



CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 495 S. MAIN STREET • PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov

COUNCIL MEMBERS: CAROLYN G. GOODMAN, MAYOR (At-Large)

COUNCILMAN STAVROS S. ANTHONY, MAYOR PRO TEM (Ward 4)

LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6), RICKI Y. BARLOW (Ward 5)

BOB COFFIN (Ward 3), BOB BEERS, (Ward 2)

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 City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting. Dial 7-1-1 for Relay Nevada.

NOTE: By Council action, the regularly scheduled meetings for January 2014 will be held on Wednesday, January 8, 2014 and Wednesday, January 22, 2014.

January 8, 2014

Session begins at 9:00 a.m.

Note: There will be no break between morning and afternoon items for this meeting.

ITEMS LISTED ON THE AGENDA MAY BE TAKEN OUT OF THE ORDER PRESENTED; 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. BACKUP MATERIAL FOR THIS AGENDA MAY BE OBTAINED FROM BEVERLY K. BRIDGES, CITY CLERK, AT THE CITY CLERK'S OFFICE AT 495 SOUTH MAIN STREET, 2ND FLOOR OR ON THE CITY'S WEBPAGE AT www.lasvegasnevada.gov.

THE MAYOR AND CITY COUNCIL WELCOME YOUR ATTENDANCE, PUBLIC COMMENT RELATED TO THE ITEMS ON THE AGENDA AND CITIZEN PARTICIPATION ON ITEMS UNDER THE JURISDICTION OF THE CITY COUNCIL AT THIS MEETING. IF YOU WISH TO SPEAK, WE RESPECTFULLY ASK YOU TO COMPLETE AND SUBMIT A SPEAKER CARD TO THE CITY CLERK. CARDS ARE AVAILABLE ONLINE, IN THE CLERK'S OFFICE OR AT THE FRONT OF THE CHAMBERS AS YOU ENTER.

THESE PROCEEDINGS ARE BEING VIDEO RECORDED AS WELL AS PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. PLEASE NOTE SOME CUSTOMERS OF COX COMMUNICATIONS WHO DO NOT HAVE A CABLE BOX CAN VIEW THIS MEETING ON DIGITAL CHANNEL 89.5. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

NOTE: CELLULAR PHONES ARE TO BE TURNED OFF DURING THE COUNCIL MEETING.

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION - REVEREND SANFORD "SANDY" MARKS, TREE OF LIFE MINISTRY
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE CITIZEN OF THE MONTH

6. RECOGNITION OF THE EMPLOYEE OF THE YEAR
7. RECOGNITION OF HUMAN TRAFFICKING PREVENTION EFFORTS
8. RECOGNITION OF THE KEEP LAS VEGAS BEAUTIFUL CAMPAIGN
9. RECOGNITION OF WARRIOR APPRECIATION NIGHT

BUSINESS ITEMS

PUBLIC COMMENT

10. 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

BUSINESS ITEMS

11. For possible action to approve the Final Minutes by reference of the regular City Council meeting of December 4, 2013
12. For Possible Action - Any items that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time

CONSENT AGENDA

MATTERS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED FOR APPROVAL BY THE SUBMITTING DEPARTMENTS. ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.

CITY ATTORNEY - CONSENT

13. For possible action to approve a business impact statement regarding a proposed ordinance to eliminate specific business license categories for commercial dance studios, distress merchandise sales, retail demonstration merchandise sales stores, and food caterers; eliminate charitable solicitation permits; and amend licensing regulations and fees related to outdoor pay telephones, professional promoters, and charitable or special events. (Bill No. 2014-2)
14. For possible action to approve a business impact statement regarding a proposed ordinance to delete certain work card requirements in multiple chapters of LVMC Title 6, amend multiple chapters of LVMC Title 6 related to work card requirements, and establish a hearing panel to hear work card appeals. (Bill No. 2014-3)

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

15. ABEYANCE ITEM - Report from the Information Technologies Department regarding business intelligence technology at the City of Las Vegas
16. Report regarding the status and progress of the Shared Services and Management Consultant Agreement with the City of North Las Vegas - All Wards

BOARDS & COMMISSIONS - DISCUSSION

17. ABEYANCE ITEM - For Possible Action - CIVIL SERVICE BOARD OF TRUSTEES - Andreas Spurlock - Term Expiration 8/17/2015, Resigned

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

18. Bill No. 2013-61 - For Possible Action - Amends LVMC 6.50.285 to clarify that the owner of an establishment adjacent to a pedestrian mall that is licensed to conduct nonrestricted gaming and is authorized to sell alcoholic beverages pursuant to a tavern license may operate one or more bars upon such adjacent pedestrian mall. Proposed by: Bradford R. Jerbic, City Attorney
19. Bill No. 2013-62 - For Possible Action - Annexation No. ANX-51431 - Property location: located on the north side of West Centennial Parkway, 328 feet east of Shaumber Road; Petitioned by: NVRE, LLC; Acreage: 2.5 acres; Zoned: R-U (County zoning), U (City equivalent). Sponsored by: Councilman Steven D. Ross
20. Bill No. 2013-63 - For Possible Action - Annexation No. ANX-51432 - Property location: On the southwest corner of Gilmore Avenue and Fort Apache Road; Petitioned by: Jill Ann Thacker Ducharme; Acreage: 5.21 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Stavros S. Anthony
21. Bill No. 2013-64 - For Possible Action - Annexation No. ANX-51433 - Property location: On the southwest corner of Moccasin Avenue and Homestead Road; Petitioned by: Verlaine, LLC; Acreage: 6.45 acres; Zoned: R-A (County zoning), R-E (City equivalent). Sponsored by: Councilman Steven D. Ross

NEW BILLS

THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.

22. Bill No. 2014-1 - Amends Ordinance No. 6285, relating to the annexation of property, to correct the zoning designation of that property (General Location - the southwest corner of Farm Road and Grand Canyon Drive). Proposed by: Flinn Fagg, Director of Planning
23. Bill No. 2014-2- Eliminates specific business license categories for commercial dance studios, distress merchandise sales, retail demonstration merchandise sales stores, and food caterers; eliminates charitable solicitation permits; and amends licensing regulations and fees related to outdoor pay telephones, professional promoters, and charitable or special events. Sponsored by: Councilman Steven D. Ross
24. Bill No. 2014-3 - Deletes certain work card requirements in multiple chapters of LVMC Title 6, amends multiple chapters of LVMC Title 6 related to work card requirements, and establishes a hearing panel to hear work card appeals. Sponsored by: Councilman Bob Beers
25. Bill No. 2014-4 - Amends the Unified Development Code to establish the means of allowing a site with development approval entitlements to obtain separate and concurrent approval for temporary development. Proposed by: Scott D. Adams, Deputy City Manager
26. Bill No. 2014-5 - Annexation No. ANX-50680 - Property location: located on the southwest corner of Dorrell Lane and Eula Street; Petitioned by: D. R. Horton, Inc.; Acreage: 5.07 acres; Zoned: R-D (County zoning), R-1 (City equivalent). Sponsored by: Councilman Steven D. Ross

PLANNING

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS RELATIVE TO REQUIREMENTS FOR STORM DRAINAGE AND FLOOD CONTROL, CONNECTION TO SANITARY SEWER, TRAFFIC CIRCULATION, AND BUILDING AND FIRE REGULATIONS. THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS HAVE BEEN INCORPORATED INTO THE ACTION.

PLANNING - DISCUSSION

27. EOT-51961 - NON-CONFORMING USE - EXTENSION OF TIME - PUBLIC HEARING - APPLICANT: TJP, A NEVADA LP - OWNER: TJ PLAZA, LLC, ET AL - For possible action on a request for an Extension of Time OF A NON-CONFORMING TAVERN at 2101 South Decatur Boulevard (APN 163-01-708-003 and 004), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.
28. EOT-51985 - NON-CONFORMING USE - EXTENSION OF TIME - PUBLIC HEARING - APPLICANT: MARMAT, LLC - OWNER: VFC PROPERTIES 23, LLC - For possible action on a request for an Extension of Time OF A NON-CONFORMING TAVERN at 1750 South Rainbow Boulevard, Suites 6, 7, and 8 (APN 163-02-212-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.
29. EOT-52274 - NON-CONFORMING USE - EXTENSION OF TIME - PUBLIC HEARING - APPLICANT: FIFTH STREET GAMING, LLC - OWNER: 899 FREMONT, LLC - For possible action on a request for an Extension of Time FOR A NON-CONFORMING GAMING ESTABLISHMENT NON-RESTRICTED at 899 Fremont Street (APN 139-34-612-056 and 027) C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.
30. RQR-51479 - ABEYANCE ITEM - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: IMAGINE SCHOOLS AT EAST MESA - OWNER: VAUSE FAMILY TRUST - For possible action on a Required Review of an approved Special Use Permit (SUP-48849) 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 APPROVAL.

SET DATE

31. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

CITIZENS PARTICIPATION

32. CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL 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

COUNCIL MEMBER RECOGNITION

33. COUNCIL MEMBER RECOGNITION: COMMENTS MADE BY INDIVIDUAL CITY COUNCIL MEMBERS DURING THIS PORTION OF THE AGENDA WILL NOT BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND SCHEDULED FOR ACTION

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

SUBJECT:
CALL TO ORDER



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

SUBJECT:

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

SUBJECT:

INVOCATION - REVEREND SANFORD “SANDY” MARKS, TREE OF LIFE
MINISTRY



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

SUBJECT:
PLEDGE OF ALLEGIANCE



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: OFFICE OF COMMUNICATIONS

DIRECTOR: DAVID RIGGLEMAN

SUBJECT:

RECOGNITION OF THE CITIZEN OF THE MONTH



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: OFFICE OF COMMUNICATIONS

DIRECTOR: DAVID RIGGLEMAN

SUBJECT:

RECOGNITION OF THE EMPLOYEE OF THE YEAR



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: OFFICE OF COMMUNICATIONS

DIRECTOR: DAVID RIGGLEMAN

SUBJECT:

RECOGNITION OF HUMAN TRAFFICKING PREVENTION EFFORTS



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: OFFICE OF COMMUNICATIONS

DIRECTOR: DAVID RIGGLEMAN

SUBJECT:

RECOGNITION OF THE KEEP LAS VEGAS BEAUTIFUL CAMPAIGN



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: OFFICE OF COMMUNICATIONS

DIRECTOR: DAVID RIGGLEMAN

SUBJECT:

RECOGNITION OF WARRIOR APPRECIATION NIGHT



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

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



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

☐ **Consent** ☒ **Discussion**

SUBJECT:

BUSINESS ITEMS:

For possible action to approve the Final Minutes by reference of the regular City Council meeting of December 4, 2013



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

☐ **Consent** ☒ **Discussion**

SUBJECT:

BUSINESS ITEMS:

For Possible Action - Any items that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒ **Consent** ☐ **Discussion**

SUBJECT:

For possible action to approve a business impact statement regarding a proposed ordinance to eliminate specific business license categories for commercial dance studios, distress merchandise sales, retail demonstration merchandise sales stores, and food caterers; eliminate charitable solicitation permits; and amend licensing regulations and fees related to outdoor pay telephones, professional promoters, and charitable or special events. (Bill No. 2014-2)

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This item is for Council approval of a business impact statement regarding a proposed ordinance to eliminate specific business license categories for commercial dance studios, distress merchandise sales, retail demonstration merchandise sales stores, and food caterers; eliminate charitable solicitation permits; and amend licensing regulations and fees related to outdoor pay telephones, professional promoters, and charitable or special events.

RECOMMENDATION:

It is recommended that the City Council approve the business impact statement.

BACKUP DOCUMENTATION:

Business Impact Statement

BUSINESS IMPACT STATEMENT

BILL NO. 2014- 2

[Updates the City's Licensing Regulations to Eliminate Specific Business License Categories for Commercial Dance Studios, Distress Merchandise Sales, Outdoor Pay Telephones, Retail Demonstration Merchandise Sales Stores, Charitable Solicitation And Highway Solicitation Permits and amends Licensing Regulations and Fees related to Professional Promoters and Charitable or Special Events.]

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2014-2, that would update the city's licensing regulations to Eliminate Specific Business License Categories for Commercial Dance Studios, Distress Merchandise Sales, Outdoor Pay Telephones, Retail Demonstration Merchandise Sales Stores, Charitable Solicitation And Highway Solicitation Permits and amends Licensing Regulations and Fees related to Professional Promoters and Charitable or Special Events.

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Comments were solicited by mail from seven local chambers of commerce and seven individual licensees (P19 license categories) that could be affected by the proposed amendments. The City also provided the language for the proposed amendment on the City of Las Vegas website at www.lasvegasnevada.gov/AmendTitle6.

The City received no e-mails, letters, faxes, or website responses regarding the proposed language.

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

None. The proposed amendments eliminate several antiquated licenses and reduces regulations on charitable organizations.

Beneficial effects:

The proposed amendments: 1) eliminate requirements to get individual permits and licenses for pay telephones; 2) reduce the regulations for commercial dance studios; and 3) eliminates the need for a multiple business licenses for businesses conducting a final closing liquidation sale. In addition, these proposed amendments combine three separate types of promoter licenses into one license allowing a professional promoter to conduct charitable programming, concerts and events. Lastly, these proposed amendments eliminate permits for charitable organizations to solicit contributions.

Direct effects:

None

Indirect effects:

None

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

The proposed amendments are intended to reduce the impact of its regulations upon business. The City reviewed certain licensing categories and eliminated categories that duplicated state and/or federal registries.

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

\$3000 for review and inspection of promoters and their records.

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Not Applicable.

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

The proposed amendments change the promoter fee from fifty dollars per event to a \$200 annual flat fee. The City does not expect any increase in fees collected.

7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

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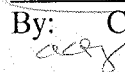
8. The reasons for the conclusions regarding the impact of the proposed rule on businesses:

Based upon the fact that no comments were received from the seven chambers of commerce nor any of the seven potentially affected businesses that were specifically notified by mail, the City does not believe that the proposed ordinance will have a significant impact on business.

CERTIFICATION

I certify that, to the best of my knowledge or belief, the information contained in this business impact statement was prepared properly and is accurate.



By:  City Manager

Date: December 10, 2013

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒ **Consent** ☐ **Discussion**

SUBJECT:

For possible action to approve a business impact statement regarding a proposed ordinance to delete certain work card requirements in multiple chapters of LVMC Title 6, amend multiple chapters of LVMC Title 6 related to work card requirements, and establish a hearing panel to hear work card appeals. (Bill No. 2014-3)

Fiscal Impact

☒

No Impact

☐ **Augmentation Required**

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This item is for Council approval of a business impact statement regarding a proposed ordinance to delete certain work card requirements in multiple chapters of LVMC Title 6, amend multiple chapters of LVMC Title 6 related to work card requirements, and establish a hearing panel to hear work card appeals.

RECOMMENDATION:

It is recommended that the City Council approve the business impact statement.

BACKUP DOCUMENTATION:

Business Impact Statement

BUSINESS IMPACT STATEMENT

BILL NO. 2014-3

[Updates the City's Licensing Regulations to Delete Certain Work Card Requirements in Multiple Chapters Of LVMC Title 6, to Amend Multiple Chapters of LVMC Title 6 related to Work Card Requirements, and to Establish a Hearing Panel to Hear Work Card Appeals]

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2014-3, that would update the city's licensing regulations by deleting certain work card requirements, amending other work card requirements and creating a hearing panel to consider and determine work card appeals.

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Comments were solicited by mail from seven local chambers of commerce and 285 individual licensees (L16 and L38 license categories) that could be affected by the proposed amendments. The City also provided the language for the proposed amendment on the City of Las Vegas website at www.lasvegasnevada.gov/AmendTitle6.

The City received no e-mails, letters, faxes, or website responses regarding the proposed language.

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

None

Beneficial effects:

The proposed amendments reduce the number of occupations requiring work cards, thereby reducing the fees paid by employees and allows businesses the ability to put employees to work without work card processing delays and appeals. In addition, the proposed amendments create a work card hearing panel which will act to speed the decision-making process on work card appeals as the hearing panel can meet more often than the City Council.

Direct effects:

None

Indirect effects:

None

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

The proposed amendments constitute a reduction of impacts to businesses as fewer businesses will be required to have employees receive work cards.

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

\$5000 for appeal panel meetings, administrative policy changes and forms.

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

The proposed amendments propose a fifty dollar fee to file a work card appeal. The City expects to collect approximately \$500.

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

The fees collected for appeal hearing will be used to offset costs of form processing and background research for the appeals panel.

7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

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8. The reasons for the conclusions regarding the impact of the proposed rule on businesses:

Based upon the fact that no comments were received from the seven chambers of commerce nor any of the 285 potentially affected businesses that were specifically notified by mail, the City does not believe that the proposed ordinance will have a significant impact on business.

CERTIFICATION

I certify that, to the best of my knowledge or belief, the information contained in this business impact statement was prepared properly and is accurate.


By: City Manager
H. City

Date: December 10, 2013

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: CITY MANAGER

DIRECTOR: ELIZABETH N. FRETWELL

☐ Consent ☒ Discussion

SUBJECT:

ADMINISTRATIVE:

ABEYANCE ITEM - Report from the Information Technologies Department regarding business intelligence technology at the City of Las Vegas

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Report on facilitating management information and decision support by creating a technology framework that also provides government transparency and open data to our citizens. A demonstration will be presented of the city's dashboards and reporting system. This item was held in Abeyance from the December 4, 2013, City Council Meeting.

RECOMMENDATION:

Report only; no action required

BACKUP DOCUMENTATION:

None

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: CITY MANAGER

DIRECTOR: ELIZABETH N. FRETWELL

☐ Consent ☒ Discussion

SUBJECT:

Report regarding the status and progress of the Shared Services and Management Consultant Agreement with the City of North Las Vegas - All Wards

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

On November 6, 2013, the Las Vegas City Council approved an interlocal agreement with the City of North Las Vegas to conduct a six (6) month management consulting and shared services assessment to explore partnerships and shared services in several areas including economic development, finance, redevelopment, business licensing, park/community centers, animal control, traffic operations, information technology, purchasing, and fire non-suppression/support services. The purpose of this item is to provide a brief progress report on the activities taking place relative to the agreement.

RECOMMENDATION:

Report only; no action required

BACKUP DOCUMENTATION:

None

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES

☐ Consent ☒ Discussion

SUBJECT:

BOARDS & COMMISSIONS:

ABEYANCE ITEM - For Possible Action - CIVIL SERVICE BOARD OF TRUSTEES -
Andreas Spurlock - Term Expiration 8/17/2015, Resigned

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount: \$50.00 per meeting

Funding Source: Human Resources

Dept./Division: General Fund

PURPOSE/BACKGROUND:

The Board of Civil Service Trustees is comprised of 5 members appointed by the City Council. Members of this board must be City residents and attendance is compensatory. Members are limited to two full terms and there is no requirement to fill an unexpired portion of a term. Mr. Spurlock has recently accepted a position with the City of Las Vegas and is therefore, no longer eligible to serve on this board. An appointment was made at the November 20, 2013 City Council meeting to fill this vacancy however, the appointed individual had moved recently and no longer met the City residency requirement. This item was abeyed from the December 18, 2013 City Council meeting.

RECOMMENDATION:

Options are: Appoint a new member to fill the vacant seat.

BACKUP DOCUMENTATION:

1. Current Listing & Authority
2. Resignation Notification from Andreas Spurlock

7/10/2013 Per Senate Bill 147, effective June 11, 2003, compensated boards meeting certain criteria are no longer required to file State Financial Disclosure Statements. This board meets that established criteria.

BOARD OF CIVIL SERVICE TRUSTEES

<u>MEMBERS</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
1. SPURLOCK, ANDREAS (ANDY)	8-17-2011	8-17-2015
2. BURCH, VALENCIA	7-10-2013	7-10-2017
3. JORDAN, RODNEY	3-21-2012	3-21-2016
4. STEINMAN, DAVID W.	9-16-2009	9-16-2013
5. WHITE, MALCOLM	10-18-2006 (Effective 11-8-2006) (Reap. 10-20-2010)	11-8-2014

AUTHORITY: City Charter Article 10 - L.V.M.C. 3.04 - Amended per Bill 2001-70, Ordinance 5346, of 8-1-2001 indicating Financial Disclosures requirement.

TERM: 4 year terms (do not have to fill unexpired terms).
Members are limited to two full terms. (Ord. 3321, 11-4-87)

APPOINTED: 5 members appointed by the City Council.

COMPENSATION: \$50.00 for each meeting attended.

NOTES: **MUST BE CITY OF LAS VEGAS RESIDENT (Ord. 3527, LVMC 2.49).**

Per Senate Bill 147, effective June 11, 2003, compensated boards meeting certain criteria are no longer required to file State Financial Disclosure Statements. This board meets that established criteria.

PURPOSE: The Board of Civil Service Trustees administers the system of civil service.

Stacey Campbell

From: Andy Spurlock [aspurlock@ClarkCountyNV.gov]
Sent: Monday, October 14, 2013 3:13 PM
To: Beverly Bridges; LuAnn D. Holmes; Stacey Campbell
Cc: Graciela F. Manginelli
Subject: Resignation from Civil Service Board

Follow Up Flag: Follow up
Flag Status: Completed

This is formal notification that I will be resigning my Vice-Chair post of the City of Las Vegas Civil Service Board of Trustees due to my wonderful new opportunity to be a City of Las Vegas employee! My last meeting will be the one of October 23, 2013. Thank you for all of your assistance and I am looking forward to working with all of you soon.

Andreas (Andy) Spurlock
HR Analyst, Clark County, NV
(702) 455-2569

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2013-61 - For Possible Action - Amends LVMC 6.50.285 to clarify that the owner of an establishment adjacent to a pedestrian mall that is licensed to conduct nonrestricted gaming and is authorized to sell alcoholic beverages pursuant to a tavern license may operate one or more bars upon such adjacent pedestrian mall. Proposed by: Bradford R. Jerbic, City Attorney

Fiscal Impact

☒

No Impact

☐

Augmentation Required

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Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

As part of a recent ordinance updating the City's alcoholic beverage regulations, the City Council adopted a provision authorizing the owner of an establishment adjacent to a pedestrian mall that holds a license for nonrestricted gaming and a tavern license at the same location to operate a temporary or permanent bar upon the mall. This bill clarifies the intent of that provision: to allow one or more such bars to be established rather than establishing a limitation of one bar only.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2013-61

1 **BILL NO. 2013-61**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO AMEND LVMC 6.50.285 TO CLARIFY THAT THE OWNER OF AN
4 ESTABLISHMENT ADJACENT TO A PEDESTRIAN MALL THAT IS LICENSED TO CONDUCT
5 NONRESTRICTED GAMING AND IS AUTHORIZED TO SELL ALCOHOLIC BEVERAGES
PURSUANT TO A TAVERN LICENSE MAY OPERATE ONE OR MORE BARS UPON SUCH
ADJACENT PEDESTRIAN MALL, AND TO PROVIDE FOR OTHER RELATED MATTERS.

6 Proposed by: Bradford R. Jerbic, City Attorney

Summary: Amends LVMC 6.50.285 to clarify
that the owner of an establishment adjacent to a
pedestrian mall that is licensed to conduct
nonrestricted gaming and is authorized to sell
alcoholic beverages pursuant to a tavern license
may operate one or more bars upon such adjacent
pedestrian mall.

10 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS
11 FOLLOWS:

12 SECTION 1: Ordinance No. 6266 and Title 6, Chapter 50, Section 285, of the Municipal
13 Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended so that Section 6.50.285 reads
14 as follows:

15 **6.50.285:** (A) Notwithstanding any provision in this Chapter to the contrary, the owner of an
16 establishment adjacent to or within the pedestrian mall that holds a tavern license is authorized to sell
17 alcoholic beverages through a walk-up window that faces a street alignment within the boundaries of the
18 pedestrian mall, except for the Casino Center Boulevard and 4th Street alignments. Prior to the placement
19 or construction of such window, a licensee shall comply with all requirements of the Director, the Building
20 Official and the Director of Public Works. Such window shall be considered another bar at the
21 establishment for purposes of this Chapter.

22 (B) Notwithstanding any provision in this Chapter to the contrary, the owner of an
23 establishment licensed to operate nonrestricted gaming that is also authorized to sell alcoholic beverages
24 upon the premises of that establishment pursuant to a tavern alcoholic beverage license may locate [a] one
25 or more temporary or permanent [bar] bars upon an adjacent pedestrian mall, provided that such bar or bars
26 [is] are directly adjacent to the premises of that establishment and upon the pedestrian mall. Prior to the

1 placement or construction of such bar or bars, a licensee shall comply with all requirements of the Director,
2 the Building Official and the Director of Public Works.

3 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or
4 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
5 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
6 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City
7 of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph,
8 sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections,
9 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

10 SECTION 3 Whenever in this ordinance any act is prohibited or is made or declared to
11 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required
12 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of
13 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon
14 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of
15 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation
16 of this ordinance shall constitute a separate offense.

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SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2014.

APPROVED:

By
CAROLYN G. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 12-3-13
Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the _____
2 day of _____, 2013, and referred to a committee for recommendation, the committee
3 being composed of the following members _____;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2014, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:

15 _____
16 BEVERLY K. BRIDGES, MMC
City Clerk

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2013-62 - For Possible Action - Annexation No. ANX-51431 - Property location: located on the north side of West Centennial Parkway, 328 feet east of Shaumber Road; Petitioned by: NVRE, LLC; Acreage: 2.5 acres; Zoned: R-U (County zoning), U (City equivalent). Sponsored by: Councilman Steven D. Ross

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the north side of West Centennial Parkway, 328 feet east of Shaumber Road. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 16, 2014) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2013-62 and Location Map

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BILL NO. 2013-62

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX 51431)

Sponsored by: Councilman Steven D. Ross

Summary: Annexes property described generally as located on the north side of West Centennial Parkway, 328 feet east of Shaumber Road.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY
ORDAIN AS FOLLOWS:

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

That portion of the East Half (E 1/2) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 24, Township 19 South, Range 59 East, MDM, County of Clark, State of Nevada, being a portion of LOT 1 and a portion of Lot 2 of that CERTIFICATE OF LAND DIVISION, recorded February 22, 1989 in Book 890222 as Instrument 00985 of Clark County, Nevada Records, together with portions of those parcels of land described by GRANT, BARGAIN, SALE DEED, recorded February 22, 1989 in Book 890222 as Instrument 00968 of Clark County, Nevada Records, described as follows:

1 COMMENCING at the southwest corner of the Southeast Quarter (SE 1/4) of the
2 Southwest Quarter (SW 1/4) of said Section 24; thence along the south line of the
3 Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 24,
4 North 89°00'37" East, 338.36 feet to the southwest corner of the East Half (E 1/2) of the
5 Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter
6 (SW 1/4) of said Section 24; thence along the west line of said East Half (E 1/2),
7 North 00°07'53" West, 44.47 feet to the northerly corner of that parcel of land described by
8 GRANT, BARGAIN, SALE DEED, recorded January 7, 1999 in Book 990107 as
9 Instrument 01465 of Clark County, Nevada Records, said northerly corner being the POINT
10 OF BEGINNING; thence continuing along the west line of said East Half (E 1/2), 625.62
11 feet to the northwest corner of said East Half (E 1/2); thence along the north line of said
12 East Half (E 1/2), North 88°58'15" East, 339.13 feet to the northeast corner of said
13 East Half (E 1/2); thence along the east line of said East Half (E 1/2),
14 South 00°03'58" East, 64.01 feet to a point on the northeasterly projection of the
15 northwesterly line of that parcel of land described by EXHIBIT A-13 of that Dedication,
16 recorded March 23, 2004 in Book 20040323 as Instrument 02092 of Clark County, Nevada
17 Records, said point also being a point on a non-tangent curve, concave southeasterly and
18 having a radius of 3175.00 feet, a line radial to said point bears North 53°12'26" West;
19 thence along said northeasterly projection and southwesterly along said curve through a
20 central angle of 00°54'44" and an arc distance of 50.55 feet to the northerly corner of said
21 EXHIBIT A-13 parcel, said northerly corner also being a point on a curve, concave
22 southeasterly and having a radius of 3175.00 feet; thence along the northwesterly line of
23 said EXHIBIT A-13 parcel and southwesterly along said curve through a central angle of
24 05°01'55" and an arc distance of 278.84 feet to the northwest corner of that parcel of land
25 described by EXHIBIT A-14 of said Dedication, said northwesterly corner also being a
point on a curve, concave southeasterly and having a radius of 3175.00 feet; thence along
the northwesterly line of said EXHIBIT A-14 parcel and southwesterly along said curve
through a central angle of 05°58'00" and an arc distance of 330.64 feet to the POINT OF
BEGINNING.

The Basis of Bearings for this land description is North 89°00'37" East, being the south line
of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 24,
Township 19 South, Range 59 East, MDM, Clark County, Nevada as shown on that Record
of Survey in File 89 of Surveys, Page 3 of Clark County, Nevada Records.

Written by:
Neil Wacaser
City of Las Vegas, Department of Operations & Maintenance
333 N. Rancho Drive
Las Vegas, NV, 89106
(702) 229-2475
nwacaser@lasvegasnevada.gov

SECTION 2: The City Council hereby determines that the described territory
meets the requirements provided by law for annexation to the City for the following reasons:

A. The area to be annexed was contiguous to the City's boundaries at the time
the annexation proceedings were instituted;

B. More than one-eighth (1/8) of the aggregate external boundaries of the

1 area are contiguous to the City;

2 C. The territory proposed to be annexed is not included within the boundaries
3 of another incorporated city or within the boundaries of any unincorporated town as those
4 boundaries existed as of July 1, 1983;

5 D. The City is eligible to annex the described territory because the
6 landowners have signed a petition constituting one hundred percent (100%) of the owners of record
7 of individual lots or parcels of land within the annexation area.

8 SECTION 3: The City will provide police protection through the Las Vegas
9 Metropolitan Police Department, fire protection, street maintenance, and library services
10 immediately upon annexation. Garbage collection by the company franchised by the City will also
11 be provided immediately. The City sanitary sewer system will serve the proposed annexation area.
12 Any connection to or extension of this sewer line to serve the annexation area shall be at the
13 expense of the landowners. Other services, such as participation in the City's recreational
14 programs, special education classes and programs, public works planning, building inspections, and
15 other City services will also be available immediately. Utilities such as gas, electricity, telephone,
16 and water are provided by private utility companies and other services to the area will not be
17 affected by annexation. Street paving, curbs and gutters, sidewalks and street lights which are not
18 in place at the time of annexation will be installed in the presently developed areas upon the request
19 of the property owners and at their expense by means of special assessment districts. Such
20 improvements will be extended into the undeveloped areas as development takes place and the
21 need therefor arises, and will be located according to the needs of the area at that time. Such
22 installations will also be made at the expense of the property owners, either by means of special
23 assessment districts or as prerequisites to the approval of subdivision plats, building permits or
24 other land use or development applications.

25 SECTION 4: The annexation of the described territory shall become effective

1 on the 16th day of January, 2014, and on that date the City will have the funds appropriated in
2 sufficient amount to finance the extension into the described territory of police protection, fire
3 protection, street maintenance, street sweeping, and street lighting maintenance.

4 SECTION 5: The described territory, together with the inhabitants and property
5 thereof, shall, from and after the 16th day of January, 2014, be subject to all debts, laws, ordinances
6 and regulations in force in the City and shall be entitled to the same privileges and benefits as other
7 parts of the City, and shall be subject to municipal taxes levied by the City.

8 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an
9 accurate map or plat of the described territory and to record the map or plat, together with a
10 certified copy of this ordinance, in the office of the County Recorder of Clark County, Nevada,
11 which recording shall be done prior to the 16th day of January, 2014.

12 SECTION 7: The described territory, which previously has been zoned R-U
13 (County of Clark classification), is hereby classified as U (City of Las Vegas classification), which
14 is deemed to be the City equivalent of the County classification.

15 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause
16 or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or
17 invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the
18 validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City
19 Council of the City of Las Vegas hereby declares that it would have passed each section,
20 subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that
21 any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be
22 declared unconstitutional, invalid or ineffective.

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SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____,
2014.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 12-3-13
Val Steed, Date
Deputy City Attorney

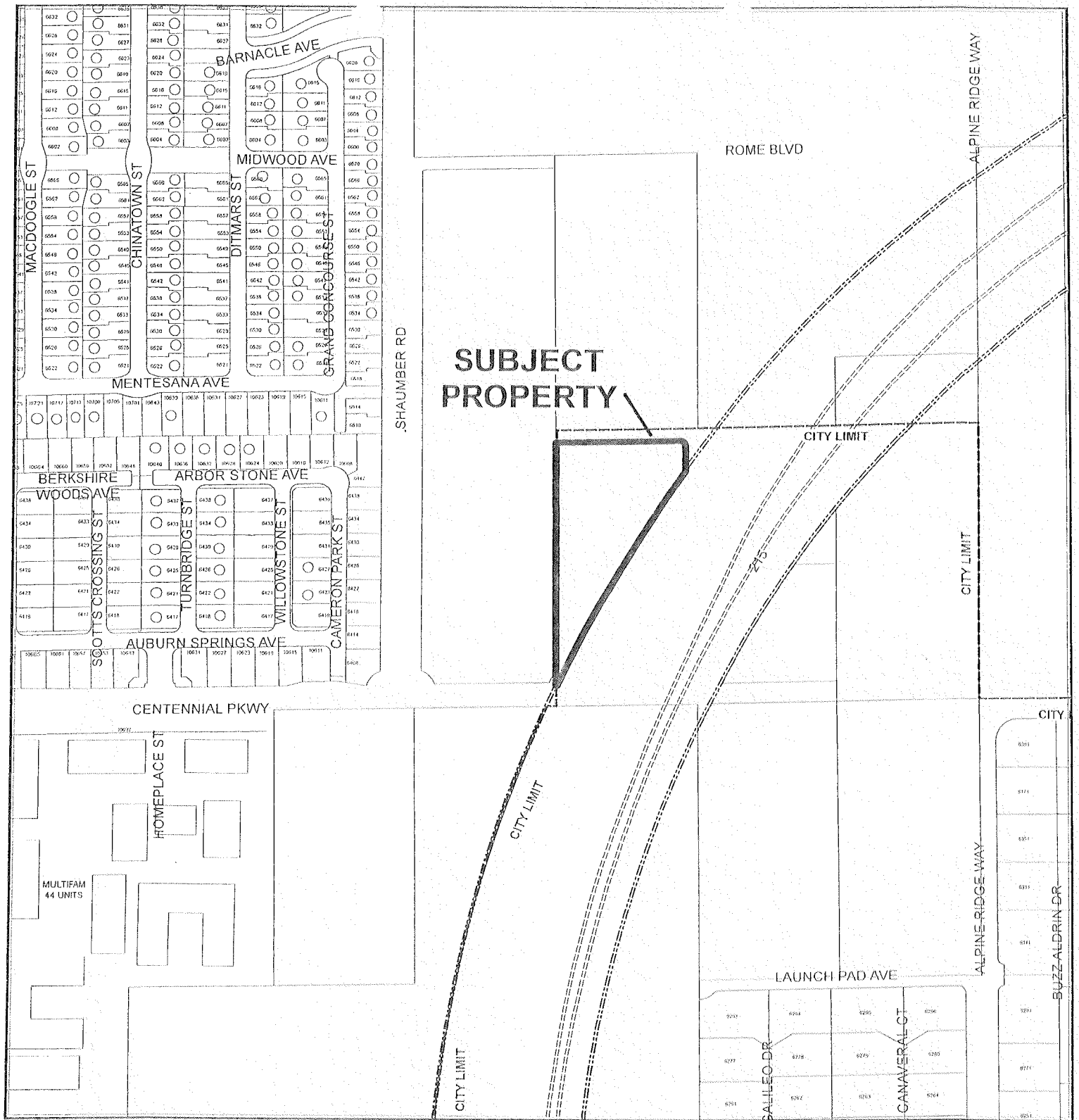
1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2013, and referred to a committee for recommendation, the
3 committee being composed of the following members _____
4 _____; thereafter the said committee reported favorably on said
5 ordinance on the ____ day of _____, 2014, which was a
6 _____ meeting of said Council; that at said _____ meeting,
7 the proposed ordinance was read by title to the City Council as first introduced and adopted by the
8 following vote:
9 VOTING "AYE": _____
10 VOTING "NAY": _____
11 ABSENT: _____
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APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk



CASE: ANX-51431

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2013-63 - For Possible Action - Annexation No. ANX-51432 - Property location: On the southwest corner of Gilmore Avenue and Fort Apache Road; Petitioned by: Jill Ann Thacker Ducharme; Acreage: 5.21 acres; Zoned: R-E (County zoning), R-E (City equivalent).
Sponsored by: Councilman Stavros S. Anthony

Fiscal Impact

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No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the southwest corner of Gilmore Avenue and Fort Apache Road. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 16, 2014) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2013-63 and Location Map

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BILL NO. 2013-63

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX 51432)

Sponsored by:
Councilman Stavros S. Anthony

Summary: Annexes property described generally as located on the southwest corner of Gilmore Avenue and Fort Apache Road.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY
ORDAIN AS FOLLOWS:

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

The East Half (E 1/2) of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 7, Township 20 South, Range 60 East M.D.M., County of Clark, State of Nevada, more particularly described by metes and bounds as follows:

BEGINNING at the northeast corner of the East Half (E 1/2) of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of said Section 7, also being the centerline intersection of FORT APACHE ROAD (50.00 foot half-street width) and GILMORE AVENUE (30.00 foot half-street width); thence along the east line of said East Half (E 1/2) and along the centerline of said FORT APACHE ROAD, South 01°33'38" East, 688.55 feet to the southeast corner of said East Half (E 1/2); thence

1 along the south line of said East Half (E 1/2), South 88°02'50" West, 330.63 feet to the
2 southwest corner of said East Half (E 1/2); thence along the west line of said East Half
3 (E 1/2), North 01°24'59" West, 687.45 feet to the northwest corner of said East Half
4 (E 1/2), also being a point on the centerline of said GILMORE AVENUE; thence along the
5 north line of said East Half (E 1/2) and along the centerline of said GILMORE AVENUE,
6 North 87°51'11" East, 328.91 feet to the POINT OF BEGINNING.

7 The Basis of Bearings for this land description is South 01°33'38" East, being the east line
8 of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 7,
9 Township 20 South, Range 60 East M.D.M, Clark County, Nevada as shown on the plat of
10 PINNACLE POINTE – UNIT 2, on file in Book 79 of Plats, Page 37, of Clark County,
11 Nevada Records.

12 Written by:
13 Neil Wacaser
14 City of Las Vegas, Department of Operations & Maintenance
15 333 N. Rancho Drive
16 Las Vegas, NV, 89106
17 (702) 229-2475
18 nwacaser@lasvegasnevada.gov
19

20 SECTION 2: The City Council hereby determines that the described territory
21 meets the requirements provided by law for annexation to the City for the following reasons:

22 A. The area to be annexed was contiguous to the City's boundaries at the time
23 the annexation proceedings were instituted;

24 B. More than one-eighth (1/8) of the aggregate external boundaries of the
25 area are contiguous to the City;

26 C. The territory proposed to be annexed is not included within the boundaries
27 of another incorporated city or within the boundaries of any unincorporated town as those
28 boundaries existed as of July 1, 1983;

29 D. The City is eligible to annex the described territory because the
30 landowners have signed a petition constituting one hundred percent (100%) of the owners of record
31 of individual lots or parcels of land within the annexation area.

32 SECTION 3: The City will provide police protection through the Las Vegas
33 Metropolitan Police Department, fire protection, street maintenance, and library services
34 immediately upon annexation. Garbage collection by the company franchised by the City will also
35

1 be provided immediately. The City sanitary sewer system will serve the proposed annexation area.
2 Any connection to or extension of this sewer line to serve the annexation area shall be at the
3 expense of the landowners. Other services, such as participation in the City's recreational
4 programs, special education classes and programs, public works planning, building inspections, and
5 other City services will also be available immediately. Utilities such as gas, electricity, telephone,
6 and water are provided by private utility companies and other services to the area will not be
7 affected by annexation. Street paving, curbs and gutters, sidewalks and street lights which are not
8 in place at the time of annexation will be installed in the presently developed areas upon the request
9 of the property owners and at their expense by means of special assessment districts. Such
10 improvements will be extended into the undeveloped areas as development takes place and the
11 need therefor arises, and will be located according to the needs of the area at that time. Such
12 installations will also be made at the expense of the property owners, either by means of special
13 assessment districts or as prerequisites to the approval of subdivision plats, building permits or
14 other land use or development applications.

15 SECTION 4: The annexation of the described territory shall become effective
16 on the 16th day of January, 2014, and on that date the City will have the funds appropriated in
17 sufficient amount to finance the extension into the described territory of police protection, fire
18 protection, street maintenance, street sweeping, and street lighting maintenance.

19 SECTION 5: The described territory, together with the inhabitants and property
20 thereof, shall, from and after the 16th day of January, 2014, be subject to all debts, laws, ordinances
21 and regulations in force in the City and shall be entitled to the same privileges and benefits as other
22 parts of the City, and shall be subject to municipal taxes levied by the City.

23 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an
24 accurate map or plat of the described territory and to record the map or plat, together with a
25 certified copy of this ordinance, in the office of the County Recorder of Clark County, Nevada,

1 | which recording shall be done prior to the 16th day of January, 2014.

2 | SECTION 7: The described territory, which previously has been zoned R-E
3 | (County of Clark classification), is hereby classified as R-E (City of Las Vegas classification),
4 | which is deemed to be the City equivalent of the County classification.

5 | SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause
6 | or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or
7 | invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the
8 | validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City
9 | Council of the City of Las Vegas hereby declares that it would have passed each section,
10 | subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that
11 | any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be
12 | declared unconstitutional, invalid or ineffective.

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SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2014.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 12-3-13
Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2013, and referred to a committee for recommendation, the
3 committee being composed of the following members _____
4 _____; thereafter the said committee reported favorably on said
5 ordinance on the _____ day of _____, 2014, which was a
6 _____ meeting of said Council; that at said _____ meeting,
7 the proposed ordinance was read by title to the City Council as first introduced and adopted by the
8 following vote:

9 VOTING "AYE": _____

10 VOTING "NAY": _____

11 ABSENT: _____

12 APPROVED:

13
14 By _____
CAROLYN G. GOODMAN, Mayor

15 ATTEST:

16 _____
17 BEVERLY K. BRIDGES, MMC
City Clerk

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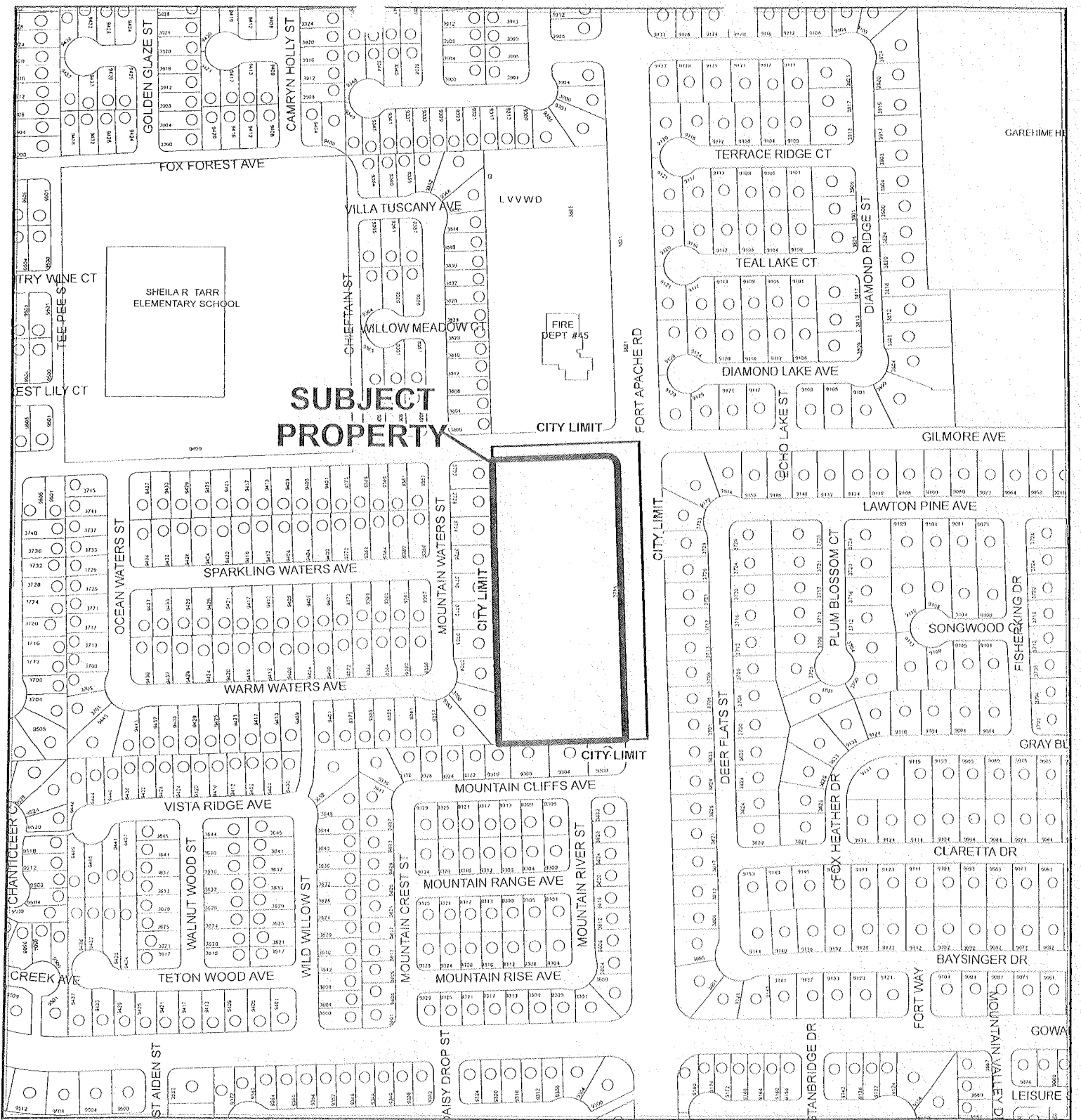
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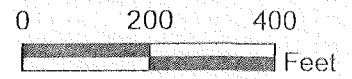
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CASE: ANX-51432



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2013-64 - For Possible Action - Annexation No. ANX-51433 - Property location: On the southwest corner of Moccasin Avenue and Homestead Road; Petitioned by: Verlaine, LLC; Acreage: 6.45 acres; Zoned: R-A (County zoning), R-E (City equivalent). Sponsored by: Councilman Steven D. Ross

Fiscal Impact

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No Impact

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Augmentation Required

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Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the southwest corner of Moccasin Avenue and Homestead Road. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 16, 2014) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2013-64 and Location Map

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BILL NO. 2013-64

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX 51433)

Sponsored by: Councilman Steven D. Ross	Summary: Annexes property described generally as located near the southwest corner of Moccasin Avenue and Homestead Road.
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THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY
ORDAIN AS FOLLOWS:

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

That portion of Northeast Quarter (NE 1/4) of Section 5, Township 19 South, Range 60 East, MDM, Clark County, Nevada, being that parcel of land described by that QUIT CLAIM DEED, recorded June 28, 2013 in Book 20130628 as Instrument Number 02607 of Clark County, Nevada Records, together with portions of the adjoining half-street rights of way of MOCCASIN AVENUE, HOMESTEAD ROAD and TRAILS END AVENUE, as dedicated by GRANT, BARGAIN, SALE DEED, recorded July 9, 2002 in Book 20020709 as Instrument

1 Number 00433 of Clark County, Nevada Records, GRANT DEED, recorded July
2 9, 2002 in Book 20020709 as Instrument Number 00410 of Clark County, Nevada
3 Records, GRANT DEED, recorded July 9, 2002 in Book 20020709 as Instrument
4 Number 00407 of Clark County, Nevada Records, and Grant Deed, recorded March
5 7, 1972 in Book 212 as Instrument Number
6 171825 of Clark County, Nevada Records, more particularly described by metes
7 and bounds as follows:

8 COMMENCING at the northeast corner of the Northeast Quarter (NE 1/4) of said
9 Section 5 as shown on that RECORD OF SURVEY in File 123 of Surveys, Page
10 33, of Clark County, Nevada Records; thence along the north line of said Northeast
11 Quarter (NE 1/4) and along the centerline of said MOCCASIN AVENUE (50.00
12 foot half-street width), North 89°30'55" West, 1263.68 feet to the POINT OF
13 BEGINNING at the point of intersection with the centerline of said HOMESTEAD
14 ROAD (30.00 foot half-street width); thence continuing along the north line of said
15 Northeast Quarter (NE 1/4) and along the centerline of said MOCCASIN
16 AVENUE, North 89°30'55" West, 334.52 feet to the northerly projection of the
17 west line of LOT 4 in BLOCK 502 as shown on said File 123 of Surveys, Page 33;
18 thence along the northerly projection of said west line, South 00°17'52" West,
19 50.00 feet to the northwest corner of said LOT 4; thence along the west line of said
20 LOT 4, South 00°17'52" West, 753.06 feet to the southwest corner of said LOT 4;
21 thence along the southerly projection of said west line, South 00°17'52" West,
22 30.03 feet to a point on the centerline of said TRAILS END AVENUE (30.00 foot
23 half-street width); thence along the centerline of said TRAILS END AVENUE,
24 South 87°05'31" East, 334.95 feet to a point on the centerline of said
25 HOMESTEAD ROAD; thence along centerline of said HOMESTEAD ROAD,
North 00°17'33" East, 847.25 feet to the POINT OF BEGINNING.

The Basis of Bearings for this land description is South 89°30'55" East, being the
north line of the Northeast Quarter (NE 1/4) of Section 5, Township 19 South,
Range 60 East, MDM, Clark County, Nevada as shown on that RECORD OF
SURVEY, BOUNDARY LINE ADJUSTMENT, in File 123 of Surveys, Page 33
of Clark County, Nevada Records.

Written by:

Neil Wacaser

City of Las Vegas, Department of Operations & Maintenance

333 N. Rancho Drive

Las Vegas, NV, 89106

(702) 229-2475

nwacaser@lasvegasnevada.gov

SECTION 2: The City Council hereby determines that the described territory
meets the requirements provided by law for annexation to the City for the following reasons:

A. The area to be annexed was contiguous to the City's boundaries at the time
the annexation proceedings were instituted;

1 B. More than one-eighth (1/8) of the aggregate external boundaries of the
2 area are contiguous to the City;

3 C. The territory proposed to be annexed is not included within the boundaries
4 of another incorporated city or within the boundaries of any unincorporated town as those
5 boundaries existed as of July 1, 1983;

6 D. The City is eligible to annex the described territory because the
7 landowners have signed a petition constituting one hundred percent (100%) of the owners of record
8 of individual lots or parcels of land within the annexation area.

9 SECTION 3: The City will provide police protection through the Las Vegas
10 Metropolitan Police Department, fire protection, street maintenance, and library services
11 immediately upon annexation. Garbage collection by the company franchised by the City will also
12 be provided immediately. The City sanitary sewer system will serve the proposed annexation area.
13 Any connection to or extension of this sewer line to serve the annexation area shall be at the
14 expense of the landowners. Other services, such as participation in the City's recreational
15 programs, special education classes and programs, public works planning, building inspections, and
16 other City services will also be available immediately. Utilities such as gas, electricity, telephone,
17 and water are provided by private utility companies and other services to the area will not be
18 affected by annexation. Street paving, curbs and gutters, sidewalks and street lights which are not
19 in place at the time of annexation will be installed in the presently developed areas upon the request
20 of the property owners and at their expense by means of special assessment districts. Such
21 improvements will be extended into the undeveloped areas as development takes place and the
22 need therefor arises, and will be located according to the needs of the area at that time. Such
23 installations will also be made at the expense of the property owners, either by means of special
24 assessment districts or as prerequisites to the approval of subdivision plats, building permits or
25 other land use or development applications.

1 SECTION 4: The annexation of the described territory shall become effective
2 on the 16th day of January, 2014, and on that date the City will have the funds appropriated in
3 sufficient amount to finance the extension into the described territory of police protection, fire
4 protection, street maintenance, street sweeping, and street lighting maintenance.

5 SECTION 5: The described territory, together with the inhabitants and property
6 thereof, shall, from and after the 16th day of January, 2014, be subject to all debts, laws, ordinances
7 and regulations in force in the City and shall be entitled to the same privileges and benefits as other
8 parts of the City, and shall be subject to municipal taxes levied by the City.

9 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an
10 accurate map or plat of the described territory and to record the map or plat, together with a
11 certified copy of this ordinance, in the office of the County Recorder of Clark County, Nevada,
12 which recording shall be done prior to the 16th day of January, 2014.

13 SECTION 7: The described territory, which previously has been zoned R-A
14 (County of Clark classification), is hereby classified as R-E (City of Las Vegas classification),
15 which is deemed to be the City equivalent of the County classification.

16 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause
17 or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or
18 invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the
19 validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City
20 Council of the City of Las Vegas hereby declares that it would have passed each section,
21 subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that
22 any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be
23 declared unconstitutional, invalid or ineffective.

24 ...

