City of Las Vegas

PLANNING COMMISSION AGENDA

COUNCIL CHAMBERS · 495 SOUTH MAIN STREET · PHONE 229-6011
CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov

LAS VEGAS CITY COUNCIL

Mayor Carolyn G. Goodman, (At-Large)
Mayor Pro-Tem Stavros S. Anthony, (Ward 4)
Councilwoman Lois Tarkanian, (Ward 1)
Councilman Steven D. Ross, (Ward 6)
Councilman Ricki Y. Barlow (Ward 5)
Councilman Bob Coffin, (Ward 3)
Councilman Bob Beers, (Ward 2)
City Manager Elizabeth N. Fretwell

COMMISSIONERS

Gus W. Flangas, Chair
Todd L. Moody, Vice Chair
Byron Goynes
Richard Truesdell
Vicki Quinn
Trinity Haven Schlottman
Richard P. Bonar

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 11, 2013

6:00 PM

ITEMS MAY BE TAKEN OUT OF THE ORDER PRESENTED AT THE DISCRETION OF THE CHAIRPERSON. TWO OR MORE AGENDA ITEMS FOR CONSIDERATION MAY BE COMBINED; AND ANY ITEM ON THE AGENDA MAY BE REMOVED OR RELATED DISCUSSION MAY BE DELAYED AT ANY TIME.

NOTICE: This meeting has been properly noticed and posted at the following locations:

City Hall, 495 South Main Street, 1st Floor
Clark County Government Center, 500 South Grand Central Parkway
Grant Sawyer Building, 555 East Washington Avenue
City of Las Vegas Development Services Center, 333 North Rancho Drive

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. PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS ON THE AGENDA FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

5. FOR POSSIBLE ACTION TO APPROVE THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF MAY 14, 2013

6. FOR POSSIBLE ACTION - 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.

7. ZON-48887 - REZONING - PUBLIC HEARING - APPLICANT: MACHUCA FAMILY MEDICINE - OWNER: 6060 ELTON, LLC - For possible action on a request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-O (PROFESSIONAL OFFICE) on 0.20 acres at 100 South Jones Boulevard (APN 138-36-112-001), Ward 1 (Tarkanian). Staff recommends APPROVAL.

8. VAR-48886 - VARIANCE RELATED TO ZON-48887 - PUBLIC HEARING - APPLICANT: MACHUCA FAMILY MEDICINE - OWNER: 6060 ELTON, LLC - For possible action on a request for a Variance TO ALLOW SIX PARKING SPACES WHERE SEVEN SPACES ARE REQUIRED on 0.20 acres at 100 South Jones Boulevard (APN 138-36-112-001), R-1 (Single Family Residential) Zone [PROPOSED: P-O (Professional Office)], Ward 1 (Tarkanian). Staff recommends APPROVAL.

9. SDR-48885 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-48887 AND VAR-48886 - PUBLIC HEARING - APPLICANT: MACHUCA FAMILY MEDICINE - OWNER: 6060 ELTON, LLC - For possible action on a request for a Site Development Plan Review FOR THE PROPOSED CONVERSION OF A 1,354 SQUARE-FOOT SINGLE FAMILY RESIDENTIAL DWELLING TO A PROFESSIONAL OFFICE WITH A WAIVER OF PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW A ZERO-FOOT BUFFER ALONG THE EAST AND SOUTH PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.20 acres at 100 South Jones Boulevard (APN 138-36-112-001), R-1 (Single Family Residential) Zone [PROPOSED: P-O (Professional Office)], Ward 1 (Tarkanian). Staff recommends APPROVAL.

10. WVR-49163 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER: DR HORTON, INC. - For possible action on request for a Waiver TO ALLOW AN EXTERNAL INTERSECTION SEPARATION DISTANCE OF 208 FEET WHERE 220 FEET IS REQUIRED on 4.14 acres at the southeast corner of Dorrell Lane and Hualapai Way (APNs 125-19-201-001 and 003), R-1 (Single Family Residential) Zone, Ward 6 (Ross) [PRJ-49064]. Staff recommends APPROVAL.

11. TMP-49164 - TENTATIVE MAP RELATED TO WVR-49184 AND VAC-49184 - DORRELL/HUALAPAI WEST - PUBLIC HEARING - APPLICANT/OWNER: DR HORTON, INC. - For possible action on a request for a Tentative Map FOR A PROPOSED 18-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 4.14 acres at the southeast corner of Dorrell Lane and Hualapai Way (APNs 125-19-201-001 and 003), R-1 (Single Family Residential) Zone, Ward 6 (Ross) [PRJ-49064]. Staff recommends APPROVAL.

12. VAC-49184 - VACATION RELATED TO WVR-49163 - PUBLIC HEARING - APPLICANT/OWNER: DR HORTON, INC. - For possible action on a request for a Petition to Vacate a 30-foot wide portion of Haley Avenue and U.S. Government Patent Easements generally located at the southeast corner of Dorrell Lane and Hualapai Way (APNs 125-19-201-001 and 003), R-1 (Single Family Residential) Zone, Ward 6 (Ross) [PRJ-49064]. Staff recommends APPROVAL.

13. SUP-49108 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NMT ENTERPRISE, LLC - OWNER: 333 MSA FREMONT II, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN AN EXISTING 1,800 SQUARE-FOOT RESTAURANT WITH A WAIVER TO ALLOW A 100-FOOT DISTANCE SEPARATION FROM A CHURCH WHERE 400 FEET IS REQUIRED at 7660 West Cheyenne Avenue, Suite #122 (APN 138-09-821-015), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

14. SUP-49167 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GEORGE H. RODRIGUEZ - OWNER: G CAPITAL INVESTMENT, LLC - For possible action on a request for a Special Use Permit FOR A TATTOO PARLOR/BODY PIERCING STUDIO USE at 200 West Sahara Boulevard (APN 162-04-815-428), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

15. SUP-49177 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ABOVE THE LIGHTS BONANZA CAT HOSPITAL - OWNER: 2010-1 RADC CADC VENTURE, LLC - For possible action on a request for a Special Use Permit FOR AN ANIMAL HOSPITAL, CLINIC, OR SHELTER (WITHOUT OUTSIDE PENS) AND A WAIVER OF THE TOWN CENTER DEVELOPMENT STANDARDS TO ALLOW AN ANIMAL HOSPITAL, CLINIC, OR SHELTER (WITHOUT OUTSIDE PENS) TO BE LOCATED ON A 70-FOOT WIDE STREET WHERE THE MINIMUM STREET WIDTH ALLOWED IS 80-FOOT at 6620 Sky Pointe Drive, (APN 125-21-710-012), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use -Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

16. SUP-49178 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HOUSE OF BARGAINS - OWNER: LAKE MEAD DECATUR, LLLP - For possible action on a request for a Special Use Permit FOR A SECONDHAND DEALER WITH A WAIVER TO ALLOW A 6,600 SQUARE-FOOT AREA WHERE 5,000 SQUARE FEET IS THE MAXIMUM ALLOWED at 1917 North Decatur Boulevard (APNs 138-24-703-002 and 003), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

17. VAC-49335 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: SH NORTHEAST LAND COMPANY, LLC - For possible action on a request for a Petition to Vacate a 20-foot public drainage easement and the eastern three-foot portion of a 20-foot public sewer easement on property generally located north of Sahara Avenue, east of Hualapai Way, Ward 2 (Beers). Staff recommends APPROVAL.

PUBLIC HEARING ITEMS

18. ABEYANCE - WVR-48970 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER: 208 LAS VEGAS BOULEVARD, LLC - For possible action on a request for a Waiver OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE STANDARDS ALONG THE WEST PERIMETER on 0.45 acres at 228 North Las Vegas Boulevard (APN 139-34-501-016), C-2 (General Commercial) Zone, Ward 5 (Barlow) [PRJ-48735]. Staff recommends DENIAL.

19. ABEYANCE - VAR-47494 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: WILLIAM BIRTHISEL - For possible action on a request for a Variance TO ALLOW AN EXISTING ACCESSORY STRUCTURE (CLASS II) TO BE LOCATED IN THE FRONT YARD WHERE SUCH IS NOT PERMITTED AND TO ALLOW SETBACKS OF NINE FEET IN THE FRONT YARD AND ZERO FEET IN THE SIDE YARDS WHERE 20 FEET AND FIVE FEET ARE REQUIRED, RESPECTIVELY on 0.19 acres at 1243 Barnard Drive (APN 162-05-114-009), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

20. ABEYANCE - VAR-47835 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: KHANEH HOLDINGS, LLC - For possible action on a request for a Variance TO ALLOW AN OFF-PREMISE SIGN TO BE ATTACHED TO A BUILDING WHERE OFF-PREMISE SIGNS ARE REQUIRED TO BE DETACHED AND PERMANENTLY SECURED TO THE GROUND on 8.14 acres at 5550 Painted Mirage Road (APN 125-34-116-004), C-2 (General Commercial) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

21. ABEYANCE - SUP-47834 - SPECIAL USE PERMIT RELATED TO VAR-47835 - PUBLIC HEARING - APPLICANT/OWNER: KHANEH HOLDINGS, LLC - For possible action on a request for a Special Use Permit FOR AN OFF-PREMISE SIGN at 5550 Painted Mirage Road (APN 125-34-116-004), C-2 (General Commercial) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

22. ABEYANCE - VAR-48827 - VARIANCE - PUBLIC HEARING - APPLICANT: CONCRETE SOLUTIONS - OWNER: JAIME LOPEZ AND REFUGIO ESPINOZA LOPEZ - For possible action on a request for a Variance TO ALLOW A 14-FOOT SIDE YARD SETBACK WHERE 50 FEET IS REQUIRED ADJACENT TO RESIDENTIAL DISTRICTS on 0.61 acres at 4515 Balsam Street (APN 138-03-602-007), M (Industrial) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

23. ABEYANCE - VAR-48828 - VARIANCE RELATED TO VAR-48827 - PUBLIC HEARING - APPLICANT: CONCRETE SOLUTIONS - OWNER: JAIME LOPEZ AND REFUGIO ESPINOZA LOPEZ - For possible action on a request for a Variance TO ALLOW NO WALL ON THE NORTH PROPERTY LINE WHERE A SIX-FOOT SCREEN WALL IS REQUIRED ADJACENT TO RESIDENTIAL PROPERTY, TO ALLOW OUTDOOR STORAGE WITHIN SETBACK AND LANDSCAPE BUFFER AREAS, AND TO ALLOW AN EXISTING SEVEN-FOOT CHAIN LINK FENCE WITH MESH SCREENING WHERE A SOLID STRUCTURE OR WALL OF EIGHT FEET IS REQUIRED on 0.61 acres at 4515 Balsam Street (APN 138-03-602-007), M (Industrial) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

24. ABEYANCE - SDR-48826 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-48827 AND VAR-48828 - PUBLIC HEARING - APPLICANT: CONCRETE SOLUTIONS - OWNER: JAIME LOPEZ AND REFUGIO ESPINOZA LOPEZ - For possible action on a request for a Site Development Plan Review FOR THE CONVERSION OF AN EXISTING 2,784 SQUARE-FOOT SINGLE FAMILY RESIDENCE TO A CONTRACTOR'S PLANT, SHOP AND STORAGE YARD OFFICE WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW ZERO FEET ON THE NORTH PROPERTY LINE AND TWO FEET ON THE SOUTH PROPERTY LINE WHERE EIGHT FEET IS REQUIRED; AND TO ALLOW ZERO FEET ON THE EAST PROPERTY LINE WHERE 15 FEET IS REQUIRED on 0.61 acres at 4515 Balsam Street (APN 138-03-602-007), M (Industrial) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

25. ABEYANCE - SUP-48180 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Special Use Permit FOR AN OFF-PREMISE SIGN at 3951 East Bonanza Road (APN 140-31-102-002), C-V (Civic) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

26. ABEYANCE - SUP-48181 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Special Use Permit FOR AN OFF-PREMISE SIGN at 650 North Mojave Road (APN 139-25-802-006), C-V (Civic) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

27. ABEYANCE - SUP-48182 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Special Use Permit FOR AN OFF-PREMISE SIGN at 1400 North Decatur Boulevard (APN 139-30-101-006), C-V (Civic) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

28. ABEYANCE - SUP-48849 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: IMAGINE SCHOOLS AT EAST MESA - OWNER: VAUSE FAMILY TRUST - For possible action on a request for Special Use Permit FOR A PRIVATE SCHOOL, PRIMARY WITH A WAIVER TO ALLOW NO PICK-UP AND DROP-OFF AREA WHERE ONE IS REQUIRED at 1951 South Rainbow Boulevard (APN 163-03-703-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

29. ABEYANCE - RENOTIFICATION - SDR-48456 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: LAS VEGAS VALLEY WATER DISTRICT - OWNER: USA - For possible action on a request for a Site Development Plan Review TO INSTALL 28 16-FOOT TALL SOLAR PANEL ARRAYS AND ONE 30-FOOT WEATHER TOWER on 20.69 acres at 7210 Shaumber Road (APN 126-13-401-014), PD (Planned Development) Zone [PF (Public Facility) Cliff's Edge Special Land Use Designation], Ward 6 (Ross) [PRJ-48348]. Staff recommends APPROVAL.

30. ZON-49179 - REZONING - PUBLIC HEARING - APPLICANT: BOULDER PLACEMENT SYSTEMS, INC. - OWNER: JADA HOLDINGS, LLC - For possible action on a request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) AND C-M (COMMERCIAL/INDUSTRIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 1.13 acres at 2049 and 2101 West Bonanza Road (APNs 139-28-401-006 and 139-29-802-006), Ward 5 (Barlow) [PRJ-49067]. Staff recommends APPROVAL.

31. VAR-49180 - VARIANCE RELATED TO ZON-49179 - PUBLIC HEARING - APPLICANT: BOULDER PLACEMENT SYSTEMS, INC. - OWNER: JADA HOLDINGS, LLC - For possible action on a request for a Variance TO ALLOW OUTDOOR STORAGE WITHIN THE EAST, WEST AND SOUTH REQUIRED SETBACK AND LANDSCAPE BUFFER AREAS WHERE SUCH IS NOT ALLOWED on 1.13 acres at 2049 and 2101 West Bonanza Road (APNs 139-28-401-006 and 139-29-802-006), C-M (Commercial/Industrial) and C-2 (General Commercial) Zones [PROPOSED: C-M (Commercial/Industrial)], Ward 5 (Barlow) [PRJ-49067]. Staff recommends APPROVAL.

32. SDR-49181 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-49179 AND VAR-49180 - PUBLIC HEARING - APPLICANT: BOULDER PLACEMENT SYSTEMS, INC. - OWNER: JADA HOLDINGS, LLC - For

possible action on a request for a Site Development Plan Review FOR EXPANSION OF AN EXISTING BUILDING AND LANDSCAPE MATERIAL/LUMBER YARD WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW ZERO-FOOT BUFFERS ALONG THE EAST AND WEST PROPERTY LINES WHERE EIGHT FEET IS REQUIRED, AND A ZERO-FOOT LANDSCAPE BUFFER ALONG THE SOUTH PROPERTY LINE AND A PORTION OF THE NORTH PROPERTY LINE WHERE 15 FEET IS REQUIRED on 1.13 acres at 2049 and 2101 West Bonanza Road (APNs 139-28-401-006 and 139-29-802-006), C-M (Commercial/Industrial) and C-2 (General Commercial) Zones [PROPOSED: C-M (Commercial/Industrial)], Ward 5 (Barlow) [PRJ-49067]. Staff recommends APPROVAL.

33. VAR-49112 - VARIANCE - PUBLIC HEARING - APPLICANT: WARMINGTON RESIDENTIAL NEVADA, INC. - OWNER : ESTANCIA DESERT, LLC - For possible action on a request for a Variance to ALLOW A 19-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED on 0.12 acres at 10310 Mount Oxford Avenue (APN 126-13-614-070), PD (Planned Development) Zone, Ward 6 (Ross) [PRJ-49017]. Staff recommends DENIAL.

34. VAR-49137 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BLV HOLDINGS, LLC - For possible action on a request for a Variance TO ALLOW A 52-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 81 FEET IS REQUIRED on 0.51 acres at 3121 West Sahara Avenue (APN 162-08-104-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

35. SDR-49136 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-49137 - PUBLIC HEARING - APPLICANT/OWNER: BLV HOLDINGS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 33-FOOT TALL, TWO-STORY, 4,871 SQUARE-FOOT OFFICE AND RETAIL BUILDING WITH A WAIVER TO ALLOW A THREE-FOOT WIDE LANDSCAPE BUFFER ALONG THE INTERIOR PROPERTY LINES WHERE EIGHT FEET IS REQUIRED on 0.51 acres at 3121 West Sahara Avenue (APN 162-08-104-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

36. VAR-49162 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JOHNNY M & RACHEL E DELTORO - For possible action on a request for a Variance TO ALLOW AN EXISTING FOUR-FOOT SOLID BLOCK WALL IN THE FRONT YARD WHERE A MAXIMUM OF FIVE FEET WITH TWO FEET SOLID IS ALLOWED on 0.14 acres at 5617 Island Breeze Drive (APN 125-25-413-031), R-1 (Single Family Residential) Zone, Ward 6 (Ross). Staff recommends DENIAL.

37. VAR-49174 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: EMA HOLDINGS, LLC - For possible action on a request for a Variance TO ALLOW TWO 2,600 SQUARE-FOOT SPACES WHERE A MINIMUM 4,000 SQUARE-FOOT SPACE IS REQUIRED on 1.7 acres at 4221 Stewart Avenue (APN 140-31-602-002), R-MHP (Residential Mobile/Manufactured Home Park) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

38. SDR-49173 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-49174 - PUBLIC HEARING - APPLICANT/OWNER: EMA HOLDINGS, LLC - For possible action on a request for a Site Development Plan Review TO ADD TWO SPACES TO AN EXISTING 11-SPACE MOBILE HOME PARK on 1.7 acres at 4221 Stewart Avenue (APN 140-31-602-002), R-MHP (Residential Mobile/Manufactured Home Park) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

39. VAR-49240 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: PALM MORTUARY, INC. - For possible action on a request for a Variance TO ALLOW A HALF-STREET CONSTRUCTION OF 16 FEET OF ASPHALT AND 14 FEET OF DIRT ROADSIDE DRAINAGE SWALE WITH NO CURB, GUTTER, SIDEWALK OR STREETLIGHTS WHERE SUCH ARE REQUIRED ON MAVERICK STREET NORTH OF ROME BOULEVARD AND WEST OF JONES BOULEVARD at 6601 North Jones Boulevard (APN 125-23-703-005), R-E (Residential Estates) Zone, Ward 6 (Ross) [PRJ-48341]. Staff recommends DENIAL.

40. SUP-48930 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DELFINO GOMEZ - OWNER: FONG FAMILY TRUST, ETAL - For possible action on a request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN AN EXISTING 4,985 SQUARE-FOOT RESTAURANT, WITH A WAIVER TO ALLOW A 242-FOOT DISTANCE SEPARATION FROM A HOUSE OF WORSHIP WHERE 400 FEET IS REQUIRED at 2021 East Charleston Boulevard (APN 139-35-803-021), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

41. SUP-49086 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MEGAN KAYS - OWNER: DOUGLAS KAYS - For possible action on a request for a Special Use Permit TO ESTABLISH A 22,500 SQUARE-FOOT OUTDOOR SALES COMPONENT (FARMER'S MARKET) TO AN EXISTING 125,750 SQUARE-FOOT SWAP

MEET (INDOOR) USE at 1717 South Decatur Boulevard (APN 162-06-301-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

42. SUP-49152 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WAL-MART STORES, INC. - OWNER: WRI CHARLESTON COMMONS, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE WITHIN AN EXISTING 118,348 SQUARE-FOOT GENERAL RETAIL STORE at 201 North Nellis Boulevard (APN 140-32-701-003), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

43. SUP-49154 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ALLSTAR MINIMART - OWNER: S & J SHOPPING CENTER, LLC - For possible action on a request for a Major Amendment to an approved Special Use Permit (SUP-39812) TO ADD 45 SQUARE FEET OF ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 2,400 SQUARE-FOOT CONVENIENCE STORE at 2339 North Jones Boulevard (APN 138-24-101-001), C-1 (Limited Commercial) Zone, Ward 5 (Barlow) [PRJ-49037]. Staff recommends APPROVAL.

44. SUP-49166 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GOODWILL INDUSTRIES OF SOUTHERN NEVADA - OWNER: CENTER POINTE PLAZA, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED THRIFT SHOP at 10300 West Charleston Boulevard, Suite #1 (APN 137-36-814-003), PC (Planned Commercial) Zone [VC (Village Center) Summerlin Special Land Use Designation], Ward 2 (Beers). Staff recommends APPROVAL.

45. SDR-49169 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: 1201 SOUTH LAS VEGAS BOULEVARD, LLC - For possible action on a request for a Site Development Plan Review FOR A PARKING LOT WITH WAIVERS TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE WEST AND SOUTH PERIMETERS WHERE 8-FEET IS REQUIRED AND TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE NORTH PERIMETER WHERE 15-FEET IS REQUIRED on 0.43 acres at 516 Park Paseo (APN 162-03-112-022), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

DIRECTOR'S BUSINESS:

46. ABEYANCE - TXT-48048 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For discussion and possible action to amend the LVMC Title 19, Unified Development Code (UDC) of the City of Las Vegas, to make various corrections, clarifications and updates identified as necessary or appropriate. Staff recommends APPROVAL.

47. TXT-48841 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action to update the Symphony Park Design Standards and Symphony Park Schematic Streetscape Design to make various clarifications and corrections. Staff recommends APPROVAL.

48. TXT-49224 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For discussion and possible action to amend LVMC 19.10.170 related to the LW-O (Live/Work Overlay) District by revising requirements, standards and applicability and to provide for other related matters. Staff recommends APPROVAL.

49. TXT-49225 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For discussion and possible action to amend LVMC 19.12.070 related the Night Club use by revising requirements, standards and applicability and to provide for other related matters. Staff recommends APPROVAL.

50. TXT-49323 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For discussion and possible action to amend LVMC Title 19, Unified Development Code (UDC) of the City of Las Vegas, to revise and update procedures and definitions related to the issuance of permits for site grading and provide for other related matters. Staff has NO RECOMMENDATION.

51. TXT-49324 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For discussion and possible action to amend LVMC 19.02.130 related to the Subdivision Design and Improvement Requirements by providing for additional discretion related to the timing of common area and off-site improvements completion requirements and provide for other related matters. Staff has NO RECOMMENDATION.

CITIZENS PARTICIPATION:

52. 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 11, 2013

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

SUBJECT:
CALL TO ORDER

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

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: JUNE 11, 2013

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

SUBJECT:
ANNOUNCEMENT: COMPLIANCE WITH OPEN MEETING LAW

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

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: JUNE 11, 2013

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

SUBJECT:
ROLL CALL

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

SUBJECT:
PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS ON THE AGENDA FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

SUBJECT:
FOR POSSIBLE ACTION TO APPROVE THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF MAY 14, 2013

City of Las Vegas Agenda Item No.: **6.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG ☐ **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.: **7.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

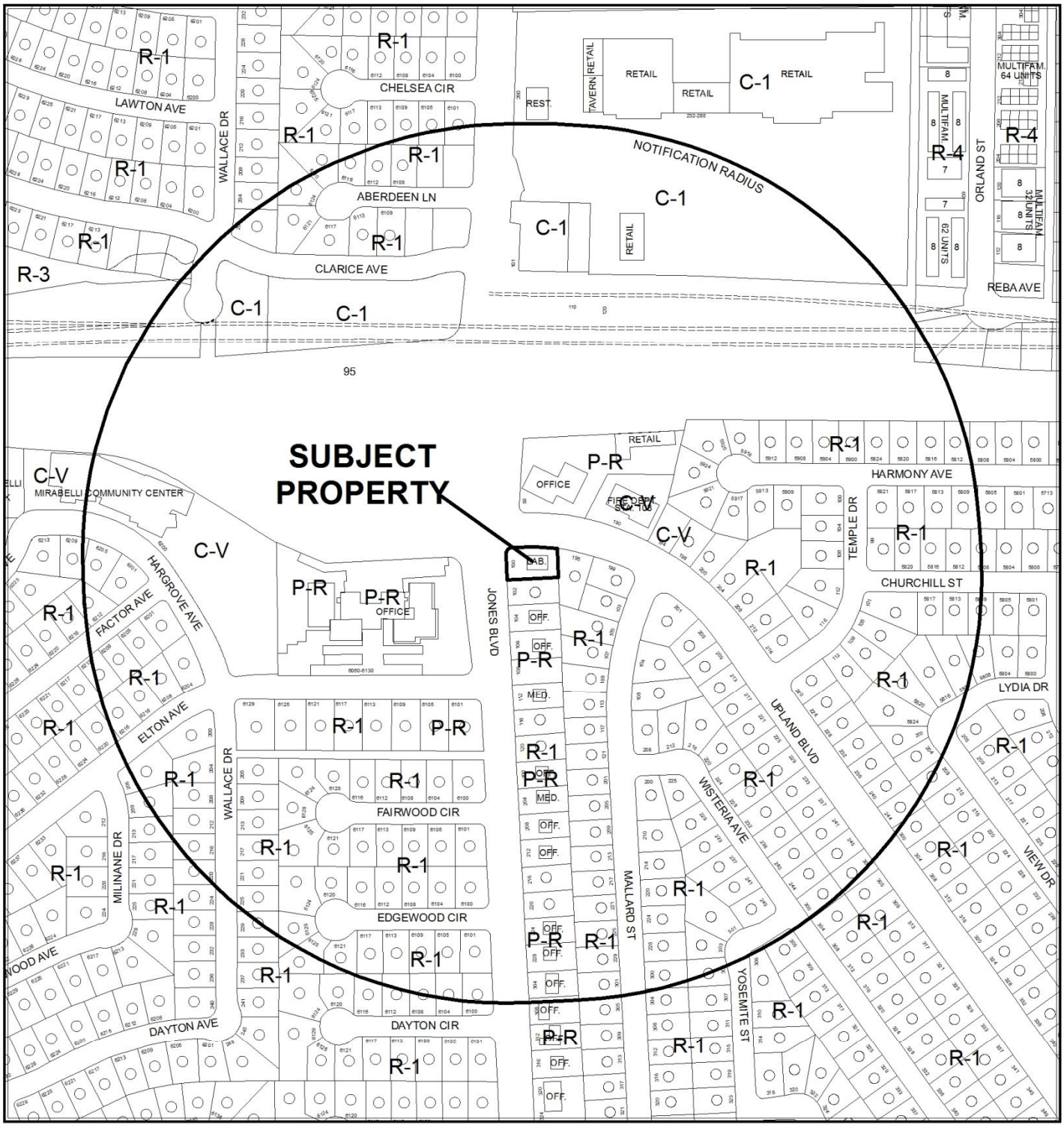
SUBJECT:
ZON-48887 - REZONING - PUBLIC HEARING - APPLICANT: MACHUCA FAMILY MEDICINE - OWNER: 6060 ELTON, LLC - For possible action on a request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-O (PROFESSIONAL OFFICE) on 0.20 acres at 100 South Jones Boulevard (APN 138-36-112-001), Ward 1 (Tarkanian). Staff recommends APPROVAL.

C.C.: 07/24/2013

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-48887, VAR-48886 and SDR-48885
2. Conditions and Staff Report - ZON-48887, VAR-48886 and SDR-48885
3. Supporting Documentation
4. Photos - ZON-48887, VAR-48886 and SDR-48885
5. Justification Letter - ZON-48887, VAR-48886 and SDR-48885



0 300 600 Feet

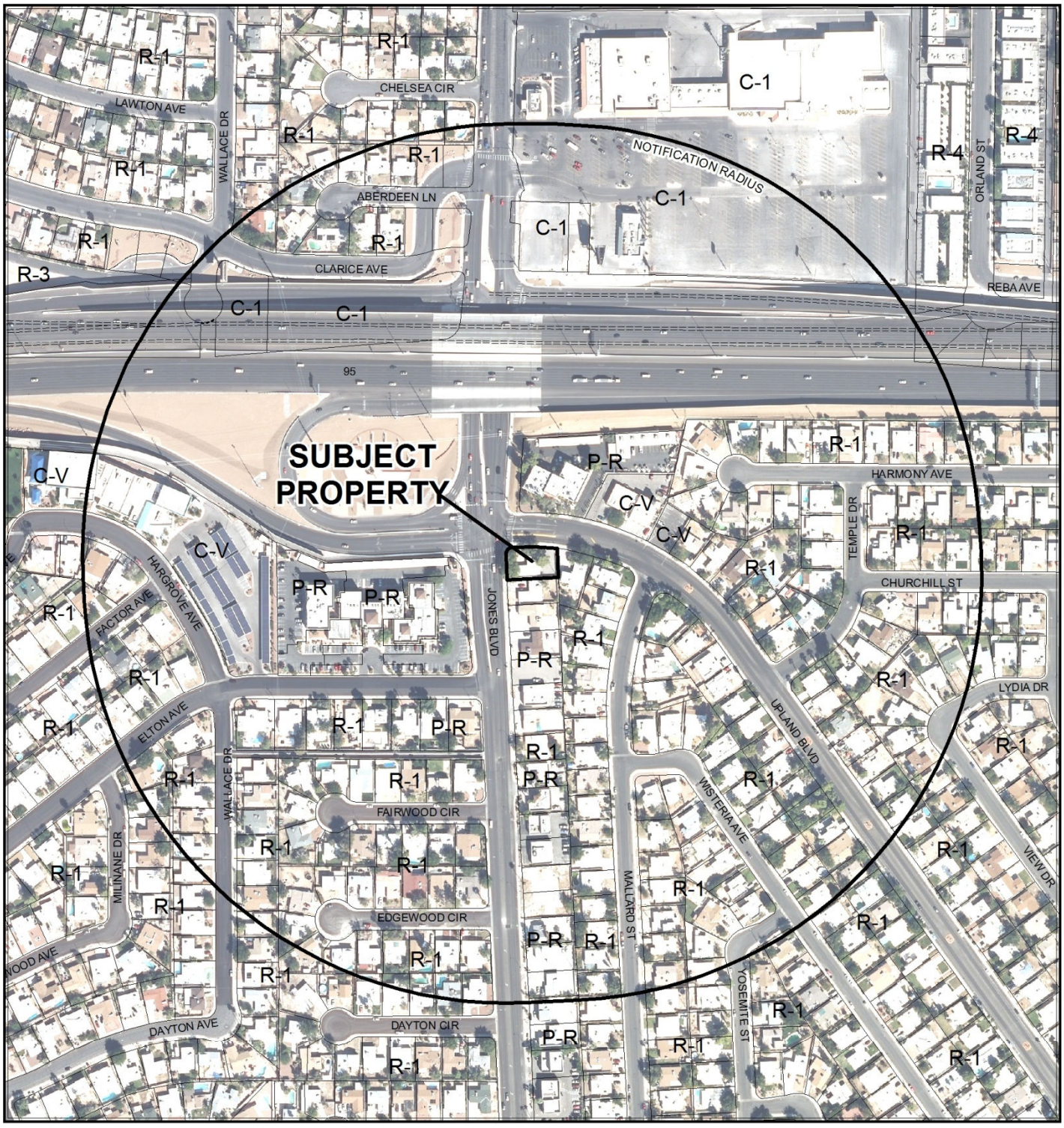
CASE: **ZON-48887, VAR-48886 & SDR-48885**

RADIUS: 1000 FEET

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

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

N



0 300 600 Feet

CASE: **ZON-48887, VAR-48886 & SDR-48885**

RADIUS: 1000 FEET

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

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: MACHUCA FAMILY MEDICINE - OWNER: 6060 ELTON, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ZON-48887	Staff recommends APPROVAL.	
VAR-48886	Staff recommends APPROVAL, subject to conditions:	ZON-48887
SDR-48885	Staff recommends APPROVAL, subject to conditions:	ZON-48887 VAR-48886

** CONDITIONS **

VAR-48886 CONDITIONS

Planning

1. Approval of a Rezoning (ZON-48887) and approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-48885) 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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-48885 CONDITIONS

Planning

1. Approval of a Rezoning (ZON-48887) and approval of and conformance to the Conditions of Approval for a Variance (VAR-48886) shall be required, if approved.

2. The previously approved Use Variance (V-0125-86) shall be expunged upon final approval of this entitlement.

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. 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 04/02/13, except as amended by conditions herein.

5. A Waiver from Title 19.08.050 is hereby approved, to allow a zero-foot landscape buffer along the east perimeter where eight feet is required and along the south perimeter where five feet is required.

6. An Exception from Title 19.08.110 is hereby approved, to allow one parking lot tree where two are required.

7. An Exception from Title 19.08.040 is hereby approved, to allow an existing mechanical unit to be mounted to a sloped roof where such is prohibited.

8. 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. All signage shall be permitted and meet minimum code requirements within 30 days of final approval.

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. The technical landscape plan shall label all existing trees and indicate the size and species of any new trees provided. Four (4) five-gallon shrubs shall be provided for each new tree within planters.

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

Public Works

13. Correct all Americans with Disabilities Act (ADA) deficiencies on the sidewalks adjacent to this site in accordance with code requirements of Title 13.56.040, if any, to the satisfaction of the City Engineer concurrent with development of this site.

14. 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, if any, adjacent to this site prior to constructing any improvements within NDOT jurisdiction.

15. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to convert an existing 1,354 square-foot single-family residential dwelling to a professional office. The dwelling has not been used as a residence since 1988, when a dental laboratory was allowed to operate there through an approved use variance. Rezoning of the site to P-O (Professional Office) would allow for a proposed Medical or Dental Office and eliminate the need for the use variance, which applies only to the current use. The request is appropriate, as it conforms to the General Plan, and high traffic on Jones Boulevard is not conducive to single-family uses in this area. With implementation of conditions of approval, the Medical and Dental Office development can be compatible with the adjacent residential uses; staff therefore recommends approval with conditions that will ensure this compatibility. If denied, the use variance may continue until the approved dental laboratory use has ceased for more than one year.

ISSUES

- In order to convert the existing dwelling to a professional office, the lot must be rezoned for commercial use. The requested rezoning to P-O (Professional Office) is appropriate for this site.
- A Variance is required to allow six parking spaces where the Medical and Dental Office use requires seven spaces. The existing building is not being expanded and additional space for parking is not available; therefore, staff recommends approval of the request.
- A Waiver is required to allow zero-foot landscape buffers along the east perimeter where eight feet is required and along the south perimeter where five feet is required. The request is appropriate, as the additional area would allow for retention of the existing parking area, and the area south of the building is already paved.
- An exception is required to allow one parking lot tree where two are required. Staff recommends approval of the exception.
- An exception is required to allow mechanical equipment mounted on a sloped roof where prohibited by Title 19.08.040. Staff recommends approval of the exception.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
02/18/87	The City Council approved a Variance (V-0125-86) to allow dental X-ray services where only a single family residence is permitted at 100 South Jones Boulevard. The Board of Zoning Adjustment recommended approval; staff recommended denial.

12/12/91	The Planning Commission adopted updates to the Sector Plans of the General Plan. On the Southwest Sector Plan, the subject site was designated for single-family residential uses.
09/06/00	The City Council adopted the Las Vegas 2020 Master Plan by ordinance. The Land Use Element contained therein designated the subject site for office uses.

Most Recent Change of Ownership	
03/19/13	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/13/88	A business license (D04-00136) was issued for a dental laboratory at 100 South Jones Boulevard. The license number was reclassified as C55-00291 on 03/13/12. The license is still active, but in "expired" status.
There are no related building permits associated with the subject site.	

Pre-Application Meeting	
03/12/13	A pre-application meeting was held with the applicant to discuss submittal requirements for Rezoning and Site Development Plan Review applications. It was determined that a parking variance and several waivers and exceptions would be necessary to allow the conversion of the existing dwelling to a commercial building.

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

Field Check	
05/02/13	The subject property contains an existing dental laboratory with parking on the east side of the building. The west and north sides of the property contain mature shade trees. A portion of the landscaped area is in the right-of-way, as evidenced by a traffic signal and fire hydrant located in a turfed area. A freestanding sign in the front yard has been damaged. The parking lot does not have striping.

Details of Application Request	
Site Area	
Net Acres	0.20

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Laboratory, Dental	O (Office)	R-1 (Single Family Residential)
North	Office, Other Than Listed	SC (Service Commercial)	P-R (Professional Office and Parking)
South	Single Family, Detached	SC (Service Commercial)	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)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
A-O (Airport Overlay) District (175 Feet)	Y
Other Plans or Special Requirements	***Compliance***
Trails (Bonanza Trail)	Y
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size	N/A	8,712 SF	Y
Min. Lot Width	60 Feet	64 Feet	Y
Min. Setbacks			
• Front	20 Feet	27 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	22 Feet	Y
• Rear	15 Feet	42 Feet	Y
Max. Lot Coverage	50 %	16 %	Y
Max. Building Height	2 stories/35 Feet	1 story/15 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Curbside pickup will continue as currently	Y
Mech. Equipment	Screened	Rooftop unscreened (sloped roof)	N

Pursuant to Title 19.08.040, the following standards apply:

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	N/A	5 Feet	N/A
Adjacent development matching setback	5 Feet	5 Feet	Y
Trash Enclosure	N/A	N/A	N/A

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	2 Trees	2 Trees	Y
• South	1 Tree / 20 Linear Feet	4 Trees	0 Trees	N
• East	1 Tree / 20 Linear Feet	2 Trees	0 Trees	N
• West	1 Tree / 20 Linear Feet	3 Trees	3 Trees	Y
TOTAL PERIMETER TREES		**11 Trees**	**5 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	2 Trees	1 Tree	N
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		17 Feet	Y
• South	5 Feet		0 Feet	N
• East	8 Feet		0 Feet	N
• West	15 Feet		22 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		6 to 6.5-foot existing non-decorative CMU	Y

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Jones Boulevard	Major Collector	Master Plan of Streets and Highways Map	80	Y
Upland Boulevard	Minor Street	Title 13.12	80	N/A

Pursuant to Title 19.08 and 19.12, 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, Medical and Dental	1,354 SF	1 space per 200 SF up to 2,000 SF, then 1 space per 175 SF thereafter	7				
TOTAL SPACES REQUIRED			7		6		N
Regular and Handicap Spaces Required			6	1	5	1	N
Percent Deviation			14%				

Waivers		
Requirement	***Request***	***Staff Recommendation***
8-foot landscape buffer along interior property lines	To allow a zero-foot buffer along the east and south property lines	Approval

Exceptions		
Requirement	***Request***	***Staff Recommendation***
One landscape island and tree at the ends of each parking row (2 trees required)	To allow one tree in the parking area	Approval
No mechanical equipment shall be mounted to a sloped roof	To allow an existing A/C unit on a sloped roof	Approval

ANALYSIS

Jones Boulevard is classified by the Master Plan of Streets and Highways as a Major Collector and is no longer appropriate for new residential uses. As a result, many properties along Jones have been rezoned to P-R (Professional Office and Parking), which is an appropriate transitional district from residential to light-intensity commercial and office uses. The subject property is one of two properties on Jones Boulevard north of Alta Drive that has remained R-1, and is already designated for office uses by the General Plan. Additionally, the business on the subject

property has been operating under a use variance (V-0125-86), which allows the existing dental laboratory to continue as long as it remains active. Staff therefore recommends approval of the Rezoning request. If the associated Site Development Plan Review to convert the residence to an office is approved, the use variance would be expunged, as rezoning is the appropriate mechanism for changing the type of use or occupancy on the site.

The subject property is adjacent to a residential use to the south, although this property is zoned P-R (Professional Office and Parking). The site meets Residential Adjacency Standards as required by Title 19.08.

Due to the size of the lot and handicap parking requirements, only six spaces can be striped for parking, a 14 percent deviation from the seven spaces required for the Office, Medical and Dental use. An unimpeded seventh space is available in the existing driveway; however, this cannot be counted as a parking space, since it would require a vehicle to back out into the intersection of Jones Boulevard and Upland Boulevard.

The main entry is located at the southeast corner of the building, across from the proposed van-accessible space. The office will contain three exam rooms, a private office, restrooms and storage area.

The waiver and exception requests are a result of the existing condition of the site. Strict adherence to buffering requirements would make it impossible to provide any onsite parking. One new African Sumac tree is proposed at the north end of the parking lot; this is an appropriate tree species for parking areas. As the property will still maintain characteristics of a residence and no expansion is proposed, staff recommends approval of the waiver and exceptions.

As conversion of the site to allow commercial uses is authorized by the General Plan, rezoning to P-O will provide an appropriate commercial intensity in an area still containing single family residential uses, the previously approved use variance will be expunged, and the development is compatible with the surrounding uses, staff recommends approval of all requests.

FINDINGS (ZON-48887)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

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

   The existing General Plan designation of the subject property is O (Office). The proposed P-O (Professional Office) district would conform to this 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 P-O district would allow for low intensity office uses that maintain a residential character and coexist compatibly with single-family residential uses on adjacent properties or on the same street. The adjacent properties are zoned P-R (Professional Office and Parking) and R-1 (Single Family Residential).

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

   Jones Boulevard is a Major North-South Collector with a posted speed limit of 35 miles per hour and is no longer appropriate for residential uses. The subject property is already designated for professional office uses by the General Plan.

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.**

   Upland Boulevard is 60 feet wide, which is an appropriate width for access to and from a small professional office development that will have a low number of vehicle trips per day.

FINDINGS (VAR-48886)

In accordance with the provisions of Title 19.16.140(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 19.16.140(L) states:

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

The subject property has limited space for parking. The existing residential building will not be expanding as a result of its conversion to a commercial building. In addition, the driveway to the two existing garages cannot be used as a parking space, as backing out into Upland Boulevard towards Jones Boulevard is dangerous and prohibited by Title 19. Furthermore, the applicant is complying with handicap accessibility and parking lot landscape requirements as much as is possible given the site restrictions. The requested variance is therefore warranted.

FINDINGS (SDR-48885)

In order to approve a Site Development Plan application, per Title 19.16.100(E) 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 conversion of a residential dwelling to a commercial building and site improvements will maintain a residential character

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 proposal is the type of development recommended by the General Plan for this area. It will be rezoned accordingly to allow for the proposed conversion. With exception of deficiencies in landscaping, parking and screening of mechanical equipment, which staff can support, the site is consistent with Title 19 and Las Vegas 2020 Master Plan.

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

   Access is provided to the site from Upland Boulevard by way of a pan-style driveway. Sufficient space is provided for parking movements. However, use of the existing driveway nearest Jones Boulevard is not recommended, as it would require vehicles to back out into a signalized intersection.

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

   The site contains five mature trees providing adequate shading of the perimeter area. The African Sumac tree proposed for the parking lot is an appropriate drought-tolerant species for this site. The existing building materials will remain, contributing to the residential character of the site.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

   The existing exterior elevations are not unsightly in appearance and will be compatible with the adjacent residential dwellings.

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

   The proposed development will be subject to inspections for building permits and licensing, thereby protecting the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 33

NOTICES MAILED 237

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

RECEIVED
APR 02 2013

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-48887** APN: 138-36-112-001

Name of Property Owner: 6060 Elton LLC

Name of Applicant: Rogelio Machuca

Name of Representative: Betsabe Beavers

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: William H. Jackson

Subscribed and sworn before me

This 2nd day of April, 2013

_____

Notary Public in and for said County and State

ISABEL A. ELENA
Notary Public-State of Nevada
APPT. NO. 12-9052-1
My App. Expires September 18, 2016

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Re-Zoning

Project Address (Location) 100 S. Jones Blvd.

Project Name Machuca Family Medicine **Proposed Use** Medical Clinic

Assessor's Parcel #(s) 138-36-112-001 **Ward #** 1

General Plan: existing O proposed PR **Zoning:** existing R-1 proposed PD

Commercial Square Footage 1345 **Floor Area Ratio**

RECEIVED
APR 02 2013

Gross Acres 0.2 **Lots/Units** **Density**

Additional Information

PROPERTY OWNER 6060 ELTON, LLC **Contact** WILLIAM JACKSON
Address 6060 ELTON AVE, Suite B **Phone:** 702-538-2488 **Fax:** 702-489-3033
City LAS VEGAS **State** NV **Zip** 89107
E-mail Address BILL@WILLIAMJACKSONLAW.COM

APPLICANT Rogelio Machuca **Contact**
Address 1501 S. Eastern Ave **Phone:** 778-7614 **Fax:** 778-7615
City Las Vegas **State** NV **Zip** 89104
E-mail Address Rogelio machuca@yahoo.com

REPRESENTATIVE Betsabe Beavers **Contact**
Address 1501 S. Eastern Ave **Phone:** 778-7614 **Fax:** 875-4165
City Las Vegas **State** NV **Zip** 89104
E-mail Address Rogeliomachucamd@yahoo.com

Property Owner Signature* AS MANAGER

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

Print Name WILLIAM H. JACKSON

Subscribed and sworn before me

This 1ST day of APRIL, 20 13.

MELR

Notary Public in and for said County and State

MELISSA ROMERO
Notary Public-State of Nevada
APPT. NO. 01-68572-1
My App. Expires August 13, 2014

FOR DEPARTMENT USE ONLY

Case #	ZON-48887
Meeting Date:	6/11/2013
Total Fee:	$1200.00
Date Received:*	4/2/2013
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.

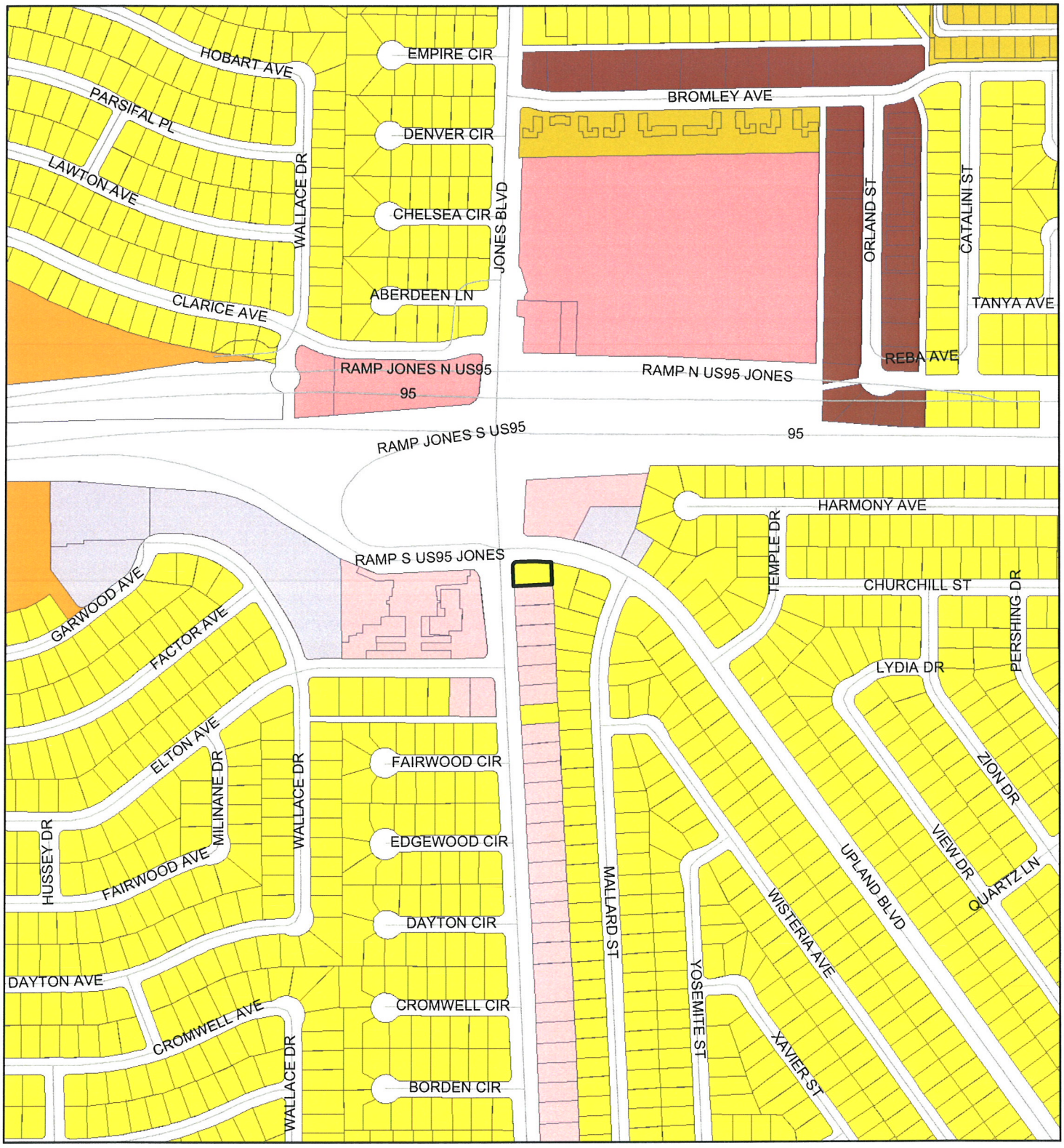
Revised 10/27/08

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

RECEIVED

APR 02 2013

REZONING Parcel: 138-36-112-001



ZONING

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

FROM R-1 TO P-O

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

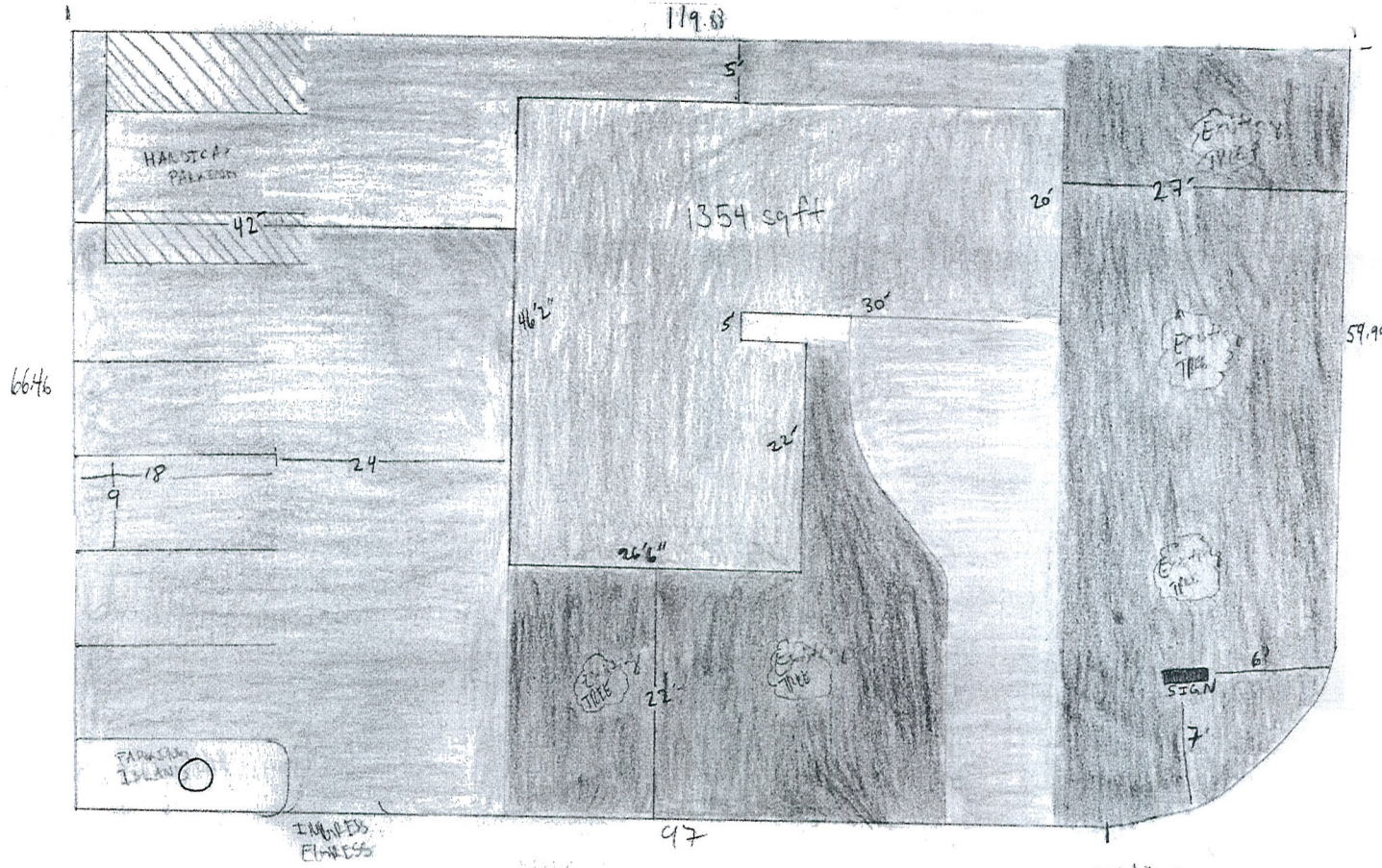
Printed: March 28, 2013

ZON-48887

SITE PLAN

PR

RECEIVED
APR 02 2013



R1

N

UPTON

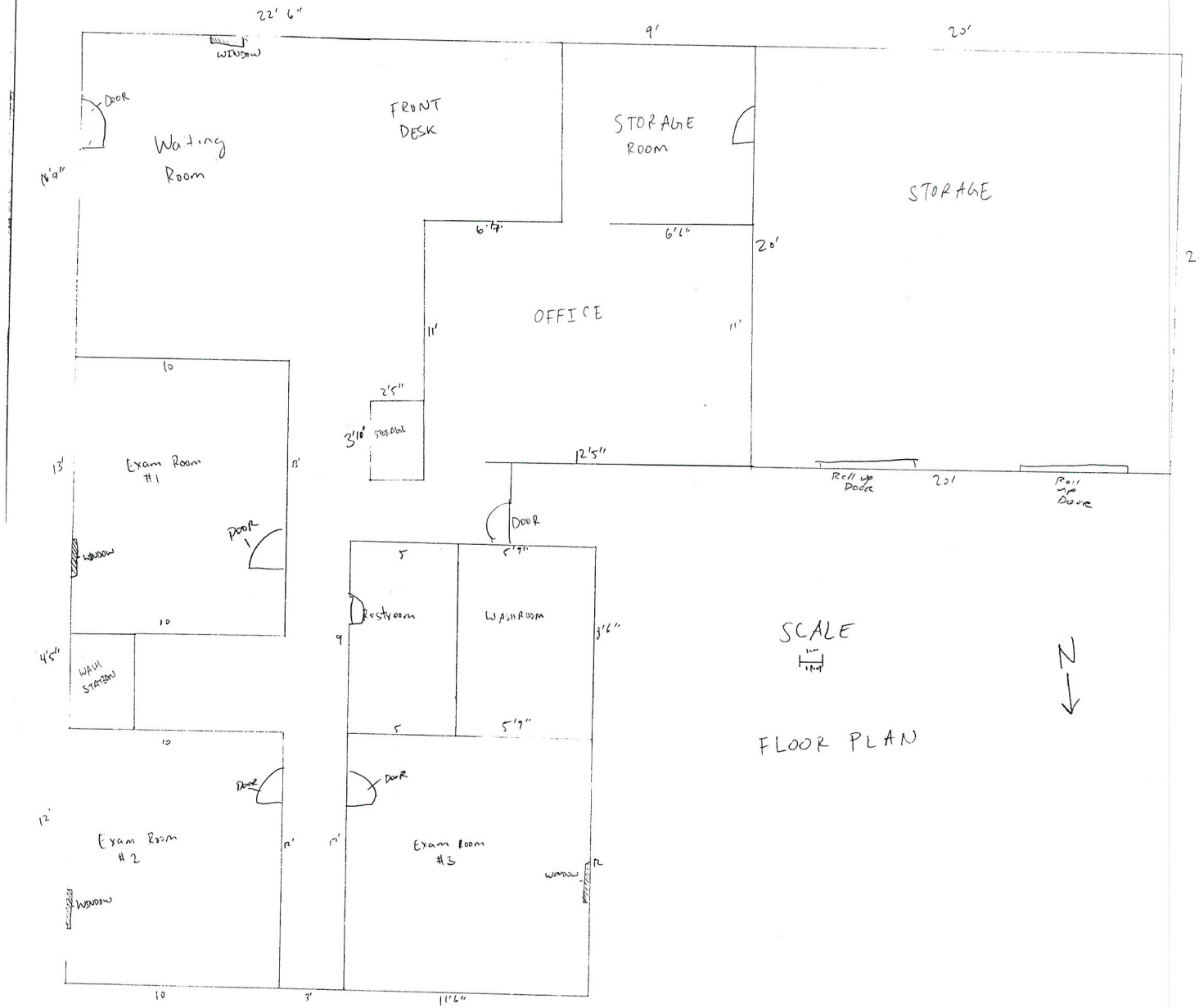
0.2 Acres

NOT TO SCALE

Existing Sisso tree

proposed African Sumac Tree

ZON-48887
VAR-48886
SDR-48885



SCALE

FLOOR PLAN

N

RECEIVED
APR 02 2013

ZON-48887
VAR-48886
SDR-48885



ZON-48887, VAR-48886 & SDR-48885 - APPLICANT: MACHUCA FAMILY MEDICINE - OWNER: 6060 ELTON, LLC
100 SOUTH JONES BOULEVARD

05/02/13



ZON-48887, VAR-48886 & SDR-48885 - APPLICANT: MACHUCA FAMILY MEDICINE - OWNER: 6060 ELTON, LLC
100 SOUTH JONES BOULEVARD

05/02/13



ZON-48887, VAR-48886 & SDR-48885 - APPLICANT: MACHUCA FAMILY MEDICINE - OWNER: 6060 ELTON, LLC
100 SOUTH JONES BOULEVARD

05/02/13



ZON-48887, VAR-48886 & SDR-48885 - APPLICANT: MACHUCA FAMILY MEDICINE - OWNER: 6060 ELTON, LLC
100 SOUTH JONES BOULEVARD

05/02/13

JUSTIFICATION LETTER

RECEIVED
APR 02 2013

April 1, 2013

I, Rogelio Machuca, am submitting this justification letter to the City of Las Vegas, NV Department of Planning for the purpose of **Rezoning**, **Site Development Plan Review** and **Variance** for my establishment, **Machuca Family Medicine Jones PLLC**, located at 100 S. Jones Blvd. Las Vegas, NV 89107. Currently there are 6 available parking spaces where 7 are needed in order to add a handicap space in accordance to city standards, doing so requires taking up an extra parking space. I am also requesting a waiver at this time for the 8 foot buffers along the interior property lines. Also, the trees currently planted on this property are spaced less than 20 feet apart. I would like to request and exception on landscape since we need the space for additional parking as stated above. An additional proposed tree will be planted in the island to comply with the planning rules.

Access to this property is quite adequate for the purpose of this establishment, a Medical Firm. The purpose of this business is consistent and will benefit our community. It will not compromise the public's health, safety and welfare. My request will comply with the overall objectives of the General Plan and will be compliant with the Zone Coding, Applications and procedures once approved. The plans for the layout of the facility will be submitted along with this Variance request.

Our office hours will be accordingly Monday through Friday from 9:00 AM to 5:00 PM and I am currently planning to employ 3 people.

I will further agree and consent with any and all lawful business agreements should you grant this request for my place of business. I, Rogelio Machuca, 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.

Sincerely,

Rogelio Machuca

ZON-48887
VAR-48886
SDR-48885

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

SUBJECT:
VAR-48886 - VARIANCE RELATED TO ZON-48887 - PUBLIC HEARING - APPLICANT: MACHUCA FAMILY MEDICINE - OWNER: 6060 ELTON, LLC - For possible action on a request for a Variance TO ALLOW SIX PARKING SPACES WHERE SEVEN SPACES ARE REQUIRED on 0.20 acres at 100 South Jones Boulevard (APN 138-36-112-001), R-1 (Single Family Residential) Zone [PROPOSED: P-O (Professional Office)], Ward 1 (Tarkanian). Staff recommends APPROVAL.

C.C.: 07/24/2013

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.

RECEIVED

APR 02 2013

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-48886** APN: 138-36-112-001

Name of Property Owner: 6060 Elton LLC

Name of Applicant: Rogelio Machuca

Name of Representative: Batsabe Beavers

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: William H. Jackson

Subscribed and sworn before me

This 1 day of April, 2013

_____

Notary Public in and for said County and State

MELISSA ROMERO
Notary Public-State of Nevada
APPT. NO. 01-68572-1
My App. Expires August 13, 2014

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

RECEIVED
APR 02 2013

Application/Petition For: Variance

Project Address (Location) 100 S Jones. Blvd.

Project Name Machuca Family Medicine **Proposed Use** Medical Clinic

Assessor's Parcel #(s) 138-36-112-001 **Ward #** 1

General Plan: existing 0 proposed PR **Zoning:** existing R-1 proposed PO

Commercial Square Footage 1345 **Floor Area Ratio**

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

Additional Information

PROPERTY OWNER 6060 Elton LLC **Contact** William Jackson

Address 6060 Elton Ave, Ste B **Phone:** 7025382488 **Fax:** 7024893033

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

E-mail Address bill@williamjacksonlaw.com

APPLICANT Rogelio Machuca **Contact**

Address 1501 S Eastern Ave. **Phone:** 7027787614 **Fax:** 7027787615

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

E-mail Address Rogeliomachuca@yahoo.com

REPRESENTATIVE Betsabe Beavers **Contact**

Address 1501 S Eastern Ave **Phone:** 7027880584 **Fax:** 7028754165

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

E-mail Address Rogeliomachucamd@yahoo.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* William H. Jackson

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

Print Name WILLIAM H. JACKSON

Subscribed and sworn before me

This 2nd day of APRIL, 20 13.

Notary Public in and for said County and State

ISABEL A. ELENA
Notary Public-State of Nevada
APPT. NO. 12-9052-1
My App. Expires September 18, 2016

FOR DEPARTMENT USE ONLY

Case #	VAR-48886
Meeting Date:	6/11/2013
Total Fee:	$ 830.00
Date Received:*	4/2/2013
Received By:	J. Comm

*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.: **9.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

SUBJECT:
SDR-48885 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-48887 AND VAR-48886 - PUBLIC HEARING - APPLICANT: MACHUCA FAMILY MEDICINE - OWNER: 6060 ELTON, LLC - For possible action on a request for a Site Development Plan Review FOR THE PROPOSED CONVERSION OF A 1,354 SQUARE-FOOT SINGLE FAMILY RESIDENTIAL DWELLING TO A PROFESSIONAL OFFICE WITH A WAIVER OF PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW A ZERO-FOOT BUFFER ALONG THE EAST AND SOUTH PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.20 acres at 100 South Jones Boulevard (APN 138-36-112-001), R-1 (Single Family Residential) Zone [PROPOSED: P-O (Professional Office)], Ward 1 (Tarkanian). Staff recommends APPROVAL.

C.C.: 07/24/2013

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

RECEIVED
APR 02 2013

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-48885** APN: 138-36-112-001

Name of Property Owner: 6060 Elton, LLC

Name of Applicant: Rogelio Machuca

Name of Representative: Betsabe Beavers

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: William H. Jackson

Print Name: William H. Jackson

Subscribed and sworn before me

This 1st day of April, 2013

Melr

Notary Public in and for said County and State

MELISSA ROMERO
Notary Public-State of Nevada
APPT. NO. 01-68572-1
My App. Expires August 13, 2014

DEPARTMENT OF PLANNING

RECEIVED
APR 02 2013

APPLICATION / PETITION FORM

Application/Petition For: Site development Plan Review

Project Address (Location) 100 S. Jones Blvd.

Project Name Machuca Family Medicine **Proposed Use** Medical Clinic

Assessor's Parcel #(s) 138-36-112-001 **Ward #** 1

General Plan: existing O proposed PR **Zoning:** existing R-1 proposed PD

Commercial Square Footage 1345 **Floor Area Ratio**

Gross Acres 0.2 **Lots/Units** **Density**

Additional Information

PROPERTY OWNER 6060 ELTON, LLC **Contact** WILLIAM JACKSON

Address 6060 ELTON AVE, SUITE B **Phone:** 702-538-2488 **Fax:** 702-489-3033

City LAS VEGAS **State** NV **Zip** 89107

E-mail Address BILL@WILLIAMJACKSONLAW.COM

APPLICANT Rogelio Machuca **Contact**

Address 1501 S. Eastern Ave **Phone:** 778-7614 **Fax:** 778-7615

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

E-mail Address Rogelio machuca@yahoo.com

REPRESENTATIVE Betsabe Beavers **Contact** (702) 788-0584

Address 1501 S. Eastern Ave **Phone:** 778-7614 **Fax:** 875-4165

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

E-mail Address Rogeliomachucamd@yahoo.com

Property Owner Signature* AS MANAGER

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

Print Name William H. Jackson

Subscribed and sworn before me

This 1ST day of APRIL, 2013.

MELISSA ROMERO
Notary Public-State of Nevada
APPT. NO. 01-68572-1
My App. Expires August 13, 2014

Notary Public in and for said County and State

FOR DEPARTMENT USE ONLY

Case #	SDR 48885
Meeting Date:	6/11/2013
Total Fee:	$1030.00
Date Received:*	4/2/2013
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

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

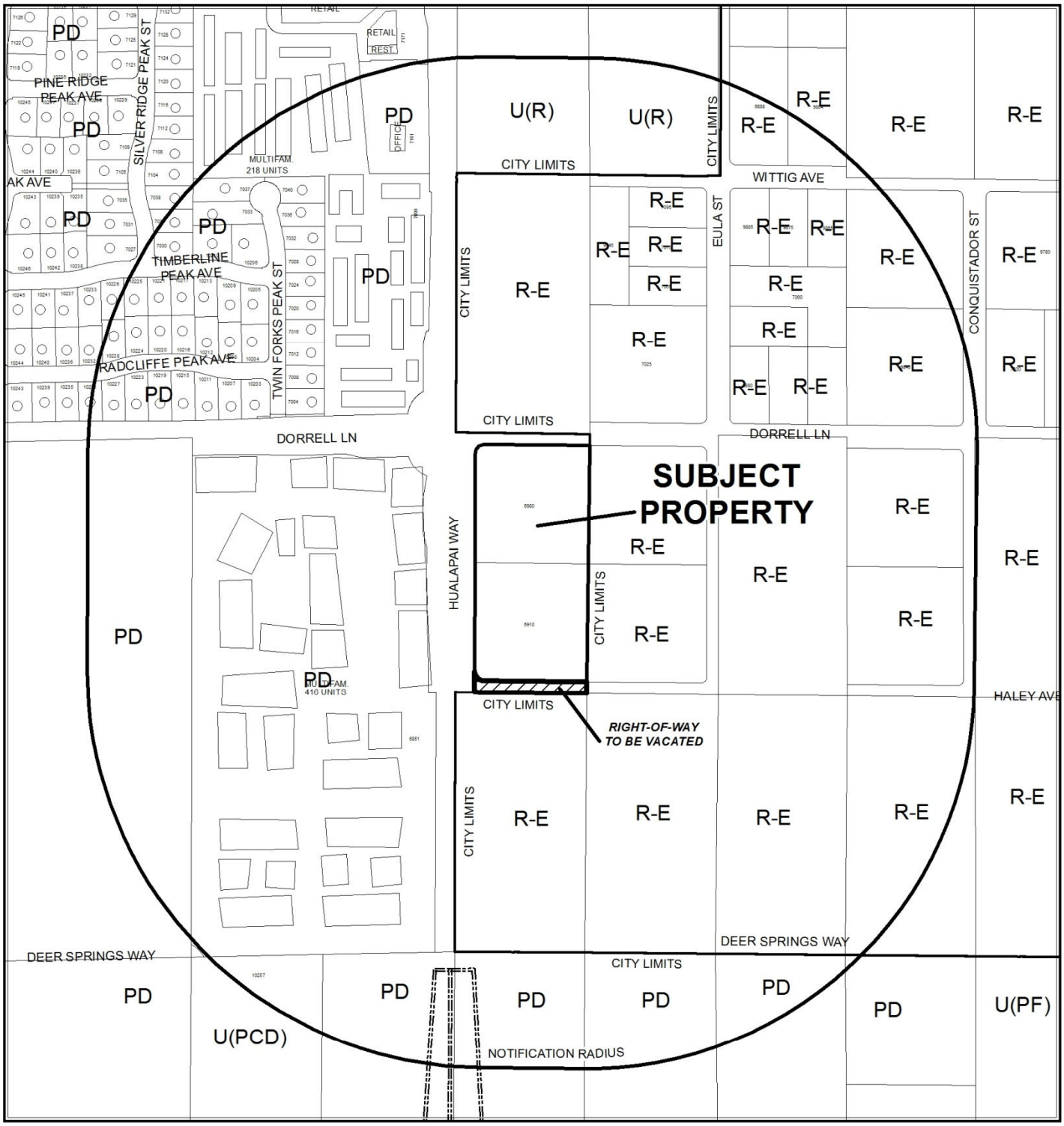
SUBJECT:
WVR-49163 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER: DR HORTON, INC. - For possible action on request for a Waiver TO ALLOW AN EXTERNAL INTERSECTION SEPARATION DISTANCE OF 208 FEET WHERE 220 FEET IS REQUIRED on 4.14 acres at the southeast corner of Dorrell Lane and Hualapai Way (APNs 125-19-201-001 and 003), R-1 (Single Family Residential) Zone, Ward 6 (Ross) [PRJ-49064]. Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/13
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - WVR-49163 and TMP-49164
2. Conditions and Staff Report - WVR-49163, TMP-49164 and VAC-49184
3. Supporting Documentation
4. Photos - WVR-49163, TMP-49164 and VAC-49184
5. Justification Letter - WVR-49163, TMP-49164 and VAC-49184



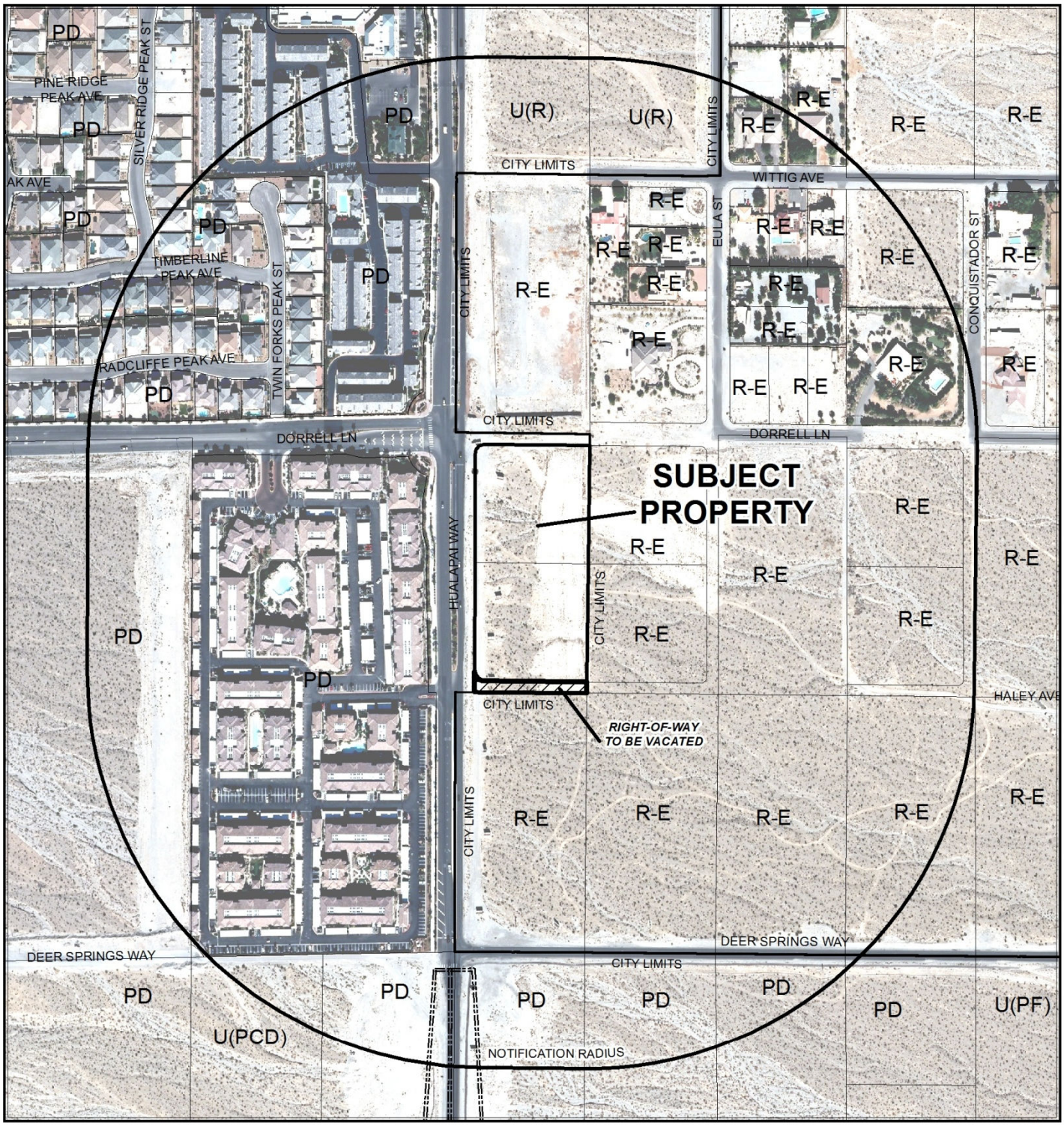
0 300 600 Feet

CASE: **WVR-49163 & TMP-49164 (PRJ-49064)**

RADIUS: 1000 FEET

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

N



CASE: **WVR-49163 & TMP-49164 (PRJ-49064)**

RADIUS: 1000 FEET

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

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: DR HORTON, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
WVR-49163	Staff recommends APPROVAL, subject to conditions:	
VAC-49184	Staff recommends APPROVAL, subject to conditions:	
TMP-49164	Staff recommends APPROVAL, subject to conditions:	WVR-49163 VAC-49184

** CONDITIONS **

WVR-49163 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for a Petition to Vacate (VAC-49184) public right-of-way and U.S. Government Patent Easements, and for a Tentative Map (TMP-49164) shall be required, if approved.

2. This approval shall be void four (4) years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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.

VAC-49184 CONDITIONS

1. The limits of this Petition of Vacation shall be defined as the 30-foot wide portion of Haley Avenue and the U.S. Government Patent Easement generally located at the southeast corner of Dorrell Lane and Hualapai Way encumbering Assessor's Parcel Numbers 125-19-201-001 and 125-19-201-003.

2. Prior to the recordation of this Petition of Vacation, submit to the City of Las Vegas signed, notarized copies from the landowners of Assessor's Parcel Number 125-19-202-006 stating they have no objection to the vacation.

3. The Order of Vacation shall record concurrently with a reciprocal Vacation in Clark County for the existing portion of Haley Avenue immediately east of this site in Clark County Jurisdiction.

4. 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. The drainage study required by TMP-49164 may be used to satisfy this requirement, provided that it addresses the area to be vacated.

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 and Order of Relinquishment of Interest are 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.

TMP-49164 CONDITIONS

Planning

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

2. Approval of and conformance to the Conditions of Approval for a Waiver (WVR-49163) and a Petition to Vacate (VAC-49184) public right-of-way and U.S. Government Patent Easements shall be required, if approved.

3. Prior to the issuance of a permit for civil improvement plans, the 47-foot street section on the tentative map shall be revised to indicate a five-foot amenity zone on both sides of the street outside of the public right-of-way to accommodate a minimum of one tree per private lot in conformance with Title 19.04.220 Complete Streets standards.

4. Street names must be provided in accordance with the City's Street Naming Regulations.

5. 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.

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 depict eight additional 24-inch box shade trees along Hualapai Way in conformance with Title 19.06.

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

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

Public Works

9. Dedicate five feet of additional right-of-way along Hualapai Way adjacent to this site in accordance with Standard Drawing #201.1 and grant a Traffic Signal Chord Easement at the southeast corner of Hualapai Way and Dorrell Lane on the Final Map for this site.

10. Construct all half-street improvements on Hualapai Way and Dorrell Lane, including appropriate overpaving (if legally able) on Hualapai Way and Dorrell Lane as required by the City Engineer.

11. A Petition of Vacation such as VAC-49184 shall record prior to the recordation of a Final Map for this site. If a Petition of Vacation such as VAC-49184 is not approved, a new Tentative Map must be submitted that shows Haley Avenue as a public street.

12. The 20-foot wide common lot at the southwest corner of the development should be for public sewer, public surface drainage, and public pedestrian access only. Any additional underground utilities within the easement will require the easement and the common lot to be wider as required by the Department of Public Works.

13. 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.

14. Site Visibility Restriction Zones (S.V.R.Z.) adjacent to public streets shall be indicated on civil improvement plans, not on Final Maps, and shall include the following note: "No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface." Area shall be labeled as "Privately Maintained." All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

15. A working sanitary sewer connection shall be in place prior to final inspection of any units within this development. Full permanent improvements on all major access streets, including all required landscaped areas between the perimeter wall and adjacent public street, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50% of all units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed in accordance with Title 19.02.130.

16. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the "Providence Traffic Improvements" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

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

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to subdivide an undeveloped 4.14-acre tract of land at the southeast corner of Dorrell Lane and Hualapai Way into 18 single-family residential lots. The proposed street and lot layout meets Title 19 Connectivity and Complete Streets requirements, but requires vacation of U.S. Government Patent Easements and a portion of Haley Avenue adjacent to the site to accommodate placement of the lots as proposed. In addition, the distance between the centerlines of the proposed entry street and Hualapai Way requires a Waiver of Title 19.02.040; however, this layout will not create traffic conflicts and can be supported. As the map meets all Title 19 and NRS requirements for tentative maps, and the areas to be vacated are not needed, staff recommends approval of these three requests, with conditions. If denied, the site would remain undeveloped with a zoning designation of R-1 (Single Family Residential), and any future subdivision design would be required to be in conformance with current codes and the existing site conditions.

ISSUES

- Prior to approval of a tentative map over the subject site, a Waiver of Title 19.02.040 is required to allow an external intersection offset of 208 feet where 220 feet is required between the subdivision entry and Hualapai Way; a Petition to Vacate a portion of Haley Avenue and U.S. Government Patent Easements in conflict with the proposed development must also be approved prior to approval of the Tentative Map and then recorded prior to or concurrently with recordation of a Final Map over the site.
- A similar subdivision is proposed to the east within the jurisdiction of Clark County. A condition of approval will require the Order of Vacation to record concurrently with a reciprocal Vacation in Clark County for the existing portion of Haley Avenue immediately east of this site within Clark County's jurisdiction.
- Prior to the issuance of a permit for civil improvement plans, the tentative map shall be revised to indicate a five-foot amenity zone on both sides of the interior street outside of the public right-of-way to accommodate a minimum of one tree per private lot in conformance with Title 19.04.220 Complete Streets standards.
- Tree spacing along Hualapai Way is shown at one tree per 30 feet where one tree per 20 feet is required, resulting in 21 trees provided where 29 are required. A condition of approval will require the technical landscape plan to depict the additional trees.
- A 20-foot drainage, utility and pedestrian access easement will be dedicated at the southwest corner of the proposed development with the Final Map. No trees or vegetation over three feet tall may be planted within the easement; none are depicted in the easement on the submitted landscape plan.

- All residential product (not a part of this application) shall conform to the requirements of the R-1 district as detailed in Title 19.06.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/04/04	The City Council approved a Petition to Annex (ANX-4451) approximately five acres at the southeast corner of Hualapai Way and Dorrell Lane. The annexation became effective 08/13/04.
01/19/05	The City Council approved a Rezoning (ZON-4623) from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to R-PD3 (Residential Planned Development – 3 Units per Acre) on 5.35 gross acres at the southeast corner of Hualapai Way and Dorrell Lane. The Planning Commission and staff recommended approval.
	The City Council approved a Variance (VAR-5377) to allow no open space where 13,633 SF was required on 5.35 gross acres at the southeast corner of Hualapai Way and Dorrell Lane. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a Site Development Plan Review (SDR-4626) for a proposed 19-lot single-family residential development on 5.35 gross acres at the southeast corner of Hualapai Way and Dorrell Lane. The Planning Commission recommended approval; staff recommended denial.
04/06/05	The City Council approved a Waiver of Title 18 (WVR-6035) to allow a 209-foot distance separation between intersections where 220 feet is required on 5.35 gross acres at the southeast corner of Hualapai Way and Dorrell Lane. The Planning Commission and staff recommended approval.
09/07/05	The City Council approved a Petition to Vacate (VAC-7657) U.S. Government Patent Easements generally located adjacent to Hualapai Way between Dorrell Lane and Haley Avenue. The Order of Relinquishment of Interest was recorded 08/29/06.
02/07/07	The City Council approved Extensions of Time (EOT-18955, EOT-18954 and EOT-18952) for the approved Rezoning (ZON-4623), Variance (VAR-5377) and Site Development Plan Review (SDR-4626) through 01/19/09. Staff recommended approval.
09/05/07	The City Council approved a Major Amendment (SDR-22253) of an approved Site Development Plan Review (SDR-4626) to change the access to the development from Dorrell Lane to Haley Avenue (the number of approved lots remained unchanged). The Planning Commission and staff recommended approval.

09/05/07	The City Council approved a Waiver of Title 18 (WVR-22255) to allow a 210-foot distance separation between intersections where 220 feet is required on 5.35 gross acres at the southeast corner of Hualapai Way and Dorrell Lane. The Planning Commission and staff recommended approval.
10/05/07	The Planning Commission approved a Tentative Map (TMP-24461) for a 19-lot single family residential subdivision on 5.36 acres at the southeast corner of Hualapai Way and Dorrell Lane. Staff recommended approval. The map expired 10/25/11, as no final map on all or a portion of the site was recorded within four years of the approval.
02/04/09	The City Council approved Extensions of Time (EOT-32752 and EOT-32753) for the approved Rezoning (ZON-4623) and Variance (VAR-5377) through 01/19/11. Staff recommended approval.
10/07/09	The City Council approved Extensions of Time (EOT-35681 and EOT-35680) for the amended Waiver (WVR-22255) and Site Development Plan Review (SDR-22253) through 01/19/11. Staff recommended approval.
03/02/11	The City Council approved Extensions of Time (EOT-40746, EOT-40744 and EOT-40745) for the approved Variance (VAR-5377), amended Site Development Plan Review (SDR-22253) and Waiver (WVR-22255). Staff recommended approval. The approvals expired 01/19/13. The approval for ZON-4623 was extended indefinitely (EOT-40742) and hard zoned to R-PD3 (Residential Planned Development – 3 Units Per Acre).
05/15/13	The City Council approved a General Plan Amendment (GPA-48471) to change the land use designation from R (Rural Density Residential) to L (Low Density Residential) on 4.14 acres at the southeast corner of Dorrell Lane and Hualapai Way. The Planning Commission and staff recommended approval.
	The City Council approved a Rezoning (ZON-48472) from R-PD3 (Residential Planned Development – 3 Units per Acre) to R-1 (Single Family Residential) on 4.14 acres at the southeast corner of Dorrell Lane and Hualapai Way. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
02/11/13	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No building permits or business licenses have been issued related to the request.

Pre-Application Meeting	
04/17/13	A pre-application meeting was held with the applicant to discuss submittal requirements for a Tentative Map over the subject site. From the submitted plans, it was determined that variances would be needed for lots not meeting Title 19 minimum size and width requirements, a waiver of Title 19.02 to reduce the minimum separation distance between intersections and a Petition to Vacate a portion of Haley Avenue and patent easements in conflict with the site as proposed. The applicant was informed that five feet of additional right-of-way would need to be dedicated for Hualapai Way as part of the mapping process. Prior to submittal of applications, the map was revised to meet the R-1 lot size and width requirements, making the variance requests unnecessary.

Neighborhood Meeting
A neighborhood meeting is not required for these requests; however, a meeting was previously held discussing the rezoning and redesignation of the site from R (Rural Density Residential) to L (Low Density Residential), which was ultimately approved by the City Council.

Field Check	
05/02/13	The site is undeveloped, containing rocky soil and native vegetation. Neighboring properties to the east are also undeveloped. An ungraded road follows the Dorrell Lane alignment to the east. The site is partially cleared along the eastern boundary. A subdivision directional sign is located on the south end of the property.

Details of Application Request	
Site Area	
Gross Acres	4.14
Net Acres	4.14

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	L (Low Density Residential)	R-1 (Single Family Residential)
North	Undeveloped	R (Rural Density Residential)	R-E (Rural Estates Residential – Clark County)

South	Undeveloped	R (Rural Density Residential)	R-E (Rural Estates Residential – Clark County)
East	Undeveloped	R (Rural Density Residential)	R-E (Rural Estates Residential – Clark County)
West	Multi-Family Residential	Medium Density Residential (Cliff's Edge)	PD (Planned Development)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
No Applicable Special Purpose or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size	6,500 SF	7,200 SF	Y
Min. Lot Width	65 Feet	65 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	20 Feet	20 Feet	Y
Max. Lot Coverage	50 %	50 %	Y
Max. Building Height	2 stories/35 Feet	2 stories/35 Feet	Y

Pursuant to Title 19.06, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	N/A	N/A	6 Trees	N/A
• South	N/A	N/A	N/A	N/A
• East	N/A	N/A	N/A	N/A
• West	1 24" Box Tree/20 Linear Feet	29 Trees	21 Trees	N
TOTAL PERIMETER TREES		**29 Trees**	**27 Trees**	**N**
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	0 Feet		6 Feet	Y
• South	0 Feet		0 Feet	Y
• East	0 Feet		0 Feet	Y
• West	6 Feet		6 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		Max. 6 Feet, with 4 Feet retaining on property side	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Hualapai Way	Primary Arterial	Master Plan of Streets and Highways Map	50	N
Dorrell Lane	Minor Street	Title 13.12	30	N/A
Haley Avenue	Minor Street	Title 13.12	30	N/A

19.04.040 Connectivity		
Transportation Network Element	***# Links***	***# Nodes***
Internal Street	1	
Intersection – Internal	0	
Cul-de-sac Terminus		1
Intersection – External Street or Stub Terminus		0
Intersection – Stub Terminus w/ Temporary Turn Around Easements		0
Non-Vehicular Path - Unrestricted	0.5	
Total	1.5	1

	Required	***Provided***
Connectivity Ratio (Links / Nodes):	**1.30**	**1.50**

Pursuant to Title 19.08 and 19.12, 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	18 units	2 spaces per unit	36				
TOTAL SPACES REQUIRED			36		36		Y
Regular and Handicap Spaces Required			36	0	36	0	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
External intersection separation distance of 220 feet from centerline to centerline	To allow 208 feet from subdivision entry to Hualapai Way	Approval

ANALYSIS

There are no special districts or standards that pertain to this site.

Lots are proposed to be situated along a single public street terminating in a cul-de-sac bulb. Lots range in size from 7,200 square feet to 11,406 square feet, with a minimum lot width of 65 feet. The residential street is in conformance with Title 19.04 Complete Streets standards for narrow lots, with a right-of-way width of 47 feet. However, the required five-foot tree planting zone on private lots adjacent to the sidewalks is not indicated on the submitted street section and will be required as a condition of approval. Access to a paved five-foot path leading to Hualapai Way is provided through the cul-de-sac bulb, fulfilling the site's connectivity ratio requirement. In order to meet the residential street requirements, the interior street is situated 208 feet from the centerline of Hualapai Way where at least 220 feet is required. This layout will not create traffic conflicts and can be supported.

A range of single-family floor plans are proposed for the development. Each plan is two stories and features two-car garages. The residential floor plans and elevations will be subject to conformance with standard zoning requirements for the R-1 (Single Family Residential) district at the time of permits.

Perimeter landscaping is required along Hualapai Way. Trees within the buffer area are required to be spaced no more than 20 feet on center; a condition of approval will require eight additional trees to be planted within the provided six-foot perimeter landscape buffer along Hualapai Way in conformance with Title 19.06. Trees along Dorrell Lane are not required by Title 19.06; however, the submitted landscape plan shows six 36-inch box Texas Red Oak and Fan-Tex Ash trees in a six-foot planter adjacent to the south side of Dorrell Lane, which will provide for additional shade and screening benefits.

The submitted east-west cross sections depict a maximum natural grade between 2% and 4% across this site. Per the tables in Title 19.06.050 a development with a natural slope between 2% to 4% is allowed a maximum six-foot retaining wall along the east and west perimeters. A 3.2-foot retaining wall is proposed along the west side and a four-foot retaining wall is proposed along the east side, in conformance with the standard.

The submitted north-south cross section depicts a maximum natural grade between 0% and 2% across this site. Per the tables in Title 19.06.050 a development with a natural slope between 0% to 2% is allowed a maximum four-foot retaining wall along the north and south perimeters. There is a 1.5-foot retaining wall proposed along the north side and dual three-foot retaining walls proposed along the south side, in conformance with the standard.

With regard to the request to vacate Haley Avenue adjacent to the subject site, the Department of Public Works presents the following information:

A. Does this vacation request result in uniform or non-uniform right-of-way widths? *N/A, as it will eliminate the right-of-way of an unused street.*

B. From a traffic handling viewpoint, will this vacation request result in a reduced traffic handling capability? *No, since no traffic currently uses it.*

C. Does it appear that the vacation request involves only excess right-of-way? *No, it is for an unused street.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, the proposed Dorrell/Hualapai West subdivision (TMP-49164).*

E. Does this vacation request eliminate public street access to any abutting parcel? *No, since the adjacent parcels have other access points.*

F. Does this vacation request result in a conflict with any existing City requirements? *No.*

G. Does the Department of Public Works have an objection to this vacation request? *No.*

FINDINGS (WVR-49163)

Traffic counts at the affected intersection are expected to be low, and the separation distance is sufficient to minimize traffic conflicts. Staff therefore recommends approval of the Waiver, with conditions.

FINDINGS (VAC-49184)

The existing right-of-way is for an unused street that is not planned to be improved. The existing U.S. Government Patent Easements are in conflict with the proposed residential development and thus are not needed. Therefore, staff recommends approval of the Petition to Vacate the right-of-way and easements as requested, with conditions.

FINDINGS (TMP-49164)

The proposed map is in conformance with Title 19 and NRS requirements for tentative maps, the separation distance between intersections on the perimeter of the site does not pose any safety risks, and the existing right-of-way and patent easements are not needed. Staff therefore recommends approval of the proposed Tentative Map, subject to conditions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 33

NOTICES MAILED 76 (WVR-49163 & TMP-49164)
4 (VAC-49184)

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-49163 APN: 125-19-201-001, 003

Name of Property Owner: D. R. Horton, Inc.

Name of Applicant: _____

Name of Representative: Slater Hanifan Group

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

☐ **Yes** ☒ **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: Bradley F. Burns

Subscribed and sworn before me

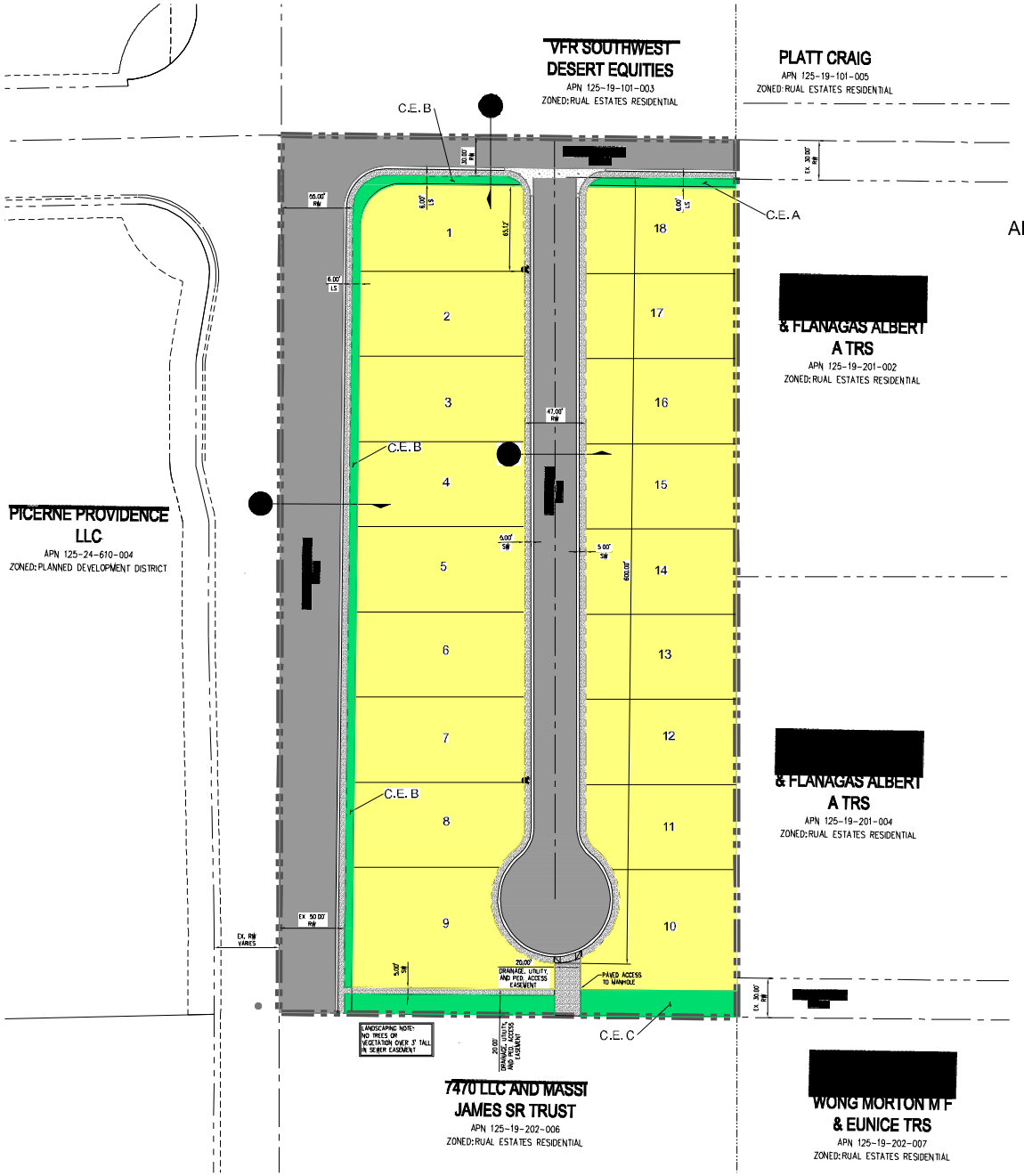
This 13th day of Feb., 2013

Barbara A. Bross

Notary Public in and for said County and State

BARBARA A. BROSS
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 98-2673-1
My Appt. Expires Mar 23, 2014

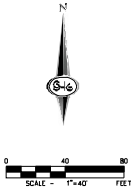
PRJ-49064
04/25/13

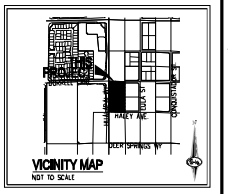


D·R·HORTON

SITE PLAN
FOR
DORRELL/HUALAPAI WEST
AN SINGLE FAMILY RESIDENTIAL COMMUNITY
LOCATED IN CITY OF LAS VEGAS, NEVADA
APN 125-19-201-001 AND 125-19-201-003







LEGAL DESCRIPTION

APN: 125-19-201-001

THAT PORTION OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 19, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B.&M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FURTHER DESCRIBED AS LOT ONE (1) AS THE SAME IS SHOWN ON THAT CERTAIN CERTIFICATE OF LAND DIVISION RECORDED JULY 7, 1983 IN BOOK 1767 OF OFFICIAL RECORDS AS DOCUMENT NO. 1726884, CLARK COUNTY, NEVADA.

APN: 125-19-201-003

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EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONVEYED TO CLARK COUNTY BY DEED RECORDED JULY 7, 1983 IN BOOK 1767 OF OFFICIAL RECORDS AS DOCUMENT NO. 1726884.

PROJECT INFORMATION

EXISTING ZONING:	R-PD3
PROPOSED ZONING:	R-1
ACREAGE (GROSS):	4.14 AC
TOTAL DWELLING UNITS:	18
MIN. LOT SIZE:	65'x115'
MIN. LOT WIDTH	65'
MIN. LOT SQFT	7,214 SQFT
MAX LOT SQFT	11,406 SQFT
DENSITY:	4.35 DU/AC
OPEN SPACE PROVIDED:	0.27 AC
OPEN SPACE REQUIRED:	N/A AC
CONNECTIVITY RATIO PROVIDED:	1.5
CONNECTIVITY RATION REQUIRED:	1.3
MAX. LOT COVERAGE:	50%

PARKING ANALYSIS

NO. OF UNITS	= 18
PARKING PARAMETER	= 2 SPACES/LOT
REQUIRED PARKING	= 36 SPACES**

**MINIMUM PARKING REQUIREMENT SATISFIED BY GARAGE AND/OR DRIVEWAY PARKING

ESTIMATED AVERAGE DAILY SWEWER CONTRIBUTIONS

18 UNITS X 250 GPD/UNITS = 4,500 GPD
TOTAL AVERAGE CONTRIBUTION = 4,500 GPD = 0.0045 MGD
TOTAL PEAK FLOW = 0.0045 MGD X 3.52 (PEAK FACTOR) = 0.0158 MGD

UTILITY SERVICES BY

WATER	LAS VEGAS VALLEY WATER DISTRICT
SEWER	CITY OF LAS VEGAS
TRASH	REPUBLIC SERVICES OF SOUTHERN NEVADA
POWER	NV ENERGY
TELEPHONE	CENTURYLINK
GAS	SOUTHWEST GAS COMPANY

WAIVER OF DEVELOPMENT STANDARDS

REDUCE THE MINIMUM INTERSECTION SEPARATION TO 209' FOR THE ENTRY OF THE SITE LOCATED OFF OF DORRELL LANE TO HUALAPAI WAY, WHERE 200' IS THE MINIMUM PER 19.07.0040

LEGEND

BOUNDARY LINE
ROADWAY CENTERLINE
RIGHT-OF-WAY
LOT LINE

ENGINEER

SLATER HANIFAN GROUP
5740 S. APPALLE ST. #216
LAS VEGAS, NV 89118
PH (702) 284-5300
FX (702) 284-5399

DRPRJ49064
04/25/13

SLATER HANIFAN GROUP
CONSULTING ENGINEERS & PLANNERS
5740 S. APPALLE STREET #216, LAS VEGAS, NV 89118
PHONE (702) 284-5300
FAX (702) 284-5399

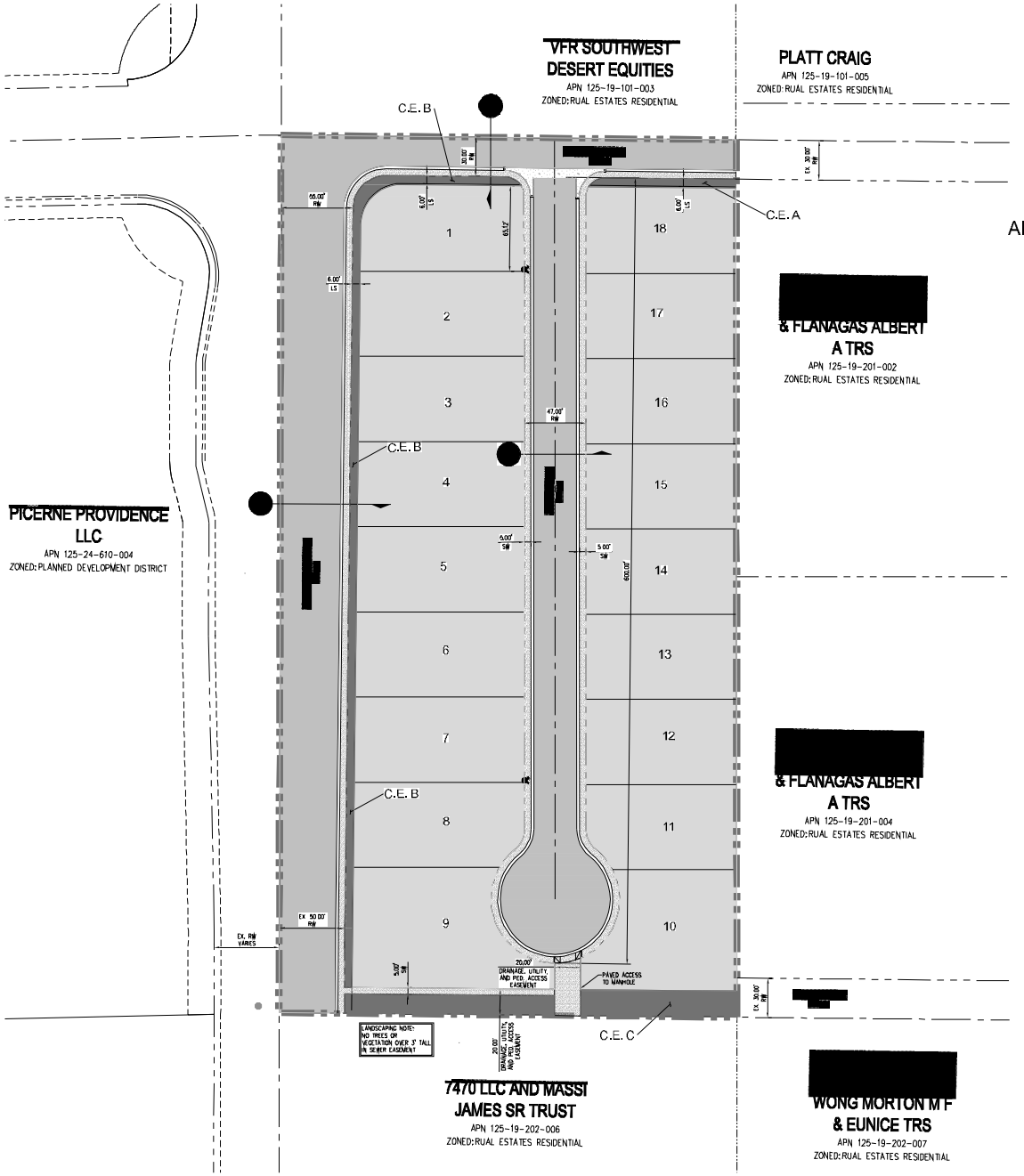
NO.	DESCRIPTION	DATE	BY	APP. DATE	APP.

DR HORTON
DORRELL/HUALAPAI WEST
COLOR SITE PLAN

DATE: 04/25/13
DRAFTER: EB
DESIGNER: EB
CHECKED: DP
PROJECT NO.
DRH1230.000

SP-1
SHEET 1 OF 2

WVR-49163, TMP-49164 & VAC-49184



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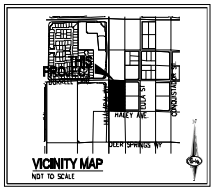

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OPEN SPACE REQUIRED:	N/A AC
CONNECTIVITY RATIO PROVIDED:	1.5
CONNECTIVITY RATION REQUIRED:	1.3
MAX. LOT COVERAGE:	50%

PARKING ANALYSIS

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LEGEND

BOUNDARY LINE
ROADWAY CENTERLINE
RIGHT-OF-WAY
LOT LINE

ENGINEER

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DPRJ-P490643
DR HORTON
3271 CAMINO
04/25/13
HENDERSON, NV 89044
PH (702) 675-6500
FAX (702) 675-6508

SCALE - 1"=40' (0, 40, 80 FEET)

SLATER HANIFAN GROUP
CONSULTING ENGINEERS & PLANNERS
5740 S. APPLE STREET #216, LAS VEGAS, NV 89118
PHONE (702) 284-5300
FAX (702) 284-5399

NO.	DESCRIPTION	DATE	BY	APP. DATE	APP.

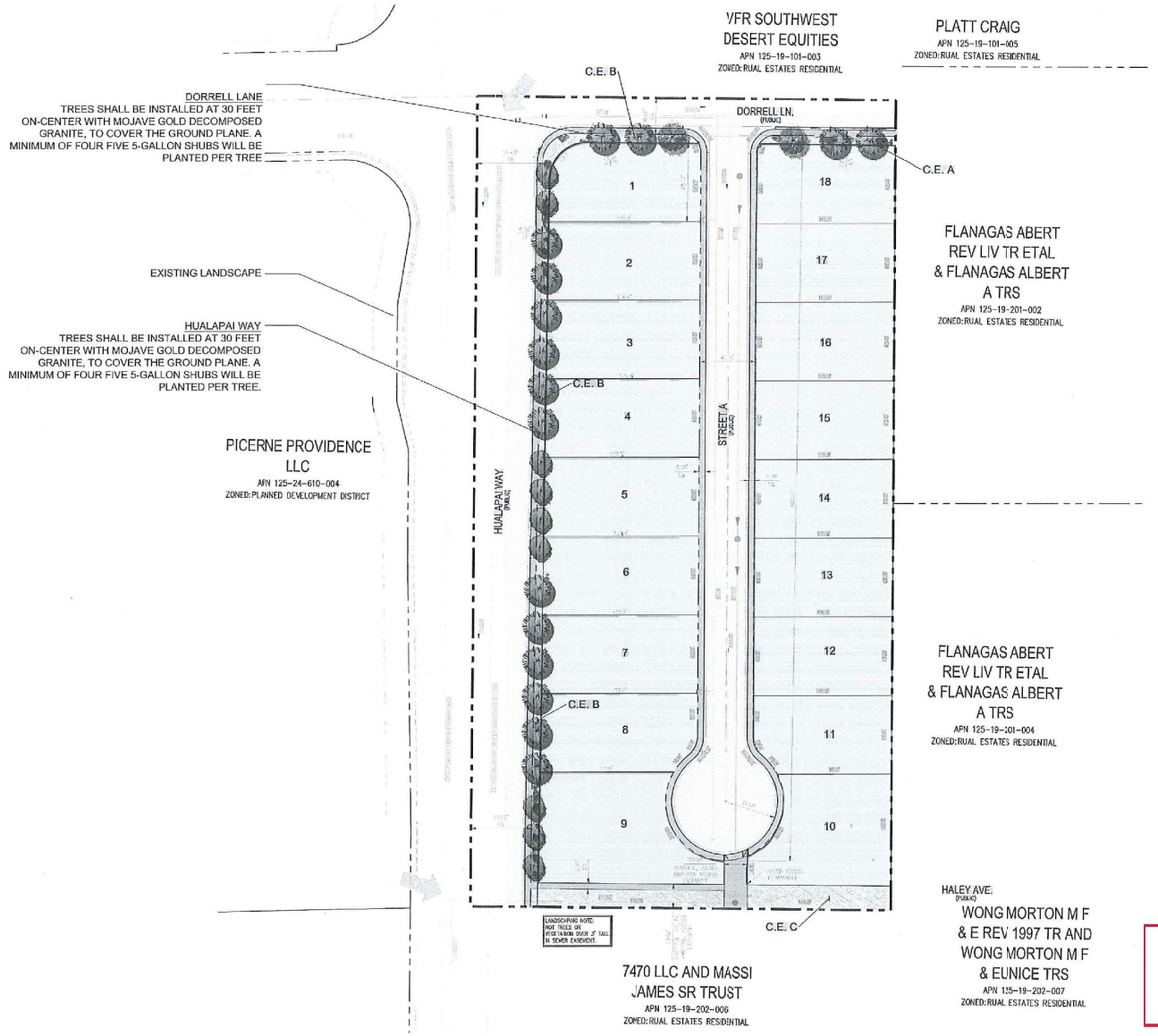
DR HORTON

DORRELL/HUALAPAI WEST
COLOR SITE PLAN

DATE: 04/25/13
DRAFTER: EB
DESIGNER: EB
CHECKED: DP
PROJECT NO.
DRH1230.000

SP-1
SHEET 1 OF 2

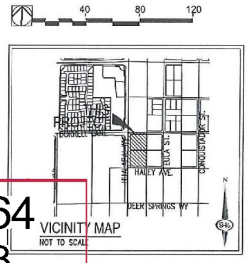
WVR-49163, TMP-49164 & VAC-49184



PLANT MATERIALS LEGEND

Plant Name	Size
Trees	
Chilalpa tashkinensis	36" box
Chilalpa	
Fraxinus velutina 'Rio Grande'	36" box
Fan-Tex-Ash	
Quercus buckleyi	
Texas Red Oak	
Extra Large Shrubs	
Chamaerops humilis	15 gal.
Mediterranean Fan Palm	
Tecoma alta 'Orange Jubilee'	5 gal.
Orange Jubilee	
Large Shrubs	
Cassia artemisioides 'Silver'	5 gal.
Silver Cassia	
Leucophyllum frutescens compacta	5 gal.
Compact Texas Ranger	
Leucophyllum langmaniae 'Rio Bravo'	5 gal.
Rio Bravo Sage	
Ligustrum japonicum	5 gal.
Japanese Privet	
Small Shrubs/Accents	
Pyracantha koidzumii 'Red Elf'	5 gal.
Dwarf Pyracantha	
Rosmarinus officinalis 'Tuscan Blue'	5 gal.
Tuscan Blue Rosemary	
Salvia greggii	5 gal.
Red Salvia	
Groundcovers	
Acacia redolens	1 gal.
Prostrate Acacia	
Dalea capitata 'Sierra Gold'	1 gal.
Sierra Gold Dalea	
Juniperus horizontalis 'Bar Harbor'	1 gal.
Bar Harbor Juniper	
Lantana montevidensis	1 gal.
Red Trailing Lantana	
Rosmarinus officinalis 'Prostratus'	1 gal.
Trailing Rosemary	
Cactus/Accents	
Agave angustifolia 'variegated'	5 gal
Variegated Agave	
Hesperaloe parviflora	5 gal.
Red Hesperaloe	
Muhlenbergia capillaris 'Regal Mist'	5 gal.
Regal Mist Muhly	
Inerts	
Decomposed Granite Mojave Gold 3/4" Minus at 2" Depth (or approved equal)	sq ft

NOTE:
CONTRACTOR SHALL INSTALL "SHAVTOVIN ROOT BARRIER PANELS" (OR APPROVED EQUAL) AT ALL TREES WITHIN 6'-0" FEET OF HARDSCAPE ELEMENTS INCLUDING (BUT NOT LIMITED TO) SIDEWALKS, ASPHALT, CONCRETE SLABS / FOOTINGS AND STRUCTURES.



VICINITY MAP
NOT TO SCALE

PRJ-49064
04/25/13

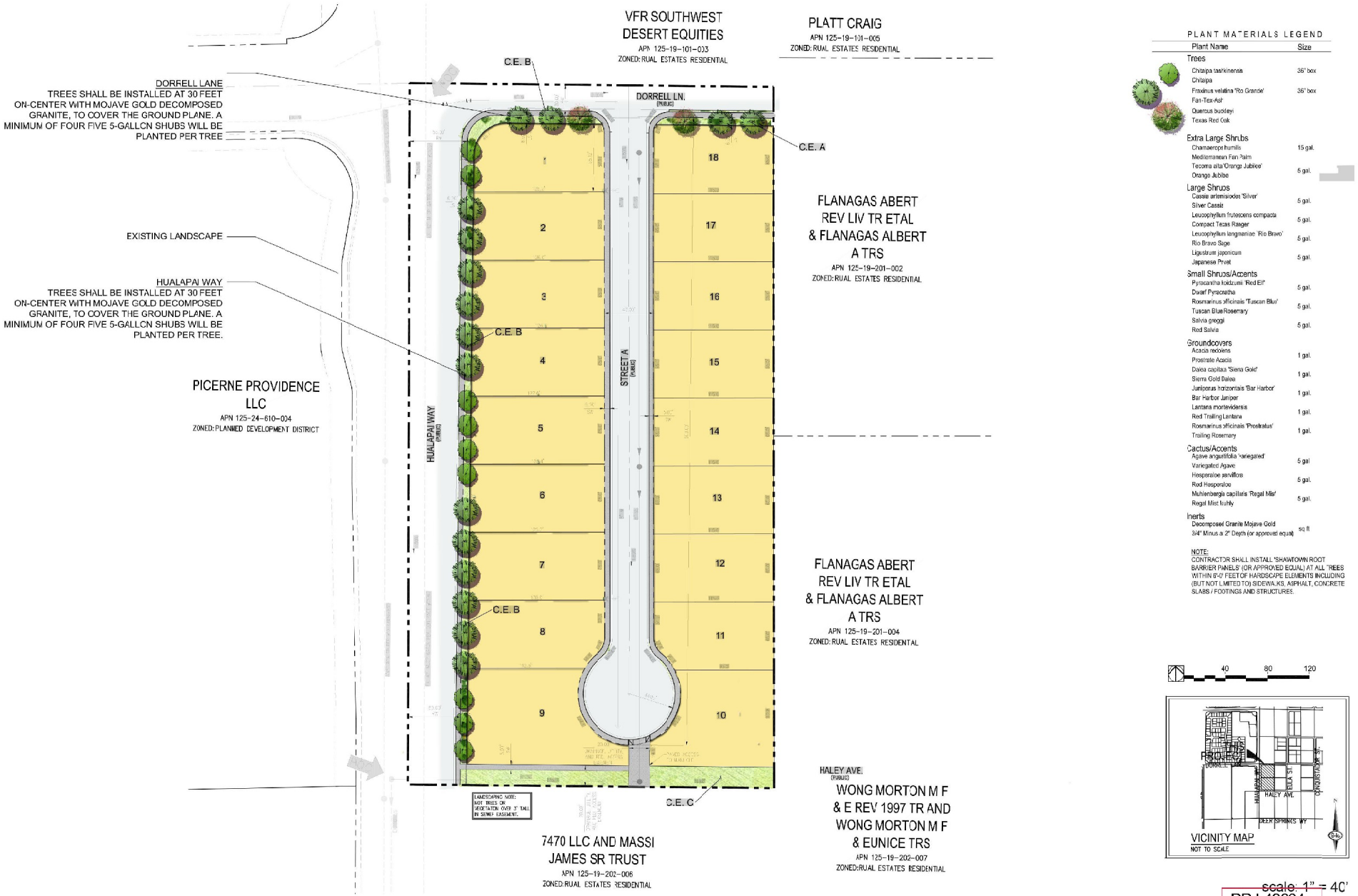
scale: 1" = 40'
04.25.13
north

DORRELL/HUALAPAI WEST - CONCEPTUAL LANDSCAPE PLAN

D·R·HORTON America's Builder

andersonbaron
plan · design · achieve
88 s. san marcos pl, ste 101
chandler, arizona 85225

WVR-49163, TMP-49164 & VAC-49184



PRJ-49064
04/25/13

DORRELL/HUALAPAI WEST - CONCEPTUAL LANDSCAPE PLAN

D·R·HORTON America's Builder

andersonbaron
plan design - achieve
88 s. san marcos pl, ste 101
chandler, arizona 85225

WVR-49163, TMP-49164 & VAC-49184



WVR-49163, TMP-49164 & VAC-49184 - APPLICANT/OWNER: DR HORTON, INC.
SOUTHEAST CORNER OF DORRELL LANE AND HUALAPAI WAY

05/02/13



WVR-49163, TMP-49164 & VAC-49184 - APPLICANT/OWNER: DR HORTON, INC.
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WVR-49163, TMP-49164 & VAC-49184 - APPLICANT/OWNER: DR HORTON, INC.
SOUTHEAST CORNER OF DORRELL LANE AND HUALAPAI WAY

05/02/13

SLATER HANIFAN GROUP
CONSULTING ENGINEERS & PLANNERS

DRH1230.001

April 25, 2013

City of Las Vegas
Planning and Development
333 S. Rancho Drive
Las Vegas, NV 89101

SUBJECT: **Justification Letter for a Tentative Map and Vacation Request for Dorrell / Hualapai West (APN 125-19-201-001 and 003)**

Project Location:
Slater Hanifan Group, on behalf of the applicant, D.R. Horton, respectfully submits this justification letter in support of a Tentative Map and Vacation on the subject site. The site is located at the southeast corner of Dorrell and Hualapai. It is bordered on the west by Hualapai Way, the north by Dorrell Lane, the east by vacant parcels and the south by Haley Avenue. The Assessor's Parcel Numbers are 125-19-201-001 & 003, and contains approximately 4.14 gross acres combined.

Project Description:
The proposed Tentative Map includes 18 residential lots on 4.14 gross acres, which results in a density of 4.35 du/ac. The minimum lot width is 65 feet and minimum lot size 7,214 SF. In addition, a Vacation is requested with the TM to vacate government patent easements and 30' of dedicated right-of-way of Haley Avenue along the southern boundary of the site. Lastly, a waiver is requested to reduce the minimum intersection separation from 220' to 208' for the entry of the site at Dorrell Lane from Hualapai Way. This application is being submitted as a follow up to the ongoing applications for GPA-48471 and ZON-48472.

Justification:
The proposed development would serve as transitional zoning from the properties to the east which are currently in the County and zoned Rural Estates Residential, from the existing higher density apartment development across Hualapai Way, west of the site. The properties to the immediate north and south are undeveloped and located within the County and are currently zoned Rural Estates Residential. The proposed development would fit in to the character of the neighborhood in terms of providing a large lot single family subdivision.

WVR-49163, TMP-49164 & VAC-49184

The vacation of Haley Avenue would allow for the construction of larger lots, which is highly desirable for the area due to the rural nature of the area east of Hualapai, in addition, Haley Avenue terminates at the apartment complex to the west and at Grand Canyon Drive, less than ½ mile to the east, and is neither paved nor currently utilized for vehicular access. There should not be any adverse effects due to the vacation of this roadway for the surrounding area, and should not land-lock any existing parcels.

Thank you for considering this application. Please contact me at 284-5300 if you have any questions regarding this application.

Slater Hanifan Group, Inc.



Darrin Pappa, P.E.
Project Manager

Cc:
Matt Stark, DR Horton
Mark Jones, DR Horton

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

SUBJECT:
TMP-49164 - TENTATIVE MAP RELATED TO WVR-49184 AND VAC-49184 - DORRELL/HUALAPAI WEST - PUBLIC HEARING - APPLICANT/OWNER: DR HORTON, INC. - For possible action on a request for a Tentative Map FOR A PROPOSED 18-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 4.14 acres at the southeast corner of Dorrell Lane and Hualapai Way (APNs 125-19-201-001 and 003), R-1 (Single Family Residential) Zone, Ward 6 (Ross) [PRJ-49064]. Staff recommends APPROVAL.

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

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. 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: TMP-49164 APN: 125-19-201-001, 003

Name of Property Owner: D. R. Horton, Inc.

Name of Applicant: _____

Name of Representative: Slater Hanifan Group

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

☐ **Yes** ☒ **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: Bradley F. Burns

Subscribed and sworn before me

This 13th day of Feb., 2013

Barbara A. Bross

Notary Public in and for said County and State

BARBARA A. BROSS
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 98-2673-1
My Appt. Expires Mar 23, 2014

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Tentative Map

Project Address (Location) Dorrell/Hualapai

Project Name Dorrell/Hualapai West **Proposed Use** _____

Assessor's Parcel #(s) 125-19-201-001, 003 **Ward #** _____

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

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

Gross Acres 5.36 **Lots/Units** 18 **Density** 3.36

Additional Information _____

PROPERTY OWNER D. R. Horton, Inc. **Contact** Mark Jones

Address 330 Carousel Parkway **Phone:** (702) 635-3621 **Fax:** (800) 648-4983

City Henderson **State** NV **Zip** 89014

E-mail Address MEJones3@dhronton.com

APPLICANT D. R. Horton, Inc. **Contact** Mark Jones

Address 330 Carousel Parkway **Phone:** (702) 635-3621 **Fax:** (800) 648-4983

City Henderson **State** Nevada **Zip** 89014

E-mail Address MEJones3@drhorton.com

REPRESENTATIVE Slater Hanifan Group **Contact** Chelsea Peltier

Address 5740 S. Arville St. # 216 **Phone:** (702) 284-5300 **Fax:** (702) 284-5399

City Las Vegas **State** Nevada **Zip** 89118

E-mail Address cpeltier@shg-inc.com

Property Owner Signature* _____

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

Print Name Bradley F Burns

Subscribed and sworn before me

This 13th day of February 2013

Barbara A Bross

BARBARA BROSS

Notary Public in and for said County and State

BARBARA A. BROSS
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 98-2673-1
My Appt. Expires Mar 23, 2014

FOR DEPARTMENT USE ONLY

Case #	TMP-49164
Meeting Date:	06/11/13 PC
Total Fee:	
Date Received:*	
Received By:	

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

PRJ-49064
04/25/13

Revised 10/27/08

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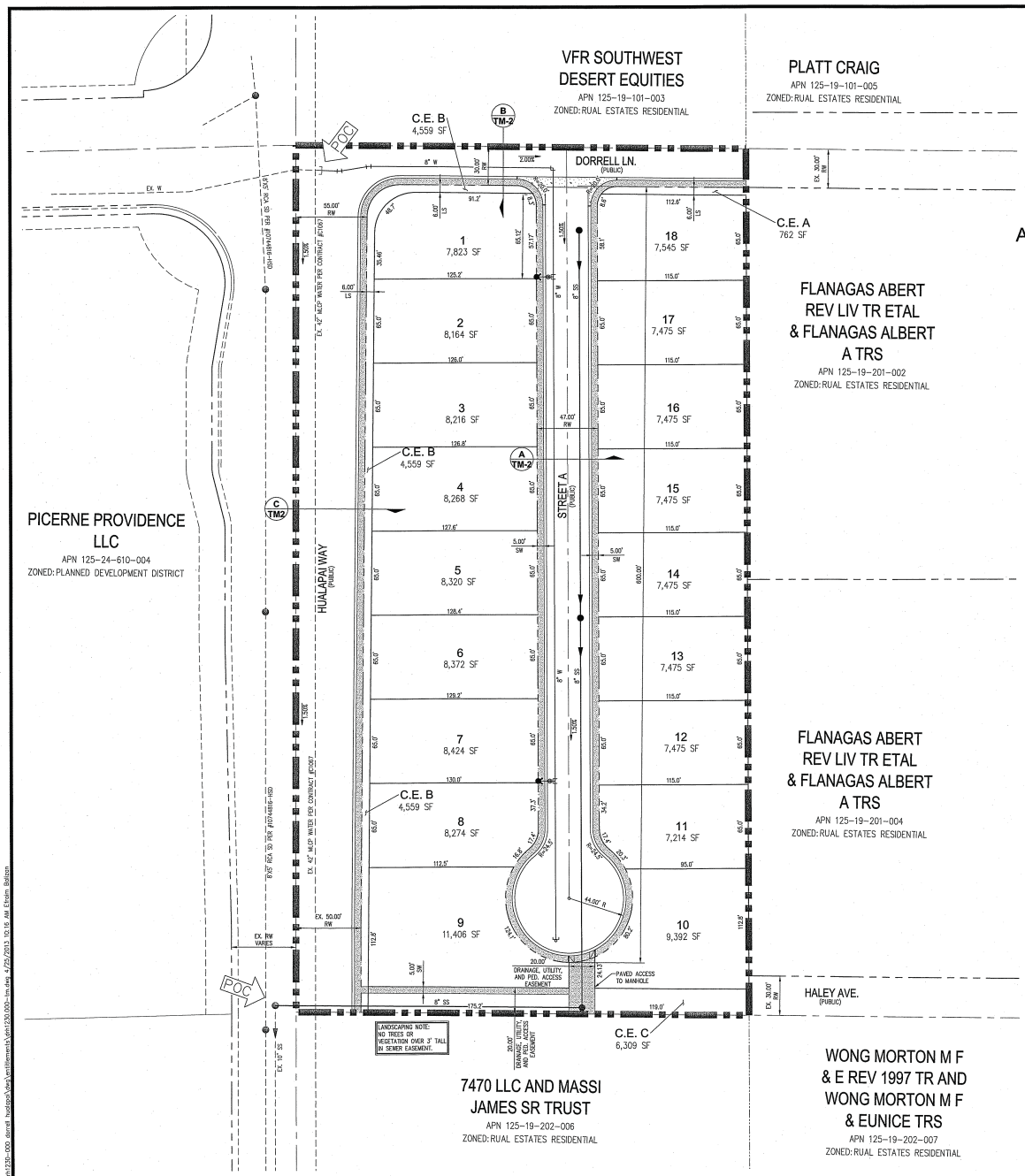
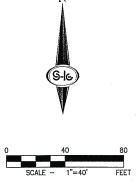


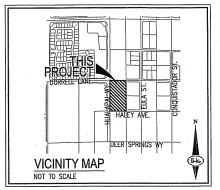
D·R·HORTON

TENTATIVE MAP
FOR
DORRELL/HUALAPAI WEST

AN SINGLE FAMILY RESIDENTIAL COMMUNITY
LOCATED IN CITY OF LAS VEGAS, NEVADA
APN 125-19-201-001 AND 125-19-201-003







LEGAL DESCRIPTION

APN: 125-19-201-001

THAT PORTION OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 19, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B.&M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FURTHER DESCRIBED AS LOT ONE (1) AS THE SAME IS SHOWN ON THAT CERTAIN CERTIFICATE OF LAND DIVISION RECORDED JULY 7, 1983 IN BOOK 1767 OF OFFICIAL RECORDS AS DOCUMENT NO. 1726894, CLARK COUNTY, NEVADA.

APN: 125-19-201-003

THAT PORTION OF THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 19, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B.&M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FURTHER DESCRIBED AS LOT TWO (2) AS THE SAME IS SHOWN ON THAT CERTAIN CERTIFICATE OF LAND DIVISION RECORDED JULY 7, 1983 IN BOOK 1767 OF OFFICIAL RECORDS AS DOCUMENT NO. 1726893, CLARK COUNTY, NEVADA.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND AS CONVEYED TO CLARK COUNTY BY DEED RECORDED JULY 7, 1983 IN BOOK 1767 OF OFFICIAL RECORDS AS DOCUMENT NO. 1726894.

PROJECT INFORMATION

EXISTING ZONING:	R-PD3
PROPOSED ZONING:	R-1
ACREAGE (GROSS):	4.14 AC
TOTAL DWELLING UNITS:	18
MIN. LOT SIZE:	65'x115'
MIN. LOT WIDTH	65'
MIN. LOT SQFT	7,214 SQFT
MAX LOT SQFT	11,406 SQFT
DENSITY:	4.35 DU/AC
OPEN SPACE PROVIDED:	0.27 AC
OPEN SPACE REQUIRED:	N/A AC
CONNECTIVITY RATIO PROVIDED:	1.5
CONNECTIVITY RATION REQUIRED:	1.3
MAX. LOT COVERAGE:	50%

PARKING ANALYSIS

NO OF UNITS	= 18
PARKING PARAMETER	= 2 SPACES/LOT
REQUIRED PARKING	= 36 SPACES**

**MINIMUM PARKING REQUIREMENT SATISFIED BY GARAGE AND/OR DRIVEWAY PARKING

ESTIMATED AVERAGE DAILY SWEWER CONTRIBUTIONS

18 UNITS X 250 GPD/UNITS = 4,500 GPD
TOTAL AVERAGE CONTRIBUTION = 4,500 GPD = 0.0045 MGD
TOTAL PEAK FLOW = 0.0045 MGD X 3.52 (PEAK FACTOR) = 0.01579 MGD

UTILITY SERVICES BY

WATER	LAS VEGAS VALLEY WATER DISTRICT
SEWER	CITY OF LAS VEGAS
TRASH	REPUBLIC SERVICES OF SOUTHERN NEVADA
POWER	NV ENERGY
TELEPHONE	CENTURYLINK
GAS	SOUTHWEST GAS COMPANY

WAIVER OF DEVELOPMENT STANDARDS

REDUCE THE MINIMUM INTERSECTION SEPARATION TO 208' FOR THE ENTRY OF THE SITE LOCATED OFF OF DORRELL LANE TO HUALAPAI WAY, WHERE 200' IS THE MINIMUM PER 19.07.0040

LEGEND

- BOUNDARY LINE
- ROADWAY CENTERLINE
- RIGHT-OF-WAY
- LOT LINE

ENGINEER

SLATER HANIFAN GROUP
5740 S. ARVILLE ST #216
LAS VEGAS, NV 89118
PH (702) 284-5300
FX (702) 284-5399

DEVELOPER/OWNER

DR HORTON INC
325 CAROUSEL PKWY #140
HENDERSON, NV 89014
PH (702) 635-3600
FX (702) 435-8038

SLATER HANIFAN GROUP
CONSULTING ENGINEERS & PLANNERS
5740 S. ARVILLE STREET #216, LAS VEGAS, NV 89118
PHONE (702) 284-5300 FAX (702) 284-5399

NO.	DESCRIPTION	DATE	BY	APP. DATE	APP.

DR HORTON
DORRELL/HUALAPAI WEST
TENTATIVE MAP

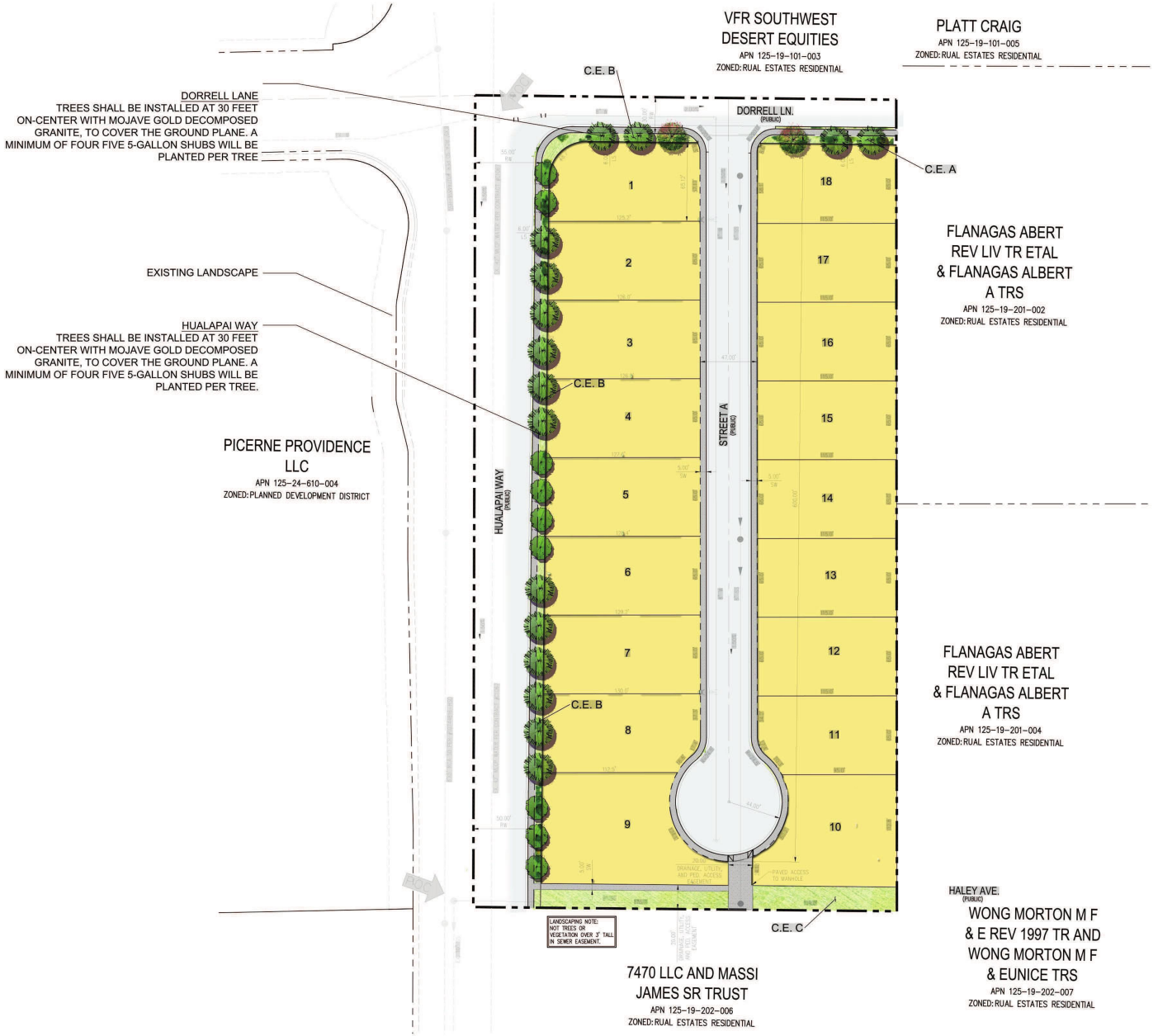
DATE: 04/23/13
DRAFTER: EB
DESIGNER: EB
CHECKED: DP
PROJECT NO.
DRH1230.000

DARRIN J. PARRY
No. 15815
CIVIL
STATE OF NEVADA
PROFESSIONAL ENGINEER
4/25/13

TM-1
SHEET 1 OF 2

TMP-49164

J:\Civil\230-000 dorrell - hualapai\Civil\Entitlements\plot\1230.000-tm.dwg, 4/25/2013 10:16 AM, Efrain Bolton



PLANT MATERIALS LEGEND

Plant Name	Size
Trees	
Chitalpa tashkinensis	36" box
Chitalpa	
Fraxinus velutina 'Rio Grande'	36" box
Fan-Tex-Ash	
Quercus buckleyi	
Texas Red Oak	
Extra Large Shrubs	
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Bar Harbor Juniper	
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Red Trailing Lantana	
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Variegated Agave	
Hesperaloe parviflora	5 gal.
Red Hesperaloe	
Muhlenbergia capillaris 'Regal Mist'	5 gal.
Regal Mist Muhly	
Inerts	
Decomposed Granite Mojave Gold	sq ft
3/4" Minus at 2" Depth (or approved equal)	

NOTE:
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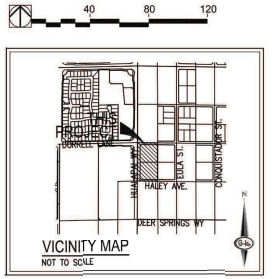

scale: 1" = 40'

04.25.13

north

DORRELL/HUALAPAI WEST - CONCEPTUAL LANDSCAPE PLAN

D·R·HORTON America's Builder

andersonbaron
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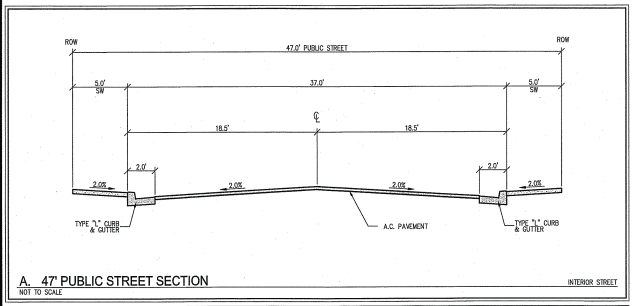
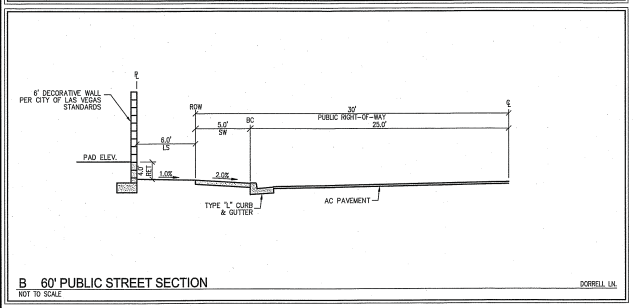
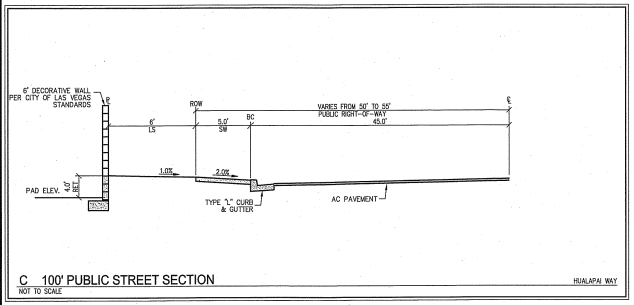
TMP-49164



A. 47' PUBLIC STREET SECTION
NOT TO SCALE
INTERIOR STREET

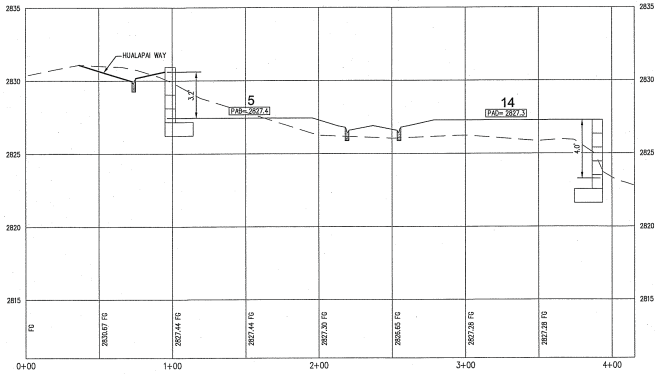


B 60' PUBLIC STREET SECTION
NOT TO SCALE
DORRELL LN.

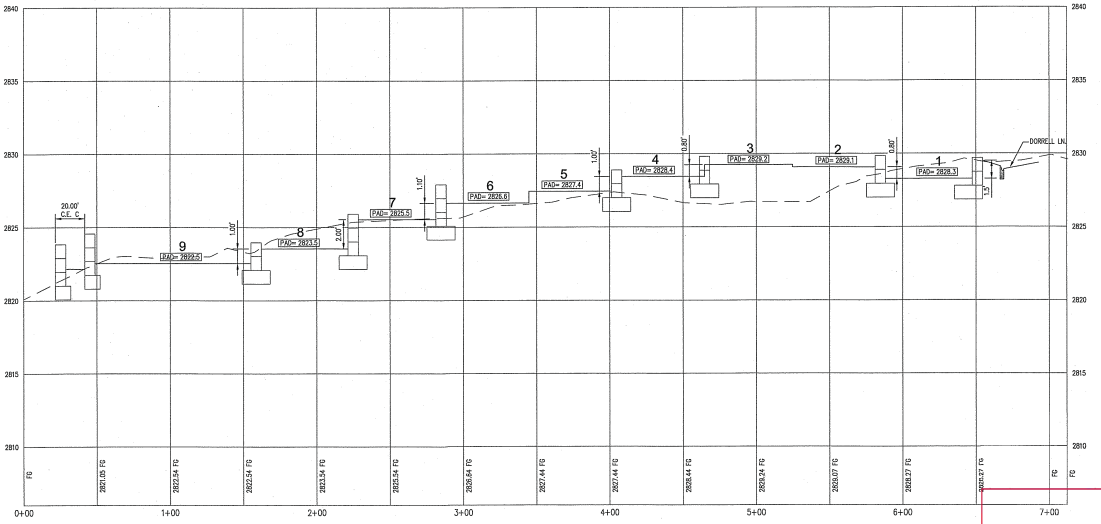


C 100' PUBLIC STREET SECTION
NOT TO SCALE
HUALAPAI WAY

WEST - EAST SECTION PROFILE



SOUTH - NORTH SECTION PROFILE



SLATER HANIFAN GROUP
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5740 S. ARVILLE STREET #216, LAS VEGAS, NV 89118
PHONE (702) 284-5300 FAX (702) 284-5399

NO.	DESCRIPTION	DATE	BY	APP. DATE	APP.

DR HORTON

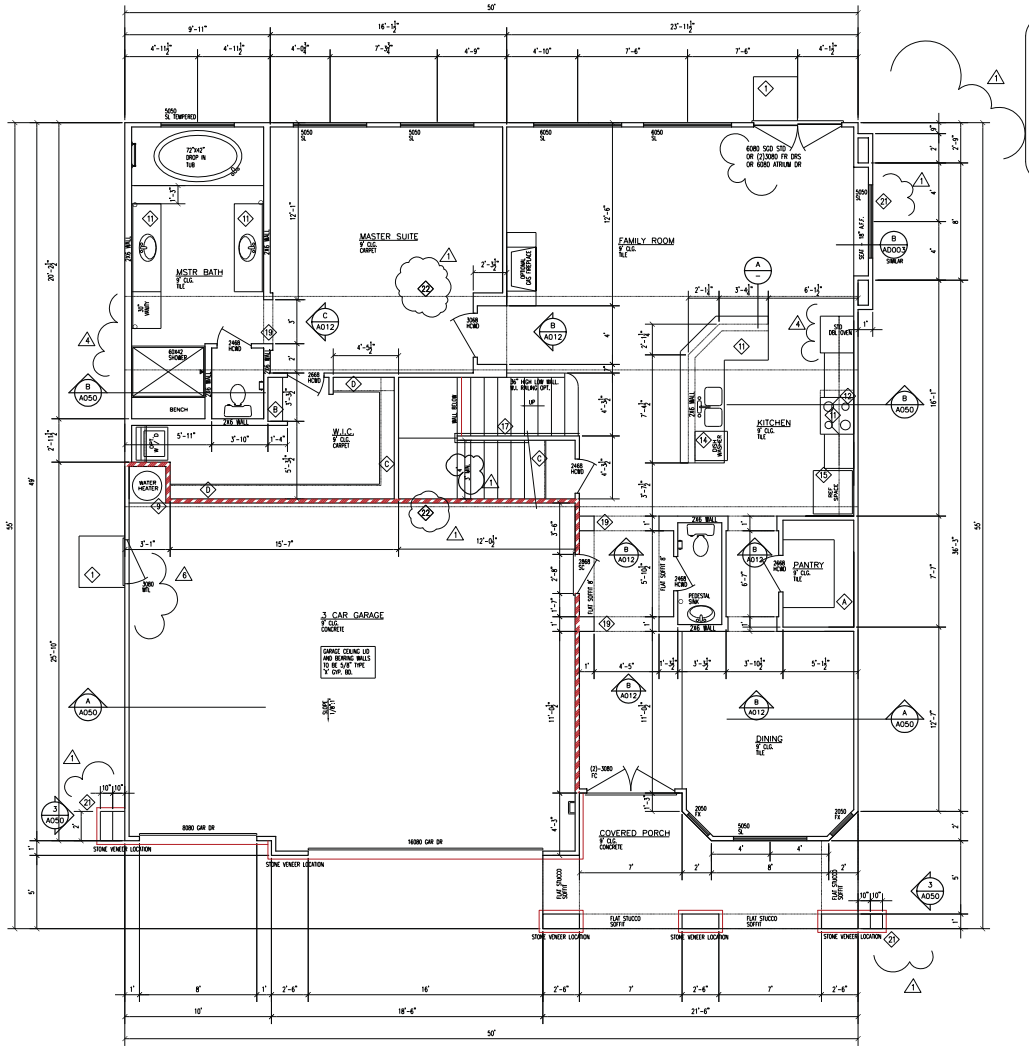
DORRELL/HUALAPAI WEST
TENTATIVE MAP

DATE: 04/23/13
DRAFTER: EB
DESIGNER: EB
CHECKED: DP
PROJECT NO.
DRH1230.000

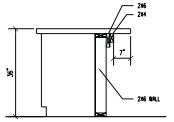
PROFESSIONAL ENGINEER - STATE OF NEVADA
DARRIN J. PAPPA
No. 15815
4/25/13

TM-2
SHEET 2 OF 2

TMP-49164



(1) FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



(A) KITCHEN ISLAND DETAIL
SCALE: 1/2"=1'

DOOR & WINDOW SCHEDULE

DOOR LEGEND:

FC	= FIBER CLASSIC
HC	= HOLLOW CORE WOOD DOOR
SC	= SOLID CORE WOOD DOOR
FR	= FRENCH W/TEMPERED GLAZING
BP	= BYPASS DOORS
DA	= DOUBLE ACTING HOLLOW CORE DOOR
MTL	= METAL DOOR

WINDOW LEGEND:

FX =	FIXED WINDOW
SL =	SLIDER
SH =	SINGLE HUNG
AR =	ARCHED
TEMP. =	TEMPERED GLAZING ROTD IN HAZARDOUS LOC. INSTALL PER I.R.C. CODE.

NOTE:
D.R. HORTON MAY SUBSTITUTE ANY DOOR MATERIAL ON ANY DOOR EXCEPT RATED DOORS AND DOORS REQUIRED BY CODE.

SHELVING OPTIONS:

- (A) (PANTRY) (4) 12" DEEP SHELVES EQUALLY SPACED.
- (B) (LINEN) (5) 16" DEEP SHELVES EQUALLY SPACED. (18" WIDE IN CLOSET)
- (C) (CLOSET) (1) 12" DEEP SHELF AND POLE @ +66".
- (D) (CLOSET) (2) 12" DEEP SHELVES AND POLE @ +42" & +84"
- (E) (LAUNDRY) (1) 12" DEEP SHELF.
- (F) (LINEN) (5) 12" DEEP SHELVES EQUALLY SPACED
- (G) (PANTRY) (4) 16" DEEP SHELVES EQUALLY SPACED.

NOTE:
ALL SHELVES ARE WOOD OR WOOD W/LAMINATE FINISH, VERIFY W/D.R. HORTON, POLES ARE WOOD W/METAL ROSETTES

WALL SCHEDULE

= GARAGE SEPARATION WALL

KEYNOTES:

1. MIN. 36" WIDE X MIN. 36" DEEP X 4" THICK CONCRETE LANDING. STOOP WIDTH SHALL NOT BE LESS THAN THE DOOR SERVED.
2. DECORATIVE COLUMNS
3. CARPET STRIP.
4. 2X FRAMING WALL BELOW
5. TILE, SEE SPEC. SHEET
6. DRYER EXHAUST VENT, SEE MECHANICAL DRAWINGS.
7. RECESSED WATER VALVE BOX, VERIFY WITH PLUMBING DWGS.
8. SOFT WATER LOOP
9. WATER HEATER PLATFORM @ 18"AFF
10. TEMPERED GLASS SHOWER DOOR
11. BASE CABINETS, SEE D.R. HORTON FOR TYPE AND MODEL.
12. WALL MOUNTED UPPER CABINETS, SEE D.R. HORTON FOR TYPE AND MODEL.
13. MAKE-UP COUNTER @ +28".
14. UNDER COUNTER DISHWASHER.
15. 39 X30 REFRIGERATOR/FREEZER LOCATION, VERIFY W/ D.R.H.
16. RECESSED ICE MAKER BOX WITH VALVE.
17. CONTINUOUS HAND RAIL @ 36" A.F.F.
18. CENTER WINDOW ON INTERIOR WALL.
19. ARCH. SEE INTERIOR ELEVATION.
20. CEILING LINE.
21. 1 COAT 1 HOUR STUCCO SYSTEM, AS MFG. PER ESR-1607
22. 2" GYP. BD. DRAFTSTOP SHOWN DASHED
23. NOT USED
24. FOAM TRIM OR FOAM WAINSCOT OR FOAM TRIM W/STONE BELOW, SEE EXTERIOR ELEVATIONS FOR HEIGHTS & LOCATIONS.
25. COLUMN, SEE STRUCTURAL DRAWINGS.

GENERAL NOTES:

1. THE GARAGE WALLS & CEILING SHALL BE 5/8" TYPE 'X' GYPSUM BOARD, ALL OTHER CEILINGS SHALL BE 5/8" GYP. BD. D.R.H. CAN USE 1/2" MIN. GYP. BD. ON WALLS THAT ARE NOT RATED WALLS OR RECESS. BY CODE.

2. THE DOOR BETWEEN THE GARAGE AND THE DWELLING UNITS SHALL BE EITHER SOLID WOOD OR METAL CLAD HONEYCOMB DOORS NOT LESS THAN 1 3/8" THICK OR A 20 MIN. DOOR. DOORS SHALL BE SELF-CLOSING & SELF-LATCHING W/A TIMELY FRAME.

3. REFER TO BUILDER FOR QUANTITY AND LOCATION OF BULLNOSE DRYWALL CORNER'S.

4. ALL BASE SHALL BE REVERSIBLE GRADE.

5. WHEN CERAMIC TILE, CULTURED MARBLE OR LIKE FINISHES ARE INSTALLED A BACKER BOARD OF CEMENT, FIBER CEMENT, OR GLASS MAT GYPSUM BACKERS IN COMPLIANCE WITH ASTM C1288, C1325 OR C1178 ARE TO BE USED IN THE TUBS TO A HEIGHT OF THE TILE IN TUB/SHOWER OR IN SHOWER FROM FLOOR TO CEILING AND ON THE CEILING TO THE EDGE OF THE TILE OR EDGE OF TUB/SHOWER, WHICHEVER IS GREATEST.

6. PENETRATIONS WILL NOT BE ALLOWED THROUGH FIRE RESTRICTIVE WALLS, FLOOR/CEILING AND ROOF/CEILING ASSEMBLIES WITHOUT APPROVED DETAILS.

7. ALL APPLIANCES AND PLUMBING FIXTURES SHALL BE SELECTED BY D.R. HORTON.

8. SEE D.R. HORTON FOR ALL CABINETRY SPECIFICATIONS.

9. AT TUBS, SHOWERS, & TUB/SHOWER COMBOS THAT ABUT RATED WALLS, 5/8" TYPE 'X' GYPSUM BOARD MUST BE INSTALLED BETWEEN THE TUB, OR SHOWER, OR TUB/SHOWER COMBO AND THE RATED WALL.

10. KITCHEN COUNTER TOP @ +36", TYP. U.N.O. SEE D.R. HORTON FOR TYPE & STYLE.

11. MIRROR ABOVE ALL LAV'S. TYP. U.N.O. SEE SPEC. SHEET.

12. GARAGE AND PATIO SHOULD SLOPE ¼" PER FOOT.

13. ALL SLIDING GLASS DOORS AND GLASS IN FRNCH/ATRIUM DOORS SHALL BE TEMPERED.

ATTIC ACCESS, CATWALK & WORKING PLATFORM:
* PROVIDE A 24" WIDE X 30" HIGH SOLID CATWALK.
* A WORKING PLATFORM AT CONTROL SIDE OF F.A.U. 30" IN DEPTH, WIDTH & HEIGHT SHALL BE PROVIDED.
* WHERE THE HEIGHT OF THE PASSAGEWAY IS LESS THAN 6 FT. THE DISTANCE FROM THE ACCESS TO THE F.A.U. SHALL NOT EXCEED 20 FT. MEASURED ALONG THE CENTERLINE OF THE PASSAGEWAY.

DOORS:
* FRONT ENTRY DOOR SHALL HAVE WEATHER-STRIPPING & THRESHOLD, A PEEP HOLE @ +60" AND BE PROVIDED W/A LOCKSET AND DEADBOLT.
* PROVIDE PRIVACY LOCKS AT MASTER BEDROOM & ALL BATHROOM DOORS U.N.O.
* ALL BY-PASS AND BI-FOLD DOORS SHALL BE WHITE ON WHITE U.N.O.
* ALL DOORS TO HAVE 3" JAMBS.

WINDOWS:
1. ALL WINDOWS TO BE THERMAL-PANE GLASS.
2. PROVIDE LOW 'E' WINDOW, VERIFY W/ECC CALCS. BY MECHANICAL ENGINEER.
3. ESCAPE AND RESCUE WINDOWS SHALL HAVE A MAX. SILL HEIGHT OF 44" & MIN. NET CLEAR OPENABLE AREA OF 5.7 S.F. THE MIN. NET CLEAR OPENABLE HEIGHT DIM. SHALL BE 24". THE MIN. NET CLEAR OPENABLE WIDTH DIM. SHALL BE 20". WHEN WINDOWS ARE PROVIDED AS A MEANS OF ESCAPE AND RESCUE THEY SHALL HAVE A FINISHED SILL.
* EXCEPTIONS:
A. MINIMUM NET CLEAR OPENING FOR A ESCAPE AND RESCUE GRADE FLOOR OPENING SHALL BE 5 S.F.
* CONTRACTOR SHALL INSTALL TEMPERED GLAZING IN HAZARDOUS LOCATIONS:
4. GLAZING IN SWING DOORS, FIXED & SLIDING PANELS OF SLIDING DOORS & PANEL IN SLIDING & BI-FOLD CLOSET DOORS & IN STORM DOORS & UNFRAMED SWINGING DOORS.
5. GLAZING IN DOORS & ENCLOSURES FOR HOT TUBS, WHIRLPOOLS, SAUNAS, STEAM ROOMS, BATH TUBS & SHOWERS. GLAZING WHERE BOTTOM EXPOSED EDGE IS LESS THAN 60" ABOVE A STANDING SURFACE.
6. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL ADJACENT TO A DOOR WHERE THE NEAREST EXPOSED EDGE IS WITHIN A 24" ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A CLOSED POSITION AND WHERE THE BOTTOM EDGE IS LESS THAN 60" ABOVE WALKING SURFACE.
* EXCEPTIONS:
A. PANELS WHERE THERE IS A WALL BARRIER BETWEEN THE DOOR & GLAZING.
B. WHERE DOOR IS TO A CLOSET 3'-0" DEEP OR LESS SHALL COMPLY WITH SEC. R308.4 (SEE NOTE 7 BELOW).
C. GLAZING IN WALLS PERPENDICULAR TO THE PLANE OF THE DOOR IN A CLOSED POSITION OTHER THAN THE WALL THE DOOR SWINGS TOWARD.
7. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL OTHER THAN THOSE LOCATIONS DESCRIBED ABOVE THAT MEETS ALL OF THE FOLLOWING CONDITIONS:
A. EXPOSED AREA OF AN INDIVIDUAL PANE GREATER THAN 9 S.F.
B. EXPOSED BOTTOM EDGE IS LESS THAN 18" ABOVE THE FLOOR.
C. EXPOSED TOP EDGE IS GREATER THAN 36" ABOVE THE FLOOR.
D. ONE OR MORE WALKING SURFACES WITHIN 36" HORIZONTALLY OF THE PLANE OF THE GLAZING.

SQUARE FOOTAGE

LIVING:	FIRST FLOOR	– 1,709 S.F.
	SECOND FLOOR	– 2,295 S.F.
	TOTAL	– 4,004 S.F.
GARAGE:		– 735 S.F.
COVERED PORCH		– 153 S.F.
FULL COVERED PATIO OPTION		– 500 S.F.
PARTIAL COVERED PATIO OPTION:		– 242 S.F.
PARTIAL DECK OPTION:		– 242 S.F.
FULL DECK OPTION:		– 500 S.F.
TOTAL FOOTAGE UNDER ROOF (STANDARD):		– 4,892 S.F.
TOTAL FOOTAGE UNDER ROOF: (WITH FULL PATIO)		– 5,392 S.F.

REVISION	DATE	NOTES
1	12-7-11	ARCH CORRECTION #1
2	8-14-12	CLIENT REVISION
3	10-22-12	FRAME WALK

JOB NO.: 1114
FILE NAME:
DATE: 10-17-11
UPDATE:

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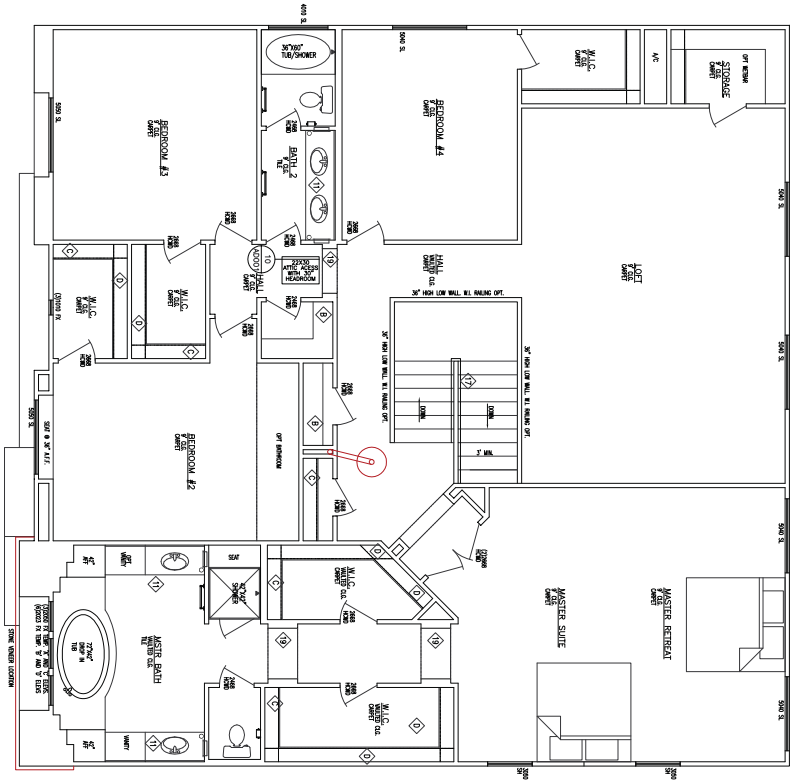
No. 32-P STATE OF NEVADA

TMP-49164



TMP-49164

REVISION	DATE	NOTES

JOB NO.: 1113
FILE NAME: ADD
PLOT DATE: 5-20-11

LARRY TINDALL
RESIDENTIAL DESIGNER

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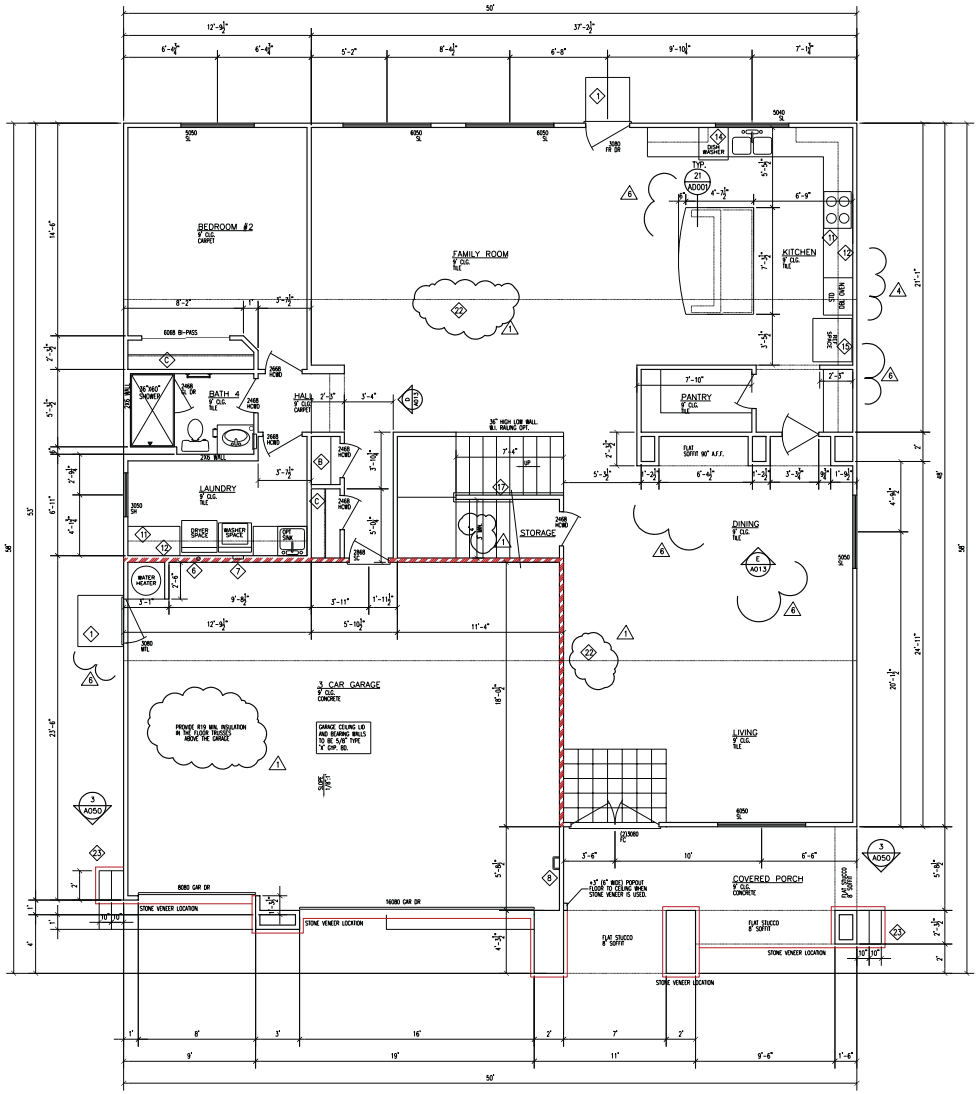

A FIRST FLOOR PLAN

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

GRAPHIC SCALE
1/4 INCH = 1 FOOT
0 1' 3' 7'

DOOR & WINDOW SCHEDULE

DOOR LEGEND:

FC	=	FIBER CLASSIC
HC	=	HOLLOW CORE WOOD DOOR
SC	=	SOLID CORE WOOD DOOR
FR	=	FRENCH W/TEMPERED GLAZING
BP	=	BYPASS DOORS
DA	=	DOUBLE ACTING HOLLOW CORE DOOR
MTL	=	METAL DOOR

WINDOW LEGEND:

FX	=	FIXED WINDOW
SL	=	SLIDER
SH	=	SINGLE HUNG
AR	=	ARCHED
TEMP.	=	TEMPERED GLAZING REQ'D IN HAZARDOUS LOC. INSTALL PER I.R.C. CODE.

