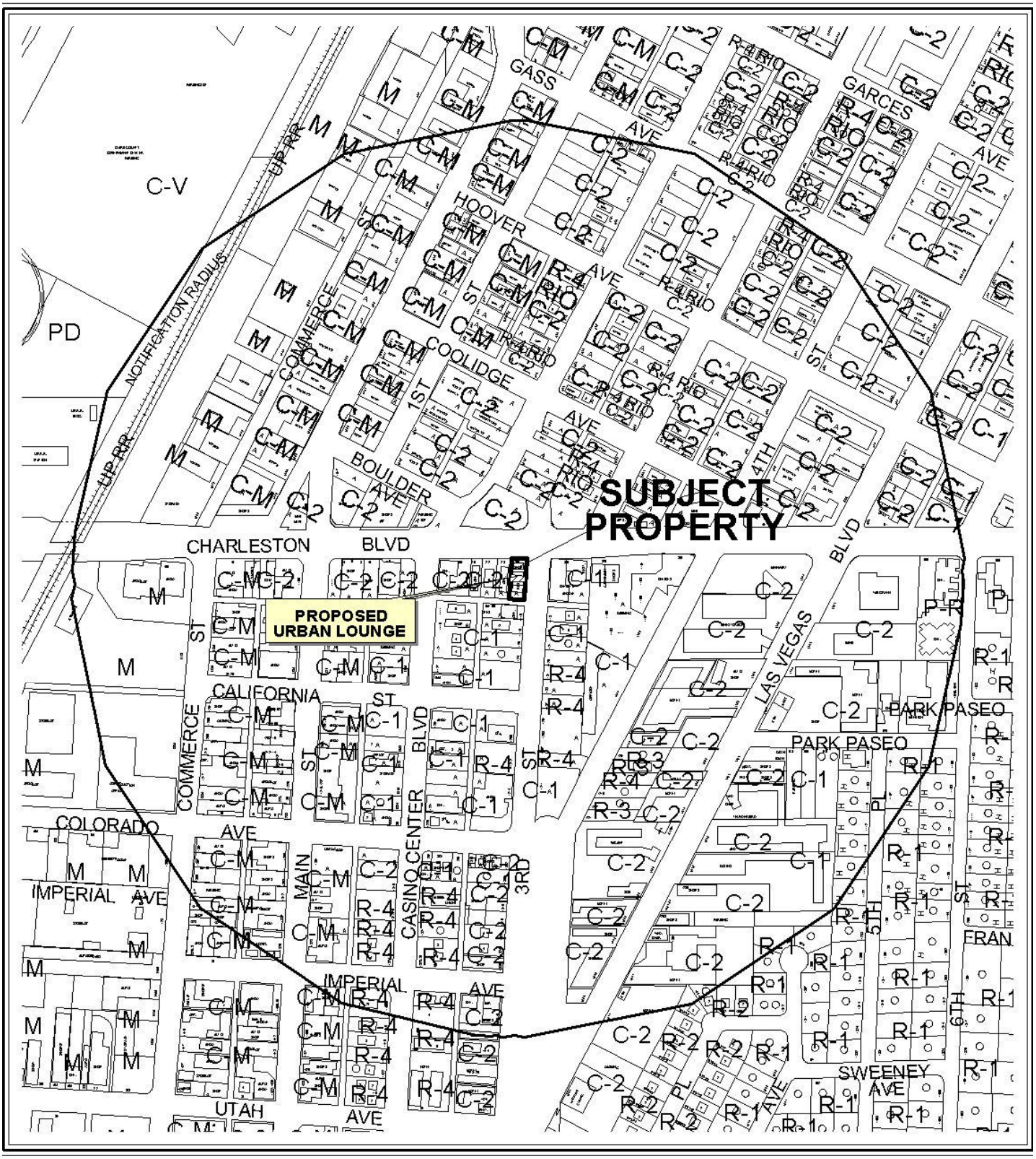
SUBJECT:
SUP-41046 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DOWNTOWN GUITAR BAR, LLC - OWNER: 3RD & CHARLESTON, LLC - Request for a Special Use Permit FOR AN URBAN LOUNGE IN AN EXISTING ANTIQUE/COLLECTIBLE STORE at 1106 South 3rd Street (APN 162-03-110-036), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 300 600 Feet

CASE: **SUP-41046**

RADIUS: 1500 FT

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

N



0 300 600 Feet

CASE: **SUP-41046**

RADIUS: 1500 FT

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: DOWNTOWN GUITAR BAR, LLC - OWNER: 3RD & CHARLESTON, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-41046	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-41046 CONDITIONS

Planning

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

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. A revised site plan shall be submitted to and approved by the Department of Planning, prior to approval of a business license, to include one Van Accessible Parking Space.

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 Department of Building and Safety.

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

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

Conditions Page Two
April 12, 2011 - Planning Commission Meeting

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

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

Staff Report Page One
April 12, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

An Urban Lounge use is proposed within an existing Antique/Collectible Store use located at 1106 South 3rd Street. This location currently sells collectible guitars and would continue with the retail operations during daytime hours. The applicant is seeking approval of a Special Use Permit to operate the proposed Urban Lounge use during the evening hours, at which time no minors would be permitted within the establishment. The Urban Lounge use is sought in order to augment retail operations. The proposed use can meet all minimum requirements for an Urban Lounge and can be conducted in a manner that is harmonious and compatible with the surrounding land uses; therefore, staff recommends approval, with conditions. If denied, the Urban Lounge use would not be allowed at this location.

ISSUES

- The Special Use Permit is required for the Urban Lounge use for C-1 (Limited Commercial) zoned property within the Las Vegas Arts District.
- The site plan must be revised to show the appropriate Van Accessible Parking Space. A condition has been added for this requirement.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/25/82	The Board of Zoning Adjustment approved a Variance (V-0019-82) to allow eight parking spaces for a proposed restaurant and other commercial uses where 22 parking spaces are required at this site. Staff recommended denial.

Most Recent Change of Ownership	
12/30/03	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/05/10	A Business License (#S20-00539) was issued for a Secondhand Dealer, Class IV (Antiques/Collectibles) at 1106 South 3rd Street.
08/17/10	A Business License (#M17-00268) was issued for New Guitar Sales at 1106 South 3rd Street.
09/29/10	A Building Permit (#170643) was issued for a Tenant Improvement, which includes a coffee bar.

Pre-Application Meeting	
02/08/11	A pre-application meeting was held with staff to discuss the submittal requirements for a Special Use Permit to operate an Urban Lounge within a General Retail use. Staff briefed the applicant regarding the particular requirements for this type of use in 18b The Las Vegas Arts District.

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

Field Check	
03/03/11	A field check was performed by staff with the following observations made: • The existing Antique/Collectible Store is located between two other retail suites and maintains a neat and clean appearance. • The alleyway behind the proposed Urban Lounge has access restricted with wrought iron gates.

Details of Application Request	
Site Area	
Net Acres	0.16

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail	C (Commercial)	C-2 (General Commercial)
North	Undeveloped	C (Commercial)	C-2 (General Commercial)
South	Office	MXU (Mixed Use)	C-1 (Limited Commercial)

East	Church	C (Commercial)	C-1 (Limited Commercial)
West	Office	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Downtown Centennial Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District	X		Y
Live/Work Overlay District	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Las Vegas Redevelopment Plan Area		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

DEVELOPMENT STANDARDS

Parking Requirement - Downtown							
Use	***Gross Floor Area or Number of Units***	***Base Parking Requirement***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Commercial Retail	3,225 SF	1:300	11				
Urban Lounge	1,160 SF	-	-				
TOTAL SPACES RECOMMENDED			11		6		
Regular and Handicap Spaces Required			1	10	0	5	Y*

*Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table illustrates the requirements of the typical parking requirements within the Downtown Area. This request has been recommended for approval, subject to a condition of approval requiring revised site plans showing the required Van Accessible Parking Space.

ANALYSIS

The following three Special Use Permit Minimum Requirements for an Urban Lounge use must be met for approval: The proposed use must be within the boundaries of the Las Vegas Arts District; there must be two seats within a lounge area for each seat at the bar; and the use is to be subject to the provisions of Chapter 6.50 relating to liquor control. Regarding the first requirement, the proposed location for the Urban Lounge is within the boundaries of 18b, The Las Vegas Arts District. The floor plan shows no seats shown at the bar with 20 seats dispersed throughout the lounge area. The requirement for a three-foot wide pathway for emergency egress for public safety prohibits the placement of stools at the bar counter; hence, the absence of bar seating.

In regards to onsite parking, there are a number of factors that have been taken into consideration. The City of Las Vegas Board of Zoning Adjustment approved a Variance (V-0019-82) to allow eight parking spaces where the proposed commercial uses require 22 spaces on March 25th, 1982. Since this approval, this property has become part of the Las Vegas Centennial Plan, which does not automatically apply the parking requirements. The parking availability will meet parking demand, as this site has substantial pedestrian access to the Downtown Transportation Center, is located one block to the east of the Strip & Downtown Express – Bus Rapid Transit (BRT) Line, and has plenty of on-street parking within walking distance of this property. Additional consideration has been taken into account for the changing parking demands from the daytime retail uses to a nighttime Urban Lounge use. A condition of approval has been made requiring the applicant to revise the site plans to show a Van Accessible Parking Space with the correct loading area dimensions, as required by Title 19.10.

Comments were received from the Las Vegas Valley Water District, and include the following: There is an existing 1-inch meter with 1-inch DCVA and no fire line. Backflow prevention is required per NAC 445A.67195. Civil plans will need to be submitted to LVVWD.

Regarding the required compliance to Chapter 6.50 of the Municipal Code, a condition of approval has been added and the Department of Business and Finance ensure compliance during the business licensing review process.

Staff recommends approval of this request, as the use meets the objectives of the Downtown Centennial Plan and is an appropriate means for extending the pedestrian nightlife sought after in 18b The Las Vegas Arts District.

FINDINGS (SUP-41046)

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 Urban Lounge is a suitable use for the surrounding C (Commercial) land use and meets the goals and objectives listed in the Downtown Centennial Plan to establish a pedestrian-friendly use of public sidewalks and similar pedestrian areas while providing economic opportunities for ground floor retail.

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

   The subject site is physically suitable for the proposed Urban Lounge use. The proposed Urban Lounge use is located in the Downtown Centennial Plan (18b Las Vegas Arts District) which supports this type of proposal in order to create interesting pedestrian environments. The applicant will have to restrict access to minors in order to operate the bar portion of the Urban Lounge.

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 primarily from Third Street, a 72-foot wide right-of-way. Adequate access to and from the subject property is provided from these three streets.

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.

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

   The proposed lounge meets all applicable requirements for an Urban Lounge and complies with the minimum Special Use Permit Requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 26

NOTICES MAILED 676

APPROVALS 0

PROTESTS 0

MH

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41046** APN: 162-03-110-036

Name of Property Owner: 3rd & Charleston, LLC

Name of Applicant: Downtown Guitar Bar, LLC

Name of Representative: Miller & Wright, PLLC

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: Steven Fazekas

Print Name: Steve Fazekas

Subscribed and sworn before me

This 15 day of February 2011

Lissa Treadway

Notary Public in and for said County and State

NOTARY PUBLIC
LISSA TREADWAY
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. MARCH 15, 2012
No: 96-1768-1

RECEIVED
FEB 24 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 1106 S. 3rd Street, Las Vegas, Nevada 89104

Project Name Downtown Guitar Bar **Proposed Use** Urban Lounge

Assessor's Parcel #(s) 162-03-110-036 **Ward #** 3

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

Commercial Square Footage 3210 **Floor Area Ratio** N/A

Gross Acres 0.16 **Lots/Units** 3 **Density** 1100

Additional Information 1106 S. 3rd Street is the center unit for this parcel number.
The square footage for this unit is 1230 square feet.

PROPERTY OWNER 3rd & Charleston, LLC **Contact** Steve Fazekas
Address 6130 W. Flamingo Avenue **Phone:** (702) 491-6822 **Fax:** (702) 552-5339
City Las Vegas **State** NV **Zip** 89103
E-mail Address sfazekas@yahoo.com

APPLICANT Downtown Guitar Bar, LLC **Contact** Alicia Carter
Address 1106 S. 3rd Street, Las Vegas, NV 89104 **Phone:** (702) 927-0822 **Fax:**
City Las Vegas **State** NV **Zip** 89104
E-mail Address aprincssinlv@cox.net

REPRESENTATIVE Miller & Wright, PLLC **Contact** Erika M. Wright, Esq.
Address 618 S. 7th Street, Suite B **Phone:** (702) 366-1241 **Fax:** (702) 946-1677
City Las Vegas **State** NV **Zip** 89101
E-mail Address ewright@millerwrightlaw.com

Property Owner Signature* Steven Fazekas

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

Print Name STEVEN FAZEKAS

Subscribed and sworn before me

This 15 day of February, 20 11.

