City of Las Vegas

# PLANNING COMMISSION AGENDA

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

**LAS VEGAS CITY COUNCIL**

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

**COMMISSIONERS**

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

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Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the DEPARTMENT DESIGNEE at (702) 229-6301 and advise of your need at least 48 hours in advance of the meeting. Dial 7-1-1 for Relay Nevada.

# September 9, 2014

## 6:00 PM

ITEMS MAY BE TAKEN OUT OF THE ORDER PRESENTED AT THE DISCRETION OF THE CHAIRPERSON. TWO OR MORE AGENDA ITEMS FOR CONSIDERATION MAY BE COMBINED; AND ANY ITEM ON THE AGENDA MAY BE REMOVED OR RELATED DISCUSSION MAY BE DELAYED AT ANY TIME. BACKUP MATERIAL FOR THIS AGENDA MAY BE OBTAINED FROM CHRYSTAL JACOBS, DEPARTMENT OF PLANNING, 333 NORTH RANCHO DRIVE, 3RD FLOOR, (702)-229-6301 OR ON THE CITY'S WEBPAGE AT www.lasvegasnevada.gov.

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

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

ACTIONS: ALL ACTIONS EXCEPT GENERAL PLAN AMENDMENTS, REZONINGS AND RELATED CASES THERETO ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN TEN DAYS AND PAYMENT OF THOSE COSTS SHALL BE MADE UPON FILING OF THE APPLICATION.

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

**PLANNING COMMISSION MEETING RULES OF CONDUCT:**

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

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

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

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

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

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

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

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

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

## BUSINESS ITEMS:

1. CALL TO ORDER

2. ANNOUNCEMENT: COMPLIANCE WITH OPEN MEETING LAW

3. ROLL CALL

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

5. FOR POSSIBLE ACTION TO APPROVE THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF JULY 8, 2014 AND AUGUST 12, 2014

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

## CONSENT ITEMS:

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

## ONE MOTION - ONE VOTE

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

7. **SUP-55212 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: TENAYA CREEK BREWERY - OWNER: RANK BREWING, LLC** - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,877 SQUARE-FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN A PROPOSED 13,170 SQUARE-FOOT MANUFACTURING, HEAVY USE (BREWERY) at 831 West Bonanza Road (APN 139-28-801-010 and 011), M (Industrial) Zone, Ward 5 (Barlow) [PRJ-55210]. Staff recommends APPROVAL.

8. **SUP-55214 - SPECIAL USE PERMIT RELATED TO SUP-55212 - PUBLIC HEARING - APPLICANT: TENAYA CREEK BREWERY - OWNER: RANK BREWING, LLC** - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,877 SQUARE-FOOT BEER/WINE/COOLER OFF-SALE ESTABLISHMENT WITHIN A PROPOSED 13,170 SQUARE-FOOT MANUFACTURING, HEAVY USE (BREWERY) at 831 West Bonanza Road (APN 139-28-801-010 and 011), M (Industrial) Zone, Ward 5 (Barlow) [PRJ-55210]. Staff recommends APPROVAL.

9. **SUP-54967 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SMASHBURGER AQUISITIONS LAS VEGAS, LLC - OWNER: NATIONAL SOLUTIONS, LLC** - For possible action on a request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN AN EXISTING 1,886 SQUARE-FOOT RESTAURANT at 6300 West Charleston Boulevard, Suite #170 (APN 138-35-816-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-54670]. Staff recommends APPROVAL.

10. **SUP-55195 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DAVIS FUNERAL HOME & MEMORIAL PARK - OWNER: HART VOLLAND ENTERPRISES, LLC** - For possible action on a request for a Special Use Permit FOR A PROPOSED MORTUARY OR FUNERAL CHAPEL USE at 1401 South Rainbow Boulevard (APN 163-03-501-022), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-55088]. Staff recommends APPROVAL.

11. **SUP-55200 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: YOJIE JAPANESE FONDUE - OWNER: 9440 WEST SAHARA HOLDINGS, LLC** - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,575 SQUARE-FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A HOUSE OF WORSHIP WHERE 400 FEET IS REQUIRED at 9440 West Sahara Avenue, Suite #175 (APN 163-06-816-027), C-1 (Limited Commercial) Zone, Ward 2 (Beers) [PRJ-54873]. Staff recommends APPROVAL.

12. **SUP-55235 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: TARGET CORPORATION** - For possible action on a request for a Special Use Permit FOR AN ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 135,000 SQUARE-FOOT GENERAL RETAIL ESTABLISHMENT at 8750 West Charleston Boulevard (APN 138-32-412-003), C-1 (Limited Commercial) Zone, Ward 2 (Beers) [PRJ-54924]. Staff recommends APPROVAL.

13. **SUP-55239 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: TARGET CORPORATION** - For possible action on a request for a Special Use Permit FOR AN ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 131,810 SQUARE-FOOT GENERAL RETAIL ESTABLISHMENT at 6371 North Decatur Boulevard (APN 125-25-512-001), C-1 (Limited Commercial) Zone, Ward 6 (Ross) [PRJ-54928]. Staff recommends APPROVAL.

14. **SUP-55245 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: TARGET CORPORATION** - For possible action on a request for a Special Use Permit FOR AN ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 132,281 SQUARE-FOOT GENERAL RETAIL ESTABLISHMENT at 3210 North Tenaya Way (APN 138-10-815-002), C-1 (Limited Commercial) Zone, Ward 4 (Anthony) [PRJ-54923]. Staff recommends APPROVAL.

15. **VAC-55329 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: SUMMIT CHEYENNE, LLC** - For possible action on a request for a Petition to Vacate Bureau of Land Management Patent Easements generally located at 10302 West Cheyenne Avenue, Ward 4 (Anthony) [PRJ-54946]. Staff recommends APPROVAL.

## PUBLIC HEARING ITEMS

16. **GPA-55281 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: NV ENERGY** - For possible action on a request TO RELOCATE ELECTRICAL TRANSMISSION LINES GENERALLY ALONG MARTIN L. KING BOULEVARD NORTH OF ALTA DRIVE, DESERT LANE BETWEEN ALTA DRIVE AND HASTINGS AVENUE, AND EAST OF INTERSTATE 15 NORTH AND SOUTH OF CHARLESTON BOULEVARD (APNs Multiple), Wards 1, 3 and 5 (Tarkanian, Coffin and Barlow) [PRJ-53660]. Staff recommends APPROVAL.

17. **MOD-55204 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: SWECKER & LIPP TENAYA AZURE, LLC** - For possible action on a request for a Major Modification to the Town Center Development Standards Land Use Map FROM: SUBURBAN MIXED USE (SX-TC) TO: GENERAL COMMERCIAL (GC-TC) on 2.33 acres on the south side of Azure Drive, approximately 330 feet west of Tenaya Way (APN 125-27-222-013), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross) [PRJ-54831]. Staff recommends DENIAL.

18. **VAR-55205 - VARIANCE RELATED TO MOD-55204 - PUBLIC HEARING - APPLICANT/OWNER: SWECKER & LIPP TENAYA AZURE, LLC** - For possible action on a request for a Variance TO ALLOW 74 PARKING SPACES WHERE 82 PARKING SPACES ARE REQUIRED on 2.33 acres on the south side of Azure Drive, approximately 330 feet west of Tenaya Way (APN 125-27-222-013), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross) [PRJ-54831]. Staff recommends DENIAL.

19. **SUP-55202 - SPECIAL USE PERMIT RELATED TO MOD-55204 AND VAR-55205 - PUBLIC HEARING - APPLICANT/OWNER: SWECKER & LIPP TENAYA AZURE, LLC** - For possible action on a request for a Special Use Permit FOR A 6,500 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPERATION FROM AN EXISTING SCHOOL WHERE 400 FEET IS REQUIRED on 2.33 acres on the south side of Azure Drive, approximately 330 feet west of Tenaya Way (APN 125-27-222-013), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross) [PRJ-54831]. Staff recommends DENIAL.

20. **SUP-55203 - SPECIAL USE PERMIT RELATED TO MOD-55204, VAR-55205 AND SUP-55202 - PUBLIC HEARING - APPLICANT/OWNER: SWECKER & LIPP TENAYA AZURE, LLC** - For possible action on a request for a Special Use Permit FOR A 6,500 SQUARE-FOOT GAMING ESTABLISHMENT, RESTRICTED USE WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPERATION FROM A SINGLE-FAMILY DETACHED DWELLING WHERE 330 FEET IS REQUIRED on 2.33 acres on the south side of Azure Drive, approximately 330 feet west of Tenaya Way (APN 125-27-222-013), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross) [PRJ-54831]. Staff recommends DENIAL.

21. **SDR-55201 - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-55204, VAR-55205, SUP-55202 AND SUP-55203 - PUBLIC HEARING - APPLICANT/OWNER: SWECKER & LIPP TENAYA AZURE, LLC** - For possible action on a request for a Site Development Plan Review FOR A 6,500 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) on 2.33 acres on the south side of Azure Drive, approximately 330 feet west of Tenaya Way (APN 125-27-222-013), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross) [PRJ-54831]. Staff recommends DENIAL.

22. **VAR-54991 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC** - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 1 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

23. **VAR-54992 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC** - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 2 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

24. **VAR-54993 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC** - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 3 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

25. **VAR-54994 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC** - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 4 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

26. **VAR-54995 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC** - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 5 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

27. **VAR-54996 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC** - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 6 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

28. **VAR-54997 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC** - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 7 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

29. **VAR-54998- VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC** - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 8 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

30. **VAR-54999 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC** - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 9 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

31. **VAR-55000 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC** - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 10 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

32. **VAR-55001 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC** - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 11 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

33. **VAR-55335 - VARIANCE - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: PROVIEW SERIES 17, LLC** - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT SIGN SETBACK WHERE FIVE FEET IS REQUIRED AND TO ALLOW TWO FREESTANDING SIGNS TO BE LOCATED WITHIN THE DOWNTOWN CASINO OVERLAY SPECIAL SIGNAGE DISTRICT WHERE SUCH IS NOT ALLOWED on 0.85 acres at 200 South Las Vegas Boulevard and 201 South 4th Street (APNs 139-34-610-023 and 031), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-54636]. Staff recommends DENIAL.

34. **SUP-55031 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/ OWNER: CCOB FAMILY TRUST** - For possible action on a request for a Special Use Permit FOR A PRIVATE SCHOOL, PRIMARY USE at 5705 North Rainbow Boulevard (APN 125-27-803-004), R-E (Residence Estates) Zone, Ward 6 (Ross) [PRJ-55030]. Staff recommends APPROVAL.

35. **SDR-55043 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-55031 - PUBLIC HEARING - APPLICANT/OWNER: CCOB FAMILY TRUST** - For possible action on a request for a Site Development Plan Review FOR A PROPOSED THREE BUILDING, 8,044 SQUARE-FOOT PRIVATE SCHOOL, PRIMARY WITH WAIVERS TO ALLOW A TWO-FOOT WIDE LANDSCAPE BUFFER ON A PORTION OF THE SOUTH SIDE OF THE PROPERTY, WHERE EIGHT FEET IS REQUIRED AND A ZERO-FOOT WIDE LANDSCAPE BUFFER ON THE EAST SIDE OF THE PROPERTY, WHERE FIFTEEN FEET IS REQUIRED on 0.95 acres at 5705 North Rainbow Boulevard (APN 125-27-803-004), R-E (Residence Estates) Zone, Ward 6 (Ross) [PRJ-55030]. Staff recommends APPROVAL.

36. **SUP-55236 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: TARGET CORPORATION** - For possible action on a request for a Special Use Permit FOR AN ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 141,892 SQUARE-FOOT GENERAL RETAIL ESTABLISHMENT WITH A WAIVER TO ALLOW A 153-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS REQUIRED at 6480 Sky Pointe Drive (APN 125-21-813-003), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross) [PRJ-54926]. Staff recommends DENIAL.

37. **SUP-55328 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: DROCK 3RD STREET, LLC** - For possible action on a request for a Special Use Permit FOR A PROPOSED TAVERN-LIMITED ESTABLISHMENT FOR A 107,158 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (OUTDOOR) USE at 200 South 3rd Street, (APN 139-34-210-047), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-55231]. Staff recommends APPROVAL.

38. **SDR-55324 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: HARRISON PROPERTIES, LTD** - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 11,708 SQUARE-FOOT COMMERCIAL BUILDING WITH A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN ARCHITECTURAL DESIGN STANDARDS on 0.16 acres at 725, 729 and 731 South Las Vegas Boulevard (APN 139-34-410-176), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-54961]. Staff recommends APPROVAL.

## DIRECTOR'S BUSINESS:

39. **ABEYANCE - TXT-54664 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - For discussion and possible action regarding a request to amend LVMC Chapter 19.12 related to Permitted Uses and Chapter 19.18 related to Definitions and Measures to consolidate various liquor uses and to provide for other related matters. Staff recommends APPROVAL.

40. **TXT-51717 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - For discussion and possible action on a request to amend LVMC Chapter 19.12 regarding the Utility Transmission Line and Electric Generating Plant uses. Revisions include adding new language and an appeals process as required by the Nevada Revised Statues. Staff recommends APPROVAL.

41. **TXT-54945 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - For discussion and possible action on a request to amend LVMC Chapter 19.00 and 19.10.100(D) related to the Downtown Design Review Committee name and scope of review, and to provide for other related matters. Staff recommends APPROVAL.

42. **TXT-55362 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - For discussion and possible action on a request to amend LVMC Chapter 19.18 related to Definitions and Measures to redefine the term "On-Premise Sign," and to provide for other related matters. Staff has NO RECOMMENDATION.

## CITIZENS PARTICIPATION:

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

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

## *AGENDA SUMMARY PAGE - PLANNING*

**PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014**

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO**

**SUBJECT:**
CALL TO ORDER

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

## *AGENDA SUMMARY PAGE - PLANNING*

**PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014**

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO**

**SUBJECT:**
ANNOUNCEMENT: COMPLIANCE WITH OPEN MEETING LAW

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

## *AGENDA SUMMARY PAGE - PLANNING*

**PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014**

**DEPARTMENT: PLANNING**

**ACTING DIRECTOR: TOM PERRIGO**

**SUBJECT:**

ROLL CALL

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

## *AGENDA SUMMARY PAGE - PLANNING*

**PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014**

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO**

**SUBJECT:**

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

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

## *AGENDA SUMMARY PAGE - PLANNING*

**PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014**

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO**

**SUBJECT:**

FOR POSSIBLE ACTION TO APPROVE THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF JULY 8, 2014 AND AUGUST 12, 2014

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

## *AGENDA SUMMARY PAGE - PLANNING*

**PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014**

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**

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

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

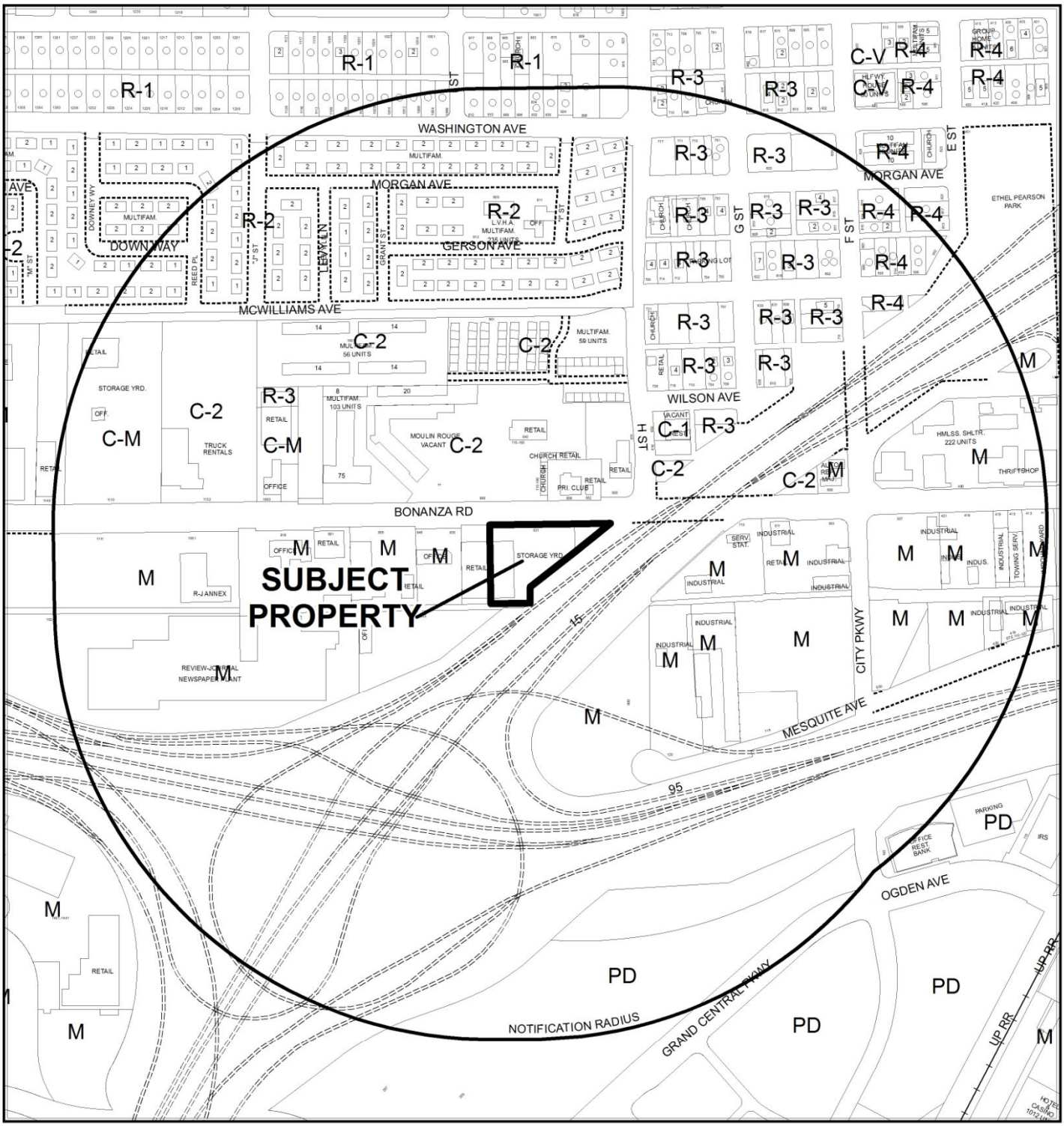
**SUBJECT:**
SUP-55212 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: TENAYA CREEK BREWERY - OWNER: RANK BREWING, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,877 SQUARE-FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN A PROPOSED 13,170 SQUARE-FOOT MANUFACTURING, HEAVY USE (BREWERY) at 831 West Bonanza Road (APN 139-28-801-010 and 011), M (Industrial) Zone, Ward 5 (Barlow) [PRJ-55210]. Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

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

**BACKUP DOCUMENTATION:**
1. Location, Aerial and Special Maps - SUP-55212 and SUP-55214 [PRJ-55210]
2. Conditions and Staff Report - SUP-55212 and SUP-55214 [PRJ-55210]
3. Supporting Documentation - SUP-55212 and SUP-55214 [PRJ-55210]
4. Photos - SUP-55212 and SUP-55214 [PRJ-55210]
5. Justification Letter - SUP-55212 and SUP-55214 [PRJ-55210]



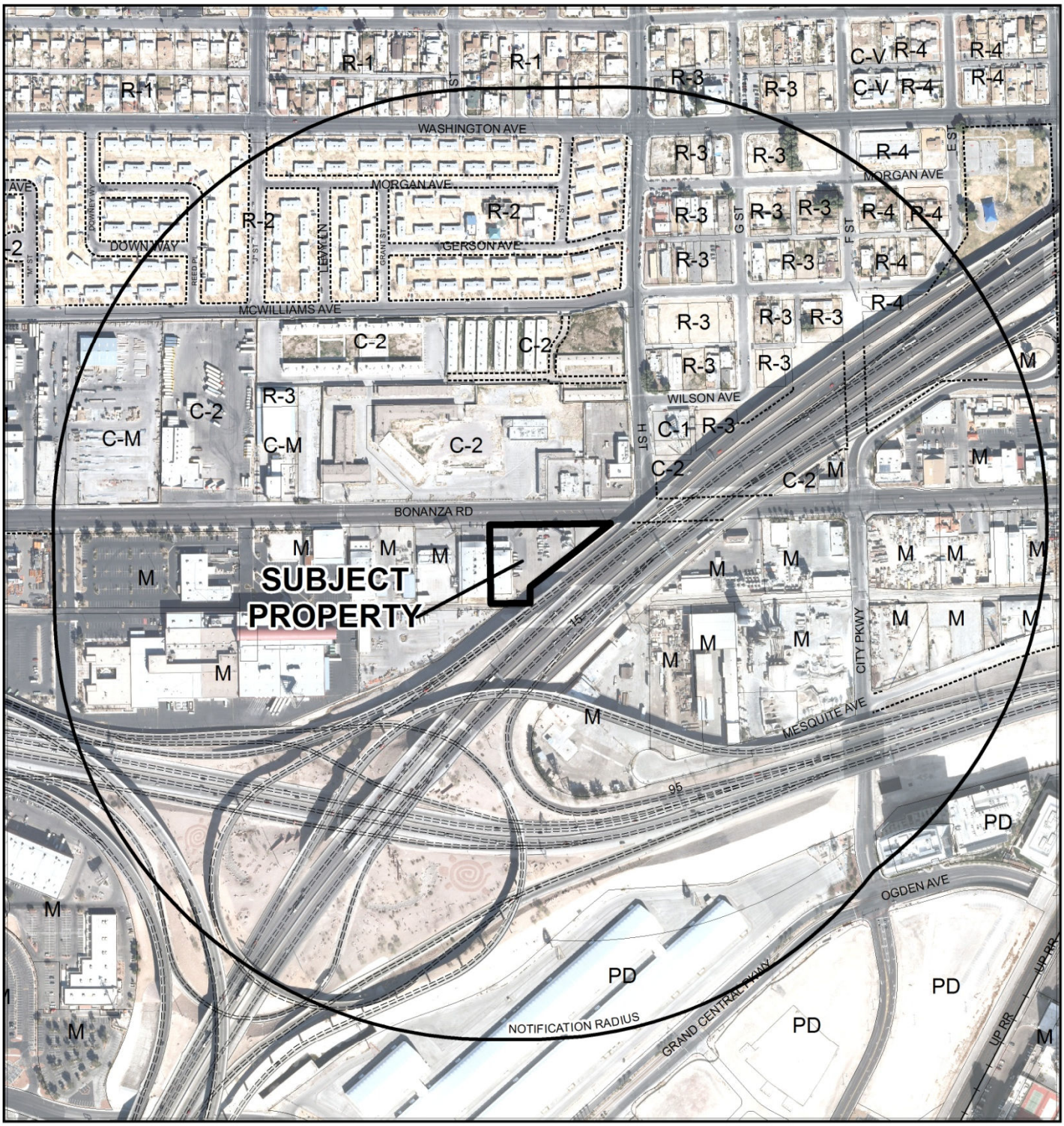

**CASE:** **SUP-55212 AND SUP-55214 (PRJ-55210)**

**RADIUS:** 1500 FEET

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

0 400 800 Feet

N



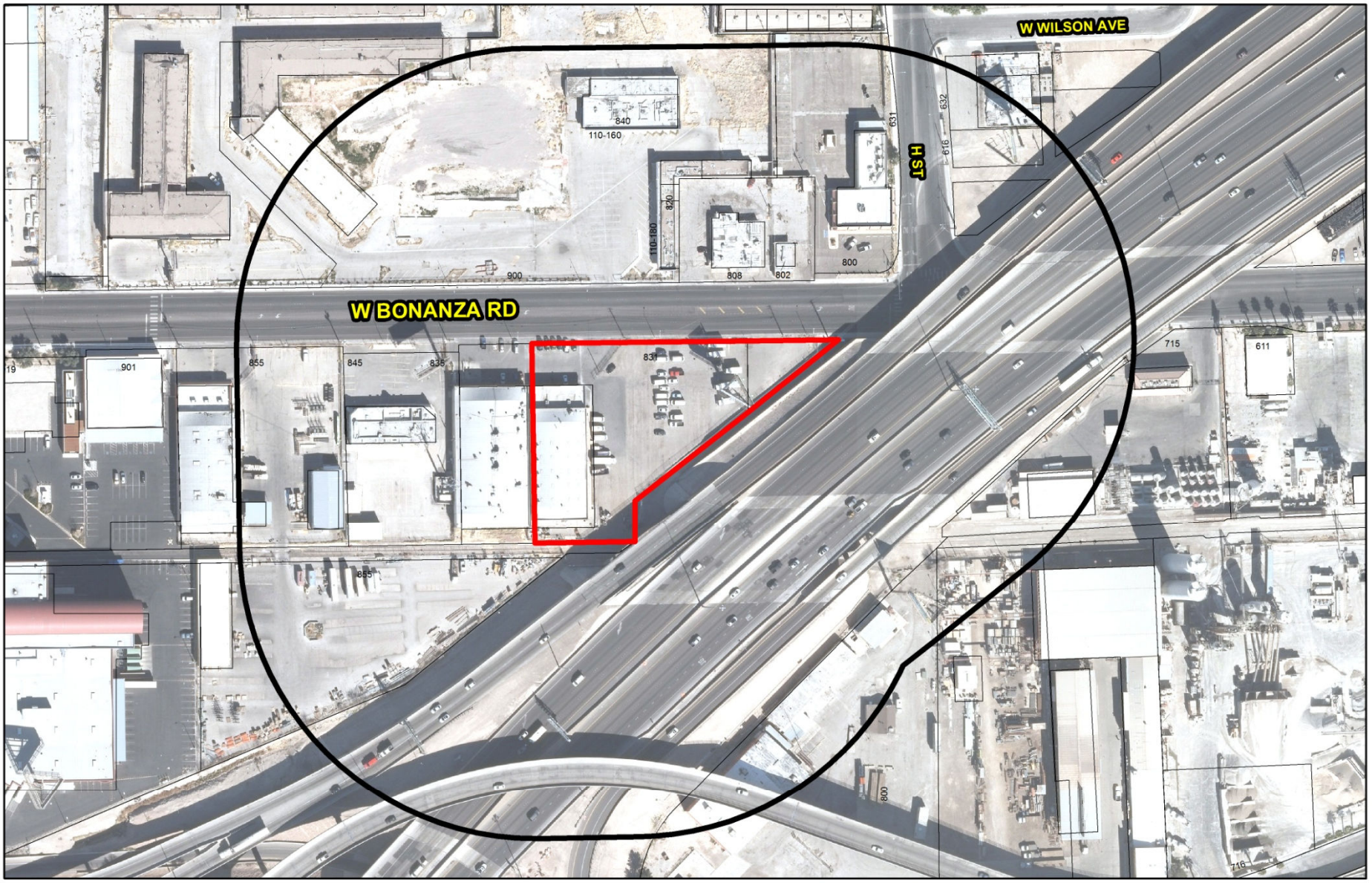

0 400 800 Feet

**CASE:** **SUP-55212 AND SUP-55214 (PRJ-55210)**

**RADIUS:** 1500 FEET

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

N




**SUP-55212 AND SUP-55214 (PRJ-55210)**

**Beer/Wine/Cooler On-Sale**

**Business Licenses**

- Beer/Wine/Cooler On-Sale
- Tavern
- Restaurant With Alcohol/ Restaurant With Service Bar/ Beer Wine Room/ Ancillary Brew Pub

**Protected Uses**

- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Child Care/ Children Facility
- Subject Property
- 400 foot buffer

N

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

Date: Monday, July 28, 2014

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: TENAYA CREEK BREWERY - OWNER: RANK BREWING, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-55212** | Staff recommends APPROVAL, subject to conditions: | N/A |
| **SUP-55214** | Staff recommends APPROVAL, subject to conditions: | N/A |

## ** CONDITIONS **

# SUP-55212 CONDITIONS

***Planning***

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

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

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

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

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

# SUP-55214 CONDITIONS

***Planning***

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

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

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

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is requesting approval of a Special Use Permit to serve beer and sell beer within a 1,877 square-foot portion of a proposed 13,170 square-foot Manufacturing, Heavy use (a brewery) at 831 West Bonanza Road. This use meets all the minimum Title 19.12 requirements for the Beer/Wine/Cooler On-Sale Establishment use and the Beer/Wine/Cooler Off-Sale Establishment use. Both requested uses are compatible with the existing and future land uses. For these reasons, staff recommends approval of the requested Special Use Permit, with conditions. If denied, no alcohol may be served on the premises.

## ISSUES

- A Beer/Wine/Cooler On-Sale Establishment use is permitted in the M (Industrial) zoning district with the approval of a Special Use Permit.
- A Beer/Wine/Cooler Off-Sale Establishment use is permitted in the M (Industrial) zoning district with the approval of a Special Use Permit.
- The site has an existing non-permitted chain link and razor wire perimeter fence. The applicant is requesting to retain and permit the chain link and razor wire perimeter fence along the east and south property lines. This material is permitted if approved in conjunction with a development plan.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 10/15/86 | The City Council approved a Special Use Permit (U-0086-86) request for a double-faced 14-foot by 48-foot Off-Premise Sign (Billboard) to a height of 30 feet above the adjacent freeway road surface (65 feet total) at 831 West Bonanza Road. The Board of Zoning Adjustment recommended approval on 09/25/86. |
| 06/03/05 | A complaint (#30763) was file with Code Enforcement for vagrant setting up camp in the rear of the property. The complaint was resolved on 06/16/05. |
| 04/16/07 | A complaint (#52185) was file with Code Enforcement for damaged barbed wire fencing in the right-of-way. The complaint was resolved on 04/20/07. |
| 03/13/09 | A complaint (#75565) was file with Code Enforcement for barbed wire and chain link fencing. The complaint was resolved on 07/16/09. |
| 10/11/10 | A complaint (#95314) was file with Code Enforcement for high weed. The complaint was resolved on 10/24/10. |
| 06/11/14 | A complaint (#142435) was file with Code Enforcement for graffiti. The complaint was resolved on 06/26/14. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 06/02/14 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 1954 | The building on the subject site constructed. |
| 10/29/08 | A business license (A01-01381) was issued for administrative or corporate office space. The business license was marked out of business on 09/25/13. |
| 06/11/14 | A building permit (#262397) was issued for a building investigation. The permit has not been finalized as 07/21/14. |
| 06/23/14 | A building permit (#263358) was issued for an interior demo. The permit has not been finalized as 07/21/14. |

| ***Pre-Application Meeting*** | |
|---|---|
| 07/22/14 | A pre-application meeting was held with the applicant to discuss the Special Use Permit submittal requirements for Beer/Wine/Cooler On-Sale Establishment use and a Beer/Wine/Cooler Off-Sale Establishment use. |

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

| ***Field Check*** | |
|---|---|
| 07/31/14 | A field inspection was conducted on the subject site, which revealed the site has a vacant building. Also, the site has a chain link and razor wire fence around the exterior of the site. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 1.57 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Vacant | LI/R (Light Industry/Research) | M (Industrial) |
| North | Vacant | MXU (Mixed Use) | C-2 (General Commercial) |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| South | Freeway | Right-Of-Way | N/A |
| | Trucking Company | LI/R (Light Industry/Research) | M (Industrial) |
| East | Freeway | Right-Of-Way | N/A |
| West | Retail | LI/R (Light Industry/Research) | M (Industrial) |

| ***Master Plan Areas*** | ***Compliance*** |
|---|---|
| West Las Vegas Plan | Y |
| ***Special Purpose and Overlay Districts*** | ***Compliance*** |
| A-O (Airport Overlay) District (175 Feet) | Y |
| ***Other Plans or Special Requirements*** | ***Compliance*** |
| Trails (Bonanza Trail) | Y |
| Las Vegas Redevelopment Plan Area | Y |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A |
| Project of Regional Significance | N/A |

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

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Manufacturing, Heavy | 13,170 SF | 1/1,000 SF | 14 | | | | |
| **TOTAL SPACES REQUIRED** | | | 14 | | 40 | | Y |
| **Regular and Handicap Spaces Required** | | | 13 | 1 | 38 | 2 | Y |
| Loading Spaces | | | 2 | | 2 | | Y |

**ANALYSIS**

The Beer/Wine/Cooler On-Sale Establishment use is defined by Title 19.18 as "An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers only for consumption on the premises where the same is sold."

The proposed use meets the definition, as the applicant will serve beer for consumption on the premises.

The minimum Special Use Permit requirements for this use include:

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

   *The proposed use meets this requirement, as there are no protected uses within 400 feet of the subject property.*

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

   *The proposed use meets this requirement; measurement is taken from the existing property line of part of the southeast quarter of the southeast quarter of Section 28, Township 20, Range 61, located west of the southeast corner of Bonanza Road and H Street.*
3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:
   a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
   b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.

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

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

   *This requirement does not apply to the proposed use, as no distance separation waiver is necessary.*

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

   *Neither condition applies to the proposed use.*

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

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

The Beer/Wine/Cooler Off-Sale use is defined in Title 19.18 as:

> "A retail establishment whose license to sell alcoholic beverage is limited to the sale of beer, wine, and coolers to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold, and is operated in connection with a grocery store, drug store, convenience store or specialty merchandise store."

The proposed use meets the definition, as the applicant intends to sell beer that will be consumed off- premise.

The Minimum Special Use Permit Requirements for this use include:

*1. Except as otherwise provided, no retail beer/wine/cooler off-sale (hereinafter "establishment") shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park.

   *This requirement does not apply, as there are no protected uses within 400 feet of the proposed use.*

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

   *The proposed use meets this requirement; measurement is taken from the existing property line of part of the southeast quarter of the southeast quarter of Section 28, Township 20, Range 61, located west of the southeast corner of Bonanza Road and H Street.*

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

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

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

   *This requirement does not apply to the proposed use, as no distance separation waiver is necessary.*

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

    *Neither condition applies to the proposed use.*

6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50 [Non-Waivable].

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

The proposed Beer/Wine/Cooler On-Sale Establishment use and Beer/Wine/Cooler Off-Sale Establishment use will be located within a proposed 13,170 square-foot Manufacturing, Heavy use (a brewery) in a M (Industrial) zoning district. Per site plan date stamped 08/20/14, there is adequate parking for the primary use and no additional parking is required for a Beer/Wine/Cooler On-Sale Establishment use or Beer/Wine/Cooler Off-Sale Establishment use.

The applicant has requested that the existing chain link and razor wire fencing along the east and south property lines be permitted in conjunction with this application. The chain link and razor wire fencing along the northern property line will be removed and replaced with wrought iron fencing. Title 19.08.040 (F) prohibits the use of razor wire or chain link as fencing material, unless approved in an overall development plan. A Special Use Permit application fulfills this requirement. Staff supports the request for the chain link fence and razor wire fencing along the south and east property lines, as this site has a history of vagrant activity.

