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**
**Glenn E. Trowbridge, Vice-Chair**
**Byron Goynes**
**Richard Truesdell**
**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.

## June 14, 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 MEETING OF MAY 10, 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. EOT-41404 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: WAT LAO

BUDDHAMIXAY - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-33063) FOR A PROPOSED 1,126 SQUARE-FOOT ADDITION TO AN EXISTING 1,475 SQUARE-FOOT MONASTERY WITH WAVIERS TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE NORTH, EAST AND SOUTH PERIMETERS WHERE SIX FEET IS REQUIRED AND TO ALLOW A FIVE-FOOT LANDSCAPE BUFFER ALONG THE WEST PERIMETER WHERE 10 FEET IS REQUIRED on 0.46 acres at 360 and 366 North 14th Street (APNs 139-35-212-130), R-3 (Medium Density Residential) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

7. ZON-41545 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: BONNEVILLE BUNGALOWS, LLC - Request for Rezoning FROM: R-1 (LOW DENSITY RESIDENTIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING) TO: P-O (PROFESSIONAL OFFICE) on 0.85 acres at 511, 515, 521 and 531 South 7th Street (APNs 139-34-710-042, 43, 44 and 139-34-810-018), Ward 3 (Reese). Staff recommends APPROVAL.

8. VAR-41546 - VARIANCE RELATED TO ZON-41545 - PUBLIC HEARING - APPLICANT/OWNER: BONNEVILLE BUNGALOWS, LLC - Request for a Variance TO ALLOW A LOT WIDTH OF 55 FEET WHERE 60 FEET IS THE MINIMUM REQUIRED on 0.17 acres at 511 South 7th Street (APN 139-34-710-042), R-1 (Single Family Residential) Zone [PROPOSED: P-O (Professional Office)], Ward 3 (Reese). Staff recommends APPROVAL.

9. SUP-41563 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DIFARA PIZZA HOLDINGS, INC. - OWNER: HUALAPAI COMMONS - Request for a Special Use Permit FOR A PROPOSED 3,840 SQUARE-FOOT SUPPER CLUB WITH 2,744 SQUARE FEET OF OUTDOOR DINING AREA at 9785 West Charleston Boulevard (APN 163-06-111-008), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

10. SUP-41573 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LV SPA VENTURE VQR, LLC - OWNER: GREAT WASH PARK, LLC - Request for a Special Use Permit TO ADD A PROPOSED 492 SQUARE-FOOT MASSAGE ESTABLISHMENT WITHIN AN EXISTING 3,680 SQUARE-FOOT GENERAL PERSONAL SERVICE (BEAUTY SALON) WITH WAIVERS TO ALLOW A 141-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS REQUIRED AND AN 80-FOOT DISTANCE SEPARATION FROM ANOTHER MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS REQUIRED at 440 South Rampart Boulevard, Suite #150 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

11. SUP-41576 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC - Request for a Special Use Permit FOR A 6,013 SQUARE-FOOT SUPPER CLUB WITHIN A 28.44-ACRE MIXED-USE DEVELOPMENT WITH A WAIVER TO ALLOW A DISTANCE SEPARATION OF 141 FEET FROM A CITY PARK WHERE 400 FEET IS REQUIRED at 450 South Rampart Boulevard, Suite #120 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

12. SUP-41577 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC - Request for a Special Use Permit FOR A PROPOSED RESTAURANT WITH SERVICE BAR WITHIN AN EXISTING 2,146 SQUARE-FOOT RESTAURANT WITH A WAIVER TO ALLOW A 141-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS REQUIRED at 400 South Rampart Boulevard, Suite #165 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

13. SUP-41581 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) USE WITHIN AN EXISTING 28.44-ACRE MIXED-USE DEVELOPMENT WITH WAIVERS TO ALLOW A DISTANCE SEPARATION OF 141 FEET FROM A CITY PARK WHERE 1,500 FEET IS REQUIRED AND NO DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at 410 South Rampart Boulevard, Suite #175 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

14. SUP-41586 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LUTHERAN SOCIAL SERVICES OF NEVADA - OWNER: HARSCH INVESTMENT PROPERTIES - Request for a Special Use Permit FOR A PROPOSED

11,597 SQUARE-FOOT SOCIAL SERVICE PROVIDER at 73 Spectrum Boulevard (APN 139-36-811-008), M (Industrial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

15. SUP-41592 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MARYETTA BREWER - OWNER: CONSTRUCTION GROUP, INC. - Request for a Special Use Permit FOR A PROPOSED 1,275 SQUARE-FOOT SECONDHAND DEALER USE (HOUSEHOLD ITEMS) at 2187 North Decatur Boulevard, Suite #100 (APN 138-24-611-073), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

## PUBLIC HEARING ITEMS

16. ABEYANCE - VAR-41297 - VARIANCE - PUBLIC HEARING - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION - Request for a Variance TO ALLOW A 12-FOOT HIGH CHAIN LINK FENCE WHERE EIGHT FEET IS MAXIMUM HEIGHT PERMITTED on 1.49 acres at 9501 Red Hills Road (APN 163-06-610-002), R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 2 (Wolfson). Staff recommends DENIAL.

17. ABEYANCE - SUP-41296 - SPECIAL USE PERMIT RELATED TO VAR-41297 - PUBLIC HEARING - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION - Request for a Special Use Permit FOR A PROPOSED 85-FOOT HIGH WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPINE) at 9501 Red Hills Road (APN 163-06-610-002), R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 2 (Wolfson). Staff recommends DENIAL.

18. ABEYANCE - VAR-41385 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: UNITED BROTHERS ENTERPRISES, INC. - Request for a Variance TO ALLOW 16 PARKING SPACES WHERE 25 SPACES ARE REQUIRED FOR A PROPOSED 2,600 SQUARE-FOOT COMMERCIAL BUILDING at 2320 Fremont Street (APN 139-35-805-001), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

19. ABEYANCE - VAR-41386 - VARIANCE RELATED TO VAR-41385 - PUBLIC HEARING - APPLICANT/OWNER: UNITED BROTHERS ENTERPRISES, INC. - Request for a Variance TO ALLOW AN EIGHT-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED AND A SEVEN-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED FOR A PROPOSED 2,600 SQUARE-FOOT COMMERCIAL DEVELOPMENT at 2320 Fremont Street (APN 139-35-805-001), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

20. ABEYANCE - SUP-41384 - SPECIAL USE PERMIT RELATED TO VAR-41385 AND VAR-41386 - PUBLIC HEARING - APPLICANT/OWNER: UNITED BROTHERS ENTERPRISES, INC. - Request for a Special Use Permit FOR A PROPOSED AUTO SMOG CHECK USE at 2320 Fremont Street (APN 139-35-805-001), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

21. ABEYANCE - SDR-41235 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-41385,VAR-41386 AND SUP-41384 - PUBLIC HEARING - APPLICANT/OWNER: UNITED BROTHERS ENTERPRISES, INC. - Request for a Major Amendment of a previously approved Site Development Plan Review (SD-0039-02) FOR A PROPOSED 2,600 SQUARE-FOOT COMMERCIAL DEVELOPMENT AND A 2,324 SQUARE-FOOT FUEL CANOPY WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG PORTIONS OF THE NORTH AND SOUTH PERIMETERS AND A TWO-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE EAST PERIMETER WHERE 15 FEET IS REQUIRED on 0.92 acres at 2320 Fremont Street (APN 139-35-805-001), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

22. ABEYANCE - RQR-41171 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC - Required Review of a previously approved Special Use Permit (U-0168-92) WHICH ALLOWED A 40-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 2900 Sirius Avenue (APN 162-08-702-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

23. ABEYANCE - SUP-41278 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: BRIAN ALBISER - Request for a Special Use Permit FOR A BAILBOND SERVICE USE at 1201 Stewart Avenue, Suite #2 (APNs 139-35-211-073 and 074), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

24. ABEYANCE - SUP-41289 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC. - Request for a Major Amendment to a previously approved Special Use Permit (SUP-

19645) TO ALLOW 24-HOUR OPERATIONS FOR AN EXISTING AUTO TITLE LOAN ESTABLISHMENT AND FINANCIAL INSTITUTION, SPECIFIED WHERE HOURS OF OPERATION FROM 8:00 A.M.TO 11:00 P.M. ARE PERMITTED at 631 North Nellis Boulevard (APN 140-29-802-009), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

25. ABEYANCE - SUP-41299 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: T-MOBILE - OWNER: AD AMERICA, INC. - Request for a Special Use Permit FOR A PROPOSED 80-FOOT HIGH WIRELESS COMMUNICATION FACILITY, NON-STEALTH DESIGN (MONOPOLE) at 2400 Highland Drive (APN 162-04-402-004), M (Industrial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

26. ABEYANCE - SDR-41033 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: SYMPHONY PARK MASTER ASSOCIATION, INC., ET AL - Request for a Site Development Plan Review FOR A PRIVATE PARK on 2.16 acres at the intersection of Symphony Park Avenue and Grand Central Parkway (APNs 139-33-511-009, 010, and 139-34-211-001), PD (Planned Development) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

27. ABEYANCE - SDR-41037 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: GARETH SPICER - Request for a Major Amendment to an approved Site Development Plan Review (SDR-35518) FOR AN OFFICE, OTHER THAN LISTED, TO ELIMINATE LANDSCAPING IN THE RIGHT-OF-WAY ALONG THE WEST PERIMETER on 0.15 acre at 708 South Jones Boulevard (APN 138-36-316-007), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

28. ABEYANCE - SDR-41271 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: NEVADA STATE BANK - Request for a Site Development Plan Review FOR A PROPOSED PARKING LOT WITH WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE AND PARKING LOT LANDSCAPE REQUIREMENTS on 0.85 acres at 201 South 4th Street and 200 Las Vegas Boulevard South (APNs 139-34-610-023 and 139-34-610-031), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

29. ZON-41044 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: DANIEL ROSS - Request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: P-O (PROFESSIONAL OFFICE) on 0.26 acres at 424 South 7th Street (APN 139-34-710-029), Ward 3 (Reese). Staff recommends APPROVAL.

30. SDR-41045 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-41044 - PUBLIC HEARING - APPLICANT/OWNER: DANIEL ROSS - Request for a Site Development Plan Review FOR A COVERED PARKING LOT WITH WAIVERS TO ALLOW AN 11-FOOT WIDE LANDSCAPE BUFFER ALONG THE EAST PERIMETER WHERE 15 FEET IS REQUIRED , A FIVE-FOOT WIDE LANDSCAPE BUFFER ALONG THE WEST PERIMETER WHERE EIGHT FEET IS REQUIRED, AND A THREE-FOOT WIDE LANDSCAPE BUFFER ALONG A PORTION OF THE NORTH PERIMETER WHERE FIVE FEET IS REQUIRED on 0.26 acres at 424 South 7th Street (APN 139-34-710-029), R-3 (Medium Density Residential) Zone [PROPOSED: P-O (Professional Office)], Ward 3 (Reese). Staff recommends APPROVAL.

31. VAR-41054 - PUBLIC HEARING - APPLICANT/OWNER: EVAPS, LLC, ET AL - Request for a Variance TO ALLOW 160 PARKING SPACES WHERE 184 SPACES ARE REQUIRED on 0.65 acres at 400 South 7th Street (APN 139-34-701-009), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

32. SDR-41047 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-41054 - PUBLIC HEARING - APPLICANT/OWNER: EVAPS, LLC - Request for a Major Amendment to a previously approved Site Development Plan Review (SDR-39121) TO ELIMINATE ONE LEVEL OF REQUIRED PARKING CONSISTING OF 24 SPACES FROM AN UNDERGROUND GARAGE on 0.65 acres at 400 South 7th Street (APN 139-34-701-009), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

33. ZON-41606 - REZONING - PUBLIC HEARING - APPLICANT: SDA INC. - OWNER: CITY OF LAS VEGAS - Request for Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.47 acres at the southwest corner of Clark Avenue and Sixth Street (APNs 139-34-710-001, 139-34-310-063, and 076), Ward 3 (Reese). Staff recommends APPROVAL.

34. VAC-41661 - VACATION RELATED TO ZON-41601 - PUBLIC HEARING - APPLICANT: SDA, INC. - OWNER: CITY OF LAS VEGAS - Petition to Vacate a portion of a public right-of-way of an alley from Clark Avenue south for 150 feet, Ward 3 (Reese). Staff recommends APPROVAL.

35. SDR-41601 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-41606 AND VAC-41661 - PUBLIC HEARING - APPLICANT: SDA INC. - OWNER: CITY OF LAS VEGAS - Request for Site Development Plan Review FOR A PROPOSED 62,000 SQUARE-FOOT OFFICE BUILDING AND A FIVE STORY PARKING GARAGE WITH WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN TO ALLOW NO FACADE ALIGNMENT ON THE GROUND FLOOR WHERE SEVENTY PERCENT IS REQUIRED, TO ALLOW NO GROUND FLOOR RETAIL FOR THE PARKING GARAGE AND TO ALLOW THE MAIN ENTRY OF THE BUILDING TO NOT BE ARTICULATED IN THE DESIGN WHERE REQUIRED on 0.92 acres at the southeast corner of Las Vegas Boulevard and Clark Avenue (APNs 139-34-710-001, 139-34-310-061, 062, 63 and 076), Ward 3 (Reese). Staff recommends APPROVAL.

36. VAR-41401 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: FATALEVICH FAMILY TRUST - Request for a Variance TO ALLOW A TWO-FOOT DISTANCE SEPARATION BETWEEN A PROPOSED 1,167 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) AND THE MAIN DWELLING WHERE SIX FEET IS REQUIRED on 0.46 acres at 1900 Plantea Court (APN 163-04-718-005), R-E (Residence Estates) Zone, Ward 2 (Wolfson). Staff recommends DENIAL.

37. VAR-41486 - VARIANCE - PUBLIC HEARING - APPLICANT: ERIC FLO - OWNER: MARTHA G. KENT LIVING TRUST - Request for a Variance TO CONVERT AN EXISTING SHIPPING CONTAINER INTO AN EXISTING ACCESSORY STRUCTURE (CLASS II) THAT IS NOT AESTHETICALLY COMPATIBLE WITH THE PRINCIPAL DWELLING UNIT, TO ALLOW AN 11-INCH SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED, AND TO ALLOW A SECOND ACCESSORY STRUCTURE (CLASS II) TO HAVE A SEPARATION DISTANCE OF ONE FOOT FROM THE PRINCIPAL DWELLING UNIT WHERE SIX FEET IS REQUIRED on 0.16 acres at 4208 Carnation Lane (APN 138-02-410-024), R-MH (Mobile/Manufactured Home) Zone, Ward 6 (Ross). Staff recommends DENIAL.

38. VAR-41558 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: HCP CC SNF, LLC - Request for a Variance TO ALLOW A SETBACK OF 30 FEET WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM SETBACK OF 66 FEET on 3.99 acres at 3450 North Buffalo Drive (APN 138-10-301-018), R-3 (Medium Density Residential) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

39. SUP-41559 - SPECIAL USE PERMIT RELATED TO VAR-41558 - PUBLIC HEARING - APPLICANT/OWNER: HCP CC SNF, LLC - Request for a Special Use Permit FOR THE EXPANSION OF AN EXISTING CONVALESCENT CARE CENTER at 3450 North Buffalo Drive (APN 138-10-301-018), R-3 (Medium Density Residential) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

40. SDR-41557 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-41558 AND SUP-41559 - PUBLIC HEARING - APPLICANT/OWNER: HCP CC SNF, LLC - Request for a Site Development Plan Review FOR A PROPOSED 17,466 SQUARE- FOOT, 36-BED EXPANSION OF AN EXISTING CONVALESENT CARE CENTER WITH A WAIVER OF THE PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW AN EIGHT-FOOT WIDE BUFFER WHERE 15 FEET IS REQUIRED ALONG THE NORTH PERIMETER AND A 7.5-FOOT WIDE BUFFER WHERE 15 FEET IS REQUIRED ALONG THE EAST PERIMETER on 3.99 acres at 3450 North Buffalo Drive (APN 138-10-301-018), R-3 (Medium Density Residential) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

41. VAR-41565 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: GINIE W. HARRIS - Request for a Variance TO ALLOW AN EXISTING 528 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) TO HAVE A TWO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED on 0.25 acres at 3324 Hastings Avenue (APN 139-32-401-007), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

42. SUP-41564 - SPECIAL USE PERMIT RELATED TO VAR-41565 - PUBLIC HEARING - APPLICANT/OWNER: GINIE W. HARRIS - Request for a Special Use Permit FOR AN EXISTING 528 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) at 3324 Hastings Avenue (APN 139-32-401-007), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

43. VAR-41579 - VARIANCE - PUBLIC HEARING - APPLICANT: JONES LANG LASALLE - OWNER: THE TASS C. HARDIN & LOIS I. HARDIN REVOCABLE FAMILY TRUST - Request for a Variance TO ALLOW 30 PARKING SPACES WHERE 48 ARE REQUIRED on 1.18 acres at the southwest corner of Red Coach Avenue and Rancho Drive (APN 138-02-202-015), C-2 (General Commercial) Zone, Ward 6 (Ross). Staff recommends DENIAL.

44. SDR-41578 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-41579 - PUBLIC HEARING - APPLICANT: JONES LANG LASALLE - OWNER: THE TASS C. HARDIN & LOIS I. HARDIN REVOCABLE FAMILY TRUST - Request for a Site Development Plan Review FOR AN 8,500 SQUARE-FOOT AUTO REPAIR GARAGE, MINOR on 1.18 acres at the southwest corner of Red Coach Avenue and Rancho Drive (APN 138-02-202-

015), C-2 (General Commercial) Zone, Ward 6 (Ross). Staff recommends DENIAL.

45. VAR-41580 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ROGELIO MACHUCA - Request for a Variance TO ALLOW NO ADDITIONAL PARKING SPACES WHERE THREE ADDITIONAL SPACES ARE REQUIRED FOR A PROPOSED 2,175 SQUARE-FOOT OFFICE, MEDICAL on 0.11 acres at 1501 South Eastern Avenue (APN 162-01-210-040), P-R (Professional Office and Parking) Zone, Ward 3 (Reese). Staff recommends DENIAL.

46. VAR-41585 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BEAZER HOMES HOLDING CORPORATION - Request for a Variance TO ALLOW A SEVEN-FOOT REAR YARD SETBACK FOR A PATIO/BALCONY WHERE 10 FEET IS THE MINIMUM REQUIRED on 0.37 acres at 7624, 7628, 7632, 7768 and 7772 Houston Peak Street (APNs 126-13-212-006, 007, 008, 181, and 182), PD (Planned Development) Zone, Ward 6 (Ross). Staff recommends DENIAL.

47. SUP-41542 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PEARL OF THE ORIENT MASSAGE - OWNER: SUNSHINE ONE, LLC - Request for a Special Use Permit FOR A 1,020 SQUARE-FOOT MASSAGE ESTABLISHMENT WITH WAIVERS TO ALLOW NO DISTANCE SEPARATION FROM ANOTHER MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS REQUIRED, A 20-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 400 FEET IS REQUIRED AND 24-HOUR OPERATION WHERE HOURS OF OPERATION FROM 8:00 A.M. TO 9:00 P.M. ARE ALLOWED at 3909 West Sahara Avenue, Suite #6 (APN 162-07-512-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

48. SUP-41569 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT:HAIM GABAY - OWNER: HS FAMILY LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE WITHIN AN EXISTING 5,166 SQUARE-FOOT RETAIL ESTABLISHMENT at 316 Fremont Street (APN 139-34-510-025), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

49. SUP-41570 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HAIM GABAY - OWNER: L'CHAIM FREMONT ASSOCIATES, INC. - Request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE WITHIN AN EXISTING 8,152 SQUARE-FOOT RETAIL ESTABLISHMENT at 300 Fremont Street (APN 139-34-510-023), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

50. SUP-41583 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: COMMUNITY COUNSELING CENTER - OWNER: 714 EAST SAHARA AVENUE, LLC - Request for a Special Use Permit FOR A PROPOSED 17,088 SQUARE-FOOT FACILITY TO PROVIDE TESTING, TREATMENT OR COUNSELING FOR DRUG OR ALCOHOL ABUSE at 714 East Sahara Avenue (APN 162-03-801-056), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

51. SUP-41584 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: COMMUNITY COUNSELING CENTER - OWNER: 714 EAST SAHARA AVENUE, LLC - Request for a Special Use Permit FOR A PROPOSED 17,088 SQUARE-FOOT SOCIAL SERVICE PROVIDER at 714 East Sahara Avenue (APN 162-03-801-056), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

52. SUP-41587 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LIGHTSQUARED, INC. - OWNER: BAR ACQUISITIONS, LLC - Request for a Special Use Permit FOR A CO-LOCATION ON AN EXISTING WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPINE) at 3811 West Charleston Boulevard (APN 162-06-501-002) C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

53. SDR-41591 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT - Request for a Site Development Plan Review TO INSTALL TWO, 93-FOOT TALL SOLAR POWER GENERATION FACILITIES on 20.69 acres at 7210 Shaumber Road (APN 126-13-401-014), PD (Planned Development) Zone [PF (Public Facilities) Cliff's Edge Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

## DIRECTOR'S BUSINESS:

54. TXT-41610 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to update the Downtown Centennial Plan to revise the language regarding the outdoor dining and entertainment standards. Staff recommends APPROVAL..

## CITIZENS PARTICIPATION:

55. CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE PLANNING COMMISSION. NO SUBJECT MAY BE ACTED UPON BY THE PLANNING COMMISSION UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

City of Las Vegas Agenda Item No.: **1.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 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: JUNE 14, 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 JUNE 14, 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 JUNE 14, 2011

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

**SUBJECT:**
APPROVAL OF THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF MAY 10, 2011

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 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: JUNE 14, 2011

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

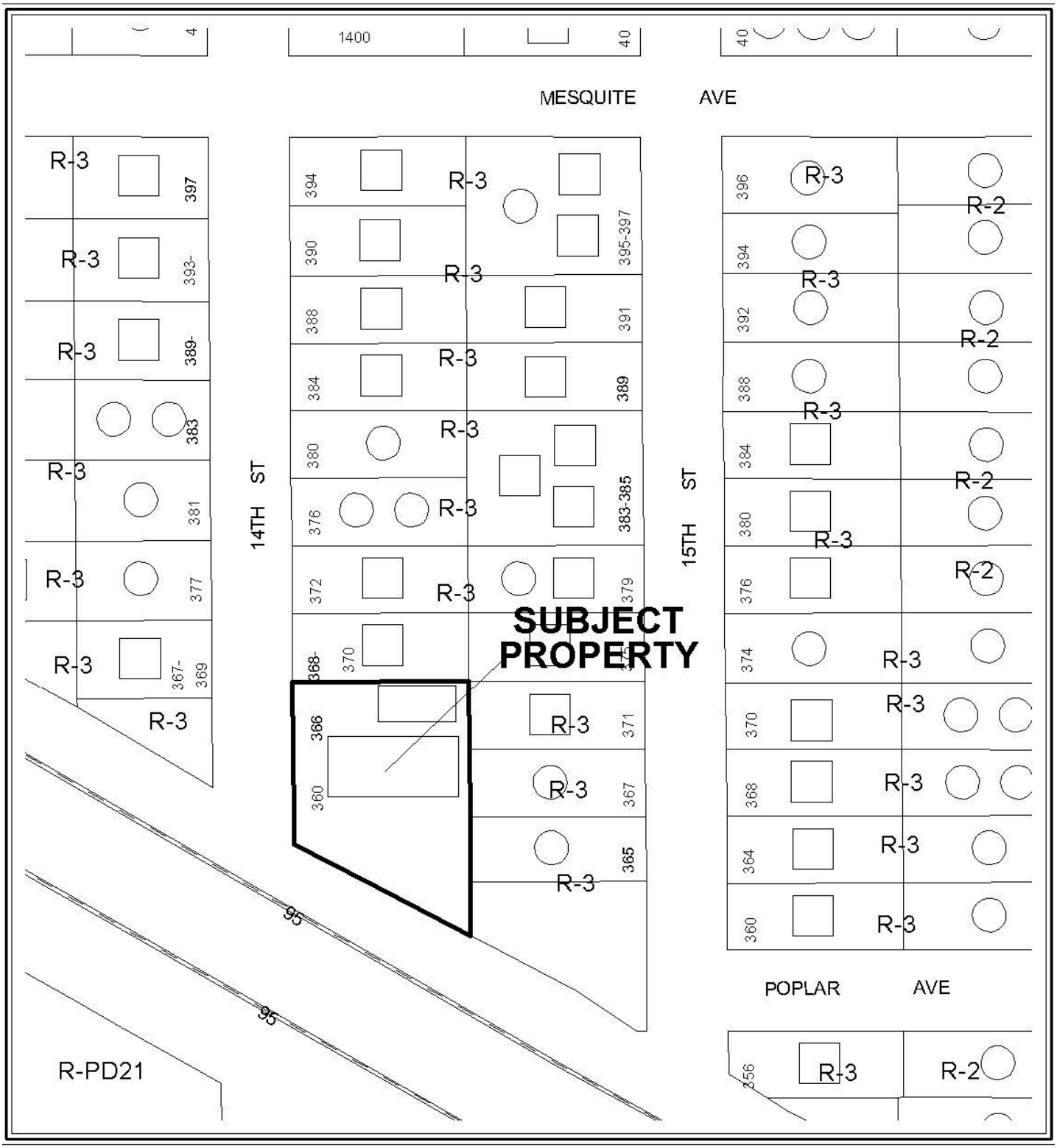
**SUBJECT:**
EOT-41404 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: WAT LAO BUDDHAMIXAY - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-33063) FOR A PROPOSED 1,126 SQUARE-FOOT ADDITION TO AN EXISTING 1,475 SQUARE-FOOT MONASTERY WITH WAVIERS TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE NORTH, EAST AND SOUTH PERIMETERS WHERE SIX FEET IS REQUIRED AND TO ALLOW A FIVE-FOOT LANDSCAPE BUFFER ALONG THE WEST PERIMETER WHERE 10 FEET IS REQUIRED on 0.46 acres at 360 and 366 North 14th Street (APNs 139-35-212-130), R-3 (Medium Density Residential) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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** |

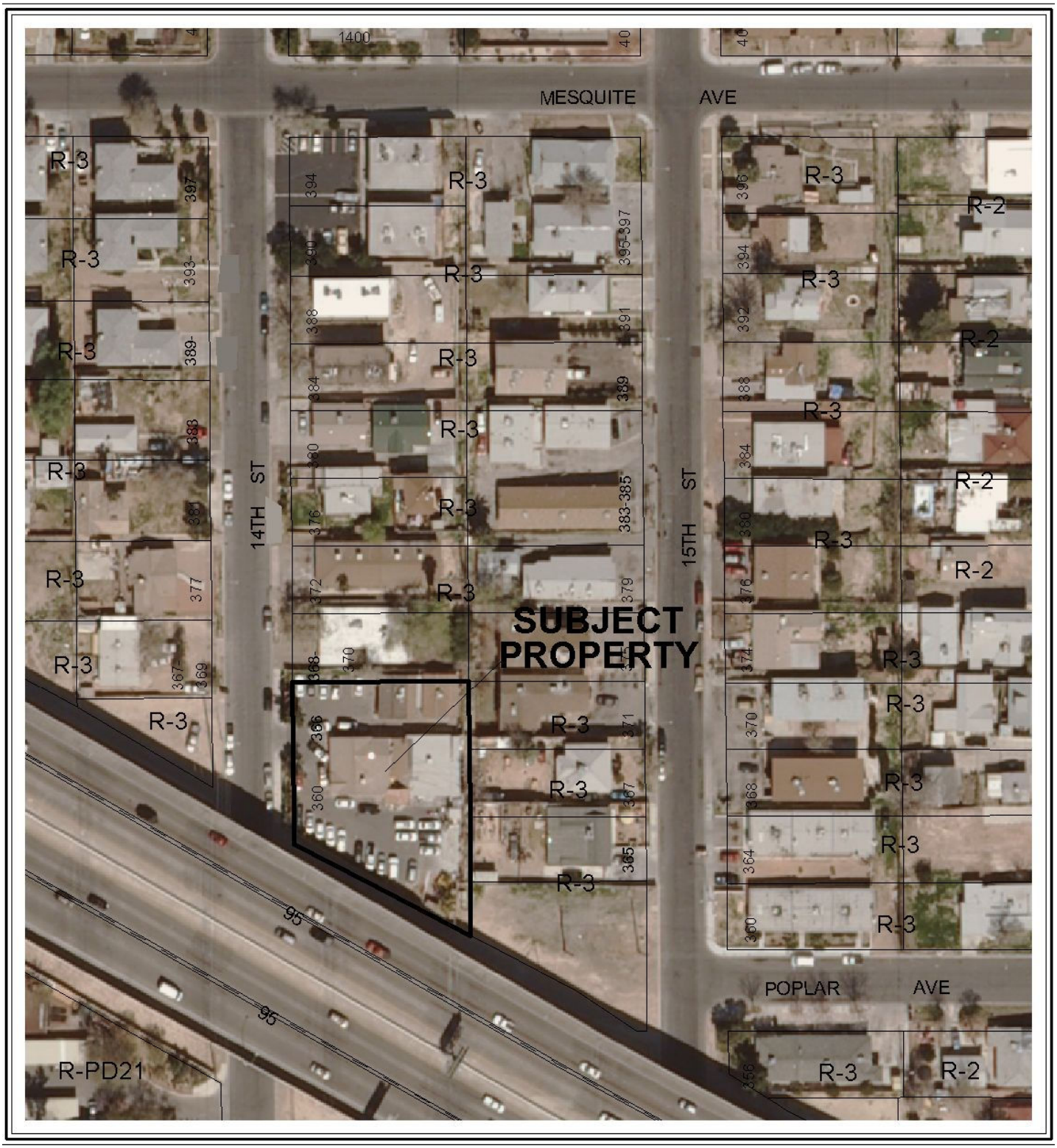
**RECOMMENDATION:**
Staff recommends APPROVAL, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Planning Commission Approval Letter for SDR-33063
6. Justification Letter




**CASE: EOT-41404**

ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)




0 70 140 210 Feet

**CASE: EOT-41404**

ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: WAT LAO BUDDHAMIXAY**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **EOT-41404** | Staff recommends APPROVAL, subject to conditions: | N/A |

## ** CONDITIONS **

# EOT-41404 CONDITIONS

***Planning***

1. This Site Development Plan Review (SDR-33063) shall expire on 04/09/13 unless another extension of time is approved by the Planning Commission.

2. Conformance to the conditions of approval of the Site Development Plan Review (SDR-33063) and all other site related actions as required by the Department of Planning and Department of Public Works.

JG

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is request for an Extension of Time of a previously approved Site Development Plan Review (SDR-33063) for a proposed 1,126 square-foot addition to an existing Monastery with Waivers to allow no landscape buffer along the north, east and south perimeters where six feet is required and to allow a five-foot landscape buffer along the west perimeter where 10 feet is required on property located at 360 and 366 North 14th Street. The applicant is requesting an extension of time to address design and plan check comments, so that building permits can be issued. The Department of Planning staff recommends approval with conditions.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 04/25/95 | The Board of Zoning Adjustment approved a request for a Variance (V-0032-95) to allow a religious facility to be five feet from the rear property line where 20 feet is required, to allow 16 parking spaces where 33 parking spaces are required, and to allow the parking spaces to 8.5 feet in width where nine feet is the minimum width required and a Special Use Permit (U-0022-95) for a religious facility at 360 North 14th Street. |
| 08/27/96 | The Board of Zoning Adjustment approved a request for a Variance (V-0088-96) to allow 16 parking spaces where 36 parking spaces are required for a proposed addition to a religious facility at 360 North 14th Street. |
| 05/03/01 | The Department of Planning and Development administratively approved a request for a Site Development Plan Review (SD-0019-01) for a 1,520 square foot addition to an existing religious facility at 360 N.14th Street. The entitlement was not exercised and expired on 05/03/03. |
| 11/14/03 | The Department of Planning and Development administratively approved a request for a Site Development Plan Review (SDR-3102) for a patio cover at 360 North 14th Street. The entitlement was not exercised and expired on 11/14/05. |
| 04/09/09 | The Planning Commission approved a request for a Site Development Plan Review (SDR-33063) for a proposed 1,126 square-foot addition to an existing Monastery with Waivers to allow no landscape buffer along the north, east and south perimeters where six feet is required and to allow a five-foot landscape buffer along the west perimeter where 10 feet is required on property located at 360 and 366 North 14th Street. The Department of Planning staff recommended approval |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 01/06/10 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| C.1947 | The Home at 360 North 14th Street was constructed. |
| 04/17/91 | A building permit (#91103371) was issued for a bathroom remodel at 360 North 14th Street. The permit was finaled on 09/04/91. |
| 07/23/91 | A building permit (#91114079) was issued for a family room addition and patio cover at 360 North 14th Street. The permit was finaled on 12/11/91. |
| 04/22/94 | A building permit (#94328447) was issued for a fountain and patio cover at 366 North 14th Street. The permit was finaled on 12/05/94. |
| 05/12/94 | A building permit (#94331645) was issued for a patio cover at 366 North 14th Street. The permit was finaled on 12/05/94. |
| 12/03/96 | A building permit (#96023735) was issued for a 140-foot by six-foot wall and a 92-foot by four-foot wall at 360 North 14th Street. The permit was finaled on 01/07/97. |
| 02/17/98 | A building permit (#98003287) was issued for a 147-foot by six-foot wall at 360 North 14th Street. The permit expired on 09/05/98. |
| 08/24/00 | A building permit (#00015895) was issued for to demolish an exterior patio at 360 North 14th Street. The permit was finaled on 09/19/00. |

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

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

| ***Field Check*** | |
|---|---|
| 05/05/11 | During a field check staff noted a Monastery with a wooden fence along the north perimeter in disrepair, graffiti on a pilaster facing 14th Street and the metal skeleton of a shade structure erected. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.46 |

| *Surrounding Property* | *Existing Land Use Per Title 19.04* | *Planned or Special Land Use Designation* | *Existing Zoning District* |
|---|---|---|---|
| Subject Property | Monastery | MXU (Mixed Use) | R-3 (Medium Density Residential) |
| North | Multi-Family Residence | MXU (Mixed Use) | R-3 (Medium Density Residential) |
| South | I-95 | ROW (Right-of-Way) | ROW (Right-of-Way) |
| East | Multi-Family Residence | MXU (Mixed Use) | R-3 (Medium Density Residential) |
| West | Multi-Family Residence | MXU (Mixed Use) | R-3 (Medium Density Residential) |

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

**A Multi-Use Transportation Trail exists within the US-95 Right-of-Way Easement adjacent to the subject site.*

**DEVELOPMENT STANDARDS**

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| North 14th Street | N/A | N/A | 60 | N/A |

**ANALYSIS**

This is the first request for an Extension of Time of a previously approved Site Development Plan Review (SDR-33063) for a proposed 1,126 Square-foot addition to an existing Monastery at 360 and 366 North 14th Street. The applicant submitted plans for review (141925) on 06/19/2009, but the applicant is working with the City of Las Vegas Department of Building and Safety to address issues noted by various departments before a building permit can be issued.

Title 19.18.050 deems a Site Development Plan Review exercised upon the issuance of a building permit for the principal structure on site.

**FINDINGS (EOT-41404)**

The Site Development Plan Review has not met the requirements of Title 19.18.050 to exercise the entitlement, as no building permits have been issued for the principal structure. Staff is recommending approval of this request with a two-year time limit. Conformance to the conditions of approval of the Site Development Plan Review shall be required.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 35

**NOTICES MAILED** N/A

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-41404 APN: _____

Name of Property Owner: PAT PONDAHARN

Name of Applicant: PAT PONDAHARN

Name of Representative: Aire Phanthip

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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APR 07 2011
City of Las Vegas

Signature of Property Owner: Pat Pondaharn

Print Name: PAT PONDAHARN

Subscribed and sworn before me

This 6 day of April, 2011

Magaly Nevarez

Notary Public in and for said County and State

MAGALY NEVAREZ
NOTARY PUBLIC, STATE OF NEVADA
APPOINTMENT NO. 10-3202-1
MY COMMISSION EXPIRES SEPTEMBER 15, 2014

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** USE PERMIT / Extension

**Project Address (Location)** 360 N. 14th

**Project Name** WAT LAO Puthamesy **Proposed Use** _____

**Assessor's Parcel #(s)** 139-352-121-30 **Ward #** _____

**General Plan:** existing ✓ proposed ✓ **Zoning:** existing N-3 proposed _____

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

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

**Additional Information** _____

**PROPERTY OWNER** PAT PONDAHARN **Contact** 702-440-6089

**Address** 4275 E. Saint Luis **Phone:** _____ **Fax:** _____

**City** L.V. **State** NV **Zip** 89104

**E-mail Address** Phanthip@cox.net

**APPLICANT** WAT LAO Puthamesy **Contact** 702-372-8088

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

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

**E-mail Address** _____

**REPRESENTATIVE** Alex Phanthip **Contact** 702-372-8088

**Address** 337 Bandelo Dr. **Phone:** 372-8088 **Fax:** _____

**City** HENDERSON **State** NV **Zip** 89014

**E-mail Address** Phanthip@cox.net

**Property Owner Signature*** Pat Pondaharn

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

**Print Name** PAT PONDAHARN

Subscribed and sworn before me

This 6 day of April, 20 11.

Magaly Nevarez

Notary Public in and for said County and State

MAGALY NEVAREZ
NOTARY PUBLIC, STATE OF NEVADA
APPOINTMENT NO. 10-3202-1
MY COMMISSION EXPIRES SEPTEMBER 15, 2014

***FOR DEPARTMENT USE ONLY***

| | |
|---|---|
| **Case #** | EOT-41404 |
| **Meeting Date:** | 6-14-11 |
| **Total Fee:** | 300 |
| **Date Accepted:** | 4-7-11 |
| **Accepted By:** | F.S. |

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

Porposed

Used Permit for

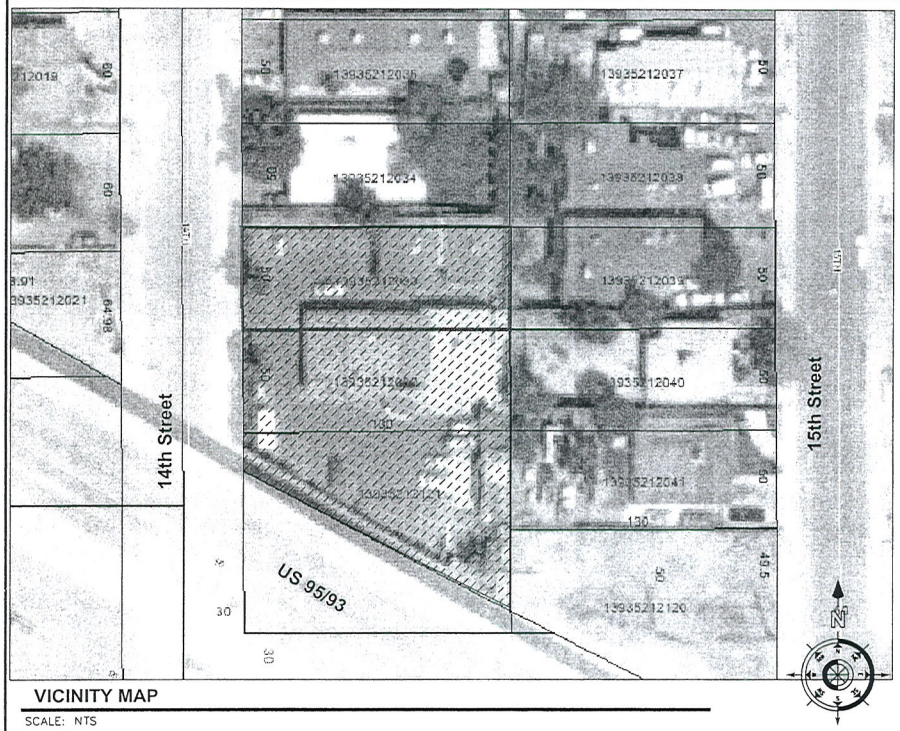
# WAT LAO PUTHAMESY ASSN LV INC

## 360 N 14TH ST

## Las Vegas - 89101

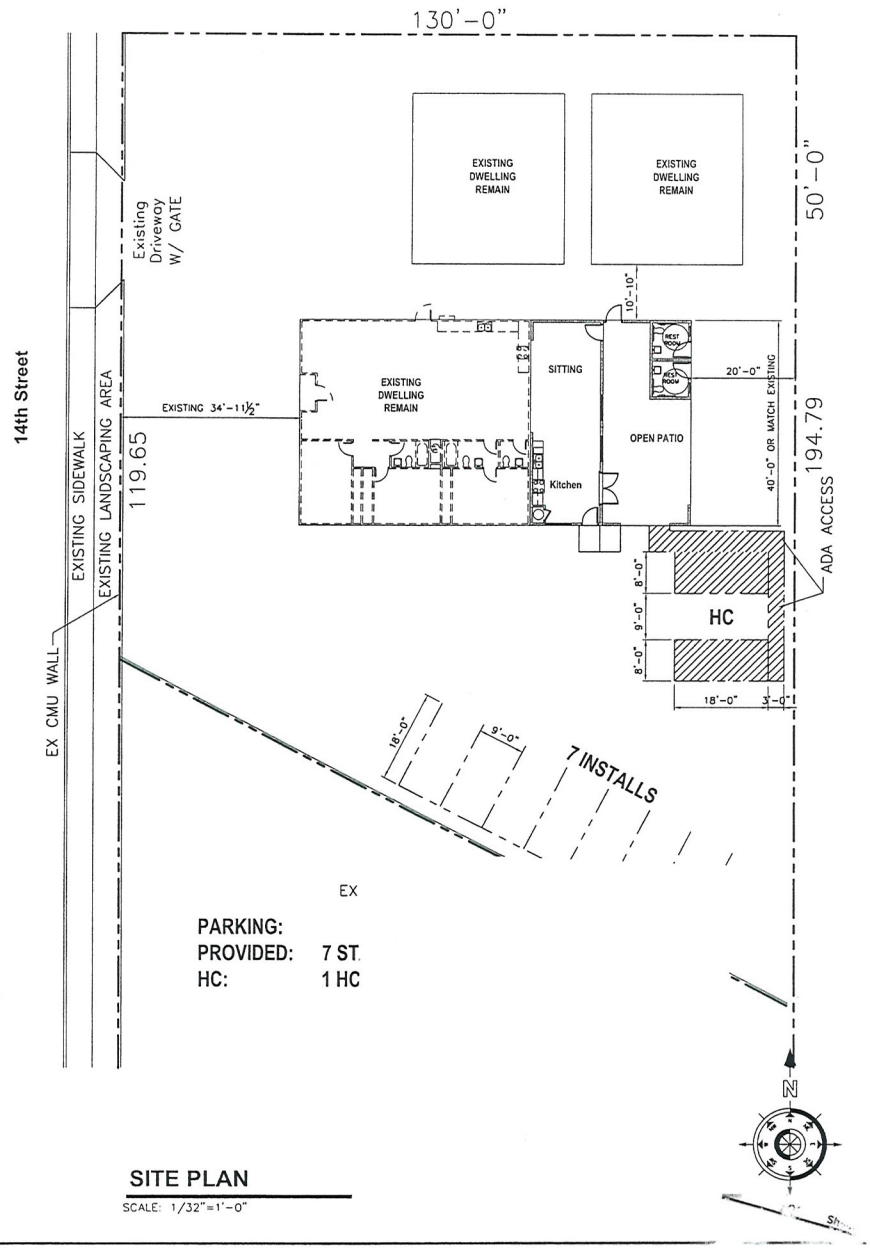
APN No. 13935212130

Zoning: R-3




VICINITY MAP

SCALE: NTS




SITE PLAN

SCALE: 1/32"=1'-0"

| No. | Revisions |
|---|---|
| | |

WAT LAO PUTHAMESY ASSN LV INC
360 N 14TH ST
Las Vegas - 89101

Date 6-02-09
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Of Sheets

**EOT-41404**

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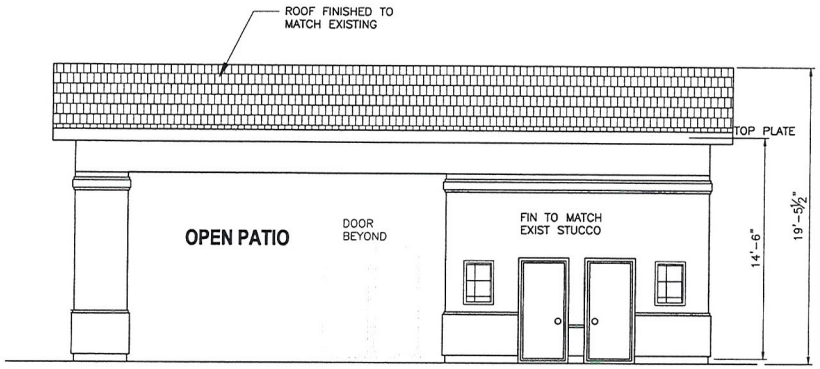
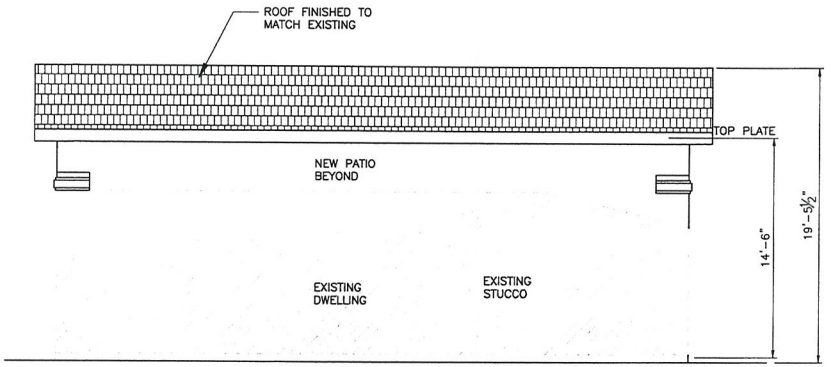
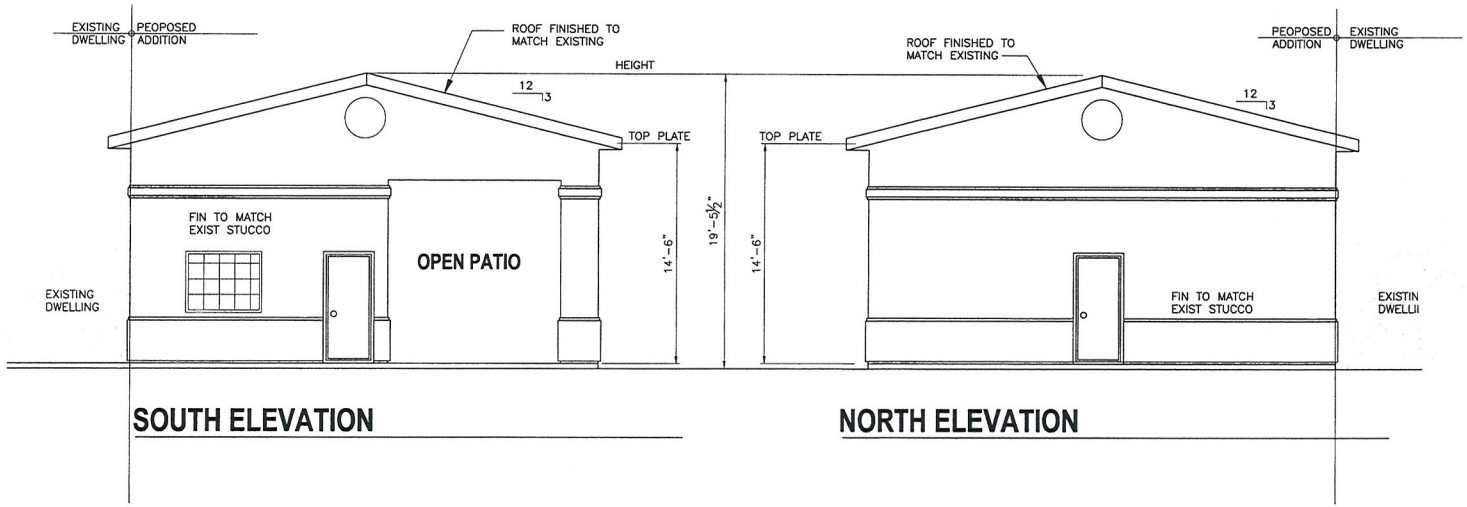



## EAST ELEVATION




## WEST ELEVATION




## SOUTH ELEVATION

## NORTH ELEVATION

| No. | Revisions |
|---|---|
| | |
| | |
| | |
| | |

WAT LAO PUTHAMESY ASSN LV INC
360 N 14TH ST
Las Vegas - 89101

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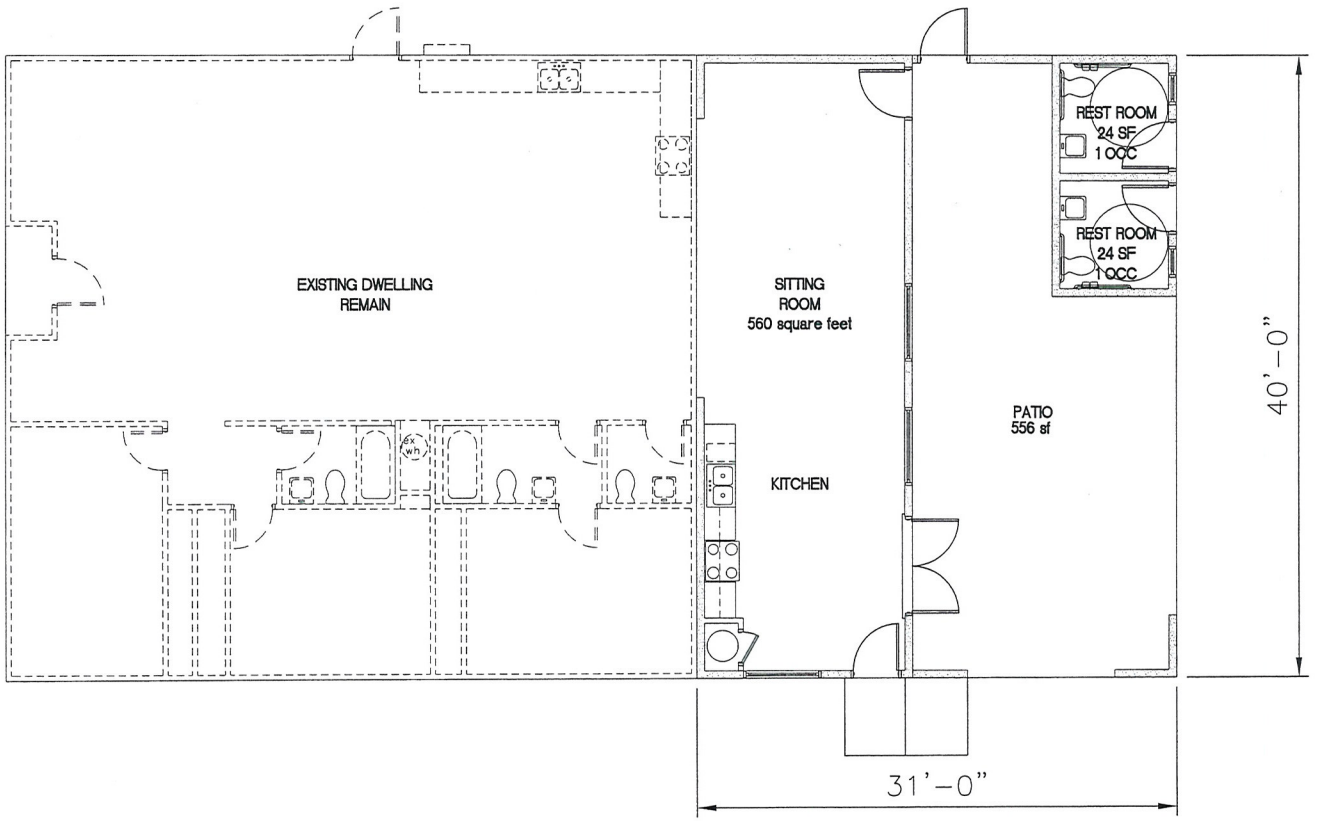
EOT-41404

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

| No. | Revisions |
|---|---|
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| | |
| | |

WAT LAO PUTHAMESY ASSN LV INC
360 N 14TH ST
Las Vegas - 89101

Date 6-02-09
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Of Sheets –

EOT-41404



EOT-41404 - APPLICANT/OWNER: WAT LAO BUDDHAMIXAY
360 AND 366 NORTH 14TH STREET

05/05/11



EOT-41404 - APPLICANT/OWNER: WAT LAO BUDDHAMIXAY
360 AND 366 NORTH 14TH STREET

05/05/11



EOT-41404 - APPLICANT/OWNER: WAT LAO BUDDHAMIXAY
360 AND 366 NORTH 14TH STREET

05/05/11



EOT-41404 - APPLICANT/OWNER: WAT LAO BUDDHAMIXAY
360 AND 366 NORTH 14TH STREET

05/05/11



EOT-41404 - APPLICANT/OWNER: WAT LAO BUDDHAMIXAY
360 AND 366 NORTH 14TH STREET

05/05/11



EOT-41404 - APPLICANT/OWNER: WAT LAO BUDDHAMIXAY
360 AND 366 NORTH 14TH STREET

05/05/11



EOT-41404 - APPLICANT/OWNER: WAT LAO BUDDHAMIXAY
360 AND 366 NORTH 14TH STREET

05/05/11



EOT-41404 - APPLICANT/OWNER: WAT LAO BUDDHAMIXAY
360 AND 366 NORTH 14TH STREET

05/05/11

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

ELIZABETH N. FRETWELL
CITY MANAGER

April 10, 2009

Aira Phanthip
Wat Lao Puthamsey Association
360 North 14th Street
Las Vegas, Nevada 89101

***RE: ABEYANCE - SDR-33063 - SITE DEVELOPMENT PLAN REVIEW***

Dear Aira Phanthip:

Your request for a Site Development Plan Review FOR A PROPOSED 1,126 SQUARE-FOOT ADDITION TO AN EXISTING 1,475 SQUARE-FOOT MONASTERY WITH WAVIERS TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE NORTH, EAST AND SOUTH PERIMETERS WHERE SIX FEET IS REQUIRED AND TO ALLOW A FIVE-FOOT LANDSCAPE BUFFER ALONG THE WEST PERIMETER WHERE 10 FEET IS REQUIRED on 0.46 acres at 360 and 366 North 14th Street (APNs 139-35-212-121, 032 and 033), R-3 (Medium Density Residential) Zone, Ward 5 (Barlow), was considered by the Planning Commission on April 9, 2009.

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

***Planning and Development***

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

2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 01/15/09, except as amended by conditions herein.

3. A Waiver from 19.12.040(A)(1) is hereby approved, to allow a zero-foot landscape buffer along the north, east, and south perimeters; and to allow a five-foot landscape buffer along the west perimeter.

4. An Exception from 19.10.010(J)(11) is hereby approved, to allow zero parking lot islands and associated landscaping.

5. Outdoor areas, including the patio cover area, shall not be used for religious services and shall conform to the Las Vegas Municipal Code Chapter 9.16.

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

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6. The applicant shall work with city staff to determine the most appropriate mapping action necessary to consolidate the three existing parcels. The mapping action shall be completed and recorded prior to the issuance of any building permits.

7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan:
   a. Four, five-gallon shrubs per required tree.
   b. Existing perimeter planter areas shall have one (1), 24-inch box tree every 20 linear feet, with four (4), five-gallon shrubs per tree.

8. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

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

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

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

12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. 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 public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

16. 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.

17. All landscaping and private improvements installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

18. Comply with the requirements of Las Vegas Municipal Code Chapter 4.32 Traffic Signal Impact Fee prior to the issuance of permits for this site.

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

This action by the Planning Commission on **April 9, 2009** is final unless a written appeal is field within the City Clerk within 10 days of the date of the Planning Commission's decision or there is a review action filed by the City Council within the same time period. The Notice of Final Action was filed with the Las Vegas City Clerk on ***April 10, 2009***.

Sincerely,

Peter Lowenstein, AICP
Planning Supervisor
Case Planning Division

PL:nl

**EOT-41404**

cc: Wat Lao Buddhamixay
366 N. 14th Street
Las Vegas, Nevada 89101

Airr Phanthip
377 Banuelo Drive
Henderson, Nevada 89014

EOT-41404

Date: April 6, 2011

To Department of Planning

City of Las Vegas

I am writing regarding to Wat Lao Puthamsey on 360 N. 14th St. Las Vegas, to get extension on (USED PERMIT) The original was approval was on April 09, 2009. We working on design with City of Las Vegas Building Safety and still some comment from plan check that we need to address. Your consideration for extension this application it's grateful appreciate.

Thank you;

Airr Phanthip

Member of Wat Lao Puthamsey Assoc. Inc.

337 Banuelo Drive

Henderson, NV. 89014

702-372-8088

RECEIVED
APR 07 2011
City of Las Vegas

EOT-41404

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

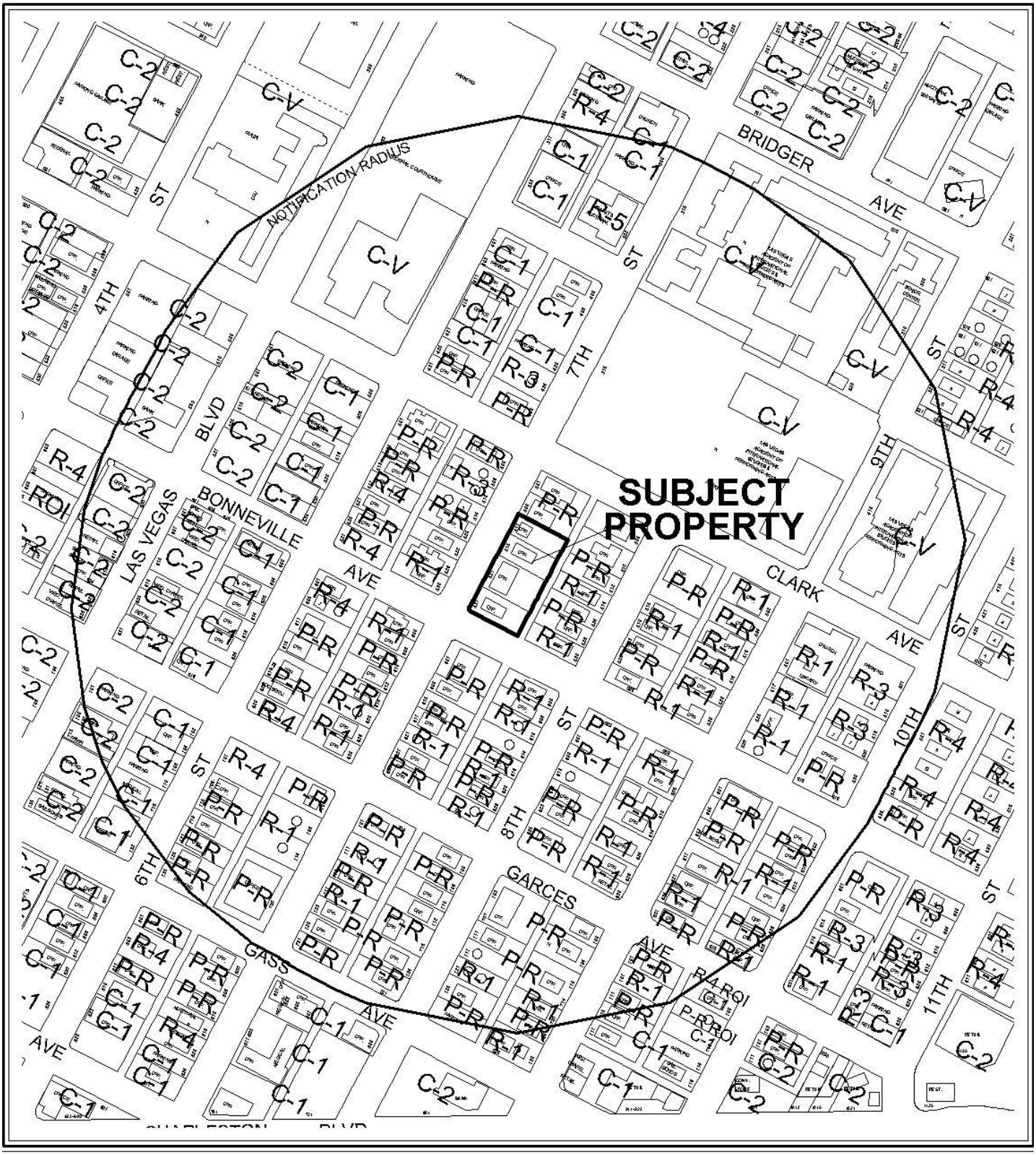
**SUBJECT:**
ZON-41545 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: BONNEVILLE BUNGALOWS, LLC - Request for Rezoning FROM: R-1 (LOW DENSITY RESIDENTIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING) TO: P-O (PROFESSIONAL OFFICE) on 0.85 acres at 511, 515, 521 and 531 South 7th Street (APNs 139-34-710-042, 43, 44 and 139-34-810-018), Ward 3 (Reese). Staff recommends APPROVAL.

**C.C.: 07/20/2011**

| **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-41545 and VAR-41546
2. Conditions and Staff Report - ZON-41545 and VAR-41546
3. Supporting Documentation
4. Photos - ZON-41545 and VAR-41546
5. Justification Letter - ZON-41545 and VAR-41546




0 300 600 Feet

**CASE:** **ZON-41545 AND VAR-41546**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** R-1 (LOW DENSITY RESIDENTIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING)

**PROPOSED ZONING OF SUBJECT PROPERTY:** P-O (PROFESSIONAL OFFICE)

N




0 300 600 Feet

**CASE:** **ZON-41545 AND VAR-41546**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** R-1 (LOW DENSITY RESIDENTIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING)

**PROPOSED ZONING OF SUBJECT PROPERTY:** P-O (PROFESSIONAL OFFICE)

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: BONNEVILLE BUNGALOWS, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **ZON-41545** | Staff recommends APPROVAL. | VAR-41546 |
| **VAR-41546** | Staff recommends APPROVAL, subject to conditions: | |

## ** CONDITIONS **

# VAR-41546 CONDITIONS

***Planning***

1. Approval of Rezoning (ZON-41545), shall be required, if approved.

2. Conformance to the approved conditions for Variance (V-0160-90).

3. A Site Development Plan Review application must be approved prior to the use as a commercial property.

4. 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.

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.

YK

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a proposal to rezone 511, 515, 521 and 531 South Seventh Street from R-1 (Single Family Residential) and P-R (Professional Office and Parking District) to P-O (Professional Office). This request also includes Variance (VAR-41546) to allow a P-O (Professional Office) district to have a lot width of 55 feet where 60 feet is the minimum required for the parcel located at 511 South Seventh Street. These properties are located in the Historic Las Vegas High School neighborhood that has become a popular location for attorney and accounting firms to locate. The properties located at 515 and 521 had previously approved Variances to allow commercial offices in an R-1 (Single Family Residential) district but have since expired. This area is designated as Mixed Use under the General Plan that permits professional offices. With the approval of the accompanying Variance, this project meets the minimum requirements of Title 19 for the requested rezoning designation; therefore, staff recommends approval. If denied, the properties would remain as currently zoned.

## ISSUES

- 511 South Seventh Street requires a Variance to allow a P-O (Professional Office) lot to be 55 feet wide where 60 feet is the minimum required by code.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 08/06/80 | The Board of Zoning Adjustment approved a Variance (V-0047-80) to allow a public relations firm in an R-1 (Single Family Residential) district at 521 South Seventh Street. Staff recommended approval. |
| 03/28/91 | The Board of Zoning Adjustment approved a Variance (V-0148-89) to allow a commercial business to locate in an R-1 (Single Family Residential) zone at 531 South Seventh Street. Staff recommended approval. |
| 01/24/91 | The Board of Zoning Adjustment approved a Variance (V-0160-90) to allow a commercial business to locate in an R-1 (Single Family Residential) zone and to allow an addition to have a side yard setback of one foot on the north perimeter where a minimum of five feet is required at 511 South Seventh Street. Staff recommended approval. |
| 08/18/93 | The City Council approved a Rezoning (ZON-0062-93) from R-1 (Single Family Residential) to P-R (Professional Office and Parking District) for property at 515 South Seventh Street. The Planning Commission and staff recommended approval. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 03/28/11 | A deed was recorded for a change in ownership of all four parcels. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 09/27/00 | A Business License (A02-00681-A-093876) for Advertising was issued for 521 South Seventh Street. This license was marked as out-of-business on 01/21/09. |
| 03/29/11 | A Business license (Q13-01392-3-153301) for a Law Firm was issued for 515 South Seventh Street. This license is active. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/13/11 | Staff met with the applicants and reviewed the requirements to rezone the four properties. It was discovered that a Variance would be required for 511 South Seventh Street, since that lot doesn't meet the 60-foot minimum lot width for P-O (Professional Office) designation. Site Development Plan Reviews will be submitted at a later date. |

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

| ***Field Check*** | |
|---|---|
| 05/05/11 | Staff visited the sites and found four well maintained structures. No issues were noted at this time. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | .85 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Vacant | MXU (Mixed Use) | P-R (Professional Office and Parking District)<br>R-1 (Single Family Residential) |
| North | Office | MXU (Mixed Use) | P-R (Professional Office and Parking District) |

YK

| | | | |
|---|---|---|---|
| South | Office | MXU (Mixed Use) | P-R (Professional Office and Parking District) |
| East | Office | MXU (Mixed Use) | P-R (Professional Office and Parking District) |
| West | Office | MXU (Mixed Use) | P-R (Professional Office and Parking District) |
| | Single Family Residential | | R-1 (Single Family Residential) |
| | Multi-Family Residential | | R-3 (Medium Density Residential) |

| ***Special Purpose and Overlay Districts*** | ***Yes*** | ***No*** | ***Compliance*** |
|---|---|---|---|
| H (Historic Designation)-Las Vegas High School Neighborhood | X | | Y |
| Live/Work Overlay District | X | | N/A |
| **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**

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Seventh Street | N/A | N/A | 80 | N/A |

**ANALYSIS**

The site is located within the Las Vegas High School Historic District. When the survey was conducted in 1988, the properties at 511 and 515 met the architectural criteria to contribute to the historic designation of the neighborhood. The properties at 521 and 531 did not contribute to the historic designation since the exterior of the structures had been greatly modified from the original construction.

The project encompasses four contiguous parcels of developed land each with a single family structure on them. The vast majority of properties in this downtown neighborhood have been converted from Single Family Residential properties to Professional Office use over the past decade. When Title 19 was updated, one of the changes was the classification name of P-R (Professional Office/Parking) to P-O (Professional Office). Since the applicant owned all four adjoining parcels it was decided that the rezoning application should apply to all in order to bring them into conformance with the current code.

The character of the neighborhood has become professional office use but has maintained a residential appearance. The owner has indicated that it is their intent to maintain this character for these four properties. Approval of this Rezoning will bring these parcels into conformance with the General Plan, which designates them as MXU (Mixed Use). For this reason, staff recommends approval.

**FINDINGS (ZON-41545)**

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 Rezoning to P-O (Professional Office) will bring the subject properties into conformance with the General Plan, which currently designates the properties MXU (Mixed Use).

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

   The potential uses allowed in the proposed P-O (Professional Office) District are appropriate for the area, which is developed with predominantly converted single-family residences into offices.

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

   The subject properties are located in the Historic Las Vegas High School Neighborhood that has seen most of the single family residences converted to professional office uses over the past decade. The continued demand for office space in this area makes the requested rezoning appropriate.

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.**

These properties are located on Seventh Street in downtown which has a fully developed grid pattern that will provide adequate capacity to meet the needs of development on the subject parcels.

**FINDINGS (VAR-41546)**

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 not created a self-imposed hardship. The area has dramatically changed over the past few decades from a single family residential neighborhood to a professional office neighborhood. Many of the original lot widths for the residential properties do not meet the minimum lot widths for professional office uses that dominate the area. The General Plan supports conversion to commercial use even though some lots do not meet the minimum width requirements. In view of this hardship imposed by the site's physical characteristics, it is concluded that the applicant's hardship is not preferential in nature, and it is thereby within the realm of NRS Chapter 278 for granting of Variances.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 37

**NOTICES MAILED** 187

**APPROVALS** 0

**PROTESTS** 0

YK

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-41545** APN: 139-34-710-042,043, & 044; 139-34-810-018

Name of Property Owner: Bonneville Bungalows LLC

Name of Applicant: Bonneville Bungalows LLC, Judean A Schmidt, Manager

Name of Representative: Robert S (Bob) Genzer, Genzer Consulting

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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APR 25 2011
City of Las Vegas

Signature of Property Owner: Judean A. Schmidt

State of Nevada
County of Clark

Print Name: JUDEAN A. SCHMIDT

Subscribed and sworn before me

This 21st day of April, 2011

Notary Public in and for said County and State

TRINA YOUNGBLOOD
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 04-09-14
Certificate No: 10-2050-1

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Rezoning

**Project Address (Location)** 511, 515, 521 and 531 S. Seventh St.

**Project Name** 7th and Bonneville Office Conversion **Proposed Use** Offices

**Assessor's Parcel #(s)** 13934710042, 043, & 044; 13934810018 **Ward #** 3

**General Plan:** existing MU proposed MU **Zoning:** existing R-1, P-R proposed P-O

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

**Gross Acres** 0.88 **Lots/Units** 4 **Density** n/a

**Additional Information** Three of the four lots were previously used as offices by Use Variance case numbers V-160-90, V-47-80 and V-148-89. 515 S. 7th is currently an office.

**PROPERTY OWNER** Bonneville Bungalows LLC **Contact** Gary Morse

**Address** 1304 Grand Ave. **Phone:** (415) 699-5856 **Fax:** (415) 453-3757

**City** San Rafael **State** CA **Zip** 94901-2233

**E-mail Address** gpmorse@comcast.net

**APPLICANT** Bonneville Bungalows LLC **Contact** Judean A Schmidt, Manager

**Address** 8965 S. Eastern Ave., Suite 300 **Phone:** (702) 898-1395 **Fax:** (702) 463-2989

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

**E-mail Address** mjschmidthouse@yahoo.com

**REPRESENTATIVE** Genzer Consulting **Contact** Bob Genzer

**Address** 9612 Hawksbill Ct. **Phone:** (702) 281-7496 **Fax:** (702) 254-4733

**City** Las Vegas **State** NV **Zip** 89117-0646

**E-mail Address** GenzerConsulting@cox.net

**Property Owner Signature*** Judean A. Schmidt

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

**Print Name** JUDEAN A. SCHMIDT

State of Nevada; County of Clark

Subscribed and sworn before me

This 21st day of April, 2011.

Notary Public in and for said County and State

TRINA YOUNGBLOOD
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 04-09-14
Certificate No: 10-2050-1

***FOR DEPARTMENT USE ONLY***

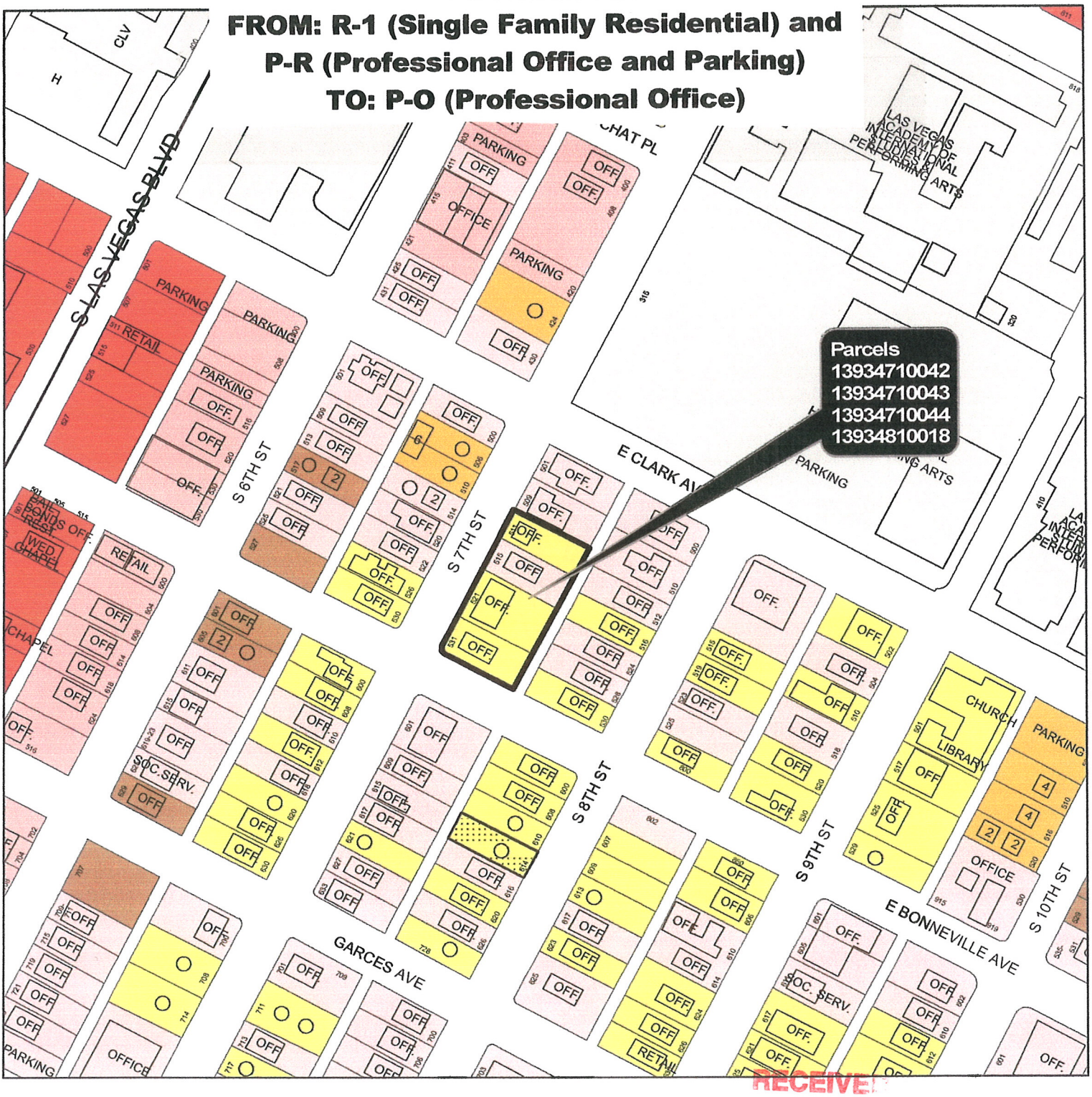
| | |
|---|---|
| **Case #** | ZON-41545 |
| **Meeting Date:** | ~~6-14-11~~ 6-14-11 |
| **Total Fee:** | ~~$350.00~~ $200.00 |
| **Date Received:*** | 4-25-11 |
| **Received By:** | FS. |

*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.

# 511, 515, 521 & 531 S. Seventh St.

## Location Map - Zoning

**FROM: R-1 (Single Family Residential) and P-R (Professional Office and Parking)**
**TO: P-O (Professional Office)**




- ROI Zoning
- U - (GPA Designation) Undeveloped
- R-A - Ranch Acres
- R-E - Residence Estates
- R-D - Single-Family Residential-Restricted
- R-PD - Residential Planned Development
- R-1 - Single Family Residential
- R-CL - Single-Family Compact-Lot
- R-2 - Medium-Low Density Residential
- R-3 - Medium Density Residential
- R-4 - High Density Residential
- R-5 - Apartment
- R-MH - Mobile/Manufactured Home Residence
- R-MHP - Residential Mobile/Manufactured Home Park
- P-R - Profesional Offices and Parking
- N-S - Neighborhood Service
- O - Office
- C-D - Designed Commercial
- C-1 - Limited Commercial
- C-2 - General Commercial
- C-PB - Planned Business Park
- C-M - Commercial/Industrial
- M - Industrial
- C-V - Civic
- P-C - Planned Community
- T-D - Traditional Development
- PD - Planned Development
- TC - Town Center

**ZON-41545**

RECEIVED
APR 25 2011
City of Las Vegas

N

0 130 260 520 Feet

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

DEPARTMENT OF PLANNING




**ZON-41545 & VAR-41546 - APPLICANT/OWNER: BONNEVILLE BUNGALOWS, LLC**
**511, 515, 521 AND 531 SOUTH 7TH STREET**

05/05/11



**ZON-41545 & VAR-41546 - APPLICANT/OWNER: BONNEVILLE BUNGALOWS, LLC**
**511, 515, 521 AND 531 SOUTH 7TH STREET**

05/05/11

April 20, 2011

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

Re: 511, 515, 521 and 531 S. Seventh St.
APN: 139-34-710-042, 043, 044 & 139-34-810-018

Dear Mr. Fagg:

This letter is submitted as justification for an application for Rezoning for the above listed properties, and for a Variance for lot width for 511 S. Seventh St. The parcels are located in Ward 3, on the east side of Seventh Street, adjacent to, and north of Bonneville Avenue, both 80 foot wide rights-of-way. The surrounding area is a mixture of residential, office, and public facilities, with numerous conversions of existing residential properties to offices in recent years. The City of Las Vegas Southeast Sector Land Use Map designates these properties for Mixed Use which includes the (O) Office category.

The request is to change the existing R-1 (Single Family Residential) and P-R (Professional Office and Parking) zoning to the new P-O (Professional Office) category in accordance with the existing General Plan designation. A review of city records shows that each of the three R-1 properties was the subject of an approved Use Variance, however the business licenses at each location have subsequently expired and per city code, reinstatement of the Use Variance is not possible as over a year has lapsed in each case. A copy of the historical information provided by staff is attached for reference. The applicant acknowledges that Site Development Plan Review applications are required for 511 and 521 S. Seventh as per the e-mail received from Doug Rankin on March 15th. Those applications will be submitted as tenants are identified for each parcel.

In order to obtain the requested zoning for the parcel at 511 S. Seventh a Variance is required because the existing lot is 55 feet wide where 60 feet is the minimum in the P-O zone. This is not an uncommon situation in this area as the original lot widths are 25 feet and over the years numerous lots have been combined, either partially or in total. As a result, lot widths in this area are anything but uniform. This lot is fully developed with landscaping and parking to match the three adjacent commonly owned parcels. Approval of the requested Variance will not create any adverse affects on the surrounding properties.

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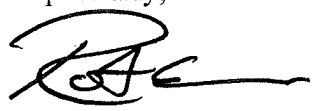
APR 25 2011
City of Las Vegas
ZON-41545
VAR-41546

As the applicants representative for these applications I will be happy to provide any additional information you may require or respond to any questions you may have. Thank you for your consideration.

Respectfully,



Robert S Genzer
Genzer Consulting

**ZON-41545**
**VAR-41546**

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

**SUBJECT:**
VAR-41546 - VARIANCE RELATED TO ZON-41545 - PUBLIC HEARING - APPLICANT/OWNER: BONNEVILLE BUNGALOWS, LLC - Request for a Variance TO ALLOW A LOT WIDTH OF 55 FEET WHERE 60 FEET IS THE MINIMUM REQUIRED on 0.17 acres at 511 South 7th Street (APN 139-34-710-042), R-1 (Single Family Residential) Zone [PROPOSED: P-O (Professional Office)], Ward 3 (Reese). Staff recommends APPROVAL.

**C.C.: 07/20/2011**

| **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: **VAR-41546** APN: 139-34-710-042,043, & 044; 139-34-810-018

Name of Property Owner: Bonneville Bungalows LLC

Name of Applicant: Bonneville Bungalows LLC, Judean A Schmidt, Manager

Name of Representative: Robert S (Bob) Genzer, Genzer Consulting

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: Judean A. Schmidt

State of Nevada
County of Clark Print Name: JUDEAN A SCHMIDT

Subscribed and sworn before me

This 21st day of April, 2011

_____
Notary Public in and for said County and State

TRINA YOUNGBLOOD
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 04-09-14
Certificate No: 10-2050-1

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Variance

**Project Address (Location)** 511 S. Seventh St.

**Project Name** 7th and Bonneville Office Conversion **Proposed Use** Office

**Assessor's Parcel #(s)** 139-34-710-042 **Ward #** 3

**General Plan:** existing MU proposed MU **Zoning:** existing R-1, P-R proposed P-O

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

**Gross Acres** 0.17 **Lots/Units** 1 **Density** n/a

**Additional Information** Variance is to allow the existing lot to be converted to an office use with a width of 55 feet where 60 feet is required in the P-O zone.

**PROPERTY OWNER** Bonneville Bungalows LLC **Contact** Gary Morse

**Address** 1304 Grand Ave. **Phone:** (415) 699-5856 **Fax:** (415) 453-3757

**City** San Rafael **State** CA **Zip** 94901-2233

**E-mail Address** gpmorse@comcast.net

**APPLICANT** Bonneville Bungalows LLC **Contact** Judean A Schmidt, Manager

**Address** 8965 S. Eastern Ave., Suite 300 **Phone:** (702) 898-1395 **Fax:** (702) 463-2989

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

**E-mail Address** mjschmidthouse@yahoo.com

**REPRESENTATIVE** Genzer Consulting **Contact** Bob Genzer

**Address** 9612 Hawksbill Ct. **Phone:** (702) 281-7496 **Fax:** (702) 254-4733

**City** Las Vegas **State** NV **Zip** 89117-0646

**E-mail Address** GenzerConsulting@cox.net

**Property Owner Signature*** Judean A. Schmidt

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

**Print Name** JUDEAN A. SCHMIDT

State of Nevada; County of Clark

Subscribed and sworn before me

This 21st day of April, 2011.

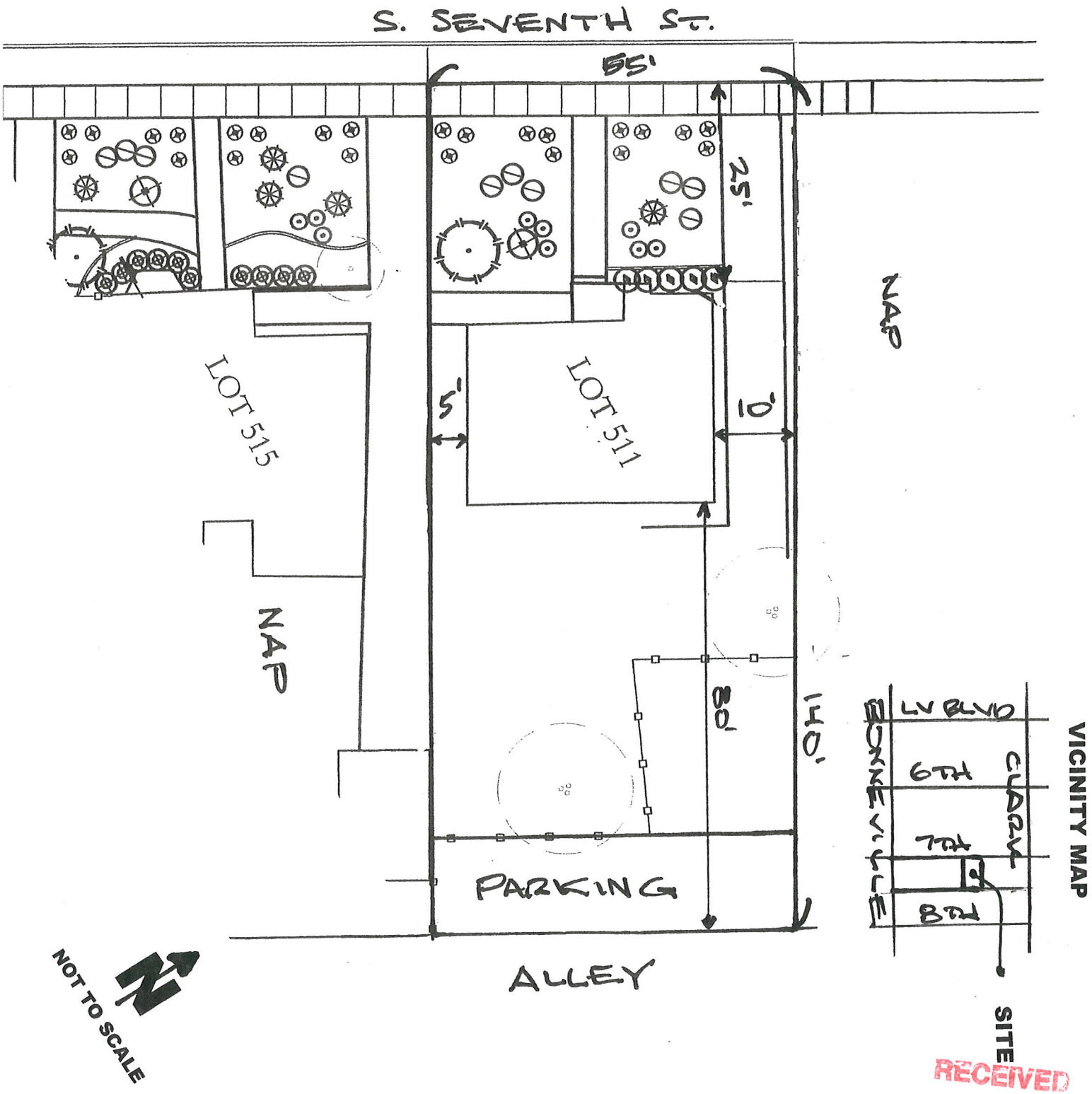
Notary Public in and for said County and State

TRINA YOUNGBLOOD
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 04-09-14
Certificate No: 10-2050-1

***FOR DEPARTMENT USE ONLY***

| | |
|---|---|
| **Case #** | VAR-41546 |
| **Meeting Date:** | 6-14-11 |
| **Total Fee:** | $30.00 |
| **Date Received:*** | 4-25-11 |
| **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.




RECEIVED
APR 25 2011
City of Las Vegas

**SITE PLAN FOR LOT WIDTH VARIANCE**
**PROPERTY LOCATED AT 511 S. SEVENTH ST.**
**LAS VEGAS, NV**
**APN: 139-34-710-042**
**APPLICANT: BONNEVILLE BUNGALOWS LLC**

**VAR-41546**

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

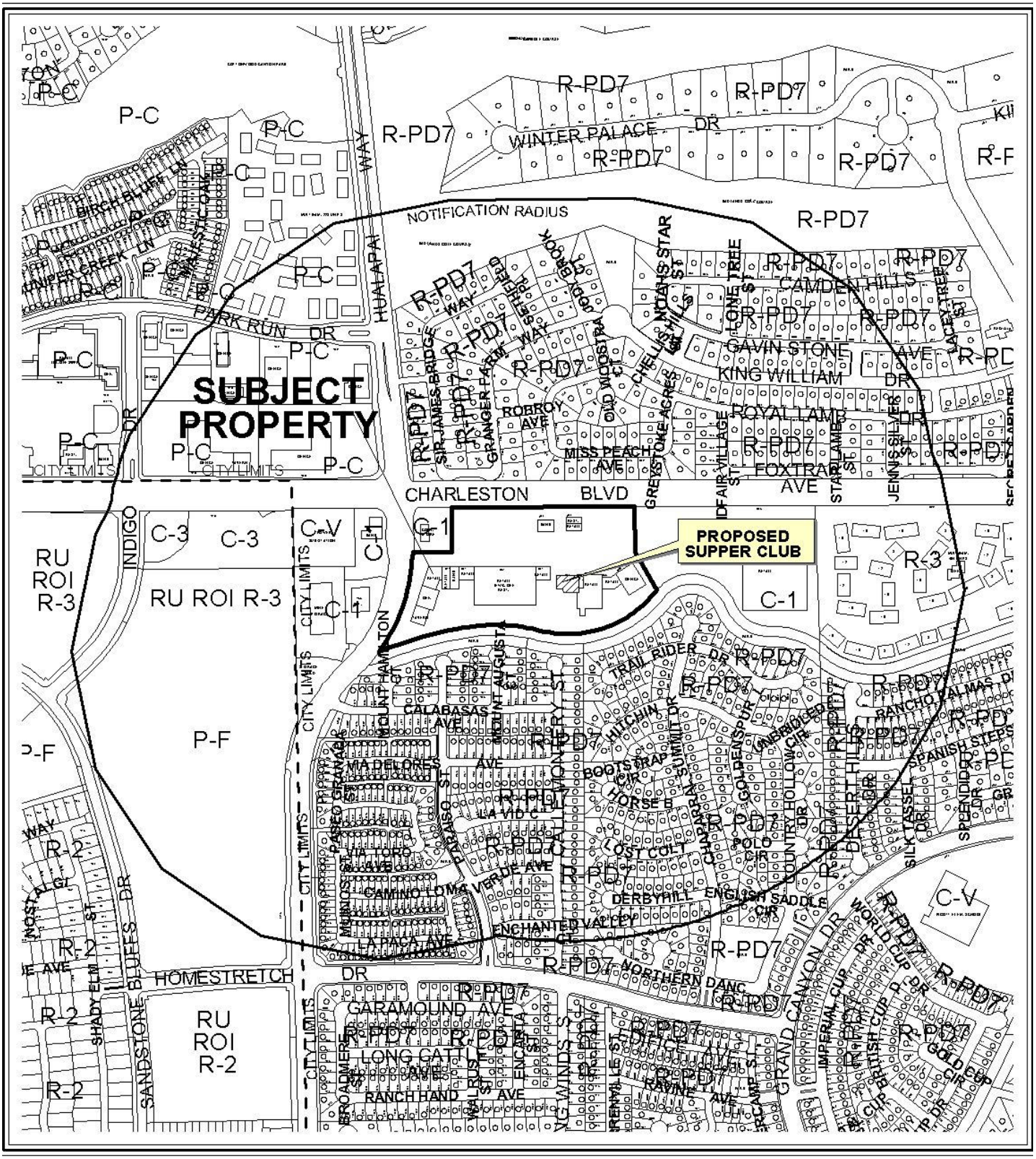
**SUBJECT:**
SUP-41563 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DIFARA PIZZA HOLDINGS, INC. - OWNER: HUALAPAI COMMONS - Request for a Special Use Permit FOR A PROPOSED 3,840 SQUARE-FOOT SUPPER CLUB WITH 2,744 SQUARE FEET OF OUTDOOR DINING AREA at 9785 West Charleston Boulevard (APN 163-06-111-008), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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:

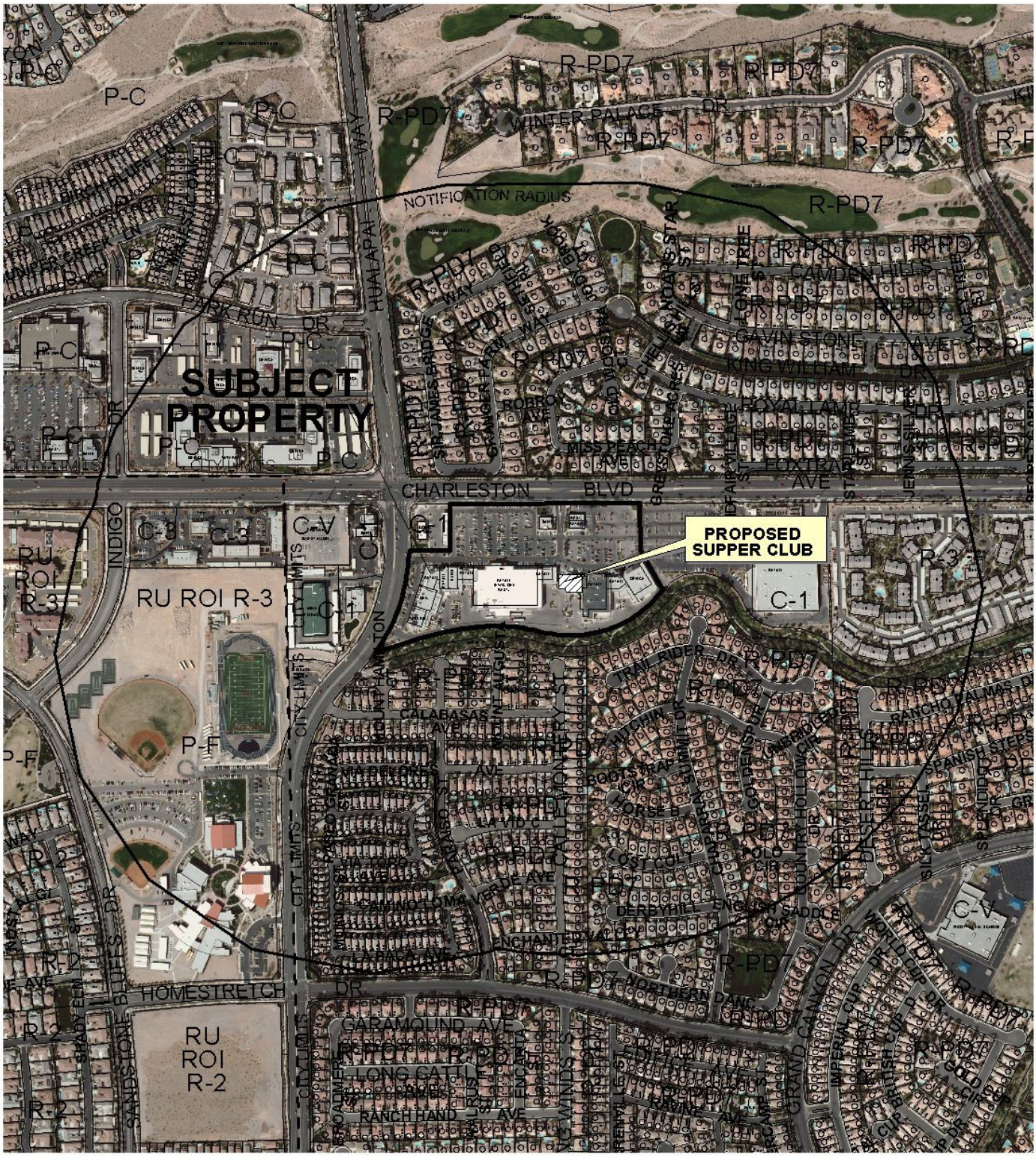
**BACKUP DOCUMENTATION:**
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter




**CASE:** **SUP-41563**

**RADIUS:** 1500 FT

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



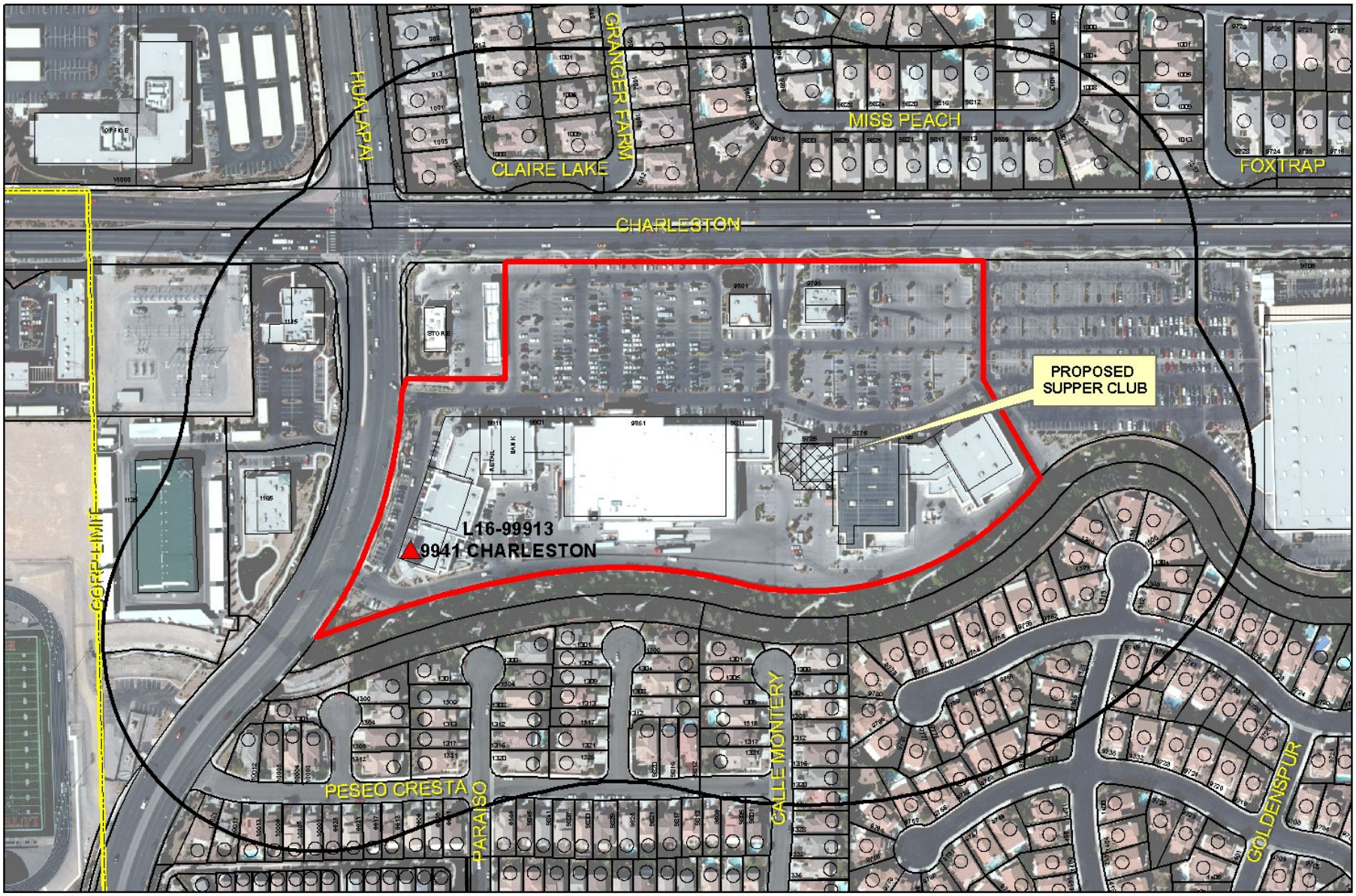

0 300 600 Feet

**CASE:** **SUP-41563**

**RADIUS:** 1500 FT

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

N


HUALAPAI
GRANGER FARM
CLAIRE LAKE
MISS PEACH
FOXTRAP
CHARLESTON
PROPOSED
SUPPER CLUB
L16-99913
9941 CHARLESTON
CORP LIMIT
PESEO CRESTA
PARAISO
CALLE MONTERY
GOLDENSPUR
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

**SUP-41563**

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: DIFARA PIZZA HOLDINGS, INC. - OWNER: HUALAPAI COMMONS**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-41563** | Staff recommends APPROVAL, subject to conditions: | |

## ** CONDITIONS **

# SUP-41563 CONDITIONS

***Planning***

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

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-41562) shall be required.

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. 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 Supper Club Use within an existing restaurant at 9785 West Charleston Boulevard. The restaurant has 3,679 square feet of indoor dining area and 2,744 square feet of outdoor dining with combined seating for 172 patrons. The restaurant has a service bar only in which patrons will not be served directly from the bar. All minimum requirements for a Supper Club Use are being met with this proposal. Some minor exterior landscape and enhancements are also being proposed and addressed via a separate Administrative Site Development Plan Review (SDR-41562). As the proposed Supper Club Use, as conditioned, meets Title 19.04 requirements, staff recommends approval.

## ISSUES

- A Supper Club Use is permitted in C-1 (Limited Commercial) zone with an approved Special Use Permit.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 04/04/90 | The City Council approved Rezoning (Z-0017-90) from N-U (Non Urban) to C-1 (Limited Commercial) as part of a larger request. The Planning Commission and staff recommended approval. |
| 11/24/97 | The City Council approved a Site Development Plan Review [(Z-17-90(22)] for a 109,195 square foot commercial shopping center. The Planning Commission and staff recommended approval. |
| 01/14/99 | The Planning Commission approved a Site Development Plan Review [Z0017-90(33)] for a 236,237 square foot Shopping Center. Staff recommended approval. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 06/22/2007 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 03/28/02 | A Business License permit was issued (R09-01131-1-101724) for a restaurant at 9785 W. Charleston Boulevard. The license is still active. |
| 03/28/11 | The Building Department issued a Tenant Improvement Permit (#18485) at 9785 W. Charleston Boulevard. The permit is still open. |
| 04/14/11 | The Building Department issued a Sign Permit (185762) at 9785 W. Charleston Boulevard. The permit is still open. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/14/2011 | Staff reviewed the application requirements for a Special Use Permit for a Supper Club at an existing restaurant. |

| ***Neighborhood Meeting*** |
|---|
| A Neighborhood meeting was not required, nor was one held. |

| ***Field Check*** | |
|---|---|
| 05/05/11 | Staff visited the site and found a vacant restaurant under renovations. The shopping center was clean and the area around the restaurant well maintained. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 14.69 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| North | Single Family Residential | ML (Medium Low Density Residential) | R-PD7 (Residential Planned Development – 7 Units per Acre) |
| South | Peccole Drainage Buffer | ML (Medium Low Density Residential) | R-PD7 (Residential Planned Development – 7 Units per Acre) |
| East | Retail | SC (Service Commercial) | C-1 (Limited Commercial) |
| West | Animal Hospital<br>Bank | SC (Service Commercial) | C-1 (Limited Commercial) |

| *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 | | Y |

**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 |
| Hualapai Way | Primary Arterial | Master Plan of Streets and Highways | 110 | Y |

***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 | |
| Shopping Center | 261,982 Sq. Ft. | 1/250 | 1,048 | | 1,203 | | Y |
| **TOTAL SPACES REQUIRED** | | | 1,048 | | 1,203 | | Y |
| **TOTAL (With Handicapped)** | | | 1,027 | 21 | 1,166 | 37 | Y |
| Loading Spaces | 261,982 Sq. Ft. | 3 for 1st 50,000 Sq. Ft. then 1 for every 100,000 | 6 | | 8 | | Y |

## ANALYSIS

A restaurant operated at this location for the past nine years, until it recently vacated the site. A new tenant is opening an Italian themed restaurant. In order to enhance this new theme and attract a wide variety of patrons a Special Use Permit for a Supper Club is requested. The applicant is also enhancing the exterior of the site with new lush landscaping and decorative wrought-iron gates and railings. All the minimum Title 19.04 requirements for a Supper Club Use are being met; therefore, staff is recommending approval.

## FINDINGS (SUP-41563)

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

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

   The proposed Supper Club Use is compatible with the surrounding land uses within the existing shopping center and is harmonious with the General Plan.

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

   The project is located in a large shopping center, which provides ample parking to meet the requirements of the proposed Supper Club Use.

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

   The proposed use is located in a shopping center with access off of Charleston Boulevard and Hualapai Way, two 100-foot Primary Arterial Streets as classified by the Master Plan of Streets and Highways.

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 public health, safety, and general welfare. The outdoor dining and seating area is proposed to operate as an accessory to the existing Restaurant and will be subject to LVMC Title 6 regarding alcohol sales.

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

This project complies will all requirements of Title 19.04 for a Supper Club Use.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 7

**NOTICES MAILED** 905

**APPROVALS** 0

**PROTESTS** 0

YK

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41563** APN: 163-06-1111-008

Name of Property Owner: Hualapai Commons, LLC

Name of Applicant: Di Tara Pizza Holdings, Inc

Name of Representative: Kari Laurent

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: Larry A Miller

Print Name: LARRY A MILLER

Subscribed and sworn before me

This 21st day of April, 2011

Deborah M. West

Notary Public in and for said County and State

DEBORAH M. WEST
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 12-21-14
Certificate No: 89-2009-1



RECEIVED
APR 27 2011

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 9785 West Charleston Boulevard

Project Name Dom Demarco's Pizza Proposed Use Restaurant Supperch

Assessor's Parcel #(s) 163-06-111-008 Ward # 2-Wolfson

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

Commercial Square Footage _____ Floor Area Ratio _____

Gross Acres _____ Lots/Units _____ Density _____

Additional Information _____

PROPERTY OWNER Hualapai Commons Contact William Bayne

Address 851 S. Rampart Suite 105 Phone: 280-5761 Fax: 933-1133

City Las Vegas State Nv Zip 89145

E-mail Address william.bayne@gmail.com

APPLICANT Di Fara Pizza Holdings, Inc. Contact Kari Laurent

Address 5525 S. Decatur Blvd # 104 Phone: 702-222-3022 Fax: 702-222-0961

City Las Vegas State NV Zip 89118

E-mail Address klaurent@lapour.com

REPRESENTATIVE SARIG ARMENIAN Contact _____

Address 3773 HOWARD HUGHES Phone (702) 862-3300 Fax: _____

City LV State NV Zip 89169

E-mail Address SARMENIAN@CANVARGAS.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 LARRY A. MILLER

Subscribed and sworn before me

This 21st day of April, 20 11.

Deborah M. West

Notary Public in and for said County and State

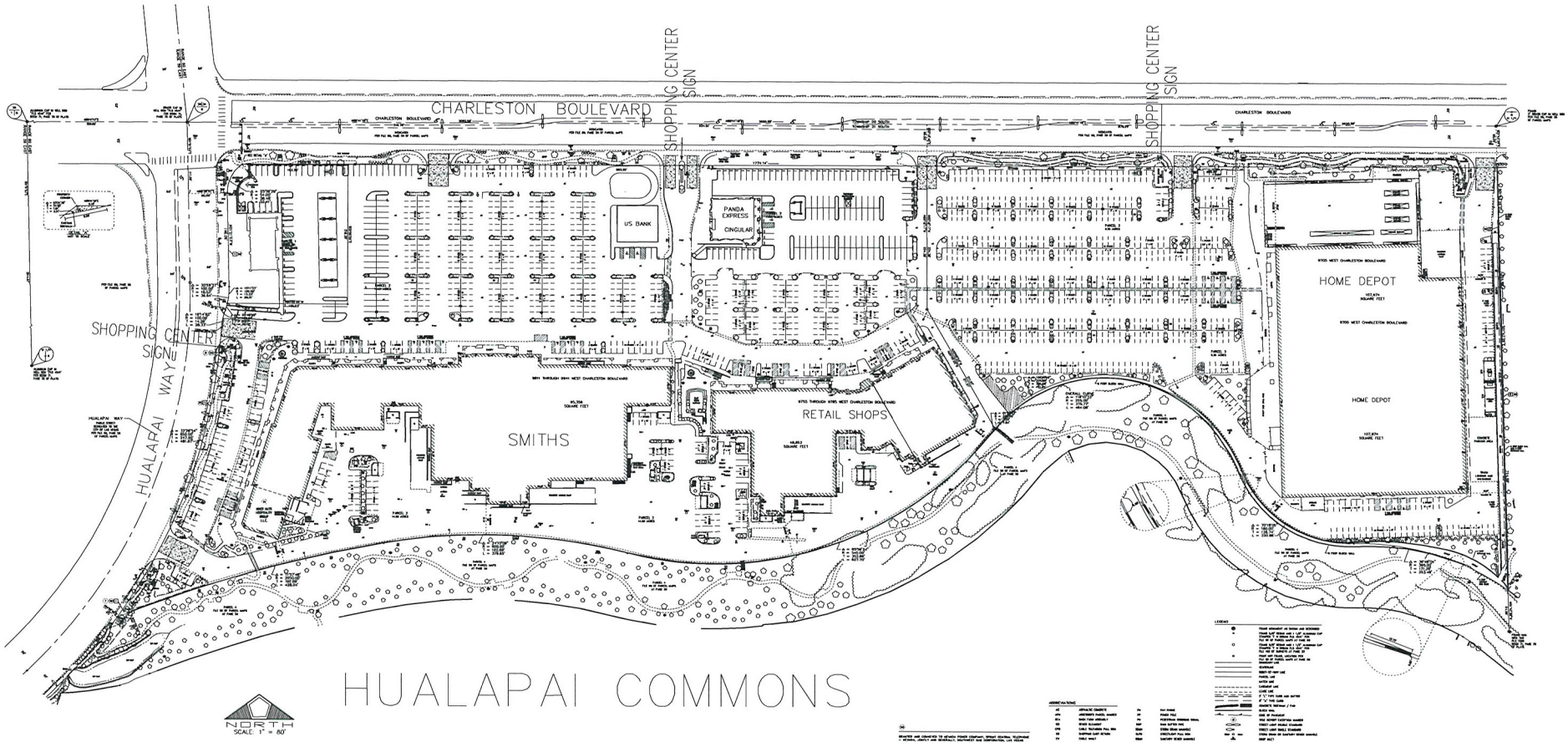
DEBORAH M. WEST
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 12-21-14
Certificate No: 89-2009-1

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | SUP-41563 |
| Meeting Date: | 6-14-11 |
| Total Fee: | 1280.00 |
| Date Received:* | 4-27-11 |
| Received By: | JFord |

*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




# HUALAPAI COMMONS

# SITE PLAN

**SUP-41563**

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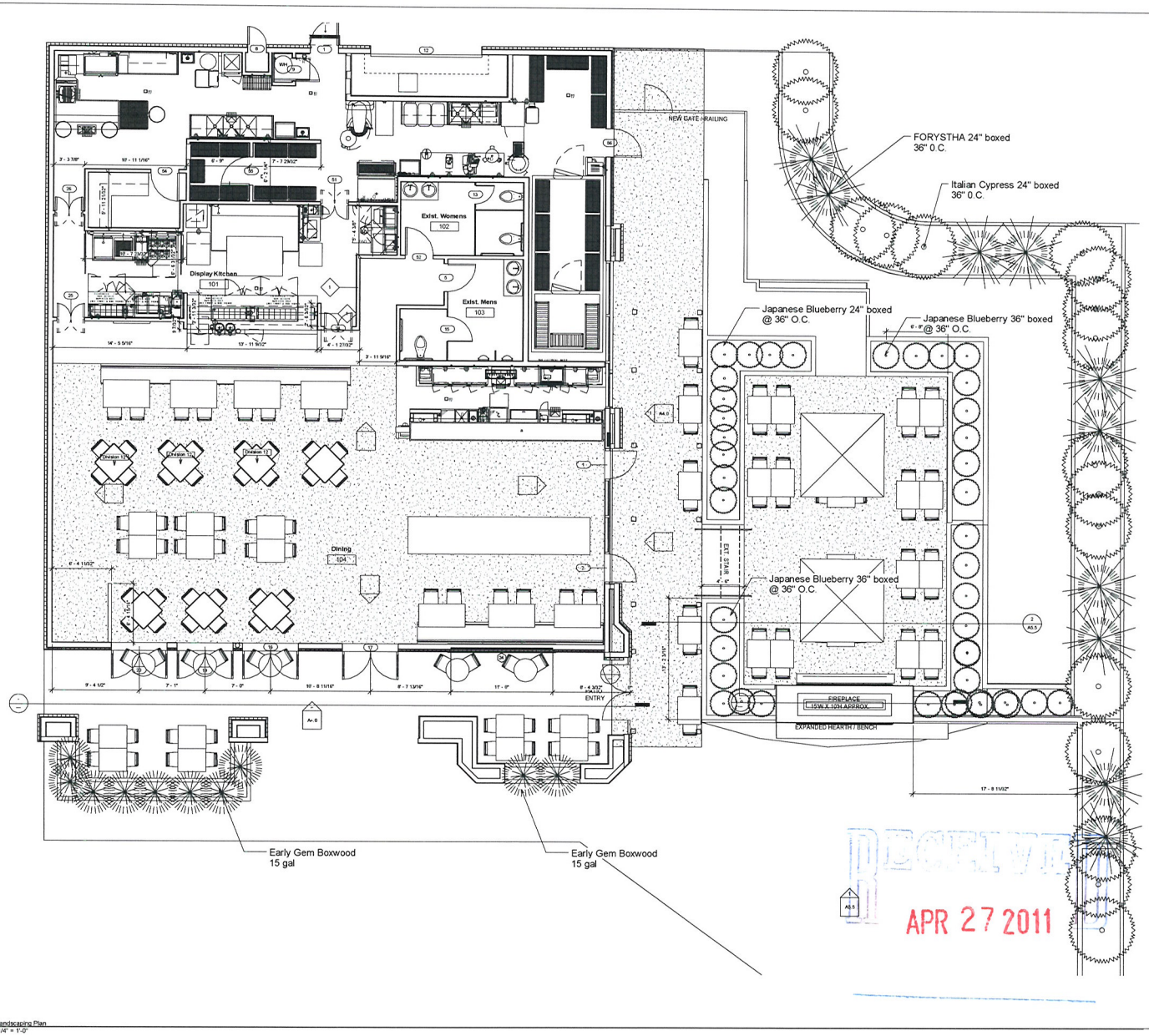
APR 27 2011




Landscaping Plan
1/4" = 1'-0"

RECEIVED
APR 27 2011


Daniel E. Downey
ARCHITECT
5510 ORCHARD LANE, LAS VEGAS, NEVADA, 89110
(702) 604-6691


| No. | Description | Date |
|---|---|---|

Dom DeMarcos

Landscape Plan

| | |
|---|---|
| Project Number | 2011 Doms |
| Date | 19APRIL 2011 |
| Drawn By | Author |
| Checked By | Checker |

L1.0

Scale 1/4" = 1'-0"

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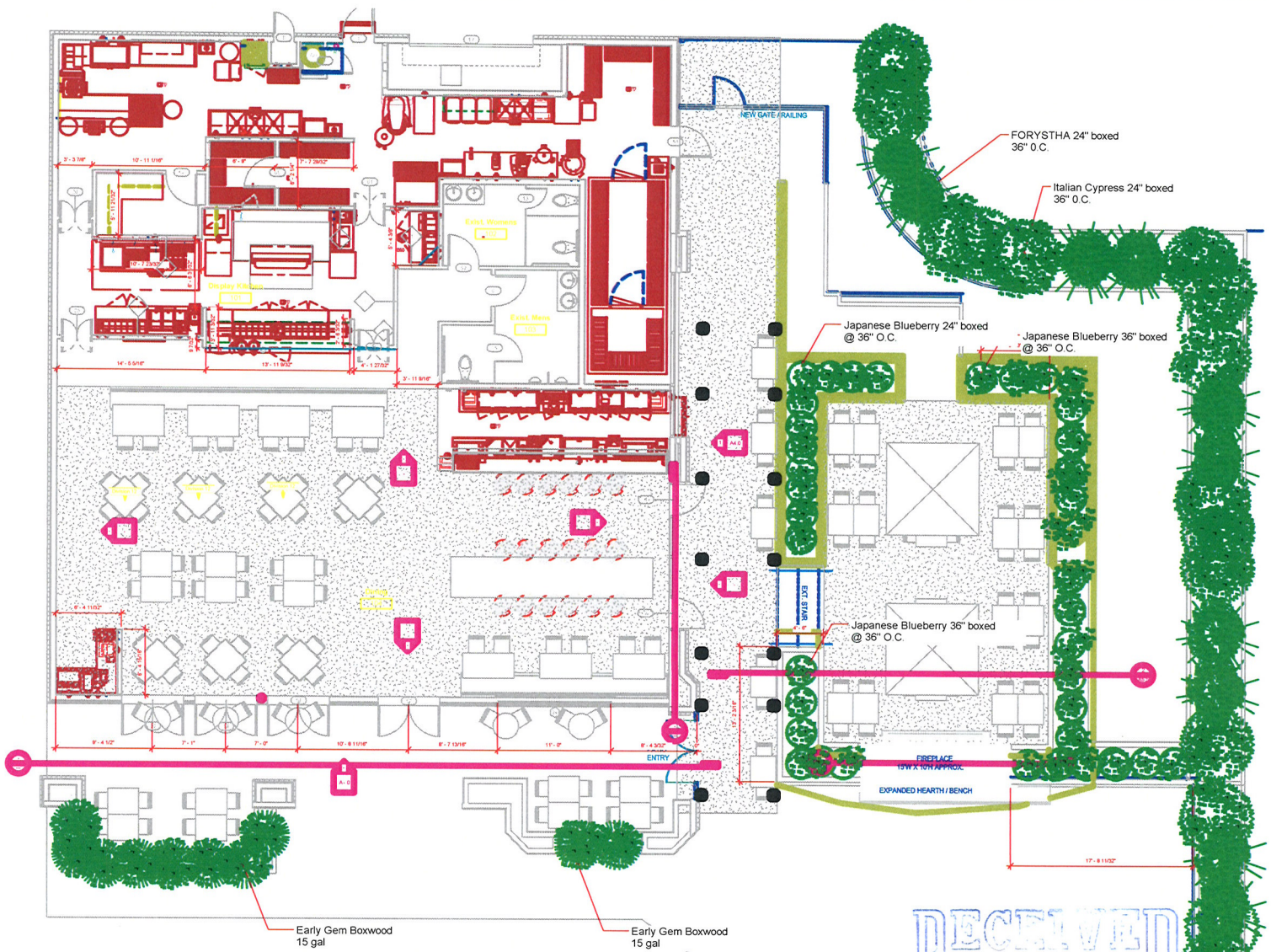
SUP-41563




RECEIVED
APR 27 2011
SUP-41563


ARCHITECT
5530 ORCHARD LANE LAS VEGAS, NEVADA 89110
(702) 804-8891


| No | Description | Date |
|---|---|---|

Dom DeMarcos

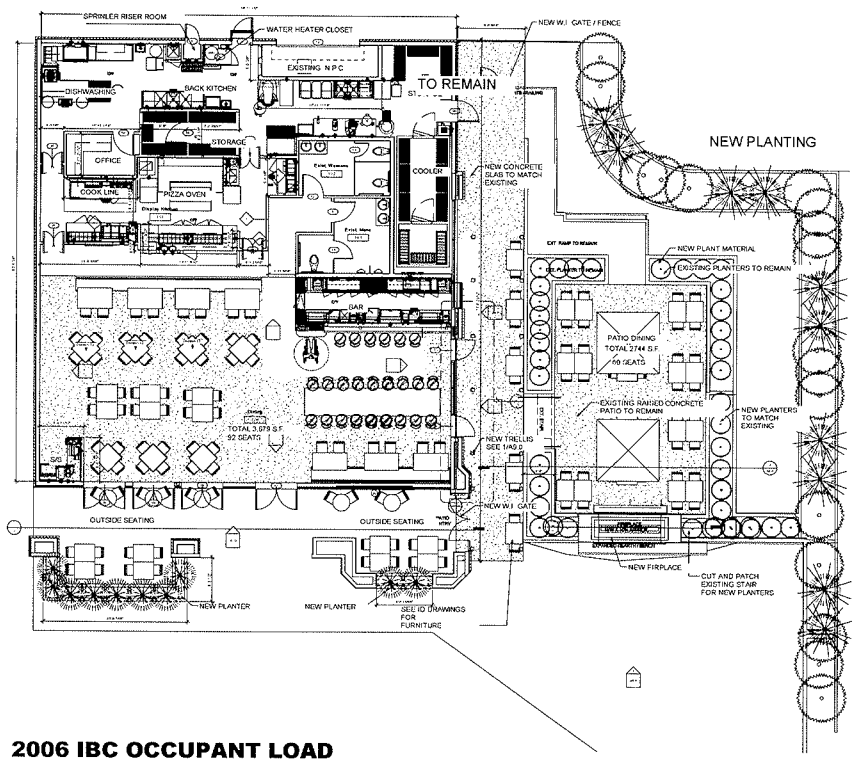
Landscape Plan

| | |
|---|---|
| Project Number | 2011 Doms |
| Date | 19APRIL 2011 |
| Drawn By | Author |
| Checked By | Checker |

L1.0

Scale: 1/4" = 1'-0"

Daniel E Downey
ARCHITECT
5538 ORCHARD LANE LAS VEGAS, NEVADA, 89110
(702) 804-9881




**2006 IBC OCCUPANT LOAD**
**KITCHEN 2078 SF/200=11 OCC.**
**DINING 1601/100 = 16OCC**

N

## FLOOR PLAN

1/8"=1'-0"

MAR 27 2011

**SUP-41563**

| No. | Description | Date |
|---|---|---|
| | | |

Dom DeMarcos

Floor Plan

| | |
|---|---|
| Project Number | 2011 Doms |
| Date | 19APRIL 2011 |
| Drawn By | Author |
| Checked By | Checker |

A2.0

Scale 1/4" = 1'-0"

4/5/2011 12:05 PM



COURTYARD VIEW



FIREPLACE VIEW

RECEIVED
APR 27 2011

Daniel E. Downey
ARCHITECT
5538 ORCHARD LANE LAS VEGAS, NEVADA 89110
(702) 604-8881

| No. | Description | Date |
|---|---|---|

Dom DeMarcos

Renderings

| | |
|---|---|
| Project Number | 2011 Doms |
| Date | 19APRIL 2011 |
| Drawn By | Author |
| Checked By | Checker |

R1.0

Scale

4/26/2011 3:03:38 PM

**SUP-41563**




SUP-41563 - APPLICANT: DIFARA PIZZA HOLDINGS, INC. - OWNER: HALAPAI COMMONS
9785 WEST CHARLESTON BOULEVARD

05/05/11



SUP-41563 - APPLICANT: DIFARA PIZZA HOLDINGS, INC. - OWNER: HALAPAI COMMONS
9785 WEST CHARLESTON BOULEVARD

05/05/11



SUP-41563 - APPLICANT: DIFARA PIZZA HOLDINGS, INC. - OWNER: HALAPAI COMMONS
9785 WEST CHARLESTON BOULEVARD

05/05/11

Daniel E. Downey
Architect

April 26, 2011

City of Las Vegas

Department of Planning & Development

731 Fourth Street

Las Vegas, Nevada 89101

Re: Justification Letter for Dom Demarcos

9785 West Charleston

Las Vegas, Nevada

The project is located at the old Atlanta bread company tenant improvement. The new space will specialize in pizza and Italian food. It also will offer indoor and patio dining which is what the Architectural review is for. It will also serve beer, wine, and liquor and will need to apply for a special use permit. This will not be open twenty four hours a day.

If you have any questions please contact me at 702 604 8881.

Thank You

Daniel Downey Architect

RECEIVED
APR 27 2011

5538 Orchard Lane
Las Vegas, Nevada 89110
Ph (702)604-8881
Fax (702)453-4176
email:dandowney2@live.com

**SUP-41563**
**SDR-41562**

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

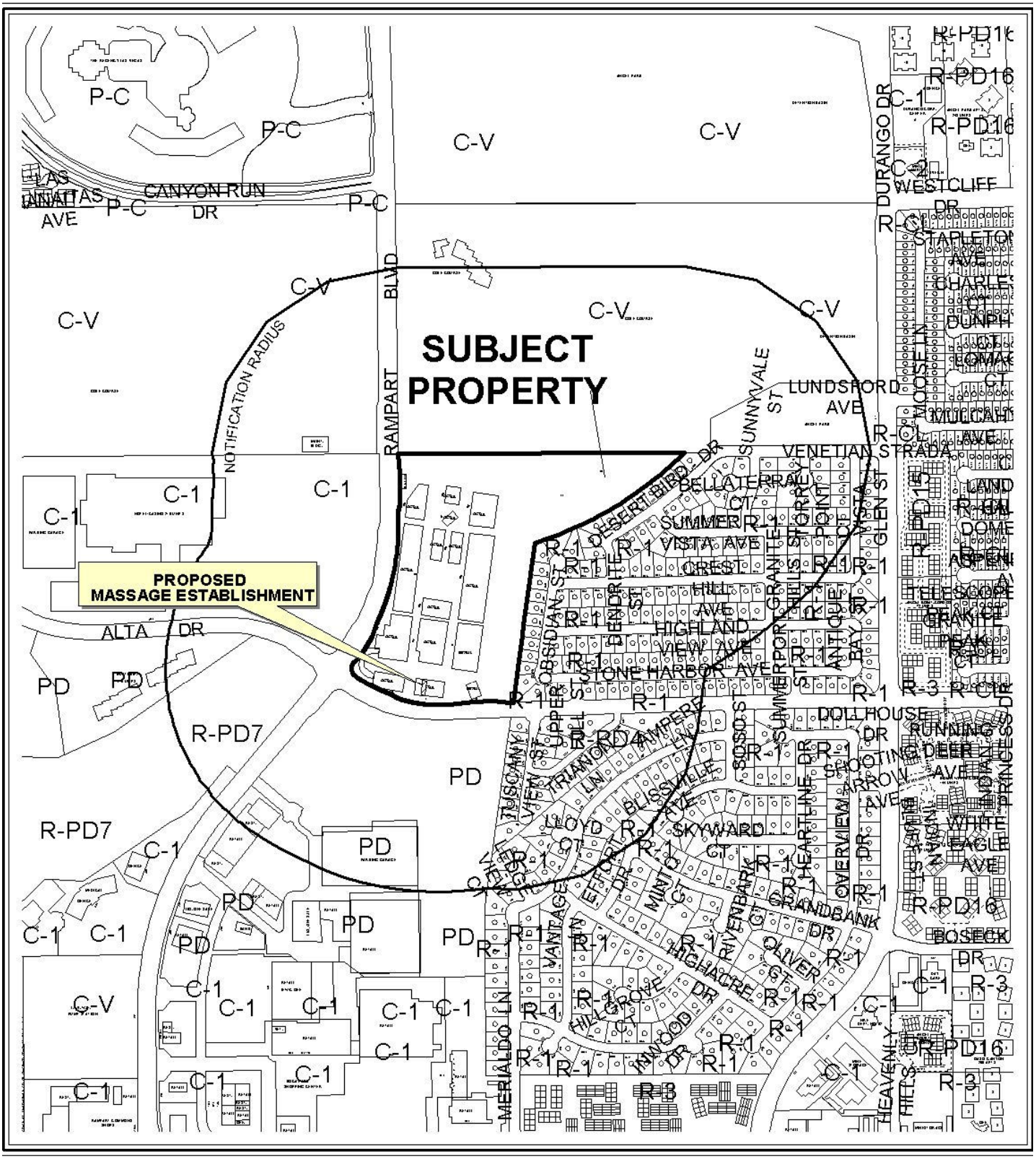
**SUBJECT:**
SUP-41573 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LV SPA VENTURE VQR, LLC - OWNER: GREAT WASH PARK, LLC - Request for a Special Use Permit TO ADD A PROPOSED 492 SQUARE-FOOT MASSAGE ESTABLISHMENT WITHIN AN EXISTING 3,680 SQUARE-FOOT GENERAL PERSONAL SERVICE (BEAUTY SALON) WITH WAIVERS TO ALLOW A 141-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS REQUIRED AND AN 80-FOOT DISTANCE SEPARATION FROM ANOTHER MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS REQUIRED at 440 South Rampart Boulevard, Suite #150 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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. Photo
5. Justification Letter




0 300 600 Feet

**CASE:** **SUP-41573**

**RADIUS:** 1000 FT

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

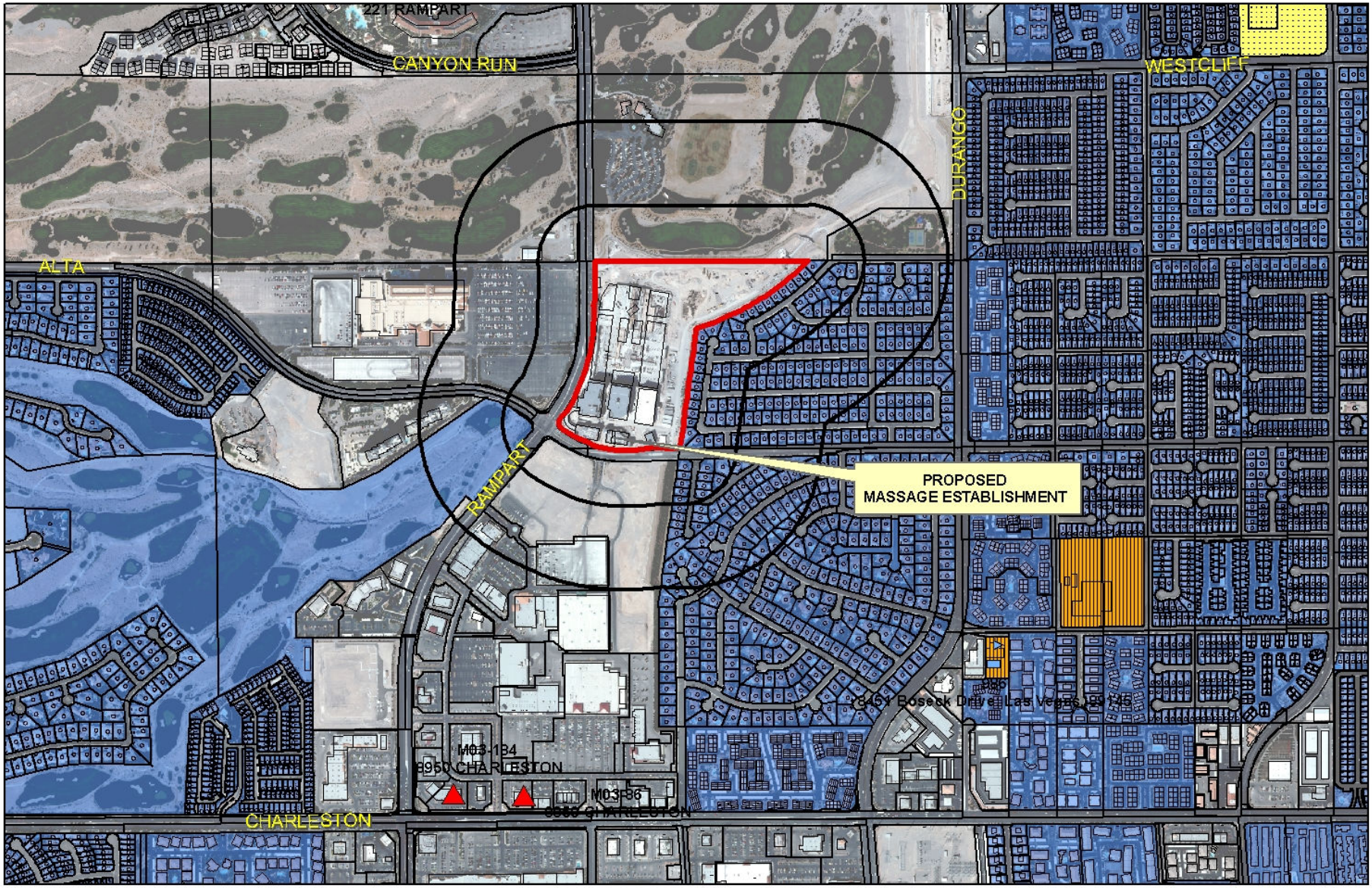
N




**CASE:** **SUP-41573**

**RADIUS:** 1000 FT

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




**SUP-41573**
**Massage Establishment**

**Business Licenses**

- Massage Establishment
- Child Care/ Children Facility

**Protected Landuses**

- RELIGIOUS
- CITY PARKS
- SCHOOLS

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

0 600 1,200 2,400 Feet

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: LV SPA VENTURE VQR, LLC - OWNER: GREAT WASH PARK, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-41573** | Staff recommends APPROVAL, subject to conditions: | N/A |

## ** CONDITIONS **

# SUP-41573 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 (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 the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

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

5. 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 to be located within an existing General Personal Service (Beauty Salon) at 440 South Rampart Boulevard, Suite #150. The proposed use will be located within Tivoli Village at Queensridge mixed-use development. The proposed use will be ancillary to the existing Beauty Salon. The Massage Establishment 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 request is denied, the proposed Massage Establishment cannot be located within the subject site, nor can a business license be obtained for the use at this location.

## ISSUES

- A Massage Establishment use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- Waivers are required to allow the proposed use to be located within 80 feet from another Massage Establishment use where 1,000 feet is required and to allow the proposed use to be located within 141 feet of a City Park where 400 feet is required. Staff can support the waivers requested as the use proposed will not have direct access to a City Park and other Massage Establishments.

## 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. |
| 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. |

| | |
|---|---|
| 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. |
| 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 the Department of Planning staff recommended denial. |
| | The City Council approved a request for a Site Development Plan Review (SDR-10770) for a 10-story Mixed-Use development consisting of 690,000 square feet of commercial space and 340 residential units on 28.69 acres 8750 Alta Drive. The Planning Commission recommended approval, but the Department of Planning staff recommended denial. |
| 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. The Department of Planning staff recommended approval. |
| 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. The Department of Planning staff recommended approval. |

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

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 02/23/09 | A building permit (#07002891) was issued for renewal of a permit for a certificate of completion for Building #8 at 440 South Rampart Boulevard. The permit was finalized on 05/16/11. |
| 02/17/11 | A building permit (#181060) was issued for tenant improvement for a Beauty Salon at 440 South Rampart Boulevard, Suite #150. The permit has not been finalized. |
| 04/25/11 | A business license (B05-03224) was issued for a Beauty Salon at 440 South Rampart Boulevard, Suite #150. The license is currently active. |
| | A business license (B08-01494) was issued for Beauty Supplies sales at 440 South Rampart Boulevard, Suite #150. The license is currently active. |

| | |
|---|---|
| 04/25/11 | A business license (M11-91981) was reviewed for a Massage Establishment Ancillary at 440 South Rampart Boulevard, Suite #150. The Department of Planning approved the license review. As of 04/28/11, a temporary business license was issued until 07/27/11. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/19/11 | A pre-application meeting was held with the applicant to discuss the submittal requirements for a Special Use Permit for a Massage Establishment use. |

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

| ***Field Check*** | |
|---|---|
| 05/05/11 | A site visit noted that the building of the subject suite for this application was recently completed. |

| ***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 | GC (General Commercial) | C-2 (General Commercial) |
| North | Angel Park | PR-OS (Park/Recreation/Open Space) | C-V (Civic) |
| South | Shopping Center | SC (Service Commercial) | PD (Planned Development) |
| East | Single Family, Detached | L (Low Density Residential) | R-1 (Single Family Residential) |
| West | Gaming Establishment, Non-restricted (Casino) | SC (Service Commercial) | C-1 (Limited Commercial) |
| | Hotel | | |

| ***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*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***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** | | | 3,955 | | 3,955 | | |
| **Regular and Handicap Spaces Required** | | | 3,895 | 60 | 3,895 | 60 | Y* |

*Per approved Variance (VAR-10773)

| ***Waivers*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| 1,000-foot distance separation from another Massage Establishment. | 80 feet | Approval |
| 400-foot distance separation from City Park. | 141 feet | Approval |

## ANALYSIS

Tivoli Village at Queensridge Mixed-Use development is adjacent to a Pedestrian Path 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 proposed Massage Establishment use will be located within 400 feet of a City Park and 1,000 feet of another Massage Establishment. The applicant is requesting waivers of the distance separation requirements to allow the proposed use to be located within 141 feet of a City Park and 80 feet from another Massage Establishment use. There is no direct access via a pedestrian path or vehicular access from Tivoli Village to the city park. There are two existing Massage Establishments located within Boca Park Shopping Center, which are specifically located at the northeast corner of Rampart Boulevard and Charleston Boulevard beyond the required separation distance from the proposed Massage Establishment use within Tivoli Village.

A Massage Establishment use is defined by Title 19.20.020 as "a facility which is occupied and used for the purpose of practicing massage therapy as defined in LVMC Chapter 6.52. The term does not include the use accessory massage as defined in this Title." The proposed use will be conducted in five rooms totaling 492 square feet, or approximately 14 percent of the total floor area, of an existing 3,680 square-foot General Personal Service (Beauty Salon). The proposed use can be conducted in a manner that is harmonious and compatible with the existing surrounding land uses; therefore, staff recommends approval with conditions.

## FINDINGS (SUP-41573)

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 can be conducted in a manner that is harmonious and compatible with the existing surrounding land uses, and with future surrounding land uses.

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

   The site is physically suitable for this type of use and the intensity is appropriate in this area of the City. Ample site access is provided and adequate parking is being provided in accordance with the approved Variance (VAR-10773) for the mixed-use development.

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 number 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.**

   Pursuant to Title 19.04, the Minimum Special Use Permit Requirements for a Massage Establishment use mandates that the use not be located within 400 feet of City Park and 1,000 feet from another Massage Establishment use. Staff can support the requested Waivers, as the use will be operated in conjunction with the existing General Personal Service (Beauty Salon), and will not have direct access to a City Park and other Massage Establishment.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 13

**NOTICES MAILED** 412

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41573** APN: 138-32-601-003

Name of Property Owner: Great Wash Park LLC

Name of Applicant: LV Spa Venture VQR LLC dba Ritual Salon & Spa

Name of Representative: Jennifer Frederick

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 Rutledge

Print Name: LYNN A. RUTLEDGE

Subscribed and sworn before me

This 25th day of April, 2011

Cynthia Callegaro

Notary Public in and for said County and State

NOTARY PUBLIC
CYNTHIA CALLEGARO
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. MAR. 22, 2015
No: 07-2542-1

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APR 27 2011

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit for Massage Establishment

Project Address (Location) within Tivoli Village, 440 S. Rampart Boulevard, Suite 150

Project Name Ritual Salon & Spa Proposed Use Massage Establishment

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 3,680 total sqft Floor Area Ratio See SUP 5853

Gross Acres 28.44 Lots/Units N/A Density N/A

Additional Information Subject Use Permit is on a portion of a 28.44 acre C - 2 zoned parcel that holds a mixed use permit SUP - 5853. See also Ordinance 6013. Full Service Salon & Spa adding massage services.

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 LV Spa Venture VQR LLC Contact Jennifer Frederick

Address 4085 Abernathy Forest Place Phone: 702-528-0269 Fax: 702-463-2903

City Las Vegas State Nevada Zip 89141

E-mail Address Jennifer@RitualSalonandSpa.net

REPRESENTATIVE Jennifer Frederick Contact Jennifer Frederick

Address 4085 Abernathy Forest Place Phone: 702-528-0269 Fax: 702-463-2903

City Las Vegas State Nevada Zip 89141

E-mail Address Jennifer@RitualSalonandSpa.net

Property Owner Signature* Lynn Rutledge

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

Print Name Lynn A. Rutledge

Subscribed and sworn before me

This 25th day of April, 2011.

Cynthia Callegaro

Notary Public in and for said County and State

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | SUP-41573 |
| Meeting Date: | 4/27/11 |
| Total Fee: | $1,030 |
| Date Received:* | 4/27/11 |
| 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

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

NOTARY PUBLIC
CYNTHIA CALLEGARO
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. MAR. 22, 2015
No: 07-2542-1

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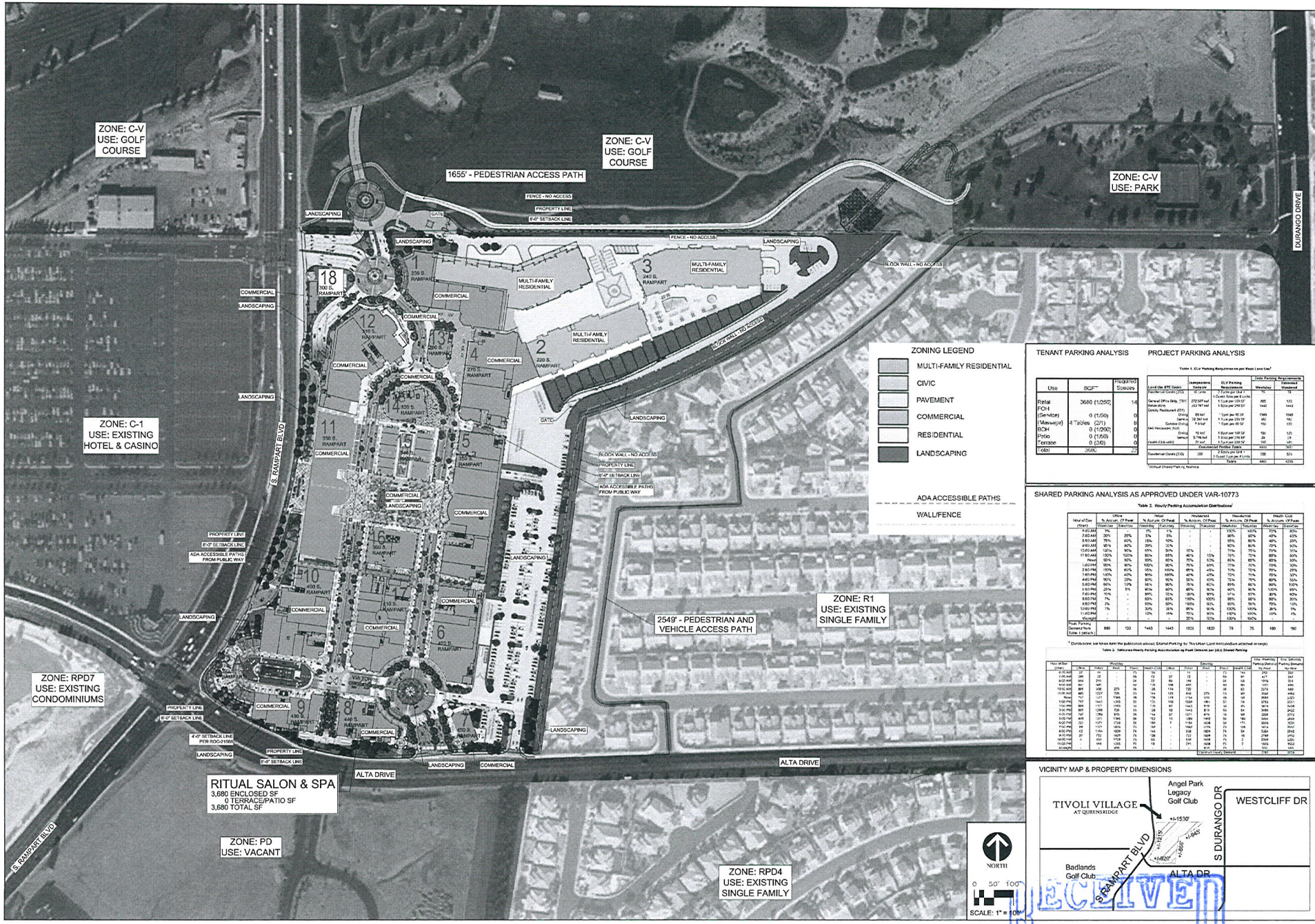


## TENANT PARKING ANALYSIS

| Use | SQFT | Required Spaces |
|---|---|---|
| Retail | 3680 (1/250) | 14 |
| FOH | | |
| (Service) | 0 (1/50) | 0 |
| (Massage) | 4 Tables (2/1) | 8 |
| BOH | 0 (1/200) | 0 |
| Patio | 0 (1/50) | 0 |
| Terrace | 0 (1/0) | 0 |
| Total | 3680 | 22 |

## PROJECT PARKING ANALYSIS

Table 1. CLV Parking Requirements per Peak Land Use[1]

| Land Use (ITE Code) | Independent Variable | CLV Parking Requirement | Base Parking Requirements | |
|---|---|---|---|---|
| | | | Weekday | Weekend |
| Residential Condo (230) | 40 Units | 2 Units per Unit + 1 Guest Space per 4 Units | 90 | 90 |
| General Office Bldg. (701) | 272 SFF ksf | 1 Unit per 333 SF | 865 | 535 |
| Retail (820) | 453.787 ksf | 1 Space per 250 SF | 1448 | 1443 |
| Quality Restaurant (231) | | | | |
| (Dining) | 48 ksf | 1 Unit per 50 SF | 1365 | 1040 |
| (Service) | 32.347 ksf | 1 Unit per 200 SF | 162 | 162 |
| Cocktail (Drng) | 9 ksf | 1 Unit per 50 SF | 180 | 180 |
| Del Mercado (932) | | | | |
| (Dining) | 10 ksf | 1 Unit per 100 SF | 100 | 121 |
| (Service) | 5.756 ksf | 1 Space per 250 SF | 29 | 29 |
| Health Club (492) | 20 ksf | 1 Unit per 200 SF | 100 | 100 |
| | | Commercial Portion Totals | 4449 | 3451 |
| Residential Condo (230) | 100 | 2 Units per Unit + 1 Guest Space per 4 Units | 226 | 825 |
| | | Totals | 4961 | 4276 |

[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 | | Retail | | Residential | | Residential | | Health Club | |
|---|---|---|---|---|---|---|---|---|---|---|
| | % Accum. Of Peak | | % Accum. Of Peak | | % Accum. Of Peak | | % Accum. Of Peak | | % Accum. Of Peak | |
| | Weekday | Saturday | Weekday | Saturday | Weekday | Saturday | Weekday | Saturday | Weekday | Saturday |
| 12:00 AM | 5% | - | - | - | - | - | 100% | 100% | 10% | 10% |
| 2:00 AM | 30% | 20% | 5% | 5% | - | - | 95% | 90% | 40% | 40% |
| 4:00 AM | 75% | 60% | 10% | 10% | - | - | 85% | 85% | 40% | 35% |
| 6:00 AM | 95% | 80% | 35% | 20% | - | - | 80% | 80% | 70% | 90% |
| 8:00 AM | 100% | 90% | 85% | 70% | 15% | - | 75% | 75% | 70% | 90% |
| 10:00 AM | 100% | 100% | 95% | 85% | 40% | 15% | 75% | 75% | 80% | 90% |
| Noon | 90% | 90% | 95% | 95% | 70% | 40% | 75% | 75% | 80% | 90% |
| 2:00 PM | 95% | 80% | 100% | 90% | 70% | 65% | 75% | 75% | 70% | 90% |
| 4:00 PM | 90% | 60% | 95% | 95% | 80% | 70% | 75% | 75% | 70% | 70% |
| 6:00 PM | 40% | 40% | 90% | 100% | 90% | 45% | 75% | 75% | 70% | 30% |
| 8:00 PM | 10% | 20% | 85% | 75% | 100% | 45% | 75% | 75% | 80% | 30% |
| 10:00 PM | 5% | - | 65% | 50% | 95% | 70% | 75% | 75% | 80% | 30% |
| 12:00 AM | 5% | - | 50% | 30% | 90% | 85% | 85% | 85% | 90% | 100% |
| 2:00 AM | 5% | - | 30% | 20% | 90% | 90% | 90% | 90% | 100% | 90% |
| 4:00 AM | - | - | 10% | 5% | 90% | 90% | 100% | 100% | 20% | 5% |
| 6:00 AM | - | - | - | - | 75% | 90% | 100% | 100% | 10% | 5% |
| Weekday | - | - | - | - | 75% | 90% | 100% | 100% | - | - |
| Peak Parking Demand from Table 1 (attach) | 885 | 133 | 1443 | 1443 | 1835 | 1820 | 75 | 75 | 180 | 180 |

[1] Distributions are taken from the publication entitled Shared Parking by The Urban Land Institute(Save attached as exep)

Table 3. Reference Hourly Parking Accumulation by Peak Demand per (ULI) Shared Parking

| Hour of Day (Start) | Weekday | | | | | Saturday | | | | | Total Weekday Parking Demand by Hour | Total Saturday Parking Demand by Hour |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Office | Retail | Hotel | Theater | Health Club | Office | Retail | Hotel | Theater | Health Club | | |
| 12:00 AM | 27 | 72 | - | 0% | 72 | - | - | 72 | 0% | 72 | 99 | 144 |
| 2:00 AM | 266 | 72 | - | 0% | 72 | - | - | 58 | 0% | 58 | 410 | 344 |
| 4:00 AM | 664 | 216 | - | 0% | 72 | - | - | 58 | 0% | 58 | 1016 | 344 |
| 6:00 AM | 841 | 497 | - | 0% | 126 | - | - | 58 | 0% | 58 | 1557 | 486 |
| 8:00 AM | 885 | 1230 | 275 | 0% | 126 | 118 | 722 | - | 0% | 63 | 2373 | 1483 |
| 10:00 AM | 885 | 1372 | 275 | 0% | 126 | 118 | 1155 | 275 | 0% | 63 | 2548 | 1856 |
| Noon | 797 | 1443 | 275 | 0% | 126 | 106 | 1155 | 275 | 0% | 63 | 2643 | 1857 |
| 2:00 PM | 797 | 1443 | 275 | 0% | 126 | 106 | 1155 | 275 | 0% | 63 | 2643 | 1857 |
| 4:00 PM | 797 | 1443 | 275 | 0% | 126 | 106 | 1155 | 275 | 0% | 63 | 2643 | 1857 |
| 6:00 PM | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| 8:00 PM | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| 10:00 PM | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| 12:00 AM | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| 2:00 AM | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| 4:00 AM | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| 6:00 AM | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| 8:00 AM | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| 10:00 AM | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| Noon | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| 2:00 PM | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| 4:00 PM | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| 6:00 PM | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| 8:00 PM | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| 10:00 PM | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| 12:00 AM | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| 2:00 AM | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| 4:00 AM | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| 6:00 AM | 797 | 1299 | 275 | 0% | 126 | 53 | 1443 | 275 | 0% | 63 | 2499 | 1809 |
| Weekday | - | - | 275 | 0% | - | - | - | 275 | 0% | - | 2499 | 1809 |
| Saturday | - | - | 275 | 0% | - | - | - | 275 | 0% | - | 2499 | 1809 |
| Peak Parking Demand from Table 1 (attach) | 885 | 1443 | 275 | 0% | 126 | 118 | 1443 | 275 | 0% | 63 | 2499 | 1809 |

## VICINITY MAP & PROPERTY DIMENSIONS




TIVOLI VILLAGE

RITUAL SALON & SPA
Tivoli Village at Queensridge
(f/k/a The Village at Queensridge)
440 S. Rampart Ste. 150
Las Vegas, NV 89145
A Portion of A.P.N. 138-32-601-003

SITE PLAN

01

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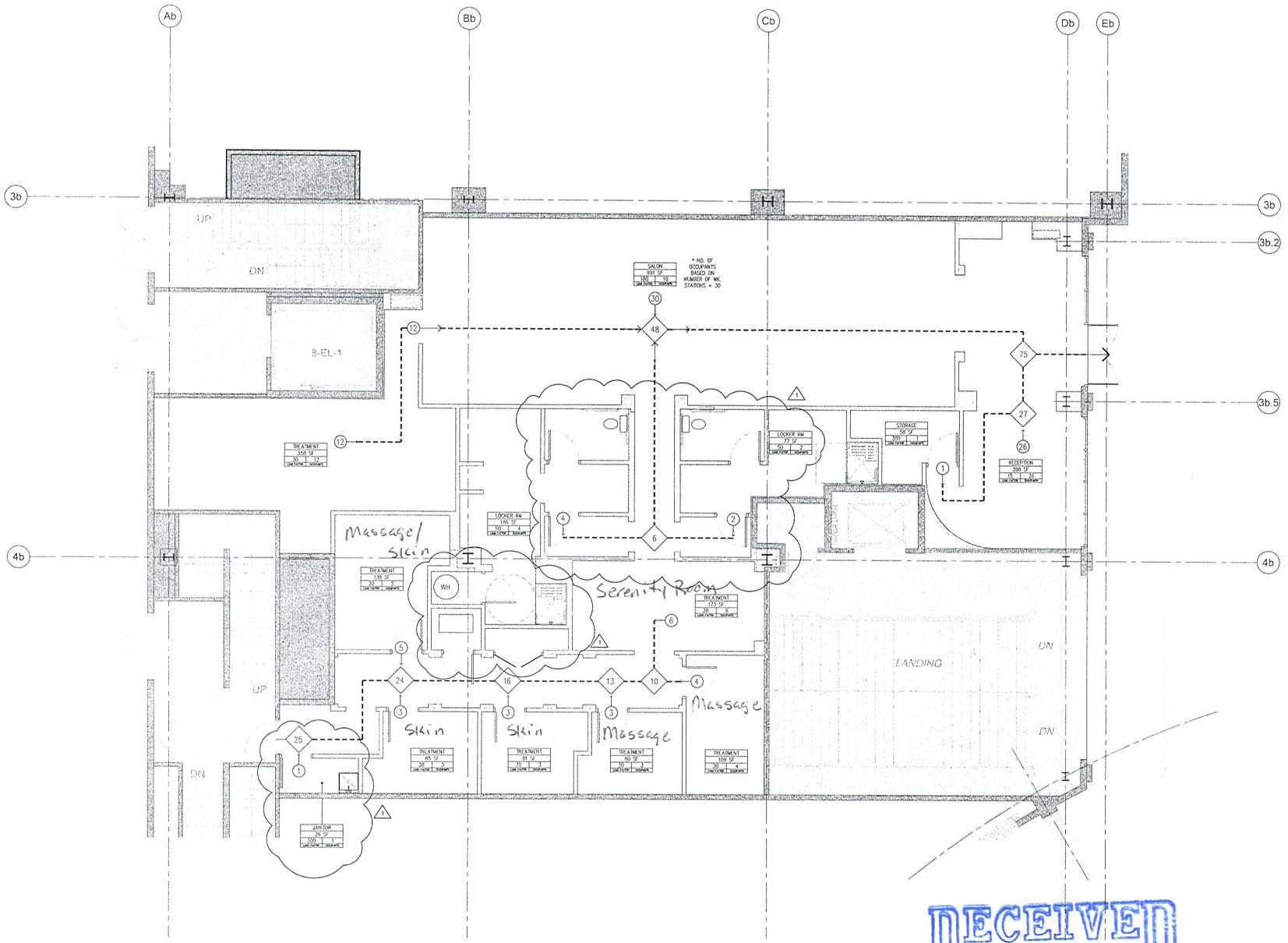
SUP-41573




1 EXITING PLAN
A200 SCALE: 1/4" = 1'-0"

1 DEMOLITION PLAN
1/4" = 1'-0"

N

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SUP-41573

CYPRESS
ARCHITECTURE&design
architecture
urban design
interiors

Cypress Architecture & Design, Inc.
2485 Village View Dr. Suite 170
Henderson, NV 89074
T: (702) 696-7625
F: (702) 995-0271
www.cypressarchitecture.com

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SEAL: FEB. 10, 2011

EVAN VAUSE REGISTERED No. 4002 ARCHITECT STATE OF NEVADA

CONSULTANT:

| Rev | Date | Description |
|---|---|---|
| 1 | 12/27/11 | PLAN REVIEW RESPONSE |

Ritual Salon & Spa
Tivoli Village at Queensridge
440 S. Rampart Blvd.
Bldg. 8, Suite #8150
Las Vegas, NV 89145

Sheet Title:
EXITING PLAN

| | |
|---|---|
| Project No. | 389-TVSPA |
| file name: | 389-A200 |
| Drawn By: | AEB |
| Checked By: | |
| Date: | 12.14.10 |
| Sheet No. | A200 |

003.A201.pdf




SUP-41573 - APPLICANT: LV SPA VENTURE VQR, LLC - OWNER: GREAT WASH PARK, LLC
440 SOUTH RAMPART BOULEVARD, SUITE #150

05/05/11

April 25, 2011

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

Re: Special Use Permit for Ritual Salon & Spa, a full service salon and massage establishment within Tivoli Village at Queensridge Parcel 138-32-601-003

Dear Sir/Madam;

Please consider this request to allow a Massage Establishment within a previously approved mixed use development (SUP-5853). The site is located within a 29 acre commercial and residential development located at the northeast corner of Alta Drive and Rampart Boulevard.

Ritual Salon & Spa meets Title 19 requirements for a massage establishment. The parking allocation for this salon and massage establishment 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 two waivers of separation distance: 1) 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 160 feet from a playground within Angel Park (138-32-501-003). It is important to note that the commercial portion of this 30 acre parcel is on the westernmost side of the mixed use area. Consequently approximately 560 feet of mid-rise residential development is situated between the commercial portion of Tivoli Villages and the subject playground. 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 massage establishment. 2) in addition the subject property is located within 80 feet from another Massage Establishment use and is measured from property line to property line of the commercial subdivision. The commercial subdivision is the shopping center located to the south (Boca Park). Alta Drive right-of-way is an 80-foot right-of-way.

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SUP-41573

The subject property will offer accessory massage with-in a full service beauty salon. Additional services offered will include facials, body treatments, and waxing in order to provide an upscale experience for the clients.

5 – Treatment rooms
- 2 – for Aesthetics - Skin
- 2 – for Massage
- 1 - Dual Service Room - Skin / Massage

15 – Hair Stylist Stations
2 –Manicure Stations
2 – Pedicure Stations

Operating hours 9:00am – 5:00 pm 7 days a week

Respectfully,
Jennifer Frederick
Jennifer Frederick

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APR 27 2011

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

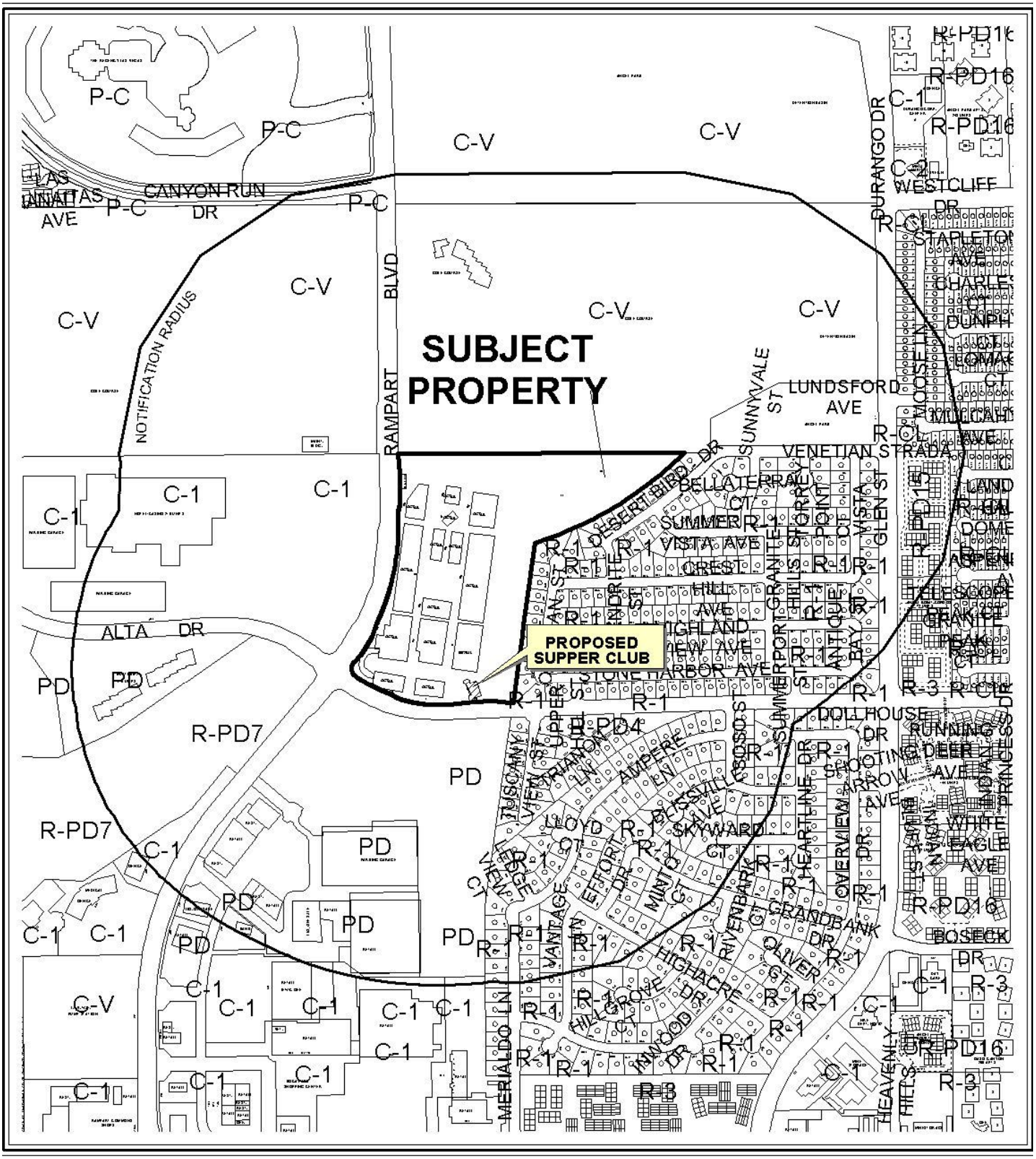
**SUBJECT:**
SUP-41576 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC - Request for a Special Use Permit FOR A 6,013 SQUARE-FOOT SUPPER CLUB WITHIN A 28.44-ACRE MIXED-USE DEVELOPMENT WITH A WAIVER TO ALLOW A DISTANCE SEPARATION OF 141 FEET FROM A CITY PARK WHERE 400 FEET IS REQUIRED at 450 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 07/20/2011**
**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. Photo
5. Justification Letter




0 300 600 Feet

**CASE:** **SUP-41576**

**RADIUS:** 1500 FT

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

N




0 300 600 Feet

**CASE:** **SUP-41576**

**RADIUS:** 1500 FT

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

N

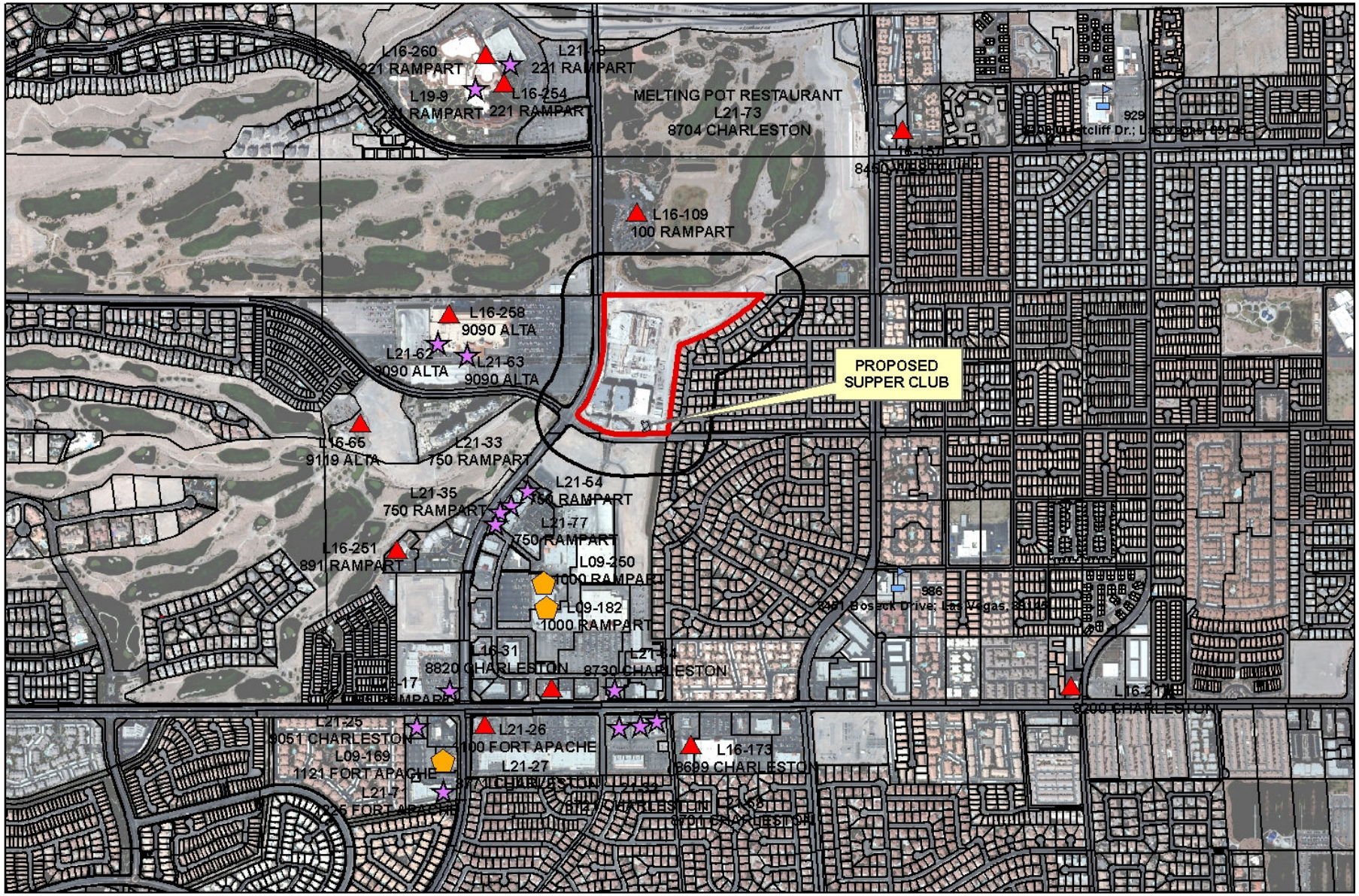



# APPROVED & PENDING ALCOHOL ENTITLEMENTS FOR APN: 13832601003

## ALCOHOL USES

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

N




**SUP-41576**

## 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: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: GREAT WASH PARK, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-41576** | Staff recommends APPROVAL, subject to conditions: | N/A |

## ** CONDITIONS **

# SUP-41576 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Supper Club 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 the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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 proposed 6,013 square-foot Supper Club use at 450 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 Supper Club 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 Supper Club use cannot be located within the subject site, nor can a business license be obtained for the use at this location.

## ISSUES

- A Supper Club 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 the use to be located 141 feet from a City Park where 400 feet is required for approval of the Special Use Permit for the Supper Club use. Staff can support the waiver request, whereas the park and Tivoli Village mixed-use development does not have direct access via a pedestrian path or vehicular access.

## 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 28.44 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 28.44 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 28.44 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 28.44 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 28.44-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 28.44-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 Rampart 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. |
| 04/12/11 | The Planning Commission approved a request for a Special Use Permit (SUP-41030) for a Beer/Wine/Cooler On-Sale Establishment, located at 410 South Rampart Boulevard, Suite #120. The Department of Planning staff recommended approval. |
| 05/10/11 | The Planning Commission approved a request for a Special Use Permit (SUP-40748) for a Liquor Establishment (Tavern), located at 430 South Rampart Boulevard, Suite #B160. The Department of Planning staff recommends approval. |
| | The Planning Commission approved a request for a Special Use Permit (SUP-40749) for a Liquor Establishment (Tavern), located at 430 South Rampart Boulevard, Suite #B130. The Department of Planning staff recommends approval. |
| | The Planning Commission approved a request for a Special Use Permit (SUP-41304) for a Liquor Establishment (Tavern), located at 430 South Rampart Boulevard, Suites #150 and #230. The Department of Planning staff recommends approval. |

| | |
|---|---|
| 06/14/11 | The Planning Commission will hear a Special Use Permit (SUP-41577) for a Restaurant with Service Bar a waiver to allow a 141-foot distance separation from a City Park where 400 feet is the minimum required at 400 South Rampart Boulevard, Suite #165. |
| | The Planning Commission will hear a Special Use Permit (SUP-41581) for a Liquor Establishment (Tavern) use within an existing Mixed-Use development at 410 South Rampart Boulevard, Suite #175. |

| ***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 450 South Rampart Boulevard, Suite #120, since the building has not received its final certificate of completion. | |
| 02/22/09 | A building permit (#07002693) was issued for a renewal of a permit for a certificate of completion for Building #7 at 450 South Rampart Boulevard. |
| ***Pre-Application Meeting*** | |
| 04/19/11 | A pre-application meeting was held with the applicant where elements of submitting a Special Use Permit for a Supper Club use were discussed. The topics included:<br>• A waiver is required due to the proximity of the proposed use within 400 feet from a City Park.<br>• The proposed use is located within a Mixed-Use development. |

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

| ***Field Check*** | |
|---|---|
| 05/05/11 | 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/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*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***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** | | | 3,955 | | 3,955 | | |
| **Regular and Handicap Spaces Required** | | | 3,895 | 60 | 3,895 | 60 | Y |

*** Per approved Variance (VAR-10773)**

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

**ANALYSIS**

The applicant is proposing a Supper Club use located within the Tivoli Village at Queensridge Mixed-Use development. The proposed use is compatible with adjacent uses within the Mixed-Use development, including previously approved similar uses.

Tivoli Village at Queensridge Mixed-Use development is adjacent to a Pedestrian Path 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 a Waiver of the required 400-foot distance separation from a City Park, pursuant to the Minimum Special Use Permit requirement. The park is located approximately 141 feet from the proposed Supper Club use within Tivoli Village, but there are two barriers that prevent direct access to the park: a 600-foot fence that runs along the northern boundary of the subject site and a drainage channel that is more than 20 feet deep. As a result, a person would need to walk 1,655 feet to access the park, since direct vehicular access is not possible.

The floor plan submitted depicts 6,013 square feet for the proposed Supper Club use. The bar and lounge areas are separated by a railing. The proposed floor plan depicts the dining area, and outdoor/patio area seating available for 176 guests, while the bar and lounge areas have seating available for 20 guests. The floor area of the indoor seating is 2,890 square feet and outdoor patio seating area is 1,264 square feet. The remaining area or back of house area is 1,859 square feet. 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-41576)**

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

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

   The proposed Supper Club use will be 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 Supper Club 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 number 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** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-41576 APN: 138-32-601-003

Name of Property Owner: Great Wash Park LLC

Name of Applicant: Great Wash Park LLC

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 May, 2011

Cynthia Callegaro

Notary Public in and for said County and State

NOTARY PUBLIC
CYNTHIA CALLEGARO
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. MAR. 22, 2015
No: 07-2542-1

RECEIVED
MAY 19 2011

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Special Use Permit for ~~Liquor Establishment~~ (Supper Club)

**Project Address (Location)** within Tivoli Village, 450 South Rampart Boulevard, Suite 120

**Project Name** Bottles and Burgers **Proposed Use** Supper Club

**Assessor's Parcel #(s)** 138-32-601-003 **Ward #** 2 - Wolfson

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

Retail Area - 43 sqft Back Area - 1816 sqft Front Area - 2890 sqft Patio - 547 sqft Terrace - 717 sqft

**Commercial Square Footage** Total sqft -6,013 **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 acres C - 2 zoned parcel that holds a mixed use permit SUP - 5853. See also ordiance 6013.

**PROPERTY OWNER** Great Wash Park LLC **Contact** Vickie DeHart

**Address** 9755 West Charleston Boulevard **Phone:** 702-940-6930 **Fax:** 702-940-6931

**City** Las Vegas **State** Nevada **Zip** 89117

**E-mail Address** vickie@ehbinc.com

**APPLICANT** Great Wash Park LLC - Tivoli Village at Queensridge **Contact** Cynthia Callegaro

**Address** 1215 South Fort Apache Road, Suite 240 **Phone:** 702-946-6680 **Fax:** 702-946-6681

**City** Las Vegas **State** Nevada **Zip** 89117

**E-mail Address** ccallegaro@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 26th day of April, 20 11.

Cynthia Callegaro

Notary Public in and for said County and State

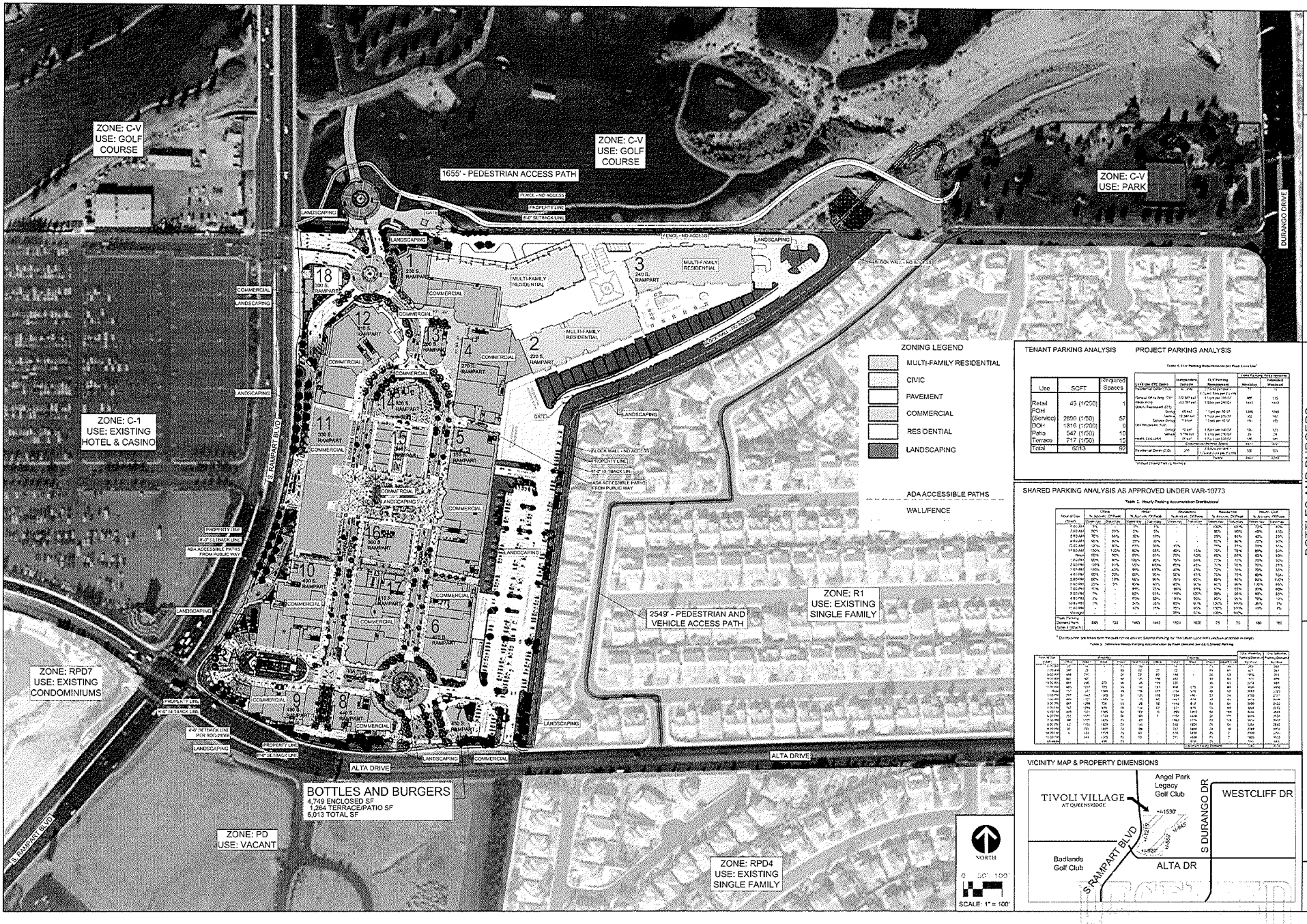
*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | SUP-41576 |
| Meeting Date: | 6-14-11 |
| Total Fee: | 1280.00 |
| Date Received:* | 4-27-11 |
| Received By: | J Fmuel |

*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

NOTARY PUBLIC
CYNTHIA CALLEGARO
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. MAR. 22, 2015
No: 07-2542-1




TENANT PARKING ANALYSIS

| Use | SQFT | Required Spaces |
|---|---|---|
| Retail | 45 (1/250) | 1 |
| FOH (Service) | 2890 (1/50) | 57 |
| BOH | 1816 (1/200) | 8 |
| Patio | 547 (1/50) | 11 |
| Terrace | 717 (1/50) | 15 |
| Total | 6013 | 92 |

PROJECT PARKING ANALYSIS

SHARED PARKING ANALYSIS AS APPROVED UNDER VAR-10773

VICINITY MAP & PROPERTY DIMENSIONS




TIVOLI VILLAGE

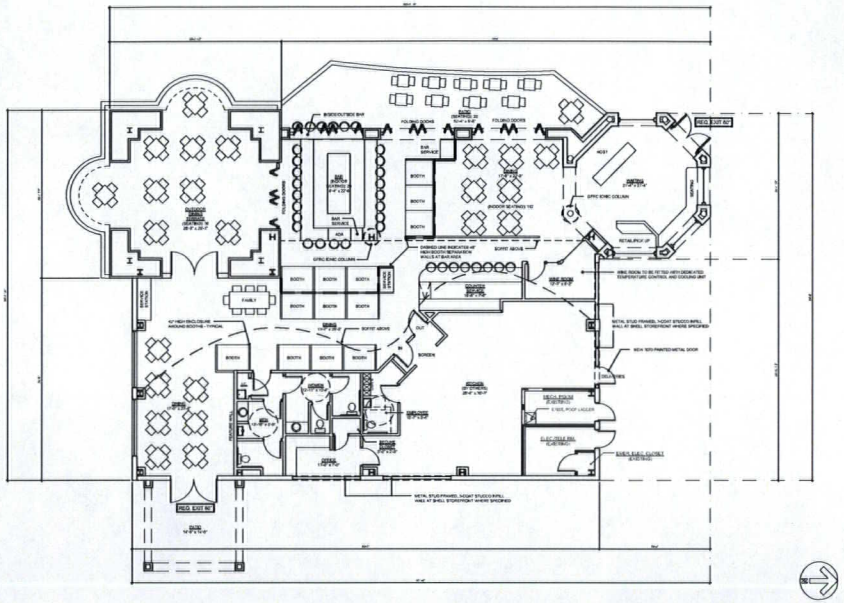
BOTTLES AND BURGERS
Tivoli Village at Queensridge
(f/k/a The Village at Queensridge)
450 S. Rampart Ste. 120
Las Vegas, NV 89145
A Portion of A.P.N. 138-32-601-003

SITE PLAN

01

**SUP-41576**

APR 27 2011



1 FLOOR PLAN
A2.01S 1"=10'-0"

| SEATING | |
|---|---|
| INDOOR (seating): | 112 |
| PATIO (seating): | 28 |
| BAR (seating): | 20 |
| TERRACE (seating): | 36 |
| TOTAL: | 196 (SEATING CAP.) |

| S.F. BY AREA | |
|---|---|
| RETAIL: | 43 SF |
| BACK AREA: | 1816 SF |
| SEATING AREA: | 2890 SF |
| SUB TOTAL: | 4749 SF |
| PATIO: | 547 SF |
| TERRACE: | 717 SF |
| SUB TOTAL: | 1264 SF |
| TOTAL: | 6013 SF |

| OCCUPANCY | |
|---|---|
| DINING: | 2890 SF/15=193 OCCUPANTS |
| KITCHEN: | 850 SF/200=5 OCCUPANTS |
| OFFICE: | 107 SF/100= 2 OCCUPANTS |
| WOMENS: | 123 SF/100= 2 OCCUPANTS |
| MENS: | 100 SF/ 100= 1 OCCUPANT |
| WINE ST: | 90 SF /300= 1 OCCUPANT |
| TERRACE: | 717 SF / 15 = 48 OCCUPANTS |
| PATIO: | 547 SF / 15 = 37 OCCUPANTS |
| TOTAL: | 290 (OCCUPANTS) |


d3 design studios
5960 South Rainbow Blvd.
Suite 100
Las Vegas, NV 89118
T: 702.487.5349
F: 702.430.9316
www.d3dslv.com


Bottles and Burgers by DH
Attn: Ray Nisi
3327 Las Vegas Blvd.
Las Vegas, NV 89109
1.914.621.1400

BOTTLES & BURGERS BY DOUBLE HELIX

DAVID HEINRICH
REGISTERED
No. 4667
ARCHITECT
STATE OF NEVADA

PROJECT NAME & LOCATION:
BOTTLES AND BURGERS BY DH
TIVOLI VILLAGE at QUEENSRIDGE
(F/K/A THE VILLAGE AT QUEENSRIDGE
450 SOUTH RAMPART BLVD., SUITE 120
LAS VEGAS, NEVADA 89145
A PORTION OF A.P.N.# 138-32-601-003

| # | Date | Description |
|---|---|---|
| | | |

The contractor shall check and verify all dimensions and report all errors and omissions to the office prior to commencing work - these drawings are not to be scaled

2010.024
project number
April 26, 2011
date
d3
drawn
Darryll Brandwine
project manager
Alan Heinrich, NCARB
principal in charge

Sheet Name:
Floor Plan

Sheet Number:
A2.01S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2011 d3designstudios


SUP-41576
REVISED

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MAY 10 2011




**SUP-41576 – APPLICANT/OWNER: GREAT WASH PARK, LLC**
**450 SOUTH RAMPART BOULEVARD, SUITE #120**

05/05/11

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

May 10, 2011

City of Las Vegas
Planning & Development
333 S Rancho Street
Las Vegas, Nevada 89101

Re: Special Use Permit for Bottles and Burgers, a supper club within Tivoli Village at Queensridge. Parcel 138-32-601-003

Dear Mr. Grider,

Please consider this request to allow a supper club within a previously approved mixed use development (SUP-5853). The site is located within a 29 acre commercial and residential development located at the northeast corner of Alta Drive and Rampart Boulevard. Specifically, this is a grade level supper club located within the south easternmost building in Tivoli Village. The business will be within building seven and is addressed as 450 S. Rampart #120. Building seven is adjacent to the community's access point on Alta Drive.

Bottles and Burgers provides a family style and diner atmosphere (4,209 SF) two outdoor dining areas (1,264 SF) and a lounge area (approx 540 SF). Please note that a combination of baffler systems and signage is used to ensure minors will not traverse through the lounge area.

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 29 acre parcel is at the southernmost side of the mixed use area. Consequently, approximately 560 feet of midrise 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 supper club.

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

Very truly yours,

L U Dreja

Lora Dreja
Land Entitlements

RECEIVED
MAY 10 2011
SUP-41576
REVISED

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

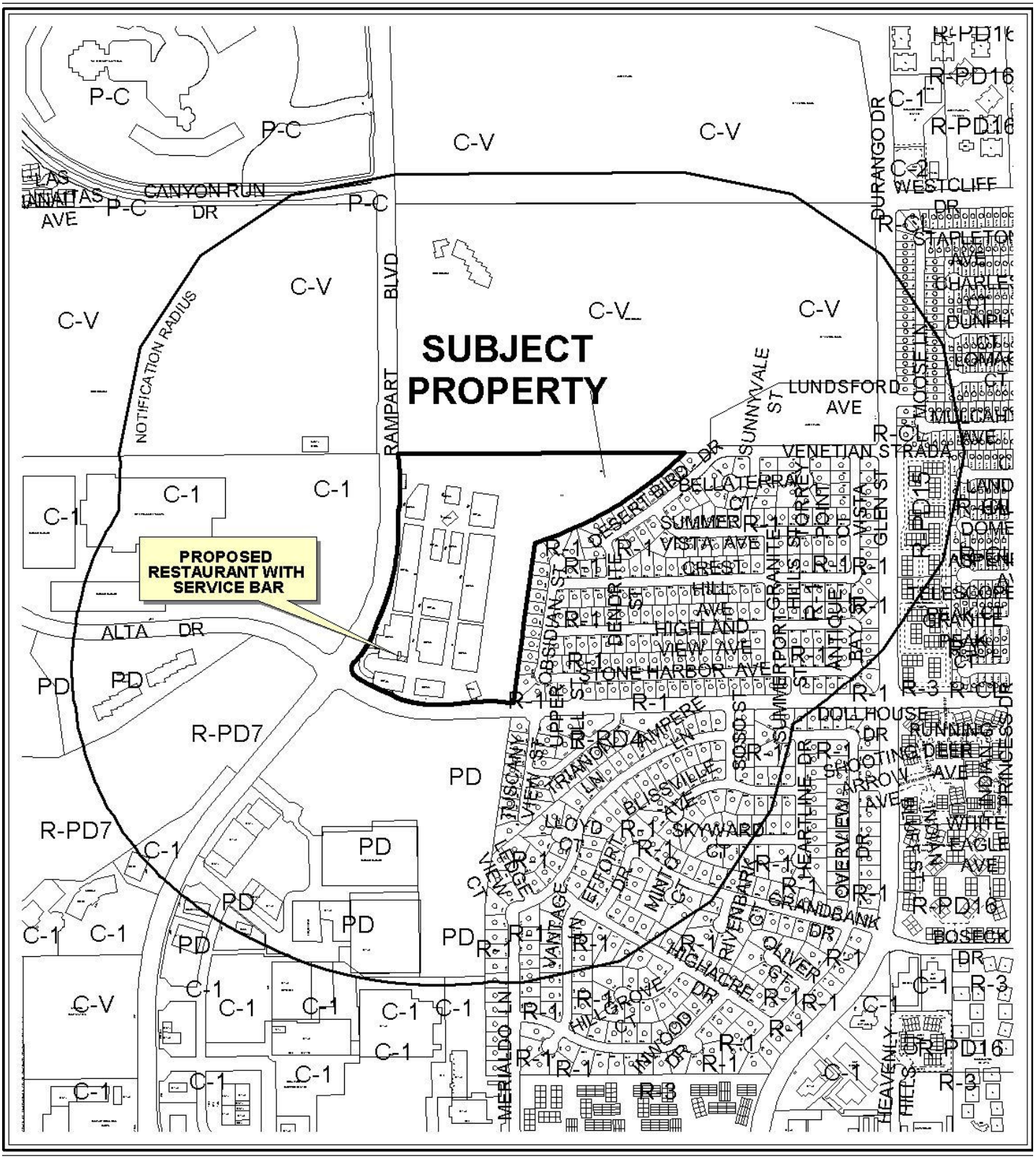
**SUBJECT:**
SUP-41577 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC - Request for a Special Use Permit FOR A PROPOSED RESTAURANT WITH SERVICE BAR WITHIN AN EXISTING 2,146 SQUARE-FOOT RESTAURANT WITH A WAIVER TO ALLOW A 141-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS REQUIRED at 400 South Rampart Boulevard, Suite #165 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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. Photo
5. Justification Letter




0 300 600 Feet

**CASE:** **SUP-41577**

**RADIUS:** 1500 FT

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

N



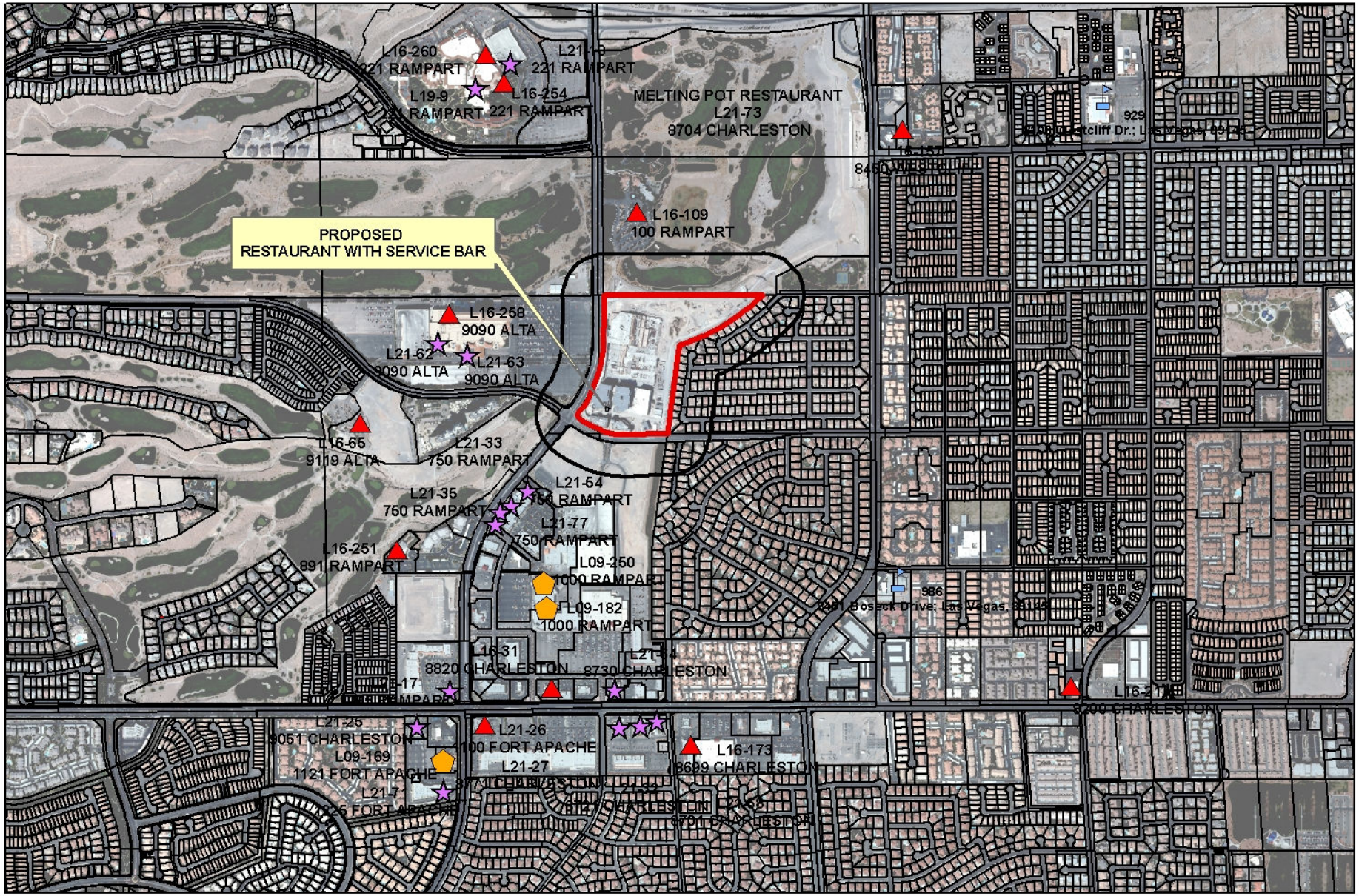

0 300 600 Feet

**CASE:** **SUP-41577**

**RADIUS:** 1500 FT

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

N


PROPOSED
RESTAURANT WITH SERVICE BAR
L16-260
221 RAMPART
L21-13
221 RAMPART
L19-9
RAMPART
L16-254
221 RAMPART
MELTING POT RESTAURANT
L21-73
8704 CHARLESTON
L16-109
100 RAMPART
L16-258
9090 ALTA
L21-62
9090 ALTA
L21-63
9090 ALTA
L16-65
9119 ALTA
L21-33
750 RAMPART
L21-35
750 RAMPART
L21-54
RAMPART
L21-77
750 RAMPART
L16-251
891 RAMPART
L09-250
1000 RAMPART
L09-182
1000 RAMPART
L16-31
8820 CHARLESTON
9730 CHARLESTON
L21-25
9051 CHARLESTON
L09-169
1121 FORT APACHE
L21-26
1100 FORT APACHE
L21-27
L16-173
8699 CHARLESTON
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

**SUP-41577**




# 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

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: GREAT WASH PARK, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-41577** | Staff recommends APPROVAL, subject to conditions: | N/A |

## ** CONDITIONS **

# SUP-41577 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Restaurant with Service Bar 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 the provisions of LVMC 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 **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a proposed 2,146 square-foot Restaurant with Service Bar within an existing Restaurant at 400 South Rampart Boulevard, Suite #165. The proposed use will be located within the Tivoli Village at Queensridge mixed-use development. The Restaurant with Service Bar 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 Restaurant with Service Bar use cannot be located within the subject site, nor can a business license be obtained for the use at this location.