NOTE:
D.R. HORTON MAY SUBSTITUTE ANY DOOR MATERIAL ON ANY DOOR EXCEPT RATED DOORS AND DOORS REQUIRED BY CODE.

SHELVING OPTIONS:

- (A) (PANTRY) (4) 12" DEEP SHELVES EQUALLY SPACED.
- (B) (LINEN) (5) 16" DEEP SHELVES EQUALLY SPACED. (18" WIDE IN CLOSET)
- (C) (CLOSET) (1) 12" DEEP SHELF AND POLE @ +66".
- (D) (CLOSET) (2) 12" DEEP SHELVES AND POLE @ +42" & +84"
- (E) (LAUNDRY) (1) 12" DEEP SHELF.
- (F) (LINEN) (5) 12" DEEP SHELVES EQUALLY SPACED
- (G) (PANTRY) (4) 16" DEEP SHELVES EQUALLY SPACED.

NOTE:
ALL SHELVES ARE WOOD OR WOOD W/LAMINATE FINISH, VERIFY W/D.R. HORTON, POLES ARE WOOD W/METAL ROSETTES

WALL SCHEDULE

= GARAGE SEPARATION WALL

KEYNOTES:

1. MIN. 36" WIDE X MIN. 36" DEEP X 4" THICK CONCRETE LANDING. STOOP WIDTH SHALL NOT BE LESS THAN THE DOOR SERVED.
2. DECORATIVE COLUMNS
3. CARPET STRIP.
4. 2X FRAMING WALL BELOW
5. TILE, SEE SPEC. SHEET
6. DRYER EXHAUST VENT, SEE MECHANICAL DRAWINGS.
7. RECESSED WATER VALVE BOX, VERIFY WITH PLUMBING DWGS.
8. SOFT WATER LOOP
9. WATER HEATER PLATFORM @ 18"AFF
10. TEMPERED GLASS SHOWER DOOR
11. BASE CABINETS, SEE D.R. HORTON FOR TYPE AND MODEL.
12. WALL MOUNTED UPPER CABINETS, SEE D.R. HORTON FOR TYPE AND MODEL.
13. MAKE-UP COUNTER @ +28".
14. UNDER COUNTER DISHWASHER.
15. 39 X30 REFRIGERATOR/FREEZER LOCATION, VERIFY W/ D.R.H.
16. RECESSED ICE MAKER BOX WITH VALVE.
17. CONTINUOUS HAND RAIL @ 36" A.F.F.
18. CENTER WINDOW ON INTERIOR WALL.
19. ARCH. SEE INTERIOR ELEVATION.
20. CEILING LINE.
21. NOT USED
22. 2" GYP. BD. DRAFTSTOP SHOWN DASHED
23. 1 COAT 1 HOUR STUCCO SYSTEM, AS MFG. PER ESR-1607
24. FOAM TRIM OR FOAM WAINSCOT OR FOAM TRIM W/STONE BELOW, SEE EXTERIOR ELEVATIONS FOR HEIGHTS & LOCATIONS.
25. COLUMN, SEE STRUCTURAL DRAWINGS.

GENERAL NOTES:

1. THE GARAGE WALLS & CEILING SHALL BE 5/8" TYPE 'X' GYPSUM BOARD. ALL OTHER CEILINGS SHALL BE 5/8" GYP. BD. D.R.H. CAN USE 1/2" MIN. GYP. BD. ON WALLS THAT ARE NOT RATED WALLS OR REQ'D. BY CODE.

2. THE DOOR BETWEEN THE CARAGE AND THE DWELLING UNITS SHALL BE EITHER SOLID WOOD OR METAL CLAD HONEYCOMB DOORS NOT LESS THAN 1 3/8" THICK OR A 20 MIN. DOOR. DOORS SHALL BE SELF-CLOSING & SELF-LATCHING W/A TIMELY FRAME.

3. REFER TO BUILDER FOR QUANTITY AND LOCATION OF BULLNOSE DRYWALL CORNER'S.

4. ALL BASE SHALL BE REVERSIBLE GRADE.

5. WHEN CERAMIC TILE, CULTURED MARBLE OR LIKE FINISHES ARE INSTALLED A BACKER BOARD OF CEMENT, FIBER CEMENT, OR GLASS MAT GYPSUM BACKERS IN COMPLIANCE WITH ASTM C1288, C1325 OR C1178 ARE TO BE USED IN THE TUBS TO A HEIGHT OF THE TILE IN TUB/SHOWER OR IN SHOWER FROM FLOOR TO CEILING AND ON THE CEILING TO THE EDGE OF THE TILE OR EDGE OF TUB/SHOWER, WHICHEVER IS GREATEST.

6. PENETRATIONS WILL NOT BE ALLOWED THROUGH FIRE RESTRICTIVE WALLS, FLOOR/CEILING AND ROOF/CEILING ASSEMBLIES WITHOUT APPROVED DETAILS.

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10. KITCHEN COUNTER TOP @ +36", TYP. U.N.O. SEE D.R. HORTON FOR TYPE & STYLE.

11. MIRROR ABOVE ALL LAV'S. TYP. U.N.O. SEE SPEC. SHEET.

12. GARAGE AND PATIO SHOULD SLOPE ¼" PER FOOT.

13. ALL SLIDING GLASS DOORS AND GLASS IN FRNCH/ATRIUM DOORS SHALL BE TEMPERED.

ATTIC ACCESS, CATWALK & WORKING PLATFORM:
* PROVIDE A 24" WIDE X 30" HIGH SOLID CATWALK.
* A WORKING PLATFORM AT CONTROL SIDE OF FAU, 30" IN DEPTH, WIDTH & HEIGHT SHALL BE PROVIDED.
* WHERE THE HEIGHT OF THE PASSAGEWAY IS LESS THAN 6 FT. THE DISTANCE FROM THE ACCESS TO THE FAU. SHALL NOT EXCEED 20 FT. MEASURED ALONG THE CENTERLINE OF THE PASSAGEWAY.

DOORS:
* FRONT ENTRY DOOR SHALL HAVE WEATHER-STRIPPING & THRESHOLD, A PEEP HOLE @ +60" AND BE PROVIDED W/A LOCKSET AND DEADBOLT.
* PROVIDE PRIVACY LOCKS AT MASTER BEDROOM & ALL BATHROOM DOORS U.N.O.
* ALL BY-PASS AND BI-FOLD DOORS SHALL BE WHITE ON WHITE U.N.O.
* ALL DOORS TO HAVE 3" JAMBS.

WINDOWS:
1. ALL WINDOWS TO BE THERMAL-PANE GLASS.
2. PROVIDE LOW 'E' WINDOW, VERIFY W/ECC CALCS. BY MECHANICAL ENGINEER.
3. ESCAPE AND RESCUE WINDOWS SHALL HAVE A MAX. SILL HEIGHT OF 44" & MIN. NET CLEAR OPENABLE AREA OF 5.7 S.F. THE MIN. NET CLEAR OPENABLE HEIGHT DIM. SHALL BE 24". THE MIN. NET CLEAR OPENABLE WIDTH DIM. SHALL BE 20". WHEN WINDOWS ARE PROVIDED AS A MEANS OF ESCAPE AND RESCUE THEY SHALL HAVE A FINISHED SILL.
* EXCEPTIONS:
A. MINIMUM NET CLEAR OPENING FOR A ESCAPE AND RESCUE GRADE FLOOR OPENING SHALL BE 5 SF.
* CONTRACTOR SHALL INSTALL TEMPERED GLAZING IN HAZARDOUS LOCATIONS.
4. GLAZING IN SWING DOORS, FIXED & SLIDING PANELS OF SLIDING DOORS & PANEL IN SLIDING & BI-FOLD CLOSET DOORS & IN STORM DOORS & UNFRAMED SWINGING DOORS.
5. GLAZING IN DOORS & ENCLOSURES FOR HOT TUBS, WHIRLPOOLS, SAUNAS, STEAM ROOMS, BATH TUBS & SHOWERS. GLAZING WHERE BOTTOM EXPOSED EDGE IS LESS THAN 60" ABOVE A STANDING SURFACE.
6. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL ADJACENT TO A DOOR WHERE THE NEAREST EXPOSED EDGE IS WITHIN A 24" ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A CLOSED POSITION AND WHERE THE BOTTOM EDGE IS LESS THAN 60" ABOVE WALKING SURFACE.
* EXCEPTIONS:
A. PANELS WHERE THERE IS A WALL BARRIER BETWEEN THE DOOR & GLAZING.
B. WHERE DOOR IS TO A CLOSET 3'-0" DEEP OR LESS SHALL COMPLY WITH SEC. R308.4 (SEE NOTE 7 BELOW)
C. GLAZING IN WALLS PERPENDICULAR TO THE PLANE OF THE DOOR IN A CLOSED POSITION OTHER THAN THE WALL THE DOOR SWINGS TOWARD.
7. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL OTHER THAN THOSE LOCATIONS DESCRIBED ABOVE THAT MEETS ALL OF THE FOLLOWING CONDITIONS:
A. EXPOSED AREA OF AN INDIVIDUAL PANE GREATER THAN 9 S.F.
B. EXPOSED BOTTOM EDGE IS LESS THAN 18" ABOVE THE FLOOR.
C. EXPOSED TOP EDGE IS GREATER THAN 36" ABOVE THE FLOOR.
D. ONE OR MORE WALKING SURFACES WITHIN 36" HORIZONTALLY OF THE PLANE OF THE GLAZING.

SQUARE FOOTAGE

LIVING:	FIRST FLOOR	=	1,864 S.F.
	SECOND FLOOR	=	2,536
	TOTAL	=	4,400
GARAGE:		=	729 S.F.
COVERED PORCH		=	178 S.F.
FULL COVERED PATIO OPTION			500 S.F.
PARTIAL COVERED PATIO OPTION:		=	240 S.F.
FULL DECK OPTION		=	500 S.F.
PARTIAL DECK OPTION:		=	240 S.F.
STANDARD UPSTAIRS COVERED PATIO:		=	60 S.F.
TOTAL FOOTAGE UNDER ROOF (STANDARD):		=	5,307 S.F.
TOTAL FOOTAGE UNDER ROOF: (WITH FULL PATIO)		=	5,807 S.F.

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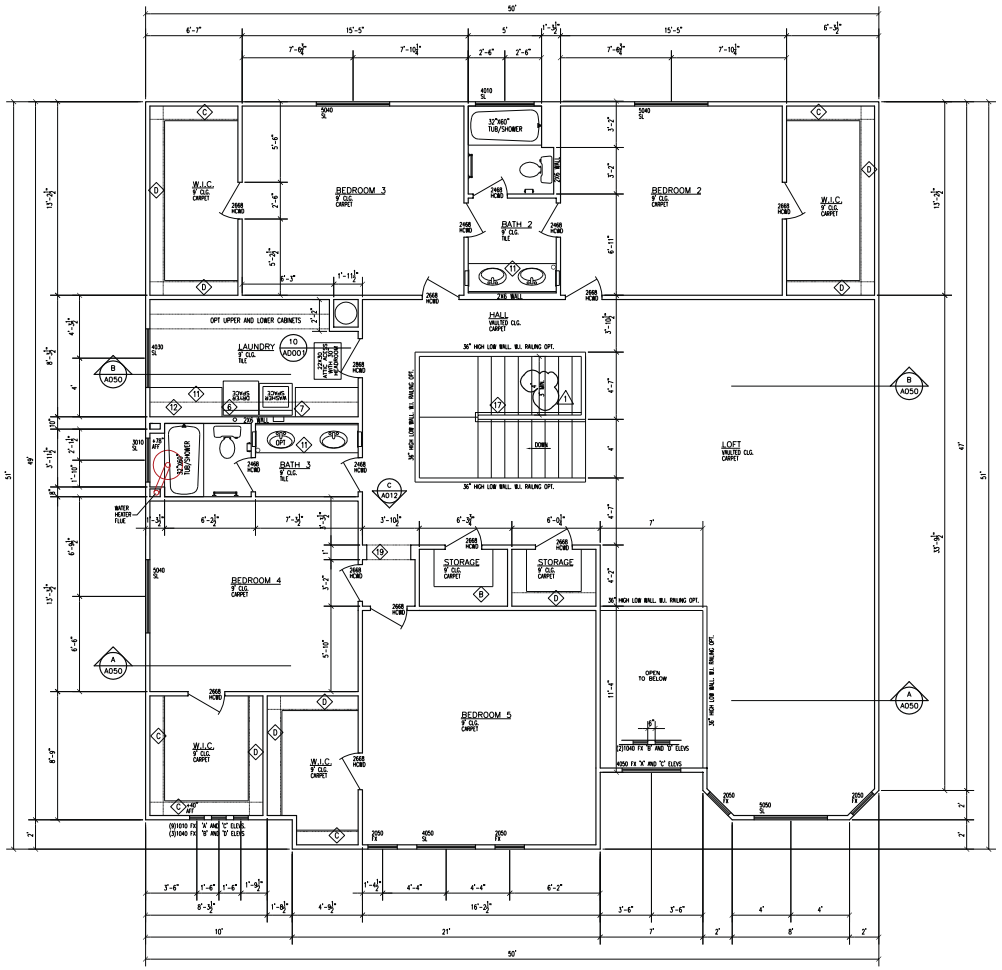
REVISION	DATE	NOTES
1	12-1-11	ARCH CORRECTION #1
2	8-14-12	CLIENT REVISION
3	10-22-12	FRAME WALK

JOB NO.: 1114
FILE NAME:
DATE: 10-17-11
UPDATE:

2270 CAMERO AVE LAS VEGAS NEVADA 89122

TMP-49164



1 SECOND FLOOR PLAN

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

GRAPHIC SCALE
1/4 INCH = 1 FOOT
0 1' 3' 7'

DOOR & WINDOW SCHEDULE

DOOR LEGEND:

FC	=	FIBER CLASSIC
HC	=	HOLLOW CORE WOOD DOOR
SC	=	SOLID CORE WOOD DOOR
FR	=	FRENCH W/TEMPERED GLAZING
BP	=	BYPASS DOORS
DA	=	DOUBLE ACTING HOLLOW CORE DOOR
MTL	=	METAL DOOR

WINDOW LEGEND:

FX	=	FIXED WINDOW
SL	=	SLIDER
SH	=	SINGLE HUNG
AR	=	ARCHED
TEMP.	=	TEMPERED GLAZING ROTD IN HAZARDOUS LOC. INSTALL PER I.R.C. CODE.

NOTE:
D.R. HORTON MAY SUBSTITUTE ANY DOOR MATERIAL ON ANY DOOR EXCEPT RATED DOORS AND DOORS REQUIRED BY CODE.

SHELVING OPTIONS:

- (A) (PANTRY) (4) 12" DEEP SHELVES EQUALLY SPACED.
- (B) (LINEN) (5) 16" DEEP SHELVES EQUALLY SPACED. (18" WIDE IN CLOSET)
- (C) (CLOSET) (1) 12" DEEP SHELF AND POLE @ +66".
- (D) (CLOSET) (2) 12" DEEP SHELVES AND POLE @ +42" & +84"
- (E) (LAUNDRY) (1) 12" DEEP SHELF.
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NOTE:
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WALL SCHEDULE

= GARAGE SEPARATION WALL

KEYNOTES:

1. MIN. 36" WIDE X MIN. 36" DEEP X 4" THICK CONCRETE LANDING. STOOP WIDTH SHALL NOT BE LESS THAN THE DOOR SERVED.
2. DECORATIVE COLUMNS
3. CARPET STRIP.
4. 2X FRAMING WALL BELOW
5. TILE, SEE SPEC. SHEET
6. DRYER EXHAUST VENT, SEE MECHANICAL DRAWINGS.
7. RECESSED WATER VALVE BOX, VERIFY WITH PLUMBING DWGS.
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12. WALL MOUNTED UPPER CABINETS, SEE D.R. HORTON FOR TYPE AND MODEL.
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14. UNDER COUNTER DISHWASHER.
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16. RECESSED ICE MAKER BOX WITH VALVE.
17. CONTINUOUS HAND RAIL @ 36" A.F.F.
18. CENTER WINDOW ON INTERIOR WALL.
19. ARCH. SEE INTERIOR ELEVATION.
20. CEILING LINE.
21. NOT USED
22. NOT USED
23. NOT USED
24. FOAM TRIM OR FOAM WAINSCOT OR FOAM TRIM W/STONE BELOW, SEE EXTERIOR ELEVATIONS FOR HEIGHTS & LOCATIONS.
25. COLUMN, SEE STRUCTURAL DRAWINGS.

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3. REFER TO BUILDER FOR QUANTITY AND LOCATION OF BULLNOSE DRYWALL CORNER'S.

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6. PENETRATIONS WILL NOT BE ALLOWED THROUGH FIRE RESTRICTIVE WALLS, FLOOR/CEILING AND ROOF/CEILING ASSEMBLIES WITHOUT APPROVED DETAILS.

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* PROVIDE A 24" WIDE X 30" HIGH SOLID CATWALK.
* A WORKING PLATFORM AT CONTROL SIDE OF FAU. 30" IN DEPTH, WIDTH & HEIGHT SHALL BE PROVIDED.
* WHERE THE HEIGHT OF THE PASSAGEWAY IS LESS THAN 6 FT. THE DISTANCE FROM THE ACCESS TO THE FAU. SHALL NOT EXCEED 20 FT. MEASURED ALONG THE CENTERLINE OF THE PASSAGEWAY.

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* PROVIDE PRIVACY LOCKS AT MASTER BEDROOM & ALL BATHROOM DOORS U.N.O.
* ALL BY-PASS AND BI-FOLD DOORS SHALL BE WHITE ON WHITE U.N.O.
* ALL DOORS TO HAVE 3" JAMBS.

WINDOWS:
1. ALL WINDOWS TO BE THERMAL-PANE GLASS.
2. PROVIDE LOW 'E' WINDOW, VERIFY W/ECC CALCS. BY MECHANICAL ENGINEER.
3. ESCAPE AND RESCUE WINDOWS SHALL HAVE A MAX. SILL HEIGHT OF 44" & MIN. NET CLEAR OPENABLE AREA OF 5.7 S.F. THE MIN. NET CLEAR OPENABLE HEIGHT DIM. SHALL BE 24". THE MIN. NET CLEAR OPENABLE WIDTH DIM. SHALL BE 20". WHEN WINDOWS ARE PROVIDED AS A MEANS OF ESCAPE AND RESCUE THEY SHALL HAVE A FINISHED SILL.
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* CONTRACTOR SHALL INSTALL TEMPERED GLAZING IN HAZARDOUS LOCATIONS:
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5. GLAZING IN DOORS & ENCLOSURES FOR HOT TUBS, WHIRLPOOLS, SAUNAS, STEAM ROOMS, BATH TUBS & SHOWERS. GLAZING WHERE BOTTOM EXPOSED EDGE IS LESS THAN 60" ABOVE A STANDING SURFACE.
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B. WHERE DOOR IS TO A CLOSET 3'-0" DEEP OR LESS SHALL COMPLY WITH SEC. R308.4 (SEE NOTE 7 BELOW).
C. GLAZING IN WALLS PERPENDICULAR TO THE PLANE OF THE DOOR IN A CLOSED POSITION OTHER THAN THE WALL THE DOOR SWINGS TOWARD.
7. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL OTHER THAN THOSE LOCATIONS DESCRIBED ABOVE THAT MEETS ALL OF THE FOLLOWING CONDITIONS:
A. EXPOSED AREA OF AN INDIVIDUAL PANE GREATER THAN 9 S.F.
B. EXPOSED BOTTOM EDGE IS LESS THAN 18" ABOVE THE FLOOR.
C. EXPOSED TOP EDGE IS GREATER THAN 36" ABOVE THE FLOOR.
D. ONE OR MORE WALKING SURFACES WITHIN 36" HORIZONTALLY OF THE PLANE OF THE GLAZING.

LARRY TINDALL
REGISTERED RESIDENTIAL DESIGNER
No. 52.9 STATE OF NEVADA
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OFFICE (702) 897-9997

LARRY TINDALL
RESIDENTIAL DESIGNER

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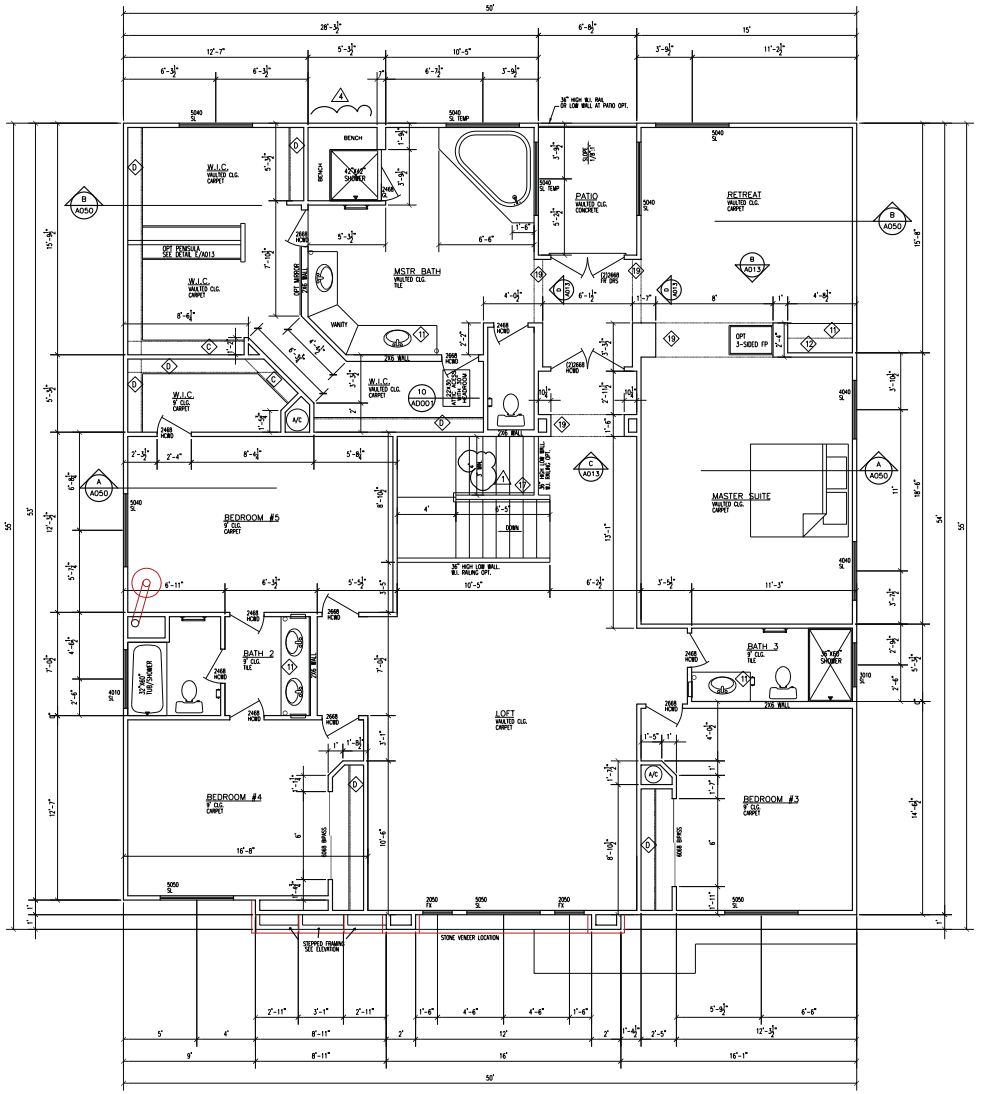
REVISION	DATE	NOTES
1	12-7-11	ARCH CORRECTION #1

JOB NO.: 1114
FILE NAME:
DATE: 10-17-11
UPDATE:

2270 CAMERO AVE.
LAS VEGAS, NEVADA 89129

TMP-49164



(A) SECOND FLOOR PLAN

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

GRAPHIC SCALE
1/4 INCH = 1 FOOT

0 1' 3' 7'

DOOR & WINDOW SCHEDULE

DOOR LEGEND:

FC = FIBER CLASSIC
HC = HOLLOW CORE WOOD DOOR
SC = SOLID CORE WOOD DOOR
FR = FRENCH W/TEMPERED GLAZING
BP = BYPASS DOORS
DA = DOUBLE ACTING HOLLOW CORE DOOR
MTL = METAL DOOR

WINDOW LEGEND:

FX = FIXED WINDOW
SL = SLIDER
SH = SINGLE HUNG
AR = ARCHED
TEMP. = TEMPERED GLAZING RQ'D IN HAZARDOUS LOC. INSTALL PER I.R.C. CODE.

NOTE:
D.R. HORTON MAY SUBSTITUTE ANY DOOR MATERIAL ON ANY DOOR EXCEPT RATED DOORS AND DOORS REQUIRED BY CODE.

SHELVING OPTIONS:

A (PANTRY) (4) 12" DEEP SHELVES EQUALLY SPACED.
B (LINEN) (5) 16" DEEP SHELVES EQUALLY SPACED. (18" WIDE IN CLOSET)
C (CLOSET) (1) 12" DEEP SHELF AND POLE @ +66".
D (CLOSET) (2) 12" DEEP SHELVES AND POLE @ +42" & +84"
E (LAUNDRY) (1) 12" DEEP SHELF.
F (LINEN) (5) 12" DEEP SHELVES EQUALLY SPACED
G (PANTRY) (4) 16" DEEP SHELVES EQUALLY SPACED.

NOTE:
ALL SHELVES ARE WOOD OR WOOD W/LAMINATE FINISH, VERIFY W/D.R. HORTON, POLES ARE WOOD W/METAL ROSETTES

WALL SCHEDULE

= GARAGE SEPARATION WALL

KEYNOTES:

1. MIN. 36" WIDE X MIN. 36" DEEP X 4" THICK CONCRETE LANDING. STOOP WIDTH SHALL NOT BE LESS THAN THE DOOR SERVED.
2. DECORATIVE COLUMNS
3. CARPET STRIP.
4. 2X FRAMING WALL BELOW
5. TILE, SEE SPEC. SHEET
6. DRYER EXHAUST VENT, SEE MECHANICAL DRAWINGS.
7. RECESSED WATER VALVE BOX, VERIFY WITH PLUMBING DWGS.
8. SOFT WATER LOOP
9. WATER HEATER PLATFORM @ 18"AFF
10. TEMPERED GLASS SHOWER DOOR
11. BASE CABINETS, SEE D.R. HORTON FOR TYPE AND MODEL.
12. WALL MOUNTED UPPER CABINETS, SEE D.R. HORTON FOR TYPE AND MODEL.
13. MAKE-UP COUNTER @ +28".
14. UNDER COUNTER DISHWASHER.
15. 39 X30 REFRIGERATOR/FREEZER LOCATION, VERIFY W/ D.R.H.
16. RECESSED ICE MAKER BOX WITH VALVE.
17. CONTINUOUS HAND RAIL @ 36" A.F.F.
18. CENTER WINDOW ON INTERIOR WALL.
19. ARCH. SEE INTERIOR ELEVATION.
20. CEILING LINE.
21. NOT USED
22. NOT USED
23. NOT USED
24. FOAM TRIM OR FOAM WAINSCOT OR FOAM TRIM W/STONE BELOW, SEE EXTERIOR ELEVATIONS FOR HEIGHTS & LOCATIONS.
25. COLUMN, SEE STRUCTURAL DRAWINGS.

GENERAL NOTES:

1. THE GARAGE WALLS & CEILING SHALL BE 5/8" TYPE 'X' GYPSUM BOARD, ALL OTHER CEILINGS SHALL BE 5/8" GYP. BD. D.R.H. CAN USE 1/2" MIN. GYP. BD. ON WALLS THAT ARE NOT RATED WALLS OR REQ'D. BY CODE.

2. THE DOOR BETWEEN THE GARAGE AND THE DWELLING UNITS SHALL BE EITHER SOLID WOOD OR METAL CLAD HONEYCOMB DOORS NOT LESS THAN 1 3/8" THICK OR A 20 MIN. DOOR. DOORS SHALL BE SELF-CLOSING & SELF-LATCHING W/A TIMELY FRAME.

3. REFER TO BUILDER FOR QUANTITY AND LOCATION OF BULLNOSE DRYWALL CORNER'S.

4. ALL BASE SHALL BE REVERSIBLE GRADE.

5. WHEN CERAMIC TILE, CULTURED MARBLE OR LIKE FINISHES ARE INSTALLED A BACKER BOARD OF CEMENT, FIBER CEMENT, OR GLASS MAT GYPSUM BACKERS IN COMPLIANCE WITH ASTM C1288, C1325 OR C1178 ARE TO BE USED IN THE TUBS TO A HEIGHT OF THE TILE IN TUB/SHOWER OR IN SHOWER FROM FLOOR TO CEILING AND ON THE CEILING TO THE EDGE OF THE TILE OR EDGE OF TUB/SHOWER, WHICHEVER IS GREATEST.

6. PENETRATIONS WILL NOT BE ALLOWED THROUGH FIRE RESTRICTIVE WALLS, FLOOR/CEILING AND ROOF/CEILING ASSEMBLIES WITHOUT APPROVED DETAILS.

7. ALL APPLIANCES AND PLUMBING FIXTURES SHALL BE SELECTED BY D.R. HORTON.

8. SEE D.R. HORTON FOR ALL CABINETRY SPECIFICATIONS.

9. AT TUBS, SHOWERS, & TUB/SHOWER COMBOS THAT ABUT RATED WALLS, 5/8" TYPE 'X' GYPSUM BOARD MUST BE INSTALLED BETWEEN THE TUB, OR SHOWER, OR TUB/SHOWER COMBO AND THE RATED WALL.

10. KITCHEN COUNTER TOP @ +36", TYP. U.N.O. SEE D.R. HORTON FOR TYPE & STYLE.

11. MIRROR ABOVE ALL LAV'S. TYP. U.N.O. SEE SPEC. SHEET.

12. GARAGE AND PATIO SHOULD SLOPE ¼" PER FOOT.

13. ALL SLIDING GLASS DOORS AND GLASS IN FRNCH/ATRIUM DOORS SHALL BE TEMPERED.

ATTIC ACCESS, CATWALK & WORKING PLATFORM:
* PROVIDE A 24" WIDE X 30" HIGH SOLID CATWALK.
* A WORKING PLATFORM AT CONTROL SIDE OF FAU. 30" IN DEPTH, WIDTH & HEIGHT SHALL BE PROVIDED.
* WHERE THE HEIGHT OF THE PASSAGEWAY IS LESS THAN 6 FT. THE DISTANCE FROM THE ACCESS TO THE FAU. SHALL NOT EXCEED 20 FT. MEASURED ALONG THE CENTERLINE OF THE PASSAGEWAY.

DOORS:
* FRONT ENTRY DOOR SHALL HAVE WEATHER-STRIPPING & THRESHOLD, A PEEP HOLE @ +60" AND BE PROVIDED W/A LOCKSET AND DEADBOLT.
* PROVIDE PRIVACY LOCKS AT MASTER BEDROOM & ALL BATHROOM DOORS U.N.O.
* ALL BY-PASS AND BI-FOLD DOORS SHALL BE WHITE ON WHITE U.N.O.
* ALL DOORS TO HAVE 3" JAMBS.

WINDOWS:
1. ALL WINDOWS TO BE THERMAL-PANE GLASS.
2. PROVIDE LOW 3" WINDOW, VERIFY W/ECC CALCS. BY MECHANICAL ENGINEER.
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LAS VEGAS, NEVADA 89129

2270 CAMERO AVE.

REVISION	DATE	NOTES
1	12-1-11	ARCH CORRECTION #1
2	8-14-12	CLOVE REVISION

JOB NO.: 1114
FILE NAME:
DATE: 10-17-11
UPDATE:

TMP-49164

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

SUBJECT:
VAC-49184 - VACATION RELATED TO WVR-49163 - PUBLIC HEARING - APPLICANT/OWNER: DR HORTON, INC. - For possible action on a request for a Petition to Vacate a 30-foot wide portion of Haley Avenue and U.S. Government Patent Easements generally located at the southeast corner of Dorrell Lane and Hualapai Way (APNs 125-19-201-001 and 003), R-1 (Single Family Residential) Zone, Ward 6 (Ross) [PRJ-49064]. Staff recommends APPROVAL.

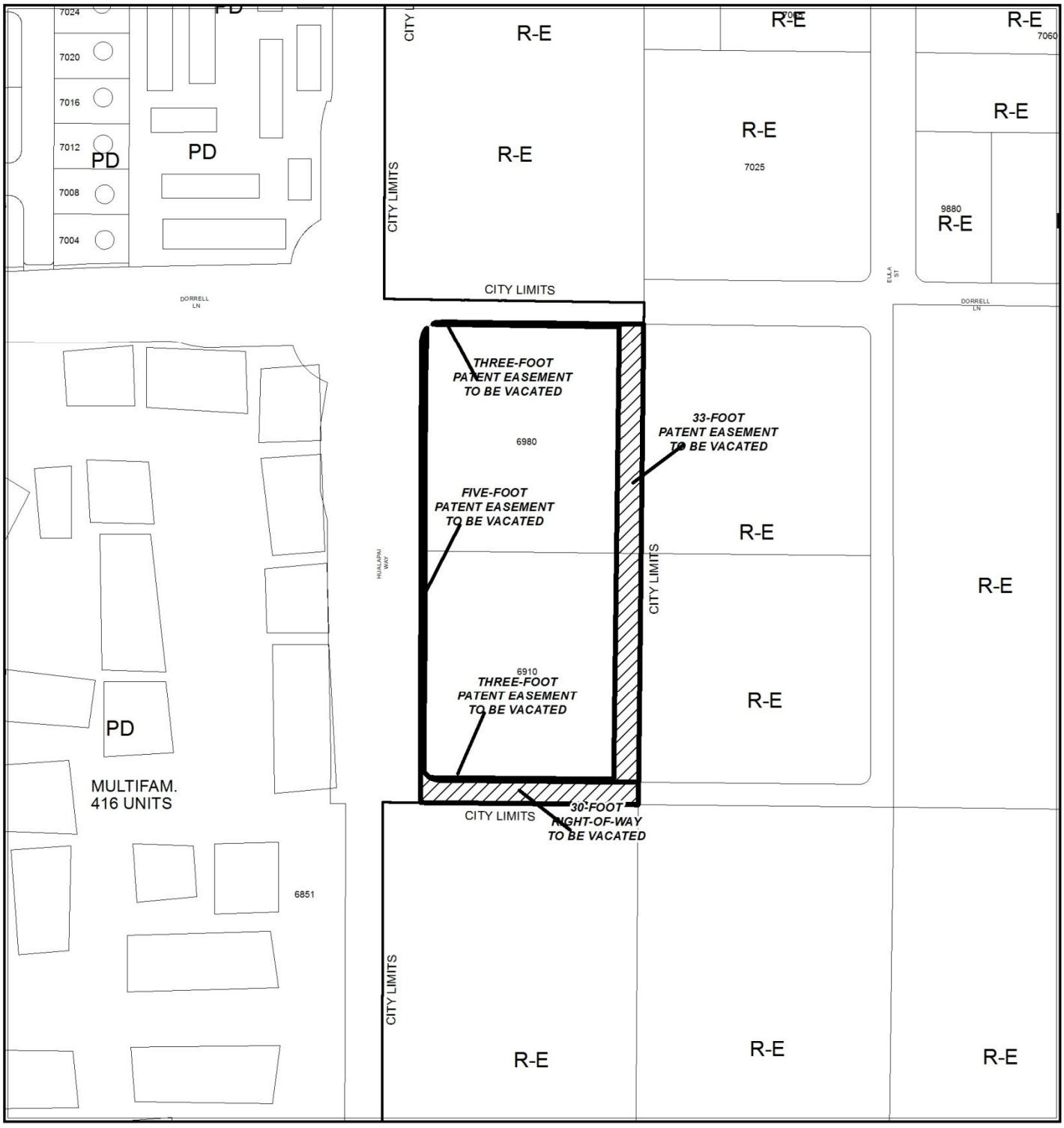
SET DATE: 07/10/2013
C.C.: 07/24/2013

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

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.



CASE: VAC-49184 (PRJ-49064)

0 100 200
Feet

N



CASE: VAC-49184 (PRJ-49064)

0 100 200
Feet

N

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

WVR-49163
TMP-49164
VAC-49184

Case Number: _____ APN: 125-19-201-001, 003

Name of Property Owner: D. R. Horton, Inc.

Name of Applicant: _____

Name of Representative: Slater Hanifan Group

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

☐ **Yes** ☒ **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: Bradley F. Burns

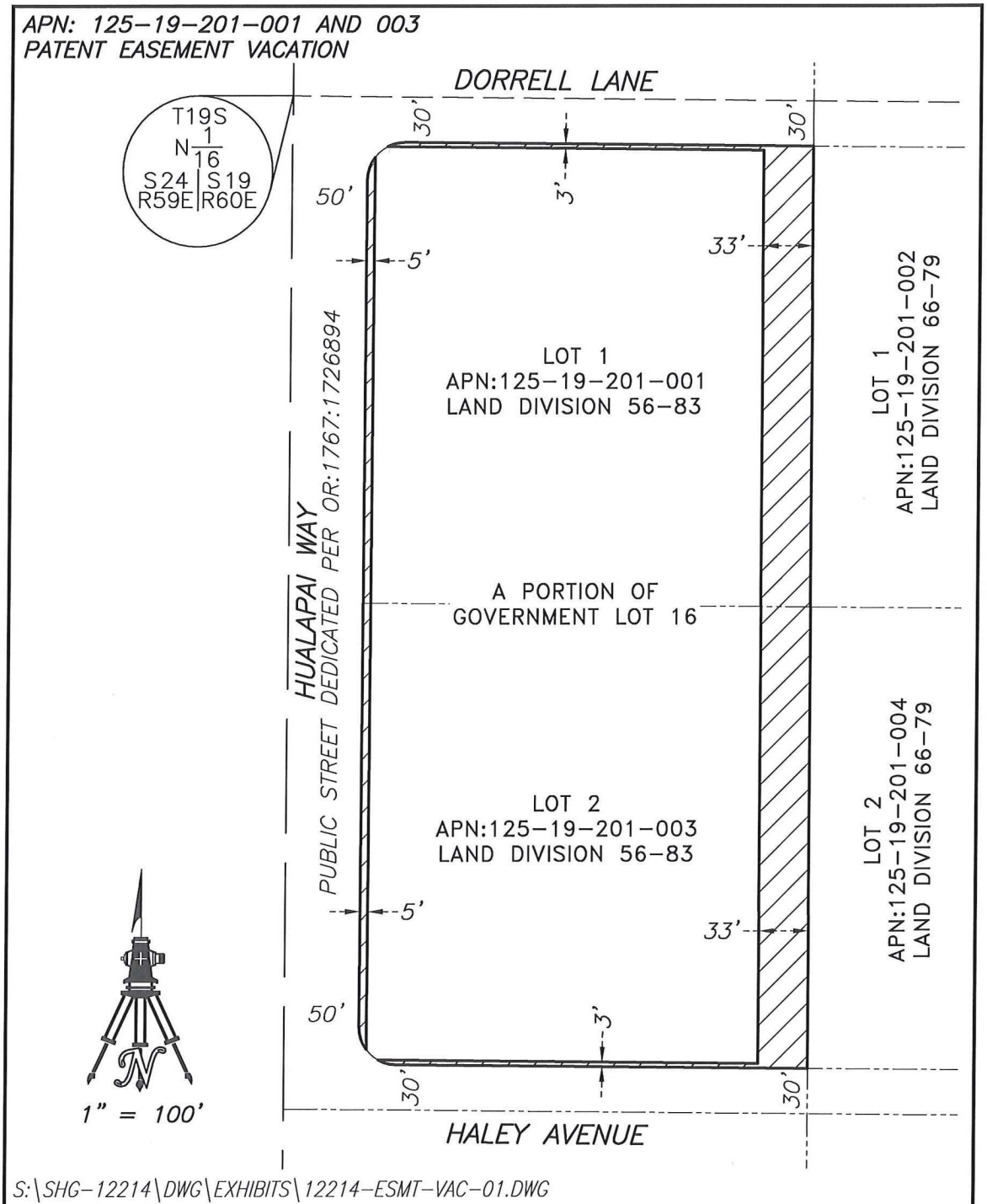
Subscribed and sworn before me

This 13th day of Feb., 2013

Barbara A. Bross

Notary Public in and for said County and State

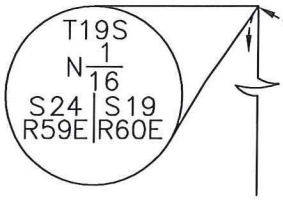
BARBARA A. BROSS
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 98-2673-1
My Appt. Expires Mar 23, 2014



WALLACE · MORRIS SURVEYING, INC. LAND SURVEY CONSULTING 5740 S. ARVILLE ST. #206 LAS VEGAS, NEVADA 89118	PRJ-49064 04/25/13	EXHIBIT "B" LYING WITHIN THE NORTHWEST QUARTER (NW1/4) OF SECTION 19, T. 19 S., R. 60 E., M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA PAGE 1 OF 1

VAC-49184

APN: 125-19-299-001
RIGHT-OF-WAY VACATION



POINT OF COMMENCEMENT

LINE	BEARING
R1	N89°51'44"W

LINE	BEARING	DISTANCE
L1	S89°25'41"E	50.00'
L2	N00°08'16"E	54.81'
L3	S00°02'51"E	30.00'

S00°08'16"W 670.00'

HUALAPAI WAY
PUBLIC STREET DEDICATED PER OR:1767:1726894

A PORTION OF GOVERNMENT LOT 16

LOT 2
APN:125-19-201-003
LAND DIVISION 56-83

LOT 2
APN:125-19-201-004
LAND DIVISION 66-79

50'

R1

S89°25'41"E 274.71'

L2

L1

C1

L3

N89°25'41"W 299.62'

HALEY AVENUE

POINT OF BEGINNING

GOVERNMENT LOT 17
APN: 125-19-202-006



1" = 100'

CURVE	DELTA	RADIUS	LENGTH	TANGENT
C1	89°33'57"	25.00'	39.08'	24.81'

S:\SHG-12214\DWG\EXHIBITS\12214-ROW-VAC-01.DWG

WALLACE · MORRIS
SURVEYING, INC.
LAND SURVEY CONSULTING
5740 S. ARVILLE ST. #206
LAS VEGAS, NEVADA 89118

PRJ-49064
04/25/13

EXHIBIT "B"
LYING WITHIN THE NORTHWEST QUARTER (NW1/4) OF SECTION 19, T. 19 S., R. 60 E., M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA
PAGE 1 OF 1

VAC-49184

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

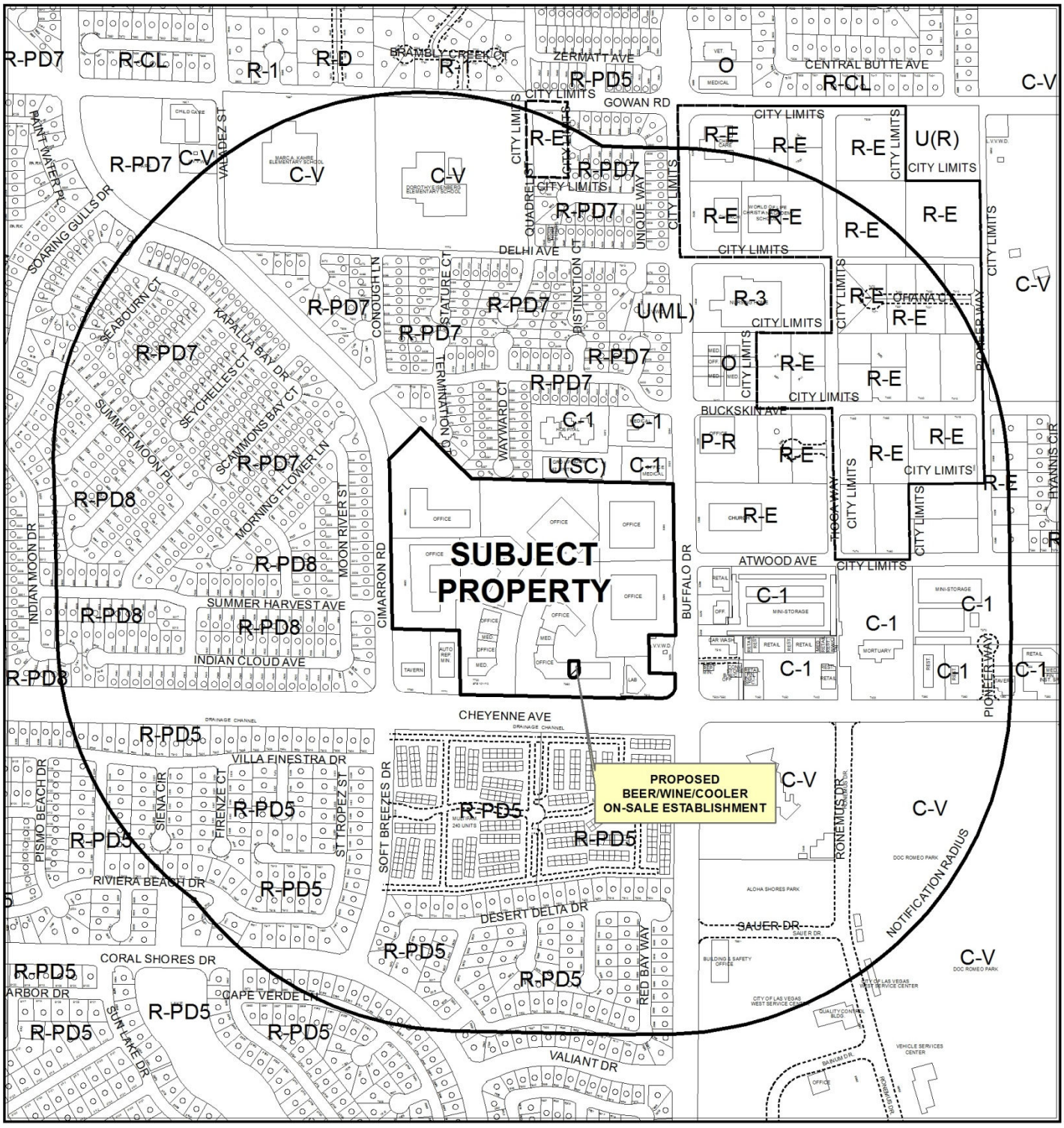
SUBJECT:
SUP-49108 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: NMT ENTERPRISE, LLC - OWNER: 333 MSA FREMONT II, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN AN EXISTING 1,800 SQUARE-FOOT RESTAURANT WITH A WAIVER TO ALLOW A 100-FOOT DISTANCE SEPARATION FROM A CHURCH WHERE 400 FEET IS REQUIRED at 7660 West Cheyenne Avenue, Suite #122 (APN 138-09-821-015), C-1 (Limited Commercial) Zone, Ward 4 (Anthony). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
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:

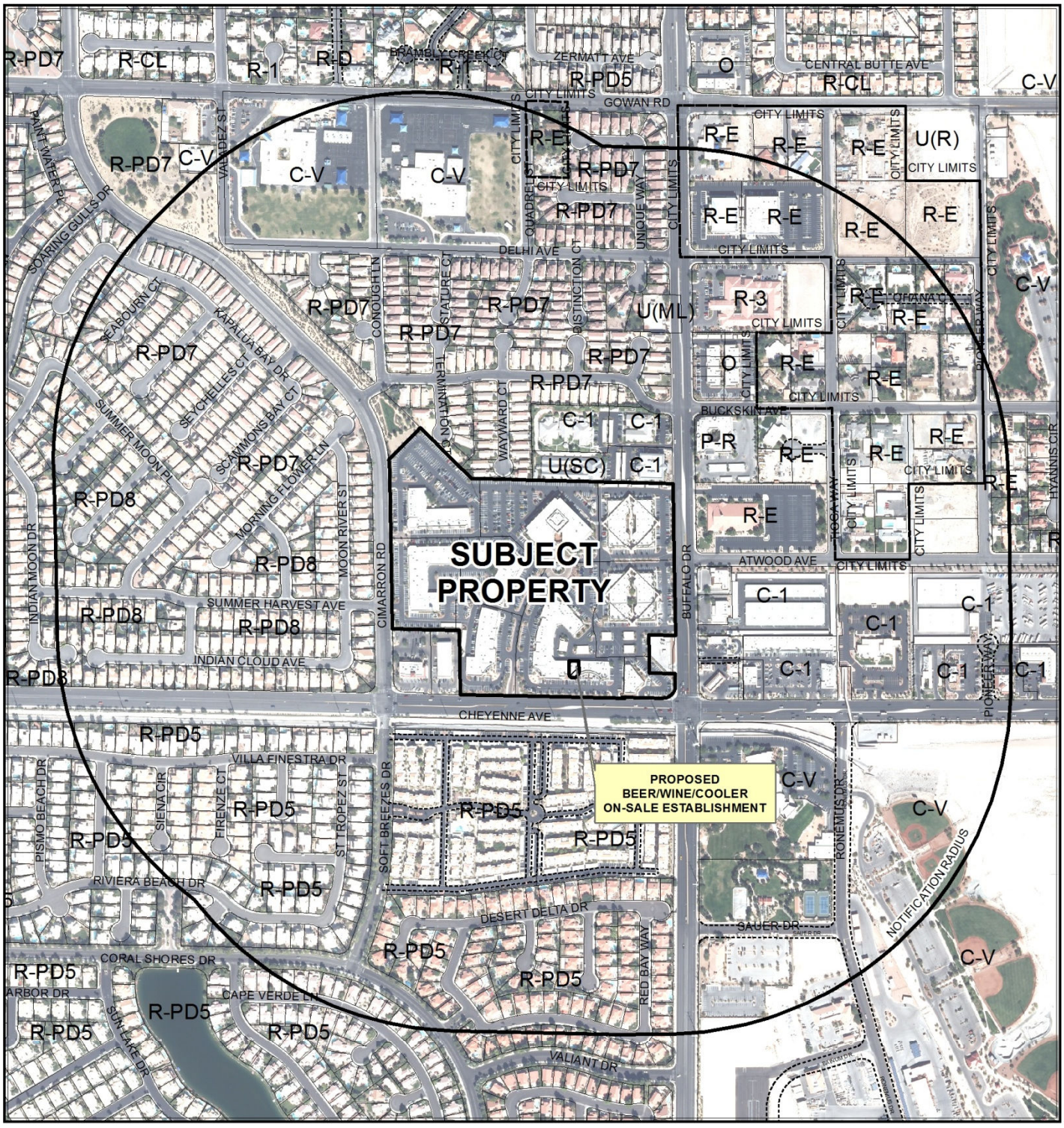
BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: **SUP-49108**

RADIUS: 1500 FEET

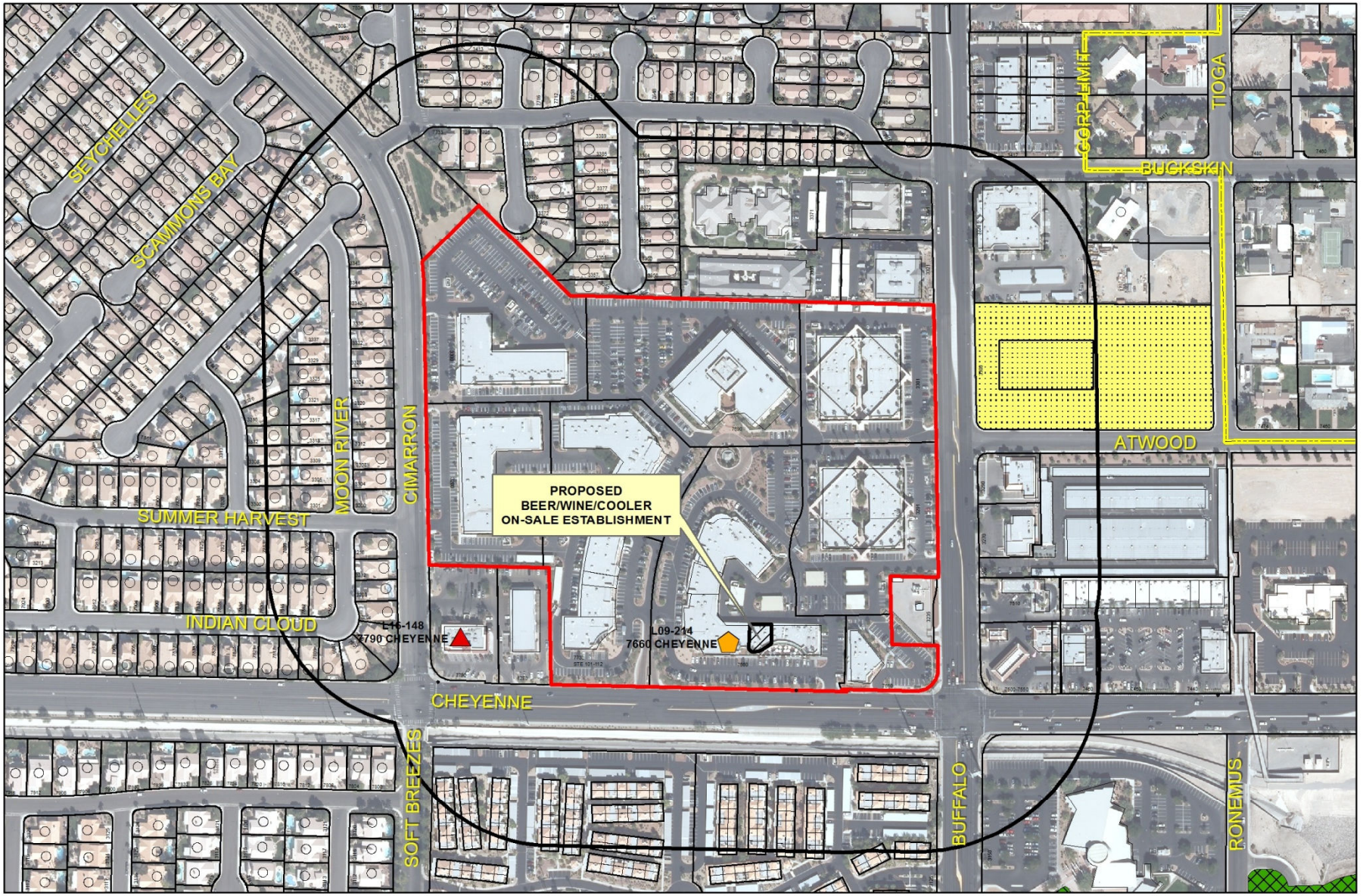
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: **SUP-49108**

RADIUS: 1500 FEET

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



SUP-49108

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 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: NMT ENTERPRISE, LLC - OWNER: 333 MSA FREMONT II, LLC

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

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-49108	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

SUP-49108 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Beer/Wine/Cooler On-Sale use.

2. Conformance to the approved conditions for Rezoning (Z-0052-93) and Site Development Plan Review [Z-0052-93(11)].

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. A Waiver from Title 19.12 is hereby approved, to allow a distance separation of 100 feet from the property line of the subject Beer/Wine/Cooler On-Sale Establishment to a Church/House of Worship, where a minimum of 400 feet is required.

5. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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. Approval of this Special Use Permit does not constitute approval of a liquor license.

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

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

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting approval of a Special Use Permit for a proposed Beer/Wine/Cooler On-Sale Sale Establishment within an existing 1,800 square-foot restaurant located in a Shopping Center at the northwest corner of Buffalo Drive and Cheyenne Avenue. The use had been established in a previous restaurant at this location between 2004 and 2012, but the entitlement for the use was allowed to expire following the six-month period after the restaurant had closed. Although the subject tenant space is more than 400 feet from any protected uses, the shopping center itself is separated from an existing church by 100 feet, requiring a waiver from use requirements. Because the subject tenant space is oriented away from the church and adjacent to similar uses within the shopping center, the use can be conducted in a manner that is harmonious and compatible with the existing surrounding uses, and staff recommends approval of the Special Use Permit and associated waiver request, with conditions. If denied, no alcoholic beverages may be served within the subject suite.

ISSUES

- A Beer/Wine/Cooler On-Sale Establishment use is permitted in the C-1 (Limited Commercial) zoning district with approval of a Special Use Permit.
- A Waiver is required to allow a 100-foot distance separation from an existing Church where 400 feet is required, as measured from property line to property line. Staff supports the waiver, as the protected use is located across a 100-foot public right-of-way.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
07/21/93	The City Council approved a Rezoning (Z-0052-93) to C-1 (Limited Commercial) on the subject site as part of a larger request. The Planning Commission and staff recommended approval.
07/13/98	The City Council approved a Site Development Plan Review [Z-0052-93(11)] for a proposed 178,510 square-foot office complex consisting of five single-story buildings on 15.40 acres at the northeast corner of Cimarron Road and Cheyenne Avenue. The Planning Commission and staff recommended approval.
04/21/04	The City Council approved a Special Use Permit (SUP-3716) for a Restaurant with Service Bar and a Waiver of the required 400-foot separation distance from an existing Church and City Park. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
06/22/05	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/16/04	A building permit (#04001137) was issued for a tenant improvement for a restaurant at 7660 West Cheyenne Avenue, Suite #122. A final inspection was approved 03/05/04.
03/16/04	A business license (R09-01241) was issued for a restaurant at 7660 West Cheyenne Avenue, Suite #122. The license was marked out of business on 01/17/12.
08/04/04	A business license (L09-00214) was issued for off-premise sales of beer, wine, and wine coolers at 7660 West Cheyenne Avenue, Suite #122. The license went into inactive status on 01/17/12.
07/12/12	A business license (R09-01665) was issued for a restaurant at 7660 West Cheyenne Avenue, Suite #122. The license is still active.

Pre-Application Meeting	
04/17/13	A pre-application meeting was held with the applicant to discuss submittal requirements for a Special Use Permit. The applicant was informed that an existing church is located within the minimum 400-foot separation distance and that this requirement must be waived in order to gain approval.

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

Field Check	
05/02/13	The subject tenant space contains an existing restaurant and is located within a Shopping Center, facing Cheyenne Avenue and away from a church located at 3300 North Buffalo Drive.

Details of Application Request	
Site Area	
Net Acres	5.04

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Adult Day Care Facility	SC (Service Commercial)	U (Undeveloped)
South	Multi-Family Residential (Condominiums)	M (Medium Density Residential)	R-PD5 (Residential Planned Development – 5 Units Per Acre)
East	Church/House of Worship	R (Rural Density Residential)	R-E (Residence Estates)
	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
	Office, Other Than Listed		
	Car Wash, Full Service		
	General Retail (Convenience Store)		
West	Liquor Establishment (Tavern)	SC (Service Commercial)	C-1 (Limited Commercial)
	Single Family, Detached	ML (Medium Low Density Residential)	R-PD8 (Residential Planned Development – 8 Units Per Acre)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
No Applicable Special Purpose or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Cheyenne Avenue	Primary Arterial	Master Plan of Streets and Highways Map	98	N

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	178,400 SF GFA	1 space per 250 SF GFA	714				
TOTAL SPACES REQUIRED			714		809		Y
Regular and Handicap Spaces Required			699	15	793	16	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
No Beer/Wine/Cooler On-Sale Establishment shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park	To allow the proposed use 100 feet from a Church/House of Worship use	Approval

ANALYSIS

The Beer/Wine/Cooler On-Sale Establishment use is defined as "An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which 30 or more people may be served with meals at any one time at tables or stools." The proposed use meets the definition, as the subject location is licensed as a restaurant seating up to 50 persons at a time. Beer, wine, and wine coolers would be sold only with meals for consumption on the premises. There is an existing outdoor dining area shared by multiple tenants within the commercial subdivision.

The minimum Special Use Permit requirements for this use include:

1. Except as otherwise provided, no Beer/Wine/Cooler on-sale establishment (hereinafter "establishment") shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park.

   The proposed use does not meet this requirement, as there is an existing church (at 3300 North Buffalo Drive) located 100 feet from the property line of the subject property.

2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
   a. Any leasehold parcel; or
   b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement 1.

   The proposed use meets this requirement, as the subject lot has direct access to both Cheyenne Avenue and Buffalo Drive; measurement is taken from the existing property line of Lot 1 as mapped by File 80 Page 45 of Plat Maps.

3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:
   a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
   b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.

   This requirement does not apply to the proposed use, as the property on which it is proposed is less than 80 acres in size.

4. When considering a Special Use Permit application for an establishment which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

   This requirement applies to the proposed use, as a distance separation waiver is necessary.

5. The minimum distance requirements in Requirement 1 do not apply to:
   a. An establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or
   b. A proposed establishment having more than 50,000 square feet of retail floor space.

   Neither condition applies to the proposed use.

6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50. (Nonwaivable)

   The proposed use will meet this requirement, as it is a condition of approval of the Special Use Permit.

The proposed use would be located within an established Shopping Center that consists primarily of an office complex with storefront retail and restaurant uses along Cheyenne Avenue. No additional parking is required for this use, as it is ancillary to the primary use of the existing Restaurant. Other than the minimum use requirements in Title 19.12, there are no special development requirements pertaining to this site.

The proposed Beer/Wine/Cooler Off-Sale Establishment use had previously been established at this location through an approved Special Use Permit (SUP-3716) with the same waiver from a protected use as the current request. The Beer/Wine/Cooler On-Sale use ceased on 01/17/12 and the use permit subsequently expired 07/16/12 after 180 days of inactivity.

The associated distance separation waiver can be supported, as the protected Church use is separated from the commercial subdivision by a fully improved 100-foot public right-of-way (Buffalo Drive), and the tenant space itself is oriented away from the church, adjacent to retail and restaurant uses. The use can therefore be operated without detriment to the surrounding land uses, and staff recommends approval, with conditions.

FINDINGS (SUP-49108)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 Establishment is compatible with the SC (Service Commercial) General Plan land use designation, but fails to satisfy the requirements of Title 19.12 with respect to minimum separation distance requirements. The subject tenant space is located within a shopping center along with other similar and compatible uses, facing away from the protected Church use. The church is located east of Buffalo Drive, a 100-foot public right-of-way. For these reasons, the use can be conducted harmoniously with the surrounding uses, and staff supports the requested waiver of the minimum distance separation requirement.

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

   The site, which is part of a 29-acre site containing compatible retail and office uses, can accommodate the proposed use. This site contains adequate parking for all uses, and the proposed use does not generate the need for any additional parking spaces.

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 Beer/Wine/Cooler Off-Sale Establishment can be accessed from either Buffalo Drive or Cheyenne Avenue, which are both identified on the Master Plan of Streets and Highways as Primary (100-foot) Arterials. These roads have adequate capacity to serve the proposed development. Additional access is provided from Cimarron Road, a Major (80-foot) Collector.

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 Beer/Wine/Cooler Off-Sale Establishment use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

5. The use meets all of the applicable conditions per Title 19.12.

The proposed Beer/Wine/Cooler Off-Sale Establishment use does not meet the 400-foot distance separation requirement from an existing Church, as measured from property line to property line. Staff recommends approval of the requested waiver of the separation distance.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 1,287

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-49108** APN: 138-09-821-015

Name of Property Owner: 333 MSA Fremont II LLC

Name of Applicant: NMT Enterprise LLC DBA: Sabatinos NY Pizzeria

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: J. Marcus Bowman, V.P.

~~Subscribed and sworn before me~~

This _____ day of _____, 20_____

See Notary Jurat Attached

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

4-18-13

Revised 11-14-06

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RECEIVED
APR 23 2013

NOTARY JURAT

State of California }
}ss.
County of San Francisco }

Subscribed and sworn to (or affirmed) before me on this 18th day of April 2013, by J. Marcus Boman, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Linda Adele Rust
Notary Signature

LINDA ADELE RUST
Notary Name (print or type)

My commission expires: 4-3-15

LINDA ADELE RUST
COMM. # 1928028
NOTARY PUBLIC - CALIFORNIA
SAN FRANCISCO COUNTY
My Comm. Expires April 3, 2015

RECEIVED
APR

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Sabatino's NY Pizzeria NMT Enterprise LLC

Project Address (Location) 7660 W. Cheyenne Ave #122 Las Vegas NV 89129

Project Name Sabatino's NY Pizzeria **Proposed Use** Beer/wine/cooler on-sale

Assessor's Parcel #(s) 138-09-821-015 **Ward #** 4 - Anthony

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

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

Gross Acres 5.03 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER 333 MSA Fremont II LLC **Contact** _____

Address 199 Fremont St #1150 **Phone:** _____ **Fax:** _____

City San Francisco **State** CA **Zip** 94105-0641

E-mail Address _____

APPLICANT NMT Enterprise LLC **Contact** Robert Hughes
DBA: Sabatinos NY Pizzeria

Address 149 Skytop Drive **Phone:** 702-806-9224 **Fax:** _____

City Henderson **State** NV **Zip** 89015

E-mail Address nmtenterprise@aol.com

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* _____

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

Print Name J. Marcus Boman, V.P.

~~Subscribed and sworn before me~~

This _____ day of _____, 20 _____.

See Notary Jurat Attached
4-18-13 CA Just

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

RECEIVED
APR 23 2013

FOR DEPARTMENT USE ONLY

Case #	SUP-49108
Meeting Date:	6-11-13
Total Fee:	1280.00
Date Received:*	4-23-13
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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NOTARY JURAT

State of California }
}ss.
County of San Francisco }

Subscribed and sworn to (or affirmed) before me on this 18th day of April 2013, by J. Marcus Boman, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

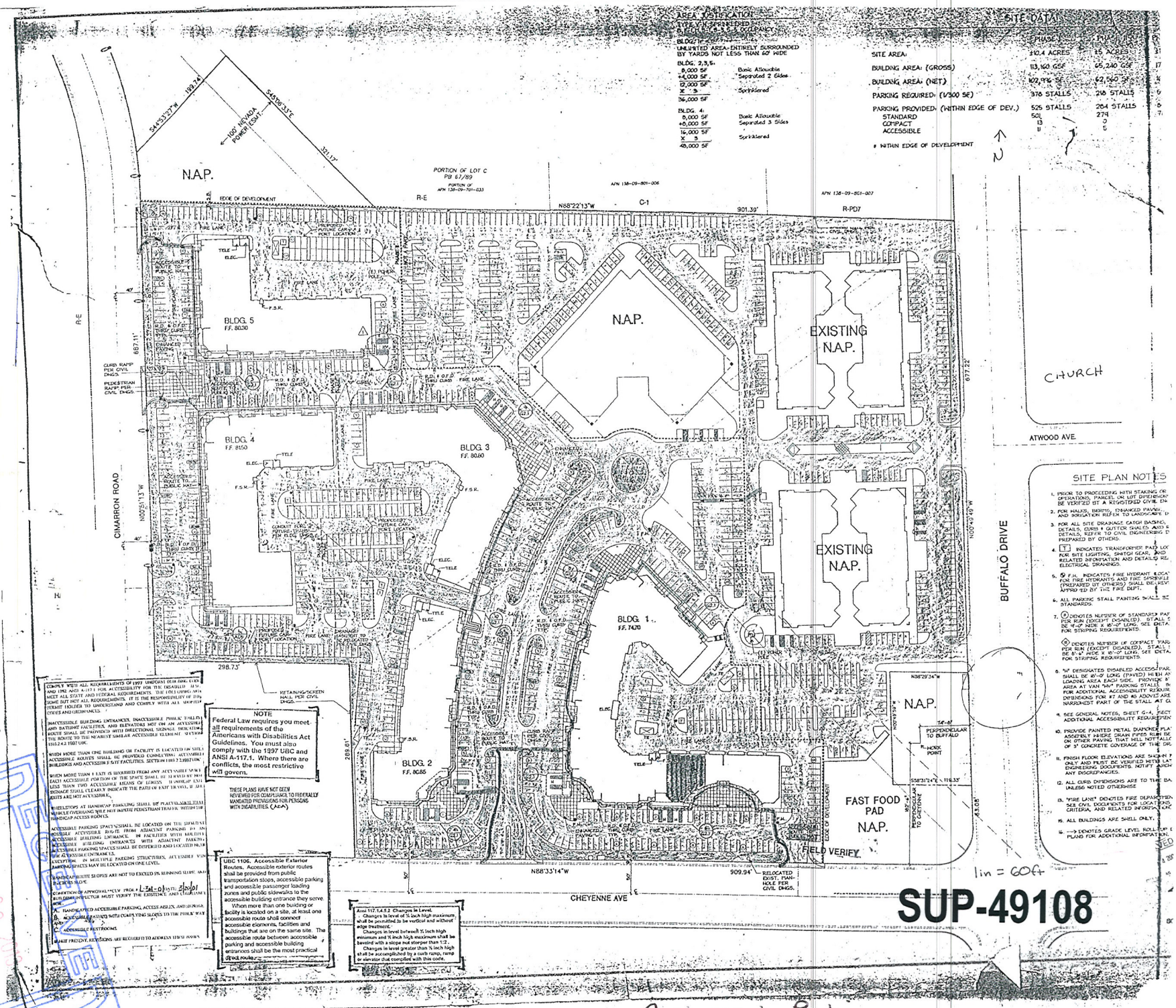
Linda Adele Rust
Notary Signature

LINDA ADELE RUST
Notary Name (print or type)

My commission expires: 4-3-15

CRS 2 LINDA ADELE RUST
COMM. # 1928028
NOTARY PUBLIC - CALIFORNIA
SAN FRANCISCO COUNTY
My Comm. Expires April 3, 2015 CRS 2

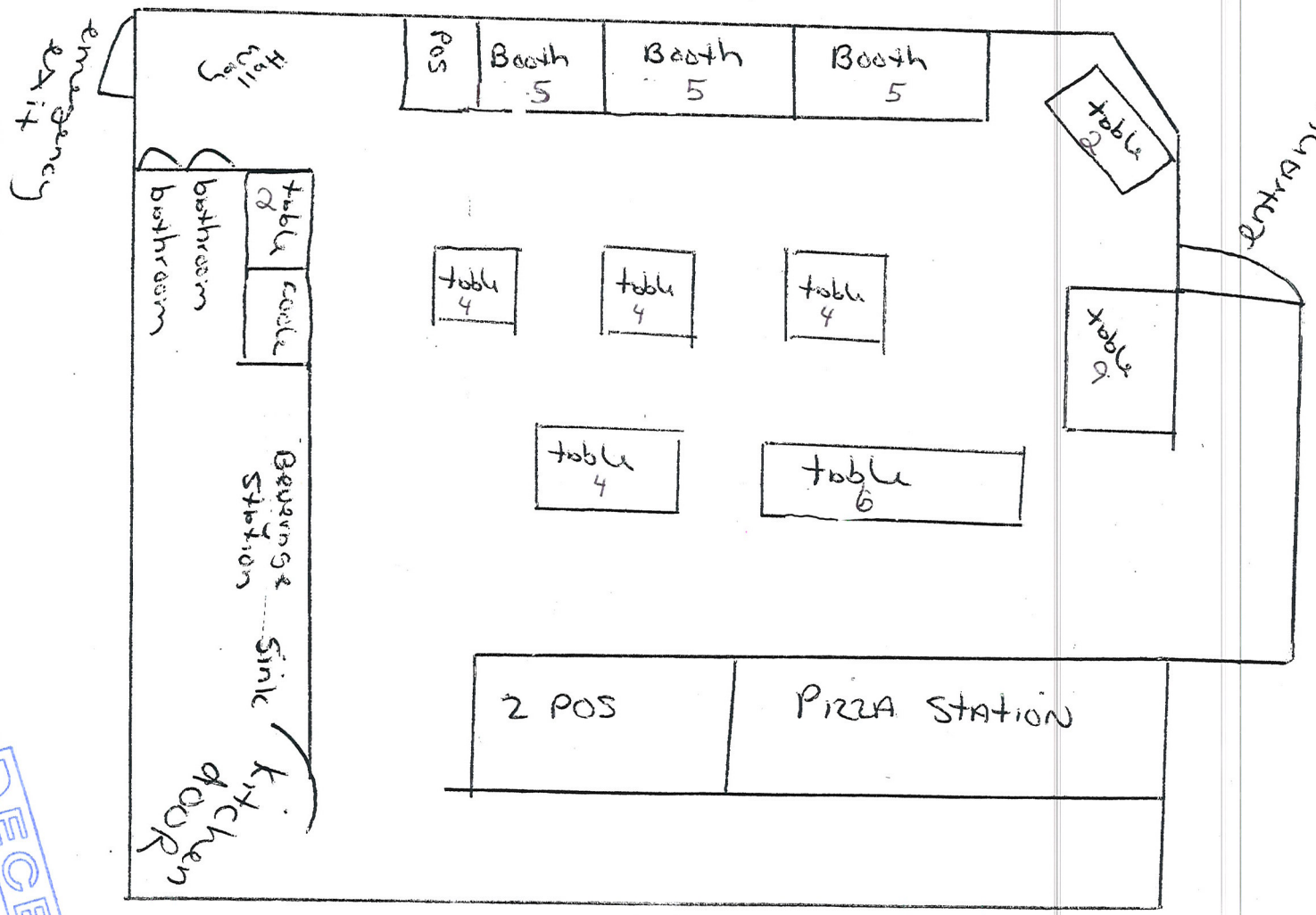
RECEIVED
APR 23 2013



Restaurant Parking
Front Lot 1 space per 50 ft

Dining Room Floor Plan

Seating 50



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APR 23 2013

SUP-49108



SUP-49108 - APPLICANT: NMT ENTERPRISE, LLC - OWNER: 333 MSA FREMONT II, LLC
7660 WEST CHEYENNE AVENUE, SUITE #122

05/02/13



SUP-49108 - APPLICANT: NMT ENTERPRISE, LLC - OWNER: 333 MSA FREMONT II, LLC
7660 WEST CHEYENNE AVENUE, SUITE #122

05/02/13



April 22, 2013

To The City of Las Vegas Planning Dept.

We, the new owner's of Sabatino's NY Pizzeria are applying for the Beer, Wine Cooler On-Sale License. In order to do so, we are requesting your acceptance for the Special Use Permit. The restaurant that was here before us named Aurelio's had their Beer, Wine Cooler On-Sale License so we hope there will be no problem in approving our request. We know there is a church on Buffalo across from the Business Complex we are located in. We figure there is at least 1000 feet from our customer entrance to the church property. We request a waiver of the 400 foot requirement.

We are very eager to obtain the Beer, Wine Cooler On-Sale License. We have customers that ask us everyday if we serve beer. Once we have the license, we know our revenue will increase and our customers will be very appreciative.

Thank you for your consideration,

Robert & Michele Hughes

Robert & Michele Hughes

Owners of Sabatino's NY Pizzeria

SUP-49108

RECEIVED
APR 22 2013

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

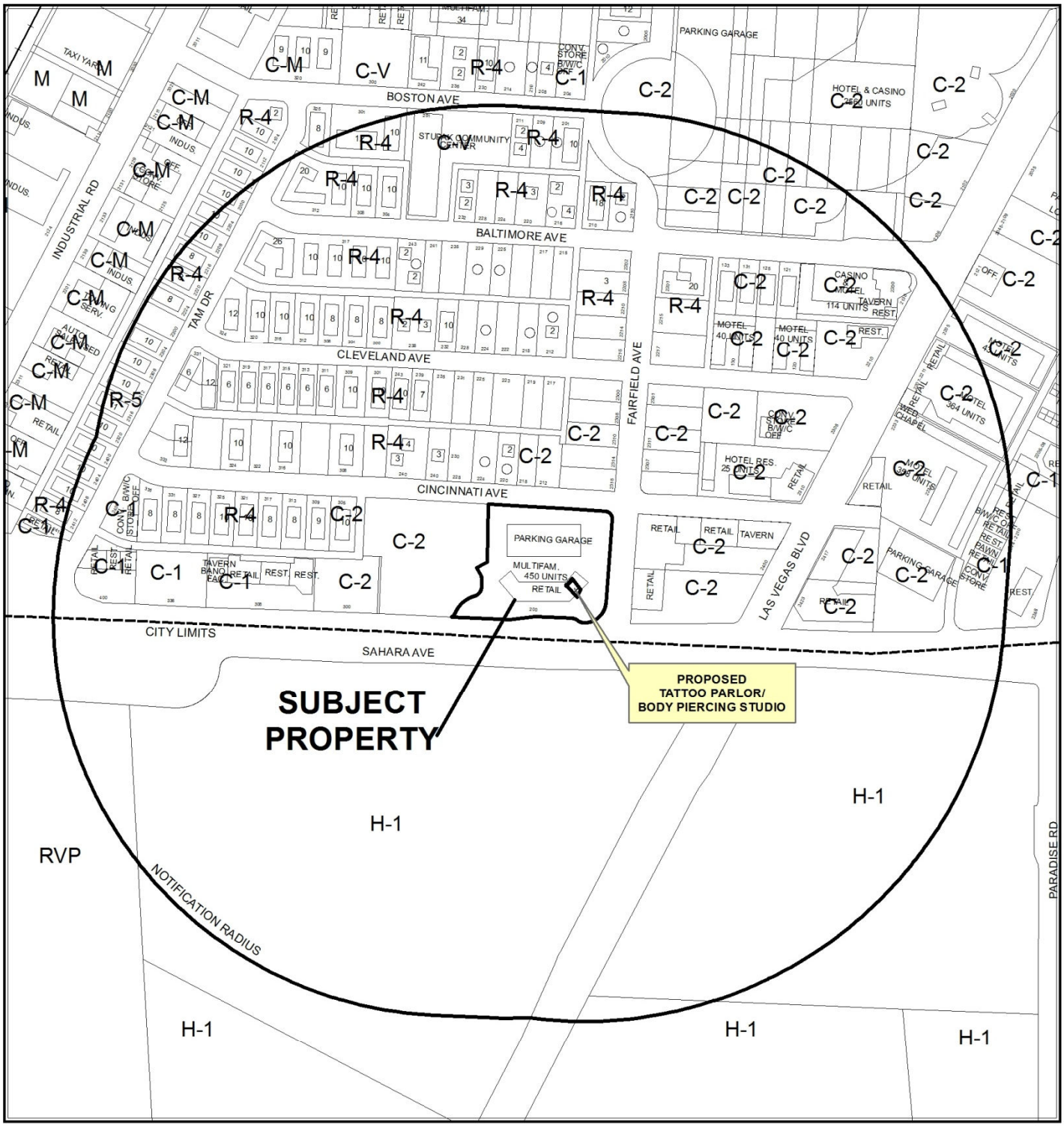
SUBJECT:
SUP-49167 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GEORGE H. RODRIGUEZ - OWNER: G CAPITAL INVESTMENT, LLC - For possible action on a request for a Special Use Permit FOR A TATTOO PARLOR/BODY PIERCING STUDIO USE at 200 West Sahara Boulevard (APN 162-04-815-428), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



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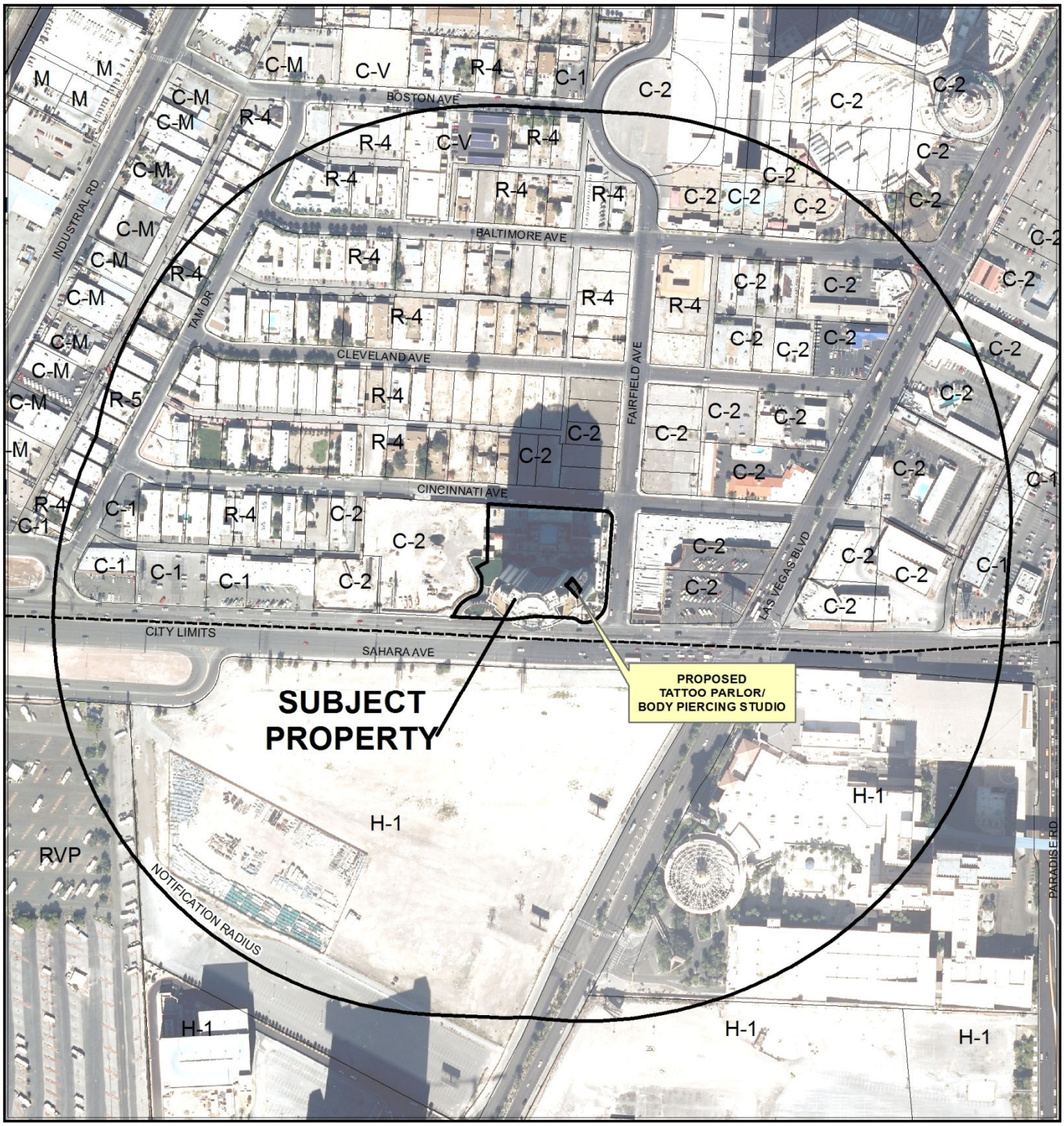
CASE: **SUP-49167**

RADIUS: 1000 FEET

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

N



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CASE: **SUP-49167**

RADIUS: 1000 FEET

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: GEORGE H RODRIGEZ - OWNER: G CAPITAL INVESTMENT, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-49167	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-49167 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

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

Staff Report Page One
June 11, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Tattoo Parlor/Body Piercing Studio use within existing mixed-use development at 200 West Sahara Avenue in a proposed tenant space is approximately 950 square feet. If approved, this use will be located in the Downtown Centennial Plan North Strep Gateway and the first tenant in an existing mixed-use development. The Tattoo Parlor/Body Piercing Studio use is consistent with the surrounding area and can be conducted in a harmonious and compatible manner; therefore, staff is recommending approval of the request. If denied, the Tattoo Parlor/Body Piercing use will not be permitted at this location.

ISSUES

- The Tattoo Parlor/Body Piercing Studio 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	
08/04/04	The City Council approved a Site Development Plan Review (SDR-4534) and a Special Use Permit (SUP-4540) Special Use Permit for a mixed-use development on 3.90 acres located at the northwest corner of Sahara Avenue and Fairfield Avenue. The Planning Commission and staff recommended approval of these requests.
07/06/05	The City Council approved a Site Development Plan Review (SDR-6588) for a proposed 41-story mixed use development including 900 Residential Units, 10,200 square feet of commercial space on the northwest corner of Sahara Avenue and Fairfield Avenue. The Planning Commission and staff recommended approval of this request.
09/08/05	The Planning Commission approved a Tentative Map (TMP-8442) for a 902-unit residential Condominium development on 3.82 acres adjacent to the northwest corner of Sahara Avenue and Fairfield Avenue. Staff recommended approval of this request.
01/18/07	The Planning and Development Department approved a Final Map (FMP-17618) for a one-lot commercial subdivision on 3.86 acres located at northwest corner of Sahara Avenue and Fairfield Avenue. The map was not recorded.
08/28/07	The Planning and Development Department approved a Final Map (FMP-23087) technical review for a 428-unit residential Condominium development on 2.05 acres at the northwest corner of Sahara Avenue and Fairfield Avenue. The map was recorded on 09/18/07.

Most Recent Change of Ownership	
02/23/12	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/03/05	A building permit (#05005305) was issued for a condominium tower at 200 West Sahara Avenue. The permit received final approval 06/13/08.
11/03/11	A Code Enforcement complaint (#107460) was received for work being performed without permits. The complaint has not been resolved.

Pre-Application Meeting	
04/16/13	A pre-application meeting was held with the applicant to discuss the requirements for a Special Use Permit for a Tattoo/Body Piercing Studio.

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

Field Check	
05/02/13	A field check was conducted at the proposed location and the following was discovered: 1. The commercial space for the site is an empty shell. 2. The subject site is well maintained.

Details of Application Request	
Site Area	
Net Acres	A portion of 2.05

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Mixed-Use	C (Commercial)	C-2 (General Commercial)
North	Vacant	MXU (Mixed Use)	C-2 (General Commercial)
	Single Family, Detached		R-4 (High Density Residential)

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
North	Single Family, Attached Multi-Family Residential		
South	Vacant	CT (Commercial Tourist – Clark County)	H-1 (Limited Resort and Apartment – Clark County)
East	Shopping Center	C (Commercial)	C-2 (General Commercial)
West	Vacant	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	***Compliance***
Downtown Centennial Plan	Y
Special Purpose and Overlay Districts	***Compliance***
Downtown Centennial Plan Overlay District (Northern Strip Gateway)	Y
G-O (Gaming Enterprise Overlay) District	Y
A-O (Airport Overlay)	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	Y
Project of Significant Impact (Development Impact Notification Assessment)	Y
Project of Regional Significance	Y

Pursuant to Title 19.08 and 19.12, 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	
Tattoo Parlor/Body Piercing Studio	950 SF	1/250	4				
TOTAL SPACES REQUIRED			5		1,124		Y
Regular and Handicap Spaces Required			1,100	24	1,100	24	Y

Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements.

MR

ANALYSIS

If approved, the proposed Tattoo Parlor/Body Piercing Studio will be located at 200 West Sahara Avenue within an existing mixed-use development on the first floor. The proposed tenant space is approximately 950 square feet. The commercial element of this property is currently an unfinished open floor plan and as such, the suite number is unknown at this time. Condition of Approval four was added to address the suite number issue. Also, due to site proximity to the City limits the proposed use is a Project of Regional Significance (PRS). The applicant completed the required PRS report and it was distributed the proper agencies; however, no comments no comments have been received to date.

The Tattoo Parlor/Body Piercing use is defined as "An establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following:

1. The placing of designs, letters, figures, symbols or other marks upon or under the skin of any person, using ink or other substances which result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin.

2. The creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.

This use does not include a permanent makeup establishment."

The proposed use meets the definition of a Tattoo Parlor/Body Piercing Studio as the applicant is proposing to create skin art (tattoo's) on his clients. As, the use is consistent with uses generally associated in the C-2 (General Commercial) zoning district and can be conducted in a compatible and harmonious manner with the surrounding area, staff recommends approval of this request. If denied the Tattoo Parlor/Body Piercing Studio use will not be allowed at the proposed location.

FINDINGS (SUP-49167)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

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

   The proposed Tattoo Parlor/Body Piercing Studio is located within the Downtown Centennial Plan within an existing mixed-use development surrounded by a commercial shopping center, multi-family residential, single family residential and vacant land. The proposed use can be conducted in a manner that is harmonious with the existing and future land uses as projected by the General Plan and current zoning designations.

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

The subject site is suitable for a variety commercial uses and services such as, retail restaurants, office uses and residential. The proposed Tattoo Parlor/Body Piercing Studio is an appropriate use for site.

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

The site has primary access from Sahara Avenue, a 100-foot Primary Arterial and secondary access from Fairfield Avenue, A 60-foot Secondary Thoroughfare. Both streets can adequately accommodate the existing uses and the proposed use of a Tattoo Parlor/Body Pierce Studio use.

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

The proposed use will undergo continuous health and business licensing inspections and conforms to the goals and objectives of the General Plan designation of C (Commercial). As such, the proposed use is will not endanger the public health, safety, and welfare of the general population or be inconsistent with the objectives of the General Plan

5. The use meets all of the applicable conditions per Title 19.12.

The proposed application meets all the minimum requirements detailed in Title 19.12 for the Tattoo Parlor/Body Piercing Studio use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 443

APPROVALS 0

PROTESTS 0

MR

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-49167** APN: 162-04-815-428

Name of Property Owner: G Capital Investment LLC

Name of Applicant: George H Rodriguez III

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: _____

X Signature of Property Owner: _____

Print Name: YING SHI G Capital Investment LLC

Subscribed and sworn before me

This 25th day of April, 2013

See attached

Notary Public in and for said County and State

RECEIVED

APR 25 2013

State of California
County of San Bernardino

Subscribed and sworn to (or affirmed) before me on this 25th day of April 2013,

by Ying Shi, proved to be on the basis of satisfactory

evidence to be the person(s) who appeared before me.

MARISSA RODRIGUEZ
COMM. #1990119
Notary Public - California
SAN BERNARDINO COUNTY
My Comm. Exp. Sep. 28, 2016

Signature of Notary Public

(seal)

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APR 25 2013

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: UNTOUCHABLE Tattoos / GEORGE H RODRIGUEZ

Project Address (Location) 200 W. SAHARA Blvd

Project Name UNTOUCHABLE Tattoos **Proposed Use** Tattoo Parlor

Assessor's Parcel #(s) 162-04-815-428 **Ward #** _____

General Plan: existing C proposed NO CHANGE **Zoning:** existing C-2 proposed NO CHANGE

Commercial Square Footage 1,000 **Floor Area Ratio** _____

Gross Acres _____ **Lots/Units** 1 **Density** _____

Additional Information _____

X _____

PROPERTY OWNER G Capital Investment LLC **Contact** Shirley YING SHI

Address 4921 Sundowner CT **Phone:** 626 206 6345 **Fax:** _____

City Rancho Cucamonga **State** CA **Zip** 91737

E-mail Address cmd11 2000 @ yahoo.com

APPLICANT GEORGE H RODRIGUEZ **Contact** 702-738-3585

Address 3131 ALDERGROVE CT **Phone:** _____ **Fax:** _____

City N. LAS VEGAS **State** NV **Zip** 89081

E-mail Address UNTOUCHABLE MOBILE TATS @ GMAIL COM

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* _____

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

Print Name YING SHI G Capital Investment

Subscribed and sworn before me

X This 25th day of April, 2013.

See attached

Notary Public in and for said County and State

RECEIVED

APR 25 2013

FOR DEPARTMENT USE ONLY

Case #	SUP-49167
Meeting Date:	6/11/13
Total Fee:	$1030
Date Received:*	4/25/13
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.

Revised 10/27/08

State of California
County of San Bernardino

Subscribed and sworn to (or affirmed) before me on this 25th day of April 2013,

by Ying Shi, proved to be on the basis of satisfactory

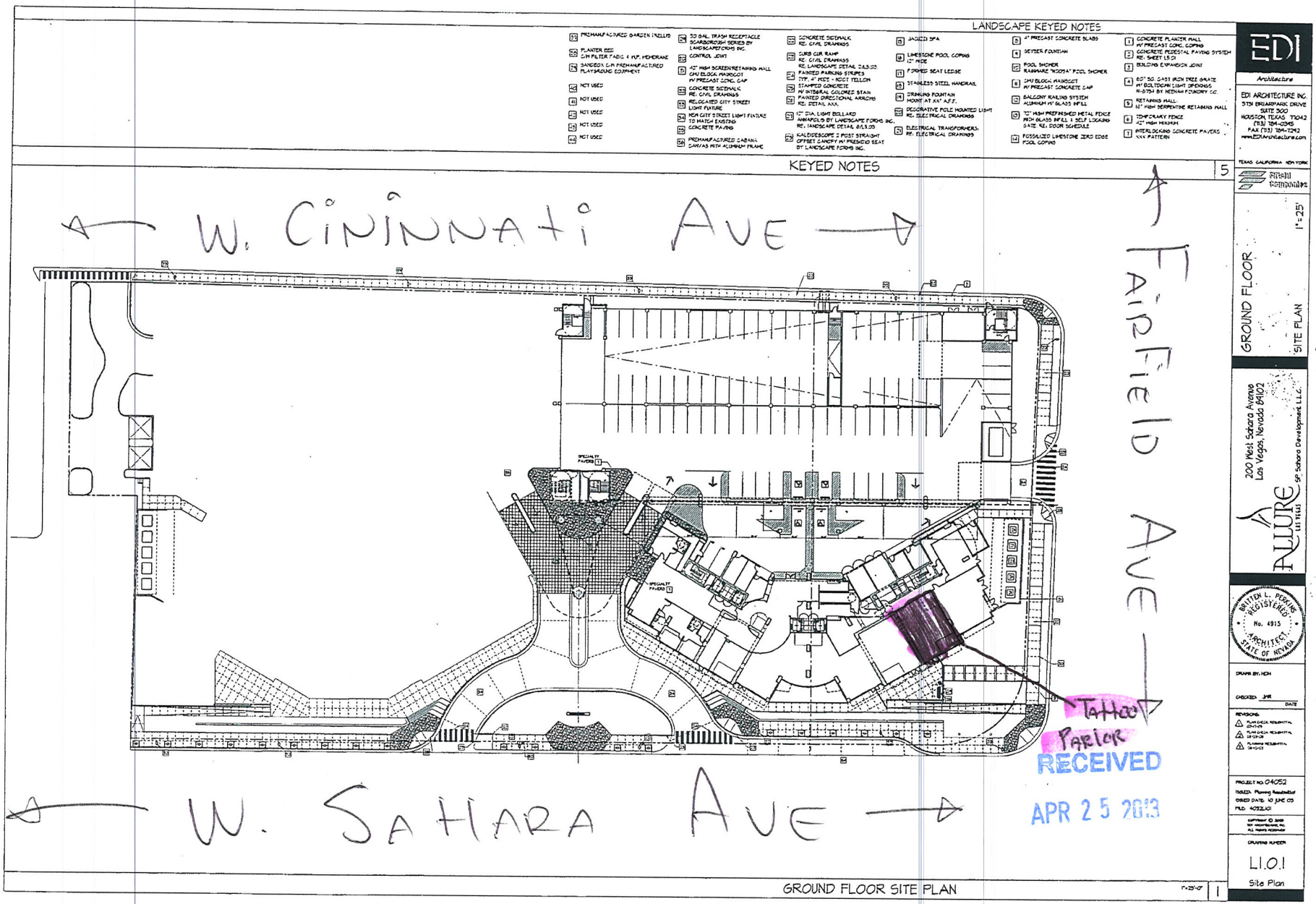
evidence to be the person(s) who appeared before me.

MARISSA RODRIGUEZ
COMM. #1990119
Notary Public - California
SAN BERNARDINO COUNTY
My Comm. Exp. Sep. 28, 2016

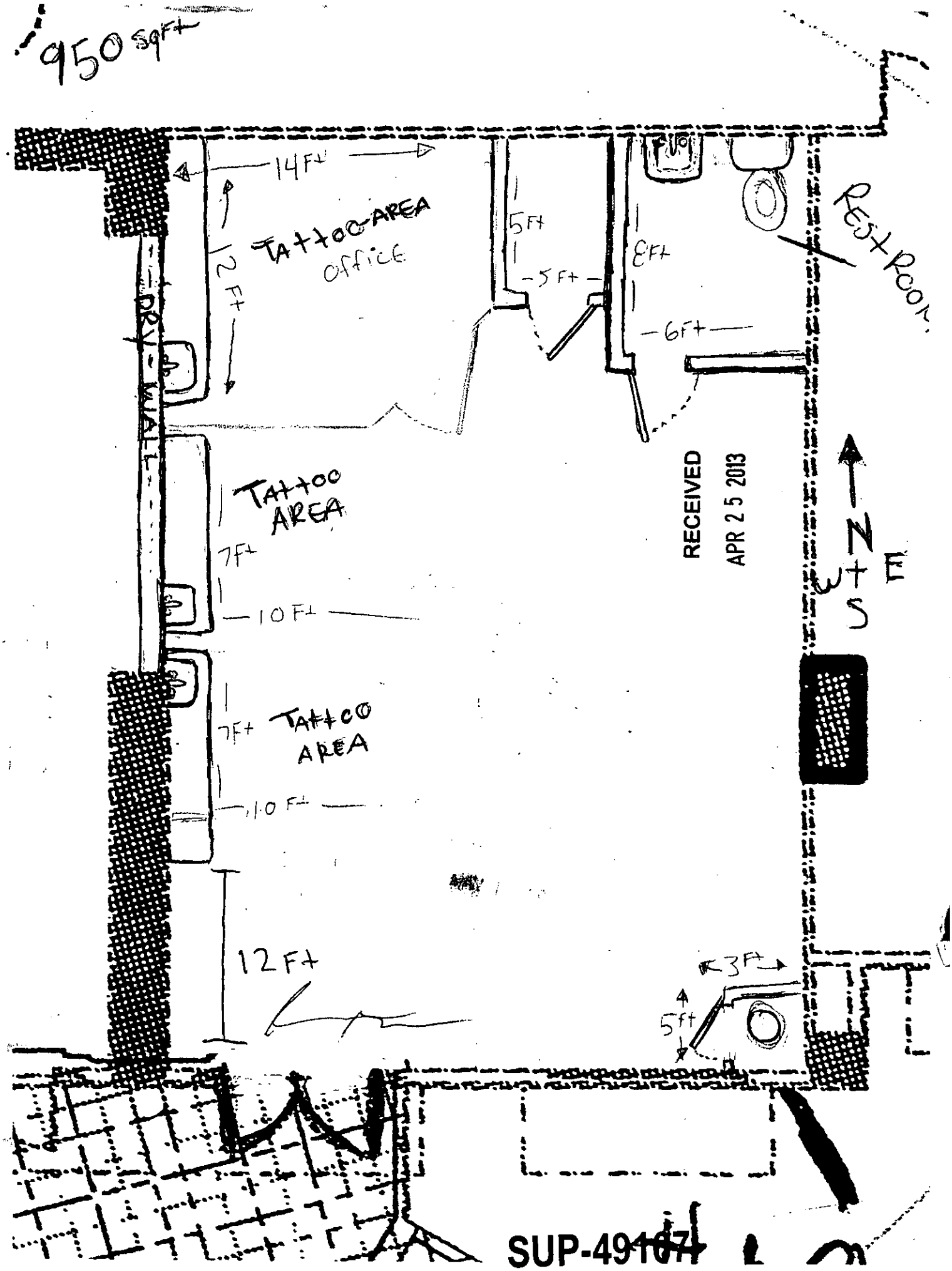
Signature of Notary Public

(seal)

RECEIVED
APR 25 2013


LANDSCAPE KEYED NOTES
KEYED NOTES
W. CINCINNATI AVE
FAIRFIELD AVE
W. SAHARA AVE
TATTOO PARLOR
RECEIVED
APR 25 2013
GROUND FLOOR SITE PLAN
EDI Architecture
EDI ARCHITECTURE INC.
5151 BRIARPARK DRIVE SUITE 500
HOUSTON, TEXAS 77042
(713) 784-0345
FAX (713) 784-7242
TEXAS CALIFORNIA NEW YORK
1" = 25'
GROUND FLOOR SITE PLAN
200 West Sahara Avenue
Las Vegas, Nevada 89102
LUXURE LAS VEGAS
SP Sahara Development L.L.C.
BRITTEN L. PERKINS
REGISTERED
No. 4915
ARCHITECT
STATE OF NEVADA
DRAWN BY: MCH
CHECKED: JMR
DATE
REVISIONS
PROJECT NO. 04052
ISSUED: Planning Resubmittal
ISSUED DATE: 10 JUNE 09
FILE: 4052L01
DRAWING NUMBER
L1.0.1
Site Plan

SUP-49167



RECEIVED
APR 25 2013

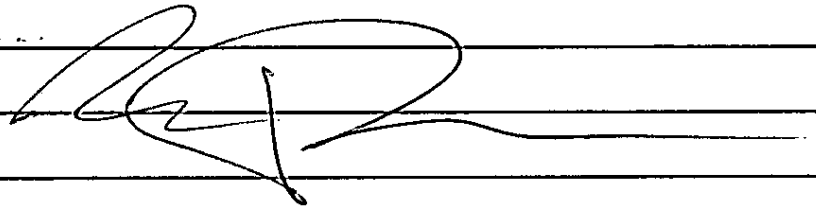
SUP-49167

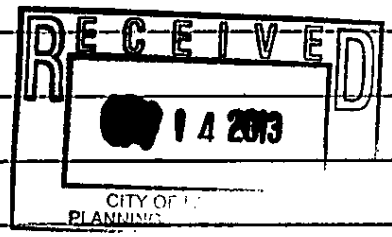


SUP-49167 - APPLICANT: GEORGE H. RODRIGUEZ - OWNER: G CAPITAL INVESTMENT, LLC
200 WEST SAHARA BOULEVARD

05/02/13

I GEORGE H RODRIGUEZ AM going to DO tattoos NO RETAIL SALES at 200 W. SATIARA AVE at the ALLURE RETAIL SPACE they have available.. My opperations of TIME is going to be FROM 10AM to 2AM, I will be the C.E.O. & the ONLY ARTIS FOR NOW, I DO HAVE other SPACES AVAILABLE FOR other ARTIS AS its DRAWN ON MY FLOOR PLANS....





SUP-49167
REVISED

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

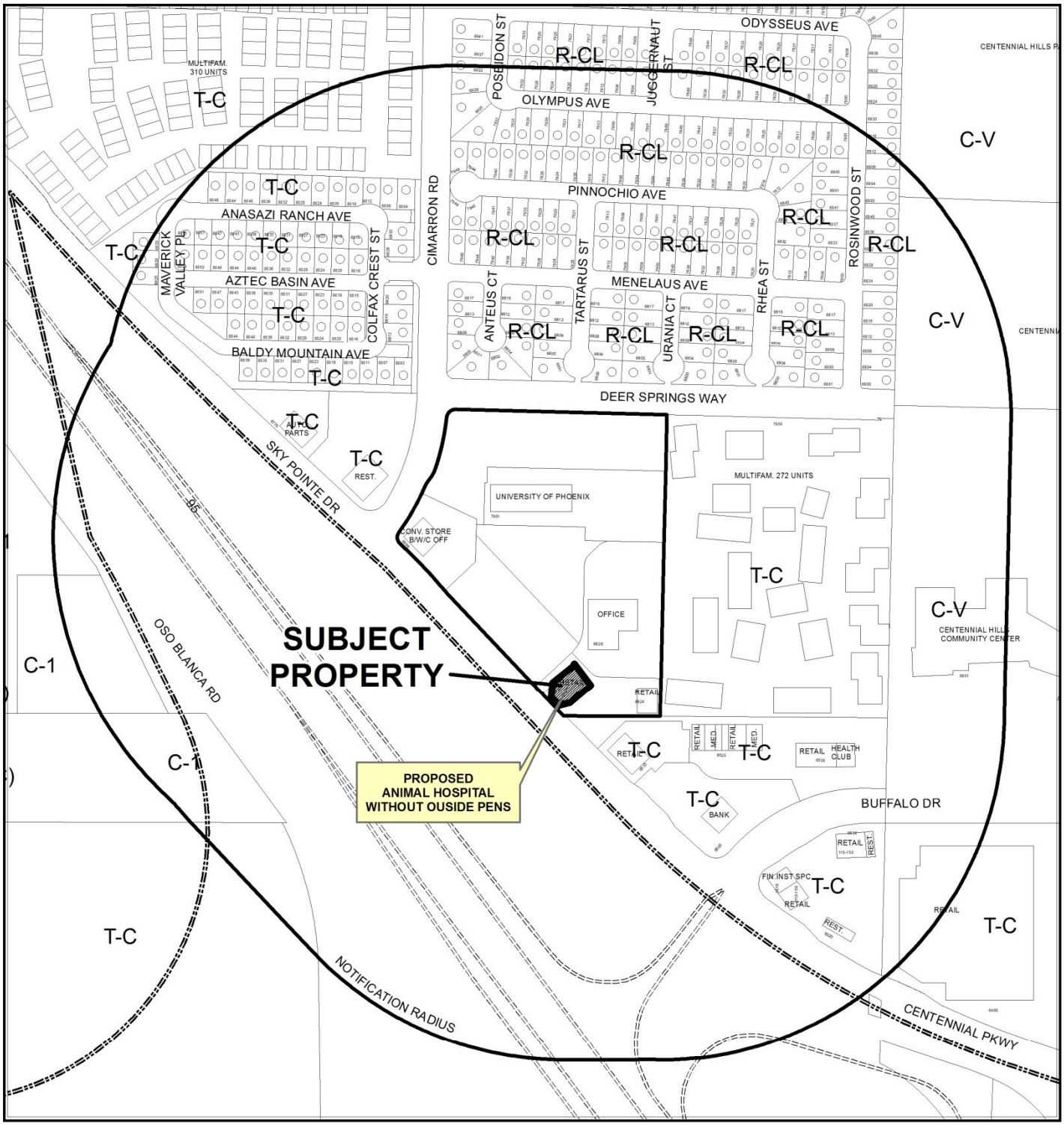
SUBJECT:
SUP-49177 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ABOVE THE LIGHTS BONANZA CAT HOSPITAL - OWNER: 2010-1 RADC CADC VENTURE, LLC - For possible action on a request for a Special Use Permit FOR AN ANIMAL HOSPITAL, CLINIC, OR SHELTER (WITHOUT OUTSIDE PENS) AND A WAIVER OF THE TOWN CENTER DEVELOPMENT STANDARDS TO ALLOW AN ANIMAL HOSPITAL, CLINIC, OR SHELTER (WITHOUT OUTSIDE PENS) TO BE LOCATED ON A 70-FOOT WIDE STREET WHERE THE MINIMUM STREET WIDTH ALLOWED IS 80-FOOT at 6620 Sky Pointe Drive, (APN 125-21-710-012), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

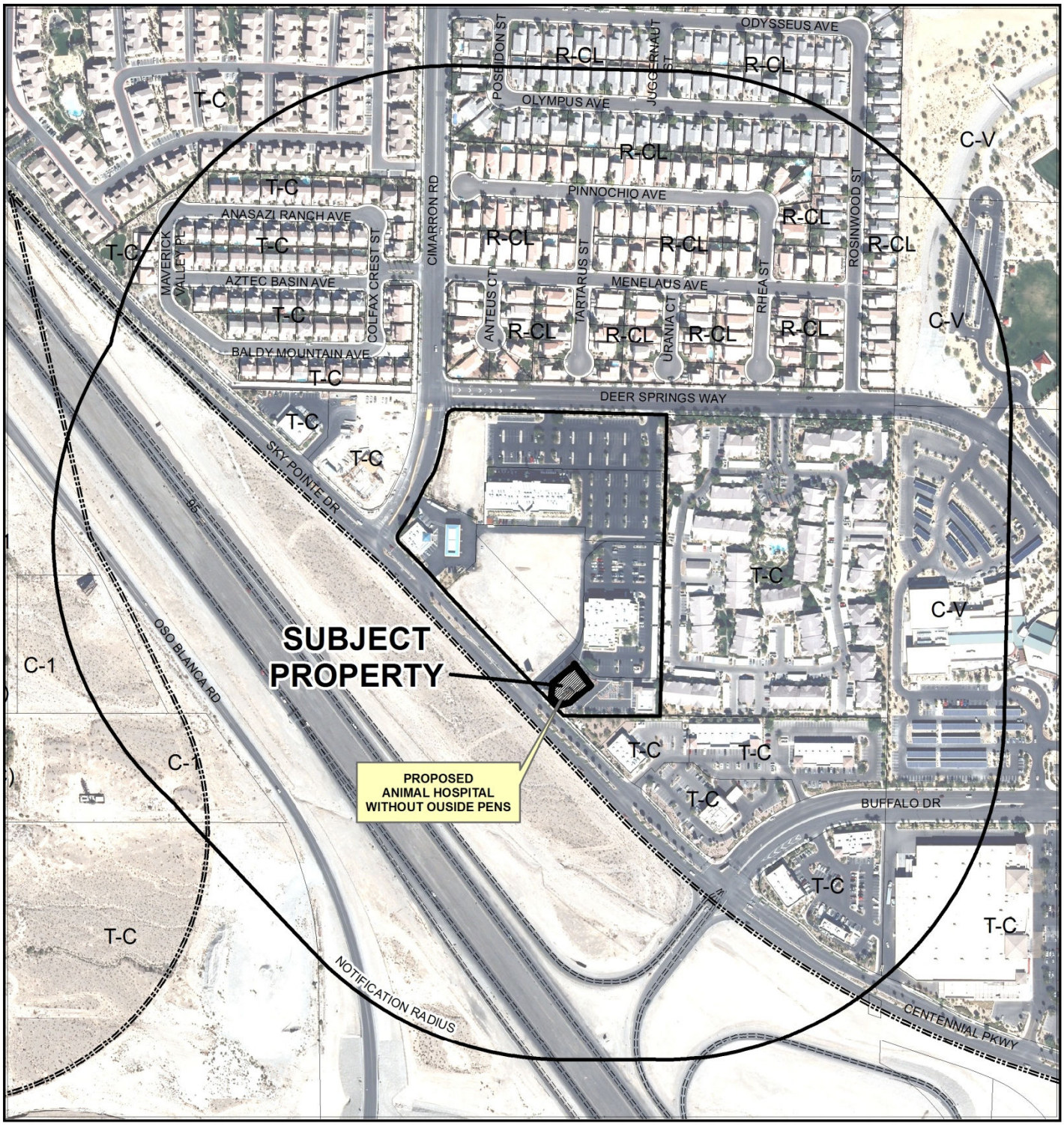
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: **SUP-49177**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)
[SX-TC (SUBURBAN MIXED USE - TOWN CENTER)
Special Land Use Designation]



CASE: **SUP-49177**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)
[SX-TC (SUBURBAN MIXED USE - TOWN CENTER)
Special Land Use Designation]

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: ABOVE THE LIGHTS BONANZA CAT HOSPITAL - OWNER: 2010-1 RADC CADC VENTURE, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-49177	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-49177 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Animal Hospital, Clinic, or Shelter (Without Outside Pens) use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. A Waiver from Title 19.12 is hereby approved, to allow an Animal Hospital, Clinic, or Shelter (Without Outside Pens) use to be located on a 70-foot wide street, where 80-foot is the minimum allowed by code.

4. 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 Page One
June 11, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is applying for a Special Use Permit for a cat hospital business to be located in the Suburban Mixed Use district of Town Center. The subject building located at 6620 Sky Pointe Drive is a vacant new building. All conditions are being met with the proposed Animal Hospital, Clinic, or Shelter (Without outside Pens) with the exception of being located on a street that is less than 80-foot wide. Since the Town Center Development Standards indicate that Sky Pointe Drive is a Town Center Loop Road to be developed as a 90-foot wide right-of-way, it may be enhanced in the future. Therefore, staff is able to support the required waiver and recommend approval with conditions. If denied, a cat hospital could not be located on this parcel.

ISSUES

- A cat hospital is allowed in the SX-TC (Suburban Mixed Use – Town Center) district with an approved Special Use Permit. Staff supports this request.

- A Waiver is requested to allow an Animal Hospital, Clinic, or Shelter (Without Outside Pens) to be located on a 70-foot wide street, where an 80-foot width is the minimum allowed. Staff supports this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/27/97	The City Council approved Annexation (A-0024-96) of 34.07 acres adjacent to the southeast corner of Deer Springs Way and Rancho Drive. The Planning Commission and staff recommended approval. The effective date was 06/06/97.
09/09/98	The City Council approved a request for Rezoning (Z-0036-98) from: U (Undeveloped) Zone [TC (Town Center) General Plan Designation] to: PD (Planned Development) for a proposed 69,500 square-foot commercial complex and a 352-unit multi-family residential development adjacent to southeast corner of Deer Springs Way and Rancho Drive. The Planning Commission and staff recommended denial.
12/07/98	The City Council approved a request for Rezoning (Z-0076-98) of a 1,468-acre portion of the Centennial Hills area, including the subject property, to T-C (Town Center) as part of a larger request. The Planning Commission and staff recommended approval.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/22/04	The Centennial Hills Architectural Review Committee (CHARC) approved a Master Sign Plan (CHR-0016-04) for an office/retail center for this site as part of a larger request. Staff recommended approval.
01/12/06	The Planning Commission approved Site Development Plan Review (SDR-8967) for two retail buildings totaling 10,150 square feet and waivers of the Town Center Development Standards for parking area and building foundation landscaping requirements at 6620 Sky Pointe Drive. Staff recommended approval.

Most Recent Change of Ownership	
01/21/11	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
07/09/07	A building permit (7002173) was issued for retail shell building "A" for a C/C (Certificate of Completion). The permit was final on 01/30/09.

Pre-Application Meeting	
04/10/13	Staff met with the applicant and reviewed the requirements for an Animal Hospital without outside pens. The proposed use will require a Special Use Permit in the SX-TC (Suburban Mixed Use-Town Center) zoning district.

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

Field Check	
05/02/13	Staff visited the site and found a clean, well maintained vacant building.

Details of Application Request	
Site Area	
Net Acres	0.98

Surrounding Property	*Existing Land Use Per Title 19.12*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Vacant	SX-TC (Suburban Mixed Use-Town Center)	T-C (Town Center)
North	Undeveloped	SX-TC (Suburban Mixed Use-Town Center)	T-C (Town Center)
South	General Retail	SX-TC (Suburban Mixed Use-Town Center)	T-C (Town Center)
East	Office, Other Than Listed	SX-TC (Suburban Mixed Use-Town Center)	T-C (Town Center)
West	U.S. 95	U.S. 95	U.S. 95

Master Plan Areas	*Compliance*
Town Center Master Plan	Y
Special Purpose and Overlay Districts	***Compliance***
T-C (Town Center) District	Y
Other Plans or Special Requirements	***Compliance***
Trails (Town Center Loop Trail)	Y
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Sky Pointe Drive	Town Center Loop	Town Center Development Standards Manual	70	N*
	Frontage Road	Master Plan of Streets and Highways		Y

*Should be 90-foot wide

Pursuant to Title 19.08 and 19.12, 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	
Animal Hospital, Clinic, or Shelter (with no Outside Pens)	6,925 SF (six exam rooms, two doctors and three staff)	1/ 2 on-duty employees , plus 1/doctor and 1/exam room	10				
General Retail Store, Other Than Listed	3,225 SF	1/175 SF	19				
TOTAL SPACES REQUIRED			29		47		Y
Regular and Handicap Spaces Required			27	2	44	3	Y
Loading Spaces	10,150 SF	2/10,000 to 29,999 SF	2		2		Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
That an Animal Hospital, Clinic, or Shelter (Without Outside Pens) be located on an 80-foot wide street.	To allow an Animal Hospital, Clinic, or Shelter (Without Outside Pens) be located on a 70-foot wide street.	Approval

ANALYSIS

An Animal Hospital, Clinic, or Shelter (Without Outside Pens) is defined as "A facility that: 1. Provides medical or surgical treatment for animals or pets, as well as shelter and care during the time of such treatment; 2. Does not use outdoor pens in providing such shelter and care." The proposed use meets the definition as the applicant has stated in their justification letter that there will be no outside pens and that the use is for a cat hospital.

The Minimum Special Use Permit Requirements for this use in Town Center include:

1. Animals shall be confined within an enclosed building at all times.
   The proposed use meets this requirement as indicated in the justification letter.

2. The building shall be designed to provide complete sound barriers and odor protection for adjacent properties.
   The proposed use meets this requirement as reflected in the floor plan and the justification letter.

3. Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls adjacent to residences.
   The proposed use meets this requirement as reflected in the floor plan provided with this application.

4. The use shall have access to an 80-foot street or larger.
   The proposed use does not meet this requirement as it is located on a 70-foot wide street. A waiver has been requested. Sky Pointe was and still is designated as a Town Center Loop Road to be developed as a 90-foot wide street. However, the street has already been constructed as a City of Las Vegas 70-foot wide Frontage Street; therefore, staff supports the request.

Sky Pointe Drive is designated as a Town Center Loop Road to be developed as a 90-foot wide street per the Town Center Development Standards. The road is a fully developed 70-foot wide road and the fact that it is designated as a future 90-foot wide road allows staff to support the requested waiver.

There is ample parking as reflected in the parking table above. The Animal Hospital, Clinic, or Shelter (Without Outside Pens) use will be the first use in this new building and will utilize the entire space. This will allow the tenant to build-to-suit when applying for the Tenant Improvement permit(s). The floor plan submitted with this application indicates that rooms with cages do not have windows or doors to the outside as required by code. Staff recommends approval of the application, with conditions for an Animal Hospital, Clinic, or Shelter (Without Outside Pens) at this location.

FINDINGS (SUP-49177)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 cat hospital can be conducted in a harmonious and compatible manner with the surrounding commercial land uses as it is meeting all minimum standards for the use with the approval of the waiver to allow the use to be located on a 70-foot wide street.

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

   The proposed Animal Hospital, Clinic, or Shelter (Without Outside Pens) use will be located in an existing 6,925 square-foot building that is suitable for the type and intensity of the use.

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

   The project is located on Sky Pointe Drive, A 70-foot Frontage Road as designated 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.**

   Approval of this Special Use Permit will not compromise public health, safety, or welfare or the overall objectives of the General Plan as the proposed Animal Hospital, Clinic, or Shelter (Without Outside Pens) use will be subject to regular inspections.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The proposed use fails to meet all Minimum Special Use Requirements for an Animal Hospital, Clinic, or Shelter (Without Outside Pens) use, as evidenced by the requested Waiver.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 28

NOTICES MAILED 556

APPROVALS 0

PROTESTS 0

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-49177** APN: 125-21-710-012

Name of Property Owner: 2010-1 R A D C/C A D C VENTURE, LLC

Name of Applicant: Bonanza Cat Hospital/Above the Lights

Name of Representative: Lucy Stewart/LAS 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: SEE ATTACHED SIGNATURE PAGE

Print Name: _____

Subscribed and sworn before me

This _____ day of _____, 20_____

_____

Notary Public in and for said County and State

RECEIVED
APR 26 2013
City of Las Vegas
Dept. of Planning

SIGNATURE PAGE TO APPLICATION/PETITION FORM

2010-1 RADC/CADC Venture, LLC
By: MREC Funding, LLC, its manager
By: Mariner Real Estate Management, LLC, its manager

By: _____
Name: Terry Anderson
Title: Co-President

Subscribed and sworn before me

This 25th day of April, 2013

_____
Notary Public in and for said County and State

JULIE MARIE STRICK
Notary Public, State of Kansas
My Appointment Expires
1/5/15

RECEIVED
APR 25 2013
City of Las Vegas
Dept. of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special use permit-veterinary

Project Address (Location) 6620 Sky Pointe DR UT 110

Project Name Bonanza Cat Hospital **Proposed Use** Vet Clinic

Assessor's Parcel #(s) 125-21-710-012 **Ward #** 6

General Plan: existing TC proposed TC **Zoning:** existing SXTC proposed SXTC

Commercial Square Footage 6925 **Floor Area Ratio**

Gross Acres 9 **Lots/Units** **Density**

Additional Information Vet clinic for feline only

PROPERTY OWNER 2010-1 R A D C/C A D C VENTURE, LLC **Contact**

Address ~~4200 W 115TH ST #100~~ 4601 College Blvd, Ste. 300 **Phone:** **Fax:**

City LEAWOOD **State** KS **Zip** 66211

E-mail Address

APPLICANT Above the Lights/Bonanza Cat Hospital **Contact**

Address 7550 West Lake Mead Blvd. Suite #1 **Phone:** (702) 228-0146 **Fax:**

City Las Vegas **State** **Zip** 89128

E-mail Address bchmemorial@cox.net

REPRESENTATIVE LAS Consulting **Contact** Lucy Stewart

Address 1916 Trail Peak Lane **Phone:** (702) 499-6469 **Fax:** (702) 946-0857

City Las Vegas **State** NV **Zip** 89134

E-mail Address stewplan@aol.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* SEE ATTACHED SIGNATURE PAGE

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

Print Name

Subscribed and sworn before me

This _____ day of _____, 20 _____.

Notary Public in and for said County and State

FOR DEPARTMENT USE ONLY

Case #	SUP-49177
Meeting Date:	6/11/13
Total Fee:	$1030.00
Date Received:*	4/25/13
Received By:	M. Howe

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

Revised 10/27/08

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

RECEIVED
APR 25 2013
City of Las Vegas
Dept. of Planning

SIGNATURE PAGE TO STATEMENT OF FINANCIAL INTEREST

2010-1 RADC/CADC Venture, LLC
By: MREC Funding, LLC, its manager
By: Mariner Real Estate Management, LLC, its manager

By: _____
Name: Terry Anderson
Title: Co-President

Subscribed and sworn before me

This 25th day of April, 2013

_____
Notary Public in and for said County and State

JULIE MARIE STRICK
Notary Public, State of Kansas
My Appointment Expires
1/5/15

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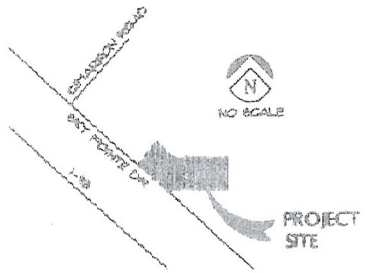
APR 25 2013
City of Las Vega
Dept. of Plannir

VICINITY MAP



LOT INFO

APN NO. - 125-21-710-006

CURRENT ZONING:	SX-TC
SITE AREA:	42,995 S.F. = .98 ACRES
% OF LOT COVERED BY BUILDINGS:	24%

SETBACKS	BUILDING A	BUILDING B
FRONT:	SEE SITE PLAN	SEE SITE PLAN
SIDES:	SEE SITE PLAN	SEE SITE PLAN
REAR:	SEE SITE PLAN	SEE SITE PLAN

SEE ELEVATIONS FOR BUILDING HEIGHT

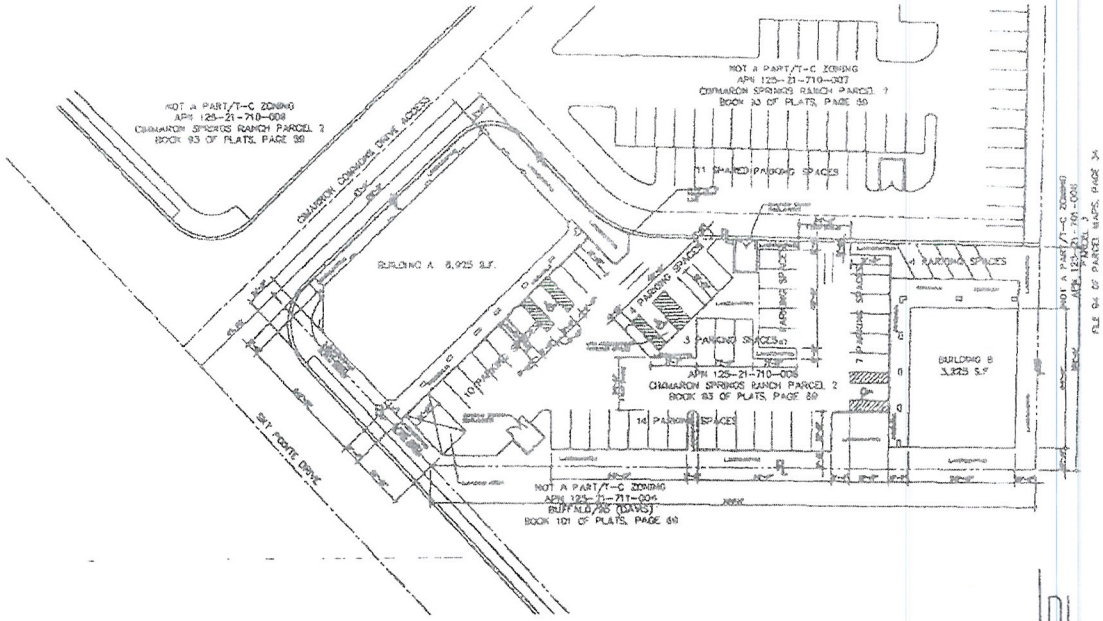
SQ. FTG. / PARKING CALCULATION

PROJECT GROSS SQ. FOOTAGE	BUILDING A	BUILDING B
SQUARE FOOTAGE:	6,925 S.F.	3,225 S.F.

TOTAL = 10,150 S.F.

PARKING REQUIRED: 1 SPACE PER 175 GROSS SQUARE FEET
1 X 10,150/175 = 58 SPACES REQUIRED
ACCESSIBLE SPACES:
51 TO 75 TOTAL PARKING SPACES=3 ACCESSIBLE SPACES
1 VAN SPACE PER 8 ACCESSIBLE SPACES=1 VAN SPACE
LOADING: = 1 - 15'x25' LOADING SPACE

PARKING PROVIDED: 44 STANDARD SPACES
11 SHARED PARKING SPACES
2 ACCESSIBLE PARKING SPACES
1 VAN ACCESSIBLE PARKING SPACE
1 LOADING SPACE PROVIDED



SITE PLAN

Cimarron Commons Retail

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APR 2 2013
City of Las Vegas
Dept. of Planning

SUP-49177

Cimarron Commons Retail

SUP-49177

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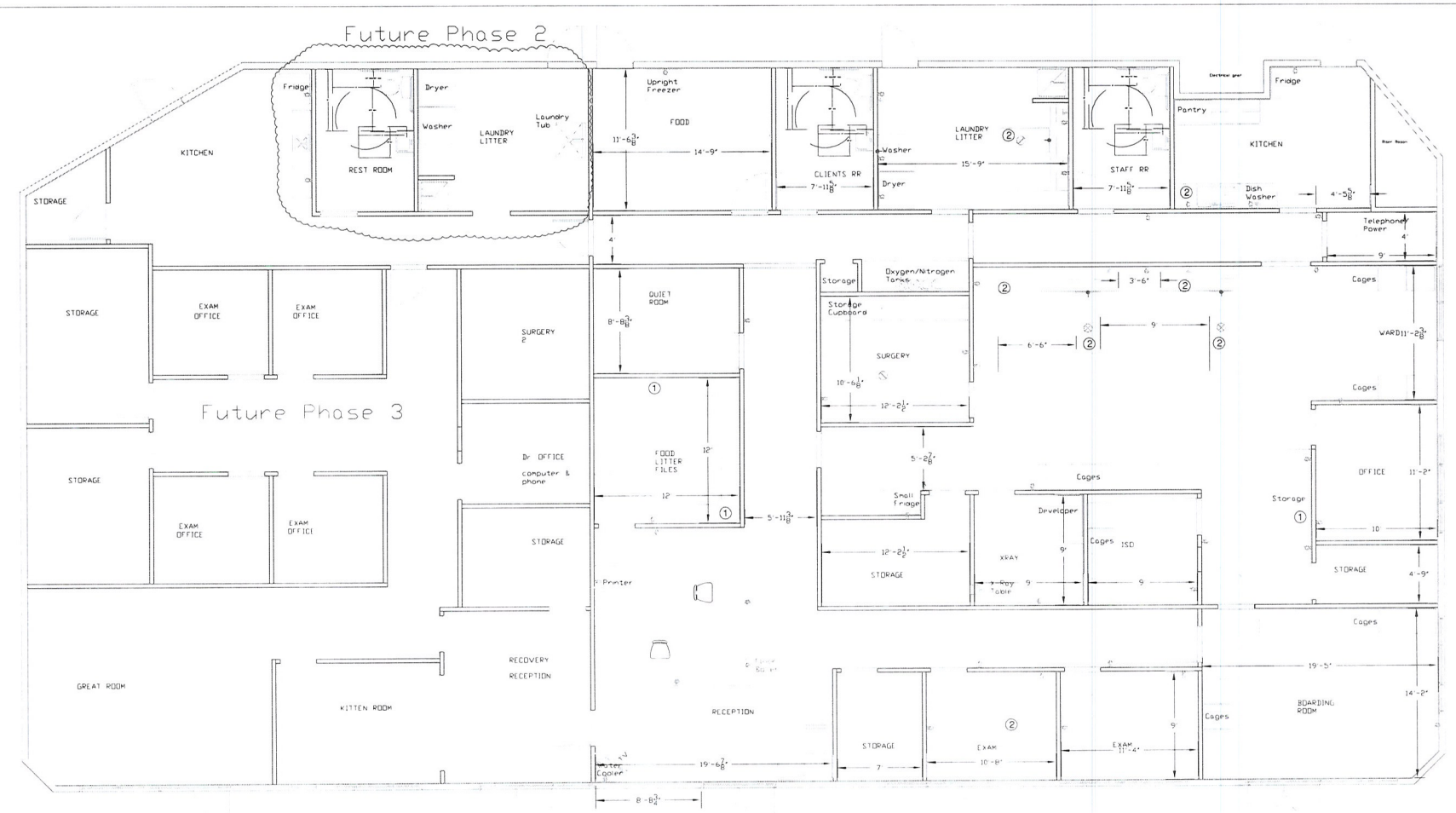
Dept. of Planning



GENERAL NOTES:

⊗ Reinforce ceiling beam for surgical lighting

① Use Existing countertops/ Cabinetry & Equipment supplied by owner where noted

② Use Existing Countertops supplied by owner

FLOOR PLAN

SCALE: 1/4"=1'0"

AFFORDABLE CONCEPTS, INC.

Bonanza Cat Hospital

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APR 25 2013

City of Las Vegas
Dept. of Planning

SUP-49177



SUP-49177 - APPLICANT: ABOVE THE LIGHTS BONANZA CAT HOSPITAL - OWNER: 2010-1 RADC CADC VENTURE, LLC
6620 SKY POINTE DRIVE

05/02/13



SUP-49177 - APPLICANT: ABOVE THE LIGHTS BONANZA CAT HOSPITAL - OWNER: 2010-1 RADC CADC VENTURE, LLC
6620 SKY POINTE DRIVE

05/02/13



SUP-49177 - APPLICANT: ABOVE THE LIGHTS BONANZA CAT HOSPITAL - OWNER: 2010-1 RADC CADC VENTURE, LLC
6620 SKY POINTE DRIVE

05/02/13

Lucy Stewart
1916 Trail Peak Lane
Las Vegas, NV 89134
(702) 499-6469-cell.
(702) 946-0857-fax

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MAY 13 2013

May 13, 2013

Mr. Yorgo Kagafas, AICP, Senior Planner
City of Las Vegas, Planning Department
333 N. Rancho Drive
Las Vegas, NV 89106

RE: Revised justification letter - SUP-49177

Dear Mr. Kagafas:

Please accept this letter as our justification for a use permit for a veterinary hospital. The property was approved for a retail space before and approved with a site development review seven years ago. This development is part of an overall commercial development and commercial subdivision. There is cross access between the various lots within the subdivision.

This vet clinic will specialize in a feline veterinary practice. All overnight boarding will have indoor kennels only. There will be one doctor and one assistant medical doctor, there will be three employees per shift plus the doctors. The hours of operation are Monday Through Friday, 7:00 AM to 6:00 PM; and 10:00 AM to 2:00 PM on Saturdays, closed Sundays. All animals will be confined within a building at all times and all there will be no outside pens. Rooms with cages or pens will have no windows, doors or exterior penetrations. The interior shall be designed to protect adjacent properties from noise and odor.

In addition, we are requesting a waiver to the requirement that an animal hospital be located on a collector street (80 foot right of way) or larger. Sky Point Drive is a 70 foot right of way; however, the street functions as if it were a collector street. There is no development on one side of the side; it is all highway right-of-way. The roadway is developed as a divided roadway with a median in it. It collects traffic from the commercial developments adjacent to the street or the neighborhoods and funnels the traffic to access points on the highway or disperses it to section line streets.

Please contact me with any questions you might have.

Yours truly,

Lucy Stewart
Lucy Stewart

SUP-49177
REVISED

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

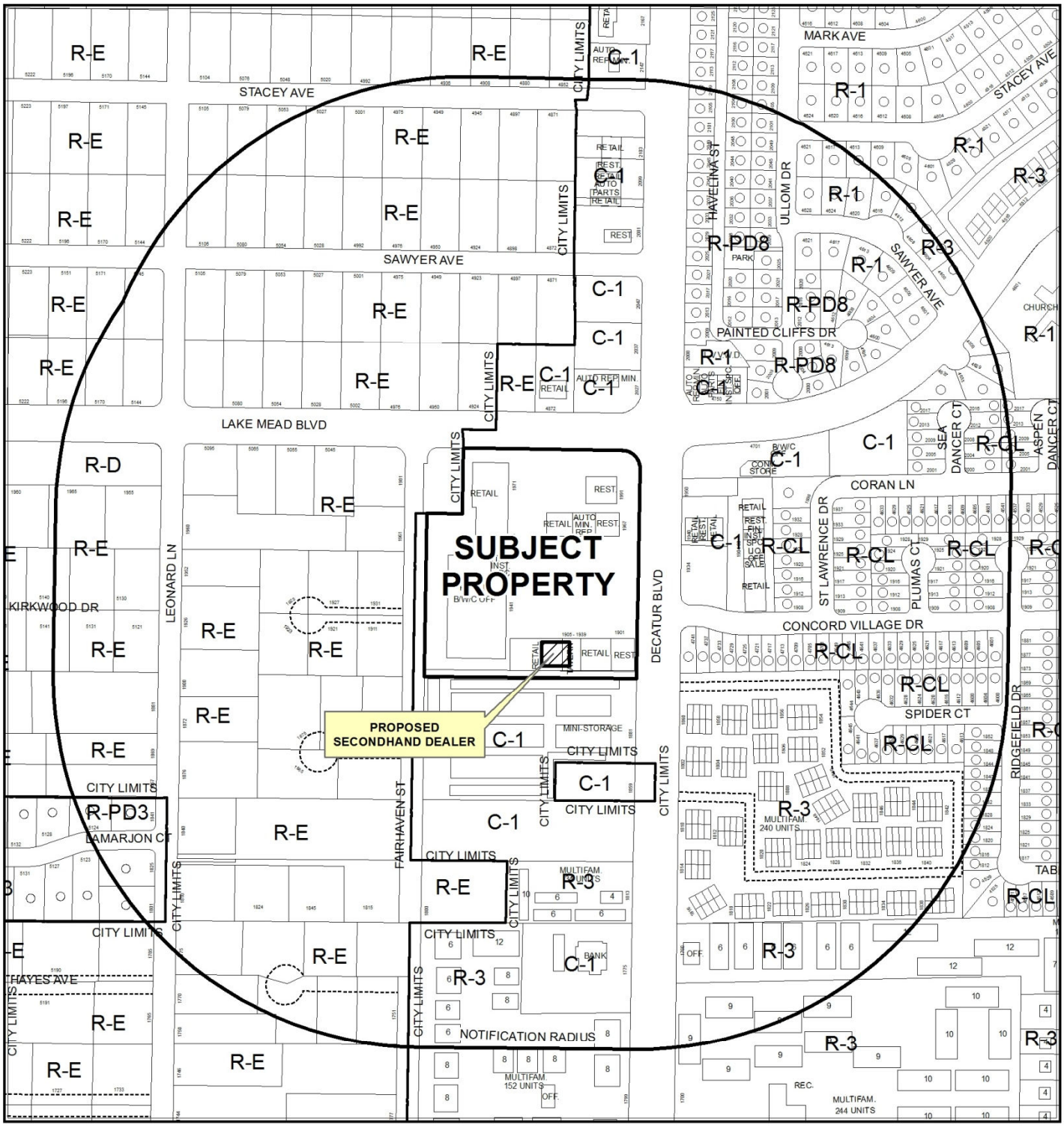
SUBJECT:
SUP-49178 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HOUSE OF BARGAINS - OWNER: LAKE MEAD DECATUR, LLLP - For possible action on a request for a Special Use Permit FOR A SECONDHAND DEALER WITH A WAIVER TO ALLOW A 6,600 SQUARE-FOOT AREA WHERE 5,000 SQUARE FEET IS THE MAXIMUM ALLOWED at 1917 North Decatur Boulevard (APNs 138-24-703-002 and 003), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
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



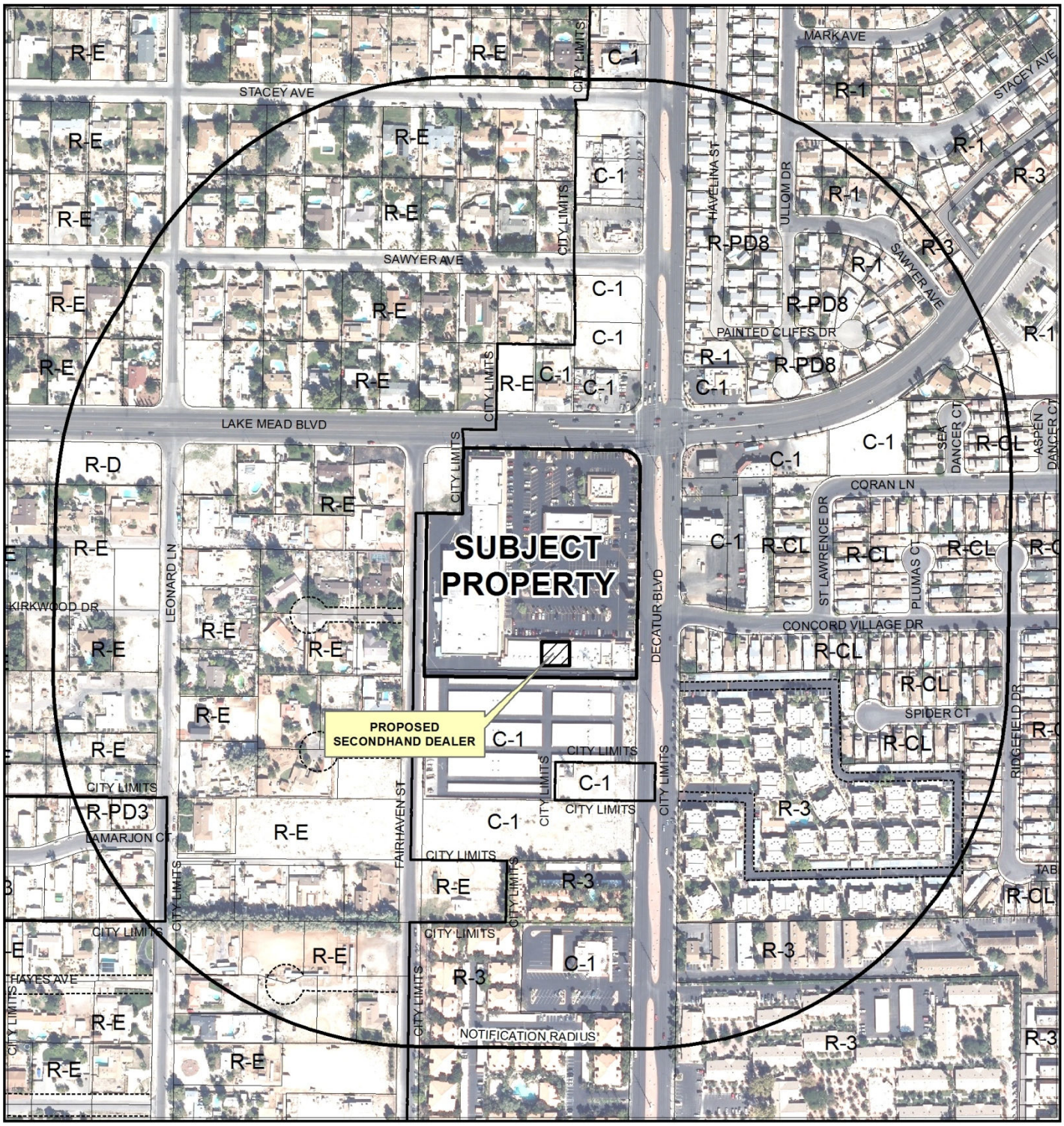
0 300 600 Feet

CASE: **SUP-49178**

RADIUS: 1000 FEET

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

N



0 300 600 Feet

CASE: **SUP-49178**

RADIUS: 1000 FEET

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: HOUSE OF BARGAINS - OWNER: LAKE MEAD DECATUR, LLLP

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-49178	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-49178 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Secondhand Dealer use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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.

Staff Report Page One
June 11, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to relocate an existing 1,275 square-foot Secondhand Dealer to a 6,600 square-foot suite at 1917 North Decatur Boulevard. The new location is in an existing 99,339 square-foot Shopping Center. The use can be conducted in a manner that is compatible and harmonious with the existing uses in the shopping center and the surrounding neighborhood; therefore, staff recommends approval of this request. If the Special Use Permit is denied, then the proposed use will not be allowed.

ISSUES

- A Secondhand Dealer with a floor area over 5,000 square feet in the C-1 (Limited Commercial) zoning district is permitted with the approval of a Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/16/79	The Clark County Board of Commissioners approved a request for Rezoning (ZC-0323-78) from R-E (Rural Estates Residential) to C-C (Shopping Center) on the subject property.
08/27/79	The subject property was effectively annexed into the City of Las Vegas (A-0001-79) and given an R-E (Residence Estates) zoning designation with a Resolution of Intent to C-1 (Limited Commercial) zone.
02/06/80	The Las Vegas Board of City Commissioners approved a request for an Extension of Time [ZC-0323-78(1)] on the approved Rezoning on this site, subject to the conditions imposed at the time of original approval by Clark County. The Planning Commission recommended approval on 01/10/80.
12/05/80	The Las Vegas Board of City Commissioners approved a request for a Plot Plan Review [ZC-0323-78(2)] for a fast-food restaurant where a bank had previously been approved on a portion of the subject site. The Planning Commission recommended approval on 11/13/80.
09/17/03	The City Council approved a request for a Special Use Permit (SUP-2658) for a Financial Institution, Specified. The Planning Commission made no recommendation on the item at 1917 North Decatur Boulevard.

Most Recent Change of Ownership	
09/11/07	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
1980	The Shopping Center was constructed.
07/17/98	A building permit (#97025377) was issued for a tenant improvement. The permit was finalized on 04/10/98.

Pre-Application Meeting	
04/18/13	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Secondhand Dealer use.

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

Field Check	
05/02/13	A field check was conducted on the subject site and the following was observed: • The subject suite is vacant. • The site is maintained and graffiti free.

Details of Application Request	
Site Area	
Net Acres	7.64

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Retail	SC (Service Commercial)	C-1 (Limited Commercial)
	Auto Repair, Minor		
	Single Family, Detached	RN (Rural Neighborhood – Clark County)	R-E (Rural Estates Residential – Clark County)
South	Mini-Storage Facility	SC (Service Commercial)	C-1(Limited Commercial)
East	Retail	SC (Service Commercial)	C-1(Limited Commercial)
	Single Family, Detached	RN (Rural Neighborhood – Clark County)	R-E (Rural Estates Residential – Clark County)

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
West	Retail	SC (Service Commercial)	C-1 (Limited Commercial)
	Single Family, Detached	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
No Applicable Special Purpose or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	99,339 SF	1:250	398				
TOTAL SPACES REQUIRED			398		410		Y
Regular and Handicap Spaces Required			390	8	398	12	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
In the C-1 (Limited Commercial) zoning district the use shall be limited to 5,000 square feet in size.	To allow the Secondhand Dealer to be 6,600 square feet in size.	Approval

MR

ANALYSIS

If approved, the proposed Secondhand Dealer use will be located at 1921 North Decatur Boulevard within an existing shopping center. The proposed tenant space is approximately 6,600 square feet in size. The Conditional Use Requirement threshold of 5,000 square feet in C-1 (Limited Commercial) zoning district is exceeded by 1,600 square feet, thereby requiring a Special Use Permit to operate. The proposed use is consistent with land uses normally associated within and existing shopping center. Also, due to the site proximity to the City limits, the proposed use is determined to be Project of Regional Significance (PRS). The applicant completed the required PRS report and it was distributed to the proper agencies; however, no comments have been received to date.

The Secondhand Dealer use is defined as: A retail facility which deals solely in used commodities with no new commodities, or in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. For purposes of this description, the sale of secondhand or used articles is deemed to be incidental to the sale of new articles. Used articles may include wearing apparel, furniture, fixtures, appliances, tableware, offices supplies, pictures, paintings, jewelry, cutlery, guns or scrap precious metals as defined in LVMC Chapter 6.74, but does not include the sale of junk as defined in that Chapter, or the sale of used cars. This use does not include the buying and selling of foreign or domestic coins for numismatic purposes or used books, which shall be allowed where retail sales of new merchandise, is permitted. This use also does not include a Thrift Shop.

The Minimum Special Use Permit Requirements for this use include:

1. *No outdoor display or sale of any merchandise shall be permitted, except as allowed pursuant to LVMC 19.16.160 for a Temporary Commercial Permit.

   The proposed use meets this requirement based for no outside display area are depicted on the floor plan or site plan dated stamped 04/25/13.

2. *The use shall comply with the applicable requirements of LVMC Title 6.

   The condition will be met as the proposed use will undergo continuous business licensing inspections in order to obtain and retain a business license.

3. *No secondhand dealer shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

   The proposed use meets this requirement because it is located at 1921 North Decatur Boulevard.

*Denotes a requirement that cannot be waived.

The proposed use meets the definition of a Secondhand Dealer use for new and use household goods. Toys, clothing and books will be offered for sale to the general public seven days a week from 9 AM to 6 PM per the justification letter date stamped 05/13/13. Also, no donation boxes or outside display areas are depicted on site or floor plans submitted. In summation, the Secondhand Dealer use can be conducted in a manner that is harmonious and compatible with the surrounding area; therefore, staff recommends approval of this request. If denied the Secondhand Dealer use will not be allowed at the proposed location.

FINDINGS (SUP-49178)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 Secondhand Dealer use will be located within an approximately 6,600 square-foot commercial suite, within an existing Shopping Center. The General Land Use Designation for the site is SC (Service Commercial). The proposed use can be conducted in a manner that is harmonious and compatible with the other uses on the existing site and with the commercial and residential uses on the adjacent properties.

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

   The subject site is suitable for the Secondhand Dealer use, as it is a use that generally associated with a shopping center. The proposed Secondhand Dealer use will occupy an existing suite and will not require any additional parking beyond what has been provided for the existing shopping center.

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 has direct access provided from Decatur Boulevard, a 100-foot Primary Arterial, and Lake Mead Boulevard, a 100-foot Primary Arterial. Both streets are sufficient in size to accommodate the needs of the proposed Secondhand Dealer use.

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

Approval of a Special Use Permit for this use at this location will not compromise the public health, safety, or welfare, as the use is subject to licensing and inspections by the City of Las Vegas. The use is consistent with use generally associated with SC (Service Commercial) land use designation.

5. The use meets all of the applicable conditions per Title 19.12.

The proposed Secondhand Dealer use does not meet the conditional use requirement limiting the size of the use to 5,000 square feet, but does meet other Special Use Permit requirements detailed in Title 19.12.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 535

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-49178** APN: #138-24-703-002 + #138-24-703-003

Name of Property Owner: Lake Mead Decatur, LLLP

Name of Applicant: _____

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: Judd Abrams

Subscribed and sworn before me

This _____ day of _____, 20____

See attached CA Jurat

Notary Public in and for said County and State

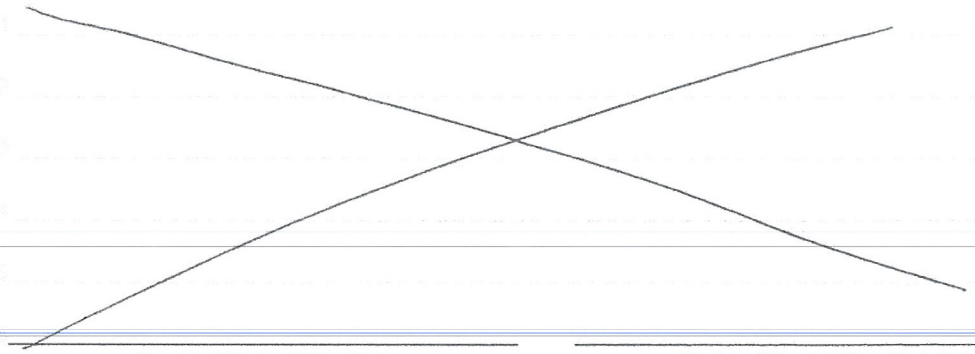
RECEIVED

APR 25 2013

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

☒ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–6 to be completed only by document signer[s], *not* Notary)



Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me

on this 25 (Date) day of April (Month), 2013 (Year),

by

(1) Judd Abrams (Name of Signer),

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

(and

(2) _____ (Name of Signer),

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

Signature _____ (Signature of Notary Public)

SHARON KENNEY
Commission # 1894305
Notary Public - California
Los Angeles County
My Comm. Expires Jul 29, 2014

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

RIGHT THUMBPRINT OF SIGNER #1	RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here	Top of thumb here

Further Description of Any Attached Document

Title or Type of Document: Dept of Planning App/Petition

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

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Item #5910

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APR 25 2013

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance

Project Address (Location) 1913 - 1919 N. Decatur Blvd., Las Vegas, NV 89108

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

Assessor's Parcel #(s) #138-24-703-002 & #138-24-703-003 **Ward #** _____

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

Commercial Square Footage 6,600 SF **Floor Area Ratio** _____

Gross Acres 7.6 +/- **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Lake Mead Decatur, LLLP **Contact** Judd Abrams, Esq.

Address 26135 Mureau Road #200 **Phone:** (818) 880-1800 **Fax:** (818) 880-1801

City Calabasas **State** CA **Zip** 91302

E-mail Address jabrams@mallc.com

APPLICANT House of Bargains **Contact** Maryetta Brewer

Address 2187 N. Decatur Blvd. **Phone:** (702) 636-4855 **Fax:** _____

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

E-mail Address _____

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* Lake Mead Decatur, LLLP

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

Print Name Judd Abrams, Trustee, General Partner

Subscribed and sworn before me

This _____ day of _____, 20 _____.

_____

Notary Public in and for said County and State

FOR DEPARTMENT USE ONLY

Case #	SUP-49178
Meeting Date:	06/11/13
Total Fee:	1030.00
Date Received:*	04/25/13
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 25 2013

Revised 10/27/08

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

☒ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–6 to be completed only by document signer[s], *not* Notary)

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 25th day of April, 2013,
Date Month Year
by

(1) Judd Abrams,
Name of Signer

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

(and

(2) _____,
Name of Signer

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

SHARON KENNEY
Commission # 1894305
Notary Public - California
Los Angeles County
My Comm. Expires Jul 29, 2014

Place Notary Seal Above

Signature _____
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: Statement of Financial Interest

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

RIGHT THUMBPRINT OF SIGNER #1	RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here	Top of thumb here

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Item #5910

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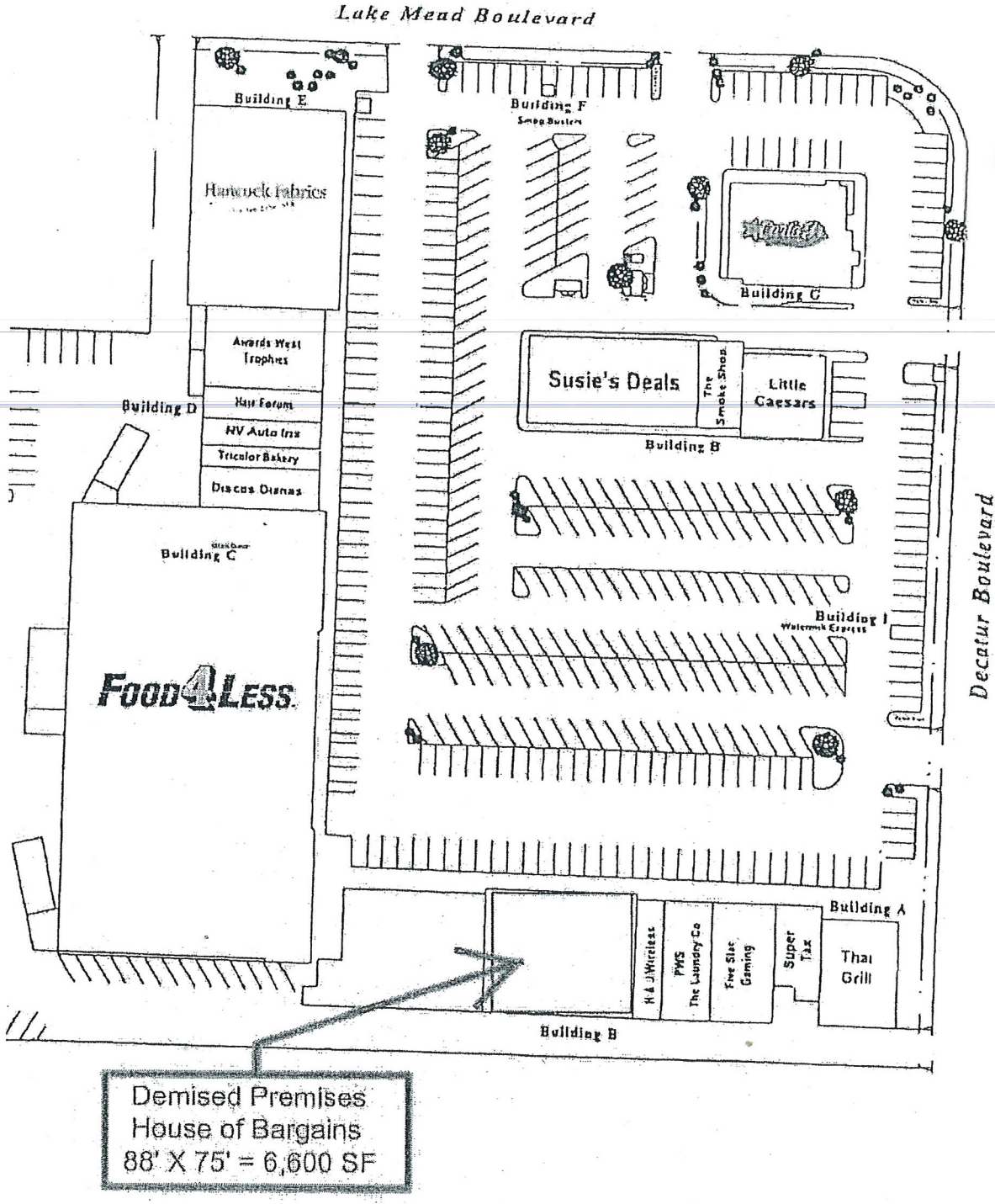
APR 25 2013



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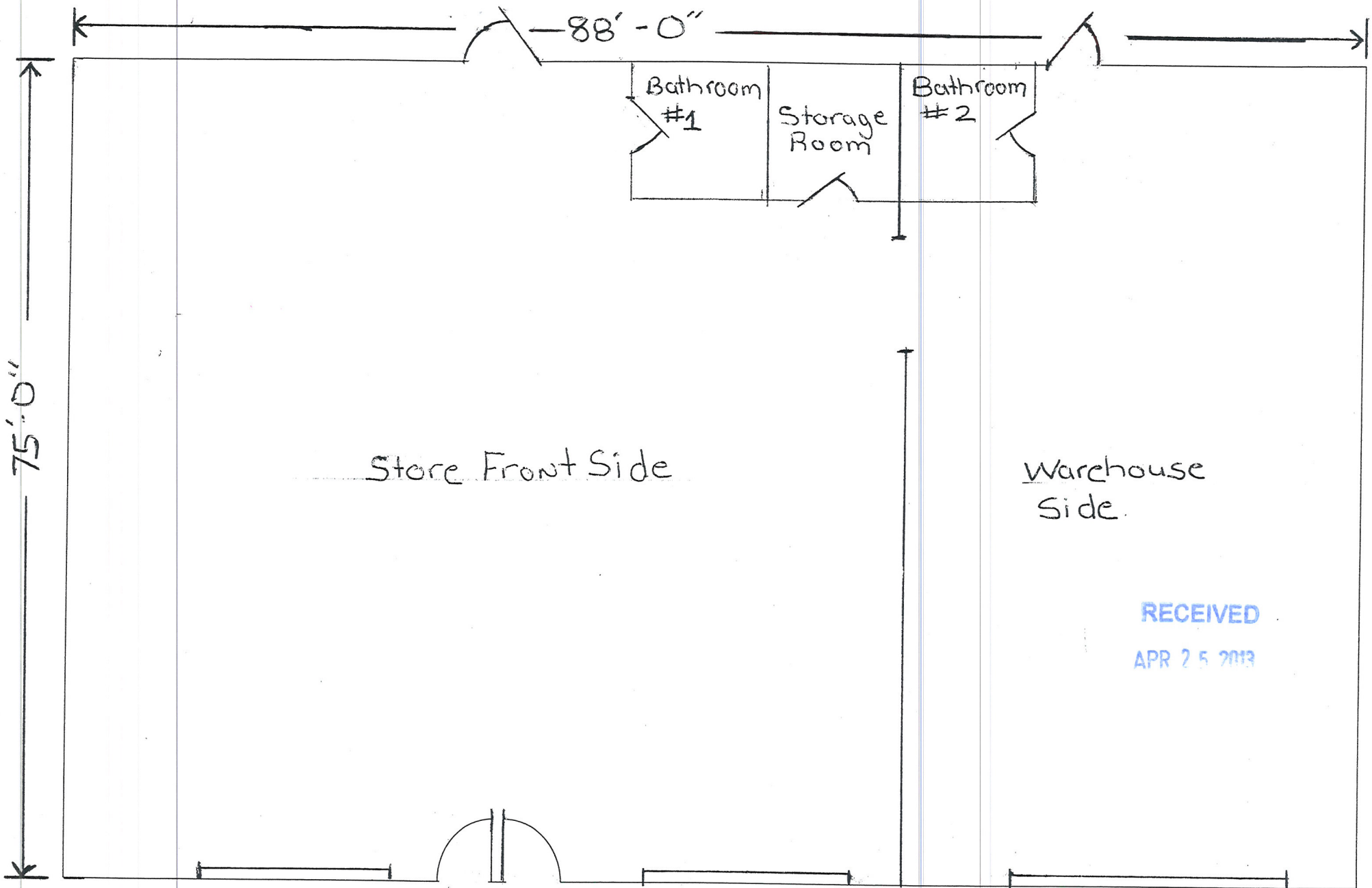
APR 25 2013



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APR 25 2013

Floor Plan
1917 N. Decatur Blvd

SUP-49178



SUP-49178 - APPLICANT: HOUSE OF BARGAINS - OWNER: LAKE MEAD DECATUR, LLLP
1917 NORTH DECATUR BOULEVARD

05/02/13

Justification Letter

May 13, 2013

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, shoes, Toys, books, furniture, holiday items, hardware, appliances, electronic, jewelry, and other new & used items, Items are picked up & drop off by me or other delivery personal. We will be offering quality, affordable products to the community. Our hours of operation will be 7 days a week between the hours of 9am – 6pm. Our plan is to have five employees some part-time workers once we get up and going. As far as the connectivity to other adjacent parcels right to our propose location south of the property there is other retails stores that the parking lot are adjacent to each other allowing access to exit and enter to Decatur Blvd. and Lake Mead Blvd. To the question of the propose project having walk able access for residents, there is walk able access allowing residents in the community access through the property to conduct their everyday routine daily activities, allowing the access to and from public transportation and other recreation activities.