This application has been properly noticed to governmental and outside agencies. The Las Vegas Valley Water District (LVVWD) was the only agency that responded with the comments below:

"This parcel does have service but does not have the backflow prevention that is required per NAC 445A.67195. Civil plans will need to be submitted to LVVWD."

The proposed Beer/Wine/Cooler On-Sale and Off-Sale uses meet all the minimum requirements detailed in Title 19.12 for said uses and can be conducted in a manner that is compatible and harmonious with the existing land uses and neighborhood; therefore, staff recommends approval of both Special Use Permits.

**FINDINGS (SUP-55212) (Beer/Wine Cooler On-Sale Establishment)**

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

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

   The subject location consists of a proposed 13,170 square-foot Manufacturing, Heavy use (a brewery) within an industrial section of town. The accessory sale of beer on-site is within a tasting room within the front of the building and should not have any adverse effects on the surrounding area. No waiver of minimum distance separation requirements from protected uses is required and this use can be conducted in a harmonious and compatible manner with the existing and future land uses.

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

   The existing building has adequate space to handle the proposed manufacturing use and accessory sale of beer for on-site consumption. This site has adequate parking for the primary use of Manufacturing, Heavy (a brewery), and the proposed use does not generate the need for any additional parking spaces.

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

   The proposed Beer/Wine/Cooler On-Sale Establishment can be accessed from Bonanza Road, a 100-foot Primary Arterial that has adequate capacity to serve the proposed development.

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

   The proposed Beer/Wine/Cooler On-Sale Establishment use will be subject to regular inspections for licensing and will therefore not compromise the public health, safety, and general welfare or any objective of the General Plan.

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

   The proposed Beer/Wine/Cooler On-Sale Establishment use meets all distance separation requirements per Title 19.12. Conditions of approval will ensure conformance with all other minimum requirements for this use.

**FINDINGS (SUP-55214) (Beer/Wine Cooler Off-Sale Establishment)**

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

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

   The subject location consists of a proposed 13,170 square-foot Manufacturing, Heavy use (a brewery) within an industrial section of town. The accessory sale of beer for off-site consumption within a tasting room in front of the building should not have any adverse effects on the surrounding area. No waiver of minimum distance separation requirements from protected uses is required and this use can be conducted in a harmonious and compatible manner with the existing and future land uses.

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

   The existing building has adequate space to handle the proposed manufacturing use and accessory sale of beer for off-site consumption. This site has adequate parking for the primary use of Manufacturing, Heavy (a brewery), and the proposed use does not generate the need for any additional parking spaces.

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

   The proposed Beer/Wine/Cooler Off-Sale Establishment can be accessed from Bonanza Road, a 100-foot Primary Arterial that has adequate capacity to serve the proposed development.

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

   The proposed Beer/Wine/Cooler Off-Sale Establishment use will be subject to regular inspections for licensing and will therefore not compromise the public health, safety, and general welfare or any objective of the General Plan.

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

The proposed Beer/Wine/Cooler Off-Sale Establishment use meets all distance separation requirements per Title 19.12. Conditions of approval will ensure conformance with all other minimum requirements for this use.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 22

**NOTICES MAILED** 132

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-55212 APN: 139-28-801-010 + 011

Name of Property Owner: RANK BREWING, LLC

Name of Applicant: TENAYA CREEK BREWERY

Name of Representative: CHRISTINA ROUSH

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Richard A Etter

Print Name: RICHARD A. ETTER

Subscribed and sworn before me

This 21st day of JULY, 2014

Notary Public in and for said County and State

DAVID MASON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 10-16-16
Certificate No: 99-97274-1

PRJ-55210
07/22/14

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** SUP - BREW PUB

**Project Address (Location)** 831 W. BONANZA RD. LAS VEGAS, NV 89106

**Project Name** TENAYA CREEK BREWERY **Proposed Use** BREWPUB

**Assessor's Parcel #(s)** 139-28-801-010 + 011 **Ward #** 5 - BARLOW

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

**Commercial Square Footage** 12,866 **Floor Area Ratio**

**Gross Acres** 1.57 **Lots/Units** 2 **Density** N/A

**Additional Information**

**PROPERTY OWNER** RANK BREWING, LLC **Contact** CHRISTINA ROUSH

**Address** 6980 S. CIMARRON, STE 200 **Phone:** (702) 210-6300 **Fax:** (702) 243-7700

**City** LAS VEGAS **State** NV **Zip** 89113

**E-mail Address** CEROUSH@GMAIL.COM

**APPLICANT** TENAYA CREEK BREWERY **Contact** CHRISTINA ROUSH

**Address** 3101 N. TENAYA WAY **Phone:** (702) 210-6300 **Fax:** (702) 243-7700

**City** LAS VEGAS **State** NV **Zip** 89128

**E-mail Address** CEROUSH@GMAIL.COM

**REPRESENTATIVE** N/A **Contact**

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

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

**E-mail Address**

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible fo 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 purchase (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*** Richard A. Etter

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

**Print Name** RICHARD A. ETTER

Subscribed and sworn before me

This 21st day of JULY, 20 14.

Notary Public in and for said County and State

DAVID MASON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 10-15-15
Certificate No: 99-37274-1

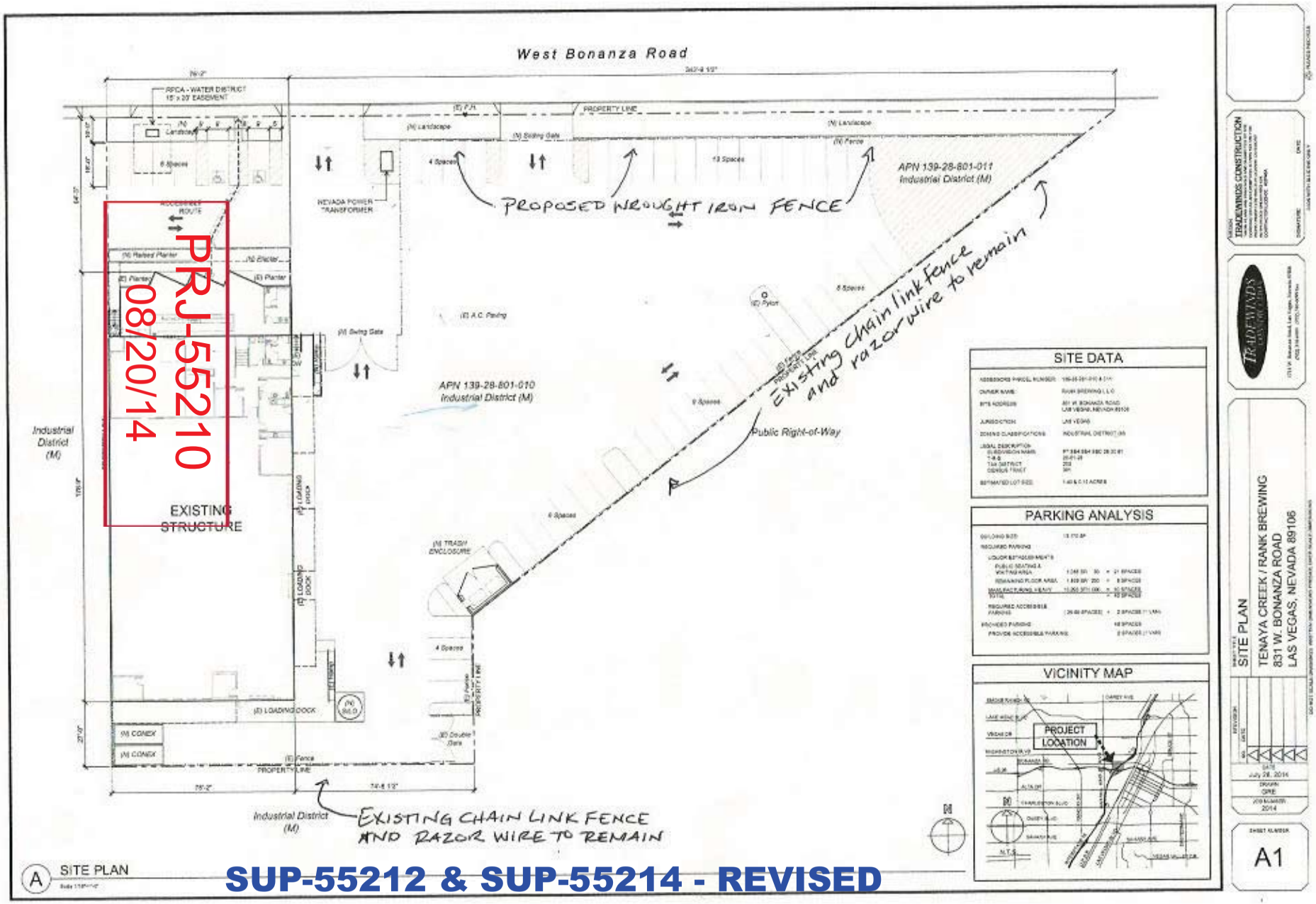
*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | SUP-55212 |
| Meeting Date: | 09/09/14 PC |
| Total Fee: | |
| Date Received:* | |
| Received By: | |

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

PR-55210
07/22/14

Revised 10/27/08

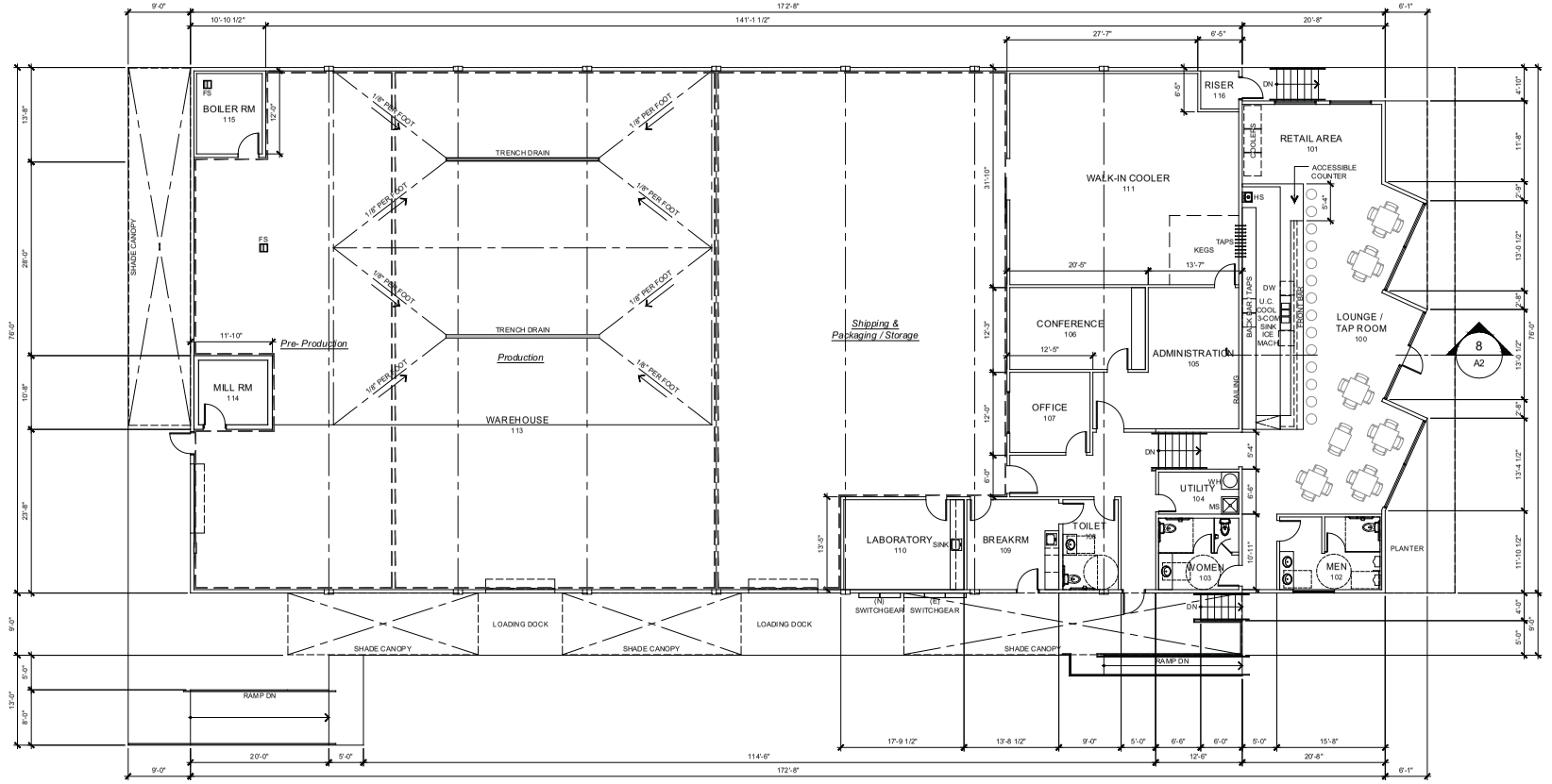

West Bonanza Road
PROPOSED WROUGHT IRON FENCE
APN 139-28-801-011
Industrial District (M)
APN 139-28-801-010
Industrial District (M)
Existing chain link fence and razor wire to remain
Public Right-of-Way
PRJ-55210
08/20/14
EXISTING STRUCTURE
Industrial District (M)
EXISTING CHAIN LINK FENCE AND RAZOR WIRE TO REMAIN
SITE DATA
PARKING ANALYSIS
VICINITY MAP
PROJECT LOCATION
SITE PLAN
TENAYA CREEK / RANK BREWING
831 W. BONANZA ROAD
LAS VEGAS, NEVADA 89106
A1
A SITE PLAN
SUP-55212 & SUP-55214 - REVISED

PRJ-55210
07/22/14

TENAYA CREEK BREWERY
exterior design

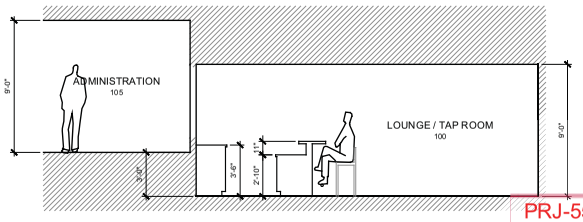
**SUP-55212 & SUP-55214**

atwood DESIGN




B FLOOR PLAN

Scale 1/8"=1'-0"




8 SECTION

Scale 1/4"=1'-0"

PRJ-55210
08/05/14

# SUP-55212 & SUP-55214 - REVISED

PLEASE RECYCLE

NRS624
TRADEWINDS CONSTRUCTION
THESE PLANS ARE PREPARED AND SUBMITTED BY THE CONTRACTOR LISTED BELOW IN ACCORDANCE WITH THE WORK UNDER CONTRACTOR LICENSE CATEGORY
ANTHONY GRECO
CONTRACTOR LICENSE: #26748A

SIGNATURE DATE

SIGN WITH BLUE INK ONLY

TRADEWINDS

1714 W. Bonanza Road, Las Vegas, Nevada 89106
(702) 310-6888 (702) 310-6899 fax

SHEET TITLE
FLOOR PLAN

TENAYA CREEK / RANK BREWING
831 W. BONANZA ROAD
LAS VEGAS, NEVADA 89106

REVISION
NO. DATE

DATE
July 28, 2014
DRAWN
GRE
JOB NUMBER
2014

SHEET NUMBER
A2

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS PRESIDE OVER SCALE DIMENSIONS.

August 19, 2014

Mark Rex
City of Las Vegas – Planning
333 N. Rancho Drive
Las Vegas, NV 89106

***Re: SUP for Tenaya Creek Brew Pub – 831 W. Bonanza Rd, Las Vegas, NV 89106***
***APN: 139-28-801-010 & 139-28-801-011***

We are proposing a 13,170sf Brew Pub, to include a 1,877sf Bar (beer /wine only) with a 11,293sf full production Brewery at the above referenced premises. If approved, we would sell beer for consumption on premises and off premises as permitted under the Brew Pub designation, with a Beer/Wine/Cooler On-Sale and a Beer/Wine/Cooler Off-Sale Use Permit and Business License.

We expect to have approximately 10 employees to start, with planned hours of operation from 6:00am to 7:00pm Monday - Saturday and 9:00am to 4:00pm on Sunday. There is seating for 74 at the bar and seating for an additional 26 at tables inside the bar area.

The site at 831 Bonanza consists of 1.57 acres (68,389sf) on two parcels. The existing building is approximately 13,170sf currently built as warehouse and office/showroom space. The building will be extensively remodeled. Total costs for the project (acquisition, remodel & equipment) will be in excess of $3,000,000. We have the ability for extensive parking on premises, although some customers may arrive via public transportation or by private (tourist) bus.

Tenaya Creek is a family owned and operated brewery business. We are currently in operation as Tenaya Creek Brewery in the City of Las Vegas' Tech Center, at 3101 N. Tenaya Way and have been under the same continuous ownership and operation since our inception in November, 1999.

We will be relocating in order to expand our production and distribution network, which now reaches as far as 6 western states and 2 provinces in Canada. We will operate under the same business name and ownership in this new facility at 831 W. Bonanza Road, and hope to be open for business in this new location by February of 2015.

We appreciate your consideration and look forward to opening soon Downtown!

Sincerely,

Tim Etter
Applicant/Owner
Tenaya Creek Brewery
702.496.2145

Christina Roush
Applicant/Owner
Tenaya Creek Brewery
702-210-6300

PRJ-55210
08/19/14

**SUP-55212 & SUP-55214 - REVISED**

SUP-55212 RELATED TO SUP-55214 [PRJ-55210] - APPLIANT: TENAYA CREEK BREWERY - OWNER: RANK BREWING, LLC
831 WEST BONANZA ROAD

07/31/14

SUP-55212 RELATED TO SUP-55214 [PRJ-55210] - APPLIANT: TENAYA CREEK BREWERY - OWNER: RANK BREWING, LLC
831 WEST BONANZA ROAD

07/31/14

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
SUP-55214 - SPECIAL USE PERMIT RELATED TO SUP-55212 - PUBLIC HEARING - APPLICANT: TENAYA CREEK BREWERY - OWNER: RANK BREWING, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,877 SQUARE-FOOT BEER/WINE/COOLER OFF-SALE ESTABLISHMENT WITHIN A PROPOSED 13,170 SQUARE-FOOT MANUFACTURING, HEAVY USE (BREWERY) at 831 West Bonanza Road (APN 139-28-801-010 and 011), M (Industrial) Zone, Ward 5 (Barlow) [PRJ-55210]. Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

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

**BACKUP DOCUMENTATION:**
1. Consolidated Backup - refer to SUP-55212
2. Supporting Documentation

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

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-55214 APN: 139-28-801-010 + 011

Name of Property Owner: RANK BREWING, LLC

Name of Applicant: TENAYA CREEK BREWERY

Name of Representative: CHRISTINA ROUSH

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Richard A Etter

Print Name: RICHARD A. ETTER

Subscribed and sworn before me

This 21st day of JULY, 2014

Notary Public in and for said County and State

DAVID MASON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 10-16-16
Certificate No: 99-37874-1

PRJ-55210
07/22/14

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** SUP - BREW PUB

**Project Address (Location)** 831 W. BONANZA RD. LAS VEGAS, NV 89106

**Project Name** TENAYA CREEK BREWERY **Proposed Use** BREWPUB

**Assessor's Parcel #(s)** 139-28-801-010 + 011 **Ward #** 5 - BARLOW

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

**Commercial Square Footage** 12,866 **Floor Area Ratio**

**Gross Acres** 1.57 **Lots/Units** 2 **Density** N/A

**Additional Information**

**PROPERTY OWNER** RANK BREWING, LLC **Contact** CHRISTINA ROUSH

**Address** 6980 S. CIMARRON, STE 200 **Phone:** (702) 210-6300 **Fax:** (702) 243-7700

**City** LAS VEGAS **State** NV **Zip** 89113

**E-mail Address** Croush@gmail.com

**APPLICANT** TENAYA CREEK BREWERY **Contact** CHRISTINA ROUSH

**Address** 3101 N. TENAYA WAY **Phone:** (702) 210-6300 **Fax:** (702) 243-7700

**City** LAS VEGAS **State** NV **Zip** 89128

**E-mail Address** Croush@gmail.com

**REPRESENTATIVE** N/A **Contact**

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

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

**E-mail Address**

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible fo 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 purchase (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*** Richard A. Etter

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

**Print Name** RICHARD A. ETTER

Subscribed and sworn before me

This 21st day of JULY, 20 14.

Notary Public in and for said County and State

DAVID MASON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 10-15-15
Certificate No: 99-37274-1

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | SUP-55214 |
| Meeting Date: | 09/09/14 PC |
| Total Fee: | |
| Date Received:* | |
| Received By: | |

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

PR-55210
07/22/14

Revised 10/27/08

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

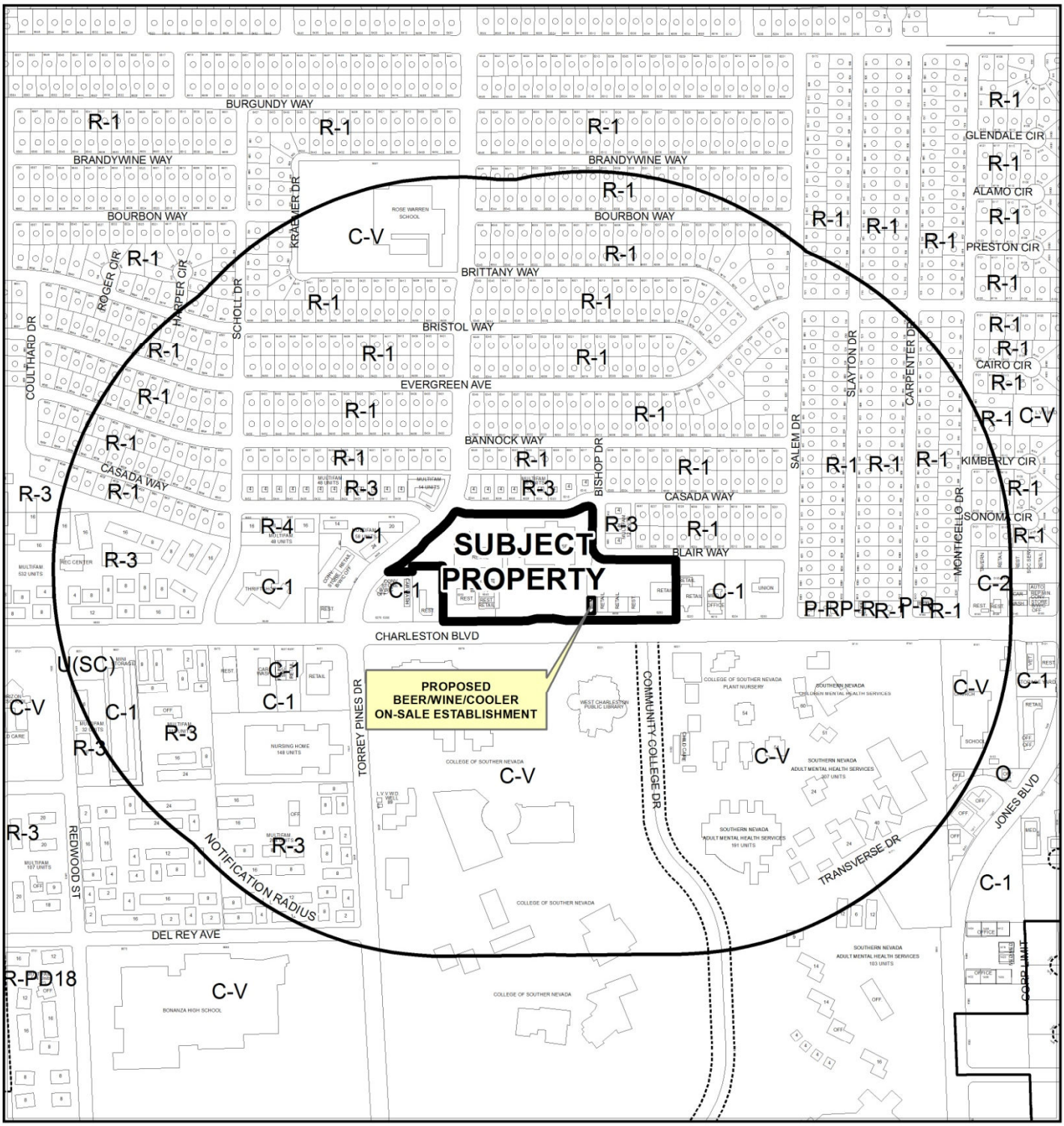
**SUBJECT:**
SUP-54967 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SMASHBURGER AQUISITIONS LAS VEGAS, LLC - OWNER: NATIONAL SOLUTIONS, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN AN EXISTING 1,886 SQUARE-FOOT RESTAURANT at 6300 West Charleston Boulevard, Suite #170 (APN 138-35-816-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-54670]. Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **1** | **Planning Commission Mtg.** | **2** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

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

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



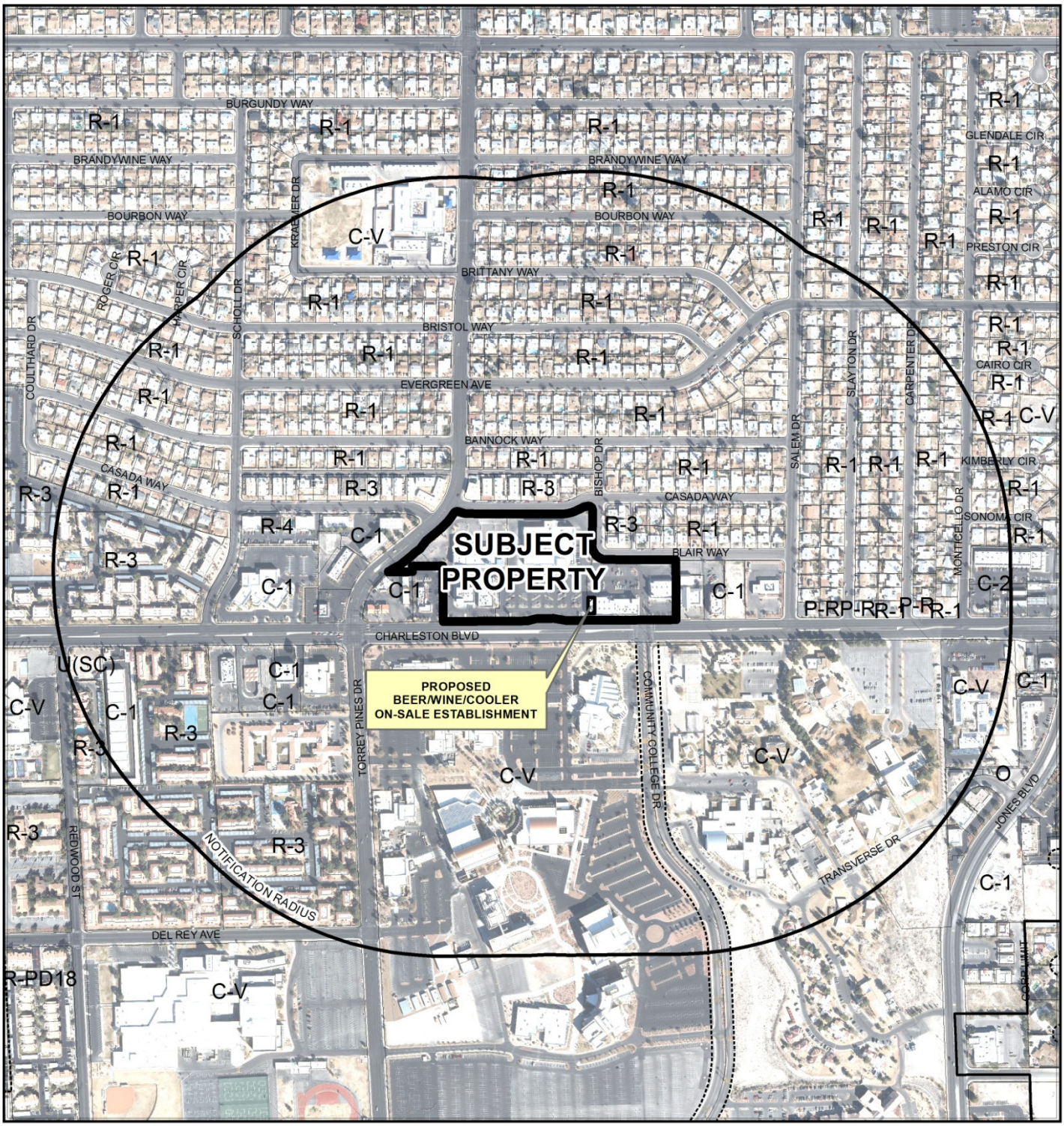

0 500 1,000 Feet

**CASE:** **SUP-54967 (PRJ-54670)**

**RADIUS:** 1500 FEET

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

N



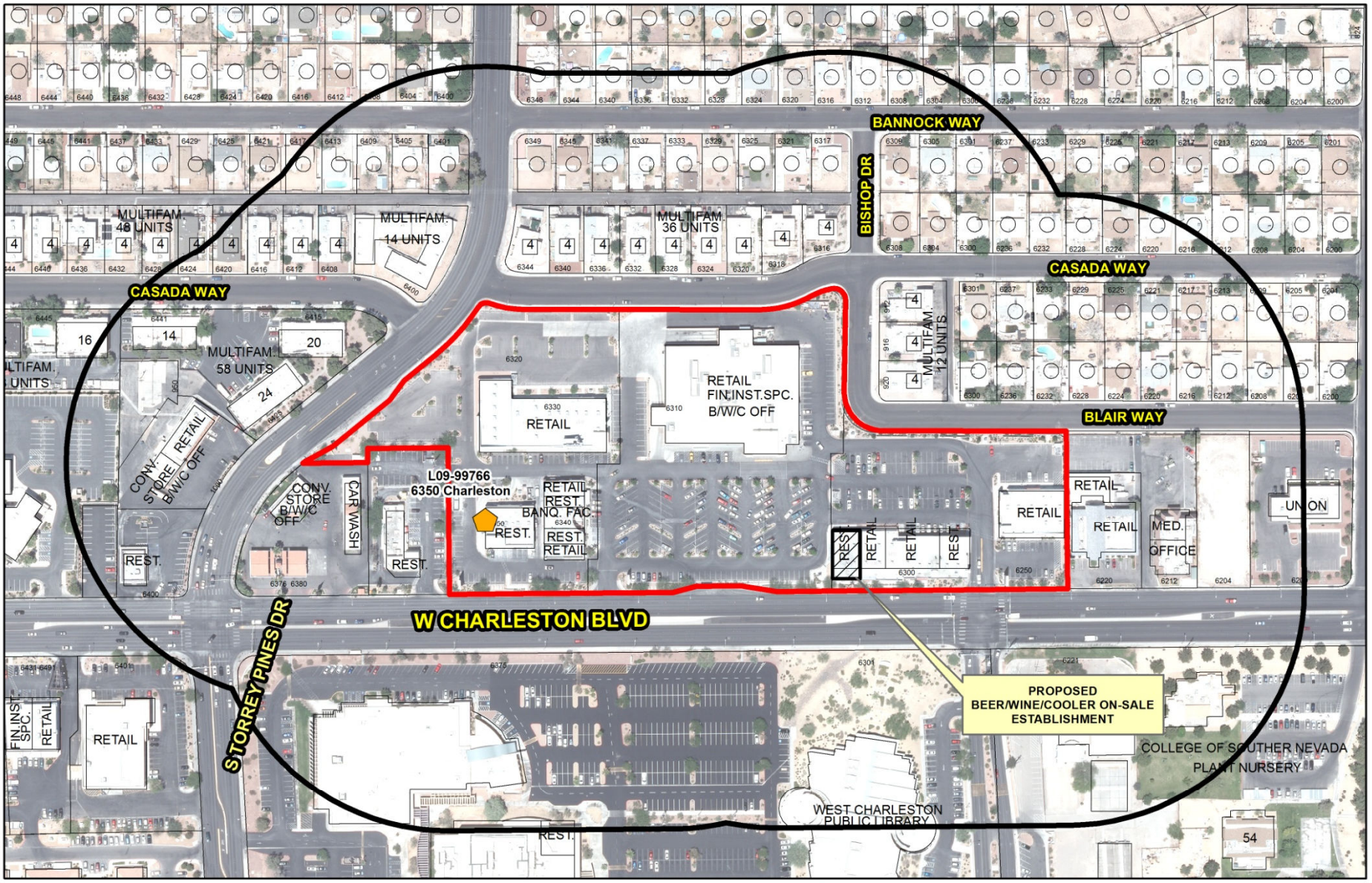

0 500 1,000 Feet

**CASE:** **SUP-54967 (PRJ-54670)**

**RADIUS:** 1500 FEET

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

N




## SUP-54967 (PRJ-54670)

**Beer/Wine/Cooler On-Sale**

### Business Licenses

- Beer/Wine/Cooler On-Sale
- Tavern
- Restaurant With Alcohol/ Restaurant With Service Bar/ Beer Wine Room/ Ancillary Brew Pub

### Protected Uses

- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Child Care/ Children Facility

- Subject Property
- 400 foot buffer

N

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

Date: Wednesday, July 30, 2014

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: SMASHBURGER AQUISITIONS LAS VEGAS, LLC - OWNER: NATIONAL SOLUTIONS, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-54967** | Staff recommends APPROVAL, subject to conditions: | N/A |

## ** CONDITIONS **

# SUP-54967 CONDITIONS

***Planning***

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

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

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

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

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

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

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is requesting approval of a Special Use Permit to serve beer, wine and wine coolers in an existing 1,886 square-foot restaurant located within an existing Shopping Center at 6300 West Charleston Boulevard, Suite #170. This use meets all Title 19.12 requirements for the Beer/Wine/Cooler On-Sale Establishment use and is compatible with the other restaurant, retail and office uses within the shopping center. For these reasons, staff recommends approval of the requested Special Use Permit, with conditions. If denied, no alcohol may be served on the premises.