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SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____,
2014.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 12-3-13
Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2013, and referred to a committee for recommendation, the
3 committee being composed of the following members _____
4 _____; thereafter the said committee reported favorably on said
5 ordinance on the _____ day of _____, 2014, which was a
6 _____ meeting of said Council; that at said _____ meeting,
7 the proposed ordinance was read by title to the City Council as first introduced and adopted by the
8 following vote:

9 VOTING "AYE": _____

10 VOTING "NAY": _____

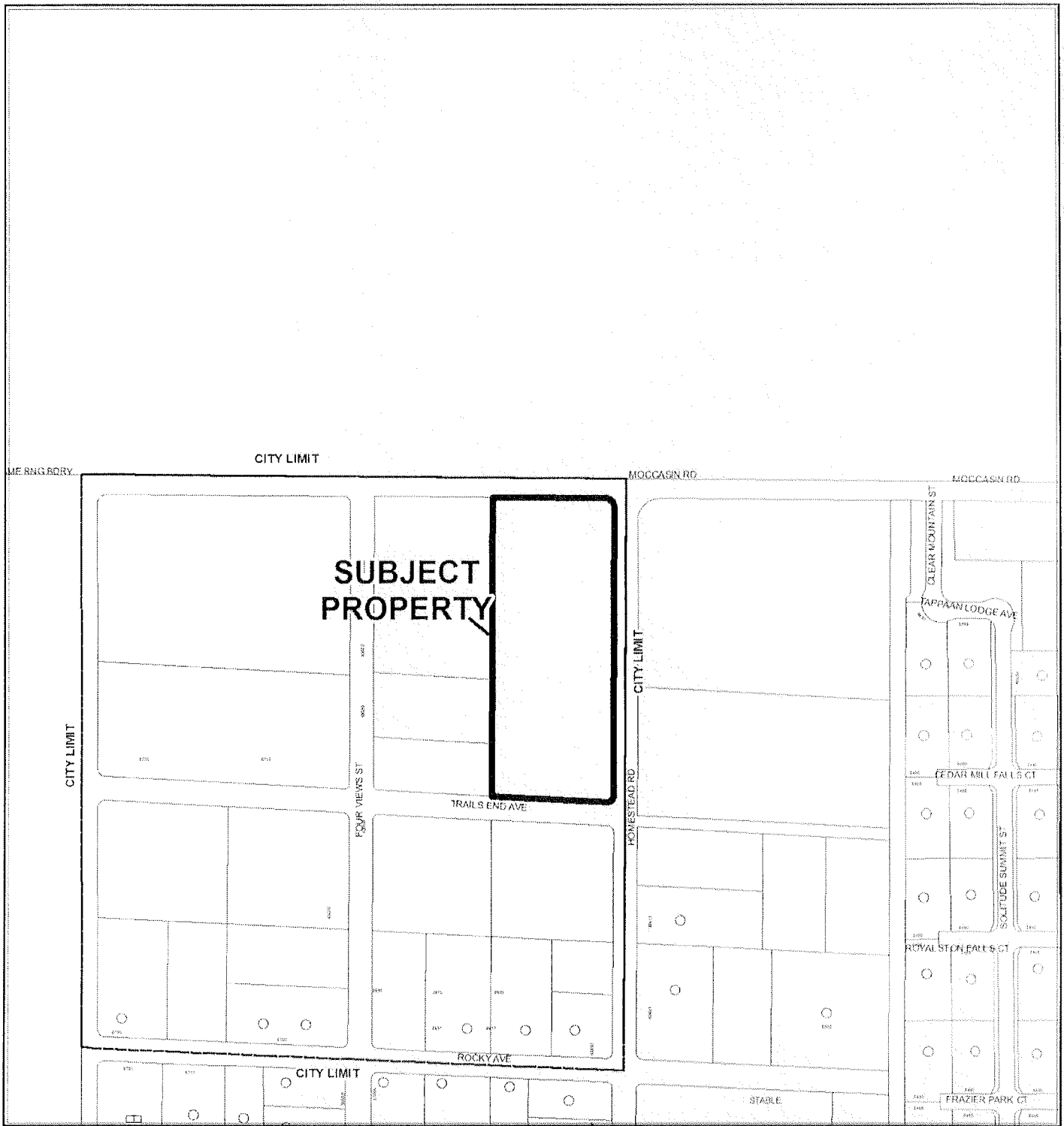
11 ABSENT: _____

12 APPROVED:

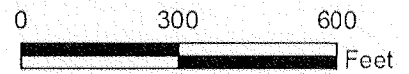
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14 By _____
CAROLYN G. GOODMAN, Mayor

15 ATTEST:
16 _____
17 BEVERLY K. BRIDGES, MMC
City Clerk

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CASE: ANX-51433



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILLS:

Bill No. 2014-1 - Amends Ordinance No. 6285, relating to the annexation of property, to correct the zoning designation of that property (General Location - the southwest corner of Farm Road and Grand Canyon Drive). Proposed by: Flinn Fagg, Director of Planning

Fiscal Impact

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No Impact

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Augmentation Required

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Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

On October 2, 2013, the City Council adopted Ordinance No. 6285, annexing property generally located at the southwest corner of Farm Road and Grand Canyon Drive. The ordinance incorrectly indicated that the City zoning designation equivalent to that held in the County is R-E. The correct designation is RPD-4, and this Ordinance amends the previous annexation ordinance to reflect the correct zoning.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2014-1

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BILL NO. 2014-1

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NO. 6285 (REGARDING THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY) TO CORRECT THE ZONING DESIGNATION OF THE ANNEXED TERRITORY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (PERTAINING TO ANNEXATION ANX-49991)

Proposed by: Flinn Fagg, Director of Planning	Summary: Amends Ordinance No. 6285, relating to the annexation of property, to correct the zoning designation of that property (General Location - the southwest corner of Farm Road and Grand Canyon Drive).
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THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY
ORDAIN AS FOLLOWS:

SECTION 1: Ordinance No. 6285 of the City of Las Vegas was adopted on October 2, 2013, with an effective date of October 11, 2013, to accomplish the annexation into the City of the territory described as follows:

That portion of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 18, Township 19 South, Range 60 East, MDM, in the County of Clark, State of Nevada, more particularly described by metes and bounds as follows:

...

BEGINNING at the northeast corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of said Section 18, thence along the north line of said Northeast Quarter (NE 1/4), North 89°12'14" West, 1335.44 feet to the northeast corner of Government Lot 21 of said Section 18; thence along the east line of said Government Lot 21, South 00°21'19" East, 661.70 feet to the most northerly line of LOT 42 of the plat of PINNACLE-SABLE CREEK, on file in Book 127 of Plats, Page 70, of Clark County, Nevada Records; thence South 89°12'14" East, 683.82 feet to the northeast corner of LOT 47 of said Book 127 of Plats, Page 70, also being a point on the westerly line of COMMON LOT A of the plat of AMENDED FINAL MAP OF PINNACLE-SABLE CREEK, on file in Book 133 of Plats, Page 98 of Clark County, Nevada Records, also being a point on a non-tangent curve, concave westerly and having a radius of 518.50 feet, a line radial to said point bears North 79°31'11" East; thence northerly along said curve and along the westerly line of said COMMON LOT A, through a central angle of 12°23'57" and an arc distance of 112.21 feet to a reverse curve, concave easterly and having a radius of 481.50 feet, a line radial to said point bears South 67°07'14" West; thence northerly along said curve and continuing along the westerly line of said COMMON LOT A, through a central angle of 05°58'41" and an arc distance of 50.24 feet to the northwest corner of said COMMON LOT A; thence along the north line of said COMMON LOT A, South 89°12'14" East, 187.99 feet to a curve, concave southerly and having a radius of 2000.00 feet; thence easterly along said curve and continuing along the north line of said COMMON LOT A, through a central angle of 00°19'37" and an arc distance of 11.41 feet to the northeast corner of said COMMON LOT A; thence along the east line of said COMMON LOT A, South 00°48'25" West, 177.94 feet to the southeast corner of said COMMON LOT A; thence South 89°11'35" East, 115.53 feet to the northwest corner of LOT 50 of said Book 127 of Plats, Page 70; thence along the north line of LOT 50, LOT 51, and LOT 52 of said Book 127 of Plats, Page 70, South 89°11'35" East, 330.42 feet to a curve, concave southwesterly and having a radius of 15.00 feet; thence southeasterly along said curve and along the northerly line of LOT 52 of said Book 127 of Plats, Page 70, through a central angle of 89°07'10" and an arc distance of 23.33 feet to the east line of said LOT 52; thence North 89°55'38" East, 40.00 feet to the east line of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of said Section 18; thence along the east line of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of said Section 18, North 00°04'22" West, 700.08 feet to the POINT OF BEGINNING.

The Basis of Bearings for this land description is North 89°12'14" West, being the north line of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 18, Township 19 South, Range 60 East, MDM, Clark County, Nevada as shown by the plat of PINNACLE-SABLE CREEK, on file in Book 127 of Plats, Page 70, of Clark County, Nevada Records.

Written by:

Neil Wacaser

City of Las Vegas, Department of Operations & Maintenance

333 N. Rancho Drive

Las Vegas, NV, 89106

(702) 229-2475

nwacaser@lasvegasnevada.gov

1 SECTION 2: Ordinance No. 6285 of the City of Las Vegas is hereby amended
2 by amending Section 7 thereof to read as follows:

3 SECTION 7: The described territory, which previously has been zoned R-D
4 (County of Clark classification), is hereby classified as [R-E] RPD-4 (City of Las
5 Vegas classification), which is deemed to be the City equivalent of the County
6 classification.

7 SECTION 3: The amendment represented in Section 1 of this Ordinance shall
8 be effective as of the effective date of Ordinance No. 6285.

9 SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause
10 or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or
11 invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the
12 validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City
13 Council of the City of Las Vegas hereby declares that it would have passed each section,
14 subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that
15 any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be
16 declared unconstitutional, invalid or ineffective.

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SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2014.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 12-16-13
Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2014, and referred to a committee for recommendation, the
3 committee being composed of the following members _____
4 _____; thereafter the said committee reported favorably on said
5 ordinance on the ____ day of _____, 2014, which was a
6 _____ meeting of said Council; that at said _____ meeting,
7 the proposed ordinance was read by title to the City Council as first introduced and adopted by the
8 following vote:
9 VOTING "AYE": _____
10 VOTING "NAY": _____
11 ABSENT: _____
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APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILLS:

Bill No. 2014-2- Eliminates specific business license categories for commercial dance studios, distress merchandise sales, retail demonstration merchandise sales stores, and food caterers; eliminates charitable solicitation permits; and amends licensing regulations and fees related to outdoor pay telephones, professional promoters, and charitable or special events. Sponsored by: Councilman Steven D. Ross

Fiscal Impact

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No Impact

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Augmentation Required

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Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill reflects a housekeeping effort to eliminate a number of licensing categories that are unnecessary or duplicative, and to update regulations and fees related to outdoor pay telephones, professional promoters, and charitable or special events.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2014-2
2. Chapters to be repealed

BILL NO. 2014-2

ORDINANCE NO. _____

AN ORDINANCE TO ELIMINATE SPECIFIC BUSINESS LICENSE CATEGORIES FOR COMMERCIAL DANCE STUDIOS, DISTRESS MERCHANDISE SALES, RETAIL DEMONSTRATION MERCHANDISE SALES STORES, AND FOOD CATERERS; ELIMINATE CHARITABLE SOLICITATION PERMITS; AMEND LICENSING REGULATIONS AND FEES RELATED TO OUTDOOR PAY TELEPHONES, PROFESSIONAL PROMOTERS AND CHARITABLE OR SPECIAL EVENTS; AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross

Summary: Eliminates specific business license categories for commercial dance studios, distress merchandise sales, retail demonstration merchandise sales stores, and food caterers; eliminates charitable solicitation permits; and amends licensing regulations and fees related to outdoor pay telephones, professional promoters, and charitable or special events.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 6, Chapter 22, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 2: Title 6, Chapter 27, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 3: Title 6, Chapter 34, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 4: Title 6, Chapter 39, of the Municipal Code of the City of Las Vegas, Nevada, 1983 edition is hereby repealed in its entirety.

SECTION 5: Title 6, Chapter 72, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 6: Title 6, Chapter 4, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.04.030: Businesses within the following licensing categories shall pay a fifty dollars annual

business license fee, as set forth below:

Billiard or pool hall, with the fee amount to be charged for each billiard or pool table.

Bowling center, which is a business providing a place to engage in the sport of bowling. The fee amount shall be charged for each alley.

Tobacco dealer, which is any person licensed pursuant to NRS Chapter 370 to sell tobacco. The fee amount shall be charged for each sales location, whether a machine, retail location, or warehouse facility.

Delivery service, which is any business providing a transport of goods from one location to another location for a fee. The license fee shall be charged for the first vehicle used in the business, and a thirty dollar annual fee to be charged for each additional vehicle used in the business. An applicant for this license may be required by the Director to furnish a State license or certificate, if applicable, or written verification that such license or certificate is not required.

Nonprofit commercial enterprise, which is any commercial enterprise regularly engaged in by an organization that has duly qualified as tax exempt under the Internal Revenue Code. The category does not include an organization whose commercial activities consist solely of one or more of the following:

(A) Occasional fundraising activities;

(B) Solicitation activities that are [subject to the provisions of LVMC Chapter 6.22;] governed by the provisions of State law pertaining to solicitation by nonprofit organizations;

(C) The sale of items that are intended to convey a religious, political or ideological message.

Transfer and storage company, with the fee amount to be charged for the first truck used in the business, and a thirty dollar annual fee to be charged for each additional truck used in the business.

SECTION 7: Title 6, Chapter 40, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.40.060: The Director may in his discretion approve any charitable or educational organization [which has obtained a charitable solicitations permit] to conduct and maintain any games or sports pool,

1 provided such charitable or educational organization has first obtained the approval of the State Gaming
2 Control Board as required by NRS 463.409.

3 SECTION 8: Title 6, Chapter 58, Section 20, of the Municipal Code of the City of Las
4 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **6.58.020:** It is unlawful for any person to install or maintain an outdoor pay telephone without having
6 obtained a license to do so. [An initial license application must include the location of each outdoor pay
7 telephone by street address and the telephone number for each telephone, or such other identifying
8 information as will allow the City to implement the provisions of this Chapter. On a quarterly basis, each
9 licensee must provide to the Department a list of locations from which telephones have been removed and
10 new locations where telephones have been installed. Each list must include the same identifying
11 information as is required for an initial application.]

12 SECTION 9: Title 6, Chapter 58, Section 30, of the Municipal Code of the City of Las
13 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.58.030:** The license fee for each person required to be licensed under this Chapter is [a quarterly
15 fee of one and one-half percent of the gross revenue attributable to the outdoor pay telephones installed by
16 that person within the City. The license fee is due on the fifteenth day of the second month following the
17 end of each calendar quarter.] two hundred dollars annually.

18 SECTION 10: Title 6, Chapter 58, Section 50, of the Municipal Code of the City of Las
19 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **6.58.050:** The licensee's name and telephone number shall be prominently displayed on each outdoor
21 pay telephone. Each outdoor pay telephone shall be maintained by the licensee in good repair and in a clean
22 and safe condition at all times. In addition, each public outdoor pay telephone shall be installed in
23 accordance with any durability and design standards established by the Department of Public Works. Each
24 licensee must maintain a map and address list of the location of each outdoor pay telephone and make it
25 available to the Director upon request.

26 SECTION 11: Title 6, Chapter 58, Section 70, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.58.070: (A) The City[, through its Department of Finance and Business Services or its Department of Neighborhood Services,] is authorized to remove any private or public outdoor pay telephone which has been installed or maintained in violation of this Chapter. The City shall send a written notice to the owner, operator or licensee at least seven days prior to removal stating that the outdoor pay telephone is subject to removal unless the owner, operator or licensee provides evidence of compliance with this Chapter or requests a hearing before the Director of Planning [Finance and Business Services,] or the Director's designee. Unless the Director determines that the installation jeopardizes the public health, safety or welfare, the action to remove the telephone shall be stayed pending resolution of any hearing that has been requested. The decision by the Director or the Director's designee following the hearing shall be final.

(B) Any outdoor pay telephone removed by the City may be reclaimed by the owner within thirty days after removal upon reimbursement to the City for removal and storage costs. Any outdoor pay telephone not so reclaimed may be disposed of as unclaimed property or destroyed.

SECTION 12: Title 6, Chapter 58, Section 90, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.58.090: If the City[, through its Department of Finance and Business Services Planning or Building - Code Enforcement or its Department of Neighborhood Services,] determines that the continued operation of a particular outdoor pay telephone contributes to ongoing drug trafficking, loitering, street gangs, illegal activities, unsightly graffiti or conduct detrimental to the tranquility of the neighborhood, or has a deleterious impact upon the surrounding neighborhood or upon the public health, safety and welfare, it may declare the telephone a nuisance and notify the licensee, who shall remove the outdoor pay telephone within fourteen days, or such other time as specified by the notice. Any outdoor pay telephone not so removed may be abated or removed by the City in accordance with the abatement procedure set forth in LVMC Chapter 9.04, to the extent not inconsistent with this Section. After the City removes the outdoor pay telephone, the City shall notify the owner, installer or other responsible person of the removal if such

1 person or persons are known to or reasonably can be determined by the City. Such notice shall be given
2 within five days after removal of the outdoor pay telephone or within such additional time as may be
3 necessary to locate and identify such person or persons. The City must not dispose of the outdoor pay
4 telephone for thirty days following its removal. The owner may reclaim the outdoor pay telephone within
5 thirty days after removal upon reimbursement to the City for removal and storage costs. Any outdoor pay
6 telephone not so reclaimed may be disposed of as unclaimed property or destroyed.

7 SECTION 13: Title 6, Chapter 62, Section 30, of the Municipal Code of the City of Las
8 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **6.62.030:** This Chapter does not apply to:

10 (A) Charitable solicitations conducted in compliance with Chapter ~~6.22~~11.62,
11 Chapter 6.78 or the provisions of NRS Chapters 82 and 598 that pertain to such solicitations.

12 (B) Temporary merchants and mobile food vendors to the extent they are subject to
13 and in compliance with, the provisions of this Title which govern those businesses.

14 (C) The selling, offering for sale or soliciting of orders for goods or services from
15 licensed wholesale or retail businesses located within the City, except with regard to the provisions of
16 LVMC 6.62.020(B).

17 SECTION 14: Title 6, Chapter 62, Section 50, of the Municipal Code of the City of Las
18 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **6.62.050:** Any person who is required to have a permit under this Chapter must file an application
20 with the Director and pay a nonrefundable processing fee of ~~[thirty]~~ fifty dollars. The application must be
21 made upon forms provided by the Department. The Department may require such information as is
22 required of business license applicants under Chapter 6.02, as well as the following:

23 (A) The name and a description of the business or enterprise which the applicant
24 proposes to engage in or represent;

25 (B) The dates on which the applicant desires to peddle or solicit;

26 (C) A description of the selling methods to be used and the nature of the products or

1 services to be offered; and

2 (D) Such other information or documentation as the Department may require in order
3 to establish the applicant's suitability and fitness for approval.

4 SECTION 15: Title 6, Chapter 71, Section 100, of the Municipal Code of the City of Las
5 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **6.71.100:** Each operator, other than a patriotic, philanthropic, religious, social service, welfare,
7 benevolent, educational, civic or fraternal organization, [to which LVMC Chapter 6.22 applies,] shall pay
8 the license fees that are provided for in LVMC Chapter 6.46.

9 SECTION 16: Title 6, Chapter 78, Section 10, of the Municipal Code of the City of Las
10 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **6.78.010:** Unless the context requires otherwise, the following definitions apply to this Chapter:

12 [(A) "Producer or promoter" means any person who is directly or indirectly responsible for the
13 organization of a special event and who directly or indirectly receives:

14 (1) Admission or entrance fees paid by participants or spectators; or

15 (2) Compensation, consideration or revenue from sponsors or private donors.]

16 "Charitable" means and includes the words patriotic, philanthropic, religious, social service, welfare,
17 benevolent, educational, civic or fraternal, either actual or purported.

18 "Charitable organization" has the same meaning as provided at LVMC 11.62.020(A).

19 "Contributions" means and includes the words alms, food, clothing, money, subscription, property, the loan
20 of money or property, financial assistance or items of personal property.

21 "Professional promoter of charitable events" means a person who, for compensation, plans, promotes,
22 conducts, manages or carries on or attempts to plan, promote, conduct, manage or carry on any drive or
23 campaign for the purpose of soliciting contributions for or on behalf of any charitable person, or engages in
24 the business of soliciting contributions for charitable purpose and who directly or indirectly receives:

25 (1) Admission or entrance fees paid by participants or spectators; or

26 (2) Compensation, consideration or revenue from sponsors or private donors.

1 “Professional promoter of non-charitable events” means a person who, for compensation, plans, promotes,
2 conducts, manages, carries on or attempts to plan, promote, conduct, manage or carry on any drive or
3 campaign for the purpose of organizing a special event or any other type of event where more than three
4 hundred persons are expected to attend, and who directly or indirectly receives:

5 (1) Admission or entrance fees paid by participants or spectators; or

6 (2) Compensation, consideration or revenue from sponsors, owners or beneficial owners of an
7 establishment.

8 “Solicit” and “solicitations” means the request, either directly or indirectly, for contributions on the plea or
9 representation that such contributions or any proceeds to be derived therefrom will be used for a charitable
10 purpose. Without limiting the generality of the above, such words shall include the following methods of
11 securing contributions on the plea or representation that it will be used for a charitable purpose:

12 (1) Any oral or written request;

13 (2) The distribution, circulation, mailing, posting or publishing of any handbills, written
14 advertisement or publication;

15 (3) The making of any announcement through the press, radio, television, or by telephone or
16 telegraph concerning an appeal, assembly, athletic or sporting event, bazaar, benefit, campaign, contest,
17 dance, dinner, entertainment, exhibition, exposition, party, performance, picnic, sale, social gathering, or
18 similar events, which the general public is requested to patronize or to which the general public is requested
19 to contribute; or

20 (4) the sale of or the offer or attempt to sell any advertisement, advertising space, book,
21 coupon, magazine, merchandise, subscription, ticket or other thing.

22  A “solicitation,” as defined herein, shall be deemed completed when made, whether or not the person
23 making the same receives any contribution or makes any sale.

24 [(B)] “Special event” means any event:

25 (1) Described as a special event in LVMC 12.02.010; and

26 (2) At which at least three hundred persons are expected to attend.

1 SECTION 17: Title 6, Chapter 78, Section 20, of the Municipal Code of the City of Las
2 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 **6.78.020:** No person shall act as a [producer or promoter of special events] professional promoter of
4 charitable events or a professional promoter of non-charitable events without first obtaining a valid
5 unexpired license pursuant to this Code. This requirement does not apply to an officer or employee of a
6 business or charitable organization who is conducting an event:

7 (A) For the regular business customers of that business or member of a charitable
8 organization;

9 (B) Within the indoor premises of that business or charitable organization; and

10 (C) In the normal course of the business operations for which that business is properly
11 licensed.

12 SECTION 18: Title 6, Chapter 78, Section 30, of the Municipal Code of the City of Las
13 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

14 **6.78.030:** Each licensee shall pay in advance a license fee of [fifty dollars per special event.] two
15 hundred dollars annually.

16 SECTION 19: Title 6, Chapter 78, of the Municipal Code of the City of Las Vegas,
17 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 35, reading as
18 follows:

19 **6.78.035:** The Director may impose reasonable conditions on a license which may include, without
20 limitation:

21 (A) Reporting all events and solicitations that have already been conducted by the
22 licensee within a period specified by the Director, including dates, times and locations;

23 (B) Reporting in advance, up to thirty days in advance, all events and solicitations to
24 be conducted by the licensee, including dates, times and locations, and the names of profiles of entertainers
25 to be participating;

26 (C) Providing the Director with a copy of the federal and state registrations of

1 charitable organizations contracted to the licensee;

2 (D) Providing a listing of the names and addresses of employees of the licensee who
3 are to be involved in an event or solicitation.

4 SECTION 20: Title 6, Chapter 78, of the Municipal Code of the City of Las Vegas,
5 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 40, reading as
6 follows:

7 **6.78.040:** Each licensee shall make available its books and records for one year after each event or
8 charitable solicitation for audit by the Director or his authorized representative.

9 SECTION 21: Title 6, Chapter 78, of the Municipal Code of the City of Las Vegas,
10 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 45, reading as
11 follows:

12 **6.78.045:** Each licensee is responsible for, and may be subject to disciplinary action for, the acts and
13 omissions of its principals, agents, employees, promoters and solicitors.

14 SECTION 22: Title 6, Chapter 78, of the Municipal Code of the City of Las Vegas,
15 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 50, reading as
16 follows:

17 **6.78.050:** No professional promoter of charitable events shall represent in connection with any
18 solicitation that the issuance of the license by the City constitutes an endorsement or approval of the
19 purposes of such solicitation by the City or any officer or employee thereof.

20 SECTION 23: Title 6, Chapter 78, of the Municipal Code of the City of Las Vegas,
21 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 55, reading as
22 follows:

23 **6.78.055:** No professional promoter of charitable events shall make any fraudulent or misleading
24 representation to anyone being solicited respecting any charitable purpose for which such funds are being
25 solicited.

26 SECTION 24: Title 6, Chapter 78, of the Municipal Code of the City of Las Vegas,

1 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 60, reading as
2 follows:

3 **6.78.060:** No professional promoter of charitable events shall fail to disclose, upon request, to any
4 person being solicited for a charitable organization exactly what percentage of the funds to be given, paid
5 or contributed by the person being solicited will go or be donated to the charitable or welfare purpose.

6 SECTION 25: Title 6, Chapter 78, of the Municipal Code of the City of Las Vegas,
7 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 65, reading as
8 follows:

9 **6.78.065:** Within the first thirty seconds of any solicitation by telephone, the professional promoter
10 of charitable events or any person employed or soliciting on behalf of a professional promoter making the
11 solicitation must identify himself by his full name, his business affiliation (if he is a professional promoter
12 of charitable events) and the name of the charitable organization on whose behalf the solicitation is being
13 made.

14 SECTION 26: Title 6, Chapter 78, of the Municipal Code of the City of Las Vegas,
15 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 70, reading as
16 follows:

17 **6.78.070:** (A) No professional promoter of charitable events shall commingle his personal funds
18 with contributions collected through a charitable solicitation.

19 (B) Every professional promoter of charitable events shall establish a special trustee
20 bank account for each charitable solicitation with which he is connected, into which shall be placed all
21 money coming into his hands in connection with such solicitation.

22 (C) Separate books or records shall be kept by a professional promoter of charitable
23 events for each solicitation, showing the amount of each contribution coming into his hands and the name
24 of the person making such contribution. Such books or records shall also show all disbursements made of
25 the contributions.

26 (D) All such books, records and special trustee bank accounts shall be subject to audit

1 by the Director or his representatives.

2 SECTION 27: Title 6, Chapter 80A, Section 30, of the Municipal Code of the City of Las
3 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 **6.80A.030:** This Chapter does not apply to:

5 (A) Charitable solicitations conducted in compliance with [Chapter 6.22;] State law
6 governing that activity; or

7 (B) The selling, offering for sale, or soliciting of orders for goods or services from a
8 licensed wholesale or retail business at the licensed location of that business.

9 SECTION 28: Title 6, Chapter 90, Section 90, of the Municipal Code of the City of Las
10 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **6.90.090:** Any organization that qualifies as a non-profit, charitable or religious organization [and has
12 obtained a charitable solicitations permit pursuant to LVMC Chapter 6.22] is exempt from the provisions of
13 Sections 6.90.060, 6.90.070 and 6.90.080 of this Chapter.

14 SECTION 29: Title 9, Chapter 28, Section 110, of the Municipal Code of the City of Las
15 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16 **9.28.110:** No person shall sell fireworks at retail in the City except recognized local charitable and
17 fraternal organizations who have applied for and obtained a permit from the Department of Fire Services.
18 The permit requirement is in addition to any applicable requirement of [LVMC Chapter 6.22.] State law
19 governing solicitations. Each applicant for a permit must pay, at the time of application, a permit fee of
20 fifty dollars for each location.

21 SECTION 30: Title 10, Chapter 65, Section 60, of the Municipal Code of the City of Las
22 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **10.65.060:** The provisions of this Chapter, with the exception of Section 10.65.050, shall not apply to:

24 (A) Persons who comply with the provisions of [Chapter 6.22 of this Code] State law
25 regarding charitable solicitations;

26 (B) Persons who engage or employ minors to solicit or sell subscriptions to

1 newspapers or magazines from door-to-door when such newspapers or magazines are delivered by carriers
2 who take title to and deliver them on established routes, whether such solicitations or sales occur within a
3 carrier's designated route or not; and

4 (C) Minors who make solicitations or sales on behalf of the persons described in
5 subsections (A) and (B) of this Section.

6 SECTION 31: Title 10, Chapter 78, Section 30, of the Municipal Code of the City of Las
7 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

8 **10.78.030:** (A) The prohibitions contained in Section 10.78.020 do not apply to any sale or display
9 on a vacant lot or unoccupied lot by the owner of such lot, or in a parking lot by the owner or operator of
10 such lot, if the activity is authorized by and in accordance with the zoning regulations which are applicable
11 to such lot.

12 (B) The prohibitions contained in Section 10.78.020 do not apply to any sale or display
13 on a vacant lot or unoccupied lot by a person other than the owner of such lot, or in a parking lot by a
14 person other than the owner or operator of such lot, if:

15 (1) The activity is authorized by and in accordance with the zoning regulations
16 which are applicable to such lot;

17 (2) The owner, or, if applicable, the operator of such lot has consented in
18 writing to the activity; and

19 (3) The written consent is posted in a conspicuous, readily-visible place at the
20 location of the sale or display or, in the case of a motor vehicle which is equipped with a windshield, on the
21 inside surface of the windshield, facing outward. The written consent must be signed by the owner or, if
22 applicable, the operator of the lot, the name and address of such owner or operator, the name and address of
23 the person or organization for whose benefit the consent is given, the type of display or sale to be permitted
24 and the period for which the consent is given.

25 (C) The prohibitions contained in Section 10.78.020 do not apply to any temporary
26 sale or display by a nonprofit organization which has:

1 (1) [Obtained a charitable solicitation permit for the activity pursuant to
2 Chapter 6.22;] Complied with the provisions of State law regarding charitable solicitations; and

3 (2) Obtained and posted a written consent to the activity in accordance with
4 the requirements set forth in paragraphs (2) and (3) of Subsection (B) of this Section.

5 (D) The provisions of Section 10.78.020 do not prohibit the operator of a motor vehicle
6 which is being advertised for sale from parking the vehicle in a parking lot if the circumstances indicate
7 that the vehicle is being parked in connection with the use of the establishment or development to which
8 the parking lot pertains, and not for the purpose of displaying the vehicle for sale.

9 SECTION 32: Title 10, Chapter 80, Section 30, of the Municipal Code of the City of Las
10 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **10.80.030:** [80.020.] The prohibitions contained in Section 10.80.020 do not apply:

12 (A) To any tour bus when it is being used to transport passengers on a "celebrity
13 home" tour or to any function of a duly established and recognized nonprofit organization [for which
14 function the organization has obtained a charitable solicitation permit pursuant to Chapter 6.22]; provided,
15 however, that no such vehicle shall be allowed to stand or park in any one location for a period in excess of
16 thirty minutes;

17 (B) To any tour bus when it is located on property which is used as the base of
18 operation for such vehicle;

19 (C) In the case of an emergency which requires the standing or parking of such vehicle
20 contrary to the provisions of Section 10.80.020.

21 SECTION 33: Title 11, Chapter 60, Section 30, of the Municipal Code of the City of Las
22 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **11.60.030:** (A) The operator of a bus, other than a tour bus, shall:

24 (1) Not stand or park such vehicle upon any street at any place other than a
25 bus stop, bus stand or the origin or destination point for the route to which such vehicle is assigned which
26 has been designated in accordance with Section 11.60.010 of this Chapter;

1 (2) Not stop such vehicle upon any street at any place for the purpose of
2 loading or unloading passengers or their baggage other than at a bus stop, bus stand, passenger loading
3 zone or the origin or destination point for the route to which such vehicle is assigned which has been
4 designated in accordance with Section 11.60.010, except in case of an emergency;

5 (3) Not use any location as the point of origin or destination of the route of
6 such vehicle other than the origin or destination point for the route to which such vehicle is assigned which
7 has been designated in accordance with Section 11.60.010; [or]

8 (4) Enter a bus stop, bus stand, passenger loading zone or origin or destination
9 point on a public street in such a manner that the bus when stopped to load or unload passengers or baggage
10 shall be in a position with the right-hand front wheel of such vehicle not farther than eighteen inches from
11 the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other
12 vehicular traffic;

13 (5) Not stand or park a bus at a bus stop or an origin or destination point for a
14 period of time longer than has been designated for such bus stop or origin or destination point in
15 accordance with Section 11.60.010.

16 (B) (1) Except as otherwise provided in paragraph (2) of this Subsection, the
17 operator of a tour bus shall not stand or park such vehicle, except while actually and expeditiously engaged
18 in the loading or unloading of passengers, upon any street except at a location which has been duly
19 designated and marked as a tour bus loading zone in accordance with Section 11.44.080.

20 (2) The prohibition contained in paragraph (1) of this Subsection does not
21 apply:

22 (a) To any tour bus when it is being used to transport passengers on a
23 "celebrity home" tour or to any function of a duly established and recognized nonprofit organization for
24 which function the organization has [obtained a charitable solicitation permit pursuant to Chapter 6.22;]
25 complied with any applicable requirements of State law regarding charitable solicitations; provided,
26 however, that no such vehicle shall be allowed to stand or park in any one location for a period in excess of

1 thirty minutes,

2 (b) In the case of an emergency which requires the standing or
3 parking of such vehicle contrary to the provisions of paragraph (1) of this subsection.

4 SECTION 34: Title 11, Chapter 62, Section 20, of the Municipal Code of the City of Las
5 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **11.62.020:** As used in this Chapter, unless the context otherwise indicates, the following terms shall
7 have the meanings that are ascribed to them as follows:

8 (A) "Charitable organization" means an organization which:

9 (1) The Secretary of the Treasury has determined is an exempt organization
10 pursuant to the provisions of Section 501(c) of the Internal Revenue Code; and

11 (2) Holds a current certificate of organization or is currently qualified by the
12 Secretary of State to do business in this State.

13 (B) "Highway" means the entire width between the boundary lines of every way
14 maintained by a public authority when any part thereof is open to the use of the public for purposes of
15 vehicular traffic. The term does not include a "freeway" as that term is defined in NRS 408.060.

16 (C) "Highway solicitation permit" means a certificate of authority issued by the
17 [~~Department of Business Activity~~] Department of Public Works to a charitable organization which allows
18 the holder of the permit to solicit charitable contributions for its organization while standing on the median
19 strip of any highway or the sidewalk adjacent to the highway within the jurisdiction of the City.

20 SECTION 35: Title 11, Chapter 62, Section 30, of the Municipal Code of the City of Las
21 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **11.62.030:** No charitable organization shall solicit contributions from the median strip of any highway
23 or the sidewalk adjacent to the highway within the jurisdiction of the City without first obtaining and
24 thereafter maintaining [a valid unexpired charitable solicitation permit pursuant to LVMC Chapter 6.22
25 and] a valid unexpired highway solicitation permit[.] and proof of compliance with any State law
26 requirements regarding charitable organizations.

1 SECTION 36: Title 11, Chapter 62, Section 50, of the Municipal Code of the City of Las
2 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 **11.62.050:** (A) An application for a highway solicitation permit shall be made to the Department
4 of [Business Activity] Public Works upon forms provided by the Department.

5 (B) An application shall be filed with the Department at least five business days prior
6 to the date on which the solicitation is to begin and shall contain the following information:

7 (1) The name, street address, and telephone number of the applicant and the
8 charitable organization of behalf of which the application is made;

9 (2) The name, street address, and telephone number of the person who will be
10 responsible for the conduct of the solicitation;

11 (3) The date on which the solicitation is to begin and the time of day when the
12 solicitation is to begin and end for each day requested;

13 (4) The location(s) of the solicitation;

14 (5) The purpose of the solicitation;

15 (6) Proof of being a charitable organization as defined herein; and

16 (7) A declaration that no one less than eighteen years of age will be permitted
17 to participate in the solicitation.

18 (C) A post office box address shall be unacceptable as a street address on an
19 application where a street address is required; provided, however, an applicant may identify and designate
20 on his application a post office box address as the address to which he prefers correspondence to be mailed.

21 SECTION 37: If any section, subsection, subdivision, paragraph, sentence, clause or
22 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
23 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
24 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City
25 of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph,
26 sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections,

1 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

2 SECTION 38: Whenever in this ordinance any act is prohibited or is made or declared to
3 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required
4 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of
5 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon
6 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of
7 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation
8 of this ordinance shall constitute a separate offense.

9 SECTION 39: All ordinances or parts of ordinances or sections, subsections, phrases,
10 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
11 Edition, in conflict herewith are hereby repealed.

12 PASSED, ADOPTED and APPROVED this _____ day of _____, 2014.

13
14 APPROVED:

15
16 By _____
CAROLYN G. GOODMAN, Mayor

17 ATTEST:

18 _____
19 BEVERLY K. BRIDGES, MMC
City Clerk

20
21 APPROVED AS TO FORM:

22 Val Steed
23 Val Steed,
Deputy City Attorney

12-16-13
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the _____
2 day of _____, 2014, and referred to a committee for recommendation, the committee
3 being composed of the following members _____;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2014, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED: _____

12
13 By _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:
15 _____
16 BEVERLY K. BRIDGES, MMC
City Clerk

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Las Vegas, Nevada, Code of Ordinances >> Title 6 - BUSINESS TAXES, LICENSES AND REGULATIONS
>> CHAPTER 6.22 CHARITABLE SOLICITATION >>

CHAPTER 6.22 CHARITABLE SOLICITATION

Article I. - Permits and General Provisions

Article II. - Professional Promoter License

Las Vegas, Nevada, Code of Ordinances >> Title 6 - BUSINESS TAXES, LICENSES AND REGULATIONS
>> CHAPTER 6.22 - CHARITABLE SOLICITATION >> Article I. Permits and General Provisions >>

Article I. Permits and General Provisions

- 6.22.010 Definitions.
- 6.22.020 Permit required—Exemptions.
- 6.22.030 Application.
- 6.22.040 Changes in application.
- 6.22.050 Consideration by the Director.
- 6.22.055 Authority to set conditions.
- 6.22.065 Permit—Display required.
- 6.22.070 Report of receipts and costs.
- 6.22.080 City access to books and records.
- 6.22.090 Actions of subordinates.
- 6.22.100 Solicitation for other purpose.
- 6.22.110 Representation of City approval.
- 6.22.120 Spending for undisclosed purpose.
- 6.22.130 False representation of purpose.
- 6.22.140 Disclosure of percentage actually for charity.
- 6.22.150 Telephone solicitation.
- 6.22.160 Violations—Notice of revocation hearing.
- 6.22.170 Violations—Hearing—Production of books and records.

6.22.010 Definitions.

As used in this Chapter, unless the context otherwise requires, the following words shall have the meaning ascribed to them:

- (A) "Charitable" means and includes the words patriotic, philanthropic, religious, social service, welfare, benevolent, educational, civic or fraternal, either actual or purported.
- (B) "Contributions" means and includes the words alms, food, clothing, money, subscription, property, the loan of money or property, financial assistance or items of personal property.
- (C) "Cost of solicitation" means all costs of whatever nature which are incurred by any person conducting a solicitation, including the wages, fees, commissions and expenses paid to any person in connection with such solicitation. This shall also

include all costs incurred in managing and/or selling contributions obtained by soliciting.

- (D) "Professional promoter" means a person who, for compensation, plans, promotes, conducts, manages or carries on or attempts to plan, promote, conduct, manage or carry on any drive or campaign for the purpose of soliciting contributions for or on behalf of any charitable person or engages in the business of soliciting contributions for charitable purposes. A bona fide officer or regular employee of a charitable person shall not be deemed a professional promoter by reason of his participation in charitable solicitations made by or on behalf of his employer.
- (E) "Solicit" and "solicitations" means the request, either directly or indirectly, for contributions on the plea or representation that such contributions or any proceeds to be derived therefrom will be used for a charitable purpose. Without limiting the generality of the above, said words shall include the following methods of securing contributions on the plea or representation that it will be used for a charitable purpose:
- (1) Any oral or written request;
 - (2) The distribution, circulation, mailing, posting or publishing of any handbills, written advertisement or publication;
 - (3) The making of any announcement through the press, radio, television, or by telephone or telegraph concerning an appeal, assembly, athletic or sporting event, bazaar, benefit, campaign, contest, dance, dinner, entertainment, exhibition, exposition, party, performance, picnic, sale, social gathering, or similar events, which the general public is requested to patronize or to which the general public is requested to contribute;
 - (4) The sale of or the offer or attempt to sell any advertisement, advertising space, book, coupon, magazine, merchandise, subscription, ticket or other thing.

A "solicitation," as defined herein, shall be deemed completed when made, whether or not the person making the same receives any contribution or makes any sale.

(Ord. 3333 § 1, 1988; Ord. 2235 § 3, 1981; prior code § 5-13-1)

6.22.020 Permit required—Exemptions.

It is unlawful for any person to solicit contributions within the City for any charitable purpose or person without a valid unexpired permit issued pursuant to this Code; provided, however, that the following are exempt from the provisions of this section:

- (A) Any solicitation made upon premises owned or occupied by the association upon whose behalf such solicitation is made;
- (B) Any solicitation for the relief of any individual specified by name at the time of the solicitation where the solicitor represents in each case that the entire amount collected, without any deduction whatever, shall be turned over to the named beneficiary;
- (C) Any association soliciting contributions solely from persons who are members thereof at the time of such solicitation;
- (D) Any solicitation in the form of a collection or contribution at a regular assembly or services of a charitable person.

(Ord. 2235 § 3 (part), 1981; prior code § 5-13-2)

6.22.030 Application.

An application for a permit shall be made to the Director upon forms provided by the Department. The application shall contain the following information:

- (A) The name, address or headquarters of the person applying for the permit;
- (B) If the applicant is not an individual, the names and addresses of the applicant's principal officers and managers;
- (C) The purposes for which such solicitation is to be made, the total amount of funds proposed to be raised thereby, and the use or disposition to be made of such funds;
- (D) The names and addresses of the person or persons by whom the receipts or proceeds of such solicitation are to be disbursed;
- (E) The names and addresses of the person or persons who will be in direct charge of conducting the solicitation;
- (F) An outline of the method or methods to be used in conducting the solicitation;
- (G) The time when such solicitations are to be made, giving the dates for the beginning and ending of such solicitation;
- (H) An itemized statement or budget of the estimated cost of solicitation;
- (I) The names and addresses of all professional promoters and professional solicitors who will be connected with the solicitation and the amount of wages, fees, commission, expenses, or emoluments to be paid to each professional promoter, and a copy of the contract, if any, given each professional promoter;
- (J) An itemized financial statement showing all receipts and the disbursements thereof for one year immediately preceding the date of the filing of the application;
- (K) A statement to the effect that, if the permit is granted, it will not be used or represented in any way as an endorsement by the City of the solicitation conducted thereunder.

(Ord. 5998 § 61, 2008; Ord. 3860 § 1, 1995; Ord. 3333 § 2, 1988; Ord. 2235 § 3 (part), 1981; prior code § 5-13-3 (part))

6.22.040 Changes in application.

If, while any application is pending or during the term of any permit granted pursuant thereto, there is any change in fact, policy or method that would alter the information given in the application, the applicant shall notify the Department in writing thereof within twenty-four hours after such change.

(Ord. 5998 § 62, 2008; Ord. 2235 § 3 (part), 1981; prior code § 5-13-3 (part))

6.22.050 Consideration by the Director.

- (A) Upon receipt of a completed application the Director shall issue a temporary solicitations permit pending review of the application. In deciding whether to issue a permanent solicitations permit, the Director shall determine whether or not:
 - (1) Each of the statements made in the application is true;
 - (2) The application is complete; and
 - (3) The applicant has violated any of the grounds provided in Section 6.02.330 et seq.
- (B) At the conclusion of its review with respect to an application, the Director shall make his findings with respect to each of the makers contained in Paragraphs (1) through (3) of

Subsection (A) and shall make his decision either to approve or to reject such application, which decision, if it is for rejection, shall set forth completely and with specificity the reasons therefor and the City shall promptly seek a declaratory judgment to the constitutionality of the Director's decision to deny the permit and restrain the solicitation. Until such judicial decision is rendered, the temporary permit issued when the completed application was first received by the Department pursuant to this Section shall remain in effect. If the decision is for approval of the application, the permit issued shall specify the time period, not to exceed one year for which the permit is valid.

(Ord. 5998 § 63, 2008; Ord. 3860 § 2, 1995; Ord. 3388 § 2, 1988; Ord. 3333 § 3, 1988; Ord. 2235 § 3 (part), 1981; prior code § 5-13-4)

6.22.055 Authority to set conditions.

The Director shall have the authority to set conditions on a permit which may include, but are not limited to, requiring the permittee to furnish each principal, agent, employee, promoter and solicitor a copy of a valid charitable solicitation permit stating the name of the organization conducting the solicitation, the type of solicitation, the purpose for which the contribution is to be used and the time when such solicitations are to be made, giving the dates for beginning and ending of such solicitation. A copy of the charitable solicitation permit shall be exhibited to every person solicited.

(Ord. 5998 § 64, 2008; Ord. 3860 § 3, 1995; Ord. 3388 § 3, 1988; Ord. 3333 § 7, 1988)

6.22.065 Permit—Display required.

Each permittee shall conspicuously display a currently valid permit in a prominent place at special events and locations where the solicitation for contributions is being conducted.

(Ord. 3333 § 6, 1988)

6.22.070 Report of receipts and costs.

Each permittee conducting a solicitation shall furnish to the Director within thirty days after the conclusion of the solicitation, a report showing the gross amount raised by the solicitation and showing an itemization of the costs of solicitation, including what was paid to each professional promoter and professional solicitor employed in such solicitation and the disposition of the balance of the contributions collected by the solicitation.

(Ord. 5998 § 65, 2008; Ord. 3333 § 4, 1988; Ord. 2235 § 3 (part), 1981; prior code § 5-13-8)

6.22.080 City access to books and records.

Each applicant and each permittee shall make available its books and records which relate to the financial information required by Section 6.22.030 (J) or the report required by Section 6.22.070 for audit by the Director or his authorized representative for the purpose of checking the accuracy of the financial information supplied.

(Ord. 2235 § 3 (part), 1981; prior code § 5-13-9)

6.22.090 Actions of subordinates.

Each permittee is responsible for and may be subject to disciplinary action for the acts and omissions done by its principals, agents, employees, promoters and solicitors.

(Ord. 2235 § 3 (part), 1981: prior code § 5-13-10)

6.22.100 Solicitation for other purpose.

No person shall solicit for any purpose other than the purpose approved for the permit under which he is acting.

(Ord. 2235 § 3 (part), 1981: prior code § 5-13-11(A))

6.22.110 Representation of City approval.

No person shall represent in connection with such solicitation that the issuance of the permit by the City constitutes an endorsement or approval of the purposes of such solicitation by the City or any officer or employee thereof.

(Ord. 2235 § 3 (part), 1981: prior code § 5-13-11(B))

6.22.120 Spending for undisclosed purpose.

No person shall use or disburse the funds collected under any permit for any purpose other than the purposes set out in the application for such permit.

(Ord. 2235 § 3 (part), 1981: prior code § 5-13-11(C))

6.22.130 False representation of purpose.

No person shall make any fraudulent or misleading representation to anyone being solicited respecting the purpose for which such funds are being solicited.

(Ord. 2235 § 3 (part), 1981: prior code § 5-13-11(D))

6.22.140 Disclosure of percentage actually for charity.

No person shall fail to disclose, upon request, to any person being solicited exactly what percentage of the funds to be given, paid or contributed by the person being solicited will go or be donated to the charitable or welfare purpose described on the permit.

(Ord. 2235 § 3 (part), 1981: prior code § 5-13-11(E))

6.22.150 Telephone solicitation.

Within the first thirty seconds of any solicitation by telephone, the person making the solicitation must identify himself by his full name, his business affiliation (if he is a professional promoter) and the name of the charitable organization on whose behalf the solicitation is being made.

(Ord. 3156 § 2, 1985)

6.22.160 Violations—Notice of revocation hearing.

Whenever the Director upon affidavit of supporting facts finds that a person holding a permit under this Chapter has violated or is violating Section 6.22.065 through Section 6.22.150, inclusive, the City shall notify the permittee by mail or personal service of process of such violation and seek judicial review of the violations. Should the court determine by appropriate legal standard that a violation has or is occurring, the court may issue an order allowing the City to revoke the solicitations permit.

(Ord. 5998 § 66, 2008: Ord. 3860 § 4, 1995: 2235 § 3 (part), 1981: prior code § 5-13-6 (A))

6.22.170 Violations—Hearing—Production of books and records.

At the hearing the permittee, or any other interested person, shall have the right to present evidence pertaining to the charges. Upon request of the Department the permittee shall produce the books and records relating to its solicitations required to be kept by this Chapter if they are pertinent to the matter under investigation.

(Ord. 5998 § 67, 2008: Ord. 3860 § 5, 1995: Ord. 2235 § 3 (part), 1981: prior code § 5-13-6 (B))

Las Vegas, Nevada, Code of Ordinances >> **Title 6 - BUSINESS TAXES, LICENSES AND REGULATIONS**
>> **CHAPTER 6.22 - CHARITABLE SOLICITATION** >> Article II. Professional Promoter License >>

Article II. Professional Promoter License

6.22.200 Required.

6.22.210 Application.

6.22.220 Fee.

6.22.230 Funds handling.

6.22.200 Required.

No person shall act as or engage in the business of a professional promoter without first obtaining and thereafter maintaining a valid unexpired license pursuant to this Code.

(Ord. 2235 § 3 (part), 1981: prior code § 5-13-12)

6.22.210 Application.

The application for a professional promoter's license shall be filed according to the provisions of Chapter 6.02 and shall be processed under the provisions of this Chapter; however, the applicant shall additionally set forth the general plan, character and method of conducting various charitable solicitations.

(Ord. 3860 § 6, 1995: Ord. 2235 § 3 (part), 1981: prior code § 5-13-13)

6.22.220 Fee.

Each professional promoter shall pay a semiannual license fee of one hundred dollars.

(Ord. 2235 § 3 (part), 1981: prior code § 5-13-15)

6.22.230 Funds handling.

- (A) No professional promoter shall commingle his personal funds with contributions collected through a charitable solicitation.
- (B) Every professional promoter shall establish a special trustee bank account for each charitable solicitation with which he is connected, into which shall be placed all money coming into his hands in connection with such solicitation.
- (C) Separate books or records shall be kept by a professional promoter for each solicitation, showing the amount of each contribution coming into his hands and the name of the person making such contribution. Such books or records shall also show all disbursements made of the contributions.
- (D) All such books, records and special trustee bank accounts shall be subject to audit by the Director or his representatives.

(Ord. 5998 § 68, 2008; Ord. 2235 § 3 (part), 1981; prior code § 5-13-14)

Las Vegas, Nevada, Code of Ordinances >> Title 6 - BUSINESS TAXES, LICENSES AND REGULATIONS
>> CHAPTER 6.27 COMMERCIAL DANCE STUDIOS >>

CHAPTER 6.27 COMMERCIAL DANCE STUDIOS

6.27.010 Definitions.

6.27.020 License requirements.

6.27.030 Dance instruction contract—Provisions.

6.27.040 Dance instruction contract—Assignment.

6.27.050 Bond required—Provisions.

6.27.060 Exemptions.

6.27.070 License fee required.

6.27.010 Definitions.

As used in this Chapter, unless the context otherwise indicates, the following terms shall have the meanings that are ascribed to them as follows:

- (A) "Commercial dance instruction" means a program of lessons, procedures, guidance, teaching or training of a person by an owner, employee, agent, principal, representative or independent contractor of a commercial dance studio in which ballroom or other types of dancing is taught, the purpose of the instruction being primarily for self-improvement and such instruction is not performance oriented, and includes instruction and other services whether given to customers individually or in groups.
- (B) "Commercial dance studio" means any physical location or facility, regardless of its size, of an independent or a national or state-wide commercial, for profit, dance organization, business, company or corporation at which or in which commercial dance instruction is offered or conducted.
- (C) "Contract for commercial dance instruction and other services" means an agreement between a customer and a commercial dance studio for commercial dance instruction.
- (D) "Customer" means a person who enters into a contract for commercial dance instruction and other services with a commercial dance studio.
- (E) "Educational dance instruction" means:
 - (1) A program of instruction which meets all of the following criteria:
 - (a) The person who or organization which provides the instruction employs no more than three instructors;
 - (b) A gross amount of not more than one hundred thousand dollars per year is received from contracts or fees for services;
 - (c) The program gives instruction primarily to persons under the age of eighteen;
 - (d) The program gives instruction in ballet, tap or other performance-oriented forms of dance; and
 - (e)

The program is not affiliated with or franchised by any independent or national or statewide commercial, for profit, dance organization, business, company, corporation or studio;

- (2) A program of dance instruction which operates under the auspices of a recognized nonprofit performing dance organization, including without limitation conservatory or academy instruction by ballet companies, modern dance companies, theatrical dance academies or similar organizations; and
 - (3) A program of dance instruction which is operated by any park or recreation agency, community arts nonprofit organization or local arts agency.
- (F) "Instructor" means the owner, principal, occupant or lessee of a commercial dance studio or any of his or her employees, agents, representatives or independent contractors who trains customers in commercial dance instruction.
- (G) "Seller" means the owner, principal, occupant or lessee of a commercial dance studio or any of his or her employees, agents, representatives or independent contractors who solicits commercial dance instruction business on behalf of the commercial dance studio.

(Ord. 3369 §§ 1 (part), 2, 1988)

6.27.020 License requirements.

- (A) It is unlawful for any person to commence, engage in or carry on a business of commercial dance instruction without first obtaining and thereafter maintaining a valid unexpired license pursuant to this Chapter.
- (B) Every commercial dance studio that is in existence and licensed on August 7, 1988, shall have sixty days thereafter in which to comply with the provisions of this Chapter.
- (C) In addition to the information that is required by LVMC Chapter 6.02, an applicant for a commercial dance studio license shall provide the Director with the following information:
 - (1) A completed personal history questionnaire, a personal financial questionnaire, and an applicant's release of information form of all principals of the business;
 - (2) Exact copies of all sales presentations that will be used, including without limitation the initial sales and renewal sales presentations and any financial information that will be requested from the purchaser;
 - (3) An exact copy of the contract for commercial dance instruction and other services that will be used by the commercial dance studio for a course in commercial dance instruction.
- (D) Each commercial dance studio instructor and seller, before commencing his or her employment as such, shall obtain, and shall at all times thereafter, during the course of such employment, maintain a work card that has been issued by Metro in accordance with the procedures and requirements of LVMC Chapter 6.86

(Ord. 5998 § 71, 2008; Ord. 3369 §§ 1 (part), 3, 1988)

6.27.030 Dance instruction contract—Provisions.

- (A) Every contract for commercial dance instruction or other services, or both, shall be in writing and shall be subject to the provisions of this Chapter, and a copy of the written contract shall be given to the customer at the time he or she signs the contract.
- (B) No contract for commercial dance instruction or other services, or both, shall require the payment by a customer of any amount in excess of two thousand five hundred dollars.

- (C) No contract for commercial dance instruction or other services shall require the payment therefor or the financing thereof by the customer over a period of time in excess of twenty-five months after the date on which the customer executes the contract, nor shall the term of any such contract be measured by the life of the customer. However, the instruction or other services, or both, to be rendered to the customer under the contract may extend over a period of time not to exceed five years after the date on which the customer executes the contract.
- (D) Each contract for commercial dance instruction or other services, or both, which may be in effect between the same seller and the same customer, the terms of which overlap for any period, shall be considered as one contract for the purposes of this Chapter.
- (E) Each contract for commercial dance studio instruction or other services, or both, shall provide that performance of the agreed-upon instructions will begin within three months after the date on which the customer executes the contract.
- (F) Each contract for commercial dance studio instruction or other services, or both, shall further provide that such contract may be cancelled at any time after the customer has received his or her copy thereof by the customer's depositing with the United States Postal Service, properly addressed to the commercial dance studio at the address that is stated in the contract and with postage prepaid, a notice of such cancellation, and the commercial dance studio shall, within ten days after its receipt of such notice, refund to the customer all of the moneys that have been paid pursuant to the contract less such amount as may have been paid for any dance studio instruction or other services, or both, that the customer received prior to the date of such cancellation. The contract may further provide, however, that, if thirty or more days shall have elapsed between the customer's receipt of his or her copy of the contract and deposit of the notice of cancellation with the United States Postal Service, the commercial dance studio shall be entitled to retain ten percent of the amount that would otherwise be required to be refunded.
- (G) Each contract for commercial dance studio instruction or other services, or both, shall contain a written statement of the hourly rate that will be charged for each type of lesson or service for which the customer has contracted. If the contract includes types of dance studio instruction or services which are sold at different per-hour rates, the contract shall contain separate hourly rates for each different type of lesson or service sold. All services for which the customer has contracted which are not capable of a per-hour charge shall be set forth in writing in specific terms. The statement shall be contained in the contract before the contract is presented to the customer for execution.
- (H) Each commercial dance studio that is subject to this Chapter shall include in each of its contracts for commercial dance instruction or other services, or both, a statement that the dance studio is bonded and that information concerning the bond may be obtained by writing to the Department. If the dance studio has elected to make a cash deposit in lieu of procuring a bond, the contract shall contain a description of the cash deposit.
- (I) No contract for commercial dance studio instruction or other services, or both, shall require or entail the execution of any note or series of notes by the customer which, when they are separately negotiated, will insulate any purchaser or purchasers of such note or notes from any right of action or defense which the customer may have against the commercial dance studio.
- (J) Each contract for commercial dance instruction or other services, or both, shall contain a clause that provides that if, by reason of the customer's disability or death, the customer is unable to receive all of the instruction or other services, or both, for which the customer has contracted, the disabled customer or the estate of the deceased customer, as the case may be, shall be relieved of the obligation of making any payment for the instruction or other

services, or both, other than those that were actually received prior to the onset of disability or the death of the customer. The contract shall further provide that, if the customer has prepaid any sum for the instruction or other services, or both, that portion of such sum as is allocable to the lessons or other services, or both, that the customer shall not receive shall be refunded to the disabled customer or to the deceased customer's personal representative, as the case may be, promptly upon the receipt by the commercial dance studio of written notification of such disability or death.