Thanks you,

Maryetta Brewer

Maryetta Brewer

RECEIVED
MAY 13 2013
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

SUP-49178
REVISED

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

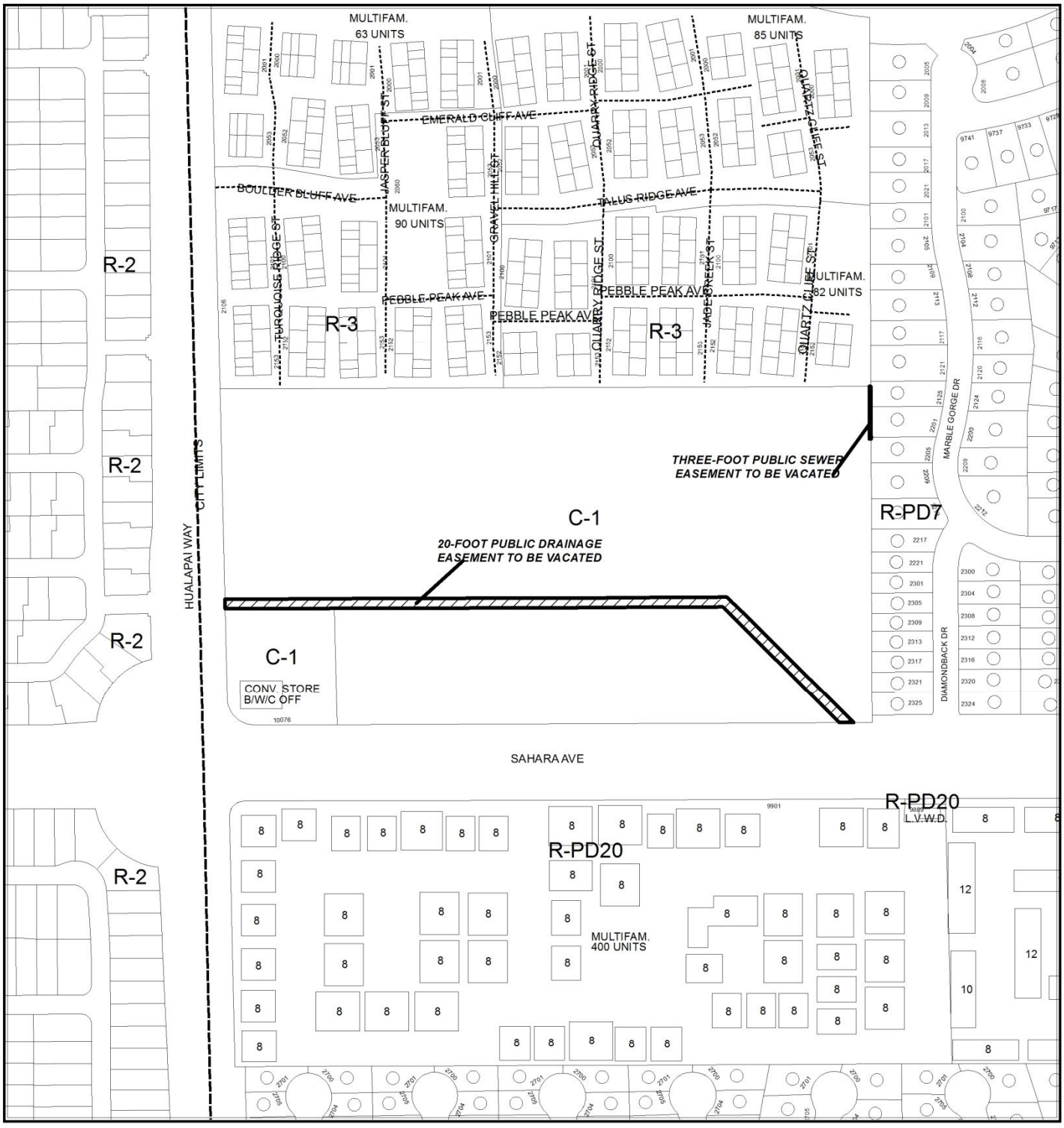
SUBJECT:
VAC-49335 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: SH NORTHEAST LAND COMPANY, LLC - For possible action on a request for a Petition to Vacate a 20-foot public drainage easement and the eastern three-foot portion of a 20-foot public sewer easement on property generally located north of Sahara Avenue, east of Hualapai Way, Ward 2 (Beers). Staff recommends APPROVAL.

SET DATE: 07/10/2013
C.C.: 07/24/2013

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. Justification Letter



CASE: VAC-49335

0 200 400
Feet

N



CASE: VAC-49335

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: SH NORTHEAST LAND COMPANY, LLC

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

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAC-49335	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

VAC-49335 CONDITIONS

1. The limits of this Petition of Vacation shall be the 20-foot public drainage easement granted per File 105, Page 53 of Parcel Maps and the easterly three feet of a public sewer easement granted by Document #960082:01543 generally located north of Sahara Avenue, east of Hualapai Way.

2. Grant a three-foot Public Sewer Easement adjacent to the western boundary of the existing sewer easement to maintain a 20-foot wide Public Sewer Easement prior to the recordation of this Order of Vacation.

3. 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 or granted if recommended by the approved Drainage Plan/Study prior to the recordation of this Order of Vacation. The Drainage Study required by Site Development Plan Review SDR-48469 may used to satisfy this condition.

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

5. 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.

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

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is petitioning to vacate two public utility easements on an 18.11-acre site near the northeast corner of Sahara Avenue and Hualapai Way. The site has been approved for a Shopping Center, and vacation of the subject easements will allow for unencumbered development according to the approved site plan. A 20-foot wide drainage easement running east and west across the site would be vacated, as well as a three-foot portion of the existing 20-foot wide sewer easement running north and south along the east property line. The existing sewer line will be retained; therefore, the applicant will dedicate a three-foot easement adjacent to the western edge of the existing easement to maintain the required 20-foot width. Staff has no objection to the request and recommends approval with conditions. If denied, the associated Shopping Center development could not be constructed as previously approved.

ISSUES

- Vacation of the subject easements is a condition of approval of Site Development Plan Review (SDR-48469).

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
02/15/89	The City Council approved the Peccole Ranch Master Plan. The subject site is included in Phase 2 of the Master Plan and is designated for neighborhood commercial uses.
04/04/90	The City Council approved a Rezoning (Z-0017-90) from N-U (Non-Urban) to C-1 (Limited Commercial) on this site as part of a larger request. The Planning Commission and staff recommended approval.
09/04/03	A two-lot Parcel Map (PMP-1902) on 19.22 acres at the northeast corner of Hualapai Way and Sahara Avenue was recorded.
04/09/13	The Planning Commission approved a Master Sign Plan for a proposed 219,100 square-foot Shopping Center on 18.11 acres adjacent to the north side of Sahara Avenue, approximately 220 feet east of Hualapai Way. Staff recommended approval.
	The Planning Commission approved a Site Development Plan Review for a proposed 219,100 square-foot Shopping Center with a waiver to allow a zero-foot perimeter landscape buffer along a portion of the west and south property lines where eight feet is required on 18.11 acres adjacent to the north side of Sahara Avenue, approximately 220 feet east of Hualapai Way. Staff recommended approval.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/09/13	A request for a Tentative Map (TMP-49515) on 18.11 acres adjacent to the north side of Sahara Avenue, approximately 220 feet east of Hualapai Way, will be heard by the Planning Commission. Staff recommends approval.

Most Recent Change of Ownership	
11/13/12	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no issued business licenses or building permits related to the subject request.

Pre-Application Meeting	
02/11/13	A pre-application meeting was held with the applicant to discuss submittal requirements and issues concerning a Site Development Plan Review for a proposed shopping center on the subject site. At this meeting it was noted that vacation of existing easements in conflict with the development would need to be recorded prior to the issuance of permits or recordation of a subdivision map for the site, whichever occurred first.

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

Field Check	
02/28/13	The site is undeveloped, consisting of gently sloping rocky soil with no vegetation. Paved access to the existing sewer line along the east property line is provided. Existing perimeter walls separate the property from residential development to the north and east.

Master Plan Areas	***Compliance***
Peccole Ranch Master Plan (Phase 2)	N/A
Special Purpose and Overlay Districts	***Compliance***
No Applicable Special Purpose or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

SS

LEGAL DESCRIPTION

The applicant proposes to vacate two public utility easements legally described as follows:

All of a twenty-foot (20') wide privately maintained Public Drainage Easement as dedicated on Parcel 1 as shown on File 105, Page 53 Of Parcel Maps, on file in the Office Of The County Recorder, Clark County, Nevada, lying within the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 6, Township 21 South, Range 60 East, M.D.M., in the City of Las Vegas, Nevada.

The northerly one hundred three feet (103') of the easterly three feet (3') of a twenty-foot (20') wide City of Las Vegas Sewer Easement as shown in that certain document recorded August 22, 1996 in Book 960822, Instrument Number 01543 on file in the Office Of The County Recorder, Clark County, Nevada, lying within the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 6, Township 21 South, Range 60 East, M.D.M., in the City of Las Vegas, Nevada.

ANALYSIS

The public drainage easement was dedicated through a previously recorded Parcel Map (PMP-1902) for drainage of the subject site and the adjacent lot currently developed with a Convenience Store. The easement is in conflict with the proposed Shopping Center development and is not needed in the current configuration, as the site will be graded to remove surface water from the site.

The existing sewer easement was dedicated in 1996 to serve adjacent development and is still necessary. The applicant is proposing to rededicate the easement to the west of the existing easement to allow for site grading, landscaping and retaining walls along the east property line. Paved access to manholes will be retained.

This Vacation application proposes to vacate public sewer and drainage easements generally located north of Sahara Avenue, east of Hualapai Way. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this Vacation request to the utility companies and franchise holders, nor wait for their responses. Since only City easements are involved, any utility company interests will need to be addressed with each respective utility company and will not be affected by the City vacating its interest. Furthermore, the Department of Public Works recommends that this item be declared final action at Planning Commission.

FINDINGS (VAC-49335)

The existing easements are in conflict with the proposed Shopping Center development and are not needed in their current configurations. Onsite drainage will be provided through site development, and space is available to relocate the existing sewer line. Staff therefore recommends approval of the requested Petition to Vacate.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

NOTICES MAILED 16

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-49335 APN: 163-06-416-006

Name of Property Owner: SH Northeast Land Company LLC

Name of Applicant: Sahara Center

Name of Representative: Frank Pankratz

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 9 2013

Signature of Property Owner: _____

Print Name: Frank Pankratz, Manager SH Northeast Land Compa

Subscribed and sworn before me

This 9th day of May, 2013

Tawnia M. Alvis
Notary Public in and for said County and State

TAWNIA M. ALVIS
Notary Public State of Nevada
No. 11-5158-1
My Appt. Exp. June 15, 2015

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

RECEIVED MAY 9 2013

Application/Petition For:

Project Address (Location) NE Corner of Sahara / Hualapai

Project Name Sahara Center **Proposed Use** Commercial

Assessor's Parcel #(s) 163-06-416-006 **Ward #** 2

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

Commercial Square Footage 219,000 **Floor Area Ratio** _____

Gross Acres 18.11 **Lots/Units** N/A **Density** N/A

Additional Information _____

PROPERTY OWNER SH Northeast Land Company LLC **Contact** Frank Pankratz

Address 9755 W. Charleston Blvd. **Phone:** (702) 940-6930 **Fax:** (702) 940-6931

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

E-mail Address frank@ehbcompanies.com

APPLICANT SH Northeast Land Company LLC **Contact** Frank Pankratz

Address 9755 W. Charleston Blvd. **Phone:** (702) 940-6930 **Fax:** (702) 940-6931

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

E-mail Address frank@ehbcompanies.com

REPRESENTATIVE Frank Pankratz **Contact** Frank Pankratz

Address 9755 W. Charleston Blvd. **Phone:** (702) 940-6930 **Fax:** (702) 940-6931

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

E-mail Address frank@ehbcompanies.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* _____

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

Print Name FRANK PANKRATZ, MANAGER for SH NORTHEAST LAND COMPANY LLC

Subscribed and sworn before me

This 9th day of May, 20 13.

Tawnia M. Alvis

Notary Public in and for said County and State

TAWNIA M. ALVIS
Notary Public State of Nevada
No. 11-5158-1
My Appt. Exp. June 15, 2015

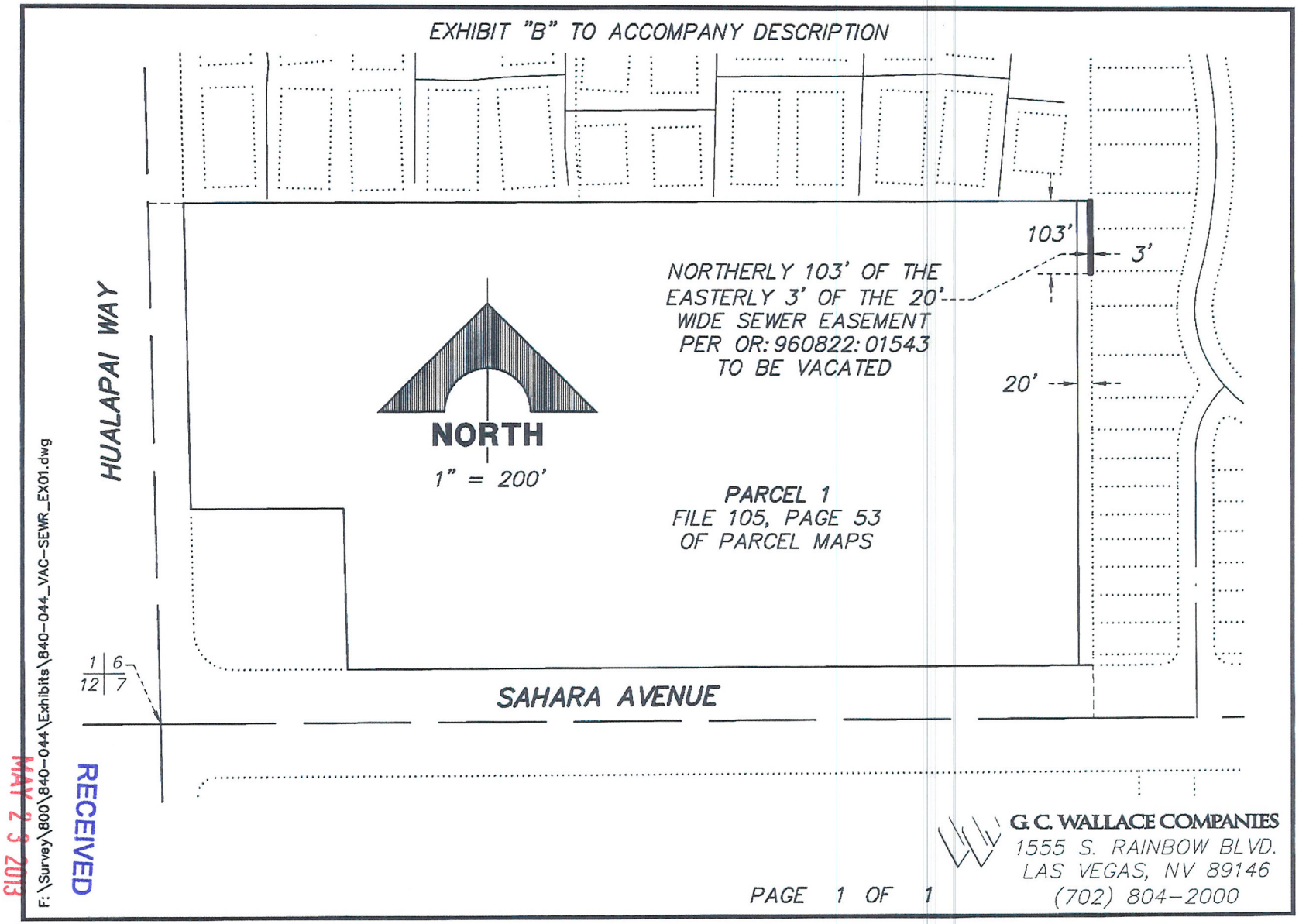
Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	VAC-69335
Meeting Date:	6-11-13
Total Fee:	1000.00
Date Received:*	5-9-13
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.

EXHIBIT "B" TO ACCOMPANY DESCRIPTION



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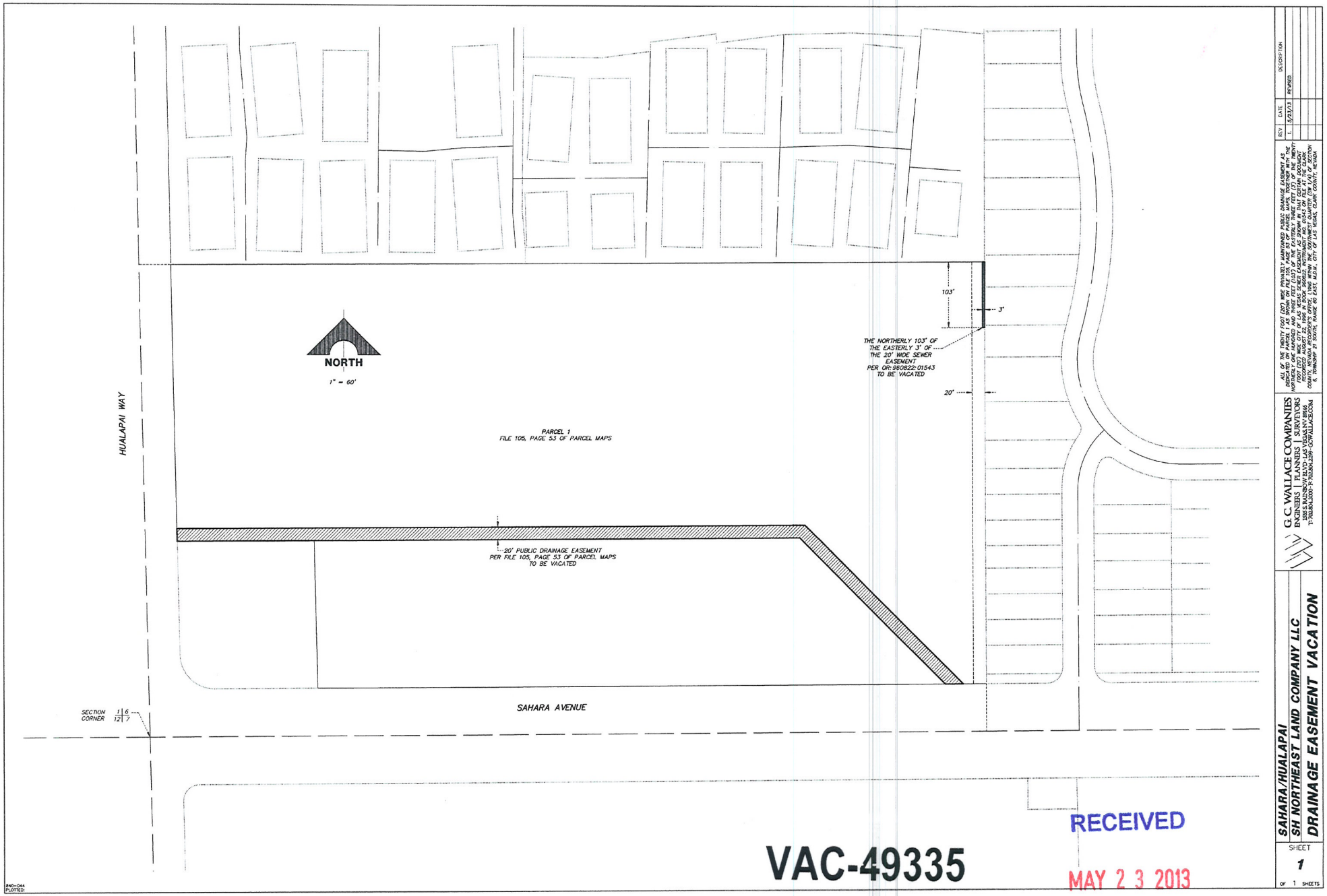
RECEIVED
MAY 2 3 2013
City of Las Vegas
Department of Planning

G. C. WALLACE COMPANIES
1555 S. RAINBOW BLVD.
LAS VEGAS, NV 89146
(702) 804-2000

PAGE 1 OF 1

VAC-49335
REVISED



REV	DATE	DESCRIPTION
1.	5/23/13	REVISED:

ALL OF THE TWENTY FOOT (20') WIDE PRIVATELY MAINTAINED PUBLIC DRAINAGE EASEMENT AS DEDICATED ON PARCEL 1 AS SHOWN ON FILE 105, PAGE 53 OF PARCEL MAPS, TOGETHER WITH THE NORTHERLY ONE HUNDRED AND THREE FEET (103') OF THE EASTERLY THREE FEET (3') OF THE TWENTY FOOT (20') WIDE CITY OF LAS VEGAS SEWER EASEMENT AS SHOWN IN THAT CERTAIN DOCUMENT RECORDED AUGUST 22, 1996 IN BOOK 960822, INSTRUMENT NO. 01543 ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE, LYING WITHIN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 6, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

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

SAHARA/HUALAPAI
SH NORTHEAST LAND COMPANY LLC
DRAINAGE EASEMENT VACATION

SHEET 1 OF 1 SHEETS

840-044
PLOTTED:

VAC-49335
REVISED

RECEIVED
MAY 2 3 2013
City of Las Vegas
Department of Planning

G. C. WALLACE COMPANIES
ENGINEERS | PLANNERS | SURVEYORS

G. C. WALLACE, INC.
G. C. WALLACE HOLDINGS, INC.

Writer's Contact Information:

840-044

May 28, 2013

Peter Lowenstein, AICP
Department of Planning
City of Las Vegas
333 North Rancho Drive, 3rd Floor
Las Vegas, NV 89106

Re: Revised Justification Letter for Sahara and Hualapai Commercial Center Vacation Petition: APN-163-06-416-006

Dear Mr. Lowenstein:

On behalf of our client, SH Northeast Land Company, we respectfully request your acceptance and review of our vacation petition application. We are proposing a 219,000 square-foot shopping center on 18.11 acres of vacant land located on the northeast corner of Sahara Avenue and Hualapai Way, which is located within the Peccole Ranch Master Plan. The project as proposed consists of approximately 202,300 square feet of inline multi-tenant retail and five perimeter pads which range in size from 2080 square feet to 6000 square feet. The site will be accessed from two driveways along Sahara Avenue and Hualapai Way. We are vacating a public drainage easement, created by PMP – 1902; Book 105 – Page 53; and a portion of a 20 foot sewer easement Book 690822 Inst 01543.

The proposed development is consistent with the current C-1 use for the parcel, and we do not anticipate the need for additional waivers. Our client has recently completed a Site Development Review (SDR-48469) in which site constraints and waivers were addressed. The anticipated hours of operation are 9:00 am to 9:00 pm.

Please contact me, at 702-804-2000, with any questions or comments you may have regarding this application. Thank you for your time and consideration in this matter.

Cordially,

G. C. WALLACE, INC.

Mark J Fakler, PE
Vice-President

cc: Frank Pankratz - SH Northeast Land Company

RECEIVED

MAY 2 8 2013

City of Las Vegas
Department of Planning

VAC-49335
REVISED

City of Las Vegas Agenda Item No.: **18.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

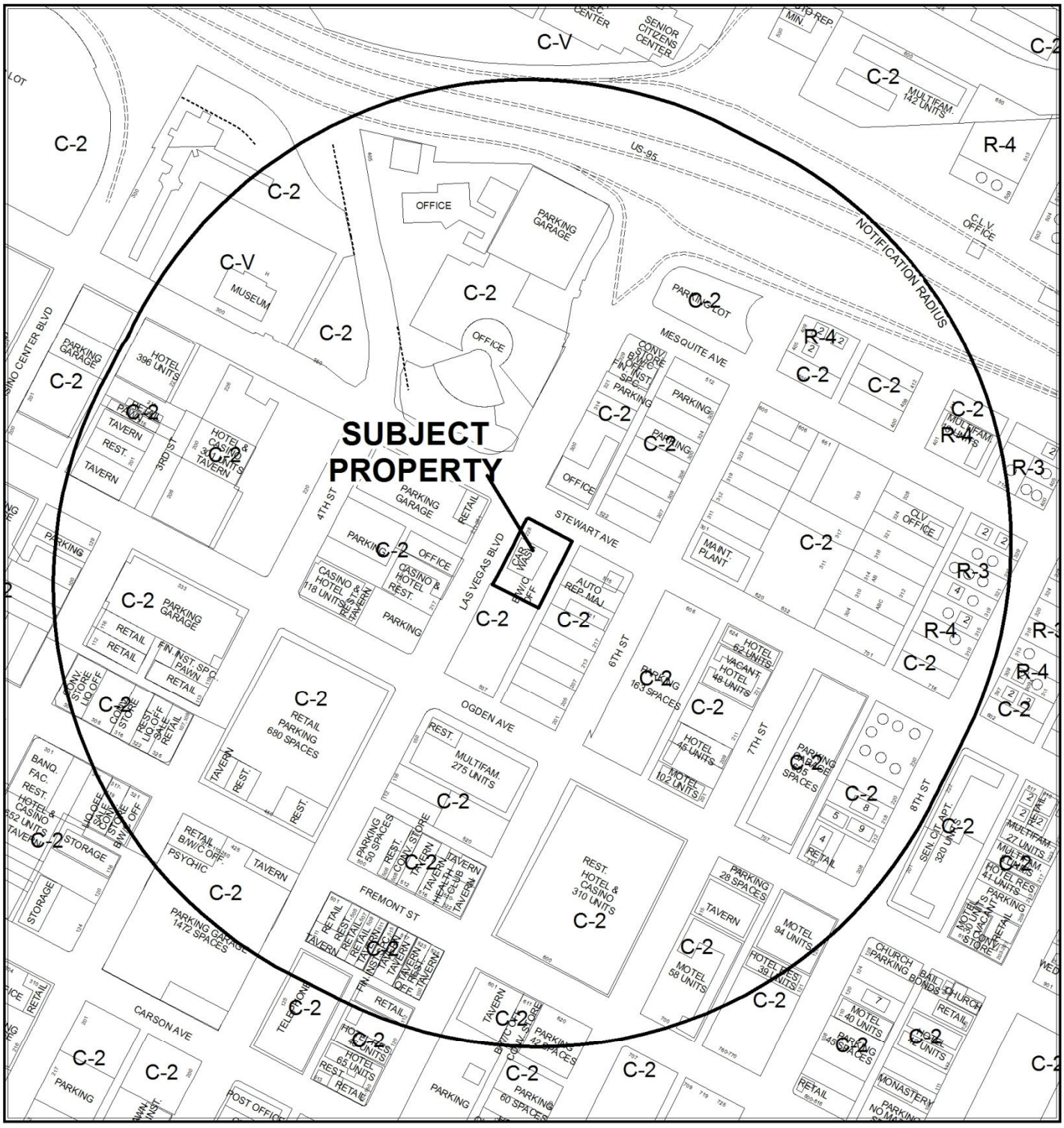
SUBJECT:
ABEYANCE - WVR-48970 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER: 208 LAS VEGAS BOULEVARD, LLC - For possible action on a request for a Waiver OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE STANDARDS ALONG THE WEST PERIMETER on 0.45 acres at 228 North Las Vegas Boulevard (APN 139-34-501-016), C-2 (General Commercial) Zone, Ward 5 (Barlow) (PRJ-48735). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**12**
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. Support Postcards



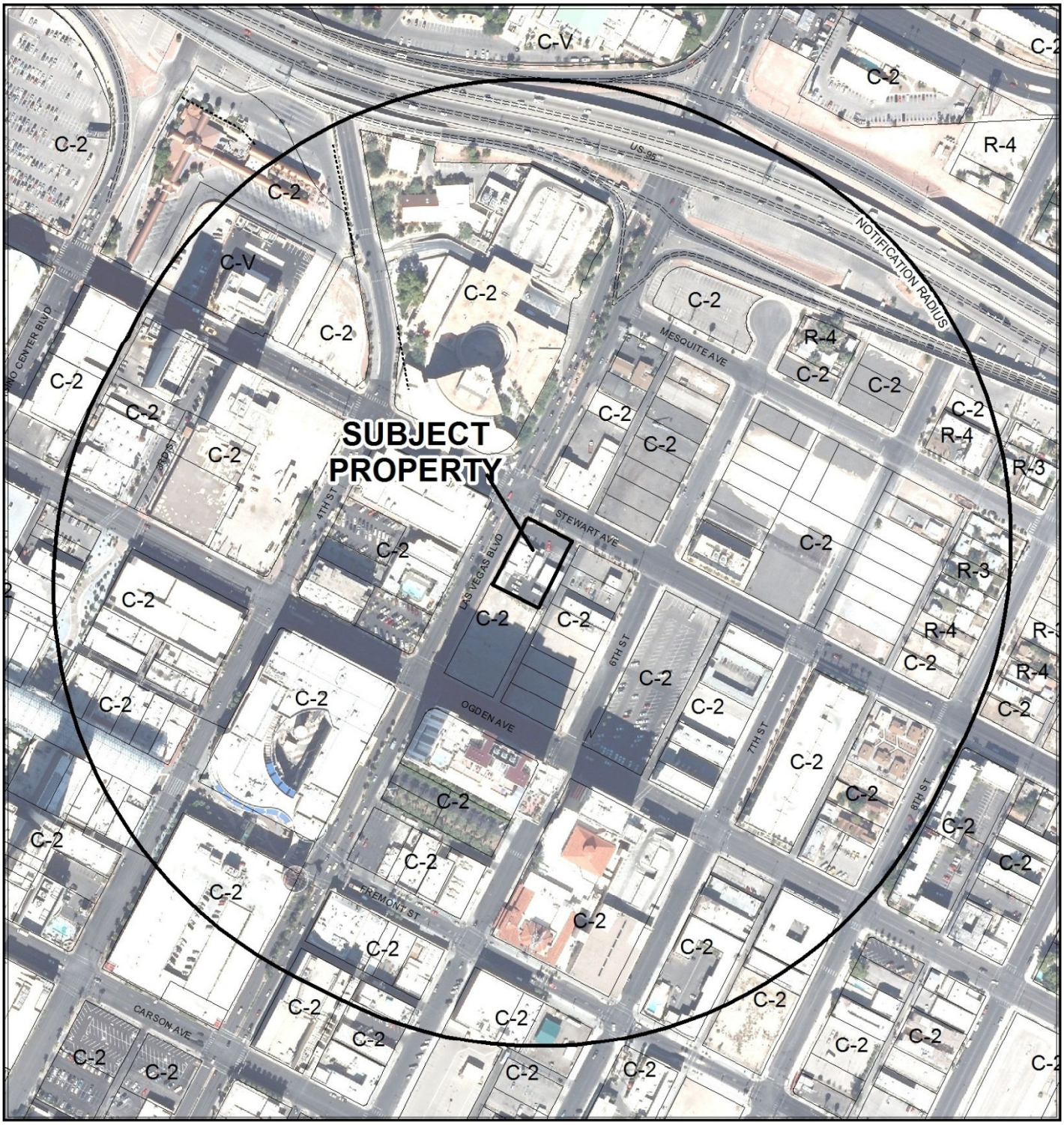
0 300 600 Feet

CASE: **WVR-48970 (PRJ-48735)**

RADIUS: 1000 FEET

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

N



0 300 600 Feet

CASE: **WVR-48970 (PRJ-48735)**

RADIUS: 1000 FEET

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: 208 LAS VEGAS BOULEVARD, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
WVR-48970	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

WVR-48970 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All development shall be in conformance with the site plan and landscape plans, date stamped 05/22/13, except as amended by conditions herein.

3. A Waiver from the Downtown Centennial Plan Streetscape Standards is hereby approved, to allow a sidewalk to be adjacent to the back of curb.

4. The three proposed palm trees on the site/landscape plan shall be 25' tall Date Palms as required by the Downtown Centennial Plan.

5. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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

The applicant is requesting to widen an existing five-foot wide sidewalk by five feet adjacent to 228 North Las Vegas Boulevard. This proposal doesn't meet the Downtown Centennial Plan streetscape design standards. These standards call for a five-foot amenity zone between the back-of-curb and the sidewalk. The proposal would keep the sidewalk adjacent to the back-of-curb. There is ample space to provide the Downtown Centennial Plan Streetscape Standards at this location without the need for a Waiver; therefore, staff recommends denial.

ISSUES

- This project requires a Waiver of the Downtown Centennial Plan Streetscape Standards to allow the amenity zone to be located behind the sidewalk. Staff does not support this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/26/62	The City Council approved Rezoning (Z-0100-64), which designated the subject property as C-2 (General Commercial) zone as part of a larger request. The Planning Commission recommended approval.
03/05/86	The City Council adopted the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area (Ordinance No.3218), which the subject site was included.
11/20/90	The Board of Zoning Adjustment approved Special Use Permit (U-0234-90) to allow a full service car wash at 228 North Las Vegas Boulevard.
04/25/91	The Board of Zoning Adjustment approved a Plot Plan Review of an approved Special Use Permit [U-0234-90)(1)] to allow a full service car wash at 228 North Las Vegas Boulevard.
10/16/91	The City Council approved a request for a Special Use Permit (U-0208-91) to allow Restricted Gaming at 228 North Las Vegas Boulevard. The Planning Commission and staff recommended approval.
12/04/02	The City Council approved a request for a Special Use Permit (U-0106-02) to allow a Liquor Establishment Off-Premise use at 228 North Las Vegas Boulevard. The Planning Commission and staff recommended denial.
10/02/03	The City Council approved a General Plan Amendment (GPA-2497) for a revision to the Downtown Redevelopment Plan. The Planning Commission and staff recommended approval.

07/07/04	The City Council approved a Required Six-Month Review (RQR-3930) of Special Use Permit (U-0106-02) that allowed a Liquor Establishment Off-Premise use at 228 North Las Vegas Boulevard subject to another Six-Month Review. The Planning Commission and staff recommended approval.
01/05/05	The City Council approved a Required Six-Month Review (RQR-5630) of Special Use Permit (U-0106-02) that allowed a Liquor Establishment Off-Premise use at 228 North Las Vegas Boulevard subject to another Six-Month Review. The Planning Commission and staff recommended approval.
07/05/00	The City Council adopted the Downtown Centennial Plan via Ordinance #5238. The Planning Commission and staff recommended approval.
06/21/11	The Downtown Design Review Committee approved (ARC-41552) for a signage review on an existing Service Station at 228 Las Vegas Boulevard North. Staff recommended approval.
03/16/11	The City Council approved Special Use Permit (SUP-40520) for a request for a special use permit for a 100 square-foot accessory package liquor, off-sale establishment in conjunction with an existing 3,553 square-foot convenience store at 228 North Las Vegas Boulevard. The Planning Commission recommended denial and staff recommended denial.

Most Recent Change of Ownership	
05/10/12	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
06/28/11	A Business License (C02-00438) for a Car Wash was issued for 228 North Las Vegas Boulevard. The license remains active.
06/28/11	A Business License (C05-02747) for a Tobacco Dealer was issued for 228 North Las Vegas Boulevard. The license remains active.
06/28/11	A Business License (C15-00397) for a Convenience Store was issued for 228 North Las Vegas Boulevard. The license remains active.
06/28/11	A Business License (L10-00325) for a Beer/Wine/Cooler Off-Sale use was issued for 228 North Las Vegas Boulevard. The license remains active.
09/07/11	A Business License (C20-02431) for Convention Hall Gaming Tax was issued for 228 North Las Vegas Boulevard. The license remains active.
09/07/11	A Business License (G01-02427) for Restricted Gaming was issued for 228 North Las Vegas Boulevard. The license remains active.

Pre-Application Meeting	
03/25/13	Staff met with the applicant and reviewed the requirements for a Site Development Plan Review and/or Waiver of the Downtown Centennial Plan Streetscape Standards in order to widen the sidewalk along Las Vegas Boulevard at 228 S. LVB.

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

Field Check	
04/03/13	Staff visited the site and found a car wash and convenience store well maintained and free of trash and debris.

Details of Application Request	
Site Area	
Net Acres	0.54

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Convenience Store and Car Wash	C (Commercial)	C-2 (General Commercial)
North	Office, Other Than Listed	MXU (Mixed Use)	C-2 (General Commercial)
South	Undeveloped	C (Commercial)	C-2 (General Commercial)
East	Auto Repair Garage, Major	C (Commercial)	C-2 (General Commercial)
West	Parking Facility Financial Institution, General (Without Drive-Through) TV Broadcasting & Other Communication Service	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	***Compliance***
Downtown Centennial Plan	N
Special Purpose and Overlay Districts	***Compliance***
Downtown Centennial Plan Overlay District	N
A-O (Airport Overlay) District 200 Feet	Y
Live/Work Overlay District	N/A
Las Vegas Boulevard Scenic Byway Overlay District	N/A

YK

Other Plans or Special Requirements	*Compliance*
Trails	N
Las Vegas Redevelopment Plan Area	Y
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Las Vegas Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y
Stewart Avenue	Secondary Collector	Master Plan of Streets and Highways	80	Y

Streetscape Standards	*Required*	*Provided*	*Compliance*
Sidewalks	10’ wide sidewalk adjacent to an amenity zone adjacent to the back of curb.	10’ wide sidewalk between the back of curb and an amenity zone.	N
Landscape	Five-foot wide amenity zone between the back of curb and the sidewalk.	To provide a 10’ wide amenity zone between back of sidewalk and an existing building.	N

Waivers		
Requirement	*Request*	*Staff Recommendation*
To install a 10-foot wide sidewalk adjacent a five-foot amenity zone that is adjacent to the back of curb.	To install a 10-foot wide sidewalk between the back-of-curb and a 10-foot wide amenity zone.	Denial
To install a 5-foot wide amenity zone between the back-of-curb and the sidewalk.	To install a 10-foot wide amenity zone between a 10-foot wide sidewalk and an existing building.	Denial

ANALYSIS

The applicant is requesting to widen an existing sidewalk adjacent to Las Vegas Boulevard. The Downtown Centennial Plan Streetscape Requirements call for a five-foot wide amenity zone and then a ten-foot wide sidewalk. The applicant would like to install a ten-foot sidewalk adjacent to the back of the curb and then the amenity zone, similar to how it now exists. The applicant is proposing to install the required 25-foot tall Date Palm Tree every 30 feet on center. The applicant's justification for not meeting the requirements is that they just want to widen the existing sidewalk which is already adjacent to the back of curb. The City policy is to require an applicant to bring a property up to the current code standards when proposing improvements to a property. For this reason, staff recommends denial.

FINDINGS (WVR-48970)

The Downtown Centennial Plan requires a standard streetscape that the applicant could install without the need for Waivers. This project does not meet the streetscape required; therefore, staff recommends denial.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 32

NOTICES MAILED 102

APPROVALS 12

PROTESTS 0

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-48970 APN: 139-34-501-016

Name of Property Owner: 208 Las Vegas Blvd, LLC

Name of Applicant: 208 Las Vegas Blvd., LLC

Name of Representative: Todd Kessler

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: Todd Kessler

Print Name: Todd Kessler
Attorney in fact under Power of Attorney dated 1/20/12

Subscribed and sworn before me

This 27 day of March, 2013

Darlene Nepp-Rockwood
Notary Public in and for said County and State

DARLENE A. NEPP-ROCKWOOD
Notary Public, State of Nevada
Appointment No. 96-2068-1
My Appt. Expires February 22, 2017

PRJ-48735
03/27/13

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SDR

Project Address (Location) 228 Las Vegas Blvd., North, Las Vegas, NV 89101

Project Name 228 Sidewalk **Proposed Use** _____

Assessor's Parcel #(s) 139-34-501-016 **Ward #** _____

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

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

Gross Acres 0.54 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER 208 Las Vegas Blvd LLC **Contact** Todd Kessler

Address 300 Las Vegas Blvd. North Suite 110 **Phone:** (702) 953-4320 **Fax:** (702) 477-0045

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

E-mail Address todd@rgglv.com

APPLICANT 228 Las Vegas Blvd LLC **Contact** Todd Kessler

Address 300 Las Vegas Blvd., North Suite 110 **Phone:** (702) 953-4320 **Fax:** (702) 477-0045

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

E-mail Address todd@rgglv.com

REPRESENTATIVE 208 Las Vegas Blvd LLC **Contact** Todd Kessler

Address 300 Las Vegas Blvd. North Suite 110 **Phone:** (702) 953-4320 **Fax:** (702) 477-0045

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

E-mail Address todd@rgglv.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* Todd Kessler

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

Print Name Todd Kessler

Attorney in fact under Power of Attorney date 11/26/12

Subscribed and sworn before me

This 27 day of March, 20 13.

Darlene Nepp Rockwood

Notary Public in and for said County and State

DARLENE A. NEPP-ROCKWOOD
Notary Public, State of Nevada
Appointment No. 96-2068-1
My Appt. Expires February 22, 2017

FOR DEPARTMENT USE ONLY	
Case #	WVR-48970
Meeting Date:	
Total Fee:	
Date Received:*	
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.

PRJ-48735
03/27/13

Revised 10/27/08

epot\Application Packet\Application Form.pdf

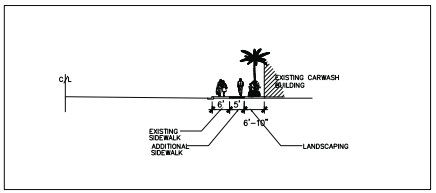
$ %

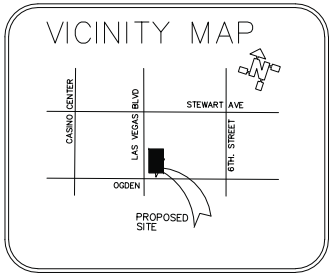
SITE PARKING ANALYSIS:

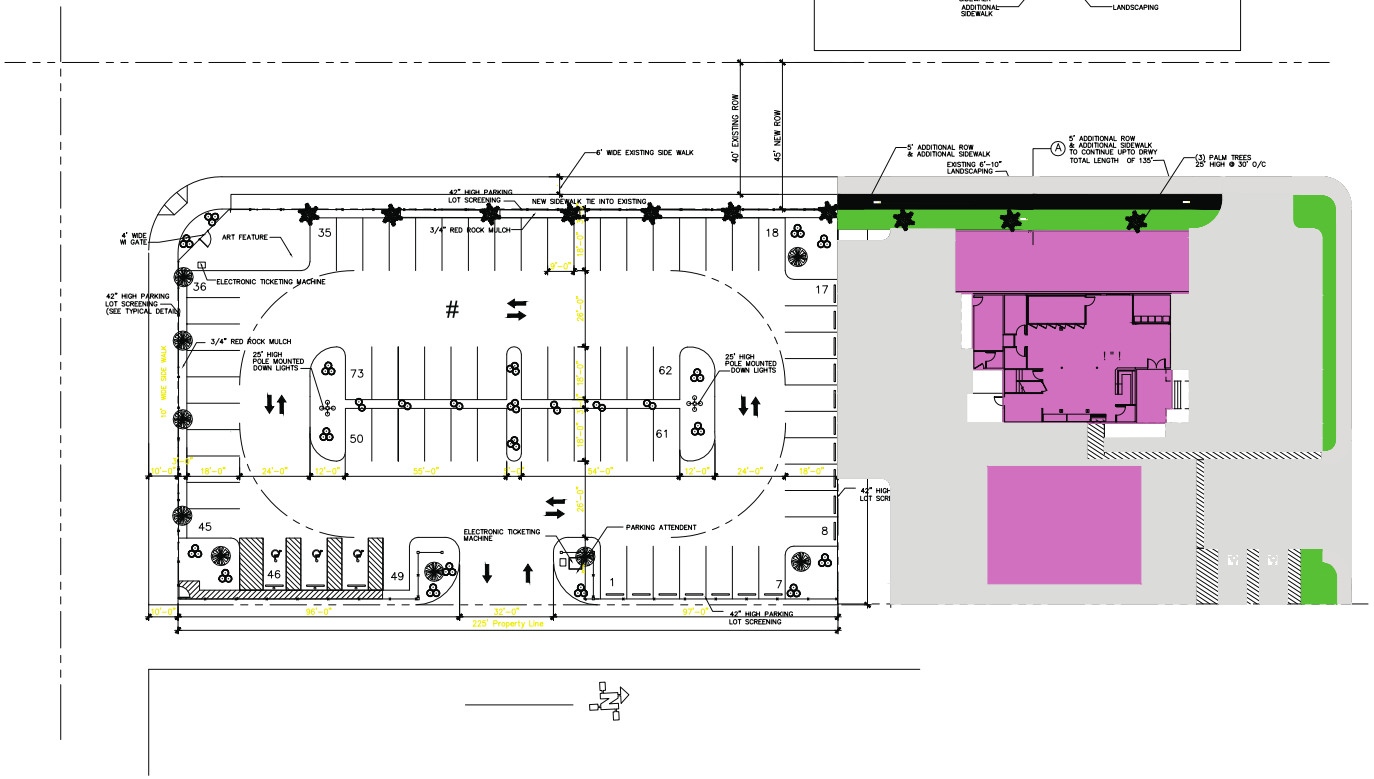
PARKING SPACES REQUIRED FOR C-STORE =1975/250 =8
PARKING SPACES REQUIRED FOR OFFICE = 725/300 =2
PARKING SPACES REQUIRED FOR CARWASH =1760/150 =12

TOTAL PARKING SPACES REQUIRED =22

PARKING SPACES PROVIDED
ADA ACCESSIBLE PARKING = 1
ADA VAN ACCESSIBLE PARKING = 1
TOTAL PARKING SPACES PROVIDED =23







PROJECT/PROPERTY INFORMATION:

PROPERTY ADDRESS:

APN# 139-34-511-004
Lots 08,09,10,11,12,13,14,15 & 16

SHEET INDEX

ARCHITECTURAL

A0 SITE PLAN

WVR-48970 REVISED)
PRJ-48735



WVR-48970 – APPLICANT/OWNER: 208 LAS VEGAS BOULEVARD, LLC
228 NORTH LAS VEGAS BOULEVARD

04/03/13



WVR-48970 – APPLICANT/OWNER: 208 LAS VEGAS BOULEVARD, LLC
228 NORTH LAS VEGAS BOULEVARD

04/03/13

TODD KESSLER
300 Las Vegas Blvd. North
Las Vegas, NV 89101

March 26, 2013

Flinn Fagg
City of Las Vegas
Planning & Development
333 N. Rancho Drive
Las Vegas, Nevada 89106

Re: **JUSTIFICATION LETTER FOR A SDR/WAIVER APPLICATION FOR APN: 139-34-501-016**

Dear Mr. Fagg:

Please accept this as our justification letter for the site development plan review and a waiver to the DCP streetscape standards on 0.54 acres at 228 Las Vegas Blvd. North, Las Vegas, NV 89101 zoned C-2 (General Commercial).

The waiver request is to widen the existing 5 foot sidewalk along Las Vegas Blvd to 10 feet in width. In addition we will have a 6' 10" landscape buffer. We are currently doing the same 10 foot widening along the adjacent parcel to the south located on 208 Las Vegas Blvd., North APN 139-34-511-004. If the existing 5 foot sidewalk is not changed, then there will be a bottleneck transition point where the 2 sidewalks meet.

The purpose of the waiver request is based on safety concerns given the existing 5 foot sidewalk. There will be soon be close to 1,500 employees moving into City Hall and they will be frequently walking along this sidewalk on the way to the Fremont East District.

If you have any questions and/or concerns, please do not hesitate to contact me.

Sincerely,

Todd Kessler

PRJ-48735
03/27/13

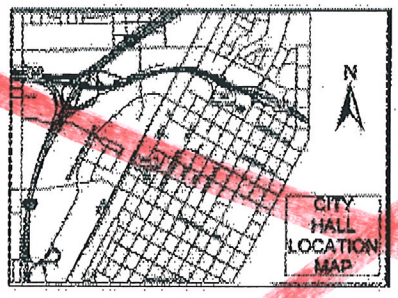
WVR-48970

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 $ 00.43³
0004279218 MAY 02 2013
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-48856

Planning Commission Meeting of **5/14/2013**

RECEIVED
MAY 07 2013
City of Las Vegas
Department of Planning

Case: SDR-48856
13934613081
MISHUCK LAWRENCE R & M L REV TR
MISHUCK LAWRENCE R & MARIA L TRS
18604 FIELDBROOK ST
ROWLAND HEIGHTS CA 91748-4831 9174

89 DRDFMP 91748

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

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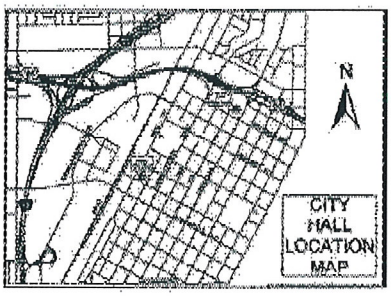

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WVR-48970

Planning Commission Meeting of **5/14/2013**

RECEIVED
MAY 07 2013
City of Las Vegas
Department of Planning

Case: WVR-48970
13934613081
MISHUCK LAWRENCE R & M L REV TR
MISHUCK LAWRENCE R & MARIA L TRS
18604 FIELDBROOK ST
ROWLAND HEIGHTS CA 91748-4831 9174

32
A

89 DRDFMP 91748

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

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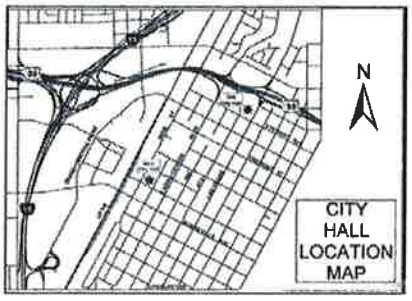

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WVR-48970

Planning Commission Meeting of **5/14/2013**

RECEIVED
MAY 09 2013
City of Las Vegas
Department of Planning

Case: WVR-48970
13934611052
120 6TH STREET L L C
P O BOX 1570
LAS VEGAS NV 89125-1570 89125-1570

21 ORDFNMP 89125

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WVR-48970

Planning Commission Meeting of **5/14/2013**

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City of Las Vegas
Department of Planning

Case: WVR-48970
13934510028
113 4TH STREET L L C
P O BOX 1570
LAS VEGAS NV 89125-1570 89125-1570

21 ORDFNMP 89125

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WVR-48970

Planning Commission Meeting of **5/14/2013**

RECEIVED
MAY 09 2013
City of Las Vegas
Department of Planning

Case: WVR-48970
13934512004
ANNEX L V BLVD L L C
%A DONNER
P O BOX 1570
LAS VEGAS NV 89125-1570 89125-1570

21 ORDFNMP 89125

Submitted after final agenda
Date 5/9/13 Item 32 3A

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

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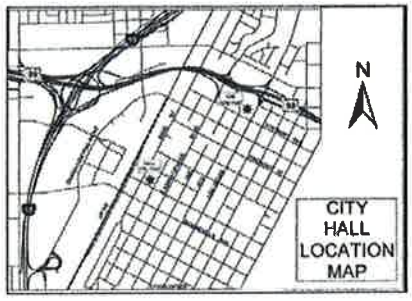

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WVR-48970

Planning Commission Meeting of **5/14/2013**

Case: WVR-48970
13934501003
CITY HALL L L C
%A DONNER
P O BOX 1570
LAS VEGAS NV 89125-1570 89125-1570

21 DRDFMMP 89125

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MAY 0 9 2013
City of Las Vegas

WVR-48970

Planning Commission Meeting of **5/14/2013**

Case: WVR-48970
13934512006
208 LAS VEGAS BLVD L L C
%RESORT GAMING GROUP LLC
%A DONNER
P O BOX 1570
LAS VEGAS NV 89125-1570 89125-1570

21 DRDFMMP 89125

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City of Las Vegas
Department of Planning

WVR-48970

Planning Commission Meeting of **5/14/2013**

Case: WVR-48970
13934612001
209 7TH STREET L L C
P O BOX 1570
LAS VEGAS NV 89125-1570 89125-1570

21 DRDFMMP 89125

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Date 5/9/13 Item 32 3A

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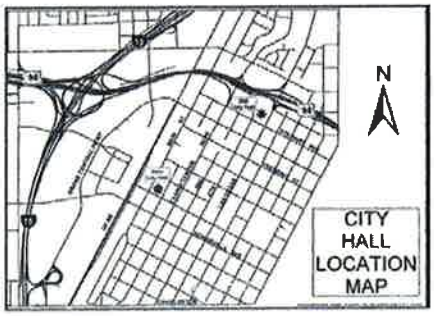

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WVR-48970

Planning Commission Meeting of **5/14/2013**

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MAY 09 2013
City of Las Vegas
Department of Planning

Case: WVR-48970
13934612011
230 8TH STREET L L C
P O BOX 1570
LAS VEGAS NV 89125-1570 89125-1570

21 DRDFNMP 89125

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WVR-48970

Planning Commission Meeting of 5/14/2013

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City of Las Vegas
Department of Planning

Case: WVR-48970
13934612014
110 8TH STREET L L C
P O BOX 1570
LAS VEGAS NV 89125-1570 89125-1570

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WVR-48970

Planning Commission Meeting of 5/14/2013

RECEIVED
MAY 09 2013
City of Las Vegas
Department of Planning

13934612012
220 8TH STREET L L C
%T KESSLER
P O BOX 1570
LAS VEGAS NV 89125-1570 89125-1570

21 DRDFNMP 89125

Submitted after final agenda
Date 5/9 Item 32 3A

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

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WVR-48970
Planning Commission Meeting of **5/14/2013**

Case: WVR-48970
13934611015
515 FREMONT L L C
P O BOX 1570
LAS VEGAS NV 89125-1570 89125-1570

21 DRDFNMP 89125

Submitted after final agenda
Date 5/9/13 Item 32 A

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

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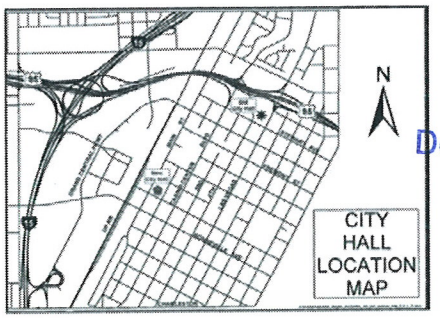
Department of Planning



City of Las Vegas
333 N. Rancho Dr
3rd Floor
Las Vegas, NV 89106

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WVR-48970

Planning Commission Meeting of **5/14/2013**

Case: WVR-48970
13934612019
VALLEY OF THE SUN LAS VEGAS LLC
1345 S LEWIS ST
ANAHEIM CA 92805-6431 92805-6431

1 04 ORDFNMP 92805

City of Las Vegas Agenda Item No.: **19.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

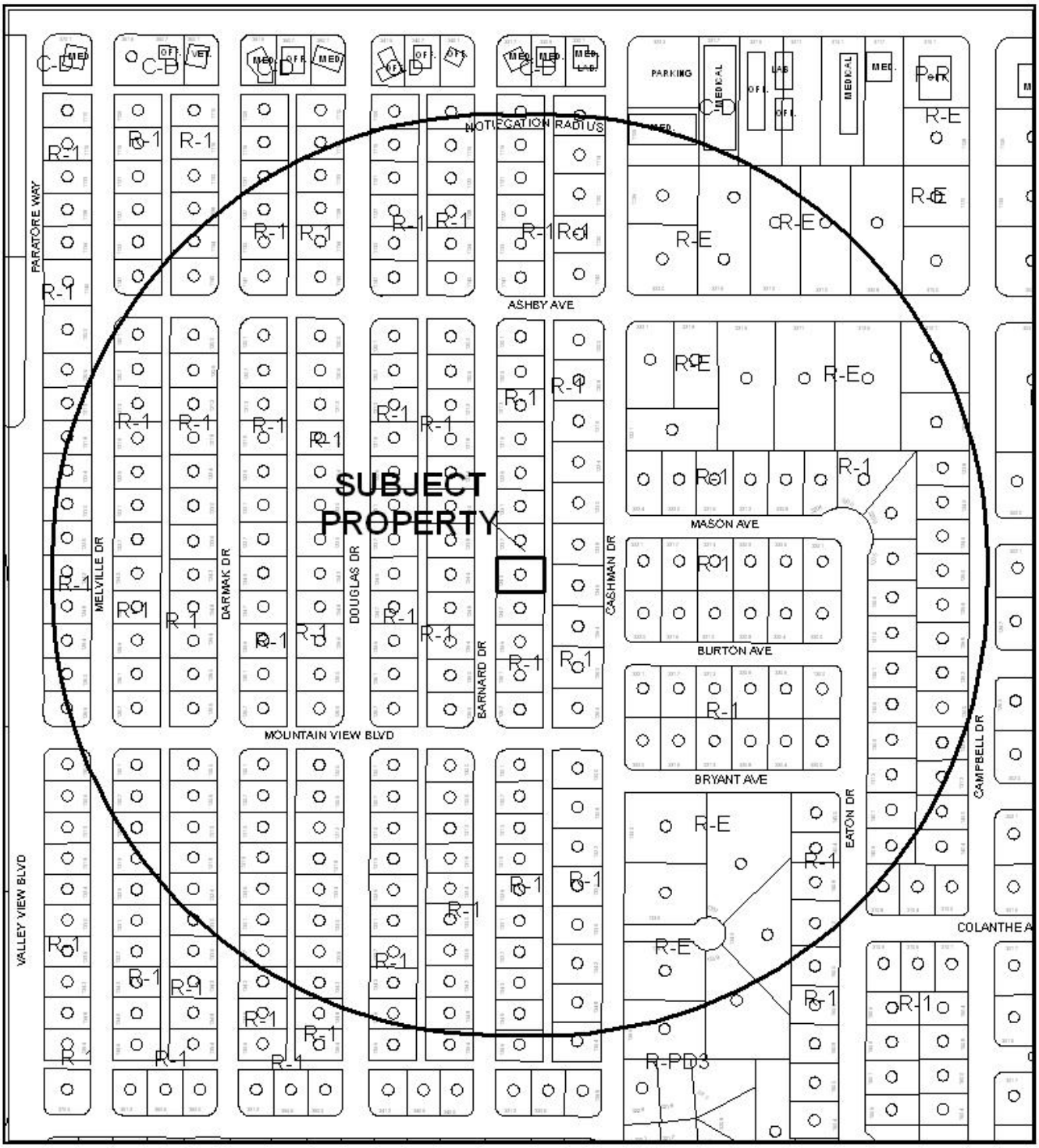
SUBJECT:
ABEYANCE - VAR-47494 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: WILLIAM BIRTHISEL - For possible action on a request for a Variance TO ALLOW AN EXISTING ACCESSORY STRUCTURE (CLASS II) TO BE LOCATED IN THE FRONT YARD WHERE SUCH IS NOT PERMITTED AND TO ALLOW SETBACKS OF NINE FEET IN THE FRONT YARD AND ZERO FEET IN THE SIDE YARDS WHERE 20 FEET AND FIVE FEET ARE REQUIRED, RESPECTIVELY on 0.19 acres at 1243 Barnard Drive (APN 162-05-114-009), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**10**	**Planning Commission Mtg.**	**13**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

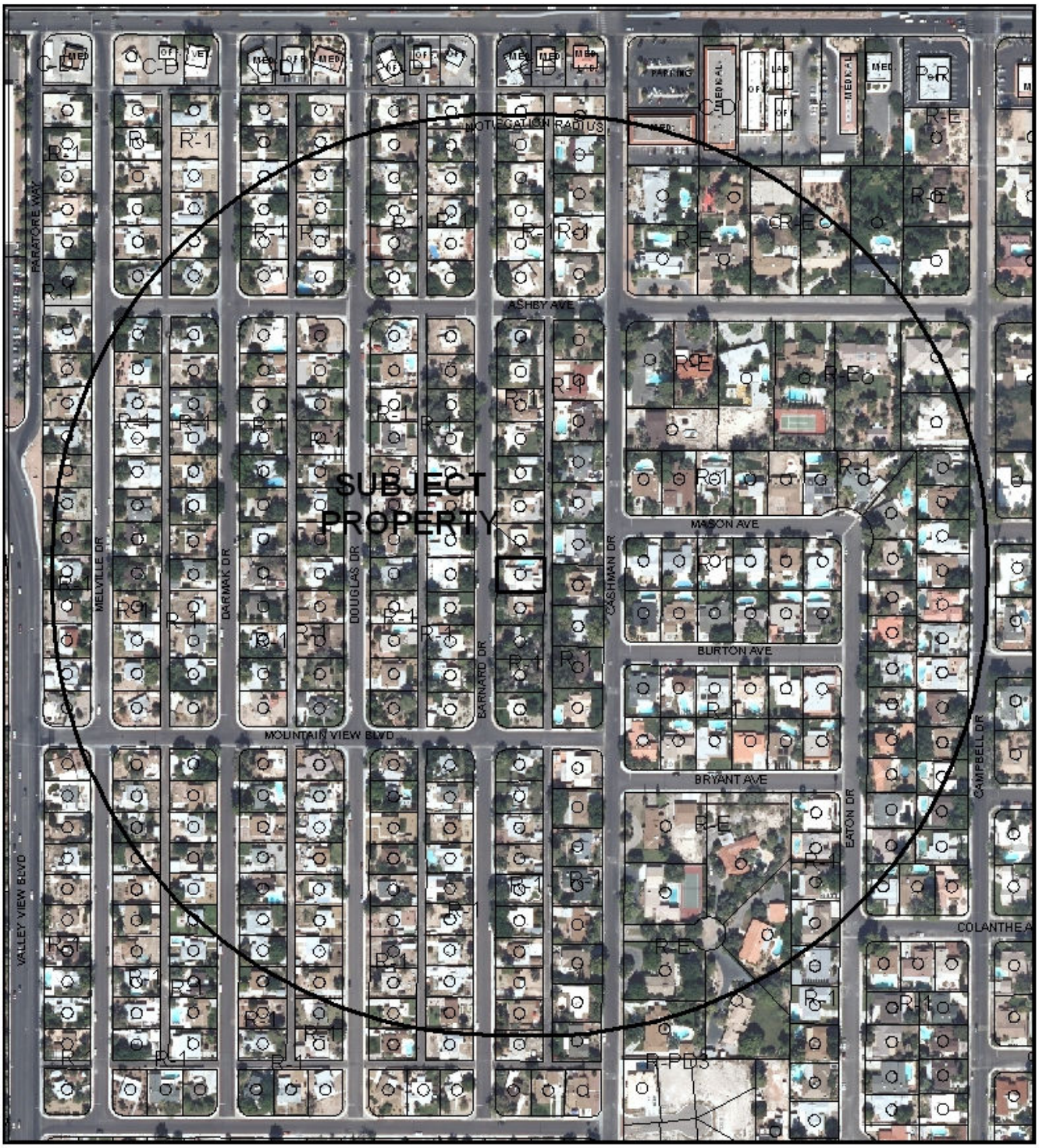
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letters
6. Protest/Support Postcards and Support Letters



CASE: **VAR-47494**

RADIUS: 1000 FEET

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



0 260 520 Feet

CASE: **VAR-47494**

RADIUS: 1000 FEET

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: WILLIAM BIRTHISEL

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-47494	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

VAR-47494 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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 11, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Variance to allow a carport to encroach into the front yard and to side yard setbacks, as well as to allow an existing addition to the south side of the main dwelling with a zero-foot side yard setback. The site is located at 1243 Barnard Drive. The proposed Variance is self-imposed and does not meet the minimum standard for the zoning district; therefore, staff recommends denial. If the application is denied, the existing structures will have to be removed or altered to meet the minimum R-1 (Single Family Residential) Zoning District standards.

ISSUES

- A Variance is required to allow an existing carport to be nine feet from the front property line and zero feet from the side property lines where 20 and five feet are the required setback distances, respectively.
- A Variance is required to allow an existing addition and awning to be zero feet from the south property line where five feet is the required setback distance.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/01/12	A Code Enforcement case (#120321) was processed due to a construction of a carport on site w/o permit at 1243 Barnard Drive. The enforcement case is pending.

Most Recent Change of Ownership	
09/16/88	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
C. 1952	The building was constructed in 1952.

Pre-Application Meeting	
11/14/12	A pre-application meeting was held with the applicant and submittal requirements for a Variance to allow a carport in the front yard area of and additions to the single family residence were discussed with the applicant.
01/16/13	A meeting was held with the applicant to accept revised Site Plans. The building Department discussed the permitting process for the carport in the front yard and additions to the single family residence.

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

Field Check	
11/29/12	Staff conducted a field check of the subject property and noted the site was a well maintained residential property with a carport in the front driveway and additions to the main structure that extended to the concrete block wall.

Details of Application Request	
Site Area	
Net Acres	0.19

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South	Single Family, Detached	L (Low Density Residential)	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	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
A-O (Airport Overlay) District (200 Feet)	Y

Other Plans or Special Requirements	*Compliance*
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Setbacks			
• Front	20 Feet	9 Feet	N
• North Side (Main Building)	5 Feet	0 Feet	N
• South Side (Main Building)	5 Feet	0 Feet	N
Min. Distance Between Buildings	6 Feet	11 Feet	Y

ANALYSIS

This property is located within the A-O (Airport Overlay) District and is in compliance with the standards of the district. There are two instances on the site that require a Variance from the R-1 (Single Family Residential) Zoning District setback standards. The first is the existing carport and the second is the existing addition to the south façade of the main dwelling.

An accessory structure is not allowed in the front yard of an R-1 (Single Family Residential) Zoning District and is subject to the main dwelling setbacks of five feet from the side property line and 20 feet from the front property line. The carport was built on the concrete for the driveway. The structure is nine feet from the front property line and the posts are two feet from the north property line with overhang of the carport ending at the property line. The carport exceeds the main dwelling setbacks by 55%.

The addition to the south side of the main dwelling is composed of an enclosed room and awnings that extend out from the main dwelling and addition to the top of the concrete block wall separating the two properties. The side yard setback for main dwelling is five feet from the property line. The addition is zero feet from the property line and exceeds the main dwelling setbacks by 100%. The applicant did not secure a building permit for the construction of the carport or the addition and permits will be required if the Variance is approved.

The intent of the R-1 (Single Family Residential) district is to provide a low density residential setting with a buffer from the street and other residences. The proposed addition is inconsistent with the intent of the district and the request is a self-imposed hardship. The existing structure does not meet the minimum standard for the zoning district; therefore, staff recommends denial.

FINDINGS (VAR-47494)

In accordance with the provisions of Title 19.16.140(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 19.16.140(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by constructing structures that do not meet the R-1 (Single Family Residential) Zoning District standards. Removal or modification to the structures 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 70

NOTICES MAILED 285

APPROVALS 13

PROTESTS 10

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-47494 APN: _____

Name of Property Owner: William Bithisel

Name of Applicant: William Bithisel

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: William J Bithisel

Print Name: William L Bithisel

State of: NEVADA County of: CLARK

Subscribed and sworn before me

This 10th day of November, 2012

Kathryn A. Shortledge

Notary Public in and for said County and State

KATHRYN A. SHORTLEDGE
Notary Public State of Nevada
No. 06-104367-1
My Appt. Exp. May 24, 2014

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NOV 14 2012

162-05-114-009

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Car Port 19.06.040(c2) ACC STRUCT-FRONT

Project Address (Location) 1243 Barnard Dr Las Vegas NV 89102

Project Name Birthisel car port **Proposed Use** car shade

Assessor's Parcel #(s) Lot 17 Block 10 WestLeigh Tract 2 **Ward #** 1

General Plan: existing L proposed N/A **Zoning:** existing R-1 proposed N/A

Commercial Square Footage 468 sq ft **Floor Area Ratio**

Gross Acres 0.19 **Lots/Units** 1 **Density**

Additional Information

PROPERTY OWNER William Birthisel **Contact** same

Address 1243 Barnard Dr **Phone:** 702 870 7119 **Fax:**

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

E-mail Address bstdnvegas@Hotmail.com

APPLICANT William Birthisel **Contact** same

Address 1243 Barnard Dr **Phone:** 702 870 7119 **Fax:**

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

E-mail Address bstdnvegas@hotmail.com

REPRESENTATIVE **Contact**

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

City **State** **Zip**

E-mail Address

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* William L Birthisel

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

Print Name William L Birthisel

State of: NEVADA County of: CLARK

Subscribed and sworn before me

This 16th day of November, 20 12.

Kathryn A Shortledge

Notary Public in and for said County and State

KATHRYN A. SHORTLEDGE
Notary Public State of Nevada
No. 06-104367-1
My Appt. Exp. May 24, 2014

FOR DEPARTMENT USE ONLY

Case #	VAR-47494
Meeting Date:	1-8-13
Total Fee:	$830.00
Date Received:*	11-14-12
Received By:	

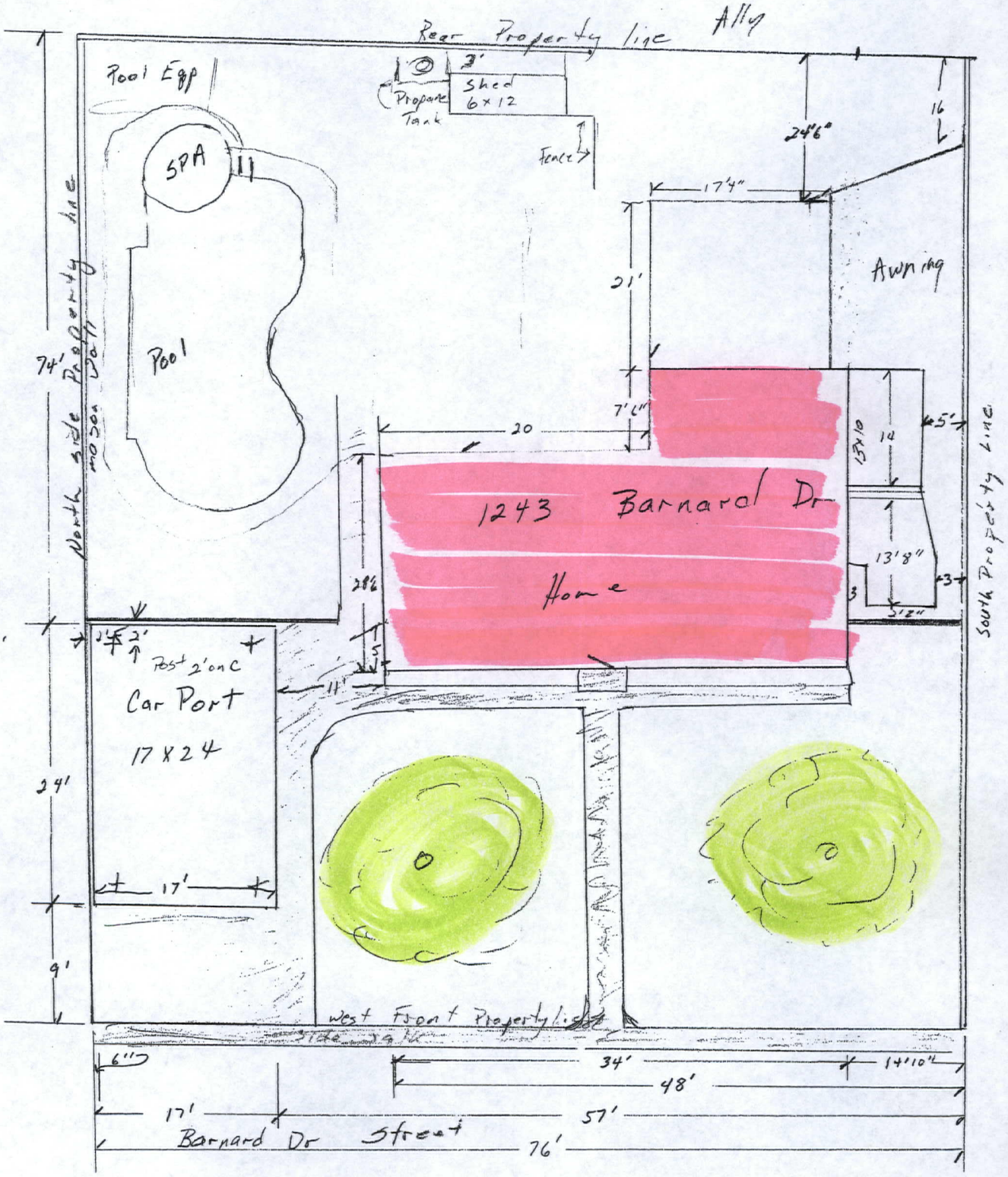
PC

*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

17'x24' solid Alumawood Car Port
white in Color



VAR-47494
REVISED

RECEIVED
JAN 13 2013


BARNARD DR
1247
1243
1237
VAR-47494



Car Port
North Side
Front



Submitted at Planning Commission
Date 4/9/2013 Item # 15



Awning
South Side
Rear














1138
1138






2613






7197


2913


7606




3205
3205




2613


2620







Submitted at Planning Commission

Date 4/1/2013 Item 15








2728









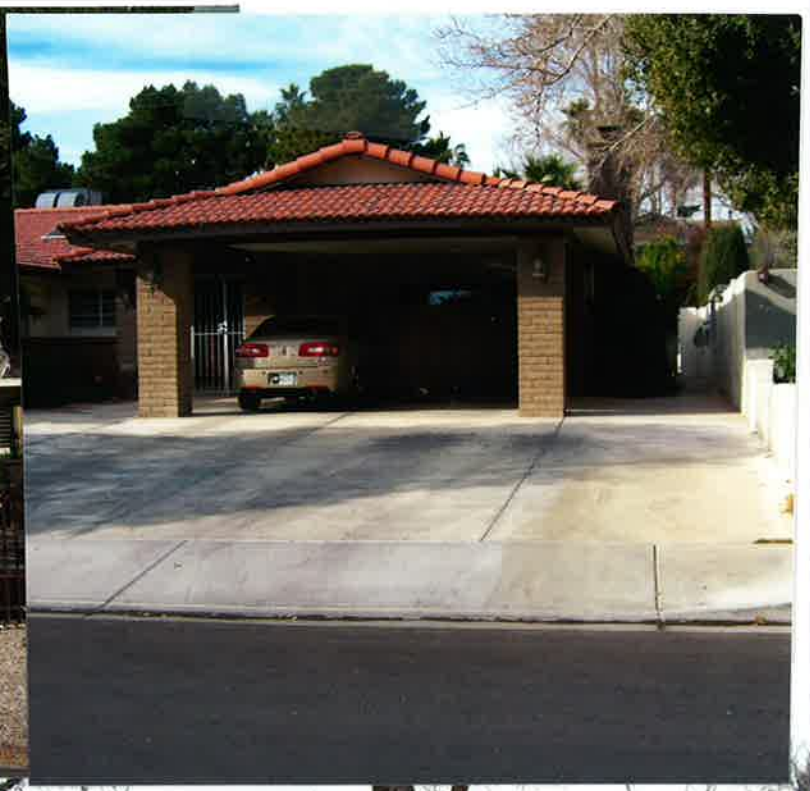







1132







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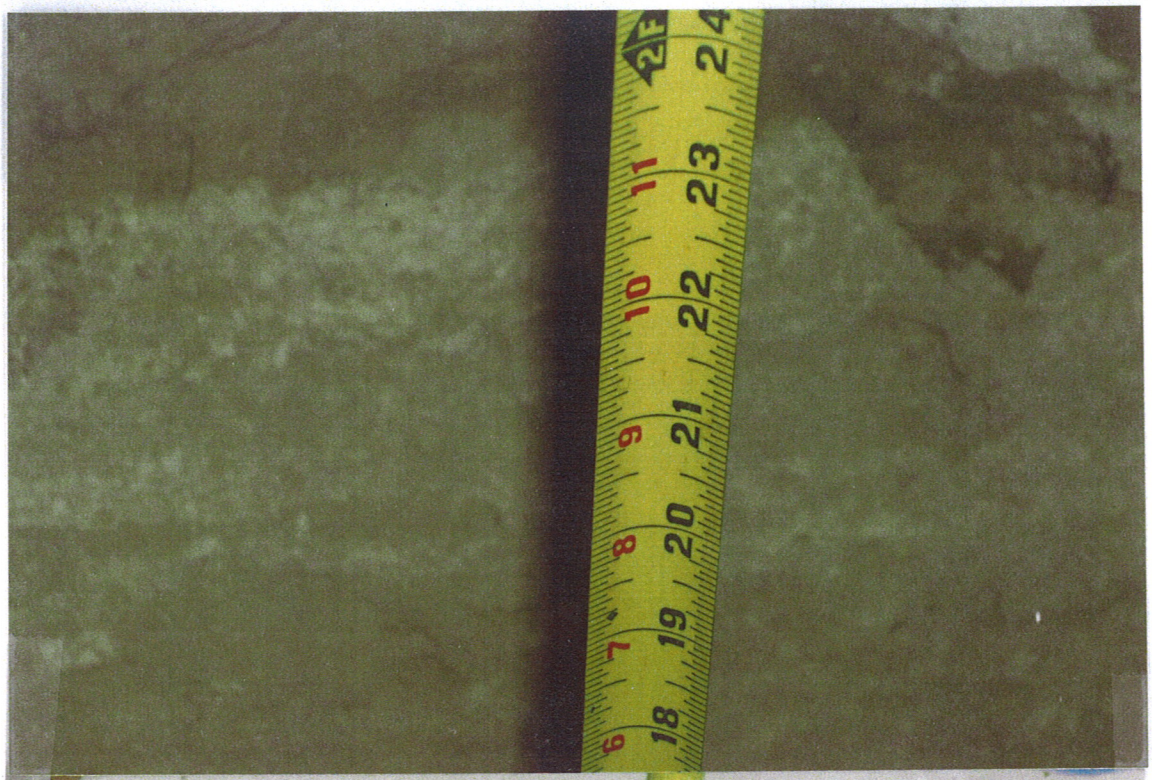

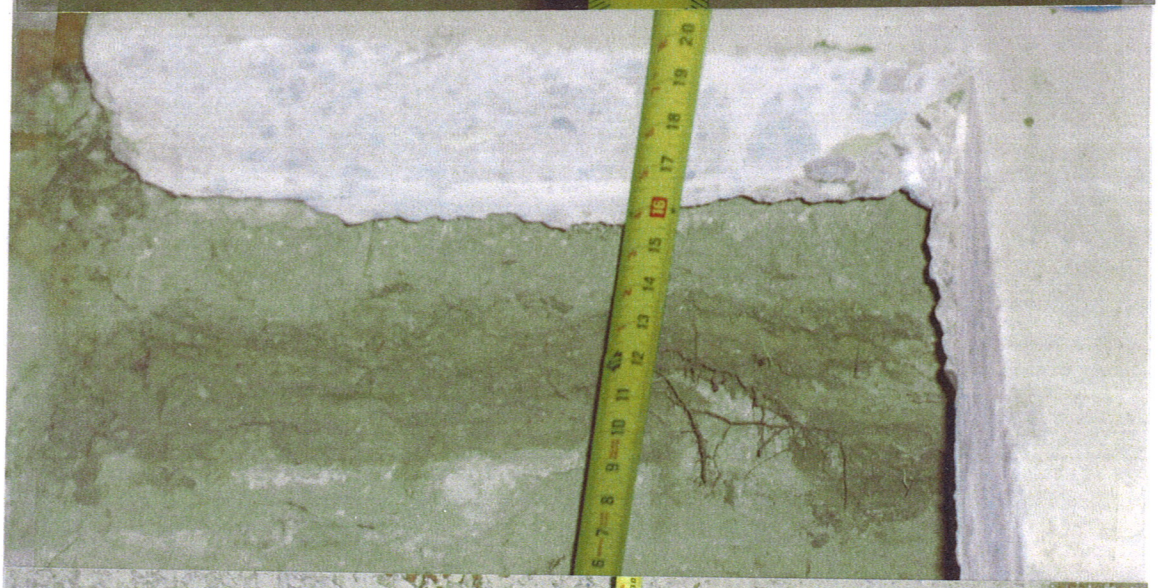

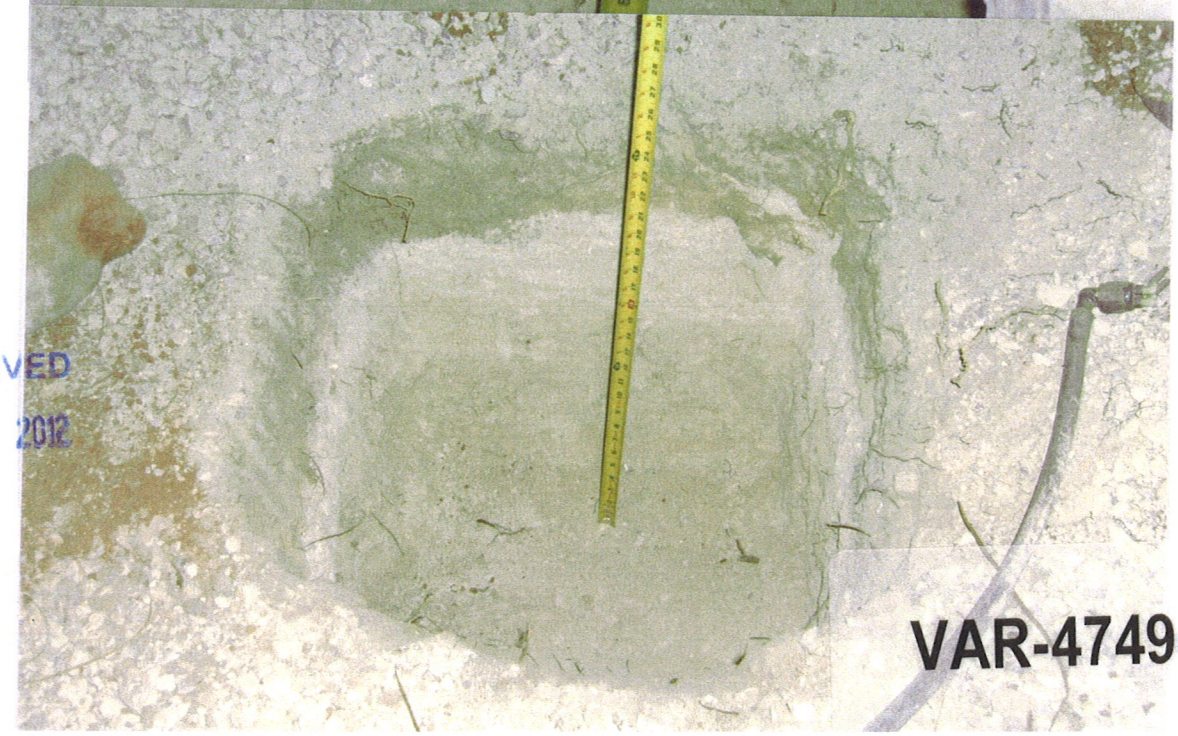

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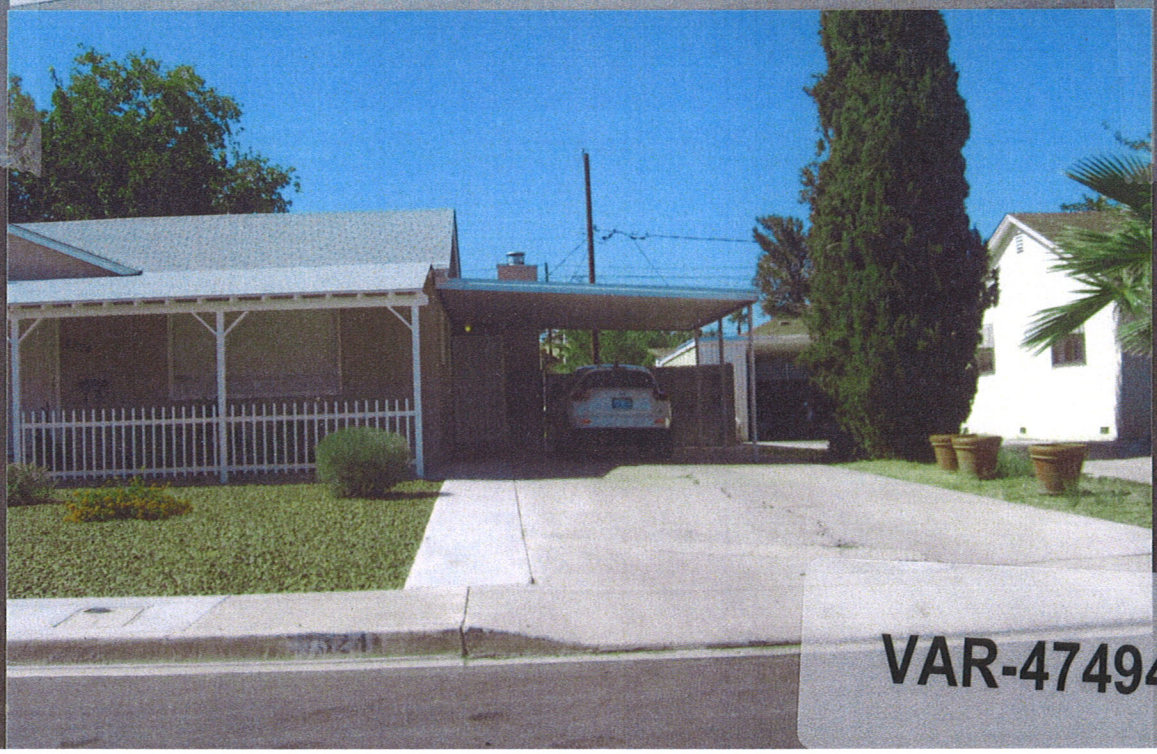
VAR-47494







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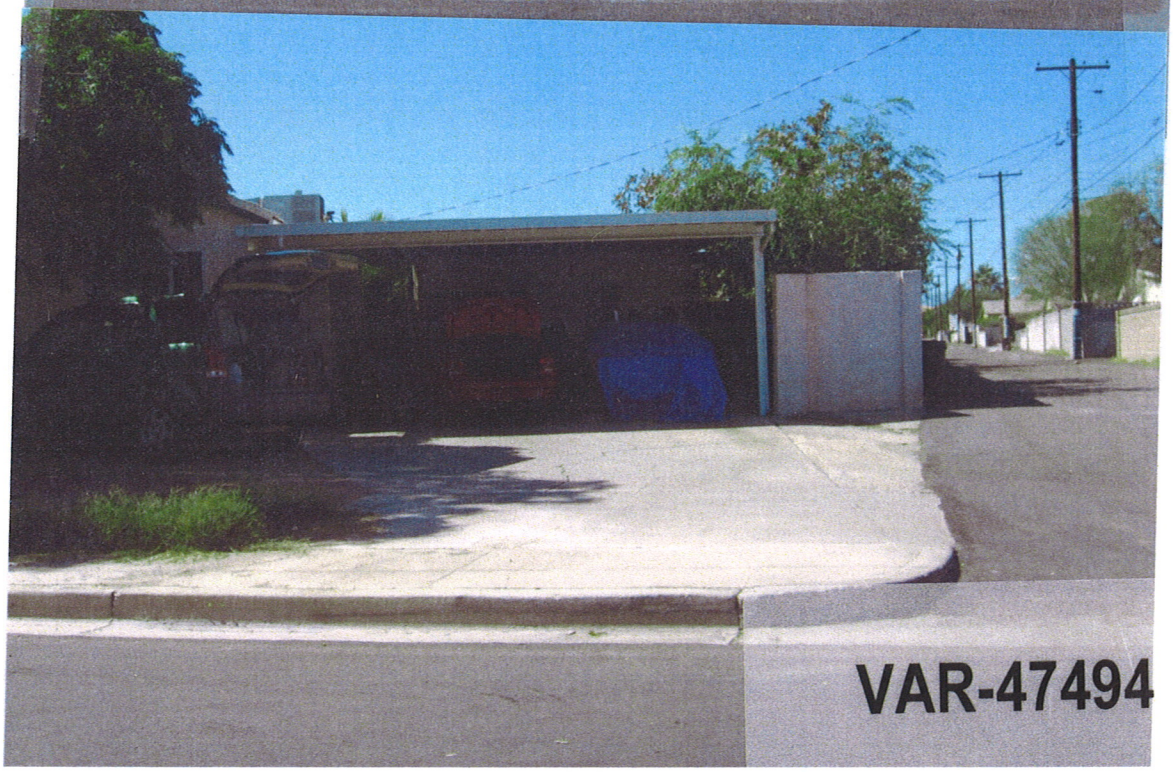

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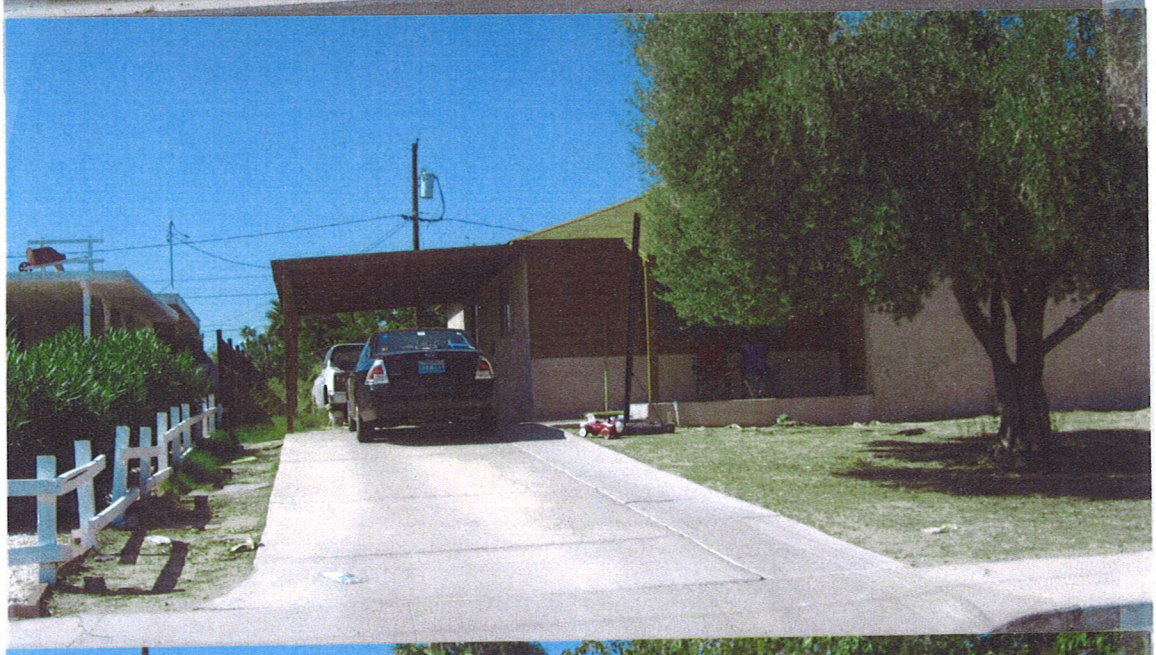

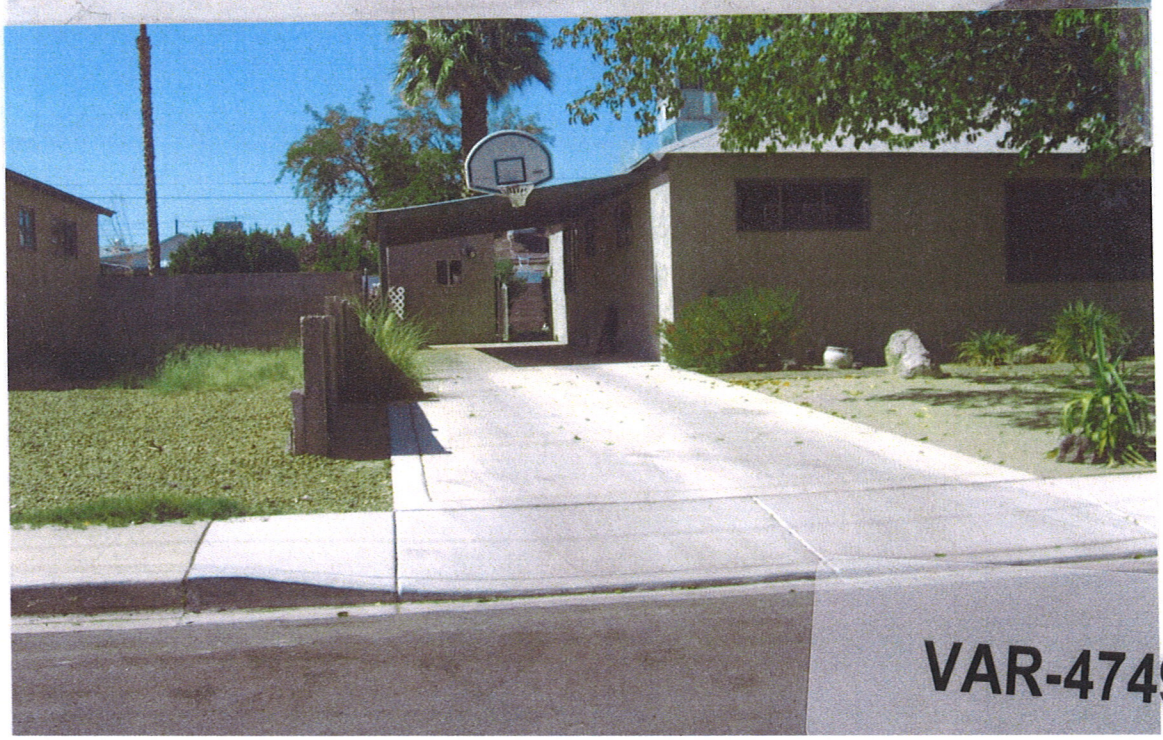

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VAR-47494

JUSTIFICATION LETTER FOR VARIANCE FOR CARPORT LOCATED IN THE WESTLEIGH TRACT
1243 BARNARD DR, LAS VEGAS, NV

Homes were built in the Westleigh Tract in the early 1950's. The original homes did not have attached garages. The garages that were built were in the rear of the property with access from the alley running behind the homes. All automobile parking was on the street or in a driveway from the alley. Things were much different 60 years ago. Families only had one car and life was much simpler.

Today in the Westleigh Tract, many homes have opted for more parking options, e.g., attached garages with a driveway to the street, driveways to one side of the lot to accommodate off street parking, and carports, many of which are built to the property line.

I am requesting a variance for the carport on the existing concrete driveway to the front side of the property. I desire the shade for the preservation of my car. The aluma wood carport kit I purchased is top of the line. I spent extra money for the corple ends to beautify the structure. It is white in color to match my home's windows and blend in with the overall scheme of the dwelling. I have obtained written support letters from most impacted neighbors.

In review, the improving of a 60 year old neighborhood is necessary to improve the lifestyle of a modern family home. The carport structure at 1243 Barnard Dr. blends in well and looks very nice. It affords me the protection from the sun and street parking.

Respectfully,

William Birthisel

William Birthisel
1243 Barnard Drive
Las Vegas, NV 89102
702-870-7119
bstdnvegas@hotmail.com

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VAR-47494

To Whom it May Concern~

I would like to request a "Front Yard Setback" Variance to allow a carport that I built in my front yard, which does not meet the 20' required by the Unified Development Code in the R-1 zoning district.

Regards,

William Birthisel

William J. Birthisel

10/11/2012

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VAR-47494

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

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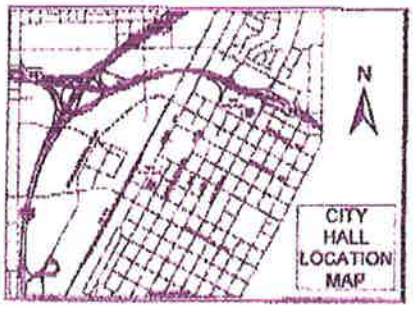

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-47494

Planning Commission Meeting of 4/9/2013

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Case: VAR-47494
16205116005
O'HARA STEPHEN G SR
840 S RANCHO #4-562
LAS VEGAS NV 89106-3837 89106-3837

3/30/2013

Address not in Area

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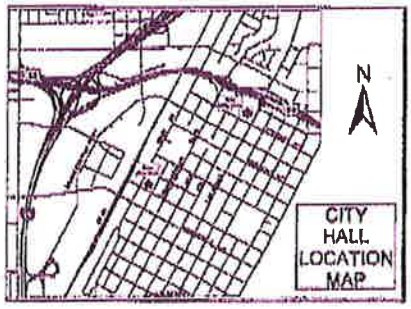

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Case: VAR-47494
16205215021
MCGRATH THOMAS J & ELIZABETH J
3075 WESTWIND RD
LAS VEGAS NV 89146-6858 8917

Address 3.2 miles Away

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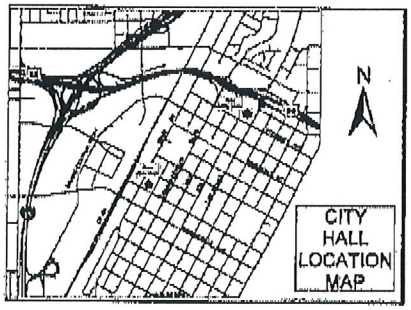

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☒ I OPPOSE this Request

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16205215021
MCGRATH THOMAS J & ELIZABETH J
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LAS VEGAS NV 89146-6858 8914

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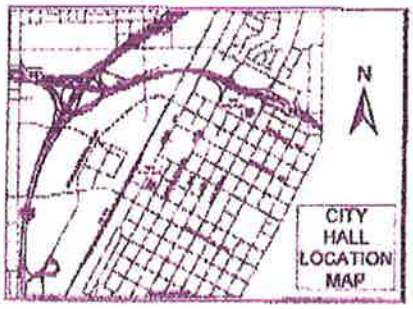

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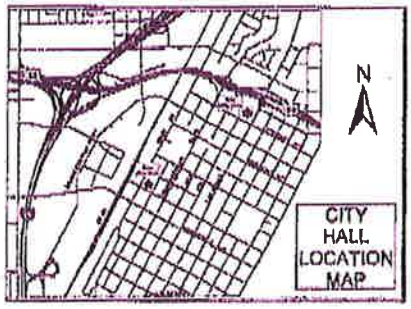

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Las Vegas, Nevada 89106

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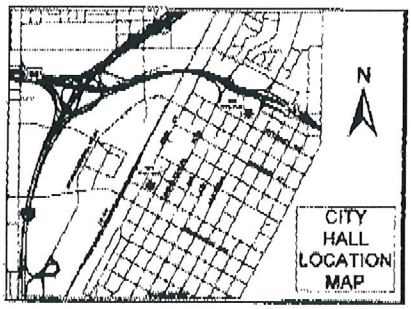

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O'HARA STEPHEN G SR
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15
P

NEIGHBORS APPROVAL FOR VARIANCE OF CARPORT

I DENNIS BALLEW, owner of the home at 1238 Barnard Dr, Las Vegas, NV 89102 do not have any objections against the carport located at 1243 Barnard Dr and would approve the variance needed for said carport.

Dennis Ballew 10-20-12

Signature and Date

BEST LOOKING CAR PORT IN Neighborhood.

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NOV 13 2012

NEIGHBORS APPROVAL FOR VARIANCE OF CARPORT

I Constance Dunham, owner of the home at 1244 Barnard Dr, Las Vegas, NV 89102 do not have any objections against the carport located at 1243 Barnard Dr and would approve the variance needed for said carport.

Constance Dunham 10/25/12

Signature and Date

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NOV 4 2012



NEIGHBORS APPROVAL FOR VARIANCE OF CARPORT

I Vicki J Platt, owner of the home at 1248 Barnard Dr, Las Vegas, NV 89102 do not have any objections against the carport located at 1243 Barnard Dr and would approve the variance needed for said carport.

Vicki J Platt

Signature and Date

Nothing wrong with this carport. Done very nicely.

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NEIGHBORS APPROVAL FOR VARIANCE OF CARPORT

I TINA FELPS, owner of the home at 1237 Barnard Dr, Las Vegas, NV 89102 do not have any objections against the carport located at 1243 Barnard Dr and would approve the variance needed for said carport.

10/22/12

Signature and Date

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NOV 14 2012

NEIGHBORS APPROVAL FOR VARIANCE OF CARPORT

I David Devereaux, owner of the home at 1247 Barnard Dr, Las Vegas, NV 89102 do not have any objections against the carport located at 1243 Barnard Dr and would approve the variance needed for said carport.

D. J Devereaux 10/20/12

Signature and Date

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Department of Planning
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333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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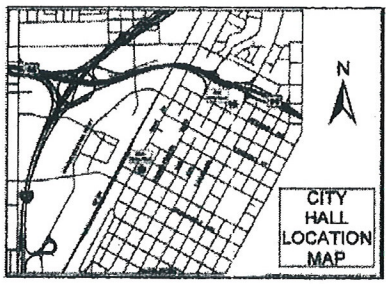

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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VAR-47494

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Dept. of Planning

Case: VAR-47494

16205212008
LAJES EVELYN
AVILES EVETTE
1336 CASHMAN DR
LAS VEGAS NV 89102-20(

32 BRDFNMP 89102

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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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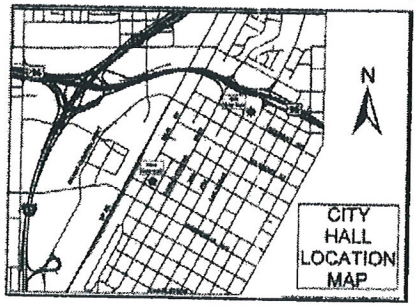

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Dept. of Planning

Case: VAR-47494

16205114014
AVILES EVETTE
1330 CASHMAN DR
LAS VEGAS NV 89102-2002 89102-2002

32 BRDFMP 89102

A

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

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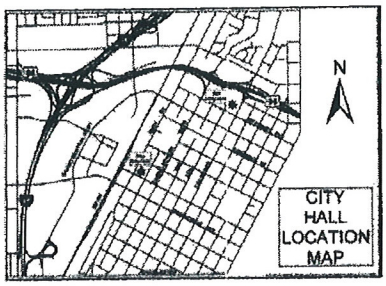
Return Service Requested
Official Notice of Public Hearing



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-47494

Planning Commission Meeting of 4/9/2013

RECEIVED
APR 9 2013
City of Las Vegas
Dept. of Planning

Case: VAR-47494

16205215084
AVILES EVETTE M
1330 CASHMAN DR
LAS VEGAS NV 89102-2002

32 BRDFNMP 89102

A

City of Las Vegas Agenda Item No.: **20.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

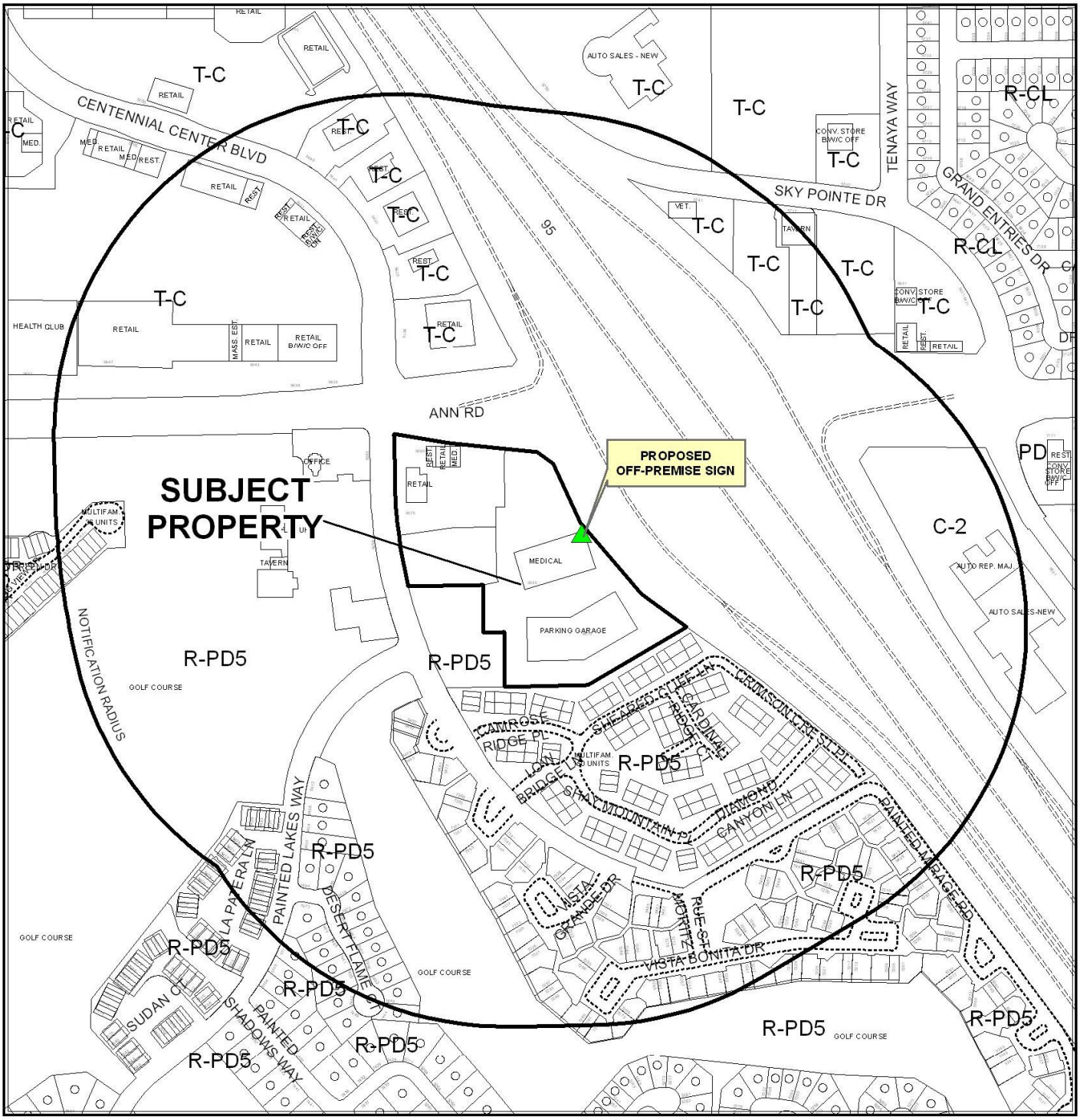
SUBJECT:
ABEYANCE - VAR-47835 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: KHANEH HOLDINGS, LLC - For possible action on a request for a Variance TO ALLOW AN OFF-PREMISE SIGN TO BE ATTACHED TO A BUILDING WHERE OFF-PREMISE SIGNS ARE REQUIRED TO BE DETACHED AND PERMANENTLY SECURED TO THE GROUND on 8.14 acres at 5550 Painted Mirage Road (APN 125-34-116-004), C-2 (General Commercial) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
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. Location and Aerial Maps – VAR-47835 and SUP-47834
2. Conditions and Staff Report – VAR-47835 and SUP-47834
3. Supporting Documentation – VAR-47835 and SUP-47834
4. Photos – VAR-47835 and SUP-47835
5. Justification Letter – VAR-4835 and SUP-47834
6. Support Postcard - VAR-47834 and VAR-47835



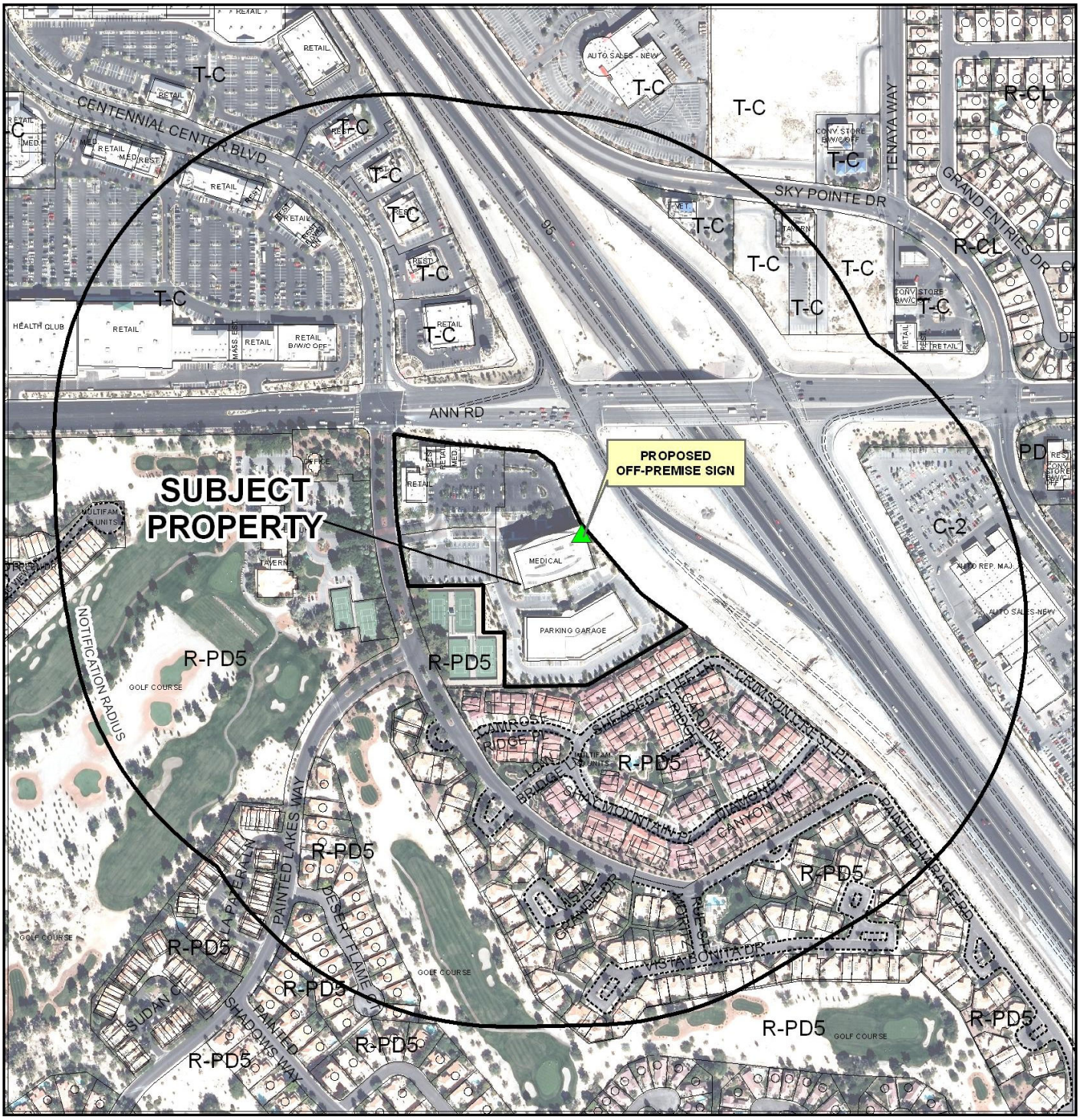
0 375 750 Feet

CASE: VAR-47835 & SUP-47834

RADIUS: 1000 FEET

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

N



0 375 750 Feet

CASE: VAR-47835 & SUP-47834

RADIUS: 1000 FEET

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: KHANEH HOLDINGS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-47835	Staff recommends DENIAL, if approved subject to conditions:	
SUP-47834	Staff recommends DENIAL, if approved subject to conditions:	VAR-47835

** CONDITIONS **

VAR-47835 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-47834).

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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-47834 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Off-Premise Sign use, except as modified herein.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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. This Special Use Permit shall be reviewed in 3 year(s), 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.

6. 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.

7. 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.

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

9. If the Off-Premise Sign is voluntarily demolished, this Special Use Permit and related Variance (VAR-47835) 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.

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

Staff Report Page One
June 11, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting an approved 20 x 32-foot LED wall sign on the east elevation of an office building at 5550 Painted Mirage Road to be converted to an Off-Premise Sign. Per code, all Off-Premise Signs shall be freestanding and firmly attached to the ground. Since the proposed Off-Premise Sign is attached to the building, a variance is required. Staff recommends denial of the request, since it does not meet minimum standards for such a use.

ISSUES

- A Variance is required to allow an Off-Premise Sign to be attached to a building, as the code requirement is for it to be freestanding and attached to the ground. Staff does not support this request.
- A Special Use Permit is required for an Off-Premise Sign to be located in a C-2 (General Commercial) district. Staff does not support this request due to the related Variance.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/20/64	The City Council approved the annexation of 10,136 acres of property in the northwest part of the Las Vegas Valley, including the subject site (A-0003-64). The effective date of the annexation was 05/29/64.
10/16/96	The City Council approved a request for a Rezoning (Z-0097-96) from R-E (Residence Estates) to C-2 (General Commercial) on 8.2 acres adjacent to the southwest corner of U.S. 95 and Ann Road. The Planning Commission and staff recommended approval.
12/08/97	The City Council approved an Extension of Time [Z-0097-96(1)] for the subject site, and removed the time limit so that further extensions would be unnecessary. The Planning Commission and staff recommended approval.
12/05/02	The Planning Commission approved Site Development Plan Review (SDR-1199) for a five-story office/retail building on 8.14 acres adjacent to the southwest corner of U.S. 95 and Ann Road. Staff recommended approval.
11/17/05	The Planning Commission approved a Master Sign Plan (MSP-9591) for an office/retail building on 8.14 acres adjacent to the southwest corner of U.S. 95 and Ann Road. Staff recommended approval.

11/15/12	Planning Department staff Administratively approved a Master Sign Plan (MSP-47179) for the addition of an electronic wall sign at 5550 Painted Mirage Road. The sign has not been installed at this time.

Most Recent Change of Ownership	
09/30/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
10/12/07	The Building and Safety Department issued a Certificate of Occupancy (#99832) for the Centennial Corporate Center at 5550 Painted Mirage Road.
10/17/07	There have been numerous sign permits issued since this project was completed in conformance with the Master Sign Plan (MSP-9591).

Pre-Application Meeting	
12/10/12	Staff met with the applicant and provided the information for an Off-Premise Sign at 5550 Painted Mirage Road. This is the wall sign that was recently approved for the east elevation of the office tower building. It requires a Variance to allow such a sign to be attached to the building and a Special Use Permit.

Neighborhood Meeting
No neighborhood meeting was required, nor was one held.

Field Check	
01/02/13	Staff visited the site and found the office building to be adjacent to the U.S. 95 Freeway, which is substantially elevated from the natural grade. A temporary banner sign is located where the proposed Off-Premise Sign is to be located. The overall property was well maintained and free of trash and debris.

Details of Application Request	
Site Area	
Net Acres	8.14

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Office/General Retail	GC (General Commercial)	C-2 (General Commercial)
North	General Retail	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
South	Apartments	ML (Medium Low Density Residential)	R-PD5 (Residential-Planned Development, 5 units per acre)
East	U.S. 95	U.S. 95	U.S. 95
West	Tennis Courts	GC (General Commercial)	R-PD5 (Residential-Planned Development, 5 units per acre)
	Golf Course	PR-OS (Parks/Recreation/Open Space)	R-PD5 (Residential-Planned Development, 5 units per acre)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
No Applicable Special Purpose or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Ann Road	Primary Arterial	Master Plan of Streets and Highways Map/ Town Center Development Standards Manual	100	Y

YK

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
U.S. 95	Freeway	Master Plan of Streets and Highways Map	N/A	N/A
Painted Mirage Road	N/A	N/A	80	N/A

Standards	Code Requirements	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way	The sign is not in public right-of-way, nor is it in the Off-Premise Exclusionary Sign Zone	Y
Zoning	Off-Premise Signs are permitted in C-1. C-2, C-M, and M zoning districts only	The sign is located in an C-2 (General Commercial) zoning district.	Y
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The sign is 630 square feet in size and has no embellishments.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to be 30 feet above an adjacent elevated freeway.	The sign is 76 feet tall. Height is permitted due to the adjacent elevated freeway.	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	All structural elements of the sign are screened from public view.	Y
Off-Premise Sign	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)	The sign is more than 850 feet from another Off-Premise Sign (not along U.S. 95).	Y

Standards	Code Requirements	Provided	Compliance
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	Sign is more than 300 feet from any property line zoned either "R" or "U."	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently attached to a building and is located on property zoned C-2 (General Commercial)	N

ANALYSIS

The applicant is proposing to convert an approved wall sign into an Off-Premise Sign. The Off-Premise Sign use is defined as "Off-premise signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-premise signs generally produce revenue to the property owner(s) as a land use as compared to on-premise signs which in themselves do not produce revenue but are incidental to revenue producing land use. However, because of the special characteristics of off-premise signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with off-premise signs as a permitted use in certain zoning districts." The proposed use meets the definition as described in the applicant's justification letter.

The sign is not freestanding and firmly attached to the ground. This requires a Variance. All other minimum Special Use Permit requirements are being met. The intent of the code requirement is to not allow Off-Premise Signs to be attached to buildings, which would distract from the aesthetics of the architecture. For this reason, staff recommends denial of both applications.

FINDINGS (VAR-47835)

In accordance with the provisions of Title 19.16.140(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 19.16.140(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 attach an Off-Premise Sign to the side of a building. Alternatively, the proposed Off-Premise Sign could be installed as a freestanding sign 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.

FINDINGS (SUP-47834)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 Off-Premise Sign use cannot be conducted in a manner that is harmonious and compatible with the existing site due to the Variance request to allow an Off-Premise Sign to be attached to the façade of a building.

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

   The C-2 (General Commercial) zoned site is suitable for the proposed use.

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

   Site access is provided from Painted Mirage Road, 70-foot Local Street and is adequate in size to accommodate the proposed Off-Premise Sign use.

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

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

5. **The use meets all of the applicable conditions per Title 19.12.**

   The proposed Off-Premise Sign use does not comply with the minimum Special Use Permit requirements. The proposed use is not freestanding and firmly attached to the ground. A variance has been requested from this requirement.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 33

NOTICES MAILED 314

APPROVALS 1

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-47835 APN: 125-34-116-004

Name of Property Owner: Khaneh Holdings LLC

Name of Applicant: Khaneh Holdings LLC

Name of Representative: G. C. Garcia, Inc.

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

☐ **Yes** ☑ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Mgr / Or

Print Name: Mehry Taheri / Mehry Taheri

Subscribed and sworn before me

This 18 day of Dec, 2012

_____

Notary Public in and for said County and State

LILLY TAHERI
Commission # 1844461
Notary Public - California
Los Angeles County
My Comm. Expires May 10, 2013

DEC 20 2012

City of Las Vegas
Department of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance

Project Address (Location) 5550 Painted Mirage / US-95 & Ann Rd

Project Name Off Premise LED Sign **Proposed Use** Off Premise LED

Assessor's Parcel #(s) 125-34-116-004 **Ward #** 4

General Plan: existing _____ proposed N/A **Zoning:** existing C-2 proposed N/A

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

Gross Acres 5.25+/- **Lots/Units** _____ **Density** _____

Additional Information MSP-9591, MSP-47179

PROPERTY OWNER Khaneh Holdings LLC **Contact** Dan Taheri

Address P O Box 16297 **Phone:** _____ **Fax:** _____

City Beverly Hills **State** CA **Zip** 90209

E-mail Address _____

APPLICANT Khaneh Holdings LLC **Contact** Dan Taheri

Address P O Box 16297 **Phone:** _____ **Fax:** _____

City Beverly Hills **State** CA **Zip** 90209

E-mail Address _____

REPRESENTATIVE G.C. Garcia, Inc. **Contact** George Garcia

Address 1711 Whitney Mesa Dr., Suite 110 **Phone:** (702) 435-9909 **Fax:** (702) 435-0457

City Henderson **State** NV **Zip** 89014

E-mail Address acole@gcgarciainc.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* Mehry Taheri

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

Print Name Mehry Taheri

Subscribed and sworn before me

This 10TH day of DEC., 20 12.

Notary Public in and for said County and State

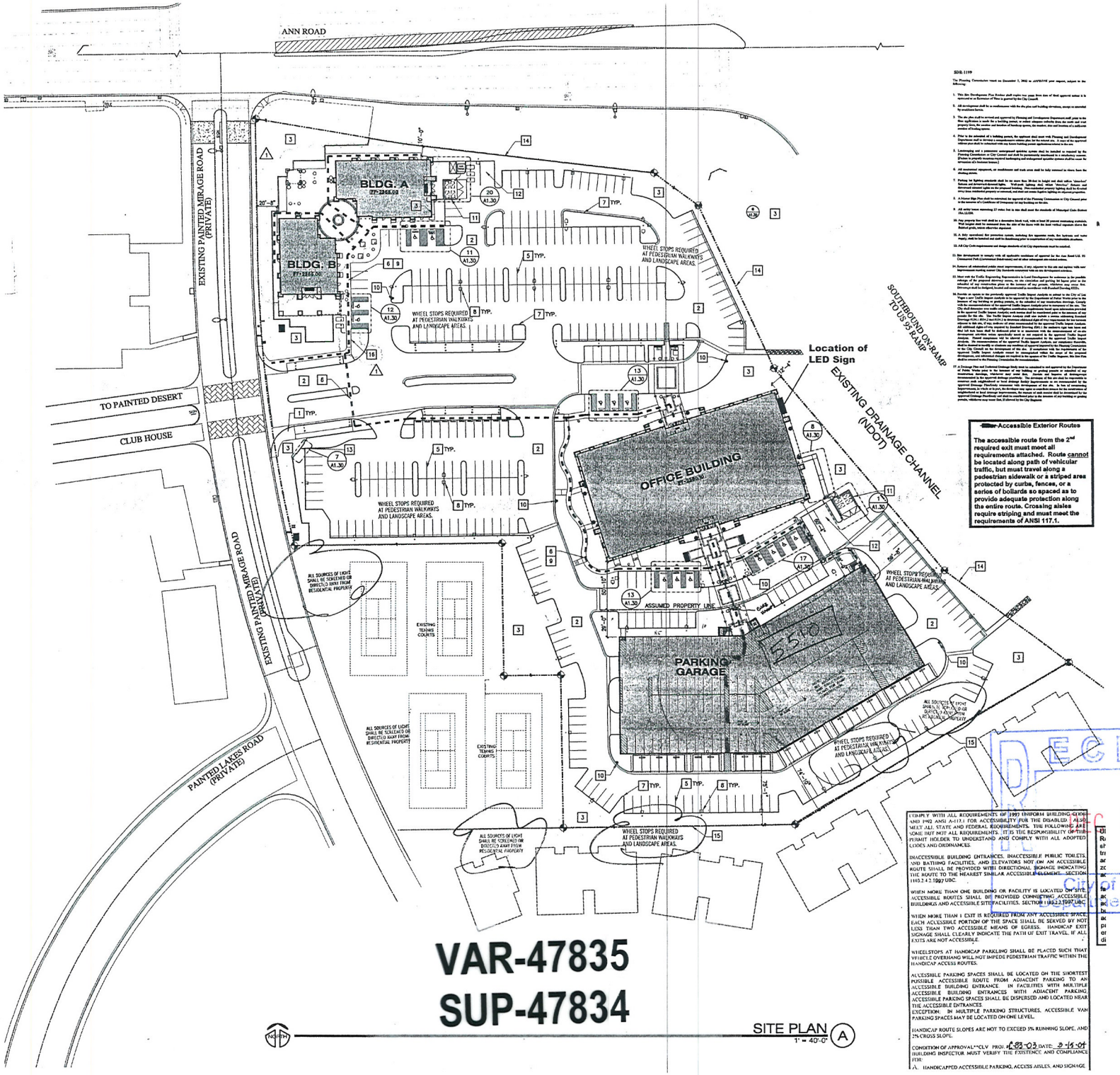
LILLY TAHERI
Commission # 1844461
Notary Public - California
Los Angeles County
My Comm. Expires May 10, 2013

FOR DEPARTMENT USE ONLY

Case #	VAR-47835
Meeting Date:	2/12/2013
Total Fee:	830.00
Date Received:*	12/20/2012
Received By:	MLeX

*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



VAR-47835
SUP-47834

SITE PLAN (A)
1" = 40'-0"

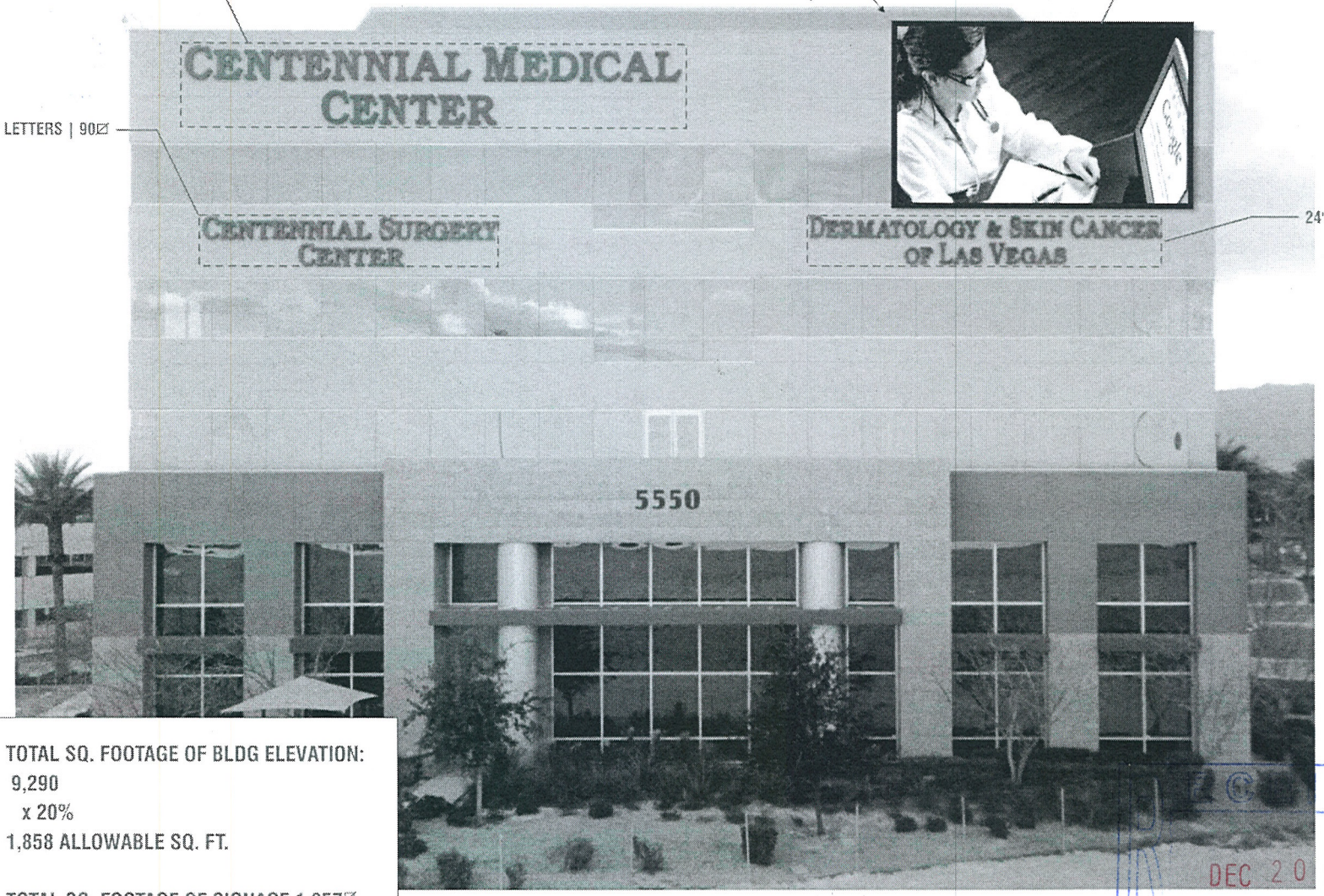
LED UNIT:
FURNISH & INSTALL (1) GP3 20mm LED MESSAGE UNIT.
19'-9" x 31'-9" ~ MATRIX 288 x 468 ~ RGB

36" LETTERS | 236☑

NEW LED UNIT | 627☑

24" LETTERS | 90☑

24" LETTERS | 104☑



TOTAL SQ. FOOTAGE OF BLDG ELEVATION:
9,290
x 20%
1,858 ALLOWABLE SQ. FT.

TOTAL SQ. FOOTAGE OF SIGNAGE 1,057☑

EAST ELEVATION w/ LED UNIT
SCALE: 3/32" = 1'-0"

VAR-47835
SUP-47834

RECEIVED
DEC 20 2012
City of Las Vegas
Department of Planning

CENTENNIAL CORPORATE CENTER
ANN ROAD | US 95

LED UNIT ELEVATION

VISION SIGN INC
6630 Arroyo Springs Street Suite 600
Las Vegas, NV 89113
Phone: 702-895-7474
NV CONTRACTOR LICENSE #42776

"The signage indicate on this design is Fabricated to meet UL requirements and Will be labeled according to UL guidelines"

JOB NO.	15170
DATE	02.23.12
DRAWN	DERRICK
SCALE	RGB M.
FILE NAME	CENTENNIALCORPCTR15170.CDR

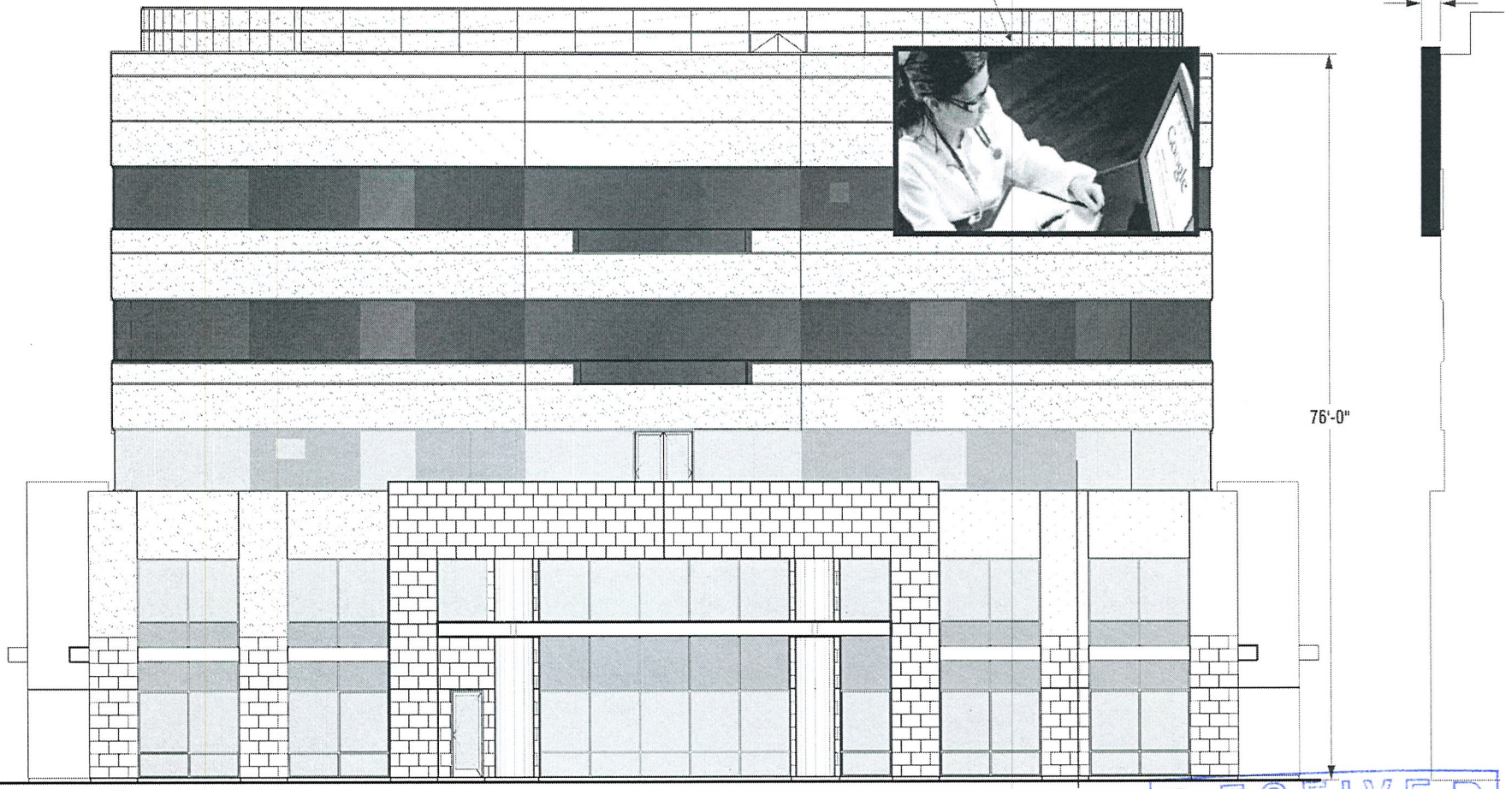
REVISIONS MADE

3-8-12 DN	SHOW IN PICTURE
10-11-12 DN	SHOW SQ. FOOTAGE

FINAL SIGN-OFF
DATE SOLD:
SALES PERSON:
DESIGNER:
CUSTOMER:

SHEET
001

LED UNIT:
FURNISH & INSTALL (1) GP3 20mm LED MESSAGE UNIT.
19'-9" x 31'-9" ~ MATRIX 288 x 468 ~ RGB



EAST ELEVATION w/ LED UNIT
SCALE: 3/32"=1'-0"

CENTENNIAL CORPORATE CENTER
ANN ROAD | US 95

LED UNIT ELEVATION

VISION SIGN INC
6630 Arroyo Springs Street Suite 600
Las Vegas, NV 89113
Phone: 702-895-7474

These plans are prepared and submitted by this contractor as an exemption to NRS 624.330 for work under contractor license category authorized under NRS 624.
NV CONTRACTOR LICENSE #42776

THIS ARTWORK WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN INC. ANY UNAUTHORIZED USE OF SAME, IN WHOLE OR PART IS PROHIBITED.

"The signage indicate on this design is Fabricated to meet UL requirements and Will be labeled according to UL guidelines"

JOB NO.	15170
DATE	02.23.12
DRAWN	DERRICK
SCALE	RGB M.
FILE NAME	CENTENNIALCORPCTR15170.CDR
REVISION	

REVISIONS MADE

3-8-12 DN	SHOW IN PICTURE
10-11-12 DN	SHOW SQ. FOOTAGE

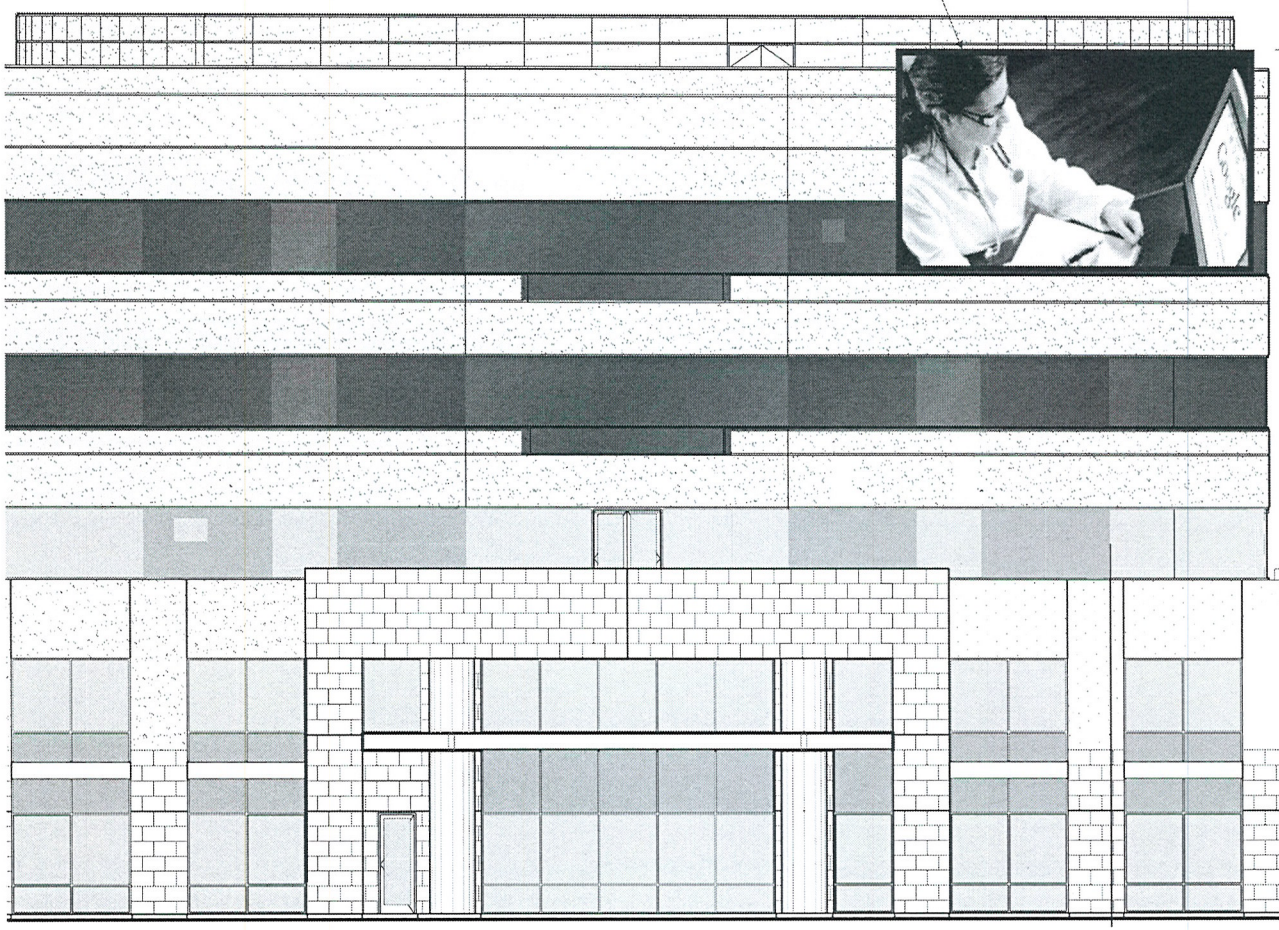
FINAL SIGN-OFF
DATE SOLD:
SALES PERSON:
DESIGNER:
CUSTOMER:

SHEET
002

RECEIVED
DEC 20 2012
City of Las Vegas
Department of Planning

VAR-47835
SUP-47834

LED UNIT:
FURNISH & INSTALL (1) GP3 20mm LED MESSAGE UNIT.
19'-9" x 31'-9" ~ MATRIX 288 x 468 ~ RGB



30' ABOVE INTERCHANGE ELEVATION

24"

30'-0"

FREEWAY INTERCHANGE HEIGHT

77'-0"
TO TOP
OF SIGN

EAST ELEVATION w/ LED UNIT
SCALE: 3/32"=1'-0"

VAR-47835
SUP-47834

RECEIVED
DEC 20 2012
City of Las Vegas
Department of Planning

CENTENNIAL CORPORATE CENTER
ANN ROAD | US 95

LED UNIT ELEVATION

VISION SIGN INC
6630 Arroyo Springs Street Suite 600
Las Vegas, NV 89113
Phone: 702-595-7474

These plans are prepared and submitted by the contractor as an examination by NRS 624.340 for work under contractor license category numbered under NRS 624.

NV CONTRACTOR LICENSE 942778

THIS ARTWORKS WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN INC. ANY UNAUTHORIZED USE OF SAME, IN WHOLE OR PART IS PROHIBITED.

"The signage indicate on this design is Fabricated to meet UL requirements and Will be labeled according to UL guidelines"

JOB NO: 15170
DATE: 02.23.12
DESIGN: DERRICK
SHEET: ROB M
FILENAME: CENTENNIALCORPCTR15170.CDR
CHECK:

REVISIONS MADE

3-8-12 DN	SHOW IN PICTURE
10-11-12 DN	SHOW SQ. FOOTAGE
12-20-12 DN	SHOW FREEWAY INTERCHANGE HT.

FINAL SIGN-OFF

DATE SOLD:
SALES PERSON:
DESIGNER:
CUSTOMER:

SHEET
002



VAR-47835 & SUP-47834 – APPLICANT/OWNER: KHANEH HOLDINGS, LLC
5550 PAINTED MIRAGE ROAD

01/03/13



VAR-47835 & SUP-47834 – APPLICANT/OWNER: KHANEH HOLDINGS, LLC
5550 PAINTED MIRAGE ROAD

01/03/13

December 20, 2012

Flinn Fagg, Director
Planning and Development Department
City of Las Vegas
333 N. Rancho Drive
Las Vegas, NV 89106

RE: US-95 & Ann Road Commercial Park Office Building
Request: SUP and Variances for Allowing an Off-Premise Wall Sign from an Approved On-Premise LED Wall Sign
APN#s: 125-34-116-004

Dear Mr. Fagg:

On behalf of our client, KHANEH Holdings LLC, please accept this justification letter for a Special Use Permit and Variances and any changes if needed to the Master Sign Plan Amendment (MSP-9591 and as amended MSP-47179) to allow an approved LED wall sign to be used as an Off-Premises Sign on an existing commercial/professional building at the southwest of the US-95 and Ann Road (5550 Painted Mirage). This sign will use an already approved and permitted on premise LED wall sign on the northeast corner of the office building use.

The site is a C-2 (General Commercial) zoned site located on the 5.25 +/- net acres. The office building is a five story structure with a parking garage. The approved on premises LED sign is about 19'9" high and 31'9" wide (630 sf) and located on the upper levels at the northeast corner of the building facing the freeway. The total wall signage of the building is about 1,060 square feet or well below the allowed 1,858 square feet.

The Variance requests are necessary to address the fact that the Code expects off-premise signs to look like conventional billboards that are pole mounted (LVMC 19.12.120.D.2) and due to the height of the sign on the building being taller than the Code expected billboard height of 40 feet or maximum of 55 feet (LVMC 19.12.120 C.7.b).

The sign request meets the applicable SUP Locational Provisions of the Code. Most significantly, the proposed sign is 1a) within 660' of the US-95 ROW; is less than the maximum allowable sizes of 30' high by 60' wide for off-premise sign; 1b) is within the 672 square feet allowed for other off-premise signs; 2) is located appropriately above the standard sign height due the proximity to an elevated freeway interchange; & 3) more than 300 feet from the nearest residential property line.

Approval Criteria for a Special Use Permit LVMC 19.16.110
L. Special Use Permit Determinations—Approval
In order to approve a proposed rezoning, the Planning Commission or City Council must determine that:

1. In order to approve a proposed Special Use Permit application, the Planning Commission or City Council must determine that:

VAR-47835
SUP-47834

GCGARCIA

RECEIVED
DEC 20 2012
City of Las Vegas
Department of Planning

A Planning & Development Services Corporation
1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014-2158
Telephone: 702 435 9909 Facsimile: 702 435 0457 E-Mail: ggarcia@gcgarciainc.com

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

This change would only add the ability to do off-premise advertising. The Sign is not a typical "billboard" as it is aesthetically designed to fit into a quality office park and surrounding neighborhood. The sign will comply with the applicable Locational Provisions for Off-Premise Signs (19.12.120). The sign orients to faces the freeway and does not face residential. Elevating the sign allows it to be functional as well as not in the face of drivers at the interchange overpass.

Furthermore, the sign will help sustain and promote the existing commercial facilities and other businesses. The sign is done in a manner consistent with the zoning and General Plan. The use and design will therefore comply with the SUP, MSP, conditions of approval and other Code requirements.

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

The site is planned and zoned for the existing office park and five story office building. An LED wall sign has already been approved for the building so no additional sign or structure is required. The total building signage is substantially lower than allowed.

The location of the approved sign is suitably located as it is oriented toward the US-95 and away from the residential. It is within the required proximity to the US-95 as well as elevated appropriately given the depressed finished floor elevation of the building relative to the freeway interchange; visibility to serve the intended use; and aesthetics of the building.. The use will, except as requested, be done in compliance all with City requirements.

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

The use of an approved LED wall sign for an off-premises sign will not create any additional demand on the street or highway infrastructure. All necessary infrastructures to serve the office building is already built, in place and approved.

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

The proposed business will not compromise the health, safety and welfare or objectives of the Plan. The investment into the building will help maintain the economic vitality of property and promote business economic well being and not visibly impact the residential or infrastructure of the City and will thus serve to protect the health, safety and welfare.

Approval Criteria for a Variance LVMC 19.16.140
L. Variance Determinations—Approval

2. Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or

VAR-47835
SUP-47834

DEC 10 2012
City of Las Vegas
Department of Planning

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.

To provide for adequate sign visibility addition height is required. The topography of the site relative to the elevated freeway interchange makes a conventional billboard height unsuitable for the subject property and also provides the basis for an extraordinary and exceptional situation or condition. The elevated freeway interchange was located, designed and built by governmental action and not due to the property owner.

Additionally, the strict application of the height and requirement to build on a freestanding pole would create peculiar and exceptional practical difficulties as well as an undue hardship due to where such a pole would have to be located in a parking lot closer to the freeway that would result in obscuring the quality of building design; making a less attractive sign to the public; and be more imposing due to is proximity to the traveling public.

As proposed the sign will relive the topographic, extraordinary circumstances. The sign as propose provides the necessary relief while providing a benefit to the pubic good by removal of the unsightliness of a conventional billboard structure closer to the roadways. The sign will also comply with the approved MSP and permit for on- premise LED wall sign.

SUMMARY JUSTIFICATION

In summary, we believe the requested off-premise SUP and associated Variances to increase the height and eliminate an unsightly billboard structure will help enhance the office park and provide an advertising venue for other businesses on an approved sign and serve the traveling public consistent with the Code requirement, determinations or any conditions.

We respectfully request your favorable consideration of this request. Please contact me if you have any questions or need additional information.

Sincerely,

George Garcia,
President

VAR-47835
SUP-47834

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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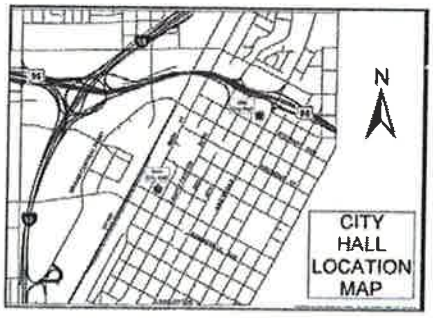
0004279218 JAN 31 2013
MAILED FROM ZIP CODE 89101

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-47835 & SUP-47834
Planning Commission Meeting of 02/12/2013

RECEIVED
FEB 11 2013
City of Las Vegas
Dept. of Planning

Case: VAR-47835
12534117039
CHADBAND JAMES CRAIG
12310 CALLE CELESTINA
GILROY CA 95020-9438 95020-9438

#28-29 A

108 LRDFNMP 95020

2/12/13 #28-29

City of Las Vegas Agenda Item No.: **21.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

SUBJECT:
ABEYANCE - SUP-47834 - SPECIAL USE PERMIT RELATED TO VAR-47835 - PUBLIC HEARING - APPLICANT/OWNER: KHANEH HOLDINGS, LLC - For possible action on a request for a Special Use Permit FOR AN OFF-PREMISE SIGN at 5550 Painted Mirage Road (APN 125-34-116-004), C-2 (General Commercial) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

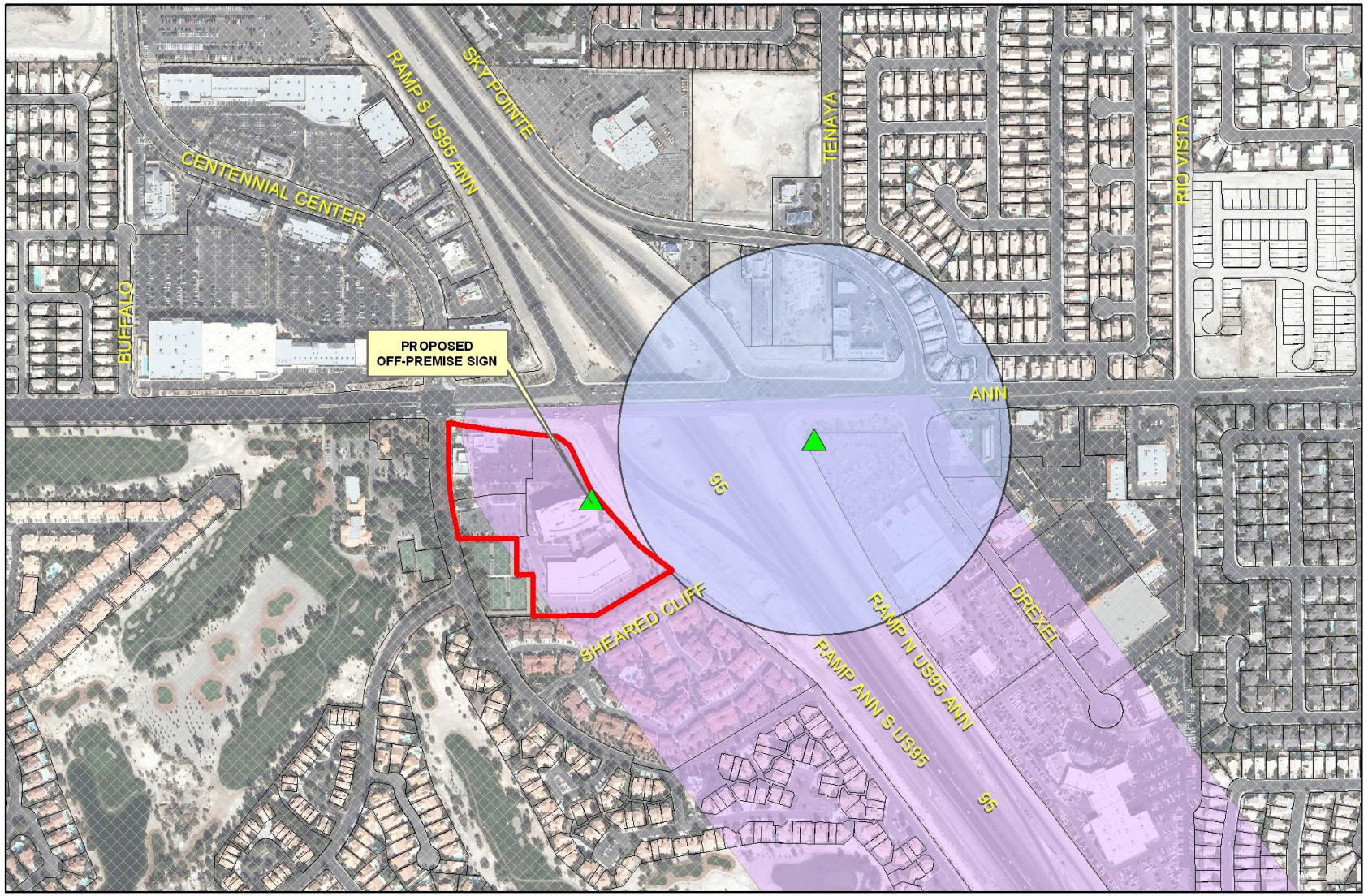
MAY GO TO CITY COUNCIL ON 07/24/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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 Back-up
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-47834

- 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

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-47834** APN: 125-34-116-004

Name of Property Owner: Khaneh Holdings LLC

Name of Applicant: Khaneh Holdings LLC

Name of Representative: G. C. Garcia, Inc.

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

☐ **Yes** ☑ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Melroy Taheri

Subscribed and sworn before me

This 18 day of Dec., 2012

_____

Notary Public in and for said County and State

LILLY TAHERI
Commission # 1844461
Notary Public - California
Los Angeles County
My Comm. Expires May 10, 2013

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 5550 Painted Mirage / US-95 & Ann Rd

Project Name Off Premise LED Sign **Proposed Use** Off Premise LED

Assessor's Parcel #(s) 125-34-116-004 **Ward #** 4

General Plan: existing _____ proposed N/A **Zoning:** existing C-2 proposed N/A

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

Gross Acres 5.25+/- **Lots/Units** _____ **Density** _____

Additional Information MSP-9591, MSP-47179

PROPERTY OWNER Khaneh Holdings LLC **Contact** Dan Taheri

Address P O Box 16297 **Phone:** _____ **Fax:** _____

City Beverly Hills **State** CA **Zip** 90209

E-mail Address _____

APPLICANT Khaneh Holdings LLC **Contact** Dan Taheri

Address P O Box 16297 **Phone:** _____ **Fax:** _____

City Beverly Hills **State** CA **Zip** 90209

E-mail Address _____

REPRESENTATIVE G.C. Garcia, Inc. **Contact** George Garcia

Address 1711 Whitney Mesa Dr., Suite 110 **Phone:** (702) 435-9909 **Fax:** (702) 435-0457

City Henderson **State** NV **Zip** 89014

E-mail Address acole@gcgarciainc.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* _____

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

Print Name Mehry Taheri

Subscribed and sworn before me

This 18TH day of Dec, 20 12.