## ISSUES

- A Restaurant with Service Bar 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 the use to be located 141 feet from a City Park where 400 feet is required for approval of the Special Use Permit for the Restaurant with Service Bar use. Staff can support the waiver request, because the park development does not have direct access via a pedestrian path or vehicular access from the Tivoli Village mixed-use development.

## 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. |
| 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. |

| | |
|---|---|
| 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. |
| 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 the Department of Planning staff recommended denial. |
| | The City Council approved a request for a Site Development Plan Review (SDR-10770) for a 10-story Mixed-Use development consisting of 690,000 square feet of commercial space and 340 residential units on 28.69 acres 8750 Alta Drive. The Planning Commission recommended approval, but the Department of Planning staff recommended denial. |
| 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. The Department of Planning staff recommended approval. |
| 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. The Department of Planning staff recommended approval. |
| 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 28.44-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. |
| | The Planning Commission approved a request for a Special Use Permit (SUP-39441) 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 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 Rampart 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. |
| 04/12/11 | The Planning Commission approved a request for a Special Use Permit (SUP-41030) for a Beer/Wine/Cooler On-Sale Establishment, located at 410 South Rampart Boulevard, Suite #120. The Department of Planning staff recommended approval. |
| 05/10/11 | The Planning Commission approved a request for a Special Use Permit (SUP-40748) for a Liquor Establishment (Tavern), located at 430 South Rampart Boulevard, Suite #B160. The Department of Planning staff recommends approval. |
| | The Planning Commission approved a request for a Special Use Permit (SUP-40749) for a Liquor Establishment (Tavern), located at 430 South Rampart Boulevard, Suite #B130. The Department of Planning staff recommends approval. |
| | The Planning Commission approved a request for a Special Use Permit (SUP-41304) for a Liquor Establishment (Tavern), located at 430 South Rampart Boulevard, Suites #150 and #230. The Department of Planning staff recommends approval. |

| | |
|---|---|
| 06/14/11 | The Planning Commission will hear a Special Use Permit (SUP-41576) 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 450 South Rampart Boulevard, Suite #120. |
| | The Planning Commission will hear a Special Use Permit (SUP-41581) for a Liquor Establishment (Tavern) use within an existing Mixed-Use development at 410 South Rampart Boulevard, Suite #175. |

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

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 02/23/09 | A building permit (#07002985) was issued for renewal of a permit for a certificate of completion for Building #10 at 400 South Rampart Boulevard. The permit was finalized on 05/12/11. |
| 02/22/11 | A building permit (#181354) was issued for a tenant improvement for a Restaurant at 400 South Rampart Boulevard, Suite #165. The permit has not been finalized. |
| 05/05/11 | A business license (B02-00157) was issued for a Bakery at 400 South Rampart Boulevard, Suite #165. The license is currently active. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/19/11 | A pre-application meeting was held with the applicant where elements of submitting a Special Use Permit for a Restaurant with Service Bar use were discussed. |

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

| ***Field Check*** | |
|---|---|
| 05/05/11 | A site visit noted that the building of the subject suite for this application was recently completed. |

| ***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 | GC (General Commercial) | C-2 (General Commercial) |
| North | Angel Park | PR-OS (Park/Recreation/Open Space) | C-V (Civic) |
| South | Shopping Center | SC (Service Commercial) | PD (Planned Development) |
| East | Single Family, Detached | L (Low Density Residential) | R-1 (Single Family Residential) |
| West | Gaming Establishment, Nonrestricted (Casino) | SC (Service Commercial) | C-1 (Limited Commercial) |
| | Hotel | | |

| *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*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***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** | | | 3,955 | | 3,955 | | |
| **Regular and Handicap Spaces Required** | | | 3,955 | 60 | 3,895 | 60 | Y* |

*Per approved Variance (VAR-10773)

| ***Waivers*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| 400-foot distance separation from City Park. | 141 feet | Approval |

**ANALYSIS**

The Restaurant with Service Bar use is defined by Title 19.20 as "a bar wherein alcoholic beverage drinks are prepared for service only at tables in a restaurant and for consumption only in connection with a meal served on the premises, and where customers are not permitted to purchase alcoholic beverage drinks directly from the bar of for off-premise consumption." The restaurant will be serving alcoholic beverage in connection with the meal served on the premises.

The proposed use will be located within the Tivoli Village at Queensridge Mixed-Use development. The mixed-use development is adjacent to a Pedestrian Path 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 proposed Restaurant with Service Bar use will be located within 141 feet of a City Park. The applicant is requesting a waiver of the distance separation requirement where 400 feet is required from the City Park. Staff can support the waiver request, whereas the park does not have direct access via a pedestrian path or vehicular access from the Tivoli Village mixed-use development.

The floor plan submitted depicts 2,146 square feet for the proposed Restaurant with Service Bar use. The floor plan depicts the dining area, and patio dining seating available for 49 guests. The floor area of the indoor seating is 1,078 square feet and outdoor patio seating area is 224 square feet. The remaining area or back area is 844 square feet. 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-41577)**

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 Service Bar use can be conducted in a manner that is harmonious and compatible 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 Restaurant with Service Bar use 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 number 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, because the park cannot be directly accessed.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 13

**NOTICES MAILED** 732

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number **SUP-41577** APN: 138-32-601-003

Name of Property Owner: Great Wash Park LLC

Name of Applicant: Great Wash Park LLC

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: _____

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MAY 19 2011

Signature of Property Owner: _____

Print Name: Todd D. Davis

Subscribed and sworn before me

This 18th day of May, 2011

Cynthia Callegaro
Notary Public in and for said County and State

NOTARY PUBLIC
CYNTHIA CALLEGARO
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. MAR. 22, 2015
No: 07-2542-1

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Special Use Permit for ~~Liquor Establishment~~ (Restaurant with Service Bar)

**Project Address (Location)** within Tivoli Village, 400 South Rampart Boulevard, Suite 165

**Project Name** Leone Cafe **Proposed Use** Restaurant with Service Bar

**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** Total sqft - 2,146 (Back Area - 844 sqft, Front Area - 1078 sqft, Patio Area - 224 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 acres C - 2 zoned parcel that holds a mixed use permit SUP - 5853. See also ordiance 6013.

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

**APPLICANT** Great Wash Park LLC - Tivoli Village at Queensridge **Contact** Cynthia Callegaro
**Address** 1215 South Fort Apache Road, Suite 240 **Phone:** 702-946-6680 **Fax:** 702-946-6681
**City** Las Vegas **State** Nevada **Zip** 89117
**E-mail Address** ccallegaro@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*** _____

*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 26th day of April, 20 11.

Cynthia Callegaro

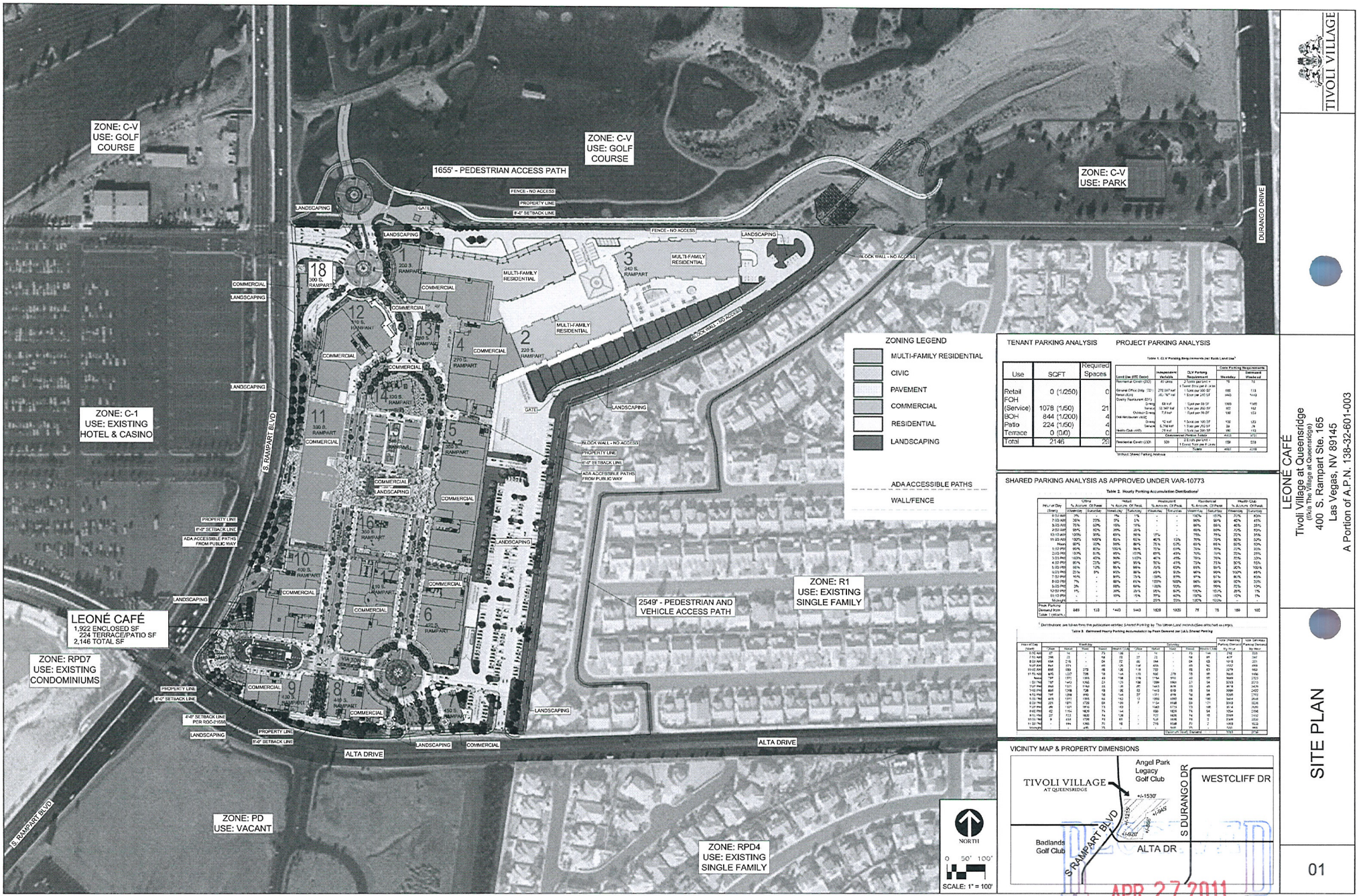
Notary Public in and for said County and State

NOTARY PUBLIC
CYNTHIA CALLEGARO
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. MAR. 22, 2015
No: 07-2542-1

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | SUP-41577 |
| Meeting Date: | 6-14-11 |
| Total Fee: | 1280.00 |
| Date Received:* | 4-27-11 |
| Received By: | JFmurl |

*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.




TENANT PARKING ANALYSIS

| Use | SQFT | Required Spaces |
|---|---|---|
| Retail | 0 (1/250) | 0 |
| FOH (Service) | 1078 (1/50) | 21 |
| BOH | 844 (1/200) | 4 |
| Patio | 224 (1/50) | 4 |
| Terrace | 0 (0/0) | 0 |
| Total | 2146 | 29 |

PROJECT PARKING ANALYSIS

Table 1. CLV Parking Requirements (w/ Built Land Use)*

| Land Use (ITE Code) | Independent Variable | CLV Parking Requirement | Code Parking Requirements Demand Weekday | Code Parking Requirements Demand Weekend |
|---|---|---|---|---|
| Residential Condo (230) | 40 Units | 2 Spots per Unit + 1 Guest Space per 4 Units | 76 | 76 |
| General Office Bldg. (710) | 272,597 sqf | 1 Spot per 300 SF | 695 | 118 |
| Retail (820) | 45,787 sqf | 1 Spot per 250 SF | 1443 | 1443 |
| Quality Restaurant (931) | 6,966 sqf | 1 Spot per 75 SF | 1393 | 1045 |
| Fast Food Restaurant (934) | 12,144 sqf | 1 Spot per 100 SF | 1102 | 1214 |
| Health Club (492) | 6,784 sqf | 1 Spot per 250 SF | 32 | 76 |
| | 28 sqf | 1 Spot per 200 SF | 140 | 140 |
| | | Commercial Parking Total | 4423 | 4072 |
| Residential Condo (230) | 326 | 2 Spots per Unit + 1 Guest Spot per 4 Units | 739 | 739 |
| | | Totals | 4662 | 4108 |

Without Shared Parking Analysis

SHARED PARKING ANALYSIS AS APPROVED UNDER VAR-10773

Table 2. Hourly Parking Accumulation Distributions*

| 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) | Residential % Accum. Of Peak (Weekday) | Residential % Accum. Of Peak (Saturday) | Health Club % Accum. Of Peak (Weekday) | Health Club % Accum. Of Peak (Saturday) |
|---|---|---|---|---|---|---|---|---|---|---|
| 8:00 AM | 3% | - | 1% | 1% | - | - | 100% | 100% | 40% | 40% |
| 7:00 AM | 30% | 20% | 3% | 3% | - | - | 96% | 96% | 40% | 45% |
| 8:00 AM | 75% | 60% | 15% | 15% | - | - | 88% | 88% | 45% | 35% |
| 9:00 AM | 99% | 80% | 38% | 38% | - | - | 84% | 84% | 70% | 50% |
| 10:00 AM | 100% | 95% | 65% | 56% | 12% | - | 79% | 79% | 85% | 55% |
| 11:00 AM | 100% | 100% | 85% | 82% | 40% | 10% | 75% | 75% | 90% | 60% |
| Noon | 95% | 90% | 98% | 90% | 75% | 50% | 69% | 69% | 95% | 80% |
| 1:00 PM | 90% | 85% | 100% | 96% | 75% | 60% | 70% | 70% | 75% | 90% |
| 2:00 PM | 85% | 80% | 95% | 100% | 85% | 45% | 70% | 70% | 75% | 95% |
| 3:00 PM | 85% | 80% | 90% | 100% | 85% | 75% | 70% | 70% | 75% | 100% |
| 4:00 PM | 80% | 70% | 90% | 95% | 80% | 45% | 73% | 73% | 80% | 95% |
| 5:00 PM | 50% | 10% | 85% | 90% | 80% | 50% | 85% | 85% | 85% | 100% |
| 6:00 PM | 25% | 5% | 90% | 80% | 90% | 90% | 90% | 90% | 100% | 95% |
| 7:00 PM | 10% | - | 90% | 70% | 100% | 75% | 95% | 95% | 95% | 80% |
| 8:00 PM | 5% | - | 80% | 65% | 100% | 100% | 96% | 96% | 80% | 50% |
| 9:00 PM | 2% | - | 60% | 50% | 100% | 100% | 98% | 98% | 75% | 10% |
| 10:00 PM | 1% | - | 30% | 25% | 95% | 100% | 100% | 100% | 85% | 1% |
| 11:00 PM | - | - | 10% | 10% | 90% | 100% | 100% | 100% | 10% | 1% |
| Midnight | - | - | - | - | 25% | 50% | 100% | 100% | - | - |
| Peak Parking Demand from Table 1 (attach.) | 849 | 133 | 1443 | 1443 | 1820 | 1820 | 76 | 76 | 180 | 180 |

*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 Code (Shared Parking

| Hour of Day (Start) | Weekday | | | | | Saturday | | | | | Code Weekday Parking Demand | Code Saturday Parking Demand |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Office | Retail | Rest. | Resid. | Health Club | Office | Retail | Rest. | Resid. | Health Club | By Hour | By Hour |
| 8:00 AM | 25 | 15 | - | 76 | 16 | 17 | 15 | - | 76 | 16 | 132 | 124 |
| 7:00 AM | 255 | 44 | - | 73 | 16 | 170 | 44 | - | 73 | 18 | 404 | 305 |
| 8:00 AM | 638 | 216 | 94 | 72 | 28 | 383 | 216 | 94 | 72 | 20 | 1012 | 785 |
| 9:00 AM | 841 | 551 | - | 64 | 28 | 638 | 551 | - | 64 | 34 | 1537 | 886 |
| 10:00 AM | 849 | 859 | 378 | 60 | 28 | 722 | 810 | 378 | 60 | 38 | 2379 | 1948 |
| 11:00 AM | 849 | 1227 | 756 | 57 | 28 | 849 | 1180 | 756 | 57 | 38 | 3605 | 3456 |
| Noon | 807 | 1377 | 1323 | 53 | 28 | 807 | 1174 | 1323 | 53 | 38 | 3809 | 3503 |
| 1:00 PM | 764 | 1443 | 1323 | 53 | 28 | 764 | 1389 | 1323 | 53 | 38 | 3809 | 3570 |
| 2:00 PM | 722 | 1443 | 1134 | 53 | 28 | 722 | 1389 | 1134 | 53 | 38 | 3426 | 3336 |
| 3:00 PM | 722 | 1443 | 1134 | 53 | 28 | 722 | 1389 | 1134 | 53 | 38 | 3426 | 3336 |
| 4:00 PM | 679 | 1299 | 1134 | 56 | 28 | 637 | 1389 | 1134 | 56 | 38 | 3301 | 3252 |
| 5:00 PM | 424 | 1227 | 1134 | 60 | 28 | 424 | 1227 | 1134 | 60 | 38 | 3073 | 3083 |
| 6:00 PM | 212 | 1299 | 1323 | 68 | 28 | 212 | 1299 | 1323 | 68 | 38 | 3358 | 3340 |
| 7:00 PM | 85 | 1191 | 1323 | 72 | 28 | 85 | 1154 | 1323 | 72 | 38 | 3469 | 3468 |
| 8:00 PM | 42 | 1154 | 1323 | 74 | 28 | 42 | 1058 | 1323 | 74 | 38 | 3354 | 3535 |
| 9:00 PM | 8 | 722 | 1323 | 74 | 28 | 8 | 722 | 1323 | 74 | 38 | 3169 | 3165 |
| 10:00 PM | 4 | 433 | 1058 | 76 | 28 | 4 | 433 | 1058 | 76 | 38 | 2649 | 2609 |
| 11:00 PM | - | 144 | 529 | 76 | 28 | - | 144 | 529 | 76 | 38 | 1053 | 1013 |
| Midnight | - | - | 265 | 76 | 28 | - | - | 265 | 76 | 38 | 373 | 379 |
| | | | | | | | | | | Peak Hour Demand | 3809 | 3570 |

VICINITY MAP & PROPERTY DIMENSIONS




TIVOLI VILLAGE

LEONÉ CAFÉ
Tivoli Village at Queensridge
(f/k/a The Village at Queensridge)
400 S. Rampart Ste. 165
Las Vegas, NV 89145
A Portion of A.P.N. 138-32-601-003

SITE PLAN

01

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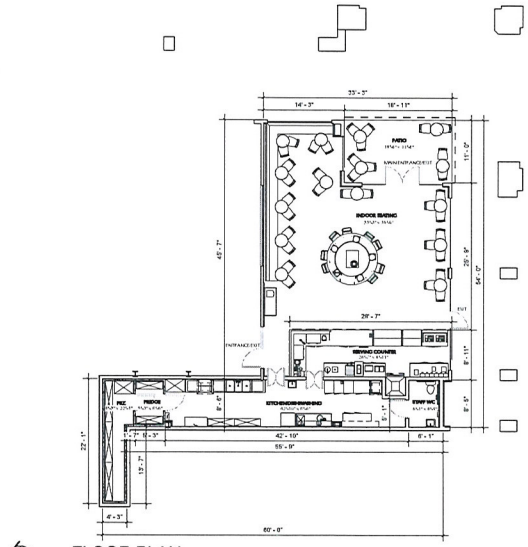
APR 27 2011

SUP-41577



1 FLOOR PLAN
1" = 10'-0"

| SEATING | |
|---|---|
| INDOOR (seating): | 39 |
| PATIO (seating): | 10 |
| TOTAL: | 49 (SEATING CAP.) |

| S.F. BY AREA | |
|---|---|
| BACK AREA: | 844 SF |
| SEATING AREA: | 1078 SF |
| SUB TOTAL: | 1922 SF |
| PATIO: | 224 SF |
| SUBTOTAL: | 224 SF |
| TOTAL: | 2146 SF |

| OCCUPANCY | |
|---|---|
| DINING: | 1078 SF/15=72 OCC. |
| KITCHEN: | 675 SF/200=4 OCC. |
| STAFF WC: | 44 SF/100=1 OCC. |
| W/ FRIDGE/FRZ: | 125 SF/300=1 OCC. |
| TOTAL: | 78 (OCCUPANTS) |

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APR 27 2011


Executive Home Inc.

9755 W. CHARLESTON BLVD.
LAS VEGAS, NV 89117
PH. 702-940-6930
FAX 702-940-6931
Lic # C11-07887G092351
Type: City of Las Vegas
Exp:

CONTRACTOR:
EXECUTIVE HOME INC.
PH. 702-656-5955
LIC #0048734
TYPE: B2
EXP: 07/31/12

PROJECT TEAM

**MECHANICAL ENGINEER:**
INTREPID ENGINEERING
DARREL KIECKHAFER PE
5165 S DURANGO DR STE 102
LAS VEGAS, NV 89113
(702) 367-9007 PHONE
(702) 367-9006 FAX

**ELECTRICAL ENGINEER:**
EDC ELECTRICAL DESIGN & CONSTRUCTION
JEFF KROEPFL
4364 E. CRAIG ROAD
LAS VEGAS, NV 89115
(702) 492-7022 PHONE
(702) 492-7026 FAX

**PLUMBING ENGINEER:**
DONE RIGHT PLUMBING
DAVE BOLD
3672 RAYMERT DRIVE
LAS VEGAS, NV 89121
(702) 940-5352 PHONE

**FIRE SPRINKLERS:**
E & E FIRE PROTECTION
LANCE GRIFFITH
5678 LA COSTA CANYON CT. STE 100
LAS VEGAS, NV 89139
(702) 365-8273 PHONE

**FIRE ALARMS:**
A-1 MECHANICAL
MIKE GOCO
5985 POLARIS AVE.
LAS VEGAS, NV 89118
(702) 363-6222 PHONE
(702) 914-5808 FAX


| No. | Description | Date |
|---|---|---|
| | | |

PROJECT NAME

LEONÉ CAFÉ
TIVOLI VILLAGE AT QUEENSRIDGE
(f/k/a THE VILLAGE AT QUEENSRIDGE)
400 S. RAMPART BLVD. SUITE 165
LAS VEGAS, NV 89145-5741
A PORTION OF APN # 138-601-003

SHEET NAME

SUP Plan

PROJECT NUMBER 11002

ISSUE DATE 4/25/2011

A2.5

SCALE 1" = 10'-0"

SUP-41577



SUP-41577 – APPLICANT/OWNER: GREAT WASH PARK, LLC
400 SOUTH RAMPART BOULEVARD, SUITE #165

05/05/11

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

April 27, 2011

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

Revised: Special Use Permit for Restaurant with Service Bar within Tivoli Village at Queensridge Parcel 138-32-601-003, Building 10 Suite 165

Dear Sir/Madam;

Please consider this request to allow a Café Leone a use permit for a restaurant with service bar within 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.

Café Leone is best described as a hybrid between a bakery, sandwich shop and breakfast café. A menu is attached. In daily operations the customer can order items "to go" but also has the option of eating in. All patrons place their order at the service counter. The patrons that consume their meals on-site will be issued a placard to take to a table. Employees will deliver the food to the table after it is prepared. The business requests permission to serve alcoholic beverages in conjunction with the meals consumed on-premise. For example, a mimosa with breakfast, or a designer coffee (i.e. with alcohol) with deserts. As with the meals, the patron requests these beverages from the service counter and an employee will deliver them to the tables. In accordance with Title 19, the request to serve alcohol deems this business a *restaurant with service bar* versus a *bakery* or *restaurant > 2000SF*. This tenant leases 1078 SF indoor space and 224 SF outdoor area within Tivoli Village.

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.

Very truly yours,

Lora Dreja
Land Entitlements

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APR 27 2011

**SUP-41577**

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

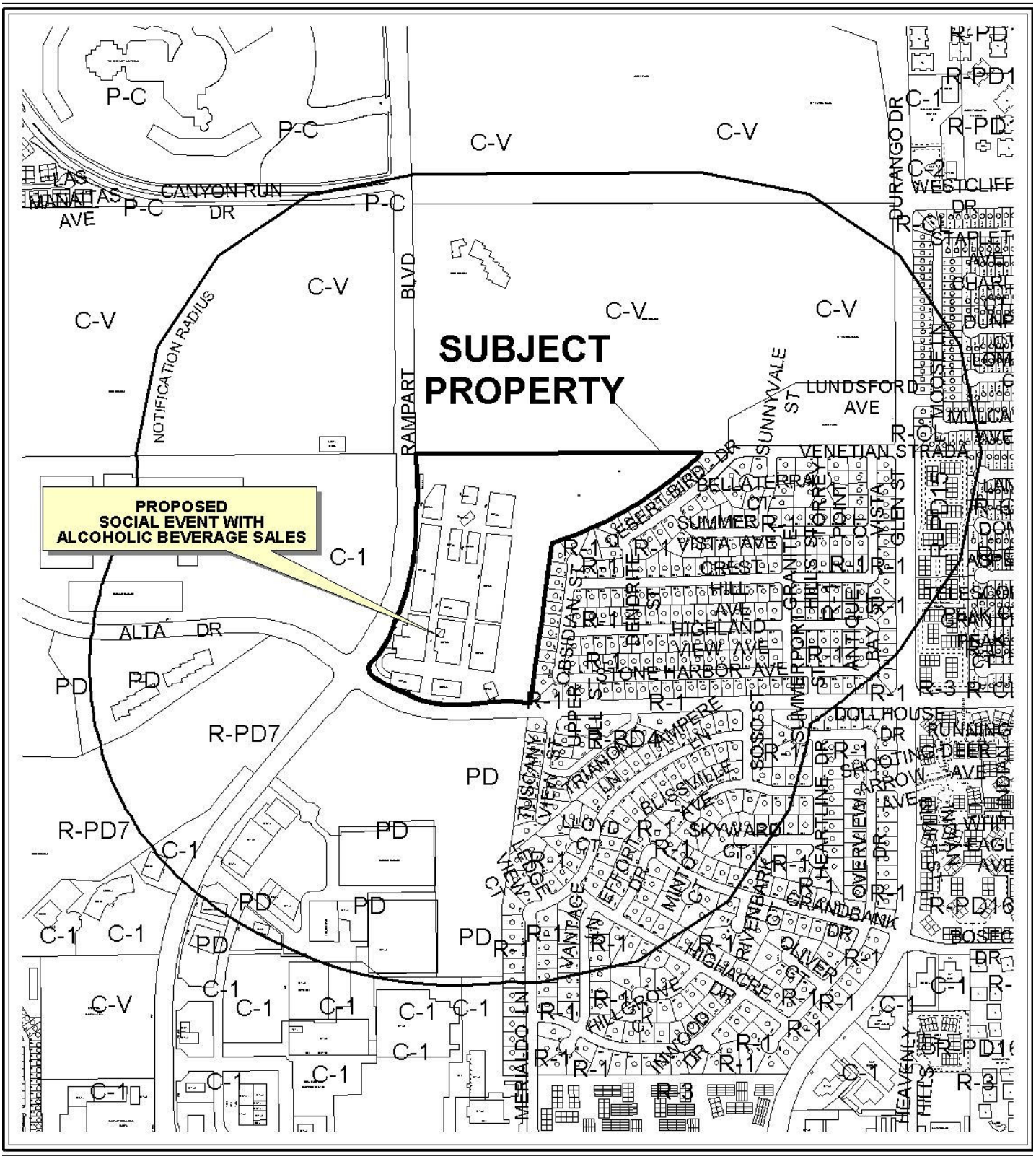
**SUBJECT:**
SUP-41581 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GREAT WASH PARK, LLC - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) USE WITHIN AN EXISTING 28.44-ACRE MIXED-USE DEVELOPMENT WITH WAIVERS TO ALLOW A DISTANCE SEPARATION OF 141 FEET FROM A CITY PARK WHERE 1,500 FEET IS REQUIRED AND NO DISTANCE SEPARATION FROM A SIMILAR USE WHERE 1,500 FEET IS REQUIRED at 410 South Rampart Boulevard, Suite #175 (APN 138-32-601-003), C-2 (General Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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. Photo
5. Justification Letter




0 300 600 Feet

**CASE:** **SUP-41581**

**RADIUS:** 1500 FT

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

N




0 300 600 Feet

**CASE:** **SUP-41581**

**RADIUS:** 1500 FT

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

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: GREAT WASH PARK, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-41581** | Staff recommends APPROVAL, subject to conditions: | N/A |

## ** CONDITIONS **

# SUP-41581 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 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. 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 1,682 square-foot Liquor Establishment (Tavern) use at 410 South Rampart Boulevard, Suite #175. 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) use cannot be located within the subject site, nor can a business license be obtained for the use at this location.

## ISSUES

- A Liquor Establishment (Tavern) use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- Waivers 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 1,500 feet is required for approval of the Special Use Permit for the Liquor Establishment (Tavern) use. Staff can support the requested waivers, whereas the park and Tivoli Village mixed-use development does not have direct access via a pedestrian path or vehicular access.

## 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 28.44 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 28.44 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 28.44 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 28.44 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 28.44-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 28.44-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 Rampart 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. |
| 04/12/11 | The Planning Commission approved a request for a Special Use Permit (SUP-41030) for a Beer/Wine/Cooler On-Sale Establishment, located at 410 South Rampart Boulevard, Suite #120. The Department of Planning staff recommended approval. |
| 05/10/11 | The Planning Commission approved a request for a Special Use Permit (SUP-40748) for a Liquor Establishment (Tavern), located at 430 South Rampart Boulevard, Suite #B160. The Department of Planning staff recommends approval. |
| 05/10/11 | The Planning Commission approved a request for a Special Use Permit (SUP-40749) for a Liquor Establishment (Tavern), located at 430 South Rampart Boulevard, Suite #B130. The Department of Planning staff recommends approval. |
| 05/10/11 | The Planning Commission approved a request for a Special Use Permit (SUP-41304) for a Liquor Establishment (Tavern), located at 430 South Rampart Boulevard, Suites #150 and #230. The Department of Planning staff recommends approval. |

| | |
|---|---|
| 06/14/11 | The Planning Commission will hear a Special Use Permit (SUP-41576) 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 450 South Rampart Boulevard, Suite #120. |
| 06/14/11 | The Planning Commission will hear a Special Use Permit (SUP-41577) for a Restaurant with Service Bar a waiver to allow a 141-foot distance separation from a City Park where 400 feet is the minimum required at 400 South Rampart Boulevard, Suite #165. |

| ***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 #175, since the building has not received its final certificate of completion. | |
| 02/23/09 | A building permit (#7002966) was issued for a renewal of a permit for a certificate of completion for Building #17 at 410 South Rampart Boulevard. |
| 01/20/11 | A building permit (179737) was issued for a 1,608 square-foot Speculative Suite at 410 South Rampart Boulevard, Suite #175. The permit has not been finaled. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/19/11 | 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:<br>• A waiver is required due to the proximity of the proposed use within 141 feet from a City Park and zero feet from another Liquor Establishment (Tavern), pursuant to Minimum Special Use Permit requirement Number 5d.<br>• The proposed use is located within a Mixed-Use development. |

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

| ***Field Check*** | |
|---|---|
| 05/05/11 | 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/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** | | | 3,955 | | 3,955 | | |
| **Regular and Handicap Spaces Required** | | | 3,895 | 60 | 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 |
| 1,500-foot distance separation from a 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 floor plan submitted depicts a 1,682 square feet proposed Liquor Establishment (Tavern) use, with seating for 68 patrons and a stage area for 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 1,500 feet is required and a 141-foot distance separation from a City Park where 1,500 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 that does not have direct access via a pedestrian path or vehicular access.

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-41581)**

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) use 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 number 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** 13

**NOTICES MAILED** 732

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-41581 APN: 138-32-601-003

Name of Property Owner: Great Wash Park LLC

Name of Applicant: Great Wash Park LLC

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 May, 2011

Cynthia Callegaro

Notary Public in and for said County and State

NOTARY PUBLIC
CYNTHIA CALLEGARO
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. MAR. 22, 2015
No: 07-2542-1

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MAY 19 2011

# DEPARTMENT OF PLANNING

SUP-41581

## APPLICATION / PETITION FORM

**Application/Petition For:** Special Use Permit for Liquor Establishment (Tavern)

**Project Address (Location)** within Tivoli Village, 410 South Rampart Boulevard, Suite 175

**Project Name** TLV Space LLC **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** Back Area - 386 sqft Front Area - 1,296 sqft Total sqft - 1,682 **Floor Area Ratio** See SUP - 5853

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

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

**PROPERTY OWNER** Great Wash Park LLC **Contact** Vickie DeHart

**Address** 9755 West Charleston Boulevard **Phone:** (702) 940-6930 **Fax:** (702) 940-6931

**City** Las Vegas **State** Nevada **Zip** 89117

**E-mail Address** vickie@ehbinc.com

**APPLICANT** Great Wash Park LLC - Tivoli Village at Queensridge **Contact** Cynthia Callegaro

**Address** 1215 South Fort Apache Road, Suite 240 **Phone:** (702) 946-6680 **Fax:** (702) 946-6681

**City** Las Vegas **State** Nevada **Zip** 89117

**E-mail Address** ccallegaro@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 17th day of May, 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. MAR. 22, 2015
No: 07-2542-1

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | SUP-41581 |
| Meeting Date: | 6/14/11 |
| Total Fee: | 1280.00 |
| Date Received:* | 5/19/11 |
| 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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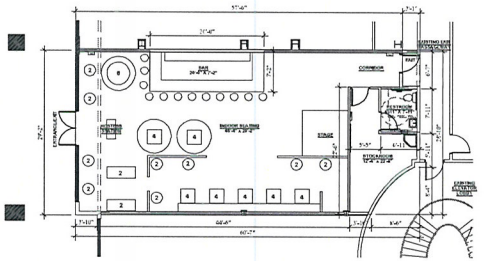
Revised 10/27/08



1 FIRST FLOOR PLAN
1" = 10'-0"

| SEATING | |
|---|---|
| INDOOR (seating): | 68 |
| TOTAL: | 68 (SEATING CAP.) |

| S.F. BY AREA | |
|---|---|
| BACK AREA: | 242 SF |
| SEATING AREA: | 1296 SF |
| BAR AREA: | 144 SF |
| TOTAL: | 1682 SF |

| OCCUPANCY | |
|---|---|
| DINING: | 1296 SF/15=87 OCC. |
| KITCHEN: | 149 SF/200=1 OCC. |
| STORAGE: | 182 SF/300=1 OCC |
| STAFF WC: | 55 SF/100=1 OCC. |
| TOTAL: | 90 OCCUPANTS |

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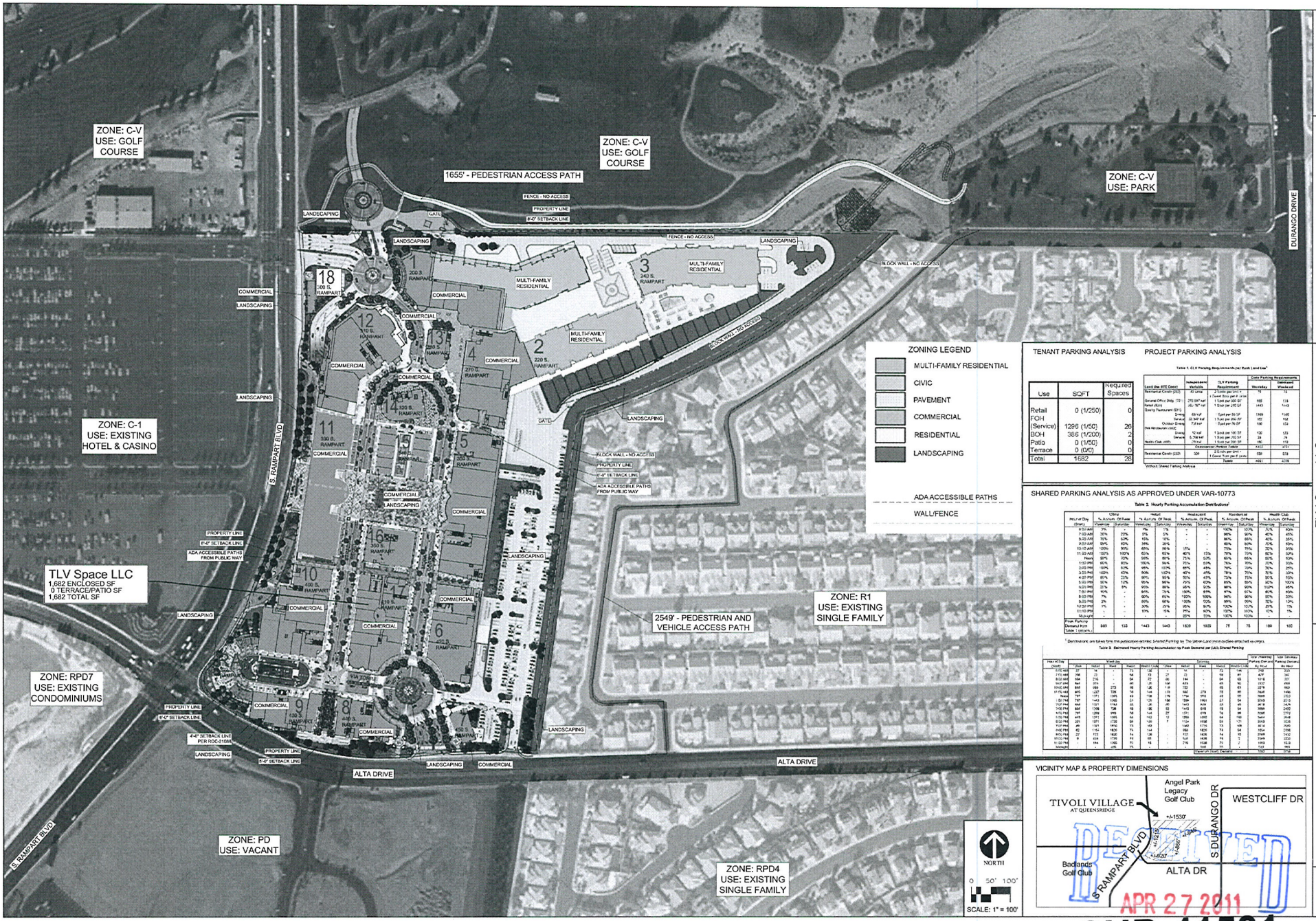
SUP-41581

TIVOLI VILLAGE

TLV Space LLC
Tivoli Village at Queensridge
(f/k/a The Village at Queensridge)
410 S. Rampart Ste. 175
Las Vegas, NV 89145
A Portion of A.P.N. 138-32-601-003

FLOOR PLAN

02




TENANT PARKING ANALYSIS

| Use | SQFT | Required Spaces |
|---|---|---|
| Retail | 0 (1/250) | 0 |
| FOH (Service) | 1296 (1/50) | 26 |
| BOH | 386 (1/200) | 2 |
| Patio | 0 (1/50) | 0 |
| Terrace | 0 (0/0) | 0 |
| Total | 1682 | 28 |

PROJECT PARKING ANALYSIS

Table 1. CLV Parking Requirements (w/ Rush Land Use)*

| Land Use (ITE Code) | Independent Variable | CLV Parking Requirement | Code Parking Requirements Subtract Weekend | Code Parking Requirements Subtract Weekday |
|---|---|---|---|---|
| Residential Condo (232) | 40 Units | 2 Spaces per Unit + 1 Guest Space per 4 Units | 90 | 90 |
| General Office Bldg. (710) | 272,597 sqf | 1 Space per 300 SF | 908 | 908 |
| Retail (820) | 462,767 sqf | 1 Space per 250 SF | 1851 | 1851 |
| Quality Restaurant (931) | | | | |
| Dining | 69 sqf | 1 Space per 50 SF | 1380 | 1380 |
| Service | 23,345 sqf | 1 Space per 250 SF | 93 | 93 |
| Outdoor Dining | 7,814 sf | 1 Space per 75 SF | 104 | 104 |
| Fast Restaurant (934) | | | | |
| Dining | 52 sqf | 1 Space per 100 SF | 130 | 130 |
| Service | 6,748 sqf | 1 Space per 250 SF | 27 | 27 |
| Health Club (492) | 25 sqf | 1 Space per 200 SF | 0 | 0 |
| | | Commercial Parking Totals | 4583 | 4733 |
| Residential Condo (232) | 329 | 2 Units per Unit + 1 Guest Space per 4 Units | 659 | 659 |
| | | Totals | 4583 | 4396 |

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% | 0% | 0% | 1% | - | - | 100% | 100% | 70% | 80% |
| 7:00 AM | 30% | 10% | 3% | 3% | - | - | 98% | 98% | 80% | 85% |
| 8:00 AM | 75% | 50% | 15% | 10% | - | - | 96% | 96% | 85% | 90% |
| 9:00 AM | 95% | 80% | 60% | 20% | - | - | 96% | 96% | 90% | 90% |
| 10:00 AM | 100% | 95% | 85% | 50% | 15% | 5% | 75% | 75% | 75% | 95% |
| 11:00 AM | 100% | 100% | 90% | 80% | 40% | 10% | 75% | 75% | 80% | 95% |
| Noon | 80% | 70% | 90% | 90% | 75% | 50% | 65% | 65% | 80% | 90% |
| 1:00 PM | 80% | 80% | 100% | 90% | 80% | 75% | 65% | 65% | 80% | 90% |
| 2:00 PM | 100% | 80% | 95% | 100% | 80% | 85% | 70% | 70% | 75% | 95% |
| 3:00 PM | 100% | 80% | 95% | 100% | 80% | 85% | 70% | 70% | 75% | 95% |
| 4:00 PM | 95% | 70% | 90% | 95% | 80% | 85% | 75% | 75% | 80% | 90% |
| 5:00 PM | 80% | 50% | 90% | 90% | 75% | 85% | 85% | 85% | 90% | 90% |
| 6:00 PM | 25% | 5% | 95% | 80% | 95% | 95% | 95% | 95% | 100% | 95% |
| 7:00 PM | 10% | - | 90% | 70% | 100% | 95% | 95% | 95% | 100% | 95% |
| 8:00 PM | 5% | - | 60% | 60% | 100% | 95% | 95% | 95% | 95% | 90% |
| 9:00 PM | 5% | - | 30% | 40% | 100% | 90% | 100% | 100% | 85% | 70% |
| 10:00 PM | 5% | - | 30% | 20% | 95% | 90% | 100% | 100% | 25% | 1% |
| 11:00 PM | - | - | 10% | 5% | 80% | 70% | 100% | 100% | 10% | 1% |
| Midnight | - | - | - | - | 25% | 15% | 100% | 100% | - | - |
| Peak Parking Demand from Table 1 (shared) | 849 | 133 | 1443 | 1443 | 1808 | 1808 | 76 | 76 | 189 | 160 |

[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's Shared Parking

| Hour of Day (Start) | Weekday Office | Weekday Retail | Weekday Restaurant | Weekday Residential | Weekday Health Club | Saturday Office | Saturday Retail | Saturday Restaurant | Saturday Residential | Saturday Health Club | Total Weekday Parking Demand | Total Saturday Parking Demand |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 6:00 AM | 27 | 14 | - | 76 | 132 | 11 | 14 | - | 76 | 144 | 249 | 245 |
| 7:00 AM | 256 | 43 | - | 74 | 151 | 85 | 43 | - | 74 | 153 | 524 | 355 |
| 8:00 AM | 640 | 215 | - | 74 | 170 | 284 | 215 | - | 74 | 172 | 1099 | 745 |
| 9:00 AM | 811 | 859 | - | 74 | 170 | 454 | 859 | - | 74 | 172 | 1914 | 1559 |
| 10:00 AM | 849 | 1229 | 271 | 57 | 142 | 454 | 1229 | 90 | 57 | 181 | 2548 | 2011 |
| 11:00 AM | 849 | 1287 | 722 | 57 | 142 | 454 | 1287 | 180 | 57 | 181 | 3052 | 2159 |
| Noon | 679 | 1287 | 1353 | 50 | 151 | 363 | 1287 | 902 | 50 | 172 | 3520 | 2774 |
| 1:00 PM | 679 | 1287 | 1443 | 50 | 151 | 363 | 1287 | 902 | 50 | 172 | 3610 | 2774 |
| 2:00 PM | 849 | 1373 | 1443 | 53 | 142 | 454 | 1373 | 902 | 53 | 181 | 3860 | 2963 |
| 3:00 PM | 849 | 1373 | 1443 | 53 | 142 | 454 | 1373 | 902 | 53 | 181 | 3860 | 2963 |
| 4:00 PM | 811 | 1287 | 1353 | 57 | 151 | 425 | 1287 | 902 | 57 | 172 | 3659 | 2843 |
| 5:00 PM | 679 | 1287 | 1353 | 57 | 151 | 363 | 1287 | 902 | 57 | 172 | 3627 | 2781 |
| 6:00 PM | 213 | 1373 | 1429 | 72 | 170 | 113 | 1373 | 1067 | 72 | 163 | 3257 | 2788 |
| 7:00 PM | 85 | 1287 | 1443 | 68 | 189 | 28 | 1287 | 1067 | 68 | 154 | 3272 | 2604 |
| 8:00 PM | 42 | 1030 | 1429 | 74 | 144 | - | 1030 | 1067 | 74 | 154 | 2709 | 2296 |
| 9:00 PM | 21 | 773 | 1429 | 74 | 95 | - | 773 | 1067 | 74 | 154 | 2392 | 1942 |
| 10:00 PM | 8 | 429 | 1299 | 74 | 95 | - | 429 | 1008 | 74 | 77 | 1905 | 1588 |
| 11:00 PM | - | 214 | 1082 | 74 | 19 | - | 214 | 842 | 74 | 77 | 1389 | 1207 |
| Midnight | - | - | 361 | 74 | - | - | - | 281 | 74 | - | 435 | 355 |
| | | | | | | | | | Overall Peak Demand | | 3659 | 2963 |

VICINITY MAP & PROPERTY DIMENSIONS

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SUP-41581

TIVOLI VILLAGE

TLV Space LLC
Tivoli Village at Queensridge
(f/k/a The Village at Queensridge)
410 S. Rampart Ste. 175
Las Vegas, NV 89145
A Portion of A.P.N. 138-32-601-003

SITE PLAN

01




SUP-41581 – APPLICANT/OWNER: GREAT WASH PARK, LLC
410 SOUTH RAMPART BOULEVARD, SUITE #175

05/05/11

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

May 19, 2011

City of Las Vegas
Planning & Development
333 Rancho Drive,
Las Vegas, Nevada 89101

Re: Special Use Permit for liquor establishment / Nightclub within a Mixed-Use District

Dear Sir/Madam;

Please consider this request to allow a nightclub with alcoholic sales within Tivoli Village. The site is located within a 29 acre commercial and residential development located at the northeast corner of Alta Drive and Rampart Boulevard. Different phases of this large project are currently under construction while tenant spaces within the first phase are receiving occupancy permits. The subject unit within building 10 suite 175, more specifically 410 S. Rampart 175.

The Developer of the Tivoli Village mixed use district requests permission for this nightclub to utilize an unleased space as an interim use. The intent of this use permit is to allow nighttime entertainment to patrons of Tivoli Village until other restaurants and taverns are fully operational. The establishment will be open up to three nights weekly and on occasion will provide live entertainment. Weekly events will introduce newly opened businesses and will celebrate ongoing settlement into the new community. The business will be owned and managed by Tivoli Management, and as such the common bathrooms will be available to patrons.

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

Very truly yours,

Lora Dreja
Land Entitlements

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SUP-41581
REVISED

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

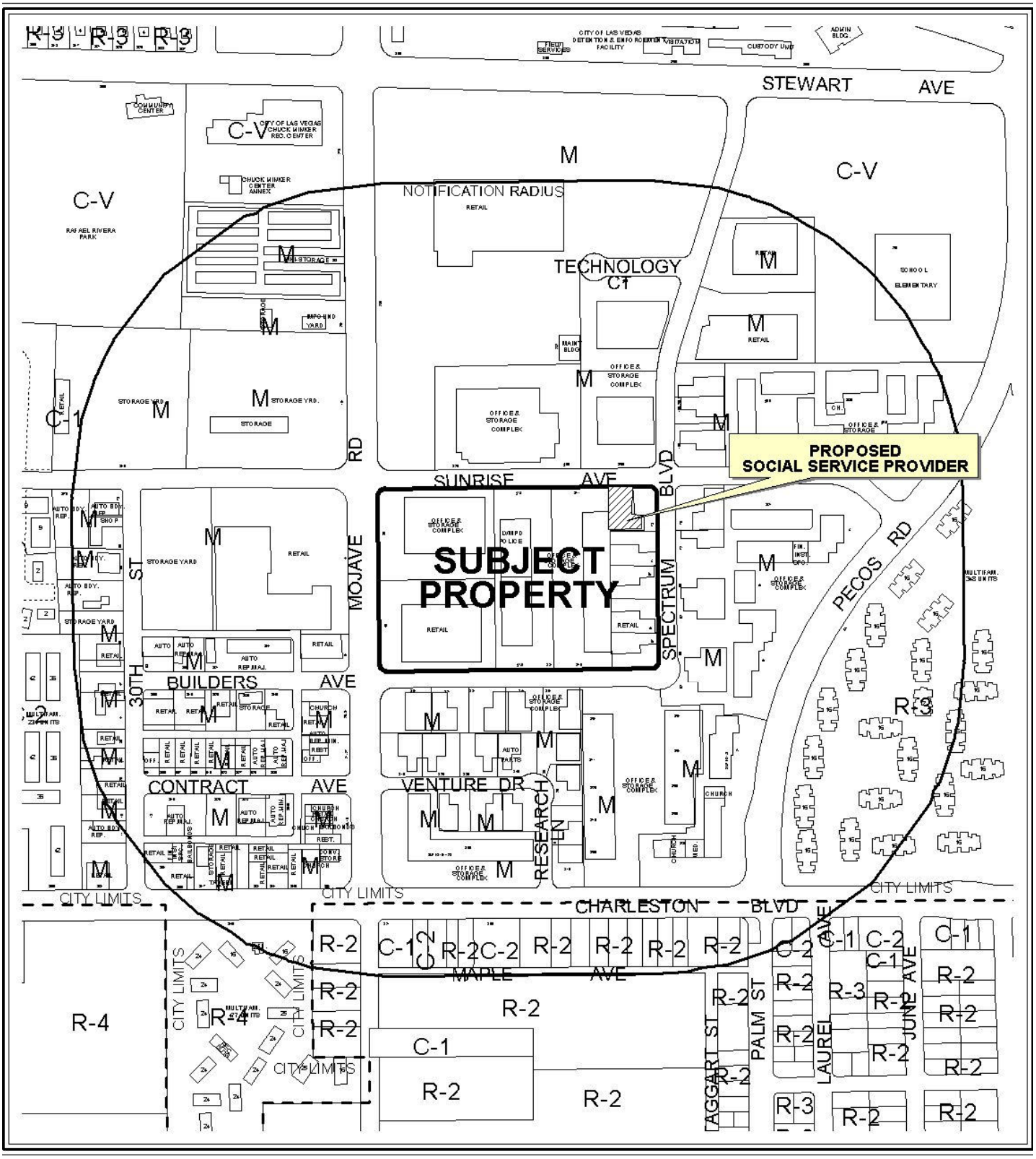
**SUBJECT:**
SUP-41586 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LUTHERAN SOCIAL SERVICES OF NEVADA - OWNER: HARSCH INVESTMENT PROPERTIES - Request for a Special Use Permit FOR A PROPOSED 11,597 SQUARE-FOOT SOCIAL SERVICE PROVIDER at 73 Spectrum Boulevard (APN 139-36-811-008), M (Industrial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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-41586**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** M (INDUSTRIAL)

N




0 300 600 Feet

**CASE:** **SUP-41586**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** M (INDUSTRIAL)

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: LUTHERAN SOCIAL SERVICES OF NEVADA - OWNER: HARSCH INVESTMENT PROPERTIES**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-41586** | Staff recommends APPROVAL, subject to conditions: | N/A |

## ** CONDITIONS **

# SUP-41586 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Social Service Provider 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. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

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

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Social Service Provider within an existing 11,597 square-foot building at 73 Spectrum Boulevard. The proposed Social Service Provider 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. If the Special Use Permit request is denied, the proposed Social Service Provider use cannot be located within the subject site.

## ISSUES

- A Social Service Provider use is permitted in the M (Industrial) zoning district with the approval of a Special Use Permit.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** |
|---|
| No related relevant city actions were found for this site. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 02/18/98 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 07/30/90 | A building permit (#90076759) was issued for a Shell Building at 73 Spectrum Boulevard. The permit was finalized on 03/01/91. |
| 04/22/04 | A building permit (#04009391) was issued for Tenant Improvement to add partition to create one new office at 73 Spectrum Boulevard. The permit was finalized on 06/25/04. |
| 04/06/11 | A building permit (#180339) was issued for a Tenant Improvement Remodel at 73 Spectrum Boulevard. The permit has not been finalized. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/05/11 | A pre-application meeting was held with the applicant where the submittal requirements for a Special Use Permit for a Social Service Provider use were discussed. |

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

| ***Field Check*** | |
|---|---|
| 05/05/11 | A site visit by staff noted a well maintained property that is currently vacant. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.52 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Vacant | LI/R (Light Industrial/Research) | M (Industrial) |
| North | Building Maintenance Service and Sales | LI/R (Light Industrial/Research) | M (Industrial) |
| South | Employment Agency | LI/R (Light Industrial/Research) | M (Industrial) |
| East | Office, Other than Listed | LI/R (Light Industrial/Research) | M (Industrial) |
| West | Food Processing | LI/R (Light Industrial/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** | | 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

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Spectrum Boulevard | 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 | |
| Warehouse | 191,600 SF | 1/1000 SF | 192 | | | | |
| Office | 34,400 SF | 1/300 SF | 115 | | | | |
| Social Service Provider (Proposed) | 6,088 SF | 1/300 SF | 21 | | | | |
| Thriftshop (Proposed) | 5,509 SF | 1/250 SF | 22 | | | | |
| **TOTAL SPACES REQUIRED** | | | 350 | | 409 | | Y |
| **Regular and Handicap Spaces Required** | | | 341 | 9 | 390 | 19 | Y |

## ANALYSIS

A Social Service Provider use is defined by Title 19.20.020 as "a facility that provides assistance to persons with limited ability for self-care, but for whom medical care is not a major element. The term includes a facility that provides assistance concerning psychological problems, employment, learning disabilities or physical disabilities, but does not include a rescue mission or homeless shelter, or an adult day care center." The applicant has indicated that they will provide their clients with an emergency food pantry, home care, emergency rental, utility assistance, supportive housing, referral services and employment services.

Currently, the applicant is operating a Social Service Provider use at 51 North Pecos Road, with an approved Special Use Permit (SUP-26576), and an active business license (N41-00028) issued since 07/14/06. There have been no complaints from the surrounding neighborhood regarding the use. The requested Special Use Permit is for a change of location to 73 Spectrum Boulevard. The proposed Social Service Provider will have 12 employees and will serve approximately 55 clients on a daily basis. The hours of operation are Monday through Friday, 7:30 a.m. to 5:30 p.m. The submitted floor plan depicts a Thriftshop. The applicant has indicated that this use will be for its clients while they are visiting their food pantry. The Thriftshop use is permitted, as it complies with the minimum conditional use requirements per Title 19.04, in the M (Industrial) zoning district.

Comments were received from the Las Vegas Valley Water District (LVVWD), and include the following: Existing 1" meter without backflow prevention. Backflow protection is required for this use per NAC 445A.67195. Civil plans will need to be submitted to LVVWD.

The Social Service Provider use can be conducted in a manner that is harmonious and compatible with the existing uses and future surrounding land uses; therefore, staff recommends approval with conditions.

**FINDINGS (SUP-41586)**

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 Social Service Provider use will be located within an existing Industrial Park. The proposed use can be conducted in a manner that is harmonious and compatible with the uses at the existing site and with the uses on adjacent properties.

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

   The subject site is physically suitable for the type and intensity of the proposed Social Service Provider 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 to the property is provided from Spectrum Boulevard. This street is sufficient in size to accommodate the needs of the proposed Social Service Provider use.

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

   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.**

There are no minimum use requirements for a Social Service Provider use.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 30

**NOTICES MAILED** 84

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41586** APN: 139-36-811-008

Name of Property Owner: HARSCH INVESTMENT PROPERTIES

Name of Applicant: LUTHERAN SOCIAL SERVICES OF NEVADA

Name of Representative: ARMENA MKHITARYAN

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: JOHN D. RAMOUS

Subscribed and sworn before me

This 14 day of April, 2011

_____

Notary Public in and for said County and State

RUTH BRENDA ALVARADO
Notary Public State of Nevada
No. 04-91364-1
My appt. exp. Aug. 20, 2012

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# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Special Use Permit

**Project Address (Location)** 73 Spectrum Blvd.

**Project Name** _____ **Proposed Use** Social Service Provider

**Assessor's Parcel #(s)** 139-36-811-008 **Ward #** 3

**General Plan:** existing L/R proposed No Change **Zoning:** existing M-Ind. proposed No change

**Commercial Square Footage** 11,597 SF **Floor Area Ratio** _____

**Gross Acres** 0.52 **Lots/Units** _____ **Density** _____

**Additional Information** _____

**PROPERTY OWNER** HARSCH INVESTMENT PROPERTIES **Contact** _____

**Address** 3111 Valley View #K101 **Phone:** 362-1410 **Fax:** 368-2930

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

**E-mail Address** johnr@harsch.com

**APPLICANT** Lutheran Social Services of Nevada **Contact** Paula Rammer

**Address** 51 N. Pecos Rd., Suites 109-113 **Phone:** 639-1730 **Fax:** 639-1736

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

**E-mail Address** paula@lssnv.org

**REPRESENTATIVE** Armena Mkhitaryan **Contact** Same as Representative

**Address** 51 N. Pecos Rd., Suites 109-113 **Phone:** 639-1730 **Fax:** 639-1736

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

**E-mail Address** armena@lssnv.org

**Property Owner Signature*** _____

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

**Print Name** John Ramous

Subscribed and sworn before me

This 27th day of April, 20 11.

_____

Notary Public in and for said County and State

RUTH BRENDA ALVARADO
Notary Public State of Nevada
No. 04-91364-1
My appt. exp. Aug. 20, 2012

***FOR DEPARTMENT USE ONLY***

| | |
|---|---|
| Case # | SUP-41586 |
| Meeting Date: | 6-14-11 PC |
| Total Fee: | $1,030 |
| Date Received:* | 4-28-11 |
| 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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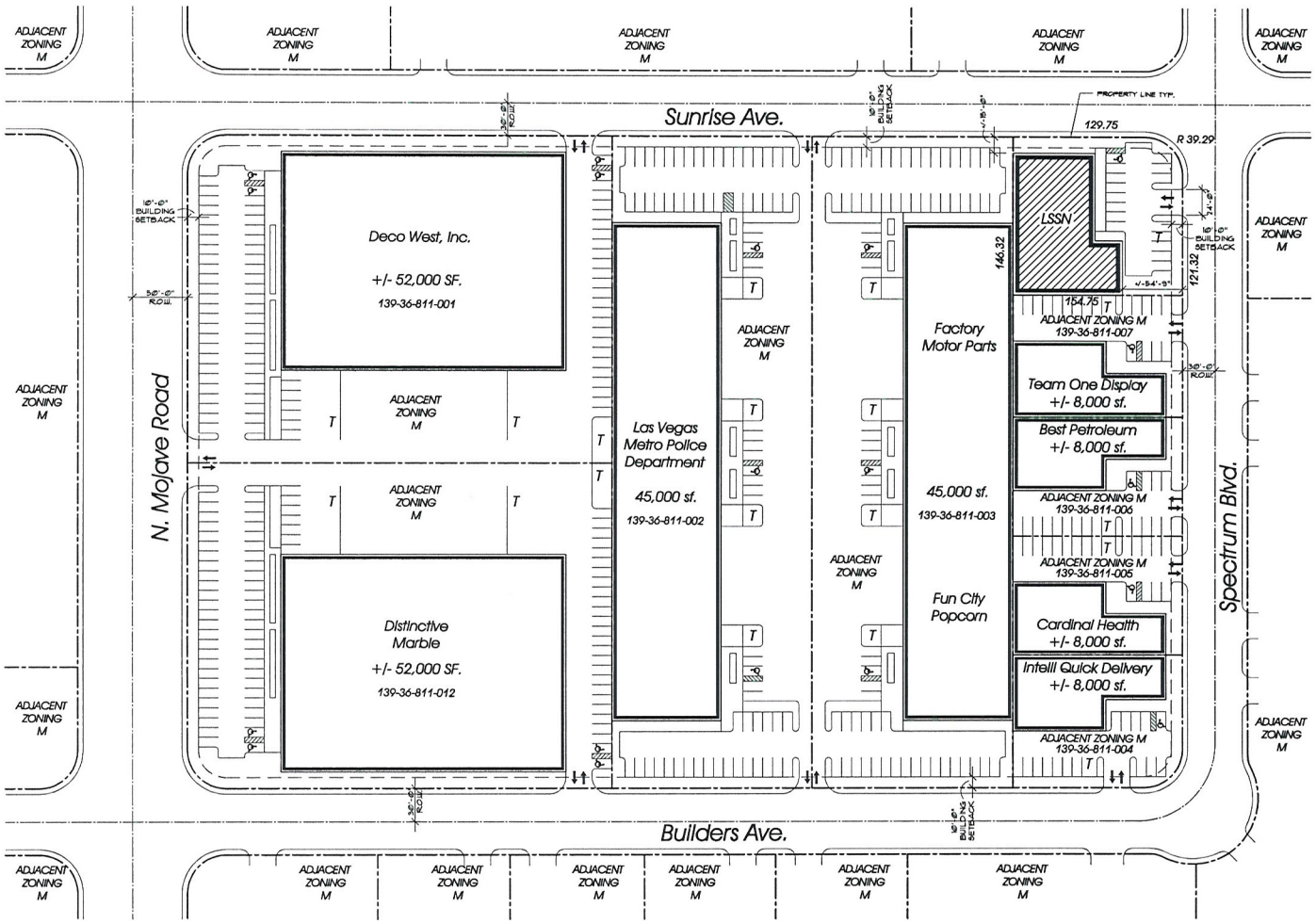
Revised 10/27/08




## Master Site Plan

Scale: 1" = 50'-0"

## Site Data

| | |
|---|---|
| ASSESSORS PARCEL NUMBER (APN) | 139-36-811-008 |
| CURRENT ZONING | INDUSTRIAL DISTRICT (M) |

## Site Area Data

| | |
|---|---|
| SITE GROSS | +/- .52 ACRES / +/- 22,330 S.F. |
| SITE COVERAGE | 52% PERCENT |

## Building & Parking Data:

| PARCEL | AREA | RATIO Warehouse 1/1000 | RATIO Office 1/300 | RATIO Food Pantry Thrift Store 1/250 | REQ'D | PROVIDED |
|---|---|---|---|---|---|---|
| LUTHERAN SOCIAL SERVICES OF NV. | | - | 21 | 22 | 43 | 15 |
| 139-36-811-008 | 11,597 SF | - | 6,088 SF. | 5,509 SF. | | |
| TEAM ONE DISPLAY | | 7 | 4 | - | 11 | 18 |
| 139-36-811-007 | 8,000 SF. | 6,800 SF. | 1,200 SF. | - | | |
| BEST PETROLEUM | | 7 | 4 | - | 11 | 18 |
| 139-36-811-006 | 8,000 SF. | 6,800 SF. | 1,200 SF. | - | | |
| CARDINAL HEALTH | | 7 | 4 | - | 11 | 18 |
| 139-36-811-005 | 8,000 SF. | 6,800 SF. | 1,200 SF. | - | | |
| INTELLI QUICK DELIVERY | | 7 | 4 | - | 11 | 15 |
| 139-36-811-004 | 8,000 SF. | 6,800 SF. | 1,200 SF. | - | | |
| Factory Motor Parts & FUN CITY | | 40 | 17 | - | 57 | 75 |
| 139-36-811-003 | 45,000 SF. | 40,000 SF. | 5,000 SF. | - | | |
| LAS VEGAS METRO POLICE DEPT. | | 36 | 30 | - | 66 | 74 |
| 139-36-811-002 | 45,000 SF. | 36,000 SF. | 9,000 SF. | - | | |
| Deco West, Inc. | | 43 | 26 | - | 69 | 88 |
| 139-36-811-001 | 52,000 SF | 44,200 SF. | 7,800 SF. | - | | |
| DISTINCTIVE MARBLE | | 43 | 26 | - | 69 | 88 |
| 139-36-811-012 | 52,000 SF | 44,200 SF. | 7,800 SF. | - | | |
| Total | 237,597 SF | | | | 348 | 409 SPACES |

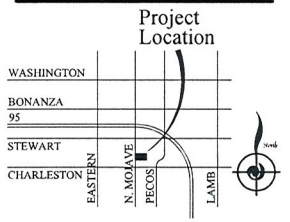
| | |
|---|---|
| REQUIRED HANDICAP STALLS | 9 |
| PROVIDED HANDICAP STALLS | 19 |

## Owner / Developer

LUTHERAN SOCIAL SERVICES OF NEVADA
51 N PECOS ROAD, SUITES 109-113
LAS VEGAS, NEVADA 89101

OWNER REPRESENTITIVE:
ARMENA MKHITARYAN, MPA

## Vicinity Map




Misc 2011

NORTH

Note: This Design is Conceptual in Nature and No Guarantee of its accuracy is implied.

# Lutheran Social Services of Nevada

73 Spectrum Blvd. - Las Vegas, Nevada 89101

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April 26, 2011
Las Vegas, Nevada

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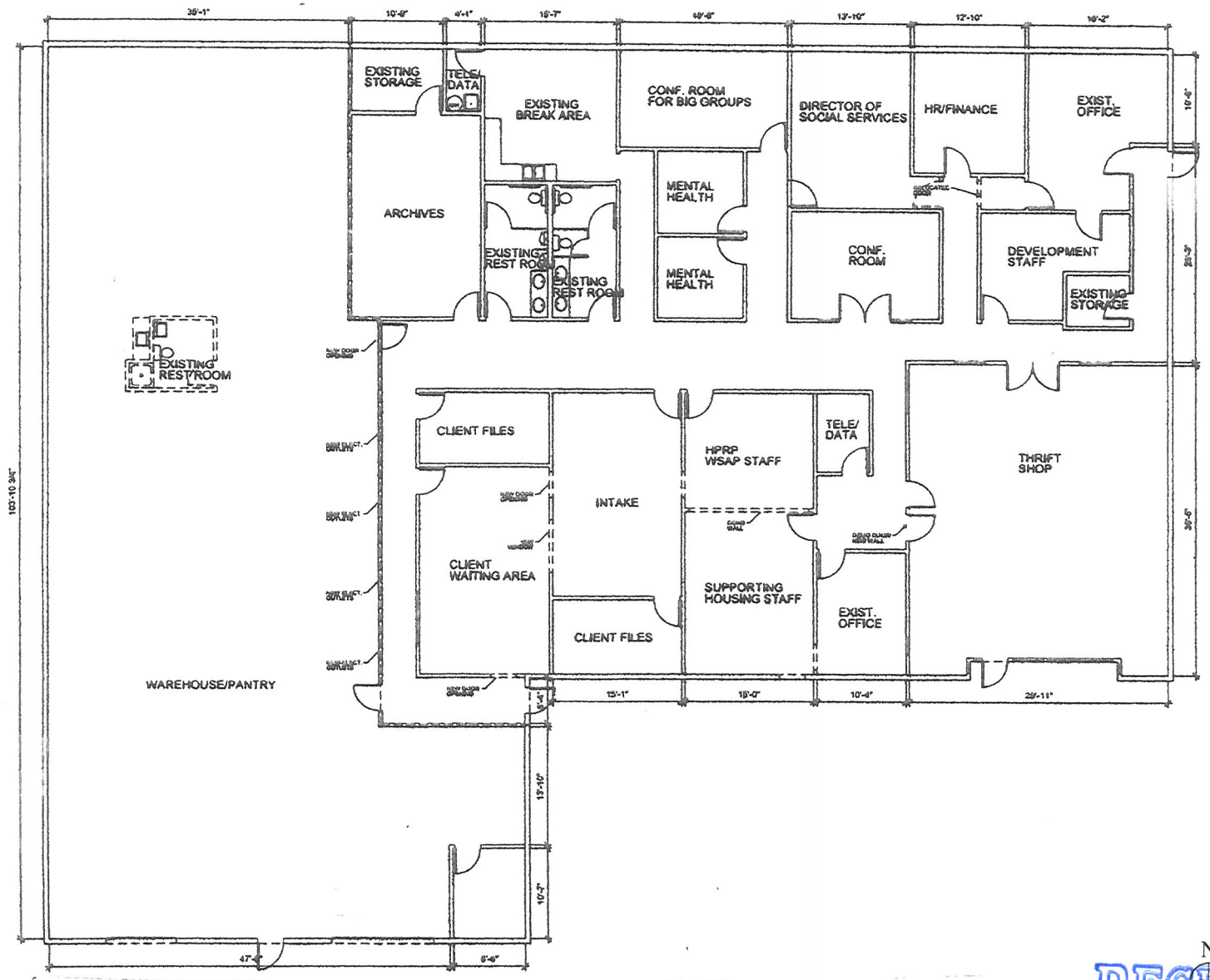
SUP-41586

Indigo Architecture, Inc.
(702) 456-2772




1 OVERALL FLOOR PLAN

N

SCALE: N.T.S

## SUITE SUMMARY

JURISDICTION: N.L.V. SPRINKLERED: YES
APN# 139-36-710-007 OCCUPANCY: B, S-1
DECK HEIGHT: 18'-0" OFFICE S.F.: 7,132 S.F.
TRUSS HEIGHT: 14'-0" WAREHOUSE S.F.: 4,465 S.F.
TOTAL S.F.: 11,597 S.F.

HARSCH INVESTMENT PROPERTIES
211 S. RAMPART BLVD., SUITE 270, LAS VEGAS, NEVADA 89145
PHONE: (702) 443-2676, FAX: (702) 364-1643

# FLOOR PLAN

AS-BUILTS
73 SPECTRUM BLVD.
LAS VEGAS, NEVADA 89101

AS-BUILT DRAWINGS FROM 07-13-10 MS

NOTICE
THESE DRAWINGS HAVE BEEN PREPARED IN WHOLE OR IN PART, ON THE BASIS OF INFORMATION COMPILED IN A SITE SURVEY PROVIDED BY DESIGN'S EDGE. THE CONTRACTOR SHALL REVIEW AND VERIFY ANY MODIFICATIONS MADE TO THESE DOCUMENTS AS A RESULT CAREFUL EXAMINATION OF ACTUAL CONSTRUCTION DIFFICULTIES ENCOUNTERED PRIOR TO THE START OF CONSTRUCTION AND DURING THE CONNECTION OF SUBSEQUENT CONSTRUCTION

DESIGN'S EDGE
LAS VEGAS, NEVADA 89145
Email: Designsedge@gmail.com Phone (702) 300-7247

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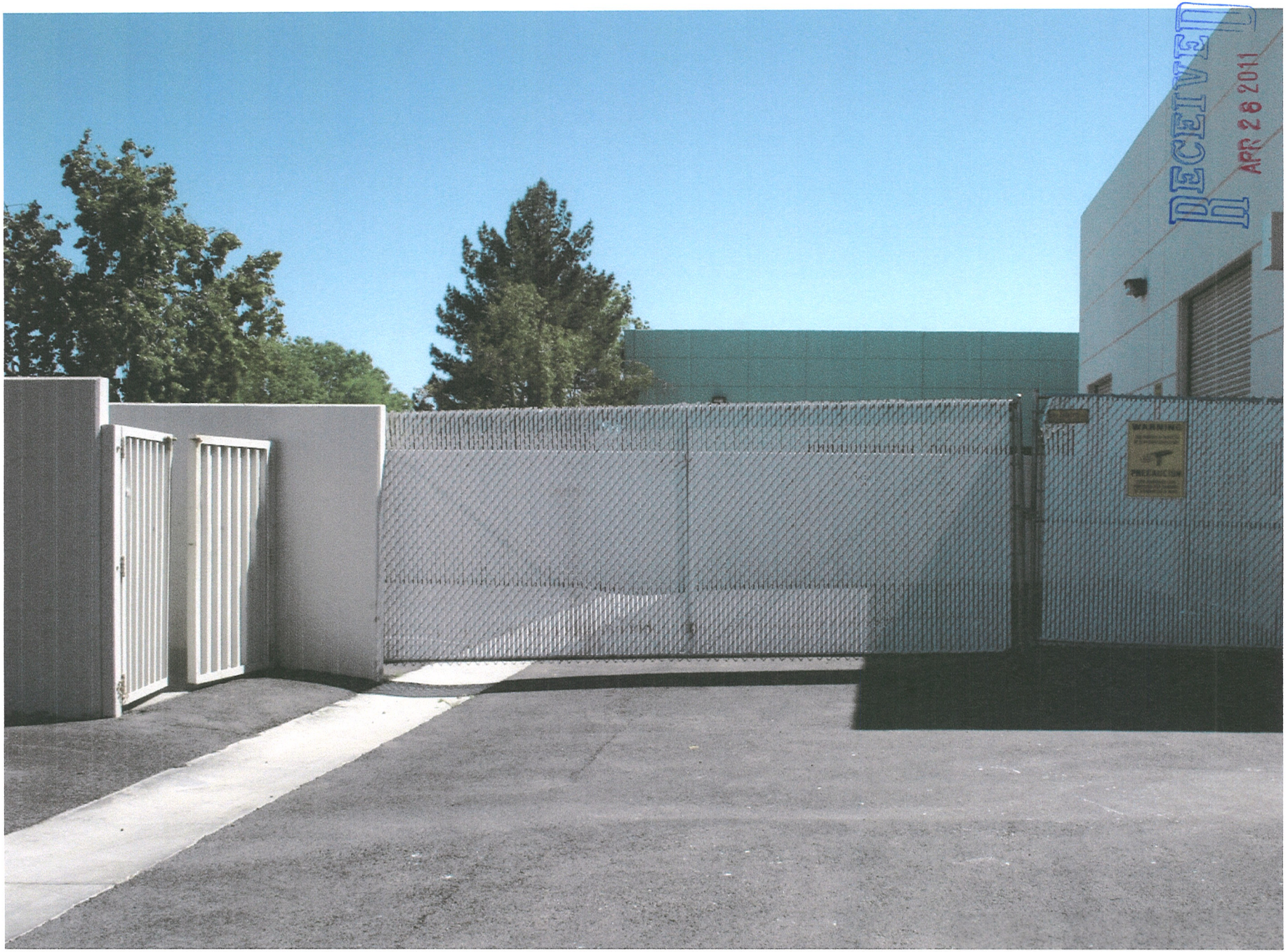


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SUP-41586



**SUP-41586 - APPLICANT: LUTHERAN SOCIAL SERVICES OF NEVADA - OWNER: HARSCH INVESTMENT PROPERTIES**
**73 SPECTRUM BOULEVARD**

05/05/11




SUP-41586 - APPLICANT: LUTHERAN SOCIAL SERVICES OF NEVADA - OWNER: HARSCH INVESTMENT PROPERTIES
73 SPECTRUM BOULEVARD

05/05/11




SUP-41586 - APPLICANT: LUTHERAN SOCIAL SERVICES OF NEVADA - OWNER: HARSCH INVESTMENT PROPERTIES
73 SPECTRUM BOULEVARD

05/05/11

# LUTHERAN SOCIAL SERVICES
## OF NEVADA

Celebrating thirteen years of serving and caring for people in need…

April 26, 2011


**Mailing Address:**
P.O. Box 2079
Las Vegas, NV
89125

**Physical Address:**
51 North Pecos Rd Suite
109-113
Las Vegas, NV 89101

**Contact Information:**
702-639-1730 (Phone)
702-639-1736 (Fax)



**Executive Board**
David Knowlton
Board President

Sonia Vermeys, Esq.
President Elect

Ron Bjokne
Treasurer

Hyla Winters
Secretary

**Board Members**
Donna Hall
Kirk Kaplan, Esq.
Robin Smith
Carey Miller
Kimberly Wanker, Esq.
Elmo Douglass

**Executive Director**
Armena Mkhitaryan, MPA


City of Las Vegas
Department of Planning
333 N. Rancho Drive
Las Vegas, NV

To Whom It May Concern:

LSSN is proposing to move our offices from 51 N. Pecos, Suites 109-113, Las Vegas to 73 Spectrum Blvd., Las Vegas. This move is within the "Spectrum" complex and a very short distance from our current location. We are a Social Services Provider and have Special Use Permit, SUP-26576.

LSSN provides an emergency food pantry, home care, emergency rental and utility assistance, supportive housing, referral services, and employment services to our clients. We also offer classes in resume writing skills, interview skills, job search skills and financial literacy training and budgeting workshops. We assist those who are in need as a result of homelessness, unemployment, domestic violence, etc. Our "Break and Empower" plan is part of the positive contribution to the lives of every individual that steps through our door. We are in the process of opening a Thrift Store which will sell second-hand articles to our current clients while they are visiting our Food Pantry. LSSN has procedures in place to address client overflow which includes well-placed signage and a dedicated staff member when the need arises.

When our business is located at 73 Spectrum Blvd., it should not significantly increase traffic on the surrounding streets, and it will not present a problem to the safety of local residents or properties in the area. For over three years, we have been at our current office at 51 North Pecos. LSSN has not experienced any traffic problems plus our clients and neighbors are pleased with our quiet, professional conduct. We will be introducing ourselves to our neighbors and letting them know that we are part of the community.

We have 12 employees. We serve approximately 55 clients on a daily basis. Our business hours are Monday thru Friday, 7:30 a.m. to 5:30 p.m. Our web site is www.lssnv.org

If I can be of any assistance in this matter, feel free to contact me directly.

Very truly yours,

Armena Mkhitaryan
Executive Director


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SUP-41586

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

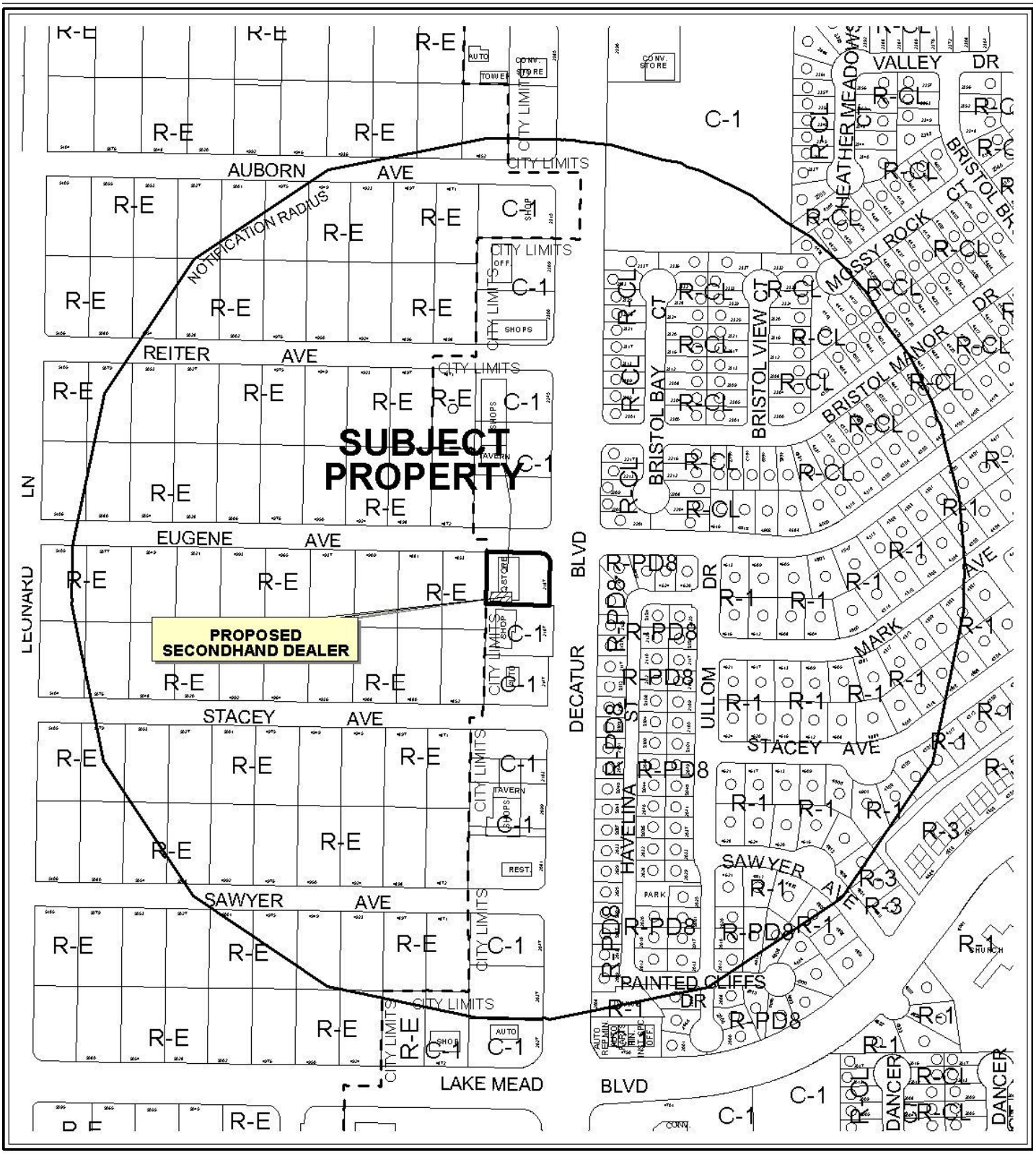
**SUBJECT:**
SUP-41592 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MARYETTA BREWER - OWNER: CONSTRUCTION GROUP, INC. - Request for a Special Use Permit FOR A PROPOSED 1,275 SQUARE-FOOT SECONDHAND DEALER USE (HOUSEHOLD ITEMS) at 2187 North Decatur Boulevard, Suite #100 (APN 138-24-611-073), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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. Photo
5. Justification Letter




**CASE:** **SUP-41592**

**RADIUS:** 1000 FT

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




0 300 600 Feet

**CASE:** **SUP-41592**

**RADIUS:** 1000 FT

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

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: MARYETTA BREWER - OWNER: CONSTRUCTION GROUP, INC.**

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

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-41592** | Staff recommends APPROVAL, subject to conditions: | N/A |

**** CONDITIONS ****

# SUP-41592 CONDITIONS

***Planning***

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

2. Conformance to the approved conditions for Rezoning (ZON-1787), Variance (VAR-1859), Variance (VAR-5812) Special Use Permit (SUP-9863) and Site Development Plan Review (SDR-1789).

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. There shall be no external drop-off or outside storage of secondhand merchandise 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. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**Staff Report Page One**
**June 14, 2011 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 1,275 square-foot Secondhand Dealer (Household Items) use within a 5,250 square-foot General Retail Store located at 2187 North Decatur Boulevard, Suite #100. The subject location of the proposed use is a vacant suite within a General Retail Store. Staff recommends approval of this request, as it can be conducted in a manner that is compatible with the surrounding uses as conditioned. In addition, the subject site is able to accommodate a variety of uses. If this application is denied, the suite would remain vacant.

## ISSUES

- A Secondhand Dealer use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- No external drop-off or storage of secondhand merchandise is proposed.
- A Project of Regional Significance is required for this application and was submitted. No comments were received from other jurisdictions.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 05/07/03 | The City Council approved a Rezoning (ZON-1787) for the reclassification of property from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial); Variance (VAR-1859) to reduce the required amount of on-site parking from 29 to 19 spaces and to reduce Residential Adjacency Standards from 62.5 feet to 20 feet; and a Site Development Plan Review (SDR-1789) for a proposed 5,250 square-foot retail commercial development and a Waiver of a number of standards relating to parking location, perimeter landscaping and setbacks located on 0.44 acres at the southwest corner of Eugene Street and Decatur Boulevard. The Planning Commission and staff recommended approval. |
| 03/02/05 | The City Council approved a Variance (VAR-5812) to allow a trash enclosure to be zero feet from a protected residential property where residential adjacency standards require a minimum of 50 feet for an approved retail development. The Planning Commission recommended approval and staff recommended denial. |

| | |
|---|---|
| 01/18/06 | The City Council approved a Special Use Permit (SUP-9863) for a Package Liquor Off-Sale Establishment at 2187 North Decatur Boulevard, Suite #140. The Planning Commission and staff recommended approval. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 04/25/05 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 06/14/04 | A building permit (4015276) was issued for a Certificate of Completion of a shell building at 2187 North Decatur Boulevard. The permit was finaled on 03/08/06. |
| 11/17/05 | A building permit (5008038) was issued for a Certificate of Completion of a Speculative Suite at 2187 North Decatur Boulevard Suite #130. The permit was finaled on 03/15/06. |
| 11/17/05 | A building permit (5008035) was issued for a Certificate of Completion of a Speculative Suite at 2187 North Decatur Boulevard Suite #100. The permit was finaled on 03/27/06. |
| | A building permit (5008036) was issued for a Certificate of Completion of a Speculative Suite at 2187 North Decatur Boulevard Suite #110. The permit was finaled on 03/27/06. |
| | A building permit (5008037) was issued for a Certificate of Completion of a Speculative Suite at 2187 North Decatur Boulevard Suite #120. The permit was finaled on 03/27/06. |
| 03/17/06 | A building permit (6002156) was issued for a Non-Work Certificate of Occupancy at 2187 North Decatur Boulevard Suite #130. The permit was finaled on 04/17/06. |
| 06/21/06 | A business license (L15-00059) was issued for Package Liquor at 2187 North Decatur Boulevard Suite #130. The license was marked out of business on 04/20/10. |
| 06/27/06 | A business license (C05-02506) was issued for a Tobacco Dealer at 2187 North Decatur Boulevard Suite #130. The license is currently active. |
| 02/13/07 | A business license (M06-02925) was issued for a Miscellaneous Sales at 2187 North Decatur Boulevard Suite #130. The license is currently active. |
| 04/19/10 | A business license (L15-00059) was issued for Package Liquor at 2187 North Decatur Boulevard Suite #130. The license is currently active. |
| 04/20/10 | A business license (C23-00082) was issued for a Check Cashing Limited at 2187 North Decatur Boulevard Suite #130. The license is currently active. |
| | A business license (S15-00096) was issued for a Smoke Shop at 2187 North Decatur Boulevard Suite #130. The license is currently active. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/19/11 | A pre-application meeting was held with the applicant where the submittal requirements for a Special Use Permit for a Secondhand Dealer use were discussed. |

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

| ***Field Check*** | |
|---|---|
| 05/05/11 | A site visit noted a General Retail Store, Other Than Listed (3,500 Square-Feet or More) to be clean and free of trash, debris and graffiti. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.44 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | General Retail Store, Other Than Listed (3,500 Square Feet or More) | SC (Service Commercial) | C-1 (Limited Commercial) |
| North | Undeveloped | SC (Service Commercial) | C-1 (Limited Commercial) |
| South | General Retail Store, Other Than Listed (3,500 Square Feet or More) | SC (Service Commercial) | C-1 (Limited Commercial) |
| East | Single Family Detached | ML (Medium Low Density Residential) | R-PD8 (Residential Planned Development – 8 Units per Acre) |
| West | Clark County (Single Family Detached) | RN (Rural Neighborhood) - Clark County | R-E (Rural Estates Residential) - Clark County |

| ***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 (70 feet) | X | | Y |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Las Vegas Redevelopment Plan Area** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | X | | Y |

**DEVELOPMENT STANDARDS**

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Decatur Boulevard | Primary Arterial | Master Plan of Streets and Highways | 115 | Y* |

*Per the Master Plan of Streets and Highways, the street width is 100 feet.

***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 | |
| General Retail Store, Other Than Listed (3,500 Square Feet or More) Existing | 5,250 S.F. | 1/175 S.F. | 30 | | | | |
| General Retail Store, Other Than Listed (3,500 Square Feet or More) To Be Removed | (-1,275 S.F.) | 1/175 S.F. | (-8) | | | | |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Secondhand Dealer (Proposed) | 1,275 S.F. | 1/250 S.F. | 6 | | | | |
| **TOTAL SPACES REQUIRED** | | | 19* | | 20 | | Y |
| **Regular and Handicap Spaces Required** | | | 18 | 1 | 19 | 1 | Y |

** **Per Approved Variance (VAR-1859***

**ANALYSIS**

A Secondhand Dealer is defined by Title 19 as "a specialty shop which deals solely in one kind of used commodity with no new commodities, or a business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind." A condition has been to ensure that there will be no external drop-off or storage of secondhand merchandise.

The subject site is located in the Airport Overlay District (70 feet) and will not have a negative impact to the Overlay District.

Comments were received from the Las Vegas Valley Water District, and include the following: Existing 1" meter with 1" RPPA. No fireline. If a fireline is to be added, civil plans will need to be submitted to LVVWD.

The proposed use meets all of the minimum Special Use Permit requirements of Title 19.04 for a Secondhand Dealer, and can be conducted in a manner that is harmonious and compatible with existing surrounding land uses. Therefore, staff recommends approval with conditions.

**FINDINGS (SUP-41592)**

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

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

   The proposed use will be located within a General Retail Store, Other Than Listed (3,500 Square Feet or More). The proposed use can be conducted in a manner that is harmonious and compatible with the uses in the existing site and with the uses on adjacent properties.

**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-1859).

**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 Decatur Boulevard. Decatur Boulevard is sufficient to accommodate the number 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 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 use meets all applicable requirements for Secondhand Dealer and complies with the minimum Special Use Permit Requirements.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 9

**NOTICES MAILED** 305

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41592** APN: 138-24-611-073

Name of Property Owner: CONSTRUCTION GROUP, INC.

Name of Applicant: House of Bargains

Name of Representative: Mary Brewer

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: FRED SHAKIB, President

Subscribed and sworn before me

This 21 day of APRIL, 2011

_____

Notary Public in and for said County and State

NOBUO HIRAKO
Commission # 1832404
Notary Public - California
Los Angeles County
My Comm. Expires Feb 5, 2013

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APR 28 2011

Revised 11-14-06

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# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Second hand dealer / thrift Store

**Project Address (Location)** 2187 N. Decatur Blvd #160, Las Vegas, NV. 89108

**Project Name** House of Bargains **Proposed Use** C1

**Assessor's Parcel #(s)** 138-24-611-073 **Ward #** 5 - Barlow

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

**Commercial Square Footage** 1200 sqft **Floor Area Ratio** _____

**Gross Acres** .44 **Lots/Units** 4 units **Density** _____

**Additional Information** _____

**PROPERTY OWNER** Construction Group Inc **Contact** Sherry / Fred

**Address** 4405 Medley Pl **Phone:** 818 326-6766 **Fax:** _____

**City** Encino **State** Ca **Zip** 91316-4344

**E-mail Address** _____

**APPLICANT** Maryetta Brewer **Contact** Myself

**Address** 2187 N. Decatur Blvd #100 **Phone:** 217-1885 **Fax:** 1-866-521-3765

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

**E-mail Address** mbrewer5175@embarqmail.com

**REPRESENTATIVE** _____ **Contact** _____

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

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

**E-mail Address** _____

CONSTRUCTION GROUP, INC.

**Property Owner Signature*** _____

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

**Print Name** FRED SHAKIB, President

Subscribed and sworn before me

This 21 day of APRIL, 20 11.

_____

Notary Public in and for said County and State

NOBUO HIRAKO
Commission # 1832404
Notary Public - California
Los Angeles County
My Comm. Expires Feb 5, 2013

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | SUP-41592 |
| Meeting Date: | 6/14/11 |
| Total Fee: | $1,030 |
| Date Received:* | 4/28/11 |
| 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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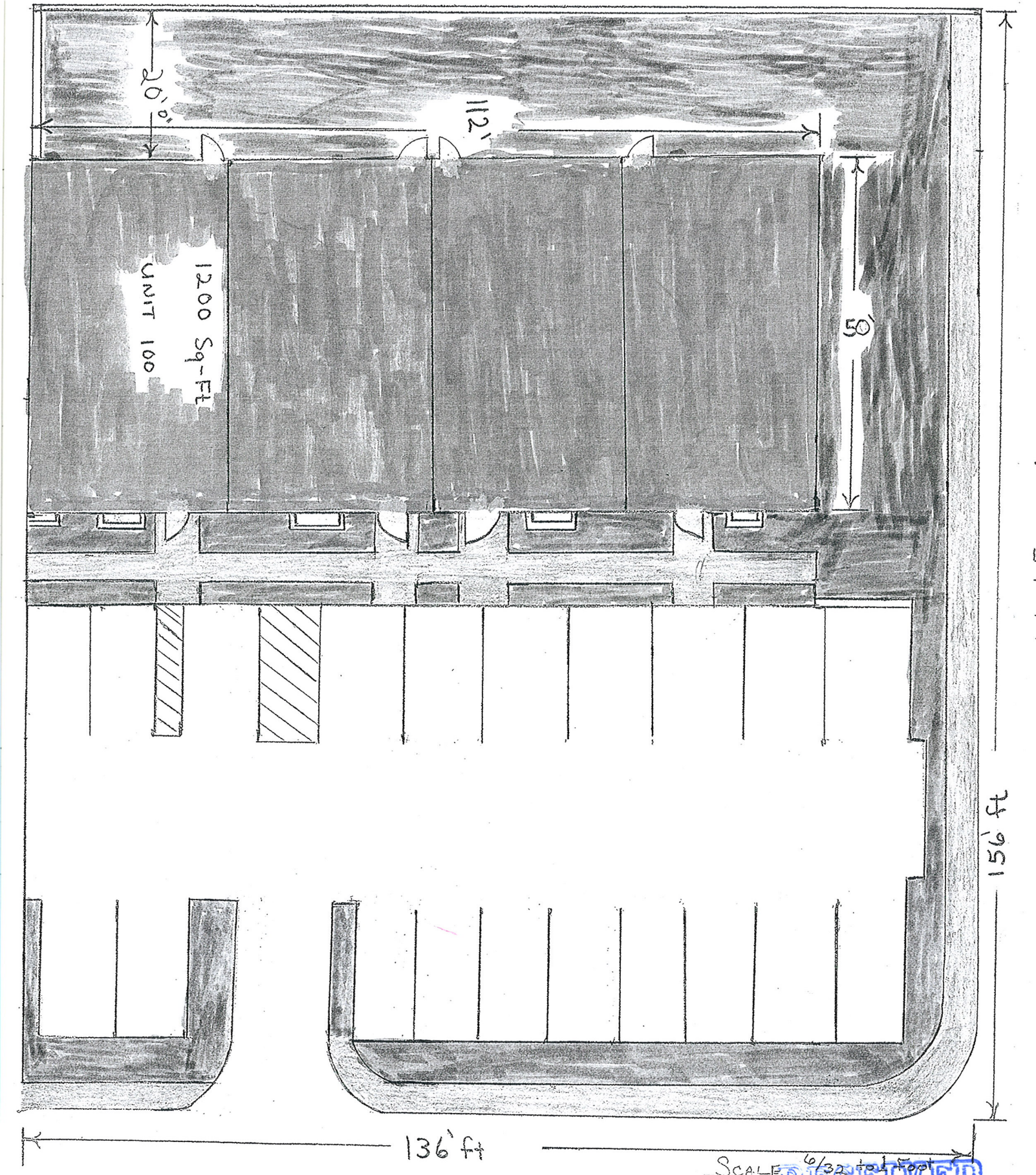
APR 28 2011

Revised 10/27/08




2187 North Decatur Blvd

NORTH

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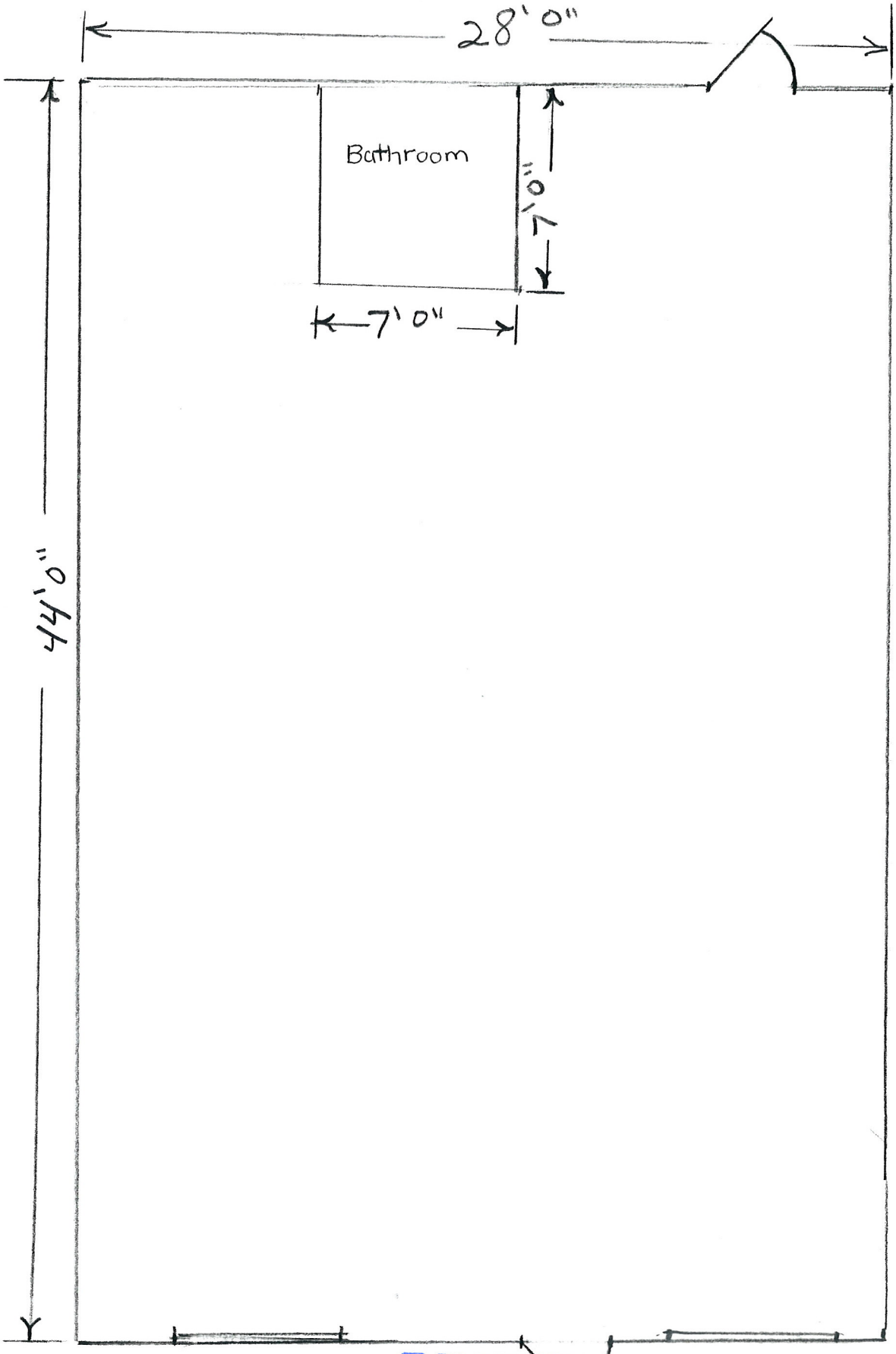
APR 28 2011

**SUP-41592**




1/4" = 1 Foot Scale

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APR 28 2011

**SUP-41592**

FLOOR PLAN
2187 N. Decatur Bl
#100




SUP-41592 - APPLICANT: MARYETTA BREWER - OWNER: CONSTRUCTION GROUP, INC.
2187 NORTH DECATUR BOULEVARD, SUITE #100

05/05/11

## JUSTIFICATION LETTER

**April 28, 2011**

I'm applying for a special use permit license for a second hand dealer store selling new & use items. The intended use of the property is to sell quality new & use household items, clothing, appliances, electronics, jewelry, and other new & use items. Items are picked up & drop off by me are other delivery personal. We will be offer quality, affordable products to the community. Our hours of operation will be 7 days a week between the hours of 10am-6pm. My spouse and I will be the ones operating the business in the beginning. We plan to have other part-time employees working once we get up and going. As far as the connectivity to other adjacent parcels right next to our propose location south of the property there is a furniture store that the parking lot are adjacent to each other allowing access to exit and enter to Decatur. To the question of the propose project having walkable access for residents. There is walkable access allowing residents in the community access through the property to conduct their everyday routine daily activities. Allowing them access to and from public transportation and other recreation activities. As to the plans floor plan that was submitted we have not decided on how the store will be displayed inside so my floor plan just show an open floor plan with the bath. I hope that is sufficient enough.

Thanks you,

Maryetta Brewer

Maryetta Brewer

RECEIVED
APR 28 2011
SUP-41592

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

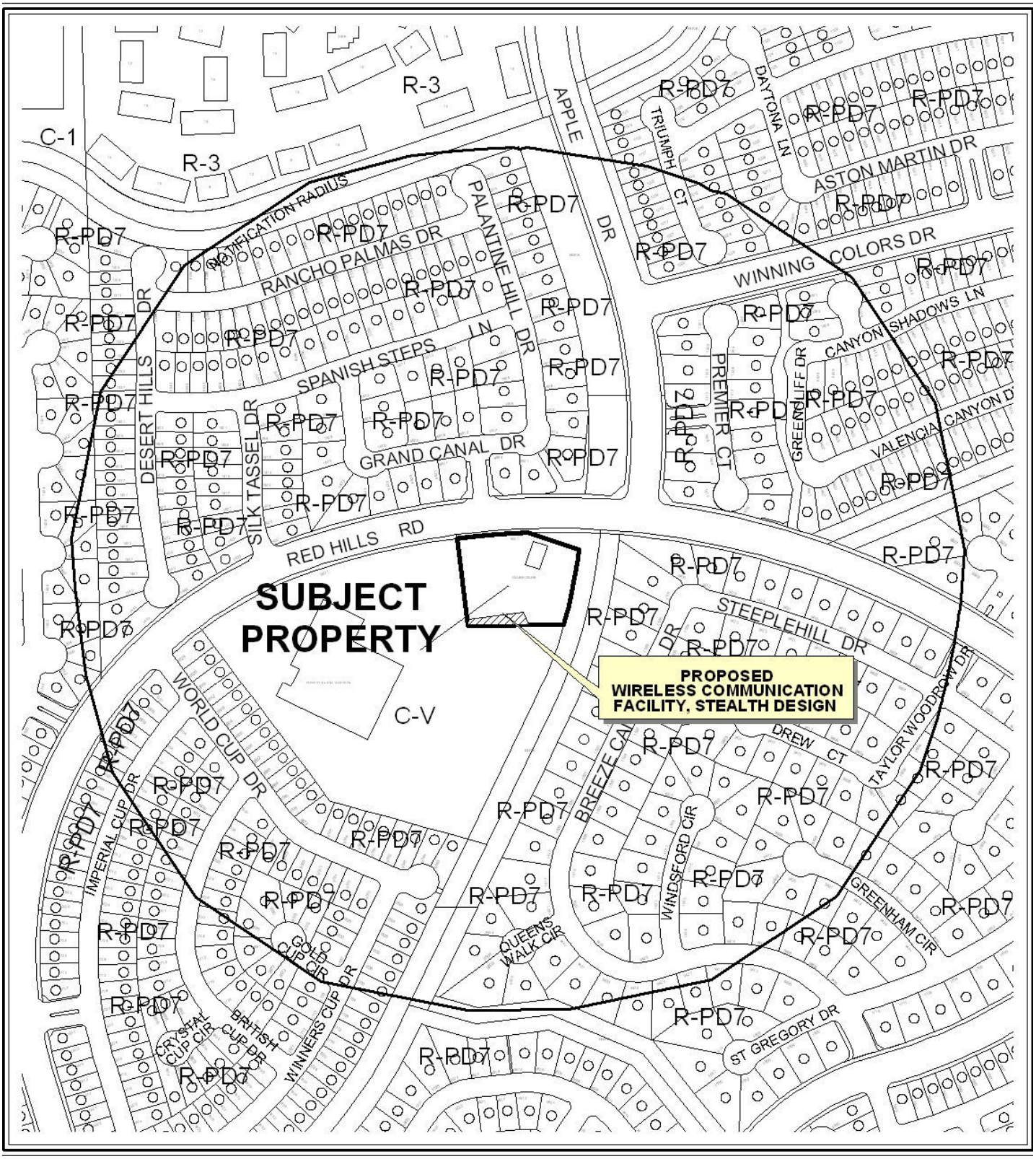
**SUBJECT:**
ABEYANCE - VAR-41297 - VARIANCE - PUBLIC HEARING - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION - Request for a Variance TO ALLOW A 12-FOOT HIGH CHAIN LINK FENCE WHERE EIGHT FEET IS MAXIMUM HEIGHT PERMITTED on 1.49 acres at 9501 Red Hills Road (APN 163-06-610-002), R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 2 (Wolfson). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **18** | **Planning Commission Mtg.** | **1** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps - VAR-41297 and SUP-41296
2. Conditions and Staff Report - VAR-41297 and SUP-41296
3. Supporting Documentation
4. Photos - VAR-41297 and SUP-41296
5. Justification Letter - VAR-41297 and SUP-41296
6. Protest/Support Postcards, Protest E-mail and Protest Letter– VAR-41297 and SUP-41296




0 300 600 Feet

**CASE:** **VAR-41297 AND SUP-41296**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE) ZONE

N




0 300 600 Feet

**CASE:** **VAR-41297 AND SUP-41296**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE) ZONE

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-41297** | Staff recommends DENIAL, if approved subject to conditions: | SUP-41296 |
| **SUP-41296** | Staff recommends DENIAL, if approved subject to conditions: | VAR-41297 |

## ** CONDITIONS **

# VAR-41297 CONDITIONS

***Planning***

1. Conformance to the approved conditions for Special Use Permit (SUP-41296) 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 19.18.070. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. The applicant shall ensure proper maintenance is conducted on the fabric screening to repair any and all damage, or to replace the screening if necessary.

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-41296 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Wireless Communication Facility, Stealth Design use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18.060. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. The Wireless Communication Facility and its associated equipment and facility 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 communications monopole and its associated equipment and facility.

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 85-foot tall (top of branches) Wireless Communication Facility, Stealth Design (Monopine) on a site that has an existing clubhouse and associated recreational amenities for a residential planned development located at 9501 Red Hills Road. The proposed facility will accommodate up to four carriers. The initial installation will provide 12 antennas at the 77-foot centerline. In addition, the placement of the facility will require the removal of two (2) existing pine trees from the southern perimeter of the site. An associated Variance request will also be considered, as the applicant is requesting a 12-foot tall chain link fence with fabric screening, where Title 19.12.075 limits the height to eight feet and does not consider the use of chain link fencing as an acceptable screen or perimeter wall for commercial uses, unless approved as part of an overall development plan. As proposed, the use cannot be conducted in a harmonious manner; therefore staff is recommending denial of the Special Use Permit and Variance. If the application is denied, the Wireless Communication Facility will have to be designed or relocated to comply with Title 19 requirements.

## ISSUES

- The subject site is within a residentially planned development surrounded by single family residential homes with an elementary school located to the west of the property. The facility is not aesthetically compatible with the surrounding development and would exceed the height of any buildings or trees within the community.

- Although the fencing surrounding the existing tennis court is chain link with fabric screening, extending the same fencing to the perimeter of the site is not appropriate, and will not be compatible with the surrounding adjacent uses. The requested Variance is not due to a unique or extraordinary circumstance, but is instead a self-imposed hardship that an alternative design would allow conformance to Title 19.18 requirements.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 05/12/09 | The Planning and Development Department denied a request for a Minor Site Development Plan Review (SDR-34366) for a proposed 60-foot tall Wireless Communication Facility, Stealth Design (Light Pole) at 9501 Red Hills Road. |
| 03/15/11 | The Planning and Development Department denied a request for a Minor Site Development Plan Review (SDR-41097) for a proposed 85-foot tall (top of the branches) Wireless Communication Facility, Stealth Design (Monopine) at 9501 Red Hills Road. |

| | |
|---|---|
| 05/10/11 | The Planning Commission held in abeyance a request for a Variance (VAR-41297) to allow a 12-foot high chain link fence where 8 feet is the maximum permitted; and a request for a Special Use Permit (SUP-41296) for a proposed 85-foot tall Wireless Communication Facility, Stealth Design (Monopine) at 9501 Red Hills Road. These items are held until 6/14/11 to allow the applicant time to submit photo simulation drawings of the proposed facility. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 01/26/96 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** |
|---|
| There have not been any recent building permits or business licenses issued for the subject site. |

| ***Pre-Application Meeting*** | |
|---|---|
| 03/16/11 | A pre-application meeting was held with the applicant to discuss the submittal requirements for a Special Use Permit and Variance for a proposed Wireless Communication Facility, Stealth Design (Monopine) at 9501 Red Hills Road. |

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

| ***Field Check*** | |
|---|---|
| 04/06/11 | A field check of the subject site was conducted by staff and found no trash/debris with the amenities and landscape areas being well maintained. No discrepancies were noted. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 1.49 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Community Center, Private (Accessory) | PR-OS (Parks/Recreation/Open Space) | R-PD7 (Residential Planned Development- 7 Units per Acre) |
| North | Single Family Residences | ML (Medium-Low Density Residential) | R-PD7 (Residential Planned Development- 7 Units per Acre) |

| *Surrounding Property* | *Existing Land Use Per Title 19.04* | *Planned or Special Land Use Designation* | *Existing Zoning District* |
|---|---|---|---|
| South | Elementary School | PF (Public Facility) | C-V (Civic) |
| | Single Family Residences | ML (Medium-Low Density Residential) | R-PD7 (Residential Planned Development- 7 Units per Acre) |
| East | Single Family Residences | ML (Medium-Low Density Residential) | R-PD7 (Residential Planned Development- 7 Units per Acre) |
| West | Elementary School | PF (Public Facility) | C-V (Civic) |
| | Single Family Residences | ML (Medium-Low Density Residential) | R-PD7 (Residential Planned Development- 7 Units per Acre) |

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

**ANALYSIS**

The subject property is located in a residentially planned zoning district with an existing club house and associated recreational amenities on site. The initial installation will provide 12 antennas at the 77-foot centerline. In addition, the placement of the facility will require the removal of two (2) existing pine trees from the southern perimeter of the site. An associated Variance request will also be considered, as the applicant is requesting a 12-foot tall chain link fence with fabric screening, where Title 19.12.075 limits the height to eight feet and does not consider the use of chain link fencing as an acceptable screen or perimeter wall for commercial uses.

As the proposed Wireless Communication Facility would be located within a residential community, it exceeds the height of existing buildings and trees in the surrounding area. Additionally, the arid climate in Las Vegas may necessitate regular maintenance of the proposed fabric screening to repair/replace damaged areas. As the facility is not aesthetically compatible with the surrounding development, and the Variance is a self imposed hardship, staff is recommending denial.

**FINDINGS (VAR-41297)**

In accordance with the provisions of Title 19.18.070, the 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 12-foot tall chain link fencing with fabric screening. Alternative wall design would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

**FINDINGS (SUP-41296)**

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 subject site is within a residentially planned development surrounded by single family residential homes with an elementary school located to the west of the property. The proposed facility (and future carriers) will result in a negative visual impact upon the surrounding community. As such, the use cannot be conducted in a harmonious manner and is not compatible with existing neighboring land uses; therefore staff is recommending denial of this application.

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

   The subject site is not physically suitable for the intensity of the proposed use, as the facility will be greater in height than surrounding trees and structures. In addition, as new antennas/carriers co-locate on the facility, the Wireless Communication Facility would create a visual intrusion to the residential properties neighboring the property.

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 Red Hills Road, an 80-foot right-of-way. This street provides adequate access to and from the subject site.

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

   Approval of this Special Use Permit will not compromise public health, safety, or welfare as the proposed Wireless Communication Facility, Stealth Design use will be subject to regular inspections.

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

   The use does not meet all conditional use regulations per Title 19.04, making this request for a Special Use Permit necessary.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 8

**NOTICES MAILED** 393

**APPROVALS** 1

**PROTESTS** 18

DS

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41297** APN: 163-06-610-002

Name of Property Owner: Peccole Ranch Community Assn.

Name of Applicant: Tower Consulting, Inc.

Name of Representative: Chris Wener

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

☐ **Yes** ☑ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

RECEIVED
MAR 28 2011

Signature of Property Owner: Richard D Layton

Print Name: Richard D. Layton

Subscribed and sworn before me

This 24 day of March, 2011

Janet M Porter
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JANET M. PORTER
Appt. No. 02-77952-1
My Appt. Expires Dec. 21, 2013

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Variance

**Project Address (Location)** 9501 Red Hills Rd., Las Vegas, NV 89117

**Project Name** Peccole Ranch **Proposed Use** Wireless Site

**Assessor's Parcel #(s)** 163-06-610-002 **Ward #** 2

**General Plan:** existing OS proposed n/a **Zoning:** existing R-PD7 proposed n/a

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

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

**Additional Information** 80' Wireless Communications Facility, Stealth Design. Variance for 12' chain link fence to match existing where 8' is permitted.

**PROPERTY OWNER** Peccole Ranch Community Assn **Contact** Jan Porter

**Address** 9501 Red Hills Rd. **Phone:** (702) 255-3551 **Fax:** (702) 243-5819

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

**E-mail Address** jan@peccoleran.com

**APPLICANT** Tower Consulting, Inc. **Contact** Chris Wener

**Address** 8905 W. Post Rd., Suite 100 **Phone:** (702) 339-9112 **Fax:** (702) 367-8733

**City** Las Vegas **State** NV **Zip** 89148

**E-mail Address** cwener@spectrumse.com

**REPRESENTATIVE** Chris Wener **Contact** Chris Wener

**Address** 8905 W. Post Rd., Suite 100 **Phone:** (702) 339-9112 **Fax:** (702) 367-8733

**City** Las Vegas **State** NV **Zip** 89148

**E-mail Address** cwener@spectrumse.com

Peccole Ranch Community Association

**Property Owner Signature*** Richard D. Layton

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

**Print Name** Richard Layton

Subscribed and sworn before me

This 24 day of March, 2011.

Janet M Porter

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JANET M. PORTER
Appt. No. 02-77862-1
My Appt. Expires Dec. 21, 2013

Revised 10/27/08

***FOR DEPARTMENT USE ONLY***

| | |
|---|---|
| **Case #** | VA R-41297 |
| **Meeting Date:** | 5/10/11 PC |
| **Total Fee:** | $830.00 |
| **Date Received:*** | 3/24/11 |
| **Received By:** | RECEIVED MAR 28 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.

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

# TOWER CONSULTING, INC.

8905 W. POST ROAD SUITE 100
LAS VEGAS, NEVADA 89148
PHONE: (702) 367-7705

OMNIPOINT DBA T-Mobile

# PECCOLE RANCH
# TCI-028/VG08373E

## 9501 RED HILLS ROAD
## LAS VEGAS, NEVADA 89117

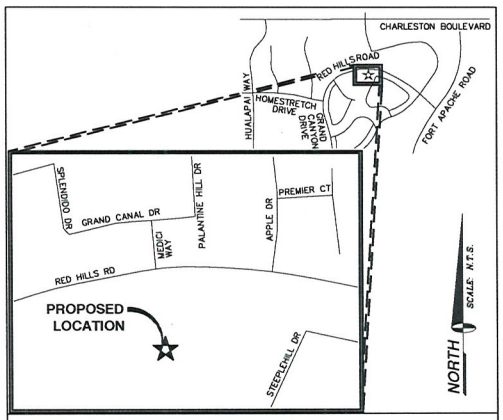
THE PROPOSED TOWER CONSULTING, INC. PROJECT INCLUDES:

- INSTALLATION OF AN 80' MONOPINE WITH BRANCHES NOT TO EXCEED 85'
- INSTALLATION OF 12' CHAINLINK FENCE WITH FABRIC SCREENING TO MATCH EXISTING
- INSTALLATION OF (2) 5' WIDE X 7' HIGH CHAINLINK GATES WITH FABRIC SCREENING TO MATCH EXISTING

THE PROPOSED T-MOBILE PROJECT INCLUDES:

- INSTALLATION OF (12) T-MOBILE ANTENNAS AT A 77' CENTERLINE
- INSTALLATION OF T-MOBILE OUTDOOR EQUIPMENT ON A 10' X 20' CONCRETE PAD

**PROJECT DESCRIPTION**




**VICINITY MAP**

APPLICANT/LESSEE
TOWER CONSULTING, INC.
8905 W. POST ROAD SUITE 100
LAS VEGAS, NEVADA 89148

CONTACT: CHRIS WENER
PHONE: (702) 339-9112

T-MOBILE
4175 S. RILEY ST., STE. 101
LAS VEGAS, NEVADA 89147

CONTACT:
BOB VORLICEK
PHONE: (702) 822-2802

PROPERTY INFORMATION

| | |
|---|---|
| OWNER: | PECCOLE RANCH COMMUNITY ASSOCIATION<br>9501 RED HILLS ROAD<br>LAS VEGAS, NEVADA 89117 |
| CONTACT:<br>PHONE: | JAN PORTER<br>(702) 255-3351 |
| AREA OF CONSTRUCTION: | 2240± SQ. FT. |
| OCCUPANCY TYPE: | S-2 |
| CONSTRUCTION TYPE: | V-B |
| CURRENT ZONING: | RESIDENTIAL PLANNED DEVELOPMENT DISTRICT (R-PD7) |
| JURISDICTION: | CITY OF LAS VEGAS |
| APN: | 163-06-610-002 |
| HANDICAP REQUIREMENTS: | FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED. |

PROJECT INFORMATION

| | |
|---|---|
| EQUIPMENT LOCATION: | ☐ OUTDOOR ☐ INDOOR ■ N/A |
| EQUIPMENT SHELTER: | ☐ YES ■ NO |
| ANTENNA LOCATION: | ☐ NEW MONOPINE<br>☐ SELF SUPPORT TOWER<br>☐ EXISTING MONOPINE<br>☐ ROOF TOP<br>☐ EXISTING TOWER<br>■ OTHER: NO ANTENNAS, TOWER ONLY |

**PROJECT SUMMARY**

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

1. INTERNATIONAL BUILDING CODE 2006 W/STATE AMENDMENTS
2. UNIFORM MECHANICAL CODE 2006
3. ANSI/EIA-222-F LIFE SAFETY CODE
4. UNIFORM PLUMBING CODE 2006
5. NATIONAL ELECTRIC CODE 2005
6. LOCAL BUILDING CODE(S)
7. CITY AND/OR COUNTY ORDINANCES
8. UNIFORM FIRE CODE 2003

**CODE COMPLIANCE**

CIVIL ENGINEER
SPECTRUM SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
CHRIS WENER
PHONE: (702) 367-7705
FAX: (702) 367-8733

STRUCTURAL ENGINEER:
T.B.D.

ELECTRICAL ENGINEER:
SPECTRUM SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
RICHARD TOMASIELLO
PHONE: (702) 363-9530

SURVEYOR:
SPECTRUM SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
CHRIS WENER
PHONE: (702) 367-7705
FAX: (702) 367-8733

**PROJECT TEAM**

| SHEET | DESCRIPTION | REV. |
|---|---|---|
| T1 | TITLE SHEET | 2 |
| A1 | SITE PLAN | 2 |
| A2 | SITE DETAIL | 2 |
| A3 | EAST & WEST ELEVATIONS | 2 |

ISSUED FOR: ZONING

**SHEET INDEX**

| TITLE | SIGNATURE | DATE |
|---|---|---|
| RF ENGINEER | | |
| REAL ESTATE | | |
| PROPERTY OWNER | | |
| ZONING APPROVAL | | |
| CONSTRUCTION DIRECTOR | | |
| ADDITIONAL APPROVAL | | |

**APPROVAL LIST**

VAR-41297
SUP-41296

RECEIVED
MAR 24 2011

TOWER CONSULTING, INC.
8905 W. POST ROAD SUITE 100
LAS VEGAS, NEVADA 89148
PHONE: (702) 367-7705

OMNIPOINT DBA T-Mobile
4175 S. RILEY ST., STE. 101
LAS VEGAS, NEVADA 89147

PROJECT INFORMATION:
PECCOLE RANCH
TCI-028/VG08373E
9501 RED HILLS ROAD
LAS VEGAS, NEVADA 89117

CURRENT ISSUE DATE:
03/22/11

ISSUED FOR:
ZONING

| REV.: | DATE: | DESCRIPTION: | BY: |
|---|---|---|---|
| 2 | 03/22/11 | ZONING REVISIONS | R.R. |
| 1 | 01/21/11 | 100% ZONING | R.S. |
| 0 | 09/23/09 | 90% ZONING | R.S. |

PLANS PREPARED BY:
SPECTRUM
SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
PH. (702) 367-7705
FAX (702) 367-8733

| DRAWN BY: | CHK.: | APV.: |
|---|---|---|
| R. SAN JUAN | M. CEFALU | C. WENER |

LICENSURE:

SHEET TITLE:
TITLE SHEET

| SHEET NUMBER: | REVISION: |
|---|---|
| T1 | 2 |

TCI-028

## LEGAL DESCRIPTION

BEING LOT 15-2 AS SHOWN BY MAP THEREOF ON FILE IN FILE 64, PAGE 25 OF PARCEL MAPS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA; LYING WITHIN THE SOUTH HALF (S1/2) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 6, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

**BASIS OF BEARINGS**

A FIELD SURVEY WAS PERFORMED ON JUNE 3, 2009.

SOUTH 36°49'19" EAST, BEING THE CENTERLINE OF WORLD CUP DRIVE AS SHOWN BY MAP THEREOF ON FILE IN BOOK 46, PAGE 99 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

**BENCHMARK**

CITY OF LAS VEGAS VERTICAL CONTROL NO. 9LV19 NNW6
BEING A RIVET AND PLATE IN TOP OF CURB LOCATED ON THE SOUTH EAST CORNER OF CHARLESTON BOULEVARD AND TOWN CENTER DRIVE.

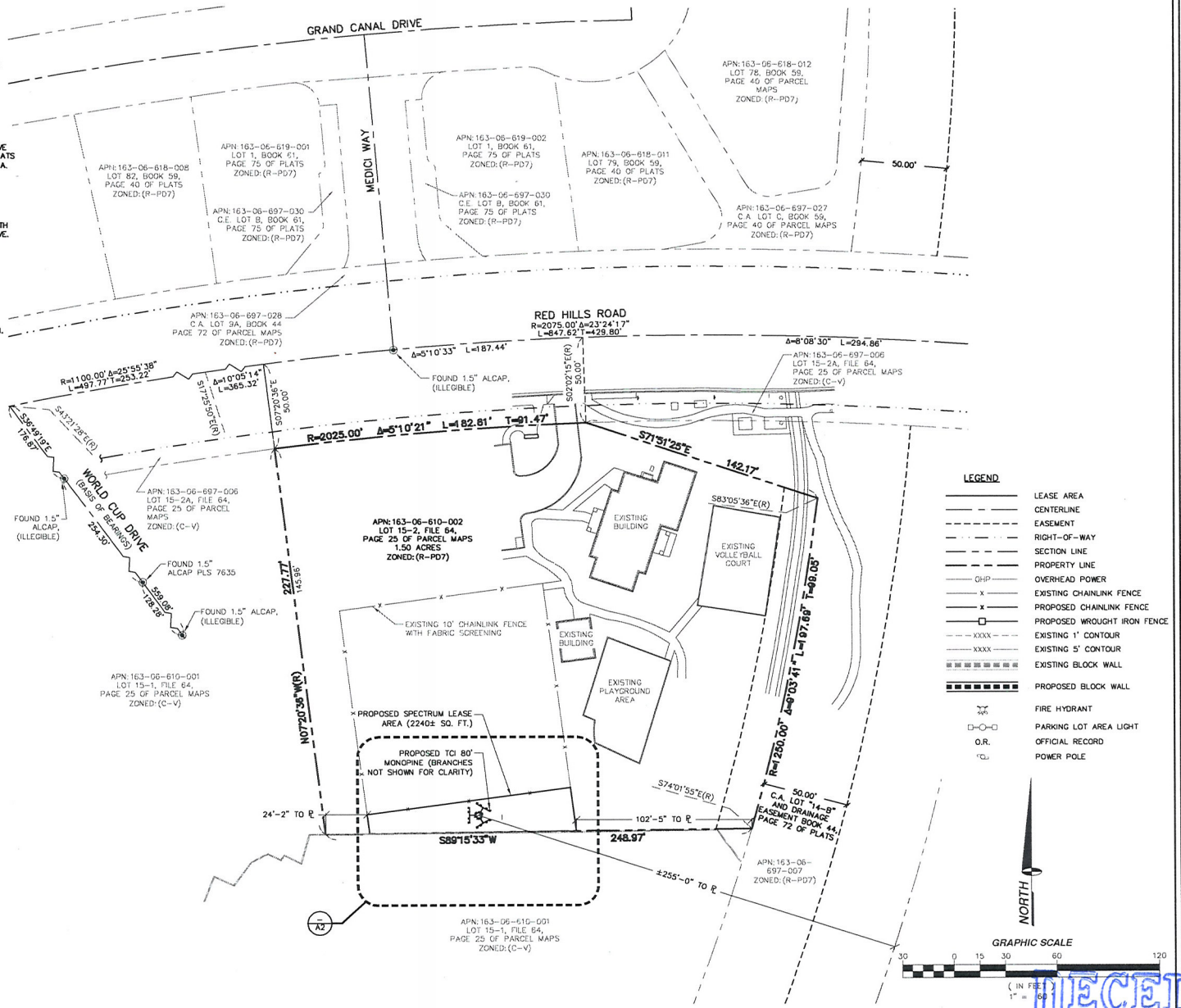
ELEVATION: 3004.34 FEET (NAVD 1988)
915.724 METERS (NAVD 1988)

**FLOOD NOTE**

AS SCALED FROM FLOOD INSURANCE RATE MAP NO. 32003C2145E, DATED SEPTEMBER 27, 2002 AND PER SAID MAP: ZONE X, AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

## NOTES & TITLE REPORT EXCEPTIONS

SPECTRUM SURVEYING & ENGINEERING HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. NO ABSTRACT OF TITLE, NOR TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED BY THE CLIENT.




### LEGEND

- LEASE AREA
- CENTERLINE
- EASEMENT
- RIGHT-OF-WAY
- SECTION LINE
- PROPERTY LINE
- OHP — OVERHEAD POWER
- EXISTING CHAINLINK FENCE
- PROPOSED CHAINLINK FENCE
- PROPOSED WROUGHT IRON FENCE
- EXISTING 1' CONTOUR
- EXISTING 5' CONTOUR
- EXISTING BLOCK WALL
- PROPOSED BLOCK WALL
- FIRE HYDRANT
- PARKING LOT AREA LIGHT
- O.R. — OFFICIAL RECORD
- POWER POLE

SITE PLAN

SCALE: 1" = 60' 1


TOWER CONSULTING, INC.
8905 W. POST ROAD SUITE 100
LAS VEGAS, NEVADA 89148
PHONE: (702) 367-7705

OMNIPOINT dba T-Mobile
4175 S. RILEY ST., STE. 101
LAS VEGAS, NEVADA 89147


PROJECT INFORMATION:

PECCOLE RANCH
TCI-028/VG08373E

9501 RED HILLS ROAD
LAS VEGAS, NEVADA 89117

CURRENT ISSUE DATE: 03/22/11

ISSUED FOR: ZONING

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| 1 | 01/21/11 | 100% ZONING | R.S. |
| 0 | 09/23/09 | 90% ZONING | R.S. |

PLANS PREPARED BY:


SPECTRUM
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LAS VEGAS, NEVADA 89148
PH. (702) 367-7705
FAX (702) 367-8733


| DRAWN BY: | CHK.: | APV.: |
|---|---|---|
| R. SAN JUAN | M. CEFALU | C. WENER |

LICENSURE:

SHEET TITLE: SITE PLAN

SHEET NUMBER: A1 REVISION: 2

TCI-028

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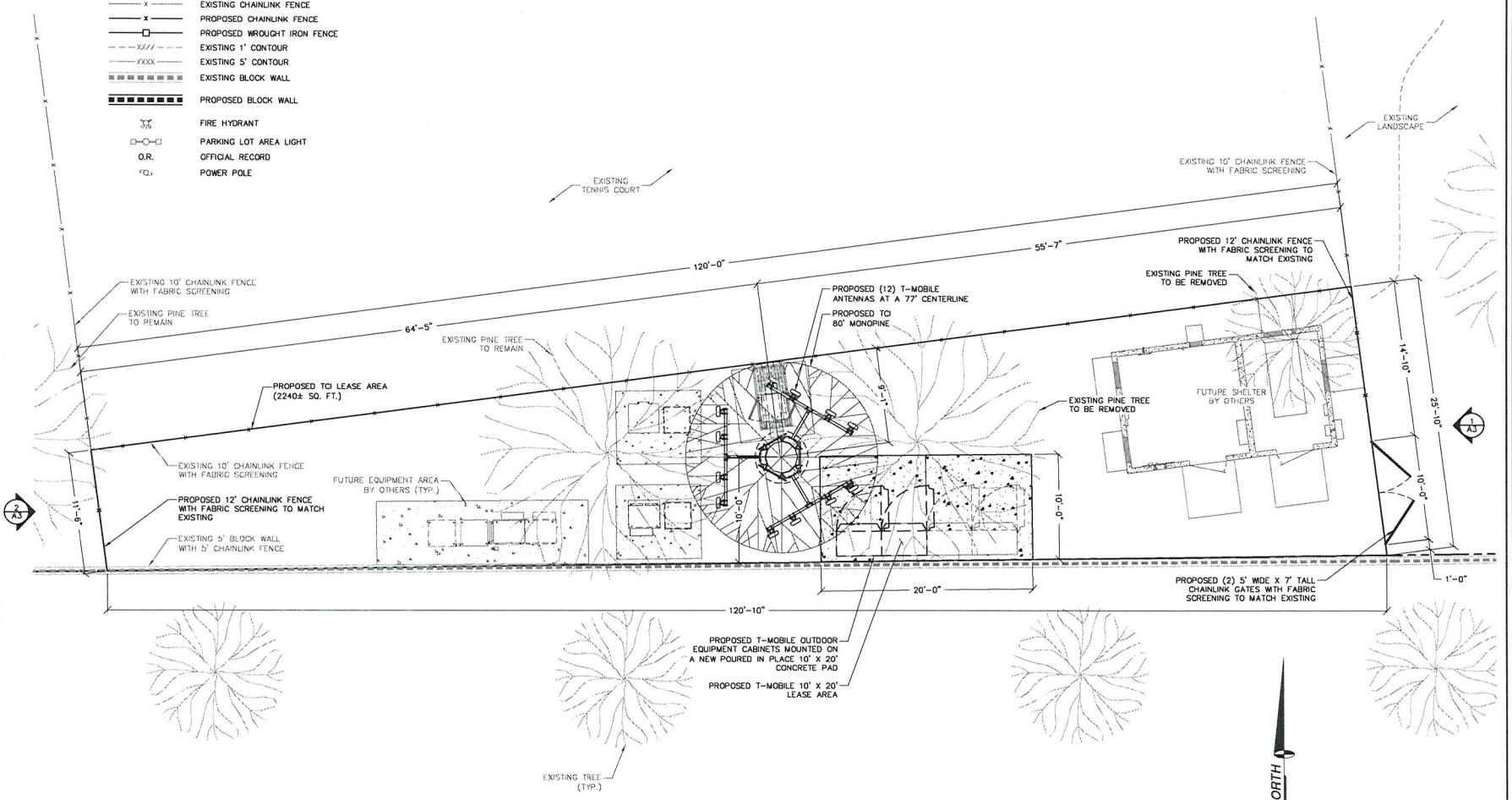


SITE DETAIL

SCALE: 1" = 10'

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**VAR-41297**

**SUP-41296**


TOWER CONSULTING, INC.
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OMNIPOINT
T-Mobile
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TCI-028/VG08373E

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PLANS PREPARED BY:


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SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
PH. (702) 367-7705
FAX (702) 367-8733


| DRAWN BY: | CHK.: | APV.: |
|---|---|---|
| R. SAN JUAN | M. CEFALU | C. WENER |

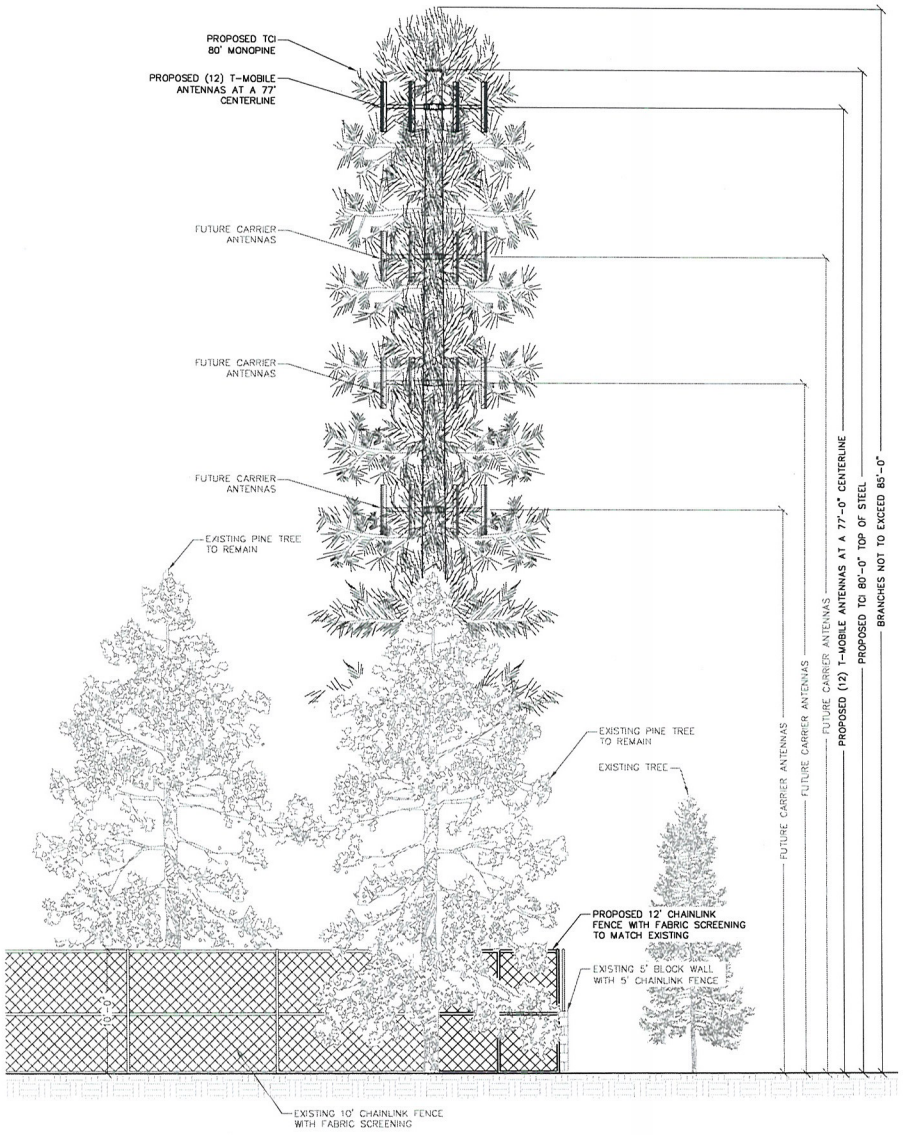
LICENSURE:

SHEET TITLE:
SITE DETAIL

SHEET NUMBER: A2

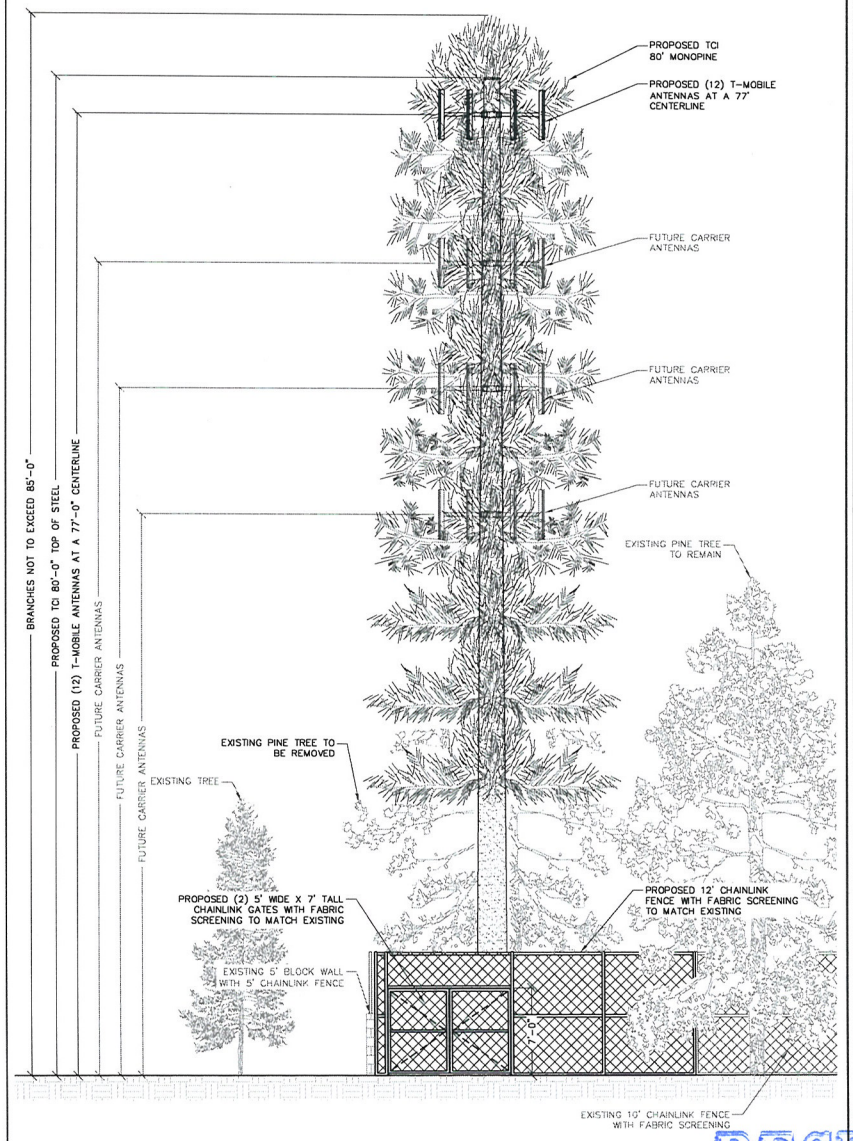
REVISION: 2

TCI-028




WEST ELEVATION

SCALE: 1" = 10' 2




EAST ELEVATION

SCALE: 1" = 10' 1

TOWER CONSULTING, INC.
8905 W. POST ROAD SUITE 100
LAS VEGAS, NEVADA 89148
PHONE: (702) 367-7705

OMNIPOINT
T-Mobile
4175 S. RILEY ST., STE. 101
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PROJECT INFORMATION:

PECCOLE RANCH
TCI-028/VG08373E

9501 RED HILLS ROAD
LAS VEGAS, NEVADA 89117

CURRENT ISSUE DATE:

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PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
PH. (702) 367-7705
FAX (702) 367-8733

| DRAWN BY: | CHK.: | APV.: |
|---|---|---|
| R. SAN JUAN | M. CEFALU | C. WENER |

LICENSURE:

SHEET TITLE:

EAST & WEST
ELEVATIONS

SHEET NUMBER: A3 REVISION: 2

TCI-028

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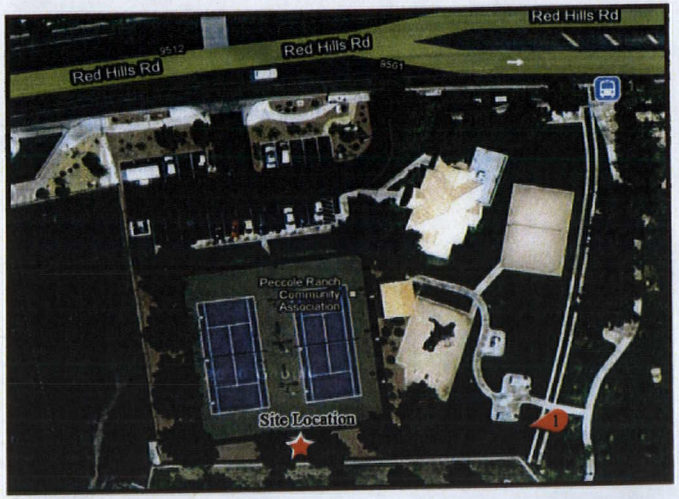
SUP-41296

# PECCOLE RANCH 9501 RED HILLS ROAD LAS VEGAS, NEVADA 89117

VIEW 1




LOCATION



EXISTING




PROPOSED

MAR 0 2 2011

SPECTRUM
8905 W. POST ROAD SUITE 100 LAS VEGAS, NEVADA 89148
OFFICE: (702) 367-7705
FAX: (702) 367-8733

TOWER CONSULTING, INC.
8905 W. POST ROAD SUITE 100 LAS VEGAS, NEVADA 89148
OFFICE: (702) 367-7705, FAX: (702) 367-8733

**VAR-41297**
**SUP-41296**



VAR-41297 & SUP-41296 - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION
9501 RED HILLS ROAD

03/31/11



VAR-41297 & SUP-41296 - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION
9501 RED HILLS ROAD

03/31/11



VAR-41297 & SUP-41296 - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION
9501 RED HILLS ROAD

03/31/11



VAR-41297 & SUP-41296 - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION
9501 RED HILLS ROAD

03/31/11

8905 West Post Road, Suite 100
Las Vegas, Nevada 89148
telephone: (702) 367-7705 ext 219
facsimile (702) 367-8733
mobile (702) 985-1964

February 25, 2011

City of Las Vegas, Planning & Development Department
Attn: Margo Wheeler, Director
333 N. Rancho Drive
Las Vegas, NV 89106

re: APN 163-06-610-002; Tower Consulting, Inc., site TCI-028 Peccole Ranch

To Whom it May Concern:

Pursuant to Section 19A.04.040(C) of the Zoning Code of the City of Las Vegas, enclosed please find an application for Conditional Use Permit and Variance for a proposed facility at 9501 Red Hills Road, Las Vegas, Nevada, the location of the Peccole Ranch Community Center. TCI proposes to construct a "monopine-type," multi-user tower. I have enclosed drawings that illustrate the proposal and photographs of the location.

The proposal qualifies for administrative approval for the following reasons:

- Variance to allow 12' high chain link fence to match existing
- *"No residential use may exist on the property."* The property is used exclusively as a recreation and community center for the Peccole Ranch development.
- Because the tower is designed to appear as a pine tree, it is *"a wireless communication facility that is designed to blend into the surrounding environment…*[such as] *tower alternative structures…*[and] *other camouflaging techniques…."*
- The proposed facility is not *"within an area designated as a Historic Preservation District…."* The subject parcel is zoned R-PD7.
- *"The design and location of the proposed facility must be deemed by the Director to be compatible with surrounding uses, and the facility must include appropriate screening and landscaping to ensure such compatibility."* TCI proposes to construct a facility that appears as a pine tree. This design was selected to blend with the natural pine trees on the property. TCI's ground equipment would be located within a chain link fence with fabric screening to match the existing tennis court fencing height and style.

Please contact me if I may assist your consideration in any way.

Sincerely,

Damien Huggard

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MAR 24 2011

VAR-41297
SUP-41296

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

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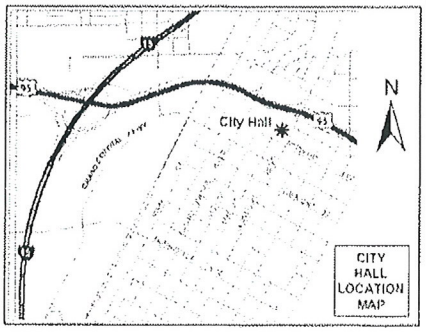


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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-41297 & SUP-41296**

Planning Commission Meeting of 5/10/2011

Case: VAR-41297
16306712024
MAJETICH FAMILY TRUST
9433 CHURCHILL DOWNS DR
LAS VEGAS NV 89117-7223

18 BRDFN11 89117

21-22
P

May 01 2011 12:19PM AAA Sheron Zinn 1 702 869 1773 p.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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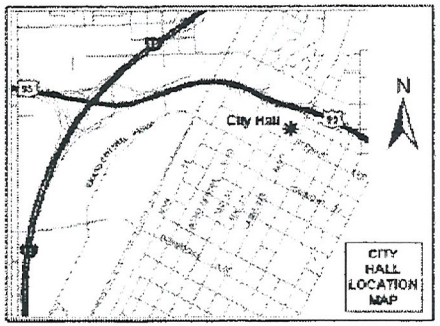


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**VAR-41297 & SUP-41296**

Planning Commission Meeting of 5/10/2011

Case: VAR-41297

16306520049
ZINN SHERON H
1316 PALANTINE HILL DR
LAS VEGAS NV 89117-0855

Strongly oppose!!
Sheron Zinn

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MAY - 2 2011

91-22
R

May 04 11 02:08p BOB AND LESLIE KOST 7022430215 p.2

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

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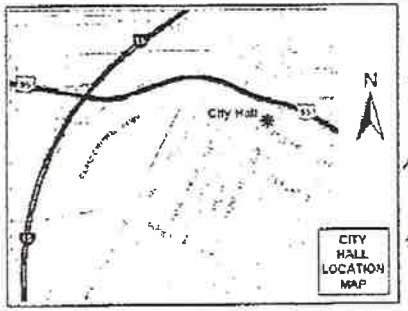


AS RESIDENTS OF PECOLE RANCH FOR OVER 15 YRS, WE WOULD LIKE TO GO ON RECORD STATING OUR OPPOSITION TO THE REVERSE VARIANCE THAT WOULD ALLOW AN 85 FT CELL TOWER IN OUR DEVELOPMENT.

PECOLE RANCH IS A PEACEFUL, TREE LINED NEIGHBORHOOD WITH WALKING PATHS AND AN ELEMENTARY SCHOOL, THIS IS NOT A PLACE FOR A CELL TOWER.

THERE IS COMMERCIAL PROPERTY BORDERING PECOLE RANCH THAT IS MORE SUITABLE TO THIS TYPE OF DEVELOPMENT THEN RUINING THE LOOK OF AN ESTABLISHED NEIGHBORHOOD, JUST EAST OF SAHARA & FORT APACHE ARE TWO ESTABLISHED CELL TOWERS, IT IS NOT NECESSARY TO BUILD WITH A RESIDENTIAL AREA— KEEP NEIGHBORHOODS FOR FAMILIES AND NOT 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.

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**VAR-41297 & SUP-41296**

Planning Commission Meeting of 5/10/2011

Case: VAR-41297

16306614009
KOST FAMILY TRUST
9432 STEEPLEHILL DR
LAS VEGAS NV 89117-7270

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002

05/09/2011 13:31 FAX

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MAY 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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

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Certainly there must be more suitable locations for an 85-foot high communication tower than the middle of a residential community.

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

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**VAR-41297 & SUP-41296**

Planning Commission Meeting of 5/10/2011

Case: VAR-41297
16306614019
SWAIN FAMILY TRUST
1605 BREEZE CANYON DR
LAS VEGAS NV 89117-7247

P.02

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

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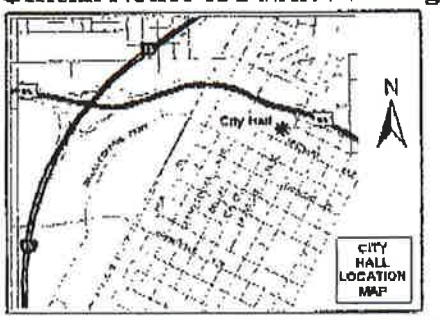


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**VAR-41297 & SUP-41296**

Planning Commission Meeting of 5/10/2011

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MAY 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41297

16306616012
COLUCCI DUANE A
9421 VALENCIA CANYON DR
LAS VEGAS NV 89117-7133

21-22 P

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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**VAR-41297 & SUP-41296**

Planning Commission Meeting of 5/10/2011

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MAY 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41297

16306618016
REILLY MICHAEL D & TAKAKO M
1417 PALANTINE HILL DR
LAS VEGAS NV 89117-0857

Why build a Cell tower next to a El. School where Kids will clim on fence & be in danger. Peccole Ranch does not need a eye sore Mr. Wolfson. If all resdents in Peccole Ranch knew what is going on they would oppose. Mail one card out that looks like junk mail it goes in the trash. STOP THIS TOWER Thank you

2-23-9

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

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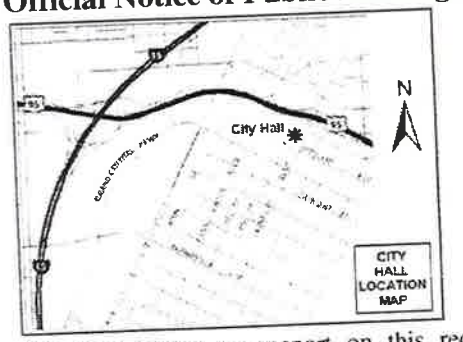
**Official Notice of Public Hearing**




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.

**VAR-41297 & SUP-41296**

Planning Commission Meeting of 5/10/2011

Case: VAR-41297

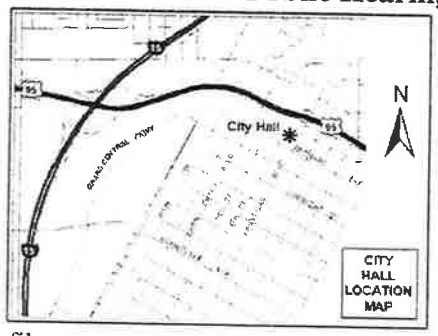
16306615006
LISTER WILLIAM J FAMILY TRUST
1408 PREMIER CT
LAS VEGAS NV 89117-7139

16 89117

21-22 P

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

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-41297 & SUP-41296**

Planning Commission Meeting of 5/10/2011

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 APR 28 2011
MAILED FROM ZIP CODE 89101

RECEIVED
MAY 4 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41297

16306618015
SHIHADEH PAUL E
1409 PALANTINE HILL DR
LAS VEGAS NV 89117-0857

18 BRDFN11 89117

21-22
P

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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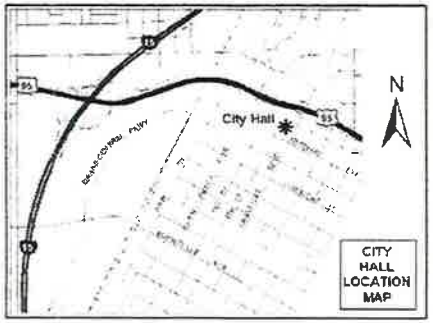
MAILED FROM ZIPCODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-41297 & SUP-41296**
Planning Commission Meeting of 5/10/2011

WE FEEL THIS SHOULDN'T BE PUT UP IN A RESIDENTIAL AREA. PROPERTY VALUES ARE DROPPING DAILY AND THIS WOULD HURT VALUES EVEN MORE, THERE ARE MANY VACANT LOTS e.g. SAHARA + HUALAPAI THAT COULD BE USED FOR THIS.
THANK YOU.

Case: VAR-41297
16306520026
SAVA RICHARD A & ROSEANN M
9637 RANCHO PALMAS DR
LAS VEGAS NV 89117-0848

RECEIVED
MAY 4 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

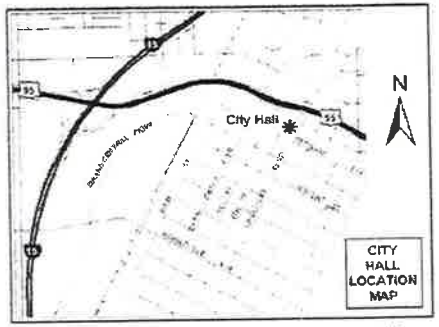
LB BROFN11 89117

21-22 P

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

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-41297 & SUP-41296**

Planning Commission Meeting of 5/10/2011

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

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MAILED FROM ZIP CODE 89101

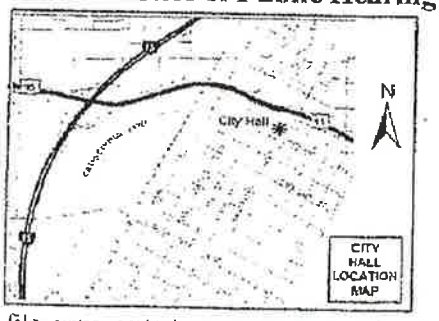
RECEIVED
MAY 4 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41297
16306614053
SUTHERLAND T B QUAL PERS RES TR
9401 DREW CT
LAS VEGAS NV 89117-7273

21-22 P

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 ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-41297 & SUP-41296**
Planning Commission Meeting of 5/10/2011

RECEIVED
MAY 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

16306614022 Case: VAR-41297

LAS VEGAS NV 89117-7247

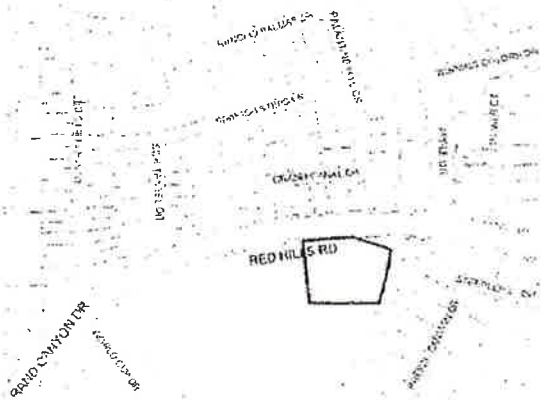
LA BROFMIL 89117

## Application Information

**VAR-41297 - VARIANCE - PUBLIC HEARING - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION** - Request for a Variance TO ALLOW A 12-FOOT HIGH CHAIN LINK FENCE WHERE EIGHT FEET IS MAXIMUM HEIGHT PERMITTED on 1.49 acres at 9501 Red Hills Road (APN 163-06-610-002), R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 2 (Wolfson).

**SUP-41296 - SPECIAL USE PERMIT RELATED TO VAR-41297 - PUBLIC HEARING - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION** - Request for a Special Use Permit FOR A PROPOSED 85-FOOT HIGH WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPINE) at 9501 Red Hills Road (APN 163-06-610-002), R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 2 (Wolfson).

## Application Location




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

## Public Hearing Information

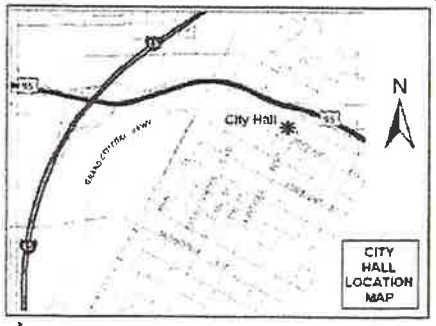
| | |
|---|---|
| **Meeting:** | Planning Commission |
| **Date:** | ***May 10, 2011*** |
| **Time:** | 6:00 P.M. |
| **Location:** | City Council Chambers<br>400 Stewart Avenue<br>Las Vegas, Nevada |

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.

21-22 P

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 ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-41297 & SUP-41296**

Planning Commission Meeting of 5/10/2011

PLEASE LET ME KNOW HOW TO BE PLACED ON THE LIST TO ADDRESS THE MEETING.

18 BRDFN11 89117

RECEIVED
MAY - 4 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41297

16306614022
SLOTTA MARK
1617 BREEZE CANYON DR
LAS VEGAS NV 89117-7247

2-22
P

RE: Opposition to SUP-41296

Although residents of Peccole Ranch are required to notify their neighbors regarding any construction projects or altering of the landscape, we were not afforded the same courtesy by the Community Association who negotiated a business venture with a cellular phone company to construct an 85-foot high wireless communication facility. It was never addressed in the Community Association newsletter so residents were not included in a decision which impacts their collective rights and interests. Instead, a few select people on the Homeowner's Association Board found a way to create rental revenue without doing a comprehensive cost/benefit analysis assessing how it would affect the overall ambience of the vicinity.

The proposed location is not only in the middle of the Peccole Ranch common park area (tennis courts, toddler playground, sand volleyball, walking path, Frisbee area, exercise apparatus, barbeque with picnic table and benches, clubhouse) but is directly adjacent to the Clarence Piggott Elementary School's playground. It also borders the basketball courts and grassy field used by children during school recess, scheduled outdoor activity, and by those enrolled in the City of Las Vegas Safekey After-school Program who rely heavily on these recreational amenities.

Hopefully, SUP-41296 will be denied by the City of Las Vegas Planning Commission, but if not, may this discussion be delayed until it can be appropriately addressed with the Clarence Piggott Elementary School's Staff (and parents) who should be informed since children will be playing within just a few feet of this proposed communication facility? If there's a perception the airwaves might be a potential health hazard, it will cloud the enjoyment of those desiring a safe place to enjoy much needed and desirable leisure activities. It's assumed the beautiful trees adorning the path between the school and the Peccole Ranch common area will have to be removed to make way for the installation.

Peccole Ranch residents are prohibited from having antennas on their own properties, so it's hypocritical of the Board to suggest an 85-foot tower with 6 to 8 foot antenna sticks be placed in this picturesque area which also serves as a community park for many Las Vegas citizens. To minimize potential conflict between homeowners and the Peccole Ranch Community Association, it might be best to adhere to the same expectations currently outlined in the bylaws. By allowing this type of tower with antennas, with possible additional sectors, rays, two way radio or microwave systems, this could set a precedent for homeowners who might request the same privilege to enhance their own personal use of audio and visual equipment.

If this type of wireless communication facility is ***really*** necessary, there are commercial locations on the south end of Peccole Ranch and on all four quadrants of the community which might be considered instead. At least these locations are not under the ethical obligation of the Homeowner Association's governing documents regarding the restriction of antennas – described as a type of visual nuisance or obstruction which would harm property values for those residents who live within close view.

As a member of the Peccole Ranch Homeowners Association, due to fear of retribution, and to avoid any potential harassment from those few on the Board in favor of this business arrangement, I prefer to remain anonymous and maintain a peaceful coexistence.

RECEIVED
JUN - 6 2011

Thank you for your time and consideration.

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

RESIDENTIAL AREAS SHOULD NOT HAVE THIS TOWER

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 APR 28 2011
MAILED FROM ZIPCODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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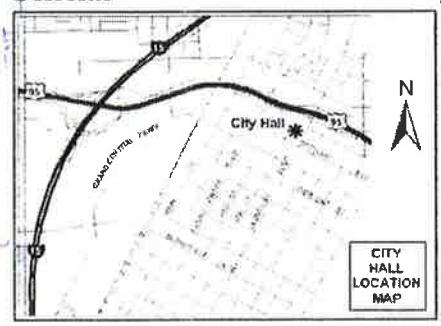


THIS IS BAD!!
CELL TOWER @ THE PARK/HOA Property!!
BY THE SCHOOL

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.
**VAR-41297 & SUP-41296**
Planning Commission Meeting of 5/10/2011

Case VAR-41297
16306614044
HAMANN ALOHA NUI FAMILY TRUST
9811 W CHARLESTON BLVD #2785
LAS VEGAS NV 89117-7528

"LOOK AT THE MAP. ON THE OTHER SIDE.

1B 89074-1-89117

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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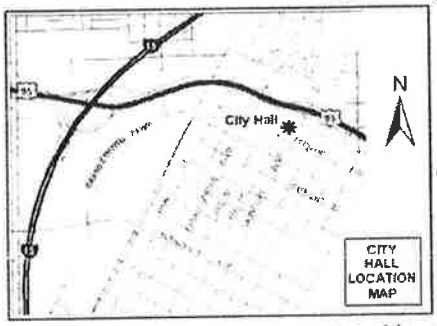
0004279218 APR 28 2011
MAILED FROM ZIPCODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**




AS RESIDENTS OF PECCOLE RANCH FOR OVER 15 YRS, WE WOULD LIKE TO GO ON RECORD STATING OUR OPPOSITION TO THE PETITIONS VARIANCE THAT WOULD ALLOW AN 85 FT CELL TOWER IN OUR DEVELOPMENT.

PECCOLE RANCH IS A PEACEFUL, TREE LINED NEIGHBORHOOD WITH WALKING PATHS AND AN ELEMENTARY SCHOOL; THIS IS NOT A PLACE FOR A CELL TOWER.

THERE IS COMMERCIAL PROPERTY BORDERING PECCOLE RANCH THAT IS MORE SUITABLE TO THIS TYPE OF DEVELOPMENT THEN RUINING THE LOOK OF AN ESTABLISHED NEIGHBORHOOD. JUST EAST OF SAHARA & FORT APACHE ARE TWO ESTABLISHED CELL TOWERS, IT IS NOT NECESSARY TO BUILD WITHIN A RESIDENTIAL AREA - KEEP NEIGHBORHOODS FOR FAMILIES AND NOT DEVELOPMENT.

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
**VAR-41297 & SUP-41296**
Planning Commission Meeting of 5/10/2011

Case: VAR-41297
16306614009
KOST FAMILY TRUST
9432 STEEPLEHILL DR
LAS VEGAS NV 89117-7270

RECEIVED MAY 9 2011 PLANNING & DEVELOPMENT

21-22 2P

1B 89074-1-89117

## Carman Burney

**From:** Chrystal L. Jacobs
**Sent:** Monday, May 02, 2011 6:57 AM
**To:** Carman Burney
**Subject:** FW: Internet Submission - VAR-41297 & SUP-41296

-----Original Message-----
From: nk5062@hotmail.com [mailto:nk5062@hotmail.com]
Sent: Saturday, April 30, 2011 3:51 PM
To: Planning Internet Email
Subject: Internet Submission - VAR-41297 & SUP-41296

Citizen Name: William & Nancy Kost

Email: nk5062@hotmail.com

IP Address: 70.180.134.57

Comments: As 16 year residents of Peccole Ranch we are strongly opposed at the request to erect a 12 foot fence on 1.49 acres within our master planned community.
Peccole Ranch is a master planned community with well developed walking paths, community areas and should remain the peaceful community we moved into.
There is commerical development on Sahara/Fort Apache, Charleston/Rampart and west of Hulalpi that is better suited for this type of construction.
What is the benefit of erecting this structure in our development with so many other suitable areas available.
Please reconsider moving this structure to another area.
Thank you

Date: 4/30/2011 3:51:08 PM

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MAY -2 2011

21-22 P

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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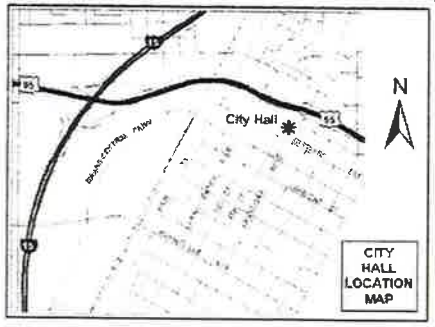
0004279218
$ 00.41⁴
APR 28 2011
MAILED FROM ZIPCODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-41297 & SUP-41296**
Planning Commission Meeting of 5/10/2011

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MAY 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: VAR-41297

16306512036
MITOK GERALD W JR
1217 DAYTONA LN
LAS VEGAS NV 89117-7112

16 89117

A 22-22

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

**SUBJECT:**
ABEYANCE - SUP-41296 - SPECIAL USE PERMIT RELATED TO VAR-41297 - PUBLIC HEARING - APPLICANT: TOWER CONSULTING, INC. - OWNER: PECCOLE RANCH COMMUNITY ASSOCIATION - Request for a Special Use Permit FOR A PROPOSED 85-FOOT HIGH WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPINE) at 9501 Red Hills Road (APN 163-06-610-002), R-PD7 (Residential Planned Development - 7 Units Per Acre) Zone, Ward 2 (Wolfson). Staff recommends DENIAL.

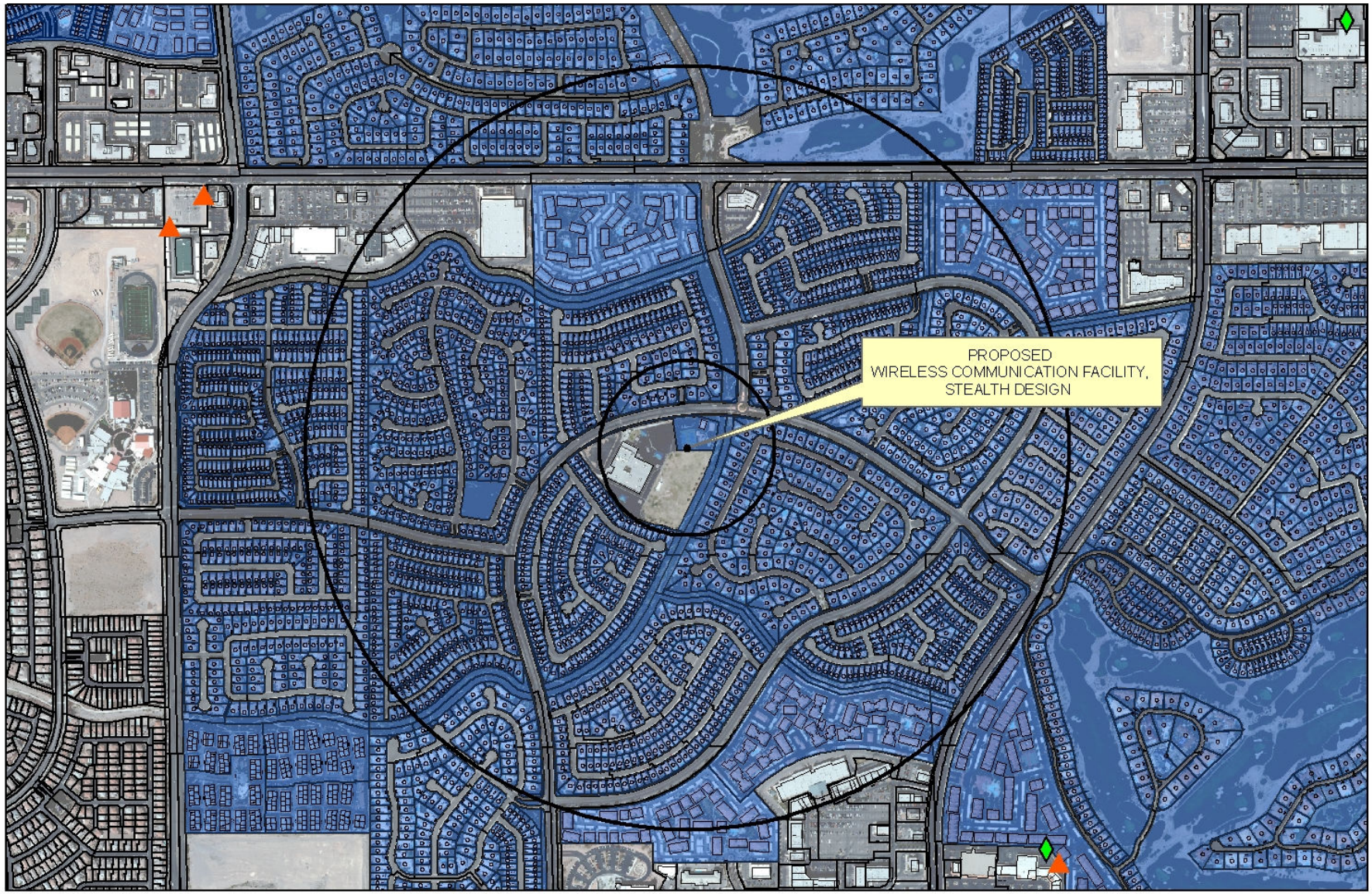
**MAY GO TO CITY COUNCIL ON 07/20/2011**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **18** | **Planning Commission Mtg.** | **1** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Special Map
3. Supporting Documentation

**Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.**




**SUP-41296**
**Wireless Facility**

**Wireless Facility Locations**

Non-Stealth

Stealth

Subject Cell Tower

Residential Property

600ft &
1/2 mile Buffer

0 600 1,200 2,400 Feet

N

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41296** APN: 163-06-610-002

Name of Property Owner: Peccole Ranch Community Assn.

Name of Applicant: Tower Consulting, Inc.

Name of Representative: Chris Wener

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: Richard D. Layton

Print Name: Richard D. Layton

Subscribed and sworn before me

This 22 day of February, 2011

Janet M Porter

Notary Public in and for said County and State

Clark Nevada

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JANET M. PORTER
Appt. No. 02-77952-1
My Appt. Expires Dec. 21, 2013

RECEIVED
MAR 24 2011

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

# PLANNING & DEVELOPMENT DEPARTMENT

## APPLICATION / PETITION FORM

**Application/Petition For:** Special Use Permit

**Project Address (Location)** 9501 Red Hills Rd., Las Vegas, NV 89117

**Project Name** Peccole Ranch **Proposed Use** Wireless Site

**Assessor's Parcel #(s)** 163-06-610-002 **Ward #** 2

**General Plan:** existing OS proposed n/a **Zoning:** existing R-PD7 proposed n/a

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

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

**Additional Information** 80' Wireless Communications Facility, Stealth Design

**PROPERTY OWNER** Peccole Ranch Community Assn. **Contact** Jan Porter

**Address** 9501 Red Hills Rd **Phone:** (702) 255-3551 **Fax:** (702) 243-5819

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

**E-mail Address** jan@peccoleran.com

**APPLICANT** Tower Consulting, Inc. **Contact** Chris Wener

**Address** 8905 W. Post Rd., Suite 100 **Phone:** (702) 339-9112 **Fax:** (702) 367-8733

**City** Las Vegas **State** NV **Zip** 89148

**E-mail Address** cwener@spectrumse.com

**REPRESENTATIVE** Chris Wener **Contact** Chris Wener

**Address** 8905 W. Post Rd., Suite 100 **Phone:** (702) 339-9112 **Fax:** (702) 367-8733

**City** Las Vegas **State** NV **Zip** 89148

**E-mail Address** cwener@spectrumse.com

**Property Owner Signature*** Richard D Layton

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

**Print Name** Richard D. Layton

Subscribed and sworn before me

This 22 day of February, 2011.

Janet M Porter

Notary Public in and for said County and State Clark NV

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
JANET M. PORTER
Appt. No. 02-77952-1
My Appt. Expires Dec. 21, 2013

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| **Case #** | SUP-41296 |
| **Meeting Date:** | 5/10/11 PC |
| **Total Fee:** | ~~$1030~~ 530 |
| **Date Received:*** | 3/24/11 |
| **Received By:** | |

RECEIVED
MAR 24 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

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

City of Las Vegas Agenda Item No.: **18.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

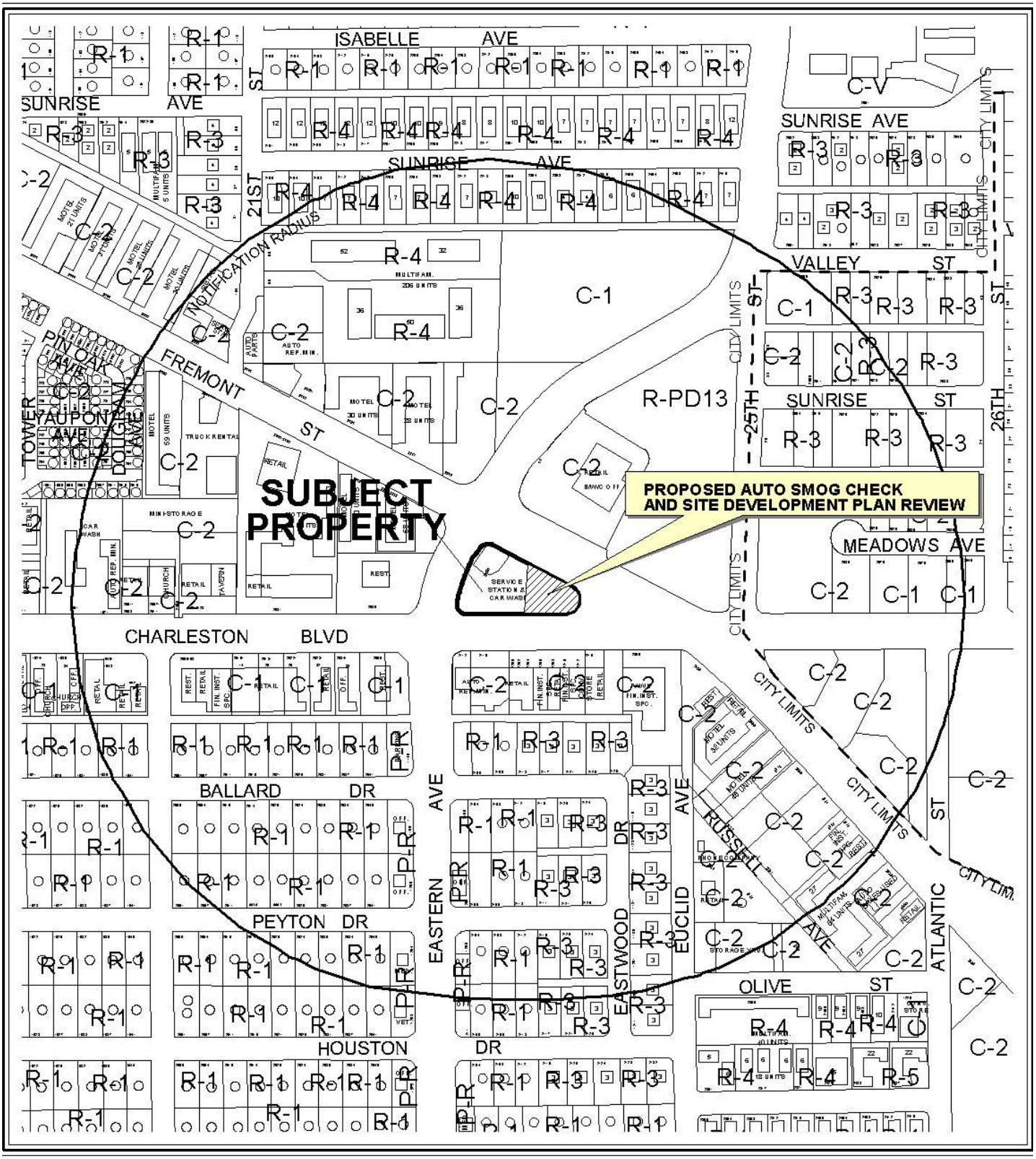
**SUBJECT:**
ABEYANCE - VAR-41385 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: UNITED BROTHERS ENTERPRISES, INC. - Request for a Variance TO ALLOW 16 PARKING SPACES WHERE 25 SPACES ARE REQUIRED FOR A PROPOSED 2,600 SQUARE-FOOT COMMERCIAL BUILDING at 2320 Fremont Street (APN 139-35-805-001), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **0** | **Planning Commission Mtg.** | **5** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps - VAR-41385, VAR-41386, SUP-41384 and SDR-41235
2. Conditions and Staff Report -VAR-41385, VAR-41386, SUP-41384 and SDR-41235
3. Supporting Documentation - VAR-41385, VAR-41386, SUP-41384 and SDR-41235
4. Photos - VAR-41385, VAR-41386, SUP-41384 and SDR-41235
5. Justification Letter - VAR-41385, VAR-41386, SUP-41384 and SDR-41235
6. Support Postcards – VAR-41385 and VAR-41386




0 300 600 Feet

**CASE:** **VAR-41385; VAR-41386; SUP-41384; SDR-41235**

**RADIUS:** 1000 FT

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

N




**CASE:** **VAR-41385; VAR-41386; SUP-41384; SDR-41235**

0 300 600 Feet

**RADIUS:** 1000 FT

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

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: UNITED BROTHERS ENTERPRISES, INC.**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-41385** | Staff recommends DENIAL, if approved subject to conditions: | VAR-41386<br>SUP-41384 |
| **VAR-41386** | Staff recommends DENIAL, if approved subject to conditions: | VAR-41385<br>SUP-41384 |
| **SUP-41384** | Staff recommends DENIAL, if approved subject to conditions: | VAR-41385<br>VAR-41386<br>SUP-41236 |
| **SDR-41235** | Staff recommends DENIAL, if approved subject to conditions: | VAR-41385<br>VAR-41386<br>SUP-41384 |

## ** CONDITIONS **

# VAR-41385 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval Special Use Permit (SUP-41384); and Site Development Plan Review (SDR-41235) shall be required, if approved.

2. Conformance to the approved conditions for Site Development Plan Review (SD-0039-02), 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. 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. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

# VAR-41386 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-41384); and Site Development Plan Review (SDR-41235) shall be required, if approved.

2. Conformance to the approved conditions for Site Development Plan Review (SD-0039-02), 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. 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. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

# SUP-41384 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-41385); Variance (VAR-41386); and Site Development Plan Review (SDR-41235) shall be required, if approved.

2. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for Smog Check use.

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

# SDR-41235 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-41385); Variance (VAR-41386); Special Use Permit (SUP-41384) shall be required, if approved.

2. Conformance to the approved conditions for Site Development Plan Review (SD-0039-02), 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. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 04/13/11, except as amended by conditions herein.

5. A Waiver is approved with the Site Development Plan Review to allow no landscape buffers along portions of the north and south perimeters and a two-foot wide landscape buffer along a portion of the east perimeter where a fifteen-foot wide landscape buffer is required.

6. An Exception to Title 19.08.05(E)(4) is approved to allow a Trash Receptacle to be placed adjacent to the public right-of-way.

7. An Exception to Title 19.10.010(J)(11) is approved to allow no trees where two 24-inch box sized trees are required within the proposed parking lot.

8. 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 04/13/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

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

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

11. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

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

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

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

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

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

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

***Public Works***

18. Remove all substandard 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 driveways accessing this site may remain.

19. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

20. The finished floor elevations of proposed new structures and drainage patterns shall comply with the recommendations made at the meeting held with the Flood Control Section on 3/14/12011.

21. Site development to comply with all previous conditions of approval for SD-39-02 and all other site-related actions.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This proposal seeks to modify an existing site containing a Convenience Store with a fuel canopy and an Automated Car Wash Facility located at the northwest corner of Fremont Street and Charleston Boulevard. The applicant is proposing to remove the 1,400 square-foot Car Wash and replace it with a 2,144 square-foot Commercial building. The new construction consists of a 1,944 square-foot office building and a 200-square-foot Auto Smog Check Facility. In addition to the proposed building, a 2,100 square-foot fuel canopy will be placed perpendicular to the proposed construction, askew of the existing fuel canopy. Staff recommends denial of this proposal, as it does not comply with Title 19 and will result in a site that is overbuilt, as evidenced by the requested Variances, Waivers, and Exceptions. If denied, the site will remain as it is.

## ISSUES

- A Special Use Permit is required to allow a proposed Auto Smog Check use that does not meet the Conditional Use requirements for facility size and vehicle queuing.
- A Variance to Title 19.04 is requested to allow 17 parking spaces where 24 spaces are required. One of the spaces provided is for the servicing of vehicles in front of the Auto Smog facility.
- A Variance to Title 19.08.050 is requested to allow a seven-foot rear yard setback where 20 feet is required and an eight-foot corner side yard setback where 15 feet is required.
- A Waiver is requested with the Site Development Plan Review to allow no landscape buffers along a 75-foot portion of the north perimeter and a 30-foot portion of the south perimeter and a two-foot wide landscape buffer along a 70-foot portion of the east perimeter where a 15-foot wide landscape buffer is required.
- An Exception to Title 19.08.050(E)(4) is requested to allow a Trash Receptacle to be placed adjacent to the public right-of-way.
- An Exception to Title 19.10.010(J)(11) is requested to allow no trees where two 24-inch box sized trees are required within the proposed parking lot.
- This proposal is deemed a Project of Regional Significance (PRS), based upon the requested Special Use Permit request being within the 500-foot proximity of unincorporated Clark County. No comments have been received regarding the proposed uses.