Notary Public in and for said County and State

NOTARY PUBLIC
LISSA TREADWAY
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. MARCH 15, 2012
No: 96-1768-1

FOR DEPARTMENT USE ONLY

Case #	SUP-41046
Meeting Date:	4/12/11
Total Fee:	$1,280
Date Received:*	2/24/11
Received By:	BJS

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

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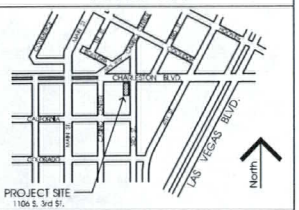
Revised 10/27/08

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

PROJECT DATA			
ASSESSORS PARCEL NUMBER	16203110038	EXITING	
LAND USE ZONE	C-2 commercial	Required	1 exit
BUILDING TYPE	CMU	Provided	1 exit
OCCUPANCY CLASS	A-2 assembly	PARKING	
OCCUPANT LOAD	40 persons	Total Existing Parking	6 spaces
Total Lot Area	7010 sf	Handicap Parking	1 space (included)
Total Building Area	3225 sf		
Building to Lot Coverage	60%		
Retail Area (Shop + Lounge)	1160 sf		
Seating Capacity	20 persons		

NOTE:
- All architectural conditions represented are Existing (abbr. "Exist"), unless otherwise noted.
- Improvements to comply w/ local building codes & ordinances..

VICINITY MAP

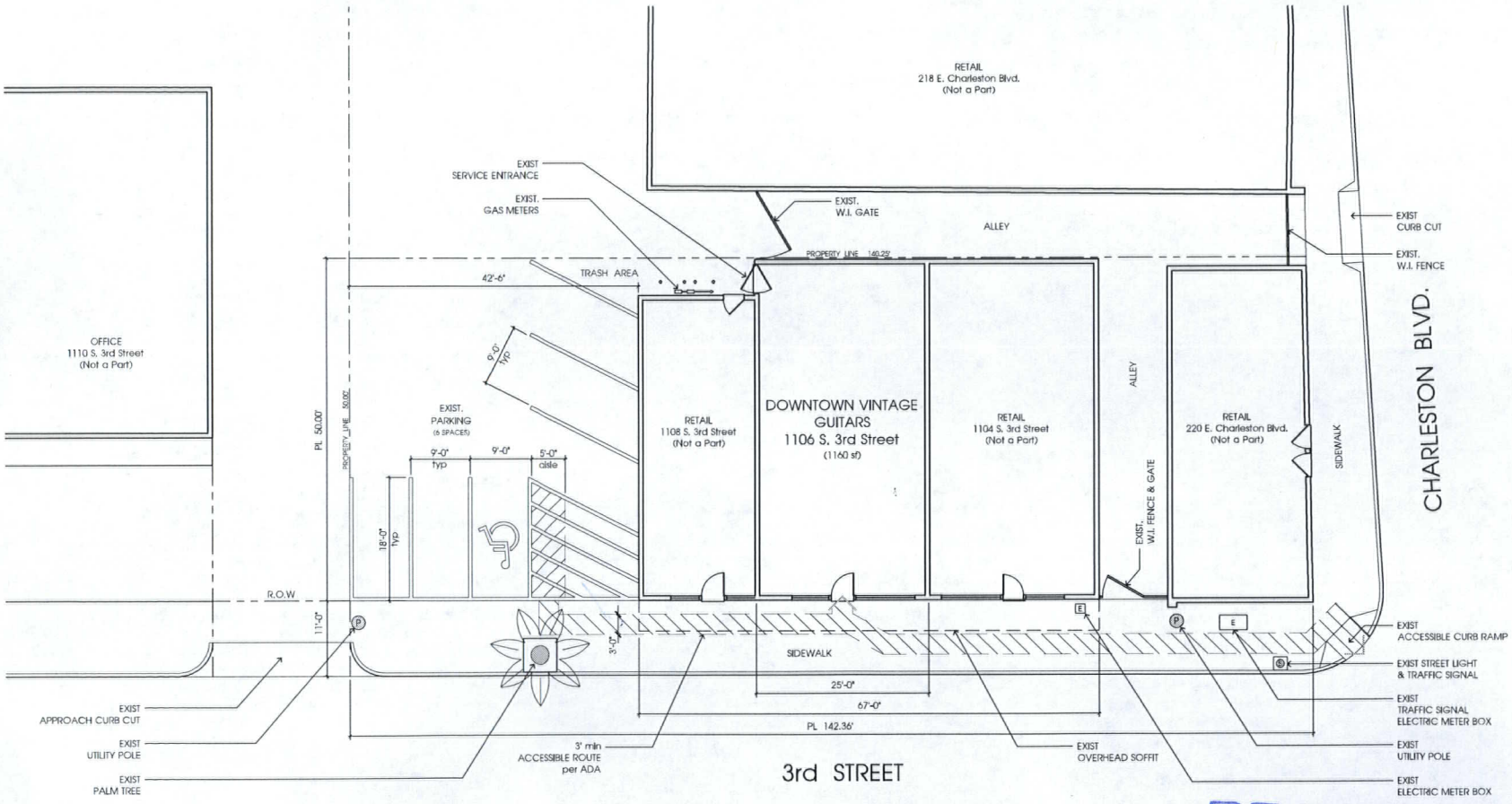


Sscape
3355 Dakota Way
Las Vegas, NV 89169
(702) 220-5164

DOWNTOWN VINTAGE GUITARS

RETAIL & URBAN LOUNGE

1106 S. 3rd Street
Las Vegas, Nevada



A SITE PLAN
SCALE: 1"=1/8"
North

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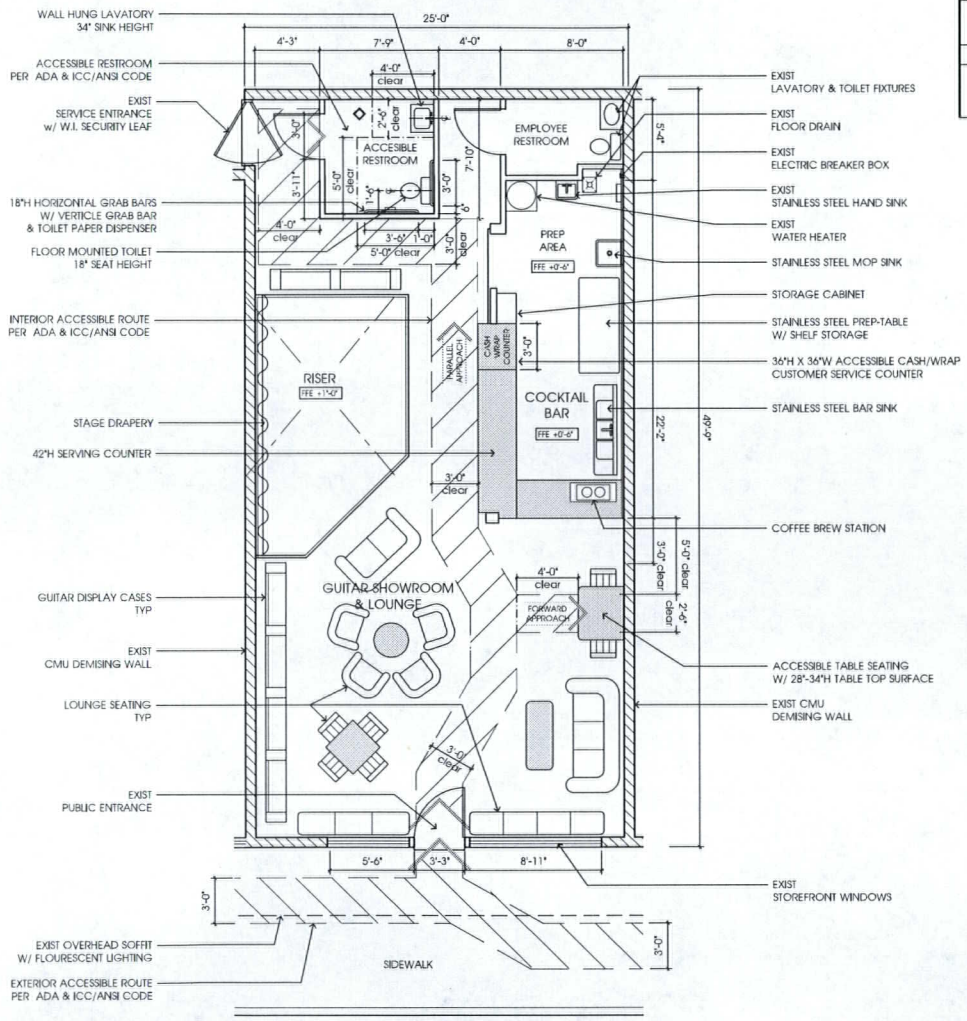
SUP-41046
REVISED

DATE 02-24-11
DRAWN BY R. Smith
SHEET TITLE
SITE PLAN & PROJECT DATA
JOB NO. SS-007 SU
SHEET NO. A1.0
SHEET 1 OF 2



3rd STREET

A FLOOR PLAN
SCALE: 1/4"=1'-0"

North

OCCUPANCY	
Retail Area (Shop + Lounge)	1160 sf
Seating Capacity	20 persons

SEATING

- Seating for 20 persons shall be provided in lounge area
- Accessible seating for 1 person shall be provided per ADA & ICC/ANSI CODE

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DOWNTOWN VINTAGE GUITARS

RETAIL & URBAN LOUNGE

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DRAWN BY R. Smith
SHEET TITLE
FLOOR PLAN
JOB NO. SS-007 SU
SHEET NO. A1.1
SHEET 2 OF 2



SUP-41046 – APPLICANT: DOWNTOWN GUITAR BAR, LLC - OWNER: 3RD & CHARLESTON
1106 SOUTH THIRD STREET

03/03/11



SUP-41046 – APPLICANT: DOWNTOWN GUITAR BAR, LLC - OWNER: 3RD & CHARLESTON
1106 SOUTH THIRD STREET

03/03/11



SUP-41046 – APPLICANT: DOWNTOWN GUITAR BAR, LLC - OWNER: 3RD & CHARLESTON
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03/03/11



SUP-41046 – APPLICANT: DOWNTOWN GUITAR BAR, LLC - OWNER: 3RD & CHARLESTON
1106 SOUTH THIRD STREET

03/03/11



SUP-41046 – APPLICANT: DOWNTOWN GUITAR BAR, LLC - OWNER: 3RD & CHARLESTON
1106 SOUTH THIRD STREET

03/03/11

MILLER & WRIGHT, PLLC

A Professional Limited Liability Company

618 S. 7th Street, Suite B
Las Vegas, Nevada 89101
702.366.1241 ▪ *telephone*
702.946.1677 ▪ *facsimile*

Shawn W. Miller, Esq.
Erika M. Wright, Esq.
Lissa Treadway, ACP, Paralegal

www.millerwrightlaw.com

February 23, 2011

Re: Special Use Permit Justification Letter for Downtown Guitar Bar, LLC

To Whom It May Concern:

I represent Downtown Guitar Bar, LLC in the above captioned matter. The purpose of this correspondence is to provide an explanation to the city of Las Vegas planning department of the project contemplated by Downtown Guitar Bar, LLC ("Guitar Bar"), located at 1106 S. 3rd Street, Las Vegas (the "Property"), for which Guitar Bar is seeking a Special Use Permit (the "Permit").

Issue

Guitar Bar is seeking the Permit so that it can serve alcoholic beverages on the Property. Currently, the Property is a retail shop owned by Downtown Vintage Guitars, LLC ("Downtown Vintage") which sells guitars and guitar related equipment. Downtown Vintage and Guitar Bar have entered into an agreement that allows Guitar Bar to operate the Property as a lounge after the retail shop's close of business. Guitar Bar, which is owned by an experienced bartender, is a separate legal entity from Downtown Vintage and will manage the lounge. Currently, the plans reflect a standing bar (without seating) and lounge seating for 20 people.

Information

Downtown Vintage contemplates that the Project will have two employees, and will operate from 7:00 p.m. until 2:00 a.m. on Fridays, Saturdays and Mondays. Guitar Bar has applied for an Urban Lounge License from the city of Las Vegas.

Findings

The Project is an Urban Lounge as contemplated by Title 6.50.255. The Project will sell alcoholic beverages to consumers only for consumption on the premises. The Project is located within the Las Vegas Arts District (the "Arts District"), and, as described above, there will be a standing bar (without seating) and lounge seating for 20 people, which exceeds the minimum 2:1 lounge seating to bar seating ratio prescribed by the statute.

SUP-41046
REVISED

seating) and lounge seating for 20 people, which exceeds the minimum 2:1 lounge seating to bar seating ratio prescribed by the statute.