## ISSUES

- A Beer/Wine/Cooler On-Sale Establishment use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 02/09/61 | The City Council approved a request for Rezoning (Z-0057-60) request from R-1 (Single Family Residential) to R-3 (Medium Density Residential) and C-1 (Limited Commercial) on property generally located on the north side of Charleston Boulevard, east of Torrey Pines Drive. The Planning Commission recommended approval. |
| 04/07/04 | The City Council approved a request for a Site Development Plan Review (SDR-3790) with Waivers of the perimeter buffering and landscaping standards for a 101,000 square-foot retail center and a Special Use Permit (SUP-3815) for Package Liquor Sales (Off-Premise Consumption) adjacent to the north side of Charleston Boulevard, approximately 375 feet east of Torrey Pines Drive. The Planning Commission and staff recommended approval. |
| 03/02/05 | The City Council approved a Review of Condition (ROC-5940) Number 17 of an approved Site Development Plan Review (SDR-3790) to allow for delivery hours to be between 5:30 a.m. and 10:00 p.m. where the hours were restricted to 8:00 a.m. to 8:00 p.m. for an approved 94,978 square-foot retail center on the subject property. Staff recommended approval. |

| *Related Relevant City Actions by P&D, Fire, Bldg., etc.* | |
|---|---|
| 05/04/05 | The City Council approved a Site Development Plan Review (SDR-6023) request for a 94,978 square-foot commercial development on 10.21 acres adjacent to the southeast corner of Torrey Pines Drive and Casada Way, expunging SDR-3790. The Planning Commission and staff recommended approval. |
| 12/07/05 | Department of Planning staff administratively approved a Minor Amendment (SDR-9904) request of an approved Site Development Plan Review (SDR-6023) to combine two buildings into a single building on 10.21 acres at the southeast corner of Torrey Pines Drive and Casada Way. |
| 03/01/06 | The City Council approved a Master Sign Plan (MSP-10761) for an existing Shopping Center on 10.10 acres adjacent to the north side of Charleston Boulevard, approximately 400 feet east of Torrey Pines Drive. The Planning Commission and staff recommended approval. |

| *Most Recent Change of Ownership* | |
|---|---|
| 08/31/12 | A deed was recorded for a change in ownership. |

| *Related Building Permits/Business Licenses* | |
|---|---|
| 09/16/05 | A building permit (#5006566) was issued for Retail Buildings D & E. The permit was finalized on 08/14/06. |
| 02/06/14 | A building permit (#248692) was issued for a 1,886 square-foot restaurant Tenant Improvement at 6300 West Charleston Boulevard, Suite #170. The permit was finalized on 04/22/14. |

| *Pre-Application Meeting* | |
|---|---|
| 06/19/14 | A pre-application meeting was held with the applicant to discuss the Special Use Permit submittal requirements for Beer/Wine/Cooler On-Sale Establishment use. |

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

| *Field Check* | |
|---|---|
| 07/31/14 | A field check of the subject property revealed the restaurant is operational and the site, landscaping and building is well maintained. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 2.47 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| North | Single-Family, Detached | L (Low Density Residential) | R-1(Single Family Residential) |
| | Single-Family, Attached | M (Medium Density Residential) | R-3 (Medium Density Residential) |
| South | College | Public Facilities | C-V (Civic) |
| East | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| West | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |

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

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Shopping Center | 95,035 SF | 1:250 SF | 381 | | | | |
| **TOTAL SPACES REQUIRED** | | | 381 | | 544 | | Y |
| **Regular and Handicap Spaces Required** | | | 373 | 8 | 527 | 17 | Y |

**ANALYSIS**

The Beer/Wine/Cooler On-Sale Establishment use is defined by Title 19.18 as "An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers only for consumption on the premises where the same is sold."

The proposed use meets the definition, as the applicant will serve beer, wine, and wine coolers only with meals for consumption on the premises.

The minimum Special Use Permit requirements for this use include:

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

   *The proposed use meets this requirement, as there are no protected uses within 400 feet of the subject property.*

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

   *The proposed use meets this requirement; measurement is taken from the existing property line of Lot 3 of Plat Book 133 Page 15, located west of the northeast corner of Charleston Boulevard and Torrey Pines Drive.*

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

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

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

*This requirement does not apply to the proposed use, as no distance separation waiver is necessary.*

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

   *Neither condition applies to the proposed use.*

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

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

The proposed use would be located within an established shopping center with retail and restaurant uses along Charleston Boulevard. No additional parking is required for this use, as it is ancillary to the primary use, an existing Restaurant. Other than the minimum use requirements in Title 19.12, there are no additional requirements for this proposal. There are no protected uses located within 400 feet of the subject property and there are similar uses within the existing shopping center. For these reasons, the proposed use is compatible with the surrounding uses in the area and staff recommends approval with conditions.

**FINDINGS (SUP-54292)**

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

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

   The subject location consists of a proposed restaurant located within an established shopping center along with other similar and compatible uses, and no waiver of minimum distance separation requirements from protected uses is required.

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

   The 95,035 square-foot shopping center is designed to accommodate a variety of retail, restaurant and office uses. This site has adequate parking for all uses, and the proposed use does not generate the need for any additional parking spaces.

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

   The proposed Beer/Wine/Cooler On-Sale Establishment can be accessed from Charleston Boulevard, a 100-foot Primary Arterial that has adequate capacity to serve the entire shopping center.

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

   The proposed Beer/Wine/Cooler On-Sale Establishment use will be subject to regular inspections for licensing and will therefore not compromise the public health, safety, and general welfare or any objective of the General Plan.

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

   The proposed Beer/Wine/Cooler On-Sale Establishment use meets all distance separation requirements per Title 19.12. Conditions of approval will ensure conformance with all other minimum requirements for this use.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 27

**NOTICES MAILED** 634

**APPROVALS** 2

**PROTESTS** 1

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-54967 APN: 138-35-816-003

Name of Property Owner: National Solutions, LLC

Name of Applicant: Design Parameters, LLC

Name of Representative: Jeffrey Baker

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

☐ **Yes** ☒ **No**

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

City Official: N/A

Partner(s): N/A N/A

APN: N/A

Signature of Property Owner: _____

Print Name: National Solutions, LLC, Robert Hanasab, Manager

Subscribed and sworn before me

This 10TH day of JULY, 2014

_____

Notary Public in and for said County and State

ALAN KABAKER
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
COMMISSION # 1954552
MY COMM. EXPIRES OCT. 28, 2015

PRJ-54670
07/14/14

State of California
County of LOS ANGELES

Subscribed and sworn to (or affirmed) before me on this 10TH day of JULY, 2014, by ROBERT HANASAB, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

ALAN KABAKER
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
COMMISSION # 1954552
MY COMM. EXPIRES OCT. 28, 2015

(Seal)

Signature

**SUP-54967**

PRJ-54670
07/14/14

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** SUP for a Beer, Wine, Cooler, on-Sale Establishment

**Project Address (Location)** 6300 W Charleston Blvd, #170

**Project Name** Smashburger **Proposed Use** _____

**Assessor's Parcel #(s)** 138-35-816-003 **Ward #** _____

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

**Commercial Square Footage** 1886SF **Floor Area Ratio** _____

**Gross Acres** 2.47AC **Lots/Units** _____ **Density** _____

**Additional Information** _____

**PROPERTY OWNER** _____ **Contact** _____

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

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

**E-mail Address** _____

**APPLICANT** Smashburger Aquisitions Las Vegas, LLC **Contact** Scott Crane

**Address** 3900 East Mexico Avenue, #1200 **Phone:** _____ **Fax:** _____

**City** Denver **State** CO **Zip** 80210

**E-mail Address** dflageolle@smashburger.com

**REPRESENTATIVE** Design Parameters, LLC **Contact** Jeffrey Baker

**Address** 10495 S Progress Way, Ste 202 **Phone:** 3036681474

**City** Parker **State** CO **Zip** 80134

**E-mail Address** jeffrey.baker@designparameters.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*** _____ NATIONAL SOLUTIONS, LLC

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

**Print Name** By: ROBERT HANASAB, MANAGER

Subscribed and sworn before me

This 10TH day of JULY, 20 14.

_____

Notary Public in and for said County and State

ALAN KABAKER
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
COMMISSION # 1954552
MY COMM. EXPIRES OCT. 28, 2015

*FOR DEPARTMENT USE ONLY*

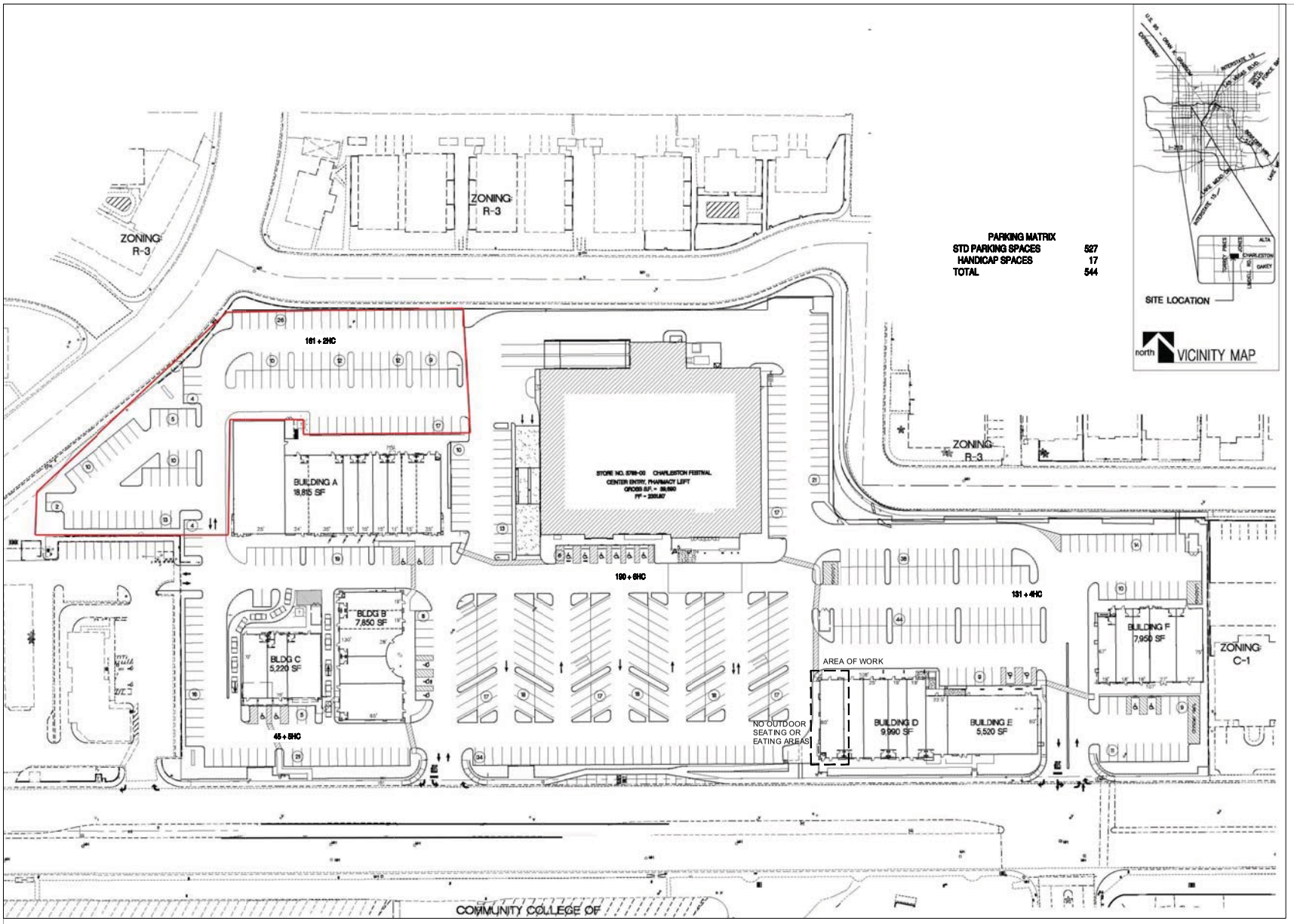
| | |
|---|---|
| Case # | SUP-54967 |
| Meeting Date: | 09/09/14 PC |
| Total Fee: | |
| Date Received:* | |
| Received By: | |

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

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

Revised 10/27/08

PRJ-54670
07/14/14




1 SITE PLAN
G002 SCALE: NTS


DESIGN PARAMETERS, LLC
19647 SOLAR CIRCLE #5-102
PARKER, CO 80134
PH: 303.668.1474
FX: 303.362.7361
WWW.DESIGNPARAMETERS.COM

ROBERT ROSENTHAL, ARCHITECT


TENANT FINISH FOR:

# SMASHBURGER

CHARLESTON & TORREY PINES

6300 W CHARLESTON, SUITE 170
LAS VEGAS, NV

| PROJECT NO | CCP30 |
|---|---|
| START DATE | 10.02.2013 |
| DRAWN BY | JKB |
| CHECKED BY | JKB |

| NO. | DESCRIPTION | DATE |
|---|---|---|
| 1 | PERMIT | 10.16.2013 |
| 2 | PLANNING | 06.20.2014 |

SITE PLAN

PRJ-54670
07/14/14

G002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by Design Parameters, LLC


10/4/2013 2:07:21 PM

SUP-54967

## GENERAL NOTES

1. ALL EQUIPMENT SHALL BE N.S.F. APPROVED AND SHALL BE INSTALLED PER LOCAL HEALTH DEPARTMENT REQUIREMENTS.
2. VERIFY ALL DIMENSIONS WITH EQUIPMENT SUPPLIER WHERE ITEMS ARE TO BE BUILT-IN AND / OR CUTOUTS ARE REQUIRED FOR INSTALLATION.
3. EXHAUST HOODS, STAINLESS STEEL PANELS AND TRIM SHALL BE PROVIDED BY THE EQUIPMENT SUPPLIER. COMPLETE INSTALLATION OF THE HOODS SHALL BE PROVIDED BY THE GC INCLUDING BUT NOT LIMITED TO: OBTAINING ALL REQUIRED PERMITS AND RELEASES, PROVIDING ALL GENERAL CONSTRUCTION REQUIRED (I.E. ROOF CUTS, CURB FLASHING, ETC.), PROVIDING INSTALLATION AND COORDINATION FOR TRADES (I.E. MECHANICAL, PLUMBING, AND ELECTRICAL REQUIREMENTS). IN PARTICULAR, THE MECHANICAL CONTRACTOR MUST COORDINATE WITH THE EQUIPMENT SUPPLIER TO PROVIDE THE PROPER CFM TO BALANCE THE HOOD SYSTEM PER CALCULATIONS ON MECHANICAL SHEETS.
4. ALL EQUIPMENT INDICATED ON THE EQUIPMENT SCHEDULE SHALL BE DELIVERED AND INSTALLED BY THE EQUIPMENT SUPPLIER UNLESS OTHERWISE NOTED. FINAL HOOK-UP IS BY THE GC.
5. NO PIPING, WIRE, CONDUIT, ETC. SHALL BE EXPOSED MORE THAN THE MINIMUM REQUIRED TO INSTALL PROPER FITTINGS AND ESCUTCHEON PLATES.
6. IT IS THE GC'S RESPONSIBILITY TO FIRMLY ANCHOR ANY EQUIPMENT WHICH IS REQUIRED TO BE FIXED. CAULK AND SEAL TO WALLS AND FLOOR AS REQUIRED.
7. CO2 IS PROVIDED VIA BULK STORAGE. CO2 SUPPLIER TO PROVIDE ALL TUBING AND FINAL CONNECTIONS.
8. GC TO ASSEMBLE AND ANCHOR ALL FIXED TABLES AS REQUIRED PER MANUFACTURER'S SPECIFICATIONS.
9. MILLWORK TO BE PROVIDED BY OWNER'S VENDOR. GC TO COORDINATE AND INSTALL.
10. ALL KITCHEN EQUIPMENT BELOW HOOD TO BE ON CASTERS AND INSTALLED WITH QUICK DISCONNETS FOR CLEANING PURPOSES.

## KEYED NOTES

1. FIRE EXTINGUISHERS FURNISHED AND INSTALLED BY GC. VERIFY LOCATIONS WITH LOCAL FIRE DEPARTMENT PRIOR TO INSTALLATION.
2. REFER TO SHEET A300 FOR TOILET ROOM ACCESSORIES AND DIMENSIONS.
3. GC TO INSTALL OWNER-PROVIDED PAPER TOWEL AND SOAP DISPENSERS AT ALL HAND SINK LOCATIONS. COORDINATE SPECIFICATIONS WITH OWNER'S REPRESENTATIVES.
4. SHELVING TO BE MOUNTED AT 70" A.F.F. AND 84" AFF FROM TOP OF SHELVES. REFER TO SHEET A200 FOR MORE INFORMATION.
5. SHELVING TO BE MOUNTED AT 61" AFF AND 75" AFF FROM TOP SHELVES. REFER TO SHEET A200 FOR MORE INFORMATION.
6. SHELVING TO BE MOUNTED AT 58" AFF FROM TOP OF SHELF. REFER TO SHEET A200 FOR MORE INFORMATION.
7. EQUIPMENT SUPPLIER TO PROVIDE ALUMINUM BLANK-OFF PANEL AT CORNER OF WALL TO COOLER, GC TO PROVIDE NEW SEALANT AS REQUIRED.
8. ELECTRIC PANELS. REFER TO ELECTRICAL SHEETS FOR MORE INFORMATION.
9. EQUIPMENT SUPPLIER TO VERIFY CLEAR DIMENSIONS PRIOR TO ORDERING WALK-IN REFRIGERATION UNITS.
10. REFER TO SHEET A102 FOR PASS THRU SHELF DIMENSIONS.
11. CUT-OUT FOR CAMBRO 1/3 PAN #36CW
12. CUT-OUT FOR VOLLRATH ADAPTOR #95 N/A
13. STAINLESS STEEL SHELVING TO BE MOUNTED AT 4'-6 3/4" AFF AND 5'-6 3/4" AFF TO TOP OF SHELF. CUSTOM SHELVES TO BE PROVIDED BY KEC AND INSTALLED BY GC. GC TO PROVIDE 11 GA. (1/8") BENT STEEL SHELF "BRACKETS" INSTALLED BEHIND TILE.

## KITCHEN EQUIPMENT SCHEDULE

| ITEM NO. | QTY | DESCRIPTION | MANUFACTURER | MODEL | PROVIDED BY | INSTALLED BY | NOTES |
|---|---|---|---|---|---|---|---|
| 094 | 1 | DUNNAGE RACK | METRO | HP337FC | EQUIP VENDOR | EQUIP VENDOR | |
| 095 | 1 | FLAT TOP REFRIGERATOR WITH DRAWERS | DELFIELD | UCD4448N | EQUIP VENDOR | EQUIP VENDOR | UNDERCOUNTER REFRIGERATOR |
| 096 | 1 | TWO SIDED GRILL | TAYLOR | L813 | EQUIP VENDOR | GC | |
| 097 | 1 | 36x36 MOBILE MIXER TABLE | JOHN BOOS & CO. | SMB-BT6R2-3636SBK-BPR | EQUIP VENDOR | EQUIP VENDOR | |
| 098 | 1 | STS MIXER TABLE | JOHN BOOS & CO. | SMB-BT6R2-2424SSK | EQUIP VENDOR | EQUIP VENDOR | |
| 099 | 1 | Mega Top Refrigerator | DELFIELD | D4448N-18M | EQUIP VENDOR | EQUIP VENDOR | |
| 101 | 3 | GAS FRYER ASSEMBLY | DEAN INDUSTRIES | HD50G | EQUIP VENDOR | EQUIP VENDOR | |
| 103 | 1 | BREAD RACK | ADVANCE TABCO | UR12 | EQUIP VENDOR | EQUIP VENDOR | |
| 104 | 1 | BUN TOASTER | ROUNDUP | VCT-1000 | EQUIP VENDOR | EQUIP VENDOR | ELECTRICAL CONVEYOR TYPE |
| 105 | 1 | REFRIGERATED COUNTER, MEGA TOP SANDWICH UNIT | DELFIELD | D4460N-24M | EQUIP VENDOR | EQUIP VENDOR | MEGA TOP REFRIGERATOR WITH DRAWERS |
| 107 | 1 | DROP-IN MUG / GLASS CHILLER | RANDELL | 9552A | EQUIP VENDOR | EQUIP VENDOR | |
| 108 | 1 | SHAKE MIXER | WARING | DMC201DC | EQUIP VENDOR | EQUIP VENDOR | |
| 109 | 1 | FRENCH FRY WARMER | APW WYOTT | CFHS-33 19H (95211100) | EQUIP VENDOR | EQUIP VENDOR | |
| 113 | 1 | DROP-IN ICE CREAM FREEZER | DELFIELD | N227 | EQUIP VENDOR | EQUIP VENDOR | 5 YEAR COMPRESSOR WARRANTY |
| 115 | 1 | REFRIGERATED GRAB-N-GO MERCHANDISER | FEDERAL | LPRSS3 | EQUIP VENDOR | EQUIP VENDOR | |
| 118 | 4 | HEAT LAMP | MERCO SAVORY | 500-C POLISHED | EQUIP VENDOR | GC | POLISHED NICKEL FINISH WITH RTA-HEAT BAR-STANDARD DIRECT |
| 119 | 1 | CO2 TANK | | | VENDOR | VENDOR | |
| 120A | 1 | WALK-IN COOLER | KOLPAK | CUSTOM | EQUIP VENDOR | EQUIP VENDOR | SELF-CONTAINED |
| 120B | 1 | WALK-IN FREEZER | KOLPAK | CUSTOM | EQUIP VENDOR | EQUIP VENDOR | SELF-CONTAINED |
| 122 | 1 | UNDERCOUNTER REFRIGERATOR 1 DOOR - 27in 685mm | TRUE | TUC-27G | EQUIP VENDOR | EQUIP VENDOR | 5 YEAR COMPRESSOR WARRANTY, 1 YEAR PARTS AND LABOR |
| 123 | 1 | ICED TEA BREWER / DISPENSER | BUNN | TB3Q-00.13,(3x)121408,121409 | EQUIP VENDOR | EQUIP VENDOR | |
| 123.1 | 3 | TEA DISPENSER (URN) | BUNN | TDO-N-3.5-0001 | EQUIP VENDOR | EQUIP VENDOR | |
| 126 | 1 | SODA DISPENSER - MEDALLION 8-VALVE 30in WIDE | LANCER | IDB 4500 | OWNER | OWNER'S VENDOR | ORDER WITH SANITARY LEVERS |
| 128 | 1 | SODA RACK | BIB FLEX RACK SYSTEM | | VENDOR | VENDOR | |
| 129C | 1 | DRY SHELVING - CHEMICAL RACK - ECO | INTERMETRO | 24X24 | EQUIP VENDOR | EQUIP VENDOR | WIRE CHROME, 5 TIERS, 74" HIGH |
| 130 | 1 | WORKTABLE | JOHN BOOS & CO. | CUSTOM | EQUIP VENDOR | EQUIP VENDOR | W/ 36" WELDED UNDER SHELF |
| 131A | 5 | COOLER / FREEZER SHELVING | INTERMETRO | 24X36 | EQUIP VENDOR | EQUIP VENDOR | GREEN EPOXY, 6 TIERS, 74" HIGH |
| 131B | 1 | COOLER / FREEZER SHELVING | INTERMETRO | 24X36 | EQUIP VENDOR | EQUIP VENDOR | GREEN EPOXY, 7 TIERS, 86" HIGH |
| 131C | 1 | COOLER / FREEZER SHELVING | INTERMETRO | 18X24 | EQUIP VENDOR | EQUIP VENDOR | GREEN EPOXY, 4 TIERS, 74" HIGH |
| 131G | 2 | COOLER / FREEZER DUNNAGE RACK | INTERMETRO | 22X48 | EQUIP VENDOR | EQUIP VENDOR | |
| 132 | 1 | PASS THRU SHELF | | | EQUIP VENDOR | EQUIP VENDOR | |
| 133 | 1 | VEGETABLE PREP TABLE | JOHN BOOS & CO. | SMB-EPT6R5-3072SSW-L | EQUIP VENDOR | EQUIP VENDOR | W/ UNDER SHELF AND 20X20X12 SINK BOWL |
| 136 | 3 | POS TERMINAL | RADIANT | ALOHA SYSTEM | OWNER | OWNER | DEDICATED CIRCUIT |
| 137 | 6 | WASTE RECEPTACLE | | | EQUIP VENDOR | EQUIP VENDOR | |
| 141 | 1 | FREEZER - REACH-IN | DELFIELD | 6125XL-S | EQUIP VENDOR | EQUIP VENDOR | W/ CASTERS |
| 144 | 1 | DISH RACK SHELF | JOHN BOOS & CO. | SMB-SRW-21 | EQUIP VENDOR | EQUIP VENDOR | STAINLESS STEEL SHELF |
| 145A | 3 | WALL SHELVING | INTERMETRO | 14X24 | EQUIP VENDOR | EQUIP VENDOR | STAINLESS STEEL SHELF |
| 145B | 4 | WALL SHELVING | INTERMETRO | 14X36 | EQUIP VENDOR | EQUIP VENDOR | CHROME WIRE WALL SHELF |
| 145D | 1 | WALL SHELVING | INTERMETRO | 18X60 | EQUIP VENDOR | EQUIP VENDOR | CHROME WIRE WALL SHELF |
| 145E | 1 | WALL SHELVING | INTERMETRO | 14X60 | EQUIP VENDOR | EQUIP VENDOR | CHROME WIRE WALL SHELF |
| 147A | 2 | WALL SHELVING | UNIVERSAL STAINLESS | 18X36 | EQUIP VENDOR | EQUIP VENDOR | CHROME WIRE WALL SHELF |
| 147B | 2 | WALL SHELVING | UNIVERSAL STAINLESS | 14X36 | EQUIP VENDOR | EQUIP VENDOR | STAINLESS STEEL WALL SHELF |
| 155 | 1 | STS PREP TABLE | JOHN BOOS & CO. | SMB-ST4R2-3012SSW | EQUIP VENDOR | EQUIP VENDOR | W/ UNDER SHELF AND ADJUSTABLE SS BULLET FEET |
| 156 | 1 | ICE MACHINE | MANITOWOC | ID-0852A | EQUIP VENDOR | EQUIP VENDOR | SELF-CONTAINED |
| 157 | 5 | ELECTRONIC MENU BOARD | WAND CORP | 42-INCH LG | EQUIP VENDOR | EQUIP VENDOR | |
| 175 | 1 | DISHMACHINE | ECOLAB | OMEGA 5E | EQUIP VENDOR | EQUIP VENDOR | |
| 177 | 2 | HAND SINK | JOHN BOOS & CO. | SMB-PBHS-W-1410-P | EQUIP VENDOR | EQUIP VENDOR | PROVIDE SOAP DISPENSER AND PAPER TOWEL DISPENSER |
| 177SSL | 1 | HAND SINK | JOHN BOOS & CO. | SMB-PBHS-W-1410-P-SSL | EQUIP VENDOR | EQUIP VENDOR | PROVIDE SOAP DISPENSER AND PAPER TOWEL DISPENSER |
| 177SSR | 2 | HAND SINK | JOHN BOOS & CO. | SMB-PBHS-W-1410-P-SSR | EQUIP VENDOR | EQUIP VENDOR | PROVIDE SOAP DISPENSER AND PAPER TOWEL DISPENSER |
| 178 | 1 | DIPPERWELL | FISHER | 3041 | EQUIP VENDOR | EQUIP VENDOR | |
| 179 | 1 | MOP SINK - 24X24IN | MUSTEE | 63M | GC | GC | |
| 180 | 1 | OIL STORAGE SYSTEM | B.O.S.S. | SPACE SAVER UNIT | EQUIP VENDOR | EQUIP VENDOR | |
| 185 | 1 | STRAIGHT 3-COMPARTMENT SINK | JOHN BOOS & CO. | SMB-3B16204-2D24 | EQUIP VENDOR | EQUIP VENDOR | W/ ADJUSTABLE SS BULLET FEET AND 24" DRAINBOARDS ON BOTH SIDES |
| 190 | 1 | WATER FILTER SYSTEM | ECOLAB | TRIPLE FRESH20 | EQUIP VENDOR | GC | |
| 195 | 1 | EXHAUST HOOD | CAPTIVEAIRE | CUSTOM | EQUIP VENDOR | GC | |

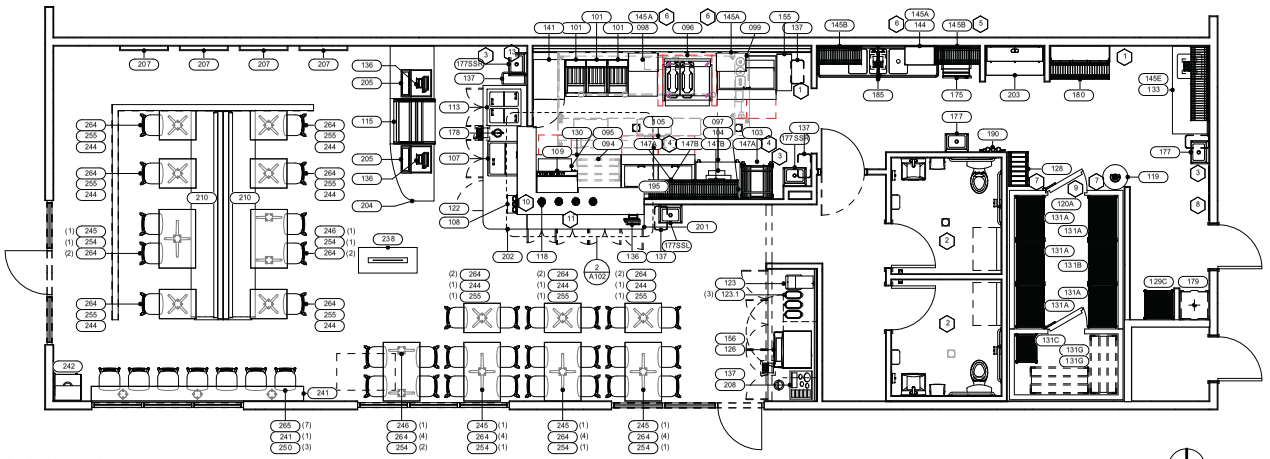
## DINING SEATING SCHEDULE

| ITEM NO. | QTY | DESCRIPTION | MANUFACTURER | MODEL | PROVIDED BY | INSTALLED BY | NOTES |
|---|---|---|---|---|---|---|---|
| 264 | 32 | DINING ROOM CHAIR | WAYMAR | PARK AVE C-315E | VENDOR | GC | HB-BRONZE W/ BEECH SEAT |
| 265 | 7 | DINING BARSTOOL - 30" H | WAYMAR | PARK AVE B-1315E | VENDOR | GC | HB-BRONZE W/ BEECH SEAT |

Grand total: 39

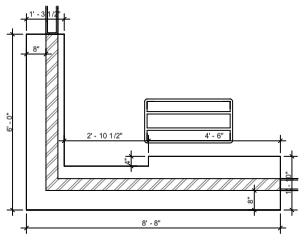
## CASEWORK SCHEDULE

| ITEM NO. | QTY | DESCRIPTION | MANUFACTURER | MODEL | PROVIDED BY | INSTALLED BY | NOTES |
|---|---|---|---|---|---|---|---|
| 201 | 1 | TO GO STATION | | | MILLWORK VENDOR | GC | |
| 202 | 1 | BACK COUNTER | | | MILLWORK VENDOR | GC | |
| 203 | 1 | MANAGER'S DESK | | | MILLWORK VENDOR | GC | 48" WIDE - 48" HIGH SHELF |
| 204 | 1 | TRANSACTION COUNTER | | | MILLWORK VENDOR | GC | |
| 205 | 2 | POS SHROUD | | | MILLWORK VENDOR | GC | |
| 207 | 4 | STORY BOARD | | | MILLWORK VENDOR | GC | |
| 208 | 1 | CONDIMENT DISPENSER | | | MILLWORK VENDOR | GC | |
| 209 | 1 | HALF WALL CAP | | | MILLWORK VENDOR | GC | |
| 210 | 2 | BOOTH - SINGLE - RIGHT - VARIABLE LENGTH | | | MILLWORK VENDOR | GC | |
| 238 | 1 | WAITING TABLE | | | MILLWORK VENDOR | GC | |
| 241 | 1 | CUSTOM SIT-HERE BAR | | | MILLWORK VENDOR | GC | |
| 242 | 1 | SINGLE TRASH RECEPTACLE | | | MILLWORK VENDOR | GC | |
| 244 | 9 | 22" TABLE CROSS BASE | OAK STREET MANUF | B22-STD | MILLWORK VENDOR | GC | |
| 245 | 4 | 30" TABLE CROSS BASE | OAK STREET MANUF | B2230-STD | MILLWORK VENDOR | GC | |
| 246 | 4 | 30" TABLE T-BASE | OAK STREET MANUF | B522-STD | MILLWORK VENDOR | GC | |
| 250 | 3 | BOLT-DOWN TABLE COLUMN - 40.75" H | OAK STREET MANUF | BDB-BAR | MILLWORK VENDOR | GC | |
| 254 | 6 | TABLE TOP - 30x48 | | | MILLWORK VENDOR | GC | |
| 255 | 9 | TABLE TOP - 24x30 | | | MILLWORK VENDOR | GC | |



1 A102 (4) FURNITURE & EQUIPMENT PLAN
SCALE: 1/4" = 1'-0"

0 1 2 4 8 1/4" = 1'-0" 16




2 A102 PLAN DTL @ PASS THRU
SCALE: 1/2" = 1'-0"

DESIGN PARAMETERS, LLC
19647 SOLAR CIRCLE #B-102
PARKER, CO 80134
PH: 303.668.1474
FX: 303.362.7361
WWW.DESIGNPARAMETERS.COM

ROBERT ROSENTHAL, ARCHITECT

smashburger

CHARLESTON & TORREY PINES

6300 W. CHARLESTON, SUITE 170
LAS VEGAS, NV

| | |
|---|---|
| PROJECT NO | CCP30 |
| START DATE | 10.02.2013 |
| DRAWN BY | CEB |
| CHECKED BY | RR |

| NO. | DESCRIPTION | DATE |
|---|---|---|
| 1 | PERMIT | 10.16.2013 |
| 2 | HEALTH DEPT | 11.05.2013 |
| 5 | EQIUP REVS | 01.21.2014 |

FURNITURE & EQUIPMENT PLAN

PRJ-54670
07/14/14

A102

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6/20/2014 4:13:48 PM

SUP-54967

DESIGN PARAMETERS, LLC
10495 S PROGRESS WAY #202 PARKER, CO 80134 | PH: 303.668.1474 | FX: 303.362.7361

July 8, 2014

City of Las Vegas
Planning & Development
731 S Fourth Street
Las Vegas, NV 89101

Re: SUP Application
Smashburger
6300 W Charleston Blvd, #170
Las Vegas, NV

To Whom it May Convern:

Please accept this letter as our official Justification Letter for a Special Use Permit for a Beer, Wine, Cooler On-Sale license in conjunction with our Restaurant business that is already in operation. The Restaurant is location within the Charleston Festival District. The Application is for a **SUP FOR A BEER, WINE, COOLER, ON-SALE ESTABLISHMENT** at the referenced address, zoned C-1 (Limited Commercial District).
We intend to serve beer and wine in conjunction with meals on the premises. The operation is compatible with the existing surrounding uses. The restaurant is approximately 1,886SF and will employ approximately 10-15 employees. The hours of operation are 10:00AM to 10:00PM Monday through Sunday. The prior use of the space was also restaurant use, so no further demand is being presented on the parking requirements.
We are requesting a waiver to allow for a Beer, Wine, Cooler On-Sale business. This Restaurant will enhance the Commercial Center it is within and the sale of Beer, Wine and Coolers is and additional element to attract patrons to the Commercial Center. We appreciate your support for this SUP and look forward to workin with the City of Las Vegas Staff during this process. If you have any questions and/or concerns, please feel free to contact me.