- (K) Notwithstanding the provisions of any contract to the contrary, whenever the contract price is payable in installments and the customer is relieved from making further payments or is entitled to a refund because of disability or death, or the deceased customer's personal representative, as the case may be, the disabled customer shall be entitled to receive a refund or refund of that portion of the cash price as is allocable to the lessons or other services, or both, that the customer did not actually receive.
- (L) Any contract for commercial dance instruction or other services, or both, which does not comply with the applicable provisions of this Chapter shall be void and unenforceable as contrary to public policy.
- (M) Any contract for commercial dance instruction or other services, or both, that is entered into in reliance upon any willful and false, fraudulent or misleading information, representation, notice or advertisement of the commercial dance studio, shall be void and unenforceable.

(Ord. 3369 §§ 1 (part), 4, 1988)

6.27.040 Dance instruction contract—Assignment.

No assignment of a contract for commercial dance instruction or other services, or both, shall operate to deprive the customer, as against the assignee thereof, of any right of action or defense that arises out of such contract which the customer has against the commercial dance studio regardless of whether or not the assignee acquires the contract in good faith and for value, unless the assignee provides the customer with a written notice of such assignment, setting forth the information that is required in this Section, and has not received from the customer, within thirty days after the deposit of such notice with the United States Postal Service, a written statement that sets forth any facts that may give rise to a right of action or defense by the customer against the commercial dance studio. A notice of assignment shall:

- (1) Be in writing and addressed to the customer at the address shown on the contract;
- (2) Identify the contract, including the name of the commercial dance studio and the customer;
- (3) Provide a description of the instruction or other services, or both;
- (4) State the balance that is due under the contract and the number and amount of the unpaid installments thereof; and
- (5) Inform the customer that, unless the customer shall, within thirty days after the date of the deposit of such notice with the United States Postal Service, notify the assignee with a written statement that sets forth any facts giving rise to a right of action or defense which the customer may have against the commercial dance studio, such right of action or defense shall not be effective against the assignee.

(Ord. 3369 §§ 1 (part), 5, 1988)

6.27.050 Bond required—Provisions.

- (A)

The applicant for a commercial dance studio license shall, before any license therefor may be issued, file, and, after the issuance thereof, shall maintain, with the Director a surety bond, which must be executed by a surety company that is authorized to do business in this State, in the penal sum of twenty-five thousand dollars, for the initial year of operation, and, thereafter, in the penal sum of twenty-five thousand dollars or an amount that is equal to twenty-five percent of the commercial dance studio's gross sales that are made by or in connection with its operation within the corporate boundaries of the City during its preceding year of operation, whichever amount is less. Such bond must first be approved as to form by the City Attorney and shall be conditioned upon:

- (1) The prompt payment by the licensee of the license fee that is imposed by this Chapter;
 - (2) The indemnification by the licensee of the City and all of the customers of the licensee against any loss that the City or any such customers may sustain by reason of any violation by the licensee of any of the provisions of this Chapter or by reason of any fraud or dishonesty on the part of the licensee; and
 - (3) The prompt refund by the licensee of any amount that is requested pursuant to any of the provisions of this Chapter or any of the provisions of a contract for commercial dance instruction or other services, or both, including without limitation any refund that is requested as a result of the failure on the part of the licensee to provide the commercial dance instruction or other services, or both, in accordance with the terms of any such contract.
- (B) The licensee annually shall file with the Director a declaration under penalty of perjury, signed by the licensee or a duly authorized officer or representative of the licensee, that states the studio's gross sales that are made by or in connection with its dance studio operations within the corporate boundaries of the City during its preceding year of operation. The information that is contained in the declaration shall not be subject to public inspection or disclosure.
- (C) In the event of any recovery under the bond, the licensee shall immediately restore the penal sum thereof to the amount that was originally required for the year of the licensee's operation in which such recovery was effected or shall file with the Director a substitute bond in the form and penal sum that was required for such year.

(Ord. 3369 §§ 1 (part), 6, 1988)

6.27.060 Exemptions.

This Chapter does not apply to any dance studio that offers exclusively educational dance instruction or to any commercial dance studio which does business on a cash basis only and requires or receives less than two hundred fifty dollars in advance payments from or on behalf of each customer for commercial dance instruction or other services, or both, which are to be rendered by the studio in the future, and such advance payments are not required or received by the studio from each customer more frequently than once every thirty days.

(Ord. 3369 §§ 1 (part), 7, 1988)

6.27.070 License fee required.

Each commercial dance studio shall pay a license fee that is based upon its gross sales that are made by or in connection with its operations within the corporate boundaries of the City for each six-month period of operation as determined by LVMC 6.02.180 to 6.02.200, inclusive, and 6.04.005.

(Ord. 3369 §§ 1 (part), 8, 1988)

Las Vegas, Nevada, Code of Ordinances >> **Title 6 - BUSINESS TAXES, LICENSES AND REGULATIONS**
>> **CHAPTER 6.34 DISTRESS MERCHANDISE SALES** >>

CHAPTER 6.34 DISTRESS MERCHANDISE SALES

6.34.010 Definition.

6.34.020 Exemptions.

6.34.030 Permit—Required.

6.34.040 Application—Contents.

6.34.050 Application—Action by Director.

6.34.060 Permit—Contents.

6.34.070 Permit—Effective for thirty days—Extension.

6.34.080 Permittee subject to restrictions.

6.34.090 Permit—Limitations.

6.34.100 Permit—Fee.

6.34.010 Definition.

Unless the context otherwise requires, "Distress merchandise sales" means any offer to sell or any sale of merchandise of any kind on the implied or direct representation that such sale is in anticipation of the termination of a business at its present location or the forced moving of location of business or that the sale is being held under distress circumstances.

(Ord. 3019 § 2 (part), 1982; prior code § 5-14-1)

6.34.020 Exemptions.

The provisions of this Chapter do not apply to the following sales:

- (A) Sales made pursuant to an order or process of a court of competent jurisdiction;
- (B) Sales made for a public body in accordance with its powers and duties;
- (C) Auction sales conducted by a duly licensed auctioneer.

(Ord. 3019 § 2 (part), 1982; prior code § 5-14-3)

6.34.030 Permit—Required.

It is unlawful for any person to advertise or conduct a distress merchandise sale without a valid unexpired permit issued pursuant to this Chapter.

(Ord. 3019 § 2 (part), 1982; prior code § 5-14-2)

6.34.040 Application—Contents.

An application for a permit may only be made by a person who holds a valid business license for the type of goods to be sold. The application shall be made on forms suitable to the Director and filed with the Department not less than fifteen days prior to the proposed sale. The application shall set forth the following information:

- (A) The name and address of the owner of the goods, wares or merchandise to be the object of the sale and if the sale is to be conducted by a person not the owner of the goods, then the name of the person conducting such sale;
- (B) A full and complete statement of the facts regarding the distress merchandise sale, including the reason why such sale is being conducted and the proposed dates of the sale;
- (C) The means to be employed in advertising such sale, together with the content of any proposed advertisement;
- (D) An inventory of the goods, wares, and merchandise to be offered for sale shall be attached to and become a part of the required application;
- (E) The place where such stock was purchased or acquired and the terms and conditions of such acquisition, and in the case of stock placed upon the premises within ninety days prior to such sale, the time of acquisition of such stock.

(Ord. 3019 § 2 (part), 1982: prior code § 5-14-4)

6.34.050 Application—Action by Director.

Upon receipt of the application for a permit and the required fees, the Director shall approve, deny or take such other action with respect to such application as he considers appropriate. The Director may deny, revoke or suspend a permit for good cause, which includes but is not limited to:

- (A) The application is incomplete or contains false, misleading or fraudulent statements with respect to any information required;
- (B) The proposed distress merchandise sale would interfere with the health, safety or general welfare of the public or constitute a breach of peace;
- (C) The proposed distress merchandise sale or the permittee fails to satisfy any qualification or requirement imposed by this Code, or other local, State or Federal law or regulation pertaining to such activities;
- (D) The applicant fails to comply with any conditions of his license or permit;
- (E) The inventory contains goods, wares or merchandise held by the applicant on consignment;
- (F) The applicant is or has been in violation of this Chapter or has had a permit issued to him pursuant to this Chapter revoked within a five year period immediately preceding the date of the present application for permit;
- (G) The inventory contains goods, wares or merchandise which were purchased by the applicant or added to his stock in contemplation of such sale, and for the purpose of selling the same at such sale.

For the purpose of this subparagraph, any unusual addition to the stock of such goods, wares or merchandise made within sixty days prior to the filing of such application shall be prima facie evidence that such addition was made in contemplation of such sale and for the purpose of selling the same at such sale;

- (H) Any representation made in said application is not true or any advertisement proposed to be used in connection with said sale is misleading.

(Ord. 3019 § 2 (part), 1982: prior code § 5-14-5)

6.34.060 Permit—Contents.

The permit shall specify the location at which the distress merchandise sale is to be conducted and the period of time, specifying the dates thereof, for which the permit is granted. It is unlawful for any permittee to conduct such sale at any place or at any time other than that specified in such permit.

(Ord. 3019 § 2 (part), 1982: prior code § 5-14-6)

6.34.070 Permit—Effective for thirty days—Extension.

The permit for a distress merchandise sale shall be issued for a period not to exceed thirty days. However, the Director for good cause may extend said permit for an additional period not to exceed thirty days, providing the permittee has submitted with an application for renewal a revised inventory showing the items listed on the original inventory remaining unsold.

(Ord. 3019 § 2 (part), 1982: prior code § 5-14-7)

6.34.080 Permittee subject to restrictions.

The permittee, in conducting a distress merchandise sale, shall:

- (A) Sell or offer for sale as distressed merchandise only those goods, wares and merchandise described in the inventory submitted with his application for a permit;
- (B) Prominently display the permit at the authorized place of sale;
- (C) Keep suitable records during and at the location of the sale, in which shall be made daily entries showing each item sold that day and the price paid by the purchaser. Said records shall be open for inspection by the Director or his designated representative;
- (D) Segregate any other goods apart from the goods listed in the filed inventory as being objects of the distress sale and shall make such distinction clear to the public by placing tags on all inventoried goods in and about the place of sale apprising the public of the status of all such goods;
- (E) Conduct the licensed sale in strict conformity with any advertising or holding out incident thereto and refrain from employing any untrue, deceptive or misleading advertising;
- (F) Include in all advertising the number of the distress merchandise sale permit, the beginning date of sale, and the ending date of said sale.

(Ord. 3019 § 2 (part), 1982: prior code § 5-14-8)

6.34.090 Permit—Limitations.

Where the applicant operates more than one place of business the permit issued shall apply only to the one store or branch specified in the application and no other store or branch shall advertise or represent that it is cooperating with it, or in any way participating in the permitted sale, nor shall the store or branch conducting the sale advertise or represent that any other store or branch is cooperating with it or participating in any way in the permitted sale.

(Ord. 3019 § 2 (part), 1982: prior code § 5-14-9)

6.34.100 Permit—Fee.

The licensee must pay in advance a permit fee of one hundred fifty dollars before the permit authorized by this Chapter is issued.

(Ord. 3019 § 2 (part), 1982; prior code § 5-14-11)

Las Vegas, Nevada, Code of Ordinances >> Title 6 - BUSINESS TAXES, LICENSES AND REGULATIONS
>> CHAPTER 6.39 FOOD CATERERS >>

CHAPTER 6.39 FOOD CATERERS

6.39.010 Food caterer defined.

6.39.020 License—Required.

6.39.030 Food caterer permit.

6.39.040 Food caterer permit—Application.

6.39.050 Food caterer permit—Issuance.

6.39.060 Fee.

6.39.010 Food caterer defined.

As used in this Chapter, unless the context otherwise requires, "food caterer" means a business that completely or partially prepares food at a fixed business location for delivery by vehicle to a location off the business premises for serving and consumption purposes.

(Ord. 4052 § 2, 1997)

6.39.020 License—Required.

Except as otherwise provided in this Chapter, no person shall engage in the business of a food caterer without first obtaining and thereafter maintaining a valid unexpired license pursuant to this Code.

(Ord. 4052 § 3, 1997)

6.39.030 Food caterer permit.

Any person licensed by the City of North Las Vegas, City of Henderson or the County to provide food catering services from a fixed business location within that jurisdiction is not required to have a valid unexpired license to provide food catering services in the City; provided, however, that such person first has applied for, and has been issued, a food caterer permit to provide food catering services at an event in accordance with the provisions of Section 6.39.040 of this Chapter.

(Ord. 4052 § 4, 1997)

6.39.040 Food caterer permit—Application.

Applicants for a permit to provide food catering services shall comply with the following provisions:

- (A) The application shall be made to the Department on forms provided by it, not less than three days prior to the proposed event unless otherwise authorized by the Director of the Department or his or her designee upon the applicant showing the impracticability of his or her compliance with the advance filing requirement.
- (B) The application shall set forth the following information:

- (1) Name and address of the applicant;
 - (2) Date, hour, address and description of the event;
 - (3) Approximate number of persons to be in attendance; and
 - (4) The name of the sponsor of the event.
- (C) Each event requires a separate permit.
- (D) A nonrefundable fee of ten dollars for each permit requested must be paid when the application is filed.

(Ord. 4052 § 5, 1997)

6.39.050 Food caterer permit—Issuance.

The Director of the Department may issue a permit to provide food catering services to an applicant if the Director finds there is compliance with the following provisions:

- (A) The food catering services will be provided in accordance with the requirements of the Health District.
- (B) The permit shall state the date, hours, and location of the food catering services permitted. Any food catering services at times or places beyond that stated in the permit shall be grounds for disciplinary action.
- (C) The food catering services will be performed consistent with this Chapter and in such a manner as to pose no threats to the general health, safety, welfare or morals of the inhabitants of the City.
- (D) The food catering permit application requirements of Section 6.39.040 of this Chapter have been met.

(Ord. 5998 § 86, 2008; Ord. 5386 § 6, 2001; Ord. 4052 § 6, 1997)

6.39.060 Fee.

Each person required to be licensed by this Chapter shall pay in advance a semiannual license fee based on gross sales as specified in LVMC 6.04.005.

(Ord. 4052 § 7, 1997)

Las Vegas, Nevada, Code of Ordinances >> Title 6 - BUSINESS TAXES, LICENSES AND REGULATIONS
>> CHAPTER 6.72 RETAIL DEMONSTRATION MERCHANDISE SALES STORES >>

CHAPTER 6.72 RETAIL DEMONSTRATION MERCHANDISE SALES STORES

- 6.72.010 Definitions.
- 6.72.020 Regulation—Compliance with Code.
- 6.72.030 License—Required.
- 6.72.050 Bond.
- 6.72.070 Demonstrator license.
- 6.72.080 Store license fee.
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- 6.72.160 Jewelry tag—Reading before sale.
- 6.72.170 Posting name of licensee.
- 6.72.180 Refunds—Right of purchaser.
- 6.72.190 Refunds—Sign in store.

6.72.010 Definitions.

Whenever used in this Chapter, the following words shall have the meaning described in this Section, unless the context clearly indicates a different meaning:

- (A) "Demonstrator" means any individual who presents, demonstrates, sells, offers or agrees to sell, or sets the price for any goods, wares, or merchandise that is demonstrated, offered or sold to any person while attending or patronizing a retail merchandise demonstration sales store.
- (B) "Jewelry" means any goods, wares, or merchandise customarily kept in retail jewelry stores for sale, including but not limited to, precious and semi-precious stones and imitations thereof, whether sold or offered for sale with or without settings, watches, rings, bracelets, necklaces or articles made in whole or in part of gold, silver, platinum or other precious or semi-precious metals whether solid, plated or overlaid.
- (D) "Retail demonstration merchandise sales store" means a person in the business of selling goods, wares or merchandise by utilizing a demonstrator who presents and demonstrates such goods, wares or merchandise to an assembled group of three or more persons, sets the price of the article to be sold, and then agrees to sell the article to persons willing to pay the set price, and/or a person who advertises or holds himself out as a demonstration place or showroom for the sale of goods, wares or merchandise.

(Ord. 2148 § 2 (part), 1981; prior code § 5-36-1)

6.72.020 Regulation—Compliance with Code.

The City Council finds that, unless regulated strictly, the business of retail demonstration merchandise sales stores can be deceptive, fraudulent or misleading to many members of the public patronizing such business and that such businesses must therefor comply with Chapter 6.06.

(Ord. 5998 § 122, 2008; Ord. 2286 § 2, 1982; prior code § 5-36-2)

6.72.030 License—Required.

No person shall engage in the business or act as a demonstrator for a retail demonstration merchandise sales store without first obtaining and thereafter maintaining a valid unexpired license therefor as provided in this Code.

(Ord. 2286 § 3, 1982; prior code § 5-36-3)

6.72.050 Bond.

No license to conduct a business as a retail demonstration merchandise sales store shall be granted unless and until the applicant has filed with the Department a surety bond in the sum of twenty-five thousand dollars and with surety acceptable to and approved by the City Attorney. Such bond shall be conditioned that said licensee shall faithfully observe and comply with the provisions of this Chapter at all times during the continuance of such license, and conditioned further to indemnify, keep, save and hold harmless the City, or any other person, against all liabilities, judgments, costs, damages and expenses which the City, or any other person, may incur as a consequence of the issuance of said license, or by reason of any act or failure to act by said licensee, or by the failure or neglect of such licensee to observe and comply with this Code and with any State or Federal law.

(Ord. 5998 § 123, 2008; Ord. 2148 § 2 (part), 1981; prior code § 5-36-6)

6.72.070 Demonstrator license.

The semiannual license fee for each demonstrator shall be one hundred fifty dollars. This license fee is not pro-ratable and the license is nontransferable. The demonstrator's license must be in the possession of the licensee at any time the licensee is acting as a demonstrator.

(Ord. 2148 § 2 (part), 1981; prior code § 5-36-4)

6.72.080 Store license fee.

The semiannual license fee for any person engaged in the business of operating a retail demonstration merchandise sales store is five hundred dollars or five percent of gross sales, whichever is greater, to be collected in accordance with the provisions of Section 6.02.180 et seq. The City Council declares that the cost of regulation of this kind of business is greater than normal because continuous inspections are required, thereby requiring the employment of additional inspectors by the Department.

(Ord. 5998 § 124, 2008; Ord. 2148 § 2 (part), 1981; prior code § 5-36-5)

6.72.090 Location restrictions—Special use permit.

- (A) The retail demonstration merchandise sales store license shall specify the location where such sales are to be conducted and the period of time, specifying the dates thereof, for which

the license is effective. It shall be unlawful for any licensee to conduct a retail demonstration merchandise sale at any place or at any time other than that specified on his license.

- (B) Licenses shall be issued only in connection with a special use permit and only in zones where businesses of this type are permitted. No license shall be issued for a business location in the district bounded by the Union Pacific Railroad tracks on the west, Bonanza Road on the north, Eighth Street on the east and Bridget Avenue on the south.

(Ord. 2148 § 2 (part), 1981: prior code § 5-36-7)

6.72.110 Ledger requirements.

- (A) Every retail demonstration merchandise sales store licensee shall keep accurate ledgers in which shall be delineated an inventory, in a clear, legible manner, or:
- (1) All goods received at such store;
 - (2) Date of receipt;
 - (3) The cost price to the licensee of all goods, including goods purchased by said licensee on consignment for purposes of sale together with the name and address of the vendor;
 - (4) The names and addresses of the purchasers at the demonstration of sale;
 - (5) The date sold and the price paid by the purchaser together with detailed description of each article so sold.
- (B) The records shall be open to inspection during normal business hours by the Director of the Department or the Director's duly authorized enforcement officers.

(Ord. 5998 § 125, 2008: Ord. 2148 § 2 (part), 1981: prior code § 5-36-9)

6.72.120 False offers to purchase.

It shall be unlawful for any demonstrator to accept other than bona fide purchase offers during the time the demonstration sale is being conducted.

(Ord. 2148 § 2 (part), 1981: prior code § 5-36-10)

6.72.130 False representation.

It shall be unlawful for any demonstrator in describing the merchandise that he is offering to any prospective purchaser at a price fixed by the demonstrator to directly or indirectly, either by verbal or written statement or advertisement, make any false representation as to the exact and correct material quality, condition, and value as well as the ownership and/or manufacturer of the merchandise.

(Ord. 2148 § 2 (part), 1981: prior code § 5-36-11)

6.72.140 Substitution of articles.

It shall be unlawful for any person to substitute another article for the article being demonstrated and all articles of merchandise that are being sold must, at all times, be kept within sight of the purchaser until delivered to his possession.

(Ord. 2148 § 2 (part), 1981: prior code § 5-36-12)

6.72.150 Jewelry tag—Required—Content.

Each article of jewelry offered for sale by a retail demonstration merchandise sales store shall have attached securely thereto a tag or label upon which shall be plainly written or printed in English a true and correct statement of the kind and quality of the metal or other substance of which the article is made and the weight, karat, and percentage of purity thereof.

- (A) If the article is plated or overlaid, then the tag or label shall contain a true statement of the kind of metal or material under the plating.
- (B) If the article is in whole or part a precious, semiprecious, synthetic, or imitation stone, the statement shall contain the name, weight, quality and color of such stone, and synthetics and imitations shall be described as such.
- (C) If the article is a watch, the statement shall also contain the true name of the manufacturer thereof, the country of manufacture, and the number of jewels. If a watch consists of old works in a new case, or if any article of jewelry consists of any old or secondhand parts, this fact shall be set forth in the statement.
- (D) The tag or label shall remain securely attached to every article sold without any erasure, defacement or obliteration until after the article has been delivered and received by the customer.

(Ord. 2148 § 2 (part), 1981: prior code § 5-36-13)

6.72.160 Jewelry tag—Reading before sale.

Before offering to sell any article of jewelry, the demonstrator shall read, in such a manner as to be readily heard and understood at any place in the room where the demonstration sale is being conducted, the description of the article as it appears on the label or tag attached thereto.

(Ord. 2148 § 2 (part), 1981: prior code § 5-36-14)

6.72.170 Posting name of licensee.

Every licensee, whether a demonstrator or a licensee of a retail demonstration merchandise sales store, must have his name prominently displayed on or in the place of business in print of at least four inches in height so that the name can be easily read by the customers.

(Ord. 2148 § 2 (part), 1981: prior code § 5-36-15)

6.72.180 Refunds—Right of purchaser.

It shall be unlawful for any licensee of a retail demonstration merchandise sales store to refuse to refund or return the money, check or other evidence of indebtedness within twenty-four hours after demand therefor to the person who has purchased an article of merchandise from said licensee when demand has been made for the return of the money, check or other evidence of indebtedness within seventy-two hours after the purchase, provided that the purchaser returns the article or merchandise to the place of purchase in the same condition as it was in when purchased.

(Ord. 2148 § 2 (part), 1981: prior code § 5-36-16)

6.72.190 Refunds—Sign in store.

The licensee in a retail demonstration merchandise sales store shall display, at all times, a sign on the licensed premises of at least eighteen inches by eighteen inches with printing approximately one inch in height by one inch in width for each letter stating: "CASH REFUNDS

WITHIN 24 HOURS IN FULL AMOUNT OF PURCHASE IF DEMAND MADE WITHIN 72 HOURS OF PURCHASE."

(Ord. 2148 § 2 (part), 1981; prior code § 5-36-17)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILLS:

Bill No. 2014-3 - Deletes certain work card requirements in multiple chapters of LVMC Title 6, amends multiple chapters of LVMC Title 6 related to work card requirements, and establishes a hearing panel to hear work card appeals. Sponsored by: Councilman Bob Beers

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will eliminate or revise the work card requirements for employees in various licensing categories. It will also establish a hearing panel to hear work card appeals as authorized by State law.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2014-3

BILL NO. 2014-3

ORDINANCE NO. _____

AN ORDINANCE TO DELETE CERTAIN WORK CARD REQUIREMENTS IN MULTIPLE CHAPTERS OF LVMC TITLE 6, AMEND MULTIPLE CHAPTERS OF LVMC TITLE 6 RELATED TO WORK CARD REQUIREMENTS, ESTABLISH A HEARING PANEL TO HEAR WORK CARD APPEALS, AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Bob Beers

Summary: Deletes certain work card requirements in multiple chapters of LVMC Title 6, amends multiple chapters of LVMC Title 6 related to work card requirements, and establishes a hearing panel to hear work card appeals.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 6, Chapter 4, Section 60, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.04.060: Businesses within the following licensing categories shall pay a two hundred dollars annual business license fee, as set forth below:

Adult day care facility, which is an establishment operated and maintained to provide care, for not more than twelve hours at a time, on a temporary or permanent basis for aged or infirm persons.

Advertising or marketing service, which is any business engaged in the act of designing, producing and disseminating information to the general public, including public relations activities on behalf of persons or businesses.

Auto broker, which is any person who, for a fee or any other consideration, offers to provide to another person the service of arranging, negotiating or assisting in the purchase of a new or used vehicle which has not been registered by the broker.

Automobile leasing, which is any business that leases automobiles or any other kind of motor vehicle that is required to be licensed by the Department of Motor Vehicles and Public Safety.

[Babysitting service, which is any business whose employees are sent to a home or lodging establishment

1 to care for one or more children who reside there. Each principal of the business and each employee that
2 provides care must obtain a work card pursuant to LVMC Chapter 6.86 and a health card pursuant to
3 regulations of the Health District.]

4 **Bail agent or bail enforcement agent**, which is any person who is authorized, employed or contracted by
5 a surety or bail agent to do any of the following:

- 6 (A) Solicit bail transactions;
- 7 (B) Execute or countersign undertakings of bail;
- 8 (C) Pledge currency, money orders or cashier's checks as security for a bail bond in
9 connection with judicial proceedings and receive or be promised money or other things of value therefor;
- 10 (D) Enforce the terms and conditions of a defendant's release from custody on bail in a
11 criminal proceeding; or
- 12 (E) Locate, apprehend, or surrender a defendant to custody. Each bail agent and bail
13 enforcement agent is required to have an appropriate State license issued in accordance with NRS Chapter
14 697 before doing business in the City.

15 **Body piercing**, which is any business that pierces the skin for the purpose of inserting rings, loops, studs or
16 other implements, or which engages in the sale of those items for use in connection with body piercing.

17 **Environmental analysis**, which is any business that tests or analyzes the quality or content of soil, water,
18 atmosphere, or other elements related to the environment.

19 **Health and fitness club**, which is any business that is open to the general public and that provides the use
20 of equipment or facilities for the maintenance or development of physical fitness or the control of weight.

21 **Insurance adjuster**, which is any person who is licensed or required to be licensed as an adjuster under
22 NRS Chapter 684A and who receives compensation for acting as an adjuster, whether acting as an owner,
23 officer, associate, member or employee of a business.

24 **Insurance agency**, which is any business whose agents, brokers, or adjusters transact insurance subject to
25 the regulations of NRS 679A. The license fee for this category includes the first agent, broker or adjuster
26 who otherwise would be required to be pay a license fee under this Section as a sales or service agent or

1 representative.

2 **Managed health care organization**, which is any person who provides, arranges, pays for, or reimburses
3 for the provision of any element of health care services and who controls the amounts to be paid to health
4 care providers by a managed care program.

5 **Management or consulting service**, which is any person or firm that conducts budgeting, management
6 counseling, consulting service or promoting for another.

7 **Merchandise broker**, which is any person who acts as an agent for others in negotiating contracts,
8 purchases, the sale of goods, wares or services and who does not take physical possession of the
9 merchandise.

10 **Photography business**, which is any business that takes photographs for eventual sale to a client or
11 customer of the business.

12 **Remote motor vehicle rental**, which is an automobile ticket rental agency or transportation rental agency
13 location with no vehicles on site.

14 **Residential home care provider**, which is any person who provides or contracts to provide medical
15 supervision, general care, nursing or housekeeping services to the sick, injured or dependent within a home
16 setting, whether on a temporary or permanent basis.

17 **Sales or service agent or representative**, which is any person who sells, solicits, negotiates, offers or
18 performs on behalf of another person the transaction of any instrument or finance related service, including
19 but not limited to insurance, financial or investment advice, securities or similar activities, whether the
20 instrument or service is in possession of the agent or representative and whether the agent or representative
21 is an employee or under contract to perform these activities.

22 **Wire service**, which is any person who engages in the business of transmitting or receiving funds by means
23 of a communication system in which the transmission and reception stations are directly connected by one
24 or more telephones or computers.

25 **[Youth employment organization**, which is any for-profit or nonprofit organization whose primary
26 purpose is to hire minors to sell a product or service, either door-to-door or at a fixed location. Principals of

1 an organization must obtain a work card pursuant to LVMC Chapter 6.86. Each organization must comply
2 with State Labor Commission regulations and must first obtain the written consent of the parent or legal
3 guardian of each minor before they are hired.]

4 SECTION 2: Title 6, Chapter 6(B), Section 85, of the Municipal Code of the City of Las
5 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **6.06B.085:** The following persons are required to secure work cards in accordance with LVMC 6.86:

7 (A) [All] Except as provided for in Subsection (C), all security guards working in or
8 employed by an adult nightclub must obtain a work card pursuant to LVMC 6.86. In addition to the
9 grounds stated in LVMC 6.86, a work card may be denied for conviction of assault, battery, fraud or
10 conspiracy to commit any such crime. Security guards in adult nightclubs shall not carry firearms, knives,
11 nightsticks, clubs, or chemical or electronic weapons.

12 (B) All owners if applicants are individual; stockholders owning ten percent or more
13 stock, officers and directors, if applicant is a corporation; and partners, including limited and general
14 partners, if applicant is a partnership; and manager or other person principally in charge of the operation of
15 the business, must obtain a work card from the Las Vegas Metropolitan Police Department, as required in
16 LVMC 6.86. A work card may be denied for any grounds set out in LVMC 6.86. A work card may be
17 denied for any grounds set out in LVMC 6.06B.060(C)(1) or (3) or LVMC 6.06B.080(B).

18 (C) Those security employees that are licensed or registered under NRS 648.060 are
19 exempt from the work card requirement, but such persons must have their State-issued registration work
20 card that includes a photo ID on their person during the act of performing security duties at the adult
21 nightclub where employed. The employer is responsible for maintaining, and making available for
22 inspection by the Department or Metro, or both, a list of such employees, including names, registry
23 numbers and registration expiration dates.

24 SECTION 3: Title 6, Chapter 9, Section 20, of the Municipal Code of the City of Las
25 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

26 **6.09.020:** (A) The operator of an apartment house must obtain and maintain a business license to

1 operate any apartment house. In addition, but subject to the remaining provisions of this Section, the
2 operator must complete a landlord training program.

3 (B) The landlord training requirement of Subsection (A) of this Section does not apply
4 to any operator of an apartment house that is or will be managed by a licensee who is in compliance with
5 the requirements of Subsection (C) of this Section.

6 (C) Independent of the requirement set forth in Subsection (A), any person who is in
7 the business of managing one or more apartment houses on behalf of others must:

8 (1) Obtain and maintain a business license to manage apartment houses; and

9 (2) Complete a landlord training program; ; and

10 (3) Obtain and maintain a valid work card pursuant to LVMC Chapter 6.86.]

11 (D) Any employee or agent of a licensee under this Section who acts as the on-site
12 manager of an apartment house must have completed a landlord training program; [and must have a valid
13 work card issued under LVMC Chapter 6.86.]

14 (E) At any given time with respect to each apartment house:

15 (1) The licensed manager, if any, must have completed a landlord training
16 program; [and possess a valid work card.]

17 (2) Any on-site manager who is the employee of a licensee must have
18 completed a landlord training program; [and possess a valid work card.]

19 (3) In the case of an apartment house which does not have a manager, at least
20 one person who qualifies as the operator of the apartment house must have completed a landlord training
21 program.

22 (F) Although not otherwise obligated under this Chapter, a person who owns an
23 apartment house or the land on which the apartment house is located but who is not engaged in the
24 operation or management of the apartment house is responsible to ensure that at least one person qualifying
25 as an operator of the apartment is available for purposes of complying with the licensing, fee payment, and
26 training requirements of this Chapter.

1 (G) A business license under this Chapter may be withheld pending an applicant's
2 completion of the landlord training program or may be conditioned upon such completion.

3 SECTION 4: Title 6, Chapter 10, Section 83, of the Municipal Code of the City of Las
4 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **6.10.083:** Any person in the employ of an amusement park, whether a full-time or part time
6 employee or trainee, and whether or not paid, [must possess a valid work card issued by Metro and,] must
7 comply with all applicable health card requirements of the Health District prior to the commencement of
8 work.

9 SECTION 5: Title 6, Chapter 19, Section 30, of the Municipal Code of the City of Las
10 Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

11 SECTION 6: Title 6, Chapter 35, Section 80, of the Municipal Code of the City of Las
12 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **6.35.080:** (A) [No] Except as provided for in Subsection (B), no person shall work at an erotic
14 dance establishment without a valid work card.

15 (B) Those security employees that are licensed or registered under NRS 648.060 are
16 exempt from the work card requirement, but such persons must have their State-issued registration work
17 card that includes a photo ID on their person during the act of performing security duties at the erotic dance
18 establishment where employed. The employer is responsible for maintaining, and making available for
19 inspection by the Department or Metro, or both, a list of such employees, including names, registry
20 numbers and registration expiration dates.

21 SECTION 7: Title 6, Chapter 50, Section 440, of the Municipal Code of the City of Las
22 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 **6.50.440:** (A) It is unlawful for any of the following persons to be employed in, [or to] engage in,
24 [or] participate in, or supervise [in] the retail sales of alcoholic beverages for on or off premises
25 consumption without having in his or her possession a valid work card for alcoholic beverages issued
26 pursuant to LVMC Chapter 6.86:

1 [(A)] (1) Any person employed in the management of a licensed business
2 establishment who has not been investigated and approved as a principal or key employee, unless such
3 employment has been approved by the Director under a temporary license during the pendency of such
4 temporary license;

5 [(B) Any person who pours or serves alcoholic beverages for on premises consumption;

6 (C) Any person who accepts payment for, or monitors, the sale or delivery of alcoholic
7 beverages for off premises consumption; or

8 (D) Any person who performs the role of security, including the maintaining of order
9 within the business, the verification of identification, and the enforcement of other policies established and
10 maintained by the licensee.]

11 (2) Any person who exercises supervision and control of, and establishes
12 policies for, an alcoholic beverage establishment;

13 (3) Any person who pours alcoholic beverages for on-premises consumption,
14 or who serves as a bartender or its functional equivalent;

15 (4) Any employee of an alcoholic beverage caterer licensed under Section
16 6.50.025 who is authorized by the licensee to exercise supervision and control of, and to establish policies
17 for, a catered event; or

18 (5) Any person authorized to supervise the sale or distribution of alcoholic
19 beverages in connection with a time-limited special event license pursuant to Sections 6.50.200 or
20 6.50.205.

21 (B) Those bartenders, alcohol servers and security employees that are registered with
22 the Nevada State Gaming Board for nonrestricted gaming at the location employed are exempt from the
23 work card requirement. The employer is responsible for maintaining and making available a Nevada State
24 Gaming Board registry on the premises for inspection by the Department or Metro.

25 SECTION 8: Title 6, Chapter 53, Section 60, of the Municipal Code of the City of Las
26 Vegas, Nevada, 1983 Edition, is hereby deleted in its entirety.

1 SECTION 9: Title 6, Chapter 60, Section 70, of the Municipal Code of the City of Las
2 Vegas, Nevada, 1983 Edition, is hereby deleted in its entirety.

3 SECTION 10: Title 6, Chapter 62, Section 20, of the Municipal Code of the City of Las
4 Vegas, Nevada, 1983 Edition, is hereby deleted in its entirety.

5 SECTION 11: Title 6, Chapter 80A, Section 60, of the Municipal Code of the City of Las
6 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

7 **6.80A.060:** [(A)] If the operation of a temporary merchant requires a temporary commercial permit
8 pursuant to LVMC [19.18.100,] 19.16.160, the applicant shall file, along with the application for a
9 temporary merchant permit, written evidence that a temporary commercial permit has been obtained.

10 [(B) An applicant for a temporary merchant permit who does not possess a valid
11 business license will be referred to Metro to obtain a work card pursuant to LVMC Chapter 6.86. Approval
12 of the work card must be obtained before issuance of a temporary merchant permit.]

13 SECTION 12: Title 6, Chapter 86, Section 10, of the Municipal Code of the City of
14 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **6.86.010:** Unless the context otherwise requires, the following words used in this Chapter shall have
16 the meaning ascribed to them as follows:

17 "Department" means the Department of Planning.

18 "Director" means the Director of Planning and those persons authorized to act in the Director's behalf.

19 "Hearing panel" means the administrative body designated by the City Council to conduct work card
20 appeals pursuant to Section 6.86.155.

21 "Metro" means the Las Vegas Metropolitan Police Department.

22 "Qualified agent" means a principal of the employer or a representative of a non-restricted gaming
23 licensee's human resources department.

24 "Referral slip" means a written statement signed and dated by a designated authorized agent of an employer
25 which contains the name and address of a person who needs a work card to engage in the employment
26 offered to him by the employer and a description of the kind of employment offered.

1 “Work card” means a card issued by Metro which authorizes the holder to be employed in the capacity as
2 specified on the card and contains a photograph and other identification of the holder.

3 SECTION 13: Title 6, Chapter 86, Section 70, of the Municipal Code of the City of Las
4 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **6.86.070:** (A) Each applicant for an original work card, or for a renewal or replacement thereof,
6 shall pay to Metro the non-refundable fees that pertain to that card. The fee amounts shall be in accordance
7 with a fee schedule that has been approved by Metro’s Committee on Fiscal Affairs.

8 (B) Each applicant shall pay the fee established by Metro for the investigation of an
9 application for a work card, whether the application is approved or denied. Such fee is a collectible debt
10 owed to Metro and must be paid in full before a work card will be issued.

11 (C) In the case of an appeal from the denial, suspension or revocation of a work card,
12 the appellant shall pay to the Department pay an appeal fee of fifty dollars.

13 SECTION 14: Title 6, Chapter 86, Section 90, of the Municipal Code of the City of Las
14 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

15 **6.86.090:** A work card shall expire five years from the date it is issued unless otherwise designated
16 by Metro, a hearing panel in case of appeal, the City Council or this Code.

17 SECTION 15: Title 6, Chapter 86, Section 110, of the Municipal Code of the City of Las
18 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19 **6.86.110:** Metro may deny the issuance or renewal of a work card or suspend or revoke a work card
20 for the following reasons:

21 (A) The application is incomplete or the applicant or holder has made false, misleading
22 or fraudulent statements with respect to any material information contained in the application;

23 (B) The applicant has, within ten years of the date of the referral slip, been adjudicated
24 guilty in a court of competent jurisdiction of any offense defined by NRS 179D.097 as a sexual offense.

25 [(B)] (C) [The applicant or holder is currently under investigation regarding, has committed,
26 or has been convicted of any crime involving moral turpitude. For purposes of this Subsection, an

1 applicant or holder is currently under investigation during the period of time from the original charge
2 regarding a crime until adjudication of that charge, and crimes of moral turpitude are those crimes which
3 necessarily involve an intent to defraud, intentional dishonesty for personal gain, intentional causing of
4 serious injury to another person, sale of narcotics, possession of narcotics with intent to sell or any
5 sex-related crime;] The applicant has, within seven years of the date of the referral slip, been adjudicated
6 guilty in a court of competent jurisdiction of a felony crime involving violence, theft, or fraud; the sale,
7 possession, distribution or use of a controlled substance; or a law of any other jurisdiction which prohibits
8 the same or similar conduct;

9 (D) The applicant has, within three years of the date of the referral slip, been
10 adjudicated guilty in a court of competent jurisdiction of a gross misdemeanor crime involving violence,
11 theft, or fraud; the sale, possession, distribution or use of a controlled substance; or law of any other
12 jurisdiction which prohibits the same or similar conduct;

13 (E) The applicant has, within three years of the date of the referral slip, been
14 adjudicated guilty in a court of competent jurisdiction of any crime not included within Subsection (B) or
15 (C) involving deceptive trade practices, consumer fraud, intent to defraud, fraudulent advertising, or other
16 illegal business practices related to the nature or conduct of the business for which the referral form is
17 made;

18 (F) A work card for the applicant has been previously denied, suspended or revoked
19 within one year of the date of referral form, or the renewal thereof has been denied by the City or any other
20 jurisdiction with one year of the date of the referral slip;

21 [(C)] (G) The applicant or holder fails to meet age or other requirements for the particular
22 employment as may be set forth in this Code, or State and Federal laws or regulations;

23 [(D)] (H) The applicant or holder illegally resides in the United States;

24 [(E)] (I) The applicant or holder has been subject to a revocation, suspension, or other
25 disciplinary action against a business license or work card or permit in Nevada or any other jurisdiction to
26 the extent that such disciplinary action reflects upon the fitness of the applicant or holder to have a work

1 card;

2 [(F)] (J) The applicant or holder has worked for an employer without a work card when one
3 was required;

4 (K) The applicant or holder has been convicted in a criminal court, or adjudicated
5 guilty of a civil violation by a hearing officer, of selling alcohol to a minor on more than one occasion; or

6 [(G)] (L) Where substantial information exists showing the applicant or holder to be
7 dishonest or corrupt.

8 SECTION 16: Title 6, Chapter 86, Section 130, of the Municipal Code of the City of Las
9 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

10 **6.86.130:** [Other than regarding a sex related crime, for which no time restriction is imposed, the
11 period of time for review of an applicant's criminal history shall date back ten years from the date of
12 application for the work card, unless the same crime has been committed more than once during the
13 applicant's adulthood, in which case no time restriction applies to that crime.] The period of time for review
14 of an applicant's criminal history shall date back for a time period consistent with the provisions of LVMC
15 6.86.110.

16 SECTION 17: Title 6, Chapter 86, Section 150, of the Municipal Code of the City of Las
17 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **6.86.150:** (A) Except as otherwise provided in Subsection (C), any applicant aggrieved by a
19 decision of Metro with respect to the issuance, renewal, denial, revocation or suspension of a work card
20 may appeal such decision within ten days to the [City Council] hearing panel by filing with the Department
21 a written notice of appeal identifying with specificity the errors of law or fact that the applicant believes
22 were made in connection with Metro's decision.

23 (B) The [City Council or] hearing panel shall hear the applicant within [forty-five]
24 sixty days of the filing of the appeal, subject to the requirements of the Nevada open meeting law. Upon
25 the filing of an appeal, Metro may issue a temporary work card which will be revoked or become
26 permanent upon the final decision of the [City Council] hearing panel.

1 (C) In the case of a decision by Metro which is based upon the unemployability of a
2 person pursuant to NRS 648.060(3)(d), the decision is appealable only by means of petition to the State of
3 Nevada District Court.

4 (D) In addition to any written briefs, exhibits or other documentation submitted on
5 behalf of the applicant's appeal, the applicant or his or her legal counsel shall attend, make an opening
6 statement and be prepared to make oral arguments to the [City Council] hearing panel in support of the
7 appeal. Any criminal history of the applicant relied on by Metro as a basis for its denial, suspension or
8 revocation of the applicant's work card and referenced by the applicant during his or her appeal shall
9 become part of the public record and may be openly discussed during the appeal hearing.

10 (E) As provided by Section 2.130 of the City Charter, upon a denial of an appeal by
11 the hearing panel, the appellant may request an appeal of the denial to be heard, de novo, by the City
12 Council. Such request must be made to the Director within ten calendar days of the hearing upon which the
13 appeal was denied by the hearing panel. If an appellant fails to appeal within such time period, the
14 appellant is barred from any review of such matter by the City Council.

15 SECTION 18: Title 6, Chapter 86, of the Municipal Code of the City of Las Vegas,
16 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 155, reading as
17 follows:

18 **6.86.155:** In accordance with Section 2.130 of the City Charter, a hearing panel is designated by the
19 City Council to hear work card appeals, as follows:

20 (A) The City Council shall appoint three persons for the purpose of hearing work card
21 appeals.

22 (B) The Director, or designee, shall serve as Secretary of the hearing panel, and shall
23 be responsible for the affairs of the panel.

24 (C) The term of each member shall be two years.

25 (D) Members may be removed by a majority vote of the City Council.

26 (E) The hearing panel shall provide for the conduct of its business by appropriate rules

1 and regulations within the intent and meaning of the City Charter and this Chapter.

2 (F) The hearing panel shall hold regular meetings in accordance with the rules and
3 regulations adopted by this panel.

4 (G) A chairman for the hearing panel shall be elected by the members for a term of one
5 year by a majority vote of the members.

6 SECTION 19: Title 6, Chapter 86, of the Municipal Code of the City of Las Vegas,
7 Nevada, 1983 Edition, is hereby amended to add a new section, designated as Section 200, reading as
8 follows:

9 **6.86.200:** (A) The City Council or hearing panel may direct the issuance of a temporary work
10 card for an applicant/holder as deemed appropriate in the disposition of an appeal.

11 (B) The City Council or hearing panel may direct the issuance of a temporary work
12 card limited by specific times, location, occupation or duties unless otherwise prohibited by this Title.

13 (C) The City Council or hearing panel may impose a mandatory review of the
14 applicant's status by the Director, City Council or designee, or place other conditions reasonably related to
15 the employment of the applicant in conjunction with a temporary work card as deemed appropriate.

16 SECTION 20: If any section, subsection, subdivision, paragraph, sentence, clause or
17 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
18 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
19 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City
20 of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph,
21 sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections,
22 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

23 SECTION 21: Whenever in this ordinance any act is prohibited or is made or declared to
24 be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required
25 or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of
26 such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon

1 conviction thereof, shall be punished by a fine of not more than \$1,000.00 or by imprisonment for a term of
2 not more than six months, or by any combination of such fine and imprisonment. Any day of any violation
3 of this ordinance shall constitute a separate offense.

4 SECTION 22: All ordinances or parts of ordinances or sections, subsections, phrases,
5 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983
6 Edition, in conflict herewith are hereby repealed.

7 PASSED, ADOPTED and APPROVED this _____ day of _____, 2014.

8 APPROVED:

9
10 By _____
CAROLYN G. GOODMAN, Mayor

11 ATTEST:

12 _____
13 BEVERLY K. BRIDGES, MMC
City Clerk

14
15 APPROVED AS TO FORM:

16 Val Steed 12-16-13
17 Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the _____
2 day of _____, 2014, and referred to a committee for recommendation, the committee
3 being composed of the following members _____;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2014, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
CAROLYN G. GOODMAN, Mayor

14 ATTEST:

15 _____
16 BEVERLY K. BRIDGES, MMC
City Clerk

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILLS:

Bill No. 2014-4 - Amends the Unified Development Code to establish the means of allowing a site with development approval entitlements to obtain separate and concurrent approval for temporary development. Proposed by: Scott D. Adams, Deputy City Manager

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will amend the Unified Development Code to establish the means of allowing a site with development approval entitlements to obtain separate and concurrent approval for temporary development. Under normal circumstances a parcel is not allowed to have more entitlement approval for more than one type of development. This bill will allow a site to have concurrent approvals--one for temporary development and one for long-term development--subject to limitations designed to manage and resolve the concurrent approvals.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2014-4

1 **BILL NO. 2014-4**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE TO ESTABLISH THE
4 MEANS OF ALLOWING A SITE WITH DEVELOPMENT APPROVAL ENTITLEMENTS TO
5 OBTAIN SEPARATE AND CONCURRENT APPROVAL FOR TEMPORARY DEVELOPMENT, AND
6 TO PROVIDE FOR OTHER RELATED MATTERS

6 Proposed by: Scott D. Adams, Deputy City
7 Manager

Summary: Amends the Unified Development
Code to establish the means of allowing a site
with development approval entitlements to obtain
separate and concurrent approval for temporary
development.

9 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS
10 FOLLOWS:

11 SECTION 1: Ordinance No. 6289 and the Unified Development Code adopted as Title
12 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth
13 in Sections 2 and 3 of this Ordinance. The amendments are deemed to be amendments to both Ordinance
14 No. 6289 and the Unified Development Code adopted as Title 19.

15 SECTION 2: Title 19, Chapter 16, Section 100, Subsection (I), Paragraph (2), is hereby
16 amended to read as follows:

17 2. Grounds. A Site Development Plan approval may be revoked or modified by the reviewing
18 authority for cause, including a finding of one or more of the following:

- 19 a. That the Site Development Plan approval was obtained by misrepresentation or fraud;
20 b. That the development is not in compliance with one or more of the conditions of approval;
21 c. That the development is in violation of any State or local law, ordinance or regulation[.] ;

22 or

- 23 d. That the time limits specified in Paragraph (I) of Subsection (K) have expired.

24 SECTION 3: Title 19, Chapter 16, Section 100, is hereby amended by adding thereto a
25 new Subsection, designated as Subsection (K), reading as follows:

26 K. Concurrent Approvals—Temporary Development

1 At the discretion of the City Council, a Site Development Plan may be approved, concurrent with other
2 development approval, to allow a temporary development to be constructed without expunging or
3 invalidating an active, unexpired Site Development Plan, Special Use Permit or associated approval(s). For
4 purposes of this Subsection, "temporary development" means development that is distinct from the long-
5 term development otherwise approved for the site and is intended as an interim use of the site for a limited
6 period of time. Any such concurrent approval for temporary development is subject to the following
7 requirements and limitations:

8 1. Approval for a temporary development may be for a period not to exceed five years, except
9 as may be extended by means of one Extension of Time for a period not to exceed five years. A request for
10 Extension of Time shall be by means of an application for Extension of Time pursuant to Section
11 19.16.260, and shall be subject to review and approval by the City Council.

12 2. No more than one temporary development may be approved for a particular site at any one
13 time.

14 3. At the conclusion of the time period specified in Paragraph (1) above, including any
15 approved Extension of Time, the developer must agree to abandon the temporary development in favor of
16 the initial, unexpired Site Development Plan approval. Otherwise, the original entitlements are subject to
17 revocation as provided for under Subsection (I) of this Section, and the temporary development shall
18 become the entitled development for the site. Notwithstanding the preceding sentence, if an approval for
19 temporary development under this Subsection (K) included any deviations from standards, including
20 exceptions, waivers, or variances, the developer will be required to resubmit to the entitlement process for
21 approval of the temporary development as the long-term development for the site. This requirement is in
22 recognition of the possibility that 1) the rationale for seeking and granting such deviations may have been
23 that the development was intended to be temporary only and 2) as a result, such deviations might not have
24 been granted otherwise.

25 SECTION 4: For purposes of Section 2.100(3) of the City Charter, Section 19.16.100 is
26 deemed to be a subchapter rather than a section.

SECTION 5: The Department of Planning is authorized and directed to incorporate into the Unified Development Code the amendments set forth in Sections 2 and 3 of this Ordinance.

SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this day of , 2014.

APPROVED:

By **CAROLYN G. GOODMAN**, Mayor

ATTEST:

BEVERLY K. BRIDGES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed,
Deputy City Attorney

Date _____

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the _____
2 day of _____, 2014, and referred to a committee for recommendation, the committee
3 being composed of the following members _____
4 _____;
5 thereafter the said committee reported favorably on said ordinance on the _____ day of
6 _____, 2014, which was a _____ meeting of said Council; that at said
7 _____ meeting, the proposed ordinance was read by title to the City Council as first
8 introduced and adopted by the following vote:

9 VOTING "AYE": _____

10 VOTING "NAY": _____

11 ABSENT: _____

12 APPROVED:

13
14 By _____
CAROLYN G. GOODMAN, Mayor

15 ATTEST:

16 _____
17 BEVERLY K. BRIDGES, MMC
City Clerk

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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐ **Consent** ☒ **Discussion****SUBJECT:**

NEW BILLS:

Bill No. 2014-5 - Annexation No. ANX-50680 - Property location: located on the southwest corner of Dorrell Lane and Eula Street; Petitioned by: D. R. Horton, Inc.; Acreage: 5.07 acres; Zoned: R-D (County zoning), R-1 (City equivalent). Sponsored by: Councilman Steven D. Ross

Fiscal Impact☒**No Impact**☐**Augmentation Required**☐**Budget Funds Available****Amount:****Funding Source:****Dept./Division:****PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the southwest corner of Dorrell Lane and Eula Street. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 30, 2014) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2014-5 and Location Map

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BILL NO. 2014-5

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-50680)

Sponsored by: Councilman Steven D. Ross	Summary: Annexes property described generally as located on the southwest corner of Dorrell Lane and Eula Street.
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THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

That portion of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section 19, Township 19 South, Range 60 East M.D.M., County of Clark, State of Nevada, being Parcel 1 and Parcel 2 as shown on that CERTIFICATE OF LAND DIVISION, recorded June 22, 1979 in Book 1074 as Instrument 1033894 of Clark County, Nevada Records, together with the adjoining dedicated half street rights of way of Dorrell Lane (60 foot wide), Eula Street (60 foot wide) and Haley Avenue (60 foot wide) described as follows:

1 COMMENCING at the northwest corner of the Southwest Quarter (SW 1/4) of the
2 Northwest Quarter (NW 1/4) of said Section 19, said corner also being the
3 centerline intersection of Hualapai Way and Dorrell Lane; thence along the
4 centerline of said Dorrell Lane, South 89°23'25" East 334.80 feet to the Point of
5 Beginning; thence continuing South 89°23'25" East 330.00 feet to the centerline
6 intersection with Eula Street; thence along the centerline of said Eula Street, South
7 00°02'16" West 669.57 feet to the centerline intersection with Haley Avenue;
8 thence along the centerline of said Haley Avenue, North 89°25'40" West 330.00
9 feet to the west line of said Land Division 66-79; thence along said west line North
10 00°02'16" East 669.79 feet to the Point of Beginning.

11 BASIS OF BEARINGS: North 00°08'16" East being the west line of the
12 Northwest Quarter (NW 1/4) of Section 19, Township 19 South, Range 60 East
13 M.D.M., as shown on Record of Survey in File 114, Page 57 of Clark County
14 Nevada records.