Special Use Permit Determinations

The Project 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 Project is located in the Arts District, and will be an active participant in Arts District events, such as First Friday. The Project will operate after normal business hours, and only on three days during the week and will not disrupt the Property's neighbors (currently a hair salon/clothing boutique and beef jerky retailer). The Project will be managed by an experienced bartender, and will provide a lounge setting for the consumption of alcoholic beverages.

The Property is physically suitable for the Project's intended use. The Property has room for a bar area with, as well as for lounge seating away from the bar area. The Property is large enough to accommodate the 2:1 ratio of lounge seating to bar seating required by Title 6.50.255, as evidenced by the attached plans which show a standing only bar and lounge seating for 20 people.

The street facilities providing access to the Property are adequate in size to meet the requirements of the Project. Currently, there is plenty of access for both vehicle and foot traffic on South 3rd Street, which runs in front of the Property. The ACE rapid transit system also runs down South 3rd Street in front of the Property, and the Property is within walking distance to most of its clientele. The majority of the Property's customers will access the property through public transportation or by foot.

Approval of the Permit will not be inconsistent with or compromise the public health, safety and welfare or the overall objectives of the General Plan. As discussed above, the Project will operate only after normal business hours, and only on three days during the week. The Project will be managed by an experienced bartender, will be wholly separate from the retail business and will provide an urban lounge setting for the consumption of alcoholic beverages.

Please let me know if you require additional information.

Sincerely,

MILLER & WRIGHT, PLLC

Erika M. Wright, Esq.

EMW/lt

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FEB 24 2011
SUP-41046

City of Las Vegas Agenda Item No.: **36.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

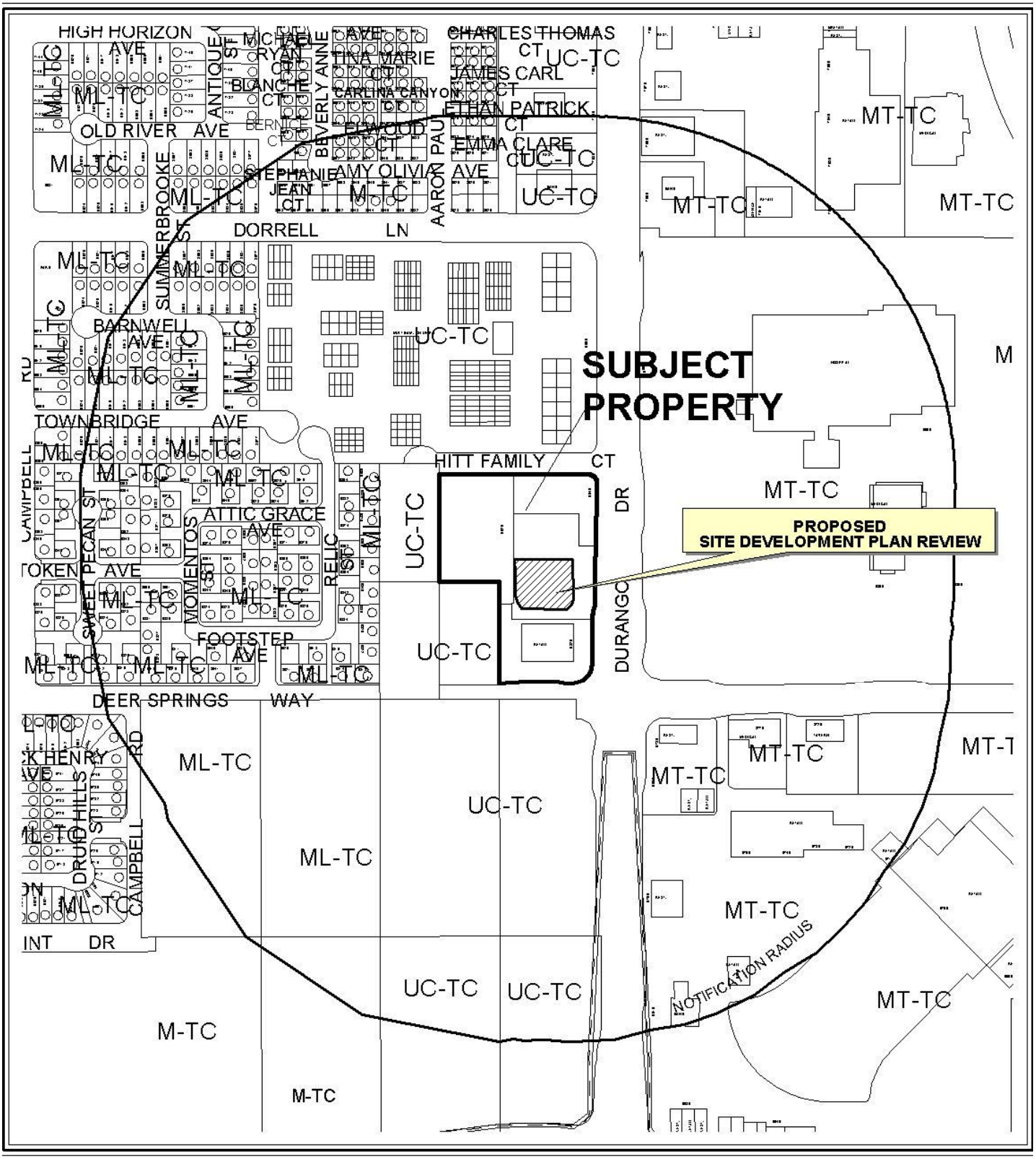
SUBJECT:
SDR-41049 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: TEN15 CENTENNIAL, LLC - Request for a Major Amendment to an approved Site Development Plan Review (SDR-27051) FOR A PROPOSED 8,775 SQUARE-FOOT AUTO REPAIR GARAGE (MINOR) on 2.14 acres approximately 230 feet north of Deer Springs Way, adjacent to the west side of Durango Drive (APN 125-20-216-004), T-C (Town Center) Zone [GC-TC (General Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 05/18/2011
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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

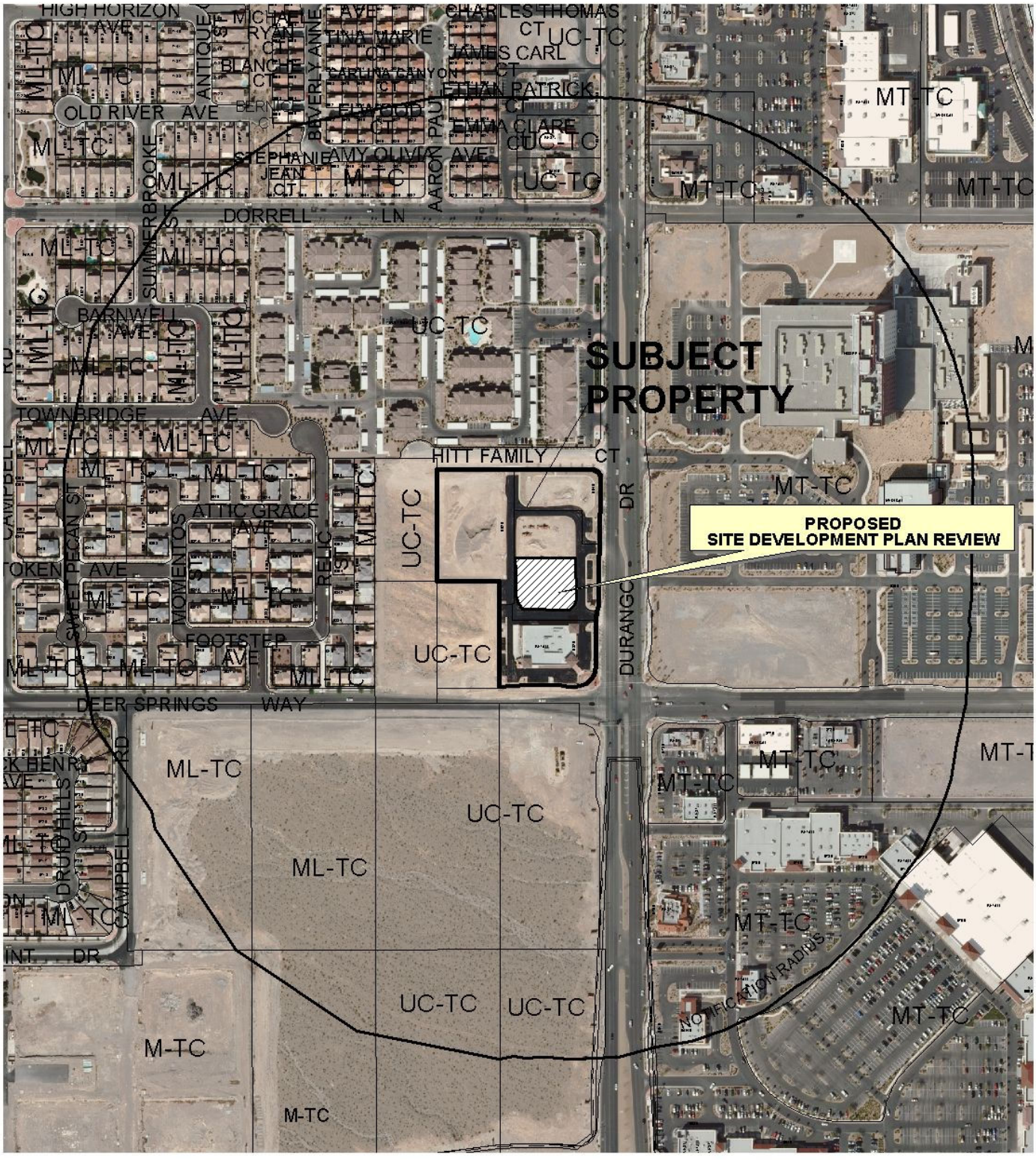


0 300 600 Feet

CASE: **SDR-41049**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: T-C (Town Center) Zone [GC-TC (General Commercial - Town Center) Special Land Use Designation]



0 300 600 Feet

CASE: **SDR-41049**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: T-C (Town Center) Zone [GC-TC (General Commercial - Town Center) Special Land Use Designation]

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: TEN15 CENTENNIAL, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-41049	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SDR-41049 CONDITIONS

Planning

1. Conformance to the Conditions of Approval for Special Use Permits (SUP-27046, SUP-27047 and SUP-27049) and Site Development Plan Reviews (SDR-27051 and SDR-30027) shall be required, except as amended herein.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the overall site plan date stamped 03/24/11, enlarged site plan 03/24/11 date stamped, overall landscape plan date stamped 03/24/11, enlarged landscape plan date stamped 03/28/11, Floor Plan date stamped 03/28/11 and building elevations date stamped 02/24/11, except as amended by conditions herein.

4. A Waiver from the Town Center Development Standard Manual Section C.2.B (8a) is hereby approved, to allow parking landscape island placement for every seven uncovered parking spaces, where an island is required for every six uncovered spaces.

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

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

7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. 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: The planter islands shall include a two-inch layer of ground cover or rock mulch, a minimum of five shrubs of five gallon size, and five shrubs or plants of one gallon size minimum per each 24-inch box tree provided.

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

Public Works

9. All existing offsite improvements damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

10. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

11. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

12. Comply with all applicable previous conditions of approval for SDR-30027, the Village at Centennial Hills and all other site-related actions.

Staff Report Page One
April 12, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The proposed development would add an 8,775 square-foot Auto Repair Garage (Minor) on an undeveloped pad of an existing Shopping Center located at the northwest corner of Deer Springs Way and Durango Drive. As the proposed garage is located within a shopping center designed to accommodate a variety of uses, and this use can be conducted in a manner that is compatible with the surrounding uses, staff recommends approval with conditions. If this request is denied, the subject property shall be developed in accordance with Site Development Plan Reviews (SDR-27051 and SDR-30027).

ISSUES

- The proposed development requires a Major Amendment of a Site Development Plan Review (SDR-27051) was previously approved SDR-27051 for a 41,471 square-foot Shopping Center, which includes the subject pad for the proposed Auto Repair Garage (Minor).
- A Minor Site Development Plan Review (SDR-30027) was previously approved for a 45,895 square-foot Shopping Center, including the subject pad for the proposed Auto Repair Garage (Minor).
- A waiver of the Town Center Development Standards Manual is required to allow one landscape island for every seven uncovered parking spaces where one is required for every six spaces. Staff can support this waiver, since the landscape island placement is a minimal deviation from Town Center Development Standards and the required number of trees are being provided.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
02/13/03	The City Council approved a Rezoning (ZON-1620) of the subject property from U (Undeveloped) Zone [UC-TC (Urban Center Mixed-Use - Town Center) General Plan designation] to T-C (Town Center), a Special Use Permit (SUP-1569) for a 6,622 square-foot Tavern on a portion of the subject property, and a Site Development Plan Review (SDR-1741) for a proposed 6,622 square-foot Tavern on a portion of the subject site. The Planning Commission recommended approval and staff recommended denial of these requests.