Jeffrey Baker, Architect

Design Parameters, LLC

**SUP-54967**

PRJ-54670
07/14/14

SUP-54967 [PRJ-54670] - APPLICANT: SMASHBURGER ACQUISITIONS LAS VEGAS, LLC - OWNER: NATIONAL SOLUTIONS, LLC
6300 WEST CHARLESTON BOULEVARD, SUITE #170

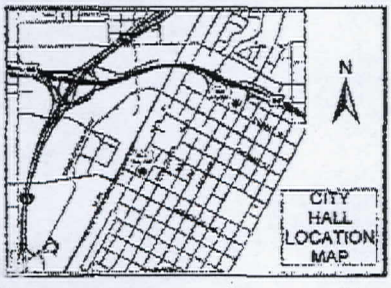
07/31/14

SUP-54967 [PRJ-54670] - APPLICANT: SMASHBURGER ACQUISITIONS LAS VEGAS, LLC - OWNER: NATIONAL SOLUTIONS, LLC
6300 WEST CHARLESTON BOULEVARD, SUITE #170

07/31/14

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

**Return Service Requested**
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-54967 [PRJ-54670]**
Planning Commission Meeting of 9/9/2014

RECEIVED
SEP 2 2014
City of Las Vegas
Dept. of Planning

Case: SUP-54967

13835810085
2CRAZYSIS L L C
7716 BREA CREST CIR
LAS VEGAS NV 89123-0754

Date 09/02/14 Item 9P

GS FROPMAP 89123

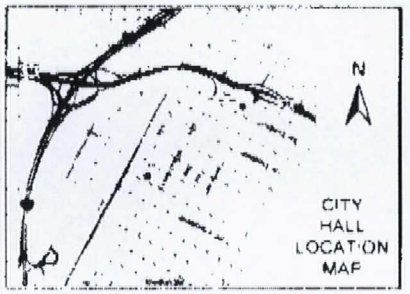
FROM :
PHONE NO. :
AUG. 31 2014 02:43PM P1

SUP-54967
Sunset Gar 6300 W Charleston Blvd. Suite #100

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

00 46

**Return Service Requested**
**Official Notice of Public Hearing**




The way this is worded is a bit confusing
* I support the permit for Beer (wine) Cooler!

RECEIVED
SEP 2 2014
City of Las Vegas
Dept. of Planning

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-54967 [PRJ-54670]**
Planning Commission Meeting of 9/9/2014

Case SUP-54967
13835610038
TODD JOHN R
6329 EVERGREEN AVE
LAS VEGAS NV 89107-3450

45 FRDFWP 89107

Date 09/02/14 Item 9A

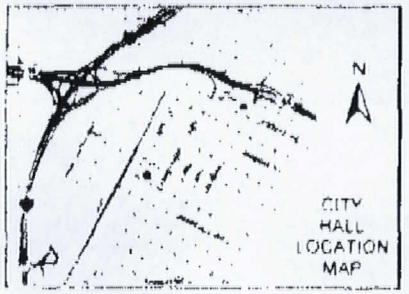
S.U.P.-54967

Smoke Shop 6300 W Charleston Blvd. Suite #100

00 46.

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

**Return Service Requested**
**Official Notice of Public Hearing**




The way this is worded is a bit confusing

* I support the permit for Beer/Liquor Cooler!

RECEIVED

SEP 2 2014

City of Las Vegas
Dept. of Planning

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7409 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-54967 (PRJ-54670)**
Planning Commission Meeting of 9/9/2014

Case S-54967

138036810038
TODD JOHN R
6329 EVERGREEN AVE
LAS VEGAS NV 89107-3450

Date 09/02/14 Item 9A

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

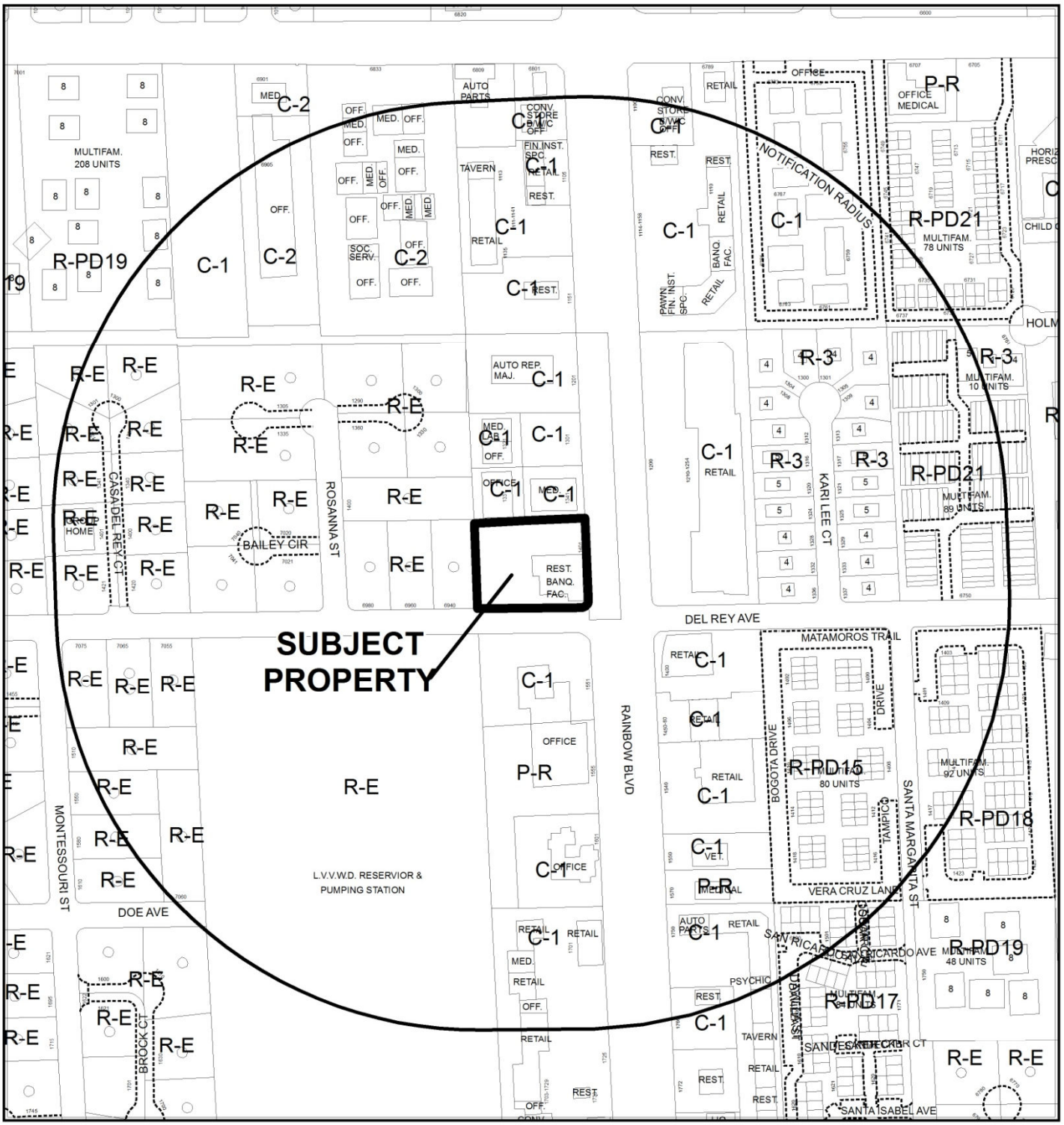
**SUBJECT:**
SUP-55195 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DAVIS FUNERAL HOME & MEMORIAL PARK - OWNER: HART VOLLAND ENTERPRISES, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED MORTUARY OR FUNERAL CHAPEL USE at 1401 South Rainbow Boulevard (APN 163-03-501-022), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian) [PRJ-55088]. Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

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

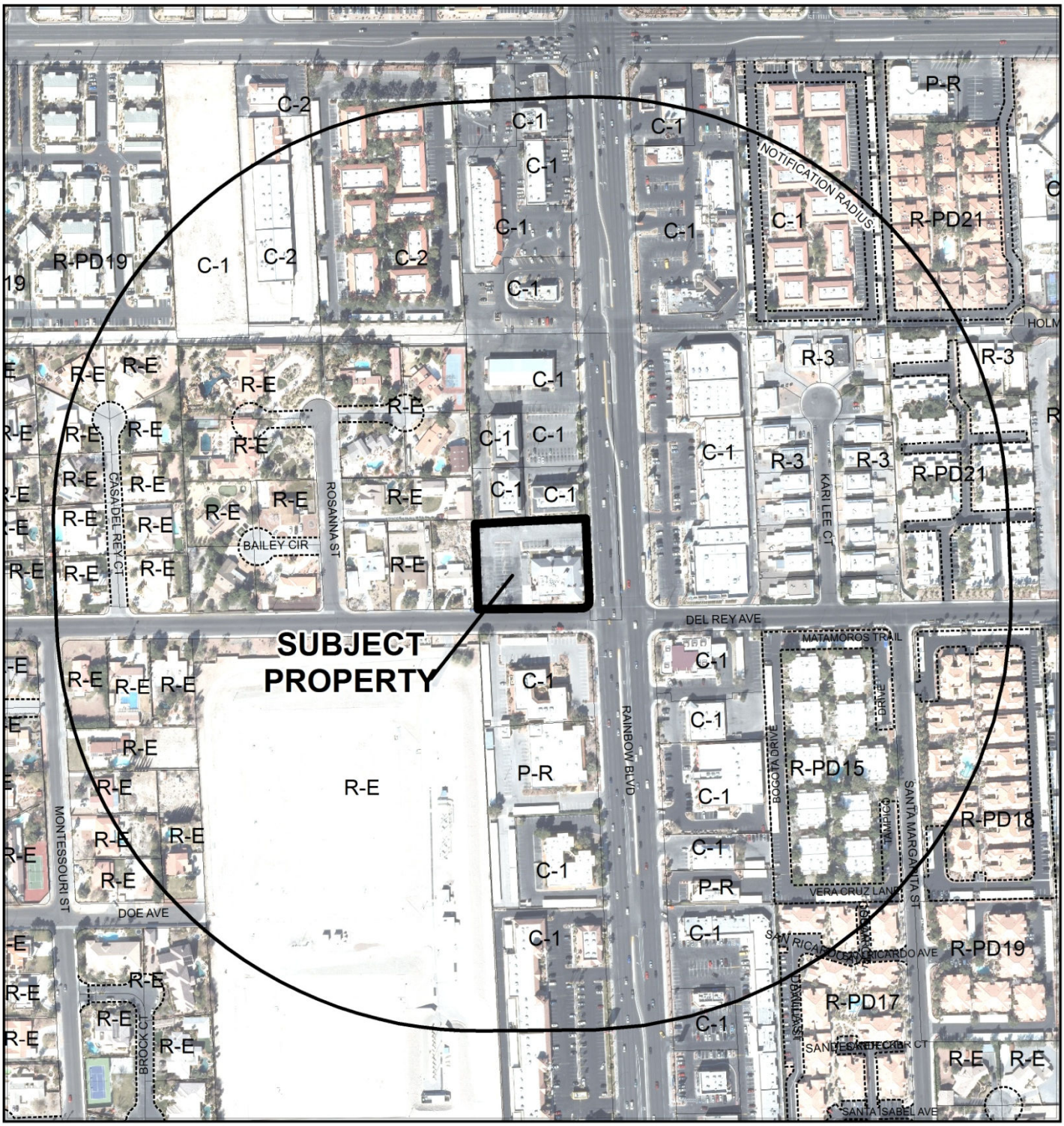
**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards




**CASE:** **SUP-55195 (PRJ-55088)**

**RADIUS:** 1000 FEET

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




**CASE:** **SUP-55195 (PRJ-55088)**

**RADIUS:** 1000 FEET

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

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: DAVIS FUNERAL HOME & MEMORIAL PARK - OWNER: HART VOLLAND ENTERPRISES, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-55195** | Staff recommends APPROVAL, subject to conditions: | N/A |

## ** CONDITIONS **

# SUP-55195 CONDITIONS

***Planning***

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

2. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

3. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

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

MR

**Staff Report Page One**
**September 9, 2014 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is requesting approval of a Special Use Permit for a proposed Mortuary or Funeral Chapel use within an existing 10,812 square-foot building at 1401 South Rainbow Boulevard. This use meets all Title 19.12 requirements for the Mortuary or Funeral Chapel use and is compatible with the residential, retail and office uses in the surrounding area. For these reasons, staff recommends approval of the requested Special Use Permit, with conditions. If denied, the building will have to be utilized for another use.

## ISSUES

- A Mortuary or Funeral Chapel use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 04/01/87 | The City Council approved a Rezoning (Z-0022-87) request from N-U (Non-Urban) to C-1 (Limited Commercial) with the proposed use of a restaurant and tire repair shop on the west side of Rainbow Boulevard between Holmby Avenue and Del Rey Avenue. The Planning Commission recommended approval. |
| 12/04/03 | The Planning Commission approved a Withdraw Without Prejudice request on a Site Development Plan Review (SDR-3187) for a 565 square foot drive through addition to an existing restaurant on 1.25 acres at 1401 South Rainbow Boulevard. |
| | The Planning Commission approved a Withdraw Without Prejudice request for a Variance (VAR-3368) to allow 87 parking spaces where 100 spaces are required for an addition to a proposed supper club at 1401 South Rainbow Boulevard. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 01/20/04 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 1988 | The building was constructed. |
| 04/19/04 | A building permit (#4009046) was issued for a tenant improvement. The permit was finalized 08/16/04. |
| 03/03/04 | A business license (#L21-00042) was issued for a Restaurant with Alcohol. The license active as of 08/20/14. |

| ***Pre-Application Meeting*** | |
|---|---|
| 07/17/14 | A pre-application meeting was held with the applicant and the applicant's designated representatives to discuss the Special Use Permit submittal requirements for Mortuary or Funeral Chapel use. |

| ***Neighborhood Meeting*** | |
|---|---|
| 08/19/14 | A neighborhood meeting was held at the Centennial Center Community Center located at 6601 North Buffalo Drive and the following concerns were noted:<br>1. There is concern regarding increased traffic along Del Rey.<br>2. Concern was expressed that property values will decrease.<br>3. The proposed use is too close to residential properties and schools.<br>4. Some members of the community expressed support while others expressed opposition to this project. |

| ***Field Check*** | |
|---|---|
| 07/31/14 | A field inspection was conducted on the subject site, which revealed that the existing restaurant is no longer in business. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 1.25 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Restaurant | SC (Service Commercial) | C-1 (Limited Commercial) |
| North | Office, Other than Listed | SC (Service Commercial) | C-1 (Limited Commercial) |
| | Office, Medical or Dental | | |
| South | Office, Other than Listed | SC (Service Commercial) | C-1 (Limited Commercial) |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| East | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| West | Single-Family, Detached | DR (Desert Rural Density Residential) | R-E (Residence Estates) |

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

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

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Mortuary or Funeral Chapel | 1,323 SF | 1:100 SF | 14 | | | | |
| **TOTAL SPACES REQUIRED** | | | 14 | | 97 | | Y |
| **Regular and Handicap Spaces Required** | | | 13 | 1 | 93 | 4 | Y |

**ANALYSIS**

Per Title 19.12 a Mortuary or Funeral Chapel use is defined as "A facility in which one or both of the following activities occur:

1. Dead bodies are prepared for burial or cremation.
2. Funeral services are conducted."

The proposed use meets the definition, as stated in the justification letter the applicant will conduct "funeral services, memorials, viewing services, as well as ancillary uses."

The applicant is proposing Mortuary or Funeral Chapel use within a C-1 (Limited Commercial) zoning district. The existing restaurant will be repurposed and undergo some minor cosmetic façade repairs (paint, window treatment, wall installation and other minor repairs).

There are no Special Use Permit requirements for this use. The proposed Mortuary or Funeral Chapel use can be conducted in a harmonious and compatible manner with the existing land uses and surrounding neighborhood; therefore, staff recommends approval of this request. If this request is denied, then a Mortuary or Funeral Chapel use will not be allowed to open at this location.

**FINDINGS (SUP-55195)**

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

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

   The subject location consists of a single building (a closed restaurant) located adjacent to residential and commercial uses. The Mortuary or Funeral Chapel use is a compatible for this site.

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

   The 10,812 square-foot building can be easily renovated from a restaurant to a Mortuary or Funeral Chapel. There is ample on-site parking for this use.

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

   The proposed Mortuary or Funeral Chapel can be accessed from Rainbow Boulevard, a 100-foot Primary Arterials that has adequate capacity to serve the proposed development. Secondary access is provided from Del Rey, Avenue a 60-foot right-of-way.

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

   The proposed Mortuary or Funeral Chapel use will be subject to regular inspections for licensing and will therefore not compromise the public health, safety, and general welfare or any objective of the General Plan.

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

The proposed Mortuary or Funeral Chapel use meets all Title 19.12 requirements.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 21

**NOTICES MAILED** 489

**APPROVALS** 1

**PROTESTS** 1

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-55195 APN: 163-03-501-022

Name of Property Owner: Hart Volland Enterprises, LLC

Name of Applicant: Davis Funeral Homes & Memorial Park

Name of Representative: Kaempfer Crowell

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Hart Volland Enterprises LLC, Mike Mell
by Charles R Hart, Jr.

Print Name: CHARLES R HART, SR

Subscribed and sworn before me

This 18 day of July, 2014

Notary Public in and for said County and State

BRET R. CARTER
COMM. # 1987351
NOTARY PUBLIC • CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires SEP 2, 2016



PRJ-55088
07/22/14

STATE OF CALIFORNIA )

COUNTY OF LOS ANGELES)

SUBSCRIBED AND SWORN to (or affirmed) before me on this 18 day of July, 2014, by Charles R. Hart, Jr., who proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____ (Seal)

Bret R. Carter
Name (Typed or Printed)

BRET R. CARTER
COMM. # 1987351
NOTARY PUBLIC • CALIFORNIA
LOS ANGELES COUNTY
My Comm. Expires SEP 2, 2016

Notary Public in and for said County and State

**SUP-55195**

PRJ-55088
07/22/14

# CLV Planning - Application Form

| | |
|---|---|
| Application Number: | PRJ-55088 |
| Application/Petition For: | SUP for a Mortuary or Funeral Chapel |
| ProjectAddress (Location): | 1401 SOUTH RAINBOW BOULEVARD |
| Project Name | DAVIS FUNERAL HOMES |
| Assessors Parcel #(s): | 16303501022 |
| Ward #: | WARD 1 (LOIS TARKANIAN) |
| Is the Application Information Correct: | Yes |
| If no, ...change what | |
| General Plan Designation: Proposed: | Select |
| Zoning District: Proposed: | Select |
| Gross Acres: | |
| Lots/Units: | |
| Additional Information: | |
| Applicant First Name: | Davis Funeral Homes |
| Applicant Last Name: | & Memorial Park |
| Applicant Address: | 6200 S. Eastern Avenue |
| Applicant City: | Las Vegas |
| Applicant State: | NV |
| Applicant Zip: | 89119 |
| Applicant Phone: | |
| Applicant Fax: | |
| Applicant Email: | RTNoecker@legacyfuneralgroup.com |
| Rep First Name: | Ann |
| Rep Last Name: | Pierce |
| Rep Address: | 8345 W. Sunset Rd., Suite 250 |
| Rep City: | Las Vegas |
| Rep State: | NV |
| Rep Zip: | 89113 |
| Rep Phone: | |
| Rep Fax: | |
| Rep Email: | lbrown@kcnvlaw.com |

**SUP-55195**

PRJ-55088
07/28/14

# CLV Planning - Application Form

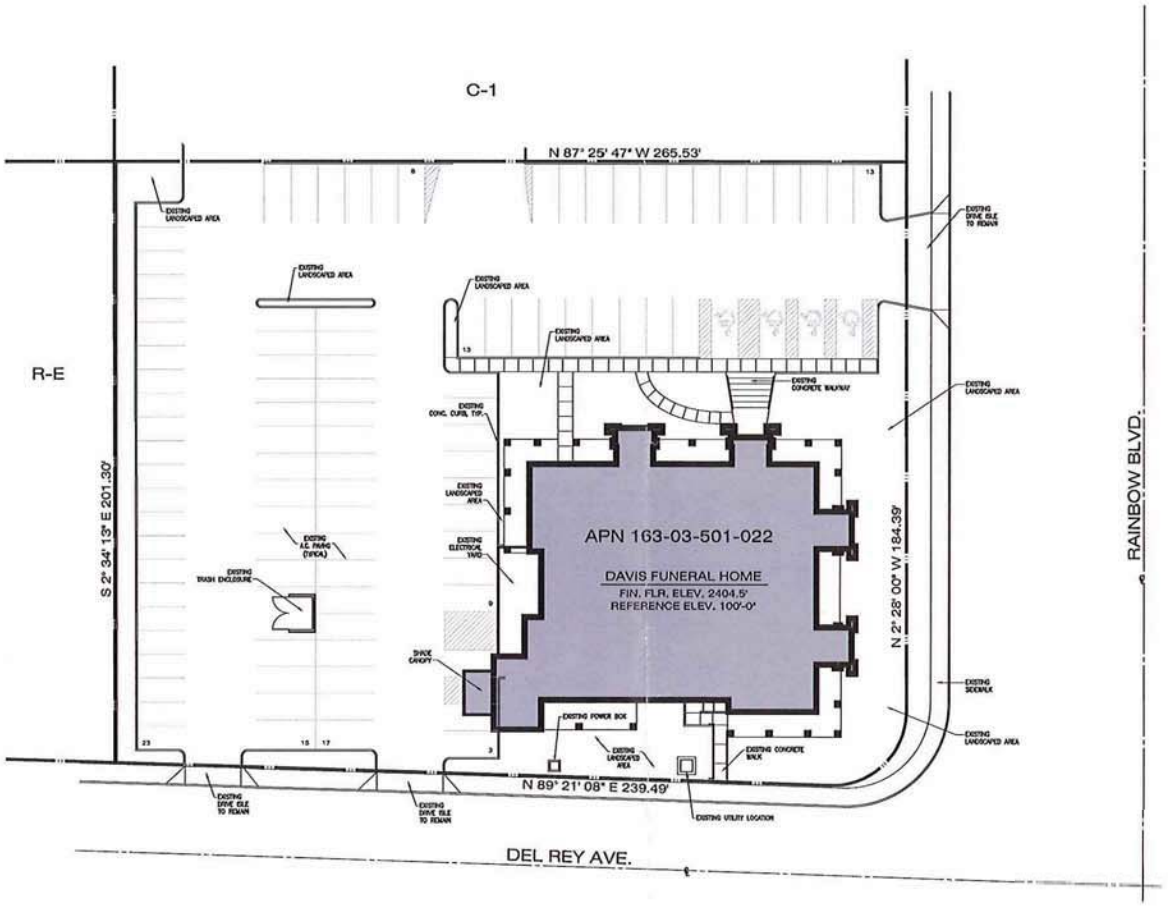
| | |
|---|---|
| I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or 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.<br>I Accept: | Yes |
| Is the Owner Information Correct: | Yes |
| If no, ...change what | |

| Owner(s) | ADDR1 | ADDR2 |
|---|---|---|
| HART VOLLAND ENTERPRISES L L C | 3380 W HACIENDA AVE #101 | LAS VEGAS, NV 89118-1720 |

| CLVEPLAN Applicant | Company | Title | Email |
|---|---|---|---|
| Lindsay Brown | Kaempfer Crowell | Assistant | lbrown@kcnvlaw.com |

**SUP-55195**

PRJ-55088
07/28/14




SITE PLAN
16' NORTH

DAVIS
FUNERAL HOMES & MEMORIAL PARK

## SITE DATA

| | |
|---|---|
| APN: | 163-03-501-022 |
| JURISDICTION: | CITY OF LAS VEGAS |
| CURRENT ZONING: | C-1 |
| LOT SIZE: | AREA |
| ACREAGE | 1.25 ACRE |
| SQUARE FOOTAGE | 54,450 SF |
| SETBACKS: | |
| BUILDING: | |
| FRONT | 10 ft. |
| SIDE | 10 ft. |
| INTERIOR SIDE | 10 ft. |
| REAR | 20 ft. |
| LANDSCAPE: | |
| FRONT | 15 ft. |
| SIDE | 15 ft. |
| INTERIOR SIDE | 8 ft. |
| REAR | 8 ft. |
| BUILDING COVERAGE: | AREA % |
| MAXIMUM | 50% |
| ACTUAL | 19.9% |
| PARKING: | TOTALS |
| REQUIRED | 14 SPACES (1:100SF IN GATHERING ROOM @ 1,323 SF) |
| PROVIDED | 99 SPACES |
| ACCESSIBLE REQUIRED: | 4 |
| ACCESSIBLE PROVIDED: | 4 |

GENERAL NOTE:

ALL EXISTING SITE ELEMENTS INCLUDING BUT NOT LIMITED TO LANDSCAPING, DRIVE ISLES, PARKING, TRASH ENCLOSURE, AC PAVING, AND LIGHTING ARE TO REMAIN.

VICINITY MAP NTS NORTH

PRJ-55088
07/22/14

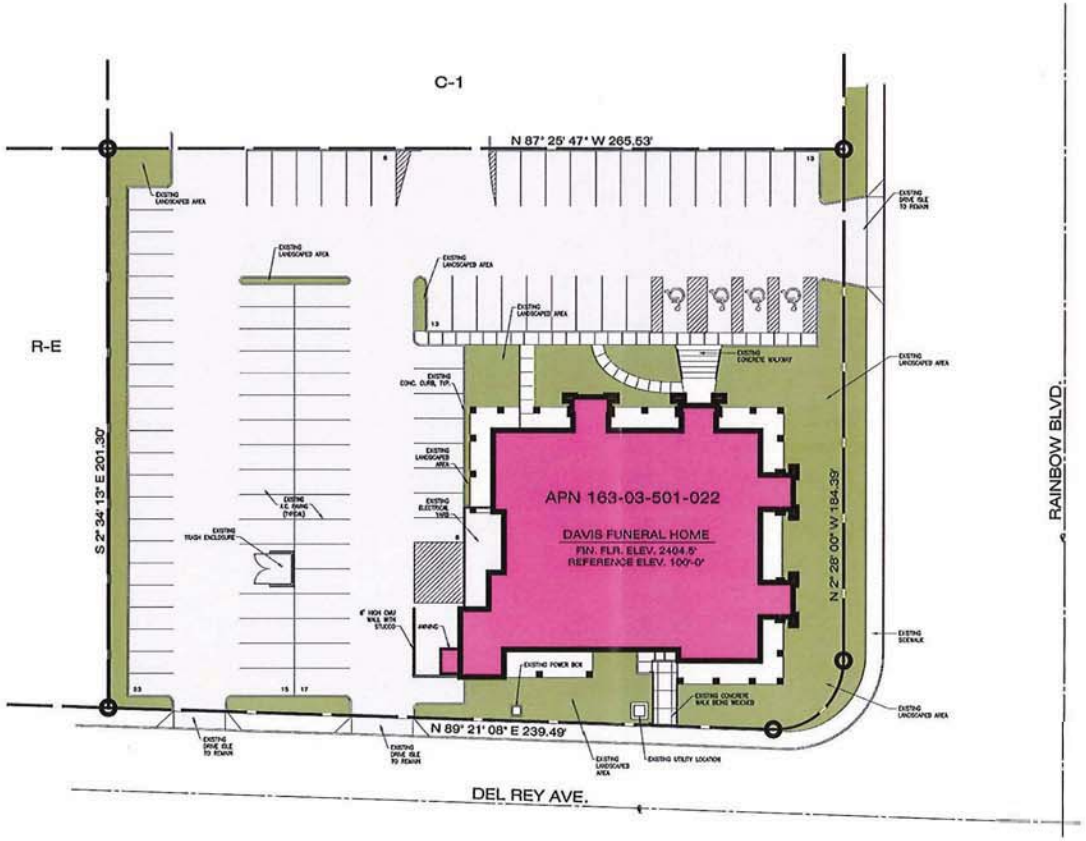
# DAVIS FUNERAL HOME
1401 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146
LEGACY FUNERAL GROUP

DATE: 07.16.2014 SHEET: 1 OF 4 SH PROJECT NO.: 140026

SH ARCHITECTURE
7250 Peak Drive Suite 216 Las Vegas Nevada 89128
p.702.363.2222 f.702.363.6060 www.sh-architecture.com

SUP-55195

DAVIS
FUNERAL HOMES & MEMORIAL PARK




SITE PLAN
16' NORTH

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| | |
|---|---|
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| SETBACKS: | |
| BUILDING: | |
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| REAR | 20 ft. |
| LANDSCAPE: | |
| FRONT | 15 ft. |
| SIDE | 15 ft. |
| INTERIOR SIDE | 8 ft. |
| REAR | 8 ft. |
| BUILDING COVERAGE: | AREA % |
| MAXIMUM | 50% |
| ACTUAL | 19.9% |
| PARKING: | TOTALS |
| REQUIRED | 14 SPACES (1:100SF IN GATHERING ROOM @ 1,323 SF) |
| PROVIDED | 95 SPACES |
| ACCESSIBLE REQUIRED: | 4 |
| ACCESSIBLE PROVIDED: | 4 |

GENERAL NOTE:

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VICINITY MAP NTS NORTH

PRJ-55088
07/22/14

# DAVIS FUNERAL HOME
1401 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146
LEGACY FUNERAL GROUP

DATE: 07.21.2014 SHEET: 1 OF 5 SH PROJECT NO.: 140026

SH ARCHITECTURE
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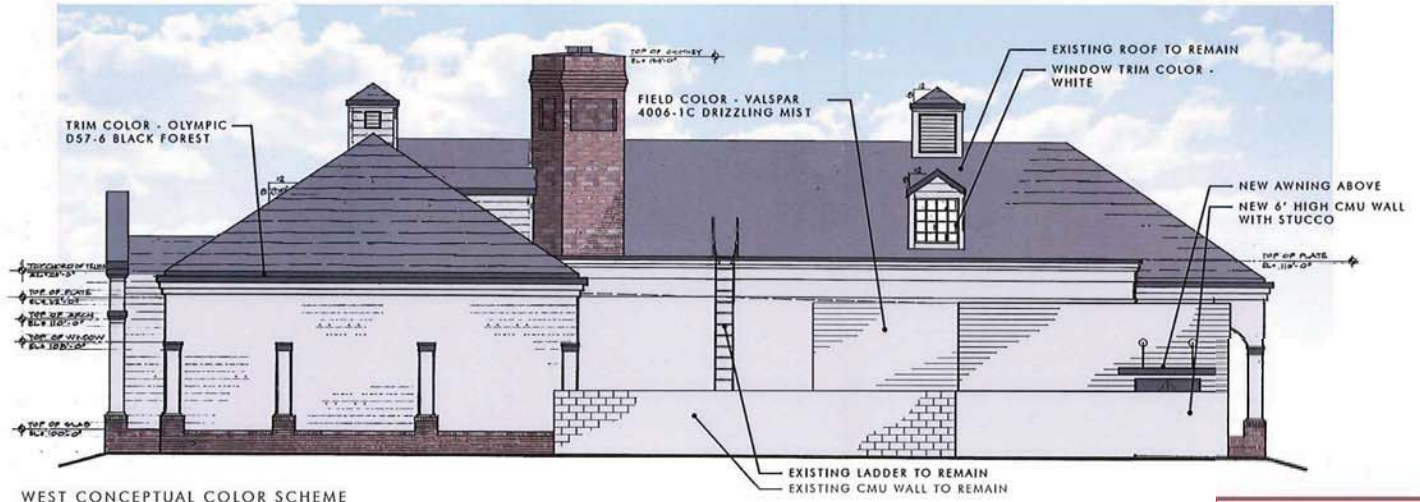
p.702.363.2222 f.702.363.6060 www.sh-architecture.com

SUP-55195

NORTH CONCEPTUAL COLOR SCHEME




WEST CONCEPTUAL COLOR SCHEME

## CONCEPTUAL COLOR SCHEME ELEVATIONS

DAVIS
FUNERAL HOMES & MEMORIAL PARK

GENERAL NOTE:

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PRJ-55088
07/22/14

DAVIS FUNERAL HOME
1401 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146
LEGACY FUNERAL GROUP

DATE: 07.21.2014 SHEET: 3 OF 5 SH PROJECT NO.: 140026

SUP-55195

SH ARCHITECTURE
7250 Peak Drive Suite 216 las Vegas Nevada 89128
p.702.363.2722 f.702.363.6060 www.sh-architecture.com

DAVIS
FUNERAL HOMES & MEMORIAL PARK

NORTH ELEVATION

EAST ELEVATION

SOUTH ELEVATION

WEST ELEVATION

GENERAL NOTE:

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ALL DESIGNS, PLANS, AND DRAWINGS AND PARKING CALCULATIONS ARE PRELIMINARY AND SUBJECT TO CHANGE. ANY PROPOSED DEVELOPMENT IS SUBJECT TO REVIEW AND APPROVAL BY GOVERNMENTAL AGENCIES.