15 Prepared by:
16 Brian Yu, PLS
17 Dept. of Operation and Maintenance,
18 Right-of-Way,
19 City of Las Vegas,
20 333 N. Rancho Drive, 8th Floor,
21 Las Vegas, NV 89106
22 byu@lasvegasnevada.gov

23 SECTION 2: The City Council hereby determines that the described territory
24 meets the requirements provided by law for annexation to the City for the following reasons:

25 A. The area to be annexed was contiguous to the City's boundaries at the time
the annexation proceedings were instituted;

B. More than one-eighth (1/8) of the aggregate external boundaries of the
area are contiguous to the City;

C. The territory proposed to be annexed is not included within the boundaries
of another incorporated city or within the boundaries of any unincorporated town as those
boundaries existed as of July 1, 1983;

D. The City is eligible to annex the described territory because the
landowners have signed a petition constituting one hundred percent (100%) of the owners of record
of individual lots or parcels of land within the annexation area.

SECTION 3: The City will provide police protection through the Las Vegas

1 Metropolitan Police Department, fire protection, street maintenance, and library services
2 immediately upon annexation. Garbage collection by the company franchised by the City will also
3 be provided immediately. The City sanitary sewer system will serve the proposed annexation area.
4 Any connection to or extension of this sewer line to serve the annexation area shall be at the
5 expense of the landowners. Other services, such as participation in the City's recreational
6 programs, special education classes and programs, public works planning, building inspections, and
7 other City services will also be available immediately. Utilities such as gas, electricity, telephone,
8 and water are provided by private utility companies and other services to the area will not be
9 affected by annexation. Street paving, curbs and gutters, sidewalks and street lights which are not
10 in place at the time of annexation will be installed in the presently developed areas upon the request
11 of the property owners and at their expense by means of special assessment districts. Such
12 improvements will be extended into the undeveloped areas as development takes place and the
13 need therefor arises, and will be located according to the needs of the area at that time. Such
14 installations will also be made at the expense of the property owners, either by means of special
15 assessment districts or as prerequisites to the approval of subdivision plats, building permits or
16 other land use or development applications.

17 SECTION 4: The annexation of the described territory shall become effective
18 on the 30th day of January, 2014, and on that date the City will have the funds appropriated in
19 sufficient amount to finance the extension into the described territory of police protection, fire
20 protection, street maintenance, street sweeping, and street lighting maintenance.

21 SECTION 5: The described territory, together with the inhabitants and property
22 thereof, shall, from and after the 30th day of January, 2014, be subject to all debts, laws, ordinances
23 and regulations in force in the City and shall be entitled to the same privileges and benefits as other
24 parts of the City, and shall be subject to municipal taxes levied by the City.

25 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an

1 accurate map or plat of the described territory and to record the map or plat, together with a
2 certified copy of this ordinance, in the office of the County Recorder of Clark County, Nevada,
3 which recording shall be done prior to the 30th day of January, 2014.

4 SECTION 7: The described territory, which previously has been zoned R-D
5 (County of Clark classification), is hereby classified as R-1 (City of Las Vegas classification),
6 which is deemed to be the City equivalent of the County classification.

7 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause
8 or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or
9 invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the
10 validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City
11 Council of the City of Las Vegas hereby declares that it would have passed each section,
12 subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that
13 any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be
14 declared unconstitutional, invalid or ineffective.

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1 SECTION 9: All ordinances or parts of ordinances or sections, subsections,
2 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las
3 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

4 PASSED, ADOPTED and APPROVED this _____ day of _____,
5 2014.

6 APPROVED:

7
8 By _____
CAROLYN G. GOODMAN, Mayor

9 ATTEST:

10 _____
11 BEVERLY K. BRIDGES, MMC
City Clerk

12 APPROVED AS TO FORM:

13 Val Steed 12-17-13
14 Val Steed, Date
Deputy City Attorney

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2014, and referred to a committee for recommendation, the
3 committee being composed of the following members _____
4 _____; thereafter the said committee reported favorably on said
5 ordinance on the _____ day of _____, 2014, which was a
6 _____ meeting of said Council; that at said _____ meeting,
7 the proposed ordinance was read by title to the City Council as first introduced and adopted by the
8 following vote:

9 VOTING "AYE": _____

10 VOTING "NAY": _____

11 ABSENT: _____

12 APPROVED:

13
14 By _____
CAROLYN G. GOODMAN, Mayor

15 ATTEST:

16 _____
17 BEVERLY K. BRIDGES, MMC
City Clerk

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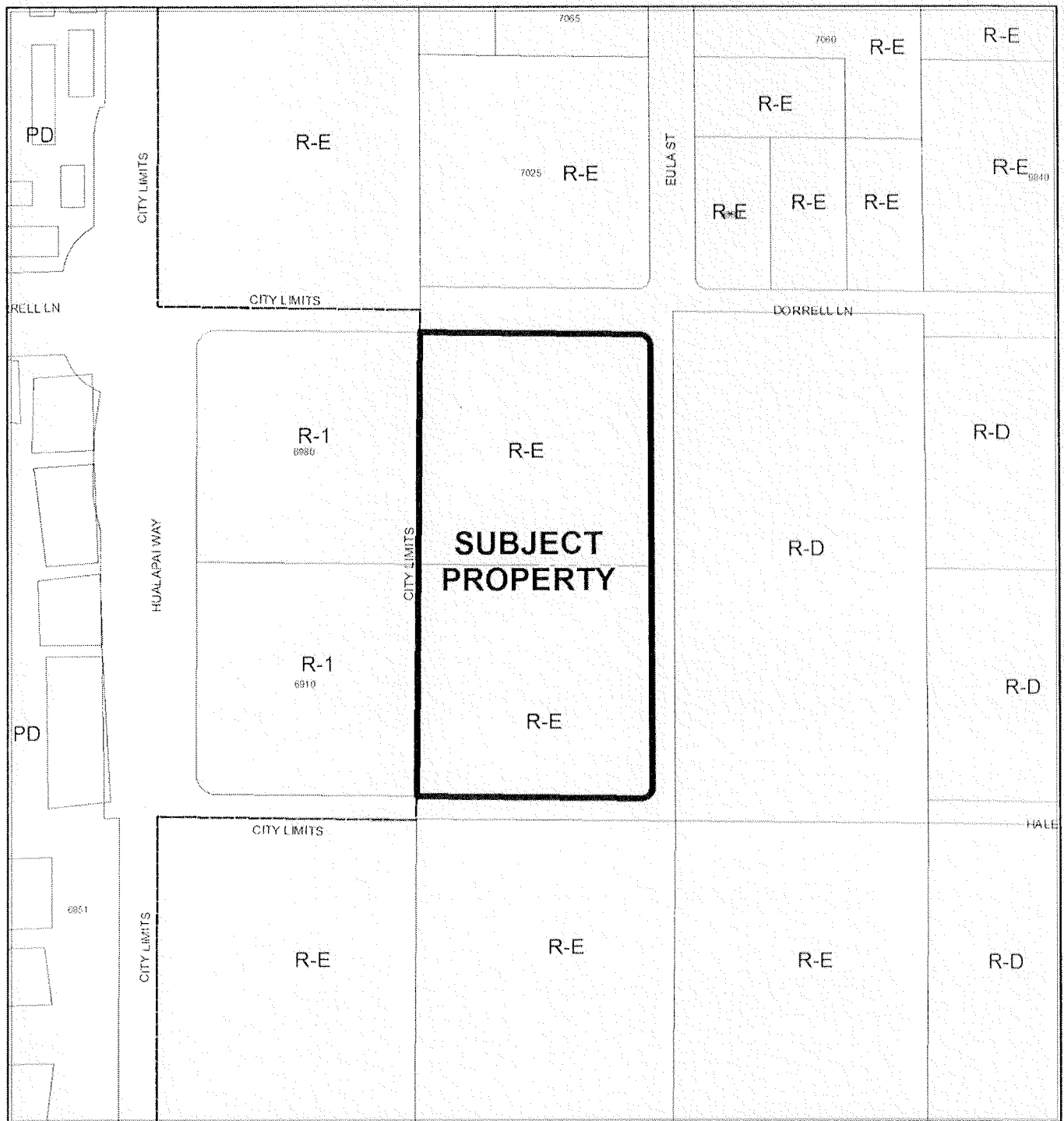
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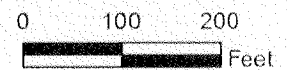
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CASE: ANX-50680



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☐ Consent ☒ Discussion

SUBJECT:

EOT-51961 - NON-CONFORMING USE - EXTENSION OF TIME - PUBLIC HEARING -
APPLICANT: TJP, A NEVADA LP - OWNER: TJ PLAZA, LLC, ET AL - For possible action
on a request for an Extension of Time OF A NON-CONFORMING TAVERN at 2101 South
Decatur Boulevard (APN 163-01-708-003 and 004), C-2 (General Commercial) Zone, Ward 1
(Tarkanian). Staff recommends APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

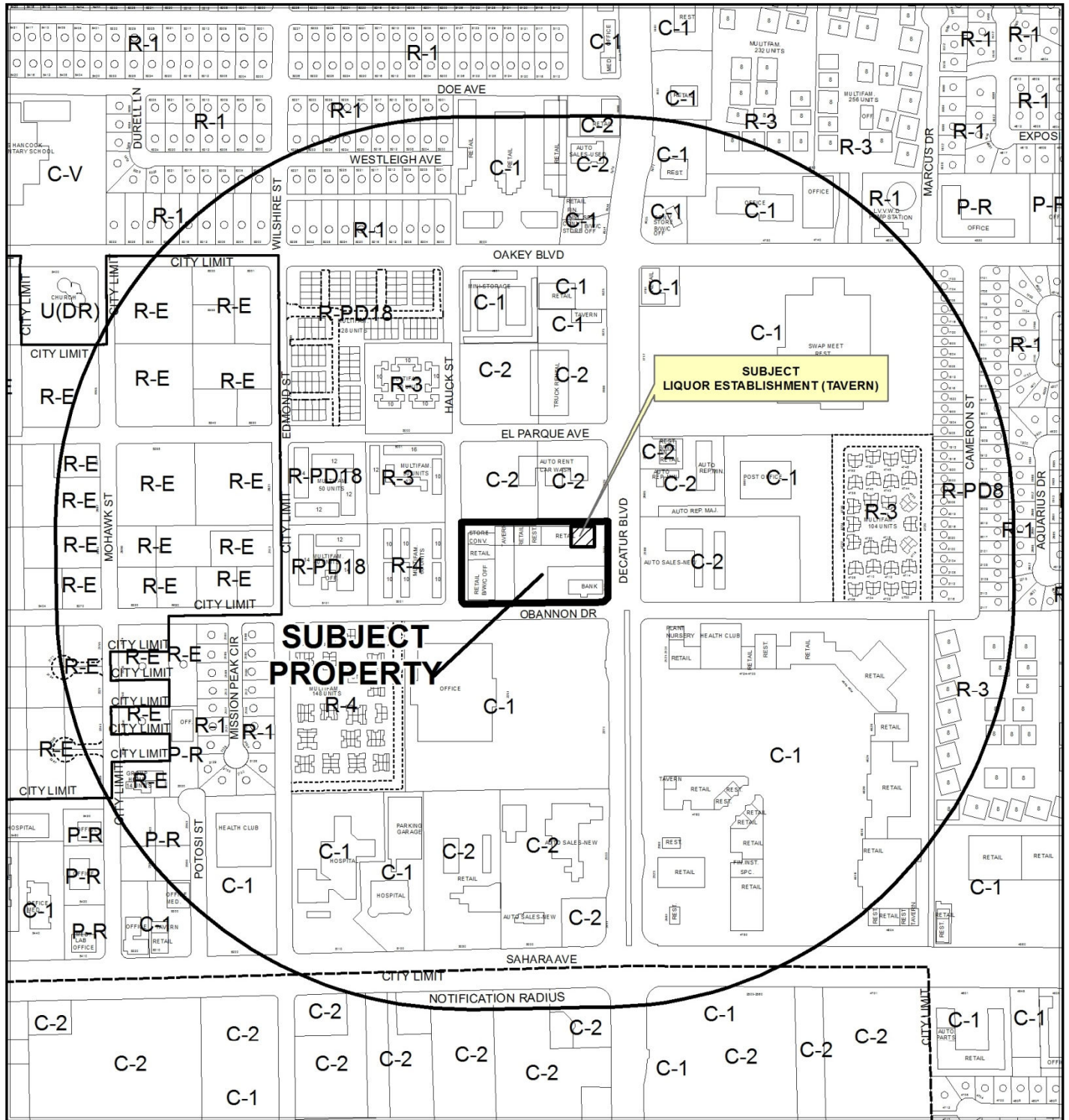
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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

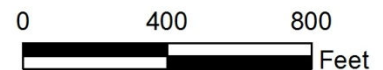
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. City Council Action Letter for EOT-47809



CASE: EOT-51961

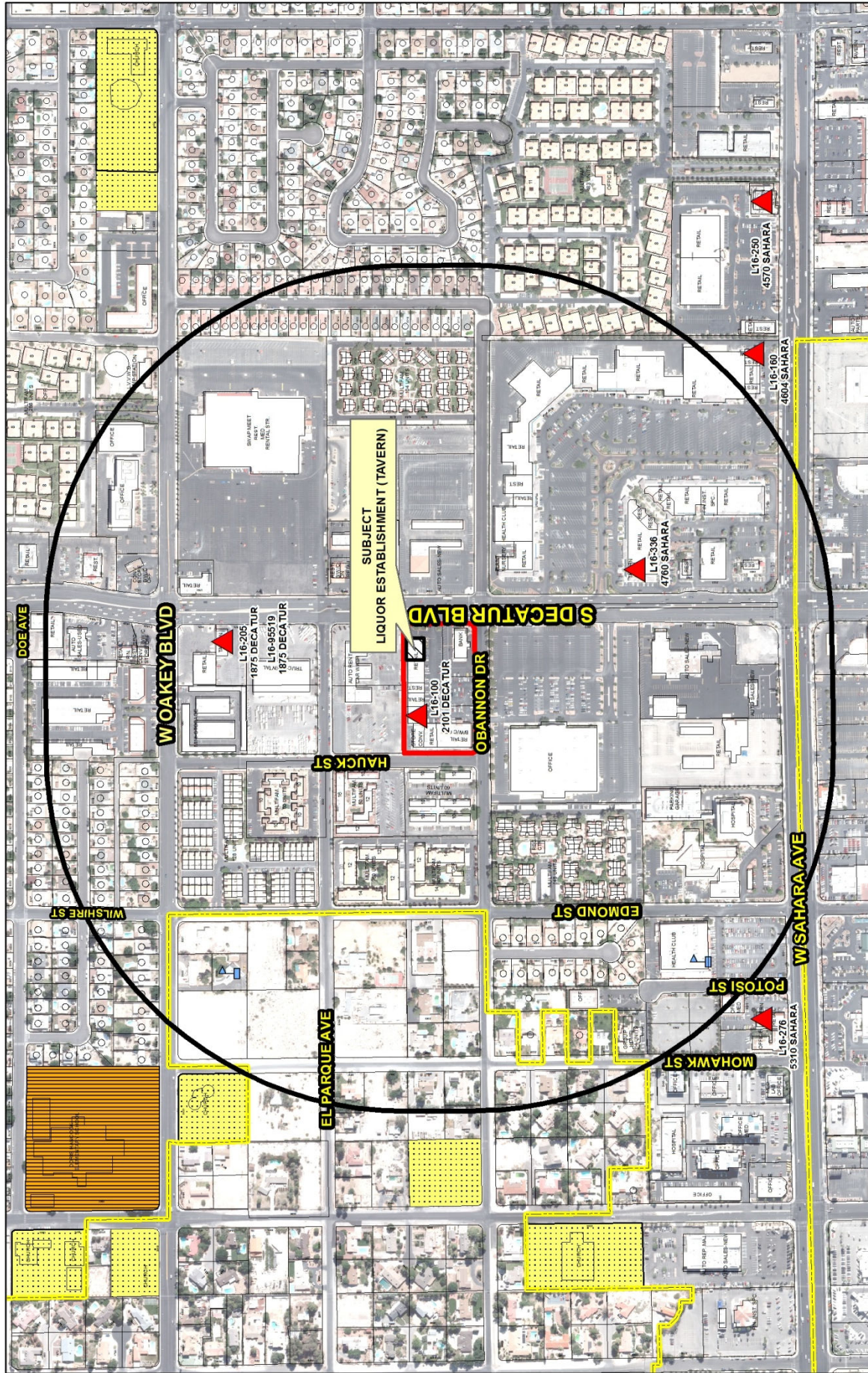
RADIUS: 1500 FEET

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



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





EOT-51961
Liquor
Establishment
(Tavern)

Business Licenses
 Tavern

Protected Uses
 RELIGIOUS
 CITY PARKS
 SCHOOLS
 Child Care/
 Children Facility

Subject Property
 1500 foot buffer



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

Date: Monday, December 09, 2013

*City of Las Vegas***AGENDA MEMO - PLANNING**

CITY COUNCIL MEETING DATE: JANUARY 8, 2014

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: TJP, A NEVADA LP - OWNER: TJ PLAZA, LLC,
ET AL**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
EOT-51961	Staff recommends APPROVAL, subject to conditions:	N/A

**** CONDITIONS ******EOT-51961 CONDITIONS****Planning**

1. This request for an Extension of Time for a nonconforming Liquor Establishment (Tavern) located at 2101 South Decatur Boulevard shall expire on February 06, 2015 unless another Extension of Time is approved by the City Council.

Staff Report Page One
January 8, 2014 - City Council Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of a nonconforming Liquor Establishment (Tavern) at 2101 South Decatur Boulevard. On November 18, 2012 business license L16-00170 was classified as out of business; as part of an agreement between Chapala Mexican Restaurant and the landlord, the business license was transferred to TJP, a Nevada Limited Partnership. On November 08, 2012 TJP, a Nevada Limited Partnership obtained a Conditional Non-Operational Tavern license (L16-00372). TJP, a Nevada Limited Partnership will not operate the tavern, but will hold the license as a lease incentive for transfer or sale to new tenant. On October 6, 2010, the City Council adopted Bill 2010-40, Ordinance 6114 that allowed the owner of property deemed abandoned for a period of time greater than the applicable abandonment period to request the abandonment period extended through an Extension of Time application. If approved, the Extension of Time request is not to exceed the duration of the applicable abandonment period, which is one year.

The applicant is requesting an extension of time due to the economic climate in Las Vegas, making it difficult to secure a new tenant for the subject site. The nonconforming Liquor Establishment (Tavern) does not meet the 1,500-foot separation distance measured from the property line of a Church/House of Worship and additional Liquor Establishment (Taverns). The Liquor Establishment (Tavern) is located within an established shopping center site designed to accommodate a variety of commercial uses, including other similar uses, and will not negatively impact the existing synagogue or taverns. As the request does not jeopardize public health, safety and welfare and falls within the intent of Bill 2010-40, staff is recommending approval with a one-year time limit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
04/04/79	The Board of County Commissioners approved a request for Rezoning (ZC-0029-79) under Resolution of Intent from R-E (Residential Estates) to C-2 (General Commercial) to construct and maintain a 50,000 square-foot Shopping Center on property generally located on the north side of O'Bannon Avenue and the west side of Decatur Boulevard. Subject to the approval of Annexation.
06/18/79	The Board of City Commissioners approved a request for Annexation (A-0005-79) of approximately 4 acres on property generally located on the north side of O'Bannon Avenue and the west side of Decatur Boulevard. The effective date was 07/30/79.

Staff Report Page Two
January 8, 2014 - City Council Meeting

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
11/22/89	The City Council approved a request for a Variance (V-0092-89) to allow an existing 859.34 square-foot On-Premise Sign, where 600 square feet is the maximum permitted 2101 South Decatur Boulevard.
03/28/95	The Board of Zoning Adjustment approved a request for a Variance (V-0020-95) to allow 169 parking spaces, where 287 spaces are required at 2101 South Decatur Boulevard.
	The Board of Zoning Adjustment approved a request for a Special Use Permit (U-0026-95) to allow package liquor in conjunction with a retail food store at 2101 South Decatur Boulevard.
08/07/02	The City Council approved a request for a Variance (V-0035-02) to allow 26 parking spaces, where 42 are required at 2101 South Decatur Boulevard.
03/05/03	The City Council approved the request for a Special Use Permit (U-0034-01) for a proposed 40-foot tall, 14-foot x 48-foot Off-Premise Sign at 2101 South Decatur Boulevard after rescinding the 09/19/01 denial by Council and rehearing this item. The Planning Commission voted to deny this request on 03/22/01.
12/17/08	The City Council approved a Required Review (RQR-29711) of an approved Special Use Permit (U-0034-01) for a 40-foot tall, 14-foot x 48-foot Off-Premise Sign at 2101 South Decatur Boulevard. The Planning Commission and staff recommended approval.
02/03/10	A code enforcement case (86164) was processed for signage blocking the sidewalk at 2101 South Decatur Boulevard. The case was resolved on 02/04/10.
03/13/12	The Planning Commission approved a request for a Special Use Permit (SUP-44435) for a Beer/Wine/Cooler Off-Sale Establishment within an existing 8,795 square-foot Grocery Store at 2101 South Decatur Boulevard, Suite #19.
	The Planning Commission approved an associated request for a Special Use Permit (SUP-44436) for a proposed 8,795 square-foot Restaurant with Service Bar at 2101 South Decatur Boulevard, Suite #19.
04/18/12	The City Council approved General Plan Amendment (GPA-43391) to establish the Redevelopment Area #2 and change future land use designation on various parcels within the Redevelopment Area #2 to C (Commercial) which includes the subject site.
02/06/13	The City Council approved a request for an Extension of Time (EOT-47809) for a nonconforming Liquor Establishment (Tavern) at 2101 South Decatur Boulevard.
12/18/13	The City Council will hear request for a Required Review (RQR-51547) of an approved Special Use Permit (U-0034-01) for a 40-foot tall, 14-foot x 48-foot Off-Premise Sign at 2101 South Decatur Boulevard.

Staff Report Page Three
January 8, 2014 - City Council Meeting

<i>Most Recent Change of Ownership</i>	
07/10/03	A deed was recorded for a change in ownership for (APN's 163-01-708-003 and 004).

<i>Related Building Permits/Business Licenses</i>	
c.1979	The Building at 2101 South Decatur Boulevard was constructed.
12/01/85	A business license (R09-00021) was issued for a restaurant at 2101 South Decatur Boulevard. The license was marked out of business on 01/24/12.
02/04/86	A business license (L16-00170) was issued for a Liquor Establishment (Tavern) at 2101 South Decatur Boulevard. The license was marked out of business on 11/18/12.
03/22/04	A building permit (04006376) was issued for the installation of a 40-foot tall, 14-foot x 48-foot Off-Premise Sign at 2101 South Decatur Boulevard. The permit was finalized on 04/06/04.
12/20/10	A business license (F50-00223) was issued for a Food Specialty Store at 2101 South Decatur Boulevard. The license was marked out of business on 04/24/12.
11/08/12	A business license (L16-00372) was issued for a Liquor Establishment (Tavern) (non-operational) and marked inactive. The license is currently inactive.
02/12/13	A business license enforcement case (124831) was processed for an unlicensed business at 2101 South Decatur Boulevard, Suite 20. The case was resolved on 02/20/13.

<i>Pre-Application Meeting</i>	
A pre-application meeting was not required, nor was one held.	

<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

<i>Field Check</i>	
12/04/13	Staff conducted a field check of the subject site and found a clean shopping center.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.06

JG

Staff Report Page Four
January 8, 2014 - City Council Meeting

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Shopping Center	C (Commercial)	C-2 (General Commercial)
North	Motor Vehicle Sales (Used)/Automobile Rental	C (Commercial)	C-2 (General Commercial)
South	Financial Institution, General	C (Commercial)	C-2 (General Commercial)
East	Motor Vehicle Sales (New)	C (Commercial)	C-2 (General Commercial)
West	Multi-Family Residential	M (Medium Density Residential)	R-4 (High Density Residential)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area		X	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area #2	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the second request for an Extension of Time for a nonconforming Liquor Establishment (Tavern) at 2101 South Decatur Boulevard. On November 18, 2012 business license (L16-00170) was classified as out of business; as part of an agreement between Chapala Mexican Restaurant and the landlord, the business license was transferred to TJP, a Nevada Limited Partnership. On November 08, 2012 TJP, a Nevada Limited Partnership obtained a Conditional Non-Operational Tavern license (L16-00372) to hold the license as a lease incentive for transfer or sale to new tenant. The Liquor Establishment (Tavern) is considered a non-conforming use within a C-1 (Limited Commercial) zoning district as the use pre-dates the requirement for a Special Use Permit. The non-conforming Liquor Establishment (Tavern) does not meet the 1,500-foot separation distance measured from the property line of a Church/House of Worship and additional Liquor Establishment (Taverns).

The nonconforming Liquor Establishment (Tavern) is located in a Shopping Center with a variety of commercial uses, including other similar uses, and will not negatively impact the existing Church/House of Worship or Liquor Establishment (Taverns).

Staff Report Page Five
January 8, 2014 - City Council Meeting

FINDINGS

The applicant is requesting an extension of time due to the economic climate in Las Vegas, making it difficult to secure a new tenant for the subject site. Bill 2010-40, Ordinance 6114 allows for an Extension of Time when the request is due to an economic hardship based on market conditions or other circumstances beyond the applicant's control. As the request does not jeopardize public health, safety and welfare and falls within the intent of Bill 2010-40, staff is recommending approval with a one-year time limit.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

26

NOTICES MAILED 413

APPROVALS 0

PROTESTS 0



DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

RECEIVED
NOV 14 2013

Case Number: **EOT-51961** APN: 163-01-708-004, 003

Name of Property Owner: TJ Plaza, LLC; DSWC, Inc.

Name of Applicant: TJP, a Nevada Limited Partnership

Name of Representative: Daniel Loera, Jr.

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

☒ Yes

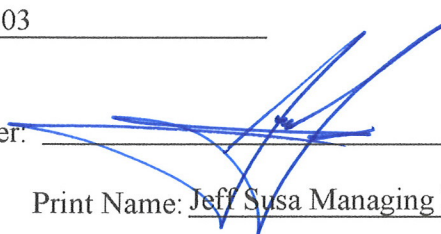
☐ No

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

City Official: Gus Flangas

Partner(s): Mark Simay Family Limited Partnership

APN: 191-08-701-003

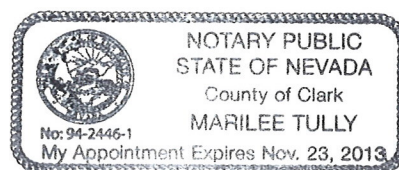
Signature of Property Owner: 

Print Name: Jeff Susa Managing Member: LJM, LLC

Subscribed and sworn before me

This 13 day of NOVEMBER, 20 13

Marilee Tully
Notary Public in and for said County and State





DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

RECEIVED
NOV 14 2013

Application/Petition For: Extension of Time

Project Address (Location) 2101 S. Decatur Blvd., Las Vegas NV 89102

Project Name Trader Joe's Plaza Proposed Use Tavern

Assessor's Parcel #(s) 163-01-708-004, 003 Ward # 1

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

Commercial Square Footage 5,400 Floor Area Ratio _____

Gross Acres 3.06 Lots/Units _____ Density _____

Additional Information _____

PROPERTY OWNER TJ Plaza LLC ; DSWC Inc. Contact Jeff Susa

Address 3275 S. Jones Blvd. Suite 105 Phone: 363-4788 Fax: 363-3316

City Las Vegas State NV Zip 89146

E-mail Address ezme@cox.net

APPLICANT TJP, A Nevada Limited Partnership Contact Jeff Susa

Address 3275 S. Jones Blvd. Suite 105 Phone: 363-4788 Fax: 363-3316

City Las Vegas State NV Zip 89146

E-mail Address ezme@cox.net

REPRESENTATIVE Daniel Loera, Jr. Contact Daniel Loera, Jr.

Address 3275 S. Jones Blvd. Suite 105 Phone: 363-4788 Fax: 363-3316

City Las Vegas State NV Zip 89146

E-mail Address ezdl@hotmail.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.

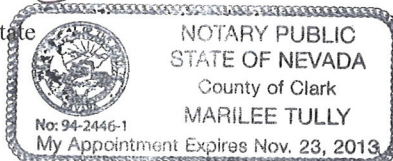
Print Name JEFF SUSA, MANAGING MEMBER, LJM, LLC

Subscribed and sworn before me

This 13 day of NOVEMBER, 20 13

Marilee Tully

Notary Public in and for said County and State



Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case # EOT-5196

Meeting Date: 01/08/14

Total Fee: 800.00

Date Received: 11/14/13

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

RECEIVED
NOV 14 2013

They are found in nearly all parts of the world, but are especially common in the tropics. They are found in all parts of the world, but are especially common in the tropics.

Date: December 11, 2012

Project No: 10000000000000000000

Order Ref: 001

Check Ref: 001

Project:
TJP Restaurant and Tavern
2101 South Dinevar
Las Vegas, Nevada 89102

AS1.01



EOT-51961

RECEIVED
NOV 14 2013



EOT-51961 - APPLICANT: TJP, A NEVADA LP - OWNER: TJ PLAZA, LLC, ET AL
2101 SOUTH DECATUR BOULEVARD

12/04/13



EOT-51961 - APPLICANT: TJP, A NEVADA LP - OWNER: TJ PLAZA, LLC, ET AL
2101 SOUTH DECATUR BOULEVARD

12/04/13

11/13/2013

City of Las Vegas
Dept. of Planning
333 N. Rancho Drive
Las Vegas, NV 89106

Re: Tavern @ 2101 S. Decatur Blvd. - Letter of Justification

To Whom It May Concern:

This letter shall serve as written request for approval of an Extension of Time for an approved Non-Conforming Use for an existing 5,400 square foot (+-) Tavern located in the Trader Joe's Plaza, at the northwest corner of Decatur Blvd. and O'Bannon Drive, APN# 163-01-708-003,004.

This Restaurant/Tavern is the former Chapalas Mexican Food facility, originally opened in 1986, and closed in January of 2012. As part of an agreement at the time of closure between Chapalas and landlord TJP, a Nevada Limited Partnership, the Chapalas liquor license was transferred to TJP. TJP obtained a Conditional Non-Operational Tavern License from The City of Las Vegas Business License on November 8, 2012. Under this license, TJP will not operate any Tavern, but will hold the license as lease incentive for future transfer or sale to potential new Tavern operators/tenants.

In the interest of the above-mentioned process, this Extension of Time is requested in order to allow TJP time to acquire a new Tavern operator/tenant. Due to the current recession, the leasing market is generally down, but it is the intent of TJP that this additional time allowance will provide needed time to locate a new long-term operator for the Tavern.

Subject property is a portion of the larger commercial center Trader Joe's Plaza. Landlord TJP is a strong proponent of the redevelopment of the City's historic Decatur corridor, and completed a million-dollar renovation of the center in 2011. The center's design is consistent with the objectives of the parcel's C-2 zoning and the 2012 Area 2 Redevelopment Plan. The continued use / Extension of Time will have no measurable negative impact on adjacent properties.

If you have any questions, require additional information or clarification, please contact our office at (702) 363-4788.

Thank you,



Daniel Loera, Jr.
Agent on behalf of:
TJP, a Nevada Limited Partnership

EOT-51961

RECEIVED
NOV 14 2013



RECEIVED
NOV 14 2013

February 7, 2013

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

Mr. Jeff Susa
TJ Plaza LLC; DSWC Inc.
3275 South Jones Blvd., Suite 105
Las Vegas, Nevada 89146

RE: EOT-47809 – EXTENSION OF TIME
CITY COUNCIL MEETING OF FEBRUARY 6, 2013

Dear Mr. Susa:

The City Council at a regular meeting held February 6, 2013, APPROVED the request for an Extension of Time FOR A NONCONFORMING TAVERN at 2101 South Decatur Boulevard (APN 163-01-708-003 and 004), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on February 7, 2013.

Planning

1. This request for an Extension of Time for a nonconforming Liquor Establishment (Tavern) located at 2101 South Decatur Boulevard shall expire on February 06, 2014 unless another Extension of Time is approved by the City Council.

Sincerely,


Gabriela Portillo-Brenner
Deputy City Clerk for
Beverly K. Bridges, MMC, City Clerk

cc: Mr. Jeff Susa
TJP, a Nevada Limited Partnership
3275 South Jones Blvd., Suite 105
Las Vegas, Nevada 89146

Mr. Daniel Loera, Jr.
3275 South Jones Blvd., Suite 105
Las Vegas, Nevada 89146

CITY OF LAS VEGAS
495 S. MAIN STREET
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

EOT-51961



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☐ Consent ☒ Discussion

SUBJECT:

EOT-51985 - NON-CONFORMING USE - EXTENSION OF TIME - PUBLIC HEARING -
APPLICANT: MARMAT, LLC - OWNER: VFC PROPERTIES 23, LLC - For possible action
on a request for an Extension of Time OF A NON-CONFORMING TAVERN at 1750 South
Rainbow Boulevard, Suites 6, 7, and 8 (APN 163-02-212-001), C-1 (Limited Commercial) Zone,
Ward 1 (Tarkanian). Staff recommends APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

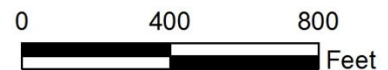
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RECOMMENDATION:

Staff recommends APPROVAL.

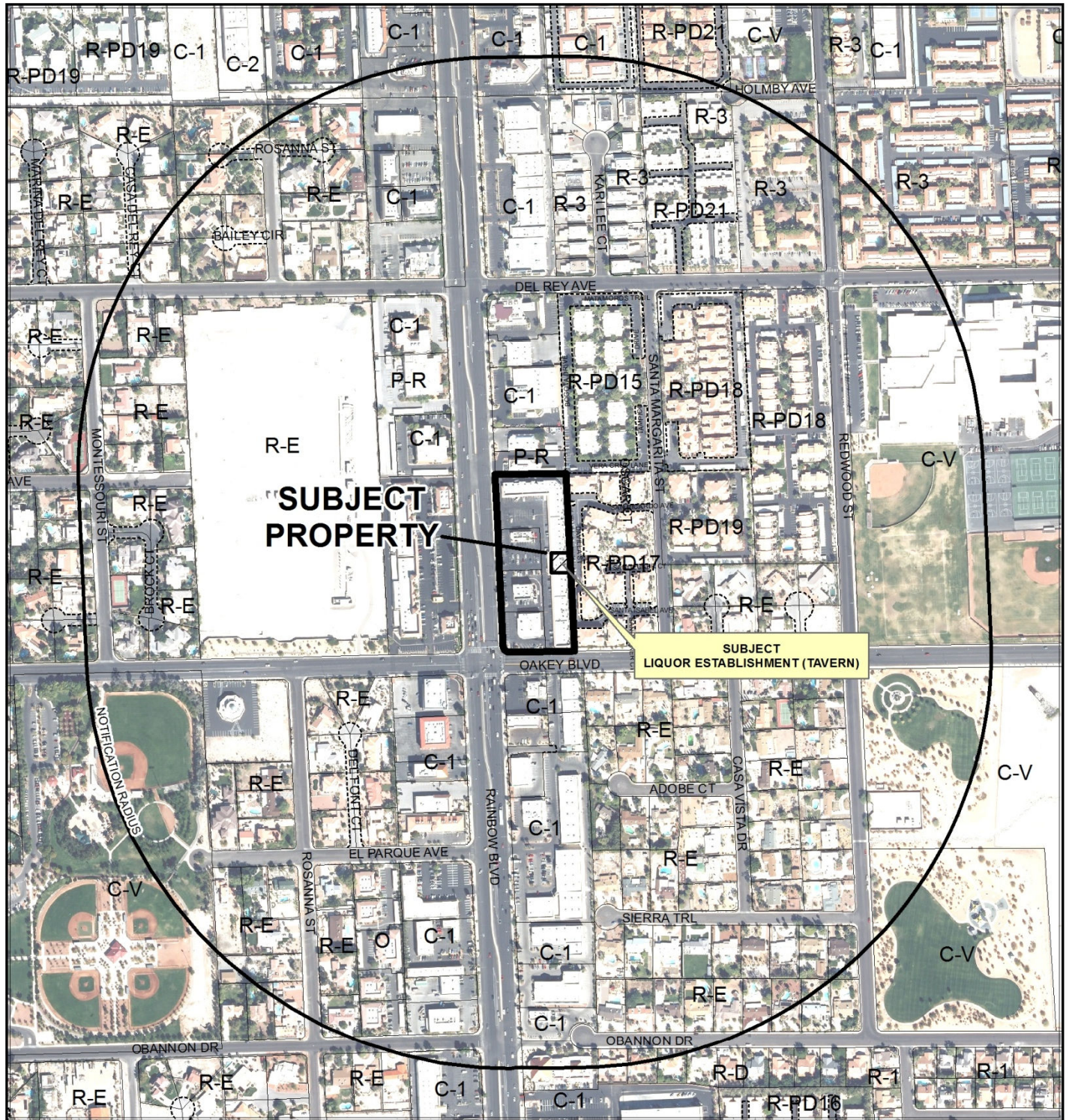
BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. City Council Action Letter for EOT-46721



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

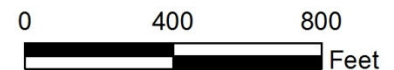


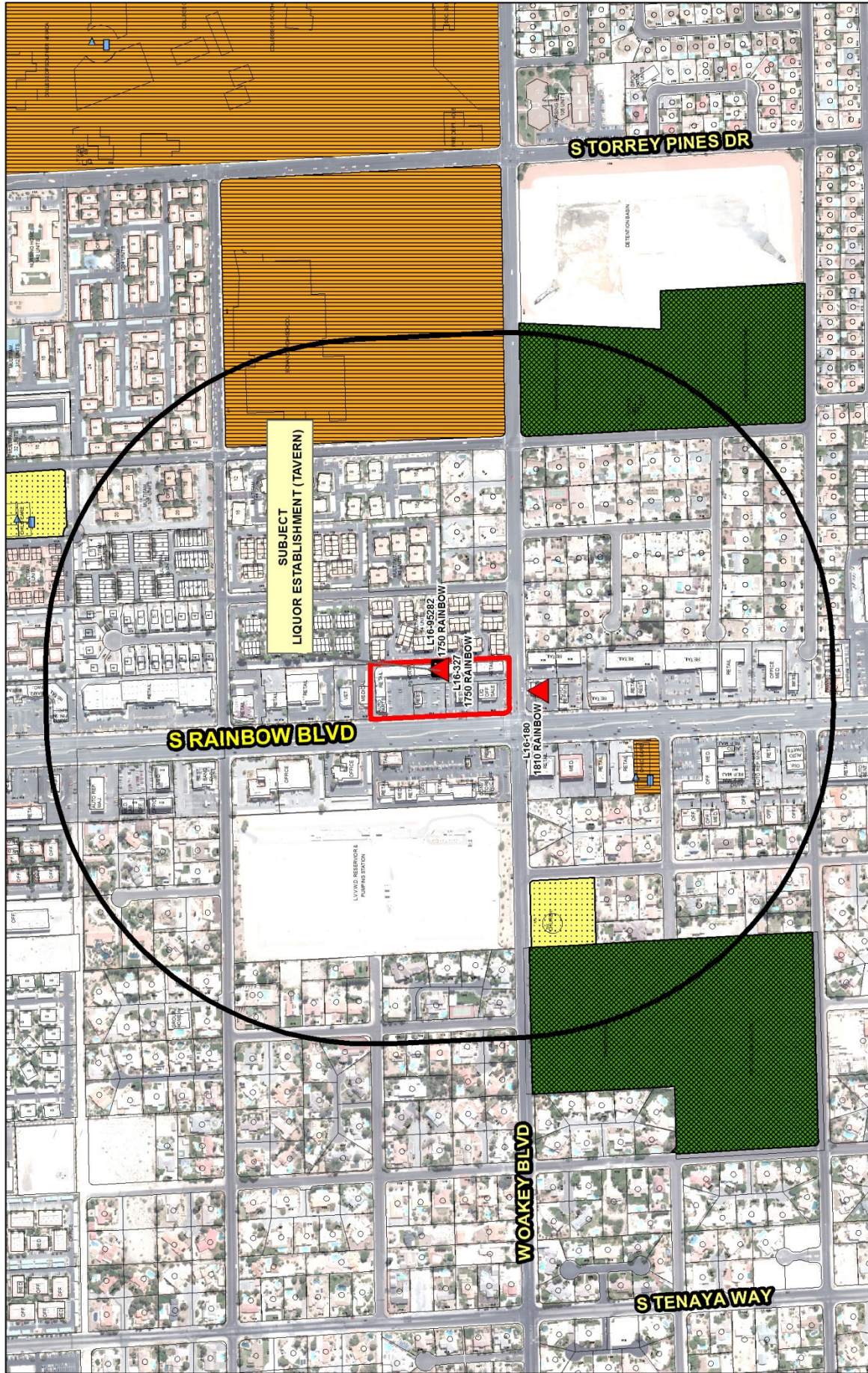


CASE: EOT-51985

RADIUS: 1500 FEET

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





EOT-51985
Liquor Establishment (Tavern)

Business Licenses
 Tavern

Protected Uses
 RELIGIOUS
 CITY PARKS
 SCHOOLS
 Child Care/Children Facility



 Subject Property
 1500 foot buffer



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

Date: Monday, December 09, 2013

*City of Las Vegas***AGENDA MEMO - PLANNING**

CITY COUNCIL MEETING DATE: JANUARY 8, 2014

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: MARMAT, LLC - OWNER: VFC PROPERTIES
23, LLC

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
EOT-51985	Staff recommends APPROVAL, subject to conditions:	N/A

**** CONDITIONS ****

EOT-51985 CONDITIONS

Planning

1. This request for an Extension of Time for a nonconforming Liquor Establishment (Tavern) located at 1750 South Rainbow Boulevard, Suites 6-8 shall expire on December 10, 2014 unless another Extension of Time is approved by the City Council.

Staff Report Page One
January 8, 2014 - City Council Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of a nonconforming Liquor Establishment (Tavern) at 1750 South Rainbow Boulevard, Suites 6-8. The subject Liquor Establishment (Tavern) business license (L16-00182) was marked out of business on December 10, 2010 and no subsequent licenses applied for on the site. The former Liquor Establishment (Tavern) is located within the 1,500 foot minimum distance separation from a religious facility, child care facility, and City park to the southwest, a Liquor Establishment (Tavern) to the south, a City park to the southeast and a school to the east. Current use requirements do not permit any waivers to the distance separation, thus making the Liquor Establishment (Tavern) as a nonconforming use.

On October 6, 2010, the City Council adopted Bill 2010-40, Ordinance 6114 that allows the owner of property deemed abandoned for a period of time greater than the applicable abandonment period to request the abandonment period extended through an Extension of Time application. If approved, the Extension of Time request is not to exceed the duration of the applicable abandonment period, which is one year.

The applicant is requesting an Extension of Time to complete the rehabilitation of the facility prior to opening.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
02/05/86	The City Council approved an Annexation (A-0009-85) on property generally located south of West Charleston Boulevard and between Torrey Pines Drive and Fort Apache Drive. The effective date was 03/28/86.
08/17/11	The City Council approved an Extension of Time (EOT-42368) for a nonconforming Liquor Establishment (Tavern) at 1750 South Rainbow Boulevard, Suites 6-8.
10/17/12	The City Council approved an Extension of Time (EOT-46721) for a nonconforming Liquor Establishment (Tavern) at 1750 South Rainbow Boulevard, Suites 6-8.

<i>Most Recent Change of Ownership</i>	
05/16/13	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
c.1985	The Shopping Center at 1750 South Rainbow Boulevard was constructed.

Staff Report Page Two
January 8, 2014 - City Council Meeting

<i>Related Building Permits/Business Licenses</i>	
03/25/86	A business license (L16-00182) was issued for a Liquor Establishment (Tavern) at 1750 South Rainbow Boulevard, Suites 6-8. The license is marked out of business 12/10/10.
04/11/01	A building permit #01006320 was issued for a Tenant Improvement remodel for a Certificate of Occupancy at 1750 South Rainbow Boulevard, Suites 6-8. The permit was finalized on 07/05/01.
11/06/03	A business license (C05-02291) was issued for Tobacco Sales at 1750 South Rainbow Boulevard, Suites 6-8. The license is marked out of business 08/04/09
11/06/03	A business license (C08-01668) was issued for Coin Amusement Machines at 1750 South Rainbow Boulevard, Suites 6-8. The license is marked out of business 08/04/09.
	A business license (C20-02146) was issued for Convention Hall Gaming Tax at 1750 South Rainbow Boulevard, Suites 6-8. The license is marked out of business 08/04/09.
	A business license (G01-02148) was issued for Restricted Gaming at 1750 South Rainbow Boulevard, Suites 6-8. The license is marked out of business 08/04/09.
02/19/09	A business license (M06-03044) was issued for Miscellaneous Sales at 1750 South Rainbow Boulevard, Suites 6-8. The license is marked out of business 08/04/09.
05/01/13	A business license application (C05-95284) was filed for Tobacco Sales at 1750 South Rainbow Boulevard, Suite 8. The application has not been approved.
	A business license application (C08-95283) was filed for Coin Amusement Machines at 1750 South Rainbow Boulevard, Suite 8. The application has not been approved.
	A business license application (C20-95288) was filed for Convention Hall Gaming Tax at 1750 South Rainbow Boulevard, Suite 8. The application has not been approved.
	A business license application (G01-95287) was filed for Restricted Gaming at 1750 South Rainbow Boulevard, Suite 8. The application has not been approved.
	A business license application (G50-95285) was filed for General Retail Sales at 1750 South Rainbow Boulevard, Suite 8. The application has not been approved.
	A business license application (L16-95282) was filed for Liquor Establishment (Tavern) at 1750 South Rainbow Boulevard, Suite 8. The application has not been approved.

<i>Pre-Application Meeting</i>
A pre-application meeting was not required, nor was one held.

Staff Report Page Three
January 8, 2014 - City Council Meeting

<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	
<i>Field Check</i>	
12/04/13	Staff conducted a field check of the subject site and found the area surrounding the business neat and clean in appearance with no discrepancies noted.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.20

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Office, Medical	SC (Service Commercial)	P-R (Professional Office and Parking)
South	Liquor Establishment (Tavern)/General Personal Service/General Retail Store, Other than Listed	SC (Service Commercial)	C-1 (Limited Commercial)
East	Multi-Family Residential	M (Medium Density Residential)	R-PD17 (Residential Planned Development- 17 Units per Acre)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

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

Staff Report Page Four
January 8, 2014 - City Council Meeting

ANALYSIS

This is a third request for an Extension of Time of a nonconforming use for a former Liquor Establishment (Tavern) located at 1750 South Rainbow Boulevard, Suites 6-8. The subject Liquor Establishment (Tavern) business license (L16-00182) was marked out of business on December 10, 2010 with no subsequent licenses applied for on the subject site. The applicant has applied for the proper business licenses and is preparing to renovate the subject suite. The use is nonconforming as it established at the subject property prior to amendment of Title 19 establishing a distance separation from similar uses, a religious facility, child care facility, City park and school. Current use requirements do not permit any waivers to the distance separation, thus making the Liquor Establishment (Tavern) a nonconforming use.

On October 6, 2010, the City Council adopted Bill 2010-40, Ordinance 6114 that allowed the owner of property deemed abandoned for a period of time greater than the applicable abandonment period to request the abandonment period extended through an Extension of Time application. In accordance with Bill 2010-40, Ordinance 6114, a public hearing is required so as to notify neighboring homeowners and registered associations the opportunity for comment.

FINDINGS

The applicant is requesting an Extension of Time of the nonconforming Liquor Establishment (Tavern) to complete the rehabilitation of the facility prior to opening. There are no open Code Enforcement cases for the property. The applicant has demonstrated that the nonconforming use will not impact public safety, health and welfare, as indicated by satisfactory Code Enforcement and Metro reports. Bill 2010-40, Ordinance 6114 allows for an Extension of Time when the request is due to an economic hardship based on market conditions or other circumstances beyond the applicant's control. Staff is recommends approval of this request with a one-year time limit.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

20

NOTICES MAILED 622

APPROVALS 0

PROTESTS 0



RECEIVED

NOV 19 2013

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-51985** APN: 163-02-212-001Name of Property Owner: VFC PROPERTIES 23 LLCName of Applicant: MARMAT LLCName of Representative: MATTHEW KAUFMAN

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?

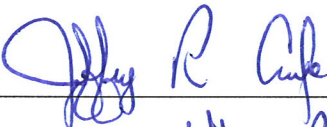
☐ Yes☒ No

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.

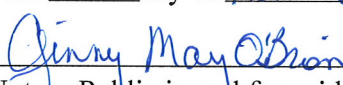
City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: Print Name: Jeffrey R. Cooper

Subscribed and sworn before me

This 12 day of November, 2013
Notary Public in and for said County and State
McLennan County, Texas



DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: MARMAT LLC

Project Address (Location) 1750 S RAINBOW BLVD STE 8, LAS VEGAS NV 89146

Project Name HOOLIGANS

Proposed Use TAVERN

Assessor's Parcel #(s) 163-02-212-001

Ward # 1

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

Commercial Square Footage 95920.304265 Floor Area Ratio 3,441SQ FT / 3.59%

Gross Acres _____ Lots/Units _____ Density _____

Additional Information _____

RECEIVED
NOV 19 2013

PROPERTY OWNER VFC PROPERTIES 23 LLC

Contact ANTHONY LOMELO

Address 6400 IMPERIAL DRIVE

Phone: (702) 499-7312 Fax: (702) 736-7671

City WACO

State TX Zip 76712

E-mail Address _____

APPLICANT MARMAT LLC

Contact MATTHEW KAUFMAN

Address 817 S MAIN ST #100B

Phone: _____ NV Fax: (866) 807-7145

City LAS VEGAS

State NV Zip 89101

E-mail Address 1MATT.KAUFMAN@GMAIL.COM

REPRESENTATIVE MATTHEW KAUFMAN

Contact SELF

Address 4496 PALM GROVE DRIVE

Phone: (702) 423-0933 Fax: (866) 807-7145

City LAS VEGAS

State NV Zip 89120

E-mail Address 1MATT.KAUFMAN@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]

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

Print Name Jeffrey R. Cape

Subscribed and sworn before me

This 12 day of November, 2013

Ginny May O'Brien

Notary Public in and for said County and State

McLennan County, Texas



FOR DEPARTMENT USE ONLY

Case # EOT-51985

Meeting Date: 01/08/14

Total Fee: 1050.00

Date Received: 11/19/13

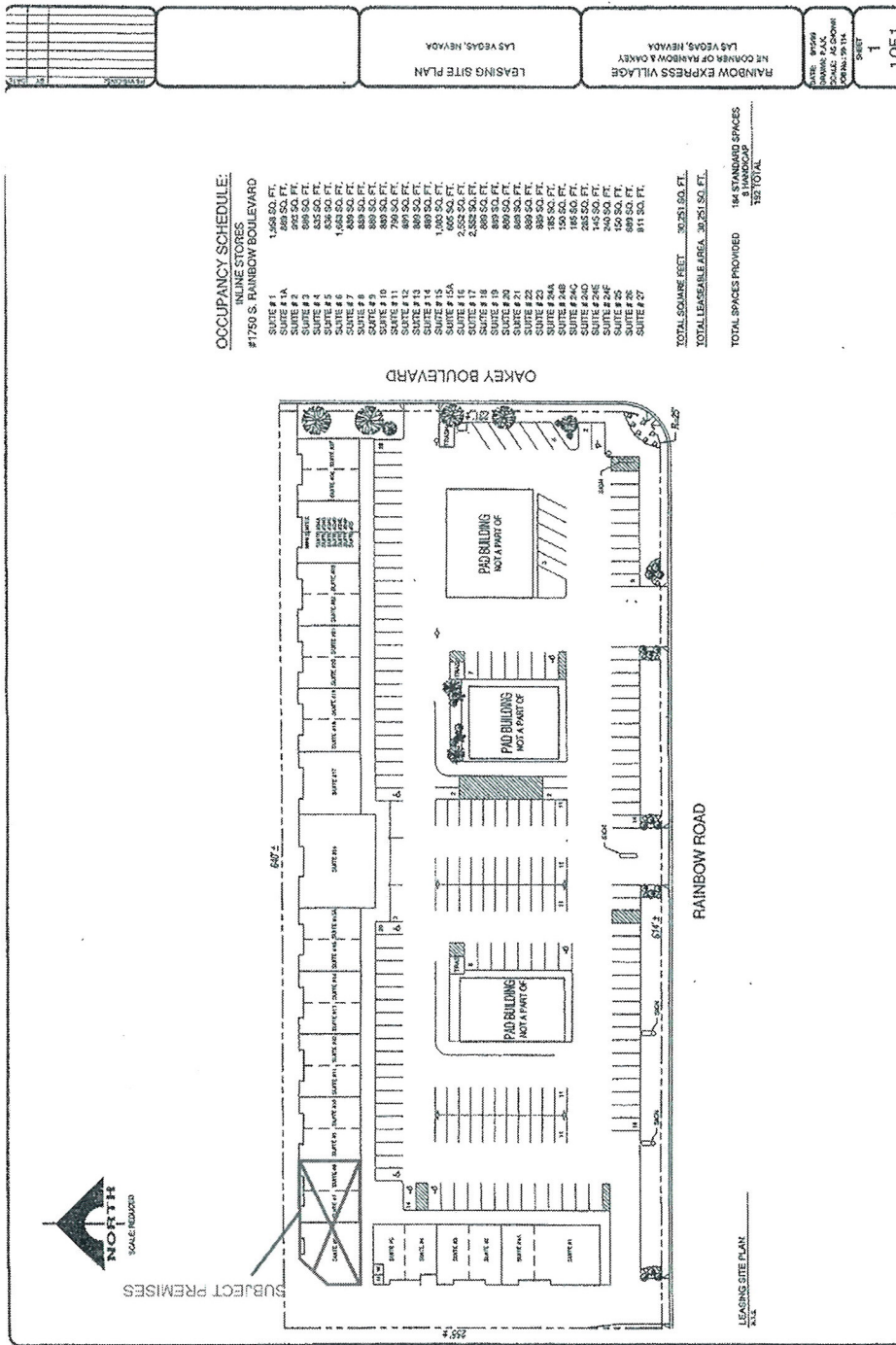
Received By: [Signature]

*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.