_____

Notary Public in and for said County and State

LILLY TAHERI
Commission # 1844461
Notary Public - California
Los Angeles County
My Comm. Expires May 10, 2013

FOR DEPARTMENT USE ONLY

Case #	SUP-47834
Meeting Date:	2/12/2013
Total Fee:	1030 00
Date Received:*	12/20/2012
Received By:	MRoyo

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

Revised 10/27/08

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

City of Las Vegas Agenda Item No.: **22.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

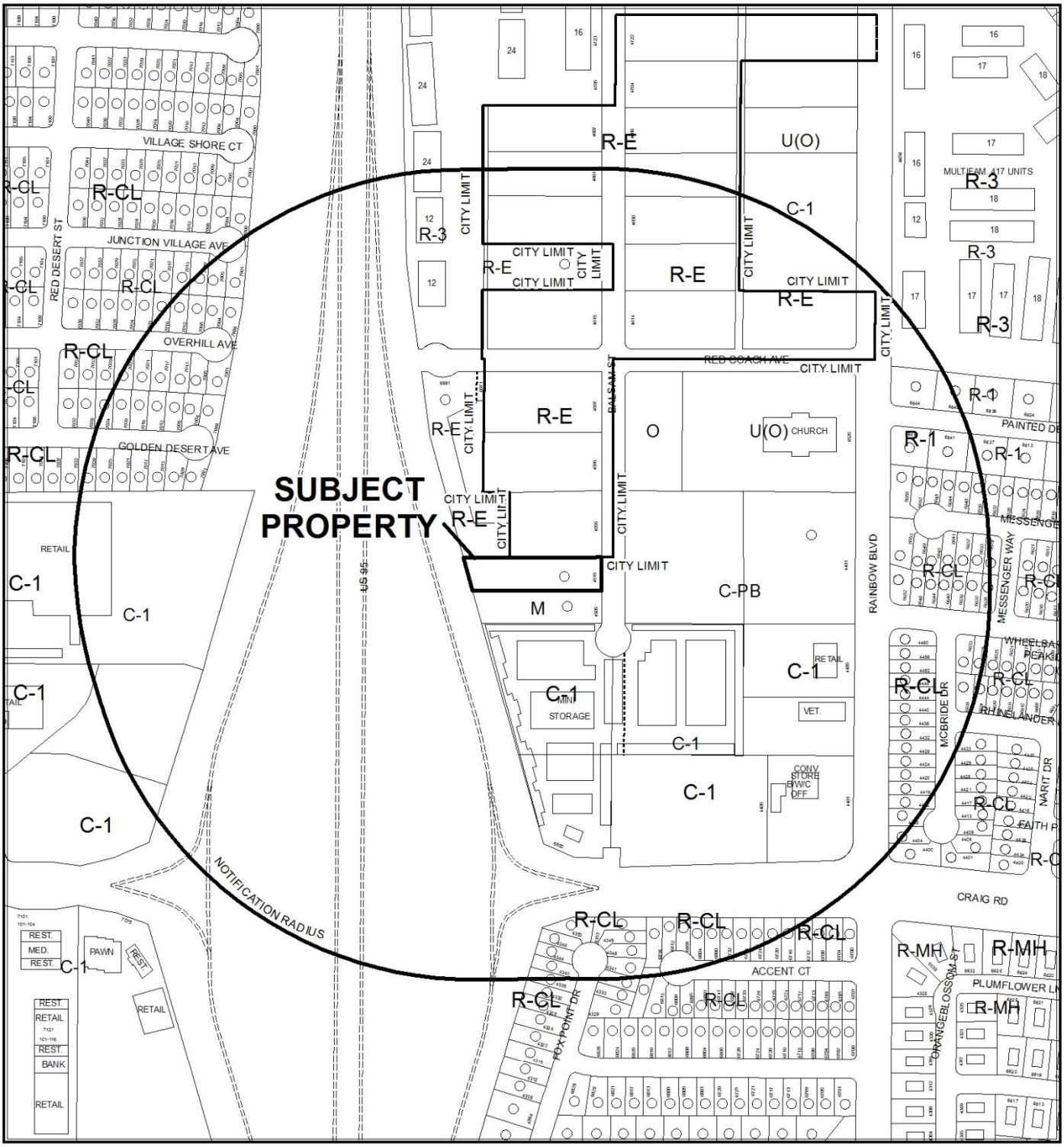
SUBJECT:
ABEYANCE - VAR-48827 - VARIANCE - PUBLIC HEARING - APPLICANT: CONCRETE SOLUTIONS - OWNER: JAIME LOPEZ AND REFUGIO ESPINOZA LOPEZ - For possible action on a request for a Variance TO ALLOW A 14-FOOT SIDE YARD SETBACK WHERE 50 FEET IS REQUIRED ADJACENT TO RESIDENTIAL DISTRICTS on 0.61 acres at 4515 Balsam Street (APN 138-03-602-007), M (Industrial) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**4**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - VAR-48827, VAR-48828 and SDR-48826
2. Conditions and Staff Report - VAR-48827, VAR-48828 and SDR-48826
3. Supporting Documentation
4. Photos - VAR-48827, VAR-48828 and SDR-48826
5. Justification Letter
6. Protest/Support Postcards – VAR-48827 and VAR-48828



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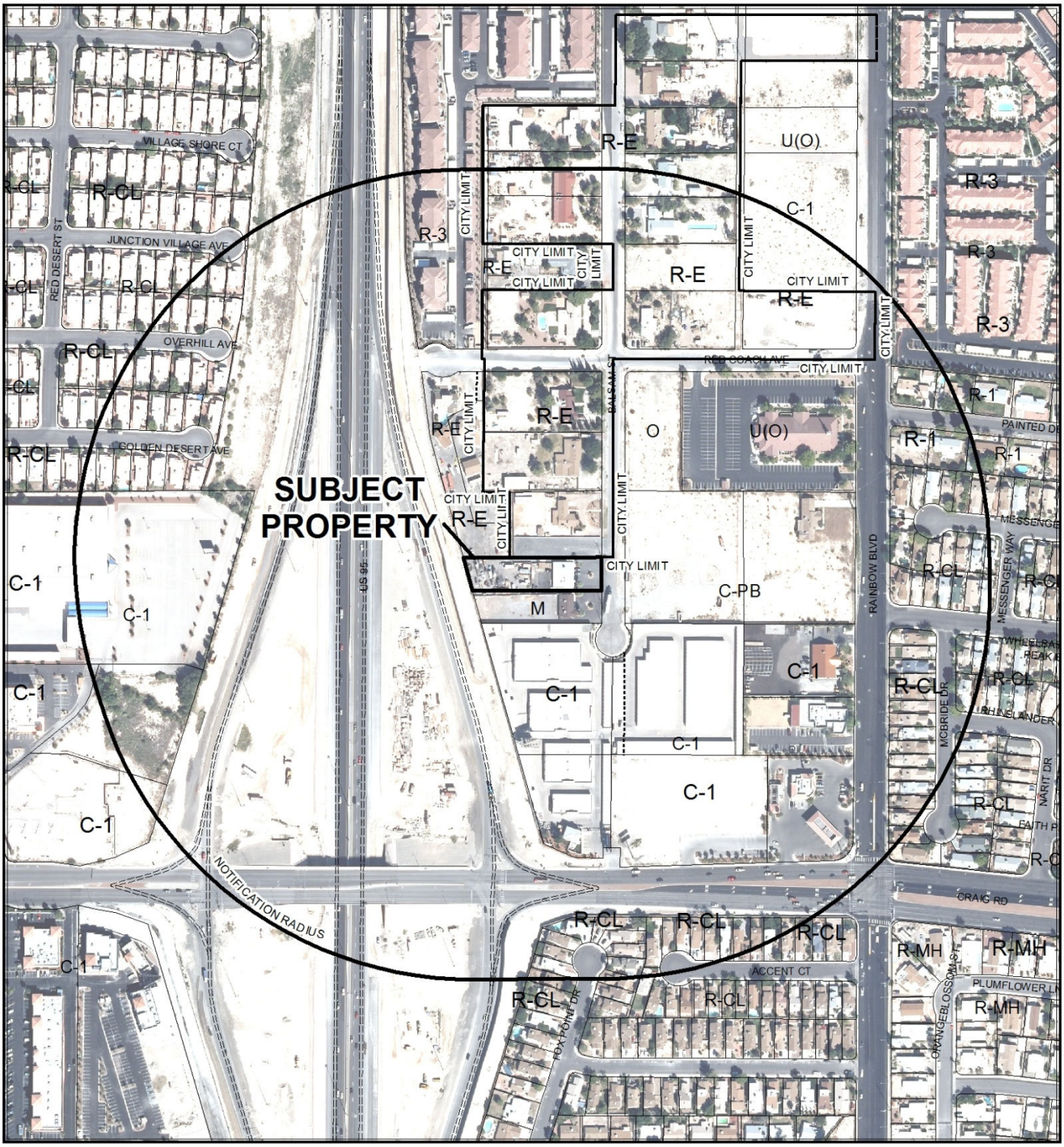
CASE: **VAR-48827, VAR-48828 & SDR-48826**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



0 300 600 Feet

CASE: **VAR-48827, VAR-48828 & SDR-48826**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CONCRETE SOLUTIONS - OWNER: JAIME LOPEZ AND REFUGIO ESPINOZA LOPEZ

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-48827	Staff recommends DENIAL, if approved subject to conditions:	
VAR-48828	Staff recommends DENIAL, if approved subject to conditions:	
SDR-48826	Staff recommends DENIAL, if approved subject to conditions:	VAR-48827 VAR-48828

** CONDITIONS **

VAR-48827 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-48828) and Site Development Plan Review (SDR-48826) 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

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

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

VAR-48828 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-48827) and Site Development Plan Review (SDR-48826) 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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-28826 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-28827 and VAR-28828) 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the site and landscape plan date stamped 03/28/13, and building elevations date stamped 04/30/13, except as amended by conditions herein.

4. A Waiver from Title 19.08.040(F)(1) is hereby approved, to allow no perimeter landscape buffer along the north property line where eight feet is required, no landscape buffering along the east property line where 15 feet is required, and a 2.5-foot landscape buffer located along a 55-foot portion of the south property line where an eight-foot buffer is required.

5. An Exception from 19.08.040(F)(8) is hereby approved to allow the 2.5-foot landscape buffer located along a portion of the south property line to be planted with 12 five-inch Purple Winter Creeper Euonymus shrubs where two 24-inch box trees spaced 30 feet on center are required.

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

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

8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

9. 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.

10. All rooftop mechanical equipment shall be screened from view per Title 19.08.040(E).

11. All trash enclosures shall meet screen and design requirements of Title 19.08.040(E).

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

Public Works

13. Construct all incomplete half-street improvements adjacent to this site, and remove all existing substandard street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards, concurrent with development of this site.

14. 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.

15. 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.

16. This site shall connect to public sewer in Red Coach Avenue and abandon the Individual Sewage Disposal System (ISDS) according to SNHD regulations prior to the issuance of a certificate of occupancy for this site.

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 or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

** STAFF REPORT **

PROJECT DESCRIPTION

The subject site consists of an existing single-family dwelling, which has been illegally converted into a Contractor's Plant, Shop and Storage Yard facility. The applicant is requesting to legalize the current site conditions by means of this request and the associated Variance requests. The subject site fails to comply with Title 19, as is evidenced by the numerous Waivers and associated Variance applications. Staff cannot support this request as the site cannot be developed in a compatible and harmonious manner with the R-E (Residence Estates) parcels located in both the County and City adjacent to the north property line; therefore staff is recommending denial of this request.

ISSUES

- The subject site has been illegally converted from a residential to an industrial use.
- The principal structure does not meet the required 50-foot setback from the adjacent R-E (Residence Estates) parcels along the north property line.
- There are existing outdoor storage areas located within the setback areas adjacent to the R-E (Residence Estates) parcels along the north property line.
- There is existing chain link fencing with green mesh being used to screen the property and outdoor storage areas where a block wall is required.
- There is no perimeter landscape buffer area provided along the north property line where eight feet is required.
- There is no perimeter landscape buffer along the east property line were 15 feet is required.
- There is a 2.5-foot perimeter landscape buffer along a portion of the south property line were eight feet is required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/31/07	A Building Permit (#136693) was initiated for a tenant improvement at 4515 Balsam Street. No reviews were ever generated.
12/19/07	The City Council approved an Annexation (ANX-23639) for a petition to Annex property at 4515 Balsam Street, containing approximately 0.61 acres. The Planning Commission and staff recommended approval of the request. The effective date of the Annexation was 12/28/07.

02/27/08	A Code Enforcement complaint (#62799) was processed for a business being run out of an existing residence at 4515 Balsam Street. The complaint was closed by Code Enforcement on 09/04/08.
08/20/08	The City Council approved a General Plan Amendment (GPA-28388) to amend a portion of the Centennial Hills Sector Plan of the General Plan from O (Office) to LI/R (Light Industrial/Research); Rezoning (ZON-28389) from R-E (Residence Estates) and U (Undeveloped) [O (Office) General Plan Designation] to C-PB (Planned Business Park) and M (Industrial), a Site Development Plan Review (SDR-28390) for a proposed 51,250 square-foot warehouse center with 18,100 square feet of office with Waivers to allow a 10-foot landscape buffer on the eastern property line where 15 feet is required and a zero-foot landscape buffer on the western and portions of the southern property line, and a Variance (VAR-28392) to allow a 4.62 acres to C-PB (Planned Business Park) zoning district where 20 acres is the minimum site area required and to allow a 10-foot side setback where 50 feet is required for an M (Industrial) district located adjacent to a residential district on 5.62 acres at 4505 and 4515 Balsam Street and 4491 North Rainbow Boulevard. The Planning Commission recommended approval, and staff recommended denial of the requests.
08/20/08	The City Council approved a Vacation (VAC-28393) to Vacate a 60-foot wide portion of Balsam Street located approximately 300 feet south of Red Coach Avenue. The Planning Commission recommended approval, and staff recommended denial of the request.
09/08/08	A Code Enforcement complaint (#69510) was processed for a business being run out of an existing residence and vehicles being parked on a dirt lot at 4515 Balsam Street. The complaint was closed by Code Enforcement on 09/10/08.
02/17/09	A Code Enforcement complaint (#74599) was processed for a business being run out of an existing residence and vehicles being parked on a dirt lot at 4515 Balsam Street. The complaint has not been resolved.
03/30/09	Staff administratively approved a Temporary Commercial Permit (TCP-33864) for an auction located at 4515 Balsam Avenue. The permit was valid from 03/30/09 to 04/28/09.
02/01/11	A Code Enforcement complaint (#97730) was processed for parking asphalt trucks on the neighbor's property at 4515 Balsam Avenue. The complaint was closed by Code Enforcement on 02/02/11.

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

Related Building Permits/Business Licenses	
1972	The County Assessor's Office indicates a construction date of 1972 for the building located at 4515 Balsam Street.
10/21/98	A Business License (#C11-07090) was issued for a contractor at 4585 N. Rainbow Boulevard. A change of location was requested on 08/27/08 to 4515 Balsam Street. The license was denied on 10/14/08.
10/29/12	A Business License (#C25-03647) was issued for a contractor office at 4515 Balsam Street.

Pre-Application Meeting	
02/13/13	The Planning and Development Department met with the applicant and reviewed the requirements for a Site Development Plan Review and Variance applications. The following is a list of issues discussed at the pre-application meeting: • Required Waivers and Exceptions • Required Variances • Residential Adjacency issues

Field Check	
04/10/13	The site contains an existing concrete contractor's business. The entire front of the property consists of asphalt, which surrounds the existing landscaping (two palm trees and some shrubs). Several large vehicles and trailers were parked in front of the building. The rear is partially unpaved and contains multiple trucks and equipment. The north and south perimeters of the site are fenced by chain link with a mesh screen.

Details of Application Request	
Site Area	
Net Acres	0.67

Surrounding Property	*Existing Land Use Per Title 19.12*	*Planned or Special Land Use Designation*	*Existing Zoning District*
Subject Property	Contractor's Plant, Shop and Storage Yard	LI/R (Light Industry/Research)	M (Industrial)
North	Single Family Residential	O (Office)	R-E (Rural Estates); R-E Clark County
South	Office	LI/R (Light Industry/Research)	M (Industrial)
East	Undeveloped	LI/R (Light Industry/Research)	C-PB (Planned Business Park)
West	Right-of-Way (U.S. 95)	Right-of-Way (U.S. 95)	Right-of-Way (U.S. 95)

Master Plan Areas	*Compliance*
No Applicable Master Plan Area	N/A
A-O (Airport Overlay) District	Y

The subject site is in compliance with all requirements of the Airport Overlay District.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Width	100 Feet	85 Feet	Y*
Min. Setbacks			
• Front	10 Feet	73 Feet	Y
• Side (north)	50 Feet	14 Feet	N
• Side (south)	10 Feet	13 Feet	Y
• Rear	0 Feet	210 Feet	Y
Max. Building Height	N/A	15 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Yes	Y
Mech. Equipment	Screened	Not Indicated	N/A

*Lot was made legal when it was rezoned as part of a larger request through ZON-28389

Pursuant to Title 19.08, the following Residential Adjacently Standards Apply:

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	50 Feet	14 Feet	N
Adjacent development matching setback	50 Feet	80 Feet	Y
Trash Enclosure	50 Feet	75 Feet	Y

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees: • North • South • East	 1 Tree / 20 Linear Feet 1 Tree / 30 Linear Feet 1 Tree / 20 Linear Feet	 12 Trees 11 Trees 5 Trees	 0 Trees 0 Trees 0 Trees 0 Trees	 N N N N
TOTAL PERIMETER TREES		**28 Trees**	**0 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	2 Trees	8 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width • North • South • East • West	 8 Feet 8 Feet 15 Feet 0 Feet		 0 Feet 2.5 Feet 0 Feet 0 Feet	 N N N Y
Wall Height	6 to 8 Feet Adjacent to Residential		6 to 7-foot chain link fence with green mesh screening along portions of the north and south property lines	N

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Contractor's Plant, Shop and Storage Yard	2,784 SF	1:500	5	1	6	1	Y
TOTAL SPACES REQUIRED			5		6		Y
Regular and Handicap Spaces Required			4	1	5	1	Y
Loading Spaces			0		0		Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
East Landscape Buffer: 15 Feet	East Landscape Buffer: 0 Feet	Denial
North Landscape Buffer: 8 Feet	North Landscape Buffer: 0 Feet	Denial
South Landscape Buffer: 8 Feet	South Landscape Buffer: 2.5 Feet	Denial

Exceptions		
Requirement	***Request***	***Staff Recommendation***
24-inch box trees 30-ft on center	5-inch Purple Winter Creeper Euonymus shrubs in lieu of 24-inch box trees within the 2.5-foot landscape buffer along the south property line.	Denial

ANALYSIS

Site Plan

The applicant is proposing the conversion of a 2,784 square-foot single-family residence into a Contractor's Plant, Shop & Storage Yard for use in conjunction with a concrete business. The site has never been legally converted from residential to a commercial site and has been operating as a commercial use for several years. A Site Development Plan Review (SDR-28390) for a 51,250 warehouse center was approved in 2008 for the subject site as a part of a larger request, but has since expired.

The provided site plan depicts an existing building and seven parking spaces, including one van accessible handicapped parking space. Access to the site is provided from a driveway located off of Balsam Road. Balsam Road is designated as a 60-foot Local Street on the Master Plan of Streets and Highways. There is a 14-foot paved drive on the north side of the property that provides access to the rear yard area.

Per Title 19.08, the side yard building setback for an M (Industrial) zoned property is fifty feet when adjacent to a residential district. When this parcel was originally rezoned to M (Industrial) in 2008, it was part of a larger request and was not intended to be a standalone industrial parcel. With only an 85-foot lot width and a 14-foot setback between the principal structure and the residential parcel to the north, it is clear that the subject site is not adequate for an industrial use in such close proximity to an R-E (Residence Estates) zoning district. The existing principal structure on the site is 14 feet from the residential zoned parcels to the north where 50 feet is required and a related Variance (VAR-48827) application has been submitted to provide relief from this requirement.

The site plan depicts an existing storage container and storage canopy at the northwest corner of the subject site. These outdoor storage areas fall under the requirements of Title 19.08.040(E), Outdoor Storage. Outdoor Storage areas are not permitted within required setback areas, landscape buffer yards or other required landscape areas. Due to the adjacent R-E zoning district, the storage areas must conform to a 50-foot setback along the north property line. The site plan depicts one storage area adjacent to the north property line, and the other approximately 15 feet from the north property line. The storage areas are also required to be screened from view by a solid structure such as a wall or building at least eight-feet in height. A related Variance (VAR-48828) application has been submitted to allow the outdoor storage areas within the required setback area, and to allow the storage areas to be screened by a seven-foot high chain link fence with green mesh instead of the required eight-foot solid wall.

The submitted site plan fails to depict screen walls along the north property line pursuant to Title 19.08.040(G), which states that a six-foot tall perimeter wall be constructed when a commercial/industrial use is adjacent to any residential zoning district. The site plan indicates only the aforementioned seven-foot high chain link fence with green mesh screening instead of the required decorative screen wall. A related Variance (VAR-48828) has been submitted to provide relief from these requirements.

Title 19.08.040(G) also prohibits the use as chain link as a fencing material unless approved with an overall development plan. The site plan indicates a six-foot high chain link fence with green mesh screening along portions of the south property line. Approval of this site plan review will permit the use of chain link fencing as shown on the site plan along with the ones on the north property line.

Landscape Plan

The Landscape Plan depicts no perimeter landscape buffers along the north and west property lines where eight feet is required, and no landscape buffering along the east property line where 15 feet is required. There is a 2.5-foot landscape buffer located along a portion of the south property line planted with 5-inch Purple Winter Creeper Euonymus shrubs where an eight-foot buffer area planted with 24-inch box trees 30 feet on center is required. The applicant has requested waivers from Title 19.08.040(F) for a reduction of perimeter landscape buffer area along the south property line and to allow zero perimeter landscaping along the east, west and north property lines. Staff recommends denial of the waivers due to the elimination of the buffering effects the perimeter landscaping would provide to the adjacent land uses.

Per 19.08.110, parking lot landscaping is required at a ratio of one landscape island for every six parking spaces. The subject site has a total of six regular parking spaces and one van accessible handicap space. There are four landscape islands, each planted with two 24-inch box inch evergreen trees. The plan is in compliance with Title 19.08.110 parking lot landscaping requirements.

Elevations

Elevation photographs provided with this application and field checks have verified that the structures have not substantially changed since the previous applications were submitted in 2009. The building was originally built as a single-family dwelling and the façade of the building will remain unchanged. The building is painted with earth tones and has rock veneer on the exterior. The elevations also indicate that the mechanical equipment is roof mounted and not properly screened. A condition of approval has been added, which requires all mechanical equipment to be properly screened. The building is approximately 15 feet in height at the roof midpoint, which would typically allow the building to be located up to the building setback line and still conform with Residential Adjacency Standards. In this case, the subject parcel is zoned M (Industrial) and adjacent to an R-E (Residence Estates) parcel, so a 50-foot setback for all structures is required. As a result, the structure does not comply with Title 19.08.060, Residential Adjacency Standards. A related Variance (VAR-28827) has been submitted to reduce the building setback to 14 feet, which would allow conformance to Residential Adjacency Standards as the one-story structure will be located at the building setback line.

Floor plans

The floor plans depict a 2,784 square-foot building that will be utilized as an office for the proposed Contractor's Plant, Shop and Storage Yard. The floor plans are indicative of typical office uses which include; office, reception, waiting rooms, conference rooms, restrooms and storage areas.

FINDINGS (VAR-28827)

Per Title 19.08, the usual side yard setback for an M (Industrial) zoned parcel when adjacent to another commercial or industrial property is 10 feet. In this case, the subject site is located adjacent to a residentially zoned parcel which increases the required setback to 50 feet along the north property line. When this parcel was originally rezoned to M (Industrial) in 2008, it was part of a larger request and was not intended to be a standalone industrial parcel. With only an 85-foot lot width and a 14-foot setback between the principal structure and the residential parcel to the north, it is clear that the subject site is not adequate for an industrial use in such close proximity to an R-E (Residence Estates) district. Staff is recommending denial due to the site's inability to meet minimum setbacks for an industrial use adjacent to the residentially zoned district.

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 19.16.140(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 requesting a change from a residential to commercial use that is not compatible with the adjacent development to the north. 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-48828)

Title 19.08.040(E) states that outdoor storage areas are not permitted within required setback areas, landscape buffer yards or other required landscape areas. Due to the adjacent R-E zoning district, the outdoor storage areas must conform to a 50-foot setback along the north property line. The outdoor storage areas are also required to be screened from view by a solid structure such as a wall or building at least eight-feet in height. The site plan indicates that the storage areas are screened by seven-foot chain link fence with green mesh screening.

Title 19.08.040(G) requires that, for industrial properties, a perimeter wall of an acceptable construction material shall be constructed adjacent to any residential zoning district or property used solely for residential purposes. The wall shall be a minimum height of six feet in height and in no case shall it exceed the height limitation applicable to the zoning district or property. The submitted site plan proposes seven-foot chain link fencing with green mesh screening along portions of the north property line. The wall material and locations are not acceptable per the Unified Development Code.

The applicant has failed to comply with both Title 19.08.040(E) and 19.08.040(G) by having outdoor storage areas within the building setback and screened with chain link and mesh, as well as providing no screen wall between the subject M (Industrial) zoned property and the adjacent residential property to the north, which has a zoning designation of R-E (Rural Estates). Adherence to minimum 19.08.040(E) and 19.08.040(G) requirements would alleviate the need for this Variance; therefore, staff is recommending denial of this request as the applicant has created a self-imposed hardship by proposing to not relocate and properly screen the outdoor storage areas, and building the required perimeter wall adjacent to a residential zoned property.

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 19.16.140(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by not relocating and properly screening the outdoor storage areas, and not building the required perimeter wall adjacent to a residential zoned property. Alternative site design and adherence to Title 19.08.040(E) and 19.08.040(G) 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-48826)

In order to approve a Site Development Plan application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed development is not compatible with adjacent residential development in the area. This is demonstrated through the number of associated Waivers and Variances requested to reduce the amount of perimeter screening, landscape buffering and encroachment into required setbacks adjacent to a residential use.

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

   The proposed development is inconsistent with several Title 19.08 landscape requirements. The site is also inconsistent with wall standards by failing to provide a screen wall along the north property line, which is adjacent to the existing single-family dwelling located with a Clark County zoning designation of R-E (Rural Estates).

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

   Site access and circulation are negatively impacted due to the proposed industrial uses on a Local Street intended for residential uses. Access is provided from Balsam Street, which is designated as a 60-foot Local Street on the Master Plan of Streets and Highways.

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

   The proposed building and landscape materials are not appropriate for this area of the City. The applicant is requesting a number of landscape Waivers for perimeter landscaping. The chain-link fence with green mesh screening is also not appropriate for the separation of industrial and residential uses, or for screening of outdoor storage areas.

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 overall site fails to create an orderly and aesthetically pleasing environment, as it fails to be compatible with adjacent residential development to the north. The associated Variances to allow no perimeter screen wall and to permit improperly screened outdoor storage areas and encroachments into the required setback highlight the incompatibility with the existing residential areas located to the north of the subject site. The proposed development is both undesirable and incompatible with regard to overall design and its failure to adhere to the minimum Title 19 requirements.

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

   The proposed Contractor's Plant, Shop and Storage Yard Convenience use is not adequately screened from the existing single-family residence to the north. This will precipitate an increase in the visual, noise and dust, which will intrude upon the existing single-family residences located in both Clark County and the City of Las Vegas and will therefore impact their overall welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 33

NOTICES MAILED 131

APPROVALS 2

PROTESTS 4

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-48827** APN: 138-03-602-007

Name of Property Owner: Jaime & Refugio Espinoza Lopez

Name of Applicant: Jaime Lopez

Name of Representative: David Turner

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: Jaime A. Lopez

Print Name: Jaime A. Lopez

Subscribed and sworn before me

This 7th day of March, 2013

_____

Notary Public in and for said County and State

DAVID TURNER
Notary Public State of Nevada
No. 94-2155-1
My Appt. Exp. August 7, 2014

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MAR 28 2013
City of Las Vegas
Dept. of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance

Project Address (Location) 4515 Balsam St.

Project Name Concrete Solutions **Proposed Use** M

Assessor's Parcel #(s) 138-03-602-007 **Ward #** 4

General Plan: existing LI/R proposed LI/R **Zoning:** existing M proposed M

Commercial Square Footage 2784 **Floor Area Ratio** N/A

Gross Acres 0.61 **Lots/Units** 1 **Density** N/A

Additional Information

PROPERTY OWNER Jaime Lopez **Contact** Jaime Lopez

Address 5080 Winter Ave **Phone:** 277-5368 **Fax:** 644-8579

City Las Vegas **State** NV **Zip** 89130

E-mail Address csl@csinv.net

APPLICANT Concrete Solutions **Contact** Jaime Lopez

Address 11245 Gallery Echo St. **Phone:** 277-5368 **Fax:** 644-8579

City Las Vegas **State** NV **Zip** 89141

E-mail Address csl@csinv.net

REPRESENTATIVE David Turner **Contact** David Turner

Address 1210 Hinson St. **Phone:** 289-1714 **Fax:** 878-2695

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

E-mail Address davidt@baughman-turner.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* Jaime A. Lopez

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

Print Name Jaime A. Lopez

Subscribed and sworn before me

This 7th day of March, 20 13.

Notary Public in and for said County and State

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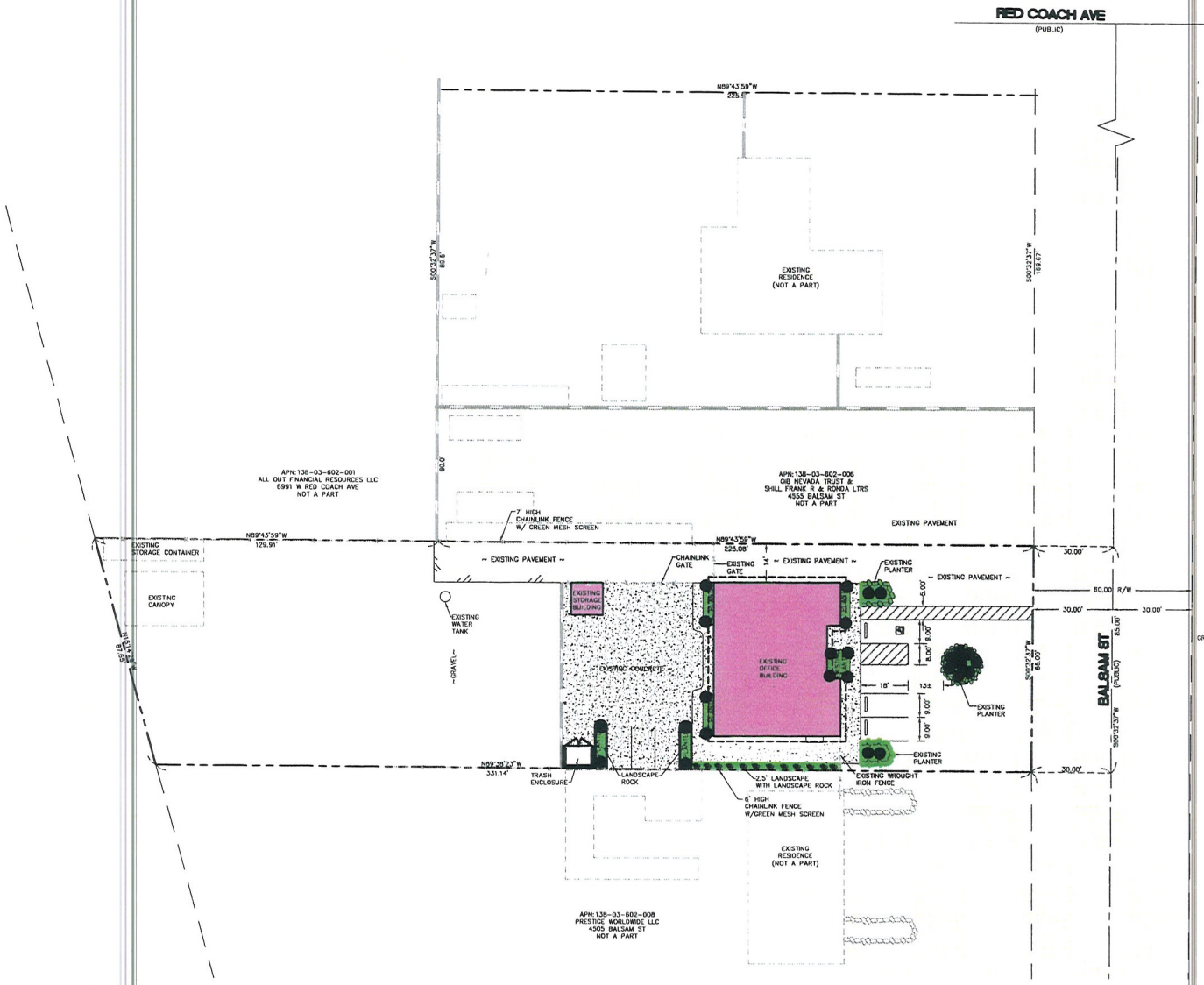
Dept. of Planning

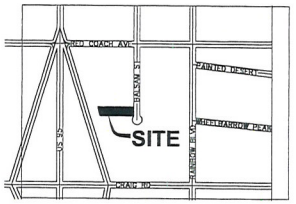
DAVID TURNER
Notary Public State of Nevada
No. 94-2155-1
My Appt. Exp. August 7, 2014

FOR DEPARTMENT USE ONLY

Case #	VAR-48827
Meeting Date:	05/14/13
Total Fee:	$ 830.00
Date Received:*	03/28/13
Received By:	Jonathan B.

*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
STR: 24-22-61

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

LEGEND

- RIGHT OF WAY LINE
- PROPERTY LINE
- STREET CENTERLINE
- EXISTING SCREEN WALL
- EXIST. EDGE OF PAVEMENT
- CONCRETE
- EXIST. CHAIN LINK FENCE
- LANDSCAPE AREA
- ASPHALT (AC)
- BUILDING AREA

PARKING DATA

INDUSTRIAL PARKING REQUIRED 1/500 SQ. FT.
TOTAL BUILDING SQUARE FOOTAGE = 2784
TOTAL PARKING REQUIRED = 6
TOTAL PARKING PROVIDED = 9
TOTAL HANDICAP PARKING PROVIDED = 1

SITE/BUILDING DATA

SITE AREA = 1.34 ACRES
SITE ADDRESS = 4515 BALSAM ST.
BUILDING SQ. FT. = 2784 SQ. FT.

LANDSCAPE LEGEND

- 8" PURPLE WINTER CREEPER EUDNYMUS OR PERIWINKLE VINCA MINOR OR APPROVED EQUAL
- 24" BOX MEDIUM EVERGREEN TREES OR APPROVED EQUAL

LEGAL DESCRIPTION

THE SOUTH HALF (S 1/2) OF THE SOUTH HALF (S 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 3, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.B. & M.

EXCEPTING THEREFROM THE EAST THIRTY FEET (30.00) AS CONVEYED TO CLARK COUNTY, NEVADA FOR ROAD PURPOSES BY DEED RECORDED JANUARY 21, 1971 IN BOOK 95, DOCUMENT NUMBER 75331.

EXCEPTING THEREFROM THE SOUTH 85 FEET OF THE EAST 512 FEET OF THE SOUTH HALF (S 1/2) OF THE SOUTH HALF (S 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 3, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., IN THE COUNTY OF CLARK, STATE OF NEVADA.

EXCEPTING THEREFROM SAID PORTION AS CONVEYED TO THE STATE OF NEVADA FOR HIGHWAY PURPOSES BY DEED RECORDED DECEMBER 15, 1976 IN BOOK 688, DOCUMENT NUMBER 647362.

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City of Las Vegas
Dept. of Planning

VAR-48827
VAR-48828
SDR-48826

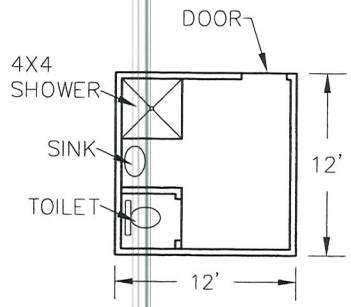
DATE	No.	REVISIONS	APP'D

PREPARED FOR :
JAIME LOPEZ
4515 BALSAM ST
LAS VEGAS, NEVADA 89108

DATE	JANUARY 2013
DESIGN	DT
DRAWN	CR
CHECK	DT
SCALE	1"=20'

CONCRETE SOLUTIONS
SITE/LANDSCAPE PLAN
SECTION 3, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.B.& M.
CITY OF LAS VEGAS, NEVADA
APN: 138-03-602-007

SHEET
1
OF
1
PROJ. NO.
JAIME LOPEZ



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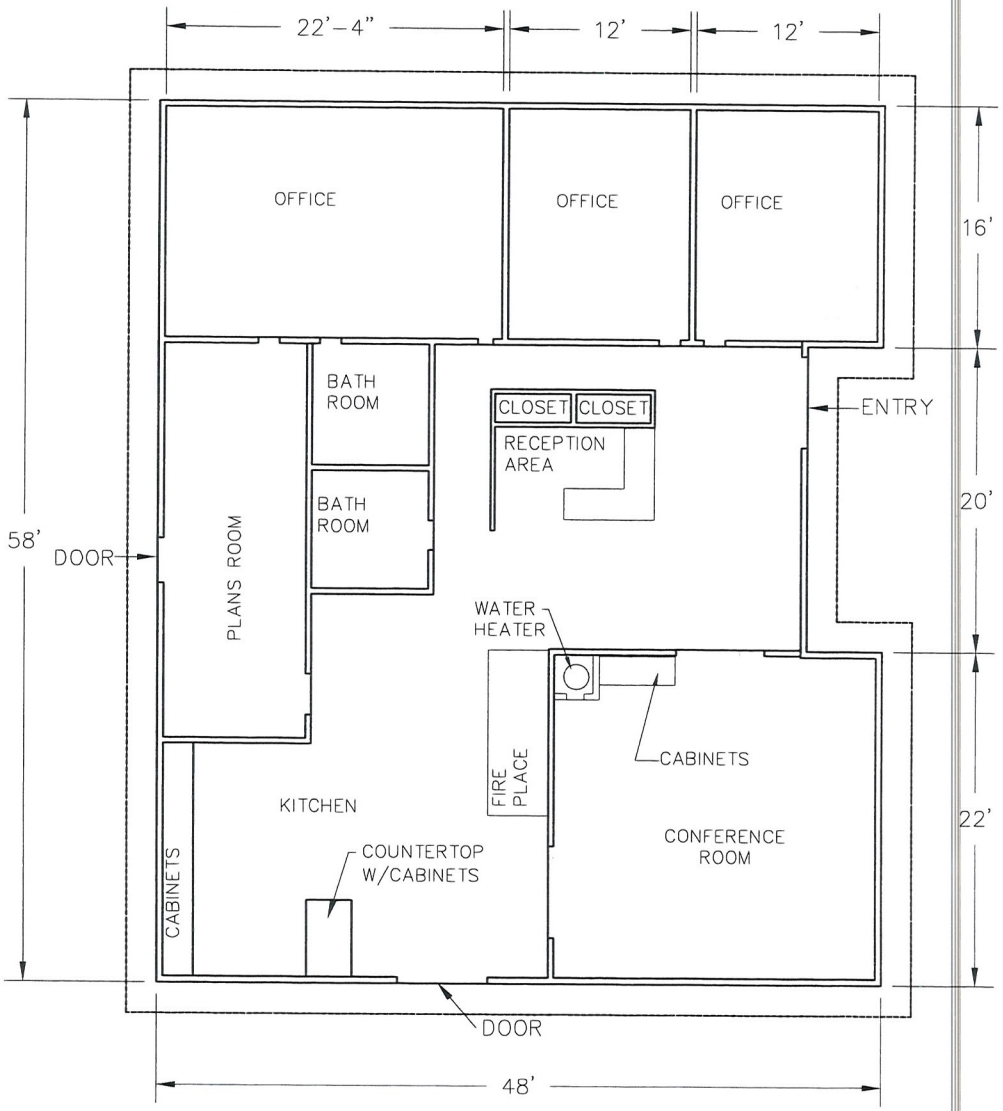
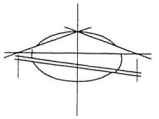


EXISTING OFFICE BLDG.



SCALE 1/4" = 1'-0"

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Dept. of Planning

VAR-48827
VAR-48828
SDR-48826

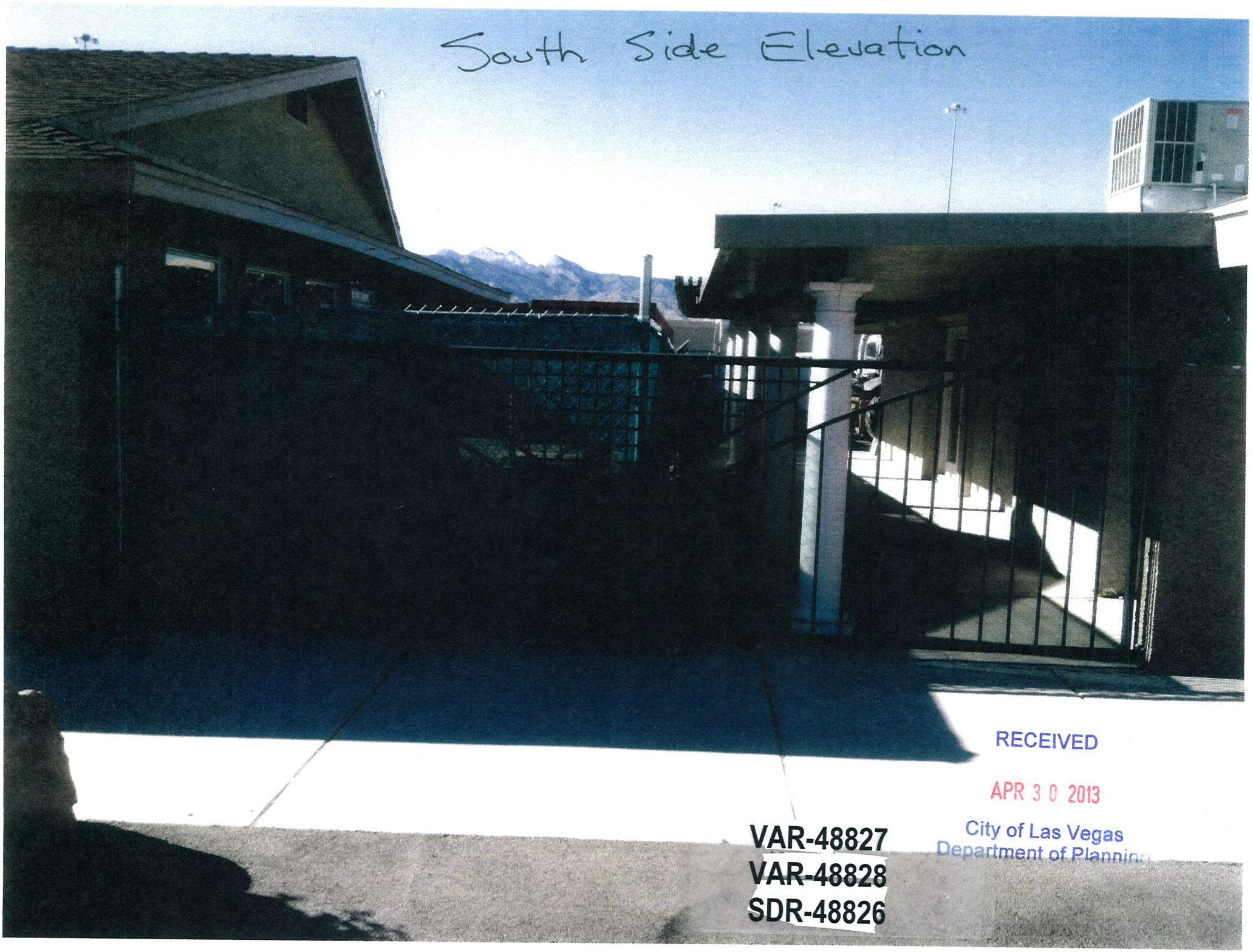
General Notes

NO.	DATE	DESCRIPTION

FLOOR PLAN

CLIENT
JAIME LOPEZ
4515 BALSAM ST
LAS VEGAS, NV 89108

DESIGNED BY	DT
DRAWN BY	CR
CHECKED BY	DT
DATE	JANUARY 2013
SCALE	1/4" =1'-0"
PROJECT NAME	CONCRETE SOLUTIONS



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APR 3 0 2013

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Department of Planning

VAR-48827
VAR-48828
SDR-48826


Side Elevation (North)
VAR-48827
VAR-48828
SDR-48826
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City of Las Vegas
Department of Planning


Rear Elevation
18'
8'
VAR-48827
VAR-48828
SDR-48826
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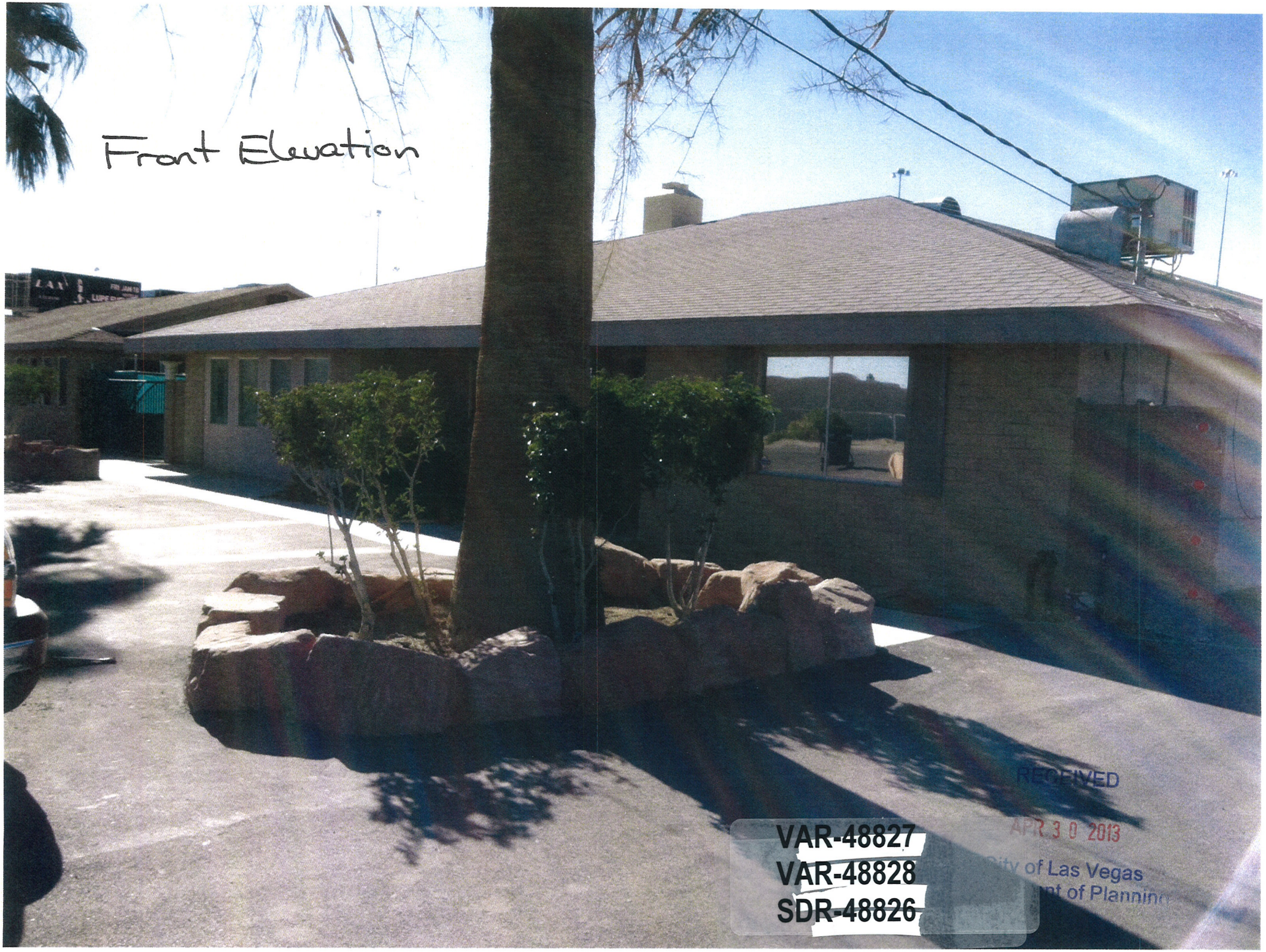
APR 3 0 2013
City of Las Vegas


Front Elevation
VAR-48827
VAR-48828
SDR-48826
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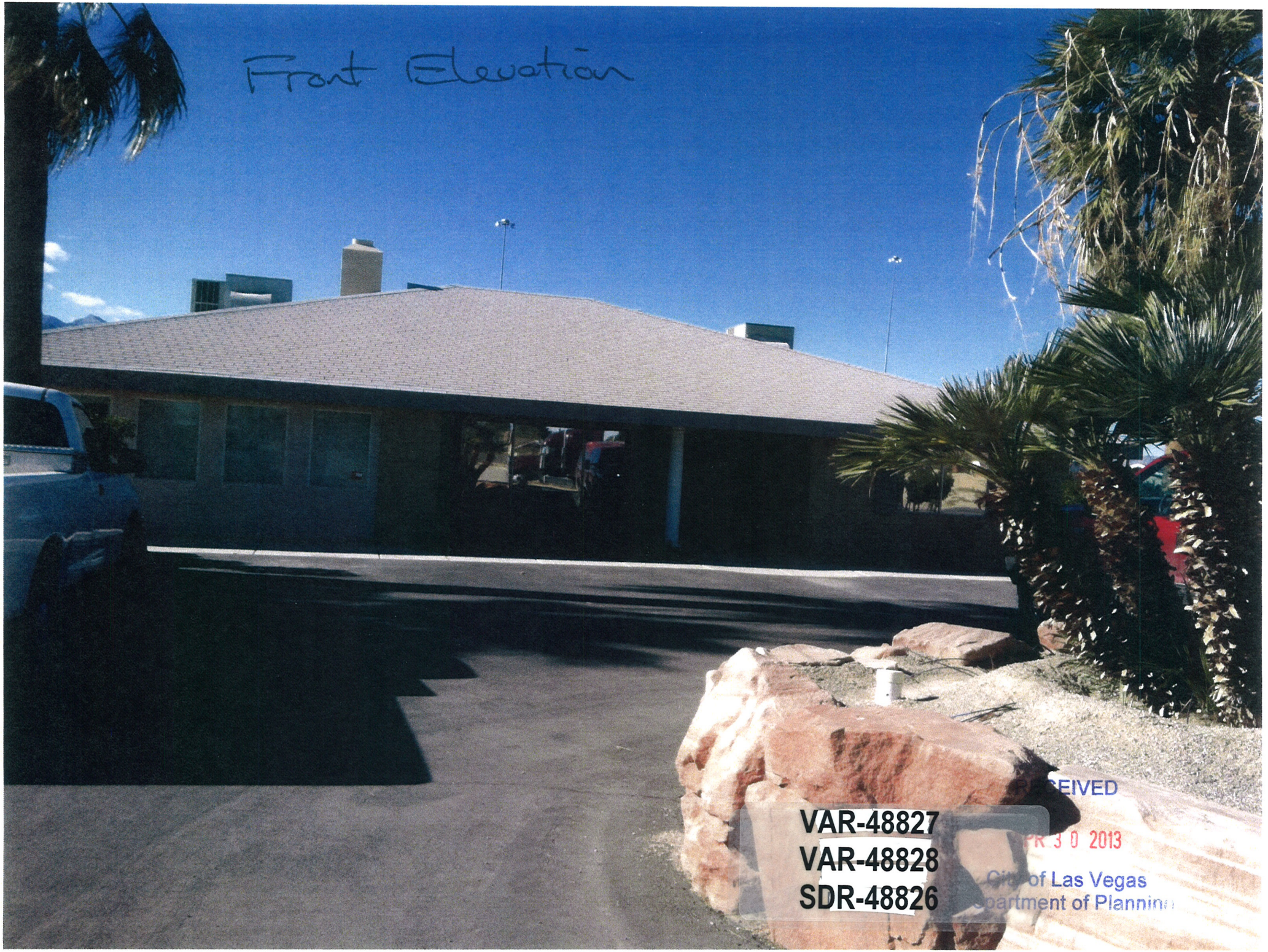
Front Elevation
VAR-48827
VAR-48828
SDR-48826
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City of Las Vegas
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VAR-48827, VAR-48828 & SDR-48826 - APPLICANT: CONCRETE SOLUTIONS - OWNER: JAIME LOPEZ AND REFUGIO ESPINOZA LOPEZ
4515 BALSAM STREET

04/03/13



VAR-48827, VAR-48828 & SDR-48826 - APPLICANT: CONCRETE SOLUTIONS - OWNER: JAIME LOPEZ AND REFUGIO ESPINOZA LOPEZ
4515 BALSAM STREET

04/03/13



VAR-48827, VAR-48828 & SDR-48826 - APPLICANT: CONCRETE SOLUTIONS - OWNER: JAIME LOPEZ AND REFUGIO ESPINOZA LOPEZ
4515 BALSAM STREET

04/03/13



VAR-48827, VAR-48828 & SDR-48826 - APPLICANT: CONCRETE SOLUTIONS - OWNER: JAIME LOPEZ AND REFUGIO ESPINOZA LOPEZ
4515 BALSAM STREET

04/03/13



VAR-48827, VAR-48828 & SDR-48826 - APPLICANT: CONCRETE SOLUTIONS - OWNER: JAIME LOPEZ AND REFUGIO ESPINOZA LOPEZ
4515 BALSAM STREET

04/03/13

Baughman & Turner, Inc.
Consulting Engineers & Land Surveyors
1210 HINSON ST.
LAS VEGAS, NEVADA 89102-1604
PHONE (702) 870-8771
FAX (702) 878-2695

March 27, 2013

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

RE: 4515 Balsam Street

To whom it may concern,

Please let this letter serve as justification for a Variance for the above referenced site. The current owner, Jaime Lopez purchased the site in June of 2012 from a bank. The site is zoned M, and Mr. Lopez would like to operate his concrete business at this location. The previous residence on this site was converted for office use.

The Variance is to allow a fourteen foot (14') side yard setback where fifty feet (50') is required in the M (Industrial) District adjacent to residential AND to allow a lot width of eighty-five feet (85') where one hundred feet (100') is the minimum in the M District.

As depicted on the site plan, most of the features (office, paving, landscaping etc.) are existing. A previous owner had applied for a Site Development Plan Review (SDR - 34011), but never followed through with the application.

We feel that a concrete business is appropriate at this location and believe that due to the fact that the building is existing and the property is already zoned M, that this request is appropriate as well.

Should you have any questions, please feel free to call.

Sincerely yours,
Baughman and Turner, Inc.

David S. Turner
President

RECEIVED
MAR 28 2013
City of Las Vegas
Dept. of Planning

VAR-48827

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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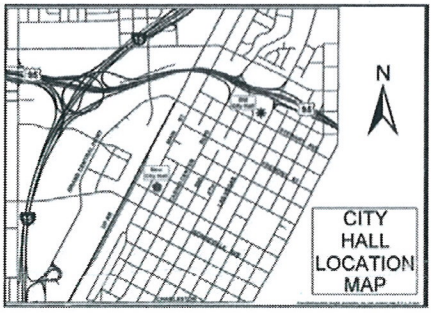
0004279218 MAY 02 2013
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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MAY 20 2013
City of Las Vegas
Department of Planning

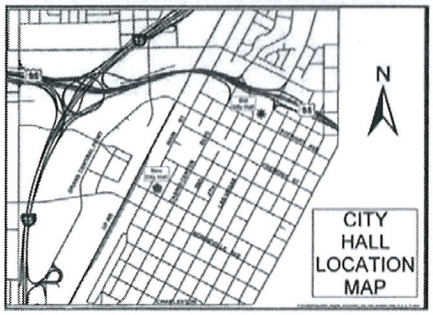
If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact 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-48827 & VAR-48828
Planning Commission Meeting of **5/14/2013**

Case: VAR-48827
13803610017
WAMMACK KATHLEEN M
7004 GOLDEN DESERT AVE
LAS VEGAS NV 89129-7114 89129-7114

69 DRDFNMP 89129



WE ARE TIRED OF TRUCKS AND EMPLOYEE SPEEDING AND ROLLING STOP SIGNS WITHOUT REGARD FOR CHILDREN OR PETS LOOK AT ALL THE ITEMS THAT HAVE BEEN APPROVED AND NOTHING WAS BEEN BUILT. WHERE IS THE WAREHOUSE OFFICE BUILDING ETC.?

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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Please use available blank space on card for your comments.
VAR-48827 & VAR-48828
Planning Commission Meeting of **5/14/2013**

Case: VAR-48827
13803510015
COMPARONI SHIRLEY & FRANK ADOLPH
4614 BALSAM ST
LAS VEGAS NV 89108-5706 89108-5706

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Department of Planning

24 DRDFNMP 89108

Fax sent by :

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

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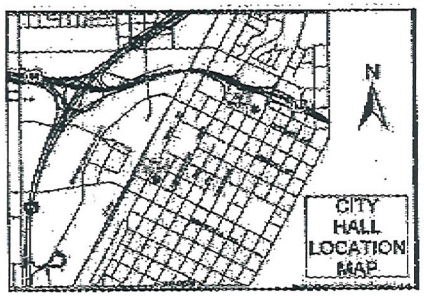
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-48827 & VAR-48828

Planning Commission Meeting of **5/14/2013**

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MAY 22 2013

City of Las Vegas
Department of Planning

Case: VAR-48827

13802210031
PAPE DONALD J
OAKLEAF NANETTE E
6649 MESSENGER CT
LAS VEGAS NV 89108-5744 89108-5744

05-11-13 05:35a Pg: 1/2

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

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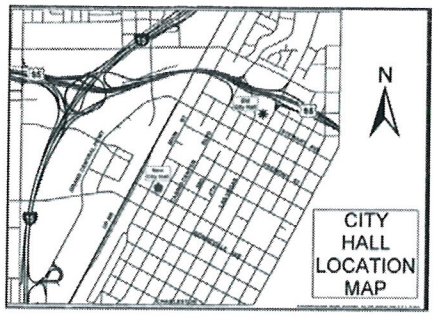
Return Service Requested
Official Notice of Public Hearing



We are a residential neighborhood and do hope you will vote No on this request as these semi vehicles are already an inpostion and are crumbling our roads.

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-48827 & VAR-48828

Planning Commission Meeting of **5/14/2013**

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MAY 07 2013
City of Las Vegas
Department of Planning

Case: VAR-48827

13803602003
KEHL FAMILY TRUST
KEHL ROGER F & SALLY C TRS
4597 N BALSAM ST
LAS VEGAS NV 89108-5701 89108-5701

24 DRDFMMP 89108

37-38
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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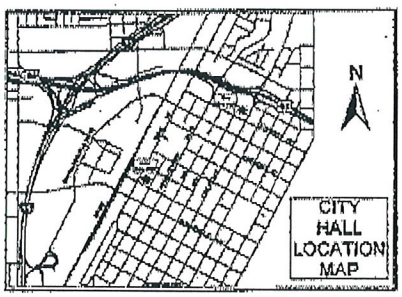
Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-48827 & VAR-48828

Planning Commission Meeting of **5/14/2013**

Case: VAR-48827
13803602010
GRAGSON-BELTWAY BELCASTRO L L C
G K T ACQUISITIONS L L C
%R TORRES
3960 HOWARD HUGHES PKWY #150
LAS VEGAS NV 89169-5919 89169-5919

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Department of Planning

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Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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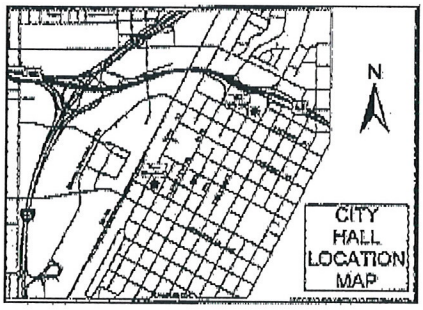

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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VAR-48827 & VAR-48828

Planning Commission Meeting of **5/14/2013**

Case: VAR-48827

13803602009
GRAGSON-BELTWAY BELCASTRO L L C
G K T 5 L L C
%R TORRES
3960 HOWARD HUGHES PKWY #150
LAS VEGAS NV 89169-5919 89169-5919

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MAY 06 2013
City of Las Vegas
Department of Planning

37-38
A

City of Las Vegas Agenda Item No.: **23.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

SUBJECT:
ABEYANCE - VAR-48828 - VARIANCE RELATED TO VAR-48827 - PUBLIC HEARING - APPLICANT: CONCRETE SOLUTIONS - OWNER: JAIME LOPEZ AND REFUGIO ESPINOZA LOPEZ - For possible action on a request for a Variance TO ALLOW NO WALL ON THE NORTH PROPERTY LINE WHERE A SIX-FOOT SCREEN WALL IS REQUIRED ADJACENT TO RESIDENTIAL PROPERTY, TO ALLOW OUTDOOR STORAGE WITHIN SETBACK AND LANDSCAPE BUFFER AREAS, AND TO ALLOW AN EXISTING SEVEN-FOOT CHAIN LINK FENCE WITH MESH SCREENING WHERE A SOLID STRUCTURE OR WALL OF EIGHT FEET IS REQUIRED on 0.61 acres at 4515 Balsam Street (APN 138-03-602-007), M (Industrial) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**4**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. Justification Letter

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-48828** APN: 138-03-602-007

Name of Property Owner: Jaime & Refugio Espinoza Lopez

Name of Applicant: Jaime Lopez

Name of Representative: David Turner

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: JAIME A. LOPEZ

Print Name: _____

Subscribed and sworn before me

This 7th day of March, 2013

_____

Notary Public in and for said County and State

DAVID TURNER
Notary Public State of Nevada
No. 94-2155-1
My Appt. Exp. August 7, 2014

RECEIVED
MAR 28 2013
City of Las Vegas
Dept. of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance

Project Address (Location) 4515 Balsam St.

Project Name Concrete Solutions **Proposed Use** M

Assessor's Parcel #(s) 138-03-602-007 **Ward #** 4

General Plan: existing LI/R proposed LI/R **Zoning:** existing M proposed M

Commercial Square Footage 2784 **Floor Area Ratio** N/A

Gross Acres 0.61 **Lots/Units** 1 **Density** N/A

Additional Information

PROPERTY OWNER Jaime Lopez **Contact** Jaime Lopez

Address 5080 Winter Ave **Phone:** 277-5368 **Fax:** 644-8579

City Las Vegas **State** NV **Zip** 89130

E-mail Address csi@csinv.net

APPLICANT Concrete Solutions **Contact** Jaime Lopez

Address 11245 Gallery Echo St. **Phone:** 277-5368 **Fax:** 644-8579

City Las Vegas **State** NV **Zip** 89141

E-mail Address csi@csinv.net

REPRESENTATIVE David Turner **Contact** David Turner

Address 1210 Hinson St. **Phone:** 289-1714 **Fax:** 878-2695

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

E-mail Address davidt@baughman-turner.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* JAIME A. LOPEZ

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

Print Name Jaime A. Lopez

Subscribed and sworn before me

This 7th day of March, 20 13.

Notary Public in and for said County and State

DAVID TURNER
Notary Public State of Nevada
No. 94-2155-1
My Appt. Exp. August 7, 2014

FOR DEPARTMENT USE ONLY

Case #	VAR-48828
Meeting Date:	05/14/13
Total Fee:	$830.00
Date Received:*	03/28/13
Received By:	Jonathan B

RECEIVED
MAR 28 2013
City of Las Vegas
Dept. of Planning

*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

Baughman & Turner, Inc.
Consulting Engineers & Land Surveyors
1210 HINSON ST.
LAS VEGAS, NEVADA 89102-1604
PHONE (702) 870-8771
FAX (702) 878-2695

March 27, 2013

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

RE: 4515 Balsam Street

To whom it may concern,

Please let this letter serve as justification for a Variance for the above referenced site. The current owner, Jaime Lopez purchased the site in June of 2012 from a bank. The site is zoned M, and Mr. Lopez would like to operate his concrete business at this location. The previous residence on this site was converted for office use.

The Variance is to allow no wall on the north property line where a six foot (6') screen wall is required adjacent to residential, to allow Outdoor Storage within the setback and landscape buffer areas, and to allow a seven foot (7') tall chain link fence with mesh screening where a solid structure or wall eight feet (8') or taller is required to screen the outdoor storage area on the north property line.

As depicted on the site plan, most of the features (office, paving, landscaping etc.) are existing. A previous owner had applied for a Site Development Plan Review (SDR - 34011), but never followed through with the application.

The residence to the north is currently buffered by the existing seven foot (7') tall mesh screened chain link fence as well as a five foot (5') to six foot (6') high block wall approximately 52 feet north of the north property line.

We feel that a concrete business is appropriate at this location and believe that due to the fact that the building is existing, the property is already zoned M, and that the fences and walls are already built, that this request is appropriate as well.

Should you have any questions, please feel free to call.

Sincerely yours,
Baughman and Turner, Inc.

David S. Turner
President

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MAR 28 2013
City of Las Vegas
Dept. of Planning

VAR-48828

City of Las Vegas Agenda Item No.: **24.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

SUBJECT:
ABEYANCE - SDR-48826 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-48827 AND VAR-48828 - PUBLIC HEARING - APPLICANT: CONCRETE SOLUTIONS - OWNER: JAIME LOPEZ AND REFUGIO ESPINOZA LOPEZ - For possible action on a request for a Site Development Plan Review FOR THE CONVERSION OF AN EXISTING 2,784 SQUARE-FOOT SINGLE FAMILY RESIDENCE TO A CONTRACTOR'S PLANT, SHOP AND STORAGE YARD OFFICE WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW ZERO FEET ON THE NORTH PROPERTY LINE AND TWO FEET ON THE SOUTH PROPERTY LINE WHERE EIGHT FEET IS REQUIRED; AND TO ALLOW ZERO FEET ON THE EAST PROPERTY LINE WHERE 15 FEET IS REQUIRED on 0.61 acres at 4515 Balsam Street (APN 138-03-602-007), M (Industrial) Zone, Ward 4 (Anthony). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**3**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. Justification Letter
4. Protest/Support Postcards

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-48826** APN: 138-03-602-007

Name of Property Owner: Jaime & Refugio Espinoza Lopez

Name of Applicant: Jaime Lopez

Name of Representative: David Turner

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: Jaime A. Lopez

Print Name: Jaime A. Lopez

Subscribed and sworn before me

This 7th day of March, 2013

_____

Notary Public in and for said County and State

DAVID TURNER
Notary Public State of Nevada
No. 94-2[illegible]55-1
My Appt. Exp. August 7, 2014

RECEIVED

MAR 28 2013

City of Las Vegas
Dept. of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review

Project Address (Location) 4515 Balsam St.

Project Name Concrete Solutions **Proposed Use** M

Assessor's Parcel #(s) 138-03-602-007 **Ward #** 4

General Plan: existing LI/R proposed LI/R **Zoning:** existing M proposed M

Commercial Square Footage 2784 **Floor Area Ratio** N/A

Gross Acres 0.61 **Lots/Units** 1 **Density** N/A

Additional Information

PROPERTY OWNER Jaime Lopez **Contact** Jaime Lopez

Address 5080 Winter Ave **Phone:** 277-5368 **Fax:** 644-8579

City Las Vegas **State** NV **Zip** 89130

E-mail Address csi@csinv.net

APPLICANT Concrete Solutions **Contact** Jaime Lopez

Address 11245 Gallery Echo St. **Phone:** 277-5368 **Fax:** 644-8579

City Las Vegas **State** NV **Zip** 89141

E-mail Address csi@csinv.net

REPRESENTATIVE David Turner **Contact** David Turner

Address 1210 Hinson St. **Phone:** 289-1714 **Fax:** 878-2695

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

E-mail Address davidt@baughman-turner.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* JAIME A. LOPEZ

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

Print Name Jaime A. Lopez

Subscribed and sworn before me

This 7th day of March, 2013.

Notary Public in and for said County and State

DAVID TURNER
Notary Public State of Nevada
No. 94-2155-1
My Appt. Exp. August 7, 2014

RECEIVED
MAR 28 2013
City of Las Vegas
Dept. of Planning

FOR DEPARTMENT USE ONLY

Case #	SDR-48826
Meeting Date:	05/14/13
Total Fee:	$ 1030.00
Date Received:*	03/24/13
Received By:	Jonathan B

*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.

SDR 48826
Concrete Solutions

4515 Balsam Street

Proposed 2.784-thousand square foot contractor's plant, shop and storage yard.

Traffic produced by proposed development:

New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	2.784	18.63	52
AM Peak Hour			1.55	4
PM Peak Hour			1.49	4

(heaviest 60 minutes)

Old Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	1	12.63	13
AM Peak Hour			0.75	1
PM Peak Hour			1.01	1

(heaviest 60 minutes)

Net Change	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	2.784	14.09	39
AM Peak Hour			1.55	3
PM Peak Hour			1.49	3

(heaviest 60 minutes)

Existing traffic on all nearby streets:

Rainbow Boulevard

Average Daily Traffic (ADT)	4,375
PM Peak Hour	350

(heaviest 60 minutes)

Lone Mountain Road

Average Daily Traffic (ADT)	13,938
PM Peak Hour	1,115

(heaviest 60 minutes)

Craig Road

Average Daily Traffic (ADT)	32,788
PM Peak Hour	2,623

(heaviest 60 minutes)

Balsam Street	
Average Daily Traffic (ADT)	62
PM Peak Hour	5
(heaviest 60 minutes)	

Traffic Capacity of adjacent streets:

	Existing Street Capacity
Rainbow Boulevard	16300
Lone Mountain Road	32775
Craig Road	51800
Balsam Street	3000

This project will add approximately 39 trips per day on Rainbow Blvd., Lone Mountain Rd., Craig Rd, and Balsam St. Currently, Rainbow is at about 27 percent of capacity, Lone Mountain is at about 43 percent of capacity, Craig is at about 63 percent of capacity, and Balsam is at about 2 percent of capacity. With this project, Rainbow, Lone Mountain and Craig are expected to remain unchanged, and Balsam is expected to be at about 3 percent of capacity.

Based on Peak Hour use, this development will add roughly 4 additional cars into the area; which works out to about one every fifteen minutes.

Note that this report assumes all traffic from this development uses all named streets.

Baughman & Turner, Inc.
Consulting Engineers & Land Surveyors
1210 HINSON ST.
LAS VEGAS, NEVADA 89102-1604
PHONE (702) 870-8771
FAX (702) 878-2695

March 27, 2013

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

RE: 4515 Balsam Street

To whom it may concern,

Please let this letter serve as justification for a Site Development Plan Review (SDR) for the above referenced site. The current owner, Jaime Lopez purchased the site in June of 2012 from a bank. The site is zoned M, and Mr. Lopez would like to operate his concrete business at this location. The previous residence on this site was converted for office use.

The SDR is for the conversion of a 2,784 square foot single family residence to an office for a Contractor's Plant, Shop and Storage Yard use. In conjunction with the SDR the owner is requesting a waiver for landscaping (zero-foot landscape buffer on the North and two-foot on the South where eight-feet is required and zero-foot on the East perimeter where fifteen-feet is required).

As depicted on the site plan, most of the features (office, paving, landscaping etc.) are existing. A previous owner had applied for a Site Development Plan Review (SDR - 34011), but never followed through with the application.

Landscape along the North and South property lines is difficult due to existing improvements. The access to the rear storage yard is along a fourteen foot (14') wide paved drive on the North side of the building. There is a concrete patio and walkway along the South side of the building. We are requesting that the landscape along the East perimeter (Balsam St.) be deferred until such time as off-site improvements go in. Currently it would be very difficult to install the off-site improvements until the adjacent properties to the North and South do so as well.

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City of Las Vegas
Dept. of Planning

SDR-48826

We feel that a concrete business is appropriate at this location and due to the existing circumstances; we believe this request is appropriate as well.

Should you have any questions, please feel free to call.

Sincerely yours,
Baughman and Turner, Inc.

David S. Turner
President

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MAR 28 2013
City of Las Vegas
Dept. of Planning
SDR-48826

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

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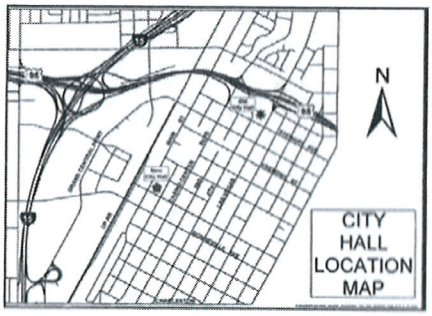
UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004279218
$ 00.43³
MAY 02 2013
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



HOW LONG TO WE HAVE TO PUT UP WITH THE MISTAKES OF A PREVIOUS COUNCIL! THERE IS NO VALID REASON FOR THIS BEING INDUSTRIAL

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.

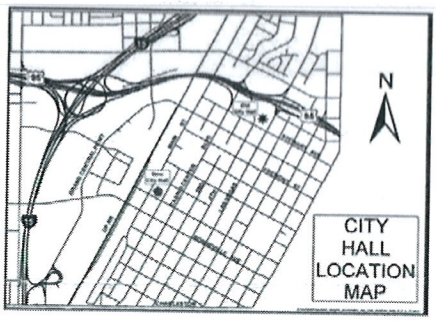
SDR-48826

Planning Commission Meeting of **5/14/2013**

Case: SDR-48826
13803510015
COMPARONI SHIRLEY & FRANK ADOLPH
4614 BALSAM ST
LAS VEGAS NV 89108-5706 89108-5706

RECEIVED
MAY 20 2013
City of Las Vegas
Department of Planning

24 DRDFNMP 89108



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-48826

Planning Commission Meeting of **5/14/2013**

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MAY 20 2013
City of Las Vegas
Department of Planning

Case: SDR-48826
13803610017
WAMMACK KATHLEEN M
7004 GOLDEN DESERT AVE
LAS VEGAS NV 89129-7114 89129-7114

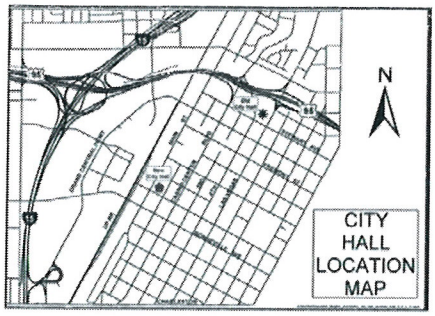
69 DRDFNMP 89129

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 $ 00.43³
0004279218 MAY 02 2013
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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Balsam is a residential street and not made for heavy duty vehicles. Balsam is already crumbling from the heavy duty vehicles this company or whoever is using for passage of permit trucks.

Case: SDR-48826
13803602003
KEHL FAMILY TRUST
KEHL ROGER F & SALLY C TRS
4597 N BALSAM ST
LAS VEGAS NV 89108-5701 89108-5701

RECEIVED
MAY 07 2013
City of Las Vegas
Department of Planning

SDR-48826
Planning Commission Meeting of **5/14/2013**

24 DRDFNMP 89108

39P

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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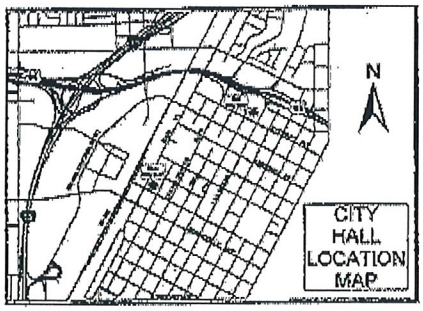
0004279218 MAY 02 2013
MAILED FROM ZIPCODE 89101

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.

SDR-48826
Planning Commission Meeting of **5/14/2013**

Case: SDR-48826
13803602009
GRAGSON-BELTWAY BELCASTRO L L C
G K T 5 L L C
%R TORRES
3960 HOWARD HUGHES PKWY #150
LAS VEGAS NV 89169-5919 89169-5919

RECEIVED
MAY 06 2013
City of Las Vegas
Department of Planning

39A

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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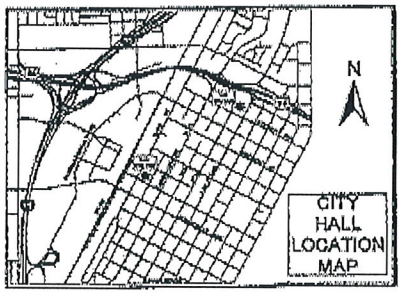
0004279218
$ 00.43[3]
MAY 02 2013
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-48826

Planning Commission Meeting of **5/14/2013**

Case: SDR-48826
13803602010
GRAGSON-BELTWAY BELCASTRO L L C
G K T ACQUISITIONS L L C
%R TORRES
3960 HOWARD HUGHES PKWY #150
LAS VEGAS NV 89169-5919 89169-5919

RECEIVED
MAY 06 2013
City of Las Vegas
Department of Planning

39A

City of Las Vegas Agenda Item No.: **25.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

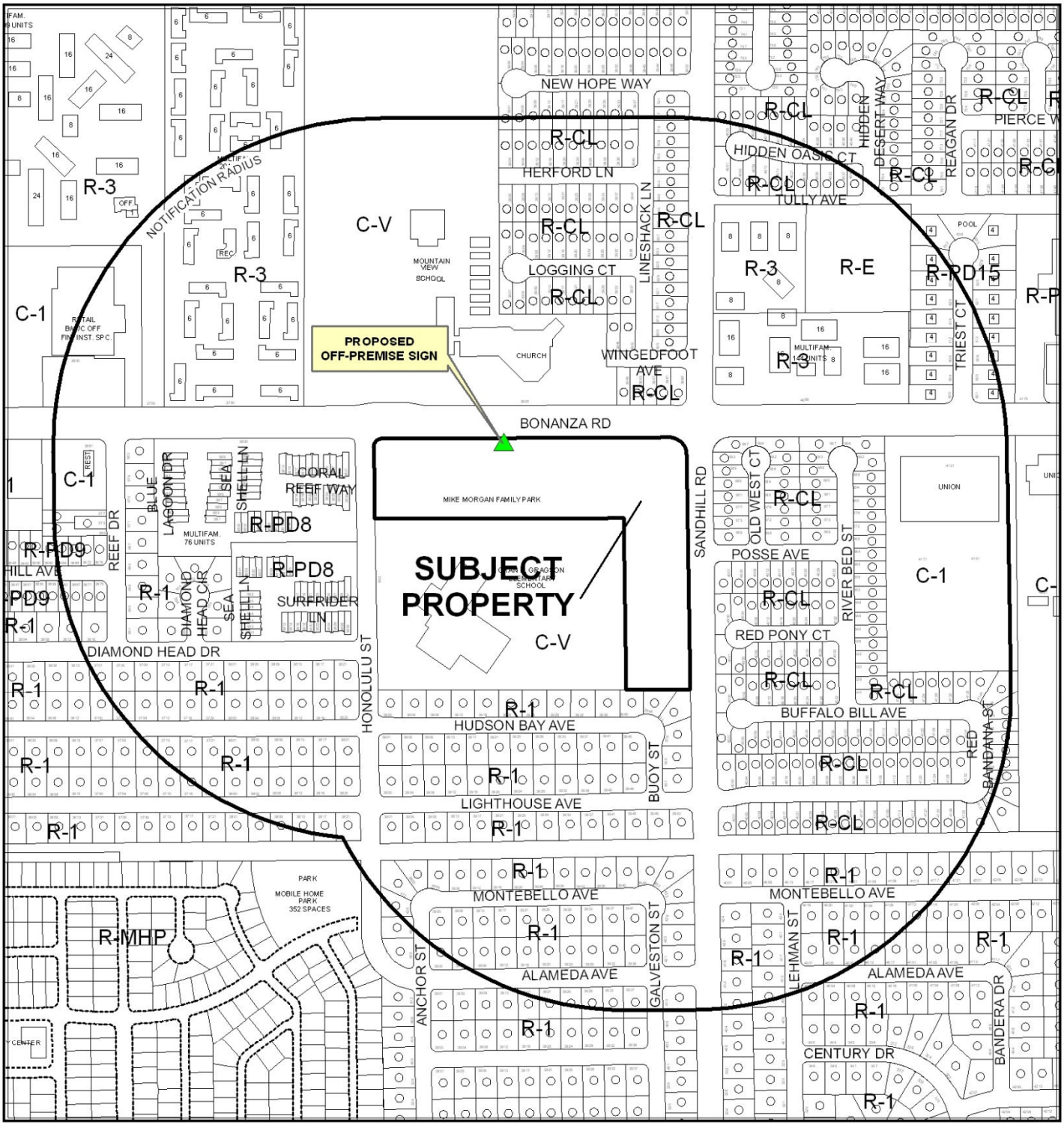
SUBJECT:
ABEYANCE - SUP-48180 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Special Use Permit FOR AN OFF-PREMISE SIGN at 3951 East Bonanza Road (APN 140-31-102-002), C-V (Civic) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



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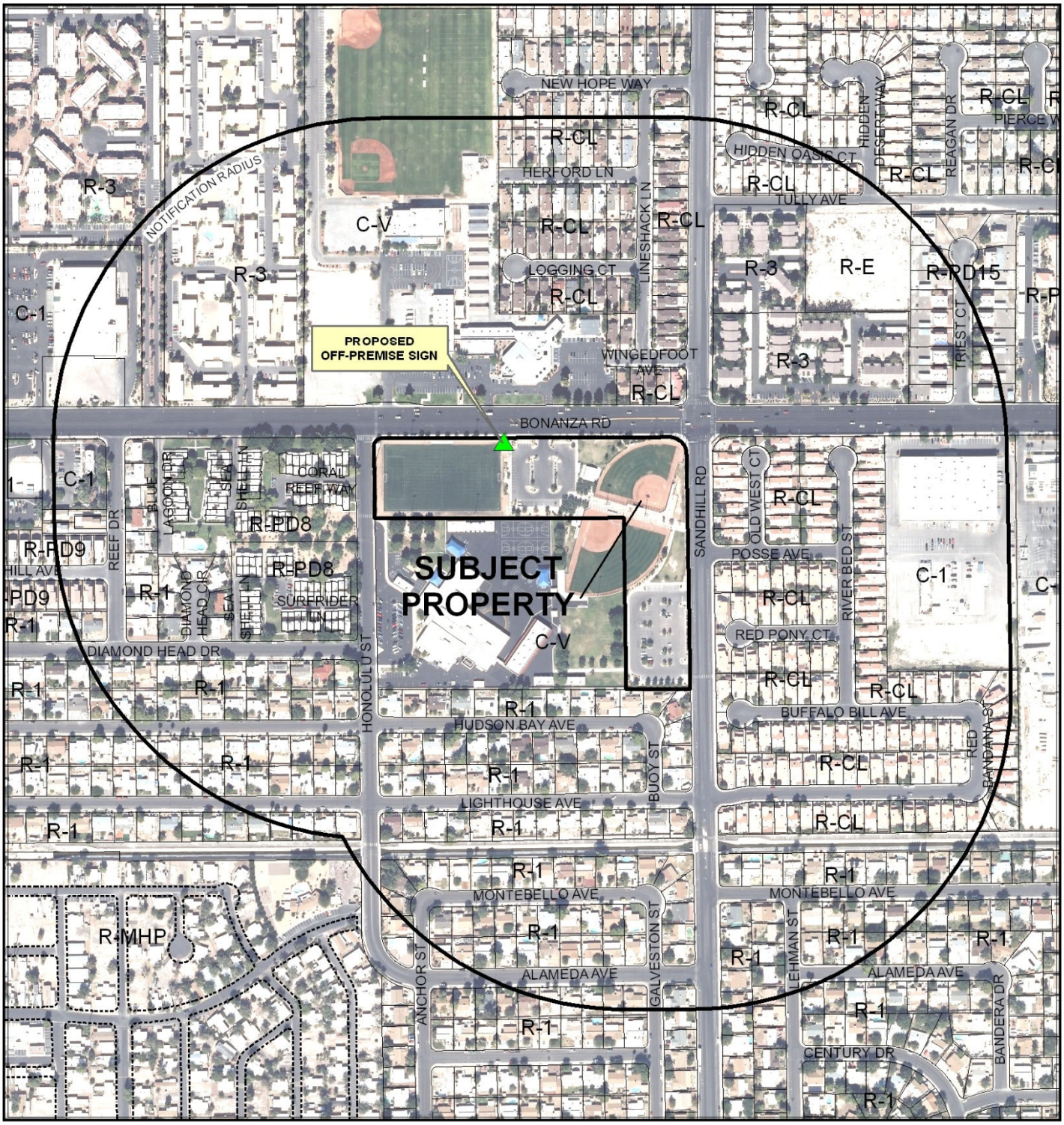
CASE: SUP-48180

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N



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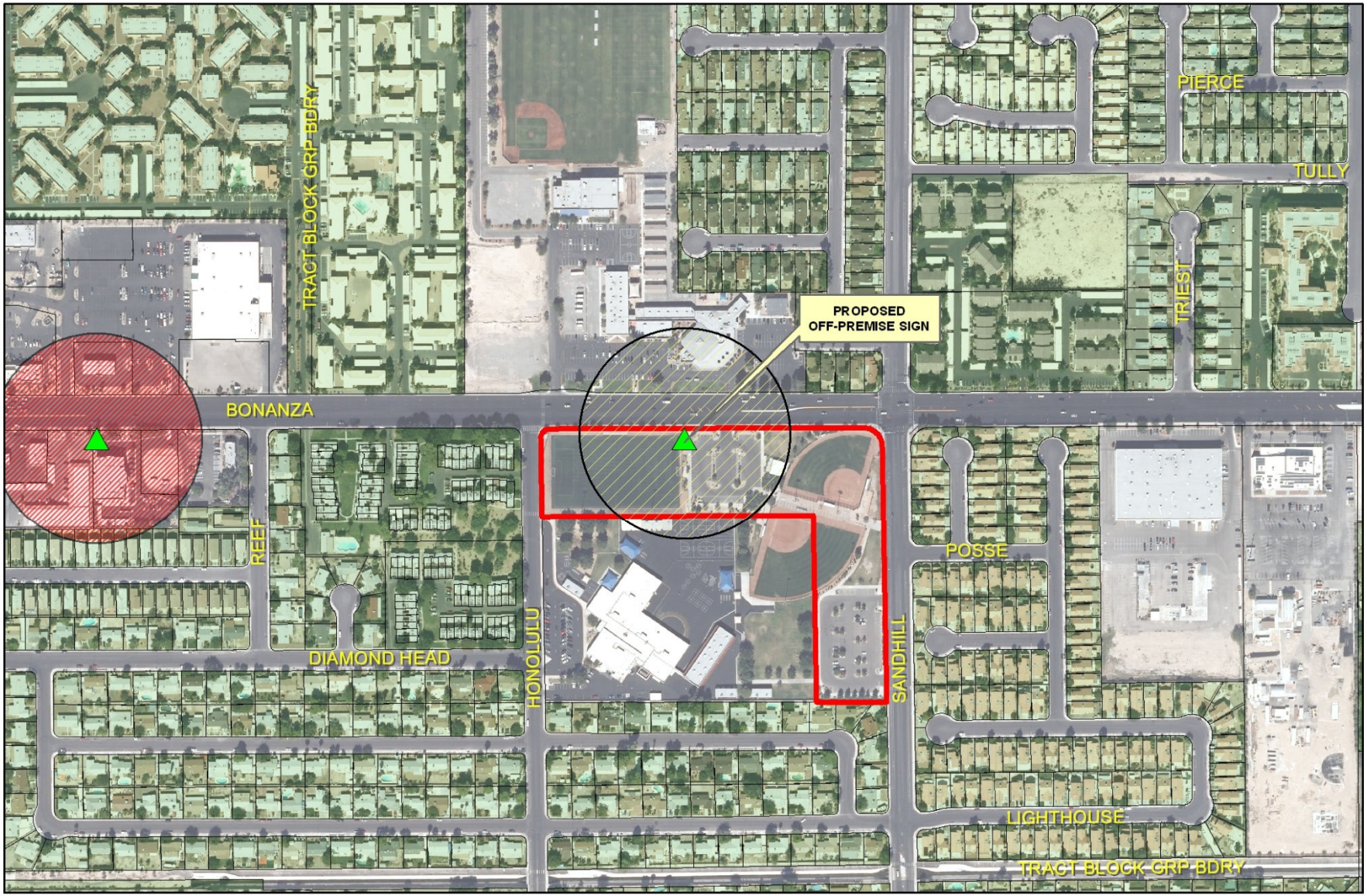
CASE: SUP-48180

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N



SUP-48180

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

City of Las Vegas Billboard Data

- 300 Foot Buffer Around Proposed Billboard
- 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 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: ELITE MEDIA/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48180	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-48180 CONDITIONS

Planning

1. Conformance to all Off-Premise Sign use Minimum Requirements under LVMC Title 19.12.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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. This Special Use Permit shall be reviewed in five (*5*) year(s), 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.

6. 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.

7. 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.

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

9. Bird deterrent devices shall be installed on the sign.

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

Staff Report Page One
June 11, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is applying for a Special Use Permit to install an Off-Premise Sign at the Mike Morgan Park, a C-V (Civic) zoned, City property at 3951 East Bonanza Road. The proposed Off-Premise Sign meets all minimum code requirements; therefore, staff recommends approval. If denied, no Off-Premise Sign would be allowed on this site.

ISSUES

- A Special Use Permit is required for an Off-Premise Sign in a C-V (Civic) district. Staff supports this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/27/97	The City Council approved Rezoning (Z-0093-97) from R-E (Residence Estates) to C-V (Civic) for a proposed park at 3951 East Bonanza Road. The Planning Commission and staff recommended approval.
06/05/02	The City Council approved Rezoning (Z-0018-02) from R-E (Residence Estates) to C-V (Civic) for 2.48 acres adjacent to the west side of a proposed park at 3951 East Bonanza Road. The Planning Commission and staff recommended approval.
	The City Council approved Site Development Plan Review [Z-0018-02(2)] for a proposed park at 3951 East Bonanza Road. The Planning Commission and staff recommended approval.
03/12/13	The Planning Commission approved a request to hold Special Use Permit (SUP-48180) in abeyance till the 6/11/13 Planning Commission meeting at the applicant's request.

Most Recent Change of Ownership	
01/31/96	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No related or active permits are on file.

YK

Pre-Application Meeting	
01/16/13	Staff met with the applicant and reviewed the requirements for an Off-Premise Sign Special Use Permit application. No issues were noted.

Neighborhood Meeting
No neighborhood meeting was required, nor was one held.

Field Check	
01/31/13	Staff visited the site and found a clean, well maintained public park.

Details of Application Request	
Site Area	
Net Acres	8.04

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Public Park or Playground	PR-OS (Parks/Recreation/Open Space)	C-V (Civic)
North	Church	L (Low Density Residential)	C-V (Civic)
	Single Family, Detached	ML (Medium-Low Density Residential)	R-CL (Single Family Compact-Lot)
South	Public or Private School, Primary	PF (Public Facilities)	C-V (Civic)
	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
East	Single Family, Detached	ML (Medium-Low Density Residential)	R-CL (Single Family Compact-Lot)
West	Single Family, Attached	ML (Medium-Low Density Residential)	R-PD8 (Residential Planned Development-8 Units Per Acre)
	Public or Private School, Primary	PF (Public Facilities)	C-V (Civic)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
No Applicable Special Purpose or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Bonanza Road	Primary Arterial	Master Plan of Streets and Highways	100	Y
Sandhill Road	Secondary Collector	Master Plan of Streets and Highways	80	Y
Honolulu Street	N/A	N/A	60	N/A

Standards	**Code Requirements**	**Provided**	**Compliance**
Location	No Off-Premise Sign may be located within public right-of-way	The sign is not in public right-of-way, nor is it in the Off-Premise Exclusionary Sign Zone	Y
Zoning	Off-Premise Signs are permitted in C-V (Civic) district if the parcel is operated or controlled by an agency of local, state or federal government.	The sign is located in an C-V (Civic) zoning district and is controlled by the City of Las Vegas.	Y

Standards	Code Requirements	Provided	Compliance
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The sign is 525 square feet in size and has no embellishments.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to be 30 feet above an adjacent elevated freeway.	The sign is 28 feet tall.	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	All structural elements of the sign are screened from public view.	Y
Off-Premise Sign	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)	The sign is more than 1,700 feet from another Off-Premise Sign.	Y
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	Sign is more than 315 feet from any property line zoned either "R" or "U."	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently attached to the ground and detached from any other structures.	Y

ANALYSIS

The Off-Premise Sign use is defined as "Off-premise signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-premise signs generally produce revenue to the property owner(s) as a land use as compared to on-premise signs which in themselves do not produce revenue but are incidental to revenue producing land uses. However, because of the special characteristics of off-premise signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with off-premise signs as a permitted use in certain zoning districts." The proposed use meets the definition, since the property owner will be obtaining revenue from the proposed signage.

The Minimum Special Use Permit Requirements for this use include:

1. No off-premise signs shall be erected in the public right-of-way.
The proposed sign is not located in the public right-of-way.

2. No off-premise sign certificate of any kind shall be issued for an existing or proposed sign unless the sign is consistent with all requirements of this Title (including those protecting existing signs).
The proposed sign meets all minimum requirements for an Off-Premise Sign.

3. Except as provided in Paragraph (12) below, off premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only.
Per Paragraph (12), an Off-Premise Sign is permitted in the C-V (Civic) zoning district if it is controlled by a local government. The parcel meets this criteria.

4. No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet. Any embellishment may include lettering, text, numerals or images, but only to the extent that such items do not exceed fifty percent of any linear side of the sign.
The proposed sign is 525 square-feet, with no embellishments.

5. Off-premise signs which are within 660 feet of the right-of-way and which can be read from Interstate 15, US 95 from the north city limits to the Oran K. Gragson Highway, the Oran K. Gragson Highway or Interstate 515 shall be no closer than 750 feet (measured along the highway frontage) to any other off-premise sign along the same frontage. Each side of the highway shall be considered a separate frontage. The sign and all other off-premise signs not oriented toward the same highway shall be no closer than 300 feet in any direction to any other off premise sign, wherever located, including an off premise sign that is situated outside the corporate boundaries of the City.
The nearest Off-Premise Sign is more than 1,700 feet to the west of the proposed sign.

6. Off-premise signs shall be no higher than 40 feet from grade at the point of construction, except that an off-premise sign within 60 feet of the right-of-way line of the street to which it is oriented which, at a height of 40 feet, will have a significant portion of its display surface obscured from view from the travel lanes of the street may be increased to a maximum of 55 feet when authorized by the City Council.
The proposed sign is 28 feet in height and is less than the maximum height allowed.

7. Off-premise signs shall not be located closer than 10 feet to the right-of-way line of a freeway nor closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.
The proposed sign is more than 500 feet from the nearest intersection.

8. No off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in the "U" zoning district or any "R" zoning district.
The nearest "R" zoned property is located 315 feet to the northeast of the proposed sign, on the north side of Bonanza Road.

9. An off-premise sign may be permitted in the C-V District if in each case the parcel or use is operated or controlled by an agency of local, state or federal government, or by any fraternal, veteran, civic or service organization.
The proposed sign is located in a public park owned and controlled by the City of Las Vegas.

The proposed Off-Premise Sign is aesthetically pleasing in that it has elements of the "Welcome to Las Vegas" sign, famously located on Las Vegas Boulevard. Some of the elements include the words, "City of Las Vegas" and the atomic star. The sign blends into the surrounding area, since it is only 28 feet in height instead of the allowed 40 feet, which is standard. The two faces of the sign will have full color message units in LED. The overall color scheme of the frame and casing is red, white and blue, with a ribbon of yellow.

The proposed Off-Premise Sign is designed within all Title 19 code standards, is aesthetically pleasing and compatible with the area. The Las Vegas 2020 Master Plan, Fiscal Management Policy 6.1.6 states: "That the City, where possible use public/private partnerships to pay for public capital improvements." This project supports this policy as a revenue source. For these reasons, staff recommends approval, with conditions.

FINDINGS (SUP-48180)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 Off-Premise Sign use can be conducted in a manner that is harmonious and compatible with the existing site since it meets all code conditions.

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

   The C-V (Civic) zoned, public park site is suitable for the proposed use.

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

   Site access is provided from Bonanza Road, a 100-foot Primary Arterial Street and is adequate in size to accommodate the proposed Off-Premise Sign 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 be consistent with and not compromise the public health, safety and general welfare as the use will be subject to regular inspections by business licensing staff.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The proposed Off-Premise Sign use complies with all minimum Special Use Permit requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 35

NOTICES MAILED 566

APPROVALS 0

PROTESTS 1

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-48180 APN: 140-31-102-002

Name of Property Owner: City of Las Vegas

Name of Applicant: Elite Media

Name of Representative: YESCO LLC

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Elizabeth N Fretwell

Print Name: Elizabeth N. Fretwell

Subscribed and sworn before me

This 22 day of January, 2013

Kim Barrera

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

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 3951 E. Bonanza RD

Project Name Parquee - Mike Morgan Park **Proposed Use** Off-Premise Sign

Assessor's Parcel #(s) 140-31-102-002 **Ward #** 3

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

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

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

Additional Information Off-Premise Sign (Parquee) @ Mike Morgan Park

PROPERTY OWNER City of Las Vegas **Contact** Elizabeth N. Fretwell

Address 495 S. Main St **Phone:** (702) 229-6501 **Fax:** (702) 388-1807

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

E-mail Address _____

APPLICANT Elite Media **Contact** Chad McCullough

Address 145 Brightmoor Ct. **Phone:** (702) 492-0654 **Fax:** (702) 974-2774

City Henderson **State** NV **Zip** 89074

E-mail Address chad@elitemediainc.com

REPRESENTATIVE YESCO LLC **Contact** Michael LeBlue

Address 5119 S. Cameron St **Phone:** (702) 348-7414 **Fax:** (702) 944-4500

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

E-mail Address mleblue@yesco.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 22 day of January, 20 13.

Notary Public in and for said County and State

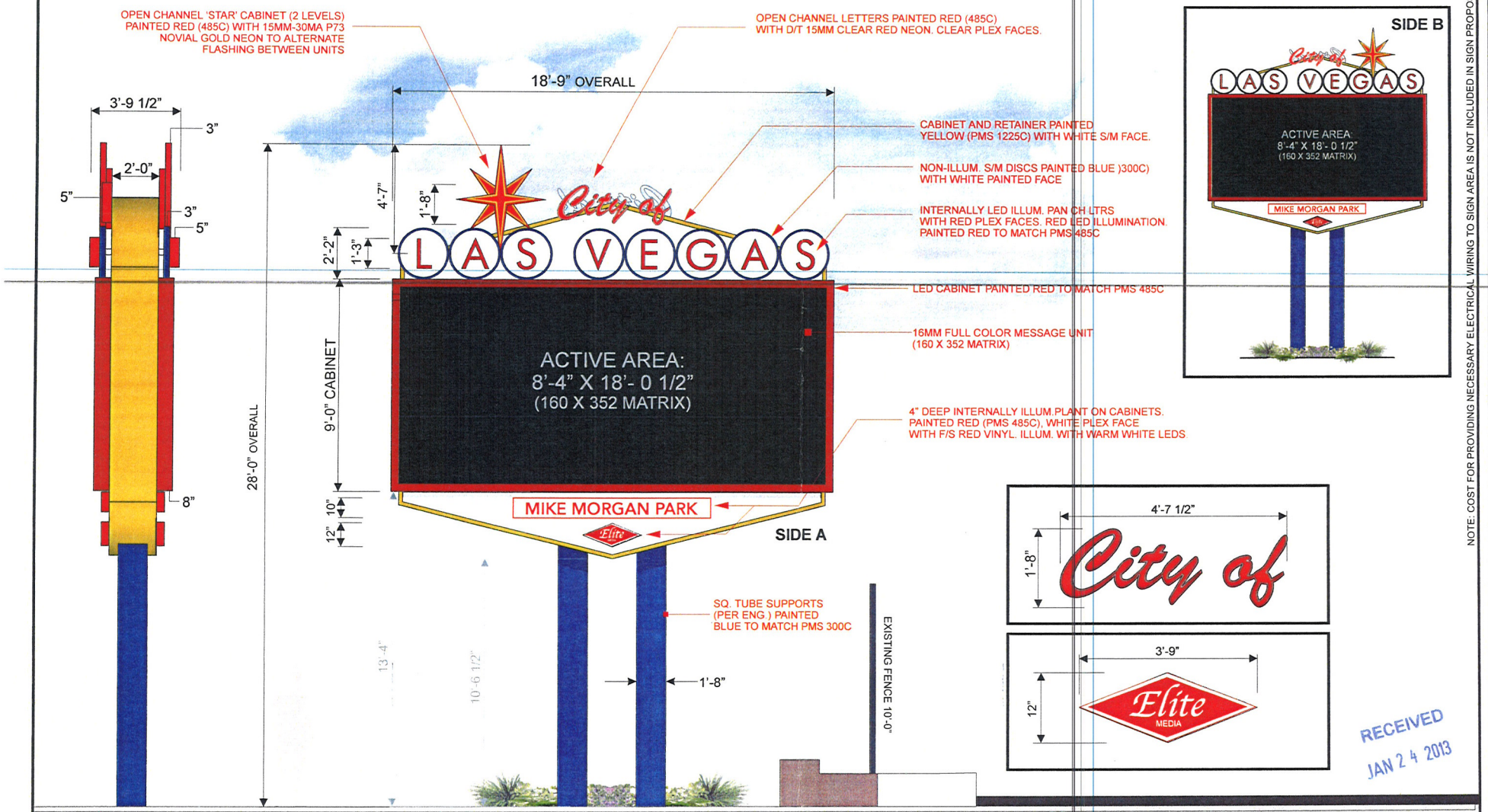
KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

FOR DEPARTMENT USE ONLY

Case #	SUP-48180
Meeting Date:	03/12/13
Total Fee:	$ 1030.00
Date Received:*	01/29/13
Received By:	Jonathan

*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



END VIEW

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

RECEIVED
JAN 2 4 2013

TOTAL SQ FT:
525

PY-1 D/F ILLUM. PYLON SIGN
SCALE: 1/4" = 1'-0"

SCOPE OF WORK:
YESCO TO MFG & INSTALL ONE (1) D/F INTERNALLY ILLUMINATED PYLON SIGN.

SUP-48180

125A - 12208 3 Phase
* Disconnect to sign location *

YESCO LLC
LAS VEGAS DIVISION
5119 SO. CAMERON ST.
LAS VEGAS, NV 89118
PHONE: (702) 876-8080
WWW.YESCO.COM
NV CONTRACTOR LICENSE #0072426 & #0072426

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Client Name & Address:
CITY OF LAS VEGAS
LAS VEGAS-NV

Project Tracking Number:
423039

Project Name:
CITY OF
LAS VEGAS

Account Executive:
BOB STOCKHAM/
JIM COOK

Designer:
MALCOLM SHAW
JIM GIETZEN

Design Approvals
Checked by:
Creative Director:
Estimating:
Account Executive:
Client:

Rev. / Date / Designer
09/21/11- MS
1 09/06/12 - MS
2 10/11/12 - MS
3 11/13/12 - MS

Description:
PYLON SIGN

Classification:
PY-1

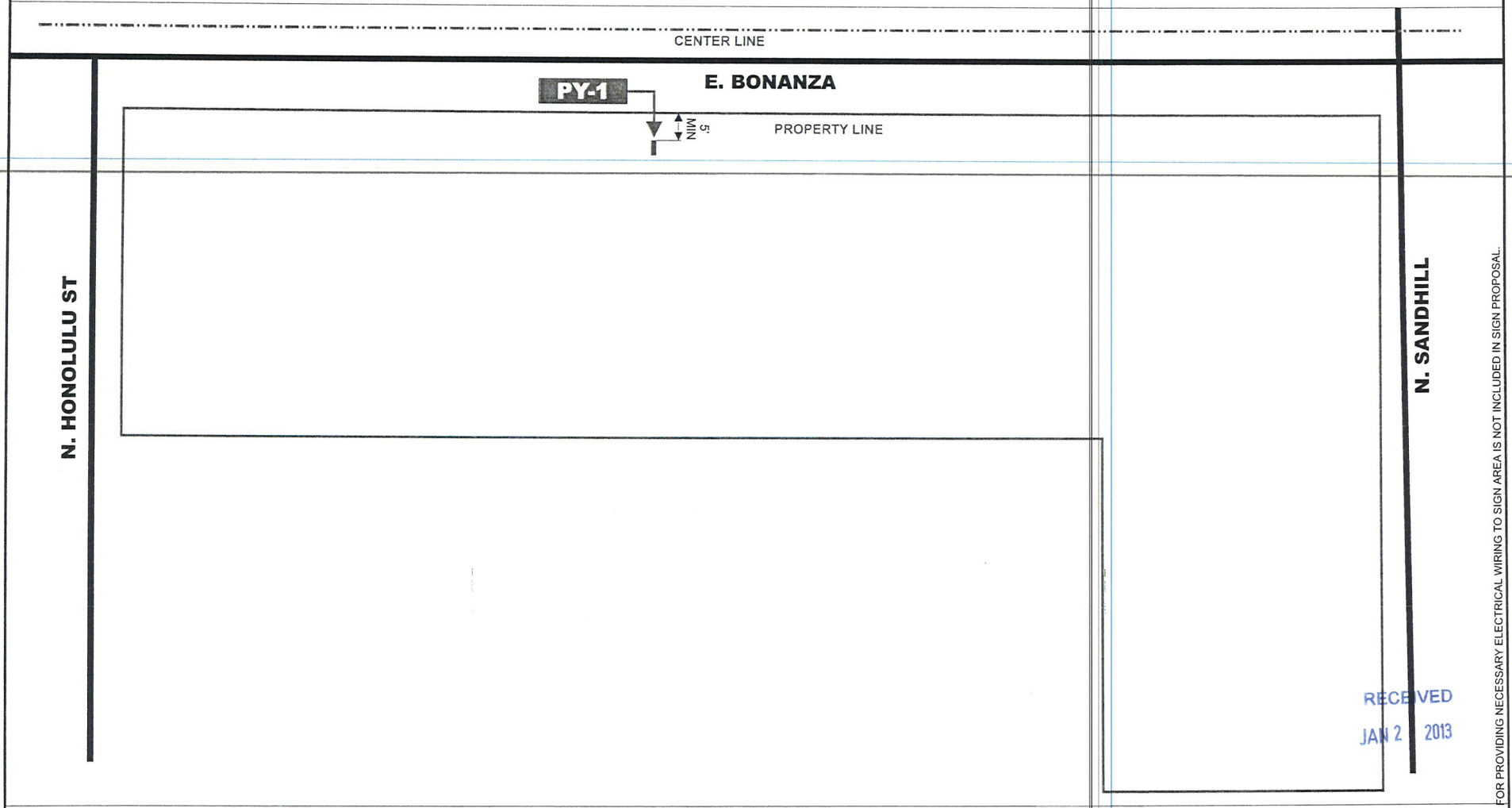
Reference Design:

O.E.M Serial:

Sheet:
1.0

LOC.1
WARD 3A

3951 E BONANZA



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JAN 2 2013

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

PARCEL # 140-31-102 002

SUP-48180

YESCO LLC
LAS VEGAS DIVISION
5119 SO. CAMERON ST.
LAS VEGAS, NV 89118
PHONE: (702) 876-8080
WWW.YESCO.COM
NV CONTRACTOR LICENSE #0071289 & #0071290

YESCO

Client Name & Address
CITY OF LAS VEGAS
LAS VEGAS-NV

Project Tracking Number:
423039

Project Name:
CITY OF
LAS VEGAS

Account Executive:
BOB STOCKHAM/
JIM COOK

Designer:
MALCOLM SHAW
JIM GIETZEN

Design Approvals
Checked by:
Creative Director:
Estimating:
Account Executive:
Client:

Rev. / Date / Designer
09/21/11 - MS
1 09/06/12 - MS
2 10/11/12 - MS
3 11/13/12 - MS

Description:
NON-ILLUM
FOAM LTRS

Classification:
SP-1

Reference Design:

O.E.M Serial:

Sheet:
1.1



NOTE: DOES NOT INCLUDE PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

YESCO LLC
LAS VEGAS DIVISION
5119 SO. CAMERON ST.
LAS VEGAS, NV 89118
PHONE: (702) 876-8080
WWW.YESCO.COM
NV CONTRACTOR LICENSE: #0074289 & #0074429

© YESCO LLC. This drawing was created to assist you in visualizing our proposal. The original drawing is the property of YESCO LLC. Permission to copy or reproduce the drawing can only be obtained through a written permission with YESCO LLC. See your account representative or attorney prior to reproduction or use.

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1 09/06/12 - MS
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3 11/13/12 - MS

Description:
NON-ILLUM FOAM LTRS

Classification:
PY-1

Reference Design:

O.E.M Serial

Sheet:
1.2



SUP-48180 - APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS
3951 EAST BONANZA ROAD

01/31/13

Elite Media Inc
145 Brightmoor Ct.
Henderson, NV 89074
Phone (702) 492-0654
Fax (702) 269-0761

January 23, 2013

City of Las Vegas
Planning Division
Mr. Doug Rankin
Manager
495. S. Main St.
Las Vegas, NV 89101

Subject: JUSTIFICATION LETTER FOR SPECIAL USE PERMIT

Reference: Digital Parquees™ - Mike Morgan Family Park, 391 East Bonanza Road

Dear Mr. Rankin,

Issue:
To obtain the necessary Planning Department approval and permits to move forward with the project in regards to the approved Digital Parquee™ License Agreement between the City of Las Vegas, the State of Nevada and Elite Media, Inc regarding advertising, sponsorship and other items related thereto for the above location.

Per the agreement Elite Media will be installing on a total of 4 sites, 5 digital Parquee™ structures with 9 total LED screens, the above location listed as one of the four sites. The below lists all of the locations as per the approved agreement with the City of Las Vegas.

- **Mike Morgan Family Park**: One double sided digital Parquee™ sign with LED sizes 18'9"W x 28'H (two total LED screens)
- **Ed Fountain Park**: One double sided digital Parquee™ sign with LED sizes 18'9"W x 28'H (two total LED screens)
- **Dula Center**: Two double sided digital Parquee™ signs with LED sizes 34'10"W x 65'H (four total LED screens)
- **East Service Yard**: One single sided digital Parquee™ sign with LED sizes 18'9"W x 28'H (One total LED screen)

Information:
Elite Media has 5 employees that provide sales and administrative functions only. Elite Media will contract Yesco Electronics with specialization in the fabrication and installation of these signs. These Parquee™ structures will be the first of their kind in the City of Las Vegas. Yesco has over 100 years of experience in fabrication and installation of signs. (See attached information on Yesco).

Required State Licenses: YESCO NV Contractors License Nos.0074289,0074290,0075739

SUP-48180

Sustainability: The Parquee TM structures are designed with the latest in LED technology. These displays provide energy efficiencies requiring 36%+ less power than older displays.

Findings: Pursuant to the contract with the City, this project meets/supports existing City regulations whereas this site and surrounding uses are harmonious and compatible.

a. The proposed digital Parquees™ have an exciting design that complements the City of Las Vegas properties, by emulating the design of the famous "Welcome to Las Vegas" sign originally designed by Yesco. These signs will bring important City information to the public as well as sponsorship opportunities that generate revenue for the City.

b. The physical site locations for the Parquee™ structures have been preliminary evaluated according to the City maps and zoning restrictions. These sites are determined to be in compliance with the appropriate restrictions.

c. Street and highway access to the physical site locations is adequate in size to meet the requirements.

d. The Digital Parquees™ have no impact on public health, safety and welfare.

Thank you for this opportunity. Please let me know if you require any additional information for this special use request.

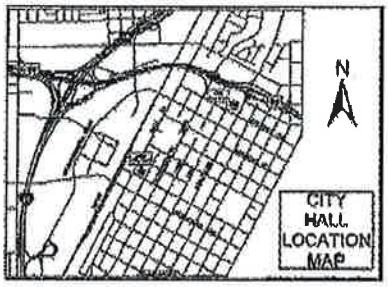
Sincerely,

Chad McCullough
Elite Media, Inc

SUP-48180

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

Return Service Requested
Official Notice of Public Hearing



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

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-48180

Planning Commission Meeting of 3/12/2013

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.43³
0004279218 FEB 28 2013
MAILED FROM ZIP CODE 89101

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MAR 07 2013
City of Las Vegas
Department of Planning

Case: SUP-48180
14031120002
DEARING RICKY K & DAVIDA K
3928 LIGHTHOUSE AVE
LAS VEGAS NV 89110-3023 89110-3023

22 LRDGNMP 89110

Submitted after final agenda
Date 3/7/13 Item 34 P

City of Las Vegas Agenda Item No.: **26.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

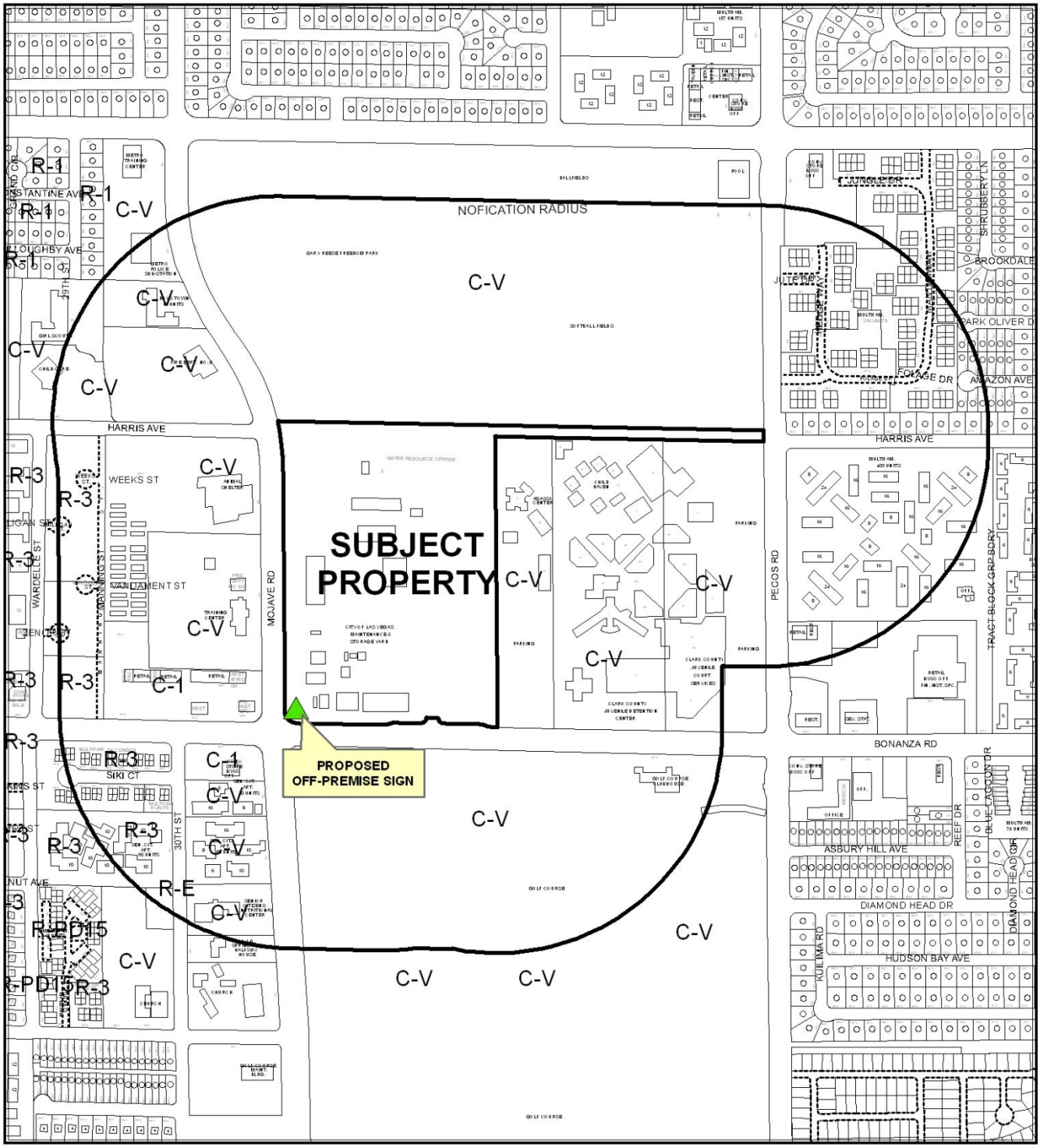
SUBJECT:
ABEYANCE - SUP-48181 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Special Use Permit FOR AN OFF-PREMISE SIGN at 650 North Mojave Road (APN 139-25-802-006), C-V (Civic) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
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



0 500 1,000 Feet

CASE: **SUP-48181**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N



0 500 1,000 Feet

CASE: **SUP-48181**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N



SUP-48181

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

City of Las Vegas Billboard Data

- 300 Foot Buffer Around Proposed Billboard
- 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 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48181	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-48181 CONDITIONS

Planning

1. Conformance to all Off-Premise Sign use Minimum Requirements under LVMC Title 19.12.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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. This Special Use Permit shall be reviewed in five (*5*) year(s), 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.

6. 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.

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

8. Bird deterrent devices shall be installed on the sign.

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

Staff Report Page One
June 11, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is applying for a Special Use Permit to install an Off-Premise Sign at the Maintenance and Storage Yard, a C-V (Civic) zoned, City property at 650 North Mohave Road. The proposed Off-Premise Sign meets all minimum code requirements; therefore, staff recommends approval. If denied, no Off-Premise Sign would be allowed on this site.

ISSUES

- A Special Use Permit is required for an Off-Premise Sign in a C-V (Civic) district. Staff supports this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/17/07	Planning Department staff administratively approved a Site Development Plan Review (SDR-23623) to allow a proposed 80-foot tall Wireless Communications Facility, Stealth at 650 North Mojave Road.
09/05/07	The City Council approved a Site Development Plan Review (SDR-22839) for a proposed 4,000 square-foot maintenance building on the eastern portion of a 30.4 acre site located at 3104 East Bonanza Road. The Planning Commission and staff recommended approval.
03/12/13	The Planning Commission approved a request to hold Special Use Permit (SUP-48181) in abeyance till the 6/11/13 Planning Commission meeting at the applicant's request.

Most Recent Change of Ownership	
Circa 1961	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No related permits/licenses on file.

Pre-Application Meeting	
01/16/13	Staff met with the applicant and reviewed the requirements for an Off-Premise Sign Special Use Permit application. No issues were noted.

YK

Neighborhood Meeting
No neighborhood meeting was required, nor was one held.

Field Check	
01/31/13	Staff visited the site and found a clean, well maintained City Maintenance Yard.

Details of Application Request	
Site Area	
Net Acres	30.28

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	City Service Yard	PF (Public Facilities)	C-V (Civic)
North	Public Park	PR-OS (Parks/Recreation/Open Space)	C-V (Civic)
South	Public Golf Course	PR-OS (Parks/Recreation/Open Space)	C-V (Civic)
East	Children's Homeless Shelter	PF (Public Facilities)	C-V (Civic)
West	Animal Shelter/Fire Training Station	PF (Public Facilities)	C-V (Civic)
	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
No Applicable Special Purpose or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Bonanza Road	Primary Arterial	Master Plan of Streets and Highways	100	Y
Mohave Road	Primary Arterial	Master Plan of Streets and Highways	100	Y

Standards	Code Requirements	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way	The sign is not in public right-of-way, nor is it in the Off-Premise Exclusionary Sign Zone	Y
Zoning	Off-Premise Signs are permitted in C-V (Civic) district if the parcel is operated or controlled by an agency of local, state or federal government.	The sign is located in a C-V (Civic) zoning district and is controlled by the City of Las Vegas.	Y
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The sign is 525 square feet in size and has no embellishments.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to be 30 feet above an adjacent elevated freeway.	The sign is 28 feet tall.	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	All structural elements of the sign are screened from public view.	Y

Standards	Code Requirements	Provided	Compliance
Off-Premise Sign	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)	The sign is more than 2,200 feet from another Off-Premise Sign.	Y
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	Sign is more than 575 feet from any property line zoned either "R" or "U."	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently attached to the ground and detached from any other structures.	Y

ANALYSIS

The Off-Premise Sign use is defined as "Off-premise signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-premise signs generally produce revenue to the property owner(s) as a land use as compared to on-premise signs which in themselves do not produce revenue but are incidental to revenue producing land use. However, because of the special characteristics of off-premise signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with off-premise signs as a permitted use in certain zoning districts." The proposed use meets the definition, since the property owner will be obtaining revenue from the proposed signage.

The Minimum Special Use Permit Requirements for this use include:

1. No off-premise signs shall be erected in the public right-of-way.
The proposed sign is not located in the public right-of-way.

2. No off-premise sign certificate of any kind shall be issued for an existing or proposed sign unless the sign is consistent with all requirements of this Title (including those protecting existing signs).
The proposed sign meets all minimum requirements for an Off-Premise Sign.

3. Except as provided in Paragraph (12) below, off premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only.
Per Paragraph (12), an Off-Premise Sign is permitted in the C-V (Civic) zoning district if it is controlled by a local government. The parcel meets the criteria.

4. No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet. Any embellishment may include lettering, text, numerals or images, but only to the extent that such items do not exceed fifty percent of any linear side of the sign.
The proposed sign is 525 square-feet, with no embellishments.

5. Off-premise signs which are within 660 feet of the right-of-way and which can be read from Interstate 15, US 95 from the north city limits to the Oran K. Gragson Highway, the Oran K. Gragson Highway or Interstate 515 shall be no closer than 750 feet (measured along the highway frontage) to any other off-premise sign along the same frontage. Each side of the highway shall be considered a separate frontage. The sign and all other off-premise signs not oriented toward the same highway shall be no closer than 300 feet in any direction to any other off premise sign, wherever located, including an off premise sign that is situated outside the corporate boundaries of the City.
The nearest Off-Premise Sign is more than 2,200 feet to the west of the proposed sign.

6. Off-premise signs shall be no higher than 40 feet from grade at the point of construction, except that an off-premise sign within 60 feet of the right-of-way line of the street to which it is oriented which, at a height of 40 feet, will have a significant portion of its display surface obscured from view from the travel lanes of the street may be increased to a maximum of 55 feet when authorized by the City Council.
The proposed sign is 28 feet in height and is less than the maximum height allowed.

7. Off-premise signs shall not be located closer than 10 feet to the right-of-way line of a freeway nor closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.
The proposed sign is 50 feet from the nearest intersection.

8. No off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in the "U" zoning district or any "R" zoning district.
The nearest "R" zoned property is located 575 feet to the west of the proposed sign, on the south side of Bonanza Road.

9. An off-premise sign may be permitted in the C-V District if in each case the parcel or use is operated or controlled by an agency of local, state or federal government, or by any fraternal, veteran, civic or service organization.
The proposed sign is located in a public service yard owned and controlled by the City of Las Vegas.

The proposed Off-Premise Sign is aesthetically pleasing in that it has elements of the "Welcome to Las Vegas" sign, famously located on Las Vegas Boulevard. Some of the elements include the words, "City of Las Vegas" and the atomic star. The sign blends into the surrounding area, since it is only 28 feet in height instead of the allowed 40 feet, which is standard. The two faces of the sign will have full color message units in LED. The overall color scheme of the frame and casing is red, white and blue, with a ribbon of yellow.

The proposed Off-Premise Sign is designed within all Title 19 code standards, is aesthetically pleasing and compatible with the area. The Las Vegas 2020 Master Plan, Fiscal Management Policy 6.1.6 states: "That the City, where possible use public/private partnerships to pay for public capital improvements." This project supports this policy as a revenue source. For these reasons, staff recommends approval, with conditions.

FINDINGS (SUP-48181)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 Off-Premise Sign use can be conducted in a manner that is harmonious and compatible with the existing site as it meets all conditions required by code.

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

   The C-V (Civic) zoned, City Maintenance Yard site is suitable for the proposed use since it will not impede the operations on the site.

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

   Site access is provided from Bonanza Road, a 100-foot Primary Arterial Street and is adequate in size to accommodate the proposed Off-Premise Sign 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 be consistent with and not compromise the public health, safety and general welfare as the use will be subject to regular inspections by business licensing staff.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The proposed Off-Premise Sign use complies with all minimum Special Use Permit requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 49

NOTICES MAILED 279

APPROVALS 0

PROTESTS 0

YK

DEPARTMENT OF PLANNING

RECEIVED

JAN 24 2013

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-48181 APN: 139-25-802-006

Name of Property Owner: City of Las Vegas

Name of Applicant: Elite Media

Name of Representative: YESCO LLC

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Elizabeth N Fretwell

Print Name: Elizabeth N. Fretwell

Subscribed and sworn before me

This 22 day of January, 2013

Kim A Barrera

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

DEPARTMENT OF PLANNING

RECEIVED
JAN 24 2013

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 650 N. Mojave Rd

Project Name Parquee - CLV East Service Yard **Proposed Use** Off-Premise Sign

Assessor's Parcel #(s) 139-25-802-006 **Ward #** 3

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

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

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

Additional Information Off-Premise Sign (Parquee) @ CLV East Service Yard

PROPERTY OWNER City of Las Vegas **Contact** Elizabeth N. Fretwell

Address 495 S. Main St **Phone:** (702) 229-6501 **Fax:** (702) 388-1807

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

E-mail Address _____

APPLICANT Elite Media **Contact** Chad McCullough

Address 145 Brightmoor Ct. **Phone:** (702) 492-0654 **Fax:** (702) 974-2774

City Henderson **State** NV **Zip** 89074

E-mail Address chad@elitemediainc.com

REPRESENTATIVE YESCO LLC **Contact** Michael LeBlue

Address 5119 S. Cameron St **Phone:** (702) 348-7414 **Fax:** (702) 944-4500

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

E-mail Address mleblue@yesco.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 22 day of January, 20 13.

Kim A Barrera

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

FOR DEPARTMENT USE ONLY

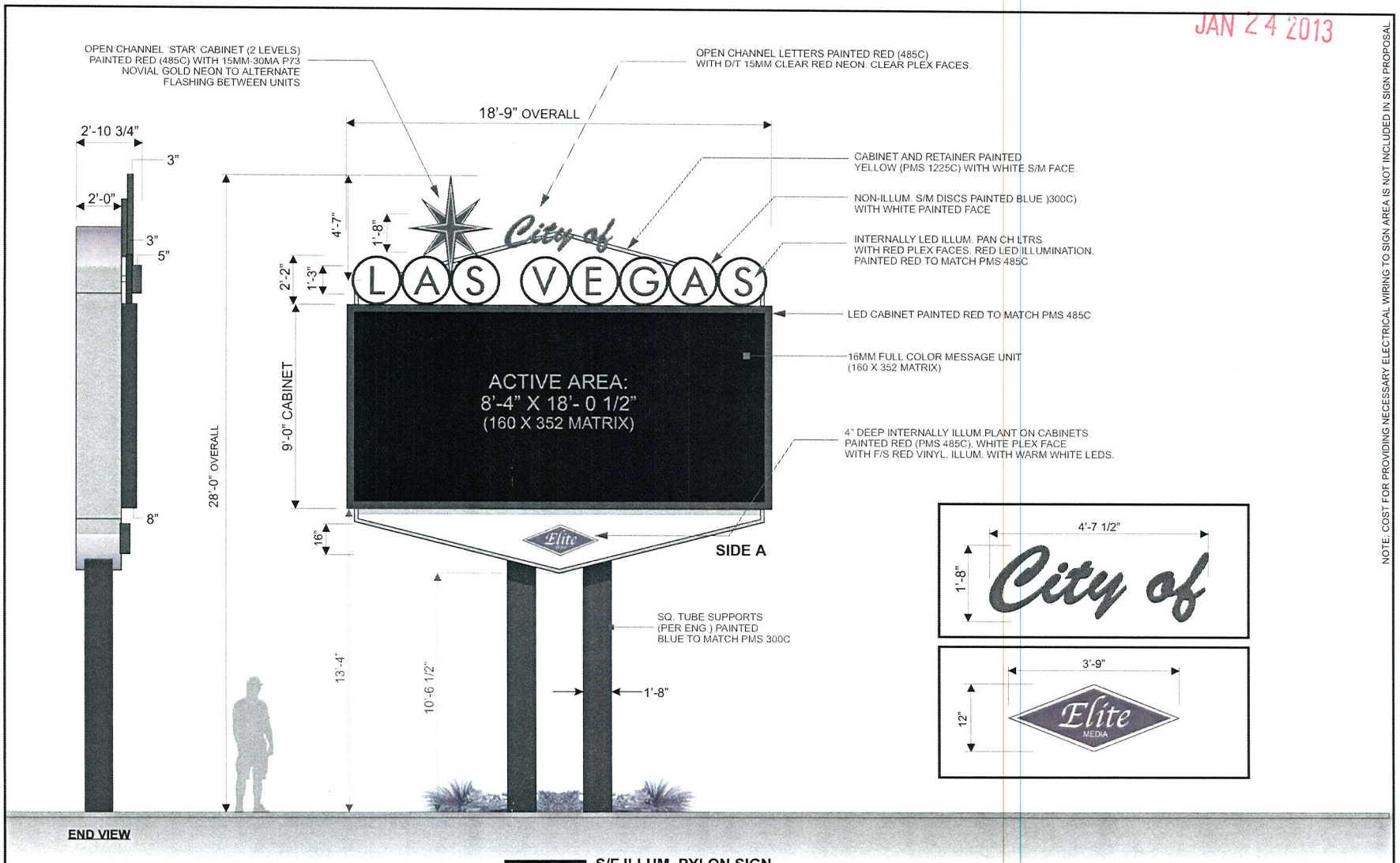
Case #	SUP-48181
Meeting Date:	03/12/13
Total Fee:	$1030.00
Date Received:*	01/24/13
Received By:	Jonathan B

*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

RECEIVED

JAN 24 2013



END VIEW

PY-3 S/F ILLUM. PYLON SIGN
SCALE: 1/4" = 1'-0"

SCOPE OF WORK:
YESCO TO MFG & INSTALL ONE (1) S/F INTERNALLY ILLUMINATED PYLON SIGN.

TOTAL SQ FT: 525

125A - 12208 3 Phase
* Disconnect to sign location *

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

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5119 SO. CAMERON ST.
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YESCO.

Client Name & Address:
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Description:
PYLON SIGN

Classification:
PY-3

Reference Design:
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G.E.M Serial:

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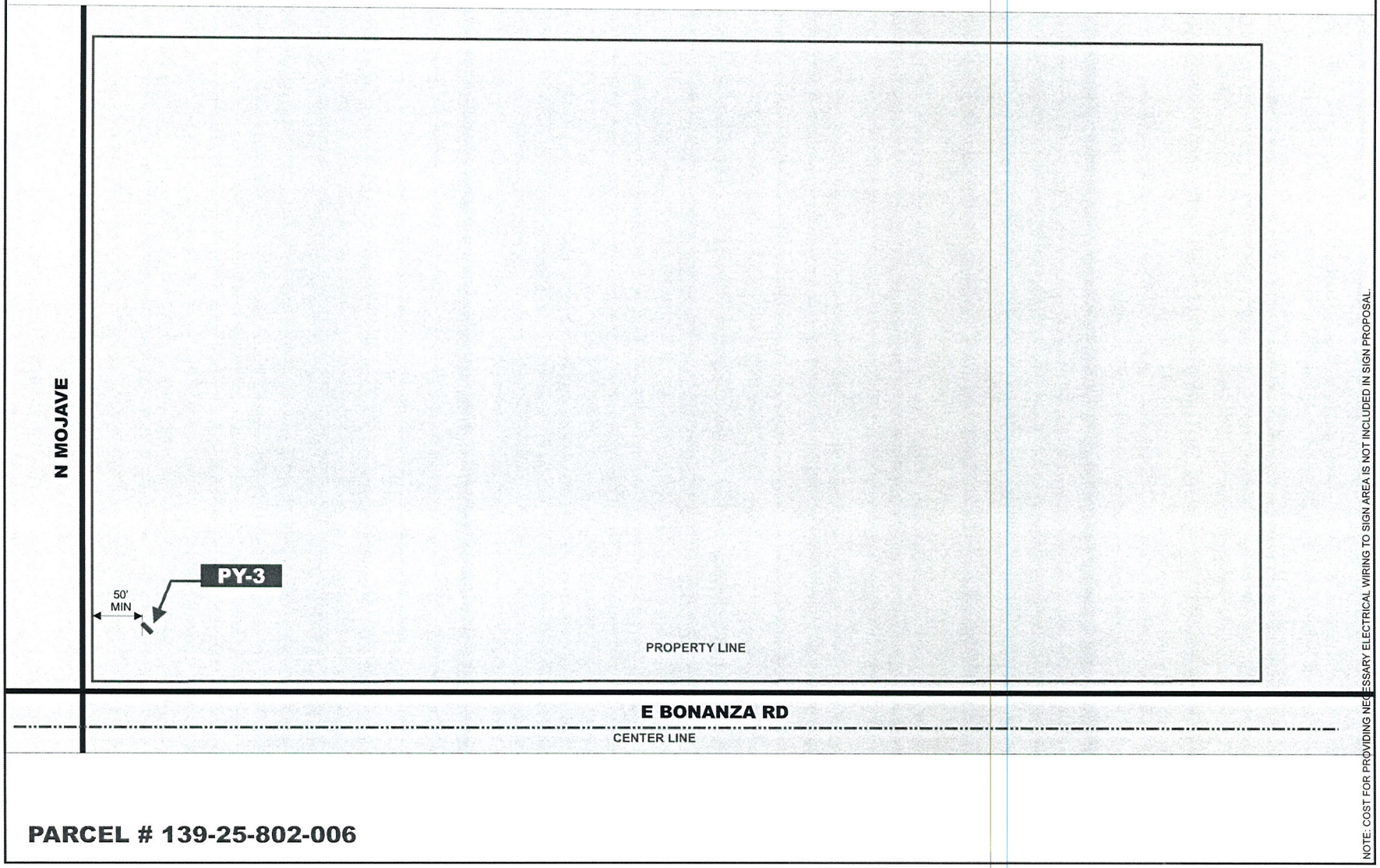
SUP-48181

RECEIVED

JAN 24 2013

LOC.3
WARD 3B

650 MOJAVE &
3415 E BONANZA



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PARCEL # 139-25-802-006

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LAS VEGAS DIVISION
5119 SO. CAMERON ST
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PHONE: (702) 876-6080
WWW.YESCO.COM
NV CONTRACTOR LICENSE #0073283 & #0072426

YESCO

Client Name & Address:
CITY OF LAS VEGAS
LAS VEGAS-NV

Project Tracking Number:
423039

Project Name:
CITY OF
LAS VEGAS

Account Executive:
BOB STOCKHAM/
JIM COOK

Designer:
MALCOLM SHAW
JIM GIETZEN

Design Approvals

Checked by:

Creative Director:

Estimating:

Account Executive:

Client:

Rev. / Date / Designer

09/21/11 - MS
09/06/12 - MS
10/11/12 - MS
11/13/12 - MS

Description:
NON-ILLUM
FOAM LTRS

Classification:
SP-1

Reference Design:
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O.E.M Serial:
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Sheet:
3.1

SUP-48181

LOC.3
WARD 3B

650 MOJAVE &
3415 E BONANZA

RECEIVED
JAN 24 2013



NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL

YESCO LLC
LAS VEGAS DIVISION
5119 SO. CAMERON ST
LAS VEGAS, NV 89118
PHONE: (702) 876-8080
WWW.YESCO.COM
NV CONTRACTOR LICENSE #0013283 & #0072429

YESCO

Client Name & Address:
CITY OF LAS VEGAS
LAS VEGAS-NV

Project Tracking Number:
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NON-ILLUM
FOAM LTRS

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PY-3

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3.2

SUP-48181



SUP-48181 - APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS
650 NORTH MOJAVE ROAD

01/31/13

Elite Media Inc
145 Brightmoor Ct.
Henderson, NV 89074
Phone (702) 492-0654
Fax (702) 269-0761

January 23, 2013

RECEIVED
JAN 24 2013

City of Las Vegas
Planning Division
Mr. Doug Rankin
Manager
495. S. Main St.
Las Vegas, NV 89101

Subject: JUSTIFICATION LETTER FOR SPECIAL USE PERMIT

Reference: Digital Parquees™ - City of Las Vegas | East Service Yard, 3415 East Bonanza Road

Dear Mr. Rankin,

Issue:
To obtain the necessary Planning Department approval and permits to move forward with the project in regards to the approved Digital Parquee™ License Agreement between the City of Las Vegas, the State of Nevada and Elite Media, Inc regarding advertising, sponsorship and other items related thereto for the above location.

Per the agreement Elite Media will be installing on a total of 4 sites, 5 digital Parquee™ structures with 9 total LED screens, the above location listed as one of the four sites. The below lists all of the locations as per the approved agreement with the City of Las Vegas.

- **Mike Morgan Family Park**: One double sided digital Parquee™ sign with LED sizes 18'9"W x 28'H (two total LED screens)
- **Ed Fountain Park**: One double sided digital Parquee™ sign with LED sizes 18'9"W x 28'H (two total LED screens)
- **Dula Center**: Two double sided digital Parquee™ signs with LED sizes 34'10"W x 65'H (four total LED screens)
- **East Service Yard**: One single sided digital Parquee™ sign with LED sizes 18'9"W x 28'H (One total LED screen)

Information:
Elite Media has 5 employees that provide sales and administrative functions only. Elite Media will contract Yesco Electronics with specialization in the fabrication and installation of these signs. These Parquee™ structures will be the first of their kind in the City of Las Vegas. Yesco has over 100 years of experience in fabrication and installation of signs. (See attached information on Yesco).

Required State Licenses: YESCO NV Contractors License Nos.0074289,0074290,0075739

SUP-48181

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Sustainability: The Parquee TM structures are designed with the latest in LED technology. These displays provide energy efficiencies requiring 36%+ less power than older displays.

Findings: Pursuant to the contract with the City, this project meets/supports existing City regulations whereas this site and surrounding uses are harmonious and compatible.

a. The proposed digital Parquees™ have an exciting design that complements the City of Las Vegas properties, by emulating the design of the famous "Welcome to Las Vegas" sign originally designed by Yesco. These signs will bring important City information to the public as well as sponsorship opportunities that generate revenue for the City.

b. The physical site locations for the Parquee™ structures have been preliminary evaluated according to the City maps and zoning restrictions. These sites are determined to be in compliance with the appropriate restrictions.

c. Street and highway access to the physical site locations is adequate in size to meet the requirements.

d. The Digital Parquees™ have no impact on public health, safety and welfare.

Thank you for this opportunity. Please let me know if you require any additional information for this special use request.

Sincerely,

Chad McCullough
Elite Media, Inc

SUP-48181

City of Las Vegas Agenda Item No.: **27.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

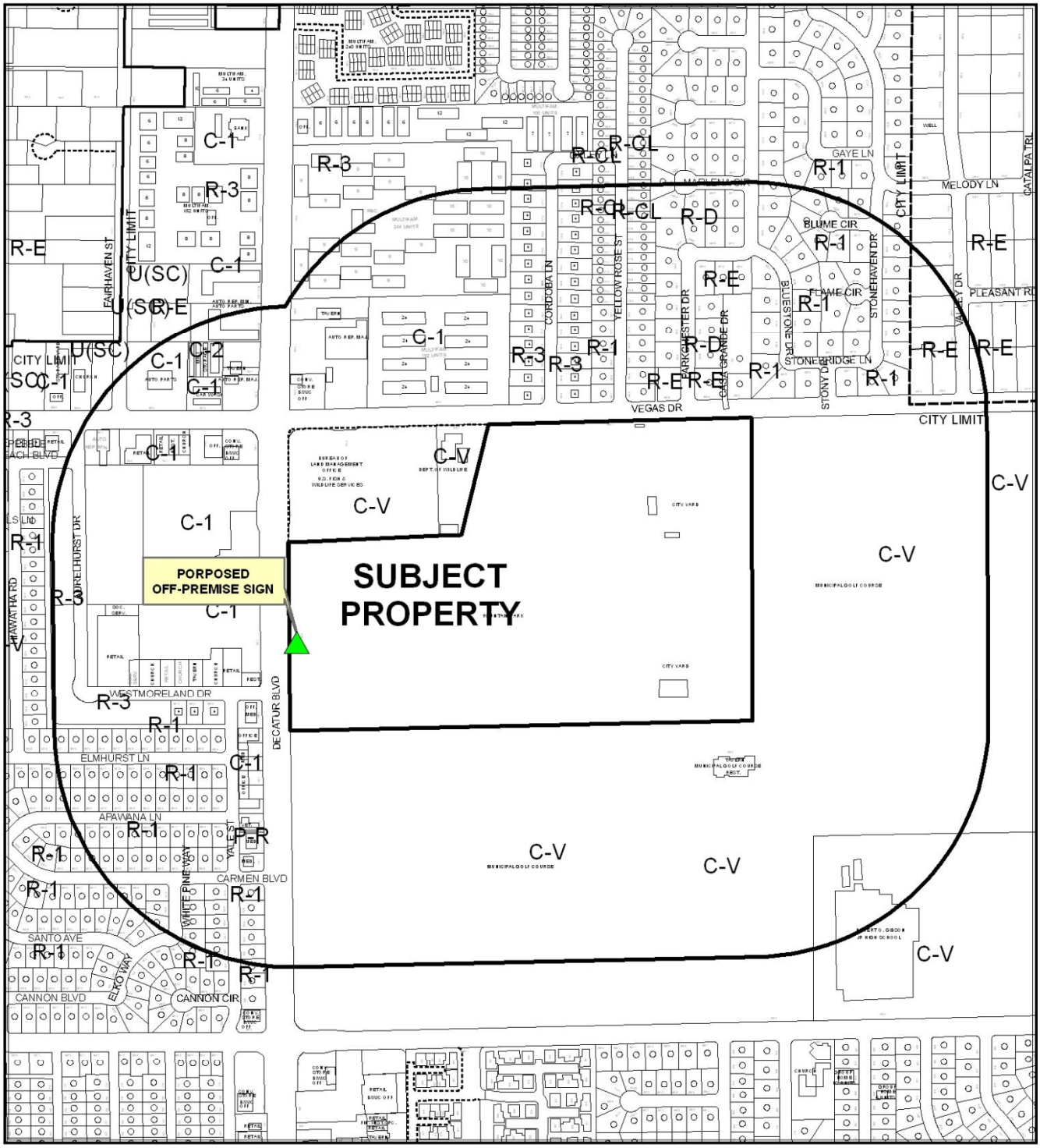
SUBJECT:
ABEYANCE - SUP-48182 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Special Use Permit FOR AN OFF-PREMISE SIGN at 1400 North Decatur Boulevard (APN 139-30-101-006), C-V (Civic) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
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-48182**

RADIUS: 1000 FEET

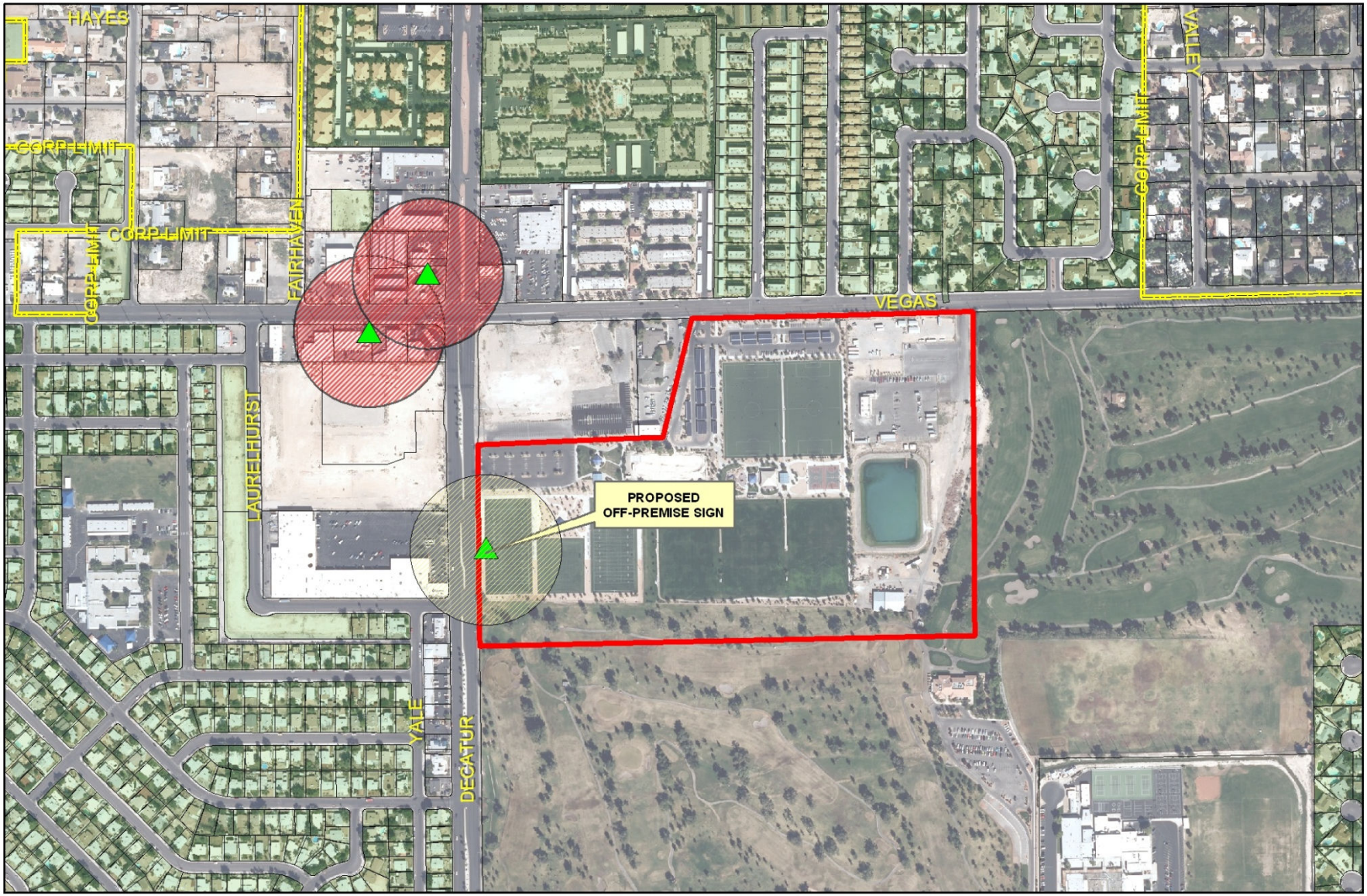
ZONING OF SUBJECT PROPERTY: C-V (CIVIC)



CASE: **SUP-48182**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)



SUP-48182

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

City of Las Vegas Billboard Data

- 300 Foot Buffer Around Proposed Billboard
- 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 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: ELITE MEDIA/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48182	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-48182 CONDITIONS

Planning

1. Conformance to all Off-Premise Sign use Minimum Requirements under LVMC Title 19.12.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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. This Special Use Permit shall be reviewed in five (*5*) year(s), 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.

6. 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.

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

8. Bird deterrent devices shall be installed on the sign.

9. 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 applying for a Special Use Permit to install an Off-Premise Sign at Fountain Park, a C-V (Civic) zoned, City property at 1400 North Decatur Boulevard. The proposed Off-Premise Sign meets all minimum code requirements; therefore, staff recommends approval. If denied, no Off-Premise Sign would be allowed on this site.

ISSUES

A Special Use Permit is required for an Off-Premise Sign in a C-V (Civic) district. Staff supports this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
02/23/05	The Planning Commission approved a Site Development Plan Review (SDR-1327) for park improvements, including soccer fields, basketball courts, picnic areas and concession/restroom area at 1400 North Decatur Boulevard. Staff recommended approval.
03/12/13	The Planning Commission approved a request to hold Special Use Permit (SUP-48182) in abeyance till the 6/11/13 Planning Commission meeting at the applicant's request.

Most Recent Change of Ownership	
Circa 1955	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No related permits or business licenses are currently active.

Pre-Application Meeting	
01/16/13	Staff met with the applicant and reviewed the requirements for an Off-Premise Sign Special Use Permit application. No issues were noted.

Neighborhood Meeting
No neighborhood meeting was required, nor was one held.

Field Check	
01/31/13	Staff visited the site and found a well maintained, clean public park.

Details of Application Request	
Site Area	
Net Acres	49.28

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Public Park	PR-OS (Parks/Recreation/Open Space)	C-V (Civic)
North	Office	PF (Public Facilities)	C-V (Civic)
South	Golf Course	PF (Public Facilities)	C-V (Civic)
East	Golf Course	PF (Public Facilities)	C-V (Civic)
West	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
A-O (Airport Overlay) District 105-Feet	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

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

Standards	Code Requirements	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way	The sign is not in public right-of-way, nor is it in the Off-Premise Exclusionary Sign Zone	Y
Zoning	Off-Premise Signs are permitted in C-V (Civic) district if the parcel is operated or controlled by an agency of local, state or federal government.	The sign is located in a C-V (Civic) zoning district and is controlled by the City of Las Vegas.	Y
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The sign is 525 square feet in size and has no embellishments.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to be 30 feet above an adjacent elevated freeway.	The sign is 28 feet tall.	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	All structural elements of the sign are screened from public view.	Y
Off-Premise Sign	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)	The sign is more than 960 feet from another Off-Premise Sign.	Y
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	Sign is more than 390 feet from any property line zoned either "R" or "U."	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently attached to the ground and detached from any other structures.	Y

ANALYSIS

The Off-Premise Sign use is defined as "Off-premise signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-premise signs generally produce revenue to the property owner(s) as a land use as compared to on-premise signs, which in themselves do not produce revenue but are incidental to revenue producing land uses. However, because of the special characteristics of off-premise signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with off-premise signs as a permitted use in certain zoning districts." The proposed use meets the definition, since the property owner will be obtaining revenue from the proposed signage.

The Minimum Special Use Permit Requirements for this use include:

1. No off-premise signs shall be erected in the public right-of-way.
The proposed sign is not located in the public right-of-way.

2. No off-premise sign certificate of any kind shall be issued for an existing or proposed sign unless the sign is consistent with all requirements of this Title (including those protecting existing signs).
The proposed sign meets all minimum requirements for an Off-Premise Sign.

3. Except as provided in Paragraph (12) below, off premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only.
Per Paragraph (12), an Off-Premise Sign is permitted in the C-V (Civic) zoning district if it is controlled by a local government. The parcel meets the criteria.

4. No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet. Any embellishment may include lettering, text, numerals or images, but only to the extent that such items do not exceed fifty percent of any linear side of the sign.
The proposed sign is 525 square-feet, with no embellishments.

5. Off-premise signs which are within 660 feet of the right-of-way and which can be read from Interstate 15, US 95 from the north city limits to the Oran K. Gragson Highway, the Oran K. Gragson Highway or Interstate 515 shall be no closer than 750 feet (measured along the highway frontage) to any other off-premise sign along the same frontage. Each side of the highway shall be considered a separate frontage. The sign and all other off-premise signs not oriented toward the same highway shall be no closer than 300 feet in any direction to any other off premise sign, wherever located, including an off premise sign that is situated outside the corporate boundaries of the City.
The nearest Off-Premise Sign is more than 960 feet to the northwest of the proposed sign.

6. Off-premise signs shall be no higher than 40 feet from grade at the point of construction, except that an off-premise sign within 60 feet of the right-of-way line of the street to which it is oriented which, at a height of 40 feet, will have a significant portion of its display surface obscured from view from the travel lanes of the street may be increased to a maximum of 55 feet when authorized by the City Council.
The proposed sign is 28 feet in height and is less than the maximum height allowed.

7. Off-premise signs shall not be located closer than 10 feet to the right-of-way line of a freeway nor closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.
The proposed sign is 860 feet from the nearest intersection.

8. No off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in the "U" zoning district or any "R" zoning district.
The nearest "R" zoned property is located 390 feet to the west of the proposed sign, on the west side of Decatur Boulevard.

9. An off-premise sign may be permitted in the C-V District if in each case the parcel or use is operated or controlled by an agency of local, state or federal government, or by any fraternal, veteran, civic or service organization.
The proposed sign is located in a public park owned and controlled by the City of Las Vegas.

The proposed Off-Premise Sign is aesthetically pleasing in that it has elements of the "Welcome to Las Vegas" sign, famously located on Las Vegas Boulevard. Some of the elements include the words, "City of Las Vegas" and the atomic star. The sign blends into the surrounding area, since it is only 28 feet in height instead of the allowed 40 feet, which is standard. The two faces of the sign will have full color message units in LED. The overall color scheme of the frame and casing is red, white and blue, with a ribbon of yellow.

The proposed Off-Premise Sign is designed within all Title 19 code standards, is aesthetically pleasing and compatible with the area. The Las Vegas 2020 Master Plan, Fiscal Management Policy 6.1.6 states: "That the City, where possible use public/private partnerships to pay for public capital improvements." This project supports this policy as a revenue source. For these reasons, staff recommends approval, with conditions.

FINDINGS (SUP-48182)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 Off-Premise Sign use can be conducted in a manner that is harmonious and compatible with the existing site as it meets all code conditions.

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

The C-V (Civic) zoned, public park site is suitable for the proposed use.

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

Site access is provided from Decatur Boulevard, a 100-foot Primary Arterial Street and is adequate in size to accommodate the proposed Off-Premise Sign 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 be consistent with and not compromise the public health, safety and general welfare as the use will be subject to regular inspections by business licensing staff.

5. The use meets all of the applicable conditions per Title 19.12.

The proposed Off-Premise Sign use complies with all minimum Special Use Permit requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 26

NOTICES MAILED 245

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-48182 APN: 139-30-101-006

Name of Property Owner: City of Las Vegas

Name of Applicant: Elite Media

Name of Representative: YESCO LLC

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Elizabeth N Fretwell

Print Name: Elizabeth N. Fretwell

Subscribed and sworn before me

This 22 day of January, 2013

Kim A Barrera

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
JAN 24 2013
City of Las Vegas
Dept. of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 1400 N. Decatur Blvd

Project Name Parquee - Ed Fountain Park **Proposed Use** Off-Premise Sign

Assessor's Parcel #(s) 139-30-101-006 **Ward #** 5

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

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

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

Additional Information Off-Premise Sign (Parquee) @ Ed Fountain Park

PROPERTY OWNER City of Las Vegas **Contact** Elizabeth N. Fretwell

Address 495 S. Main St **Phone:** (702) 229-6501 **Fax:** (702) 388-1807

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

E-mail Address _____

APPLICANT Elite Media **Contact** Chad McCullough

Address 145 Brightmoor Ct. **Phone:** (702) 492-0654 **Fax:** (702) 974-2774

City Henderson **State** NV **Zip** 89074

E-mail Address chad@elitemediainc.com

REPRESENTATIVE YESCO LLC **Contact** Michael LeBlue

Address 5119 S. Cameron St **Phone:** (702) 348-7414 **Fax:** (702) 944-4500

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

E-mail Address mleblue@yesco.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 22 day of January, 20 13.

Kim A Barrera

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
JAN 24 2013
City of Las Vegas
Dept. of Planning

FOR DEPARTMENT USE ONLY

Case #	SUP-48182
Meeting Date:	03/12/13
Total Fee:	$ 1030.00
Date Received:*	01/24/13
Received By:	Jonathan B.

*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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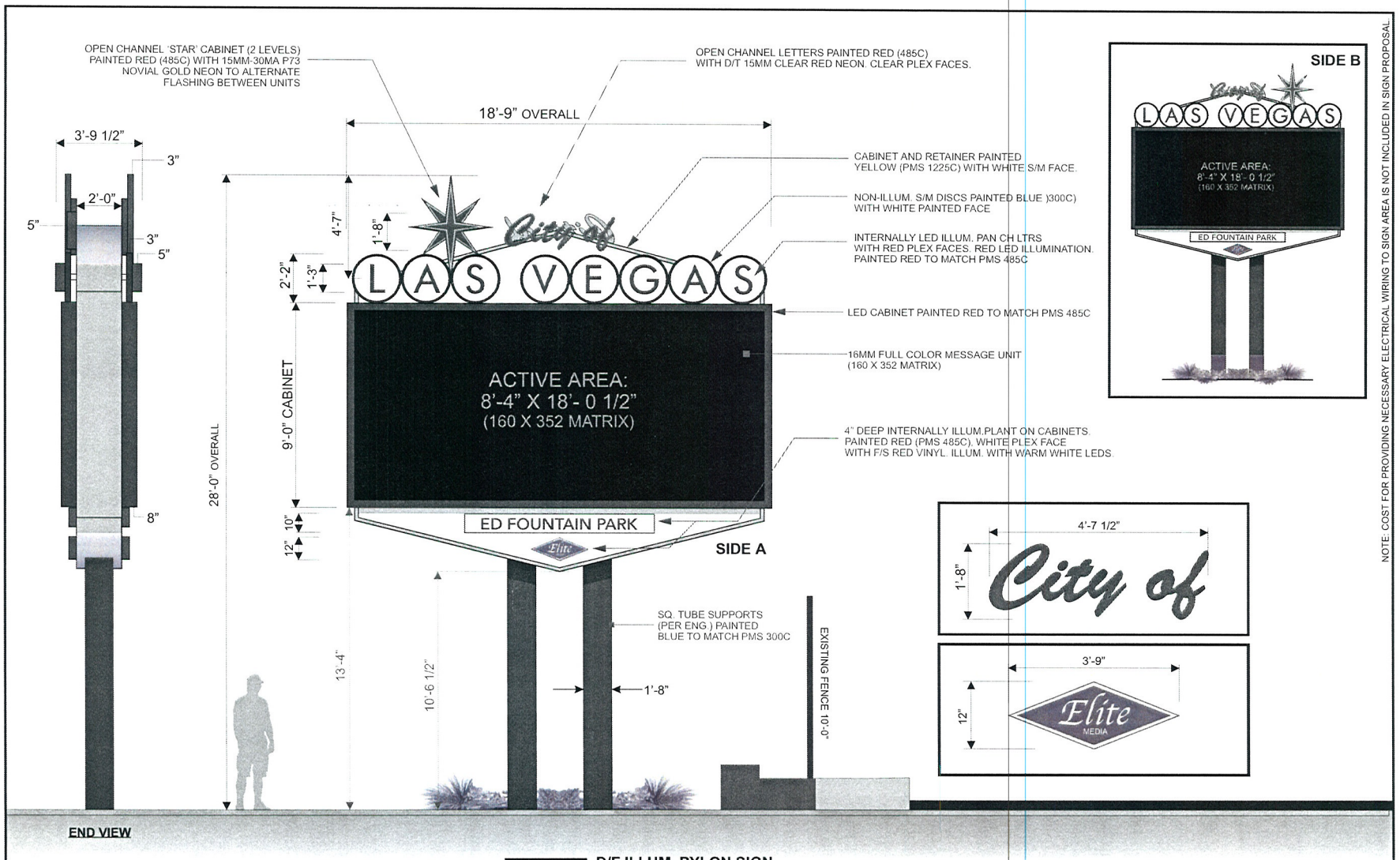

PY-2 D/F ILLUM. PYLON SIGN
SCALE: 1/4" = 1'-0"

TOTAL SQ FT:
525

SCOPE OF WORK:
YESCO TO MFG & INSTALL ONE (1) D/F INTERNALLY ILLUMINATED PYLON SIGN.