## BACKGROUND INFORMATION

| *Related Relevant City Actions by P&D, Fire, Bldg., etc* | |
|---|---|
| 08/15/01 | The City Council approved requests for a Site Development Plan Review (SD-0029-01) for a proposed 2,800 square-foot Convenience Store with a reduction of required perimeter landscaping and a Special Use Permit (U-0088-01) for the sale of Beer and Wine for Off-Premise consumption. The Planning Commission recommended approval of both requests on July 12, 2001. Staff recommended approval of these requests. |
| 01/24/02 | The Planning Commission approved a request for a Site Development Plan Review [SD-0029-01(1)] for an approximately 800 square-foot addition to an approved Service Station and Full-Service Car Wash on the subject site. Staff recommended approval. |
| 10/24/02 | The City Council approved a request for a Site Development Plan Review (SD-0039-02) and a reduction in required perimeter landscaping for a proposed 3,285 square foot Convenience Store and fuel canopy on the subject site. The Planning Commission recommended denial. Staff recommended approval. |
| 01/21/04 | The City Council approved a Required Six Month Review (RQR-3541) of an approved Special Use Permit (U-0088-01) that allowed the sale of Beer and Wine for Off-Premise consumption in conjunction with an existing Convenience Store on the subject site. Staff recommended approval with no further reviews scheduled. |
| 04/07/04 | The City Council approved a Review Of Condition (ROC-3797) Number 4 of an approved Special Use Permit (U-0088-01) which prohibited the sale of individual containers of any size beer, wine coolers, or screw cap wine, which thereby allowed individual sales. This approval was subject to a Six-Month Review. Staff recommended denial of this request. |
| 10/24/04 | The City Council approved a Required Six Month Review (RQR-5115) of an approved Review of Condition (ROC-3797) of an approved Special Use Permit (U-0088-01) which allowed the individual sales of any size beer, wine coolers, and screw cap wine in conjunction with a convenience store at 2320 Fremont Street. |

| *Most Recent Change of Ownership* | |
|---|---|
| 07/31/02 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 11/04/98 | Business License #C02-00176 issued for a Car Wash Facility at 2320 Fremont Street. |
| 08/29/03 | Business License #L10-00241 issued for a Beer/Wine/Cooler Off-Sale at 2320 Fremont Street. |
| 09/02/03 | Business License #C05-02280 issued for a Retail Tobacco at 2320 Fremont Street. |
| 02/19/04 | Business License #G01-00176 issued for a Restricted Gaming and #C20-02156 for Convention Hall Tax at 2320 Fremont Street. |
| 12/19/08 | Business License #C15-00305 issued for a Gas Sales/Car Wash at 2320 Fremont Street. |

| ***Pre-Application Meeting*** | |
|---|---|
| 02/28/11 | A pre-application meeting was held with the applicant and the representative to discuss the proposed modifications of the existing site. The applicant was informed of the required Special Use Permit for the proposed Financial Institution, Specified use and the minimum requirements related to such use. The applicant was also informed of the requirements for the Site Development Plan Review. It was determined that a Variance would be required to allow 16 parking spaces where 25 spaces would be required. The plan has since been modified to allow 17 spaces where 24 are required. |
| 03/30/11 | A second pre-application meeting was held with the applicant and the representative to discuss the moderate changes to the proposed Site Development Plan Review and Special Use Permit request from the previous meeting. The applicant was informed that an additional Special Use Permit is required for the proposed Auto Smog Check, as it does not meet the minimum conditional use requirements. The applicant was also informed of the required Variance to allow a 10-foot setback where 20 feet is required and all of the related Waiver and Exception requests stemming from the proposed site design. |
| 05/17/11 | The applicant met with staff to discuss design changes that would improve site circulation and building layout. |

| ***Neighborhood Meeting*** |
|---|
| A neighborhood meeting is not required for this type of request, nor was one heard. |

| ***Field Check*** | |
|---|---|
| 03/31/11 | A field check of the subject site was conducted, in which the following items were noted:<br>• The site consists of a Convenience Store with a fuel canopy. The Automated Car Wash Facility appears to be operable.<br>• The entire front and side yards are paved.<br>• There are curb cuts/entrances from Eastern Avenue, Charleston Boulevard, and Fremont Street;<br>• There are narrow landscape planters surrounding the property, with minimal landscaping along the curve of the east side adjacent to the Car Wash queuing lane.<br>• The east side of the property, and portions of the north side, is enclosed by a 42-inch tall iron fence. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.92 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Convenience Store | C (Commercial) | C-2 (General Commercial) |
| North | Grocery Store | C (Commercial) | C-2 (General Commercial) |
| | Undeveloped | | |
| South | Pawn Shop | C (Commercial) | C-2 (General Commercial) |
| East | Undeveloped | MXU (Mixed Use) | R-PD13 (Residential Planned Development – 13 Units per Acre) |
| | Tavern | Clark County | Clark County |
| West | Restaurant, less than 2000 SF (w/ drive through) | C (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** | | | |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | X | | N |
| **Las Vegas Redevelopment Plan Area** | X | | N |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | X | | Y |

## DEVELOPMENT STANDARDS

***Pursuant to 19.18.050, the following standards apply:***

| ***Standard*** | ***Required/Allowed*** | ***Provided*** | ***Compliance*** |
|---|---|---|---|
| Min. Lot Width | 100 Feet | 160 Feet | Y |
| Min. Setbacks | | | |
| • Front | 20 Feet | 242 Feet | Y |
| • Corner Side (Fremont Street) | 15 Feet | 10 Feet | N |
| • Corner Side (Charleston Boulevard) | 15 Feet | 8 Feet | N |
| • Rear | 20 Feet | 7 Feet | N |
| Max. Lot Coverage | 50 % | 31 % | Y |
| Trash Enclosure | Screened, Gated, w/ a Roof or Trellis | Gated, w/ a Roof | Y |
| Trash Enclosure | Located away from ROW | Adjacent to ROW | N |
| Mech. Equipment | Screened | Not shown | By condition |

***Pursuant to Titles 19.10 and 19.12, the following standards apply:***

| ***Landscaping and Open Space Standards*** | | | | |
|---|---|---|---|---|
| ***Standards*** | ***Required*** | | ***Provided*** | ***Compliance*** |
| | ***Ratio*** | ***Trees*** | | |
| Buffer Trees: | | | | |
| • North | 1 Tree / 20 Linear Feet | 7 Trees | 1 Trees | N |
| • South | 1 Tree / 20 Linear Feet | 4 Trees | 2 Trees | N |
| • East | 1 Tree / 20 Linear Feet | 4 Trees | 1 Trees | N |
| **TOTAL PERIMETER TREES** | | **15 Trees** | **4 Trees** | **N** |

| | | | | |
|---|---|---|---|---|
| Parking Area Trees | 1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces | 2 Trees | 0 Trees | N |
| **LANDSCAPE BUFFER WIDTHS** | | | | |
| Min. Zone Width<br>• North<br>• South<br>• East | 15 Feet<br>15 Feet<br>15 Feet | | 0 Feet<br>0 Feet<br>2 Feet | N<br>N<br>N |

| ***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 |
| Fremont Street | 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 | |
| Convenience Store (w/ Car Wash removed) | 3,600 SF | 1:175 SF | 15* | | | | Y* |
| Office, Other Than Listed | 1,944 SF | 1:300 SF | 7 | | | | |
| Auto Smog Check | - | 1 Space, + 1 Service Space | 2 | | | | |
| **TOTAL SPACES REQUIRED** | | | 24 | | 17 | | N |
| **Regular and Handicap Spaces Required** | | | 23 | 1 | 15 | 2 | N |
| Percent Deviation | | | 29% | | | | |

*The portion of the site occupied by the Convenience Store and Car Wash is parking impaired stemming from the original Site Design approval SD-0039-02; 15 parking spaces were dedicated to the Convenience Store and four spaces were dedicated to the Automated Car Wash facility at a parking ratio of 1:250 square feet of gross floor area.

| ***Waivers*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| A 15-foot wide Landscape Buffer is required adjacent to all rights-of-way. | To allow no landscape buffer for portions of the north, south, and east perimeter. | Denial |

| ***Exceptions*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| Trash receptacles are to be placed away from the public right-of-way. | To place the trash receptacle adjacent to Charleston Boulevard. | Denial |
| Two 24-inch box sized trees are required for every six uncovered parking spaces. | To allow no trees within the parking lot. | Denial |

**ANALYSIS**

Any proposal within 500 feet of the City's border with unincorporated Clark County that requires a Special Use Permit is deemed to be a "Project of Regional Significance". A questionnaire detailing the impacts of the Auto Smog Check use on the surrounding area was submitted at the time of application. Staff has reviewed the questionnaire for completion and has found no additional issues concerning the requested Special Use Permits being requested within close proximity to Clark County limits; it is important to note that staff recommends denial of the Special Use Permit, as it is not suitable for the immediate area. No comments have been received from Clark County regarding the proposed uses.

The subject site is included in the Las Vegas Redevelopment Plan Area. One of the stated purposes of this plan is to redevelop underutilized properties by using methods of planning, and strengthen the economic base of this part of the City of Las Vegas. The proposal seeks to increase the economic performance of the site by removing the existing Automated Car Wash use and replacing it with a 2,144 square-foot building, of which 200 square-feet is dedicated to an Auto Smog Check facility. Although the applicant's intent to redevelop the underutilized portion of his property is in line with the intent of the Redevelopment Plan, the Redevelopment Plan encourages development that is in conformance with Title 19 requirements.

A Special Use Permit is required for the proposed Auto Smog Check use because it does not meet the Conditional Use requirements for adequate size or vehicle stacking. An Auto Smog use is required to have a minimum size of 400 square feet; although the proposed facility will have the required 200 square feet of enclosed floor area, it will not provide a service canopy for the remaining 200 square feet, as required. There are concerns that the proposed Smog Check Use will negatively impact site circulation due to the lack of vehicle queuing for customers.

The proposed site plan was revised to show an additional 2,100 square-foot fuel canopy that will be placed in line with the existing fuel canopy. Currently, the site features eight fuel pumps that simultaneously service two cars for a total capacity of 16 vehicles. The proposed canopy features four more fuel pumps, with the ability to service eight additional vehicles, placed to the east of the existing canopy and slightly askew. The revised location of the canopies does provide for greater circulation onto and around the site, and minimizes the flow of traffic through the canopy areas and the number of choke points that were previously proposed. In addition to the concerns with site circulation, the proposed 2,144 square-foot building is placed at a high-visibility commercial corner with the back side of the building oriented towards traffic. There is no pedestrian connection provided from the street corner, a deficiency in the provision of landscaping, and little architectural interest created at the proposed development's most visible street front. In addition to the visual unattractiveness of the proposal, the applicant is requesting an Exception to Title 19.08.050(E)(4) to locate the trash receptacle adjacent to the sidewalk along Fremont Street. There is concern that the location of the trash receptacle will create visual and odor nuisance, and could become a potential graffiti target that will be highly visible from both Charleston Boulevard and Fremont Street.

The applicant is requesting a Variance to allow 17 parking spaces where 24 spaces are required. Typically, the total required parking would be 30 spaces; however, the previous Site Development Plan Review (SD-0039-02) approved a Service Station (without Automotive Repair) Use with the Automated Car Wash use with 17 spaces. This site was located in the Downtown Centennial Plan area at the time of approval, and the full requirement of 19 parking spaces, based on a rate of 1 space per 250 square feet of gross floor area, was not applied. Since this approval, the Convenience Store Use was established and requires one parking space per 175 square feet of gross floor area, thus making this a parking-impaired property. With the removal of the Car Wash use, the existing parking requirement for the existing Convenience Store is 15 spaces with the additional parking for the proposed construction bringing the total required parking to 24 spaces. The applicant is providing 17 spaces on the site. Although the site is odd-shaped, the addition of the canopy and office building, combined with the lack of adequate parking for the existing and proposed uses and the lack of required queuing space for the Auto Smog use, will result in a site that is overbuilt.

The proposed landscape plan is deficient in landscape buffer width and planting materials. There is not adequate reason to support the requested waiver and exceptions, as these are again caused by the overdevelopment of the site. Being that this site has such high visibility from three highly-travelled roadways and sidewalks, the proposed reduction of landscaping cannot be supported.

Approval of this proposal would create more adverse issues than what the applicant seeks to address with the redevelopment of the under-utilized car wash. This proposal, as presented, is contrary to what is sought after in the Downtown Redevelopment Plan. This property is uniquely located to provide multiple points of street visibility, has close access to the developing Fremont Bus Rapid Transit (BRT) line, and is a visual gateway to Downtown Las Vegas. The proposed development, in both its design execution and proposed uses, does not create a vibrant redevelopment of this street corner and will result in an overbuilt site; therefore, staff recommends denial.

**FINDINGS (VAR-41385)**

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 as the site is oddly shaped; however, the applicant has created a self-imposed hardship by proposing to overbuild the site. An alternative design with a reduced floor area and site 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 (VAR-41386)**

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 as the site is oddly shaped; however, the applicant has created a self-imposed hardship by proposing an overbuilt site. A reduction in the scope of the proposal would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

**FINDINGS (SUP-41384)**

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 Auto Smog Check use does not meet the Conditional Use Regulations for size or vehicle stacking, hence the need for the Special Use Permit. The applicant proposes to locate the use within the 2,144 square-foot commercial building. The inadequate space for vehicle stacking, parking, and servicing indicates that it cannot be conducted in a manner that is harmonious and compatible with the surrounding land uses. As this proposal is within the Redevelopment Plan Area, it is expected that uses with more commercial appeal would be placed at the forefront of the property.

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

   The site is not physically suitable for the proposed Auto Smog Check as the minimum size requirement will not be met, nor will adequate stacking space be available for the use. The lack of vehicle stacking, combined with the variance request for reduced parking, will result in a site that is overbuilt.

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.**

   This site is primarily accessed by Charleston Boulevard to the south, with secondary access provided by Fremont Street to the north and Eastern Avenue to the west. These streets are adequate in size 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.**

   Approval of this requested Special Use Permit would be inconsistent with the overall objectives of the General Plan and the Redevelopment Plan.

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

The requested Auto Smog Check does not meet applicable Conditional Use Regulations for facility size and for vehicle stacking. This proposed use would be conditionally allowed for this location provided that the facility was a minimum 400 square feet in size (of which 200 square feet are enclosed) and vehicle stacking for three cars was provided. As the conditions have not been met, a Special Use Permit is required.

**FINDINGS (SDR-41235)**

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

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

   The proposed development is not compatible with the existing Convenience Store or development in the surrounding area. The development is too intense for the site to accommodate, as is evidenced by the requests for variances, waivers and exceptions..

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;**

   Waivers are needed from perimeter landscape requirements on all affected sides of the proposed development, an exception from parking lot landscaping requirements is required, and variances for parking and setbacks are needed to allow the project to proceed. The waiver requests reduce or eliminate the required perimeter landscape buffers and do not allow for an adequate provision of a pedestrian-friendly sidewalk.

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

   There are three points of access to the site, from Charleston Avenue to the south, Eastern Avenue to the west, and Fremont Street to the north. The proposed construction is located at the east end of the site and will have limited access from two of the site entry points: Fremont Street and Eastern Avenue. While there are some choke points for on-site circulation, it should not negatively impact the adjacent roadways or neighborhood traffic.

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

   Building and landscaping materials are to remain generally consistent with those utilized for the existing Convenience Store and fuel canopy, and are appropriate for the area and for the city. However, the landscape materials are not provided in adequate quantities to meet the requirements of Title 19, resulting in a site that is severely deficient for landscaping.

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

   The elevations and features of the proposed 2,144 square-foot building are compatible with the existing structures on site; however the proposed structures are oriented away from the corner and street fronts, and do not establish ties to the street as recommended by Title 19.08.050(D)(2)(e). The proposed location of the Trash Receptacle place this service function closest to the public, along Fremont Street, resulting in an unsightly street frontage.

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

   The proposed 2,144 square-foot Commercial Building will require all necessary permits and inspections prior to occupancy, in order to protect the public's health, safety and general welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 34

**NOTICES MAILED** 172

**APPROVALS** 5

**PROTESTS** 0

Parking Variance

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41385** APN: 139-35-805-001

Name of Property Owner: United Brothers Enterprises, Inc

Name of Applicant: United Brothers Enterprises, Inc - Bill Bhatti

Name of Representative: Ace 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: Bhupinder Bhatti

Print Name: Bhupinder Bhatti

Subscribed and sworn before me

This 30 day of March, 2011

Sunshine Muangsopa

Notary Public in and for said County and State

SUNSHINE MUANGSOPA
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 7-13-2011
Certificate No: 03-83788-1



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Parking Variance

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Variance for Parking - to allow Reduced Required Parking

**Project Address (Location)** 2320 Fremont st, Las Vegas, NV 89101

**Project Name** Fremont/Charleston Retail **Proposed Use** ~~Add'l Fuel pumps & smog check station~~ Financial institution

**Assessor's Parcel #(s)** 139-35-805-001 **Ward #** 3

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

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

**Gross Acres** .92 **Lots/Units** — **Density** —

**Additional Information** Variance to allow reduced required on-site parking

**PROPERTY OWNER** United Brothers Enterprises, INC **Contact** Bill Bhatti

**Address** 2320 Fremont St **Phone:** 702-591-4482 **Fax:** 702-982-6701

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

**E-mail Address** billbhatti.ut@gmail.com

**APPLICANT** United Brothers Enterprises, INC **Contact** Bill Bhatti

**Address** 2320 Fremont St **Phone:** 702-591-4482 **Fax:** 702-982-6701

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

**E-mail Address** billbhattiatgmail.com

**REPRESENTATIVE** ACE Engineering **Contact** Pat Samson

**Address** 6283 Dean Martin DR, STE B **Phone:** 702-396-5113 **Fax:** 702-396-5114

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

**E-mail Address** Patrice@aceengineering.us

**Property Owner Signature*** Bhupinder Bhatti

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

**Print Name** Bhupinder Bhatti

Subscribed and sworn before me

This 31st day of March, 20 11.

Sunshine Muangsopa

Notary Public in and for said County and State

SUNSHINE MUANGSOPA
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 7-13-2011
Certificate No: 03-83788-1

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | VAR-41385 |
| Meeting Date: | 5-10-11 PC |
| Total Fee: | $830 |
| Date Received:* | 4/5/11 |
| 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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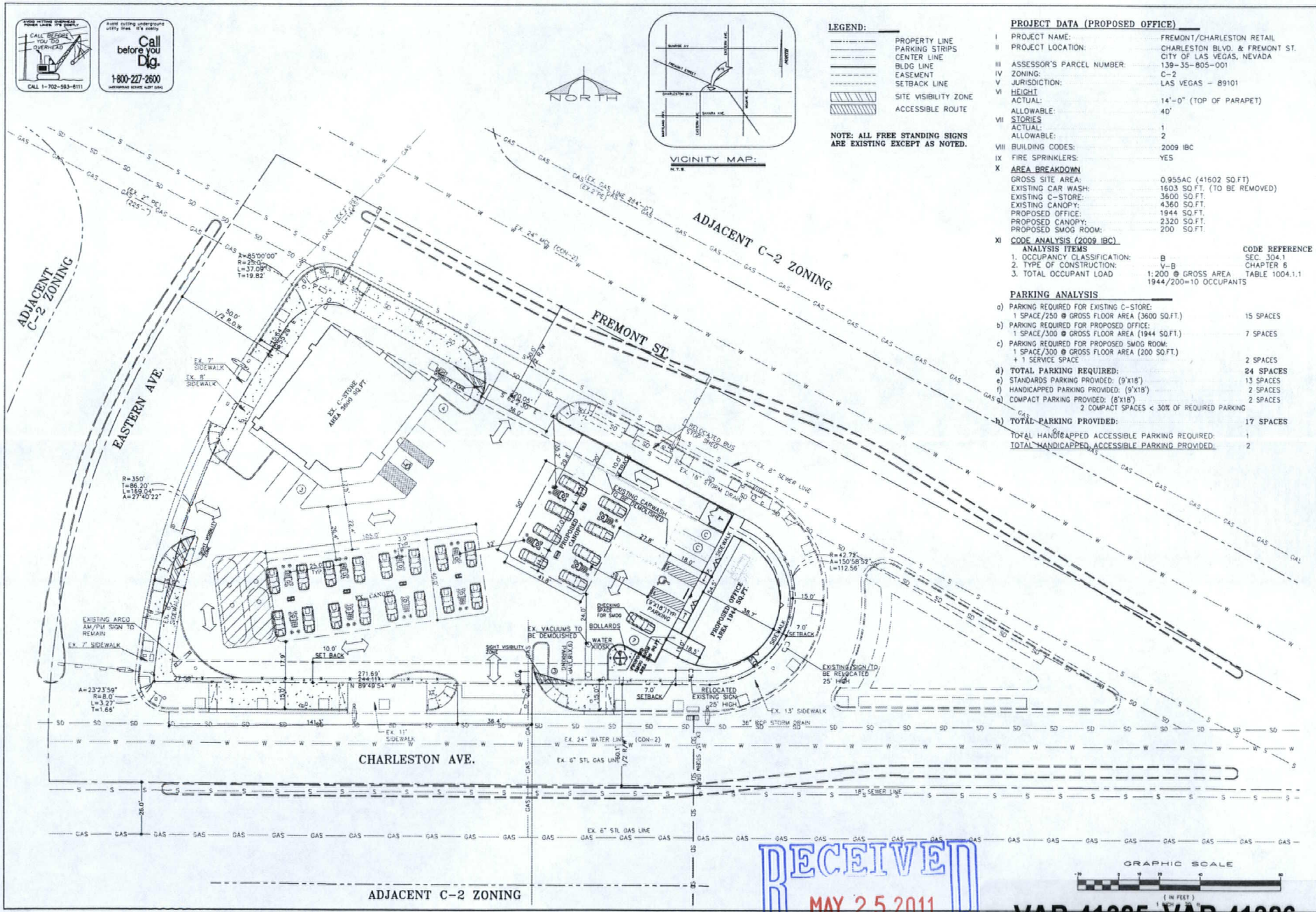
APR 05 2011




## PROJECT DATA (PROPOSED OFFICE)

| | | |
|---|---|---|
| I | PROJECT NAME: | FREMONT/CHARLESTON RETAIL |
| II | PROJECT LOCATION: | CHARLESTON BLVD. & FREMONT ST. CITY OF LAS VEGAS, NEVADA |
| III | ASSESSOR'S PARCEL NUMBER: | 139-35-805-001 |
| IV | ZONING: | C-2 |
| V | JURISDICTION: | LAS VEGAS - 89101 |
| VI | HEIGHT | |
| | ACTUAL: | 14'-0" (TOP OF PARAPET) |
| | ALLOWABLE: | 40' |
| VII | STORIES | |
| | ACTUAL: | 1 |
| | ALLOWABLE: | 2 |
| VIII | BUILDING CODES: | 2009 IBC |
| IX | FIRE SPRINKLERS: | YES |
| X | AREA BREAKDOWN | |
| | GROSS SITE AREA: | 0.955AC (41602 SQ.FT) |
| | EXISTING CAR WASH: | 1603 SQ.FT. (TO BE REMOVED) |
| | EXISTING C-STORE: | 3600 SQ.FT. |
| | EXISTING CANOPY: | 4360 SQ.FT. |
| | PROPOSED OFFICE: | 1944 SQ.FT. |
| | PROPOSED CANOPY: | 2320 SQ.FT. |
| | PROPOSED SMOG ROOM: | 200 SQ.FT. |

XI CODE ANALYSIS (2009 IBC)

| ANALYSIS ITEMS | | CODE REFERENCE |
|---|---|---|
| 1. OCCUPANCY CLASSIFICATION: | B | SEC. 304.1 |
| 2. TYPE OF CONSTRUCTION: | V-B | CHAPTER 6 |
| 3. TOTAL OCCUPANT LOAD | 1:200 @ GROSS AREA 1944/200=10 OCCUPANTS | TABLE 1004.1.1 |

### PARKING ANALYSIS

| | | |
|---|---|---|
| a) | PARKING REQUIRED FOR EXISTING C-STORE: 1 SPACE/250 @ GROSS FLOOR AREA (3600 SQ.FT.) | 15 SPACES |
| b) | PARKING REQUIRED FOR PROPOSED OFFICE: 1 SPACE/300 @ GROSS FLOOR AREA (1944 SQ.FT.) | 7 SPACES |
| c) | PARKING REQUIRED FOR PROPOSED SMOG ROOM: 1 SPACE/300 @ GROSS FLOOR AREA (200 SQ.FT.) + 1 SERVICE SPACE | 2 SPACES |
| d) | **TOTAL PARKING REQUIRED:** | **24 SPACES** |
| e) | STANDARDS PARKING PROVIDED: (9'X18') | 13 SPACES |
| f) | HANDICAPPED PARKING PROVIDED: (9'X18') | 2 SPACES |
| g) | COMPACT PARKING PROVIDED: (8'X18') 2 COMPACT SPACES < 30% OF REQUIRED PARKING | 2 SPACES |
| h) | **TOTAL PARKING PROVIDED:** | **17 SPACES** |
| | TOTAL HANDICAPPED ACCESSIBLE PARKING REQUIRED: | 1 |
| | TOTAL HANDICAPPED ACCESSIBLE PARKING PROVIDED: | 2 |

REVISIONS:

| | REVISION ISSUE | DATED |
|---|---|---|
| A | | |

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Phone: (702) 396-5113, Fax: (702) 396-5114
Land Planning • Civil Engineering • Architectural Design • Structural Engineering

TITLE: SITE PLAN

PROJECT: FREMONT / CHARLESTON RETAIL
CHARLESTON BLVD. & FREMONT ST.
CITY OF LAS VEGAS, NEVADA

PROFESSIONAL ENGINEER-STATE OF NEVADA
JASPAL S. SIDHU
EXP. DATE 06/30/2011
CIVIL
No. 16924

DATE: 05/25/2011
JOB: 10-09
DWG. BY: HS
CHK. BY: MG

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SHEET 1 OF 2

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**VAR-41385 VAR-41386**
**SUP-41384 SDR-41385**
**REVISED**

# LANDSCAPE NOTES:

## LANDSCAPING:

1. LANDSCAPING REQUIRED, EXCEPT FOR MINES, GRAVEL PITS, TEMPORARY USES, PUBLIC FACILITIES WITHOUT BUILDINGS, AND THE REAR YARDS OF SINGLE FAMILY DWELLINGS, ANY DISTURBED AREA OF A DEVELOPED PROPERTY NOT OCCUPIED BY OUTSIDE ACTIVITY AREAS / STORAGES AREAS, PARKING, DRIVEWAYS, DRIVE AISLES, AND SIDEWALK SHALL BE LANDSCAPED AND MAINTAINED IN A CLEAN CONDITION. DISTURBED AREAS DESIGNATED FOR FUTURE DEVELOPMENT NEED NOT HAVE LIVE LANDSCAPING.
2. ALL REQUIRED LANDSCAPING SHALL BE PLANTED WITH LIVE PLANTS, FOR PROPERTY WHICH HAS AN ELEVATION OF 4,000 FEET ABOVE SEE LEVEL OR MORE, NATURAL AND NATIVE LANDSCAPING IS ENCOURAGED TO BE PRESERVED AND INCLUDED INTO LANDSCAPE AREA.
3. TREES SHALL NOT BE PLANTED WITHIN 3' OF A DEDICATED RIGHT-OF -WAY .
4. ANY TREE WITHIN 5' OF A SIDEWALK OR WALL SHALL BE PLANTED WITH A ROOT SHIELD DESIGNED TO DIRECT ROOT GROWTH DOWNWARD.

## MAINTENANCE:

1. FENCES, WALLS AND LANDSCAPED AREAS SHALL BE MAINTAINED.
2. LANDSCAPED AREAS SHALL NOT BE USED FOR PARKING OF VEHICLES, DISPLAY OF MERCHANDISE OR OTHER USES DETRIMENTAL TO THE LANDSCAPING; HOWEVER, SIGNS ARE PERMITTED.
3. ANY REQUIRED PLANT MATERIAL THAT DOES NOT SURVIVE, OR SUSTAINS SEVERE DAMAGE, SHALL BE REPLACED WITHIN 90 DAYS.
4. LANDSCAPING REQUIRED OUTSIDE DECORATIVE FENCES AND WALLS SHALL BE MAINTAINED BY A MAINTENANCE AGREEMENT, AND SHALL BE DESIGNATED BY NATION, EASEMENT, OR COMMON LOT ON ANY MAJOR OR MINOR SUBDIVISION MAP.
5. IF A SIDEWALK IS ESTABLISHED BEHIND LANDSCAPING, OR IF THE SIDEWALK MEANDERS, A PUBLIC ACCESS EASEMENT MUST BE GRANTED AND THE SIDEWALK AND ANY LANDSCAPING SHALL BE SUBJECT TO THE PROVISION OF MAINTENANCE ASSOCIATION AND A LICENSE AND MAINTENANCE AGREEMENT APPROVED BY THE DEPARTMENT OF PUBLIC WORKS.

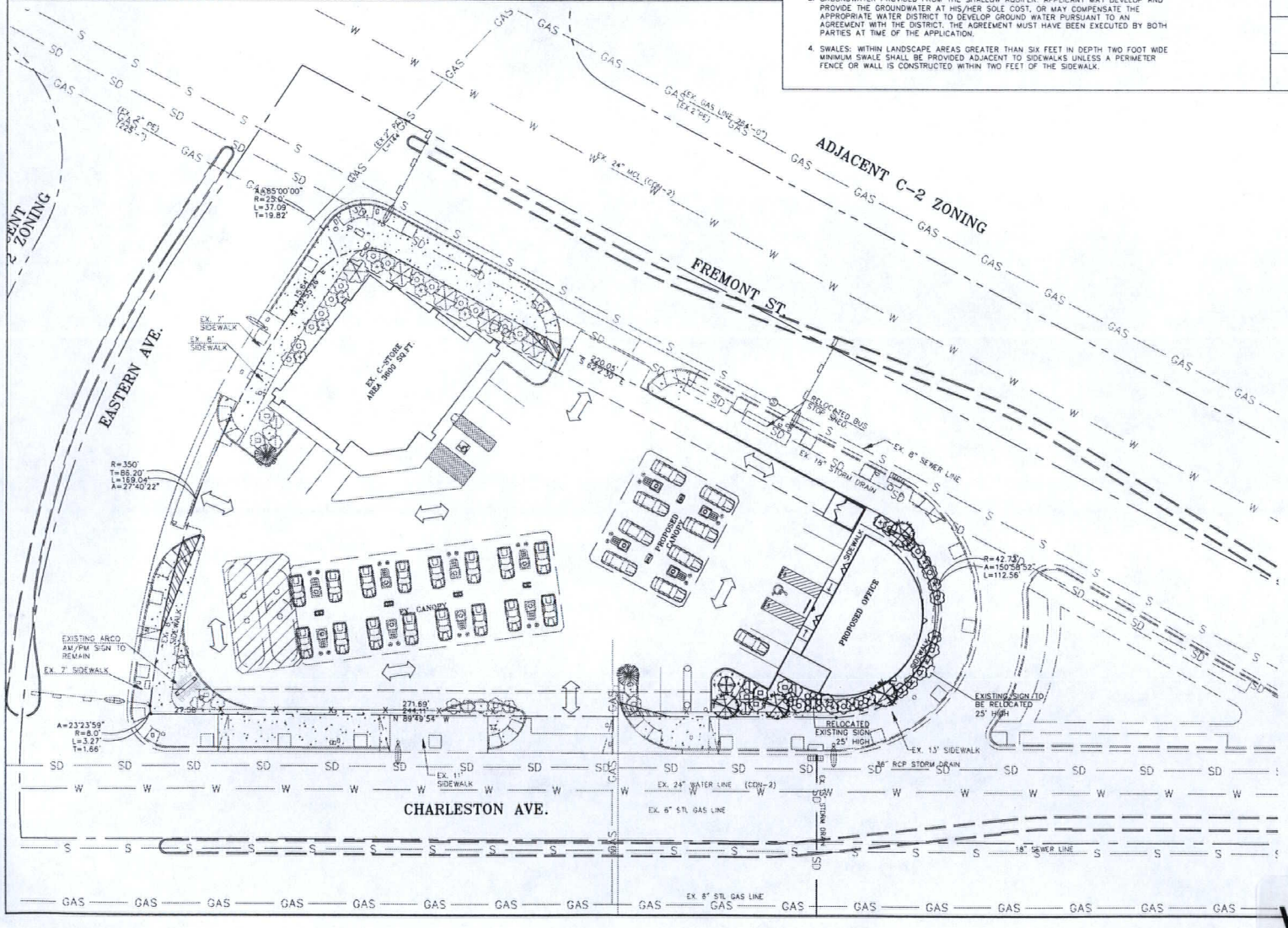
## IRRIGATION:

A WATER CONSERVING IRRIGATION SYSTEM IS REQUIRED FOR ALL LANDSCAPING. DRIP OR SIMILAR SYSTEMS WITH NO OVER SPRAY SHALL BE USED WHEN IRRIGATION NO-TURF VEGETATION. IRRIGATION SYSTEM SHALL BE MAINTAINED IN GOOD OPERATION CONDITION. THE USE OR IRRIGATION SYSTEMS WHICH UTILIZE RECLAIMED WASTEWATER IS PREFERRED, AND REQUIRED FOR GOLF COURSES AS SOON AS A SOURCE OF RECLAIMED WASTEWATER IS AVAILABLE. RESTRICTIONS FOR OVER SPRAY SHALL NOT APPLY WHEN WATER USED WILL BE PROVIDED BY ONE OR MORE OF THE FOLLOWING METHODS:

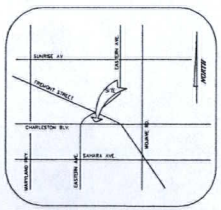
1. WATER IS PROVIDED FOR THE APPLICANT'S OWN WELLS OR APPURTENANT OR TRANSFERRED WATER RIGHT WHICH CAN BE LEGALLY USED TO IRRIGATE THE PROPERTY ON WHICH A GOLF COURSE IS DEVELOPED.
2. WATER IS PROVIDED BY THE WATER PURVEYOR; HOWEVER, THE APPLICANT MUST CONTRIBUTE TO AN EXTERIOR WATER EFFICIENCY RETROFIT PROGRAM APPROVED BY THE WATER PURVEYOR TO OFFSET THE IMPACTS ON WATER RESOURCES AND SYSTEM DELIVERY CAPACITY IN AN AMOUNT EQUIVALENT TO TWO TIMES THE AMOUNT OF WATER USED TO IRRIGATE TURF.
3. GROUNDWATER PROVIDED FROM THE SHALLOW AQUIFER. APPLICANT MAY DEVELOP AND PROVIDE THE GROUNDWATER AT HIS/HER SOLE COST, OR MAY COMPENSATE THE APPROPRIATE WATER DISTRICT TO DEVELOP GROUND WATER PURSUANT TO AN AGREEMENT WITH THE DISTRICT. THE AGREEMENT MUST HAVE BEEN EXECUTED BY BOTH PARTIES AT TIME OF THE APPLICATION.
4. SWALES: WITHIN LANDSCAPE AREAS GREATER THAN SIX FEET IN DEPTH TWO FOOT WIDE MINIMUM SWALE SHALL BE PROVIDED ADJACENT TO SIDEWALKS UNLESS A PERIMETER FENCE OR WALL IS CONSTRUCTED WITHIN TWO FEET OF THE SIDEWALK.

## PLANT LEGEND

| PROPOSED PLANT | SIZE & QUANTITY | SCIENTIFIQUE NAME | COMMON NAME |
|---|---|---|---|
| | 24" BOX 4 NO. | PINUS (LARGE TREE) | STONE PINE |
| | 5 GAL. 10 NO. | RHAPHIOLEPIS | INDIAN HAWTHORNE |
| | 5 GAL. 12 NO. | EURYOPS | GREEN BUSH DAISY |
| | 1 GAL. 3 NO. | BUXUS | JAPANESE BOXWOOD |
| | 1 GAL. 4 NO. | ATRIPLEX | QUAIL BUSH |
| | 1 GAL. 7 NO. | ARTEMISIA | WORMWOOD |
| | | | |




NORTH



VICINITY MAP:
N.T.S.

NOTE: –
ANY PORTION OF A LANDSCAPE AREA NOT PLANTED SHALL BE COVERED WITH DECORATIVE ROCK, BARK, MULCH OR OTHER MATERIAL SUITABLE FOR REDUCING DUST AND EVAPORATION, AND IMPROVING THE AESTHETIC APPEARANCE OF THE AREA.

GRAPHIC SCALE
-20 0 10 20 40 80
( IN FEET )
1 inch = 20 ft.

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**VAR-41385 VAR-41386**
**SUP-41384 SDR-41385**
**REVISED**

REVISIONS: DATED
REVISION ISSUE


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LAS VEGAS, NEVADA 89118
Phone: (702) 396-5113, Fax: (702) 396-5114
Land Planning • Civil Engineering • Architectural Design • Structural Engineering


TITLE: LANDSCAPE PLAN
PROJECT: FREMONT / CHARLESTON RETAIL
CHARLESTON BLVD. & FREMONT ST.
CITY OF LAS VEGAS, NEVADA

PROFESSIONAL ENGINEER-STATE OF NEVADA
JASPAL S. SIDHU
EXP. DATE 08/30/2011
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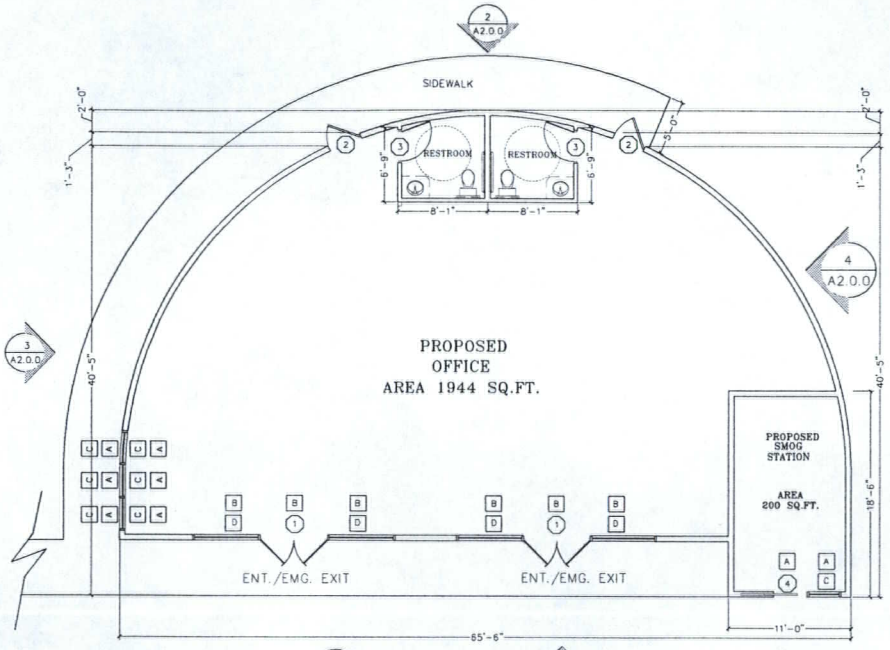
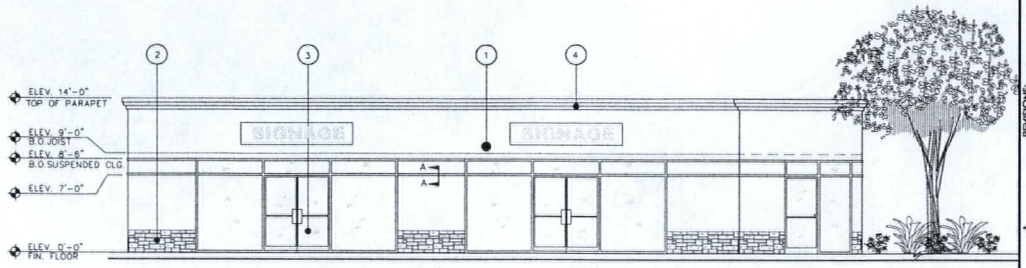
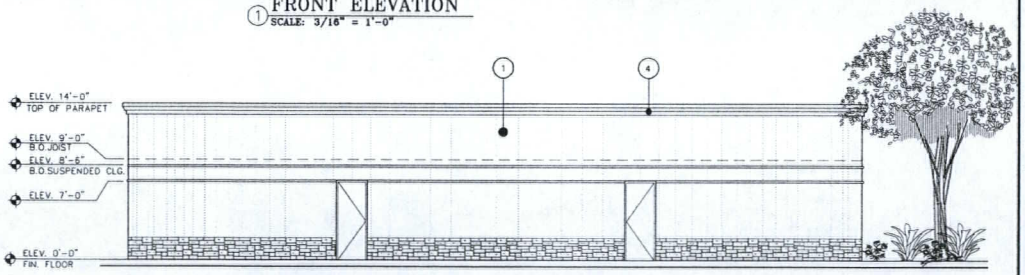
SHEET 1 OF 1



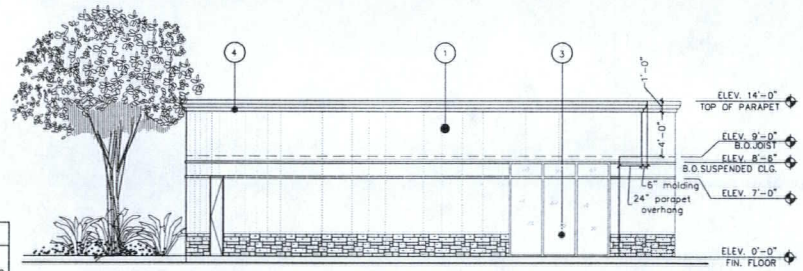

## FLOOR PLAN
SCALE: 3/16" = 1'-0"



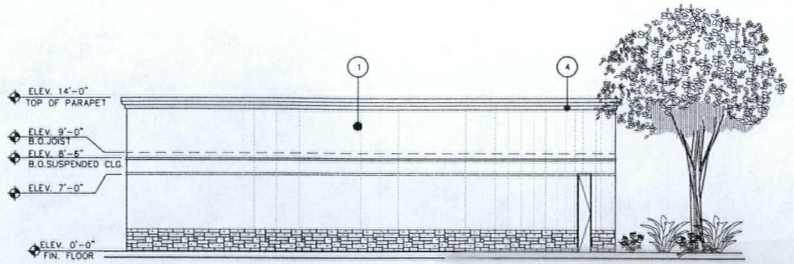

## ① FRONT ELEVATION
SCALE: 3/16" = 1'-0"



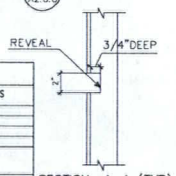

## ② REAR ELEVATION
SCALE: 3/16" = 1'-0"




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




## ④ RIGHT ELEVATION
SCALE: 3/16" = 1'-0"




SECTION : A-A (TYP)
NTS

NOTE: EXTERIOR BUILDING COLOR SHOULD MATCH WITH EXISTING C-STORE EXTERIOR COLORS.

## DOOR SCHEDULE

| # | WIDTH | HEIGHT | MAT. | FRAME TYPE | 'U' VALUE WINTER NIGHT | 'U' VALUE SUMER DAY | HARD. GROUP | REMARKS | NOTES |
|---|---|---|---|---|---|---|---|---|---|
| 1 | 3'-0"(2) | 7'-0" | GLASS | ALUM. | 0.47 | 0.50 | PER OWNER | PROVIDE SAFETY GLAZING | |
| 2 | 3'-0" | 7'-0" | H.C. | WOOD | -- | -- | PER OWNER | | |
| 3 | 3'-0" | 6'-8" | H.C. | WOOD | -- | -- | PER OWNER | | |
| 4 | 3'-0" | 7'-0" | H.C. | WOOD | -- | -- | PER OWNER | SLIDING DOOR | |

## WINDOW SCHEDULE

| # | WIDTH | HEIGHT | 'U' VALUE WINTER NIGHT | 'U' VALUE SUMER DAY | SHGC | GLZ'G | FRAME TYPE | COLOR | REMARKS |
|---|---|---|---|---|---|---|---|---|---|
| A | 3'-0" | 1'-6" | 0.47 | 0.50 | 0.70 | 1/4" DUAL | PER OWNER | PER OWNER | |
| B | 6'-0" | 1'-6" | 0.47 | 0.50 | 0.70 | 1/4" DUAL | PER OWNER | PER OWNER | PROVIDE SAFETY GLAZING |
| C | 3'-0" | 7'-0" | 0.47 | 0.50 | 0.70 | 1/4" DUAL | PER OWNER | PER OWNER | |
| D | 6'-0" | 7'-0" | 0.47 | 0.50 | 0.70 | 1/4" DUAL | PER OWNER | PER OWNER | PROVIDE SAFETY GLAZING |

## NOTES:

1. SUSPENDED GYPSUM PANEL CEILING TILE SHALL BE 2 -0" x 4'-0" VINYL ROK OR EQUAL.
2. WHITE PAINT SHALL BE: INTERIOR A198 FLORAL WHITE
3. DO NOT PAINT PREFINISHED MATERIALS.
4. CONCRETE FLOOR SURFACES NOT HAVING FLOOR COVERING SHALL BE HARDENED ACCORDING TO SPECIFICATION DIVISION 3. SECTION 3.04 PARAGRARH "F" ALTERNATE TREATMENT MAY INCLUDE A POLYMER FLOOR COATING. MASTER BUILDERS "EMBEGUARD" G.P. GREY WHEN REQUESTED BY FIELD ENGINEER.
5. GROUND AND FLOOR SURFACES SHALL BE SLIP RESISTANT, STABLE AND FIRM. MAXIMUM CHANGE IN LEVEL 1/2".
6. STAINLESS STEEL TYPE 304, 20GA. WALL COVERING AND ACCESSORIES AND MARLITE PANELS SHALL BE INSTALLED WHERE SHOWN ON PLAN AND INTERIOR ELEVATIONS.

## WALL LEGEND

- EXTERIOR WALLS-2x6 STUDS @ 16"O/C W/GYP. BOARD ON INTERNAL SIDE TO GO 6" ABOVE FINISHED CEILING.
- 6" STUD ONE HOUR FIRE RATED WALL W/ 2x6 STUDS @16" O/C W/ 5/8" TYPE X GYP. BOARD ON EACH SIDE W/R-19 FIBERGLASS INSULATION AS PER TABLE 720.1(2) ITEM NO.15-1.13, 2009 IBC W/GYP. BOARD TO GO 6" ABOVE FINISHED CEILING.
- 6" STUD ONE HOUR FIRE RATED WALL W/ 2x6 STUDS @16" O/C AT EXTERIOR WALLS AS PER TABLE 720.1(2) ITEM NO.15-1.3, 2009 IBC WITH 7/8" STUCCO ON EXTERIOR SIDE AND 5/8" TYPE "X" GYP. BOARD ON INTERIOR SIDE W/GYP. BOARD TO GO 6" ABOVE FINISHED CEILING. REFER DETAIL #1 ON SHEET A2.

## GENERAL NOTES:

1. ALL WALL DIMENSION ARE TO FACE OF STUD UNLESS OTHERWISE NOTED.
2. ALL FLOOR SINK AND FLOOR DRAIN DIMENSIONS ARE FROM EDGE OF FLOOR SLAB TO CENTERLINE OF OPENING.
3. SEE STRUCTURAL DRAWINGS FOR ALL HEADER AND BEAM REQUIREMENTS.
4. INSULATION SHALL BE INSTALLED PER LOCAL ENERGY CODE REQUIREMENTS, SEE SECTIONS
5. REFER TO SITE PLAN FOR SPECIFIC SIDEWALK AND PARKING CONFIGURATION. SITE PLAN CONFIGURATION TAKES PRECEDENCE OVER THIS DRAWING.
6. MAXIMUM DOOR OPENING EFFORTS. 8.5 LBS. AT EXTERIOR. 5 LBS. AT INTERIOR, AND 15 LBS. AT FIRE DOORS. ANSI 4.13.11
7. ALL DOORS ARE EQUIPPED WITH SINGLE-EFFORT, NON GRASP HARDWARE (i.e.LEVER) ANSI 4.13.9.
8. SWITCHWS/CONTROLS/THERMOSTATS, ETC., ARE INSTALLED MAXIMUM 48" ABOVE THE FLOOR. NEC 380 AND ANSI 1105.4.5
9. MAXIMUM DISTANCE FROM TOP OF THRESHOLD TO LANDING IS 1/2".
10. TOPS OF ACCESSIBLE PORTIONS OF WORK SURFACE SHALL BE FROM 28" TO 34" FROM THE FLOOR. ANSI 4.31.4.
11. ACCESSIBLE CHECKOUT COUNTER SURFACES 38" MAX. ABOVE THE FINISH FLOOR. THE TOP OF THE ACCESSIBLE COUNTER EDGE PROJECT SHALL BE 40" ABOVE THE FINISH FLOOR PER ANSI 43311.5.

## GENERAL NOTES

1. CAULK ALL WALL AND ROOF PENETRATIONS.
2. APPLY ONE COAT OF WATERPROOFING TO ALL HORIZ. STUCCO SURFACES.
3. SEE SPECIFICATIONS FOR NAILING AND REQUIREMENTS FOR EXTERIOR GRADE PLYWOOD.
4. CAULK ALL WINDOWS AND DOOR FRAMES AT HEAD, SILL AND JAMB (EXTERIOR & INTERIOR).
5. STUCCO FINISH TO BE "LIGHT LACE" AS SPECIFIED BY THE STUCCO MANUFACTURERS ASSOCIATION. ALTERNATE - "MEDIUM DASHED", MACHINE APPLIED.
6. PROVIDE BUILDING ADDRESS # ON FRONT WALL (LEFT SIDE) OR AS DIRECTED BY LOCAL AUTHORITY AND AS SPECIFIED HEREIN.

## STUCCO NOTES

1. COLD JOINTS WILL NOT BE ACCEPTABLE UNDER ANY CIRCUMSTANCES.
2. MESH AS SPECIFIED SHALL NOT OVERLAP AT CONTROL JOINTS.
3. MESH OVERLAPS SHALL NOT COINCIDE WITH PLYWOOD JOINTS.
4. MESH WITH GRID EXCEEDING 2"x2" WILL BE REJECTED.
5. USE OF FASTENERS OTHER THAN GALVANIZED WILL NOT BE ACCEPTED.
6. SCARIFICATION AS SPECIFIED SHALL ALWAYS BE IN THE HORIZONTAL DIRECTION.
7. INTERIOR DRYWALL SHALL ALWAYS BE INSTALLED PRIOR TO APPLICATION OF STUCCO.

## ELEVATION KEY NOTES:

| | |
|---|---|
| 1 | (3) COLOR COAT STUCCO (a) IS A 3-COAT, 7/8 INCH MINIMUM THICK (b) HAS TWO LAYERS OF GRADE D PAPER UNDER STUCCO WHERE OCCURS OVER PLYWOOD SHEATHING; AND (c) HAS 26 ga GALVANIZED WEEP SCREED AT FOUNDATION PLATE LINE AT LEAST 4" ABOVE GRADE (OR 2 INCH ABOVE CONCRETE OR PAVING) |
| 2 | STONE VENEER |
| 3 | WINDOW STORE FRONT SYSTEM (OWNER TO SELECT FINISH.) |
| 4 | 25 GA. G.I. MTL. CAP FLASHING, PAINTED TO MATCH STUCCO. |

| REVISIONS: | | |
|---|---|---|
| | REVISION ISSUE | DATED |
| 1 | | |

ACE Consulting
6283 Dean Martin Drive, Suite B
LAS VEGAS, NEVADA 89118
Phone: (702) 396-5113, Fax: (702) 396-5114
Land Planning • Civil Engineering • Architectural Design • Structural Engineering

TITLE: FLOOR PLAN AND ELEVATIONS
PROJECT: FREMONT / CHARLESTON RETAIL
CHARLESTON BLVD. & FREMONT ST.
CITY OF LAS VEGAS, NEVADA

DATE: 05/25/2011
JOB: 10-09
DWG. BY: HS
CHK. BY: MD

A2.0.0
SHEET 2 OF 2

VAR-41385 VAR-41386
SUP-41384 SDR-41385
REVISED

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MAY 25 2011




VAR-41385, VAR-41386, SUP-41384 & SDR-41235 - APPLICANT/OWNER: UNITED BROTHERS ENTERPRISES, INC.
2320 FREMONT STREET

03/31/11




VAR-41385, VAR-41386, SUP-41384 & SDR-41235 - APPLICANT/OWNER: UNITED BROTHERS ENTERPRISES, INC.
2320 FREMONT STREET

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VAR-41385, VAR-41386, SUP-41384 & SDR-41235 - APPLICANT/OWNER: UNITED BROTHERS ENTERPRISES, INC.
2320 FREMONT STREET

03/31/11

ACE Engineering
Civil Engineering • Structural Engineering • Land Planning

April 12, 2011

City of Las Vegas
Building & Safety
333 N. Rancho Drive
Las Vegas, NV 89106

Attention: Steve Gebeke, Planning Supervisor

**RE: APN: 139-35-805-001 Justification Letter for SDR #41235, SUP #41236 and Additional SUP and 2 Variance Requests**

Dear Steve,

We are submitting this request for an additional 4 fueling pumps at the Arco AM/PM gas station located at 2320 E. Fremont Street in Las Vegas. Additionally, the owners are wishing to construct a 1-story, 2400 square foot office building on this same property of which 1500 sq. ft. will be occupied by a financial institution. A 200 sq. ft auto smog check facility is also being requested. In order to facilitate the addition of these pumps, the financial institution, and the auto smog check facility, the existing car wash structure will be demolished. The car wash structure is old and does not match the newer development in the surrounding area. With the removal of the car wash structure, these new improvements will actually have a positive impact on existing site congestion. The removal of the car wash structure and addition of the canopy with 4 fueling pumps will create a smoother flow of traffic on the site. The owners are also trying to enhance the appearance and value of their property with these improvements.

These site enhancements will require 2 Special Use Permits:

- SUP 41236 for the proposed financial institution. The building or portion thereof that is dedicated to the use shall have a minimum of 1500 square feet. The remaining 900 sq. ft. of this building will be utilized by the owners as a private office for the convenience store operation. The hours of operation for the financial institution will be from 8:00 a.m. to 11:00 p.m., seven days per week. There is a 1000 foot distance requirement from any existing financial institution. The distance from the proposed financial institution is 190 feet. A waiver is being requested for this 810 ft. difference. The financial institutions are separated by a major street. There is a required 200 foot distance from any residentially zoned property. This site is 130 feet from a residential property; however no home currently exists on this property. A waiver is being requested for the 70 foot shortage. The site is surrounded by 3 major streets (Charleston Blvd., Fremont Street and Eastern Avenue) which buffer this site from the residential parcel.

**VAR-41385 VAR-41386**
**SUP-41384 SUP-41236**
**SDR-41235 REVISED**

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APR 13 2011

5195 S. Durango Drive • Las Vegas, NV 89113 • Phone: (702) 396-5113 • Fax: (702) 396-7912
www.aceengineering.us

- SUP for Auto Smog Check. The owner is requesting an SUP for an Auto Smog Station that has 200 sq. ft. of covered facility with no stacking lane where code conditionally allows a stacking lane that will accommodate at least 3 cars without using any required site parking spaces for this use. All amenities will be available at the C-Store at all times while the auto smog check is in operation.

These site enhancements will also require 2 Variance requests:

- A variance to allow a rear yard setback of 7 feet where 20 feet is required in the C-2 zoning district. The uniqueness of this triangular site makes it difficult to meet the conditional setbacks. This reduction in setback allows for a smoother flow of traffic on the site, particularly at the Fremont entrance to the proposed fuel pumps. Additionally, the area directly behind the rear yard setback for the proposed financial institution is a public-right-of-way which goes between Fremont Street and E. Charleston Blvd. This right-of-way is typically used by customers of the C-store to go around the block from Fremont to E. Charleston. There is not a heavy traffic flow through this right-of-way except for customers to this site.

- A variance to allow 16 parking spaces where 25 are required. Once again, due to the odd, triangular shape of this site the parking layout does not always work for the best advantage. The owner has observed that the peak time for customer flow into the C-store is between 5 a.m. to 7 a.m. and again from 4:30 p.m. to 6:00 p.m. The auto smog check facility and the proposed financial institution are not open for business during the 5 a.m. to 7 a.m. time frame. Additionally, the owner has run a pump usage report for the month of March which shows that in a 14 hour time period from 5 a.m. to 7 p.m. the total pumping time for 1 pump was 40 minutes in the 14 hour period. I have attached this report for reference. It has also been the owner's experience that during peak hours cars remain parked for 3 to 4 minutes on the average. Additionally, cars entering the site have 24 fueling pump positions to pull into and customers can stay parked at the fueling pump while conducting their business on the site.

These site enhancements will require the following waiver and exception to the SDR #41235:

- A waiver from the perimeter landscape buffer width requirements is required along the east property line to allow 0' where 15' is required. The odd shape of this lot does not allow for this landscape buffer to exist on this site.

- An exception to the required design standard per Title 19.18.050 (E) (4) where trash container shall be located away from the street front and screened from view of the right-of-way. The odd shape of this lot and the addition of the auto smog check facility does not allow for this requirement to be met and the trash enclosure is located in view of the right-of-way.

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VAR-41385 VAR-41386
SUP-41384 SUP-41236
SDR-41235 REVISED

This development will act to benefit the public welfare, as the proposed product will upgrade aesthetics on Eastern Avenue, Fremont Street and Charleston Avenue as well meeting City of Las Vegas development standards.

Sincerely,

Ace Engineering

Jaspal S. Sidhu, P.E.

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APR 13 2011

VAR-41385 VAR-41386
SUP-41384 SUP-41236
SDR-41235 REVISED

10:3953114
TO: 7029326701

4/4/2011 12:40:11 ARCO am/pm 82263

# Pump Sales Report

From: 3/1/2011 to: 3/31/2011

## UNLEADED REGULAR - 1

| Day | PUMP1 | PUMP2 | PUMP3 | PUMP4 | PUMP5 | PUMP6 | PUMP7 | PUMP8 | PUMP9 | PUMP10 | PUMP11 | PUMP12 | PUMP13 | Pumps 14+ | Daily Sales |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 843.37 | 851.22 | 754.59 | 769.63 | 878.91 | 1,086.13 | 636.93 | 801.36 | 0.00 | 953.31 | 852.91 | 787.94 | 773.33 | 2,256.98 | 12,244.59 |
| 2 | 812.84 | 799.04 | 732.98 | 694.51 | 776.53 | 847.84 | 669.38 | 764.57 | 0.00 | 816.76 | 1,079.06 | 623.21 | 767.98 | 2,033.02 | 10,411.70 |
| 3 | 870.27 | 871.40 | 628.71 | 497.14 | 807.12 | 915.48 | 662.92 | 611.08 | 543.21 | 882.55 | 699.93 | 628.95 | 721.78 | 2,184.95 | 11,505.47 |
| 4 | 670.47 | 782.88 | 639.45 | 729.42 | 873.35 | 991.86 | 680.05 | 751.92 | 935.58 | 864.28 | 725.22 | 753.87 | 819.00 | 2,427.29 | 12,644.54 |
| 5 | 774.70 | 787.03 | 778.77 | 643.86 | 741.15 | 892.03 | 589.98 | 528.23 | 768.88 | 1,018.83 | 579.62 | 528.58 | 755.84 | 2,004.30 | 11,369.66 |
| 6 | 714.92 | 669.57 | 576.93 | 426.79 | 612.09 | 860.24 | 529.74 | 571.99 | 691.81 | 1,025.02 | 644.30 | 591.84 | 597.26 | 1,760.11 | 10,072.61 |
| 7 | 741.55 | 862.99 | 736.04 | 809.11 | 813.32 | 892.14 | 805.24 | 439.85 | 997.00 | 924.93 | 657.75 | 678.57 | 885.66 | 2,359.95 | 12,324.10 |
| 8 | 780.50 | 866.35 | 705.96 | 647.96 | 708.71 | 942.24 | 623.64 | 456.02 | 744.22 | 870.71 | 585.67 | 543.65 | 666.59 | 2,089.13 | 11,010.35 |
| 9 | 624.69 | 754.02 | 678.98 | 682.49 | 731.88 | 828.37 | 641.28 | 624.61 | 755.47 | 885.26 | 570.48 | 583.45 | 588.59 | 1,877.70 | 10,667.27 |
| 10 | 699.20 | 724.85 | 666.59 | 632.87 | 879.01 | 901.66 | 627.48 | 594.50 | 756.67 | 759.39 | 572.84 | 649.34 | 689.14 | 2,092.54 | 11,055.88 |
| 11 | 846.28 | 900.36 | 813.81 | 770.51 | 680.40 | 949.96 | 758.62 | 737.39 | 773.72 | 818.16 | 671.05 | 706.25 | 738.82 | 2,399.01 | 12,564.34 |
| 12 | 742.92 | 742.84 | 577.02 | 552.10 | 868.19 | 860.14 | 623.42 | 647.94 | 707.36 | 853.96 | 519.26 | 545.45 | 714.06 | 2,078.37 | 11,032.42 |
| 13 | 639.45 | 723.58 | 664.39 | 483.76 | 640.89 | 711.27 | 614.50 | 520.02 | 654.27 | 769.45 | 455.78 | 550.37 | 610.79 | 1,830.31 | 9,868.63 |
| 14 | 815.61 | 778.37 | 577.07 | 624.80 | 747.96 | 842.74 | 670.37 | 538.88 | 680.75 | 787.41 | 638.00 | 637.12 | 556.38 | 2,096.72 | 10,892.18 |
| 15 | 727.03 | 796.07 | 600.00 | 626.95 | 799.94 | 819.48 | 554.73 | 524.63 | 658.09 | 763.77 | 556.87 | 636.96 | 718.06 | 1,933.56 | 10,717.04 |
| 16 | 822.32 | 812.73 | 713.03 | 511.56 | 637.78 | 836.33 | 583.63 | 480.81 | 862.60 | 777.21 | 649.35 | 589.65 | 669.03 | 1,688.16 | 10,744.37 |
| 17 | 771.90 | 795.31 | 576.06 | 549.90 | 759.70 | 818.42 | 481.31 | 606.94 | 801.45 | 785.28 | 638.17 | 559.65 | 590.31 | 1,919.68 | 10,654.08 |
| 18 | 761.85 | 745.22 | 650.05 | 647.51 | 828.87 | 959.36 | 700.42 | 612.53 | 787.49 | 851.90 | 626.98 | 605.42 | 660.62 | 2,258.93 | 11,698.15 |
| 19 | 669.77 | 697.28 | 598.26 | 563.32 | 687.75 | 830.12 | 562.51 | 499.37 | 743.00 | 893.54 | 395.51 | 543.65 | 594.69 | 1,849.47 | 10,128.24 |
| 20 | 620.80 | 740.40 | 471.67 | 526.93 | 822.72 | 744.93 | 551.42 | 535.80 | 686.92 | 808.67 | 511.12 | 589.89 | 475.95 | 1,967.43 | 10,054.76 |
| 21 | 763.84 | 875.77 | 657.08 | 480.97 | 705.74 | 807.32 | 611.15 | 453.76 | 738.32 | 870.77 | 628.66 | 584.38 | 664.07 | 2,066.13 | 10,908.84 |
| 22 | 749.29 | 741.13 | 688.26 | 631.78 | 743.22 | 870.58 | 849.57 | 610.30 | 679.29 | 925.96 | 562.60 | 609.37 | 635.45 | 2,003.98 | 11,001.98 |
| 23 | 675.52 | 697.78 | 663.83 | 611.22 | 748.14 | 913.97 | 578.88 | 543.20 | 794.80 | 789.88 | 526.08 | 705.27 | 552.76 | 2,040.37 | 10,841.68 |
| 24 | 783.67 | 827.04 | 699.51 | 708.10 | 805.70 | 926.71 | 636.61 | 612.77 | 877.77 | 978.13 | 568.23 | 730.23 | 692.05 | 2,209.2 | 12,085.75 |

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APR 05 2011



APR-04-2011 14:13 From:1ADG
APR-4-2011 13:28 FROM:
SDR-41235
SUP-41384 SUP-41236
VAR-41385 VAR-41386

TO:7025826761

## UNLEADED REGULAR - 1

| Day | PUMP1 | PUMP2 | PUMP3 | PUMP4 | PUMP5 | PUMP6 | PUMP7 | PUMP8 | PUMP9 | PUMP10 | PUMP11 | PUMP12 | PUMP13 | Pumps 14+ | Daily Sales |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 25 | [illegible] | 1,035.84 | [illegible] | 797.86 | [illegible] | 701.89 | 379.17 | 782.40 | 732.55 | 899.96 | 740.28 | 785.32 | 857.92 | 2,578.67 | 13,317.31 |
| 26 | 708.77 | 880.97 | 652.94 | 669.39 | 835.11 | 865.57 | 704.47 | 646.16 | 833.62 | 795.94 | 733.03 | 717.95 | 602.42 | 2,241.60 | 11,887.94 |
| 27 | 709.74 | 749.93 | 691.[illegible] | 619.77 | 706.77 | 843.55 | 683.27 | 647.71 | 722.71 | 744.24 | 548.90 | 543.10 | 755.38 | 1,980.73 | 10,939.06 |
| 28 | 817.47 | 748.00 | 793.[illegible] | 633.54 | 792.29 | 925.38 | 691.16 | 625.63 | 707.06 | 804.36 | 659.77 | 621.02 | 636.98 | 2,449.84 | 11,906.65 |
| 29 | 809.20 | 712.09 | 610.36 | 579.55 | 715.94 | 915.71 | 631.25 | 538.29 | 743.93 | 939.09 | 507.01 | 507.98 | 704.61 | 2,228.68 | 11,143.70 |
| 30 | 835.64 | 852.96 | 640.63 | 555.27 | 806.18 | 815.89 | 669.26 | 563.76 | 666.02 | 755.52 | 559.87 | 605.88 | 644.93 | 2,135.57 | 11,107.38 |
| 31 | 702.29 | 924.28 | 690.91 | 574.69 | 938.00 | 891.81 | 579.16 | 587.44 | 802.16 | 866.46 | 673.27 | 666.90 | 721.05 | 2,341.76 | 11,948.09 |

## UL PREMIUM

| Day | PUMP1 | PUMP2 | PUMP3 | PUMP4 | PUMP5 | PUMP6 | PUMP7 | PUMP8 | PUMP9 | PUMP10 | PUMP11 | PUMP12 | PUMP13 | Pumps 14+ | Daily Sales |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 52.63 | 50.86 | 55.41 | 24.43 | 51.58 | 40.28 | 28.54 | 22.35 | 0.00 | 58.64 | 67.40 | 38.51 | 41.79 | 89.42 | 624.84 |
| 2 | 38.29 | 41.76 | 26.71 | 46.25 | 45.64 | 57.20 | 29.75 | 46.30 | 0.00 | 64.32 | 46.77 | 38.56 | 49.70 | 150.38 | 681.63 |
| 3 | 33.81 | 33.86 | 53.14 | 29.96 | 78.60 | 37.00 | 59.18 | 39.67 | 28.16 | 68.78 | 63.24 | 49.73 | 74.02 | 92.04 | 741.19 |
| 4 | 39.12 | 56.86 | 53.42 | 41.95 | 60.38 | 66.35 | 26.81 | 36.22 | 88.65 | 86.78 | 33.86 | 33.66 | 47.88 | 99.84 | 793.58 |
| 5 | 60.94 | 63.16 | 29.13 | 60.27 | 64.70 | 50.51 | 53.70 | 24.77 | 43.73 | 60.78 | 62.59 | 52.48 | 63.05 | 152.40 | 842.21 |
| 6 | 43.77 | 46.37 | 22.50 | 29.20 | 53.99 | 36.49 | 36.33 | 18.99 | 44.59 | 90.18 | 34.49 | 16.28 | 32.77 | 116.38 | 622.33 |
| 7 | 54.41 | 71.38 | 14.71 | 11.56 | 57.48 | 64.78 | 32.24 | 31.72 | 43.09 | 16.58 | 41.94 | 57.83 | 53.03 | 89.43 | 640.18 |
| 8 | 46.38 | 85.52 | 28.07 | 29.68 | 41.52 | 45.82 | 16.25 | 25.62 | 35.65 | 52.78 | 51.68 | 29.82 | 40.22 | 111.67 | 640.68 |
| 9 | 25.77 | 51.57 | 38.07 | 11.49 | 63.55 | 41.81 | 53.71 | 56.74 | 51.01 | 47.31 | 24.04 | 41.26 | 29.89 | 131.27 | 665.49 |
| 10 | 66.54 | 16.22 | 49.05 | 13.90 | 46.56 | 45.41 | 64.11 | 47.25 | 69.36 | 44.89 | 39.12 | [illegible] | 44.17 | 121.18 | 693.10 |
| 11 | 58.46 | 61.77 | 44.91 | 21.26 | 38.17 | 72.02 | 54.86 | 6.46 | 57.99 | 92.62 | 45.86 | 47.40 | 35.27 | 122.38 | 769.43 |
| 12 | 60.26 | 59.79 | 56.20 | 35.83 | 53.70 | 61.74 | 25.55 | 41.42 | 54.47 | 69.08 | 56.05 | 48.46 | 53.51 | 136.61 | 800.67 |
| 13 | 33.58 | 45.32 | 42.38 | 26.51 | 21.32 | 40.04 | 61.05 | 32.47 | 58.78 | 52.13 | 31.46 | 38.96 | 55.23 | 118.90 | 658.13 |
| 14 | 84.49 | 30.36 | 34.99 | 32.34 | 33.09 | 83.21 | 26.70 | 39.65 | 31.99 | 28.61 | 61.47 | 24.41 | 42.39 | 112.10 | 665.80 |
| 15 | 54.83 | 66.44 | 33.07 | 17.83 | 34.96 | 41.95 | 43.83 | 38.72 | 45.78 | 31.42 | 41.32 | 26.16 | 39.45 | 108.32 | 632.08 |
| 16 | 44.90 | 40.10 | 13.27 | 34.43 | 31.11 | 62.22 | 29.32 | 16.81 | 51.17 | 40.76 | 26.22 | 23.26 | 26.68 | 99.77 | 548.02 |
| 17 | 40.60 | 57.92 | 37.24 | 28.50 | 67.43 | 78.39 | 37.78 | 32.85 | 39.05 | 55.69 | 38.13 | 19.98 | 45.04 | 132.73 | 711.35 |
| 18 | 67.72 | 40.88 | 31.73 | 48.14 | 15.20 | 69.25 | 65.46 | 40.34 | 70.93 | 62.26 | 15.4[illegible] | 48.69 | 67.37 | 189.93 | 843.37 |

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APR-04-2011 14:13 From:1ADG
APR-4-2011 13:28 FROM:

To:3965114
TO:7029326761

## UL PREMIUM

| Day | PUMP1 | PUMP2 | PUMP3 | PUMP4 | PUMP5 | PUMP6 | PUMP7 | PUMP8 | PUMP9 | PUMP10 | PUMP11 | PUMP12 | PUMP13 | Pumps 14+ | Daily Sales |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 19 | 34.73 | 35.80 | 50.82 | 35.08 | 90.58 | 28.99 | 27.76 | 33.42 | 48.69 | 51.08 | 29.14 | 69.78 | 71.77 | 107.09 | 710.75 |
| 20 | 43.45 | 48.84 | 41.55 | 42.90 | 39.96 | 30.32 | 41.01 | 30.49 | 58.22 | 55.53 | 23.53 | 30.52 | 39.32 | 133.31 | 658.07 |
| 2 | 54.63 | 38.14 | 46.63 | 24.74 | 75.16 | 54.65 | 42.68 | 26.04 | 49.18 | 39.30 | 47.21 | 26.39 | 5 39 | 116.13 | 695.25 |
| 2 | 29.18 | 49.93 | 43.58 | 14.84 | 32.16 | 61.44 | 31.25 | 37.28 | 62.93 | 62.31 | 71.24 | 31.78 | 1 41 | 153.04 | 694.14 |
| 23 | 52.07 | 18.35 | 41.05 | 21.61 | 59.00 | 56.13 | 35.80 | 21.07 | 51.52 | 63.79 | 37.92 | 19.30 | 2 72 | 126.93 | 630.26 |
| 24 | 48.60 | 45.30 | 27.73 | 45.13 | 33.50 | 45.54 | 18.23 | 38.32 | 40.23 | 50.83 | 47.79 | 30.25 | 51.86 | 144.44 | 667.95 |
| 25 | 70.33 | 63.48 | 54.76 | 58.27 | 52.11 | 56.81 | 32.08 | 34.57 | 66.36 | 39.22 | 48.92 | 38.18 | 90.38 | 140.55 | 865.04 |
| 26 | 50.16 | 70.96 | 62.21 | 17.41 | 67.59 | 53.74 | 49.00 | 53.78 | 89.68 | 75.88 | 25.13 | 34.34 | 47.44 | 110.57 | 787.89 |
| 27 | 38.61 | 62.60 | 28.87 | 30.52 | 45.30 | 70.17 | 21.38 | 46.20 | 53.40 | 46.11 | 18.13 | 48.91 | 25.55 | 87.87 | 620.92 |
| 28 | 9.65 | 42.27 | 50.55 | 15.26 | 38.16 | 49.96 | 34.69 | 21.51 | 34.11 | 50.90 | 45.64 | 36.73 | 28.57 | 109.14 | 568.16 |
| 29 | 53.82 | 26.15 | 23.65 | 54.99 | 45.24 | 23.19 | 21.45 | 24.73 | 56.18 | 35.06 | 25.97 | 13.38 | 50.71 | 108.66 | 563.18 |
| 30 | 60.69 | 35.31 | 28.63 | 24.07 | 44.56 | 66.62 | 36.40 | 39.45 | 45.31 | 26.89 | 29.64 | 27.85 | 49.54 | 109.80 | 625.88 |
| 31 | 36.14 | 56.96 | 32.89 | 25.20 | 28.95 | 30.38 | 34.30 | 28.70 | 38.81 | 43.81 | 35.48 | 31.27 | 49.10 | 107.31 | 680.30 |

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APR 05 2011



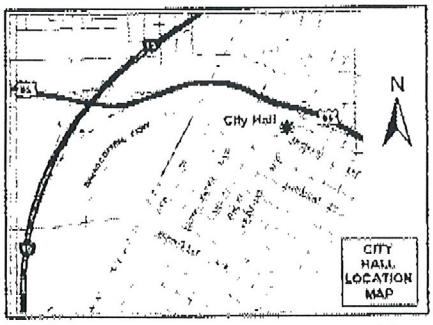
APR-24-2011 14:13 From:1ADG
APR-4-2011 13:29 FROM:

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 $ 00.41⁴
0004279218 APR 28 2011
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the 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.

**VAR-41385 & VAR-41386**
Planning Commission Meeting of 5/10/2011

Case: VAR-41385
13935805001
UNITED BROTHERS ENTERPRISES INC
%B BHATTI
4380 N LAMB BLVD
LAS VEGAS NV 89115-1841

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MAY - 2 2011

24-25 A

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 APR 28 2011
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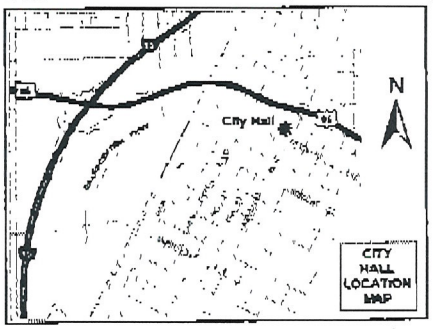
**Return Service Requested**

**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.

**VAR-41385 & VAR-41386**

Planning Commission Meeting of 5/10/2011

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Case: VAR-41385
13935804002
BARTSAS MARY 14 L L C
601 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

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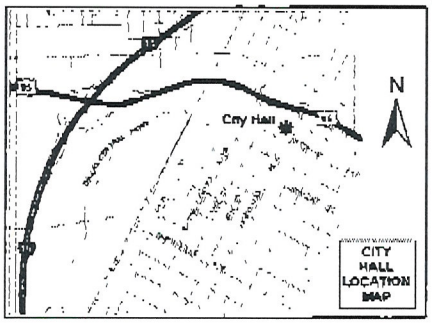


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Case: VAR-41385
13935803015
BARTSAS MARY 22 L L C
601 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

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**VAR-41385 & VAR-41386**

Planning Commission Meeting of 5/10/2011

26 BRDFN11 89106

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

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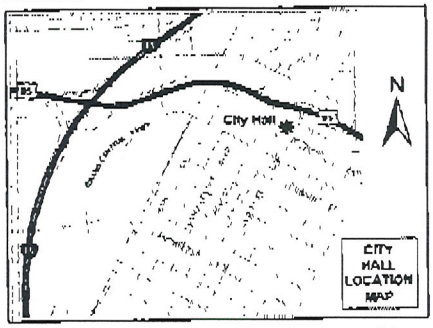


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**VAR-41385 & VAR-41386**
Planning Commission Meeting of 5/10/2011

Case: VAR-41385
13935803016
BARTSAS MARY 3 L L C
601 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

26 BRDFN11 89106

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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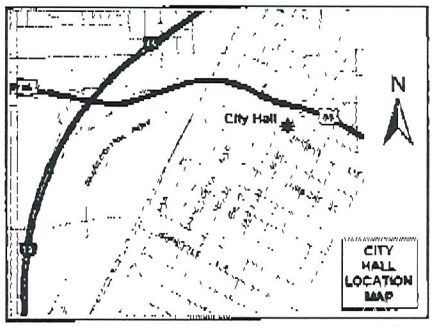


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MAY 17 2011

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-41385 & VAR-41386**
Planning Commission Meeting of 5/10/2011

Case VAR-41385
13935804009
BARTSAS MARY 2 L L C
601 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

26 89074 1 89106

City of Las Vegas Agenda Item No.: **19.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

**SUBJECT:**
ABEYANCE - VAR-41386 - VARIANCE RELATED TO VAR-41385 - PUBLIC HEARING - APPLICANT/OWNER: UNITED BROTHERS ENTERPRISES, INC. - Request for a Variance TO ALLOW AN EIGHT-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED AND A SEVEN-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED FOR A PROPOSED 2,600 SQUARE-FOOT COMMERCIAL DEVELOPMENT at 2320 Fremont Street (APN 139-35-805-001), C-2 (General Commercial) Zone, Ward 3 (Reese).. Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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 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.**

Set back Variance.

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41386** APN: 139-35-805-001

Name of Property Owner: United Brothers Enterprises, Inc.

Name of Applicant: United Brothers Enterprises, Inc - Bill Bhatti

Name of Representative: Ace 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: Bhupinder Bhatti.

Print Name: BHUPINDER BHATTI

Subscribed and sworn before me

This 31st day of March, 20 11

Sunshine Muangsopa

Notary Public in and for said County and State

SUNSHINE MUANGSOPA
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 7-13-2011
Certificate No: 03-83788-1

Revised 11-14-06

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

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APR 05 2011

Variance for Setback

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Variance for Rear SetBack

**Project Address (Location)** 2320 Fremont st, Las Vegas, NV 89101

**Project Name** Fremont/Charleston Retail **Proposed Use** Financial institution and fuel pumps & smog check station

**Assessor's Parcel #(s)** 139-35-805-001 **Ward #** 3

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

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

**Gross Acres** .92 **Lots/Units** — **Density** —

**Additional Information** Variance to allow 10' Rear yard setback where 20' Required

**PROPERTY OWNER** United Brothers Enterprises, Inc **Contact** Bill Bhatti

**Address** 2320 Fremont st **Phone:** 702 591-4482 **Fax:** 702 982-6701

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

**E-mail Address** Billbhatti at gmail.com

**APPLICANT** United Brothers Enterprises, Inc **Contact** Bill Bhatti

**Address** 2320 Fremont st **Phone:** 702 591-4482 **Fax:** 702 982-6701

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

**E-mail Address** billbhatti at gmail.com

**REPRESENTATIVE** Ace Engineering **Contact** Pat Samson

**Address** 6283 Dean Martin DR, Ste B **Phone:** 702 396-5113 **Fax:** 702 396-5114

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

**E-mail Address** Patrice at aceengineering.us

**Property Owner Signature*** Bhupinder Bhatti

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

**Print Name** Bhupinder Bhatti

Subscribed and sworn before me

This 31st day of March, 2011.

Sunshine Muangsopa

Notary Public in and for said County and State

SUNSHINE MUANGSOPA
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 7-13-2011
Certificate No: 03-83788-1

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | VAR-41386 |
| Meeting Date: | 5-10-11 PC |
| Total Fee: | $830 |
| Date Received:* | 4-5-11 |
| 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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APR 05 2011

Revised 10/27/08

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City of Las Vegas Agenda Item No.: **20.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

**SUBJECT:**
ABEYANCE - SUP-41384 - SPECIAL USE PERMIT RELATED TO VAR-41385 AND VAR-41386 - PUBLIC HEARING - APPLICANT/OWNER: UNITED BROTHERS ENTERPRISES, INC. - Request for a Special Use Permit FOR A PROPOSED AUTO SMOG CHECK USE at 2320 Fremont Street (APN 139-35-805-001), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Supporting Documentation
3. 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.**

SUB

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41384** APN: 139-35-805-001

Name of Property Owner: United Brothers Enterprises, INC

Name of Applicant: United Brothers Enterprises, INC - Bill Bhatti

Name of Representative: Ace 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: Bhupinder Bhatti

Print Name: BHUPINDER BHATTI

Subscribed and sworn before me

This 31st day of March, 2011

Sunshine Muangsopa

Notary Public in and for said County and State

SUNSHINE MUANGSOPA
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 7-13-2011
Certificate No: 03-83788-1



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APR 05 2011

SUP

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Special use Permit for Auto Smog Check

**Project Address (Location)** 2320 Fremont st, Las Vegas, NV 89101

**Project Name** Fremont/Charleston Retail **Proposed Use** 200 sq ft smog check

**Assessor's Parcel #(s)** 139-35-805-001 **Ward #** 3

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

**Commercial Square Footage** 200 sq ft **Floor Area Ratio** —

**Gross Acres** .92 **Lots/Units** — **Density** —

**Additional Information** FOR Auto smogcheck not meeting minimum use Requirements of Title 19.04

**PROPERTY OWNER** United Brothers Enterprises, Inc **Contact** Bill Bhatti

**Address** 2320 Fremont Street **Phone:** 702-591-4482 **Fax:** 702-982-6701

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

**E-mail Address** billbhatti at gmail.com

**APPLICANT** United Brothers Enterprises, Inc. **Contact** Bill Bhatti

**Address** 2320 Fremont Street **Phone:** (702) 591-4482 **Fax:** 702-982-6701

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

**E-mail Address** billbhattiatgmail.com

**REPRESENTATIVE** Ace Engineering **Contact** Pat Samson

**Address** 6283 Dean Martin Dr ste B **Phone:** 702 396-5113 **Fax:** 702-396-5114

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

**E-mail Address** Patriceataceengineering.us

**Property Owner Signature*** Bhupinder Bhatti

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

**Print Name** BHUPINDER BHATTI

Subscribed and sworn before me

This 31st day of March, 20 11.

Notary Public in and for said County and State

SUNSHINE MUANGSOPA
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 7-13-2011
Certificate No: 03-83788-1

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | SUP - 41384 |
| Meeting Date: | 5-10-11 PC |
| Total Fee: | $ 1,030 |
| Date Received:* | 4/5/11 |
| 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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Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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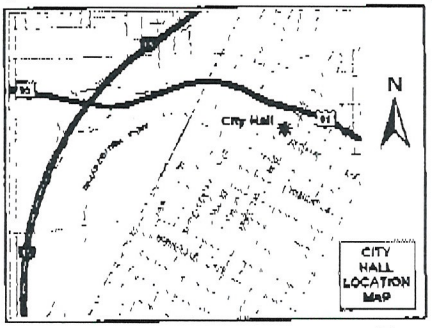


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-41384 & SUP-41236**
Planning Commission Meeting of 5/10/2011

Case: SUP-41384
13935804002
BARTSAS MARY 14 L L C
601 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

5 BRDFN11 89106

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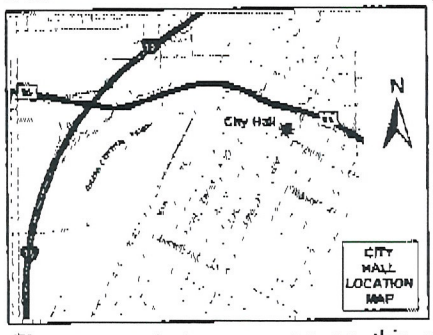


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Case: SUP-41384
13935803016
BARTSAS MARY 3 L L C
601 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

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**SUP-41384 & SUP-41236**

Planning Commission Meeting of 5/10/2011

26 BRDFN11 89106

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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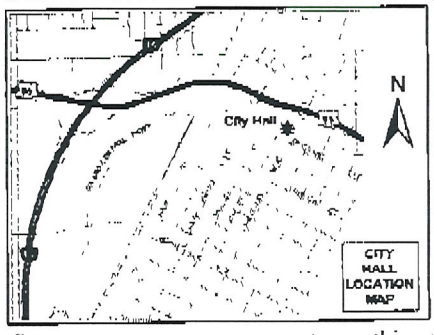


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Case: SUP-41384
13935803015
BARTSAS MARY 22 L L C
601 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

☒ I SUPPORT this Request ☐ I OPPOSE this Request

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**SUP-41384 & SUP-41236**
Planning Commission Meeting of 5/10/2011

26 BRDFN11 89106

City of Las Vegas
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Development Services Center
333 North Rancho Drive, 3rd Floor
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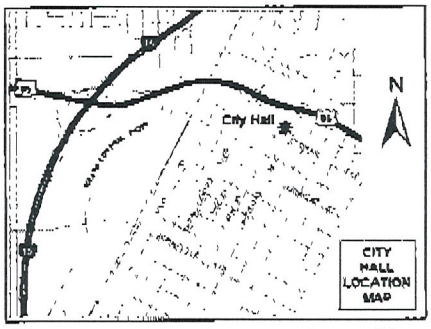


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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-41384 & SUP-41236**
Planning Commission Meeting of 5/10/2011

Case: SUP-41384
13935804009
BARTSAS MARY 2 L L C
601 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

89106

City of Las Vegas Agenda Item No.: **21.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

**SUBJECT:**
ABEYANCE - SDR-41235 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-41385,VAR-41386, AND SUP-41384 - PUBLIC HEARING - APPLICANT/OWNER: UNITED BROTHERS ENTERPRISES, INC. - Request for a Major Amendment of a previously approved Site Development Plan Review (SD-0039-02) FOR A PROPOSED 2,600 SQUARE-FOOT COMMERCIAL DEVELOPMENT AND A 2,324 SQUARE-FOOT FUEL CANOPY WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG PORTIONS OF THE NORTH AND SOUTH PERIMETERS AND A TWO-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE EAST PERIMETER WHERE 15 FEET IS REQUIRED on 0.92 acres at 2320 Fremont Street (APN 139-35-805-001), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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.**

SDR

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41235** APN: 139-35-805-001

Name of Property Owner: United Brothers Enterprises, Inc

Name of Applicant: United Brothers Enterprises, Inc - Bill Bhatti

Name of Representative: Ace 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: Bhupinder Bhatti

Print Name: BHUPINDER BHATTI

Subscribed and sworn before me

This 16 day of MARCH, 2011

LaJoya M Adams

Notary Public in and for said County and State

LAJOYA M. ADAMS
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 05-21-2012
Certificate No: 08-7388-1

RECEIVED
MAR 17 2011

SDR

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Site Development Plan Review Major Amendment

**Project Address (Location)** 2320 Fremont street, Las Vegas, NV 89115

**Project Name** Fremont/Charleston Retail **Proposed Use** 2000 sq ft financial institution Additional fuel pumps & canopy at existing 3,600 sq ft service station

**Assessor's Parcel #(s)** 139-35-805-001 **Ward #** 3

**General Plan:** existing C proposed No change **Zoning:** existing C-2 proposed No change

**Commercial Square Footage** 2000 sq ft **Floor Area Ratio** —

**Gross Acres** .92 **Lots/Units** — **Density** —

**Additional Information** _____

**PROPERTY OWNER** United Brothers Enterprises Inc **Contact** Bill Bhatti

**Address** 2320 Fremont st **Phone:** (702) 591-4482 **Fax:** (702) 651-0636

**City** Las Vegas **State** NV **Zip** 89115

**E-mail Address** billbhatti at gmail.com

**APPLICANT** United Brothers Enterprises, Inc. **Contact** Bill Bhatti

**Address** 2320 Fremont st **Phone:** (702) 591-4482 **Fax:** (702) 651-0636

**City** Las Vegas **State** NV **Zip** 89115

**E-mail Address** billbhatti at gmail.com

**REPRESENTATIVE** Ace Engineering **Contact** Pat Samson

**Address** 6283 Dean Martin DR Ste. B **Phone:** (702) 396-5143 **Fax:** (702) 396-5114

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

**E-mail Address** patrice at aceengineering.us

**Property Owner Signature*** _____

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

**Print Name** BHUPINDER BHATTI

Subscribed and sworn before me

This 16 day of MARCH, 20 11.

_____

Notary Public in and for said County and State

LAJOYA M. ADAMS
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 05-21-2012
Certificate No: 08-7388-1

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | SDR-41235 |
| Meeting Date: | 5-10-11 |
| Total Fee: | $1,030.00 |
| Date Received:* | 3-17-11 |
| Received By: | FMM |

*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.

MAR 17 2011

**SDR 41235**
**United Brothers Enterprises, Inc.**

# 2320 Fremont Street

Proposed 8 fueling position expansion of an existing service station.

**Traffic produced by proposed development:**

| **Current Use** | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | GAS/SERVICE STATIONS [VEH. FUEL POSTIONS] | 16 | 168.56 | 2,697 |
| AM Peak Hour | | | 12.07 | 193 |
| PM Peak Hour | | | 13.86 | 222 |

*(heaviest 60 minutes)*

| **Proposed Expansion** | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | GAS/SERVICE STATIONS [VEH. FUEL POSTIONS] | 8 | 168.56 | 1,348 |
| AM Peak Hour | | | 12.07 | 97 |
| PM Peak Hour | | | 13.86 | 111 |

*(heaviest 60 minutes)*

| | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | GENERAL OFFICE BUILDING [1000 SF] | 2.4 | 11.01 | 26 |
| AM Peak Hour | | | 1.55 | 4 |
| PM Peak Hour | | | 1.49 | 4 |

| **Total** | DESCRIPTION | #UNIT | | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | GAS/SERVICE STATIONS [VEH. FUEL POSTIONS] | 24 | 168.56 | 4,072 |
| AM Peak Hour | | | 12.07 | 293 |
| PM Peak Hour | | | 13.86 | 336 |

*(heaviest 60 minutes)*

| **Net Increase** | DESCRIPTION | #UNIT | | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | GAS/SERVICE STATIONS [VEH. FUEL POSTIONS] | 8 | 168.56 | 1,375 |
| AM Peak Hour | | | 12.07 | 100 |
| PM Peak Hour | | | 13.86 | 114 |

**Existing traffic on all nearby streets:**

| **Charleston Boulevard** | |
|---|---|
| Average Daily Traffic (ADT) | 34,213 |
| PM Peak Hour *(heaviest 60 minutes)* | 2,737 |

| **Eastern Avenue** | |
|---|---|
| Average Daily Traffic (ADT) | 33,050 |
| PM Peak Hour *(heaviest 60 minutes)* | 2,644 |

| **Fremont Street** | |
|---|---|
| Average Daily Traffic (ADT) | 11,963 |
| PM Peak Hour *(heaviest 60 minutes)* | 957 |

**Traffic Capacity of adjacent streets:**

| | Existing Street Capacity |
|---|---|
| Charleston Boulevard | 51,800 |
| Eastern Avenue | 51,800 |
| Fremont Street | 34,500 |

This project will add approximately 1,375 trips per day on Charleston Blvd., Eastern Ave. and Fremont St. Charleston is currently at about 66 percent of capacity, Eastern is at about 64 percent of capacity and Fremont is at about 35 percent of capacity. After this expansion, Charleston is expected to be at about 69 percent of capacity, Eastern at about 66 percent of capacity and Fremont at about 39 percent of capacity.

Based on Peak Hour use, this development will add roughly 114 additional cars into the area, which works out to about two every minute.

Note that this report assumes all traffic from this development uses all named streets.

City of Las Vegas Agenda Item No.: **22.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

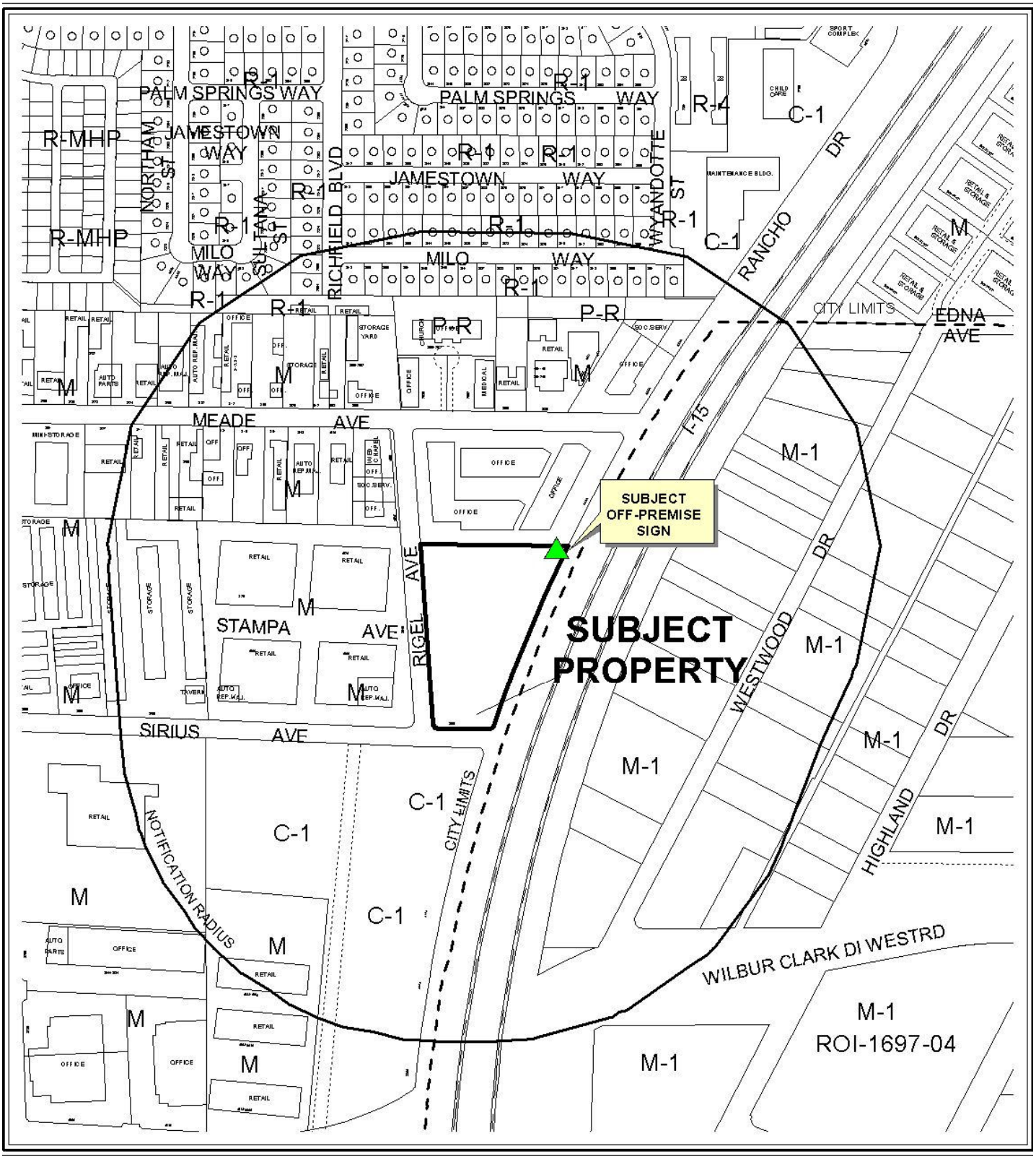
**SUBJECT:**
ABEYANCE - RQR-41171 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC - Required Review of a previously approved Special Use Permit (U-0168-92) WHICH ALLOWED A 40-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 2900 Sirius Avenue (APN 162-08-702-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **3** | **Planning Commission Mtg.** | **6** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for RQR-26324
6. Protests/Support Postcards




0 300 600 Feet

**CASE:** **RQR-41171**

**RADIUS:** 1000 FEET

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

N



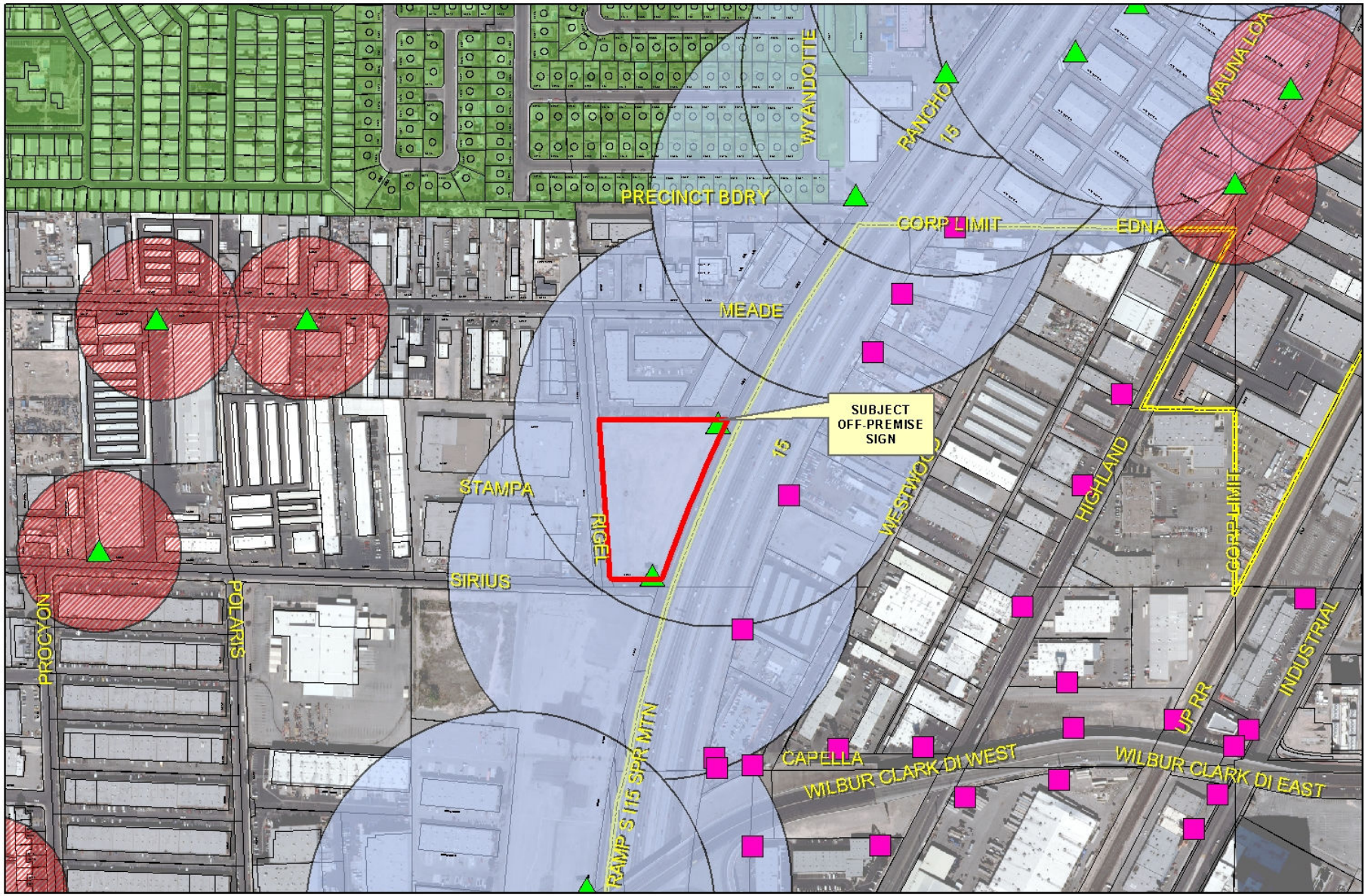

0 300 600 Feet

**CASE:** **RQR-41171**

**RADIUS:** 1000 FEET

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

N




**RQR-41171**

- 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: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **RQR-41171** | Staff recommends DENIAL, subject to conditions: | N/A |

## ** CONDITIONS **

# RQR-41171 CONDITIONS

***Planning***

1. Conformance to the approved conditions for Special Use Permit (U-0168-92).

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

3. The sign faces shall be reduced to comply with the 14-foot by 48-foot size approved by Special Use Permit (U-0168-92) within 30 days of final approval.

4. 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.

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

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

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

**Staff Report Page One**
**June 14, 2011 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a Required Three-Year Review of an approved Special Use Permit (U-0168-92), which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2900 Sirius Avenue. This is the fourth Required Review since the initial approval of the Special Use Permit (U-0168-92). The Off-Premise Sign meets all provisions of Title 19 and conditions in the area have not changed significantly since the previous approval. However, one sign face has been enlarged without the required entitlements or permits and exceeds the approved dimensions of 14 feet by 48 feet. Therefore, staff recommends denial.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 12/18/74 | The Board of City Commissioners approved a Rezoning (Z-0056-74) from R-E (Residence Estates) to M (Industrial) on a property located north of Sirius Avenue between Interstate 15 and Rigel Avenue. The Planning Commission recommended approval. |
| 11/22/83 | The Planning Commission approved a Plot Plan Review [Z-0056-74(1)] to allow construction of a family entertainment complex to consist of two 18-hole miniature golf courses, a 50-game video arcade, a four flumed tubular water side, a two-flumed speed water slide, a nine-cage soft and hardball batting tent, a two-man and four-man "hi-ball" game, assorted kiddie rides including a "ball-crawl" and a central fast-food eatery on nine acres of land on property generally located on Rancho Road, between Sirius Avenue and Meade Avenue. |
| 09/12/92 | The City Council approved the Special Use Permit (U-0168-92) to allow a 40-foot tall, 14-foot by 48-foot Off Premise Sign on a property located at 2900 Sirius Avenue. The Board of Zoning Adjustment and staff recommended approval. |
| 06/15/94 | The City Council approved a Variance (V-0058-94) to allow a 40-foot tall, 14-foot by 48-foot Off-Premise Sign to be located 600 feet from another Off-Premise Sign where 750 feet is required at 2900 Sirius Avenue. The Board of Zoning Adjustment recommended approval, whereas the Planning Department staff recommended denial. |
| 11/10/97 | The City Council approved a Required Five Year Review [U-0168-92 (1)] of an approved Special Use Permit (U-0168-92), which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2900 Sirius Avenue. The Planning Commission and staff recommended approval. |

| | |
|---|---|
| 02/19/03 | The City Council approved a Required Five Year Review (RQR-1143) of an approved Special Use Permit (U-0168-92), which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2900 Sirius Avenue. The Planning Commission and staff recommended approval. |
| 11/03/04 | The City Council approved a General Plan Amendment (GPA-5097) to amend a portion of the Southeast Sector Plan of the General Plan from LI/R (Light Industrial/Research) to SC (Service Commercial) at the northwest corner of Rancho Drive and Sirius Avenue. The Planning Commission and staff recommended approval. |
| | The City Council approved related Rezoning (ZON-5103) from M (Industrial) to C-1 (Limited Commercial) on a property to the northwest corner of Rancho Drive and Sirius Avenue. The Planning Commission and staff recommended approval. The entitlement has expired as of 11/03/07. |
| | The City Council approved related Special Use Permit (SUP-5107) and Site Development Plan Review (SDR-5104) for a 50-story Mixed-Use Condominium project with 20,000 square feet of Retail uses adjacent to the northwest corner of Rancho Road and Sirius Avenue. The Planning Commission and staff recommended approval. This entitlement has expired as of 11/03/07. |
| 05/17/06 | The City Council approved a request to change the Future Land Use designation (GPA-9219) to Commercial; Mixed Use, Industrial, or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan Area and within the proposed Redevelopment Plan Expansion Area, which included the subject sites. The Planning Commission and staff recommended approval. |
| 10/04/06 | The City Council approved a request for an Extension of Time (EOT-16028) of an approved Rezoning (ZON-5103) from M (Industrial) to C-1 (Limited Commercial) on 5.25 acres adjacent to the northwest corner of Rancho Drive and Sirius Avenue. The Planning Department staff recommended approval. This entitlement has expired as of 11/03/07. |
| | The City Council approved a request for an Extension of Time (EOT-16026) of an approved Special Use Permit (SUP-5107) that allowed a 50-story, 560-foot tall Mixed-Use development on 5.25 acres adjacent to the northwest corner of Rancho Drive and Sirius Avenue. Planning Department staff recommended approval. This entitlement has expired as of 11/03/07. |
| | The City Council approved a request for an Extension of Time (EOT-16027) of an approved Site Development Plan Review (SDR-5104) that allowed a 50-story, 560-foot tall Mixed-Use Development containing 700 residential units and 20,000 square feet of Retail use on 5.25 acres adjacent to the northwest corner of Rancho Drive and Sirius Avenue. The Planning Department staff recommended approval. This entitlement has expired as of 11/03/07. |

| | |
|---|---|
| 05/07/08 | The City Council approved a Required Review (RQR-26324) of an approved Special Use Permit (U-0168-92) which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2900 Sirius Avenue. The Planning Commission and staff recommended approval. |
| 01/07/09 | The City Council approved a Required Review (RQR-30584) of a previously approved Variance (V-0058-94) to allow a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 600 feet from another Off-Premise Sign where 750 feet is the minimum separation required at 2900 Sirius Avenue. The Planning Commission and staff recommended approval. |
| 01/25/11 | The Planning Commission approved the request for a Site Development Plan Review (SDR-40437) for a Commercial Recreation/Amusement (Outdoor) Facility with waivers of all development and landscape requirements on 9.27 acres at 3012 South Rancho Drive and 2900 Sirius Avenue. The Planning Development staff recommended approval. |
| 05/10/11 | The Planning Commission voted to hold a Required Review (RQR-41171) of a previously approved Special Use Permit (U-0168-92) to allow a 40-foot tall, 14-foot by 48-foot Off-Premise Sign at 2900 Sirius Avenue in abeyance to the June 14, 2011 Planning Commission meeting at the applicant's request. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 09/07/05 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 08/04/94 | A building permit (#94342863) was issued to relocate an existing sign to the northeast corner on the property located at 2900 Sirius Avenue (U-0168-92). The permit was finalized on 03/06/95. |
| 08/11/94 | A building permit (#94343626) was issued for an Off-Premise Sign located at the southeast corner on the property located at 2900 Sirius Avenue (V-0058-94). The permit was finalized on 09/21/94. |

| ***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*** | |
|---|---|
| 05/19/11 | A field check was conducted by staff, where it was noted one sign face has been enlarged. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 4.39 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Vacant | SC (Service Commercial) | M (Industrial) |
| North | Office/Retail | C (Commercial) | M (Industrial) |
| South | Vacant | C (Commercial) | C-1 (Limited Commercial) |
| East | I-15 | ROW (Right-of-Way) | ROW (Right-of-Way) |
| West | Retail<br>Auto Repair Garage, Major | 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 (175 feet) | X | | Y |
| **Trails** | X | | Y |
| **Rural Preservation Overlay District** | | X | N/A |
| **Las Vegas Redevelopment Plan Area** | X | | Y |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## DEVELOPMENT STANDARDS

***Per sign standards contained in Title 19.14:***

| **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 or Public Right-of-Way. | Yes |
| Zoning | Off-Premise Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only | Zoned M (Industrial) | Yes |
| Area | No Off-Premise Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet. | One sign face has been enlarged and exceeds 672 square feet. | No |
| Height | No higher than 40 feet from grade at the point of construction | 40 feet | Yes |
| Screening | All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view. | No additional screening is necessary. | Yes |
| Off-Premise Sign | At least 750 feet to another Off Premise Sign | There is another billboard on the subject site, 600 feet to the South. | Yes* |
| Off-Premise Sign | At least 300 feet to the nearest property line of a lot in any "R" zoned district. | Nearest residential is over 1350 feet away | Yes |

| | | | |
|---|---|---|---|
| Other | All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes. | The sign is a free standing sign on a presently undeveloped parcel. | Yes |

**An approved Variance (V-0058-94) allowed for an Off Premise Sign to be located 600 feet from another Off Premise sign where a 750-foot distance separation was required.*

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Rancho Drive | Secondary Collector | Master Plan of Streets and Highways | 80 | Y |
| Sirius Avenue | N/A | N/A | 60 | N/A |
| Rigel Avenue | N/A | N/A | 60 | N/A |
| Meade Avenue | N/A | N/A | 60 | N/A |

**ANALYSIS**

This is the fourth review of the subject Off-Premise Sign located at 2900 Sirius Avenue. The subject site is located within the Airport Overlay District, with a 175-foot height restriction. The existing Off-Premise Sign is 40 feet and complies with the requirements of the Overlay District. The Off-Premise Sign is located within the vacant property. A field check was conducted by staff on May 19, 2011, where it was observed one sign face has been enlarged.

**FINDINGS (RQR-41171)**

The subject sign conforms to the requirements of Title 19 and conditions of approval of Special Use Permit (U-0168-92). Conditions in the area have not changed significantly since approval of the Special Use Permit. However, one sign face has been enlarged without the required entitlements or permits and exceeds the approved dimensions of 14 feet by 48 feet; therefore, staff recommends denial.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 17

**NOTICES MAILED** 67

**APPROVALS** 3

**PROTESTS** 6

RG

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-41171** APN: 162-08-702-002

Name of Property Owner: Fisher Brothers Las Vegas LLC

Name of Applicant: Fisher Brothers Las Vegas LLC

Name of Representative: LIONEL SAWYER + COLLINS

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

☐ Yes ☑ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: WINSTON FISHER

Subscribed and sworn before me

This 25TH day of February, 2011

_____

Notary Public in and for said County and State

SUSAN ALARIO
Notary Public, State of New York
No. 01AL6204933
Qualified in Kings County
Term Expires April 27, 2013

RECEIVED
MAR 10 2011

Revised 11-14-06

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

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Required review of U-0168-92 (reference prior review RQR 26324)

**Project Address (Location)** 2900 Sirius Avenue, Las Vegas, Nevada 89102

**Project Name** Formerly the Scandia Family Fun Center **Proposed Use** Mixed Use

**Assessor's Parcel #(s)** 162-08-702-002 **Ward #** 1 - Lois Tarkanian

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

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

**Gross Acres** 5.32 **Lots/Units** _____ **Density** _____

**Additional Information** _____

**PROPERTY OWNER** Fisher Brothers Las Vegas, LLC **Contact** Eric Klemperer

**Address** 299 Park Avenue, 42nd Floor **Phone:** (212) 224-0358 **Fax:** _____

**City** New York **State** NY **Zip** 10171

**E-mail Address** EKLEMPERER@FISHERBROTHERS.com

**APPLICANT** Fisher Brothers Las Vegas LLC **Contact** Eric Klemperer

**Address** 299 Park Avenue, 42nd Floor **Phone:** (212) 224-0358 **Fax:** _____

**City** New York **State** NY **Zip** 10171

**E-mail Address** EKLEMPERER@FISHERBROTHERS.com

**REPRESENTATIVE** Lionel Sawyer & Collins **Contact** Lucas Tucker / Paul Larsen

**Address** 300 South 4th Street, Ste. 1700 **Phone:** (702) 383-8872 **Fax:** (702) 383-8845

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

**E-mail Address** ltucker@lionelsawyer.com

**Property Owner Signature*** _____

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

**Print Name** WINSTON FISHER

Subscribed and sworn before me

This 25TH day of February, 20 11.

Susan Alario

Notary Public in and for said County and State

SUSAN ALARIO
Notary Public, State of New York
No. 01AL6204933
Qualified in Kings County
Term Expires April 27, 2013

Revised 10/27/08

***FOR DEPARTMENT USE ONLY***

| | |
|---|---|
| Case # | RQR-41171 |
| Meeting Date: | ~~5/18/11 CC~~ 5/10/11 PC |
| Total Fee: | $800 |
| Date Received:* | 3/10/11 |
| 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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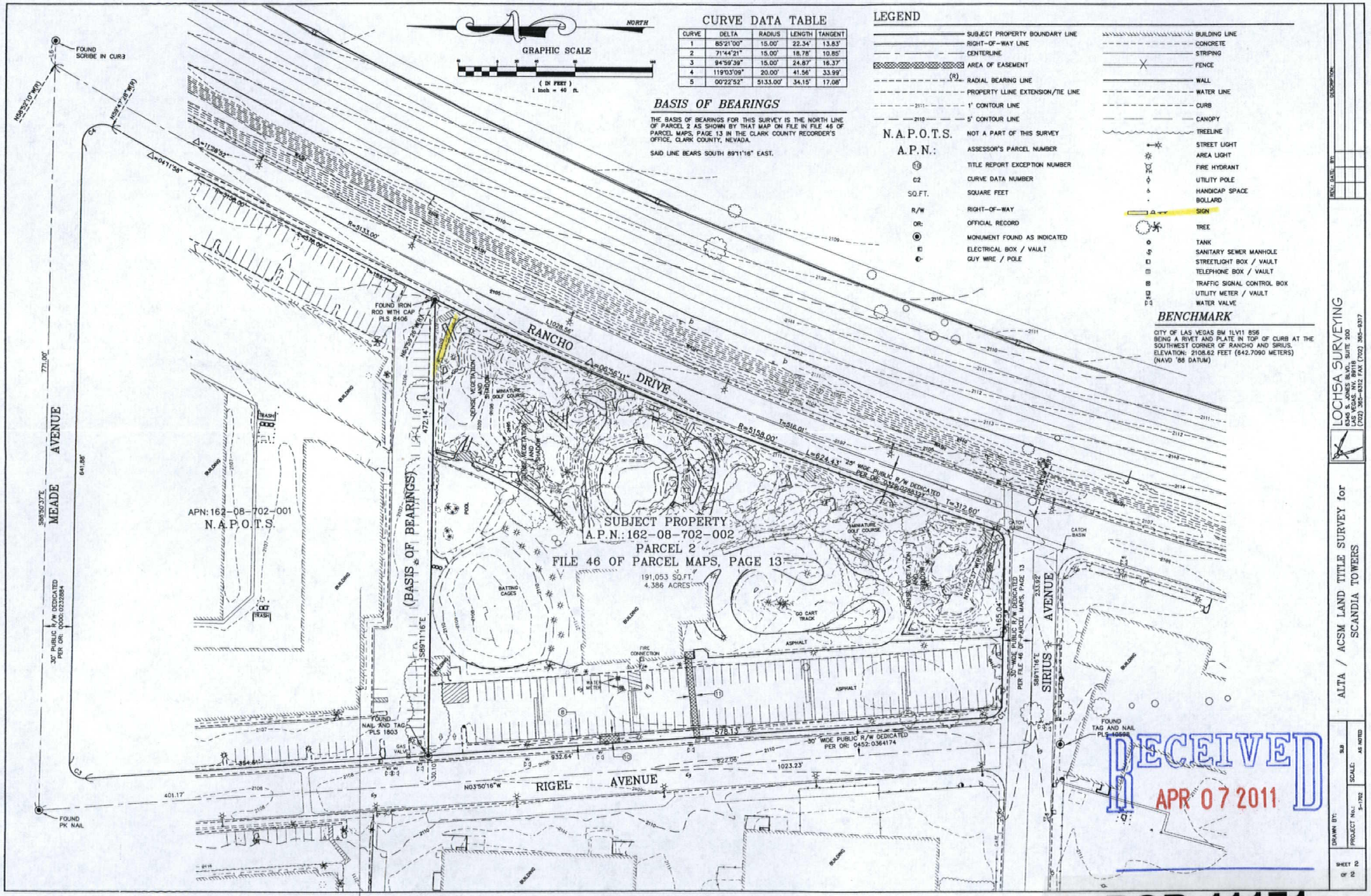
RECEIVED
MAR 10 2011

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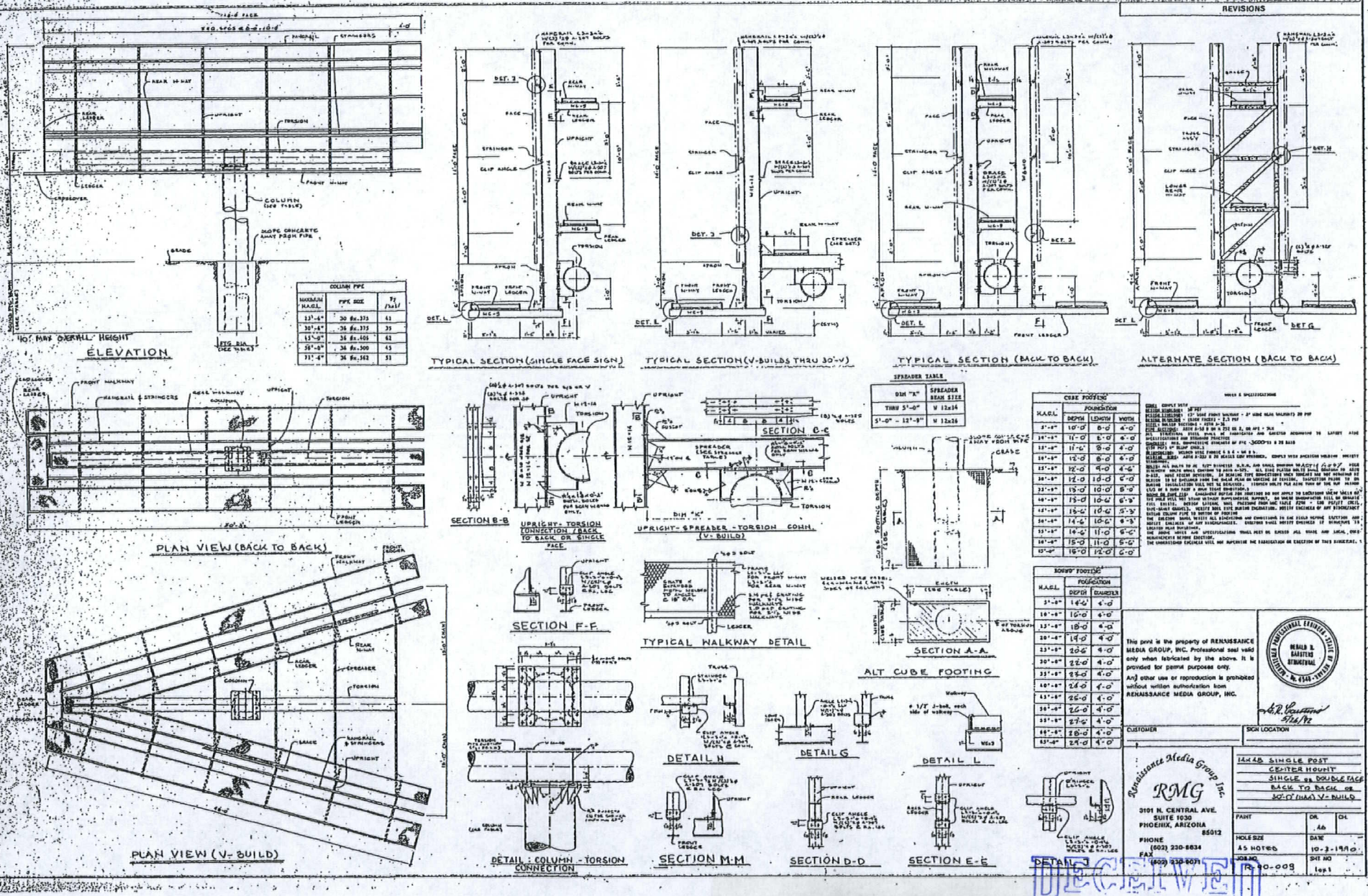


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MAR 10 2011

RQR-41171




**RQR-41171 - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC**
**2900 SIRIUS AVENUE**

05/19/11




**RQR-41171 - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC**
**2900 SIRIUS AVENUE**

05/19/11

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER

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

VOICE 702.229.6011
TDD 702 386.9108
www.lasvegasnevada.gov

June 5, 2008

Mr. Sonny Bilbar
Fisher Brothers Las Vegas, LLC
299 Park Avenue, 42nd Floor
New York, New York 10171

RE: RQR-26324 – REQUIRED REVIEW
CITY COUNCIL MEETING OF MAY 7, 2008

Dear Mr. Bilbar:

The City Council at a regular meeting held May 7, 2008 APPROVED the Required Review of an approved Special Use Permit (U-0168-92) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING SIGN (BILLBOARD) at 2900 Sirius Avenue (APN 162-08-418-002), M (Industrial) Zone. NOTE: THE CORRECT APN IS 162-08-702-002. THE SIGN IN REVIEW IS LOCATED AT THE NORTHEAST CORNER OF THE PROPERTY. ADDITIONAL NOTE: THE OWNER/APPLICANT IS FISHER BROTHERS LAS VEGAS, LLC.. The Notice of Final Action was filed with the Las Vegas City Clerk on May 8, 2008. This approval is subject to:

Planning & Development

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

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

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

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

RECEIVED
MAR 15 2011

**RQR-41171**

5. Deleted at City Council.

6. Any existing conditions of previous SDR approvals for the site regarding the billboard remain in effect.

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

Sincerely,

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

M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Lucas Tucker
Lionel Sawyer & Collins
1400 Bank of America Plaza
300 South 4th Street
Las Vegas, Nevada 89101

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MAR 15 2011

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

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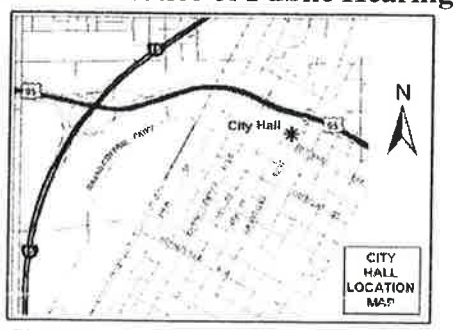
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

**RQR-41171**
Planning Commission Meeting of 5/10/2011

Case: RQR-41171
16208703001
MARTIN ROBERT E & KAYE
7045 LAREDO ST
LAS VEGAS NV 89117-3021

## Application Information

**RQR-41171 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC** - Required Review of a previously approved Special Use Permit (U-0168-92) WHICH ALLOWED A 40-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 2900 Sirius Avenue (APN 162-08-702-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

We Don't want Any more Bill Board Signs!

## Application Location



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

## Public Hearing Information

| | |
|---|---|
| **Meeting:** | Planning Commission |
| **Date:** | ***May 10, 2011*** |
| **Time:** | 6:00 P.M. |
| **Location:** | City Council Chambers<br>400 Stewart Avenue<br>Las Vegas, Nevada |

29P

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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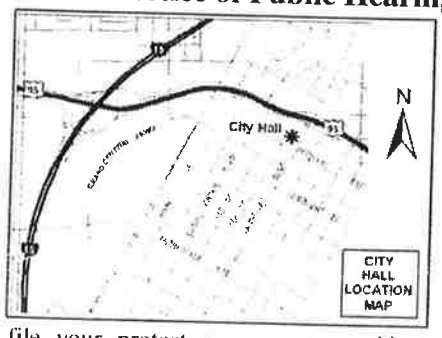


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☑ I OPPOSE this Request

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**RQR-41171**

Planning Commission Meeting of 5/10/2011

16208303008 Case: RQR-41171
MARTIN ROBERT E & KAYE B
7045 LAREDO
LAS VEGAS NV 89117-3021

18 BRDFN11 89117

## Application Information

**RQR-41171 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC** - Required Review of a previously approved Special Use Permit (U-0168-92) WHICH ALLOWED A 40-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 2900 Sirius Avenue (APN 162-08-702-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

No more Bill Boards!

## Application Location



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## Public Hearing Information

| | |
|---|---|
| **Meeting:** | Planning Commission |
| **Date:** | ***May 10, 2011*** |
| **Time:** | 6:00 P.M. |
| **Location:** | City Council Chambers<br>400 Stewart Avenue<br>Las Vegas, Nevada |

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PLANNING & DEVELOPMENT

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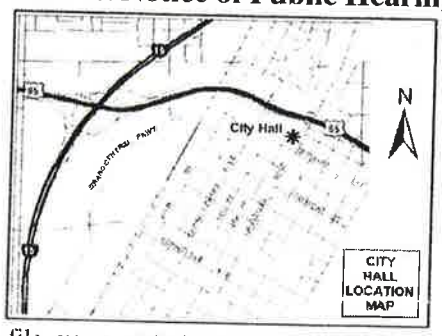


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**RQR-41171**
Planning Commission Meeting of 5/10/2011

Case: RQR-41171
16208301017
MARTIN ROBERT E & KAYE
7045 LAREDO
LAS VEGAS NV 89117-3021

## Application Information

**RQR-41171 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC** - Required Review of a previously approved Special Use Permit (U-0168-92) WHICH ALLOWED A 40-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE SIGN at 2900 Sirius Avenue (APN 162-08-702-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

We Do Not need Any more Bill Board Signs and There is A Bill Board Sign About 500 Feet From There. Why Do They Keep Reaping. We Don't Want Any More Signs!!!

Thank You

## Application Location



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

## Public Hearing Information

**Meeting:** Planning Commission
**Date:** *May 10, 2011*
**Time:** 6:00 P.M.
**Location:** City Council Chambers
400 Stewart Avenue
Las Vegas, Nevada

ZP

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May-03-2011 01:51pm From-FISHER BROTHERS +2129406234 T-542 P.001/001 F-546

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epartment of Planning
evelopment Services Center
53 North Rancho Drive, 3rd Floor
as Vegas, Nevada 89106

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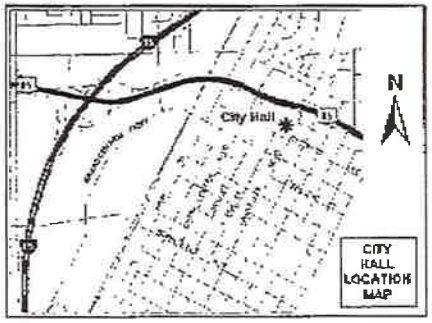


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QR-41171

lanning Commission Meeting of 5/10/2011

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PLANNING & DEVELOPMENT

Case: ROR-41171
16208212018
L V RESIDENTIAL HOLDINGS L L C
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

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May-03-2011 01:51pm From-FISHER BROTHERS +2129406234 T-542 P.001/001 F-545

of Las Vegas
artment of Planning
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North Rancho Drive, 3rd Floor
Vegas, Nevada 89106

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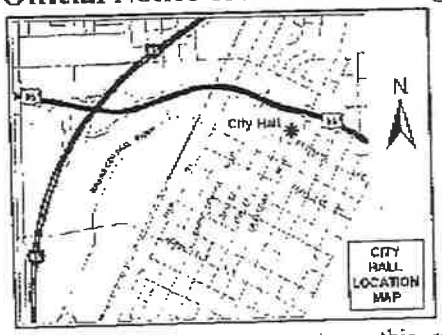


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[ ] I OPPOSE this Request

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CITY OF LAS VEGAS
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Case: RQR-41171
16208610072
SOUTHERN NV RENTAL HOLDINGS LLC
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

29A

May-03-2011 01:50pm From-FISHER BROTHERS +2129406234 T-541 P.001/001 F-544

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Development Services Center
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Las Vegas, Nevada 89106

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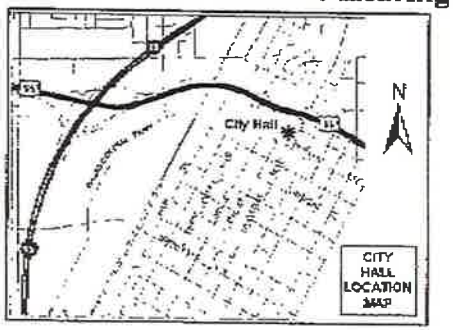


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PLANNING & DEVELOPMENT

Case: RQR-41171
16208610061
SOUTHERN NV RENTAL HOLDINGS LLC
299 PARK AVE 42ND FLOOR
NEW YORK NY 10171-4299

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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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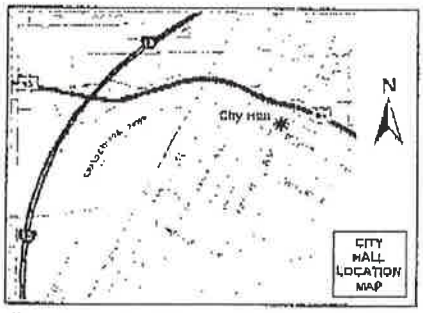


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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: RQR-41171

16208701008
TAOS LAND COMPANY LLC
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

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

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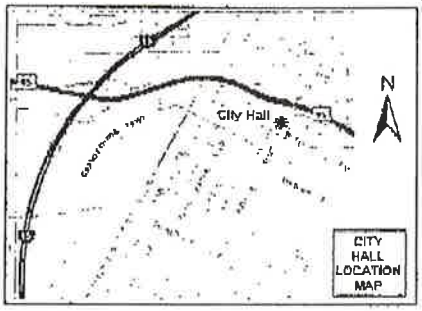


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Planning Commission Meeting of 5/10/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: RQR-41171
16208603003
PARADISE LAS VEGAS L L C
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

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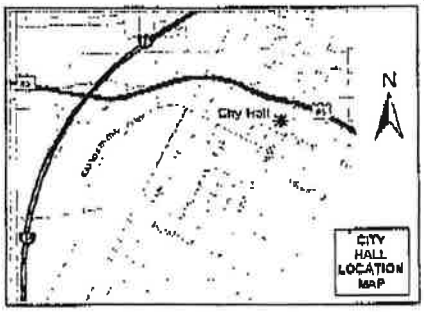


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SOUTHERN NV RENTAL HOLDINGS
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

29A

2 BRDFN11 10171

City of Las Vegas Agenda Item No.: **23.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

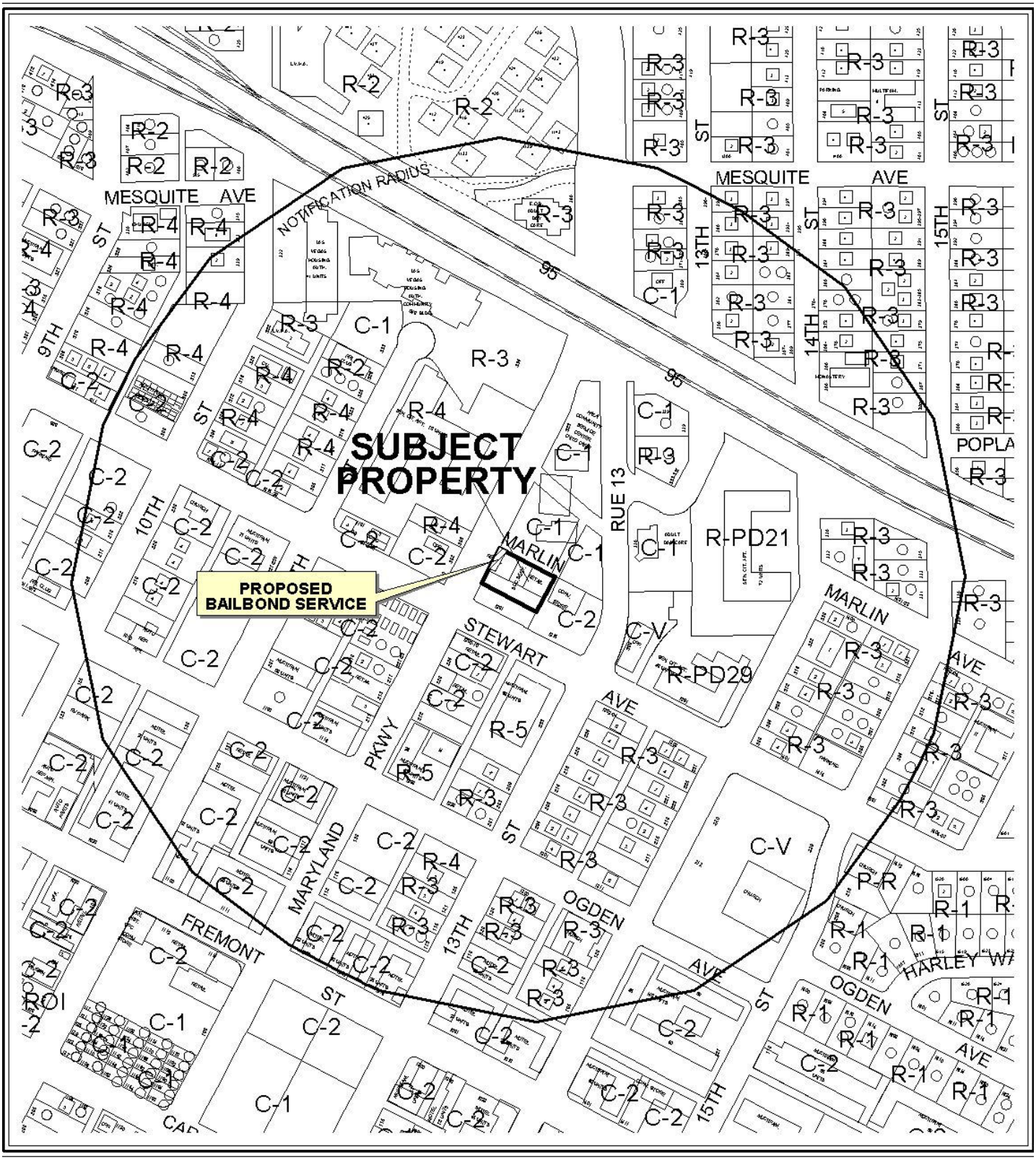
**SUBJECT:**
ABEYANCE - SUP-41278 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: BRIAN ALBISER - Request for a Special Use Permit FOR A BAILBOND SERVICE USE at 1201 Stewart Avenue, Suite #2 (APNs 139-35-211-073 and 074), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **3** | **Planning Commission Mtg.** | **0** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo
5. Justification Letter
6. Protest Postcards




**CASE:** **SUP-41278**

**RADIUS:** 1000 FT

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




0 300 600 Feet

**CASE:** **SUP-41278**

**RADIUS:** 1000 FT

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

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: BRIAN ALBISER**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-41278** | Staff recommends DENIAL, if approved subject to conditions: | |

## ** CONDITIONS **

# SUP-41278 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.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Bailbond Service located at 1201 Stewart Avenue, Suite 2 in an existing strip mall. The applicant is proposing to operate a 1,000 square-foot Bailbond Service office at the subject location. Currently, the suite is vacant. The proposed Bailbond Service is not compatible and harmonious with the existing surrounding land uses as this service is better located near the Regional Justice Center, Federal Courthouse and Jail; therefore, staff is recommending denial of this request.

## ISSUES

- A Bailbond Service is permitted in a C-2 (General Commercial) district with an approved Special Use Permit.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 06/13/63 | The City Council approved Rezoning (Z-0096-63) from R-4 (High Density Residential) to C-2 (General Commercial) at 1201 Stewart Avenue. The Planning Commission and Staff recommended approval. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 03/08/02 | A deed was recorded for a change in ownership for both parcels (APNs 139-35-211-073 and 074). |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 04/14/03 | A Business License (M01-04235-4-060221) was issued for a Janitorial Service at 1201 Stewart Avenue, Suite 2. Went out of business on 07/10/09. |
| 01/26/10 | A Business License (C11-09560-I-135584) was issued for a Contractor at 1201 Stewart Avenue, Suite 2. License is still active. |
| 06/01/10 | A Business License (M01-08903-1-129525) was issued for a Janitorial Service at 1201 Stewart Avenue, Suite 2. |
| 07/08/10 | A Business License (L33-01087-G-143524) was issued for Lawn Maintenance at 1201 Stewart Avenue, Suite 2. |
| 08/09/10 | A Business License (M01-10513-2-150616) was issued for a Janitorial Service at 1201 Stewart Avenue, Suite 2. |

| ***Pre-Application Meeting*** | |
|---|---|
| 03/14/11 | Staff reviewed the requirements for a Special Use Permit application for a Bailbond Service with the applicant. |

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

| ***Field Check*** | |
|---|---|
| 03/31/11 | Staff visited the site and found a well maintained small strip mall development. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.49 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | General Retail | MXU (Mixed Use) | C-2 (General Commercial) |
| North | Office | MXU (Mixed Use) | C-1 (Limited Commercial) |
| South | General Retail | MXU (Mixed Use) | C-2 (General Commercial) |
| | Multi-Family Residential | | R-5 (Apartment) |
| East | Convenience Store | MXU (Mixed Use) | C-2 (General Commercial) |
| West | Multi-Family Residential | MXU (Mixed Use) | R-4 (High Density Residential) |
| | Office | | C-2 (General Commercial) |

| ***Special Purpose and Overlay Districts*** | ***Yes*** | ***No*** | ***Compliance*** |
|---|---|---|---|
| Live/Work Overlay District | X | | N/A |
| **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 |

YK

## 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 | |
| Bailbond Service | 1,000 sq. ft. | 1 space per 300 sq. ft. | 4 | | | | |
| Convenience Store | 1,000 sq. ft. | 1 space per 175 sq. ft. | 6 | | | | |
| Retail | 1,500 sq. ft. | 1 space per 175 sq. ft. | 9 | | | | |
| Office | 750 sq. ft. | 1 space per 300 sq. ft. | 3 | | | | |
| Barbershop | 1 Chair | 2 space per Chair | 2 | | | | |
| Laundromat | 2,000 sq. ft. | 1 space per 250 sq. ft. | 8 | | | | |
| **TOTAL SPACES REQUIRED** | | | 32 | | 25 | | Y * |
| **Regular and Handicap Spaces Required** | | | 30 | 2 | 23 | 2 | Y |

- The site is parking impaired.

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Stewart Avenue | Secondary Collector | Master Plan of Streets and Highways | 80 | Y |
| Maryland Parkway | Secondary Collector | Master Plan of Streets and Highways | 80 | Y |

## ANALYSIS

The proposed Bailbond Service will be located in Suite #2 that most recently housed the offices of a home and landscape maintenance business. The property is parking impaired and has seven parking space impairment based on the existing uses and standards. The proposed Bailbond Service is a less intense use than the previous use and therefore the parking is acceptable as it exists.

The entire strip mall and parking lot are located on two adjacent parcels (139-35-211-073 and 074). It is recommended that these two parcels should be remapped into one parcel to avoid future development issues.

Currently there are four active business licenses attached to this address. Staff conducted a site visit and found the suite to be vacant. It is unknown if these businesses relocated or went out of business.

The subject site is located in the Live/Work and Las Vegas Redevelopment Plan Overlays. This project will not be impacted by either one. The proposed use as a Bailbond Service requires a Special Use Permit within the C-2 (General Commercial) zone. There are no special conditions or minimum requirements related to the proposed use as a Bailbond Office. These types of services are better located near the Regional Justice Center, Federal Courthouse and Jail; therefore, staff recommends denial.

## FINDINGS (SUP-41278)

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 surrounding land use is intended for commercial and retail uses. The proposed use as a Bailbond Service is not harmonious with the surrounding development.

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

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

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

   The proposed Bailbond Service is located within a commercial strip mall that has access to Maryland Parkway and Stewart Avenue, both of which are identified on the Master Plan of Streets and Highways as 80-foot Secondary Collectors. These roads have adequate capacity to serve 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 Bailbond Service is a state licensed business, and the site would be subject to inspections. Therefore, it would not compromise public health and safety.

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

   There are no minimum requirements associated with the proposed Bailbond Service use.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 33

**NOTICES MAILED** 175

**APPROVALS** 0

**PROTESTS** 2

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41278** APN: 139-35-511-073

Name of Property Owner: Brian Albiser

Name of Applicant: Jackson Hamilton

Name of Representative: _____

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Brian Albiser

Subscribed and sworn before me

This 17th day of March, 2011

_____

Notary Public in and for said County and State

CATALINA VILLANUEVA
Notary Public State of Nevada
No. 02-74766-1
My appt. exp. July 15, 2013

RECEIVED
MAR 23 2011
City of Las Vegas

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Jackson Hamilton

**Project Address (Location)** 1201 Stewart - Suite 2 - 89101

**Project Name** Innocent Bail Bond **Proposed Use** Bail Bond Service / Office

139-35-211-013

**Assessor's Parcel #(s)** 202 - Block 5 - Lot 5 **Ward #** 5 Barlow

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

**Commercial Square Footage** 1,000 Sq Ft (±) **Floor Area Ratio** _____

**Gross Acres** .5 **Lots/Units** 8 **Density** _____

**Additional Information** _____

**PROPERTY OWNER** Brian Albiser **Contact** _____

**Address** 805 Shetland Rd **Phone:** (702) 271-4231 **Fax:** _____

**City** Las Vegas **State** N.V **Zip** 89107

**E-mail Address** BAlbiser@AOL.Com

**APPLICANT** Same **Contact** _____

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

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

**E-mail Address** _____

**REPRESENTATIVE** _____ **Contact** _____

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

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

**E-mail Address** _____

X

**Property Owner Signature*** Brian Albiser

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

**Print Name** Brian Albiser

Subscribed and sworn before me

This 17th day of March, 20 11.

Notary Public in and for said County and State

CATALINA VILLANUEVA
Notary Public State of Nevada
No. 02-74766-1
My appt. exp. July 15, 2013

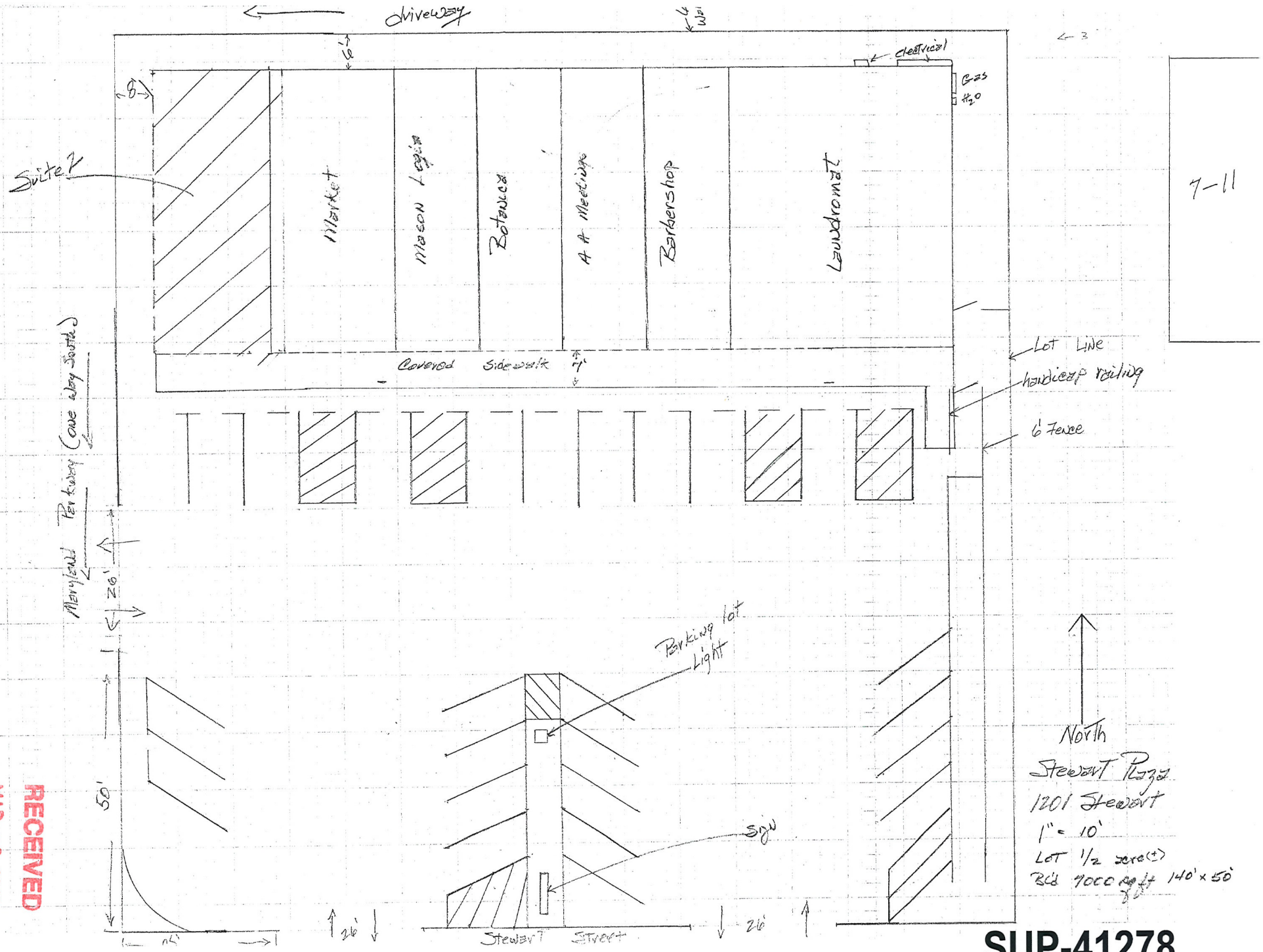
*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| **Case #** | Sup-41278 |
| **Meeting Date:** | 5-10-11 |
| **Total Fee:** | 1030 |
| **Date Received:*** | 3-23-11 |
| **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

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

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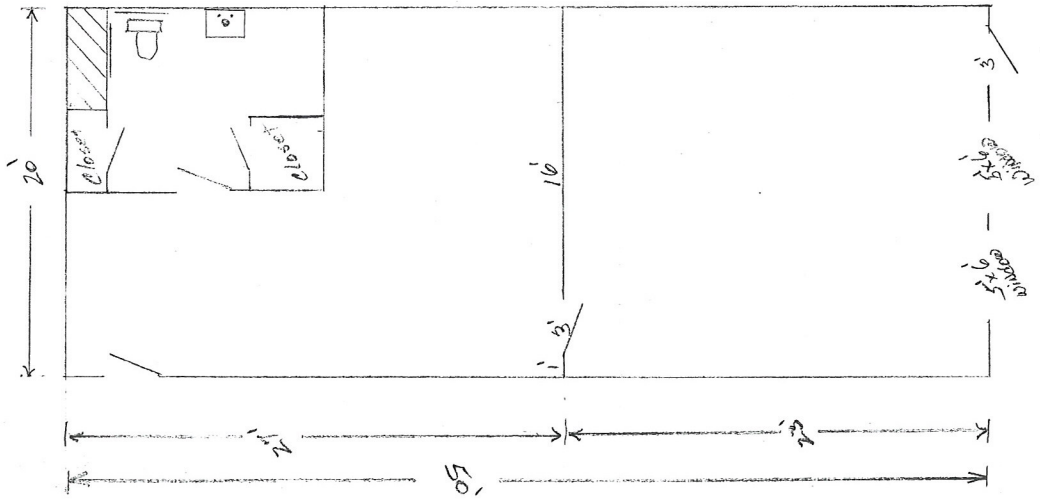
MAR 23 2011
City of Las Vegas

SUP-41278

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City of Las Vegas

**SUP-41278**




**SUP-41278 - APPLICANT/OWNER: BRIAN ALBISER**
**1201 STEWART AVENUE, SUITE #2**

03/31/11

# BRIAN ALBISER

805 Shetland road
Las Vegas, Nevada 89102
Phone (702) 878-5309
Cell (702) 271-4231
Balbiser@aol.com


March 22, 2011

To Whom it May Concern:

Re: Prospective tenant Jackson Hamilton - "Innocent Bail Bonds Inc."

This justification letter is written in response to the Planning Departments pre-application conference request form for a special use permit.

In looking at all the foreclosures, bankruptcies and un-employment, I realize that landlords such as myself need to take advantage of any opportunity to rent a vacant space. Fortunately Mr. Jackson Hamilton, owner of "Innocent Bail Bonds" has chosen to relocate his office to my center replacing "Escretorio Publico" an accountant who had occupied the space for many years.

The on-site parking requirement is the same 4 spaces. Total tenant parking requirements indicate 30 spaces are needed, twenty seven are available. The fact that the Mason's lodge and Alcoholics Anonymous only meet in the evening when other businesses are closed mitigates parking demand.

Sincerely,

Brain Albiser
Owner, Stewart Plaza,
1201 Stewart,
Las Vegas, Nevada 89101.


RECEIVED
MAR 23 2011
City of Las Vegas

SUP-41278

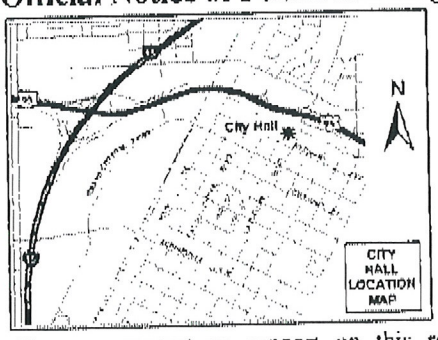
City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.41⁴
0004279218 APR 28 2011
MAILED FROM ZIP CODE 89101

**Return Service Requested**

**Official Notice of Public Hearing**




RECEIVED
MAY 2 2011
CITY OF LAS VEGAS
PLANNING & DEV.

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-41278**

Planning Commission Meeting of 5/10/2011

Case: SUP-41278

13935210019
NELSON FAMILY TRUST
5030 ALTA CANYADA RD
LA CANADA CA 91011-1735

37P

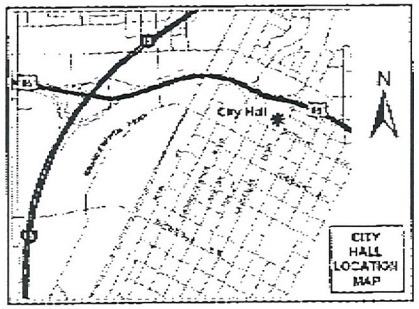
City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.41[4]
0004279218 APR 28 2011
MAILED FROM ZIPCODE 89101

**Return Service Requested**

**Official Notice of Public Hearing**

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-41278**

Planning Commission Meeting of 5/10/2011

RECEIVED
MAY 3 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-41278

13935211018
HOME OWNERSHIP INVEST MGT CORP
%F FARMAND
2417 EVERGREEN FOREST CT
WILDWOOD MO 63011-1841

2 BRDFN11 63011

378

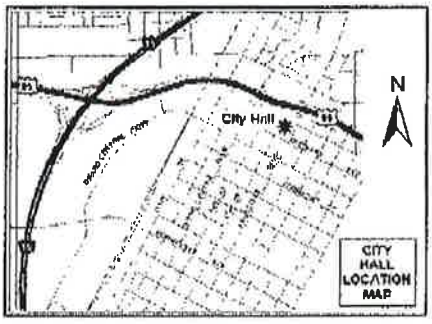
MAY-03-2011(TUE) 08:01 AA MORTGAGE CORP. (FAX)6362078244 P.001/001

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 $ 00.41⁴
0004279218 APR 28 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.

**SUP-41278**

Planning Commission Meeting of 5/10/2011

RECEIVED
MAY 4 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-41278

13935210004
NELSON FAMILY TRUST
5030 ALTA CANYON RD
LA CANADA CA 91011-1735

9101 81735 C005

37P

City of Las Vegas Agenda Item No.: **24.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

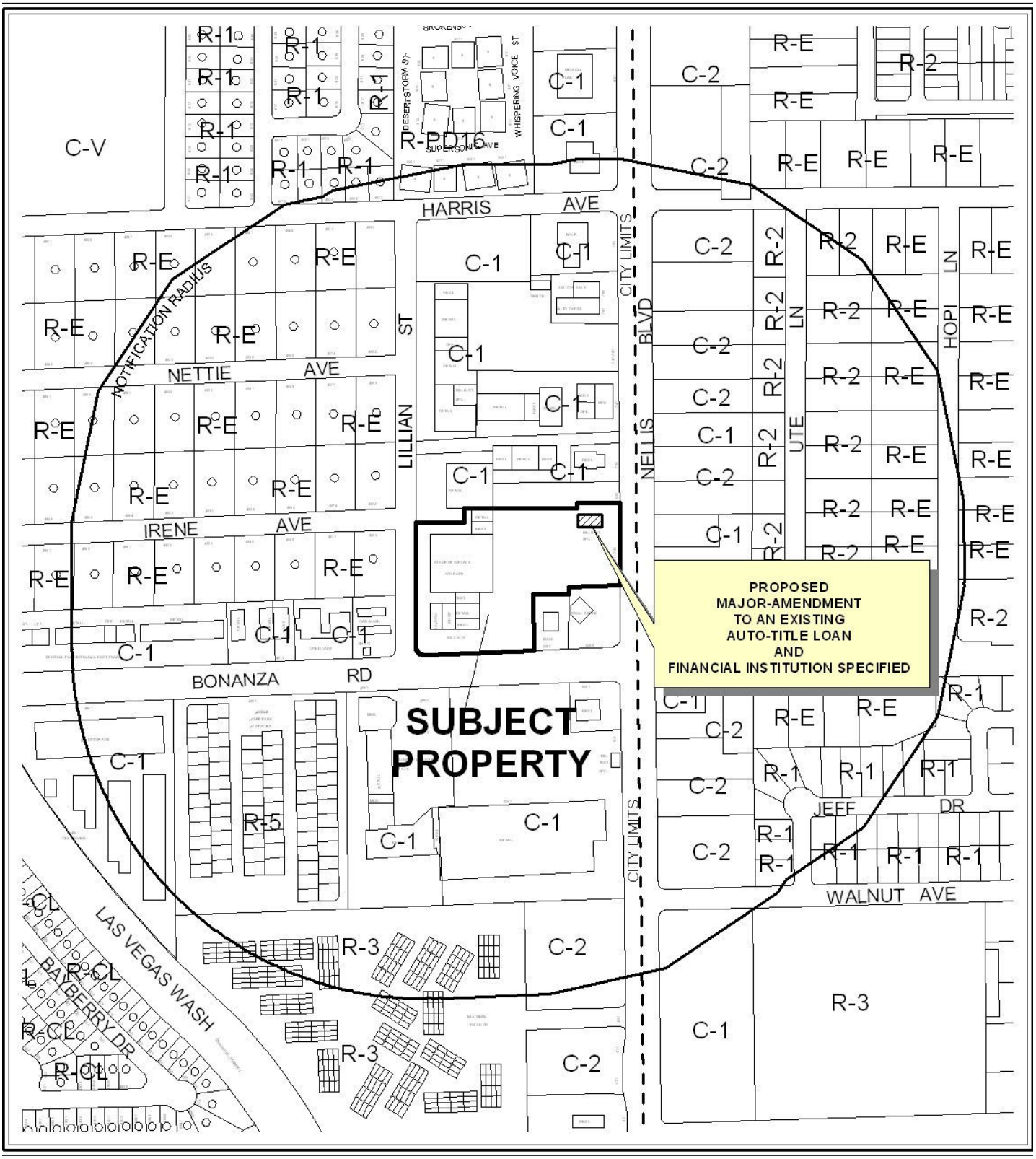
**SUBJECT:**
ABEYANCE - SUP-41289 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC. - Request for a Major Amendment to a previously approved Special Use Permit (SUP-19645) TO ALLOW 24-HOUR OPERATIONS FOR AN EXISTING AUTO TITLE LOAN ESTABLISHMENT AND FINANCIAL INSTITUTION, SPECIFIED WHERE HOURS OF OPERATION FROM 8:00 A.M.TO 11:00 P.M. ARE PERMITTED at 631 North Nellis Boulevard (APN 140-29-802-009), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **5** | **Planning Commission Mtg.** | **1** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
Staff recommends DENIAL.

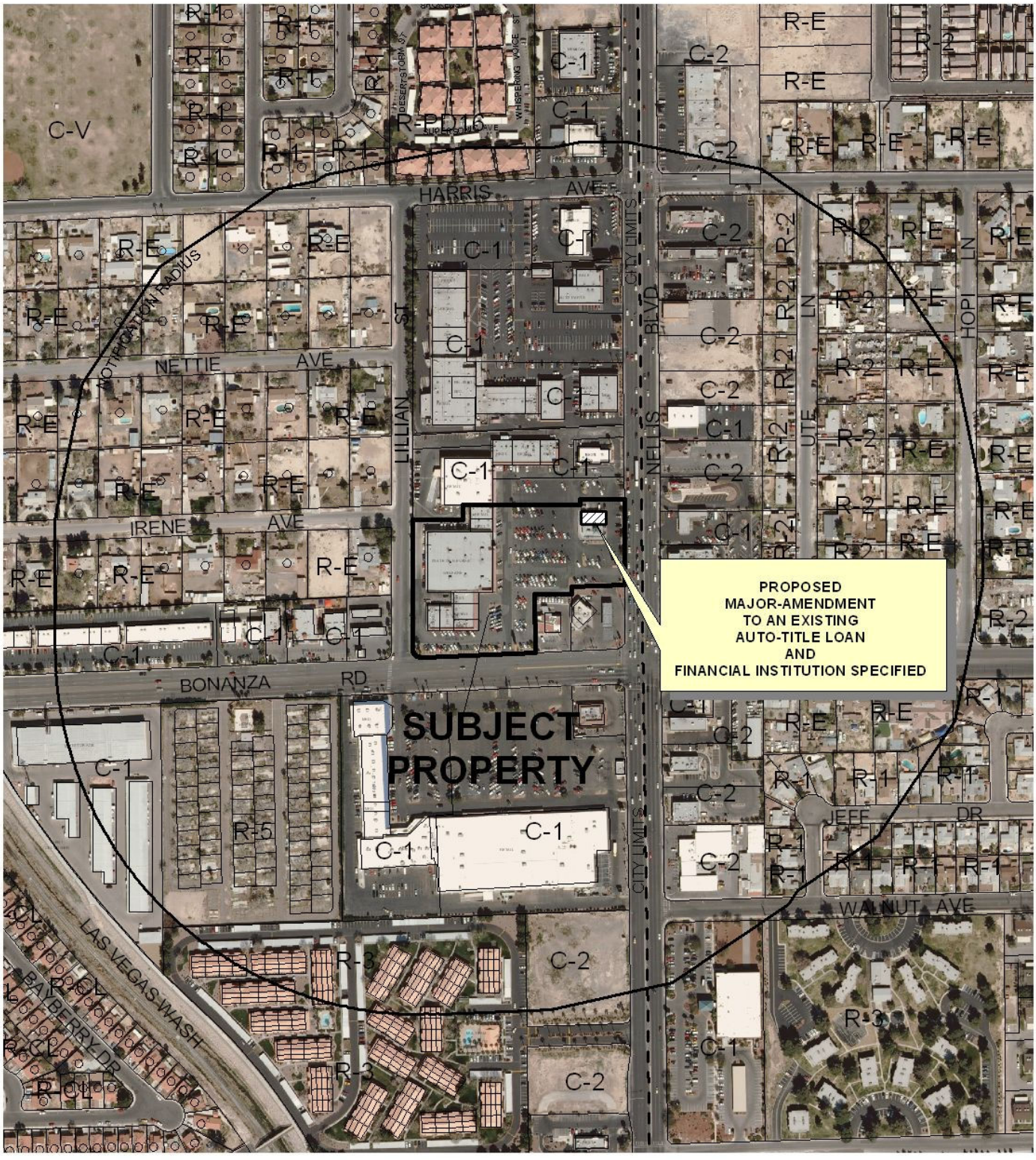
**BACKUP DOCUMENTATION:**
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards




**CASE:** **SUP-41289**

**RADIUS:** 1000 FT

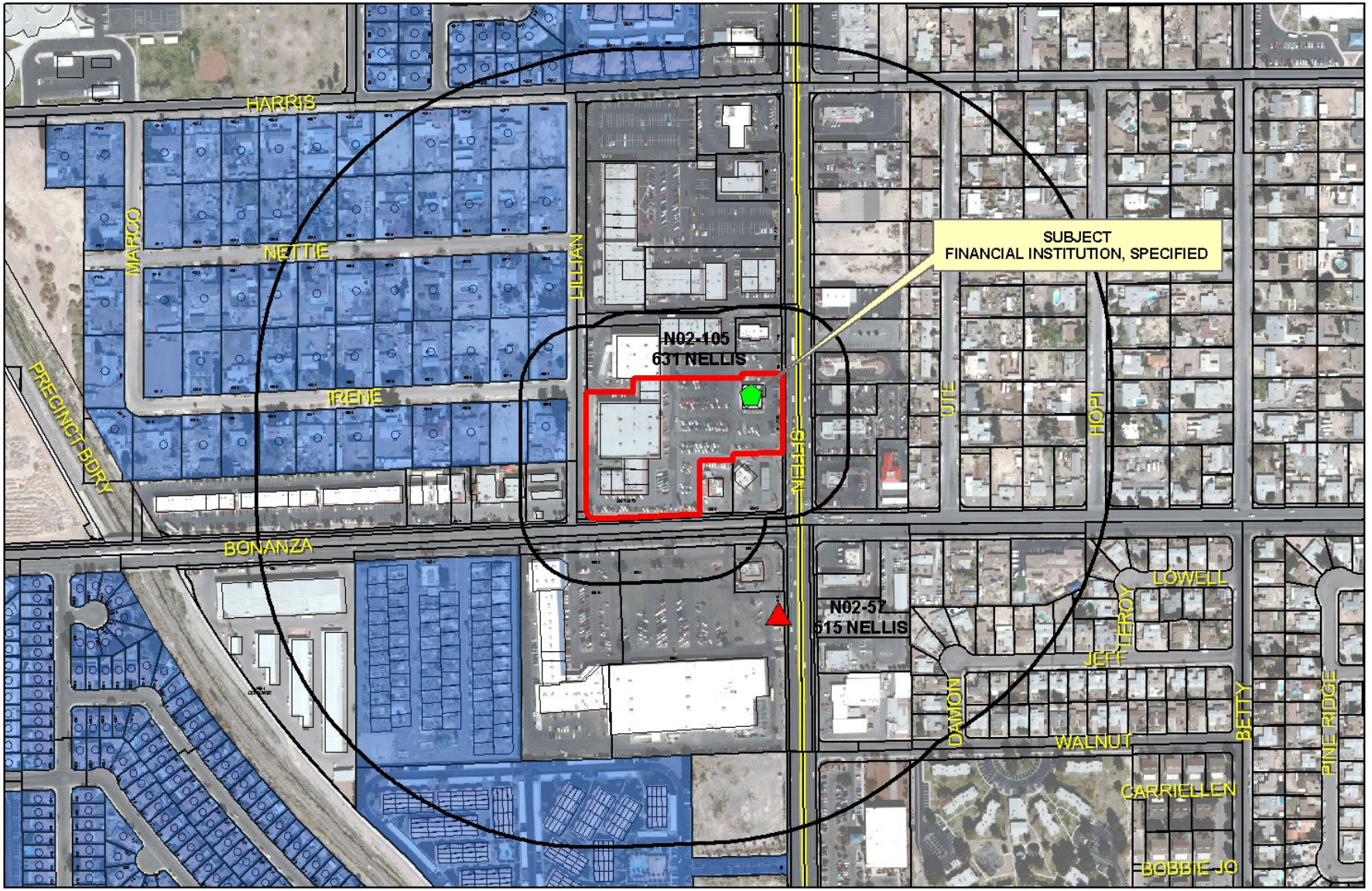
**ZONING OF SUBJECT PROPERTY:** C-1 (LIMITED COMMERCIAL)




**CASE:** **SUP-41289**

**RADIUS:** 1000 FT

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




**SUP-41289**
**Financial Institution**

**Financial Business Locations**

- Financial Institution, Specified
- Pawnshops
- Automobile Title Loan

- Subject Property
- Residential Property
- 200ft & 1000ft Buffer

0 250 500 1,000 Feet

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC.**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-41289** | Staff recommends DENIAL, if approved subject to conditions: | N/A |

## ** CONDITIONS **

# SUP-42189 CONDITIONS

***Planning***

1. Conformance to the approved conditions for Special Use Permit (SUP-19645) and Site Development Plan Review (SDR-19648), 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 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 Major Amendment of a previously approved Special Use Permit (SUP-19645) to allow 24-hour operations at an existing Auto Title Loan and Financial Institution, Specified located at 631 North Nellis Boulevard. Staff is recommending denial of this application because the proposed use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, as evidenced by the request to extend the hours of operation from 8:00 a.m. to 11:00 p.m. If this request is denied, the existing Auto Title Loan and Financial Institution, Specified hours of operation will remain from 8:00 a.m. to 11:00 p.m.

## ISSUES

- Approval of a Major Amendment of Special Use Permit (SUP-19645) is required to extend the hours of operation to 24 hours at an existing Auto Title Loan and Financial Institution, Specified where the hours of operation allowed are from 8:00 a.m. to 11:00 p.m.
- This item has been deemed a Project of Regional Significance.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 09/06/72 | The City Council approved a Rezoning (Z-0062-72) from R-E (Residence Estates) to C-1 (Limited Commercial) on approximately 10 acres on the northwest corner of Bonanza Road and Nellis Boulevard. Planning Commission and staff recommended approval. |
| 08/10/78 | The Planning Commission considered a request for a Plot Plan Review (Z-0062-72) to allow a shopping center on property located at the northwest corner of Nellis Boulevard and Bonanza Road. |
| 04/18/07 | The City Council approved a Special Use Permit (SUP-19645) for an Auto Title Loan and Financial Institution, Specified, with a Waiver to allow a distance separation of 60 feet from residential zoned property where 200 feet is required and a Waiver to allow a distance separation of 100 feet from an existing financial institution, specified where 1,000 feet is required at 631 North Nellis Boulevard. Planning Commission and staff recommended approval. |

| | |
|---|---|
| 04/18/07 | The City Council approved a Major Amendment (SDR-19648) to approved Site Development Plan Review (Z-0062-72) for a 1,500 square foot addition to an existing 2,009 square foot commercial building with drive-through to be sited within an existing shopping center at 631 North Nellis Boulevard. The Planning Commission and staff recommended approval. |
| 05/19/10 | The City Council approved a Special Use Permit (SUP-37626) to add a Jewelry Store, Class III use within an existing 3,509 square-foot Auto Title Loan Establishment at 631 North Nellis Boulevard. The Planning Commission and staff recommended approval. |
| 05/10/11 | The Planning Commission voted to hold Special Use Permit (SUP-41289) to allow 24-hour operation for an existing Auto Title Loan and Financial Institution, Specified where hours of operation from 8:00 a.m. to 11:00 p.m. are permitted at 631 North Nellis Boulevard in abeyance to the June 14, 2011 Planning Commission meeting at the applicant's request. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 02/27/97 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 12/07/01 | A building permit (#01021239) was issued for Certificate of Occupancy - Tenant Improvement for an office building at 631 North Nellis Boulevard. The permit was finaled on 4/02/02. |
| 09/11/01 | A business license (C21-01122) was issued for a Check Cashing/Deferred Deposit at 631 North Nellis Boulevard. The license was marked out of business on 8/05/09. |
| 08/20/02 | A business license (F14-00047) was issued for an Auto Title Loan at 631 North Nellis Boulevard. The business license was reclassified as (N02-00105) Non-Depository Lender and Auto Title Loan on 09/10/09. |
| 11/01/07 | A building permit (#07003121) was issued for Certificate of Completion for a 1,500 square-foot office building addition with drive-through at 631 North Nellis Boulevard. The permit was finaled on 6/25/08. |
| 07/09/08 | A building permit (#118085) was issued for a Tenant Improvement at 631 North Nellis Boulevard. The permit was finaled on 1/02/09. |
| 05/28/09 | A business license (W10-00316) was issued for a Wire Service at 631 North Nellis Boulevard. The license is currently active. |
| 09/10/09 | A business license (N02-00105) was issued for a Non-Depository Lender and Auto Title Loan business at 631 North Nellis Boulevard. The license is currently active. |
| 02/11/10 | A Code Enforcement case (#97952) was created for illegal signage and a 24 hour business, where from 8:00 a.m. to 11 p.m. is the minimum requirement at 631 North Nellis Boulevard. The case is currently active. |

| ***Pre-Application Meeting*** | |
|---|---|
| 03/07/11 | A pre-application meeting was held with the applicant where the submittal requirements for a Major Amendment to a Special Use Permit to modify the hours of operation to 24 hours. |

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

| ***Field Check*** | |
|---|---|
| 03/31/11 | During a site inspection staff observed the trash dumpster located outside the trash enclosure and the enclosure doors open. All illegal and unpermitted signage has been removed. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 4.56 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| North | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| South | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| East | Shopping Center | Clark County | Clark County |
| West | Single-Family Residential | R (Rural Density Residential) | R-E (Residential Estates) |
| | Car Wash and Auto Smog Check | SC (Service Commercial) | C-1 (Limited Commercial) |

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

**DEVELOPMENT STANDARDS**

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

***Pursuant to Title 19.10, the following parking standards apply:***

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| | | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | | *Parking* | | *Parking* | | |
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Parking Ratio*** | Regular | Handi-capped | Regular | Handi-capped | |
| Shopping Center | 54,556 SF | 1:250 SF | 219 | | 266 | | Y |
| **TOTAL SPACES REQUIRED** | | | 219 | | 266 | | Y |
| **TOTAL (With Handicapped)** | | | 212 | 7 | 259 | 7 | Y |

**ANALYSIS**

Prior to 2003, a Special Use Permit was not required for Financial Institution, Specified and Auto Title Loan uses and set hours of operation were not part of the requirements. A business license for a Financial Institution, Specified was issued in 2001, and operated on a 24-hour basis. The applicant was subsequently approved for a Special Use Permit (SUP-19645) on 04/18/07 for an Auto Title Loan and Financial Institution, Specified, which limited the applicant's hours from 8:00 a.m. to 11:00 p.m. Waivers of the distance separation from residentially zoned property and

a similar use were approved as part of this Special Use Permit. The applicant continued to operate as a 24-hour business until a code enforcement case (#97952) was opened and the applicant was informed of the approved hours of operation. The applicant is now requesting a Major Amendment to Special Use Permit (SUP-19645) to allow 24-hour operations at the existing site. As the majority of businesses in the immediate area do not have 24-hour operations and the applicant has provided no adequate justification for this request, staff recommends denial with conditions.

**FINDINGS (SUP-41289)**

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

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

   The proposed use cannot be conducted in a manner that is harmonious and compatible with the uses in the existing site and with the commercial uses on adjacent properties, due to hours of operation requested and the proximity to residential zoned property.

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

   The subject site is physically suitable for the type and intensity of the proposed use, but the expansion of hours of operation of the existing Financial Institution, Specified and Auto Title Loan uses is not appropriate.

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 Bonanza Road and Nellis Boulevard. Both streets are sufficient to accommodate the amount of vehicular trips associated with the proposed use.

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

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

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

The proposed use does not meet all Minimum Special Use Permit Requirements pursuant to Title 19.04. The applicant is requesting to expand the hours of operation to 24 hours, where 8:00 a.m. to 11:00 p.m. is allowed.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 7

**NOTICES MAILED** 223

**APPROVALS** 1

**PROTESTS** 5

JG

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41289** APN: 140-29-802-009

Name of Property Owner: Aleco Enterprises Inc

Name of Applicant: Check City

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: _____

Print Name: Robert Muraleash

Subscribed and sworn before me

This 14th day of March, 2011

Sylvia Daves Grieb

Notary Public in and for said County and State

SYLVIA DAVES GRIEB
COMM. #1884670
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires Apr. 27, 2014

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# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** an amendment current special use permit to allow 24 hours

**Project Address (Location)** NWC Nellis & Bonanza -- 631 N Nellis

**Project Name** Check City **Proposed Use** _____

**Assessor's Parcel #(s)** 140-29-802-009 **Ward #** _____

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

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

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

**Additional Information** an amendment to the special use permit to allow 24 hours

**PROPERTY OWNER** Aleco Enterprises Inc **Contact** Robert Munakash

**Address** 12111 La Casa Ln **Phone:** (310) 459-7645 **Fax:** _____

**City** Los Angeles **State** CA **Zip** 90049

**E-mail Address** _____

**APPLICANT** Check City **Contact** Jim Marchesi, Manager

**Address** 2640 Crimson Canyon Dr. **Phone:** (702) 258-8888 **Fax:** (702) 880-7779

**City** Las Vegas **State** NV **Zip** 89128

**E-mail Address** jtskee@aol.com

**REPRESENTATIVE** LAS CONSULTING **Contact** LUCY STEWART

**Address** 101 CONVENTION CTR #1002 **Phone:** (702) 258-8888 **Fax:** 946-0857

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

**E-mail Address** STEWPLAN@AOL.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 Munakash

Subscribed and sworn before me

This 7th day of March, 20 11.

Sylvia Daves Grieb

Notary Public in and for said County and State

SYLVIA DAVES GRIEB
COMM. #1884670
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires Apr. 27, 2014

BCT4

***FOR DEPARTMENT USE ONLY***

| | |
|---|---|
| **Case #** | SUP-41289 |
| **Meeting Date:** | 5/10/11 PC |
| **Total Fee:** | $1,030 |
| **Date Received:*** | 3/24/11 |
| **Received By:** | |

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*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

## SHEET INDEX


A1 PROJECT DATA and SITE PLAN
A2 EXISTING FLOOR PLAN, PROPOSED FLOOR PLAN
A3 FOUNDATION PROFILE, FOUNDATION DETAILS, ROOF PLAN
A4 REFLECTED CEILING PLAN, CEILING DETAILS
A5 EXTERIOR ELEVATIONS
A6 EXTERIOR ELEVATIONS
A7 CROSS SECTION, TYPICAL DETAILS

S- STRUCTURAL PLANS

E- ELECTRICAL PLANS

M- MECHANICAL PLANS

P- PLUMBING PLANS


## GENERAL NOTES

1. THESE DRAWINGS DO NOT INCLUDE THE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. SAFETY OF ALL PARTIES PRESENT ON THE JOBSITE IS THE CONTRACTOR'S JURISDICTION.

2. WRITTEN DIMENSIONS ALWAYS TAKE PRECEDENCE OVER SCALE ON THE CONSTRUCTION DOCUMENTS. DO NOT SCALE.

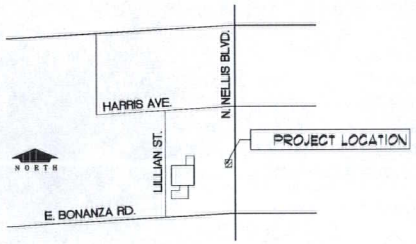
3. ALL MANUFACTURED ARTICLES, MATERIALS AND EQUIPMENT SHALL BE CONDITIONED, USED, APPLIED, INSTALLED, CONNECTED, ERECTED, AND CLEANED IN ACCORDANCE WITH THE MANUFACTURER'S WRITTEN SPECIFICATIONS OR INSTRUCTIONS.

4. THE GENERAL CONTRACTOR SHALL SUPERVISE AND DIRECT ALL WORK. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR ALL CONSTRUCTION AND/OR INSTALLATION METHODS, MEANS, TECHNIQUES, SEQUENCES, AND PROCEDURES FOR COORDINATION OF ALL PORTIONS OF THE REQUIRED WORK.

5. UNLESS NOTED OTHERWISE, THE GENERAL CONTRACTOR SHALL PAY FOR ALL FEES, LICENSES, PERMITS AND INSPECTIONS REQUIRED FOR PROPER EXECUTION OF THE WORK.

6. UNLESS NOTED OTHERWISE, THE GENERAL CONTRACTOR SHALL PROVIDE AND PAY FOR ALL LABOR, MATERIALS, EQUIPMENT, TOOLS, CONSTRUCTION EQUIPMENT, MACHINERY, PERMITS, TRANSPORTATION AND OTHER SERVICES AND FACILITIES NECESSARY FOR PROPER AND TIMELY EXECUTION OF THE REQUIRED WORK.

## VICINITY MAP




## ADA COMPLIANCE

WITH SPECIFIC RESPECT TO DESIGN REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT OF 1990 OR CERTIFIED STATE OR LOCAL ACCESSIBILITY REGULATION (ADA) WE REPRESENT THAT THESE DRAWINGS AND SPECIFICATIONS HAVE BEEN PREPARED IN THE REGULAR COURSE OF OUR PROFESSIONAL SERVICE TO THE BEST OF OUR KNOWLEDGE IN CONFORMANCE WITH KNOWN PUBLISHED, AND PREVAILING INTERPRETATION AND PRACTICES AT THE TIME OF DESIGN. COMPLIANCE WITH ADA IS A LEGAL MATTER AND NOT A DESIGN RESPONSIBILITY. THE CLIENT ACKNOWLEDGES THAT THE REQUIREMENTS OF THE ADA WILL BE SUBJECT TO VARIOUS AND POSSIBLY CONTRADICTORY INTERPRETATIONS. THE DESIGN PROFESSIONAL, THEREFORE, WILL USE HIS REASONABLE PROFESSIONAL EFFORTS AND JUDGMENT TO INTERPRET APPLICABLE ADA REQUIREMENTS AND OTHER FEDERAL, STATE AND LOCAL LAWS, RULES, CODE ORDINANCES AND REGULATIONS AS THEY APPLY TO THE PROJECT. THE DESIGN PROFESSIONAL, HOWEVER, CANNOT AND DOES NOT WARRANT OR GUARANTEE THAT THE CLIENT'S PROJECT WILL COMPLY WITH ALL INTERPRETATIONS OF THE ADA REQUIREMENTS AND/OR THE REQUIREMENTS OF OTHER FEDERAL, STATE AND LOCAL LAWS, RULES, CODES, ORDINANCES AND REGULATIONS AS THEY APPLY TO THIS PROJECT.

## PROJECT DATA

MUNICIPAL JURISDICTION: LAS VEGAS, NEVADA

**PROPOSED PROJECT DESCRIPTION:**

1500 SF TENANT ADDITION TO EXISTING STRUCTURE.

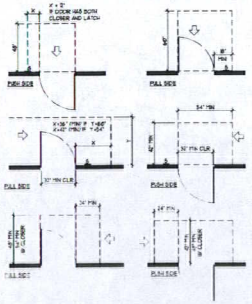
| | |
|---|---|
| I.B.C. | 2006 EDITION |
| ALLOWABLE FLOOR AREA: | 9,000 SQ. FT. |
| OCCUPANCY: | GROUP B |
| OCCUPANCY LOAD: | 1500 SQ. FT. @ 1:100 = 15 OCCUPANTS |
| CONSTRUCTION TYPE: | V-B |
| NUMBER OF STORIES: | 1 |
| BUILDING HEIGHT: | 25'-0" (ACTUAL) |
| SPRINKLERS: | YES |
| EXITS REQUIRED: | 2 |
| PARKING: | 1500 SQ. FT. @ 1:250 = 6<br>USE EXISTING 220 SPACES |

**EXISTING SHELL BLDG**

CONCRETE SLAB ON GRADE 2X FRAMED WALLS
BITUMIN ROOF ON WOOD DECK PRE-MFR'D ROOF TRUSSES

| | |
|---|---|
| I.B.C. | 2003 EDITION |
| OCCUPANCY: | B |
| CONSTRUCTION TYPE: | V-B |
| TENANT SPACE: | 2000 SQ FT |
| BUILDING HEIGHT: | NONE (1 STORY) |

## CLEARANCES AT DOORS

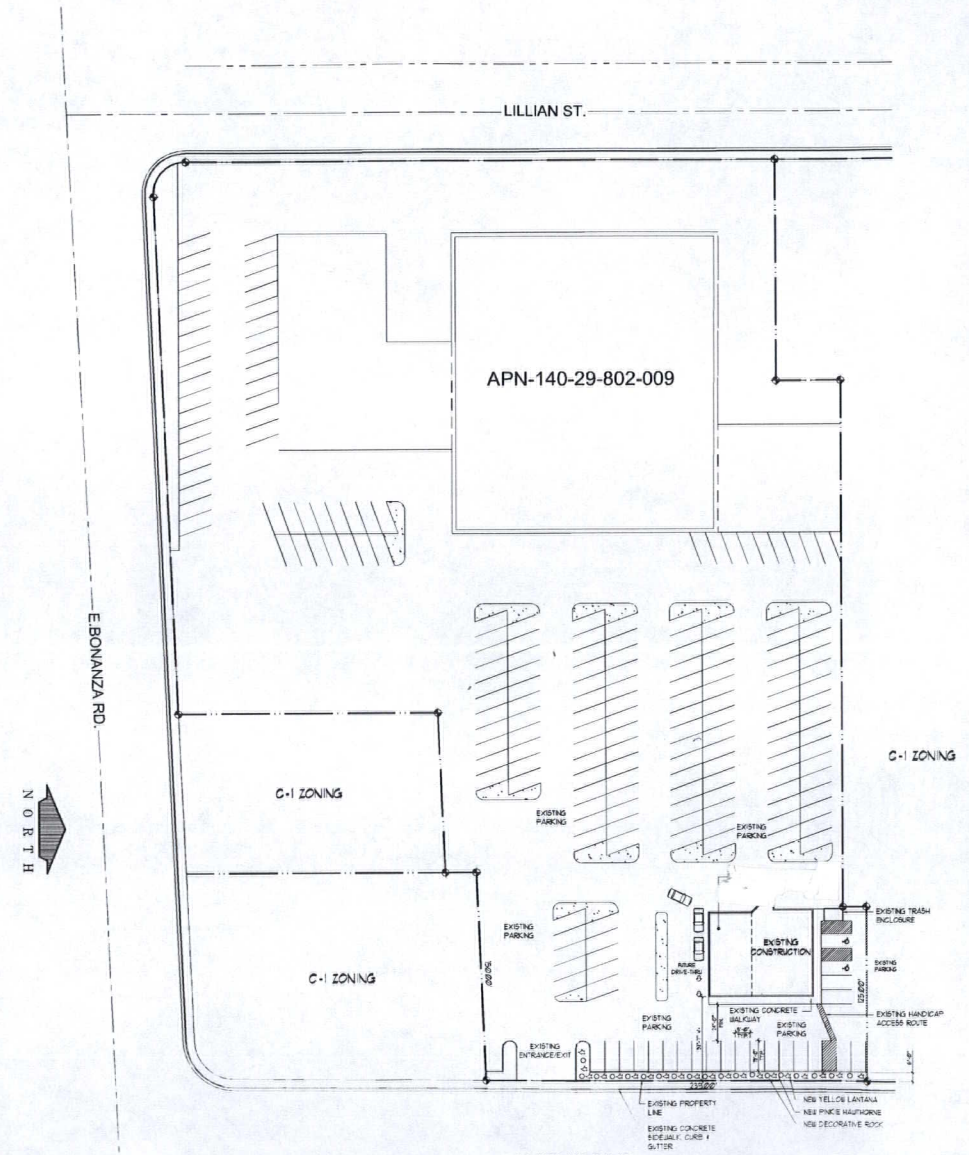


3 MINIMUM LOCATION WHERE OCCURS

NOTE: THE SWEEP PERIOD FOR DOOR CLOSERS SHALL BE ADJUSTED SUCH THAT FROM AN OPENING POSITION OF 70 DEGREES THE DOOR WILL TAKE AT LEAST 1.5 SECONDS TO ARRIVE AT A POINT 3" FROM THE LATCH.

A
A1

## SITE PLAN W/ LANDSCAPE




PLANTING LIST

**SUP-41289**

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REVISIONS


Timothy R. Neal Architect
NCARB
6129 Glamorous Ct. N. Las Vegas, Nevada 89031
phone: (702) 646-8004


PROPOSED ADDITION FOR:
631 NORTH NELLIS BLVD.
LAS VEGAS, NEVADA

DATE 2-22-07

| | |
|---|---|
| A1 | PROJECT DATA and SITE PLAN |
| A2 | EXISTING FLOOR PLAN, PROPOSED FLOOR PLAN |
| A3 | FOUNDATION PROFILE, FOUNDATION DETAILS, ROOF PLAN |
| A4 | REFLECTED CEILING PLAN, CEILING DETAILS |
| A5 | EXTERIOR ELEVATIONS |
| A6 | EXTERIOR ELEVATIONS |
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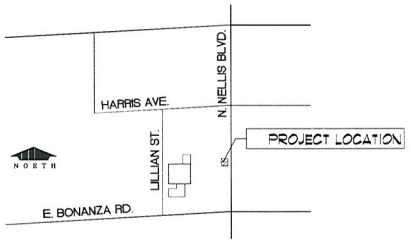
## GENERAL NOTES

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MUNICIPAL JURISDICTION: LAS VEGAS, NEVADA

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1500 SF. TENANT ADDITION TO EXISTING STRUCTURE

| | |
|---|---|
| I.B.C. | 2006 EDITION |
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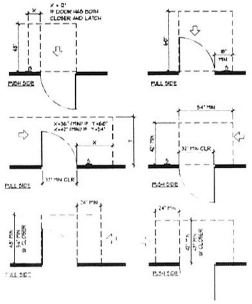
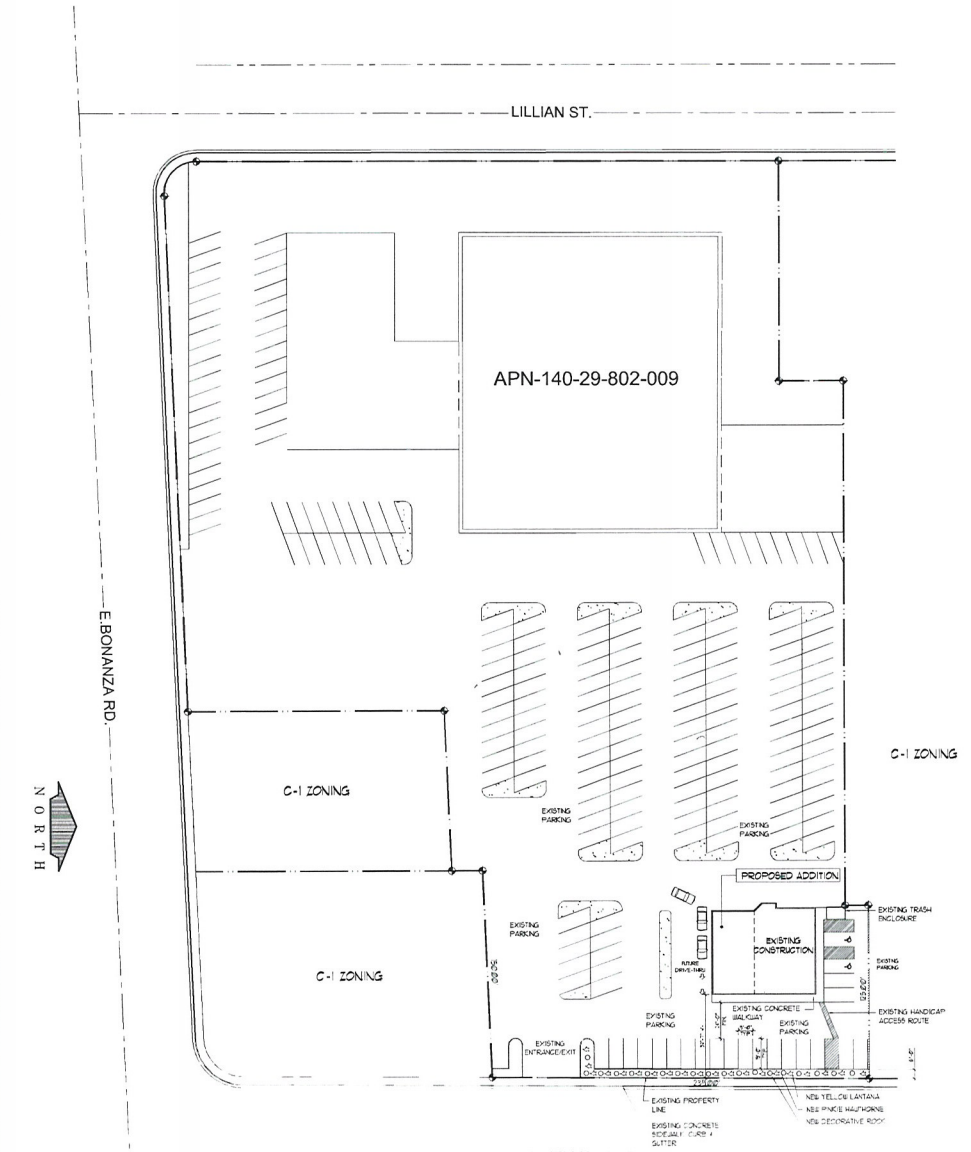
| OCCUPANCY: | GROUP B |
| OCCUPANCY LOAD: | 1500 SQ. FT. @ 1/100 = 15 OCCUPANTS |
| CONSTRUCTION TYPE: | V-B |
| NUMBER OF STORIES: | 1 |
| BUILDING HEIGHT: | 25'-0" (ACTUAL) |
| SPRINKLERS: | YES |
| EXITS REQUIRED: | 2 |
| PARKING: | 1500 SQ. FT. @ 1/250 = 6<br>USE EXISTING 330 SPACES |

EXISTING SHELL BLDG.
CONCRETE SLAB ON GRADE W/ REINFORCED WALLS
BITUMEN ROOF ON WOOD TRUSS W/ WOOD TILE ROOF

| | |
|---|---|
| I.B.C. | 2006 EDITION |
| OCCUPANCY: | B |
| CONSTRUCTION TYPE: | V-B |
| BUILDING AREA: | 4,500 SQ. FT. |
| BUILDING HEIGHT: | 25'-0" |



EXIT DOOR LOCATIONS WHERE OCCUPIED THE SHEET TRAVEL DISTANCE TO EXIT DOORS SHALL BE LIMITED SUCH THAT FROM ANY POINT OF TRAVEL NO MORE THAN THREE DOORS WILL BE REQUIRED TO EXIT THE BUILDING.