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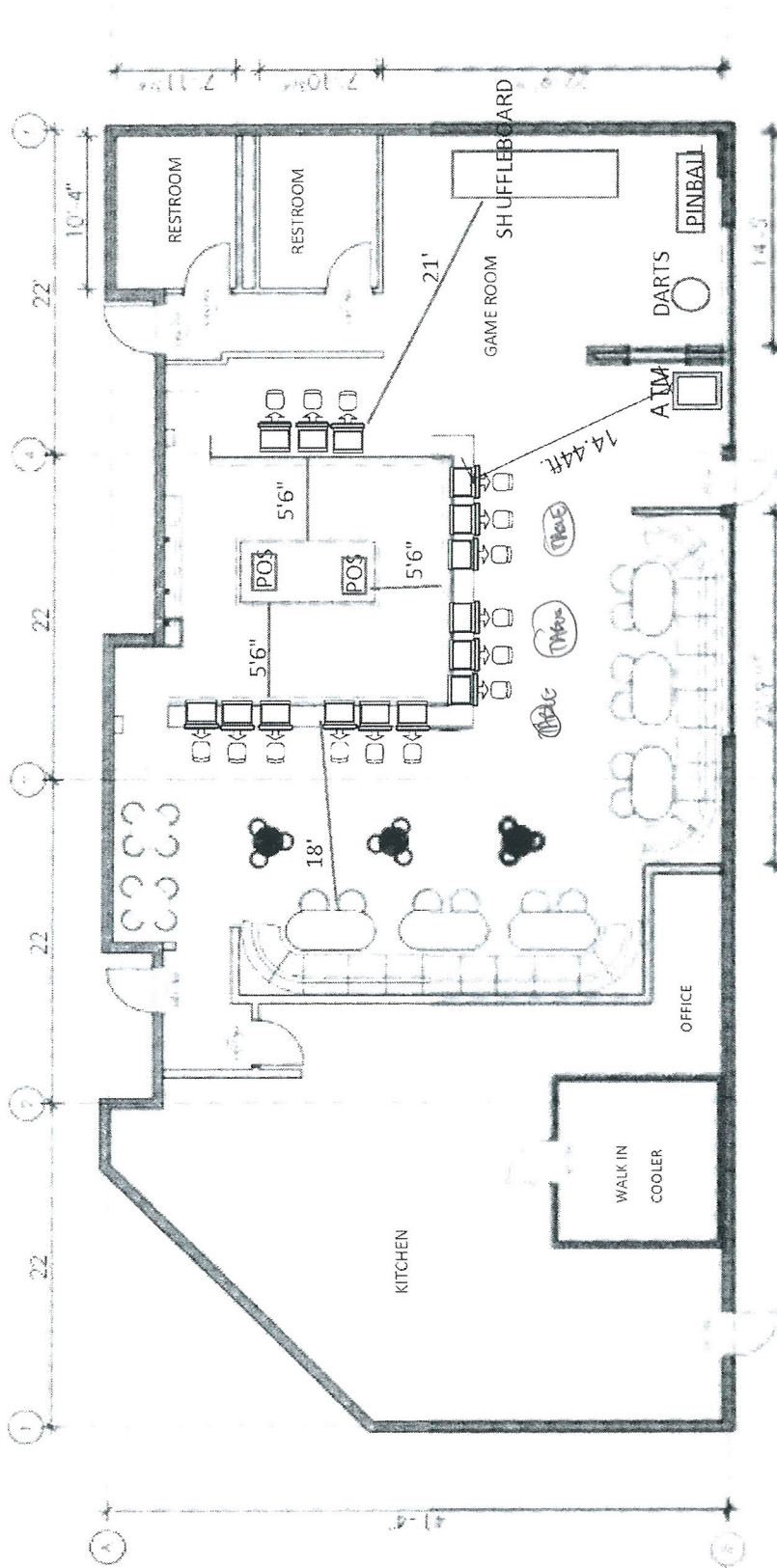
NOV 19 2013

SITE PLAN



EOT-51985

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NOV 19 2013



EOT-51985

Hooligans Tavern
1750 S. Rainbow Blvd # 8
Las Vegas, Nevada 89146

TOTAL AREA = 3,441 SQ. FT.
TOTAL RETAIL AREA = 2,541 SQ. FT.
TOTAL GAMING AREA = 150 SQ. FT.
15 TOTAL BAR SEATS

SCALE: 1/8" = 1'

DATE PREPARED: 3/15/13

TOTAL AREA = 3600 SQ. FT.

NOV 19 2013

MEMO

FOR JOSE MANUEL

DINING SEATS - 90
BAR SEATS - 15
TOTAL GAMING SEATS - 105

SPED: 11/21/13 - OPEN KITCHEN - CANNIBALS - MEETING



**EOT-51985 - APPLICANT: MARMAT, LLC - OWNER: VFC PROPERTIES 23, LLC
1750 SOUTH RAINBOW BOULEVARD, SUITES 6, 7, AND 8**

12/04/13

MARMAT LLC
4496 PALM GROVE DRIVE
LAS VEGAS NV 89120

RECEIVED
NOV 19 2013

LETTER OF JUSTIFICATION FOR REQUEST FOR
EXTENSION OF TIME FOR NON-CONFORMING USE PERMIT

I, Matthew H. Kaufman, as managing member of MARMAT LLC, am the lessee of the property at 1750 S Rainbow Boulevard, Suite 8, Las Vegas NV 89146. This property previously housed a tavern, and was previously approved for an Extension of Time for Non-Conforming Use Permit, case number EOT-46721, attached. The current EOT expires 12/10/2013.

MARMAT LLC leased the property as of January 1, 2013, with the intention of opening a tavern. We are requesting an Extension of Time to complete the rehabilitation of the facility prior to opening our business, Hooligans. We have experienced construction delays and will require additional time to finish work on the facility and to get the required signoffs from the Health and Fire departments.

This business will employ up to 12 individuals, and will operate 24 hours per day, 7 days per week. Applications for a City of Las Vegas liquor license and a Nevada restricted Gaming license have been filed. Neither MARMAT LLC nor I, Matthew Kaufman, currently open or operate any other similar businesses in this area.

We respectfully request that the City Council will find in favor of this request for an Extension of Time for Non-Conforming Use to allow MARMAT LLC to properly prepare our business to be a successful part of this community.

Sincerely,



Matthew H. Kaufman
Managing Member
MARMAT LLC

EOT-51985



October 22, 2012

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

Ms. Phyllis Hanley
Lotus Retail Investments, LLC
1820 East Warm Springs Road, Suite #120
Las Vegas, Nevada 89119

RE: EOT-46721 – NON-CONFORMING USE
CITY COUNCIL MEETING OF OCTOBER 17, 2012

Dear Ms. Hanley:

The City Council at a regular meeting held October 17, 2012, APPROVED the request for an Extension of Time FOR A NON-CONFORMING TAVERN at 1750 South Rainbow Boulevard, Suites 6, 7, and 8 (APN 163-02-212-001), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on October 18, 2012. This approval is subject to:

Planning

1. This request for an Extension of Time for a non-conforming Tavern at 1750 South Rainbow Boulevard, Suites 6-8 shall expire on December 10, 2013 unless another Extension of Time is approved by the City Council.

Sincerely,

A handwritten signature in cursive script, reading "Angela Crolli".

Angela Crolli
Deputy City Clerk for
Beverly K. Bridges, MMC, City Clerk

cc: Mr. Anthony Lomeo
Cambridge Group, Limited
1820 East Warm Springs Road, Suite #120
Las Vegas, Nevada 89119

CITY OF LAS VEGAS
495 S. MAIN STREET
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

EOT-51985



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☐ Consent ☒ Discussion

SUBJECT:

EOT-52274 - NON-CONFORMING USE - EXTENSION OF TIME - PUBLIC HEARING -
APPLICANT: FIFTH STREET GAMING, LLC - OWNER: 899 FREMONT, LLC - For
possible action on a request for an Extension of Time FOR A NON-CONFORMING GAMING
ESTABLISHMENT NON-RESTRICTED at 899 Fremont Street (APN 139-34-612-056 and
027) C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

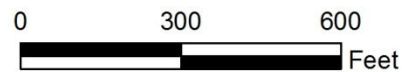
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RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. City Council Action Letter for EOT-51700

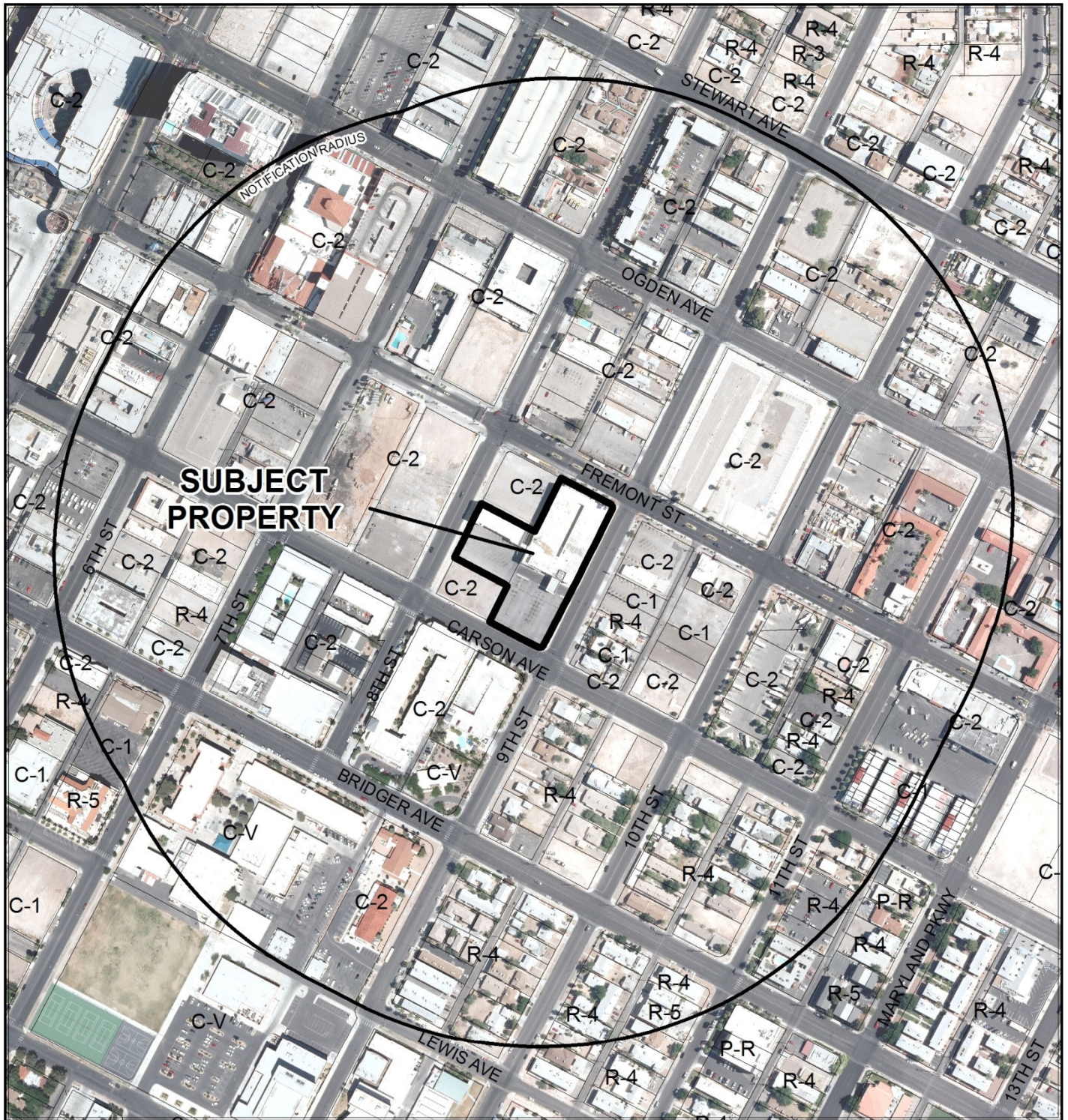


CASE: EOT-52274

RADIUS: 1000 FEET

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





CASE: EOT-52274

RADIUS: 1000 FEET

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



*City of Las Vegas***AGENDA MEMO - PLANNING**

CITY COUNCIL MEETING DATE: JANUARY 8, 2014

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: FIFTH STREET GAMING, LLC - OWNER: 899
FREMONT, LLC

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
EOT-52274	Staff recommends APPROVAL, subject to conditions:	N/A

**** CONDITIONS ****

EOT-52274 CONDITIONS

Planning

1. This request for an Extension of Time for a nonconforming Gaming Establishment, Non-restricted located at 899 Fremont Street shall expire on January 08, 2015 unless another Extension of Time is approved by the City Council.

Staff Report Page One
January 8, 2014 - City Council Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of a nonconforming Gaming Establishment, Non-restricted at 899 Fremont Street. On January 03, 2013 business license G08-00100 for a Gaming Establishment, Non-restricted was classified as inactive with no subsequent licenses applied for at the subject site. On October 6, 2010, the City Council adopted Bill 2010-40, Ordinance 6114 that allowed the owner of property deemed abandoned for a period of time greater than the applicable abandonment period to request the abandonment period extended through an Extension of Time application. If approved, the Extension of Time request is not to exceed the duration of the applicable abandonment period, which is one year.

The applicant is requesting an extension of time due to the economic climate in Las Vegas, making it difficult to secure a new tenant for the subject site. The Gaming Establishment, Non-restricted is located on Fremont Street, which accommodates a variety of commercial uses, including other similar uses, and will not negatively impact the existing synagogues, schools or gaming establishments. As the request does not jeopardize public health, safety and welfare and falls within the intent of Bill 2010-40, staff is recommending approval with a one-year time limit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
06/27/62	The Board of City Commissioners approved a request for Rezoning (Z-0056-62) from R-4 (Apartment Residence) to C-2 (General Commercial) on property generally located on the west side of Ninth Street Between Carson Avenue and Fremont Street.
12/16/64	The Board of City Commissioners approved a request for Rezoning (Z-0100-64) under Resolution of Intent from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) to C-2 (General Commercial) for approximately 230 Acres generally located on property bounded by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard on the south.
07/16/69	The Board of City Commissioners approved a request for Rezoning (Z-0046-69) from R-4 (Apartment Residence) to C-2 (General Commercial) on property generally located on the northwest corner of Carson Avenue and Ninth Street.

Staff Report Page Two
January 8, 2014 - City Council Meeting

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
06/13/96	The Planning Commission approved a request for an Aesthetic Review (AR-0007-96) for a 7,502 square-foot addition to the Western Hotel and Casino at 899 Fremont Street.
07/03/96	The City Council approved a request to Vacate (VAC-0025-96) a 20-foot wide north/south alley located within the block occupied by the hotel/casino.
04/17/13	The City Council approved a request for an Extension of Time (EOT-47829) for a nonconforming Liquor Establishment (Tavern) at 899 Fremont Street.
12/04/13	The City Council approved a request for an Extension of Time (EOT-51700) for a nonconforming Liquor Establishment (Tavern) at 899 Fremont Street.

<i>Most Recent Change of Ownership</i>	
03/14/13	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
c.1970	The building at 899 Fremont Street was constructed.
12/01/87	A business license (R09-00079) was issued for a restaurant at 899 Fremont Street. The license was marked out of business on 02/02/12.
12/21/87	A business license (F50-00007) was issued for a food wholesale at 899 Fremont Street. The license was marked out of business on 02/17/10.
07/06/93	A business license (L16-00049) was issued for a tavern 899 Fremont Street. The license was marked inactive on 02/02/12.
12/23/97	A building permit (97025237) was issued for a Certificate of Occupancy for a 4,916 square-foot addition at 899 Fremont Street. The permit was finalized on 10/05/98.
	A building permit (97025238) was issued for on-site improvements at 899 Fremont Street. The permit was finalized on 12/03/98.
08/03/99	A business license (C05-00763) was issued for a Tobacco Dealer at 899 Fremont Street. The license was marked out of business on 02/02/12.
04/01/04	A business license (C30-01004) was issued for Convention Hall Gaming Tax at 899 Fremont Street. The license was marked out of business on 05/30/12.
	A business license (G08-00059) was issued for Non-Restricted Gaming at 899 Fremont Street. The license was marked out of business on 02/02/12.
05/06/09	A business license (W10-00295) was issued for a Wire Service at 899 Fremont Street. The license was marked out of business on 02/02/12.
11/30/09	A business license (C08-01915) was issued for a Juke Box at 899 Fremont Street. The license was marked out of business on 02/02/12.
06/28/12	A business license (G08-00096) was issued for a Non-Restricted Gaming two day opening at 899 Fremont Street. The license was marked out of business on 07/02/12.
	A business license (C30-01041) was issued for Convention Hall Gaming Tax at 899 Fremont Street. The license was marked out of business on 07/02/12.

Staff Report Page Three
January 8, 2014 - City Council Meeting

<i>Related Building Permits/Business Licenses</i>	
12/27/12	A business license (G08-00100) was issued was issued for a Non-Restricted Gaming two day opening at 899 Fremont Street. The license was marked out of business on 01/03/13.
09/12/13	A building permit (242997) was issued for the demolition of a three-story motel at 115 South 8 th Street. The permit has not been finalized.

<i>Pre-Application Meeting</i>
A pre-application meeting was not required, nor was one held.

<i>Neighborhood Meeting</i>
A neighborhood meeting was not required, nor was one held.

<i>Field Check</i>	
11/12/13	Staff conducted a field check of the subject site and noted a Vacant Hotel/Casino, in the process of demolition with construction fencing around the perimeter of the property.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.87

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Vacant Hotel/Casino	C (Commercial)	C-2 (General Commercial)
North	Parking Lot	C (Commercial)	C-2 (General Commercial)
South	Parking Garage	MXU (Mixed Use)	C-2 (General Commercial)
East	Retail, Parking and Duplexes	C (Commercial)	C-2 (General Commercial), C-1 (Limited Commercial) and R-4 (High Density Residential)
West	Parking Lot	C (Commercial)	C-2 (General Commercial)

Staff Report Page Four
January 8, 2014 - City Council Meeting

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

ANALYSIS

As of January 03, 2013 business license G08-00100 for a Gaming Establishment, Non-restricted was classified as inactive with no subsequent licenses applied for at the subject site. The Gaming Establishment, Non-restricted is considered a non-conforming use as it is not located in a Gaming Overlay District. The Gaming Establishment, Non-restricted use is located on Fremont Street, which accommodates a variety of commercial uses, including other similar uses, and will not negatively impact the existing synagogues, schools or gaming establishments.

FINDINGS

The applicant is requesting an extension of time due to the economic climate in Las Vegas, making it difficult to secure a new tenant for the subject site. Bill 2010-40, Ordinance 6114 allows for an Extension of Time when the request is due to an economic hardship based on market conditions or other circumstances beyond the applicant's control. As the request does not jeopardize public health, safety and welfare and falls within the intent of Bill 2010-40, staff is recommending approval with a one-year time limit.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

34

NOTICES MAILED

328

Staff Report Page Five
January 8, 2014 - City Council Meeting

APPROVALS 0

PROTESTS 0



DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

EOT-52274

RECEIVED
OCT 21 2013

Case Number: **EOT-51700** APN: 139-346-12-056

Name of Property Owner: 899 Fremont, LLC

Name of Applicant: Fifth Street Gaming, LLC

Name of Representative: Dennis Gutwald, 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: Does Not Apply

Partner(s): Does Not Apply

APN: Does Not Apply

Signature of Property Owner: _____

Print Name: Andrew B. Donner

Subscribed and sworn before me

This 11 day of October, 2013

Mikki G Hartman
Notary Public in and for said County and State





DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Extension of time -preserve gaming and tavern rights Western Hotel
 Project Address (Location) 899 Fremont St. & 115 S. 8th St, Las Vegas, NV 89101
 Project Name Western Hotel Casino Proposed Use no changes
 Assessor's Parcel #(s) 139-34-612-056; 027 Ward # 3 (Coffin)
 General Plan: existing C proposed same Zoning: existing C-2 proposed same
 Commercial Square Footage 48,407 Floor Area Ratio N/A
 Gross Acres 1.36; .52 Acres Lots/Units 3 Density N/A
 Additional Information _____

RECEIVED
JAN 21 2013

PROPERTY OWNER 899 Fremont, LLC Contact Andrew Donner
 Address PO Box 1570 Phone: _____ Fax: _____
 City Las Vegas State NV Zip 89125
 E-mail Address _____

APPLICANT Fifth Street Gaming, LLC Contact Joe Cain
 Address 650 S. Main Street Phone: 933-7140 Fax: _____
 City Las Vegas State NV Zip 89101
 E-mail Address joe.cain@finelv.com

REPRESENTATIVE Attorney for Applicant Contact Dennis Gutwald
 Address 100 N. City Parkway, Suite 1600 Phone: (702) 464-7014 Fax: _____
 City Las Vegas State NV Zip 89106
 E-mail Address dgutwald@bhfs.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* _____

Print Name Andrew B. Donner

Subscribed and sworn before me

This 11 day of October, 2013

Mikki G Hartman

Notary Public in and for said County and State



Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	<u>EOT-51700</u>
Meeting Date:	<u>12/4/13</u>
Total Fee:	<u>1050.00</u>
Date Received:*	<u>12/21/13</u>
Received By:	<u>[Signature]</u>

*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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EOT-52274

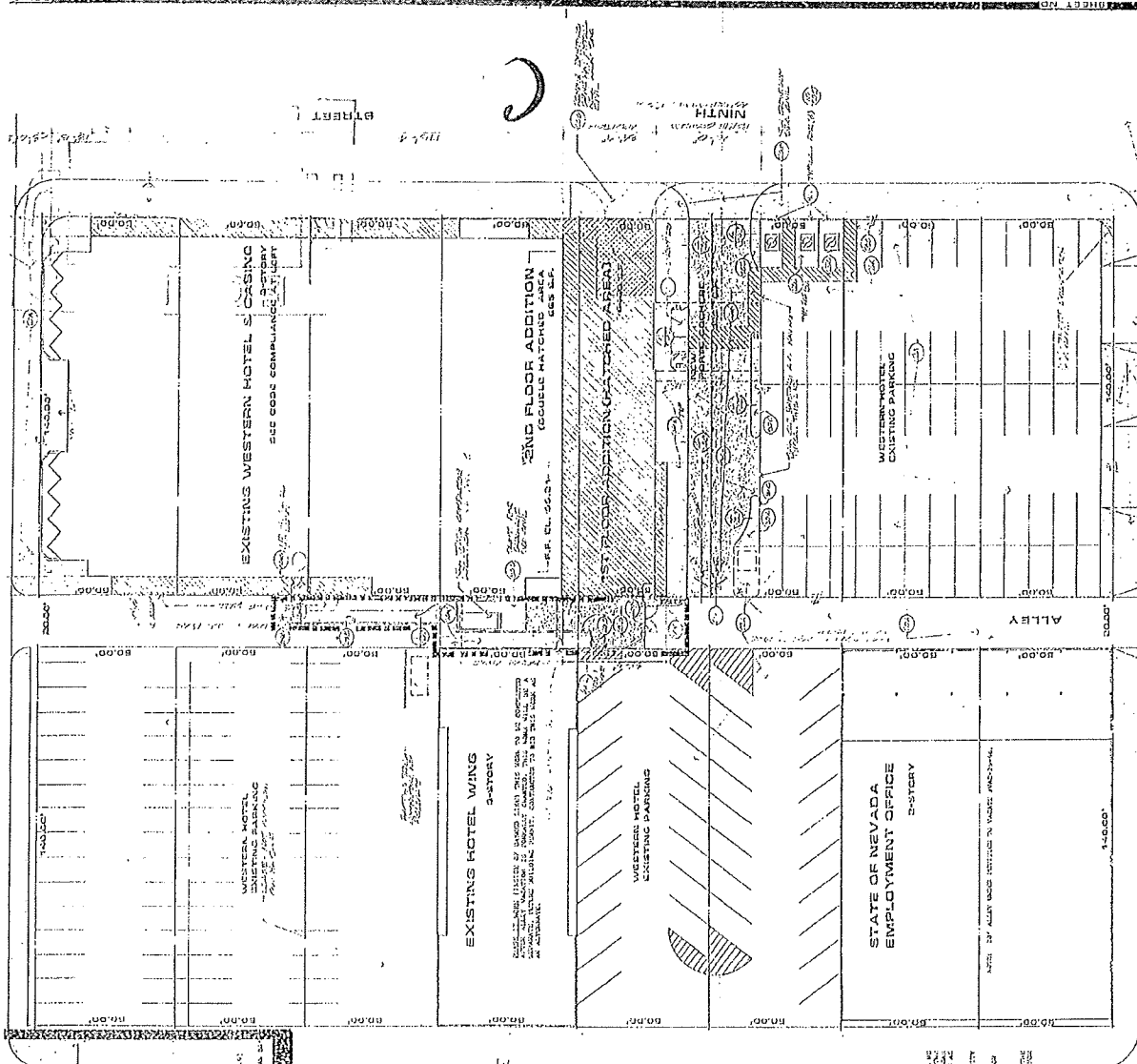
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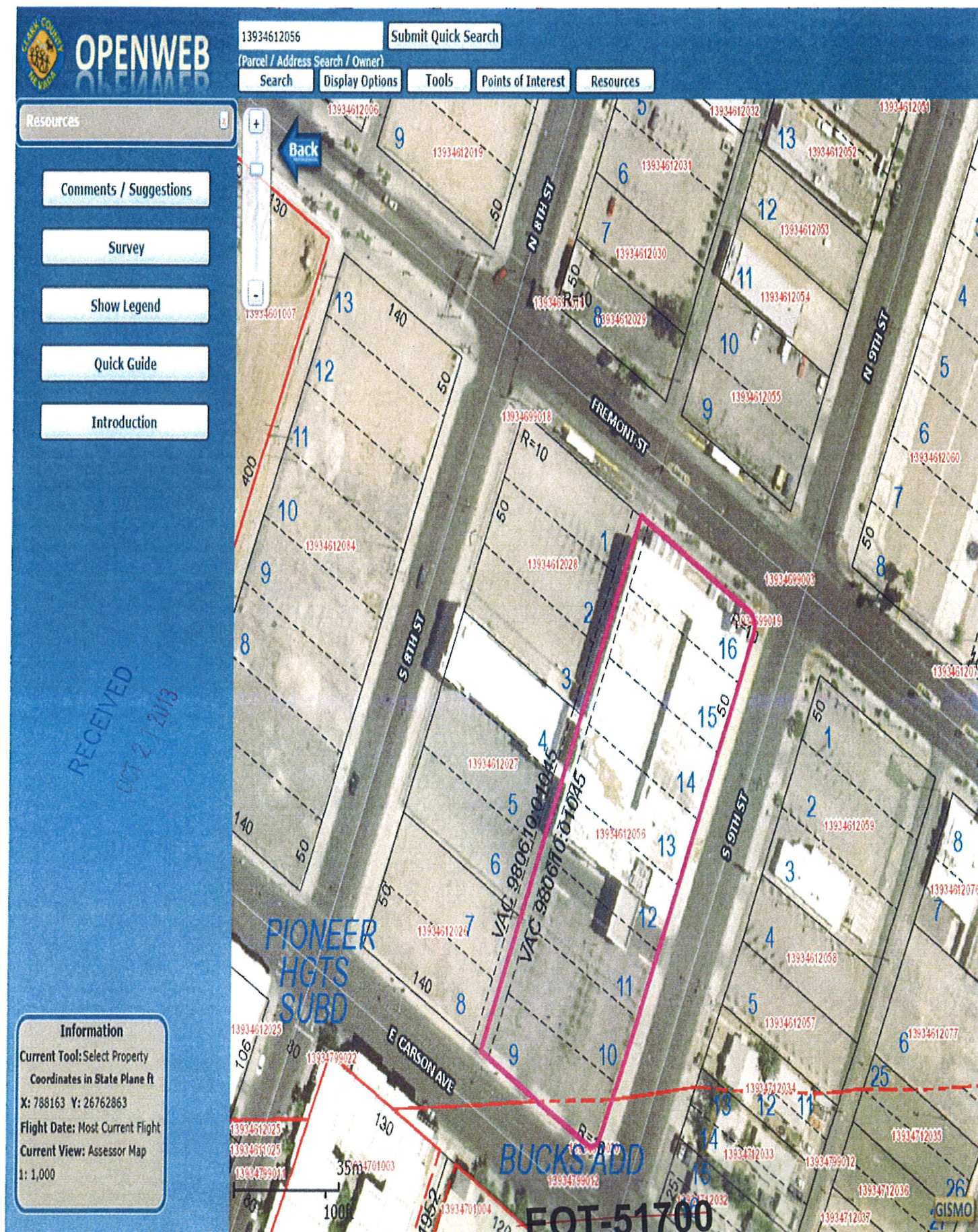
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SITE PLAN

CODE COMPLIANCE

[illegible]

NAME	AGE	SEX	DOB	DEPT	UNIT	STATUS	REMARKS
JOHN J. BROWN	34	M	12/15/45	101	101	1	101
JAMES E. SMITH	32	M	08/22/47	102	102	1	102
MARY K. JONES	28	F	03/10/49	103	103	1	103
ROBERT L. GARCIA	30	M	07/05/48	104	104	1	104
SARAH A. MILLER	25	F	01/20/53	105	105	1	105
WILLIAM H. DAVIS	35	M	09/18/44	106	106	1	106
ELIZABETH C. WILSON	27	F	04/03/51	107	107	1	107
CHARLES F. ANDERSON	31	M	11/07/46	108	108	1	108
HENRY J. THOMAS	29	M	06/25/48	109	109	1	109
MARGARET A. ROBERTS	26	F	02/14/52	110	110	1	110
JOHN D. LEE	33	M	10/01/46	111	111	1	111
JANE M. HARRIS	24	F	05/19/54	112	112	1	112
EDWARD G. CLARK	36	M	03/28/43	113	113	1	113
FRANCES B. WHITE	23	F	07/11/55	114	114	1	114
ALFRED N. KING	37	M	01/05/42	115	115	1	115
BEATRICE L. GREEN	21	F	09/27/56	116	116	1	116
GEORGE W. BAKER	38	M	04/16/41	117	117	1	117
HELEN K. NELSON	20	F	12/03/57	118	118	1	118
IRVING S. HILL	39	M	08/09/40	119	119	1	119
JOAN P. SCOTT	19	F	06/21/58	120	120	1	120
LEONARD R. ADAMS	40	M	02/08/39	121	121	1	121
MILDRED J. BROWN	18	F	10/12/59	122	122	1	122
NORMAN T. JONES	41	M	05/24/38	123	123	1	123
OLIVIA L. SMITH	17	F	03/17/60	124	124	1	124
PETER M. GARCIA	42	M	11/03/37	125	125	1	125
REBECCA A. MILLER	16	F	07/29/61	126	126	1	126
STEPHEN W. DAVIS	43	M	04/11/36	127	127	1	127
THERESA C. WILSON	15	F	02/06/62	128	128	1	128
WALTER H. ANDERSON	44	M	12/19/35	129	129	1	129
XENIA K. THOMAS	14	F	09/04/63	130	130	1	130
YOUNG J. ROBERTS	45	M	06/27/34	131	131	1	131
ZOE L. LEE	13	F	04/20/64	132	132	1	132
ADAM N. HARRIS	46	M	03/02/33	133	133	1	133
ALICE M. CLARK	12	F	11/15/65	134	134	1	134
BENJAMIN S. WHITE	47	M	08/28/32	135	135	1	135
BETTY J. KING	11	F	05/13/66	136	136	1	136
CHARLES F. GREEN	48	M	02/01/31	137	137	1	137
CHRISTINE L. BAKER	10	F	12/24/67	138	138	1	138
DANIEL W. NELSON	49	M	09/16/30	139	139	1	139
DEBORAH A. HILL	9	F	07/08/68	140	140	1	140
EDWARD G. SCOTT	50	M	04/25/29	141	141	1	141
ELIZABETH C. ADAMS	8	F	03/10/69	142	142	1	142
FRANCIS B. BROWN	51	M	12/02/28	143	143	1	143
GEORGE W. JONES	52	M	09/14/27	144	144	1	144
HENRY J. SMITH	53	M	06/26/26	145	145	1	145
IRVING S. GARCIA	54	M	05/08/25	146	146	1	146
JANE M. MILLER	55	F	03/21/24	147	147	1	147
JOHN D. DAVIS	56	M	02/03/23	148	148	1	148
JANE M. WILSON	57	F	01/15/22	149	149	1	149
LEONARD R. ANDERSON	58	M	12/01/21	150	150	1	150
MILDRED J. BROWN	59	F	11/10/20	151	151	1	151
NORMAN T. JONES	60	M	10/20/19	152	152	1	152
OLIVIA L. SMITH	61	F	09/30/18	153	153	1	153
PETER M. GARCIA	62	M	09/10/17	154	154	1	154
REBECCA A. MILLER	63	F	08/20/16	155	155	1	155
STEPHEN W. DAVIS	64	M	08/01/15	156	156	1	156
THERESA C. WILSON	65	F	07/12/14	157	157	1	157
WALTER H. ANDERSON	66	M	06/23/13	158	158	1	158
XENIA K. THOMAS	67	F	06/04/12	159	159	1	159
YOUNG J. ROBERTS	68	M	05/15/11	160	160	1	160
ZOE L. LEE	69	F	04/26/10	161	161	1	161
ADAM N. HARRIS	70	M	04/07/09	162	162	1	162
ALICE M. CLARK	71	F	03/18/08	163	163	1	163
BENJAMIN S. WHITE	72	M	02/29/07	164	164	1	164
BETTY J. KING	73	F	02/10/06	165	165	1	165
CHARLES F. GREEN	74	M	01/21/05	166	166	1	166
CHRISTINE L. BAKER	75	F	01/02/04	167	167	1	167
DANIEL W. NELSON	76	M	12/13/03	168	168	1	168
DEBORAH A. HILL	77	F	11/24/02	169	169	1	169
EDWARD G. SCOTT	78	M	11/05/01	170	170	1	170
ELIZABETH C. ADAMS	79	F	10/16/00	171	171	1	171
FRANCIS B. BROWN	80	M	09/27/99	172	172	1	172
GEORGE W. JONES	81	M	09/08/98	173	173	1	173
HENRY J. SMITH	82	M	08/19/97	174	174	1	174
IRVING S. GARCIA	83	M	08/01/96	175	175	1	175
JANE M. MILLER	84	F	07/12/95	176	176	1	176
JOHN D. DAVIS	85	M	06/23/94	177	177	1	177
JANE M. WILSON	86	F	06/04/93	178	178	1	178
LEONARD R. ANDERSON	87	M	05/15/92	179	179	1	179
MILDRED J. BROWN	88	F	04/26/91	180	180	1	180
NORMAN T. JONES	89	M	04/07/90	181	181	1	181
OLIVIA L. SMITH	90	F	03/18/89	182	182	1	182
PETER M. GARCIA	91	M	02/29/88	183	183	1	183
REBECCA A. MILLER	92	F	02/10/87	184	184	1	184
STEPHEN W. DAVIS	93	M	01/21/86	185	185	1	185
THERESA C. WILSON	94	F	01/02/85	186	186	1	186
WALTER H. ANDERSON	95	M	12/13/84	187	187	1	187
XENIA K. THOMAS	96	F	11/24/83	188	188	1	188
YOUNG J. ROBERTS	97	M	11/05/82	189	189	1	189
ZOE L. LEE	98	F	10/16/81	190	190	1	190
ADAM N. HARRIS	99	M	09/27/80	191	191	1	191
ALICE M. CLARK	100	F	09/08/79	192	192	1	192
BENJAMIN S. WHITE	101	M	08/19/78	193	193	1	193
BETTY J. KING	102	F	08/01/77	194	194	1	194
CHARLES F. GREEN	103	M	07/12/76	195	195	1	195
CHRISTINE L. BAKER	104	F	06/23/75	196	196	1	196
DANIEL W. NELSON	105	M	06/04/74	197	197	1	197
DEBORAH A. HILL	106	F	05/15/73	198	198	1	198
EDWARD G. SCOTT	107	M	04/26/72	199	199	1	199
ELIZABETH C. ADAMS	108	F	04/07/71	200	200	1	200
FRANCIS B. BROWN	109	M	03/18/70	201	201	1	201
GEORGE W. JONES	110	M	02/29/69	202	202	1	202
HENRY J. SMITH	111	M	02/10/68	203	203	1	203
IRVING S. GARCIA	112	M	01/21/67	204	204	1	204
JANE M. MILLER	113	F	01/02/66	205	205	1	205
JOHN D. DAVIS	114	M	12/13/65	206	206	1	206
JANE M. WILSON	115	F	11/24/64	207	207	1	207
LEONARD R. ANDERSON	116	M	11/05/63	208	208	1	208
MILDRED J. BROWN	117	F	10/16/62	209	209	1	209
NORMAN T. JONES	118	M	09/27/61	210	210	1	210
OLIVIA L. SMITH	119	F	09/08/60	211	211	1	211
PETER M. GARCIA	120	M	08/19/59	212	212	1	212
REBECCA A. MILLER	121	F	08/01/58	213	213	1	213
STEPHEN W. DAVIS	122	M	07/12/57	214	214	1	214
THERESA C. WILSON	123	F	06/23/56	215	215	1	215
WALTER H. ANDERSON	124	M	06/04/55	216	216	1	216
XENIA K. THOMAS	125	F	05/15/54	217	217	1	217
YOUNG J. ROBERTS	126	M	04/26/53	218	218	1	218
ZOE L. LEE	127	F	04/07/52	219	219	1	219
ADAM N. HARRIS	128	M	03/18/51	220	220	1	220
ALICE M. CLARK	129	F	02/29/50	221	221	1	221
BENJAMIN S. WHITE	130	M	02/10/49	222	222	1	222
BETTY J. KING	131	F	01/21/48	223	223	1	223
CHARLES F. GREEN	132	M	01/02/47	224	224	1	224
CHRISTINE L. BAKER	133	F	12/13/46	225	225	1	225
DANIEL W. NELSON	134	M	11/24/45	226	226	1	226
DEBORAH A. HILL	135	F	11/05/44	227	227	1	227
EDWARD G. SCOTT	136	M	10/16/43	228	228	1	228
ELIZABETH C. ADAMS	137	F	09/27/42	229	229	1	229
FRANCIS B. BROWN	138	M	09/08/41	230	230	1	230
GEORGE W. JONES	139	M	08/19/40	231	231	1	231
HENRY J. SMITH	140	M	08/01/39	232	232	1	232
IRVING S. GARCIA	141	M	07/12/38	233	233	1	233
JANE M. MILLER	142	F	06/23/37	234	234	1	234
JOHN D. DAVIS	143	M	06/04/36	235	235	1	235
JANE M. WILSON	144	F	05/15/35	236	236	1	236
LEONARD R. ANDERSON	145	M	04/26/34	237	237	1	237
MILDRED J. BROWN	146	F	04/07/33	238	238	1	238
NORMAN T. JONES	147	M	03/18/32	239	239	1	239
OLIVIA L. SMITH	148	F	02/29/31	240	240	1	240
PETER M. GARCIA	149	M	02/10/30	241	241	1	241
REBECCA A. MILLER	150	F	01/21/29	242	242	1	242
STEPHEN W. DAVIS	151	M	01/02/28	243	243	1	243
THERESA C. WILSON	152	F	12/13/27	244	244	1	244
WALTER H. ANDERSON	153	M	11/24/26	245	245	1	245
XENIA K. THOMAS	154	F	11/05/25	246	246	1	246
YOUNG J. ROBERTS	155	M	10/16/24	247	247	1	247
ZOE L. LEE	156	F	09/27/23	248	248	1	248
ADAM N. HARRIS	157	M	09/08/22	249	249	1	249
ALICE M. CLARK	158	F	08/19/21	250	250	1	250
BENJAMIN S. WHITE	159	M	08/01/20	251	251	1	251
BETTY J. KING	160	F	07/12/19	252	252	1	252
CHARLES F. GREEN	161	M	06/23/18	253	253	1	253
CHRISTINE L. BAKER	162	F	06/04/17	254	254	1	254
DANIEL W. NELSON	163	M	05/15/16	255	255	1	255
DEBORAH A. HILL	164	F	04/26/15	256	256	1	256
EDWARD G. SCOTT	165	M	04/07/14	257	257	1	257
ELIZABETH C. ADAMS	166	F	03/18/13	258	258	1	258
FRANCIS B. BROWN	167	M	02/29/12	259	259	1	259
GEORGE W. JONES	168	M	02/10/11	260	260	1	260
HENRY J. SMITH	169	M	01/21/10	261	261	1	261
IRVING S. GARCIA	170	M	01/02/09	262	262	1	262
JANE M. MILLER	171	F	12/13/08	263	263	1	263
JOHN D. DAVIS	172	M	11/24/07	264	264	1	264
JANE M. WILSON	173	F	11/05/06	265	265	1	265
LEONARD R. ANDERSON	174	M	10/16/05	266	266	1	266
MILDRED J. BROWN	175	F	09/27/04	267	267	1	267
NORMAN T. JONES	176	M	09/08/03	268	268	1	268
OLIVIA L. SMITH	177	F	08/19/02	269	269	1	269
PETER M. GARCIA	178	M	08/01/01	270	270	1	270
REBECCA A. MILLER	179	F	07/12/00	271	271	1	271
STEPHEN W. DAVIS	180	M	06/23/99	272	272	1	272
THERESA C. WILSON	181	F	06/04/98	273	273	1	273
WALTER H. ANDERSON	182	M	05/15/97	274			



Property Information

[Click Here for Printable Map](#)

Property Information

Parcel: 139-34-612-056

Owner Name(s): 899 FREMONT L L C

Site Address: 899 FREMONT ST

Jurisdiction: Las Vegas - 89101

Sale Date: 03/2013

Sale Price: \$14,000,000

Estimated Lot Size: 1.36

Construction Year: 1970

Recorded Doc Number: 2013031403001

Aerial Flight Date: 04/21/12 - 04/29/12

Zoning and Planned Landuse

Zoning Classification:
General Commercial District (C-2)

Legal Description

Ownership History

Flood Zone

Elected Officials

Link Info

Submit Quick Search
Search / Owner

Display Options
Tools
Points of Interest
Resources

Information

Current Tool: Select Property

Coordinates in State Plane ft

X: 787968 Y: 26762641

Flight Date: Most Current Flight

Current View: Assessor Map

1: 2,000

EOT-51700

EOT-52274

9/13/2013

RECEIVED

OCT 21 2013



899 FREMONT STREET

12/27/12

~~EOT-51700~~

EOT-52274 *AL*



RECEIVED

OCT 21 2013

899 FREMONT STREET

12/27/12

~~EOT-51700~~

EOT-52294 *SL*

RECEIVED

OCT 21 2013



899 FREMONT STREET

12/27/12

~~EOT-51700~~
EOT-52274 *AB*

RECEIVED

OCT 21 2013



899 FREMONT STREET

12/27/12

~~EOT-51700~~

EOT-52274 *BA*



Fremont - view - Fremont side (East) looking West



Fremont

RECEIVED

~~EOT-51700~~

OCT 21 2013

EDT-52274-R

Fremont



8th.

Fremont



8th st.

RECEIVED

~~EOT-51700~~

OCT 21 2013

EDT-52274 



8th st



RECEIVED

~~EOT-51700~~

OCT 21 2013

EOT-52274



qth st.



qth st.

RECEIVED

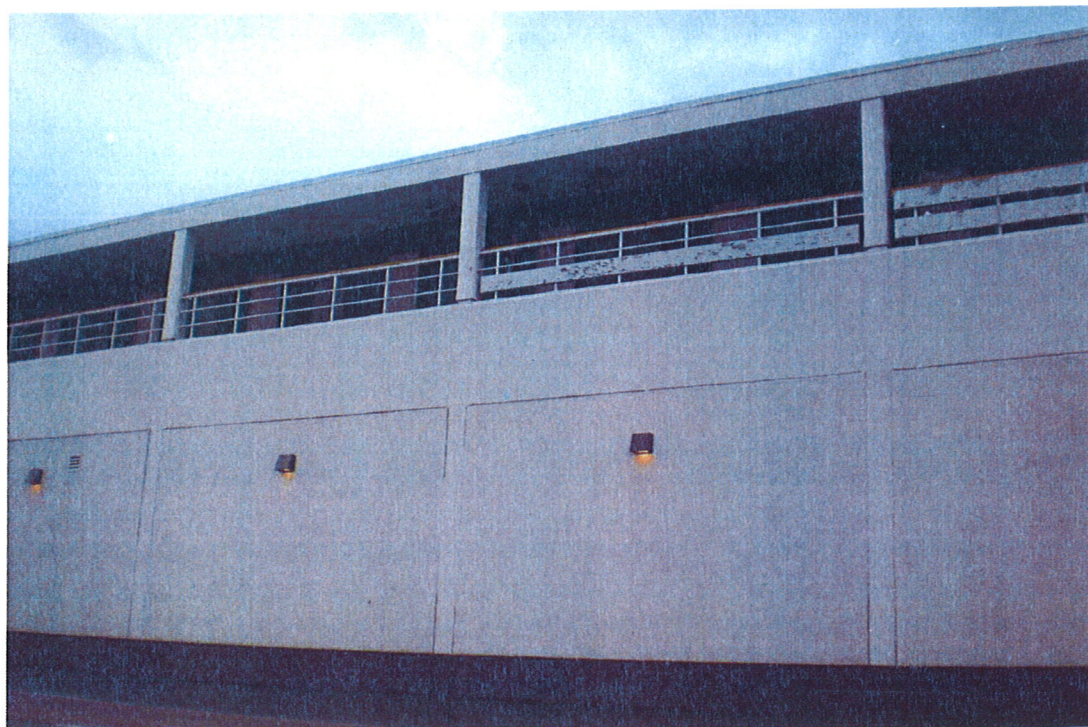
~~EOT-51700~~

OCT 2 1970

EOT-52274 *[Signature]*



9th st.



9th street - side view

RECEIVED

OCT 2 1960

~~EOT-51700~~

EOT- 52274

**Brownstein Hyatt
Farber Schreck**

October 11, 2013

Dennis C. Gutwald
Attorney at Law
702.464.7014 tel
702.382.8135 fax
DGutwald@bhfs.com

VIA HAND DELIVERY

City of Las Vegas
Department of Planning
Attn: Flinn Fagg
333 North Rancho Drive
Las Vegas, NV 89106

RECEIVED
OCT 21 2013

RE: The Western Hotel and Casino

Dear Mr. Fagg:

Please consider this letter and the documents enclosed with it as an application for Extension of Time to extend the period of time that nonconforming gaming land use rights at the property formerly known as the Western Hotel and Casino (the "Western"), can be discontinued or abandoned before those rights are lost. The Western, APN's 139-34-612-056 and 139-34-612-027, is located at 899 Fremont Street in a historic section of Downtown.

The Western is a long standing existing nonconforming use within the City of Las Vegas. Because of its location, its development will inevitably play a role in the revitalization of Downtown. While portions of the building have recently been demolished, the Western's owners are considering the option of developing it into a new nonrestricted gaming establishment. A previous extension of time preserving nonconforming tavern use for the Western was approved in April 2013 due to the client's inability to lease the subject property due to current economic conditions.

Pursuant to Title 19.14.030.A.C of the City Municipal Code (the "Code"), City Council may extend the period of time that a nonconforming use is abandoned before the property must become conforming:

1. If the extended abandoned period is a result of economic hardship

The property has currently little economic value because of lingering effects of the severe economic downturn Downtown Las Vegas ("Downtown") experienced. Additional improvement in the Downtown business must occur before redeveloping the Western is economically feasible or it can be leased.

2. Public health, safety and welfare will not be jeopardized by extending the period of abandonment that may occur before the property must become conforming

The Western is located within a C-2 (General Commercial) zoning district, which allows for a tavern/casino license and liquor sales. Additionally, the subject property has a parking lot and parking garage adjacent to it, also owned by Western's owner. The Western has

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bhfs.com

EOT-51700

EOT-52274 A

100 North City Parkway, Suite 1600
Las Vegas, NV 89106-4614
main 702.382.2101

Brownstein Hyatt Farber Schreck, LLP

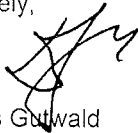
City of Las Vegas
Re: The Western Hotel and Casino
October 11, 2013
Page 2

been well maintained and does not pose a threat to public health, safety, and welfare. Further, continuing the nonconforming gaming land use rights will assist in development of the site, and help maintain the property value, with no ill affect since gaming is and will remain an integral part of Downtown.

Based on the foregoing, we respectfully request your approval of the Western's request for an extension of time to preserve the grandfathered nonconforming gaming and tavern rights at the property.

If you have any questions, please call me at (702) 464-7014 or e-mail me at dgutwald@bhfs.com. Thank you for your consideration of this request.

Sincerely,



Dennis Gutwald

DCG/cms

EOT-51700

EOT-52274 



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

December 5, 2013

Mr. Andrew Donner
899 Fremont LLC
P.O. Box 1570
Las Vegas, Nevada 89125

RE: EOT-51700 – EXTENSION OF TIME
CITY COUNCIL MEETING OF DECEMBER 4, 2013

Dear Mr. Donner:

The City Council at a regular meeting held December 4, 2013, APPROVED the request for an Extension of Time FOR A NONCONFORMING TAVERN at 899 Fremont Street (APN 139-34-612-056 and 027) C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on December 5, 2013. This approval is subject to:

Planning

1. This request for an Extension of Time for a nonconforming Liquor Establishment (Tavern) located at 899 Fremont Street shall expire on February 06, 2015 unless another Extension of Time is approved by the City Council.

Sincerely,


Gabriela Portillo-Brenner
Deputy City Clerk II for
Beverly K. Bridges, MMC, City Clerk

cc: Mr. Joe Cain
Fifth Street Gaming LLC
650 South Main Street
Las Vegas, Nevada 89101

Mr. Dennis Gutwald
100 North City Parkway, Suite 1600
Las Vegas, Nevada 89106

CITY OF LAS VEGAS
495 S. MAIN STREET
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

EOT-52274

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

☐ Consent ☒ Discussion

SUBJECT:

RQR-51479 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: IMAGINE SCHOOLS AT EAST MESA - OWNER: VAUSE FAMILY TRUST - For possible action on a Required Review of an approved Special Use Permit (SUP-48849) 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 APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

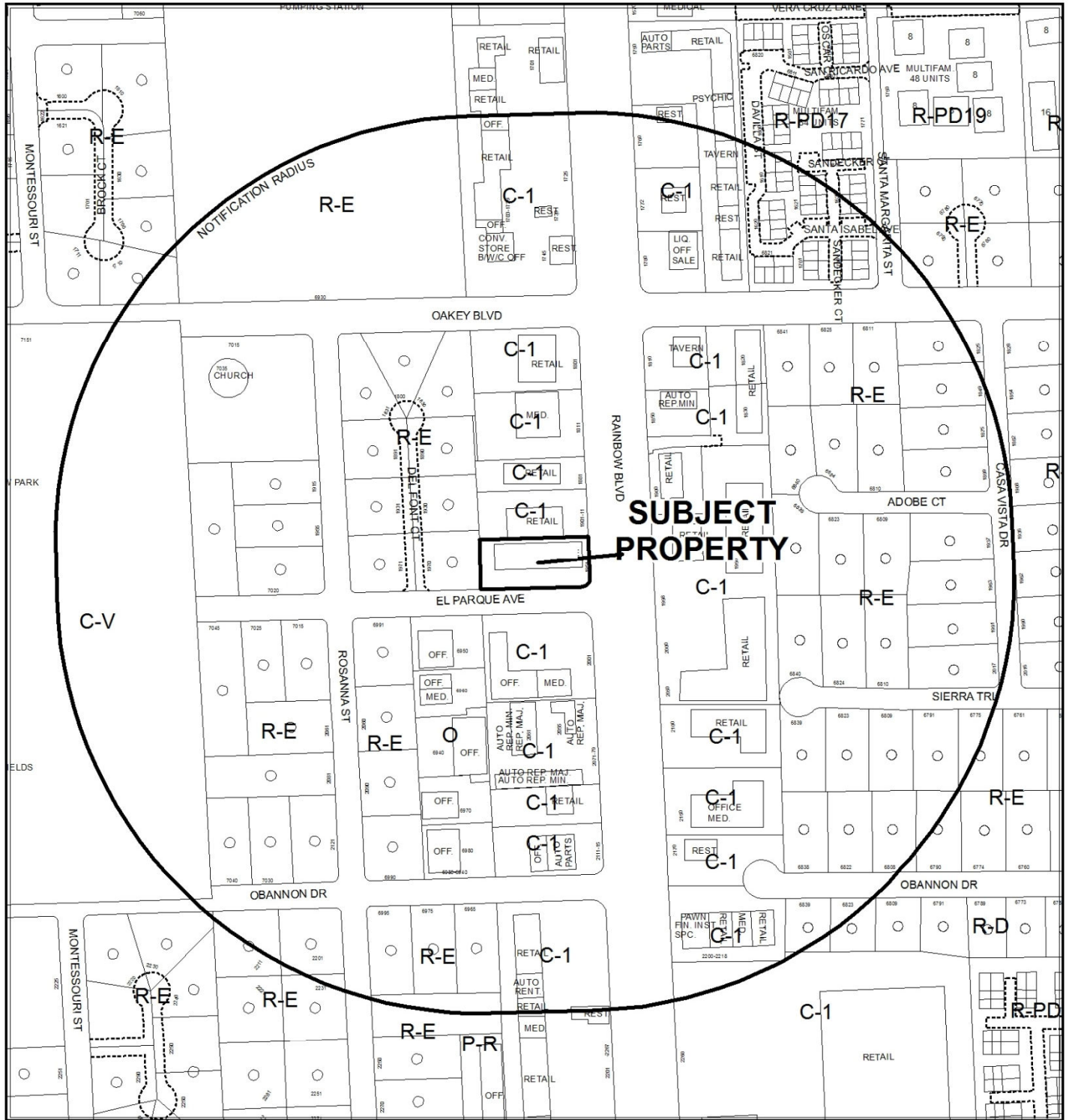
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RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:

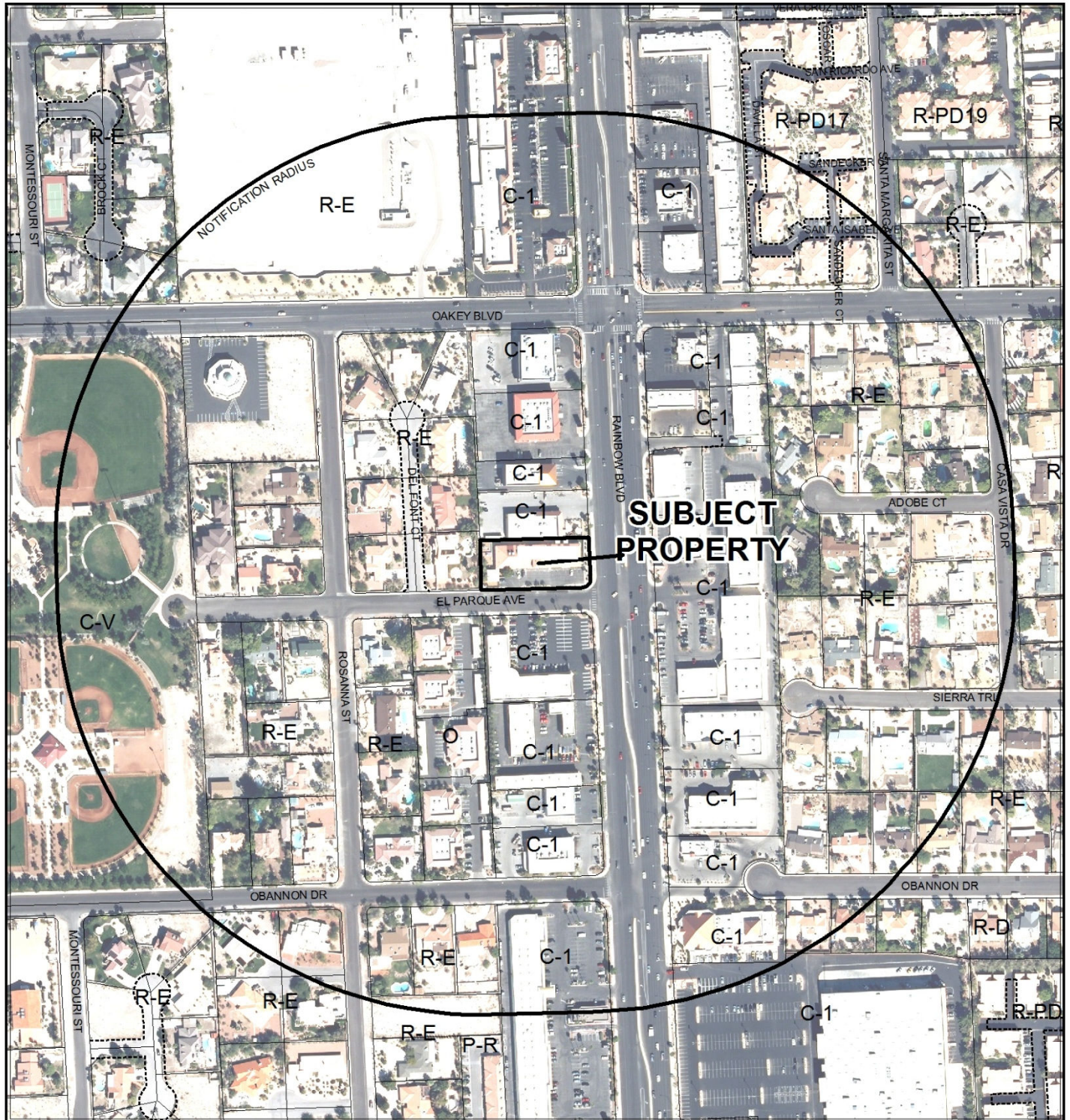
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. City Council Action Letter for SUP-48849
7. Traffic Study
8. Submitted after Final Agenda – Protest Postcards



CASE: RQR-51479

RADIUS: 1000 FEET

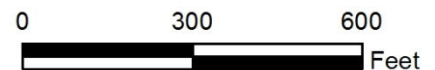
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: RQR-51479

RADIUS: 1000 FEET

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



*City of Las Vegas***AGENDA MEMO - PLANNING**

CITY COUNCIL MEETING DATE: NOVEMBER 20, 2013

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: IMAGINE SCHOOLS AT EAST MESA - OWNER:
VAUSE FAMILY TRUST

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
RQR-51479	Staff recommends APPROVAL, subject to conditions:	N/A

**** CONDITIONS ****

RQR-51479 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-48849).
2. A Required Review at a public hearing shall be on April 02, 2014 City Council meeting.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
November 20, 2013 - City Council Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a Required Review of an approved Special Use Permit (SUP-48849) which permitted a Private School, Primary with a Waiver to allow no pick-up or drop-off area where one is required at 1951 South Rainbow Boulevard. Per condition #1 of Special Use Permit (SUP-48849) a Required Review was mandated by City Council four months after approval to re-evaluate the affects the Waiver to allow no pick-up or drop-off area on the subject property. Code Enforcement conducted site visits to the subject site and found the applicant was in violation of condition #A of Special Use Permit (SUP-48849), subsequent visits found the applicant to be in compliance. Staff therefore recommends approval with conditions.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
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.
07/24/13	The City Council approved A Special Use Permit (SUP-48849) which permitted a Private School, Primary with a Waiver to allow no pick-up or drop-off area where one is required at 1951 South Rainbow Boulevard.
09/25/13	A code enforcement case (133792) was processed for compliance of Condition #A of Special Use Permit (SUP-48849). The applicant was issued a corrective notice.