RECEIVED

125A - 12208 3 Phase
* Disconnect to sign location *

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

YESCO LLC
LAS VEGAS DIVISION
5119 SO. CAMERON ST.
LAS VEGAS, NV 89118
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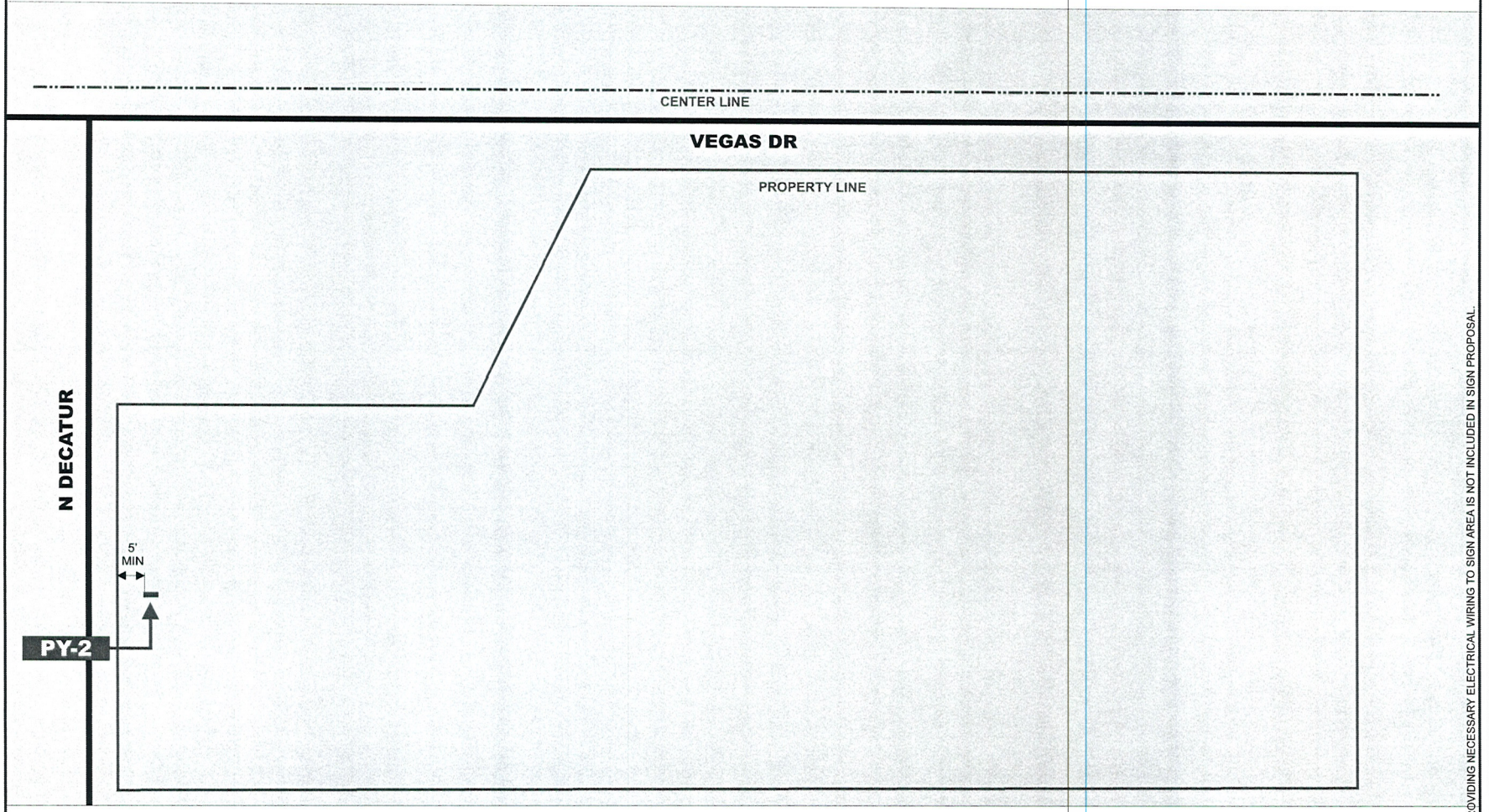
City of Las Vegas
Dept. of Planning

SUP-48182

LOC.2
WARD 5B

1400 N DECATUR
NORTHBOUND



PARCEL # 139-30-101-006

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NV CONTRACTOR LICENSE #0070393 & #0072426

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SUP-48182 - APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS
1400 NORTH DECATUR BOULEVARD

01/31/13



SUP-48182 - APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS
1400 NORTH DECATUR BOULEVARD

01/31/13

Elite Media Inc
145 Brightmoor Ct.
Henderson, NV 89074
Phone (702) 492-0654
Fax (702) 269-0761

January 23, 2013

City of Las Vegas
Planning Division
Mr. Doug Rankin
Manager
495. S. Main St.
Las Vegas, NV 89101

Subject: JUSTIFICATION LETTER FOR SPECIAL USE PERMIT

Reference: Digital Parquees™ - Ed Fountain Family Park, 1400 N.Decatur Blvd

Dear Mr. Rankin,

Issue:
To obtain the necessary Planning Department approval and permits to move forward with the project in regards to the approved Digital Parquee™ License Agreement between the City of Las Vegas, the State of Nevada and Elite Media, Inc regarding advertising, sponsorship and other items related thereto for the above location.

Per the agreement Elite Media will be installing on a total of 4 sites, 5 digital Parquee™ structures with 9 total LED screens, the above location listed as one of the four sites. The below lists all of the locations as per the approved agreement with the City of Las Vegas.

- **Mike Morgan Family Park**: One double sided digital Parquee™ sign with LED sizes 18'9"W x 28'H (two total LED screens)
- **Ed Fountain Park**: One double sided digital Parquee™ sign with LED sizes 18'9"W x 28'H (two total LED screens)
- **Dula Center**: Two double sided digital Parquee™ signs with LED sizes 34'10"W x 65'H (four total LED screens)
- **East Service Yard**: One single sided digital Parquee™ sign with LED sizes 18'9"W x 28'H (One total LED screen)

Information:
Elite Media has 5 employees that provide sales and administrative functions only. Elite Media will contract Yesco Electronics with specialization in the fabrication and installation of these signs. These Parquee™ structures will be the first of their kind in the City of Las Vegas. Yesco has over 100 years of experience in fabrication and installation of signs. (See attached information on Yesco).

Required State Licenses: YESCO NV Contractors License Nos.0074289,0074290,0075739

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SUP-48182

Sustainability: The Parquee TM structures are designed with the latest in LED technology. These displays provide energy efficiencies requiring 36%+ less power than older displays.

Findings: Pursuant to the contract with the City, this project meets/supports existing City regulations whereas this site and surrounding uses are harmonious and compatible.

a. The proposed digital Parquees™ have an exciting design that complements the City of Las Vegas properties, by emulating the design of the famous "Welcome to Las Vegas" sign originally designed by Yesco. These signs will bring important City information to the public as well as sponsorship opportunities that generate revenue for the City.

b. The physical site locations for the Parquee™ structures have been preliminary evaluated according to the City maps and zoning restrictions. These sites are determined to be in compliance with the appropriate restrictions.

c. Street and highway access to the physical site locations is adequate in size to meet the requirements.

d. The Digital Parquees™ have no impact on public health, safety and welfare.

Thank you for this opportunity. Please let me know if you require any additional information for this special use request.

Sincerely,

Chad McCullough
Elite Media, Inc

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Dept. of Planning

SUP-48182

City of Las Vegas Agenda Item No.: **28.**

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

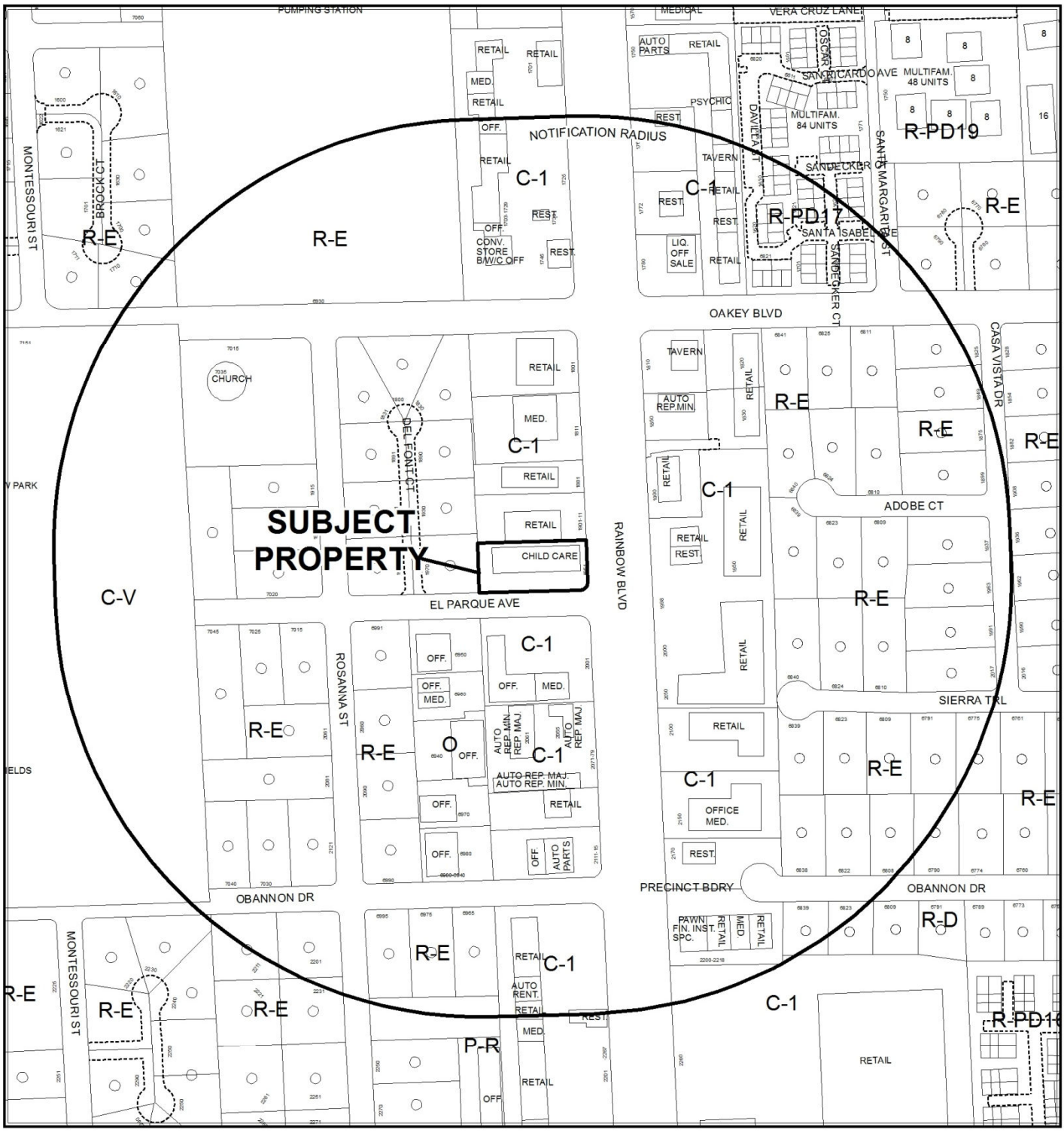
SUBJECT:
ABEYANCE - SUP-48849 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: IMAGINE SCHOOLS AT EAST MESA - OWNER: VAUSE FAMILY TRUST - For possible action on a request for Special Use Permit FOR A PRIVATE SCHOOL, PRIMARY WITH A WAIVER TO ALLOW NO PICK-UP AND DROP-OFF AREA WHERE ONE IS REQUIRED at 1951 South Rainbow Boulevard (APN 163-03-703-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends DENIAL.

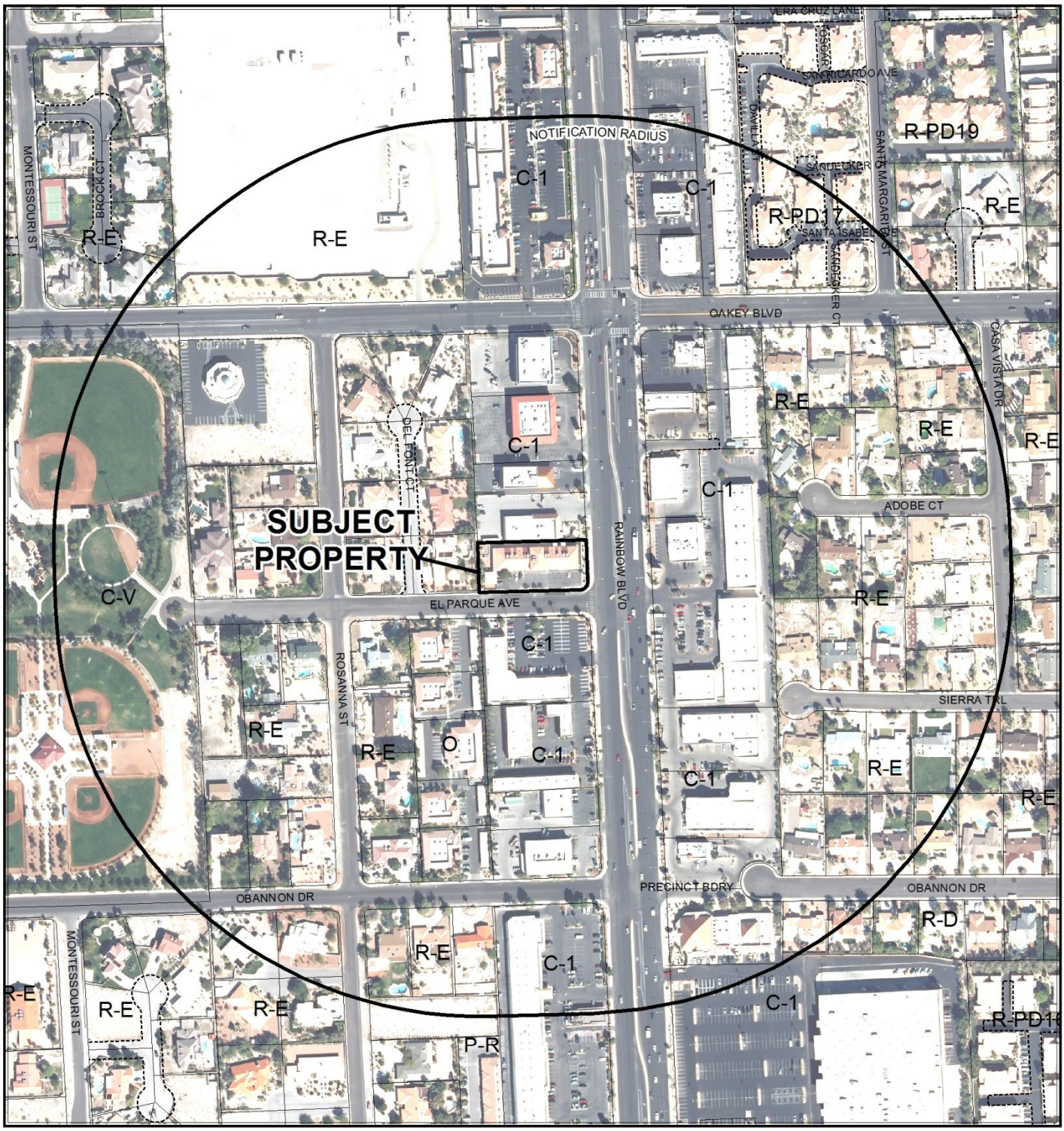
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo
5. Traffic Study from Lochsa Engineering
6. Justification Letter
7. Protest/Support Postcards



CASE: **SUP-48849**

RADIUS: 1000 FEET

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



0 300 600 Feet

CASE: **SUP-48849**

RADIUS: 1000 FEET

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: IMAGINE SCHOOLS AT EAST MESA - OWNER: VAUSE FAMILY TRUST VAUSE

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48849	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

SUP-48849 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Private School, Primary use 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. A Waiver from Title 19.12 is hereby approved, to allow no pick-up and drop-off area where adequate pick-up and drop-off areas are required.

4. 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.

Public Works

7. 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, whichever may occur first. 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. 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.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Private School, Primary use to be located within an existing vacant 11,628 square-foot building at 1951 South Rainbow Boulevard. The subject site is located within a C-1 (Limited Commercial) zoning district. The project proposes no exterior alterations to the building. A Waiver has been requested to allow no pick-up and drop-off area where an adequate pick-up and drop-off areas is required. An alternative pick-up and drop-off plan was submitted that utilizes the existing parking lot. Traffic will flow one-way at pick-up and drop-off times with additional vehicle stacking to occur on El Parque Avenue. This proposal is inadequate because it will create an unsafe environment for children in the parking lot and may create traffic issues along El Parque Avenue and Rainbow Boulevard due to vehicle stacking in the public rights-of-way. Without an adequate pick-up and drop-off area staff recommends denial of this project. If this project is denied the use would not be permitted on site.

ISSUES

- A Special Use Permit is required for a Public or Private School, Primary in the C-1 (Limited Commercial) zoning district.
- A Waiver to allow no designated onsite pick-up and drop-off area where one is required.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/19/86	The City Council approved the Annexation (A-0009-85). The effective date was 03/28/1986.
04/01/87	The City Council approved the Rezoning and Site Development Plan (Z-0012-87) of the subject property from N-U (Non-Urban) to C-1 (Limited Commercial) for a proposed Shopping Center (Day Care and Bike Shop). The Planning Commission recommended approval.
02/17/88	The City Council approved a Plot Plan Review (Z-0012-87) Child Care Center. The Planning Commission recommended approval.
09/09/10	Code Enforcement action (#94318) for an illegal banner. Enforcement action resolved on 12/02/10.
05/14/13	The Planning Commission voted to hold this item in abeyance to the 06/11/13 Planning Commission meeting at the request of the applicant to hold a neighborhood meeting.

Most Recent Change of Ownership	
03/21/20	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
1988	An 11,624 square-foot building for a Day Care Center was constructed. A Certificate of Occupancy was issued by the for a Child Care Facility on 09/26/88.
1988	A business license (#N16-00012) was issued for a Child Care Facility (for 228 children). The business license was marked out 05/08.
05/08	A State business license (#923 for 229 children was issued) for children six weeks to twelve years of age was issued including Kindergarten. It remains active.
06/05/08	A building permit (#117047) for an 841 square-foot structure (shade structure) was issued. The permit was finalized on 03/03/09.
02/06/13	A building permit (#229220) was issued for Solar Panels. The permit has not been finalized.

Pre-Application Meeting	
03/26/13	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Parking Variance and for a Special Use Permit for a Private School, Primary.

Neighborhood Meeting	
06/05/13	A neighborhood meeting will be held on June 5, 2013 at 5:30PM at Lil Scholar 1951 South Rainbow Boulevard, Room A.

Field Check	
04/03/13	A field check of the subject property revealed that the property an existing Individual Child Care Center and well maintained.

Details of Application Request	
Site Area	
Net Acres	0.69

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Individual Child Care Center	S-C (Service Commercial)	C-1 (Limited Commercial)
North	General Retail	S-C (Service Commercial)	C-1 (Limited Commercial)

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
South	Office, other than Listed	S-C (Service Commercial)	C-1 (Limited Commercial)
	Office, Medical or Dental		
	General Personal Service		
East	Single Family, Detached	R (Rural Density Residential)	R-E (Residence Estates)
West	Shopping Center	S-C (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
No Special Purpose and Overlay	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
El Parque Avenue	Secondary Thoroughfare	Master Plan of Streets and Highways	60	N/A

Pursuant to Title 19.08 and 19.18.030, 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	
Child Care Center	228 students 19 staff	1 space per 10 children, 1 per staff member	20				
Private School, Primary	8 classrooms	3 spaces per classroom	24*				
TOTAL SPACES REQUIRED					20		Y
Regular and Handicap Spaces Required				1	18	2	Y

*The site is parking impaired as detailed in Title 19.18.030 (D)

Waivers		
Requirement	***Request***	***Staff Recommendation***
Adequate pick-up and drop-off areas must be provided on-site.	No pick-up and drop-off area	Denial

ANALYSIS

The applicant is proposing Private School, Primary at 1951 South Rainbow Boulevard. The current use of the building is an Individual Child Care Center. The applicant intends to utilize this site to teach second through fifth grade temporarily while land is acquired to construct a campus that can accommodate their entire kindergarten through high school curriculum. The primary obstacle with this site is that no pick-up and drop-off area is provided where one is required.

The Public or Private School, Primary use is defined as "an institution that provides kindergarten through 8th grade education and is supported by a public, religious or private organization." The proposed use meets the definition for it operates as a nationwide Charter school with programs kindergarten through 8th grade. Imagine school is proposing to offer classes ranging from second grade through fifth grade at this location.

The Minimum Special Use Permit Requirements for this use include:

1. Adequate pick-up and drop-off areas must be provided on-site.

   The proposed does not meet the requirement to provide adequate pick-up and drop-off area because there is not one provided. As a result of the applicant proposing to utilize the parking lot drive aisle as a pick-up and drop-off area, compiled with queuing in the public rights-of-way, as well as the increase trip generation the proposed; Private School, Primary use will not create, an environment that is compatible and harmonious with the surrounding neighborhood; therefore, Staff recommends denial of Special Use Permit.

The applicant's report fails to properly discuss pick-up and drop-off procedures. The report calls for the west parking lot entrance on El Parque Avenue to intake traffic and for the east parking entrance to facilitate the discharge of traffic on to El Parque Avenue. Additionally, the stacking of up to 12 vehicles will be queued onto El Parque Avenue adjacent to residential homes. The proposal is inadequate as the existing drive aisle is not wide enough, (approximate 22 feet in total width) to accommodate both the queuing of vehicles, for the delivering and picking-up of children and the required safe distances needed to maneuver in and out of the parking stalls. Additionally, having vehicles queued in the public right-of-way to enter the site is not desirable.

FINDINGS (SUP-48849)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 Private School, Primary is consistent with the uses intended in the SC (Service Commercial) Land Use designation; however the current site design will create traffic congestion because of the proposed queuing of vehicles in the parking lot and on El Parque Avenue.

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

   The proposed site in not physically suitable for the proposed use because it is not designed to safely accommodate the volume of traffic that will be created at peak pick-up and drop-off time because no drop-off or pick-up area is provided.

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 has access adequate for the entrance is serviced from a 60-foot right-of-way (El Parque Avenue).

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 Private School, Primary is inconsistent with this site and the surrounding neighborhood because of the traffic congestion that will be created at peak pick-up and drop-off time due to the absents of a pick-up and drop-off area and the proposed queuing of vehicles in the parking lot and on El Parque Avenue. Additionally during pick-up and drop-off times children and vehicles will be competing for the space (parking stalls and drive isles) and impeding each other from safely maneuvering throughout the parking lot.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The proposed use fails to provide an adequate pick-up and drop-off area and therefore, does not meet all the applicable conditions per Title 19.12.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 184

APPROVALS 2

PROTESTS 2

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-48849** APN: 163-03-703-001

Name of Property Owner: Vause Family Trust, Gary & Linda Vause Trustees

Name of Applicant: Imagine Schools of East Mesa

Name of Representative: Lucy Stewart, LAS 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: Gary Vause

Print Name: Gary Vause

Subscribed and sworn before me

This 27 day of March, 2013

Natalie Lamek

Notary Public in and for said County and State

NATALIE LAMEK
Notary Public State of Nevada
No. 00-60600-1
My Appt. Exp. Feb. 13, 2016

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DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SUP for a school & waiver for drop off

Project Address (Location) 1951 S. Rainbow

Project Name Imagine schools **Proposed Use** k-2 school

Assessor's Parcel #(s) 163-03-703-001 **Ward #** 1

General Plan: existing SC proposed SC **Zoning:** existing c-1 proposed c-1

Commercial Square Footage 11,628 **Floor Area Ratio**

Gross Acres .69 ac **Lots/Units** **Density**

Additional Information convert from day care to school

PROPERTY OWNER VAUSE FAMILY TRUST VAUSE **Contact** GARY & LINDA Vause

Address 3020 PLAZA DE MONTE **Phone:** **Fax:**

City LAS VEGAS **State** NV **Zip** 89102-4046

E-mail Address

APPLICANT Imagine Schools at East Mesa **Contact** Tom Stackhouse

Address 9701 E. Southern Ave **Phone:** (602) 696-6198 **Fax:**

City Mesa **State** AZ **Zip** 85209

E-mail Address Tom.Stackhouse@imagineschools.com

REPRESENTATIVE LAS Consulting **Contact** Lucy Stewart

Address 1916 Trail Peak lane **Phone:** (702) 499-6469 **Fax:** (702) 946-0857

City Las Vegas **State** NV **Zip** 89134

E-mail Address stewplan@aol.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* Gary Vause

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

Print Name Gary Vause

Subscribed and sworn before me

This 27 day of March, 20 13.

Natalie Lamek

Notary Public in and for said County and State

NATALIE LAMEK
Notary Public State of Nevada
No. 00-60600-1
My Appt Exp. Feb. 13, 2016

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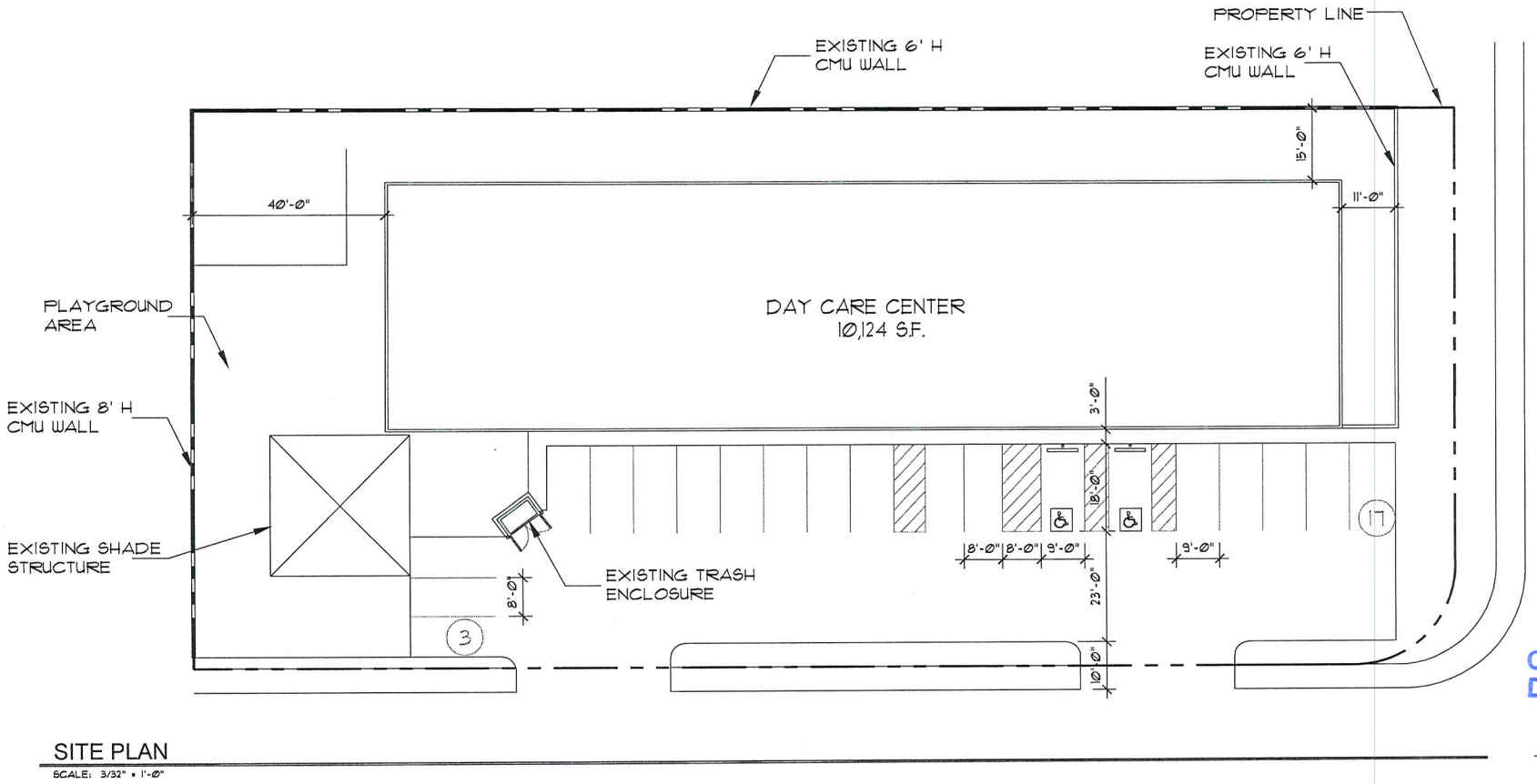
City of Las Vegas
Dept. of Planning

FOR DEPARTMENT USE ONLY

Case #	SUP-48849
Meeting Date:	05/14/13
Total Fee:	$1030.00
Date Received:*	03/28/13
Received By:	Jonathan B.

* 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.

13-647 PROJECT DATA	(CITY OF LAS VEGAS)		
ACCESSOR'S PARCEL	163-03-703-001		
ON SITE PARKING			
REQUIRED 3 PER CLASSROOM (8 CLASSROOMS)	=	24	SPACES
PROVIDED 2 HANDICAP SPACES	=	20	SPACES



SITE PLAN

SCALE: 3/32" = 1'-0"

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Dept. of Planning

north

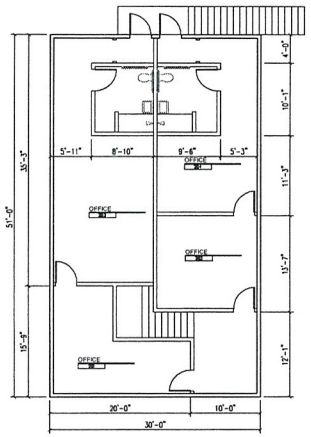
GMRA
George M. Rogers, Architect Architecture ▪ Interiors
6325 South Jones Blvd.
Suite 100
Las Vegas, Nevada 89118
(702) 894-5027
Fax (702) 894-5028
www.gmrarchitect.com

Imagine Schools
1951 S. Rainblw Blvd

DATE: 28 March, 2013
JOB NO.: 13-647

SITE PLAN
A1.0
OWNER/DEVELOPER: N/A

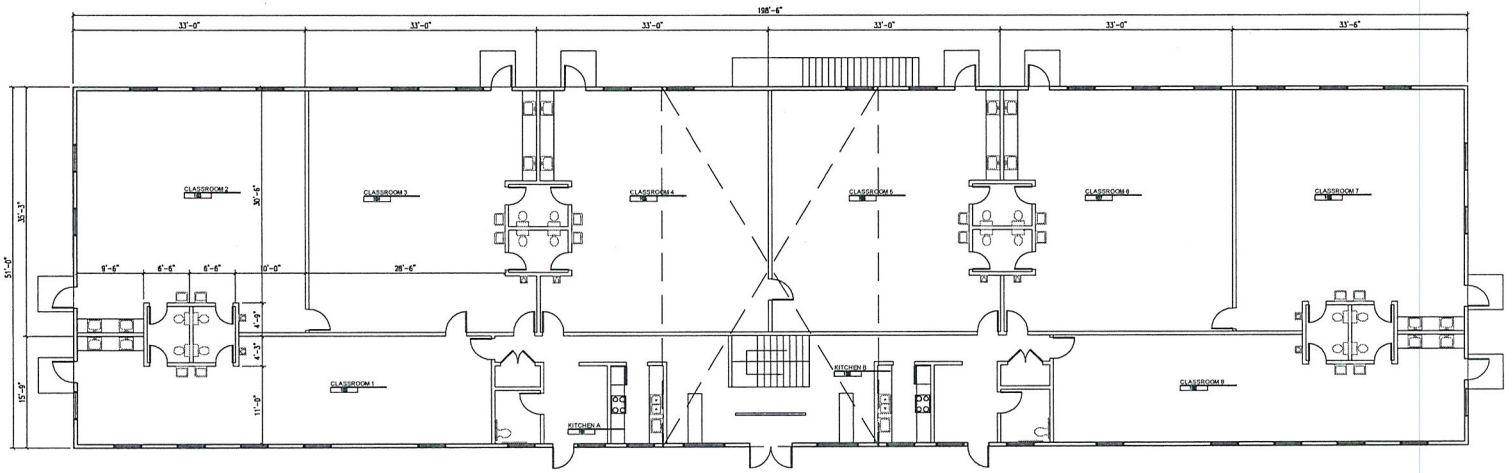
VAR-48850
SUP-48849



SECOND FLOOR PLAN

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

1,530 s.f.



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FIRST FLOOR PLAN

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

10, 124 s.f.

north

GMRA
George M. Rogers, Architect
Architecture ▪ Interiors
6325 South Jones Blvd.
Suite 100
Las Vegas, Nevada 89118
(702) 894-5027
Fax (702) 894-5028
www.gmrarchitect.com

Imagine Schools
1951 S. Rainblw Blvd

DATE: 28 March, 2013
JOB NO.: 13-647
FLOOR PLAN
A2.0
OWNER/DEVELOPER: N/A

VAR-48850
SUP-48849

SUP 48849
Imagine Schools at East Mesa

1951 S. Rainbow Boulevard

Proposed 275 student private school.

Existing Use

	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	DAY CARE CENTER [1000 SF]	10.124	79.26	802
AM Peak Hour			12.26	124
PM Peak Hour			12.46	126

Proposed Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	PRIVATE SCHOOL, K-8 [STUDENTS]	275	2.76	758
AM Peak Hour			0.90	248
PM Peak Hour			0.60	165

Net Change	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	PRIVATE SCHOOL, K-8 [STUDENTS]	275	2.76	-45
AM Peak Hour			0.90	123
PM Peak Hour			0.60	39

Existing traffic on all nearby streets:

Rainbow Boulevard	
Average Daily Traffic (ADT)	39,075
PM Peak Hour (heaviest 60 minutes)	3,126

Oakey Boulevard	
Average Daily Traffic (ADT)	6,988
PM Peak Hour (heaviest 60 minutes)	559

El Parque Avenue	
Average Daily Traffic (ADT)	680
PM Peak Hour (heaviest 60 minutes)	54

Traffic Capacity of adjacent streets:

	Adjacent Street ADT Capacity
Rainbow Boulevard	51,800
Oakey Boulevard	34,500
El Parque Avenue	3,000

This project is expected to decrease traffic on Rainbow Blvd., Oakey Blvd & El Parque Ave. by about 45 trips per day. Currently, Rainbow is at about 75 percent of capacity, Oakey is at about 20 percent of capacity and El Parque is at about 23 percent of capacity. With this project, Rainbow is expected to remain at about 75 percent of capacity, Oakey to remain at about 20 percent of capacity and El Parque to be at about 21 percent of capacity.

Based on Peak Hour use, this project will increase traffic by about 123 trips in the peak hour, or about two every minute.

Note that this report assumes all traffic from this development uses all named streets.



SUP-48849 - APPLICANT: IMAGINE SCHOOLS AT EAST MESA - OWNER: VAUSE FAMILY TRUST
1951 SOUTH RAINBOW BOULEVARD

04/03/13

702-365-9312 | F 702-365-9317
6345 S Jones Blvd, Suite 100
as Vegas, NV 89118

Lochsa engineering

April 2, 2013

Mr. Rick Schroder
Traffic Engineer
City of Las Vegas Public Works
333 North Rancho Drive
Las Vegas, Nevada 89106

Subject: Imagine School – 1951 South Rainbow Boulevard
Lochsa Engineering No. 7111

Dear Mr. Schroder,

Lochsa Engineering is currently assisting LAS consulting in securing construction permits for a private school located at 1951 South Rainbow Boulevard. The school shall be located on the northwest corner of Rainbow Boulevard and El Parque Avenue. The site is also referred to as Assessor's Parcel Number 163-03-703-001.

Referring to City of Las Vegas Title 19, the parking requirement for a school is 3 stalls per classroom. Based upon 8 classrooms a total of 24 parking stalls are required. The site currently has 19 parking stalls provided.

In order to determine that 19 stalls are adequate for the project, an existing Imagine school was observed on April 1 and 2nd during the hours of 7:00 AM through 7:00 PM. Based upon the observations there were a maximum of 22 stalls occupied excluding the pick up time of 3:00 PM. The existing school is located at 7885 West Rochelle Avenue. This school has 325 students enrolled. The proposed school will have 259 student capacity. The parking rate of the existing school is 0.067 stalls per student. For the new school the minimum recommended number of parking stalls is 18 stalls (0.067 * 259 = 17.5).

In addition, the schools pick up operations were reviewed. In order to determine the number of vehicles during the dismissal times, Somerset Academy located at 375 West Centennial Parkway was observed. This private school has 750 students and had 103 vehicles arrive for the dismissal bell.

In discussion with the school officials, the proposed school shall have two separate dismissal times. The first dismissal is scheduled for 2:45 and is intended for the Kindergarten Classes (115 students). The second bell will be at 3:00 PM for the First Grade Classes (115 students). The remaining 29 students are projected to be "after care" and are anticipated to be picked up between 3:15 PM to 6:00 PM.

Based upon the previous observations, the number of vehicles that can be expected for each bell time is 16 vehicles (115 / 750 * 103 = 15.8). Referring to the site plan 4 vehicles may be staged on site. This staging configuration shall have the western driveway as an entrance only and the eastern driveway as an exit only driveway. Staff

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VAR-48850
SUP-48849
REVISED

will man the circulation patterns. It is proposed that the remaining 12 vehicles will be staged in existing on street parking on El Parque Avenue.

If you have any questions or comments, please contact our office at your convenience.

Sincerely,

LOCHSA ENGINEERING

Ted T. Egerton, P.E.

Attachments



RECEIVED

APR 0 9 2013

VAR-48850

SUP-48849

REVISED

7885 Rochelle Avenue
1-Apr-13
325 students

TIME	OCCUPIED STALLS
7:00 a.m.	1
8:00 a.m.	15
9:00 a.m.	21
10:00 a.m.	22
11:00 a.m.	22
12:00 p.m.	21
1:00 p.m.	22
2:00 p.m.	22
3:00 p.m.	Bell time
4:00 p.m.	10
5:00 p.m.	9
6:00 p.m.	1
7:00 p.m.	1

RECEIVED
APR 09 2013
VAR-48850
SUP-48849
REVISED

7885 Rochelle Avenue
2-Apr-13
325 students

TIME	OCCUPIED STALLS
7:00 a.m.	7
8:00 a.m.	21
9:00 a.m.	22
10:00 a.m.	22
11:00 a.m.	22
12:00 p.m.	19
1:00 p.m.	21
2:00 p.m.	22
3:00 p.m.	Bell time
4:00 p.m.	8
5:00 p.m.	5
6:00 p.m.	1
7:00 p.m.	1

RECEIVED
APR 0 9
VAR-48850
SUP-48849
REVISED

Somsert Academy-Pick Up Queue Observations

	Enter		Enter Total	Exit	Exit Total	Queue
2:17	2		2	0		
	0		2	0	0	2
	0		2	0	0	2
2:20	0		2	0	0	2
	0		2	0	0	2
	0		2	1	1	1
	0		2	0	1	1
	0		2	0	1	1
2:25	0		2	0	1	1
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	1		3	0	1	2
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	0		3	0	1	2
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	2		6	0	1	5
	0		6	0	1	5
	0		6	0	1	5
	2		8	0	1	7
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2:45	0	0	12	0	1	11
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	0	0	13	1	3	10
	0	2	15	0	3	12
2:50	0	2	17	0	3	14
	2	4	23	0	3	20
	0	1	24	0	3	21
	1	1	26	0	3	23
	3	1	30	0	3	27
2:55	1	0	31	0	3	28
	0	2	33	1	4	29
	1	1	35	0	4	31
	0	2	37	0	4	33
	1	2	40	0	4	36
3:00	0	1	41	0	4	37
	1	1	43	0	4	39
	1	3	47	0	4	43
	2	1	50	0	4	46
	1	4	55	1	5	50
3:15	3	5	63	0	5	58
	4	6	73	0	5	68
	1	1	75	0	5	70
	1	1	77	0	5	72
	3	0	80	0	5	75
3:20	1	1	82	0	5	77
	3	1	86	0	5	81
	5	0	91	0	5	86
	2	0	93	0	5	88
	3	5	101	0	5	96
3:25	5	1	107	0	5	102
	3	3	113	4	9	**104**
	2	2	117	5	14	103
	4	0	121	6	20	101
	1	4	126	9	29	97
3:30	3	3	132	12	41	91
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	1	1	150	13	97	53
3:35	4	0	154	12	109	45
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3:40	0	0	163	5	153	10
	0		163	0	153	10

RECEIVED
APR 0 9 2013

~~VAR-48850~~
SUP-48849
REVISED

LAS Consulting
1916 Trail Peak Lane
Las Vegas, NV 89134
(702) 499-6469-Cell
(702) 946-0857-Fax

Wednesday, May 22, 2013

Mark Rex, Planning & Development
City of Las Vegas
333 Rancho Rd
Las Vegas, NV 89104

RE: 163-03-703-001, SUP48849
Revised Justification Letter

Dear Mr. Rex:

Please accept this letter as our request for a special use permit for a charter school. This is the site of a day care center. The rooms are easily converted to classrooms and the building design makes for an easy transition from day care to school. In addition, this property has been licensed by the state for a school, (kindergarten-see attached license). Imagine schools operate nationally as a tuition free charter school for grades K-12. The subject site will operate for 2nd, 3rd, 4th and 5th grades and will be a part of the Imagine Mountain View School located at the SWC of Buffalo and Rochelle, in Clark County. This is a temporary location for a couple of years while they acquire additional property and build a school that can house all of the classrooms together. There is easy access to Rainbow; there will be 8 classrooms, with an initial enrollment of 259 and a maximum of 275 students. There will be no changes to the building or the site.

The second floor will be used as an office for the finance director and storage. In addition, this building was built and occupied prior to the code changing and requiring drop off for day care, therefore one was never built at this location. There is not room to build a drop off; however the site functioned as a day care and grade K for years without a drop off. Parents park their cars and take their children inside. We are working towards an off-site location for queuing.

The building has been functioning similar to a school and the charter school is a positive re-use of the property.
Yours truly,

Lucy Stewart
LAS Consulting

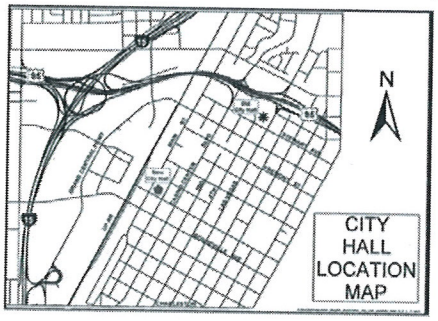
RECEIVED
MAY 22 2013
City of Las Vegas
Department of Planning
SUP-48849
REVISED

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004279218
$ 00.43³
MAY02 2013
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



RECEIVED
MAY 23 2013
City of Las Vegas
Department of Planning

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-48849

Planning Commission Meeting of **5/14/2013**

Case: SUP-48849

16302213013
FICHTER CATHERINE J
6820 SAN RICARDO AVE #101
LAS VEGAS NV 89146-0870 89146-0870

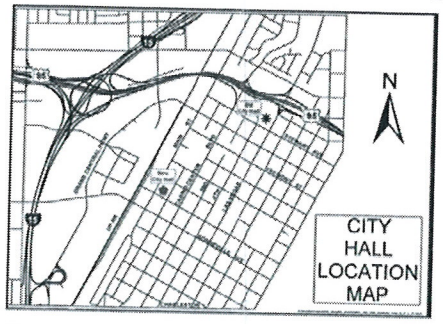
SS ORDFMP 89146

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 $ 00.43³
0004279218 MAY 02 2013
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



All schools need parking — For student safety
J. Bingham
Jo Ann Bingham

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-48849

Planning Commission Meeting of **5/14/2013**

RECEIVED
MAY 07 2013
City of Las Vegas
Department of Planning

16302213056 Case: SUP-48849
BINGHAM CHAUNCEY & JO ANN
8028 MADDINGLEY AVE
LAS VEGAS NV 89117-7637 89117-7637

18 DRDFNMP 89117

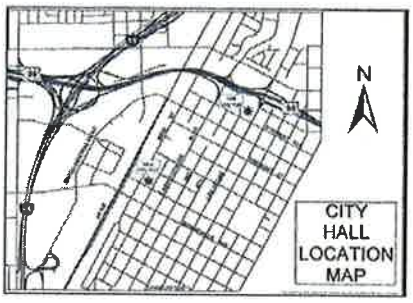
56
P

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
02 1M $ 00.43³
0004279218 MAY 02 2013
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-48849

Planning Commission Meeting of **5/14/2013**

RECEIVED
MAY 09 2013
City of Las Vegas
Department of Planning

Case: SUP-48849
16303702015
LIN WILLIAM
YU RUI-JI
7045 EL PARQUE AVE
LAS VEGAS NV 89117-2105 89117-2105

1 8 ORDFNMP 89117

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-48849

Planning Commission Meeting of **5/14/2013**

RECEIVED
MAY 09 2013
City of Las Vegas
Department of Planning

Case: SUP-48849
16302313006
LARSON S FAMILY L P
2950 E FLAMINGO #H
LAS VEGAS NV 89121-5208 89121-5208

1 4 ORDFNMP 89121

Submitted after final agenda
Date 5/9/13 Item 56 2A

City of Las Vegas Agenda Item No.: **29.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

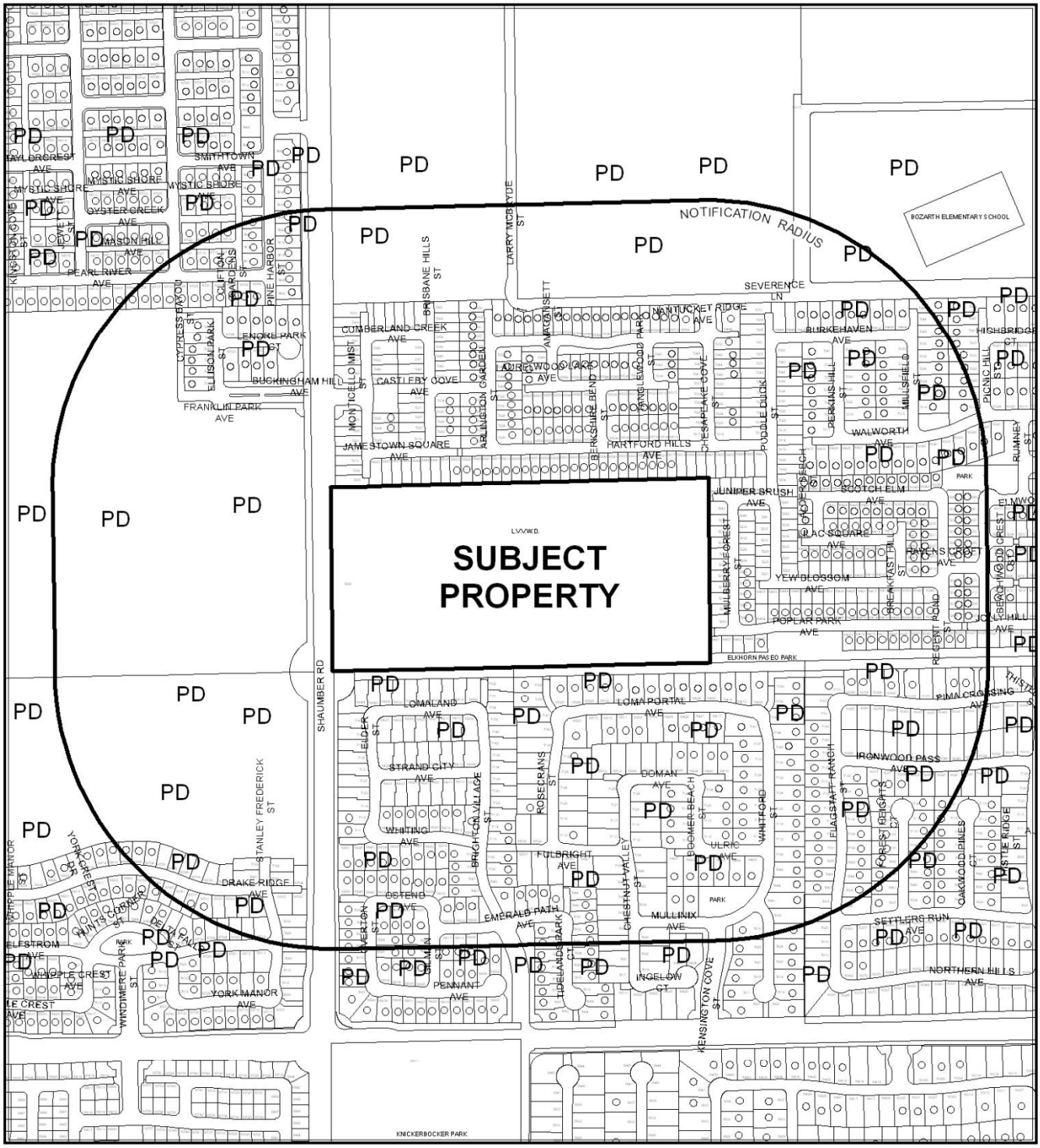
SUBJECT:
ABEYANCE - RENOTIFICATION - SDR-48456 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: LAS VEGAS VALLEY WATER DISTRICT - OWNER: USA - For possible action on a request for a Site Development Plan Review TO INSTALL 28 16-FOOT TALL SOLAR PANEL ARRAYS AND ONE 30-FOOT WEATHER TOWER on 20.69 acres at 7210 Shaumber Road (APN 126-13-401-014), PD (Planned Development) Zone [PF (Public Facility) Cliff's Edge Special Land Use Designation], Ward 6 (Ross) [PRJ-48348]. Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**13**	**Planning Commission Mtg.**	**4**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Neighborhood Meeting Comments
7. Protest/Support Postcards



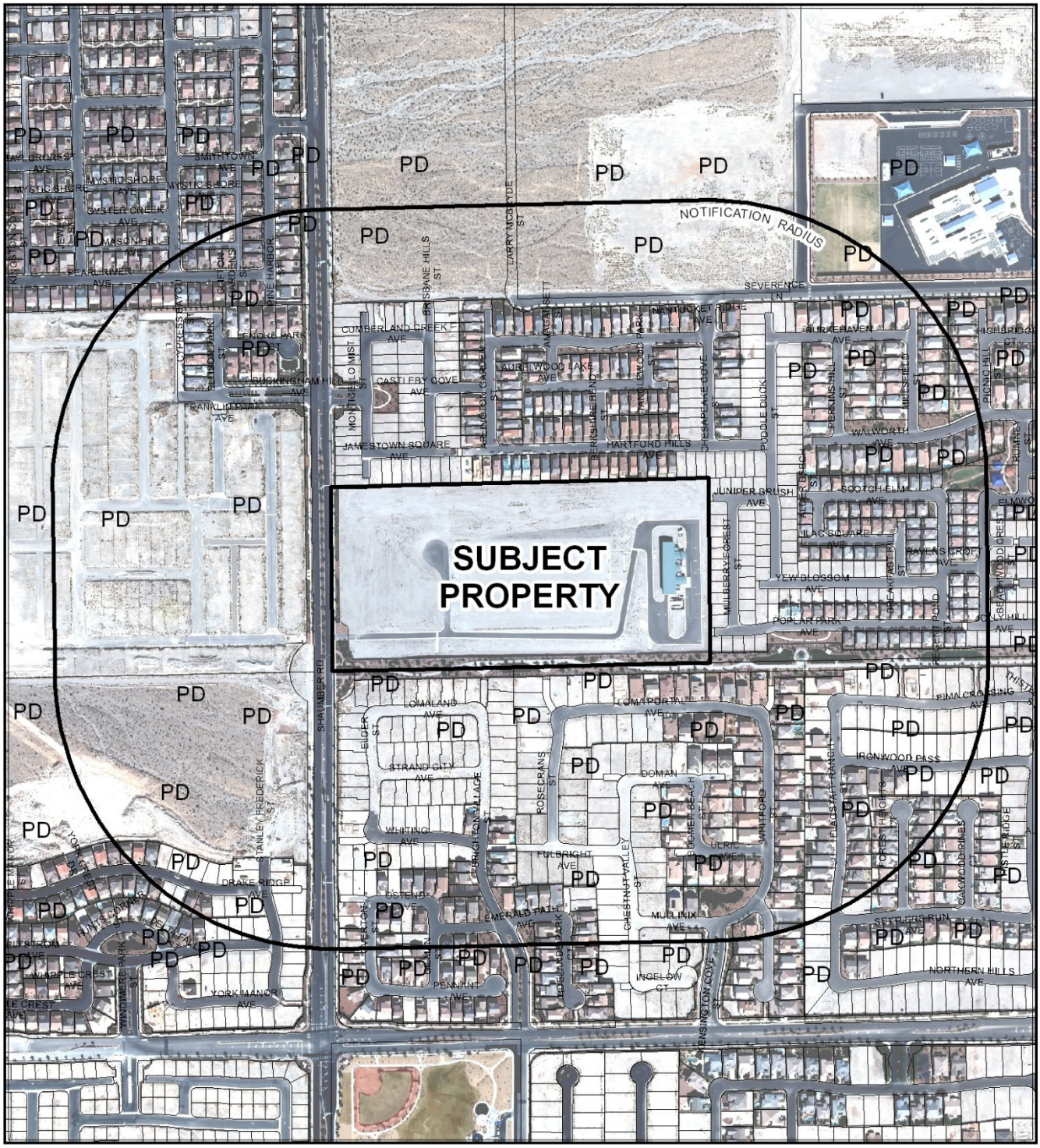
0 400 800 Feet

CASE: **SDR-48456**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)
[PF (PUBLIC FACILITIES) Cliff's Edge Special Land Use Designation]

N



CASE: **SDR-48456**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)
[PF (PUBLIC FACILITIES) Cliff's Edge Special Land Use Designation]

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: LAS VEGAS VALLEY WATER DISTRICT - OWNER: USA

**** STAFF RECOMMENDATION ****

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-48456	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

SDR-48456 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All development shall be in conformance with the site plan and profile sections, date stamped 05/01/13, except as amended by conditions herein.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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. 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.

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

Public Works

7. 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, submittal of construction drawings or the submittal of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

8. Site development to comply with all applicable conditions of approval for SDR-3900 and all other applicable site-related actions.

Staff Report Page One
June 11, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to construct 28, 16-foot tall solar panel arrays and a 33-foot tall weather tower within an enclosed pumping station. The solar panels will generate electrical power onsite to offset the costs and infrastructural burden of routing high-voltage power on site and the weather tower will provide monitoring and testing equipment for the Nevada Regional Test Center (NRTC). 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 panels or the weather tower.

ISSUES

- The requested solar power use and antenna (weather tower) are ancillary to the existing water facility and is a permissible use, as the proposal is not subject to the Cliff's Edge/Providence Master Plan.
- Per Title 19.08.040(H)(2)(c)(ii), 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	The Planning Commission approved a Site Development Plan Review (SDR-3900) 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.
06/14/11	The Planning Commission approved a Site Development Plan Review (SDR-41591) for a Solar Power Generating Facility consisting of two 93-foot tall solar collection towers at 7210 Shaumber Road. Staff recommended approval.

04/09/13	The Planning Commission approved the request to abey the Site Development Plan Review (SDR-48456) request for a Solar Power Generating Facility to the 06/11/13 Planning Commission meeting. The applicant requested the abeyance in order to allow time to revise the proposal with smaller solar panel arrays.

Most Recent Change of Ownership
The subject parcel is owned by the Federal government and operates under a long-term lease to the Las Vegas Valley Water District (LVVWD).

Related Building Permits/Business Licenses	
09/22/04	A Building Permit (#27484) was issued for perimeter walls for a reservoir and pumping station. This permit was finaled 02/11/07.

Pre-Application Meeting	
01/23/13	Staff met with the applicant to discuss the Site Development Plan Review submittal requirements for a the proposed solar panels and weather tower.

Neighborhood Meeting	
03/13/13	A voluntary neighborhood meeting was held from 4:00 p.m. to 7 p.m. at the Centennial Hills YMCA, 6601 North Buffalo Drive. The five representatives for the applicant, one city staff member, and eight members of the public were present. General concerns were raised regarding the height of the solar panels and weather tower; the applicant explained that the panels would rarely be in a full upright position and would be maintained in a horizontal mode at night. There were also concerns raised regarding blocked views; the applicant responded that only three of the panels would be constructed in the first phase and that the panels installed during later stages would be smaller in size.

Field Check	
02/28/13	The existing muniplcal utility facility (covered water reservoir) is screened from view by an eight-foot perimeter wall and features a well-maintained 20-foot wide landscape buffer along Shaumber Road with mature plants and meandering sidewalk that adjoins the neighboring parcels to the east and west.

Details of Application Request	
Site Area	
Net Acres	20.69

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Utility Station, 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	***Compliance***
Cliff's Edge	Y
Special Purpose and Overlay Districts	***Compliance***
PD (Planned Development)	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	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 28, 16-foot tall solar panel arrays that are placed at the western side of the subject property, set back approximately 150 feet south of the north property line, 197 feet north of the south property line, and 60 feet east of the west property line. There are two banks of 16-foot tall photovoltaic arrays. The north bank of arrays consist of 14 rows of 45 photovoltaic modules each, approximately 200 feet by 150 feet. The southern bank has 14 rows with 30 modules per row, approximtately 200 feet by 122 feet.

All of the photovoltaic panels are substantially screened from view of the neighboring residential properties by the existing eight to 12-foot high screen walls.

Proposed Array Configuration				
Bank		**Modules**	**Height**	
North			16 feet	
South				

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 solar power generating facility will generate approximately 300 kW of electrical energy using an array of photovoltaic panels. The proposed structures meet the Las Vegas 2020 Master Plan 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-48456)

In order to approve a Site Development Plan application, per Title 19.16.100(E) 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 Shaumber 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 Las Vegas 2020 Master Plan 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 photovoltaic arrays 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 photovoltaic arrays 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 23

NOTICES MAILED 596

APPROVALS 4

PROTESTS 13

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-48456 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: P Mulroy

Print Name: Patricia Mulroy

Subscribed and sworn before me

This 20th day of February, 2013

Joan S. Wakley

Notary Public in and for said County and State

JOAN S. WAKLEY
Notary Public State of Nevada
No. 08-7913-1
My Appt. Exp. July 17, 2016

PRJ-48348
03/12/13

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review

Project Address (Location) 7210 Shaumber Road

Project Name C1341 - Renewal Energy Project, Phase II **Proposed Use** Utility Installation

Assessor's Parcel #(s) 126-13-401-014 **Ward #** _____

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:** 258-3266 **Fax:** 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:** 258-3266 **Fax:** 862-7452

City Las Vegas **State** Nevada **Zip** _____

E-mail Address _____

REPRESENTATIVE Las Vegas Valley Water District **Contact** Peter J. Jauch

Address 1001 S. Valley View Boulevard **Phone:** 258-3240 **Fax:** 862-7452

City Las Vegas **State** Nevada **Zip** _____

E-mail Address _____

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* P Mulroy

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

Print Name Patricia Mulroy

Subscribed and sworn before me

This 20th day of February, 20 13.

Joan S Wakley

Notary Public in and for said County and State

JOAN S. WAKLEY
Notary Public State of Nevada
No. 08-7913-1
My Appt. Exp. July 17, 2016

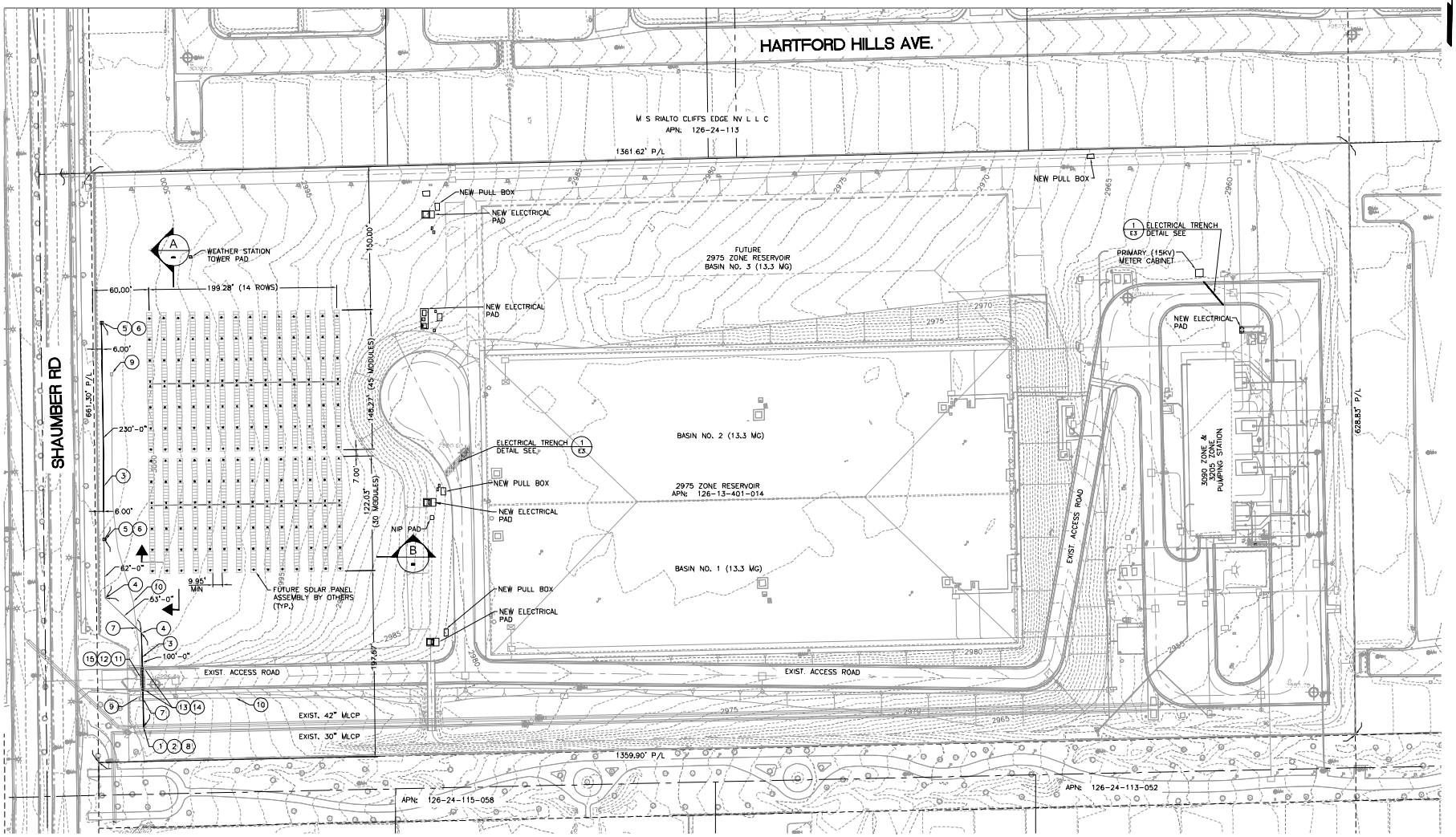
FOR DEPARTMENT USE ONLY

Case #	SDR-48456
Meeting Date:	
Total Fee:	
Date Received:*	
Received By:	

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

PRJ-48348
03/12/13

Revised 10/27/08



CONSTRUCTION NOTES

1. INSTALL 2" PRV PRESSURE REDUCING VALVE, FACTORY SETTING IS 65 PSI CONTRACTOR TO FIELD ADJUST TO AS NECESSARY. (1 / C01)
2. INSTALL 2" BACKFLOW (1 / C01)
3. INSTALL 2" SCH 40 PVC WATERLINE, SEE TRENCH BACKFILL DETAIL (3 / C01)
4. 45° BEND
5. 2" POLYMER WATER METER BOX AND COVER WITH CONCRETE COLLAR (4 / C01)
6. 3/4" BALL VALVE THREADED INLETS WITH LEVER HANDLE (4 / C01)
7. CONTRACTOR TO LOCATE EXIST. UTILITY
8. CONNECT TO EXIST. 4" AVAR WATERLINE (1 / C01)
9. EXIST. PULLBOX
10. EXIST. CONDUIT
11. SAWCUT AND REMOVE EXIST. AC PAVEMENT
12. REPLACE AC PAVEMENT WITH TYPE II AGGREGATE BASE, FOR TRENCH BACKFILL, SEE DETAIL (2 / C01)
13. REMOVE AND DISPOSE EXIST. 30" ROLL TYPE C&G
14. CONSTRUCT 30" ROLL TYPE C&G PER USD #217.51
15. INSTALL 4" PVC SLEEVE UNDER ROADWAY AND CURB

LEGEND

SAWCUT AND REMOVE EXISTING AC PAVEMENT

PRJ-48348
05/01/13

LAS VEGAS VALLEY WATER DISTRICT
1001 S. VALLEY VIEW BOULEVARD
LAS VEGAS, NEVADA 89153
(702) 870-4011

VERIFY SCALE
BAR REPRESENTS ONE AND ONE-HALF INCHES ON ORIGINAL

RENEWABLE ENERGY PROJECT, PHASE II

SITE PLAN

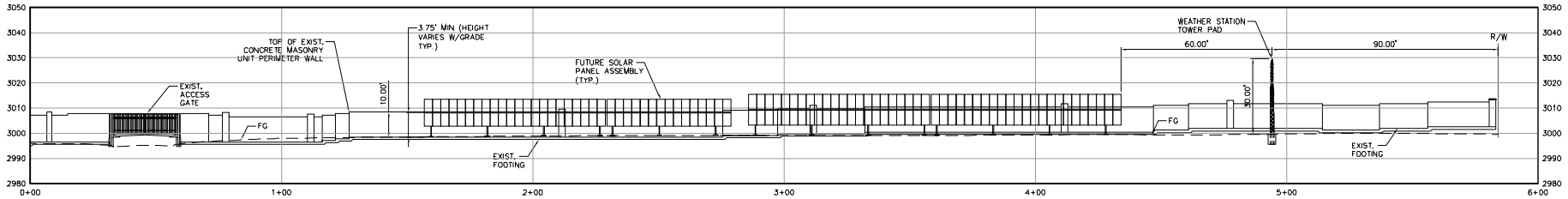
SCALE 1" = 50'

DRAWN BY: NAN
CHECKED BY: DAVID LEVINE
RECOMMENDED BY: JOSEPH Y. LIN DATE
ACCEPTED BY: PETER J. JAUCH DATE

REVISIONS:

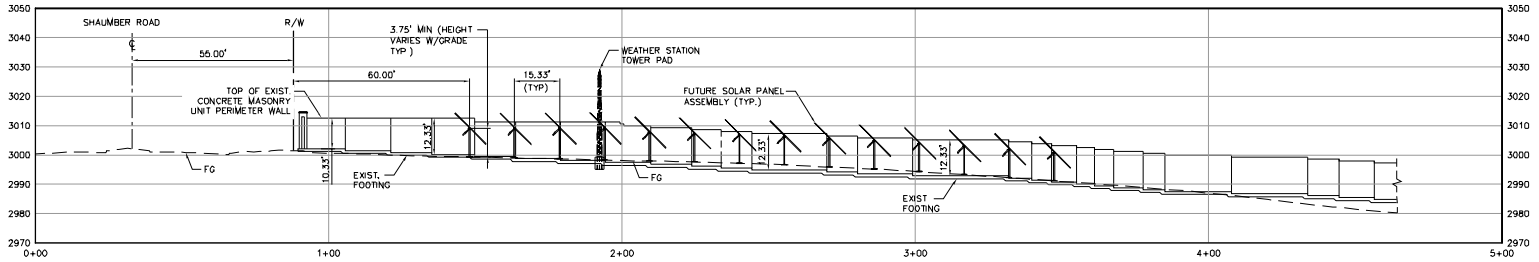
CONTRACT NUMBER
C1341
DRAWING NUMBER C1
SHEET 1 OF 2

SDR-48456 REVISED



PROFILE SECTION A / C2

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



PROFILE SECTION B / C2

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

PRJ-48348

05/01/13

Call before you OVERHEAD 1-702-227-2929

Call 811

LAS VEGAS VALLEY WATER DISTRICT
1001 S. VALLEY VIEW BOULEVARD
LAS VEGAS, NEVADA 89153
(702) 870-4011

VERIFY SCALE
BAR REPRESENTS ONE AND ONE-HALF INCHES ON ORIGINAL

RENEWABLE ENERGY PROJECT, PHASE II

PROFILE SECTIONS

SCALE 1" = 20'

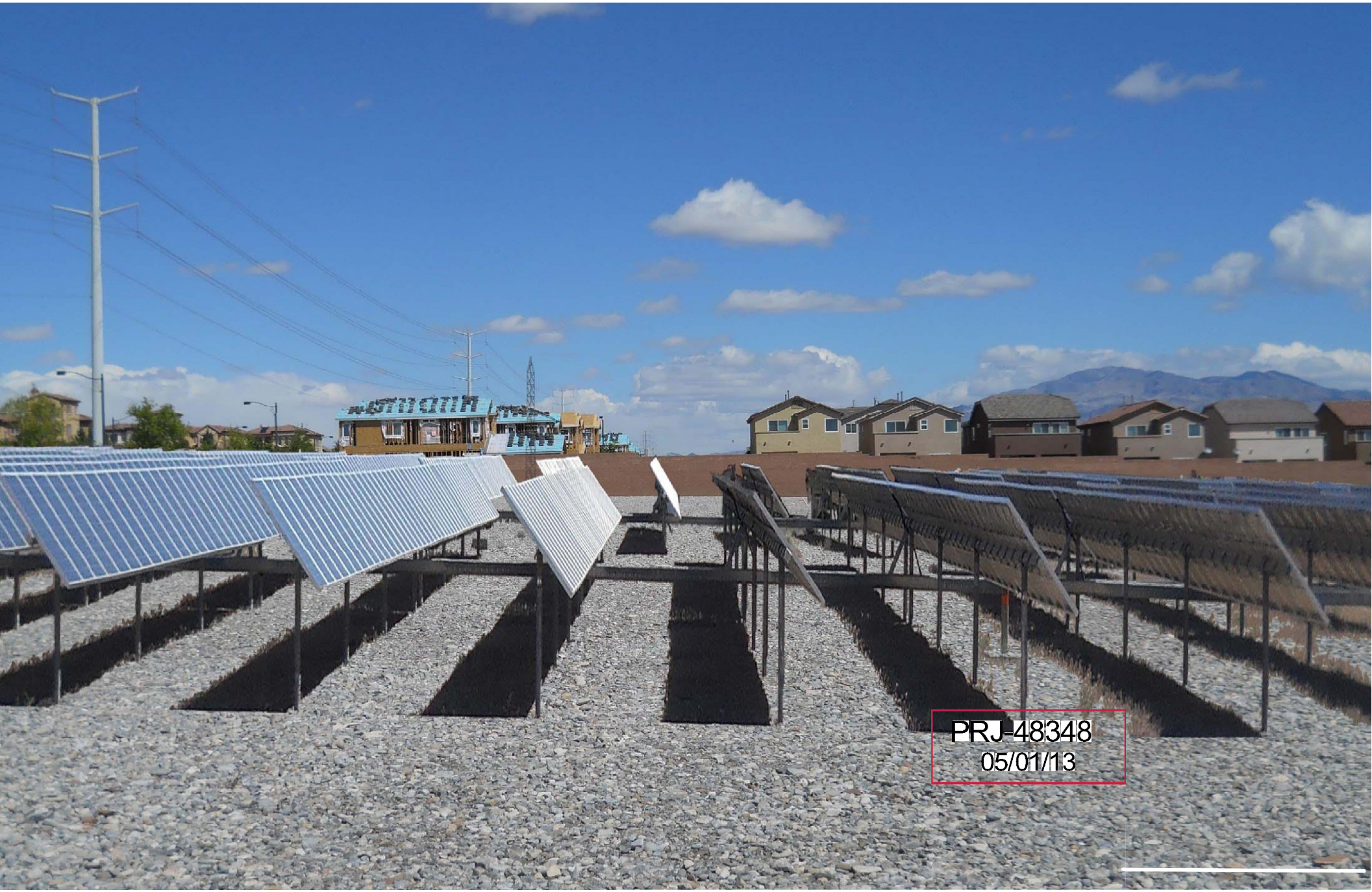
DRAWN BY: NAN
CHECKED BY: DAVID LEVINE
RECOMMENDED BY: JOSEPH Y. LIN DATE
ACCEPTED BY: PETER J. JAUCH DATE

REVISIONS:

CONTRACT NUMBER
C1341

DRAWING NUMBER C2
SHEET 2 OF 2

SDR-48456 REVISED



SDR-48456 REVISED



SDR-48456 REVISED



SDR-48456 REVISED



SDR-48456 REVISED

L 6

Inst #: 201203220001050
Fees: $23.00
N/C Fee: $25.00
03/22/2012 09:13:40 AM
Receipt #: 1105154
Requestor:
LAS VEGAS VALLEY WATER DIST
Recorded By: MJM Pgs: 7
DEBBIE CONWAY
CLARK COUNTY RECORDER

APN# 126-13-401-014
11-digit parcel number may be obtained at:
http://redrock.co.clark.nv.us/assrealprop/ownr.aspx

RIGHT-OF-WAY GRANT /
TEMPORARY USE PERMIT
Type of Document
(Example: Declaration of Homestead, Quit Claim Deed, etc.)

Recording Requested by:
LAS VEGAS VALLEY WATER DISTRICT

Return To:
Name LAS VEGAS VALLEY WATER DISTRICT
Address P.O. BOX 99956
City/State/Zip LAS VEGAS, NEVADA 89193-9956

This page added to provide additional information required by NRS 111.312 Section 1-2
(An additional recording fee of $1.00 will apply)

This cover page must be typed or printed clearly in black ink only.

CS 02/07

PAGE 1 OF 6 N-6/4/12/C/

PRJ-48348
03/12/13

SDR-48456

Form 2800-14
(August 1985)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT/~~TEMPORARY USE PERMIT~~

Issuing Office
Las Vegas Field Office
Serial Number
N-61412/C/

1. A (right-of-way) (~~permit~~) is hereby granted pursuant to:

   a. ■ Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776 43 U.S.C. 1761);

   b. ☐ Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185);

   c. ☐ Other (describe)_____.

2. Nature of Interest:

   a. By this instrument, the holder, Las Vegas Valley Water District, receives a right to operate, maintain, and terminate a water reservoir, pumping station and solar system with related appurtenance on public lands (~~or Federal land for MLA Rights-of-Way~~) described as follows:

Mount Diablo Meridian, Nevada
T. 19 S., R. 59 E.,
section 13, S½SE¼SW¼.

A map showing the location of the right-of-way is on file with the Bureau of Land Management, Las Vegas Field Office in casefile N-61412.

b. The right-of-way or permit area granted herein is N/A feet wide, N/A feet in length, and contains N/A acres, more or less. If a site type facility, the facility contains 20 acres.

c. This instrument shall be granted in perpetuity, unless prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.

d. This instrument ☐ may ☐ may not be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest. NOT APPLICABLE

e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

(Continued on page 2)

PRJ-48348
03/12/13

SDR-48456

Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices. NOT APPLICABLE

4. Terms and Conditions:

a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations parts 2800 and 2880.

b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 120 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.

c. Each grant issued pursuant to the authority of paragraph (1)(a) for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.

d. The stipulations, plans, maps, or designs set forth in Exhibits A, B and C dated MAR 0 1 202 are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.

e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.

f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

Richard B. Holmes
Rick B. Holmes

Vanessa L. Hice
Assistant Field Manager
Division of Lands

Deputy General Manager
(Title)

(Title)

2/15/12
(Date)

3/1/12
(Effective Date of Grant)

PRJ-48348
03/12/13

SDR-48456

Exhibit A
Stipulations N-61412/C/

1. **General Stipulations**

1.1. The right-of-way is issued subject to all valid existing rights.

1.2. No signs of advertising devices shall be placed on the premises or on adjacent public lands, except those posted by or at the direction of the authorized officer.

1.3. The right-of-way shall be maintained in a sanitary condition at all times. Waste materials at those sites shall be disposed of promptly at an approved waste disposal site. "Waste", as used in this paragraph, shall mean all discarded matter of any kind.

1.4. Holder shall mark the exterior boundaries of the right-of-way with stake and/or lath at 100 to 200 foot intervals. The intervals may be varied at the time of staking at the discretion of the Authorized Officer. The tops of the stakes and/or laths will be painted and the laths flagged in a distinctive color as determined by the Holder. Holder shall maintain all boundary stakes and/or laths in place until final cleanup and restoration is completed.

1.5. The Holder, as a political subdivision of the State of Nevada, shall be held liable in accordance with the provisions of 43 CFR 2807.13(a) which replaces 43 CFR 2803.1-5(f).

1.6. Holder shall conduct all activities associated with construction, operation, maintenance and termination of this right-of-way within its authorized limits.

1.7. Holder shall maintain the right-of-way in a safe, useable condition, as directed by the Authorized Officer. A regular maintenance program shall include, but is not limited to, soil stabilization.

1.8. Holder shall maintain copy of the authorization along with stipulations on construction site at all times. In the event that the public land underlying the right-of-way (N-87448), encompassed in this grant, or a portion thereof, is conveyed out of Federal ownership and administration of the ROW or the land underlying the ROW is not being reserved to the United States in the patent/deed and/or the ROW is not within a ROW corridor being reserved to the United States in the patent/deed, the United States waives any right it has to administer the right-of-way, or portion thereof, within the conveyed land under Federal laws, statutes, and regulations, including the regulations at 43 CFR Part [2800][2880], including any rights to have the holder apply to BLM for amendments, modifications, or assignments and for BLM to approve or recognize such amendments, modifications, or assignments. At the time of conveyance, the patentee/grantee, and their successors and assigns, shall succeed to the interests of the United States in all matters relating to the right-of-way, or portion thereof, within the conveyed land and shall be subject to applicable State and local government laws, statutes, and ordinances. After conveyance, any disputes concerning

MAR 0 1 2012

SDR-48456

compliance with the use and the terms and conditions of the ROW shall be considered a civil matter between the patentee/grantee and the ROW Holder.

1.9. Within 90 days of construction completion, the Holder shall provide the Authorized Officer with data in a format compatible with the Bureau's Arc-Info Geographic Information System to accurately locate and identify the right-of-way:

Acceptable data formats are:
Corrected Global Positioning System files with sub-meter accuracy or better, in UTM NAD 83; Zone 11;
ARCGIS export files on a CD ROM, shapefile, geodatabase.

Data may be submitted in any of the following formats:
ARCGIS interchange, shapefile or geodatabase format.
CD ROM in compressed or uncompressed format.

All data shall include metadata for each coverage, and conform to the Content Standards for Digital Geospatial Metadata Federal Geographic Data Committee standards. Contact the GIS Department at (702) 515-5000.

2. **Air Quality**

2.1. The Holder shall not violate applicable air standards or related facility siting standards established by or pursuant to applicable federal, state, or local laws or regulations. The Holder shall be responsible for dust abatement within the limits of the right-of-way and is responsible for obtaining all necessary permits from appropriate authorities for acceptable dust abatement and control methods (e.g., water, chemicals). The Holder shall be solely responsible for all violations of any air quality permit, law or regulation, as a result of its action, inaction, use or occupancy of the right-of-way.

Notwithstanding whether a violation of any air quality permit, law or regulation results, the Holder will cooperate with the Authorized Officer in implementing and maintaining reasonable and appropriate dust control methods in conformance with law and appropriate to the circumstances at the sole cost of the Holder.

Prior to relinquishment, abandonment, or termination of this right-of-way, the Holder shall apply reasonable and appropriate dust abatement and control measures to all disturbed areas. The abatement and measures shall be designed to be effective over the long-term (e.g., rock mulch or other means) and acceptable to the Authorized Officer.

2.2. During excavation, backfilling, and contouring, the disturbed soil should be wetted sufficiently in order to effectively reduce airborne dust and reduce soil erosion.

3. **Cultural**

3.1. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the Holder, or any person working on his behalf on public or Federal lands

SDR-48456

shall be immediately reported to the Authorized Officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The Holder will be responsible for the cost of evaluation. Any decision regarding suitable mitigation measures will be made by the Authorized Officer after consulting with the Holder. Holder shall be responsible for the resultant mitigation costs.

4. **Hazardous Material/Pesticides/Liability**

4.1 If any hazardous material will used, the product, stored, or transported on or within the right-of-way area or facilities located thereon, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities, the Holder shall submit a Plan of Development in accordance with the requirements enumerated in the BLM Handbook 2801-1.

5. **Mineral Material**

5.1 Mineral material generated, and not needed for the development of the proposed action within the right-of-way site, requires a specific BLM use authorization in accordance with regulations at 43 CFR 3600 prior to the removal of in place excess mineral material.

6. **Survey Monuments**

6.1. Holder shall protect all survey monuments found within the authorization area. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coast and Geodetic Survey benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. If any of the above are to be disturbed during operations, the holder shall secure the services of a Professional Land Surveyor or Bureau cadastral surveyor to perpetuate the disturbed monuments and references using surveying procedures found in the Manual of Instructions for the Survey of the Public Lands of the United States and Nevada Revised Statutes, Chapter 329, Perpetuation of Corners. The holder shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monuments, the holder shall be responsible for the survey cost.

7. **Vegetation/Noxious Weeds/Land surface Treatment/Soil/Water/Riparian**

7.1. The Holder shall be responsible for weed control on disturbed areas within the limits of the right-of-way. The Holder is responsible for consultation with the Authorized Officer and/or local authorities for acceptable weed control methods within limits imposed in the right-of-way stipulations.

MAR 0 1 2012

SDR-48456

7.2. Land surface treatment for areas previously disturbed: Following excavation, trenches will be backfilled with the excavated soil. The soil will be distributed and contoured evenly over the surface of the disturbed area. The soil surface will be left rough to help reduce potential wind erosion.

7.3. Land surface treatment for areas previously undisturbed: Strip the top three to six inches of soil material with associated plant material over all surfaces to be disturbed by construction. Stockpile this material along the course of construction will be salvaged and transplanted out of harm's way but still within the right of way. At the conclusion, including trench backfilling and compaction, replace the stockpiled soil with plant debris uniformly back on the surface of the disturbed area.

7.4. Soil/Water/Riparian: If work is to occur in Ephemeral channels, need to consult with Army Corp of Engineers (ACOE) and Nevada Department of Environmental Protection (NDEP). If drilling boreholes, holder needs to follow Nevada Administrative Code (NAC) protocols for drilling.

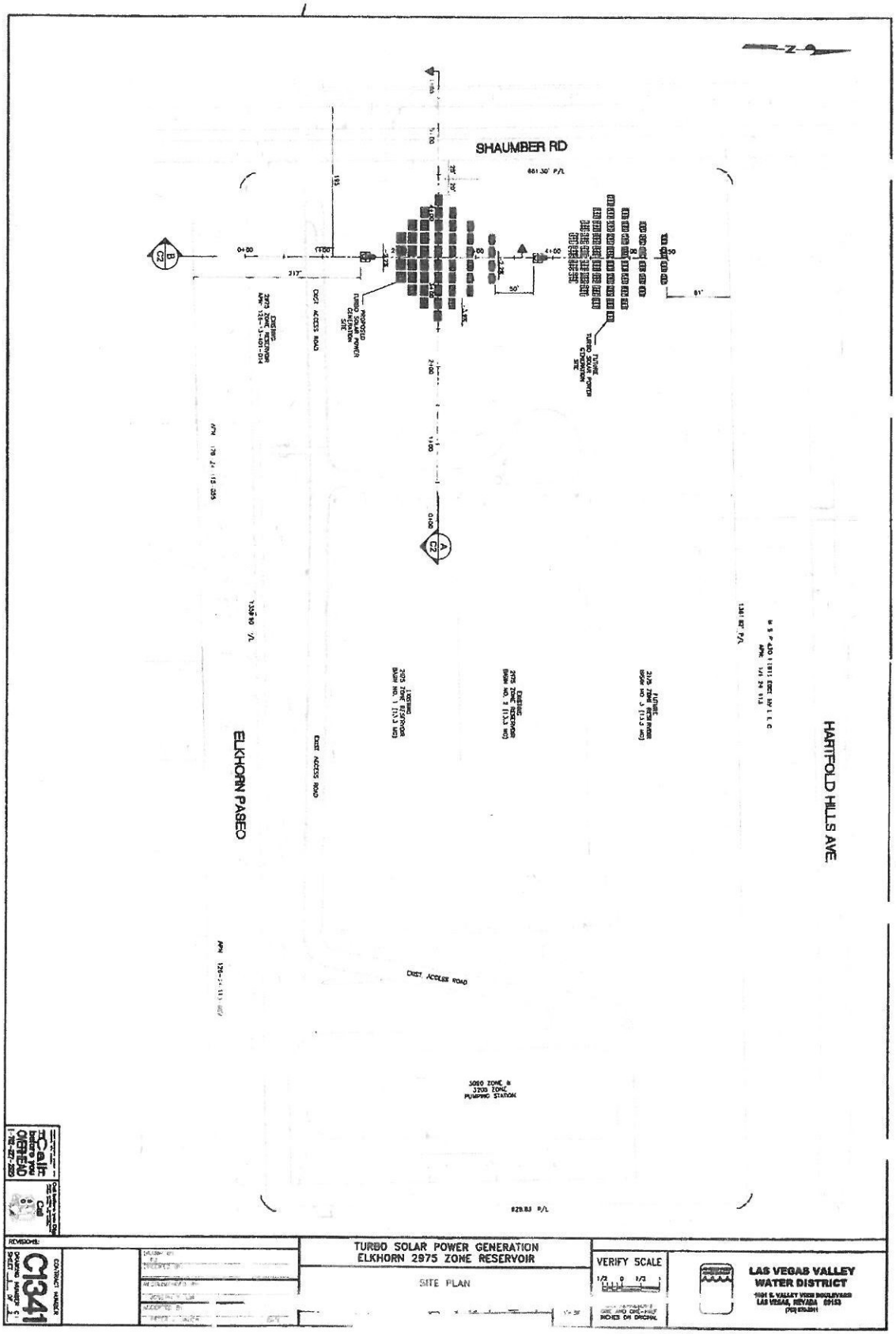
8. **Migratory Birds**

8.1. The Holder agrees to survey for nests of migratory birds between the periods of March 15 through July 30, and should a nesting be found the Holder will use a properly qualified personnel, as agreed upon by BLM and the Holder, to avoid the nest or minimize adverse impact to the nest and nestling, including relocation of the nest if appropriate. The Holder will consult with the Authorized Office on a case by case basis to determine the appropriate minimization efforts.

9. **Threatened and Endangered Wildlife and Plant Species Stipulations**

9.1. The Holder will comply with the terms and conditions of the **Biological Opinion, File No. 1-5-96-F-023R.3 for the Las Vegas Valley** on file at the Bureau of Land Management, Las Vegas Field Office.

MAR 0 1 2012

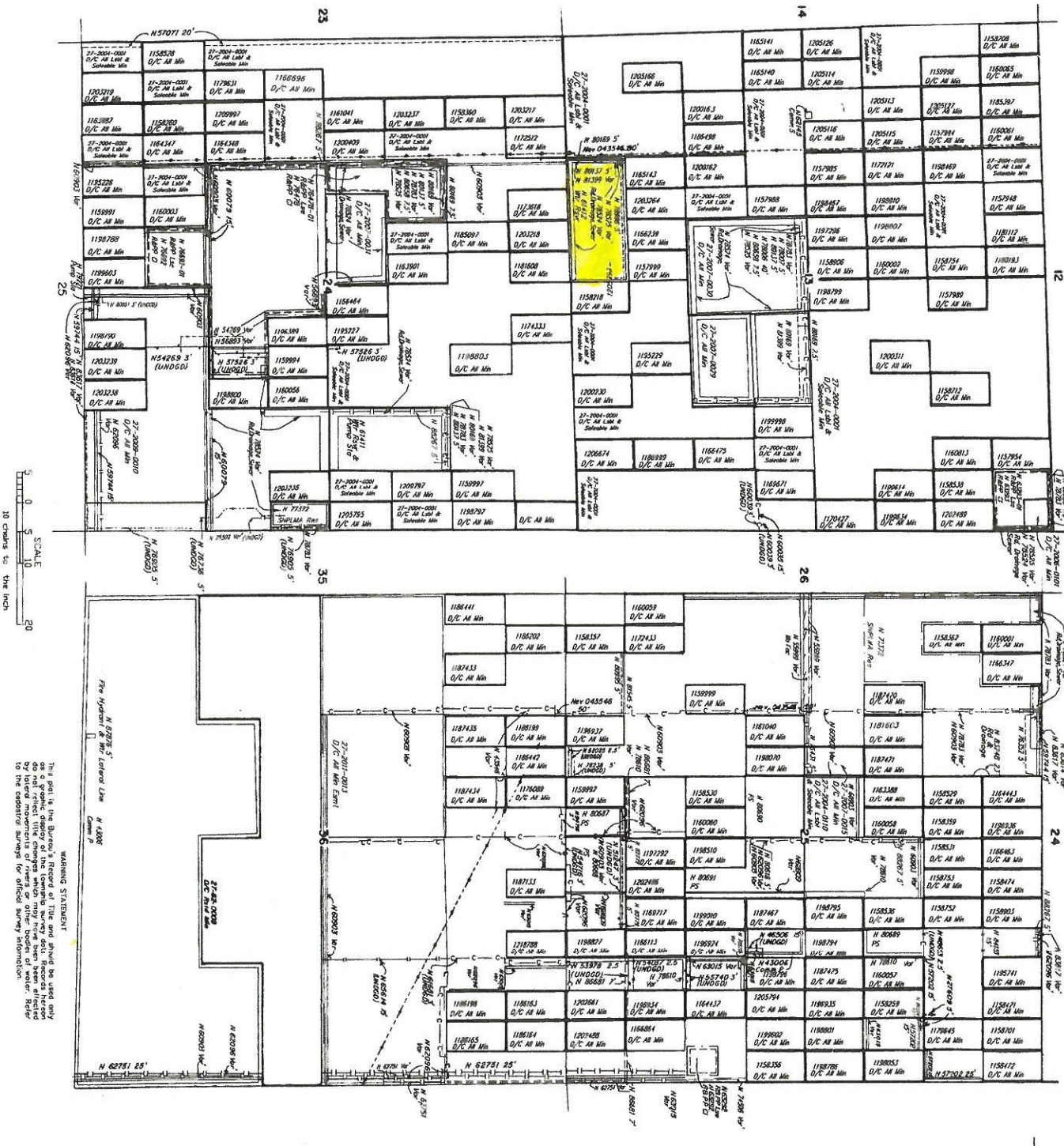


N-61412/C/ Exhibit B

MDM, T. 19 S., R. 59 E.,
sec. 13, S½SE¼SW¼.

Approximately 20 acres

SDR-48456
MAP 01 2012
PRJ-48348
03/12/13


TOWNSHIP 19 SOUTH RANGE 59 EAST OF THE MOUNT DIABLO MERIDIAN, NEVADA
STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES
MT PLAT
Suppl Sec 13,24,25,36
INDEX TO SEGREGATED TRACTS
RESURVEY
ORIGINAL SURVEY
TRACT NO
T
R
SEC
SUBDIVISION
WARNING STATEMENT
SCALE
10 chains to the inch
N57071 20'
N 62751 25'
N 62781 25'
N 63715 Var
N 63708 Var
N 63714 Var
N 63717 Var
N 63719 Var
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SDR-48456 – APPLICANT: LAS VEGAS VALLEY WATER DISTRICT - OWNER: USA
7210 SHAUMBER ROAD

02/28/13



SDR-48456 – APPLICANT: LAS VEGAS VALLEY WATER DISTRICT - OWNER: USA
7210 SHAUMBER ROAD

02/28/13

LAS VEGAS VALLEY
WATER DISTRICT

February 21, 2013

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 AMENDMENT (SDR-41591)

The Las Vegas Valley Water District (District) is in the process of designing renewable energy facilities on a portion of 20.69 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 District will install infrastructure to provide Sandia National Laboratories with a fully functional Nevada Regional Test Center (NRTC) at the District's Elkhorn 2975 Zone Reservoir site, located at 7210 Shaumber Road, Las Vegas, Nevada. The NRTC will be approximately four acres in size, located on the western-most portion of the site.

The NRTC will include monitoring and testing equipment on the site that will be housed to provide protection from the weather. Additionally, the NRTC will include provisions for daily collection of weather data on the site.

Site infrastructure will include a 480 volt, 3-phase service transformer for each photovoltaic test vendor to connect to the power grid, up to a total of 300 kVA. Auxiliary power infrastructure will also be provided and will consist of 120/240 volt single-phase service used for monitoring and communications equipment, and maintenance and construction power.

At this time, the District respectfully requests Site Development Plan Review SDR-41591, previously approved by the City of Las Vegas Planning Commission on June 14, 2011, be amended to replace the 93-foot tall solar collector tower with multiple solar collectors no larger than 30 feet tall by 48 feet wide sola panels and a 30-foot tall weather collection tower. The western property line is bounded by Shaumber Roa and the southern property line is bounded by a 70-foot wide paseo, minimizing the impact on the surrounding residential development. The perimeter walls are of varying height and are constructed of natural finish cement masonry units; wall dimensions are shown on the exhibit drawings. The installation will be maintained by way of washing of the panels every six weeks with a typical garden hose. Access will be limited through a locked gate, as indicated on the plans.

The project is scheduled to begin construction in spring 2013 and to be completed in mid-2013.

If you have any questions, or require additional information, please contact Joseph Lin, Engineering Project Manager, at (702) 875-7062.

Sincerely,

Peter J. Jauch, P.E.
Manager
Engineering Design Division

PJJ:JYL:DML:jlr
Attachments

SDR-48456
PRJ-48348
03/12/13

LAS VEGAS VALLEY WATER DISTRICT

PEOPLE LEADING THE WAY

Las Vegas Valley Water District
LVVWD Contract No. 1341
Elkhorn Reservoir Renewable Energy Project
March 13, 2013

Comments: I LIKE THE IDEA OF RENEWABLE ENERGY IN NEVADA, HOWEVER, THIS TEST FACILITY SHOULD NOT BE BUILT AT THIS LOCATION.

THIS FACILITY WILL DECREASE PROPERTY VALUES TODAY AND IN THE FUTURE AND SHOULD NOT BE BUILT IN A NEW RESIDENTIAL AREA.

THE EQUIPMENT WILL BE VISABLE AND AN EYE SORE TO ANYONE LIVING OR POSSIBLE PURCHASING A HOME HERE.

IN ADDITION, THIS FACILITY MAY GENERATE ADDITIONAL NOISE CAUSED BY PA SYSTEMS OR ADDITIONAL CONTRUCTION & MAINTENANCE TRAFFIC & OPERATIONS.

PLEASE FIND ANOTHER LOCATION FOR THIS PROJECT. THERE IS SO MUCH OPEN LAND IN NEVADA. WHY WOULD YOU BUILD THIS IS A RESIDENTIAL AREA?

Name MICHAEL P. SMITH
Email LASVEGASMICHAEL@yahoo.com

Las Vegas Valley Water District
LVVWD Contract No. 1341
Elkhorn Reservoir Renewable Energy Project
March 13, 2013

Comments: I AM NOT FAVORABLE OF THIS SOLAR PROJECT IN OUR NEIGHBORHOOD. IT CANT DO ANYTHING POSITIVE FOR OUR INDIVIDUAL HOME VALUES. THE HOME OWNERS ARE NOT GETTING ANY BENEFITS FROM THIS PROJECT IN A "NEWER" HOUSING DEVELOPMENT. I AM IN FAVOR OF RENEWABLE ENERGY BUT I DONT WANT IT IN MY NEIGHBORHOOD AND MY NEIGHBORS DONT LIKE IDEA EITHER. I DID NOT BUY THIS HOUSE 2.5 YEARS AGO TO CONTEMPLATE SELLING IT AT A MAJOR LOSS JUST BECAUSE OF A SOLAR PROJECT THAT REDUCED MY HOME VALUES. I DRIVE A HYBRID THAT GETS 46 MPG. I SUPPORT ALTERNATIVE ENERGY BUT I JUST THINK SOLAR IN OUR NEIGHBORHOOD IS THE WAY TO GO. I AM SORRY. I THINK A HUGE SOLAR "FIELD" WOULD BE MORE PRODUCTIVE, INFORMATIVE, INFORMATION GATHERING THAN A SMALL ONE. THANK YOU FOR YOUR TIME.

Name MIKE MONTGOMERY
Email gtaduece@yahoo.com

LAS VEGAS VALLEY WATER DISTRICT

PEOPLE LEADING THE WAY

Las Vegas Valley Water District
LVVWD Contract No. 1341
Elkhorn Reservoir Renewable Energy Project
March 13, 2013

Comments: I am extremely concerned that this project as currently proposed (with one 33' tower and up to 12 27' x 45' panels) will be an eyesore in our community in Providence, and will cause a decrease in our home values in the entire Providence community.

Although I am concerned about our environment, I would rather not see this happen in Providence at all due to these concerns.

However, if there were much smaller panels that were not visible as we walk through our promenade, and drive through our neighborhood in Providence, I would be far less resistant to this project. Also, there should be no more than one tower of 33' in height or less used for the entire project.

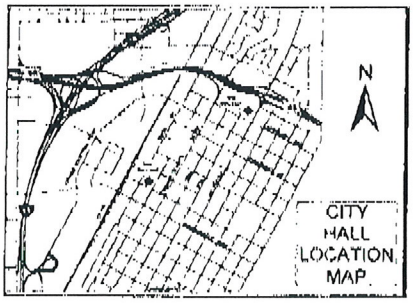
I am a fan of the idea of renewable energy, but I am not a fan of the appearance of the panels and towers.

Name Mar Montgomery

Email marmarmar72@yahoo.com

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-48456

Planning Commission Meeting of 4/9/2013

Case: SDR-48456
12613310002
AHLERS FAMILY TRUST
AHLERS HERMAN OR DONNA TRS
9731 ORIENT EXPRESS CT
LAS VEGAS NV 89145-8702 89145-8702

RECEIVED
APR 01 2013
City of Las Vegas
Department of Planning

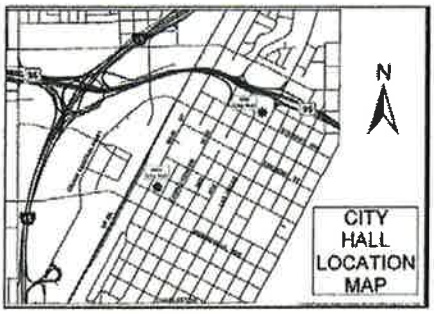
28P

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

RESORTED
IRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.43³
0004279218 MAR 28 2013
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-48456

Planning Commission Meeting of 4/9/2013

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APR 0 3 2013

City of Las Vegas
Department of Planning

Case: SDR-48456

12624119009
RHINEHART STEPHANIE
P O BOX 33683
LAS VEGAS NV 89133-3683 89133-3683

10635 Whiting Ave, LV 89166
Brighton Community

77 BRDFMP 89133

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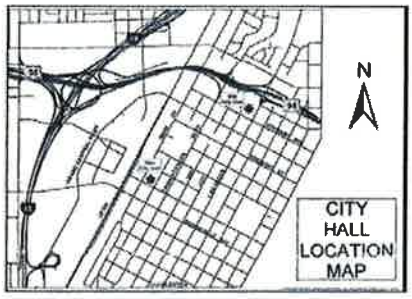
P

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

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SDR-48456
Planning Commission Meeting of 4/9/2013

6 BRDFNMP 89166

RESORTED FIRST CLASS

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City of Las Vegas
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Case: SDR-48456
12624512031
MILLER MARK D
7025 WHITFORD ST
LAS VEGAS NV 89166-7137 89166-7137

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Department of Planning

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SDR-48456
Planning Commission Meeting of 4/9/2013

IT IS TOO CLOSE TO RESIDENTIAL AREA. PEOPLE IN THIS AREA HAVE PAID SUBSTANTIAL AMOUNTS OF MONEY TO LIVE IN THIS UPSCALED AREA. WE CONTINUE TO PAY ADDITIONAL FUNDS IN ASSOCIATION DUES AND SID FEES. PLACING THESE STRUCTURES, LITERALLY, IN OUR BACK YARDS, WILL DEVALUE OUR PROPERTIES, TREMENDOUSLY.

Case: SDR-48456
12624514034
POTTS JEFFREY L & ROSALIE
2440 HAMONAH DR
HENDERSON NV 89044-4415 89044-4415

53 BRDFNMP 89044

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SDR-48456
Planning Commission Meeting of 4/9/2013

Case: SDR-48456
12624512011
LEWIS GREG & RENEE DEANE
7132 WHITFORD ST
LAS VEGAS NV 89166-7138 89166-7138

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Las Vegas, Nevada 89106

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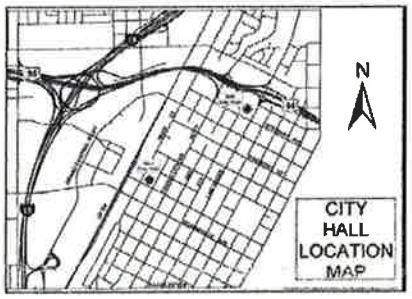

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Planning Commission Meeting of 4/9/2013

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Case: SDR-48456
12613412039
MCIVER KATHY ANN
4500 THE WOODS DR #2001
SAN JOSE CA 95136-4627 95136-4627

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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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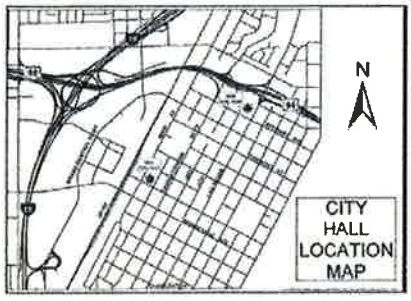

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SDR-48456

Planning Commission Meeting of 4/9/2013

Case: SDR-48456
12613412012
PACKWOOD WALTER R & BARBARA J
10525 HARTFORD HILLS AVE
LAS VEGAS NV 89166-6511 89166-6511

6 BRDFMP 89166

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SDR-48456

Planning Commission Meeting of 4/9/2013

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City of Las Vegas
Department of Planning

Case: SDR-48456
12613413107
POULOS PHILIP G
10704 LENORE PARK CT
LAS VEGAS NV 89166-6026 89166-6026

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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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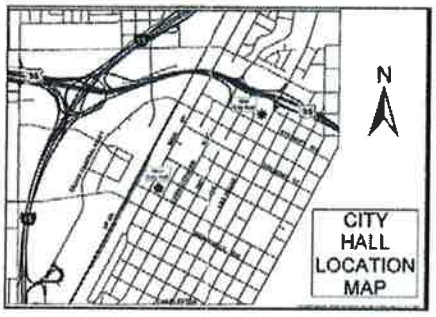

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SDR-48456
Planning Commission Meeting of 4/9/2013

Michael P Smith

6 BRDFMP 89166

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SDR-48456
Planning Commission Meeting of 4/9/2013

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Case: SDR-48456
12624512037
SMITH MICHAEL P
7117 WHITFORD ST
LAS VEGAS NV 89166-7138 89166-7138

Case: SDR-48456
12613815048
CASTROVERDE ELPIDIO & NANCY
7327 MILLSFIELD ST
LAS VEGAS NV 89166-6503 89166-6503

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APR 03 2013
City of Las Vegas
Department of Planning

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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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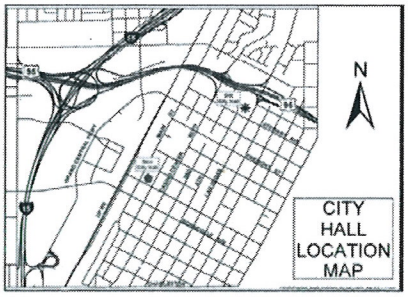

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City of Las Vegas
Dept. of Planning

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SDR-48456
Planning Commission Meeting of 4/9/2013

Case: SDR-48456
12613816195
ROSE RONALD A & MARGOT
1969 BOW DR
COQUITLAM BC V3E 1W1
CANADA 0-0

0029838403

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RECEIVED
APR 15 2013
City of Las Vegas
Dept. of Planning

April 1, 2013

ATTENTION: MR. BRONSON MACK

RE: LAS VEGAS VALLEY WATER DISTRICT

LVVWD CONTRACT NO. C1341

ELKHORN RESERVOIR RENEWABLE ENERGY PROJECT

Firstly let me state that our main reason for purchasing our home at 10645 Jamestown Square was the fact that it backed onto an open water reservoir facility and offered an unimpeded view of the mountains and the Las Vegas Strip.

To go from this visual, to one that will see huge Solar Panels installed to a height and width equal to if not exceeding our homes height and width, changes this dynamic drastically and obviously alters our home value and enjoyment.

In our telephone conversation Mr. Mack, you mentioned that the Solar Panels you had at your other reservoir facilities did not exceed 8 feet in height. Based on this fact it would seem reasonable to request your assurance, that after this test period any permanent Solar Panels that would be installed in this location, be consistent with those presently at your other facilities. The visual impact of 8 foot high panels compared to 27 foot high panels is enormous. I also question why the first set of 3 panels would be installed in the northwest corner instead of starting the first 3 panels in the southwest corner thus placing them much further from existing housing and working back to the northwest corner as additional panels are added. The same would apply to the tower being in the northeast corner which again would place it much further from existing houses.

Another consideration would be to install a total of 9 panels instead of 12. By eliminating the 3 planned close to homes in the northwest corner, this would centre the remaining 9 panels between the homes to the east and the west and drastically improve the site lines during this test period. I'm sure you get the same required information from 9 large panels as you would from 12.

Irregardless of these small concessions if implemented this project will drastically alter the reasons homeowners decided bordering this facility and the views they no longer will enjoy.

I trust this letter and submissions will be shared with the City officials responsible for approving this project and will receive feedback from you with their response

Yours sincerely,

John B Jones

15039-22 Street, Edmonton Alberta, Canada T5Y 2A1

Phone: 780-406-4582 (H)

780-993-0340 (C)

Email: senojlj@shaw.ca

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APR 04 2013

City of Las Vegas
Department of Planning

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City of Las Vegas Agenda Item No.: **30.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

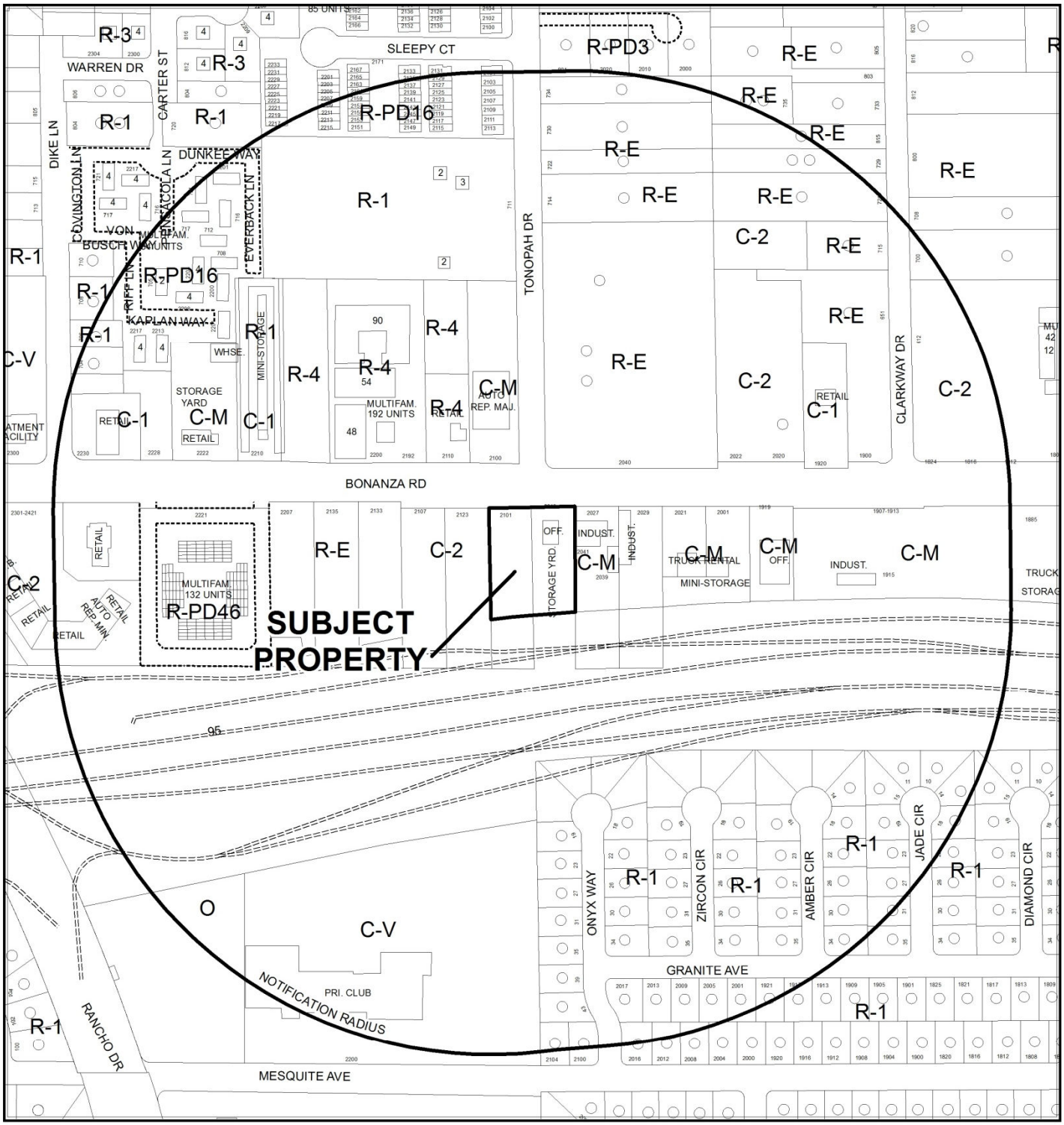
SUBJECT:
ZON-49179 - REZONING - PUBLIC HEARING - APPLICANT: BOULDER PLACEMENT SYSTEMS, INC. - OWNER: JADA HOLDINGS, LLC - For possible action on a request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) AND C-M (COMMERCIAL/INDUSTRIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 1.13 acres at 2049 and 2101 West Bonanza Road (APNs 139-28-401-006 and 139-29-802-006), Ward 5 (Barlow) [PRJ-49067]. Staff recommends APPROVAL.

C.C.: 07/24/2013

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-49179, VAR-49180 and SDR-49181
2. Conditions and Staff Report - ZON-49179, VAR-49180 and SDR-49181
3. Supporting Documentation
4. Photos - ZON-49179, VAR-49180 and SDR-49181
5. Justification Letter - ZON-49179, VAR-49180 and SDR-49181



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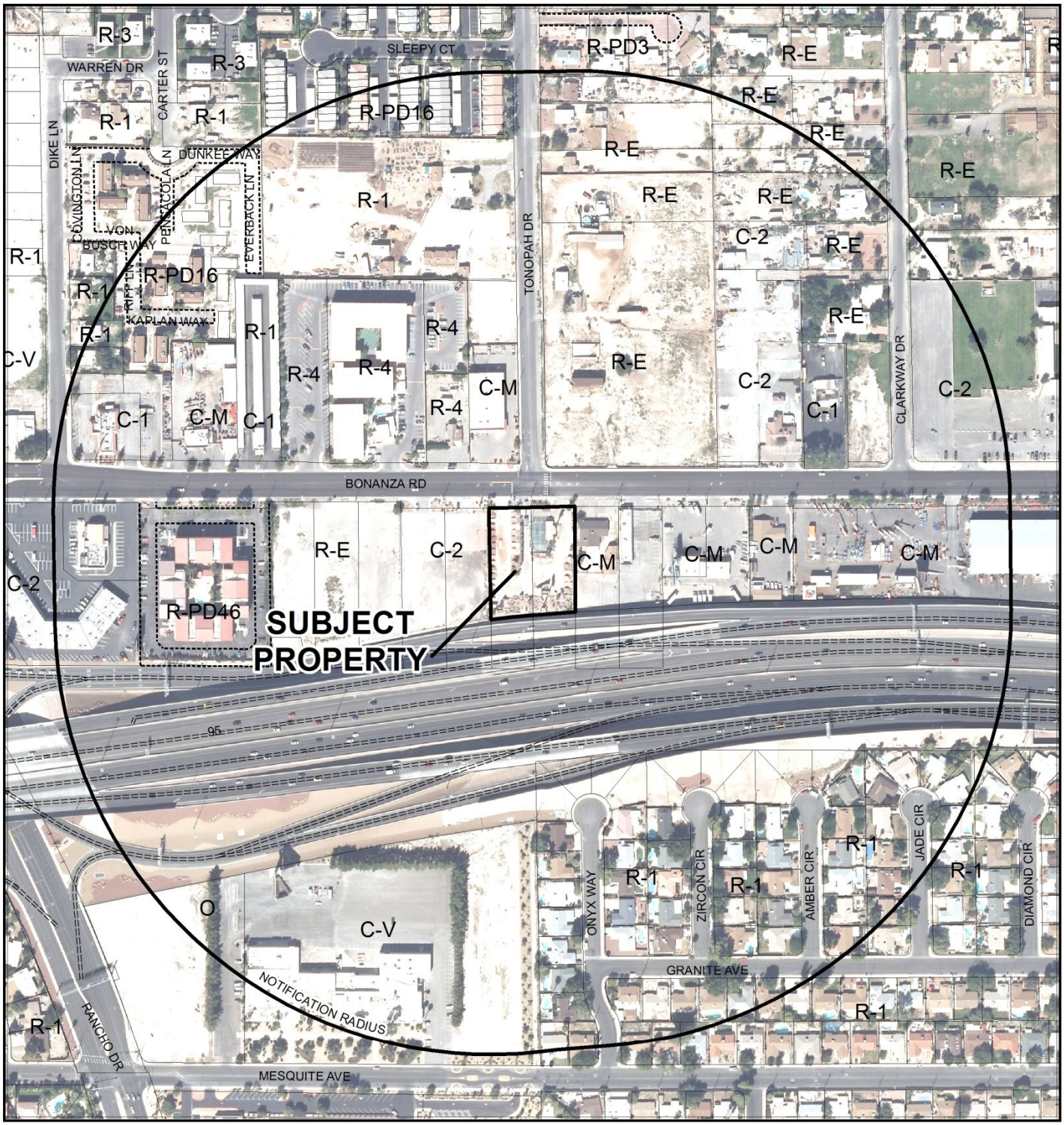
CASE: **ZON-49179, VAR-49180 & SDR-49181 (PRJ-49067)**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL) & C-M (COMMERCIAL/INDUSTRIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

N



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CASE: **ZON-49179, VAR-49180 & SDR-49181 (PRJ-49067)**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL) & C-M (COMMERCIAL/INDUSTRIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: BOULDER PLACEMENT SYSTEMS, INC. - OWNER: JADA HOLDINGS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
ZON-49179	Staff recommends APPROVAL.	
VAR-49180	Staff recommends APPROVAL, subject to conditions:	ZON-49179
SDR-49181	Staff recommends APPROVAL, subject to conditions:	ZON-49179 VAR-49180

** CONDITIONS **

VAR-49180 CONDITIONS

Planning

1. Approval of a Rezoning (ZON-49179) and approval of and conformance to the Conditions of Approval for a Site Development Plan Review (SDR-49181) shall be required, if approved.

2. Outdoor storage materials along the west property line shall be screened by a solid eight-foot tall device in conformance with Title 19.08.040(E)(4).

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. 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-49181 CONDITIONS

Planning

1. Approval of a Rezoning (ZON-49179) and approval of and conformance to the Conditions of Approval for a Variance (VAR-49180) shall be required, if approved.

2. The approval for Site Development Plan Review [Z-0014-00(1)] shall be expunged upon final approval of this request.

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. 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/landscape plan date stamped 05/13/13, except as amended by conditions herein.

5. A Waiver from Title 19.08.090 is hereby approved, to allow zero-foot perimeter landscape buffers along the east and west property lines where eight feet is required and to allow zero-foot buffers along the south property line and a portion of the north property line where 15 feet is required.

6. An Exception from Title 19.08.110 parking lot landscape requirements is hereby approved, to allow no parking lot islands with trees in the existing lot where four islands and trees at the ends of parking rows are required.

7. An Exception from Title 19.08.040(F) is hereby approved, to allow two trees within perimeter landscape buffers where 24 trees are required.

8. 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. All existing unpermitted signage on the site shall be reviewed for permits by the City of Las Vegas within 30 days of final approval. Any signage not in conformance with Title 19 requirements shall be removed within 60 days of final approval or application may be made for a Variance, if warranted.

10. 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.

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

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

Public Works

13. In accordance with code requirements of Title 13.56, remove all substandard improvements (sidewalk), if any, and replace with new improvements meeting Current City Standards concurrent with development of this site. The existing pan style driveways accessing this site from Bonanza Road may remain.

14. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

15. Submit an Encroachment Agreement for landscaping and private improvements in the Bonanza Road public right-of-way adjacent to this site prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the Encroachment Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's Encroachment Agreement. The installation and maintenance of all private improvements 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. Coordinate all requirements for the Encroachment Agreement with the Land Development Section of the Department of Building and Safety (229-4836).

16. 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 or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

** STAFF REPORT **

PROJECT DESCRIPTION

The subject property consists of two parcels on 1.13 acres located between U.S. 95 and Bonanza Road on which an existing Building and Landscape Material/Lumber Yard and Garden Supply is located. The western parcel is multi-zoned C-2 (General Commercial) and C-M (Commercial/Industrial), while the eastern parcel is zoned C-M. The applicant is requesting to rezone the entire 1.13 acres of land to C-M in order to bring the project under a single zoning district. While the business operation is not proposing to expand at this time, only the east parcel has been covered by land use entitlements related to the operation. Various Title 19 landscaping, setback, outdoor storage and signage requirements have not been met on both parcels and will be addressed through a Site Development Plan Review and Variance. The Rezoning is appropriate, as the use has been established on both parcels for several years and the action would not affect current and future uses on adjacent properties. Because the subject property is located in an established light industrial area and its rear property line abuts a freeway, staff recommends approval of the Variance and Site Development Plan Review requests, subject to conditions of approval that will allow conformance with City codes. If denied, a Major Amendment of the previously approved Site Development Plan Review to add existing development on the western parcel would still be required, only the eastern parcel would be subject to zoning conditions and all storage materials would have to be moved out of the setback areas.

ISSUES

- If the proposed requests are approved, the existing Site Development Plan Review approval for [Z-0014-00(1)] and its accompanying conditions will be expunged, the approval for Z-0014-00 will be replaced by ZON-49179, and new conditions of approval will be established by Site Development Plan Review (SDR-49181).
- As currently configured, the site does not conform to landscape buffer, parking lot landscape, setback, storage and signage requirements. The requested Rezoning and Variance, along with Title 19 waivers and exceptions, will correct these issues if approved.
- A Waiver of Title 19.08.090 is required to allow no perimeter landscaping buffers along the east and west property lines where eight feet is required and to allow no buffering along the south property line and a portion of the north property line where 15 feet is required. Staff recommends approval of the waiver, as buffering is provided in front of the property and the waiver would allow for sufficient circulation of trucks around the site.
- An Exception from Title 19.08.110 parking lot landscape requirements is required to allow no parking lot islands with trees in the existing lot where four islands and trees at the ends of parking rows are required. Staff recommends approval of the exception.

- The applicant is proposing to keep an existing chain link fence along the south property line and portions of the east and west property lines. Given its proximity to similar uses and to a freeway, the fence may remain as constructed.
- A condition of approval of the Variance will require outdoor storage materials along the west property line to be screened by a solid eight-foot tall device in conformance with Title 19.08.040(E)(4).
- By condition of approval, the site will be required to be remapped as one lot to eliminate unintended landscape buffer areas and setbacks along property lines.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
06/07/00	The City Council approved a General Plan Amendment (GPA-0006-00) from GC (General Commercial) to LI/R (Light Industry/Research) on 0.87 acres at 2049 West Bonanza Road. The Planning Commission and staff recommended approval.
	The City Council approved a Rezoning (Z-0014-00) from R-E (Residence Estates) to C-M (Commercial/Industrial) on 0.87 acres at 2049 West Bonanza Road. The Planning Commission and staff recommended approval.
08/01/00	Department of Planning staff approved a Minor Site Development Plan Review [Z-0014-00(1)] for a proposed landscape supply establishment on 0.87 acres at 2049 West Bonanza Road.
09/06/00	The City Council approved an Encroachment Agreement (23872) for landscape improvements within Bonanza Road adjacent to the subject site. The agreement was recorded 12/13/00.
11/14/00	The City Hearings Officer approved a request for a Variance (V-0076-00) to allow a 240 square-foot freestanding sign (through the addition of 40 square feet to an existing 40-foot tall, 200 square-foot sign) where 200 square feet is the maximum allowed and denied a request for an additional double-faced 50 square-foot freestanding sign where one freestanding sign is allowed at 2049 West Bonanza Road. Staff recommended denial.

Most Recent Change of Ownership	
07/07/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
09/05/00	A building permit (#00016491) was issued for a 200 square-foot freestanding sign at 2049 West Bonanza Road. A final inspection was approved 11/03/00.
10/19/00	A building permit (#00019425) was issued for a tenant improvement remodel at 2049 West Bonanza Road. A final inspection was approved 12/15/00.
12/27/00	A business license (B50-00113) was issued for Building, Plant Nursery and Hardware Supplies at 2049 West Bonanza Road.
08/19/04	A building permit (#04019109) was issued for a sign at 2049 West Bonanza Road. A final inspection was approved 10/04/04.

Pre-Application Meeting	
03/14/13	A pre-application meeting was held with the applicant to discuss submittal requirements for Rezoning, Variance and Site Development Plan Review applications.

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

Field Check	
05/02/13	The site contains an existing Building and Landscape Material/Lumber Yard where plant stock, decorative rock, sand and soil are sold. The existing shade structure and interior signs have not been authorized by building permit.

Details of Application Request	
Site Area	
Net Acres	1.13

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Building and Landscape Material/Lumber Yard and Garden Supply	LI/R (Light Industry/Research)	C-2 (General Commercial) and C-M (Commercial/Industrial)

Surrounding Property	*Existing Land Use Per Title 19.12*	*Planned or Special Land Use Designation*	*Existing Zoning District*
North	Auto Repair Garage, Major	MXU (Mixed Use)	C-M (Commercial/Industrial)
	Single Family, Detached	MXU (Mixed Use)	R-E (Residence Estates)
South	U.S. 95	ROW (Right-of-Way)	ROW (Right-of-Way)
East	Auto Repair Garage, Major	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
West	Undeveloped	LI/R (Light Industry/Research)	C-2 (General Commercial)

Master Plan Areas	*Compliance*
West Las Vegas Plan	Y
Special Purpose and Overlay Districts	***Compliance***
A-O (Airport Overlay) District (140 Feet)	Y
Other Plans or Special Requirements	***Compliance***
Trails (Pioneer Trail)	Y
Las Vegas Redevelopment Plan Area	Y
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	49,223 SF	N/A
Min. Lot Width	100 Feet	200 Feet	Y
Min. Setbacks			
• Front	10 Feet	34 Feet	Y
• Side	10 Feet	44 Feet	Y
• Rear	20 Feet	165 Feet	Y
Min. Setbacks (Shade Structures)	May not encroach into any required landscape buffer area	Does not encroach into any required landscape buffer area	Y
Max. Lot Coverage	N/A	5 %	N/A

Standard	*Required/Allowed*	*Provided*	*Compliance*
Max. Building Height (including shade structures)	N/A	Shade structure does not exceed the height of the existing building	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	None provided	N
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	5 Trees	2 Trees	N
• South	1 Tree / 30 Linear Feet	6 Trees	0 Trees	N
• East	1 Tree / 30 Linear Feet	6 Trees	0 Trees	N
• West	1 Tree / 30 Linear Feet	7 Trees	0 Trees	N
TOTAL PERIMETER TREES		**24 Trees**	**2 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	4 Trees	0 Trees	N
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		0 Feet	N
• South	8 Feet		0 Feet	N
• East	8 Feet		0 Feet	N
• West	8 Feet		0 Feet	N
Wall Height	N/A		6 feet	N/A
Outside Storage	• May not be located within required setback, landscape buffer yards or required parking spaces • Solid 8-foot screening device from C-2 zoned property • Screening not required from C-M zoned property		Located within east, west and south required setback and buffer yards Material shelving along west PL is taller than 8 feet but is not solid	N

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Bonanza Road	Primary Arterial	Master Plan of Streets and Highways Map	86-100	N

Pursuant to Title 19.08 and 19.12, 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	
Building & Landscape Material/ Lumber Yard	2,630 SF, including 2,000 SF shade structure	1 space per 500 SF GFA, including outside sales area	6				
TOTAL SPACES REQUIRED			6		7		Y
Regular and Handicap Spaces Required			5	1	6	1	Y
Loading Spaces	2,630 SF	Less than 10,000 SF	1		2		Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
8-foot perimeter landscape buffer along all interior property lines	To allow no perimeter buffers along the west and east property lines	Approval
15-foot perimeter landscape buffer along all public rights-of-way	To allow no perimeter buffer along the south property line and a portion of the north property line	Approval

Exceptions		
Requirement	***Request***	***Staff Recommendation***
One 24" box tree within a five-foot wide planter at the ends of parking rows (4 required).	To allow no parking lot trees or planter islands in the parking area	Approval
One 24" box tree per 20 feet along north PL and one 24" box tree per 30 feet along side and rear PL (total of 24 trees required)	To allow two perimeter buffer trees	Approval

ANALYSIS

The subject property is included in the West Las Vegas Plan, which designates these parcels LI/R (Light Industry/Research). Rezoning of the subject parcels to C-M (Commercial/Industrial) would conform to the LI/R designation.

A Building and Landscape Material/Lumber Yard use is permitted as of right in both the C-2 (General Commercial) and C-M districts. However, if approved, the Rezoning request would resolve a split-zoned parcel issue on APN 139-29-802-006 and bring the existing project under a single zoning district. In addition, Outdoor Storage is a permitted use of right in the C-M district, whereas it is allowed only as an accessory use in the C-2 district.

Per Title 19.08, the C-M district is a general commercial and restricted industrial district designed to provide for a variety of compatible business, warehouse, wholesale, office and limited industrial uses. The existing uses on the subject site are compatible with the uses on adjacent parcels and are not located near any low or medium density residential developments. The parcels are already designated as LI/R (Light Industry/Research), in conformance with the General Plan. The parcels zoned C-2 to the west are also designated LI/R, which is compatible with the C-M district. It is therefore appropriate to rezone the entire site to C-M. As the landscape material yard was originally intended for APN 139-28-401-006, only that parcel had been entitled for zoning and site development. Approval of the requested Rezoning and Site Development Plan Review would legitimize the expansion of the use onto APN 139-29-802-006 and expunge conditions of approval intended only for a site on the eastern parcel. A condition of approval of the requested Site Development Plan Review will require the two parcels to be combined so as to eliminate the need for a setback variance and waivers of perimeter landscape buffers on the interior of the site.

The previously approved site development entitlement [Z-0014-00(1)] had allowed the existing concrete carrels for storage and separation of various types of decorative rock to be located along the side property lines of APN 139-28-401-006. However, the bins along the west, east and south property lines are not in conformance with UDC Title 19.08.040 outdoor storage requirements. Per these requirements, any outdoor storage is required to be located outside of any required setback areas, landscape buffer yards or required parking spaces. Additionally, along the west property line, where the site abuts a C-2 zoned district, storage materials are required to be screened by a solid device of at least eight feet in height. The variance is warranted, since the parcels are located in an area of intense commercial uses abutting a freeway, where goods may be stored without any substantial detriment to the public good. The current configuration of the site also allows for the most efficient movement of vehicles and goods. However, a condition of approval of the variance will require the additional screening of the storage area along the west property line in conformance with Title 19.08.040 requirements.

Because the east and west perimeter landscape buffer areas are currently being used for storage of landscape materials, no trees or shrubs are proposed. The requested waiver to allow zero-foot buffers is warranted, as the provision of these buffers would not allow larger vehicles to circulate around the site as configured. In addition, screening from other properties along the south side of Bonanza Road is not an issue, as these properties contain either industrial uses or are undeveloped, and existing walls and fences already provide adequate barriers between properties.

A majority of the landscaping at the front of the property is located in a 15-foot planter within the Bonanza Road right-of-way in front of a wrought iron fence. Bonanza Road is fully improved with curbs and sidewalks, and there are no plans to widen the roadway in the foreseeable future. The rear of the property abuts the U.S. 95 right-of-way but cannot be easily seen from the westbound lanes and a buffer along the south property line would not serve a reasonable purpose. Therefore, staff recommends approval of the requested waivers of the north and south perimeter buffers.

The existing parking area was approved through the previous entitlement process [Z-0014-00(1)] without the requirement for parking lot landscaping. As the site is now subject to a new Site Development Plan Review, the landscaping is required, but due to the small number and configuration of the existing spaces and the provision of trees adjacent to the building, staff can support an exception to the requirement for trees and landscape islands at the ends of parking rows.

The existing chain link fence located along the rear property line and the southern portion of the side property lines is appropriate in the context of the commercial and industrial uses between U.S 95 and Bonanza Road.

The site contains unpermitted signage (not a part of this request) atop the display racks along the west property line and bins along the south property line. Most of this signage is incidental or cannot be seen from public rights-of-way and likely meets Title 19 requirements. The freestanding sign in front of the property is located in the right-of-way and is considered a prohibited sign unless a valid sign permit has been approved for the sign. A condition of approval addresses the unpermitted signage.

FINDINGS (ZON-49179)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

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

The General Plan currently designates both subject properties as LI/R (Light Industrial/Research), which is compatible for properties zoned C-M (Commercial/Industrial).

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 subject site is adjacent to undeveloped property owned by the State of Nevada to the west and to an Auto Repair Garage, Major on the east. The range of uses allowed by the C-M district, including the current uses, is compatible with the range of possible uses on other C-2 and C-M zoned parcels in this area. In addition, the subject property abuts a freeway to the south, where more intense uses are encouraged.

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

The parcel on APN 139-29-802-006 is currently split-zoned C-M and C-2; the request would unify the zoning designation of the parcel and allow for combination with the adjacent parcel to the east. Rezoning would also appropriately allow for standards to be uniformly applied across the applicant's property.

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.

Bonanza Road, a 100-foot Primary Arterial, is of sufficient capacity to accommodate commercial or industrial uses in this area.

FINDINGS (VAR-49180)

In accordance with the provisions of Title 19.16.140(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 19.16.140(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."

A hardship is created by the existing configuration of the site, in part created by the previously approved land use entitlement; this would not have been an issue if the site were undeveloped. The site was designed in such a way as to accommodate the movement of trucks around the site while still providing adequate display area of merchandise. This, coupled with the location of the site adjacent to a freeway that is screened from views of the property, does no substantial harm to the public good. Application of the Title 19 requirements in this situation is therefore unnecessary, and a Variance is warranted.

FINDINGS (SDR-49181)

In order to approve a Site Development Plan application, per Title 19.16.100(E) 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 expansion of the existing Building and Landscape Materials operation onto APN 139-29-802-006 has already occurred, and has demonstrated compatibility with the adjacent undeveloped area to the west and U.S. 95 to the south. The development as a whole is appropriate for the commercial and light industrial context of the area.

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

   The existing expansion of the Building and Landscape Materials operation to the west will be consistent with all city plans (including the General Plan), policies and standards with approval of the associated Variance and implementation of all conditions of approval.

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

   The site is accessed from three existing driveways on Bonanza Road, providing both two-way and one-way circulation. One of these access points is in alignment with the intersection with Tonopah Drive. The use does not generate a significant amount of traffic and does not negatively impact traffic in this area.

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

   No new building or landscape materials are proposed with this request. The existing materials have already been deemed appropriate through past land use actions.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

   The existing building elevations are aesthetically pleasing and are compatible with other development in the area.

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

   Site development is subject to review of permits for conformance to all federal, state and local requirements. A condition of approval requires all necessary building permits to be obtained and inspections to be completed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 33

NOTICES MAILED 183

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-49179 APN: 139-29-802-006 AND 139-28-401-006

Name of Property Owner: JADA HOLDINGS LLC

Name of Applicant: JERRY APPELHANS

Name of Representative: PETYA BALOVA

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: [redacted]

Partner(s): [redacted]

APN: [redacted]

Signature of Property Owner: Jerry Appelhans

Print Name: JERRY APPELHANS

Subscribed and sworn before me

This 29 day of APRIL, 2013

Notary Public in and for said County and State

J. Mendez
Notary Public-Nevada
Clark County
My Commission Expires
March 16, 2016
Certificate No: 12-7404-1

PRJ-49067
04/29/13

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: REZONING, VARIANCE AND SITE DEVELOPMENT PLAN REVIEW

Project Address (Location) 2049 AND 2101 WEST BONANZA ROAD

Project Name BOULDER PLACEMENT **Proposed Use** GARDEN SUPPLY

Assessor's Parcel #(s) 139-28-401-006 AND 139-29-802-006 **Ward #** _____

General Plan: existing LI/R proposed N/A **Zoning:** existing C-2 proposed C-M

Commercial Square Footage 630 **Floor Area Ratio** 0.013

Gross Acres 1.13 **Lots/Units** 2 **Density** 1.76

Additional Information _____

PROPERTY OWNER JADA HOLDINGS LLC **Contact** JERRY APPELHANS

Address 210 N. ROYAL ASCOT DRIVE **Phone:** (702) 768-2070 **Fax:** 702

City LAS VEGAS **State** NV **Zip** 89144

E-mail Address accounting@boulderplacement.com

APPLICANT BOULDER PLACEMENT SYSTEMS INC. **Contact** JERRY APPELHANS

Address 2049 WEST BONANZA ROAD **Phone:** (702) 768-2070 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89106

E-mail Address accounting@boulderplacement.com

REPRESENTATIVE BALOVA ENGINEERING **Contact** PETYA BALOVA

Address 6130 ELTON AVENUE **Phone:** (702) 682-1706 **Fax:** (702) 216-6001

City LAS VEGAS **State** NV **Zip** 89107

E-mail Address petya@balovaengineering.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* Jerry Appelhans

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

Print Name JERRY APPELHANS

Subscribed and sworn before me

This 29 day of APRIL, 2013.

J. Mendez

Notary Public in and for said County and State

J. Mendez
Notary Public-Nevada
Clark County
My Commission Expires
March 16, 2016
Certificate No: 12-7404-1

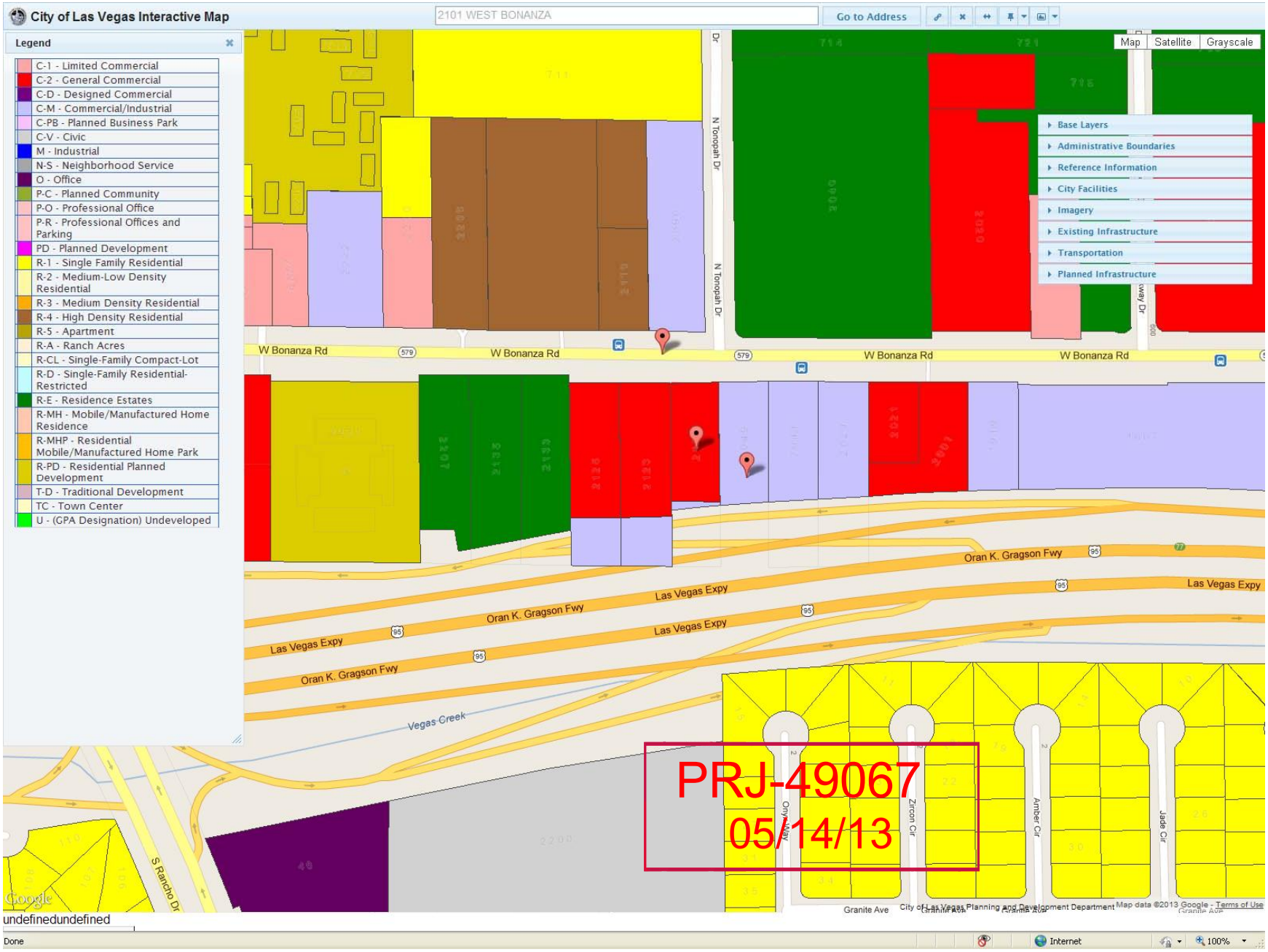
FOR DEPARTMENT USE ONLY

Case #	ZON-49179
Meeting Date:	06/11/13
Total Fee:	
Date Received:*	
Received By:	

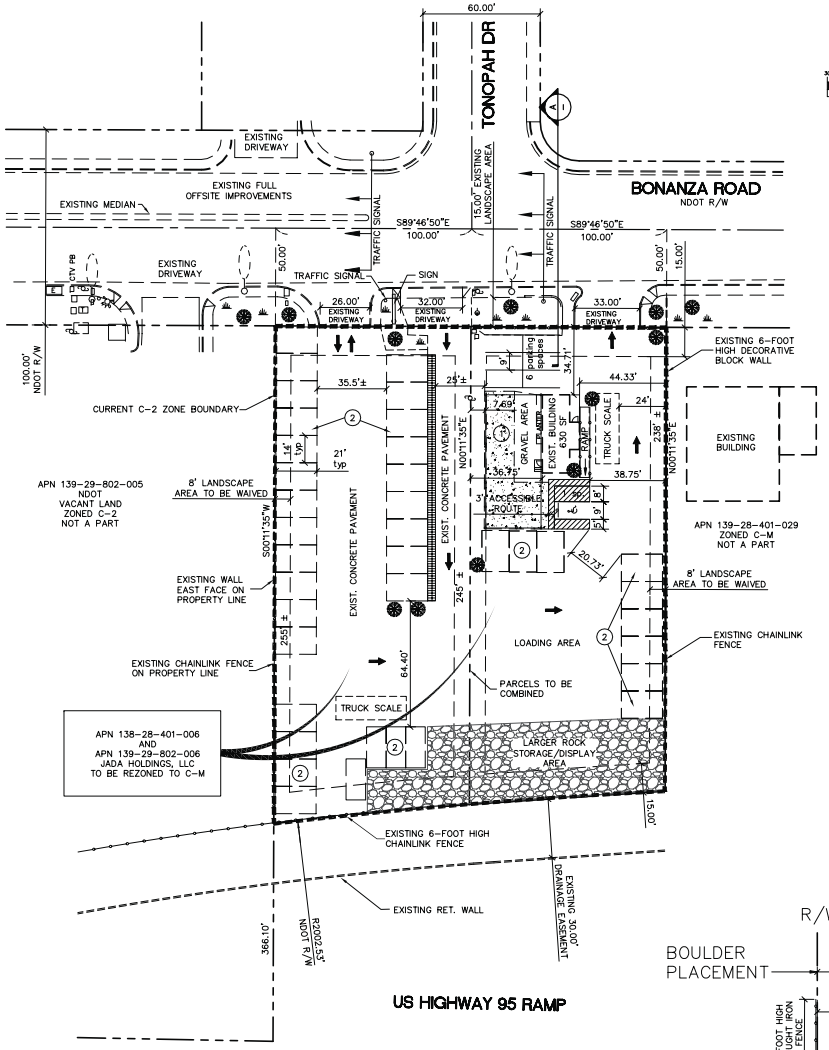
PRJ-49067
04/29/13

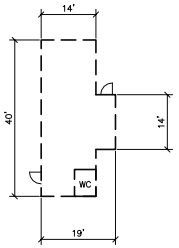
*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

BOULDER PLACEMENT
ZONING EXHIBIT



ZON-49179 VAR-49180 & SDR-49181 REVISED





BUILDING FLOORPLAN
630 SF FLOOR AREA
N.T.S.

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

FLOOD ZONE INFORMATION

THIS PROPERTY IS LOCATED IN A FLOOD ZONE DESIGNATED "ZONE X" , DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FEMA FLOOD INSURANCE RATE MAP NO. 32003C2170, CLARK COUNTY, NEVADA AND INCORPORATED AREAS, DATED SEPTEMBER 27, 2002.

LEGAL DESCRIPTION:

LOCATED IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 29, AND THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 61 EAST, MDM, CLARK COUNTY,

PARKING ANALYSIS:

REQUIRED FOR LANDSCAPE & BUILDING MATERIAL: 1 SPACE PER 500 SF OF GROSS FLOOR AREA, INCLUDING ANY OUTSIDE SALES AREA
SHADE STRUCTURE: 2,000 SF
BUILDING: 630 SF
REQUIRED: 6 SPACES
TOTAL PROVIDED: 7 SPACES
(1 HC SPACE)

APN 139-29-802-006 AND 139-28-401-006

TOTAL AREA: 1.13 ACRES

OWNER

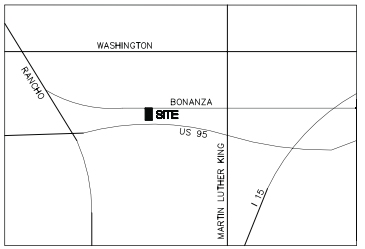
JADA HOLDINGS, LLC
210 N. ROYAL ASCOT DRIVE
LAS VEGAS, NV 89144-4305

OPERATOR

BOULDER PLACEMENT SYSTEMS INC.
2049 WEST BONANZA ROAD
LAS VEGAS, NV 89106

NOTES

1. EXISTING SHADE STRUCTURE (DISPLAY AREA)
2. EXISTING DECORATIVE ROCK DISPLAY BAYS



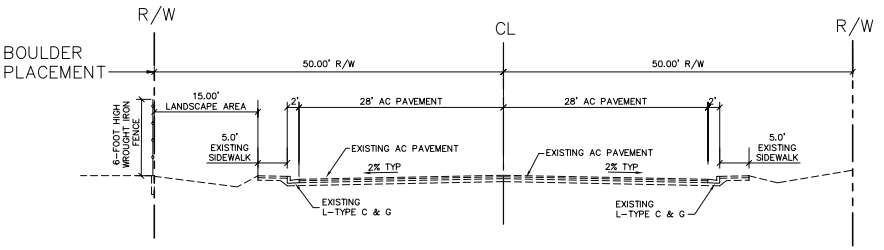
VICINITY MAP
SECTION 29 / T 20 S / R 61 E
N.T.S.

LEGEND

- STREET CENTERLINE
- RIGHT-OF-WAY LINE
- BOUNDARY LINE OF AREA TO BE REZONED
- SETBACK LINE
- EASEMENT LINE
- EXISTING BUILDING
- EXISTING WALL
- EXISTING CURB & GUTTER
- POWER POLE
- FIRE HYDRANT
- STREET LIGHT
- TRAFFIC ARROW
- EXISTING DECORATIVE ROCK DISPLAY BAYS

ABBREVIATIONS

AC	–ASPHALT
APN	–ASSESSOR'S PARCEL NUMBER
CBW	–CONCRETE BLOCK WALL
SF	–SQUARE FEET
LS	–LANDSCAPE AREA
P/L	–PROPERTY LINE
R/W	–RIGHT OF WAY
TYP	–TYPICAL
WM	–WATER METER



TYPICAL BONANZA ROAD STREET SECTION
NOT TO SCALE

REV: | DATE: | BY: | REVISION:

BALOVA ENGINEERING
6130 ELTON AVENUE
SUITE 104
LAS VEGAS, NV 89107
702-216-0330 T
702-216-6001 F

BOULDER PLACEMENT PLANT NURSERY

SITE PLAN
2049 AND 2101 WEST BONANZA ROAD
CITY OF LAS VEGAS, NEVADA

DESIGNED BY: PB
CHECKED BY: PB
DATE: 05/02/13
JOB #: 13-053
APN: 139-28-401-006, 139-29-802-006
SECT 29 T 20S R 61E
SCALE: HORIZ 1" = 30'

PETYA L. BALOVA
Exp. 12/31/14
CIVIL
No. 16469

SHEET #
SP001
1 OF 1

ZON-49179 VAR-49180 & SDR-49181
REVISED

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SDR-49181

BOULDER PLACEMENT
2049 & 2101 W. Bonanza Rd
APN 139-28-401-006
APN 139-29-802-006

STREET LANDSCAPING

15-foot Landscape Buffer at East Driveway



15-foot Landscape Buffer at West Driveway



BOULDER PLACEMENT
2049 & 2101 W. Bonanza Rd
APN 139-28-401-006
APN 139-29-802-006

BUILDING ELEVATIONS

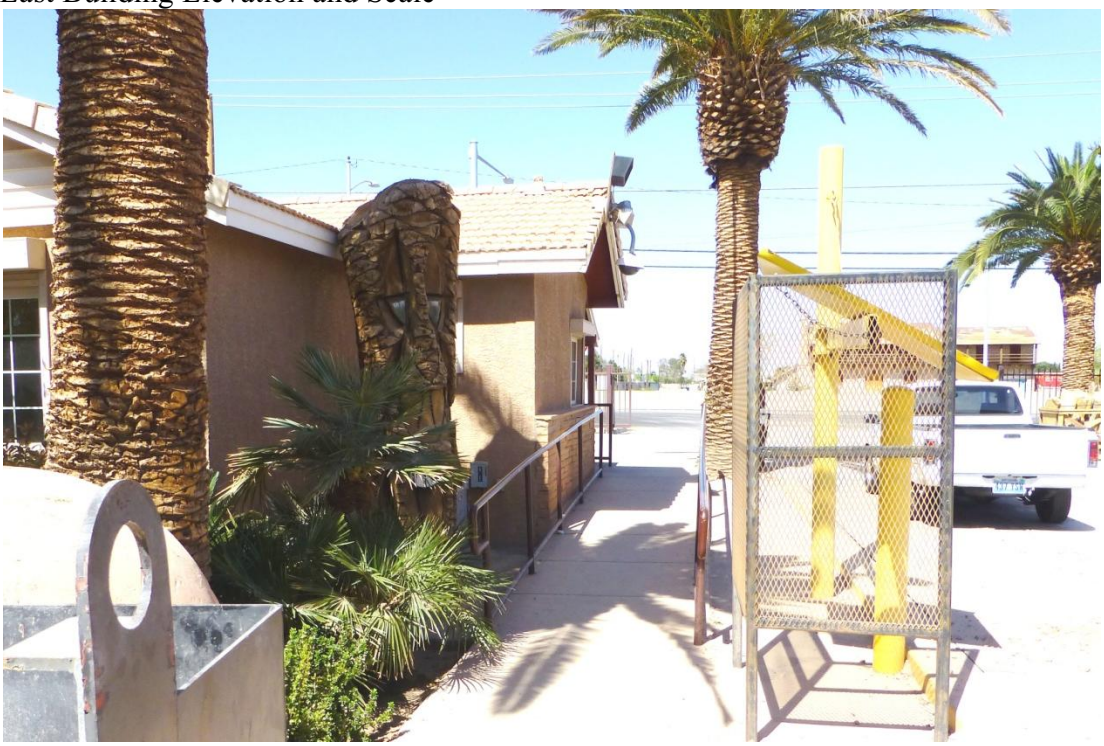
North Building Elevation



South and West Building Elevation



East Building Elevation and Scale



Shade Structure and Storage/Display Racks



Storage/Display Bins and West 6-foot High Concrete Wall (Around the bins)



Storage/Display Bins and South 6-foot High Chainlink Fence



Sign and North 6-foot High Wrought Iron Fence



East 6-foot High Decorative Block Fence





ZON-49179, VAR-49180 & SDR-49181 - APPLICANT: BOULDER PLACEMENT SYSTEMS, INC. - OWNER: JADA HOLDINGS, LLC
2101 WEST BONANZA ROAD

05/02/13



ZON-49179, VAR-49180 & SDR-49181 - APPLICANT: BOULDER PLACEMENT SYSTEMS, INC. - OWNER: JADA HOLDINGS, LLC
2101 WEST BONANZA ROAD

05/02/13



ZON-49179, VAR-49180 & SDR-49181 - APPLICANT: BOULDER PLACEMENT SYSTEMS, INC. - OWNER: JADA HOLDINGS, LLC
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2101 WEST BONANZA ROAD

05/02/13



ZON-49179, VAR-49180 & SDR-49181 - APPLICANT: BOULDER PLACEMENT SYSTEMS, INC. - OWNER: JADA HOLDINGS, LLC
2101 WEST BONANZA ROAD

05/02/13

May 2, 2013

City of Las Vegas
Planning and Zoning Department
333 Rancho Drive
Las Vegas, NV 89101

Re: BOULDER PLACEMENT
APN 139-29-802-006
APN 139-28-401-006

The purpose of this letter is to request a Rezoning from C-2 to C-M, and a Site Development Plan Review with Waivers, on behalf of Boulder Placement landscape supply store, located at 2049 and 2101 West Bonanza Road, Assessor's Parcel Numbers 139-29-802-006 and 139-28-401-006, owned by JADA Holdings LLC, whose owner is also the business owner of Boulder Placement.

Boulder Placement is a family owned landscape supply company serving the Las Vegas Valley since 1994, which delivers or offers for pick up, decorative rock, boulders, flagstone, sand and soil. A Garden Supply/Plant Nursery facility, Building and Landscape Material Yard (current use) are permitted uses in a C-M zoned property, which is the zoning classification we are applying for.

The parcels are split zoned C-2 (General Commercial District) / C-M (Commercial Industrial). The Future Land Use map shows both parcels in the Light Industrial/Research planning area. The property is bordered by Bonanza Road to the north, US 95 off-ramp to the south, an automotive repair shop, zoned M-2 to the east, and vacant NDOT lots to the east, zoned C-2. The parcels to the east and west are also in the Light Industrial/Research planning area.

We respectfully request the following:

REZONING OF APN 139-28-401-006 AND APN 139-29-802-006 FROM C-2 (GENERAL COMMERCIAL) AND C-M (COMMERCIAL/INDUSTRIAL) TO C-M (COMMERCIAL/INDUSTRIAL)

We would like to request that the previous zone change Z-0014-00 be expunged and rezone both properties to C-M with this application. The rezoning is needed in order to replace the split zoned parcel with contiguous parcel, and to match the parcel to the east under the same ownership. It will provide a consistant Commercial/Industrial zoning designation with regards to development satndards and land use. The two parcels will be combined.

ZON-49179
VAR-49180
SDR-49181
REVISED

PRJ-49067
05/14/13

6130 Elton Avenue, Suite 104, Las Vegas, NV 89107 Office: 702.216.0330

VARIANCE

We are requesting a variance of Section 19.08.040(E)(4)(e) to allow outdoor storage within the west and south required stback/landscape areas where prohibited.

The storage bins were previously allowed along the east property line of APN 139-28-401-006, but the zoning approval required landscape areas along all property lines.

The two parcels are contiguous, and they are being used by the same operator for sale of landscape materials, therefore we are requesting that the requirement for the following landscape buffers be waived:

- 8-foot landscape buffer on interior lot lines
- 15-foot landscape buffer adjacent to right-of-way (rear lot lines, adjacent to the freeway ramp)

The required landscape buffer along the interior lot lines will not be practical because the operations will require movement of material and equipment between the lots. In addition, it would greatly reduce the area for maneuvering of trucks and equipment and increase the potential for accidents. As for the front landscape buffer requirement, there is already an existing 15-foot buffer, however it is offset from its location in reference to the property line, because of the existing street improvements location.

SITE DEVELOPMENT PLAN REVIEW

The proposed facility consists of an existing 630- square foot office building, approximately 2,000 square foot shade structure, decorative rock and other landscape material storage/display bins and racks, and parking spaces as required per code, as shown on the Site Plan. There is an existing 6-foot high chainlink fence along the south and west property lines, and decorative block wall and chainlink fence along the east property line, as shown on the attached exhibit. Bonanza Road is a fully paved public street with curb, gutter and sidewalk. There are three existing driveways, which have been designed and installed by NDOT. Municipal water, sewer and dry utilities are existing. Landscape buffer exists along the public street.

We would also like to waive the requirements of Section 19.08.110(12)(a) for parking lot landscaping. We believe additional landscape areas next to parking spaces are not necessary due to the nature of the business and the existing landscape buffer along the public street. Also, there are planters on the east and south side of the building with mature palm trees which provide additional shade and aestethic value.

The proposed facility will not be detrimental to the health, safety or welfare of the community, nor will it cause traffic congestion. It is in harmony with the purposes and intent of Title 19.

If you require further information, please feel free to contact me at (702) 682-1706.

Sincerely,

Petya Balova, P.E.

Balova Enginnering

ZON-49179
VAR-49180
SDR-49181
REVISED

PRJ-49067
05/14/13

6130 Elton Avenue, Suite 104, Las Vegas, NV 89107 Office: 702.216.0330

City of Las Vegas Agenda Item No.: **31.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

SUBJECT:
VAR-49180 - VARIANCE RELATED TO ZON-49179 - PUBLIC HEARING - APPLICANT: BOULDER PLACEMENT SYSTEMS, INC. - OWNER: JADA HOLDINGS, LLC - For possible action on a request for a Variance TO ALLOW OUTDOOR STORAGE WITHIN THE EAST, WEST AND SOUTH REQUIRED SETBACK AND LANDSCAPE BUFFER AREAS WHERE SUCH IS NOT ALLOWED on 1.13 acres at 2049 and 2101 West Bonanza Road (APNs 139-28-401-006 and 139-29-802-006), C-M (Commercial/Industrial) and C-2 (General Commercial) Zones [PROPOSED: C-M (Commercial/Industrial)], Ward 5 (Barlow) [PRJ-49067]. Staff recommends APPROVAL.

C.C.: 07/24/2013

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-49180 APN: 139-29-802-006 AND 139-28-401-006

Name of Property Owner: JADA HOLDINGS LLC

Name of Applicant: JERRY APPELHANS

Name of Representative: PETYA BALOVA

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: Jerry Appelhans

Print Name: JERRY APPELHANS

Subscribed and sworn before me

This 29 day of APRIL, 2013

Notary Public in and for said County and State

J. Mendez
Notary Public-Nevada
Clark County
My Commission Expires
March 16, 2016
Certificate No: 12-7404-1

PRJ-49067
04/29/13

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: REZONING, VARIANCE AND SITE DEVELOPMENT PLAN REVIEW

Project Address (Location) 2049 AND 2101 WEST BONANZA ROAD

Project Name BOULDER PLACEMENT **Proposed Use** GARDEN SUPPLY

Assessor's Parcel #(s) 139-28-401-006 AND 139-29-802-006 **Ward #** _____

General Plan: existing LI/R proposed N/A **Zoning:** existing C-2 proposed C-M

Commercial Square Footage 630 **Floor Area Ratio** 0.013

Gross Acres 1.13 **Lots/Units** 2 **Density** 1.76

Additional Information _____

PROPERTY OWNER JADA HOLDINGS LLC **Contact** JERRY APPELHANS

Address 210 N. ROYAL ASCOT DRIVE **Phone:** (702) 768-2070 **Fax:** 702

City LAS VEGAS **State** NV **Zip** 89144

E-mail Address accounting@boulderplacement.com

APPLICANT BOULDER PLACEMENT SYSTEMS INC. **Contact** JERRY APPELHANS

Address 2049 WEST BONANZA ROAD **Phone:** (702) 768-2070 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89106

E-mail Address accounting@boulderplacement.com

REPRESENTATIVE BALOVA ENGINEERING **Contact** PETYA BALOVA

Address 6130 ELTON AVENUE **Phone:** (702) 682-1706 **Fax:** (702) 216-6001

City LAS VEGAS **State** NV **Zip** 89107

E-mail Address petya@balovaengineering.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* Jerry Appelhans

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

Print Name JERRY APPELHANS

Subscribed and sworn before me

This 29 day of APRIL, 2013.

Notary Public in and for said County and State

J. Mendez
Notary Public-Nevada
Clark County
My Commission Expires
March 16, 2016
Certificate No: 12-7404-1

FOR DEPARTMENT USE ONLY

Case #	VAR-49180
Meeting Date:	06/11/13 PC
Total Fee:	
Date Received:*	
Received By:	

PRJ-49067

*The application is not deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance. 04/29/13

Revised 10/27/08

City of Las Vegas Agenda Item No.: **32.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

SUBJECT:
SDR-49181 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-49179 AND VAR-49180 - PUBLIC HEARING - APPLICANT: BOULDER PLACEMENT SYSTEMS, INC. - OWNER: JADA HOLDINGS, LLC - For possible action on a request for a Site Development Plan Review FOR EXPANSION OF AN EXISTING BUILDING AND LANDSCAPE MATERIAL/LUMBER YARD WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW ZERO-FOOT BUFFERS ALONG THE EAST AND WEST PROPERTY LINES WHERE EIGHT FEET IS REQUIRED, AND A ZERO-FOOT LANDSCAPE BUFFER ALONG THE SOUTH PROPERTY LINE AND A PORTION OF THE NORTH PROPERTY LINE WHERE 15 FEET IS REQUIRED on 1.13 acres at 2049 and 2101 West Bonanza Road (APNs 139-28-401-006 and 139-29-802-006), C-M (Commercial/Industrial) and C-2 (General Commercial) Zones [PROPOSED: C-M (Commercial/Industrial)], Ward 5 (Barlow) [PRJ-49067]. Staff recommends APPROVAL.