PRJ-55088
07/22/14

EXTERIOR ELEVATION(S)
NTS

DAVIS FUNERAL HOME
1401 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146
LEGACY FUNERAL GROUP

DATE: 07.21.2014 SHEET: 4 OF 5 SH PROJECT NO.: 140026

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SUP-55195

1. WEST PARKING LOT

2. TRASH ENCLOSURE

3. SOUTHEAST CORNER

DAVIS
FUNERAL HOMES & MEMORIAL PARK

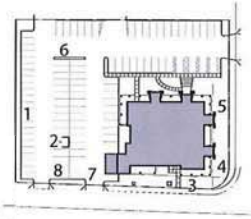
4. SOUTHEAST CORNER

5. NORTHEAST CORNER

5. NORTHWEST CORNER

7. SOUTHWEST CORNER

8. DEL REY LANDSCAPE

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PRJ-55088
07/22/14

SITE PHOTOS

DAVIS FUNERAL HOME
1401 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146
LEGACY FUNERAL GROUP

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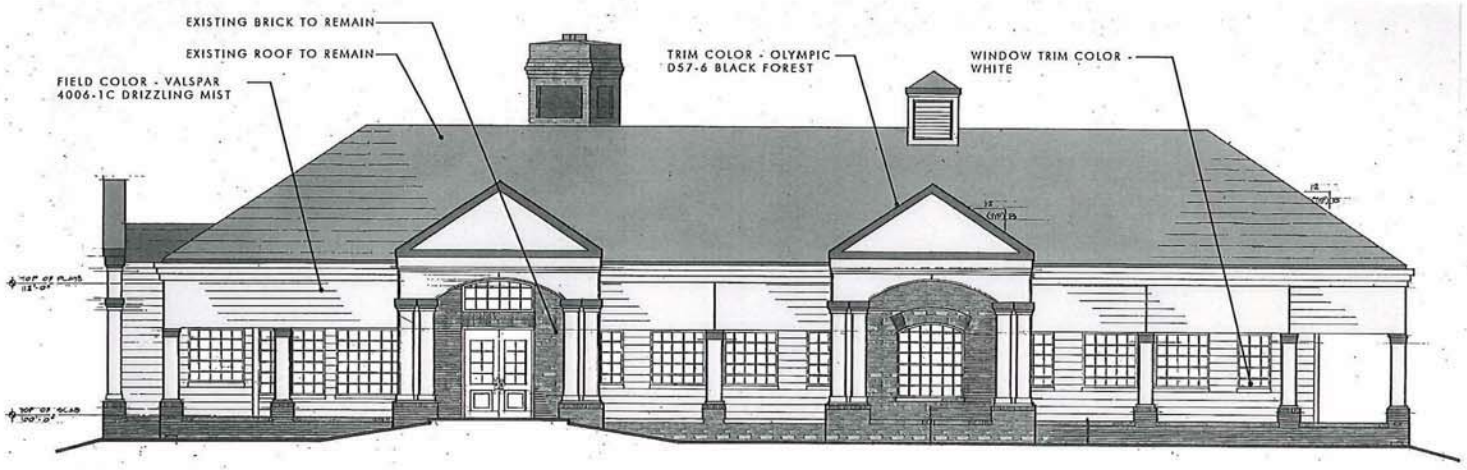
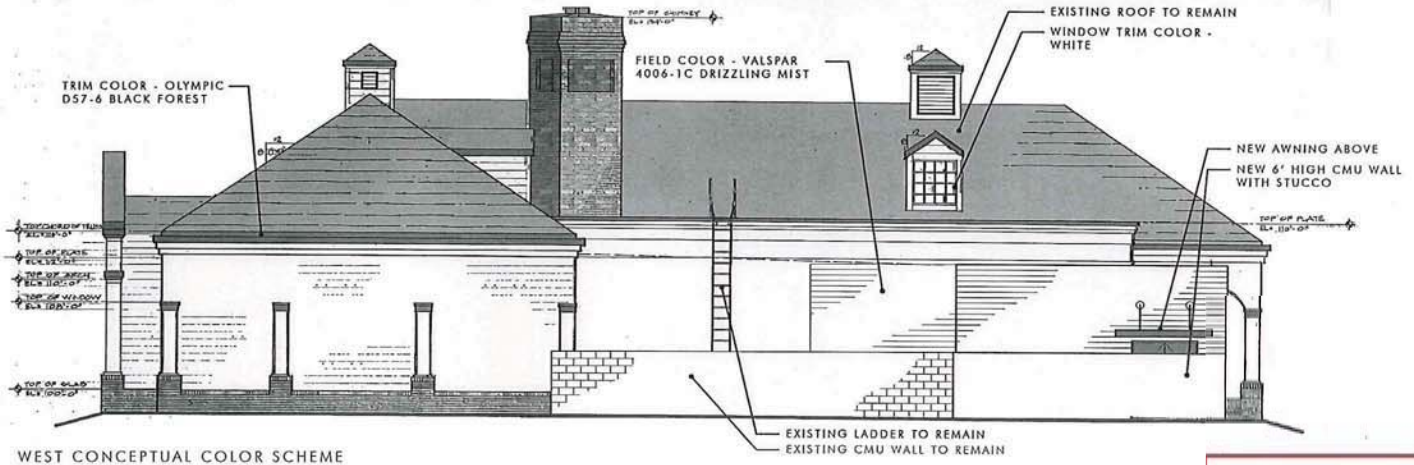



NORTH CONCEPTUAL COLOR SCHEME




WEST CONCEPTUAL COLOR SCHEME

CONCEPTUAL COLOR SCHEME ELEVATIONS
NTS

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1401 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146
LEGACY FUNERAL GROUP

DATE: 07.21.2014 SHEET: 3 OF 5 SH PROJECT NO.: 140026

DAVIS
FUNERAL HOMES & MEMORIAL PARK

GENERAL NOTE:

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PRJ-55088
07/22/14

SUP-55195

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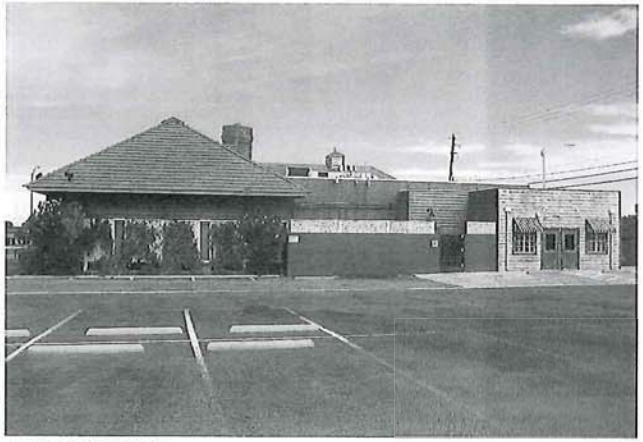
DAVIS
FUNERAL HOMES & MEMORIAL PARK

NORTH ELEVATION

EAST ELEVATION

SOUTH ELEVATION



WEST ELEVATION

GENERAL NOTE:

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PRJ-55088
07/22/14

EXTERIOR ELEVATION(S)
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SH ARCHITECTURE
7250 Peak Drive Suite 216 Las Vegas Nevada 89128
p.702.363.2222 f.702.363.6060 www.sh-architecture.com

SUP-55195

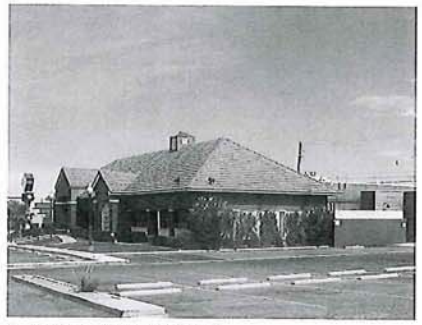
1. WEST PARKING LOT

2. TRASH ENCLOSURE

3. SOUTHEAST CORNER

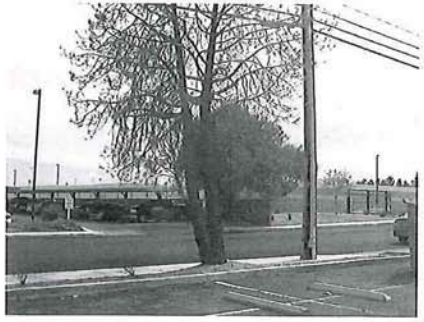
4. SOUTHEAST CORNER

5. NORTHEAST CORNER



5. NORTHWEST CORNER

7. SOUTHWEST CORNER



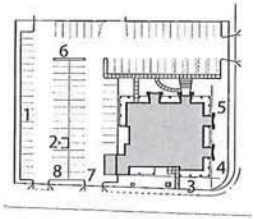
8. DEL REY LANDSCAPE

SITE PHOTOS
NTS

DAVIS FUNERAL HOME
1401 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146
LEGACY FUNERAL GROUP

DATE: 07.21.2014 SHEET: 5 OF 5 SH PROJECT NO.: 140026

DAVIS
FUNERAL HOMES & MEMORIAL PARK



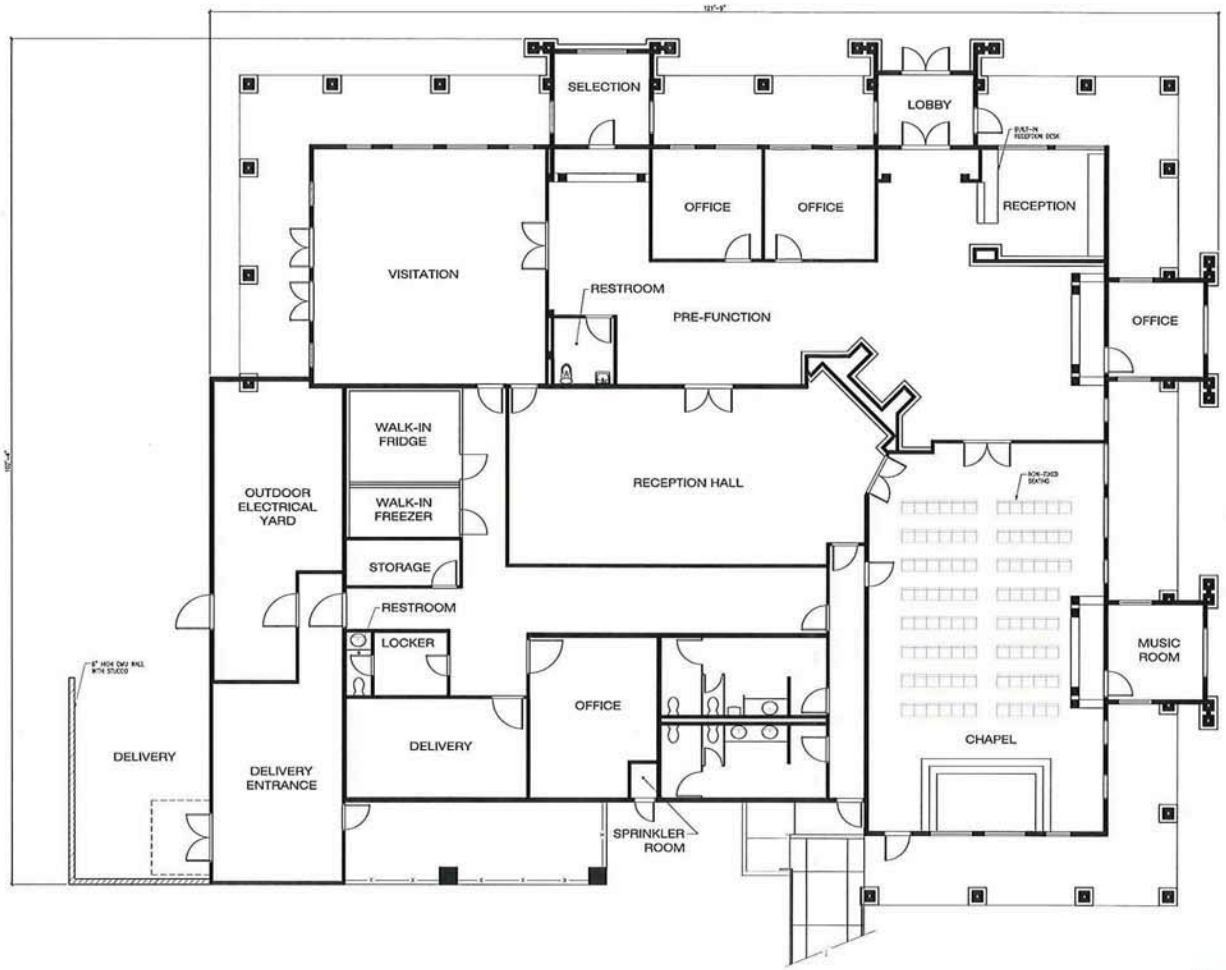

GENERAL NOTE:

ALL EXISTING SITE ELEMENTS INCLUDING BUT NOT LIMITED TO LANDSCAPING, DRIVE ISLES, PARKING, TRASH ENCLOSURE, AC PAVING, AND LIGHTING ARE TO REMAIN.

PRJ-55088
07/22/14

SUP-55195

SH ARCHITECTURE
7250 Peak Drive Suite 216 Las Vegas Nevada 89128
p.702.363.2222 f.702.363.6060 www.sh-architecture.com




DAVIS
FUNERAL HOMES & MEMORIAL PARK

## PLAN DATA

| | |
|---|---|
| BUILDING AREA: | 10,812 SF |
| BUILDING USE: OCCUPANCY TYPE | A-3 |
| NUMBER OF STORIES: PROVIDED | 1 |

GENERAL NOTE:

ALL EXISTING SITE ELEMENTS INCLUDING BUT NOT LIMITED TO LANDSCAPING, DRIVE ISLES, PARKING, TRASH ENCLOSURE, AC PAVING, AND LIGHTING ARE TO REMAIN.

FLOOR PLAN
5.3' NORTH

PRJ-55088
07/22/14

DAVIS FUNERAL HOME
1401 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146
LEGACY FUNERAL GROUP

DATE: 07.21.2014 SHEET: 2 OF 5 SH PROJECT NO.: 140026

SUP-55195

SH ARCHITECTURE
7350 Peak Drive Suite 216 Las Vegas Nevada 89128
p.702.363.2222 f.702.363.6060 www.sh-architecture.com

KAEMPFER CROWELL

LAS VEGAS OFFICE
8345 West Sunset Road
Suite 250
Las Vegas, NV 89113
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 900
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kcnvlaw.com
702.792.7050

July 17, 2014

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

***Re: Justification letter – Funeral home***
***APN: 163-03-501-022***

To Whom It May Concern:

Please be advised, this office represents Davis Funeral Home (the "Applicant"). On behalf of the Applicant, we are requesting a special use permit for a funeral home. The subject property is located at 1401 S. Rainbow (APN: 163-03-501-022) (the "Site"). The Site is zone C-1 and was previously used as a restaurant location. The building is still existing as is the parking lot.

The Applicant intends to use the existing building but will be updating the look of the building with new paint colors. The funeral home will be used for funeral services, memorials, viewing services as well as ancillary uses to meet this need. There will be approximately 4-5 employees on site. The typical hours of operation for funeral services would be seven days per week from 8:00 a.m. to 10:00 p.m. Parking on-site significantly exceeds code requirements for this type of use.

The Applicant respectfully submits that conversion of the existing building into a funeral home would be a compatible use for the area. The existing funeral home at 2127 West Charleston Boulevard also is adjacent to residential homes and has been in that location for 20 years with no code violations.

Thank you for your consideration of this request.

Sincerely,

KAEMPFER CROWELL

Jennifer Lazovich

Jennifer Lazovich

JJL/sfm

**SUP-55195**

PRJ-55088
07/22/14

SUP-55195 [PRJ-55088] - APPLICANT: DAVIS FUNERAL HOME - OWNER: HART VOLLAND ENTERPRISES, LLC
1401 SOUTH RAINBOW BOULEVARD

07/31/14

SUP-55195 [PRJ-55088] - APPLICANT: DAVIS FUNERAL HOME - OWNER: HART VOLLAND ENTERPRISES, LLC
1401 SOUTH RAINBOW BOULEVARD

07/31/14

SUP-55195 [PRJ-55088] - APPLICANT: DAVIS FUNERAL HOME - OWNER: HART VOLLAND ENTERPRISES, LLC
1401 SOUTH RAINBOW BOULEVARD

07/31/14

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

**Return Service Requested**
**Official Notice of Public Hearing**

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-55195 [PRJ-55088]**
Planning Commission Meeting of 9/9/2014

71 FRDFNHP 89117

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.46⁰
0004279218 AUG 28 2014
MAILED FROM ZIPCODE 89101

RECEIVED
SEP 2 2014
City of Las Vegas
Dept. of Planning

Case: SUP-55195
16303503011
MERL ONE QUALIFIED PERS RES TR
MERL TWO QUALIFIED PERS RES TR
1301 ROSANNA ST
LAS VEGAS NV 89117

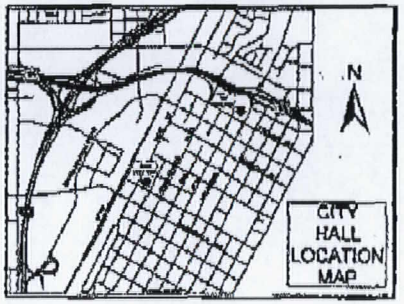
Date 09/2/14 Item IDP

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.46⁰
0004279218 AUG 28 2014
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**




RECEIVED
SEP 2 2014
City of Las Vegas
Dept. of Planning

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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-55195 [PRJ-55088]**
Planning Commission Meeting of 9/9/2014

Case: SUP-55195
16302213044
CALIFORNIA CROSSING L L C
6600 W CHARLESTON BLVD #122
LAS VEGAS NV 89146-1067

71 FRDFNMP 89146

Date 9/11/14 Item 10A

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

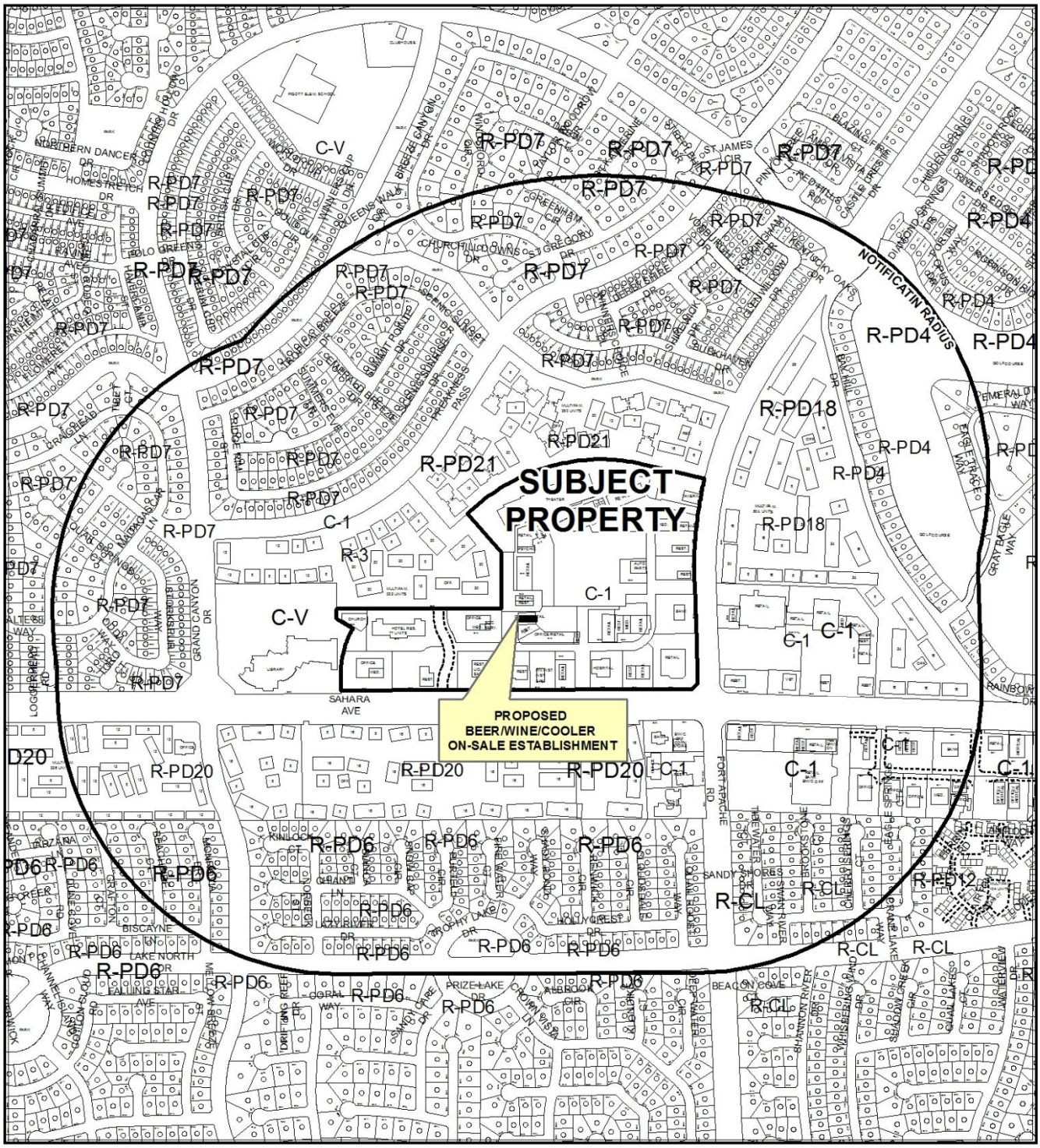
**SUBJECT:**
SUP-55200 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: YOJIE JAPANESE FONDUE - OWNER: 9440 WEST SAHARA HOLDINGS, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,575 SQUARE-FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPARATION FROM A HOUSE OF WORSHIP WHERE 400 FEET IS REQUIRED at 9440 West Sahara Avenue, Suite #175 (APN 163-06-816-027), C-1 (Limited Commercial) Zone, Ward 2 (Beers) [PRJ-54873]. Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

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

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




0 400 800

Feet

**CASE:** **SUP-55200 (PRJ-54873)**

**RADIUS:** 1500 FEET

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

N

0 400 800

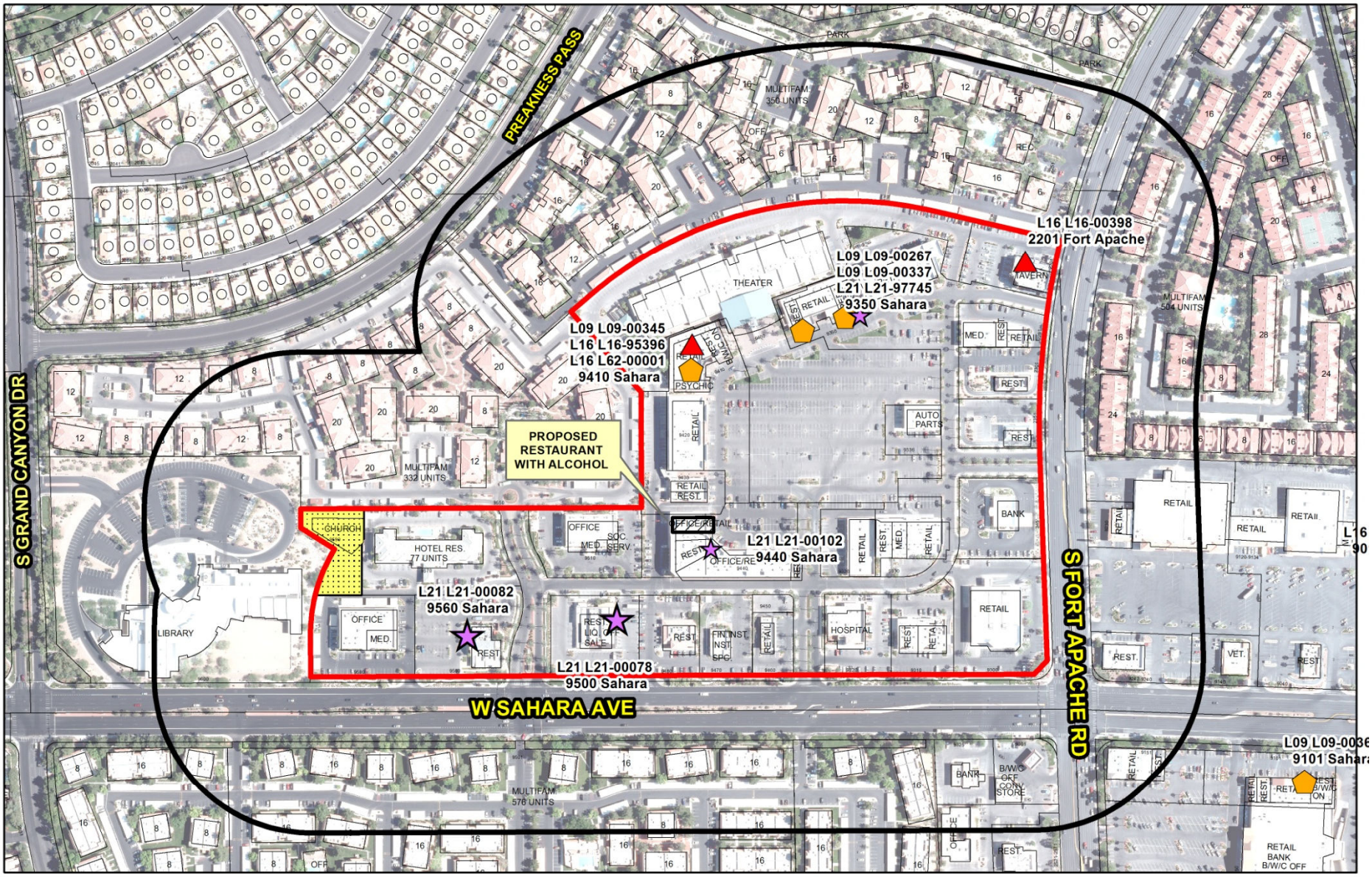
Feet

**CASE:** **SUP-55200 (PRJ-54873)**

**RADIUS:** 1500 FEET

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

N




# SUP-55200 (PRJ-54873)

## Restaurant With Alcohol

### Business Licenses

- Beer/Wine/Cooler On-Sale
- Tavern
- Restaurant With Alcohol/ Restaurant With Service Bar/ Beer Wine Room/ Ancillary Brew Pub

### Protected Uses

- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Child Care/ Children Facility

- Subject Property
- 400 foot buffer

N

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

Date: Monday, August 18, 2014

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: YOJIE JAPANESE FONDUE - OWNER: 9440 WEST SAHARA HOLDINGS, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-55200** | Staff recommends APPROVAL, subject to conditions: | |

## ** CONDITIONS **

# SUP-55200 CONDITIONS

***Planning***

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

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

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

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

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

6. Minors shall only be permitted in such areas wherein spirituous, malt or fermented liquors or wines are served only in conjunction with regular meals and where dining tables or booths are provided separate from the bar in conformance with Title 6.50.

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

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Beer/Wine/Cooler On-Sale Establishment located in an existing shopping center at 9440 West Sahara Avenue, Suite #175. The proposed establishment is 1,575 square feet in size with seating for 32 people. The Beer/Wine/Cooler On-Sale use will be ancillary to the proposed restaurant. As this request can be conducted in a compatible and harmonious manner within the existing shopping center, staff recommends approval of this application. If denied, the applicant will not be allowed to conduct the Beer/Wine/Cooler On-Sale establishment at this location.

## ISSUES

- The Beer/Wine/Cooler On-Sale use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- A distance separation Waiver is required to allow the Beer/Wine/Cooler On-Sale use zero feet from a Church/House of Worship where 400 feet is the minimum required. Staff supports the Waiver as the proposed use is located within an established shopping center designed to accommodate a variety of uses and will not negatively impact the existing Church/House of Worship.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 02/15/89 | The City Council approved a Rezoning (Z-0139-88) to C-1 for the subject site as part of a larger request for approval of the Peccole Master Development Plan. The Planning Commission and staff recommended approval. |
| 05/29/94 | A Final Map (FM-0149-96) of a one-lot commercial subdivision (Wellington Commercial Center) generally located at the northwest corner of Sahara Avenue and Fort Apache Road was recorded in the Office of the County Recorder. |
| 01/14/98 | An amended Final Map of a commercial subdivision (Wellington Commercial Center) generally located at the northwest corner of Sahara Avenue and Fort Apache Road was recorded in the Office of the County Recorder. |
| 07/17/12 | The Planning Department administratively approved a request for a Minor Site Development Plan Review (SDR-45538) for site modifications and building exterior, parking lot and landscaping improvements to an existing shopping center on 19.62 acres at 9326, 9330, 9340, 9350, 9400, 9410, 9420 and 9440 West Sahara Avenue. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 01/23/12 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 11/05/04 | A building permit (#004021071) was issued for a shell building at 9440 West Sahara Avenue. A final inspection and certificate of completion were approved 08/07/06. |
| 09/23/05 | A building permit (#51269) was issued for a fire sprinkler system (Shiskabab) at 9440 West Sahara Avenue, Suite #175. A final inspection and certificate of completion were approved 12/27/07. |
| 03/20/09 | A building permit (#136049) was issued for a sign (Subway Avenue) at 9440 West Sahara Avenue, Suite #175. A final inspection has not been completed. |

| ***Pre-Application Meeting*** | |
|---|---|
| 07/01/14 | A pre-application meeting was conducted with the applicant to go over the application materials and submittal requirements for a Special Use Permit for a proposed Beer/Wine/Cooler On-Sale establishment use. |

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

| ***Field Check*** | |
|---|---|
| 07/31/14 | Staff conducted a field check of the subject property and noted the site was a well maintained commercial development with a House of Worship at the northwest corner of the shopping center. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 36.94 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |

| *Surrounding Property* | *Existing Land Use Per Title 19.12* | *Planned or Special Land Use Designation* | *Existing Zoning District* |
|---|---|---|---|
| North | Multi-Family Residential | M (Medium Density Residential) | R-PD21(Residential Planned Development – 21 Units per Acre) |
| South | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| East | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| West | Multi-Family Residential | M (Medium Density Residential) | R-3 (Medium Density Residential) |
| | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |

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

**DEVELOPMENT STANDARDS**

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Actual Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Sahara Avenue | Primary Arterial | Planned Streets and Highways Map | 150 | Y |
| Fort Apache Road | Primary Arterial | Planned Streets and Highways Map | 100 | Y |

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

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Base Parking Requirement*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Shopping Center | 426,767 SF | 1:250 SF | 1,708 | | | | |
| **TOTAL SPACES REQUIRED** | | | 1,708 | | 1,996 | | Y |
| **Regular and Handicap Spaces Required** | | | 1,680 | 28 | 1,909 | 87 | Y |

| ***Waivers*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| A 400-foot minimum distance separation is required from any Church/House of Worship. | To allow a zero-foot distance separation from a Church/House of Worship | Approval |

**ANALYSIS**

The applicant is proposing to establish a Beer/Wine/Cooler On-Sale use within a proposed Japanese Fondue restaurant at 9440 West Sahara Avenue, Suite #175. The subject site is located with the C-1 (Limited Commercial) zoning district. The proposed establishment is 1,575 square feet in size with seating for 32 people. The Beer/Wine/Cooler On-Sale use will be ancillary to the proposed restaurant. The applicant has indicated in the justification letter that the proposed restaurant establishment will provide an interactive "cook it yourself" dining experience, with operating hours between 12:00pm and 10:00pm.

The subject site is located within an existing 426,767 square-foot shopping center. The existing shopping center provides shared access and parking throughout the subject site. The proposal adheres to all minimum parking requirements.

A Beer/Wine/Cooler On-Sale use is described in Tile 19.12 as: "An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers only for consumption on the premises where the same is sold."

**Minimum Special Use Permit Requirements:**
1. Except as otherwise provided, no beer/wine/cooler on-sale establishment (hereinafter "establishment") shall be located within 400 feet of any church/house of worship, school, individual care center licensed for more than 12 children, or City park.

*The proposed use does not meet this requirement, as the proposed site is located zero feet away of from a church/house of worship land use, which is located in the northwest corner of the subject shopping center. The applicant has requested a Waiver to this distance separation requirement.*

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

*Distances have been measured from Wellington Commercial Center Amended Plat Book 82, Page 86.*

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

*Not applicable, the subject site is not located on a parcel of at least 80 acres of size, the assessor list the subject property at 36.94 acres.*

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

*The proposed site is located zero feet away of any church/house of worship, where 400 feet is required, which represents a 100% reduction from code requirements. Staff has determined that the proposed use is complementary to the variety of commercial uses existing within the Village Square Shopping Center, therefore approving the requested Waiver.*

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

*This condition is not applicable as the subject site is not located within a an establishment that has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms or a proposed establishment having more than 50,000 square feet of retail floor space.*

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

*The proposed use will be subject to all business licensing requirements outlined in LVMC Chapter 6.50 if approved.*

The proposed use is located zero feet from a Church/House of Worship located to the southwest within the same shopping center, where a 400-foot minimum distance separation is required. The proposed location of this use fails to comply with the minimum distance separation requirements for a Special Use Permit. The requested Waiver to allow a zero-foot distance separation from a Church/House of Worship use represents a 100% reduction from the required 400-foot distance separation mandated by Title 19. However, the subject property is an established shopping center designed to accommodate a variety of uses. Staff has added a condition of approval requiring the business conform to all provisions of LVMC Chapter 6.50 with regards to running a restaurant and alcohol license. It has been determined that the proposed Beer/Wine/Cooler On-Sale use can be conducted in a manner that is compatible with the surrounding land uses, therefore, staff is recommending approval, as the use is considered appropriate for the surrounding area.

**FINDINGS (SUP-55200)**

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

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

   The proposed Beer/Wine/Cooler On-Sale use will be ancillary to the proposed restaurant use at the subject site. The proposed use is compatible with the surrounding land uses and can be conducted in a manner that is harmonious with surrounding land uses.

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

   The subject site is located within an existing commercial shopping center that is physically suitable for the intensity of the proposed land use.

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

   Access to the site will not change. The property is accessed by Fort Apache Road and Sahara Avenue both roads are designated as Primary Arterials as classified by the Master Plan of Streets and Highways.

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

   Approval of this Special Use Permit will not compromise the public health safety and general welfare of the public. The use will be subject to regular inspections and is subject to licensing restrictions.