<i>Most Recent Change of Ownership</i>	
05/17/00	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
1988	A building permit (9525) was issued for a Certificate of Occupancy for an 11,624 square-foot Child Care Facility at 1951 South Rainbow Boulevard. The permit was finalized on 10/04/88.

Staff Report Page Two
November 20, 2013 - City Council Meeting

<i>Related Building Permits/Business Licenses</i>	
1988	A business license (#N16-00012) was issued for a Child Care Facility (for 228 children) at 1951 South Rainbow Boulevard. The license was marked out of business 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 at 1951 South Rainbow Boulevard. The license is currently active.
06/05/08	A building permit (#117047) for an 841 square-foot structure (shade structure) at 1951 South Rainbow Boulevard was issued. The permit was finalized on 03/03/09.
02/06/13	A building permit (#229220) was issued for Solar Panels. The permit was finalized on 09/19/13.
10/07/13	A business license (S02-01164) was issued for a school at 1951 South Rainbow Boulevard. The license is currently active.

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

<i>Neighborhood Meeting</i>
A neighborhood meeting was not required, nor was one held.

Field Check	
10/29/13	Staff conducted a field check of the subject site and noted an existing Individual Child Care Center and well maintained.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.69

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
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)
South	Office, Other than Listed	S-C (Service Commercial)	C-1 (Limited Commercial)
	Office, Medical or Dental		
	General Personal Service		

Staff Report Page Three
November 20, 2013 - City Council Meeting

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
East	Single Family, Detached	R (Rural Density Residential)	R-E (Residence Estates)
West	Shopping Center	S-C (Service Commercial)	C-1 (Limited Commercial)

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

ANALYSIS

This is the first request for a Required Review of a previously approved Special Use Permit (SUP-48849) which permitted a Private School, Primary with a Waiver to allow no pick-up or drop-off area where one is required at 1951 South Rainbow Boulevard. Per condition #1 of Special Use Permit (SUP-48849) a Required Review was mandated by City Council four months after approval to re-evaluate the affects the Waiver to allow no pick-up or drop-off area on the subject property. Code Enforcement has conducted three site inspections to ensure compliance of the staging plan of vehicles. On 10/01/13 at 2:35 p.m. Code Enforcement conducted a site inspection and found the applicant in violation of the staging plan. On 10/14/13 at 2:20 p.m. Code Enforcement conducted a site inspection and found the applicant in compliance with the staging plan. On 10/22/13 at 2:00 p.m. Code Enforcement conducted a site inspection and found the applicant in compliance with the staging plan. Based on these inspections, staff is recommending approval with conditions.

FINDINGS

As the applicant as has met the conditions of approval of Special Use Permit (SUP-48849) twice in three site visits, staff is recommending approval of this review with a Required Review at the April 02, 2014 City Council meeting, to ensure that the applicant is in conformance with their staging plan.

Staff Report Page Four
November 20, 2013 - City Council Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 184

APPROVALS 0

PROTESTS 0



DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-51479** 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: _____

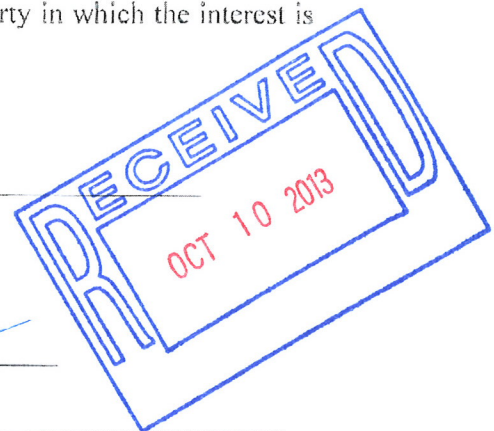
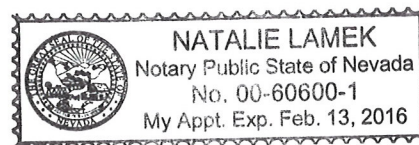
Print Name: _____

Subscribed and sworn before me

This 9 day of October, 2013

Natalie Lamek

Notary Public in and for said County and State





DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: ROR for a school
 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

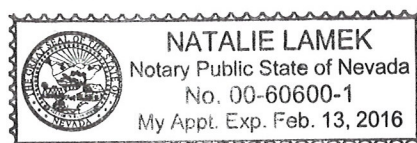
I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application 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* [Signature]
 *An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.
 Print Name _____

Subscribed and sworn before me
 This 9 day of October, 20 13
Natalie Lamek

Notary Public in and for said County and State

Revised 10/27/08

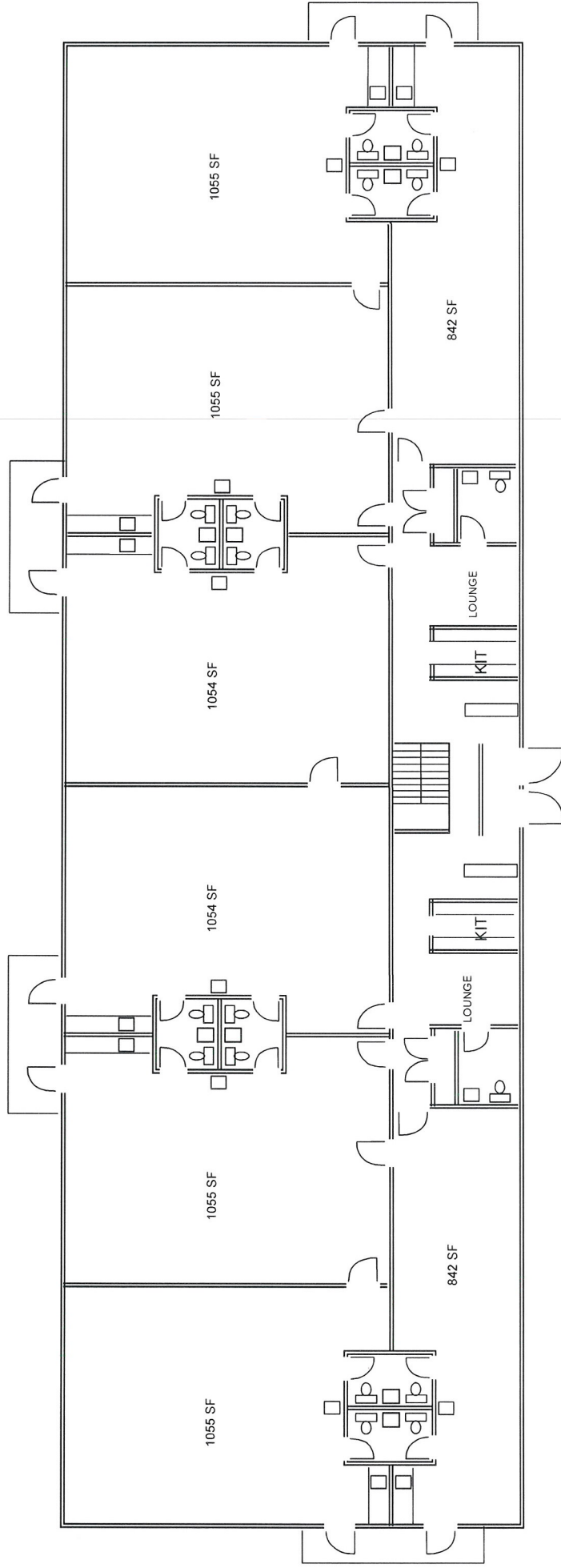


FOR DEPARTMENT USE ONLY

Case #	<u>ROR-51479</u>
Meeting Date:	<u>11-20-13</u>
Total Fee:	<u>800.00</u>
Date Received:*	<u>10-10-13</u>
Received By:	<u>[Signature]</u>

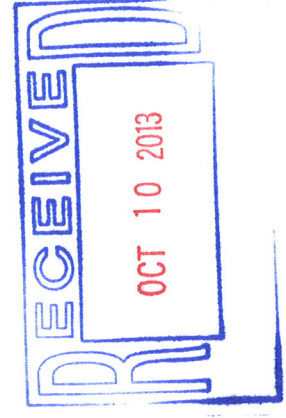
*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

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

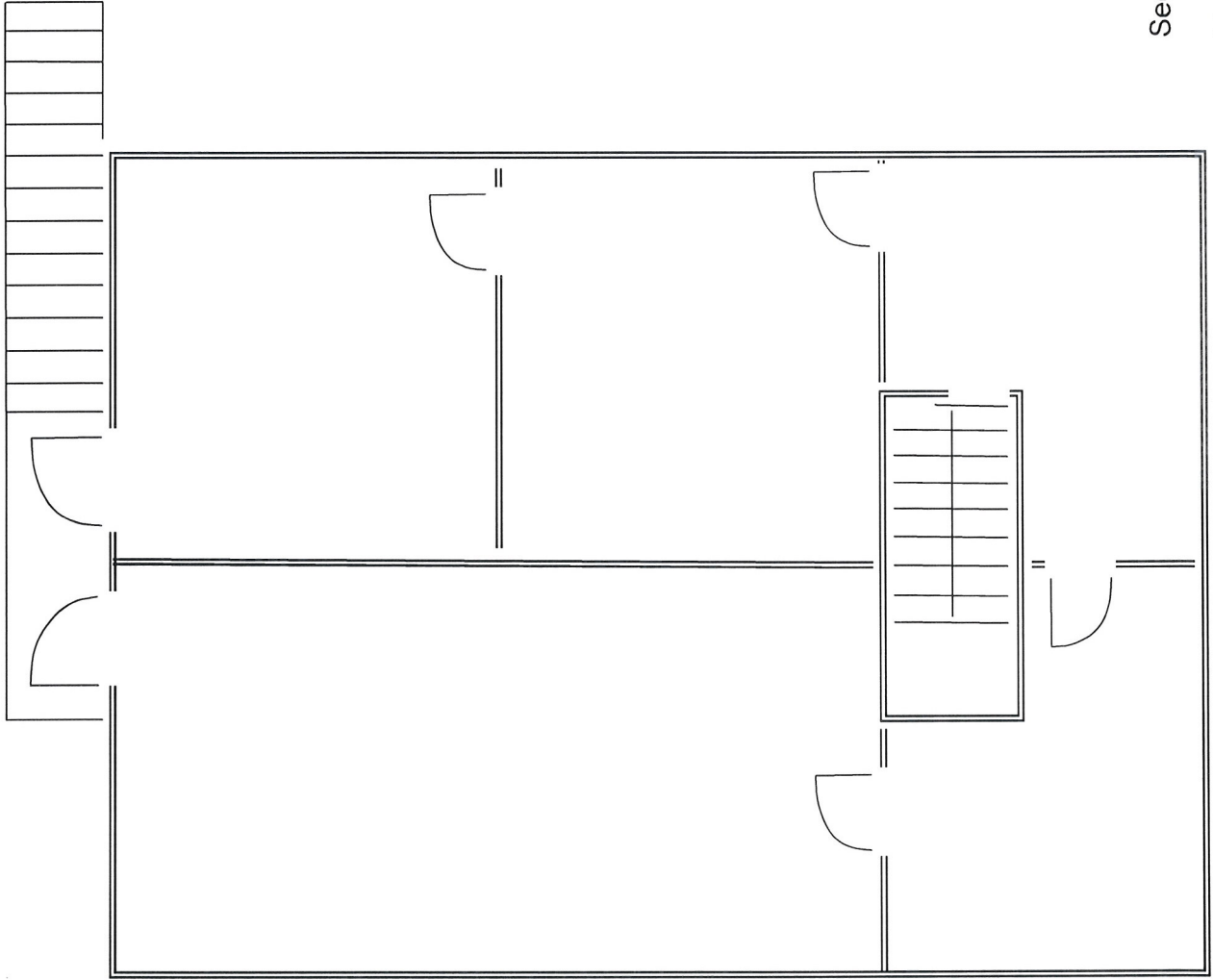


First Floor 10,098 SF

Little Scholar / 1951 S. Rainbow Blvd. Las Vegas, NV 89146 / Proposed Mt. View expansion / Imagine Schools



RQR-51479



Second Floor 1530 SF

Little Scholar / 1951 S. Rainbow Blvd. Las Vegas, NV 89146
Proposed Mt. View expansion / Imagine Schools



RQR-51479



RQR-51479 - APPLICANT: IMAGINE SCHOOLS AT EAST MESA - OWNER: VAUSE FAMILY TRUST
1951 SOUTH RAINBOW BOULEVARD

10/29/13



RQR-51479 - APPLICANT: IMAGINE SCHOOLS AT EAST MESA - OWNER: VAUSE FAMILY TRUST
1951 SOUTH RAINBOW BOULEVARD

10/29/13



RQR-51479 - APPLICANT: IMAGINE SCHOOLS AT EAST MESA - OWNER: VAUSE FAMILY TRUST
1951 SOUTH RAINBOW BOULEVARD

10/29/13

*LAS Consulting
1916 Trail Peak Lane
Las Vegas, NV 89134
(702) 499-6469-Cell
(702) 946-0857-Fax*

Thursday, October 10, 2013

Planning & Development
City of Las Vegas
333 Rancho Rd
Las Vegas, NV 89104

RE: RQR-51479 Justification Letter

Dear Sir or Madam:

Please accept this letter as our request for a required review for a special use permit for a charter school. Imagine schools operate nationally as a tuition free charter school for grades K-12. The subject site will operate as K-2, and will be used to serve students from 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.

Because of the lack of drop off-space, parents queue their cars over at a Mosque around the corner then are radioed over to pick up their children. When school first started there were the initial growing pains and it took some time for the teachers and parents to grow accustomed to the system, but it seems to be working now. Initially, some of the teachers and visitors were parking on the street in front of the school, not aware that the City of Las Vegas wanted no on-street parking. Once the school became aware of that issue, they eliminated parking on the street and monitor visitors who may park on the street. The queuing system, now that parents and teachers are more accustomed to it, seems to be working well. We request additional time for the school to continue to operate.

Thank you for your consideration in this matter. Please contact me with any questions you might have regarding this matter.

Yours truly,

Lucy Stewart
LAS Consulting

RQR-51479





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

August 14, 2013

Mr. and Mrs. Gary Vause
Vause Family Trust
3020 Plaza De Monte
Las Vegas, Nevada 89102

RE: SUP-48849 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF JULY 24, 2013

Dear Mr. and Mrs. Vause:

The City Council at a regular meeting held July 24, 2013, APPROVED the request for a 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. The Notice of Final Action was filed with the Las Vegas City Clerk on July 25, 2013. This approval is subject to:

Added Conditions

- A. The applicant shall be responsible for administering the staging plan so that vehicles are staged off site on private property prior to dropping off or picking up students at the school site. No vehicles associated with the school shall be allowed to queue in public rights-of-way, nor shall any vehicles associated with the school be allowed to park in the public right-of-way adjacent to residential properties.**
- B. All vehicles exiting the school property shall be required to make a left turn onto El Parque Avenue.**
- C. Traffic counters shall be installed on El Parque Avenue to monitor traffic volume from the school.**

Planning

- 1. A required review at a public hearing shall be held before the City Council on November 20, 2013
- 2. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Private School, Primary use except as amended herein.
- 3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

CITY OF LAS VEGAS
495 S. MAIN STREET
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

RQR-51479



Mr. and Mrs. Gary Vause
SUP-48849 – Page Two
August 14, 2013

4. 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.
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.

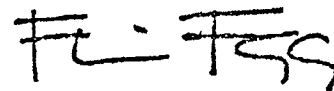
Public Works

8. 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.

Sincerely,



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



Flinn Fagg
Director of Planning

cc: Mr. Tom Stackhouse
Imagine Schools at East Mesa
9701 East Southern Avenue
Phoenix, Arizona 85209

Ms. Lucy Stewart
LAS Consulting
1916 Trail Peak Lane
Las Vegas, Nevada 89134

RQR-51479

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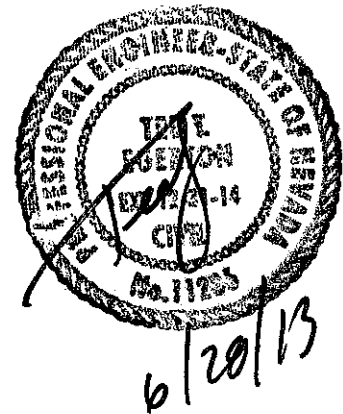
PAGE(S)

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TRIP DISTRIBUTION AND ASSIGNMENTS.....	3
EXISTING AND PROJECTED TRAFFIC VOLUMES	3 and 4
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APPENDICES

- A. Minute Volume Counts
- B. Intersection Analysis
- C. Driveway Analysis
- D. Left Turn Storage Analysis
- E. Drop Off / Pick Up Operations



RQR-51479

EXECUTIVE SUMMARY

The proposed school is to be located on the northwest corner of El Parque Avenue and Rainbow Boulevard within City of Las Vegas, Nevada. The proposed project is anticipated to generate 1640 daily trips. Of the 1640 daily trips, it is anticipated that 251 trips shall occur during the AM peak hour and 164 trips shall occur during the PM peak hour.

To offset traffic impacts that are anticipated with the completion of the project, the following recommendations have been made:

- *For the City of Las Vegas to require all mandatory signage and striping to be shown on the project's civil engineering drawings and that they conform to the City of Las Vegas and MUTCD standards.*

A. SITE AND STUDY AREA BOUNDARIES

The proposed school is to be located on the northwest corner of El Parque Avenue and Rainbow Boulevard. Refer to Figure 1 for a vicinity map.

In discussions with representatives from City of Las Vegas, it was decided that this report would analyze the following intersections:

Rosanna Street at Oakey Boulevard
El Parque Avenue at Rainbow Boulevard
Oakey Boulevard at Rainbow Boulevard

This report will include intersection analyses, driveway analyses, drop off and pick up analyses and left-turn storage analyses.

B. EXISTING AND PROPOSED USES OF THE SITE

The proposed development is to be located on one parcel that is described as Assessor Parcel Number (APN) 163-03-703-001. This parcel currently has an 11,628 square foot daycare center.

The proposed site improvements include the conversion of the center into a school for 275 students.

C. EXISTING AND PROPOSED USES IN THE VICINITY OF THE SITE

North, east and south of the site are commercial buildings.

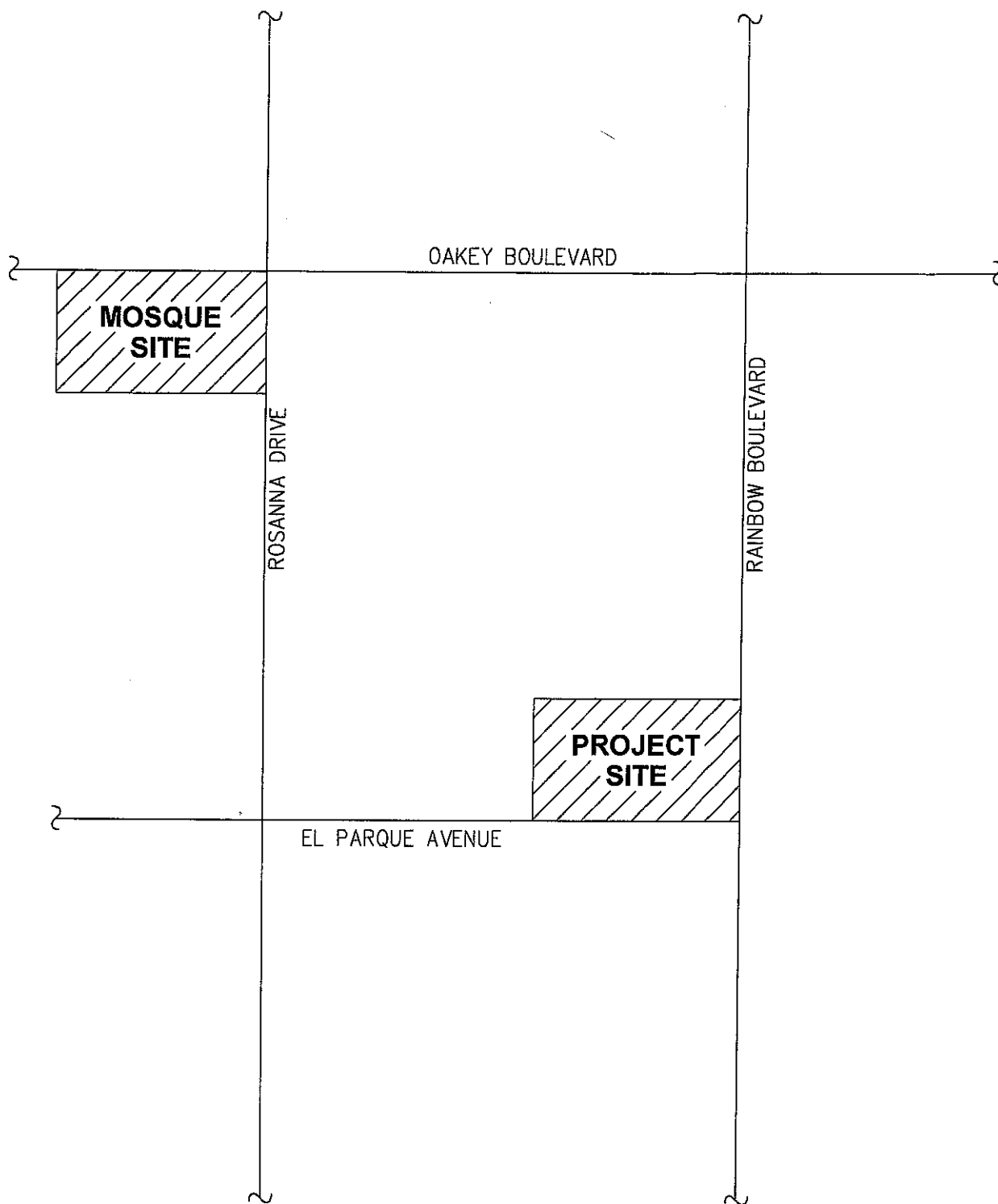
West of the project site are single family homes.

D. EXISTING ROADWAYS AND INTERSECTIONS**Rainbow Boulevard**

This north-south roadway consists of three lanes in each direction separated by a raised median island. The speed limit is 45 miles per hour and on-street parking is prohibited.

Oakey Boulevard

This east-west roadway consists of two lanes in each direction east of Rainbow Boulevard. West of Rainbow Boulevard, the street consists of one eastbound through lane and two westbound through lanes separated by a two way left turn lane. The speed limit is 35 miles per hour and on-street parking is prohibited.



VICINITY MAP
FIGURE 1

IMAGINE
SCHOOL
RQR-51479

Rosanna Street

This north-south roadway consists of one lane in each direction. The speed limit is 25 miles per hour and on-street parking is allowed.

El Parque Avenue

This east-west roadway consists of one lane in each direction. The speed limit is 25 miles per hour and on-street parking is allowed.

Oakey Boulevard at Rainbow Boulevard

Currently this four leg intersection is signalized. The east leg consists of an exclusive left turn lane, a through lane and a through / right turn lane. The west leg consists of an exclusive left turn lane, two through lanes and an exclusive right turn lane. The north and south legs consists of an exclusive left turn lane, three through lanes and an exclusive right turn lane.

Rosanna Street at Oakey Boulevard

Currently this three leg intersection is stop controlled on the south leg. The east leg consists of two through lanes and an exclusive left turn lane. The west leg consists of one travel lane. The south leg consists of one left turn lane and a defacto right turn lane.

El Parque Avenue at Rainbow Boulevard

Currently this four leg intersection is stop controlled on the east and west legs. The east leg (A commercial driveway) consists of a through / left turn lane and a defacto right turn lane. The west leg consists of a through / left turn lane and a defacto right turn lane. The north and south legs consists of an exclusive left turn lane, three through lanes and a defacto right turn lane.

E. TRIP GENERATION RATES

Trip generation rates for the commercial development were obtained from the ITE publication entitled *Trip Generation – 9th Edition*. The independent variable used in the trip generation equations was the number of students. The trip generation calculations are as follows:

TRIP GENERATION	
ITE CODE 534	
PRIVATE SCHOOL (K-8)	
275 STUDENTS	
AM PEAK HOUR	
$T = 0.90 (X) + 3.01$	
$T = 0.90 (275) + 3.01$	
Trips = 250.5 or 251 Trips	
<u>55% Entering</u> 138 Trips	<u>45% Exiting</u> 113 Trips
PM PEAK HOUR	
$T = 0.61 (X) - 4.70$	
$T = 0.61 (275) - 4.70$	
Trips = 163.1 or 164 Trips	
<u>47% Entering</u> 77 Trips	<u>53% Exiting</u> 87 Trips
WEEKDAY	
Assume PM peak hour represents 10 % of ADT	
$T = 10 (164)$	
Trips = 1640 Trips	

F. TRIP DISTRIBUTION AND TRIP ASSIGNMENTS

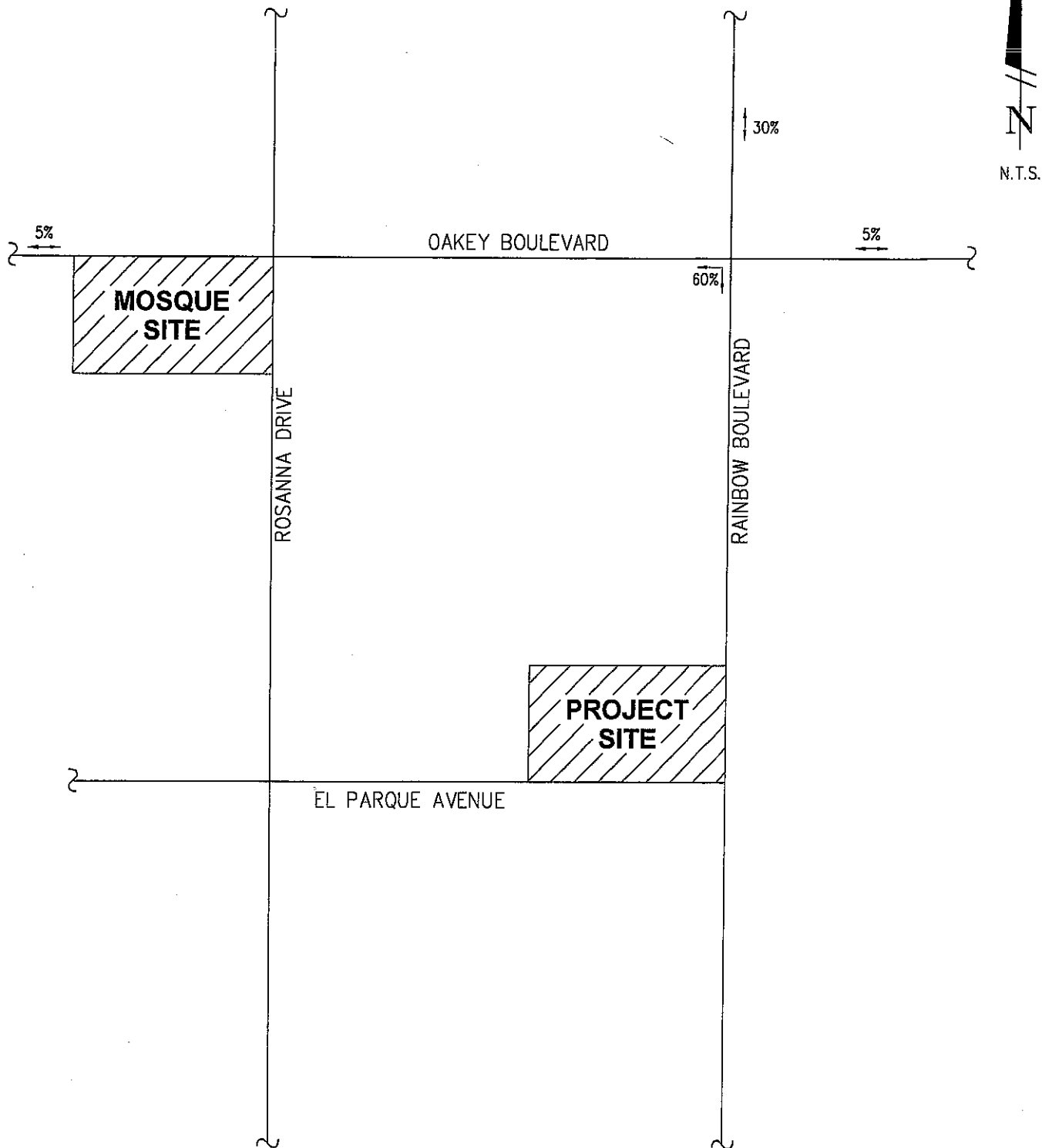
The trip distribution was based on the location of major arterials and residential areas. Refer to Figure 2 for the trip distribution.

Trip assignments were calculated using trip distribution and trip generation information. Refer to Figure 3 for trip assignments for the project. It should be noted that trips are accounted for twice at the intersection of Oakey Boulevard at Rainbow Boulevard. This is to account for the proposed staging area for the pick up and drop off times. It should also be noted that staff shall be present during the drop and pick up time intervals to direct parents away from the residential areas to the west. Parents shall also be instructed to execute a right turning movement only onto Rainbow Boulevard.

G. EXISTING AND PROJECTED TRAFFIC VOLUMES

Traffic volumes at each subject intersection were recorded on the following dates:

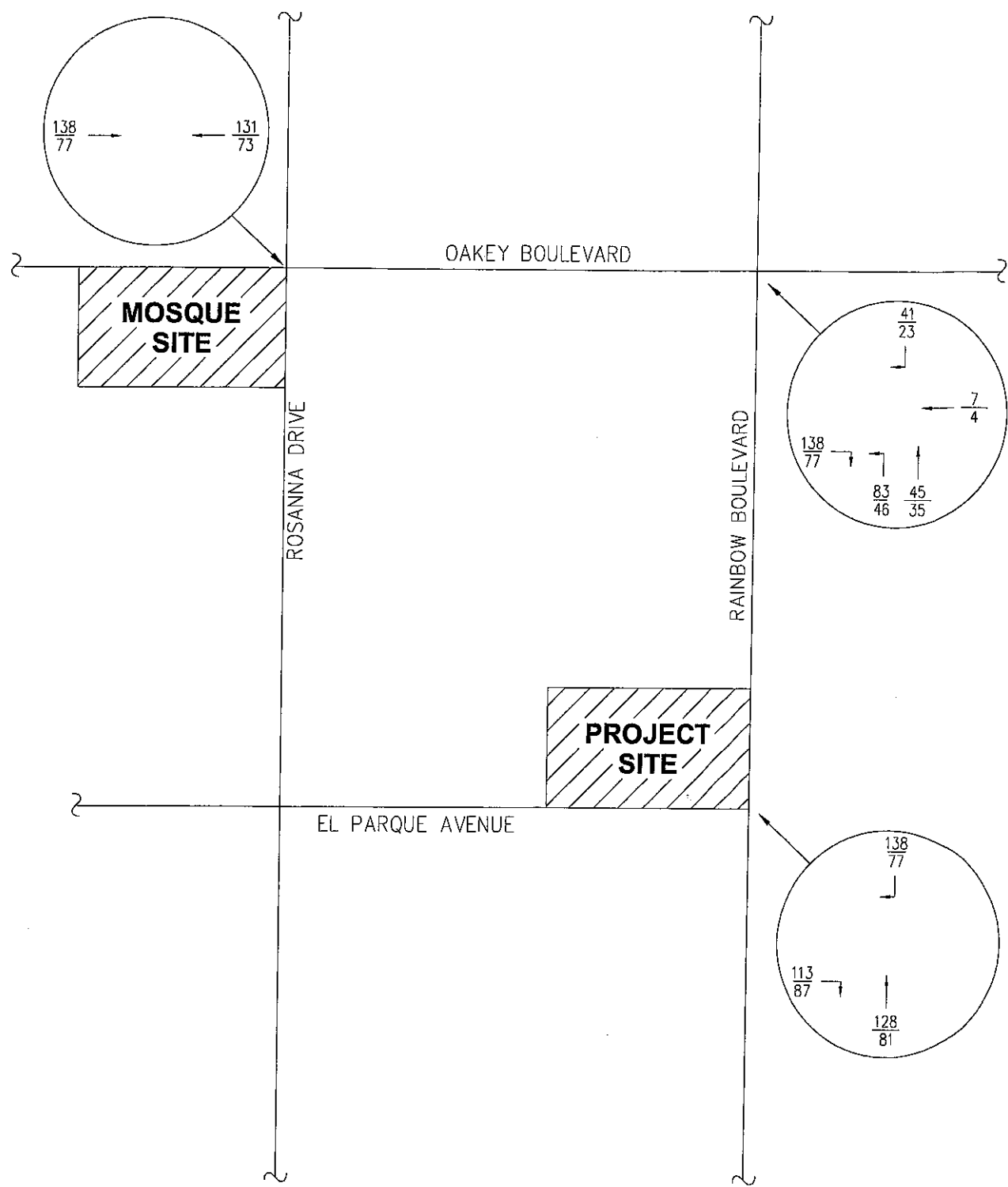
Rosanna Street at Oakey Boulevard	6/20/13
El Parque Avenue at Rainbow Boulevard	6/19/13
Oakey Boulevard at Rainbow Boulevard	6/18/13



TRIP DISTRIBUTION
FIGURE 2

IMAGINE
SCHOOL

RQR-51479



LEGEND

XX = AM PEAK HOUR
YY = PM PEAK HOUR

TRIP ASSIGNMENT
FIGURE 3

IMAGINE
SCHOOL
RQR-51479

The volumes were recorded in 15 minute intervals between the hours of 7:15 am to 8:15 am and 2:15 pm to 3:15 pm. These time periods coincide with the anticipated bell times in the morning and afternoon. The morning bell times are anticipated to be 7:45 AM and 8:00 AM. The afternoon bell times are anticipated to be 2:45 and 3:00 PM. The 15 minute volume counts are contained in Appendix A. Refer to Figure 4 for the existing volumes.

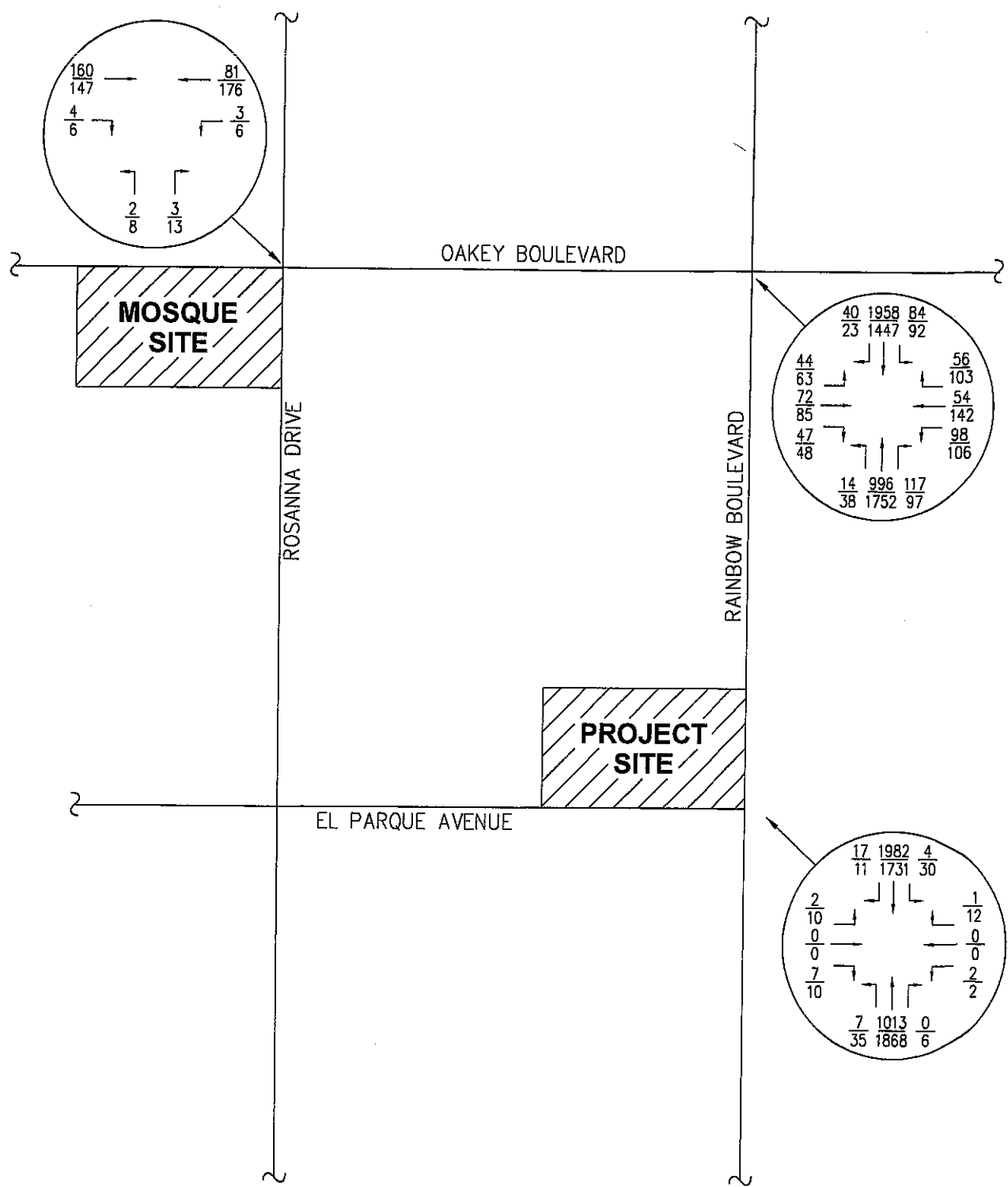
The school shall commence operations in August of 2013. It is anticipated that the use permit will be for a two year period. Due to the fact that the local counting stations in the area have shown a decrease in traffic in the last three years, the existing volumes were assumed to remain steady until end of the use permit. The growth rate calculations are shown in Section L, Average Daily Traffic. Refer to Figure 5 for the 2015 Background Volumes. The anticipated project trips were then combined with the anticipated background volumes. Refer to Figure 6 for 2015 Background and Project Volumes.

H. INTERSECTION ANALYSIS

Based upon the preceding information, a level of service analysis was performed for each intersection. The analysis utilized techniques presented in the TRB publication entitled *Highway Capacity manual 200- fourth Edition*. The analysis worksheets are contained in Appendix B. The Results of these analyses are as follows. The results of these analyses are as follows:

UNSIGNALIZED INTERSECTION ROSANNA STREET AT OAKLEY BOULEVARD							
		EXISTING VOLUMES		2015 BACKGROUND VOLUMES		2015 BACKGROUND VOLUMES WITH PROJECT	
		AM PEAK	PM PEAK	AM PEAK	PM PEAK	AM PEAK	PM PEAK
WESTBOUND LEFT	Level of Service	A	A	A	A	A	A
	Average Delay (Sec)	7.6	7.6	7.6	7.6	8.0	7.9
NORTHBOUND	Level of Service	A	A	A	A	B	B
	Average Delay (Sec)	9.5	9.7	9.5	9.7	11.0	10.8

This intersection currently experiences acceptable delays during both peak hours. It is anticipated that upon completion of the project the intersection's levels of services shall remain acceptable.



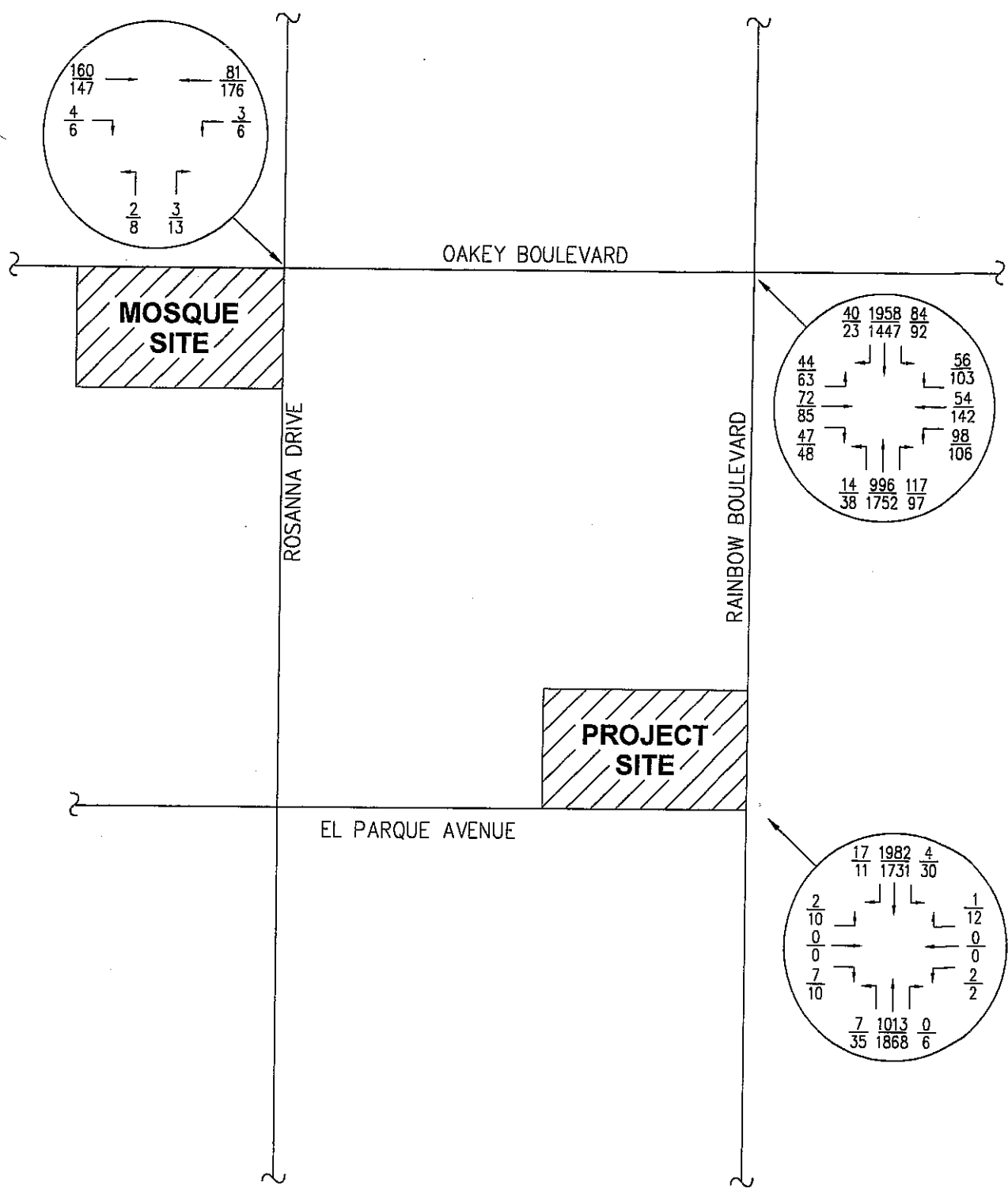
LEGEND

XX = AM PEAK HOUR
YY = PM PEAK HOUR

EXISTING VOLUMES
FIGURE 4

IMAGINE
SCHOOL
RQR-51479

TEC/ED_E/TRAFFIC STUDY DRAWINGS/Imagine School



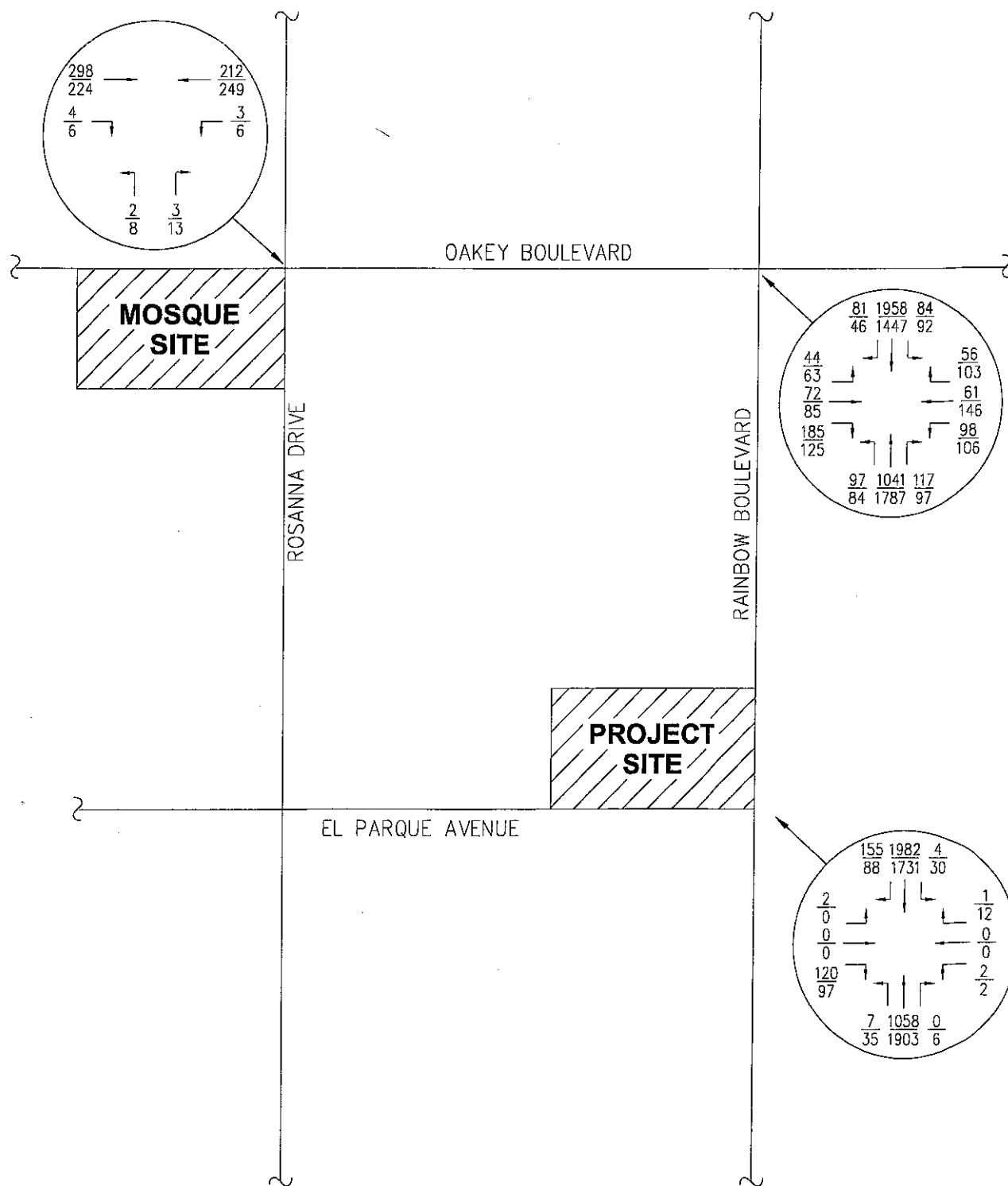
LEGEND

XX = AM PEAK HOUR
 YY = PM PEAK HOUR

2015 BACKGROUND
 VOLUMES
 FIGURE 5

IMAGINE
 SCHOOL
RQR-51479

T:\CAU\ED_E\TRAFFIC STUDY\DRAWINGS\Imagine School



LEGEND

XX = AM PEAK HOUR
YY = PM PEAK HOUR

2015 BACKGROUND AND
PROJECT VOLUMES
FIGURE 6

IMAGINE
SCHOOL
RQR-51479

SIGNALIZED INTERSECTION OAKLEY BOULEVARD AT RAINBOW BOULEVARD							
		EXISTING VOLUMES		2015 BACKGROUND VOLUMES		2015 BACKGROUND VOLUMES WITH PROJECT	
		AM PEAK	PM PEAK	AM PEAK	PM PEAK	AM PEAK	PM PEAK
EASTBOUND	Level of Service	C	D	C	D	C	D
	Average Delay (Sec)	28.8	50.6	28.8	50.6	32.9	53.9
WESTBOUND	Level of Service	C	E	C	E	C	E
	Average Delay (Sec)	33.7	59.8	33.7	59.8	33.8	59.9
NORTHBOUND	Level of Service	D	C	D	C	D	C
	Average Delay (Sec)	42.0	31.8	42.0	31.8	44.1	33.3
SOUTHBOUND	Level of Service	F	D	F	D	F	D
	Average Delay (Sec)	147.1	35.5	147.1	35.5	147.1	35.5

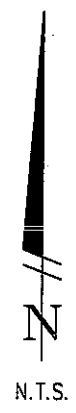
This intersection currently experiences unacceptable delays during both peak hours. It is anticipated that upon completion of the project the intersection's levels of services shall remain unacceptable.

UNIGNALIZED INTERSECTION EL PARQUE AVENUE AT RAINBOW BOULEVARD							
		EXISTING VOLUMES		2015 BACKGROUND VOLUMES		2015 BACKGROUND VOLUMES WITH PROJECT	
		AM PEAK	PM PEAK	AM PEAK	PM PEAK	AM PEAK	PM PEAK
NORTHBOUND LEFT	Level of Service	C	C	C	C	C	C
	Average Delay (Sec)	23.3	17.4	23.3	17.4	23.3	17.4
SOUTHBOUND LEFT	Level of Service	B	C	B	C	B	C
	Average Delay (Sec)	12.7	19.8	12.7	19.8	13.5	19.8
WESTBOUND	Level of Service	F	F	F	F	F	F
	Average Delay (Sec)	407.1	199.0	407.1	199.0	1377	410.7
EASTBOUND	Level of Service	F	F	F	F	F	F
	Average Delay (Sec)	233.9	1277	233.9	1277	61.7	233.9

This intersection currently experiences unacceptable delays during both peak hours. This is due to the through volumes on Rainbow Boulevard. It is anticipated that upon completion of the project the intersection's levels of services shall remain acceptable.

I. DRIVEWAY ANALYSIS

Referring to the enclosed site plan, the project shall have two driveways on El Parque Avenue Street. The eastern driveway shall be entrance only during the peak hours while the western driveway shall be exit only. This will promote a one way onsite circulation for the drop off and pick up of students. Refer to Figure 8 for Driveway Volumes. Based upon these parameters, both driveways were analyzed with respect to levels of service. The results are as follows:



LEGEND

XX — AM PEAK HOUR
YY — PM PEAK HOUR

**STAGING DRIVEWAY
VOLUMES
FIGURE 7**

**IMAGINE SCHOOL
RQR-51479**

WESTERN DRIVEWAY ON EL PARQUE AVENUE		2015 BACKGROUND VOLUMES WITH PROJECT	
		AM PEAK	PM PEAK
EASTBOUND LEFT	Level of Service	A	A
	Average Delay (Sec)	7.2	7.3
SOUTHBOUND	Level of Service	A	A
	Average Delay (Sec)	9.1	9.2

EASTERN DRIVEWAY ON EL PARQUE AVENUE		2015 BACKGROUND VOLUMES WITH PROJECT	
		AM PEAK	PM PEAK
SOUTHBOUND	Level of Service	A	A
	Average Delay (Sec)	7.5	7.6
NORTHBOUND	Level of Service	A	A
	Average Delay (Sec)	8.7	8.8

Based upon the preceding analyses, each driveway shall operate with acceptable levels of service.

J. LEFT-TURN STORAGE ANALYSIS

As required by the City of Las Vegas, left-turn storage bays that are affected by this project must be analyzed for adequate storage lengths. A Poisson distribution with a 95% confidence level for signalized intersections and a three minute storage length for unsignalized intersections were utilized for the analysis. Refer to Appendix D for analysis worksheets.