06/15/05	The City Council approved a request for a Site Development Plan Review (SDR-6317) for a proposed Mixed-Use Development consisting of two 24-story towers containing 474 residential units and 144,200 square feet of commercial space of which 102,744 square feet is office space, and Special Use Permits (SUP-6323, SUP-6326, and SUP-6330) for a proposed 5,200 square-foot tavern, a proposed 7,256 square-foot supper club, and a proposed mixed use development in excess of 12 stories, respectively, on 5.21 acres adjacent to the northwest corner of Deer Springs Way and Durango Drive. The Planning Commission and staff recommended approval of these requests.
07/11/07	The City Council denied Extension of Time (EOT-22312, EOT-22313, EOT-22314, EOT-22315) requests for Site Development Plan Review (SDR-6317) for a proposed Mixed-Use Development consisting of two 24-story towers containing 474 residential units and 144,200 square feet of commercial space of which 102,744 square feet is office space, and Special Use Permits (SUP-6323, SUP-6326, and SUP-6330) for a proposed 5,200 square-foot tavern, a proposed 7,256 square-foot supper club, and a proposed mixed use development in excess of 12 stories, respectively, on 5.21 acres adjacent to the northwest corner of Deer Springs Way and Durango Drive. The Planning Department staff recommended approval.
06/04/08	The City Council approved a Request for a Major Modification (MOD-27044) of the Town Center Land Use Plan from UC-TC (Urban Center Mixed Use – Town Center) to GC-TC (General Commercial – Town Center) Special Land Use designation, a Special Use Permit (SUP-27046) for a proposed 5,376 square-foot Liquor Establishment – Tavern, a Special Use Permit (SUP-27047) for a proposed 3,200 square-foot Restaurant with Drive Through, a Special Use Permit (SUP-27049) for a proposed Beer/Wine/Cooler Off-Sale Establishment in Conjunction with a Convenience Store, and a Site Development Plan Review (SDR-27051) for a 41,741 square-foot Retail and Office development with Waivers to allow an eight-foot landscape buffer where a 15-foot buffer is required on Durango Drive, a 15-foot setback where a 20-foot setback is required for a Gas Station, and Town Center landscape finger requirements within the parking area on 5.1 acres at the northwest corner of Durango Drive and Deer Springs Way. The Planning Commission recommended approval of these items, staff recommended denial. Additionally, the City Council accepted a Withdrawal Without Prejudice of a request for a Special Use Permit (SUP-27048) for a proposed 3,275 square-foot Convenience Store with Fuel Pumps t the northwest corner of Durango Drive and Deer Springs Way. The Planning Commission recommended approval of this item, whereas staff recommended denial.
10/24/08	The Planning Department administratively approved a Site Development Plan Review (SDR-30027), for a Major Amendment to Site Development Plan Review (SDR-27051) for a 45,895 square-foot retail and office development where 41,741 square feet was previously approved on 5.1 acres at the northwest corner of Durango Drive and Deer Springs Way.

09/01/10	The City Council approved an Extension of Time (EOT-38453) of a previously approved Special Use Permit (SUP-27047) for a proposed 3,200 square-foot Restaurant with drive through at 6803 North Durango Drive. The Planning Department staff recommended approval.
09/01/10	The City Council approved an Extension of Time (EOT-38454) of a previously approved Special Use Permit (SUP-27046) for a proposed 5,376 square-foot Liquor Establishment (Tavern) at 6803 North Durango Drive. The Planning Department staff recommended approval.

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

Related Building Permits/Business Licenses
No relevant building permit and licensing history.

Pre-Application Meeting	
01/12/11	A pre-application meeting was held with the applicant, where the submittal requirements for a Site Development Review were discussed.

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

Field Check	
03/03/11	A site visit by staff noted a vacant pad within the commercial subdivision for the proposed site for an Auto Repair Garage (Minor).

Details of Application Request	
Site Area	
Net Acres	2.14

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	GC-TC (General Commercial – Town Center)	T-C (Town Center)

North	Condominium	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)
South	Undeveloped	UC-TC (Urban Center Mixed Use – Town Center)	U (Town Center)
East	Hospital	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)
West	Undeveloped	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)

Master Plan Areas	***Yes***	***No***	***Compliance***
Master Plan Area			
Town Center Master Plan	X		Y
Special Purpose and Overlay Districts	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
T-C (Town Center) District	X		Y
Trails		X	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 Town Center Development Standards, the following standards apply:

Standard (GC-TC)	***Required/Allowed***	***Provided***	***Compliance***
Min. Setbacks			
• Front	15 Feet	63 Feet	Y
• Side (North)	10 Feet	78 Feet	Y
• Side (South)	10 Feet	30 Feet	Y
• Rear	20 Feet	24 Feet	Y
Max. Building Height	12 stories*	One story, 27 Feet	Y
Build-to-line Standards	N/A	N/A	N/A
Stepbacks	8 Feet	N/A	N/A
Trash Enclosure	Screened	Screened	Y
Mech. Equipment	Screened	Screened	Y

*The proposal is within the Town Center Urban Core per Building Height, Stepback and Build-to-line Standards, which supersedes Commercial Development Standards – Table 2.

Pursuant to Town Center Development Standards, 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	6 Trees	6 Trees	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Street Width (Feet)***	***Compliance with Street Section***
Durango Drive	Town Center Parkway Arterial	Town Center Development Standards Manual	120	Y
Deer Springs Way	Town Center Arterial/Secondary Collector	Town Center Development Standards Manual	45	N*
Hitt Family Court	Town Center Tertiary	Town Center Development Standards Manual	60	Y

*Per Town Center Development Standards Manual the street width is 80 feet. A portion of the Deer Springs Way right-of-way is not complete.

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	38,590 SF	1:250	155		249		Y
TOTAL SPACES REQUIRED			155		249		Y
Regular and Handicap Spaces Required			149	6	241	8	Y
Loading Spaces			3		3		Y

Standard	*Previously Approved Through SDR-27051*	*Previously Approved Through SDR-30027*	*Proposed Through SDR-41049*	*Deviation*
Building Standards				
Proposed Buildings	5 Buildings	4 Buildings	5 Buildings	0%
• Convenience Store	3,276 SF	Removed	Removed	-100%
• Retail Buildings	24,866 SF	32,295 SF	16,490 SF	-49%
• Office Building	10,400 SF	10,400 SF	10,400 SF	0%
• Restaurant w/ Drive Thru	3,200 SF	3,200 SF	2,925 SF	-9%
• Auto Repair Garage (Minor)	N/A	N/A	8,775 SF	100%
Building Height	32 Feet	40 Feet	28 Feet	-30%
Building Materials	Stucco, Stone Veneer, Wrought Iron	Stucco, Stone Veneer, Wrought Iron	Stucco, Concrete Masonry Unit (CMU), Metal Canopy	N/A
Site Layout				
• Parking Spaces	167	235	241	31%
• Handicap Parking	9	8	8	0%
Landscape	57	63		0%
• Perimeter Trees	41	48	No Change	16%
• Parking Lot Trees			54	

Waivers		
Requirement	***Request***	***Staff Recommendation***
A landscape island is required for every six uncovered parking spaces.	To allow an island at every seven uncovered parking spaces	Approval

ANALYSIS

Projects located within the Town Center area are subject to the Town Center Development Standards Manual, as well as Title 19 where the Town Center Development Standards Manual is silent.

RG

This request is to add a proposed Auto Repair Garage (Minor) within the undeveloped portion of the shopping center. The City Council adopted Ordinance 6116 on November 3, 2010, which amended the Town Center Development Standards Manual to correct the Permitted Use Matrix regarding minor auto repair garages. The subject property is located in the GC-TC (General Commercial – Town Center) special land use area and a Special Use Permit is not required for the proposed use. Although the use is permitted in the GC-TC special land use area, the surrounding area is UC-TC (Urban Center) Land Use Designation of Town Center in which Minor Automotive Repair is not permitted. East of the site is the Montecito Town Center which allows for Automobile Maintenance with an approved Special Use Permit.

This site layout is similar to the previously approved layout. A 10,400 square-foot Office building, a 14,490 square-foot Retail Store and a 2,925 square-foot Restaurant with Drive-Through remains in their previously approved configurations. This request proposes to add the Auto Repair Garage (Minor) on the undeveloped pad of the shopping center, north of the existing retail store (Walgreens).

Access to the site is provided by two 36-foot driveways off Durango Drive, spaced approximately 147 feet apart, and one 36-foot wide driveway on Deer Springs Way and Hitt Family Court.

The overall landscape plan submitted depicts the existing and proposed landscaping of this site. Also submitted was an enlarged landscape plan providing the detail of the proposed landscaping located to the north of the proposed Auto Repair Garage (Minor) as part of the parking lot landscaping, and along the south side of the proposed building. The enlarged landscape plan depicts a parking lot island for every seven parking spaces where one for every six spaces is required. The proposed parking lot island placement is a minimal deviation from the Town Center Development Standards C.2.B. (8a), and staff can support the waiver. Pursuant to the Town Center Development Standards C.2.B. (8e), the planter islands shall include a two inch layer of ground cover and rock mulch, a minimum of five shrubs of five gallon size, and five shrubs or plants of one gallon size minimum per each 24-inch box tree provided. The overall landscape plan indicates the landscape ground cover to be at one inch and the provided shrubs are not in compliance with Town Center Development Standards; therefore, a condition of approval has been added to ensure compliance.

The approved elevations from Site Development Plan Reviews (SDR-27051 and SDR-30027) for the retail store, office and restaurant depict the use of stucco as the primary façade material with manufactured stone veneer and decorative metal screens on the pilasters and concrete tile roofs. The submitted elevation plan for the proposed Auto Repair Garage (Minor) depicts a split face concrete masonry with Brandywine and Antique White colors. The roof material will consist of metal finish with a Sierra Tan color and the proposed metal canopies will match the roof at the north and east elevations. An Exterior Insulation Finish System is provided around the building below the roof line with Row House Tan color. The Town Center Development Standards Manual prohibits mirrored glass, wood and asphalt shingles, corrugated fiberglass, exposed, unfinished tilt-up concrete, plastic laminate, and neon, which the applicant has not proposed. The elevation plan has included a wall sign, which is not part of this request.

The submitted floor plan consists of nine service bays and a service bay for an alignment service. All of these service bays are facing away from the right-of-way and all repair and service work will be performed within an enclosed building. An inventory room is provided within the interior of the building, along with a used or discarded parts room, by meeting the minimum conditional use requirements for the Auto Repair Garage (Minor). The proposed garage is located within a shopping center designed to accommodate a variety of uses, and be conducted in a manner that is compatible with the surrounding uses; therefore, staff recommends approval with conditions.

Comments were received from the Las Vegas Valley Water District (LVVWD), and included the following: "Existing ¾" meter and 1" mater with 8" DCDA. The backflow prevention is incorrect for this use per NAC 445A.67195. Civil Plans will need to be submitted to LVVWD."

FINDINGS (SDR-41049)

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

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

   The proposed development consisting of auto repair garage, office and retail uses will be compatible with the surrounding retail, medical and office uses located in the general area.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

   The proposed development is consistent with the Town Center Development Standards Manual and the previously approved Waivers through Site Development Plan Review (SDR-27051) as conditioned. Staff supports a minimal waiver of parking lot landscaping standards.

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

   The site is access by existing driveways to Deer Springs Way, designated as Town Center Arterial/Secondary Collector, Durango Drive, designated as Town Center Parkway Arterial and Hitt Family Court, designated as Town Center Tertiary. These streets will provide adequate access to the development.

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

The building and landscape materials for the proposed development meet the requirements of the Town Center Development Standards Manual.

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 proposed depict appropriate site and building design and architectural features that are consistent with the Town Center Development Standards Manual.

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

   The project will be subject to permit review and inspections; therefore, appropriate measures will be taken to protect public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 473

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41049** APN: 125-20-216-004 , 125-20-216-004

Name of Property Owner: Ten15 Centennial, LLC

Name of Applicant: Ten15 Centennial, LLC

Name of Representative: B2 Development Services

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: J Dapper

Subscribed and sworn before me

This 21st day of January, 20 11

Virginia G. Shelton

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
VIRGINIA G. SHELTON
Appt. No. 04-92987-1
My Appt. Expires Oct. 31, 2012

Revised 11-14-06

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PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review (Major Amendment)

Project Address (Location) NWC Durango Drive & Deer Springs Way

Project Name The Village at Centennial Hills **Proposed Use** Commercial & Office

Assessor's Parcel #(s) 125-20-216-004, 125-20-216-005 **Ward #** 6

General Plan: existing TC proposed n/a **Zoning:** existing T-C proposed n/a

Commercial Square Footage _____ **Floor Area Ratio** n/a

Gross Acres 2.14 of 4.69 **Lots/Units** 1 **Density** n/a

Additional Information Amendment to SDR-27051 for reconfiguration of certain buildings within commercial subdivision.