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Timothy R. Neal Architect
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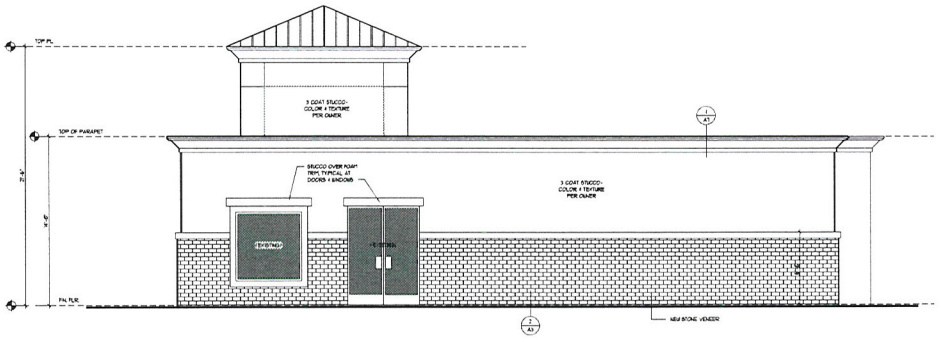
6129 Glamorous Ct. N. Las Vegas, Nevada 89031
phone: (702) 646-8004


PROPOSED ADDITION FOR:
631 NORTH NELLIS BLVD.
LAS VEGAS, NEVADA

DATE: 2-22-07

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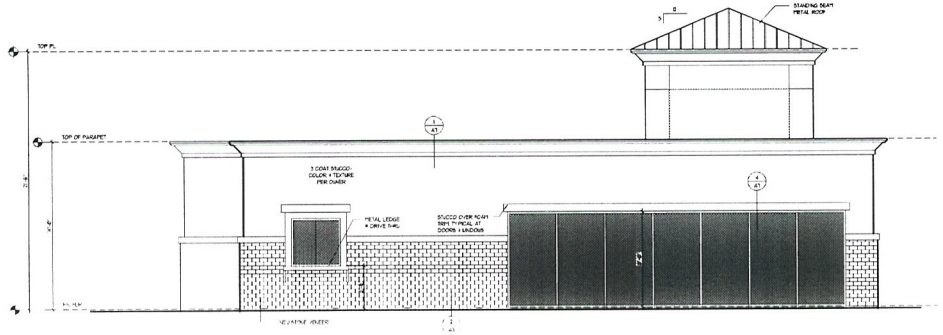
RIGHT SIDE ELEVATION

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LEFT SIDE ELEVATION

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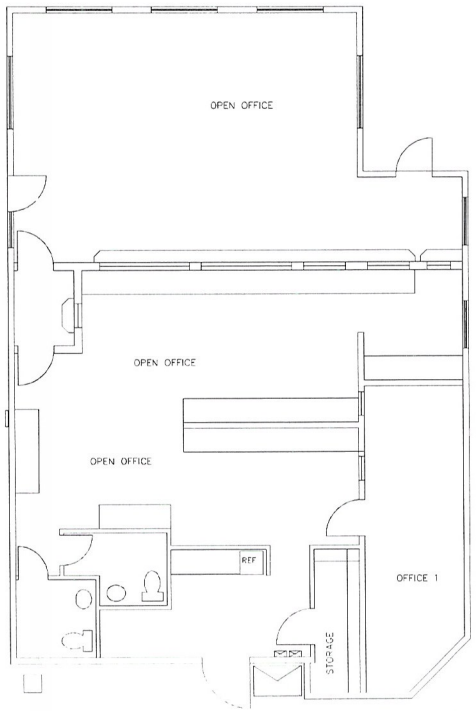
Timothy R. Neal Architect
N C A R B
6129 Glamorous Ct. N. Las Vegas, Nevada 89031
phone: (702) 646-8004

PROPOSED TENANT IMPROVEMENT/ADDITION FOR:
CHECK CITY
631 NORTH NELLIS BLVD.
LAS VEGAS, NEVADA

DATE 11/6/06
SHEET No

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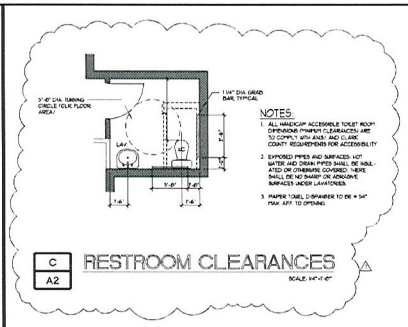


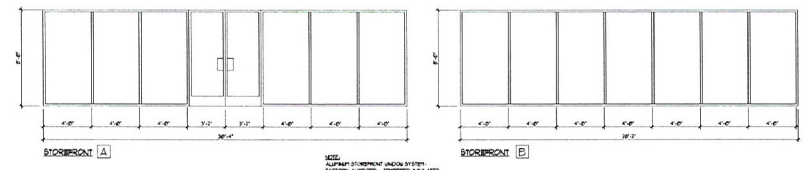


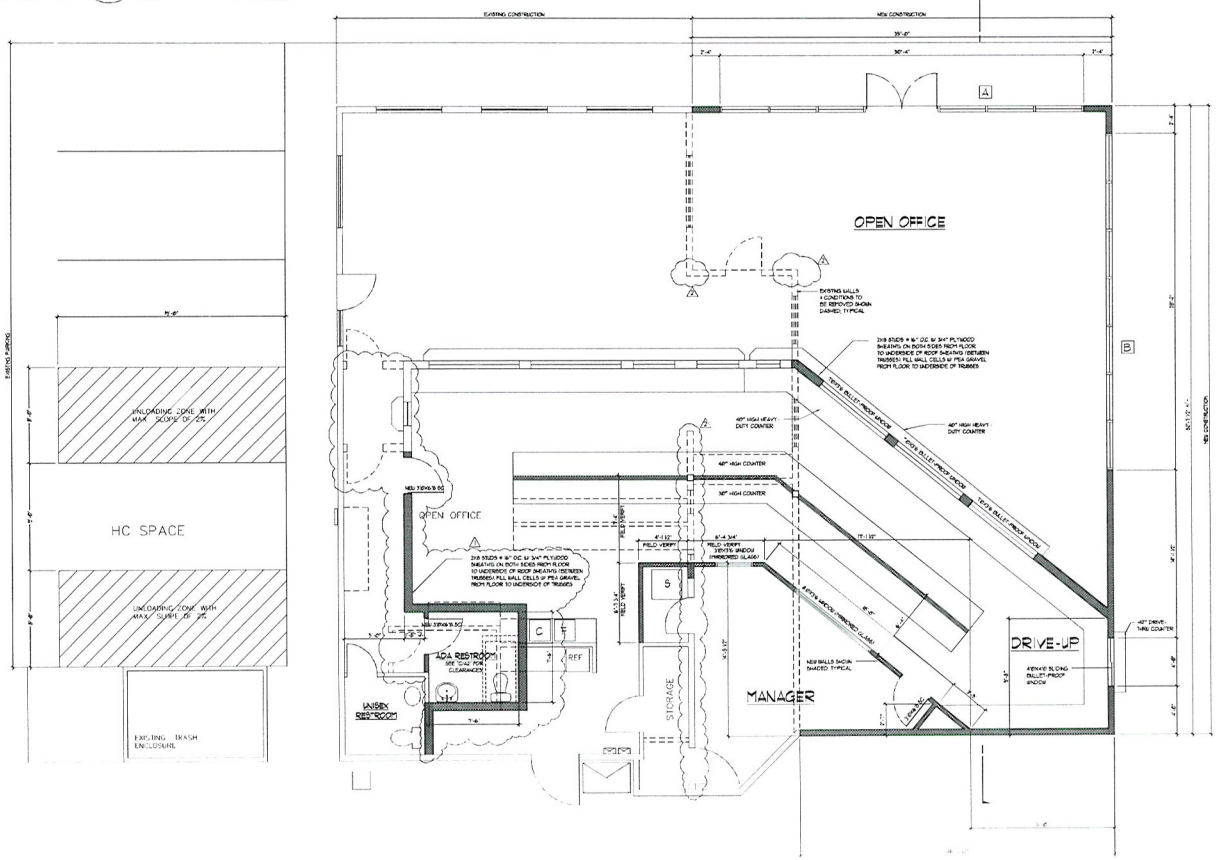


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| | | |
|---|---|---|
| 1 | 11/6/06 | CITY OF LAS VEGAS |
| 2 | 09/06/06 | CITY OF LAS VEGAS |
| 3 | | |
| 4 | | |

Timothy R. Neal Architect
NCARB
6129 Glamorous Ct. N. Las Vegas, Nevada 89031
phone: (702) 646-8004

PROPOSED TENANT IMPROVEMENT/ADDITION FOR:
CHECK CITY
631 NORTH NELLIS BLVD.
LAS VEGAS, NEVADA

DATE 11/6/06
SHEET No.




- APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC.
631 NORTH NELLIS BOULEVARD

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MAR 24 2010

SUP-41289



APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC.
631 NORTH NELLIS BOULEVARD

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MAR 24 2011
SUP-41289




- APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC.
631 NORTH NELLIS BOULEVARD

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MAR 24 2011

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- APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC.
631 NORTH NELLIS BOULEVARD

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03/18/10
MAR 24 2011

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SUP-41289 - APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC.
631 NORTH NELLIS BOULEVARD

03/31/11




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631 NORTH NELLIS BOULEVARD

03/31/11




SUP-41289 - APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC.
631 NORTH NELLIS BOULEVARD

03/31/11

*LA Stewart Consulting*
*c/o Twainy Associates*
*101 Convention Center Drive #1002*
*Las Vegas, NV 89109*
*(702) 499-6469-Cell*
*(702) 946-0857-fax*

March 23, 2011

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

RE: APN 140-29-802-009, 631 N. Nellis ***Major Amendment to SUP for 24 hour service SUP19645***

Dear Sir or Madam:

Please accept this letter as our request for a Special Use Permit to allow an existing Check City Payday & Auto Title Loan store to request a major amendment to the special use permit for the financial institution, other, to allow 24 hour operation at this location. Check City has been in business at this location for 9 years. When the business opened in 2002, the hours of operation varied, depending on the demand, anywhere from 6-12:00 to 24 hours.

The City of Las Vegas amended its zoning ordinance in 2003 to regulate financial institutions, including regulating the hours of operation. Because the store was in existence before the City changed the code regarding payday loan businesses (financial institution, specified per the zoning ordinance), it became a legal non-conforming use. In 2007 we applied for a use permit to expand and improve the existing store at the NWC of Nellis and Bonanza. That application modernized the façade to the company's current prototype, with earth tone colors and stone work.

The business has operated with expanded business hours and as a 24 hour business for over 9 years with no issues at all. We did not realize that when we were approved for the new use permit the new

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**SUP-41289**

restrictive hours of operation would apply, otherwise we would have asked for a waiver at that time. Code enforcement has been targeting all payday loan businesses regarding their signage, and when they came to the 611 N. Nellis store they noticed the signage for 24 hours, and gave them a notice of violation. Check City would like to maintain the 24 hour operation to retain their clients and to be competitive with Money Tree down the street that is also 24 hours. Since the business has been operating for so long, with no impact to adjacent properties and neighbors, this amendment will have no impact on the area.

Please contact me with any questions regarding this matter. Thank you for your consideration in this matter.

Yours truly,

Lucy Stewart
LA Stewart Consulting

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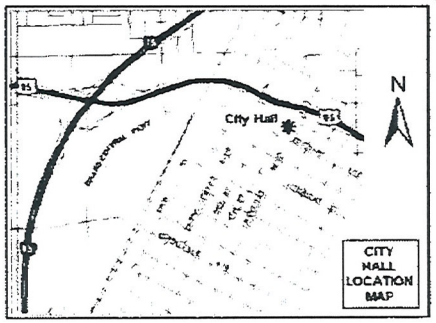
SUP-41289

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**




PRESORTED FIRST CLASS

UNITED STATES POSTAGE
FITNEY BOWES
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0004279218 APR 28 2011
MAILED FROM ZIP CODE 89101

THIS IS ANOTHER CRIME SCENE WAITING to happen. WHAT could possibly justify the need for this type of operation 24 Hours/DAY?

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-41289**
Planning Commission Meeting of 5/10/2011

Case: SUP-41289
14028410023
WINTER THOMAS & KUMIKO FAMILY TR
8300 FAIRFIELD AVE
LAS VEGAS NV 89123-2206

29 BRDFN11 89123

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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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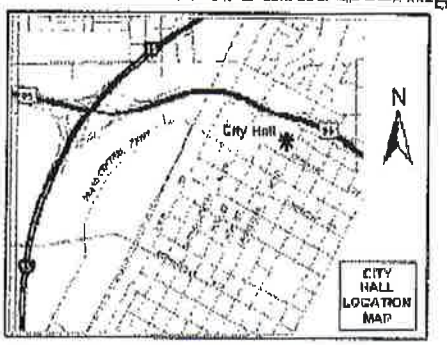
MAILED FROM ZIP CODE 89101

**Return Service Requested**

**Official Notice of Public Hearing**

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**SUP-41289**

Planning Commission Meeting of 5/10/2011

Case: SUP-41289

14033101004
DOWNEAST L L C
5245 E BONANZA RD
LAS VEGAS NV 89110-3601

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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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0004279218
$ 00.41⁴
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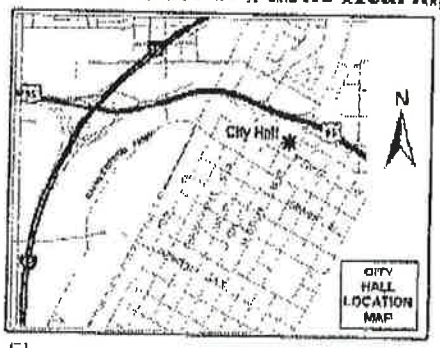
**Return Service Requested**
**Official Notice of Public Hearing**

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☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-41289**

Planning Commission Meeting of 5/10/2011

Case: SUP-41289

14033101016
CREATIVE BEGINNINGS INC
%F IRISH
5245 E BONANZA RD
LAS VEGAS NV 89110-3601

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MAY -4 2011

38P

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

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UNITED STATES POSTAGE
PITNEY BOWES
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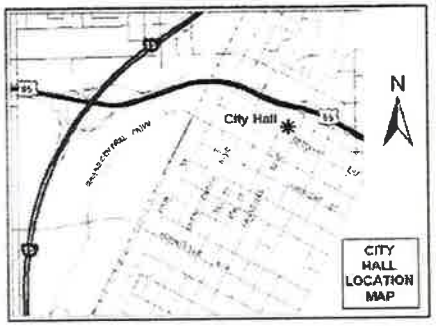
APR 28 2011
MAILED FROM ZIPCODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the 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-41289**
Planning Commission Meeting of 5/10/2011

RECEIVED
MAY 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-41289
14029810034
BROCKETT JAMES E & FRANKIE L
1424 N HOLLYWOOD BLVD
LAS VEGAS NV 89110-2006

22 BRDFN1 89110

38P

PAGE 01
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05/06/2011 12:51

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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☒ I OPPOSE this Request

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**SUP-41289**

**Planning Commission Meeting of 5/10/2011**

RECEIVED
MAY 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

14028410049 Case: SUP-41289
LAPLANTE LORRAINE A LIVING TRUST
5209 HARRIS AVE
LAS VEGAS NV 89110-2540

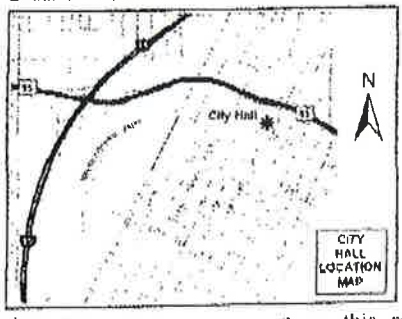
3dp

22 BRDFN11 89110

Faxed 5/8/11

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 ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-41289**
Planning Commission Meeting of 5/10/2011

RECEIVED
MAY 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-41289
14033110042
LICKO DAN L SR & JOANNE E
5231 JEFF DR
LAS VEGAS NV 89110-3617

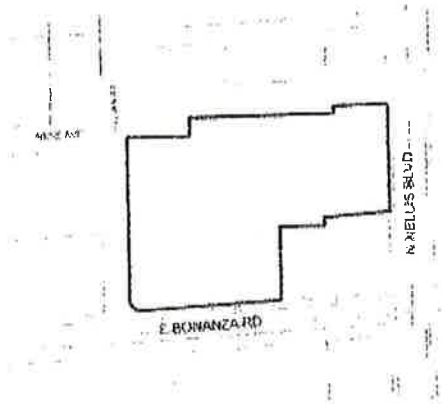
22 BRDFN11 89110

## Application Information

**SUP-41289 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC.** - Request for a Major Amendment to a previously approved Special Use Permit (SUP-19645) TO ALLOW 24-HOUR OPERATIONS FOR AN EXISTING AUTO TITLE LOAN ESTABLISHMENT AND FINANCIAL INSTITUTION, SPECIFIED WHERE HOURS OF OPERATION FROM 8:00 A.M.TO 11:00 P.M. ARE PERMITTED at 631 North Nellis Boulevard (APN 140-29-802-009), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

Maybe employment will come my way!

## Application Location




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

## Public Hearing Information

| | |
|---|---|
| **Meeting:** | Planning Commission |
| **Date:** | *May 10, 2011* |
| **Time:** | 6:00 P.M. |
| **Location:** | City Council Chambers<br>400 Stewart Avenue<br>Las Vegas, Nevada |

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objection thereto or approval thereof with the Department of Planning, Case Planning Division, Development Services Center, 333 North Rancho Drive, 3rd Floor, Las Vegas, Nevada 89106. Fin 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 Ci 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 repo please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

38A

City of Las Vegas Agenda Item No.: **25.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

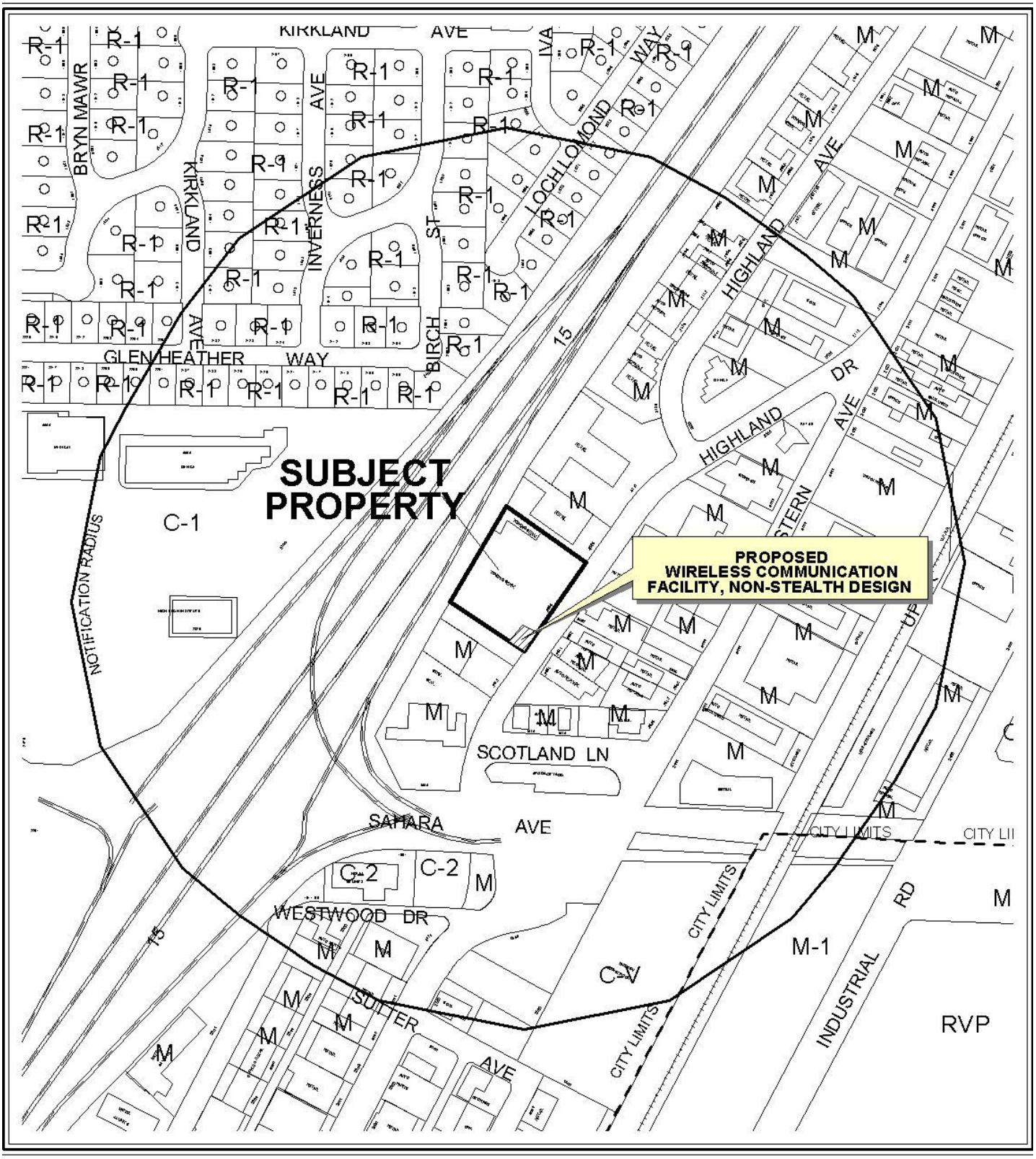
**SUBJECT:**
ABEYANCE - SUP-41299 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: T-MOBILE - OWNER: AD AMERICA, INC. - Request for a Special Use Permit FOR A PROPOSED 80-FOOT HIGH WIRELESS COMMUNICATION FACILITY, NON-STEALTH DESIGN (MONOPOLE) at 2400 Highland Drive (APN 162-04-402-004), M (Industrial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **2** | **Planning Commission Mtg.** | **3** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
Staff recommends APPROVAL, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards




0 300 600 Feet

**CASE:** **SUP-41299**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** M (INDUSTRIAL)

N



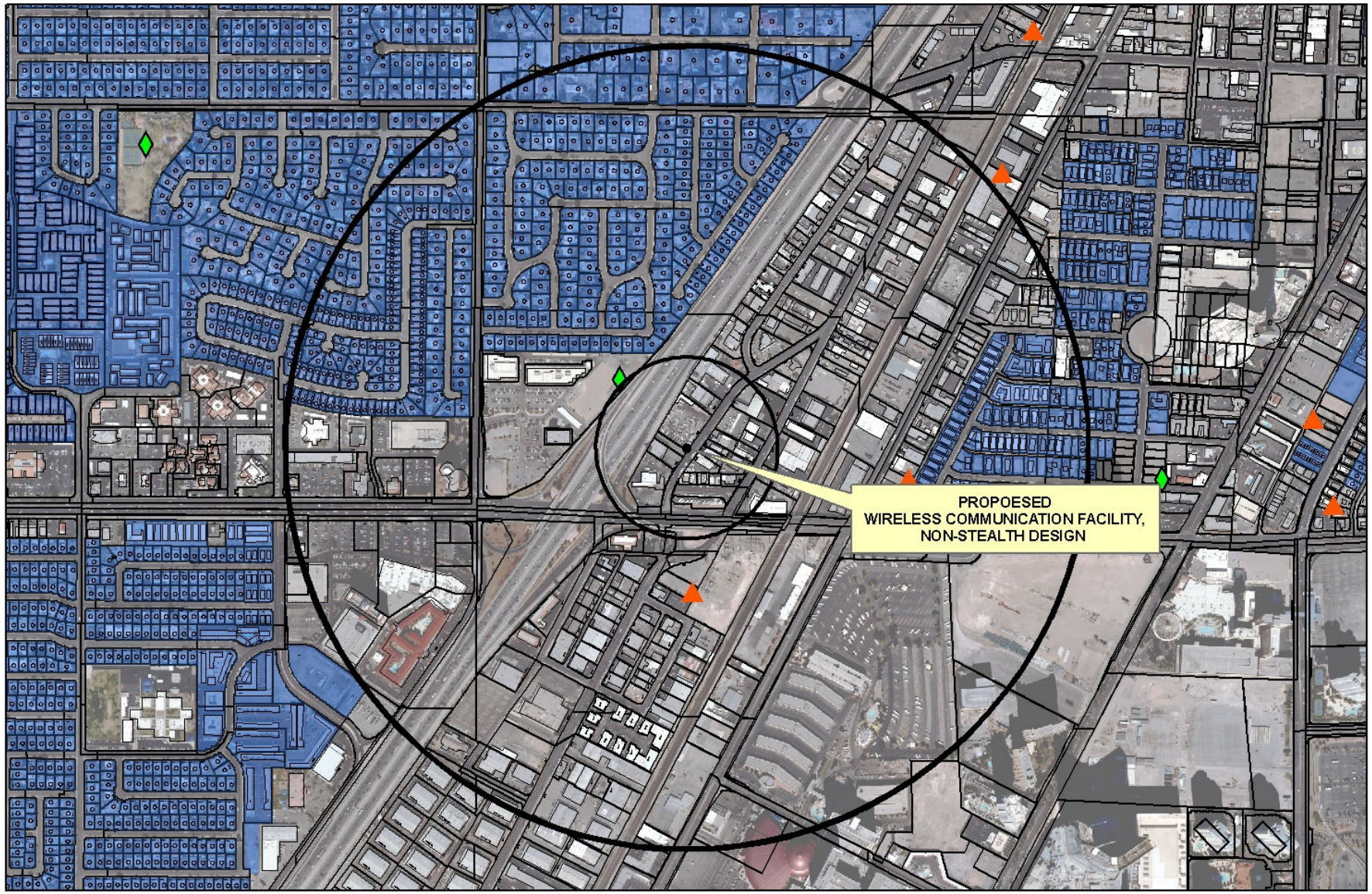

0 300 600 Feet

**CASE:** **SUP-41299**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** M (INDUSTRIAL)

N




**SUP-41299**
**Wireless Facility**

**Wireless Facility Locations**

- Non-Stealth
- Stealth

- Subject Cell Tower
- Residential Property
- 600ft & 1/2 mile Buffer

0 500 1,000 2,000 Feet

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: T-MOBILE - OWNER: AD AMERICA, INC.**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-41299** | Staff recommends APPROVAL, subject to conditions: | None |

## ** CONDITIONS **

# SUP-41299 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Wireless Communication Facility, Non-Stealth Design use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18.060. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. The Wireless Communication Facility and its associated equipment and facility 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 communications monopole and its associated equipment and facility.

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

**Staff Report Page One**
**June 14, 2011 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 80-foot tall Wireless Communication Facility, Non-Stealth Design (Monopole) on a site that has an existing Auto Towing Service at 2400 Highland Drive. The site is located in an industrial area adjacent to I-15. The proposed facility will accommodate up to four carriers. The initial installation will provide 12 antennas at the 77-foot centerline with an additional GPS antenna near the base of the facility. The applicant is proposing to provide an enclosure with an eight-foot tall block wall to screen the facility with two four-foot wide metal gates for entry/exit. The proposed use can be conducted in a manner that is harmonious with the existing and future surrounding land uses; therefore staff recommends approval of this request. If the application is denied, the proposed Wireless Communications Facility will not be permitted.

## ISSUES

The proposed Wireless Communication Facility, Non-Stealth Design (Monopole) complies with all Title 19.04.010 minimum Special Use Permit requirements for the use.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 1/12/61 | The Board of City Commissioners approved a request for Rezoning (Z-0064-60) from R-1 (Single Family Residence) to M-1 (Light Industry) on property generally located between Oakey and San Francisco (Sahara Avenue) from the Union Pacific Railroad to the proposed freeway (Interstate 15). |
| 05/17/06 | The City Council approved a request to change the Future Land Use Designation (GPA-9219) to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission and staff recommended approval. |
| 02/02/11 | The Planning and Development Department denied a request for a Minor Site Development Plan Review (SDR-40808) to install a new 80-foot tall Wireless Communication Facility, Non-Stealth Design (Monopole) with twelve (12) antennas at the 77-foot centerline with one (1) GPS antenna near the base of the facility; in addition to installing an eight (8) foot tall block wall compound at 2400 Highland Drive. |
| 05/10/11 | The Planning Commission voted to hold this item in abeyance to the June 14, 2011 Planning Commission meeting. |

DS

| ***Most Recent Change of Ownership*** | |
|---|---|
| 07/19/05 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 11/30/06 | A business license (A29-00071) was issued for an Auto Towing Service at 2400 Highland Drive. The license is still active. |
| There has been no recent building permits issue for the subject site. | |

| ***Pre-Application Meeting*** | |
|---|---|
| 03/21/11 | A pre-application meeting was held with the applicant to discuss the submittal requirements for a Special Use Permit for the proposed Wireless Communication Facility, Non-Stealth Design (Monopole) with the associated equipment. |

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

| ***Field Check*** | |
|---|---|
| 04/06/11 | Staff conducted a field check of the subject site and found it free of trash/debris with a chain link fence with screening and barbed-wire along the top portion surrounding the site. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 1.65 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Auto Towing Service | LI/R (Light Industry/Research) | M (Industrial) |
| North | Retail Establishments | LI/R (Light Industry/Research) | M (Industrial) |
| South | Service Station | LI/R (Light Industry/Research) | M (Industrial) |

| | | | |
|---|---|---|---|
| East | RV Park, Retail Establishments, Auto Repair Garage-Minor and Major | LI/R (Light Industry/Research) | M (Industrial) |
| West | ROW (Right-of-Way): I-15 | ROW (Right-of-Way) | ROW (Right-of-Way) |

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

**ANALYSIS**

The applicant is proposing an 80-foot tall Wireless Communication Facility, Non-Stealth Design (Monopole) that will accommodate up to four carriers on property occupied by an Auto Towing Service. The initial installation will provide 12 antennas at the 77-foot centerline with an additional GPS antenna near the base of the facility with an eight-foot tall block wall enclosure to screen the equipment and two four-foot metal gates for entry/exit. The proposal meets the minimum Special Use Permit requirements for a Wireless Communication Facility, Non-Stealth Design as listed in Title 19.04.010. No additional parking is required beyond that which is required for the principal use on the site.

**FINDINGS (SUP-41299)**

In order to approve a Special Use Permit application, per Title 19.16.110 of the Unified Development Code, 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 can be conducted in a manner that is harmonious and compatible with the existing and future surrounding land uses, as projected by the General Plan.

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

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

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

   Access to the site is provided via Highland Drive, an 80-foot Frontage Street as designated by the Master Plan of Streets and Highways. This street provides adequate access to/from the subject property.

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

   Approval of this Special Use Permit will not compromise public health, safety, or welfare as the proposed Wireless Communication Facility, Non-Stealth Design use, nor will it be inconsistent with the overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.04.010.**

   The proposed Wireless Communication Facility, Non-Stealth Design use meets the minimum requirements of Title 19.04.010.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 18

**NOTICES MAILED** 103

**APPROVALS** 3

**PROTESTS** 2

DS

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41299** APN: 1962-04-402-004

Name of Property Owner: John Bielinski

Name of Applicant: T-Mobile

Name of Representative: Spectrum Surveying & Engineering

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

☐ **Yes** ☑ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: JOHN BIELINSKI

Subscribed and sworn before me

This 19th day of January, 20 11

Josephine L. Devine

Notary Public in and for said County and State

JOSEPHINE L. DEVINE
Notary Public State of Nevada
No. 07-4909-1
My appt. exp. Sept. 25, 2011

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MAR 24 2011

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## APPLICATION / PETITION FORM

**Application/Petition For:** Special Use Permit

**Project Address (Location)** 2400 Highland Drive

**Project Name** VG08690B Storage Yard **Proposed Use** _____

**Assessor's Parcel #(s)** 162-04-402-004 **Ward #** _____

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

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

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

**Additional Information** _____

**PROPERTY OWNER** AD America Inc. **Contact** John Bielinski

**Address** 2310 Highland Drive. **Phone:** 696-0473 **Fax:** _____

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

**E-mail Address** _____

**APPLICANT** T-Mobile **Contact** D Huggard

**Address** 4175 S. Riley Street Ste 101 **Phone:** _____ **Fax:** _____

**City** Las Vegas **State** NV **Zip** 89147

**E-mail Address** _____

**REPRESENTATIVE** Spectrum Surveying & Engineering **Contact** D. Huggard

**Address** 8905 W. Post Road, Suite 100 **Phone:** 367-7705 x228 **Fax:** 367-8733

**City** Las Vegas **State** NV **Zip** 89148

**E-mail Address** dhuggard@spectrumse.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** JOHN V BIELINSKI

Subscribed and sworn before me

This 14th day of January, 20 11.

_____

Notary Public in and for said County and State

JOSEPHINE L. DEVINE
Notary Public State of Nevada
No. 07-4909-1
My appt. exp. Sept. 25, 2011

Revised 10/27/08

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | SUP-41299 |
| Meeting Date: | 5/10/11 PC |
| Total Fee: | $530 |
| 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.

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MAR 24 2011

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

OMNIPOINT DBA T-Mobile

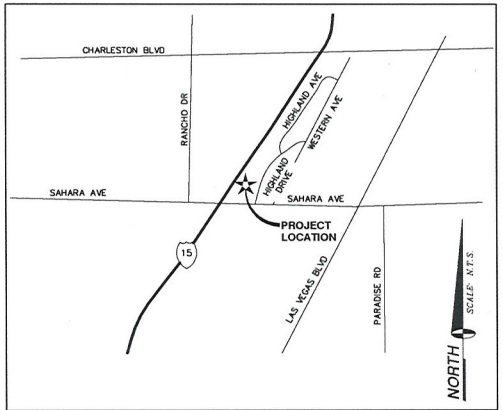
# STORAGE YARD
# VG08690B

## 2400 HIGHLAND DRIVE
## LAS VEGAS, NEVADA 89102

THE PROPOSED PROJECT INCLUDES:

- INSTALLATION OF PANEL ANTENNAS AT A 77' CENTERLINE MOUNTED ON A NEW 80' MONOPOLE
- INSTALLATION OF A T-MOBILE RADIO EQUIPMENT ON A CONCRETE PAD
- INSTALLATION OF ONE GPS ANTENNA
- COAXIAL CABLE RUNS FROM RADIOS TO ANTENNAS
- NEW TELEPHONE CONDUIT RUN TO CABINETS
- NEW 200A DEDICATED ELECTRICAL SERVICE TO METER
- INSTALLATION OF AN 8' BLOCK WALL
- INSTALLATION OF (2) 4' WIDE SOLID METAL GATES

**PROJECT DESCRIPTION**




**VICINITY MAP**

APPLICANT/LESSEE
T-MOBILE
4175 S. RILEY ST., STE. 101
LAS VEGAS, NEVADA 89147

PROPERTY INFORMATION

| | |
|---|---|
| OWNER: | AD AMERICA INC<br>J. BIELINSKI 2310 HIGHLAND DR.<br>LAS VEGAS, NEVADA 89102 |
| CONTACT:<br>PHONE: | JOHN BIELINSKI<br>(702) 696-0473 |
| AREA OF CONSTRUCTION: | 500± SQ. FT. |
| OCCUPANCY TYPE: | U |
| CONSTRUCTION TYPE: | V-B |
| CURRENT ZONING: | INDUSTRIAL DISTRICT (M) |
| JURISDICTION: | CITY OF LAS VEGAS |
| ELEVATION: | 2052.03' |
| APN: | 162-04-402-004 |
| HANDICAP REQUIREMENTS: | FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED. |

PROJECT INFORMATION

| | |
|---|---|
| EQUIPMENT LOCATION: | ■ OUTDOOR ☐ INDOOR |
| EQUIPMENT SHELTER: | ☐ YES ■ NO |
| ANTENNA LOCATION: | ■ NEW MONOPOLE<br>☐ SELF SUPPORT TOWER<br>☐ EXISTING MONOPOLE<br>☐ ROOF TOP<br>☐ EXISTING TOWER<br>☐ OTHER |

**PROJECT SUMMARY**

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

1. INTERNATIONAL BUILDING CODE 2006 W/STATE AMENDMENTS
2. UNIFORM MECHANICAL CODE 2006
3. ANSI/EIA-222-F LIFE SAFETY CODE
4. UNIFORM PLUMBING CODE 2006
5. NATIONAL ELECTRIC CODE 2005
6. LOCAL BUILDING CODE(S)
7. CITY AND/OR COUNTY ORDINANCES
8. UNIFORM FIRE CODE 2000

**CODE COMPLIANCE**

CIVIL ENGINEER
SPECTRUM SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
CHRIS WENER
PHONE: (702) 367-7705
FAX: (702) 367-8733

STRUCTURAL ENGINEER:
T.B.D.

ELECTRICAL ENGINEER:
SPECTRUM SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
RICHARD TOMASIELLO
PHONE: (702) 363-9530

SURVEYOR:
SPECTRUM SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
CHRIS WENER
PHONE: (702) 367-7705
FAX: (702) 367-8733

**PROJECT TEAM**

| SHEET | DESCRIPTION | REV. |
|---|---|---|
| T1 | TITLE SHEET | 2 |
| A1 | SITE PLAN | 2 |
| A2 | SITE DETAIL, ANTENNA & CABLE SCHEDULE AND ANTENNA LAYOUT | 2 |
| A3 | ELEVATIONS | 2 |

ISSUED FOR: ZONING

**SHEET INDEX**

| TITLE | SIGNATURE | DATE |
|---|---|---|
| RF ENGINEER | | |
| OPE PROJECT MANAGER | | |
| LANDLORD | | |
| FIELD ENGINEER | | |
| DEVELOPMENT SUPERVISOR | | |
| CONSTRUCTION PROJECT MANAGER | | |
| FIELD OPS MANAGER | | |

**APPROVAL LIST**

OMNIPOINT T-Mobile
4175 S. RILEY ST., STE. 101
LAS VEGAS, NEVADA 89147

PROJECT INFORMATION:
STORAGE YARD
VG08690B
2400 HIGHLAND DRIVE
LAS VEGAS, NEVADA 89102

CURRENT ISSUE DATE: 02/04/11

ISSUED FOR: ZONING

| REV. | DATE: | DESCRIPTION: | BY: |
|---|---|---|---|
| 2 | 02/04/11 | ZONING REVISION | J.C. |
| 1 | 01/12/11 | 100% ZONING | J.C. |
| 0 | 12/16/10 | 90% ZONING | J.C. |

PLANS PREPARED BY:
SPECTRUM
SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
PH. (702) 367-7705
FAX (702) 367-8733

| DRAWN BY: | CHK.: | APV.: |
|---|---|---|
| J. CAPULE | M. CEFALU | C. WENER |

LICENSURE:

SHEET TITLE: TITLE SHEET

| SHEET NUMBER: | REVISION: |
|---|---|
| T1 | 2 |

VG08690B

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MAR 24 2011

SUP-41299

## LEGAL DESCRIPTION

THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN A GRANT, BARGAIN & SALE DEED RECORDED IN BOOK 20050719 AS INSTRUMENT NO. 02179 ALSO BEING LOT TWO (2) AS SHOWN BY MAP THEREOF ON FILE IN FILE 10, PAGE 42 OF MAPS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA; LYING WITHIN THE SOUTH HALF (S1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

## BASIS OF BEARINGS:

NORTH 32°03'45" WEST, BEING THE CENTERLINE OF HIGHLAND AVENUE AS SHOWN BY MAP THEREOF ON FILE IN FILE 88, PAGE 54 OF MAPS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

## BENCHMARK

CITY OF LAS VEGAS VERTICAL CONTROL #OLV11 4S4 BEING A RIVET & PLATE IN TOP OF CURB AT NORTHEAST CORNER OF SAHARA AVENUE AND TAM ROAD.

ELEVATION: 2052.03 FEET (NAVD 1988)
625.460 METERS (NAVD 1988)

## FLOOD NOTE

AS SCALED FROM FLOOD INSURANCE RATE MAP NO. 32003C2170E, DATED SEPTEMBER 27, 2002. AND PER SAID MAP: FLOOD ZONE "X". AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

## NOTES & TITLE REPORT EXCEPTIONS

ONLY THOSE EXCEPTION(S) LISTED IN TITLE REPORT NO. 5107007497, DATED JANUARY 12, 2011, PREPARED BY CHICAGO TITLE COMPANY, WHICH ARE NOT SOLELY FINANCIAL IN NATURE AND WHICH REFERENCE A DOCUMENT CONTAINING A SUFFICIENT LEGAL DESCRIPTION OF AREAS AFFECTED BY SAID DOCUMENT WERE CONSIDERED FOR THIS SURVEY AND RE-LISTED BELOW. ITEM NUMBERS CORRESPOND TO ITEM NUMBERS IN SAID TITLE REPORT.

3. RESERVATIONS, MINERAL RIGHTS, AND EXCLUSIONS IN THE PATENT FROM THE STATE OF NEVADA.
RECORDED: JANUARY 6, 1928; BOOK 12 OF DEEDS PAGE 465, DOC NO. 27268 OF OFFICIAL RECORDS.
**AFFECTS ENTIRE SUBJECT PROPERTY.**

4. TERMS AND PROVISIONS AS CONTAINED IN AN INSTRUMENT,
ENTITLED: RECIPROCAL EASEMENTS AGREEMENT
RECORDED: JULY 1, 1976 IN BOOK 637 OF OFFICIAL RECORDS, DOC NO. 596108
**AFFECTS ENTIRE SUBJECT PROPERTY.**

5. EASEMENTS, DEDICATIONS AND OTHER MATTERS AS SHOWN ON THE RECORDED MAP REFERRED ON FILE IN FILE 10 OF PARCEL MAPS, PAGE 42 OF OFFICIAL RECORDS.
**AFFECTS ENTIRE SUBJECT PROPERTY.**

6. TERMS AND PROVISIONS AS CONTAINED IN AN INSTRUMENT
ENTITLED BILL NO. 96-95 ORDINANCE NO. 4036
EXECUTED BY CITY OF LAS VEGAS/JAN LAVERTY JONES, MAYOR
RECORDED NOVEMBER 22nd, 1996 IN BOOK 961122 OF OFFICIAL RECORDS, DOC NO. 00847
**AFFECTS ENTIRE SUBJECT PROPERTY.**

7. RECORD OF SURVEY, PERFORMED BY ALLEN L. HAGEN AND FILED IN FILE 100 OF SURVEY, AT PAGE 66 AND RECORDED FEBRUARY 18, 1999 IN BOOK 990218 OF OFFICIAL RECORDS, DOC NO. 00976
**DOES NOT AFFECT SUBJECT PROPERTY.**

8. RECORD OF SURVEY, PERFORMED BY ALLEN L. HAGEN AND FILED IN FILE 135 OF SURVEY, AT PAGE 08 AND RECORDED DECEMBER 31, 2003 IN BOOK 20031231 OF OFFICIAL RECORDS, DOC NO. 01220.
**DOES NOT AFFECT SUBJECT PROPERTY.**

10. TERMS AND PROVISIONS AS CONTAINED IN AN INSTRUMENT,
ENTITLED: BILL NO. 2006-25 ORDINANCE NO. 5830 AN ORDINANCE TO ADOPT AN AMENDED AND RESTATED REDEVELOPMENT PLAN, WHICH INCLUDES ADDITIONAL PROPERTY WITHIN THE PLAN, AND TO PROVIDE FOR OTHER RELATED MATTERS.
RECORDED: JUNE 2, 2006 IN BOOK 20060602 OF OFFICIAL RECORDS, DOC NO. 0001395.
**AFFECTS ENTIRE SUBJECT PROPERTY.**

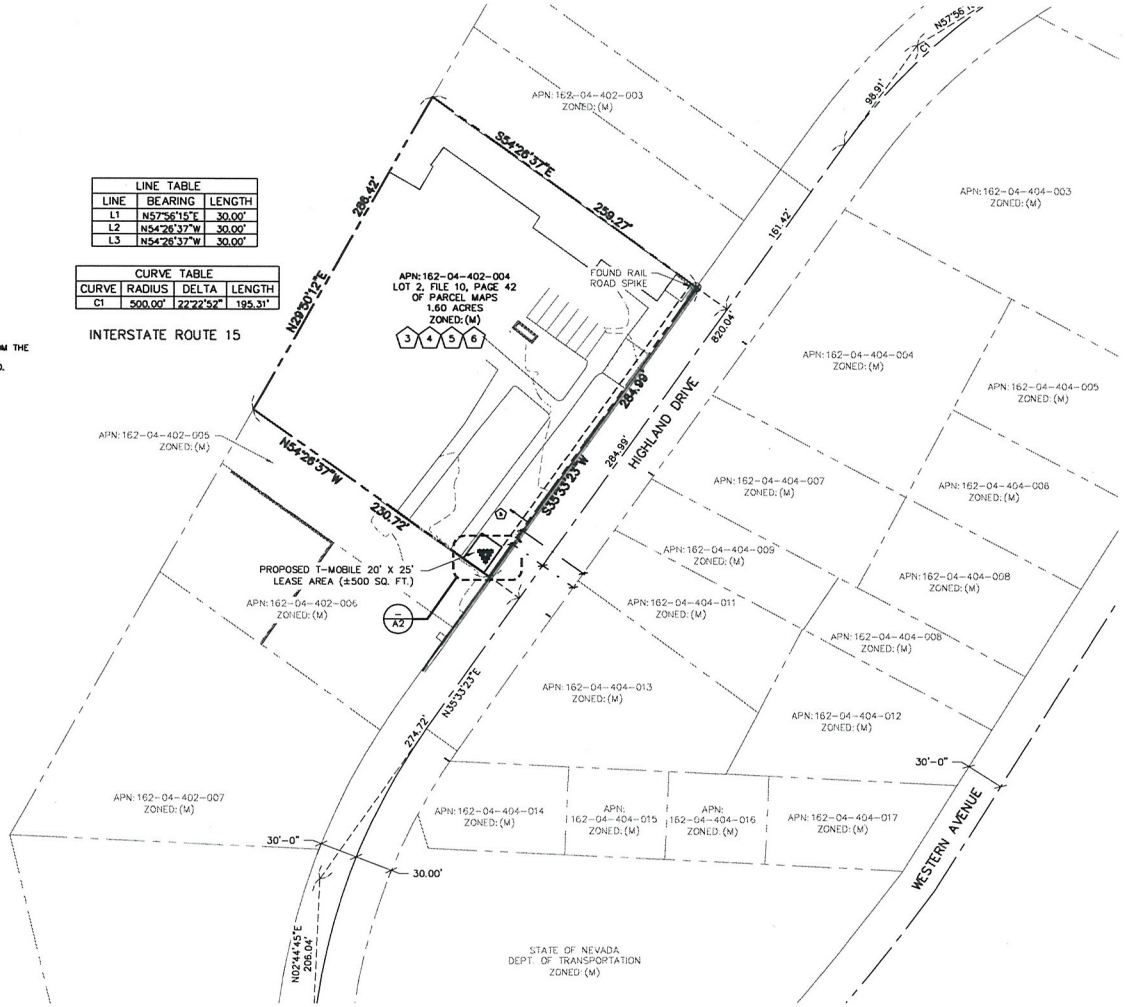
## LEGENDS

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN A GRANT, BARGAIN & SALE DEED RECORDED IN BOOK 20050719 AS INSTRUMENT NO. 02179 ALSO BEING LOT TWO (2) AS SHOWN BY MAP THEREOF ON FILE IN FILE 10, PAGE 42 OF MAPS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA; LYING WITHIN THE SOUTH HALF (S1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA. DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTHEAST CORNER OF SAID PARCEL, SAID POINT LYING ON THE NORTHWESTERLY RIGHT-OF- WAY LINE OF HIGHLAND DRIVE (30.00 FEET WIDE); THENCE DEPARTING SAID NORTHWESTERLY RIGHT-OF-WAY LINE ALONG THE SOUTHERLY LINE OF SAID PARCEL, NORTH 54°26'37" WEST, 20.00 FEET; THENCE DEPARTING THE SOUTHERLY LINE OF SAID PARCEL, NORTH 35°33'23" EAST, 25.00 FEET; THENCE SOUTH 54°26'37" EAST, 20.00 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID HIGHLAND DRIVE; THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, SOUTH 35°33'23" WEST, 25.00 FEET TO THE **POINT OF BEGINNING**.

| LINE TABLE | | |
|---|---|---|
| LINE | BEARING | LENGTH |
| L1 | N57°56'15"E | 30.00' |
| L2 | N54°26'37"W | 30.00' |
| L3 | N54°26'37"W | 30.00' |

| CURVE TABLE | | | |
|---|---|---|---|
| CURVE | RADIUS | DELTA | LENGTH |
| C1 | 500.00' | 22°22'52" | 195.31' |




LEGEND

- LEASE AREA
- CENTERLINE
- EASEMENT
- RIGHT-OF-WAY
- SECTION LINE
- PROPERTY LINE
- OHP — OVERHEAD POWER
- EXISTING FENCE
- PROPOSED FENCE
- XXXX — EXISTING 1' CONTOUR
- XXXX — EXISTING 5' CONTOUR
- EXISTING BLOCK WALL
- PROPOSED BLOCK WALL
- FIRE HYDRANT
- PARKING LOT AREA LIGHT
- O.R. — OFFICIAL RECORD
- POWER POLE

NORTH

GRAPHIC SCALE
50 0 25 50 100 200
( IN FEET )
1" = 100'

SCALE: 1" = 100' 1

SITE PLAN

OMNIPOINT
T-Mobile
4175 S. RILEY ST., STE. 101
LAS VEGAS, NEVADA 89147

PROJECT INFORMATION:

STORAGE YARD
VG08690B

2400 HIGHLAND DRIVE
LAS VEGAS, NEVADA 89102

CURRENT ISSUE DATE:
02/04/11

ISSUED FOR:
ZONING

| REV.: | DATE: | DESCRIPTION: | BY: |
|---|---|---|---|
| 2 | 02/04/11 | ZONING REVISION | J.C. |
| 1 | 01/12/11 | 100% ZONING | J.C. |
| 0 | 12/16/10 | 90% ZONING | J.C. |

PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
8905 W POST RD., SUITE 100
LAS VEGAS, NEVADA 89148
PH. (702) 367-7705
FAX (702) 367-8733

| DRAWN BY: | CHK.: | APV.: |
|---|---|---|
| J. CAPULE | M. CEFALU | C. WENER |

LICENSURE:

SHEET TITLE:
SITE PLAN

SHEET NUMBER: A1
REVISION: 2
VG08690B

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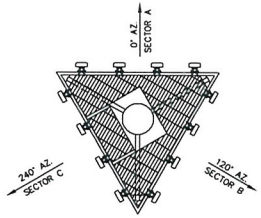



## ANTENNA LAYOUT

SCALE: NONE | 3

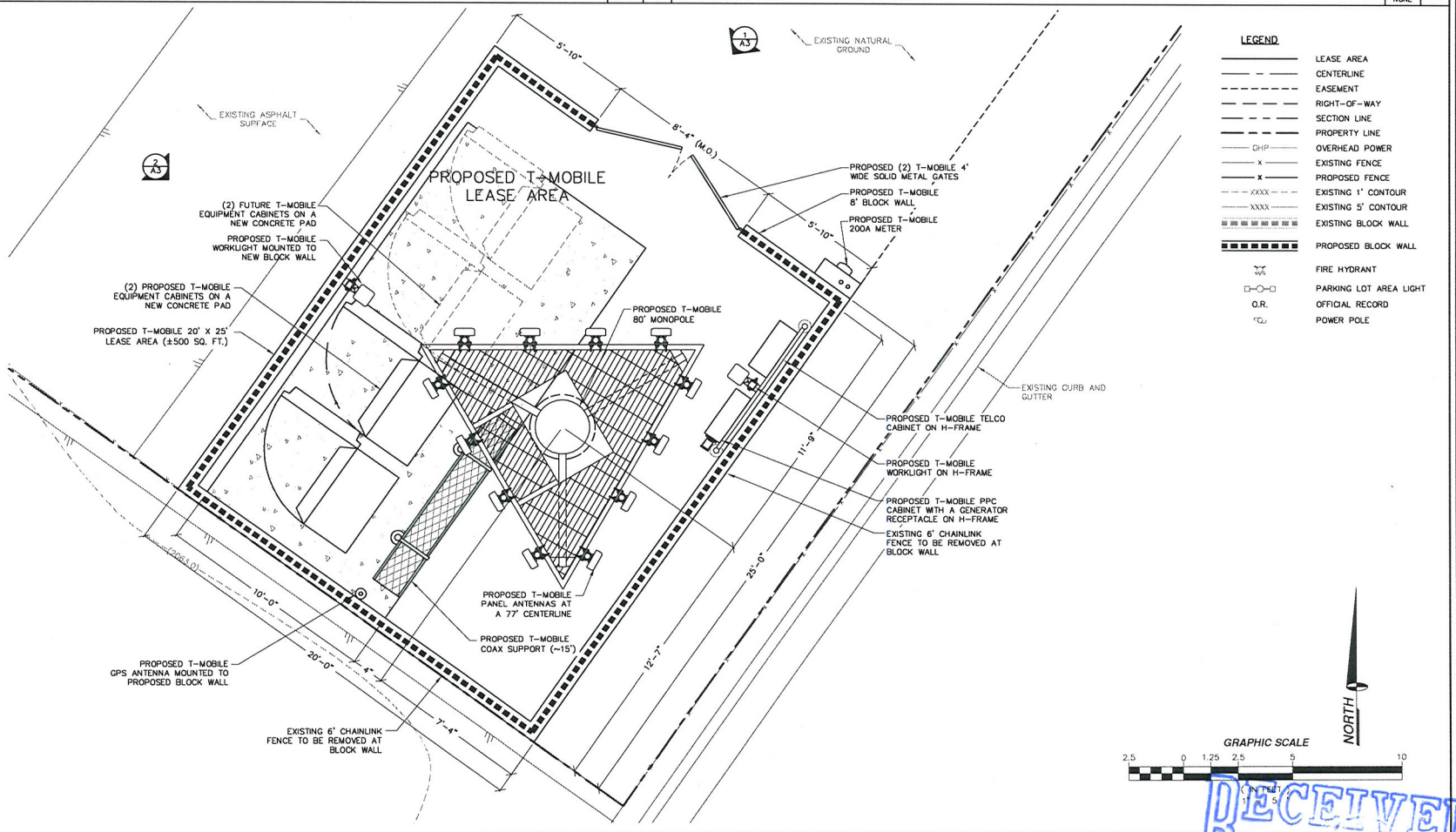
## ANTENNA AND CABLE SCHEDULE

SCALE: NONE | 2

| ANTENNA SECTOR | AZIMUTH | ANTENNA MAKE/MODEL | COAXIAL CABLE LENGTH | CABLE SIZE | COLOR CODE | RAD CENTER | TOP JUMPER LENGTH | BOTTOM JUMPER LENGTH | COMMENTS |
|---|---|---|---|---|---|---|---|---|---|
| SECTOR A | 0° | DR65-19XXDPQ | 90' X 8 | 7/8" COAX | | 77' | 5' | 6' (10' MAX) | . |
| SECTOR B | 120° | DR65-19XXDPQ | 90' X 8 | 7/8" COAX | | 77' | 5' | 6' (10' MAX) | . |
| SECTOR C | 240° | DR65-19XXDPQ | 90' X 8 | 7/8" COAX | | 77' | 5' | 6' (10' MAX) | . |
| GPS | N/A | TRUE POSITION | 30' X 1 | 1/2" COAX | | . | N/A | N/A | . |
| LMU | N/A | TRUE POSITION | N/A | N/A | | . | N/A | N/A | . |

NOTE: CONTRACTOR TO FIELD VERIFY CABLE LENGTHS PRIOR TO ORDERING, FABRICATION, OR INSTALLATION OF CABLES.

| EQUIPMENT | QUANTITY | EQUIPMENT CABINETS MAKE/MODEL | LATITUDE (NAD83) | LONGITUDE (NAD83) | LATITUDE (WGS84) | LONGITUDE (WGS84) | GROUND LEVEL (AMSL) | COMMENTS |
|---|---|---|---|---|---|---|---|---|
| ERICSSON | 2 | RBS-2106 (OUTDOOR) | N/A | N/A | N/A | N/A | N/A | . |




## SITE DETAIL

SCALE: 1" = 5' | 1

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OMNIPOINT
T-Mobile
4175 S. RILEY ST., STE. 101
LAS VEGAS, NEVADA 89147


PROJECT INFORMATION:

STORAGE YARD
VG08690B

2400 HIGHLAND DRIVE
LAS VEGAS, NEVADA 89102

CURRENT ISSUE DATE:

02/04/11

ISSUED FOR:

ZONING

| REV. | DATE: | DESCRIPTION: | BY: |
|---|---|---|---|
| 2 | 02/04/11 | ZONING REVISION | J.C. |
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LAS VEGAS, NEVADA 89148
PH. (702) 367-7705
FAX (702) 367-8733


| DRAWN BY: | CHK.: | APV.: |
|---|---|---|
| J. CAPULE | M. CEFALU | C. WENER |

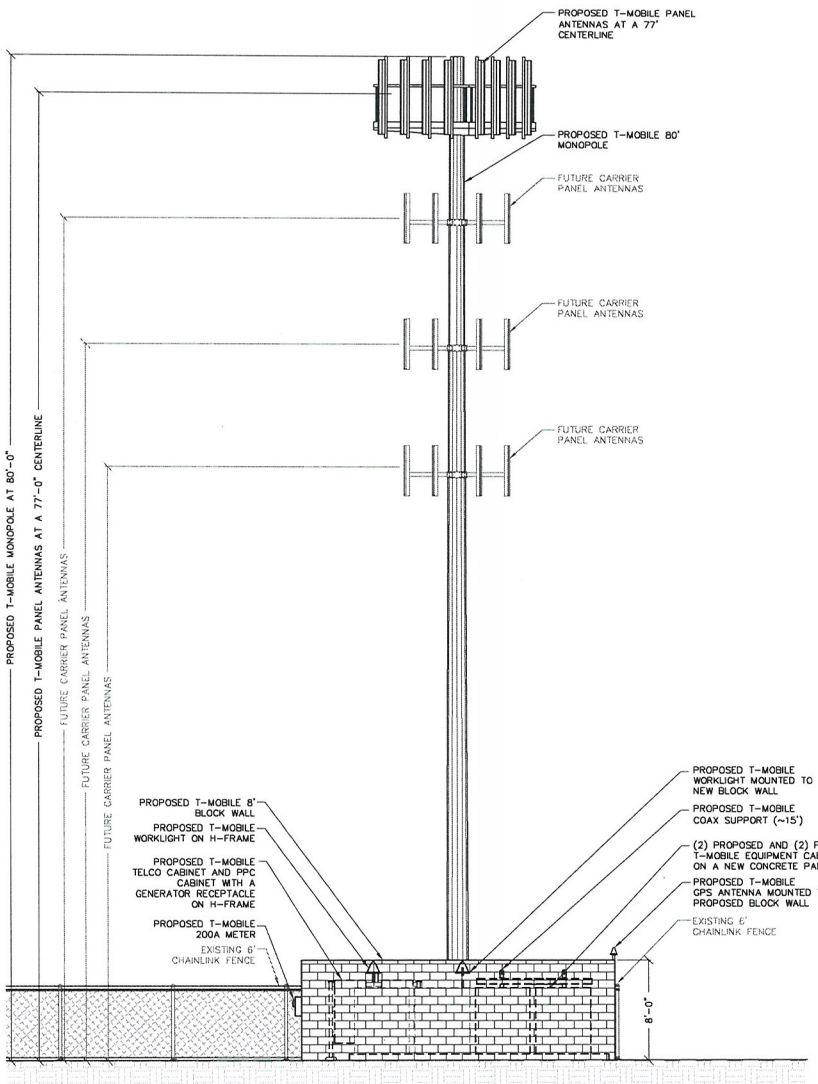
LICENSURE:

SHEET TITLE:

SITE DETAIL, ANTENNA & CABLE SCHEDULE AND ANTENNA LAYOUT

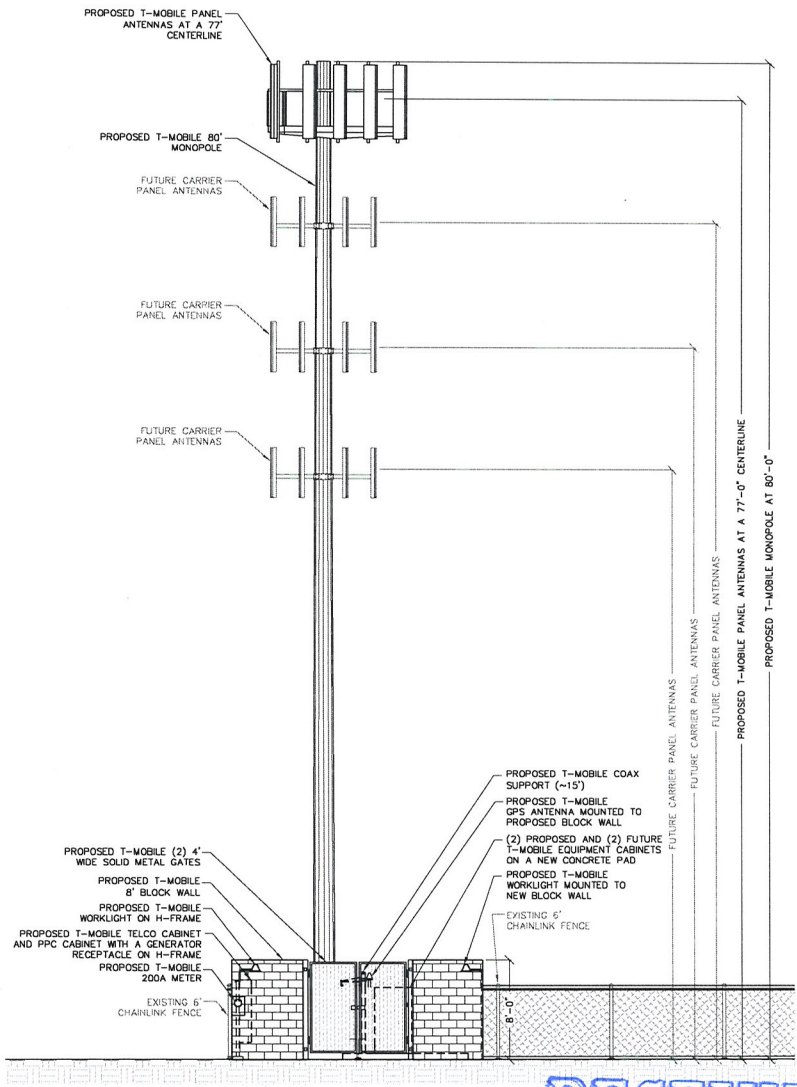
| SHEET NUMBER: | REVISION: |
|---|---|
| A2 | 2 |

VG08690B




NORTHWEST ELEVATION

SCALE: 1" = 10' 2




NORTHEAST ELEVATION

SCALE: 1" = 10' 1

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LAS VEGAS, NEVADA 89147

PROJECT INFORMATION:

STORAGE YARD
VG08690B

2400 HIGHLAND DRIVE
LAS VEGAS, NEVADA 89102

CURRENT ISSUE DATE:

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ZONING

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|---|---|---|---|
| 2 | 02/04/11 | ZONING REVISION | J.C. |
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PLANS PREPARED BY:

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LAS VEGAS, NEVADA 89148
PH. (702) 367-7705
FAX (702) 367-8733

| DRAWN BY: | CHK.: | APV.: |
|---|---|---|
| J. CAPULE | M. CEFALU | C. WENER |

LICENSURE:

SHEET TITLE:

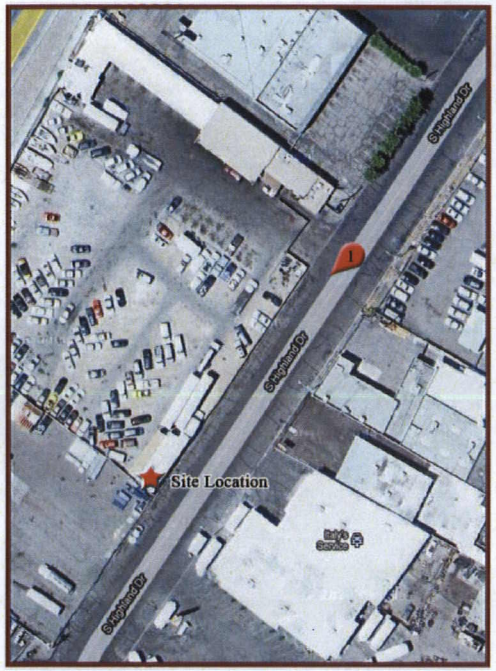
ELEVATIONS

| SHEET NUMBER: | REVISION: |
|---|---|
| A3 | 2 |

VG08690B

# STORAGE YARD 2400 HIGHLAND DRIVE LAS VEGAS, NEVADA 89102

VIEW 1




LOCATION



EXISTING




PROPOSED

SPECTRUM
8905 W. POST ROAD SUITE 100 LAS VEGAS, NEVADA 89148
OFFICE: (702) 367-7705
FAX: (702) 367-8733

T··Mobile···
4175 S. RILEY STREET STE. 101 LAS VEGAS, NEVADA 89147

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MAY 11 2011

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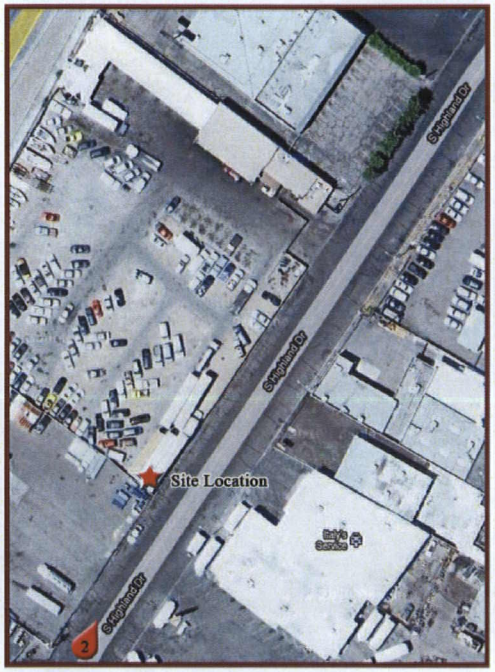
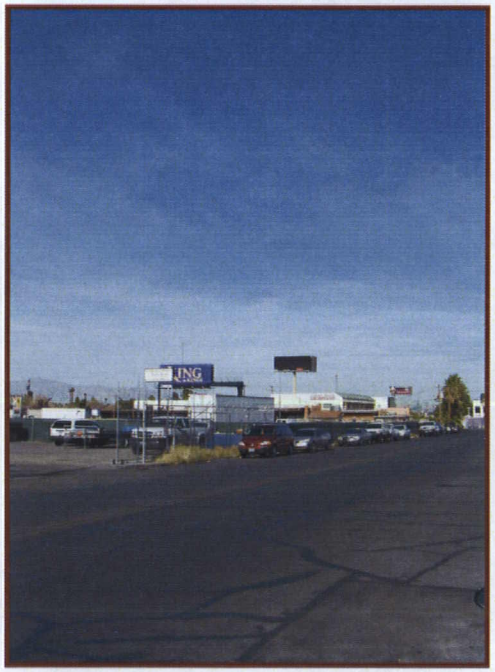
# STORAGE YARD 2400 HIGHLAND DRIVE LAS VEGAS, NEVADA 89102

VIEW 2




LOCATION



EXISTING




PROPOSED

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8905 W. POST ROAD SUITE 100 LAS VEGAS, NEVADA 89148
OFFICE (702) 367-7705
FAX: (702) 367-8733

T··Mobile···
4175 S. RILEY STREET STE 101 LAS VEGAS, NEVADA 89147

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SUP-41299 - APPLICANT: T-MOBILE - OWNER: AD AMERICA, INC.
2400 HIGHLAND DRIVE

03/31/11




SUP-41299 - APPLICANT: T-MOBILE - OWNER: AD AMERICA, INC.
2400 HIGHLAND DRIVE

03/31/11




SUP-41299 - APPLICANT: T-MOBILE - OWNER: AD AMERICA, INC.
2400 HIGHLAND DRIVE

03/31/11

SPECTRUM

7351 W. Charleston Blvd., Suite 120
Las Vegas, NV 89117
Phone: 702.367.7705
Fax: 702.367.8733

March 15, 2011

City of Las Vegas
731 S. Forth Street
Las Vegas, NV 89101

Reference: Zoning Approval Request
T-Mobile Site VG08690B

Spectrum Surveying & Engineering, on behalf of T-Mobile USA, is submitting a request for a Special Use Permit to allow the construction of a telecommunications facility on a Industrial District (M) zoned parcel. The proposed site location is at 2400 Highland Drive, parcel number 162-04-402-004. This geographic location was selected by T-Mobile USA as a desirable location to work within their existing network of antennas and towers. T-Mobile USA proposes to construct an 80' monopole type multi-user telecommunications tower within an 8' block wall compound. The subject parcel is an existing automobile towing facility. Per the provisions in the City of Las Vegas code, this tower is being proposed as a multi-use tower in order to accommodate additional carriers that will most likely seek additional coverage in the area after the proposed I-15 widening project.

The proposed antennas are required to provide adequate coverage to customers using wireless services in the area. Businesses, governments, emergency services and the general public are all users of cellular technology. The installation of this facility will enhance service coverage and reliability for users in the City of Las Vegas. The Federal Communications Commission determined the wireless system serves the national interest and directly and indirectly benefits all members of the public.

The approval of this application is consistent with the zoning code and does not grant any special privileges above and beyond those of other properties in the vicinity. In addition the approval will not be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood, or injurious to property, resources, or improvements in the vicinity, nor will create any additional impact to the traffic system in the area.

Sincerely,
Spectrum Surveying & Engineering

Damien Huggard
Project Manager

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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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$00.41

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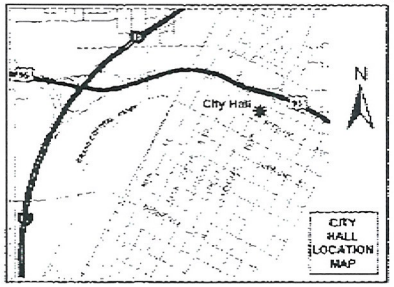
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the 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-41299**

Planning Commission Meeting of 5/10/2011

Case: SUP-41299

16204402001
MY SISTER'S COMPANY L L C
1220 ALDERTON LN
LAS VEGAS NV 89144-6523

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Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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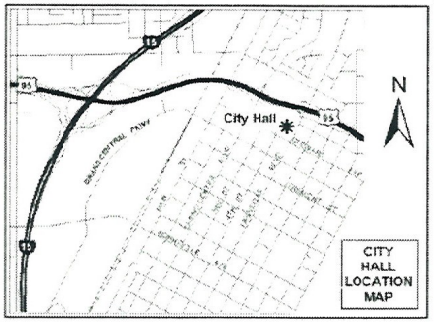
**Official Notice of Public Hearing**

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**SUP-41299**

Planning Commission Meeting of 5/10/2011

Case: SUP-41299
16204406009
FLEMING KENNETH E & JOY C LIV TR
1841 NEWPORT BAY DR
LAS VEGAS NV 89117-2057

NIXIE 891 5C 1 00 05/13/11
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD
BC: 89106370303 *0779-10793-05-39

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

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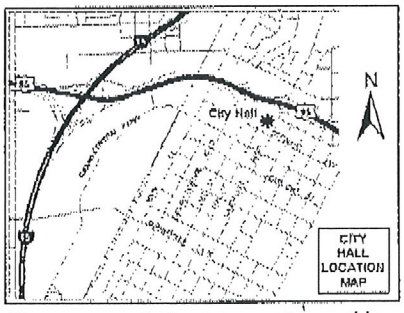


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Case: SUP-41299

16204402002
AD AMERICA INC
2310 HIGHLAND DR
LAS VEGAS NV 89102-4809

☒ I SUPPORT this Request ☐ I OPPOSE this Request

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Planning Commission Meeting of 5/10/2011

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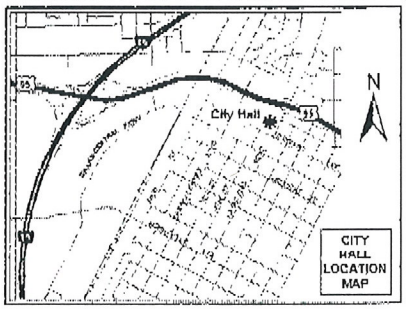


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**SUP-41299**

Planning Commission Meeting of 5/10/2011

Case: SUP-41299

16204402003
A D AMERICA INC
2310 HIGHLAND DR
LAS VEGAS NV 89102-4809

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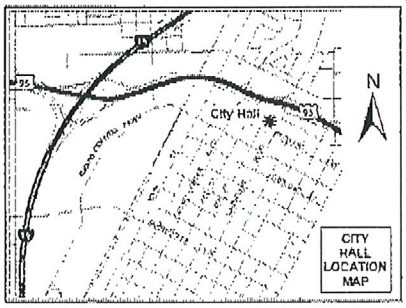
**Official Notice of Public Hearing**

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☒ 1 SUPPORT this Request ☐ 1 OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-41299**

Planning Commission Meeting of 5/10/2011

Case: SUP-41299

16204402004
AD AMERICA INC
%J BIELINSKI
2310 HIGHLAND DR
LAS VEGAS NV 89102-4809

32 BRDFN11 89102

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H1A

City of Las Vegas Agenda Item No.: **26.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

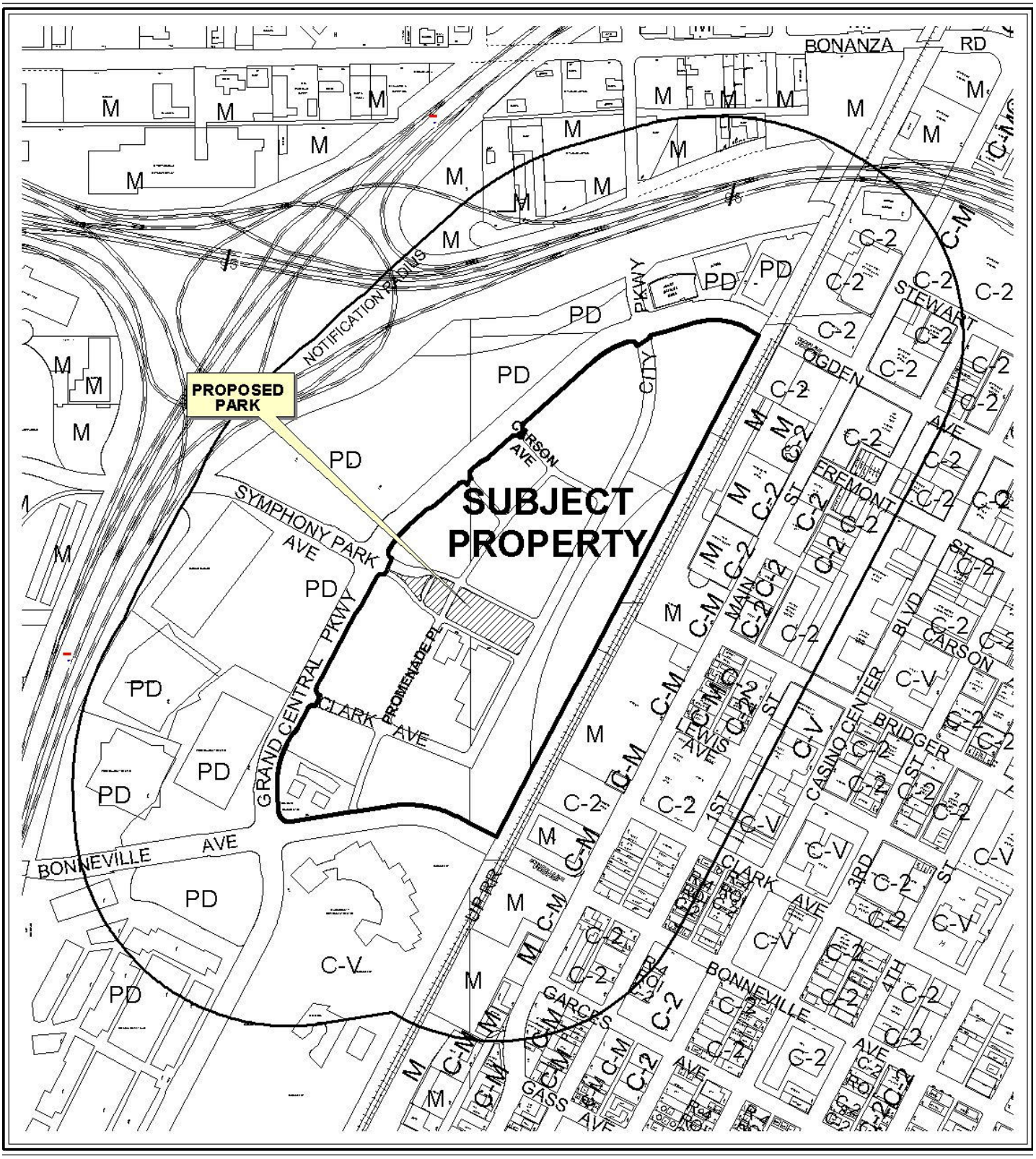
**SUBJECT:**
ABEYANCE - SDR-41033 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: SYMPHONY PARK MASTER ASSOCIATION, INC., ET AL - Request for a Site Development Plan Review FOR A PRIVATE PARK on 2.16 acres at the intersection of Symphony Park Avenue and Grand Central Parkway (APNs 139-33-511-009, 010, and 139-34-211-001), PD (Planned Development) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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. Abeyance Request Letter Submitted by The Projects Group
3. Conditions and Staff Report
4. Supporting Documentation
5. Photos
6. Symphony Park Design Review Committee Approval Letter
7. Justification Letter




**CASE:** **SDR-41033**

**RADIUS:** 1000 FT

0 300 600 Feet

**ZONING OF SUBJECT PROPERTY:** PD (PLANNED DEVELOPMENT)

N




**CASE:** **SDR-41033**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** PD (PLANNED DEVELOPMENT)

0 300 600 Feet

N

The Projects Group

May 24, 2011

Steve Swanton, AICP
Senior Planner
Department of Planning
City of Las Vegas

Subject: **Symphony Park- Revised Plans for Park**

Dear Mr. Swanton,

I am writing this letter to request an abeyance of the site review (SDR-41033) from the public hearing scheduled for June 14th and move it to July 12th. We are currently re-designing the Park due to budget and schedule constraints and will have a revised design to present to Planning and the Symphony Park Design Review Committee shortly. Please contact me should you have any questions or concerns.

Sincerely,

Matthew Edwards

RECEIVED
MAY 24 2011

420 Throckmorton Street • Suite 910 • Fort Worth, Texas 76102 • Tel: 817.339.2910 Fax: 817.339.2913

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: SYMPHONY PARK MASTER ASSOCIATION, INC., ET AL.**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SDR-41033** | Staff recommends APPROVAL, subject to conditions: | |

## ** CONDITIONS **

# SDR-41033 CONDITIONS

***Planning***

1. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-16267) shall be required.

2. Revised plans, elevations and other materials shall be submitted to and approved by the Symphony Park Design Review Committee (SP-DRC) as indicated on the SP-DRC action letter dated 04/27/11 prior to the time application is made for a building permit. Approved plans shall be submitted to the Department of Planning.

3. Elevations of all structures shall be reviewed for approval by the City Council prior to the issuance of building permits for the structures. Plans for the proposed canopy on APN 139-33-511-010 shall be submitted to and approved by the SP-DRC prior to review by the City Council.

4. A parking space shall be provided on the site behind the stage structure, so as to allow for a temporary dressing room or restroom trailer.

5. 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.

6. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 04/28/11, except as amended by conditions herein.

7. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 04/28/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

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

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

10. A Master Sign Plan shall be submitted for review and approval by the SP-DRC prior to the issuance of any sign permits.

11. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

12. 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.

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

***Public Works***

14. Unless already constructed or guaranteed by the Master Developer, construct all incomplete half street improvements adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with the development of this site.

15. All plumbing fixtures shall drain into the City of Las Vegas sanitary sewer system.

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.

17. 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.

18. Comply with all applicable previous conditions of approval for SDR-16267 and all other site related actions.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The undeveloped subject site is located within the Symphony Park Master Plan area. A 2.16-acre private park flanked by Symphony Park Avenue is proposed at this location in conformance with the Symphony Park Design Standards. This development is intended to complement the performing arts center currently under construction to the south and to provide a civic open space for the Symphony Park area. The proposed park is bisected by a public street (Promenade Place) and a one-way pass-through area for buses and other vehicles, but is intended to thematically connect these parcels. A concessions building and covered stage, as well as shade canopies are planned for the site. All structures but the canopy proposed on APN 139-33-511-010 are included in this Site Development Plan Review; this canopy will be reviewed once the design is finalized and approved by the Symphony Park Design Review Committee (SP-DRC). All parking will be located offsite in surface parking lots or in planned parking structures. The proposed development generally conforms to the Symphony Park Design Guidelines. It has received approval from the SP-DRC with several administrative technical waivers and requests for minor revisions that will require additional review. Staff also recommends approval with conditions and will require submittal of a separate Minor Site Development Plan Review for the proposed canopy structure on APN 139-33-511-010.

## ISSUES

- A separate Minor Site Development Plan Review by the Department of Planning will be required for the design of the shade canopy structure proposed on APN 139-33-511-010.
- Additional minor revisions to the plans are required by the SP-DRC prior to application for building permits; this is noted as a condition of approval.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 11/23/98 | The City Council approved a Rezoning (Z-0100-97) from M (Industrial) to PD (Planned Development) on approximately 178 acres generally located along the east side of Interstate 15 between Charleston Boulevard and U.S. 95. The Planning Commission and staff recommended approval. |
| 11/15/06 | The City Council approved a request for a Site Development Plan Review (SDR-16267) for a proposed mixed use development on 61.57 acres located at the northeast corner of Grand Central Parkway and Bonneville. The Planning Commission and staff recommended approval. |

| | |
|---|---|
| 01/03/07 | The City Council adopted the Union Park Design Standards through Ordinance #5874. |
| 03/18/09 | The City Council approved a Waiver (WVR-32366) of Section IV(C) of the City of Las Vegas Street Naming and Address Assignment Regulations as adopted by Title 13.28 to allow the suffix "Place" on a northeast/southwest street where only allowed for use on northwest/southeast streets in the Union Park development, located at the northeast intersection of Grand Central Parkway and Bonneville Avenue. Staff recommended approval. |
| 05/20/09 | The City Council approved the change in the name of the Union Park development to Symphony Park. |
| 08/04/10 | The City Council adopted the Symphony Park Design Standards and related design documents through Ordinance #6102. |
| 05/10/11 | The Planning Commission voted to abey SDR-41033 to the 06/14/11 Planning Commission meeting at the applicant's request. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 04/29/04 | A deed was recorded for a change in ownership on APN 139-34-211-001. |
| 10/13/10 | A deed was recorded for a change in ownership on APN 139-33-511-009 and 010. |

| ***Related Building Permits/Business Licenses*** |
|---|
| No building permits or business licenses pertain to the subject site. |

| ***Pre-Application Meeting*** | |
|---|---|
| 02/17/11 | A pre-application meeting was held with the applicant's representative, where requirements for a Site Development Plan Review for a private park were discussed. During the meeting, it was determined that a variance would be necessary to allow a proposed monument sign to encroach into the required setback area for such signs. This sign was later deemed a development entry sign that met Title 19 requirements and as such, a variance would not be necessary. Other items noted included the following:<br>• A signed letter of review from the Symphony Park Design Review Committee (SP-DRC) is required at the time of submittal. The SP-DRC has not yet reviewed the proposal and is scheduled to do so in early March.<br>• An encroachment agreement may be sought for landscaping in the western portion of the pass-through area in lieu of a petition of vacation. |

| ***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 proposed park area is being used at this time as a staging area for construction of the approved performing arts center to the south. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 2.16 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Undeveloped | MXU (Mixed Use) | PD (Planned Development) |
| North | Undeveloped | MXU (Mixed Use) | PD (Planned Development) |
| South | Performing Arts Center | MXU (Mixed Use) | PD (Planned Development) |
| East | Construction Staging Area | MXU (Mixed Use) | PD (Planned Development) |
| West | Right-of-Way | ROW (Right-of-Way) | ROW (Right-of-Way) |

| ***Master Plan Areas*** | ***Yes*** | ***No*** | ***Compliance*** |
|---|---|---|---|
| **Master Plan Area** | | | |
| Downtown Centennial Plan | X | | Y |
| ***Special Purpose and Overlay Districts*** | ***Yes*** | ***No*** | ***Compliance*** |
| **Special Purpose and Overlay Districts** | | | |
| PD (Planned Development) District | X | | Y |
| Downtown Centennial Plan Overlay District (Symphony Park) | X | | Y |
| G-O (Gaming Enterprise Overlay) District | X | | N/A |
| A-O (Airport Overlay) District (175 Feet) | X | | Y |
| Downtown Casino Overlay District | X | | N/A |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Las Vegas Redevelopment Plan Area** | X | | Y |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## DEVELOPMENT STANDARDS

***Pursuant to the Symphony Park Design Standards, the following standards apply:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Lot Size | N/A | 9,443 SF | N/A |
| Min. Lot Width | N/A | 7 Feet | N/A |
| Max. Building/Structure Height | N/A | 45 Feet | N/A |
| Mech. Equipment | Screened | Screened | Y |

***Symphony Park Schematic Streetscape Design***

| *Streetscape Standards* | *Required* | *Provided* | *Compliance* |
|---|---|---|---|
| Symphony Park Avenue | Rio Grande Velvet Ash Trees—24' on center (25% plantings/25% special paving/50% scored concrete)<br>4' square tree grates | 48" box Rio Grande Ash spaced 24' on center; min. 12' sidewalk with tree grates and special paving | Y |
| Symphony Park Forecourt | Per Park Design (65% plantings/20% special paving/15% scored concrete)<br>Benches<br>Planter pots<br>Seatwalls | 48" box Desert Museum Palo Verde<br>48" box Rio Grande Ash<br>Benches/planter pots/seatwalls | Y |
| Symphony Park East | Per Park Design (65% plantings/20% special paving/15% scored concrete)<br>Benches<br>Planter pots<br>Trash Receptacles<br>Seatwalls | 48" box Desert Palo Verde<br>48" box Rio Grande Ash<br>26,500 SF turf area<br>Benches/planters/trash receptacles/seatwalls | Y |

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Grand Central Parkway | Parkway Arterial | Master Plan of Streets and Highways | 100 | N |
| Symphony Park Avenue (each direction) | N/A | N/A | 23 | N/A |
| Promenade Place | N/A | N/A | 34 | N/A |

SS

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

| ***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 | |
| Private Park | 2.16 acres net/gross | 2 spaces per gross acre | 5 | | | | |
| **TOTAL SPACES REQUIRED** | | | 5 | | 0 | | N |
| **Regular and Handicap Spaces Required** | | | 4 | 1 | 0 | 0 | N |

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

## ANALYSIS

The subject site is located within a PD (Planned Development) zoning district and the Symphony Park District of the Downtown Centennial Plan Overlay District. Development within this district is subject to the Symphony Park Design Standards Manual. No waivers of the Design Standards have been requested. The proposed development has no impact on the site's location within the Gaming Enterprise Overlay District or Downtown Casino Overlay District. The site is located within the Airport Overlay District with a 175-foot height restriction on structures; all proposed structures are in conformance with the requirements of the Overlay District.

The proposed private park conforms to the requirements of the Downtown Centennial Plan and Symphony Park Design Standards. No parking will be located onsite; instead, parking will be provided in nearby offsite surface lots or in planned parking structures not a part of this review, as permitted by Title 19.06 and the Downtown Centennial Plan. Vehicular traffic, including buses, will not enter the park, but will safely be able to circulate around the perimeter using Symphony Park Avenue, Promenade Place and a one-way turnaround, which doubles as a drop-off area. A bus shelter is provided at the east end of the park to accommodate bus traffic on City Parkway.

The SP-DRC reviewed and approved the park development on 04/27/11, granting administrative waivers for technical items. Minor revisions are required for certain plans, which will be re-reviewed by the Committee for approval. The design of the proposed shade canopy on APN 139-33-511-010 is not yet complete; this structure will be subject to further review by the SP-DRC, and once approved, by the Department of Planning through submittal of a Minor Site Development Plan Review. Onsite signage will be subject to approval of a Master Sign Plan by the SP-DRC prior to issuance of any sign permits by the City of Las Vegas. The sign types and locations indicated by the submitted plans conform to Title 19.14 and Symphony Park Design Standards requirements.

As the proposed development conforms to applicable standards and has received conditional approval from the SP-DRC, staff recommends approval with conditions, subject to review of the northern canopy design once finalized.

**FINDINGS (SDR-41033)**

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 private park development is an integral part of the master design of the Symphony Park planned area and complements the performing arts center currently under construction to the south as a civic open space.

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 private park is consistent with the Mixed Use designation of the General Plan, the provisions of Title 19.06, the Downtown Centennial Plan and the Symphony Park Design Standards Manual, and has been approved by the SP-DRC.

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

   Access to the perimeter of the proposed park is provided by Grand Central Parkway, Symphony Park Avenue, Promenade Place and City Parkway. Vehicular access to the park interior is not provided. An adequate drop-off area is provided that should not negatively affect traffic in this area.

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

   Building and landscape materials have been approved by the SP-DRC and are appropriate for the Symphony Park planned development area.

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

   The building elevations under this review create an aesthetically pleasing environment and are compatible with the buildings planned or currently under construction in Symphony Park.

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

   Development is subject to permits and inspection, thereby ensuring the health, safety and general welfare of the public.

**NOTICES MAILED** 89

**APPROVALS** 0

**PROTESTS** 0

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41033** APN: APN-139-34-211-001

Name of Property Owner: City Parkway V, Inc

Name of Applicant: Sam Gladstein - CITY PARKWAY V, INC

Name of Representative: Christopher Langham - JW ZUNINO LANDSCAPE ARCHITECTURE

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

RECEIVED
FEB 24 2011

Print Name: Sam Gladstein

Subscribed and sworn before me

This 24 day of February, 2011

_____
Notary Public in and for said County and State

JILL KLELES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 07-1800-1
My Appt. Expires Jan. 18, 2015

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41033** APN: APN-139-33-511-009, APN-139-33-511-010

Name of Property Owner: Symphony Park Master Association, Inc

Name of Applicant: Sam Gladstein - SYMPHONY PARK MASTER ASSN, INC

Name of Representative: Christopher Langham - JW ZUNINO LANDSCAPE ARCHITECTURE

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

RECEIVED
FEB 24 2011

Print Name: Sam Gladstein

Subscribed and sworn before me

This 24 day of February, 20 11

Jill Kleles
Notary Public in and for said County and State

JILL KLELES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 07-1800-1
My Appt. Expires Jan. 18, 2015

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Site Development Review

**Project Address (Location)** Promenade Place @ Symphony Park Avenue & Grand Central Pkwy

**Project Name** Symphony Park **Proposed Use** Park

**Assessor's Parcel #(s)** 139-33-511-009, 139-33-511-010 **Ward #** 5

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

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

**Gross Acres** .58 **Lots/Units** _____ **Density** _____

**Additional Information** Parcels M1 and M2

**PROPERTY OWNER** Symphony Park Master Assn, Inc **Contact** Sam Gladstein

**Address** 6130 Elton Ave #212 **Phone:** (702) 220-8090 **Fax:** (702) 216-6001

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

**E-mail Address** sgladstein@newlandco.com

**APPLICANT** Symphony Park Master Assn, Inc **Contact** Sam Gladstein

**Address** 6130 Elton Ave #212 **Phone:** (702) 220-8090 **Fax:** (702) 216-6001

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

**E-mail Address** sgladstein@newlandco.com

**REPRESENTATIVE** JW Zunino Landscape Architecture **Contact** Christopher Langham

**Address** 3191 S. Jones Blvd **Phone:** (702) 253-9390 **Fax:** (702) 253-1016

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

**E-mail Address** chris@jwzunino.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** Sam Gladstein

Subscribed and sworn before me

This 24 day of February, 20 11.

Jill Kleles

Notary Public in and for said County and State

JILL KLELES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 07-1800-1
My Appt. Expires Jan. 18, 2015

***FOR DEPARTMENT USE ONLY***

| | |
|---|---|
| **Case #** | SDR - 41033 |
| **Meeting Date:** | 4/12/11 |
| **Total Fee:** | $1030.00 |
| **Date Received:*** | 2/24/11 |
| **Received By:** | Romeo |

RECEIVED
FEB 24 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

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# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Site Development Review

**Project Address (Location)** Promenade Place @ Symphony Park Avenue

**Project Name** Symphony Park **Proposed Use** Private Park

**Assessor's Parcel #(s)** APN-139-34-211-001 **Ward #** 5

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

**Commercial Square Footage** 4,900 **Floor Area Ratio**

**Gross Acres** 1.6 **Lots/Units** **Density**

**Additional Information** Parcel M3

**PROPERTY OWNER** City Parkway V, Inc. **Contact** Sam Gladstein

**Address** 6130 Elton Ave #212 **Phone:** (702) 220-8090 **Fax:** (702) 216-6001

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

**E-mail Address** sgladstein@newlandco.com

**APPLICANT** City Parkway V, Inc. **Contact** Sam Gladstein

**Address** 6130 Elton Ave #212 **Phone:** (702) 220-8090 **Fax:** (702) 216-6001

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

**E-mail Address** sgladstein@newlandco.com

**REPRESENTATIVE** JW Zunino Landscape Architecture **Contact** Christopher Langham

**Address** 3191 S. Jones Blvd **Phone:** (702) 253-9390 **Fax:** (702) 253-1016

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

**E-mail Address** chris@jwzunino.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** Sam Gladstein

Subscribed and sworn before me

This 24. day of February, 20 11.

Jill Kleles

Notary Public in and for said County and State

JILL KLELES
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 07-1800-1
My Appt. Expires Jan. 18, 2015

***FOR DEPARTMENT USE ONLY***

| | |
|---|---|
| **Case #** | SDR-41033 |
| **Meeting Date:** | 4/12/11 |
| **Total Fee:** | $1030.00 |
| **Date Received:*** | 2/24/11 |
| **Received By:** | Romeo |

RECEIVED
FEB 24 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

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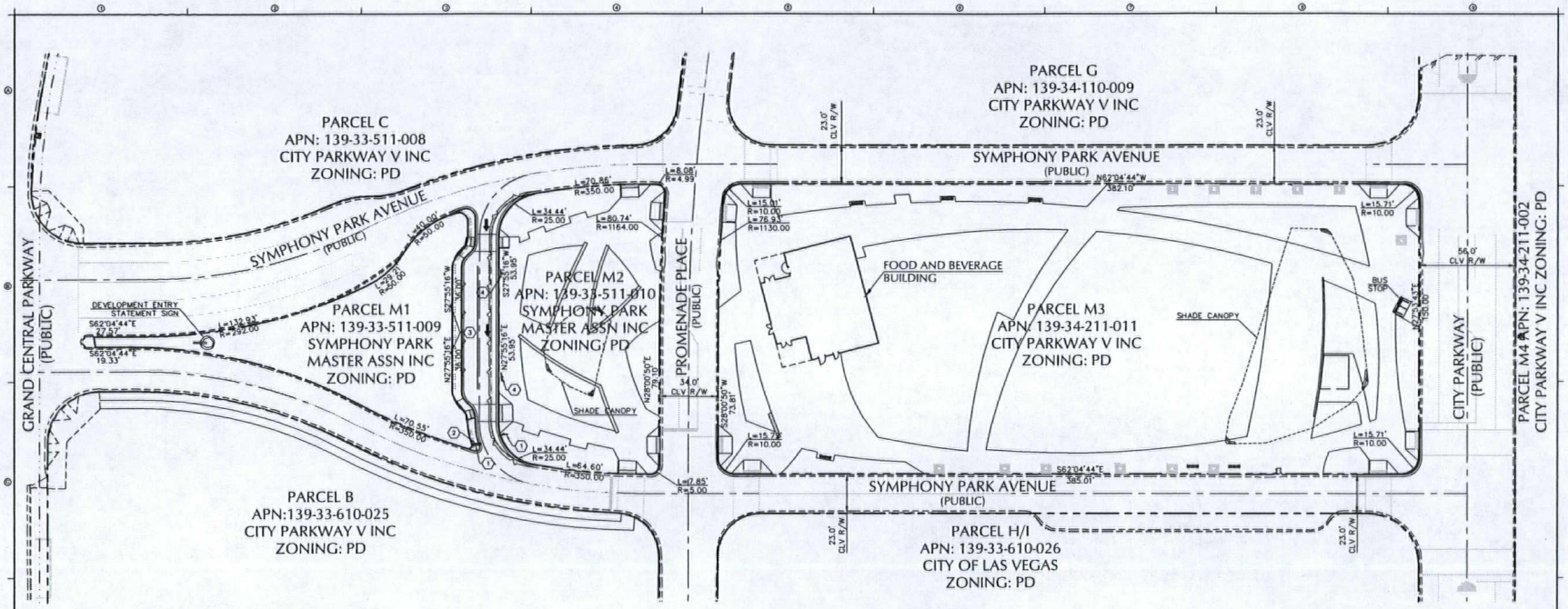


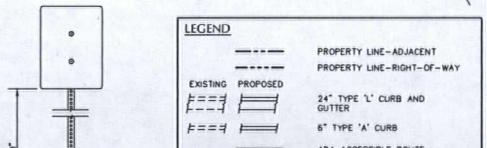


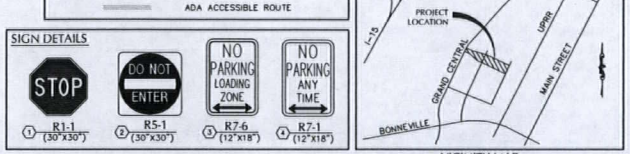

GRAPHIC SCALE

( IN FEET )
1 INCH = 30 FT

SITE INFORMATION

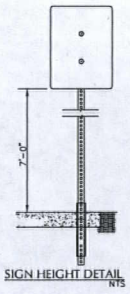
SITE ACREAGE:
PARCEL M1: 0.22 AC± (9,443 S.F.)
PARCEL M2: 0.36 AC± (15,861 S.F.)
PARCEL M3: 1.58 AC± (68,646 S.F.)
TOTAL ACREAGE: 2.16 AC± (93,950 S.F.)
BUILDING COVERAGE:
PARCEL M1: N/A
PARCEL M2: N/A
PARCEL M3: 3,500 S.F. (5.10%)




VICINITY MAP
NTS




SIGN HEIGHT DETAIL
NTS

CITY OF LAS VEGAS

THE SMITH CENTER
NEWLAND COMMUNITIES

DESIGNWORKSHOP
Landscape Architecture • Land Planning
Urban Design • Tourism Planning
Asheville - Aspen - Austin - Denver -
Salt Lake City - Tahoe
224 South 200 West Suite 150
Salt Lake City, Utah 84101
(801) 359-4771
Facsimile (801) 359-4411
WWW.DESIGNWORKSHOP.COM

# SYMPHONY PARK

DESIGN DEVELOPMENT

PARCELS M1, M2 & M3

MARTIN & MARTIN
CIVIL ENGINEERS
2355 RED ROCK STREET, #103
LAS VEGAS, NV 89146
PHONE (702) 248-8000
FAX (702) 248-8070

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PROJECT NUMBER: 3119

SITE PLAN

SHEET NUMBER
C1

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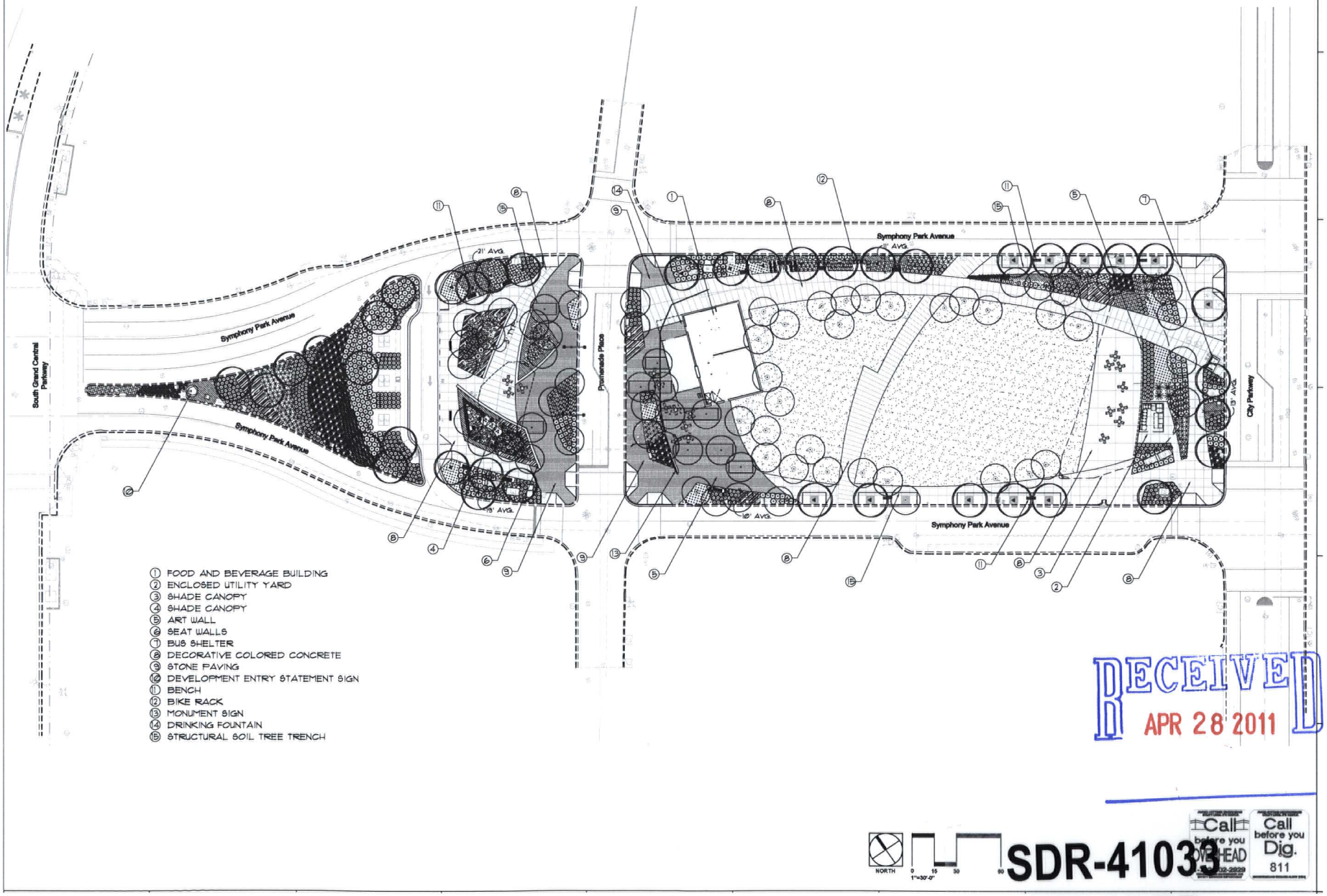


1. FOOD AND BEVERAGE BUILDING
2. ENCLOSED UTILITY YARD
3. SHADE CANOPY
4. SHADE CANOPY
5. ART WALL
6. SEAT WALLS
7. BUS SHELTER
8. DECORATIVE COLORED CONCRETE
9. STONE PAVING
10. DEVELOPMENT ENTRY STATEMENT SIGN
11. BENCH
12. BIKE RACK
13. MONUMENT SIGN
14. DRINKING FOUNTAIN
15. STRUCTURAL SOIL TREE TRENCH

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## DESIGN DEVELOPMENT
PARCEL M1, M2, M3


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CARLSBAD, CA 92008


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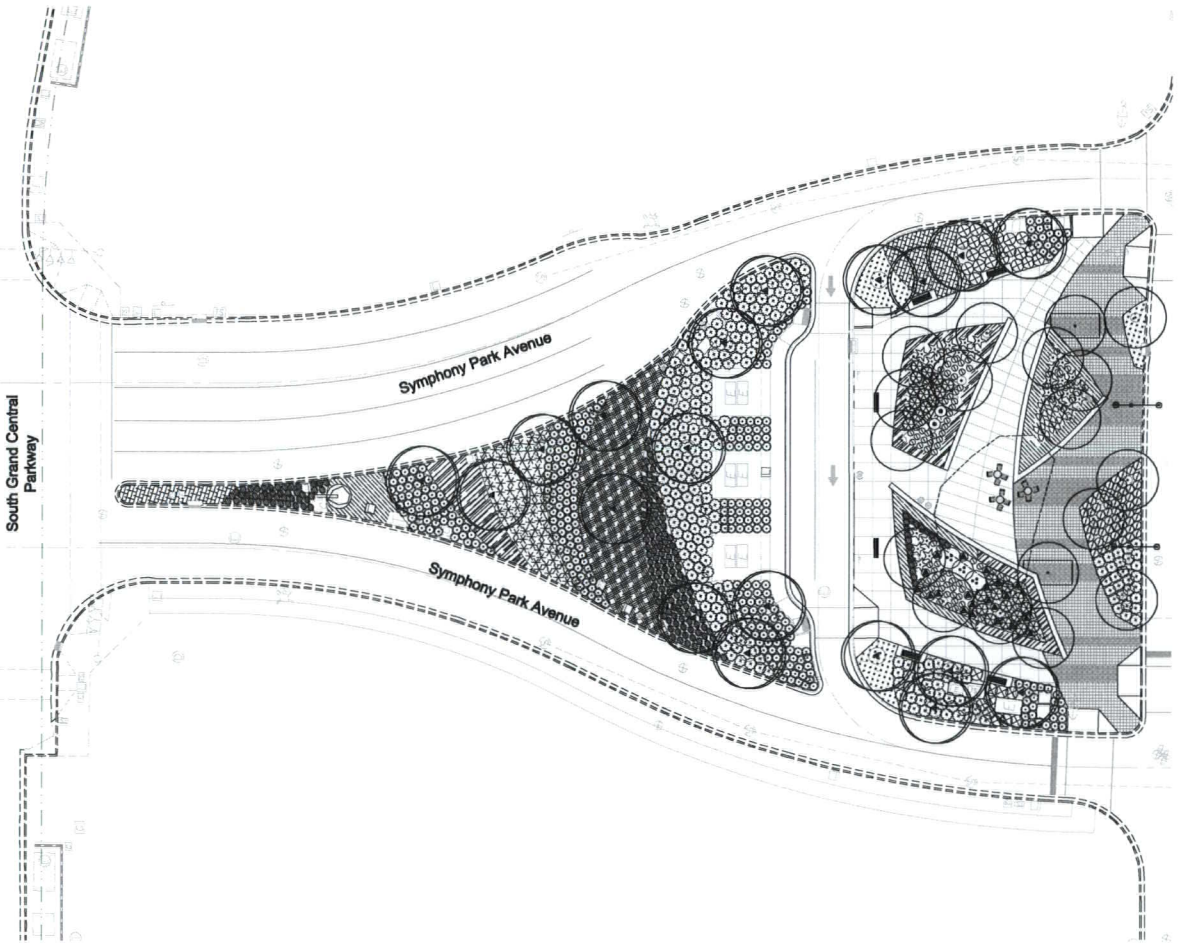
Design Development

PROJECT NUMBER: 4674

Planting Plan

SHEET NUMBER
L-0




## PLANT SCHEDULE (M1-M2)

| SYMBOL | BOTANICAL NAME | COMMON NAME | QTY. | SIZE | REMARKS |
|---|---|---|---|---|---|
| | **TREES** | | | | |
| | CERCIDIUM 'DESERT MUSEUM' | DESERT MUSEUM PALO VERDE | 18 | 48" BOX | |
| | FRAXINUS VELUTINA | RIO GRANDE ASH | 14 | 48" BOX | |
| | **SHRUBS** | | | | |
| | LEUCOPHYLLUM CANDIDUM | THUNDER CLOUD SAGE | 24 | 5 GAL | |
| | MUHLENBERGIA CAPILLARIS 'REGAL MIST' | REGAL MIST DEER GRASS | 358 | 5 GAL | |
| | RHAPHIOLEPIS INDICA 'BALLERINA' | DWARF INDIAN HAWTHORN | 68 | 5 GAL | |
| | ROSMARINUS OFFICINALIS 'TUSCAN BLUE' | UPRIGHT ROSEMARY | 271 | 5 GAL | |
| | **ACCENTS** | | | | |
| | AGAVE PARRYI 'PARRYI' | PARRY'S AGAVE | 186 | 5 GAL | |
| | ECHINOCACTUS GRUSONII | GOLDEN BARREL CACTUS | 84 | 5 GAL | |
| | FOUQUIERIA SPLENDENS | OCOTILLO | 3 | BARE ROOT | 10-15 HRPS |
| | HESPERALOE PARVIFLORA | RED YUCCA | 45 | 5 GAL | |
| | AGAVE DESMETTIANA 'VARIEGATA' | VARIGATED SMARP CENTERY PLANT | 25 | 5 GAL | |
| | OPUNTIA BASILARIS | BEAVER TAIL PRICKLY PEAR | 28 | 5 GAL | |
| | OPUNTIA VIOLACEA 'SANTA-RITA' | PURPLE PRICKLY PEAR | 9 | 5 GAL | |
| | PACHYCEREUS MARGINATUS | FENCEPOST CACTUS | 2 | 8'-10' HT. | SIZE NOTED ON PLAN |
| | TECHOCEREUS MACDHA | ARGENTINE HEDGEHOG | 21 | 5 GAL | |
| | **GROUND-COVERS** | | | | |
| | HYDROPHIM PARVIFOLIUM (550 SQ. FT.) | PROSTRATE HYDROPHIM | 54 | 5 GAL | 36 INCH SPACING |
| | ROSMARINUS OFFICINALIS 'PROSTRATUS' (540 SQ. FT.) | DWARF ROSEMARY | 71 | 5 GAL | 36 INCH SPACING |
| | HALEPHORA CROCEA (1320 SQ. FT.) | GRAY ICE PLANT | 350 | 5 GAL | 24 INCH SPACING |
| | TECRIUM CHAMAEDRYS 'PROSTRATUM' (1,020 SQ. FT.) | PROSTRATE GERMANDER | 115 | 5 GAL | 36 INCH SPACING |
| | CHRYSACTINIA MEXICANA (820 SQ. FT.) | DAMIANITA | 205 | 5 GAL | 24 INCH SPACING |

**GENERAL NOTES:**

1. CONTRACTOR IS RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES. THE PLANT SCHEDULE IS INTENDED AS A REFERENCE ONLY.
2. LANDSCAPE ARCHITECT IS TO APPROVE ALL PLANT MATERIAL PRIOR TO INSTALLATION WITH PRIOR NOTICE OF 48 HOURS.
3. PLANT MATERIAL IS TO HAVE IDENTIFICATION TAGS ON 10% OF THE TOTAL QUANTITY OF EACH SPECIES, SHOWING GENUS, SPECIES, VARIETY, ETC.
4. CONTRACTOR TO PROVIDE MATCHING SIZES AND FORMS OF LIKE SHRUB SPECIES AS SHOWN ON DRAWINGS.
5. CONTRACTOR TO PROVIDE POSITIVE DRAINAGE OF FINISH GRADE AWAY FROM ALL STRUCTURES, WALLS, AND ON ALL SIDEWALKS ACCORDING TO ALL CODES, REGULATIONS, AND REQUIREMENTS.
6. ROCK MULCH SEE SPECIFICATIONS.
7. TREE WELLS AND TREE GRATES SHALL BE PROVIDED FOR ALL TREES LOCATED WITHING HARDSCAPE AREAS.
8. LANDSCAPE CONTRACTOR SHALL TEST ALL PLANTER DRAINS PRIOR TO BACKFILL FOR POSITIVE DRAINAGE.
9. CONTRACTOR SHALL THOROUGHLY MIX ALL SOIL AMENDMENTS AND FERTILIZER PRIOR TO PLACEMENT IN PLANTERS.
10. UNLESS DESIGNATED DIFFERENTLY WITHIN THESE DRAWINGS, STRUCTURAL AND HARDSCAPE IMPROVEMENTS SHALL BE INSTALLED PRIOR TO PLANTING OPERATIONS.
11. ALL WORK ON THE IRRIGATION SYSTEM, INCLUSIVE OF HYDROSTATIC COVERAGE, OPERATIONAL TESTS AND BACKFILLING/COMPACTION OF TRENCHES SHALL BE PERFORMED PRIOR TO PLANTING OPERATIONS.

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CARLSBAD,CA 92008

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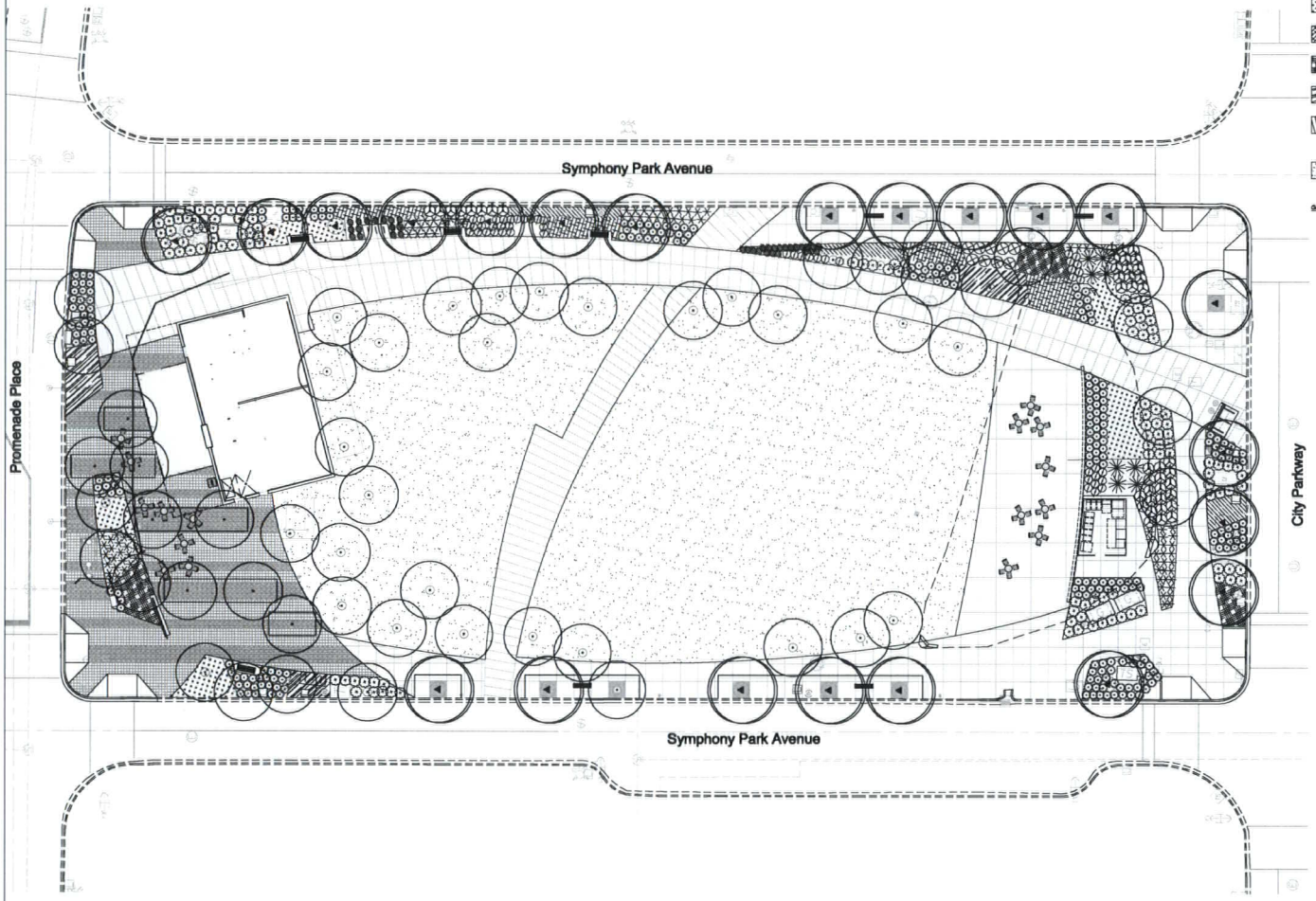
Design Development

PROJECT NUMBER: 4674

Planting Plan

SHEET NUMBER
L-1




## PLANT SCHEDULE (M3)

| SYMBOL | BOTANICAL NAME | COMMON NAME | QTY. | SIZE | REMARKS |
|---|---|---|---|---|---|
| | **TREES** | | | | |
| | CERCIDIUM 'DESERT MUSEUM' | DESERT MUSEUM PALO VERDE | 54 | 48" BOX | |
| | FRAXINUS VELUTINA | RIO GRANDE ASH | 22 | 48" BOX | |
| | **SHRUBS** | | | | |
| | LEUCOPHYLLUM CANDIDUM | THUNDER CLOUD SAGE | 4 | 5 GAL | |
| | MUHLENBERGIA CAPILLARIS 'REGAL MIST' | REGAL MIST DEER GRASS | 248 | 5 GAL | |
| | RHAPHIOLEPIS INDICA 'BALLERINA' | DWARF INDIAN HAWTHORN | 49 | 5 GAL | |
| | ROSMARINS OFFICINALIS 'TUSCAN BLUE' | UPRIGHT ROSEMARY | 17 | 5 GAL | |
| | XYLOSMA CONGESTUM 'COMPACTA' | COMPACT XYLOSMA | 45 | 5 GAL | |
| | **ACCENTS** | | | | |
| | AGAVE PARRYI 'PARRYI' | PARRY'S AGAVE | 36 | 5 GAL | |
| | DASYLIRION LONGISSIMUM | DESERT SPOON | 8 | 5 GAL | |
| | HESPERALOE PARVIFLORA | RED YUCCA | 48 | 5 GAL | |
| | **GROUNDCOVERS** | | | | |
| | HYPOFORM PARVIFOLUM 880 SQ. FT./ | PROSTRATE HYPOFORM | 104 | 5 GAL | 36 INCH SPACING |
| | ROSMARINS OFFICINALIS 'PROSTRATUS' 830 SQ. FT./ | DWARF ROSEMARY | 64 | 5 GAL | 36 INCH SPACING |
| | MALEPHORA CROCEA 825 SQ. FT./ | GRAY ICE PLANT | 81 | 5 GAL | 24 INCH SPACING |
| | TECRIUM CHAMAEDRYS 'PROSTRATUM' 875 SQ. FT./ | PROSTRATE GERMANDER | 64 | 5 GAL | 36 INCH SPACING |
| | DIETSACTRA MEXICANA 880 SQ. FT./ | DAHLIANTA | 45 | 5 GAL | 24 INCH SPACING |
| | **GREAT LAWN** | | | | |
| | TURF LAWN AREAS (28,500 SQ. FT./ | BERMUDA WITH OVERSEED OF RYE | | | ANNUAL OVERSEED REQ. |

**GENERAL NOTES:**

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6. ROCK MULCH. SEE SPECIFICATIONS.
7. TREE WELLS AND TREE GRATES SHALL BE PROVIDED FOR ALL TREES LOCATED WITHIN HARDSCAPE AREAS.
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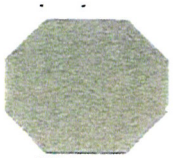
Design Development

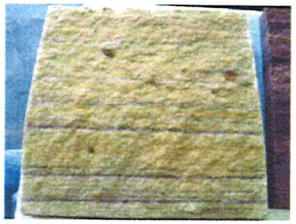
PROJECT NUMBER: 4674

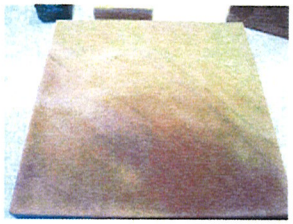
Planting Plan

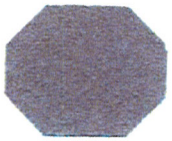
SHEET NUMBER
L-2

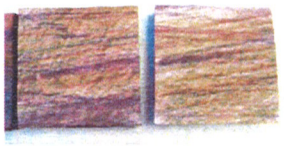




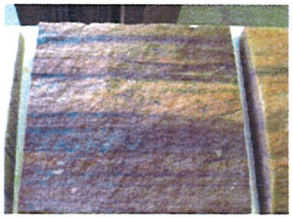



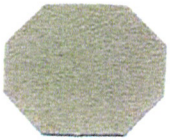




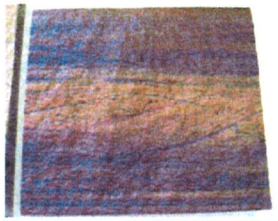


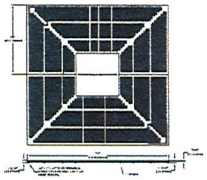


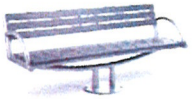


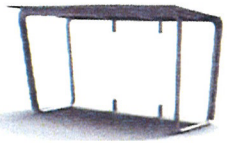



Colored Concrete

























Stone Paving

Site Furnishings

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Site Development Plan Review

PROJECT NUMBER: 4674

Site Materials Board

SHEET NUMBER
L-4

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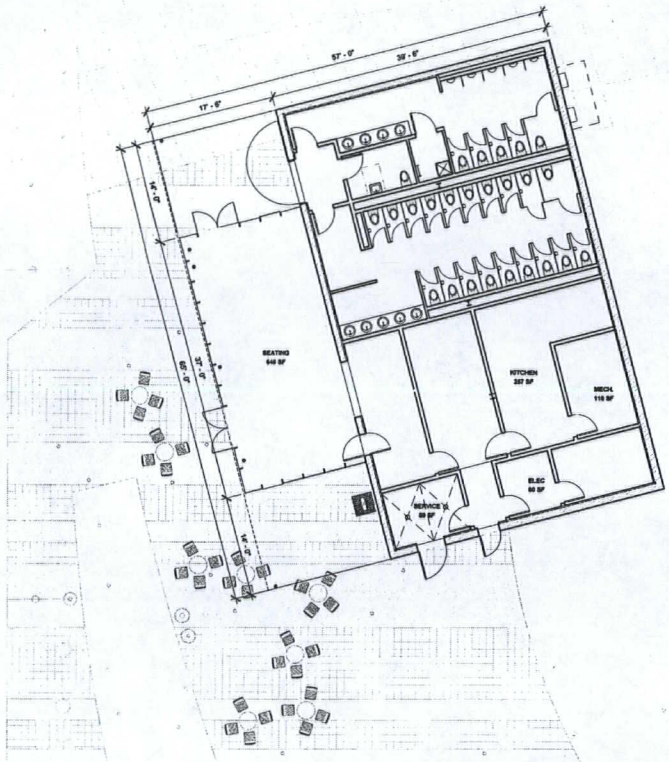


1 FOOD AND BEVERAGE FLOOR PLAN - LEVEL 1
SCALE: 1/8" = 1'-0"

FOOD AND BEVERAGE AREA: 3219 SF
FOOD AND BEVERAGE TOTAL OCCUPANTS: 49

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Fax 702.898.8209

ISSUE DATE: April 11, 2011

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Design Development

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FOOD AND BEVERAGE BUILDING FLOOR PLAN - LEVEL 1

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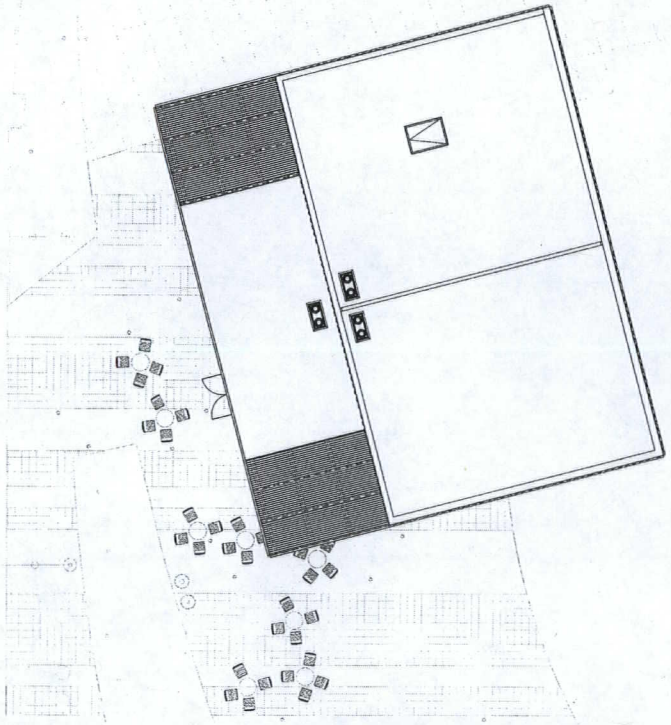

1 FOOD AND BEVERAGE ROOF PLAN
SCALE: 1/8" = 1'-0"

NORTH 0' 5' 10' 20'

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FOOD AND BEVERAGE BUILDING ROOF PLAN

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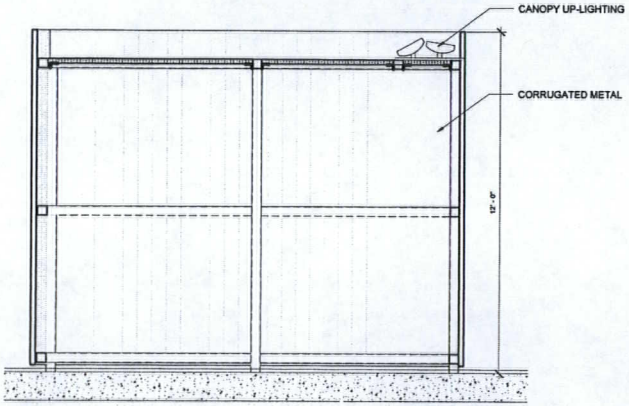
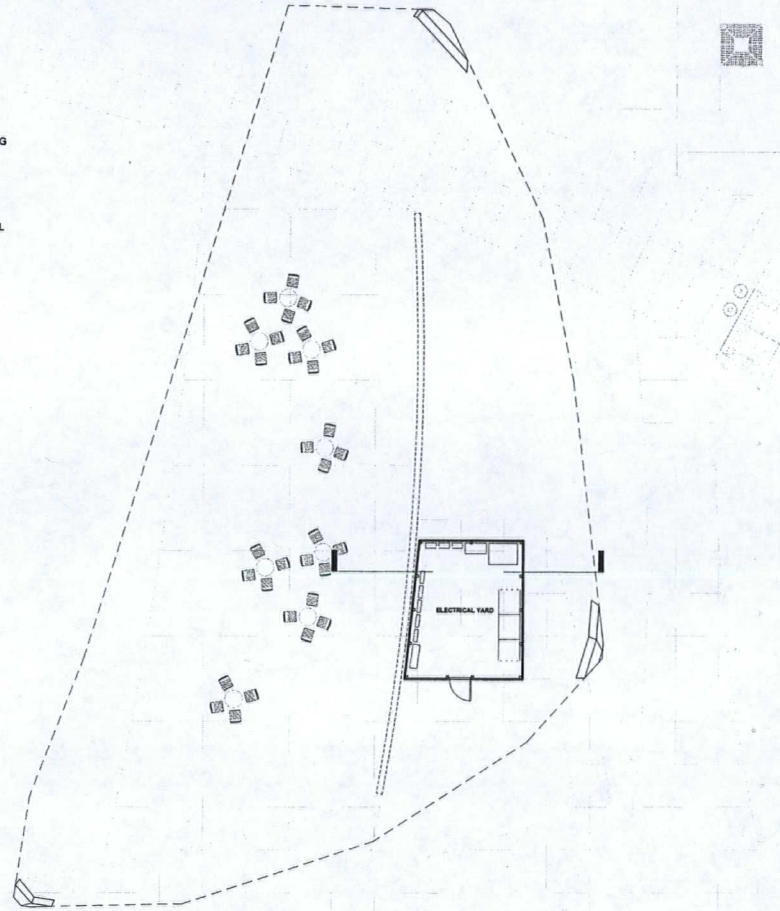



2 ELECTRICAL YARD PRELIMINARY SECTION
SCALE: 1/2" = 1'-0"




1 ELECTRICAL YARD FLOOR PLAN - LEVEL 1
SCALE: 1/8" = 1'-0"

ELECTRICAL YARD AREA (OPEN TO SKY): 315 SF

NORTH 0' 5' 10' 20'

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ELECTICAL YARD PLAN - LEVEL 1

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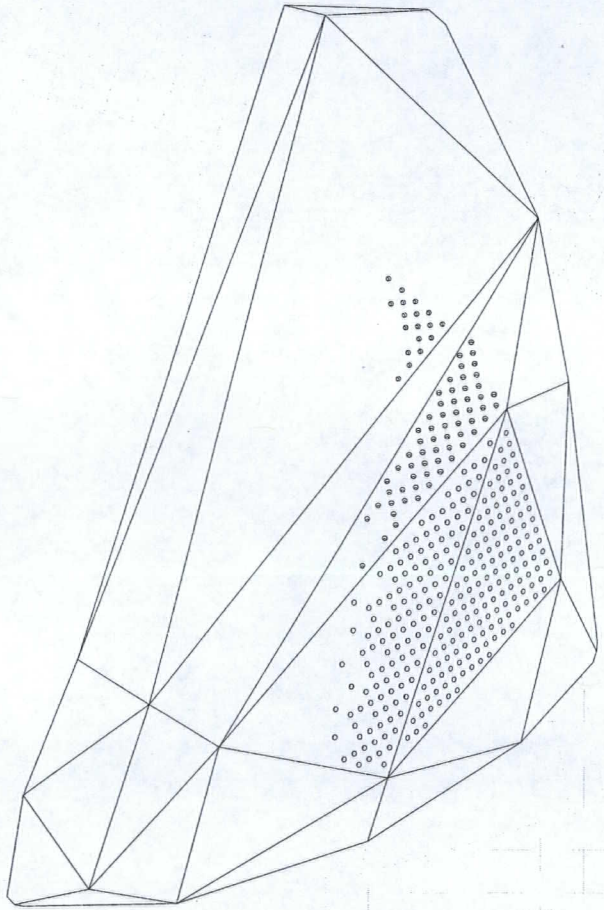

1 STAGE CANOPY ROOF PLAN
SCALE: 1/8" = 1'-0"

STAGE CANOPY AREA: 6595 SF

NORTH 0' 5' 10' 20'

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STAGE CANOPY ROOF PLAN

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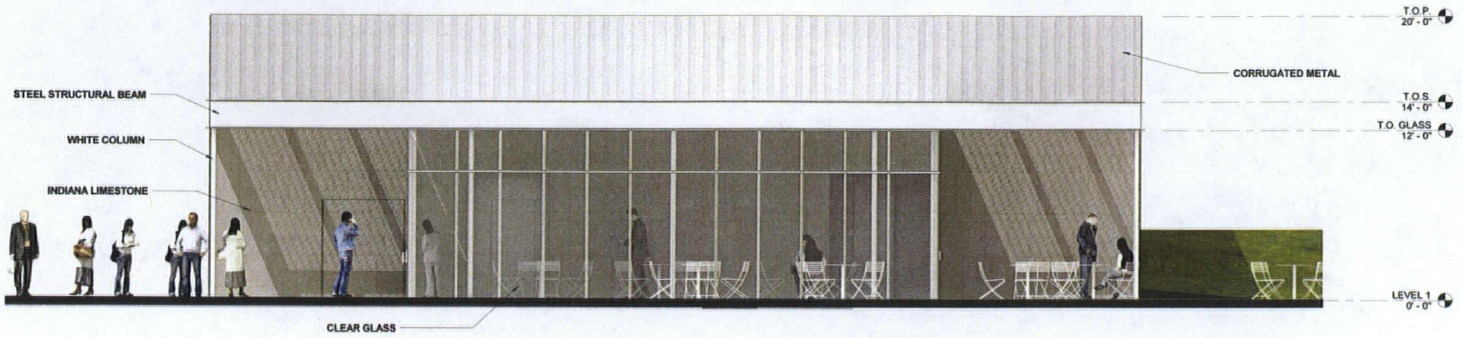
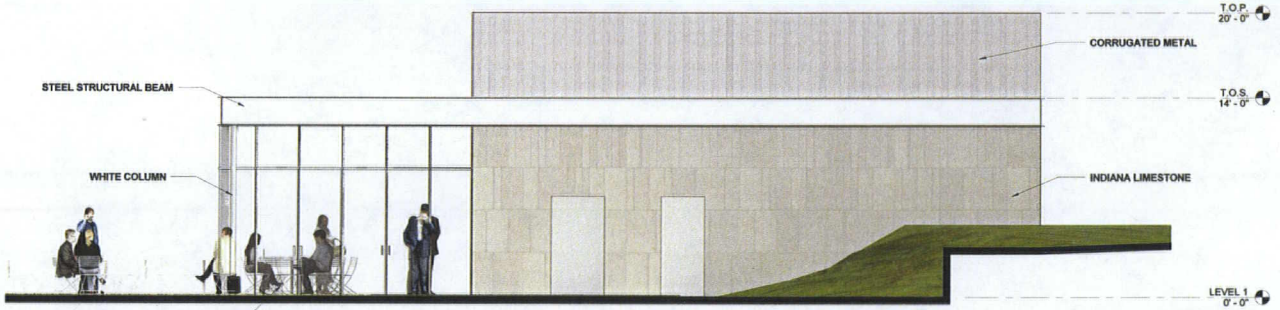



2 WEST ELEVATION
SCALE: 1/4" = 1'-0"




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

CITY OF LAS VEGAS

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NEWLAND COMMUNITIES

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PLANNING + DEVELOPMENT SUBMITTAL
PARCEL M3

TATE SNYDER KIMSEY
709 Valle Verde Ct.
Henderson, NV 89014
Ph. 702.456.3000
Fax 702.898.8209

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FOOD AND BEVERAGE BUILDING ELEVATIONS

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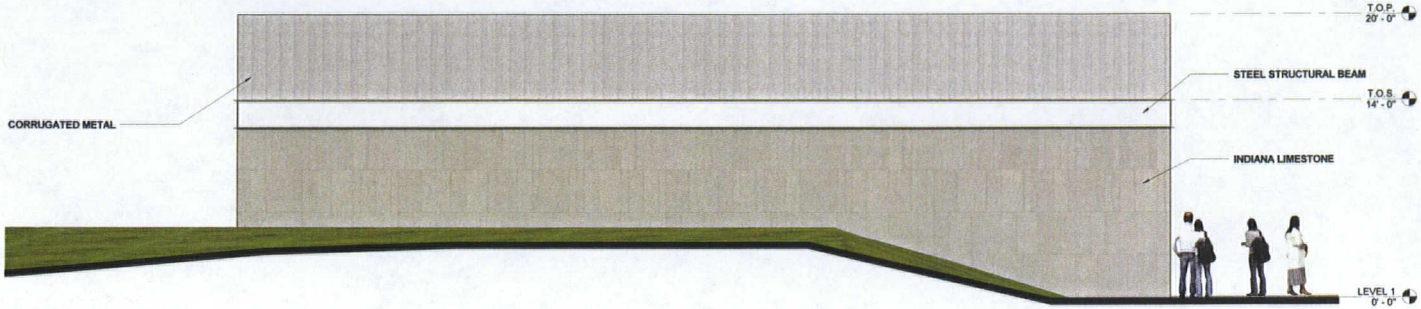
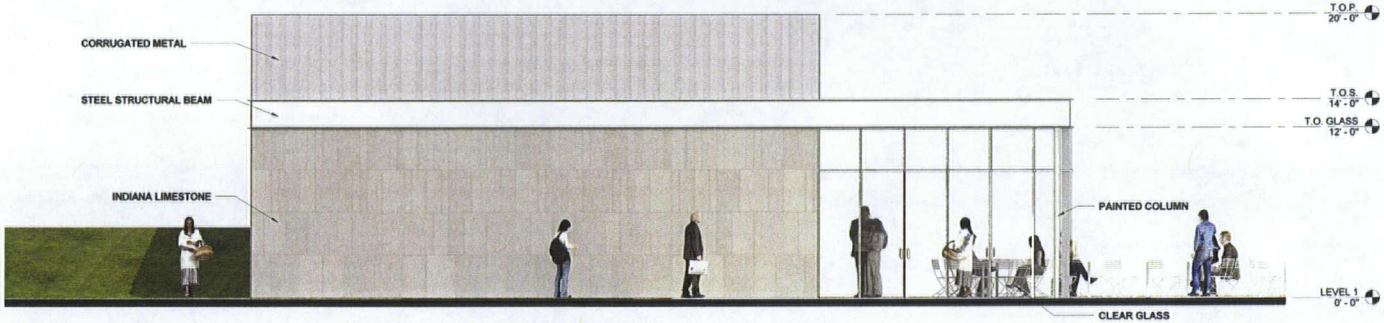



2 EAST ELEVATION
SCALE: 1/4" = 1'-0"




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

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Design Development

PROJECT NUMBER: 4674

FOOD AND BEVERAGE BUILDING ELEVATIONS

SHEET NUMBER
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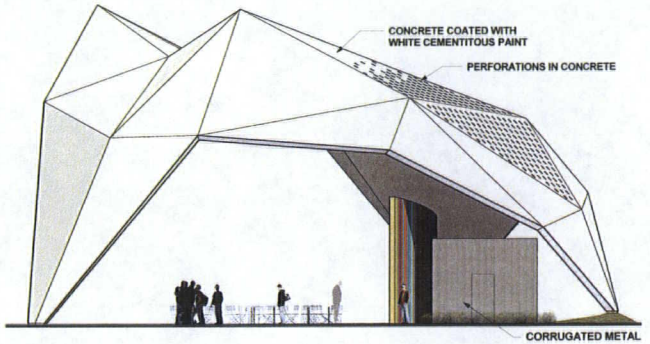
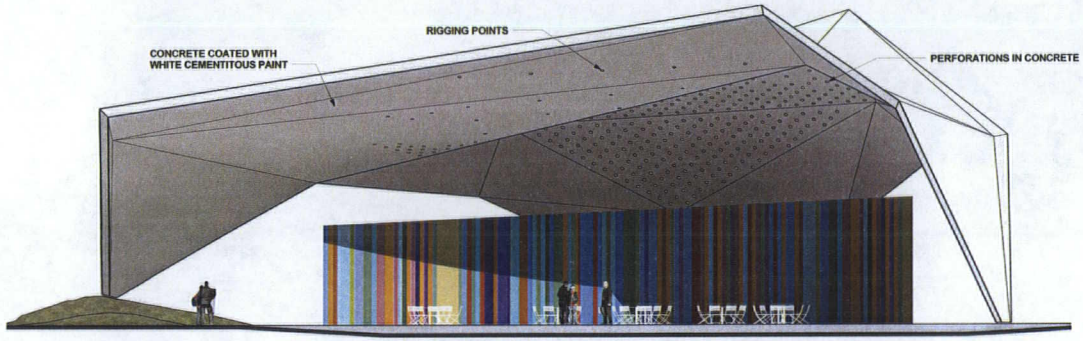



2 STAGE CANOPY - SOUTH
SCALE: 1/8" = 1'-0"




1 STAGE CANOPY - WEST
SCALE: 1/8" = 1'-0"

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Design Development

PROJECT NUMBER: 4674

STAGE CANOPY ELEVATIONS

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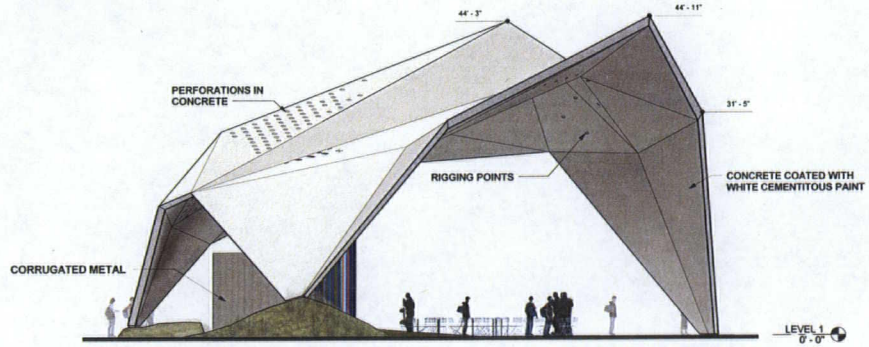
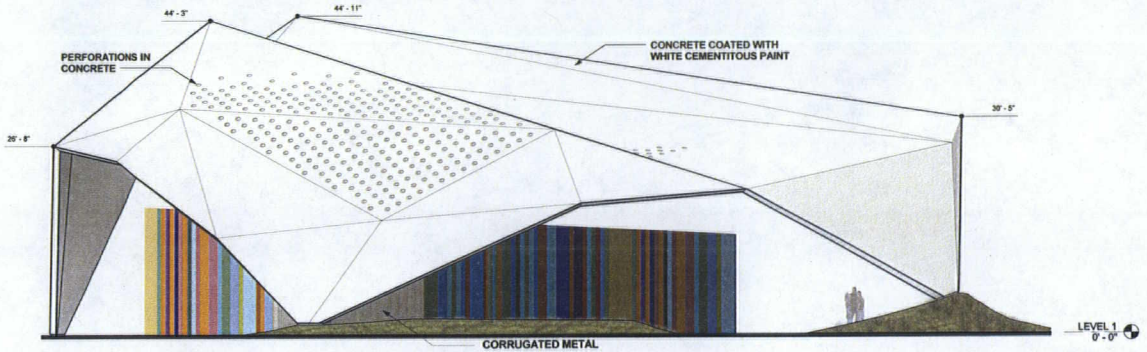



2 STAGE CANOPY - NORTH
SCALE: 1/8" = 1'-0"




1 STAGE CANOPY - EAST
SCALE: 1/8" = 1'-0"

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ISSUE DATE: April 11, 2011

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Design Development

PROJECT NUMBER: 4674

STAGE CANOPY ELEVATIONS

SHEET NUMBER
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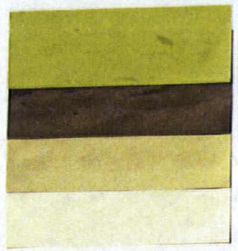


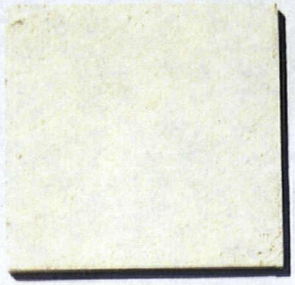
SHERWIN WILLIAMS: SW 6918
HUMOROUS GREEN

SHERWIN WILLIAMS: SW 7041 -
VAN DYKE BROWN

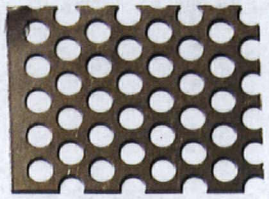
SHERWIN WILLIAMS: SW 6401
INDEPENDENT GOLD

SHERWIN WILLIAMS: SW 6700
DAYBREAK

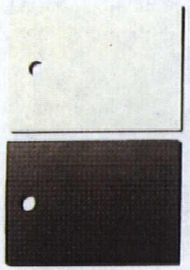
SHERWIN WILLIAMS: SW 7000 IBIS
WHITE



CEMENTITIOUS WHITE PAINT: SW
7001 - MARSHMALLOW

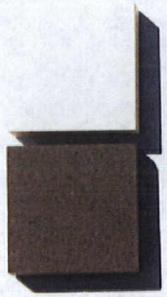


PERFORATED METAL DECK: 40%
OPEN



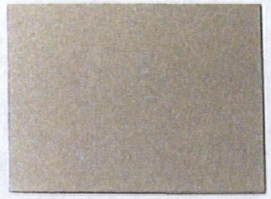
FORMICA LAMINATE: 7223C-90
NEW WHITE GLOSS FINISH

FORMICA LAMINATE: 2200-MC
DARK CHOCOLATE MICRODOT

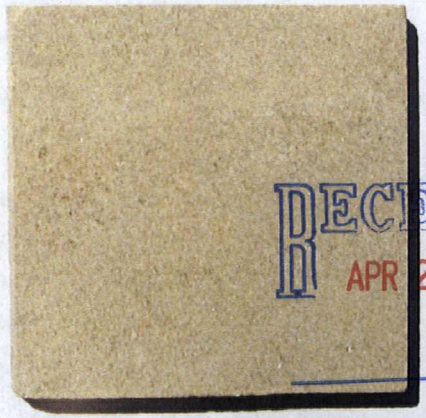


CAPCO TILE - CHROMA: BQ200P
SUPER WHITE POLISHED

CAPCO TILE - CHROMA: BS250P
STORMY SKY POLISHED



CORRUGATED METAL: AEP SPAN -
COOL METALLIC SILVER



INDIANA LIMESTONE SAWN FINISH

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ISSUE DATE: April 25, 2011

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DESIGN DEVELOPMENT

PROJECT NUMBER: 4674

MATERIAL BOARD

SHEET NUMBER
A8

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SDR-41033 - APPLICANT/OWNER: SYMPHONY PARK MASTER ASSOCIATION, INC., ET AL
SYMPHONY PARK AND GRAND CENTRAL PARKWAY

03/31/11




SDR-41033 - APPLICANT/OWNER: SYMPHONY PARK MASTER ASSOCIATION, INC., ET AL
SYMPHONY PARK AND GRAND CENTRAL PARKWAY

03/31/11




SDR-41033 - APPLICANT/OWNER: SYMPHONY PARK MASTER ASSOCIATION, INC., ET AL
SYMPHONY PARK AND GRAND CENTRAL PARKWAY

03/31/11




SDR-41033 - APPLICANT/OWNER: SYMPHONY PARK MASTER ASSOCIATION, INC., ET AL
SYMPHONY PARK AND GRAND CENTRAL PARKWAY

03/31/11

SYMPHONY PARK℠

April 27, 2011

Todd Johnson, Principal
Design Workshop
1390 Lawrence Street
Denver, CO 80204

(by email)

Re: **Symphony Park Revised Design Development Submission (landscape and architecture) for Parcels M1, M2, and M3,** submitted April 25, 2011

Dear Mr. Johnson,

The Symphony Park Design Review Committee (SP-DRC) received your revised Design Development submission for Symphony Park on April 25, 2011 as requested in our April 14, 2011 letter. We met with you on April 26, 2011 to review our list of required submittal items and your team's written response to those items.

Based on the revised design presented and the answers to our questions **the Revised Design Development submission of landscape and architecture is APPROVED for City of Las Vegas Site Development Plan Review with the following administrative waivers and comments:**

**Landscape and Lighting Approvals and Administrative Waivers:**

1. The Promenade Place paving stone selection is awaiting final approval of an on-site mockup and submittal of performance specifications; however, all parties approve the basic look of the stone.

2. A paving plan and detail for the stone pavers that shows a combination of 12 inch by 12 inch and 4 inch by 4 inch stone units **is approved**.

3. The design team has supplied the required information as to why 60 inch box trees are not available at this time and will not be available in a timely way to meet the project construction schedule. Also, because the Symphony Park project has been delayed some by the overall economy, the rest of the surrounding development will not proceed for a year or two, at which time the 48 inch box trees will have achieved the equivalent size of a 60 inch box being installed today. In addition, the SP-DRC has received the required comparison of the physical characteristics of a 48

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8. The revised site signage plan (L9-01) **is approved** and a future more detailed signage submittal will be provided.

9. Provide a revised lighting plan and photometric to confirm adequate lighting foot-candle levels on walkway surfaces and low enough maximum to minimum ratios to be perceived as safe and uniform. The submitted study plan of "Accessible Ramps and Existing Light Poles" does provide the required access clearance to the ADA ramps at street corners from proposed Centennial street light and signal pole locations.

10. The location of the 4 public art opportunities **is confirmed** on the "Overall Site and Landscape Plan" submitted.

**Architecture Approvals and Comments:**

1. The food and beverage building (revised plan and elevations A1, A3, A4 dated April 25, 2011) **is approved.** The building plan was further revised in the meeting to move the restroom entrance to outside of the glass eating area.

2. The service and trash solution for the food and beverage building **is approved** as submitted on building plan A1, April 26, 2011.

3. The material samples for the Indiana limestone, mechanical parapet, and perforated metal shade cover as submitted on the material board April 25, 201, **are approved.**

4. The SP-DRC requests that the color of the stage canopy paint finish be slightly greyer than that presented by color chip (no color name or number was presented). Please supply a revised paint sample for SP-DRC approval at the Construction Document stage submission.

5. The food and beverage building seating area **is approved** for solar exposure per the design team's recommendations.

6. The proposed electric equipment enclosure behind the stage (revised plan and elevation A2 dated April 25, 2011) **is approved.**

7. Finalization of the design of the M2 canopy (in a non-climbable configuration) for final approval will be done outside of the 10 calendar days, up to June 1.

**Previous LEED Conditions have been satisfied**

**Previous Civil Design Conditions have been satisfied, however note:**

**SDR-41033**
**REVISED**

inch box versus a 60 inch box tree and is comfortable that in this instance a substitution of box sizes can be done without harm to the project.

The 48 inch box Desert Museum Palo Verde will have a height of 14 to 15 feet, a spread of 9 to 10 feet, and a caliper of 3.5 inches at 6 inches above finish grade. A 60 inch box Palo Verde, if one could be found, would have a height of 18 to 20 feet, a spread of 14 feet, and a caliper of 5 inches. The 48 inch box Fantex Ash will have a height of 14-16 feet, a spread of 8 to 10 feet, and a caliper of 3 to 4 inches at 5 feet above grade. A 60 inch box Fantex Ash, also if one could be found, would have a height of 18 to 20 feet, a spread of 14 to 16 feet, and a caliper of 5 to 6 inches.

In both cases, the 60 inch box trees are not currently available and to require them would mean growers would simply put a smaller tree in the larger box and supply it at a higher price to the project.

**Therefore, without granting any other general waiver of the 60 inch box requirement, the SP-DRC grants an administrative waiver to permit the installation of 48 inch box trees (Fantex Ash and Desert Museum Palo Verde) on Symphony Park. If the design team finds that a few of the 60 inch box Desert Museum Palo Verde become available in a timely way the SP-DRC recommends the use of a few as specimens in the Park.**

4. Revised planting plans (revised sheets L-0, L-1, and L-2) that adequately screen all above grade utility appurtenances such as irrigation back flow preventers **is approved.** The design team is to specify its own choice of materials from the range of materials suggested.

5. Revised shade calculation drawings (L10-10, 2 sheets) are accepted. **The shade created on the parcels as a percentage of walking surface of 63% shade on Parcel M2 and 71% shade on M3 is approved as an administrative waiver of the 75% shade requirement,** reflecting that these percentages are calculated at 50% of mature tree size.

6. The revised site plan (L-0 and revised Bench Seating Diagram) meets the bench seating requirements and the **SP-DRC grants an administrative waiver of the one small area near the south east corner of Parcel M3 that is shy of the 100 foot spacing requirement.** The SP-DRC requests that one of the two bicycle racks provided on the north edge of the site be moved closer to the food and beverage building and the dining plaza on the south side of the building.

7. The revised bus shelter location and loading area on M3 **are approved** per the "Bus Stop Diagram" provided.

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1. Please add appropriate notes on Parcel M1 (sheets C2.01 and C5.01) that the Cox Communication vault adjacent to the future sign pylon will be relocated a few feet as part of this contract.

2. Check all notes to be sure the project reference is Symphony Park and not Union Park as shows up on at least 2 sheets (Parcel M3 C4.01 and C4.02).

Sincerely,
The Symphony Park Design Review Committee
Steve van Gorp, Chairman

cc. Myron Martin, The Smith Center for the Performing Arts
Flinn Fagg, Acting Director, City of Las Vegas Planning Department
Terrall Budge, Design Workshop
Troy Cook, Design Workshop

(All by email)

NEWLAND™

**SDR-41033**
**REVISED**

JW ZUNINO
LANDSCAPE ARCHITECTURE

*Plan | Design | Grow*

April 28, 2011

Department of Planning and Development
Development Service Center
333 N. Rancho Drive
Las Vegas, NV 89106

Attn: City of Las Vegas Planning

**RE: Symphony Park (Parcels M1, M2, & M3) Justification Letter**
**(APN #'s 139-33-511-009, 139-33-511-010, 139-34-211-001)**

Dear Planning,

City Parkway V, Inc. and the Symphony Park Master Association, Inc. propose to develop a park within the Symphony Park Development. The site for the park is comprised of three parcels (M1, M2, & M3) located on 2.18 acres of vacant land between Symphony Park Avenue at the intersections of Promenade Place. The M3 parcel is immediately north of the Smith Center for the Performing Arts, which is currently under construction, and the two adjacent parcels (M1 & M2) are to the west. The park will provide an immediate aesthetic complement to the development and is being designed to harmoniously connect these three adjoining parcels.

The Park improvements will include planting, irrigation, decorative hardscape, food and beverage building with restrooms, shade structures, and multiple opportunities for art and sculpture. A portion of the park is being programmed and designed to accommodate outdoor performances with the required infrastructure included. No on-site parking or vehicular access is planned other than the designated public right-of-way. In accordance with the Symphony Park Master Plan, parking will be accommodated through existing and proposed structures and surface lots off-site.

This project, being within the Symphony Park Development is part of the USGBC's LEED ND pilot program – which is the only such project in the State of Nevada, and will therefore utilize sustainable elements and design techniques throughout. The Park is designed to achieve LEED certification for New Construction. The Food and Beverage building will be designed to meet the certified level for LEED-NC. As part of this effort, the site will reduce storm water runoff from pre-development conditions, and utilize xeriscape design principles for the landscape material, including water efficient plantings, and limiting turf areas to only usable space appropriate for a park. A water efficient irrigation system will be used for landscaping and water efficient fixtures will be used in building interiors to achieve an overall project water use reduction. Energy efficiency and ventilation effectiveness will be achieved through selection of equipment, efficient lighting, and building

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envelope design. High recycled content, low VOC, and local materials will be used for building construction. Provisions will be made for recycling construction waste and for recycling waste generated from facility use during occupancy. As the site is located on a Brownfield site with soil contamination, vapor mitigation combined with soil remediation or deep foundations will be used.

The M1 parcel consists of existing utility infrastructure, proposed Symphony Park development entry statement sign for the master development, and a drop off/pickup zone in the public right-of-way. An encroachment agreement will be required for the proposed private landscaping located at the northeast and southeast corners of the parcel M1 in public right-of-way. The proposed uses conform to the current zoning designation.

The M2 parcel consists of existing utility infrastructure, a proposed overhead canopy, seat walls and landscaping. The proposed uses conform to the current zoning designation.

The M3 parcel site plan consists of a 4,900 s.f. food & beverage building and restrooms and natural stone paved pedestrian access and circulation areas on the western portion of the parcel. The eastern portion consists of a covered stage. Connecting the east and west portions will be a turf play area and amphitheater with seat walls surrounded by decorative concrete paved sidewalks and landscaping. The proposed uses conform to the current zoning designation.

Per discussions with City staff (Dennis Moyer – Land Development) to expedite the permitting process, CLV will allow civil improvement plans to be reviewed by Land Development after preliminary drainage review and pending approval. No permits shall be issued until Conditions of Approval from the City Council meeting are met.

The project will comply with all conditions and comments from the Symphony Park Design Review Committee.

**The following updates have been made to the previously submitted package:**

Exhibit C1: Updated site plan to reflect the latest building location and stage area configuration. All labeling and color coding has been updated to match latest site plan.

The food and beverage building floor plan has been revised so that the entrance to the restrooms is from the exterior. A unisex restroom has been added. A trash/service room has been included in the footprint. The kitchen area is smaller to accommodate a smaller grab-and-go facility. The footprint has not changed.

Building elevations – The limestone selection for the building has changed to narrow long panels.



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Then steel channel depth is increased to 2'. The corrugated metal has been changed to interlocking flat panel system with similar module widths as the limestone below.

The stage canopy and electrical yard have been relocated on site away from the utility easements. The art wall is shorter now with only the southern portion staying in the project; the north portion beyond the sidewalk has been eliminated.

Landscape/Streetscape Plans (L-0, L-1, L-2) – Updated planting plans in response to site plan revisions and SP DRC review comments.

Materials – Refined based on SP DRC comments.

**SDR-41033**
**REVISED**

City of Las Vegas Agenda Item No.: **27.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

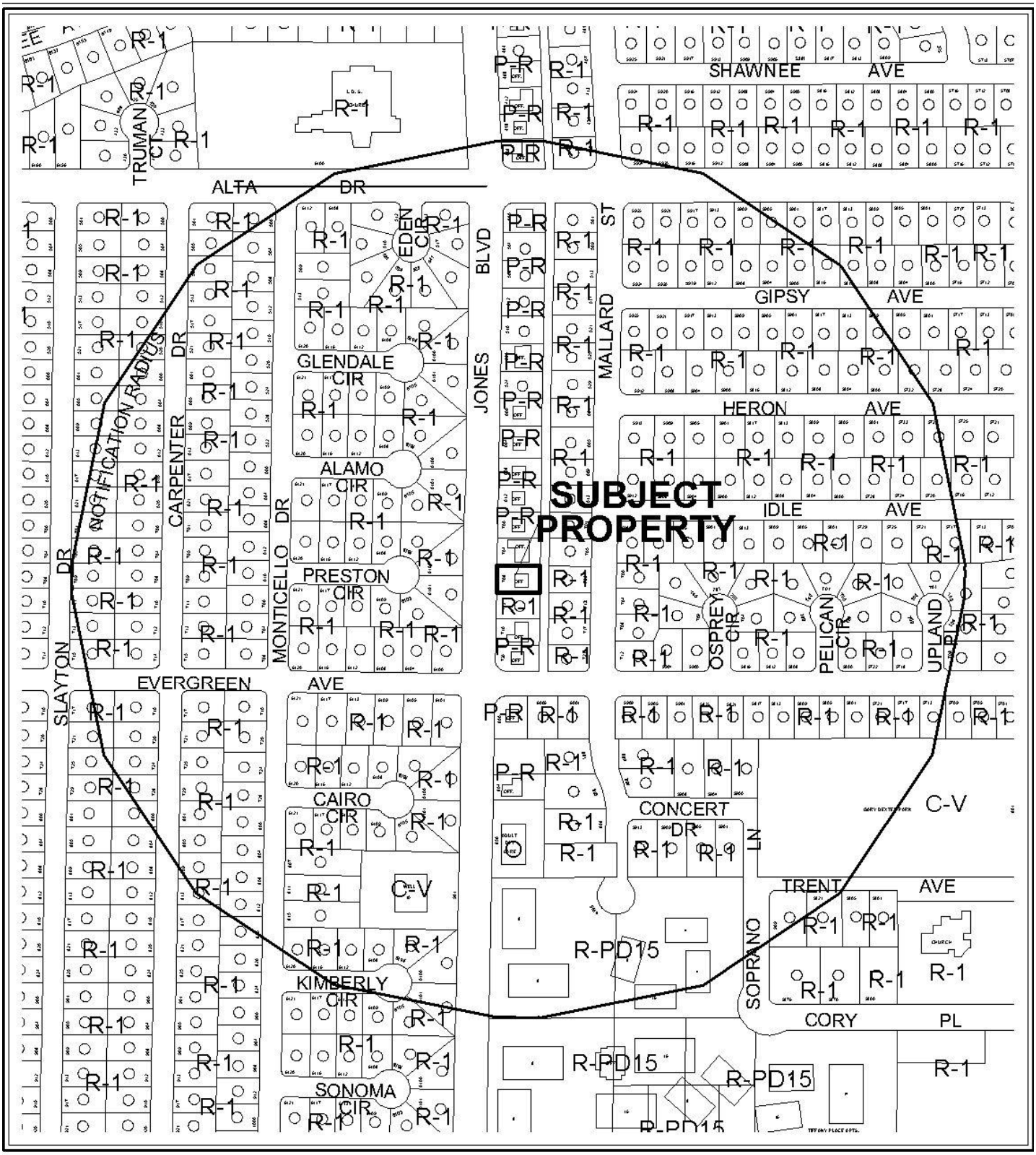
**SUBJECT:**
ABEYANCE - SDR-41037 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: GARETH SPICER - Request for a Major Amendment to an approved Site Development Plan Review (SDR-35518) FOR AN OFFICE, OTHER THAN LISTED, TO ELIMINATE LANDSCAPING IN THE RIGHT-OF-WAY ALONG THE WEST PERIMETER on 0.15 acre at 708 South Jones Boulevard (APN 138-36-316-007), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **1** | **Planning Commission Mtg.** | **6** |
| **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. Planning Commission Approval Letter for SDR-35518
6. Justification Letter
7. Protest/Support Postcards




0 300 600 Feet

**CASE:** **SDR-41037**

**RADIUS:** 1000 FT

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

N




0 300 600 Feet

**CASE:** **SDR-41037**

**RADIUS:** 1000 FT

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

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: GARETH SPICER**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SDR-41037** | Staff recommends DENIAL, if approved subject to conditions: | N/A |

## ** CONDITIONS **

# SDR-41037 CONDITIONS

***Planning***

1. Conformance to the approved conditions for Site Development Plan Review (SDR-35518), 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 site plan, landscape plan, elevation plan and floor plan date stamped 05/24/11, except as amended by conditions herein.

4. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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. 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 to provide non-vegetative ground covers with rocks and small stones, crushed rock and bark, with a depth of two-inch in all areas between the proposed office building and sidewalk adjacent to the parking lot.

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

***Public Works***

8. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

9. If on-street parking is not already prohibited adjacent to this site, submit a written request to the City Traffic Engineer to eliminate parking on Jones Boulevard adjacent to this site prior to the issuance of any permits.

10. Landscape and maintain all unimproved right-of-way on Jones Boulevard adjacent to this site. Alternatively, hard surface all unimproved right-of-way on Jones Boulevard if allowed by the Planning and Development Department and/or required by the Nevada Department of Transportation prior to the issuance of a business license. Maintain all such improvements in perpetuity. All landscaping and private improvements installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

11. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for all driveways or other private improvements in the Jones Boulevard public right-of-way adjacent to this site prior to constructing any improvements within NDOT jurisdiction.

12. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

13. 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**
**June 14, 2011 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Major Amendment of a previously approved Site Development Plan Review (SDR-35518) which allowed for the conversion of an existing 1,688 square-foot single-family residence to an Office, Other than Listed at 708 South Jones Boulevard. The request is to eliminate the five-foot landscape strip within the right-of-way along Jones Boulevard and to reduce the building area from 1,688 square feet to 1,490 square feet. A waiver was previously approved through SDR-35518, which allowed the 10-foot wide west perimeter buffer with a five-foot wide landscape planter strip behind the curb in the right-of-way along Jones Boulevard. The proposed removal of the landscape strip along Jones Boulevard is not consistent with the landscape standards of Title 19, which require 15 feet of landscaping adjacent to rights-of-way; therefore, staff recommends denial of this request. If this request is denied, the subject site is subject to the approved Site Development Plan Review (SDR-35518).

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 04/06/05 | The City Council approved a request for Rezoning (ZON-5769) from R-1 (Single-Family Residential) zone to P-R (Professional Office and Parking) at 708 South Jones Boulevard. The Planning Commission recommended approval, the Planning Department staff recommended denial. The Rezoning (ZON-5769) expired on 04/06/07. |
| | The City Council approved a Site Development Plan Review (SDR-5770) for a 1,688 square-foot commercial use at 708 South Jones Boulevard. Planning Commission recommended approval, and the Planning Department staff recommended denial. |
| 05/17/06 | The City Council approved a General Plan Amendment (GPA-12156) request to amend a portion of the Southeast and a portion of the Southwest Sector Plan of the General Plan from SC (Service Commercial), L (Low Density Residential), and M (Medium Density Residential) to O (Office). The Planning Commission and staff recommended approval. |
| 07/01/09 | Ordinance #6046 was approved by the City Council to amend the official zoning map atlas of the City of Las Vegas, changing the zoning of the site from R-1 (Single Family Residential) to P-R (Professional Office and Parking). |
| 09/24/09 | The Planning Commission approved a Site Development Plan Review (SDR-35518) for the proposed conversion of a Single Family Residence to a 1,688 square-foot Office building |

| | |
|---|---|
| 05/10/11 | The Planning Commission voted to hold a Site Development Plan Review (SDR-41037) of a previously approved Site Development Plan Review (SDR-35518) to eliminate landscaping in the right-of-way in abeyance to the June 14, 2011 Planning Commission meeting at the applicant's request. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 02/05/02 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 09/29/04 | A business license (M13-03096) was issued for computer sales and service at 708 South Jones Boulevard. The business license is still active. |
| 12/19/05 | A building permit (#05008955) was issued for re-location of an existing sign at 708 South Jones Boulevard. The sign was finalized on 05/31/06. |

| ***Pre-Application Meeting*** | |
|---|---|
| 09/22/11 | A pre-application meeting was held with the applicant. Staff reviewed the requirements for submittal for a Major Amendment to a previously approved Site Development Plan Review (SDR-35518). |

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

| ***Field Check*** | |
|---|---|
| 03/31/11 | A field check by staff noted the subject property is well maintained with the exception of the lack of landscaping in the front or side yard setbacks and no parking lot striping. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.15 |

| *Surrounding Property* | *Existing Land Use Per Title 19.04* | *Planned or Special Land Use Designation* | *Existing Zoning District* |
|---|---|---|---|
| Subject Property | Office | O (Office) | P-R (Professional Office and Parking) |
| North | Office | O (Office) | P-R (Professional Office and Parking) |
| South | Single Family, Detached | O (Office) | R-1 (Single Family Residential) |
| East | Single Family, Detached | L (Low Density Residential) | R-1 (Single Family Residential) |
| West | Single Family, Detached | L (Low Density Residential) | R-1 (Single Family Residential) |

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

**DEVELOPMENT STANDARDS**

***Pursuant to SDR-35518, the following standards apply:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Lot Size | N/A | 6,534 SF | Y |
| Min. Lot Width | 60 Feet | 64 Feet | Y |
| Min. Setbacks | | | |
| • Front | 20 Feet | 27 Feet | Y |
| • Side (North) | 5 Feet | 6.2 Feet | Y |
| • Side (South) | 5 Feet | 7.8 Feet | Y |
| • Rear | 15 Feet | 29 Feet | Y |
| Max. Lot Coverage | 50 % | 26 % | Y |
| Trash Enclosure | Y | Alley Pick-Up | Y |

***Pursuant to SDR-35518, the following standards apply:***

| ***Landscaping and Open Space Standards*** | | | | |
|---|---|---|---|---|
| ***Standards*** | ***Required*** | | ***Provided*** | ***Compliance*** |
| | ***Ratio*** | ***Trees*** | | |
| Buffer Trees: | | | | |
| • North | 1 Tree / 30 Linear Feet | 4 Trees | 3 Trees | Y |
| • South | 1 Tree / 20 Linear Feet | 5 Trees | 5 Trees | Y |
| • West | 1 Tree / 20 Linear Feet | 3 Trees | 1 Tree | N |
| **TOTAL PERIMETER TREES** | | **17 Trees** | **11 Trees** | **N** |
| Parking Area Trees | 1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces | 2 Trees | 2 Trees | Y |
| **LANDSCAPE BUFFER WIDTHS** | | | | |
| Min. Zone Width | | | | |
| • North | 5 Feet | | Zero Feet | N |
| • South | 5 Feet | | 6.2 Feet | Y |
| • West | 15 Feet | | Zero Feet | N |
| Wall Height | 6 to 8 Feet Adjacent to Residential | | 6 | Y |

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Jones Boulevard | Secondary Collector | Master Plan of Streets and Highways | 80 | Y |

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

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***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 | 1,490 SF | 1/300 SF | 5 | | | | |
| **TOTAL SPACES REQUIRED** | | | 5 | | 7 | | Y |
| **Regular and Handicap Spaces Required** | | | 4 | 1 | 6 | 1 | Y |

## ANALYSIS

The subject site is located within the Airport Overlay District with a height restriction of 200 feet. The proposed development would not have a negative impact relating to the overlay district, as the existing building would not result in an increase in the building height. A Site Development Plan Review (SDR-35518) was previously approved for the proposed conversion of a Single Family Residence to an office building, with waivers of the perimeter landscape buffers. The request is a Major Amendment of the previously approved Site Development Plan Review to replace the approved five-foot wide landscape strip along Jones Boulevard with concrete and to reduce the building area from 1,688 square feet to 1,490 square feet. Since the approval of SDR-35518, no building permits have been issued for the conversion. Although no building permits have been issued to complete the conversion, a business has been operating at this location.

The site plan indicates no landscape buffer along the east side of the property, where parking spaces are proposed with an alley access to the parking lot. The request for a waiver of the landscape buffer through SDR-35518 was not required. The proposed site and landscape plan depict a new concrete infill that matches the existing sidewalk along Jones Boulevard and eliminates the five-foot wide landscape planter. Initially, no other changes to the property were proposed.

A revised site and landscape plan submitted on May 23, 2011 that depicts the reduction of the garage space from 450 square feet to 252 square feet. The rest of the existing building area has not changed. As a result in the garage size reduction, a revised floor and elevation plans were also submitted. The proposed elevation depicts the change of the reduction of the existing garage. The elevation plan depicts the face of the wall without any materials or relief, such as the inclusion of beltlines, pilasters, recesses, or popouts. There are no windows incorporated to the new wall design. The building will not maintain the appearance of a single family residence and will not be compatible with the existing adjacent residential properties to the south, east, and west

The proposed change to the landscape strip along Jones Boulevard is not consistent with the landscape standards of Title 19. Title 19.12 requires 15 feet of landscape buffer area adjacent to right-of-way. The 10-foot planter was approved because the site would then contain 15 feet of landscaping with the additional five feet of landscaping within the right-of-way. A waiver was approved through Site Development Plan Review (SDR-35518), which allowed the 10-foot wide west perimeter buffer with a five-foot wide landscape planter strip behind the curb along Jones Boulevard; therefore, staff recommends denial of this request.

**FINDINGS (SDR-41037)**

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 will not be compatible with existing P-R (Professional Office and Parking) zoned office developments to the north. The building elevation will not maintain the appearance of a single family detached dwelling, the site will not be compatible with existing adjacent single-family residential properties to the south, west and east.

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;**

   A landscape waiver along the west perimeter landscaping buffer was previously approved to allow a 10-foot wide buffer on the subject property with the five-foot wide landscape planter strip along Jones Boulevard. The proposed site and landscape plan depicts the elimination of the landscape planter strip along Jones Boulevard, which does not comply with the intent of Title 19.12.

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

   The site will have access to Jones Boulevard, which is adequate to serve the proposed use. The main parking is located in the rear of the property through an existing 20-foot wide alley to the east, which allows ingress/egress onto Evergreen Avenue. These site access and on-site circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

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

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

   The proposed building elevations indicate the reduced garage size. The building will not maintain the appearance of a single family residence and will not be compatible with the existing adjacent residential properties to the south, east, and west

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

   The site will be subject to inspection by the City and will not compromise the health, safety, and general welfare of the public.

**NOTICES MAILED** 340

**APPROVALS** 6

**PROTESTS** 1

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41037** APN: 138-36-316-007

Name of Property Owner: GARETH SPICER

Name of Applicant: GARETH SPICER

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: N/A

Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: GARETH SPICER

State of Nevada, County of Clark
Subscribed and sworn before me

This 28th day of September, 2010

Michelle Youn
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MICHELLE YOUN
No: 08-7630-1
My Appointment Expires Aug. 5, 2012

RECEIVED
FEB 24 2011

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## APPLICATION / PETITION FORM

**Application/Petition For:** SITE PLAN REVIEW

**Project Address (Location)** 708 S. JONES LV NV 89107

**Project Name** JONES PARKING LOT **Proposed Use** OFFICE

**Assessor's Parcel #(s)** 138-36-316-007 **Ward #** 1

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

**Commercial Square Footage** 1680 **Floor Area Ratio** _____

**Gross Acres** .15 **Lots/Units** _____ **Density** _____

**Additional Information** _____

**PROPERTY OWNER** GARETH SPICER **Contact** _____

**Address** 708 S JONES **Phone:** 498645 **Fax:** 8706333

**City** LAS VEGAS **State** NEVADA **Zip** 89107

**E-mail Address** GARETH@VEGASCOMPUDOC.COM

**APPLICANT** SAME AS **Contact** _____

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

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

**E-mail Address** _____

**REPRESENTATIVE** _____ **Contact** _____

**Address** SAME AS **Phone:** _____ **Fax:** _____

**City** ABOVE **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** Gareth SPICER

Subscribed and sworn before me

This 28th day of September, 2010.

Michelle Youn

State of Nevada, County of Clark

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MICHELLE YOUN
No: 08-7630-1
My Appointment Expires Aug. 5, 2012

*FOR DEPARTMENT USE ONLY*

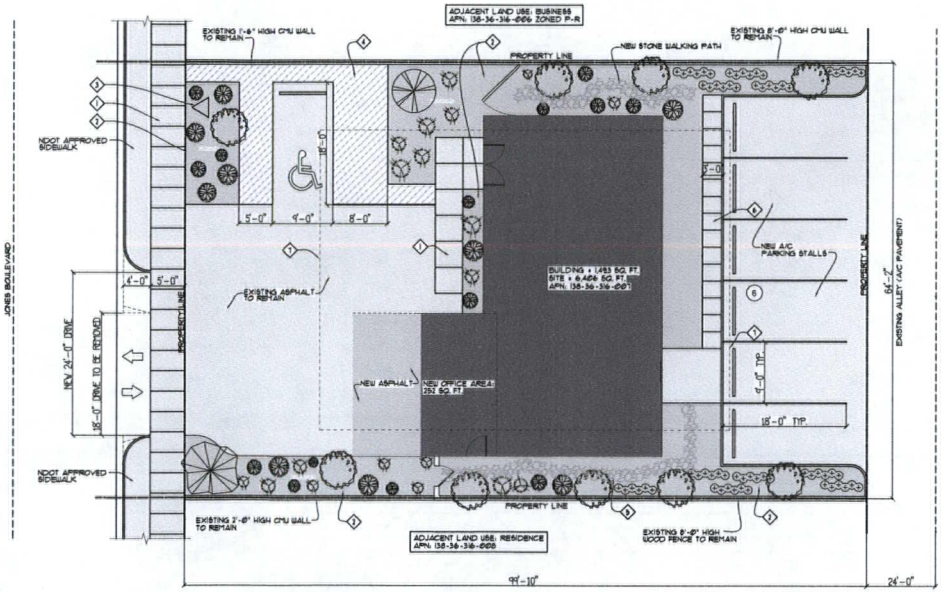
| | |
|---|---|
| Case # | SDR-4037 |
| Meeting Date: | 4/12/11 |
| Total Fee: | $830 |
| Date Received:* | 2/24/11 |
| Received By: | BS |

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

RECEIVED
FEB 24 2011

Revised 10/27/08

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




01 ARCHITECTURAL SITE PLAN
SCALE: 1/8" = 1'-0"

## KEYNOTES

| | |
|---|---|
| 1 | EXISTING CONCRETE SIDEWALK TO REMAIN |
| 2 | NEW LANDSCAPING AREA |
| 3 | EXISTING MONUMENT SIGN |
| 4 | HANDICAP ACCESS AISLE, VAN ACCESSIBLE STALL AND ACCESS TO THE PUBLIC WAY. PAINTED ON EXISTING A/C PAVING |
| 5 | EXISTING STONE WALKING PATH TO REMAIN |
| 6 | NEW 3'-0" WIDE CONCRETE SIDEWALK |
| 7 | SETBACK LINE (C-1 ZONE: FRONT 20', SIDE 10' AND REAR 20') |

## PROJECT DATA

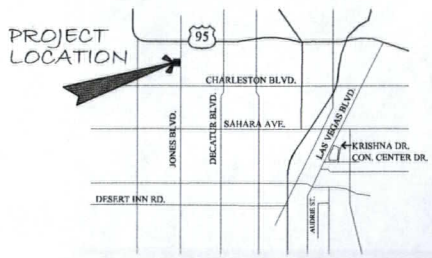
| | |
|---|---|
| APN: 138-36-316-001 | |
| ZONING: | |
| CURRENT ZONING R-1 | |
| PROPOSED ZONING C-1 | |
| CURRENT GENERAL PLAN S-C | |
| PROPOSED GENERAL PLAN S-C | |
| SIZE: | |
| BUILDING = 1238 SQ. FT. | |
| GARAGE = 450 SQ. FT. | |
| TOTAL = 1688 SQ. FT. | |
| SITE = .19 ACRES | |
| PARKING: | |
| REQUIRED = 7 (1 SPACE PER 250 SQ. FT.) | |
| PROVIDED = 7 SPACES INCLUDING 1 HANDICAP | |
| DENSITY: | |
| EXISTING = 26.4% OF SITE | |

## LANDSCAPE SCHEDULE

| SYMBOL | COMMON NAME | BOTANICAL NAME | SIZE | # / NOTES |
|---|---|---|---|---|
| | CHASTE | VITEX AGNUS CASTUS | 24" BOX | 9 |
| | PHOTINA | PHOTINA FRASER | 5 GAL. | 17 |
| | TAM JUNIPER | JUNIPERUS SABINA TAMARISCOPOLIA | 5 GAL. | 18 |
| ALL AREAS | CRUSHED GRANITE | SEE GENERAL LANDSCAPE NOTES | SEE NOTES | SEE PLAN |
| | INDIA HAWTHORN | RAPHIOLEPIS INDICA "SPRINGTIME" | 5 GAL. | 25 |
| | ALEPPO PINE | PINUS HALEPENSIS | 24" BOX | 1 |
| | SHOESTRING ACACIA | ACACIA STENOPHYLLA | 84" BOX | 1 |

## GENERAL LANDSCAPE NOTES

1. ALL PLANTER AREAS NOT OTHERWISE NOTED TO HAVE A 3" DECOMPOSED GRANITE (MAUVE IN COLOR "PURPLE MIST") o/ BLACK LANDSCAPE FABRIC AS GROUND COVER AROUND PLANTS AND SHRUBS (SIZE 3/4" - 1" dia.)
2. ALL PLANTING AREAS TO BE PROPERLY PREPARED AND FERTILIZED TO SUSTAIN LIFE AND GROWTH FOR SIX (6) MONTHS AFTER INSTALLATION.
3. SUPPLY AND INSTALL ALL PIPING, FITTINGS, VALVES, HEADS, TIMERS, WIRING, ETC. NECESSARY TO PROVIDE A PROPER AUTOMATIC IRRIGATION SYSTEM TO ALL PLANTING AREAS ADEQUATE TO ALLOW VIGOROUS PLANT LIFE, HEALTH AND GROWTH. IRRIGATION SUB-CONTRACTOR TO PROVIDE DETAILED IRRIGATION PLAN TO G/C FOR REVIEW AND APPROVAL.
4. PROVIDE ROOT SHIELDS WHERE TREES ARE WITHIN 5' OF A WALL OR SIDEWALK.
5. PROVIDE GRASS FREE WELL FOR ALL TREES WITH EXTRUDED CONCRETE LANDSCAPE CURBING AND CRUSHED GRANITE GROUND COVER.




**SDR-41037**
**REVISED**

REVISIONS:

PROJECT: COMPUDOC TENANT IMPROVEMENT

PROJECT ADDRESS: 708 S. JONES BLVD - LAS VEGAS, NEVADA

GROTHE CONSTRUCTION
CONSTRUCTION

LICENSE NO. 52524

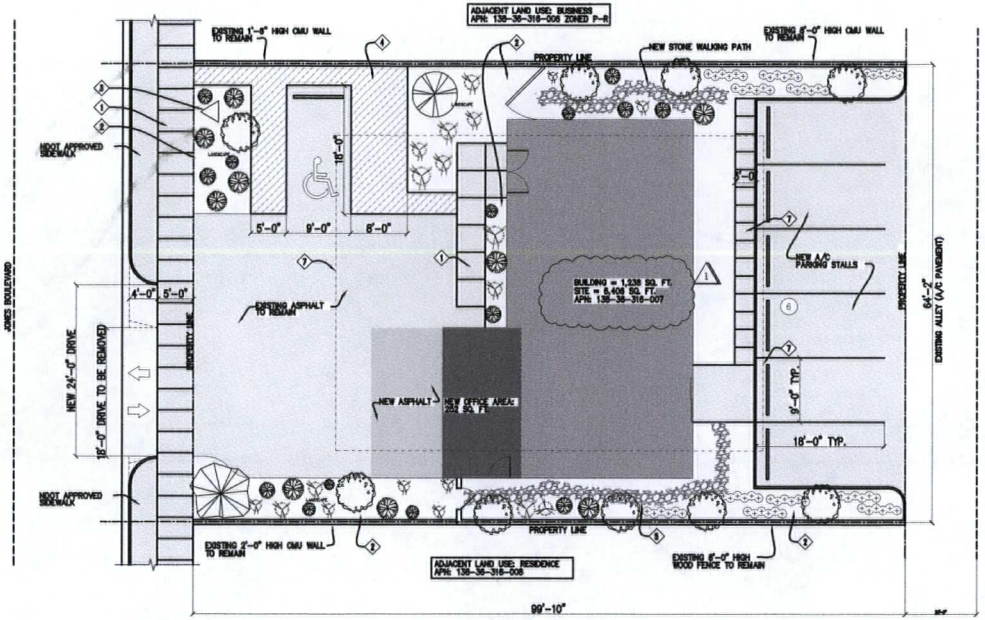
SIGNATURE:

PLOT: 4.20.11

DRAWN: BP

SHEET A0.12

ARCHITECTURAL SITE PLAN




01 ARCHITECTURAL SITE PLAN
SCALE : 1/8" = 1'-0"

## KEYNOTES

| | |
|---|---|
| 1 | EXISTING CONCRETE SIDEWALK TO REMAIN |
| 2 | NEW LANDSCAPING AREA |
| 3 | EXISTING MONUMENT SIGN |
| 4 | HANDICAP ACCESS AISLE. VAN ACCESSIBLE STALL AND ACCESS TO THE PUBLIC WAY. PAINTED ON EXISTING A/C PAVING |
| 5 | EXISTING STONE WALKING PATH TO REMAIN |
| 6 | NEW 3'-0" WIDE CONCRETE SIDEWALK |
| 7 | SETBACK LINE (C-1 ZONE; FRONT 20', SIDE 10' AND REAR 20') |

## PROJECT DATA

| |
|---|
| APN: 138-36-316-007 |
| ZONING: |
| CURRENT ZONING R-1 |
| PROPOSED ZONING C-1 |
| CURRENT GENERAL PLAN S-C |
| PROPOSED GENERAL PLAN S-C |
| SIZE: |
| BUILDING = 1,238 SQ. FT. |
| GARAGE = 252 SQ. FT. |
| TOTAL = 1,490 SQ. FT. |
| SITE = .05 Acres |
| PARKING: |
| REQUIRED = 7 (1 SPACE PER 250 SQ. FT.) |
| PROVIDED = 7 SPACES INCLUDING 1 HANDICAP |
| DENSITY: |
| EXISTING = 26.4% OF SITE |

## LANDSCAPE SCHEDULE

| SYMBOL | COMMON NAME | BOTANICAL NAME | SIZE | # / NOTES |
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| | ALL AREAS | CRUSHED GRANITE | SEE GENERAL LANDSCAPE NOTES | SEE NOTES | SEE PLAN |
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| | ALEPPO PINE | PINUS HALEPENSIS | 24" BOX | 1 |
| | SHOESTRING ACACIA | ACACIA STENOPHYLIA | 24" BOX | 1 |

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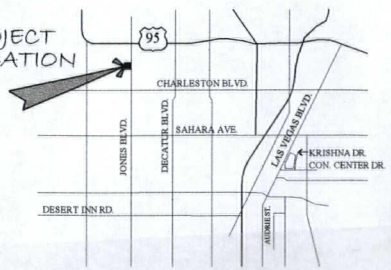
5. PROVIDE GRASS FREE WELL FOR ALL TREES WITH EXTRUDED CONCRETE LANDSCAPE CURBING AND CRUSHED GRANITE GROUND COVER.