C.C.: 07/24/2013

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-49181 APN: 139-29-802-006 AND 139-28-401-006

Name of Property Owner: JADA HOLDINGS LLC

Name of Applicant: JERRY APPELHANS

Name of Representative: PETYA BALOVA

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: [redacted]

Partner(s): [redacted]

APN: [redacted]

Signature of Property Owner: Jerry Appelhans

Print Name: JERRY APPELHANS

Subscribed and sworn before me

This 29 day of APRIL, 2013

Notary Public in and for said County and State

J. Mendez
Notary Public-Nevada
Clark County
My Commission Expires
March 16, 2016
Certificate No: 12-7404-1

PRJ-49067
04/29/13

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: REZONING, VARIANCE AND SITE DEVELOPMENT PLAN REVIEW

Project Address (Location) 2049 AND 2101 WEST BONANZA ROAD

Project Name BOULDER PLACEMENT **Proposed Use** GARDEN SUPPLY

Assessor's Parcel #(s) 139-28-401-006 AND 139-29-802-006 **Ward #** _____

General Plan: existing LI/R proposed N/A **Zoning:** existing C-2 proposed C-M

Commercial Square Footage 630 **Floor Area Ratio** 0.013

Gross Acres 1.13 **Lots/Units** 2 **Density** 1.76

Additional Information _____

PROPERTY OWNER JADA HOLDINGS LLC **Contact** JERRY APPELHANS

Address 210 N. ROYAL ASCOT DRIVE **Phone:** (702) 768-2070 **Fax:** 702

City LAS VEGAS **State** NV **Zip** 89144

E-mail Address accounting@boulderplacement.com

APPLICANT BOULDER PLACEMENT SYSTEMS INC. **Contact** JERRY APPELHANS

Address 2049 WEST BONANZA ROAD **Phone:** (702) 768-2070 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89106

E-mail Address accounting@boulderplacement.com

REPRESENTATIVE BALOVA ENGINEERING **Contact** PETYA BALOVA

Address 6130 ELTON AVENUE **Phone:** (702) 682-1706 **Fax:** (702) 216-6001

City LAS VEGAS **State** NV **Zip** 89107

E-mail Address petya@balovaengineering.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* Jerry Appelhans

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

Print Name JERRY APPELHANS

Subscribed and sworn before me

This 29 day of APRIL, 2013.

J. Mendez

Notary Public in and for said County and State

J. Mendez
Notary Public-Nevada
Clark County
My Commission Expires
March 16, 2016
Certificate No: 12-7404-1

FOR DEPARTMENT USE ONLY

Case #	SDR-49181
Meeting Date:	06/11/13 PC
Total Fee:	
Date Received:*	
Received By:	

PRJ-49067
04/29/13

*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 11, 2013

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

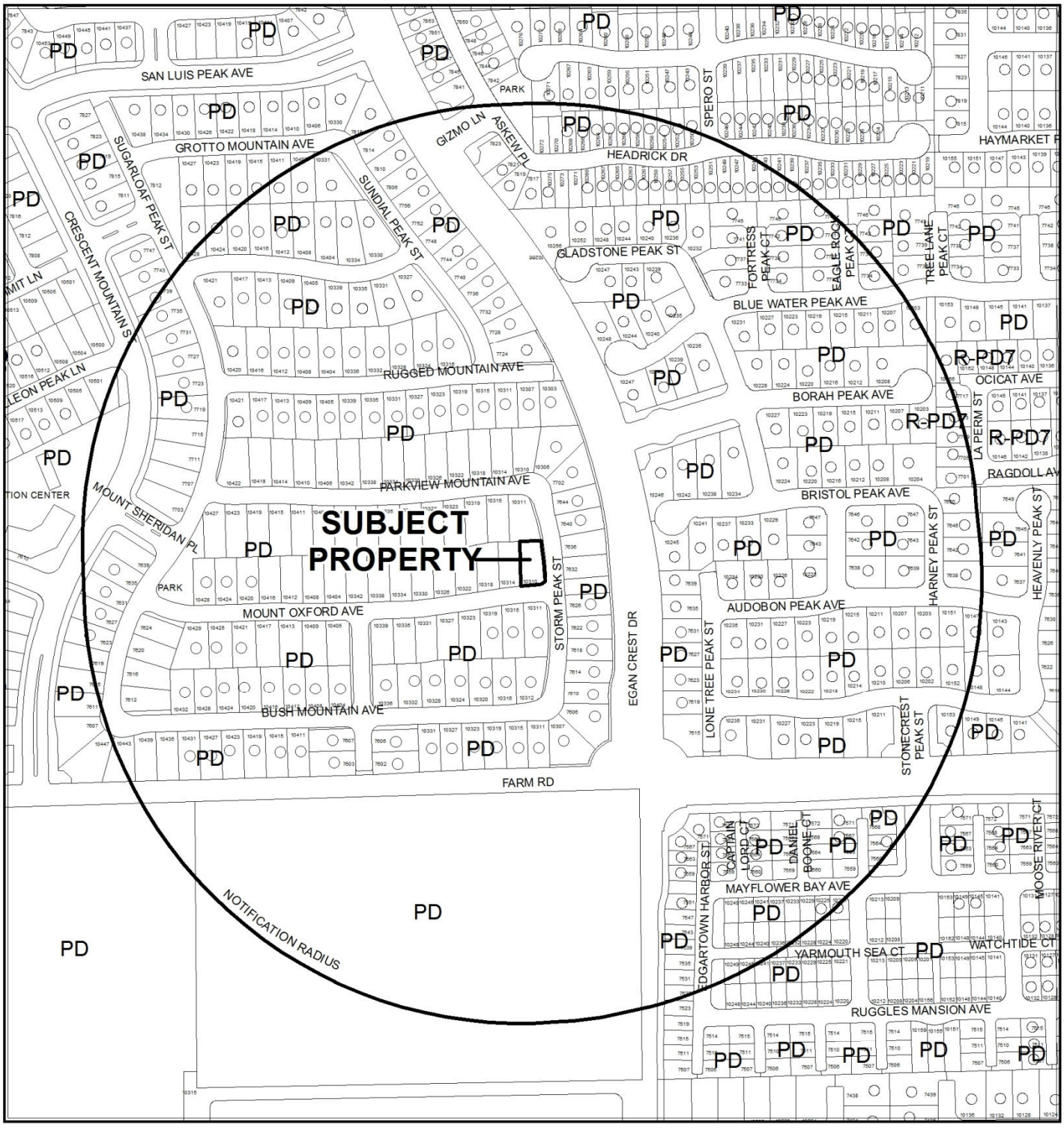
SUBJECT:
VAR-49112 - VARIANCE - PUBLIC HEARING - APPLICANT: WARMINGTON RESIDENTIAL NEVADA, INC. - OWNER : ESTANCIA DESERT, LLC - For possible action on a request for a Variance to ALLOW A 19-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED on 0.12 acres at 10310 Mount Oxford Avenue (APN 126-13-614-070), PD (Planned Development) Zone, Ward 6 (Ross) [PRJ-49017]. Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
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



CASE: **VAR-49112 (PRJ-49017)**

0 300 600 Feet

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)
[L (LOW DENSITY RESIDENTIAL)
Cliff's Edge Special Land Use Designation]

N



CASE: **VAR-49112 (PRJ-49017)**

0 300 600 Feet

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)
[L (LOW DENSITY RESIDENTIAL)
Cliff's Edge Special Land Use Designation]

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: WARMINGTON RESIDENTIAL NEVADA, INC. - OWNER: ESTANCIA DESERT, LLC

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

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-49112	Staff recommends DENIAL, if approved subject to conditions:	N/A

**** CONDITIONS ****

VAR-49112 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Cliff's Edge Master Development Plan Design Guidelines 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

The applicant is requesting a Variance to allow a 19-foot rear yard setback where 20 feet is the minimum required for a proposed single-story residential dwelling at 10310 Mount Oxford Avenue. The proposed setback fails to conform to Cliff's Edge Master Development Plan and Design Guidelines as such the hardship is self-imposed and therefore staff must recommend denial of this request. If denied, the applicant will have to construct a different home model on this site.

ISSUES

- The proposed model is larger than the building envelope and therefore cannot be constructed without a Variance from the required setback.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/16/03	The City Council approved a request to Rezone (ZON-2184) 704 acres adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road from U (Undeveloped) to PCD (Planned Community Development). The Planning Commission recommended approval on 06/12/03
09/26/04	The Planning Commission approved a request for a Tentative Map (TMP-4706) for a 930-lot single-family residential subdivision.
08/05/05	The City Council approved a request for a Major Modification (MOD-6279) to the Cliff's Edge Master Development Plan to change the land use designations from ML (Medium Low Density Residential) to L (Low Density Residential), from RSL (Residential Small Lot) to Medium Low Density Residential), and from RLS (Residential Small Lot) to ML (Medium Low Density Residential). The Planning Commission recommended approval on 05/26/05.
09/11/06	Final Map (FMP-9611) was recorded required creating a 125-lot single-family residential subdivision.

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

Related Building Permits/Business Licenses	
04/22/13	A building permit (#234185) was issued for a temporary power pole. The permit has not been finalized.

Pre-Application Meeting	
04/11/13	A pre-application meeting was held with the applicant and discussed the requirements for submitting for a setback Variance.

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

Field Check	
05/02/13	A field check was conducted and confirmed that the lot is vacant.

Details of Application Request	
Site Area	
Net Acres	0.12

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	L (Low Density Residential)	PD (Planned Development)
North	Undeveloped	L (Low Density Residential)	PD (Planned Development)
South	Single Family, Detached	L (Low Density Residential)	PD (Planned Development)
East	Undeveloped	L (Low Density Residential)	PD (Planned Development)
West	Undeveloped	L (Low Density Residential)	PD (Planned Development)

Master Plan Areas	***Compliance***
Cliff's Edge	N
Special Purpose and Overlay Districts	***Compliance***
PD (Planned Development) District	N
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to the Cliff's Edge Design Guidelines, Section 3.2.5 the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size	N/A	5,227 SF	N/A
Min. Lot Width	N/A	48 Feet	N/A
Min. Setbacks: • Front (to living area or porch) – single story	10 Feet	12 Feet	Y
• Front entry garage	20 Feet	20 Feet	Y
• Turn-in garage	10 Feet	10 Feet	Y
• Side (interior lots)	5 Feet	5 Feet	Y
• Corner Side	10 Feet to living area, 5 Feet to porch (single story element) 15 Feet (two story element)	N/A	N/A
• Rear (interior lots)	20 Feet except that a setback of 15 Feet is allowed for up to 50% of the product width	19 Feet	N

ANALYSIS

The applicant is proposing to construct a single-story residential dwelling (approximately 2,025 square feet) one-foot inside the required rear setback of 20 feet. The property is an interior regular shaped lot. The option for an Administrative Deviation is not available, as the parallel setback intrusion extends approximately 39 feet (the entire rear elevation of the structure) where a maximum of 15 feet is allowed for an Administrative Deviation. The proposed home is bigger than the lot was designed to accommodate and as such cannot be constructed in a manner that is harmonious with the sounding area.

Pursuant to Cliff's Edge Master Development Plan and Design Guidelines Section 3.2.5 (Medium Low and Low Density Residential) the rear setback for an interior lot is 20 feet, except that a setback of 15 feet is allowed for up to 50 percent of the product width. This proposed housing model fails to meet the minimum setback requirement; therefore, staff recommends denial. If denied then a different home model will have to be use for this lot.

FINDINGS (VAR-49112)

In accordance with the provisions of Title 19.16.140(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 19.16.140(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 construct a residential dwelling that is bigger than the lot was designed to accommodate. Alternative a smaller residential dwelling would allow conformance to the Cliff's Edge Master Development Plan and Design Guidelines 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 33

NOTICES MAILED 322

APPROVALS 0

PROTESTS 0

MR

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

VAR-49112

Case Number: 6 - Ross APN: 126-13-614-076

Name of Property Owner: Estancia Desert LLC

Name of Applicant: Warmington Residential Nevada, Inc.

Name of Representative: G.C. Wallace, Inc.

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Paul F. Manning

Print Name: PAUL F. MANNING

Subscribed and sworn before me

This _____day of _____, 20_____

_____

Notary Public in and for said County and State

PLEASE SEE ATTACHED CALIFORNIA NOTARY BLOCK

PRJ-49017
04/24/13

Department of Planning

Statement of Financial Interest

Case Number: 6-Ross

APN: 126-13-614-076

Northern Terrace at Providence Unit 3 Lot 310 Variance

10310 Mount Oxford Avenue

ACKNOWLEDGMENT

State of California)
County of Orange)

On April 16, 2013, before me, Elizabeth Murray, a Notary Public, personally appeared Paul F. Manning, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature E Murray

ELIZABETH MURRAY
Commission # 1934153
Notary Public - California
Orange County
My Comm. Expires May 24, 2015

PRJ-49017
04/24/13

VAR-49112

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Northern Terrace at Providence Unit 3 Lot 310 Variance

Project Address (Location) 10310 Mount Oxford Avenue

Project Name Northern Terrace at Providence Unit 3 **Proposed Use** SF Residential

Assessor's Parcel #(s) 126-13-614-076 **Ward #** 6 - Ross

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

Commercial Square Footage N/A **Floor Area Ratio** 0.38

Gross Acres 0.12 **Lots/Units** 1 **Density** Low Density

Additional Information ____

PROPERTY OWNER Estancia Desert LLC **Contact** ~~Lisa Albanez~~ PAUL F. MANNING

Address 2020 Main Street, Suite 1100 **Phone:** (949) 724-5900 **Fax:** (949) 724-1919

City Irvine **State** CA **Zip** 92614

E-mail Address ~~Lalbanez@tripacificllc.com~~ PMANNING@TRIPACIFICLLC.COM

APPLICANT Warmington Residential Nevada, Inc. **Contact** Scott Reddie

Address 6725 Via Austi Pkway. Suite 350 **Phone:** (702) 248-4883 **Fax:** (702) 248-8430

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

E-mail Address scott@warmingtongroup.com

REPRESENTATIVE G.C. Wallace, Inc. **Contact** Michael Fang

Address 1555 S. Rainbow Blvd. **Phone:** (702) 804-2000 **Fax:** (702) 804-2299

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

E-mail Address mfang@gcwallace.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* Paul F. Manning

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

Print Name PAUL F. MANNING

Subscribed and sworn before me

This ____ day of ____, 20 ____.

____

Notary Public in and for said County and State

PLEASE SEE ATTACHED CALIFORNIA NOTARY BLOCK

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	VAR-49112
Meeting Date:	06/11/13 PC
Total Fee:	
Date Received:*	
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.

PRJ-49017
04/24/13

Department of Planning

Application/Petition Form

Northern Terrace at Providence Unit 3 Lot 310 Variance

10310 Mount Oxford Avenue

ACKNOWLEDGMENT

State of California)
County of Orange)

On April 16, 2013, before me, Elizabeth Murray, a Notary Public, personally appeared Paul F. Manning, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

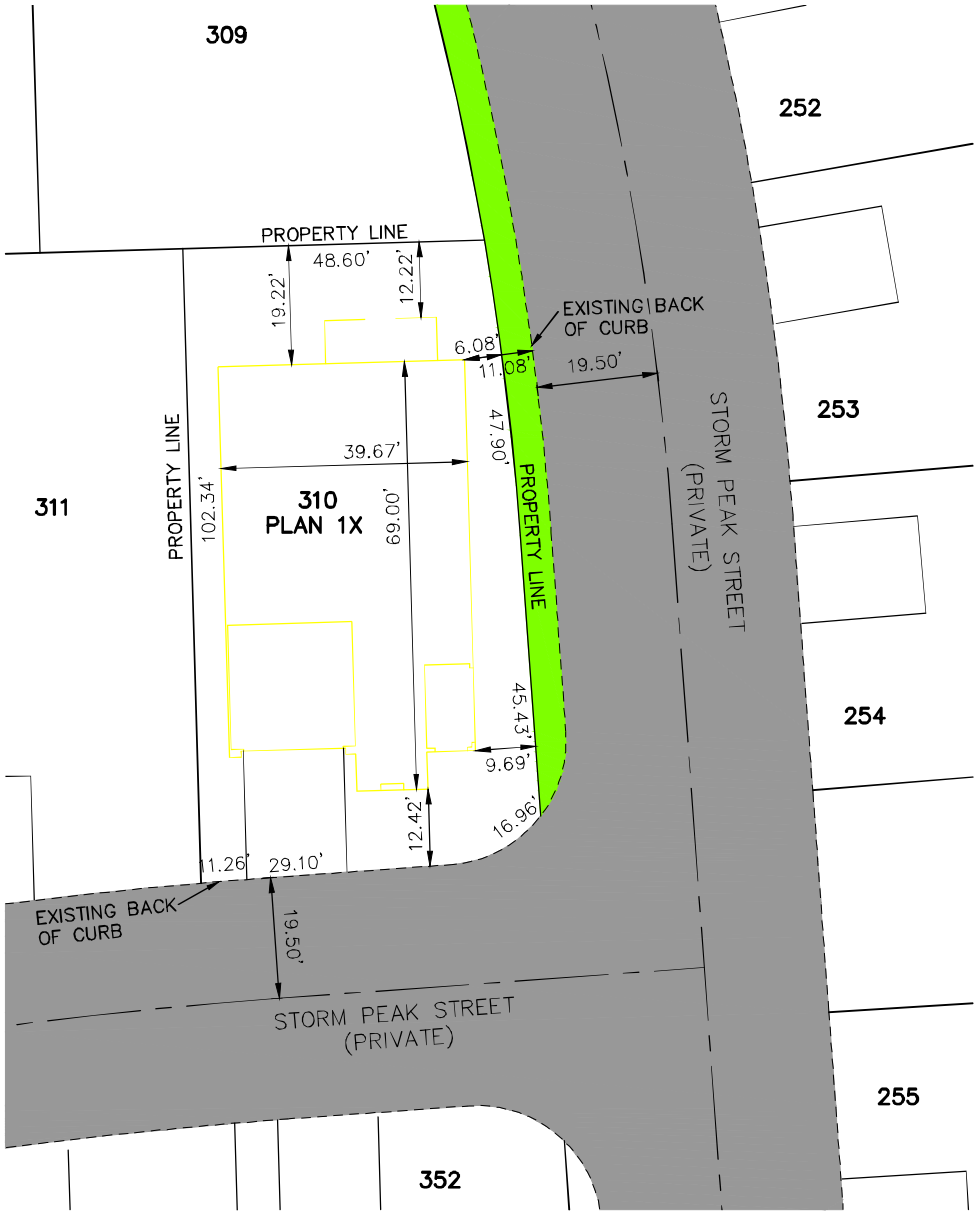
WITNESS my hand and official seal.

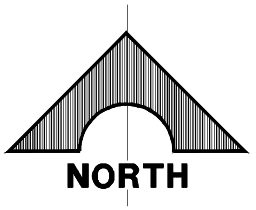
Signature E Murray

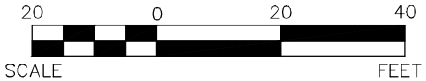
ELIZABETH MURRAY
Commission # 1934153
Notary Public - California
Orange County
My Comm. Expires May 24, 2015

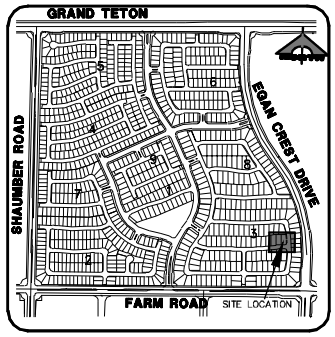
PRJ-49017
04/24/13

VAR-49112









KEY MAP

DENSITY:
LOW DENSITY RESIDENTIAL

FLOOR AREA RATIO:
PLAN 1X – 0.38

TYPICAL INTERIOR LOT SIZE:
50.0' X 102.0' = 5,100 SQ. FT.

PROPERTY LOT SIZE:
LOT 310 – 5,302 SQ. FT.

BUILDING SIZE (FIRST FLOOR):
PLAN 1X – 2,025 SQ.

BUILDING SIZE (TOTAL LIVING AREA):
PLAN 1X – 2,025

PRJ-49017
04/24/13

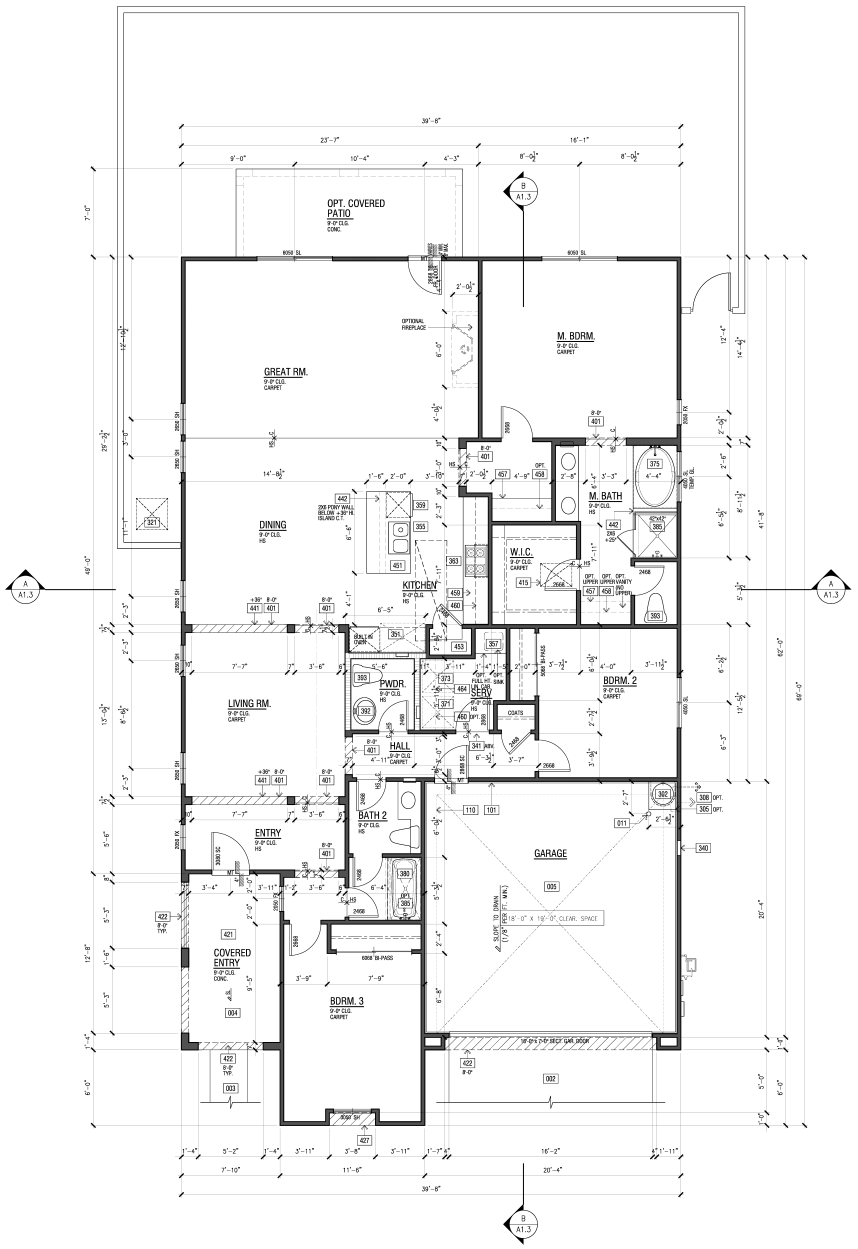
VAR-49112

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

WARMINGTON RESIDENTIAL NEVADA, INC.
NORTHERN TERRACE AT PROVIDENCE UNIT 3
SITE PLAN
LOT 310

SHEET
1
1 OF 1 SHTS

F:\Projects\800\819-002\Northern Terrace\Plot Plans\Unit 3\Site Plan\U3-Lot310.dwg
04-03-13 10:01:59
Michael Fang



FLOOR PLAN

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

FLOOR PLAN KEY NOTES

Name	NOTE
001	CONCRETE SLAB (SEE STRUCTURAL DRAWINGS)
002	CONCRETE DRIVE (BY OTHERS)
003	CONCRETE WALK (BY OTHERS)
004	CONCRETE PORCH SLAB (BY OTHERS) SLOPE 1/4" PER FOOT MINIMUM IN DIRECTION INDICATED
005	CONCRETE GARAGE SLAB - SLOPE 1/8" PER FOOT MINIMUM IN DIRECTION INDICATED
011	GALVANIZED STEEL PIPE BOLLARD W/ CONCRETE FILL - REFER TO DETAIL 18/D/4
101	GARAGE SHALL BE SEPARATED AS REQUIRED BY TABLE R302.6. OPENINGS IN GARAGE WALLS SHALL COMPLY WITH SECTION R302.5.THIS PROVISION DOES NOT APPLY TO GARAGE WALLS THAT ARE PERPENDICULAR TO ADJACENT DWELLING UNIT WALL. (IRC R302.6)
110	OPENINGS BETWEEN GARAGE AND RESIDENCE SHALL BE EQUIPPED WITH SOLID WOOD DOORS NOT LESS THAN 1⅜" (35 MM)IN THICKNESS, SOLID OR HONEYCOMB CORE STEEL DOOR NOT LESS THAN 1⅜" (35 MM) THICK OR 20 MINUTE FIRE-RATED DOORS. (IRC R302.5.1)
201	UTILITY EQUIPMENT AND SERVICE PANELS - VERIFY LOCATION
302	HIGH RECOVERY WATER HEATER WITH +18" HIGH 3/4" EXT. GRADE PLYWOOD PLATFORM PER UPC 508.14(1). WATER HEATER PROTECTION FROM DAMAGE PER UPC 508.14(2). LATERAL BRACING OF WATER HEATER PER UPC 508.2 (SEE DETAIL 17/D3).
305	TANK LESS WATER HEATER - INSTALLATION PER MANUFACTURER'S INSTRUCTIONS
308	HORIZONTAL TANK LESS WATER HEATER VENT SYSTEM TO OUTSIDE
309	TEMPERATURE AND PRESSURE RELIEF VALVE. DISCHARGE LINE TO THE OUTSIDE PER UPC SEC. 608.5.
312	METAL FIREPLACE (GAS APPLIANCE) - HEIGHT PER PLAN - INSTALL PER MANUFACTURER'S INSTRUCTIONS. MANUFACTURER, MODEL NUMBER AND APPROVAL LISTING PER PLAN
321	AIR CONDITIONING CONDENSER LOCATION
322	FORCED AIR UNIT (FAU) ATTIC INSTALLATION
335	5" DIA. G.I. DRYER VENT WITH APPROVED LINT TRAP - VENT TO OUTSIDE
337	WATER HEATER VENT - VENT TO OUTSIDE
340	14"X8" COMBUSTION AIR VENTS TOP AND BOTTOM - TYP.
341	14"X8" MAKE-UP AIR VENT
351	REFRIGERATOR SPACE WITH RECESSED COLD WATER BOX
355	SINK WITH GARBAGE DISPOSER
357	OPT. UTILITY SINK
359	DISHWASHER
363	SLIDE-IN RANGE/OVEN WITH MICRO/VENT/LIGHT COMBINATION (RECIRCULATING EXHAUST VENT)
371	WASHER SPACE WITH RECESSED WATER BOX
372	WASHER SPACE WITH RECESSED WATER BOX AND DRAIN PAN
373	DRYER SPACE
375	TUB - 42" X 60"
380	TUB/ SHOWER
382	SHATTERPROOF SHOWER DOOR/ ENCLOSURE
385	SHOWER (HOT MOP PAN) - SEE DETAIL 5/D2 - SIZE PER PLAN
391	SINK
392	PEDESTAL SINK
393	TOILET - PROVIDE MINIMUM 24" X 30" CLEAR FLOOR AREA IN FRONT OF TOILET
401	INTERIOR SOFFIT(S)/ DROPPED CEILING(S): HEIGHT PER PLAN
410	LINE OF FLOOR ABOVE
411	LINE OF FLOOR BELOW
415	22-1/2"x30" ATTIC ACCESS - DIMENSIONS ARE CLEAR
421	STUCCO CEILING: HEIGHT PER PLAN (9'-0" U.N.O.)
422	STUCCO SOFFIT: HEIGHT PER PLAN (8'-0" U.N.O.)
427	STUCCO SOFFIT OVER WATERPROOFED STUCCO SHELF - SLOPE FRAMING FOR DRAINAGE (1/4" PER FOOT MINIMUM)
441	GYP. BD. SHELF/ LOW WALL - WIDTH AND HEIGHT PER PLAN
442	2X PONY WALL - SIZE PER PLAN
451	KITCHEN ISLAND - PROVIDE APPROVED UNDERGROUND CONDUIT FOR ELECTRIC SERVICE TO ISLAND
453	PANTRY (5 SHELVES)
454	DESK
457	LINEN (LOWER)
458	LINEN (UPPER)
459	BASE CABINET
460	UPPER CABINET
464	SHELVES

FLOOR PLAN NOTES

1. LIGHT AND VENTILATION AND HEATING IN GROUP R OCCUPANCIES PER IRC SECTION R303.
2. GLAZING PER IRC SECTION R308.
3. DRAFTSTOPS PER IRC SECTION R302.12 AND R502.12.
4. FIRE BLOCKING REQUIRED PER IRC SECTION R302.11 AND R502.13.
5. ROOF VENTILATION PER IRC SECTION R806.
6. ATTIC ACCESS PER IRC SECTION R807.
7. ENVIRONMENTAL AIR DUCTS AND PRODUCT CONVEYING SYSTEMS PER U.M.C. CHAPTER 5, PART 1.
8. APPLIANCE INSTALLATION/IMPACT PROTECTION PER U.M.C. SECTION 307.1.
9. DUCT SYSTEMS PER U.M.C. SECTION 504.0
10. COMBUSTION AIR PER U.P.C. SECTION 507.0.

NOTE: SEE ROOF PLANS FOR POSSIBLE RATED WALL LOCATION(S). (ONLY NECESSARY TO RATE THE PORTION OF THE WALL WHERE THE FIRE SEPARATION DISTANCE TO THE PROPERTY LINE IS LESS THAN 5'-0" MEASURED FROM THE FOUNDATION TO THE PROPERTY LINE (SRA R302.1)

REFER TO DETAIL 9/D1 FOR RATED DETAILS.

FLOOR AREA TABLE	PLAN 1XA
LOWER FLOOR PLAN	2025 SQ. FT.
TOTAL	2025 SQ. FT.
GARAGE	414 SQ. FT.
COVERED ENTRY/PORCH	110 SQ. FT.
OPTIONAL COVERED PATIO	126 SQ. FT.

NOTE: SQUARE FOOTAGE MAY VARY DUE TO METHOD OF CALCULATION

VAR-49112 05/07/13

WILLIAM HEZMALHALCH ARCHITECTS INC.
2850 REDHILL AVENUE SUITE 200 SANTA ANA CA 92705-5543
949 250 0607 www.wharchitects.com fax 949 250 1529

EMERY AT NORTHERN TERRACE

PARCEL 3
LAS VEGAS, NEVADA

DEVELOPER: WARMINGTON RESIDENTIAL NEVADA, INC.
LAS VEGAS, NEVADA

PARCEL NUMBER 126136614051
50'X102' S.F.D. LOTS

SINCLAIR - PLAN 1XA

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DO NOT SCALE PLANS

REVISIONS

NO.	DATE	DESCRIPTION

PROJECT MANAGER :	MB
DESIGNER :	DW
DRAWN BY :	[DRAWN BY]
REVIEWED BY :	MB
1ST BLDG. DEPT. SUBMITTAL :	04-14-09
ISSUED FOR CONSTRUCTION :	5-20-09
JOB NUMBER :	2008229
CAD FILE NAME :	A101

DATE: 12-06-11

SHEET: A1.1

2008229



VAR-49112 (PRJ-49017) - APPLICANT: WARMINGTON RESIDENTIAL NEVADA, INC. - OWNER: ESTANCIA DESERT, LLC
10310 MOUNT OXFORD AVENUE

05/02/13

G. C. WALLACE COMPANIES
ENGINEERS | PLANNERS | SURVEYORS

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

Writer's Contact Information:

702.804.2188
mfang@gcwallace.com

431-033

April 3, 2013

City of Las Vegas - Department of Planning
333 N. Rancho Drive
Las Vegas, Nevada 89106

Re: Justification for Northern Terrace at Providence Unit 3 (Emery) Lot 310 Rear Yard Setback Variance (CLV Drawing No. 107Y4891-3)

To Whom It May Concern;

On behalf of Warmington Residential Nevada, Inc., G.C. Wallace, Inc., is submitting a request for a Variance on the rear yard setback for lot 310 to be 19' minimum to the house. Northern Terrace at Providence Unit 3 consists of 125 lots. This request is affecting roughly 1% of the Unit 3 lots. According to Cliff's Edge (Providence) Master Development Plan and Design Guidelines, the minimum rear yard setback requirement for the low density residential is 20' to the house and 10' to the patio. Due to the geometry of the adjacent roadways, Storm Peak Street and Mount Oxford Avenue, the depth of the lot is less than the typical lot depth on Mount Oxford Avenue. The DRC has reviewed and granted this Variance on lot 310 (see attached letter).

Please feel free to call me at 804-2188 if you need any additional information or have any questions.

Cordially,

G. C. WALLACE, INC.

Michael Fang, EI

Attachment

C: File
J. Johnson, GCW

PRJ-49017
04/24/13

VAR-49112

City of Las Vegas Agenda Item No.: **34.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

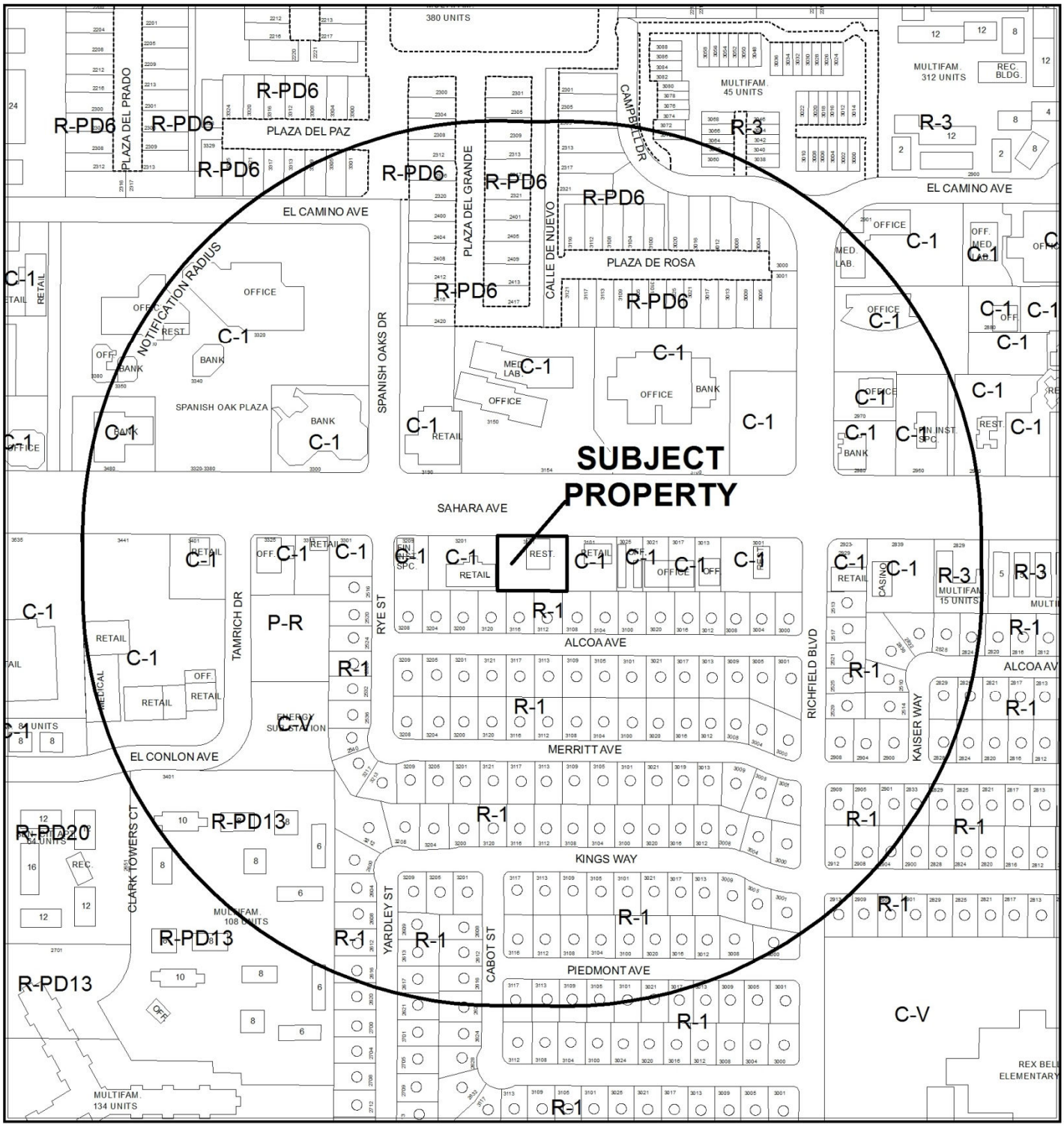
SUBJECT:
VAR-49137 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: BLV HOLDINGS, LLC - For possible action on a request for a Variance TO ALLOW A 52-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 81 FEET IS REQUIRED on 0.51 acres at 3121 West Sahara Avenue (APN 162-08-104-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
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-49137 and SDR-49136
2. Conditions and Staff Report - VAR-49137 and SDR-49136
3. Supporting Documentation
4. Photos - VAR-49137 and SDR-49136
5. Justification Letter - VAR-49137 and SDR-49136



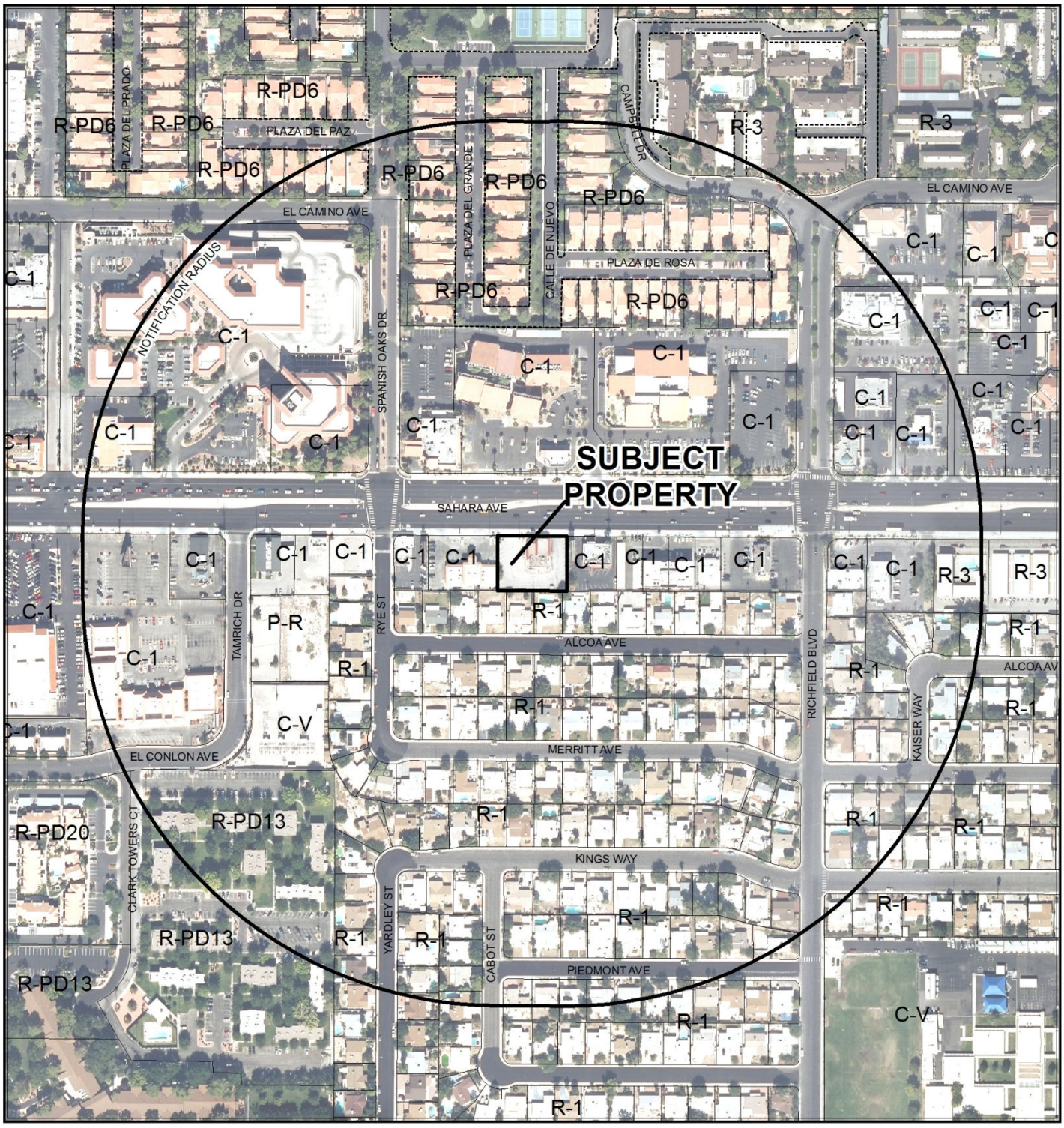
0 300 600 Feet

CASE: **VAR-49137 & SDR-49136**

RADIUS: 1000 FEET

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

N



0 300 600 Feet

CASE: **VAR-49137 & SDR-49136**

RADIUS: 1000 FEET

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: BLV HOLDINGS, LLC

** STAFF RECOMMENDATIONS **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-49137	Staff recommends APPROVAL, subject to conditions:	N/A
SDR-49136	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

VAR-49137 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-49136) 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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-49136 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-49137) 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 19.16. 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 04/24/13, except as amended by conditions herein.

4. A Waiver from Title 19.08.070 is hereby approved, to allow a three-foot wide landscape buffer along the interior property lines where an eight-foot wide buffer is required.

5. An Exception from Title 19.08.110(C)(12) is hereby approved, to allow no landscape islands where one is required for every six parking spaces.

6. An Exception from 19.08.040(F)(8) is hereby approved, to allow three 24-inch box trees planted 30 feet apart where a 24-inch box tree is required for every 20 feet.

7. 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. The technical landscape plan shall include the placement of nine 24-inch box trees planted 20 feet on center within the south landscape buffer.

10. Revised elevations shall be submitted to and approved by the Department of Planning prior to the time application is made for a building permit to reflect the removal of the second-story windows on the south elevation.

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

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

Public Works

13. In accordance with code requirements of Title 13.56, remove all substandard improvements (sidewalk), if any, and replace with new improvements meeting Current City Standards concurrent with development of this site. The existing pan style driveways accessing this site from Sahara Avenue may remain.

14. Provide an on-site sewer plan acceptable to the Sanitary Sewer Planning Division of the Department of Public Works. Install a public sewer manhole for public maintenance access over the existing 8-inch sewer, and grant a 20-foot wide public sewer easement over the locations determined by the on-site sewer plan prior to the issuance of a building permit for this site.

15. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

16. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for all driveways or other private improvements, if any, in the West Sahara Avenue public right-of-way adjacent to this site prior to constructing any improvements within NDOT jurisdiction

17. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for this Site Plan Prior to submittal of construction drawings for this site. Any Traffic Calming devices shall be approved prior to installation.

18. 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 or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant proposes to construct a two-story, 4,871 square-foot building that will house 3,713 square feet of office space and 1,158 square feet of related retail space at 3121 West Sahara Avenue. The proposal is accompanied by a requested Variance to allow a 51-foot Residential Adjacency Setback where an 81-foot setback is required and Waiver to allow a three-foot wide landscape buffer along the interior property lines where an eight-foot wide landscape buffer is required. The applicant has worked closely with staff to address the issues regarding emergency access and residential adjacency. Staff recommends approval of this request, as the proposal is harmonious and compatible with the surrounding area and will provide much needed development improvements to Sahara Avenue. If denied, the applicant will not be allowed to develop the proposed two-story commercial building.

ISSUES

- The Site Development Plan Review is accompanied with a Variance to allow a 52-foot setback where the 3:1 Residential Adjacency Setback requires an 81-foot setback. Staff supports this request.
- The applicant is requesting a Waiver to allow a three-foot wide landscape buffer along the interior property lines where an eight-foot buffer is required in order to accommodate the 24-foot wide driveways and 20-foot wide drive aisle, as requested by the Fire Department during the pre-application conference. Staff supports this request.
- The Site Development Plan is accompanied by an Exception to Title 19.08.040 and Title 19.08.110 for an increase in the required tree spacing and to not provide parking lot landscape islands. Staff supports these requests, as the applicant has provided additional landscaping throughout the site to offset these reductions.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
04/10/12	The Planning Commission denied the request for a Special Use Permit (SUP-44160) for a proposed Auto Title Loan use with waivers to allow no distance separation from a residential use where 200 feet is required, and a 167-foot distance separation from an existing Auto Title Loan use where 1,000 feet is required at 3121 West Sahara Avenue

Most Recent Change of Ownership	
02/19/13	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/28/13	An over-the-counter permit (#228341) was issued for the demolition of a 5,000 square-foot fire damaged restaurant. A final inspection of the site was completed on 02/12/13.

Pre-Application Meeting	
04/18/13	A pre-application meeting was held with the applicant and his representative to discuss the proposed development of a two-story commercial building. The commercial development standards were discussed, at which point it was determined that the applicant would proceed with a Site Development Plan Review and a Variance for a reduced Residential Adjacency Setback.

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

Field Check	
05/02/13	A field check was made by staff and found the previous structures on site to have been demolished and removed, with the exception of the freestanding sign.

Details of Application Request	
Site Area	
Net Acres	0.51

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
North	Office, Other Than Listed Restaurant	C (Commercial)	C-1 (Limited Commercial)
South	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)

Surrounding Property	*Existing Land Use Per Title 19.12*	*Planned or Special Land Use Designation*	*Existing Zoning District*
East	Retail, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
West	Retail, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)

Master Plan Areas	*Compliance*
No Applicable Master Plan Areas	N/A
Special Purpose and Overlay Districts	***Compliance***
A-O (Airport Overlay) – 200 Feet	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	Y
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.070, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Width	100 Feet	165 Feet	Y
Min. Setbacks			
• Front	10 Feet	10 Feet	Y
• Side	10 Feet	40 Feet	Y
• Rear	20 Feet	54 Feet	Y
Max. Lot Coverage	50 %	13 %	Y
Max. Building Height	Limited by Residential Adjacency	33 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

Per Title 19.08.040, the flowing standards apply:

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	81 Feet	54 Feet	N
Adjacent development matching setback	15 Feet	52 Feet	Y
Trash Enclosure	50 Feet	75 Feet	Y

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	6 Trees	6 Trees	N
• South	1 Tree / 20 Linear Feet	8 Trees	7 Trees	Y
• East	1 Tree / 30 Linear Feet	4 Trees	4 Trees	Y
• West	1 Tree / 30 Linear Feet	4 Trees	4 Trees	Y
TOTAL PERIMETER TREES		**22 Trees**	**21 Trees**	**N**
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	3 Trees	0 Trees	N

LANDSCAPE BUFFER WIDTHS			
Min. Zone Width			
• North	10 Feet	13 Feet	Y
• South	8 Feet	3 Feet	N
• East	8 Feet	3 Feet	N
• West	8 Feet	3 Feet	N
Wall Height	6 to 8 Feet Adjacent to Residential	8 Feet Adjacent to Residential	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Sahara Avenue	Primary Arterial	Master Plan of Streets and Highways Map	130	Y

Pursuant to Title 19.08 and 19.12, 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	3,713 SF	1:300 SF	13				
Retail, Other Than Listed	1,158 SF	1:175	7				
TOTAL SPACES REQUIRED			20		22		
Regular and Handicap Spaces Required			19	1	21	2	Y

MH

Waivers		
Requirement	***Request***	***Staff Recommendation***
An eight-foot wide landscape buffer is required along interior property lines.	To allow a three-foot wide landscape buffer.	Approval

Exceptions		
Requirement	***Request***	***Staff Recommendation***
A 5-foot wide landscape finger island for every six uncovered parking spaces.	To allow no landscape islands.	Approval
A 24"-box shade tree planted 20 feet on center along right-of-way (Sahara Avenue).	To allow 24"-box trees to be planted 30 feet on center along the right-of-way (Sahara Avenue).	Approval

ANALYSIS

The proposed 4,871 square-foot development consists of a two-story commercial structure that will house 3,713 square feet of office space with the remaining 1,158 square feet dedicated to retail space. The second story of the structure serves primarily as office space for the applicant's offsite jewelry locations and for the 1,158 square feet of onsite jewelry sales. The proposed office and retail use are congruent with the C (Commercial) land use designation and the proposed design of the structure is compatible with the C-1 (Limited Commercial) zoning district development standards. The peak height of the structure is oriented to the street edge of Sahara Avenue, with the 27-foot roof height setback as far as possible from the residential properties to the south. The building façade is oriented toward the street, as well as hardscaping that integrates well with the recently completed Sahara Avenue BRT (Bus Rapid Transit) capital improvement project.

The proposed site circulation and parking are oriented around the two existing 24-foot wide driveways that enter and exit onto Sahara Avenue, a state highway that is under the jurisdiction of the Nevada Department of Transportation. During the pre-application conference, it was determined adequate emergency site access is best accommodated with a 20-foot wide drive aisle circling the structure. Because of the width of the access aisle, the required eight-foot landscape buffers are reduced to three feet along the side and rear interior property lines. The applicant has requested a waiver for the reduced landscape buffer widths, which staff supports.

The site features 22 angled parking spaces, with one of those spaces designated as a van-accessible handicap parking space where 20 spaces are required. Because of the site constraints and existing driveways, the applicant is utilizing a one-way angled parking lot design with no parking lot islands. Staff supports the requested exception to Title 19.08.110, as the applicant has provided adequate landscaping where feasible, without reducing the required parking to the point of needing a Variance for the reduction of onsite parking. In addition, there is an appropriate amount of street trees along the public right-of-way; however, three trees located at the front of the structure are spaced 30 feet apart where code requires trees to be spaced a maximum of 20 feet apart. Staff supports an exception to Title 19.08.040 for this instance, as there are two trees spaced 40 feet apart within the Sahara Avenue right-of-way that are in front of the proposed structure. These trees were planted as a component of the Sahara Avenue BRT (Bus Rapid Transit) Capital Improvement Project. The proposed onsite landscape plan is coordinated with the existing sidewalk trees to provide a more complete streetscape design while also providing adequate planting materials for visually screening the property from the adjacent residential properties to the south. Although the provided landscape plan specifies the correct tree spacing of 20 feet on center, a condition of approval has been placed on the Site Development Plan Review to ensure that nine trees are provided on the technical landscape plans prior to the submittal for building permits.

It is important to note that the applicant has worked closely with City staff to present a feasible commercial development for property located within Area 2 of the Redevelopment Plan. Where this proposal has not met the strict application of the Title 19 Unified Development Code, the applicant has utilized a design proposal that offsets any impact that the commercial development may have on the adjacent residential properties to the south. For this reason, staff recommends approval of the requested Variance and Site Development Plan Review and its associated Waiver and Exceptions.

FINDINGS (VAR-49137)

In accordance with the provisions of Title 19.16.140(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 19.16.140(L) states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in

peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

The submitted site plan has provided evidence of a unique site condition, in that the depth of the property is shallow for a typical commercial development. This is evidenced by the greater height and reduced proximity slope setbacks of the legally nonconforming commercial properties within the immediate area. The applicant has provided a design that seeks to minimize the impact of the height of the development and has agreed to the condition of approval for revised building elevations that will remove any second-story fenestration directed towards the residential properties to the south. In view of the surrounding context of the commercial development and the applicant's design strategies that offset the impact of the commercial development to the residential properties, staff supports the applicant's request to allow a 54-foot setback where the 3:1 Proximity Slope requires an 81-foot Residential Adjacency Setback.

FINDINGS (SDR-49136)

In order to approve a Site Development Plan application, per Title 19.16.100(E) 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 two-story development is commercial in nature and is compatible with the C (Commercial) land use designation and is in context with the adjacent commercial developments to the east and west. The applicant has requested a Variance to allow a 54-foot residential adjacency setback where an 81-foot setback is required. Staff supports this request, as the applicant is challenged with a uniquely shallow lot and has provided a design concept that minimizes the impact the development may have on the single-family developments to the south.

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

   With approval of the associated Variance and associated condition of approval, the proposed development is consistent with all adopted city plans, policies and standards. Staff supports the proposed development, as it will provide an attractive redevelopment of the site located within the Redevelopment Plan Area.

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

Access to the site is provided solely from Sahara Avenue, a 100-foot Primary Arterial, as designated by the Master Plan of Streets and Highways. The applicant is retaining the two existing 24-foot driveways located on the west and east corners of the site. Sahara Avenue will provide adequate access and will accommodate the traffic generated by the proposed development. The proposed development also features improvements that contribute to the pedestrian environment, which will support and encourage alternative means of transportation.

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

Building materials are appropriate for the area and consistent with other commercial sites within the City. Landscape materials are appropriate in type, size and quantity for the area and for the City.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The building elevations, design characteristics and architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance. In addition, the proposed development is harmonious and compatible with development in the area. Although the applicant has requested a Variance from the required 3:1 proximity slope for a reduced setback from residential property, the proposed design seeks to greatly minimize any visual intrusion or impact by means of landscape screening, building orientation, and the placement of glazing. A condition of approval has been placed requiring the elimination of the second story windows on the south elevation, which the applicant has agreed to during previous discussions with City staff.

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

The proposed Site Development Plan Review will not impact public health, safety, or welfare since the development will be subject to the International Building Code and City inspections during construction.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 33

NOTICES MAILED 273

APPROVALS 0

PROTESTS 0

MH

DEPARTMENT OF PLANNING

RECEIVED
APR 24 2013

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-49137 APN: 162-08-104-003

Name of Property Owner: BLV Holdings LLC

Name of Applicant: BLV Holdings LLC

Name of Representative: Ben S. Cohen

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: Ben S. Cohen

Subscribed and sworn before me

This 23 day of APRIL, 2013

CLARK COUNTY NEVADA

Notary Public in and for said County and State

JOY MCCAUGHEY
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 11-5330-1
My Appt. Expires July 15, 2015

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

RECEIVED
APR 24 2013

Application/Petition For: Site Development / Variance for rear set back 19.08.040(H)

Project Address (Location) 3121 W Sahara Avenue, Las Vegas

Project Name Two Story Office / Retail Building **Proposed Use** Jewelry Store/Office

Assessor's Parcel #(s) 162-08-104-003 **Ward #** _____

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

Commercial Square Footage 4974 S.F. **Floor Area Ratio** _____

Gross Acres 0.51 **Lots/Units** N/A **Density** N/A

Additional Information _____

PROPERTY OWNER BLV Holdings LLC **Contact** Ben S. Cohen

Address 3377 S Las Vegas Blvd. #2330 **Phone:** (702) 650-3377 **Fax:** (702) 650-0665

City Las Vegas **State** Nevada **Zip** 89109

E-mail Address ben@bengioielli.com

APPLICANT BLV Holdings LLC **Contact** Ben S. Cohen

Address 3377 S Las Vegas Blvd. #2330 **Phone:** (702) 650-3377 **Fax:** (702) 650-0665

City Las Vegas **State** Nevada **Zip** 89109

E-mail Address ben@bengioielli.com

REPRESENTATIVE Ravin Nathan **Contact** Ravin Nathan

Address 10117 Ocicat Avenue **Phone:** (702) 245-8690 **Fax:** _____

City Las Vegas **State** Nevada **Zip** 89166

E-mail Address rvnnathan@yahoo.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* _____

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

Print Name BEN COHEN

Subscribed and sworn before me

This 23 day of APRIL, 2013.

CLARK COUNTY NEVADA

Notary Public in and for said County and State

JOY MCCAUGHEY
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 11-5330-1
My Appt. Expires July 15, 2015

FOR DEPARTMENT USE ONLY

Case #	VAR-49137
Meeting Date:	6/11/2013
Total Fee:	$830.00
Date Received:*	4/24/2013
Received By:	J. COHEN

*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.

ABBREVIATIONS

A/C	AIR CONDITIONER	EQUIP.	EQUIPMENT	O/	OVER
A.F.F.	ABOVE FINISH FLOOR	E.W.C	ELECTRIC WATER COOLER	O.C.	ON CENTER
ALT.	ALTERNATE	EXT.	EXTERIOR	OPT	OPTION
ALUM.	ALUMINUM	EXIST'G.	EXISTING	OPP.	OPPOSITE
APPR.	APPROXIMATE	F.D	FLOOR DRAIN	PLY	PLYWOOD
B	BASE	F.F.	FINISH FLOOR	R	RADIUS
BET.	BETWEEN	FIN.	FINISH	REC.	RECREATION
BLDG.	BUILDING	FLR.	FLOOR	REF.	REFERENCE
BLKG.	BLOCKING	F.R.P.	FIBERGLASS REINFORCED PANEL	S.F.	SQUARE FEET
B.U.	BUILT-UP	G.F.R.C.	GLASS FIBER REINFORCED CONCRETE	SI.	SQUARE INCHES
CEM.	CEMENT	G.F.R.P.	GLASS FIBER REINFORCED PLASTIC	SIM.	SIMILAR
℄	CENTERLINE	GYP.BD	GYPSUM BOARD	SH. & P	SHELF and POLE
CMU	CONCRETE MASONRY UNIT	H.C.	HANDICAPPED	SPAC.	SPACE
COL.	COLUMN	HR	HOUR	SQ.	SQUARE
CONC.	CONCRETE	HT.	HEIGHT	STD.	STANDARD
CONT.	CONTINUOUS	INSUL.	INSULATION	STRUCT.	STRUCTURAL
DBL.	DOUBLE	INT.	INTERIOR	T & G	TONGUE and GROOVE
DIAG.	DIAGONAL	LAM.	LAMINATED	T.O.	TOP OF
DIM.	DIMENSION	L.P.	LOW POINT	T.O.J.	TOP OF JOIST
DIR.	DIRECTION	MAX.	MAXIMUM	T.P.H.	TOILET PAPER HOLDER
DTP.	DOUBLE TOP PLATE	MIN.	MINIMUM	TYP.	TYPICAL
E.F.S.	EXTERIOR FINISH SYSTEM	MTL.	METAL	VERT.	VERTICAL
E.I.F.S.	EXTERIOR INSULATED FINISH SYSTEM	N.I.C.	NOT IN CONTRACT	W/	WITH
EL.	ELEVATION	NO.	NUMBER	W/O	WITHOUT
		NRS.	NEVADA REVISED STATUTES	W.R.	WATER RESISTANT

PROPOSED TWO STORY OFFICE/JEWELRY RETAIL BUILDING FOR BEN GIOIELLI & CO

RECEIVED
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CODE ANALYSIS

CODE USED – 2009 IBC, 2009 UMC, 2009 UPC, IECC 2008 NEC & ANSI 2003

JURIDICTION: CITY OF LAS VEGAS

ZONING: C1

LOT SIZE : 0.51 ACRES

OCCUPANCY: B/M

TYPE OF CONSTRUCTION: V-B

FIRE PROTECTION: NO FIRE SPRINKLERS

1ST. FLOOR AREA:	2,736 SQ.FT
2ND. FLOOR AREA:	2,135 SQ.FT
TOTAL FLOOR AREA:	4,871 SQ.FT

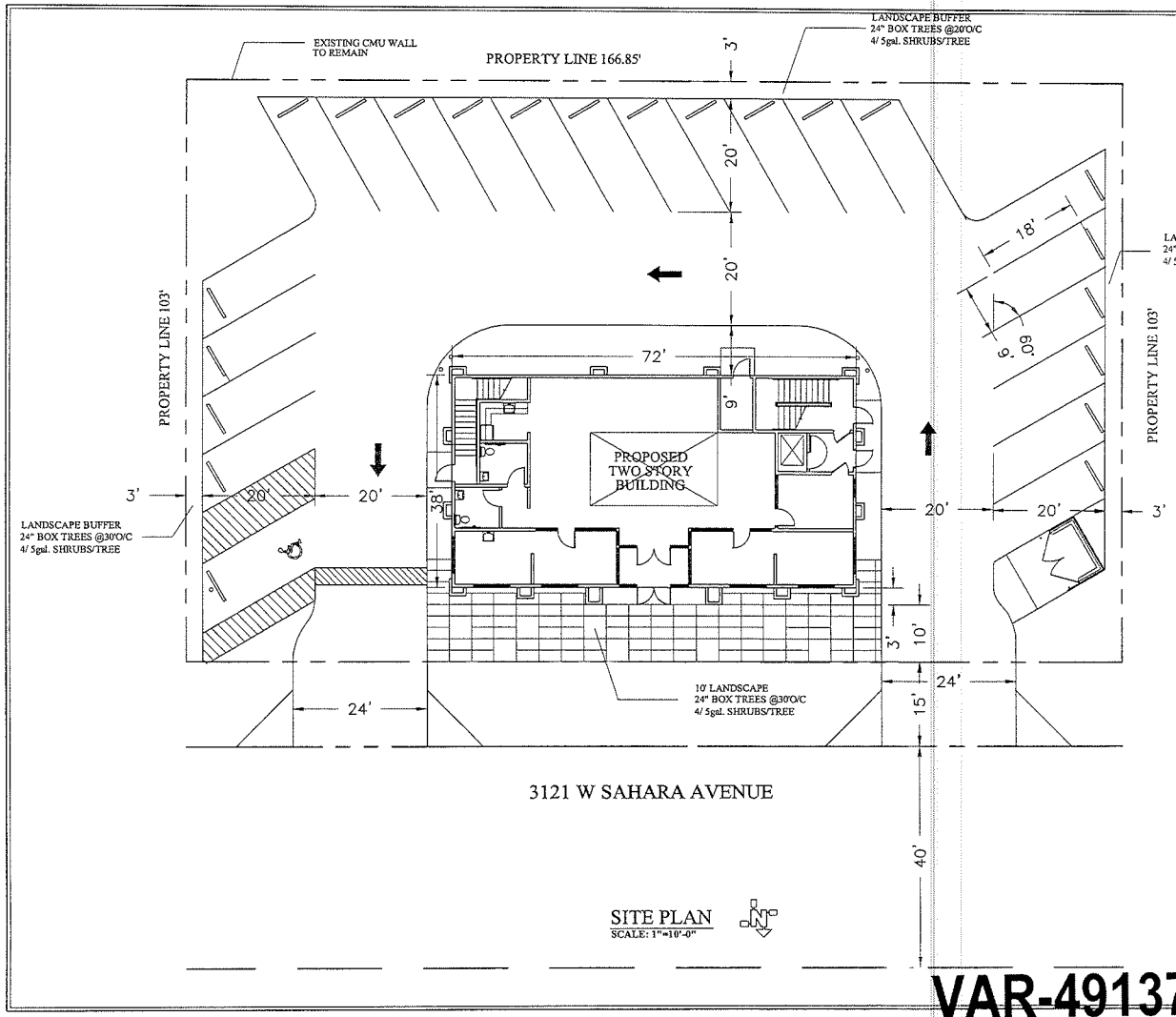
MAX. HT. = 35'

PARKING ANALYSIS:

REQUIRED PARKING

AREA OF OFFICE SPACE = 3,713 SQ.FT
AREA OF RETAILSPACE = 1,158 SQ.FT

REQUIRED PARKING = 3713/300+ 1158/175 =19
PARKING PROVIDED =22



3121 W SAHARA AVENUE

SITE PLAN
SCALE: 1"=10'-0"

SHEET INDEX

A0 COVER SHEET / SITE PLAN
L1 LANDSCAPE PLAN
A1a FIRST FLOOR PLAN
A1b SECOND FLOOR PLAN
A2a BUILDING ELEVATIONS (NORTH & WEST)
A2b BUILDING ELEVATIONS (SOUTH & EAST)

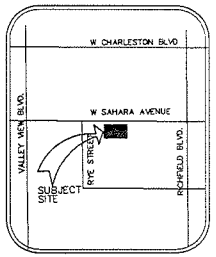
PROJECT/PROPERTY INFORMATION:

PROPERTY ADDRESS:
3121 W SAHARA AVENUE
LAS VEGAS NV 891

APN# 162-08-104-003
2 STORY BUILDING = 4,871 S.F.

OWNER:
BEN GIOIELLI & CO
3377 S LAS VEGAS BLVD.#2330
LAS VEGAS NV 89109
CONTACT: BEN S.COHEN
(702) 650-3377

VICINITY MAP



Nevada Licensed Contractor, Lic. # –

Authorized Signature:

Architectural drawings have been signed by a licensed Nevada Contractor as allowed per NRS 3623.330 paragraph 1 (sub paragraph d) and under the provisions of chapter 624 of NRS who provides his own drawings for his own construction activities.

PROPOSED TWO STORY OFFICE/JEWELRY RETAIL BUILDING FOR BEN GIOIELLI & CO

CONTRACT NO: –

PLAN: | TEL: | DATE: 4/23/13

DRAWING NAME: COVER SHEET & SITE PLAN

DRAWN BY: SVN | TEL: (702) 245-8498 | DRAWING: A0

VAR-49137

SDR-49136

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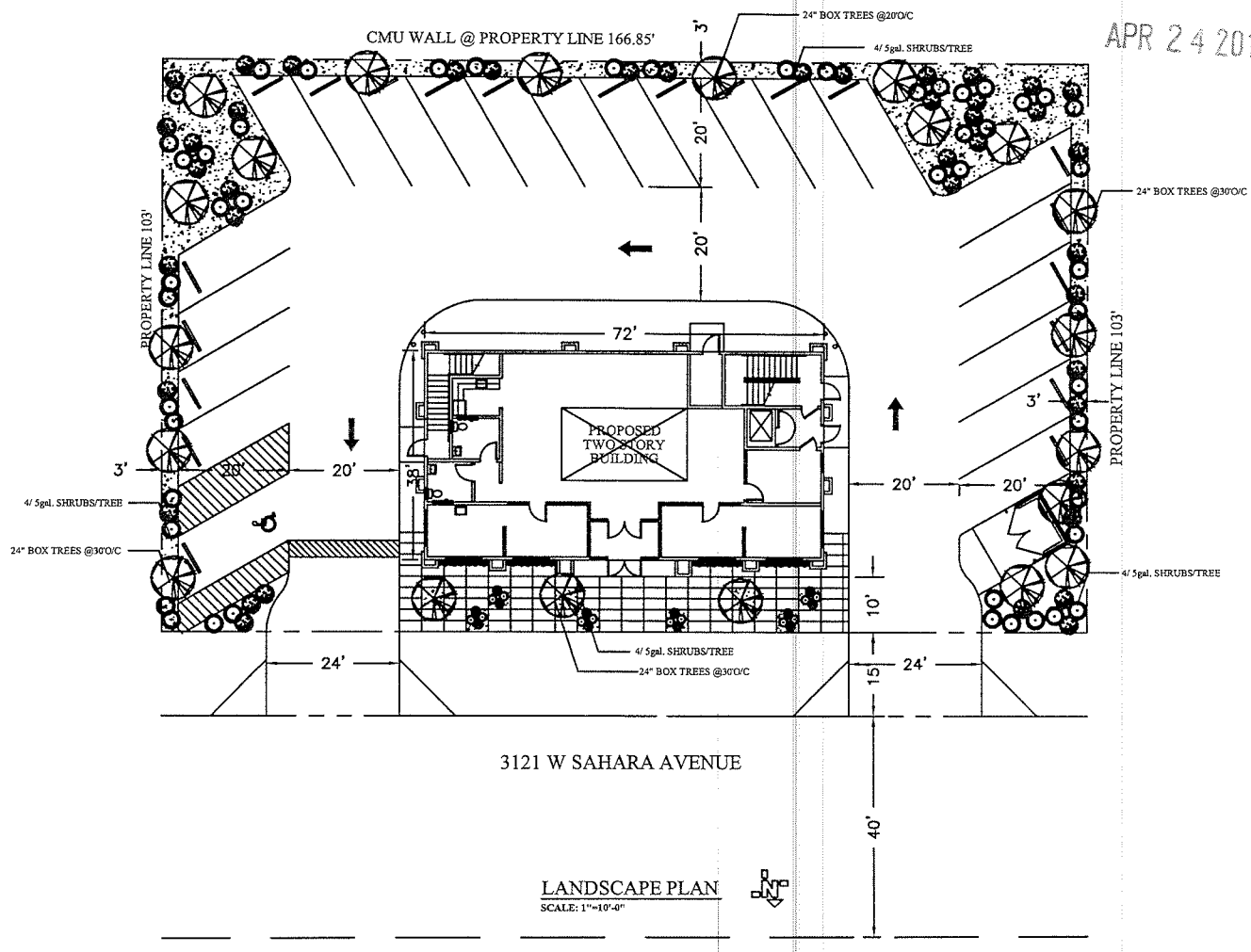
LANDSCAPE MATERIAL LIST			
SYMBOL	COMMON NAME	SIZE	
	ITALIAN STONE PINE MEXICAN SYCAMORE ARIZONA ASH ARIZONA CYPRESS	24" BOX	
	JASMINE JUNIPER LAVENDER FLANNEL BUSH	5 GAL.	
	5/8" REBEL RED ROCK MULCH		
	CONC. PAVING/STAMPED CONC.		

LANDSCAPE BUFFER: (CH 19.08, TABLE-2)

ADJOINING TO ROW & COMMERCIAL (NORTH, EAST & WEST)
1– 24" BOX TREE @ 30'O/C AND 4–5GAL. SHRUBS/TREE MINIMUM

SOUTH PROPETY LINE :
1– 24" BOX TREE @ 20'O/C AND 4–5GAL. SHRUBS/TREE MINIMUM



LANDSCAPE PLAN
SCALE: 1"=10'-0"

PROPOSED OFFICE/JEWELRY RETAIL BUILDING
FOR BEN GIOIELLI & CO

CONSTRUCTION		
SCALE	TITLE	DATE: 4/23/13
DRAWING NAME: LANDSCAPE PLAN		
DRAWN BY: KVN	TEL: (702) 245-8696	DRAWING L1

VAR-49137

SDR-49136

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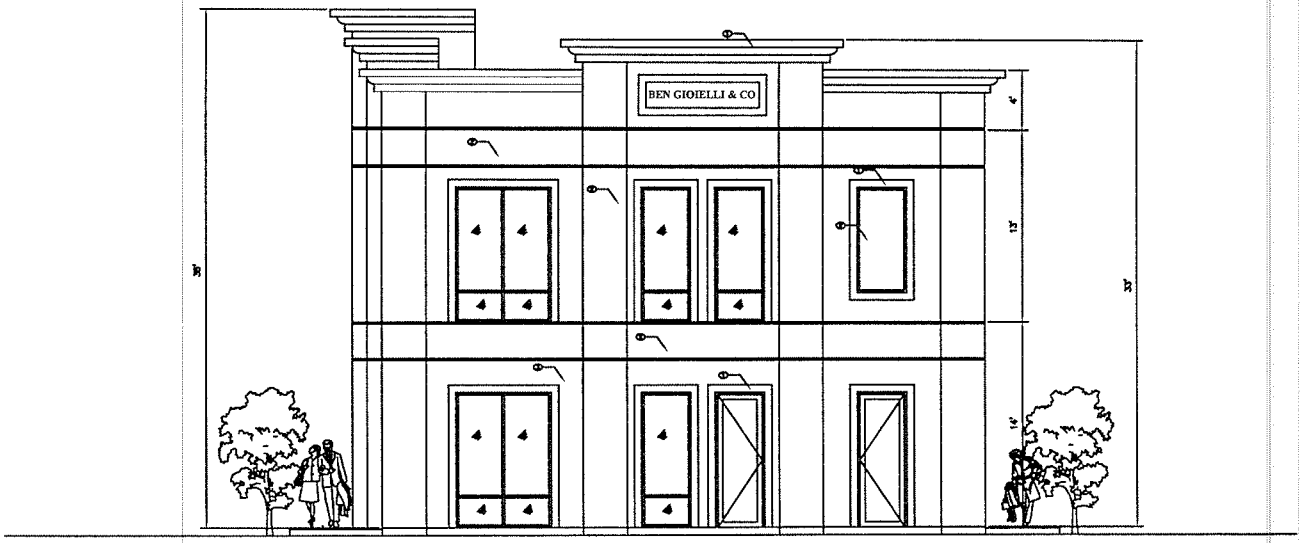
NORTH ELEVATION
SCALE: 1/4"=1'-0"



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

PROPOSED OFFICE / JEWELRY RETAIL BUILDING FOR BEN GIOIELLI & Co		
CONTRACTOR:		
DESIGN:	TEL:	DATE: 04/23/13
DRAWING NAME: BUILDING ELEVATIONS		
DRAWN BY: RVN	TEL: (702) 245-8490	DRAWING NUMB: A1b

VAR-49137
SDR-49136

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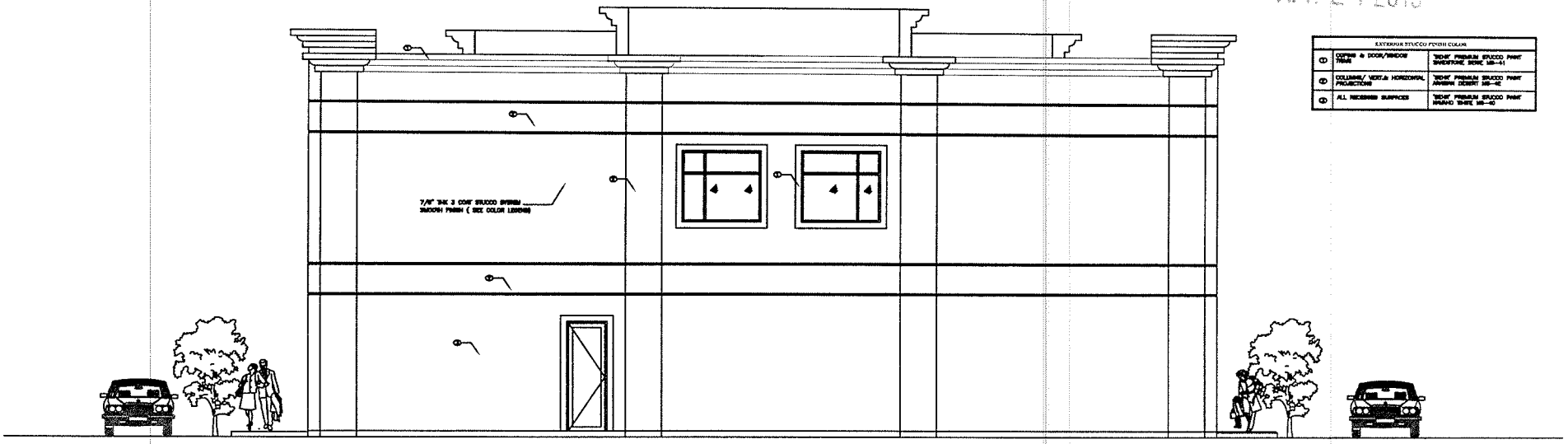
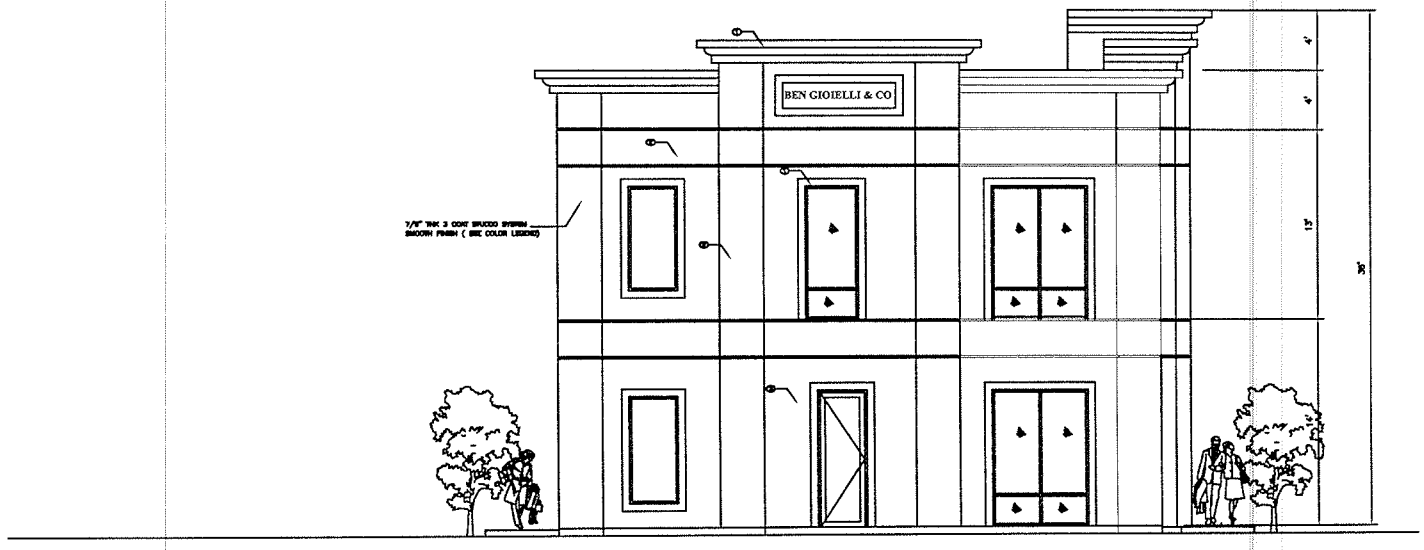
APR 24 2013



EXTERIOR STUCCO FINISH COLOR		
1	COPING & DOOR/WINDOW TRIMS	"BEHR" PREMIUM STUCCO PAINT SANDSTONE BERE MS-41
2	COLUMNS/ VERT.& HORIZONTAL PROJECTIONS	"BEHR" PREMIUM STUCCO PAINT ARABIAN DESERT MS-42
3	ALL RECESSED SURFACES	"BEHR" PREMIUM STUCCO PAINT NAVAJO WHITE MS-40

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



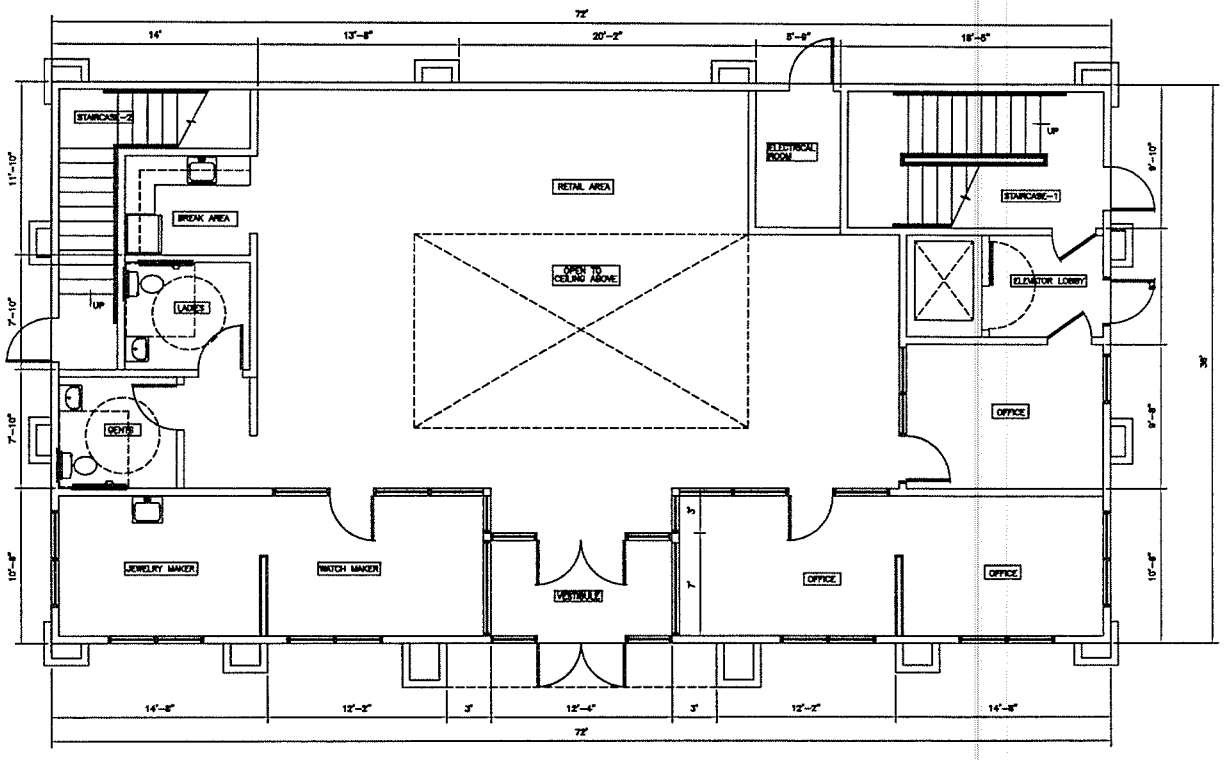
EAST ELEVATION
SCALE: 1/4"=1'-0"

PROPOSED OFFICE / JEWELRY RETAIL BUILDING FOR BEN GIOIELLI & Co		
CONTRACTOR:		
DESIGN:	TEL:	DATE: 4/23/13
DRAWING NAME: BUILDING ELEVATIONS		
DRAWN BY: KVN	TEL: (702) 245-3690	DRAWING NO.: A1a

VAR-49137
SDR-49136

RECEIVED

APR 24 2013



FIRST FLOOR PLAN

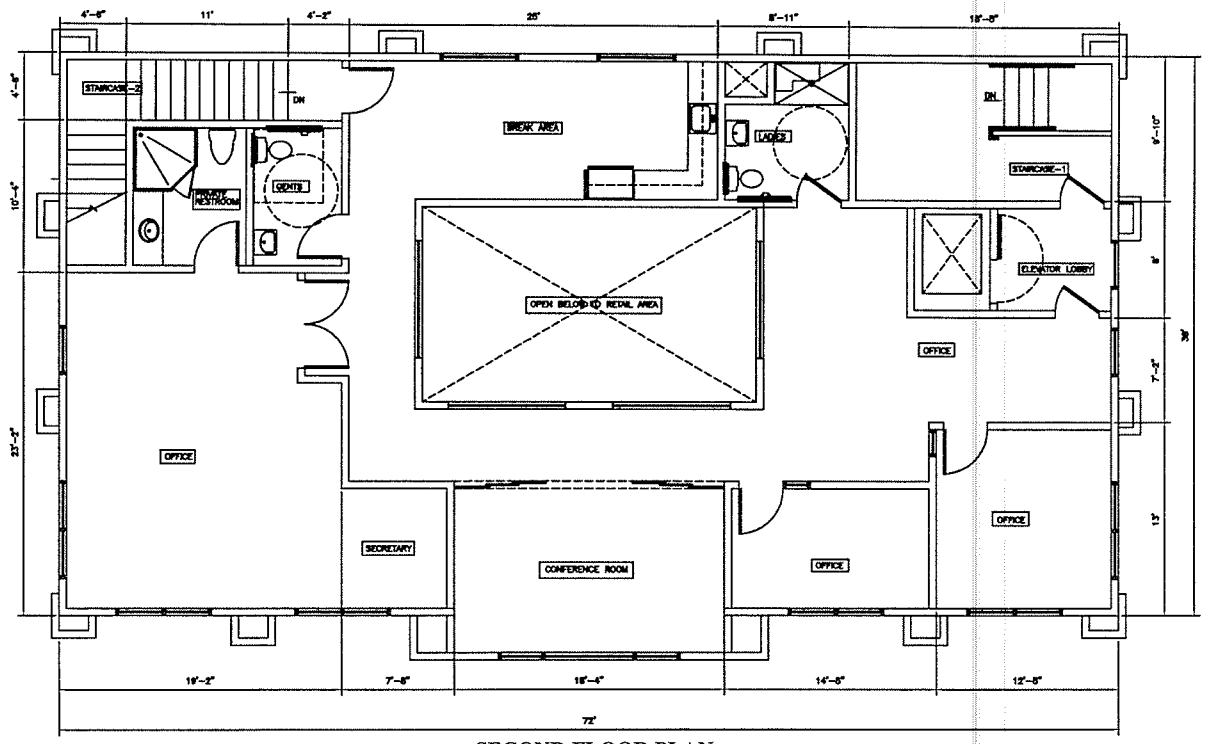
SCALE: 1/4"=1' (1ST.FLOOR AREA = 2,736 sq.ft.)
(TOTAL FLOOR AREA = 4,871 sq.ft.)

VAR-49137
SDR-49136

PROPOSED TWO STORY OFFICE/RETAIL BUILDING FOR BEN GIOIELLI & CO		
CONTRACTOR:		
PLAN:	TEL:	DATE: 04/2013
DRAWING NAME: FIRST FLOOR PLAN		
DRAWN BY: RVN	TEL: (702) 245-8690	DRAWING NUM.: A2a

RECEIVED

APR 24 2013



SECOND FLOOR PLAN

SCALE: 1/4"=1' (2ND. FLOOR AREA = 2,135 sq.ft.)
(TOTAL FLOOR AREA = 4,871 sq.ft.)

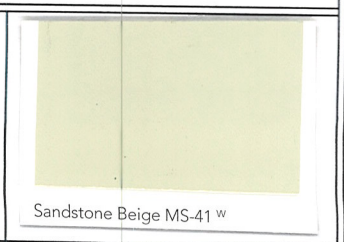
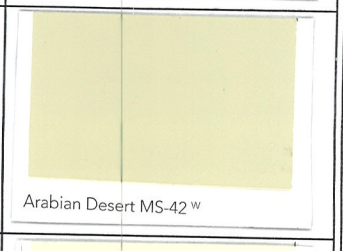
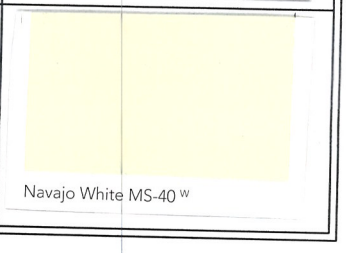
VAR-49137
SDR-49136

PROPOSED TWO STORY OFFICE/RETAIL BUILDING FOR BEN GIOIELLI & CO		
CONTRACTOR:		
PLAN:	TEL:	DATE: 04/23/13
DRAWING NAME: SECOND FLOOR PLAN		
DRAWN BY: RVN	TEL: (702) 245-8600	DRAWING NUM: A2b

RECEIVED

APR 24 2013

EXTERIOR STUCCO FINISH COLOR

①	COPING & DOOR/WINDOW TRIMS	'BEHR' PREMIUM STUCCO PAINT SANDSTONE BEIGE MS–41	 Sandstone Beige MS-41 W
②	COLUMNS/ VERT.& HORIZONTAL PROJECTIONS	'BEHR' PREMIUM STUCCO PAINT ARABIAN DESERT MS–42	 Arabian Desert MS-42 W
③	ALL RECESSED SURFACES	'BEHR' PREMIUM STUCCO PAINT NAVAHO WHITE MS–40	 Navajo White MS-40 W

VAR-49137

SDR-49136

PROPOSED OFFICE / JEWELRY RETAIL BUILDING FOR BEN GIOIELLI & Co

COLOR BOARD

DATE: 04/25/13



VAR-49137 & SDR-49136 - APPLICANT/OWNER: BLV HOLDINGS, LLC
3121 WEST SAHARA AVENUE

05/02/13



VAR-49137 & SDR-49136 - APPLICANT/OWNER: BLV HOLDINGS, LLC
3121 WEST SAHARA AVENUE

05/02/13



VAR-49137 & SDR-49136 - APPLICANT/OWNER: BLV HOLDINGS, LLC
3121 WEST SAHARA AVENUE

05/02/13



VAR-49137 & SDR-49136 - APPLICANT/OWNER: BLV HOLDINGS, LLC
3121 WEST SAHARA AVENUE

05/02/13

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APR 24 2013

Letter of Justification

24 TH APRIL 2013

Dept. of Planning
City of Las Vegas
333 N. Rancho Dr.
Las Vegas

Dear Sir/Madam,

Re: Vacant Land APN# 162-08-104-003/ 3121 W Sahara Avenue

Owner of the Subject Property, Ben S. Cohen intends to develop and improve the subject vacant as follows:

Subject property is a 0.51 acre parcel located at the south side of W Sahara Avenue between Rye Street and Richfield Blvd. in the City of Las Vegas. There was a restaurant with drive through facility in this property and destroyed by fire. Improvements to include but not limited to, the construction of a 4,871 Sq. Ft., Two story Office building with retail space of 1,000 Sq.Ft., for a Jewelry store in the first floor. Building shall be Type V-B, construction with stucco exterior finish and store front doors. Design and Construction will be in compliance with applicable codes and amendments of the City of Las Vegas. The building shall be set back 10' from the front property line with 10' Landscaping. There shall be 3' draught tolerant landscaping along the side and rear property. Site plan is designed in compliance with C1- Limited commercial use Standard of the City of Las Vegas. Site shall be paved with asphalt and stripped for a total of 22 parking spaces, including one HC accessible parking space. Accessible route to public ROW shall be provided as shown in the attached site plan. All the onsite improvements shall be in compliance with the public works standards of the City of Las Vegas. Green Building design criteria shall be incorporated in design, selection of material and construction.

Site plan has been revised to incorporate the comments made by various City Officials at the Pre application meeting held on the 18th of April 2013. The existing two 24' wide access from Sahara Avenue will be kept as it is and throttled to 20' wide one way driveway to 60 degree angle parking within the site per Public works. The required 12' driveway within the site has been increased to 20' for Fire Apparatus access. The trash enclosure has been relocated so that it is more than 50' away from the residential neighborhood.

As recommended in the Pre application meeting, we have applied for a Variance to allow 52' rear set back where 81' is required. Privacy Glazing shall be specified for the two windows on south side of the building. Also requesting for a waiver to interior landscaping as creative drought tolerant landscaping with pavers shall be installed along the front of the building to enhance the appearance of the building facing Sahara Avenue.

VAR-49137
SDR-49136

This Jewelry Store Project is more suitable at this location than the Previous Fast Food Restaurant, as it generates less traffic & disturbance to the residential neighborhood because of the store, hours of operation and the number of customers served.

We would appreciate if you could approve this project in the next Planning Commission meeting to be held on the 11th June 2013. We also want to thank all the Building Officials attended the Pre application Meeting and gave their constructive comments and support for this Project.
Thank you very much.

Sincerely yours,

Ravin Nathan
(Representative)
e-mail: rvnnathan@yahoo.com
(702) 245-8690

VAR-49137
SDR-49136

City of Las Vegas Agenda Item No.: **35.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

SUBJECT:
SDR-49136 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-49137 - PUBLIC HEARING - APPLICANT/OWNER: BLV HOLDINGS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 33-FOOT TALL, TWO-STORY, 4,871 SQUARE-FOOT OFFICE AND RETAIL BUILDING WITH A WAIVER TO ALLOW A THREE-FOOT WIDE LANDSCAPE BUFFER ALONG THE INTERIOR PROPERTY LINES WHERE EIGHT FEET IS REQUIRED on 0.51 acres at 3121 West Sahara Avenue (APN 162-08-104-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
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

RECEIVED

APR 24 2013

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-49136** APN: 162-08-104-003

Name of Property Owner: BLV Holdings LLC

Name of Applicant: BLV Holdings LLC

Name of Representative: Ben S. Cohen

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: Ben S. Cohen

Subscribed and sworn before me

This 23 day of APRIL, 2013

CLARK COUNTY NEVADA

Notary Public in and for said County and State

JOY MCCAUGHEY
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 11-5330-1
My Appt. Expires July 15, 2015

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

RECEIVED
APR 24 2013

Application/Petition For: Site Development

Project Address (Location) 3121 W Sahara Avenue, Las Vegas

Project Name Two Story Office / Retail Building Proposed Use Jewelry Store/Office

Assessor's Parcel #(s) 162-08-104-003 Ward #

General Plan: existing proposed Zoning: existing C1 proposed C1

Commercial Square Footage 4974 S.F. Floor Area Ratio

Gross Acres 0.51 Lots/Units N/A Density N/A

Additional Information

PROPERTY OWNER BLV Holdings LLC Contact Ben S. Cohen

Address 3377 S Las Vegas Blvd. #2330 Phone: (702) 650-3377 Fax: (702) 650-0665

City Las Vegas State Nevada Zip 89109

E-mail Address ben@bengioielli.com

APPLICANT BLV Holdings LLC Contact Ben S. Cohen

Address 3377 S Las Vegas Blvd. #2330 Phone: (702) 650-3377 Fax: (702) 650-0665

City Las Vegas State Nevada Zip 89109

E-mail Address ben@bengioielli.com

REPRESENTATIVE Ravin Nathan Contact Ravin Nathan

Address 10117 Ocicat Avenue Phone: (702) 245-8690 Fax:

City Las Vegas State Nevada Zip 89166

E-mail Address rvnnathan@yahoo.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

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 BEN COHEN

Subscribed and sworn before me

This 23 day of APRIL, 2013.

CLARK COUNTY NEVADA [signature]

Notary Public in and for said County and State

JOY MCCAUGHEY
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 11-5330-1
My Appt. Expires July 15, 2015

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SDR-49136
Meeting Date:	6/11/2013
Total Fee:	$1030.00
Date Received:*	4/27/2013
Received By:	[signature]

*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.: **36.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

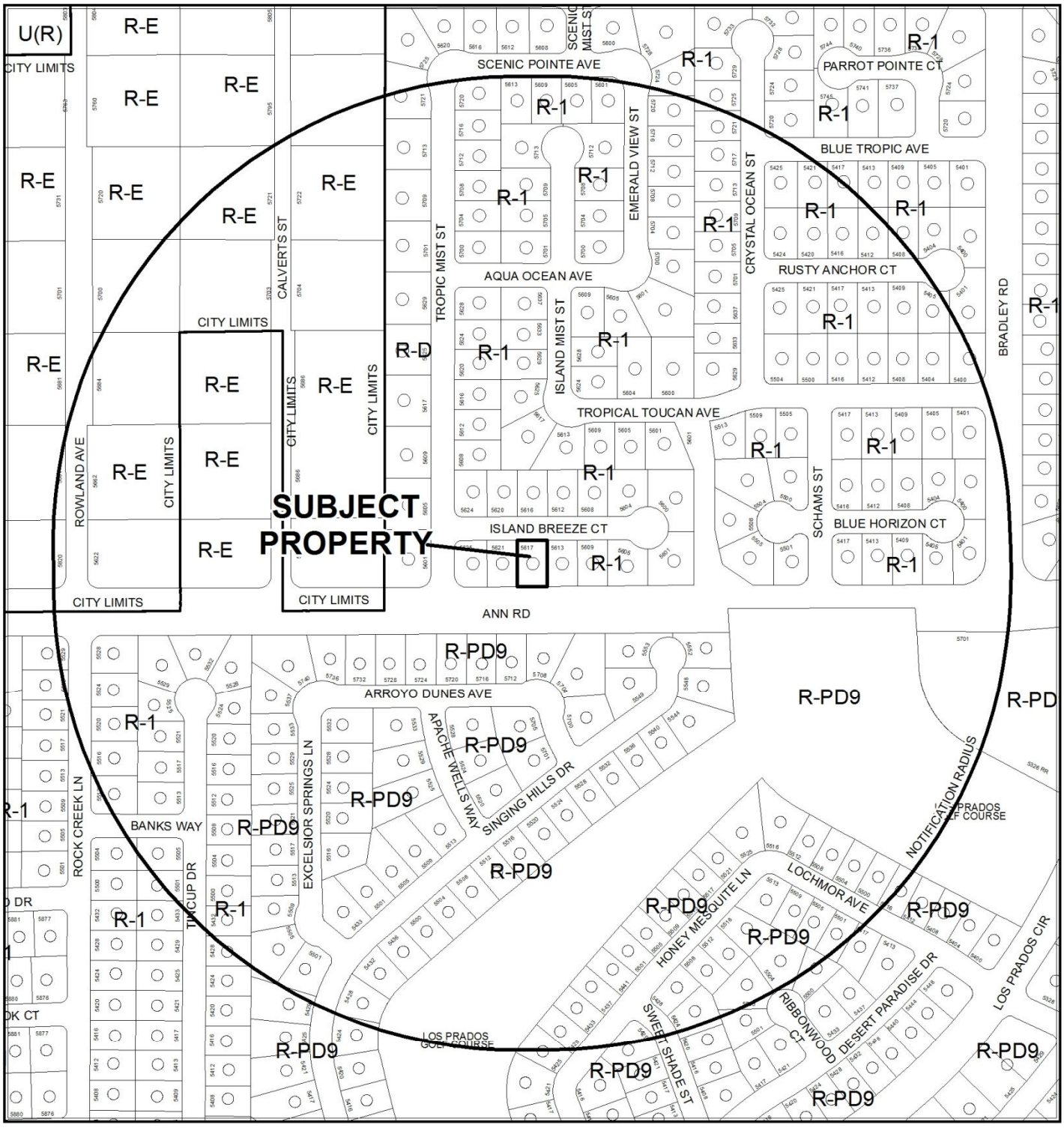
SUBJECT:
VAR-49162 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JOHNNY M & RACHEL E DELTORO - For possible action on a request for a Variance TO ALLOW AN EXISTING FOUR-FOOT SOLID BLOCK WALL IN THE FRONT YARD WHERE A MAXIMUM OF FIVE FEET WITH TWO FEET SOLID IS ALLOWED on 0.14 acres at 5617 Island Breeze Drive (APN 125-25-413-031), R-1 (Single Family Residential) Zone, Ward 6 (Ross). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
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.

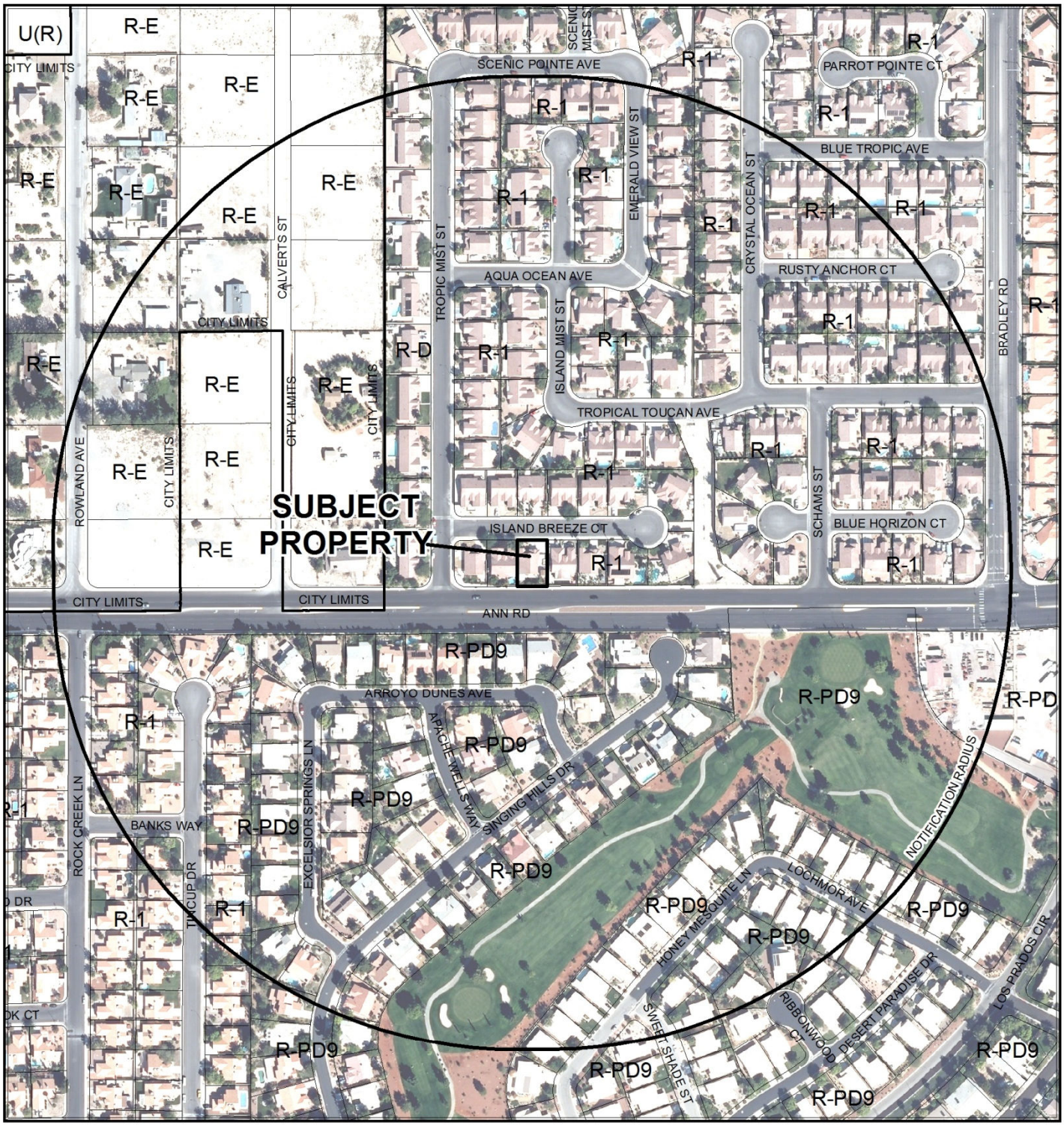
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Letter



CASE: **VAR-49162**

RADIUS: 1000 FEET

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



0 300 600 Feet

CASE: VAR-49162

RADIUS: 1000 FEET

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: JOHNNY M & RACHEL E DELTORO

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-49162	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

VAR-49162 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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

The applicant is requesting a Variance to allow an existing solid block wall in the front yard of a single family lot that consists of segments ranging from two feet, nine inches in height to four feet, one inch in height where a five-foot wall with the top three vertical feet open to permit visibility is allowed. The wall does not comply with Title 19 requirements and there is no evidence of a hardship; therefore, staff recommends denial of this Variance. If this application is denied, then the applicant will have to remove the portions of the existing wall that do not conform to Title 19 requirements.

ISSUES

- A solid block wall that does not conform to code was constructed in the front yard setback without a building permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/15/93	The City Council approved the Rezoning (Z-0086-82) from R-E (Residential Estates) to R-D (Single Family Residential-Restricted) and R-1 (Single Family Residential). The Planning Commission recommended approval.
02/25/13	Code Enforcement received a complaint (#50865) that a wall was built in the front yard without a building permit. The complaint has not been resolved.

Most Recent Change of Ownership	
03/26/09	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
05/18/95	A building permit (#95377262) was issued for the principal structure. The permit was finalized on 07/07/95.
08/04/95	A building permit (#95875819) was issued for a six-foot block wall. The permit was finalized on 08/18/95.
09/13/10	A building permit (#172011) was issued for a 10-foot x 12-foot shed [Accessory Structure (Class II)]. The permit was finalized on 10/01/10.
07/27/13	A building permit (#230564) was applied for a block wall in the front yard. The permit was not issued.

Pre-Application Meeting	
04/17/13	A pre-application meeting was held with the applicant and the following was discussed: 1. The option of reconfiguring the existing wall to conform to current code. 2. The submittal requirements for a wall height Variance.

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

Field Check	
05/02/13	A field check was conducted and it was confirmed that the solid block wall was constructed with varying heights in the front yard setback along the western property line.

Details of Application Request	
Site Area	
Net Acres	0.15

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South	Single Family, Detached	ML (Medium Low Density Residential)	R-PD9 (Residential Planned Development – 9 Units Per Acre)
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	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
No Applicable Special Purpose or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to 19.06.070, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	N/A	N/A
• Rear	15 Feet	25 Feet	Y
Maximum wall height – Front yard	5 Feet (2' Solid)	2.75-4 Feet solid	N

ANALYSIS

The wall was constructed approximately two inches from the west property line without a building permit and does not comply with Title 19 height requirements. A letter of indifference to the placement and height of the wall was received from the affected neighbor.

If this request is approved, building permits for the existing block wall must be obtained from the Department of Building and Safety. No evidence of a unique or extraordinary circumstance exists, as there are no irregular physical characteristics of the site; therefore, the hardship is self-imposed and staff must recommend denial of this Variance request. If this application is denied, then the applicant will have to remove the wall or portions of the wall that do not conform to Title 19 requirements.

FINDINGS (VAR-49162)

In accordance with the provisions of Title 19.16.140(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 19.16.140(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 created a self-imposed hardship by constructing a block wall above the maximum height permitted by code. A reduction in the existing varying wall block heights 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 22

NOTICES MAILED 265

APPROVALS 1

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-49162 APN: 125-25-413-031

Name of Property Owner: Johnny : Rachel Del Toro

Name of Applicant: Rachel Del Toro

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: Rachel E Del Toro

Print Name: Rachel E Del Toro

Subscribed and sworn before me

This 23 day of April, 2013

Notary Public in and for said County and State

TERESA MORENO
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 12-9528-1
My Appt. Expires Nov. 13, 2016

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Block Wall

Project Address (Location) 5617 Island Breeze Court Las Vegas NV 89130

Project Name _____ **Proposed Use** _____

Assessor's Parcel #(s) 125-25-413-031 **Ward #** _____

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

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

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

Additional Information _____

PROPERTY OWNER Johnny: Rachel DelToro **Contact** Rachel

Address 5617 Island Breeze Ct **Phone:** 531-6327 **Fax:** 835-0085

City Las Vegas **State** NV **Zip** 89130

E-mail Address rachel47@cox.net

APPLICANT Johnny: Rachel DelToro **Contact** Rachel

Address 5617 Island Breeze CT **Phone:** 5316327 **Fax:** 835-0085

City Las Vegas **State** NV **Zip** 89130

E-mail Address rachel47@cox.net

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* Rachel E DelToro

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

Print Name Rachel E DelToro

Subscribed and sworn before me

This 23 day of April, 20 13.

_____

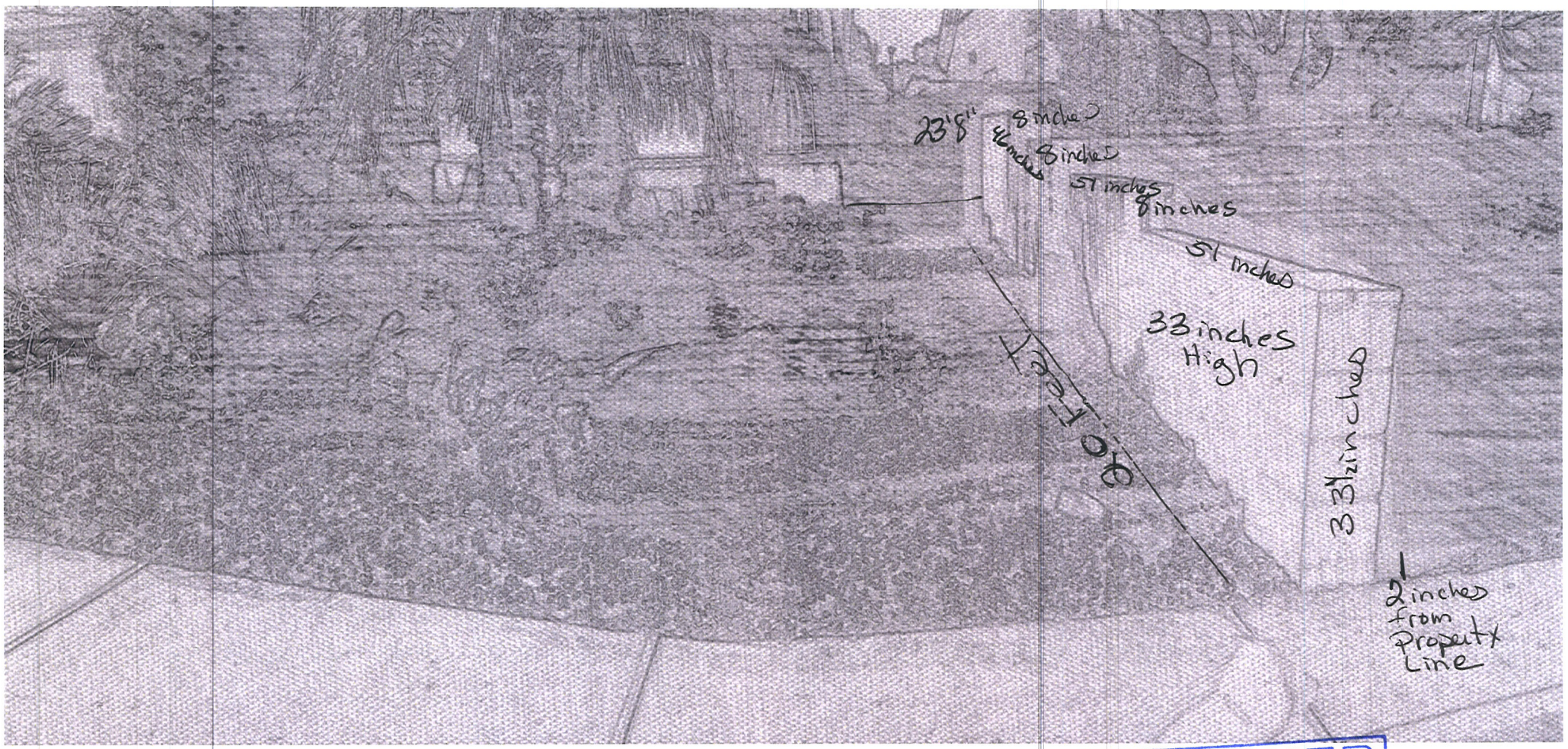
Notary Public in and for said County and State

TERESA MORENO
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 12-9528-1
My Appt. Expires Nov. 13, 2016

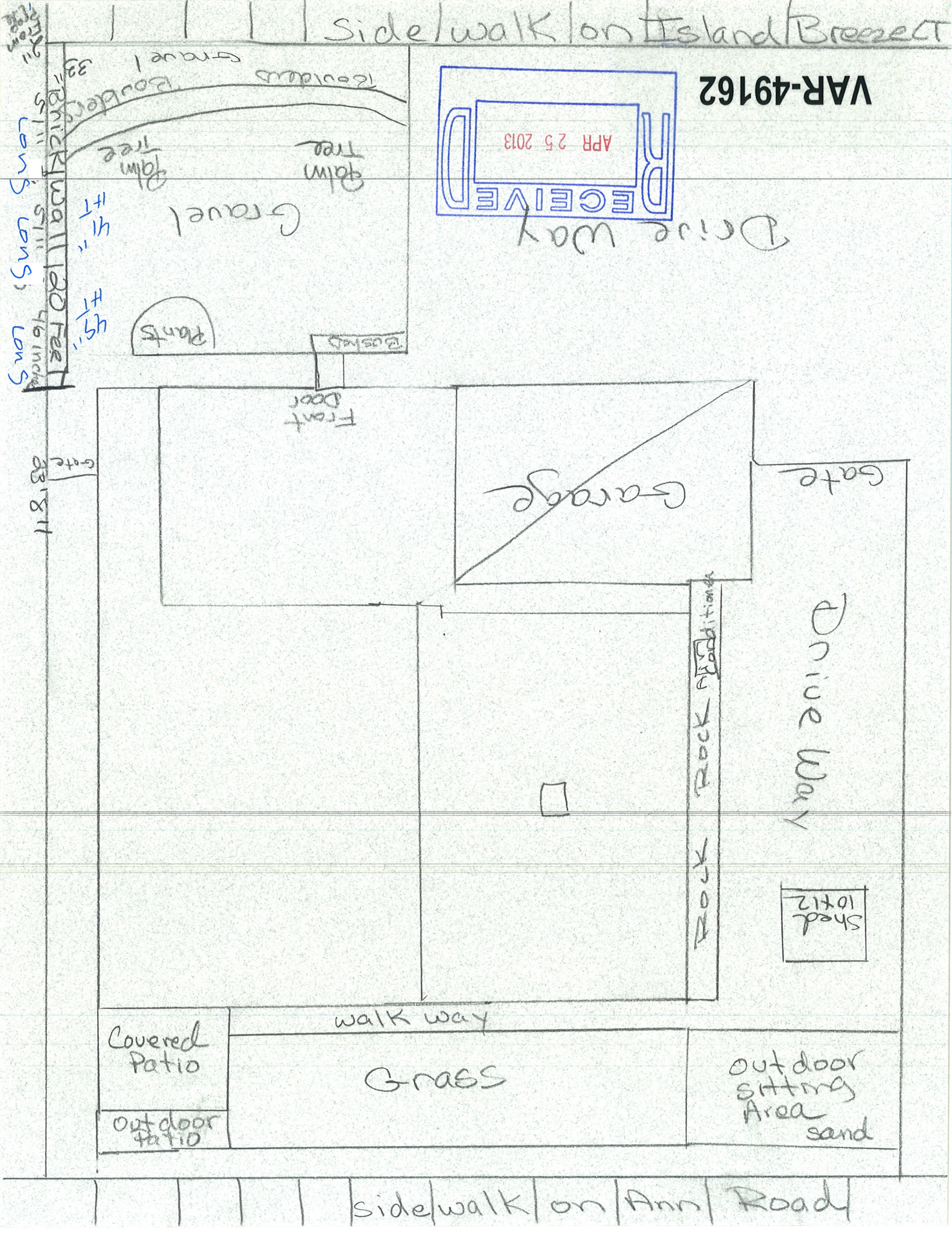
FOR DEPARTMENT USE ONLY

Case #	VAR-49162
Meeting Date:	6/11/2013
Total Fee:	$830.00
Date Received:*	4/25/2013
Received By:	M Rey

*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 2013
VAR-49162


VAR-49162
RECEIVED
APR 25 2013
Sidewalk on Island Breeze Ct
Boulders
Gravel
Palm Tree
Palm Tree
Drive Way
Gravel
Lens Lens
Lens Lens
6 inches
Plants
Bushes
Front Door
Gate
Garage
Gate
Rock Additional
Rock
Drive Way
Shed 10x12
walk way
Covered Patio
Grass
outdoor sitting Area sand
outdoor patio
Sidewalk on Ann Road



VAR-49162


RECEIVED
APR 25 201
VAR-49162



VAR-49162 - APPLICANT/OWNER: JOHNNY M & RACHEL E DELTORO
5617 ISLAND BREEZE DRIVE

05/02/13

JOHNNY AND RACHEL DEL TORO
5617 ISLAND BREEZE COURT
LAS VEGAS, NEVADA 89130
702-531-6327
702-469-0435

APRIL 24, 2013

TO WHOM IT MAY CONCERN:

JOHNNY DEL TORO BUILT A WALL ON THE RIGHT SIDE OF OUR HOUSE. WITHOUT A PERMIT. HE DID THIS BECAUSE OF OUR NEIGHBORS TREE THAT SHEDS CONSTANTLY. IT IS LIKE ONE TO TWO INCH STRAW LIKE SHEDDINGS. IT ALWAYS FALLS IN OUR YARD AND HARD TO CLEAN UP THERE IS ONE ARE ONE THE SIDE OF THE HOUSE THAT HE DOES NOT CLEAN UP THE SHEDDINGS. I USUALLY CLEAN IT UP BECAUSE IT IS LIKE A STRAW AND I CONSIDER IT AS A FIRE HAZARD TO ME. ALSO WE ARE ALWAYS TRIMMING THE TREE WHEN IT COMES OVER ON OUR PROPERTY SO WE MAINTAIN PART OF THE TREE AND THERE IS ONE BUSH THAT NEEDS TRIMMING ALSO.

SINCE THAT WALL WAS PUT UP WE DO NOT HAVE THIS PROBLEM WITH OUR YARD. ALL THE SHEDDINGS STAY ON HIS SIDE.

OUR NEIGHBOR DID WRITE US A LETTER STATING THE WALL IS FINE. HE SAID HE LIKES IT THERE ALSO. AND IT IS TWO (2) INCHES FROM HIS PROPERTY LINE.

SINCERELY,

Rachel Del Toro

RACHEL DEL TORO

RECEIVED
APR 25 2013
VAR-49162

City of Las Vegas

Date: April 18, 2013

Building and Safety

333 N. Rancho Drive

Las Vegas, NV 89106

To whom it may concern:

A few weeks ago our neighbor at 5617 Island Breeze Court constructed a CMU wall which falls on the line demising our two properties. A footing was dug and poured that runs the length of the wall and rebar was attached to provide structural integrity for the CMU.

We do not have any issues with the way this wall was constructed nor do we have any issues with the placement of this wall.

Jay C. McClure

Denise V. McClure

Residing at:
5621 Island Breeze Court
Las Vegas, NV 89130

RECEIVED
APR 25 2013
VAR-49162

City of Las Vegas Agenda Item No.: **37.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

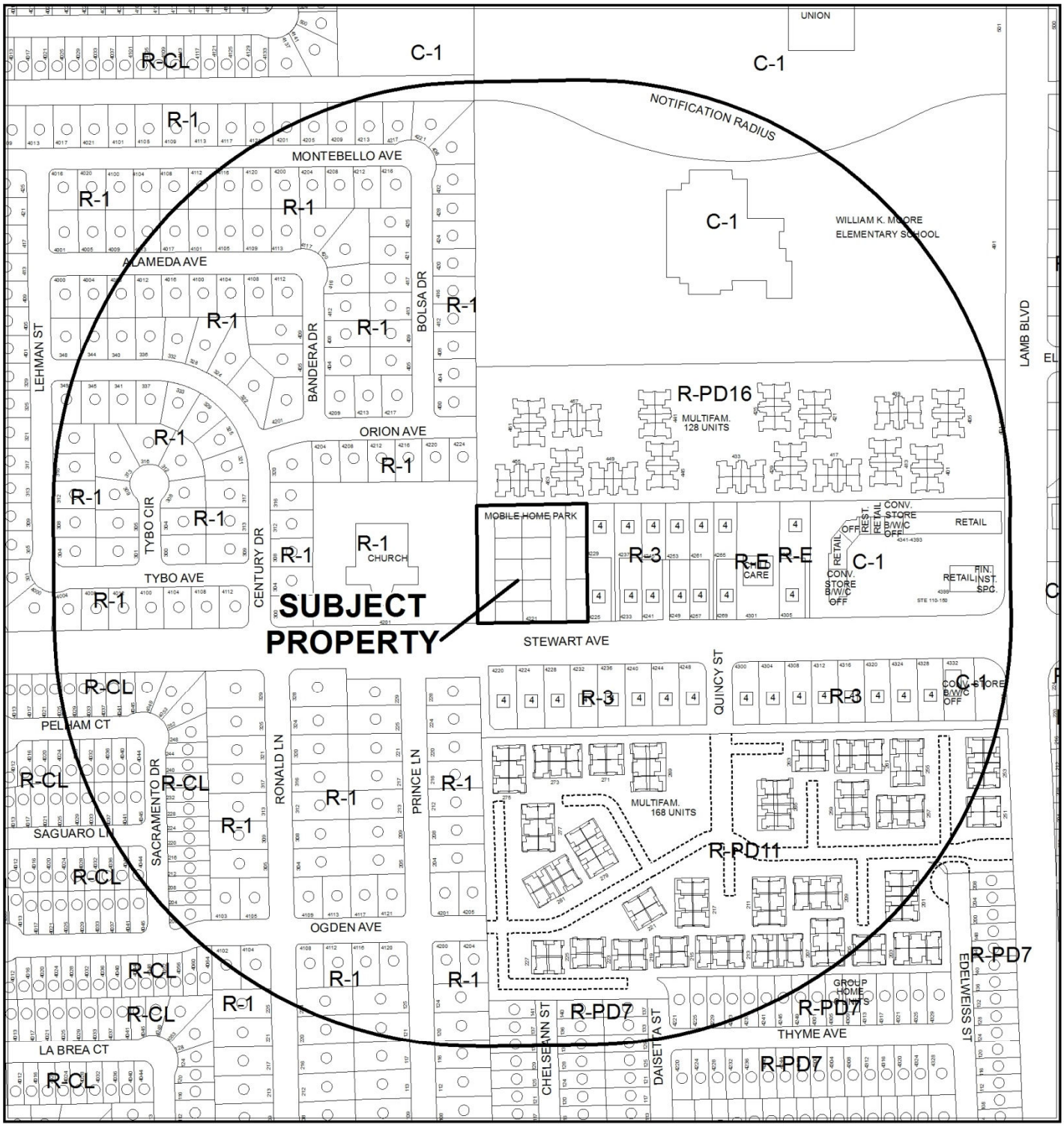
SUBJECT:
VAR-49174 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: EMA HOLDINGS, LLC - For possible action on a request for a Variance TO ALLOW TWO 2,600 SQUARE-FOOT SPACES WHERE A MINIMUM 4,000 SQUARE-FOOT SPACE IS REQUIRED on 1.7 acres at 4221 Stewart Avenue (APN 140-31-602-002), R-MHP (Residential Mobile/Manufactured Home Park) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
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-49174 and SDR-49173
2. Conditions and Staff Report - VAR-49174 and SDR-49173
3. Supporting Documentation
4. Photos - VAR-49174 and SDR-49173
5. Justification Letter - VAR-49174 and SDR-49173



CASE: **VAR-49174 & SDR-49173**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-MHP (RESIDENTIAL MOBILE/MANUFACTURED HOME PARK)



0 300 600 Feet

CASE: **VAR-49174 & SDR-49173**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-MHP (RESIDENTIAL MOBILE/MANUFACTURED HOME PARK)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: EMA HOLDINGS, LLC

** STAFF RECOMMENDATIONS **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-49174	Staff recommends APPROVAL, subject to conditions:	N/A
SDR-49173	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

VAR-49174 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-49173) shall be required, if approved.

2. Conformance to the approved conditions for Rezoning (Z-0078-70).

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. 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-49173 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0078-70 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 19.16. 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 04/25/13, except as amended by conditions herein.

4. The site plan shall be revised and approved by the Department of Planning staff, prior to the time application is made for civil plans or building permits, to reflect the provision of two unimpeded parking spaces per each proposed mobile home lease space.

5. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

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

7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

8. 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.

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

Public Works

10. In accordance with code requirements of Title 13.56, remove all substandard improvements (sidewalk), if any, and replace with new improvements meeting Current City Standards concurrent with development of this site.

11. 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 or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review to add two spaces to an existing 11-space Mobile Home Park and an associated Variance to allow two separate 2,600 square-foot minimum spaces where a 4,000 square-foot space is the minimum allowed within the R-MHP (Residential Mobile/Manufactured Home Park) zoning district. The subject site is located at 4221 Stewart Avenue, on 1.7 acres. Staff recommends approval of the Site Development Plan Review and associated Variance, as the proposal conforms to the General Plan, and the requested lot sizes are consistent is size with the other 11 existing lease spaces. If denied, the applicant will not be allowed to add two additional lease spaces to the existing Mobile Home Park.

ISSUES

- The applicable development standards for the R-MHP (Residential Mobile/Manufactured Home Park) zoning district are located within the previously published version of Title 19.08.040. The proposed spaces do not meet the minimum requirement; however, they are both consistent in size with the 11 spaces established by the approved Rezoning and plot plan review (Z-0078-70).
- The applicant is proposing revised landscaping along Stewart Avenue, which is an improvement from the original landscape plan and conforms to the previously published version of Title 19.12.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
02/12/71	The Planning Commission approved a request for a Rezoning and Plot Plan Review (Z-0078-70) from the R-E (Residence Estates) zoning district to the R-T (Trailer Residence) zoning district for a proposed Mobile Home Park on property generally located on the north side of Stewart Avenue between Lamb Boulevard and the northerly prolongation of Prince Lane.

Most Recent Change of Ownership	
08/20/12	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
10/23/12	A business license (#T04-00049) was issued for a Mobile Home Park at 4221 Stewart Avenue.

Pre-Application Meeting	
03/13/13	A pre-application meeting was held with the applicant's representative to discuss the addition of two lease spaces for future trailers within the unused portions of an existing trailer park. The applicant was informed of the landscaping required of the previous plot plan review and the development standards listed in the previous publication of Title 19.08 for the R-MHP (Residential Mobile/Manufactured Home) zoning district.

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

Field Check	
05/02/13	A field check was made by staff and found an existing 11-space trailer park in very neat and clean appearance. It is noted that there is no landscaping provided in the five-foot wide landscape buffer located along Stewart Avenue where 24 five-gallon Italian Cypress are required by the approved plot plan review (Z-0078-70).

Details of Application Request	
Site Area	
Net Acres	1.7

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Mobile Home Park	ML (Medium Low Density Residential)	R-MHP (Residential Mobile/Manufactured Home Park)
North	Multi-Family Residential	M (Medium Density Residential)	R-PD16 (Residential Planned Development – 16 units Per Acre)
South	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

East	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Church	L (Low Density Residential)	R-1 (Single Family Residential)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
No Applicable Special Purpose or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to the previous Title 19.08.040, the following standards apply for the R-MHP zoning district:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot (Space) Size	4,000 SF	2,600 SF	N
Min. Setbacks			
• Front	5 Feet	5 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	5 Feet	5 Feet	Y
• Rear	5 Feet	5 Feet	Y
Max. Building Height	2 stories/ 35 Feet	Not provided	Undetermined

General Plan	***Maximum Allowable Density***	***Proposed Density***
ML (Medium Low Density Residential)	8.49 units per acre	7.64 units per acre

Pursuant to Z-0078-70, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees: • South	One 10-Gallon Italian Cypress / 10 Linear Feet	18 Trees	7 Trees	Y
TOTAL PERIMETER TREES		**18 Trees**	**7 Trees**	**Y***
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width • South	5 Feet		5 Feet	Y

**The applicant has provided seven 24-inch box shade trees within the existing planter where the previous landscaping had 18 10-gallon Italian Cypress trees. Staff finds that this proposal meets the applicable landscape requirements found in the previously published version of Title 19.12.*

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Stewart Avenue	Primary Arterial	Master Plan of Streets and Highways Map	100 Feet	Y

Pursuant to Title 19.06.130, 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	
Manufactured Home or Mobile Home	2 Units	2 Unimpeded Spaces per dwelling Unit					
TOTAL SPACES REQUIRED			4		4		
Regular and Handicap Spaces Required			4	-	4	-	Y*

**A Condition of Approval has been placed requiring the provision of two unimpeded parking spaces on each proposed lease space prior the submittal of civil plans.*

ANALYSIS

Per the previous Zoning Ordinance [Title 19.08.040(C)(3)], the R-MHP (Residential Mobile/Manufactured Home Park) zoning district has five specialized district standards. This proposal is in compliance with all those standards with the exception of the provided minimum lot space size of 4,000 square feet. The applicant is requesting a Variance to allow the space size to be reduced from the required 4,000 square-foot minimum to 2,600 square feet. These spaces will occupy what are the unused open space areas within the project.

The proposed project is in conformance with the density requirements for the ML (Medium Low Density Residential) General Plan designation. The R-MHP (Residential Mobile/Manufactured Home Park) zoning district is one of the congruent zoning districts for the ML designation that allows up to a maximum of 8.49 units per acre. At 1.7 acres, the subject site can accommodate up to 14 units. The proposed two-lot expansion of the existing 11-space mobile home park is still within the allowable density for the site. The lots shown along the east property line are 50 feet wide and 52 feet deep where the previous published version of Title 19.08 requires lots in the R-MHP (Residential Mobile/Manufactured Home Park) zoning district to be 45 feet wide.

Per the current version of Title 19.06.130, the required parking for a Manufactured Home or Mobile Home is two unimpeded spaces per dwelling unit. The applicant has not provided a space fit analysis for the proposed mobile homes that will occupy the proposed spaces; therefore, staff has placed a condition of approval to provide a site plan showing conformance with this requirement prior to review of civil plans or the issuance of building permits for either a modular or mobile home.

Per the previous Zoning Ordinance 19.12, a residential district requires a six-foot wide minimum zone depth adjacent to the right-of-way zone, with one 24-inch box tree planted every 30 feet on center. The landscape plan approved under the previous plot plan review (Z-0078-70) shows a mixture of 10-gallon Italian Cypress trees and five-gallon Juniper shrubs. Since the initial planting the landscaping has died and been removed; there currently is no landscaping provided. The applicant is proposing to add seven 24-inch box Modesto Ash trees along the southern property line. Staff supports this proposal, as the previous plant species were inappropriate and the current proposal will provide a significant improvement in shade to the pedestrian environment along Stewart Avenue.

Staff supports the requested Site Development Plan Review and associated Variance for reduced trailer space size, as the proposal remains within the residential density allowed by the General Plan, the proposed space sizes are equivalent in size with the 11 existing spaces, and the landscaping will provide aesthetic improvements along Stewart Avenue. If denied, the applicant will not be allowed to lease the two proposed trailer spaces.

FINDINGS (VAR-49174)

In accordance with the provisions of Title 19.16.140(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."

Staff supports the requested Variance, as the applicant is requesting two additional trailer spaces that are consistent in size with the other 11 existing trailer spaces. The location of the proposed spaces are within the unoccupied northeast and southeast corners of the property, and will have no detrimental impact on the trailer park residents or the adjacent neighboring multi-family uses. Staff finds that a unique circumstance has been presented, in that the requirements listed in the previous Title 19.08 are addressing the development standard with language regarding the mapping of a proposed lot, which is not what the applicant is proposing. The applicant will be retaining a single mapped lot for all 13 proposed lease spaces. Therefore, staff finds that this request is not preferential in nature, and is within the realm of NRS Chapter 278 for the granting of this particular Variance request.

FINDINGS (SDR-49173)

In order to approve a Site Development Plan application, per Title 19.16.100(E) 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 sizes of the proposed spaces are compatible with the properties to the north and east, as they are consistent in size with the other 11 existing lease spaces. With the approval of Variance (VAR-49174), the proposed spaces for the existing Mobile/Manufactured Home Park will be compatible with the surrounding 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 addition of the two spaces to the existing trailer park is still within the acceptable residential density limits for the ML (Medium Low) General Plan Designation. However, the proposed spaces do not conform to the minimum development standards for the R-MHP zoning district for space size, as made evident by the requested Variance (VAR-49174). However, staff finds that the proposed landscaping along Stewart Avenue will provide a needed improvement to the pedestrian environment.

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

Site access will remain unchanged as the proposed spaces will occupy the unused northeast and southeast corners of the mobile home park.

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

Insufficient information has been submitted to evaluate the building and landscape materials for the individual spaces, as there are no mobile homes proposed with this request. The proposed landscaping along Stewart Avenue provides a suitable improvement from the previously specified Italian Cypress and Junipers.

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;**

Insufficient information has been submitted to evaluate the building and landscape materials, as there are no mobile homes proposed with this request.

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

The proposed development will be subject to the building permitting requirements and inspections prior to occupancy; therefore, the development will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 33

NOTICES MAILED 527

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

RECEIVED

APR 25 2013

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-49174** APN: 140-31-602-002

Name of Property Owner: EMA Holdings, LLC

Name of Applicant: Ema Holdings, LLC

Name of Representative: James Grindstaff

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: _____, manager

Print Name: Mark Kahl, manager

Subscribed and sworn before me

This 25th day of April, 2013

Erica Badilla

Notary Public in and for said County and State

Erica Badilla
Notary Public
State of Nevada
Appointment Exp. 07/30/2014
Certificate No. 06-108382-1

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance

Project Address (Location) 4221 Stewart Ave

Project Name MH The Park **Proposed Use** Mobile home park

Assessor's Parcel #(s) 140-31-602-002 **Ward #** _____

General Plan: existing ML proposed ML **Zoning:** existing R-MHP proposed R-MHP

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

Gross Acres _____ **Lots/Units** 13 **Density** _____

Additional Information Variance to all the addition of two 2,600 sf lots

PROPERTY OWNER EMA Holdings, LLC **Contact** Patrick Masachi

Address 8965 S. Eastern Ave #260-P **Phone:** (702) 234-2211 **Fax:** (702) 734-7711

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

E-mail Address masachi702@aol.com

APPLICANT EMA Holdings, LLC **Contact** Patrick Masachi

Address 8965 S. Eastern Ave #260-P **Phone:** _____ **Fax:** _____

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

E-mail Address masachi702@aol.com

REPRESENTATIVE _____ **Contact** James Grindstaff

Address 1317 Woodmore St **Phone:** (702) 275-2322 **Fax:** _____

City Las Vegas **State** NV **Zip** 89044

E-mail Address cap065aeo@gmail.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* _____, manager

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

Print Name Mark Hafe, manager

Subscribed and sworn before me

This 24th day of April, 20 13.

Erica Badilla

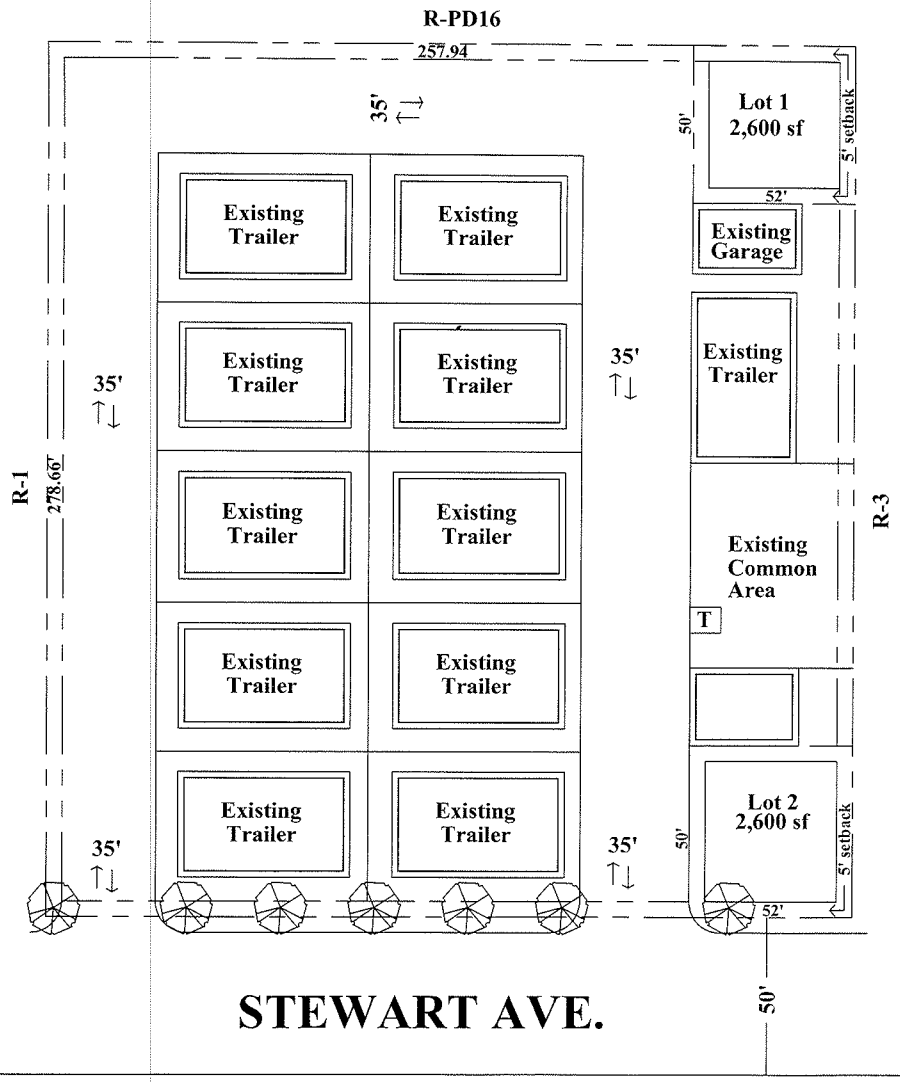
Notary Public in and for said County and State

Erica Badilla
Notary Public
State of Nevada
Appointment Exp. 07/30/2014
Certificate No. 06-108382-1

FOR DEPARTMENT USE ONLY

Case #	VAR 49174
Meeting Date:	6/11/2013
Total Fee:	830.00
Date Received:*	4/25/2013
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.



SITE INFORMATION

ZONING

R-MHP- residential Mobile Home Park

AREA

Net Area:	71,877sf

LOT AREA

New Lot 1	2,600 s.f.
New Lot 2	2,600 s.f.

SET BACKS

FRONT	5'
SIDE	5'
REAR	2,600 s.f.

RECEIVED
APR 25 2013

TREE / PLANT SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
	7	24" Box	30' On Center	MODESTO ASH	Fraxinus velutina "Modesto"

North

MH The Park

EMA Holdings, LLC

Site / Landscape Plan

Scale 1"= 40'

March 7, 2013

VAR-49174
SDR-49173



VAR-49174 & SDR-49173 - APPLICANT/OWNER: EMA HOLDINGS, LLC
4221 STEWART AVENUE

05/02/13



VAR-49174 & SDR-49173 - APPLICANT/OWNER: EMA HOLDINGS, LLC
4221 STEWART AVENUE

05/02/13



VAR-49174 & SDR-49173 - APPLICANT/OWNER: EMA HOLDINGS, LLC
4221 STEWART AVENUE

05/02/13



VAR-49174 & SDR-49173 - APPLICANT/OWNER: EMA HOLDINGS, LLC
4221 STEWART AVENUE

05/02/13

EMA HOLDINGS, LLC

City of Las Vegas
Planning and Development
333 N. Rancho Drive
Las Vegas, Nevada 89101

April 25, 2013

RE: Site Development Plan Review – With Variance

On behalf of the applicant EMA Holdings, LLC please accept this application for an SDPR and Variance

This existing project is located at 4221 Stewart Avenue in Las Vegas. This mobile home park was originally constructed in 1971. It is located on approximately 71,877 square feet. Currently, there are 11 mobile homes and one CMU building on a foundation located on the site.

It is our desire to add two more mobile homes to the existing site (not expanding the site). One located on the northeast corner and the second on the southeast corner as depicted on the site plan.

Per section 19.06.130 of the Unified Development code sites within an approved mobile home park are required to have a minimum lot width of 45' and front, corner side, rear setbacks of 5 feet. Our layout for the two new lots complies with these requirements.

In addition to the design review we are requesting a variance for minimum lot size. Section 19.06.130 also requires a minimum lot area of 4,000 sf. However, both of the proposed new lots have a lot area of 2,600 sf.

Parking is provided both on site in covered car ports, to meet the two spaces per lot code requirement, and on street parking is available for the visitors, with street widths being 35 feet it will accommodate more than the three guest space required by code.

The addition of the two units will not exceed the 8.5 DUA maximum allowed by code.

We will replace and remove any substandard sidewalks along Stewart Ave. prior to the time the additional trailers are added.

As part of the installation of the trailer in lot 2 the trash enclosure will be re-located to the existing common area.

Sincerely,

James Grindstaff

VAR-49174
SDR-49173

TELEPHONE (702) 242-6937 • FAX (702) 360-9128 OR (702) 242-6941
9510 W. SAHARA AVE., SUITE 200 • LAS VEGAS, NEVADA 89117

City of Las Vegas Agenda Item No.: **38.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

SUBJECT:
SDR-49173 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-49174 - PUBLIC HEARING - APPLICANT/OWNER: EMA HOLDINGS, LLC - For possible action on a request for a Site Development Plan Review TO ADD TWO SPACES TO AN EXISTING 11-SPACE MOBILE HOME PARK on 1.7 acres at 4221 Stewart Avenue (APN 140-31-602-002), R-MHP (Residential Mobile/Manufactured Home Park) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
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

RECEIVED
APR 25 2013

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-49173 APN: 140-31-602-002

Name of Property Owner: EMA Holdings, LLC

Name of Applicant: Ema Holdings, LLC

Name of Representative: James Grindstaff

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: _____, MANAGER

Print Name: Mark Katz, MANAGER

Subscribed and sworn before me

This 25th day of April, 2013

Erica Badilla

Notary Public in and for said County and State

Erica Badilla
Notary Public
State of Nevada
Appointment Exp. 07/30/2014
Certificate No. 06-108382-1

RECEIVED
APR 25 2013

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SDR

Project Address (Location) 4221 Stewart Ave

Project Name MH The Park **Proposed Use** Mobile home park

Assessor's Parcel #(s) 140-31-602-002 **Ward #** _____

General Plan: existing ML proposed ML **Zoning:** existing R-MHP proposed R-MHP

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

Gross Acres _____ **Lots/Units** 13 **Density** _____

Additional Information Variance to all the addition of two 2,600 sf lots

PROPERTY OWNER EMA Holdings, LLC **Contact** Patrick Masachi

Address 8965 S. Eastern Ave #260-P **Phone:** (702) 734-2211 **Fax:** (702) 734-7711

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

E-mail Address masachi702@aol.com

APPLICANT EMA Holdings, LLC **Contact** Patrick Masachi

Address 8965 S. Eastern Ave #260-P **Phone:** 702-734-2211 **Fax:** 702-734-7711

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

E-mail Address masachi702@aol.com

REPRESENTATIVE _____ **Contact** James Grindstaff

Address 1317 Woodmore St **Phone:** (702) 275-2322 **Fax:** _____

City Las Vegas **State** NV **Zip** 89044

E-mail Address cap065aeo@gmail.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* [signature], manager

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

Print Name Mark Fritz, manager

Subscribed and sworn before me

This 24th day of April, 20 13.

Erica Badilla

Notary Public in and for said County and State

Erica Badilla
Notary Public
State of Nevada
Appointment Exp. 07/30/2014
Certificate No. 06-108382-1

FOR DEPARTMENT USE ONLY

Case #	SDR 49173
Meeting Date:	6/11/2013
Total Fee:	1030.00
Date Received:*	4/25/2013
Received By:	[signature]

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

Revised 10/27/08

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

City of Las Vegas Agenda Item No.: **39.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

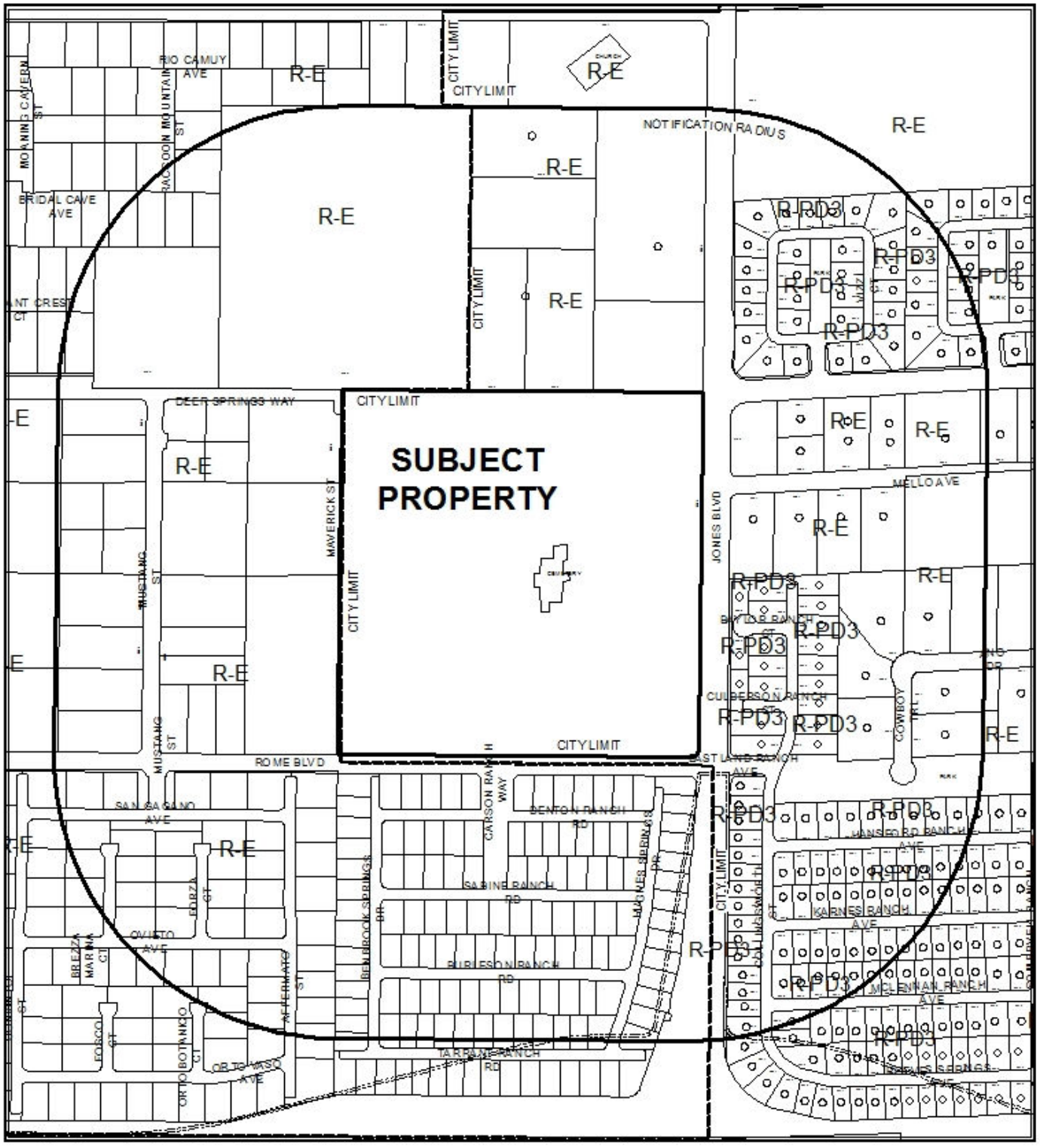
SUBJECT:
VAR-49240 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: PALM MORTUARY, INC. - For possible action on a request for a Variance TO ALLOW A HALF-STREET CONSTRUCTION OF 16 FEET OF ASPHALT AND 14 FEET OF DIRT ROADSIDE DRAINAGE SWALE WITH NO CURB, GUTTER, SIDEWALK OR STREETLIGHTS WHERE SUCH ARE REQUIRED ON MAVERICK STREET NORTH OF ROME BOULEVARD AND WEST OF JONES BOULEVARD at 6601 North Jones Boulevard (APN 125-23-703-005), R-E (Residential Estates) Zone, Ward 6 (Ross) [PRJ-48341]. Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
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



CASE: **VAR-49240 (PRJ-48341)**

RADIUS: 1000 FEET

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



CASE: **VAR-49240 (PRJ-48341)**

RADIUS: 1000 FEET

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

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: DR HORTON - OWNER: PALM MORTUARY

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-49240	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

VAR-49240 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

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

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

Public Works

5. Dedicate 30 feet of right-of-way for Maverick Street, including the appropriate area for a cul-de-sac terminus meeting City Standards prior to the approval of construction drawing for non-standard improvements in the Maverick Street alignment adjacent to this site.

6. Sign and record a Covenant Running with Land agreement for the possible future installation of all remaining half-street improvements (including sidewalks and streetlighting, permanent paving and possibly fire hydrants and sewers) on Maverick Street adjacent to this site prior to occupancy of this site. The City may require the half-street improvements be constructed at any time pursuant to the terms of the Covenant Running with Land Agreement.

7. Submit an Encroachment Agreement for landscaping and unimproved areas, in the Maverick Street public right-of-way prior to this issuance of any permits in the Maverick Street public right-of-way. The applicant must carry an insurance policy for the term of the Encroachment Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's Encroachment Agreement. The installation and maintenance of all private improvements and unimproved areas of 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. Coordinate all requirements for the Encroachment Agreement with the Land Development Section of the Department of Building and Safety (229-4836).

8. A minimum paved 24-foot wide fire lane is required.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is applying to reinstate the Maverick Street public right-of-way, north of Rome Boulevard in order for the adjacent property owner on the west to install a street to service a seven-lot residential subdivision within Clark County. The applicant is requesting a Variance so as not to have to install the proposed street to Title 19.04 standards. This project will not have any benefit to the residents of the City of Las Vegas and will leave the City liable for the maintenance costs of the undeveloped portion of the right-of-way, as proposed. Furthermore, since the properties to the west are located in Exception Area (A) of the Interlocal Agreement, the City cannot require annexation of the proposed seven-lot subdivision. For these reasons, staff recommends denial of the application. If the application is denied, the vacation will remain and no public road can be built at this location.

ISSUES

- This project requires a Variance to deviate from Title 19.04 Complete Street Standards and has no benefit to the City of Las Vegas. If approved, the Variance would remove the Vacation of this right-of-way. Staff does not support this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/24/96	The Board of Zoning Adjustment approved a Special Use Permit (U-0099-96) for a proposed cemetery with a single story 10,548 square-foot chapel at 6601 North Jones Boulevard. Staff recommended approval.
	The Board of Zoning Adjustment approved a Variance (V-0111-96) to allow upright headstones, crypts and mausoleums to be built in conjunction with a proposed cemetery at 6601 North Jones Boulevard. Staff recommended approval.
11/07/01	The City Council approved a required Five-Year Review [U-0099-96(1)] on an approved Special Use Permit that allowed a cemetery with a single story 10,548 square-foot chapel at 6601 North Jones Boulevard. The Planning Commission and staff recommended approval.
02/26/04	Staff administratively approved a Site Development Plan Review (SDR-3709) to divide the previously approved 10,548 square-foot chapel into two separate buildings; one for use as a chapel and the other for administrative matters.

11/03/04	The City Council approved a Vacation (VAC-4071) to vacate Deer Springs Way between Jones Boulevard and Maverick Street; and Maverick Street between Deer Springs Way and Rome Boulevard. The Planning Commission recommended approval and staff recommended denial.
12/07/06	Staff administratively approved an Extension of Time (EOT-17525) of an approved Vacation (VAC-4071) that allowed a Vacation of a portion of Deer Springs Way between Jones Boulevard and Maverick Street; and Maverick Street between Deer Springs Way and Rome Boulevard.
03/05/07	The Clark County Recorder recorded A Grant of Easement (20070305-0001290) on the right-of-way of Maverick Street between Deer Springs Way and Rome Boulevard.

Most Recent Change of Ownership	
10/18/96	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No permits related to this request are on file.

Pre-Application Meeting	
02/13/13	Staff met with the applicant and discussed the project, noting that the proposal does not meet the City's Completed Street Standards in Title 19.04 and would require a Variance. It was also noted that this street would only service county property and would have no benefit to the residents or City of Las Vegas proper. It was also noted that the proposal would potentially leave the City of Las Vegas responsible for the maintenance of the remaining right-of-way, again with no benefit to the City.

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

Field Check	
05/02/13	Staff visited the site and found a well maintained and secured cemetery. The Maverick Street Easement had some weeds but was otherwise in acceptable condition for a vacated right-of-way.

Details of Application Request	
Site Area	
Net Acres	37.61

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Cemetery/Mausoleum	DR (Desert Rural Density Residential)	R-E (Residential Estates)
North	Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residential Estates)
	Undeveloped	RN (Rural Neighborhood) Clark County	R-E (Rural Estates Residential District) Clark County
South	Single Family, Detached	RL (Residential Low) Clark County	R-D (Suburban Estates Residential District) Clark County
East	Undeveloped	R (Rural Density Residential)	R-E (Residential Estates)
	Single Family, Detached		R-PD3 [Residential Planned Development (3 units per acre)]
West	Undeveloped	RN (Rural Neighborhood) Clark County	R-E (Rural Estates Residential District) Clark County
	Single Family, Detached		

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
No Applicable Special Purpose or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Jones Boulevard	Primary Arterial	Master Plan of Streets and Highway	100	Y
Deer Springs Way	N/A	N/A	40	Y
Rome Boulevard	N/A	N/A	60	Y

ANALYSIS

If approved, this project will not provide any benefit to the City of Las Vegas. The applicant is making this request on behalf of the property owner to the west. This owner received entitlements from Clark County for a seven-lot residential subdivision with a condition that a 60-foot wide street be installed to service these lots. The street can be constructed on the Clark County owners' property without the need for the requested Variance. However, the owner of the Clark County parcel wants to keep his costs down and contacted the applicant to have him request the vacation be reversed so he could install half of his required road on City right-of-way. Furthermore, the applicant doesn't want to incur the cost of developing the proposed street to Title 19.04 Complete Street Standards, nor does the applicant want to maintain the right-of-way if it is rededicated as public right-of-way. This would leave the City of Las Vegas responsible for maintenance costs if this request is approved as submitted.

The proposed road only provides access to Clark County property that is located within the Interlocal Agreement Exclusion Zone A; and therefore, the City may not require the annexation of the property without the consent of the owner. This would have the result of providing no City residents or property with a benefit from this request; therefore, staff recommends denial.

The Public Works Department staff provided the following comments:

"On November 3, 2004, the City Council approved a Petition of Vacation (VAC-4071), which included the east half of Maverick Street. The Petition of Vacation was subsequently recorded on February 28, 2007 as document #20070228:03027. The Department of Public Works was contacted and a request made that Public Works accept a 30-foot rededication of Maverick Street. Public Works' staff explained that staff would only accept Maverick Street as a rededicated public right-of-way if the half-street were constructed to City Standards. The applicant did not want to construct the half-street to City Standards and Public Works' staff explained that staff needs direction from City Council before allowing something other than a

full half-street improvement in this area. Because Maverick Street in this area serves no useful purpose to the City of Las Vegas, Public Works' staff has no interest in the rededication and maintenance of a previously vacated street; therefore, recommends **DENIAL** of the request for a Variance to allow a half street construction of 16 feet of asphalt and14 feet of dirt roadside drainage swale with no curb, gutter, sidewalk or streetlights where such are required on Maverick Street north of Rome Boulevard and west of Jones Boulevard.

Due to the request to not install streetlights, this item must go forward to City Council per Title19.02.240."

FINDINGS (VAR-49240)

In accordance with the provisions of Title 19.16.140(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 19.16.140(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 their unwillingness to install a proposed street to Title 19.04 Complete Street Standards. An alternative is to install the street to Complete Street Standards, 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.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 33

NOTICES MAILED 343

APPROVALS 0

PROTESTS 0

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-49240 APN: 125-23-703-005

Name of Property Owner: Palm Mortuary, Inc.

Name of Applicant: D R Horton

Name of Representative: Taney 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: By: CB

Print Name: CURTIS G. BRIGGS, VICE PRESIDENT

Subscribed and sworn before me

This 26th day of April, 2013

Michelle M Moseman

Notary Public in and for said County and State

MICHELLE M MOSEMAN
MY COMMISSION EXPIRES
August 30, 2015

PRJ-48341
04/30/13

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance on Maverick Public Street

Project Address (Location) Maverick and Rome

Project Name Maverick and Rome **Proposed Use** Residential

Assessor's Parcel #(s) 125-23-703-005 **Ward #** 6

General Plan: existing _____ proposed _____ **Zoning:** existing R-E proposed R-E

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

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

Additional Information _____

PROPERTY OWNER Palm Mortuary, Inc **Contact** _____

Address PO Box 130548 **Phone:** _____ **Fax:** _____

City Houston **State** TX **Zip** 77219

E-mail Address _____

APPLICANT D R Horton **Contact** Barbara Bross

Address 333 Carousel Parkway **Phone:** (702) 635-3655 **Fax:** (800) 550-7012

City Henderson **State** Nevada **Zip** 89014

E-mail Address babross@drhorton.com

REPRESENTATIVE Taney Engineering **Contact** Jody M. Mudano

Address 6030 S. Jones Blvd, Ste. 100 **Phone:** (702) 362-8844 **Fax:** (702) 362-5233

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

E-mail Address jodym@taneycorp.com

Property Owner Signature* BY: CB

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

Print Name CURTIS G. BRIGGS, VICE PRESIDENT

Subscribed and sworn before me

This 26th day of April, 20 13.