PROPERTY OWNER Ten15 Centennial, LLC **Contact** J Dapper

Address 985 White Road **Phone:** (702) 733-3622 **Fax:** (702) 733-8653

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

E-mail Address j@dapper.com

APPLICANT Ten15 Centennial, LLC **Contact** J Dapper

Address 985 White Drive **Phone:** (702) 733-3622 **Fax:** (702) 733-8653

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

E-mail Address j@dapper.com

REPRESENTATIVE B2 Development Services **Contact** Barbara Baird

Address 209 S. Stephanie Street Suite B-128 **Phone:** (702) 451-3510 **Fax:** (702) 451-4988

City Henderson **State** NV **Zip** 89012

E-mail Address barbara@b2ds.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 J Dapper

Subscribed and sworn before me

This 21st day of January, 20 11.

Virginia G. Shelton

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
VIRGINIA G. SHELTON
Appt. No. 04-92987-1
My Appt. Expires Oct. 31, 2012

FOR DEPARTMENT USE ONLY

Case #	SDR-41049
Meeting Date:	4/12/11
Total Fee:	$1030
Date Received:*	2/24/11
Received By:	Romeo

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

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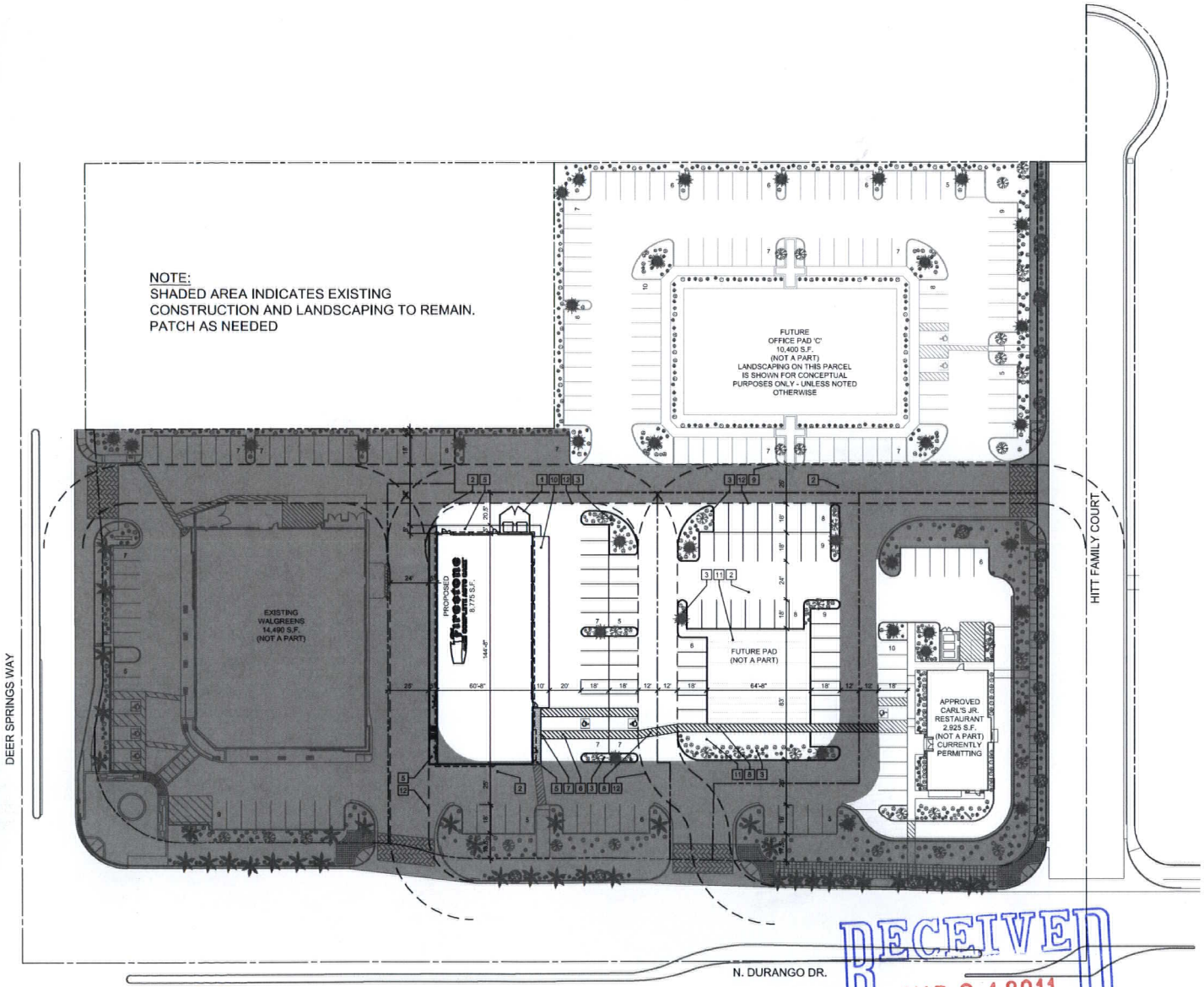
FEB 24 2011

Revised 10/27/08



RECEIVED
MAR 2 4 2011

1 Overall Site Plan
scale: 1" = 30'-0"

keynotes

#	description
1	TRASH ENCLOSURE PER FIRESTONE COMPLETE AUTO CARE STANDARDS
2	2" A.C. PAVING
3	LANDSCAPED AREA
4	CONCRETE SIDEWALK, CURB & GUTTER AS PER CITY OF LAS VEGAS
5	CONCRETE SIDEWALK PER FIRESTONE COMPLETE AUTO CARE STANDARDS
6	HANDICAP ACCESSIBLE AISLE
7	HANDICAP ACCESSIBLE RAMP
8	HANDICAP ACCESSIBLE ROUTE
9	EDGE OF PAVING
10	CONCRETE APRON PER FIRESTONE COMPLETE AUTO CARE STANDARDS
11	HATCHED AREA INDICATES ROUGH GRADED BUILDING PAD
12	FIRE TRUCK TURNING RADII - SEE CIVIL DRAWINGS

project data

REQUIRED ZONING: T-C
EXISTING ZONING: T-C

AREA SUMMARY PARKING (OVERALL SITE)

USE	AREA	FACTOR	PARKING REQUIRED	PARKING PROVIDED
WALGREENS	14,490 S.F.	1/250		
FIRESTONE	8,775 S.F.			
CARL'S JR.	2,925 S.F.			
RETAIL	2,000 S.F.			
OFFICE PAD	10,400 S.F.			
TOTAL:	38,590 S.F.		155 (6 H.C.)	249 (8 H.C.)

SITE ACREAGE: 204,358 S.F. (4.69 AC.)
F.A.R. (FLOOR AREA RATIO): 18.9%
APN#: 125-20-216-003, 004, 005 & 006

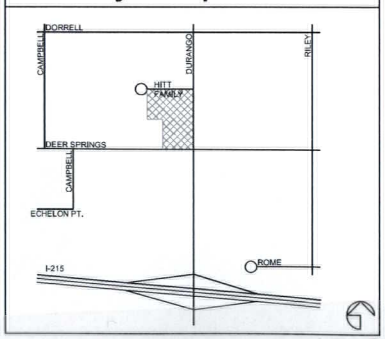
landscape legend

SYMBOL	LARGE TREES	TYPE	SIZE
	MEXICAN PALO VERDE Parkinsonia aculeata	MEDIUM EVERGREEN	24" BOX
	SHOESTRING ACACIA Acacia stenophylla	MEDIUM DECIDUOUS	24" BOX
	PINK DAWN Chitalpa Tashkentensis	MEDIUM DECIDUOUS	24" BOX
	MEXICAN FAN PALM Washingtonia robusta	MEDIUM EVERGREEN	20' high

SYMBOL	SHRUBS and GROUND COVER	SIZE
	COMPACT NANDINA Nandina domestica compacta	3 GAL
	FOUNTAIN GRASS Pennisetum setaceum	5 GAL
	DESERT SPOON Dasylirion wheeleri	5 GAL
	ROSEMARY Rosmarinus officinalis	5 GAL
	TRAILING LANTANA Lantana montevidensis	5 GAL
	YELLOW SAGE Lantana camara	1 GAL

NOTE: ALL INORGANIC LANDSCAPE GROUND COVER TO BE 1"
DESERT GOLD WASHED GRAVEL TO MATCH EXISTING (VERIFY IN FIELD)

vicinity map



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John David Burke, Architect

revisions

#	date	description

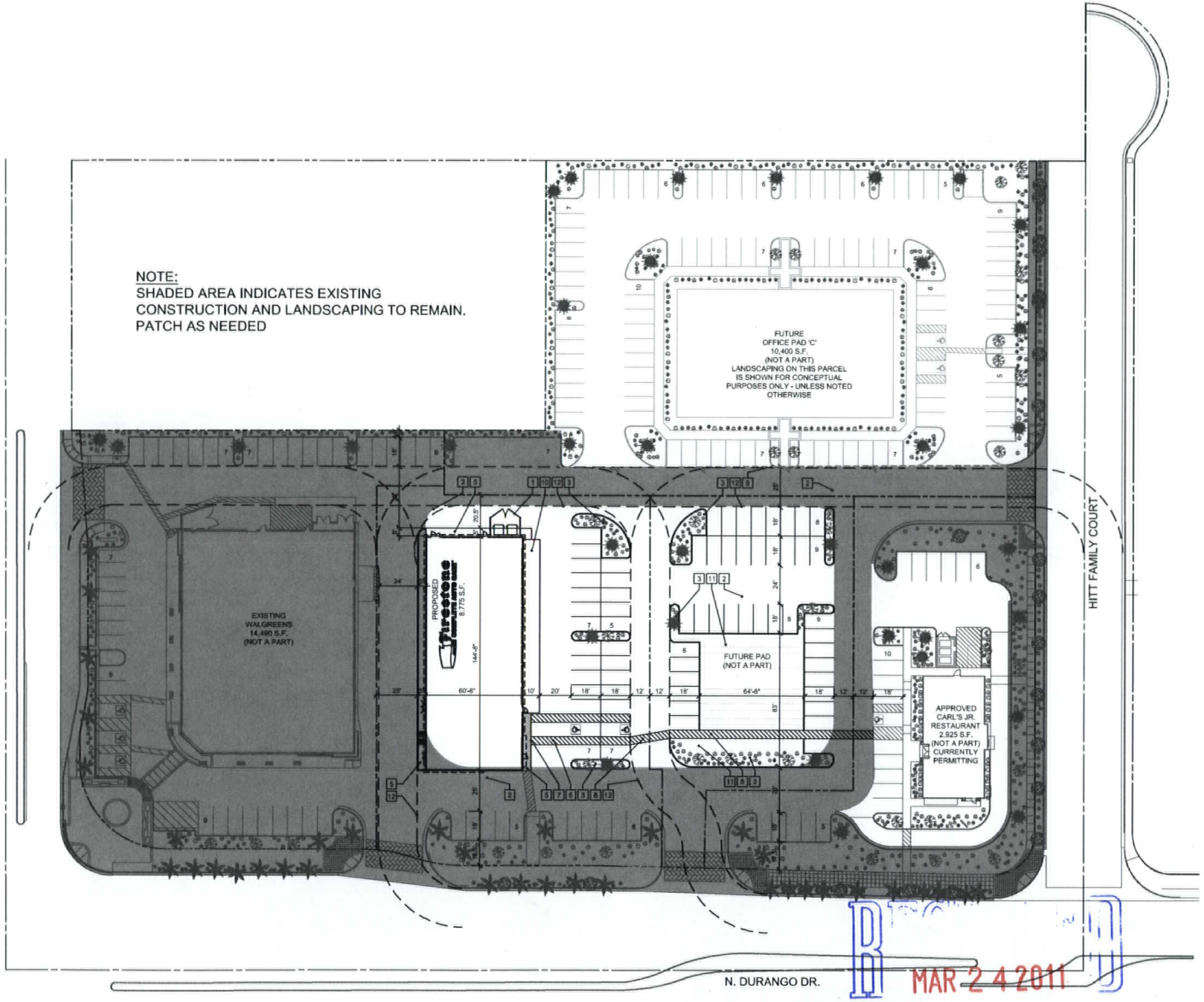
jdB architect
John David Burke, Architect, 3471 West Oquendo Road, #301, Las Vegas, NV 89118 (702)876-4863, jburke@jdbarchitect.com

Firestone
Complete Auto Care
N. Durango Dr. & Hitt Family Ct.
for: Dapper Development
City of Las Vegas Nevada

date	3/15/2011
proj. no.	2011-07
drwn. by	
chkd. by	

sheet no. ST1

SDR-41049
REVISED



1 Landscape Plan
scale: 1" = 30'-0"

MAR 2 4 2011

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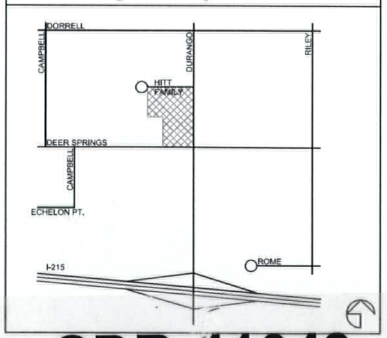