RECEIVED
MAY 24 2011




REVISIONS:
1 05.24.11 CLV COMMENTS

PROJECT:
COMPUDOC
TENANT IMPROVEMENT

PROJECT ADDRESS:
708 S. JONES BLVD
LAS VEGAS, NEVADA

GROTHE CONSTRUCTION
CONSTRUCTION

LICENSE NO.
52524

SIGNATURE:

PLOT: 4.20.11
DRAWN: BP

SHEET
A0.12

ARCHITECTURAL SITE PLAN

SDR-41037
SUPPLEMENTAL

## KEYNOTES

| | |
|---|---|
| 1 | EXISTING CONCRETE SIDEWALK TO REMAIN |
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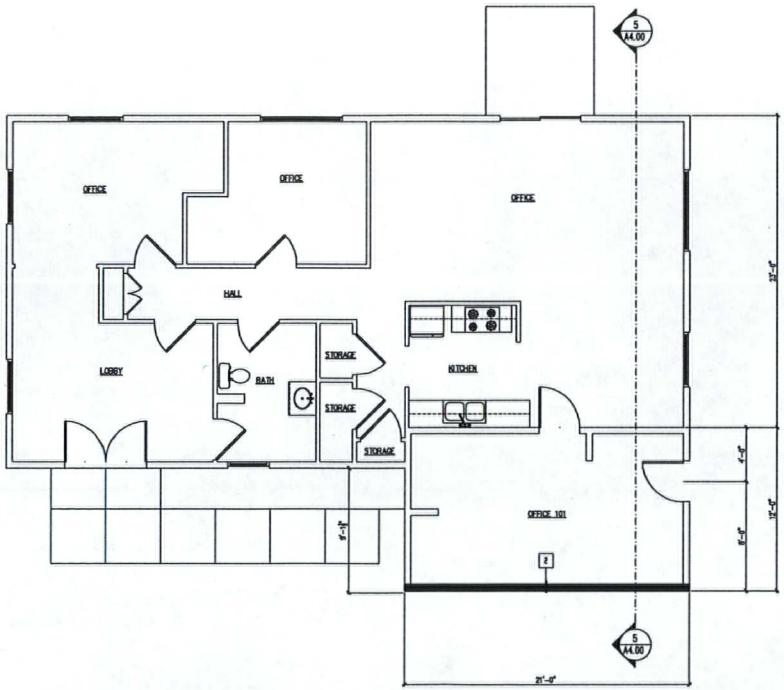
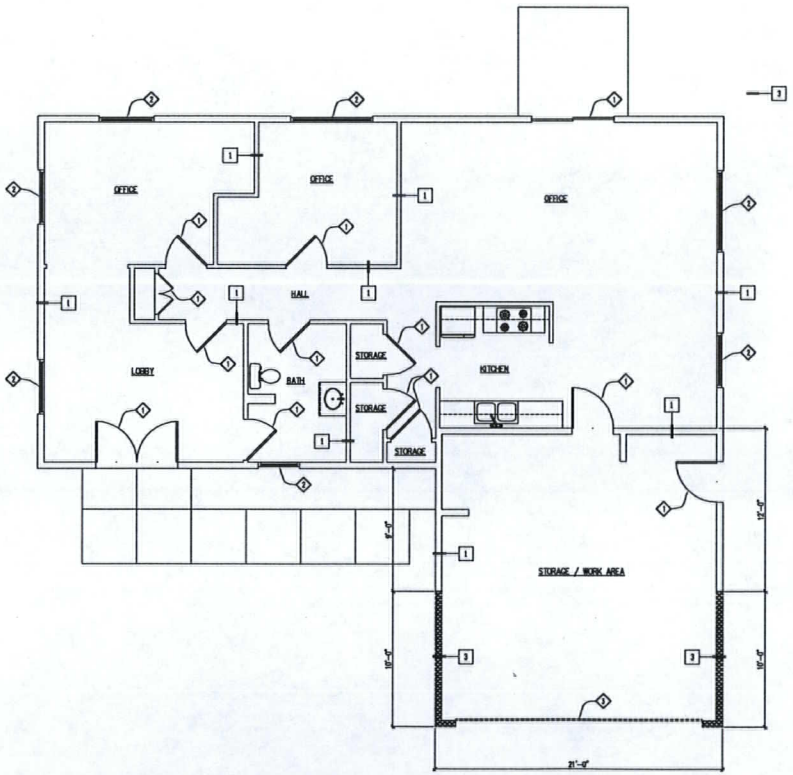
| 6 | NEW 3'-0" WIDE CONCRETE SIDEWALK |
| 7 | SETBACK LINE (C-1 ZONE: FRONT 20', SIDE 10' AND REAR 20'). |




02 PROPOSED FLOOR PLAN
SCALE : 1/4" = 1'-0"




01 EXISTING FLOOR / DEMOLITION PLAN
SCALE : 1/4" = 1'-0"

DEMOLITION PLAN + PROPOSED FLOOR PLAN

REVISIONS:
1 05.24.11 CLV COMMENTS

PROJECT:
COMPUDOC
TENANT IMPROVEMENT

PROJECT ADDRESS:
708 S. JONES BLVD
LAS VEGAS, NEVADA

GROTHE CONSTRUCTION
CONSTRUCTION

LICENSE NO. 52524
SIGNATURE:

PLOT: 4.20.11
DRAWN: BP

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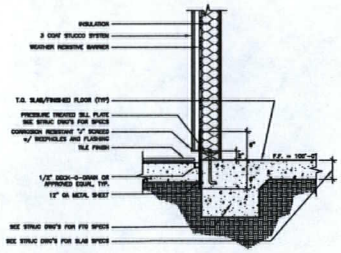
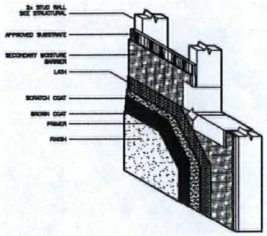
MAY 24 2011

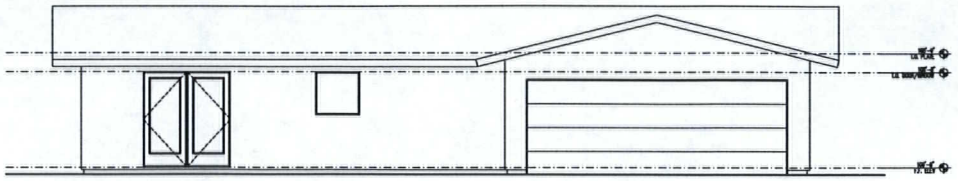
SDR-41037
SUPPLEMENTAL



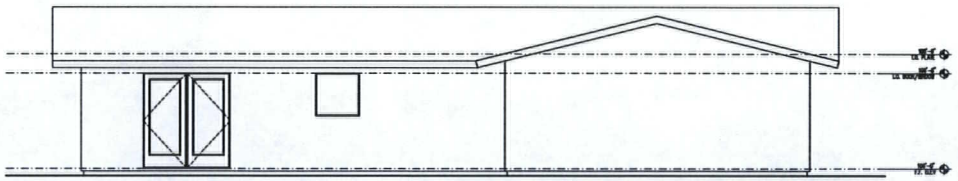
B WEEP SCREED at HARDSCAPE
SCALE : 1" = 1'-0"



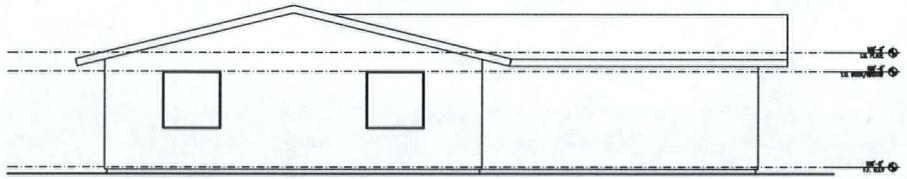
A THREE COAT STUCCO SYSTEM
SCALE : 1" = 1'-0"



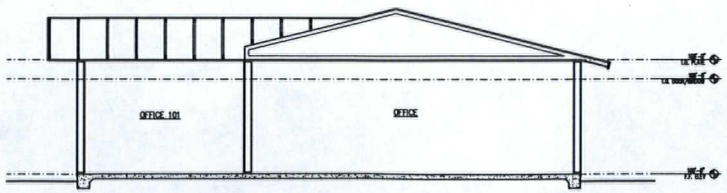
01 EXISTING FRONT ELEVATION
SCALE : 1/4" = 1'-0"



02 PROPOSED FRONT ELEVATION
SCALE : 1/4" = 1'-0"



03 EXISTING LEFT ELEVATION
SCALE : 1/4" = 1'-0"




05 BUILDING SECTION
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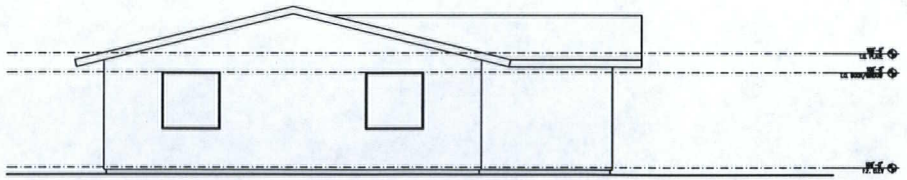

04 PROPOSED LEFT ELEVATION
SCALE : 1/4" = 1'-0"

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MAY 2 4 2011

**SDR-41037**
**SUPPLEMENTAL**

REVISIONS:
05.24.11 CLV COMMENTS

PROJECT :
COMPUDOC
TENANT IMPROVEMENT
PROJECT ADDRESS:
708 S. JONES BLVD
-
LAS VEGAS, NEVADA

GROTHE CONSTRUCTION
CONSTRUCTION
LICENSE NO. 52524
SIGNATURE:

PLOT: 4.20.11
DRAWN: BP

SHEET A4.00

ELEVATIONS, SECTIONS, + DETAILS


SDR-41037


394 SZM
SDR-41037




SDR-41037


TOYOTA
SDR-41037


708
CompuDoc
Computer
Sales & Service
Windows - Apple
Laptop - Desktop
Repair
871-1881
704
708 S. JONES
SDR-41037


708
SOUTH JONES
CompuDoc
Computer
Sales & Service
Windows - Apple
Laptop - Desktop
Repair
871-1881
708 S. JONES
SDR-41037


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708 S. JONES
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CompuDoc
Computer Sales & Service
Windows - Apple
Laptop - Desktop
Repair
871-1881
SDR-41037


708
SOUTH JONES
CompuDoc
Computer
Sales & Service
Windows - Apple
Laptop - Desktop
Repair
871-1881
BERNSTEIN
704
SDR-41037


SDR-41037




**SDR-41037 - APPLICANT/OWNER: GARETH SPICER**
**708 SOUTH JONES BOULEVARD**

03/03/11




**SDR-41037 - APPLICANT/OWNER: GARETH SPICER**
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03/03/11




**SDR-41037 - APPLICANT/OWNER: GARETH SPICER**
**708 SOUTH JONES BOULEVARD**

03/03/11




**SDR-41037 - APPLICANT/OWNER: GARETH SPICER**
**708 SOUTH JONES BOULEVARD**

03/31/11




**SDR-41037 - APPLICANT/OWNER: GARETH SPICER**
**708 SOUTH JONES BOULEVARD**

03/31/11




**SDR-41037 - APPLICANT/OWNER: GARETH SPICER**
**708 SOUTH JONES BOULEVARD**

03/31/11

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

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




Mayor
Oscar B. Goodman

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

City Manager
Elizabeth N. Fretwell

07101-001-06-09

October 1, 2009

***CORRECTED LETTER***

Mr. Gareth Spicer
708 South Jones Boulevard
Las Vegas, Nevada 89015

***RE: SDR-35518 - SITE DEVELOPMENT PLAN REVIEW***

Dear Mr. Spicer:

Your request for a Site Development Plan Review FOR THE PROPOSED CONVERSION OF A SINGLE FAMILY RESIDENCE TO A 1,688 SQUARE-FOOT OFFICE BUILDING WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW A TEN-FOOT BUFFER ALONG THE WEST PERIMETER WHERE 15 FEET IS REQUIRED AND A ZERO-FOOT BUFFER ALONG PORTIONS OF THE NORTH PERIMETER WHERE FIVE FEET IS REQUIRED on 0.15 acres at 708 South Jones Boulevard (APN 138-36-316-007), P-R (Professional Offices and Parking) Zone, Ward 1 (Tarkanian), was considered by the Planning Commission on September 25, 2009.

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

***Planning and Development***

1. The building elevation and free-standing sign shall be painted earth-tone, subject to approval of Planning and Development staff.

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

3. All development shall be in conformance with the floor plan date stamped 08/07/09 and the site plan and landscape plan date stamped 08/28/09, except as amended by conditions herein.

4. A Waiver from Title 19.12.040 is hereby approved, to allow a ten-foot wide landscape buffer along the west property line where fifteen feet is required and to allow a zero-foot wide landscape buffer along a portion of the north property line where five feet is required.

5. An Exception from Title 19.12.040 is hereby approved, to allow a stone walking path within the north and south perimeter landscape buffers where trees, shrubs, and groundcover is required.

6. 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.

**SDR-41037**

7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

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. 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.

12. 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.

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

***Public Works***

14. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; comply with the recommendations of the City Surveyor.

15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

16. If on-street parking is not already prohibited adjacent to this site, submit a written request to the City Traffic Engineer to eliminate parking on Jones Boulevard adjacent to this site prior to the issuance of any permits.

17. Landscape and maintain all unimproved right-of-way on Jones Boulevard adjacent to this site. Alternatively, hard surface all unimproved right-of-way on Jones Boulevard if allowed by the Planning and Development Department and/or required by the Nevada Department of Transportation prior to the issuance of a business license. Maintain all such improvements in perpetuity. All landscaping and private improvements installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

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

19. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

20. 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.

This action by the Planning Commission on **September 24, 2009** is final unless a written appeal is filed with the City Clerk within ten days of the date of the Planning Commission's decision or there is a review action filed by the City Council within the same time period. The Notice of Final Action was filed with the Las Vegas City Clerk on ***September 25, 2009***.

Sincerely,

Douglas J. Rankin, AICP
Planning Manager
Case Planning Division

DR:clb

cc: Ms. Kristine Czach
GGW Architects
7625 Dean Martin Drive
Las Vegas, Nevada 89139

**SDR-41037**

COMPUDOC

Compudoc
708 S. Jones Blvd
Las Vegas, Nv
89107
(702) 871-1881

To Whom it may concern at the City of Las Vegas:

We respectfully request that our SDR is moved to the May 10th agenda. We will be complying with all landscape requirements by the city and have already complied with the "color of the building" requirement. However we will be requesting that the 5' area in the NDOT right of way located on Jones Blvd frontage be paved in NDOT approved sidewalk as all businesses have done as they have converted their zoning. For at least 5 miles in both north and south directions on Jones , all business have concreted their side walk directly in front of their buildings. Percentage wise, our landscape architect has stated there is more than enough landscape area to meet city standards without landscaping the sidewalk. We are not asking any different than what all of the other properties have done along Jones Blvd. Thank you.

Sincerely

Gareth Spicer

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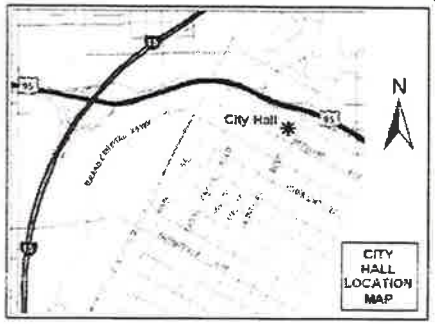
APR 05 2011

**SDR-41037**
**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.

**SDR-41037**

Planning Commission Meeting of 5/10/2011

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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MAILED FROM ZIP CODE 89101

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MAY _ 3 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-41037
13836317053
WHITE CLOUD TRUST
300 MANOR ST
LAS VEGAS NV 89145-5366

28 BRDFN11 89145

440

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

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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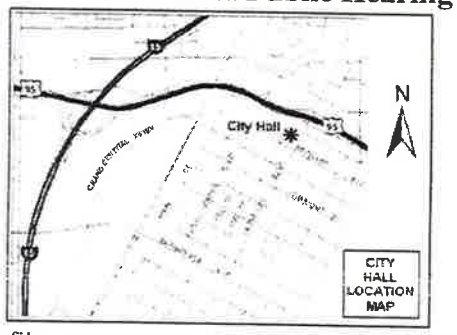


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☒ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-41037**

Planning Commission Meeting of 5/10/2011

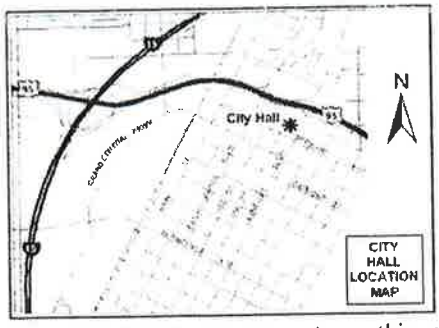
Case: SDR-41037

13836316025
ERTEL LAWRENCE R & LENORE
5808 IDLE AVE
LAS VEGAS NV 89107-3639

5 BRDPN11 89107

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

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**SDR-41037**

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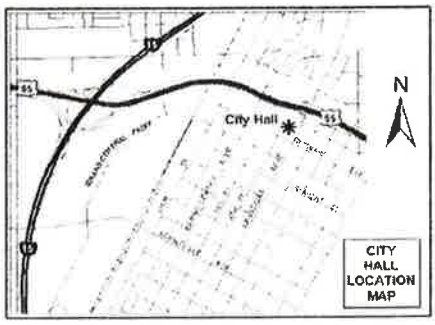
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-41037
13836401001
ERICKSON FAMILY REVOCABLE TRUST
1289 BARTONSHIRE WY
ROCKVILLE MD 20854-6101

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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**SDR-41037**

Planning Commission Meeting of 5/10/2011

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-41037
13836314050
DAWSON DOROTHY A LIVING TRUST
5816 GIPSY AVE
LAS VEGAS NV 89107-3655

25 APR 11 89107

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

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## Return Service Requested
## Official Notice of Public Hearing




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MAY
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-41037

13836314012
TITUS LIVING TRUST
5909 GIPSY AVE
LAS VEGAS NV 89107-3660

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

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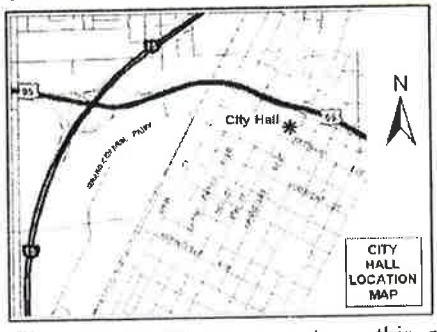
## Return Service Requested
## Official Notice of Public Hearing

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Please use available blank space on card for your comments.

RECEIVED
MAY 9 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-41037

13836311002
LAMEK NICHOLAS E & MARGARET E
5925 ALTA DR
LAS VEGAS NV 89107-3604

**SDR-41037**
Planning Commission Meeting of 5/10/2011

25 APR 11 89107

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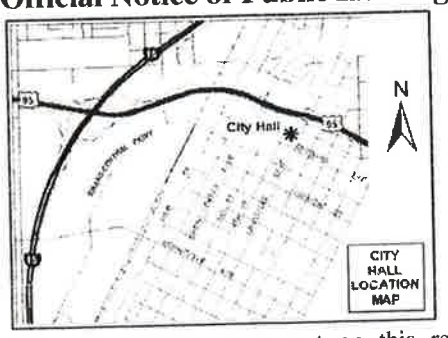
City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

**Return Service Requested**
**Official Notice of Public Hearing**

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**SDR-41037**
Planning Commission Meeting of 5/10/2011

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PLANNING & DEVELO...

Case: SDR-41037
13836310003
BICKMORE JOHN J & DIANE T REV TR
2149 W RIVER EDGE LN
ST GEORGE UT 84770-1829

2 BRDFN11 84770

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A

City of Las Vegas Agenda Item No.: **28.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

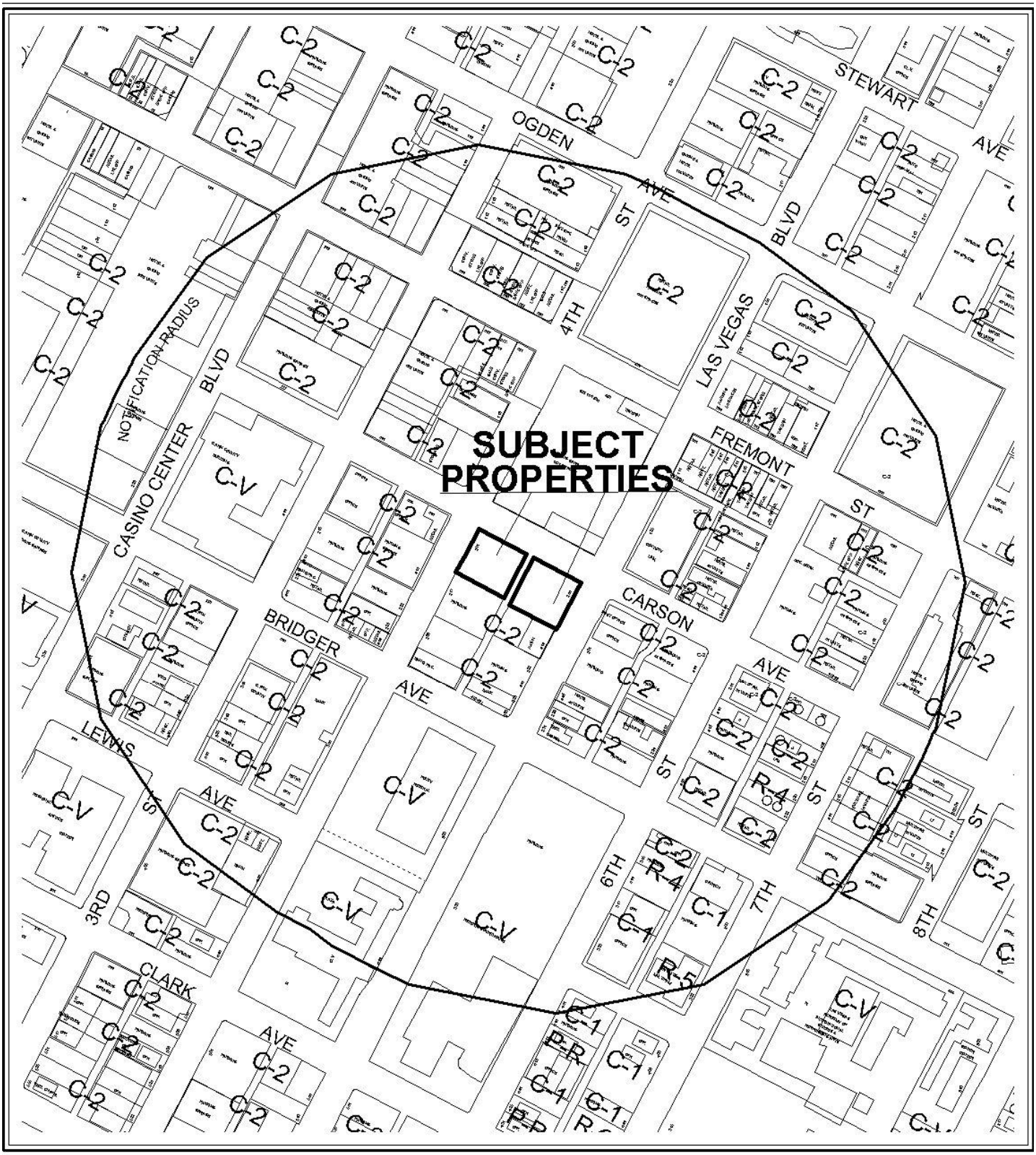
**SUBJECT:**
ABEYANCE - SDR-41271 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: NEVADA STATE BANK - Request for a Site Development Plan Review FOR A PROPOSED PARKING LOT WITH WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE AND PARKING LOT LANDSCAPE REQUIREMENTS on 0.85 acres at 201 South 4th Street and 200 Las Vegas Boulevard South (APNs 139-34-610-023 and 139-34-610-031), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends DENIAL.

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




0 300 600 Feet

**CASE:** **SDR-41271**

**RADIUS:** 1000 FT

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

N




0 300 600 Feet

**CASE:** **SDR-41271**

**RADIUS:** 1000 FT

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

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: NEVADA STATE BANK**

**** STAFF RECOMMENDATION ****

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SDR-41271** | Staff recommends DENIAL, if approved subject to conditions: | |

**** CONDITIONS ****

# SDR-41271 CONDITIONS

***Planning***

1. Conformance to conditions of approval of Z-0100-64.

2. All development shall be in conformance with the site plan and landscape plan, date stamped 05/31/11 except as amended by conditions herein.

3. A Waiver from all Downtown Centennial Plan Streetscape and Parking Lot Landscape Requirements is hereby approved.

4. Prior to use, 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. A revised site plan shall be submitted to and approved by the Department of Planning, prior to or at the time application is made for any permits, depicting conformance to the minimum dimensional standards of Title 19.10. for drive aisles and parking spaces.

YK

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. 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. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Las Vegas Boulevard South, a 10 foot radius on the southeast corner of Fourth Street and Carson Avenue, and a 10 foot radius on the southwest corner of Carson Avenue and Las Vegas Boulevard South adjacent to this site prior to the issuance of any permits.

11. Remove all substandard sidewalk improvements and unused driveways adjacent to this site and replace with new improvements meeting current City Standards as amended herein concurrent with development of this site. The existing driveways shown on Fourth Street and Carson Avenue may remain as constructed. 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.

12. 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.

13. Submit an Encroachment Agreement for all landscaping and private improvements located in the Carson Avenue and Las Vegas Boulevard South 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.

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

**Staff Report Page One**
**June 14, 2011 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a proposal for commercial parking on two lots located in the center of downtown Las Vegas. The applicant is requesting Waivers of the Downtown Centennial Plan Streetscape and Parking Lot Landscape standards. The applicant intends to utilize the property until it is sold and therefore does not want to install the minimum improvements required. The Downtown Centennial Plan does permit temporary parking lots for up to 36 months; however, all streetscape amenities are required. If approved as proposed without the required streetscape improvements, the development would have a long-term negative effect on the National Downtown Las Vegas Boulevard Scenic Byway and the Central Casino Core District; therefore, staff recommends denial. If denied, the site could not be utilized until another Site Development Plan Review was submitted and approved.

## ISSUES

- This project requires a Waiver of the Downtown Centennial Plan Streetscape and Parking Lot Landscape Standards.
- This property is located on the National Downtown Las Vegas Boulevard Scenic Byway.
- The applicant installed the paved parking lot without an approved Site Development Plan Review or required permits after being informed of the requirements of the Downtown Centennial Plan and Title 19.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 08/23/60 | The City Council approved Rezoning (Z-0037-60) from C-1 (Limited Commercial) to C-2 (General Commercial) for 201 South Fourth Street (139-34-610-031). |
| 03/03/65 | The City Council approved Rezoning (Z-0100-64) from R-4 (High Density Residential) to C-2 (General Commercial) for 200 Las Vegas Boulevard South (139-34-610-023). The Planning Commission and Staff recommended approval. |
| 06/18/08 | Code Enforcement issued a Citation (#66843) for a vacant building and graffiti at 200 South Las Vegas Boulevard. It was closed as resolved on 08/11/08. |

YK

| | |
|---|---|
| 08/19/08 | Code Enforcement issued a Citation (#93778) for illegal banners on a vacant building at 200 South Las Vegas Boulevard. It was closed as resolved on 09/03/10. |
| 11/10/10 | Code Enforcement issued a Citation (#96149) for an illegal parking lot at 200 South Las Vegas Boulevard. The case was closed in error on 01/13/11. |
| 02/10/11 | Code Enforcement issued a Citation (#97958) for an illegal parking lot at 200 South Las Vegas Boulevard. Case is open pending outcome of Site Development Plan Review (SDR-41271). |
| 05/10/11 | The Planning Commission voted to hold this item in abeyance to the June 14, 2011 Planning Commission meeting. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 09/28/59 | A deed was recorded for a change in ownership for 139-34-610-031. |
| 12/10/79 | A deed was recorded for a change in ownership for 139-34-610-023. |

| ***Related Building Permits/Business Licenses (*139-34-610-031)** | |
|---|---|
| 09/02/10 | The Building Department issued a permit (#171339) to demolish a vacant bank building at 201 South Fourth Street. The permit was finalized 11/01/10. |

| ***Related Building Permits/Business Licenses (*139-34-610-023)** | |
|---|---|
| 09/02/10 | The Building Department issued a permit (#171338) to demolish a vacant bank building at 200 South Las Vegas Boulevard. The permit was finalized 11/01/10. |

| ***Pre-Application Meeting*** | |
|---|---|
| 03/02/11 | Staff reviewed the requirements for a Site Development Plan Review application and the need for Waivers of the Downtown Centennial Plan Streetscape and Parking Lot Landscape Standards. |

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

| ***Field Check*** | |
|---|---|
| 03/31/11 | Staff conducted a site visit to both lots and found them to be paved and stripped for parking. No landscape was present. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres for 139-34-610-031 | 0.41 |
| Net Acres 139-34-610-023 | 0.43 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| 13934610031 | Undeveloped | C (Commercial) | C-2 (General Commercial) |
| North | Parking Garage | C (Commercial) | C-2 (General Commercial) |
| South | Parking lot | C (Commercial) | C-2 (General Commercial) |
| East | Undeveloped | C (Commercial) | C-2 (General Commercial) |
| West | Retail<br>Office | C (Commercial) | C-2 (General Commercial) |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| 13934610023 | Undeveloped | C (Commercial) | C-2 (General Commercial) |
| North | Parking Garage | C (Commercial) | C-2 (General Commercial) |
| South | Pawn Shop | C (Commercial) | C-2 (General Commercial) |
| East | Office<br>Post Office | C (Commercial) | C-2 (General Commercial) |
| West | Undeveloped | C (Commercial) | C-2 (General Commercial) |

| ***Master Plan Areas*** | ***Yes*** | ***No*** | ***Compliance*** |
|---|---|---|---|
| Downtown Centennial Plan | X | | N |
| ***Special Purpose and Overlay Districts*** | ***Yes*** | ***No*** | ***Compliance*** |
| A-O (Airport Overlay) District 200 Feet | X | | Y |
| Central Casino Core District | X | | Y |
| Live/Work Overlay District | X | | N/A |
| Las Vegas Boulevard Scenic Byway Overlay District (139-34-610-023) only. | X | | N/A |

YK

| | | | |
|---|---|---|---|
| **Trails** (139-34-610-023) only. | X | | Y |
| **Rural Preservation Overlay District** | | X | N/A |
| **Las Vegas Redevelopment Plan Area** | X | | N |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

**DEVELOPMENT STANDARDS**

***Pursuant to Downtown Centennial Plan Central Casino Core District, the following standards apply:***

| ***Streetscape and Parking Lot Landscaping Standards*** | | | | |
|---|---|---|---|---|
| ***Standards*** (139-34-610-031) | ***Required*** | | ***Provided*** | ***Compliance*** |
| | ***Ratio*** | ***Trees*** | | |
| Streetscape Trees: | | | | |
| • North | 1 Tree / 20 Linear Feet | 7 Trees | 1 Trees | N |
| • South | 1 Tree / 0 Linear Feet | 0 Trees | 0 Trees | Y |
| • East | 1 Tree / 0 Linear Feet | 0 Trees | 0 Trees | Y |
| • West | 1 Tree / 30 Linear Feet | 5 Trees | 6 Trees | Y |
| **TOTAL STREETSCAPE TREES** | | **12 Trees** | **7 Trees** | **N** |
| Parking Area Trees | 1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces | 20 Trees | 0 Trees | N |

***Pursuant to Downtown Centennial Plan Central Casino Core District, the following standards apply:***

| ***Streetscape and Parking Lot Landscaping Standards*** | | | | |
|---|---|---|---|---|
| ***Standards*** (139-34-610-023) | ***Required*** | | ***Provided*** | ***Compliance*** |
| | ***Ratio*** | ***Trees*** | | |
| Streetscape Trees: | | | | |
| • North | 1 Tree / 20 Linear Feet | 7 Trees | 0 Trees | N |
| • South | 1 Tree / 0 Linear Feet | 0 Trees | 0 Trees | Y |
| • East | 1 Tree / 30 Linear Feet | 5 Trees | 0 Trees | N |
| • West | 1 Tree / 0 Linear Feet | 0 Trees | 0 Trees | Y |
| **TOTAL STREETSCAPE TREES** | | **12 Trees** | **0 Trees** | **N** |
| Parking Area Trees | 1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces | 19 Trees | 0 Trees | N |

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Carson Avenue | Secondary Collector | Master Plan of Streets and Highways | 80 | Y |
| Fourth Street | Secondary Collector | Master Plan of Streets and Highways | 80 | Y |
| Las Vegas Boulevard | Primary Arterial | Master Plan of Streets and Highways | 85 | N |

| *Waivers* | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| Provide one shade tree for every six spaces in landscaped islands. | To provide no trees or landscape islands | Denial |
| A minimum of ten square feet of landscaped surface area must be provided for each parking space. | To provide no landscape surface. | Denial |
| A five-foot wide amenity zone adjacent to all streets. | To provide no amenity zone | Denial |
| To provide a 10-foot wide sidewalk along Las Vegas Boulevard. | To provide an eight-foot wide sidewalk along Las Vegas Boulevard. | Denial |
| To provide a 10-foot wide sidewalk along 4th Street. | To provide a five-foot wide sidewalk along 4th Street. | Denial |
| To provide a five-foot perimeter landscape buffer. | To provide no perimeter landscape buffers. | Denial |

**ANALYSIS**

This project is located in the Central Casino Core District of the Downtown Centennial Plan along the nationally designated Downtown Las Vegas Boulevard Scenic Byway. The project is also located within the Live/Work and Airport Overlay areas, but these are not impacted by the project. As indicated by the location, it is in a high profile area in the center of Downtown.

In November 2010 a citation was issued for an illegal parking lot. At that time, the applicant indicated that it was not interested in fully developing the lots as the intent was to sell them. Staff informed the applicant that the lots could not be legally used until the proper applications were submitted, approved and all required permits obtained. The applicant chose not to submit the required applications and continued to utilize the lots for commercial parking. As a result, another citation was issued for continued illegal use of the property in February 2011. The applicant was again informed that a Site Development Plan Review would have to be submitted and approved before the lots could be utilized for commercial purposes.

The applicant is requesting to be able to continue to utilize the lots for commercial parking without developing them to the minimum standards called for in the Downtown Centennial Plan. Seven existing trees are located at the subject site along 4th Street and Carson Avenue. The applicant has provided revised plans depicting an additional thirteen 24-inch boxed Ash trees along Carson Avenue and four, 25-feet tall Mexican Fan Palm trees along Las Vegas Boulevard. However, the proposed trees are not placed in the amenity zone where the Downtown Centennial Plan requires them. In addition, the Mexican Fan Palm trees are not an acceptable replacement for the required Deglet-Noor Palm trees along Las Vegas Boulevard. Also, the proposed trees are not located in the amenity zone at the back of the curb as required. The sole justification provided by the applicant is the desire to maintain a source of income from the property until it is sold for future development. No reason has been provided that indicates that the applicant is not able to implement the required minimum standards other than it does not want to incur the expense.

It is very important that these lots be developed to the minimum standards, given the high profile location of the parcels. The east perimeter is adjacent to the nationally designated Scenic Byway. Unless the minimum standards are maintained, this designation could be removed by the Federal government, who oversees the National Scenic Byway program.

Although Public Works is limited in its authority to comment regarding on-site traffic circulation issues that do not affect the public right-of-way, it has noted that the submitted site plan does not meet the parking lot drive aisle standards of title 19.10. The angle shown on the submitted site plan is 30 degrees, but spaces are actually at a 60 degree angle. Per 19.10.010.J.2, drive aisles for one-way 60 degree parking spaces must be a minimum of 15 feet wide and the drive aisles provided are only 12 feet wide. Due to the narrowed width of these drive aisles and the fact that they do not meet current standards, Public Works can foresee vehicles having difficulty with backing out of these spaces. A condition of approval has been added to require conformance to the minimum dimensional standards of Title 19.10.

There has been no reasonable justification for the requested Waivers offered; therefore, staff does not support them. If these applications are approved, these parking lots could be used for an extended period of time without the minimum standards ever implemented. This would have a negative effect on the area and hinder the redevelopment efforts the City has been promoting in downtown for over a decade.

## FINDINGS (SDR-41271)

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;**

   Commercial parking lots are compatible with the adjacent development; however, failure to provide required minimum streetscape and parking lot landscaping negates the compatibility.

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;**

   Due to the many requested Waivers, this project is not consistent with the minimum design and landscape standards established by the Downtown Centennial Plan or Redevelopment Plan.

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

   This project will not have a negative impact on adjacent roadways. The project has access to one primary arterial and two secondary collector streets that are all capable of handling the access and circulation of the project.

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

   The absence of landscape materials is not appropriate for the downtown 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;**

   This project is not aesthetically pleasing for the area due to the lack of minimum landscape being installed. It will not be harmonious or compatible with development in the area.

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

   All development will require permits and inspections that will maintain the public health, safety and welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 37

**NOTICES MAILED** 132

**APPROVALS** 1

**PROTESTS** 1

YK

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-41271 APN: 139-34-610-023 and 031

Name of Property Owner: Nevada State Bank

Name of Applicant: Nevada State Bank

Name of Representative: Tabitha Fiddyment - Kaempfer Crowell Renshaw Gronauer & Fiorentino

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 XX No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Terry Shirey

Subscribed and sworn before me

This 15th day of MARCH, 2011

Michele J. DeSio

Notary Public in and for said County and State

MICHELE J. DESIO
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 08-26-2011
Certificate No: 03-83949-1

Revised 11-14-06

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

RECEIVED
MAR 23 2011

979092.1 AMP 16230.1

# PLANNING & DEVELOPMENT DEPARTMENT

## APPLICATION / PETITION FORM

**Application/Petition For:** Site Development Plan Review

**Project Address (Location)** 2001 South 4th and 200 Las Vegas Blvd. So.

**Project Name** Parking Lot **Proposed Use** Parking Lot

**Assessor's Parcel #(s)** 139-34-610-023 and 031 **Ward #** 3

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

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

**Gross Acres** .85± **Lots/Units** _____ **Density** _____

**Additional Information** See attached justification letter

**PROPERTY OWNER** Nevada State Bank **Contact** N/A

**Address** P.O. Box 990 **Phone:** _____ **Fax:** _____

**City** Las Vegas **State** NV **Zip** 89125

**E-mail Address** _____

**APPLICANT** Nevada State Bank **Contact** N/A

**Address** P.O. Box 990 **Phone:** _____ **Fax:** _____

**City** Las Vegas **State** NV **Zip** 89125

**E-mail Address** _____

**REPRESENTATIVE** Kaempfer Crowell Renshaw Gronauer & Fiorentino **Contact** Tabitha Fiddyment

**Address** 8345 West Sunset Rd **Phone:** 792-7000 **Fax:** 796-7181

**City** Las Vegas **State** NV **Zip** 89113

**E-mail Address** tfiddyment@kcnvlaw.com

**Property Owner Signature*** _____

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

**Print Name** Terry Shirey

Subscribed and sworn before me

This 15th day of MARCH, 20 11.

_____

Notary Public in and for said County and State

MICHELE J. DESIO
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 08-26-2011
Certificate No: 03-83949-1

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | SDR-41271 |
| Meeting Date: | 5-10-11 |
| Total Fee: | $1030.00 |
| Date Received:* | 3-23-11 |
| Received By: | JFREWD |

*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 23 2011

Revised 10/27/08

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979089.1 AMP 16230.1

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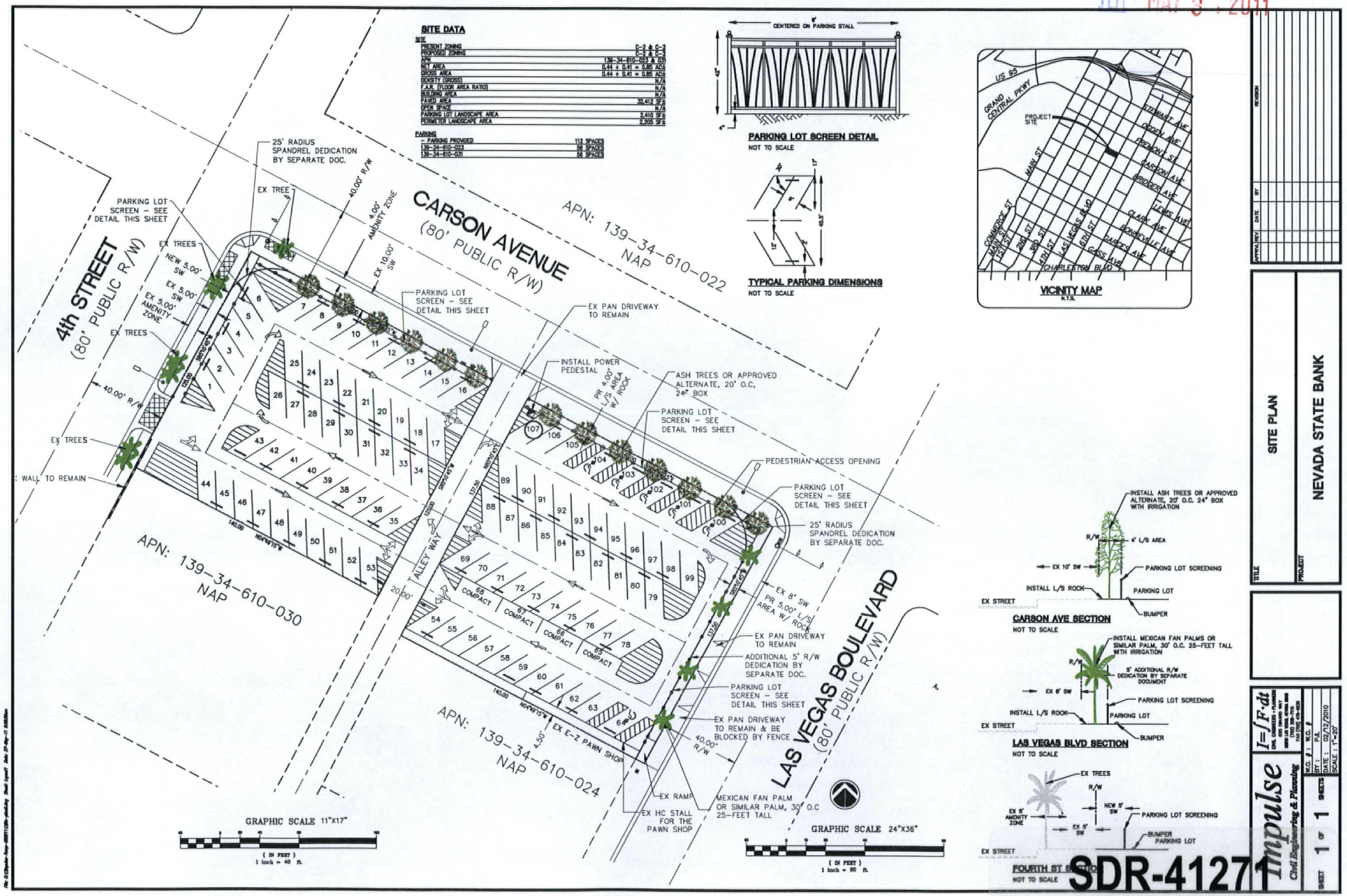
MAY 31 2011




SDR-41271

REVISED




SDR-41271 - APPLICANT/OWNER: NEVADA STATE BANK
201 SOUTH 4TH STREET AND 200 LAS VEGAS BOULEVARD SOUTH

03/31/11




SDR-41271 - APPLICANT/OWNER: NEVADA STATE BANK
201 SOUTH 4TH STREET AND 200 LAS VEGAS BOULEVARD SOUTH

03/31/11



SDR-41271 - APPLICANT/OWNER: NEVADA STATE BANK
201 SOUTH 4TH STREET AND 200 LAS VEGAS BOULEVARD SOUTH

03/31/11

KAEMPFER CROWELL

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

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tfiddyment@kcnvlaw.com
702.792.7051

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Las Vegas, NV 89113
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
5470 Kietzke Lane
Suite 140
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.882.0257

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

March 22, 2011

City of Las Vegas
Department of Planning & Development
333 S. Rancho Road
Las Vegas, Nevada 89106

***Re: Justification Letter – Site Development Plan Review for a Temporary Parking Lot***
***Nevada State Bank***
***APN # 139-34-610-023 & 031***

To Whom It May Concern:

This office represents the applicant in the above-referenced matter. This application is a site development plan review for a temporary parking lot on approximately .85 acres generally located on the southeast corner of Carson and 4th Street.

The site is currently owned by Nevada State Bank ("Bank"). The Bank foreclosed on the property and demolished the improvements as they were blighted and essentially condemnable. As the Bank is not in the business of developing property, they have been attempting to sell the site since they were forced to recover the asset. However, to date, the Bank has not been able to sell the property. Consequently, the Bank is proposing to utilize the site on an interim basis as a 112 stall temporary parking lot.

The Bank is aware that the City is working to address the parking demands in Downtown Las Vegas and the proposed use would aide in the solution until it is sold and redeveloped. Further, the Bank is not a developer and in the event the site is not utilized as a parking lot it will remain a vacant lot, and despite the Bank's best efforts invariably become an attraction for trash disposal and loitering. Even if the Bank secures the site, eliminating these nuisances is nearly impossible.

The Bank is further proposing to waive the requirements of the Downtown Centennial Plan with respect to landscaping and offsite improvements. Again, the proposed use is temporary and compliance with the Downtown Centennial Plan can be required at the time redevelopment occurs. The Bank is only proposing the parking lot use as a temporary solution to aide in addressing current parking demands and prevent the site from becoming an undesirable nuisance. The Bank is willing to accept a condition that this use be reviewed on a regular basis to insure the property is appropriately maintained.

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MAR 23 2011
SDR-41271

KAEMPFER
CROWELL



We appreciate your kind consideration of our request. Please feel free to contact me should you have any questions or concerns. Thank you

Sincerely,

KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO

Tabitha D. Fiddyment

TF/ll

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MAR 23 2011

SDR-41271

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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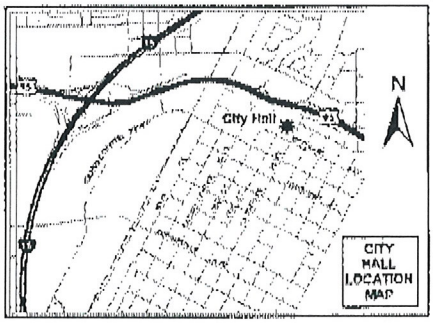
MAILED FROM ZIPCODE 89101

**Return Service Requested**

**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the 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-41271** LANDSCAPING IS VERY IMPORTANT!

Planning Commission Meeting of 5/10/2011

Case: SDR-41271
13934611046
SENIOR NEVADA BENEFIT GROUP L P
1600 BECKE CIR
LAS VEGAS NV 89104-3322

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MAY -2 2011

478

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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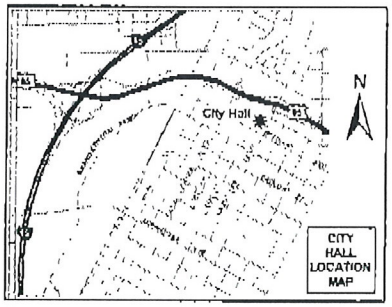
0004279218 APR 28 2011
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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[X] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-41271**

Planning Commission Meeting of 5/10/2011

Case: SDR-41271
13934610022
FREMONT ST EXPERIENCE PARKING
425 FREMONT ST
LAS VEGAS NV 89101-5620

30 BRDFN11 89101

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City of Las Vegas Agenda Item No.: **29.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

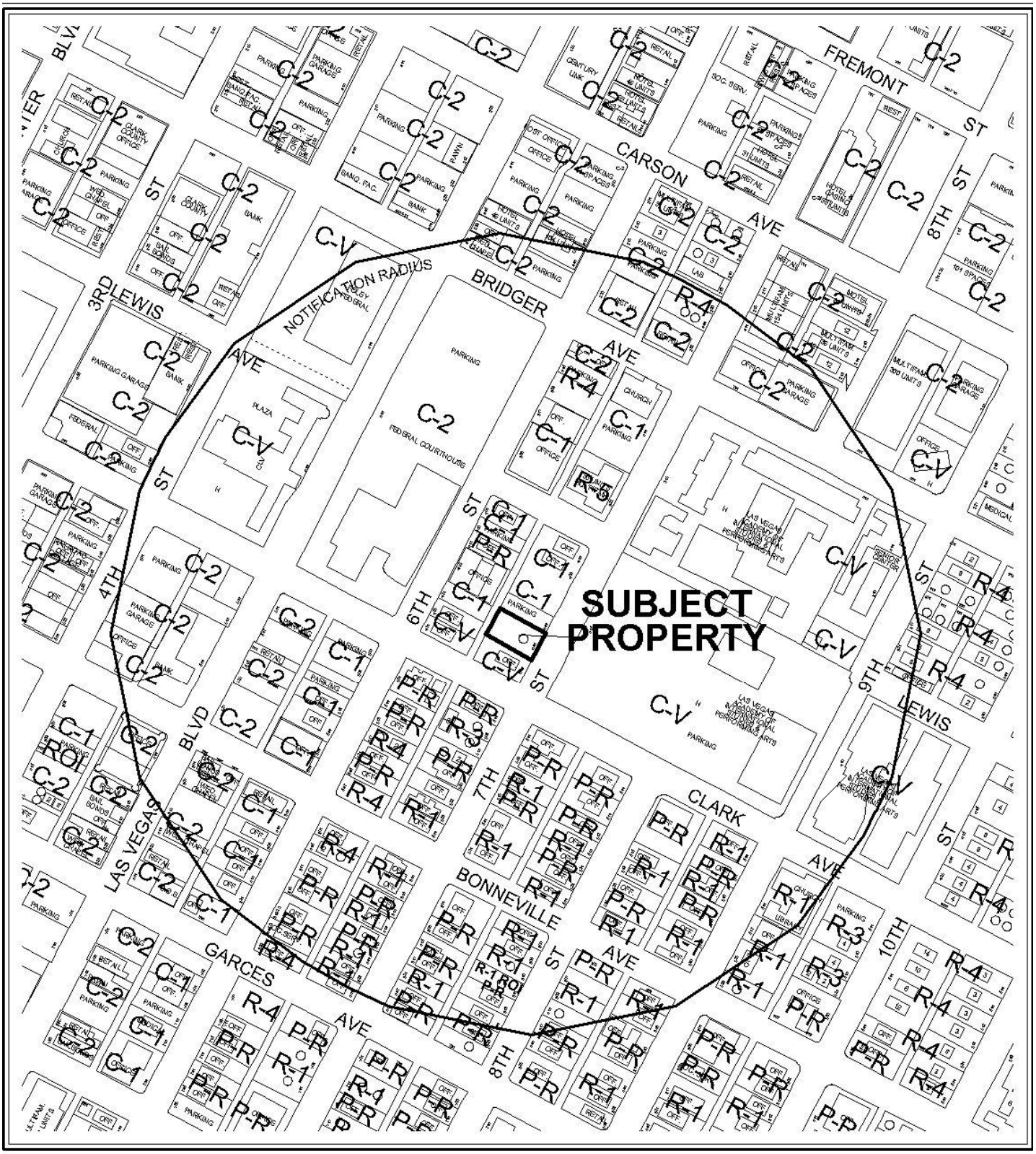
**SUBJECT:**
ZON-41044 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: DANIEL ROSS - Request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: P-O (PROFESSIONAL OFFICE) on 0.26 acres at 424 South 7th Street (APN 139-34-710-029), Ward 3 (Reese). Staff recommends APPROVAL.

**C.C.: 07/20/2011**

| **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-41044 and SDR-41045
2. Conditions and Staff Report - ZON-41044 and SDR-41045
3. Supporting Documentation
4. Photos - ZON-41044 and SDR-41045
5. Justification Letter - ZON-41044 and SDR-41045




0 300 600 Feet

**CASE:** **ZON-41044 AND SDR-41045**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** R-3 (MEDIUM DENSITY RESIDENTIAL)

**PROPOSED ZONING OF SUBJECT PROPERTY:** P-O (PROFESSIONAL OFFICE )

N




0 300 600 Feet

**CASE:** **ZON-41044 AND SDR-41045**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** R-3 (MEDIUM DENSITY RESIDENTIAL)

**PROPOSED ZONING OF SUBJECT PROPERTY:** P-O (PROFESSIONAL OFFICE)

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: DANIEL ROSS**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **ZON-41044** | Staff recommends APPROVAL. | |
| **SDR-41045** | Staff recommends APPROVAL, subject to conditions: | ZON-41044 |

## ** CONDITIONS **

# SDR-41045 CONDITIONS

***Planning***

1. Approval of Rezoning (ZON-41044) 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 date stamped 05/16/11, the elevations date stamped 03/22/11, and the sizes and species of the plantings specified on the landscape plan date stamped 02/24/11, except as amended by conditions herein.

4. A Waiver from Title 19.12 is hereby approved, to allow a 13-foot wide landscape buffer along the east perimeter where 15 feet is required, a five-foot wide landscape buffer along the west perimeter where eight feet is required, and a three-foot wide buffer along a portion of the north perimeter where five feet is required.

5. An Exception to Title 19.12 is hereby approved, to allow eight 24-inch box trees within the perimeter landscape buffers where 14 trees are required.

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 from that on submitted site plans date stamped 05/16/11 or the sizes and species of the plantings specified on the landscape plan date stamped 02/24/11. 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 Department of Building and Safety.

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

9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device and shall match the proposed landscape buffers shown on the provided site plans date stamped 05/16/11.

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

11. 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.

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

***Public Works***

13. 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.

14. The proposed new driveway accessing this site from 7th Street as depicted on the approved Site Plan is hereby approved as a deviation from standards from Standard Drawing #222a. Any further deviations, if any, to width, ingress/egress radii, or throat depth will require separate approval from the City Engineer.

15. Landscape and maintain all unimproved right-of-way on 7th Street adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

16. Submit an Encroachment Agreement for all landscaping located in the 7th Street public right-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.

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This request is a proposal to rezone a 0.26-acre undeveloped lot to P-O (Professional Office) and construct a covered 25-space parking lot at 424 South 7th Street. The site had previously maintained a Single Family, Detached dwelling, but it was demolished in 2010 after extensive fire damage. The intent of this parking lot is to provide overflow parking for the proposed offices at 400 South 7th Street. If denied, the property would remain as zoned and undeveloped.

## ISSUES

- Waivers of the perimeter landscape buffer standards are required to allow a three-foot buffer where a five-foot buffer is required along the north property line, an 11-foot buffer where 15 feet is required along the east property line, and a five-foot buffer where an eight-foot wide buffer is required along the west property line.
- An Exception is required to allow eight 24-inch box trees where 14 trees are required in the perimeter buffers. Staff supports the exception, as the parking area will be covered and the northern planter would be difficult to maintain. Trees will be provided within the right-of-way adjacent to the site.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** |
|---|
| There are no relevant City Actions that pertain to this site. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 11/27/95 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 09/24/10 | Building Permit #172759 was issued for the demolition of a fire-damaged single family residence. |

| ***Pre-Application Meeting*** | |
|---|---|
| 02/23/11 | A pre-application meeting was held with staff to discuss the submittal requirements for a Rezoning request and related Site Development Plan Review for a proposed parking lot. |

| ***Neighborhood Meeting*** |
|---|
| A neighborhood meeting is not required for this type of request, nor was one held. |

| ***Field Check*** | |
|---|---|
| 03/31/11 | A Field Check was performed by staff, where it was noted that the site had no structures and was free of trash and debris. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.26 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Undeveloped | C (Commercial) | R-3 (Medium Density Residential)<br>PROPOSED: P-O (Professional Office) |
| North | Parking Lot | C (Commercial) | C-1 (Limited Commercial) |
| South | Office | C (Commercial) | P-R (Professional Office and Parking) |
| East | High School | PF (Public Facilities) | C-V (Civic) |
| West | Office | C (Commercial) | C-1 (Limited Commercial)<br>P-R (Professional Office and Parking) |

| *Master Plan Areas* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Master Plan Area** | | X | N/A |
| ***Special Purpose and Overlay Districts*** | ***Yes*** | ***No*** | ***Compliance*** |
| **Special Purpose and Overlay Districts** | | | |
| H (Historic Designation) | X | | Y |
| Live/Work Overlay District | X | | N/A |
| **Trails** | X | | Y |
| **Rural Preservation Overlay District** | | X | N/A |
| **Las Vegas Redevelopment Plan Area** | X | | Y or N |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

**DEVELOPMENT STANDARDS**

***Pursuant to 19.08.050, the following standards apply:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Lot Width | 60 Feet | 75 Feet | Y |
| Min. Setbacks | | | |
| • Front | 20 Feet | 20 Feet | Y |
| • Side (North) | 5 Feet | 6 Feet | Y |
| • Side (South) | 5 Feet | 8 Feet | Y |
| • Rear | 0 Feet | 5 Feet | Y |
| Max. Building Height | Lesser of 2 Stories or 35 feet, whichever is less | 12 Feet | Y |

***Pursuant to Title 19.10, the following standards apply:***

| *Landscaping and Open Space Standards* | | | | |
|---|---|---|---|---|
| ***Standards*** | ***Required*** | | ***Provided*** | ***Compliance*** |
| | ***Ratio*** | ***Trees*** | | |
| Buffer Trees: | | | | |
| • North | 1 Tree / 30 Linear Feet | 5 Trees | 0 Trees | N |
| • South | 1 Tree / 30 Linear Feet | 5 Trees | 6 Trees | Y |
| • East | 1 Tree / 20 Linear Feet | 2 Trees | 2 Trees | Y |
| • West | 1 Tree / 30 Linear Feet | 2 Trees | 0 Trees | N |
| **TOTAL PERIMETER TREES** | | **14 Trees** | **8 Trees** | **N** |
| **LANDSCAPE BUFFER WIDTHS** | | | | |
| Min. Zone Width | 5 Feet | | 3 Feet | N |
| • North | 5 Feet | | 8 Feet | Y |
| • South | 15 Feet | | 11 Feet | N |
| • East | 8 Feet | | 5 Feet | N |

| | | | |
|---|---|---|---|
| • West | | | |



| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| 7th Street | N/A | N/A | 80 | 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*** | ***Provided*** | | |
| | | ***Parking Ratio*** | *Parking* | |
| | | | Regular | Handicapped |
| Parking Lot | - | - | | |
| **TOTAL SPACES** | | | 25 | |
| **Regular and Handicap Spaces Required** | | | 24 | 1 |

| ***Waivers*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| A 15-foot wide landscape buffer along the public right-of-way. | An 11-foot wide landscape buffer along 7Th Street | Approval |
| A five-foot wide landscape buffer along the interior lot line. | A three-foot wide landscape buffer along a portion of the north interior lot line. | Approval |
| An eight-foot wide landscape buffer along the interior lot line. | A five-foot wide landscape buffer along a portion of the west interior lot line. | Approval |

**ANALYSIS**

The proposed 25-space Parking Lot is a permissible use in the proposed P-O (Professional Office) zoning district and is compatible with the existing C (Commercial) land use designation. The proposed parking canopies meet the required development requirements for height and setbacks. In addition to the Waiver requests, the applicant is also requesting an Exception to allow seven clusters of four five-gallon shrubs in place of five 24-inch box trees. Staff supports these requests, as the narrowness of the lot does not provide enough width to accommodate adequate landscape buffers and parking-aisle depth. The provided landscaping is of sufficient amount and placement to remain consistent with nearby development.

The Rezoning request is consistent with the General Plan for this area, which calls for commercial land uses. This request would complete the transition of this block from residential to commercial uses. Staff therefore recommends approval of the Rezoning request.

MH

Staff recommends approval of the Site Development Plan Review with conditions, as the proposal is consistent with the surrounding development.

**FINDINGS (ZON-41044)**

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 Parking Lot use is compatible with the P-O (Professional Office) zoning district and conforms to the existing C (Commercial) land use designation.

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

   The proposed Parking Lot use is compatible with the surrounding Office uses and the subject site meets the P-O (Professional Office) lot width requirements.

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

   The subject site is the last remaining residentially zoned property on this street block. All of the properties to the north of this site have been rezoned to the C-1 (Limited Commercial) zoning district and the remaining property to the south is zoned P-R (Professional and Parking). The change to commercial uses has created a need for parking and the proposed parking lot use is in response to this need.

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.**

   Seventh Street provides suitable access to the subject site, which is also served by an additional 20-foot wide alley way.

**FINDINGS (SDR-41045)**

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 25-space covered Parking Lot is compatible with the surrounding Office uses located throughout the immediate 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 covered parking lot meets the P-O (Professional Office) zoning district development standards in respect to the property setbacks and structure height. A Waiver to the required landscape buffer widths and an exception has been requested to address the minor deficiencies on site. Staff recommends approval of the requested Waiver and Exception as the applicant has minimized these deficiencies with landscaping that accommodates the pedestrian along 7th Street.

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

The project is located downtown, where a fully developed grid traffic pattern has been established. The adjacent streets of Las Vegas Boulevard, Clark Avenue and Sixth Streets are capable of handling the traffic generated by this project.

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

The landscape materials are deficient for this proposal; however, the applicant has requested a Waiver and Exception to address this issue. Staff supports these requests, as the provided landscaping is presented in a manner consistent with the landscaping provided in the surrounding 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 proposed parking lot is aesthetically harmonious and compatible with adjacent developments.

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

The development will be subject to requirements of the International Building Code and The Title 19 Unified Development Code; therefore, it will not compromise the public health, safety and welfare or the overall objectives of the General Plan.

**NOTICES MAILED** 136

**APPROVALS** 0

**PROTESTS** 0

MH

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# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-41044** APN: 139-34-710-029

Name of Property Owner: Daniel Ross

Name of Applicant: Daniel Ross

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: Daniel Ross

Print Name: DANIEL ROSS

Subscribed and sworn before me

This 24th day of February 20 11

Dawn M Leno Brown

Notary Public in and for said County and State

NOTARY PUBLIC
DAWN M. LENO-BROWN
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. JULY 6, 2013
No: 05-97966-1



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FEB 24 2011

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# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Zone Change from R-3 to C-1

**Project Address (Location)** 424 S. 7th Street

**Project Name** EVAPS Law Office **Proposed Use** Parking

**Assessor's Parcel #(s)** 139-34-710-029 **Ward #** 3 - Reese

**General Plan:** existing _____ proposed _____ **Zoning:** existing R-3 proposed C-1

**Commercial Square Footage** 0 **Floor Area Ratio** 0

**Gross Acres** 0.26 **Lots/Units** 0 **Density** 0

**Additional Information** _____

**PROPERTY OWNER** Daniel Ross **Contact** Daniel Ross

**Address** 46 E. Victory Road **Phone:** 7023880924 **Fax:** -

**City** Henderson **State** NV **Zip** 89015

**E-mail Address** -

**APPLICANT** same as property owner **Contact** _____

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

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

**E-mail Address** _____

**REPRESENTATIVE** DesignCell Architecture **Contact** Scott Brown

**Address** 10777 W. Twain Ave. #125 **Phone:** 7024031575 **Fax:** 8774031575

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

**E-mail Address** scott@designcell.cc

**Property Owner Signature*** Daniel Ross

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

**Print Name** DANIEL ROSS

Subscribed and sworn before me

This 24th day of February, 20 11.

Dawn M. Leno Brown

Notary Public in and for said County and State

NOTARY PUBLIC
DAWN M. LENO-BROWN
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. JULY 6, 2013
No: 05-97966-1

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | ZON-41044 |
| Meeting Date: | 4/12/11 |
| Total Fee: | 1200.00 |
| Date Received:* | 2-24-11 |
| Received By: | JFmed |

*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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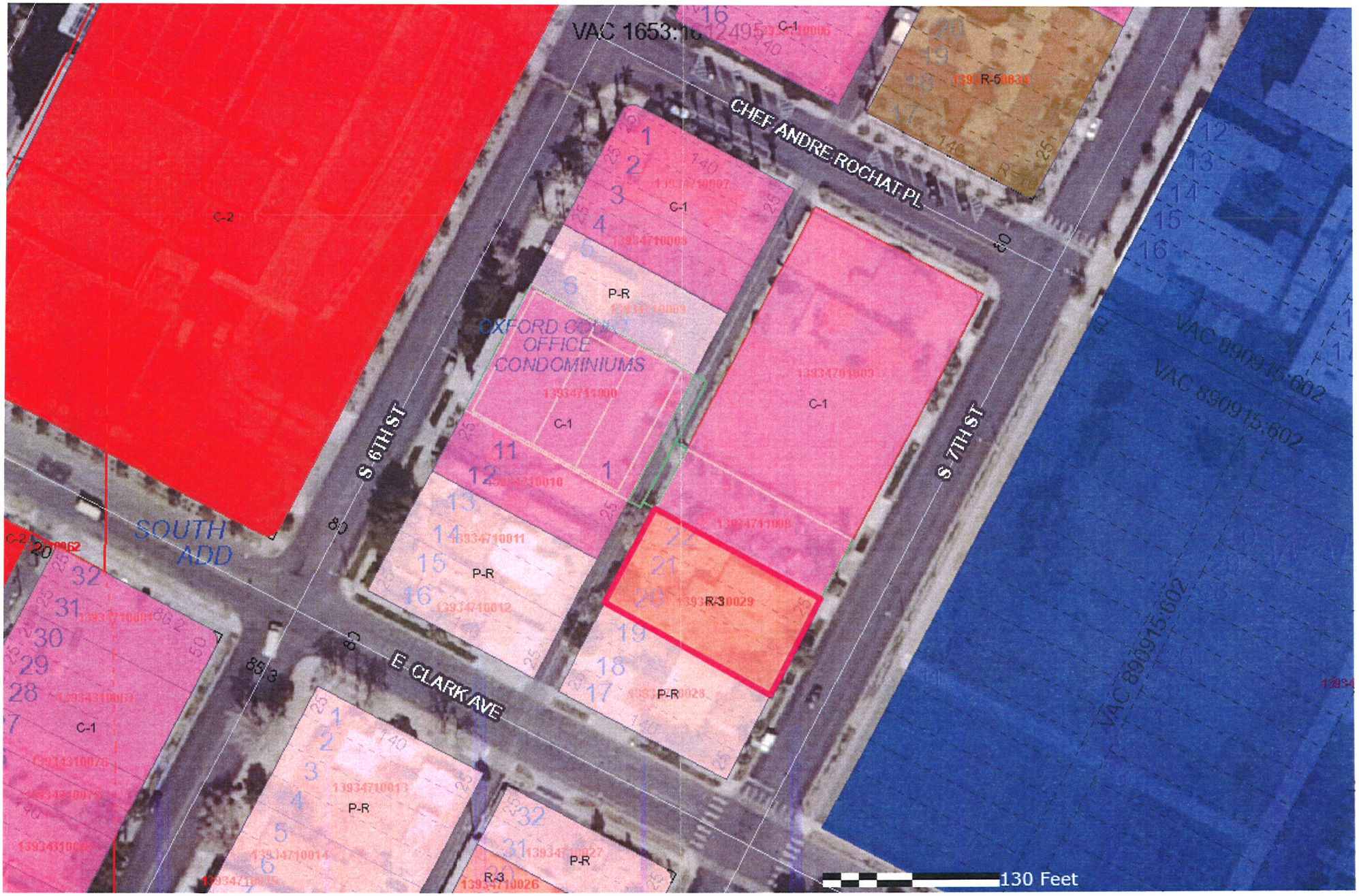
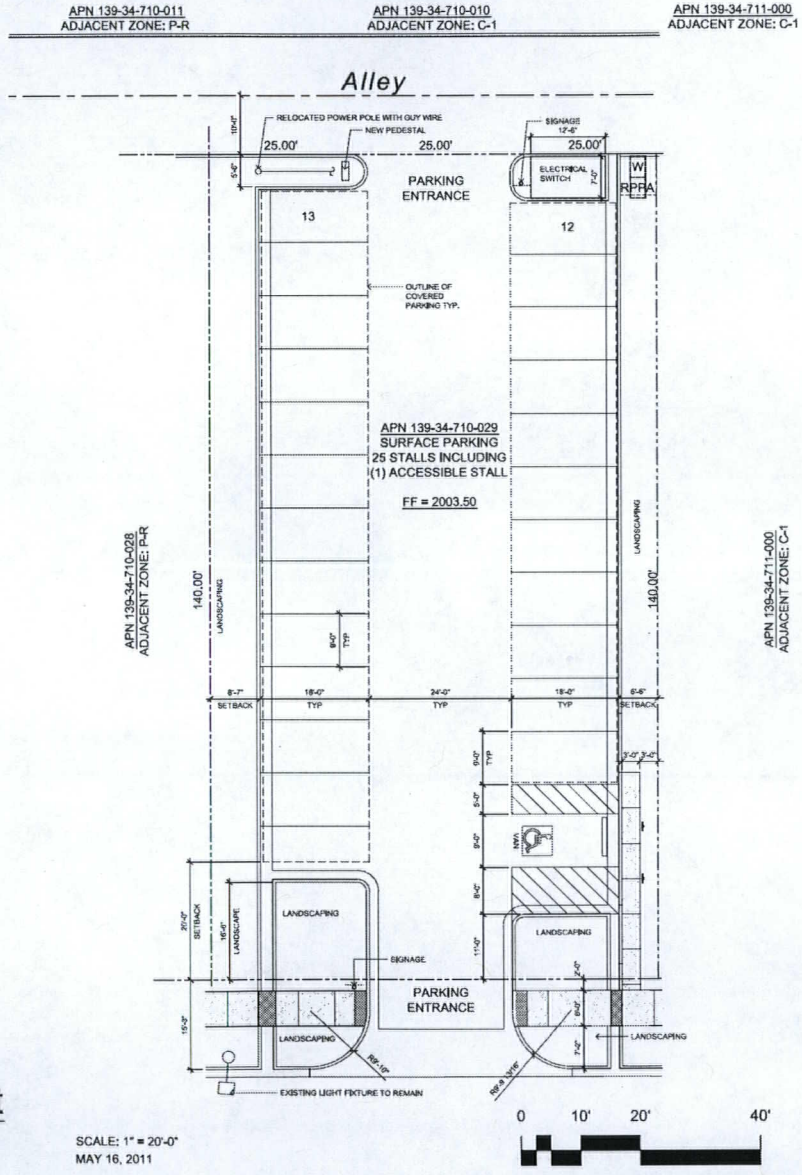
FEB 24 2011

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

Revised 10/27/08



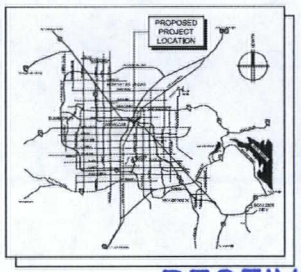

**ZON-41044**
**SDR-41045**




## SITE DATA

| | |
|---|---|
| APN | 139-34-710-029 |
| SITE AREA (NET) | 10,500 SF |
| CURRENT ZONING | R-3 |
| PROPOSED ZONING | C-1 |
| BUILDING AREAS: | N/A |
| PARKING PROVIDED: | 24 SPACES (ALL COVERED) |
| | 1 VAN ACCESSIBLE SPACE |
| TOTAL | 25 SPACES |

## VICINITY MAP

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MAY 16 2011

# Satellite Parking Lot

424 S. 7th Street
LAS VEGAS, NEVADA 89101

SCALE: 1" = 20'-0"
MAY 16, 2011

designcell
10777 W.TWAIN AVE, STE 125 T 702-403-1575
LAS VEGAS, NV 89135 WWW.DESIGNCELL.CC

DR01

SITE PLAN

REVISED

ZON-41044
SDR-41045
REVISED



ZON-41044 & SDR-41045 – APPLICANT/OWNER: DANIEL ROSS
424 SOUTH 7TH STREET

03/03/11



ZON-41044 & SDR-41045 – APPLICANT/OWNER: DANIEL ROSS
424 SOUTH 7TH STREET

03/03/11

designcell ARCHITECTURE

**EVAPS Law Office Building**
**Project # 10 016**
**Page 1 of 1**

February 24, 2011

**CLV Planning & Development**
731 South Fourth Street
Las Vegas, NV 89101
Phone: (702) 229-6301
Fax: (702) 474-7463

**Re: Zone Change and Site Development Plan Review**
**APN: 139-34-710-029**

To whom it may concern:

The purpose of this letter is a request a Zone Change and Site Development Plan Review for the property located at 424 South 7th Street in Las Vegas, Nevada 89101.

Architectural plans depict 25 covered parking stalls with adjacent landscaping. The applicant's intention is to install surface parking and lease the spaces to the adjacent land owner to support their proposed law office project. In order to develop the site as a satellite parking lot, the parcel will need to be re-zoned from R-3 to C-1. The rezone is consistent with development in the downtown area, as every other parcel on this block has already been re-zoned to C-1.

The applicant has structured a lease agreement with the property owner at 400 S. 7th Street. The lease has a ten year term, with a 9 year option, and first right of refusal to purchase the property.

A driveway entrance will be provided from both 7th Street and the Alley. A waiver of standard is requested for the driveway entrance from 7th Street as shown on the site plan. Please refer to the attached site plan.

Required landscaping, conforming to Title 19, will be provided on the property, and is shown on the landscape plan. A landscape buffer of 8'-0" is provided along the property line to the south where the new development is adjacent to a less intensive use. A waiver for the front landscape setback along 7th Street is requested to allow 13' where 15' is required. Please refer to the attached landscape plan.

We appreciate your assistance in moving forward with these modifications to the previously approved project.

Sincerely,

Scott L. Brown, NCARB
Principal
**DesignCell, LLC**

RECEIVED
FEB 24 2011
ZON-41044
SDR-41045

10777 W TWAIN AVE LAS VEGAS, NV 89135 T 702-403-1575 F 702-403-1575 www.DESIGNCELL.CC

City of Las Vegas Agenda Item No.: **30.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

**SUBJECT:**
SDR-41045 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-41044 - PUBLIC HEARING - APPLICANT/OWNER: DANIEL ROSS - Request for a Site Development Plan Review FOR A COVERED PARKING LOT WITH WAIVERS TO ALLOW AN 11-FOOT WIDE LANDSCAPE BUFFER ALONG THE EAST PERIMETER WHERE 15 FEET IS REQUIRED , A FIVE-FOOT WIDE LANDSCAPE BUFFER ALONG THE WEST PERIMETER WHERE EIGHT FEET IS REQUIRED, AND A THREE-FOOT WIDE LANDSCAPE BUFFER ALONG A PORTION OF THE NORTH PERIMETER WHERE FIVE FEET IS REQUIRED on 0.26 acres at 424 South 7th Street (APN 139-34-710-029), R-3 (Medium Density Residential) Zone [PROPOSED: P-O (Professional Office)], Ward 3 (Reese). Staff recommends APPROVAL.

**C.C.: 07/20/2011**

| **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.**

Go to Pla...ing's web page | Print | Clear

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41045** APN: 139-34-710-029

Name of Property Owner: Daniel Ross

Name of Applicant: Daniel Ross

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: Daniel Ross

Print Name: DANIEL ROSS

CLARK COUNTY, NEVADA
Subscribed and sworn before me

This 24 day of FEB., 2011

Gregg W. Wood
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
GREGRY W. WOOD
No: 00-64380-1
My Appointment Expires Sept. 1, 2012

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# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Site Development Plan Review

**Project Address (Location)** 424 S. 7th Street

**Project Name** EVAPS Law Office **Proposed Use** parking

**Assessor's Parcel #(s)** 139-34-710-029 **Ward #** 3 - Reese

**General Plan:** existing _____ proposed _____ **Zoning:** existing R-3 proposed C-1

**Commercial Square Footage** 0 **Floor Area Ratio** 0

**Gross Acres** 0.26 **Lots/Units** 0 **Density** 0

**Additional Information** _____

**PROPERTY OWNER** Daniel Ross **Contact** Daniel Ross

**Address** 46 E. Victory Road **Phone:** 7023880924 **Fax:** -

**City** Henderson **State** NV **Zip** 89015

**E-mail Address** -

**APPLICANT** same as owner **Contact** _____

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

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

**E-mail Address** _____

**REPRESENTATIVE** DesignCell Architecture **Contact** Scott Brown

**Address** 10777 W. Twain Ave. #125 **Phone:** 7024031575 **Fax:** 8774031575

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

**E-mail Address** scott@designcell.cc

**Property Owner Signature*** Daniel Ross

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

**Print Name** DANIEL ROSS

Subscribed and sworn before me

This 24th day of February, 2011.

Dawn M Leno Brown

Notary Public in and for said County of Clark

24th February 2011

DMLB

Revised 10/27/08

NOTARY PUBLIC
DAWN M. LENO-BROWN
STATE OF NEVADA COUNTY OF CLARK
MY APPOINTMENT EXP. JULY 6, 2013
No: 05-97966-1

RECEIVED
FEB 24 2011

***FOR DEPARTMENT USE ONLY***

| | |
|---|---|
| Case # | SDR-41045 |
| Meeting Date: | 4-12-11 |
| Total Fee: | 1030.00 |
| Date Received:* | 2-24-11 |
| Received By: | JFmw |

*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.

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

City of Las Vegas Agenda Item No.: **31.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

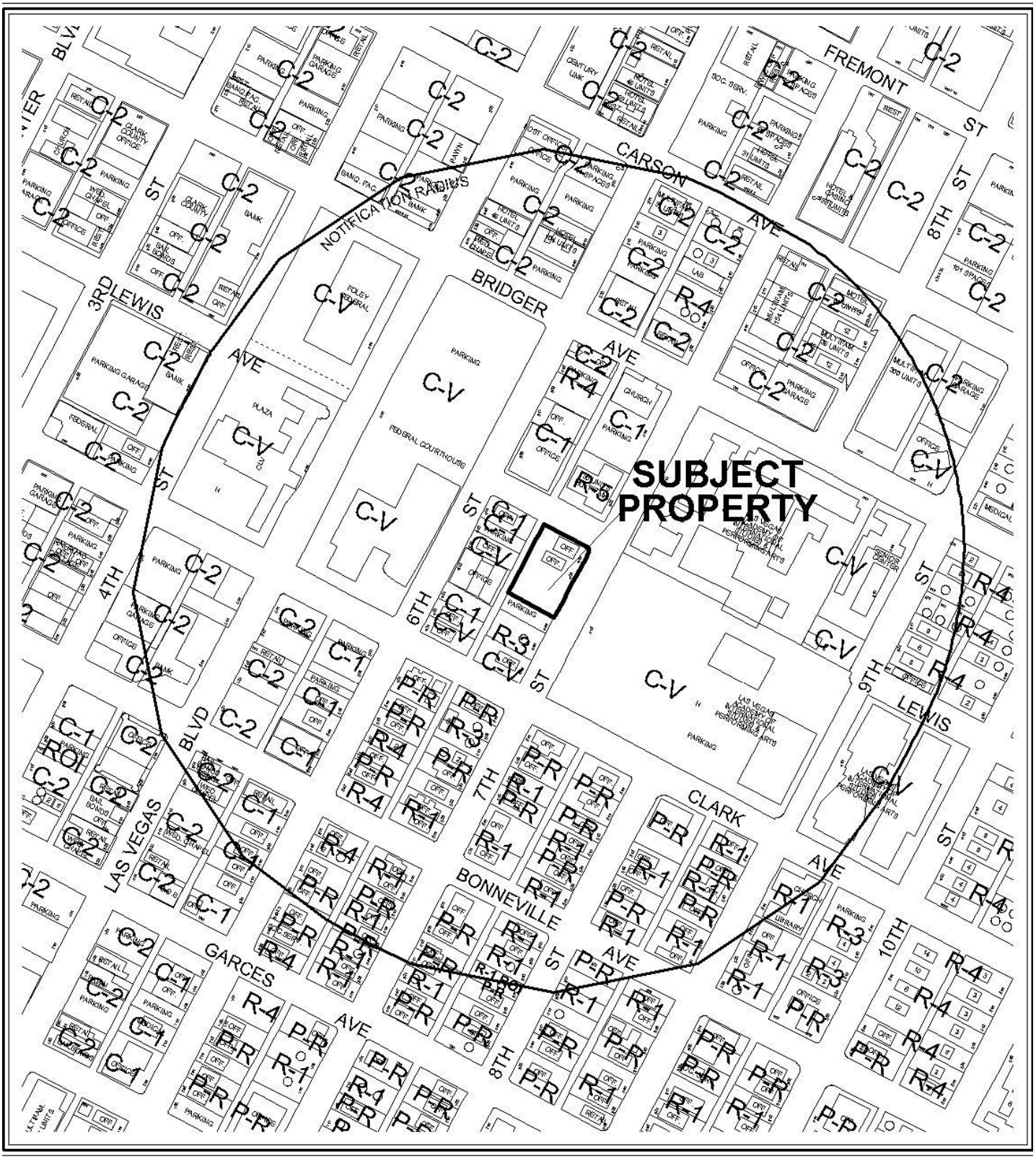
**SUBJECT:**
VAR-41054 - PUBLIC HEARING - APPLICANT/OWNER: EVAPS, LLC, ET AL - Request for a Variance TO ALLOW 160 PARKING SPACES WHERE 184 SPACES ARE REQUIRED on 0.65 acres at 400 South 7th Street (APN 139-34-701-009), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

**C.C.: 07/20/2011**

| **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. Location and Aerial Maps - VAR-41054 and SDR-41047
2. Conditions and Staff Report - VAR-41054 and SDR-41047
3. Supporting Documentation
4. Photos - VAR-41054 and SDR-41047
5. Justification Letter - VAR-41054 and SDR-41047




**CASE:** **VAR-41054 AND SDR-41047**

**RADIUS:** 1000 FT

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




0 300 600 Feet

**CASE:** **VAR-41054 AND SDR-41047**

**RADIUS:** 1000 FT

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

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: EVAPS, LLC - OWNER: EVAPS LLC, ET AL**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-41054** | Staff recommends DENIAL, if approved subject to conditions: | SDR-41047 |
| **SDR-41047** | Staff recommends DENIAL, if approved subject to conditions: | VAR-41054 |

## ** CONDITIONS **

# VAR-41054 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-41047) shall be required, if approved.

2. Conformance to the approved conditions for Variance (VAR-39122) and Site Development Plan Review (SDR-39121).

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

# SDR-41047 CONDITIONS

***Planning***

1. Conformance to the approved conditions for Variance (VAR-39122) and Site Development Plan Review (SDR-39121).

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (VAR-41054) 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 development shall be in conformance with the site plan date stamped 05/16/11, except as amended by conditions herein.

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

***Public Works***

8. 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.

9. Site development to comply with all previous conditions of approval for SDR-39121 and all other site-related actions.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a requested amendment of an approved Site Development Plan Review (SDR-39121) for a five-story, 120-foot tall, 55,132 square-foot Office building to remove one level of subterranean parking. Included with this major amendment is a related Variance (VAR-41054) to allow 160 parking spaces where 184 spaces are required. The applicant has provided no evidence of unique or extraordinary circumstances pursuant to Title 19.18.070 that substantiate these requests and staff is recommending denial. If denied, the property will remain entitled to its originally approved configuration.

## ISSUES

- The proposed subterranean parking structure for the 55,132 square-foot Office building has been modified, reducing the onsite parking from 184 parking spaces to 160 spaces.
- The previously approved Site Development Plan Review and related Variances were recommended for approval at the 10/21/12 Planning Commission and the City Council on 12/01/10.
- There are no proposed changes to the approved building elevations, floor plans, landscaping, or building materials.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 09/20/06 | The City Council approved a Rezoning (ZON-15045) from R-3 (Medium Residential) to C-1 (Limited Commercial); a Site Development Plan Review (SDR-15043) for a proposed 23,613 square-foot Office building with a Waiver of perimeter landscape buffer width requirements; a Waiver of the street tree planting requirements; a Variance (VAR-15048) to allow 55 percent lot coverage where 50 percent is the maximum lot coverage allowed; a Variance (VAR-15596) to reduce the front yard setback of 10 feet where 20 feet is the minimum setback required; and a Variance (VAR-15049) to allow 58 parking spaces where 79 spaces is the minimum required on 0.64 acres at the subject site. The planning Commission had no recommendation; staff recommended denial. |

| | |
|---|---|
| 09/25/08 | The Planning Commission heard the requests for a Site Development Plan Review (SDR-29051) for a five-story Mixed Use development with 52,498 square feet of commercial space and seven residential units; a Special Use Permit (SUP-29306) for a Mixed Use development; and a Variance (VAR-29730) to allow 100% lot coverage where 50% is allowed and to allow no setbacks where a 10-foot front yard setback, a 15-foot corner side yard setback, a 10-foot side yard setback, and a 20-foot rear yard setback are required. These items were forwarded to the City Council with no recommendation. Staff recommended denial. NOTE: These items were tabled at the 11/05/2008 City Council. |
| 10/15/08 | The City Council approved the request for an Extension of Time (EOT-29831) of an approved Rezoning (ZON-15045) from R-3 (Medium Density Residential) and R-3 (Medium Density Residential) under Resolution of Intent to P-R (Professional Office and Parking) to C-1 (Limited Commercial) on 0.64 acres at the southwest corner of Seventh Street and Chef Andre Rochat Place. Staff recommended approval. |
| 07/23/10 | The technical review for a Reversionary Map (PMP-38638) was approved by Planning and Development staff for a reversion to acreage for four lots, approximately .65 acres. The mylar of the map was been released for recordation on 9/13/10, but the map has not been recorded. |
| 12/01/10 | The City Council approved the request for a Site Development Plan Review (SDR-39121) for a proposed five-story, 120-foot tall, 55,132 square-foot Office building with Waivers of the perimeter landscape buffer width requirements to allow zero-foot buffers where 15 feet is required on the north and east perimeters and eight feet is required on the south and west perimeters and a related Variance (VAR-39122) to allow zero-foot setbacks where a 10-foot side yard, 15-foot corner side yard, and 20-foot front and rear yard setbacks are required, and to allow 86% lot coverage where 50% lot coverage is the maximum allowed on 0.65 acres at 400 South 7th Street. The Planning Commission recommended approval on 10/21/10 with staff recommending denial. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 03/02/10 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** |
|---|
| There are no active business licenses or building permits related to the subject site at this time. |

| ***Pre-Application Meeting*** | |
|---|---|
| 02/23/11 | A pre-application meeting was held with staff to discuss the submittal requirements for the modification of the approved Site Development Plan Review (SDR-39121). |

| ***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:<br>• There are two vacant single-family homes on two undeveloped lots on the proposed site. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.81 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Undeveloped | C (Commercial) | C-1 (Limited Commercial) |
| North | Apartments | C (Commercial) | C-1 (Limited Commercial) |
| South | Undeveloped (Proposed Parking Lot) | C (Commercial) | R-3 (Medium Density Residential) |
| East | High School | PF (Public Facilities) | C-V (Civic) |
| West | Offices | C (Commercial) | C-1 (Limited Commercial) |

| *Master Plan Areas* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Master Plan Area** | X | | Y |
| ***Special Purpose and Overlay Districts*** | ***Yes*** | ***No*** | ***Compliance*** |
| **Special Purpose and Overlay Districts** | | | |
| H (Historic Designation) | X | | Y |
| Live/Work Overlay District | X | | Y |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Las Vegas Redevelopment Plan Area** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.04 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 | 55,132 | 1:300 SF | 184 | | | | |
| **TOTAL SPACES REQUIRED** | | | 184 | | 160 | | N |
| **Regular and Handicap Spaces Required** | | | 178 | 6 | 152 | 6 | N |
| Percent Deviation | | | 13% | | | | |

## ANALYSIS

The applicant has requested modifications to the approved Site Development Plan Review (SDR-39121), which consists of the removal of one level of subterranean parking that provided 24 parking spaces. As such, a related Variance is now required to address the parking deficiency. There are no proposed changes to the building height, floor area, setbacks, or landscaping from what was approved under the original Site Development Plan Review (SDR-39121) or Variance (VAR-39122). Because this requested modification to remove the subterranean parking level will make the approved development non-compliant with the Title 19.04 Parking Requirements, staff recommends denial as this proposal is self-imposed and preferential in nature.

## FINDINGS (VAR-41054)

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 modifying the approved Site Development Plan Review (SDR-39121) to remove 24 parking spaces where the original approval is in 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-41047)

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 amendment to the approved Site Development Plan Review (SDR-39121) creates a 24-parking space deficiency, and with the approved Variance (VAR-39122), will not be compatible with the intensity of adjacent Office uses.

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 amendment to the approved Office building is not consistent with the Title 19.04 Parking Requirements as it creates a substantial parking deficiency. The approved Site Development Plan Review (SDR-39121) accommodates all of the required parking.

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

   Site access and circulation remain consistent with what was approved under SDR-39121 and does not negatively impact adjacent roadways or neighborhood traffic.

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

   The building and landscape materials remain consistent with what was approved under SDR-39121 and are appropriate for the area and for the City.

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

   The building elevations, design characteristics remain consistent with what was approved under SDR-39121.

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

   If approved, the proposed development will be subject to inspection during both building construction and business licensing and will therefore not compromise the public health, safety and general welfare.

**NOTICES MAILED** 129

**APPROVALS** 0

**PROTESTS** 0

MH

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41054** APN: 139-34-701-009

Name of Property Owner: EVAPS LLC

Name of Applicant: EVAPS LLC

Name of Representative: DesignCell Architecture

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: ROBERT T. EGLET

Subscribed and sworn before me

This 24th day of February 2011

Dawn M Leno Brown

Notary Public in and for said County and State

NOTARY PUBLIC
DAWN M. LENO-BROWN
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. JULY 6, 2013
No: 05-97966-1

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Parking Variance

**Project Address (Location)** 400 S. 7th Street LV, NV 89101

**Project Name** EVAPS Law Office **Proposed Use** Office

**Assessor's Parcel #(s)** 139-34-701-009 **Ward #** 3 - Reese

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

**Commercial Square Footage** 55,132 SF **Floor Area Ratio** _____

**Gross Acres** 0.64 **Lots/Units** N/A **Density** N/A

**Additional Information** Expansion of previously approved project SDR-39121 & VAR-39122

**PROPERTY OWNER** EVAPS LLC **Contact** Robert Eglet

**Address** 400 S. 4th Street #600 **Phone:** (702) 450-5400 **Fax:** (702) 450-5451

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

**E-mail Address** _____

**APPLICANT** - same as owner - **Contact** _____

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

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

**E-mail Address** _____

**REPRESENTATIVE** DesignCell Architecture **Contact** Scott Brown

**Address** 10777 W. Twain Ave. #125 **Phone:** (702) 403-1575 **Fax:** (877) 403-1575

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

**E-mail Address** scott@designcell.cc

**Property Owner Signature*** _____

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

**Print Name** Robert Eglet

Subscribed and sworn before me

This 23rd day of February, 20 11

_____

Notary Public in and for said County and State

NOTARY PUBLIC
County of Clark-State of Nevada
CHRISTINA HUTT
No. 06-107299-1
My Appointment Expires July 7, 2014

RECEIVED
FEB 24 2011

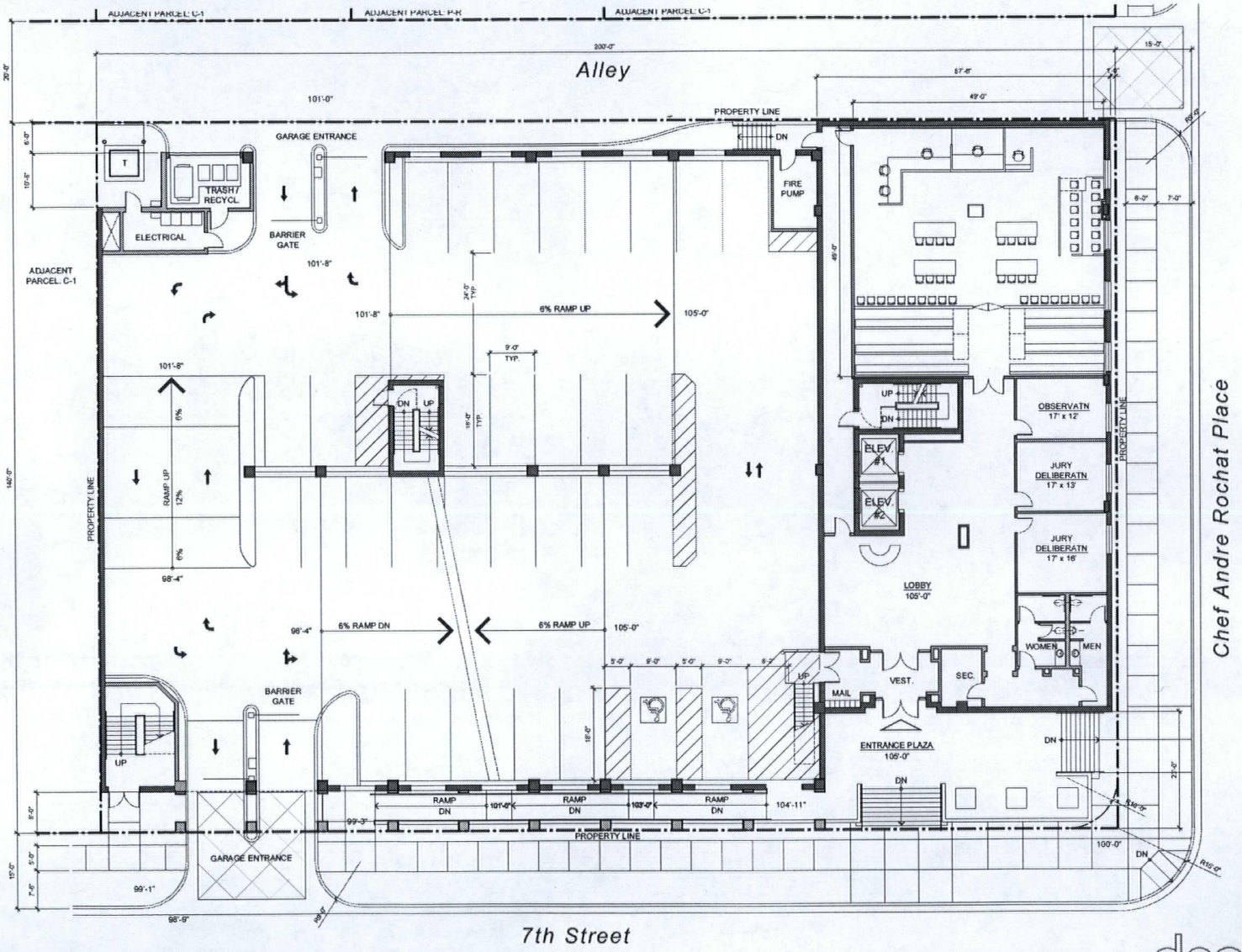
*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | VAR-41054 |
| Meeting Date: | 4-12-11 |
| Total Fee: | 830.00 |
| Date Received:* | 2-24-11 |
| Received By: | JFrue |

*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




# EVAPS Law Offices

SWC OF 7th & CHEF ANDRE ROCHAT
LAS VEGAS, NEVADA 89101

## SITE PLAN / FIRST FLOOR PLAN

SCALE: 1" = 20'-0"
MAY 16, 2010

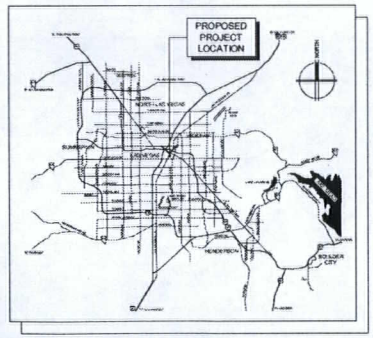
0 10' 20' 40'

1 LEVEL

## SITE DATA

| | | |
|---|---|---|
| APN # | 139-34-710-030<br>139-34-710-031<br>139-34-710-032<br>139-34-710-033 | |
| CURRENT ZONING | C-1 | |
| SITE AREA (NET) | 28,000 SF | |
| BUILDING AREAS: | | |
| OFFICE (GROSS): | LEVEL 1 | 6,587 SF |
| | LEVEL 2 | N/A |
| | LEVEL 3 | 16,553 SF |
| | LEVEL 4 | 15,996 SF |
| | LEVEL 5 | 15,996 SF |
| TOTAL OFFICE: | | 55,132 SF GROSS |
| PARKING GARAGE: | LEVEL 2 | 14,100 SF |
| | LEVEL 1 | 17,600 SF |
| | LEVEL P1 | 24,500 SF |
| | LEVEL P2 | 17,500 SF |
| TOTAL PARKING GARAGE: | | 73,700 SF GROSS |
| PARKING REQUIRED: | | |
| OFFICE (GROSS) (1/300 SF): | | 184 SPACES |
| OF WHICH ACCESSIBLE: | | 6 SPACES (1 VAN) |
| PARKING PROVIDED: | | |
| REGULAR: | | 146 SPACES |
| COMPACT: | | 8 SPACES (4.5%) |
| ACCESSIBLE: | | 6 SPACES (INCL. 1 VAN) |
| TOTAL: | | 160 SPACES |
| F.A.R (OFFICE+PKG. GARAGE) / SITE: | | 4.9 |

## VICINITY MAP



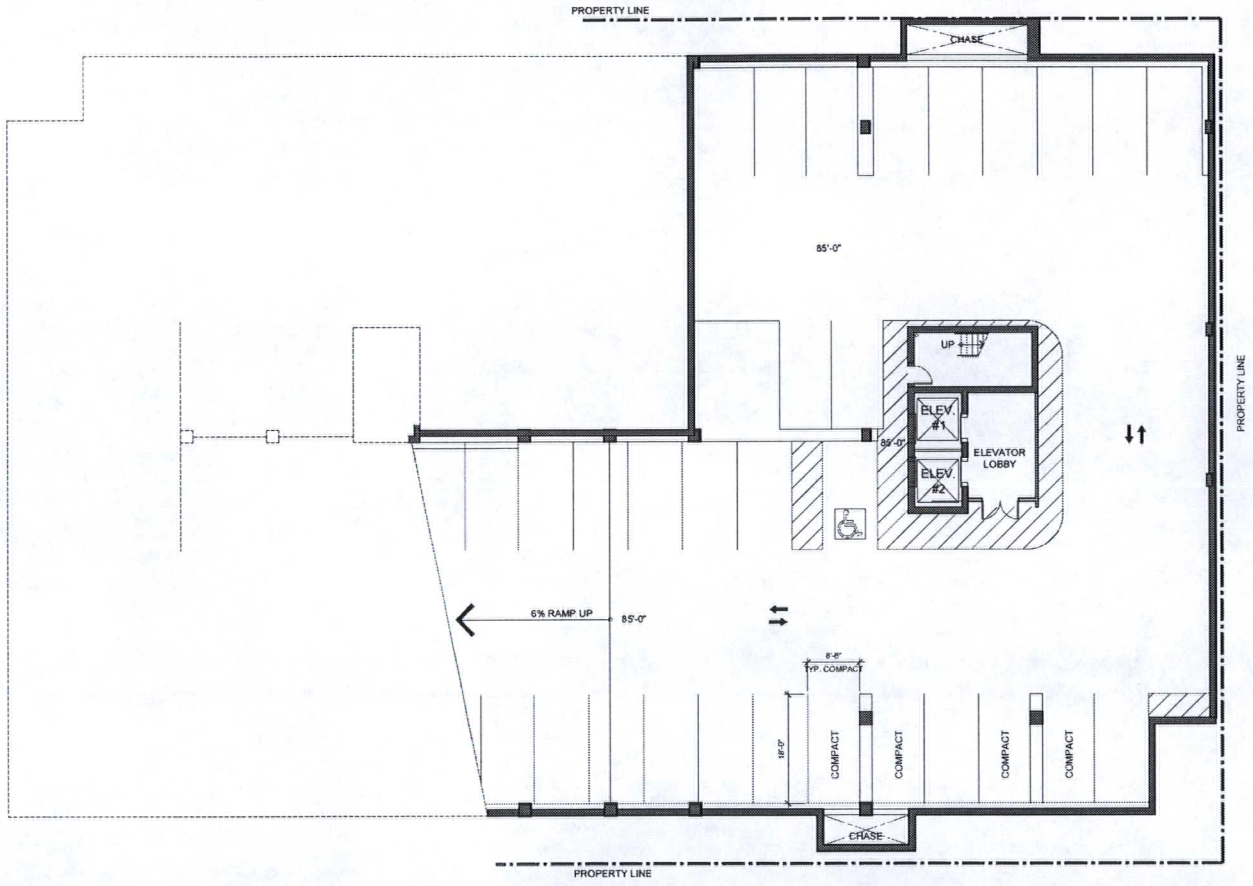

designcell
10777 W.TWAIN AVE, STE 125 T 702.403.1515
LAS VEGAS, NV 89135 WWW.DESIGNCELL.CC

DR01

RECEIVED
MAY 16 2011

VAR-41054
SDR-41047
REVISED

P2 LEVEL




RECEIVED
MAY 16 2011

## EVAPS Law Offices

SWC OF 7th & CHEF ANDRE ROCHAT
LAS VEGAS, NEVADA 89101

BASEMENT LEVEL 2 FLOOR PLAN

SCALE: 1" = 20'-0"
MAY 16, 2010

0 10' 20' 40'

designcell
10777 W.TWAIN AVE, STE 125 T 702-403-1575
LAS VEGAS, NV 89135 WWW.DESIGNCELL.CC

DR07

VAR-41054
SDR-41047
REVISED



VAR-41054 & SDR-41047 – APPLICANT: EVAPS, LLC - OWNER: EVAPS, LLC, ET AL
400-420 SOUTH 7TH STREET

03/03/11



VAR-41054 & SDR-41047 – APPLICANT: EVAPS, LLC - OWNER: EVAPS, LLC, ET AL
400-420 SOUTH 7TH STREET

03/03/11



VAR-41054 & SDR-41047 – APPLICANT: EVAPS, LLC - OWNER: EVAPS, LLC, ET AL
400-420 SOUTH 7TH STREET

03/03/11




VAR-41054 & SDR-41047 – APPLICANT: EVAPS, LLC - OWNER: EVAPS, LLC, ET AL
400-420 SOUTH 7TH STREET

03/03/11




VAR-41054 & SDR-41047 – APPLICANT: EVAPS, LLC - OWNER: EVAPS, LLC, ET AL
400-420 SOUTH 7TH STREET

03/03/11




**VAR-41054 & SDR-41047 – APPLICANT: EVAPS, LLC - OWNER: EVAPS, LLC, ET AL**
**400-420 SOUTH 7TH STREET**

03/03/11

designcell ARCHITECTURE

**EVAPS Law Office Building**
**Project # 10 016**
**Page 1 of 1**

February 24, 2011

**CLV Planning & Development**
731 South Fourth Street
Las Vegas, NV 89101
Phone: (702) 229-6301
Fax: (702) 474-7463

**Re: Major Amendment to SDR-39121 for a Law Office Building**
**APN: 139-34-701-009**

To whom it may concern:

The purpose of this letter is a request to modify the previously approved SDR-39121 for the proposed Law Office Building located at 400 South 7th Street in Las Vegas, Nevada 89101.

The original design for this project had two (2) levels of subterranean parking extending down to a depth of 25' below street level. During the design development stage, a geotechnical (soils) report was completed for this parcel. Groundwater was encountered at an extremely shallow depth of -10' below the surface. The project then went out to bid and it was quickly realized that the lowest parking level was economically unfeasible to construct.

As a result, the applicant structured a deal with the neighboring property owners to use their lots for parking. The parking garage was then reduced from four (4) levels to three (3) levels: one (1) subterranean level and two (2) levels above grade. To accommodate the additional parking spaces required, all three (3) remaining levels of the parking garage were extended 50' to the south onto the 420 S. 7th street property. Please refer to the attached floor plans. The applicant will prepare a reversionary parcel map to combine the additional property into one property on which the building will be located.

The new parking garage houses 178 spaces where 184 were previously approved. In addition, per Z-72-80, 17 satellite parking spaces were approved on 420 S. 7th for the use of the office building located at 415 S. 6th Street. The new parking garage will have to accommodate the existing spaces as well as the required spaces for the EVAPS Law Office. Therefore, 201 spaces are required where only 178 are provided. A parking variance is requested for this deficiency of 23 parking spaces. The applicant will prepare a perpetual parking easement within the parking garage for the 17 spaces signed by both property owners.

To alleviate this reduction in parking, the applicant has also structured a lease agreement with the property owner at 424 S. 7th Street. The lease has a ten year term, with a 9 year option, and first right of refusal to purchase the property. This site will be surfaced parked and contain 25 parking spaces. A separate application will be submitted for an SDR and Zone change for this property.

By a separate application we are also requesting a variance for the required setbacks and site coverage. The proposed design requires zero lot setbacks on all sides. This meets the spirit and a language of the urban area. Zero setbacks as an element of urban site development is a requirement in the adjacent downtown centennial office core district. Site coverage of 86% is proposed (where 50% is allowed by code) and meets the spirit of code language for urban areas. In this context setback and lot coverage code conformance would result in substantially less viable project.

We appreciate your assistance in moving forward with these modifications to the previously approved project.

Sincerely,

Scott L. Brown, NCARB
Principal
**DesignCell, LLC**

RECEIVED
FEB 24 2011

**VAR-41054**
**SDR-41047**

10777 W. TWAIN AVE. LAS VEGAS, NV 89135 T. 702-403-1575 F. 702-403-1575 WWW.DESIGNCELL.CC

City of Las Vegas Agenda Item No.: **32.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

**SUBJECT:**
SDR-41047 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-41054 - PUBLIC HEARING - APPLICANT/OWNER: EVAPS, LLC - Request for a Major Amendment to a previously approved Site Development Plan Review (SDR-39121) TO ELIMINATE ONE LEVEL OF REQUIRED PARKING CONSISTING OF 24 SPACES FROM AN UNDERGROUND GARAGE on 0.65 acres at 400 South 7th Street (APN 139-34-701-009), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL.

**C.C.: 07/20/2011**

| **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.**

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41047** APN: 139-34-701-009

Name of Property Owner: EVAPS LLC

Name of Applicant: EVAPS LLC

Name of Representative: DesignCell Architecture

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Robert T. Eglet

RECEIVED
FEB 24 2011

Subscribed and sworn before me

This 24th day of February, 2011

Dawn M. Leno-Brown

Notary Public in and for said County and State

NOTARY PUBLIC
DAWN M. LENO-BROWN
STATE OF NEVADA - COUNTY OF CLARK
MY APPOINTMENT EXP. JULY 6, 2013
No: 05-97966-1

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Site Development Plan Review

**Project Address (Location)** 400 S. 7th Street LV, NV 89101

**Project Name** EVAPS Law Office **Proposed Use** Office

**Assessor's Parcel #(s)** 139-34-701-009 **Ward #** 3 - Reese

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

**Commercial Square Footage** 55,132 SF **Floor Area Ratio** _____

**Gross Acres** 0.64 **Lots/Units** N/A **Density** N/A

**Additional Information** Expansion of previously approved project SDR-39121 & VAR-39122

**PROPERTY OWNER** EVAPS LLC **Contact** Robert Eglet

**Address** 400 S. 4th Street #600 **Phone:** (702) 450-5400 **Fax:** (702) 450-5451

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

**E-mail Address** _____

**APPLICANT** - same as owner - **Contact** _____

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

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

**E-mail Address** _____

**REPRESENTATIVE** DesignCell Architecture **Contact** Scott Brown

**Address** 10777 W. Twain Ave. #125 **Phone:** (702) 403-1575 **Fax:** (877) 403-1575

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

**E-mail Address** scott@designcell.cc

**Property Owner Signature*** _____

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

**Print Name** Robert Eglet

Subscribed and sworn before me

This 23rd day of February, 20 11.

_____

Notary Public in and for said County and State

NOTARY PUBLIC
County of Clark-State of Nevada
CHRISTINA HUTT
No. 06-107299-1
My Appointment Expires July 7, 2014

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | SDR-41047 |
| Meeting Date: | 4/12/11 |
| Total Fee: | 1030.00 |
| Date Received:* | 2-24-11 |
| Received By: | JFmed |

RECEIVED
FEB 24 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.

City of Las Vegas Agenda Item No.: **33.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

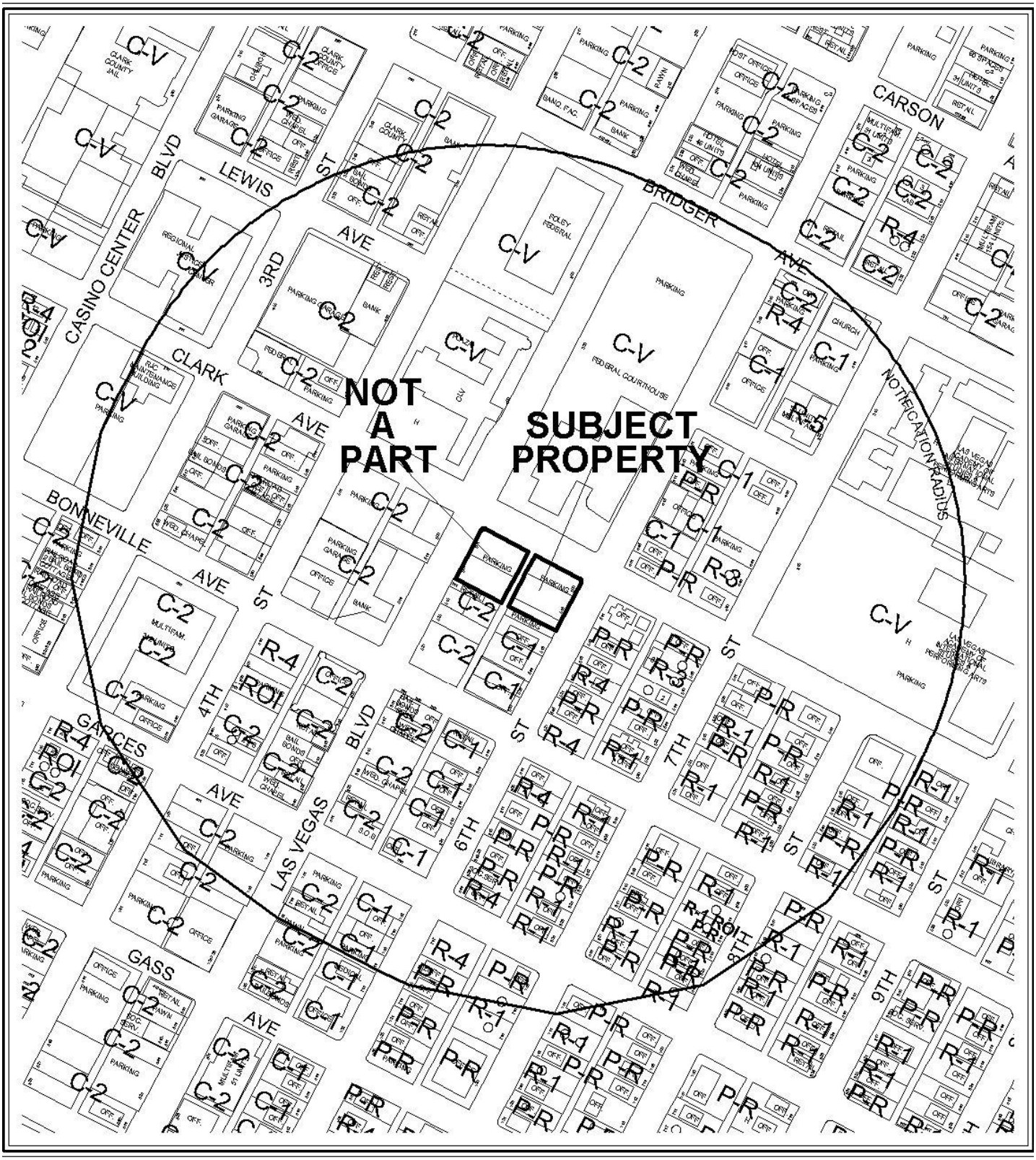
**SUBJECT:**
ZON-41606 - REZONING - PUBLIC HEARING - APPLICANT: SDA INC. - OWNER: CITY OF LAS VEGAS - Request for Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.47 acres at the southwest corner of Clark Avenue and Sixth Street (APNs 139-34-710-001, 139-34-310-063, and 076), Ward 3 (Reese). Staff recommends APPROVAL.

**C.C.: 07/20/2011**

| **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-41606
2. Conditions and Staff Report - ZON-41606, VAC-41661 and SDR-41601
3. Supporting Documentation
4. Photos - ZON-41606, VAC-41661 and SDR-41601
5. Justification Letter - ZON-41606, VAC-41661 and SDR-41601




0 300 600 Feet

**CASE:** **ZON-41606**

**RADIUS:** 1000 FT

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

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

N




0 300 600 Feet

**CASE:** **ZON-41606**

**RADIUS:** 1000 FT

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

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

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: SDA INC. - OWNER: CITY OF LAS VEGAS**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **ZON-41606** | Staff recommends APPROVAL. | |
| **VAC-41661** | Staff recommends APPROVAL, subject to conditions: | |
| **SDR-41601** | Staff recommends APPROVAL, subject to conditions: | ZON-41606<br>VAC-41661 |

## ** CONDITIONS **

# VAC-41661 CONDITIONS

1. The limits of this Petition of Vacation shall be defined as approximately the northerly 150 feet of the public alley between Las Vegas Boulevard South and 6th Street, bounded by Clark Avenue and Bonneville Avenue. The final layout of the area vacated shall accommodate minimum turning radii for a SU-30 design vehicle.

2. A sanitary sewer abandonment plan for the public sewer in the alley requesting to be vacated must be submitted to and approved by the Department of Public Works. This Order of Vacation may record in phases to accommodate the abandonment of the public sewer in the alley.

3. A Public Drainage Easement shall be retained over the entire area to be vacated through this Petition of Vacation. Alternatively, a Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.

4. Prior to the recordation of this Order of Vacation a public vehicular and pedestrian access easement and related public easements connecting the alley to 6th Street shall be granted.

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

6. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.

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

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

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

# SDR-41601 CONDITIONS

***Planning***

1. Approval for Rezoning (ZON-41606) 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 05/12/11, except as amended by conditions herein.

4. A Waiver from Downtown Centennial Plan Section VII(A)(3)(e) is hereby approved, to allow no retail on the ground floor of a parking garage.

5. A Waiver from Downtown Centennial Plan Section VII(A)(5)(e) is hereby approved, to allow the main entrance to not be architecturally integrated into the front of the building.

6. A Waiver from Downtown Centennial Plan Section VII(A)(1)(a) is hereby approved, to allow a portion of the street elevations to not have a minimum of seventy percent alignment along the property line.

7. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 05/12/11. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

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

9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

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

11. 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.

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

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

14. All utility boxes exceeding 27 cubic feet in size shall comply with the provisions of the Downtown Centennial Plan.

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

16. A Comprehensive Construction Staging Plan shall be submitted to the 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.

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

***Public Works***

18. A Petition of Vacation, such as VAC-41661, for the purpose of vacating the alley shall record prior to the issuance of any off-site permits for this site.

19. Remove all substandard sidewalk improvements and unused driveways adjacent to this site and replace with new improvements meeting current Downtown Centennial Standards as amended herein 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.

20. Prior to the submittal of any improvement drawings, meet with the Sanitary Sewer Planning Section of the Department of Public Works to determine an acceptable connection to the existing sewer line in Clark Avenue.

21. The proposed new driveway accessing this site from Clark Avenue is hereby approved as a deviation from standards. Any further deviations, if any, to width, ingress/egress radii, or throat depth will require separate approval from the City Engineer.

22. Vehicles shall not be allowed to enter the site from Las Vegas Boulevard unless the applicant can demonstrate to the satisfaction of the Traffic Engineer that a design vehicle can negotiate the turn without intruding into adjacent lanes and that proper throat depth is provided.

23. The proposed security gate within the alley area must be located completely out of the pubic right-of-way and public access easement.

24. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the "Bonneville-Clark one way couplet phase 2" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

25. Landscape and maintain all unimproved rights-of-way on Clark Avenue, 6th Street and Las Vegas Boulevard South adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

26. Submit an Encroachment Agreement for all landscaping and private improvements located in the Clark Avenue, 6th Street, and Las Vegas Boulevard South 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.

27. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a five-story office building with an attached five-level parking garage to replace a current parking lot on five parcels at the southeast corner of Las Vegas Boulevard and Clark Avenue. The project is being privately developed to house the Federal Government's Immigration Customs and Enforcement (I.C.E.) offices. This project requires a Rezoning application to change the three parcels along Sixth Street to C-2 (General Commercial) so remapping of all five parcels can take place. A Vacation of part of the alley is required as is a Site Development Plan Review application. There are three waivers from the Downtown Centennial Plan development standards requested. All three of the waivers are justified due to the federal design criteria for the I.C.E. facility and are supported by staff.

The overall project is in conformance with the General Plan and the Las Vegas Redevelopment Plan. With the exception of the three waivers that have been justified, the plan is in substantial compliance with the Downtown Centennial Plan standards. For these reasons, staff recommends approval of all three applications. If denied, the project could not proceed without revised applications being submitted and approved.

## ISSUES

- A Vacation of a section of the alley is required for this project. Staff supports this request.
- A Waiver from the Downtown Centennial Plan to allow no retail on the ground floor of a parking garage is required. Staff supports this request.
- A Waiver from the Downtown Centennial Plan to allow the main entrance to not be architecturally integrated into the front of the building is required. Staff supports this request.
- A Waiver from the Downtown Centennial Plan to allow street elevations to not be aligned along the front property line where a minimum of seventy percent alignment along the property line is required. Staff supports this request.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 11/02/56 | The City Council approved Rezoning (Z-0008-56) from R-1 (Single Family Residential) and R-3 (Medium Density Residential) to P-1 (Parking District) on .39 acres on the southwest corner of Clark Avenue and Sixth Street as part of a larger request. The Planning Commission and staff recommended approval. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 08/18/93 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** |
|---|
| There are no building permits or business licenses on file for these parcels. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/21/11 | Staff reviewed the requirements for a Rezoning, Site Development Plan Review and Vacation applications required for the project. It was noted that in order for staff to support the Vacation request, an easement would be required to continue the alley to the east connecting with Sixth Street. It was also noted that five Waivers of the Downtown Centennial Plan would be required. The five parcels would be required to be remapped into one parcel. |

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

| ***Field Check*** | |
|---|---|
| 05/05/11 | Staff visited the site and found a paved parking lot on the five parcels. The property was well maintained. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.92 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Parking Lot | C (Commercial) | C-2 (General Commercial) |
| | | | C-1 (Limited Commercial) |
| North | Government Facility | PF (Public Facilities) | C-V (Civic) |
| South | Office | C (Commercial) | C-1 (Limited Commercial) |
| | Vacant | | C-2 (General Commercial) |

YK

| | | | |
|---|---|---|---|
| East | Office | C (Commercial) | P-R (Professional Office and Parking) |
| West | Undeveloped | C (Commercial) | C-2 (General Commercial) |

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

**DEVELOPMENT STANDARDS**

***Pursuant to Downtown Centennial Plan, the following standards apply:***

| ***Standard*** | ***Required/Allowed*** | ***Provided*** | ***Compliance*** |
|---|---|---|---|
| Min. Lot Width | 100 Feet | 150 Feet | Y |
| Min. Setbacks | | | |
| • Front | 70% at 0 Feet | 20 Feet | N |
| • Side | 0 Feet | 26 Feet | Y |
| • Corner | 70% at 0 Feet | 20 Feet | N |
| • Rear | 0 Feet | 0 Feet | Y |
| Max. Building Height | No Limit | 75 Feet | Y |
| Trash Enclosure | Screened, Gated, w/ a Roof or Trellis | Enclosed | Y |
| Mech. Equipment | Screened | Screened | Y |

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Las Vegas Boulevard | Primary Arterial | Master Plan of Streets and Highways | 85 | Y |

| | | | | |
|---|---|---|---|---|
| Clark Avenue | Secondary Collector | Master Plan of Streets and Highways | 80 | Y |
| Sixth Street | N/A | N/A | 80 | N/A |

Downtown Centennial Plan Streetscape Requirements

| ***Streetscape Standards*** | ***Required*** | ***Provided*** | ***Compliance*** |
|---|---|---|---|
| Las Vegas Boulevard | • Five-foot amenity zone<br>• Ten-foot-wide sidewalk<br>• 25-foot tall Deglet-Noor Date Palm on center in 30-foot increments | • Five-foot amenity zone<br>• Ten-foot-wide sidewalk<br>• 25-foot tall Deglet-Noor Date Palm on center in 30-foot increments | Y |
| Sixth Street | • Five-foot amenity zone<br>• Ten-foot-wide sidewalk<br>• 36-inch box shade tree on center in 15-20 feet intervals | • Five-foot amenity zone<br>• Ten-foot-wide sidewalk<br>• 36-inch box shade tree on center in 15-20 feet intervals | Y |
| Clark Avenue | • Five-foot amenity zone<br>• Ten-foot-wide sidewalk<br>• 36-inch box shade tree on center in 15-20 feet intervals | • Five-foot amenity zone<br>• Ten-foot-wide sidewalk<br>• 36-inch box shade tree on center in 15-20 feet intervals | 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 | |
| Office | 62,000 Sq. Ft. | 1:300 | 207 | | | | |
| **TOTAL SPACES REQUIRED** | | | 207 | | 158 | | N |
| **Regular and Handicap Spaces Required** | | | 200 | 7 | 152 | 6 | N |
| Loading Spaces | 62,000 Sq. Ft. | 3:50,00 Sq. Ft. + 1 for every 100,000 after | 4 | | 3 | | N |

YK

| *Waivers* | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| To have some retail on the ground floor of a parking garage. | To allow no retail on the ground floor of a parking garage. | Approval |
| To have the main entrance architecturally integrated into the front of the building. | To allow the main entrance to not be architecturally integrated into the front of the building. | Approval |
| To have the street elevations align with the property line for seventy percent of the frontage. | To allow a portion of the street elevations to not have a minimum of 70 percent alignment along the property line. | Approval |

**ANALYSIS**

This project is proposed to house the Federal Government's Immigration Custom and Enforcement Office for Southern Nevada. The Homeland Security Department has specific design standards for this type of federal facility that contradict the City's design standards; therefore, three waivers are required. Although this proposal is an office building, it will function similarly to a secured detention facility. This use requires that the main entrance be secured and therefore is not designed to be a prominent feature on the front of the building as required by the Downtown Centennial Plan. For security concerns, the building must be set back from the property line by at least 20 feet and thus dictates the second waiver request. The third request is for the elimination of a retail component on the ground floor of the parking garage. As this will be a secured facility with controlled access to the parking garage, it is not advisable to encourage traffic around the building. Since the three waivers are a direct result of federal standards, staff supports the requests.

The site is located within the Downtown Centennial Plan Overlay, which permits deviations from Title 19 commercial parking standards. The project is under-parked by 49 spaces. The parking demand for this facility will not generate the number of trips a standard office building would require, as it is primarily a detention facility. To offset this deficiency, there is additional parking available on the street in the general area and a parking garage for public use located one block to the west of the site. For these reasons, staff supports the reduced number of parking spaces provided.

The Las Vegas Valley Water District (LVVWD) had the following comment: No existing service is provided to property but the LVVWD does have an existing water main in the alley that would need to be relocated if the applicant desires to vacate the alley.

The building has a modern façade with a decorative metal panel eyebrow and horizontal banding that carries around on all four sides of the building. The northwest corner of the building is enhanced with two-story high smooth precast concrete projection arches. This feature not only adds an interesting architectural element to the building, but also acts as an additional layer of security for the facility. Decorative wall sconces are inset within the projections, which add a lighting element to the facade. The overall design complements the federal courthouse located just to the north of the project.

The applicant worked with staff to design a project that met the Federal Government design standards with minimal deviation from the City's design standards. The result was a nearly 50 percent reduction in the number of waivers required.

The parking garage is attached to the building with a windowless ground floor façade. The elevation is broken up with textured precast concrete wall panels painted in a checker-like pattern. The garage is accessed via a guarded entrance off Clark Avenue. There is also a secured gate off of the alley. An exit-only gate is located on the northwest corner of the property with direct access to Las Vegas Boulevard.

A portion of the alley is being vacated for this project. To allow continued use of the alley for the remainder of the block, the applicant is providing a non-revocable vehicular and pedestrian access easement along the southeastern portion of the site. This will allow the alley to continue to the east terminating at Sixth Street. A minimum 20-foot turning radius will be maintained were the alley gate is located.

This project will enhance downtown and adheres to the General Plan and Las Vegas Redevelopment Plan goals and objectives. The design also meets the Downtown Centennial Design standards with the exception of the three waivers needed due to federal design guidelines. For these reasons, staff recommends approval of all three applications.

**FINDINGS (ZON-41606)**

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 Rezoning to C-2 (General Commercial) will bring the subject properties into conformance with the General Plan, which currently designates the properties C (Commercial).

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

The potential uses allowed in the proposed C-2 (General Commercial) District are appropriate for the area.

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

   The subject site is located on Las Vegas Boulevard in the Downtown Centennial Plan area in the heart of the downtown office district. The continued demand for office space in this area makes the requested rezoning appropriate.

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.**

   This project is located on Las Vegas Boulevard in downtown, which has a fully developed grid pattern that will provide adequate capacity to meet the needs of development on the subject parcel.

**FINDINGS (SDR-41601)**

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 office building and parking garage are compatible with the 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;**

   This project is consistent with the General Plan and the Downtown Centennial Plan Standards with the exception of the requested Waivers that are needed for the specific purpose of the project.

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

   The project is located downtown where a fully developed grid traffic pattern has been established. The adjacent streets of Las Vegas Boulevard, Clark Avenue and Sixth Streets are capable of handling the traffic generated by this project.

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

   The building and landscape materials are appropriate for the downtown 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;**

   This project is aesthetically harmonious and compatible with adjacent developments.

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

   The development will be subject to requirements of the International Building Code and therefore will not compromise the public health, safety and welfare or the overall objectives of the General Plan.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 37

**NOTICES MAILED** 182 (ZON-41606 & SDR-41601)
2 (VAC-41661)

**APPROVALS** 0

**PROTESTS** 0

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-41606** APN: 139-34-710-001, 139-34-310-061, -62, 63, 76

Name of Property Owner: City of Las Vegas Redevelopment

Name of Applicant: SDA Inc.

Name of Representative: 10 Nine Design Group

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

☐ **Yes** ☒ **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.

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MAY -2 2011

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Elizabeth N. Fretwell

Print Name: Elizabeth N. Fretwell

Subscribed and sworn before me

This 2 day of May, 20 11

Notary Public in and for said County and State

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## APPLICATION / PETITION FORM

**Application/Petition For:** Re-Zoning

**Project Address (Location)** SEC Clark Ave and S. Las Vegas Blvd

**Project Name** U.S. Immigration and Customs Enforcement **Proposed Use** Office

**Assessor's Parcel #(s)** 13934710001, 13934310061,-062,63,76 **Ward #** 3

**General Plan:** existing C proposed N/A **Zoning:** existing C-1/C-2 proposed C-2

**Commercial Square Footage** 62,000 **Floor Area Ratio**

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

**Additional Information**

**PROPERTY OWNER** City of Las Vegas Redevelopment **Contact** Elizabeth N. Fretwell

**Address** 400 Stewart Ave **Phone:** (702) 229-6501 **Fax:**

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

**E-mail Address**

**APPLICANT** SDA Inc. **Contact** Steve Biogiatti

**Address** 5655 South Yosemite **Phone:** (303) 220-0500 **Fax:** (303) 220-0596

**City** Greenwood Village **State** CO **Zip** 80111

**E-mail Address**

**REPRESENTATIVE** 10 Nine Design Group **Contact** Moriah Curran

**Address** 3579 Red Rock St **Phone:** (702) 278-0072 **Fax:** (702) 258-6326

**City** Las Vegas **State** NV **Zip** 89103

**E-mail Address** mcurran@10nine.com

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**Property Owner Signature*** Elizabeth N Fretwell

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

**Print Name** Elizabeth N. Fretwell

Subscribed and sworn before me

This 2 day of May, 20 11.

Notary Public in and for said County

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

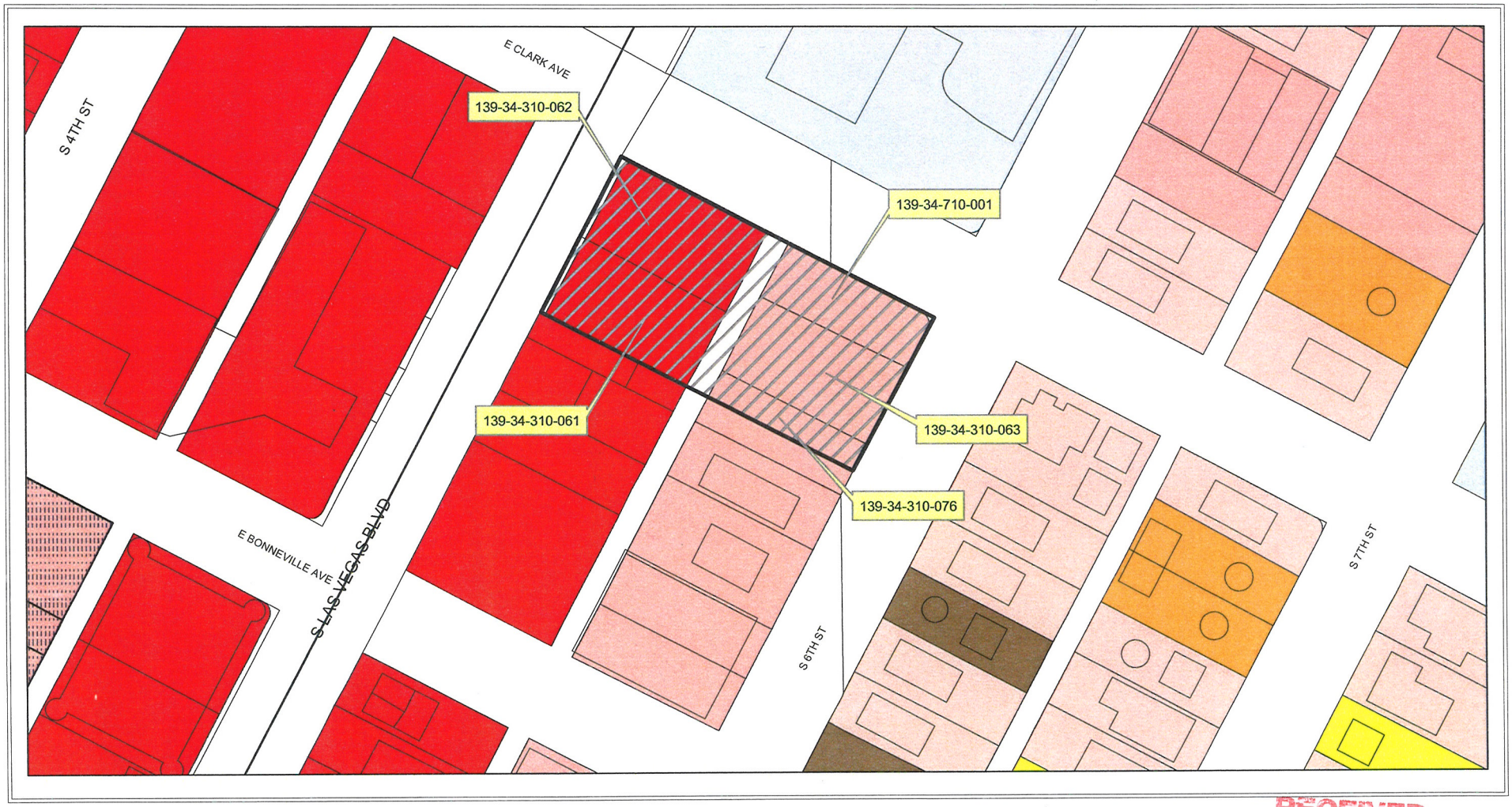
*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| **Case #** | ZON-41606 |
| **Meeting Date:** | 6-14-11 |
| **Total Fee:** | 1200 |
| **Date Received:*** | 4-28-11 |
| **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

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




***Rezoning***

***U.S. Immigration Customs Enforcement Agency Office Building***

| *APN:* | *Current* | *Proposed* |
|---|---|---|
| *139-34-310-062* | *C-2* | *C-2* |
| *139-34-310-061* | *C-2* | *C-2* |
| *139-34-710-001* | *C-1* | *C-2* |
| *139-34-310-063* | *C-1* | *C-2* |
| *139-34-310-076* | *C-1* | *C-2* |
| *Alley Vacation* | *ROW* | *C-2* |

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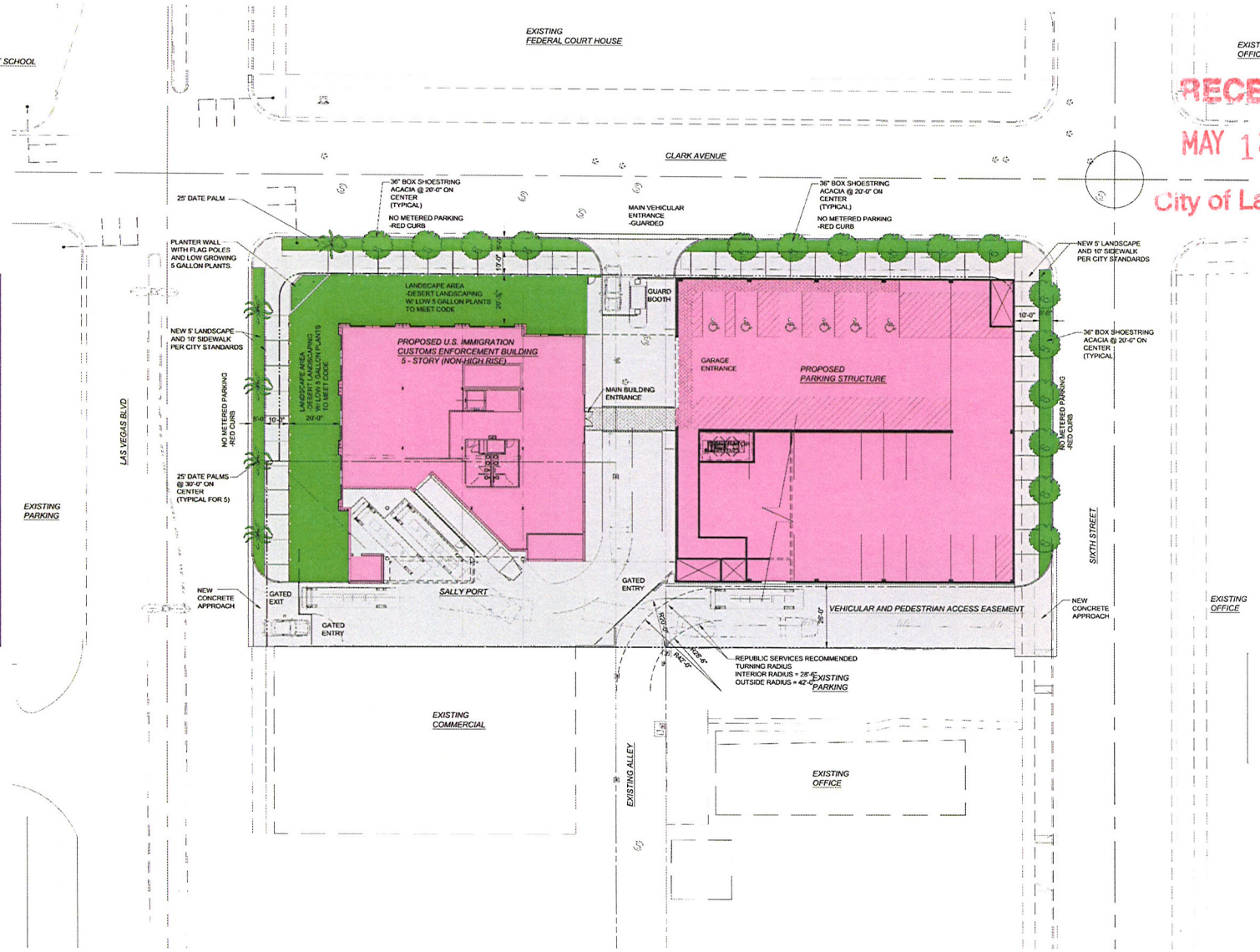
**ZON-41606**

0 60 120 240 Fee




| SITE INFORMATION: | |
|---|---|
| JURISDICTION: | CITY OF LAS VEGAS |
| DISTRICT: | REDEVELOPMENT |
| USE: | OFFICE |
| SITE SIZE: | APPROX. 1.03 ACRES (44,680 SF) |
| **BUILDING AREA:** | |
| FIRST FLOOR (OFFICE) | 9,000 S.F. |
| SECOND - FIFTH FLOORS | 13,158 S.F. |
| TOTAL BUILDING AREA | 61,632 S.F. |
| PARKING GARAGE FIRST FLOOR: | 16,750 S.F. |
| TOTAL BUILDING FOOTPRINT AREA: | 25,750 S.F. |
| FLOOR AREA RATIO: 25,750 SF / 44,680 SF | 58.0% |
| **PARKING ANALYSIS:** | |
| OFFICE: 1 / 300 = 61,632 / 300 = | 206 SPACES |
| TOTAL REQUIRED PARKING: | 206SPACES |
| PARKING PROVIDED: | 172 SPACES |
| H.C. SPACES: 151-200 = | 6 REQUIRED<br>6 PROVIDED |

PRELIMINARY SITE / LANDSCAPE PLAN
SCALE: 1" = 20'-0"

**ZON-41606 VAC-41661**
**SDR-41601 REVISED**

Key Plan

| Issued For: | Date: |
|---|---|
| Review | 10.22.20 |
| Planning | 04.28.20 |
| Planning Resubmittal | 05.11.20 |

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MAY 12 2011
City of Las Vegas

| | |
|---|---|
| Drawn | BJ |
| Checked | BJ |
| Approved | BJ |

SDA INC
5655 South Yosemite Street
Suite 301
Greenwood Village, CO 80111
P. (775) 322-2229
F. (775) 220-0596

3579 Red Rock Street
Las Vegas, Nevada 89103
P.(702) 870-7076
F.(702) 256-6326

Project Title
ICE
U.S. IMMIGRATION & CUSTOMS ENFORCEMENT
Las Vegas Blvd.
Las Vegas, Nevada

Sheet Title
Preliminary Site / Landscape Plan

Project Number
210018

Sheet Number
AS1.0

2390\cbase for revit.dwg / ICE SITE PLAN - 05/11/2011 - 1:52pm - B24.dwg / B2 NCE.dwg / 2100\BACPLcase\81.dwg / 2100\BACPLcase\81modelORIGINAL SUBMITAL.dwg / 209010APL / cadA1 #1\modelreviseds 10.05.10.dwg

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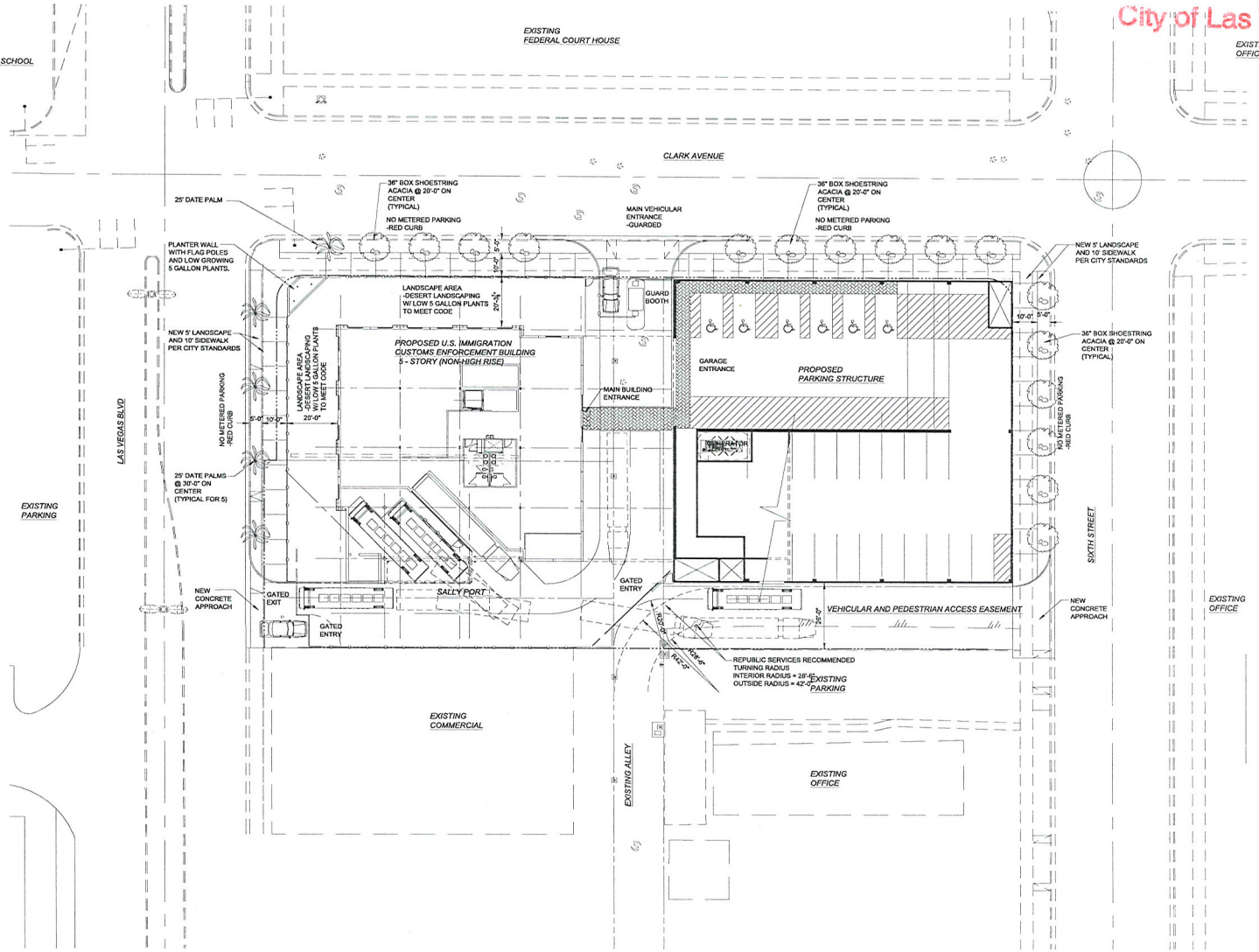
MAY 12 2011
City of Las Vegas




| SITE INFORMATION: | |
|---|---|
| JURISDICTION: | CITY OF LAS VEGAS |
| DISTRICT: | REDEVELOPMENT |
| USE: | OFFICE |
| SITE SIZE: | APPROX. 1.03 ACRES (44,680 SF) |
| **BUILDING AREA:** | |
| FIRST FLOOR (OFFICE) | 9,000 S.F. |
| SECOND - FIFTH FLOORS | 13,158 S.F. |
| TOTAL BUILDING AREA | 61,632 S.F. |
| PARKING GARAGE FIRST FLOOR: | 16,750 S.F. |
| TOTAL BUILDING FOOTPRINT AREA: | 25,750 S.F. |
| FLOOR AREA RATIO: 25,750 SF / 44,680 SF | 58.0% |
| **PARKING ANALYSIS:** | |
| OFFICE: 1 / 300 = 61,632 / 300 = | 206 SPACES |
| TOTAL REQUIRED PARKING: | 206SPACES |
| PARKING PROVIDED: | 172 SPACES |
| H.C. SPACES: 151-200 = | 6 REQUIRED<br>6 PROVIDED |

PRELIMINARY SITE / LANDSCAPE PLAN
SCALE: 1" = 20'-0"

**ZON-41606 VAC-41661**
**SDR-41601 REVISED**

Key Plan

| Issued For: | Date: |
|---|---|
| Review | 10.22.201 |
| Planning | 04.26.201 |
| Planning Resubmittal | 05.11.201 |

Drawn BJ
Checked BJ
Approved BJ

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Sheet Number
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2009 IBCcode for revit.dwg | ICE SITE PLAN - 05/11/2011 - 1:52pm - B24.dwg / B24CE.dwg / 210018ACPLcase381.dwg / 210018ACPLcase381.dwg / 210018ACPLcase381

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City of Las Vegas

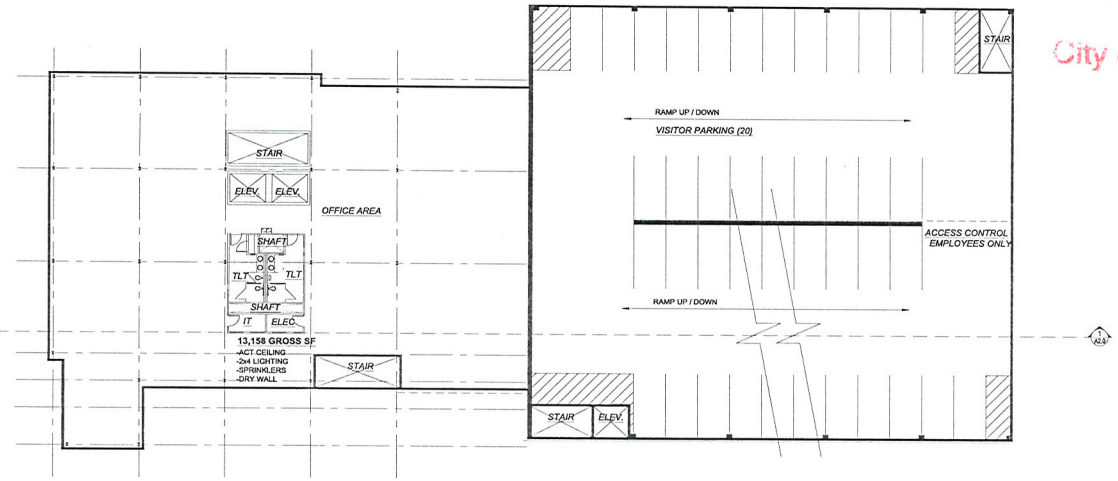


CONCEPTUAL NORTHEAST VIEW

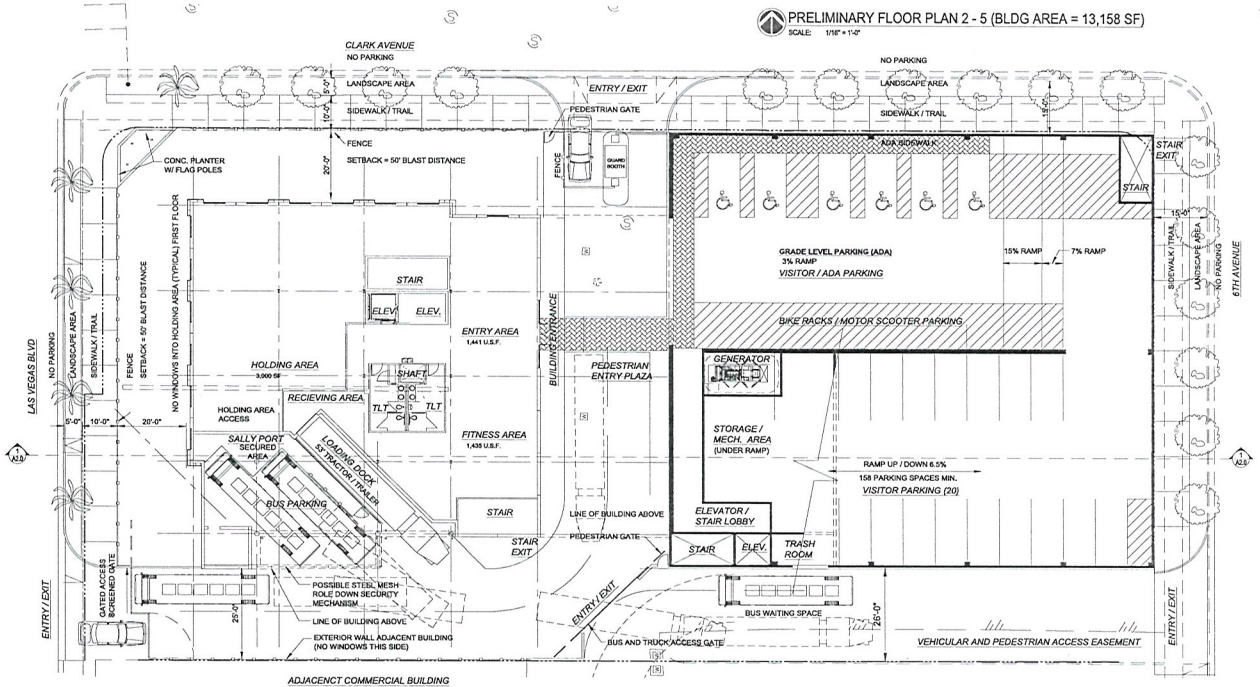


CONCEPTUAL SOUTHEAST VIEW

| AREA CALCULATIONS | |
|---|---|
| FIRST FLOOR | 9,000 GROSS SF |
| SECOND FLOOR | 13,158 GROSS SF |
| THIRD FLOOR | 13,158 GROSS SF |
| FOURTH FLOOR | 13,158 GROSS SF |
| FIFTH FLOOR | 13,158 GROSS SF |
| TOTAL GROSS AREA | 61,632 GROSS SF |
| RENTABLE AREA (-5 TO 8%) | 58,500 +/- RENTABLE SF |
| USABLE AREA (-15 TO 18%) | 51,000 +/- USABLE SF |




PRELIMINARY FLOOR PLAN 2 - 5 (BLDG AREA = 13,158 SF)
SCALE: 1/16" = 1'-0"




PRELIMINARY FLOOR / SITE PLAN (RENTABLE BLDG SF GOAL = 58,909 SF)
SCALE: 1/16" = 1'-0"

**ZON-41606 VAC-41661**
**SDR-41601 REVISED**

| Issued For: | Date: |
|---|---|
| Review | 12.16.20 |
| Review | 12.31.20 |
| Review | 02.21.201 |
| Review | 02.25.201 |
| Review | 02.26.201 |
| Review | 10.06.201 |
| Review | 10.12.201 |
| Review | 10.22.201 |
| Planning Submittal | 04.26.201 |
| Drawn | BJ |
| Checked | BJ |
| Approved | BJ |

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DESIGN GROUP

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Project Title
ICE
U.S. IMMIGRATION & CUSTOMS ENFORCEMENT
Las Vegas Blvd.
Las Vegas, Nevada

Sheet Title
Preliminary Plans

Project Number
210018

Sheet Number
A1.0

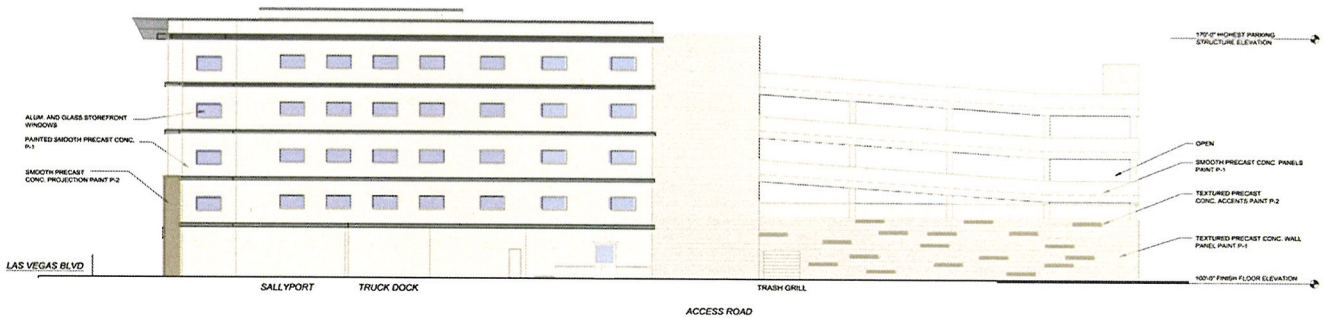
2/9/10base for revit.dwg / ICE PLAN (2) - 05/11/2011 - 2:05pm - BJ4.dwg / B2ACE.dwg / 210018ACPLocal#1.dwg / 210018ACPLocal#1.dwg / 210018ACPLocal#1

## EXTERIOR FINISH SCHEDULE

| | |
|---|---|
| EXT. PAINT #1 (P-1): | MAIN WALL COLOR: BENJAMIN MOORE - PALE ALMOND |
| EXT. PAINT #2 (P-2): | ACCENT - BENJAMIN MOORE - SEDONA BROWN |
| ALUM. WINDOW FRAMES / DOORS: | ANODIZED CLEAR ALUM. |
| GLASS: | OLDCASTLE GLASS 1" BLUE 2000T #2 OVER SOLAR BAND 60 #3 -FINAL SAMPLE APPROVAL BY ARCHITECT AND OWNER. |
| PREFINISHED METAL | STEEL GRAY TO MATCH ALUM. WINDOWS. |

PAINT P-1

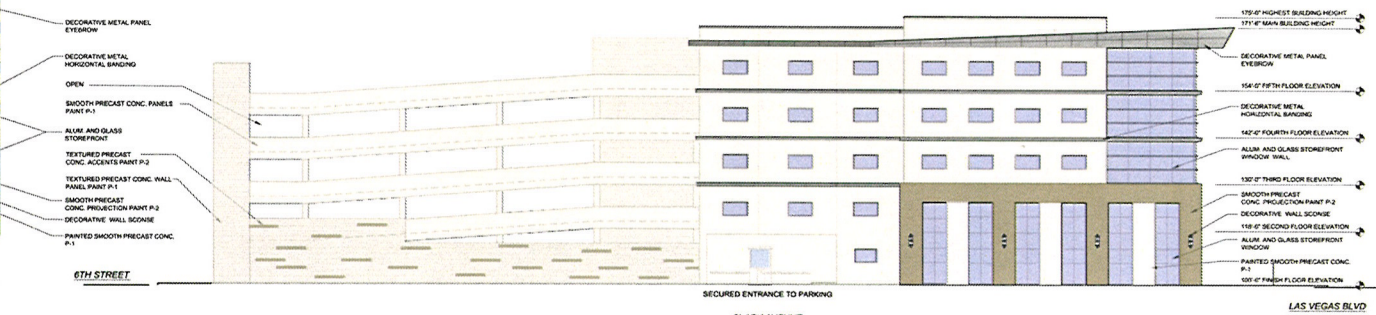
PAINT P-2




4 A2.0 PRELIMINARY SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



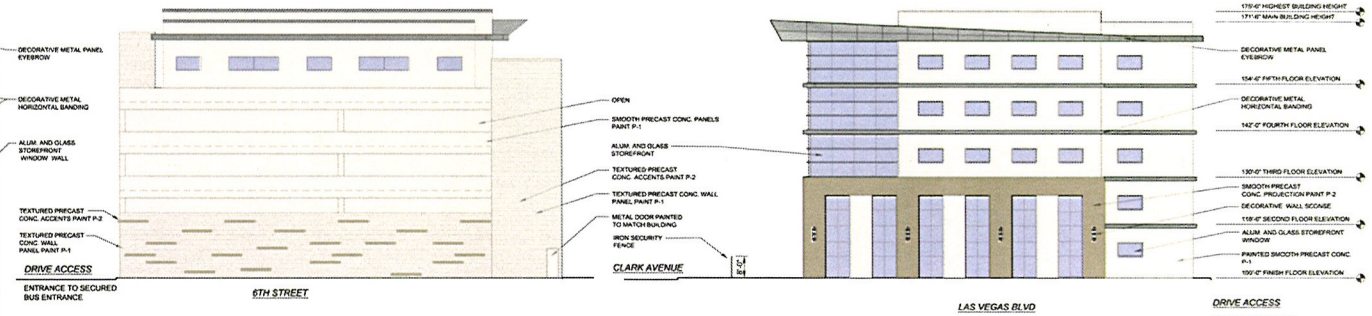
CONCEPTUAL NORTHEAST VIEW




3 A2.0 PRELIMINARY NORTH ELEVATION
SCALE: 1/16" = 1'-0"



CONCEPTUAL SOUTHEAST VIEW




2 A2.0 PRELIMINARY EAST ELEVATION
SCALE: 1/16" = 1'-0"

1 A2.0 PRELIMINARY WEST ELEVATION
SCALE: 1/16" = 1'-0"

Key Plan

| Issued For: | Date |
|---|---|
| Review | 12.16.20 |
| Review | 12.05.20 |
| Planning Submittal | 04.28.20 |

Drawn: BJ
Checked: BJ
Approved: BJ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Las Vegas, Nevada

Sheet Title
Preliminary Elevations

Project Number
210018

Sheet Number
A2.0

**ZON-41606 VAC-41661**
**SDR-41601 REVISED**


2090\Base for revit.dwg / ICE ELEVATIONS - 05\11\2011 - 10.20am - B24.dwg / B24ICE.dwg / 2100\18ACPL\sa#1\ndoc\ORIGINAL SUBMITTAL.dwg / 2090\18ACPL\sa#1\ndoc\ORIGINAL SUBMITTAL.dwg / 2100

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City of Las Vegas

## EXTERIOR FINISH SCHEDULE

| | |
|---|---|
| EXT. PAINT #1 (P-1): | MAIN WALL COLOR; BENJAMIN MOORE - PALE ALMOND |
| EXT. PAINT #2 (P-2): | ACCENT - BENJAMIN MOORE - SEDONA BROWN |
| ALUM. WINDOW FRAMES / DOORS: | ANODIZED CLEAR ALUM. |
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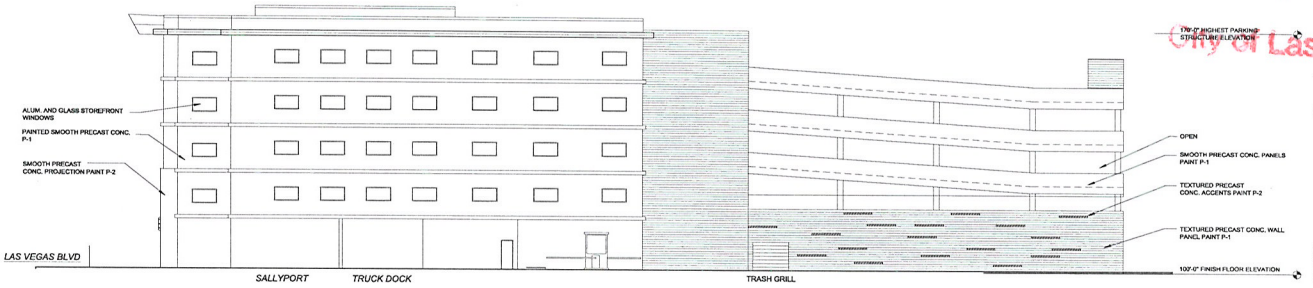
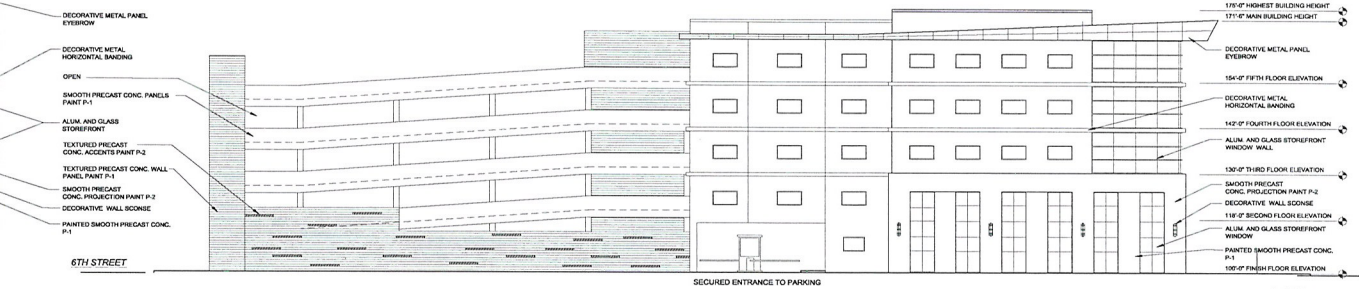
PAINT P-1 PAINT P-2




4 A2.0 PRELIMINARY SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



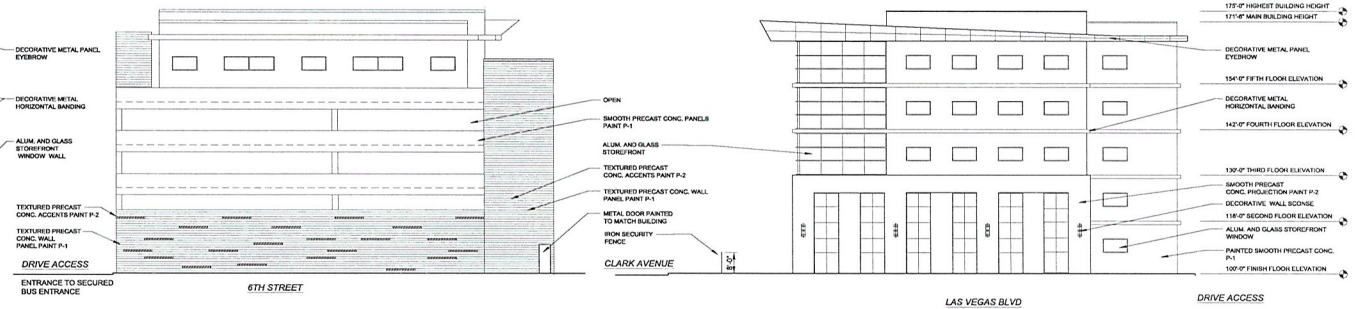
CONCEPTUAL NORTHEAST VIEW




3 A2.0 PRELIMINARY NORTH ELEVATION
SCALE: 1/16" = 1'-0"



CONCEPTUAL SOUTHEAST VIEW




2 A2.0 PRELIMINARY EAST ELEVATION
SCALE: 1/16" = 1'-0"

1 A2.0 PRELIMINARY WEST ELEVATION
SCALE: 1/16" = 1'-0"

Key Plan

| Issued For: | Date |
|---|---|
| Review | 12.16.20 |
| Review | 12.05.201 |
| Planning Submittal | 04.28.201 |

Drawn BJ
Checked BJ
Approved BJ

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**ZON-41606 VAC-41661**
**SDR-41601 REVISED**

2009100date for revLdwg / ICE ELEVATIONS - 05/11/2011 - 1:15pm - B24.dwg / B24ICE.dwg / 210018ACPLotsB#1.dwg / 210018ACPLotsB#1.dwg / 210018ACPLotsB#1

## EXTERIOR FINISH SCHEDULE

| | |
|---|---|
| EXT. PAINT #1 (P-1): | MAIN WALL COLOR: BENJAMIN MOORE - PALE ALMOND |
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| ALUM. WINDOW FRAMES / DOORS: | ANODIZED CLEAR ALUM. |
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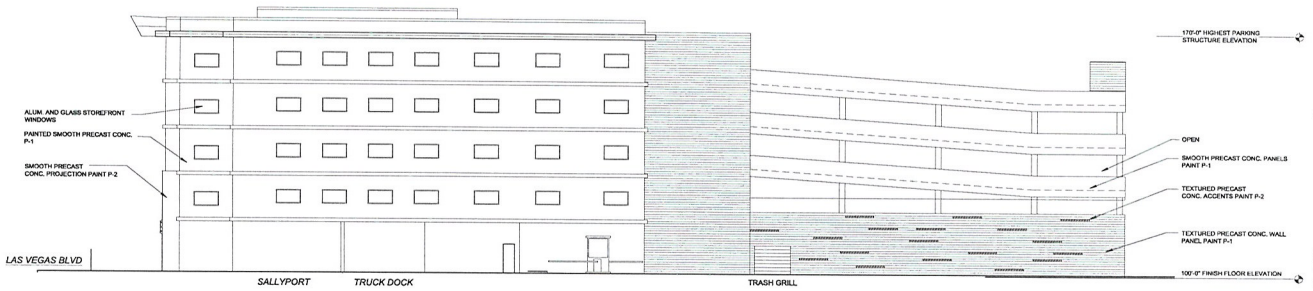
PAINT P-1

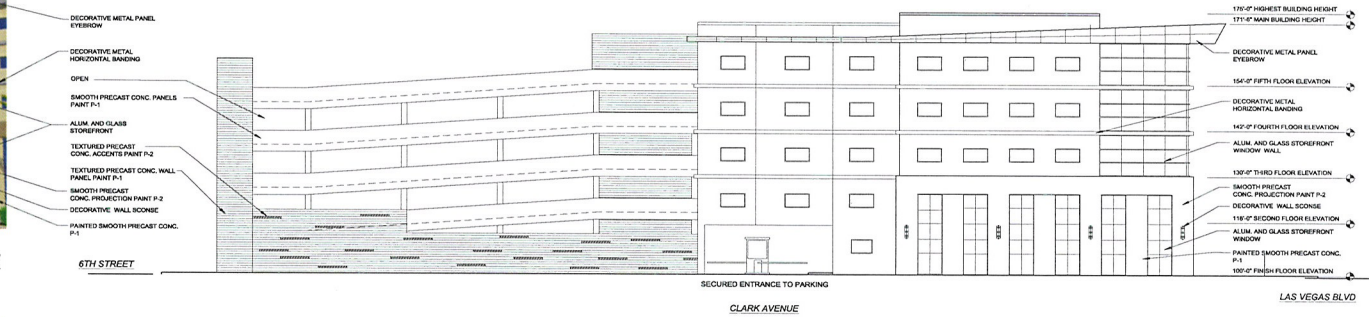
PAINT P-2




4 A2.0 PRELIMINARY SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



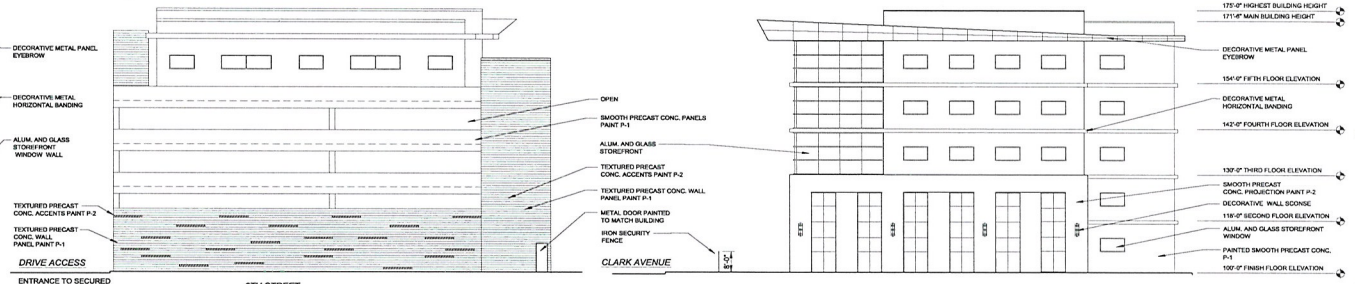
CONCEPTUAL NORTHEAST VIEW




3 A2.0 PRELIMINARY NORTH ELEVATION
SCALE: 1/16" = 1'-0"



CONCEPTUAL SOUTHEAST VIEW




2 A2.0 PRELIMINARY EAST ELEVATION
SCALE: 1/16" = 1'-0"

1 A2.0 PRELIMINARY WEST ELEVATION
SCALE: 1/16" = 1'-0"

Key Plan

| Issued For: | Date |
|---|---|
| Review | 12.16.200 |
| Review | 12.05.201 |
| Planning Submittal | 04.28.201 |

Drawn: BJ
Checked: BJ
Approved: BJ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**ZON-41606 VAC-41661**
**SDR-41601 REVISED**


20901\base for revit.dwg / ICE ELEVATIONS - 05/11/2011 - 1:15pm - B24.dwg / B24ICE.dwg / 210018ACPLocal#1.dwg / 210018ACPLocal#1.dwg / 210018ACPLocal#1\robo#ORIGINAL SUBMITTAL.dwg / 20901APX_10xA2 81\robo\revised 10.06.10.dwg



ZON-41606, VAC-41661 & SDR-41601 – APPLICANT: SDA, INC. - OWNER: CITY OF LAS VEGAS
SOUTHWEST CORNER OF CLARK AVENUE AND SIXTH STREET

05/05/11




**ZON-41606, VAC-41661 & SDR-41601 – APPLICANT: SDA, INC. - OWNER: CITY OF LAS VEGAS**
**SOUTHWEST CORNER OF CLARK AVENUE AND SIXTH STREET**

05/05/11



ZON-41606, VAC-41661 & SDR-41601 – APPLICANT: SDA, INC. - OWNER: CITY OF LAS VEGAS
SOUTHWEST CORNER OF CLARK AVENUE AND SIXTH STREET

05/05/11

DESIGN GROUP

RECEIVED
MAY 12 2011
City of Las Vegas

May 11, 2011

Planning and Development Department
731 South 4th Street
Las Vegas, NV 89101

RE: JUSTIFICATION LETTER FOR PROPOSED IMMIGRATION CUSTOMS ENFORCEMENT BUILDING LOCATED ON THE SE CORNER OF LAS VEGAS BLVD AND CLARK.

To Whom this May Concern:

SDA Inc. is proposing a new five story, approximately 62,000 SF, office building with a five story parking structure to include approximately 158 parking spaces. This proposed development will be located on the south east corner of Las Vegas Blvd and Clark and will be the future home of the Immigration Customs Enforcement (ICE) agency of the federal government. The land for this project is being purchased from the City of Las Vegas. The land sale has been approved by City Council and the purchase will be finalized in the next couple of months. The land being purchased is on two different sides of an existing alley. As part of this submittal, we are requesting that the existing alley be vacated to make a continuous parcel.

The development is required to meet all the security requirements of the federal government which include guarded / gated vehicular entries, security measures at the pedestrian entry of the building, perimeter protection, and blast resistant exterior walls. The project also requires that all on street parking spaces on Las Vegas Blvd and Clark along the boundaries of this site be eliminated and to be secured by an eight foot tall wrought iron fence capable of with standing

The first floor will be used for a main lobby with security, a fitness facility, holding cells, sally port for buses, and a loading dock. Floors 2 through 5 will be regular office areas. The parking garage will accommodate the accessible parking on the first level, and regular parking on floors 2 - 5.

3579 Red Rock Street
Las Vegas, Nevada 89103

P. (702) 870-7076
F. (702) 258-6326
www.10NINE.com

**ZON-41606 VAC-41661**
**SDR-41601 REVISED**

The building was designed to complement the surrounding buildings with precast concrete exterior walls, clear anodized aluminum window frames with blue tinted glass, and metal decorative accents to match the window frame color.

The waivers requested from the downtown centennial plan are the following:

a.) 70% façade alignment along Las Vegas Boulevard. This is due to setback requirements of the tenant.

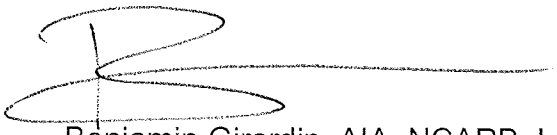
b.) Parking Garage to have ground floor retail. This is due to the requirements of the tenant to be a secure site.

c.) Main entry of the building from the street shall be appropriately articulated in the design. The entry is under between the parking structure and the building. This is due the tenants requirements for a single secure entry area into the building.

d.) Architectural details shall be carried on all sides of the building. We believe this building to be appropriately designed with more elaborate architectural elements on the main corner of Clark and Las Vegas Blvd. The side of the building that faces the alley is less elaborate to control cost and the parking structure is a separate element of the design.

We are requesting your support of this project and believe that it will be a great addition to downtown Las Vegas. Please contact me if you need any additional information or have any questions.

Respectfully Submitted,



Benjamin Girardin, AIA, NCARB, LEED AP
Principal Architect

**ZON-41606 VAC-41661**
**SDR-41601 REVISED**

3579 Red Rock Street
Las Vegas, Nevada 89103

P. (702) 870-7076
F. (702) 258-6326
www.10NINE.com

City of Las Vegas Agenda Item No.: **34.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

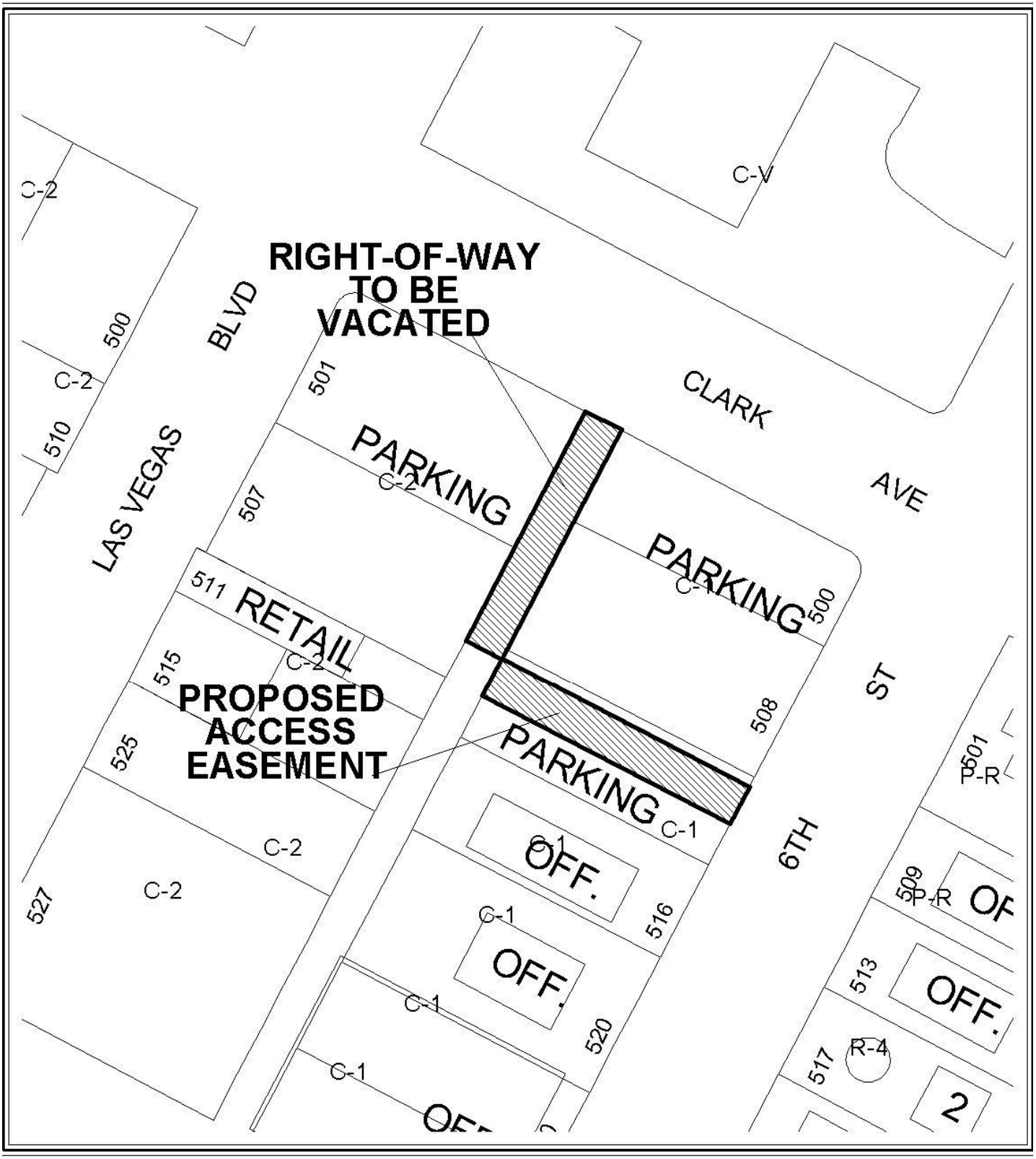
**SUBJECT:**
VAC-41661 - VACATION RELATED TO ZON-41601 - PUBLIC HEARING - APPLICANT: SDA, INC. - OWNER: CITY OF LAS VEGAS - Petition to Vacate a portion of a public right-of-way of an alley from Clark Avenue south for 150 feet, Ward 3 (Reese). Staff recommends APPROVAL.

**SET DATE: 07/06/2011**
**C.C.: 07/20/2011**

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

**RECOMMENDATION:**
Staff recommends APPROVAL, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup
2. Location and Aerial Maps
3. Supporting Documentation
4. Justification Letter
5. Approval Letters




CASE: **VAC-41661**

0 50 100 Feet




CASE: **VAC-41661**

0 50 100 Feet

**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: **VAC-41661** APN: 139-34-710-001, 139-34-310-061, -62, 63, 76

Name of Property Owner: City of Las Vegas Redevelopment

Name of Applicant: SDA Inc.

Name of Representative: 10 Nine Design Group

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

☐ **Yes** ☒ **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: Elizabeth N. Fretwell

Print Name: Elizabeth N. Fretwell

Subscribed and sworn before me

This 2 day of May, 20 11

Notary Public in and for said County and State

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

RECEIVED
MAY 03 2011
City of Las Vegas

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

RECEIVED
MAY -4 2011

## APPLICATION / PETITION FORM

**Application/Petition For:** Vacation

**Project Address (Location)** SEC Clark Ave and S. Las Vegas Blvd

**Project Name** U.S. Immigration and Customs Enforcement **Proposed Use** Office

**Assessor's Parcel #(s)** 13934710001, 13934310061,-062,63,76 **Ward #** 3

**General Plan:** existing C proposed N/A **Zoning:** existing C-1/C-2 proposed C-2

**Commercial Square Footage** 62,000 **Floor Area Ratio**

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

**Additional Information**

**PROPERTY OWNER** City of Las Vegas Redevelopment **Contact** Elizabeth N. Fretwell

**Address** 400 Stewart Ave **Phone:** (702) 229-6501 **Fax:**

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

**E-mail Address**

**APPLICANT** SDA Inc. **Contact** Steve Biogiatti

**Address** 5655 South Yosemite **Phone:** (303) 220-0500 **Fax:** (303) 220-0596

**City** Greenwood Village **State** CO **Zip** 80111

**E-mail Address**

**REPRESENTATIVE** 10 Nine Design Group **Contact** Moriah Curran

**Address** 3579 Red Rock St **Phone:** (702) 278-0072 **Fax:** (702) 258-6326

**City** Las Vegas **State** NV **Zip** 89103

**E-mail Address** mcurran@10nine.com

**Property Owner Signature*** Elizabeth N. Fretwell

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

**Print Name** Elizabeth N. Fretwell

Subscribed and sworn before me

This 2 day of May, 20 11.

Kim A Barr

Notary Public in and for said County

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

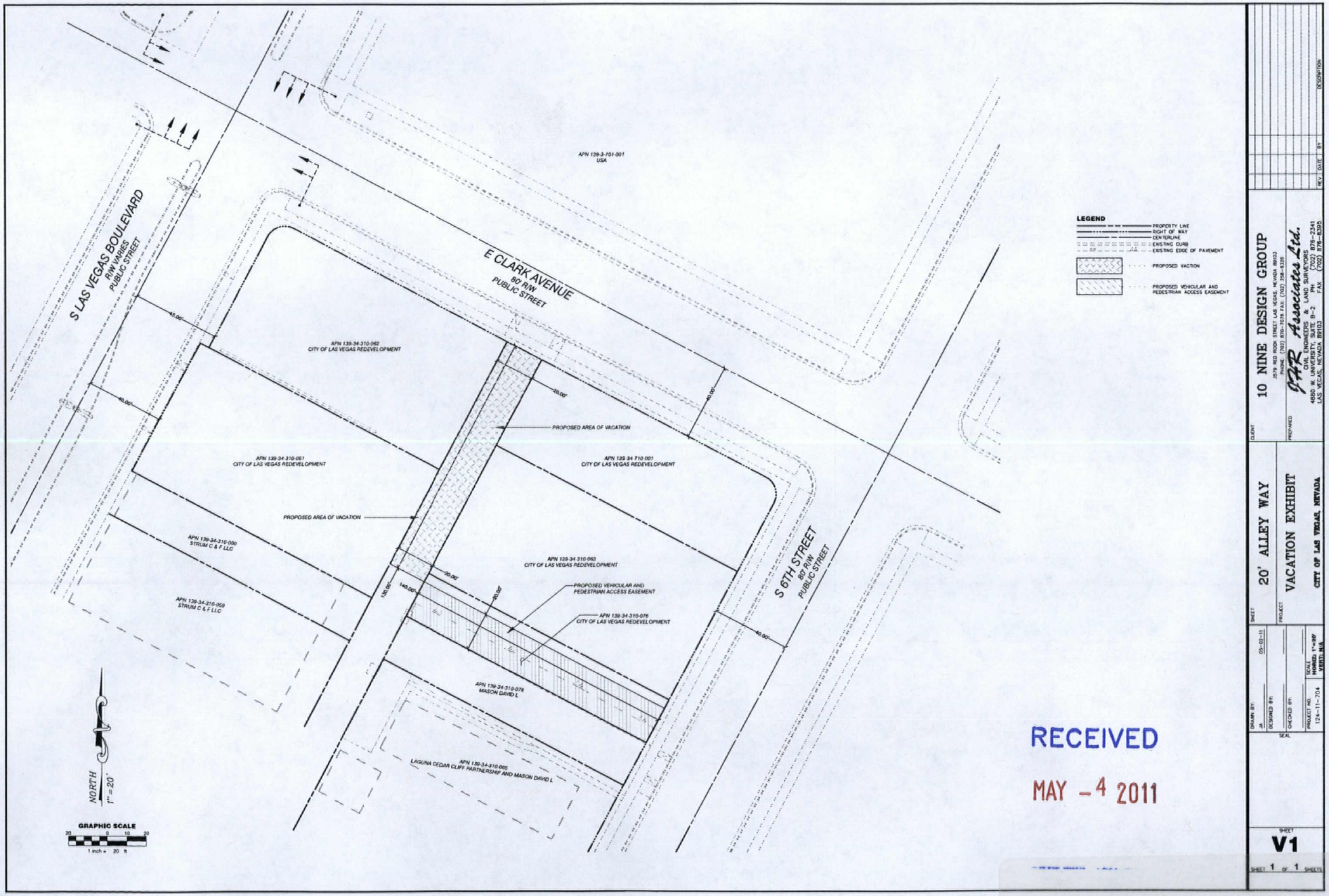
*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | VAC-4161 |
| Meeting Date: | 6-14-11 |
| Total Fee: | 1000 |
| Date Received:* | 5-3-11 |
| Received By: | RS |

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

Revised 10/27/08

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




RECEIVED

MAY - 4 2011

CLIENT
10 NINE DESIGN GROUP
3579 RED ROCK STREET LAS VEGAS, NEVADA 89103
PHONE: (702) 870-7076 FAX: (702) 258-6326

PREPARED
JFR Associates Ltd.
CIVIL ENGINEERS & LAND SURVEYORS
4880 W. UNIVERSITY, SUITE B-2 PH (702) 876-2341
LAS VEGAS, NEVADA 89103 FAX (702) 876-8395

SHEET
20' ALLEY WAY

PROJECT
VACATION EXHIBIT
CITY OF LAS VEGAS, NEVADA

DRAWN BY: JA
DESIGNED BY:
CHECKED BY:
PROJECT NO. 124-11-704
SCALE HORIZ: 1"=20' VERT: N/A
05-02-11

SEAL

SHEET
V1
SHEET 1 OF 1 SHEETS

| REV | DATE | BY | DESCRIPTION |
|---|---|---|---|

VAC-41661

NEVADA LEGAL SERVICES

530 South 6th Street
Las Vegas, NV 89101
Phone: (702) 386-0404
Fax (702) 388-1641

216 N. Pratt Ave.
Carson City, NV 89701
Phone (775) 883-0404
Toll Free 1-800-323-8666
Fax (775) 883-7074

650 Tahoe Street
Reno, NV 89509-1654
Phone (775) 284-3491
Fax (775) 284-3497

May 19, 2011

Stephen Biagiotti
President, SCA Inc.
The Denver Tech Center
5655 S. Yosemite Street, Ste. 301
Greenwood Village CO 80111

Re: Las Vegas ICE US Government Building

Dear Mr. Biagiotti:

Thank you for taking the time to meet with me and tell me about the construction project that is planned for our block. As I told you during our meeting, Nevada Legal Services has no objection to the diversion of the back alley as part of your construction project. Access to our site does not rely on the alley. We have access from Bonneville Avenue and do not use the alley except as a short cut to walk to the Federal Court House.

If you need anything further, please let me know.

Sincerely,

AnnaMarie Johnson

AnnaMarie Johnson
Executive Director

LSC United Way

RECEIVED
MAY 31 2011

VAC-41661

Dave Mason Realty

*Commercial Real Estate*

May 21, 2011

To: SDA INC.

Regarding: ICE U.S. Government Building/Ally Traffic Redirection

To Whom it may concern,

I own the building at 516 Sixth Street, just to the south of his new proposed building and I have met with Stephen M. Biagiotti regarding the modifications to the ally represented on a plan he provided me. I told him I had no objections to the project and asked that in lieu of a fence between our properties that he provide landscape. He agreed (subject to City approval) and I am in agreement of his project.

Respectfully Yours,

David Mason

RECEIVED

MAY 31 2011

1137 S. Rancho Dr., Ste. 120
Las Vegas, NV 89102
Ph: (702) 386-8686 Fax: (702) 386-9839

VAC-41661

City of Las Vegas Agenda Item No.: **35.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

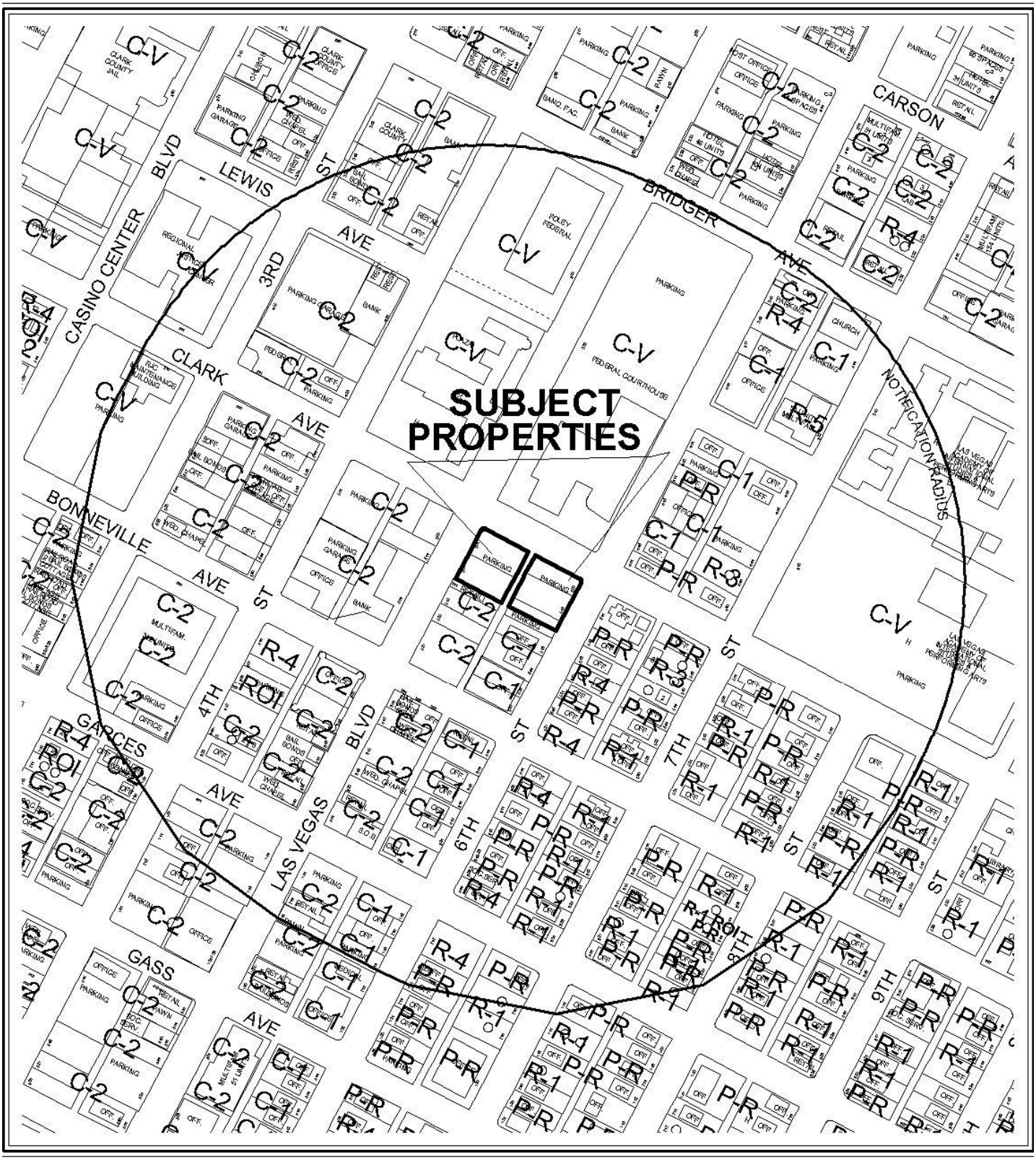
**SUBJECT:**
SDR-41601 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-41606 AND VAC-41661 - PUBLIC HEARING - APPLICANT: SDA INC. - OWNER: CITY OF LAS VEGAS - Request for Site Development Plan Review FOR A PROPOSED 62,000 SQUARE-FOOT OFFICE BUILDING AND A FIVE STORY PARKING GARAGE WITH WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN TO ALLOW NO FACADE ALIGNMENT ON THE GROUND FLOOR WHERE SEVENTY PERCENT IS REQUIRED, TO ALLOW NO GROUND FLOOR RETAIL FOR THE PARKING GARAGE AND TO ALLOW THE MAIN ENTRY OF THE BUILDING TO NOT BE ARTICULATED IN THE DESIGN WHERE REQUIRED on 0.92 acres at the southeast corner of Las Vegas Boulevard and Clark Avenue (APNs 139-34-710-001, 139-34-310-061, 062, 63 and 076), Ward 3 (Reese). Staff recommends APPROVAL.

**C.C.: 07/20/2011**

| **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
3. Supporting Documentation




0 300 600 Feet

**CASE:** **SDR-41601**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** C-1 (LIMITED COMMERCIAL) AND C-2 (GENERAL COMMERCIAL)

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

N




0 300 600 Feet

**CASE:** **SDR-41601**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** C-1 (LIMITED COMMERCIAL) AND C-2 (GENERAL COMMERCIAL)

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

N

**Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.**

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41601** APN: 139-34-710-001, 139-34-310-061, -62, 63, 76

Name of Property Owner: City of Las Vegas Redevelopment

Name of Applicant: SDA Inc.

Name of Representative: 10 Nine Design Group

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

RECEIVED
MAY -2 2011

Signature of Property Owner: Elizabeth N Fretwell

Print Name: Elizabeth N. Fretwell

Subscribed and sworn before me

This 2 day of May, 20 11

Notary Public in and for said County and State

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## APPLICATION / PETITION FORM

**Application/Petition For:** Site Development Plan Review

**Project Address (Location)** SEC Clark Ave and S. Las Vegas Blvd

**Project Name** U.S. Immigration and Customs Enforcement **Proposed Use** Office

**Assessor's Parcel #(s)** 13934710001, 13934310061,-062,63,76 **Ward #** 3

**General Plan:** existing C proposed N/A **Zoning:** existing C-1/C-2 proposed C-2

**Commercial Square Footage** 62,000 **Floor Area Ratio**

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

**Additional Information**

**PROPERTY OWNER** City of Las Vegas Redevelopment **Contact** Elizabeth N. Fretwell

**Address** 400 Stewart Ave **Phone:** (702) 229-6501 **Fax:**

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

**E-mail Address**

**APPLICANT** SDA Inc. **Contact** Steve Biogiatti

**Address** 5655 South Yosemite **Phone:** (303) 220-0500 **Fax:** (303) 220-0596

**City** Greenwood Village **State** CO **Zip** 80111

**E-mail Address**

RECEIVED
MAY -2 2011

**REPRESENTATIVE** 10 Nine Design Group **Contact** Moriah Curran

**Address** 3579 Red Rock St **Phone:** (702) 278-0072 **Fax:** (702) 258-6326

**City** Las Vegas **State** NV **Zip** 89103

**E-mail Address** mcurran@10nine.com

**Property Owner Signature*** Elizabeth N Fretwell

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

**Print Name** Elizabeth N. Fretwell

Subscribed and sworn before me

This 2 day of May, 20 11.