Michelle M. Moseman

Notary Public in and for said County and State

MICHELLE M MOSEMAN
MY COMMISSION EXPIRES
August 30, 2015

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	VAR-49240
Meeting Date:	06/11/13 PC
Total Fee:	
Date Received:*	
Received By:	

*The application will not be deemed complete until the submitted [illegible] reviewed by the Department of Planning for consistency with applicable sections of the Zoni[illegible]

PRJ-48341
04/30/13

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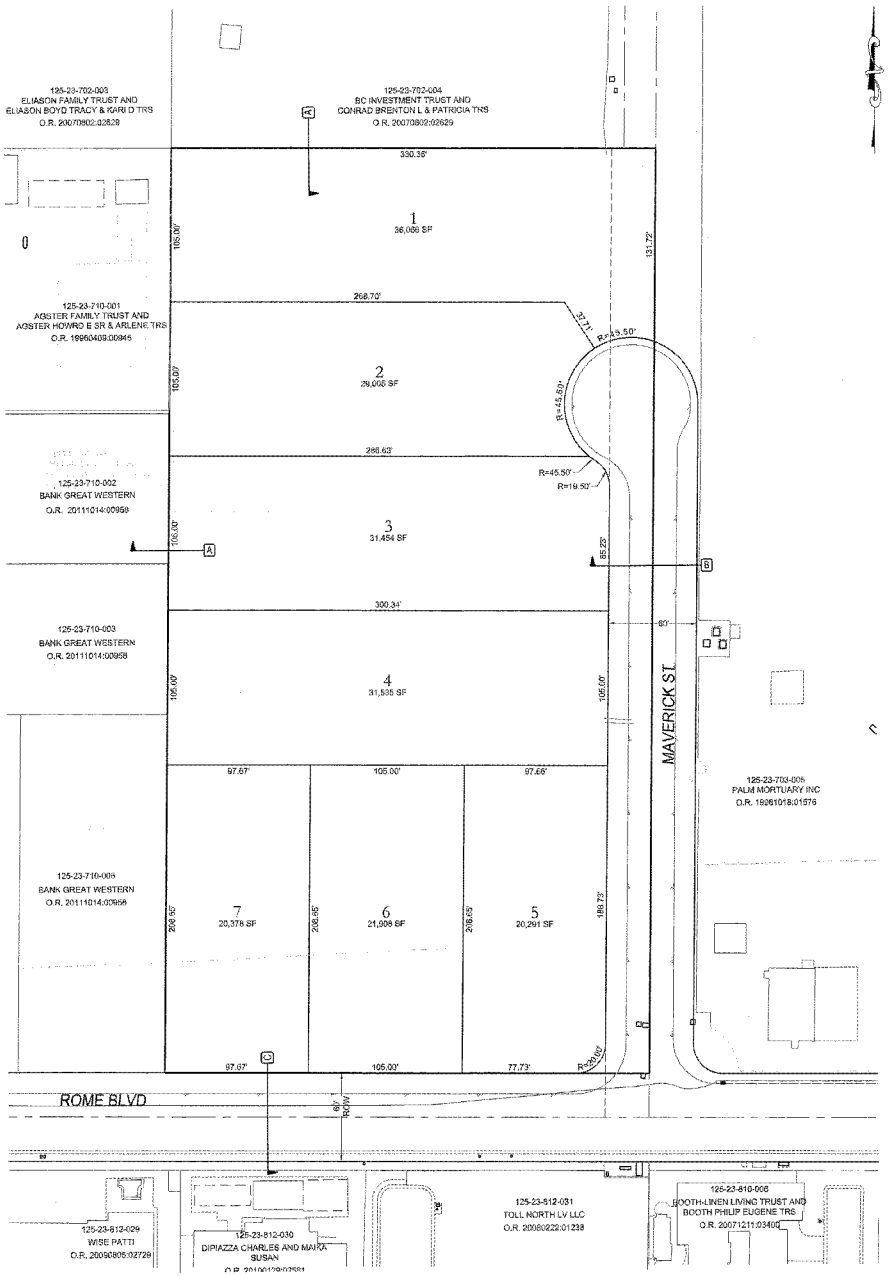


SITE INFORMATION

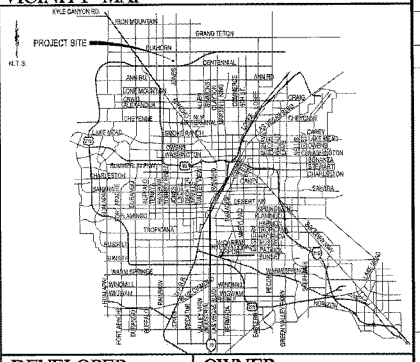
ASSESSORS PARCEL NUMBERS	125-23-702-006
PROPOSED USE OF PROPERTY	SINGLE FAMILY RESIDENTIAL SUBDIVISION
EXISTING ZONING	R-E (RURAL ESTATES RESIDENTIAL DISTRICT)
TOTAL PROPOSED LOTS	7 LOTS
GROSS ACREAGE	5.0
NET ACREAGE	4.4
DENSITY (BASED ON GROSS ACREAGE)	1.4 LOTS/ACRE
AVERAGE LOT SIZE	27,234 SF
SMALLEST LOT SIZE	20,291 SF
LARGEST LOT SIZE	36,056 SF

SCALE

40 0 20 40 80 160

(IN FEET)
1 inch = 40 ft.

VICINITY MAP



DEVELOPMENT STANDARDS

PER TITLE 30 (TABLE 30.40-1) FOR R-E ZONING:
DENSITY ALLOWED - 2 UNITS/GROSS ACRE
MIN. LOT AREA - 20,000 SQ. FT.
MAX. HEIGHT - 35 FEET

UTILITY LOCATIONS

WATER - THE NEAREST WATER CONNECTION IS AN EXISTING 8" PUBLIC MAIN IN ROME BLVD ADJACENT TO THE PROJECT - LAS VEGAS VALLEY WATER DISTRICT IS THE PURVEYOR

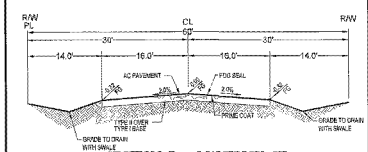
SEWER - THE NEAREST SEWER CONNECTION IS AN EXISTING 8" SEWER PROVIDED IN ROME BLVD ADJACENT TO THE PROJECT, CITY OF LAS VEGAS IS THE PURVEYOR

LEGEND

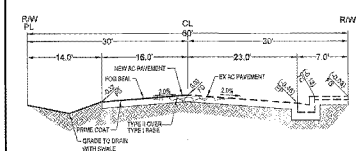
- RIGHT-OF-WAY
- BOUNDARY LINE
- PROPERTY LINE
- EASEMENT
- STREET CENTERLINE
- LOT NUMBER 1
- WATER LINE
- SEWER LINE W/ MANHOLE
- EDGE OF PAVEMENT



SECTION A
WEST/NORTH BOUNDARY



SECTION B - MAVERICK ST
60-FT WIDE RIGHT-OF-WAY (USD 209)



SECTION C - ROME BLVD
60-FT WIDE RIGHT-OF-WAY (USD 209)

DEVELOPER

DR HORTON
330 CAROUSEL PKWY
HENDERSON, NEVADA 89014
PHONE: (702) 835-3600 (800) 909-4601 FAX

OWNER

SPRING DEER 215 L P
3235 S RAINBOW BLVD
LAS VEGAS NV 89146-5238

LEGAL DESCRIPTION

THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.
EXCEPTING THE SOUTH 30 FEET THEREOF, PER DOCUMENTS, 20070223:04746, 0300:0259243 AND 259243 OFFICIAL RECORDS OF CLARK COUNTY, NEVADA.

BASIS OF BEARINGS

SOUTH 00 39'27" WEST BEING THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (SE Q/4) OF SECTION OF SECTION 23, M.D.M., CLARK COUNTY, NEVADA, PER THE FINAL MAP OF MUSTANG AND ROME BLVD., RECORDED IN BOOK 125, PAGE 65 OF PLANTS, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA.

BENCHMARK

CLARK COUNTY STATION OLVIO 2358
ELEVATION 708.755 METERS 2,325.31 FEET

CITY OF LAS VEGAS RIVET AND ROUND PLATE IN CONCRETE CYLINDER, TORREY PINES DR. AND ROME BLVD.

GENERAL NOTES

1. ALL IMPROVEMENTS SHALL CONFORM TO THE CLARK COUNTY STANDARDS AND SPECIFICATIONS.
2. UTILITIES:

WATER	LAS VEGAS VALLEY WATER DISTRICT
SEWER	CITY OF LAS VEGAS
POWER	NV ENERGY
TELEPHONE	CENTURYLINK
GAS	SOUTHWEST GAS CORPORATION
CATV	COX CABLE
SOLID WASTE DISPOSAL	REPUBLIC SERVICES

3. UTILITY EASEMENTS TO BE DEDICATED TO RESPECTIVE AGENCIES.
4. THIS DEVELOPMENT IS SHOWN IN ITS ENTIRETY AND IS NOT PART OF ANY MASTER PLAN.
5. PEAK SEWAGE CONTRIBUTION 1,726 GPD AVERAGE
6,041 GPD PEAK
6. FIRM PANEL 1756F, DATED NOVEMBER 16, 2011.' ENTIRE AREA WITHIN FEMA ZONE "X".
7. PROTECTIVE COVENANTS AND/OR DEED RESTRICTIONS ARE TO BE GENERATED INTO A SEPARATE DOCUMENT AND RECORDED.
8. THERE ARE NO KNOWN EXISTING FAULTS OR FISSURES ON THE SITE.
9. GROUND WATER IS LOCATED AT A DEPTH GREATER THAN 20-FEET.
10. NO PERIMETER LANDSCAPING IS REQUIRED TO COMPLY WITH TITLE 30 REQUIREMENTS.

ABBREVIATIONS

AC	ASPHALTIC CONCRETE	NTS	NOT TO SCALE
BC	BACK OF CURB	OC	ON CENTER
BCR	BACK OF CURB RADIUS	PB	PULL BOX
BM	BENCHMARK	PC	POINT OF CURVE
BVC	BEGIN VERTICAL CURVE	PCC	POINT OF COMPOUND CURVE
BW	BOTTOM OF EXISTING WALL	PE	POLYETHYLENE
CATV	CABLE TELEVISION	PI	POINT OF INTERSECTION
CO	CLARK COUNTY	PL	PROPERTY LINE
CL	CENTERLINE	POC	POINT OF CONNECTION
CLV	CITY OF LAS VEGAS	PP	POWER POLE
CMP	CORRUGATED METAL PIPE	PRC	POINT OF REVERSE CURVE
CNLV	CITY OF NORTH LAS VEGAS	PT	POINT OF TANGENCY
CO	CLEAN OUT, SEWER	PVC	POLYVINYL CHLORIDE
COH	CITY OF HENDERSON	R	RADIUS
CY	CUBIC YARD	RCB	REINFORCED CONCRETE BOX
DG	DESIGN GRADE	RCP	REINFORCED CONCRETE PIPE
DI	GROUND INLET	R/W	RIGHT-OF-WAY
DIP	DUCTILE IRON PIPE	RT	RIGHT
EG	EXISTING GRADE	SD	STORM DRAIN
EP	EDGE OF PAVEMENT	SL	STREETLIGHT
EVC	END VERTICAL CURVE	SNWA	SOUTHERN NEVADA WATER AUTHORITY
EX	EXISTING	SS	SANITARY SEWER
FF	FINISH FLOOR ELEVATION	STA	STATION
FG	FINISH GRADE	STD	STANDARD
FH	FIRE HYDRANT	SVZ	SIGHT VISIBILITY ZONE
FL	FLOW LINE	SW	SIDEWALK
FT	FEET	TC	TOP OF CURB
GB	GRADE BREAK	TF	TOP OF FOOTING
GFF	GARAGE FINISH FLOOR	TR	TOP OF RAMP
HP	HIGH POINT	TW	TOP OF WALL
INV	INVERT	TYP	TYPICAL
LF	LINEAR FEET	USD	UNIFORM STANDARD DRAWING
LT	LEFT	VC	VERTICAL CURVE
LVVWD	LAS VEGAS VALLEY WATER DISTRICT	VCP	VITRIFIED CLAY PIPE
MAX	MAXIMUM	VG	VALLEY GUTTER
MH	MANHOLE	W	WATER
MIN	MINIMUM	ZC	ZERO LIP CURB

NO.	DESCRIPTION	BY	DATE	APPR.
	REVISIONS			

DR HORTON
330 CAROUSEL PKWY
HENDERSON, NEVADA 89014
(702) 835-3600 FAX: (800) 909-4601

TANEY ENGINEERING
8816 S. JONES BLVD. STE# 190
LAS VEGAS, NV 89118
(702) 362-8844 FAX: (702) 362-9225

ROME & MAVERICK
A RESIDENTIAL SUBDIVISION

SITE PLAN

ROBERT D. CUNNINGHAM
Exp. 12-31-12
CIVIL
No. 15726
STATE OF NEVADA
ENGINEER'S SEAL

DATE:	08.01.12
SCALE:	1"=40'
JOB NO:	DRH-12-057
DESIGNED BY:	LS/SF
CHECKED BY:	RDC
SHEET NAME:	SP1
SHEET:	1 OF 1

PRJ-48341
04/30/13

VAR-49240

FILE NAME: TM.DWG



VAR-49240 - PPLICANT: DR HORTON - OWNER: PALM MORTUARY, INC.
6601 NORTH JONES BOULEVARD

05/02/13

TANEY ENGINEERING
6030 SOUTH JONES BLVD. #100
LAS VEGAS, NV 89118
TELEPHONE: 702-362-8844
FAX: 702-362-5233

April 30, 2013
Job No. DRH-12-037

City of Las Vegas
Planning Department
333 North Rancho Drive
Las Vegas, NV 89106

Re: Mustang & Rome East
Variance

To Whom It May Concern:

Taney Engineering has submitted a subdivision map and Civil Improvement Plans for a **5 - acre, 7 lot**, residential subdivision near the northwest corner of Rome Blvd and Maverick St. The project will consist of one cul-de-sac that has access Rome Blvd. The east side of Maverick lies with the City of Las Vegas jurisdiction and the west side lies within Clark County. We are processing a dedication of Right of way to dedicate the east of Maverick. We are requesting the following variance be approved for this development.

1. *Variance of Title 19.04.160 (Transportation – Land Use Matrix – Table 1) to allow public street to be constructed of 16.0' asphalt pavement with a 14.0' roadside swale with no curb, gutter, sidewalk or streetlights.*

   The site is located in a rural neighborhood preservation area: no streetlights, sidewalk, curb & gutter exist in the area or on adjacent properties. We are requesting to build rural street improvements on these streets consisting of 32.0-ft of total pavement on Maverick Street (16.0' within Clark County and 16.0' with City of Las Vegas). This will allow for a consistent development to the area. The west side of Maverick lies within Clark County and has been approved with the requested street section. In order to maintain consistency within the area this variance is being requested.

We are hopeful that this letter clarifies our intent. If you have any questions or require additional information please call.

Sincerely,

Michael Cunningham, P.E.
Taney Engineering

PRJ-48341
04/30/13

VAR-49240

City of Las Vegas Agenda Item No.: **40.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

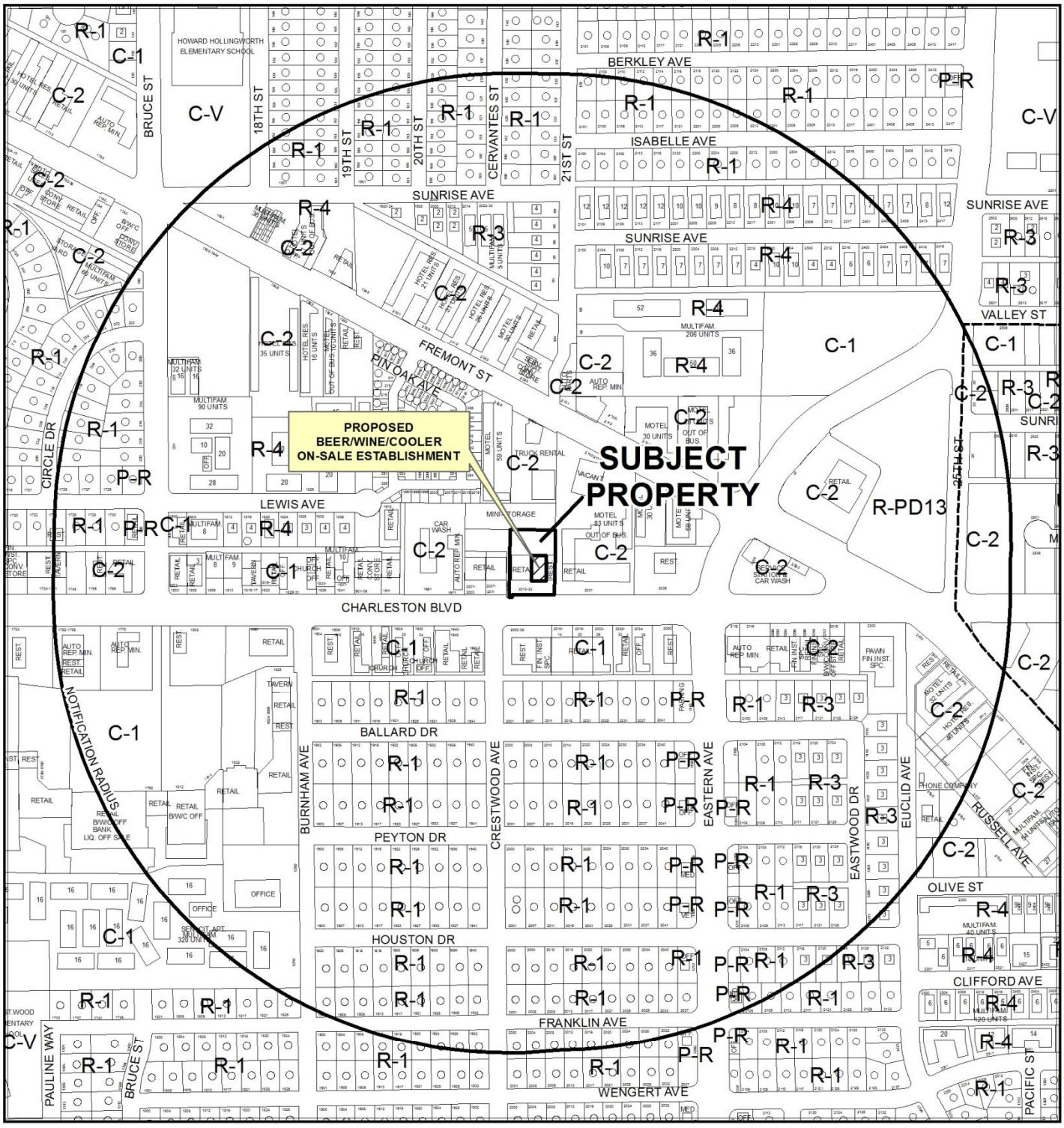
SUBJECT:
SUP-48930 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DELFINO GOMEZ - OWNER: FONG FAMILY TRUST, ETAL - For possible action on a request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN AN EXISTING 4,985 SQUARE-FOOT RESTAURANT, WITH A WAIVER TO ALLOW A 242-FOOT DISTANCE SEPARATION FROM A HOUSE OF WORSHIP WHERE 400 FEET IS REQUIRED at 2021 East Charleston Boulevard (APN 139-35-803-021), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
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



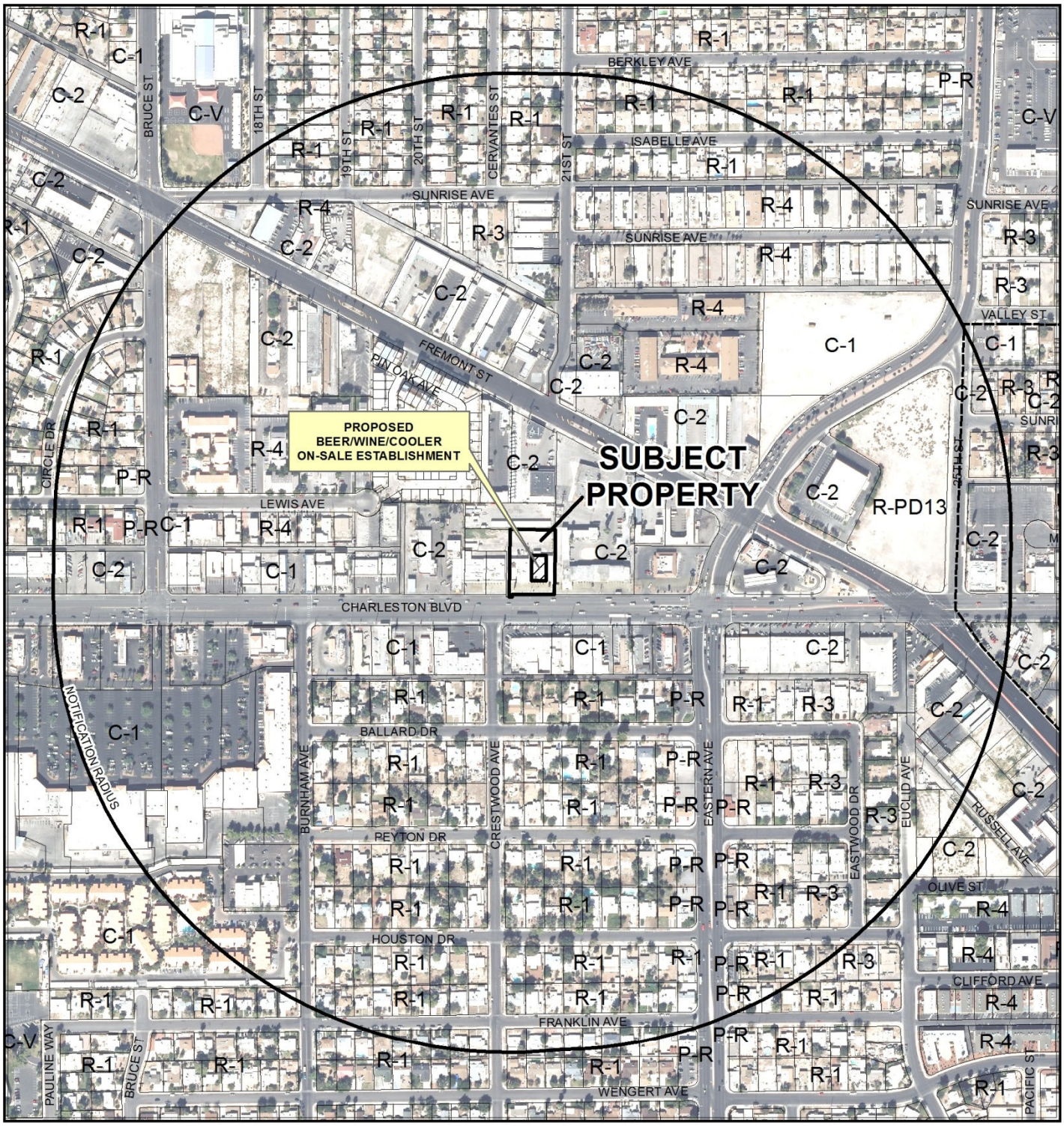
CASE: **SUP-48930**

RADIUS: 1500 FEET

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

0 400 800 Feet

N



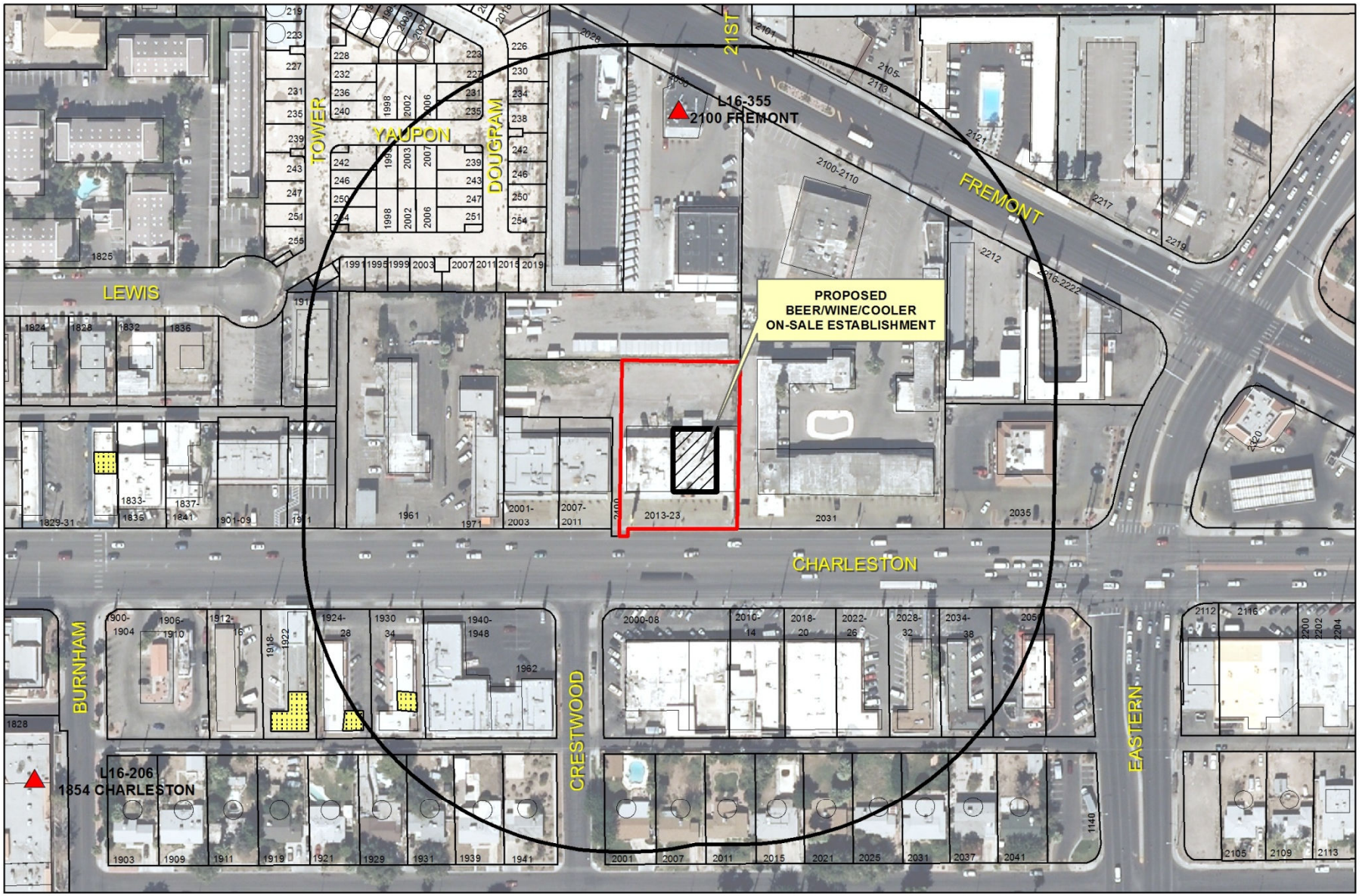
CASE: **SUP-48930**

RADIUS: 1500 FEET

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

0 400 800 Feet

N



SUP-48930

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 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: DELFINO GOMEZ - OWNER: FONG FAMILY TRUST, ETAL

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48930	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-48930 CONDITIONS

Planning

1. Conformance to all the Minimum Requirements under LVMC Title 19.12 for a Beer/Wine/Cooler On-Sale 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All temporary signs on site shall be permitted or removed within 30 days of final approval.

4. 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. Prior to issuance of a business license the existing parking lot in front of the building shall be restriped. An additional handicapped parking space that complies with Title 19.08.110 shall be provided. The parking utilized in the rear of the building shall be striped and wheel stops shall be added in accordance with Title 19.08.110 standards.

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

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

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

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

Staff Report Page One
June 11, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Proposed Beer/Wine/Cooler On-Sale Establishment within an existing 4,985 square-foot restaurant at 2021 East Charleston Boulevard. As part of this request, the applicant is requesting a waiver to allow a 242-foot and 338-foot distance separation from religious facilities where 400 feet is required. As the religious facilities are separated from the proposed use by a 100-foot wide right-of-way (Charleston Boulevard), the applicant is able to request a waiver. As such, the proposed use can be conducted in a manner that is compatible and harmonious with the existing neighborhood; therefore, staff recommends approval of this use permit for the previous reason. If denied, the restaurant use can remain but no alcohol may be served.

ISSUES

- The Beer/Wine/Cooler On-Sale Establishment use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- This request requires a waiver to allow a separation distance of approximately 242 feet and 338 feet from religious facilities where 400 feet is required.
- Illegal signage (flags and banners) exist on site. A complaint was filed with Code Enforcement for the non-permitted temporary signs on 05/09/13 and Condition of Approval was added to address this issue.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/29/03	A complaint (#3665) was filled with Code Enforcement for sign graffiti. The complaint was resolved on 09/1/03.
02/02/07	A complaint (#50082) was filled with Code Enforcement for a “foul odor” coming from the adjacent unit; another unit does not have hot water, and there are a number of other building violations. The complaint was resolved on 03/26/07
01/08/10	A complaint (#85440) was filled with Code Enforcement for three broken electrical meters. The complaint was resolved on 01/26/10.
05/07/12	A complaint (#113778) was filed for construction improvements without building permits. The complaint was resolved on 02/25/13.

Most Recent Change of Ownership	
10/30/06	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
1955	The building was constructed.
01/27/98	A business license (L16-00161) was issued for a Tavern. This license was marked out on 11/29/10.
09/10/04	A building permit (#04019712) was issued for a Garden Café. The permit was finalized on 10/15/04.
01/22/10	A business license (R09-01540) was issued for a restaurant with a seating capacity of 160. The license was marked out on 06/06/11.
04/16/10	A business license (D19-95208) for a Night Club was applied for but was not issued.
06/22/11	A business license (R09-01614) was issued for a restaurant with a seating capacity of 149. The license was marked out on 01/13/12.
06/04/12	A building permit (#212517) was issued for handicapped accessibility upgrades. The permit was not finalized.
08/14/12	A building permit (#217644) was issued for work completed without permits. The permit was finalized on 01/29/13.
01/10/13	A business license (R09-01697) was issued for a restaurant with a seating capacity of 45.

Pre-Application Meeting	
02/23/13	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Beer/Wine/Cooler On-Sale Establishment use.

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

Field Check	
05/02/13	A field check was conducted on the subject site and it was noted that there were several non-permitted temporary signs (banners and flags) on site. A complaint was filed with Code Enforcement for the non-permitted temporary signs on 05/09/13.

Details of Application Request	
Site Area	
Net Acres	0.73

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Restaurant & Vacant	MXU (Mixed Use)	C-2 (General Commercial)
North	Mini-Storage Facility	MXU (Mixed Use)	C-2 (General Commercial)
South	Retail	C (Commercial)	C-1 (Limited Commercial)
East	Retail	C (Commercial)	C-2 (General Commercial)
	Hotel, Motel, or Hotel Suites		
	Tavern		
West	Mini-Storage Facility	MXU (Mixed Use)	C-2 (General Commercial)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
No Applicable Special Purpose or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

Pursuant to Title 19.08 and 19.12, 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	4,959 SF	1 space per 50 SF of public seating or waiting area plus 1 per 200 SF of remaining gross floor area	11				
Retail	4,659 SF	1 space per 175 SF of gross floor area					
TOTAL SPACES REQUIRED	9,618 SF		11*		Y		
Regular and Handicap Spaces Required			10	1	15		*N

*The site is parking impaired as detailed in Title 19.18.030 (D). The existing site contains 11 parking spaces, including one handicapped accessible space.

Waivers		
Requirement	*Request*	*Staff Recommendation*
A 400-foot separation distance from a house of worship	To allow 242-foot and 338-foot separation distance from two religious facilities	Approval

ANALYSIS

The Beer/Wine/Cooler On-Sale Establishment use is described in Title 19.12 as, "An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which 30 or more people may be served with meals at any one time at tables or stools."

The proposed use meets the definition above; per floor plan date stamped 04/04/13, the restaurant can seat 88 patrons. As stated in the justification letter, the restaurant is to be a family environment with food, fun and drinks and not a place where "people go to get drunk." Drinks will only be served as an ordering option in connection with the meals at the existing restaurant.

The site does not have adequate parking for the existing restaurant use; however, the site is parking impaired as defined by Title 19.18.030(D) and the applicant has proposed to strip six additional parking spaces located in the rear of the property per site plan date stamped May 22, 2013. The additional rear parking spaces and the existing handicapped parking stall do not comply with current code; A Condition of Approval was added to address this issue. The addition of the Beer/Wine/Cooler On-Sale Establishment use does not intensify the site parking requirement.

The Minimum Special Use Permit Requirements for this use include:

1. Except as otherwise provided, no beer/wine/cooler on-sale establishment (hereinafter "establishment") shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park.

2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

    a. Any leasehold parcel; or
    b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement 1.

3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:

    a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
    b. In the case of a proposed establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for an establishment which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

5. The minimum distance requirements in Requirement 1 do not apply to:

   a. An establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or
   b. A proposed establishment having more than 50,000 square feet of retail floor space.

6. *All businesses which sell alcoholic beverages shall conform to the provision of LVMC Chapter 6.50.

*Indicates a condition that cannot be waived.

The proposed use does not meet the minimum Special Use Permit Requirement number one, as there are two religious facilities within 400 feet of the proposed site. The first is located approximately 242 feet from the subject site and the second is approximately 338 feet; however, both are separated from the proposed use by a 100-foot wide right-of-way.

The proposed Beer/Wine/Cooler On-Sale Establishment use will be conducted in conjunction with an established 4,985 square-foot restaurant within an existing retail development that has direct access from Charleston Boulevard (a 100-foot right-of-way). The proposed use fails to meet Special Use requirement Number One; however, the proposed use can be conducted in a compatible and harmonious with surrounding neighborhood. A 100-foot wide right-of-way separates the proposed use (of Beer/Wine/Cooler On-Sale Establishment) and the protected uses (two religious facilities); therefore, staff is recommending approval of the separation distance waiver and the Special Use permit application. If this application is denied, then the applicant will be allowed to continue operating the restaurant; however, it will not be allowed to serve beer/wine/cooler alcoholic beverages.

FINDINGS (SUP-48930)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 location for the Beer/Wine/Cooler On-Sale Establishment is compatible with the existing surrounding land uses, as the proposed use is separated from the protected religious use by a 100-foot right-of-way (Charleston Boulevard).

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

   The proposed use will operate within an established restaurant in an existing retail center. The site is parking impaired; however, the proposed use will not intensify the physical demands of the existing site.

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

   Site access is from Charleston Boulevard, a 100-foot wide Primary Arterial, a roadway that has adequate capacity to facilitate 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 Beer/Wine/Cooler On-Sale Establishment will be subject to regular inspections by regulatory agencies for business licensing and will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The proposed use in does meet all of conditions per Title 19.12. Specifically, the applicant is requesting a waiver to allow a 242-foot separation from the nearest religious facility where a 400-foot separation is required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 40

NOTICES MAILED 464

APPROVALS 0

PROTESTS 0

MR

DEPARTMENT OF PLANNING

RECEIVED
APR 04 2013

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-48930** APN: 139-35-803-021

Name of Property Owner: Mee Ling Fong / Zhong Min Fong

Name of Applicant: Delfino Gomez

Name of Representative: None

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: Zhong min Fong

Print Name: Zhong Min Fong

Subscribed and sworn before me

This 12th day of March, 2013

Joan E. Johnson

Notary Public in and for said County and State CLARK NV

JOAN E. JOHNSON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 12-19-16
Certificate No: 01-66482-1

RECEIVED

2013

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: special use permit

Project Address (Location) 2021 E. Charleston Blvd Las Vegas

Project Name Restaurant **Proposed Use** ~~Beer & Wine~~

Assessor's Parcel #(s) 139-35-803-021 **Ward #** 3

General Plan: existing ~~MXU~~ proposed ~~MXU~~ **Zoning:** existing C-2 proposed C-2

Commercial Square Footage 4,878 S.F. **Floor Area Ratio** N/A

Gross Acres 0.73 **Lots/Units** ~~N/A~~ **Density** N/A

Additional Information N/A

PROPERTY OWNER Fong Family Trust **Contact** Zhong Min Fong

Address P.O. Box 42242 **Phone:** 839-8633 **Fax:** 702-240-3853

City Las Vegas **State** Nevada **Zip** 89116-0242

E-mail Address ZhongMLi57@yahoo.com

APPLICANT Delfino Gomez **Contact** Delfino Gomez

Address 5026 Grandview Dr. **Phone:** 702-591-8063 **Fax:** 702-307-9396

City Las Vegas **State** Nevada **Zip** 89120

E-mail Address Pacificautocare777@yahoo.com

REPRESENTATIVE N/A **Contact** _____

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

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

E-mail Address _____

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* Zhong min Fong

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

Print Name Zhong Min Fong

Subscribed and sworn before me

This 12th day of March, 20 2013.

Joan E Johnson

Notary Public in and for said County and State CLARK NV

Revised 10/27/08

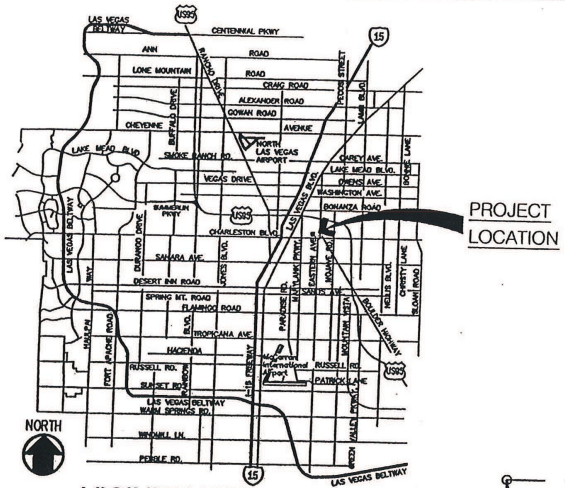
JOAN E. JOHNSON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 12-19-16
Certificate No: 01-66482-1

FOR DEPARTMENT USE ONLY

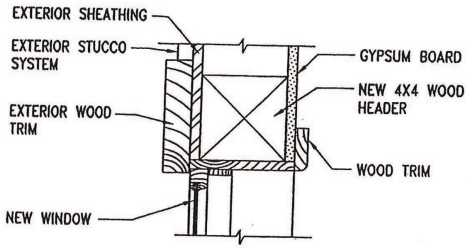
Case #	SUP-48930
Meeting Date:	6/11/2013
Total Fee:	1280.00
Date Received:*	4/4/2013
Received By:	

*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.

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



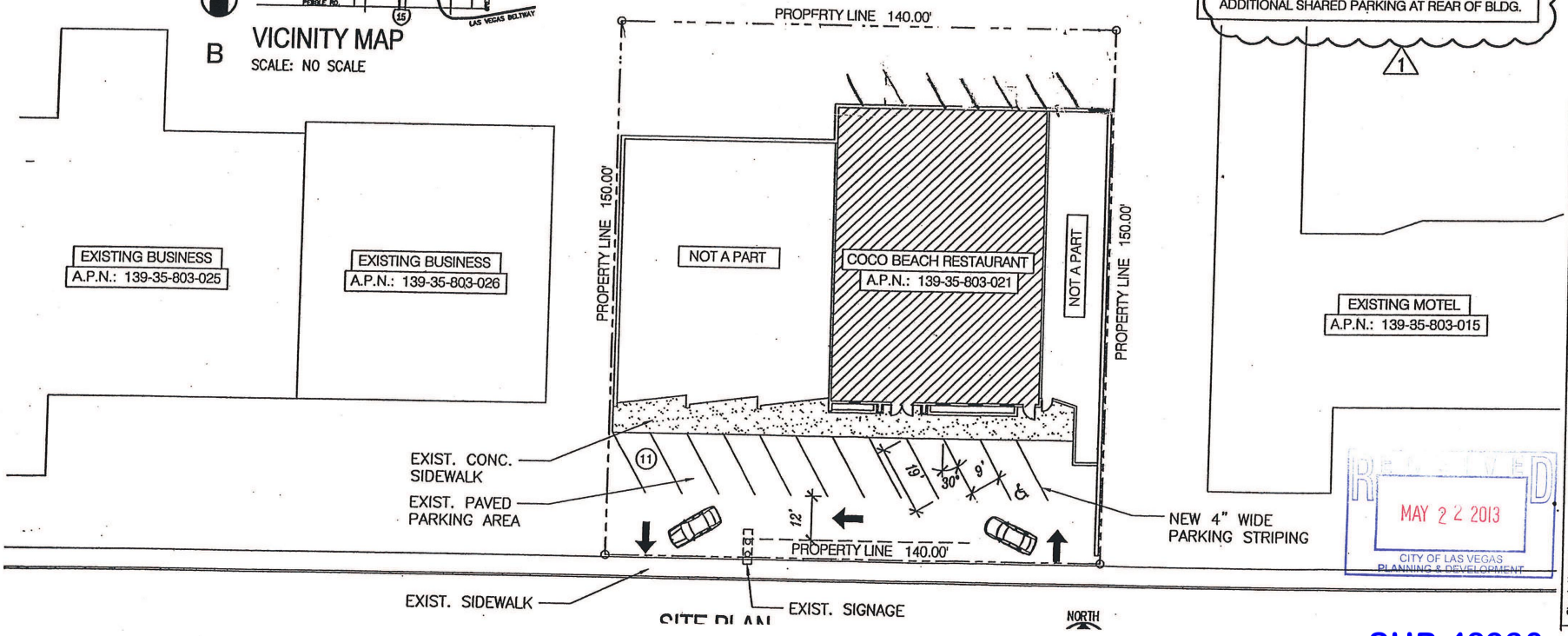
B VICINITY MAP
SCALE: NO SCALE



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

PROJECT SITE DATA:

CODE.:	2009 I.B.C.
A.P.N.:	139-35-803-021
EXISTING ZONING:	C-2
SITE AREA:	0.73 ACRE
LAND USE:	COMMERCIAL REGIONAL SHOPPING CENTER
OCCUPANCY GROUP:	A-2 (EXISTING RESTAURANT)
ALLOWABLE AREA:	6,000 SQ. FT. (REQ'D) 4,985 SQ. FT. (EXISTING)
CONSTRUCTION TYPE:	V-B
NUMBER OF EXITS:	2 REQ'D.; 2 PROVIDED
OCCUPANT LOAD:	DINING 15/2387 SF = 159 OFFICE 100/281 SF = 3 BAR PER SEAT & SERVER = 9 KITCHEN 200/872 SF = 4 STORAGE 300/872 SF = 1 TOTAL OCCUPANT LOAD = 176
PARKING (PARKING-IMPAIRED DEVELOPMENT):	
REQUIRED: 23	PROVIDED AT FRONT: 11
H.C. PARKING: REQUIRED: 1	PROVIDED: 1
ADDITIONAL SHARED PARKING AT REAR OF BLDG.	



SITE PLAN

RECEIVED
MAY 22 2013
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

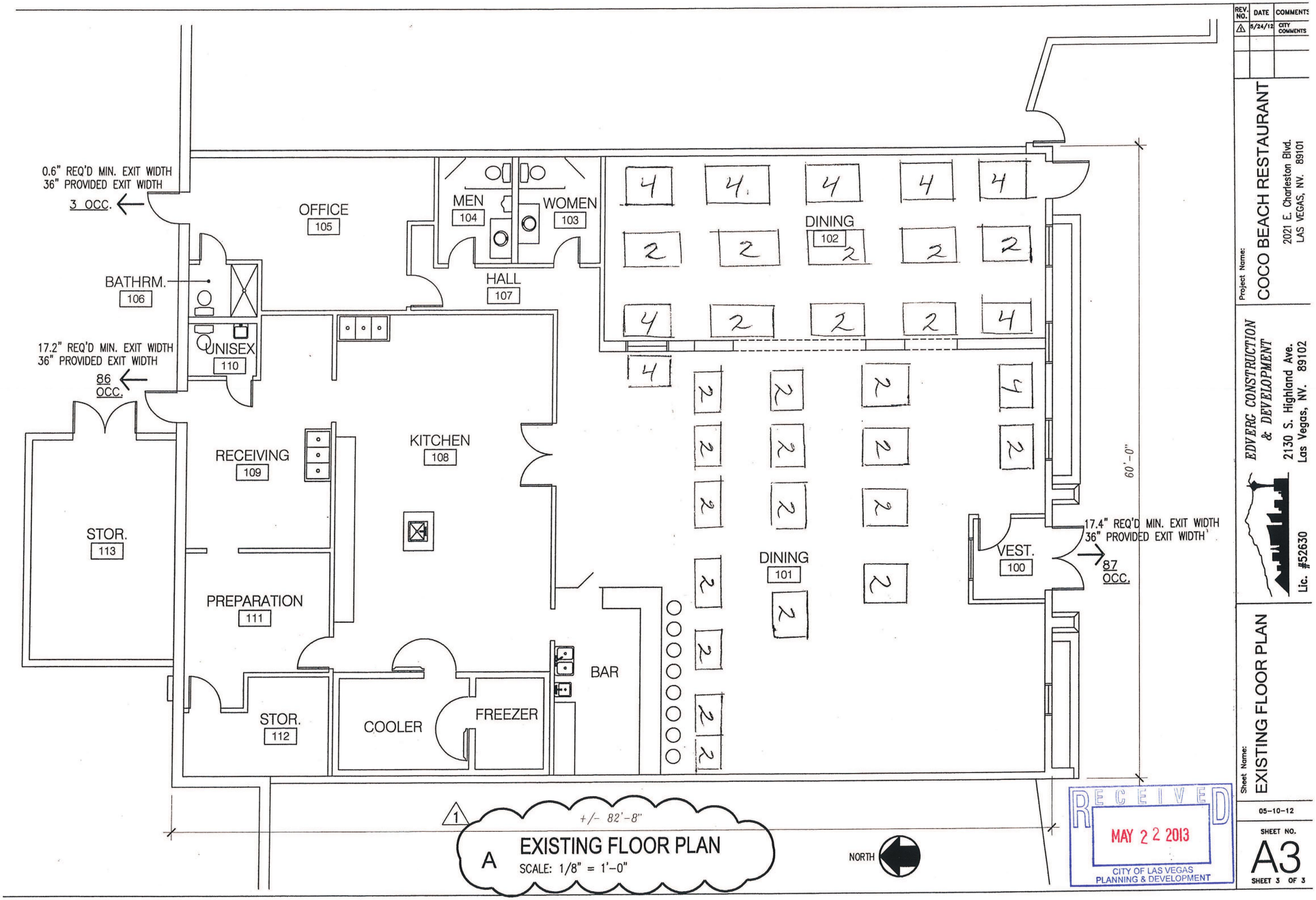
REV. NO.	DATE	COMMENTS
1	5/24/13	CITY COMMENTS

Project Name: COCO BEACH RESTAURANT
2021 E. Charleston Blvd.
LAS VEGAS, NV. 89101

EDVERC CONSTRUCTION & DEVELOPMENT
2130 S. Highland Ave.
Las Vegas, NV. 89102
Lic. #52630

Sheet Name: SITE PLAN, SITE DATA, WINDOW HEADER DETAIL & VICINITY MAP

SUP-48930
REVISED



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

REV. NO.	DATE	COMMENTS
1	5/24/12	CITY COMMENTS

Project Name: COCO BEACH RESTAURANT
2021 E. Charleston Blvd.
LAS VEGAS, NV. 89101

EDVERG CONSTRUCTION & DEVELOPMENT
2130 S. Highland Ave.
Las Vegas, NV. 89102
Lic. #52630

Sheet Name: EXISTING FLOOR PLAN

05-10-12

SHEET NO.
A3
SHEET 3 OF 3

SUP-48930
REVISED



SUP-48930 - APPLICANT: DELFINO GOMEZ - OWNER: FONG FAMILY TRUST, ETAL
2021 EAST CHARLESTON BOULEVARD

05/02/13

RECEIVED
APR 04 2013

COCO BEACH MEXICAN SEAFOOD AND BAR

TO WHOM IT MAY CONCERN

I AM WRITING THIS LETTER AS THE OWNER OF COCOBEACH MEXICAN SEAFOOD AND BAR WHICH IS LOCATED AT 2021 E CHARLESTON BLVD, LAS VEGAS NV 89104, TO SOLICITATE LICENSE TO SELL WINE AND BEER AT MY RESTAURANT.

I AM NOT AWARE OF ANY CHURCHES AROUND MY RESTAURANT, THERE IS A DESERT ART SUPPLY ON 2003 E CHARLESTON BLVD, A FURNITURE OUTLET ON 2007, AND CUT AND SEW AMERICAN ON 2011.

I WANT TO HAVE A PLACE FOR FAMILIES TO COME AND ENJOY GOOD FOOD ANT TO HAVE A GOOD TIME, I DO NOT WANT MY RESTAURANT TO BECOME A PLACE WHERE PEOPLE GO TO GET DRUNK, THAT IS NOT THE IDEA, I WANT MY RESTAURANT TO BE FAMILY ORIENTED, SO I ASK YOU TO PLEASE GIVE ME THE OPPORTUNITY TO SELL WINE AND BEER AT MY RESTAURANT.

SINCERELY YOURS

DELFINO GOMEZ (OWNER)

City of Las Vegas Agenda Item No.: **41.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

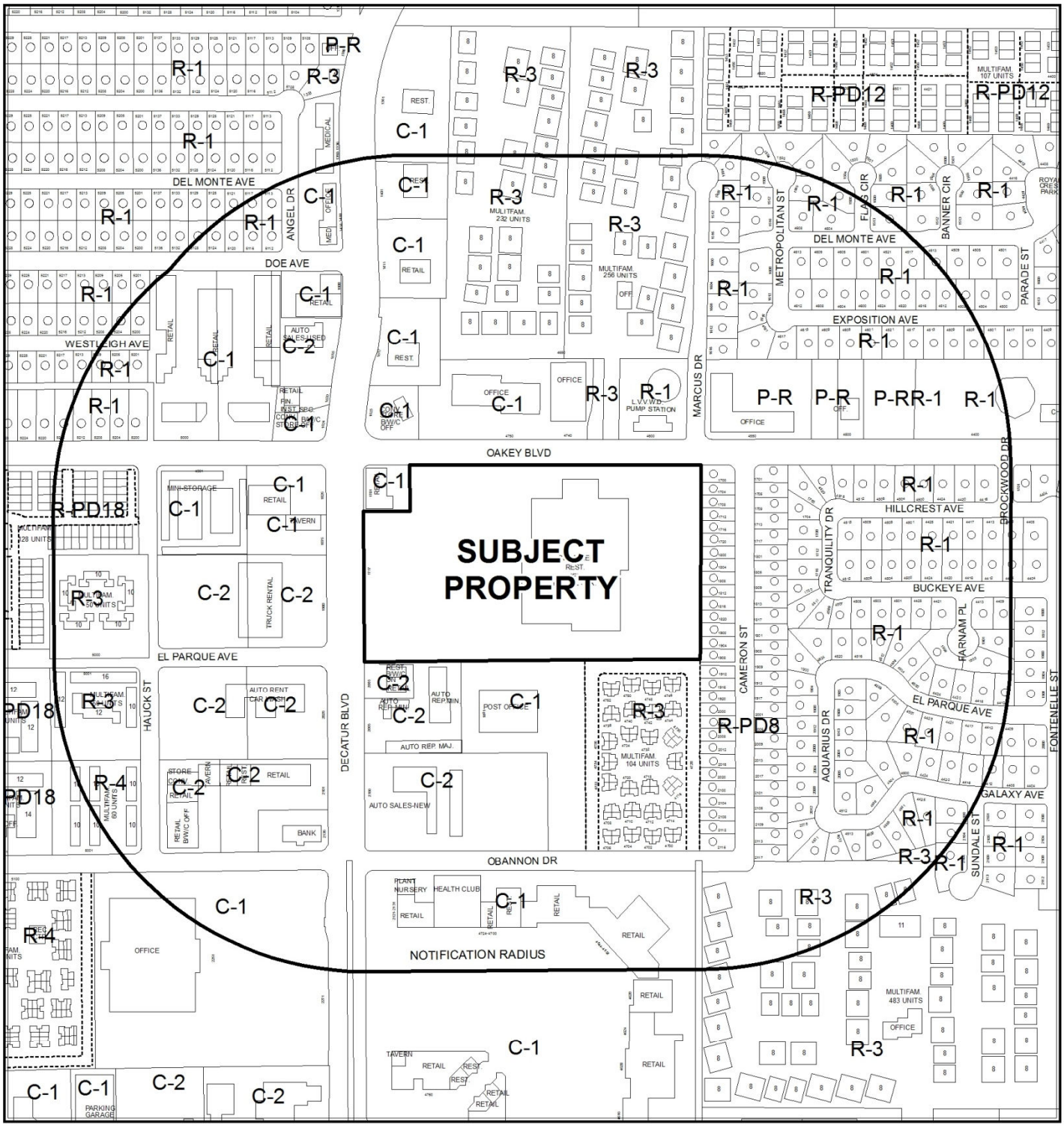
SUBJECT:
SUP-49086 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MEGAN KAYS - OWNER: DOUGLAS KAYS - For possible action on a request for a Special Use Permit TO ESTABLISH A 22,500 SQUARE-FOOT OUTDOOR SALES COMPONENT (FARMER"S MARKET) TO AN EXISTING 125,750 SQUARE-FOOT SWAP MEET (INDOOR) USE at 1717 South Decatur Boulevard (APN 162-06-301-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

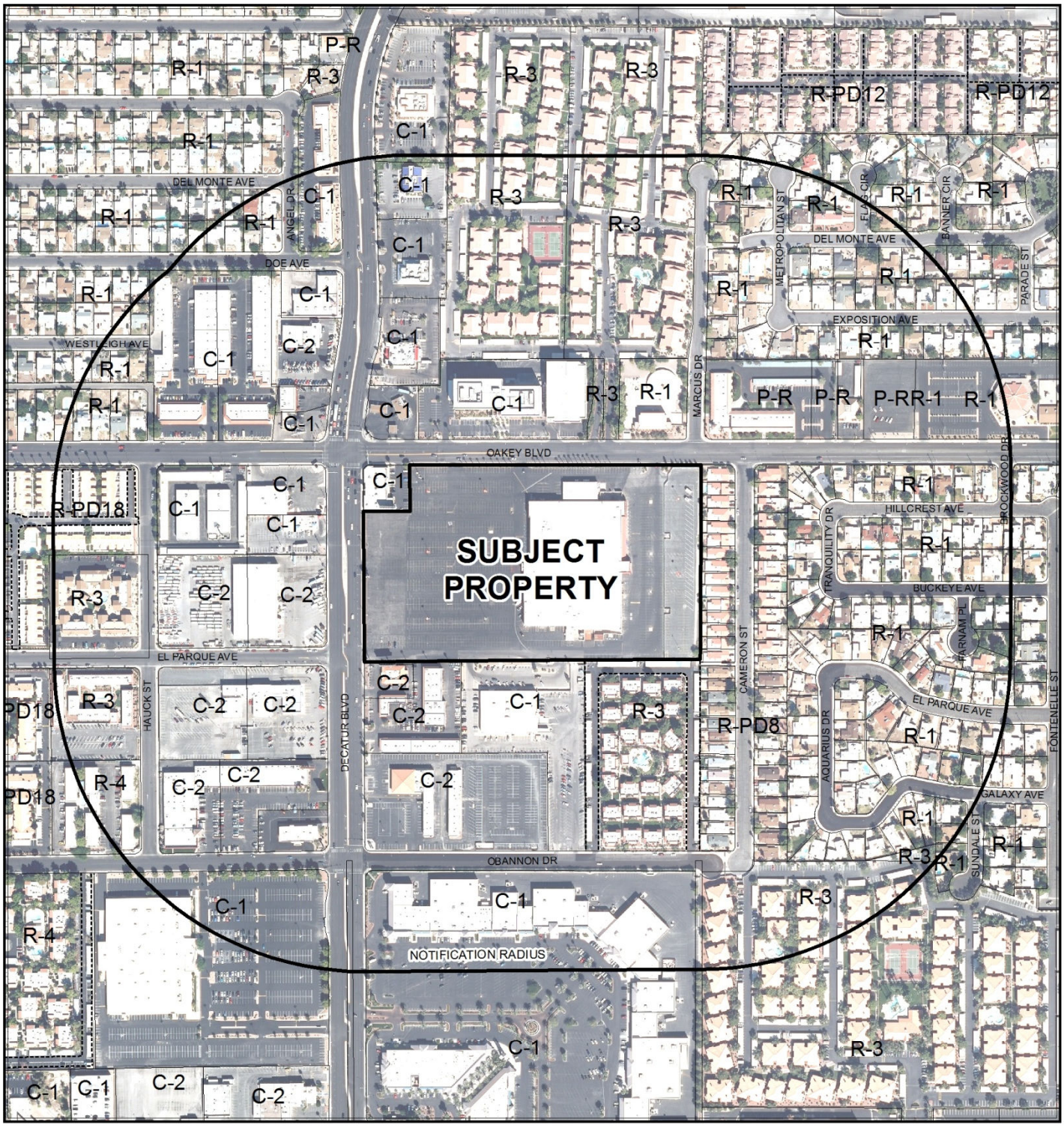
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: **SUP-49086**

RADIUS: 1000 FEET

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



0 400 800 Feet

CASE: **SUP-49086**

RADIUS: 1000 FEET

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: MEGAN KAYS - OWNER: DOUGLAS KAYS

**** STAFF RECOMMENDATION ****

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-49086	Staff recommends APPROVAL, subject to conditions:	N/A

**** CONDITIONS ****

SUP-49086 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Swap Meet (Outdoor) use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. The applicant shall provide eight handicap accessible parking spaces within the existing parking area adjacent to the proposed Swap Meet (Outdoor) retail area prior to the issuance of a business license or occupancy.

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 Page One
June 11, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant proposes to establish a 22,500 square-foot of Swap Meet (Outdoor) use within the excess parking area of an existing Swap Meet (Indoor) use at 1717 South Decatur Boulevard. It is the applicant's intent to operate a farmer's market by providing a maximum of seventy-five 10-foot by 10-foot individual retail units within the designated 150-foot by 150-foot Swap Meet (Outdoor) area located between the two driveway adjacent to the east side of Decatur Boulevard. Staff recommends approval of this request, as the proposed use is appropriate for the site and can be conducted in a manner that is harmonious and compatible with the surrounding uses. If denied, the Swap Meet (Outdoor) use would not be allowed to operate at this location.

ISSUES

- Per Title 19.14, the existing Swap Meet (Indoor) use at 1717 South Decatur Boulevard is a legally nonconforming use, as it began operation prior to the requirement for a Special Use Permit.
- A Special Use Permit is required for a Swap Meet (Outdoor) use in the C-1 (Limited Commercial) zoning district.
- A Condition of Approval has been placed requiring additional handicap parking spaces to be placed within closer proximity to the proposed outdoor area.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/06/67	The Board of Zoning Adjustment approved a Rezoning (Z-0018-67) from R-1 (Single Family Residential) and R-3 (Medium Density Residential) to C-1 (Limited Commercial) for a proposed Shopping Center at 1717 South Decatur Boulevard.
01/14/86	The Planning Commission approved a Plot Plan Review (Z-0018-67) of an Off-Premise Sign at 1717 South Decatur Boulevard.
12/17/96	The Board of Zoning Adjustment approved a Special Use Permit (U-0143-96) for the Storage of Automobiles at 1717 South Decatur Boulevard.
05/16/01	The City Council approved a Special Use Permit (U-0036-01) for a Psychic Arts use at 1717 South Decatur Boulevard. The Planning Commission and staff recommended approval of this request.
08/15/01	The City Council approved a Special Use Permit (U-0085-01) for a 60-foot tall Wireless Communications Facility, Non-Stealth (Monopole) on the southeast corner of Oakey Boulevard and Decatur Boulevard. The Planning Commission and staff recommended approval of this request.

12/17/03	The City Council approved a request for a Special Use Permit (SUP-2859) for an Auto Dealer Inventory Storage use at 1717 South Decatur Boulevard. The Planning Commission recommended approval. Staff recommended denial of the request.
01/19/05	The City Council approved a Required One Year Review (RQR-5544) of an approved Special Use Permit (SUP-2859) for an Auto Dealer Inventory Storage at 1717 South Decatur Boulevard. The Planning Commission recommended approval. Staff recommended denial of the request.
04/19/06	The City Council approved a request for a Required One Year Review (RQR-11657) of an approved Special Use Permit (SUP-2859) for an Auto Dealer Inventory Storage use at 1717 South Decatur Boulevard. The Planning Commission and staff recommended approval.
02/07/07	The City Council approved a request for a Review of Condition (ROC-18775) number six of an approved Special Use Permit (SUP-2859) to allow the existing use to continue three years subject to a Required Review within three years at 1717 South Decatur Boulevard.
09/17/08	The City Council approved Special Use Permit (SUP-28826) for a 100 square-foot Massage Establishment use within an existing Swap Meet with Waivers to allow a zero-foot distance separation where 400 feet is required from a residential parcel and to allow a 312-foot distance separation from another Massage Establishment where 1,000 feet is required at 1717 South Decatur Boulevard. The Planning Commission recommended approval. Staff recommended denial of the request.
08/05/09	The City Council approved a Special Use Permit (SUP-33755) for a proposed Recreation Vehicle and Boat Storage Use at 1717 South Decatur Boulevard. The Planning Commission and staff recommended denial.

Most Recent Change of Ownership	
09/29/95	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
11/21/91	A business license (#G50-05312) was issued for an Indoor Swap Meet at 1717 South Decatur Boulevard. This license is still active.

Pre-Application Meeting	
04/09/13	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Special Use Permit.

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

Field Check	
05/02/13	The site contains an existing Swap Meet (Indoor) use that is clean and neat in appearance. There is an abundance of unused parking spaces located along Decatur Boulevard.

Details of Application Request	
Site Area	
Net Acres	15.23

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Swap Meet	C (Commercial)	C-1 (Limited Commercial)
North	General Retail, Other Than Listed	MXU (Mixed Use)	C-1 (Limited Commercial)/
	Office, Other Than Listed	SC (Service Commercial)	R-1 (Single Family Residential)
	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)/
South	Auto Repair Garage	C (Commercial)	C-2 (General Commercial)
	Post Office	PF (Public Facilities)	C-1 (Limited Commercial)
	Multi-Family Residential	M (Medium Density Residential	R-3 (Medium Density Residential)
East	Single-Family, Detached	ML (Medium Low Density Residential)	R-PD8 (Residential Planned Development – 8 Units per Acre)
West	General Retail, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
			C-2 (General Commercial)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
No Applicable Special Purpose or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 and 19.12, 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	
Swap Meet (Indoor)	25,000 SF	1 space per 175 SF for the first 25,000 SF	143				
	134,881 SF	1 space per 250 SF	440				
Swap Meet (Outdoor)	75 stalls	4 spaces per retail stall	300				
Recreational Vehicle and Boat Storage	---	1 space per 50 storage spaces, + 5 spaces exterior of the security fence	8				
TOTAL SPACES REQUIRED			891		1,169		
Regular and Handicap Spaces Required			873	18	1,146	23*	Y*

MH

ANALYSIS

The existing Swap Meet (Indoor) use has been licensed since 11/21/1991 and is a legally nonconforming use per Title 19.16, as this use began operating prior to the requirement for a Special Use Permit. An additional entitlement (SUP-33755) for a Recreation Vehicle and Boat Storage use is in place that does affect the site. However, this entitlement utilizes only a portion of the rear property with eight parking spaces designated for the use, as required by the Special Use Permit (SUP-33755). There is no impact of the Recreation Vehicle and Boat Storage use with this proposed request.

The site maintains a surplus of parking, with 1,252 spaces provided where a 134,881 square-foot Swap Meet (Indoor) use requires 583 spaces. The proposed area for the Swap Meet (Outdoor) use will occupy approximately 90 parking spaces, leaving 1,162 parking spaces remaining. With four spaces required for each of the proposed 75 outdoor retail stalls proposed, an additional 300 parking spaces are required. Thus, the total required parking for the subject site is 891 parking spaces where 1,169 parking spaces are available. There are currently 23 designated handicap accessible parking spaces; however, these spaces are located adjacent to the existing building. A condition of approval has been placed requiring the striping of eight additional handicap parking spaces at the north and south ends of the 22,500 square-foot area dedicated to the proposed use.

Title 19.12 describes the Swap Meet use as, "A facility (whether indoor or outdoor) in which multiple vendors, dealers, sellers or traders have rented, leased, purchased or otherwise obtained an area from a swap meet operator for the purpose of selling, bartering, exchanging or trading new or used items of personal property, where the aggregate value of all such property exceeds the amount of 1000 dollars." The proposed use meets this description, as the applicant proposes a 22,500 square-foot outdoor area dedicated for a farmer's market consisting of a maximum of 75 retail booths.

The Minimum Special Use Permit Requirements for this use include:

1. No repair, installation or service work is permitted outside of an enclosed building.

   The proposed use meets this requirement, as there is no repairing or installation services related to the requested farmer's market operation.

2. All signage, including any temporary signage, shall comply with LVMC Chapter 19.08.

   The proposed use meets this requirement, as the applicant was informed of all applicable signage requirements during the pre-application conference and stated the use would be in full compliance during operations.

3. The swap meet operation shall comply with all applicable requirements of LVMC Title 6.

   The proposed use meets this requirement by condition of approval.

The proposed Swap Meet (Outdoor) use is appropriate for the site and can be conducted in a manner that is harmonious and compatible with surrounding uses; therefore, staff recommends approval. In addition, the applicant is proposing to utilize the outdoor area for a weekly farmer's market operation, which will provide access to fresh produce for the immediate community. If the application is denied, the Swap Meet (Outdoor) use will not be allowed to operate at this location.

FINDINGS (SUP-49086)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 outdoor addition to the existing Swap Meet (indoor) use is consistent with the existing land use in intensity, and 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.

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

   There are no proposed changes for the existing structure housing the Swap Meet (Indoor) use; the proposed Swap meet (Outdoor) use is for a farmer's market that will be located within an unused portion of the excess parking available along Decatur Boulevard.

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

   Access to the site is provided by Decatur Boulevard, a 100-foot Primary Arterial, and Oakey Boulevard, an 80-foot Major Collector. The streets provide adequate traffic flow for the mixed-use development, including the proposed Swap Meet 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 a Swap Meet (Outdoor) use at this location will not compromise the public health, safety and welfare or the primary objectives of the General Plan, as the use will be subject to regular to inspections and licensing requirements.

5. The use meets all of the applicable conditions per Title 19.12.

The proposed use meets all of the applicable conditions per Title 19.12.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 36

NOTICES MAILED 475

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-49086 APN: 162-06-301-002

Name of Property Owner: Douglas B. Kays

Name of Applicant: Megan Marie Kays

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: Douglas B. Kays

Print Name: Douglas B. Kays

Subscribed and sworn before me

This 12 day of APRIL, 2013

William T. Adams

Notary Public in and for said County and State

VENTURA, CA

WILLIAM T. ADAMS
COMM. #1943213
NOTARY PUBLIC • CALIFORNIA
VENTURA COUNTY
Comm. Exp. JULY 30, 2015

RECEIVED
APR 22 2013
City of Las Vegas
Dept. of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 1717 S. Decatur

Project Name The Farms **Proposed Use**

Assessor's Parcel #(s) 162016301002 **Ward #** 1

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

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

Gross Acres 15.16 **Lots/Units** ____ **Density** ____

Additional Information ____

PROPERTY OWNER Douglas B. Kays **Contact** Doug Kays

Address 1717 S. Decatur Blvd **Phone:** 702 877-0087 **Fax:** 702 877-3102

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

E-mail Address Fism8888@AOL.com

APPLICANT Megan Marie Kays **Contact** Megan Kays

Address 2025 Cedar Hills St **Phone:** 310 729-0551 **Fax:** ____

City Las Vegas **State** NV **Zip** 89128

E-mail Address fantasticfarms@gmail.com

REPRESENTATIVE Darla Adams **Contact** Darla Adams

Address 1717 S. Decatur Blvd **Phone:** 702 877-0087 **Fax:** 702 877-3102

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

E-mail Address Fism8888@aol.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* Doug B. Kays

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

Print Name Douglas B. Kays

Subscribed and sworn before me

This 12 day of APRIL, 20 13.

William T. Adams

Notary Public in and for said County and State

VENTURA, CA

WILLIAM T. ADAMS
COMM. #1943213
NOTARY PUBLIC • CALIFORNIA
VENTURA COUNTY
Comm. Exp. JULY 30, 2015

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APR 22 2013
City of Las Vegas
Dept. of Planning

FOR DEPARTMENT USE ONLY

Case #	SUP-49086
Meeting Date:	06/11/13
Total Fee:	$1030.00
Date Received:*	04/22/13
Received By:	Jonathan B.

*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.

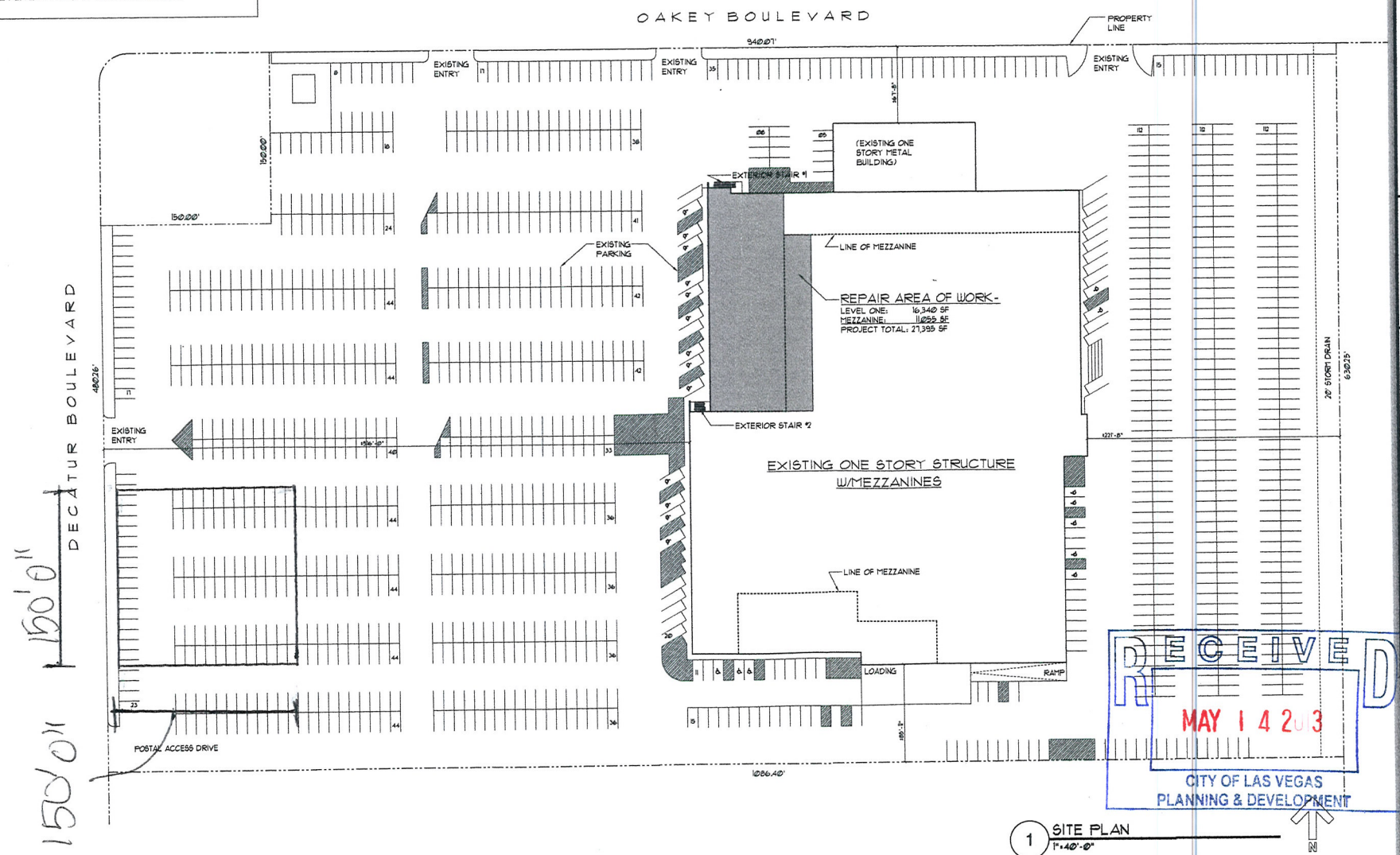
SITE DATA

TOTAL SITE: APN #: 162 06 301 002
SITE AREA: 15.23 ACRES (663,418 SF)
ZONING: C-1 (LIMITED COMMERCIAL DISTRICT)

ON SITE PARKING REQUIREMENTS:
SWAP MEET (INDOOR):
1 SPACE PER EACH 175 SF OF GROSS FLOOR AREA

PARKING CALCULATION:
SWAP MEET-134,801 SF/175 = 771 SPACES
771 SPACES REQUIRED
1,252 SPACES PROVIDED*
(1,229 REGULAR SPACES + 23 ACCESSIBLE SPACES)

*NOTE:
ALL PARKING IS EXISTING TO REMAIN. THE SCOPE OF WORK FOR THIS PROJECT IS INTERIOR REPAIR FROM WATER DAMAGE.



1 SITE PLAN
1"=40'-0"

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

gk3 architecture
2111 EDGEWOOD AVENUE
LAS VEGAS, NEVADA 89102
Tel. (702) 932-0455 • Fax (702) 932-0456
Mobile (702) 250-8418
• kevin@gk3architecture.com
• gamie@gk3architecture.com
WWW.GK3ARCHITECTURE.COM

OWNER:
FANTASTIC INDOOR SWAP MEET, INC.
889 S. RAINBOW BLVD.
LAS VEGAS, NV 89145
TEL.: (702) 877-0087

PROJECT:
FANTASTIC INDOOR SWAP MEET, INC. DISASTER REPAIR
1171 S. DECATUR BLVD.
LAS VEGAS, NV 89102
APN: 162 06 301 002

SEAL:

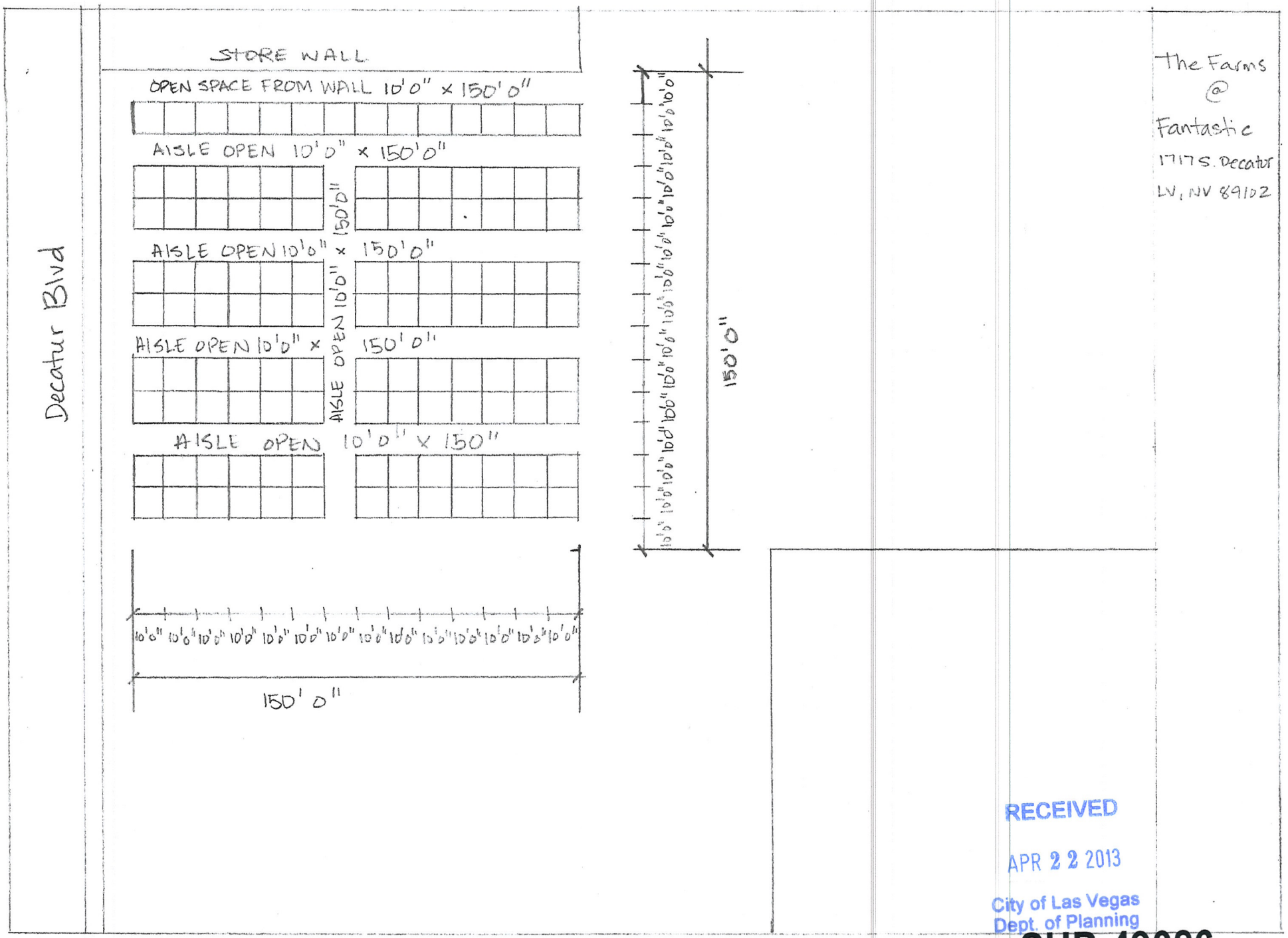
REVISIONS

NO.	DESCRIPTION

SHEET TITLE: SITE PLAN

SCALE: AS NOTED
DATE: 10-15-2012
ISSUED FOR: PERMIT
SHEET: A1.0

SUP-49086
REVISED



The Farms
@
Fantastic
1717 S. Decatur
LV, NV 89102

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Dept. of Planning

SUP-49086



SUP-49086 - APPLICANT: MEGAN KAYS - OWNER: DOUGLAS KAYS
1717 SOUTH DECATUR BOULEVARD

05/02/13



SUP-49086 - APPLICANT: MEGAN KAYS - OWNER: DOUGLAS KAYS
1717 SOUTH DECATUR BOULEVARD

05/02/13



SUP-49086 - APPLICANT: MEGAN KAYS - OWNER: DOUGLAS KAYS
1717 SOUTH DECATUR BOULEVARD

05/02/13

Justification Letter for Proposed Revision to Site Plan for "The Farms"

To Whom It May Concern:

The proposed revision for this Temporary Commercial Permit is to move the site location South along Decatur Blvd to the south side of the large Fantastic Indoor Swap Meet sign. The site plan size would remain the same at 150' 0" squared. The site is used for a Produce & Food Vendor Farmers Market to be located in the parking lot of Fantastic Indoor Swap meet, located at 1717 S Decatur Blvd, Las Vegas, NV 89102, along the strip of parking bordering Decatur Blvd. The reason for this revision is that the new site location provides better access to water and power, improved street viewing for the vendors, and an improvement in breezes to help control the heat in the parking lot to better protect the fresh produce being sold on site.

The second proposed revision to this Temporary Commercial Permit is to change the operating dates to read May 10, 2013 to November 6, 2013. The reason for this revision is that the Market was unable to open on the original proposed date of May 5, 2013 and so opened for operation on May 10, 2013. Growth of The Farms would be capped at 75 total vendors per day, with 3 parking spaces provided for each vendor on site; one space for the vendors' personal vehicles to remain for the duration of the business day, and two additional spaces provided for customers who come and go throughout the hours of operation.

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PLANNING & DEVELOPMENT

SUP-49086

REVISED

City of Las Vegas Agenda Item No.: **42.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

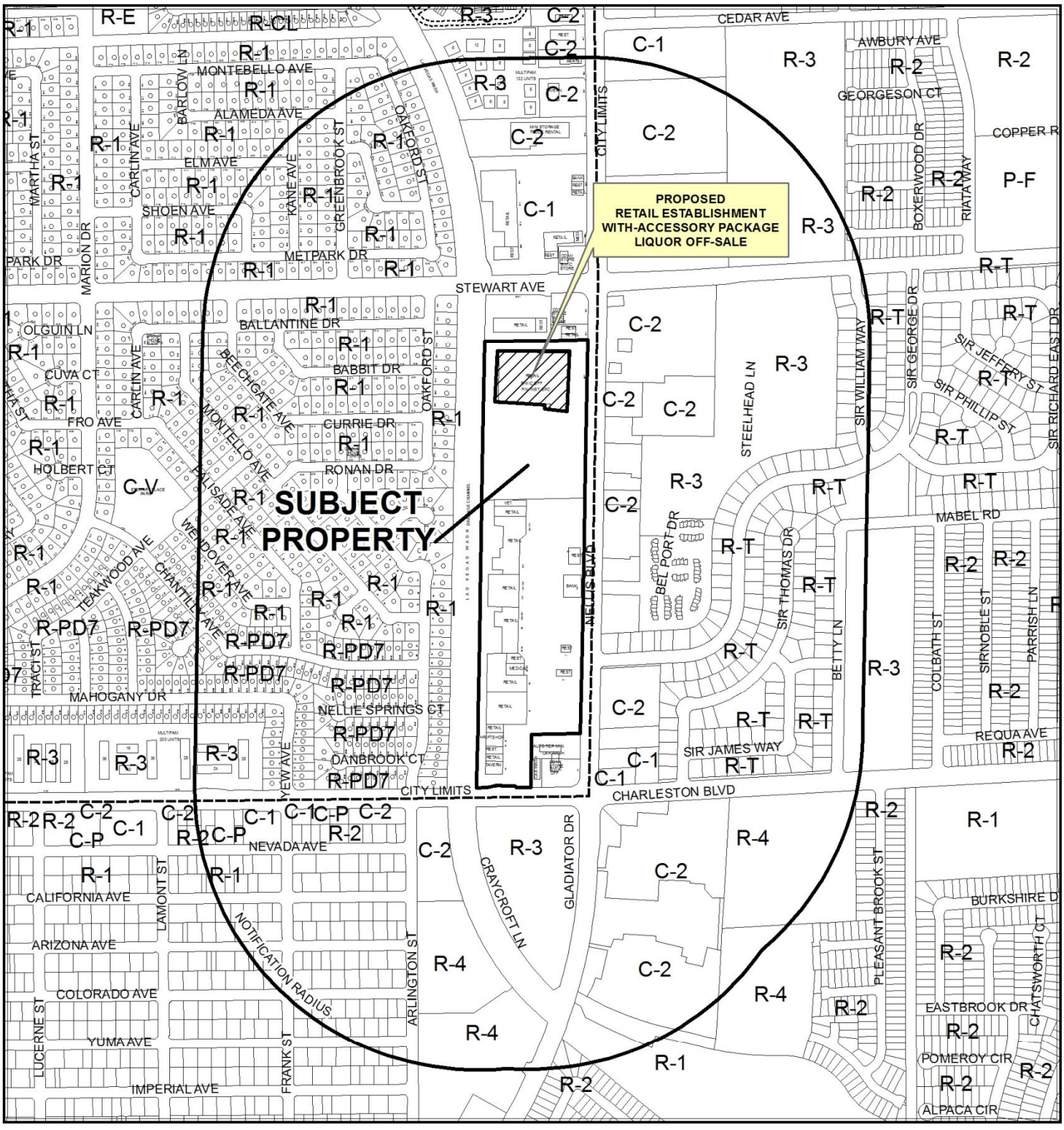
SUBJECT:
SUP-49152 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WAL-MART STORES, INC. - OWNER: WRI CHARLESTON COMMONS, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE WITHIN AN EXISTING 118,348 SQUARE-FOOT GENERAL RETAIL STORE at 201 North Nellis Boulevard (APN 140-32-701-003), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
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:

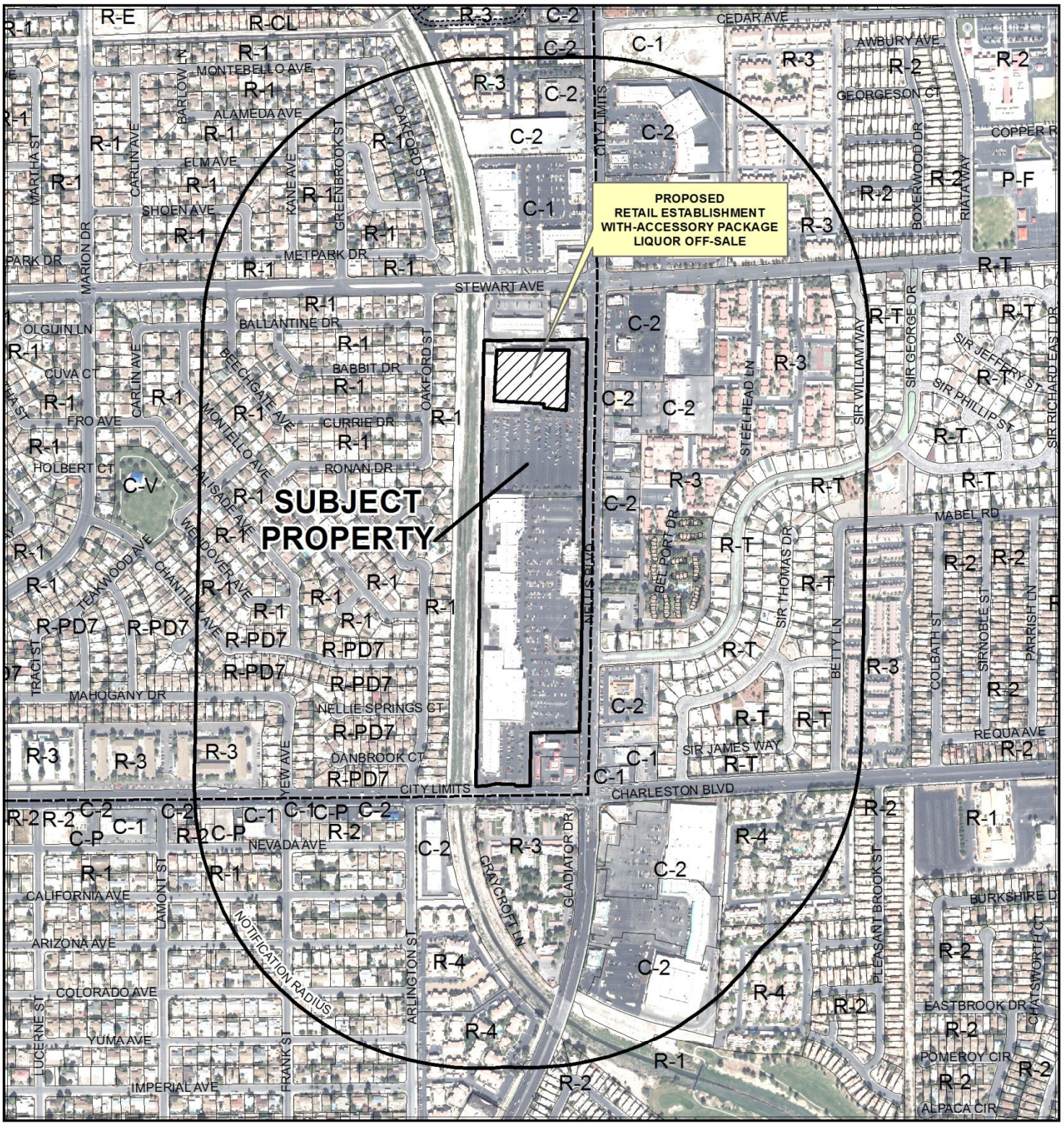
BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo
5. Justification Letter



CASE: **SUP-49152**

RADIUS: 1500 FEET

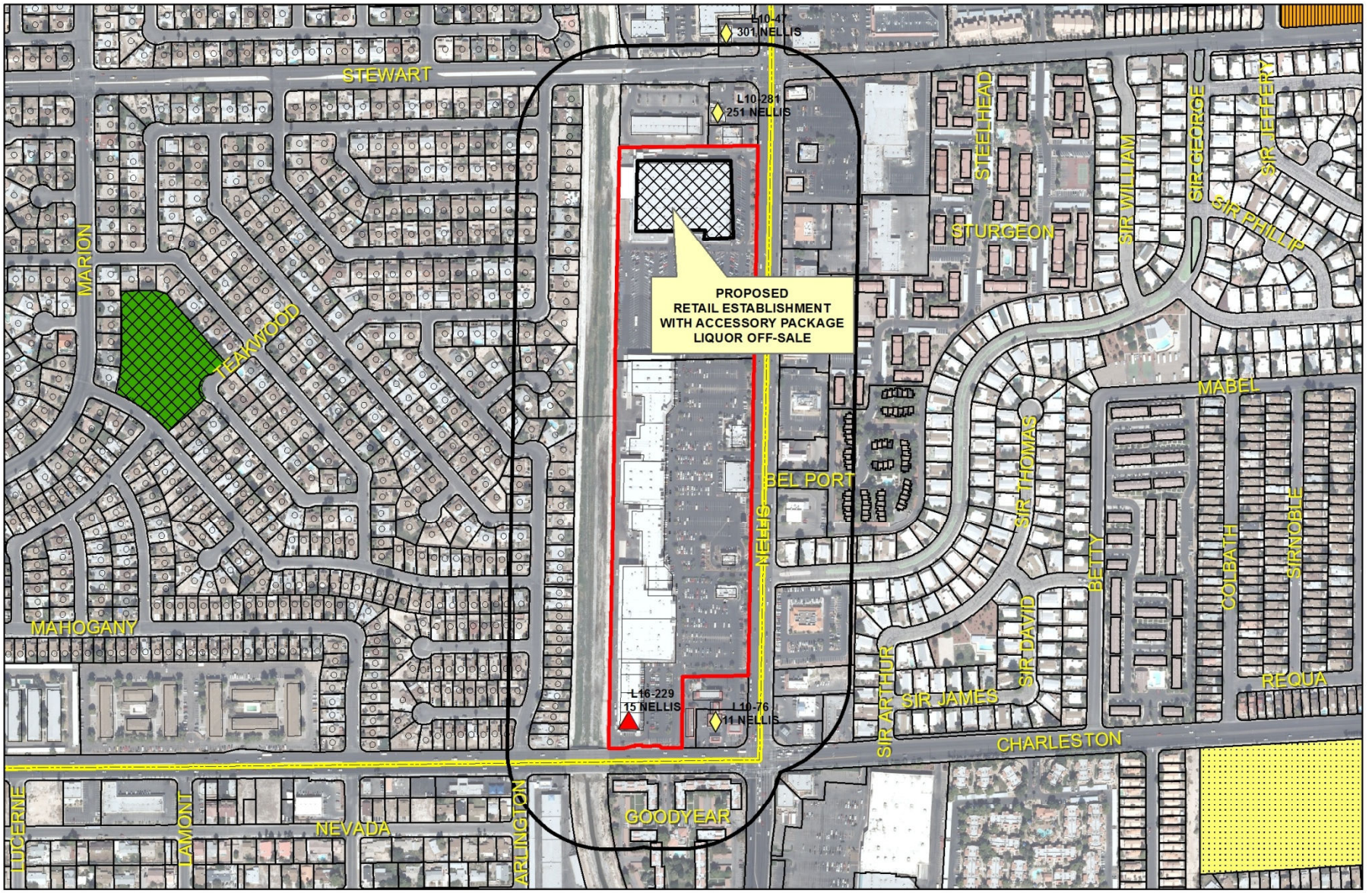
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: **SUP-49152**

RADIUS: 1500 FEET

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



SUP-49152

Package Liquor Sales

Business Licenses

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

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: WAL-MART STORES, INC. - OWNER: WRI CHARLESTON COMMONS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-49152	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-49152 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for A Retail Establishment with Accessory Package Liquor Off-Sale use is required.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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. Approval of this Special Use Permit does not constitute approval of a liquor license.

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

7. All beer and wine coolers shall remain in the original manufacturer's configuration intended for off-sale resale.

8. 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 request for a Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-Sale within an existing 118,348 retail establishment within the Charleston Commons Shopping Center at 201 North Nellis Boulevard. The proposed site meets the Title 19.12 requirements for a Retail Establishment with Accessory Package Liquor Off-Sale use; therefore, staff recommends approval with conditions. If denied, no packaged liquor display or sales would be permitted.

ISSUES

- A Special Use Permit is required for a Retail Establishment with Accessory Package Liquor Off-Sale in a C-1 (Limited Commercial) zone. Staff supports this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/03/88	The City Council approved a Rezoning (Z-0061-88) for a proposed Retail/Commercial Center from R-1 (Single Family Residence) and R-3 (Limited Multiple Residence) to C-1 (Limited Commercial) on the west side of Nellis Boulevard between Stewart Avenue and Charleston Boulevard. The Planning Commission and staff recommended approval.
03/19/03	The City Council approved a Site Development Plan Review (SDR-1568) and a Waiver of the ten-foot side setback requirement for a proposed 6,545 square-foot metal canopy addition at 201 North Nellis Boulevard. The Planning Commission and staff recommended approval.
11/05/08	The City Council denied a Special Use Permit (SUP-29450) for a 129,515 square-foot Retail Establishment with Accessory Package Liquor Off-Sale use at 201 North Nellis Boulevard. The Planning Commission and staff recommended approval.
11/16/11	The City Council approved a Site Development Plan Review (SDR-43021) for a Major Amendment to an approved Plot Plan Review (Z-0061-88) for a proposed 14,000 square-foot expansion to an existing 118,000 square-foot General Retail Store, Other Than Listed on 10.51 acres at 201 North Nellis Boulevard. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
12/22/06	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
04/18/90	A building permit (#90064910) was issued for a shell building at 201 North Nellis Boulevard. The permit was finaled on 10/24/90.
11/09/90	A business license (#D16-00028) was issued for a department store at 201 North Nellis Boulevard. This license remains active.
11/09/90	A business license (#C05-01498) was issued for a tobacco dealer at 201 North Nellis Boulevard. This license remains active.
02/14/91	A business license (#C08-01383) was issued for a coin amusement machine at 201 North Nellis Boulevard. The business license was marked out on 08/22/08.
04/10/96	A building permit (#96007091) was issued for the retail expansion of the garden shop at 201 North Nellis Boulevard. The permit was finaled on 07/13/96.
05/02/96	A building permit (#96008723) was issued for the garden shop expansion at 201 North Nellis Boulevard. The permit expired on 02/08/97.
03/04/02	A business license (#A23-01932) was issued for a bookkeeper at 201 North Nellis Boulevard. This license remains active.
10/30/02	A business license (#R09-01173) was issued for a restaurant seating 45 or more at 201 North Nellis Boulevard. This license remains active.
07/02/03	A building permit (#3013745) was issued for a canopy structure over garden area at 201 North Nellis Boulevard. The permit was finaled on 09/26/03.
02/14/05	A business license (#C22-00022) was issued for a check cashing service at 201 North Nellis Boulevard. This license remains active.
09/11/07	A business license (#V02-01722) was issued for a vending machine at 201 North Nellis Boulevard. This license remains active.
01/08/08	A business license (#Q04-00036) was issued for a pharmacy at 201 North Nellis Boulevard. This license remains active.
06/16/08	A business license (#P35-00879) was issued for an outdoor pay phone per location at 201 North Nellis Boulevard. This license remains active.
08/05/08	A business license (#W10-00175) was issued for a wire service at 201 North Nellis Boulevard. This license remains active.
01/12/12	A building permit (#T44142) for a Traffic Impact Analysis related to a 14,000 square-foot expansion of an existing General Retail Store was approved at 201 North Nellis Boulevard.

Pre-Application Meeting	
04/16/13	Staff reviewed the requirements for a Retail Establishment with Accessory Package Liquor Off-Sale in an established General Retail Store at 201 North Nellis Boulevard. All code requirements will be met per applicant.

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

Field Check	
05/02/13	Staff visited the site and found a clean, secure, well maintained shopping center.

Details of Application Request	
Site Area	
Net Acres	10.59

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	GC (General Commercial)	C-1 (Limited Commercial)
South	Multi-Family Residential	RH (Residential High) Clark County	R-3 (Multiple-Family Residential District) Clark County
East	Shopping Center	GC (Commercial General) Clark County	C-2 (General Commercial District) Clark County
	Multi-Family, Attached	RH (Residential High) Clark County	R-3 (Multiple-Family Residential District) Clark County
	Fire Station	PF (Public Facilities) Clark County	P-F (Public Facility District) Clark County
	Mobile Home Park	RS (Residential Suburban) Clark County	R-T (Manufactured Home Residential District) Clark County
	Restaurant	GC (Commercial General) Clark County	C-1 (Local Business District) Clark County

West	Single-Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
		ML (Medium-Low Density Residential)	R-PD7 [Residential (Planned Development – 7 units per acre)]

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
No Applicable Special Purpose or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	Y

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Nellis Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y
Stewart Avenue	Secondary Collector	Master Plan of Streets and Highways	80	Y
Charleston Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	118,346 SF	1/250 SF	474				
TOTAL SPACES REQUIRED			474		700		Y
Regular and Handicap Spaces Required			465	9	684	16	Y
Loading Spaces	118,346	3/first 50,000 than 1 for each additional 50,000	5		5		Y

ANALYSIS

The applicant is requesting a Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-Sale use in an existing General Retail Store located in a shopping center at 201 North Nellis Boulevard. This shopping center is located on the west side of Nellis Boulevard in the City limits. The east side of Nellis Boulevard is located within Clark County; therefore, this is a project of regional significance.

The Retail Establishment with Accessory Package Liquor Off-Sale use is defined as "Description: A retail establishment: 1. Whose license to sell alcoholic beverages authorizes their sale to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold; and 2. In which the sale of alcoholic beverages is ancillary to the retail use, and in which no more than 10 percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages. This use includes an establishment that provides on-premises wine, cordial and liqueur tasting if the licensee also holds a wine, cordial and liqueur tasting license for that location." The proposed use meets the definition as reflected in the applicants' justification letter.

Minimum Special Use Permit Requirements:

1. Except as otherwise provided, no retail establishment with accessory package liquor off-sale (hereinafter "establishment") shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park. There are no protected uses with 400 feet of the proposed location.

2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of: a. Any leasehold parcel; or b. Any parcel which lacks access to a public street or has no area for onsite parking and which has been created so as to avoid the distance limitation described in Requirement 1. This condition does not apply as no protected uses are within 400 feet of the proposed location.

3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line: a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles. This condition does not apply to subject site.

4. When considering a Special Use Permit application for an establishment which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision. This condition does not apply as no waivers are requested.

5. The minimum distance requirements in Requirement 1 do not apply to: a. An establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or b. A proposed establishment having more than 50,000 square feet of retail floor space. This condition does not apply.

6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50. This condition will be met and verified during regular staff inspections.

7. The minimum distance requirements set forth in Requirement 1, which are otherwise nonwaivable under the provisions of LVMC 19.12.050(C), may be waived: a. In accordance with the provisions of LVMC 19.12.050(C) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District; b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T C (Town Center) Zoning District and which is designated MS TC (Main Street Mixed Use) in the Town Center Land Use Plan; c. In connection with a

proposed establishment having between 20,000 square feet and 50,000 square feet of retail floor space; or d. In connection with a retail establishment having less than 20,000 square feet of retail floor space; if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right-of-way with a width of at least 100 feet. This condition does not apply.

Staff recommends approval, with conditions.

FINDINGS (SUP-49152)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

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

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

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

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

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

   Primary site access is provided from Nellis Boulevard, a 100-foot Primary Arterial as designated in the Master Plan of Streets and Highways. Secondary access is via Stewart Avenue and Charleston Boulevard. These streets are of sufficient size to accommodate the needs of the proposed use.

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

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

5. The use meets all of the applicable conditions per Title 19.12.

The proposed use will be located within an existing General Retail Establishment in a shopping center and complies with all minimum Special Use Permit requirements for a Retail Establishment with Accessory Package Liquor Off-Sale use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 1,258

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-49152** APN: 140-32-701-003

Name of Property Owner: WRI Charleston Commons, LLC

Name of Applicant: Wal-Mart Stores, Inc. dba Wal-Mart #1559

Name of Representative: Brownstein Hyatt Farber Schreck, LLP (Andrew Moore, Attorney)

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

☐ **Yes** ☒ **No**

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

City Official: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner: By

Print Name: Joe D. Shafer
Sr. Vice President

Subscribed and sworn before me

This 16th day of April, 2013

Notary Public in and for said County and State

ALISON K SPENCER
Notary Public, State of Texas
My Commission Expires
JANUARY 19, 2017

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City of Las Vegas
Dept. of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 201 North Nellis Blvd., Las Vegas, NV 89110

Project Name Wal-Mart - Special Use Permit Store #1559 **Proposed Use** Retail Establishment with Accessory Package Liquor

Assessor's Parcel #(s) APN 140-32-701-003 **Ward #** 3

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

Commercial Square Footage 118,348 sq ft. **Floor Area Ratio** N/A

Gross Acres 10.51 **Lots/Units** 1 **Density** N/A

Additional Information

PROPERTY OWNER WRI Charleston Commons, LLC C/O Weingarten Realty **Contact** Susan McMasters
Address 860 S. Rancho Drive, Suite 10 **Phone:** (702) 259-7935 **Fax:** (702) 642-5673
City Las Vegas **State** NV **Zip** 89106
E-mail Address SMcMasters@Weingarten.com

APPLICANT Wal-Mart Stores, Inc. dba Wal-Mart #1559 **Contact** Sheri Williamsen
Address 201 North Nellis Blvd. **Phone:** 702.452.9998 **Fax:** 702.547.9350
City Las Vegas **State** NV **Zip** 89110
E-mail Address sdwilli.s01559.us@wal-mart.com

REPRESENTATIVE Brownstein Hyatt Faber Schreck, LLP **Contact** Andrew Moore, Attorney
Address 100 N. City Parkway, Suite 1600 **Phone:** 464-7093 **Fax:** 382-8135
City Las Vegas **State** NV **Zip** 89106
E-mail Address amoore@bhfs.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 Joe D. Stafer Sr. Vice President

Subscribed and sworn before me

This 16th day of April, 20 13.

Alison K Spencer

Notary Public in and for said County and State

ALISON K SPENCER
Notary Public, State of Texas
My Commission Expires
JANUARY 19, 2017

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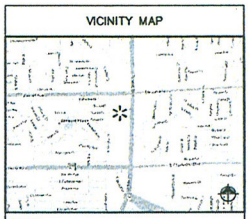
Dept. of Planning

FOR DEPARTMENT USE ONLY

Case #	SUP-49152
Meeting Date:	06/11/13
Total Fee:	$1280.00
Date Accepted:	04/24/13
Accepted By:	Jonathan B.

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

VICINITY MAP



SITE DATA

SITE LOCATION	SOUTHWEST CORNER OF NELLIS BLVD. AND STEWART AVE.
SITE ADDRESS	301 N. NELLIS BLVD
EXISTING SITE AREA	10.51 ACRES +/- (453,839 SF)
ZONING CLASSIFICATION	C-1
LAND USE CLASSIFICATION	LIMITED COMMERCIAL
LOCAL JURISDICTION	CITY OF LAS VEGAS, LAS VEGAS, NV

BUILDING DATA

GROSS BUILDING AREA	118,348 SF
BUILDING HEIGHT	
MAXIMUM BY CODE	N/A
RETAIL CENTER	30'
BUILDING COVERAGE	
MAXIMUM BY CODE	50%
EXISTING BUILDING	26%
SETBACKS REQUIRED	
BUILDING	10' SIDE 20' FRONT & REAR
LANDSCAPE (SUBJECT TO REVIEW)	15' FROM ROW

PARKING DATA

(ALL CALCULATIONS BASED ON GROSS SQUARE FOOTAGE OF BUILDING)

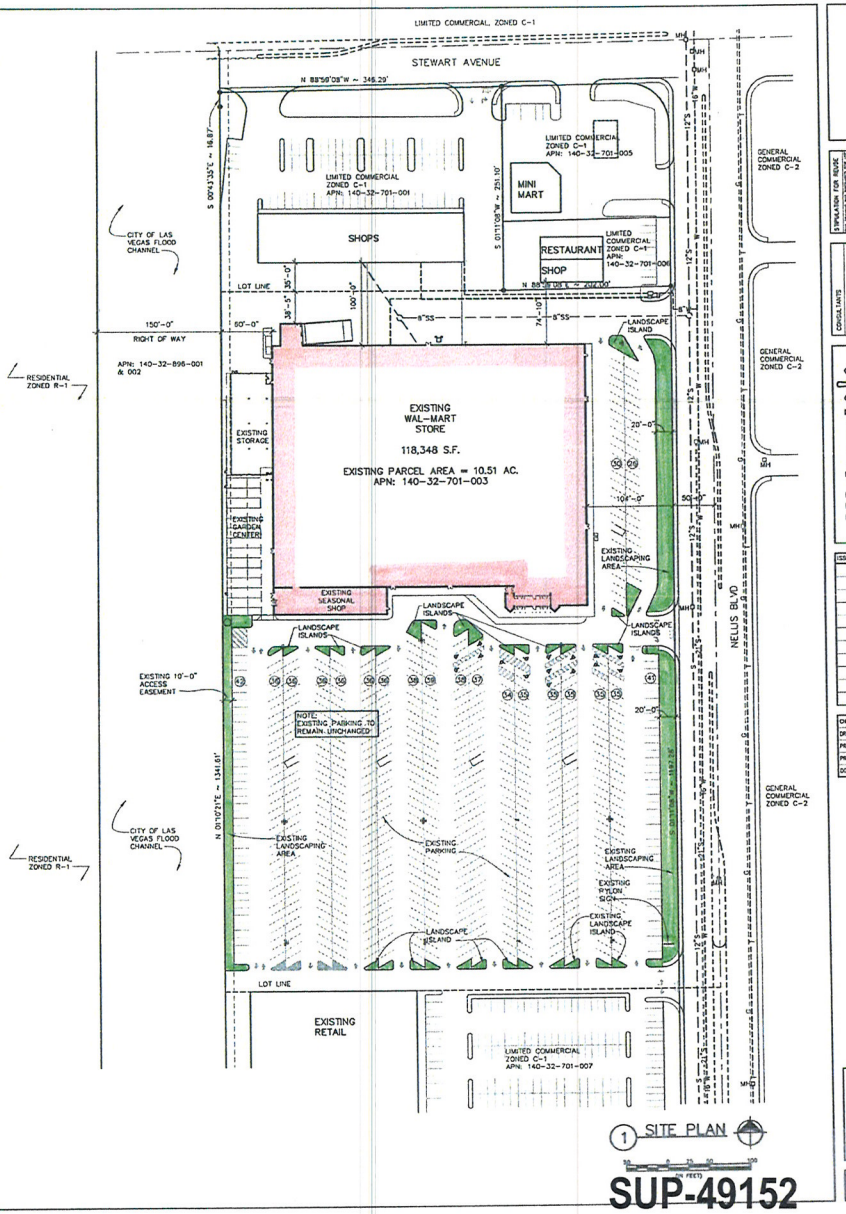
WALMART PREFERRED PARKING (5 STALLS/1000gsf)	STALLS 592
CODE REQUIRED PARKING SPACES (1 STALL/250 gsf)	STALLS 473
PARKING PROVIDED	
PARKING STALLS	700 STALLS
ACCESSIBLE STALLS	16 STALLS
TOTAL (4.11 STALLS/1000 gsf)	716 STALLS

PARKING NOTES

1. EXISTING PARKING DOES NOT CONFORM TO UPDATED WALMART LANDSCAPE STANDARDS
2. 60° PARKING: 9.5' WIDTH, 18' LENGTH
3. ONE-WAY AISLE = 20' WIDTH
4. STORE FRONTAGE AISLE WIDTH = 30'
5. THIS LAYOUT INCLUDES NEW PARKING LOT ISLAND CONFIGURATION, WITH NEW STRIPING.

PYLON SIGN INFORMATION

SIGN HEIGHT	20'-0" A.F.G.
MAIN SIGN CABINET	120 SF (6'H X 20'L)
ANCILLARY SIGN CABINET	18 SF (2'H X 9'L)



1 SITE PLAN

SCALE: 1" = 50' (IN FEET)

SUP-49152

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Walmart
LAS VEGAS (NE), NV
STORE NO. 1559

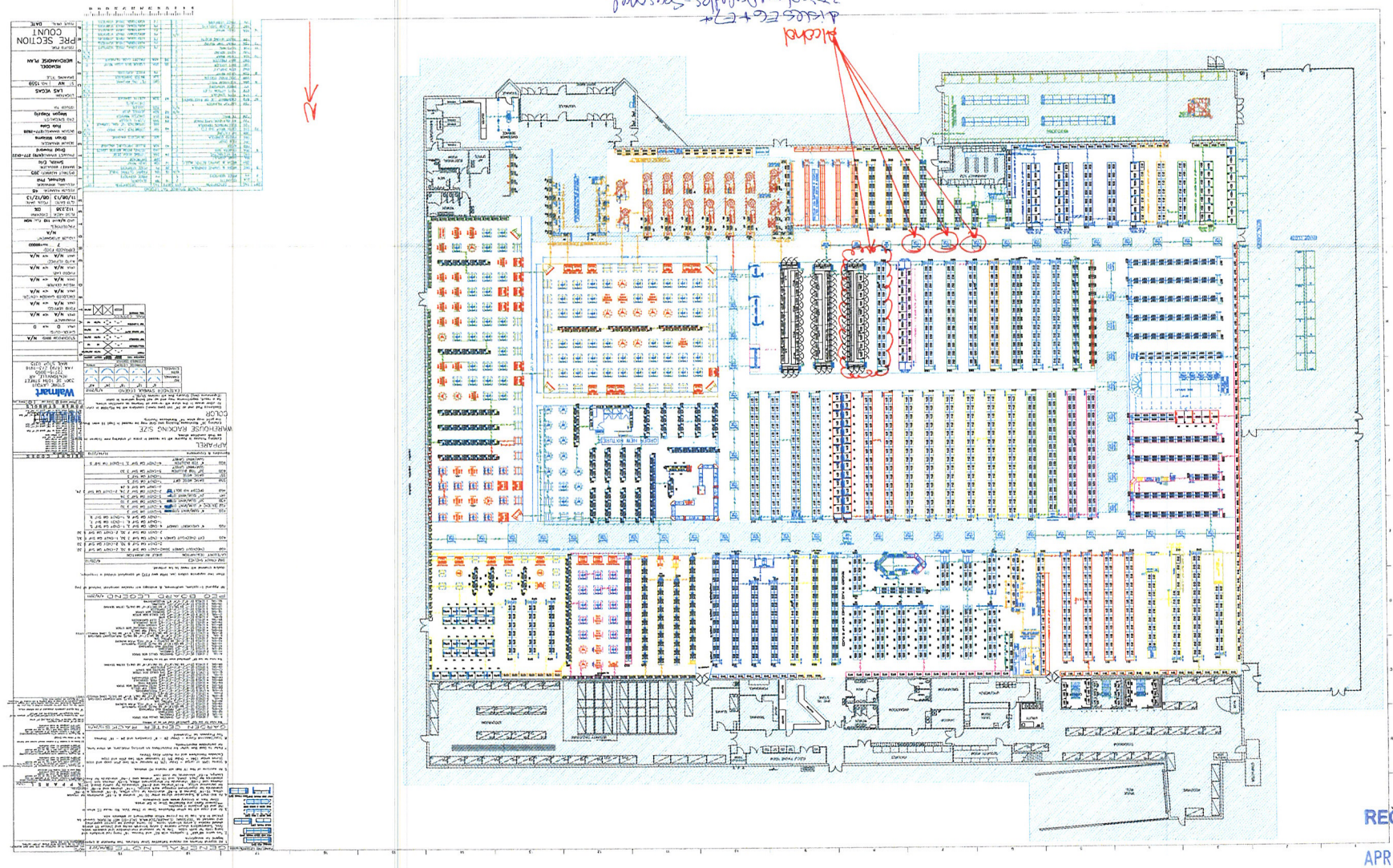
CHECKED BY:	SAP
DRAWN BY:	JC
PROJ:	112 WM
PROJ CYCLE:	01/25/13
DOCUMENT DATE:	03/29/13

FOR INFORMATION ONLY

EXISTING SITE PLAN

SHEET: SP1

Apr 22, 2013 - 4:48pm - JOE Jenkins
J:\12 Re-Work Sessions\1559 Pahrump, NV\003 Permits\Las Vegas\1559 - SP1 EXISTING SITE PLAN - 1559.dwg



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SUP-49152

LEGEND

X OCCUPANTS	MAX OCCUPANTS
XX	EGRESS WIDTH

OCCUPANCY REQUIREMENTS

OCCUPANT LOAD FACTORS

SALES	30 S.F. / OCCUPANT	
OFFICE	100 S.F. / OCCUPANT	
STORAGE	300 S.F. / OCCUPANT	

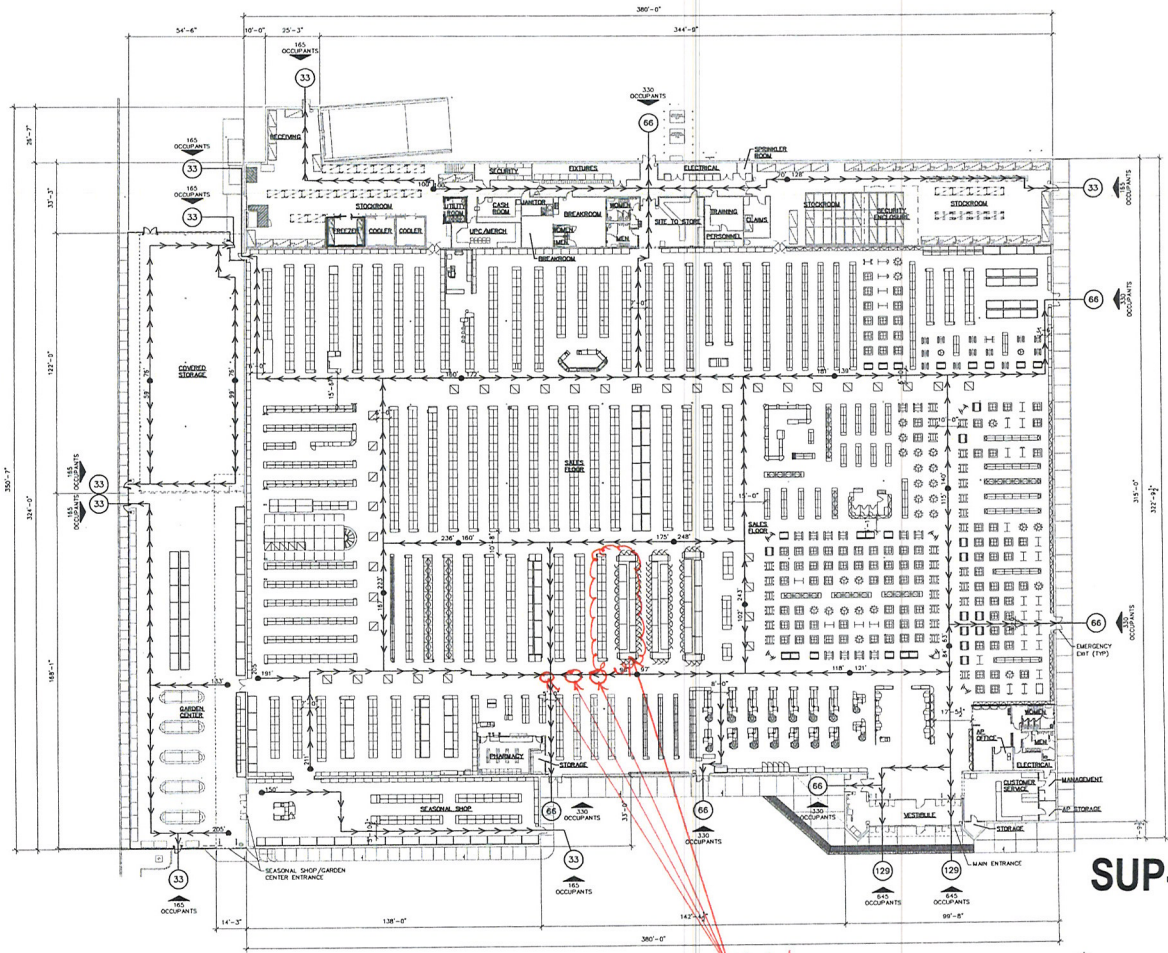
OCCUPANT LOAD CALCULATIONS

BUILDING

SALES AREA:	101,944 S.F. / 30	=	3,399	OCCUPANTS
OFFICE:	5,415 S.F. / 100	=	55	OCCUPANTS
STORAGE:	10,989 S.F. / 300	=	37	OCCUPANTS
TOTAL:	118,348 S.F.		3491	OCCUPANTS

OUTDOOR AREAS

GARDEN CENTER:	9,170 S.F. / 30	=	306	OCCUPANTS
COVERED STORAGE:	6,545 S.F. / 300	=	22	OCCUPANTS
TOTAL OUTDOOR AREA:	15,715 S.F.		328	OCCUPANTS



Alcohol
Aisles E6 & E7
3 Display Pallets - Seasonal

1 FLOOR PLAN

(IN FEET)

STIPULATION FOR REUSE

CONSULTANTS

Walmart
LAS VEGAS (NE), NV
STORE NO. 1559
JOB NUMBER: 1202081 PROTO: 112 WM

ISSUE BLOCK

CHECKED BY:	SAP
DRAWN BY:	JC
PROTO	112 WM
PROTO CYCLE	01/25/13
DOCUMENT DATE:	03/29/13

FOR INFORMATION ONLY

SUP-49152

FLOOR PLAN

SHEET

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SUP-49152 - APPLICANT: WAL-MART STORES, INC. - OWNER: WRI CHARLESTON COMMONS, LLC
201 NORTH NELLIS BOULEVARD

05/02/13

Brownstein Hyatt
Farber Schreck

April 4, 2013

Andrew D. Moore
Attorney at Law
702.464.7093 tel
702.382.8135 fax
amoore@bhfs.com

VIA HAND DELIVERY

City of Las Vegas
Department of Planning
Attn: Flinn Fagg
333 North Rancho Drive
Las Vegas, NV 89106

RE: Wal-Mart Stores, Inc. d/b/a Wal-Mart (Store #1599) – Justification Letter for Special Use Permit

Dear Mr. Fagg:

We represent Wal-Mart Stores, Inc. ("Wal-Mart") with regard to its request for a special use permit ("SUP") to allow a Package Liquor Off-Sale Establishment license (the "Proposed Use") within an existing 112,238 square foot Wal-Mart Store (Store #1559; the "Store") located at 201 N. Nellis Blvd. in the City of Las Vegas (APN #140-32-701-003; the "Property"). The Store is located within a C-1 (Limited Commercial) zoning district, which allows for the sale of alcoholic beverages to consumers only (not for resale) in original sealed or corked containers for off-premises consumption with the approval of a SUP.

The Store employs approximately 260 people and is open 24 hours per day. Among other licenses issued by the City of Las Vegas (the "City"), the Store currently holds a grocery/mega store license (License #G60-00084). Wal-Mart intends to renovate the Store to provide limited grocery, produce and bakery items to its customers. As part of the planned renovation, the Store wants to sell alcoholic beverages to its customers over the age of 21 for off-premises consumption. Before applying for a liquor license, the Store must obtain a SUP for the Proposed Use.

Pursuant to Title 19.16.110(L) of the City Municipal Code (the "Code"), in order to approve a proposed SUP, the Planning Commission or City Council must determine that:

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

    - The Store has been open for many years and is located in the Charleston Commons shopping complex on the western side of Nellis Boulevard between Charleston Boulevard and Stewart Avenue. Given its location on Nellis Boulevard, the Store is located in a location densely populated with retail shopping centers. The Proposed Use will be ancillary to the other retail items available at the store. Only two aisles of the 112,238 square foot store will be used for beer, wine and liquor shelving. As a retail store with more than 50,000 square feet of retail space, the Store is exempt from the minimum distance requirements for the Proposed Use. However, there are no

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SUP-49152

protected uses (churches, synagogues, schools, child care facilities licensed for more than 12 children, or City parks) located within 400 feet of the Store.

For these reasons, we believe that the Proposed Use will be conducted in a manner that is both harmonious and compatible with the surrounding neighborhood because it conforms to the standard conditions and requirements contained in the Code and because the Proposed Use comports with the existing and future surrounding land uses.

2. The subject site is physically suitable for the type and intensity of the Proposed Use.

   - As noted above, the Proposed Use will be located within an existing retail establishment, which is physically suitable for the type and intensity of the land use proposed. The area within the Store designated for the Proposed Use will be less than 10% of the Store's retail square footage. Similar to other Wal-Mart stores in Las Vegas, employees at the Store will undergo training programs to ensure that individuals purchasing alcoholic beverages are at least 21 years old. The Store will ensure that adequate surveillance cameras are in place to deter and prevent underage customers from stealing any alcoholic beverages.

3. Street or highway facilities providing access to the Property are adequate in size to meet the requirements of the Proposed Use.

   - The Proposed Use will be located within an existing retail establishment. It is not anticipated that the Store renovation will dramatically increase traffic to and from the Store. The Store is accessed off of Nellis Boulevard, which is of sufficient size to accommodate the Proposed Use. The Proposed Use does not create any additional parking requirements.

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

   - The Proposed Use will be subject to regular City requirements for privileged licensing. As part of this requirement, the Store's General Manager will need to be investigated and found suitable as a key employee. Additionally, employees at the Store will undergo the required alcohol awareness training for retail establishments selling alcoholic beverages in Nevada. With such requirements in place, the Proposed Use will not compromise the public health, safety and general welfare of the City. Additionally, unlike on-sale liquor establishments where customers purchase and consume alcoholic beverages on-premises and potentially get in their cars and drive to their residences, the Proposed Use is for off-site consumption. The Proposed Use would allow the Store to sell alcoholic beverages to consumers only, and not for resale, in original sealed or corked containers, for consumption off the premises where the alcoholic beverages are sold. Therefore, there is not a substantial risk of an increase in drunk driving related to the Proposed Use.

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SUP-49152

Based upon the foregoing, we respectfully request your approval of the Wal-Mart's request for a SUP for the Proposed Use within the existing Store.

If you have any questions, please contact me. Thank you for your consideration of this request.

Sincerely,

Andrew D. Moore

ADM

008810\0093\1816022.2

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SUP-49152

City of Las Vegas Agenda Item No.: **43.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

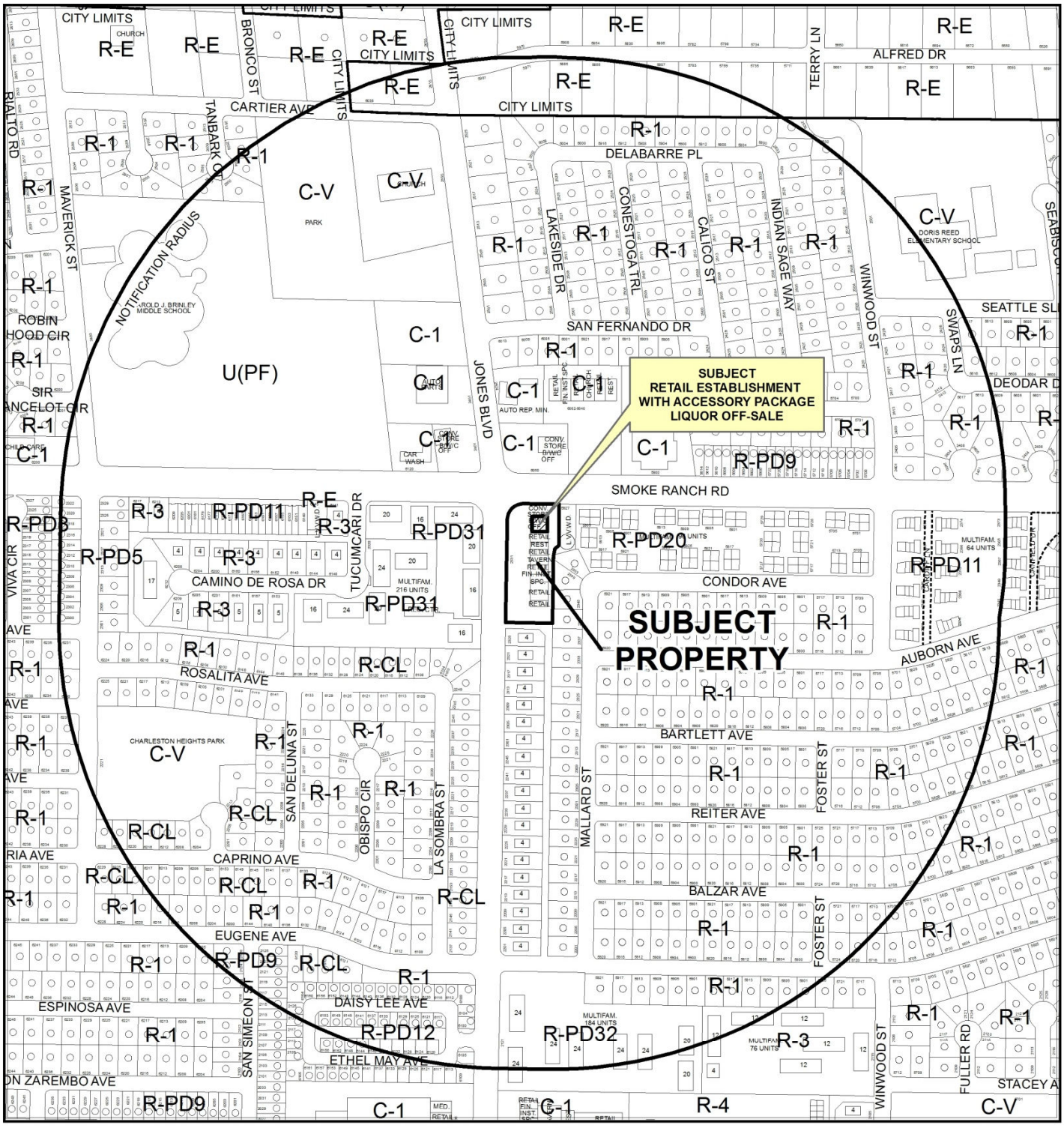
SUBJECT:
SUP-49154 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ALLSTAR MINIMART - OWNER: S & J SHOPPING CENTER, LLC - For possible action on a request for a Major Amendment to an approved Special Use Permit (SUP-39812) TO ADD 45 SQUARE FEET OF ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 2,400 SQUARE-FOOT CONVENIENCE STORE at 2339 North Jones Boulevard (APN 138-24-101-001), C-1 (Limited Commercial) Zone, Ward 5 (Barlow) [PRJ-49037]. Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
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



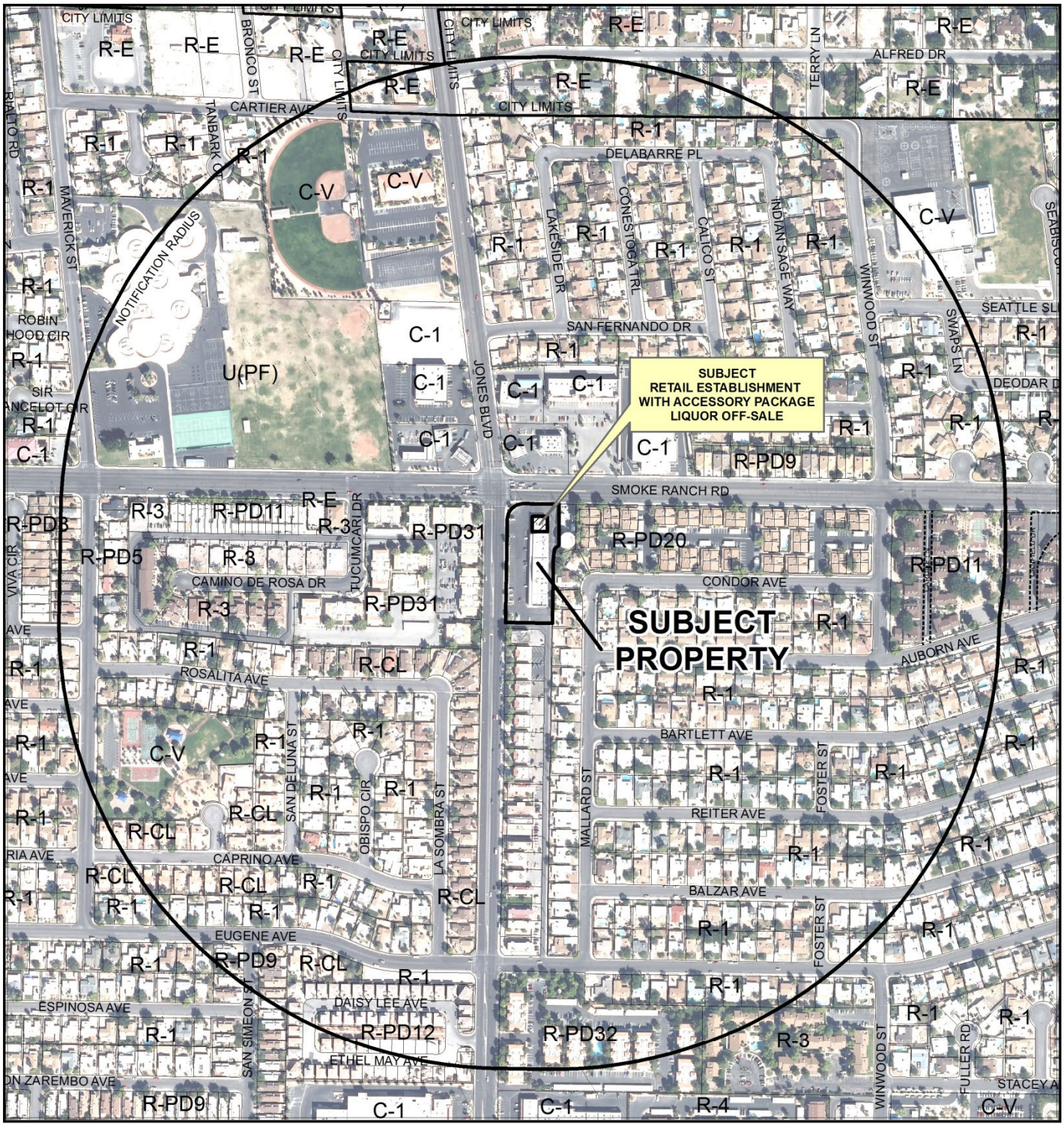
0 400 800 Feet

CASE: **SUP-49154 (PRJ-49037)**

RADIUS: 1500 FEET

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

N



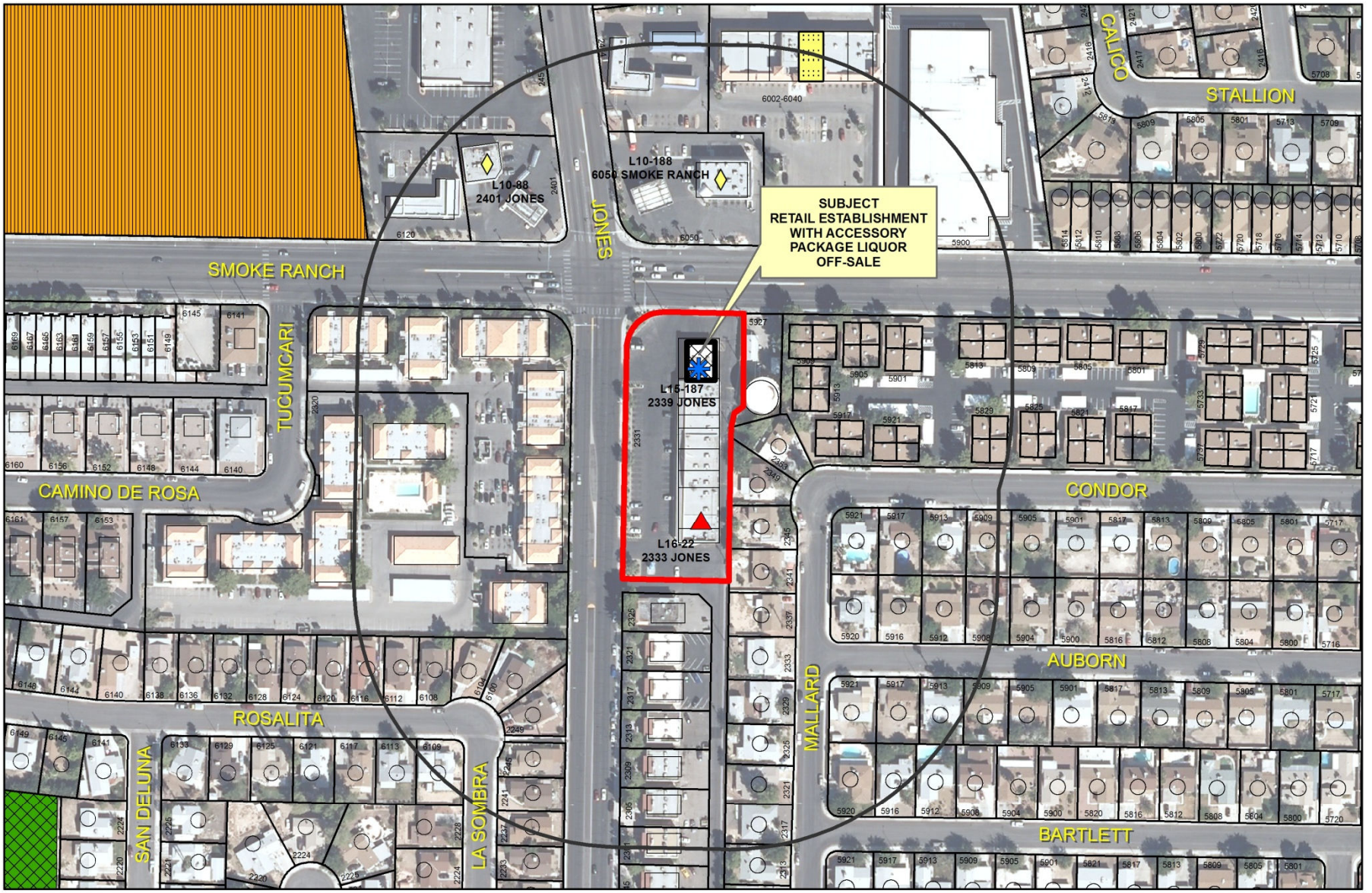
0 400 800 Feet

CASE: **SUP-49154 (PRJ-49037)**

RADIUS: 1500 FEET

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

N



SUP-49154
(PRJ-49037)

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 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: ALLSTAR MINIMART - OWNER: S & J SHOPPING CENTER, LLC

** STAFF RECOMMENDATION **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-49154	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-49154 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Retail Establishment with Accessory Package Liquor use.

2. Conformance to the approved conditions for Special Use Permit (SUP-39812).

3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. All signage shall be permitted and meet minimum code requirements within 30 days of final approval.

5. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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. Approval of this Special Use Permit does not constitute approval of a liquor license.

MH

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

9. All beer and wine coolers shall remain in the original manufacturer's configuration intended for off-sale resale.

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

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant has requested a Major Amendment to an approved Special Use Permit (SUP-39812) to add approximately 45 square feet of retail floor space to the established 15 square feet of Accessory Package Liquor Off-sale use within an existing 2,400 square-foot convenience store at 2339 North Jones Boulevard. The requested area of retail display expansion will encompass approximately 60 square feet of display area for package liquor and remains within the allowable 10 percent of retail floor area dedicated to the display of alcoholic beverages. Staff recommends approval of the proposed amendment to Special Use Permit (SUP-39812), as the use continues to meet the Title 19.12 requirements for a Retail Establishment with Accessory Package Liquor Off-Sale use. If denied, the applicant will not be allowed to expand the use, but will be allowed to retain the 15 square feet of retail display area for package liquor at 2339 North Jones Boulevard.

ISSUES

- The subject site is approved by Special Use Permit (SUP-39812) to allow 15 square feet of retail display areas for alcoholic beverages for the Retail Establishment with Accessory Package Liquor Off-Sale use.
- The requested 45 square-foot expansion of the approved Retail Establishment with Accessory Package Liquor Off-Sale use is greater than 50 percent; therefore, a Major Amendment to the approved Special Use Permit (SUP-39812) is required.
- A Waiver to allow a 100-foot distance separation from a Church where 400 feet is required was approved for the original Special Use Permit (SUP-39812). The Church is still active at this location.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/26/73	The City Council approved a reclassification of property (Z-0069-73) generally located on the southeast corner of Jones Boulevard and Smoke Ranch Road, from R-3 (Medium Density Residential) to C-1 (Limited Commercial) on the subject property. The Planning Commission recommended denial.
11/27/79	The Planning Commission approved a request for a Review of Conditions (Z-0069-73) relative to deferring landscaping on property generally located at the southeast corner of Jones Boulevard and Smoke Ranch Road. Staff recommended approval.

02/01/84	The City Council denied a request for a Plot Plan Review (Z-0069-73) to allow a 12-foot by 24-foot off-premise sign on property located at 2351 North Jones Boulevard. The Planning Commission and staff recommended denial.
08/20/03	The City Council denied a Special Use Permit (SUP-2329) for the sale of Accessory Package Liquor for Off-Premise consumption in conjunction with an existing Convenience Store at 2339 North Jones Boulevard. The Planning Commission and staff recommended denial.
11/18/10	The Planning Commission approved a Special Use Permit (SUP-39812) to add a 15 square-foot Accessory Package Liquor Off-Sale use within an existing 2,400 square-foot Convenience Store with a Waiver to allow a 100-foot distance separation from a church or synagogue where 400 feet is required at 2339 North Jones Boulevard. Staff recommended denial.

Most Recent Change of Ownership	
03/30/12	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
06/15/00	The business licenses for Tobacco Dealer-Retail (#C05-02027), Convenience Store (#C15-00256), Gaming Restricted (#G01-02054), and Beer/Wine/Cooler Off-Sale (#L10-00207) were issued at 2339 North Jones Boulevard. All licenses remain active; however, the Beer/Wine/Cooler Off-Sale license (#L10-00207) is encompassed by the Package Liquor license (L15-00187).
03/07/07	A business license (#N02-00141) for Check Cashing Only was issued at 2339 North Jones Boulevard. The license is active.
01/29/09	A business license (W10-00219) for a Wire Transfer Service was issued at 2339 North Jones Boulevard. The license is active.
12/23/10	A business license (#L15-00187) for Package Liquor located at 2339 North Jones Boulevard. This license remains active.

Pre-Application Meeting	
04/16/13	Staff met with the applicant and reviewed the requirements for a proposed expansion of an existing Retail Establishment with Accessory Package Liquor. It was determined that a Major Amendment to the approved Special Use Permit (SUP-39812) application would be required.

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

Field Check	
05/02/13	Staff completed a site visit and found the Convenience Store and surrounding retail area to be clean, free of debris, and no outstanding issues with banners or window signage.
Details of Application Request	
Site Area	
Net Acres	1.47

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Retail Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Convenience Store & Service Station	SC (Service Commercial)	C-1 (Limited Commercial)
South	Multi-Family Residence	M (Medium Low Density Residential)	R-3 (Medium Density Residential)
East	Utility Installation	PF (Public Facilities)	C-V (Civic)
West	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
No Applicable Special Purpose or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
General Retail, Other Than Listed (Convenience Store)	2,400 SF	1:175 SF	14				
General Personal Service (Beauty Shop)	4 stations	3 spaces per station	12				
Restaurant	1,500 SF 1,500 SF	1:50 SF 1:200 SF	30 8				
Office, Other Than Listed	1,000 SF	1:300 SF	4				
General Retail, Other Than Listed	1,000 SF	1:175 SF	6				
General Personal Service (Barber Shop)	6 chairs	2 spaces per chair	12				
Liquor Establishment (Tavern)	1,000 SF 3,000 SF	1:50 SF 1:200 SF	20 15				
Financial Institution, Specified	1,040 SF	1:250 SF	4				
TOTAL SPACES REQUIRED			125		69		
Regular and Handicap Spaces Required			120	5	62	7	Y*

*The subject site is parking impaired, per Title 19.18.

ANALYSIS

A Major Amendment to the approved Special Use Permit is required to expand the existing entitlement for Accessory Package Liquor Off-Sale use within an existing 2,400 SF Convenience Store (SUP-39812) which was approved with a waiver to allow a 100-foot separation distance from a church where 400 feet is required. The expansion of use is greater than 50 percent

When included with the existing 65 square feet of display area related to the previously established Beer/ Wine/Cooler Off-Sale use, the total 125 square feet of floor area dedicated to the sale of alcoholic beverages remains under the allowable 138 square feet of

The Church is still in place,

The Retail Establishment with Accessory Package Liquor Off-Sale use is defined as, "A retail establishment:

1. Whose license to sell alcoholic beverage authorizes their sale to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold; and
2. In which the sale of alcoholic beverages is ancillary to the retail use, and which no more than 10 percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages.

The proposed use meets the definition above, as the provided floor plans show XXX. As stated in the justification letter, the applicant proposes to operate a Restaurant in similar fashion to the other restaurant operating in Clark County.

The Minimum Special Use Permit Requirements for this use include:

1. Except as otherwise provided, no retail establishment with accessory package liquor off-sale (hereinafter "establishment") shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park.

2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

a. Any leasehold parcel; or

b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement 1.

3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:

a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or

b. In the case of a proposed establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the Retail Establishment with Accessory Package Liquor Off-Sale will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for an establishment which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

5. The minimum distance requirements in Requirement 1 do not apply to:

a. An establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or

b. A proposed establishment having more than 50,000 square feet of retail floor space.

*6. All businesses which sell alcoholic beverages shall conform to the provision of LVMC Chapter 6.50.

*7. The minimum distance requirements set for in Requirement 1, which are otherwise nonwaiveable

The proposed use complies with all Minimum Special Use Permit Requirements; there are no protected uses within 400 feet of this proposal, xxx. The proposed use is complementary to the variety of commercial uses and other existing retail establishments found on site.

The proposed use is located within a larger commercial subdivision, which provides cross-access and shared parking throughout the entire commercial center. Two handicap spaces are located adjacent to front of the building along with numerous parking spaces adjacent to the building. No additional parking required beyond that which is required for the principal use on the site, as parking requirements were addressed during the Site Development Plan Review for this site.

The established use has an approved Waiver of the minimum 400-foot distance separation requirement from a religious facility

in order to comply with all minimum Special Use Requirements of Title 19.04 requirements for a Retail Establishment with Accessory Package Liquor Off-Sale use. No additional parking is required for the proposed use. The proposed Retail Establishment with Accessory Package Liquor Off-Sale use is located in the A-O (Airport Overlay) District and meets the restriction of 105 feet. The proposed Retail Establishment with Accessory Package Liquor Off-Sale use has an existing on street bike lane located along the northern property line, the proposed Retail Establishment with Accessory Package Liquor Off-Sale use has no impact to the on street bike lane. Staff recommends denial of this request, due to the proximity of a religious facility. A similar application for a Special Use Permit (SUP-2329) was denied on August 23 2003.

Staff recommends approval of this request, as the use conforms to the Minimum Special use Permit Requirements and is a compatible use for the proposed location. If denied, the applicant would be allowed to operate a Restaurant without the ability to sell alcoholic beverages

FINDINGS (SUP-49154)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 amendment to the approved Special Use Permit (SUP-39812) for a Retail Establishment with Accessory Package Liquor Off-Sale remains compatible with the SC (Service Commercial) General Plan land use designation. The use is located within an existing commercial center with a substantial concentration of major commercial development. The proposed use can be conducted in a manner that is harmonious and compatible with the surrounding uses.

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

The proposed amendment is located within an established Convenience Store located at the north end of a shopping center that is physically suitable for the type and intensity of the proposed use. There is no additional parking requirement for the expansion of the retail sales and display area for the Accessory Package Liquor Off-Sale use other than that which has been established for the existing Convenience Store.

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.

Primary site access is from Smoke Ranch Road and Jones Boulevard. These streets are of sufficient size to continue meeting the needs of the existing Retail Establishment with Accessory Package Liquor Off-Sale use.

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

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

5. The use meets all of the applicable conditions per Title 19.12.

The proposed use complies with the conditions per Title 19.12, as the existing Special Use Permit (SUP-39812) was approved with a waiver. The provided floor plans show a total area of approximately 60 square feet of retail floor area dedicated to the retail display of package liquor and approximately 65 square feet of cooler space for beer, wine, and coolers. The sum total of all floor area for alcoholic beverages is approximately 125 square feet, which is still less than the 138 square feet that represents 10 percent of the retail display area.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 33

NOTICES MAILED 792

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-49154 APN: 138-24-101-001

Name of Property Owner: S & J Shopping Center LLC

Name of Applicant: Alistar Mini Mart

Name of Representative: Brown, Brown and 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: Barry W. Becker, manager

Subscribed and sworn before me

This 18th day of April, 2013

Bunny J. Reiman

Notary Public in and for said County and State

NOTARY PUBLIC
Bunny J. Reiman
STATE OF NEVADA-COUNTY OF CLARK
MY APPOINTMENT EXP APR. 25, 2016
No. 08-6529-1

PRJ-49037
04/24/13

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Major Amendment to a Special Use Permit

Project Address (Location) 2339 North Jones

Project Name Allstar Mini Mart **Proposed Use**

Assessor's Parcel #(s) 138-24-101-001 **Ward #** 5 - Barlow

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

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

Gross Acres 1.47 **Lots/Units** **Density**

Additional Information increase allowable area for package liquor from 15 SF to 60 SF designated shelf space is behind employee counter.

PROPERTY OWNER S & J Shopping Center LLC **Contact** Barry Becker

Address 50 South Jones Blvd #100 **Phone:** 878-1903 **Fax:** 878-1057

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

E-mail Address Bwilliams@beckerlv.com

APPLICANT Allstar Mini Mart **Contact** George Shoshani

Address 2339 North Jones **Phone:** (619) 733-0526 **Fax:** (702) 647-2554

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

E-mail Address

REPRESENTATIVE Law Office of Jay Brown **Contact** Lora Dreja

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

City Las Vegas **State** NV **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 Barry W. Becker, manager

Subscribed and sworn before me

This 18th day of April, 20 13.

[signature]

Notary Public in and for said County and State

NOTARY PUBLIC
Bunny J. Reiman
STATE OF NEVADA-COUNTY OF CLARK
MY APPOINTMENT EXP APR. 25, 2016
No. 08-6529-1

Revised 10/27/08

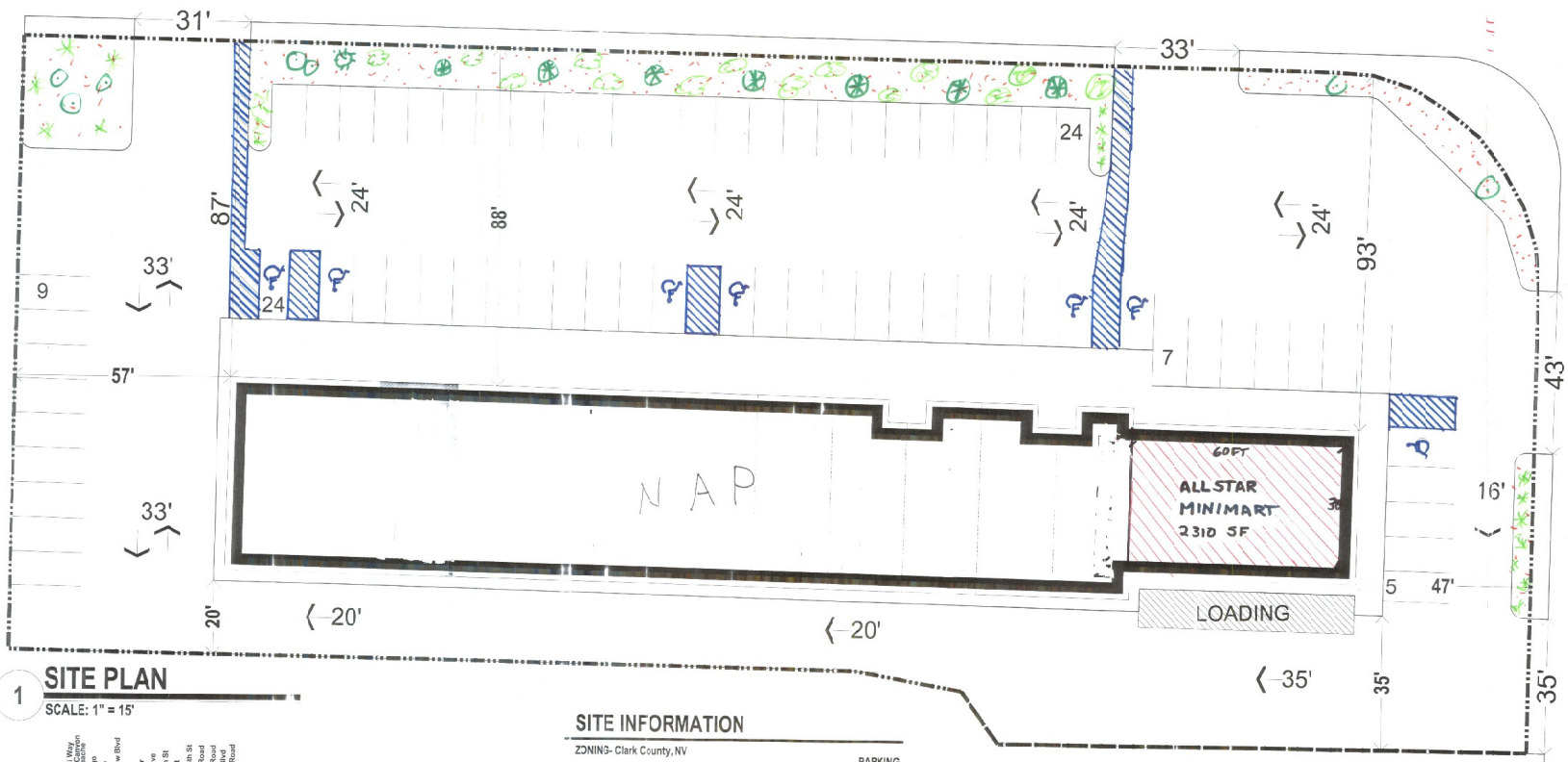
FOR DEPARTMENT USE ONLY

Case #	SUP-49154
Meeting Date:	06/11/13 PC
Total Fee:	
Date Received:*	
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.

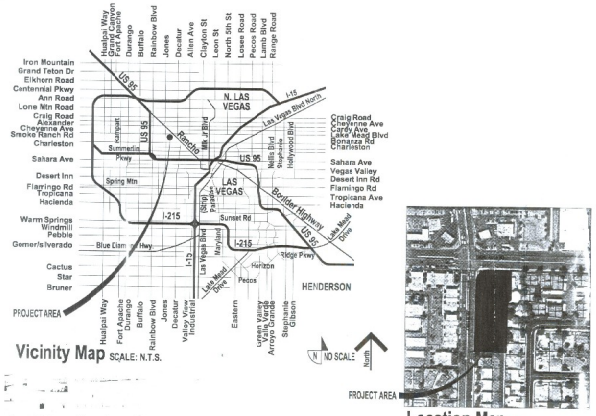
f:\depot\Application Packet\Application Form.pdf

PRJ-49037
04/24/13



1 SITE PLAN

SCALE: 1" = 15'



Location Map

SITE INFORMATION

ZONING- Clark County, NV

APN#: 138-24-101-001

Zoning- C-1

AREA (Approximate, to be verified)

Gross Area	91,115 Sq. Ft.	2.09 - Acres
Net Area	64,033 Sq.Ft.	1.47 - Acres
Lot Coverage		16 %

SETBACKS	REQUIRED	PROVIDED
Front:	20 ft	99 ft Existing
Side:	10 ft	0 ft Existing
Corner Side:	15 ft	90 ft Existing
Rear:	20 ft	19 ft Existing

BUILDING HEIGHT

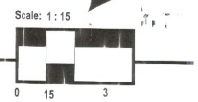
Allowed:	35 ft
Provided:	N/A Existing

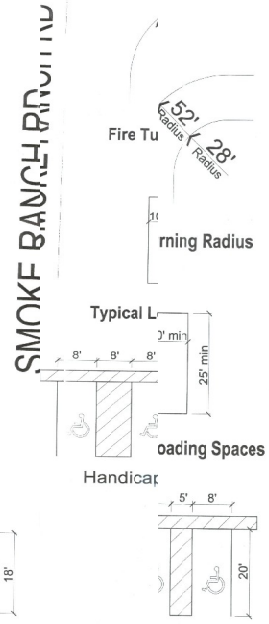
PARKING

Suite #	Name of Business	Type of Use	Parking Requirements	Tenant Space	Parking Required	Parking Provided
101	"Be Georgeous Wigs and Salon"	Beauty Salon	3 spaces per station (per business license there are 4 stations)	4000 GSF 760	12 Spaces	
102	Josey's Pizza	Restaurant	1 space per 50 SF of the seating area plus 1 space per 200 SF of the remaining floor area	500 GSF 500 GSF	10 Spaces 3 Spaces	
103	Discount Car Insurance	Office	1 space per 300 SF of Gross Floor Area	1000 GSF	4 Spaces	
104	Vacant	Retail	use retail parking requirements: (1 space per 175 SF of Gross Floor Area)	1000 GSF	6 Spaces	
105	Gerardo's Classic Barber Shop	Barber Shop	2 spaces per chair (per business license there are 6 chairs)	1,000 GSF	12 Spaces	
108	Saddle N Spurs Saloon	Tavern	1 space per 50 SF of the seating area plus 1 space per 200 SF of the remainirg floor area	1,000 GSF 3,000 GSF	20 Spaces 15 Spaces	
110	Cash Today Loans	Financial	1 space per 250 SF of the Gross Floor Area	1040 SF	4 Spaces	
112	Mariscos Playa Azul	Restaurant	1 space per 50 SF of the seating area plus 1 space per 200 SF of the remaining floor area	1,000 GSF 1,000 GSF	20 Spaces 5 Spaces	
	All Star Minimart	C-Store	(1 space per 175 SF of Gross Floor Area)	2,300 GSF	13 Spaces	
				Total	123 Spaces	69 Spaces Existing

H.C. PARKING

Required:	2 Spaces
Provided:	7 Spaces Existing





2339 N. Jones, City of Las Vegas, NV

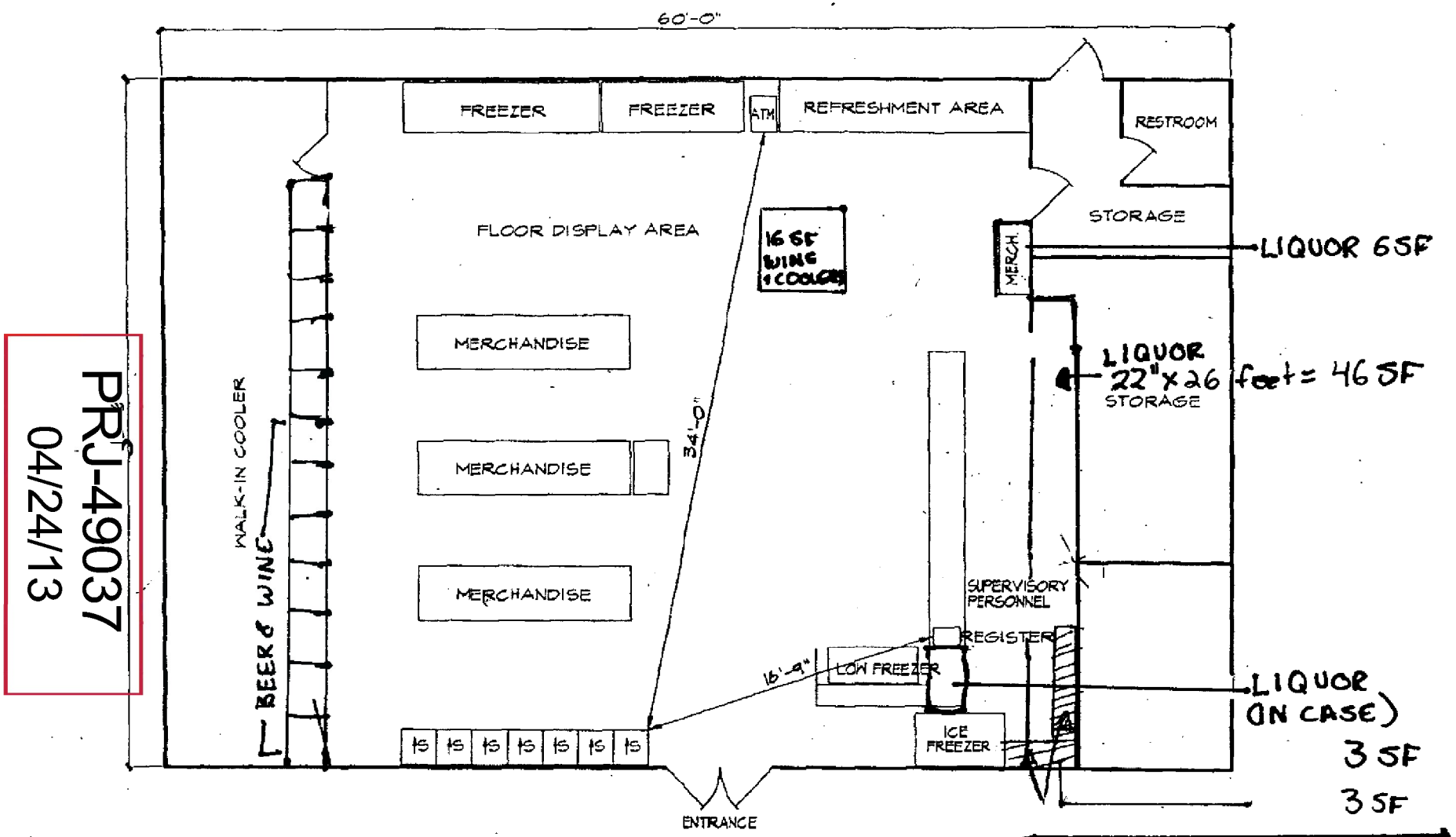
ALL STAR - MINI MART

MAJOR AMENDMENT TO SUP PACKAGED LIQUOR ACCESSORY PACKAGE LIQUOR OFFSALE

PRJ-49037
04/24/13

SUP-49154

PRJ-49037
04/24/13



FLOOR PLAN DIAGRAM

1" = 10'

PROPOSED LIQUOR AREA IS 56 SF.

RETAIL SQUARE FOOTAGE: 1,387 SQ.FT.
OVERALL SQUARE FOOTAGE: 2,310 SQ.FT
S= SLOT MACHINE/GAMING DEVICE

DATE PREPARED:
LOCATION NAME: ALL-STAR MINI MART
ADDRESS: 2339 N. JONES BLVD

SUP-49154



SUP-49154 (PRJ-49037) - PPLICANT: ALLSTAR MINIMART - OWNER: S & J SHOPPING CENTER, LLC
2339 NORTH JONES BOULEVARD

05/02/13



SUP-49154 (PRJ-49037) - PPLICANT: ALLSTAR MINIMART - OWNER: S & J SHOPPING CENTER, LLC
2339 NORTH JONES BOULEVARD

05/02/13

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 3, 2013

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

Re: Request to modify use permit for accessory package liquor. 2339 North Jones Blvd, 138-24-101-001

Dear Sir/Madam

Please consider our request to modify SUP-39812 to allow additional package liquor in an existing convenience store. The original use permit was obtained November 19, 2010. The final action on SUP-39812 reads 15 SF of accessory package liquor is allowed on-site. This request is to modify to allow 60 SF. This represents approximately 5% of the retail square footage whereas code limits packaged liquor area to 10%. All packaged liquor will continue to be displayed in an area accessible only to employees. There are no longer any protected uses within a 400 foot radius.

All provisions outlined in the Las Vegas Title 6 privileged licenses will continue to be adhered to.