The results are as follows:

	REQUIRED MINIMUM STORAGE LENGTH		EXISTING STORAGE LENGTH
	AM PEAK HOUR	PM PEAK HOUR	
Oakey Boulevard at Rainbow Boulevard South Leg	175 feet	200 feet	250 feet
Oakey Boulevard at Rainbow Boulevard East Leg	200 feet	225 feet	Continuous
Oakey Boulevard at Rainbow Boulevard North Leg	175 feet	225 feet	250 feet
Oakey Boulevard at Rainbow Boulevard West Leg	100 feet	175 feet	Continuous
Rosanna Street at Oakey Boulevard South Leg	25 feet	25 feet	NA
Rosanna Street at Oakey Boulevard East Leg	25 feet	25 feet	Continuous
El Parque Avenue at Rainbow Boulevard South Leg	25 feet	50 feet	200 feet
El Parque Avenue at Rainbow Boulevard East Leg	25 feet	25 feet	NA
El Parque Avenue at Rainbow Boulevard North Leg	25 feet	50 feet	150 feet
El Parque Avenue at Rainbow Boulevard West Leg	25 feet	25 feet	NA

K. AVERAGE DAILY TRAFFIC

As required by the City of Las Vegas, the increase in Average Daily Traffic (ADT) adjacent to the project must be calculated. The analysis assumed that the Nevada Department of Transportation counting station near the project site is representative of the average growth rate adjacent to the project site. The project ADT was then combined with the adjusted ADT. The calculations are as follows:

SOURCE: 2012 ANNUAL TRAFFIC REPORT PUBLISHED BY THE NEVADA DEPARTMENT OF TRANSPORTATION STATION 03-0349 SR 595 Rainbow Blvd 0.2 mi N of SR 5899			
2009	2010	2011	2012
57000	54000	50000	49000
Growth Rate = $\frac{\{49000\}^{1/3}}{\{57000\}} = 0.95$			

2015 Background and Project ADT on Rainbow Boulevard = $49000 + 1640 = 50,640$

Based on the preceding calculations, it is anticipated that 50,640 vehicles per day shall utilize Rainbow Boulevard upon completion of the project.

M. ADDITIONAL RIGHT OF WAY

Per representatives from the Regional Transportation Commission (RTC), a bus pull out is not required for this site. A breakdown lane currently exists for buses on Rainbow Boulevard. In addition, the volumes at each intersection do not warrant additional right of way for either dual left turn lanes or exclusive right turn lanes are also not recommended.

N. DROP OFF / PICK UP OPERATIONS

As required by the City of Las Vegas, the schools pick up operations were analyzed to ensure the site has adequate on-site storage to accommodate the queue that typically develops. During the drop off and pick up operations, the school shall develop a circulation plan by having an off site staging area. The school shall have two separate beginning bell and two dismissal bell times. For both the pick up and drop off times, parents will be required to stage at an existing site located at 7035 West Oakey Boulevard. School staff will be at the school and staging area. They will be in communications via two way radios. Staff will direct parents into the staging and project driveways. The staff will direct parents away from the adjacent residential neighborhood to the west of the school. As parents queue on the off site lot, staff will radio the name of the vehicle occupants to the school so that when the parents are released to the school site their children shall be ready for pickup. Staff will escort each child to the waiting vehicle.

Referring to the enclosed aerial photo of this site, there is approximately 425 feet of available on site storage. The drive lanes can accommodate two vehicles side by side. This equates to 34 vehicles that may queue on site.

In order to determine the anticipated queue length, data was utilized from observations made at the following school:

Somerset Academy

750 Students, K-8

During the observations, the queue length was observed and a maximum number of vehicles present on the site were calculated. Refer to Appendix E for the observations. Based upon these observations, the K-8 school (Somerset Academy) has a maximum queue

of 104 vehicles. In order to determine the anticipated queue length at the proposed school a ratio of students was used to calculate the queue length. The results are as follows:

$$275 \text{ proposed students} / 750 \text{ observed students} = 0.37$$

$$104 \text{ vehicles observed} \times 0.37 = 38.4 \text{ or } 39 \text{ vehicles}$$

Based upon two bell times for each AM and PM it is anticipated that the off campus assemblage area will need to accommodate 20 vehicles for each bell time. Per the enclosed diagrams the school can accommodate 8 vehicles on site while the off campus site can accommodate 34 vehicles.

In addition, the driveways at 7035 West Oakley Boulevard were also analyzed with respect to levels of service. The results are as follows:

WESTERN DRIVEWAY ON OAKLEY BOULEVARD		2015 BACKGROUND VOLUMES WITH PROJECT	
		AM PEAK	PM PEAK
WESTBOUND LEFT	Level of Service	A	A
	Average Delay (Sec)	7.8	7.7
NORTHBOUND	Level of Service	A	A
	Average Delay (Sec)	9.1	9.0

EASTERN DRIVEWAY ON OAKLEY BOULEVARD		2015 BACKGROUND VOLUMES WITH PROJECT	
		AM PEAK	PM PEAK
WESTBOUND	Level of Service	A	A
	Average Delay (Sec)	7.5	7.5
NORTHBOUND	Level of Service	A	A
	Average Delay (Sec)	9.8	9.4

O. RECOMMENDATIONS

To offset traffic impacts that are anticipated with the completion of the project, the following recommendations have been made:

- *For the City of Las Vegas to require all mandatory signage and striping to be shown on the project's civil engineering drawings and that they conform to the City of Las Vegas and MUTCD standards.*

APPENDIX A

15 Minute Volume Counts

RQR-51479

Lochsa Engineering

6345 S. Jones Boulevard, Suite 100
Las Vegas, NV 89123

File Name : RAOA
Site Code : 00000000
Start Date : 6/18/2013
Page No : 1

Groups Printed- Unshifted

	RAINBOW BOULEVARD Southbound				OAKEY BOULEVARD Westbound				RAINBOW BOULEVARD Northbound				OAKEY BOULEVARD Eastbound				Int. Total
Start Time	Right	Thru	Left	Peds	Right	Thru	Left	Peds	Right	Thru	Left	Peds	Right	Thru	Left	Peds	
07:15 AM	8	414	19	0	7	11	22	0	17	202	2	0	8	12	8	0	730
07:30 AM	8	515	22	0	11	13	24	0	29	210	2	0	11	18	8	0	871
07:45 AM	10	530	20	0	20	15	24	0	35	323	3	0	15	18	14	0	1027
Total	26	1459	61	0	38	39	70	0	81	735	7	0	34	48	30	0	2628
08:00 AM	14	499	23	0	18	15	28	0	36	261	7	0	13	24	14	0	952
*** BREAK ***																	
Total	14	499	23	0	18	15	28	0	36	261	7	0	13	24	14	0	952
*** BREAK ***																	
02:15 PM	10	332	26	0	19	27	16	0	15	369	6	0	10	16	11	0	857
02:30 PM	4	363	19	0	32	28	21	0	24	430	13	0	7	16	10	0	967
02:45 PM	4	362	22	0	23	42	30	0	30	465	8	0	16	24	17	0	1043
Total	18	1057	67	0	74	97	67	0	69	1264	27	0	33	56	38	0	2867
03:00 PM	5	390	25	0	29	45	39	0	28	488	11	0	15	29	25	0	1129
Grand Total	63	3405	176	0	159	196	204	0	214	2748	52	0	95	157	107	0	7576
Apprch %	1.7	93.4	4.8	0	28.4	35.1	36.5	0	7.1	91.2	1.7	0	26.5	43.7	29.8	0	
Total %	0.8	44.9	2.3	0	2.1	2.6	2.7	0	2.8	36.3	0.7	0	1.3	2.1	1.4	0	

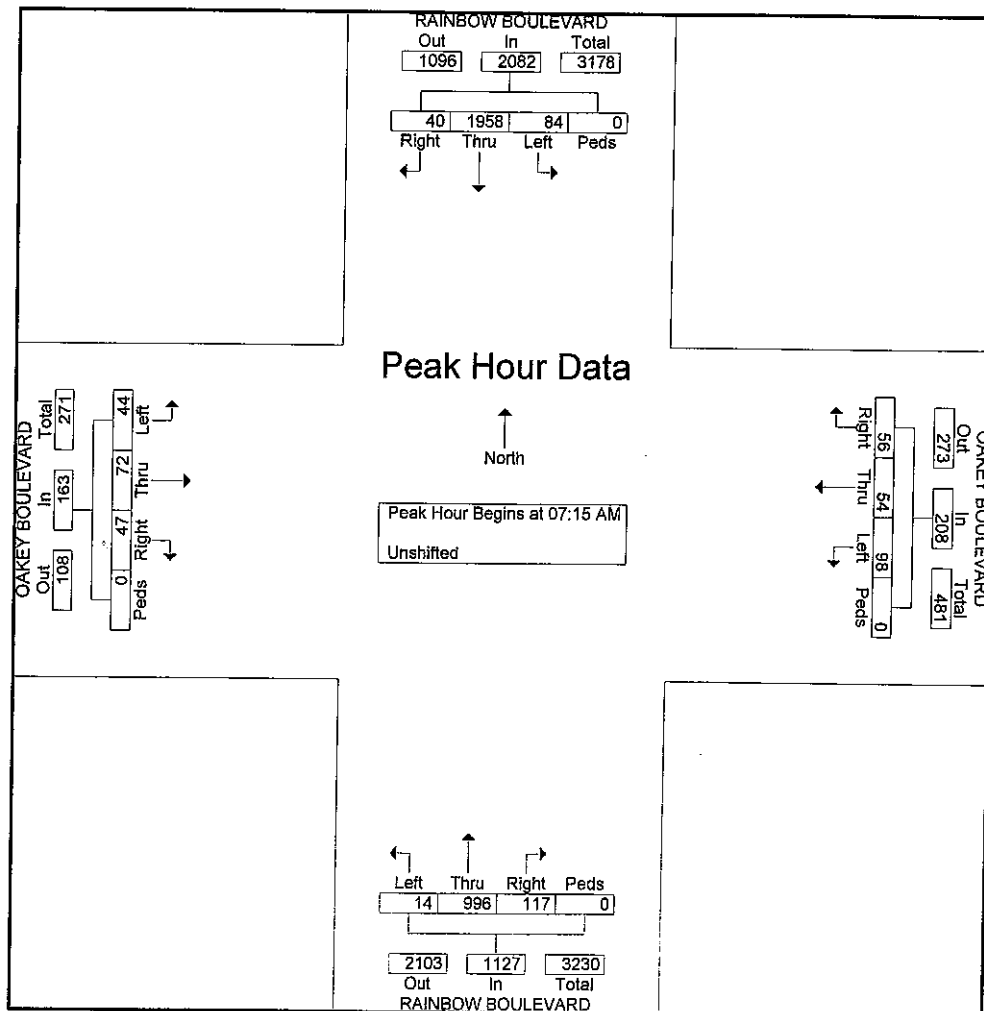
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Las Vegas, NV 89123

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Site Code : 00000000
Start Date : 6/18/2013
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	RAINBOW BOULEVARD Southbound					OAKEY BOULEVARD Westbound					RAINBOW BOULEVARD Northbound					OAKEY BOULEVARD Eastbound					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:15 AM to 11:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	8	414	19	0	441	7	11	22	0	40	17	202	2	0	221	8	12	8	0	28	730
07:30 AM	8	515	22	0	545	11	13	24	0	48	29	210	2	0	241	11	18	8	0	37	871
07:45 AM	10	530	20	0	560	20	15	24	0	59	35	323	3	0	361	15	18	14	0	47	1027
08:00 AM	14	499	23	0	536	18	15	28	0	61	36	261	7	0	304	13	24	14	0	51	952
Total Volume	40	1958	84	0	2082	56	54	98	0	208	117	996	14	0	1127	47	72	44	0	163	3580
% App. Total	1.9	94	4	0		26.9	26	47.1	0		10.4	88.4	1.2	0		28.8	44.2	27	0		
PHF	.714	.924	.913	.000	.929	.700	.900	.875	.000	.852	.813	.771	.500	.000	.780	.783	.750	.786	.000	.799	.871



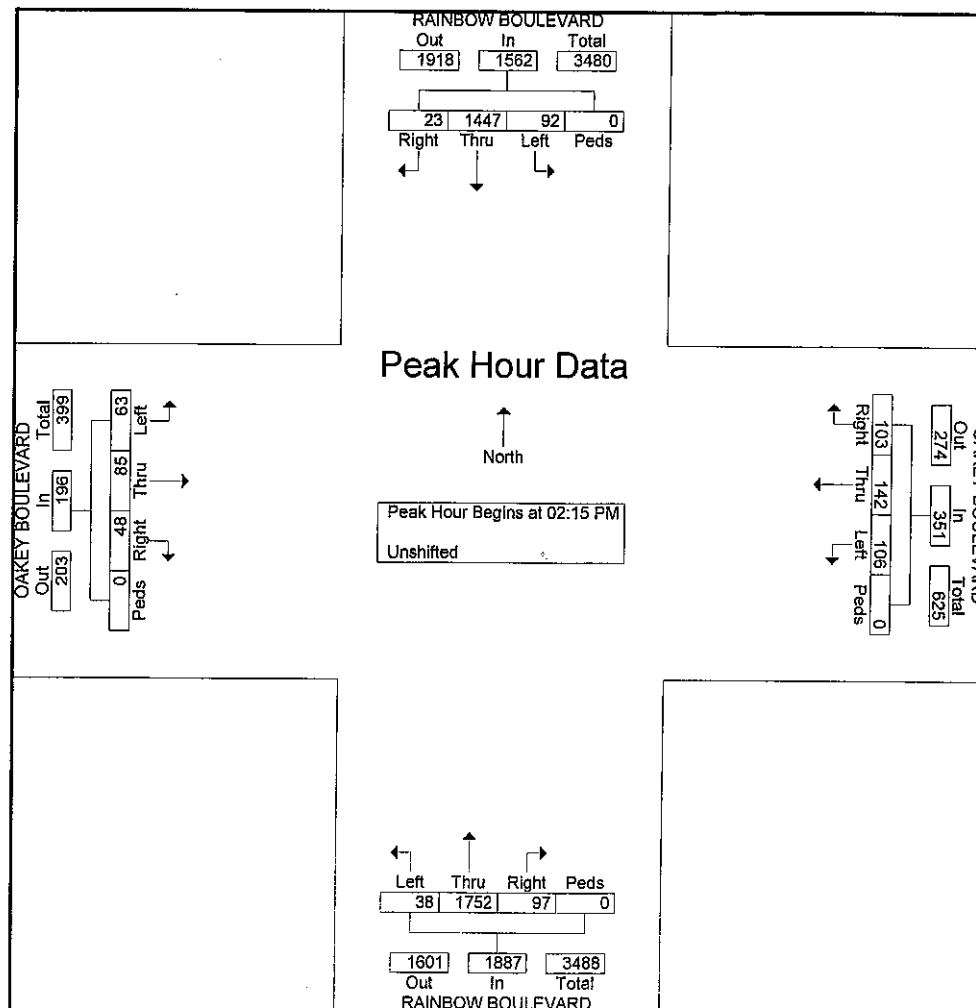
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File Name : RAOA
Site Code : 00000000
Start Date : 6/18/2013
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	RAINBOW BOULEVARD Southbound					OAKEY BOULEVARD Westbound					RAINBOW BOULEVARD Northbound					OAKEY BOULEVARD Eastbound					
Start Time	Rig ht	Thr u	Left	Ped s	App. Total	Rig ht	Thr u	Left	Ped s	App. Total	Right	Thr u	Left	Peds	App. Total	Right	Thr u	Left	Peds	App. Total	Int. Total
Peak Hour Analysis From 12:00 PM to 03:00 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 02:15 PM																					
02:15 PM	10	332	26	0	368	19	27	16	0	62	15	369	6	0	390	10	16	11	0	37	857
02:30 PM	4	363	19	0	386	32	28	21	0	81	24	430	13	0	467	7	16	10	0	33	967
02:45 PM	4	362	22	0	388	23	42	30	0	95	30	465	8	0	503	16	24	17	0	57	1043
03:00 PM	5	390	25	0	420	29	45	39	0	113	28	488	11	0	527	15	29	25	0	69	1129
Total Volume	23	1447	92	0	1562	103	142	106	0	351	97	1752	38	0	1887	48	85	63	0	196	3996
% App. Total	1.5	92.6	5.9	0		29.3	40.5	30.2	0		5.1	92.8	2	0		24.5	43.4	32.1	0		
PHF	.575	.928	.885	.000	.930	.805	.789	.679	.000	.777	.808	.898	.731	.000	.895	.750	.733	.630	.000	.710	.885



RQR-51479

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6345 S. Jones Boulevard, Suite 100
Las Vegas, NV 89123

File Name : OARO
Site Code : 00000000
Start Date : 6/20/2013
Page No : 1

Groups Printed- Unshifted

	ROSEANNA STREET Southbound				OAKEY BOULEVARD Westbound				ROSEANNA STREET Northbound				OAKEY BOULEVARD Eastbound				Int. Total
Start Time	Right	Thru	Left	Peds	Right	Thru	Left	Peds	Right	Thru	Left	Peds	Right	Thru	Left	Peds	
07:15 AM	0	0	0	0	0	17	1	0	0	0	0	0	0	31	0	0	49
07:30 AM	0	0	0	0	0	19	1	0	1	0	1	0	0	38	0	0	60
07:45 AM	0	0	0	0	0	20	1	0	2	0	1	0	4	43	0	0	71
Total	0	0	0	0	0	56	3	0	3	0	2	0	4	112	0	0	180
08:00 AM	0	0	0	0	0	25	0	0	0	0	0	0	0	48	0	0	73
* BREAK ***																	
Total	0	0	0	0	0	25	0	0	0	0	0	0	0	48	0	0	73
*** BREAK ***																	
02:15 PM	0	0	0	0	0	34	0	0	2	0	1	0	3	40	0	0	80
02:30 PM	0	0	0	0	0	33	3	0	3	0	3	0	1	35	0	0	78
02:45 PM	0	0	0	0	0	64	2	0	5	0	2	0	1	48	0	0	122
Total	0	0	0	0	0	131	5	0	10	0	6	0	5	123	0	0	280
03:00 PM	0	0	0	0	0	45	1	0	3	0	2	0	1	24	0	0	76
Grand Total	0	0	0	0	0	257	9	0	16	0	10	0	10	307	0	0	609
Approch %	0	0	0	0	0	96.6	3.4	0	61.5	0	38.5	0	3.2	96.8	0	0	
Total %	0	0	0	0	0	42.2	1.5	0	2.6	0	1.6	0	1.6	50.4	0	0	

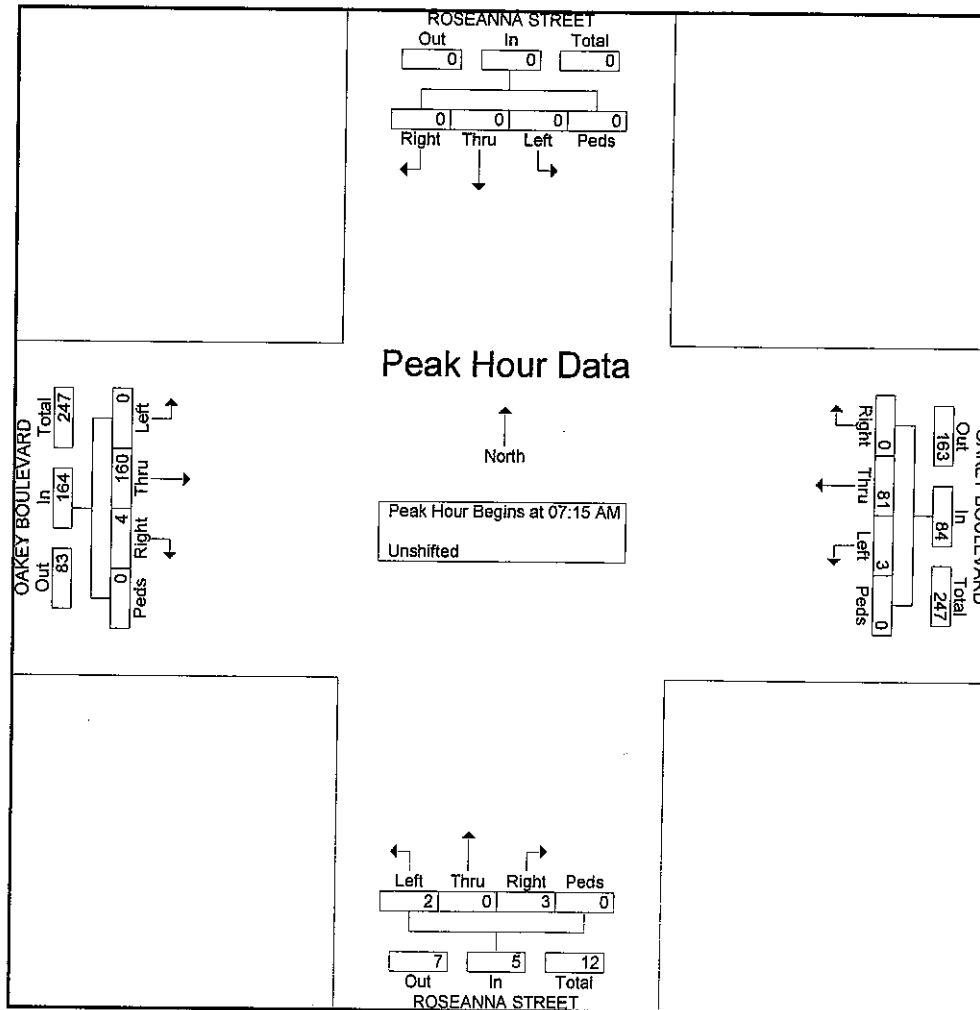
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Las Vegas, NV 89123

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Site Code : 00000000
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	ROSEANNA STREET Southbound					OAKEY BOULEVARD Westbound					ROSEANNA STREET Northbound					OAKEY BOULEVARD Eastbound					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:15 AM to 11:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	0	0	0	0	0	0	17	1	0	18	0	0	0	0	0	0	31	0	0	31	49
07:30 AM	0	0	0	0	0	0	19	1	0	20	1	0	1	0	2	0	38	0	0	38	60
07:45 AM	0	0	0	0	0	0	20	1	0	21	2	0	1	0	3	4	43	0	0	47	71
08:00 AM	0	0	0	0	0	0	25	0	0	25	0	0	0	0	0	0	48	0	0	48	73
Total Volume	0	0	0	0	0	0	81	3	0	84	3	0	2	0	5	4	160	0	0	164	253
% App. Total	0	0	0	0	0	0	96.4	3.6	0		60	0	40	0		2.4	97.6	0	0		
PHF	.000	.000	.000	.000	.000	.000	.810	.750	.000	.840	.375	.000	.500	.000	.417	.250	.833	.000	.000	.854	.866



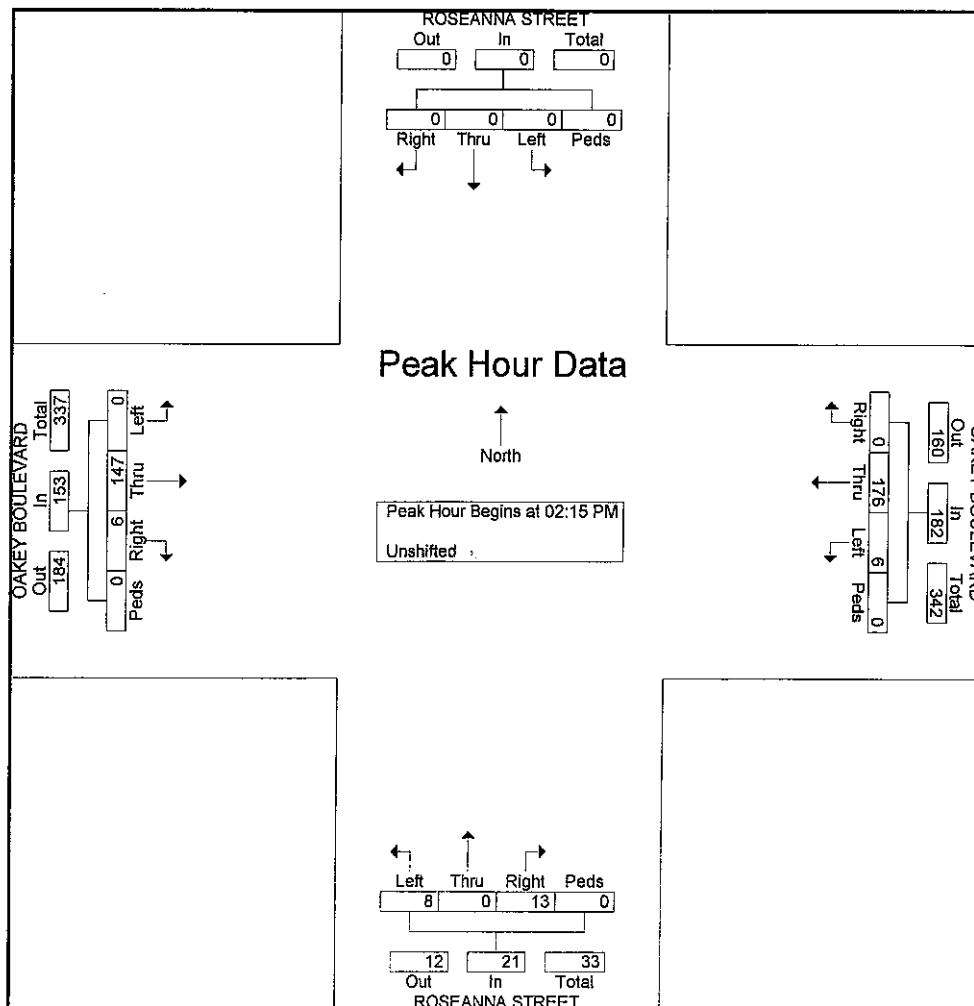
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6345 S. Jones Boulevard, Suite 100
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File Name : OARO
Site Code : 00000000
Start Date : 6/20/2013
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	ROSEANNA STREET Southbound					OAKEY BOULEVARD Westbound					ROSEANNA STREET Northbound					OAKEY BOULEVARD Eastbound					
Start Time	Rig ht	Thr u	Left	Ped s	App. Total	Rig ht	Thr u	Left	Ped s	App. Total	Right	Thr u	Left	Peds	App. Total	Right	Thr u	Left	Peds	App. Total	Int. Total
Peak Hour Analysis From 12:00 PM to 03:00 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 02:15 PM																					
02:15 PM	0	0	0	0	0	0	34	0	0	34	2	0	1	0	3	3	40	0	0	43	80
02:30 PM	0	0	0	0	0	0	33	3	0	36	3	0	3	0	6	1	35	0	0	36	78
02:45 PM	0	0	0	0	0	0	64	2	0	66	5	0	2	0	7	1	48	0	0	49	122
03:00 PM	0	0	0	0	0	0	45	1	0	46	3	0	2	0	5	1	24	0	0	25	76
Total Volume	0	0	0	0	0	0	176	6	0	182	13	0	8	0	21	6	147	0	0	153	356
% App. Total	0	0	0	0	0	0	96.7	3.3	0		61.9	0	38.1	0		3.9	96.1	0	0		
PHF	.000	.000	.000	.000	.000	.000	.688	.500	.000	.689	.650	.000	.667	.000	.750	.500	.766	.000	.000	.781	.730



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6345 S. Jones Boulevard, Suite 100
Las Vegas, NV 89123

File Name : RAEL
Site Code : 00000000
Start Date : 6/19/2013
Page No : 1

Groups Printed- Unshifted

Start Time	RAINBOW BOULEVARD Southbound				EL PARQUE AVENUE Westbound				RAINBOW BOULEVARD Northbound				EL PARQUE AVENUE Eastbound				Int. Total
	Right	Thru	Left	Peds	Right	Thru	Left	Peds	Right	Thru	Left	Peds	Right	Thru	Left	Peds	
07:15 AM	3	412	0	0	0	0	0	0	0	195	3	0	3	0	1	0	617
07:30 AM	1	438	2	0	0	0	0	0	0	190	0	0	0	0	0	0	631
07:45 AM	7	581	2	0	0	0	0	0	0	273	3	0	2	0	1	0	869
Total	11	1431	4	0	0	0	0	0	0	658	6	0	5	0	2	0	2117
08:00 AM	6	551	0	0	1	0	2	0	0	355	1	0	2	0	0	0	918
*** BREAK ***																	
Total	6	551	0	0	1	0	2	0	0	355	1	0	2	0	0	0	918
*** BREAK ***																	
02:15 PM	3	395	5	0	2	0	0	0	1	427	4	0	3	0	0	0	840
02:30 PM	5	459	4	0	5	0	1	0	1	500	10	0	4	0	1	0	990
02:45 PM	2	452	12	0	3	0	0	0	1	431	16	0	2	0	7	0	926
Total	10	1306	21	0	10	0	1	0	3	1358	30	0	9	0	8	0	2756
03:00 PM	1	425	9	0	2	0	1	0	3	510	5	0	1	0	2	0	959
Grand Total	28	3713	34	0	13	0	4	0	6	2881	42	0	17	0	12	0	6750
Apprch %	0.7	98.4	0.9	0	76.5	0	23.5	0	0.2	98.4	1.4	0	58.6	0	41.4	0	
Total %	0.4	55	0.5	0	0.2	0	0.1	0	0.1	42.7	0.6	0	0.3	0	0.2	0	

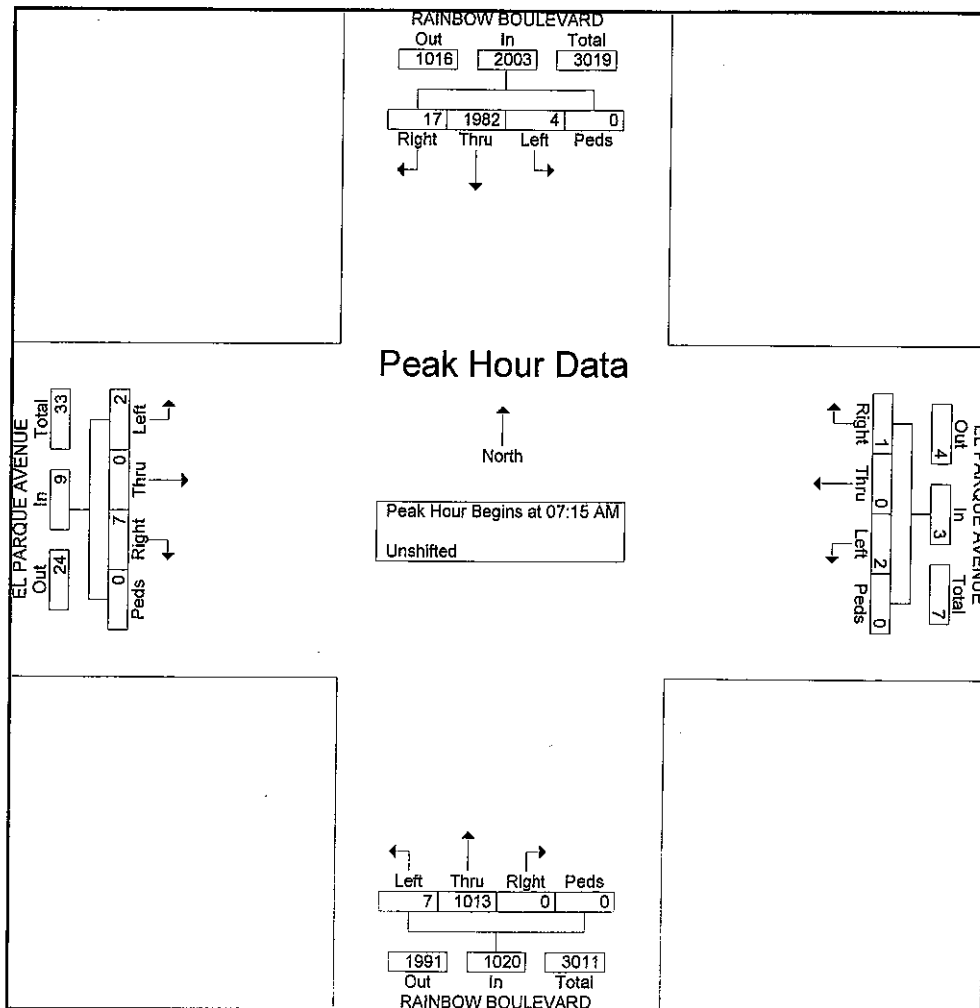
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6345 S. Jones Boulevard, Suite 100
Las Vegas, NV 89123

File Name : RAEI
Site Code : 00000000
Start Date : 6/19/2013
Page No : 2

	RAINBOW BOULEVARD Southbound					EL PARQUE AVENUE Westbound					RAINBOW BOULEVARD Northbound					EL PARQUE AVENUE Eastbound					
Start Time	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Right	Thru	Left	Peds	App. Total	Int. Total
Peak Hour Analysis From 07:15 AM to 11:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:15 AM																					
07:15 AM	3	412	0	0	415	0	0	0	0	0	0	195	3	0	198	3	0	1	0	4	617
07:30 AM	1	438	2	0	441	0	0	0	0	0	0	190	0	0	190	0	0	0	0	0	631
07:45 AM	7	581	2	0	590	0	0	0	0	0	0	273	3	0	276	2	0	1	0	3	869
08:00 AM	6	551	0	0	557	1	0	2	0	3	0	355	1	0	356	2	0	0	0	2	918
Total Volume	17	1982	4	0	2003	1	0	2	0	3	0	1013	7	0	1020	7	0	2	0	9	3035
% App. Total	0.8	99	0.2	0		33.3	0	66.7	0		0	99.3	0.7	0		77.8	0	22.2	0		
PHF	.607	.853	.500	.000	.849	.250	.000	.250	.000	.250	.000	.713	.583	.000	.716	.583	.000	.500	.000	.563	.827



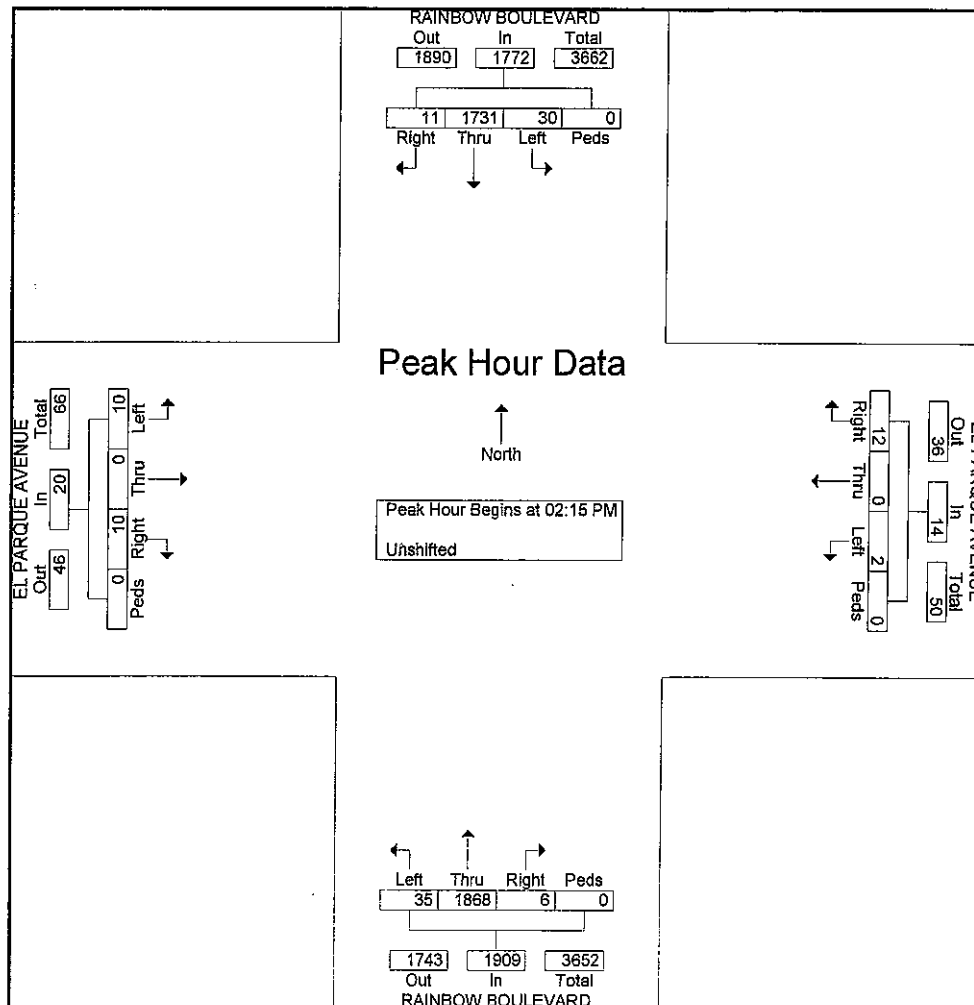
RQR-51479

Locksa Engineering

6345 S. Jones Boulevard, Suite 100
Las Vegas, NV 89123

File Name : RAEI
Site Code : 00000000
Start Date : 6/19/2013
Page No : 3

	RAINBOW BOULEVARD Southbound					EL PARQUE AVENUE Westbound					RAINBOW BOULEVARD Northbound					EL PARQUE AVENUE Eastbound					
Start Time	Rig ht	Thr u	Left	Ped s	App. Total	Rig ht	Thr u	Left	Ped s	App. Total	Right	Thr u	Left	Peds	App. Total	Right	Thr u	Left	Peds	App. Total	Int. Total
Peak Hour Analysis From 12:00 PM to 03:00 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 02:15 PM																					
02:15 PM	3	395	5	0	403	2	0	0	0	2	1	427	4	0	432	3	0	0	0	3	840
02:30 PM	5	459	4	0	468	5	0	1	0	6	1	500	10	0	511	4	0	1	0	5	990
02:45 PM	2	452	12	0	466	3	0	0	0	3	1	431	16	0	448	2	0	7	0	9	926
03:00 PM	1	425	9	0	435	2	0	1	0	3	3	510	5	0	518	1	0	2	0	3	959
Total Volume	11	1731	30	0	1772	12	0	2	0	14	6	1868	35	0	1909	10	0	10	0	20	3715
% App. Total	0.6	97.7	1.7	0		85.7	0	14.3	0		0.3	97.9	1.8	0		50	0	50	0		
PHF	.550	.943	.625	.000	.947	.600	.000	.500	.000	.583	.500	.916	.547	.000	.921	.625	.000	.357	.000	.556	.938



RQR-51479

APPENDIX B

Intersection Analysis

RQR-51479

SHORT REPORT

General Information						Site Information					
Analyst TTE						Intersection OAKLEY AT RAINBOW					
Agency or Co. LOCHSA						Area Type All other areas					
Date Performed 6/22/2013						Jurisdiction CLV					
Time Period AM						Analysis Year 2013 EXIST					

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes	1	2	1	1	2	0	1	3	1	1	3	1
Lane Group	L	T	R	L	TR		L	T	R	L	T	R
Volume (vph)	44	72	47	98	54	56	14	996	117	84	1958	40
% Heavy Vehicles	0	0	0	0	0	0	0	0	0	0	0	0
PHF	0.80	0.80	0.80	0.85	0.85	0.85	0.78	0.78	0.78	0.92	0.92	0.92
Pretimed/Actuated (P/A)	A	A	A	A	A	A	A	A	A	A	A	A
Startup Lost Time	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Extension of Effective Green	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Arrival Type	3	3	3	3	3		3	3	3	3	3	3
Unit Extension	3.0	3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Ped/Bike/RTOR Volume	0	0	9	0	0	6	0	0	22	0	0	8
Lane Width	12.0	12.0	12.0	12.0	12.0		12.0	12.0	12.0	12.0	12.0	12.0
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking/Hour												
Bus Stops/Hour	0	0	0	0	0		0	0	0	0	0	0
Minimum Pedestrian Time		3.2			3.2			3.2			3.2	
Phasing	Excl. Left	EB Only	EW Perm	04		Excl. Left	Thru & RT		07		08	
Timing	G = 7.0	G = 3.0	G = 44.0	G =		G = 19.0	G = 47.0		G =		G =	
	Y = 5	Y =	Y = 5	Y =		Y = 5	Y = 5		Y =		Y =	
Duration of Analysis (hrs) = 0.25								Cycle Length C = 140.0				

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Adjusted Flow Rate	55	90	47	115	123		18	1277	122	91	2128	35
Lane Group Capacity	609	1215	542	467	1055		245	1738	542	245	1738	542
v/c Ratio	0.09	0.07	0.09	0.25	0.12		0.07	0.73	0.23	0.37	1.22	0.06
Green Ratio	0.46	0.34	0.34	0.34	0.31		0.14	0.34	0.34	0.14	0.34	0.34
Uniform Delay d_1	21.3	31.7	31.8	32.9	34.2		52.8	41.0	33.4	55.1	46.5	31.6
Delay Factor k	0.11	0.11	0.11	0.11	0.11		0.11	0.29	0.11	0.11	0.50	0.11
Incremental Delay d_2	0.1	0.0	0.1	0.3	0.0		0.1	1.7	0.2	1.0	106.3	0.1
PF Factor	1.000	1.000	1.000	1.000	1.000		1.000	1.000	1.000	1.000	1.000	1.000
Control Delay	21.4	31.7	31.9	33.1	34.2		52.9	42.7	33.6	56.0	152.8	31.6
Lane Group LOS	C	C	C	C	C		D	D	C	E	F	C
Approach Delay	28.8			33.7			42.0			147.1		
Approach LOS	C			C			D			F		
Intersection Delay	98.6			Intersection LOS						F		

SHORT REPORT												
General Information							Site Information					
Analyst TTE Agency or Co. LOCHSA Date Performed 6/22/2013 Time Period PM							Intersection OAKLEY AT RAINBOW Area Type All other areas Jurisdiction CLV Analysis Year 2013 EXIST					
Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes	1	2	1	1	2	0	1	3	1	1	3	1
Lane Group	L	T	R	L	TR		L	T	R	L	T	R
Volume (vph)	63	85	48	106	142	103	38	1752	97	92	1447	23
% Heavy Vehicles	0	0	0	0	0	0	0	0	0	0	0	0
PHF	0.71	0.71	0.71	0.77	0.77	0.77	0.90	0.90	0.90	0.93	0.93	0.93
Pretimed/Actuated (P/A)	A	A	A	A	A	A	A	A	A	A	A	A
Startup Lost Time	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Extension of Effective Green	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Arrival Type	3	3	3	3	3		3	3	3	3	3	3
Unit Extension	3.0	3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Ped/Bike/RTOR Volume	0	0	9	0	0	10	0	0	19	0	0	5
Lane Width	12.0	12.0	12.0	12.0	12.0		12.0	12.0	12.0	12.0	12.0	12.0
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking/Hour												
Bus Stops/Hour	0	0	0	0	0		0	0	0	0	0	0
Minimum Pedestrian Time		3.2			3.2			3.2			3.2	
Phasing	Excl. Left	EB Only	EW Perm	04	Excl. Left	NB Only	Thru & RT	08				
Timing	G = 9.0	G = 3.0	G = 39.0	G =	G = 12.0	G = 4.0	G = 93.0	G =				
	Y = 5	Y =	Y = 5	Y =	Y = 5	Y = 0	Y = 5	Y =				
Duration of Analysis (hrs) = 0.25						Cycle Length C = 180.0						
Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
Adjusted Flow Rate	89	120	55	138	305		42	1947	87	99	1556	19
Lane Group Capacity	351	844	377	338	737		211	2789	870	120	2674	834
v/c Ratio	0.25	0.14	0.15	0.41	0.41		0.20	0.70	0.10	0.82	0.58	0.02
Green Ratio	0.34	0.23	0.23	0.25	0.22		0.12	0.54	0.54	0.07	0.52	0.52
Uniform Delay d ₁	42.0	54.7	54.8	56.3	60.7		71.9	30.7	20.2	83.0	30.1	21.3
Delay Factor k	0.11	0.11	0.11	0.11	0.11		0.11	0.26	0.11	0.36	0.17	0.11
Incremental Delay d ₂	0.4	0.1	0.2	0.8	0.4		0.5	0.8	0.1	35.5	0.3	0.0
PF Factor	1.000	1.000	1.000	1.000	1.000		1.000	1.000	1.000	1.000	1.000	1.000
Control Delay	42.3	54.8	54.9	57.1	61.0		72.4	31.5	20.3	118.4	30.4	21.3
Lane Group LOS	D	D	D	E	E		E	C	C	F	C	C
Approach Delay	50.6			59.8			31.8			35.5		
Approach LOS	D			E			C			D		
Intersection Delay	37.1			Intersection LOS						D		

SHORT REPORT

General Information						Site Information					
Analyst <i>TTE</i>						Intersection <i>OAKEY AT RAINBOW</i>					
Agency or Co. <i>LOCHSA</i>						Area Type <i>All other areas</i>					
Date Performed <i>6/22/2013</i>						Jurisdiction <i>CLV</i>					
Time Period <i>AM</i>						Analysis Year <i>2015 BACKGROUND</i>					

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes	1	2	1	1	2	0	1	3	1	1	3	1
Lane Group	L	T	R	L	TR		L	T	R	L	T	R
Volume (vph)	44	72	47	98	54	56	14	996	117	84	1958	40
% Heavy Vehicles	0	0	0	0	0	0	0	0	0	0	0	0
PHF	0.80	0.80	0.80	0.85	0.85	0.85	0.78	0.78	0.78	0.92	0.92	0.92
Pretimed/Actuated (P/A)	A	A	A	A	A	A	A	A	A	A	A	A
Startup Lost Time	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Extension of Effective Green	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Arrival Type	3	3	3	3	3		3	3	3	3	3	3
Unit Extension	3.0	3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Ped/Bike/RTOR Volume	0	0	9	0	0	6	0	0	22	0	0	8
Lane Width	12.0	12.0	12.0	12.0	12.0		12.0	12.0	12.0	12.0	12.0	12.0
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking/Hour												
Bus Stops/Hour	0	0	0	0	0		0	0	0	0	0	0
Minimum Pedestrian Time		3.2			3.2			3.2			3.2	
Phasing	Excl. Left	EB Only	EW Perm	04	Excl. Left	Thru & RT	07	08				
Timing	G = 7.0	G = 3.0	G = 44.0	G =	G = 19.0	G = 47.0	G =	G =				
	Y = 5	Y =	Y = 5	Y =	Y = 5	Y = 5	Y =	Y =				
Duration of Analysis (hrs) = 0.25						Cycle Length C = 140.0						

Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
Adjusted Flow Rate	55	90	47	115	123		18	1277	122	91	2128	35
Lane Group Capacity	609	1215	542	467	1055		245	1738	542	245	1738	542
v/c Ratio	0.09	0.07	0.09	0.25	0.12		0.07	0.73	0.23	0.37	1.22	0.06
Green Ratio	0.46	0.34	0.34	0.34	0.31		0.14	0.34	0.34	0.14	0.34	0.34
Uniform Delay d_1	21.3	31.7	31.8	32.9	34.2		52.8	41.0	33.4	55.1	46.5	31.6
Delay Factor k	0.11	0.11	0.11	0.11	0.11		0.11	0.29	0.11	0.11	0.50	0.11
Incremental Delay d_2	0.1	0.0	0.1	0.3	0.0		0.1	1.7	0.2	1.0	106.3	0.1
PF Factor	1.000	1.000	1.000	1.000	1.000		1.000	1.000	1.000	1.000	1.000	1.000
Control Delay	21.4	31.7	31.9	33.1	34.2		52.9	42.7	33.6	56.0	152.8	31.6
Lane Group LOS	C	C	C	C	C		D	D	C	E	F	C
Approach Delay	28.8			33.7			42.0			147.1		
Approach LOS	C			C			D			F		
Intersection Delay	98.6			Intersection LOS						F		

SHORT REPORT

General Information						Site Information					
Analyst TTE						Intersection OAKEY AT RAINBOW					
Agency or Co. LOCHSA						Area Type All other areas					
Date Performed 6/22/2013						Jurisdiction CLV					
Time Period PM						Analysis Year 2015 BACKGROUND					

Volume and Timing Input												
	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes	1	2	1	1	2	0	1	3	1	1	3	1
Lane Group	L	T	R	L	TR		L	T	R	L	T	R
Volume (vph)	63	85	48	106	142	103	38	1752	97	92	1447	23
% Heavy Vehicles	0	0	0	0	0	0	0	0	0	0	0	0
PHF	0.71	0.71	0.71	0.77	0.77	0.77	0.90	0.90	0.90	0.93	0.93	0.93
Pretimed/Actuated (P/A)	A	A	A	A	A	A	A	A	A	A	A	A
Startup Lost Time	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Extension of Effective Green	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Arrival Type	3	3	3	3	3		3	3	3	3	3	3
Unit Extension	3.0	3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Ped/Bike/RTOR Volume	0	0	9	0	0	10	0	0	19	0	0	5
Lane Width	12.0	12.0	12.0	12.0	12.0		12.0	12.0	12.0	12.0	12.0	12.0
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking/Hour												
Bus Stops/Hour	0	0	0	0	0		0	0	0	0	0	0
Minimum Pedestrian Time		3.2			3.2			3.2			3.2	
Phasing	Excl. Left	EB Only	EW Perm	04	Excl. Left	NB Only	Thru & RT	08				
Timing	G = 9.0	G = 3.0	G = 39.0	G =	G = 12.0	G = 4.0	G = 93.0	G =				
	Y = 5	Y =	Y = 5	Y =	Y = 5	Y = 0	Y = 5	Y =				
Duration of Analysis (hrs) = 0.25						Cycle Length C = 180.0						

Lane Group Capacity, Control Delay, and LOS Determination												
	EB			WB			NB			SB		
Adjusted Flow Rate	89	120	55	138	305		42	1947	87	99	1556	19
Lane Group Capacity	351	844	377	338	737		211	2789	870	120	2674	834
v/c Ratio	0.25	0.14	0.15	0.41	0.41		0.20	0.70	0.10	0.82	0.58	0.02
Green Ratio	0.34	0.23	0.23	0.25	0.22		0.12	0.54	0.54	0.07	0.52	0.52
Uniform Delay d_1	42.0	54.7	54.8	56.3	60.7		71.9	30.7	20.2	83.0	30.1	21.3
Delay Factor k	0.11	0.11	0.11	0.11	0.11		0.11	0.26	0.11	0.36	0.17	0.11
Incremental Delay d_2	0.4	0.1	0.2	0.8	0.4		0.5	0.8	0.1	35.5	0.3	0.0
PF Factor	1.000	1.000	1.000	1.000	1.000		1.000	1.000	1.000	1.000	1.000	1.000
Control Delay	42.3	54.8	54.9	57.1	61.0		72.4	31.5	20.3	118.4	30.4	21.3
Lane Group LOS	D	D	D	E	E		E	C	C	F	C	C
Approach Delay	50.6			59.8			31.8			35.5		
Approach LOS	D			E			C			D		
Intersection Delay	37.1			Intersection LOS						D		

SHORT REPORT

General Information

Analyst *TTE*
 Agency or Co. *LOCHSA*
 Date Performed *6/22/2013*
 Time Period *AM*

Site Information

Intersection : *OAKLEY AT RAINBOW*
 Area Type *All other areas*
 Jurisdiction *CLV*
 Analysis Year *2015 BACKGROUND W PROJ*

Volume and Timing Input

		EB			WB			NB			SB			
		LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT	
Number of Lanes		1	2	1	1	2	0	1	3	1	1	3	1	
Lane Group		L	T	R	L	TR		L	T	R	L	T	R	
Volume (vph)		44	72	185	98	61	56	97	1041	117	84	1958	81	
% Heavy Vehicles		0	0	0	0	0	0	0	0	0	0	0	0	
PHF		0.80	0.80	0.80	0.85	0.85	0.85	0.78	0.78	0.78	0.92	0.92	0.92	
Pretimed/Actuated (P/A)		A	A	A	A	A	A	A	A	A	A	A	A	
Startup Lost Time		2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0	
Extension of Effective Green		2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0	
Arrival Type		3	3	3	3	3		3	3	3	3	3	3	
Unit Extension		3.0	3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0	
Ped/Bike/RTOR Volume		0	0	9	0	0	6	0	0	22	0	0	8	
Lane Width		12.0	12.0	12.0	12.0	12.0		12.0	12.0	12.0	12.0	12.0	12.0	
Parking/Grade/Parking		N	0	N	N	0	N	N	0	N	N	0	N	
Parking/Hour														
Bus Stops/Hour		0	0	0	0	0		0	0	0	0	0	0	
Minimum Pedestrian Time			3.2			3.2			3.2			3.2		
Phasing	Excl. Left	EB Only		EW Perm		04		Excl. Left	Thru & RT		07		08	
Timing	G = 7.0	G = 3.0		G = 44.0		G =		G = 19.0		G = 47.0		G =		
	Y = 5	Y =		Y = 5		Y =		Y = 5		Y = 5		Y =		
Duration of Analysis (hrs) = 0.25								Cycle Length C = 140.0						

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Adjusted Flow Rate	55	90	220	115	131		124	1335	122	91	2128	79
Lane Group Capacity	603	1215	542	467	1060		245	1738	542	245	1738	542
v/c Ratio	0.09	0.07	0.41	0.25	0.12		0.51	0.77	0.23	0.37	1.22	0.15
Green Ratio	0.46	0.34	0.34	0.34	0.31		0.14	0.34	0.34	0.14	0.34	0.34
Uniform Delay d_1	21.3	31.7	35.8	32.9	34.2		56.1	41.6	33.4	55.1	46.5	32.5
Delay Factor k	0.11	0.11	0.11	0.11	0.11		0.11	0.32	0.11	0.11	0.50	0.11
Incremental Delay d_2	0.1	0.0	0.5	0.3	0.1		1.7	2.1	0.2	1.0	106.3	0.1
PF Factor	1.000	1.000	1.000	1.000	1.000		1.000	1.000	1.000	1.000	1.000	1.000
Control Delay	21.4	31.7	36.3	33.1	34.3		57.9	43.8	33.6	56.0	152.8	32.6
Lane Group LOS	C	C	D	C	C		E	D	C	E	F	C
Approach Delay	32.9			33.8			44.1			144.9		
Approach LOS	C			C			D			F		
Intersection Delay	94.2			Intersection LOS						F		

SHORT REPORT

General Information

Analyst TTE
Agency or Co. LOCHSA
Date Performed 6/22/2013
Time Period PM

Site Information

Intersection OAKEY AT RAINBOW
Area Type All other areas
Jurisdiction CLV
Analysis Year 2015 BACKGROUND W PROJ

Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Number of Lanes	1	2	1	1	2	0	1	3	1	1	3	1
Lane Group	L	T	R	L	TR		L	T	R	L	T	R
Volume (vph)	63	85	125	106	146	103	84	1787	97	92	1447	46
% Heavy Vehicles	0	0	0	0	0	0	0	0	0	0	0	0
PHF	0.71	0.71	0.71	0.77	0.77	0.77	0.90	0.90	0.90	0.93	0.93	0.93
Pretimed/Actuated (P/A)	A	A	A	A	A	A	A	A	A	A	A	A
Startup Lost Time	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Extension of Effective Green	2.0	2.0	2.0	2.0	2.0		2.0	2.0	2.0	2.0	2.0	2.0
Arrival Type	3	3	3	3	3		3	3	3	3	3	3
Unit Extension	3.0	3.0	3.0	3.0	3.0		3.0	3.0	3.0	3.0	3.0	3.0
Ped/Bike/RTOR Volume	0	0	9	0	0	10	0	0	19	0	0	5
Lane Width	12.0	12.0	12.0	12.0	12.0		12.0	12.0	12.0	12.0	12.0	12.0
Parking/Grade/Parking	N	0	N	N	0	N	N	0	N	N	0	N
Parking/Hour												
Bus Stops/Hour	0	0	0	0	0		0	0	0	0	0	0
Minimum Pedestrian Time		3.2			3.2			3.2			3.2	