Notary Public in and for said County and State

KIM C. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

Revised 10/27/08

***FOR DEPARTMENT USE ONLY***

| | |
|---|---|
| **Case #** | SDR-41601 |
| **Meeting Date:** | 6-14-11 |
| **Total Fee:** | 1030.00 |
| **Date Received:*** | 4-28-11 |
| **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.

City of Las Vegas Agenda Item No.: **36.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

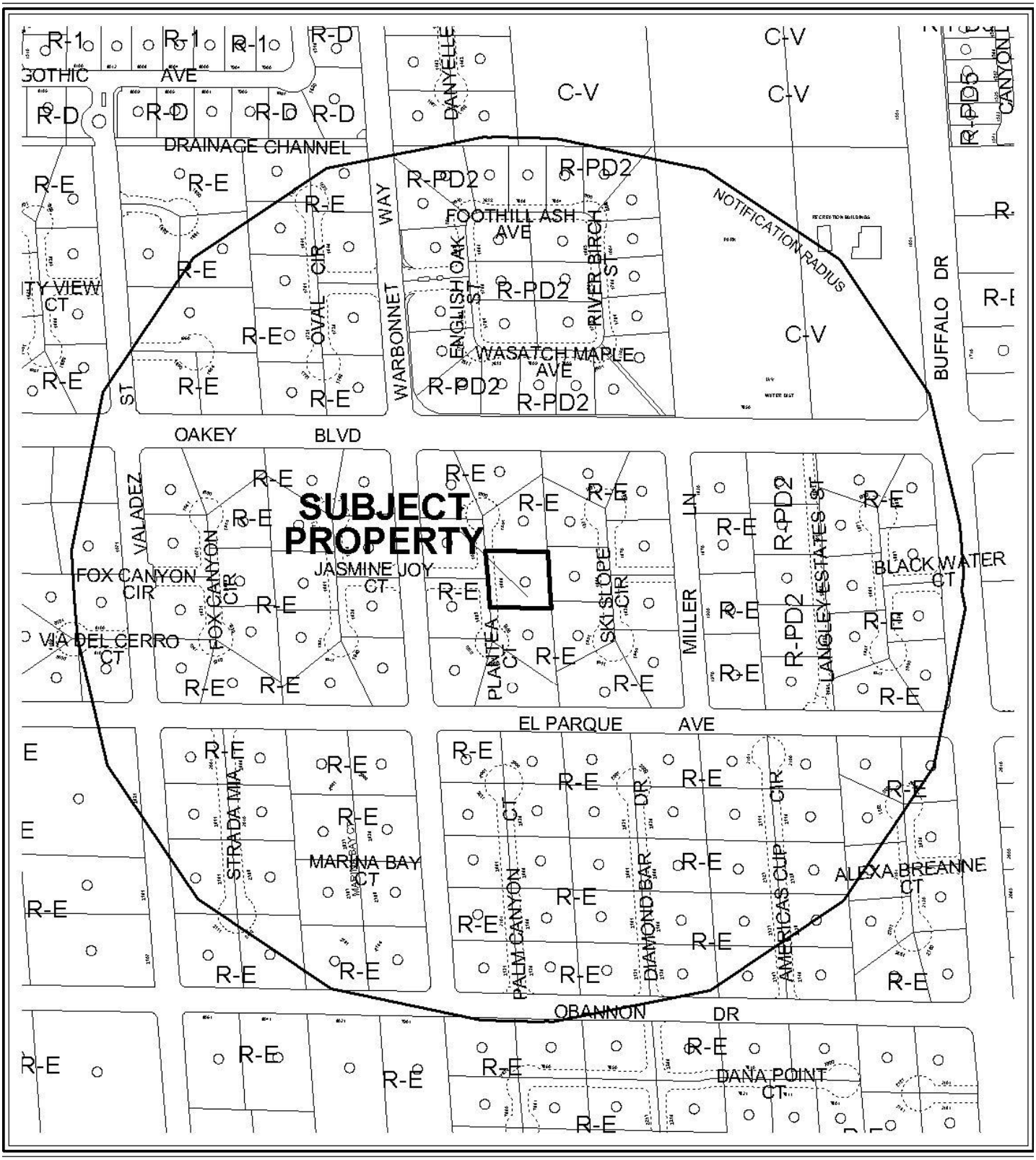
**SUBJECT:**
VAR-41401 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: FATALEVICH FAMILY TRUST - Request for a Variance TO ALLOW A TWO-FOOT DISTANCE SEPARATION BETWEEN A PROPOSED 1,167 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) AND THE MAIN DWELLING WHERE SIX FEET IS REQUIRED on 0.46 acres at 1900 Plantea Court (APN 163-04-718-005), R-E (Residence Estates) Zone, Ward 2 (Wolfson). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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. Photo
5. Justification Letter

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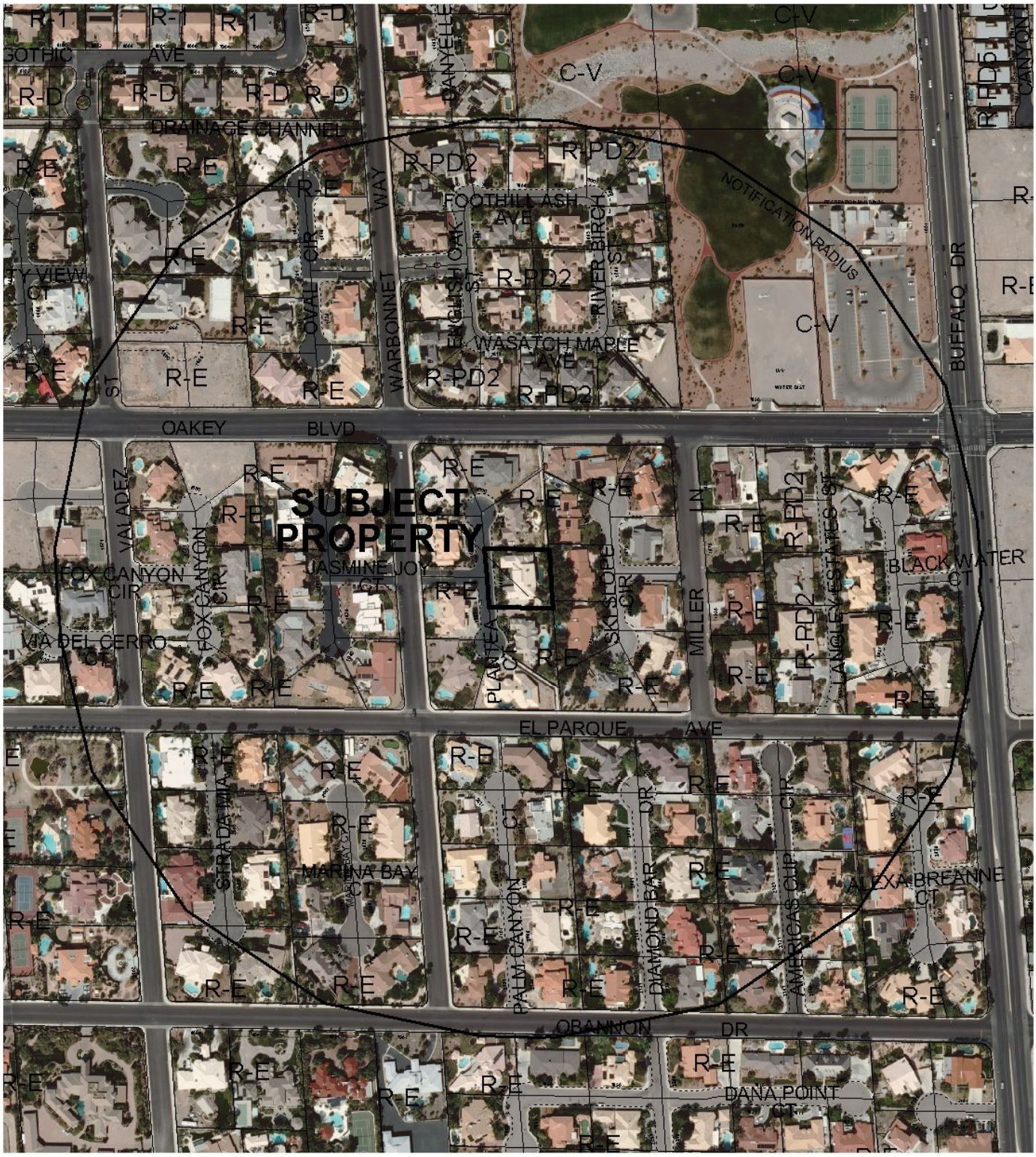
**CASE:** **VAR-41401**

**RADIUS:** 1000 FT

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

N




0 300 600 Feet

**CASE:** **VAR-41401**

**RADIUS:** 1000 FT

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

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: FATALEVICH FAMILY TRUST**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-41401** | Staff recommends DENIAL, if approved subject to conditions: | N/A |

## ** CONDITIONS **

# VAR-41401 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.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

A 1,167 square-foot Accessory Structure (Class II) is proposed in the side yard on the south side of the main dwelling. The subject property at 1900 Plantea Court contains an existing 6,303 square-foot dwelling. The proposed Class II accessory structure will have a two-foot distance separation from the main dwelling. Staff recommends denial, as the use does not comply with Title 19 requirements for an Accessory Structure (Class II) use. If this application is denied, the proposed Accessory Structure (Class II) will not be permitted on the property.

## ISSUES

- A Variance is required to allow a two-foot distance separation between Accessory Structure (Class II) and the main dwelling.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 10/24/95 | The Board of Zoning Adjustment approved a request for a Variance (V-0152-95) to allow the following: A) a single family dwelling with a front yard setback of 40.68 feet where 50 feet is the minimum setback required on property located at 1900 Lisa Dennis Court (now Plantea Court); B) a single family dwelling with a front yard setback of 45.35 feet where 50 feet is the minimum setback required on property located at 1804 Lisa Dennis Court (now Plantea Court) C) a single family dwelling with a rear yard setback of 20 feet where 43.45 feet is the minimum setback required on property located at 1801 Lisa Dennis Court (now Plantea Court). The Planning Department staff recommended was denial. |
| 11/23/98 | The City Council approved a request for a General Plan Amendment (GPA-0027-98) to Amend a portion of the Southwest Sector of the General Plan on properties bounded by Holmby Channel, Via Olivero Avenue, Rainbow Boulevard, and Durango Drive, from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval. |
| 01/04/06 | The City Council approved a request for a Special Use Permit (SUP-9859) for a proposed Guest House/Casita at 1900 Plantea Court. The Planning Commission recommended approval and the Department of Planning staff recommended denial. The entitlement had expired on 08/26/09. |

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

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 12/04/95 | A building permit (#95389536) was issued for Single Family, Detached Residence at 1900 Lisa Dennis Court (now Plantea Court). The permit was finalized on 07/24/96. |

| ***Pre-Application Meeting*** | |
|---|---|
| 03/10/11 | A pre-application meeting was held with the applicant where the submittal requirements for a Variance for a proposed garage were discussed. The distance separation between the proposed Accessory Structure (Class II) and the main dwelling is 2 feet. The property currently has a three-foot easement parallel to the south property line and the building will require must be at three feet from the property line. |

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

| ***Field Check*** | |
|---|---|
| 05/05/11 | A site visit by staff noted that the property is well maintained. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.47 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Single Family, 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** | | X | N/A |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | X | | Y |
| **Las Vegas Redevelopment Plan Area** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.08.040, the following standards apply:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Lot Size | 20,000 SF | 20,405 SF | Y |
| Min. Lot Width | 100 Feet | 137 Feet | Y |
| Min. Setbacks (Accessory Structure) | | | |
| • Front | Not Allowed | N/A | N/A |
| • Side (South) | 3 Feet | 3 Feet | Y |
| • Rear | 3 Feet | 25 Feet | Y |
| Min. Distance Between Buildings | 6 feet | 2 feet | N |
| Max. Building Height | 32.5 feet | 18 feet | Y |

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Plantea Court | N/A | N/A | 40 | N/A |

## ANALYSIS

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 1,167 square-foot detached Class II accessory structure that will be utilized as a recreation vehicle garage and will be accessed with an existing driveway from Plantea Court. The property contains an existing 6,303 square-foot Single Family Dwelling and is located within the Rural Preservation Overlay District. The proposed development conforms to the requirements of the district.

The request for a Variance is required, as the proposed Accessory Structure (Class II) does not meet the minimum distance separation from the main dwelling. The distance separation is two feet between the Class II accessory structure and the main dwelling. Pursuant to Title 19.08.040, detached accessory structures must be separated a minimum distance of six feet from the main dwelling. 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-41401)**

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 is too wide within an area of the property that is too narrow for the proposed structure. Reduction in the width or relocation of the Accessory Structure (Class II) would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 14

**NOTICES MAILED** 154

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41401** APN: 163-04-718-005

Name of Property Owner: Fatalevich Family Trust, Arkady Fatalevich and Marjorie Fatalevich

Name of Applicant: Alec Fatalevich

Name of Representative: Montgomery Consulting Engineers

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Alec Fatalevich

Print Name: ARKADY FATALEVICH

State of Nevada, County of Clark

Subscribed and sworn before me

This 30TH day of March, 2011 by Arkady & Fatalevich AK

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ROBERT JERBIC
No: 11-3915-1
My Appointment Expires Jan. 18, 2015

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Revised 11-14-06

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# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** VARIANCE

**Project Address (Location)** 1900 PLANTEA CT., LAS VEGAS, NV 89117

**Project Name** FATALEVICH **Proposed Use** RV GARAGE

**Assessor's Parcel #(s)** 163-04-718-005 **Ward #** 2-WOLFSON

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

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

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

**Additional Information** _____

**PROPERTY OWNER** FATALEVICH FAMILY TRUST **Contact** ALEC FATALEVICH

**Address** 1900 PLANTEA CT **Phone:** (415) 730-5300 **Fax:** _____

**City** LAS VEGAS **State** NV **Zip** 89117

**E-mail Address** alec@cmppstudios.com

**APPLICANT** same (see above) **Contact** _____

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

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

**E-mail Address** _____

**REPRESENTATIVE** Montgomery Consulting Engineers **Contact** Elicia Montgomery

**Address** 9640 W Tropicana Ave, Ste 115 **Phone:** (702) 219-5656 **Fax:** (702) 251-9566

**City** Las Vegas **State** NV **Zip** 89147

**E-mail Address** elicia@montgomeryengineers.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** ARKADY FATALEVICH

State of Nevada, County of Clark

Subscribed and sworn before me

This 30th day of March, 20 11.

by Arkady I. Fatalevich

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ROBERT JERBIC
No: 11-3915-1
My Appointment Expires Jan. 18, 2015

Revised 10/27/08

***FOR DEPARTMENT USE ONLY***

| | |
|---|---|
| **Case #** | VAR-41401 |
| **Meeting Date:** | 6-14-11 |
| **Total Fee:** | $ 830.00 |
| **Date Received:*** | 4-7-11 |
| **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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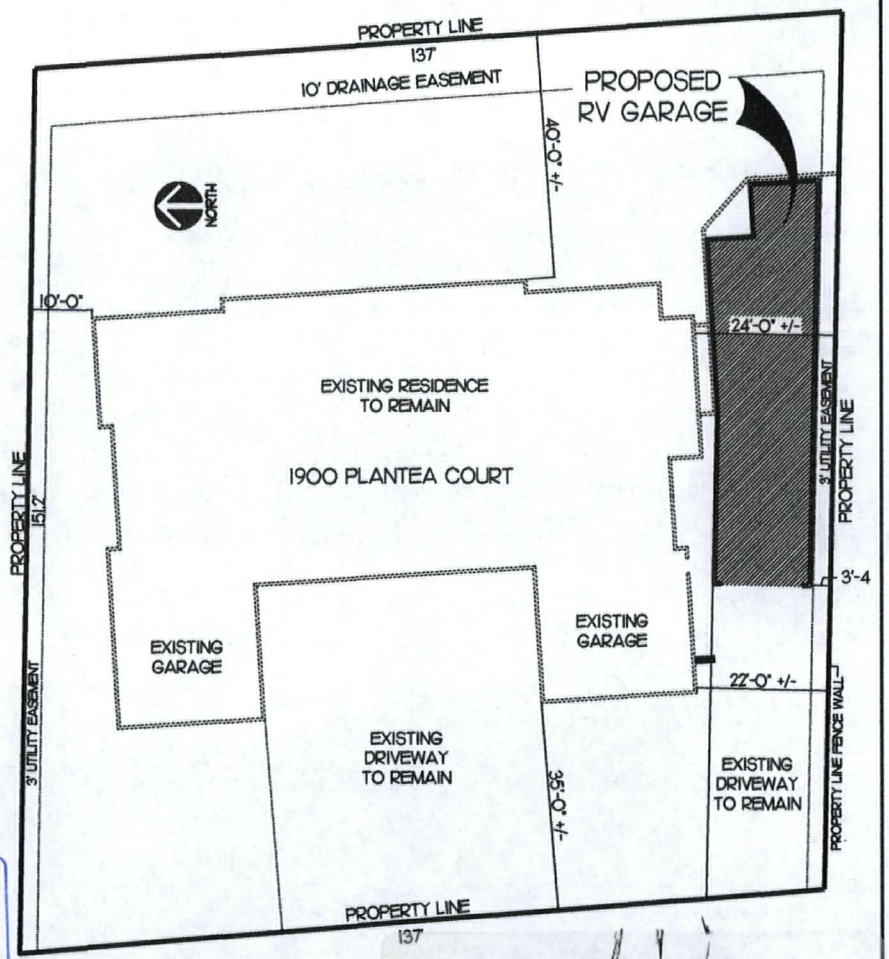
| SQUARE FOOTAGES | | |
|---|---|---|
| FIRST FLOOR (LIVING) | 4,093 | S.F. |
| FIRST FLOOR (GARAGE) | 504 | S.F. |
| FIRST FLOOR (FOOTPRINT) | 4,597 | S.F. |
| SECOND FLOOR LIVING | 2,210 | S.F. |
| TOTAL LIVING | 6,303 | S.F. |
| NEW DETACHED RV GARAGE | 1,167 | S.F. |

| | |
|---|---|
| Job No: | 344-001 |
| Job Name: | 1900 Plantea |
| Revision: | . |
| Sheet No: | A1 |




VICINITY MAP
N.T.S.




SITE PLAN
N.T.S.

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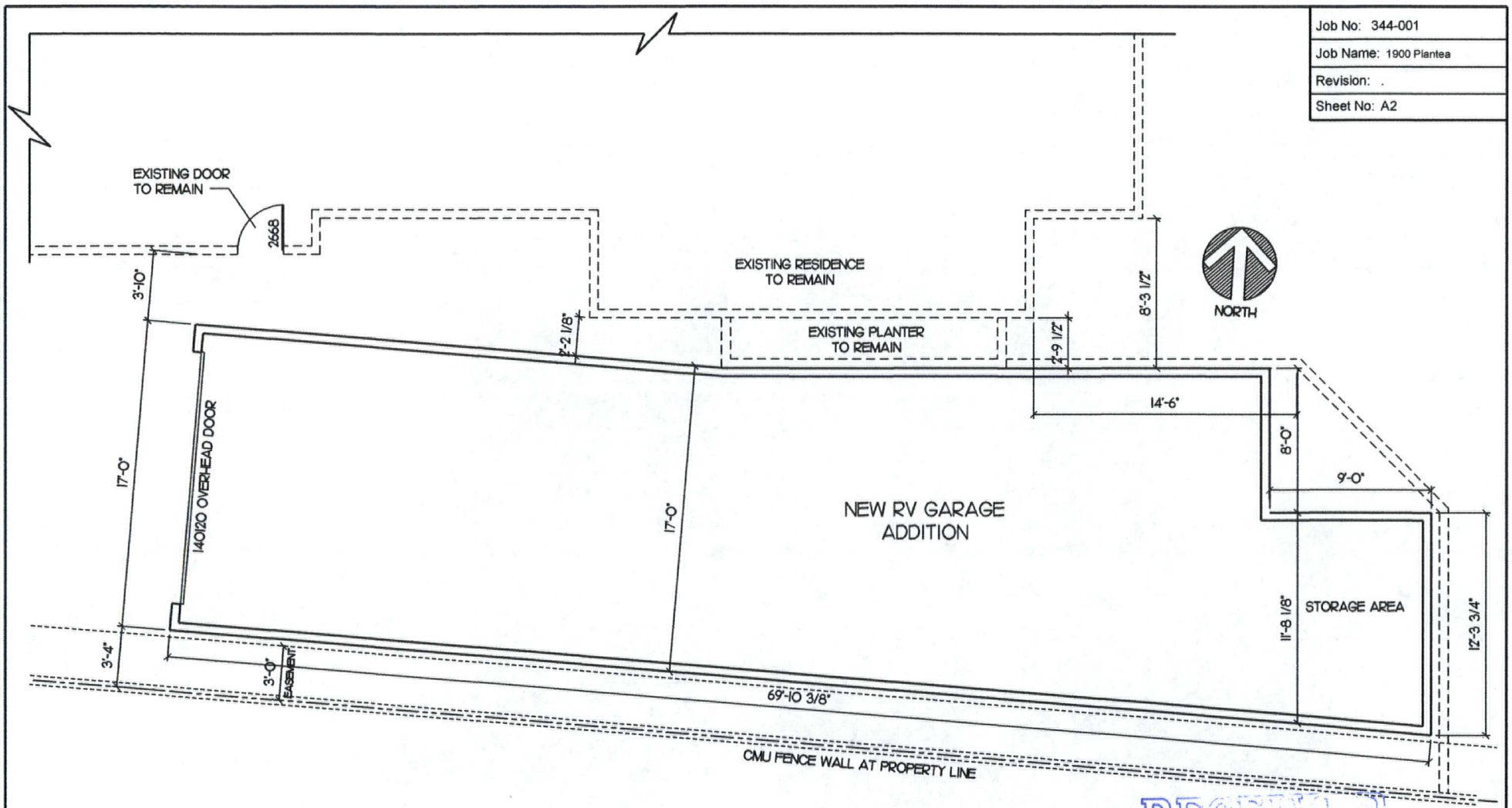
VAR-41401
REVISED

| | |
|---|---|
| Job No: | 344-001 |
| Job Name: | 1900 Plantea |
| Revision: | . |
| Sheet No: | A2 |




**FLOOR PLAN**

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

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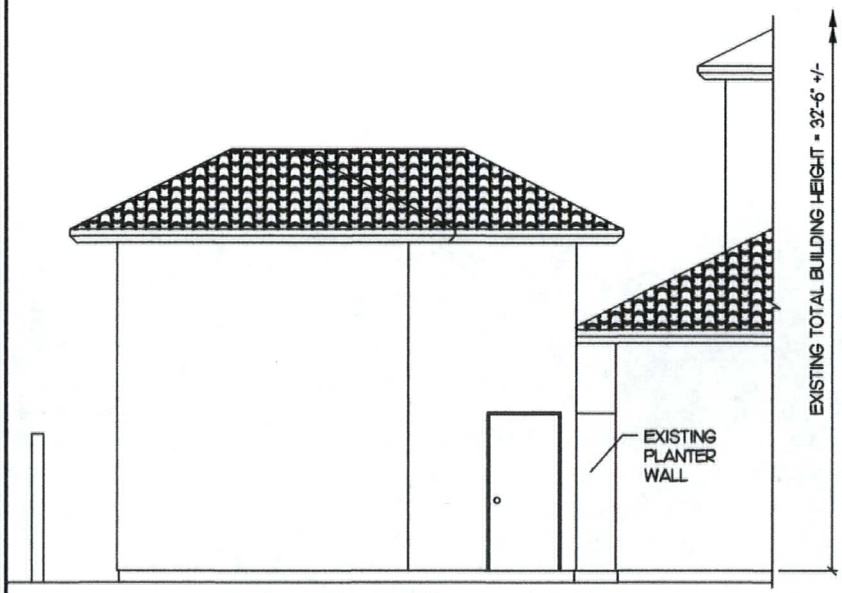
MAY 19 2011

**VAR-41401**

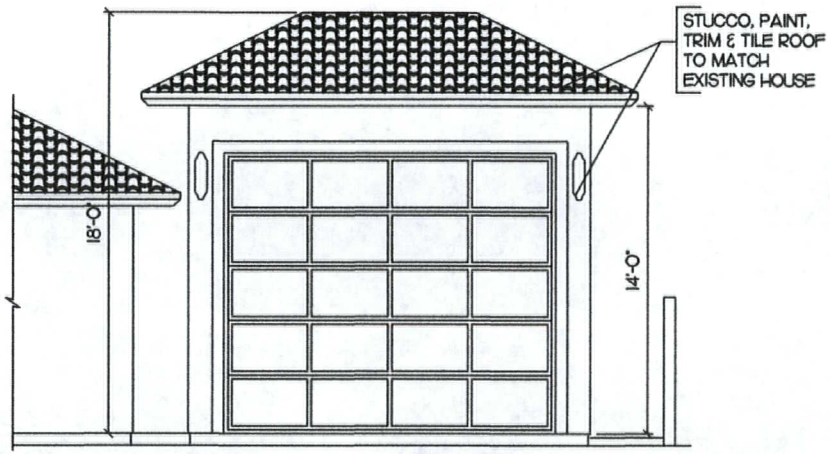
**REVISED**

| | |
|---|---|
| Job No: | 344-001 |
| Job Name: | 1900 Plantea |
| Revision: | . |
| Sheet No: | A3 |



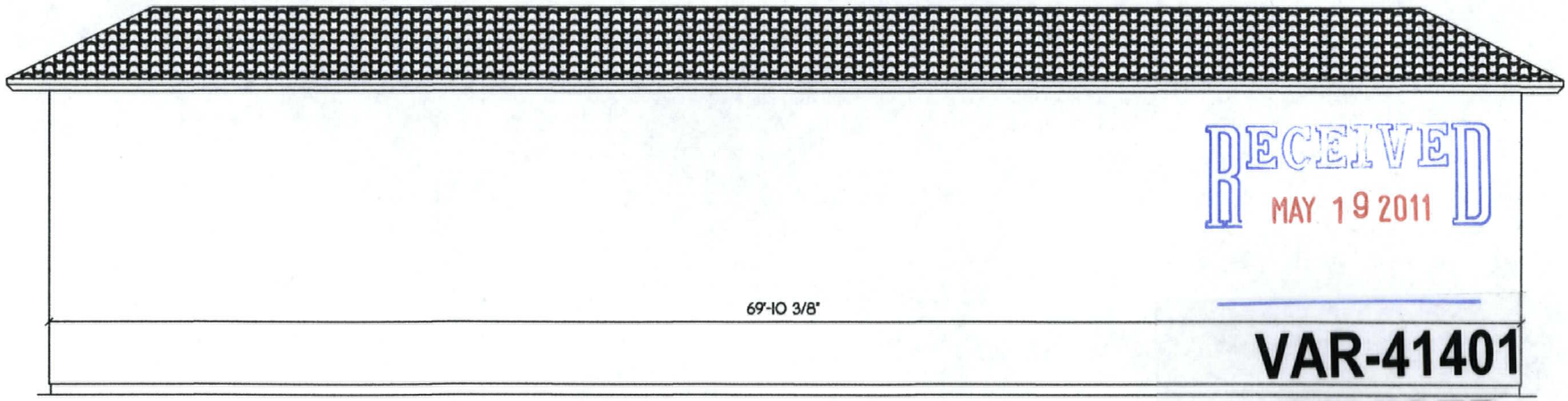

**EAST ELEVATION**

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




**WEST ELEVATION**

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




**SOUTH ELEVATION**

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

RECEIVED
MAY 19 2011

**VAR-41401**

**REVISED**



**VAR-41401 – APPLICANT/OWNER: FATALEVICH FAMILY TRUST**
**1900 PLANTEA COURT**

05/05/11

Alec Fatalevich
1900 Plantea CT
Las Vegas, NV 89117
Cell: 415 730 5300

May 17, 2011

Dear Planning Department/City of Las Vegas,

This is a request for a variance to build an RV Garage 2'-0" from my existing house. I will maintain a 3'-4" setback from the south property line.

My ability to build an RV garage was critical to my decision to purchase this house. Without the variance, there is not enough room to build a structure big enough to house my RV.

Also, we have a temporary storage shed in the area we are building in and it will be removed prior to construction.

Thank you for your consideration,

Very truly yours,

Alec Fatalevich

RECEIVED
MAY 19 2011

VAR-41401
REVISED

City of Las Vegas Agenda Item No.: **37.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

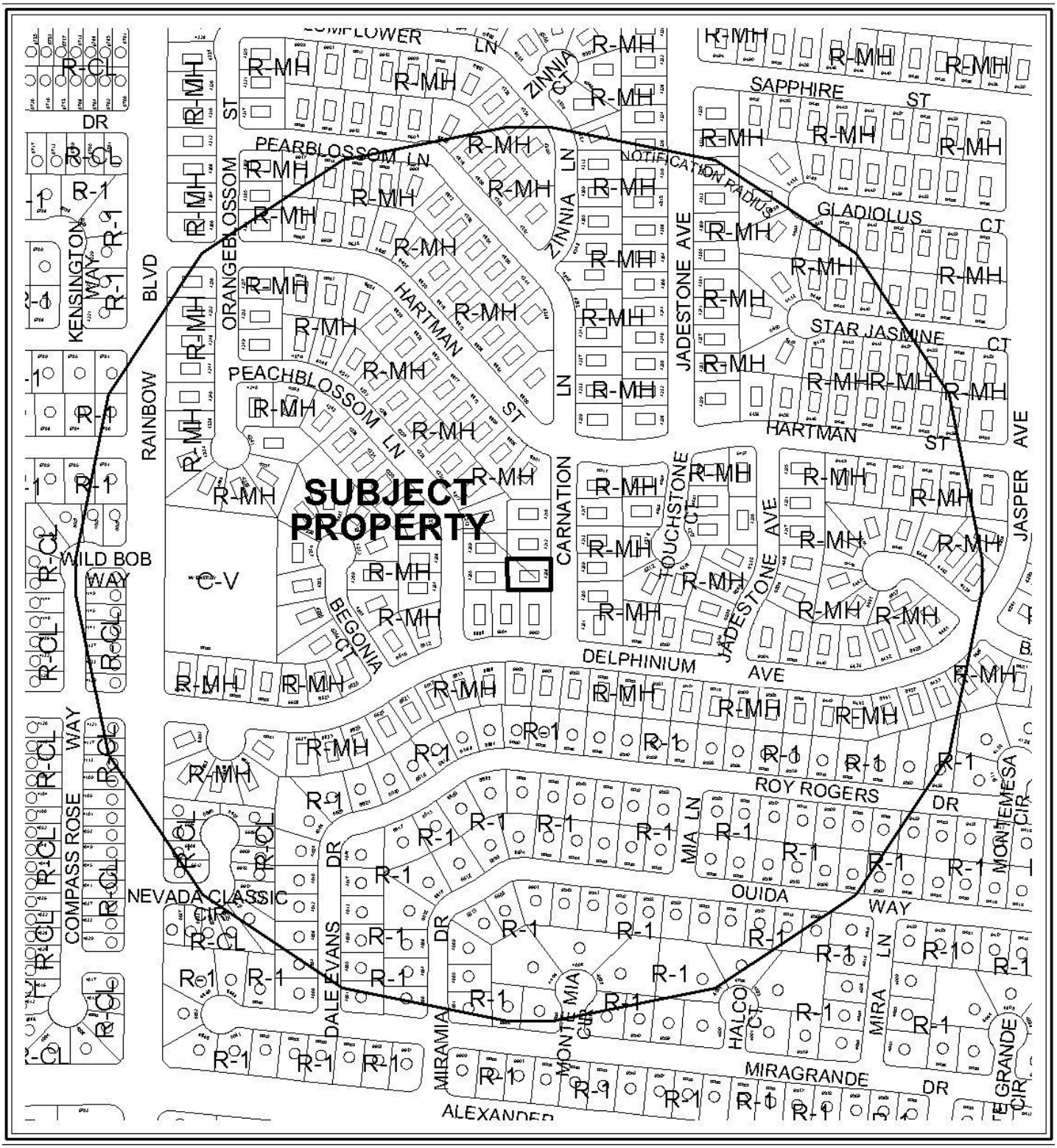
**SUBJECT:**
VAR-41486 - VARIANCE - PUBLIC HEARING - APPLICANT: ERIC FLO - OWNER: MARTHA G. KENT LIVING TRUST - Request for a Variance TO CONVERT AN EXISTING SHIPPING CONTAINER INTO AN EXISTING ACCESSORY STRUCTURE (CLASS II) THAT IS NOT AESTHETICALLY COMPATIBLE WITH THE PRINCIPAL DWELLING UNIT, TO ALLOW AN 11-INCH SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED, AND TO ALLOW A SECOND ACCESSORY STRUCTURE (CLASS II) TO HAVE A SEPARATION DISTANCE OF ONE FOOT FROM THE PRINCIPAL DWELLING UNIT WHERE SIX FEET IS REQUIRED on 0.16 acres at 4208 Carnation Lane (APN 138-02-410-024), R-MH (Mobile/Manufactured Home) Zone, Ward 6 (Ross). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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-41486**

ZONING OF SUBJECT PROPERTY: R-MH (MOBILE/MANUFACTURED HOME)

N




0 300 600 Feet

**CASE: VAR-41486**

ZONING OF SUBJECT PROPERTY: R-MH (MOBILE/MANUFACTURED HOME)

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: MARTHA G. KENT LIVING TRUST**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-41486** | Staff recommends DENIAL, if approved subject to conditions: | N/A |

## ** CONDITIONS **

# VAR-41486 CONDITIONS

***Planning***

1. Conformance to the approved conditions for Rezoning (Z-0100-76).

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. All necessary building permits shall be obtained for all existing accessory structures and fencing within 60 days of final approval or the structures shall be removed.

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

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

7. Meet with the Flood Control Section of the Department of Public Works to determine whether the location of the accessory structure will block an existing drainage path. Comply with the recommendations of the Flood Control Section.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The lot at 4208 Carnation Lane contains an existing 1,440 square-foot residence, two unpermitted accessory structures totaling 308 square feet of building area and a 320 square-foot shipping container. The shipping container is not permitted in residential districts unless it is converted to an accessory structure. The container does not meet the side yard setback required for accessory structures. In addition it and the 260 square-foot accessory structure are within six feet of the primary dwelling. Variances are needed to allow this arrangement. The applicant has presented no evidence of unique or extraordinary circumstances pursuant to Title 19.18.010 that would substantiate the requested variances; therefore, staff is recommending denial of this request. If these applications are denied, the Accessory Structures (Class II) and shipping container will need to be removed from the property.

## ISSUES

- A 320 square-foot shipping container, a 48 square-foot storage shed and a 260 square-foot metal storage shed were installed without approved building permits and the shipping container conversion will not be aesthetically compatible with the main dwelling.
- A wooden fence in the side yard was built without a permit.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 07/06/77 | The Board of City Commissioners approved a request for Rezoning (Z-0100-76) from R-E (Residence Estates) to R-MH (Mobile/Manufactured Home Residence) on property generally located on the west side of Torrey Pines Drive, approximately 1,500 feet south of West Craig Road and extending west half-mile to North Lorenzi Boulevard. The Planning Commission recommended denial. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 08/11/04 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 08/31/78 | A building permit (9124) was issued for a Mobile Home at 4208 Carnation Lane. No final inspection card can be located. |
| 02/22/83 | A building permit (7541) was issued for 95 lineal feet of four-foot tall chain link fencing at 4208 Carnation Lane. The permit was finaled on 02/24/83. |
| 03/18/80 | A building permit (1043) was issued for a 300 square-foot awning at 4208 Carnation Lane. The permit was finaled on 03/19/80. |
| 04/21/80 | A building permit (1871) was issued for a 240 square-foot storage shed at 4208 Carnation Lane. The permit was finaled on 07/23/80. |
| 05/01/80 | A building permit (1043) was issued for a 926 square-foot awning at 4208 Carnation Lane. The permit was finaled on 05/13/80. |
| 06/02/97 | A building permit (97011264) was issued to convert a Mobile Home to real property at 4208 Carnation Lane. The permit was finaled on 06/05/97. |
| 10/18/10 | A code enforcement case (95511) was opened at 4208 Carnation Lane for vehicles parked in the front yard, commercial trailers and construction equipment stored on side yard and rear yard and a shipping container located in the side yard, which does not meet setback requirements. The case is currently open. |

| ***Pre-Application Meeting*** | |
|---|---|
| 02/03/11 | 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 for this application, nor was one held. |

| ***Field Check*** | |
|---|---|
| 05/05/11 | During a field check staff noted a Mobile Home with an unpermitted storage container, storage shed and wooden fencing. |

| ***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 | Mobile Home | L (Low Density Residential) | R-MH (Mobile/Manufactured Home Residence) |
| North | Mobile Home | L (Low Density Residential) | R-MH (Mobile/Manufactured Home Residence |
| South | Mobile Home | L (Low Density Residential) | R-MH (Mobile/Manufactured Home Residence |
| East | Mobile Home | L (Low Density Residential) | R-MH (Mobile/Manufactured Home Residence |
| West | Mobile Home | L (Low Density Residential) | R-MH (Mobile/Manufactured Home Residence |

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

**DEVELOPMENT STANDARDS**

***Pursuant to Title 19.08, the following standards apply:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Lot Size | 6,500 SF | 7,140 SF | Y |
| Min. Lot Width | 65 Feet | 72 Feet | Y |
| Min. Setbacks (Accessory Structure) | | | |
| • Front | N/A | N/A | N/A |
| • Side (North) | 3 Feet | 11 Inches | N |
| • Side (South) | 3 Feet | 13 Feet | Y |
| • Rear | 10 Feet | 10 Feet | Y |

JG

| | | | |
|---|---|---|---|
| Separation from Principal Dwelling Unit | 6 Feet | 1 Foot | N |
| Max. Lot Coverage | 50 % | 28 % | Y |
| Max. Building Height | Lesser of 2 stories, 35 feet or the height of the principal building Feet | 8 Feet | Y |
| Max. Floor Area (Accessory Structures) | 720 SF | 676 SF | Y |

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Carnation Lane | N/A | N/A | 60 | N/A |

**ANALYSIS**

Shipping containers are not permitted in residential districts unless they are converted to an accessory structure that is aesthetically compatible with the main dwelling. Approval of a variance is required for this conversion. Painting the shipping container does not meet the requirement to be aesthetically compatible.

One of the two existing sheds is shown to be removed, leaving one shed that does not comply with the distance separation requirement.

Pursuant to Title 19.08, accessory structures in residential areas must be located a minimum distance of three feet from the side property line and must be separated a minimum distance of six feet from the main dwelling. An accessory structure is to be aesthetically compatible to the primary structure. This application is for a 100% deviation from the requirement for aesthetics, an 84% deviation from the distance between buildings and a 67% deviation from the side setback distance separation. The applicant has also constructed wooden fencing along portions of the eastern and northern property without permits to screen the shipping container from street view. These are self-imposed hardships, as the existing Accessory Structures (Class II) could be redesigned to meet all Title 19.08 requirements. Therefore, staff recommends denial of the request.

**FINDINGS (VAR-41486)**

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 installing the Accessory Structures (Class II) contrary to Title 19 requirements without obtaining building permits. Alternative design of the Accessory Structures (Class II) and reconstruction with building permits and inspections would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 12

**NOTICES MAILED** 356

**APPROVALS** 0

**PROTESTS** 0

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41486** APN: 138-02-410-024

Name of Property Owner: MARTHA G KENT LIVING TRUST

Name of Applicant: ERIC FLO

Name of Representative: ERIC FLO

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: Martha G. Kent

Print Name: Martha G. Kent

Subscribed and sworn before me

This 10th day of February, 2011

Marza Farje

Notary Public in and for said County and State

MARIZA FARJE
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 8-13-2014
Certificate No: 10-2806-1

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PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## APPLICATION / PETITION FORM

**Application/Petition For:** VARIANCE

**Project Address (Location)** 4208 CARNATION LANE

**Project Name** _____ **Proposed Use** STORAGE

**Assessor's Parcel #(s)** 138-02-410-024 **Ward #** 6

**General Plan:** existing _____ proposed _____ **Zoning:** existing RM-H proposed _____

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

**Gross Acres** 0.16 **Lots/Units** _____ **Density** _____

**Additional Information** _____

LIVING TRUST

**PROPERTY OWNER** MARTHA G. KENT **Contact** ERIC FLO

**Address** 4208 CARNATION LANE **Phone:** 639-6632 **Fax:** _____

**City** LAS VEGAS, NV **State** NV **Zip** 89108

**E-mail Address** _____

**APPLICANT** ERIC FLO **Contact** ERIC FLO

**Address** 4208 CARNATION LANE **Phone:** 639-6632 **Fax:** _____

**City** LAS VEGAS **State** NV **Zip** 89108

**E-mail Address** _____

**REPRESENTATIVE** ERIC FLO **Contact** ERIC FLO

**Address** 4208 CARNATION LANE **Phone:** 639-6632 **Fax:** _____

**City** LAS VEGAS, **State** NV **Zip** 89108

**E-mail Address** _____

**Property Owner Signature*** Martha G Kent

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

**Print Name** Martha G. Kent

Subscribed and sworn before me

This 10th day of February, 20 11.

Notary Public in and for said County and State

MARIZA FARJE
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 8-13-2014
Certificate No: 10-2806-1

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | VAR-41486 |
| Meeting Date: | 6/14 PC |
| Total Fee: | $830 |
| Date Received:* | 4/19/11 |
| 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.

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APR 19 2011

Revised 10/27/08

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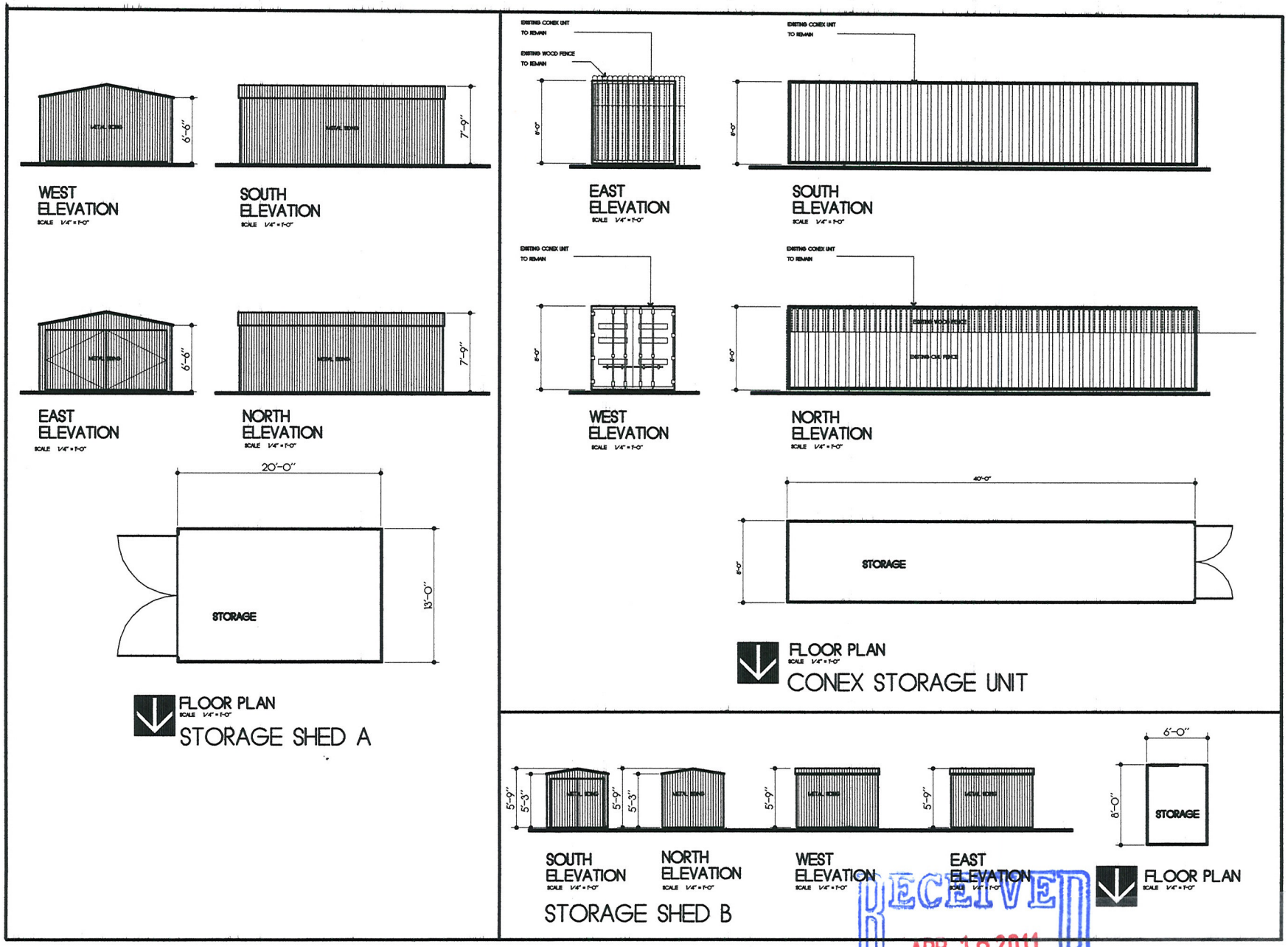


P.K. THISTLE A.I.A.
ARCHITECTURE PLANNING
124 SUNSET WAY SUITE 314
HENDERSON, NEVADA 89014
PHONE (702) 458-9814 FAX 458-7201

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DO NOT SCALE DRAWINGS

EXISTING:
ERIC FLO RESIDENCE
4205 CARNATION LANE, LAS VEGAS, NEVADA

JOB NO.
DATE: 2/9/11
SCALE:
CHECKED BY: PKT

A.2

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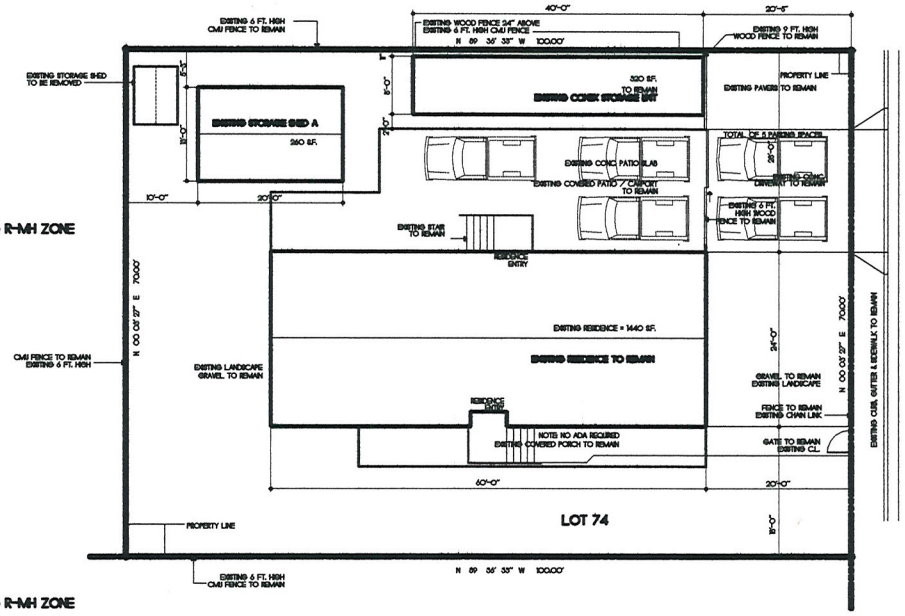
APR 19 2011

VAR-41486




EXISTING R-MH ZONE

EXISTING R-MH ZONE




EXISTING R-MH ZONE

EXISTING R-MH ZONE

## SITE PLAN

SCALE 1/8" = 1'-0"

COVERAGE ANALYSIS

EXISTING RESIDENCE = 1440 S.F.

ACCESSORY STRUCTURES = 320 S.F.
240 S.F.
46 S.F.

TOTAL ACCESSORY STRUCTURES = 606 S.F.
606 S.F. < 720 S.F. (50% OF MAIN RESIDENCE) OK

LOT AREA = 7,000 S.F.

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VAR-41486

P.K. THISTLE AIA
ARCHITECTURE PLANNING
104 SUNSET WAY SUITE 24
HENDERSON, NEVADA 89014
PHONE (702) 435-1814 FAX 435-7201

THESE DRAWINGS ARE INSTRUMENTS OF SERVICE AND ARE THE PROPERTY OF P.K. THISTLE A.I.A. ARCHITECT. P.K. THISTLE A.I.A. RETAINS ALL COMMON LAW COPY RIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. NO. THESE DRAWINGS ARE NOT TO BE CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY, WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND CONSENT OF P.K. THISTLE
DO NOT SCALE DRAWINGS

EXISTING:
ERIC FLO RESIDENCE
4206 CARNATION LANE, LAS VEGAS, NEVADA

JOB NO.
DATE: 2/21/11
SCALE: A.1
CHECKED BY: PKT





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APR 19 2011

VAR-41486




**VAR-4186 - APPLICANT: ERIC FLO - OWNER: MARTHA G. KENT LIVING TRUST**
**4208 CARNATION LANE**

05/05/11



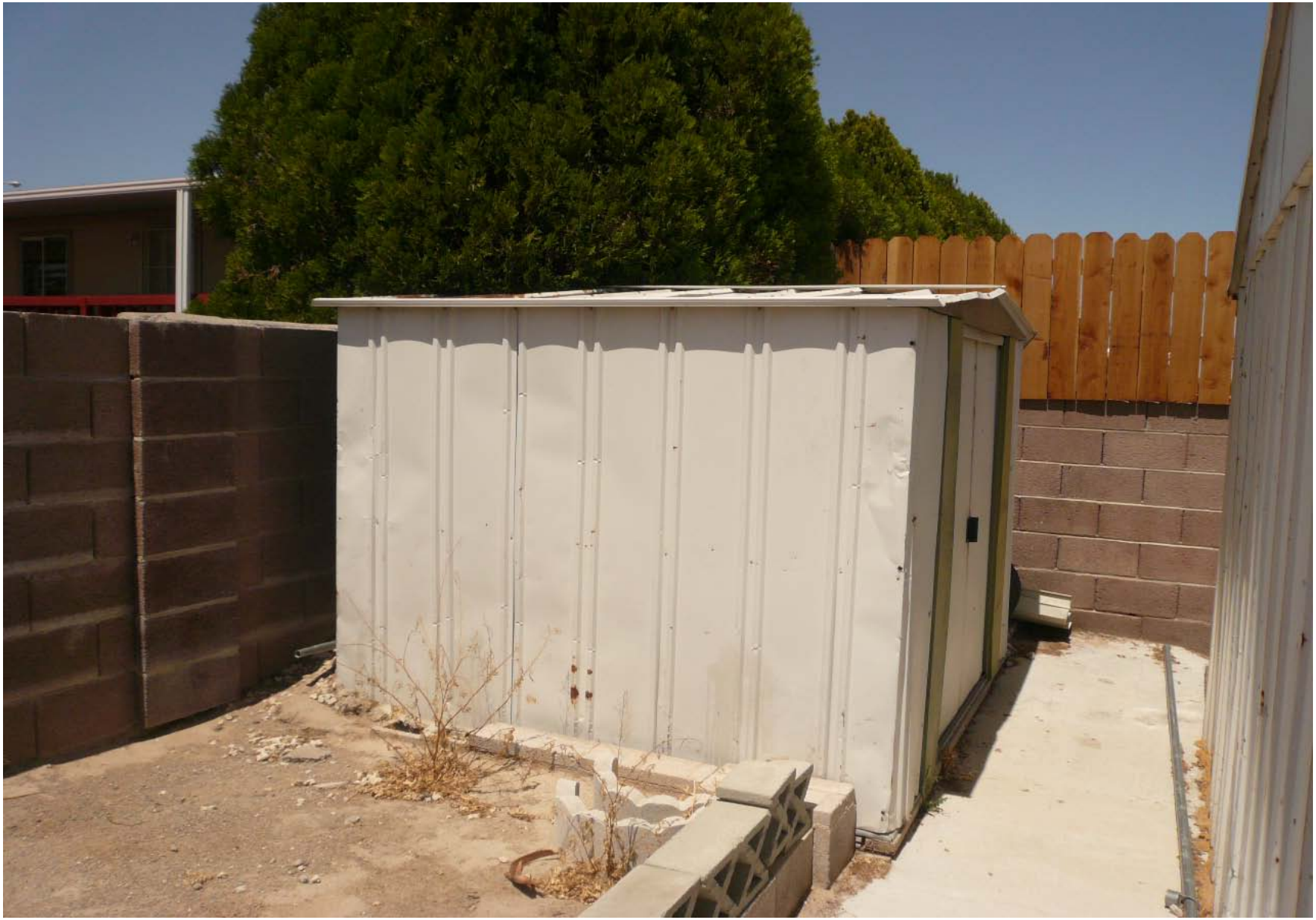
**VAR-4186 - APPLICANT: ERIC FLO - OWNER: MARTHA G. KENT LIVING TRUST**
**4208 CARNATION LANE**

05/05/11




**VAR-4186 - APPLICANT: ERIC FLO - OWNER: MARTHA G. KENT LIVING TRUST**
**4208 CARNATION LANE**

05/05/11



VAR-4186 - APPLICANT: ERIC FLO - OWNER: MARTHA G. KENT LIVING TRUST
4208 CARNATION LANE

05/05/11



**VAR-4186 - APPLICANT: ERIC FLO - OWNER: MARTHA G. KENT LIVING TRUST**
**4208 CARNATION LANE**

05/05/11

**P. K. THISTLE**
ARCHITECT
7383 ATACAMA AVENUE
LAS VEGAS, NEVADA
PHONE (702) 435-1814
E-MAIL pkthistlearchitect@cox.net

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February 28, 2011

# JUSTIFICATION LETTER

Project: STORAGE SHED VARIANCE

Location: 4208 Carnation Lane
Las Vegas, Nv.

Applicant: Mr. Eric Flo

Description:

This application is submitted to allow 2 existing storage units to remain on the existing property located at 4208 Carnation Lane, in a R-MH zone. This application specifically addresses one of the said storage units that being the Conex Unit. The existing Storage unit A meets the 3 ft. setback requirements and should not require any variance. I would like to point out that the small Storage Shed currently located in the northwest corner of the property (and is only 5'-9" high) will be removed by the owner.

Due to the increased crime in the immediate neighborhood (next door) the applicant (who was a victim of said crime) was forced to protect his property by installing the Conex storage unit. Verification of said crimes is available from Metropolitan Police records.

In accordance with City of Las Vegas Municipal Code Section 1908.040 (B) (1), accessory structures are permitable under the following conditions:

- The accessory structure must be accessory to the main use (residence).

  The storage units are used to secure the work tools of the occupants of the residence and therefore are accessory to the main use.

- The accessory structure must be less than 35 ft. in height.

  The storage units do not exceed 9 ft. in height and therefore meet the requirement.

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- The sum of the floor areas of the accessory structures may not exceed 50% of the floor area of the principle structure.

  The total area of all 3 storage units equal 628 s.f. which is less than 50% of the floor area of the principle structure which is 720 s.f.

- Accessory structures may only be constructed in the side and rear yards, not in front yards.

  All three of the existing storage units are located in either the side or rear yards and not in the front yard area.

This property owner has attempted to both protect his property and maintain the aesthetics of the neighborhood by screening the storage unit from view from the street and adjacent property with a solid wood fence. The existing wood fence is currently 9 ft. high which screens the Conex unit from the street. The applicant would be willing to reduce the height of said fence to 8 ft. This would leave the upper 8" of the Conex unit exposed to view from the street.The applicant would also,be willing to paint the Conex unit to match the color of the existing residence even though it can only be seen from his own property. In addition to this, if required, the applicant would also be willing to move the existing Conex unit an additional 2 ft. away from the north property line.

The practice of having accessory structures directly adjacent to property lines is more the rule rather than the exception to the rule in this particular neighborhood. At this parcel alone there exists a habitable structure located directly adjacent to his south property line and a storage structure located directly adjacent to his west property line. This owner also gave permission to the parcel to his immediate north to encroach into the rear setback with the main residence.

~~We hereby respectfully request a variance to allow the existing Conex storage unit to remain in its present location (or move 2 ft. to the south). We would also ask that a varience be granted for the existing 9 ft. high screen fence. Again, if this is not possible, the applicant would be wiling to reduce the screen fence to 8 ft. high.~~

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VAR-41486

City of Las Vegas Agenda Item No.: **38.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

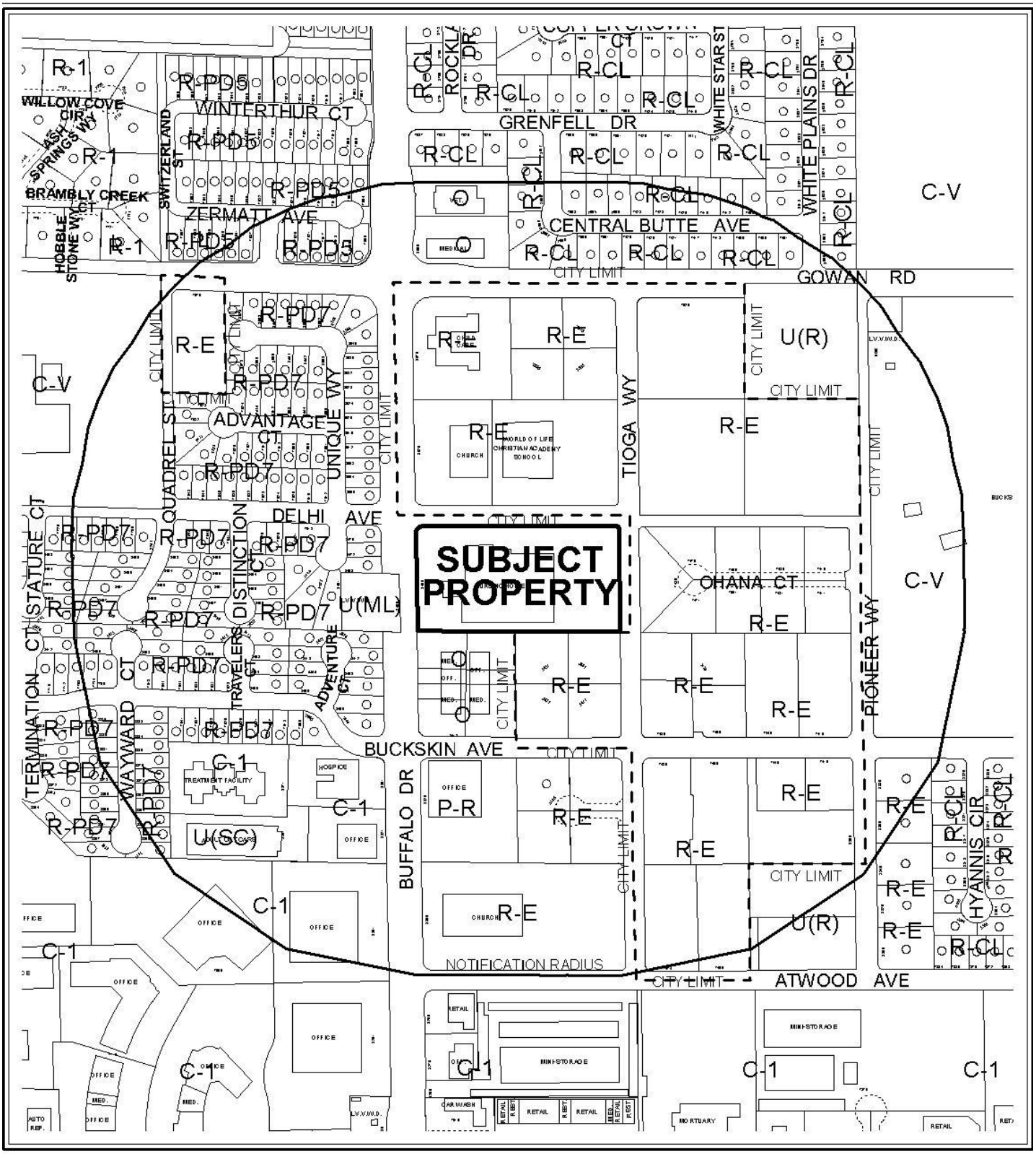
**SUBJECT:**
VAR-41558 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: HCP CC SNF, LLC - Request for a Variance TO ALLOW A SETBACK OF 30 FEET WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM SETBACK OF 66 FEET on 3.99 acres at 3450 North Buffalo Drive (APN 138-10-301-018), R-3 (Medium Density Residential) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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-41558, SUP-41559 and SDR-41557
2. Conditions and Staff Report -VAR-41558, SUP-41559 and SDR-41557
3. Supporting Documentation
4. Photos - VAR-41558, SUP-41559 and SDR-41557
5. Justification Letter - VAR-41558, SUP-41559 and SDR-41557




**CASE:** **VAR-41558; SUP-41559; SDR-41557**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** R-3 (MEDIUM DENSITY RESIDENTIAL)




**CASE:** **VAR-41558; SUP-41559; SDR-41557**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** R-3 (MEDIUM DENSITY RESIDENTIAL)

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: HCP CC SNF, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-41558** | Staff recommends DENIAL, if approved subject to conditions: | |
| **SUP-41559** | Staff recommends DENIAL, if approved subject to conditions: | VAR-41558 |
| **SDR-41557** | Staff recommends DENIAL, if approved subject to conditions: | VAR-41558<br>SUP-41559 |

## ** CONDITIONS **

# VAR-41558 CONDITIONS

***Planning***

1. Conformance to the approved conditions for Rezoning (ZON-20470), Special Use Permit (SUP-41559) and Site Development Plan Review (SDR-41557).

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. 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.

# SUP-41559 CONDITIONS

***Planning***

1. Conformance to the conditions for Site Development Plan Review (SDR-41557) if approved.

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

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

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

# SDR-41557 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-41558) shall be required.

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

3. All development shall be in conformance with the site plan and landscape plan date stamped 05/05/11 and the floor and building exterior elevations date stamped 04/20/11, except as amended by conditions herein.

4. A Waiver from 19.12 is hereby approved, to allow an eight-foot buffer where 15 feet is required along the north property line and a 7.5-foot buffer where 15 feet is required along the east property line.

5. An Exception from 19.10 is hereby approved, to allow zero parking lot shade trees where eight shade trees are required.

6. 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.

7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

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.

11. 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.

12. 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.

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

***Public Works***

14. Construct all incomplete half-street improvements on Delhi Avenue and Tioga Way adjacent to this site concurrent with development of this site. 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.

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

16. The proposed new driveway accessing this site from Tioga Way is hereby approved as a deviation from standards. Any further deviations, if any, to width, ingress/egress radii, or throat depth will require separate approval from the City Engineer.

17. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

18. 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.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This project is a proposed 17,466 square-foot expansion of an existing 39,845 square-foot Convalescent Care Facility/Nursing Home that will result in the addition of 36 beds for a total of 154 total beds. The project is located on a 3.99-acre site at 3450 North Buffalo Drive, south of Delhi Avenue within the Centennial Hills Sector Plan area. This same project was previously approved by City Council on July 11, 2007, but expired before being exercised in 2009. The project will result in an intensification of the current use which is considered inappropriate with the surrounding low density residential uses. Staff recommends denial. If denied, the expansion could not take place.

## ISSUES

- A Variance is required for reduction of the Residential Adjacency Requirements.
- A Waiver of the perimeter landscape buffer standards is required to allow an eight-foot buffer where 15 feet is required along the north property line and a 7.5-foot buffer where 15 feet is required along the east property line.
- An Exception to allow zero parking lot shade trees where eight shade trees are required is requested.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 09/26/96 | The City Council approved Annexation [A-0010-96(A)] for an approximately 2.5-acre area of land at the southeast corner of Buffalo Drive and Delhi Avenue. The Planning Commission and staff recommended approval. |
| 12/19/96 | The project site was incorporated into the city as part of an Annexation (A-0022-96) and was approved by the Planning Commission for an approximately 2.5 acre area of land. |
| 03/25/97 | The Board of Zoning Adjustment approved an Extension of Time (UC-0091-95) for an approved Special Use Permit allowing a convalescent care facility at the east side of Buffalo Drive bounded by Ruby Valley and Tioga Way. Staff recommended approval. |

| | |
|---|---|
| 07/11/07 | The City Council approved Rezoning (ZON-20470), Variance (VAR-21139), Special Use Permit (SUP-20471) and a Site Development Plan Review (SDR-20468) for a 17,466 square-foot, 36-bed expansion of an existing Convalescent Care Facility/Nursing Home at 3450 North Buffalo Drive. The Planning Commission recommended approval and staff recommended denial. |
| 07/11/09 | The Variance (VAR-21139), Special Use Permit (SUP-20471) and Site Development Plan Review (SDR-20468) for a 17,466 square-foot, 36-bed expansion of an existing Convalescent Care Facility/Nursing Home at 3450 North Buffalo Drive expired without being exercised. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 10/16/98 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 7/17/01 | A Business License (B05-02813-6-09383) was issued for a Cosmetology Establishment at 3450 N. Buffalo Drive. The license in currently active. |
| 11/13/98 | A Business License (N04-00009-2-081886) was issued for a Nursing Home at 3450 N. Buffalo Drive. The license in currently active. |
| 03/17/11 | A Building Permit (183679) was issued for a Building Expansion at 3450 North Buffalo Drive. The permit has not been finalized. |
| 03/17/11 | A Building Permit (183681) was issued for a Building Expansion at 3450 North Buffalo Drive. The permit has not been finalized. |
| 03/17/11 | A Building Permit (183682) was issued for a Trash Enclosure at 3450 North Buffalo Drive. The permit has not been finalized. |
| 03/17/11 | A Building Permit (183683) was issued for a Generator Pad at 3450 North Buffalo Drive. The permit has not been finalized. |
| 03/17/11 | A Building Permit (183684) was issued for Electrical Work at 3450 North Buffalo Drive. The permit has not been finalized. |
| 03/17/11 | A Building Permit (186041) was issued for a Central Station Monitoring System at 3450 North Buffalo Drive. The permit has not been finalized. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/19/11 | Staff reviewed the application requirements for a Special Use Permit, Site Development Plan Review and Variance for an addition to an existing Nursing Home. A Waiver of the perimeter landscape buffer requirements is required. |

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

| ***Field Check*** | |
|---|---|
| 05/05/11 | Staff visited the site and found an undeveloped lot with a six-foot tall chain-link fence adjacent to an existing nursing home. The existing nursing home appeared to have ample parking and no visible issues were noted with the facility. The property is adjacent to large rural home sites on the south and east and a private school on the north. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 3.99 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Convalescent Care Facility/Nursing Home | M (Medium Density Residential) | R-3 (Medium Density Residential) |
| North | Private School | Rural Density Residential | Clark County/ R-E (Rural Estates) |
| South | Single Family Residential | Rural Density Residential | Clark County/ R-E (Rural Estates) |
| | Office | Office | Office |
| East | Single-family Residential | Rural Density Residential | Clark County/ Single-family Residential |
| West | Public Utility | ML (Medium/Low Density Residential) | U (Undeveloped) |
| | Single-family Residential | | R-PD7 (Residential Planned Development 7-Units Per Acre) |

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

**DEVELOPMENT STANDARDS**

***The following residential development standards apply per Title 19.08:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Lot Size | 6,500 SF | 94,733 SF | Y |
| Min. Lot Width | NA | NA | N/A |
| Min. Setbacks<br>• Front<br>• Side<br>• Corner<br>• Rear | <br>20 feet<br>5 feet<br>5 feet<br>20 feet | <br>120 feet<br>30 feet<br>81 feet<br>64 feet | Y |
| Max. Building Height | 2 stories or 35 feet, lesser of the two | 22 feet tall with 30 foot setback | N |
| Trash Enclosure | Yes | Yes | Y |
| Mech. Equipment | Screened | Yes | Y |

***Pursuant to Title 19.08.060, the following Residential Adjacency Standards apply:***

| *Residential Adjacency Standards* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| 3:1 proximity slope | 66 feet | 30 feet | N |
| Adjacent development matching setback | 35 feet | 30 feet | N |
| Trash Enclosure | 50 feet | 60 feet | Y |

***Pursuant to Title 19.12, the following standards apply:***

| ***Landscaping and Open Space Standards*** | | | | |
|---|---|---|---|---|
| ***Standards*** **Buffer Trees** | ***Required*** | | ***Provided*** | ***Compliance*** |
| | ***Ratio*** | ***Trees*** | | |
| • North<br>• South<br>• East | 1 Tree / 20 Linear Feet<br>1 Tree / 20 Linear Feet<br>1 Tree / 20 Linear Feet | 10 Trees<br>10 Trees<br>15 Trees | 10 Trees<br>10 Trees<br>15 Trees | Y<br>Y<br>Y |
| **TOTAL PERIMETER TREES FOR ADDITION** | | **35 Trees** | **35 Trees** | **Y** |
| Parking Area Trees | 1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces | 8 Trees | 0 Trees | N |
| **LANDSCAPE BUFFER WIDTHS** | | | | |
| Min. Zone Width<br>• North<br>• South<br>• East | <br>15 Feet<br>15 Feet<br>15 Feet | | <br>8 Feet<br>35 Feet<br>7.5 Feet | <br>N<br>Y<br>N |

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Buffalo Drive | Primary Arterial | Master Plan of Streets and Highways | 100 | Y |
| Delhi Avenue | N/A | N/A | 60 | N/A |
| Tioga Way | N/A | N/A | 55 | 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 | |
| Convalescent Care Facility/Nursing Home | 154 Beds | 1/ 6 Beds, plus 3 for medical professionals and 1 per employee for largest shift. | 86 | | | | |
| **TOTAL SPACES REQUIRED** | | | 86 | | 146 | | Y |
| **Regular and Handicap Spaces Required** | | | 82 | 4 | 139 | 7 | Y |

YK

| ***Waiver*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| A 15-Foot Perimeter Landscape Buffer is required on the north, east and south. | To allow an 8-foot Perimeter Landscape Buffer along the north and a 7.5-foot buffer along the east. | Denial |

| ***Exception*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| To provide 1 tree for every 6 uncovered spaces, plus 1 tree at the end of each row of spaces for a total of 8 trees. | To provide no trees in the required parking lot. | Denial |

**ANALYSIS**

The existing Convalescent Care Facility/Nursing Home is not a compatible use for the area. Large, rural residential homes are located directly to the south and east of the project. A private school is located on the north. The proposed expansion would increase the intensity of this use at this location. The applicant is also requesting Waivers of the 15-foot perimeter landscape buffer on the north and east sides of the project. An Exception has also been requested to provide no shade trees in the parking lot where eight shade trees are required. The justification for this is that the project has eight trees in the courtyard area and the required shade trees within the landscape buffers will provide adequate shading for the parking lot.

Single family residential units within Clark County jurisdiction are situated along the southern boundary of the site. The building height is subject to the 3:1 proximity slope regulation, which at the proposed project height of 21 feet, requires a 63-foot setback from the property line bordering the residential use to the south. The project will not meet the minimum setback requirements or proximity slope limitations imposed by Title 19.08 Residential Adjacency Standards. A companion Variance (VAR-41558) shall be considered along with this request.

The increased intensity of this use is not compatible with the area. The proposal overbuilds the site as evidenced by the need for the Variance, Waivers and Exception. For these reasons, staff is recommending denial of all three applications.

## FINDINGS (VAR-41558)

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 19.18.070L states:
"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by designing an expansion project that will not conform to Title 19.08 Residential Adjacency Standards. An alternative design reducing the project height and/or combined with a reduction in square footage will allow for conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

## FINDINGS (SUP-41559)

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 project will not be compatible with the existing rural residential character of the area.

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

   The project area is not capable of accommodating the proposed development without the Variance being approved.

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 project site is adequate along Buffalo Drive, Delhi Avenue, and Tioga Way and road capacity is available to accommodate the use.

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

   The proposal will not be detrimental to human health and public safety.

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

   The use will satisfy all the Special Use requirements of Title 19.04.

**FINDINGS (SDR-41557)**

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 expansion of the convalescence facility is not appropriate for this location, as the project will change the character of the surrounding rural density residential uses to the south and east.

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

   As the character of existing neighboring development is of a more restrictive land use designation, staff considers the expansion project to be incompatible with the adjacent rural residential district uses and therefore inconsistent with the goals and intent of the General Plan.

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

   Access and circulation for the project site is adequate and available off Buffalo Drive, Delhi Avenue, and Tioga Way.

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

   Building materials will complement surrounding uses and landscape materials are acceptable 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 architecture will contain aesthetically pleasing elements; however, the project height and bulk and scale are considered incompatible with the protected residential uses.

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

   The proposal will not be detrimental to human health and public safety.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 13

**NOTICES MAILED** 251

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41558** APN: 138-10-301-018

Name of Property Owner: HCP CC SNF, LLC

Name of Applicant: HCP CC SNF, LLC

Name of Representative: JMA Architects

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Susan M. Tate

Print Name: Susan Tate

Subscribed and sworn before me

This 25th day of APRIL, 2011

Kelly J Howze

Notary Public in and for said County and State

KELLY J. HOWZE
Commission # 1902921
Notary Public - California
Los Angeles County
My Comm. Expires Sep 4, 2014

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# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Variance

**Project Address (Location)** 3450 North Buffalo Drive

**Project Name** Silver Hills Health Care Center **Proposed Use** convalescent care

**Assessor's Parcel #(s)** 138-10-301-018 **Ward #** 4

**General Plan:** existing M proposed M **Zoning:** existing R-3 proposed R-3

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

**Gross Acres** 3.99 **Lots/Units** - **Density** -

**Additional Information**

**PROPERTY OWNER** HCP CC SNF, LLC **Contact** Scott Grossman

**Address** 3760 Kilroy Airport Way, Suite 300 **Phone:** (562) 753-8167 **Fax:** (562) 753-8217

**City** Long Beach **State** CA **Zip** 90806

**E-mail Address** sgrossman@hcpi.com

**APPLICANT** HCP CC SNF, LLC **Contact** Scott Grossman

**Address** 3760 Kilroy Airport Way, Suite 300 **Phone:** (562) 753-8167 **Fax:** (562) 753-8217

**City** Long Beach **State** CA **Zip** 90806

**E-mail Address** sgrossman@hcpi.com

**REPRESENTATIVE** JMA Architects **Contact** Cherie L. Guzman

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

**City** Las Vegas **State** Nevada **Zip** 89144

**E-mail Address** cguzman@jmaarch.com

**Property Owner Signature*** Susan M. Tate

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

**Print Name** Susan Tate

Subscribed and sworn before me

This 25th day of April, 20 11.

Kelly J Howze

Notary Public in and for said County and State

KELLY J. HOWZE
Commission # 1902921
Notary Public - California
Los Angeles County
My Comm. Expires Sep 4, 2014

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| **Case #** | VAR-41558 |
| **Meeting Date:** | 6/14/11 PC |
| **Total Fee:** | $830 |
| **Date Received:*** | 4-26-11 |
| **Received By:** | |

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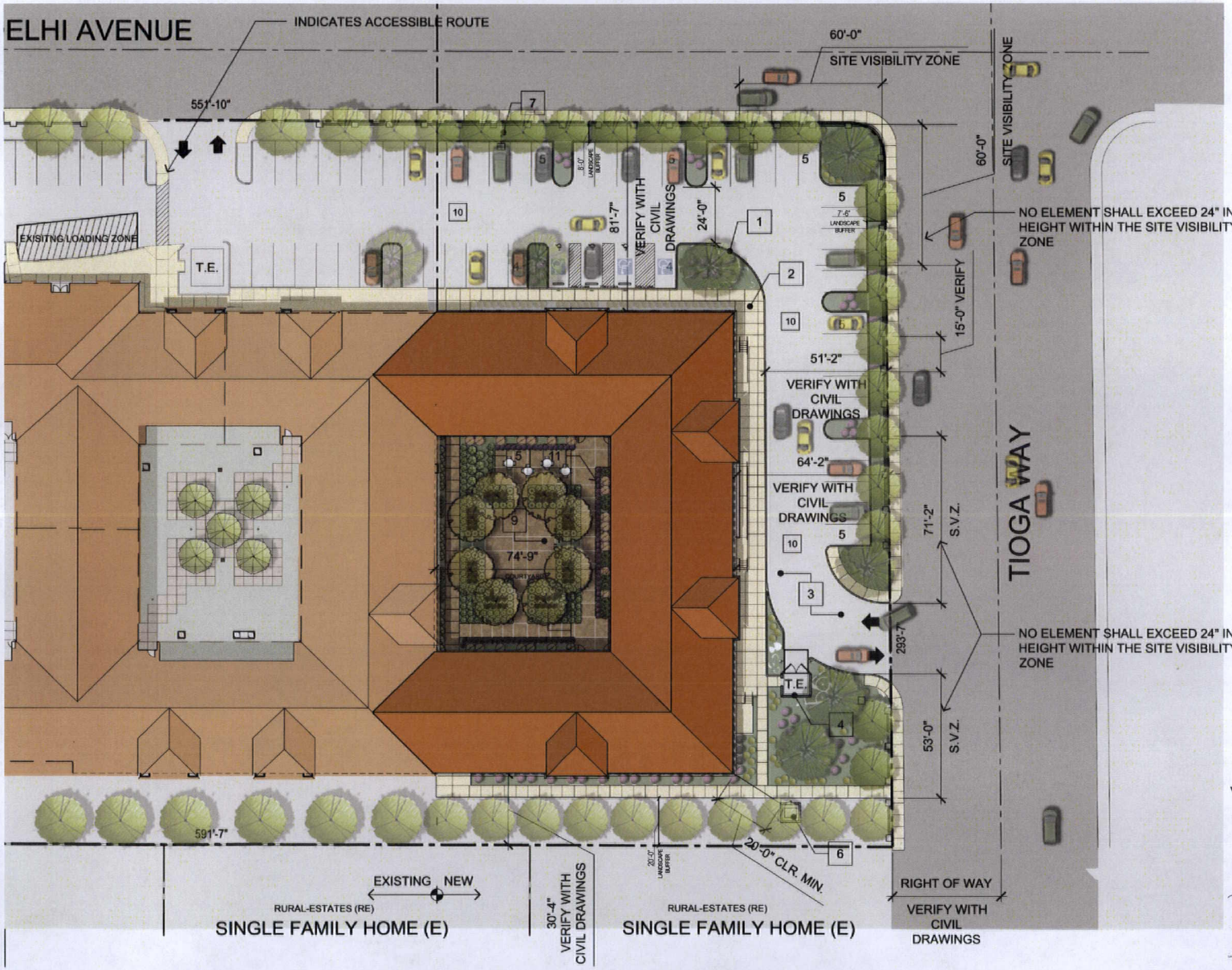
*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.




## SITE ANALYSIS

| | |
|---|---|
| Zoning: | R-3 |
| General Plan: | M |
| **Proposed Project** | |
| APN (a portion of): | 138-10-301-018 |
| Proposed Portion Area: | .91 acres / 39,640 sf |
| Building Area: | 17,466 sf (36 beds) |
| Land Bldg. Ratio: | 2.26/1000 |
| Coverage: | 44% |
| **Existing Project** | |
| APN (a portion of): | 138-10-301-018 |
| Existing Portion Area: | 3.08 acres / 134,165 sf |
| Building Area: | 39,845 sf (118 beds) |
| Land Bldg. Ratio: | 3.36/1000 |
| Coverage: | 29% |
| **Total Project** | |
| APN: | 138-10-301-018 |
| Total Area: | 3.99 acres / 173,805 sf |
| Building Area: | 57,105 sf (154 beds) |
| Land Bldg. Ratio: | 3.04/1000 |
| Coverage: | 32% |

## PARKING ANALYSIS

Per CLV Parking Requirements:

| | |
|---|---|
| **Proposed Project** | |
| 1 space / 6 beds (36 beds) | 6 spaces |
| 1 space / every employee | 6 spaces |
| 3 spaces visiting doctors | 3 spaces |
| Total Proposed Required: | 15 spaces |
| Total Proposed Provided: | 38 spaces |
| **Existing Project** | |
| 1 space / 6 beds (118 beds) | 20 spaces |
| 1 space / every employee | 48 spaces |
| 3 spaces visiting doctors | 3 spaces |
| Total Existing Required: | 71 spaces |
| Total Existing Provided: | 108 spaces |
| **Total Project** | |
| 1 space / 6 beds (154 beds) | 26 spaces |
| 1 space / every employee | 54 spaces |
| 3 spaces visiting doctors | 6 spaces |
| Total Required: | 86 spaces |
| Total Provided: (includes 7 HC spaces & 2 HC Van spaces) | 146 spaces |

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## SITE NOTES:

1. 6" CONCRETE CURB. REFER TO CIVIL DRAWINGS.
2. CONCRETE SIDEWALK. REFER TO CIVIL DRAWINGS.
3. A/C PAVING. REFER TO CIVIL DRAWINGS.
4. NEW TRASH ENCLOSURE. SEE DETAILS ON SHEET A1.03
5. AREA DRAINS-TYPICAL OF FOUR (4). REFER TO CIVIL DRAWINGS.
6. NEW 100K GENERATOR AND CONCRETE PAD-REFER TO ELECTRICAL DRAWINGS FOR CONNECTIONS. REFER TO CIVIL DRAWINGS FOR EXACT PAD LOCATION. FENCE SCREENING ELEMENT TO BE PROVIDED AROUND THE PERIMETER OF THE GENERATOR PAD.
7. NEW SITE LIGTING - VERIFY LOCATIONS WITH ELECTRICAL PLANS
8. NEW CONFIGURATION OF ACCESSIBLE PARKING-RESTRIPED TO MEET C.L.V. STANDARDS-SEE SHEET A1.01 FOR EXISTING CONDITION. REFER TO CIVIL DRAWINGS FOR NEW ZERO CURB LOCATIONS
9. REFER TO LANDSCAPE DRAWINGS FOR LAYOUT AT COURTYARD-COORDINATE DRAIN LOCATIONS AND DRAINAGE SLOPES WITH CIVIL DWGS.
10. NEW AC PAVING - REFER TO CIVIL DRAWINGS FOR FIRE DEPARTMENT ACCESS. SEE DEMO SITE PLAN FOR LIMITS OF CONSTRUCTION
11. NEW MECHANICAL UNIT - REFER TO MECHANICAL DRAWINGS
12. NEW CMU PERIMETER FENCE TO MATCH EXISTING-SEE DETAIL 18 & 17 A1.02

VICINITY MAP




jma
**Design**
10150 Covington Cross Drive
Las Vegas, NV 89144
702.731.2033

**SILVER HILLS HEALTHCARE**
**3450 N. BUFFALO DRIVE**
PROJECT # 2006219 / #2011102
**LAS VEGAS NV.89129**

**SITE PLAN**

# VAR-41558 SUP-41559
# SDR-41557 REVISED

NORTH
SCALE: 1"=20'-0"




## TREE LEGEND

| SYMBOL | BOTANICAL-COMMON NAME | SIZE | QUANTITY |
|---|---|---|---|
| | ACACIA STENOPHYLLA - STD.<br>SHOESTRING ACACIA | 24" BOX | 26 |
| | CHITALPA TASHKENTENSIS - STD.<br>CHITALPA | 24" BOX | 6 |
| | PROSOPIS CHILENSIS 'THORNLESS' - MULTI.<br>THORNLESS CHILEAN MESQUITE | 24" BOX | 7 |

## SUGGESTED SHRUB LEGEND

| SYMBOL | BOTANICAL-COMMON NAME | SIZE |
|---|---|---|
| | CASSIA NEMOPHYLLA<br>CASSIA | 5 GAL. |
| | DALEA CAPITATA 'SIERRA GOLD'<br>SIERRA GOLD DALEA | 5 GAL. |
| | DIETES BICOLOR<br>FORTNIGHT LILY | 5 GAL. |
| | EUONYMUS JAPONICA<br>EVERGREEN EUONYMUS | 5 GAL. |
| | HESPERALOE PARVIFLORA 'RED'<br>RED HESPERALOE | 5 GAL. |
| | LEUCOPHYLLUM FRUTESCENS<br>TEXAS RANGER | 5 GAL. |
| | LIRIOPE MUSCARI<br>LILY TURF | 5 GAL. |
| | NERIUM OEANDER 'PETITE PINK'<br>DWARF PINK OLEANDER | 5 GAL. |
| | ROSMARINUS OFFICINALIS 'PROSTRATUS'<br>TRAILING ROSEMARY | 5 GAL. |
| | XYLOSMA CONGESTUM 'COMPACTA'<br>SHINY XYLOSMA | 5 GAL. |

## PLANTING NOTES:

1) DECOMPOSED GRANITE (DG)- INSTALL 2" LAYER OF 3/4" SCREENED 'REBEL RED' DECOMPOSED GRANITE CONTINUOUS IN ALL PLANTERS, UNDER ALL TREES AND SHRUBS. DECOMPOSED GRANITE AVAILABLE THROUGH KALAMAZOO MATERIALS, INC. (702) 596-8522. BEFORE PLACING GRANITE, COMPACT SUB-GRADE TO 85% AND APPLY PRE-EMERGENT HERBICIDE TO SOIL. AFTER PLACING GRANITE, RAKE SMOOTH, WET TO ENTIRE DEPTH, ALLOW TO DRY. KEEP TOP OF GRANITE 1" BELOW ADJACENT WALKS AND CURBS. DO NOT ALLOW GRANITE TO TOUCH THE TRUNK OF ANY PLANT. INSTALL GRANITE AFTER INSTALLATION OF PLANT MATERIAL.

2) ALL LANDSCAPE AND IRRIGATION SHALL COMPLY WITH CITY OF LAS VEGAS TITLE 19A.

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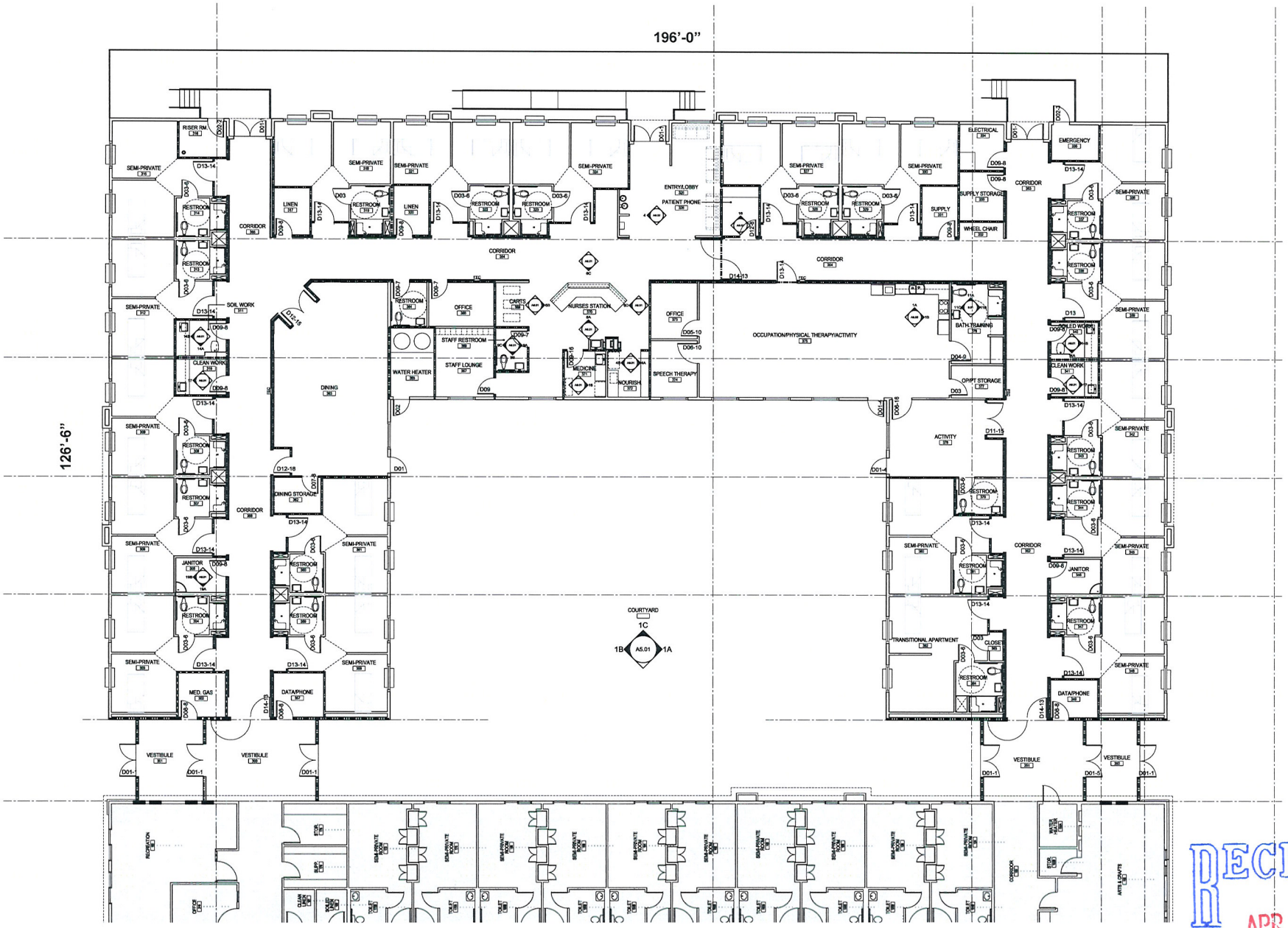
702.731.2033

**SILVER HILLS HEALTHCARE**
**3450 N. BUFFALO DRIVE**
PROJECT # 2006219 / #2011102
**LAS VEGAS NV.89129**

**LANDSCAPE PLAN**

# VAR-41558 SUP-41559
# SDR-41557 REVISED

NORTH
SCALE: 1"=20'-0"

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10150 Covington Cross Drive
Las Vegas, NV 89144
702.731.2033

**SILVER HILLS HEALTHCARE**
**3450 N. BUFFALO DRIVE**
PROJECT # 2006219/ #2011102
**LAS VEGAS NV.89129**

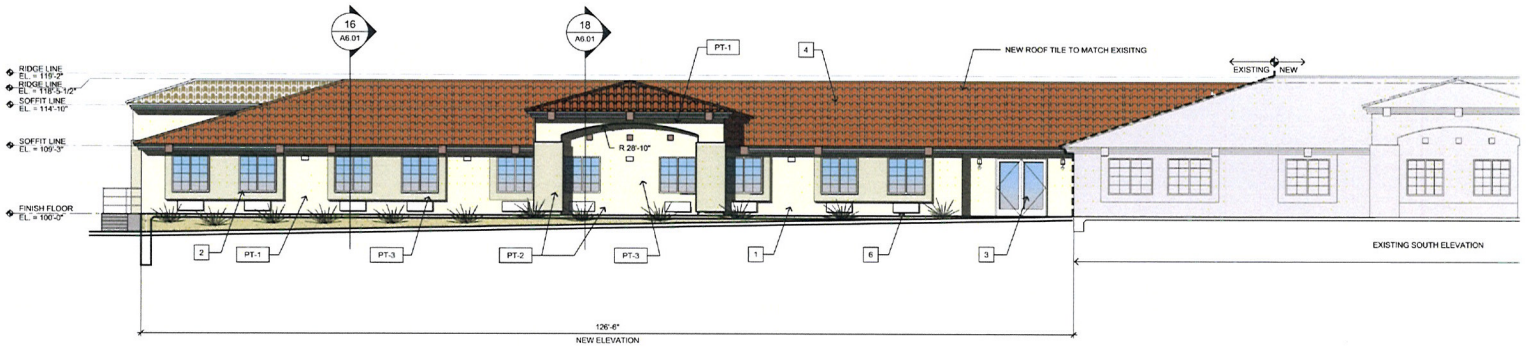
FLOOR PLAN

~~VAR-41558~~

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

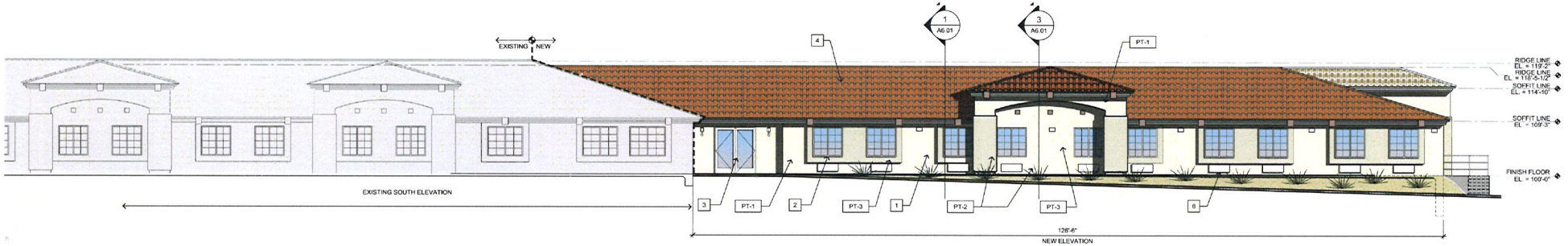
**SUP-41559**

**SDR-41557**




## 6 NORTH ELEVATION

1/8"=1'-0"




*SHADED AREAS INDICATE EXISTING TO REMAIN

## 11 SOUTH ELEVATION

1/8"=1'-0"




*SHADED AREAS INDICATE EXISTING TO REMAIN

## 16 EAST ELEVATION

1/8"=1'-0"

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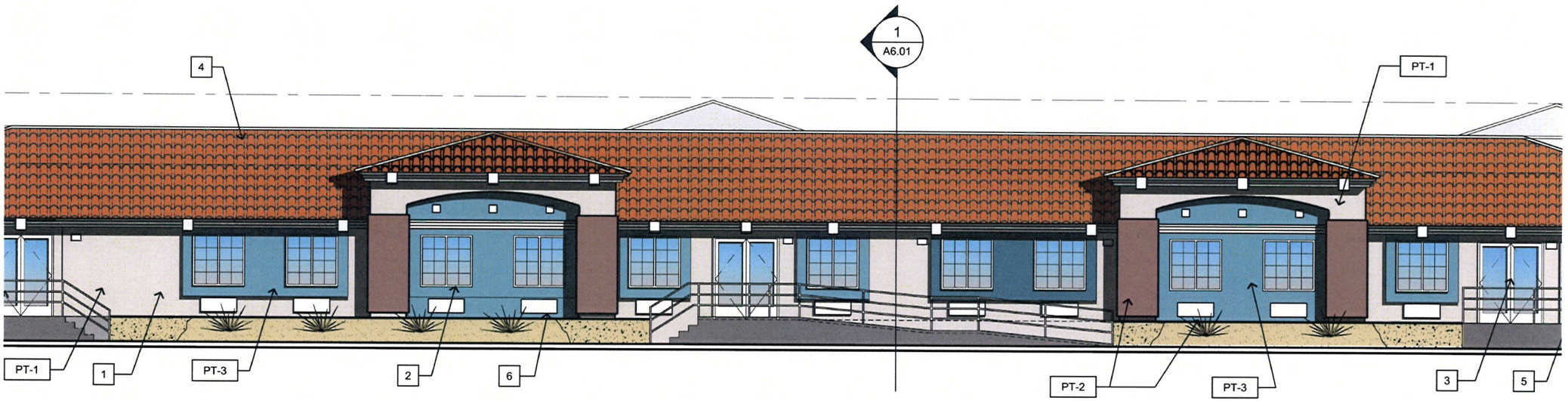
10150 Covington Cross Drive
Las Vegas, NV 89144
702.731.2033

**SILVER HILLS HEALTHCARE**
**3450 N. BUFFALO DRIVE**
PROJECT # 2006219 / #2011102
**LAS VEGAS NV.89129**

**ELEVATIONS**

NORTH
**SCALE: 1/16"=1'-0"**

**VAR-41558**
**SUP-41559**
**SDR-41557**




| FRAZEE PT-1 #8752W STONE-HENGE SHADOW | FRAZEE PT-2 #8375D RUBY RIVE | FRAZEE PT-3 #8465D INDIGO VIOLET |
|---|---|---|

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**VAR-41558**
**SUP-41559**
**SDR-41557**

jma
**Design**
10150 Covington Cross Drive
Las Vegas, NV 89144
702.731.2033

**SILVER HILLS HEALTHCARE**
**3450 N. BUFFALO DRIVE**
PROJECT # 2006219
**LAS VEGAS NV.89129**

**COLOR BOARD**

N.T.S.




VAR-41558, SUP-41559 & SDR-41557 – APPLICANT/OWNER: HCP CC SNF, LLC
3450 NOTH BUFFALO DRIVE BOULEVARD

05/05/11




VAR-41558, SUP-41559 & SDR-41557 – APPLICANT/OWNER: HCP CC SNF, LLC
3450 NOTH BUFFALO DRIVE BOULEVARD

05/05/11



VAR-41558, SUP-41559 & SDR-41557 – APPLICANT/OWNER: HCP CC SNF, LLC
3450 NOTH BUFFALO DRIVE BOULEVARD

05/05/11

jma

elevated architecture

May 5, 2011

City of Las Vegas
*Department of Planning & Development*
333 N. Rancho Drive
Las Vegas, NV 89107

**Re:** **APN # 138-10-301-018**
**Justification Letter**
**JMA Project # 2011102**

Dear Sir or Madam:

Please accept this as the required justification letter for the "Silver Hills Health Care Center Addition".
The property is currently zoned R-3 and general plan amendment is M.
We are respectfully requesting the following applications:

1. Special Use Permit (for use)
2. Site Development Plan Review
   -Waiver for the 15 ft. side landscape buffer along right of way, we provide 8 feet on the north side and 7'-6" on the east side. We also ask for an exception for the required 8 trees in the parking area, we are providing 8 trees in the plaza area.
   -Deviation to standard drawing 222A of throat depth. (The throat depth requirements are excessive for a convalescent care use versus a commercial site and are based on parking calculations. There will be significantly less traffic than a commercial development and traffic will not be backed up at the driveway entries. The project is over parked at 146 parking spaces provided, where 58 parking spaces is the requirement).
3. Variance
   -For "proximity slope"
   -The existing nursing home already is situated adjacent to the one of the two existing residential lots. -- The new addition would have to match the existing condition at the south end of the project for approximately half of the second residential lot.
   -Where a 54' setback is required the existing building is at a 30'setback, a difference of 24'.

A. The proposed project consists of a single story, Type V, 17,466 SF addition which will house thirty-six (36) additional nursing beds which will total 154 beds when combined with the existing facility (118). The construction of the addition will be identical to that of the existing facility.

B. Trash enclosures will be constructed to match buildings, and will be properly screened. Proper on-site drainage and circulation will be accounted for in this design.

C. There is ample parking as illustrated on the site plan in accordance with City of Las Vegas Zoning Code Title 19. See attached exhibit.

D. The building will be designed to be aesthetically sensitive to the surrounding residential areas and to have continuity with the existing facility.

E. The addition will be designed and constructed to adhere to all local zoning codes and building codes as applies.

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MAY 05 2011

Please contact me if you have any questions.
Sincerely,

Cherie L. Guzman, Assoc. AIA

**VAR-41558 SUP-41559**
**SDR-41557 REVISED**

10150 Covington Cross Drive Las Vegas NV 89144 702.731.2033 T 702.731.2039 F www.jmaarch.com

City of Las Vegas Agenda Item No.: **39.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

**SUBJECT:**
SUP-41559 - SPECIAL USE PERMIT RELATED TO VAR-41558 - PUBLIC HEARING - APPLICANT/OWNER: HCP CC SNF, LLC - Request for a Special Use Permit FOR THE EXPANSION OF AN EXISTING CONVALESCENT CARE CENTER at 3450 North Buffalo Drive (APN 138-10-301-018), R-3 (Medium Density Residential) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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: **SUP-41559** APN: 138-10-301-018

Name of Property Owner: HCP CC SNF, LLC

Name of Applicant: HCP CC SNF, LLC

Name of Representative: JMA Architects

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Susan M. Tate

Print Name: Susan Tate

Subscribed and sworn before me

This 25th day of APRIL, 2011

Kelly J Howze

Notary Public in and for said County and State

KELLY J. HOWZE
Commission # 1902921
Notary Public - California
Los Angeles County
My Comm. Expires Sep 4, 2014

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# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Special Use Permit (SUP)

**Project Address (Location)** 3450 North Buffalo Drive

**Project Name** Silver Hills Health Care Center **Proposed Use** convalescent care

**Assessor's Parcel #(s)** 138-10-310-018 **Ward #** 4

**General Plan:** existing M proposed M **Zoning:** existing R-3 proposed R-3

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

**Gross Acres** 3.99 **Lots/Units** - **Density** -

**Additional Information**

**PROPERTY OWNER** HCP CC SNF, LLC **Contact** Scott Grossman

**Address** 3760 Kilroy Airport Way, Suite 300 **Phone:** (562) 753-8167 **Fax:** (562) 753-8217

**City** Long Beach **State** CA **Zip** 90806

**E-mail Address** sgrossman@hcpi.com

**APPLICANT** HCP CC SNF, LLC **Contact** Scott Grossman

**Address** 3760 Kilroy Airport Way, Suite 300 **Phone:** (562) 753-8167 **Fax:** (562) 753-8217

**City** Long Beach **State** CA **Zip** 90806

**E-mail Address** sgrossman@hcpi.com

**REPRESENTATIVE** JMA Architects **Contact** Cherie L. Guzman

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

**City** Las Vegas **State** Nevada **Zip** 89144

**E-mail Address** cguzman@jmaarch.com

**Property Owner Signature*** Susan M. Tate

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

**Print Name** Susan Tate

Subscribed and sworn before me

This 25th day of APRIL, 20 11.

Kelly J Howze

Notary Public in and for said County and State

KELLY J. HOWZE
Commission # 1902921
Notary Public - California
Los Angeles County
My Comm. Expires Sep 4, 2014

Revised 10/27/08

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| **Case #** | SUP-41559 |
| **Meeting Date:** | 6/14/11 PC |
| **Total Fee:** | $1,030 |
| **Date Received:*** | 4-26-11 |
| **Received By:** | |

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*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.

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

City of Las Vegas Agenda Item No.: **40.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

**SUBJECT:**
SDR-41557 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-41558 AND SUP-41559 - PUBLIC HEARING - APPLICANT/OWNER: HCP CC SNF, LLC - Request for a Site Development Plan Review FOR A PROPOSED 17,466 SQUARE- FOOT, 36-BED EXPANSION OF AN EXISTING CONVALESENT CARE CENTER WITH A WAIVER OF THE PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW AN EIGHT-FOOT WIDE BUFFER WHERE 15 FEET IS REQUIRED ALONG THE NORTH PERIMETER AND A 7.5-FOOT WIDE BUFFER WHERE 15 FEET IS REQUIRED ALONG THE EAST PERIMETER on 3.99 acres at 3450 North Buffalo Drive (APN 138-10-301-018), R-3 (Medium Density Residential) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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-41557 APN: 138-10-301-018

Name of Property Owner: HCP CC SNF, LLC

Name of Applicant: HCP CC SNF, LLC

Name of Representative: JMA Architects

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Susan M. Tate

Print Name: Susan Tate

Subscribed and sworn before me

This 25th day of APRIL, 2011

Kelly J Howze

Notary Public in and for said County and State

KELLY J. HOWZE
Commission # 1902921
Notary Public - California
Los Angeles County
My Comm. Expires Sep 4, 2014

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# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Site Development Plan Review (SDR)

**Project Address (Location)** 3450 North Buffalo Drive

**Project Name** Silver Hills Health Care Center **Proposed Use** convalescent care

**Assessor's Parcel #(s)** 138-10-301-018 **Ward #** 4

**General Plan:** existing M proposed M **Zoning:** existing R-3 proposed R-3

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

**Gross Acres** 3.99 **Lots/Units** - **Density** -

**Additional Information**

**PROPERTY OWNER** HCP CC SNF, LLC **Contact** Scott Grossman

**Address** 3760 Kilroy Airport Way, Suite 300 **Phone:** (562) 753-8167 **Fax:** (562) 753-8217

**City** Long Beach **State** CA **Zip** 90806

**E-mail Address** sgrossman@hcpi.com

**APPLICANT** HCP CC SNF, LLC **Contact** Scott Grossman

**Address** 3760 Kilroy Airport Way, Suite 300 **Phone:** (562) 753-8167 **Fax:** (562) 753-8217

**City** Long Beach **State** CA **Zip** 90806

**E-mail Address** sgrossman@hcpi.com

**REPRESENTATIVE** JMA Architects **Contact** Cherie L.Guzman

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

**City** Las Vegas **State** Nevada **Zip** 89144

**E-mail Address** cguzman@jmaarch.com

**Property Owner Signature*** Susan M. Tate

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

**Print Name** Susan Tate

Subscribed and sworn before me

This 25th day of APRIL, 20 11.

Kelly J Howze

Notary Public in and for said County and State

KELLY J. HOWZE
Commission # 1902921
Notary Public - California
Los Angeles County
My Comm. Expires Sep 4, 2014

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| **Case #** | SDR-41557 |
| **Meeting Date:** | 6/14/11 PC |
| **Total Fee:** | $1,030 |
| **Date Received:*** | 4-26-11 |
| **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
APR 26 2011

Revised 10/27/08

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

**SDR 41557**
**HCP CC SNF, LLC**

# 3450 N Buffalo Drive

Proposed 36 bed expansion of an existing convalescent care facility.

**Traffic produced by proposed development:**

| **Proposed Use** | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | ASSISTED LIVING [BEDS] | 36 | 2.66 | 96 |
| AM Peak Hour | | | 0.14 | 5 |
| PM Peak Hour | | | 0.22 | 8 |

*(heaviest 60 minutes)*

| **Existing Use** | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | ASSISTED LIVING [BEDS] | 118 | 2.66 | 314 |
| AM Peak Hour | | | 0.14 | 17 |
| PM Peak Hour | | | 0.22 | 26 |

*(heaviest 60 minutes)*

| **Total** | DESCRIPTION | #UNIT | | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | ASSISTED LIVING [BEDS] | 154 | 2.66 | 410 |
| AM Peak Hour | | | 0.14 | 22 |
| PM Peak Hour | | | 0.22 | 34 |

**Existing traffic on all nearby streets:**

| **Buffalo Drive** | |
|---|---|
| Average Daily Traffic (ADT) | 17,300 |
| PM Peak Hour | 1,384 |

*(heaviest 60 minutes)*

| **Gowan Road** | |
|---|---|
| Average Daily Traffic (ADT) | 4,950 |
| PM Peak Hour | 396 |

*(heaviest 60 minutes)*

**Traffic Capacity of adjacent streets:**

| | Existing Street Capacity |
|---|---|
| Buffalo Drive | 51,800 |
| Gowan Road | 16,300 |

This project will add approximately 96 trips per day on Buffalo Dr., Gowan Rd., Tioga Way and Dehli Ave. Buffalo is currently at about 33 percent of capacity and Gowan is at about 30 percent of capacity. After this expansion, Buffalo is expected to be at about 34 percent of capacity and Gowan to be at about 31 percent of capacity. Counts are not available for Tioga Way or Dehli Ave., but they are believed to be under capacity.

Based on Peak Hour use, this development will add roughly 8 additional cars into the area, which works out to about two every fifteen minutes.

Note that this report assumes all traffic from this development uses all named streets.

City of Las Vegas Agenda Item No.: **41.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

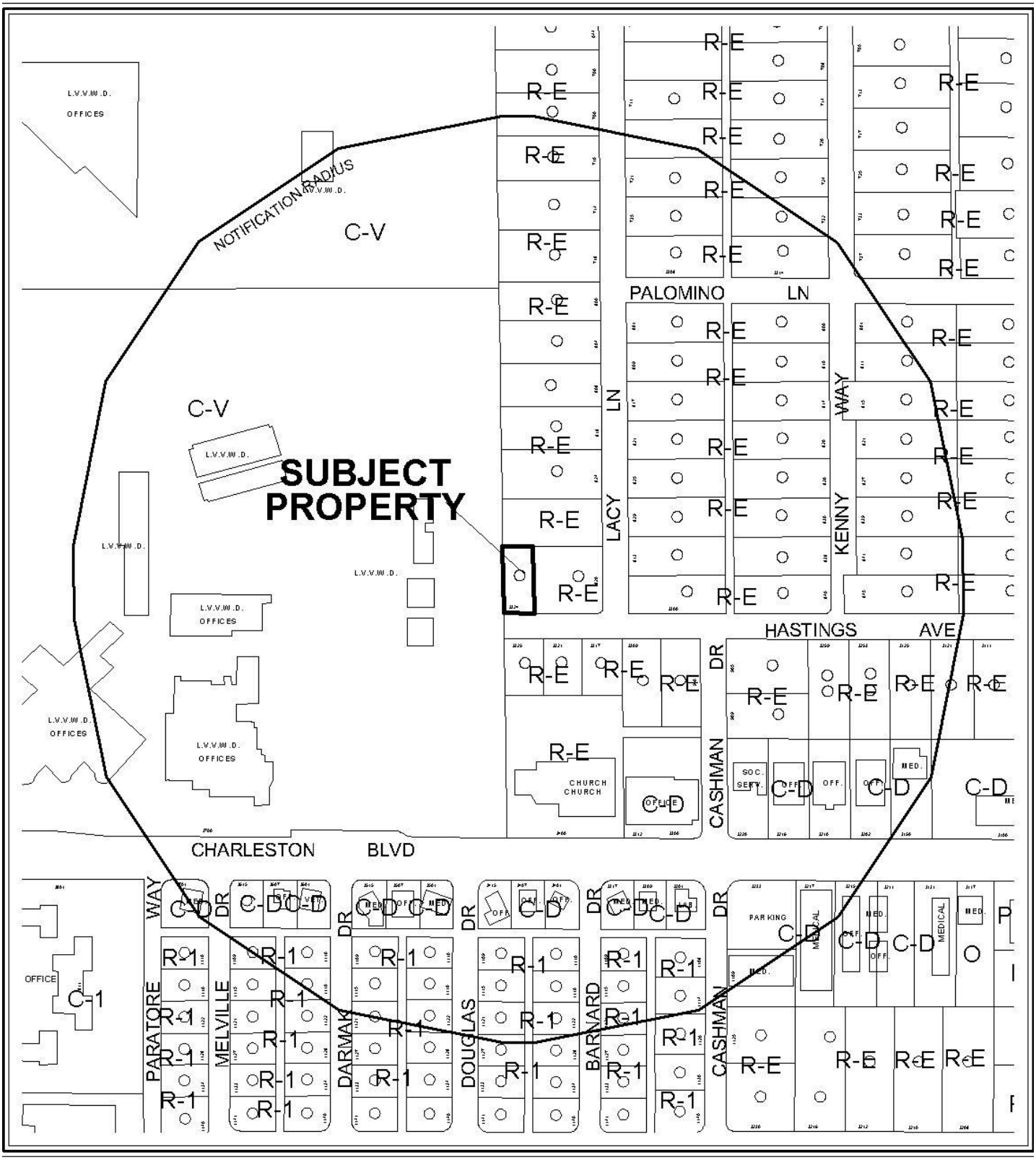
**SUBJECT:**
VAR-41565 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: GINIE W. HARRIS - Request for a Variance TO ALLOW AN EXISTING 528 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) TO HAVE A TWO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED on 0.25 acres at 3324 Hastings Avenue (APN 139-32-401-007), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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-41565 and SUP-41564
2. Conditions and Staff Report - VAR-41565 and SUP-41564
3. Supporting Documentation
4. Photos - VAR-41565 and SUP-41564
5. Justification Letter - VAR-41565 and SUP-41564




0 300 600 Feet

**CASE:** **VAR-41565 AND SUP-41564**

**RADIUS:** 1000 FT

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

N




0 300 600 Feet

**CASE:** **VAR-41565 AND SUP-41564**

**RADIUS:** 1000 FT

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

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: GINIE W. HARRIS**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-41565** | Staff recommends APPROVAL, subject to conditions: | |
| **SUP-41564** | Staff recommends APPROVAL, subject to conditions: | VAR-41565 |

## ** CONDITIONS **

# VAR-41565 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-41564) 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-41564 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for an Accessory Structure (Class I) use.

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-41565) shall be required.

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is requesting to convert an existing 528 square-foot detached garage to an Accessory Structure (Class I). The existing structure encroaches eight inches into the required three-foot side yard setback of the property. Since this request does not jeopardize the health, safety and general welfare of the citizenry and the applicant has provided evidence of a unique or extraordinary circumstance related to the size and width of the lot, staff is recommending approval of these requests for a Variance and Special Use Permit. If denied, the applicant may be required to remove the structure as a building permit will not be able to be issued without an approved Variance.

## ISSUES

- An Accessory Structure (Class I) is permitted in the R-E (Residence Estates) zoning district with the approval of a Special Use Permit.
- A Variance is required to allow a two-foot, two-inch setback where a three-foot setback from the side yard is required.
- In regards to the Title 19.08.040 Single-Family Residential District Development Standards, the existing lot is legally, nonconforming as the 11,000 square-foot size and 71-foot width does not meet the minimum 20,000 square-foot lot size or 100-foot lot-width for the R-E (Residence Estates) zoning district.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** |
|---|
| There are no relevant City Actions related to this subject site or the requested entitlements. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 08/11/10 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 01/22/07 | A building Permit (#80219) issued over-the-counter for relocation of existing garage from Henderson. This permit did not receive a final inspection. |
| 07/31/07 | A building Permit (#94960) processed for a 528 square-foot casita at 3324 Hastings Avenue. This permit was not issued. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/25/11 | A pre-application meeting was held with the applicant to discuss the process of converting an existing detached garage to an Accessory Structure (Class I). The applicant was notified of the requirement for a Variance to allow a two-foot side yard setback where a three-foot setback is required. |

| ***Neighborhood Meeting*** |
|---|
| A Neighborhood Meeting is not required, nor was one held. |

| ***Field Check*** | |
|---|---|
| 05/05/11 | Staff visited the site and found a Single Family, Detached dwelling with extensive landscaping and fencing. The existing Accessory Structure is not visible from the public right-of-way. The site appears to have suitable parking for at least three spaces with no visible issues noted with the property. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.25 |

| ***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 | Undeveloped | 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 | Utility Installation, Other Than Listed | PF (Public Facilities) | C-V (Civic) |

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

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.08.040, the following standards apply:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Lot Size | 20,000 SF | 11,058 SF | N |
| Min. Lot Width | 100 Feet | 71 Feet | N |
| Min. Setbacks (Accessory Structure) | | | |
| • Side | 3 Feet | 2 Feet | N |
| • Rear | 3 Feet | 4 Feet | Y |
| • Primary Structure | 6 Feet | 20 Feet | Y |
| Max. Building Height | 12 Feet | 10 Feet | Y |
| 50% of the 2,223 SF Primary Structure | 1,111 SF | 528 SF | Y |

***Pursuant to Title 19.04, the following parking standards apply:***

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Single Family, Detached | 1 Unit | 2 spaces | 2 | N/A | | N/A | |
| Accessory Structure (Class I) | 1 Unit | 1 space | 1 | | | | |
| **TOTAL SPACES REQUIRED** | | | 3 | | 3 | | Y |

## ANALYSIS

The proposed Accessory Structure, Class I use requires a Special Use Permit in the R-E (Residence Estates) zoning district with the following Minimum Special Use Permit Requirements: (1) The size of the lot or parcel must exceed 6,500 square feet, and (2) Unless the principal dwelling is owner-occupied, a Class I accessory structure may not be offered or occupied as a rental unit. The existing lot does exceed the minimum 6,500 square-foot requirement for the Accessory Structure (Class I) use. The principal dwelling is currently owner-occupied. In regards to the Title 19.08.040 Single-Family Residential District Development Standards, the existing lot is legally nonconforming, as the 11,000 square-foot size and 71-foot width do not meet the minimum 20,000 square-foot lot size or 100-foot lot-width for the R-E (Residence Estates) zoning district. The visual impact of the proposed use is minimized by its location and size and is not visible from the street. As such, staff recommends approval of the requested Variance and Special Use Permit for the requested Accessory Structure, Class I use.

## FINDINGS (VAR-41565)

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 circumstance has been presented, in that the existing property is an irregularly shaped lot with a property width that is 71 feet wide where a minimum 100-foot width is typically required, thereby creating a lot which narrows significantly and impacts the ability for development on the lot. This condition was created prior to the development standard when the subject lot was subdivided from the parent lot to the east and does not jeopardize the

health, safety and general welfare of the citizenry; therefore staff recommends approval of this request.



**FINDINGS (SUP-41564)**

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

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

   The proposed Accessory Structure (Class I) use will occur within an existing detached garage, and is compatible with the DR (Desert Rural Density Residential) General Plan designation and R-E (Residence Estates) zoning district. The proposed use can be conducted in a manner that is harmonious and compatible with the existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.

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

   The subject site is physically suitable for the type and intensity of land use proposed. The 528 square-foot accessory structure is 23 percent of the 2,223 square-foot principal dwelling unit. The main aggregate total of the ground floor area of the proposed accessory structure covers 15 percent of the rear yard. The existing structure encroaches into the three-foot side yard setback by eight-inches. A Variance accompanies this request and is recommended for approval due to the unique narrowness of the lot created when the lot was subdivided.

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 Hastings Avenue, a 60-foot wide local street, located within a residential subdivision. The proposed use is not expected to affect traffic in the area and the right-of-way will be adequate to accommodate it and the existing uses on the property.

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

   Approval of the proposed Accessory Structure (Class I) use will not jeopardize the public health, safety or welfare, as it will be subject to permit review and inspection prior to completion.

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

The proposed Accessory Structure (Class I) use meets the two conditions of Title 19.04, in that the 11,058 square-foot lot exceeds the minimum 6,500 square-foot lot-size requirement and that the property owner resides within the primary structure.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 19

**NOTICES MAILED** 105

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41565** APN: 139-32-401-007

Name of Property Owner: GiNie W. Harris

Name of Applicant: same

Name of Representative: same

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: GiNie W. Harris

Print Name: GiNie W Harris

Subscribed and sworn before me

This 26 day of April, 20 11

Notary Public in and for said County and State

BILL LENHART
NOTARY PUBLIC
STATE OF NEVADA
Appt No 93-4139-1
My Appt Expires Sep 1, 2013

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APR 27 2011

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Possible Variance

**Project Address (Location)** 3324 Hastings Ave, LV, NV 89107

**Project Name** Harris Renovations **Proposed Use** _____

**Assessor's Parcel #(s)** 139-32-401-007 **Ward #** 1

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

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

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

**Additional Information** _____

**PROPERTY OWNER** GINie W. Harris **Contact** _____

**Address** 3324 Hastings Ave **Phone:** 4605436 **Fax:** 8787669

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

**E-mail Address** _____

**APPLICANT** Same **Contact** _____

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

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

**E-mail Address** _____

**REPRESENTATIVE** Same **Contact** _____

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

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

**E-mail Address** _____

**Property Owner Signature*** GINie W. Harris

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

**Print Name** GINie W. Harris

Subscribed and sworn before me

This 26 day of April, 20 11.

Notary Public in and for said County and State

BILL LENHART NOTARY PUBLIC STATE OF NEVADA Appt. No. 98-4138-1 My Appt. Expires Sep 1, 2013

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | VAR-41565 |
| Meeting Date: | 6-14-11 PC |
| Total Fee: | #830 |
| Date Accepted: | 4-27-11 |
| Accepted By: | |

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

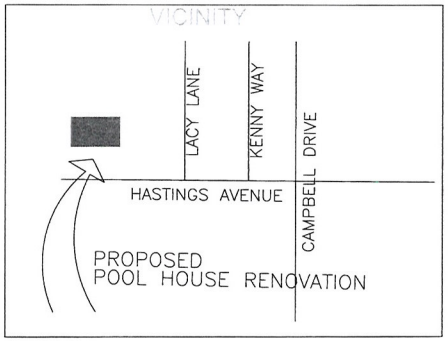
# POOL HOUSE RENOVATIONS

FOR

# HARRIS RESIDENCE

# 3324 HASTINGS AVE.

LAS VEGAS, NEVADA 89107




SHEET LOG


| | |
|---|---|
| CP | COVER PAGE |
| SITE-1 | SITE PLAN & PROJECT DATE |
| D-1 | DEMOLITION PLAN |
| A-1 | FLOOR PLAN WITH DOOR SCHEDULE AND WINDOW SCHEDULE |
| A-2 | EAST-WEST ELEVATIONS |
| A-3 | NORTH ELEVATIONS |
| A-4 | SOUTH ELEVATIONS |
| S-1 | TYPICAL WALL ELEVATIONS AND DETAILS |
| E-1 | ELECTRICAL FLOOR PLAN AND PANEL SCHEDULE |
| M-1 | MECHANICAL-RCP PLAN |
| P1 | PLUMBING PLAN |


GINIE HARRIS
(OWNER/BUILDER)
3324 HASTINGS AVE.
LAS VEGAS, NEVADA 89107

SHEET TITLE: OWNER/ BUILDER
POOL HOUSE
DEMOLITION PLAN

DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET

TITLE

RECEIVED
APR 27 2011

VAR-41565

SUP-41564

06/12/07 GARAGE CONVERSION

**GENERAL CONSTRUCTION NOTES:**

1. ALL NEW WALLS SHALL BE 2"X4" W/ 1/2" GYPSUM TAPED AND FINISHED FOR PAINT CHOSEN BY OWNER CORNER BEAD SHALL BE 3/4" ROUND (typ.)
2. STUCCO FINISH ON THE EXTERIOR TO REMAIN INTACT.
3. ALL WALL AND CEILING FIBERGLASS AND STYROFOAM INSULATION TO REMAIN INTACT.
4. ALL NEW INTERIOR DOORS SHALL BE 2'-8" X 6'-8".
5. ALL INTERIOR FINISHES, CABINETS AND SHELVING SHALL BE BY OWNER AND VERIFIED PRIOR TO INSTALL.
6. PROVIDE MOISTURE-PROOF GREEN BOARD IN BATHROOM.
7. PROVIDE TILE BACKING BOARD AT WALLS AND CEILINGS OF SHOWER AREA.
8. SHOWER WALLS AND CEILING SHALL BE TILED AS SPECIFIED BY OWNER.
9. FLOOR FINISHES SHALL BE AS SPECIFIED BY OWNER.
10. ATTIC SPACE TO HAVE PULL DOWN LADDER FOR STORAGE AS SPECIFIED BY OWNER.

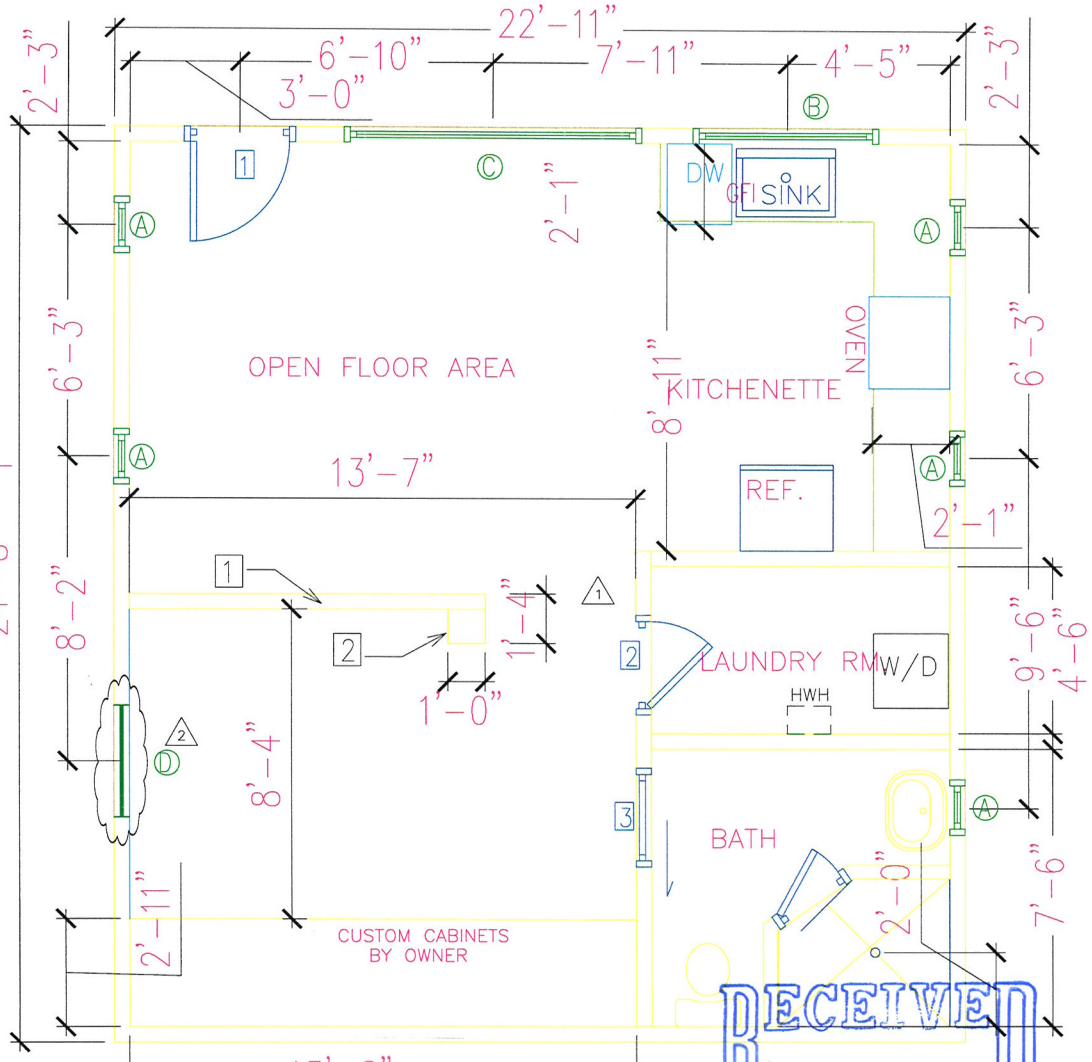
△1 1. HALF WALL FROM ORIGINAL SUBMITTAL TO REMAIN

△2 2. 3'-0" x 5'-0" WINDOW ADDED FOR EGRESS

| | |
|---|---|
| 1 | 2" X 4" X 5'6" HGT.WOOD STUD WALL, STUDS @ 16" O.C. DRYWALL T/F,PAINTED |
| 2 | 2" X 4" X 3'6" HGT.WOOD STUD WALL, STUDS @ 16" O.C. DRYWALL T/F,PAINTED |

N

NEW FLOOR PLAN
SCALE: 3/4" = 1'-0"




**DOOR SCHEDULE**

| SIZE (W X HGT.) | TYPE | LOCATION | EXISITING/NEW/DEMO |
|---|---|---|---|
| 1. 3'-0" X 6'-8"X 1-3/8" | SC WOOD DOOR | ENTRY DOOR | EXISTING |
| 2. 2'-8" X 6'-8" X 1-3/8" | WOOD DOOR | LAUNDRY ROOM | NEW |
| 3. 2'-8" X 6'-8" X 1-3/8" | WOOD DOOR | BATHROOM | NEW POCKET DOOR |
| | | | |
| | | | |

**WINDOW SCHEDULE**

| SIZE (W X L) | TYPE | LOCATION | EXISITING/NEW/DEMO |
|---|---|---|---|
| A. 1'-0" X 1'-6 | ALUM. FRAME DOUBLE PANE | VARIOUS | NEW |
| B. 5'-0" X 4'-0 | ALUM. FRAME SINGLE PANE | KITCHEN | EXISTING TO REMAIN |
| C. 8'-0" X 6'-0 | ALUM. FRAME SINGLE PANE | LIVING SPACE | EXISTING TO REMAIN |
| D. 3'-0" X 3'-0 | ALUM. FRAME DOUBLE PANE | SITTING AREA | NEW |

NOTES:
SCHEDULED SIZES FOR DOORS AND WINDOWS TAKE PRECEDENT OVER SCALED MEASUREMENTS
CENTER OF DOOR AND WINDOW DIMENSIONS ARE SHOWN ON THE FLOOR PLANS

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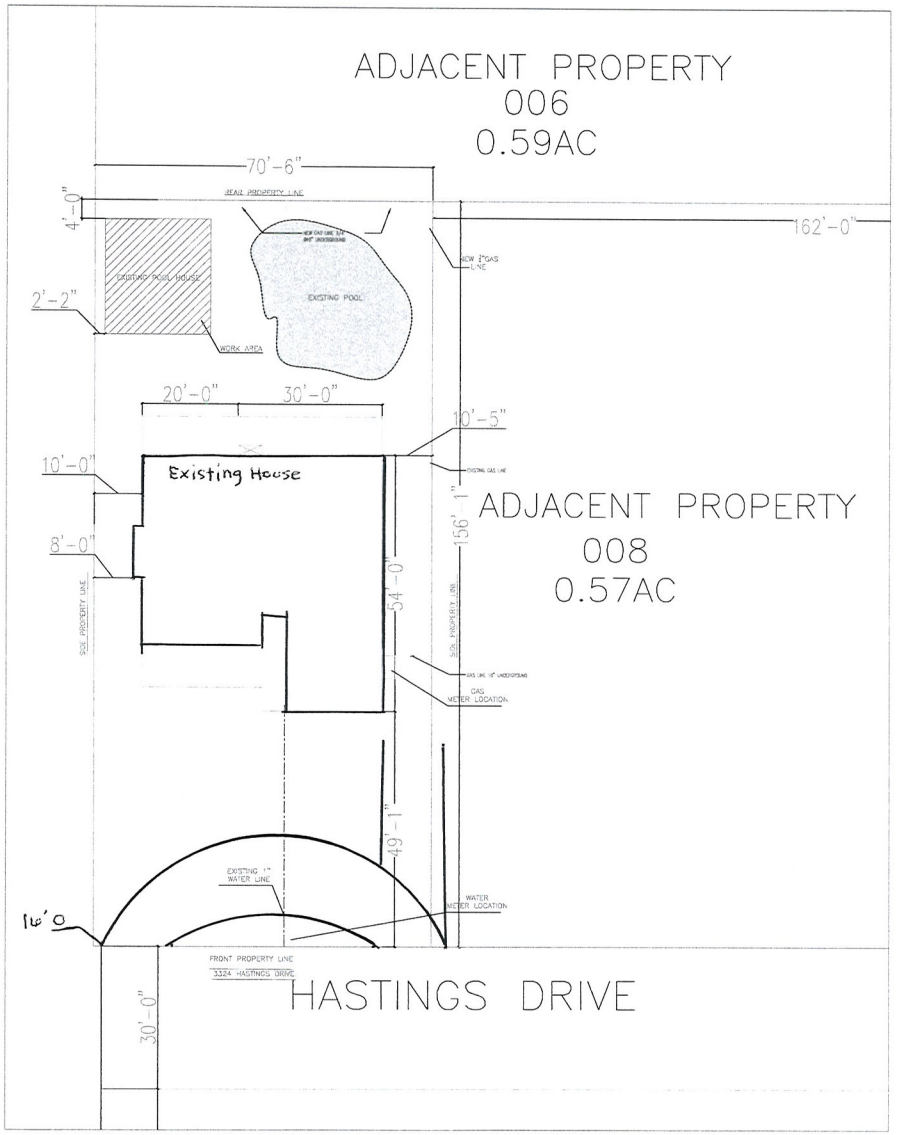
APR 27 2011

**VAR-41565**
**SUP-41564**

GINIE HARRIS
(OWNER/BUILDER)
3324 HASTINGS AVE.
LAS VEGAS, NEVADA 89107

SHEET TITLE: OWNER / BUILDER POOL HOUSE RENOVATION NEW FLOOR PLAN

DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET
A-1




SITE PLAN
SCALE: 1"=20' 0"

OWNER/BUILDER TO VERIFY AND CO-ORDINATE ALL UNDERGROUND UTILITY LOCATIONS AND TRENCHES WITH ALL SUB-CONTRACTORS PRIOR TO EXCAVATIONS

PROJECT DATA:

CODE ANALYSIS: IBC 2006

| | |
|---|---|
| ZONING: | RESIDENTIAL |
| ASSESSOR'S PARCEL NO. | 139-32-401-007 |
| CONSTRUCTION TYPE: | VB |

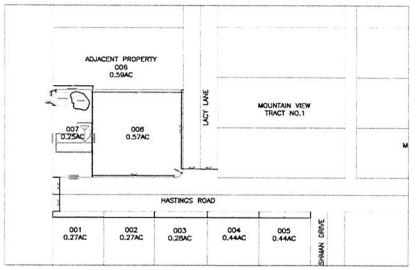
NOTE:

THIS PROJECT SHALL COMPLY WITH THE 2006 IBC, 2006 UMC AND UPC AND 2005 NEC, THE 2006 IECC, AND THE CITY OF LAS VEGAS CODE AMENDMENTS.

| | |
|---|---|
| LOT SIZE | 0.25 Acres |
| PRIMARY RES. | 2223 S.F. |
| GARAGE | 528 S.F. |
| PRIMARY RESIDENCE HGT. | 15 FT. |

NO CHANGE TO EXISTING MAIN RESIDENCE
RENOVATING POOL HOUSE ONLY!

VICINITY MAPS







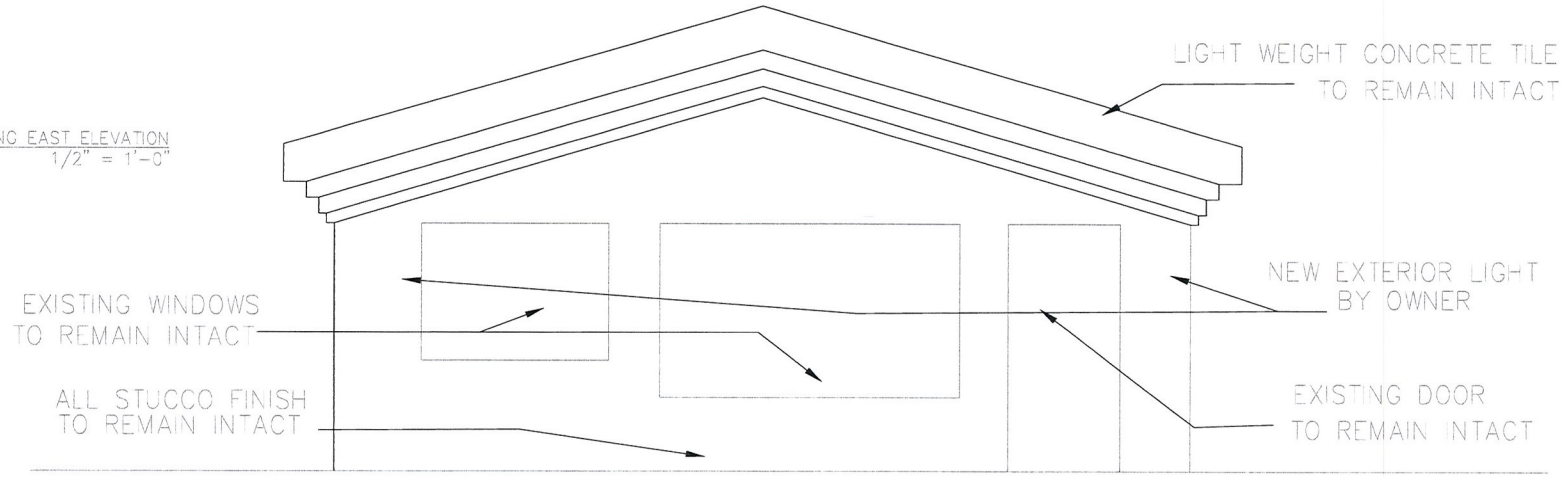
N

GINIE HARRIS
(OWNER/BUILDER)
3324 HASTINGS AVE.
LAS VEGAS, NEVADA 89107

SHEET TITLE: OWNER/ BUILDER SITE PLAN
DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET: SITE

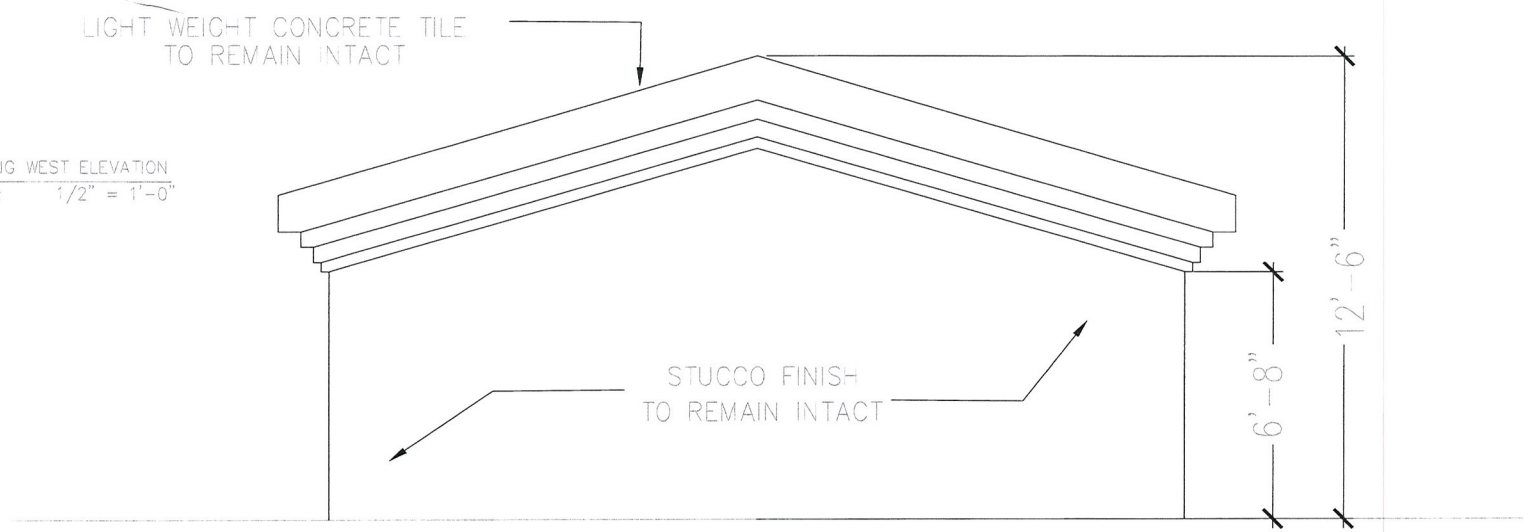
RECEIVED
APR 27 2011
VAR-41565
SUP-41564

EXISITING EAST ELEVATION
SCALE: 1/2" = 1'-0"




TYPICAL NOTE:
EXISITING EAST AND WEST ELEVATIONS TO REMAIN INTACT

EXISTING WEST ELEVATION
SCALE: 1/2" = 1'-0"




GINIE HARRIS
(OWNER/BUILDER)
3524 HASTINGS AVE.
LAS VEGAS, NEVADA 89107

SHEET TITLE: OWNER/ BUILDER
POOL HOUSE
EAST/WEST ELEVATIONS
DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET

A-2

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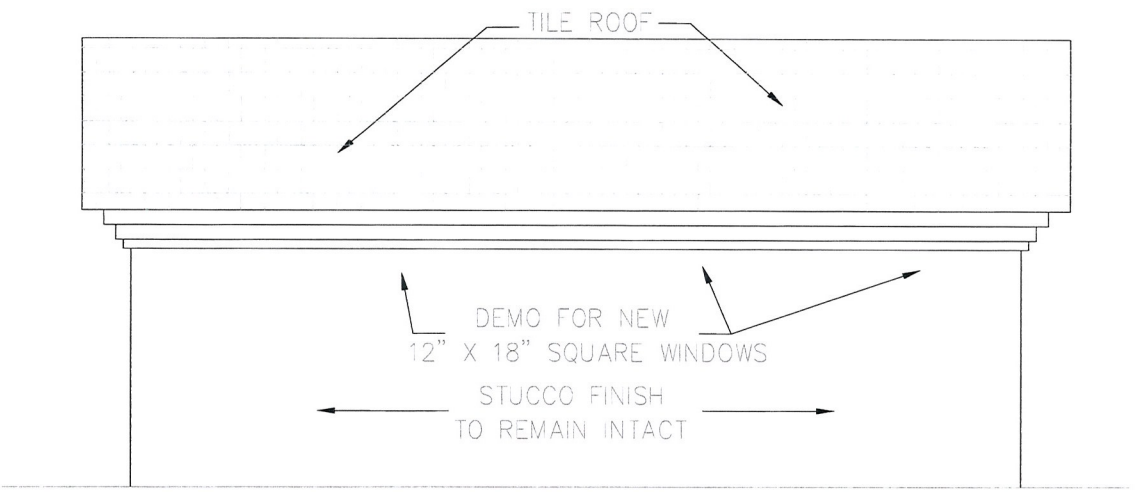
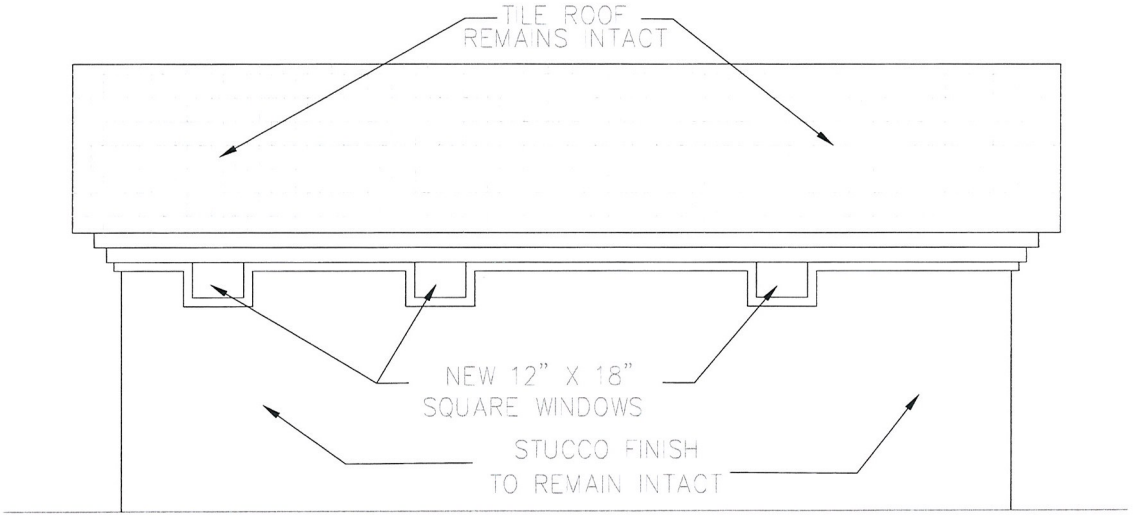
VAR-41565
SUP-41564




EXISITING SOUTH ELEVATION
SCALE: 1/2" = 1'-0"

TYPICAL NOTE:
EXISITING EAST AND WEST ELEVATIONS TO REMAIN INTACT




NEW SOUTH ELEVATION
SCALE: 1/2" = 1'-0"

GINIE HARRIS
(OWNER/BUILDER)
3324 HASTINGS AVE.
LAS VEGAS, NEVADA 89107

SHEET TITLE: OWNER/ BUILDER POOL HOUSE SOUTH ELEVATIONS
DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET
A-3

**VAR-41565**
**SUP-41564**

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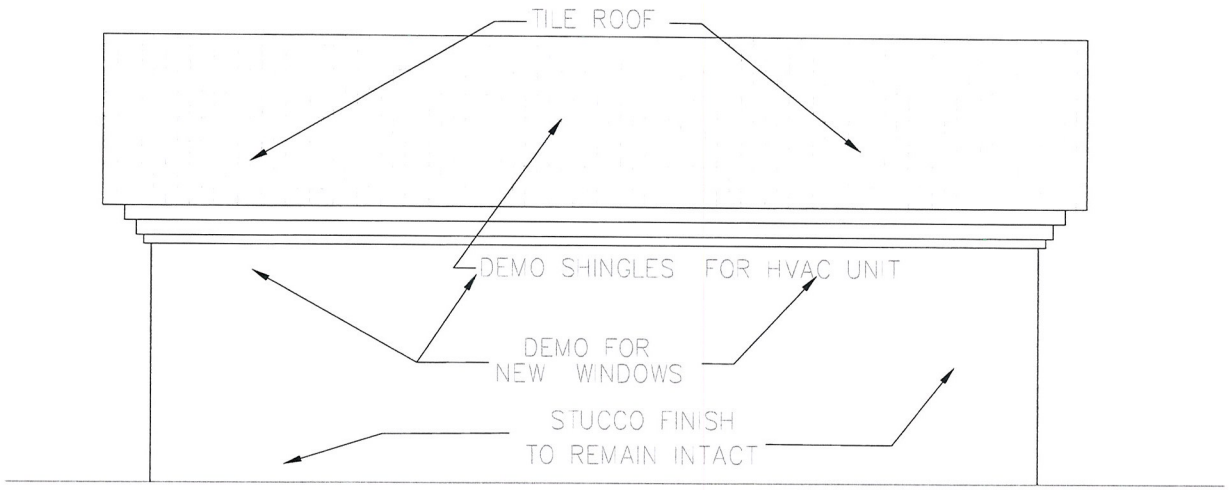
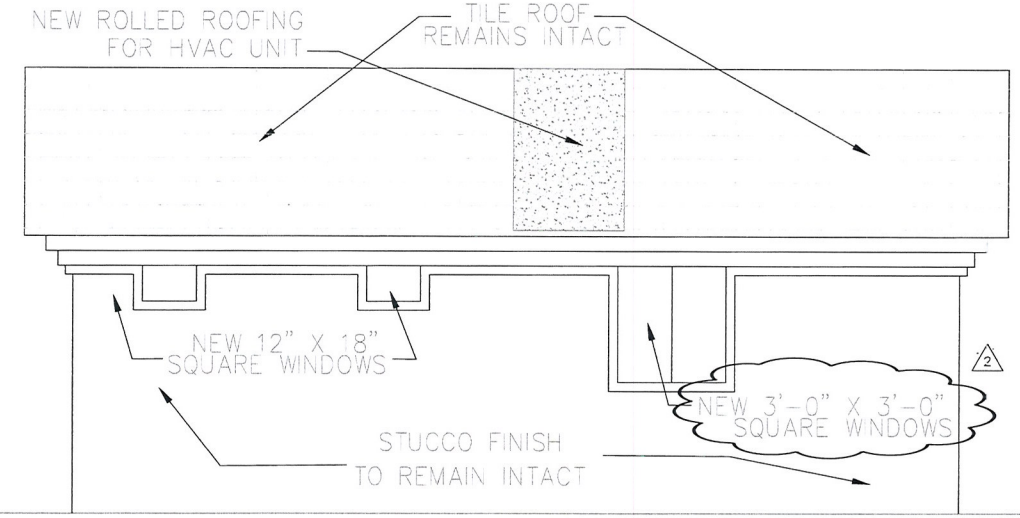
EXISITING NORTH ELEVATION
SCALE: 3/4" = 1'-0"




TYPICAL NOTE:
EXISITING EAST AND WEST ELEVATIONS TO REMAIN INTACT

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



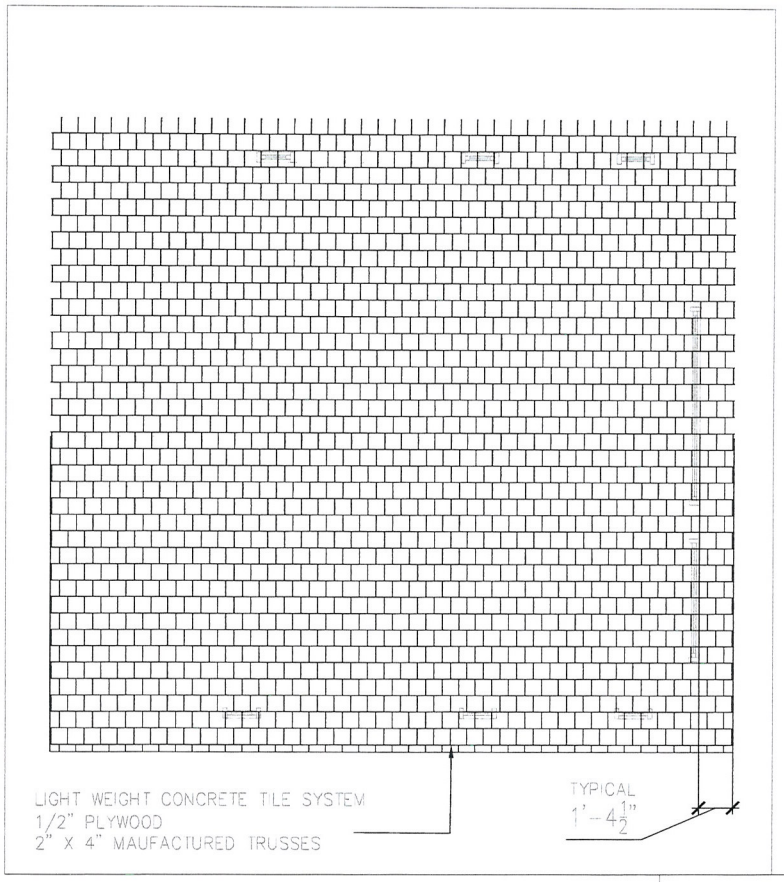

2 2. 3'-0" x 5'-0" WINDOW ADDED FOR EGRESS

GINIE HARRIS
(OWNER/BUILDER)
3324 HASTINGS AVE.
LAS VEGAS, NEVADA 89107

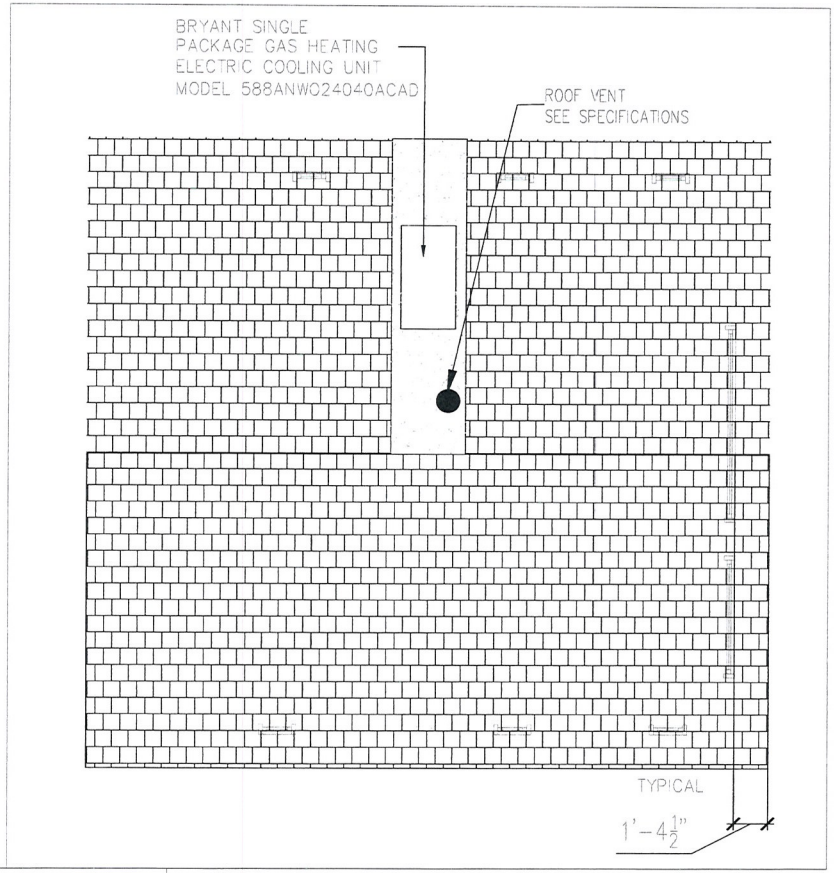
SHEET TITLE: OWNER/ BUILDER POOL HOUSE NORTH ELEVATIONS
DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET
A-4

RECEIVED
APR 27 2011
VAR-41565
SUP-41564

# TYPICAL NOTE: EXISITING ROOFING SYSTEM TO REMAIN INTACT EXCEPT TO EXTENT SHOWN




EXISITING ROOF PLAN
SCALE: 1/2" = 1'-0"




NEW ROOF PLAN
SCALE: 1/2" = 1'-0"

ROOF VENT SPECIFICATIONS

Brand Master Flow
Model # PR1D
Color/Finish Mill
Material Steel
Size 15 in. Dia.
Assembled Depth (In Inches) 10.75
Assembled Height (In Inches) 30.75
Assembled Weight (In LBS) 20.0
Assembled Width (In Inches) 30.5
Dome Material Galvanized Steel
Type Power Roof Ventilation
UPC CODE 050206888056
Ventilation Type Pro 1 Mill Roof Mount Vent

ROOF VENT SHALL BE EQUAL IN COMPLIANCE WITH CITY OF LAS VEGAS REQUIREMENTS

GINIE HARRIS
(OWNER/BUILDER)
3324 HASTINGS AVE.
LAS VEGAS, NEVADA 89107

SHEET TITLE: OWNER/ BUILDER POOL HOUSE SOUTH ELEVATIONS
DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET
A-5

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VAR-41565
SUP-41564










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APR 27 2011

VAR-41565

SUP-41564







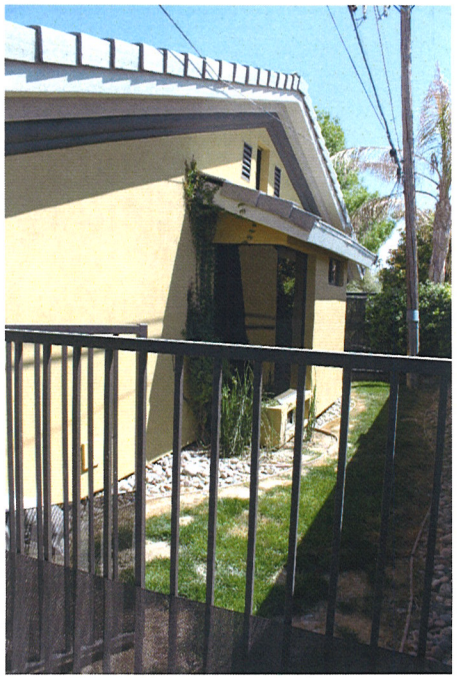


VAR-41565
SUP-41564









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~~VAR-41565~~
SUP-41564









VAR-41565

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APR 27 2011

VAR-41565

SUP-41564









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APR 27 2011

VAR-41565

SUP-41564





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APR 27 2011

VAR-41565

SUP-41564




**VAR-41565 & SUP-41564 – APPLICANT/OWNER: GINIE W. HARRIS**
**3324 HASTINGS AVENUE**

05/05/11

April 26, 2011

Steve Swanton
Mike Howe
Department of Planning
333 North Rancho Drive
Las Vegas, NV 89106

RE:

Proposed Class 1 Structure
APN #139-32-401-007
Special Use Permit
Possible Variance

To Whom It May Concern;

My name is GiNie' W Harris, homeowner at 3324 Hastings Ave, L.V., NV 89107. I am writing this justification letter to you for an approval of a special use permit and a possibly variance.

In 1996 the above property was purchased from HD Houston who owned the property as parcel number 030-310-025 which was once a 1.0 acre parcel. In March of 1968 the parcel went from a 1.0 acre to .82 acre and then assigned a new parcel #139-32-401-007 as a .25 acre lot. Prior to this time at the far southwest corner there was a existing garage that went with the original house located on the corner of Hastings and Lacy Lane which was HD Houston's primary house. The story goes from HD Houston that sometime after 1968 someone owed him money and as payment he received a house that was moved from Henderson to the Northwest corner behind the house he was occupying (that at one time was the 1.0 acre parcel). I believe this happened sometime in the late 1970's. It's been told he had let family and friends live in this house which is now 3324 Hastings throughout the years until he sold his primary residence and then moved into 3324 Hastings himself where he stayed until we purchased it in 1996 directly from him. Originally the existing garage was for the Hastings & Lacy Lane corner property and when the property received its current APN the existing garage went with the back house (3324 Hastings Ave).

Prior to submitting plans for permits to turn the existing garage to a pool house I paid for the city building inspector to come out, assess the structure and give recommendations to move forward with the conversion. At this time I was told to submit my plans and I wouldn't need a variance since it is an existing structure that had been there long before we purchased the property. I submitted my plans and have receive all my approvals (permit #94960) when after the fact I was told that I would need a special use permit and possibly a variance. I'm asking the committee to please research the previous parcel #030-310-025 to confirm the existence of this garage and approve the special use permit without the need of the variance.

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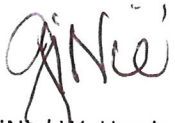
**VAR-41565**
**SUP-41564**

This existing garage already had an electrical panel, front windows, front door, toilet/sewer line, and a water line that was all there when we purchased the house. For a long time it has been an eye sore as a storage unit. We would like to contribute to the beautification of our neighborhood by finishing off the structure with HVAC, insulation, drywall, and a kitchen making it accessible for the pool use and/or guest quarters.

Thank you for your time in advance and your attention to this approval.

Sincerely,



GiNie' W. Harris
Homeowner
702-460-5436

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APR 27 2011

VAR-41565
SUP-41564

City of Las Vegas Agenda Item No.: **42.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

**SUBJECT:**
SUP-41564 - SPECIAL USE PERMIT RELATED TO VAR-41565 - PUBLIC HEARING - APPLICANT/OWNER: GINIE W. HARRIS - Request for a Special Use Permit FOR AN EXISTING 528 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS I) at 3324 Hastings Avenue (APN 139-32-401-007), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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.**

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41564** APN: 139-32-401-007

Name of Property Owner: GiNie W. Harris

Name of Applicant: Same

Name of Representative: Same

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: GiNie W. Harris

Print Name: GiNie W. Harris

Subscribed and sworn before me

This 26 day of APRIL, 20 11

Notary Public in and for said County and State

BILL LENHART
NOTARY PUBLIC
STATE OF NEVADA
Appt. No 93-4139-1
My Appt. Expires Sep 1, 2013

RECEIVED
APR 27 2011

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Special Use Permit

**Project Address (Location)** 3324 Hastings Ave, LV, NV 89107

**Project Name** Harris Renovations **Proposed Use** _____

**Assessor's Parcel #(s)** 139-32-401-007 **Ward #** 1

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

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

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

**Additional Information** _____

**PROPERTY OWNER** GiNie W Harris **Contact** _____

**Address** 3324 Hastings Ave. **Phone:** 702 4005436 **Fax:** 702 8787669

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

**E-mail Address** _____

**APPLICANT** Same **Contact** _____

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

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

**E-mail Address** _____

**REPRESENTATIVE** Same **Contact** _____

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

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

**E-mail Address** _____

**Property Owner Signature*** GiNie W Harris

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

**Print Name** GiNie W Harris

Subscribed and sworn before me

This 26 day of APRIL, 20 11

Notary Public in and for said County and State

BILL LENHART
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 93-0139-1
My Appt. Expires Sep 1, 2013

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | SUP-41564 |
| Meeting Date: | 6-14-11 PC |
| Total Fee: | $1,030 |
| Date Accepted: | 4-27-11 |
| Accepted By: | |

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APR 27 2011

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

City of Las Vegas Agenda Item No.: **43.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

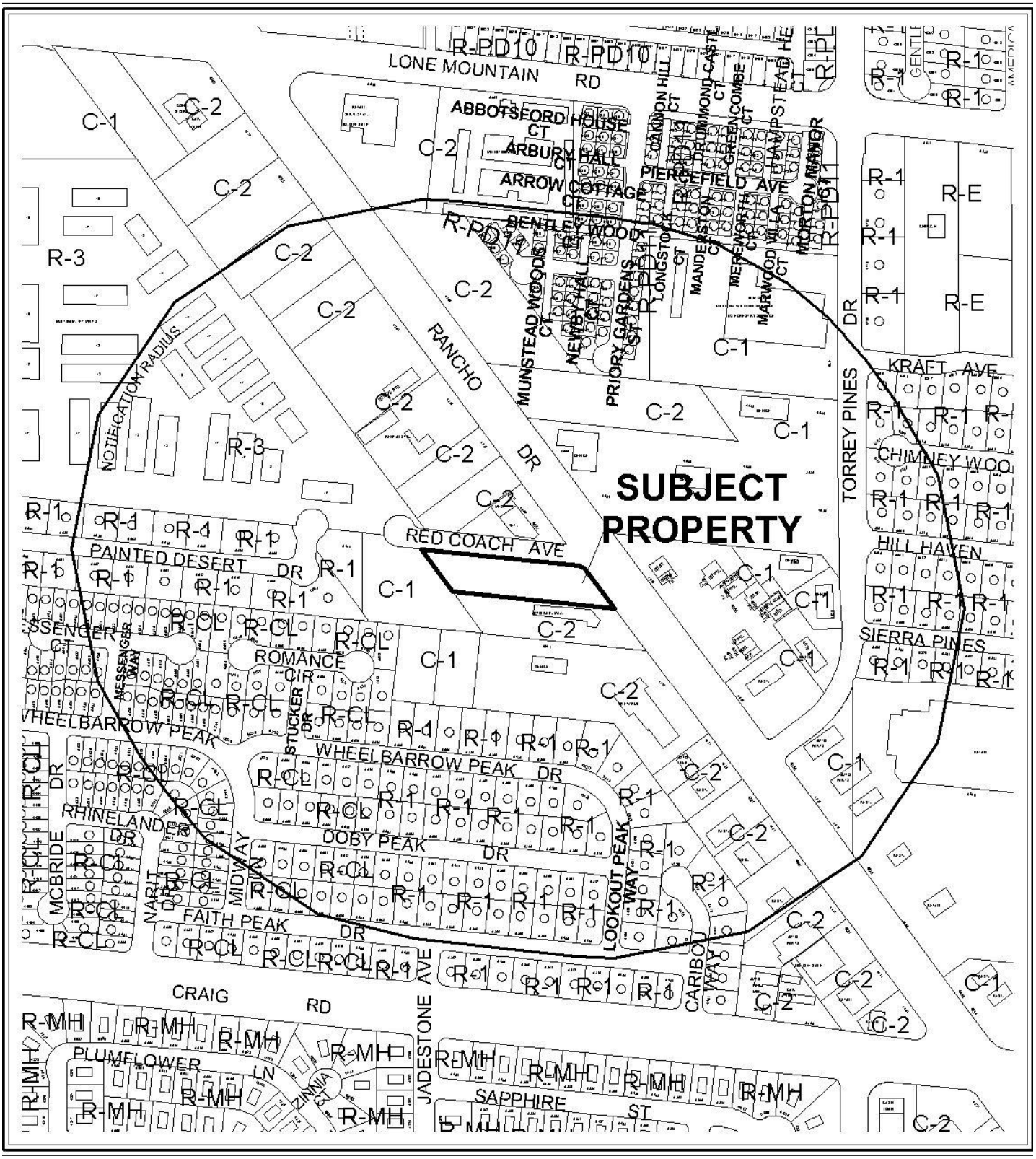
**SUBJECT:**
VAR-41579 - VARIANCE - PUBLIC HEARING - APPLICANT: JONES LANG LASALLE - OWNER: THE TASS C. HARDIN & LOIS I. HARDIN REVOCABLE FAMILY TRUST - Request for a Variance TO ALLOW 30 PARKING SPACES WHERE 47 ARE REQUIRED on 1.18 acres at the southwest corner of Red Coach Avenue and Rancho Drive (APN 138-02-202-015), C-2 (General Commercial) Zone, Ward 6 (Ross). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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-41579 and SDR-41578
2. Conditions and Staff Report - VAR-41579 and SDR-41578
3. Supporting Documentation
4. Photos - VAR-41579 and SDR-41578
5. Justification Letter - VAR-41579 and SDR-41578




**CASE:** **VAR-41579 & SDR-41578**

**RADIUS:** 1000 FT

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




0 300 600 Feet

**CASE:** **VAR-41579 & SDR-41578**

**RADIUS:** 1000 FT

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

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: JONES LANG LASALLE - OWNER: THE TASS C. HARDIN & LOIS I. HARDIN REVOCABLE FAMILY TRUST**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-41579** | Staff recommends DENIAL, if approved subject to conditions: | |
| **SDR-41578** | Staff recommends DENIAL, if approved subject to conditions: | VAR-41579 |

## ** CONDITIONS **

# VAR-41579 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval Site Development Plan Review (SDR-41578) date stamped 5/23/11 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-41578 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-41579) 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 building elevations and floor plans date stamped 04/27/11 and the site and landscape plans date stamped 05/23/11, except as amended by conditions herein.

4. An Exception from Title 19.10 is hereby approved, to allow no parking lot landscape fingers where three are required.

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 05/23/11. 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 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. The technical landscape plan shall be revised to provide one 24-inch box size tree for every 20 lineal feet along the north perimeter (17 trees) and one 24-inch box size tree for every 30 lineal feet along the south perimeter (16 trees). Four, five-gallon shrubs shall be provided for every required tree. 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 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.

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

17. As appropriate obtain an Encroachment Agreement from the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for all landscaping or other private improvements in the Rancho Drive public right-of-way adjacent to this site prior to constructing any improvements within NDOT jurisdiction.

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. 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

This proposal seeks approval to construct an 8,500 square-foot Auto Repair Garage, Minor on a 1.18-acre site located at the southwest corner of Red Coach Avenue and Rancho Drive. A requested Variance to allow 30 parking spaces where 48 are required accompanies this request. The site is currently undeveloped and is adjacent to an Auto Repair Garage, Major to the south and an undeveloped C-1 (Limited Commercial) parcel to the west. The proposed project is too large for the site as reflected in the need for a 17-space parking Variance and the exception for parking lot landscaping; therefore, staff recommends denial of both applications.

## ISSUES

- A Variance is required, allowing 30 parking spaces where 48 spaces are required.
- An Exception is required to allow no parking lot landscape fingers where three are required.
- An existing Off-Premise Sign is located in the northeast corner of the site. Removal of this sign would allow for additional parking on the site.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 04/02/03 | The City Council approved a request for a Rezoning (ZON-1364) From: C-2 (General Commercial), R-E (Residence Estates), R-MHP (Residential Mobile/Manufactured Home Park), and U (Undeveloped) To: C-2 (General Commercial), C-1 (Limited Commercial), O (Office), C-V (Civic), R-E (Residence Estates), R-1 (Single Family Residential), and U (Undeveloped)to GC (General Commercial), O (Office), PF (Public Facility), ML (Medium-Low Density Residential) and DR (Desert Rural) on property located on, or in close proximity to, both sides of Rancho Drive from Vegas Drive to the northern City limits at Moccasin Road. The Planning Commission and staff recommended approval. |
| 07/21/04 | The City Council approved a request for a Review of Condition (ROC-4666) of an approved Rezoning (ZON-1364) of 3.67 acres located on the southwest corner of Rancho Drive and Red Coach Avenue to adjust the portion of the site to be zoned C-1 (Limited Commercial). Staff recommended approval. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 03/18/94 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** |
|---|
| There have been no building permits or business licenses issued against this subject site. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/13/11 | Staff reviewed the Site Development Plan Review and Variance application requirements with the applicant for an Auto Repair Garage, Minor. The applicant was advised to adjust the plan to accommodate the parking required per Title 19. |

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

| ***Field Check*** | |
|---|---|
| 05/05/11 | Staff visited the site and found a vacant, clean, undeveloped lot. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 1.18 |

| ***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-2 (General Commercial) |
| North | Undeveloped<br>Animal Hospital (without Outside Pens) | SC (Service Commercial) | C-2 (General Commercial) |
| South | Auto Repair Garage, Major | GC (General Commercial) | C-2 (General Commercial) |
| East | ROW (Right-of-Way) | ROW (Right-of-Way) | ROW (Right-of-Way) |
| West | Undeveloped | SC (Service Commercial) | C-1 (Limited Commercial) |

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

**DEVELOPMENT STANDARDS**

***Pursuant to Title 19.08.050, the following standards apply:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Lot Width | 100 Feet | 112 Feet | Y |
| Min. Setbacks | | | |
| • Front | 20 Feet | 205 Feet | Y |
| • Side | 10 Feet | 42.8 Feet | Y |
| • Corner | 15 Feet | 15 Feet | Y |
| • Rear | 20 Feet | 45 Feet | Y |
| Max. Lot Coverage | 50 % | 17 % | Y |
| Max. Building Height | N/A | 28 Feet | Y |
| Trash Enclosure | Screened, Gated, w/ a Roof or Trellis | Screened, Gated, w/ a Roof or Trellis | Y |
| Mech. Equipment | Screened | Not Indicated | By Condition |

***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 | 17 Trees | 12 Trees | N |
| • South | 1 Tree / 30 Linear Feet | 16 Trees | 10 Trees | N |
| • East | 1 Tree / 20 Linear Feet | 7 Trees | 7 Trees | Y |
| • West | 1 Tree / 30 Linear Feet | 5 Trees | 5 Trees | Y |
| **TOTAL PERIMETER TREES** | | **45 Trees** | **34 Trees** | **N** |
| Parking Area Trees | 1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces | 5 Trees | 3 Trees | N |

| **LANDSCAPE BUFFER WIDTHS** | | | |
|---|---|---|---|
| Min. Zone Width | | | |
| • North | 15 Feet | 15 Feet | Y |
| • South | 8 Feet | 8 Feet | Y |
| • East | 15 Feet | 15 Feet | Y |
| • West | 8 Feet | 8 Feet | Y |

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Rancho Drive | Expressway | Master Plan of Streets and Highways | 125 | Y |
| Red Coach Avenue | N/A | N/A | 55 | 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 | |
| Auto Repair Garage, Minor | 8,500 Sq. Ft. | 5 plus 1/200 Sq. Ft. | 48 | | | | |
| **TOTAL SPACES REQUIRED** | | | 48 | | 30 | | N |
| **Regular and Handicap Spaces Required** | | | 46 | 2 | 28 | 2 | N |
| Percent Deviation (for VAR only) | | | 38% | | | | |

| ***Exceptions*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| One 24" box tree per six uncovered uncovered parking spaces. | To provide three 24" box trees where five are required. | Denial |

## ANALYSIS

The proposed Auto Repair Garage, Minor use is a Conditional Use within the C-1 (Limited Commercial) zoning district, and is less intense than the adjacent Auto Repair Garage, Major use. The facility meets the Conditional Requirements, as the service bays are oriented away from the public right-of way and there is no outdoor storage of equipment or materials presented.

However, the proposed size of the facility (8,500 square-feet) is not appropriate for the 1.18 acre site. The size of the subject site does not provide enough space for the required number of parking spaces, which are determined based upon the size of the facility. The exceptions to required landscape buffer planting material and parking lot landscaping are also related to the small lot size that does not fully accommodate the 8,500 square-foot facility. Although the lot is long, narrow and odd-shaped, a smaller building, combined with the removal of the existing Off-Premise Sign, would allow for conformance to the requirements of Title 19, and would not result in an undue hardship upon the owner; therefore, staff recommends denial.

## FINDINGS (VAR-41579)

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

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

Additionally, Title 19.18.070(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to overbuild the site. An alternative design with a smaller floor area, combined with the removal of the existing Off-Premise Sign, 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-41578)**

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;**

   An Auto Repair Garage, Minor is compatible with the adjacent development; however, failure to provide the required parking spaces negates the compatibility.

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;**

   Due to the requested parking Variance and the parking lot landscape Exception, this project is not consistent with the minimum design and landscape standards established by Title 19.

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

   This project will not have a negative impact on adjacent roadways.

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

   The proposed building and landscape materials, as conditioned, are appropriate for the area and for the City. The building will be finished in earth-tone paints and will feature a blue standing-seam metal roof.

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 is architecturally and aesthetically harmonious and compatible with the area and adjacent development.

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

   All development will require permits and inspections that will maintain the public health, safety and welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 14

**NOTICES MAILED** 273

**APPROVALS** 0

**PROTESTS** 0

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41579** APN: 138-02-202-015

Name of Property Owner: The Tass C. Hardin and Lois I. Hardin Revocable Family Trust

Name of Applicant: Carrie Gillis - Jones Lang LaSalle

Name of Representative: Bob Gronauer - Kaempfer Crowell Renshaw Gronauer & Fiorentino

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: Lois Hardin

Print Name: LOIS HARDIN

Subscribed and sworn before me

This 22nd day of April, 2011

Johanna N. Smith

Notary Public in and for said County and State

JOHANNA N. SMITH
Notary Public, State of Nevada
Appointment No. 04-90720-1
My Appt. Expires Aug 19, 2012

RECEIVED
APR 27 2011

Revised 11-14-06

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993013.1

16277.3

# PLANNING & DEVELOPMENT DEPARTMENT

## APPLICATION / PETITION FORM

**Application/Petition For:** Variance to Reduce Parking

**Project Address (Location)** Red Coach Ave. and Rancho Dr.

**Project Name** Bridegstone **Proposed Use** minor auto repair facility

**Assessor's Parcel #(s)** 138-02-202-015 **Ward #** 6

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

**Commercial Square Footage** 8,500 **Floor Area Ratio** n/a

**Gross Acres** 1.18 ± **Lots/Units** 1 **Density**

**Additional Information**

**PROPERTY OWNER** The Tass C. Hardin & Lois I. Hardin Revocable Family Trust **Contact** n/a

**Address** 4095 Chieftain **Phone:** n/a **Fax:** n/a

**City** Las Vegas **State** NV **Zip** 89129

**E-mail Address** n/a

**APPLICANT** Jones Lang LaSalle **Contact** Carrie Gillis

**Address** 515 South Flower Street, Suite 1300 **Phone:** 323-395-4601 **Fax:** 323-733-5347

**City** Los Angeles **State** CA **Zip** 90071

**E-mail Address** carrie.gillie@am.jll.com

**REPRESENTATIVE** Kaempfer Crowell Renshaw Gronauer & Fiorentino **Contact** Bob Gronauer

**Address** 8345 W. Sunset Road, Suite 250 **Phone:** 702-792-7000 **Fax:** 702-796-7181

**City** Las Vegas **State** NV **Zip** 89113

**E-mail Address** rjg@kcnvlaw.com

**Property Owner Signature*** Lois Hardin

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

**Print Name** LOIS HARDIN

Subscribed and sworn before me

This 22nd day of April, 20 11.

Johanna N. Smith

Notary Public in and for said County and State

JOHANNA N. SMITH
Notary Public, State of Nevada
Appointment No. 04-90720-1
My Appt. Expires Aug 19, 2012

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | VAR-41579 |
| Meeting Date: | 6/14/11 |
| Total Fee: | $830 |
| Date Received:* | 4/27/11 |
| 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.

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APR 27 2011

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

Revised 10/27/08

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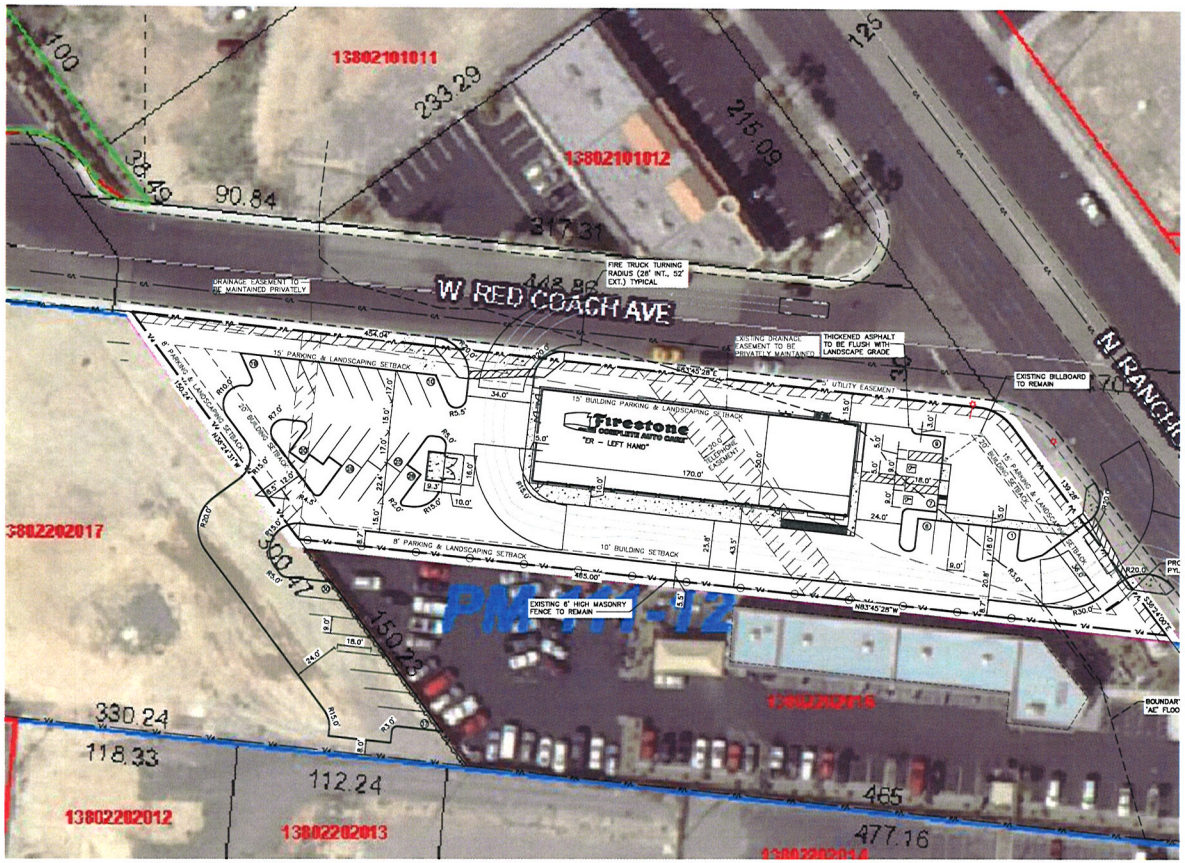
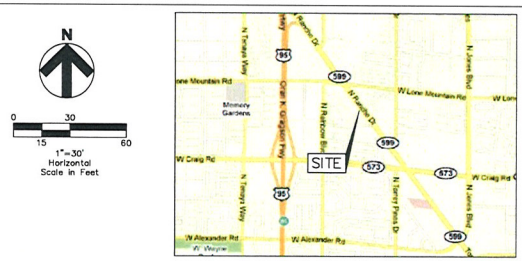



PM-41578




VICINITY MAP

N

0 30 15 60

1"=30'
Horizontal
Scale in Feet

## BUILDING DATA

| | |
|---|---|
| CUSTOMER WAITING AREA | 1,215 S.F. |
| SERVICE AREA | 4,389 S.F. |
| NEW INVENTORY | 2,009 S.F. |
| USED INVENTORY | 284 S.F. |
| OTHER | 603 S.F. |
| | TOTAL: 8,500 S.F. |
| TIRE CAPACITY | 1,404 TIRES |
| PARTS SHELVES | 568 L.F. |

## BUILDING SETBACKS

| | REQUIRED | PROVIDED |
|---|---|---|
| FRONT: RANCHO | 20' | 39.5' |
| SIDE: RED COACH | 15 | 15 |
| SIDE: WEST | 20' | 193' |
| REAR: SOUTH | 10' | 38.5 |

## PARKING SETBACKS

| | REQUIRED | PROVIDED |
|---|---|---|
| FRONT: RANCHO | 15' | 22' |
| SIDE: RED COACH | 15' | 15' |
| SIDE: WEST | 8' | 8' |
| REAR: SOUTH | 8' | 8' |

## LANDSCAPE SETBACKS

| | REQUIRED | PROVIDED |
|---|---|---|
| FRONT: RANCHO | 15' | 22' |
| SIDE: RED COACH | 15' | 15' |
| SIDE: NORTHWEST | 8' | 8' |
| REAR: SOUTH | 8' | 8' |

## PARKING SPACES

| | REQUIRED | PROVIDED |
|---|---|---|
| NUMBER OF SPACES | 43 | 37 |

SITE AREA: 1.18 ACRES; 51,369 S.F.
BLDG AREA: 8,500 S.F.

PARKING REQUIREMENTS
1/200 S.F. BUILDING AREA +5
THEREFORE; 47 ARE REQUIRED.
PARKING PROVIDED: 35 SPACES
HANDICAP SPACES: 2 SPACES
TOTAL= 37 SPACES

## LAND USE DATA

| | PERCENTAGE OF SITE AREA | AREA PROVIDED |
|---|---|---|
| BUILDING | 17% | 0.20 AC. |
| PAVEMENT/IMPERVIOUS | 56% | 0.66 AC. |
| LANDSCAPING | 27% | 0.32 AC. |
| TOTAL | 100% | 1.18 AC. |

CURRENT ZONING: C2

## SITE NOTES

1. SETBACKS AND BUFFERS ARE PER CONVERSATION WITH THE CITY OF LAS VEGAS.
2. DIMENSIONS SHOWN ARE FROM FACE OF CURB UNLESS OTHERWISE NOTED.
3. CURB RADIUS DIMENSIONS ARE 3.0' (FACE OF CURB) UNLESS OTHERWISE NOTED.
4. 29 PARKING SPACES ARE PROPOSED. 47 SPACES ARE REQUIRED BY LOCAL ZONING AND 30 SPACES ARE REQUIRED BY BSRO. A VARIANCE WILL BE REQUIRED BY THE CITY OF LAS VEGAS FOR THE REDUCTION IN PARKING.
5. EXISTING BILLBOARD ON-SITE IS OWNED BY LAMAR AND WILL REMAIN. AGREEMENT BETWEEN BSOR AND LAMAR WILL BE PART OF THE LAND TRANSACTION TO CONTROL BILLBOARD.
6. EASEMENTS WERE OBTAINED FROM A PARCEL MAP DATED 12/6/05. 10' TELEPHONE EASEMENT WILL HAVE TO BE ABANDONED. THERE ARE TWO DRAINAGE EASEMENTS THAT ARE MAINTAINED PRIVATELY ON SITE.
7. CROSS ACCESS WILL BE REQUIRED WITH THE PROPERTY OWNER TO THE WEST OF THE BSRO SITE.
8. NDOT REVIEW AND APPROVAL WILL BE REQUIRED FOR CURB CUT ALONG RANCHO DRIVE.
9. ACCORDING TO FEMA FIRM, AN 'AE' FLOOD ZONE EXISTS ALONG RANCHO DRIVE. NORTHEAST CORNER OF BUILDING IS IN 'AE' FLOOD ZONE. CITY OF LAS VEGAS IS REQUIRING THAT A CLOMR AND LOMR BE APPLIED FOR IN ORDER TO OBTAIN CC OF O AND C OF O.

## CIVIL ENGINEER/LANDSCAPE ARCHITECT

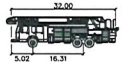
1. RECYCLED MULCH AND ASSOCIATED ECO-ACTIVITY SIGNS SHALL BE INCORPORATED FOR THIS SITE LOCATION, UNLESS SPECIFICALLY RESTRICTED BY THE AHJ OR DEVELOPMENT GUIDELINES. PROJECT CIVIL ENGINEER SHALL COORDINATE WITH THE LANDSCAPE ARCHITECT TO LOCATE THE DESIGNATED AREAS.
2. ONE HYBRID PARKING STALL AND DESIGNATED SIGN READING "RESERVED FOR HYBRID VEHICLES ONLY" NEAR THE FRONT ENTRY SHALL BE INCORPORATED FOR THIS LOCATION. PROJECT CIVIL ENGINEER SHALL LOCATE ON THEIR CONSTRUCTION DOCUMENTS.

CONSTRUCTION DOCUMENTS WILL BE BASED ON THE LATEST RELEASE OF THE PROTOTYPICAL DOCUMENTS ON THE PROJECMATES AT THE TIME OF CONSTRUCTION DOCUMENT AUTHORIZATION.

THE CONCEPT PLAN IS BASED ON THE AERIAL

LEGEND

| | |
|---|---|
| P/L | PROPERTY LINE |
| C/L | CENTER LINE |
| R/W | RIGHT-OF-WAY LINE |
| | PROPOSED CURB |
| 50 | PROPOSED PARKING SPACE NUMBER |
| | PROPOSED PYLON SIGN |
| | PROPOSED PAINTED ADA SYMBOL |
| | PROPOSED CONCRETE |
| | PROPOSED FLEX PAVE |




| | FEET |
|---|---|
| WIDTH | 8.14 |
| TRACK | 7.81 |
| LOCK TO LOCK TIME | 6.0 |
| STEERING ANGLE | 41.7 |

FTA
TRUCK PROFILE
N.T.S.

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APR 27 2011

VAR-41579
SDR-41578

GPD GROUP.
Main Title Interior Design & Architecture, Inc.
5891 Westerville Drive, Suite 150
Columbus, Ohio 43213
614-210-0751 Fax 614-210-0752

Firestone COMPLETE AUTO CARE

THIS DRAWING IS THE PROPERTY OF BRIDGESTONE RETAIL OPERATIONS, LLC AND IS COVERED ON THE BSRO/RED CONCRETE SITE DEVELOPMENT PROJECT. THE USE OF THIS DRAWING ON ANY PROJECT OTHER THAN THE ONE FOR WHICH IT WAS PREPARED BY OR FOR BRIDGESTONE RETAIL OPERATIONS, LLC OR THE ACCEPTANCE OF THIS DRAWING WILL BE CONSTRUED TO BE AN ACCEPTANCE OF THE FOREGOING CONDITION AND A WARRANTY BY THE USER OF INDEMNIFICATION AND HOLD HARMLESS BY THE USER AGAINST ANY AND TO THE SHARING BY BRIDGESTONE RETAIL OPERATIONS, LLC

NEW FCAC STORE
"ER 2010 - DECEMBER" L.H.
RANCHO DR. AND RED COACH
LAS VEGAS, NV

PRELIMINARY
THIS DOCUMENT SHALL NOT BE USED FOR REGULATORY APPROVAL, PERMIT OR CONSTRUCTION.