SDR-41049
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John David Burke, Architect

revisions

#	date	description

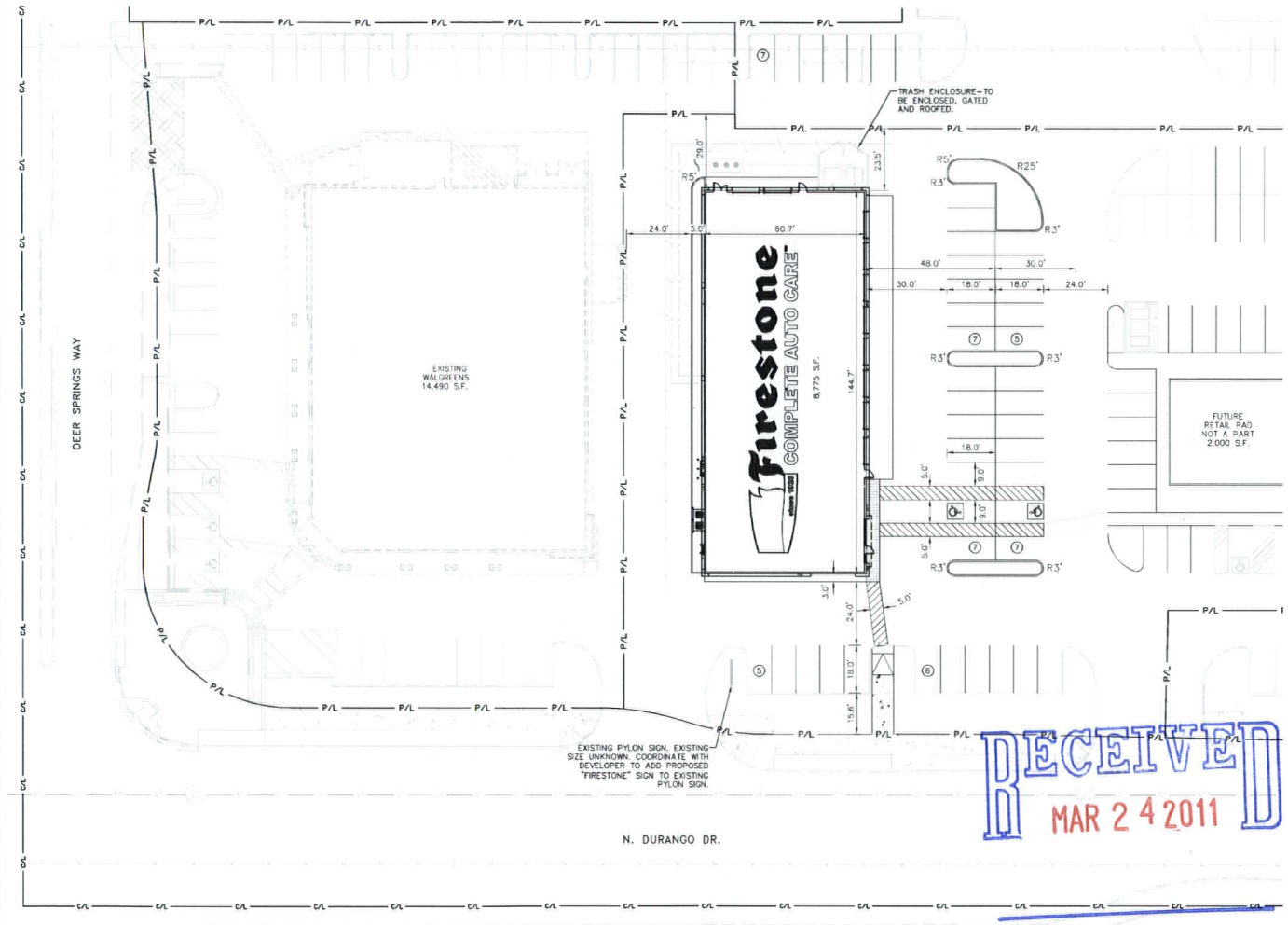
jdB architect

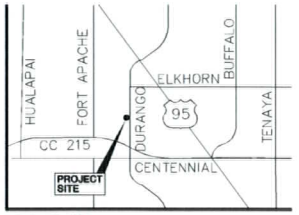
John David Burke, Architect, 3471 West Oquendo Road, #301, Las Vegas, NV 89118 (702)876-4860, jburke@jdbarkearchitect.com

Firestone
Complete Auto Care
N. Durango Dr. & Hitt Family Ct.
for: Dapper Development
City of Las Vegas Nevada

date	3/15/2011
proj. no.	2011-07
drwn. by	
chkd. by	

sheet no. ST1





VICINITY MAP
NTS

BUILDING DATA	
CUSTOMER WAITING	1,215 S.F.
SERVICE AREA	4,489 S.F.
NEW INVENTORY	2,245 S.F.
USED INVENTORY	280 S.F.
ACCESSORY USE AREA	546 S.F.
	TOTAL: 8,775 S.F.
TIRE CAPACITY	1,860 TIRES
PARTS SHELVES	645 L.F.

BUILDING SETBACKS	REQUIRED	PROVIDED
FRONT: DURANGO DR.	20'	63'

PARKING SPACES
SEE PARKING EXHIBIT FOR COMMERCIAL DIVISION. PROJECT SITE MEETS REQUIRED PARKING REQUIREMENT.

LAND USE DATA	PERCENTAGE OF SITE AREA	AREA PROVIDED
BUILDING	22%	0.20 AC.
PAVEMENT/IMPERVIOUS	67%	0.62 AC.
LANDSCAPING	11%	0.10 AC.
TOTAL	100%	0.92 AC.

CURRENT ZONING: TC (TOWN CENTER)



XX S.F. PYLON SIGN
NTS

GRAPHIC SCALE
(IN FEET)
1 inch = 20 ft.

LEGEND

P/L	PROPERTY LINE
C/L	CENTER LINE
⑦	PROPSED PARKING SPACE NUMBER
	EXISTING PYLON SIGN
	PROPOSED PAINTED ADA SYMBOL
	PROPOSED CONCRETE
	PROPOSED FLEX PAVE

Firestone COMPLETE AUTO CARE

Kimley-Horn and Associates, Inc.
2580 East Flamingo Road
Suite 100
Las Vegas, Nevada 89119
Tel. No. (702) 734-5888
Fax No. (702) 304-5848
Engineering, Planning, and Environmental Consultants

CONCEPTUAL SITE PLAN

NEW FCAC STORE
DURANGO DR & DEER SPRINGS WY
MONTECITO, NV
"RC 2010-DEC" R.H.

DRAWN BY: — 3/24/2011
DESIGNED BY: 3/24/2011
CHECKED BY: 3/24/2011
SCALE: 1"=20'
PROJECT NO: 092705001

SEAL

PRELIMINARY
NOT FOR CONSTRUCTION

SHEET
CSP-4
01 OF 01 SHEETS
HTE No.

Date: March 24, 2011 11:56 AM User: WATKINSON, WADE
Path: K:\LAV_CIVIL\092705 BRIDGESTONE\CIVIL\CAD\PRODUCTION-2.DWG
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SDR-41049
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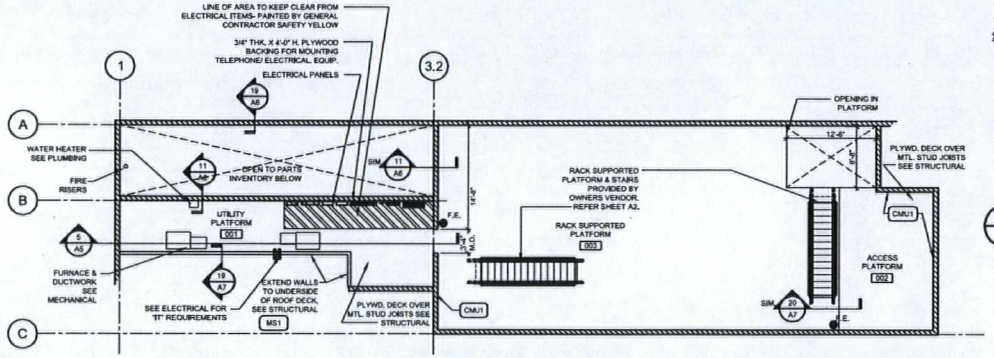
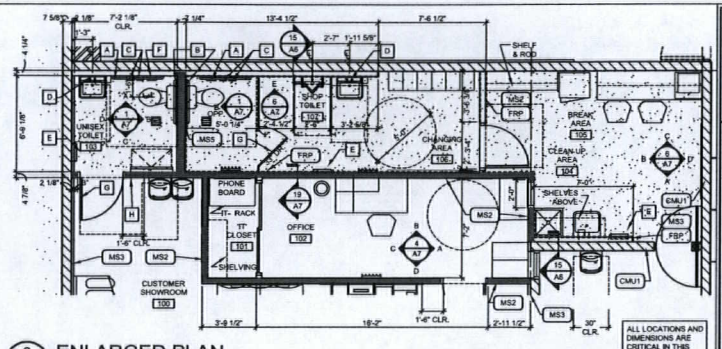
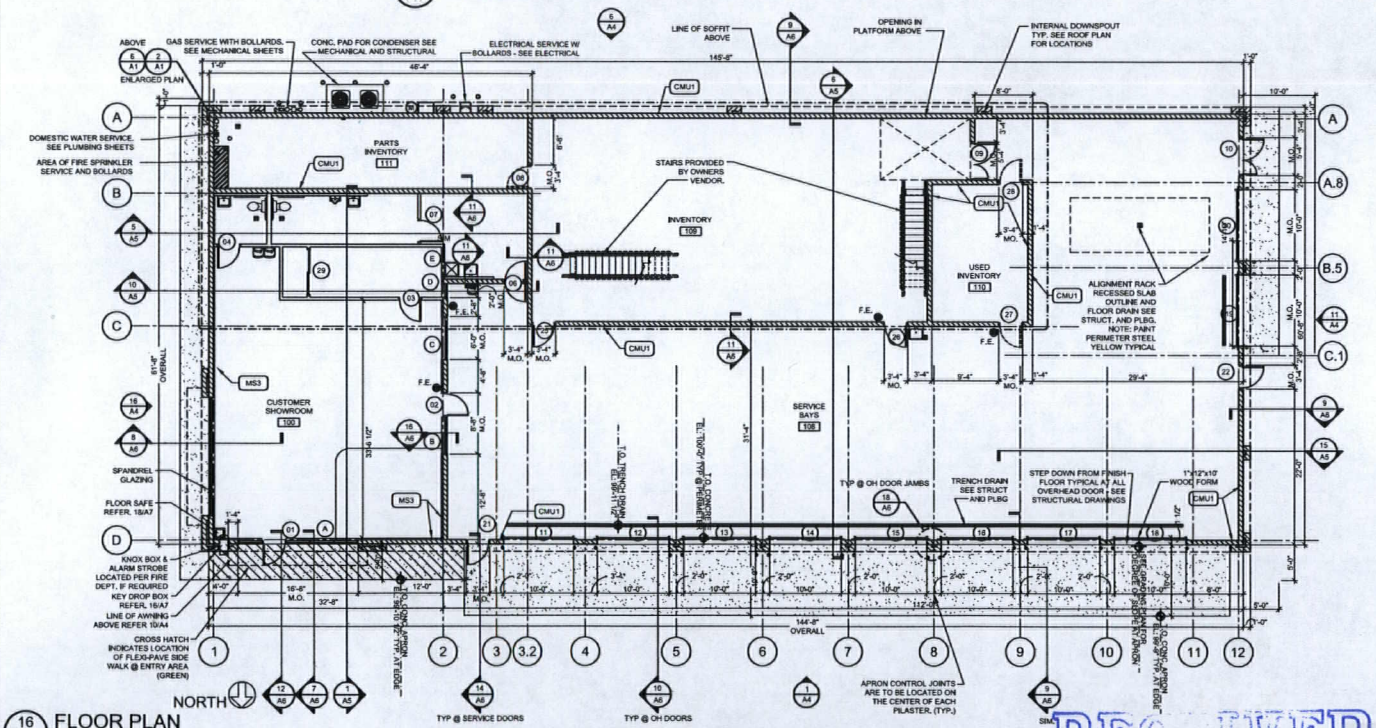


6 A1 PLATFORM LEVEL
SCALE: 1/8" = 1'-0"



2 A1 ENLARGED PLAN
SCALE: 1/4" = 1'-0"



16 A1 FLOOR PLAN
SCALE: 1/8" = 1'-0"

STANDARD WALL TYPES

NOTE:
REFER TO STRUCTURAL DRAWINGS FOR STUD GAUGES AND ADDITIONAL FRAMING INFORMATION.