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

   The proposed use meets all applicable conditions of approval for a Beer/Wine/Cooler On-Sale use per Title 19.12; except for the requested distance separation Waiver from an existing Church/House of Worship.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 17

**NOTICES MAILED** 1454

**APPROVALS** 0

**PROTESTS** 1

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-55200** APN: 163-06-816-027

Name of Property Owner: 9440 West Sahara Holdings, LLC

Name of Applicant: Yojié Japanese Fondue

Name of Representative: Anton Guerrero

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: Greg Geiger

Subscribed and sworn before me

This 17TH day of JULY, 2014

_____

Notary Public in and for said County and State

TRISHA MURPHY
Commission # 1920871
Notary Public - California
Los Angeles County
My Comm. Expires Feb 4, 2015

PRJ-54873
07/22/14

# CLV Planning - Application Form

| | |
|---|---|
| Application Number: | PRJ-54873 |
| Application/Petition For: | Yojie Shabu Shabu (SUP-Beer/Wine/Cooler) |
| ProjectAddress (Location): | 9440 WEST SAHARA AVE, SUITE 175 |
| Project Name | YOJIE SHABU SHABU (SUP-BEER/WINE/COOLER) |
| Assessors Parcel #(s): | 16306816027 |
| Ward #: | WARD 2 (BOB BEERS) |
| Is the Application Information Correct: | Yes |
| If no, ...change what | |
| General Plan Designation: Proposed: | Select |
| Zoning District: Proposed: | Select |
| Gross Acres: | |
| Lots/Units: | |
| Additional Information: | |
| Applicant First Name: | Antonio |
| Applicant Last Name: | Guerrero |
| Applicant Address: | 579 Tour Players Rd. |
| Applicant City: | Las Vegas |
| Applicant State: | Nevada |
| Applicant Zip: | 89148 |
| Applicant Phone: | (702)420-0771 |
| Applicant Fax: | |
| Applicant Email: | anton@yojie.com |
| Rep First Name: | Antonio |
| Rep Last Name: | Guerrero |
| Rep Address: | 579 Tour Players Rd. |
| Rep City: | Las Vegas |
| Rep State: | Nevada |
| Rep Zip: | 89148 |
| Rep Phone: | (702)420-0771 |
| Rep Fax: | |
| Rep Email: | anton@yojie.com |

## SUP-55200

# CLV Planning - Application Form

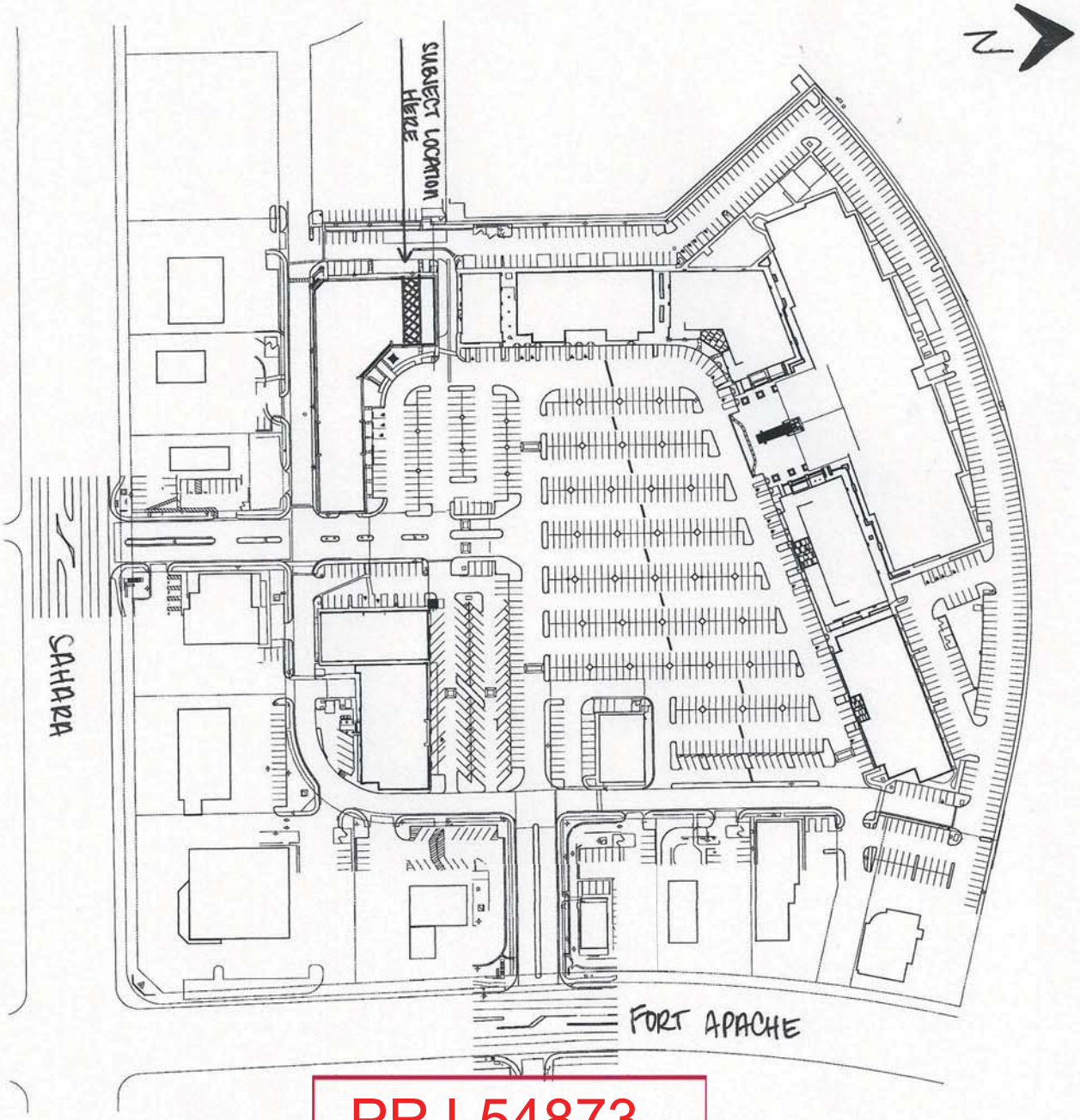
| | |
|---|---|
| I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or 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.<br>I Accept: | Yes |
| Is the Owner Information Correct: | Yes |
| If no, ...change what | |

| Owner(s) | ADDR1 | ADDR2 |
|---|---|---|
| 9440 WEST SAHARA HOLDINGS L L C | 2121 ROSECRANS AVE #4325 | EL SEGUNDO, CA 90245-4744 |

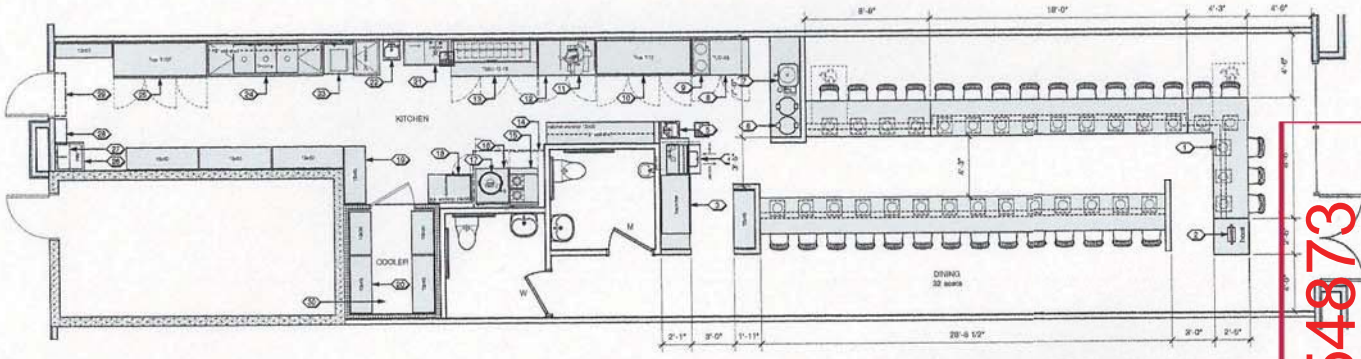
| CLVEPLAN Applicant | Company | Title | Email |
|---|---|---|---|
| Antonio Guerrero | Infinite Investments GD, LLC | Managing member | anton@yojie.com |

## SUP-55200

SUP-55200




PRJ-54873
07/22/14




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

PRJ-54873
07/22/14

## EQUIPMENT SCHEDULE

| ID | Description | Qty | Manufacturer | Model No. | ELECTRICAL Load Amps | Watts | HP | Phase | Volt | PLUMBING Gas Size | Gas RH | Gas BTU | Waste Type | Waste Size | Hot Water Size | Hot Water RH | Cold Water Size | Cold Water RH | Remarks |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Induction Range | 33 | Spring | SM-181R | - | 1800 | - | 1 | 120 | - | - | - | - | - | - | - | - | - | |
| 2 | POS | 2 | TBD | TBD | - | - | - | 1 | 115 | - | - | - | - | - | - | - | - | - | |
| 3 | Back Bar | 1 | True | TBB-24-48G-SD-LD | 7.8 | - | 1/3 | 1 | 115 | - | - | - | - | - | - | - | - | - | |
| 4 | Ice Machine | 1 | Hoshizaki | KM201-BAH | 6.1 | - | - | 1 | 115 | - | - | - | FS | 3/4" | - | - | 1/2" | 7" | |
| 5 | Hand Sink | 1 | Eagle | HWB-E | - | - | - | - | - | - | - | - | D | 1 1/2" | 1/2" | 34" | 1/2" | 34" | |
| 6 | Rice Warmer | 2 | Zojirushi | NYC-36 | - | 1300 | DC | 1 | 120 | - | - | - | - | - | - | - | - | - | |
| 7 | Water Boiler | 1 | Curtis | WB-14-12 | 31.8 | 7000 | - | 1 | 120 | - | - | - | FS | - | - | - | 1/2" | - | |
| 8 | Undercounter Refrigerator | 1 | True | TUC-48 | 5 | - | 1/5 | 1 | 115 | - | - | - | - | - | - | - | - | - | |
| 9 | Counter Top Warmer | 1 | APW Wyott | W-43V | 10 | 1500 | - | 1 | 120 | - | - | - | - | - | - | - | - | - | |
| 10 | Reach In Refrigerator | 1 | True | T-7Z | 9.6 | - | 1/2 | 1 | 115 | - | - | - | - | - | - | - | - | - | |
| 11 | Meat Slicer | 1 | Globe | 3850NF | 7 | - | 1/2 | 1 | 115 | - | - | - | - | - | - | - | - | - | |
| 12 | Undercounter Freezer | 1 | True | TUC-48F | 6.1 | - | 1/4 | 1 | 115 | - | - | - | - | - | - | - | - | - | |
| 13 | Prep Table | 1 | True | TSSU-72-18 | 10.3 | - | 1/2 | 1 | 115 | - | - | - | - | - | - | - | - | - | |
| 14 | 5' Hood | 1 | CaptiveAire | Custom | - | - | - | - | - | - | - | - | - | - | - | - | - | - | see mechanical drawings |
| 15 | 2-Burner Griddle Range | 1 | Imperial | IR-2-G12 | - | - | - | - | - | 3/4" | 30" | 111,000 | - | - | - | - | - | - | |
| 16 | Worktop Refrigerator | 1 | True | TWT-27 | 3.9 | - | 1/6 | 1 | 115 | - | - | - | - | - | - | - | - | - | |
| 17 | Rice Cooker | 1 | Rinnai | RER55ASN | - | - | - | - | - | 1/2" | 30" | 35,000 | - | - | - | - | - | - | |
| 18 | Microwave | 2 | ACP (Amana) | RC17S2 | 13 | 2700 | - | 1 | 208-240 | - | - | - | - | - | - | - | - | - | |
| 19 | Wire Shelving (4-tier) | 6 | Metro | Size Varies | - | - | - | - | - | - | - | - | - | - | - | - | - | - | |
| 20 | Wire Shelving, Epoxy Coated | 4 | Metro | Size Varies | - | - | - | - | - | - | - | - | - | - | - | - | - | - | |
| 21 | Prep Sink | 1 | Eagle | 314-16-1-18L | - | - | - | - | - | - | - | - | FS | 1 1/2" | 1/2" | 39.5" | 1/2" | 39.5" | |
| 22 | Hand Sink | 1 | Eagle | HWB-E | - | - | - | - | - | - | - | - | D | 1 1/2" | 1/2" | 34" | 1/2" | 34" | |
| 23 | Dishwasher | 1 | Jacson | TempStar | 68.7 | - | 3/4 | 1 | 208 | - | - | - | FS | 1 1/2" | 3/4" | 60" | - | - | |
| 24 | 3 comp. sink | 1 | Custom | 4 tubs and drainb | - | - | - | - | - | - | - | - | D | 1 1/2" | 1/2" | 39.5" | 1/2" | 39.5" | |
| 25 | Reach In Freezer | 1 | True | T-72F | 12 | - | 1 | 1 | 115 | - | - | - | - | - | - | - | - | - | |
| 26 | Mop Sink | 1 | Florestone | MSR-2424 | - | - | - | - | - | - | - | - | D | 2" | 1/2" | 24" | 1/2" | 24" | provide vacuum breaker faucet |
| 27 | Chemical Shelf | 1 | KEC | Custom | - | - | - | - | - | - | - | - | - | - | - | - | - | - | above mop sink |
| 28 | Commerical Tankless Water Heater | 1 | | | - | - | - | - | - | - | - | - | - | - | - | - | - | - | see plumbing drawings |
| 29 | Air Curtain | 1 | Mars | LPV236 | 2.4 | - | - | 1 | 115 | - | - | - | - | - | - | - | - | - | door activated, 1200 cfm min. |
| 30 | Walk in Cooler | 1 | KEC | Custom | - | - | - | - | - | - | - | - | FS | 1" | - | - | - | - | |

O=Owner, GC=General Contractor, KEC=Kitchen Equipment Contractor, EC=Electrical Contractor
FS=Floor Stub Out, DC=Dropped Cord
FS=Indirect Waste to Floor Sink, D=Direct Waste, SC=Self Contained

Water Heater Calculations

Yojie Japanese Fondue
Village Square
Pad P, Suite 112A
Las Vegas NV

Equipment Plan

A1.4

May 28, 2014
11:36:25 AM

SUP-55200

Village Square - 9440 W. Sahara Ave., Las Vegas, NV 89117

To: Las Vegas Department of Planning,

We are applying for a specialty use permit for beer/wine/cooler at our on site establishment at 9440 W. Sahara Ave. Unit 175, Las Vegas, NV 89117.

Yojie Japanese Fondue will be located at in the Southwest corner of the Village Square Plaza. Las Vegas has gained popularity and has had a reputation to be a foodie and entertainment destination spot. Many of the establishment's are the highest rated amongst reviewers in Nevada. The area includes the opening of several new retailers and restaurants with more to come in the near future. Village Square is located at the cross streets of Sahara and Fort Apache on the border of Summerlin and Spring Valley. Yojie will contribute as one of the only shabu shabu restaurants in the Summerlin area and will cater to all demographics in the mixed commercial area. Our estimated opening date will be mid October 2014 with operating hours between 12:00pm and 10:00pm.

At Yojie Japanese Fondue Restaurant, the guest is the chef. We take the average restaurant experience to the next level with a unique and interactive, "cook it yourself" fondue concept. We specialize in serving Japanese dishes that include: Shabu Shabu, Sukiyaki, and decadent Swiss chocolate sauces.

Shabu Shabu and Sukiyaki are Japanese dishes of vegetables and a selection of meat cooked by individuals in a pot of boiling water or broth. The fresh ingredients are then dipped in a variety of Japanese sauces and eaten with rice. Shabu Shabu is a savory dish while Sukiyaki is a sweet dish. Shabu is concentrated towards the sauces, while Sukiyaki is focused on the broth. Yojie's sauces and broth are proprietary and was created by our executive chef, a Le Cordon Bleu top graduate.

To better compliment the meal, Yojie also provides a variety of condiments for guests. The guests are in control in enhancing the fresh ingredients anywhere from the level of spiciness to the texture of the sauces. The condiments include: Daikon (sweet radish), togarashi (Japanese chili pepper), diced green onions, garlic, and pure cap hot drops. The well-balanced meal provides a healthy alternative for all guests. Each dish contains a balance of protein and vitamins with no grease, oil, or added MSG.

Yojie's dessert fondue comes in four decadent chocolate flavors: Milk, dark, red velvet, and our signature green tea chocolate. Guests are able to dip pastries and fruits such as strawberries, bananas, pound cake, rice crispies treats and gourmet marshmallows. Yojie also provides ice cream desserts such as banana foster, mochi, and Japanese floats.

Our inviting environment is comfortable for all audiences. We strive to embrace all forms of art to enhance all senses. Yojie provides clean and trendy ambiances. The space also acts as an art gallery, allowing us to showcase local artists' recent work. This also allows a different atmosphere for guest every time they visit. We play instrumental hip-hop music so it relaxing and not offensive to any guest.

Sincerely,
Antonio Guerrero
Infinite Investments GD, LLC

**SUP-55200**

PRJ-54873
07/22/14

SUP-55200 [PRJ-54873] - APPLICANT: YOJIE JAPANESE FONDUE - OWNER: 9440 WEST SAHARA HOLDINGS, LLC
9440 WEST SAHARA AVENUE, SUITE #175

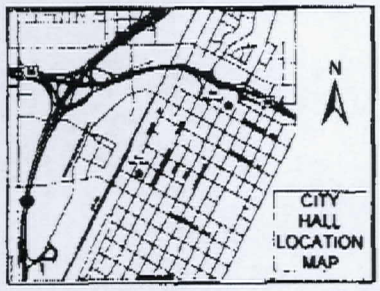
07/31/14

SUP-55200 [PRJ-54873] - APPLICANT: YOJIE JAPANESE FONDUE - OWNER: 9440 WEST SAHARA HOLDINGS, LLC
9440 WEST SAHARA AVENUE, SUITE #175

07/31/14

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

**Return Service Requested**
**Official Notice of Public Hearing**




RECEIVED
SEP 2 2014
City of Las Vegas
Dept. of Planning

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SUP-55200 [PRJ-54873]**
Planning Commission Meeting of 9/9/2014

Case: SUP-55200
16307510011
HORN SIDNEY W
9600 LAZY RIVER DR
LAS VEGAS NV 89117-0662

71 FRDFNMP 89117

Date 09/02/14 Item 11 P

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

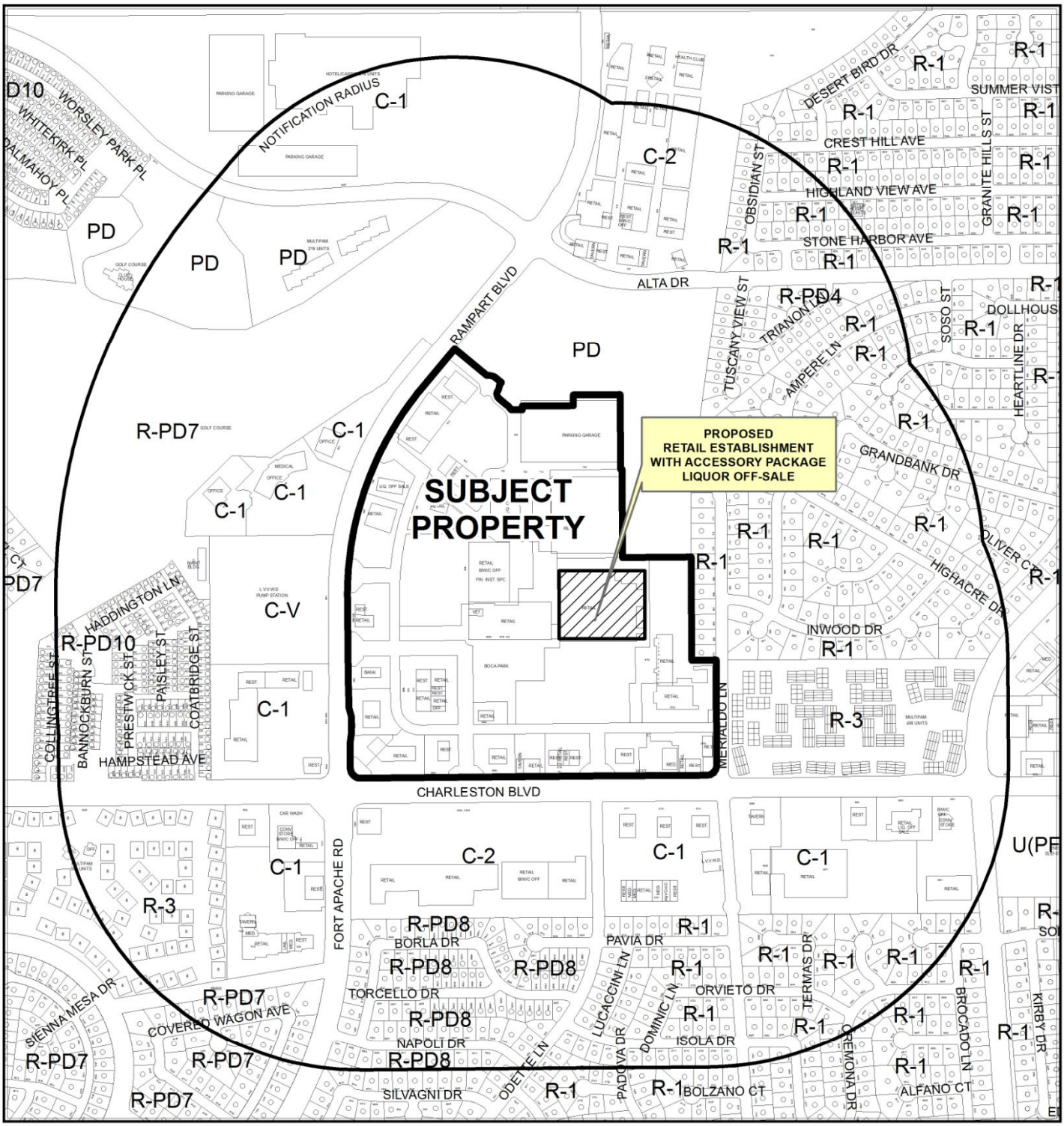
**SUBJECT:**
SUP-55235 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: TARGET CORPORATION - For possible action on a request for a Special Use Permit FOR AN ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 135,000 SQUARE-FOOT GENERAL RETAIL ESTABLISHMENT at 8750 West Charleston Boulevard (APN 138-32-412-003), C-1 (Limited Commercial) Zone, Ward 2 (Beers) [PRJ-54924]. Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

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

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



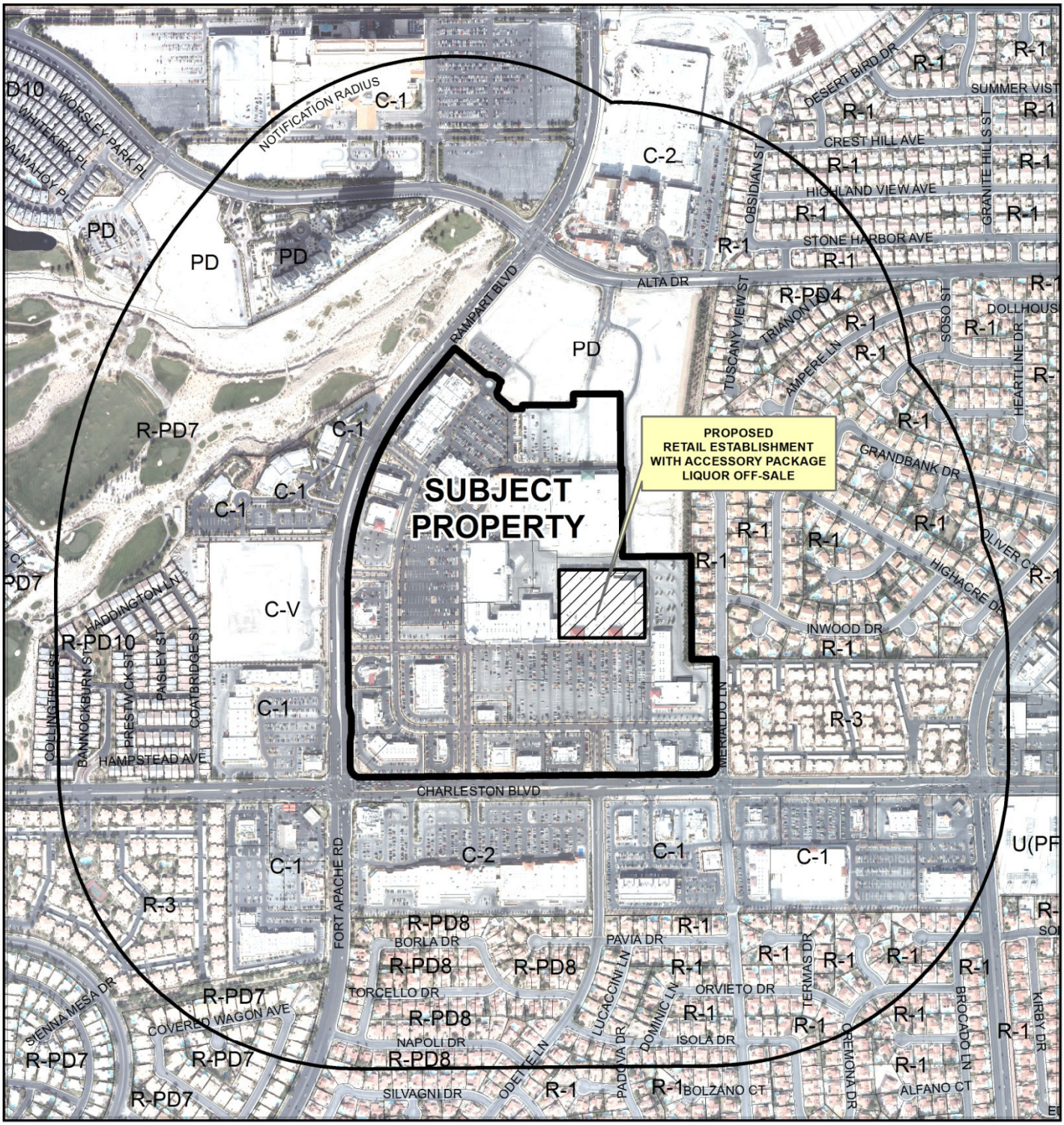

0 500 1,000 Feet

**CASE:** **SUP-55235 (PRJ-54924)**

**RADIUS:** 1500 FEET

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

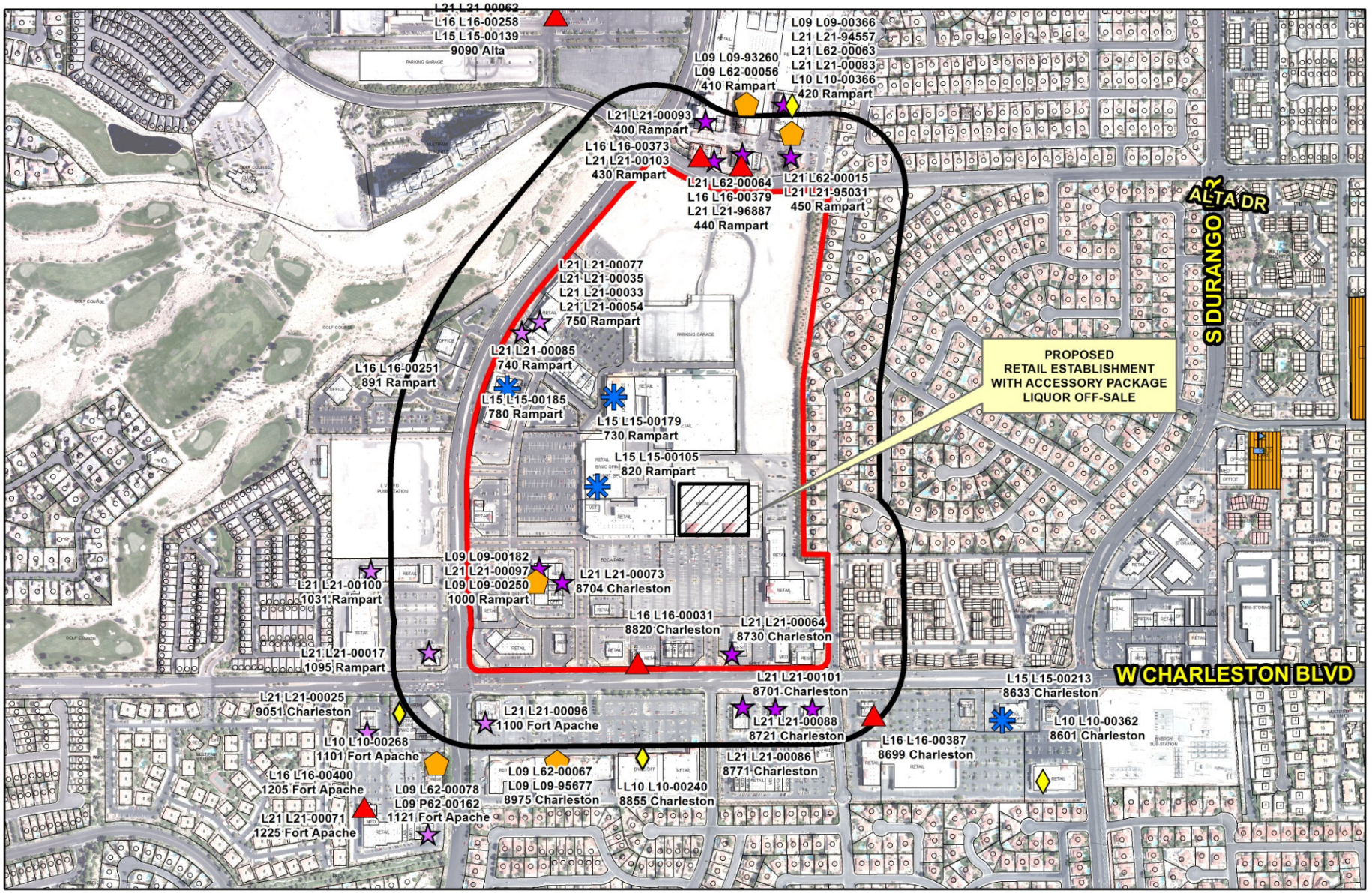
N




**CASE:** **SUP-55235 (PRJ-54924)**

**RADIUS:** 1500 FEET

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




## SUP-55235 (PRJ-54924)

**Package Liquor Off-Sale**

### Business Licenses

- Beer/Wine/Cooler On-Sale
- Beer/Wine/Cooler Off-Sale
- Beer/Wine/Cooler On- and Off-Sale
- Package Liquor Off-Sale
- Restaurant With Alcohol/ Restaurant Service Bar
- Tavern

### Protected Uses

- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Child Care/ Children Facility
- Subject Property
- 400 foot buffer

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.

**Geographic Information System**
Planning & Development Dept.
702-229-6301

Date: Monday, July 28, 2014

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: TARGET CORPORATION**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-55235** | Staff recommends APPROVAL, subject to conditions: | |

## ** CONDITIONS **

# SUP-55235 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Retail Establishment with Accessory Package Liquor Off-Sale use.

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

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

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

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

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

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

GK

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 135,000 square-foot general retail establishment at 8750 West Charleston Boulevard. The applicant is requesting 158 square feet of floor space dedicated to the sale of alcoholic beverages, which represents less than one percent of the 82,256 square feet of total retail floor space. The subject site is an existing shopping center, which provides cross-access and shared parking throughout the entire commercial center. The proposed use meets the Minimum Special Use Requirements and is not within 400 feet of any protected uses. As such, staff recommends approval with conditions. If denied, no alcohol may be sold on the premises.

## ISSUES

- A Special Use Permit is required for a Retail Establishment with Accessory Package Liquor Off-Sale use in the C-1 (Limited Commercial) zoning district.
- The proposed floor area dedicated to the package liquor use is 158 square feet, which is less than one percent of the 82,256 square feet of total retail floor area.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 09/02/92 | The City Council approved a Rezoning (Z-0030-92) to C-1 (Limited Commercial) and R-1 (Single Family Residential) on property located at the northeast corner of Charleston Boulevard and Rampart Boulevard. |
| 12/11/92 | Per the District Court, Clark County, Nevada ordered the grant of a Writ of Mandate to affirm the City Council's approval of the zoning of the subject site to C-1 and R-1 for development of a regional shopping mall and single family residential dwellings and to establish conditions of approval, including the approval of 1,100,000 square feet of commercial buildings. |
| 02/01/95 | The City Council approved an Extension of Time [Z-0030-92(2)] for a proposed Shopping Mall and Single-Family Residential dwellings. Staff recommended approval. |
| 03/06/96 | The City Council approved an Extension of Time [Z-0030-92(3)] for a proposed Shopping Mall and Single-Family Residential dwellings. Staff recommended approval. |

| *Related Relevant City Actions by P&D, Fire, Bldg., etc* | |
|---|---|
| 04/27/98 | The City Council approved a request for a Site Development Plan Review [(Z-0030-92(5)] for a proposed 433,240 square-foot retail shopping center including 21 retail pad sites on 48.7 acres located on the northeast corner of Rampart Boulevard and Charleston Boulevard. The Planning Commission and staff recommended approval of this request. |
| 06/14/99 | The City Council granted an appeal by Charleston Associates, Limited Liability Company for a Site Plan Development Plan Review [(Z-0030-92(7)] for a proposed commercial development consisting of 434,967 square feet of Retail and 58,418 square feet of Office uses within Phase One of the previously approved Shopping Center on 48.7 acres located on the northeast corner of Charleston Boulevard and Rampart Boulevard. |
| 01/14/09 | Staff administratively approved a minor amendment (SDR-32481) to a previously approved Site Development Plan Review [Z-0030-92(7)] for a 7,885 square-foot addition to an existing 139,115 square-foot general retail store at 8750 West Charleston Boulevard. |

| *Most Recent Change of Ownership* | |
|---|---|
| 03/24/1999 | A deed was recorded for a change in ownership. |

| *Related Building Permits/Business Licenses* | |
|---|---|
| 02/03/99 | A building permit (#99001955) was issued for a new retail building at 8750 West Charleston Boulevard. The permit received final approval on 07/06/99. |
| 04/02/99 | A building permit (#99006370) was issued for installation of signage at 8750 West Charleston Boulevard. The permit received final approval on 06/15/99. |
| 06/29/99 | A building permit (#99012738) was issued for the installation of in-store shelving at 8750 West Charleston Boulevard. The permit received final approval on 07/14/99. |
| 06/20/07 | A building permit (#07002013) was issued to allow for the addition of refrigeration units at 8750 West Charleston Boulevard. The permit received final approval on 09/24/07. |
| 07/10/09 | A building permit (#137220) was issued to convert a garden center to stock area at 8750 West Charleston Boulevard. The permit received final approval on 03/15/10. |
| 09/14/09 | A building permit (#147320) was issued for indoor signage at 8750 West Charleston Boulevard. The permit received final approval on 11/17/09. |
| 05/18/11 | A building permit (#184853) was issued for an indoor remodel for an existing retail store at 8750 West Charleston Boulevard. The permit received final approval on 09/07/11. |

| ***Pre-Application Meeting*** | |
|---|---|
| 07/02/14 | Staff met with the representative to discuss the proposal to locate an Accessory Package Liquor Off-Sale use within an existing retail establishment. Staff concluded that a Special Use Permit would be required to do so. The submittal requirements for a Special Use Permit were discussed. |

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

| ***Field Check*** | |
|---|---|
| 07/31/14 | A field check was conducted by staff at the subject property. The subject retail building was located within an existing shopping center. The shopping center was well maintained with no evidence of trash, debris, or graffiti. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 9.7 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| North | Shopping Center | SC (Service Commercial) | PD (Planned Development) |
| South | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| | | | C-2 (General Commercial) |
| East | Single-Family Residences | L (Low Density Residential) | R-3 (Medium Density Residential) |
| | Multi-Family Residential | M (Medium Density Residential) | R-1 (Single Family Residential) |
| West | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |

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

**DEVELOPMENT STANDARDS**

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Actual Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Charleston Boulevard | Primary Arterial | Master Plan of Streets and Highways | 120 Feet | Y |

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

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Shopping Center | 641,664 SF | 1:250 | 2,567 | | | | |
| **TOTAL SPACES REQUIRED** | | | 2,567 | | 2,639 | | Y |
| **Regular and Handicap Spaces Required** | | | 2,531 | 36 | 2,603 | 36 | Y |

**ANALYSIS**

The property is zoned C-1 (Limited Commercial), which intends to encourage low to medium intensity retail, office or other commercial uses. The proposed Retail Establishment with Accessory Package Liquor Off-Sale use is permissible in the C-1 (Limited Commercial) zone with the approval of a Special Use Permit.

The applicant is requesting an Accessory Package Liquor use within an existing 135,000 square-foot retail establishment at 8750 West Charleston Boulevard. The Retail Establishment with Accessory Package Liquor Off-Sale use is defined as "a retail establishment:

1. Whose license to sell alcoholic beverages authorizes their sale to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold; and

2. In which the sale of alcoholic beverages is ancillary to the retail use, and in which no more than 10 percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages.