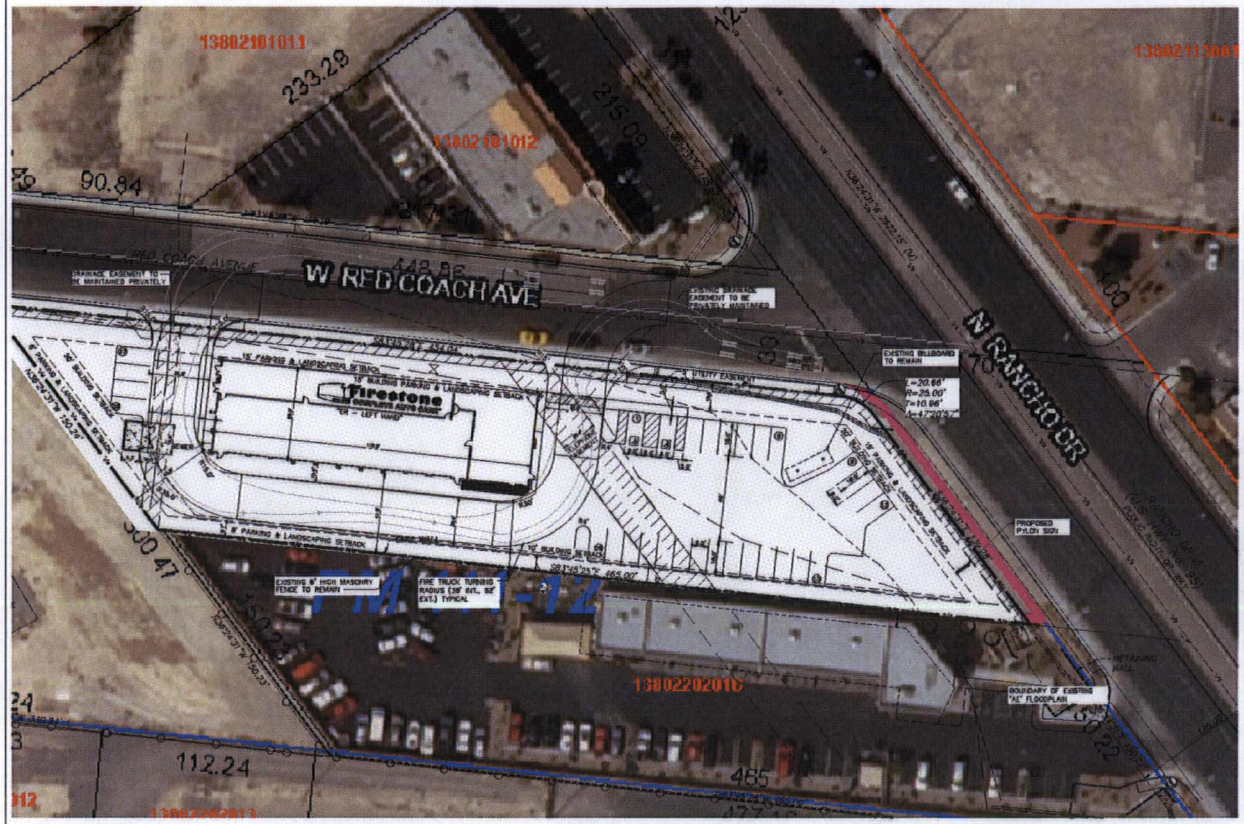
| ZONE APPROVAL | (BY)(DATE): |
|---|---|
| VP | |
| CONTR. | |
| RM. | |
| CM. | |
| PROPERTY NO.: | W2LV04-B |
| STORE NO.: | 0000 |

FILE NAME:
AOR PROJECT NUMBER: XXXXXX
TO PERMIT: DATE: 00-00-00
TO BID: DATE: 00-00-00

GPD JOB NO.: 2011080.20

SHEET TITLE:
PRELIMINARY CONCEPTUAL SITE PLAN

SHEET NUMBER:
CSP-4.7










VICINITY MAP

## BUILDING DATA

| | |
|---|---|
| CUSTOMER WAITING AREA | 1,215 S.F. |
| SERVICE AREA | 4,389 S.F. |
| NEW INVENTORY | 2,009 S.F. |
| USED INVENTORY | 284 S.F. |
| OTHER | 603 S.F. |
| | TOTAL: 8,500 S.F. |
| TIRE CAPACITY | 1,404 TIRES |
| PARTS SHELVES | 568 L.F. |

## BUILDING SETBACKS

| | REQUIRED | PROVIDED |
|---|---|---|
| FRONT: RANCHO | 20' | 205.0' |
| SIDE: RED COACH | 15 | 15 |
| SIDE: WEST | 20' | 45.0' |
| REAR: SOUTH | 10' | 42.8' |

## PARKING SETBACKS

| | REQUIRED | PROVIDED |
|---|---|---|
| FRONT: RANCHO | 15' | 22' |
| SIDE: RED COACH | 15' | 15' |
| SIDE: WEST | 8' | 8' |
| REAR: SOUTH | 8' | 8' |

## LANDSCAPE SETBACKS

| | REQUIRED | PROVIDED |
|---|---|---|
| FRONT: RANCHO | 15' | 22' |
| SIDE: RED COACH | 15' | 15' |
| SIDE: NORTHWEST | 8' | 8' |
| REAR: SOUTH | 8' | 8' |

## PARKING SPACES

| | REQUIRED | PROVIDED |
|---|---|---|
| NUMBER OF SPACES | 47 | 30 |

SITE AREA: 1.18 ACRES; 51,369 S.F.
BLDG AREA: 8,500 S.F.

PARKING REQUIREMENTS
1/200 S.F. BUILDING AREA +5
THEREFORE; 47 ARE REQUIRED.
PARKING PROVIDED: 28 SPACES
HANDICAP SPACES: 2 SPACES
TOTAL= 30 SPACES

## LAND USE DATA

| | PERCENTAGE OF SITE AREA | AREA PROVIDED |
|---|---|---|
| BUILDING | 17% | 0.20 AC. |
| PAVEMENT/IMPERVIOUS | 63% | 0.74 AC. |
| LANDSCAPING | 20% | 0.24 AC. |
| TOTAL | 100% | 1.18 AC. |

CURRENT ZONING: C2

## SITE NOTES

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## CIVIL ENGINEER/LANDSCAPE ARCHITECT

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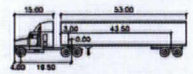
CONSTRUCTION DOCUMENTS WILL BE BASED ON THE LATEST RELEASE OF THE PROTOTYPICAL DOCUMENTS ON THE PROJECMATES AT THE TIME OF CONSTRUCTION DOCUMENT AUTHORIZATION.

THE CONCEPT PLAN IS BASED ON THE AERIAL

LEGEND

| | |
|---|---|
| P/L | PROPERTY LINE |
| | CENTER LINE |
| R/W | RIGHT-OF-WAY LINE |
| | PROPOSED CURB |
| 20 | PROPOSED PARKING SPACE NUMBER |
| | PROPOSED PYLON SIGN |
| | PROPOSED PAINTED ADA SYMBOL |
| | PROPOSED CONCRETE |
| | PROPOSED FLEX PAVE |




FEET

| | | | |
|---|---|---|---|
| TRACTOR WIDTH | 8.00 | LOCK TO LOCK TIME | 6.00 |
| TRAILER WIDTH | 8.50 | STEERING ANGLE | 28.4 |
| TRACTOR TRACK | 8.00 | ARTICULATING ANGLE | 70.0 |
| TRAILER TRACK | 8.50 | | |

WB-65

TRUCK PROFILE
N.T.S.

RECEIVED
MAY 23 2011

GPD GROUP

Firestone COMPLETE AUTO CARE

PRELIMINARY
THIS DOCUMENT SHALL NOT BE USED FOR REGULATORY APPROVAL, PERMIT OR CONSTRUCTION.

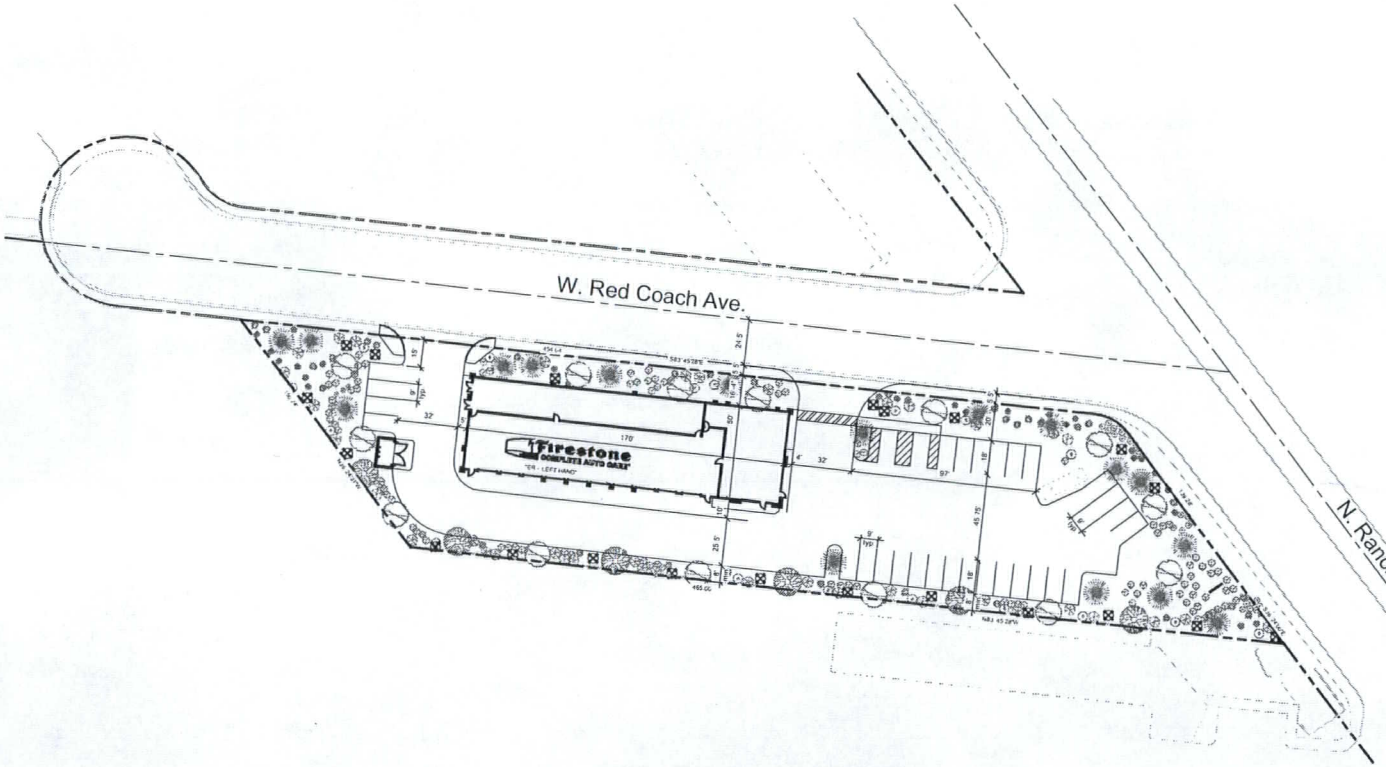
NEW FCAC STDRE
"ER 2010-DECEMBER" L.H.
RANCHO DR. AND RED COACH
LAS VEGAS, NV

PROPERTY NO.: [illegible]
STORE NO.: [illegible]
FILE NAME: [illegible]
ADR PROJECT NUMBER: ADR
DATE: [illegible]
TO BID: [illegible]
DATE: DATE
GPD JOB NO.: 2011000.20

SHEET TITLE:
PRELIMINARY CONCEPTUAL SITE PLAN

SHEET NUMBER:
CSP-5.1

REVISED VAR-41579
SDR-41578




1 Landscape Plan
scale: 1" = 30'-0"

## landscape legend

| SYMBOL | LARGE TREES | TYPE | SIZE |
|---|---|---|---|
| | MEXICAN PALO VERDE<br>Parkinsonia aculeata | MEDIUM EVERGREEN | 24" BOX |
| | SHOESTRING ACACIA<br>Acacia stenophylla | MEDIUM DECIDUOUS | 24" BOX |
| | PINK DAWN<br>Chitalpa Tashkentensis | MEDIUM DECIDUOUS | 24" BOX |

| SYMBOL | SHRUBS and GROUND COVER | SIZE |
|---|---|---|
| | CHASTE TREE<br>Vitus Agnus-castus | 5 GAL |
| | TEXAS SAGE<br>Leucophyllum Frutescens | 5 GAL |
| | FEATHERY CASSIA<br>Cassia artemisioides | 5 GAL |
| | DWARF TEXAS SAGE<br>Leucophyllum Frutescens 'Compacta' | 5 GAL |
| | FOUNTAIN GRASS<br>Pennisetum setaceum | 5 GAL |
| | DESERT SPOON<br>Dasylirion wheeleri | 5 GAL |
| | ROSEMARY<br>Rosmarinus officinalis | 5 GAL |
| | TRAILING LANTANA<br>Lantana montevidensis | 5 GAL |

NOTE ALL INORGANIC LANDSCAPE GROUND COVER TO BE 1"
DESERT GOLD WASHED GRAVEL TO MATCH EXISTING (VERIFY IN FIELD)

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MAY 23 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

**VAR-41579**
**SDR-41578**
**REVISED**

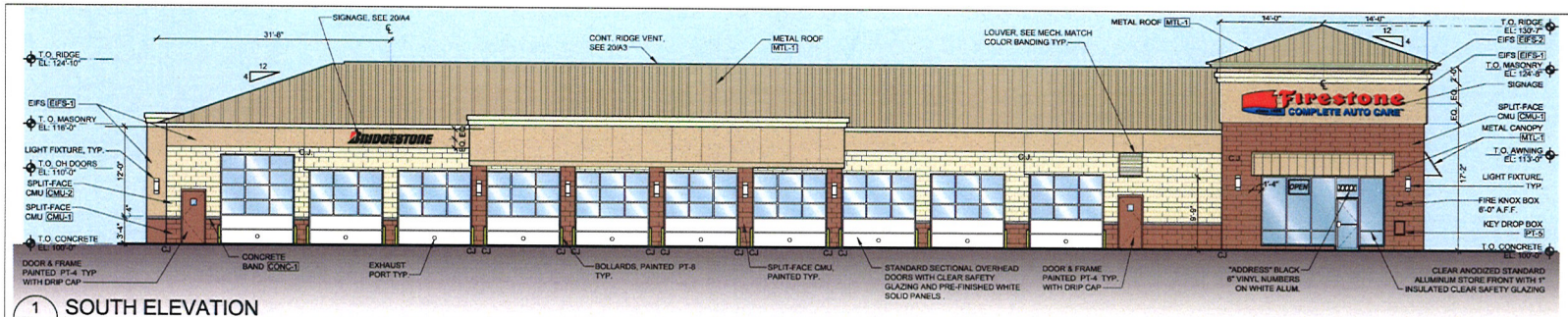
revisions
no. | description | date

jdB architect
John David Burke, Architect 3471 West Cheyenne Road #301 Las Vegas NV 89118 (702)376-4483 jburke@jdbarchitect.com

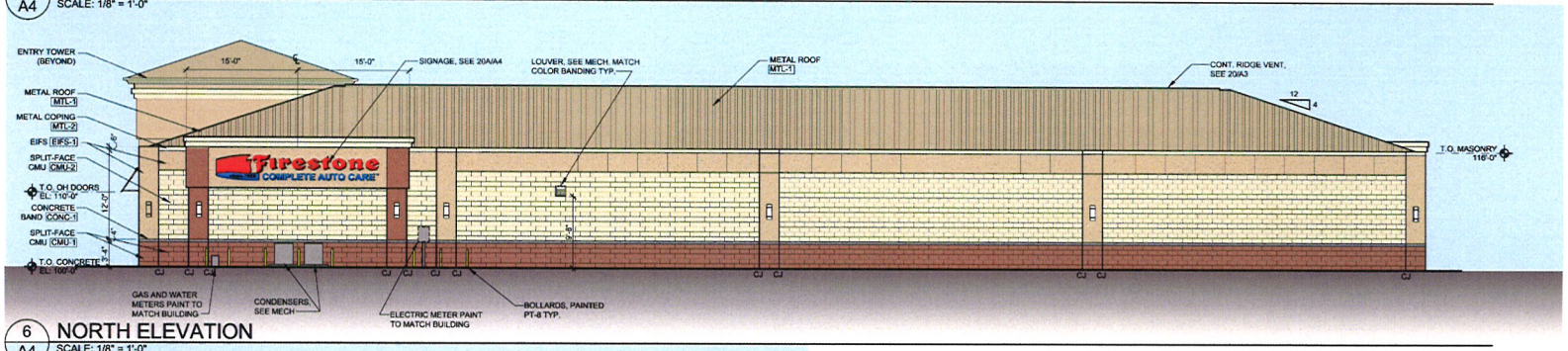
Firestone Auto Care
SW corner Rancho & Red Coach
for: Firestone
City of Las Vegas Nevada

| | |
|---|---|
| scale: | |
| date | |
| proj. no. | 2011-30 |
| drwn. by | |
| chkd. by | |

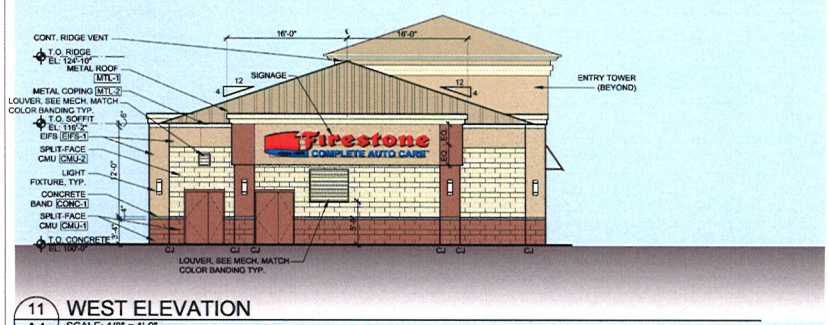
sheet no. L1



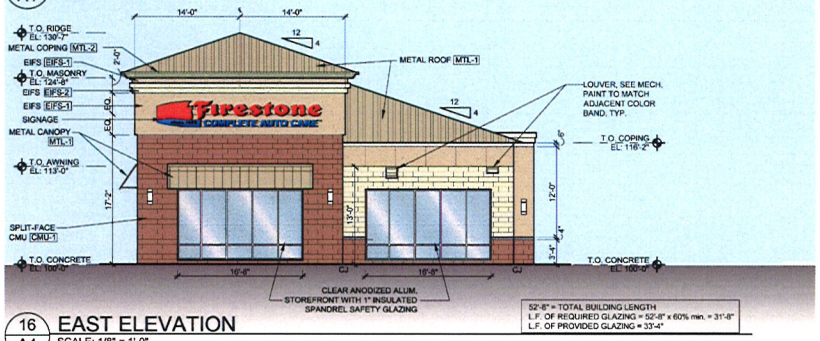

1 A4 **SOUTH ELEVATION**
SCALE: 1/8" = 1'-0"




6 A4 **NORTH ELEVATION**
SCALE: 1/8" = 1'-0"




11 A4 **WEST ELEVATION**
SCALE: 1/8" = 1'-0"




16 A4 **EAST ELEVATION**
SCALE: 1/8" = 1'-0"

**PAINT 1**
SHERWIN WILLIAMS
"BRANDYWINE"
-SW7710

**PAINT 2**
SHERWIN WILLIAMS
"ROW HOUSE TAN"
-SW7689

**PAINT 3**
SHERWIN WILLIAMS
"ANTIQUE WHITE"
-SW6119

**METAL 1**
FIRESTONE
UNA-CLAD
"SIERRA TAN SR"

RECEIVED
APR 27 2011

**VAR-41579**
**SDR-41578**

GPD GROUP
4600 E. Washington St., Suite 600
Phoenix, Arizona 85034
602-772-7870 Fax 602-772-7875

Firestone COMPLETE AUTO CARE

THIS DRAWING IS THE PROPERTY OF BRIDGESTONE RETAIL OPERATIONS, LLC AND IS LOANED ON THE EXPRESS CONDITION THAT IT IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT IS SPECIFICALLY FURNISHED, AND THAT THE RIGHT OF USE SHALL BE GOVERNED BY THE TERMS OF THE ORIGINAL ORDER AND THE ACCEPTANCE OF THE DRAWING WILL BE CONSTRUED AS AN ACCEPTANCE OF THE FOREGOING CONDITION AND AS AGREEMENT TO THE RESTRICTIONS SET FORTH HEREIN. ANY REPRODUCTION OF THIS DRAWING BY BRIDGESTONE RETAIL OPERATIONS, LLC OR ITS AGENTS OR REPRESENTATIVES, IN WHOLE OR IN PART, OR ANY USE OF THE SUBJECT MATTER THEREOF WITHOUT THE WRITTEN CONSENT OF BRIDGESTONE RETAIL OPERATIONS, LLC IS PROHIBITED.

NEW FCAC STORE
"ER - LEFT HAND"
RANCHO & RED COACH
LAS VEGAS, NV

**PRELIMINARY**
THIS DOCUMENT SHALL NOT BE USED FOR REGULATORY APPROVAL, PERMIT OR CONSTRUCTION.

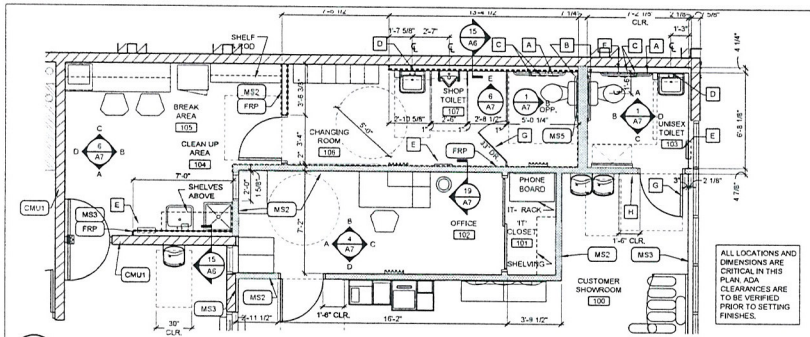
| | | (BY/DATE): |
|---|---|---|
| ZONE APPROVAL | | |
| VP: | | |
| CONTR. | | |
| RM: | | |
| CM: | | |

| | |
|---|---|
| PROPERTY NO.: | WZLV04-B |
| 6 DIGIT NO.: | 000000 |
| 4 DIGIT NO.: | 0000 |
| AOR PROJECT NUMBER: | XXXXXX |
| TO PERMIT: | DATE: 00-00-00 |
| NSP: | DATE: 04-12-11 |

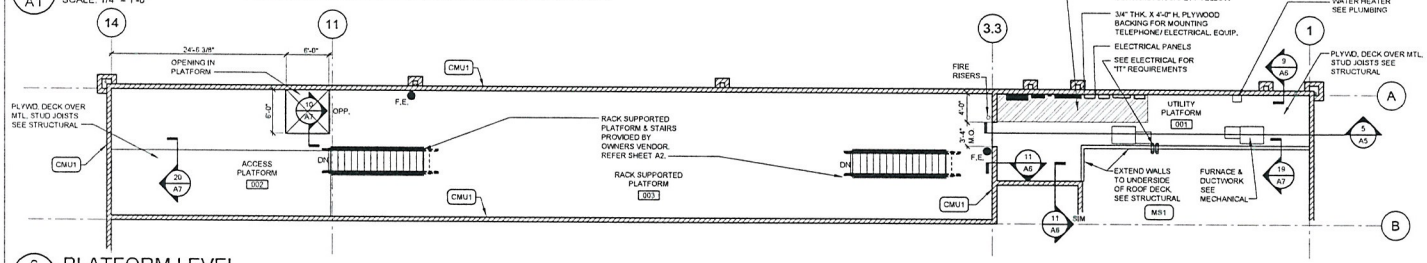
UPDATED 04/01/2011
GPD PROJ. 2011060.20

SHEET TITLE:
COLORED ELEVATIONS

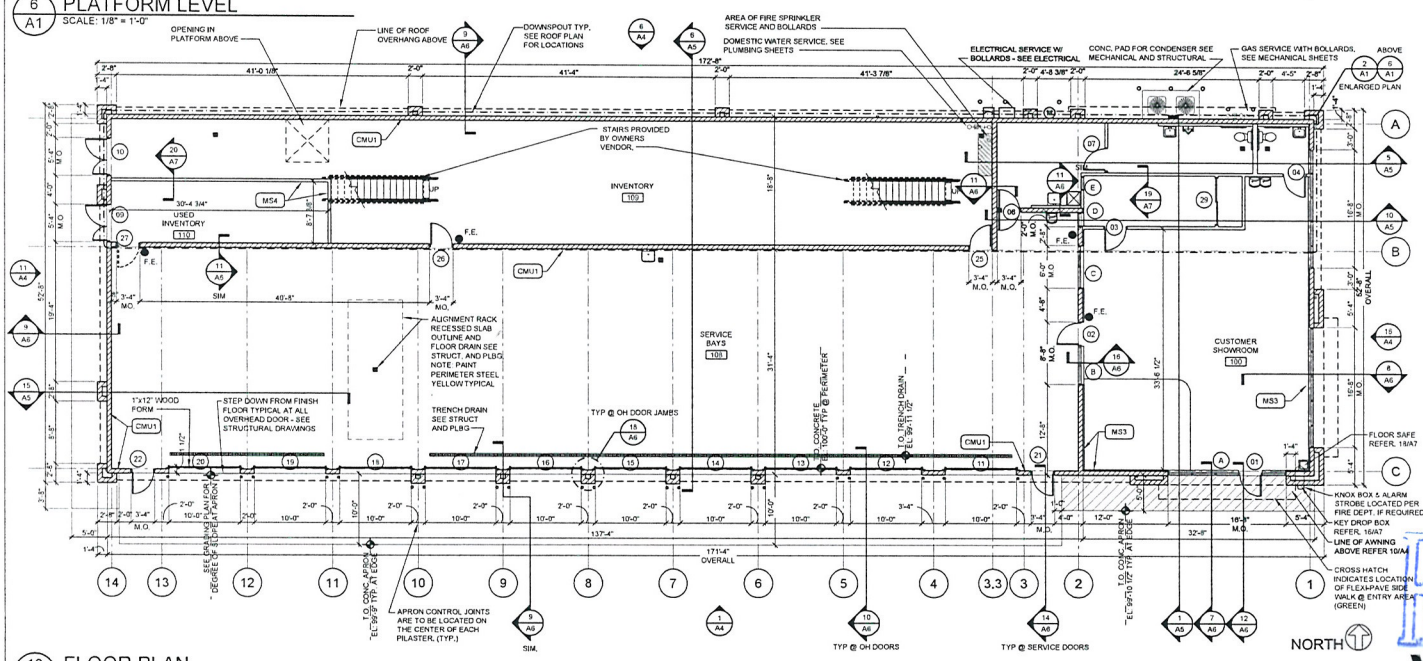
SHEET NUMBER:
**R4**




2 A1 ENLARGED PLAN
SCALE: 1/4" = 1'-0"




6 A1 PLATFORM LEVEL
SCALE: 1/8" = 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 AND BEHIND DRINKING FOUNTAINS. |
| 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 ON INTERIOR SIDE OF 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

GPD GROUP
Suite 500
Phoenix, Arizona 85004
602-733-0910 Fax 602-733-0911

Firestone COMPLETE AUTO CARE since 1900

NEW FCAC STORE
"ER - LEFT HAND"
RANCHO & RED COACH
LAS VEGAS, NV

PRELIMINARY
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| | |
|---|---|
| ZONE APPROVAL | (BY/DATE) |
| VP: | |
| CONTR. | |
| RM. | |
| CM. | |
| PROPERTY NO.: | WZLV04-B |
| 6 DIGIT NO.: | 000000 |
| 4 DIGIT NO.: | 0000 |
| AOR PROJECT NUMBER: | XXXXXX |
| TO PERMIT: | DATE: 05-06-09 |
| NSP: | DATE: 04-12-11 |

UPDATED: 04/01/2011
GPD PROJ: 2011060.20

SHEET TITLE:
FLOOR PLAN AND NOTES

SHEET NUMBER:
A1

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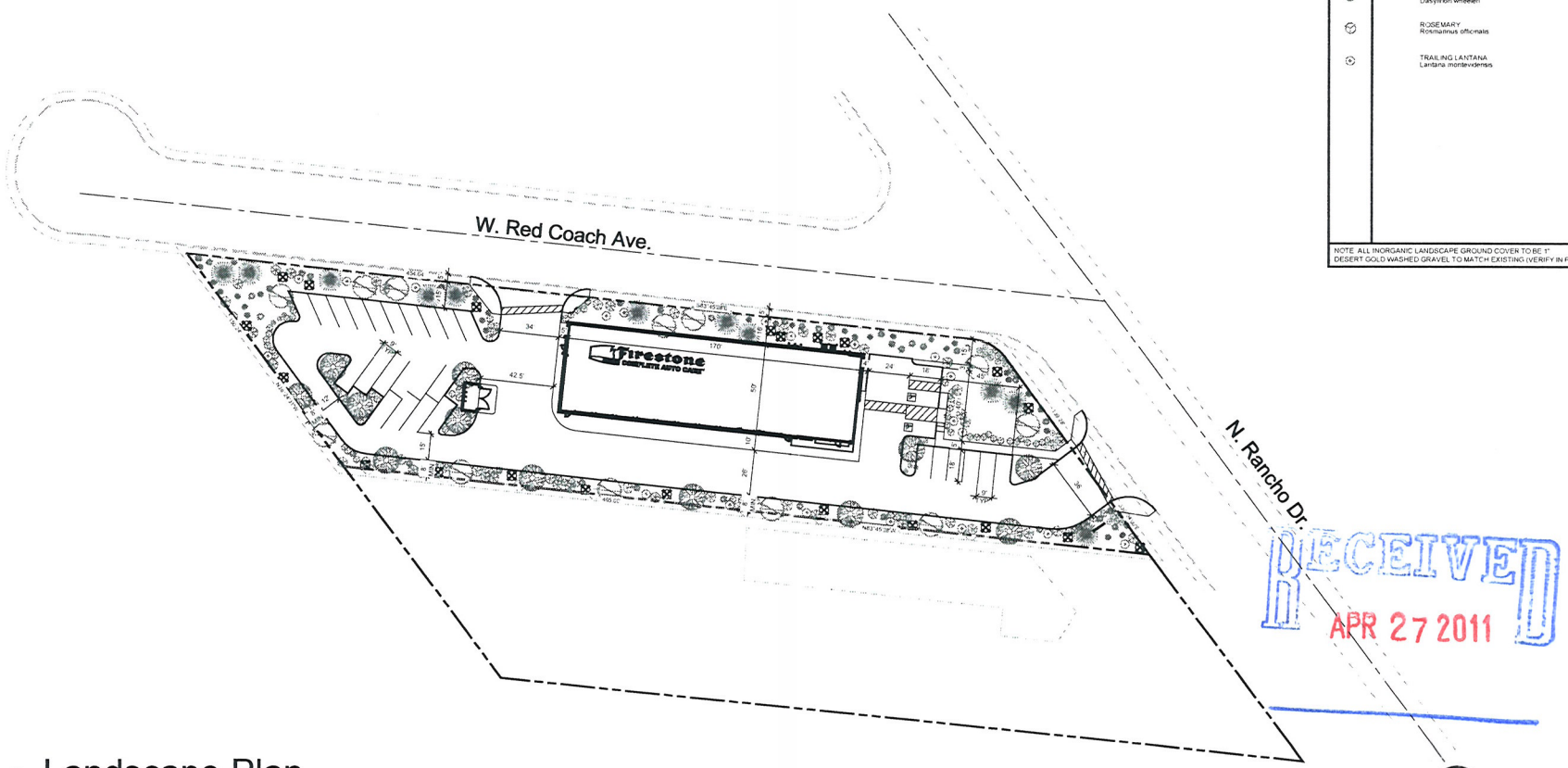
APR 27 2011

VAR-41579
SDR-41578




1 Landscape Plan
scale: 1" = 30'-0"

## landscape legend

| SYMBOL | LARGE TREES | TYPE | SIZE |
|---|---|---|---|
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NOTE: ALL INORGANIC LANDSCAPE GROUND COVER TO BE 1"
DESERT GOLD WASHED GRAVEL TO MATCH EXISTING (VERIFY IN FIELD)

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APR 27 2011

**VAR-41579**
**SDR-41578**

| revisions | |
|---|---|
| date | description |

jdB architect
John David Burke, Architect 3471 West Oquendo Road #301 Las Vegas, NV 89118 (702) 878-4803 jburke@burkearchitect.com

Firestone Auto Care
SW corner Rancho & Red Coach
for: Firestone
City of Las Vegas Nevada

| | |
|---|---|
| date | 4/8/11 |
| proj. no. | 2011.30 |
| drwn. by | |
| chkd. by | |

sheet no. L1

# Color and Material Board For
# BSRO – FCAC at Rancho & Red Coach
# Las Vegas, Nevada

RECEIVED
APR 27 2011

## Paint & Colors:

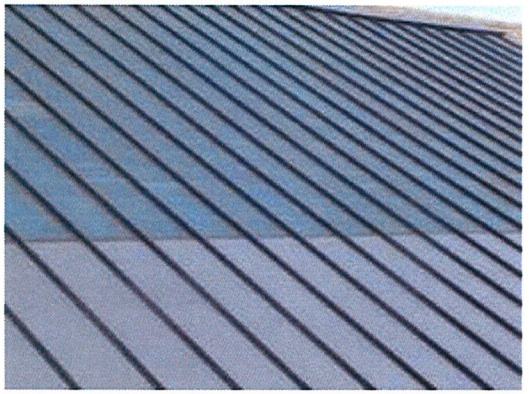
**METAL 1**
FIRESTONE
UNA-CLAD
"SIERRA TAN SR"

**PAINT 1**
SHERWIN WILLIAMS
"BRANDYWINE"
-SW7710

**PAINT 2**
SHERWIN WILLIAMS
"ROW HOUSE TAN"
-SW7689

**PAINT 3**
SHERWIN WILLIAMS
"ANTIQUE WHITE"
-SW6119

## Materials:



Metal Roofing with Firestone
"Sierra Tan SR"



Sandblasted Masonry Unit



Masonry Unit with paint scheme

**VAR-41579**
**SDR-41578**




VAR-41579 & SDR-41578 - APPLICANT: JONES LAND LASALLE - OWNER: THE TASS C. HARDIN REVOCABLE FAMILY TRUST
SOUTHWEST CORNER OF RED CAOCH AVENUE AND RANCHO DRIVE

05/05/11



VAR-41579 & SDR-41578 - APPLICANT: JONES LAND LASALLE - OWNER: THE TASS C. HARDIN REVOCABLE FAMILY TRUST
SOUTHWEST CORNER OF RED CAOCH AVENUE AND RANCHO DRIVE

05/05/11




VAR-41579 & SDR-41578 - APPLICANT: JONES LAND LASALLE - OWNER: THE TASS C. HARDIN REVOCABLE FAMILY TRUST
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05/05/11




VAR-41579 & SDR-41578 - APPLICANT: JONES LAND LASALLE - OWNER: THE TASS C. HARDIN REVOCABLE FAMILY TRUST

SOUTHWEST CORNER OF RED CAOCH AVENUE AND RANCHO DRIVE

05/05/11

KAEMPFER CROWELL

ATTORNEYS AT LAW

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

LAS VEGAS OFFICE
8345 W. Sunset Rd.
Suite 250
Las Vegas, NV 89113
Tel: 702.792.7000
Fax: 702.796.7181

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

RENO OFFICE
5470 Kietzke Lane
Suite 140
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.882.0257

LAS VEGAS OFFICE

ROBERT J. GRONAUER
rgronauer@kcnvlaw.com
702.792.7000

May 24, 2011

CITY OF LAS VEGAS PLANNING DEPT.
333 No. Rancho Drive, 3rd Floor
Las Vegas, NV 89106

***Re: REVISED - Site Development Plan Review***
***Parking Variance***

To Whom It May Concern:

This is a request to build a Firestone Complete Auto Care Facility at the southwest corner of West Red Coach Avenue and North Rancho Drive ("Property"). The Property is currently zoned C-2 and the commercial zoning district allows for automobile maintenance.

I. Site Development Plan Review

The Firestone Complete Auto Care Facility is approximately 8,500 square feet which consists of a waiting area, service area, new and used inventory and a maintenance area. The Property is approximately 1.18 acres. The auto care facility will provide a variety of services such as: maintenance tune-up; air conditioning service; oil change; brake repair; tire repair; heating and cooling repair and starting and charging vehicles. The Property has a total of two ingress and egress access points.

II. Parking Variance and Landscape Exception

The Property is long and narrow which makes it very difficult for development. In fact, the Property is roughly 110' across from north to south. Additionally, due to the location of existing structures, billboard sign, flood plain boundaries, drainage easements and NDOT requirements, any development on the Property will be difficult to meet all of the parking and parking lot landscaping requirements. Therefore, the site plan is designed for 30 parking spaces where 48 are required. For these same reasons, the Applicant is also requesting an exception to the parking lot landscape requirements. Based on previous parking experience for other maintenance facilities, the applicant believes the reduction in parking and landscaping will not have a detrimental impact to the Property or surrounding area.

**VAR-41579**
**SDR-41578**
**REVISED**

City of Las Vegas
MAY 24 2011
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Please contact Ann Pierce or me if you have any questions.

Sincerely,

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

Robert J. Gronauer

RJG/amp

VAR-41579
SDR-41578
REVISED

City of Las Vegas Agenda Item No.: **44.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

**SUBJECT:**
SDR-41578 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-41579 - PUBLIC HEARING - APPLICANT: JONES LANG LASALLE - OWNER: THE TASS C. HARDIN & LOIS I. HARDIN REVOCABLE FAMILY TRUST - Request for a Site Development Plan Review FOR AN 8,500 SQUARE-FOOT AUTO REPAIR GARAGE, MINOR on 1.18 acres at the southwest corner of Red Coach Avenue and Rancho Drive (APN 138-02-202-015), C-2 (General Commercial) Zone, Ward 6 (Ross). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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.**

PLANNING & DEVELOPMENT DEPARTMENT

# STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41578** APN: 138-02-202-015

Name of Property Owner: The Tass C. Hardin and Lois I. Hardin Revocable Family Trust

Name of Applicant: Carrie Gillis - Jones Lang LaSalle

Name of Representative: Bob Gronauer - Kaempfer Crowell Renshaw Gronauer & Fiorentino

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: Lois Hardin

Print Name: LOIS HARDIN

Subscribed and sworn before me

This 22nd day of April, 2011

Johanna N. Smith

Notary Public in and for said County and State

JOHANNA N. SMITH
Notary Public, State of Nevada
Appointment No. 04-90720-1
My Appt. Expires Aug 19, 2012

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APR 27 2011

Revised 11-14-06

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

993013.1

16277.3

# PLANNING & DEVELOPMENT DEPARTMENT

## APPLICATION / PETITION FORM

**Application/Petition For:** Site Development Plan Review

**Project Address (Location)** Red Coach Ave. and Rancho Dr.

**Project Name** Bridegstone **Proposed Use** minor auto repair facility

**Assessor's Parcel #(s)** 138-02-202-015 **Ward #** 6

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

**Commercial Square Footage** 8,500 **Floor Area Ratio** n/a

**Gross Acres** 1.18 ± **Lots/Units** 1 **Density**

**Additional Information**

**PROPERTY OWNER** The Tass C. Hardin & Lois I. Hardin Revocable Family Trust **Contact** n/a

**Address** 4095 Chieftain **Phone:** n/a **Fax:** n/a

**City** Las Vegas **State** NV **Zip** 89129

**E-mail Address** n/a

**APPLICANT** Jones Lang LaSalle **Contact** Carrie Gillis

**Address** 515 South Flower Street, Suite 1300 **Phone:** 323-395-4601 **Fax:** 323-733-5347

**City** Los Angeles **State** CA **Zip** 90071

**E-mail Address** carrie.gillie@am.jll.com

**REPRESENTATIVE** Kaempfer Crowell Renshaw Gronauer & Fiorentino **Contact** Bob Gronauer

**Address** 8345 W. Sunset Road, Suite 250 **Phone:** 702-792-7000 **Fax:** 702-796-7181

**City** Las Vegas **State** NV **Zip** 89113

**E-mail Address** rjg@kcnvlaw.com

**Property Owner Signature*** Lois Hardin

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

**Print Name** LOIS HARDIN

Subscribed and sworn before me

This 22nd day of April, 20 11.

Johanna N. Smith

Notary Public in and for said County and State

JOHANNA N. SMITH
Notary Public, State of Nevada
Appointment No. 04-90720-1
My Appt. Expires Aug 19, 2012

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | SDR-41578 |
| Meeting Date: | 6/14/11 |
| Total Fee: | $1,030 |
| Date Received:* | 4/27/11 |
| Received By: | BS |

RECEIVED
APR 27 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.

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

Revised 10/27/08

993009.1

16277.3

**SDR 41578**
**Jones Lang LaSalle**

# SWC Red Coach & Rancho

Proposed 8.5 thousand square foot tire store.

**Traffic produced by proposed development:**

| Proposed Use | DESCRIPTION | #UNIT | RATE/# UNIT | TOTAL |
|---|---|---|---|---|
| Average Daily Traffic (ADT) | TIRE STORE [1000 SF] | 8.5 | 24.87 | 211 |
| AM Peak Hour | | | 2.89 | 25 |
| PM Peak Hour | | | 4.15 | 35 |

*(heaviest 60 minutes)*

**Existing traffic on all nearby streets:**

| **Rancho Drive** | |
|---|---|
| Average Daily Traffic (ADT) | 24,819 |
| PM Peak Hour | 1,986 |

*(heaviest 60 minutes)*

**Traffic Capacity of adjacent streets:**

| | Existing Street Capacity |
|---|---|
| Rancho Drive | 51,800 |

This project will add approximately 211 trips per day on Rancho Dr. and Red Coach Ave. Rancho is currently at about 48 percent of capacity and is expected to remain at about 48 percent of capacity with this project. Counts are not available for Red Coach Ave., but it is believed to be under capacity.

Based on Peak Hour use, this development will add roughly 35 additional cars into the area, which works out to about one every two minutes.

Note that this report assumes all traffic from this development uses all named streets.

City of Las Vegas Agenda Item No.: **45.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

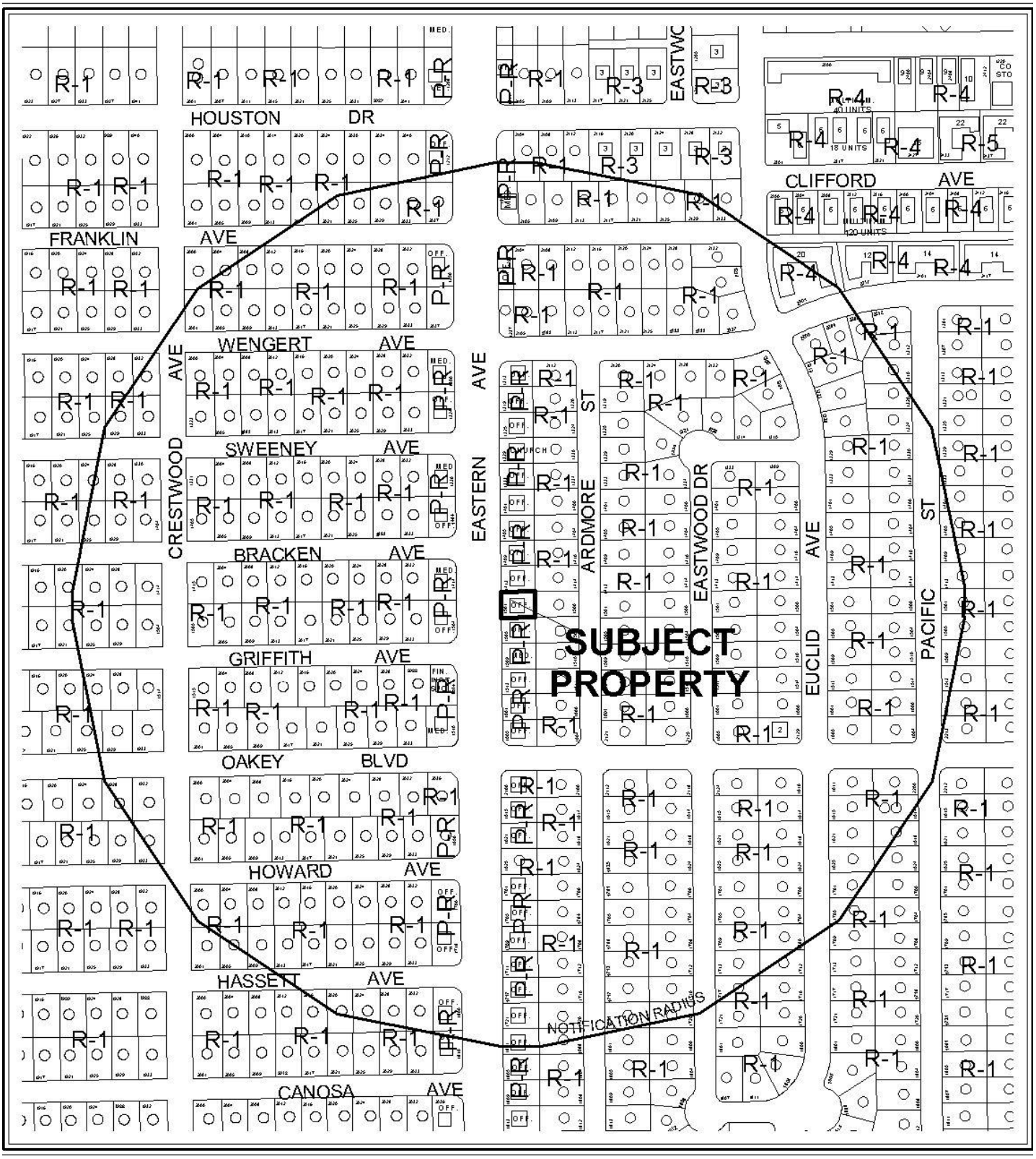
**SUBJECT:**
VAR-41580 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ROGELIO MACHUCA - Request for a Variance TO ALLOW NO ADDITIONAL PARKING SPACES WHERE THREE ADDITIONAL SPACES ARE REQUIRED FOR A PROPOSED 2,175 SQUARE-FOOT OFFICE, MEDICAL on 0.11 acres at 1501 South Eastern Avenue (APN 162-01-210-040), P-R (Professional Office and Parking) Zone, Ward 3 (Reese). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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.

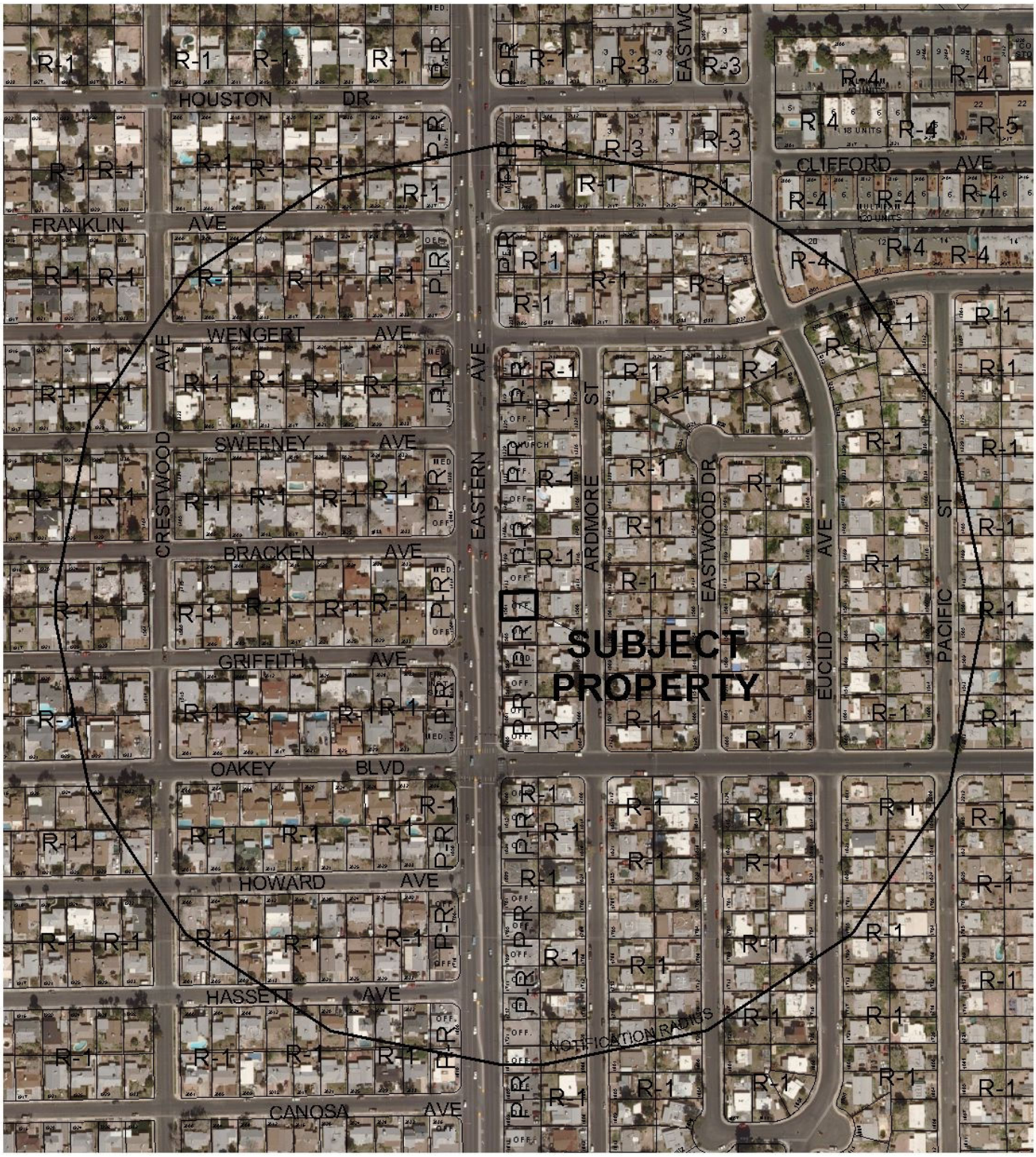
**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter




**CASE:** **VAR-41580**

**RADIUS:** 1000 FT

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




0 300 600 Feet

**CASE:** **VAR-41580**

**RADIUS:** 1000 FT

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

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: ROGELIO MACHUCA**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-41580** | Staff recommends DENIAL, if approved subject to conditions: | N/A |

## ** CONDITIONS **

# VAR-41580 CONDITIONS

***Planning***

1. Conformance to the approved conditions for Rezoning (Z-0027-86) and Variance (V-0040-86).

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. The parking lot shall be restriped within 90 days of final approval.

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. 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 no additional parking spaces where three additional parking spaces are required for a proposed Medical Office use located at 1501 South Eastern Avenue. The subject site was a former Office, Other than Listed (Mortgage Broker) and has been vacant since 06/30/10. The applicant is proposing a 2,175 square-foot Office, Medical use which is a permitted in the P-R (Professional Office and Parking) zoning district. As the subject site is a parking-impaired development and the applicant is proposing a more intense use, only the additional parking for the change of use is required. As the applicant cannot provide the additional three spaces, and no evidence of unique or extraordinary circumstances pursuant to Title 19.18.070 that would substantiate the requested variance; therefore, staff recommends denial of this request. If this request is approved, it is subject to conditions.

## ISSUES

- A portion of the existing parking lot is located within Eastern Avenue right-of-way and can accommodate up to four parking spaces, of which three would be standard parking spaces and one compact space. These spaces exist but cannot be counted towards the onsite parking requirement.
- The subject site is parking impaired per Title 19.10.010. A Variance is required for the three additional spaces required for the change of use.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 04/24/86 | The Board of Zoning Adjustment approved a Variance (V-0040-86) to allow a five-foot rear yard setback where 15 feet is required at 1501 South Eastern Avenue. The Department of Planning staff recommended approval. |
| 05/21/86 | The City Council approved a request for Rezoning (Z-0027-86) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) at 1501 South Eastern Avenue. The Planning Commission recommended approval. The Department of Planning staff recommended denial. |
| 05/17/06 | The City Council approved a General Plan Amendment (GPA-12043) to amend a portion of the Southeast Sector Plan of the General Plan from SC (Service Commercial) and L (Low Density Residential) to O (Office) at 1501 South Eastern Avenue as part of a larger request. The Planning Commission and staff recommended approval. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 01/31/11 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 07/11/86 | A building permit (9081) was issued for a 2,150 square-foot office building at 1501 South Eastern Avenue. There is no final building inspection on record. |
| 02/03/04 | A business license (M18-02804) was issued for a Management or Consulting Service at 1501 South Eastern Avenue. The license was marked out of business on 10/20/08. |
| 04/11/07 | A business license (Q16-00608) was issued for a Mortgage Broker at 1501 South Eastern Avenue. The license was marked out of business on 10/20/08. |
| 10/05/07 | A business license (M15-03484) was issued for a Computer sales and Service at 1501 South Eastern Avenue. The license was marked out of business on 10/20/08. |
| 10/16/07 | A business license (B20-01344) was issued for a Business Support Service at 1501 South Eastern Avenue. The license was marked out of business on 10/20/08. |
| 09/15/08 | A business license (M18-04526) was issued for a Management or Consulting Service at 1501 South Eastern Avenue. The license was marked out of business on 10/15/09. |
| 04/14/09 | A business license (Q13-01198) was issued for a Law Office at 1501 South Eastern Avenue. The license was marked out of business on 10/15/09. |
| 06/29/09 | A business license (Q16-00723) was issued for a Mortgage Broker at 1501 South Eastern Avenue. The license was marked out of business on 06/30/10. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/20/11 | 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 for this application, nor was one held. |

| ***Field Check*** | |
|---|---|
| 05/05/11 | During a field check staff noted a vacant office building free of trash and debris. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.11 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Office, Other than Listed | O (Office) | P-R (Professional Office and Parking) |
| North | Office, Other than Listed | O (Office) | P-R (Professional Office and Parking) |
| South | Office, Other than Listed | O (Office) | P-R (Professional Office and Parking) |
| East | Single Family, Detached | L (Low Density Residential) | R-1 (Single Family Residential) |
| West | Office, Other than Listed | O (Office) | P-R (Professional Office and Parking) |
| | Office, Medical | | |

| ***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**

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Eastern Avenue | Primary Arterial | Master Plan of Streets and Highways | 105 | Y* |

*Per the Master Plan of Streets and Highways, the street width is 100 feet.

***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 | |
| Existing Office, Other than Listed | (-2,175 SF) | 1/300 S.F. | (-8) | | | | |
| Office, Medical (Proposed) | 2,175 S.F. | 1/200 for first 2,000 S.F. then 1 for each additional 175 S.F. | 10<br>1 | | | | |
| **TOTAL SPACES REQUIRED** | | | 11 | | 4 | | N* |
| **Regular and Handicap Spaces Required** | | | 10 | 1 | 3 | 1 | N* |
| Percent Deviation | | | 64% | | | | |

*The subject site is parking impaired per Title 19.10.010. A Variance is required for the three additional spaces required for the change of use.

**ANALYSIS**

Pursuant to Title 19.10.010 the subject site is parking-impaired, as the current use requires eight parking spaces, but only four spaces exist on site. The proposed use would require 11 parking spaces. As a parking impaired site, a variance is only required for the three additional parking spaces are required for the change of use. The site plan depicts the first 20 feet of the existing parking lot within the Eastern Avenue right-of-way. The right-of-way portion can accommodate four parking spaces, of which three would be standard parking spaces and one compact space. These spaces currently exist, but cannot be counted towards the onsite parking requirement.

The requested Variance constitutes a 100% deviation from the three required additional parking spaces. As the subject site's useable parking lot area is 28 feet wide by 60 feet long, a condition has been added to restripe the parking lot to provide one handicapped van accessible space and three standard parking spaces, pursuant to Title 19.10 standards. The applicant has indicated that a bus stop is approximately 100 feet from the proposed Medical Office and can accommodate the customers' mode of transportation. Staff recommends denial of this request as the applicant has provided no evidence of unique or extraordinary circumstances pursuant to Title 19.18.070 that would substantiate the requested variance. If this Variance is approved, it is subject to conditions.

**FINDINGS (VAR-41580)**

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 more intense use that increases the parking requirement when the site cannot accommodate the required amount of parking. Alternatively the site could remain an Office, Other Than Listed, or applicant could decrease the size of the Office, Medical use, which 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.

**NOTICES MAILED** 425

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41580** APN: 162-01-210-040

Name of Property Owner: Rogelio Machuca

Name of Applicant: Rogelio Machuca

Name of Representative: Rogelio Machuca

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: Rogelio Machuca

Print Name: Rogelio Machuca

State of NV
County of Clark
Subscribed and sworn before me

This 26 day of April, 2011

_____
Notary Public in and for said County and State

MEL SALAZAR
Notary Public, State of Nevada
Appointment No. 11-3935-1
My Appt. Expires Dec 20, 2014

RECEIVED
APR 27 2011

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Parking Variance

**Project Address (Location)** 1501 S. EASTERN

**Project Name** Machuca Family Medicine **Proposed Use** Medical office

**Assessor's Parcel #(s)** 162-01-210-040 **Ward #** 3

**General Plan:** existing X proposed ____ **Zoning:** existing P-R proposed P-R

**Commercial Square Footage** 2175 **Floor Area Ratio** ____

**Gross Acres** 0.11 **Lots/Units** ____ **Density** ____

**Additional Information** ____

**PROPERTY OWNER** Rogelio Machuca **Contact** ____

**Address** 4273 Green hill Dr. **Phone:** 702-234-1691 **Fax:** ____

**City** Las vegas **State** NV **Zip** 89121

**E-mail Address** Rogelio machuca@yahoo.com.

**APPLICANT** SAME AS PROPERTY OWNER **Contact** ____

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

**City** ____ **State** ____ **Zip** ____

**E-mail Address** ____

**REPRESENTATIVE** Self **Contact** ____

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

**City** ____ **State** ____ **Zip** ____

**E-mail Address** ____

**Property Owner Signature*** Rogelio Machuca

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

**Print Name** Rogelio Machuca

State of NV County of CLARK

Subscribed and sworn before me

This 26 day of April, 20 11.

Notary Public in and for said County and State

MEL SALAZAR
Notary Public, State of Nevada
Appointment No. 11-3835-1
My Appt. Expires Dec 20, 2014

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| **Case #** | VAR-41580 |
| **Meeting Date:** | 6/14/11 PC |
| **Total Fee:** | $830 |
| **Date Received:*** | 4-27-11 |
| **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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APR 27 2011

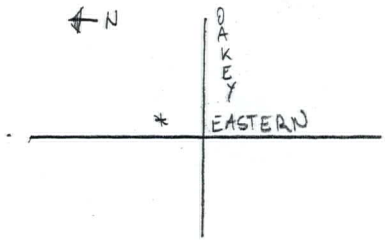
Revised 10/27/08

# Site Plan

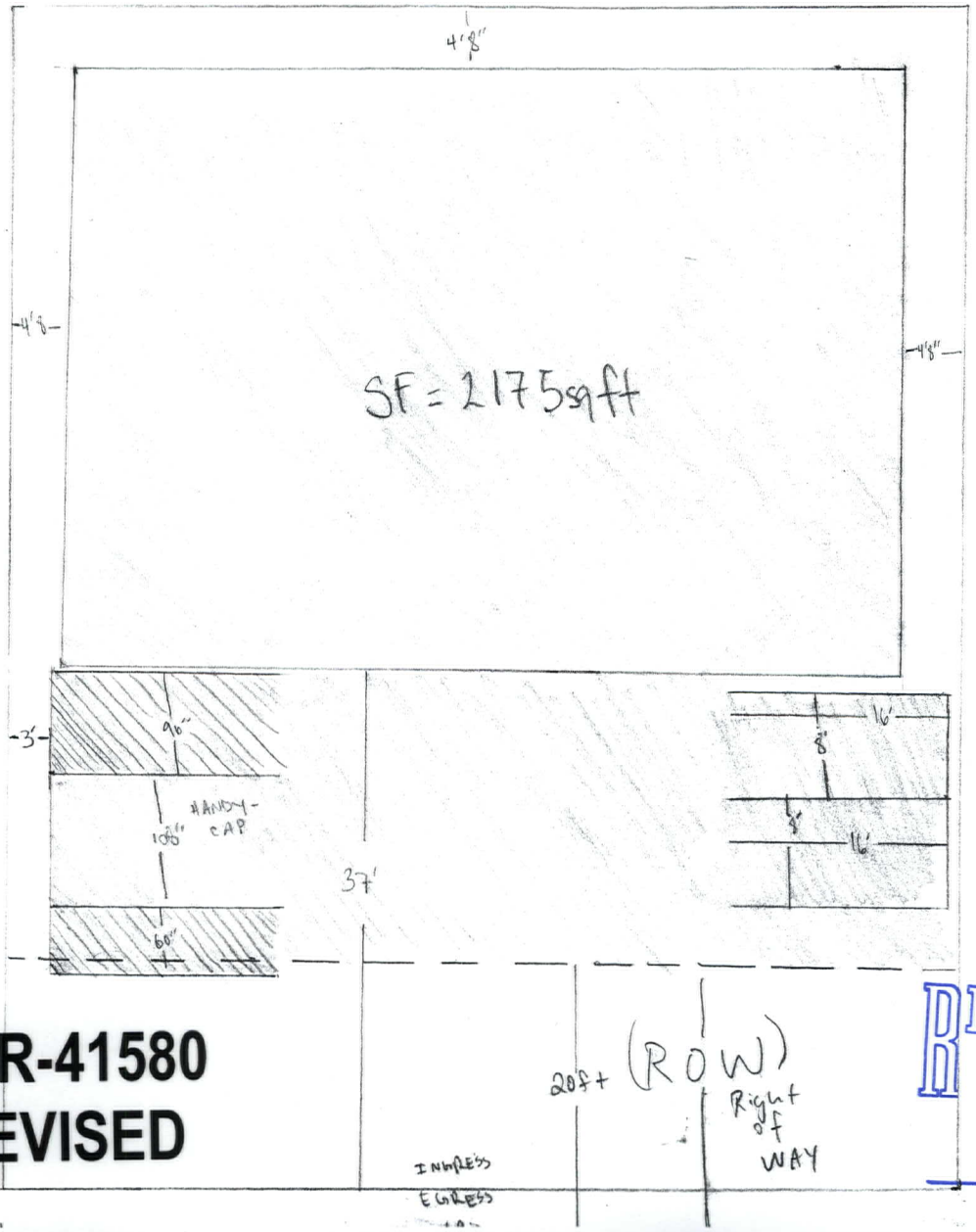
1501 S. EASTERN

1 inch = 10 feet

N




R-1




VAR-41580
REVISED

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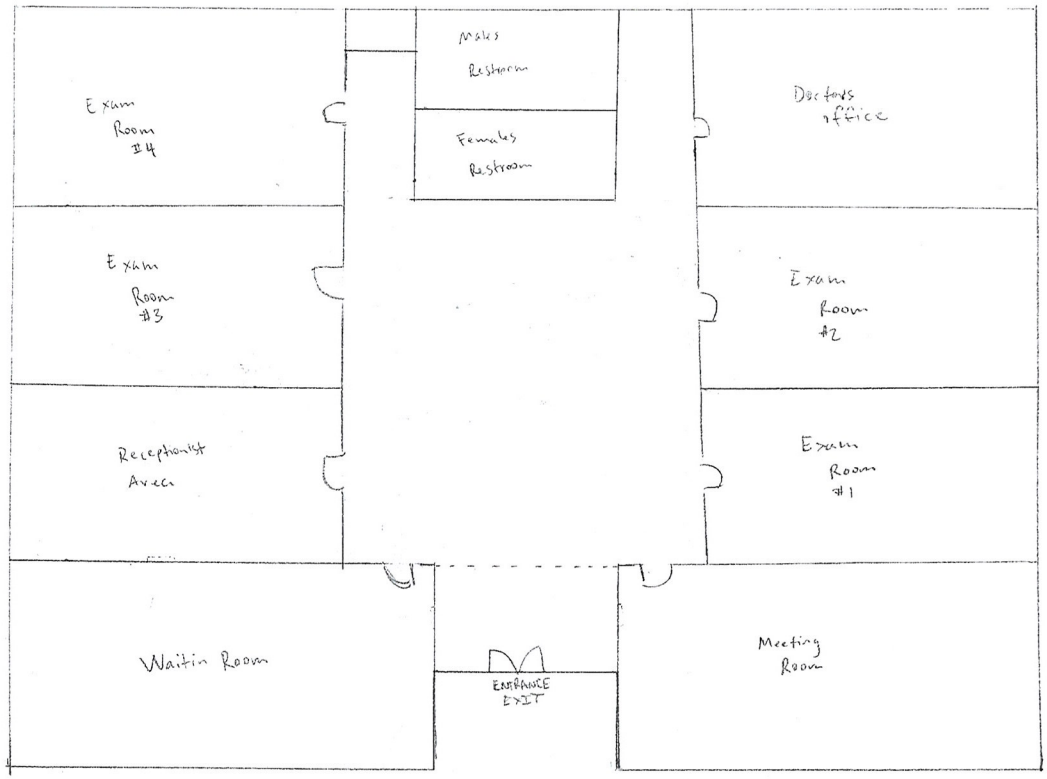
MAY 16 2011

N

1 inch = 5 feet




Maximum occupancy = 22

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APR 27 2011
VAR-41580



VAR-41580 – APPLICANT/OWNER: ROGELIO MACHUCA
1501 SOUTH EASTERN AVENUE

05/05/11




VAR-41580 – APPLICANT/OWNER: ROGELIO MACHUCA
1501 SOUTH EASTERN AVENUE

05/05/11

To the Planning Commission:

My passion has always been to serve the community I was raised in since I was 6 months old, Las Vegas, Nevada. I have traveled across the country to earn my education. I earned my undergraduate degree from Southern Utah University and my medical degree from the University of Nebraska. When it came to choosing a specialty, I knew I wanted to be a Family Physician where I could do the most good for my community. Naturally, I wanted to return to Las Vegas, NV, specifically University Medical Center for my medical training. I have volunteered at multiple health fairs and have worked with the Spanish speaking community on educating individuals about the adverse outcomes that may arise from going to unlicensed physicians and "botanicas" (herbal store fronts that sell illegally smuggled medications out of the back of the store).

As June 30th, 2011 approaches, the day my three year residency ends, I would continue to work to serve my community and offer affordable access of care for patients that are in need; as this is a proactive approach against the black market medical service that is dangerous and threatens lives in our community. I have purchased a building that I would like to convert to a medical clinic in a community where there is a huge need for a primary care physician. Most of the residents in this community are uninsured or underinsured.

I am asking for a variance to add no additional parking spaces where three additional spaces are required. The current parking spaces are more than sufficient as I will see four to five patients per hour devoting appropriate time for each patients' needs. There will be a constant flux of parking. Also there is a bus stop approximately 100 feet from the building that could accommodate the area's need with mass transportation. Because 20 feet has been designated as right of way on Eastern avenue, approximately 50 percent of my available parking has been designated as such creating a non-self imposed hardship. The medical office will be a hub for community outreach, healthcare, economic development, and community service to state a few positives the medical office will bring to the community.

Thank you for your consideration.

Respectfully,

Rogelio Machuca, M.D.

RECEIVED
11 MAY 17 AM 9:57
PLANNING AND DEVELOPMENT

VAR-41580
REVISED

City of Las Vegas Agenda Item No.: **46.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

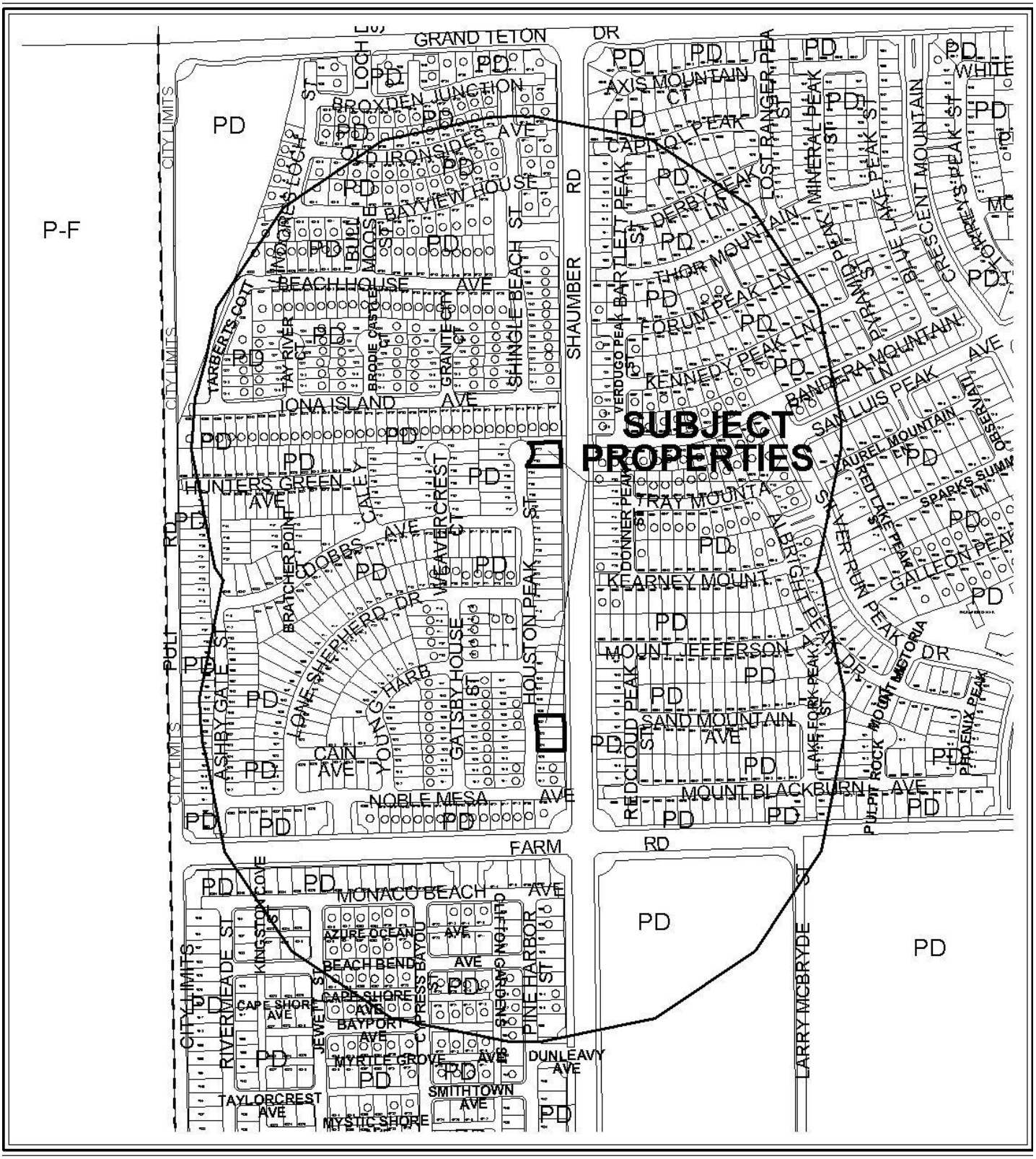
**SUBJECT:**
VAR-41585 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BEAZER HOMES HOLDING CORPORATION - Request for a Variance TO ALLOW A SEVEN-FOOT REAR YARD SETBACK FOR A PATIO/BALCONY WHERE 10 FEET IS THE MINIMUM REQUIRED on 0.37 acres at 7624, 7628, 7632, 7768 and 7772 Houston Peak Street (APNs 126-13-212-006, 007, 008, 181, and 182), PD (Planned Development) Zone, Ward 6 (Ross). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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.

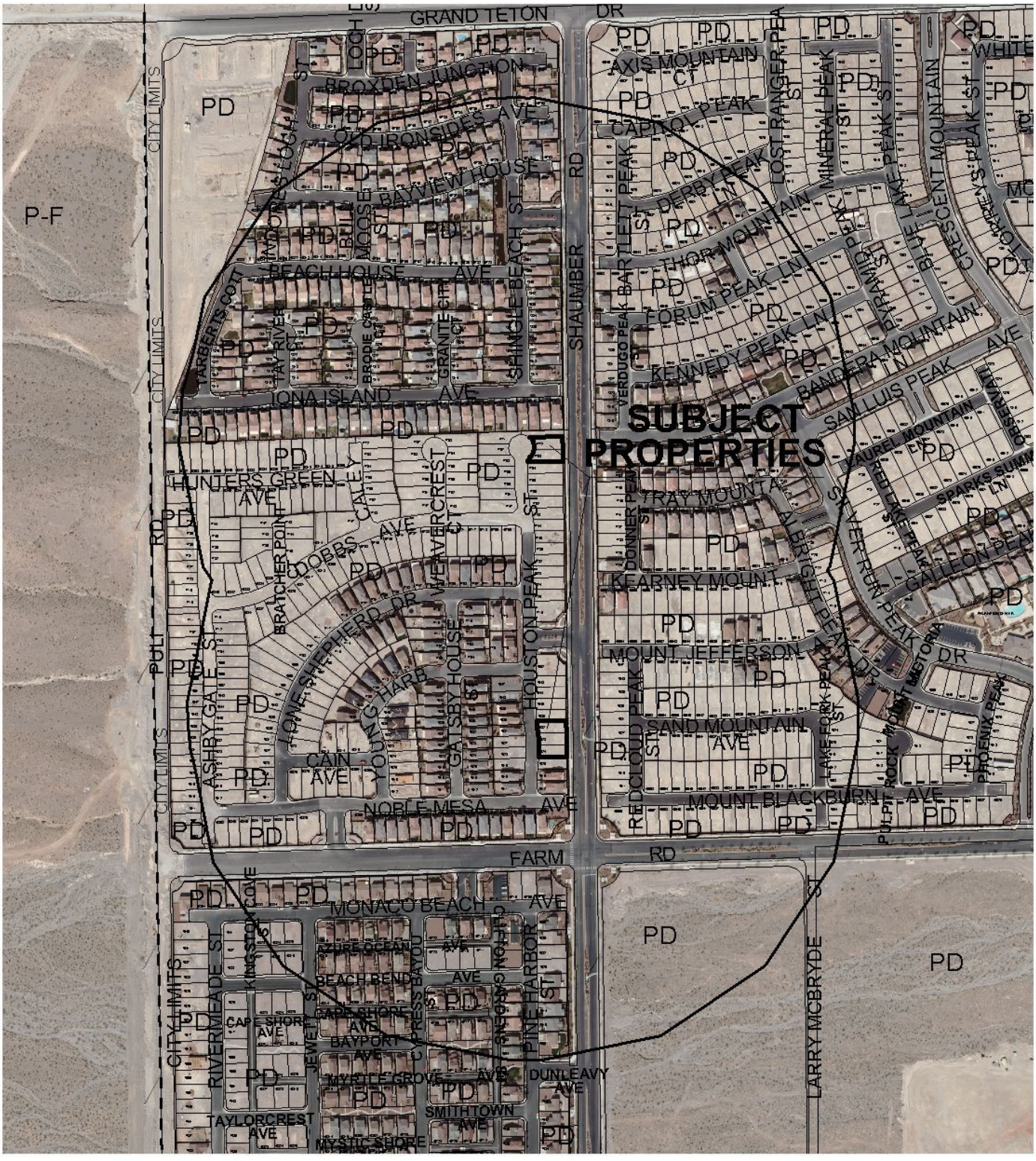
**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Providence Design Review Committee Approval Letter
6. Justification Letter




**CASE:** **VAR-41585**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** PD (PLANNED DEVELOPMENT)




0 300 600 Feet

**CASE:** VAR-41585

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: BEAZER HOMES HOLDING CORPORATION**

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

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-41585** | Staff recommends DENIAL, if approved subject to conditions: | |

**** CONDITIONS ****

# VAR-41585 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.

**Staff Report Page One**
**June 14, 2011 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This application is a request for a Variance to allow a seven-foot rear yard setback for a patio/balcony where the Cliff's Edge Development Standards require a minimum 10-foot setback for five select lots on 0.37 acres. The properties involved with this request are located at 7624, 7628, 7632, 7768 and 7772 Houston Peak Street. The applicant's justification is that this Variance will only affect five lots out of the 313-lot development and that the deviation will have little to no impact on the community. Staff recommends denial, as the design does not meet the Cliff's Edge Development Standards and will compromise the privacy of the adjacent properties of the proposed balconies. If the application is denied, the applicant will not be allowed to submit the approved model home floor plans with the 2nd Story Deck option.

## ISSUES

- The Cliff's Edge Master Development Plan and Design Guidelines refer to a "Balcony" as a 2nd Story Deck and combine this with Patio Covers.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 04/16/03 | The City Council approved a request for a Rezoning (ZON-1520) to PD (Planned Development) for this site as part of a larger request. The Planning Commission and staff recommended approval. |
| 06/24/04 | The Planning Commission approved a request for a Tentative Map (TMP 4431) for a 313-lot single-family residential subdivision on 40.52 acres adjacent to the north side of Farm Road, between Puli Road and Shaumber Road. Staff recommended approval of this request. |
| 11/18/04 | The Planning Commission approved a request for a Tentative Map (TMP-5290) for a 290-lot single-family residential subdivision on 41.10 acres adjacent to the southeast corner of Grand Teton Drive and Puli Road. Staff recommended approval of this request. |
| 10/20/05 | The Planning Commission approved a request for a Variance (VAR-9078) to allow a thirteen-foot rear-yard setback where 15 feet is the minimum setback required on three proposed lots within 40.52 acres adjacent to the northwest corner of Farm Road and Puli Road. Staff recommended approval of this request. |

| | |
|---|---|
| 12/02/09 | An Extension of Time (EOT-36105) was approved by City Council for a Variance (VAR-9078) to allow a thirteen-foot rear-yard setback where 15 feet is the minimum setback required on three proposed lots within 40.52 acres adjacent to the northwest corner of Farm Road and Puli Road. The Planning Commission and staff recommended approval. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 11/05/03 | A deed was recorded for a change in ownership of the five properties. |

| ***Related Building Permits/Business Licenses*** |
|---|
| There have been no building permits issued at any of the affected addresses at this time. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/19/11 | Setback requirements for this development were discussed. The required setback for the rear yard patio/balcony is 10 feet. Five lots within the development do not meet the requirement and were determined to be in need of a Variance. |

| ***Neighborhood Meeting*** |
|---|
| A Neighborhood meeting is not required, nor was one held. |

| ***Field Check*** | |
|---|---|
| 05/05/11 | Staff visited the site and found the five parcels were currently undeveloped and located within a single-family subdivision that is under construction. One of the lots adjacent to the requested Variance has been completed and is occupied. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.37 |

| *Surrounding Property* | *Existing Land Use Per Title 19.04* | *Planned or Special Land Use Designation* | *Existing Zoning District* |
|---|---|---|---|
| Subject Property | Single Family, Detached | PCD (Planned Community Development) | PD (Planned Development) Zone |
| North | Single Family, Detached | PCD (Planned Community Development) | PD (Planned Development) Zone |
| South | Single Family, Detached | PCD (Planned Community Development) | PD (Planned Development) Zone |
| East | ROW (Right-of-Way) | ROW (Right-of-Way) | ROW (Right-of-Way) |
| West | Single Family, Detached | PCD (Planned Community Development) | PD (Planned Development) Zone |

| *Master Plan Areas* | *Yes* | *No* | *Compliance* |
|---|---|---|---|
| **Master Plan Area** | | | |
| Cliff's Edge | X | | N |
| ***Special Purpose and Overlay Districts*** | ***Yes*** | ***No*** | ***Compliance*** |
| **Special Purpose and Overlay Districts** | | | |
| PD (Planned Development) District | X | | N |
| **Trails** | | X | 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 The Cliff's Edge Master Development Plan and Design Guidelines, the following standards apply:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Patio/Balcony Setbacks | | | |
| • 7624 Houston Peak Street | 10 Feet | Feet | N |
| • 7628 Houston Peak Street | 10 Feet | Feet | N |
| • 7632 Houston Peak Street | 10 Feet | Feet | N |
| • 7768 Houston Peak Street | 10 Feet | Feet | N |
| • 7772 Houston Peak Street | 10 Feet | Feet | N |

## ANALYSIS

The five lots in question are all located within a 313-lot single family residential subdivision designated as ML (Medium-Low Density Residential) under the Cliff's Edge Master Development Plan, which allows for medium density detached or attached single-family product types including, but not limited to, duplexes, compact lots, cluster and zero lot line developments not to exceed two stories in height. Section 3.2.5 of the Cliff's Edge Master Development Plan requires a 10-foot setback for Rear Patio Covers and 2nd Story Decks for the ML (Medium-Low Density Residential) land use designation. The proposed setbacks of five lots are within the range of seven to nine feet and are all for a 2nd Story Deck (balcony). The balconies face out towards Shaumber Road; however, the adjacent rear yards will be visible from the deck. Previously approved home models conformed to the requirements, and the proposed models could also be designed to conform to the requirements of the Cliff's Edge Master Development Plan; therefore, staff is recommending denial as the hardship is self-imposed.

## FINDINGS (VAR-41585)

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 balconies that are too close to the rear property line. A smaller patio cover with the appropriate site arrangement would allow conformance to the Cliff's Edge 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.

**NOTICES MAILED** 447

**APPROVALS** 0

**PROTESTS** 0

MH

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-41585** APN: 126-13-212-006;007;008;181&182

Name of Property Owner: Beazer Homes Holding Corp

Name of Applicant: Beazer Homes Holding Corp

Name of Representative: Thomason Consulting Engineers

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Ray Huff

Subscribed and sworn before me

This 25 day of April, 20 11

_____

Notary Public in and for said County and State

SONIA MACIAS
Notary Public State of Nevada
No. 05-95904-1
My appt. exp. April 1, 2013



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APR 28 2011

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Variance

**Project Address (Location)** 7624; 7628; 7632; 7768 & 7772 Houston Peak Street

**Project Name** Cliff's Edge/Providence POD 205 **Proposed Use** P-D

**Assessor's Parcel #(s)** 126-13-212-006; 007; 008; 181 & 182 **Ward #** 6

**General Plan:** existing PCD proposed PCD **Zoning:** existing P-D proposed P-D

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

**Gross Acres** .38 **Lots/Units** 5 **Density** _____

**Additional Information** _____

**PROPERTY OWNER** Beazer Homes Holding Corp **Contact** Ray Huff

**Address** 9121 W Russell Road # **Phone:** 837-2100 **Fax:** 284-5535

**City** Las Vegas **State** NV **Zip** 89148

**E-mail Address** rhuff@beazer.com

**APPLICANT** Beazer Homes Holding Corp **Contact** Ray Huff

**Address** 9121 W Russell Road # **Phone:** 837-2100 **Fax:** 284-5535

**City** Las Vegas **State** NV **Zip** 89148

**E-mail Address** rhuff@beazer.com

**REPRESENTATIVE** Thomason Consulting Eng **Contact** Sonia Macias

**Address** 3277 E Warm Springs Suite #400 **Phone:** 932-6125 **Fax:** 932-6129

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

**E-mail Address** smacias@tce-lv.com

**Property Owner Signature*** _____

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

**Print Name** Ray Huff

Subscribed and sworn before me

This 25 day of April, 20 11.

_____

Notary Public in and for said County and State

SONIA MACIAS
Notary Public State of Nevada
No. 05-95904-1
My appt. exp. April 1, 2013

*FOR DEPARTMENT USE ONLY*

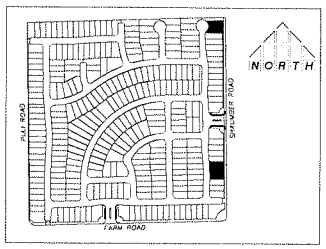
| | |
|---|---|
| **Case #** | VAR-41585 |
| **Meeting Date:** | 6-14-11 |
| **Total Fee:** | 830.00 |
| **Date Received:*** | 4-28-11 |
| **Received By:** | JFmuel |

*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.

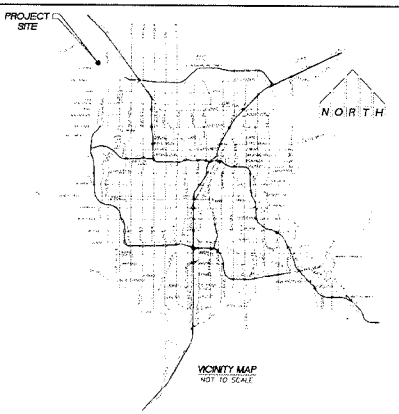
f:\depot\Application Packet\Application Form.pdf

Revised 10/27/08

APR 28 2011



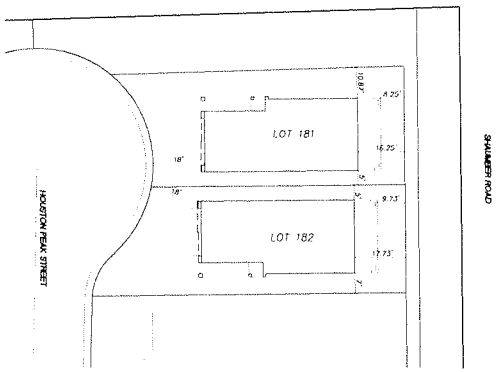

KEY MAP
NOT TO SCALE

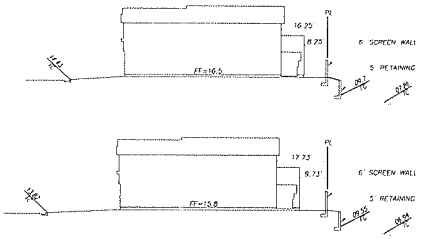


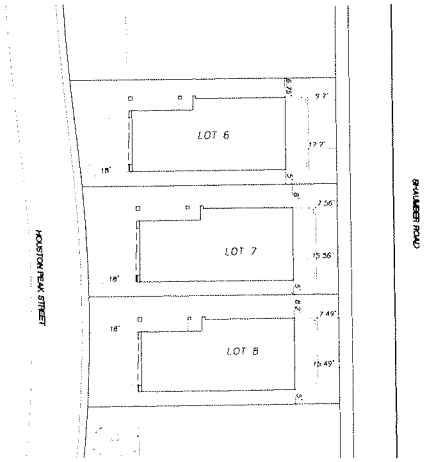

VICINITY MAP
NOT TO SCALE

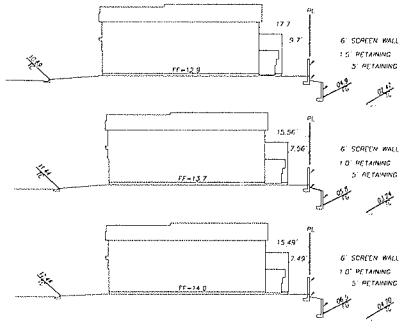
N O R T H

1" = 20'

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**SETBACKS PER CONDITIONS OF APPROVAL**

| | |
|---|---|
| FRONT TO PORCH | = 10' |
| FRONT TO GARAGE | = 18' |
| SIDE YARD | = 5' |
| SIDE YARD CORNER | = 10' |
| REAR YARD TO BUILDING | = 15' |
| REAR YARD TO PATIO | = 10' |

**ZONING INFORMATION**

ZON-3241-PD
TMP-3798
MOD-3955
VAR-9078

**VARIANCE INFORMATION**

VAR-9078
TO ALLOW A 13-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM REQUIRED ON THREE PROPOSED LOTS WITHIN AN APPROVED 113-LOT RESIDENTIAL DEVELOPMENT

021.1119

THOMASON CONSULTING ENGINEERS
3277 E. WARM SPRINGS ROAD, SUITE 400
LAS VEGAS, NEVADA 89120
702-932-6125 FAX: 702-932-6129

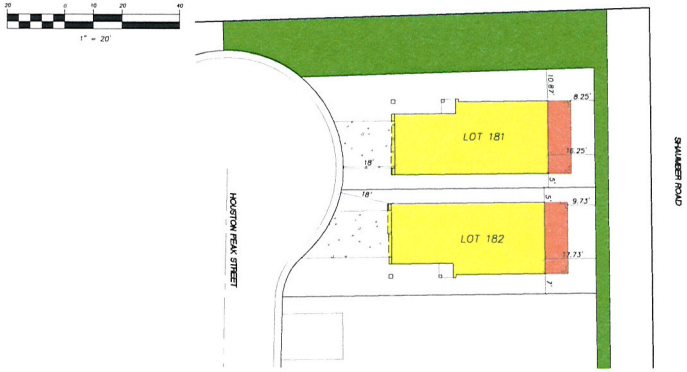
BEAZER HOMES
SARATOGA

EXHIBIT TO ACCOMPANY SETBACK VARIANCE

1
1 1

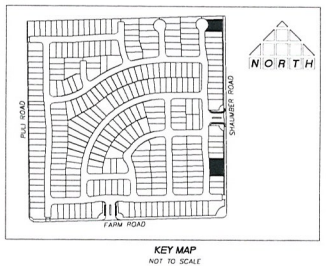
VAR-41585

APR 28 2011





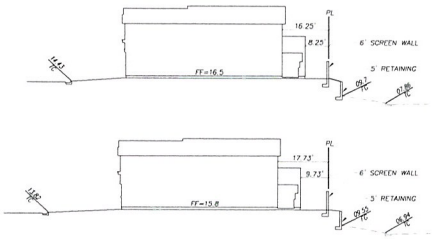


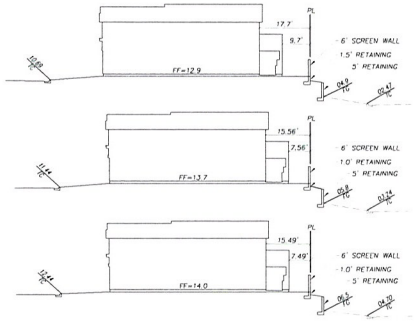



KEY MAP
NOT TO SCALE




VICINITY MAP
NOT TO SCALE




**SETBACKS PER CONDITIONS OF APPROVAL**

| | |
|---|---|
| FRONT TO PORCH | = 10' |
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| REAR YARD TO PATIO | = 10' |

**ZONING INFORMATION**

ZON-3241-PD
TMP-3798
MOD-3955
VAR-9078

**VARIANCE INFORMATION**

VAR-9078
TO ALLOW A 13-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM REQUIRED ON THREE PROPOSED LOTS WITHIN AN APPROVED 313-LOT RESIDENTIAL DEVELOPMENT

THOMASON CONSULTING ENGINEERS
3277 E. WARM SPRINGS ROAD, SUITE 400
LAS VEGAS, NEVADA 89120
702-932-6123 FAX 702-932-6129

021.11119

BEAZER HOMES
SARATOGA

EXHIBIT TO ACCOMPANY SETBACK VARIANCE

SHEET 1
1 OF 1

VAR-41585

PROVIDENCE
Master Planned Community

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

4/26/2011

Ray Huff
Beazer
9121 West Russell Road
Suite 200
Las Vegas, NV 89148

VIA: E-mail (rhuff@beazer.com) and Prolog Website

***RE: Providence Master Plan Community***
***Rear Yard Setback Variance Request***
***POD: 205 – Saratoga Highlands***
***LOTs: 6-8 and 181-182***

Dear Ray:

The Providence Design Review Committee (DRC) is in receipt of your email requesting that the rear yard setback be reduced on lots 6-8 and 181-182 for balconies.

The DRC agrees to grant this waiver. The lots back up to Shaumber Road and reducing the rear yard setback will not affect any other house with the community.

If additional deviations are required they must be submitted to the DRC for review and approval. Should you have any questions, please do not hesitate to contact our office.

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

Sincerely,
Providence Design Review Committee

Calvin Champlin
Senior Vice President of Entitlements

cc via email: Chris Dingell – Focus

Enclosures: (none)
Document in Prolog Manager 2007 R1

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VAR-41585



VAR-41585 – APPLICANT/OWNER: BEAZER HOMES CORPORATION
7624, 7628, 7632, 7768 AND 7772 HOUSTON PEAK STREET

05/05/11



VAR-41585 – APPLICANT/OWNER: BEAZER HOMES CORPORATION
7624, 7628, 7632, 7768 AND 7772 HOUSTON PEAK STREET

05/05/11



VAR-41585 – APPLICANT/OWNER: BEAZER HOMES CORPORATION
7624, 7628, 7632, 7768 AND 7772 HOUSTON PEAK STREET

05/05/11



VAR-41585 – APPLICANT/OWNER: BEAZER HOMES CORPORATION
7624, 7628, 7632, 7768 AND 7772 HOUSTON PEAK STREET

05/05/11

T THOMASON
C CONSULTING
E ENGINEERS

April 7, 2011

City of Las Vegas
Planning & Development
333 N. Rancho Drive
Las Vegas, NV 89101

**Reference:** **Pod 205 at Cliffs Edge**
**Variance for reduction of setback for rear patio**
**APN #126-13-212-006-0008, #126-13-212-181-182 (lots-6-8, 181, 182)**

On behalf of Beazer Homes, we respectfully request your consideration of the attached Variance for the above-listed parcels.

**Location:**
The proposed site is located on Farm Rd and Puli Rd Section 13, Township 19 South, Range 59 East.

**Background:**
This subdivision is within the Cliff's Edge Master plan community.

**Request:**
At this time, we are requesting approval of a variance for lots 6-8, 181, 182. We are asking that the rear yard setback to the patio be reduced to 7' where 10' is required. The lots are located along the eastside of the subdivision adjacent to Shaumber Rd and do not impact any other lots within the community.

Please place this request for a variance on the next available Planning Commission agenda. If you have any questions or need additional information, please call me at 932-6125

Sincerely,

Sonia Macias
Project Coordinator

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APR 28 2011

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

**VAR-41585**

City of Las Vegas Agenda Item No.: **47.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

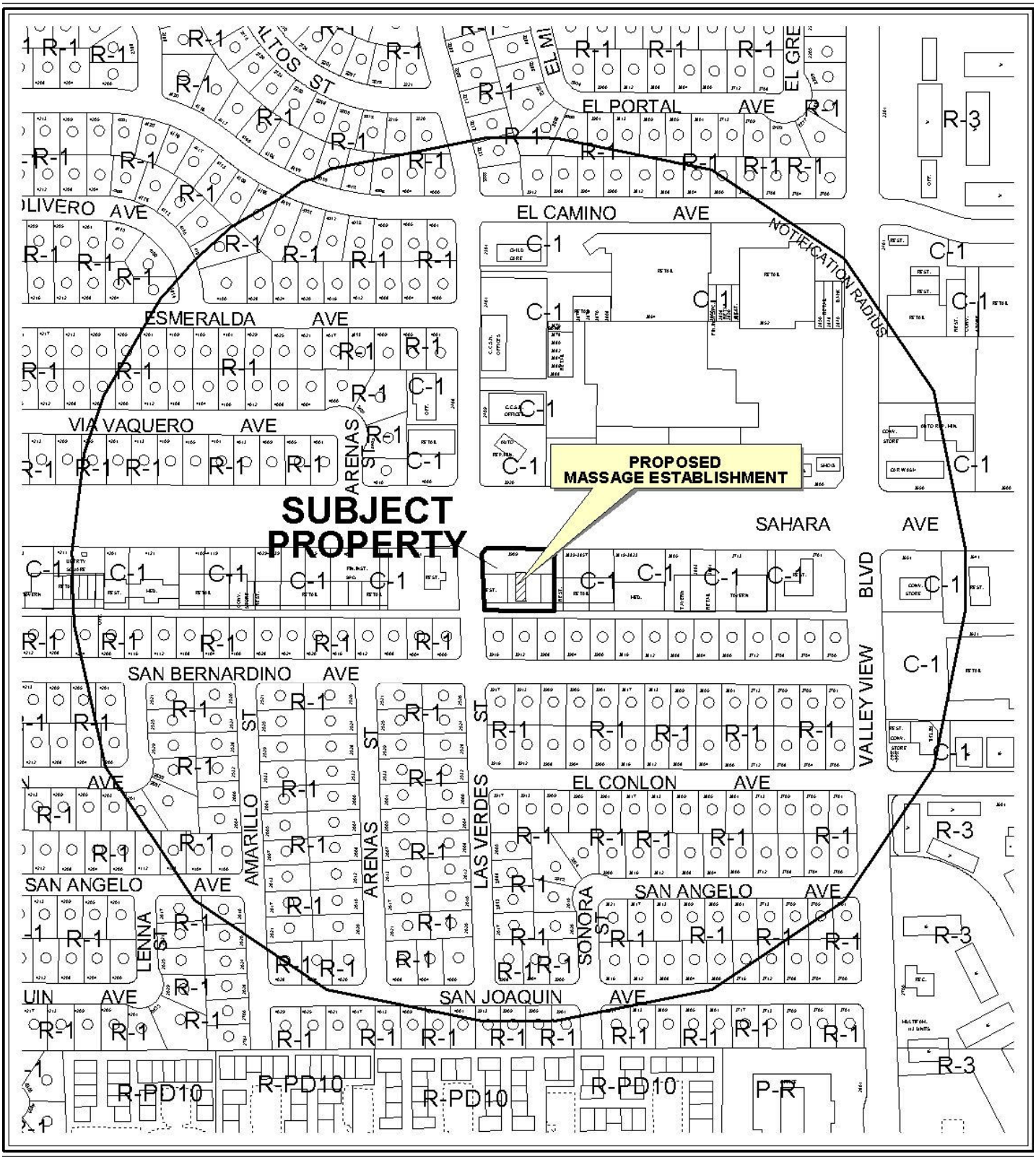
**SUBJECT:**
SUP-41542 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PEARL OF THE ORIENT MASSAGE - OWNER: SUNSHINE ONE, LLC - Request for a Special Use Permit FOR A 1,020 SQUARE-FOOT MASSAGE ESTABLISHMENT WITH WAIVERS TO ALLOW NO DISTANCE SEPARATION FROM ANOTHER MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS REQUIRED, A 20-FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 400 FEET IS REQUIRED AND 24-HOUR OPERATION WHERE HOURS OF OPERATION FROM 8:00 A.M. TO 9:00 P.M. ARE ALLOWED at 3909 West Sahara Avenue, Suite #6 (APN 162-07-512-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter




0 300 600 Feet

**CASE:** **SUP-41542**

**RADIUS:** 1000 FT

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

N



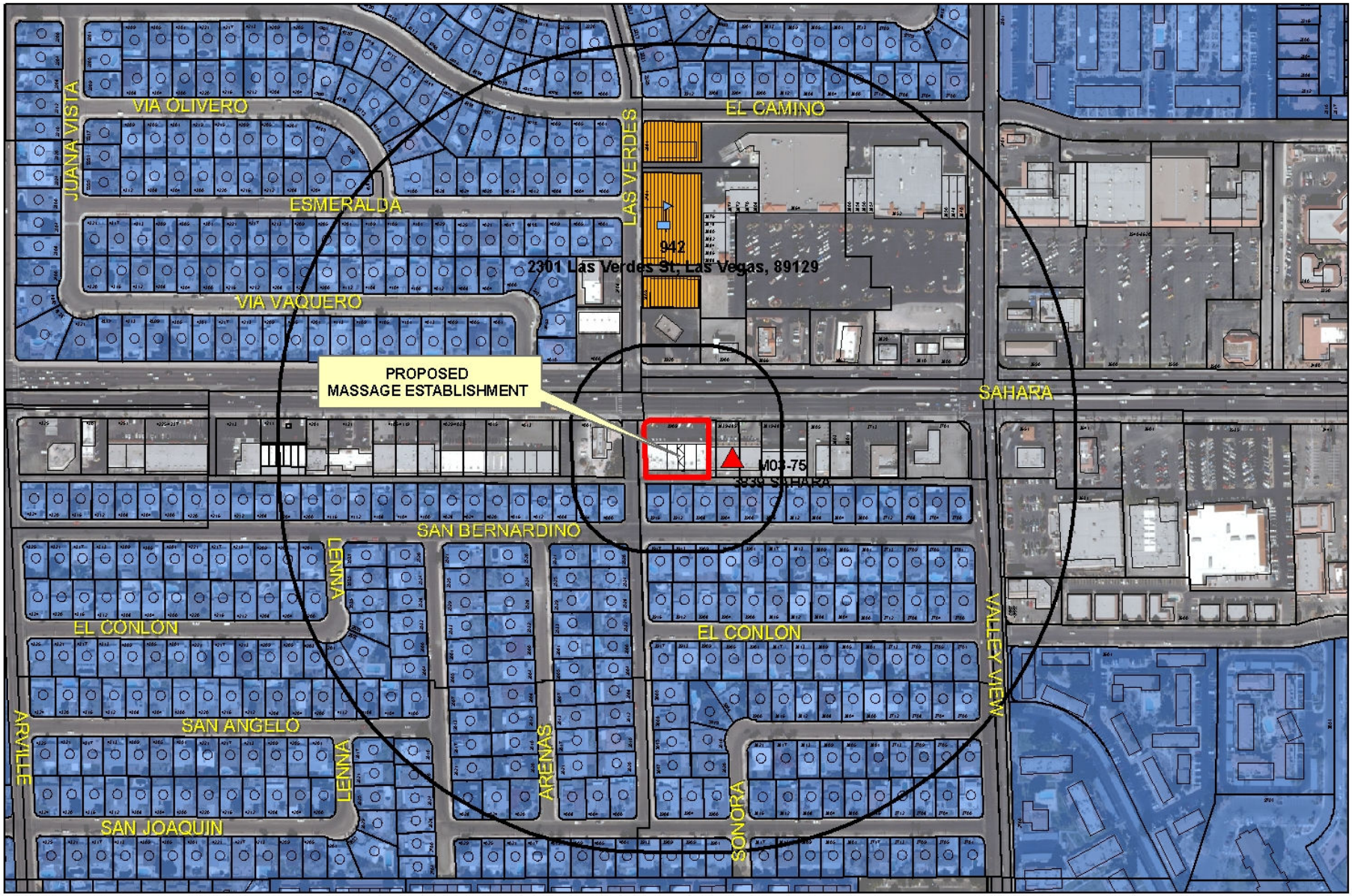

0 300 600 Feet

**CASE:** **SUP-41542**

**RADIUS:** 1000 FT

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

N




**SUP-41542**
**Massage Establishment**

**Business Licenses**
- Massage Establishment
- Child Care/ Children Facility

**Protected Landuses**
- RELIGIOUS
- CITY PARKS
- SCHOOLS

Subject Property
Residential Property
400' & 1000' Buffer

0 237.5 475 950 Feet

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: PEARL OF THE ORIENT MASSAGE - OWNER: SUNSHINE ONE, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-41542** | Staff recommends DENIAL, if approved subject to conditions: | N/A |

## ** CONDITIONS **

# SUP-41542 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Massage 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. The rear parking lot shall be restriped within 60 days of final approval in conformance with Site Development Plan Review (Z-0071-64) on 04/26/77.

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 at 3909 West Sahara Avenue, Suite #6. A Massage Establishment use was previously located at the subject suite and was marked out of business on August 4, 2009. Staff is recommending denial of this request because the proposed use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses. In addition, the site is not physically suitable for the proposed use, as evidenced by the required waivers of distance separations and hours of operation requirements. If this request is denied, the Massage Establishment use cannot be conducted nor a business license be issued on this site.

## 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 the distance separation of zero feet from another Massage Establishment use where 1,000 feet is required, a 20-foot distance separation from a residential use where 400 feet is required and a 24-hour operation where the hours of operation are limited to 8:00 a.m. to 9:00 p.m.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 08/19/64 | The Board of City Commissioners approved a request for a Rezoning (Z-0071-64) from R-3 (Medium Density Residential) to C-1 (Limited Commercial) of the property located on the southeast corner of Sahara Avenue and Las Verdes Street. The Planning Commission recommended approval. |
| 05/05/65 | The Board of City Commissioners approved a request for an Extension of Time (Z-0071-64) of previously approved Rezoning from R-3 (Medium Density Residential) to C-1 (Limited Commercial) of the property located on the southeast corner of Sahara Avenue and Las Verdes Street. The Planning Commission recommended approval. |
| 04/26/77 | The Planning Commission approved a request for a Site Development Plan Review (Z-0071-64) to allow retail stores on the property located on the southeast corner of Sahara Avenue and Las Verdes Street. |

| | |
|---|---|
| 06/04/03 | The City Council approved Ordinance 5606, which requires a special use permit for massage establishments in the C-1, C-2, C-PB and C-M Zoning Districts, and allows the use as a conditional use in the M Zoning District. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 06/06/00 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 06/07/77 | A building permit (#3170) was issued for a Retail Building at 3909 West Sahara Avenue. The permit was finalized on 10/30/78. |
| 08/23/99 | A building permit (#99016636) issued for a tenant improvement for a Massage Establishment at 3909 West Sahara Avenue, Suite #6. The permit was finalized on 10/22/99. |
| 11/30/01 | A business license (M03-00108) was issued for a Massage Establishment at 3909 West Sahara Avenue, Suite #6. The license was marked out of business on 08/04/09. |
| 02/15/11 | A business license (M03-90362) was reviewed for a Massage Establishment at 3909 West Sahara Avenue, Suite #6. The license review was denied by the Department of Planning, requiring the approval of a Special Use Permit for a Massage Establishment use. |

| ***Pre-Application Meeting*** | |
|---|---|
| 03/30/11 | A pre-application meeting was held with the applicant where the submittal requirements for a Special Use Permit for a Massage Establishment use were discussed. |

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

| ***Field Check*** | |
|---|---|
| 05/05/11 | A site visit by staff noted a Retail Building and the parking lot striping is badly faded on the south side of the building. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 0.60 |

| *Surrounding Property* | *Existing Land Use Per Title 19.04* | *Planned or Special Land Use Designation* | *Existing Zoning District* |
|---|---|---|---|
| Subject Property | General Retail Store, Other than Listed | SC (Service Commercial) | C-1 (Limited Commercial) |
| North | Auto Repair Garage, Minor | SC (Service Commercial) | C-1 (Limited Commercial) |
| South | Single Family, Detached | L (Low Density Residential) | R-1 (Single Family Residential) |
| East | General Retail Store, Other than Listed | SC (Service Commercial) | C-1 (Limited Commercial) |
| West | Restaurant, 2,000 square feet or more (with drive-through) | SC (Service Commercial) | C-1 (Limited Commercial) |

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

**DEVELOPMENT STANDARDS**

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Sahara Avenue | Primary Arterial | Master Plan of Streets and Highways | 150* | Y |
| Las Verdes Street | N/A | N/A | 60 | N/A |

*Per the Master Plan of Streets and Highways, the street width is 100 feet.

***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 | |
| Restaurant | 600 SF of the remaining area<br>660 SF of the Dining Area | 1/200<br>1/50 | 3<br>14 | | | | |
| Retail | 4,080 SF | 1/175 | 24 | | | | |
| Office | 2,040 SF | 1/300 | 7 | | | | |
| Massage Establishment | 2 spaces for each massage room | 5 massage rooms | 10 | | | | |
| Restaurant | 900 SF of the remaining area<br>1,080 SF of the Dining Area | 1/200 SF<br>1/50 SF | 5<br>22 | | | | |
| **TOTAL SPACES REQUIRED** | | | 85 | | 45 | | N |
| **Regular and Handicap Spaces Required** | | | 81 | 4 | 44 | 1 | N |

| ***Waivers*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| The proposed Massage Establishment use may not be located within 1,000 feet of any other Massage Establishment | No distance separation | Denial |
| The proposed Massage Establishment use may not be located within 400 feet of any parcel zoned for residential use. | 20 Feet | Denial |
| The hours of operation shall be limited to the period between 8:00 a.m. and 9:00 p.m. | 24 Hours | Denial |

## ANALYSIS

A Massage Establishment use was previously located within the same suite until it was marked out of business on August 4, 2009. The previous license for the Massage Establishment was issued on 11/30/01 and the requirement for a Special Use Permit was not in effect until the passage of Ordinance 5606 on June 4, 2003. The Massage Establishment license was discontinued for a period of over one year; therefore, the nonconforming use ceased.

The applicant is requesting waivers to allow no distance separation from another Massage Establishment where 1,000 feet is required, a 24-hour operation where the hours of operation are limited to the period between 8:00 a.m. to 9:00 p.m. and a 20-foot distance separation from residential zoned property where 400 feet is required. The residential properties are located south of the subject property across 20-foot wide alley.

The subject site is located within the Airport Overlay District with a 200-foot height restriction. The proposed use would not have a negative impact to the Overlay District.

The submitted floor plan indicates that the suite will contain five rooms. The site plan depicts 45 parking spaces and the required parking is 85 spaces. The subject property is a parking impaired development pursuant to Title 19.10.010 (C); there has not been a change in use that would require the provision of additional parking spaces on the site. The proposed use is similar to the previous use; therefore, requiring no additional parking spaces. During the site visit conducted by staff, it was noted that the parking lot on the south side of the building needs restriping. A condition of approval has been added to address the parking restriping.

The proposed use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses and the site is not physically suitable for the proposed use, as evidenced by the required waivers of distance separations and hours of operation requirements. Staff is recommending denial of this request.

## FINDINGS (SUP-41542)

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

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

   The proposed Massage Establishment use is permitted in the C-1 (Limited Commercial) zoning district. The applicant has requested Waivers of minimum distance separation requirements to allow 20-foot distance separation from residential uses where 400 feet is required, to allow no distance separation from another Massage Establishment where 1,000 feet is required and to allow a 24-hour operation where the hours of operation are

limited to 8:00 a.m. to 9:00 p.m. This is evidence that the proposed Massage Establishment use cannot be conducted in a manner that is harmonious and compatible with the surrounding uses.

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

   The subject site is physically suitable for the type and intensity of the proposed use, as the commercial property pursuant to 19.10.010 (C) is deemed as a Parking-Impaired Development. As the proposed use is similar to the previous use; therefore, no additional parking spaces are required.

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

   Site access is provided from Sahara Avenue and Las Verdes Street. Both of these streets are adequate in size to meet the requirements of the proposed use.

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

   The proposed use 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 does not meet all of the applicable conditions per Title 19.04. Waivers are required of distance separation for the proposed Massage Establishment to be allowed within zero feet from another Massage Establishment, to allow 20-foot distance separation from Residential zoned properties and to allow a 24-hour operation for the proposed use.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 26

**NOTICES MAILED** 308

**APPROVALS** 0

**PROTESTS** 0

RG

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41542** APN: 162-07-512-001

Name of Property Owner: SUNSHINE ONE LLC

Name of Applicant: PEARL OF THE ORIENT MASSAGE

Name of Representative: N/A

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: _____ MGR.

Print Name: PAUL ROBARTS/MANAGER OF SUNSHINE ONE

Subscribed and sworn before me

This 12th day of May, 2011

Elaine L Long

Notary Public in and for said County and State

ELAINE L. LONG
Notary Public, State of Nevada
Appointment No. 93-3006-1
My Appt. Expires March 23, 2013

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** MASSAGE ESTABLISHMENT/ ZEPING WANG

**Project Address (Location)** 3909W.SAHAHRA AV6, LAS VEGAS, NV89102

**Project Name** PEARL OF THE ORIENT MASSAGE **Proposed Use** MASSAGE ESTABLI

**Assessor's Parcel #(s)** 162-07-512-001 **Ward #** _____

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

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

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

**Additional Information** _____

**PROPERTY OWNER** SUNSHINE ONE LLC **Contact** PAUL ROBARTS

**Address** 6450 SPRING MOUNTAINRD.#12 **Phone:** (702) 682-8788 **Fax:** (702) 222-1430

**City** LAS VEGAS **State** NV **Zip** 89146

**E-mail Address** PWR2377@AOL.COM

**APPLICANT** PEARL OF THE ORIENT MASSAGE **Contact** ZEPING WANG

**Address** 3909W.SAHAHRA AV6 **Phone:** (626) 272-0639 **Fax:** (702) 897-4198

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

**E-mail Address** SUNNY9789@YAHOO.COM

**REPRESENTATIVE** N/A **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** PAUL ROBARTS,MANAGER

Subscribed and sworn before me

This 30th day of March, 20 11.

Elaine L Long

Notary Public in and for said County and State

ELAINE L. LONG
Notary Public, State of Nevada
Appointment No. 93-3006-1
My Appt. Expires March 23, 2013

***FOR DEPARTMENT USE ONLY***

| | |
|---|---|
| **Case #** | Sup-41542 |
| **Meeting Date:** | 6-14-11 |
| **Total Fee:** | 1030.00 |
| **Date Received:*** | 4-25-11 |
| **Received By:** | FS |

*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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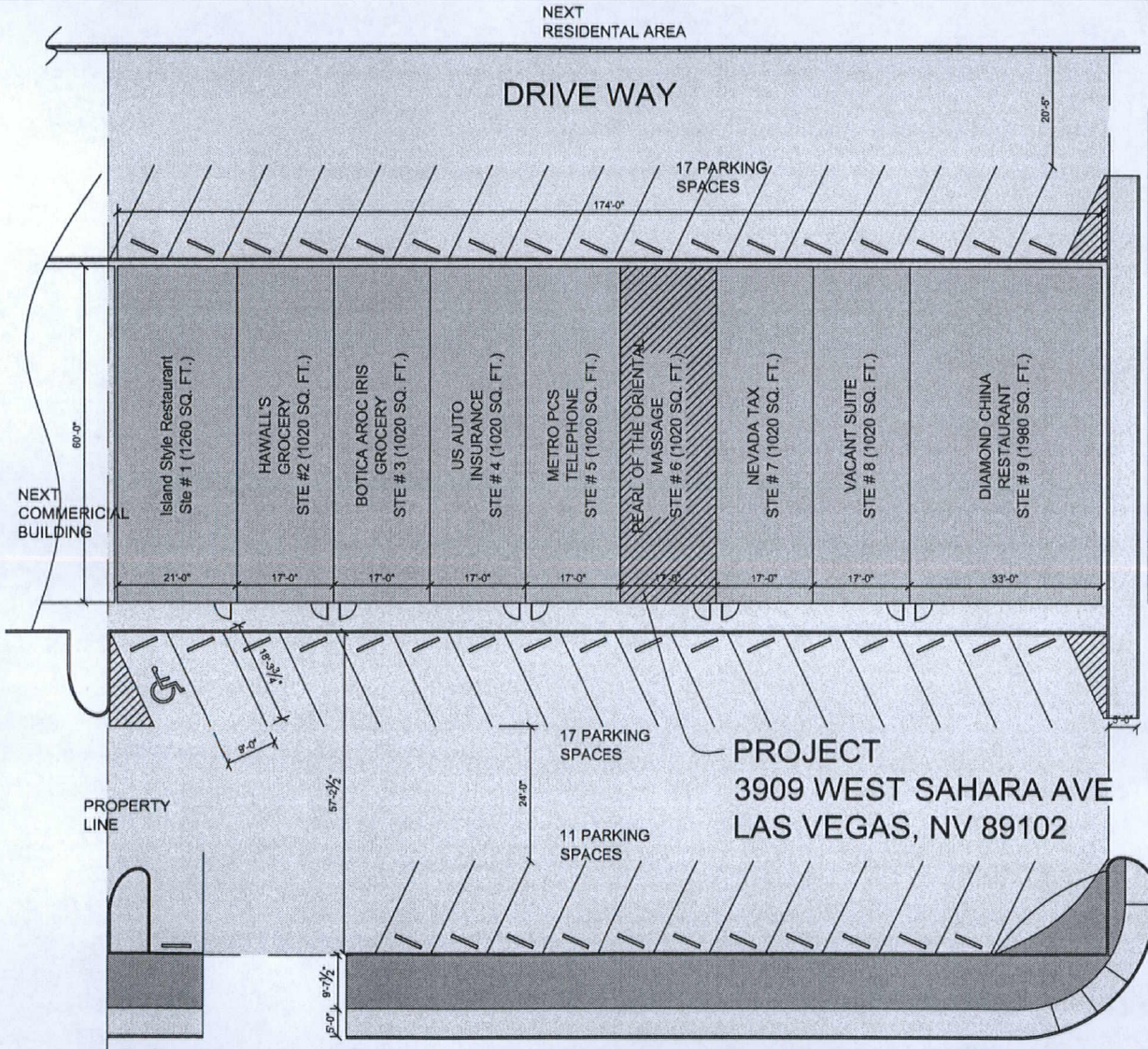
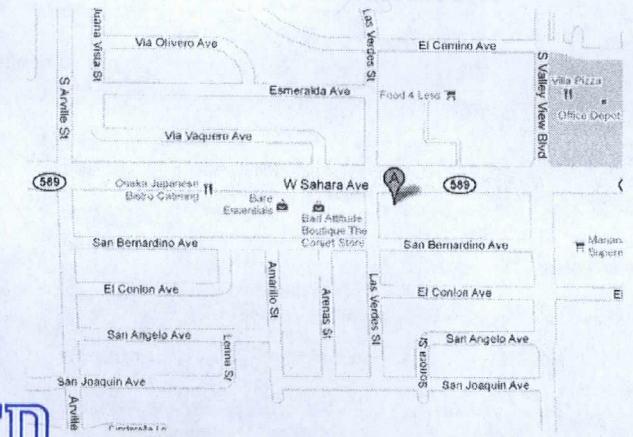



## SITE PLAN

1/20" = 1'-0"

## AREA SUMMARY PARKING (OVERALL SITE)

| STE # | DESCRIPTION | TYPE | AREA (SQ. FT.) | FACTOR | PARKING REQUIRED |
|---|---|---|---|---|---|
| STE #1 | ISLAND STYLE RESTAURANT | KITCHEN & RESTROOM | 600 | 1/200 | 3 |
| | | DINING AREA | 660 | 1/50 | 13 |
| STE #2 | HAWALL'S GROCERY | RETAIL | 1020 | 1/175 | 6 |
| STE #3 | BOTICA AROC IRIS GROCERY | RETAIL | 1020 | 1/175 | 6 |
| STE #4 | US AUTO INSURANCE | OFFICE | 1020 | 1/300 | 4 |
| STE #5 | METRO PCS TELEPHONE | RETAIL | 1020 | 1/175 | 6 |
| STE #6 | PEARL OF THE ORIENTAL MASSAGES | MASSAGE | 5 ROOMS | 2 PER ROOM | 10 |
| STE #7 | NEVADA TAX | OFFICE | 1020 | 1/300 | 4 |
| STE #8 | VACANT SUITE (RETAIL STORE) | RETAIL | 1020 | 1/175 | 6 |
| STE #9 | DIAMOND CHINA RESTAURANT | KITCHEN & RESTROOM | 900 | 1/200 | 5 |
| | | DINING AREA | 1080 | 1/50 | 22 |
| | | | | TOTAL | 85 |

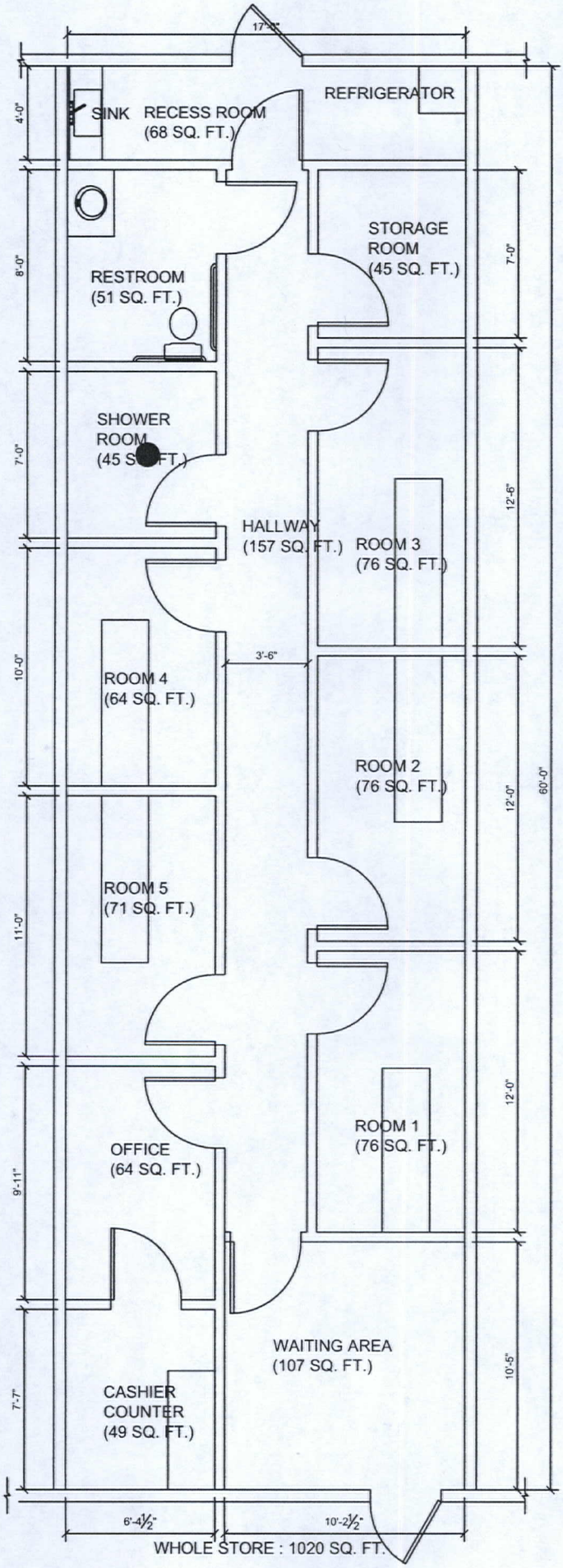



## VINCITY MAP

N.T.S

RECEIVED
MAY 23 2011

**SUP-41542**
**REVISED**




RECEIVED
MAY 23 2011

PEARL OF THE ORIENT MASSAGE
3909 W. SAHARA AVE., #6
LAS VEGAS, NV 89102

**SUP-41542**
**REVISED**




RECEIVED
APR 25 2011

SUP-41542




SUP-41542 – APPLICANT: PEARL OF THE ORIENT MASSAGE – OWNER: SUNSHINE ONE, LLC
3909 WEST SAHARA AVENUE, SUITE #6

05/05/11




SUP-41542 – APPLICANT: PEARL OF THE ORIENT MASSAGE – OWNER: SUNSHINE ONE, LLC
3909 WEST SAHARA AVENUE, SUITE #6

05/05/11

## JUSTIFICATION LETTER

I, Zeping Wang, am submitting this Justification Letter to the City of Las Vegas, NV. Department of Planning for the purpose of a **Special Use Permit** for my establishment, **The Pearl of the Orient Massage**. The **Pearl of the Orient Massage** will be located at 3909 W. Sahara Ave #6, Las Vegas, NV 89102. **This facility was used to be a massage establishment which was built on or about the year 2000 for the sole purpose of conducting business with ample parking for the intended purpose of this establishment.** I am requesting for a waiver to allow a no distance separation from another massage establishment and a waiver to allow a 20 foot distance separation from residential zoned properties. There is a residential area located approximately 20-foot distance from the south of the building with sidewalks located north, west, and east of the facility. I am planning to employ three people. Although I plan to operate from 8am to 9pm per day, I am also requesting a waiver to allow a 24-hour operation. My business will be located on 3909 west Sahara Ave#6, The use of this establishment is completely compatible with the existing surrounding land uses, and with future surrounding land uses due to its location and pre-existing use as a location for business.

Access to this property is quite adequate for the proposed use of this establishment. The purpose of this business is consistent with and will not compromise any of my employees nor the public's health, safety and welfare. My request will comply with the overall objectives of the General Plan and is compliant with Title 19.18 Zoning Code Applications and Procedures. The plans for the layout of the facility will be submitted along with this Special Use Permit request letter.

RECEIVED
APR 25 2011
City of Las Vegas

**SUP-41542**

I will further agree and consent with any and all lawful business agreements should you grant the Special Use Permit for my place of business. I, Zeping Wang, will fully comply with any and all current and future Governmental and Safety rules and regulations while conducting my business.

Your favorable consideration of this application is and will be most appreciated.

Print name: ZEPING WANG

Signature: ZePing Wang

RECEIVED
APR 25 2011
City of Las Vegas

SUP-41542

City of Las Vegas Agenda Item No.: **48.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

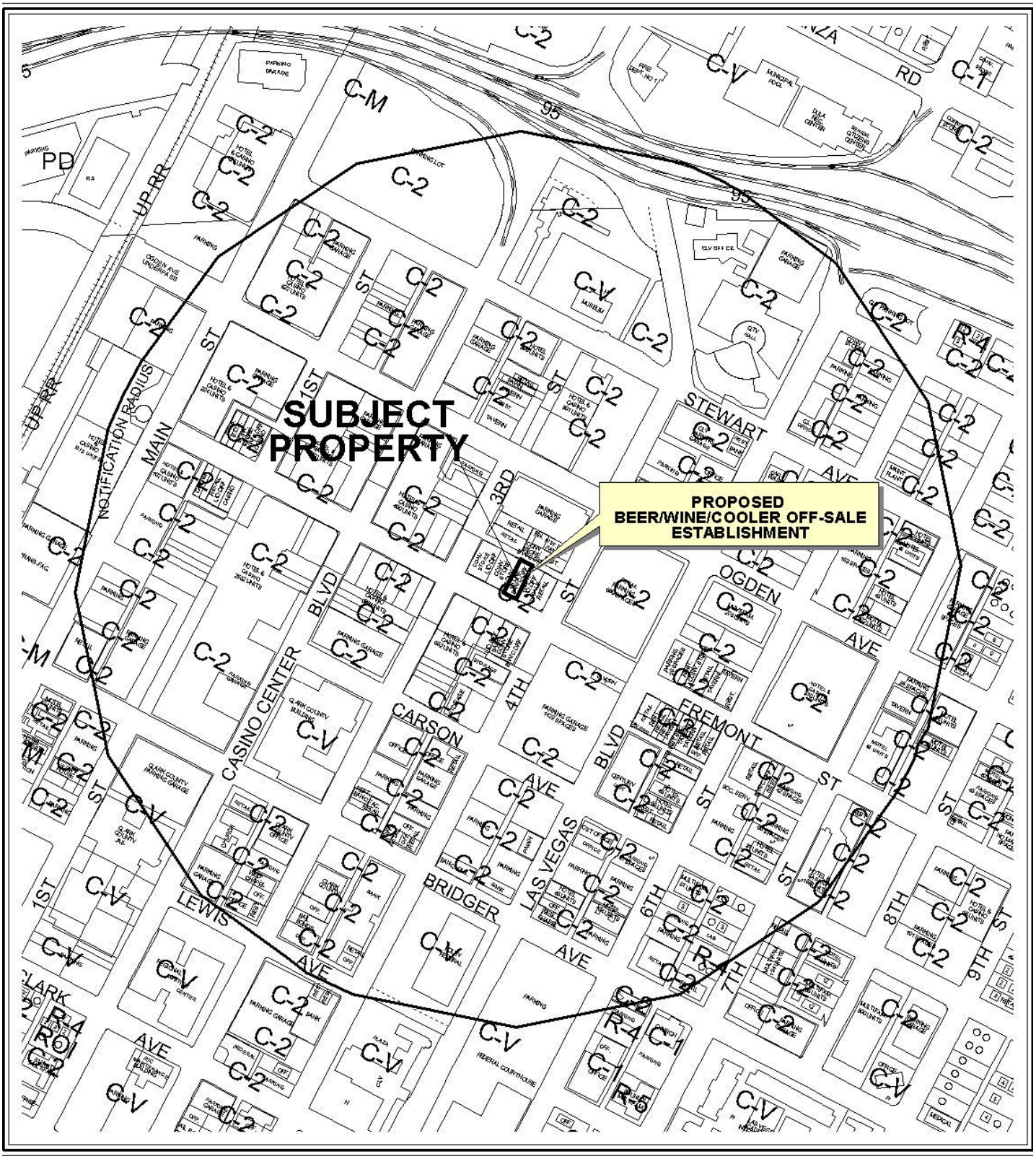
**SUBJECT:**
SUP-41569 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT:HAIM GABAY - OWNER: HS FAMILY LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE WITHIN AN EXISTING 5,166 SQUARE-FOOT RETAIL ESTABLISHMENT at 316 Fremont Street (APN 139-34-510-025), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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. Photo
5. Justification Letter




0 300 600 Feet

**CASE:** **SUP-41569**

**RADIUS:** 1500 FT

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

N



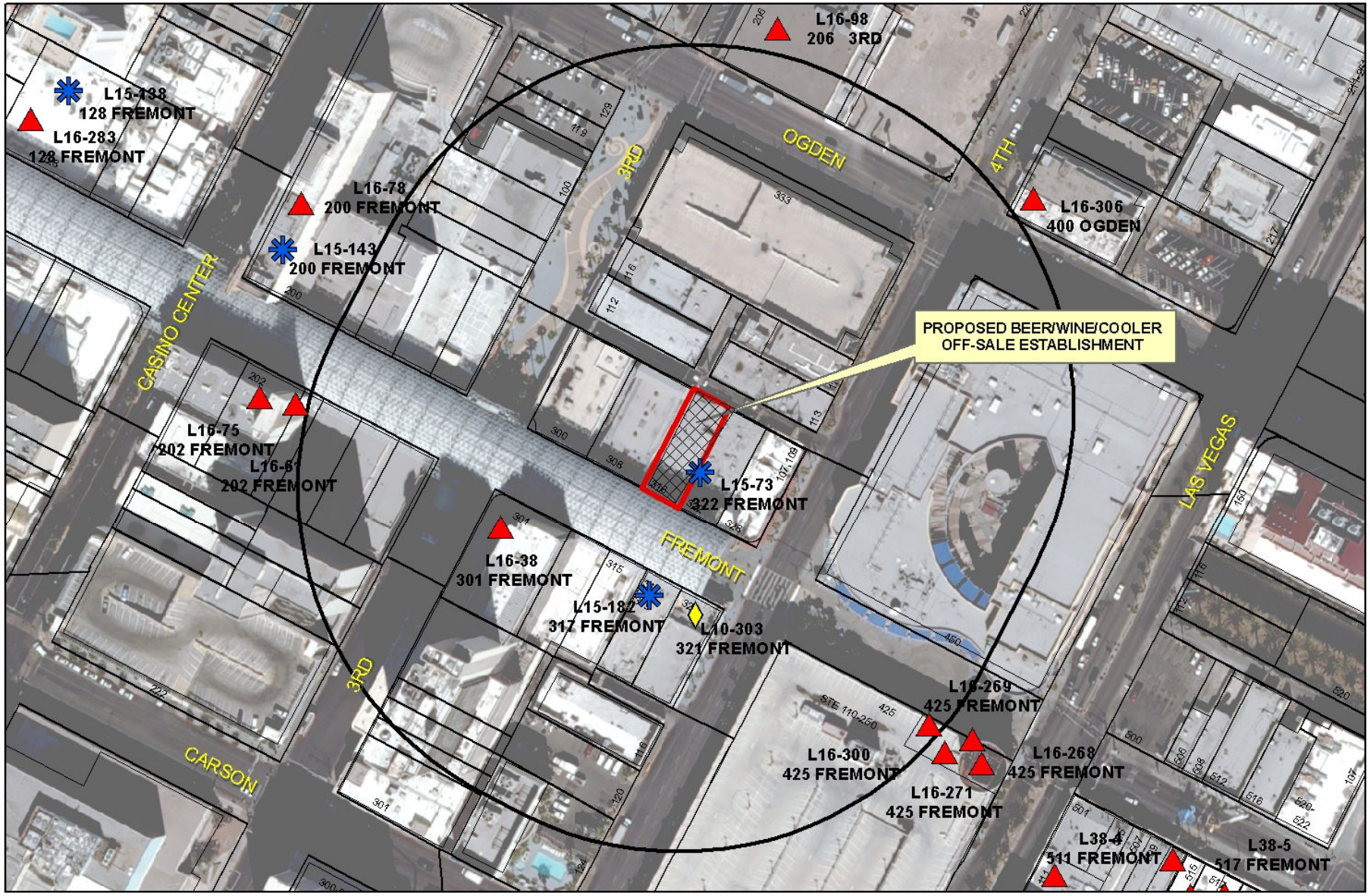

0 300 600 Feet

**CASE:** **SUP-41569**

**RADIUS:** 1500 FT

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

N




**SUP-41569**

## Business Licenses

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

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT:HAIM GABAY - OWNER: HS FAMILY LIMITED PARTNERSHIP**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-41569** | Staff recommends APPROVAL, subject to conditions: | |

## ** CONDITIONS **

# SUP-41569 CONDITIONS

***Planning***

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

2. This approval shall be void one year 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 beer and wine coolers shall remain in the original manufacturer's configuration intended for resale.

6. The sale of single beers, malt beverages, or wine coolers of any size with alcohol by volume greater than 6% shall be prohibited. The sale of wines with an alcohol by volume of greater than 16% shall be prohibited.

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

**Staff Report Page One**
**June 14, 2011 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a Beer/Wine/Cooler Off-Sale use within an existing 5,166 square-foot convenience store at 316 Fremont Street. The Beer/Wine/Cooler Off-Sale use will be ancillary to the existing store. No Waivers are required for this request. The City Council approved a previous Special Use Permit (SUP-36558) for a Beer/Wine/Cooler Off-Sale use at this location on January 20, 2010, but it expired before the application could meet the business license requirements for the use.

This request meets all minimum Special Use Requirements and can be conducted in a compatible and harmonious manner within a convenience store and with similar uses along Fremont Street; therefore staff recommends approval. If denied, no beer, wine or coolers could be sold at this location.

## ISSUES

- The sale of Beer/Wine/Cooler Off-Sale use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 12/16/64 | The City Council approved a Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial) for approximately 230 acres generally located on property bound by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard on the south. The Planning Commission and staff recommended approval. |
| 01/24/95 | The Board of Zoning and Adjustment approved a request for a Variance (V-0187-94) to allow a 197 square-foot freestanding sign where 150 square-feet is the maximum area allowed; and to allow the sign to be a height of 46 feet where 40 feet is the maximum height allowed at 316 Fremont Street. |

| | |
|---|---|
| 01/20/10 | The City Council approved Special Use Permit (SUP-36558) for a Beer/Wine/Cooler Off-Sale use at 316 Fremont Street. The Planning Commission and staff recommended approval. |
| 01/20/11 | The Special Use Permit (SUP-36558) for a Beer/Wine/Cooler Off-Sale use at 316 Fremont Street expired without being exercised. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 11/21/02 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 05/22/89 | A Building Permit (#89023441) was issued for interior demolition at 316 Fremont Street. The permit was marked inactive on 11/18/92. |
| 02/15/95 | A Building Permit (#95367306) was issued for two illuminated sign cabinets at 316 Fremont Street. The permit was finalized on 03/09/95. |
| 05/30/02 | A Building Permit (#2009676) was issued for a sign at 316 Fremont Street. The permit expired on 12/21/03. |
| 12/23/03 | A Building Permit (#3027066) was issued for a sign at 316 Fremont Street. The permit was finalized on 02/11/04. |
| 02/27/04 | A Building Permit (#4004356) was issued for tenant improvements at 316 Fremont Street. The permit expired on 12/04/05. |
| 09/17/09 | A Business License (#C05-02665) was issued for a Tobacco Dealer at 316 Fremont Street. The license remains active. |
| | A Business License (#C15-00379) was issued for a Convenience Store at 316 Fremont Street. The license remains active. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/12/11 | Staff met with the applicant and reviewed the requirements for a Special Use Permit application. The applicant was reminded that the minimum requirements for a Convenience store would have to be met at all times. |

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

| ***Field Check*** | |
|---|---|
| 05/05/11 | Staff visited the site and found a well maintained convenience store in operation. The area in and around the site was clean. The site is only accessible by foot. |

YK

| ***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 | Convenience Store | C (Commercial) | C-2 (General Commercial) |
| North | General Retail | C (Commercial) | C-2 (General Commercial) |
| South | General Retail | C (Commercial) | C-2 (General Commercial) |
| East | General Retail | C (Commercial) | C-2 (General Commercial) |
| West | General Retail | C (Commercial) | C-2 (General Commercial) |

| ***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 Casino Overlay District | X | | Y |
| Live/Work Overlay District | X | | N/A |
| **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**

| ***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 | |
| Convenience Store | 5,166 Sq. Ft. | 1:175 GFA | 30 | | | | |
| **TOTAL SPACES REQUIRED** | | | 30 | | 0 | | N |
| **Regular and Handicap Spaces Required** | | | 28 | 2 | 0 | 0 | N |

YK

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

This request is for a Special Use Permit for a proposed Beer/Wine/Cooler Off-Sale use within an existing 5,166 square-foot convenience store at 316 Fremont Street. The applicant indicates that they will sell beer and wine as an additional item within the store. The site is located within the Las Vegas Downtown Centennial Plan area, which is not subject to the automatic application of parking requirements. Adequate parking is located in several parking structures within walking distance of the store. No Waivers are required with this request.

The proposed Beer/Wine/Cooler Off-Sale Establishment Use can only be located in a general store that meets the definition of a grocery store, drug store, convenience store or specialty store. This project doesn't meet the definition of a grocery store, drug store or convenience store. The applicant therefore must meet the requirements of a specialty store which is defined by Title 6 as a retail store located within a commercial center that:

1. Has at least eighteen thousand square feet of gross floor area;

2. Has at least eleven thousand five hundred square feet of floor space dedicated to the sale and display of furniture, glassware, kitchenware and other household goods;

3. Has at least three thousand six hundred square feet of floor space dedicated to the sale and display of gourmet foods and non-alcoholic beverages; and

4. Maintains an inventory of beer, wine and coolers with a wholesale value of at least twenty-five thousand dollars.

The applicant indicates that they will meet these criteria; therefore, staff recommends approval.

## FINDINGS (SUP-41569)

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

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

The proposed Beer/Wine/Cooler Off-Sale use is ancillary to an existing general retail store and is adjacent to similar uses along Fremont Street. The proposed use is compatible with surrounding land uses.

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

   The subject site is currently operated as a convenience store. Similar alcohol related uses are common in this area of the City. The subject site is physically suitable to accommodate the proposed use.

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

   The location of the subject site is on the Pedestrian-only portion of Fremont Street. The site will be accessed primarily by pedestrian traffic.

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

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

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

   The proposed Beer/Wine/Cooler Off-Sale use meets all of the applicable conditions per Title 19.04.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 36

**NOTICES MAILED** 190

**APPROVALS** 0

**PROTESTS** 0

YK

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41569** APN: _____

Name of Property Owner: HS FAMILY LP V HSCHMIOT

Name of Applicant: Ham Gabay

Name of Representative: Nieves Alvarez

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

☐ **Yes** ☐ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Vern J Christensen Trustee

Print Name: Vern J Christensen

Subscribed and sworn before me

This 20th day of April, 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

RECEIVED
APR 27 2011
City of Las Vegas

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Crazy Ely Western Village DBA COYOTE

**Project Address (Location)** 316 Fremont st. L.V. NV. 89101

**Project Name** COYOTE **Proposed Use** Beer/wine/cooler off sale.

**Assessor's Parcel #(s)** 139-34-510-025 **Ward #** 5

**General Plan:** existing C proposed - **Zoning:** existing C2 proposed -

**Commercial Square Footage** 6500 **Floor Area Ratio** 5500

**Gross Acres** 0.14 **Lots/Units** _____ **Density** _____

**Additional Information** _____

**PROPERTY OWNER** HS FAMILY LPY HSCHMIOT **Contact** _____

**Address** 714 Lacy LN **Phone:** _____ **Fax:** _____

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

**E-mail Address** _____

**APPLICANT** HAIM GABAY **Contact** _____

**Address** 6130 W. FLAMINGO RD # 402 **Phone:** (702) 382-3005 **Fax:** (702) 382-7005

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

**E-mail Address** haimgabay@hotmail.com

**REPRESENTATIVE** Nieves Alvarez **Contact** _____

**Address** 2700 Trotwood LN **Phone:** (702) 287-2048 **Fax:** 382-7005

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

**E-mail Address** western321@hotmail.com

**Property Owner Signature*** _____

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

**Print Name** Vern J Christensen

Subscribed and sworn before me

This 20th day of April, 20 11.

_____

Notary Public in and for said County and State

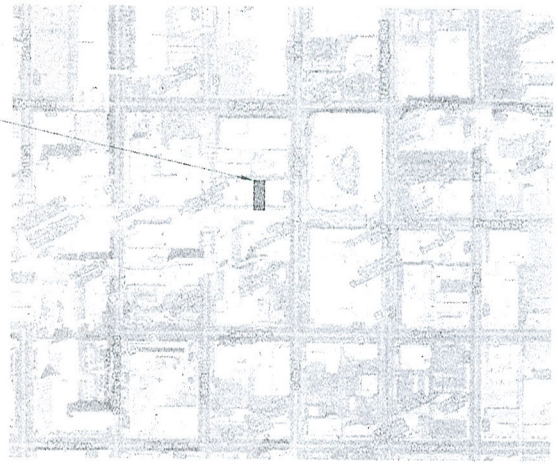
SHARI HIGH
Notary Public, State of Nevada
Appointment No. 05-97773-1
My Appt. Expires June 6, 2013

SHARI HIGH
Notary Public, State of Nevada
Appointment No. 05-97773-1
My Appt. Expires June 6, 2013

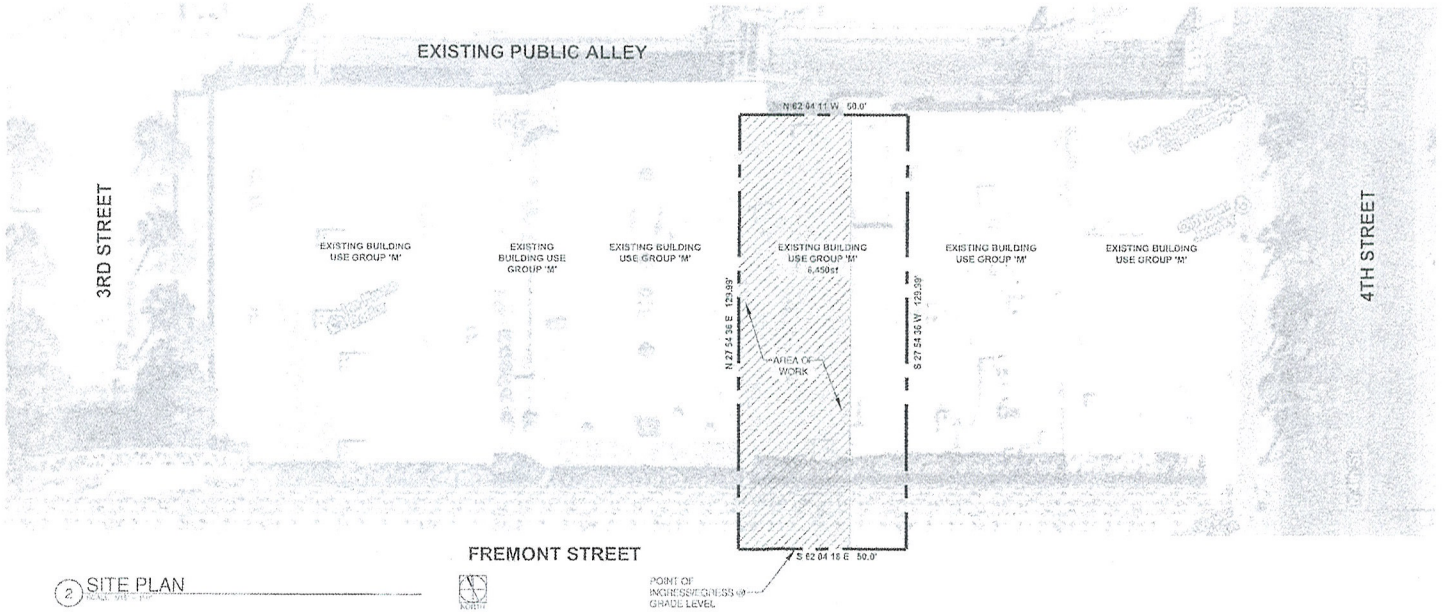
***FOR DEPARTMENT USE ONLY***

| | |
|---|---|
| **Case #** | SUP-41569 |
| **Meeting Date:** | 6-14-11 |
| **Total Fee:** | 1280 |
| **Date Received:*** | 4-27-11 |
| **Received By:** | KS |

*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 VICINITY MAP




2 SITE PLAN

ERIK CHUDY ARCHITECTURE.

(702) 882-2903
erikchudy.com
erik@erikchudy.com

Consultant

Client

Project
Coyote
316 East Fremont Street
Las Vegas, NV

Owner

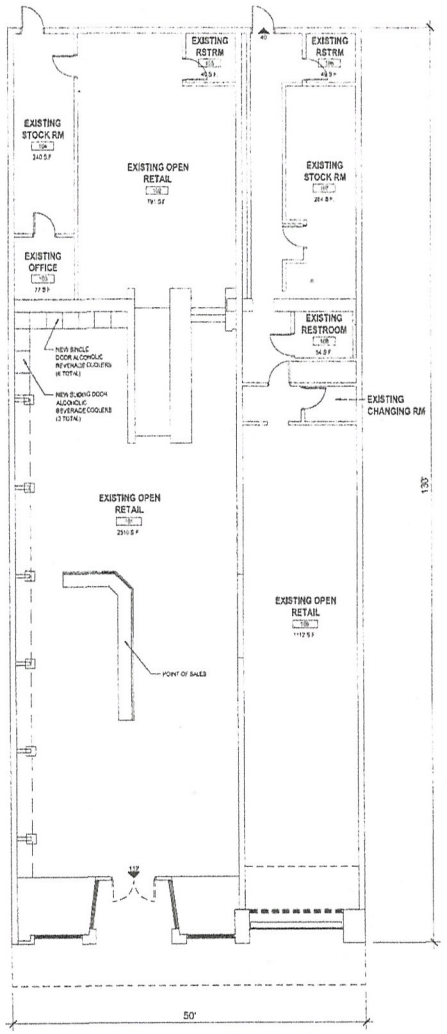
Revisions
No. Date Issue

Drawing Title
VICINITY MAP, PLAN & EXISTING SITE PLAN

Project # 2011036
Issue FOR SUBMITTAL
Date 04.15.2011 Scale AS NOTED

Sheet
AS101

RECEIVED
APR 27 2011
SUP-41569
City of Las Vegas




1 A1.00 EXISTING FLOOR PLAN
SCALE:1/8"=1'-0"

## NEW TENANT IMPROVEMENT - OCCUPANT LOAD

OCCUPANCY LOAD:

| | | | | | |
|---|---|---|---|---|---|
| 101 - EXISTING OPEN RETAIL | = 2510 | SF/30 | = | 83 | occs. |
| 102 - EXISTING OPEN RETAIL | = 791 | SF/30 | = | 26 | occs. |
| 103 - EXISTING OFFICE | = 77 | SF/100 | = | 1 | occs. |
| 104 - EXISTING STOCK ROOM | = 240 | SF/300 | = | 1 | occs. |
| 105 - EXISTING RESTROOM | = 49 | SF/100 | = | 1 | occs. |
| 106 - EXISTING RESTROOM | = 49 | SF/100 | = | 1 | occs. |
| 107 - EXISTING STOCK ROOM | = 284 | SF/300 | = | 1 | occs. |
| 108 - EXISTING RESTROOM | = 54 | SF/100 | = | 1 | occs. |
| 109 - EXISTING OPEN RETAIL | = 1112 | SF/30 | = | 37 | occs. |
| NEW TOTAL INTERIOR FLOOR AREA: 5,166 SF | | | | 152 | occs. |

## BUILDING EGRESS ANALYSIS:

BASED ON THE 2006 I.B.C.
BUILDING EXITS REQUIRED

**CRITERIA:**
ALL PORTIONS OF THE BUILDING OCCUPIED SIMULTANEOUSLY EXCEPT :

- STORAGE ROOMS
- TOILET ROOMS
- CORRIDORS
- MECHANICAL AND ELECTRICAL ROOMS

**EGRESS WIDTH MULTIPLIERS IS .20 PER IBC T1005.1**
**APPROVED UNDER PERMIT #: _____**

| | |
|---|---|
| OCCUPANT LOAD = | 152 |
| EXITS PROVIDED = | 2 |
| MIN. REQ. EXIT WIDTH = 152 X .20 = | 30.40" |
| WIDTH PROVIDED = | 108.0" |

231 west charleston boulevard
suite one hourly
las vegas, NV 89107
office: 702.669.2068
fax: 702.668.2069
web: www.hgsbuilds.com

PROJECT
# COYOTE INTERIOR REMODEL
300 EAST FREMONT STREET
LAS VEGAS, NEVADA

SHEET TITLE
EXISTING FLOOR PLAN

| REVISIONS | DATE |
|---|---|
| 1 ORIGINAL SUBMITTAL | 09-21-09 |

| | |
|---|---|
| DATE | 09-21-2009 |
| SCALE: | AS INDICATED |
| DRAWN: | D. YORKE |
| JOB NO: | 09-040 |

SHEET
A1.00

RECEIVED
APR 27 2011
City of Las Vegas

SUP-41569




SUP-41569 - APPLICANT: HAIM GABAY - OWNER: HS FAMILY LIMITED PARTNERSHIP
316 FREMONT STREET

05/05/11

ATT YORGO

CRAZY ELY WESTERN VILLAGE LLC
DBA COYOTE
316 FREMONT ST
LAS VEGAS NV 89101
MARCH 03, 2011

TO WHOM IT MAY CONCERN:

CRAZY ELY WESTERN VILLAGE LLC DBA (COYOTE) IS AN EXISTING RETAIL/GIFT CONVENIENCE STORE WITH 6 EMPLOYEES, HOUR OF OPERATION FROM 9AM TO MIDNIGHT.
WHERE WE WILL SELL BEER AND WINE PRODUCTS (OFF PREMISES CONSUMPTION) IN ORDER TO ENHANCE OUR PRODUCTIVITY AND OUR BOTTOM LINE.

THANK YOU

HAIM GABAY

RECEIVED
MAY -4 2011

SUP-41569

City of Las Vegas Agenda Item No.: **49.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

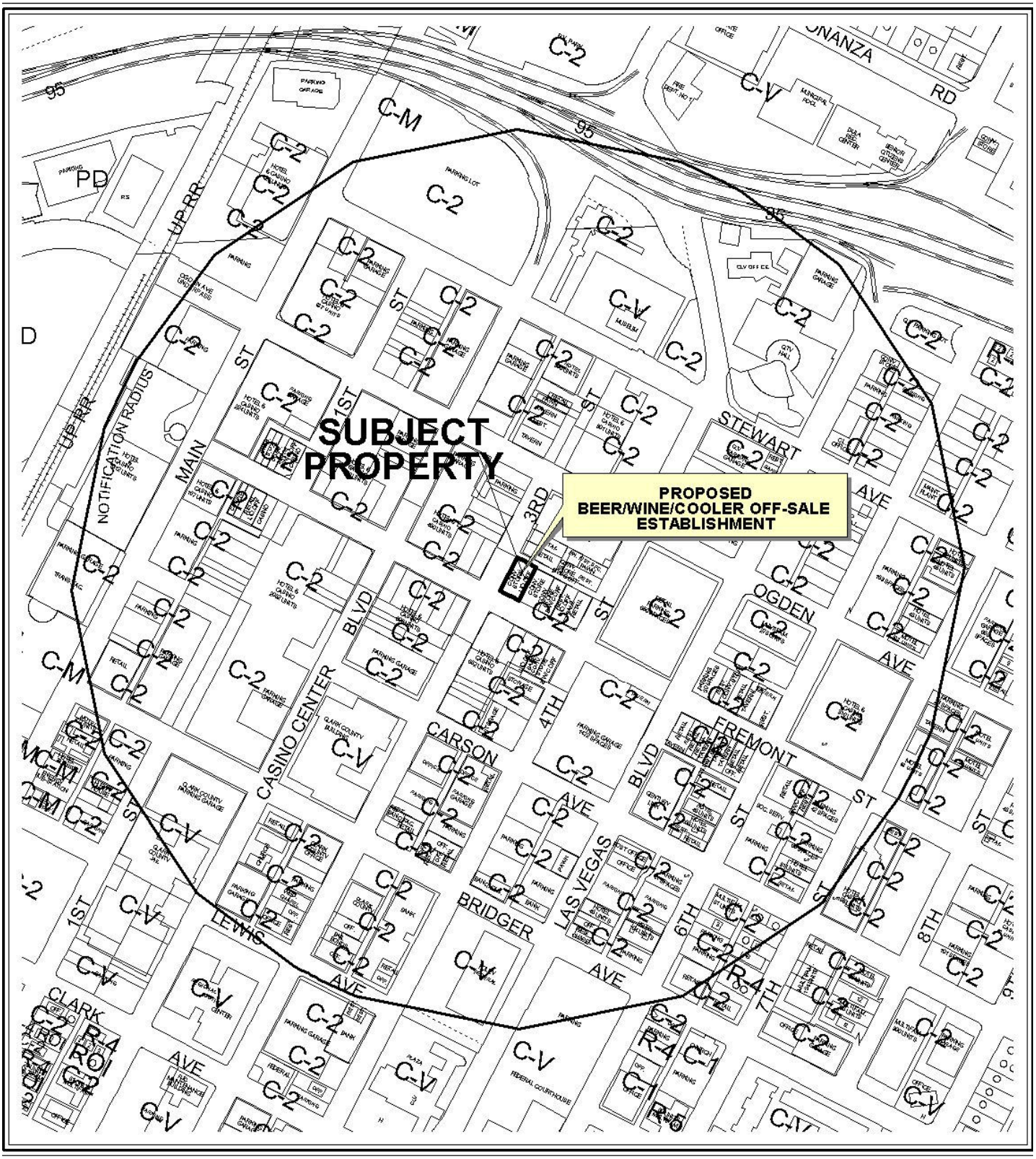
**SUBJECT:**
SUP-41570 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HAIM GABAY - OWNER: L"CHAIM FREMONT ASSOCIATES, INC. - Request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT USE WITHIN AN EXISTING 8,152 SQUARE-FOOT RETAIL ESTABLISHMENT at 300 Fremont Street (APN 139-34-510-023), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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. Justification Letter




0 300 600 Feet

**CASE:** **SUP-41570**

**RADIUS:** 1500 FT

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

N



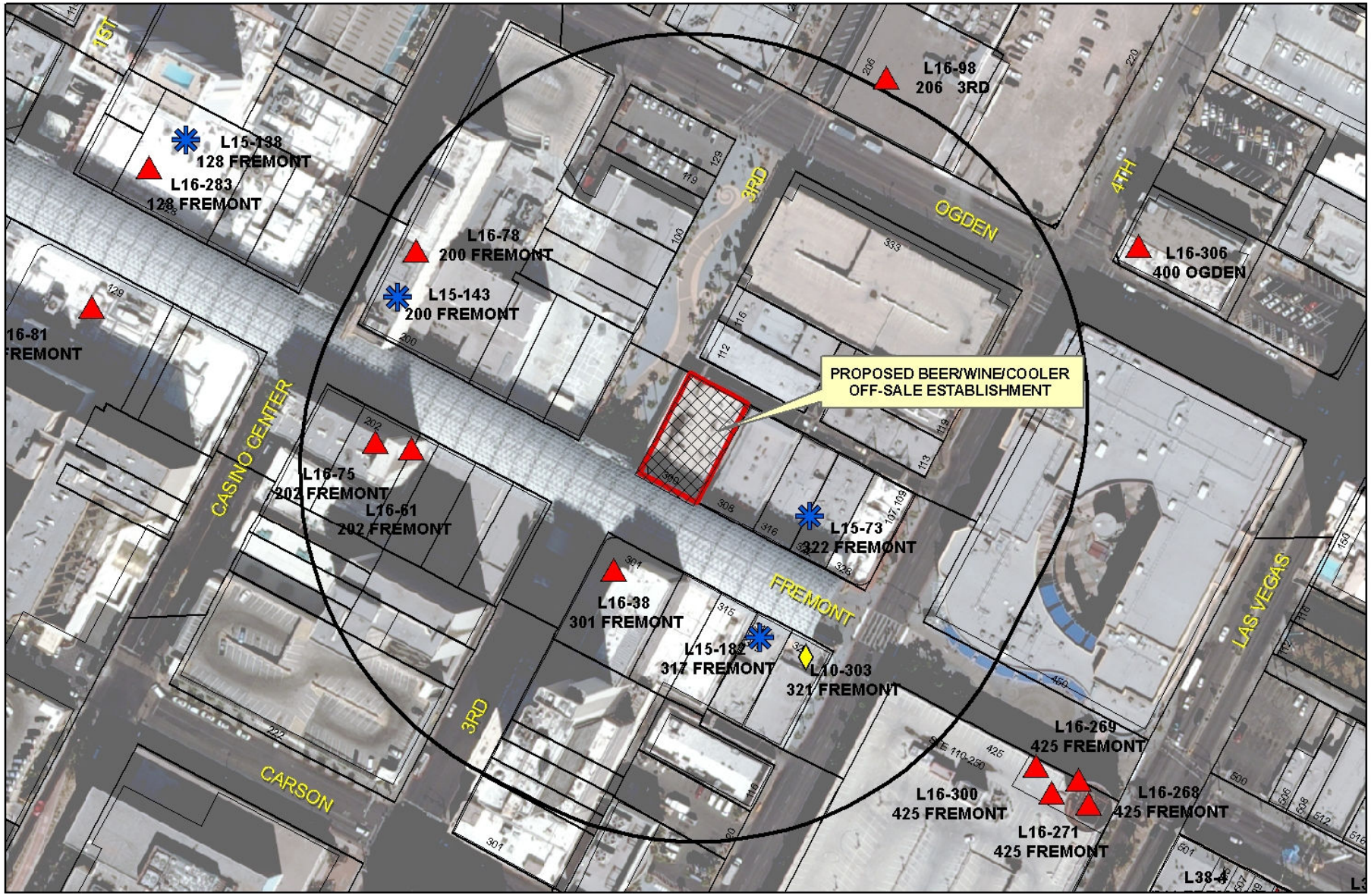

0 300 600 Feet

**CASE:** **SUP-41570**

**RADIUS:** 1500 FT

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

N




**SUP-41570**

## Business Licenses

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

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: HAIM GABAY - OWNER: L'CHAIM FREMONT ASSOCIATES, INC.**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-41570** | Staff recommends APPROVAL, subject to conditions: | |

## ** CONDITIONS **

# SUP-41570 CONDITIONS

***Planning***

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

2. This approval shall be void one year 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 beer and wine coolers shall remain in the original manufacturer's configuration intended for resale.

6. The sale of single beers, malt beverages, or wine coolers of any size with alcohol by volume greater than 6% shall be prohibited. The sale of wines with an alcohol by volume of greater than 16% shall be prohibited.

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a Beer/Wine/Cooler Off-Sale use within an existing 7,755 square-foot retail store at 300 Fremont Street. The Beer/Wine/Cooler Off-Sale use will be ancillary to the existing store. No Waivers are needed as a part of this request. The sale of individual containers is consistent with previous approvals along this portion of Fremont Street.

This request meets all minimum Special Use Requirements and can be conducted in a compatible and harmonious manner within a retail store and with similar uses along Fremont Street; therefore staff recommends approval. If denied, no beer, wine or coolers could be sold at this location.

## ISSUES

- The sale of Beer/Wine/Cooler Off-Sale use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 12/16/64 | The City Council approved a Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial) for approximately 230 acres generally located on property bound by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard on the south. The Planning Commission and staff recommended approval. |
| 01/14/10 | The Planning Commission recommended approval of a Special Use Permit (SUP-36562) for a Package Liquor Off-Sale Establishment within an existing 8,152 square-foot establishment at 300 Fremont Street. Staff recommended approval. This case was withdrawn without prejudice before being heard by City Council. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 06/30/10 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 08/10/09 | A Business License (#C05-02661) was issued for a Tobacco Dealer at 300 Fremont Street. The license remains active. |
| 08/10/09 | A Business License (#G04-07088) was issued for Gifts and Novelties at 300 Fremont Street. The license remains active. |
| 10/27/09 | A Business License (#L15-92442) was issued for Package Liquor at 300 Fremont Street. The license was marked as out-of-business on 10/06/10. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/12/11 | Staff met with the applicant and reviewed the requirements for a Special Use Permit application. The applicant was reminded that the minimum requirements for a Convenience store would have to be met at all times. |

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

| ***Field Check*** | |
|---|---|
| 05/05/11 | Staff visited the site and found an active convenience store. The store was well maintained. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.23 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Convenience Store | C (Commercial) | C-2 (General Commercial) |
| North | General Retail | C (Commercial) | C-2 (General Commercial) |
| South | General Retail | C (Commercial) | C-2 (General Commercial) |
| East | General Retail | C (Commercial) | C-2 (General Commercial) |
| West | Hotel/Casino | 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 Centennial Plan Overlay (Central Casino Core District) | X | | Y |
| Live/Work Overlay District | X | | N/A |
| **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**

| ***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 | |
| General Retail Store, Other Than Listed (3500 Square Feet or More) | 7,755 Sq. Ft. | 1:175 GFA | 45 | | | | |
| **TOTAL SPACES REQUIRED** | | | 45 | | 0 | | N |
| **Regular and Handicap Spaces Required** | | | 43 | 2 | 0 | 0 | N |

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

**ANALYSIS**

This request is for a Special Use Permit for a proposed Beer/Wine/Cooler Off-Sale use within an existing 7,755 square-foot retail store at 300 Fremont Street. The applicant indicates that they will sell beer and wine as an additional item within the store. The sale of individual containers is consistent with previous approvals in the area and is a common business practice for merchants along this portion of Fremont Street. The site is located within the Las Vegas Downtown Centennial Plan area, which is not subject to the automatic application of parking requirements. Adequate parking is located in several parking structures within walking distance of the store. No Waivers are required with this request.

YK

The proposed Beer/Wine/Cooler Off-Sale Establishment Use can only be located in a general store that meets the definition of a grocery store, drug store, convenience store or specialty store. This project doesn't meet the definition of a grocery store, drug store or convenience store. The applicant therefore must meet the requirements of a specialty store which is defined by Title 6 as a retail store located within a commercial center that:

1. Has at least eighteen thousand square feet of gross floor area;

2. Has at least eleven thousand five hundred square feet of floor space dedicated to the sale and display of furniture, glassware, kitchenware and other household goods;

3. Has at least three thousand six hundred square feet of floor space dedicated to the sale and display of gourmet foods and non-alcoholic beverages; and

4. Maintains an inventory of beer, wine and coolers with a wholesale value of at least twenty-five thousand dollars.

The applicant indicates that they will meet these criteria; therefore, staff recommends approval.

**FINDINGS (SUP-41569)**

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

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

   The proposed Beer/Wine/Cooler Off-Sale use is ancillary to an existing retail store and is adjacent to similar uses along Fremont Street. The proposed use is compatible with surrounding land uses.

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

   The subject site is currently operated as a general retail store. Similar alcohol related uses are common in this area of the City. The subject site is physically suitable to accommodate the proposed use.

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

   The location of the subject site is on the Pedestrian-only portion of Fremont Street. The site will be accessed primarily by pedestrian traffic.

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

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

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

   The proposed Beer/Wine/Cooler Off-Sale use meets all of the applicable conditions per Title 19.04.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 35

**NOTICES MAILED** 185

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-41570 APN: _____

Name of Property Owner: L'CHAIM FREMONT ASSOCIATES

Name of Applicant: HAIM GABAY

Name of Representative: NIEVES ALVAREZ

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

☐ **Yes** ☒ **No**

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

RECEIVED
APR 27 2011
City of Las Vegas

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Haim Gabay

Subscribed and sworn before me

This 14th day of April, 2011

_____

Notary Public in and for said County and State

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

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** FABULOUS VEGAS LLC

**Project Address (Location)** 300 FREMONT ST LV NV 89101

**Project Name** FABULOUS VEGAS GIFTS **Proposed Use** _____

**Assessor's Parcel #(s)** 139-34-510-023 **Ward #** 5

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

**Commercial Square Footage** 9500 **Floor Area Ratio** 7500

**Gross Acres** .16 ACRES **Lots/Units** 4 **Density** _____

**Additional Information** _____

**PROPERTY OWNER** L'chaim Fremont Associates **Contact** HAIM GABAY

**Address** 6130 W. FLAMINGO RD # 402 **Phone:** (702) 382-3005 **Fax:** (702) 382-7005

**City** LAS VEGAS **State** NEVADA **Zip** 89103

**E-mail Address** haimgabay@hotmail.com

**APPLICANT** HAIM GABAY **Contact** _____

**Address** 6130 W. FLAMINGO RD # 402 **Phone:** (702) 382-3005 **Fax:** (702) 382-7005

**City** LAS VEGAS **State** NEVADA **Zip** 89103

**E-mail Address** haimgabay@hotmail.com

**REPRESENTATIVE** NIEVES ALVAREZ **Contact** _____

**Address** 6130 W. FLAMINGO RD # 402 **Phone:** (702) 287-2048 **Fax:** (702) 382-7005

**City** LAS VEGAS **State** NEVADA **Zip** 89103

**E-mail Address** nellyal12@hotmail.com

**Property Owner Signature*** [signature]

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

**Print Name** HAIM GABAY

Subscribed and sworn before me

This 14th day of April, 2011.

[signature]

Notary Public in and for said County and State

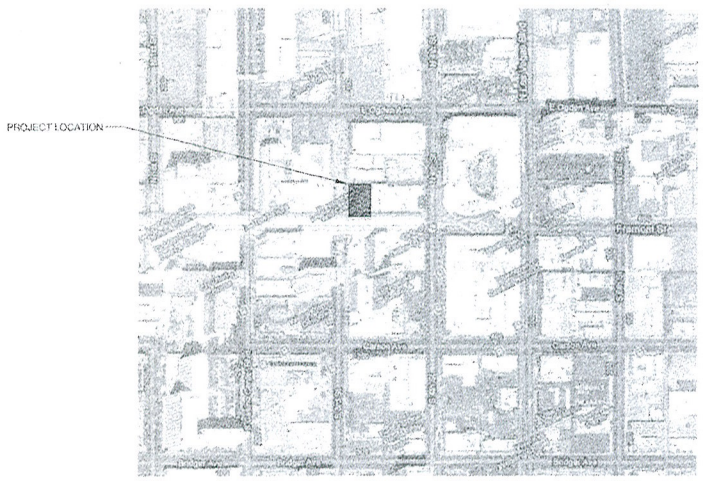
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
EVELYN VALDEZ
Appt. No. 03-81899-1
My Appt. Expires June 15, 2011

***FOR DEPARTMENT USE ONLY***

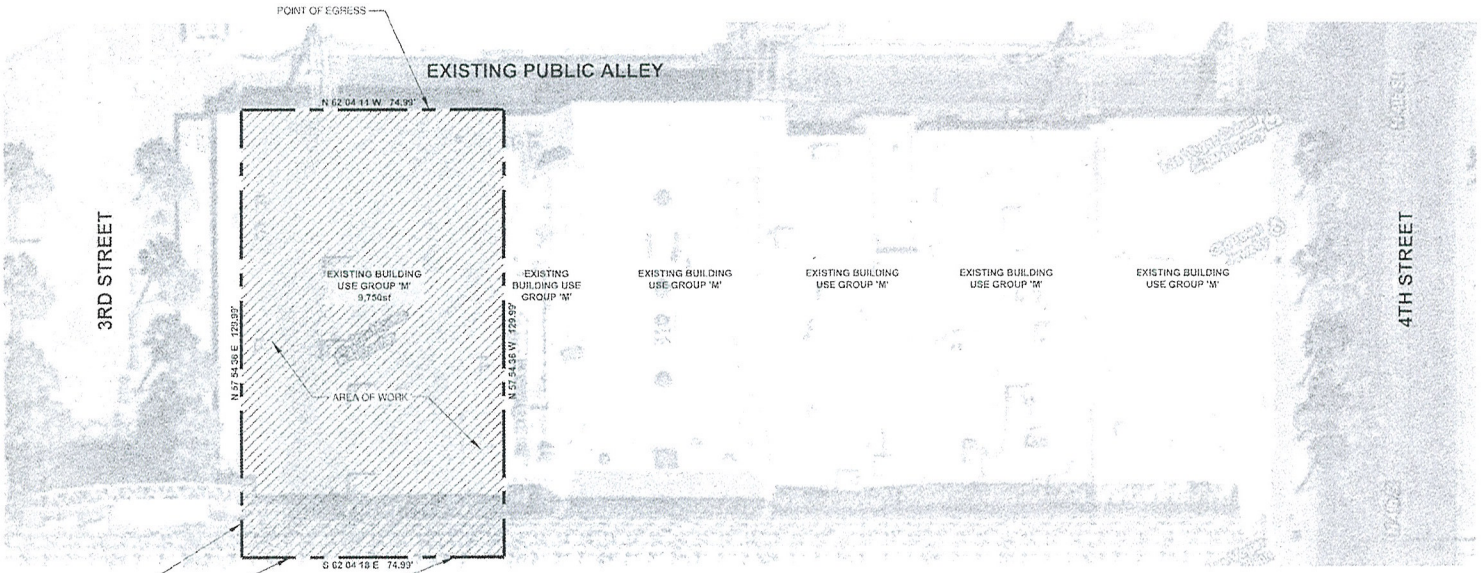
| | |
|---|---|
| **Case #** | SUP-41570 |
| **Meeting Date:** | 6-14-11 |
| **Total Fee:** | ~~1280~~ 1280 |
| **Date Received:*** | 4-27-11 |
| **Received By:** | JB |

*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




1 VICINITY MAP
SCALE: 1" = 250'-0"




2 SITE PLAN
SCALE: 1/16" = 1'-0"

ERIK CHUDY ARCHITECTURE.

(702) 882-2903
erikchudy.com
erik@erikchudy.com

Consultant:

Seal:

Project:
Fabulous Las Vegas
Jewelry & Gifts
300 East Fremont Street
Las Vegas, NV

Owner:

Revisions:

| No. | Date | Issue |
|---|---|---|

Drawing Title:
VICINITY MAP, PLAN & EXISTING SITE PLAN

Project #: 2011008
Issue: FOR SUBMITTAL
Date: 04.15.2011 Scale: AS NOTED
Filename:
Sheet:

AS101

RECEIVED
APR 27 2011
City of Las Vegas

SUP-41570

RECEIVED
APR 27 2011
City of Las Vegas

| NEW TENANT IMPROVEMENT - OCCUPANT LOAD | | | | | |
|---|---|---|---|---|---|
| OCCUPANCY LOAD: | | | | | |
| 101 - EXISTING OPEN RETAIL | = 7755 | SF/30 | = | 259 | occs. |
| 102 - EXISTING STORAGE | = 277 | SF/300 | = | 1 | occs. |
| 103 - EXISTING RESTROOM | = 63 | SF/100 | = | 1 | occs. |
| 104 - EXISTING STORAGE | = 57 | SF/300 | = | 1 | occs. |
| NEW TOTAL INTERIOR FLOOR AREA: 8,152 SF | | | | 262 | occs. |

**BUILDING EGRESS ANALYSIS:**

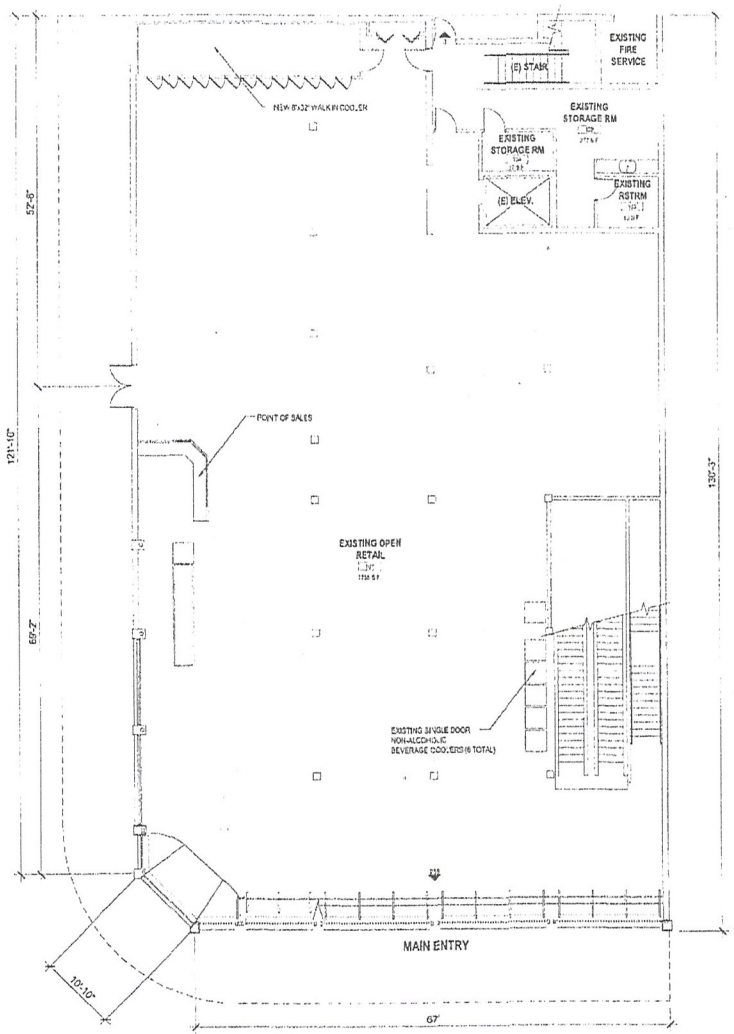
BASED ON THE 2006 I.B.C.
BUILDING EXITS REQUIRED

**CRITERIA:**
ALL PORTIONS OF THE BUILDING OCCUPIED SIMULTANEOUSLY EXCEPT :

- STORAGE ROOMS
- TOILET ROOMS
- CORRIDORS
- MECHANICAL AND ELECTRICAL ROOMS

EGRESS WIDTH MULTIPLIERS IS .20 PER IBC T1005.1
APPROVED UNDER PERMIT #: _____

| | |
|---|---|
| OCCUPANT LOAD = | 262 |
| EXITS PROVIDED = | 2 |
| MIN. REQ. EXIT WIDTH = 262 X .20 = | 52.40" |
| WIDTH PROVIDED = | 972.0" |




1 / A1.00 EXISTING FLOOR PLAN
SCALE: 1/8"=1'-0"

tkg
231 West Charleston Boulevard
Las Vegas, NV 89102
office: 702.385.2080
fax: 702.385.2091
web: www.tkgdesign.com

PROJECT
FABULOUS LAS VEGAS JEWELRY & GIFTS
300 EAST FREMONT STREET
LAS VEGAS, NEVADA

SHEET TITLE
DESIGN REVIEW - EXISTING FLOOR PLAN

| REVISIONS | DATE |
|---|---|
| 1 ORIGINAL SUBMITTAL | 04-21-11 |

DATE: 03-21-2011
SCALE: AS INDICATED
DRAWN: D. YORKE
JOB NO: 09-032

SHEET
A1.00

SUP-41570




SUP-41570 - APPLICANT: HAIM GABAY - OWNER: L'CHAIM FREMONT ASSOCIATES, INC
300 FREMONT STREET

05/05/11

FABULOUS VEGAS GIFTS
300 FREMONT ST
LAS VEGAS NV 89101
APRIL 13 , 2011

TO WHOM IT MAY CONCERN:

FABULOU VEGAS GIFTS LLC IS AN EXISTING RETAIL/GIFTCONVENIENCE STORE LOCATED AT 300 FREMONT ST LAS VEGAS NEVADA 89101 WITH 12 EMPLOYEES, HOURS OF OPERATION FROM 8AM TO 2AM.
WHERE WE WILL SELL PACKAGE LIQUOR (UNDER A RESTRICTION RULE)
IN ORDER TO ENHANCE OUR PRODUCTIVITY AND OUR BOTTOM LINE,
BACK ON 2009 WE APPLY AND THEN WE WITHDRAW THE APPLICATION BECAUSE THE CITY COUNSIL DENIED ON OUR APPLICATION, NOW WE RE APPLYING AGAIN FOR A SPECIAL USE PERMIT

THANK YOU



HAIM GABAY

RECEIVED
APR 27 2011
City of Las Vegas
SUP-41570

City of Las Vegas Agenda Item No.: **50.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

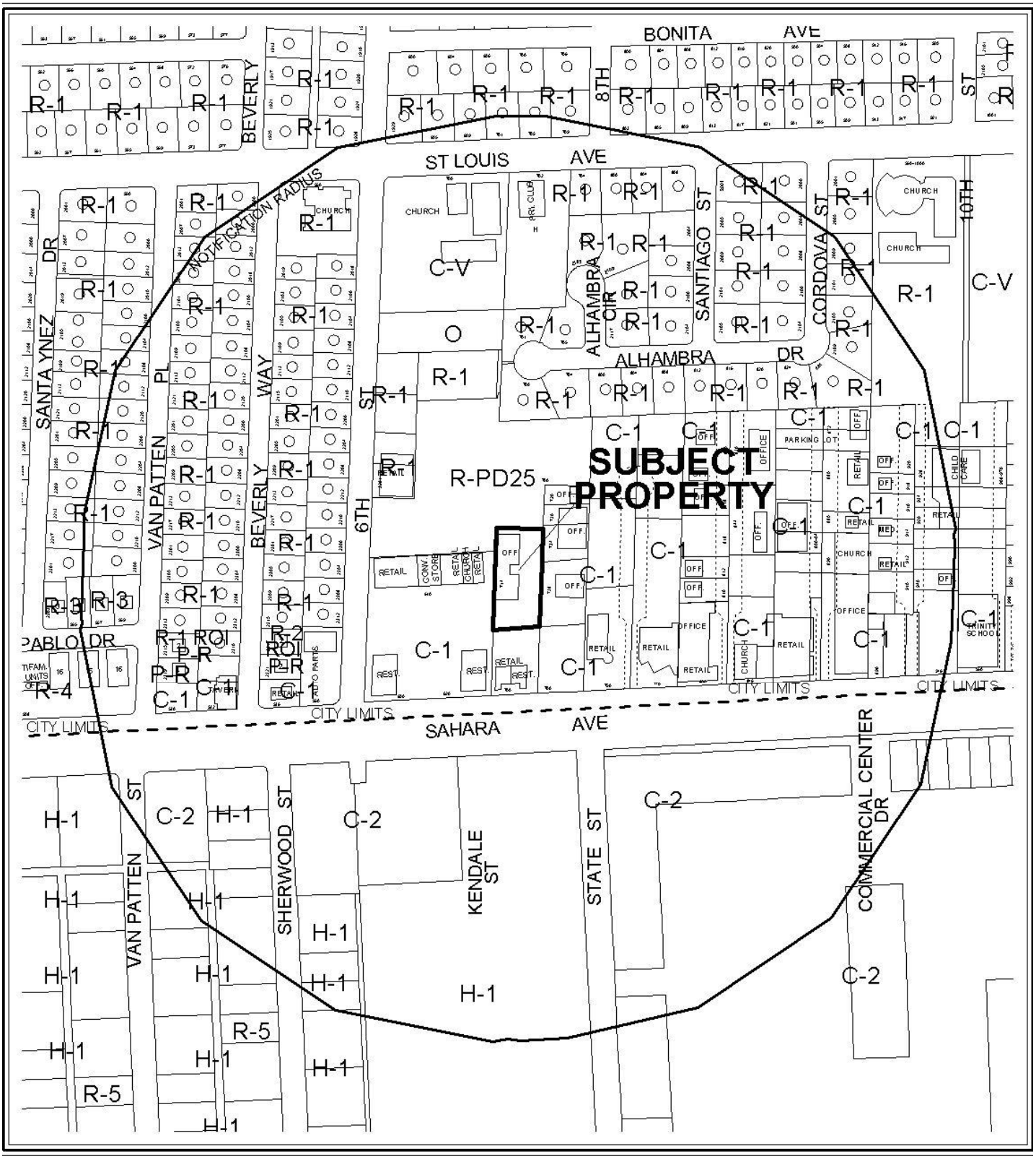
**SUBJECT:**
SUP-41583 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: COMMUNITY COUNSELING CENTER - OWNER: 714 EAST SAHARA AVENUE, LLC - Request for a Special Use Permit FOR A PROPOSED 17,088 SQUARE-FOOT FACILITY TO PROVIDE TESTING, TREATMENT OR COUNSELING FOR DRUG OR ALCOHOL ABUSE at 714 East Sahara Avenue (APN 162-03-801-056), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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. Photo
5. Justification Letter



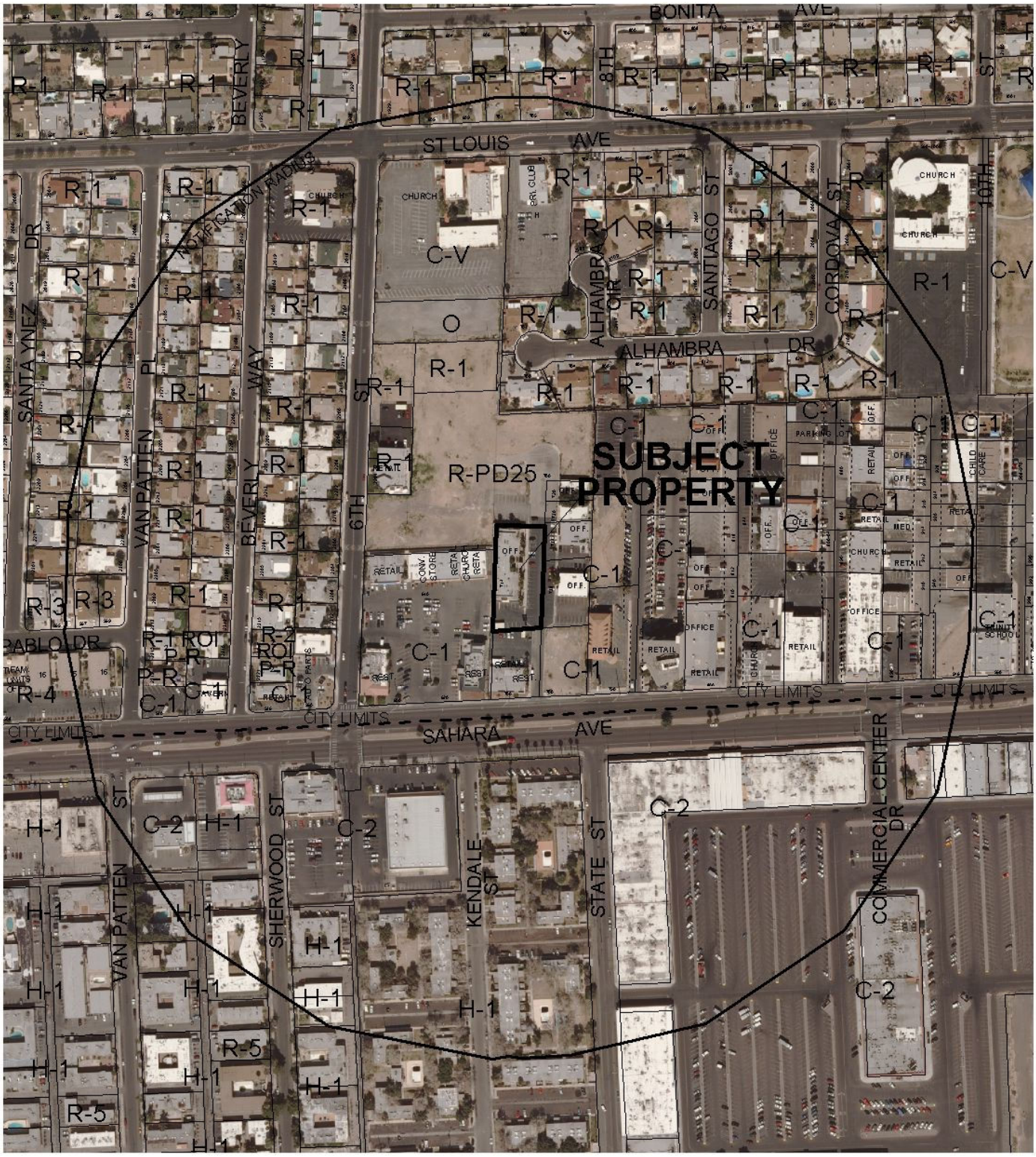

0 300 600 Feet

**CASE:** **SUP-41583**

**RADIUS:** 1000 FT

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

N




0 300 600 Feet

**CASE:** **SUP-41583**

**RADIUS:** 1000 FT

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

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: COMMUNITY COUNSELING CENTER - OWNER: 714 EAST SAHARA AVENUE, LLC**

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

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-41583** | Staff recommends APPROVAL, subject to conditions: | N/A |

**** CONDITIONS ****

# SUP-41583 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Facility to provide Testing, Treatment or Counseling for Drug or Alcohol Abuse 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. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

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

**Staff Report Page One**
**June 14, 2011 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 17,088 square-foot Facility to Provide Testing, Treatment or Counseling for Drug and Alcohol Abuse use at 714 East Sahara Avenue. The proposed 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 Facility to Provide Testing, Treatment or Counseling for Drug and Alcohol Abuse use cannot be located within the subject site, nor can a business license be obtained for the use at this location.

## ISSUES

- A Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse use is permitted in the C-1 (Limited 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 from other agencies.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 05/17/06 | The City Council approved a General Plan Amendment (GPA-9219) to change the Future Land Use designation to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission and staff recommended approval. |
| 06/14/11 | The Planning Commission will hear a Special Use Permit (SUP-41584) for a proposed 17,088 square-foot Social Service Provider use at 714 East Sahara Avenue. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 07/29/09 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 09/27/73 | A building permit (#13144) was issued for an Office Building at 714 East Sahara Avenue. The permit was finalized on 03/25/74. |
| 04/02/90 | A business license (N35-00003) was issued for Family Counseling at 714 East Sahara Avenue, Suite #101. The license issuance was for a change of location from 1120 Almond Tree Lane to 714 East Sahara Avenue. |
| 04/21/11 | A building permit (#186205) was issued for non-work certificate of occupancy for an Office at 714 East Sahara Avenue. The permit was finalized on 04/27/11. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/21/11 | A pre-application meeting was held with the applicant to discuss the submittal requirements for a Special Use Permit for a Facility to provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse. The Special Use Permit request will require a Project of Regional Significance form since the site is located within 500 feet of unincorporated Clark County. The site plan indicates 36 parking spaces and the previous use of the building was Office, Other than Listed. Pursuant to Title 19.10.010, the subject site is a Parking-Impaired Development. The proposed use will be transferring from 1120 Almond Tree Lane. |

| ***Neighborhood Meeting*** | |
|---|---|
| 05/31/11 | A neighborhood meeting was held at 1140 Almond Tree Lane, Suite #312, Las Vegas, NV 89104 at 6:00 p.m. There were two members of the public, five representatives for the applicant and a member of the Planning and Development staff present.<br>• The applicant briefly reviewed the proposed use and the history of their operation.<br>• The members of the public who were in attendance stated that the applicant had been a good neighbor, and that they were supportive of the applications. |

| ***Field Check*** | |
|---|---|
| 05/05/11 | A site visit by staff noted that the office building and property are well maintained. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.66 |

| *Surrounding Property* | *Existing Land Use Per Title 19.04* | *Planned or Special Land Use Designation* | *Existing Zoning District* |
|---|---|---|---|
| Subject Property | Office | C (Commercial) | C-1 (Limited Commercial) |
| North | Undeveloped | SC (Service Commercial) | R-PD25 (Residential Planned Development – 25 Units per Acre) |
| South | General Retail | C (Commercial) | C-1 (Limited Commercial) |
| East | Office | C (Commercial) | C-1 (Limited Commercial) |
| West | Undeveloped | SC (Service Commercial) | R-PD25 (Residential Planned Development – 25 Units per Acre) |
| | Shopping Center | C (Commercial) | C-1 (Limited Commercial) |

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

**DEVELOPMENT STANDARDS**

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Sahara Avenue | Primary Arterial | Master Plan of Streets and Highways | 140* | Y |

*Per Master Plan of Streets and Highways, the street width is 100 feet.