CMU1	CONCRETE MASONRY UNIT WITH HORIZONTAL REINFORCING AT 16" O.C. VERTICALLY. ALL DECORATIVE SURFACES SHOULD FACE TO EXTERIOR SIDE ONLY. (NO INSULATION IN INTERIOR WALLS)
MS1	3 5/8" METAL STUDS AT 16" O.C. WITH 5/8" GYPSUM BOARD BOTH SIDES. EXTEND PARTITION MIN. 4" ABOVE CEILING (TYPICAL U.N.O.). USE MOISTURE RESISTANT GYPSUM BOARD ON INTERIOR SIDE OF TOILET AND MOP BASIN AREAS.
MS2	3 5/8" METAL STUDS AT 16" O.C. WITH 5/8" GYPSUM BOARD BOTH SIDES WITH SOUND ATTENUATION BLANKETS BETWEEN. EXTEND PARTITION MIN. 4" ABOVE CEILING (TYPICAL U.N.O.) USE MOISTURE RESISTANT GYPSUM BOARD ON INTERIOR SIDE OF TOILET AND MOP BASIN AREAS.
MS3	1 1/2" METAL STUDS AT 16" O.C. (ON MASONRY WALL) WITH 5/8" GYPSUM BOARD. INFILL 1 1/2" RIGID INSULATION AT EXTERIOR WALLS. EXTEND PARTITION MIN. 4" ABOVE CEILING (TYPICAL U.N.O.) USE MOISTURE RESISTANT GYPSUM BOARD IN TOILET AND MOP SINK AREAS AND 3 5/8" METAL STUDS @ PLUMBING WALLS.
MS4	3 5/8" METAL STUDS AT 16" O.C. WITH 1/2" PLYWOOD BOTH SIDES, PAINTED (TYPICAL UNLESS NOTED OTHERWISE).
MS5	6" METAL STUDS AT 16" O.C. WITH 5/8" GYPSUM BOARD BOTH SIDES WITH SOUND ATTENUATION BLANKETS BETWEEN. EXTEND PARTITION MIN. 4" ABOVE CEILING (TYPICAL U.N.O.) USE MOISTURE RESISTANT GYPSUM BOARD ON INTERIOR SIDE OF TOILET AND MOP BASIN AREAS.
FRP	FRP BOARD GLUE EDGE TO EDGE OF SUBSTRATE FLOOR TO CEILING

TOILET ROOM ACCESSORIES

MARK	DESCRIPTION
A	42" GRAB BAR WITH WOOD BACKER, WITH 18" VERTICAL BAR AS REQUIRED.
B	36" GRAB BAR WITH WOOD BACKER
C	TOILET TISSUE DISPENSER
D	MIRROR - SEE ELEVATIONS FOR SIZE
E	PAPER TOWEL DISPENSER & DISPOSAL
F	SANITARY NAPKIN DISPOSAL UNIT
G	COAT HOOK - IVES 582-B
H	HANDICAP SIGN-MOUNT 5'-0" AFF TO CENTER; 8" EDGE TO JAMB EDGE.

NOTES
1. PROVIDE WOOD BLOCKING AS REQUIRED FOR MOUNTING ACCESSORIES

GENERAL NOTES

1. WALL DIMENSIONS ARE TO FINISH CLEAR DIMENSION. ALL MATERIALS MUST BE FIGURED INTO THE LAYOUT OF THE FRAMING.
2. MASONRY OPENING SHALL BE COORDINATED WITH WINDOW OR DOOR MANUFACTURES REQUIREMENTS.
3. PLUMBING ROUGH INS ARE CRITICAL FOR ADA CLEARANCES, VERIFY ALL PLUMBING ROUGH INS PRIOR TO INSTALLING ROOM FINISHES.
4. DIMENSIONS NOTED "MO" (MASONRY OPENING) TO BE INSTALLED WITH ACTUAL FIELD DIMENSIONS OF:
3'-4" MO = 3'-4 1/2"x7'-4 1/4" HIGH
5'-4" MO = 5'-4 1/2"x7'-4 1/4" HIGH
5. PROPOSED FIRE EXTINGUISHERS ARE LOCATED BY THE SYMBOL ● F.E. COORDINATE TYPE, SIZE AND FINAL LOCATIONS WITH LOCAL FIRE OFFICIALS

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MAR 28 2011

SDR-41049
REVISED

GPD GROUP
4400 E. Washington St., Suite 300
Phoenix, Arizona 85034
602-772-7870 Fax 602-772-7873

Firestone COMPLETE AUTO CARE

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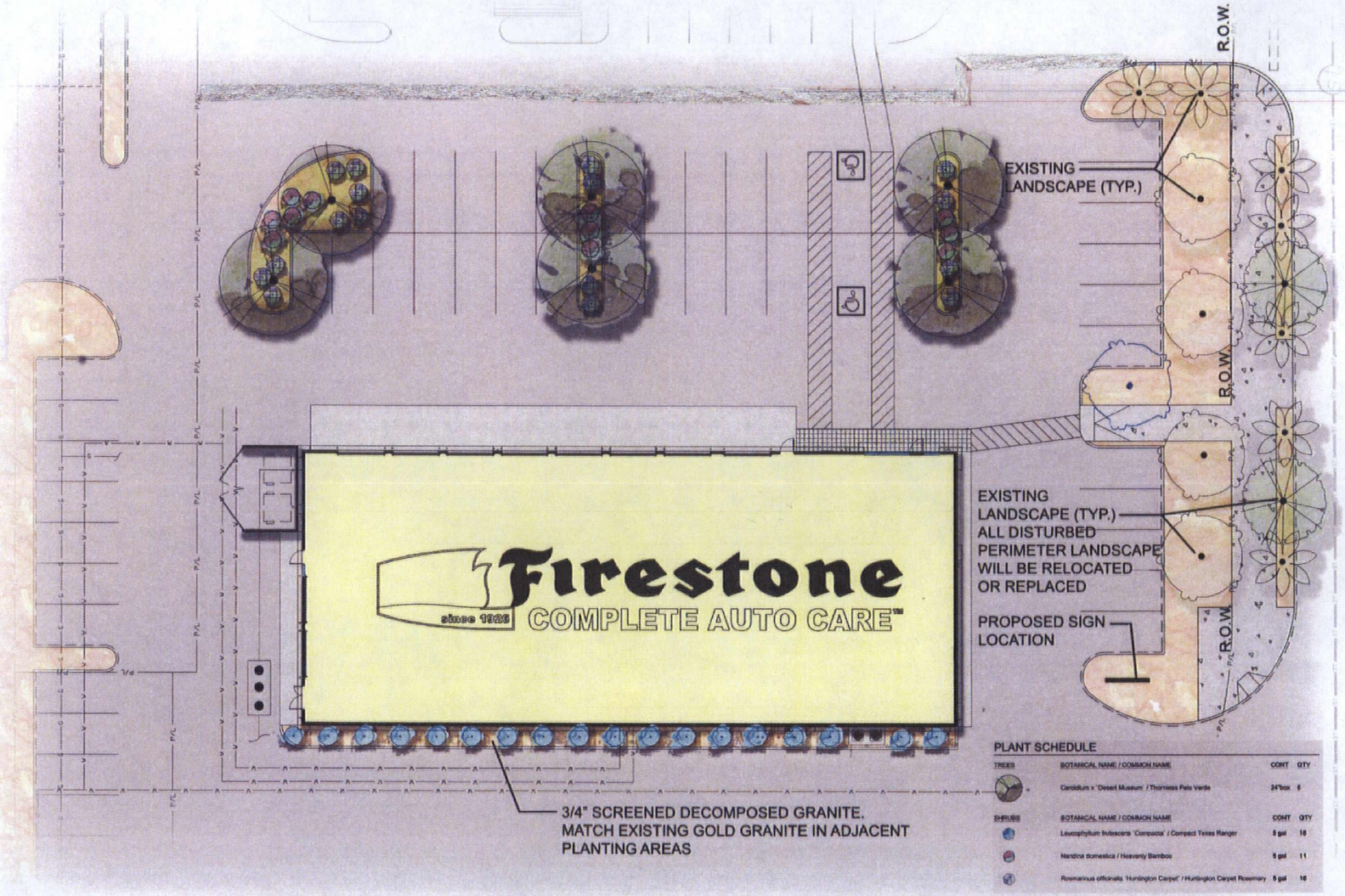
NEW FCAC STORE
"RC 2010 - DEC." R.H.
DURANGO & DEER SPRINGS
LAS VEGAS, NV

ZONE APPROVAL	(BY/DATE)
VP:	
CNTRL	
RM:	
CM:	
PROPERTY NO.:	WZLV08
STORE NO.:	0000
JOB NO.:	00000
FILE NAME:	
PROJECT NUMBER:	2010066.40
PRELIMINARY:	11.24.10
NEW STORE PACKAGE:	12.08.10
NEW STORE PACKAGE:	1.11.11
NEW STORE PACKAGE:	03.10.11
TO PERMIT:	DATE:
TO BID:	DATE:

SHEET TITLE:
FLOOR PLAN AND NOTES

SHEET NUMBER:
A1



Firestone Complete Auto Care
Durango and Deer Springs Road, Las Vegas, Nevada
Conceptual Landscape Plan
March 23, 2011

Scale: 1:10
0' 5' 10' 20'

Kimley-Horn and Associates, Inc.

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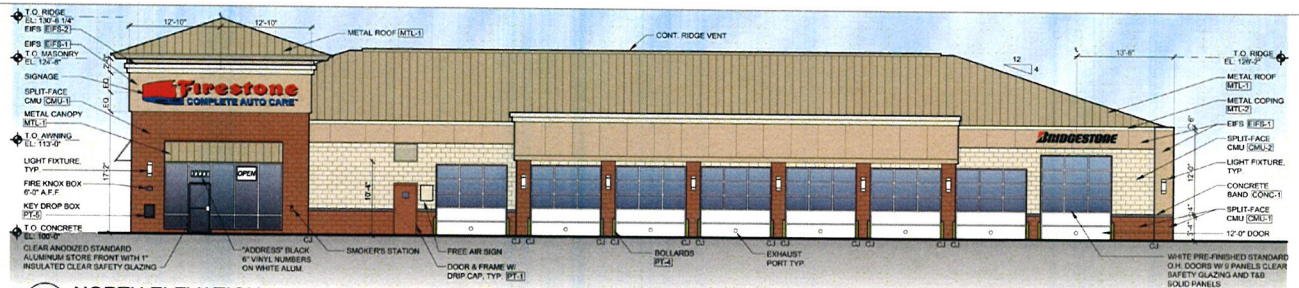
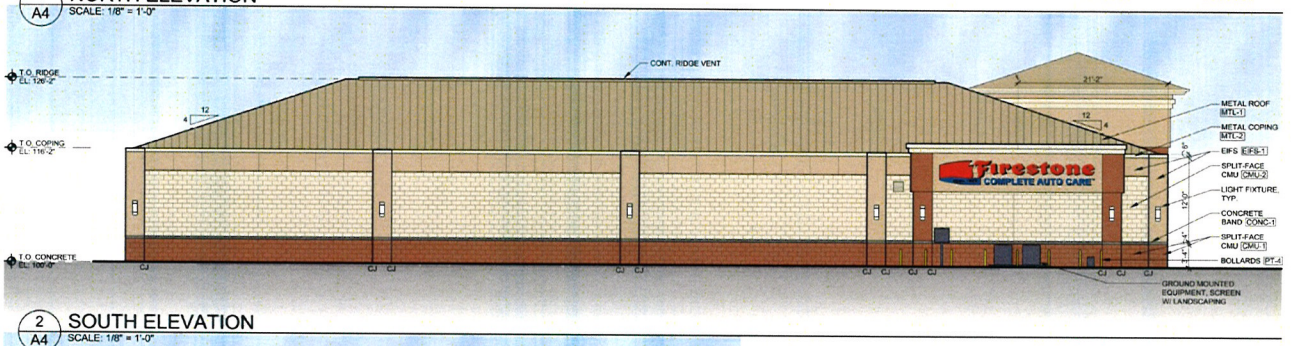
MAR 28 2011

SDR-41049
REVISED



1 A4 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



2 A4 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



3 A4 WEST ELEVATION
SCALE: 1/8" = 1'-0"



4 A4 EAST ELEVATION
SCALE: 1/8" = 1'-0"

MATERIAL / COLOR GUIDELINES

"BRANDYWINE" MATCH SW7710

"ANTIQUE WHITE" MATCH SW6119

"ROW HOUSE TAN" MATCH SW7689

"SIERRA TAN SR"