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

Very truly yours,

L U Dreja

Lora Dreja
Land Entitlements
Brown, Brown and Premsrirut

PRJ-49037
04/24/13

SUP-49154

City of Las Vegas Agenda Item No.: **44.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

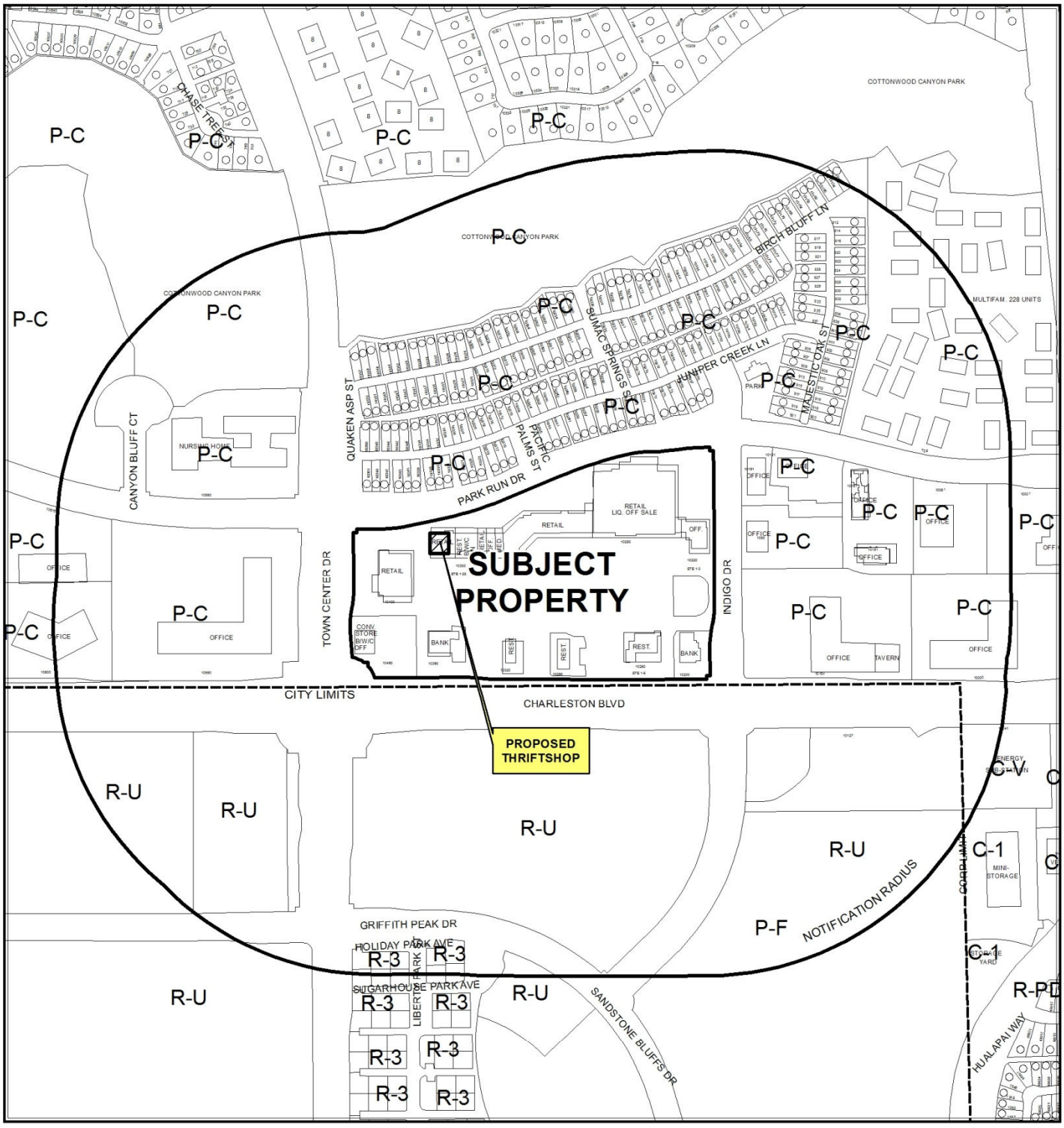
SUBJECT:
SUP-49166 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GOODWILL INDUSTRIES OF SOUTHERN NEVADA - OWNER: CENTER POINTE PLAZA, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED THRIFT SHOP at 10300 West Charleston Boulevard, Suite #1 (APN 137-36-814-003), PC (Planned Commercial) Zone [VC (Village Center) Summerlin Special Land Use Designation], Ward 2 (Beers). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/213
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:

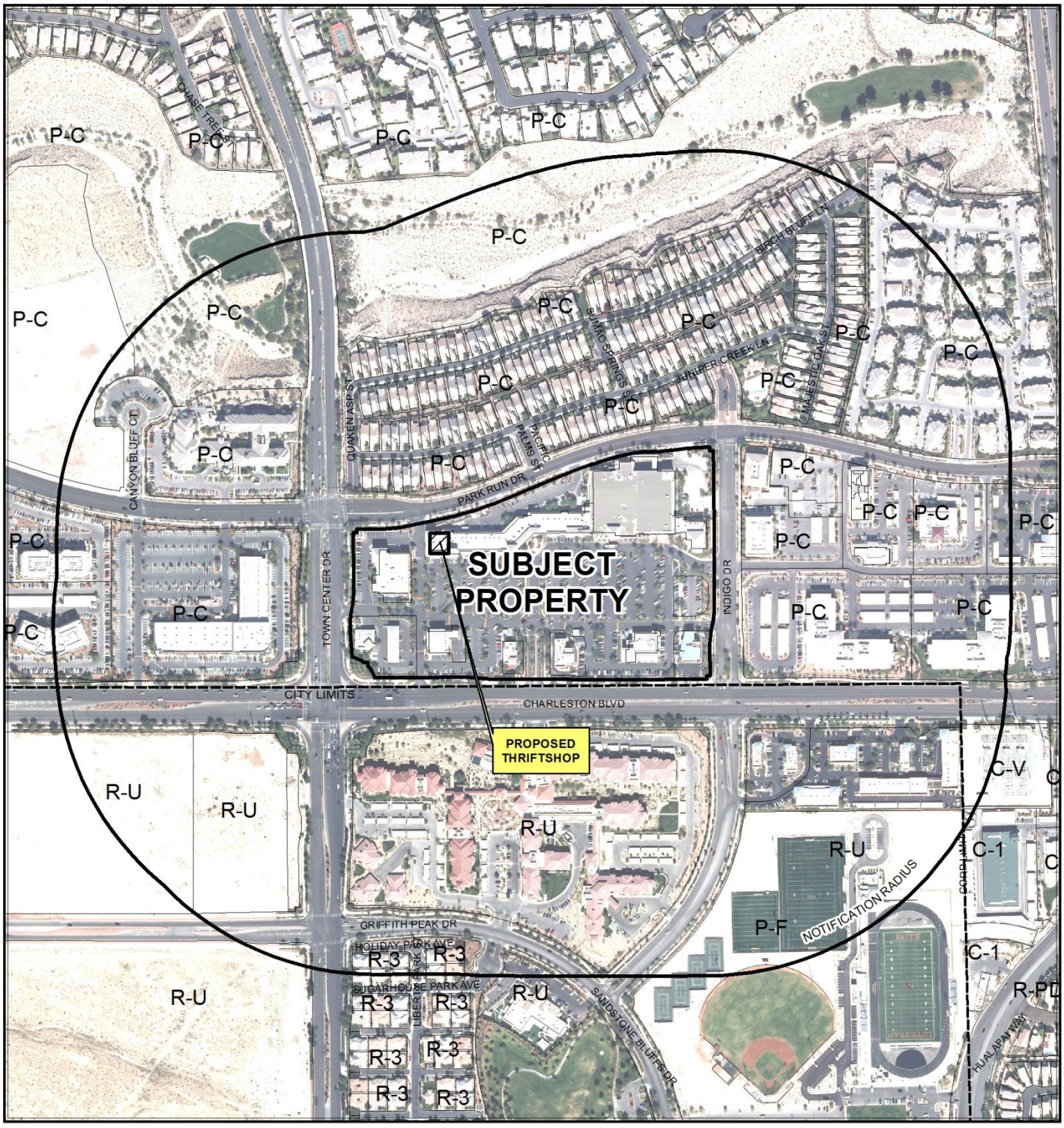
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Traffic Study
6. Justification Letter



CASE: **SUP-49166**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)
[VC (VILLAGE CENTER) Summerlin Special Land use Designation]



CASE: **SUP-49166**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)
[VC (VILLAGE CENTER) Summerlin Special Land use Designation]

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: GOODWILL INDUSTRIES OF SOUTHERN NEVADA - OWNER: CENTER POINTE PLAZA, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-49166	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-49166 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All donations shall be received during open business hours.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the 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.

YK

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Thrift Shop to be located in a shopping center on the northeast corner of Town Center Drive and Charleston Boulevard in the Summerlin Master Planned Development. There are no conditions with this use; however, the applicant has indicated that all donations will take place during open business hours of the thrift shop. The proposed use is compatible with other types of shopping center uses and staff recommends approval, with conditions. If denied, a Thrift Shop could not be located at this location.

ISSUES

- A Special Use Permit is required for a Thrift Shop to be located in the Village Center Special Land Use District of Summerlin. Staff supports this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
02/16/94	The City Council approved Annexation [A-0019-93(A)] on the subject site as part of a larger request. The Planning Commission and staff recommended approval. The effective date was 03/11/94.
02/16/94	The City Council approved Rezoning (Z-0135-93) from N-U (Non-Urban) to P-C (Planned Community) on the subject site as part of a larger request. The Planning Commission and staff recommended approval.
03/23/00	The Planning Commission approved Tentative Map (TM-0009-00) for the Centerpoint Plaza Commercial Subdivision at the northeast corner of Town Center Drive and Charleston Boulevard. Staff recommended approval.
04/05/00	The City Referral Group approved Site Development Plan Review (SV-0007-00) for a 143,757 square-foot commercial center on this site as part of a larger request. Staff recommended approval.
05/25/00	The Planning Commission approved a Final Map (FM-0034-00) for this site. Staff recommended approval.
01/09/02	The City Referral Group approved Master Sign Plan (SV-0025-01) for the Centerpoint Plaza Commercial Center located at 10200 – 10490 West Charleston Boulevard. Staff recommended approval.

Most Recent Change of Ownership	
03/19/02	A deed was recorded for a change in ownership.

YK

Related Building Permits/Business Licenses	
01/02/02	A business license (G50-07908) for Video Rental and Sales was issued for 10300 West Charleston Boulevard, Suite 1. The license was listed as out-of-business on 06/20/11.
08/29/11	A business license (G50-07977) for Video Rental and Sales was issued for 10300 West Charleston Boulevard, Suite 1. The license was listed as out-of-business on 10/01/12.

Pre-Application Meeting	
04/10/13	Staff met with the applicant and reviewed the requirements for a Thrift Shop in Summerlin. It was determined that a Special Use Permit application would be required.

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

Field Check	
05/02/13	Staff visited the site and confirmed the suite number to be "1". The project is located within a shopping center that was well maintained and secure.

Details of Application Request	
Site Area	
Net Acres	12.1

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	VC [(Village Center) Summerlin Special Land Use Designation] EC [(Employment Center) Summerlin Special Land Use Designation]	P-C (Planned Community)
North	Single-Family, Attached	SF [(Single Family, Attached) Summerlin Special Land Use Designation]	P-C (Planned Community)

YK

South	Multi-Family, Attached	MF (Multi Family) Clark County	R-3 (Multi Family Residential District) Clark County
East	Office, Other Than Listed	EC [(Employment Center) Summerlin Special Land Use Designation]	P-C (Planned Community)
West	Office, Other Than Listed	SC (Service Commercial)	P-C (Planned Community)

Master Plan Areas	***Compliance***
Summerlin	Y
Special Purpose and Overlay Districts	***Compliance***
P-C (Planned Community) District	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	Y

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Charleston Boulevard	Primary Arterial	Master Plan of Streets and Highways	150	Y
Town Center Drive	Primary Arterial	Master Plan of Streets and Highways	150	Y
Park Run Drive	N/A	N/A	80	Y
Indigo Drive	N/A	N/A	80	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	149,457 SF	1/250 SF	598				
TOTAL SPACES REQUIRED			598		758		Y
Regular and Handicap Spaces Required			586	12	742	16	Y
Loading Spaces	149,457 SF	3/1st 50,000 SF and 1 for each additional 50,000	5		7		Y

ANALYSIS

The proposed Thrift Shop use is similar to other types of retail uses found in shopping centers. The proposed location is on the northeast corner of two primary arterial roads that are designed to handle traffic generated from a shopping center and the uses therein. In addition, the proposed location exceeds the minimum parking spaces required by 160 spaces; therefore, parking will not be an issue for this use.

A Thrift Shop use is defined in Title 19.12 as "A retail facility that sells any new or used merchandise that has been donated to the facility." The proposed use meets the definition as reflected in the justification letter that donations will be accepted. There are no minimum Special Use Permit requirements for this use.

As a Thrift Shop is similar to other types of retail uses found in a shopping center and permitted in the Village Center (VC) Land Use district of Summerlin without conditions, staff recommends approval.

FINDINGS (SUP-49166)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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.**

YK

The proposed land use is compatible with the Village Center (VC) Summerlin Special Land Use Designation designation and is located within an existing shopping center. The use can be conducted in a manner that is harmonious and compatible with the surrounding uses.

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

The proposed Thrift Shop use will be in conjunction within the existing shopping center, which 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.

The site is accessed primarily by Charleston Boulevard and Town Center Drive, which are both designated as 100-foot Primary Arterials by the Master Plan of Streets and Highways. The streets provide adequate access to and from the subject property.

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

Approval of this special use permit will not compromise public health, safety, or welfare as the proposed Thrift Shop use will be subject to regular inspections.

5. The use meets all of the applicable conditions per Title 19.12.

The proposed Thrift Shop use complies with the conditions per Title 19.12.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 251

APPROVALS 0

PROTESTS 0

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-49166 APN: 137-36-814-003

Name of Property Owner: Center Pointe Plaza LLC

Name of Applicant: Goodwill Industries of Southern Nevada

Name of Representative: Alyn Reeves

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: James A. Christensen DESIGNATED AGENT

Print Name: James A. Christensen

Subscribed and sworn before me

This 24th day of April, 2013

Judith Collins

Notary Public in and for said County and State

JUDITH COLLINS
Commission # 1858627
Notary Public - California
Orange County
My Comm. Expires Aug 19, 2013

Revised 11-14-06

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

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DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Goodwill Industries of Southern Nevada

Project Address (Location) 10300 W. Charleston Blvd, Suite 1 Las Vegas, NV 89135

Project Name Goodwill Deja Blue Boutique **Proposed Use** Secondhand Store

Assessor's Parcel #(s) 137-36-814-003 **Ward #** 2

General Plan: existing SC proposed N/A **Zoning:** existing PC proposed N/A

Commercial Square Footage 5,056.44 sqft **Floor Area Ratio** N/A

Gross Acres .92 **Lots/Units** 1 **Density** N/A

Additional Information

PROPERTY OWNER Center Pointe Plaza LLC **Contact** James A. Christensen

Address 1970 Village Center Circle, Suite 7 **Phone:** (714) 979-8800 **Fax:** (714) 979-4318

City Las Vegas **State** NV **Zip** 89134

E-mail Address jac@sumcenters.com

APPLICANT Goodwill Industries of Southern Nevada **Contact** Steve Chartrand

Address 1280 W Cheyenne Ave. **Phone:** (702) 214-2020 **Fax:** (702) 214-2009

City North Las Vegas **State** NV **Zip** 89030

E-mail Address SteveC@sngoodwill.org

REPRESENTATIVE Goodwill Industries of Southern NV **Contact** Alyn Reeves

Address 1280 W Cheyenne Ave **Phone:** (702) 214-2050 **Fax:** (702) 214-2009

City North Las Vegas **State** NV **Zip** 89030

E-mail Address AlynR@sngoodwill.org

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* DESIGNATED AGENT

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

Print Name James A. Christensen

Subscribed and sworn before me

This 24th day of April, 2013.

Notary Public in and for said County and State

JUDITH COLLINS
Commission # 1858627
Notary Public - California
Orange County
My Comm. Expires Aug 19, 2013

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Dept. of Planning

FOR DEPARTMENT USE ONLY

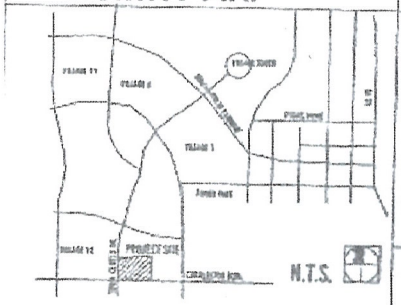
Case #	SUP-49166
Meeting Date:	06/11/13
Total Fee:	$1030.00
Date Received:*	04/25/13
Received By:	Jonathan B

*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

VICINITY MAP



SUMMARY

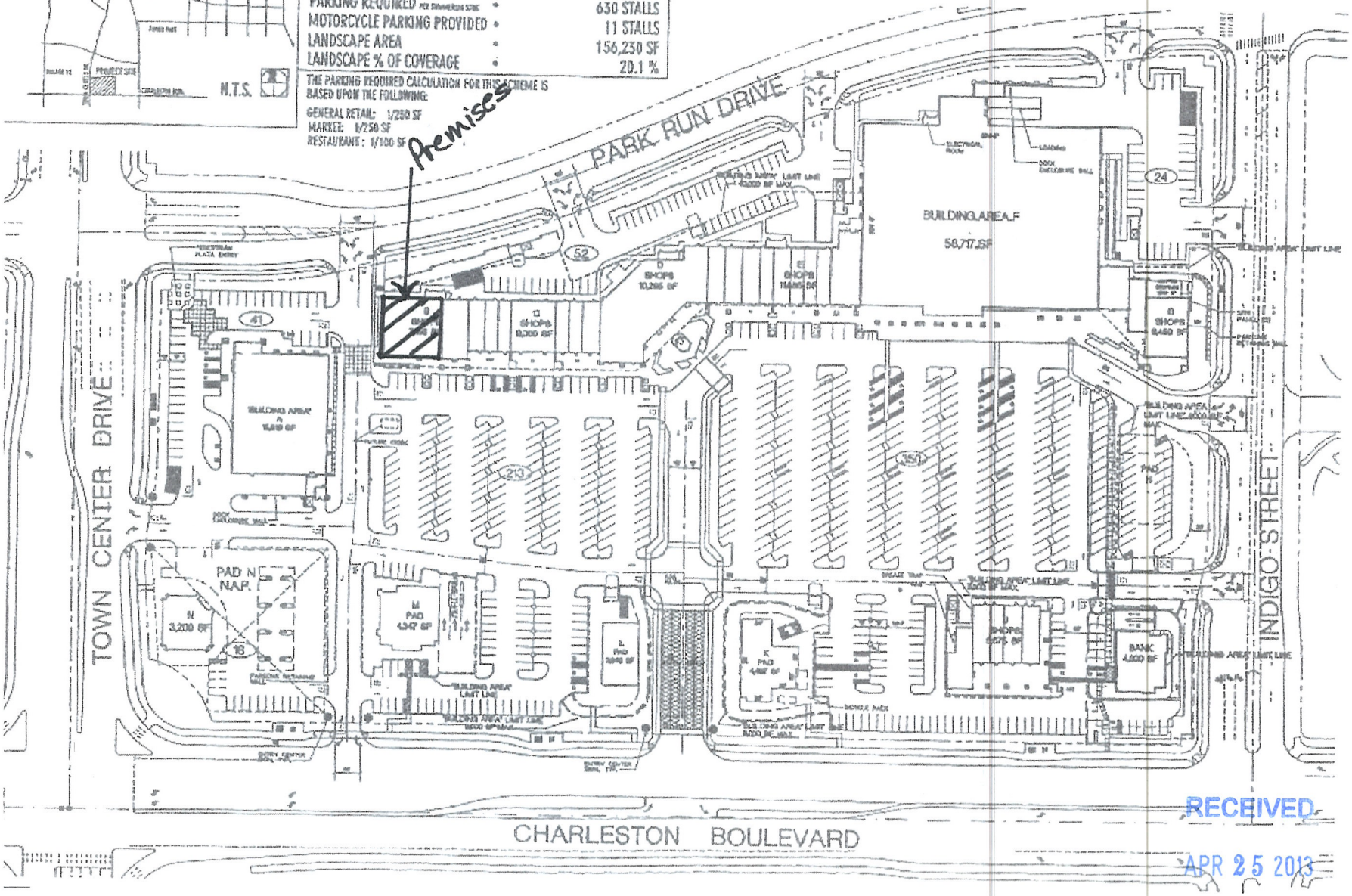
LAND AREA	±776,164 SF (±17.817ac)
BUILDING AREA	141,491 SF
LAND/BUILDING RATIO	4.48/1 -18.23%
PARKING PROVIDED	680 STALLS (4.97/1000)
PARKING REQUIRED	630 STALLS
MOTORCYCLE PARKING PROVIDED	11 STALLS
LANDSCAPE AREA	156,230 SF
LANDSCAPE % OF COVERAGE	20.1 %

THE PARKING REQUIRED CALCULATION FOR THIS SCHEME IS BASED UPON THE FOLLOWING:

GENERAL RETAIL: 1/200 SF
MARKET: 1/250 SF
RESTAURANT: 1/100 SF

SCALE: 1" = 50'-0"

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.



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SUP-49166

Perkowitz+R
Architec
111 W Ocean Blvd, Fl
Long Beach, CA 90802
562-628-8000 PHO
562-628-8045 FAX

Client Information
CENTERPOINTE PLAZA LTD.

Project Information
SUMMERLIN
LAS VEGAS, NV
VILLAGE 12
PARCEL AA-1

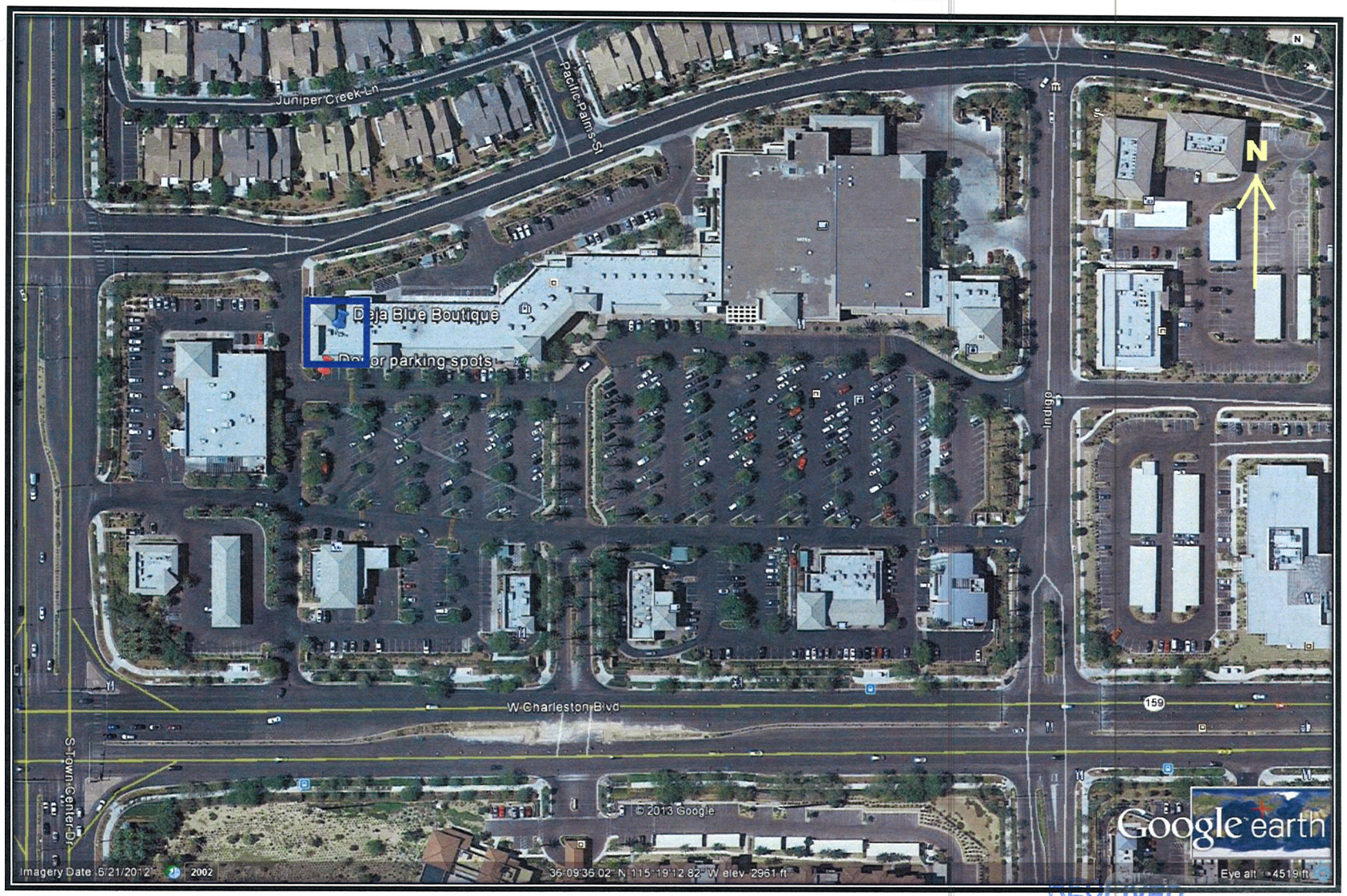
Revisions

SITE PLAN

A 1.0

Landscape Plan

= Proposed Site



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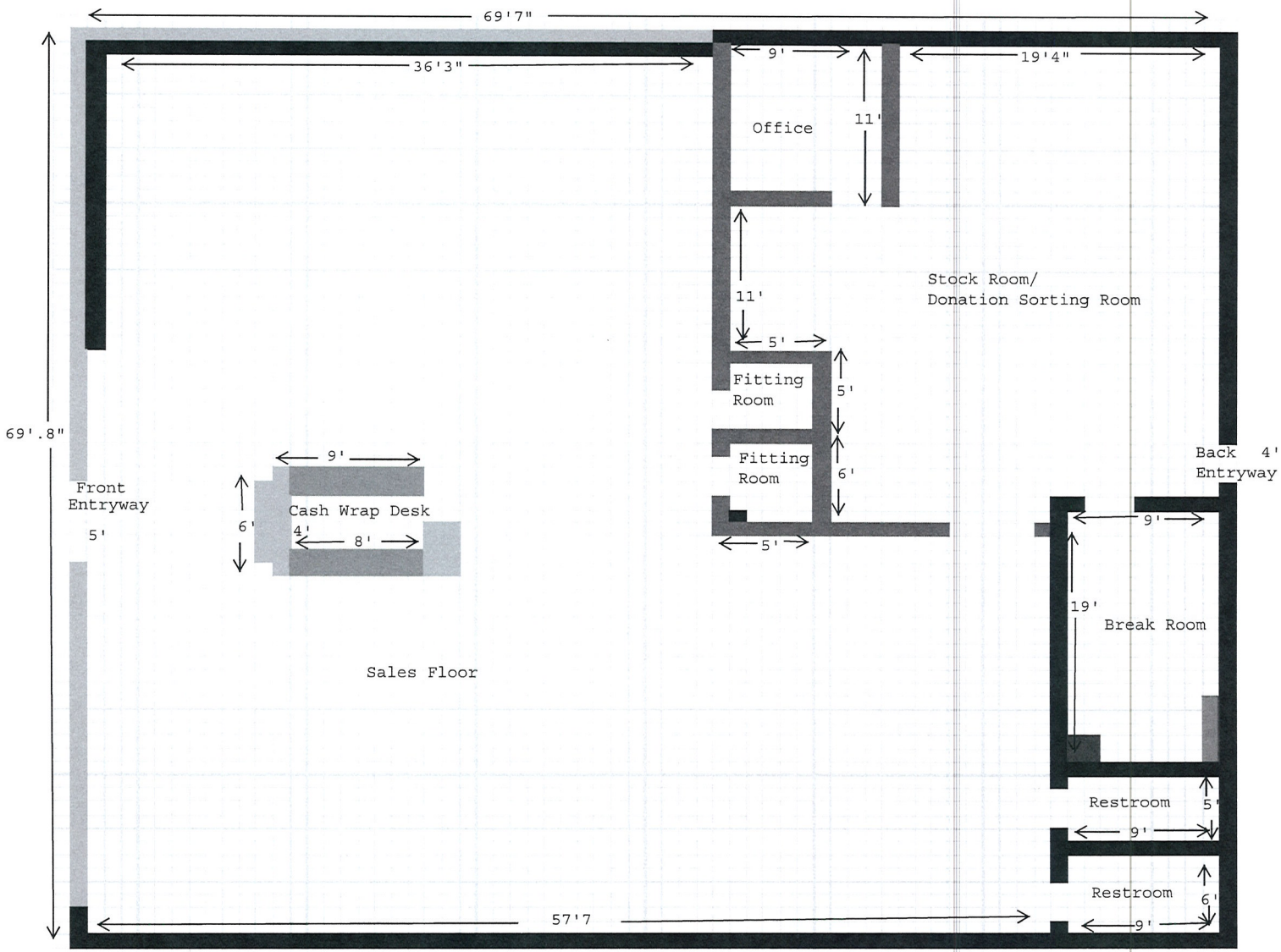
SUP-49166

Floor Plan



□ = 1 sqft

Entire Space =5,056 sqft

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SUP-49166



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SUP-49166



SUP-49166 - APPLICANT: GOODWILL INDUSTRIES OF SOUTHERN NEVADA - OWNER: CENTER POINTE PLAZA, LLC
10300 WEST CHARLESTON BOULEVARD, SUITE #1

05/02/13

G.C. WALLACE, INC.
Engineering/Architecture

G. C. WALLACE, PE/SE, PLS
JAMES A. DUDDLESTEN, PE
MARIE RAINWATER
MICHAEL D. ROSS, PE
CHRISTOPHER W. ANDERSON, PE
CALVIN L. BLACK, PE, PLS
BENJAMIN C. SMITH, PE
SCOTT R. PLUMMER, PE

PAUL BURN, PLS
MICHAEL J. CSIZMADIA, PE
C. RUSSELL DAVIS, PE/SE
DOUGLAS M. HANKEL
DONALD A. HASELHOFF, PE, CEM
MARVIN W. MAIZE
GREGORY PATCH, PE
HOWARD K. VANDER MEER, PE
ARNE H. WAGLEY
EUGENE W. WRIGHT, PE

JOSEPH A. BODROG, PLS
GARY L. CARLSON, RA
BERT A. HUGHES, PE
JERRY D. JOHNSTON
NOEL C. LAUGHLIN, PE
DANNY S. McFADDEN, PE
WILLIAM NEIGHBORS, PE
ALLEN E. PAVELKA, PE
JEFF W. STAYTON, PE
RICHARD STEUBING, PLS
JOHN R. TOBIN, PE
SAUNDRA L. VANCE, CCS, CCCA
JOHN M. WALKER, PE
G. IRA WALLACE, PE

SAMI F. ALHWAYEK, PE
DANA A. AMES, PE/SE
JIM B. BAKKEDAHL, PE
DENNIS R. BROWN, PE
ROY D. CLARK, PE
RICHARD G. CLARKE
HUBERTO DeLUNA, RA
THOMAS P. DYSON, PE
ALLAN P. FAJARDO, PE
RAY G. FLAKE, PE
RANDALL K. GREMLICH, PE
SALLY HENSLEY
ROBERT J. HERMAN
DANNY E. HILL, PLS
DON E. HOLLOWAY, PE
ROY G. HOLLOWELL, PLS
GERALD L. HOLTON, PLS
DONALD L. HOTCHKISS JR., PE
RICKEY D. HUNSAKER, PE
MICHAEL KIDD, PLS
KRISTOFER D. KORPI
JIANG LI, PE
LLOYD B. MATHESON
DOUG McCARTNEY, PE
TIMOTHY A. McCOY, PE
RANDY W. MROWICKI, PLS
RIMAH NAZZAL, PE
D. GREGORY NEEL, PLS
THOMAS R. NICHOLS
JOHNNIE R. PATE, JR., PE
JERRY E. PRUITT, PE
AL L. ROBINSON, PE
BRIAN L. SCHMIDT, PE
RICHARD A. E. STRUTZ
MILO L. TERZICH, PE
ROBERT WOODSON, PE

455.001

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AUG 10 1998

August 5, 1998

City of Las Vegas Department of Public Works
731 South Fourth Street
Las Vegas, NV 89101

Attention: Mr. Rick Schroder

Subject: Centerpointe Plaza at Summerlin:
Request for Median Opening

Gentlemen:

Centerpointe Plaza, in association with The Howard Hughes Corporation (THHC) proposes to develop a shopping center at the northeast corner of Town Center Drive and Charleston Boulevard in the City of Las Vegas, Nevada (CLV). Prior to final site development, the developer requests CLV approval for a median modification on Charleston Boulevard between Town Center Drive and Indigo Drive (identified as Sheet "B" on the enclosed site plan). The proposed modification will allow for left turns from Charleston Boulevard to enter the shopping center and left turns to exit the shopping center to eastbound Charleston, along with the appropriate storage bays. This letter is to provide an analysis and justification for the modification as proposed. This study is also being submitted to the Nevada Department of Transportation (NDOT) and Clark County Traffic Management for review and approval.

As a basis for this analysis, the approved *Master Traffic Study for Village 11/12 of the Summerlin Community Amendment* prepared by G.C. Wallace in June 1997 was reviewed. That Amendment addressed proposed land use revisions to Parcels AA, FF, JJ, OO, PP, and QQ of Village 11/12. The subject project site was referred to in that study as Parcels AA-1 and AA-2 which were modeled as 193 KSF of commercial shopping center uses. This floor area is over 25 percent greater than the 152 KSF now proposed. Figure 1 of the Amendment which depicts the project area has been reproduced at the back of this study for your convenience.

In the development of the Amendment projections, at-interim roadway improvements for the Western Beltway were assumed to be in place by the year 2000, preceding the buildout of Village 11/12. The surrounding development assumed in the Amendment's model included those uses cited in the original Village 11/12 Master Traffic Study (Villages 1, 2, 7, 8, 14A and portions of Peccole Ranch West), as well as Villages 13 and 19A which lie south of Charleston Boulevard.

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The attached figure depicts the traffic projections from the Amendment for the project area. Also depicted on the figure are estimates of the changes to the traffic projections if the median modifications are in place. These changes were estimated under the assumption that all traffic generated west of Town Center Drive entering the site via Charleston Boulevard would be using the median opening. One-third of the outbound trips generated from the site to eastbound Charleston Boulevard were assumed to use the main driveway at the median opening.

Intersection capacity analyses have been conducted using the procedures outlined in the *1994 Highway Capacity Manual* (HCM). Signalized and unsignalized intersection calculations were based on the methodology presented in Chapters 9 and 10, respectively. In accordance with these procedures, the Level-Of-Service (LOS) of signalized intersections has been determined by estimating the average vehicular delay of the intersection. The calculation sheets for all of the analyses are included at the end of this letter. The LOS analyses are also summarized on the attached figure. The assumed geometrics and traffic controls from the Amendment and used in the calculations are also depicted on the attached figure. The analyses indicate that each of the intersections recommended for signalization will operate at an acceptable LOS during both peak periods. It is noted that both signalized intersections will operate at a higher level of service with the proposed median break than without it.

The unsignalized capacity calculations indicate that the southbound left turn movement at the main project driveway will experience some delay during the peak hour period. This is not uncommon and is well within driver expectancy that left turns out of retail centers onto arterials are undesirable at certain times of the day. Given the modest projections for these movements and the existence of nearby traffic signals to create platooned traffic flows (i.e. long gaps), it is recommended that these movements be permitted. It should be noted that more restrictive median treatments will increase U-turn movements at the Town Center/Charleston intersection, which will experience a heavy demand in both the morning and afternoon peak hours. It is also noted that off-peak delays will be significantly increased.

Left-turn storage requirements for the unsignalized driveway movements were calculated based on Figure 10-8 of the *1994 Highway Capacity Manual.* The findings are that 130 feet of storage (5 vehicles) are needed on-site for the southbound left turn movement and that 50 feet is needed for the eastbound left turn lane from Charleston into the site. While only 50 feet are needed for the eastbound left turn demand, a minimum of 150 feet is recommended to aid in vehicle deceleration and occasional delays.

The approved Amendment recommended 300-foot left turn lanes on Charleston Boulevard at both Town Center Drive and Indigo Drive. In order to meet these storage requirements, it is recommended that the main project driveway be centered between the centerline of Town Center Drive and Indigo Drive. This spacing will accommodate the eastbound left-turn movement into the site as well as a 150-foot westbound left-turn storage lane on Charleston at the main project driveway the future access needs of Village 13 and U-turn maneuvers. It will also be in conformance with the standard 660-foot spacing for median openings recommended by NDOT.

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While it has been shown that the median modification has only a small positive impact on Charleston Boulevard traffic operations, the improvements to site circulation and access are much more dramatic. Driving exiting pads and parking areas east of the main entrance will generally be expected to execute westbound right turns to Charleston Boulevard. Without a median break at the main entrance, a motorist will be forced to drive over a quarter mile to Town Center Drive and back to return to an eastbound destination. The same inconvenience will be experienced by driving from the west with a destination near the center or western portion of the site. These extraordinarily long routes could lead to driver frustration and impatience, perhaps resulting in careless behavior. It is also anticipated that drivers on Charleston Boulevard will expect a median opening near the midpoint of the shopping center, which could result in some erratic vehicular movements on Charleston Boulevard–certainly a hazardous condition.

With no median opening at the main Charleston entrance, onsite travel between the parking lots and site driveways will increase. This generally results in more vehicle/pedestrian interaction and could possibly lead to an increase in pedestrian accidents. Good site planning dictates that vehicular travel through parking areas be minimized and pedestrian traffic and vehicular traffic be separated to the greatest extent possible. Both factors can be addressed more comprehensively if a median break at the main project entrance is allowed.

In view of the analysis and benefits presented herein, it is concluded that an unsignalized full-access driveway into the Centerpointe Plaza at Summerlin can be accommodated on Charleston Boulevard given the recommendations contained herein. Please do not hesitate to call if you have questions or comments regarding this analysis. Thank you for your attention in this matter.

Very truly yours,
G. C. WALLACE, INC.

Don Holloway, P.E.
Senior Engineer

DH:arm

Encl.

pc: Kent Sears, NDOT
John Toth, CCTMD
James Christensen
John Kilduff, THHC
Chris Anderson, GCW
Scott Plummer, GCW

PROFESSIONAL ENGINEER-STATE OF NEVADA
DON HOLLOWAY, JR.
CIVIL
No. 10472
4/5/94

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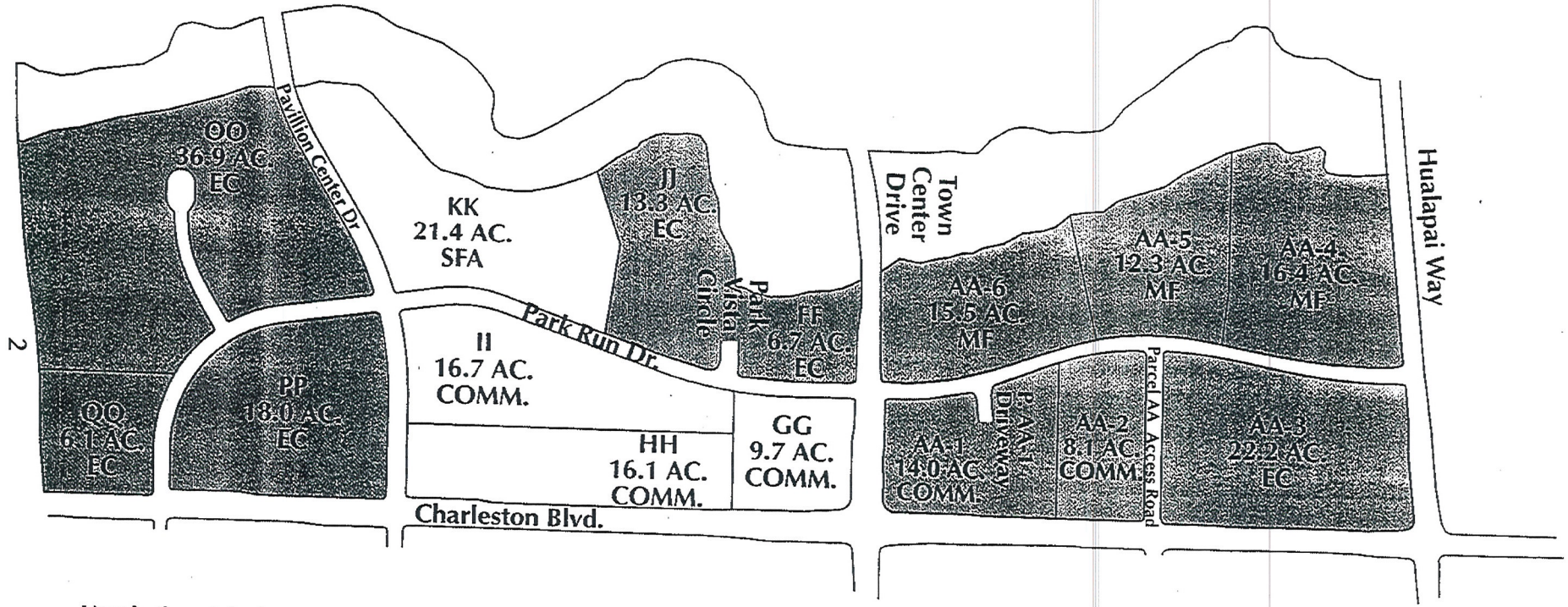
Figure 1
Revised Land Uses



Uses in the original Village 11/12 Master Traffic Study:

Parcel AA	EC (Employment Center)
Parcels FF, JJ, PP & QQ	VC (Village Center, Commercial)
Parcel OO	SFA (Single Family Attached)

LEGEND:

Revised Land Uses

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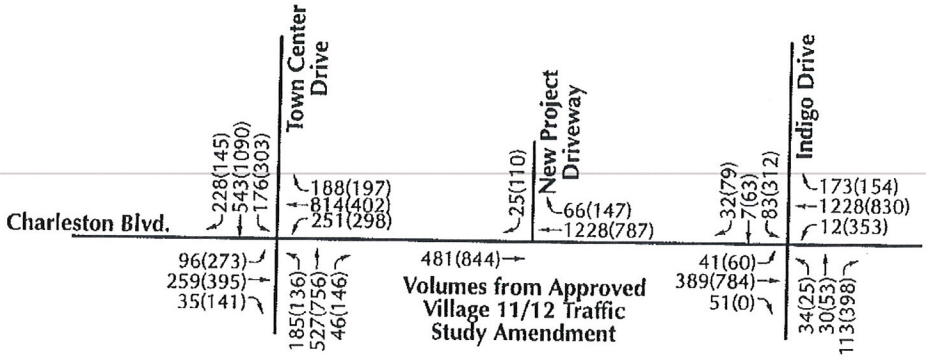
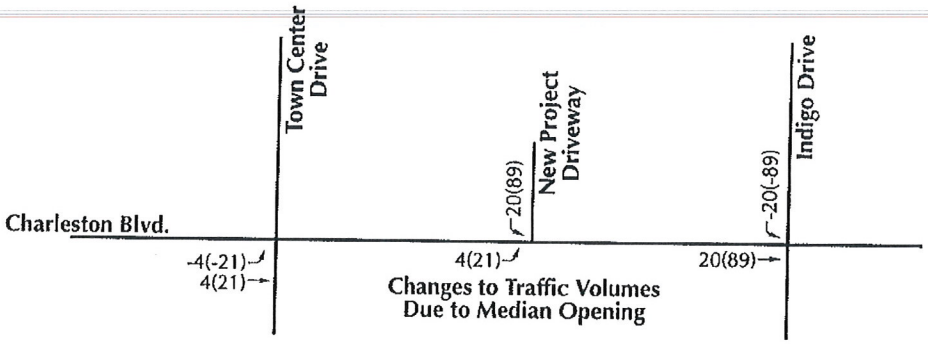
G.C. WALLACE, INC.
Engineering/Architecture
1555 SOUTH RAINBOW BLVD./LAS VEGAS, NEVADA 89102

SUMMERLIN

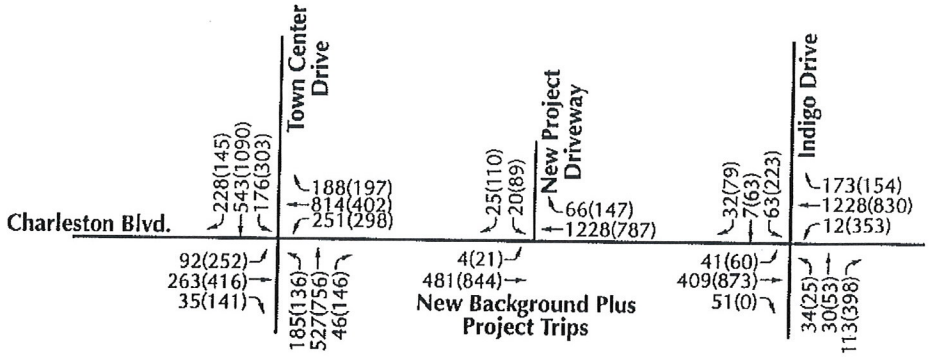
Village 11/12 Buildout Traffic Volumes and Recommended Lane Geometrics and Traffic Control

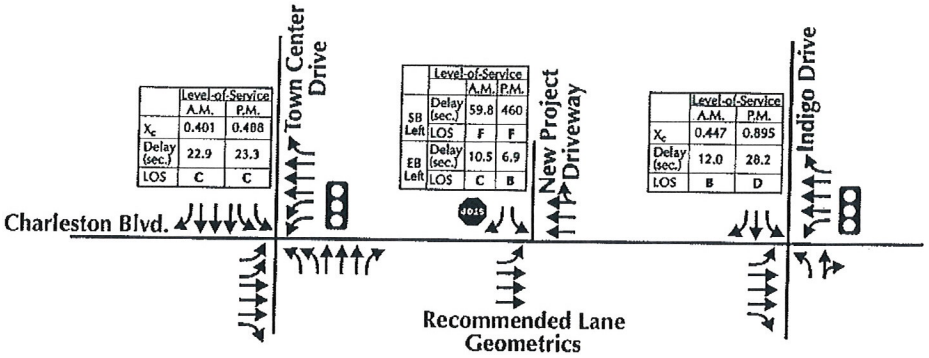




Legend:

AM(PM)





G.C. WALLACE, INC.
Engineering/Architecture
1555 SOUTH RAINBOW BLVD/LAS VEGAS, NEVADA 89102

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Traffic Projections at Buildout of Village 11/12
AM Peak Hour

Level Of Service Computation Report
1994 HCM Operations Method (Base Volume Alternative)

Intersection #1 Town Center and Charleston

Cycle (sec):	120	Critical Vol./Cap. (X):	0.401
Loss Time (sec):	16 (Y+R = 4 sec)	Average Delay (sec/veh):	22.9
Optimal Cycle:	120	Level Of Service:	C

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Protected			Protected			Protected			Protected		
Rights:	Include			Ignore			Ignore			Ignore		
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0
Lanes:	2 0 3 0 1			2 0 3 0 1			2 0 3 0 1			2 0 3 0 1		
Volume Module:												
Base Vol:	185	527	46	176	543	228	92	263	35	251	814	188
Growth Adj:	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00
Initial Bse:	185	527	46	176	543	0	92	263	0	251	814	0
User Adj:	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00
PHF Volume:	185	527	46	176	543	0	92	263	0	251	814	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	185	527	46	176	543	0	92	263	0	251	814	0
PCE Adj:	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00
MLF Adj:	1.03	1.10	1.00	1.03	1.10	0.00	1.03	1.10	0.00	1.03	1.10	0.00
Final Vol.:	191	580	46	181	597	0	95	289	0	259	895	0
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.93	0.98	0.83	0.93	0.98	1.00	0.93	0.98	1.00	0.93	0.98	1.00
Lanes:	2.00	3.00	1.00	2.00	3.00	1.00	2.00	3.00	1.00	2.00	3.00	1.00
Final Sat.:	3539	5588	1583	3539	5588	1900	3539	5588	1900	3539	5588	1900
Capacity Analysis Module:												
Vol/Sat:	0.05	0.10	0.03	0.05	0.11	0.00	0.03	0.05	0.00	0.07	0.16	0.00
Crit Moves:	****				****		****				****	
Green/Cycle:	0.13	0.27	0.27	0.13	0.27	0.00	0.07	0.19	0.00	0.27	0.40	0.00
Volume/Cap:	0.40	0.39	0.11	0.39	0.40	0.00	0.40	0.27	0.00	0.27	0.40	0.00
Level Of Service Module:												
Delay/Veh:	31.0	23.2	21.4	31.0	23.5	0.0	35.3	26.7	0.0	22.1	16.7	0.0
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	31.0	23.2	21.4	31.0	23.5	0.0	35.3	26.7	0.0	22.1	16.7	0.0
Queue:	6	16	1	6	16	0	3	8	0	7	21	0

Traffix 6.8.1005 (c) 1996 Dowling Assoc. Licensed to G.C. WALLACE, Las Vegas

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Traffic Projections at Buildout of Village 11/12
AM Peak Hour

Level Of Service Computation Report
1994 HCM Unsignalized Method (Base Volume Alternative)

Intersection #2 New Project Driveway and Charleston Blvd.

Average Delay (sec/veh): 0.8 Worst Case Level Of Service: F

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Stop Sign			Stop Sign			Uncontrolled			Uncontrolled		
Rights:	Include			Include			Include			Include		
Lanes:	0 0 0	0 0		1 0 0	0 1		1 0 3	0 0		0 0 2	1 0	
Volume Module:												
Base Vol:	0	0	0	20	0	25	4	481	0	0	1228	66
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	0	0	0	20	0	25	4	481	0	0	1228	66
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	0	0	0	20	0	25	4	481	0	0	1228	66
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Vol.:	0	0	0	20	0	25	4	481	0	0	1228	66
Adjusted Volume Module:												
Grade:	0%			0%			0%			0%		
% Cycle/Cars:	0.00	0.98		0.00	0.98		0.00	0.98		0.00	0.98	
% Truck/Comb:	0.00	0.02		0.00	0.02		0.00	0.02		0.00	0.02	
PCE Adj:	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	1.00	1.00	xxxx	1.00	1.00
Cycl/Car PCE:	0.50	1.00		0.50	1.00		0.50	1.00		0.50	1.00	
Trck/Cmb PCE:	1.50	2.00		1.50	2.00		1.50	2.00		1.50	2.00	
Adj Vol.:	0	0	0	20	0	26	4	481	0	0	1228	66
Critical Gap Module:												
MoveUp Time:	xxxxx	xxxx	xxxxx	3.4	xxxx	2.6	2.1	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Critical Gp:	xxxxx	xxxx	xxxxx	7.0	xxxx	5.5	5.5	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Capacity Module:												
Cnflict Vol:	xxxx	xxxx	xxxxx	1746	xxxx	442	1294	xxxx	xxxxx	xxxx	xxxx	xxxxx
Potent Cap.:	xxxx	xxxx	xxxxx	81	xxxx	826	346	xxxx	xxxxx	xxxx	xxxx	xxxxx
Adj Cap:	xxxx	xxxx	xxxxx	0.99	xxxx	1.00	1.00	xxxx	xxxxx	xxxx	xxxx	xxxxx
Move Cap.:	xxxx	xxxx	xxxxx	80	xxxx	826	346	xxxx	xxxxx	xxxx	xxxx	xxxxx
Level Of Service Module:												
Stopped Del:	xxxxx	xxxx	xxxxx	59.8	xxxx	4.5	10.5	xxxx	xxxxx	xxxxx	xxxx	xxxxx
LOS by Move:	*	*	*	F	*	A	C	*	*	*	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
Shrd StpDel:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shared LOS:	*	*	*	*	*	*	*	*	*	*	*	*
ApproachDel:	0.0			29.1			0.1			0.0		

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Traffic Projections at Buildout of Village 11/12
AM Peak Hour

Level Of Service Computation Report
1994 HCM Operations Method (Base Volume Alternative)

Intersection #3 Street "B" and Charleston

Cycle (sec):	120	Critical Vol./Cap. (X):	0.447
Loss Time (sec):	16 (Y+R = 4 sec)	Average Delay (sec/veh):	12.0
Optimal Cycle:	120	Level Of Service:	B

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Prot+Permit			Prot+Permit			Prot+Permit			Prot+Permit		
Rights:	Include			Include			Include			Include		
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0
Lanes:	1 0	0	1 0	1	0 1	0	1 0	3	0 1	1 0	3	0 1
Volume Module:												
Base Vol:	34	30	113	63	7	32	41	409	51	12	1228	173
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	34	30	113	63	7	32	41	409	51	12	1228	173
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	34	30	113	63	7	32	41	409	51	12	1228	173
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	34	30	113	63	7	32	41	409	51	12	1228	173
PCE Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.10	1.00	1.00	1.10	1.00
Final Vol.:	34	30	113	63	7	32	41	450	51	12	1351	173
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.91	0.86	0.86	0.63	0.98	0.83	0.16	0.98	0.83	0.41	0.98	0.83
Lanes:	1.00	0.21	0.79	1.00	1.00	1.00	1.00	3.00	1.00	1.00	3.00	1.00
Final Sat.:	1729	344	1295	1197	1863	1583	299	5588	1583	783	5588	1583
Capacity Analysis Module:												
Vol/Sat:	0.02	0.09	0.09	0.05	0.00	0.02	0.14	0.08	0.03	0.02	0.24	0.11
Crit Moves:		****		****			****				****	
Green/Cycle:	0.31	0.19	0.19	0.22	0.14	0.14	0.63	0.55	0.55	0.59	0.54	0.54
Volume/Cap:	0.06	0.45	0.45	0.24	0.03	0.14	0.22	0.15	0.06	0.03	0.45	0.20
Level Of Service Module:												
Delay/Veh:	18.9	28.2	28.2	24.6	28.7	29.2	6.8	8.7	8.3	6.7	10.9	9.2
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	18.9	28.2	28.2	24.6	28.7	29.2	6.8	8.7	8.3	6.7	10.9	9.2
Queue:	1	1	3	2	0	1	1	7	1	0	27	3

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Traffic Projections at Buildout of Village 11/12
AM Peak Hour

Level Of Service Detailed Computation Report (Dual Phase Control)
1994 HCM Operations Method
Base Volume Alternative

Intersection #3 Street "B" and Charleston

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L2 -	L1 -	T	L2 -	L1 -	T	L2 -	L1 -	T	L2 -	L1 -	T
Control:	Prot+Permit			Prot+Permit			Prot+Permit			Prot+Permit		
HCM Ops f(rt) and f(lt) Adj Case Module:												
f(rt) Case:	xxxx	xxxx	5	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx
f(lt) Case:	2	1	xxxx	2	1	xxxx	2	1	xxxx	2	1	xxxx
HCM Ops Saturation Adj Module:												
Ln Wid Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Hev Veh Adj:	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Grade Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Parking Adj:	xxxx	xxxx	1.00	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
Bus Stp Adj:	xxxx	xxxx	1.00	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
Area Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
RT Adj:	xxxx	xxxx	0.88	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
LT Adj:	0.91	0.95	xxxxx	0.47	0.95	xxxxx	0.09	0.95	xxxxx	0.38	0.95	xxxxx
HCM Sat Adj:	0.89	0.93	0.86	0.46	0.93	0.98	0.09	0.93	0.98	0.37	0.93	0.98
Usr Sat Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Sat Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Fnl Sat Adj:	0.89	0.93	0.86	0.46	0.93	0.98	0.09	0.93	0.98	0.37	0.93	0.98
Volume Module:												
Volume:	0	34	30	0	63	7	0	41	450	0	12	1351
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.89	0.93	0.86	0.46	0.93	0.98	0.09	0.93	0.98	0.37	0.93	0.98
Lanes:	1.00	1.00	0.21	1.00	1.00	1.00	1.00	1.00	3.00	1.00	1.00	3.00
Final Sat.:	1697	1770	344	873	1770	1863	166	1770	5588	699	1770	5588
Capacity Analysis Module:												
Vol/Sat:	0.00	0.02	0.09	0.00	0.04	0.00	0.00	0.02	0.08	0.00	0.01	0.24
Crit Moves:			****		****			****				****
Green/Cycle:	0.17	0.13	0.19	0.14	0.08	0.14	0.57	0.05	0.55	0.54	0.05	0.54
Volume/Cap:	0.00	0.14	0.45	0.00	0.45	0.03	0.00	0.45	0.15	0.00	0.15	0.45

Note: L2 = Permitted Left, L1 = Protected Left, T = Thru

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Traffic Projections at Buildout of Village 11/12
PM Peak Hour

Level Of Service Computation Report
1994 HCM Operations Method (Base Volume Alternative)

Intersection #1 Town Center and Charleston

Cycle (sec): 120 Critical Vol./Cap. (X): 0.488
Loss Time (sec): 16 (Y+R = 4 sec) Average Delay (sec/veh): 23.3
Optimal Cycle: 120 Level Of Service: C

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Protected			Protected			Protected			Protected		
Rights:	Include			Ignore			Ignore			Ignore		
Min. Green:	0	0	0	0	0	0	0	0	0	0	0	0
Lanes:	2 0 3	0	1	2 0 3	0	1	2 0 3	0	1	2 0 3	0	1
Volume Module:												
Base Vol:	136	756	146	303	1090	145	252	416	141	298	402	197
Growth Adj:	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00
Initial Bse:	136	756	146	303	1090	0	252	416	0	298	402	0
User Adj:	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00
PHF Volume:	136	756	146	303	1090	0	252	416	0	298	402	0
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Reduced Vol:	136	756	146	303	1090	0	252	416	0	298	402	0
PCE Adj:	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00
MLF Adj:	1.03	1.10	1.00	1.03	1.10	0.00	1.03	1.10	0.00	1.03	1.10	0.00
Final Vol.:	140	832	146	312	1199	0	260	458	0	307	442	0
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.93	0.98	0.83	0.93	0.98	1.00	0.93	0.98	1.00	0.93	0.98	1.00
Lanes:	2.00	3.00	1.00	2.00	3.00	1.00	2.00	3.00	1.00	2.00	3.00	1.00
Final Sat.:	3539	5588	1583	3539	5588	1900	3539	5588	1900	3539	5588	1900
Capacity Analysis Module:												
Vol/Sat:	0.04	0.15	0.09	0.09	0.21	0.00	0.07	0.08	0.00	0.09	0.08	0.00
Crit Moves:	****				****			****			****	
Green/Cycle:	0.08	0.33	0.33	0.19	0.44	0.00	0.17	0.17	0.00	0.18	0.18	0.00
Volume/Cap:	0.49	0.46	0.28	0.46	0.49	0.00	0.44	0.49	0.00	0.49	0.44	0.00
Level Of Service Module:												
Delay/Veh:	35.1	20.7	19.4	28.0	15.6	0.0	29.4	29.6	0.0	29.2	28.6	0.0
User DelAdj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
AdjDel/Veh:	35.1	20.7	19.4	28.0	15.6	0.0	29.4	29.6	0.0	29.2	28.6	0.0
Queue:	5	22	4	9	29	0	8	14	0	9	13	0

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Traffic Projections at Buildout of Village 11/12
PM Peak Hour

Level Of Service Computation Report
1994 HCM Operations Method (Base Volume Alternative)

Intersection #3 Street "B" and Charleston

Cycle (sec):	120	Critical Vol./Cap. (X):	0.895
Loss Time (sec):	16 (Y+R = 4 sec)	Average Delay (sec/veh):	28.2
Optimal Cycle:	127	Level Of Service:	D

Approach:	North Bound				South Bound				East Bound				West Bound			
Movement:	L	-	T	- R	L	-	T	- R	L	-	T	- R	L	-	T	- R
Control:	Prot+Permit				Prot+Permit				Prot+Permit				Prot+Permit			
Rights:	Include				Include				Include				Include			
Min. Green:	0	0	0		0	0	0		0	0	0		0	0	0	
Lanes:	1	0	0	1 0	1	0	1	0 1	1	0	3	0 1	1	0	3	0 1
Volume Module:																
Base Vol:	25		53	398	223		63	79	60		873	0	353		830	154
Growth Adj:	1.00		1.00	1.00	1.00		1.00	1.00	1.00		1.00	1.00	1.00		1.00	1.00
Initial Bse:	25		53	398	223		63	79	60		873	0	353		830	154
User Adj:	1.00		1.00	1.00	1.00		1.00	1.00	1.00		1.00	1.00	1.00		1.00	1.00
PHF Adj:	1.00		1.00	1.00	1.00		1.00	1.00	1.00		1.00	1.00	1.00		1.00	1.00
PHF Volume:	25		53	398	223		63	79	60		873	0	353		830	154
Reduct Vol:	0		0	0	0		0	0	0		0	0	0		0	0
Reduced Vol:	25		53	398	223		63	79	60		873	0	353		830	154
PCE Adj:	1.00		1.00	1.00	1.00		1.00	1.00	1.00		1.00	1.00	1.00		1.00	1.00
MLF Adj:	1.00		1.00	1.00	1.00		1.00	1.00	1.00		1.10	1.00	1.00		1.10	1.00
Final Vol.:	25		53	398	223		63	79	60		960	0	353		913	154
Saturation Flow Module:																
Sat/Lane:	1900		1900	1900	1900		1900	1900	1900		1900	1900	1900		1900	1900
Adjustment:	0.80		0.85	0.85	0.34		0.98	0.83	0.38		0.98	1.00	0.54		0.98	0.83
Lanes:	1.00		0.12	0.88	1.00		1.00	1.00	1.00		3.00	1.00	1.00		3.00	1.00
Final Sat.:	1526		190	1430	642		1863	1583	715		5588	1900	1019		5588	1583
Capacity Analysis Module:																
Vol/Sat:	0.02		0.28	0.28	0.35		0.03	0.05	0.08		0.17	0.00	0.35		0.16	0.10
Crit Moves:			****		****						****		****			
Green/Cycle:	0.41		0.31	0.31	0.49		0.35	0.35	0.26		0.19	0.00	0.45		0.34	0.34
Volume/Cap:	0.04		0.89	0.89	0.72		0.10	0.14	0.32		0.89	0.00	0.77		0.48	0.28
Level Of Service Module:																
Delay/Veh:	13.7		38.5	38.5	23.4		16.8	17.1	22.5		37.6	0.0	24.6		20.1	18.6
User DelAdj:	1.00		1.00	1.00	1.00		1.00	1.00	1.00		1.00	1.00	1.00		1.00	1.00
AdjDel/Veh:	13.7		38.5	38.5	23.4		16.8	17.1	22.5		37.6	0.0	24.6		20.1	18.6
Queue:	1		3	15	9		1	2	2		34	0	14		24	4

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Traffic Projections at Buildout of Village 11/12
PM Peak Hour

Level Of Service Computation Report
1994 HCM Unsignalized Method (Base Volume Alternative)

Intersection #2 New Project Driveway and Charleston Blvd.

Average Delay (sec/veh): 21.2 Worst Case Level Of Service: F

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L	T	R	L	T	R	L	T	R	L	T	R
Control:	Stop Sign			Stop Sign			Uncontrolled			Uncontrolled		
Rights:	Include			Include			Include			Include		
Lanes:	0 0 0 0 0			1 0 0 0 1			1 0 3 0 0			0 0 2 1 0		
Volume Module:												
Base Vol:	0	0	0	89	0	110	21	844	0	0	787	147
Growth Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Initial Bse:	0	0	0	89	0	110	21	844	0	0	787	147
User Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PHF Volume:	0	0	0	89	0	110	21	844	0	0	787	147
Reduct Vol:	0	0	0	0	0	0	0	0	0	0	0	0
Final Vol.:	0	0	0	89	0	110	21	844	0	0	787	147
Adjusted Volume Module:												
Grade:	0%			0%			0%			0%		
% Cycle/Cars:	0.00	0.98		0.00	0.98		0.00	0.98		0.00	0.98	
% Truck/Comb:	0.00	0.02		0.00	0.02		0.00	0.02		0.00	0.02	
PCE Adj:	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	1.00	1.00	xxxx	1.00	1.00
Cycl/Car PCE:	0.50	1.00		0.50	1.00		0.50	1.00		0.50	1.00	
Trck/Cmb PCE:	1.50	2.00		1.50	2.00		1.50	2.00		1.50	2.00	
Adj Vol.:	0	0	0	91	0	112	21	844	0	0	787	147
Critical Gap Module:												
MoveUp Time:	xxxxx	xxxx	xxxxx	3.4	xxxx	2.6	2.1	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Critical Gp:	xxxxx	xxxx	xxxxx	7.0	xxxx	5.5	5.5	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Capacity Module:												
Cnflict Vol:	xxxx	xxxx	xxxxx	1726	xxxx	336	934	xxxx	xxxxx	xxxx	xxxx	xxxxx
Potent Cap.:	xxxx	xxxx	xxxxx	83	xxxx	936	540	xxxx	xxxxx	xxxx	xxxx	xxxxx
Adj Cap:	xxxx	xxxx	xxxxx	0.96	xxxx	1.00	1.00	xxxx	xxxxx	xxxx	xxxx	xxxxx
Move Cap.:	xxxx	xxxx	xxxxx	80	xxxx	936	540	xxxx	xxxxx	xxxx	xxxx	xxxxx
Level Of Service Module:												
Stopped Del:	xxxxx	xxxx	xxxxx	459.6	xxxx	4.4	6.9	xxxx	xxxxx	xxxxx	xxxx	xxxxx
LOS by Move:	*	*	*	F	*	A	B	*	*	*	*	*
Movement:	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT	LT	LTR	RT
Shared Cap.:	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
Shrd StpDel:	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx	xxxxx	xxxx	xxxxx
Shared LOS:	*	*	*	*	*	*	*	*	*	*	*	*
ApproachDel:	0.0			207.9			0.2			0.0		

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PM Peak Hour

Level Of Service Detailed Computation Report (Dual Phase Control)
1994 HCM Operations Method
Base Volume Alternative

Intersection #3 Street "B" and Charleston

Approach:	North Bound			South Bound			East Bound			West Bound		
Movement:	L2	L1	T	L2	L1	T	L2	L1	T	L2	L1	T
Control:	Prot+Permit			Prot+Permit			Prot+Permit			Prot+Permit		
HCM Ops f(rt) and f(lt) Adj Case Module:												
f(rt) Case:	xxxx	xxxx	5	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx	xxxx
f(lt) Case:	2	1	xxxx	2	1	xxxx	2	1	xxxx	2	1	xxxx
HCM Ops Saturation Adj Module:												
Ln Wid Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Hev Veh Adj:	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
Grade Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Parking Adj:	xxxx	xxxx	1.00	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
Bus Stp Adj:	xxxx	xxxx	1.00	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
Area Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
RT Adj:	xxxx	xxxx	0.87	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx	xxxx	xxxx	xxxxx
LT Adj:	0.78	0.95	xxxxx	0.10	0.95	xxxxx	0.17	0.95	xxxxx	0.15	0.95	xxxxx
HCM Sat Adj:	0.76	0.93	0.85	0.09	0.93	0.98	0.17	0.93	0.98	0.15	0.93	0.98
Usr Sat Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
MLF Sat Adj:	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Fnl Sat Adj:	0.76	0.93	0.85	0.09	0.93	0.98	0.17	0.93	0.98	0.15	0.93	0.98
Volume Module:												
Volume:	0	25	53	0	223	63	0	60	960	0	353	913
Saturation Flow Module:												
Sat/Lane:	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adjustment:	0.76	0.93	0.85	0.09	0.93	0.98	0.17	0.93	0.98	0.15	0.93	0.98
Lanes:	1.00	1.00	0.12	1.00	1.00	1.00	1.00	1.00	3.00	1.00	1.00	3.00
Final Sat.:	1448	1770	190	180	1770	1863	323	1770	5588	276	1770	5588
Capacity Analysis Module:												
Vol/Sat:	0.00	0.01	0.28	0.00	0.13	0.03	0.00	0.03	0.17	0.00	0.20	0.16
Crit Moves:			****		****				****		****	
Green/Cycle:	0.31	0.10	0.31	0.34	0.14	0.35	0.19	0.07	0.19	0.23	0.22	0.34
Volume/Cap:	0.00	0.14	0.89	0.00	0.89	0.10	0.00	0.48	0.89	0.00	0.89	0.48

Note: L2 = Permitted Left, L1 = Protected Left, T = Thru

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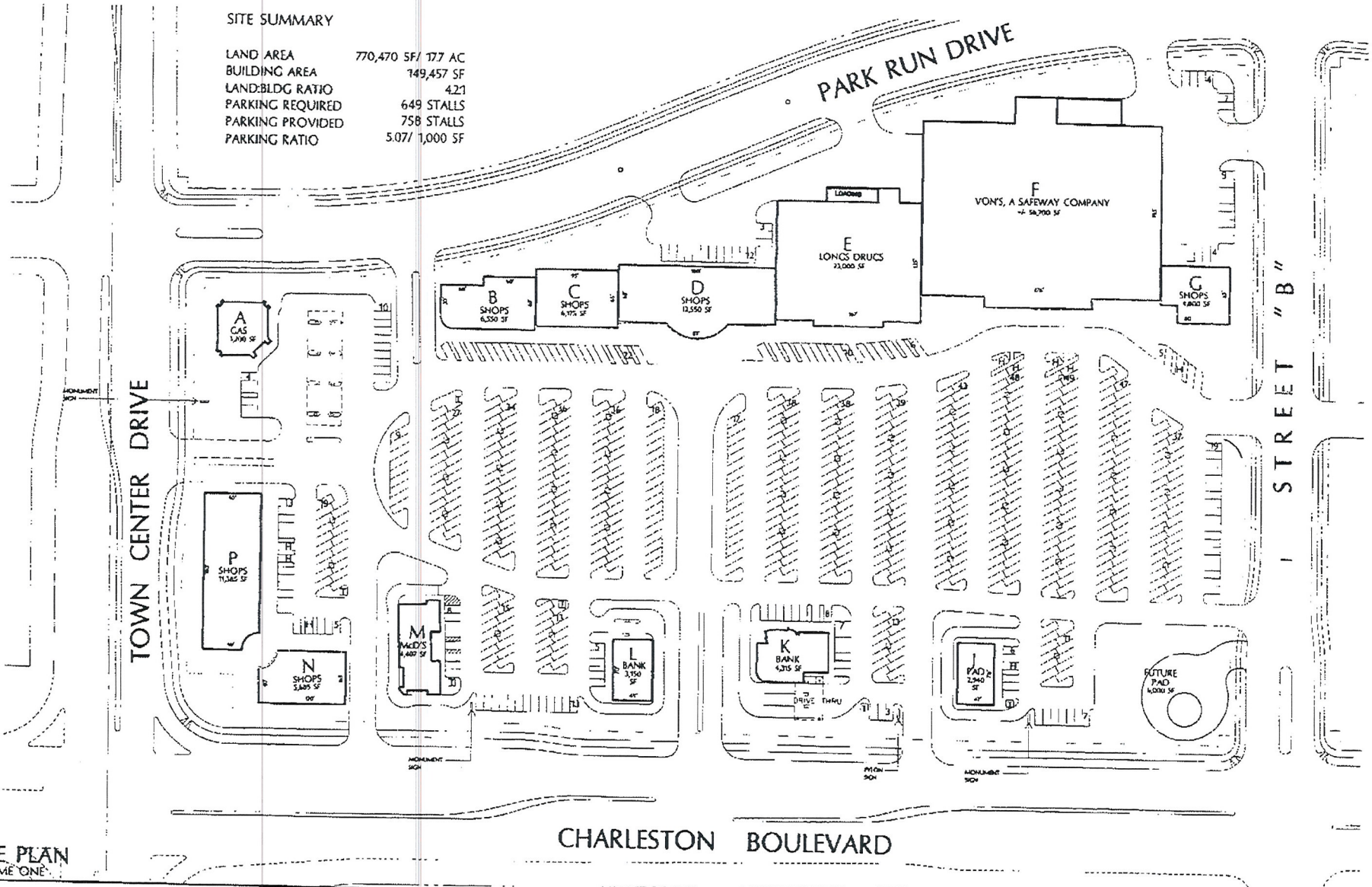
Jul-16-98 08:16A MCG Architects L V 702 733 8998 P.02

SITE SUMMARY

LAND AREA	770,470 SF/ 17.7 AC
BUILDING AREA	149,457 SF
LAND:BLDG RATIO	4.21
PARKING REQUIRED	649 STALLS
PARKING PROVIDED	758 STALLS
PARKING RATIO	5.07/ 1,000 SF



SITE PLAN
SCHEME ONE

The above depiction is based on the current plan of the development and the concept, size and location of the structures is approximate. The configuration and size of the development including the structures, amount and location of parking, vehicular access, streets, landscapes, common areas and all other facilities and improvements depicted are subject to change at any time and from time to time without notice to tenants or others.

CENTERPOINTE PLAZA AT SUMMERLIN
NEC CHARLESTON BOULEVARD & TOWN CENTER DRIVE
LAS VEGAS, NEVADA

A COMMERCIAL PROJECT FOR:

CENTERPOINTE PLAZA PARTNERS
HOWARD HUGHES PROPERTIES, LP, JAMES A. CHRISTENSEN
3146 REDHILL AVENUE, SUITE 200-A, COSTA MESA, CA 92626
PHONE 714-979-8800 FAX 714-228-0816

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MCG ARCHITECTS

Southern Nevada GIS ~ OpenWeb Info Mapper



The MAPS and DATA are provided without warranty of any kind, expressed or implied.

Date Created: 4/10/2013

Property Information

Parcel:	137-36-814-003
Owner Name(s):	CENTER POINTE PLAZA L L C
Site Address:	10300 W CHARLESTON BLVD
Jurisdiction:	Las Vegas - 89135
Zoning Classification:	Planned Community District (P-C)

Misc Information

Subdivision Name:	CENTERPOINT PLAZA		
Lot Block:	Lot:1 Block:	Construction Year:	Construction Year: 2001
Sale Date:	00/0000	T-R-S:	20-59-36
Sale Price:	$0	Census Tract:	3227
Recorded Doc Number:	2002031901743	Estimated Lot Size:	Estimated Lot Size: 0.92
Flight Date:	Aerial Flight Date: 04/21/12 - 04/28/12		

Elected Officials

Commission District:	C - LARRY BROWN	City Ward:	2 - BOB BEERS
US Senate:	DEAN HELLER, HARRY REID	US Congress:	03-JOE HECK
State Senate:	08-BARBARA K. CEGAVSKE	State Assembly:	02-JOHN HAMBRICK
School District:	E-PATRICE TEW	University Regent:	07-MARK DOUBRAVA
Board of Education:	3-ALLISON SERAFIN	Minor Civil Division:	Las Vegas Township

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Goodwill Industries of Southern Nevada
1280 W. Cheyenne Ave
North Las Vegas, NV 89030

May 13, 2013

City of Las Vegas
Planning Department
495 S. Main St.
Las Vegas, NV 89101

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MAY 13 2013

Justification Letter

Goodwill Industries of Southern Nevada is requesting a Special Use Permit to allow for a boutique thrift store in the Center Pointe Plaza shopping center located at 10300 W. Charleston Blvd. Goodwill currently has 9 Retail Stores/Donation centers throughout the Las Vegas Valley. Two stores are located within the City of Henderson, two in Clark County and four stores are located within the City of Las Vegas with the locations listed below:

4580 W. Sahara Ave
Las Vegas, NV 89102

3345 E. Tropicana Ave.
Las Vegas, NV 89121

3011 N. Rainbow
Las Vegas, NV 89108

4830 W. Craig Rd.
Las Vegas, NV 89130

Goodwill is a dynamic organization and IRS designated 501(c)3 nonprofit that enables our citizens to start new careers and lives of independence. Goodwill stores provide the funding for these services. Goodwill would be a viable business in this location for the following reasons:

1. Goodwill is the market leader in thrift retailing in Las Vegas. Goodwill stores are clean, organized, professionally managed and offer a mix of merchandise from gently used clothing to gently used furniture and electronics.
2. Goodwill's success is good for our community. Each person placed into a new career strengthens our local economy by creating citizens with buying power. In additional, this new store and donation center would create approximately 20 new job positions that would need to be filled locally.

SUP-49166
REVISED

3. The Goodwill boutique thrift store and donation center will be located inside an existing shopping center located off of two major streets, Charleston Blvd and Town Center Drive. There are multiple ingress and egress points to the shopping center located along Charleston Blvd and additional points off of Town Center Drive and Park Run Drive. This provides ample flow for traffic to the entire shopping center as well as the proposed Goodwill boutique store.
4. Goodwill's boutique thrift store hours are Monday-Friday 9am to 9pm, and Sundays 10am-6pm. The donation center hours are Monday-Saturday 7am-9pm and Sunday 7am-6pm. These are mostly consistent with typical retail center operating hours of 10am-9pm. Within the shopping center there are businesses that currently operate outside of the typical retail center hours. The Albertson's in the same center is 24hrs. The main banking offices for the Bank of America and the Town & Country Bank are closed after 6pm; however, the drive-thru ATM's are 24hrs as well. The Starbucks and the McDonald's in the center have extended operating hours past the typical 9pm closing that business's have. Therefore, the store hours of operation would have no impact on the surrounding area.
5. The donation will be accepted directly into the boutique thrift store through the main entrance. To accommodate people that are bringing donations, two 5 minute parking spaces will be allotted directly in front of the main door solely for the purpose of donating goods. These 2 spaces will have a bell that will alert the attendants inside when I car pulls into a designated space so donations can be brought inside quickly and efficiently. This will make it easy for donors to bring goods to the store without it cluttering the front of the building or having to walk the goods across the parking lot possibly causing congestion. Donations will only be accepted during the hours of Monday-Saturday 7am-9pm and Sunday 7am-6pm and there will be signage in place to let donors know that donations will not be accepted after hours.
6. Currently operating within the shopping center there are multiple business offices offering a variety of law, financial and real estate services, fast food restaurants, beauty care, automotive care, banks and a grocery store. There are currently no retail clothing or accessory stores within the shopping center or in the surrounding vicinity. The proposed Goodwill boutique thrift store would provide a new use within the shopping center that would give the surrounding neighborhood a place to donate their gently used goods as well as a boutique thrift store that will provide not only inexpensive clothing but inexpensive household goods as well within close proximity.

For these reasons, we believe the proposed Goodwill boutique thrift store and donation center would be an appropriate use consistent with the surrounding area and request the approval of a Special Use Permit to allow a thrift store.

Sincerely,

Alyn Reeves
Chief Operating Officer
Goodwill of Southern Nevada

SUP-49166
REVISED

City of Las Vegas Agenda Item No.: **45.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

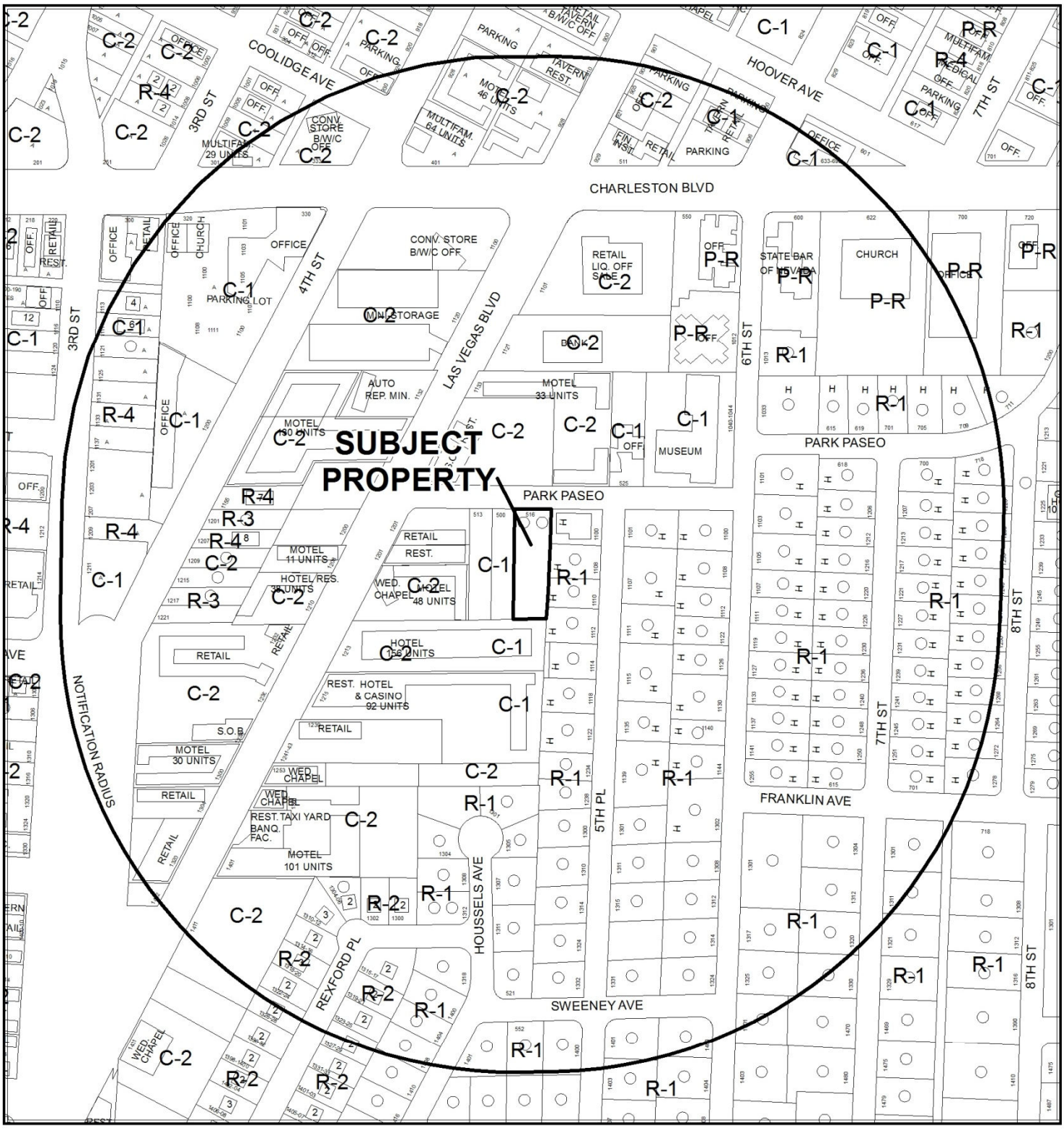
SUBJECT:
SDR-49169 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: 1201 SOUTH LAS VEGAS BOULEVARD, LLC - For possible action on a request for a Site Development Plan Review FOR A PARKING LOT WITH WAIVERS TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE WEST AND SOUTH PERIMETERS WHERE 8-FEET IS REQUIRED AND TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE NORTH PERIMETER WHERE 15-FEET IS REQUIRED on 0.43 acres at 516 Park Paseo (APN 162-03-112-022), C-1 (Limited Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 07/24/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



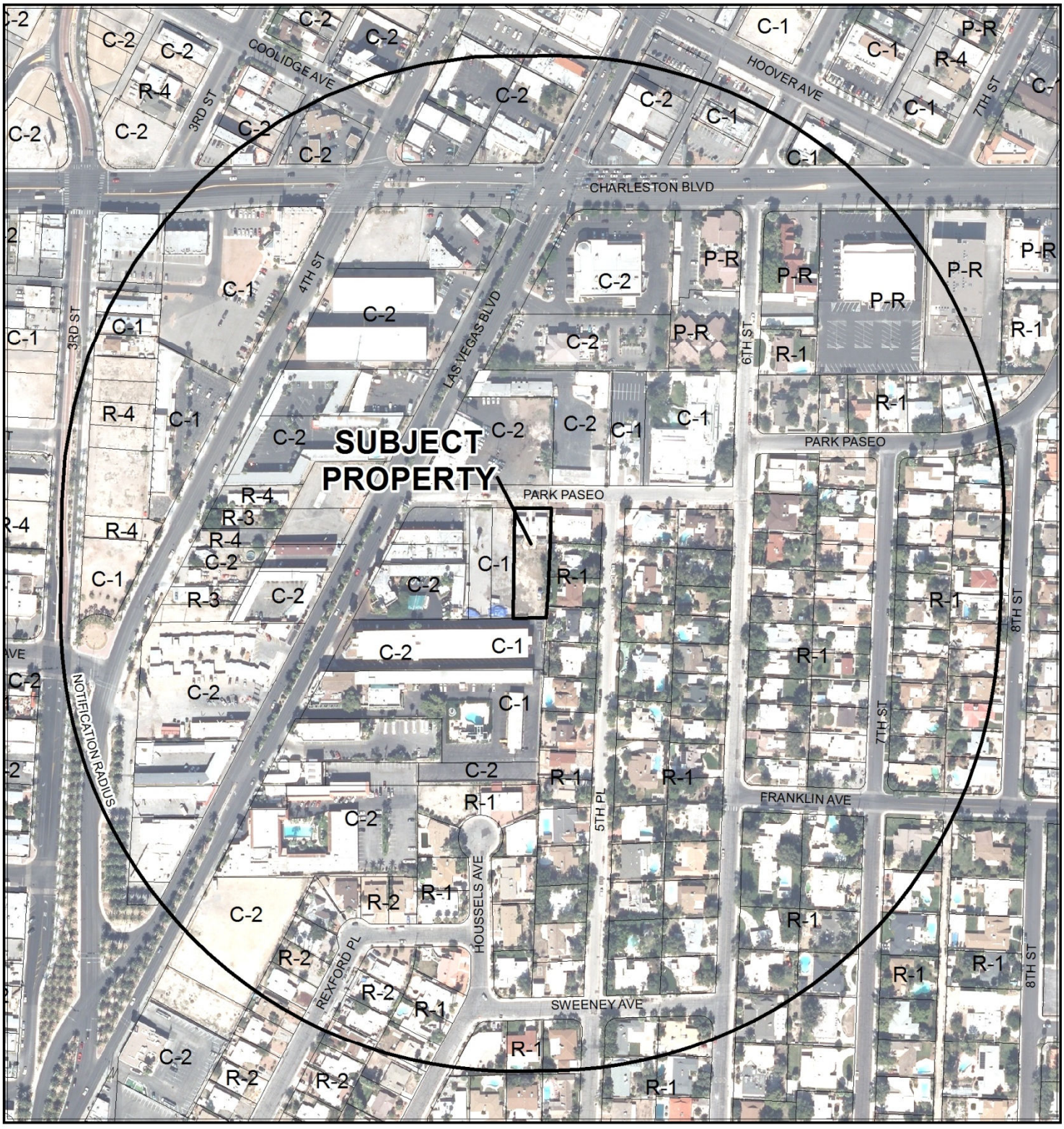
0 300 600 Feet

CASE: **SDR-49169**

RADIUS: 1000 FEET

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

N



0 300 600 Feet

CASE: **SDR-49169**

RADIUS: 1000 FEET

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: 1201 SOUTH LAS VEGAS BOULEVARD, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-49169	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SDR-49169 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 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All development shall be in conformance with the site plan and landscape plans, date stamped 05/15/13, except as amended by conditions herein.

3. A Waiver from Title 19.08.070 is hereby approved, to allow zero landscape buffers along the north, south and west perimeters.

4. An Exception from Title 19.08.110(C)(12) is hereby approved, to allow no landscape islands where one is required for every six parking spaces.

5. All required trees along the east perimeter landscape buffer shall be 24-inch box Xylosma trees and placed every 20 feet on center.

6. There shall be a solid six-foot tall wall along the entire east property line.

7. 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.

YK

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.

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

Public Works

11. The proposed new driveway accessing this site from Park Paseo 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. This driveway shall meet Standard Drawing #224.

12. 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.

13. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the south prior to the issuance of any permits.

14. Submit an Encroachment Agreement for landscaping and private improvements, if any, in the Park Paseo public right-of-way prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the Encroachment Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's Encroachment Agreement. The installation and maintenance of all private improvements 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. Coordinate all requirements for the Encroachment Agreement with the Land Development Section of the Department of Building and Safety (229-4836).

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting a Site Development Plan Review to develop a commercial parking lot on an undeveloped parcel at 516 Park Paseo adjacent to the historic residential area of the John S. Park Neighborhood. The applicant has worked with staff to mitigate impacts to adjacent properties with the development of this C-1 (Limited Commercial) zoned parcel. Specifically, a 20-foot wide landscape buffer will be installed along the east perimeter to adequately screen the single-family residential properties to the east. For this reason, staff recommends approval, with conditions. If denied, the parcel will remain undeveloped until a Site Development Plan Review is approved.

ISSUES

- Waivers are required to allow zero-foot landscape buffers along the west, south and north perimeters where eight feet is required and 15 feet is required along the north perimeter. Staff supports this request.
- An Exception is required to allow no landscape islands for every six parking spaces. Staff supports this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/24/99	The City Council denied a request for Rezoning (Z-0019-99) from C-1 (Limited Commercial) and C-2 (General Commercial) to C-2 (General Commercial) on property located on the southeast corner of Las Vegas Boulevard South and Park Paseo. The Planning Commission and staff recommended denial.
12/19/01	The City Council adopted the Historic John S. Park Neighborhood Plan via Resolution (R-155-2001). The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
04/13/12	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
11/14/12	A building permit (#223578) for demolition of a single-story house was issued at 516 Park Paseo.
	A building permit (#223579) for demolition of a single-story house was issued at 518 Park Paseo.

Pre-Application Meeting	
02/13/13	Staff met with the applicant and reviewed the requirements for a Site Development Plan Review for a commercial parking lot. Staff advised applicant to hold a neighborhood meeting given the location is within the Historic John. S. Park Neighborhood. A six-foot tall screening fence is required along the east property line.

Neighborhood Meeting
A neighborhood meeting was not required, nor held. However, staff strongly recommended the applicant hold a voluntary meeting since this neighborhood is very active and the parcel is located within the Historic John S. Park Neighborhood Plan Overlay.

Field Check	
05/02/13	Staff visited the site and found it to be vacant and secured with a six-foot tall chain link fence. There were some weeds and debris on the site.

Details of Application Request	
Site Area	
Net Acres	0.43

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
North	Sexually Oriented Business	C (Commercial)	C-2 (General Commercial)
	Restaurant		
	Retail		
South	Motel	C (Commercial)	C-1 (Limited Commercial)

YK

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
East	Single-Family, Detached	L (Low Density Residential)	R-1 (Single-Family Residential)
West	Parking Lot	C (Commercial)	C-1 (Limited Commercial)

Master Plan Areas	***Compliance***
John S. Park Historic Neighborhood	Y
Special Purpose and Overlay Districts	***Compliance***
No Applicable Special Purpose or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	Y
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.070, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Width	100 Feet	80.05 Feet	N*
Min. Setbacks			
• Front	10 Feet	N/A	N/A
• Side	10 Feet	N/A	N/A
• Corner	10 Feet	N/A	N/A
• Rear	20 Feet	N/A	N/A
Max. Lot Coverage	50 %	N/A	N/A

*Legal Nonconforming C-1 (Limited Commercial) Zoned Parcel.

Pursuant to Titles 19.08.070 and 19.08.110, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	9 Trees	0 Trees	N
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		0 Feet	N
• South	8 Feet		0 Feet	N
• East	8 Feet		20 Feet	Y
• West	8 Feet		0 Feet	N
Wall Height	6 to 8 Feet Adjacent to Residential		By Condition	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Park Paseo	N/A	N/A	50	Y

Pursuant to Title 19.08 and 19.12, 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	
Parking Lot	N/A	N/A	54				
TOTAL SPACES REQUIRED			54		54		Y
Regular and Handicap Spaces Required			54	0	54	0	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
To provide a landscape buffer of 8-feet along the east, west and south perimeters and 15-feet along the north perimeter.	To allow no landscape buffers on west, south and north perimeters.	Approval

Exceptions		
Requirement	***Request***	***Staff Recommendation***
To provide landscape islands in the parking lot for every six uncovered parking spaces.	To allow no landscape islands.	Approval

ANALYSIS

The applicant is requesting to develop a vacant C-1 (Limited Commercial) zoned parcel into a commercial parking lot. This is a legal nonconforming lot as it is only 80 feet wide, where the minimum width for a C-1 (Limited Commercial) parcel is 100 feet. Since the lot was zoned prior to the adoption of the Historic John S. Park Neighborhood Plan, the development is within conformance of the plan.

The applicant worked with staff and the adjacent property owners to develop a plan that would mitigate any negative impacts developing a commercial parcel may result in. Specifically, a 20-foot landscape buffer is being installed along the east perimeter to adequate buffer the residential properties to the east. A landscape palliate was chosen that will not interfere with the power lines along the utility easement adjacent to the landscaping on the eastside of the property. The Xylosma tree only grows to a height of 15 feet and will be located every 20 feet on center along the east perimeter. Although the site and landscape plans submitted call for these trees to be 15-gallon, a condition has been added that will require the trees to be 24-inch box. The Pineapple Guave shrubs and Goodding Verbena ground covers complement the tree choice and is also requires low water and low maintenance.

A Waiver is required as no landscape buffers are being provided along the north, south or west perimeters as required by code. The properties to the west and south are also developed as parking lots, so the impact of no landscaping is minimal. The north perimeter is adjacent to Park Paseo where some ground cover planets will be planted between the sidewalk and the screen fence of the parking lot. Although this parcel is not in the Downtown Centennial Plan (DCP) Overlay, a condition has been added to require a DCP-style parking lot screening fence be used along the north perimeter. For these reasons, staff supports the requested Waivers.

Again, due to the limited width of the parcel, the applicant was not able to install any of the required parking lot landscape islands. This resulted in the need for an Exception, which staff supports due to the other enhancements of the 20-foot wide landscape buffer on the east perimeter and the DCP-style screening fence along the north perimeter that the applicant has agreed too.

This parking lot will have 54 parking spaces. Since a shared parking and cross access agreement has been recorded between the owners of the subject parcel and the parcel adjacent to the south, no additional handicap spaces are required. The required handicap spaces for the motel located on the adjacent southern parcel are located near the front door of the motel entrance.

The applicant worked in good faith with City staff, adjacent property owners and elected officials to be able to present a development plan that meets all parties' needs. For this reason, staff is able to recommend approval of the application with the Waivers and Exception.

FINDINGS (SDR-49169)

In order to approve a Site Development Plan application, per Title 19.16.100(E) 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 parking lot is compatible with adjacent development as it is adequately screened and buffered from the adjacent residential 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;**

   This project will be in compliance with all City of Las Vegas development plans with the approval of the requested Waivers and Exceptions.

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

   Although the only legal access to this property is from Park Paseo, the applicant has mitigated the traffic impact by signing a cross access and shared parking agreement with the adjacent parcel owner to the south. This will allow access to the lot off Las Vegas Boulevard via the south parcel, thus minimizing the impact on neighborhood traffic.

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

   The landscape materials are consistent with the area and desert appropriate.

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 will create an aesthetically enhanced appearance and is compatible with development in the area.

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

Permits are required and thus will have inspections to ensure all public health and safety issues are resolved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 28

NOTICES MAILED 185

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-49169** APN: 162-03-112-022

Name of Property Owner: 1201 S. Las Vegas Blvd LLC

Name of Applicant: ILAN Gorodezki

Name of Representative: Preator 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: Ilan Gorodezki

Print Name: ILAN Gorodezki

RECEIVED
APR 25 2013

Subscribed and sworn before me

This 24 day of April, 2013

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

TANDI HUIZENGA
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 04-86863-1
MY APPT. EXPIRES FEB. 4, 2016

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Super 8 Remote parking

Project Address (Location) 516 PARK PASEO LAS vegas NV 89104

Project Name REMOTE PARKING **Proposed Use** PARKING

Assessor's Parcel #(s) 162-03-112-022 **Ward #** 3

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

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

Gross Acres .43 **Lots/Units** n/a **Density** n/a

Additional Information

PROPERTY OWNER 1201 S. Las vegas Blvd LLC **Contact** ZOHAR ROBIN

Address 1213 S. LAS vegas Blvd **Phone:** 702-210-6182 **Fax:** 702-331-0546

City LAS vegas, NV 89104 **State** NV **Zip** 89104

E-mail Address ZRE702@GMAIL.COM

APPLICANT 1201 S. Las vegas Blvd LLC **Contact** ZOHAR ROBIN

Address 1213 S. LAS vegas Blvd **Phone:** 702-210-6182 **Fax:**

City LAS vegas **State** NV **Zip** 89104

E-mail Address ZRE702@GMAIL.COM

REPRESENTATIVE Preator Consulting **Contact** Lazell preator

Address 1012 silver Retreat ct **Phone:** 702-606-7613 **Fax:** 702-564-4082

City Henderson **State** NV **Zip** 89002

E-mail Address

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* Ilan Gorodezki

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

Print Name Ilan Gorodezki

Subscribed and sworn before me

This 24th day of April, 2013.

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

TANDI HUIZENGA
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 04-86863-1
MY APPT. EXPIRES FEB. 4, 2016

FOR DEPARTMENT USE ONLY

Case #	SDR-49169
Meeting Date:	6/11/13
Total Fee:	$1030
Date Received:*	4/25/13
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.

RECEIVED
APR 25 2013

Revised 10/27/08

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

PLANT SCHEDULE

SYMBOL	COMMON NAME	SIZE	HABIT	QTY.	BOTANICAL NAME
TREES	PROVIDE DEEP ROOT WATER TO ALL TREES				
	XYLOSMA (SMALL)	15 GAL.	EVERGREEN	20' O.C.	XYLOSMA CONGESTUM
SHRUBS					
	PINEAPPLE GUAVA	5 GAL.	EVERGREEN	4 FOR EVERY TREE	FEIJOA SELLOWIANA
GROUND COVER					
	GOODDING VERBENA	5 GAL.	EVERGREEN	AS REQ'D PER CODE	GLANDULARIA

SITE DATA

TOTAL AREA

ZONING _____ C-1

GROSS AREA _____ 0.43 ACRES

PARKING

PROVIDED:

STANDARD SPACES _____ = 54 PARKING SPACES

LANDSCAPE NOTES

1. ALL REQUIRED PLANTS SHALL CONSIST OF MATERIALS SELECTED FROM THE PLANT LIST IN SOUTHERN NEVADA REGIONAL PLANNING COALITION'S REGIONAL PLANT LIST, INCLUDING CACTUS, AND ANNUAL & PERENNIAL FLOWERS
2. ROOT SHIELD REQUIRED PER TITLE 30 30.64-2 & 30.64-3 FOR TREES

LANDSCAPE AREA

5254 SQUARE FEET

LEGAL DESCRIPTION

APN 162-03-112-022

THE EAST 80 FEET OF LOT "K" OF PARK PLACE PLACE ADDITION TO CITY OF LAS VEGAS AS SHOWN IN BOOK 1, PAGE 48 OF PLATS, CLARK COUNTY NEVADA RECORDS. CONTAINS 19,649 SF

BASIS OF BEARINGS

N 27°54'36" E, BEING THE CENTERLINE OF LAS VEGAS BLVD. AS PER RECORD OF SURVEY FILE 82 PAGE 84, CLARK COUNTY, NEVADA RECORDS.

BENCHMARK

CLV NO. 2LV11 3WW6
RIVET AND PLATE IN TOP OF CURB ON THE EAST SIDE OF LAS VEGAS BLVD @ 1401 LAS VEGAS BLVD.
618.183 METERS
2028.15 FEET (NAVD 88)

OWNER

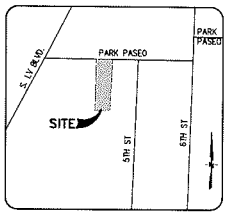
1201 S LAS VEGAS BLVD, LLC
1213 S LAS VEGAS BLVD
LAS VEGAS, NV. 89104-1307

ABBREVIATIONS

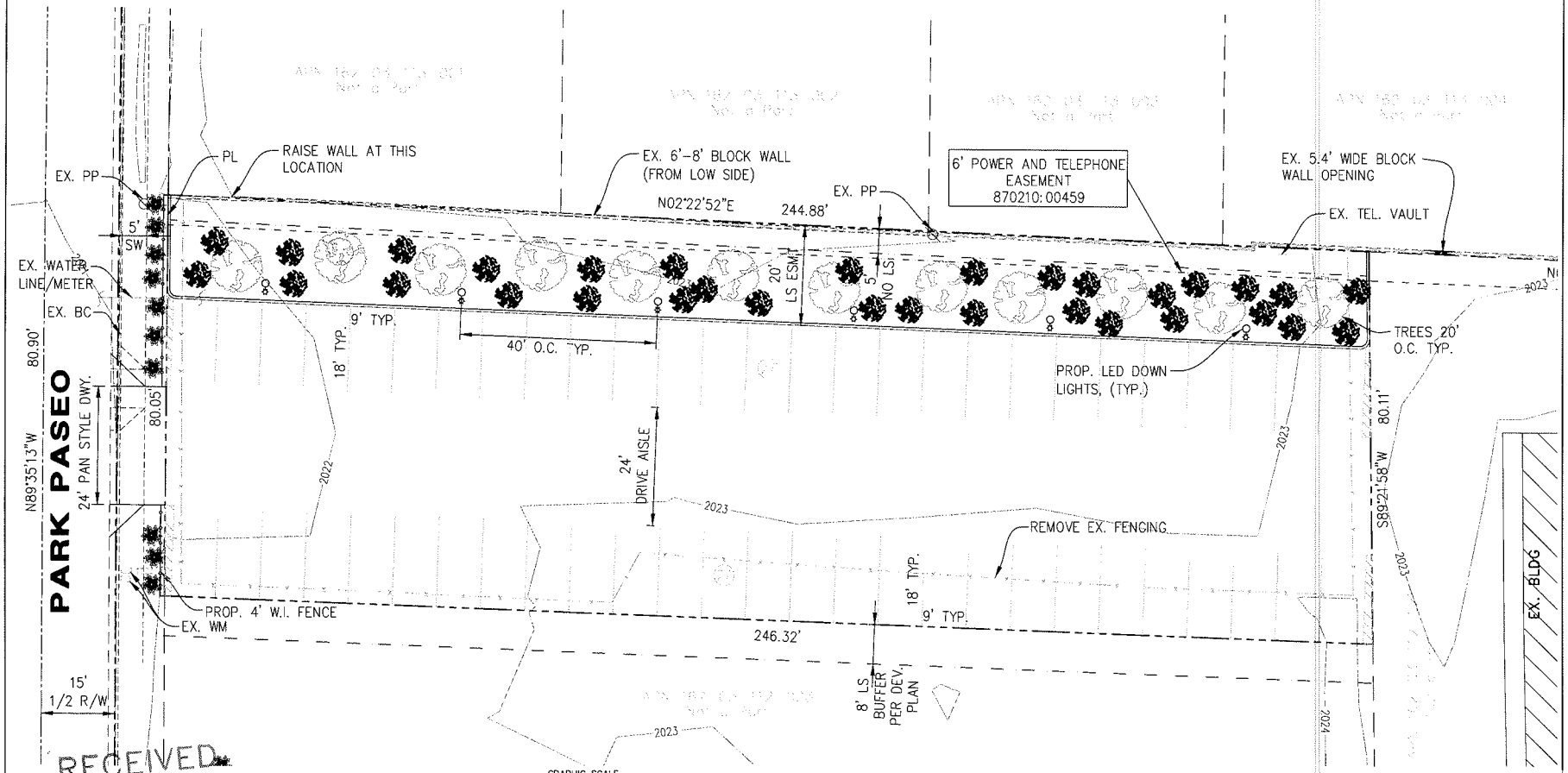
AC	ASPHALTIC CONCRETE
APN	ASSESSOR PARCEL MAP
BSW	BACK OF SIDEWALK
BC	BACK OF CURB
C.L.	CHAIN LINK FENCE
CL	CENTERLINE
EOP	EDGE OF ASPHALT PAVEMENT
EX	EXISTING
FC	FACE OF CURB
FH	FIRE HYDRANT
OP	OVERHEAD POWER
P.U.E.	PUBLIC UTILITY EASEMENT
PL	PROPERTY LINE
PROP	PROPOSED
PP	POWER POLE
R	RADIUS
R/W	RIGHT OF WAY
SS	SANITARY SEWER
SW	SIDEWALK
ST.LT.	STREET LIGHT
W.I.	WROUGHT IRON
WM	WATER METER

LEGEND

- PROPERTY LINE
- RIGHT-OF-WAY
- CENTERLINE
- SETBACK
- ADJACENT PROPERTY LINE
- EX. CONTOUR (1' INTERVAL)
- EX. CONTOUR (5' INTERVAL)
- PROP. LED DOWN LIGHT
- EX. POWER POLE



VICINITY MAP
N.T.S.



GRAPHIC SCALE
(IN FEET)
1 inch = 10 ft.

SITE PLAN
SCALE: 1"=10'

N

SDR-49169
REVISED

PREATOR CONSULTING
1012 SILVER RETREAT CT.
HENDERSON, NV. 89002
(702) 564-4062
FAX (702) 564-4062
E-MAIL: PREATORCONSULTING@COX.NET

JOB TITLE
1201 S. LAS VEGAS BLVD, LLC
1201 S. LAS VEGAS BLVD.
LAS VEGAS, NV. 89104
APN: 163-03-112-022

JOB No. 13-01-09

SHEET TITLE
SUPER 8
REMOTE PARKING
SITE PLAN

DESCRIPTION

DATE:
15 MAY 2013

LAZELL R. PREATOR
EXP. 12-31-13
CIVIL
No. 14982
STATE OF NEVADA

SITE-1

SHEET 1 OF 1



SDR-49169 - APPLICANT/OWNER: 1201 SOUTH LAS VEGAS BOULEVARD, LLC
516 PARK PASEO

05/02/13



SDR-49169 - APPLICANT/OWNER: 1201 SOUTH LAS VEGAS BOULEVARD, LLC
516 PARK PASEO

05/02/13

PREATOR CONSULTING

1012 Silver Retreat Ct
Henderson, NV 89002
Tel: (702) 606-7613
Fax: (702) 564-4082

May 1, 2013

Mr. Flinn Fagg, AICP
Director – Development Services Center
City of Las Vegas Planning and Development
333 N. Rancho Drive
Las Vegas, NV 89106

RECEIVED
MAY 06 2013

RE: JUSTIFICATION LETTER
REMOTE PARKING LOT – SUPER 8 MOTEL
516 Park Paseo (162-03-112-022)

Dear Mr. Fagg;

The owners of the above listed property, via an agreement with the Super 8 Motel of Las Vegas (162-03-112-028) are requesting to convert a currently empty lot into paved and landscaped parking lot. The lot is currently known as APN: 162-03-112-022, 516 Park Paseo. The lot is Zoned C-1, and no change is requested.

An older home was located on the property until recently, when it was demolished at the request of the City. The owners of the property feel that the lot will provide an enhanced feel to the street and area, while meeting a perceived need for additional parking for the existing motel.

The applicant desires to provide a total of 1,488sqft of landscaping with a waiver of the requirements to provide landscaping along the east, west and south perimeters. Pursuant to discussions with City of Las Vegas Fire Department, a 20ft drive aisle is being provided along the eastern boundary to provide access to the rear of the Super 8 and Aruba properties. An 8ft landscape buffer is being provided by the adjacent property owner to the west. Discussions with City Staff have yielded that the drive aisle on the south side of the lot is suitable for use as a turn-thru for the parking lot.

The applicant is also requesting an exception to not provide full screening along Park Paseo. The applicant, after discussions with Staff and Council wishes to provide a 4ft wrought iron fence and landscaping.

The Las Vegas Valley Water District notes that water service (meter) is already in place. As there are sufficient handicap accessible stalls adjacent to the existing building, no handicap spaces are proposed.

Full improvement plans will be prepared to convert the lot to the intended use, and permits will be requested upon approval of said plans.

Please feel free to contact me at 606-7613 should you have any questions.

Sincerely,
PREATOR CONSULTING, LLC

Lazell H. Preator, PE
Chief Engineer

SDR-49169
REVISED

City of Las Vegas Agenda Item No.: **46.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

SUBJECT:
ABEYANCE - TXT-48048 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For discussion and possible action to amend the LVMC Title 19, Unified Development Code (UDC) of the City of Las Vegas, to make various corrections, clarifications and updates identified as necessary or appropriate. Staff recommends APPROVAL.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Abeyance Request Submitted by Robert Summerfield
2. Proposed Amendments and Staff Report

From: Robert Summerfield
To: Peter Lowenstein
Cc: Carman Burney; Flinn Fagg; Andy Reed; Doug Rankin; Nora Lares
Subject: TXT-48048 (2013 UDC Clean-Up Amendment)
Date: Thursday, May 23, 2013 3:36:48 PM
Attachments: image002.png

LAS VEGAS
CITY COUNCIL

CAROLYN G. GOODMAN
MAYOR

STAVROS S. ANTHONY
MAYOR PRO TEM

LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
BOB COFFIN
BOB BEERS

ELIZABETH N. FRETWELL
CITY MANAGER

May 23, 2013

Mr. Peter Lowenstein
City of Las Vegas
Department of Planning
333 N. Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

RE: TXT-48048 - TEXT AMENDMENT

Dear Mr. Lowenstein:

I would like to request that case number TXT-48048 be held in abeyance for 60-days at the June 11, 2013 Planning Commission Meeting. Holding this item for an additional 60 days (to the August 13th meeting) will allow for several amendments that are in progress to complete the adoption process and be properly incorporated in the update and give staff additional time to continue to address concerns that have been raised since this item was originally placed on the Planning Commission agenda. Please let me know if there are any questions.

Sincerely,

Robert T. Summerfield, AICP
Planner II
Long Range Planning Division

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING
DEVELOPMENT SERVICES CENTER
333 NORTH RANCHO DRIVE
3RD FLOOR
LAS VEGAS, NEVADA 89106

VOICE 702 229 6301
FAX 702 474 0352
TTY 702 386 9108
www.lasvegasnevada.gov

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-48048	Staff recommends APPROVAL.	n/a

** PROPOSED AMENDMENT(S) **

1. See attached "UDC Annual Review - Redlined Draft" for proposed modifications to LVMC Title 19 – the Unified Development Code of the City of Las Vegas. Text to be deleted is in red and struck through, while text to be added is in blue and underlined.

RTS

** STAFF REPORT **

PROJECT DESCRIPTION

Discussion and possible action to amend LVMC Title 19, Unified Development Code (UDC) of the City of Las Vegas, to make various corrections, clarifications and updates identified as necessary or appropriate.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/29/08	The Planning & Development Department introduced the form-based code project to the Planning Commission at the Planning Commission Workshop.
03/23/09	At the Joint City Council and Planning Commission Workshop, the form-based code project was described as being a critical component for implementing corridor plans and walkable community plans.
11/18/10	The Planning Commission recommended adoption of a Text Amendment (TXT-39750) regarding the merging of Titles 18 (Subdivision Regulations) and 19 (Zoning Code) into one Title to be known as the Unified Development Code (UDC) of the City of Las Vegas.
03/16/11	The City Council adopted Bill 2011-7 as Ordinance 6135 to merge Titles 18 (Subdivision Regulations) and 19 (Zoning Code) into one Title to be known as the Unified Development Code (UDC) of the City of Las Vegas.
05/02/12	The City Council adopted Bill 2012-17 as Ordinance 6190 to update the version of the City's Unified Development Code, including corrections and clarifications identified as necessary or appropriate since the adoption of the initial version. Planning Commission and staff recommended approval.
05/14/13	The Planning Commission voted to hold this item in abeyance to the June 11, 2013 Planning Commission meeting at the request of the staff.

ANALYSIS

In late 2010, the Planning Commission recommended adoption of a Unified Development Code (UDC) for the city of Las Vegas to consolidate the city's subdivision and zoning codes into one comprehensive development code. As a part of the drafting of new code, department staff worked extensively with members of the public and other city staff to create a new approach to presenting the development standards appropriate to the city. Part of the adoption process of the UDC called for a review and update to the code to take place approximately six months after the adoption of the code. This review is not intended to introduce any substantive changes but is instead meant to make any needed corrections and provide clarification where confusion has resulted from the conversion of the previous two codes into the UDC. Changes are summarized below:

Summary of Changes:

The following text and tables summarize the purposed changes for each chapter under the UDC:

Chapter 19.00 – General Provisions:

Changes
•

Chapter 19.02 – Subdivision Design, Construction and Improvement Requirements:

Changes
•

Chapter 19.04 – Complete Street Standards:

Changes
•

Chapter 19.06 - Residential Districts - Purpose and Development and Design Standards:

Changes
•

Chapter 19.08 – Commercial and Industrial Districts - Purpose and Development and Design Standards:

Changes
•

Chapter 19.10 - Special Area and Overlay Districts - Purpose and Development and Design Standards:

Changes
•

Chapter 19.12 – Permissible Uses:

Changes
•

Chapter 19.14 – Nonconforming Uses and Structures:

Changes
• No changes.

Chapter 19.16 - Applications and Procedures:

Changes
•

Chapter 19.18 – Definitions & Measures:

Changes
•

FINDINGS

The proposed text amendment will accomplish the following:

- Correct typos and grammatical errors found since the UDC was adopted in March of 2011.
- Clarify standards for various districts and development activities.
- Improves graphics to better provide information related to various standards.
- Re-introduce the Planned Business Park (C-PB) District as a zoning district.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas Agenda Item No.: **47.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

SUBJECT:
TXT-48841 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action to update the Symphony Park Design Standards and Symphony Park Schematic Streetscape Design to make various clarifications and corrections. Staff recommends APPROVAL.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
Proposed Amendments and Staff Report

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-48841	Staff recommends APPROVAL.	N/A

** PROPOSED AMENDMENT**

1. Replace "Union Park" with "Symphony Park" throughout.

2. Sheet L0-01 General Information, Site Detail Key Notes is hereby amended as follows:
   b. PV 16- Accessible Ramp- A reference is to a standard City of Las Vegas ADA ramp constructed with colored concrete to match the colored concrete specification for that block within Symphony Park. This ADA ramp is to use the standard detectible warning block insert at the street edge in a yellow color.

3. Sheet L0-01 General Information, Hatch Legend is hereby amended as follows:
   1 ½" Deep 3/8" to 1/2 inch Washed Apache Brown Rock Mulch.

4. Sheet L3-01 Irrigation and Lighting Controls is hereby amended to remove all references to the Maxicom Control, Cluster Control Unit and Site Satellite Unit.

5. Sheet L3-02 Irrigation Intent is hereby amended to remove all references to the Maxicom Control, Cluster Control Unit and Site Satellite Unit.

6. Sheet L3-03 Lighting Intent Pedestrian, Kastrup light fixture notes are hereby amended as follows:

   Top shade is heavy gauge spun natural painted or cast aluminum, all with high reflectance white painted undersides.

7. New standards for Temporary Parking Lot Streetscape edges will be added:

   - Temporary parking shall not extend beyond the "build to line" of the parcel.

JM

- Street trees in the approved variety and spacing shall be utilized at the required distance from the street curb, however the size of these trees shall be allowed to be 36 inch boxes in lieu of 60 inch boxes.
- A temporary pedestrian walkway shall be created along each street edge and may be constructed of asphalt. It shall be a minimum of six feet wide and connect to ADA ramps at street corners. It shall be located within the streetscape zone or behind the "build to line of the parcel" at a "to be agreed upon" distance from the street curb that may vary by street. If located in the streetscape zone the walkway shall display signage approved by the City Of Las Vegas Attorney's Office which clearly states that the temporary pathway is provided for public convenience on private property.
- Between the temporary walk and the street curb, ground cover and shrub plant material consistent with the plant material pallet called for in the Symphony Park Streetscape Schematics shall be planted between the street trees on entry streets to Symphony Park, or may, at the discretion of the Symphony Park Design Review Committee, be required along other streets within the site. Between the temporary walk and the "build to line" of the parcel the project developer may utilize a slightly different plant pallet if justified to and approved by the Symphony Park Design Review Committee.
- A ground mulch of stone that matches that required in the Symphony Park Streetscape Schematics shall be utilized between the temporary walkway and the street curb. From the temporary walkway to the "build to line" of the parcel another material such as decomposed granite may be used, if desired, as long as it is also in the same color as the required stone mulch.
- No surface drainage swales will be constructed within the streetscape zone. All temporary parking drainage shall be directed to existing storm drain inlet connections and shall not cross the surface of the streetscape zone.
- The grading of the streetscape zone shall not exceed 5:1 cross slopes and ideally should approach only a 2% cross slope. Grading and drainage within the temporary parking area may require a drainage study submitted to Public Works.
- No final street light poles and fixtures or pedestrian lighting poles and fixtures will be required along the street edge. However, the project developer of the temporary parking and streetscape must consider if sufficient light is available for public safety and some lighting will be required within the temporary parking area.

8. Chapter 3.0 General Site and Building Design Standards, Paragraph 3.15.6 is hereby amended as follows:

3.15.5 South/West Sun Protection

9. Chapter 3.0 General Site and Building Design Standards, Paragraph 3.15.7 is hereby amended as follows:

   3.15.6 Arcades

10. Chapter 3.0 General Site and Building Design Standards, Paragraph 3.16.6 Dimensional and Other Standards for Symphony Park is hereby amended as follows:

    6.A Arcade Signs
    6.B Awning Signs
    6.C Canopy Signs
    6.D Freestanding Signs
    6.E Monument Signs
    6.F Projecting Signs
    6.G Wall Signs
    6.H Window Signs
    6.I Marquee Signs
    6.J Construction and Real Estate Signs
    6.K Directory/Directional Signs

11. Chapter 3.0 General Site and Building Design Standards, Paragraph 3.16.6 Dimensional and Other Standards for Symphony Park is hereby amended as follows:

    6.L Regulatory Signs

    See separate Regulatory Sign Standards with custom sign supports dated January 30, 2012, by MSI.

12. Chapter 4.0 Character of the Blocks, Design Review is hereby amended as follows:

    All references of "UP-DRC" to be replaced with "SP-DRC" to reflect project name change to Symphony Park from Union Park.

13. Chapter 4.0 Character of the Blocks, Design Review, Design Review Committee is hereby amended as follows:

    To review and evaluate each proposal and protect these values, the Symphony Park Design Review Committee (SP-DRC) is hereby created. The SP-DRC shall consist of a minimum of three and a maximum of five members. The two non-affiliated members appointed by the City shall include a licensed physical design professional (architect or landscape architect) and a private real estate or development professional. After the Founder Control Period, the SPC-DRC representatives shall be appointed by the Symphony Park Master Association (SPMA). All SP-DRC representatives appointed by the SPMA board must be non-affiliated and the committee must include at least one each of design and real estate professional as described above. Non-affiliated shall be defined as not being employed by City Parkway V or any Symphony Park land owner or have any financial interest in any project of any land owner.

14. Appendices, PV.3 Concrete Unit Paver at Pedestrian Area, Fixed Design Decisions, Model is hereby amended as follows:

    Precast concrete paver from "11 3/4" x 11 3/4" to "11 3/4" to 11 7/8" depending upon whether a sand joint or hand tight joint is desired

15. Appendices, PV.5 Stone Paver at Pedestrian Area, detail notes are hereby amended as follows:

    Hand tight joint.

    WWF Reinforced Mortar Setting Bed.

    - Page 111 Stone Paver at Pedestrian Area Detail - change"1/8" Mortar Joint" to "Hand Tight Joint" and add to "" " -Sand Setting Bed allowed as alternative"

16. Appendices, PV.5 Stone Paver at Pedestrian Area, Fixed Design Decisions, Stone is hereby amended as follows:

    Quartzite Canyon Gold, also known as Beijing Gold Quartzite. May also include as an option Desert Gold Natural Cleft Quartzite from Quarry 663 in Fujiang Province, China, and Placer Gold Smith Center Blend Quartzite from China through Arizona Stone.

17. Appendices, PV.5 Stone Paver at Pedestrian Area, Fixed Design Decisions, Sealant is hereby amended as follows:

    Allowed if matte finish and does not alter the color or slip resistance of the stone.

18. Appendices, PV.21 Tree Grate B, Intent is hereby amended as follows:

    Highlight and distinguish Symphony Park by using a unique tree grate adjacent to and opposite the park (on Symphony Park Avenue and City Parkway).

19. Appendices, SV.8 Drinking Fountain, Fixed Design Decisions, Manufacturer and Model are hereby amended as follows:

Manufacturer:	Most Dependable Fountains, Inc.
Model:	800 series number 810 SMSS-02, or approved equal

20. Appendices, SF.13 Bollard, Fixed Design Decisions, Model are hereby amended as follows:

Bollards shall be round, 36 inch high, stainless steel elements, without a surface mounting flange. They may be removable with a stainless steel in-ground sleeve or locking mechanism. If they are used where potentially impacted by automobile traffic, they shall be fitted with two bands of yellow reflective tape near the top.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to amend the Symphony Park District Design Standards and Symphony Park Schematic Streetscape Design to make clarifications and corrections.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/03/07	The City Council adopted the Union Park Design Standards through Ordinance #5874.
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.
11/08/11	The Planning Commission recommended approval of a Text Amendment (TXT-43393) to amend the Downtown Centennial Plan to clarify that the Symphony Park District is a subdistrict of the Parkway Center District and to amend Map 14 to include the Symphony Park District. Staff recommended approval.

ANALYSIS

The proposed amendment to the Symphony Park Schematic Streetscape Design and Symphony Park Design Standards is intended to clarify and correct typographical errors and inconsistencies such as updating all language to reflect the change from Union Park to Symphony Park throughout. The amendment will also update requirements to reflect currently available materials, changes in site conditions and installation requirements such as eliminating required irrigation equipment. The amendments also address or bring into alignment standards and requirements with the Americans with Disabilities Act and recently updated local ordinance changes.

In addition, the amendment introduces new standards for temporary parking lot streetscape design that, while more restrictive than the Downtown Centennial Plan standards, further the goals and objectives of the Symphony Park subdistrict.

Finally, the amendment updates the membership requirements for the Symphony Park Design Review Committee to reflect the transition of oversight authority from the Founder Control Period, as defined in the Community Charter for Symphony Park, and the Symphony Park Master Association period beginning April 1, 2013.

FINDINGS

The proposed text amendment will accomplish the following:

- Change all instances of Union Park to Symphony Park, as adopted on 05/20/09.
- Change all instances of Discovery Street to Symphony Park Avenue.
- Correct typographical errors such as paragraph and subparagraph alpha and numeric designations.
- Provide alternate materials and finishes for streetscape and amenities to reflect newly available materials and finishes or replace materials and finishes that are no longer commercially available.
- Update irrigation equipment requirements to reflect a change in site conditions from a central control system to a system which is controlled and operated on a block by block basis.
- Update street schematics and street amenities to be in compliance with current ADA standards.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas Agenda Item No.: **48.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

SUBJECT:
TXT-49224 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For discussion and possible action to amend LVMC 19.10.170 related to the LW-O (Live/Work Overlay) District by revising requirements, standards and applicability and to provide for other related matters. 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

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-49224	Staff recommends APPROVAL.	N/A

** PROPOSED AMENDMENT **

1. LVMC 19.10.170(B), Special Area and Overlay Districts – Purpose and Development and Design Standards – LW-O Live/Work Overlay District – Intent, is hereby amended to read as follows:

B. Intent

It is intended that Live/Work units will function as follows:

1. The owner or lessee of the space will reside and work in the Live/Work unit.

2. The commercial or nonresidential uses of the Live/Work unit will be limited to ~~low-intensity commercial and arts-related uses~~ the permitted uses allowed pursuant to LVMC Chapter 19.12 or other applicable Special Area Plans, subject to all applicable building and fire safety codes. All conditional use regulations and special use permit requirements shall apply, if applicable.

3. No activity that uses hazardous materials or generates excessive noise will be permitted.

4. ~~The number of employees will be limited~~ Live/Work units shall be designed to be compatible with the surrounding adjacent development.

5. ~~Clientele generally will arrive by appointment, with walk-in trade anticipated to be minimal.~~

~~6.~~ The residential component of the use shall be accessory to the commercial or nonresidential component.

SG

~~7~~6. Residents of Live/Work units will be presumed to acknowledge the existence and operation of uses that are permitted on nearby parcels that are zoned for commercial and industrial uses.

2. LVMC 19.10.170(B), Special Area and Overlay Districts – Purpose and Development and Design Standards – LW-O Live/Work Overlay District – Approval Criteria, is hereby amended to read as follows:

D. Approval Criteria.

All Live/Work units within the Live/Work Overlay District must meet the following criteria in order to be approved:

1. **Zoning**. Live/Work units may be located in the P-O, C-1, C-2, C-M, M and PD Zoning Districts only.

2. ~~**Permissible Nonresidential Uses**. Because of the residential component, only the following nonresidential uses are permitted:~~

~~a. Office uses.~~

~~b. Desktop publishing.~~

~~c. Arts activities, including painting, sculpture, printmaking, ceramics, photography, film, video, graphic design, jewelry, and textiles, but excluding any activity that involves welding or open flame work. The sale of artwork is permitted as an ancillary use.~~

Location.

a. Live/Work units shall not be allowed within a multi-family residential building, unless approved as part of a mixed-use development.

b. When approved as part of a mixed-use development, Live/Work units shall comply with the locational provisions of LVMC 19.12.070 for commercial and civic uses.

3. **Nonresidential Use Criteria**. Nonresidential activities ~~must generally~~ shall conform to the intent of the Live/Work Overlay District as described in Subsection (B) of this Section.

4. **Residential Use Criteria**. The residential component of a Live/Work unit must contain sleeping space, ~~cooking~~ a kitchen ~~facilities~~ containing a refrigerator, sink and cooking facility (such as a stove or microwave), and complete sanitary facilities that include a sink, a toilet and a shower and/or bathtub. No more than fifty percent of the total floor area of a Live/Work unit shall be designed or used for residential purposes. The residential occupancy of a Live/Work unit must include at least one person who is employed or carries out ~~an~~ a nonresidential occupation in the unit. No Live/Work unit shall be used solely for residential purposes.

5. ~~**Emergency Access and**~~ **Parking**. ~~Live/Work units shall be clearly identified by signage in order to facilitate access for emergency services.~~ The amount of required on-site parking shall be calculated in accordance with parking provisions of this Title, Special Area Plan or Overlay District, as applicable, based upon the gross square footage of the unit and the nonresidential use or uses occurring therein. A deviation or relief from this standard may be granted by means of a Variance as provided for under LVMC 19.16.140, a parking alternative as permitted by LVMC 19.18.030(D)(4), or by other means as specified in a Special Area Plan or Overlay District, as may be applicable.

6. **Signage**. Permissible signage shall be in accordance with the requirements and limitations of this Title and those that pertain to any other overlay district in which the property is located. A deviation or relief from this standard may be granted by means of a Variance as provided for under LVMC 19.16.140 or by other means as specified in a Special Area Plan or Overlay District, as may be applicable.

7. Access.

a. Live/Work units shall be divided into separate designated residential and nonresidential areas. Interior access between the residential use and the nonresidential use shall be maintained at all times.

b. When approved as part of a mixed-use development, access to the nonresidential use of the unit for the public, deliveries or other services shall be provided from the exterior of the unit, or from corridors that do not provide direct access to other residential units. Access through shared residential corridors shall be permitted to a Live/Work unit only when such access is solely for the residential use.

c. Live/Work units shall be clearly identified by signage in order to facilitate access for emergency services. For addressing purposes, the unit shall receive a single address in conformance with the applicable provisions of LVMC 19.04.050.

3. LVMC 19.10.170(B), Special Area and Overlay Districts – Purpose and Development and Design Standards – LW-O Live/Work Overlay District – Approval Process, is hereby amended to read as follows:

E. Approval Process

1. ~~**Arts District**. Within the Arts District (as identified in the Las Vegas Downtown Centennial Plan), a~~ A Live/Work unit ~~proposed within a new structure may~~ shall be approved as part of a Site Development Plan Review~~. Live/Work units proposed within an existing structure may be approved administratively~~, subject to compliance with this Section and all applicable building~~-related~~ and fire safety codes.

2. ~~**Other Locations**. At locations other than the Arts District (as identified in the Las Vegas Downtown Centennial Plan), a Live/Work unit proposed within a new or existing structure may be approved only by means of a Special Use Permit~~ Approval for nonresidential uses shall be as provided for in Table 2 of LVMC 19.12.010 for the applicable zoning district or as provided for by any applicable Special Area Plan and as allowed by building and fire safety codes. All conditional use regulations or minimum Special Use Permit requirements shall apply as applicable.

3. The provisions of LVMC 19.16.180 shall not apply to Live/Work units and all nonresidential uses located within Live/Work units are subject to the applicable provisions of LVMC Title 6.

4. LVMC 19.10.170(F), Special Area and Overlay Districts – Purpose and Development and Design Standards – LW-O Live/Work Overlay District – Applicability of Other Provisions, is hereby amended to read as follows:

F. Applicability of ~~Other Provisions~~ Standards.

1. This Section is intended to operate and apply independently of any other provision in this Title that allows residential and nonresidential uses on the same parcel. An applicant may proceed under this Section or under any other provision that applies to a proposed use.

2. Unless otherwise provided in this Section, the standards set forth in this Section are minimum requirements and no deviation from these standards shall be permitted.

5. LVMC 19.16.100(F)(1), Special Area and Overlay Districts – Purpose and Development and Design Standards – LW-O Live/Work Overlay District – Applicability of Other Provisions, is hereby amended by adding thereto a new Subparagraph (d) to read as follows:

d. Live/Work units which comply with the provisions of LVMC 19.10.170 and all other applicable requirements of this Title and with any previous conditions or discretionary approval.

Staff Report Page One
June 11, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to amend LVMC 19.10.170 related to the LW-O (Live/Work Overlay) District by revising requirements, standards and applicability and to provide for other related matters. It would also amend LVMC Title 19.16.100 to specify the application and approval process required for a Live/Work unit located within the overlay district.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/03/2004	Ordinance Number 5671 to establish the Live/Work Overlay District was adopted by the City Council.
12/01/2004	Ordinance Number 5734 to expand the boundaries of the Live/Work Overlay District and to include the PD (Planned Development) zoning district was adopted by the City Council.
01/19/2005	Ordinance Number 5744 to expand the boundaries of the Live/Work Overlay District to include the East Fremont District of the Downtown Centennial Plan area was adopted by the City Council.

ANALYSIS

The amendment as proposed would allow for the establishment of Live/Work units within the P-O (Professional Office) District and would provide greater flexibility by allowing more intense uses to occur within the units. For any parcels currently zoned as P-R (Professional Office and Parking) District (eventually these are intended to be rezoned to the P-O District designation), the amendment, when set out in ordinance form, will provide that the changes affect any remaining P-R parcels as well as P-O parcels. It would also clarify the process for approval of these units.

Currently, only low intensity commercial and arts related uses are allowed within a Live/Work unit. This amendment would delete that restriction and allow any use permitted within the applicable zoning district to occur within the unit, as allowed by LVMC Title 19.12 and applicable building and fire safety codes. More intense uses are appropriate as these units are allowed only in commercial zoning districts, and the commercial component is defined as the primary use. Because the residential component is ancillary to the commercial use of the unit, the owners/lessees are required to both reside and work within the unit. By expanding both the zoning districts in which the units are permitted to occur, as well as the number and intensity of the commercial uses permitted, the Live/Work unit will become a more viable option for accomplishing the purpose of

the overlay district, which is "to allow owners and operators of businesses to occupy joint living and work quarters in commercial and industrial areas where other types of residential uses are inappropriate. Allowing Live/Work units will contribute to the vitality of commercial and industrial areas, assist in reducing vehicular traffic, and allow for a greater spectrum of housing types within the City."

The approval criteria for Live/Work units have been amended to ensure that these units can support the residential use by requiring a full kitchen and complete sanitary facilities. To ensure that these units will be compatible with the surrounding development in the area, criteria regarding location and access have been added to separate the commercial uses from other adjacent residential uses, such as when these units are approved as part of a mixed-use development. In these cases, care has been taken to ensure that these units will be located with other commercial uses, and that the public access to the commercial uses will not intrude into areas that are strictly residential in nature.

This amendment clarifies the approval process and applicability of standards for a Live/Work unit by requiring the following:

1. A Site Development Plan Review pursuant to LVMC Title 19.16.100. This review will be completed as a Minor (administrative) Review unless it does not comply with all provisions of LVMC Title 19, i.e. if a variance or waiver is requested, or it is determined that the proposed unit could significantly impact the land uses on the site or on surrounding properties. In these cases, the review would be completed as a Major Review at a public hearing.
2. Permitted uses are subject to approval pursuant to LVMC Title 19.12, any applicable Master Area Plan, and as allowed by building and fire safety codes. The conditional use regulations and Special Use Permit requirements shall apply.
3. All nonresidential uses located within Live Work units are subject to the provisions of LVMC Title 6. The Home Occupation Permit regulations of Title 19.16.180 shall not apply to Live/Work units.
4. No deviations from the minimum standards shall be permitted, unless otherwise stated in the Approval Criteria. This will ensure that the units approved for Live/Work will meet the minimum standards and that they are compatible with the surrounding adjacent development.

FINDINGS

The proposed text amendment is intended to achieve the following:

- Make Live/Work units a more viable option by expanding the zoning districts in which they are permitted, and by expanding the permitted uses within the units;
- Clarifying the approval criteria for a Live/Work unit;
- Clarifying the approval process for a Live/Work unit; and
- Ensuring compatibility of Live/Work units with surrounding adjacent uses.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

SG

City of Las Vegas Agenda Item No.: **49.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

SUBJECT:
TXT-49225 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For discussion and possible action to amend LVMC 19.12.070 related the Night Club use by revising requirements, standards and applicability and to provide for other related matters. Staff recommends APPROVAL.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Abeyance Request Submitted by Fred Solis
2. Proposed Amendment and Staff Report

From: Fred Solis
To: Carman Burney
Cc: Doug Rankin; Peter Lowenstein
Subject: TXT-49225
Date: Tuesday, May 28, 2013 11:08:22 AM

Hi Carman,
We have decided to hold this item until the July meeting in order to do a little more research. Please let me know if you have any questions or need any additional information.

Thanks

Fred Solis, AICP
Senior Planner
City of Las Vegas Department of Planning
702-229-5409 (p)
702-384-1397 (f)
fsolis@lasvegasnevada.gov

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City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-49225	Staff recommends APPROVAL.	N/A

** PROPOSED AMENDMENTS **

1. . Title 19.12.010 Table 2 (Permitted Uses) is hereby amended by amending the entry for "Night Club" use as follows:

	U	R-E	R-1	R-CL	R-TH	R-2	R-3	R-4	R-MH	P-O	O	C-1	C-2	C-PB	C-M	M	Additional Information
Night Club												S	~~P~~ S	S	~~P~~ S	~~P~~ S	page 344

2. Title 19.12.070, Permissible Uses – Permissible Use Descriptions and Applicable Conditions and Requirements, is hereby amended by adding the Special Use regulations for the "Night Club" entry as follows:

Description: An establishment, other than a teen dance center that is operated as a place of entertainment characterized by any or all of the following as principal activities:

1. Live, recorded, or televised entertainment, including but not limited to performance by magicians, musicians or comedians.

2. Dancing.

3. On-site Alcohol Sales

Minimum Special Use Permit Requirements:

*1. Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum separation a liquor establishment (tavern) or Night Club with Alcohol and other uses that should be protected from the impacts associated with a liquor establishment (tavern) or Night Club with Alcohol. Therefore, except as otherwise provided below, no liquor establishment (tavern) or Night Club with Alcohol may be located within 1500 feet of a church, synagogue, school, child care facility licensed for more than 12 children, or City park. Uses licensed as taverns, Night Clubs or other comparable establishments, shall have no specific spacing requirements between similar uses. However, the Las Vegas City Council may consider the concentration and spacing of such uses as part of its deliberation and approval of any requests for such establishments.

*2 The distance separation referred to in Requirement 1 shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment (tavern) which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed liquor establishment (tavern). The distance shall be measured in a straight line without regard to intervening obstacles.

*3 For the purpose of Requirement 2, and for that purpose only:

a. The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and
b. The "property line" of a liquor establishment (tavern) refers to:
    i. The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or
    ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:
        A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement;
        B. The proposed liquor establishment (tavern) will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed liquor establishment (tavern) will be located;
        C. All parking spaces required by this Subchapter 19.12.070 for the liquor establishment (tavern) use will be located on the same parcel as the use; and

D. The owners of all parcels within the commercial subdivision, including the owner of agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

4. The distance separation requirement set forth in Requirement 1 does not apply to an establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992, or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992.

5. The distance separation requirement set forth in Requirement 1 may be waived in accordance with the provisions of LVMC 19.12.050(C), but only in connection with a proposed liquor establishment (tavern) that:
    a. Will be located on a parcel within the C-V District, the Parkway Center District within the Downtown Centennial Plan, the Gaming Enterprise Overlay District, or the Downtown Casino Overlay District;
    b. Will be located on a parcel or within a building that, pursuant to State law or City ordinance, has been designated as an historic property, historic building, or landmark;
    c. Will be located within a regional mall; or
    d. Will be located within a mixed-use development
        i. That has been approved by means of Special Use Permit pursuant to LVMC Chapters 19.12 and 19.16;
        ii. That has a minimum net site area of 15 acres; and
        iii. Whose gross floor area of nonresidential space is a minimum of 250,000 square feet; or
    e. Will be separated from the existing use by a street or highway with a minimum right-of-way width of 100 feet.

6. The parcel or use is operated or controlled by an agency or subdivision of local, state or federal government. (C-V only)

7. The use shall conform to, and is subject to, the provisions of LVMC Chapter 6.50.

*8. Minimum 500 foot separation from a single family dwelling unit

2. Title 19.18, Definitions and Measures, is hereby amended by amending the definition for the "Night Club" entry as follows:

Description: An establishment, other than a teen dance center that is operated as a place of entertainment characterized by any or all of the following as principal activities:

1. Live, recorded, or televised entertainment, including but not limited to performance by magicians, musicians or comedians.

2. Dancing.

3. On-site Alcohol Sales

Staff Report Page One
June 11, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

Discussion and possible action to amend LVMC 19.12.070 related to the Night Club use by revising requirements, standards and applicability and to provide for other related matters.

ANALYSIS

The proposed amendment to Title 19.12.070 is intended to revise the Night Club use by adding on-site alcohol sales as a principal activity within the land use description, require a Special Use Permit for the C-2 (General Commercial), C-M (Commercial/Industrial) and M (Industrial) zoning districts where a night club is currently permitted by right, and to create new Special Use Permit regulations where there are currently none.

The addition of on-site alcohol sales as a principal activity is intended to clarify that alcohol sales are a permissible component of the Night Club use and to differentiate it from a Liquor Establishment (Tavern), which is not focused on the entertainment aspects that are typically associated with a Night Club. Entertainment typical of a Night Club includes, but is not limited to, live, recorded or televised dancing, and/or performances by magicians, musicians or comedians.

The proposed amendment will add Special Use Permit regulations to the Night Club use where none currently exists. The regulations are similar to a Liquor Establishment (Tavern), excepting the 1,500-foot separation between other liquor establishments or similar uses. The City Council will retain the ability to consider the concentration and spacing of Night Clubs and other Liquor Establishments (Tavern) as a part of their deliberations at public hearing. The 1,500-foot separation from a religious facilities, city parks and child care establishments will be maintained. In addition, the proposal creates a non-waiveable distance separation requirement that will prohibit Night Clubs to be located within 500 feet of a single-family dwelling unit.

FINDINGS

The proposed text amendment is intended to achieve the following:

- Add on-site alcohol sales to the Night Club use description and definition
- Require a Special Use Permit in the C-2 (General Commercial), C-M (Commercial/Industrial) and M (Industrial) zoning districts where the use is currently permitted by right.

- Add Special Use regulations for the Night Club use.
- Add a 500-foot distance separation between night clubs and single-family dwelling units. It will not be permissible to waive this requirement.
- Amend Title 19.18 to revise the definition of a Night Club

The following table summarizes all proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
Title19.12.070 Permissible Uses	N/A	Adds on-site alcohol sales as a principal activity to the description of the Night Club use.
Title19.12.070 Permissible Uses	N/A	Requires no distance separation between night clubs, taverns and other similar uses, but maintains a 1,500-foot separation from other protected uses such as churches, parks, child care, etc. All other regulations are similar to the existing Liquor Establishment (Tavern) use.
Title19.12.070 Permissible Uses	N/A	Requires a 500-foot minimum distance separation from a single family dwelling. This requirement is not waiveable.
Title19.18 Definitions And Measures	N/A	Adds on-site alcohol sales as a principal activity to the definition of the Night Club use.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas Agenda Item No.: **50.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

SUBJECT:
TXT-49323 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For discussion and possible action to amend LVMC Title 19, Unified Development Code (UDC) of the City of Las Vegas, to revise and update procedures and definitions related to the issuance of permits for site grading and provide for other related matters. Staff has NO RECOMMENDATION.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff has NO RECOMMENDATION.

BACKUP DOCUMENTATION:
Proposed Amendment and Staff Report

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-49323	Staff has NO RECOMMENDATION.	N/A

** PROPOSED AMENDMENT **

1. LVMC 19.06.030(B)(1), Residential Districts – Purpose and Development and Design Standards – General – Grading – Grading Plan Approval – When Required, is hereby amended to read as follows:

   1. Grading Plan Approval - When Required. When the natural grade of a lot is proposed to be raised more than two feet at any point from existing grade, three copies of a finished lot grading plan and legal description of the property shall be filed with the Department of Public Works ~~and the Department~~. The plan shall include proposed and existing grades, building locations, and building height information for the development site and for the adjacent properties, and any justification for the proposal. The Director of Public Works or designee may withhold or deny development approval unless the applicant demonstrates to the Director of Public Works or designee's satisfaction that the proposal is necessary in order to develop the site in a manner which conforms to applicable drainage and other development standards. ~~The Director may withhold or deny development approval unless the applicant demonstrates to the Director's satisfaction that the proposal will not be incompatible or out of harmony with the surrounding area.~~

2. LVMC 19.06.030(B), Residential Districts – Purpose and Development and Design Standards – General – Grading, is hereby amended by adding thereto a new Paragraph (3), Early Grading Procedures, to read as follows:

   3. Early Grading Consideration. The Director of Public Works or designee may, to the extent provided in this Paragraph, authorize the issuance of a grading permit prior to final approval of the Civil Improvement Plans if the application demonstrates to the satisfaction of the Director of Public Works or designee that the

proposal is necessary in order to relieve a particular and exceptional practical difficulty or exceptional and undue hardship that is not created by the property owner and the following requirements are fulfilled:

a. The real property that is the subject of the grading permit has received:

i. Tentative Map approval and Final Map Technical Review approval for developments requiring a subdivision map;
ii. Site Development Plan Review approval, if required by this Title; and
iii. Is not within the HS-O (Hillside Development Overlay) District and subject to the provisions LVMC 19.10.140.

b. A Justification Letter, written by the developer, has been submitted to the City Engineer or designee that delineates the specific circumstances and reasons the City should consider in evaluating the request for a grading permit prior to the final approval of the Civil Improvement Plans.

c. The Drainage Study has been approved.

d. The Traffic Impact Analysis has been approved.

e. The Bond Estimate has been approved, and bonds have been posted.

f. The design engineer has addressed all initial plan check comments and has resubmitted the plans to the City.

g. All easement and agreement documents have been prepared and submitted to the City.

h. A waiver and consent form, prepared by the City Attorney, has been executed by the property owner in which the property owner acknowledges and agrees that the property owner:

i. Has not received final Civil Improvement Plan approval, and that in the absence of such approval, the property owner is proceeding at his or her own risk in excavating the real property that is the subject of the grading permit;
ii. That the location and design of private and public improvements on the real property may be subject to change as a condition to any final Civil Improvement Plan approval;
iii. That the grading permit issued pursuant to this Section does not create any vested rights; and

iv. That the City, in the exercise of its legislative authority, may amend or enact legislation which may have an adverse effect on the property owners ability to obtain final Civil Improvement Plan approval from the City and/or which may increase the costs of the project.

i. All deviations from standards have been approved by the City.

3. LVMC 19.08.030(B)(1), Commercial and Industrial Districts – Purpose and Development and Design Standards – General – Grading – Grading Plan Approval – When Required, is hereby amended to read as follows:

1. Grading Plan Approval - When Required. When the natural grade of a lot is proposed to be raised more than two feet at any point from existing grade, three copies of a finished lot grading plan and legal description of the property shall be filed with the Department of Public Works ~~and the Department~~. The plan shall include proposed and existing grades, building locations, and building height information for the development site and for the adjacent properties, and any justification for the proposal. The Director of Public Works or designee may withhold or deny development approval unless the applicant demonstrates to the Director of Public Works or designee's satisfaction that the proposal is necessary in order to develop the site in a manner which conforms to applicable drainage and other development standards. ~~The Director may withhold or deny development approval unless the applicant demonstrates to the Director's satisfaction that the proposal will not be incompatible or out of harmony with the surrounding area.~~

4. LVMC 19.08.030(B), Commercial and Industrial Districts – Purpose and Development and Design Standards – General – Grading, is hereby amended by adding thereto a new Paragraph (3), Early Grading Procedures, to read as follows:

3. Early Grading Consideration. The Director of Public Works or designee may, to the extent provided in this Paragraph, authorize the issuance of a grading permit prior to final approval of the Civil Improvement Plans if the application demonstrates to the satisfaction of the Director of Public Works or designee that the proposal is necessary in order to relieve a particular and exceptional practical difficulty or exceptional and undue hardship that is not created by the property owner and the following requirements are fulfilled:

a. The real property that is the subject of the grading permit has received:

i. Tentative Map approval and Final Map Technical Review approval for developments requiring a subdivision map;
ii. Site Development Plan Review approval, if required by this Title; and

iii. Is not within the HS-O (Hillside Development Overlay) District and subject to the provisions LVMC 19.10.140.

b. A Justification Letter, written by the developer, has been submitted to the City Engineer or designee that delineates the specific circumstances and reasons the City should consider in evaluating the request for a grading permit prior to the final approval of the Civil Improvement Plans.

c. The Drainage Study has been approved.

d. The Traffic Impact Analysis has been approved.

e. The Bond Estimate has been approved, and bonds have been posted.

f. The design engineer has addressed all initial plan check comments and has resubmitted the plans to the City.

g. All easement and agreement documents have been prepared and submitted to the City.

h. A waiver and consent form, prepared by the City Attorney, has been executed by the property owner in which the property owner acknowledges and agrees that the property owner:

i. Has not received final Civil Improvement Plan approval, and that in the absence of such approval, the property owner is proceeding at his or her own risk in excavating the real property that is the subject of the grading permit;
ii. That the location and design of private and public improvements on the real property may be subject to change as a condition to any final Civil Improvement Plan approval;
iii. That the grading permit issued pursuant to this Section does not create any vested rights; and
iv. That the City, in the exercise of its legislative authority, may amend or enact legislation which may have an adverse effect on the property owners ability to obtain final Civil Improvement Plan approval from the City and/or which may increase the costs of the project.

i. All deviations from standards have been approved by the City.

5. LVMC 19.08.040(E)(1)(b), Commercial and Industrial Districts – Purpose and Development and Design Standards – Development Standards – Urban Design, Screening and Lighting – Site Geography – Site Grading Permit, is hereby amended to read as follows:

b. Site Grading Permit. No lands shall be graded or the natural ground surface otherwise disturbed so as to create a dust nuisance, except for clearing of weeds and debris, unless the developer:

i. In cases where a final map is required, has complied with the provisions of this Title; ~~or~~
ii. Otherwise, has obtained approval of a Site Development Plan and Civil Improvement Plans for the site or area to be graded~~.~~; or
iii. Has been approved for early grading consideration as provided for in LVMC 19.08.030(B)(3).

Staff Report Page One
June 11, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to amend LVMC Title 19, Unified Development Code (UDC) of the City of Las Vegas, to revise and update procedures and definitions related to the issuance of permits for site grading and provide for other related matters.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
04/24/98	Land Development Policy 98-9 (Early Grading/Early Sewer and Water) was established by the Land Development Division of Public Works. The policy was put in place to address the rare occasions where circumstances may require that some work be permitted prior to final Civil Improvement Plan approval.
10/08/09	The Planning Commission tabled TXT-34878, which proposed revising and updating procedures and definitions related to the issuance of permits for site grading, at staff's request to allow further time for interdepartmental review of the proposed amendment.
01/14/10	The Planning Commission un-tabled and recommended approval of TXT-34878. Staff also recommended approval.
05/17/10	Land Development Policy 98-9 was discontinued and the text amendment was not moved forward for City Council consideration after further review by the Departments of Planning and Public Works and the City Attorney's Office.

ANALYSIS

The proposed amendment would add a provision to the Unified Development Code (UDC) of the city of Las Vegas to allow for a permit for grading to be issued prior to the approval of the Civil Improvement Plans. Until May 2010, the Land Development Division of the Public Works Department had a policy (Land Development Policy No. 98-9) which allowed the City Engineer to issue a grading permit if certain prerequisites were satisfied prior to the final approval of the Civil Improvement Plans. However, while the discretion afforded by the policy may have been warranted; agreement on a previous amendment to address the fact that the language in Title 19 did not make an allowance for such discretion could not be agreed upon and the policy was discontinued resulting in adherence to code requirements.

The proposed change would add provisions to the UDC for the issuance of a grading permit prior to the final approval of the Civil Improvement Plans. Due to the sensitive nature of areas that fall within the HS-O District, no change is proposed to the current language which prohibits any grading from occurring until the final Civil Improvement Plans and Grading Plans have been approved by the Director of Public Works.

There are two locations in the UDC where the language references the issuance of a grading permit:

- The Commercial and Industrial Districts – Purpose and Development and Design Standards - Development Standards – Urban Design, Screening and Lighting – Site Geography – Site Grading Permit, LVMC 19.08.040 (E)(1)(b), indicates that no grading shall occur unless the developer has complied with LVMC 19.16.060, if a final map is required, or has obtained approval of a Site Development Plan Review and Civil Improvement Plans for the site to be graded; and

- The HS-O (Hillside Development Overly) District - Standards and Guidelines – Grading, Slope Stabilization, Drainage Design, LVMC 19.10.170 (C)(3)(f), indicates that no grading may occur on a site where these standards are applicable prior to the approval of the Civil Improvement Plans and the final Grading Plans by the Director of Public Works and the issuance of a grading permit.

This modification will eliminate any inconsistency between past practice and the city's Municipal Code as it relates to the requirements for the issuance of a grading permit. However, there are some outstanding potential conflicts with state law, NAC 278.340, that need to be addressed prior to the Director of Public Works or their designee using the discretion provided by the proposed amendment. Therefore, while staff supports the continued effort to streamline requirements and to provide alternative processes to achieve development in the communities served by the City; staff has no recommendation regarding the approval of this amendment due to potential conflicts between the proposed amendment and regulations overseen by other governmental agencies.

FINDINGS

The proposed text amendment is intended to achieve the following:

- Modify language in UDC to provide the allowance for a grading permit to be issued prior to the final approval of the Civil Improvement Plans;
- Clarifies that grading plans will be review by the Director of Public works or designee; and
- Continue to require the final approval of the Civil Improvement Plans for development within the HS-O District.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas Agenda Item No.: **51.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

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

SUBJECT:
TXT-49324 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For discussion and possible action to amend LVMC 19.02.130 related to the Subdivision Design and Improvement Requirements by providing for additional discretion related to the timing of common area and off-site improvements completion requirements and provide for other related matters. Staff has NO RECOMMENDATION.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff has NO RECOMMENDATION.

BACKUP DOCUMENTATION:
Proposed Amendment and Staff Report

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-49324	Staff has NO RECOMMENDATION.	N/A

** PROPOSED AMENDMENT **

1. LVMC 19.02.130(A), Improvements – Essential Rights-of-Way and Off-Site Improvements, is hereby amended to read as follows:

A. Essential Rights-Of-Way and Off-Site Improvements

Uses of land permitted in each zoning district shall be allowed only when the permit for any proposed improvement on the land includes provisions for the:

1. Dedication of all essential rights-of-way for major streets, minor streets, flood control, utilities and other public purposes; and

2. Provisions for the installation of essential off-site improvements as directed by the City. Essential rights-of-way and off-site improvements are defined as those rights-of-way and improvements required in connection with a proposed Rezoning, Special Use Permit, Variance, or Site Development Plan; required by the subdivision regulations of the City; or required by the Director of Public Works or designee as appropriate and necessary to mitigate the impact of the development of property in the area. All improvements shall be constructed in accordance with the City standards and specifications.

2. LVMC 19.02.130(B), Improvements – Construction Agreement, is hereby amended to read as follows:

B. Construction Agreement

The subdivider is responsible for the construction of all public improvements and for any private improvements associated with the parcel map or subdivision that may be required by the City. Required improvements shall be completed prior to the recordation of the parcel map or final map, unless the subdivider enters into an agreement with the City to install such improvements as provided for in Subsection (C) of this Section or has executed a covenant running with a land agreement, whichever is applicable, as determined by the Department of Public Works or designee. Required dedications must be accomplished prior to the release of the parcel map or final map or such dedications must be noted on the approved maps as being offered for dedication.

3. LVMC 19.02.130(C), Improvements – Secured Agreement Required, is hereby amended to read as follows:

C. Secured Agreement Required

The subdivider shall execute an agreement that guarantees the construction of the required public improvements and shall provide security for their construction in an amount equal to the estimated cost of construction plus ten percent additional for contingencies. The agreement shall be secured by such good and sufficient bond or other security as is deemed appropriate by the City to protect the public interest, and shall be in an amount determined to be sufficient to complete all required improvements and to remove all rubbish, trash, debris, surplus material and equipment from the area. The Director of Public Works or designee shall be responsible for review and, if deemed acceptable, approval of all cost estimates for construction of required public improvements. The subdivider's engineer shall be responsible for submitting all improvement plans and quantity estimates in a manner and form that complies with City requirements.

4. LVMC 19.02.130(D), Improvements – Common Area and Off-Site Improvements Requirements, is hereby amended to read as follows:

D. Common Area and Off-Site Improvements Requirements

1. In connection with the approval of any parcel map or final map, the developer or subdivider must provide for the installation of common area and off-site improvements by obtaining the City's approval of either a phasing plan or a development agreement, as determined by the Director and the Director of Public Works or designee.

2. The phasing plan or development agreement shall set out a development schedule for all common area and off-site improvements, including but not limited to water, sewer and storm drainage lines; streets; open space improvement; trails; parks; and landscaping. Except as otherwise provided in Paragraph (3), completion of common area and off-site improvements within any residential subdivision shall be scheduled to be concurrent with development (e.g., when fifty percent of the development is completed, at least fifty percent of the common area and off-site improvements shall be completed as determined by the Director of Public Works or designee). Calculation of the percentage of the development that is completed shall be based upon the number of building permits issued. The Director of Public Works or designee shall have the discretion, in the interest of convenience for the City or the public, to determine the number of additional building permits to be issued based on the progress of the project in the preceding 180 days and provided a binding completion schedule is provided by the developer and agreed upon by the Director of Public Works or designee.

3. All common area and off-site improvements within any residential subdivision shall be completed when seventy-five percent of the development is completed (e.g., when seventy-five percent of the development is completed, one hundred percent of the common area and off-site improvements shall be completed as determined by the Director of Public Works or designee). Calculations of the percentage of the development that is completed shall be based on the number of building permits issued. The Director of Public Works or designee shall have the discretion, in the interest of convenience for the City or the public, to determine the number of additional building permits to be issued based on the progress of the project in the preceding 180 days and provided a binding completion schedule is provided by the developer and agreed upon by the Director of Public Works or designee.

4. A phasing plan is subject to review and approval by the Director of Public Works or designee, as are revisions to the plan.

5. A development agreement is subject to review and approval pursuant to LVMC 19.16.150.

6. In the case of either a phasing plan or development agreement, the City is authorized to require security or a performance guarantee for the installation of common area and off-site improvements. The amount of the required security or performance guarantee shall be established by the Director of Public Works or designee, and the form of security or performance guarantee

must be acceptable to the City Attorney. To the extent possible, the provisions of Subsection (C) shall apply directly or by analogy to the installation of improvements and security required under this Section.

7. In accordance with LVMC 19.16.050(K), a specific parks in-lieu-of plan must be approved with the tentative map if the developer proposes park improvements in lieu of paying residential construction taxes.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to amend LVMC 19.02.130 related to the Subdivision Design and Improvement Requirements by providing for additional discretion related to the timing of common area and off-site improvements completion requirements and provide for other related matters.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/16/11	The City Council adopted Bill 2011-7 as Ordinance 6135 to merge Titles 18 (Subdivision Regulations) and 19 (Zoning Code) into one Title to be known as the Unified Development Code (UDC) of the City of Las Vegas.

ANALYSIS

The proposed amendment would add provisions to the Unified Development Code (UDC) to allow greater discretion as to the timing of common area and off-site improvements as they relate to the completion of a subdivision. Currently, code requires that improvements be completed roughly concurrent with development activity in a residential subdivision. For example when permits for fifty percent of the homes approved for development are issues, at least fifty percent of the common area and off-site improvements should be completed. Once the development reaches the fifty percent mark the rate of completion for the common area and off-site improvements increases such that one hundred percent of all common area and off-site improvements are to be complete when the development reaches seventy-five percent completion of the residential development. Completion is measured by dividing the number of building permits issued for construction by number of approved residential units for the development.

The proposed amendment would allow the Director of Public Works or a designee to allow additional building permits above the seventy-five percent level to be issues even if the common area and off-site improvements have not been completed provided that certain requirements are met. Per a draft policy approved by the Director of Building and Safety to implement the enforcement of the LVMC 19.02.130(D), the requirements to be met are:

- all remaining improvements are deemed to be minor;
- bonding amounts available are adequate to cover the City's cost to complete corrections or additional bonding provided;

- the developer provides a schedule with dates and timelines that are acceptable to the City as to when the punch list work will be performed and fully completed;
- the developer enters into an agreement that additional permits may be issued provided the developer adheres to the schedule and satisfactory progress to complete the punch list is being made; and
- in no case will more than ninety percent of building permits be issued until such time as all common area and off-site improvements are complete, signed off and accepted by the City.

This modification will reduce delays for residential developers when pulling building permits as they are nearing completion of their development even if they have not yet completed all common area and off-site improvements. However, even though one of the requirements that must be met is that sufficient bonding is available so the City can complete any outstanding work, this change does engender additional risk to the city and to residents in and around such a development. Therefore, while staff supports the continued effort to streamline requirements and to provide alternative processes to achieve development in the communities served by the City; staff has no recommendation regarding the approval of this amendment.

FINDINGS

The proposed text amendment is intended to achieve the following:

- Assist in the facilitating the completion of off-site improvements while also facilitating building permits by revising the Improvements provisions of the UDC (LVMC 19.02.130) to match the practical application of these requirements.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JUNE 11, 2013

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

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





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