***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 | |
| Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse | 17,088 SF | 1/300 SF | 57 | | | | |
| **TOTAL SPACES REQUIRED** | | | 57 | | 34 | | Y* |
| **Regular and Handicap Spaces Required** | | | 54 | 3 | 32 | 2 | Y* |

*Pursuant to Title 19.10.010 (C), the site is a parking-impaired development.

**ANALYSIS**

A Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse is defined by Title 19.20.020 as "a facility that: 1) Operates under or is subject to the provisions of NRS Title 40 and, by means of certified detoxification technicians or otherwise, provides care or treatment related to the physical and mental effects of the abuse of alcohol or drugs, or the effects of alcohol or drug dependency; or 2) Provides court-ordered or court-sanctioned testing, analysis, treatment or counseling related to the physical and mental effects of the abuse of alcohol or drugs, or the effects of alcohol or drug dependency." The applicant has indicated that the proposed use offers substance abuse treatment to those who are mandated to attend through the courts and those self-referred who need a support system to help them remain sober and addiction-free.

The applicant has been operating at 1120 Almond Tree Lane for 19 years. The request for the Special Use Permit is for a change of location at 714 East Sahara Avenue, due to fire damage at 1120 Almond Tree Lane. The proposed Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse use employs 43 people and will serve 500 clients monthly. There were not service calls to the Las Vegas Metropolitan Police Department at both locations. There were Code Enforcement cases at 1120 Almond Tree Lane and all cases have been resolved, and there are no Code Enforcement violations at 714 East Sahara Avenue.

The proposed location at 714 East Sahara Avenue contains an existing 17,088 square-foot, two-story office building. The submitted floor plans indicates both stories will be utilized by the proposed use. The site plan indicates 34 parking spaces and the required parking is for 57 spaces by current parking standards. Pursuant to Title 19.10.010 (C), the site is a parking impaired development, and the proposed use's parking requirement is the same as the previous use, which was Office, Other than Listed; therefore, no additional parking is required.

Comments were received from the Las Vegas Valley Water District (LVVWD), and include the following: Existing 2" meter with 2" DCVA. If fire flow requirements change, potential meter and backflow changes may be required. If fire flow changes, civil plans will need to be submitted to LVVWD.

The subject property is located within the Beverly Green/Southridge Neighborhood and Airport Overlay District with 175-foot height restrictions. The proposed use would not have a negative impact relating to the Special Area Plan and Overlay District. There are no issues, goal or strategies outlined in the Beverly Green/Southridge Neighborhood Plan that relate to the proposed use. The Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse use can be conducted in a manner that is harmonious and compatible with the existing uses and future surrounding land uses; therefore, staff recommends approval with conditions.

**FINDINGS (SUP-41583)**

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 Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse will be located within an existing office building. The proposed use can be conducted in a manner that is harmonious and compatible with the uses at the existing site and with the uses on adjacent properties.

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

   The subject site is physically suitable for the type and intensity of the proposed Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse 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 to the property is provided from Sahara Avenue via a 40-foot wide easement. This street is 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 a Special Use Permit for this use will not compromise the public, health, safety, or welfare, as the use is subject to licensing and inspections by the City of Las Vegas.

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

   There are no minimum use requirements for a Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 14

**NOTICES MAILED** 205

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41583** APN: 162-03-801-056

Name of Property Owner: 714 E. Sahara Ave. LLC

Name of Applicant: Community Counseling Center

Name of Representative: Ron Lawrence Community Counseling Center

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

☐ **Yes** ☒ **No**

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

City Official: n/a

Partner(s): n/a n/a

APN: n/a

Signature of Property Owner: Kevin Ellis

Print Name: KEVIN ELLIS AUTHORIZED AGENT FOR ICA MORTGAGE CAPITAL LLC, OWNER OF 714 E. SAHARA LLC

Subscribed and sworn before me

This 22nd day of April, 2011

Kenna S. DeBlase - Johnson, KS

Notary Public in and for said County and State

KENNA S. DEBLASE
Notary Public, State of Kansas
My Appt. Expires 6-6-2013

RECEIVED
APR 28 2011

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Community Counseling Center

**Project Address (Location)** 714 E Sahara Ave., Las Vegas, NV 89104

**Project Name** Community Counseling Center **Proposed Use** ~~alcohol abuse~~ Facility to provide testing, treatment or counseling for drug or

**Assessor's Parcel #(s)** 162-03-801-056 **Ward #** 3

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

**Commercial Square Footage** 12,000 **Floor Area Ratio** N/A

**Gross Acres** .66 **Lots/Units** N/A **Density** N/A

**Additional Information** N/A

**PROPERTY OWNER** 714 E. Sahara Avenue, LLC **Contact** ICA Mortgage Capital LLC

**Address** 10740 Nall Avenue, Suite 215 **Phone:** (913) 649-0705 **Fax:** (312) 873-4152

**City** Overland Park **State** KS **Zip** 66211

**E-mail Address** KevinE@icadv.com

**APPLICANT** Community Counseling Center **Contact** Ron Lawrence

**Address** 714 E Sahara Ave **Phone:** (702) 369-8700 **Fax:** (702) 369-8489

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

**E-mail Address** CCC@CCCOFSN.org

**REPRESENTATIVE** Community Counseling Center **Contact** Ron Lawrence

**Address** 714 E Sahara Ave **Phone:** (702) 369-8700 **Fax:** (702) 369-8489

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

**E-mail Address** ronlawrence89104@yahoo.com

**Property Owner Signature*** Kevin Ellis

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

**Print Name** Kevin Ellis auth. agent ICA Mortgage Capital LLC

CO TRUSTEE OF ICA 2006 LOAN TRUST II

Subscribed and sworn before me

This 22nd day of April, 20 11.

Kenna S. DeBlase - Johnson, KS

Notary Public in and for said County and State

KENNA S. DEBLASE
Notary Public, State of Kansas
My Appt. Expires 10-8-2013

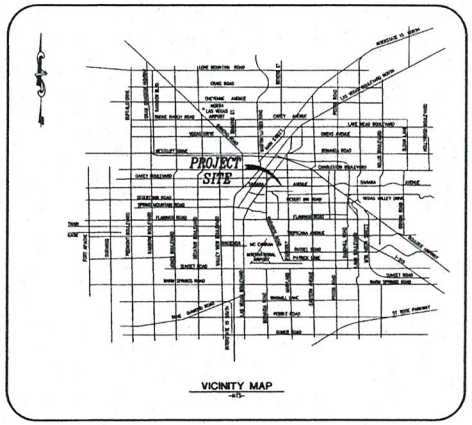
Revised 10/27/08

***FOR DEPARTMENT USE ONLY***

| | |
|---|---|
| **Case #** | SUP-41583 |
| **Meeting Date:** | 6/14/11 PC |
| **Total Fee:** | $1,030 |
| **Date Received:*** | 4-28-11 |
| **Received By:** | |

RECEIVED
BY APR 28 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.




VICINITY MAP
-NTS-

## PARKING

| | |
|---|---|
| 34 | REGULAR SPACES |
| 2 | HANDICAP SPACES |
| 36 | TOTAL SPACES |

THE ABOVE PARKING COUNTS REPRESENTS PARKING SPACES LOCATED ON DESCRIBED PROPERTY

## SETBACK, HEIGHT & BULK RESTRICTIONS

PER CITY OF LAS VEGAS, NEVADA ZONING CODE

| | |
|---|---|
| ZONE C-1 | LIMITED COMMERCIAL DISTRICT |
| FRONT SETBACK | 20 FEET |
| INTERIOR SIDE SETBACK | 10 FEET |
| CORNER SIDE SETBACK | 15 FEET |
| REAR SETBACK | 20 FEET |
| BUILDING HEIGHT | 4/A |
| LOT COVERAGE | 50 PERCENT |

## EASEMENTS

EXCEPTION NO.5 – PATENT EASEMENT FROM THE STATE OF NEVADA, RECORDED JANUARY 3, 1908, IN BOOK "Y" OF MISCELLANEOUS RECORDS, PAGES 377 AND 388 OF LINCOLN COUNTY, NEVADA OFFICIAL RECORDS.

AFFECTS ALL OF DESCRIBED PROPERTY – NOT ABLE TO PLOT.

EXCEPTION NO.6 – EASEMENT IN FAVOR OF NEVADA POWER COMPANY, RECORDED APRIL 12, 1962 IN BOOK 353 AS INSTRUMENT NO. 285433 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.7 – RIGHT OF WAY & EASEMENT IN FAVOR OF LAS VEGAS VALLEY WATER DISTRICT, RECORDED FEBRUARY 19, 1964 IN BOOK 515 AS INSTRUMENT NO. 414805 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.8 – RIGHT OF WAY & EASEMENT IN FAVOR OF LAS VEGAS VALLEY WATER DISTRICT, RECORDED FEBRUARY 19, 1964 IN BOOK 515 AS INSTRUMENT NO. 414806 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.9 – COVENANTS, CONDITIONS AND PROVISIONS IN DECLARATION OF EASEMENTS, RECORDED AUGUST 1, 1968, IN BOOK 891 AS INSTRUMENT NO. 715756 AND AMENDED SEPTEMBER 3, 1968 IN BOOK 897 AS INSTRUMENT NO. 720230 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.10 – RIGHT OF WAY & EASEMENT IN FAVOR OF LAS VEGAS VALLEY WATER DISTRICT, RECORDED AUGUST 23, 1968 IN BOOK 895 AS INSTRUMENT NO. 718629 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.11 – RIGHT OF WAY & EASEMENT IN FAVOR OF SOUTHWEST GAS CORPORATION, RECORDED MARCH 22, 1974 IN BOOK 411 AS INSTRUMENT NO. 370138 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.12 – RIGHT OF WAY & EASEMENT IN FAVOR OF NEVADA POWER COMPANY, RECORDED FEBRUARY 7, 1996 IN BOOK 960207 AS INSTRUMENT NO. 00796 OF OFFICIAL RECORDS.

AFFECTS ALL OF PARCEL I – NOT ABLE TO PLOT

## SURVEYOR'S COMMENTS

1. THE CERTIFYING SURVEYOR HAS NOT MADE AN INDEPENDENT TITLE SEARCH AND HAS RELIED SOLELY ON SUPPLIED DOCUMENTATION SHOWN IN A PRELIMINARY TITLE REPORT PROVIDED BY NATIONAL TITLE COMPANY, ORDER NO. 269346 DATED AUGUST 28, 2006 AND SPECIFICALLY DISCLAIMS ANY ITEMS NOT SHOWN WHICH MAY OR MAY NOT BE OF PUBLIC RECORD THAT MIGHT AFFECT THE PROPERTY SHOWN ON THIS SURVEY.
2. ADDRESS: 714 EAST SAHARA AVENUE, LAS VEGAS, NEVADA 89104
3. TOTAL AREA OF SUBJECT PROPERTY: 28,136 S.F. OR 0.646 ACRES, MORE OR LESS.
4. ASSESSOR'S PARCEL NUMBER: 162-03-801-056
5. SUBJECT PROPERTY HAS EVIDENCE OF RECENT CONSTRUCTION
6. SUBJECT PROPERTY HAS NO OBSERVABLE EVIDENCE OF BEING USED AS A SOLID WASTE DEPOSITORY, DUMP, OR LANDFILL.
7. SUBJECT PROPERTY HAS NO OBSERVABLE EVIDENCE OF CEMETERIES OR BURIAL GROUNDS.
8. THERE ARE NO ENCROACHMENTS ON DESCRIBED PROPERTY. EXISTING WALLS RUN ALONG DESCRIBED PROPERTY LINES

## SURVEYOR'S CERTIFICATE

TO ZGMUNT AMARETTI, JOANNA M. RYBAK, ICA MORTGAGE CAPITAL, LLC, AND NATIONAL TITLE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MASE UNDER THE DIRECT SUPERVISION AND CONTROL OF THE UNDERSIGNED IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 2, 3, 4, 6, 7(a), 7(b)(1), 8, 9, 10, 11(a), 13, 14, 16, AND 18 OF TABLE A THEREOF AND PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF NEVADA, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN. THIS SURVEY WAS COMPLETED ON OCTOBER 5, 2006.

JERRY A. COOK, JR.
PROFESSIONAL LAND SURVEYOR
NEVADA CERTIFICATE NO. 9388

10/05/2006
DATE

PROFESSIONAL LAND SURVEYOR – STATE OF NEVADA – JERRY A. COOK, JR. – CERTIFICATE NO. 9388 – RENEWAL DATE 12-31-06

10/5/06

## FLOOD INSURANCE DATA

FLOOD ZONE DESIGNATION "X" PER F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 32003C2170 E, DATED SEPTEMBER 27, 2002.

ZONE "X" – AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

(THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THE SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP OR THE LOCATION OF THE FLOOD ZONE BOUNDARY. IN ADDITION, THE ABOVE STATEMENT DOES NOT REPRESENT THE SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING.)

## LEGAL DESCRIPTION

**PARCEL I**

THAT PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST (SW) CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 3, AS SHOWN ON SURVEY RECORDED IN FILE 18, PAGE 72; THENCE NORTH 02°11'58" EAST ALONG THE WEST LINE OF THE SAID SOUTHEAST QUARTER (SE 1/4) A DISTANCE OF 50.19 FEET TO A POINT ON THE NORTH LINE OF SAHARA AVENUE; THENCE NORTH 87°12'48" EAST ALONG THE NORTH LINE OF SAHARA AVENUE, A DISTANCE OF 331.25 FEET TO A POINT; THENCE NORTH 02°11'58" EAST, A DISTANCE OF 150.57 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 02°11'58" EAST, A DISTANCE OF 253.13 FEET TO A POINT; THENCE SOUTH 88°00'33" EAST, A DISTANCE OF 112.83 FEET TO A POINT; THENCE SOUTH 01°59'27" WEST, A DISTANCE OF 243.63 FEET TO A POINT; THENCE SOUTH 87°12'48" WEST, A DISTANCE OF 114.13 FEET TO THE TRUE POINT OF BEGINNING.

**PARCEL II**

A NON-EXCLUSIVE RIGHT OF WAY AND EASEMENT WITH THE RIGHT OF INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED PARCEL:

THAT PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST (SW) CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 3; THENCE NORTH 2°11'58" EAST ALONG THE WEST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 3, A DISTANCE OF 50.19 FEET TO A POINT ON THE NORTH LINE OF SAHARA AVENUE; THENCE NORTH 87°12'48" EAST ALONG THE SAID NORTH LINE OF SAHARA AVENUE, A DISTANCE OF 420.86 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 1°59'27" EAST, A DISTANCE OF 150.84 FEET TO A POINT; THENCE NORTH 88°00'33" WEST, A DISTANCE OF 14.00 FEET TO A POINT; THENCE NORTH 1°59'27" EAST, A DISTANCE OF 361.76 FEET TO A POINT; THENCE FROM A TANGENT WHOSE BEARING IS THE LAST DESCRIBED COURSE TURNING TO THE LEFT ALONG A CURVE HAVING A RADIUS OF 20.00 FEET AND SUBTENDING A CENTRAL ANGLE OF 32°27'42", AN ARC LENGTH OF 11.33 FEET TO A POINT ON A TANGENT REVERSE CURVE; THENCE TURNING TO THE RIGHT ALONG SAID TANGENT REVERSE CURVE HAVING A RADIUS OF 44.00 FEET AND SUBTENDING A CENTRAL ANGLE OF 212°27'42" AN ARC LENGTH OF 163.16 FEET TO A POINT; THENCE SOUTH 1°59'27" WEST, A DISTANCE OF 393.60 FEET TO A POINT, THENCE NORTH 88°00'33" WEST, A DISTANCE OF 14.00 FEET TO A POINT; THENCE SOUTH 1°59'27" WEST, A DISTANCE OF 149.16 FEET TO A POINT ON THE SAID NORTH LINE OF SAHARA AVENUE; THENCE SOUTH 87°12'48" WEST, A DISTANCE OF 50.17 FEET TO THE TRUE POINT OF BEGINNING.

REVISIONS

| No. | Date | CHKD | APPD |
|---|---|---|---|
| | | | |

DESIGNED: ___ SJC
DRAWN: ___ SJC
CHECKED: ___ SJC
JOB NO: 041174
SCALE: 1"=20'
HORIZ: 1"=20'
DATE: 10-05-06

Carter :: Burgess
6655 Bermuda Road
Las Vegas, NV 89119
(702) 938-5400 Fax (702) 938-5454

PROJECT: 714 EAST SAHARA AVENUE
DESCRIPTION: ALTA/ACSM LAND TITLE SURVEY
SHEET 1 1 OF 3

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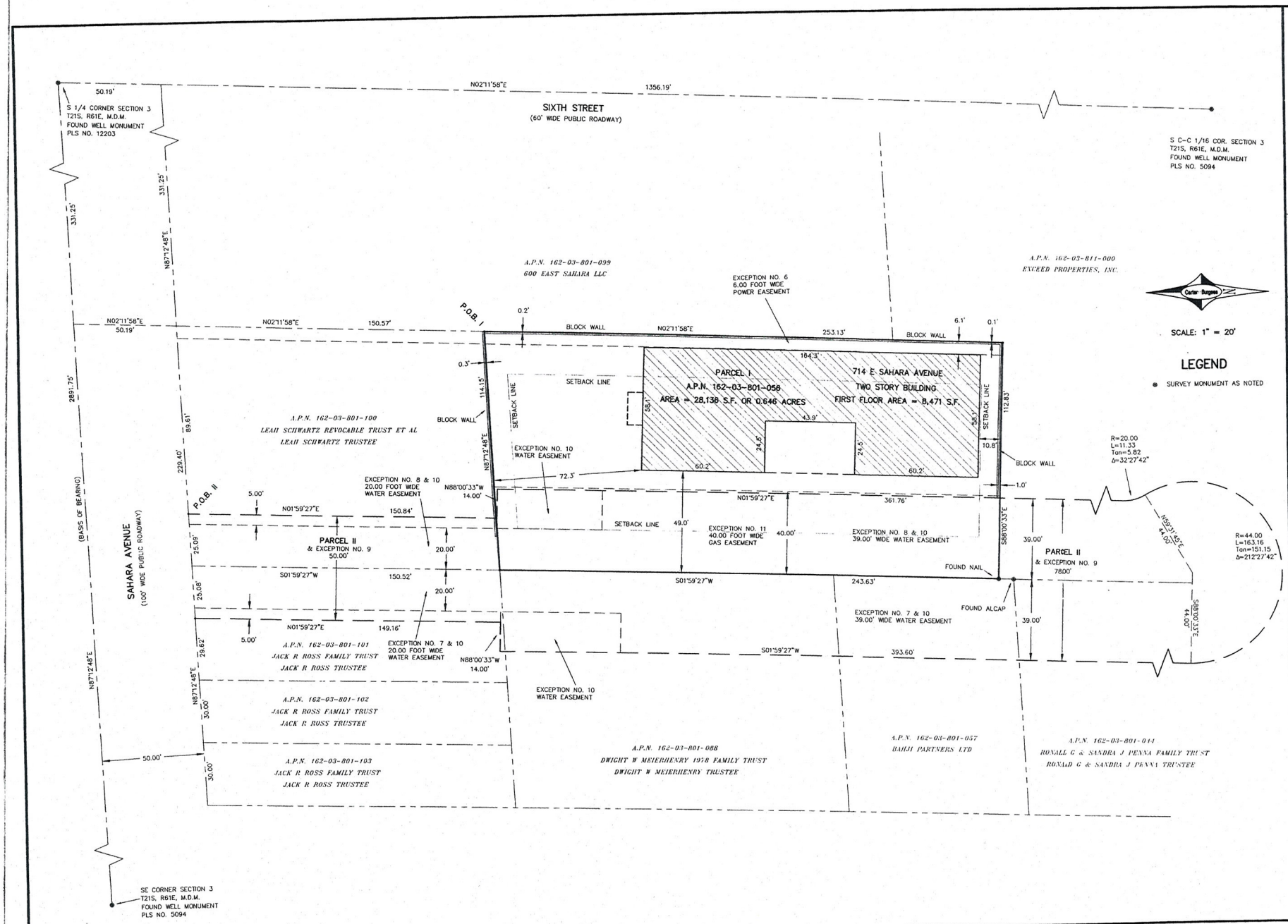


REVISIONS

| No. | Date | CHKD | APPD |
|---|---|---|---|

DESIGNED: —
DRAWN: JAC
CHECKED: JAC
JOB NO: 241774
SCALE: 1"=20'
DATE: 10-05-06

Carter::Burgess
6655 Bermuda Road
Las Vegas, NV 89119
(702) 938-5400 Fax (702) 938-5454

PROJECT: 714 EAST SAHARA AVENUE

DESCRIPTION: ALTA/ACSM LAND TITLE SURVEY

SHEET 2 OF 3

RECEIVED
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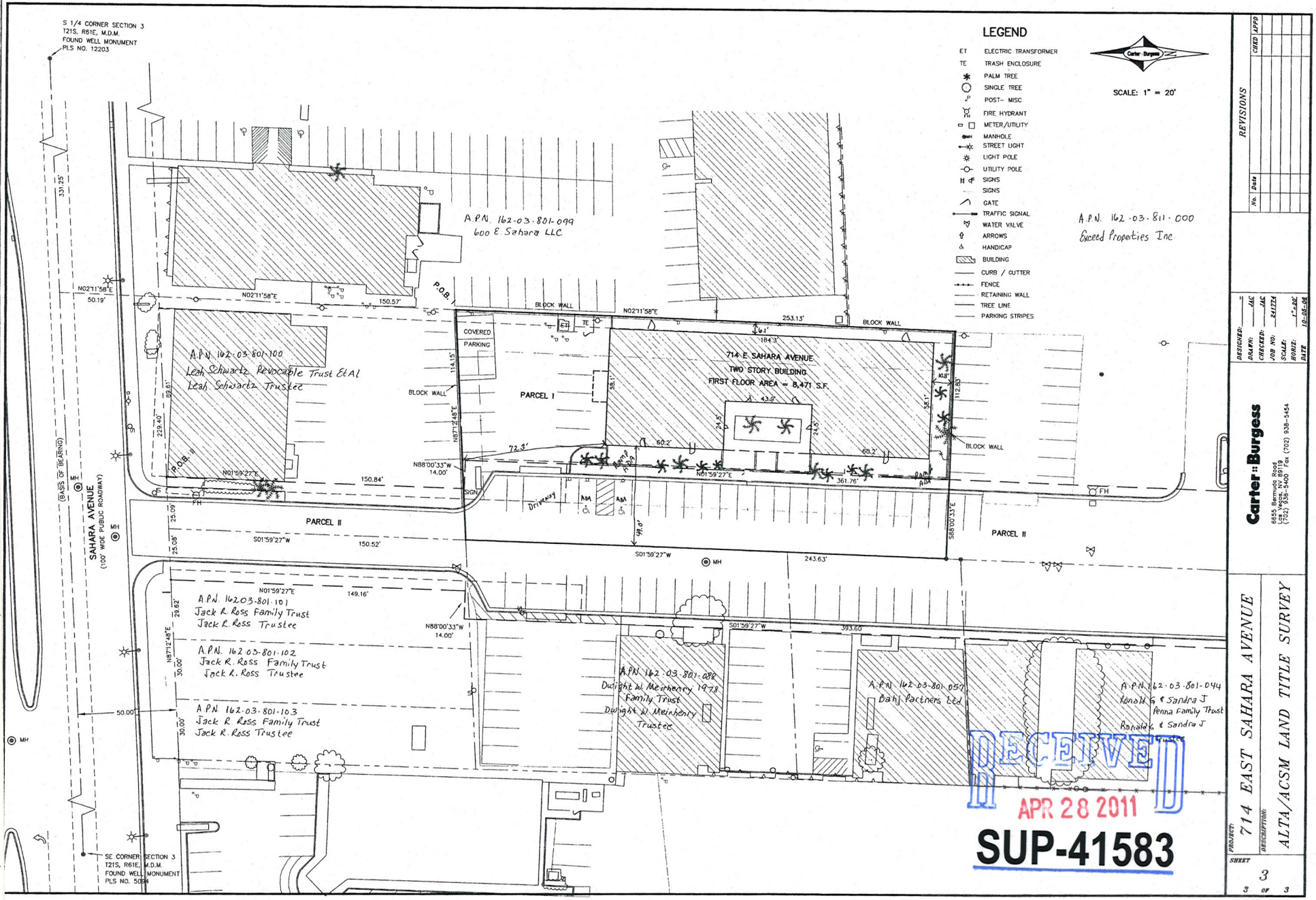
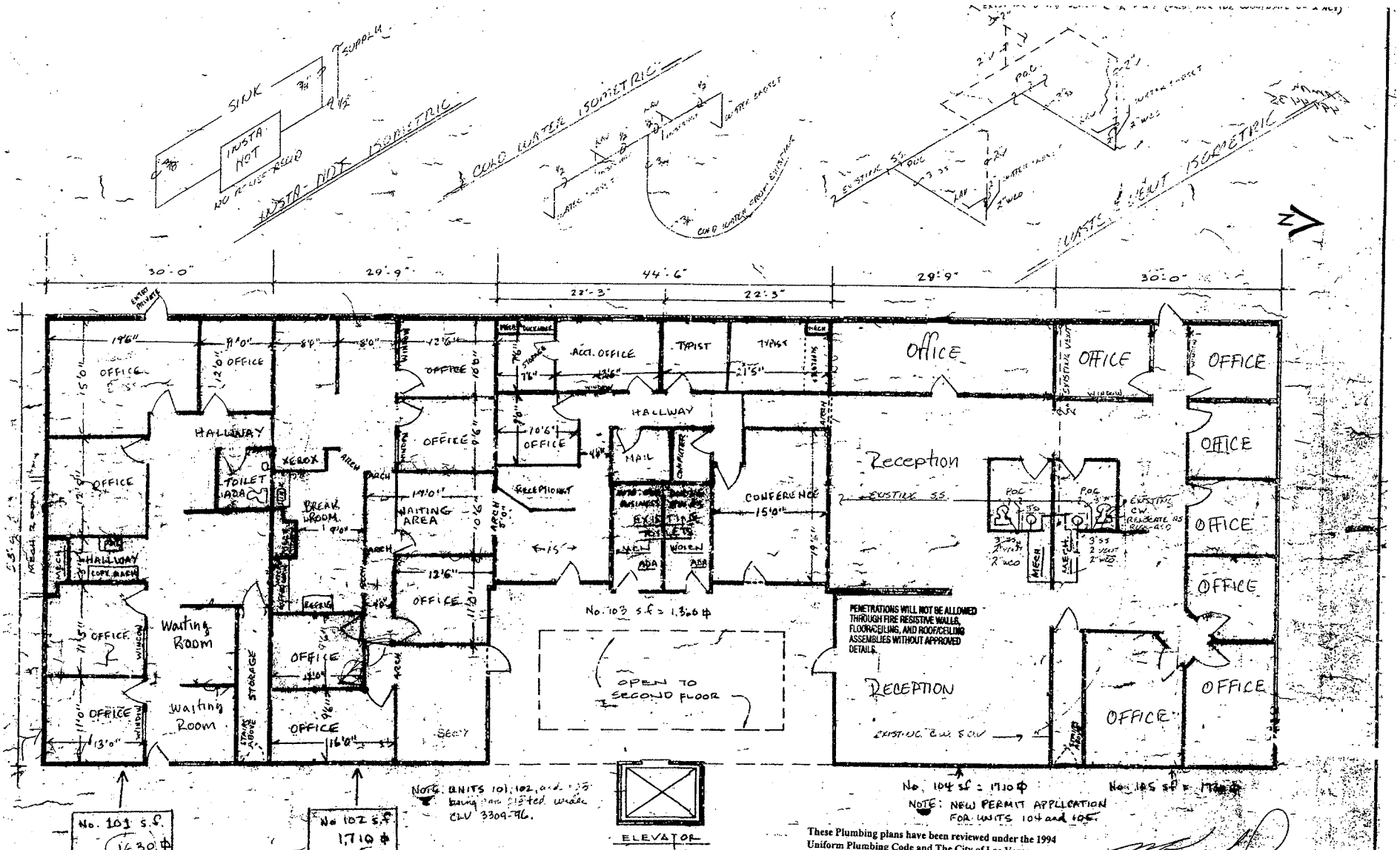
SUP-41583



S 1/4 CORNER SECTION 3
T21S, R61E, M.D.M.
FOUND WELL MONUMENT
PLS NO. 12203
LEGEND
ET ELECTRIC TRANSFORMER
TE TRASH ENCLOSURE
PALM TREE
SINGLE TREE
POST- MISC
FIRE HYDRANT
METER/UTILITY
MANHOLE
STREET LIGHT
LIGHT POLE
UTILITY POLE
SIGNS
SIGNS
GATE
TRAFFIC SIGNAL
WATER VALVE
ARROWS
HANDICAP
BUILDING
CURB / GUTTER
FENCE
RETAINING WALL
TREE LINE
PARKING STRIPES
SCALE: 1" = 20'
A.P.N. 162-03-801-099
600 E Sahara LLC
A.P.N. 162-03-811-000
Exceed Properties Inc
A.P.N. 162-03-801-100
Leah Schwartz Revocable Trust Et Al
Leah Schwartz Trustee
714 E SAHARA AVENUE
TWO STORY BUILDING
FIRST FLOOR AREA = 8,471 S.F.
COVERED PARKING
PARCEL I
PARCEL II
BLOCK WALL
SAHARA AVENUE
(100' WIDE PUBLIC ROADWAY)
(BASIS OF BEARING)
A.P.N. 162-03-801-101
Jack R. Ross Family Trust
Jack R. Ross Trustee
A.P.N. 162-03-801-102
Jack R. Ross Family Trust
Jack R. Ross Trustee
A.P.N. 162-03-801-103
Jack R. Ross Family Trust
Jack R. Ross Trustee
A.P.N. 162-03-801-088
Dwight W. Meirhenry 1978
Family Trust
Dwight W. Meirhenry
Trustee
A.P.N. 162-03-801-057
Bahj Partners Ltd
A.P.N. 162-03-801-044
Ronald G & Sandra J
Penna Family Trust
Ronald G & Sandra J
Trustee
SE CORNER SECTION 3
T21S, R61E, M.D.M.
FOUND WELL MONUMENT
PLS NO. 5094
RECEIVED
APR 28 2011
SUP-41583
REVISIONS
No. Date CHKD APPD
DESIGNED: -
DRAWN: JAC
CHECKED: JAC
JOB NO: 241774
SCALE: 1"=20'
HORIZ:
DATE 10-05-08
Carter::Burgess
6655 Bermuda Road
Las Vegas, NV 89119
(702) 938-5400 Fax (702) 938-5454
PROJECT: 714 EAST SAHARA AVENUE
DESCRIPTION: ALTA/ACSM LAND TITLE SURVEY
SHEET 3
3 OF 3




These Plumbing plans have been reviewed under the 1994 Uniform Plumbing Code and The City of Las Vegas Supplemental Plumbing Code -Ordinance No. 3910. All Installations shall comply with these documents.

# FIRST FLOOR

# 714 E. SAHARA

PLUMBING NOTES

1. WASTE AND VENTS TO BE P.V.C.
2. WATER PIPING BELOW GRADE TO BE "K" ABOVE SLAB TO BE "M"
3. WATER AND SEWER PIPING TO BE FROM EXISTING STUBS AS SHOWN.
4. VENT EACH FIXTURE PER CHAPTER #9 1994 UPC.
5. INSTALL DRAINAGE SYSTEM PER CHAPTER #7 1994 UPC
6. FIELD VERIFY ALL P.O.C. FOR WATER AND SEWER
7. ALL [illegible] MUST COMPLY W/ 1994 [illegible]

PLUMBING NOTES

8. ALL FIXTURES MUST COMPLY WITH ALL LOCAL CODES AND ORDINANCES / #3910 SECTION 403.2
9. WHERE APPLICABLE, ALL [illegible]

SUP-41583

CONTRACTOR'S SIGNATURE
MICHAEL KNAUFF
BUILDER PLUMBING

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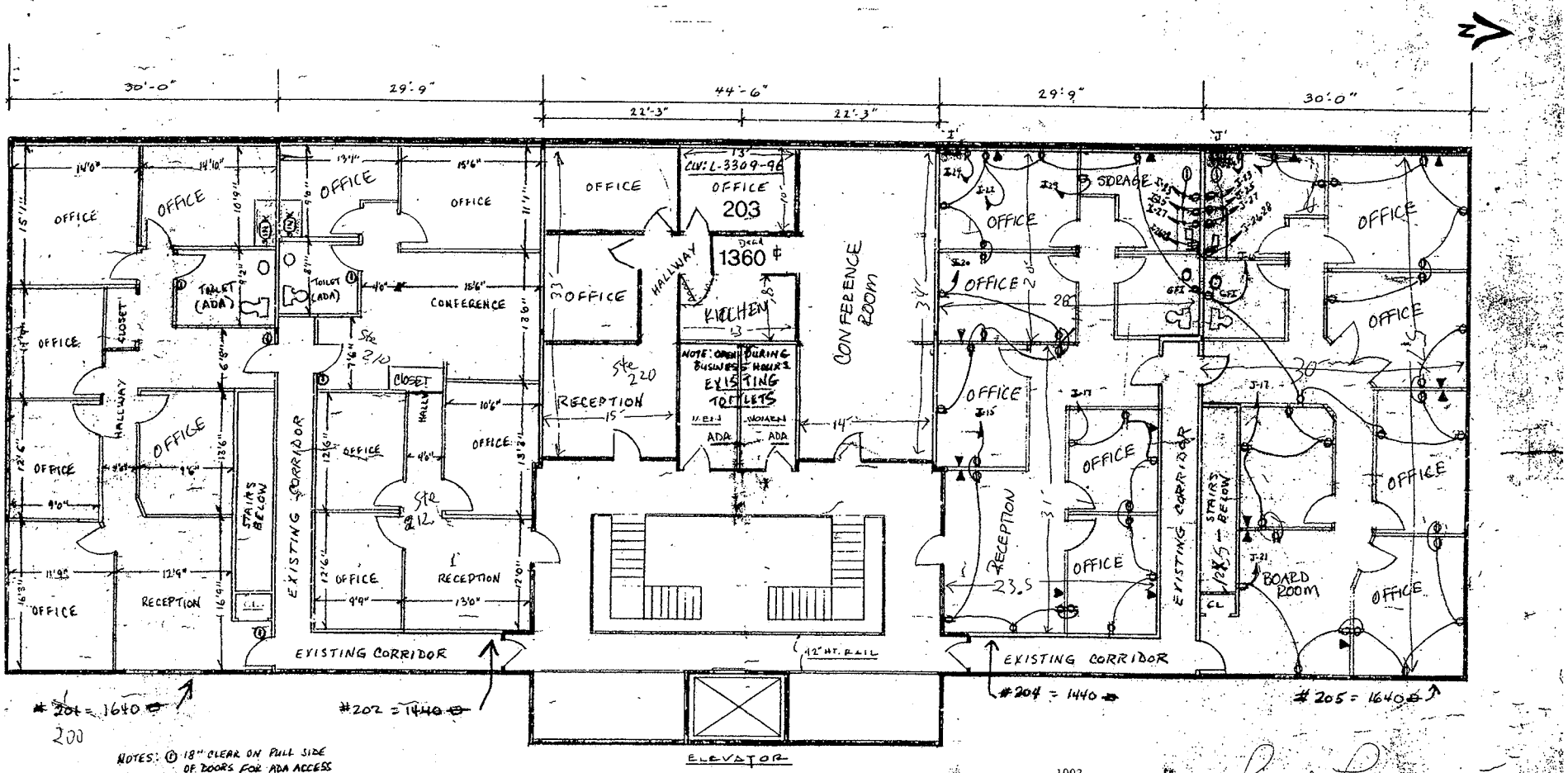
| | | | |
|---|---|---|---|
| FLOOR PLAN - 1ST | | | |
| SCALE: 1/8"=1'-0" | APPROVED BY: PERSONAL BUILDING SVC NV #0032497 | DRAWN BY: KEN | |
| DATE: 1/6/97 | | REVISED | |
| 714 E. SAHARA BLDG. | | | |
| FIRST FLOOR | | DRAWING NUMBER: P-1 | |

NOTES

ALL A/C UNITS, A/H's, PANELS, SUB-FEEDERS, MSB, HALL WAY REST Rm's AND EXTERIOR LIGHTING IS EXISTING SEPARATE CIRCUITS, WITH GFCI RECEPTICALS EACH.

GFCI PROTECTION REQUIREMENTS. ALL 125 VOLT OUTLETS: ON BUILDING EXTERIOR TO 6 FT. 6 IN. GRADE ACCESS, AND ON ROOFS EXCLUDING DWELLINGS; IN GARAGES; IN BATHROOMS INCLUDING CIRCUIT TO FIXTURES WITHIN 8 FT. VERTICAL 3 FT. HORIZONTAL ZONE OF TUBS AND SHOWERS; AND WITHIN 6 FT. OF ANY SINKS.

- ⊕ - DUPLEX RECEPTICAL
- ⊕ - 208 V WATER HTR.
- ⊙ - 75 W. RECESSED INSUL. RATED
- + - CEILING FAN OUTLET
- ▲ - TELEPHONE OUTLET
- Comb. EXIST. EMER. BATT. BACK UP
- PANEL BOARD


30'-0"
29'-9"
44'-6"
22'-3"
22'-3"
29'-9"
30'-0"
OFFICE
OFFICE
OFFICE
OFFICE
OFFICE
203
OFFICE
OFFICE
OFFICE
OFFICE
OFFICE



SUP-41583 - APPLICANT: COMMUNITY COUNSELING CENTER - OWNER: 714 EAST SAHARA AVENUE, LLC
714 EAST SAHARA AVENUE

05/05/11

community
COUNSELING CENTER
OF SOUTHERN NEVADA
A NONPROFIT/PRIVATE CORPORATION

April 19, 2011

RE: Community Counseling Center
Business License #: N35-00003

To Whom It May Concern:

Community Counseling Center (CCC) is a non-profit, outpatient counseling center that provides counseling services for mental health issues such as assault, anger management, depression, and grief. CCC began as a reaction to the AIDS pandemic and the lack of therapeutic services available to those that are affected/infected by HIV/AIDS.

Additionally, in response to the needs of the Southern Nevada community, CCC also offers substance abuse treatment to those who are mandated to attend through the courts and those self-referred who need a support system to help them remain sober and addiction free. With a staff of 43 employees, we gladly treat families, groups, and individuals and approximately five hundred clients depend on our services monthly. The majority of our clients are under or uninsured and receive services at a reduced rate as determined by a State approved Sliding-Fee Scale. We are funded by the Department of Health and Human Services, Substance Abuse Prevention and Treatment Agency for our substance abuse treatment program and our co-occurring (diagnosis of both mental health and substance abuse) program for $1,350,000.00 annually. We are funded by Clark County Social Services and the City of Las Vegas Neighborhood Services for treatment of clients infected/affected by HIV dealing with substance abuse issues for approximately $400,000.00 annually. We are contracted with TANF (Welfare) to provide services for substance abuse issues for clients on welfare. Child Protective Services (one of our largest referring agencies) refers clients for mental health, substance abuse and family counseling. We are also contracted with Federal Parole and Probation and Pre-trial services for treatment of Federal parolees. Additionally, Community Counseling Center was granted $1.7 million dollars from Clark County for building reconstruction. To date, Community Counseling Center is the only counseling center in Las Vegas to have received national accreditation from the Council on Accreditation and is also accredited by United Way.

Community Counseling Center, however, does not and has never treated sex-offenders or violent criminals, though we have treated victims of such crimes.

CCC has been in operation for over twenty-one years. Nineteen of those years were spent at the same address at 1120 Almond Tree Lane, Las Vegas, Nevada. CCC owns that building, and we are about two years from paying off our mortgage. It was our intention that we would remain at that location for many years to come.

On December 26th, 2010, Community Counseling Center suffered a fire at the hands of an arsonist. Thankfully, the agency was closed for the holiday so no staff or clients were present and, therefore, no physical injuries occurred. However, the damage to our building caused us to immediately seek a new office location in order to continue operation. It was our hope that we could find a place temporarily while the building was repaired. However, it was discovered that our building contained asbestos. This finding required our building to be tested and cleaned before the repair efforts could even begin. This further delayed our hopes of moving quickly back into our building. The asbestos has been removed and the building has been cleaned. While the majority of the building is now functional, repair work on the fire damaged area is just now beginning. It is likely that it will take several months before the building can be restored to its full functionality.

In an effort to find temporary office space, we began leasing the property at 714 E. Sahara Ave. Suite #101, Las Vegas, Nevada 89104. This property is less than half a mile away from our original location and is still accessible to the bus routes used by a large number of our clients. Though it meets our needs, many clients and staff prefer our

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**SUP-41583**
**REVISED**

former building, but as stated above, we will have to remain at our temporary location for several months. That approximation of time, of course, is only if everything goes as planned.

The services that CCC provides greatly benefit the Las Vegas community. Our existence as an agency, regardless of our location, does not pose any hindrance or threat to neighboring businesses. Rather, our presence is an example of why non-profits struggle to serve its clients even amid adversity and hardship. We reestablished operations only six days after the fire ravaged our building. Even then, our staff rallied to continue services to the many clients intent on resuming their daily sessions. All of our counselors are licensed or certified by the State of Nevada and authorized to provide treatment. CCC is funded in part by city, state, and federal funds and a majority of those funds are strictly set aside for substance abuse services. Without the ability to provide substance abuse counseling, more than half of our staff is currently unable to do their jobs, and many of our clients are left without services.

We are requesting two Special Use Permits. A "Social Service Provider" Special Use Permit and a "Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse" Special Use Permit to allow us to provide outpatient mental health and substance abuse counseling for individual counseling and group counseling sessions. Please consider that CCC did not wish to move to a new location, even temporarily, but was forced to move due to the emergent nature of being victimized by a violent crime. With our former building decimated by the arsonist, we still consider ourselves to be in an "emergency operation status". It is understood that the process of acquiring a Special Use Permit for substance abuse treatment could take as long as three months and that, even then, one may not be granted. We are hoping that the City of Las Vegas has established allowances for businesses who face similar predicaments, and that a resolution can be made which will expedite our plea. The sooner we can obtain our business license, the sooner we can resume our substance abuse services and regain our foothold as a fully productive agency serving the Las Vegas community.

Community Counseling Center was begun as a response to a community crisis and, twenty-one years later, finds itself in a crisis of its own. Please aid the agency staff and the clients we serve by providing a timely resolution to allow us to continue our services and grant us a Social Service Provider Special Use Permit and a Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse Special Use Permit.

Thank you for your time.

Sincerely,

Ronald W Lawrence

Ronald W. Lawrence, MS, MFT, LADC-S
Executive Director

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**SUP-41583**
**REVISED**

Community Counseling Center
Grant Awards Chart

| Grant | Monthly Amount | Annual Amount | Purpose | Grant Cycle | Administering Agency |
|---|---|---|---|---|---|
| **SAPTA** | $ 69,823.00 | $ 837,880.00 | Substance Abuse Tx | 07/09-06/10 | Substance Abuse Prevention & Treatment Agency |
| **RW C** | $ 2,248.75 | $ 40,185.00 | HIV Counseling (women/families emphasized) | 03/09-02/10 | University Medical Center |
| **Prevention (P5)** | $ 7,500.00 | $ 90,000.00 | HIV Prevention Hispanic | 01/10-12/10 | Southern Nevada Health District |
| **RW A** | $ 15,130.00 | $ 181,562.01 | HIV Substance Abuse and Mental Health | 03/10-02/11 | Clark County Social Services |
| **TANF Contract** | $ 666.00 | $ 8,000.00 | Substance Abuse for persons on Welfare | 07/10-06/11 | State of Nevada Welfare Department |
| **Federal Probation Contract** | $ 5,000.00 | $ 60,000.00 | Substance Abuse/Mental Health | 01/10-12/10 | US District Court |
| **CDBG-Mental Health** | $ 2,298.00 | $ 39,577.00 | Mental Health | 07/10-06/11 | City of LV Neighborhood Services |
| **City of LV-HOPWA** | $ 7,175.00 | $ 86,100.00 | HIV Service | 07/10-06/11 | City of LV Neighborhood Services |
| **MGM/Mirage Voice** | $ 5,297.00 | $ 63,563.00 | Family Mental Health | 07/10-06/11 | MGM Mirage |
| **RW B** | $ 5,500.00 | $ 66,000.00 | Outreach/Conference | 03/10-02/11 | State of Nevada Community Health |
| **Recovery Act STOP Grant** | | | Women in Trauma | 07/09-12/10 | State of Nevada Office of the Attorney General |
| **SAPTA COD** | $ 42,917.00 | $ 515,000.00 | Mental Health/Substance Abuse Tx | 07/10-06/11 | Substance Abuse Prevention & Treatment Agency |
| **United Way** | | | Mental Health | 01/10-12/10 | United Way of Southern Nevada |
| **Catholic Healthcare West** | | | Mental Health | 01/10-12/10 | CHW Community Grants |
| **Sex Assault Provider** | | $49,861.00 | Sexual Assault Victims only | 9/1/10-12/31/11 | State of Nevada Office of the Attorney General |
| **CDBG Reconstruction** | | $1,700,000.00 | Building Reconstruction | 7/1/2011 | Clark County |
| **Total:** | **$ 163,554.75** | **$ 2,899,848.01** | | | |
| | | | | | |
| | | | | updated 5.04.11 | |

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City of Las Vegas Agenda Item No.: **51.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

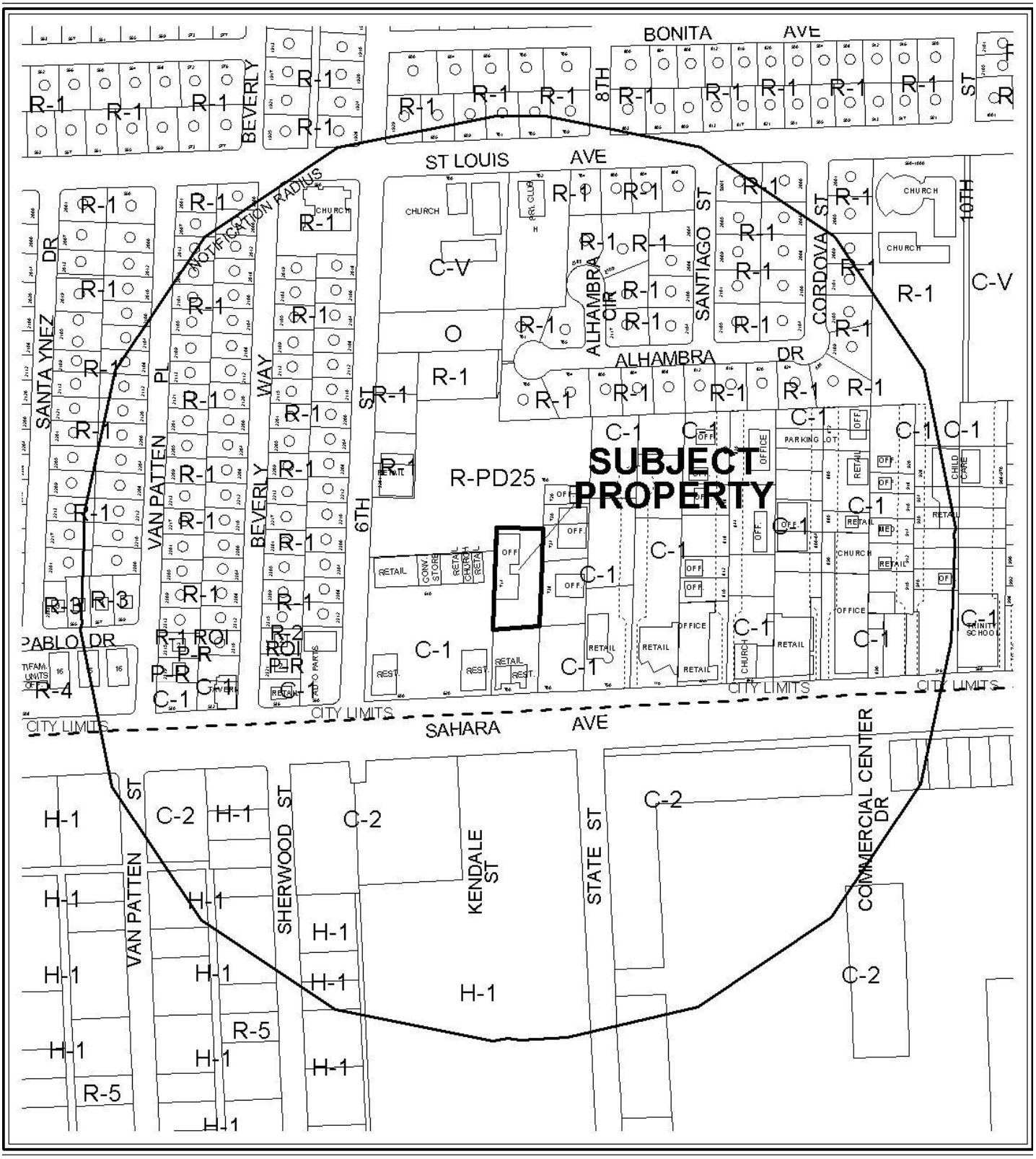
**SUBJECT:**
SUP-41584 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: COMMUNITY COUNSELING CENTER - OWNER: 714 EAST SAHARA AVENUE, LLC - Request for a Special Use Permit FOR A PROPOSED 17,088 SQUARE-FOOT SOCIAL SERVICE PROVIDER at 714 East Sahara Avenue (APN 162-03-801-056), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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. Photo
5. Justification Letter



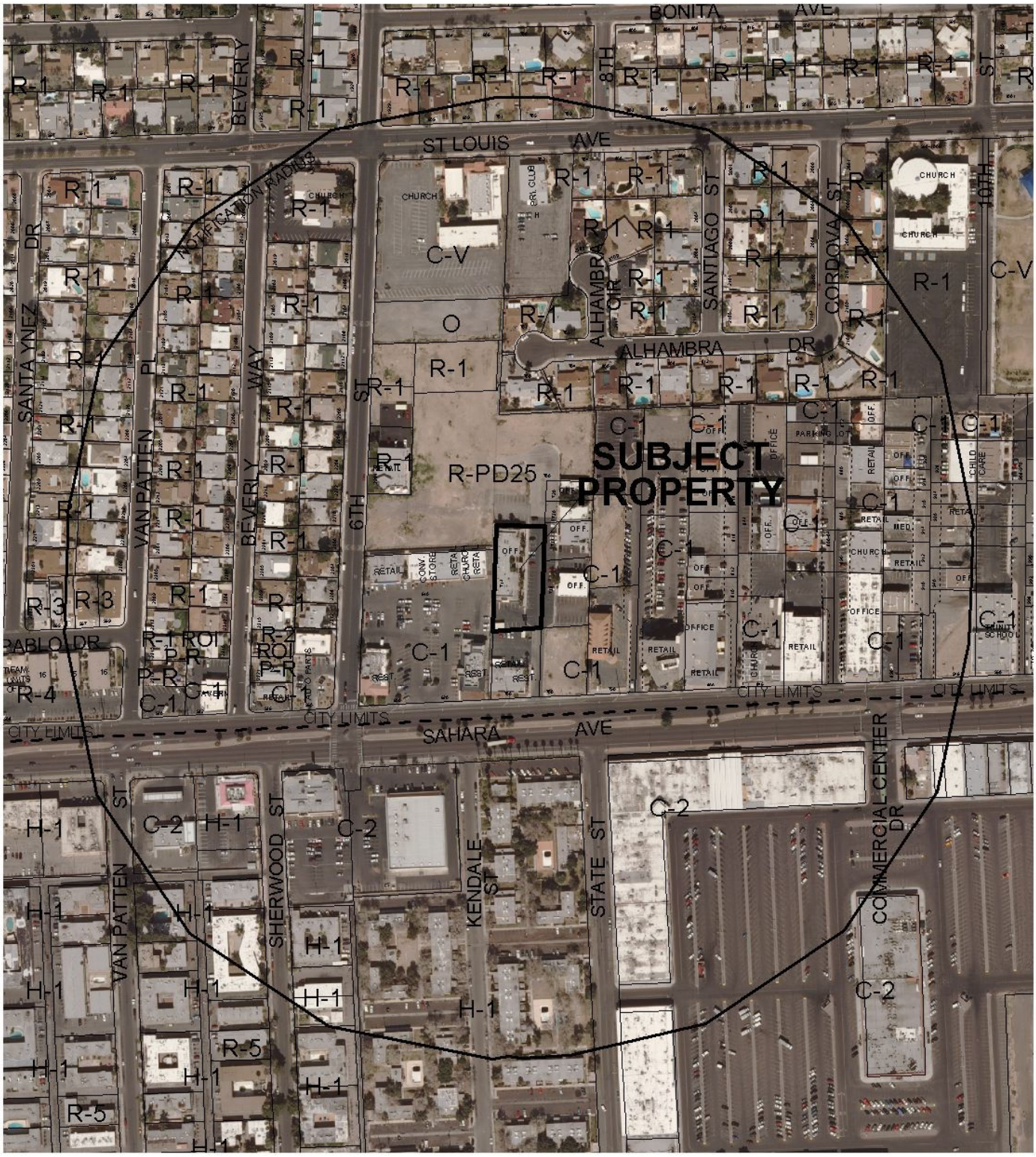

0 300 600 Feet

**CASE:** **SUP-41584**

**RADIUS:** 1000 FT

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

N




0 300 600 Feet

**CASE:** **SUP-41584**

**RADIUS:** 1000 FT

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

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: COMMUNITY COUNSELING CENTER - OWNER: 714 EAST SAHARA AVENUE, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-41584** | Staff recommends APPROVAL, subject to conditions: | N/A |

## ** CONDITIONS **

# SUP-41584 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Social Service Provider 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. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.

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

**Staff Report Page One**
**June 14, 2011 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 17,088 square-foot Social Service Provider use at 714 East Sahara Avenue. The proposed 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 Social Service Provider use cannot be located within the subject site, nor can a business license be obtained for the use at this location.

## ISSUES

- A Social Service Provider use is permitted in the C-1 (Limited 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 from other agencies.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 05/17/06 | The City Council approved a General Plan Amendment (GPA-9219) to change the Future Land Use designation to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission and staff recommended approval. |
| 06/14/11 | The Planning Commission will hear a Special Use Permit (SUP-41583) for a proposed 17,088 square-foot Facility to provide Testing, Treatment or Counseling for Drug or Alcohol Abuse use at 714 East Sahara Avenue. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 07/29/09 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 09/27/73 | A building permit (#13144) was issued for an Office Building at 714 East Sahara Avenue. The permit was finalized on 03/25/74. |
| 04/02/90 | A business license (N35-00003) was issued for Family Counseling at 714 East Sahara Avenue, Suite #101. The license issuance was for a change of location from 1120 Almond Tree Lane to 714 East Sahara Avenue. |
| 04/21/11 | A building permit (#186205) was issued for non-work certificate of occupancy for an Office at 714 East Sahara Avenue. The permit was finalized on 04/27/11. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/21/11 | A pre-application meeting was held with the applicant to discuss the submittal requirements for a Special Use Permit for a Social Service Provider. The Special Use Permit request will require a Project of Regional Significance form since the site is located within 500 feet of unincorporated Clark County. The site plan indicates 36 parking spaces and the previous use of the building was Office, Other than Listed. Pursuant to Title 19.10.010, the subject site is a Parking-Impaired Development. The proposed use will be transferring from 1120 Almond Tree Lane. |

| ***Neighborhood Meeting*** | |
|---|---|
| 05/31/11 | A neighborhood meeting was held at 1140 Almond Tree Lane, Suite #312, Las Vegas, NV 89104 at 6:00 p.m. There were two members of the public, five representatives for the applicant and a member of the Planning and Development staff present.<br>• The applicant briefly reviewed the proposed use and the history of their operation.<br>• The members of the public who were in attendance stated that the applicant had been a good neighbor, and that they were supportive of the applications. |

| ***Field Check*** | |
|---|---|
| 05/05/11 | A site visit by staff noted that the office building and property are well maintained. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.66 |

| *Surrounding Property* | *Existing Land Use Per Title 19.04* | *Planned or Special Land Use Designation* | *Existing Zoning District* |
|---|---|---|---|
| Subject Property | Office | C (Commercial) | C-1 (Limited Commercial) |
| North | Undeveloped | SC (Service Commercial) | R-PD25 (Residential Planned Development – 25 Units per Acre) |
| South | Retail | C (Commercial) | C-1 (Limited Commercial) |
| East | Office | C (Commercial) | C-1 (Limited Commercial) |
| West | Undeveloped | SC (Service Commercial) | R-PD25 (Residential Planned Development – 25 Units per Acre) |
| | Shopping Center | C (Commercial) | C-1 (Limited Commercial) |

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

**DEVELOPMENT STANDARDS**

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Sahara Avenue | Primary Arterial, | Master Plan of Streets and Highways | 140* | Y |

*Per Master Plan of Streets and Highways, the street width is 100 feet.

***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 | |
| Social Service Provider | 17,088 SF | 1/300 SF | 57 | | | | |
| **TOTAL SPACES REQUIRED** | | | 57 | | 34 | | Y* |
| **Regular and Handicap Spaces Required** | | | 54 | 3 | 32 | 2 | Y* |

*Pursuant to Title 19.10.010 (C), the site is a parking-impaired development.

**ANALYSIS**

A Social Service Provider use is defined by Title 19.20.020 as "a facility that provides assistance to persons with limited ability for self-care, but for whom medical care is not a major element. The term includes a facility that provides assistance concerning psychological problems, employment, learning disabilities or physical disabilities, but does not include a rescue mission or homeless shelter, or an adult day care center." The applicant provides supportive services to individuals with mental health, assault, anger management and family counseling.

The applicant has been operating at 1120 Almond Tree Lane for 19 years. The request for the Special Use Permit is for a change of location to 714 East Sahara Avenue, due to fire damage at 1120 Almond Tree Lane. The proposed Social Service Provider use employs 43 people and will serve 500 clients monthly. There were not service calls to the Las Vegas Metropolitan Police Department at both locations. There were Code Enforcement cases at 1120 Almond Tree Lane and all cases have been resolved, and there are no Code Enforcement violations at 714 East Sahara Avenue

The proposed location at 714 East Sahara Avenue contains an existing 17,088 square-foot, two-story office building. The submitted floor plans indicates both stories will be utilized by the proposed use. The site plan indicates 34 parking spaces and the required parking is for 57 spaces by current parking standards. Pursuant to Title 19.10.010 (C), the site is parking-impaired development, and the proposed use's parking requirement is the same as the previous use as Office, Other than Listed; therefore, no additional parking is required.

Comments were received from the Las Vegas Valley Water District (LVVWD), and include the following: Existing 2" meter with 2" DCVA. If fire flow requirements change, potential meter and backflow changes may be required. If fire flow changes, civil plans will need to be submitted to LVVWD.

The subject property is located within the Beverly Green/Southridge Neighborhood and Airport Overlay District with 175 feet height restrictions. The proposed use would not have a negative impact relating to the Special Area Plan and Overlay District. There are no issues, goal or strategies outlined in the Beverly Green/Southridge Neighborhood Plan that relate to the proposed use. The Social Service Provider use can be conducted in a manner that is harmonious and compatible with the existing uses and future surrounding land uses; therefore, staff recommends approval with conditions.

**FINDINGS (SUP-41584)**

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 Social Service Provider use will be located within an existing office building. The proposed use can be conducted in a manner that is harmonious and compatible with the uses at the existing site and with the uses on adjacent properties.

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

   The subject site is physically suitable for the type and intensity of the proposed Social Service Provider 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 to the property is provided from Sahara Avenue via a 40-foot wide easement. This street is sufficient in size to accommodate the needs of the proposed Social Service Provider use.

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

   Approval of a Special Use Permit for this use will not compromise the public, health, safety, or welfare, as the use is subject to licensing and inspections by the City of Las Vegas.

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

There are no minimum use requirements for a Social Service Provider use.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 14

**NOTICES MAILED** 205

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-41584** APN: 162-03-801-056

Name of Property Owner: 714 E. Sahara Ave. LLC

Name of Applicant: Community Counseling Center

Name of Representative: Ron Lawrence Community Counseling Center

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

☐ **Yes** ☒ **No**

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

City Official: n/a

Partner(s): n/a n/a

APN: n/a

Signature of Property Owner: Kevin Ellis

Print Name: Kevin Ellis Authorized Agent for ICA Mortgage Capital LLC owner of 714 E Sahara LLC

Subscribed and sworn before me

This 22nd day of April, 2011

Kenna S. DeBlase-Johnson, KS

Notary Public in and for said County and State

KENNA S. DEBLASE
Notary Public, State of Kansas
My Appt. Expires 6-5-2013

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# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Community Counseling Center

**Project Address (Location)** 714 E Sahara Ave., Las Vegas, NV 89104

**Project Name** Community Counseling Center **Proposed Use** social service provider

**Assessor's Parcel #(s)** 162-03-801-056 **Ward #** _____

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

**Commercial Square Footage** 12,000 **Floor Area Ratio** N/A

**Gross Acres** .66 **Lots/Units** N/A **Density** N/A

**Additional Information** N/A

**PROPERTY OWNER** 714 E. Sahara Avenue, LLC **Contact** ICA Mortgage Capital LLC

**Address** 10740 Nall Avenue, Suite 215 **Phone:** (913) 649-0705 **Fax:** (312) 873-4152

**City** Overland Park **State** KS **Zip** 66211

**E-mail Address** KevinE@icadv.com

**APPLICANT** Community Counseling Center **Contact** Ron Lawrence

**Address** 714 E Sahara Ave **Phone:** (702) 369-8700 **Fax:** (702) 369-8489

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

**E-mail Address** CCC@CCCOFSN.org

**REPRESENTATIVE** Community Counseling Center **Contact** Ron Lawrence

**Address** 714 E Sahara Ave **Phone:** (702) 369-8700 **Fax:** (702) 369-8489

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

**E-mail Address** ronlawrence89104@yahoo.com

**Property Owner Signature*** Kevin Ellis

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

**Print Name** Kevin Ellis auth. agent ICA Mortgage Capital LLC COTRUSTEE OF ICA 2006 LOAN TRUST II

Subscribed and sworn before me

This 22nd day of April, 20 11.

Kenna S. DeBlase

Notary Public in and for said County and State Johnson, Kansas

KENNA S. DEBLASE
Notary Public, State of Kansas
My Appt. Expires 6-8-2013

Revised 10/27/08

***FOR DEPARTMENT USE ONLY***

| | |
|---|---|
| **Case #** | SUP-41584 |
| **Meeting Date:** | 6/14/11 PC |
| **Total Fee:** | $1,030 |
| **Date Received:*** | 4-28-11 |
| **Received By:** | |

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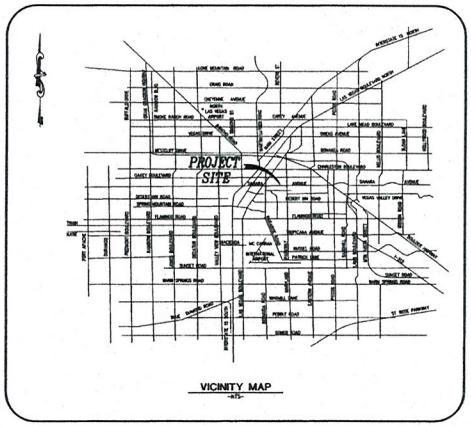
APR 28 2011

*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.




VICINITY MAP

## EASEMENTS

EXCEPTION NO.5 – PATENT EASEMENT FROM THE STATE OF NEVADA, RECORDED JANUARY 3, 1908, IN BOOK "Y" OF MISCELLANEOUS RECORDS, PAGES 377 AND 388 OF LINCOLN COUNTY, NEVADA OFFICIAL RECORDS.

AFFECTS ALL OF DESCRIBED PROPERTY – NOT ABLE TO PLOT.

EXCEPTION NO.6 – EASEMENT IN FAVOR OF NEVADA POWER COMPANY, RECORDED APRIL 12, 1962 IN BOOK 353 AS INSTRUMENT NO. 285433 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.7 – RIGHT OF WAY & EASEMENT IN FAVOR OF LAS VEGAS VALLEY WATER DISTRICT, RECORDED FEBRUARY 19, 1964 IN BOOK 515 AS INSTRUMENT NO. 414805 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.8 – RIGHT OF WAY & EASEMENT IN FAVOR OF LAS VEGAS VALLEY WATER DISTRICT, RECORDED FEBRUARY 19, 1964 IN BOOK 515 AS INSTRUMENT NO. 414806 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.9 – COVENANTS, CONDITIONS AND PROVISIONS IN DECLARATION OF EASEMENTS, RECORDED AUGUST 1, 1968, IN BOOK 891 AS INSTRUMENT NO. 715756 AND AMENDED SEPTEMBER 3, 1968 IN BOOK 897 AS INSTRUMENT NO. 720230 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.10 – RIGHT OF WAY & EASEMENT IN FAVOR OF LAS VEGAS VALLEY WATER DISTRICT, RECORDED AUGUST 23, 1968 IN BOOK 895 AS INSTRUMENT NO. 718629 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.11 – RIGHT OF WAY & EASEMENT IN FAVOR OF SOUTHWEST GAS CORPORATION, RECORDED MARCH 22, 1974 IN BOOK 411 AS INSTRUMENT NO. 3701.38 OF OFFICIAL RECORDS.

SHOWN ON SURVEY

EXCEPTION NO.12 – RIGHT OF WAY & EASEMENT IN FAVOR OF NEVADA POWER COMPANY, RECORDED FEBRUARY 7, 1996 IN BOOK 960207 AS INSTRUMENT NO. 00796 OF OFFICIAL RECORDS.

AFFECTS ALL OF PARCEL I – NOT ABLE TO PLOT

## PARKING

| | |
|---|---|
| 34 | REGULAR SPACES |
| 2 | HANDICAP SPACES |
| 36 | TOTAL SPACES |

THE ABOVE PARKING COUNTS REPRESENTS PARKING SPACES LOCATED ON DESCRIBED PROPERTY

## SURVEYOR'S COMMENTS

1. THE CERTIFYING SURVEYOR HAS NOT MADE AN INDEPENDENT TITLE SEARCH AND HAS RELIED SOLELY ON SUPPLIED DOCUMENTATION SHOWN IN A PRELIMINARY TITLE REPORT PROVIDED BY NATIONAL TITLE COMPANY, ORDER NO. 269346 DATED AUGUST 28, 2006 AND SPECIFICALLY DISCLAIMS ANY ITEMS NOT SHOWN WHICH MAY OR MAY NOT BE OF PUBLIC RECORD THAT MIGHT AFFECT THE PROPERTY SHOWN ON THIS SURVEY.
2. ADDRESS: 714 EAST SAHARA AVENUE, LAS VEGAS, NEVADA 89104
3. TOTAL AREA OF SUBJECT PROPERTY: 28,136 S.F. OR 0.646 ACRES, MORE OR LESS.
4. ASSESSOR'S PARCEL NUMBER: 162-03-801-056
5. SUBJECT PROPERTY HAS EVIDENCE OF RECENT CONSTRUCTION
6. SUBJECT PROPERTY HAS NO OBSERVABLE EVIDENCE OF BEING USED AS A SOLID WASTE DEPOSITORY, DUMP, OR LANDFILL.
7. SUBJECT PROPERTY HAS NO OBSERVABLE EVIDENCE OF CEMETERIES OR BURIAL GROUNDS.
8. THERE ARE NO ENCROACHMENTS ON DESCRIBED PROPERTY. EXISTING WALLS RUN ALONG DESCRIBED PROPERTY LINES

## SURVEYOR'S CERTIFICATE

TO ZGMUNT AMARETTI, JOANNA M. RYBAK, ICA MORTGAGE CAPITAL, LLC, AND NATIONAL TITLE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MASE UNDER THE DIRECT SUPERVISION AND CONTROL OF THE UNDERSIGNED IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 2, 3, 4, 6, 7(a), 7(b)(1), 8, 9, 10, 11(a), 13, 14, 16, AND 18 OF TABLE A THEREOF AND PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF NEVADA, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN. THIS SURVEY WAS COMPLETED ON OCTOBER 5, 2006.

JERRY A. COOK, JR.
PROFESSIONAL LAND SURVEYOR
NEVADA CERTIFICATE NO. 9388

10/05/2006
DATE

PROFESSIONAL LAND SURVEYOR – STATE OF NEVADA – JERRY A. COOK, JR. – EXPIRES 12-31-08 – 9388

10/5/06

## SETBACK, HEIGHT & BULK RESTRICTIONS

PER CITY OF LAS VEGAS, NEVADA ZONING CODE

| | |
|---|---|
| ZONE C-1 | LIMITED COMMERCIAL DISTRICT |
| FRONT SETBACK | 20 FEET |
| INTERIOR SIDE SETBACK | 10 FEET |
| CORNER SIDE SETBACK | 15 FEET |
| REAR SETBACK | 20 FEET |
| BUILDING HEIGHT | 4/A |
| LOT COVERAGE | 50 PERCENT |

## FLOOD INSURANCE DATA

FLOOD ZONE DESIGNATION "X" PER F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 32003C2170 E, DATED SEPTEMBER 27, 2002.

ZONE "X" – AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

(THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THE SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP OR THE LOCATION OF THE FLOOD ZONE BOUNDARY. IN ADDITION, THE ABOVE STATEMENT DOES NOT REPRESENT THE SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING.)

## LEGAL DESCRIPTION

**PARCEL I**

THAT PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST (SW) CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 3, AS SHOWN ON SURVEY RECORDED IN FILE 18, PAGE 72; THENCE NORTH 02°11'58" EAST ALONG THE WEST LINE OF THE SAID SOUTHEAST QUARTER (SE 1/4) A DISTANCE OF 50.19 FEET TO A POINT ON THE NORTH LINE OF SAHARA AVENUE; THENCE NORTH 87°12'48" EAST ALONG THE NORTH LINE OF SAHARA AVENUE, A DISTANCE OF 331.25 FEET TO A POINT; THENCE NORTH 02°11'58" EAST, A DISTANCE OF 150.57 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 02°11'58" EAST, A DISTANCE OF 253.13 FEET TO A POINT; THENCE SOUTH 88°10'33" EAST, A DISTANCE OF 112.83 FEET TO A POINT; THENCE SOUTH 01°59'27" WEST, A DISTANCE OF 243.63 FEET TO A POINT; THENCE SOUTH 87°12'48" WEST, A DISTANCE OF 114.13 FEET TO THE TRUE POINT OF BEGINNING.

**PARCEL II**

A NON-EXCLUSIVE RIGHT OF WAY ANC EASEMENT WITH THE RIGHT OF INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED PARCEL:

THAT PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST (SW) CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 3; THENCE NORTH 2°11'58" EAST ALONG THE WEST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 3, A DISTANCE OF 50.19 FEET TO A POINT ON THE NORTH LINE OF SAHARA AVENUE; THENCE NORTH 87°12'48" EAST ALONG THE SAID NORTH LINE OF SAHARA AVENUE, A DISTANCE OF 420.86 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 1°59'27" EAST, A DISTANCE OF 150.84 FEET TO A POINT; THENCE NORTH 88°00'33" WEST, A DISTANCE OF 14.00 FEET TO A POINT; THENCE NORTH 1°59'27" EAST, A DISTANCE OF 361.78 FEET TO A POINT; THENCE FROM A TANGENT WHOSE BEARING IS THE LAST DESCRIBED COURSE TURNING TO THE LEFT ALONG A CURVE HAVING A RADIUS OF 20.00 FEET AND SUBTENDING A CENTRAL ANGLE OF 32°27'42", AN ARC LENGTH OF 11.33 FEET TO A POINT ON A TANGENT REVERSE CURVE; THENCE TURNING TO THE RIGHT ALONG SAID TANGENT REVERSE CURVE HAVING A RADIUS OF 44.00 FEET AND SUBTENDING A CENTRAL ANGLE OF 212°27'42" AN ARC LENGTH OF 163.16 FEET TO A POINT; THENCE SOUTH 1°59'27" WEST, A DISTANCE OF 393.60 FEET TO A POINT; THENCE NORTH 88°00'33" WEST, A DISTANCE OF 14.00 FEET TO A POINT; THENCE SOUTH 1°59'27" WEST, A DISTANCE OF 149.16 FEET TO A POINT ON THE SAID NORTH LINE OF SAHARA AVENUE; THENCE SOUTH 87°12'48" WEST, A DISTANCE OF 50.17 FEET TO THE TRUE POINT OF BEGINNING.

REVISIONS

| No. | Date | CHKD | APPVD |
|---|---|---|---|
| | | | |

DESIGNED: —
DRAWN: JAC
CHECKED: JAC
JOB NO: 8431.24
SCALE: 1"=80'
DGN#: —
DATE: 10-05-06

Carter :: Burgess
6855 Bermuda Road
Las Vegas, NV 89119
(702) 938-5400 Fax (702) 938-5454

PROJECT: 714 EAST SAHARA AVENUE

DESCRIPTION: ALTA/ACSM LAND TITLE SURVEY

SHEET 1 OF 3

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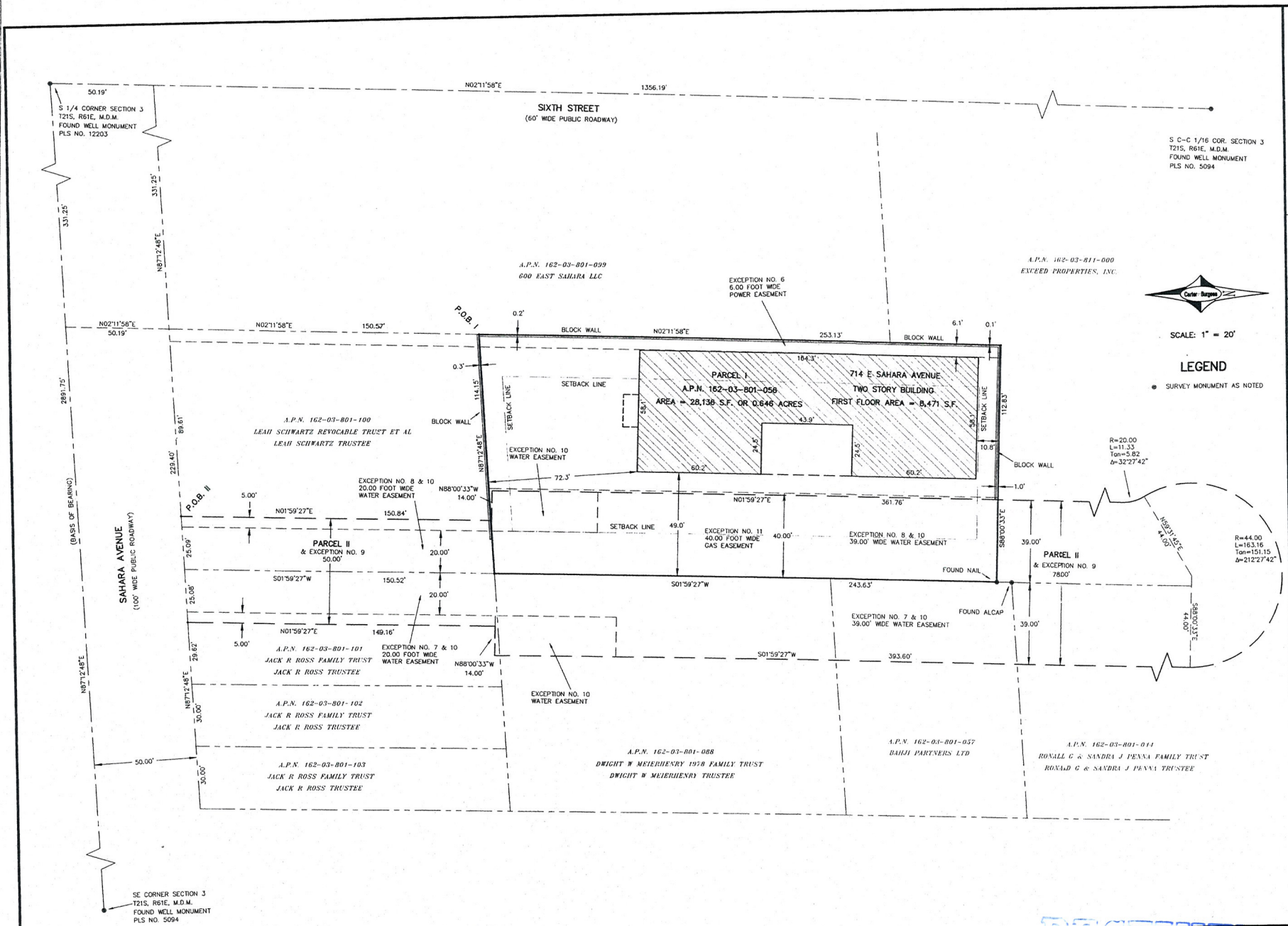
APR 28 2011
SUP-41584




REVISIONS

| No. | Date | CHKD | APPD |
|---|---|---|---|

DESIGNED: —
DRAWN: JAC
CHECKED: JAC
JOB NO: 241774
SCALE: 1"=20'
DATE: 10-05-06

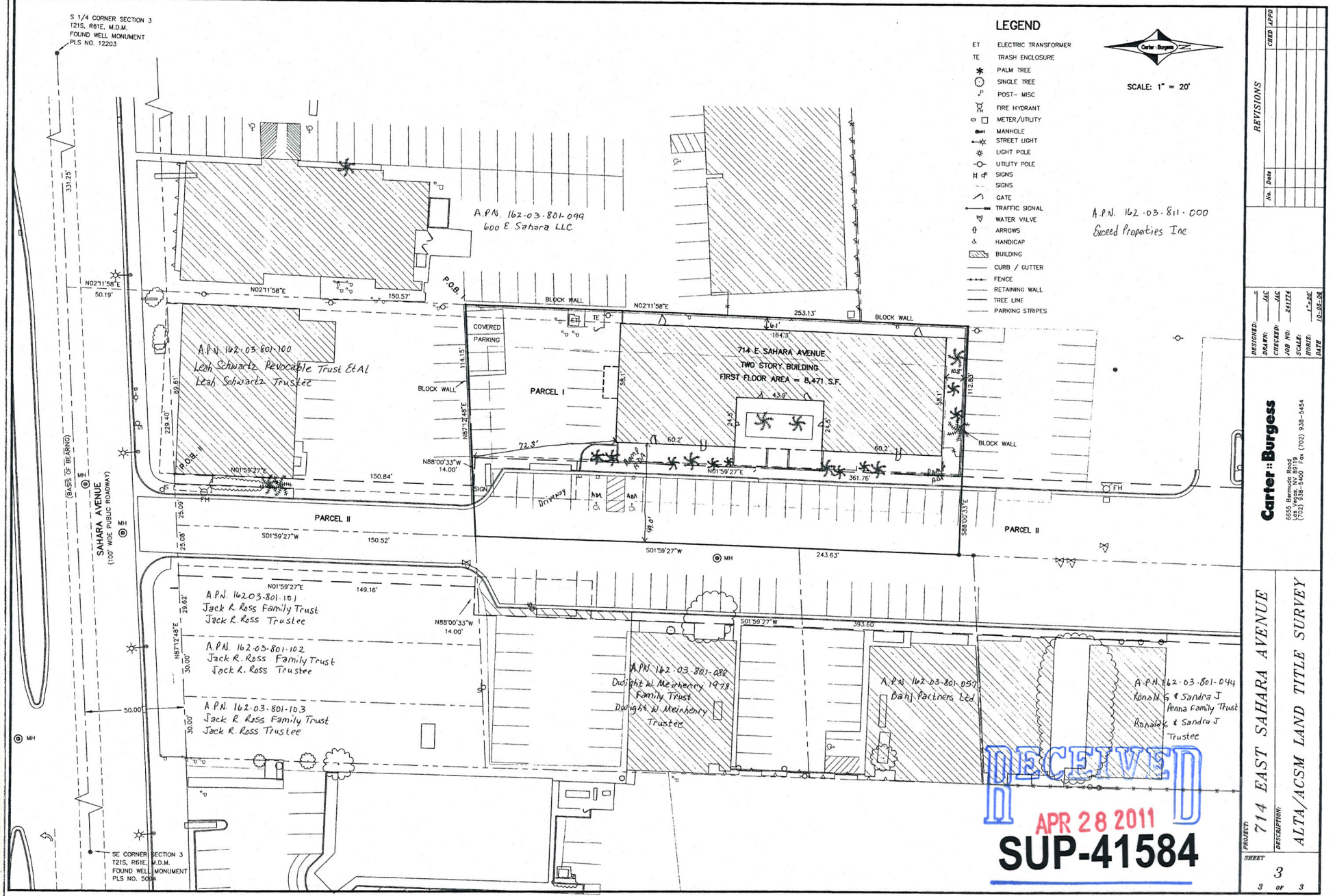
Carter::Burgess
6655 Bermuda Road
Las Vegas, NV 89119
(702) 938-5400 Fax (702) 938-5454

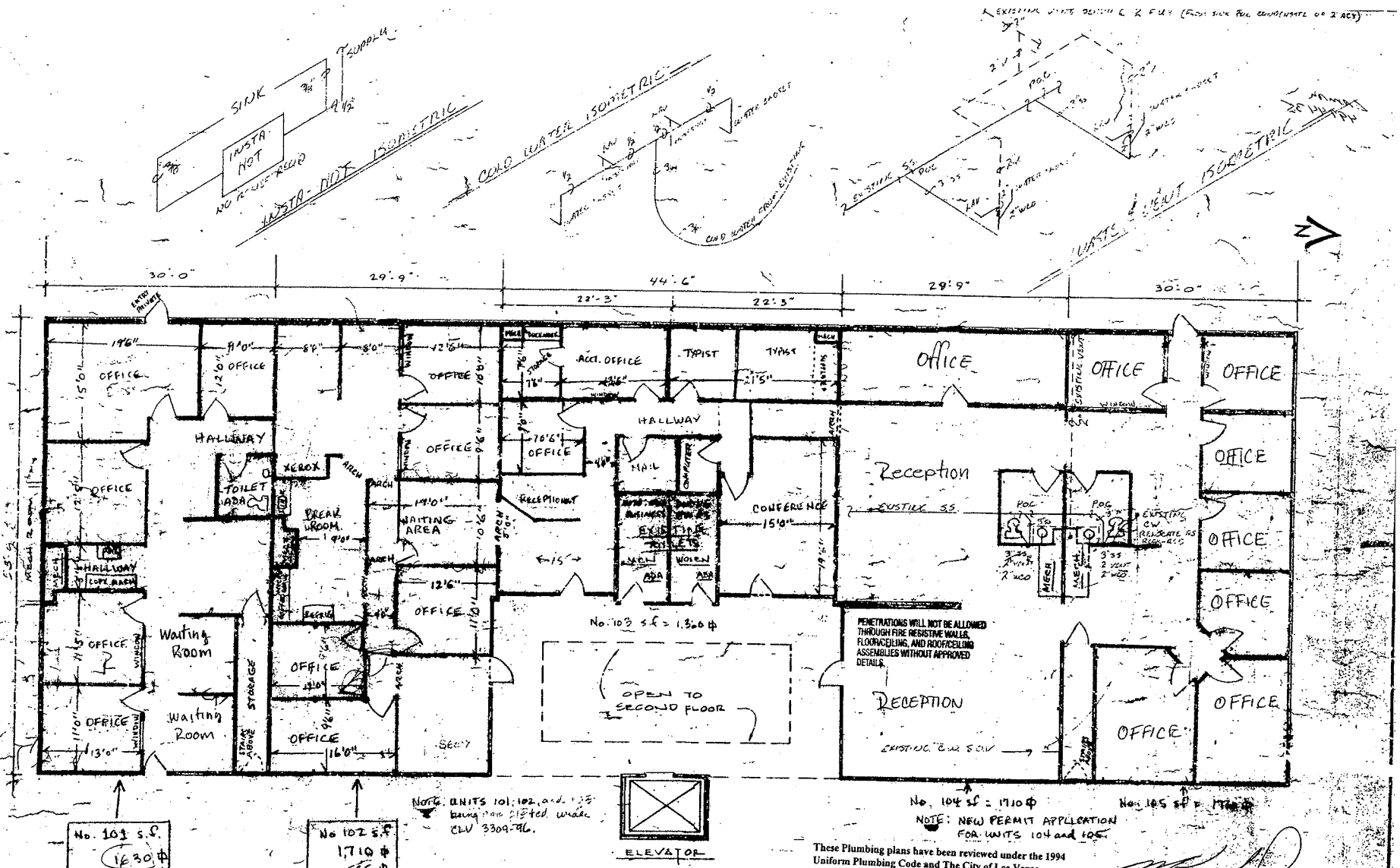
PROJECT: 714 EAST SAHARA AVENUE
DESCRIPTION: ALTA/ACSM LAND TITLE SURVEY

SHEET 2 OF 3

RECEIVED
APR 28 2011

SUP-41584


S 1/4 CORNER SECTION 3
T21S, R61E, M.D.M.
FOUND WELL MONUMENT
PLS NO. 12203
LEGEND
ET ELECTRIC TRANSFORMER
TE TRASH ENCLOSURE
PALM TREE
SINGLE TREE
POST- MISC
FIRE HYDRANT
METER/UTILITY
MANHOLE
STREET LIGHT
LIGHT POLE
UTILITY POLE
SIGNS
SIGNS
GATE
TRAFFIC SIGNAL
WATER VALVE
ARROWS
HANDICAP
BUILDING
CURB / GUTTER
FENCE
RETAINING WALL
TREE LINE
PARKING STRIPES
SCALE: 1" = 20'
A.P.N. 162-03-801-099
600 E. Sahara LLC
A.P.N. 162-03-811-000
Exceed Properties Inc
A.P.N. 162-03-801-100
Leah Schwartz Revocable Trust Et Al
Leah Schwartz Trustee
714 E. SAHARA AVENUE
TWO STORY BUILDING
FIRST FLOOR AREA = 8,471 S.F.
PARCEL I
PARCEL II
COVERED PARKING
BLOCK WALL
P.O.B. 1
P.O.B. 2
SAHARA AVENUE
(100' WIDE PUBLIC ROADWAY)
(BASIS OF BEARING)
A.P.N. 162-03-801-101
Jack R. Ross Family Trust
Jack R. Ross Trustee
A.P.N. 162-03-801-102
Jack R. Ross Family Trust
Jack R. Ross Trustee
A.P.N. 162-03-801-103
Jack R. Ross Family Trust
Jack R. Ross Trustee
A.P.N. 162-03-801-098
Dwight W. Meinhenry 1978
Family Trust
Dwight W. Meinhenry
Trustee
A.P.N. 162-03-801-057
Bahj Partners Ltd
A.P.N. 162-03-801-044
Ronald G & Sandra J
Penna Family Trust
Ronald G & Sandra J
Trustee
SE CORNER SECTION 3
T21S, R61E, M.D.M.
FOUND WELL MONUMENT
PLS NO. 5058
RECEIVED
APR 28 2011
SUP-41584
REVISIONS
No. Date CHKD APPD
DESIGNED: JAC
DRAWN: JAC
CHECKED: JAC
JOB NO: 241224
SCALE: 1"=20'
DATE: 10-05-10
Carter :: Burgess
6555 Bermuda Road
Las Vegas, NV 89119
(702) 938-5400 Fax (702) 938-5454
PROJECT: 714 EAST SAHARA AVENUE
DESCRIPTION: ALTA/ACSM LAND TITLE SURVEY
SHEET 3 OF 3




NOTE: UNITS 101, 102, and 103 being [illegible] under CLV 3309-96.

NOTE: NEW PERMIT APPLICATION FOR UNITS 104 and 105.

| No. 101 s.f. |
|---|
| 1630 ⌀ |
| +595 ⌀ |
| +116 ⌀ |
| 2,341 ⌀ |

| No 102 s.f. |
|---|
| 1,710 ⌀ |
| -595 ⌀ |
| -116 ⌀ |
| 999 ⌀ |

These Plumbing plans have been reviewed under the 1994 Uniform Plumbing Code and The City of Las Vegas Supplemental Plumbing Code -Ordinance No. 3910. All Installations shall comply with these documents.

# FIRST FLOOR

# 714 E. SAHARA

PLUMBING NOTES

1. WASTE AND VENTS TO BE PVC
2. WATER PIPING BELOW GRADE TO BE "K" ABOVE SLAB TO BE "M"
3. WATER AND SEWER PIPING TO BE FROM EXISTING STUBS AS SHOWN.
4. VENT EACH FIXTURE PER CHAPTER #9 1994 UPC
5. INSTALL DRAINAGE SYSTEM PER CHAPTER #7 1994 UPC
6. FIELD [illegible] ALL POC FOR WATER AND SEWER
7. ALL [illegible] MUST COMPLY W/ 1994 [illegible]

PLUMBING NOTES

8. ALL FIXTURES MUST COMPLY WITH ALL [illegible] ORDINANCES / F 3410 SECTION 403.2
9. [illegible]

CONTRACTOR'S SIGNATURE
MICHAEL KNAUFF

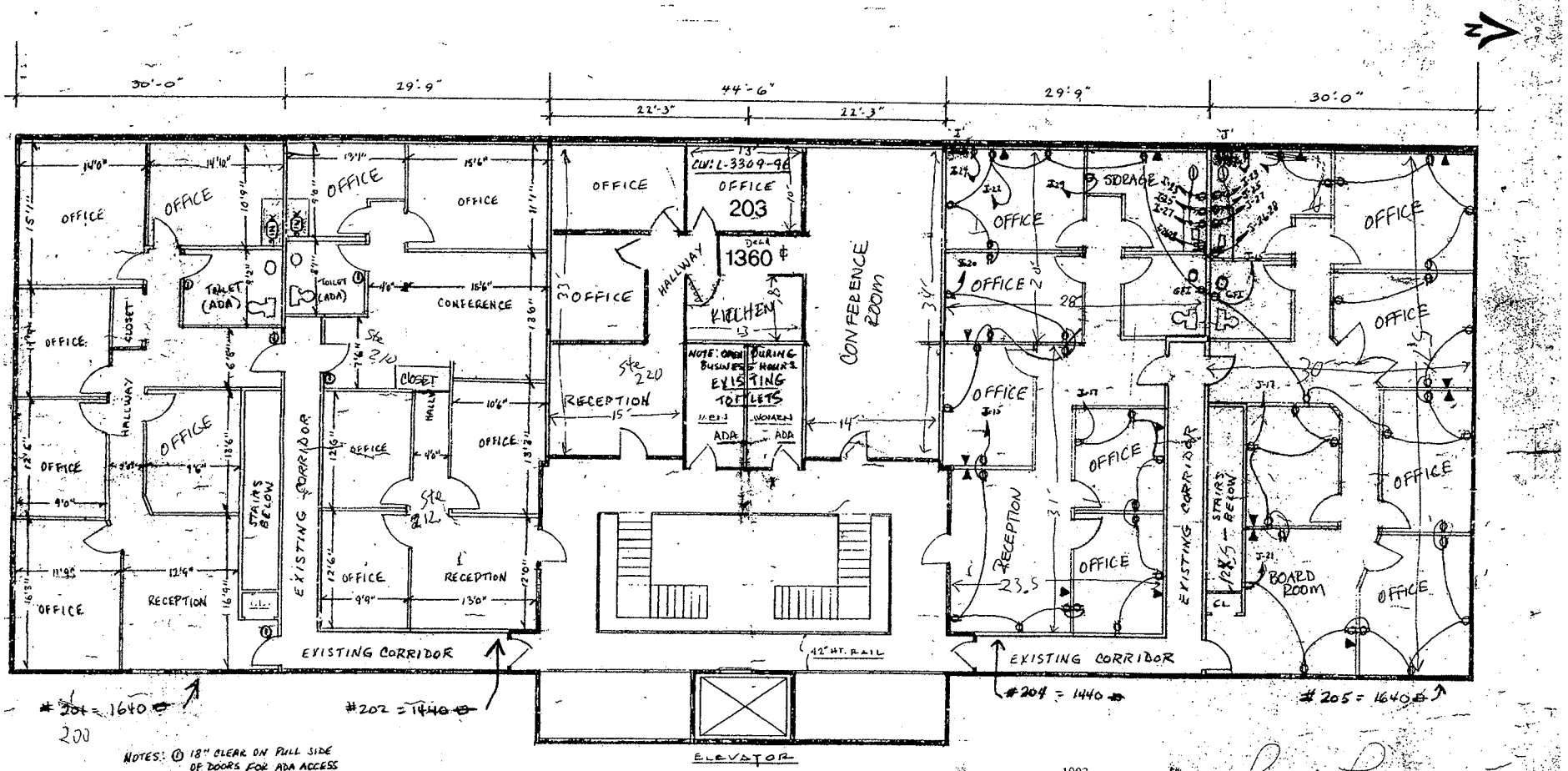
RECEIVED
APR 28 2011
FLOOR PLAN 1ST
SCALE: 1/8"=1'-0"
DATE: 1/6/97
APPROVED BY: [illegible] BUILDING STE
HV #0032999
DRAWN BY: KEH
REVISED
714 E. SAHARA BLDG.
FIRST FLOOR
DRAWING NUMBER: P-1

SUP-41584

ALL A/C UNITS, A/H's, PANELS, SUB-FEEDERS, 'MSB', HALL WAY REST Rm's
AND EXTERIOR LIGHTING IS EXISTING
) SEPARATE CIRCUITS, WITH GFCI RECEPTICAL'S EACH.

GFCI PROTECTION REQUIREMENTS:
ALL 125 VOLT OUTLETS: ON BUILDING EXTERIOR TO 6 FT. 6 IN. GRADE ACCESS, AND ON ROOFS EXCLUDING DWELLINGS; IN GARAGES; IN BATHROOMS INCLUDING CIRCUIT TO FIXTURES WITHIN 8 FT. VERTICAL 3 FT. HORIZONTAL ZONE OF TUBS AND SHOWERS; AND WITHIN 6 FT. OF ANY SINKS.

- DUPLEX RECEPTICAL
- 208 V WATER HTR.
- 75 W RECESSED INSUL. RATED
- CEILING FAN OUTLET
- TELEPHONE OUTLET
- COMB. EXIST. EMER. BATT. BACK UP
- PANEL BOARD




NOTES: ① 18" CLEAR ON PULL SIDE OF DOORS FOR ADA ACCESS
PINK EXISTING WALLS
YELLOW NEW WALLS

# SECOND FLOOR
# 714 E. SAHARA

SUITES 204-205 TI'S

1993
NATIONAL
ELECTRICAL CODE
AND
A SUPPLEMENTAL DOCUMENT
COMPLETING THE ELECTRICAL COD
OF THE CITY OF LAS VEGAS, NEVADA

BY ORDINANCE NO. 3626
PASSED, ADOPTED AND APPROVED ON
DECEMBER 7, 1992

SUP-41584

CONTRACTOR'S SIGNATURE
POSER ELECTRIC INC. PH 7337285 MASTER 0146

RECEIVED
APR 28 2011

| | | |
|---|---|---|
| SCALE: 1/8" = 1'-0" | APPROVED BY: PERSONAL BUILDING SVC. NV. #0032999 | DRAWN BY: KE |
| DATE: 10/15/96 | | REVISED |
| 714 E. SAHARA BLDG | | |
| SECOND FLOOR | | DRAWING NUMBER E-1 |



SUP-41584 - APPLICANT: COMMUNITY COUNSELING CENTER - OWNER: 714 EAST SAHARA AVENUE, LLC
714 EAST SAHARA AVENUE

05/05/11

community
COUNSELING CENTER
OF SOUTHERN NEVADA
A NONPROFIT/PRIVATE CORPORATION

April 19, 2011

RE: Community Counseling Center
Business License #: N35-00003

To Whom It May Concern:

Community Counseling Center (CCC) is a non-profit, outpatient counseling center that provides counseling services for mental health issues such as assault, anger management, depression, and grief. CCC began as a reaction to the AIDS pandemic and the lack of therapeutic services available to those that are affected/infected by HIV/AIDS.

Additionally, in response to the needs of the Southern Nevada community, CCC also offers substance abuse treatment to those who are mandated to attend through the courts and those self-referred who need a support system to help them remain sober and addiction free. With a staff of 43 employees, we gladly treat families, groups, and individuals and approximately five hundred clients depend on our services monthly. The majority of our clients are under or uninsured and receive services at a reduced rate as determined by a State approved Sliding-Fee Scale. We are funded by the Department of Health and Human Services, Substance Abuse Prevention and Treatment Agency for our substance abuse treatment program and our co-occurring (diagnosis of both mental health and substance abuse) program for $1,350,000.00 annually. We are funded by Clark County Social Services and the City of Las Vegas Neighborhood Services for treatment of clients infected/affected by HIV dealing with substance abuse issues for approximately $400,000.00 annually. We are contracted with TANF (Welfare) to provide services for substance abuse issues for clients on welfare. Child Protective Services (one of our largest referring agencies) refers clients for mental health, substance abuse and family counseling. We are also contracted with Federal Parole and Probation and Pre-trial services for treatment of Federal parolees. Additionally, Community Counseling Center was granted $1.7 million dollars from Clark County for building reconstruction. To date, Community Counseling Center is the only counseling center in Las Vegas to have received national accreditation from the Council on Accreditation and is also accredited by United Way.

Community Counseling Center, however, does not and has never treated sex-offenders or violent criminals, though we have treated victims of such crimes.

CCC has been in operation for over twenty-one years. Nineteen of those years were spent at the same address at 1120 Almond Tree Lane, Las Vegas, Nevada. CCC owns that building, and we are about two years from paying off our mortgage. It was our intention that we would remain at that location for many years to come.

On December 26th, 2010, Community Counseling Center suffered a fire at the hands of an arsonist. Thankfully, the agency was closed for the holiday so no staff or clients were present and, therefore, no physical injuries occurred. However, the damage to our building caused us to immediately seek a new office location in order to continue operation. It was our hope that we could find a place temporarily while the building was repaired. However, it was discovered that our building contained asbestos. This finding required our building to be tested and cleaned before the repair efforts could even begin. This further delayed our hopes of moving quickly back into our building. The asbestos has been removed and the building has been cleaned. While the majority of the building is now functional, repair work on the fire damaged area is just now beginning. It is likely that it will take several months before the building can be restored to its full functionality.

In an effort to find temporary office space, we began leasing the property at 714 E. Sahara Ave. Suite #101, Las Vegas, Nevada 89104. This property is less than half a mile away from our original location and is still accessible to the bus routes used by a large number of our clients. Though it meets our needs, many clients and staff prefer our

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SUP-41584
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former building, but as stated above, we will have to remain at our temporary location for several months. That approximation of time, of course, is only if everything goes as planned.

The services that CCC provides greatly benefit the Las Vegas community. Our existence as an agency, regardless of our location, does not pose any hindrance or threat to neighboring businesses. Rather, our presence is an example of why non-profits struggle to serve its clients even amid adversity and hardship. We reestablished operations only six days after the fire ravaged our building. Even then, our staff rallied to continue services to the many clients intent on resuming their daily sessions. All of our counselors are licensed or certified by the State of Nevada and authorized to provide treatment. CCC is funded in part by city, state, and federal funds and a majority of those funds are strictly set aside for substance abuse services. Without the ability to provide substance abuse counseling, more than half of our staff is currently unable to do their jobs, and many of our clients are left without services.

We are requesting two Special Use Permits. A "Social Service Provider" Special Use Permit and a "Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse" Special Use Permit to allow us to provide outpatient mental health and substance abuse counseling for individual counseling and group counseling sessions. Please consider that CCC did not wish to move to a new location, even temporarily, but was forced to move due to the emergent nature of being victimized by a violent crime. With our former building decimated by the arsonist, we still consider ourselves to be in an "emergency operation status". It is understood that the process of acquiring a Special Use Permit for substance abuse treatment could take as long as three months and that, even then, one may not be granted. We are hoping that the City of Las Vegas has established allowances for businesses who face similar predicaments, and that a resolution can be made which will expedite our plea. The sooner we can obtain our business license, the sooner we can resume our substance abuse services and regain our foothold as a fully productive agency serving the Las Vegas community.

Community Counseling Center was begun as a response to a community crisis and, twenty-one years later, finds itself in a crisis of its own. Please aid the agency staff and the clients we serve by providing a timely resolution to allow us to continue our services and grant us a Social Service Provider Special Use Permit and a Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse Special Use Permit.

Thank you for your time.

Sincerely,

Ronald W Lawrence

Ronald W. Lawrence, MS, MFT, LADC-S
Executive Director

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**SUP-41584**
**REVISED**

Community Counseling Center
Grant Awards Chart

| Grant | Monthly Amount | Annual Amount | Purpose | Grant Cycle | Administering Agency |
|---|---|---|---|---|---|
| **SAPTA** | $ 69,823.00 | $ 837,880.00 | Substance Abuse Tx | 07/09-06/10 | Substance Abuse Prevention & Treatment Agency |
| **RW C** | $ 2,248.75 | $ 40,185.00 | HIV Counseling (women/families emphasized) | 03/09-02/10 | University Medical Center |
| **Prevention (P5)** | $ 7,500.00 | $ 90,000.00 | HIV Prevention Hispanic | 01/10-12/10 | Southern Nevada Health District |
| **RW A** | $ 15,130.00 | $ 181,562.01 | HIV Substance Abuse and Mental Health | 03/10-02/11 | Clark County Social Services |
| **TANF Contract** | $ 666.00 | $ 8,000.00 | Substance Abuse for persons on Welfare | 07/10-06/11 | State of Nevada Welfare Department |
| **Federal Probation Contract** | $ 5,000.00 | $ 60,000.00 | Substance Abuse/Mental Health | 01/10-12/10 | US District Court |
| **CDBG-Mental Health** | $ 2,298.00 | $ 39,577.00 | Mental Health | 07/10-06/11 | City of LV Neighborhood Services |
| **City of LV-HOPWA** | $ 7,175.00 | $ 86,100.00 | HIV Service | 07/10-06/11 | City of LV Neighborhood Services |
| **MGM/Mirage Voice** | $ 5,297.00 | $ 63,563.00 | Family Mental Health | 07/10-06/11 | MGM Mirage |
| **RW B** | $ 5,500.00 | $ 66,000.00 | Outreach/Conference | 03/10-02/11 | State of Nevada Community Health |
| **Recovery Act STOP Grant** | | | Women in Trauma | 07/09-12/10 | State of Nevada Office of the Attorney General |
| **SAPTA COD** | $ 42,917.00 | $ 515,000.00 | Mental Health/Substance Abuse Tx | 07/10-06/11 | Substance Abuse Prevention & Treatment Agency |
| **United Way** | | | Mental Health | 01/10-12/10 | United Way of Southern Nevada |
| **Catholic Healthcare West** | | | Mental Health | 01/10-12/10 | CHW Community Grants |
| **Sex Assault Provider** | | $49,861.00 | Sexual Assault Victims only | 9/1/10-12/31/11 | State of Nevada Office of the Attorney General |
| **CDBG Reconstruction** | | $1,700,000.00 | Building Reconstruction | 7/1/2011 | Clark County |
| **Total:** | **$ 163,554.75** | **$ 2,899,848.01** | | | |
| | | | | | |
| | | | | updated 5.04.11 | |

City of Las Vegas Agenda Item No.: **52.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

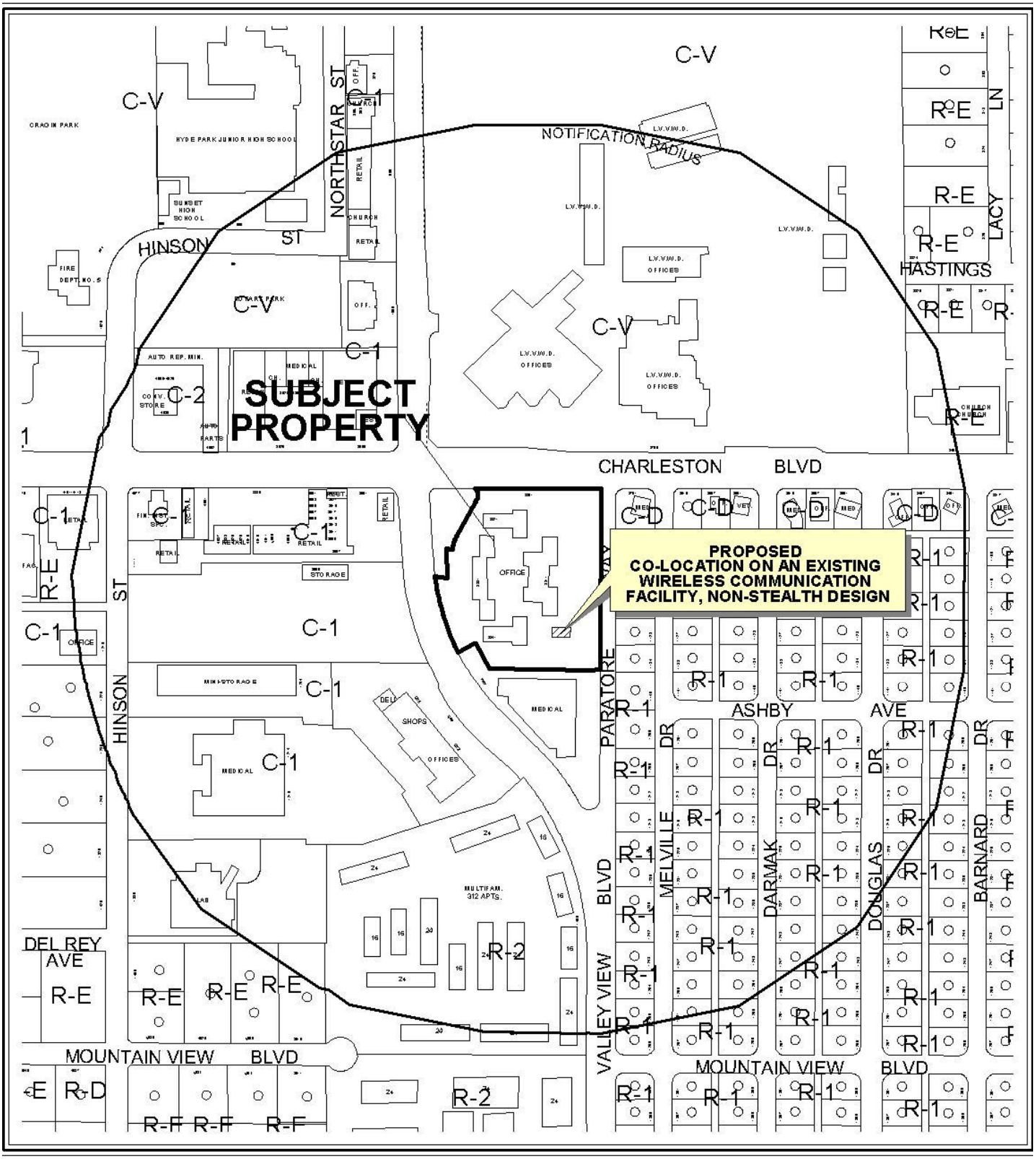
**SUBJECT:**
SUP-41587 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: LIGHTSQUARED, INC. - OWNER: BAR ACQUISITIONS, LLC - Request for a Special Use Permit FOR A CO-LOCATION ON AN EXISTING WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPINE) at 3811 West Charleston Boulevard (APN 162-06-501-002) C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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. Justification Letter



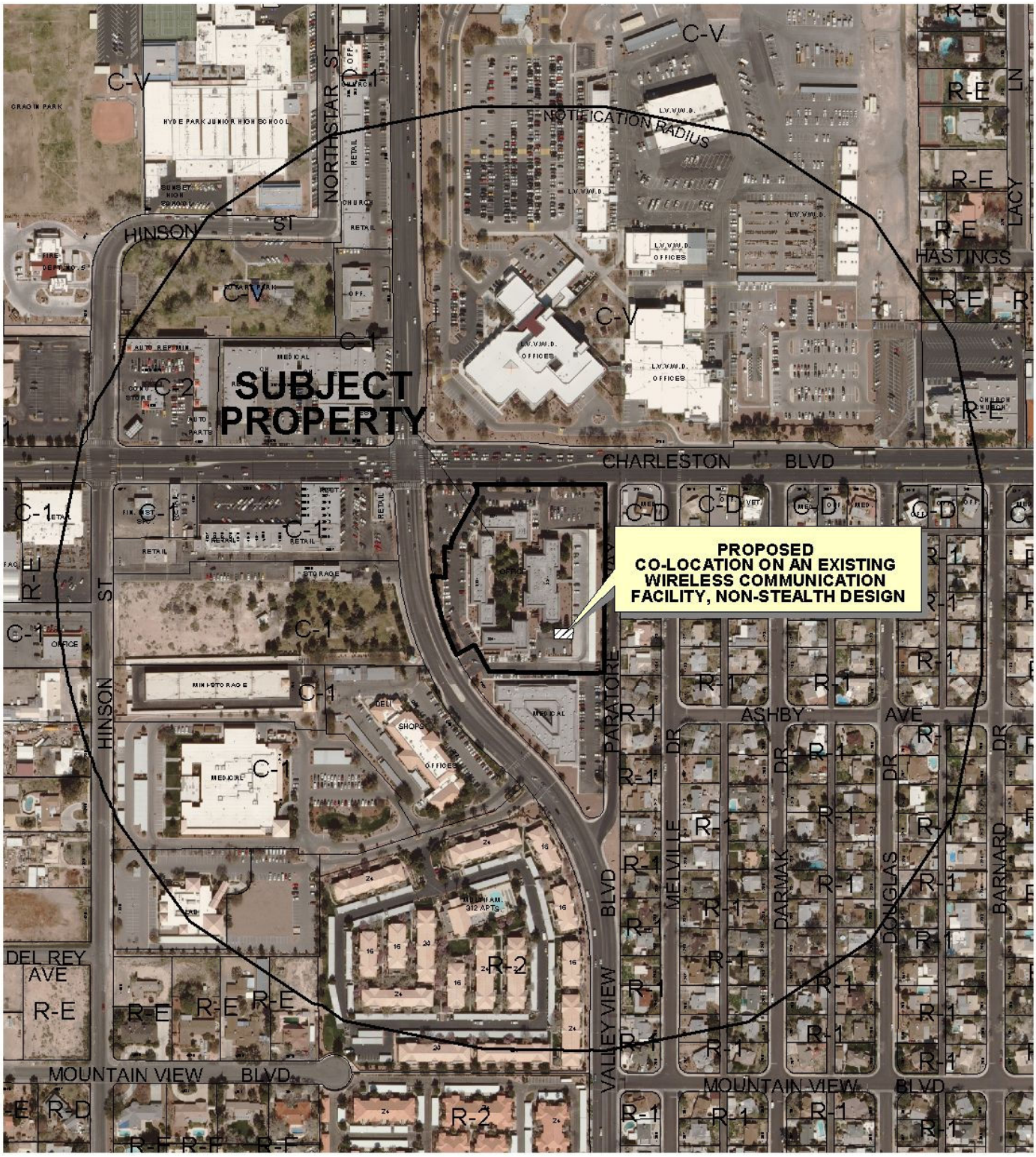

0 300 600 Feet

**CASE:** **SUP-41587**

**RADIUS:** 1000 FT

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

N



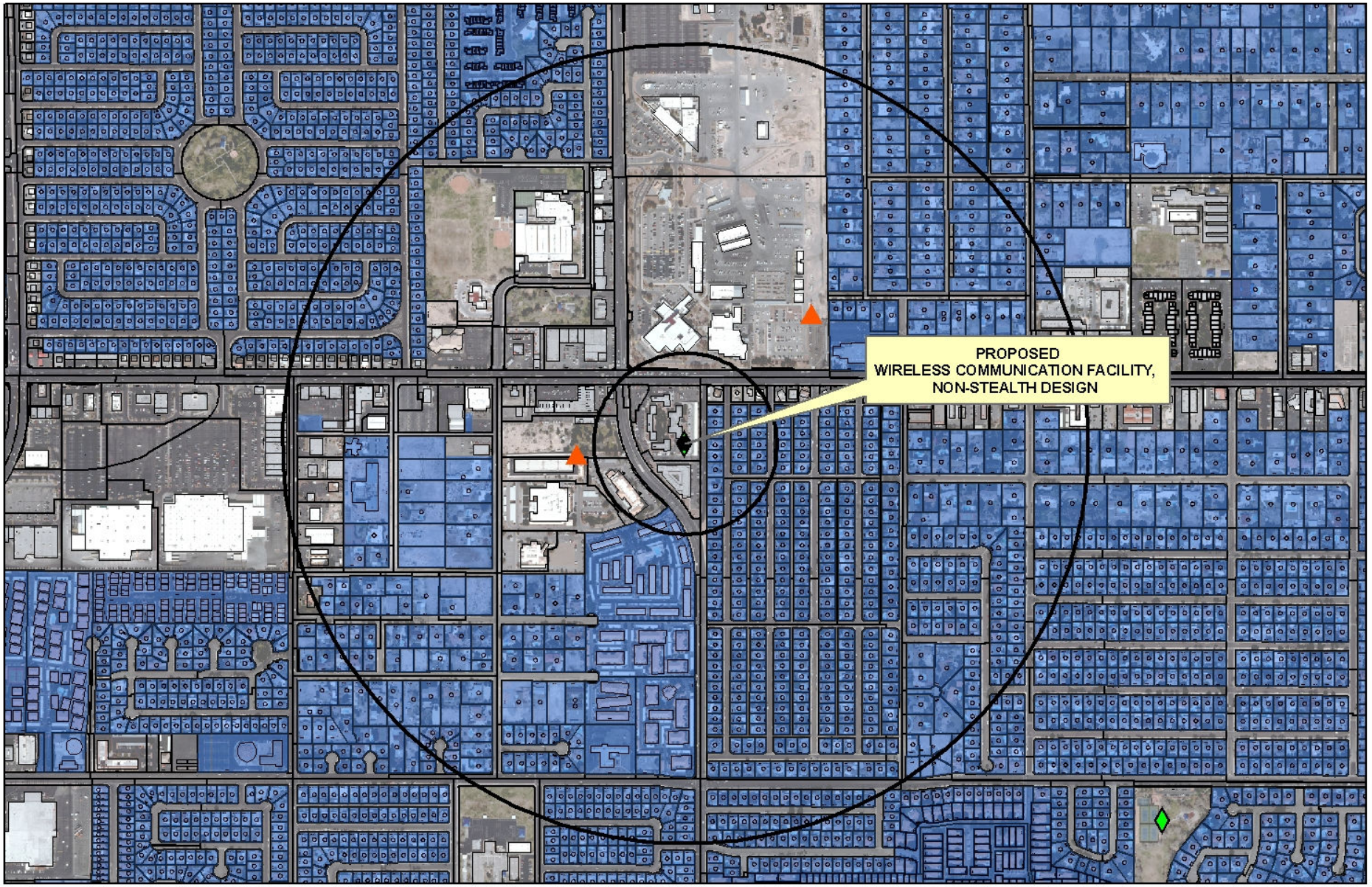

0 300 600 Feet

**CASE:** **SUP-41587**

**RADIUS:** 1000 FT

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

N




**SUP-41587**
**Wireless Facility**

**Wireless Facility Locations**

Non-Stealth

Stealth

Subject Cell Tower

Residential Property

600ft & 1/2 Mile Buffer

0 550 1,100 2,200 Feet

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: LIGHTSQUARED, INC. - OWNER: BAR ACQUISITIONS, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-41587** | Staff recommends APPROVAL, subject to conditions: | N/A |

## ** CONDITIONS **

# SUP-41587 CONDITIONS

***Planning***

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for a Wireless Communication Facility, Stealth Design 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. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

4. The communications monopole and its associated equipment and facility 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 communications monopole and its associated equipment and facility.

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit for the collocation of six (6) new antennas, three (3) radio remote modules, two (2) 26-inch microwave dish antennas, and one (1) COVP at the 50-foot centerline on an existing 65-foot tall Wireless Communication Facility, Stealth Design (Monopine). The cellular facility is located on the site of an existing two-story Office complex on the southeast corner of Charleston Boulevard and Valley View. Staff recommends approval of this request, as the additional antennas avoid oversaturation of this type of use by maximizing the existing stealth-designed tower. If denied, the additional antennas will not be permitted on the subject facility.

## ISSUES

- The existing Wireless Communication Facility, Stealth Design (Monopine) is approximately 715 feet from the closest Communication Facility, Non-Stealth facility.
- The proposed collocation will have a negligible visual impact on the nearby residential development, which is 150 feet to the east.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 03/30/05 | A request for a Minor Site Development Plan Review (SDR-19726) to allow a proposed 65-foot tall Wireless Communication Facility, Stealth Design (Monopine) at 3811 East Charleston Boulevard was administratively approved. |
| 04/09/09 | A request for a Minor Site Development Plan Review (SDR-33553) was approved for the co-location of three (3) antennas and three (3) microwave dish antennas on an existing 65-foot tall Wireless Communication Facility, Stealth Design (Monopine) located at 3811 W. Charleston Boulevard was administratively denied. |
| 02/10/11 | A request for a Minor Site Development Plan Review (SDR-39259) to remove three (3) existing antennas; install six (6) new Argus panel antennas and nine (9) new DAP heads all at approximately the 58-foot centerline of an existing 65-foot tall Wireless Communication Facility, Stealth Design (Monopine) located at 3811 W. Charleston Boulevard was administratively denied. |
| 04/12/11 | A request for a Minor Site Development Plan Review (SDR-40805) to install six (6) new antennas, three (3) radio remote modules, two (2) 26-inch microwave dish antennas, and one (1) COVP at the 50-foot centerline of an existing 65-foot tall Wireless Communication Facility, Stealth Design (Monopine) located at 3811 W. Charleston Boulevard was administratively denied. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 07/06/07 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 08/03/05 | A Building Permit (#05005306) was issued for construction of a 65-foot tall Wireless Communication Facility, Stealth Design at 3811 West Charleston Avenue. This permit was not finaled. |
| 03/18/2009 | A Building Permit (#135834) was issued for the collocation and modification of antennas on existing on a 65-foot tall Wireless Communication Facility, Stealth Design at 3811 West Charleston Avenue. |
| 11/17/10 | A Building Permit (#05005306) was renewed to complete the final inspection of a 65-foot tall Wireless Communication Facility, Stealth Design at 3811 West Charleston Avenue. This facility received its final inspection on 12/01/10. |

| ***Pre-Application Meeting*** | |
|---|---|
| 02/24/11 | A pre-application meeting was held on the indicated date. The following items were noted:<br>• The reason for Special Use Permit being based upon the appeal of the Minor Site Development Plan Review (SDR-40805).<br>• Proximity to existing cellular facilities on the subject site. |

| ***Neighborhood Meeting*** |
|---|
| A neighborhood meeting is not required for this type of request, nor was one held. |

| ***Field Check*** | |
|---|---|
| 05/05/11 | A Field Check was performed by staff where it was found that the subject site and Wireless Communication Facility, Stealth Design were free of graffiti and properly maintained. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 4.6 |

| *Surrounding Property* | *Existing Land Use Per Title 19.04* | *Planned or Special Land Use Designation* | *Existing Zoning District* |
|---|---|---|---|
| Subject Property | Office, Other Than Listed | SC (Service Commercial) | C-1 (Limited Commercial) |
| North | Utility Installation, Other Than Listed | PF (Public Facilities) | C-V (Civic) |
| South | Medical Office | SC (Service Commercial) | C-1 (Limited Commercial) |
| East | Medical Office | O (Office) | C-D (Designed Commercial) |
| | Single Family, Detached | L (Low Density Residential) | R-1 (Single Family Residential) |
| West | General Retail, Greater than 3,500 SF | SC (Service Commercial) | C-1 (Limited Commercial) |
| | Mini Storage Facility | | |

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

**ANALYSIS**

The proposed collocation of six (6) new antennas, three (3) radio remote modules, two (2) 26-inch microwave dish antennas, and one (1) COVP at the 50-foot centerline on an existing 65-foot tall Wireless Communication Facility, Stealth Design (Monopine) cellular facility is presented in a manner that is consistent with the existing design of the facility. The antennas are visually screened with faux branches that are no more discernable than the overall structure itself. Staff supports the requested collocation of antennas, as it avoids the oversaturation of the use and reduces the negative impact on surrounding residential development by placing additional equipment in a sensitive manner on an existing facility.

**FINDINGS (SUP-41587)**

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

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

   The proposed use is harmonious and compatible with existing surrounding residential land uses. The proposed collocation of additional antennas is presented in a manner that is consistent with the design of the existing Monopine. The land use remains the same as what is currently in use as it is not visually obnoxious and intrusive to the adjacent residential developments.

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 collocation of antennas on an existing Wireless Communication Facility, Stealth (Monopine) facility. The additional antennas will have little impact to the overall quality of life for the existing residences and multi-family 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 site is accessed from Charleston Boulevard, a 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways. There is no anticipated change in traffic flow created by the addition of antennas to an existing Wireless Communication Facility, Stealth facility.

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 collocation of antennas meets the minimum requirements for a Wireless Communication Facility, Stealth Design (Monopine) as the site has been determined to be compatible with surrounding uses.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 21

**NOTICES MAILED** 141

**APPROVALS** 0

**PROTESTS** 0

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-41587 APN: 162-06-501-002

Name of Property Owner: BAR Charleston Acquisitions, LLC

Name of Applicant: LightSquared, Inc.

Name of Representative: Cary Warren Powder River 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: Robert M. Anderson

Print Name: Robert M. Anderson

Subscribed and sworn before me, Carley Hummel.

This 4th day of March, 20 11

Orange County, California

Notary Public in and for said County and State

Carley Hummel

CARLEY HUMMEL
Commission # 1896788
Notary Public - California
Orange County
My Comm. Expires Jul 25, 2014



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# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Wireless Communication Facility - Stealth Design

**Project Address (Location)** 3811 West Charleston Blvd.

**Project Name** TMUSNVLVGS0156-C1 **Proposed Use** Wireless Telecom

**Assessor's Parcel #(s)** 162-06-501-002 **Ward #** 1

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

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

**Gross Acres** 4.5 **Lots/Units** N/A **Density** N/A

**Additional Information** The addition of 6 panel antennas and related radio equipment at a 50' centerline on an existing stealth monopine.

**PROPERTY OWNER** Bar Acquisitions, LLC **Contact** _____

**Address** 151 Kalmus Dr., #A-102 **Phone:** _____ **Fax:** _____

**City** Costa Mesa **State** CA **Zip** 92626-5900

**E-mail Address** _____

**APPLICANT** LightSquared, Inc. **Contact** Chris McGee

**Address** 701 N. Green Valley Parkway **Phone:** _____ **Fax:** _____

**City** Henderson **State** NV **Zip** 89074

**E-mail Address** chris.mcgee@lightsquared.com

**REPRESENTATIVE** Powder River Development Services **Contact** ~~Norm MacLeod~~ Cary Warren

**Address** ~~701 N. Green Valley Parkway, STE 279~~ 2580 Pine Prairie Ave **Phone:** ~~(949) 235-8812~~ 310-985-3555 **Fax:** (310) 943-2468

**City** Henderson **State** NV **Zip** ~~89074~~ 89052

**E-mail Address** ~~norm.macleod@powderriverdev.com~~ Cary.Warren@powderriverdev.com

**Property Owner Signature*** Robert M. Anderson

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

**Print Name** Robert M. Anderson

Subscribed and sworn before me

This 4th day of March, 20 11.

Orange County, California

Notary Public in and for said County and State Carley Hummel

CARLEY HUMMEL
Commission # 1896788
Notary Public - California
Orange County
My Comm. Expires Jul 25, 2014

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | SUP-41587 |
| Meeting Date: | 6/14/11 |
| Total Fee: | $1,030 |
| Date Received:* | 4/28/11 |
| 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.

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Revised 10/27/08

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

811
Know what's **below.**
**Call** before you dig.

Nokia Siemens Networks

# LightSquared

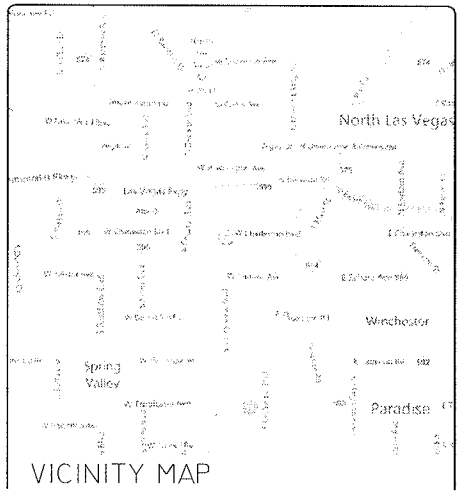
## Paratore and Charleston
## TMUSNVLVGS0156-C1
(TowerCo NV2068)

3811 W. Charleston Blvd
Las Vegas, NV 89102

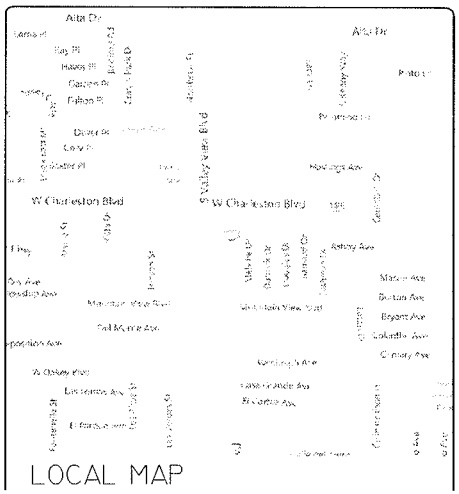
**APPLICANT INFO:**
LightSquared LP, A Delaware Limited Partnership
10802 Parkridge Blvd.
Reston, VA 20191

**PROJECT MANAGER:**
Powder River Development Services, LLC
701 N. Green Valley Parkway, Suite 200
Henderson, NV 89074
Phone: 702.990.3295
Contact: Cary Warren

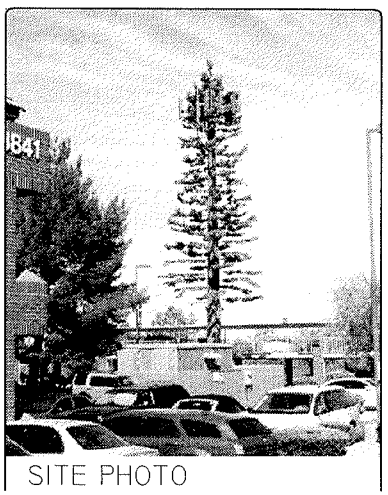
**ENGINEER:**
Powder River Development Services, LLC.
100 E. Shenango Street
Sharpsville, PA 16150
Phone: 724 962 5999 Fax: 724 962 6009
Contact: Mark Thompson



VICINITY MAP



LOCAL MAP


SITE PHOTO

**GEOGRAPHIC COORDINATES:**

**SHEET INDEX**

| | |
|---|---|
| [illegible] | [illegible] |

**TOWER OWNER:**
TowerCo, LLC
Contact Name: Tim Brown
5000 Valleystone Dr. Suite 200
Cary, NC Ph. 949.242.8782
TowerCo Site Number NV2068

**PROPERTY OWNER:**
[illegible]

**UTILITY COMPANIES:**
[illegible]

**PROJECT DATA:**
NEW EQUIPMENT AND NEW ANTENNAS ON AN EXISTING STEALTH POLE
[illegible]

**APPROVAL:**

| | |
|---|---|
| OWNER | DATE |
| RF ENGINEERING | DATE |
| GENERAL CONTRACTOR | DATE |
| PROJECT MANAGER | DATE |
| MANAGER OF CONSTRUCTION | DATE |

Nokia Siemens Networks
6000 CONNECTION DRIVE
IRVING, TX 75039

LightSquared
[illegible]

POWDER RIVER
Development Services, LLC
100 E. SHENANGO STREET
SHARPSVILLE, PA 16150
724.962.5999
www.powderriverdev.com

**SITE INFORMATION:**
TMUSNVLVGS0156-C1
[illegible]
3811 W Charleston Blvd
Las Vegas, NV 89102

**SHEET TITLE**
TITLE SHEET

**SHEET NUMBER:**
T-1

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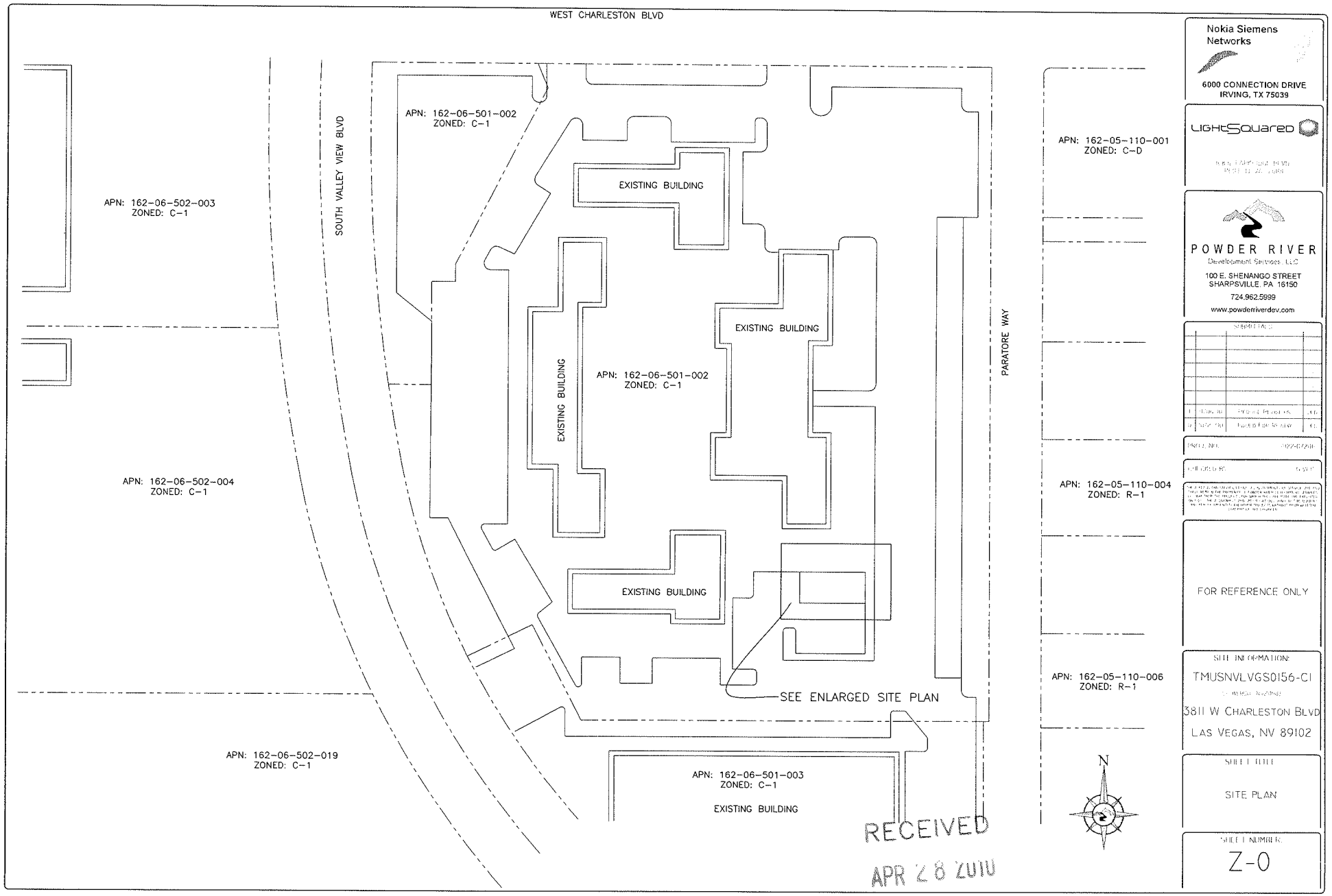
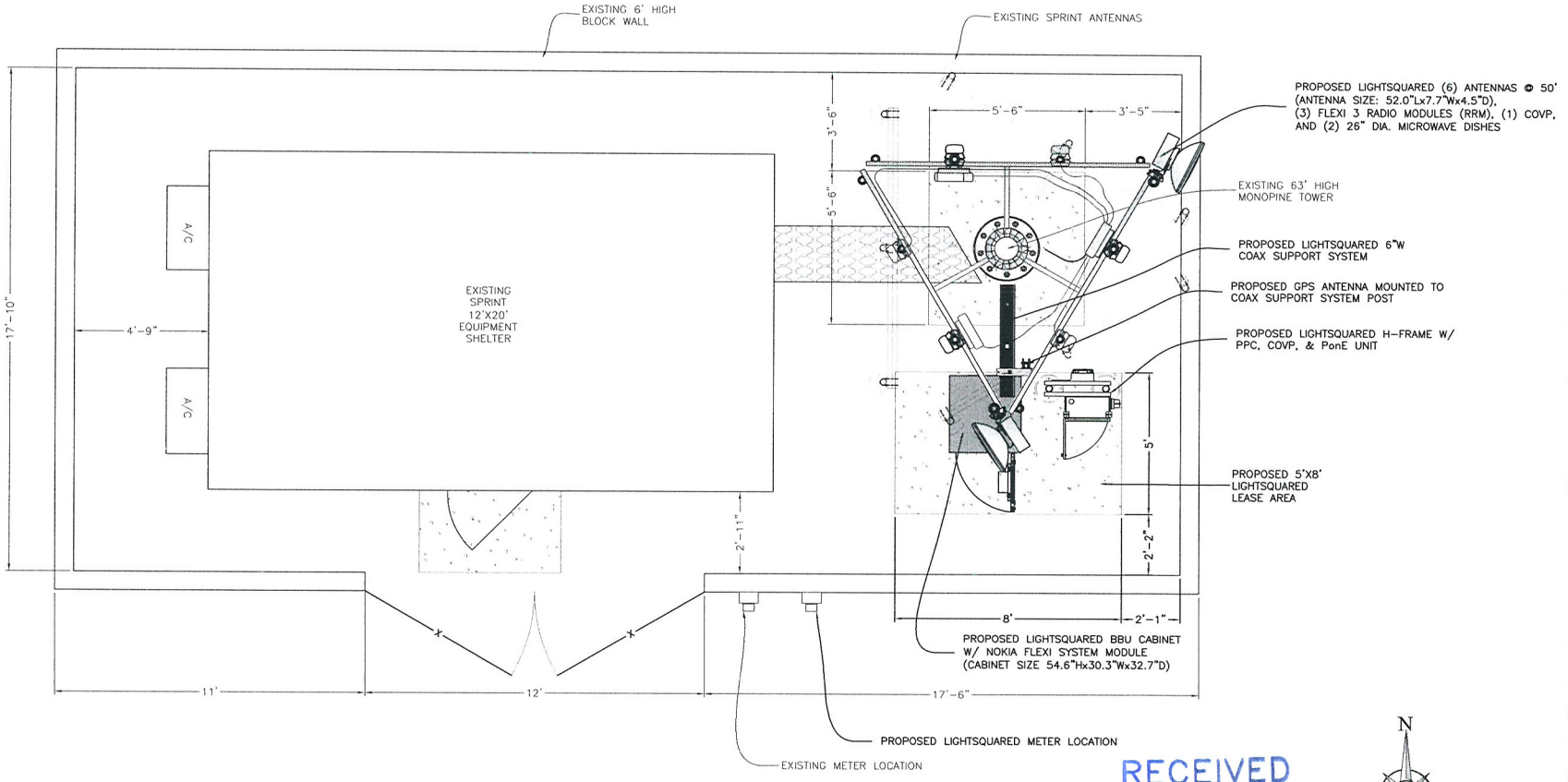
SUP-41587


WEST CHARLESTON BLVD
SOUTH VALLEY VIEW BLVD
PARATORE WAY
APN: 162-06-502-003
ZONED: C-1
APN: 162-06-502-004
ZONED: C-1
APN: 162-06-502-019
ZONED: C-1
APN: 162-06-501-002
ZONED: C-1
EXISTING BUILDING
EXISTING BUILDING
EXISTING BUILDING
EXISTING BUILDING
APN: 162-06-501-002
ZONED: C-1
SEE ENLARGED SITE PLAN
APN: 162-06-501-003
ZONED: C-1
EXISTING BUILDING
APN: 162-05-110-001
ZONED: C-D
APN: 162-05-110-004
ZONED: R-1
APN: 162-05-110-006
ZONED: R-1
N
RECEIVED
APR 28 2010
Nokia Siemens Networks
6000 CONNECTION DRIVE
IRVING, TX 75039
LightSquared
POWDER RIVER
Development Services, LLC
100 E. SHENANGO STREET
SHARPSVILLE, PA 16150
724.962.5999
www.powderriverdev.com
FOR REFERENCE ONLY
SITE INFORMATION:
TMUSNVLVGS0156-C1
3811 W CHARLESTON BLVD
LAS VEGAS, NV 89102
SITE PLAN
Z-0

**SUP-41587**

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Nokia Siemens Networks
6000 CONNECTION DRIVE
IRVING, TX 75039

LightSquared
10332 FAIRFORDGE BLVD
RESTON, VA 20191

POWDER RIVER
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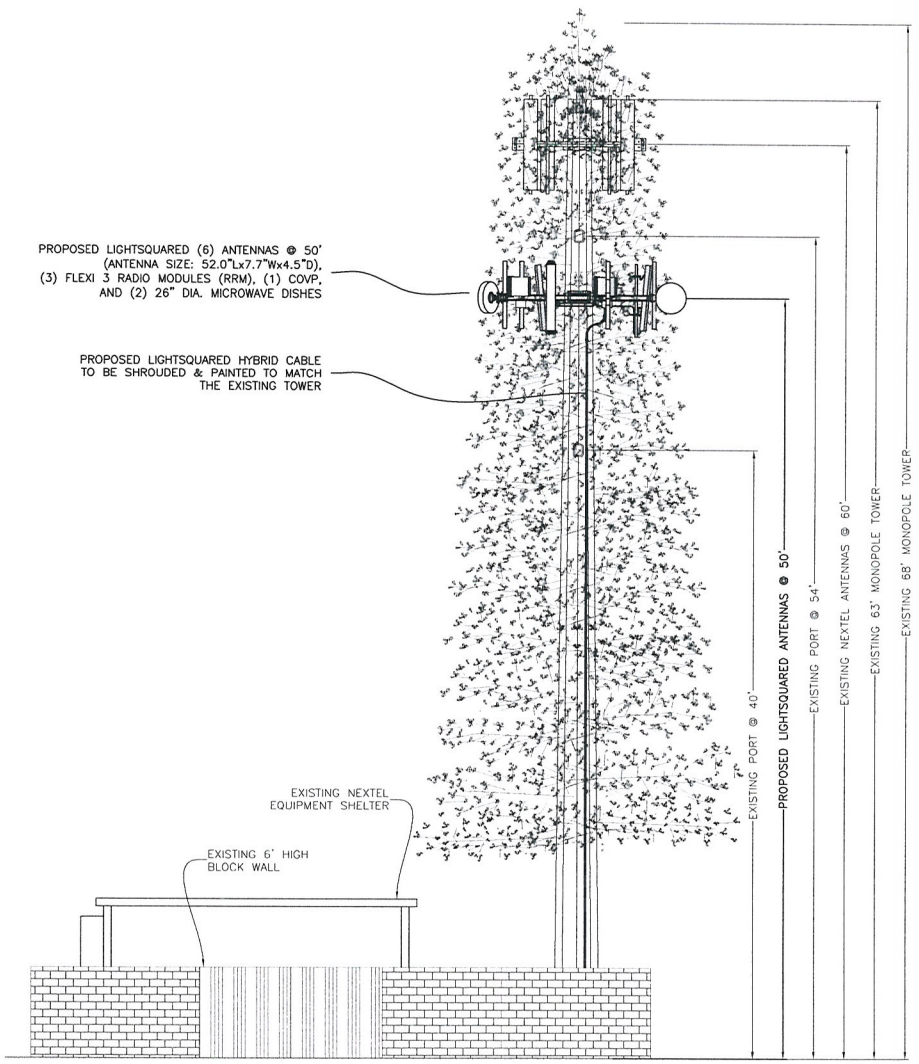
100 E. SHENANGO STREET
SHARPSVILLE, PA 16150
724.962.5999
www.powderriverdev.com

SUBMITTALS

| | | | |
|---|---|---|---|
| | | | |
| | | | |
| | | | |




1 SOUTH ELEVATION

SCALE:
2" 0 2" 4" 6"
1/8"=1' (11x17)
1/4"=1' (24x36)

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Nokia Siemens Networks
6000 CONNECTION DRIVE
IRVING, TX 75039

LightSquared
[illegible]

POWDER RIVER
Development Services, LLC
100 E. SHENANGO STREET
SHARPSVILLE, PA 16150
724.962.5999
www.powderriverdev.com

SUBMITTALS

| | | | |
|---|---|---|---|
| 1 | 11/04/10 | REQUIRE REVISIONS | JED |
| 0 | 10/27/10 | ISSUED FOR REVIEW | JED |

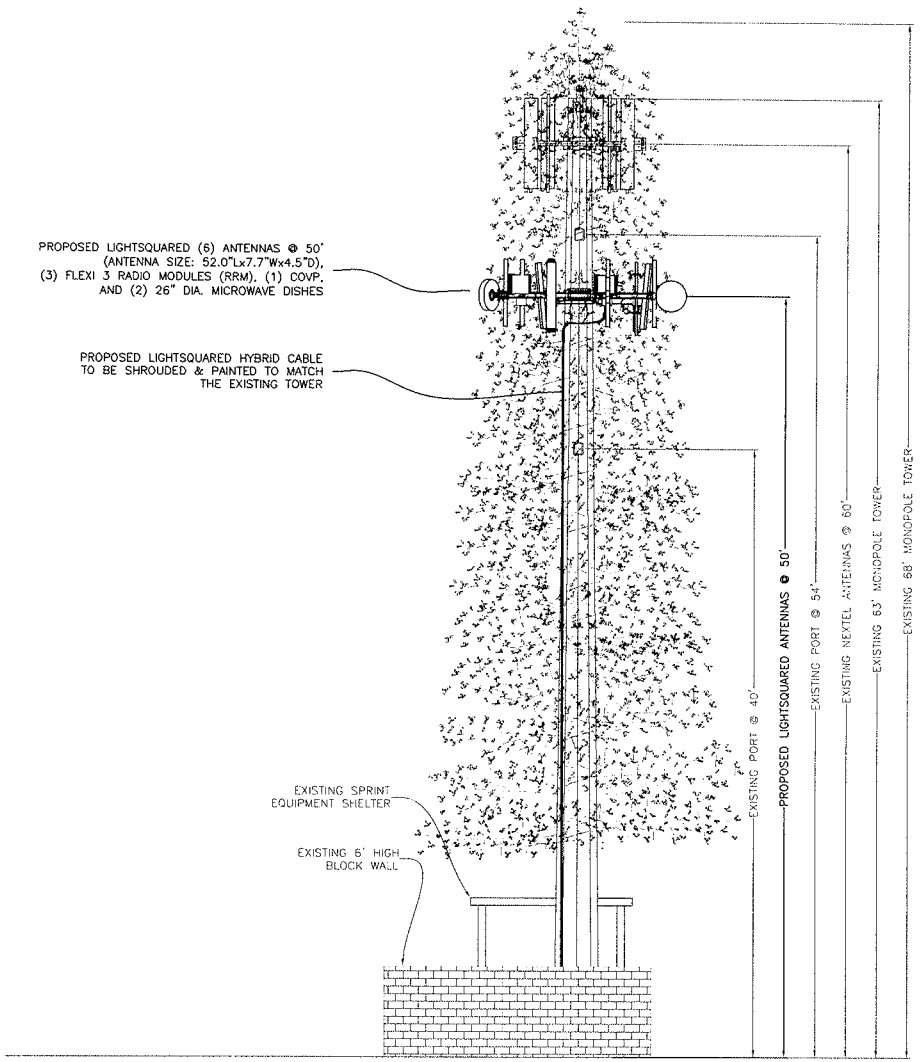
PROJ. NO.: [illegible]
CHECKED BY: G.W.C.

SITE INFORMATION:
TMUSNVLVGS0156-C1
(T-MOBILE NV2094)
3811 W CHARLESTON BLVD
LAS VEGAS, NV 89102

SHEET TITLE:
ELEVATION

SHEET NUMBER:
Z-2

SUP-41587




1 EAST ELEVATION

SCALE:
2' 0 2' 4' 6'
1/8"=1' (11x17)
1/4"=1' (24x36)

RECEIVED
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Nokia Siemens Networks
6000 CONNECTION DRIVE
IRVING, TX 75039

LightSquared

POWDER RIVER
Development Services, LLC
100 E. SHENANGO STREET
SHARPSVILLE, PA 16150
724.962.5999
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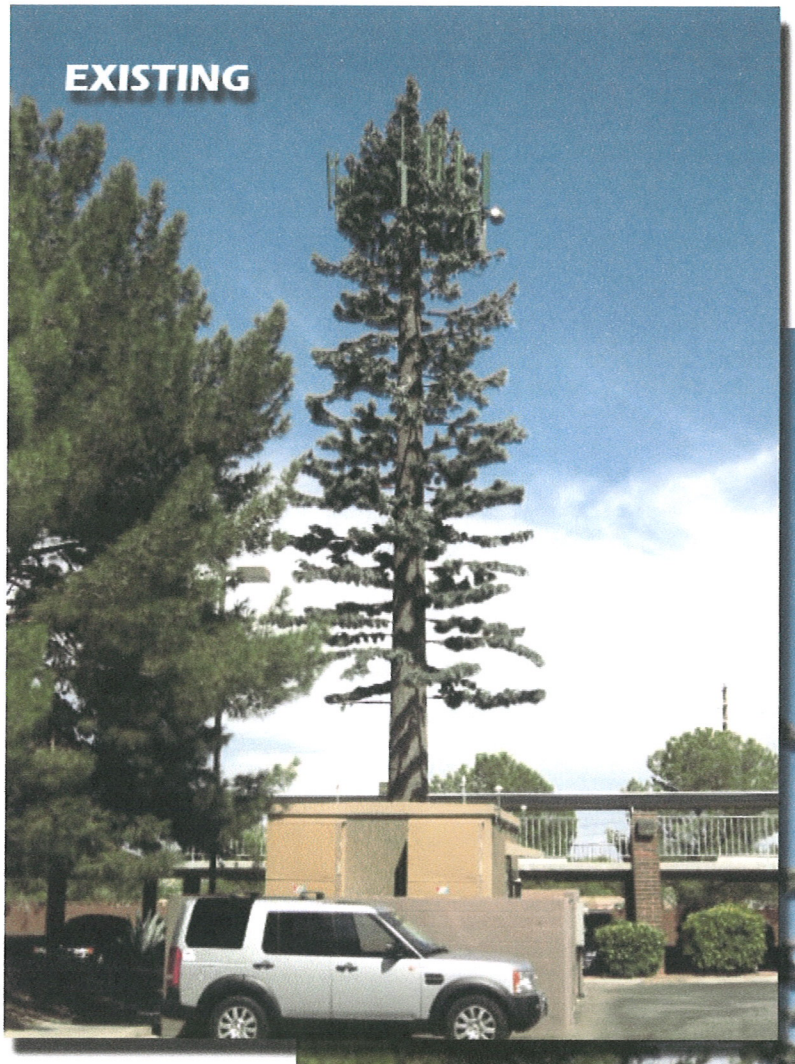
SITE INFORMATION
TMUSNVLVGS0156-C1
3811 W CHARLESTON BLVD
LAS VEGAS, NV 89102

SHEET TITLE
ELEVATION

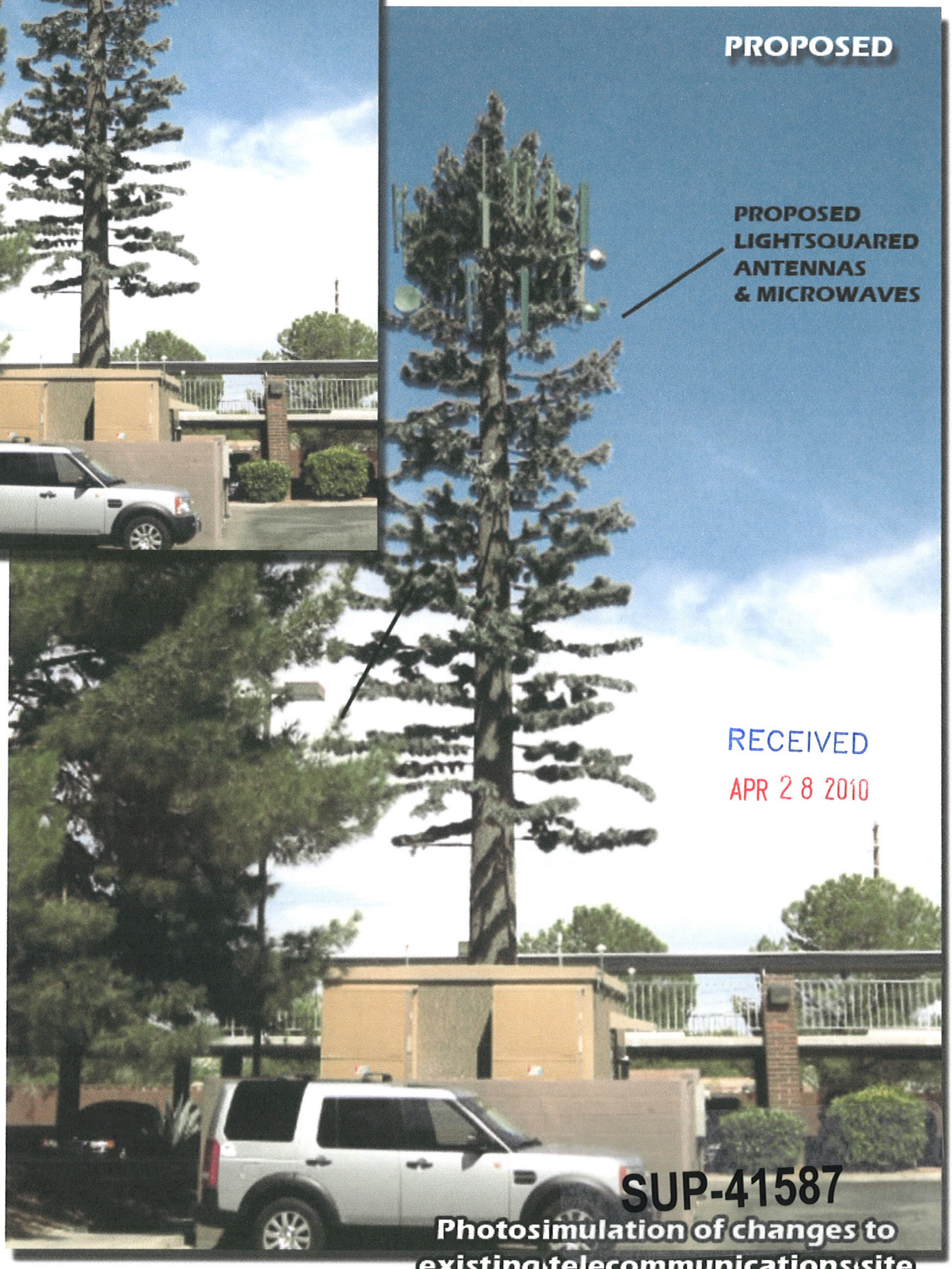
SHEET NUMBER
Z-3

SUP-41587




LightSquared

**TMUSNVLVGS0156-C1**
**Paratore and Charleston**

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APR 2 8 2010

(This documnt is provided for illustrative purposes only)

POWDER RIVER

**SUP-41587**
**Photosimulation of changes to existing telecommunications site**




SUP-41587 - APPLICANT: LIGHTSQUARED, INC. - OWNER: BAR ACQUISITIONS, LLC
3811 WEST CHARLESTON BOULEVARD

05/05/11




SUP-41587 - APPLICANT: LIGHTSQUARED, INC. - OWNER: BAR ACQUISITIONS, LLC
3811 WEST CHARLESTON BOULEVARD

05/05/11

LightSquared

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

RE: Special Use Permit / 3811 W. Charleston Blvd. APN#162-06-501-002
LightSquared LP Project TMUSNVLVGS0156-C1

Dear Community Development,

LightSquared LP is submitting a request for a Special Use Permit on the above mentioned project site. LightSquared is a wireless provider; operating to provide LTE services (data) through the proposed collocation located at 3811 W. Charleston Blvd. The subject site is currently zoned C-1 and located within office building development. LightSquared is proposing to colocate six (6) panel antennas within the existing 68' monopine at an elevation of 50'. To best conceal its tower mounted equipment, LightSquared is proposing to mount the panel antennas within the existing branches of the monopine similar to the existing antenna installation currently in place.

- Proposed is the installation of six (6) antennas, three (3) radio modules and two (2) microwave dishes to be mounted within the branches of the existing monopine at the 50' level of the approved 68' stealth monopine.
- The related ground mounted base station cabinet will be located adjacent to the monopine within the existing compound and will be hidden from public view behind the existing CMU wall.
- As seen in the photo simulation and plans; all of the proposed antennas at the 50' level will be mounted within the existing monopine branches and painted to match the existing facility.

LightSquared believes the collocation of their installation meets the intent of the Henderson zoning code by:

- The monopine collocation installation reduces visual impact to the surrounding properties and neighboring community.
- Alleviating proliferation of additional wireless facilities throughout the community by collocating with existing facilities.
- Locating wireless communication antennas on existing stealth structures such as the monopine.
- The installation does not increasing the height of an existing communications tower.

LightSquared believes the proposed collocation will be generally unnoticeable given the stealth appearance of the existing facility and the concealment of the proposed panels installed within the branches of the monopine. The installation will not be detrimental to the surrounding area as the location is in an area away from the general public generally going unnoticed and necessary for the increased operations of LightSquared's communications facility coverage necessities.

Please let me know if the City of Las Vegas has any questions or comments regarding the proposed LightSquared project

Sincerely,

Norman MacLeod
Representative for LightSquared LP

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APR 28 2010

SUP-41587
POWDER RIVER
Development Services, LLC

City of Las Vegas Agenda Item No.: **53.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

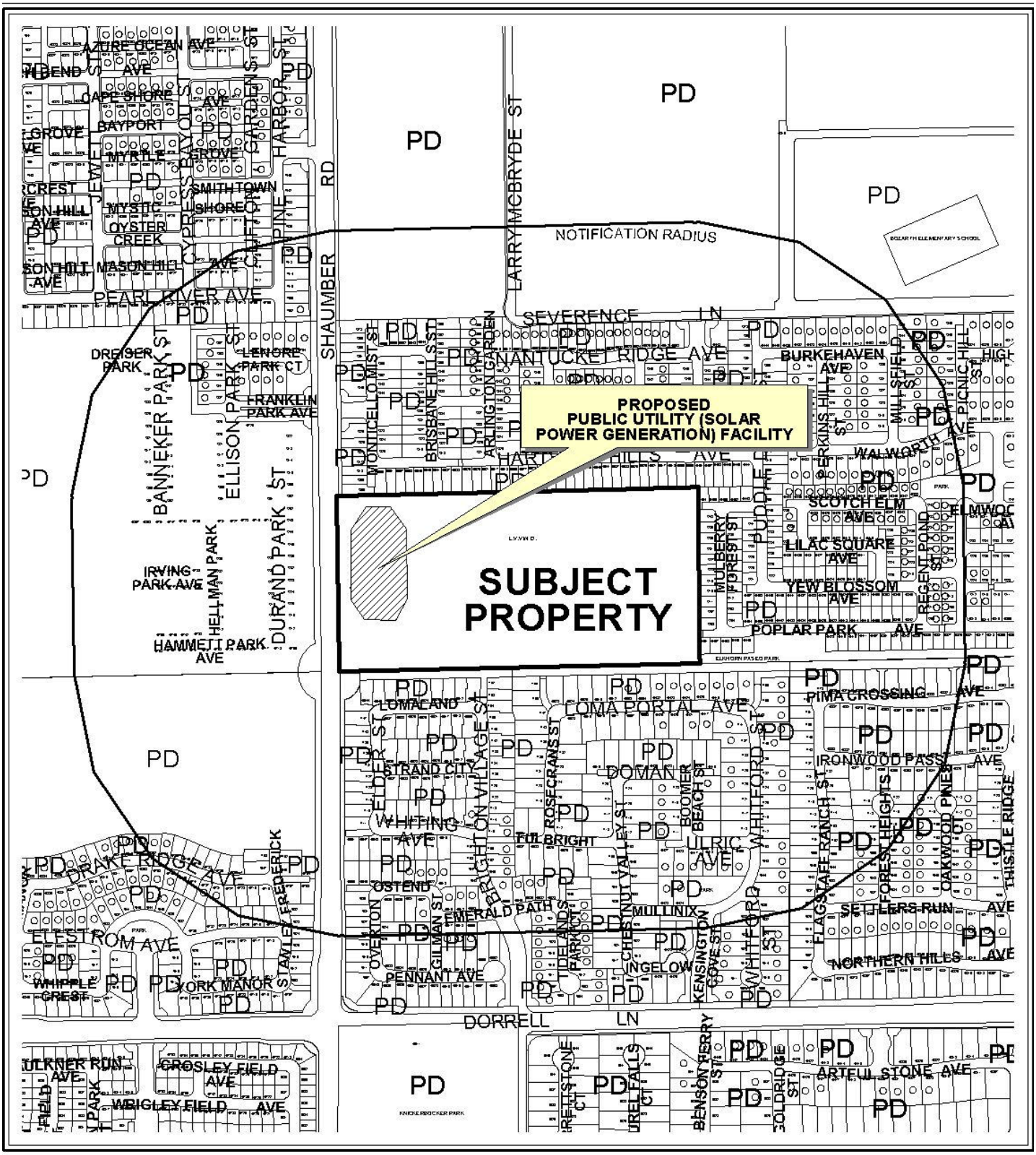
**SUBJECT:**
SDR-41591 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT - Request for a Site Development Plan Review TO INSTALL TWO, 93-FOOT TALL SOLAR POWER GENERATION FACILITIES on 20.69 acres at 7210 Shaumber Road (APN 126-13-401-014), PD (Planned Development) Zone [PF (Public Facilities) Cliff's Edge Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 07/20/2011**
**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

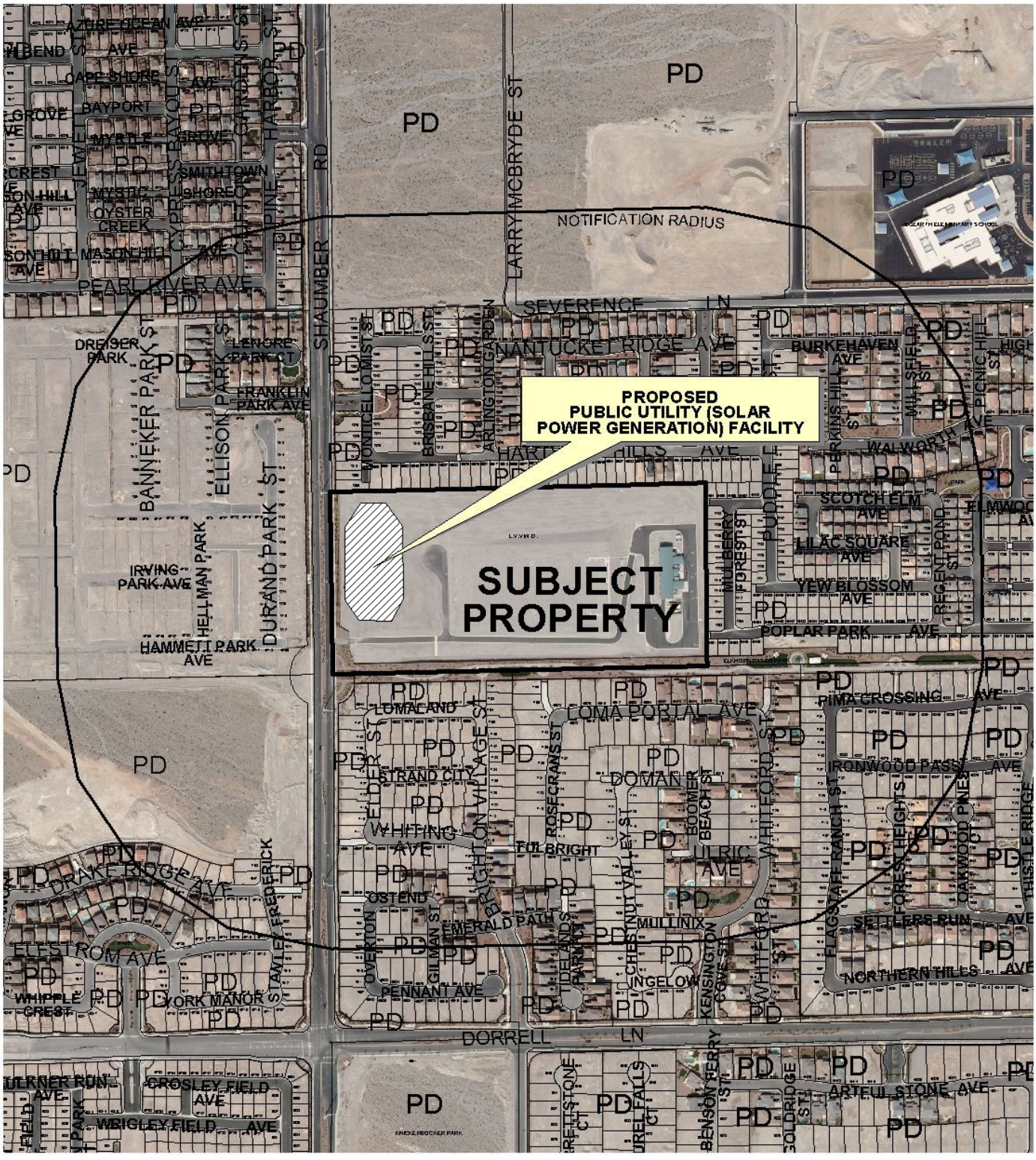



**CASE:** **SDR-41591**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** PD (PLANNED DEVELOPMENT)

N




0 300 600 Feet

**CASE:** **SDR-41591**

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:** PD (PLANNED DEVELOPMENT)

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SDR-41591** | Staff recommends APPROVAL, subject to conditions: | |

## ** CONDITIONS **

# SDR-41591 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, landscape plan, and building elevations, date stamped 04/28/11, 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. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

6. 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.

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

***Public Works***

8. Remove all substandard public street improvements, 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.

9. 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.

10. Comply with all applicable previous conditions of approval for SDR-3900, ZON-2184 and all other site-related actions.

**Staff Report Page One**
**June 14, 2011 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is proposing to construct two 93-foot tall Solar Power Generating Facilities within an enclosed pumping station. The towers will generate electrical power onsite to offset the costs and infrastructural burden of routing high-voltage power on site. The proposed equipment will have negligible visual and audible impact, and will provide an alternative means of meeting the high energy demands of water conveyance without depending on emission-intensive power sources such as coal or natural gas. Staff supports this request, as it meets the stated goals of the Las Vegas 2020 Master Plan – Conservation Element. If denied, the applicant will not be allowed to install the requested solar power structures.

## ISSUES

- The requested solar power use is ancillary to the existing water facility and is a permissible use, as the applicant is not subject to the Cliff's Edge/Providence Master Plan.
- Per Title 19.18.060(B)(3)(b), municipal utility facilities are exempt from the maximum height provisions typically required for residential adjacency setbacks.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 07/16/03 | The City Council approved a Rezoning from the U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] zoning district to the PD (Planned Development) zoning district on 704 acres adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. Planning Commission and staff recommended approval. |
| 04/08/04 | A Site Development Plan Review (SDR-3900) was approved by Planning Commission for a Reservoir and Pumping Station on 20.0 acres at the northwest corner of the Elkhorn Road and Alpine Ridge Way. Staff recommended approval. |

| ***Most Recent Change of Ownership*** |
|---|
| The subject parcel is owned by the Federal government and is leased to the applicant by the Bureau of Land Management (BLM). |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 09/22/04 | A Building Permit (#27484) was issued for wall permits related to a reservoir and pumping station. This permit was finaled 02/11/07. |

| ***Pre-Application Meeting*** | |
|---|---|
| 03/08/11 | A pre-application meeting was held with staff to discuss the installation of 93-foot tall solar power collection units. The applicant was advised of the Cliff's Edge Master Development Plan, and the additional public hearing requirements for submitting a Site Development Plan Review proposal. It was determined that a Variance for Residential Adjacency Setbacks would not be required. |

| ***Neighborhood Meeting*** |
|---|
| A neighborhood meeting is not required for this type of request, nor was one held. |

| ***Field Check*** | |
|---|---|
| 05/05/11 | A Field Check was performed by staff with the following observations:<br>• The existing facility features an eight-foot tall screen wall adjacent to a 20-foot landscape buffer with mature landscaping.<br>• The Pumping Reservoir is not visible from the public right-of-way. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 20.6 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.04*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Utility Installation, Other Than Listed | PCD (Planned Community Development) | PD (Planned Development) |
| North | Single Family, Detached | PCD (Planned Community Development) | PD (Planned Development) |
| South | Single Family, Detached | PCD (Planned Community Development) | PD (Planned Development) |

| | | | |
|---|---|---|---|
| East | Single Family, Detached | PCD (Planned Community Development) | PD (Planned Development) |
| West | Undeveloped | PCD (Planned Community Development) | PD (Planned Development) |

| ***Master Plan Areas*** | ***Yes*** | ***No*** | ***Compliance*** |
|---|---|---|---|
| **Master Plan Area** | | | |
| Cliff's Edge | X | | Y |
| ***Special Purpose and Overlay Districts*** | ***Yes*** | ***No*** | ***Compliance*** |
| **Special Purpose and Overlay Districts** | | | |
| PD (Planned Development) District | X | | Y |
| **Trails** | | X | N/A |
| **Rural Preservation Overlay District** | | X | N/A |
| **Las Vegas Redevelopment Plan Area** | | X | N/A |
| **Development Impact Notification Assessment** | | X | N/A |
| **Project of Regional Significance** | | X | N/A |

**DEVELOPMENT STANDARDS**

Pursuant to The Cliff's Edge Master Development Plan and Design Guidelines, there are no established development standards for the PF (Public Facility) Cliff's Edge Special Land Use Designation). The development standards are established upon approval of the requested Site Development Plan Review, and referenced by the Site Plans and Elevations submitted by the applicant. This proposal features two 93-foot tall Solar Tower units that are placed at the western side of the subject property, setback approximately 81 feet south of the north property line, 170 feet north of the south property line, and 45 feet east of the west property line. Each tower has approximately 46, 15-foot tall heliostat arrays (solar mirrors) that are located just north of the collector unit and are screened by the existing eight-foot screen wall.

**ANALYSIS**

The proposed facilities will provide an alternative means of meeting the high energy demands of water conveyance without depending on emission-intensive power sources such as coal or natural gas. The applicant states that the two power units will operate as a pilot project to demonstrate a new method of generating approximately 100 kW of electrical energy using solar-heated air. The proposed structures meet the Master Plan 2020 goals by satisfying Action Item EC6, as listed in the Conservation Element. The policy states, "The City shall investigate ways of promoting the development and use of alternative sources of energy." This proposal meets the intent of the stated action item and is handled in a manner that provides a positive contribution in the quality of life of the Cliff's Edge Master Plan Area and the greater Las Vegas Valley. Staff recommends approval of this request with conditions.

## FINDINGS (SDR-41591)

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 solar power installation is compatible with the PF (Public Facility) land use designation, is appropriate along this segment of Elkhorn Road and will be compatible with future, 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 project actively supports the Master Plan 2020 goals by satisfying Action Item EC6, as listed in the Conservation Element. The existing perimeter walls meet the current development standards, and effectively screen the ancillary equipment related to the pumping reservoir.

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

   There are no anticipated changes to the existing site access and circulation based on the requested proposal.

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

   The building materials that are exposed to public view are painted in muted earth-tones so as to create as little visual intrusion as possible. The heliostat arrays (solar mirrors) are located within the enclosed pumping reservoir and are screened from view.

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 solar power installation has been presented in a manner that seeks to reduce the visual and audible impacts to the neighboring properties. The towers are architecturally and aesthetically harmonious and compatible with the area and adjacent development by means of a perimeter screen wall, which will reduce sounds and screen the view of the heliostats (solar mirrors) onsite.

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

   All development will require permits and inspections that will maintain the public health, safety and welfare. The proposed use will actively contribute to the reduction of green house gas emissions and the avoidance of constructing high-voltage transmission lines to the site.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 13

**NOTICES MAILED** 410

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-41591** APN: 126-13-401-014

Name of Property Owner: Patricia Mulroy, General Manager, Las Vegas Valley Water District

Name of Applicant: Shawn P. Mollus, Director of Las Vegas Valley Water District Engineering

Name of Representative: Peter J. Jauch, Engineering Design Manager

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Gary A Wood

Print Name: Gary A. Wood

Subscribed and sworn before me

This 27th day of APRIL, 2011

Alena Adrianse

Notary Public in and for said County and State CLARK NV

ALENA ADRIANSE
Notary Public, State of Nevada
Appointment No. 03-80022-1
My Appt. Expires Dec. 23, 2014

RECEIVED
APR 28 2011
City of Las Vegas

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Site Development Plan Review

**Project Address (Location)** 7210 Shaumber Rd.

**Project Name** C1341 - Turbo Solar Power Generation **Proposed Use** Utility Installation

**Assessor's Parcel #(s)** 126-13-401-014 **Ward #** 6 - Ross

**General Plan:** existing PCD proposed _____ **Zoning:** existing PD/PF proposed _____

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

**Gross Acres** 20.69 ac **Lots/Units** _____ **Density** _____

**Additional Information** _____

**PROPERTY OWNER** Las Vegas Valley Water District **Contact** Patricia Mulroy

**Address** 1001 S. Valley View Boulevard **Phone:** (702) 258-3266 **Fax:** (702) 862-7452

**City** Las Vegas **State** Nevada **Zip** 89153

**E-mail Address** _____

**APPLICANT** Las Vegas Valley Water District **Contact** Shawn P. Mollus

**Address** 1001 S. Valley View Boulevard **Phone:** (702) 258-3266 **Fax:** (702) 862-7452

**City** Las Vegas **State** Nevada **Zip** 89153

**E-mail Address** _____

**REPRESENTATIVE** Las Vegas Valley Water District **Contact** Peter J. Jauch

**Address** 1001 S. Valley View Boulevard **Phone:** (702) 258-3240 **Fax:** (702) 862-7452

**City** Las Vegas **State** Nevada **Zip** 89153

**E-mail Address** _____

**Property Owner Signature*** Gary A Wood

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

**Print Name** Gary A. Wood

Subscribed and sworn before me

This 27th day of April, 20 11.

Alena Adrianse

Notary Public in and for said County and State Clark NV

ALENA ADRIANSE
Notary Public, State of Nevada
Appointment No. 03-80022-1
My Appt. Expires Dec. 23, 2014

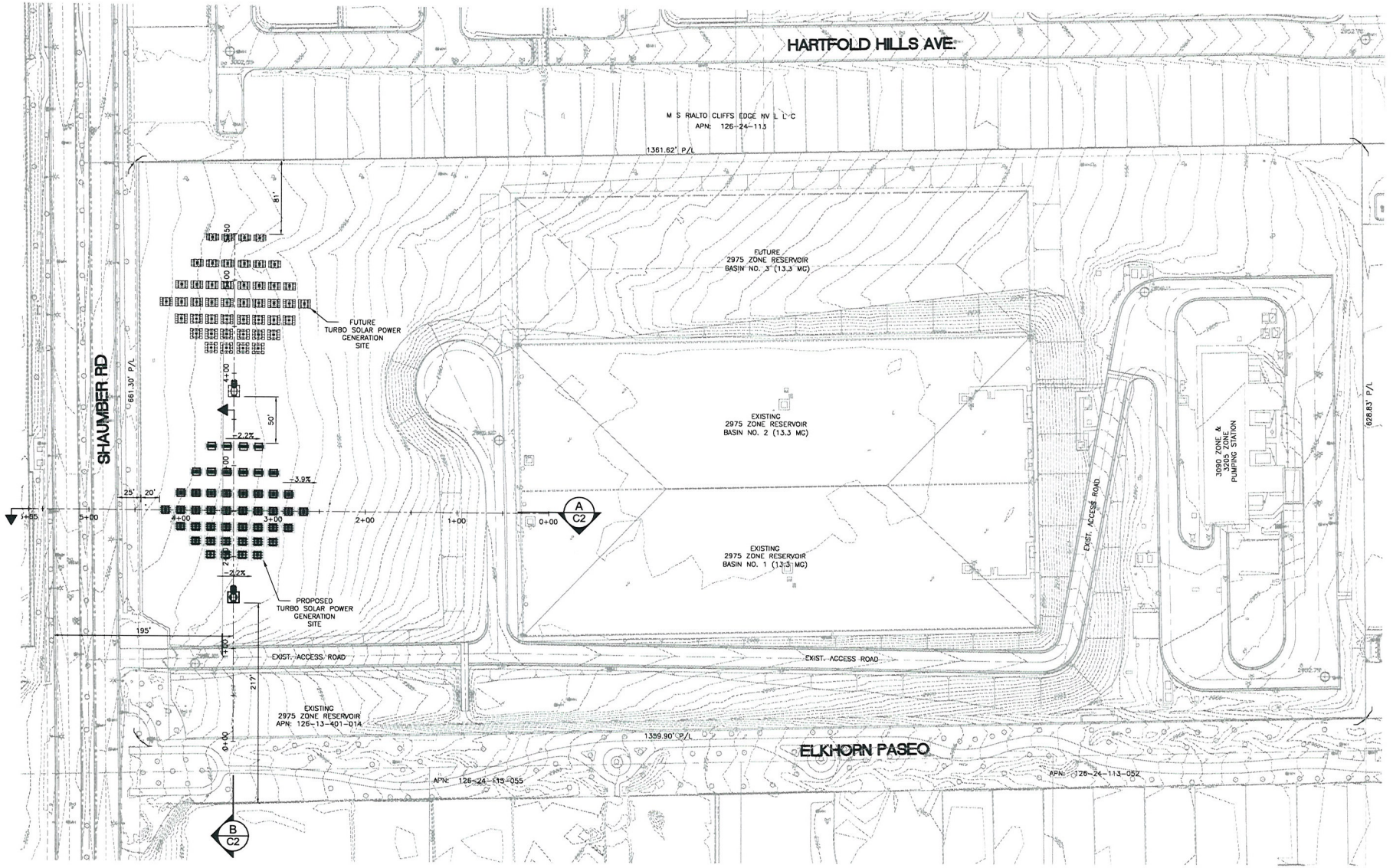
Revised 10/27/08

***FOR DEPARTMENT USE ONLY***

| | |
|---|---|
| **Case #** | SDR-41591 |
| **Meeting Date:** | 6-14-11 |
| **Total Fee:** | 1080 |
| **Date Received:*** | 4-28-11 |
| **Received By:** | FS |

*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.

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

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APR 20 2011

LAS VEGAS VALLEY WATER DISTRICT
1001 S. VALLEY VIEW BOULEVARD
LAS VEGAS, NEVADA 89153
(702) 870-3011

VERIFY SCALE
BAR REPRESENTS ONE AND ONE-HALF INCHES ON ORIGINAL

TURBO SOLAR POWER GENERATION
ELKHORN 2975 ZONE RESERVOIR

SITE PLAN

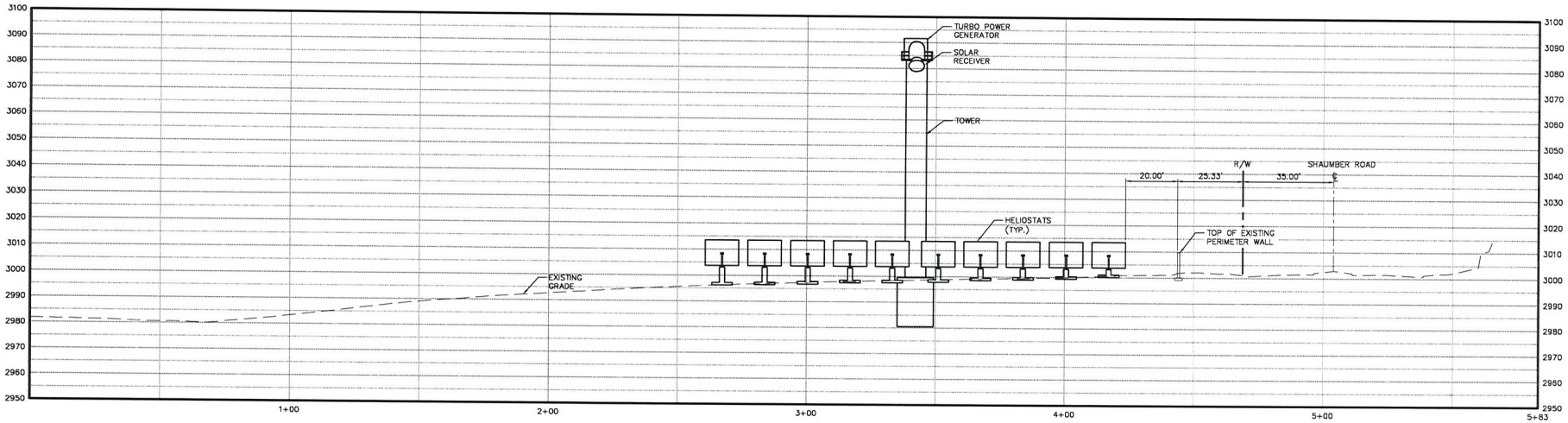
SCALE 1"= 50'

DRAWN BY:
CHECKED BY:
RECOMMENDED BY: JOSEPH Y. LIN DATE
ACCEPTED BY: PETER J. JAUCH DATE

REVISIONS:

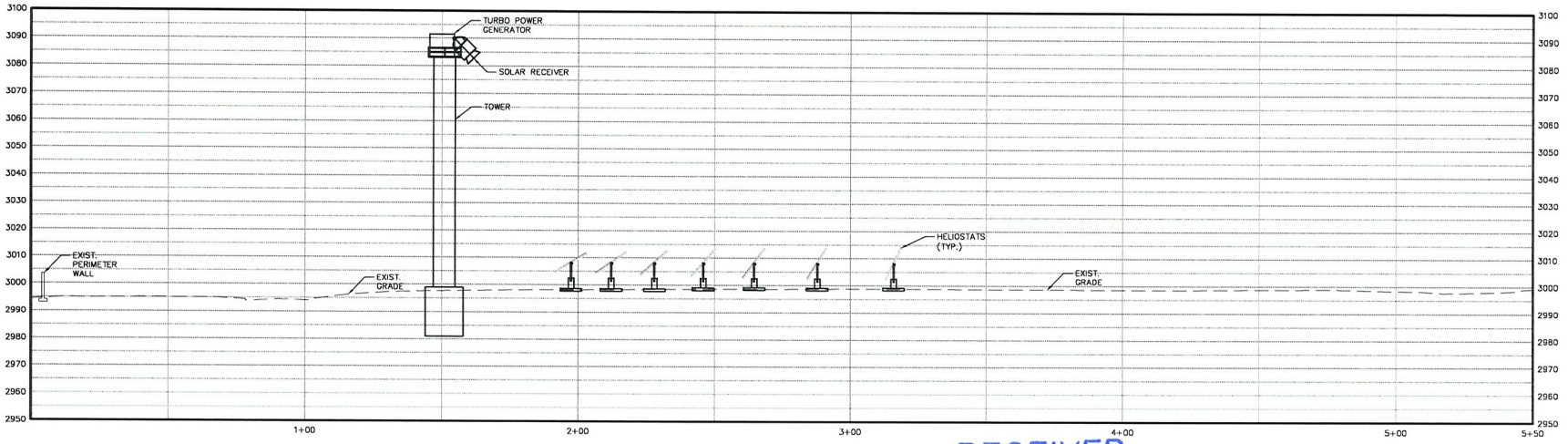
CONTRACT NUMBER
C1341
DRAWING NUMBER C1
SHEET 1 OF 2

SDR-41591




**GRADING SECTION** (A / C2)

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

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APR 20 2011

**GRADING SECTION** (B / C2)

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

SDR-41591

LAS VEGAS VALLEY WATER DISTRICT
1001 S. VALLEY VIEW BOULEVARD
LAS VEGAS, NEVADA 89153
(702) 870-3011

VERIFY SCALE
BAR REPRESENTS ONE-HALF INCHES ON ORIGINAL

TURBO SOLAR POWER GENERATION
ELKHORN 2975 ZONE RESERVOIR

GRADING SECTIONS

SCALE 1"= 20'

DRAWN BY: PJ
CHECKED BY:
RECOMMENDED BY: JOSEPH Y. LIN DATE
ACCEPTED BY: PETER J. JAUCH DATE

REVISIONS:

CONTRACT NUMBER
C1341
DRAWING NUMBER C2
SHEET 2 OF 2



SDR-41591

RECEIVED
MAY 23 2011
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT



SDR-41591

RECEIVED
MAY 23 2001
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT



**SDR-41591 – APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT**
**7210 SHAUMBER ROAD**

05/05/11

LAS VEGAS VALLEY
WATER DISTRICT

1001 South Valley View Boulevard
Las Vegas, NV 89153
(702) 870-2011 • lvwwd.com

April 26, 2011

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

SUBJECT: CONTRACT NO. C1341 – RENEWABLE ENERGY PROJECT, PHASE II, REQUEST FOR SITE DEVELOPMENT PLAN REVIEW AND VARIANCE

The Las Vegas Valley Water District (District) is in the process of designing renewable energy facilities on a portion of 20 acres of Bureau of Land Management land (Right-of-Way Grant N-61412) located at the northeast corner of Shaumber Road and the Elkhorn Road alignment (APN: 126-13-401-014). The Renewable Energy Project is to be located on the western-most portion of this site and includes the installation of a solar concentrator mast, heliostats, buried electrical conduit and conductors, and minor site grading.

This is a pilot project to demonstrate a new technology that uses heated air to drive a series of micro-turbines rather than steam driving a single large turbine. This pilot facility will initially generate 100 kW of electrical energy to be used entirely on-site and which will offset a portion of the site's existing electrical power needs. Ultimately, two of these systems are planned to be installed at this site, generating a total of 200 kW. Future improvements to the systems would include capturing of waste heat for use in a combined heat and power application, extending the daily energy generation time. This project will continue the energy sustainability efforts initiated by the District in 2004 with the installation of six photovoltaic array systems.

At this time, the District respectfully requests review and approval of a Site Development Plan Review and Title 19.08.060 Variance for height and setback requirements for the proposed facilities. Constraints on the separation between the 46 heliostats to maximize solar reflectivity and eliminate shading requires the systems to be located such that the 3:1 setback requirements are not met at the western and southern property lines. The western property line is bounded by Shaumber Road and the southern property line is bounded by a 70-foot wide paseo, minimizing the impact on the surrounding residential development of the requested variance.

The project is scheduled to begin construction in fall 2011 and to be completed in early 2012.

If you have any questions, or require additional information, please contact Joseph Lin, Engineering Project Manager at (702) 875-7062.

Sincerely,

Peter Jauch, P.E.
Engineering Design Manager
Engineering Design Division

PJJ:jlr
Attachments

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SDR-41591

SOUTHERN NEVADA WATER AUTHORITY
1001 South Valley View Boulevard • Las Vegas, NV 89153
(702) 258-3939 • snwa.com

April 28, 2011

City of Las Vegas Department of Planning
333 N. Rancho Drive
Las Vegas, Nevada 89106

Attn: Mike Howe

Subject: Designees authorized to sign on behalf of the Southern Nevada Water Authority

Dear Mr. Howe:

The Southern Nevada Water Authority's Board Resolution 99-003 dated July 15, 1999, herein attached, provides for the General Manager or her designee to conduct property management activities, file applications for rezoning or variances, conditional use or other permits, and to sign documents associated with the applications.

The following is a list of designees authorized to sign on behalf of the Southern Nevada Water Authority in accordance with Resolution 99-003:

- Leanne Miller, Project Manager
- Gerry Hester, Project Manager
- Don Bittle, Project Manager
- Erika Moonin, Project Manager
- Gina Neilson, Project Manager
- John Evans, Project Manager
- Gary Wood, Renewable Energy Program Manager

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Should you have any questions or if additional information is required, please do not hesitate to contact me at (702) 258-3288.

Sincerely,

Mary E. Madden
Deputy Counsel

Paulette Stacy

PAULETTE STACY
Notary Public State of Nevada
No. 02-75419-1
My Appt. Exp. July 12, 2014

MEM/ps

cc: Christopher D. Figgins, Esq.
Robert Warhola, Esq.

SDR-41591

City of Las Vegas Agenda Item No.: **54.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 2011

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

**SUBJECT:**
TXT-41610 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to update the Downtown Centennial Plan to revise the language regarding the outdoor dining and entertainment standards. 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 Amendment and Staff Report

City of Las Vegas

## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: JUNE 14, 2011**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **TXT-41610** | Staff recommends APPROVAL. | |

## ** PROPOSED AMENDMENT(S) **

1. Chapter IV (A) 3 is hereby amended to delete the entire section and replace it with the following verbiage: “Any dining or entertainment to take place within the public right-of-way will require an Encroachment Agreement”.

2. Chapter IV (B) 4 is hereby deleted.

YK

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for discussion and possible action to amend Chapter IV Outdoor Dining and Entertainment Standards of the Downtown Centennial Plan to remove the requirements of a Site Development Plan Review (Minor) in order to allow outdoor dining and entertainment on private property and within the public right-of-way. The use would continue to be permitted. Staff recommends approval. If denied, a Site Development Plan Review (Minor) would continue to be required.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 07/05/00 | The City Council adopted the Las Vegas Downtown Centennial Plan. The Planning Commission recommended the document be adopted at its meeting on 04/27/00. |
| 08/05/09 | The City Council adopted Bill No. 2009-29, to adopt a revised Downtown Centennial Plan. The Planning Commission and Staff recommended approval. |
| 11/04/09 | The City Council adopted Bill No. 2009-42, to adopt a revised Downtown Centennial Plan. The Planning Commission and Staff recommended approval. |
| 11/03/10 | The City Council adopted Bill No. 2010-43, to update the Downtown Centennial Plan to add various commercial uses to the 18b Arts District and to add language pertaining to the I-515/U.S. 95 widening project. The Planning Commission and staff recommended approval. |
| 02/02/11 | The City Council adopted Bill No. 2011-1, to make various corrections and updates to the Downtown Centennial Plan. The Planning Commission and staff recommended approval. |

## ANALYSIS

The purpose of the Downtown Centennial Plan is to create guidelines to foster urban development in the core of the city by the private sector. This amendment will remove a review requirement that is no longer needed, thus reducing the cost for business expansion in downtown. For activity that takes place within the public right-of-way an Encroachment Agreement will still be required. Staff recommends approval of this amendment.

**FINDINGS**

The proposed amendment will further the goals of developing an active downtown urban environment and reduce the approval process required for outdoor dining and entertainment.

**NOTICES MAILED** NEWSPAPER ONLY

**APPROVALS** 0

**PROTESTS** 0

YK

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: JUNE 14, 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