SUP-41048
SDR-41049

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FEB 24 2011

GPD ASSOCIATES

Firestone COMPLETE AUTO CARE

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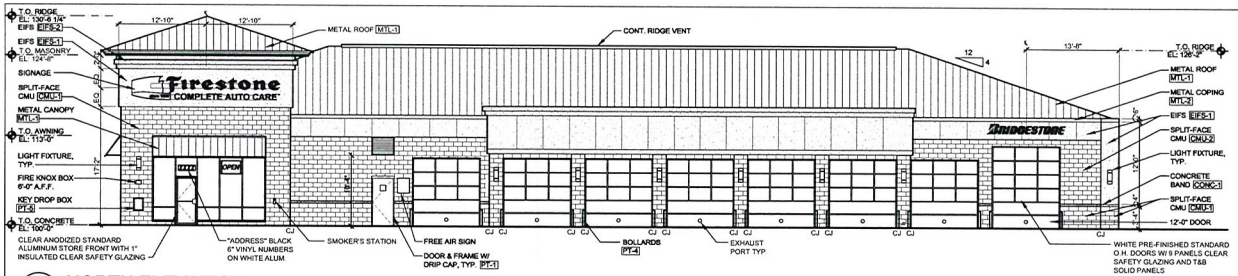
NEW FCAC STORE
"RC 2010 - SEPT" R.H.
DURANGO & DEER SPRINGS
LAS VEGAS, NV

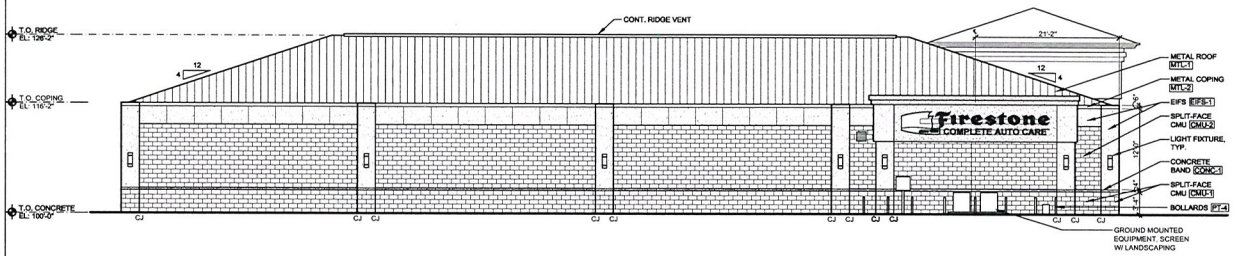
ZONE APPROVAL	(BY/DATE)
VP	
CONTR	
RM	
CM	
PROPERTY NO.	WZLV09
6 DIGIT NO.	0000
4 DIGIT NO.	00000
GPD PROJECT No:	2010066.40
PRELIMINARY:	DATE 11.24.10
NEW STORE PACKAGE:	12.06.10
NEW STORE PACKAGE:	01.11.11
TO PERMIT	DATE
TO BID	DATE

SHEET TITLE
EXTERIOR ELEVATIONS

SHEET NUMBER:
R4



1 A4 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



2 A4 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



3 A4 WEST ELEVATION
SCALE: 1/8" = 1'-0"



4 A4 EAST ELEVATION
SCALE: 1/8" = 1'-0"

SUMMARY OF PROTOTYPE CHANGES:

EXTERIOR WALLS:
ADDED ENTRY ELEMENT TOWER
ADDED EIFS/CMU S BAY ARCADE TO NORTH ELEVATION
ADDED EIFS/CMU PILASTERS W/ DECORATIVE LIGHT FIXTURES TO ALL ELEVATIONS
ADDED EIFS ARCADE W/ GUTTER SYSTEM TO ALL ELEVATIONS
TYPICAL FACADE CHANGED FROM A PAINT BAND AT 10'-0" TO SPLITFACE CMU WAINSCOT W/ CONCRETE BAND AND CMU COLOR CHANGE ABOVE CONCRETE BAND
ADDED GLAZING & AWNING TO EAST FACADE
SCREEN ALL GROUND MOUNTED EQUIPMENT W/ LANDSCAPING
ROOF:
UPGRADED FROM ASPHALT SHINGLES TO STANDING SEAM METAL ROOF

CONSTRUCTION DOCUMENTS WILL BE BASED ON THE LATEST RELEASE OF THE PROTOTYPYICAL DOCUMENTS ON PROJECTMATES AT THE TIME OF CONSTRUCTION DOCUMENT AUTHORIZATION

MATERIAL / COLOR GUIDELINES:

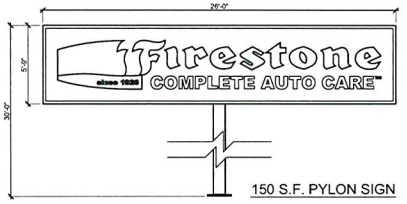
NOTE: ALL COLOR NAMES INDICATED ARE FOR SELECTION PURPOSES ONLY. SEE PAINT SPECS FOR SPECIFIC REQUIREMENTS

KEY	COLOR	MANUF	No.
PT-1	"BRANDYWINE"	SHERWIN WILLIAMS	SW7710
PT-2	"ROW HOUSE TAN"	SHERWIN WILLIAMS	SW7689
PT-3	"ANTIQUE WHITE"	SHERWIN WILLIAMS	SW6119
PT-4	"SAFETY YELLOW"	SHERWIN WILLIAMS	SW4084
PT-5	"SAFETY RED"	SHERWIN WILLIAMS	SW4081
MTL-1	"SIERRA TAN SR"	FIRESTONE	UNA-CLAD
MTL-2	"ANTIQUE WHITE"	FIRESTONE	UNA-CLAD
CMU-1	MATCH S.W. "BRANDYWINE" No. SW7710		
CMU-2	MATCH S.W. "ANTIQUE WHITE" No. SW6119		
EIFS-1	MATCH S.W. "ROW HOUSE TAN" No. SW7689		
EIFS-2	MATCH S.W "ANTIQUE WHITE" No. SW6119		
CONC-1	PRECAST CONCRETE BAND, GREY		





BUILDING SIGNAGE



150 S.F. PYLON SIGN

20 A4 SIGNAGE DETAIL
SCALE: 1/8" = 1'-0"

GPD ASSOCIATES
320 South Main Street, Suite 2031 Akron, Ohio 44311
330-572-2100 , Fax 330-572-2101

Firestone COMPLETE AUTO CARE since 1900

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NEW FCAC STORE
"RC 2010 - SEPT" R.H.
DURANGO & DEER SPRINGS
LAS VEGAS, NV

ZONE APPROVAL	(BY/DATE):
VP.	
CONTR.	
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TO PERMIT: DATE:	
TO BID: DATE:	

SHEET TITLE:
EXTERIOR ELEVATIONS

SHEET NUMBER:
A4

SUP-41048
SDR-41049

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FEB 24 2011



SDR-41049 – APPLICANT/OWNER: TEN 15 CENTENNIAL, LLC
NORTH OF DEER SPRINGS WAY, WEST SIDE OF DURANGO DRIVE

03/03/11

B2
DEVELOPMENT
SERVICES

REVISED March 17, 2011

Mr. Romeo Gumarang
Planning & Development
City of Las Vegas
333 N. Rancho Drive
Las Vegas, NV 89106

RE: Firestone Auto Care Center – Deer Springs & Durango
Justification Letter

Dear Romeo,

On behalf of the applicant and owner, we respectfully review and approval of the attached application for Site Development Plan Review Amendment. The project site is located at the northwest corner of Deer Springs and Durango in Town Center. The subject portion of the site is proposed for development as an auto repair center. The entire commercial subdivision consists of approximately 4.71 acres; is zoned GC-TC and its land use designation is MS-TC. The proposed amendment to the previously approved Site Development Plan Review (SDR-27051) is to reconfigure the middle portion of the site with two buildings, where three were approved. This revised site layout enhances internal access and complements the existing buildings.

We are requesting review and approval of an Auto Repair Garage (Minor) within the GC-TC zoning district, which is a conditional use within this zoning district. The proposed use is compatible with the existing uses in the center and with the surrounding neighborhood in terms of architecture, height, landscaping, intensity and site design. The proposed use will occupy approximately .92 acres of the commercial subdivision.

Firestone Complete Auto Care offers a wide variety of automobile repair and maintenance services that fit within the City's definition of this use. Services offered include, but are not limited to maintenance tune-ups, filter replacement, oil changes, air conditioning repair and maintenance, vehicle inspections, tire repair and replacement services, brake-related services, and the sale and installation of minor parts and accessories. Transmission services are offered, but are limited to the normal maintenance functions related to fluid replacement. Neither installation nor major overhaul of engines and transmissions is proposed, nor is body work. All work is conducted within the confines of the building.

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MAR 21 2011

SDR-41049
REVISED

209 S. Stephanie Street Suite B-128 Henderson, Nevada 89012 T: 702.451.3510 F: 702.451.4988

The proposed use conforms to the standards set forth in the Zoning Code and the Town Center Design Standards. As to the Site Development Plan Review Amendment, no new waivers are being requested but we respectfully request that any previously approved waivers for the center remain in effect.

We look forward to presenting these items to the Planning Commission on April 12, 2011. Please contact our office if you have any questions or comments. Thank you for your kind consideration of this matter.

Very truly yours,

Barbara Baird

Barbara Baird

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MAR 21 2011

SDR-41049
REVISED

209 S. Stephanie Street Suite B-128 Henderson, Nevada 89012 T: 702.451.3510 F: 702.451.4988

City of Las Vegas Agenda Item No.: **37.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting ☐ **Consent** ☒ **Discussion**

SUBJECT:
TXT-41185 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Table 1 of Town Center Development Standards to establish regulations, applicable zoning districts, and requirements for the Auto Sales Showroom use. Staff recommends APPROVAL.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
Proposed Amendments and Staff Report

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-41185	Staff recommends APPROVAL.	

YK

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 16, 2011
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION:

** PROPOSED AMENDMENT(S) **

1. Table 1 of the Town Center Development Standards Manual is hereby amended by adding the use "Auto Sales Showroom" as follows:

Permitted Uses - Table 1

USE	GC	SC	UC	SX	MS	EC	L	ML	MLA	M	PF
Auto Sales Showroom	P	S	S			P					

YK

Staff Report Page One
April 12, 2011 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to amend Table 1 of the Town Center Development Standards to add an Auto Sales Showroom Use. The Auto Sales Showroom Use is proposed to be permitted as of right in the GC (General Commercial) and the EC (Employment Center) Districts and permitted in the SC (Service Commercial) and UC (Urban Center Mixed Use) Districts with approval of a Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions	
11/07/01	The City Council adopts Bill No. 2001-100 that created the Town Center Development Standards Manual.
10/04/06	The City Council adopts Bill No. 2006-53 that revised the Town Center Development Standards Manual to provide for greater consistency with Title 19.
01/19/11	The City Council adopted Ordinance #6128, for a similar use outside of Town Center.

Currently, the Motor Vehicle Sales (New) and Motor Vehicle Sales (Used) uses are permitted in GC (General Commercial) and EC (Employment Center) Districts with conditions only. There is no separate use category in Town Center Development Standards that restricts the sale, display and storage of motor vehicles to indoor locations only.

ANALYSIS

The proposed amendment would create a new use entitled “Auto Sales Showroom” along with requirements of the use. This use would allow for the display, storage and sales of new and used motor vehicles only within completely enclosed buildings, without ancillary facilities for repair and detailing. A similar use was added to the list of permitted uses within the Arts District in the Downtown Centennial Plan in 2007 with approval of a Special Use Permit. An amendment to Title 19 was approved by City Council on January 19, 2011 that permits this use in C-2 (General Commercial), C-M (Commercial/Industrial) and M (Industrial) zones and in C-1 (Limited Commercial) and C-PB (Planned Business Park) zones with a Special Use Permit.

The proposed amendment would permit the Auto Sales Showroom use with approval of a Special Use Permit in the SC (Service Commercial) and UC (Urban Center), which would allow uses to be reviewed on a case-by-case basis. These districts allow most conventional retail uses, but currently do not allow automobile and truck sales. In the GC (General Commercial) and EC (Employment Center) Districts where motor vehicle sales are already allowed, the Auto Sales Showroom use would be a permitted use as long as the requirements are satisfied. The requirements of Auto Sales Showroom are intended to prohibit onsite outdoor display, storage and sales of vehicles, and any onsite vehicle service or maintenance, whether indoor or outdoor. For these activities, a more appropriate motor vehicle sales use shall be used.

The parking requirement for the proposed use is one space per 250 square feet of gross floor area, matching the requirement for the Shopping Center use and many other Title 19 retail uses.

FINDINGS

The proposed text amendment will achieve the following:

- Establish a new use in the Town Center entitled Auto Sales Showroom that will be permitted as of right in the GC (General Commercial) and EC (Employment Center) Districts and a permitted use in the SC (Service Commercial) and UC (Urban Center) Districts with approval of a Special Use Permit.

The following table summarizes proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
Town Center Development Standards Manual Table 1 Permitted Uses	N/A	Create a Use entry for Auto Sales Showroom.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: APRIL 12, 2011

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG, Acting

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