This use includes an establishment that provides on-premises wine, cordial and liqueur tasting if the licensee also holds a wine, cordial and liqueur tasting license for that location."

The proposed use meets the definition outlined above, as the provided floor plan and justification letter detail the intent to sell alcoholic beverages in conjunction with an existing retail establishment. Furthermore, the applicant has indicated 158 square feet of the existing 82,256 square feet of retail floor area would be utilized for packaged liquor, which represents less than one percent of the total floor area.

1. Except as otherwise provided, no retail establishment with accessory package liquor off-sale (hereinafter "establishment") shall be located within 400 feet of any church/house of worship, school, individual care center licensed for more than 12 children, or City park.

*The proposed use meets this requirement, as there are no protected uses within 400 feet of the subject property.*

* 2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

a. Any leasehold parcel; or

b. Any parcel which lacks access to a public street or has no area for on site parking and which has been created so as to avoid the distance limitation described in Requirement 1.

*The proposed use meets this requirement; measurement is taken from the existing property line of the commercial subdivision located at the northeast corner of Charleston Boulevard and Rampart Boulevard.*

* 3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:

a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or

b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.

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

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

*This requirement does not apply to the proposed use, as no distance separation waiver is necessary.*

5. The minimum distance requirements in Requirement 1 do not apply to:

a. An establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or

b. A proposed establishment having more than 50,000 square feet of retail floor space.

*Neither condition applies to the proposed use.*

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

*The proposed use will meet this requirement, as a condition of approval requires the conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.*

7. The minimum distance requirements set forth in Requirement 1, which are otherwise nonwaivable under the provisions of LVMC 19.12.050(C), may be waived:

a. In accordance with the provisions of LVMC 19.12.050(C) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;

b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T C (Town Center) Zoning District and which is designated MS TC (Main Street Mixed Use) in the Town Center Land Use Plan;

c. In connection with a proposed establishment having between 20,000 square feet and 50,000 square feet of retail floor space; or

d. In connection with a retail establishment having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right of way with a width of at least 100 feet.

*This requirement does not apply to the proposed use, as the use meets Requirement 1 outlined above.*

The proposed Retail Establishment with Accessory Package Liquor Off-Sale use would be located within an established shopping center with retail and restaurant uses located on the site interior. The existing shopping center provides cross-access and shared parking throughout the entire commercial center. No additional parking is required for the proposed use, as the parking requirements were addressed during the original development of the site. There are no protected uses within 400 feet of the subject property and the proposed use adheres to all Minimum Special Use Requirements as outlined in Title 19.12. As such, the use is compatible with the surrounding land uses and staff recommends approval with conditions.

**FINDINGS (SUP-55235)**

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

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

   The proposed Retail Establishment with Accessory Package Liquor Off-Sale use is located within a shopping center with similar uses and can be operated in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.

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

The proposed intensity of a Retail Establishment with Accessory Package Liquor Off-Sale use is suitable for this location and the surrounding uses.

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

Primary site access is from Rampart Boulevard to the west and Charleston Boulevard to the south. Both rights-of-way are 100-foot wide Primary Arterials and provide adequate access for the proposed Retail Establishment with Accessory Package Liquor Off-Sale use.

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

Approval of a Special Use Permit for the Retail Establishment with Accessory Package Liquor Off-Sale use will not compromise the public health, safety, or general welfare as the use would be subject to regular inspections and licensing requirements.

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

The Retail Establishment with Accessory Package Liquor Off-Sale use meets the applicable minimum requirements of the Town Center Development Standards and Title 19.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 31

**NOTICES MAILED** 1246

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-55235 APN: 138-32-412-003

Name of Property Owner: Dayton Hudson Corporation n/k/a Target Corporation

Name of Applicant: Target Corporation

Name of Representative: Kolesar & Leatham

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: Nikhil Nayar

Print Name: Nikhil Nayar, Vice President

Subscribed and sworn before me

This 30th day of April, 2014

Shannon Marie Cleveland

Notary Public in and for said County and State

Minnesota, Hennepin

SHANNON MARIE CLEVELAND
NOTARY PUBLIC - MINNESOTA
My Commission Expires January 31, 2018

PRJ-54924
07/28/14

# CLV Planning - Application Form

| | |
|---|---|
| Application Number: | PRJ-54924 |
| Application/Petition For: | SUP for Retail Establishment with Accessory Package Liquor Off-Sale at 8750 W. Charleston Blvd |
| ProjectAddress (Location): | 8750 WEST CHARLESTON BOULEVARD |
| Project Name | ACCESSORY PACKAGE LIQUOR SUP |
| Assessors Parcel #(s): | 13832412003 |
| Ward #: | WARD 2 (BOB BEERS) |
| Is the Application Information Correct: | Yes |
| If no, ...change what | |
| General Plan Designation: Proposed: | Select |
| Zoning District: Proposed: | Select |
| Gross Acres: | |
| Lots/Units: | |
| Additional Information: | |
| Applicant First Name: | Kristen |
| Applicant Last Name: | Ruud, Liquor License Specialist |
| Applicant Address: | 1000 Nicollet Mall, TPN-0910 |
| Applicant City: | Minneapolis |
| Applicant State: | MN |
| Applicant Zip: | 55403 |
| Applicant Phone: | 612-761-7165 |
| Applicant Fax: | |
| Applicant Email: | liquor.licensing@target.com |
| Rep First Name: | Benjamin |
| Rep Last Name: | Volmer, Esq. |
| Rep Address: | 400 S. Rampart Blvd., Suite 400 |
| Rep City: | Las Vegas |
| Rep State: | NV |
| Rep Zip: | 89145 |
| Rep Phone: | 702-362-7800 |
| Rep Fax: | 702-362-9472 |
| Rep Email: | bvolmer@klnevada.com |

**SUP-55235**

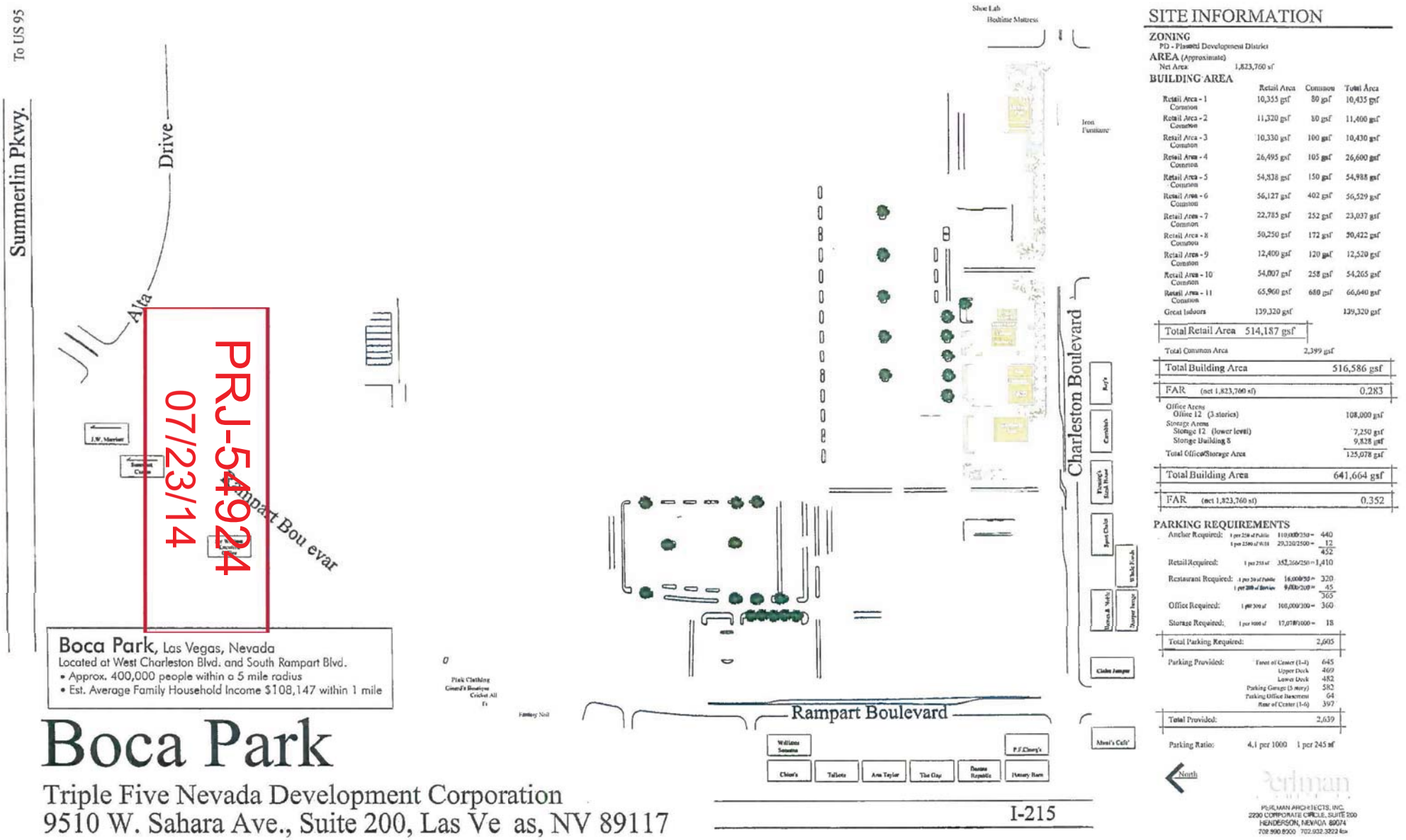
# CLV Planning - Application Form

| | |
|---|---|
| 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.<br>I Accept: | Yes |
| Is the Owner Information Correct: | Yes |
| If no, ...change what | |

| Owner(s) | ADDR1 | ADDR2 |
|---|---|---|
| DAYTON HUDSON CORPORATION | P O BOX 9456 | MINNEAPOLIS, MN 55440-9456 |

| CLVEPLAN Applicant | Company | Title | Email |
|---|---|---|---|
| Benjamin Volmer | Kolesar & Leatham | Esq. | bvolmer@klnevada.com |

**SUP-55235**




# Boca Park

Triple Five Nevada Development Corporation
9510 W. Sahara Ave., Suite 200, Las Ve as, NV 89117

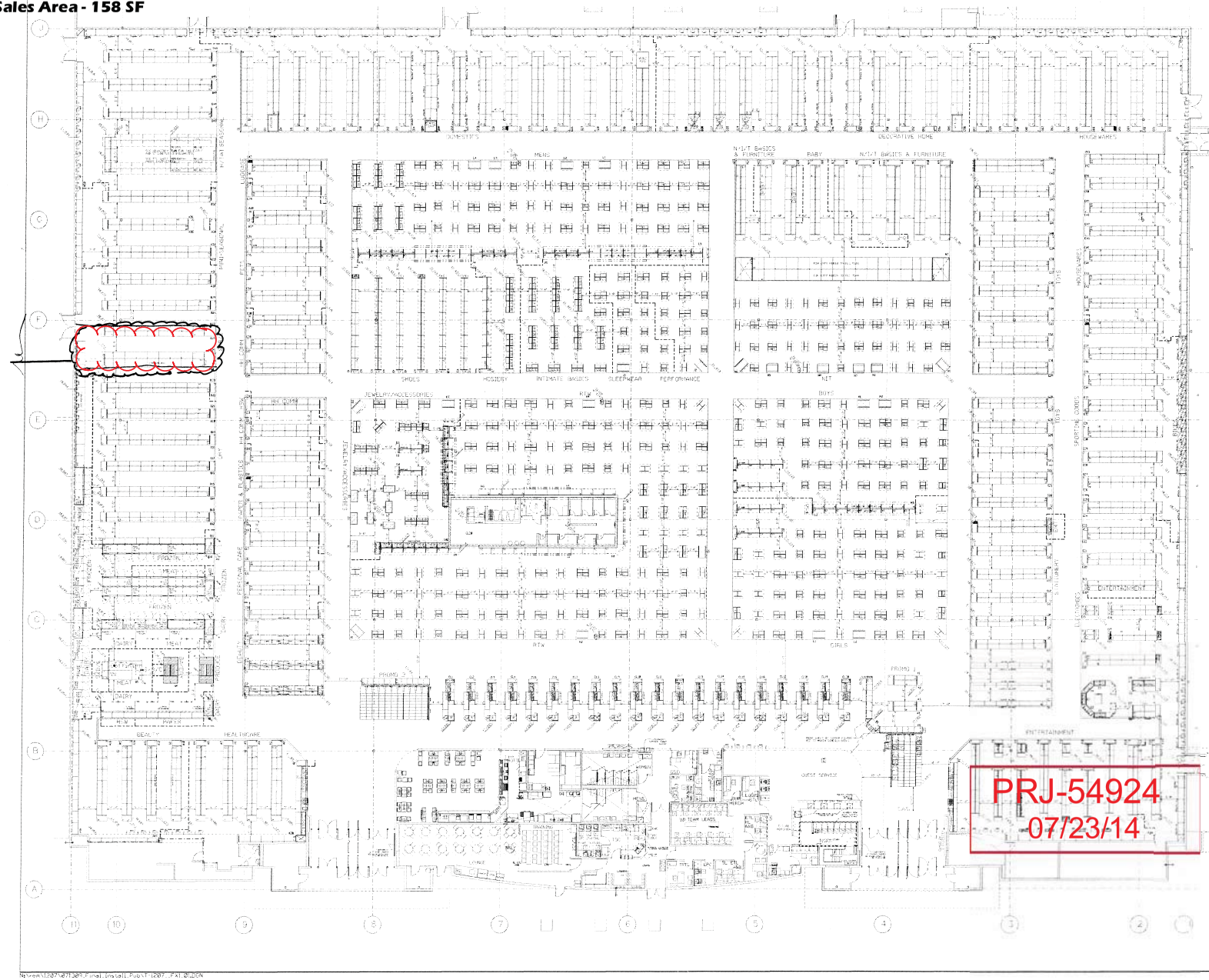
Rampart Boulevard between Charleston Blvd and Alta Drive, Las Vegas, Nevada

Master Site Plan

Date: November 1, 2004
Project Number: 100055

**SUP-55235**

**Target Stores T-1207**
**Total Building Area = 135,000 SF**
**Total Sales Area = 82,256**
**Total Alcohol Sales Area - 158 SF**




TARGET CORPORATION

CEILING HEIGHT
CENTER CEILING:
13' - 8"
PERIMETER CEILING:
17' - 00"
STOCK ROOM:
19'-6"

INSTALL PUB

TARGET

Oct 09 Mdse Remodel
LAS VEGAS BOCA PARK
LAS VEGAS, NV
T-1207
FIXTURE PLAN

Page 1 of 1

**SUP-55235**

KOLESAR & LEATHAM

ATTORNEYS AT LAW

400 SOUTH RAMPART BLVD., SUITE 400
LAS VEGAS, NEVADA 89145
702.362.7800

klnevada.com

July 22, 2014

City of Las Vegas
Department of Planning & Development
333 North Rancho Drive
Las Vegas, NV 89106

**Re: Special Use Permit Application**

| | |
|---|---|
| **Applicant:** | **Target Corporation** |
| **Proposed Use:** | **Retail Establishment with Accessory Package Liquor** |
| **Project Name:** | **Target Stores T-1207** |
| **Project Address:** | **8750 W. Charleston Blvd., Las Vegas, NV 89117** |
| **APN:** | **138-32-412-003** |

Dear Sir/Madam:

This firm represents Target Corporation (the "Applicant") at the above-referenced Target business location (the "Business"). The Applicant operates retail department and grocery store businesses in 49 states and Washington D.C. and has been a long-time anchor tenant in the Boca Park Shopping Center. The Applicant has recently expanded general grocery and food product sales with the roll-out of its Fresh Grocery product line at many Target locations throughout the Las Vegas valley. In that regard, the Applicant desires to complement its expanded grocery business to allow for the sale of package beer, wine and liquor as a convenience to its customers and to be competitive with other grocery stores in the valley.

The addition of alcoholic beverage sales to the Applicant's Business will demonstrate a uniform presence for Target stores in the community by providing similar goods that will soon be offered at numerous other Nevada Target locations that sell grocery and related food items. The Applicant acknowledges that no more than ten percent (10%) of the retail floor space of the Business may be dedicated to the display of alcoholic beverages. The Applicant has enclosed a Floor Plan which includes an outline of the initial area dedicated for the display of alcoholic beverages. The Applicant plans to devote approximately 158 square feet to the display of alcoholic beverages at the Business.

The Business is committed to ensuring compliance with all local and State laws regarding the sale of alcoholic beverage products for off-premises consumption. The Business has implemented and will adhere to strict internal policies to prevent the sale of alcoholic beverage

SUP-55235

PRJ-54924
07/23/14

products to minors and to ensure that alcoholic beverage products are not consumed on the premises of the Business or in the parking area.

The Business provides a benefit to the community and neighboring businesses in the Boca Park Shopping Center and the surrounding area. As an anchor tenant and national retail brand, the Business draws vital customer traffic to the neighboring businesses in the community. The proposed package liquor off-sale establishment use is harmonious and compatible with adjacent development and with existing land uses in the immediate vicinity. We do not believe that any additional public services, utilities or parking accommodations will be necessary to accommodate the proposed use at the Business.

The site provides adequate pedestrian and vehicle ingress/egress to and from the Boca Park Shopping Center in which the Business is located, from Charleston Blvd. and Rampart Blvd. Please note that the Business operates every day between the hours of 8:00 a.m. and 11:00 p.m. and employs approximately 120 employees.

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

Very truly yours,

**KOLESAR & LEATHAM**

Matthew D. Saltzman, Esq.

MDS:dms
Enclosures - as stated
cc: Erin Hosfield (w/o encls.)



SUP-55235

PRJ-54924
07/23/14

SUP-55235 [PRJ-54924] - APPLICANT/OWNER: TARGET CORPORATION
8750 WEST CHARLESTON BOULEVARD

07/31/14

SUP-55235 [PRJ-54924] - APPLICANT/OWNER: TARGET CORPORATION
8750 WEST CHARLESTON BOULEVARD

07/31/14

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

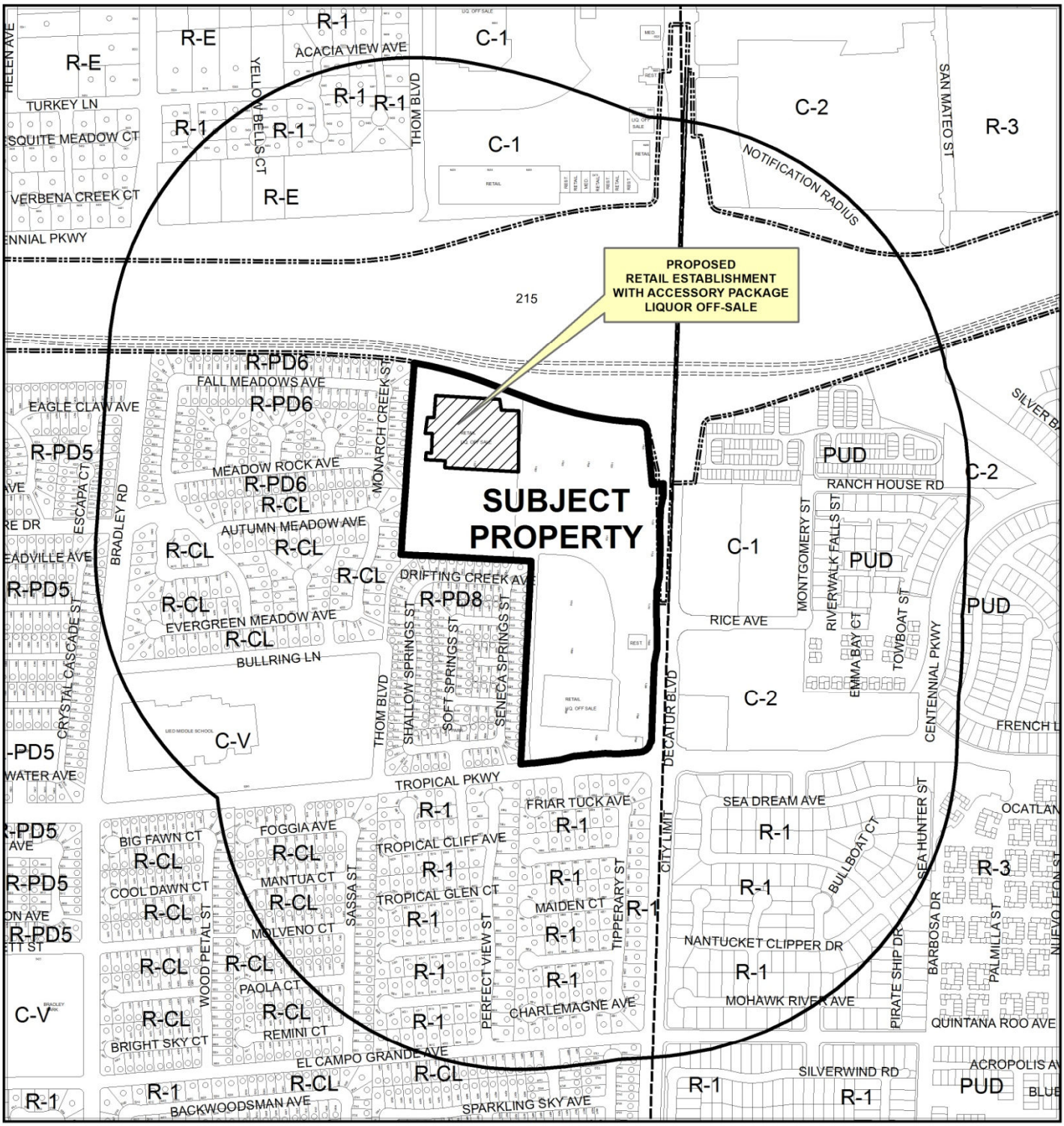
**SUBJECT:**
SUP-55239 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: TARGET CORPORATION - For possible action on a request for a Special Use Permit FOR AN ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 131,810 SQUARE-FOOT GENERAL RETAIL ESTABLISHMENT at 6371 North Decatur Boulevard (APN 125-25-512-001), C-1 (Limited Commercial) Zone, Ward 6 (Ross) [PRJ-54928]. Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

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

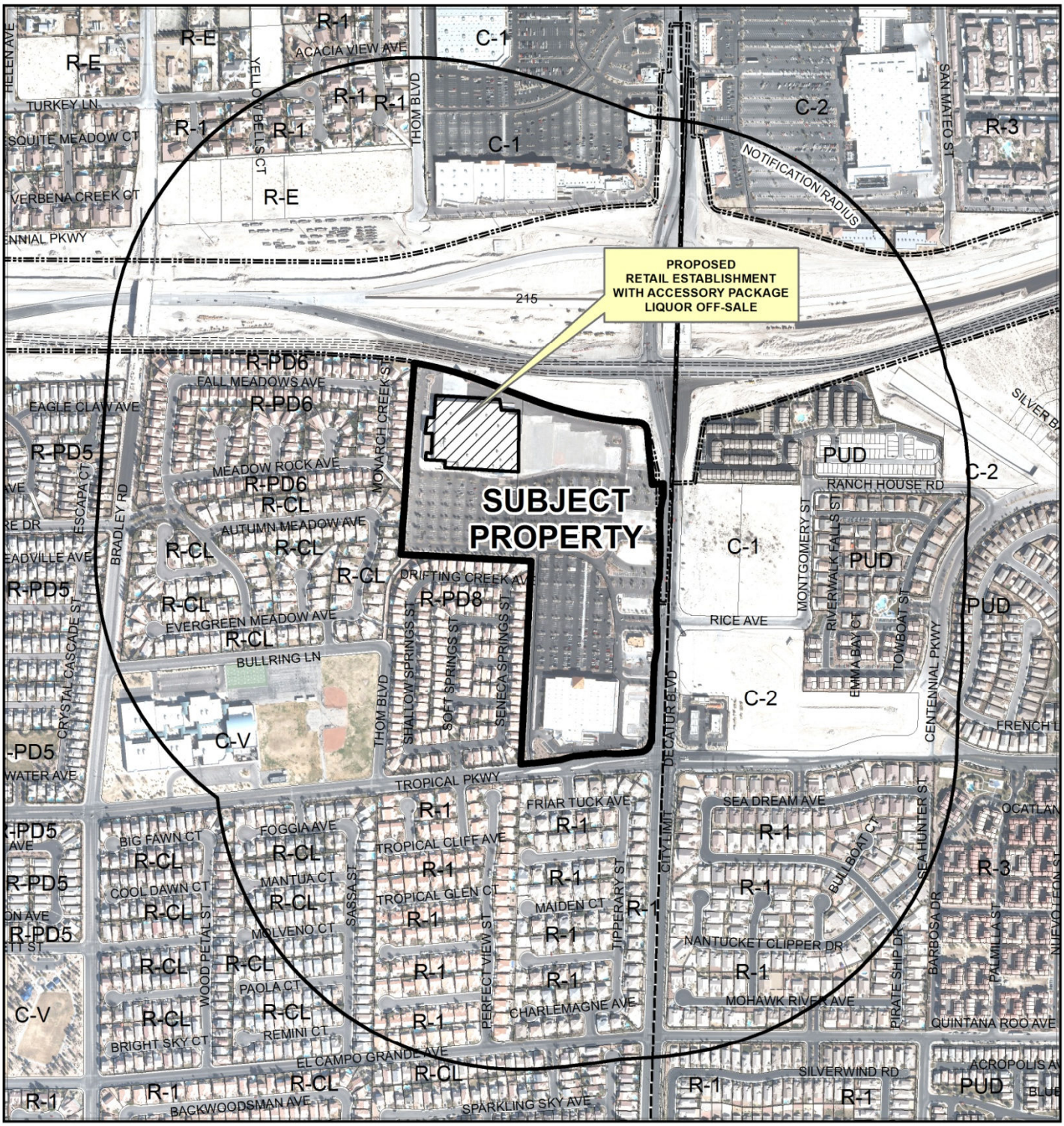
**BACKUP DOCUMENTATION:**
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter




**CASE:** **SUP-55239 (PRJ-54928)**

**RADIUS:** 1500 FEET

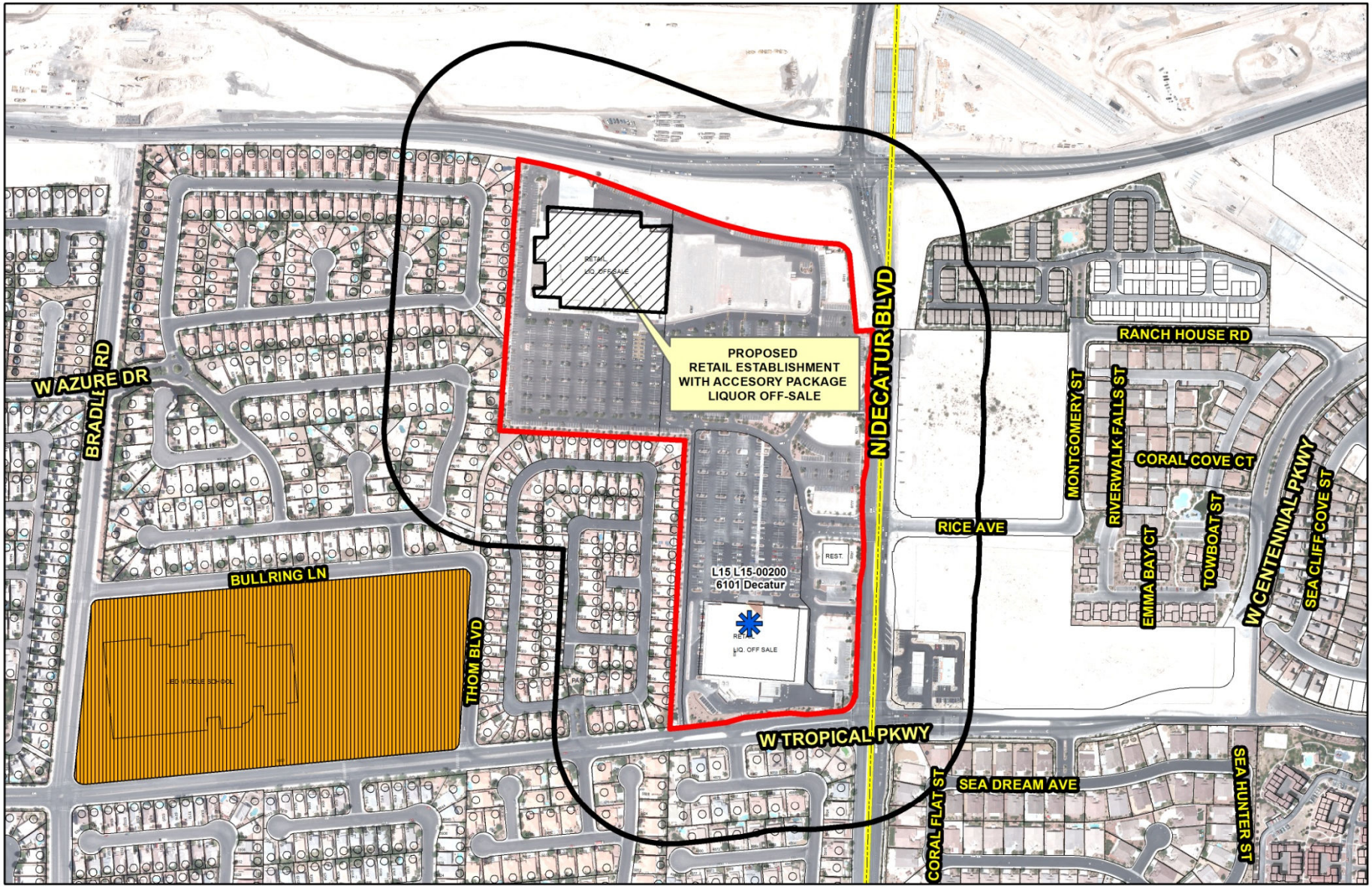
**ZONING OF SUBJECT PROPERTY:** C-1 (LIMITED COMMERCIAL)




**CASE:** **SUP-55239 (PRJ-54928)**

**RADIUS:** 1500 FEET

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




**SUP-55239 (PRJ-54928)**

**Package Liquor Off-Sale**

**Business Licenses**

- Beer/Wine/Cooler On-Sale
- Beer/Wine/Cooler Off-Sale
- Beer/Wine/Cooler On- and Off-Sale
- Package Liquor Off-Sale
- Restaurant With Alcohol/ Restaurant Service Bar
- Tavern

**Protected Uses**

- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Child Care/ Children Facility

- Subject Property
- 400 foot buffer

N

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

Date: Monday, July 28, 2014

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: TARGET CORPORATION**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-55239** | Staff recommends APPROVAL, subject to conditions: | |

## ** CONDITIONS **

# SUP-55239 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Retail Establishment with Accessory Package Liquor Off-Sale use.

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

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

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

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

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

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

GK

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 131,810 square-foot general retail establishment at 6371 North Decatur Boulevard. The applicant is requesting 158 square feet of floor space be dedicated to the sale of alcoholic beverages, which represents less than one percent of the 85,898 total retail floor space. The subject site is an existing shopping center, which provides cross-access and shared parking throughout the entire commercial center. The proposed use meets the Minimum Special Use Permit Requirements and is not within 400 feet of any protected uses. As such, staff recommends approval with conditions. If denied, no alcohol may be sold on the premises.