Phasing	Excl. Left	EB Only	EW Perm	04	Excl. Left	NB Only	Thru & RT	08
Timing	G = 9.0 Y = 5	G = 3.0 Y =	G = 39.0 Y = 5	G = Y =	G = 12.0 Y = 5	G = 4.0 Y = 0	G = 93.0 Y = 5	G = Y =
Duration of Analysis (hrs) = 0.25						Cycle Length C = 180.0		

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Adjusted Flow Rate	89	120	163	138	311		93	1986	87	99	1556	44
Lane Group Capacity	348	844	377	338	738		211	2789	870	120	2674	834
v/c Ratio	0.26	0.14	0.43	0.41	0.42		0.44	0.71	0.10	0.82	0.58	0.05
Green Ratio	0.34	0.23	0.23	0.25	0.22		0.12	0.54	0.54	0.07	0.52	0.52
Uniform Delay d_1	42.0	54.7	58.8	56.3	60.8		74.0	31.1	20.2	83.0	30.1	21.6
Delay Factor k	0.11	0.11	0.11	0.11	0.11		0.11	0.28	0.11	0.36	0.17	0.11
Incremental Delay d_2	0.4	0.1	0.8	0.8	0.4		1.5	0.9	0.1	35.5	0.3	0.0
PF Factor	1.000	1.000	1.000	1.000	1.000		1.000	1.000	1.000	1.000	1.000	1.000
Control Delay	42.4	54.8	59.6	57.1	61.2		75.5	31.9	20.3	118.4	30.4	21.6
Lane Group LOS	D	D	E	E	E		E	C	C	F	C	C
Approach Delay	53.9			59.9			33.3			35.3		
Approach LOS	D			E			C			D		
Intersection Delay	38.2			Intersection LOS						D		

TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information				
Analyst	TTE			Intersection	OAKEY AT ROSANNA			
Agency/Co.	LOCHSA			Jurisdiction	CLV			
Date Performed	6/22/2013			Analysis Year	2013 EXIST			
Analysis Time Period	AM							
Project Description								
East/West Street: OAKEY				North/South Street: ROSANNA				
Intersection Orientation: East-West				Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments								
Major Street	Eastbound			Westbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)		160	4	3	81			
Peak-Hour Factor, PHF	1.00	0.85	0.85	0.84	0.84	1.00		
Hourly Flow Rate, HFR (veh/h)	0	188	4	3	96	0		
Percent Heavy Vehicles	0	--	--	2	--	--		
Median Type	Undivided							
RT Channelized			0			0		
Lanes	0	1	0	1	2	0		
Configuration			TR	L	T			
Upstream Signal		0			0			
Minor Street	Northbound			Southbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)	2		3					
Peak-Hour Factor, PHF	0.41	1.00	0.41	1.00	1.00	1.00		
Hourly Flow Rate, HFR (veh/h)	4	0	7	0	0	0		
Percent Heavy Vehicles	2	0	2	0	0	0		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	1	0	1	0	0	0		
Configuration	L		R					
Delay, Queue Length, and Level of Service								
Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		L	L		R			
v (veh/h)		3	4		7			
C (m) (veh/h)		1379	721		850			
v/c		0.00	0.01		0.01			
95% queue length		0.01	0.02		0.02			
Control Delay (s/veh)		7.6	10.0		9.3			
LOS		A	B		A			
Approach Delay (s/veh)	--	--	9.5					
Approach LOS	--	--	A					

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	TTE	Intersection	Oakey at Rosanna
Agency/Co.	LOCHSA	Jurisdiction	CLV
Date Performed	6/22/2013	Analysis Year	2013 EXIST
Analysis Time Period	PM		

Project Description

East/West Street: Oakey	North/South Street: Rosanna
Intersection Orientation: East-West	Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		147	6	6	176	
Peak-Hour Factor, PHF	1.00	0.78	0.78	0.69	0.69	1.00
Hourly Flow Rate, HFR (veh/h)	0	188	7	8	255	0
Percent Heavy Vehicles	0	—	—	2	—	—
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	1	0	1	2	0
Configuration			TR	L	T	
Upstream Signal		0			0	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	8		13			
Peak-Hour Factor, PHF	0.75	1.00	0.41	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	10	0	31	0	0	0
Percent Heavy Vehicles	2	0	2	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	1	0	1	0	0	0
Configuration	L		R			

Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		L	L		R			
v (veh/h)		8	10		31			
C (m) (veh/h)		1375	631		848			
v/c		0.01	0.02		0.04			
95% queue length		0.02	0.05		0.11			
Control Delay (s/veh)		7.6	10.8		9.4			
LOS		A	B		A			
Approach Delay (s/veh)	--	--	9.7					
Approach LOS	--	--	A					

TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information				
Analyst	TTE			Intersection	OAKEY AT ROSANNA			
Agency/Co.	LOCHSA			Jurisdiction	CLV			
Date Performed	6/22/2013			Analysis Year	2015 BACKGROUND			
Analysis Time Period	AM							
Project Description								
East/West Street: OAKEY				North/South Street: ROSANNA				
Intersection Orientation: East-West				Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments								
Major Street	Eastbound			Westbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)		160	4	3	81			
Peak-Hour Factor, PHF	1.00	0.85	0.85	0.84	0.84	1.00		
Hourly Flow Rate, HFR (veh/h)	0	188	4	3	96	0		
Percent Heavy Vehicles	0	—	—	2	—	—		
Median Type	Undivided							
RT Channelized			0			0		
Lanes	0	1	0	1	2	0		
Configuration			TR	L	T			
Upstream Signal		0			0			
Minor Street	Northbound			Southbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)	2		3					
Peak-Hour Factor, PHF	0.41	1.00	0.41	1.00	1.00	1.00		
Hourly Flow Rate, HFR (veh/h)	4	0	7	0	0	0		
Percent Heavy Vehicles	2	0	2	0	0	0		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	1	0	1	0	0	0		
Configuration	L		R					
Delay, Queue Length, and Level of Service								
Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		L	L		R			
v (veh/h)		3	4		7			
C (m) (veh/h)		1379	721		850			
v/c		0.00	0.01		0.01			
95% queue length		0.01	0.02		0.02			
Control Delay (s/veh)		7.6	10.0		9.3			
LOS		A	B		A			
Approach Delay (s/veh)	--	--	9.5					
Approach LOS	--	--	A					

TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information			
Analyst	TTE			Intersection	OAKEY AT ROSANNA		
Agency/Co.	LOCHSA			Jurisdiction	CLV		
Date Performed	6/22/2013			Analysis Year	2013 EXIST		
Analysis Time Period	PM						
Project Description							
East/West Street: OAKEY				North/South Street: ROSANNA			
Intersection Orientation: East-West				Study Period (hrs): 0.25			
Vehicle Volumes and Adjustments							
Major Street	Eastbound			Westbound			
Movement	1	2	3	4	5	6	
	L	T	R	L	T	R	
Volume (veh/h)		147	6	6	176		
Peak-Hour Factor, PHF	1.00	0.78	0.78	0.69	0.69	1.00	
Hourly Flow Rate, HFR (veh/h)	0	188	7	8	255	0	
Percent Heavy Vehicles	0	—	—	2	—	—	
Median Type	Undivided						
RT Channelized			0			0	
Lanes	0	1	0	1	2	0	
Configuration			TR	L	T		
Upstream Signal		0			0		
Minor Street	Northbound			Southbound			
Movement	7	8	9	10	11	12	
	L	T	R	L	T	R	
Volume (veh/h)	8		13				
Peak-Hour Factor, PHF	0.75	1.00	0.75	1.00	1.00	1.00	
Hourly Flow Rate, HFR (veh/h)	10	0	17	0	0	0	
Percent Heavy Vehicles	2	0	2	0	0	0	
Percent Grade (%)	0			0			
Flared Approach		N			N		
Storage		0			0		
RT Channelized			0			0	
Lanes	1	0	1	0	0	0	
Configuration	L		R				
Delay, Queue Length, and Level of Service							
Approach	Eastbound	Westbound	Northbound			Southbound	
Movement	1	4	7	8	9	10	11
Lane Configuration		L	L		R		
v (veh/h)		8	10		17		
C (m) (veh/h)		1375	631		848		
v/c		0.01	0.02		0.02		
95% queue length		0.02	0.05		0.06		
Control Delay (s/veh)		7.6	10.8		9.3		
LOS		A	B		A		
Approach Delay (s/veh)	--	--	9.9				
Approach LOS	--	--	A				

TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information			
Analyst	TTE			Intersection	OAKLEY AT ROSANNA		
Agency/Co.	LOCHSA			Jurisdiction	CLV		
Date Performed	6/22/2013			Analysis Year	2015 BACKGROUND W PROJ		
Analysis Time Period	AM						
Project Description							
East/West Street: OAKLEY				North/South Street: ROSANNA			
Intersection Orientation: East-West				Study Period (hrs): 0.25			
Vehicle Volumes and Adjustments							
Major Street	Eastbound			Westbound			
Movement	1	2	3	4	5	6	
	L	T	R	L	T	R	
Volume (veh/h)		298	4	3	249		
Peak-Hour Factor, PHF	1.00	0.85	0.85	0.84	0.84	1.00	
Hourly Flow Rate, HFR (veh/h)	0	350	4	3	296	0	
Percent Heavy Vehicles	0	--	--	2	--	--	
Median Type	Undivided						
RT Channelized			0			0	
Lanes	0	1	0	1	2	0	
Configuration			TR	L	T		
Upstream Signal		0			0		
Minor Street	Northbound			Southbound			
Movement	7	8	9	10	11	12	
	L	T	R	L	T	R	
Volume (veh/h)	2		3				
Peak-Hour Factor, PHF	0.41	1.00	0.41	1.00	1.00	1.00	
Hourly Flow Rate, HFR (veh/h)	4	0	7	0	0	0	
Percent Heavy Vehicles	2	0	2	0	0	0	
Percent Grade (%)	0			0			
Flared Approach		N			N		
Storage		0			0		
RT Channelized			0			0	
Lanes	1	0	1	0	0	0	
Configuration	L		R				
Delay, Queue Length, and Level of Service							
Approach	Eastbound	Westbound	Northbound		Southbound		
Movement	1	4	7	8	9	10	11
Lane Configuration		L	L		R		
v (veh/h)		3	4		7		
C (m) (veh/h)		1201	495		690		
v/c		0.00	0.01		0.01		
95% queue length		0.01	0.02		0.03		
Control Delay (s/veh)		8.0	12.3		10.3		
LOS		A	B		B		
Approach Delay (s/veh)	--	--	11.0				
Approach LOS	--	--	B				

TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information			
Analyst	TTE			Intersection	OAKEY AT ROSANNA		
Agency/Co.	LOCHSA			Jurisdiction	CLV		
Date Performed	6/22/2013			Analysis Year	2015 BACKGROUND W PROJ		
Analysis Time Period	PM						
Project Description							
East/West Street: OAKEY				North/South Street: ROSANNA			
Intersection Orientation: East-West				Study Period (hrs): 0.25			
Vehicle Volumes and Adjustments							
Major Street	Eastbound			Westbound			
Movement	1	2	3	4	5	6	
	L	T	R	L	T	R	
Volume (veh/h)		224	6	6	249		
Peak-Hour Factor, PHF	1.00	0.78	0.78	0.69	0.69	1.00	
Hourly Flow Rate, HFR (veh/h)	0	287	7	8	360	0	
Percent Heavy Vehicles	0	--	--	2	--	--	
Median Type	Undivided						
RT Channelized			0			0	
Lanes	0	1	0	1	2	0	
Configuration			TR	L	T		
Upstream Signal		0			0		
Minor Street	Northbound			Southbound			
Movement	7	8	9	10	11	12	
	L	T	R	L	T	R	
Volume (veh/h)	8		13				
Peak-Hour Factor, PHF	0.75	1.00	0.75	1.00	1.00	1.00	
Hourly Flow Rate, HFR (veh/h)	10	0	17	0	0	0	
Percent Heavy Vehicles	2	0	2	0	0	0	
Percent Grade (%)	0			0			
Flared Approach		N			N		
Storage		0			0		
RT Channelized			0			0	
Lanes	1	0	1	0	0	0	
Configuration	L		R				
Delay, Queue Length, and Level of Service							
Approach	Eastbound	Westbound	Northbound		Southbound		
Movement	1	4	7	8	9	10	11
Lane Configuration		L	L		R		
v (veh/h)		8	10		17		
C (m) (veh/h)		1264	507		748		
v/c		0.01	0.02		0.02		
95% queue length		0.02	0.06		0.07		
Control Delay (s/veh)		7.9	12.2		9.9		
LOS		A	B		A		
Approach Delay (s/veh)	--	--	10.8				
Approach LOS	--	--	B				

TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information			
Analyst	TTE			Intersection	EL PARQUE AT RAINBOW		
Agency/Co.	LOCHSA			Jurisdiction	CLV		
Date Performed	6/22/2013			Analysis Year	2013 EXIST		
Analysis Time Period	AM						
Project Description							
East/West Street: EL PARQUE				North/South Street: RAINBOW			
Intersection Orientation: North-South				Study Period (hrs): 0.25			
Vehicle Volumes and Adjustments							
Major Street	Northbound			Southbound			
Movement	1	2	3	4	5	6	
	L	T	R	L	T	R	
Volume (veh/h)	7	1013	0	4	1982	17	
Peak-Hour Factor, PHF	0.71	0.71	0.71	0.85	0.85	0.85	
Hourly Flow Rate, HFR (veh/h)	9	1426	0	4	2331	19	
Percent Heavy Vehicles	2	-	-	2	-	-	
Median Type	Undivided						
RT Channelized			0			0	
Lanes	1	2	1	1	2	1	
Configuration	L	T	R	L	T	R	
Upstream Signal		0			0		
Minor Street	Eastbound			Westbound			
Movement	7	8	9	10	11	12	
	L	T	R	L	T	R	
Volume (veh/h)	2	0	7	2	0	1	
Peak-Hour Factor, PHF	0.56	0.56	0.56	0.25	0.25	0.25	
Hourly Flow Rate, HFR (veh/h)	3	0	12	8	0	4	
Percent Heavy Vehicles	2	2	2	2	2	2	
Percent Grade (%)	0			0			
Flared Approach		N			N		
Storage		0			0		
RT Channelized			0			0	
Lanes	0	1	1	0	1	1	
Configuration	LT		R	LT		R	
Delay, Queue Length, and Level of Service							
Approach	Northbound	Southbound	Westbound		Eastbound		
Movement	1	4	7	8	9	10	
Lane Configuration	L	L	LT		R	LT	
v (veh/h)	9	4	8		4	3	
C (m) (veh/h)	206	473	11		430	5	
v/c	0.04	0.01	0.73		0.01	0.60	
95% queue length	0.14	0.03	1.55		0.03	0.94	
Control Delay (s/veh)	23.3	12.7	603.9		13.5	1085	
LOS	C	B	F		B	F	
Approach Delay (s/veh)	--	--	407.1		233.9		
Approach LOS	--	--	F		F		

TWO-WAY STOP CONTROL SUMMARY								
General Information					Site Information			
Analyst	TTE				Intersection	EL PARQUE AT RAINBOW		
Agency/Co.	LOCHSA				Jurisdiction	CLV		
Date Performed	6/22/2013				Analysis Year	2013 EXIST		
Analysis Time Period	PM							
Project Description								
East/West Street: EL PARQUE					North/South Street: RAINBOW			
Intersection Orientation: North-South					Study Period (hrs): 0.25			
Vehicle Volumes and Adjustments								
Major Street	Northbound			Southbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)	35	1868	6	30	1731	11		
Peak-Hour Factor, PHF	0.92	0.92	0.92	0.95	0.95	0.85		
Hourly Flow Rate, HFR (veh/h)	38	2030	6	31	1822	12		
Percent Heavy Vehicles	2	—	—	2	—	—		
Median Type	Undivided							
RT Channelized			0			0		
Lanes	1	2	1	1	2	1		
Configuration	L	T	R	L	T	R		
Upstream Signal		0			0			
Minor Street	Eastbound			Westbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)	10	0	10	2	0	12		
Peak-Hour Factor, PHF	0.55	0.55	0.55	0.58	0.58	0.58		
Hourly Flow Rate, HFR (veh/h)	18	0	18	3	0	20		
Percent Heavy Vehicles	2	2	2	2	2	2		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	0	1	1	0	1	1		
Configuration	LT		R	LT		R		
Delay, Queue Length, and Level of Service								
Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	L	L	LT		R	LT		R
v (veh/h)	38	31	3		20	18		18
C (m) (veh/h)	329	274	4		287	5		330
v/c	0.12	0.11	0.75		0.07	3.60		0.05
95% queue length	0.39	0.38	1.00		0.22	3.53		0.17
Control Delay (s/veh)	17.4	19.8	1403		18.5	2538		16.5
LOS	C	C	F		C	F		C
Approach Delay (s/veh)	—	—	199.0			1277		
Approach LOS	—	—	F			F		

TWO-WAY STOP CONTROL SUMMARY									
General Information					Site Information				
Analyst	TTE				Intersection	EL PARQUE AT RAINBOW			
Agency/Co.	LOCHSA				Jurisdiction	CLV			
Date Performed	6/22/2013				Analysis Year	2015 BACKGROUND			
Analysis Time Period	AM								
Project Description									
East/West Street: EL PARQUE					North/South Street: RAINBOW				
Intersection Orientation: North-South					Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments									
Major Street	Northbound			Southbound					
Movement	1	2	3	4	5	6			
	L	T	R	L	T	R			
Volume (veh/h)	7	1013	0	4	1982	17			
Peak-Hour Factor, PHF	0.71	0.71	0.71	0.85	0.85	0.85			
Hourly Flow Rate, HFR (veh/h)	9	1426	0	4	2331	19			
Percent Heavy Vehicles	2	—	—	2	—	—			
Median Type	Undivided								
RT Channelized			0			0			
Lanes	1	2	1	1	2	1			
Configuration	L	T	R	L	T	R			
Upstream Signal		0			0				
Minor Street	Eastbound			Westbound					
Movement	7	8	9	10	11	12			
	L	T	R	L	T	R			
Volume (veh/h)	2	0	7	2	0	1			
Peak-Hour Factor, PHF	0.56	0.56	0.56	0.25	0.25	0.25			
Hourly Flow Rate, HFR (veh/h)	3	0	12	8	0	4			
Percent Heavy Vehicles	2	2	2	2	2	2			
Percent Grade (%)	0			0					
Flared Approach		N			N				
Storage		0			0				
RT Channelized			0			0			
Lanes	0	1	1	0	1	1			
Configuration	LT		R	LT		R			
Delay, Queue Length, and Level of Service									
Approach	Northbound	Southbound	Westbound			Eastbound			
Movement	1	4	7	8	9	10	11	12	
Lane Configuration	L	L	LT		R	LT		R	
v (veh/h)	9	4	8		4	3		12	
C (m) (veh/h)	206	473	11		430	5		235	
v/c	0.04	0.01	0.73		0.01	0.60		0.05	
95% queue length	0.14	0.03	1.55		0.03	0.94		0.16	
Control Delay (s/veh)	23.3	12.7	603.9		13.5	1085		21.1	
LOS	C	B	F		B	F		C	
Approach Delay (s/veh)	—	—	407.1			233.9			
Approach LOS	—	—	F			F			

TWO-WAY STOP CONTROL SUMMARY								
General Information				Site Information				
Analyst	TTE			Intersection	EL PARQUE AT RAINBOW			
Agency/Co.	LOCHSA			Jurisdiction	CLV			
Date Performed	6/22/2013			Analysis Year	2013 EXIST			
Analysis Time Period	PM							
Project Description								
East/West Street: EL PARQUE				North/South Street: RAINBOW				
Intersection Orientation: North-South				Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments								
Major Street	Northbound			Southbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)	35	1868	6	30	1731	11		
Peak-Hour Factor, PHF	0.92	0.92	0.92	0.95	0.95	0.95		
Hourly Flow Rate, HFR (veh/h)	38	2030	6	31	1822	11		
Percent Heavy Vehicles	2	--	--	2	--	--		
Median Type	Undivided							
RT Channelized			0			0		
Lanes	1	2	1	1	2	1		
Configuration	L	T	R	L	T	R		
Upstream Signal		0			0			
Minor Street	Eastbound			Westbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)	10	0	10	2	0	12		
Peak-Hour Factor, PHF	0.55	0.55	0.55	0.58	0.58	0.58		
Hourly Flow Rate, HFR (veh/h)	18	0	18	3	0	20		
Percent Heavy Vehicles	2	2	2	2	2	2		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	0	1	1	0	1	1		
Configuration	LT		R	LT		R		
Delay, Queue Length, and Level of Service								
Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	L	L	LT		R	LT		R
v (veh/h)	38	31	3		20	18		18
C (m) (veh/h)	329	274	4		287	5		330
v/c	0.12	0.11	0.75		0.07	3.60		0.05
95% queue length	0.39	0.38	1.00		0.22	3.53		0.17
Control Delay (s/veh)	17.4	19.8	1403		18.5	2538		16.5
LOS	C	C	F		C	F		C
Approach Delay (s/veh)	--	--	199.0			1277		
Approach LOS	--	--	F			F		

TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information			
Analyst	TTE			Intersection	EL PARQUE AT RAINBOW		
Agency/Co.	LOCHSA			Jurisdiction	CLV		
Date Performed	6/22/2013			Analysis Year	2015 BACKGROUND W PROJ		
Analysis Time Period	AM						
Project Description							
East/West Street: EL PARQUE				North/South Street: RAINBOW			
Intersection Orientation: North-South				Study Period (hrs): 0.25			
Vehicle Volumes and Adjustments							
Major Street	Northbound			Southbound			
Movement	1	2	3	4	5	6	
	L	T	R	L	T	R	
Volume (veh/h)	7	1096	0	4	1982	17	
Peak-Hour Factor, PHF	0.71	0.71	0.71	0.85	0.85	0.85	
Hourly Flow Rate, HFR (veh/h)	9	1543	0	4	2331	19	
Percent Heavy Vehicles	2	--	--	2	--	--	
Median Type	Undivided						
RT Channelized			0			0	
Lanes	1	2	1	1	2	1	
Configuration	L	T	R	L	T	R	
Upstream Signal		0			0		
Minor Street	Eastbound			Westbound			
Movement	7	8	9	10	11	12	
	L	T	R	L	T	R	
Volume (veh/h)	2	0		2	0	1	
Peak-Hour Factor, PHF	0.56	0.56	0.56	0.25	0.25	0.25	
Hourly Flow Rate, HFR (veh/h)	3	0	133	8	0	4	
Percent Heavy Vehicles	2	2	2	2	2	2	
Percent Grade (%)	0			0			
Flared Approach		N			N		
Storage		0			0		
RT Channelized			0			0	
Lanes	0	1	1	0	1	1	
Configuration	LT		R	LT		R	
Delay, Queue Length, and Level of Service							
Approach	Northbound	Southbound	Westbound			Eastbound	
Movement	1	4	7	8	9	10	11
Lane Configuration	L	L	LT		R	LT	R
v (veh/h)	9	4	8		4	3	133
C (m) (veh/h)	206	426	4		398	5	235
v/c	0.04	0.01	2.00		0.01	0.60	0.57
95% queue length	0.14	0.03	2.00		0.03	0.94	3.14
Control Delay (s/veh)	23.3	13.5	2058		14.1	1085	38.6
LOS	C	B	F		B	F	E
Approach Delay (s/veh)	--	--	1377			61.7	
Approach LOS	--	--	F			F	

TWO-WAY STOP CONTROL SUMMARY

General Information			Site Information	
Analyst	TTE		Intersection	EL PARQUE AT RAINBOW
Agency/Co.	LOCHSA		Jurisdiction	CLV
Date Performed	6/22/2013		Analysis Year	2015 BACKGROUND W PROJ
Analysis Time Period	PM			

Project Description

East/West Street: EL PARQUE	North/South Street: RAINBOW
Intersection Orientation: North-South	Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	35	1868	6	30	1731	11
Peak-Hour Factor, PHF	0.92	0.92	0.92	0.95	0.95	0.95
Hourly Flow Rate, HFR (veh/h)	38	2030	6	31	1822	11
Percent Heavy Vehicles	2	--	--	2	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	1	2	1	1	2	1
Configuration	L	T	R	L	T	R
Upstream Signal		0			0	

Minor Street	Eastbound			Westbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	0	0	97	2	0	12
Peak-Hour Factor, PHF	0.55	0.55	0.55	0.58	0.58	0.58
Hourly Flow Rate, HFR (veh/h)	0	0	176	3	0	20
Percent Heavy Vehicles	2	2	2	2	2	2
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	1	1	0	1	1
Configuration	LT		R	LT		R

Delay, Queue Length, and Level of Service

Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	L	L	LT		R	LT		R
v (veh/h)	38	31	3		20	0		176
C (m) (veh/h)	329	274	2		287			330
v/c	0.12	0.11	1.50		0.07			0.53
95% queue length	0.39	0.38	1.13		0.22			2.97
Control Delay (s/veh)	17.4	19.8	3025		18.5			27.7
LOS	C	C	F		C			D
Approach Delay (s/veh)	--	--	410.7					
Approach LOS	--	--	F					

APPENDIX C

Driveway Analysis

TWO-WAY STOP CONTROL SUMMARY

General Information

Analyst	TTE
Agency/Co.	LOCHSA
Date Performed	6/22/2013
Analysis Time Period	AM

Site Information

Intersection	W DW ON EL PARQUE
Jurisdiction	CLV
Analysis Year	2015 W PROJ

Project Description

East/West Street: EL PARQUE	North/South Street: W DW
Intersection Orientation: East-West	Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	0	9			24	0
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	0	9	0	0	24	0
Percent Heavy Vehicles	0	—	—	0	—	—
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	1	0	0	1	0
Configuration	LT					TR
Upstream Signal		0			0	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)				113		0
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	0	0	0	113	0	0
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	1	0	1
Configuration				L		R

Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT					L		R
v (veh/h)	0					113		0
C (m) (veh/h)	1604					986		1058
v/c	0.00					0.11		0.00
95% queue length	0.00					0.39		0.00
Control Delay (s/veh)	7.2					9.1		8.4
LOS	A					A		A
Approach Delay (s/veh)	—	—				9.1		
Approach LOS	—	—				A		

TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information				
Analyst	TTE			Intersection	W DW ON EL PARQUE			
Agency/Co.	LOCHSA			Jurisdiction	CLV			
Date Performed	6/22/2013			Analysis Year	2015 W PROJ			
Analysis Time Period	PM							
Project Description								
East/West Street: EL PARQUE				North/South Street: W DW				
Intersection Orientation: East-West				Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments								
Major Street	Eastbound			Westbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)	0	20			46	0		
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00		
Hourly Flow Rate, HFR (veh/h)	0	20	0	0	46	0		
Percent Heavy Vehicles	0	—	—	0	—	—		
Median Type	Undivided							
RT Channelized			0			0		
Lanes	0	1	0	0	1	0		
Configuration	LT					TR		
Upstream Signal		0			0			
Minor Street	Northbound			Southbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)				87		0		
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00		
Hourly Flow Rate, HFR (veh/h)	0	0	0	87	0	0		
Percent Heavy Vehicles	0	0	0	0	0	0		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	0	0	0	1	0	1		
Configuration				L		R		
Delay, Queue Length, and Level of Service								
Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LT					L		R
v (veh/h)	0					87		0
C (m) (veh/h)	1575					944		1029
v/c	0.00					0.09		0.00
95% queue length	0.00					0.30		0.00
Control Delay (s/veh)	7.3					9.2		8.5
LOS	A					A		A
Approach Delay (s/veh)	--	--				9.2		
Approach LOS	--	--				A		

TWO-WAY STOP CONTROL SUMMARY

General Information			Site Information				
Analyst	TTE		Intersection	E DW ON EL PARQUE			
Agency/Co.	LOCHSA		Jurisdiction	CLV			
Date Performed	6/22/2013		Analysis Year	2015 W PROJ			
Analysis Time Period	AM						
Project Description							
East/West Street: EL PARQUE			North/South Street: E DW				
Intersection Orientation: East-West			Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments							
Major Street	Eastbound			Westbound			
Movement	1	2	3	4	5	6	
	L	T	R	L	T	R	
Volume (veh/h)	0	122			24	138	
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	
Hourly Flow Rate, HFR (veh/h)	0	122	0	0	24	138	
Percent Heavy Vehicles	0	--	--	0	--	--	
Median Type	Undivided						
RT Channelized			0			0	
Lanes	0	1	0	0	1	0	
Configuration	LT					TR	
Upstream Signal		0			0		
Minor Street	Northbound			Southbound			
Movement	7	8	9	10	11	12	
	L	T	R	L	T	R	
Volume (veh/h)				0		1	
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	
Hourly Flow Rate, HFR (veh/h)	0	0	0	0	0	1	
Percent Heavy Vehicles	0	0	0	0	0	0	
Percent Grade (%)	0			0			
Flared Approach		N			N		
Storage		0			0		
RT Channelized			0			0	
Lanes	0	0	0	1	0	1	
Configuration				L		R	
Delay, Queue Length, and Level of Service							
Approach	Eastbound	Westbound	Northbound			Southbound	
Movement	1	4	7	8	9	10	11
Lane Configuration	LT					L	R
v (veh/h)	0					0	1
C (m) (veh/h)	1429					778	970
v/c	0.00					0.00	0.00
95% queue length	0.00					0.00	0.00
Control Delay (s/veh)	7.5					9.6	8.7
LOS	A					A	A
Approach Delay (s/veh)	--	--				8.7	
Approach LOS	--	--				A	

TWO-WAY STOP CONTROL SUMMARY

General Information			Site Information				
Analyst	TTE		Intersection	E DW ON EL PARQUE			
Agency/Co.	LOCHSA		Jurisdiction	CLV			
Date Performed	6/22/2013		Analysis Year	2015 W PROJ			
Analysis Time Period	PM						
Project Description							
East/West Street: EL PARQUE			North/South Street: E DW				
Intersection Orientation: East-West			Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments							
Major Street	Eastbound			Westbound			
Movement	1	2	3	4	5	6	
	L	T	R	L	T	R	
Volume (veh/h)	0	107			46	138	
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	
Hourly Flow Rate, HFR (veh/h)	0	107	0	0	46	138	
Percent Heavy Vehicles	0	--	--	0	--	--	
Median Type	Undivided						
RT Channelized			0			0	
Lanes	0	1	0	0	1	0	
Configuration	LT					TR	
Upstream Signal		0			0		
Minor Street	Northbound			Southbound			
Movement	7	8	9	10	11	12	
	L	T	R	L	T	R	
Volume (veh/h)				0		1	
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	
Hourly Flow Rate, HFR (veh/h)	0	0	0	0	0	1	
Percent Heavy Vehicles	0	0	0	0	0	0	
Percent Grade (%)	0			0			
Flared Approach		N			N		
Storage		0			0		
RT Channelized			0			0	
Lanes	0	0	0	1	0	1	
Configuration				L		R	
Delay, Queue Length, and Level of Service							
Approach	Eastbound	Westbound	Northbound			Southbound	
Movement	1	4	7	8	9	10	11
Lane Configuration	LT					L	R
v (veh/h)	0					0	1
C (m) (veh/h)	1403					771	943
v/c	0.00					0.00	0.00
95% queue length	0.00					0.00	0.00
Control Delay (s/veh)	7.6					9.7	8.8
LOS	A					A	A
Approach Delay (s/veh)	--	--				8.8	
Approach LOS	--	--				A	

TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information				
Analyst	TTE			Intersection	W DW ON OAKEY			
Agency/Co.	LOCHSA			Jurisdiction	CLV			
Date Performed	6/22/2013			Analysis Year	2015 W PROJ			
Analysis Time Period	AM							
Project Description								
East/West Street: OAKEY				North/South Street: W DW				
Intersection Orientation: East-West				Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments								
Major Street	Eastbound			Westbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)		164	7	131	81			
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00		
Hourly Flow Rate, HFR (veh/h)	0	164	7	131	81	0		
Percent Heavy Vehicles	0	--	--	2	--	--		
Median Type	Undivided							
RT Channelized			0			0		
Lanes	0	1	0	1	2	0		
Configuration			TR	L	T			
Upstream Signal		0			0			
Minor Street	Northbound			Southbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)	0		1					
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00		
Hourly Flow Rate, HFR (veh/h)	0	0	1	0	0	0		
Percent Heavy Vehicles	2	0	0	0	0	0		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	1	0	1	0	0	0		
Configuration	L		R					
Delay, Queue Length, and Level of Service								
Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		L	L		R			
v (veh/h)		131	0		1			
C (m) (veh/h)		1404	473		881			
v/c		0.09	0.00		0.00			
95% queue length		0.31	0.00		0.00			
Control Delay (s/veh)		7.8	12.6		9.1			
LOS		A	B		A			
Approach Delay (s/veh)	--	--	9.1					
Approach LOS	--	--	A					

TWO-WAY STOP CONTROL SUMMARY

General Information

Analyst	TTE
Agency/Co.	LOCHSA
Date Performed	6/22/2013
Analysis Time Period	PM

Site Information

Intersection	W DW ON OAKLEY
Jurisdiction	CLV
Analysis Year	2015 W PROJ

Project Description

East/West Street: OAKLEY	North/South Street: W DW
Intersection Orientation: East-West	Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)		153	4	73	81	
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	0	153	4	73	81	0
Percent Heavy Vehicles	0	—	—	2	—	—
Median Type	Undivided					
RT Channelized			0			0
Lanes	0	1	0	1	2	0
Configuration			TR	L	T	
Upstream Signal		0			0	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	0		1			
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR (veh/h)	0	0	1	0	0	0
Percent Heavy Vehicles	2	0	0	0	0	0
Percent Grade (%)	0			0		
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	1	0	1	0	0	0
Configuration	L		R			

Delay, Queue Length, and Level of Service

Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		L	L		R			
v (veh/h)		73	0		1			
C (m) (veh/h)		1420	597		896			
v/c		0.05	0.00		0.00			
95% queue length		0.16	0.00		0.00			
Control Delay (s/veh)		7.7	11.0		9.0			
LOS		A	B		A			
Approach Delay (s/veh)	--	--	9.0					
Approach LOS	--	--	A					

TWO-WAY STOP CONTROL SUMMARY								
General Information					Site Information			
Analyst	TTE				Intersection	E DW ON OAKEY		
Agency/Co.	LOCHSA				Jurisdiction	CLV		
Date Performed	6/22/2013				Analysis Year	2015 W PROJ		
Analysis Time Period	AM							
Project Description								
East/West Street: OAKEY					North/South Street: E DW			
Intersection Orientation: East-West					Study Period (hrs): 0.25			
Vehicle Volumes and Adjustments								
Major Street	Eastbound			Westbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)		164	0	0	212			
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00		
Hourly Flow Rate, HFR (veh/h)	0	164	0	0	212	0		
Percent Heavy Vehicles	0	--	--	2	--	--		
Median Type	Undivided							
RT Channelized			0			0		
Lanes	0	1	0	1	2	0		
Configuration			TR	L	T			
Upstream Signal		0			0			
Minor Street	Northbound			Southbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)	0		138					
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00		
Hourly Flow Rate, HFR (veh/h)	0	0	138	0	0	0		
Percent Heavy Vehicles	2	0	0	0	0	0		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	1	0	1	0	0	0		
Configuration	L		R					
Delay, Queue Length, and Level of Service								
Approach	Eastbound	Westbound	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		L	L		R			
v (veh/h)		0	0		138			
C (m) (veh/h)		1412	697		886			
v/c		0.00	0.00		0.16			
95% queue length		0.00	0.00		0.55			
Control Delay (s/veh)		7.5	10.2		9.8			
LOS		A	B		A			
Approach Delay (s/veh)	--	--	9.8					
Approach LOS	--	--	A					

TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information			
Analyst	TTE			Intersection	E DW ON OAKEY		
Agency/Co.	LOCHSA			Jurisdiction	CLV		
Date Performed	6/22/2013			Analysis Year	2015 W PROJ		
Analysis Time Period	PM						
Project Description							
East/West Street: OAKEY				North/South Street: E DW			
Intersection Orientation: East-West				Study Period (hrs): 0.25			
Vehicle Volumes and Adjustments							
Major Street	Eastbound			Westbound			
Movement	1	2	3	4	5	6	
	L	T	R	L	T	R	
Volume (veh/h)		153	0	0	248		
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	
Hourly Flow Rate, HFR (veh/h)	0	153	0	0	248	0	
Percent Heavy Vehicles	0	--	--	2	--	--	
Median Type	Undivided						
RT Channelized			0			0	
Lanes	0	1	0	1	2	0	
Configuration			TR	L	T		
Upstream Signal		0			0		
Minor Street	Northbound			Southbound			
Movement	7	8	9	10	11	12	
	L	T	R	L	T	R	
Volume (veh/h)	0		77				
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00	
Hourly Flow Rate, HFR (veh/h)	0	0	77	0	0	0	
Percent Heavy Vehicles	2	0	0	0	0	0	
Percent Grade (%)	0			0			
Flared Approach		N			N		
Storage		0			0		
RT Channelized			0			0	
Lanes	1	0	1	0	0	0	
Configuration	L		R				
Delay, Queue Length, and Level of Service							
Approach	Eastbound	Westbound	Northbound			Southbound	
Movement	1	4	7	8	9	10	11
Lane Configuration		L	L		R		
v (veh/h)		0	0		77		
C (m) (veh/h)		1425	690		898		
v/c		0.00	0.00		0.09		
95% queue length		0.00	0.00		0.28		
Control Delay (s/veh)		7.5	10.2		9.4		
LOS		A	B		A		
Approach Delay (s/veh)	--	--	9.4				
Approach LOS	--	--	A				

APPENDIX D

Left-turn Storage

RQR-51479

LEFT TURN STORAGE ANALYSIS - POISSON METHOD

OAKEY AT RAINBOW SOUTH LEG AM

VEHICLES PER HOUR: 97 VPH

CYCLE LENGTH: 140 SECONDS

NUMBER OF LANES: 1 LANE(S)

REQUIRED STORAGE LENGTH = $[(\text{VEHICLES}/\text{CYCLE}/\text{LANE}) + z(\text{VEHICLES}/\text{CYCLE}/\text{LANE})^{0.5}] \times 25(\text{ft/veh})$

$(\text{VEHICLES}/\text{CYCLE}/\text{LANE}) = [\text{VPH} \times (\text{CYCLE}(\text{sec})/3600) \times v] / \text{LANE}$

IF NUMBER OF LANES = 1, THEN $v = 1.00$.

IF NUMBER OF LANES = 2, THEN $v = 1.05$.

IF NUMBER OF LANES = 3, THEN $v = 1.10$.

$z = 1.645$ FOR 95% CONFIDENCE LEVEL

REQUIRED STORAGE LENGTH = 174.18 FEET PER LANE

LEFT TURN STORAGE ANALYSIS - POISSON METHOD

OAKEY AT RAINBOW SOUTH LEG PM

VEHICLES PER HOUR: 84 VPH

CYCLE LENGTH: 180 SECONDS

NUMBER OF LANES: 1 LANE(S)

REQUIRED STORAGE LENGTH = $[(\text{VEHICLES}/\text{CYCLE}/\text{LANE}) + z(\text{VEHICLES}/\text{CYCLE}/\text{LANE})^{0.5}] \times 25(\text{ft/veh})$

$(\text{VEHICLES}/\text{CYCLE}/\text{LANE}) = [\text{VPH} \times (\text{CYCLE}(\text{sec})/3600) \times v] / \text{LANE}$

IF NUMBER OF LANES = 1, THEN $v = 1.00$.

IF NUMBER OF LANES = 2, THEN $v = 1.05$.

IF NUMBER OF LANES = 3, THEN $v = 1.10$.

$z = 1.645$ FOR 95% CONFIDENCE LEVEL

REQUIRED STORAGE LENGTH = 189.28 FEET PER LANE

LEFT TURN STORAGE ANALYSIS - POISSON METHOD

OAKLEY AT RAINBOW EAST LEG AM

VEHICLES PER HOUR: 98 VPH

CYCLE LENGTH: 140 SECONDS

NUMBER OF LANES: 1 LANE(S)

REQUIRED STORAGE LENGTH = $[(\text{VEHICLES}/\text{CYCLE}/\text{LANE}) + z(\text{VEHICLES}/\text{CYCLE}/\text{LANE})^{0.5}] \times 25(\text{ft/veh})$

$(\text{VEHICLES}/\text{CYCLE}/\text{LANE}) = [\text{VPH} \times (\text{CYCLE}(\text{sec})/3600) \times v] / \text{LANE}$

IF NUMBER OF LANES = 1, THEN $v = 1.00$.

IF NUMBER OF LANES = 2, THEN $v = 1.05$.

IF NUMBER OF LANES = 3, THEN $v = 1.10$.

$z = 1.645$ FOR 95% CONFIDENCE LEVEL

REQUIRED STORAGE LENGTH = 175.56 FEET PER LANE

LEFT TURN STORAGE ANALYSIS - POISSON METHOD

OAKEY AT RAINBOW EAST LEG PM

VEHICLES PER HOUR: 106 VPH

CYCLE LENGTH: 180 SECONDS

NUMBER OF LANES: 1 LANE(S)

REQUIRED STORAGE LENGTH = $[(\text{VEHICLES}/\text{CYCLE}/\text{LANE}) + z(\text{VEHICLES}/\text{CYCLE}/\text{LANE})^{0.5}] \times 25(\text{ft}/\text{veh})$

$(\text{VEHICLES}/\text{CYCLE}/\text{LANE}) = [\text{VPH} \times (\text{CYCLE}(\text{sec})/3600) \times v] / \text{LANE}$

IF NUMBER OF LANES = 1, THEN $v = 1.00$.

IF NUMBER OF LANES = 2, THEN $v = 1.05$.

IF NUMBER OF LANES = 3, THEN $v = 1.10$.

$z = 1.645$ FOR 95% CONFIDENCE LEVEL

REQUIRED STORAGE LENGTH = 227.18 FEET PER LANE

LEFT TURN STORAGE ANALYSIS - POISSON METHOD

OAKEY AT RAINBOW NORTH LEG AM

VEHICLES PER HOUR: 84 VPH

CYCLE LENGTH: 140 SECONDS

NUMBER OF LANES: 1 LANE(S)

REQUIRED STORAGE LENGTH = $[(\text{VEHICLES}/\text{CYCLE}/\text{LANE}) + z(\text{VEHICLES}/\text{CYCLE}/\text{LANE})^{0.5}] \times 25(\text{ft/veh})$

$(\text{VEHICLES}/\text{CYCLE}/\text{LANE}) = [\text{VPH} \times (\text{CYCLE}(\text{sec})/3600) \times v] / \text{LANE}$

IF NUMBER OF LANES = 1, THEN $v = 1.00$.

IF NUMBER OF LANES = 2, THEN $v = 1.05$.

IF NUMBER OF LANES = 3, THEN $v = 1.10$.

$z = 1.645$ FOR 95% CONFIDENCE LEVEL

REQUIRED STORAGE LENGTH = 156.00 FEET PER LANE

LEFT TURN STORAGE ANALYSIS - POISSON METHOD

OAKEY AT RAINBOW NORTH LEG PM

VEHICLES PER HOUR: 92 VPH

CYCLE LENGTH: 180 SECONDS

NUMBER OF LANES: 1 LANE(S)

REQUIRED STORAGE LENGTH = $[(\text{VEHICLES}/\text{CYCLE}/\text{LANE}) + z(\text{VEHICLES}/\text{CYCLE}/\text{LANE})^{0.5}] \times 25(\text{ft/veh})$

$(\text{VEHICLES}/\text{CYCLE}/\text{LANE}) = [\text{VPH} \times (\text{CYCLE}(\text{sec})/3600) \times v] / \text{LANE}$

IF NUMBER OF LANES = 1, THEN $v = 1.00$.

IF NUMBER OF LANES = 2, THEN $v = 1.05$.

IF NUMBER OF LANES = 3, THEN $v = 1.10$.

$z = 1.645$ FOR 95% CONFIDENCE LEVEL

REQUIRED STORAGE LENGTH = 203.20 FEET PER LANE

LEFT TURN STORAGE ANALYSIS - POISSON METHOD

OAKEY AT RAINBOW WEST LEG AM

VEHICLES PER HOUR: 44 VPH

CYCLE LENGTH: 140 SECONDS

NUMBER OF LANES: 1 LANE(S)

REQUIRED STORAGE LENGTH = $[(\text{VEHICLES}/\text{CYCLE}/\text{LANE}) + z(\text{VEHICLES}/\text{CYCLE}/\text{LANE})^{0.5}] \times 25(\text{ft/veh})$

$(\text{VEHICLES}/\text{CYCLE}/\text{LANE}) = [\text{VPH} \times (\text{CYCLE}(\text{sec})/3600) \times v] / \text{LANE}$

IF NUMBER OF LANES = 1, THEN $v = 1.00$.

IF NUMBER OF LANES = 2, THEN $v = 1.05$.

IF NUMBER OF LANES = 3, THEN $v = 1.10$.

$z = 1.645$ FOR 95% CONFIDENCE LEVEL

REQUIRED STORAGE LENGTH = 96.57 FEET PER LANE

LEFT TURN STORAGE ANALYSIS - POISSON METHOD

OAKEY AT RAINBOW WEST LEG PM

VEHICLES PER HOUR: 63 VPH

CYCLE LENGTH: 180 SECONDS

NUMBER OF LANES: 1 LANE(S)

REQUIRED STORAGE LENGTH = $[(\text{VEHICLES}/\text{CYCLE}/\text{LANE}) + z(\text{VEHICLES}/\text{CYCLE}/\text{LANE})^{0.5}] \times 25(\text{ft/veh})$

$(\text{VEHICLES}/\text{CYCLE}/\text{LANE}) = [\text{VPH} \times (\text{CYCLE}(\text{sec})/3600) \times v] / \text{LANE}$

IF NUMBER OF LANES = 1, THEN $v = 1.00$.

IF NUMBER OF LANES = 2, THEN $v = 1.05$.

IF NUMBER OF LANES = 3, THEN $v = 1.10$.

$z = 1.645$ FOR 95% CONFIDENCE LEVEL

REQUIRED STORAGE LENGTH = 151.74 FEET PER LANE

THREE MINUTE STORAGE REQUIREMENTS ANALYSIS

ROSANNA AT OAKEY - SOUTH LEG AM

EXISTING VOLUME (VPH) = 0

PROJECT VOLUME (VPH) = 2

TOTAL VOLUME (VPH) = 2

REQUIRED STORAGE = (TOTAL VPH) * (3 MIN) * (25 FT/VEH) / (60 MIN/HR)

REQUIRED STORAGE LENGTH = 2.5 FEET

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THREE MINUTE STORAGE REQUIREMENTS ANALYSIS

ROSANNA AT OAKEY - SOUTH LEG PM

EXISTING VOLUME (VPH) = 0

PROJECT VOLUME (VPH) = 8

TOTAL VOLUME (VPH) = 8

REQUIRED STORAGE = (TOTAL VPH) * (3 MIN) * (25 FT/VEH) / (60 MIN/HR)

REQUIRED STORAGE LENGTH = 10 FEET

THREE MINUTE STORAGE REQUIREMENTS ANALYSIS

ROSANNA AT OAKEY - EAST LEG AM

EXISTING VOLUME (VPH) = 0

PROJECT VOLUME (VPH) = 3

TOTAL VOLUME (VPH) = 3

REQUIRED STORAGE = (TOTAL VPH) * (3 MIN) * (25 FT/VEH) / (60 MIN/HR)

REQUIRED STORAGE LENGTH = 3.75 FEET

THREE MINUTE STORAGE REQUIREMENTS ANALYSIS

**ROSANNA AT OAKEY - EAST LEG
PM**

EXISTING VOLUME (VPH) = 0

PROJECT VOLUME (VPH) = 6

TOTAL VOLUME (VPH) = 6

REQUIRED STORAGE = (TOTAL VPH) * (3 MIN) * (25 FT/VEH) / (60 MIN/HR)

REQUIRED STORAGE LENGTH = 7.5 FEET

THREE MINUTE STORAGE REQUIREMENTS ANALYSIS

**EL PARQUE AT RAINBOW SOUTH LEG
AM**

EXISTING VOLUME (VPH) = 0

PROJECT VOLUME (VPH) = 7

TOTAL VOLUME (VPH) = 7

REQUIRED STORAGE = (TOTAL VPH) * (3 MIN) * (25 FT/VEH) / (60 MIN/HR)

REQUIRED STORAGE LENGTH = 8.75 FEET

THREE MINUTE STORAGE REQUIREMENTS ANALYSIS

EL PARQUE AT RAINBOW SOUTH LEG PM

EXISTING VOLUME (VPH) = 0

PROJECT VOLUME (VPH) = 35

TOTAL VOLUME (VPH) = 35

REQUIRED STORAGE = (TOTAL VPH) * (3 MIN) * (25 FT/VEH) / (60 MIN/HR)

REQUIRED STORAGE LENGTH = 43.75 FEET

THREE MINUTE STORAGE REQUIREMENTS ANALYSIS

EL PARQUE AT RAINBOW EAST LEG AM

EXISTING VOLUME (VPH) = 0

PROJECT VOLUME (VPH) = 2

TOTAL VOLUME (VPH) = 2

REQUIRED STORAGE = (TOTAL VPH) * (3 MIN) * (25 FT/VEH) / (60 MIN/HR)

REQUIRED STORAGE LENGTH = 2.5 FEET

THREE MINUTE STORAGE REQUIREMENTS ANALYSIS

EL PARQUE AT RAINBOW EAST LEG PM

EXISTING VOLUME (VPH) = 0

PROJECT VOLUME (VPH) = 2

TOTAL VOLUME (VPH) = 2

REQUIRED STORAGE = (TOTAL VPH) * (3 MIN) * (25 FT/VEH) / (60 MIN/HR)

REQUIRED STORAGE LENGTH = 2.5 FEET

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THREE MINUTE STORAGE REQUIREMENTS ANALYSIS

EL PARQUE AT RAINBOW NORTH LEG AM

EXISTING VOLUME (VPH) = 0

PROJECT VOLUME (VPH) = 4

TOTAL VOLUME (VPH) = 4

REQUIRED STORAGE = (TOTAL VPH) * (3 MIN) * (25 FT/VEH) / (60 MIN/HR)

REQUIRED STORAGE LENGTH = 5 FEET

THREE MINUTE STORAGE REQUIREMENTS ANALYSIS

**EL PARQUE AT RAINBOW NORTH LEG
PM**

EXISTING VOLUME (VPH) = 0

PROJECT VOLUME (VPH) = 30

TOTAL VOLUME (VPH) = 30

REQUIRED STORAGE = (TOTAL VPH) * (3 MIN) * (25 FT/VEH) / (60 MIN/HR)

REQUIRED STORAGE LENGTH = 37.5 FEET

THREE MINUTE STORAGE REQUIREMENTS ANALYSIS

EL PARQUE AT RAINBOW WEST LEG AM

EXISTING VOLUME (VPH) = 0

PROJECT VOLUME (VPH) = 2

TOTAL VOLUME (VPH) = 2

REQUIRED STORAGE = (TOTAL VPH) * (3 MIN) * (25 FT/VEH) / (60 MIN/HR)

REQUIRED STORAGE LENGTH = 2.5 FEET

THREE MINUTE STORAGE REQUIREMENTS ANALYSIS

EL PARQUE AT RAINBOW WEST LEG PM

EXISTING VOLUME (VPH) = 0

PROJECT VOLUME (VPH) = 0

TOTAL VOLUME (VPH) = 0

REQUIRED STORAGE = (TOTAL VPH) * (3 MIN) * (25 FT/VEH) / (60 MIN/HR)

REQUIRED STORAGE LENGTH = 0 FEET

Somerset 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
	0	2		0	1	1
	1	3		0	1	2
	0	3		0	1	2
	0	3		0	1	2
2:30	0	3		0	1	2
	0	3		0	1	2
	0	3		0	1	2
	0	3		0	1	2
	0	3		0	1	2
2:35	1	4		0	1	3
	2	6		0	1	5
	0	6		0	1	5
	0	6		0	1	5
	2	8		0	1	7
2:40	0	9	0.055215	0	1	8
	0	9	0.055215	0	1	8
	0	9	0.055215	0	1	8
	1	10	0.06135	0	1	9
	0	12	0.07362	0	1	11
2:45	0	12	0.07362	0	1	11
	0	13	0.079755	1	2	11
	0	13	0.079755	0	2	11
	0	13	0.079755	1	3	10
	0	15	0.092025	0	3	12
2:50	0	17	0.104294	0	3	14
	2	23	0.141104	0	3	20
	0	24	0.147239	0	3	21
	1	25	0.159509	0	3	23
	3	30	0.184049	0	3	27
2:55	1	31	0.190184	0	3	28
	0	33	0.202454	1	4	29
	1	35	0.214724	0	4	31
	0	37	0.226994	0	4	33
	1	40	0.245399	0	4	36
3:00	0	41	0.251534	0	4	37
	1	43	0.263804	0	4	39
	1	47	0.288344	0	4	43
	2	50	0.306746	0	4	46
	1	55	0.337423	1	5	50
3:05	3	63	0.386503	0	5	58
	4	73	0.447853	0	5	68
	1	75	0.460123	0	5	70
	1	77	0.472393	0	5	72
	3	80	0.490798	0	5	75
3:10	1	82	0.503057	0	5	77
	3	88	0.527607	0	5	81
	5	91	0.565282	0	5	86
	2	93	0.570552	0	5	88
	3	101	0.619632	0	5	96
3:15	5	107	0.655442	0	5	102
	3	113	0.693252	4	9	104
	2	117	0.717791	5	14	103
	4	121	0.742331	6	20	101
	1	126	0.773008	9	29	97
3:20	3	132	0.809816	12	41	91
	1	139	0.852761	14	55	84
	3	145	0.889571	15	70	75
	2	148	0.907975	14	84	64
	1	150	0.920245	13	97	53
3:25	4	154	0.944785	12	109	45
	3	158	0.969325	9	118	40
	2	162	0.993865	10	128	34
	0	162	0.993865	11	139	23
	1	163	1	9	148	15
3:30	0	163	1	5	153	10
	0	163	1	0	153	10

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CITY CLERK

2013 NOV 12 P 2:09

16303704001
WILLIAMS LIVING TRUST
WILLIAMS DONALD R & FAYE K TRS
6991 EL PARQUE AVE
LAS VEGAS NV 89117-2107



I OPPOSE
this Request

RQR-51479

City Council Meeting of 11/20/2013

[illegible]

11/12/2013

100

100/1

City of Las Vegas
Office of City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

**Return Service Requested
Official Notice of Public Hearing**

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MAILED FROM ZIP CODE 89101



2013 NOV 13 P 2: 22

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 Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐

I SUPPORT
this Request

☒

I OPPOSE
this Request

Please use available blank space on card for your comments.

RQR-51479

City Council Meeting of **11/20/2013**

11-08-13 LV NV 8183

*Rainbow Blvd. is too
busy for no-pick up
area. Pick up cars
would dog area and
risk safety of children.*

16302213056

Case: RQR-51479

BINGHAM CHAUNCEY & JO ANN
8028 MADDINGLEY AVE
LAS VEGAS NV 89117-7637

100/1

18 HRDFN11 89117 |||||

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

SUBJECT:

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL 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



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 8, 2014

SUBJECT:

COUNCIL MEMBER RECOGNITION: COMMENTS MADE BY INDIVIDUAL CITY COUNCIL MEMBERS DURING THIS PORTION OF THE AGENDA WILL NOT BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND SCHEDULED FOR ACTION