## ISSUES

- A Special Use Permit is required for a Retail Establishment with Accessory Package Liquor Off-Sale use in the C-1 (Limited Commercial) zoning district.
- The proposed floor area dedicated to the package liquor use is 158 square feet, which is less than one percent of the 85,598 square feet of total retail floor area.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 06/06/01 | The City Council approved a General Plan Amendment (GPA-0008-01) from M (Medium Density Residential) to SC (Service Commercial) and a Rezoning (Z-0018-01) from a Resolution of Intent to R-PD15 (Residential Planned Development - 15 Units per Acre) to C-1 (Limited Commercial) on this site. The Planning Commission and staff recommended approval of both items. |
| 07/05/01 | The City Council approved a Site Development Plan Review [(Z-0018-01(1)], [Z-0109-97(1)], [Z-0110-97(2)] which allowed a proposed 262,640 square-foot retail commercial development, which included this parcel. The Planning Commission and staff recommended approval. |
| 07/24/03 | The City Council granted Two-Year Extensions of Time (EOT-2504 and EOT-2502) of an approved Rezoning (Z-0018-01) to C-1 (Limited Commercial) and a Site Development Plan Review [(Z-0018-01(1)], [Z-0109-97(1)], [Z-0110-97(2)] for a proposed commercial development on this site. The Planning Commission and staff recommended approval. |

| *Related Relevant City Actions by P&D, Fire, Bldg., etc* | |
|---|---|
| 07/24/03 | The City Council granted Two-Year Extensions of Time (EOT-2504 and EOT-2502) of an approved Rezoning (Z-0018-01) to C-1 (Limited Commercial) and a Site Development Plan Review [(Z-0018-01(1)], [Z-0109-97(1)], [Z-0110-97(2)] for a proposed commercial development on this site. The Planning Commission and staff recommended approval. |
| 08/20/03 | The City Council granted a Two-Year Extension of Time (EOT-2493) of an approved Site Development Plan Review [Z-0110-97(1)] for a proposed 140-unit multi-family residential development on 9.35 acres immediately to the west of the subject property. The Planning Commission and staff recommended approval. This entitlement expired on 06/29/05. |
| 08/12/04 | The Planning Commission approved a Tentative Map (TMP-3624) for a two-lot commercial subdivision (Decatur III) on 27.38 acres adjacent to the northwest corner of Decatur Boulevard and Tropical Parkway. Staff recommended approval. A Final Map for this site has not been submitted. |
| 07/06/05 | The City Council approved Extensions of Time (EOT-6798 and EOT-6799) of an approved Rezoning (Z-0018-01) an approved Site Development Plan Review [(Z-0018-01(1)], [Z-0109-97(1)], [Z-0110-97(2)] for a proposed commercial development on this site. |
| 06/06/07 | The City Council approved an Extension of Time (EOT-20771) for an approved Rezoning (Z-0018-01), which extended the Resolution of Intent to C-1 (Limited Commercial) on 3.6 acres of the project site. Staff recommended approval. |
| 09/19/07 | The City Council approved the request for a General Plan Amendment (GPA-22584) to amend a portion of the Northwest Sector of the General Plan from the M (Medium Density Residential) to the SC (Service Commercial), a request for a Rezoning (ZON-22583) from the R-E (Residence Estates) zoning district under Resolution of Intent to R-PD15 (Residential Planned Development - 15 Units per Acre) to the C-1 (Limited Commercial) zoning district on 9.05 acres on the south side of CC 215, approximately 730 feet west of Decatur Boulevard. The Planning Commission and staff recommended approval. The City Council approved a related Site Development plan Review (SDR-22582) for a 458,053 square-foot retail center on 36.43 acres at the northwest corner of Decatur Boulevard and Tropical Parkway. The Planning Commission recommended approval and staff recommended denial. |
| 11/29/07 | The Planning Commission approved a Tentative Map (TMP-25055) for a one lot Commercial Subdivision on 36.43 acres at the subject property. Staff recommended approval. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 12/05/07 | The City Council approved a Review of Condition (ROC-25100) to remove Condition #1 of EOT-20771, which stated that the Rezoning (Z-0018-01) shall expire on June 6, 2008 unless another Extension Of Time is approved. Planning Commission and staff recommended approval. |
| 2/20/08 | The City Council approved a Master Site Plan (MSP-25930) for an approved 458,053 square-foot retail center on 36.43 acres at the northwest corner of Decatur Boulevard and Tropical Parkway. Planning Commission and staff recommended approval. |
| 01/25/11 | The Planning Commission approved a Site Development Plan Review (SDR-40223) for a proposed 94,683 square-foot grocery store operating 24-hours, seven days a week. Staff recommended approval. |
| 06/14/12 | Staff administratively approved a Minor Amendment (SDR-45495) of a previously approved Site Development Plan Review (SDR-22582) for a proposed 3,440 square-foot restaurant with drive through on 16.18 acres at the northwest corner of Tropical Parkway and Decatur Boulevard. |
| 04/03/13 | Staff administratively approved a Minor Amendment (SDR-48732) of a previously approved Site Development Plan Review (SDR-22582) to remove two parking spaces, relocate a trash enclosure and add a landscape island on 16.18 acres at 6171 North Decatur Boulevard. |
| 02/05/14 | Staff administratively approved a Minor Amendment (SDR-52693) of a previously approved Site Development Plan Review (SDR-22582) for a proposed 2,932 square-foot restaurant with drive through on a portion of 25.29 acres at 6271 North Decatur Boulevard. |
| 02/13/14 | Staff administratively approved a Minor Amendment (SDR-52798) of a previously approved Site Development Plan Review (SDR-22582) for a proposed 8,184 square-foot retail building with a 500 square-foot patio and relocation of trash enclosures and loading zones on a portion of 16.95 acres at 6095 North Decatur Boulevard. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 06/25/08 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 09/15/08 | A building permit (#114743) was issued for a certificate of occupancy for a retail store at 6371 North Decatur Boulevard. The permit received a final inspection on 06/26/09. |
| 02/05/09 | A building permit (#129816) was issued for a fire sprinkler system at 6371 North Decatur Boulevard. The permit received a final inspection on 06/17/09. |
| 04/22/09 | A building permit (#138029) was issued for interior signs at 6371 North Decatur Boulevard. The permit received a final inspection on 07/07/09. |

| ***Pre-Application Meeting*** | |
|---|---|
| 07/02/14 | Staff met with the representative to discuss the proposal to locate an Accessory Package Liquor Off-Sale use within an existing retail establishment. Staff concluded that a Special Use Permit would be required to do so. The submittal requirements for a Special Use Permit were discussed. |

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

| ***Field Check*** | |
|---|---|
| 07/31/14 | A routine field check was conducted by staff at the subject property. The site contained a well maintained shopping center free of trash and debris. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 16.18 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| North | CC-215 | Right-of-Way: CC-215 | Right-of-Way: CC-215 |
| South | Single-Family Residential | ML (Medium Low Density Residential) | R-PD8 (Residential Planned Development - 8 Units per Acre) |
| East | Undeveloped | City of North Las Vegas: Community Commercial | City of North Las Vegas: C-2 (General Commercial) |
| West | Single-Family Residential | M (Medium Density Residential) | R-1 (Single Family Residential) |

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

## DEVELOPMENT STANDARDS

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Actual Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Decatur Boulevard | Primary Arterial | Master Plan of Streets and Highways | 100 | Y |
| Tropical Parkway | Secondary Collector | Master Plan of Streets and Highways | 80 | Y |

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

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Shopping Center | 368,378 SF | 1:250 | 1,474 | | | | |
| **TOTAL SPACES REQUIRED** | | | 1,474 | | 1,926 | | Y |
| **Regular and Handicap Spaces Required** | | | 1,449 | 25 | 1,884 | 42 | Y |

## ANALYSIS

The property is zoned C-1 (Limited Commercial), which intends to encourage low to medium intensity retail, office or other commercial uses. The proposed Retail Establishment with Accessory Package Liquor Off-Sale use is permissible in the C-1 (Limited Commercial) zone with the approval of a Special Use Permit.

The applicant is requesting an Accessory Package Liquor use within an existing 131,810 square-foot retail establishment at 6371 North Decatur Boulevard. The Retail Establishment with Accessory Package Liquor Off-Sale use is defined as "a retail establishment:

> 1. Whose license to sell alcoholic beverages authorizes their sale to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold; and
>
> 2. In which the sale of alcoholic beverages is ancillary to the retail use, and in which no more than 10 percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages.

This use includes an establishment that provides on-premises wine, cordial and liqueur tasting if the licensee also holds a wine, cordial and liqueur tasting license for that location."

The proposed use meets the definition outlined above, as the provided floor plan and justification letter detail the intent to sell alcoholic beverages in conjunction with an existing retail establishment. Furthermore, the applicant has indicated 158 square feet of the existing 85,898 square feet of retail floor area would be utilized for packaged liquor, which represents less than one percent of the total floor area.

1. Except as otherwise provided, no retail establishment with accessory package liquor off-sale (hereinafter "establishment") shall be located within 400 feet of any church/house of worship, school, individual care center licensed for more than 12 children, or City park.

*The proposed use meets this requirement, as there are no protected uses within 400 feet of the subject property.*

* 2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

a. Any leasehold parcel; or

b. Any parcel which lacks access to a public street or has no area for on site parking and which has been created so as to avoid the distance limitation described in Requirement 1.

*The proposed use meets this requirement; measurement is taken from the existing property line of the commercial subdivision located at the northwest corner of Tropical Parkway and Decatur Boulevard.*

* 3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:

a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or

b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.

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

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

*This requirement does not apply to the proposed use, as no distance separation waiver is necessary.*

5. The minimum distance requirements in Requirement 1 do not apply to:

a. An establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or

b. A proposed establishment having more than 50,000 square feet of retail floor space.

*Neither condition applies to the proposed use.*

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

*The proposed use will meet this requirement, as a condition of approval requires the conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.*

7. The minimum distance requirements set forth in Requirement 1, which are otherwise nonwaivable under the provisions of LVMC 19.12.050(C), may be waived:

a. In accordance with the provisions of LVMC 19.12.050(C) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;

b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T C (Town Center) Zoning District and which is designated MS TC (Main Street Mixed Use) in the Town Center Land Use Plan;

c. In connection with a proposed establishment having between 20,000 square feet and 50,000 square feet of retail floor space; or

d. In connection with a retail establishment having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right of way with a width of at least 100 feet.

*This requirement does not apply to the proposed use, as the use meets Requirement 1 outlined above.*

The proposed Retail Establishment with Accessory Package Liquor Off-Sale use would be located within an established shopping center with retail and restaurant uses located on the site interior. The existing shopping center provides cross-access and shared parking throughout the entire commercial center. No additional parking is required for the proposed use, as the parking requirements were addressed during the original development of the site. There are no protected uses within 400 feet of the subject property and the proposed use adheres to all Minimum Special Use Requirements as outlined in Title 19.12. As such, the use is compatible with the surrounding land uses and staff recommends approval with conditions.

**FINDINGS (SUP-55239)**

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

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

   The proposed Retail Establishment with Accessory Package Liquor Off-Sale use is located within a shopping center with similar uses and can be operated in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.

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

   The proposed intensity of a Retail Establishment with Accessory Package Liquor Off-Sale use is suitable for this location and the surrounding uses.

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

   Primary site access is from Decatur Boulevard, a 100-foot wide Primary Arterial and Tropical Parkway, an 80-foot wide Major Collector. Both rights-of-way provide adequate access for the proposed Retail Establishment with Accessory Package Liquor Off-Sale use.

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

   Approval of a Special Use Permit for the Retail Establishment with Accessory Package Liquor Off-Sale use will not compromise the public health, safety, or general welfare as the use would be subject to regular inspections and licensing requirements.

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

   The Retail Establishment with Accessory Package Liquor Off-Sale use meets the applicable minimum requirements of the Town Center Development Standards and Title 19.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 23

**NOTICES MAILED** 1075

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-55239 APN: 125-25-512-001

Name of Property Owner: Target Corporation

Name of Applicant: Target Corporation

Name of Representative: Kolesar & Leatham

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: Nikhil Nayar

Print Name: Nikhil Nayar, Vice President

Subscribed and sworn before me

This 30th day of April, 2014

Shannon Marie Cleveland

Notary Public in and for said County and State

Minnesota Hennepin

SHANNON MARIE CLEVELAND
NOTARY PUBLIC - MINNESOTA
My Commission Expires January 31, 2018

PRJ-54928
07/23/14

# CLV Planning - Application Form

| | |
|---|---|
| Application Number: | PRJ-54928 |
| Application/Petition For: | SUP for Retail Establishment with Accessory Package Liquor Off-Sale at 6371 North Decatur Boulevard |
| ProjectAddress (Location): | 6371 NORTH DECATUR BLVD |
| Project Name | ACCESSORY PACKAGE LIQUOR SUP |
| Assessors Parcel #(s): | 12525512001 |
| Ward #: | WARD 6 (STEVEN D. ROSS) |
| Is the Application Information Correct: | Yes |
| If no, ...change what | |
| General Plan Designation: Proposed: | Select |
| Zoning District: Proposed: | Select |
| Gross Acres: | |
| Lots/Units: | |
| Additional Information: | |
| Applicant First Name: | Kristen |
| Applicant Last Name: | Ruud, Liquor License Specialist |
| Applicant Address: | 1000 Nicollet Mall, TPN-0910 |
| Applicant City: | Minneapolis |
| Applicant State: | MN |
| Applicant Zip: | 55403 |
| Applicant Phone: | 612-761-7165 |
| Applicant Fax: | |
| Applicant Email: | liquor.licensing@target.com |
| Rep First Name: | Benjamin |
| Rep Last Name: | Volmer, Esq. |
| Rep Address: | 400 S. Rampart Blvd., Suite 400 |
| Rep City: | Las Vegas |
| Rep State: | NV |
| Rep Zip: | 89145 |
| Rep Phone: | 702-362-7800 |
| Rep Fax: | 702-362-9472 |
| Rep Email: | bvolmer@klnevada.com |

## SUP-55239

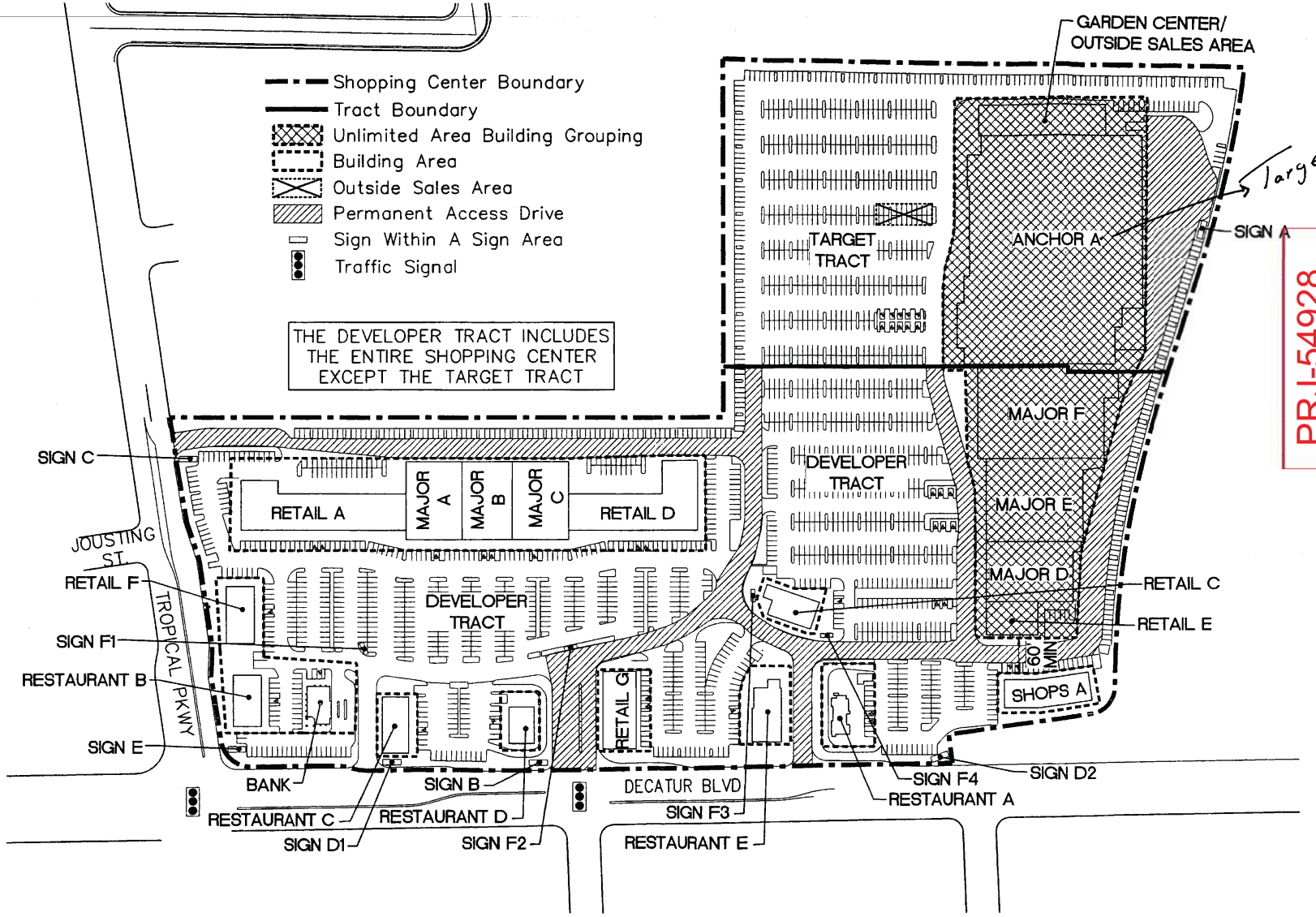
# CLV Planning - Application Form

| | |
|---|---|
| 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.<br>I Accept: | Yes |
| Is the Owner Information Correct: | Yes |
| If no, ...change what | |

| Owner(s) | ADDR1 | ADDR2 |
|---|---|---|
| TARGET CORPORATION | 1000 NICOLLET MALL | MINNEAPOLIS, MN 55403-2542 |

| CLVEPLAN Applicant | Company | Title | Email |
|---|---|---|---|
| Benjamin Volmer | Kolesar & Leatham | Esq. | bvolmer@klnevada.com |

**SUP-55239**




PRJ-54928
07/23/14

# Las Vegas North Decatur, NV

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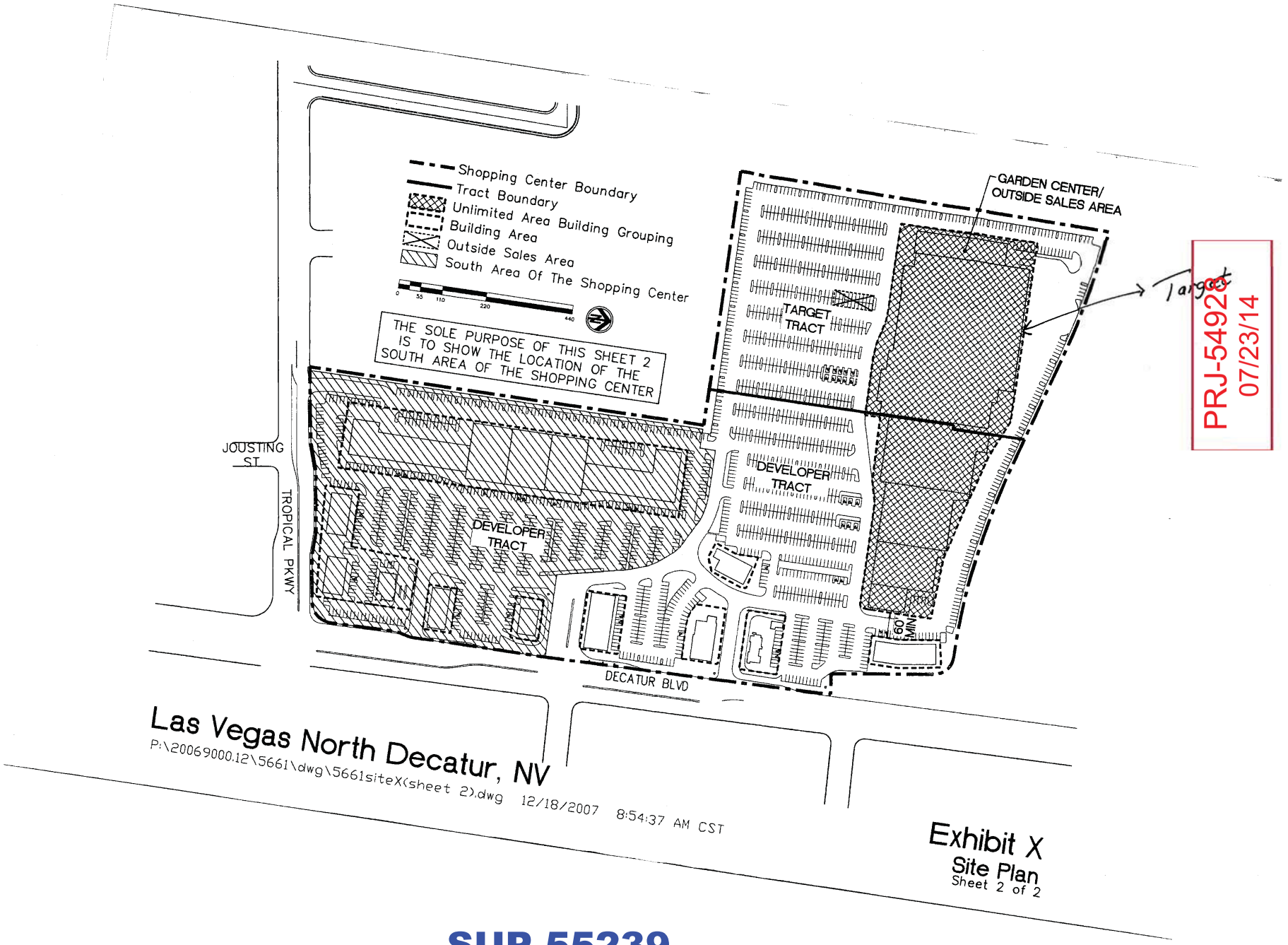
## Exhibit X

Site Plan

Sheet 1 of 2

**SUP-55239**

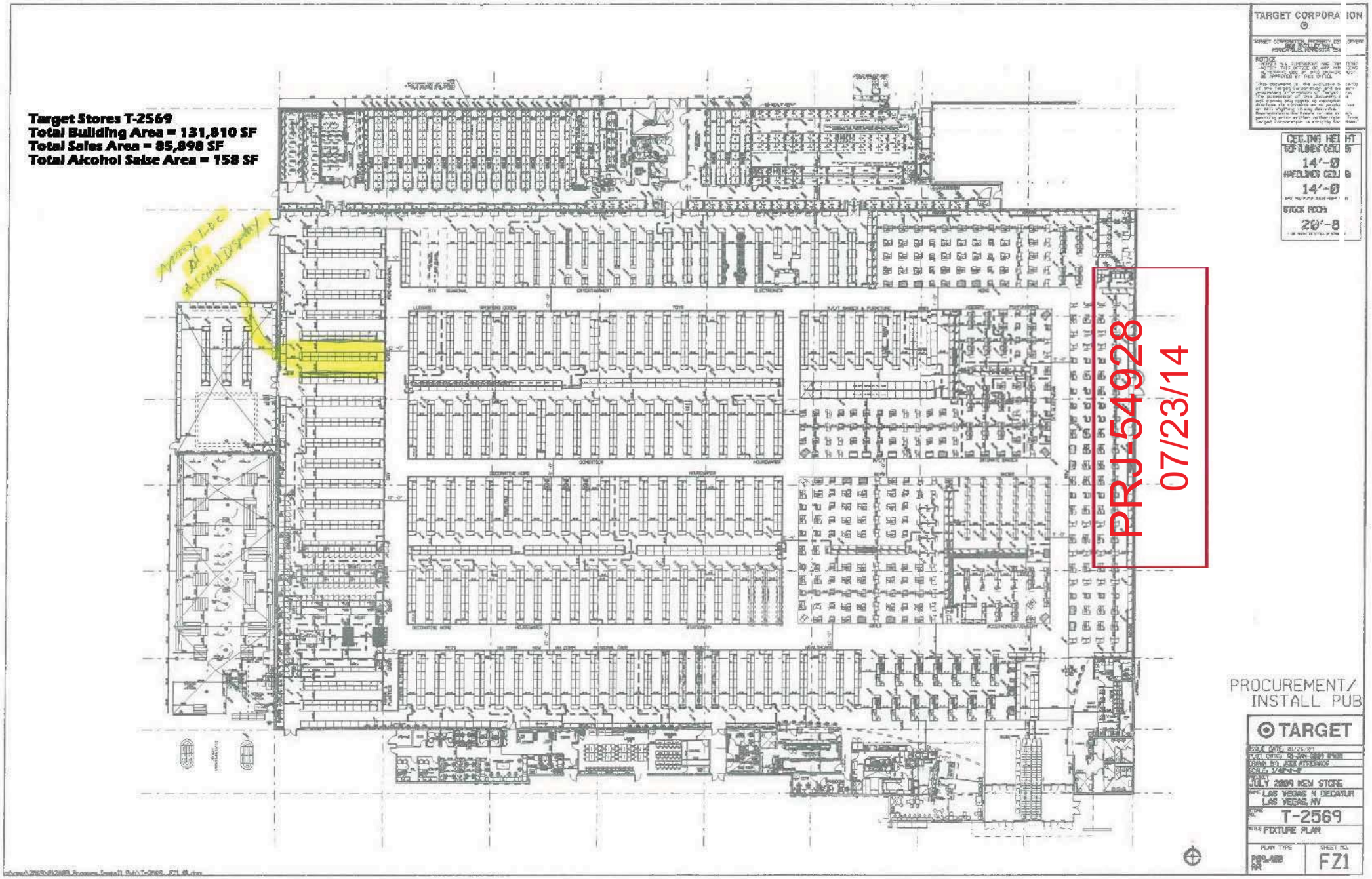



PRJ-54928
07/23/14

Target

7254-9

SUP-55239


Target Stores T-2569
Total Building Area = 131,810 SF
Total Sales Area = 85,898 SF
Total Alcohol Sales Area = 158 SF
TARGET CORPORATION
CEILING HEIGHT
14'-0
14'-0
STOCK ROOM
20'-8
PRJ-54928
07/23/14
PROCUREMENT/
INSTALL PUB
TARGET
JULY 2009 NEW STORE
LAS VEGAS N DECATUR
LAS VEGAS, NV
T-2569
FIXTURE PLAN
FZ1

SUP-55239

KOLESAR & LEATHAM

ATTORNEYS AT LAW

400 SOUTH RAMPART BLVD., SUITE 400
LAS VEGAS, NEVADA 89145
702.362.7800

klnevada.com

July 22, 2014

City of Las Vegas
Department of Planning & Development
333 North Rancho Drive
Las Vegas, NV 89106

**Re: Special Use Permit Application**

| | |
|---|---|
| **Applicant:** | **Target Corporation** |
| **Proposed Use:** | **Retail Establishment with Accessory Package Liquor** |
| **Project Name:** | **Target Stores T-2569** |
| **Project Address:** | **6371 N. Decatur Blvd., Las Vegas, NV 89130** |
| **APN:** | **125-25-512-001** |

Dear Sir/Madam:

This firm represents Target Corporation (the "Applicant") at the above-referenced Target business location (the "Business"). The Applicant operates retail department and grocery store businesses in 49 states and Washington D.C. and has been a long-time anchor tenant in the Decatur 215 Shopping Center. The Applicant has recently expanded its business to include the sale of general grocery and food products to many of its stores throughout the Las Vegas valley. In that regard, the Applicant desires to complement its grocery business to allow for the sale of package beer, wine and liquor as a convenience to its customers and to remain competitive with other grocery stores in the valley.

The addition of alcoholic beverage sales to the Applicant's Business will demonstrate a uniform presence for Target stores in the community by providing similar goods that will soon be offered at numerous other Nevada Target locations that sell grocery and related food items. The Applicant acknowledges that no more than ten percent (10%) of the retail floor space of the Business may be dedicated to the display of alcoholic beverages. The Applicant has enclosed a Floor Plan which includes an outline of the initial area dedicated for the display of alcoholic beverages. The Applicant plans to devote approximately 158 square feet to the display of alcoholic beverages.

The Business provides a benefit to the community and neighboring businesses in the Decatur 215 Shopping Center and the surrounding area. As an anchor tenant and national retail brand, the Business draws vital customer traffic to the neighboring businesses in the community. The Business is committed to ensuring compliance with all local and State laws regarding the sale of



SUP-55239

PRJ-54928
07/23/14

alcoholic beverage products for off-premises consumption. The Business has implemented and will adhere to strict internal policies to prevent the sale of alcoholic beverage products to minors and to ensure that alcoholic beverage products are not consumed on the premises of the Business or in the parking area.

The proposed package liquor off-sale establishment use is harmonious and compatible with adjacent development and with existing land uses in the immediate vicinity. We do not believe that any additional public services, utilities or parking accommodations will be necessary to accommodate the proposed use at the Business. The site provides adequate pedestrian and vehicle ingress/egress to and from the Decatur 215 Shopping Center in which the Business is located, from Decatur Blvd. and Tropical Pkwy. Please note that the Business operates every day between the hours of 8:00 a.m. and 10:00 p.m. and employs approximately 130 employees.

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

Very truly yours,

**KOLESAR & LEATHAM**

Matthew Saltzman

Matthew D. Saltzman, Esq.

MDS:dms
Enclosure - as stated
cc: Erin Hosfield (w/o encls.)



**SUP-55239**

PRJ-54928
07/23/14

**SUP-55239 [PRJ-54928] - APPLICANT/OWNER: TARGET CORPORATION**
**6371 NORTH DECATUR BOULEVARD**

07/31/14

SUP-55239 [PRJ-54928] - APPLICANT/OWNER: TARGET CORPORATION
6371 NORTH DECATUR BOULEVARD

07/31/14

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

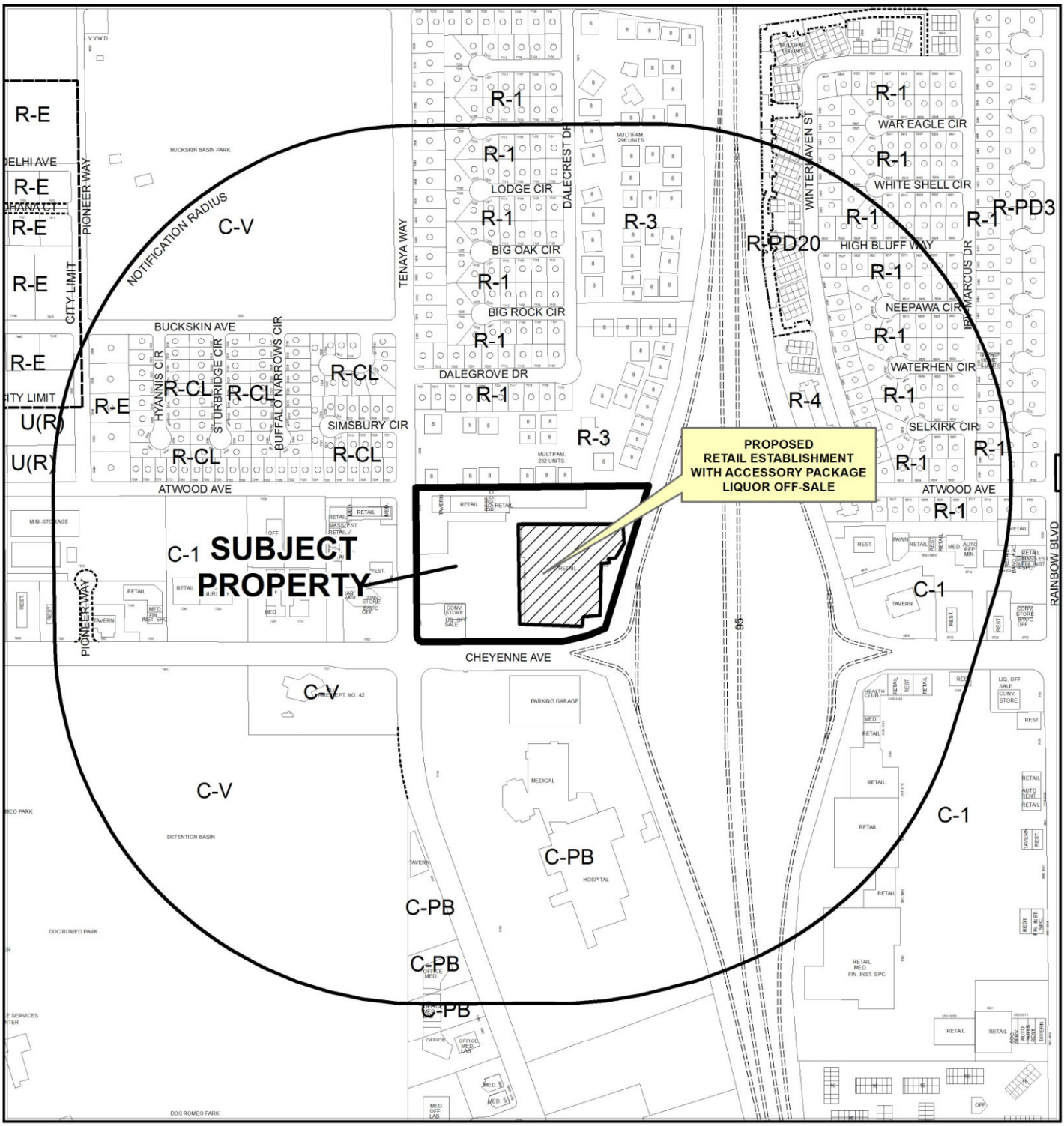
**SUBJECT:**
SUP-55245 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: TARGET CORPORATION - For possible action on a request for a Special Use Permit FOR AN ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 132,281 SQUARE-FOOT GENERAL RETAIL ESTABLISHMENT at 3210 North Tenaya Way (APN 138-10-815-002), C-1 (Limited Commercial) Zone, Ward 4 (Anthony) [PRJ-54923]. Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

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

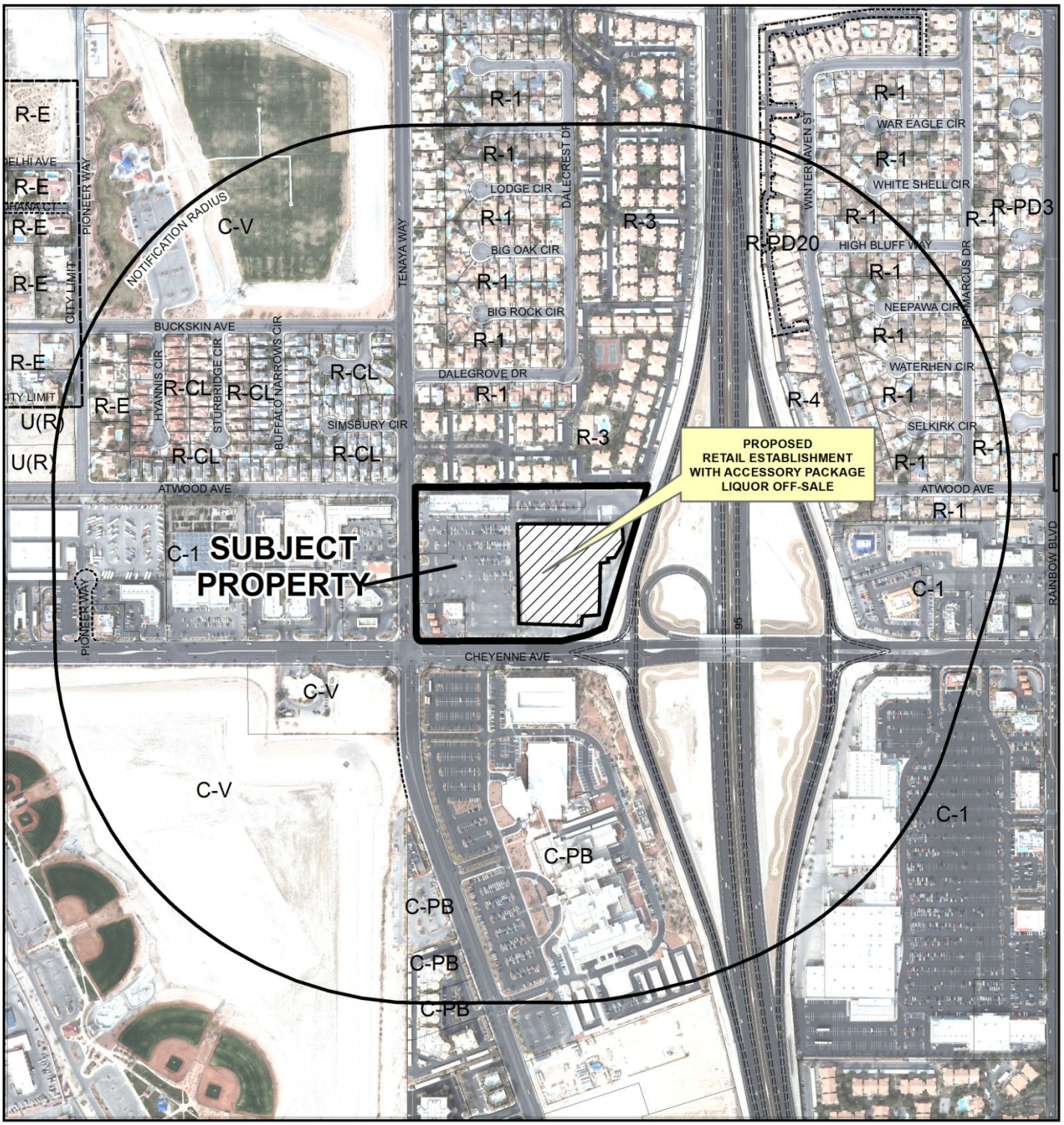
**BACKUP DOCUMENTATION:**
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter




**CASE:** **SUP-55245 (PRJ-54923)**

**RADIUS:** 1500 FEET

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




**CASE:** **SUP-55245 (PRJ-54923)**

**RADIUS:** 1500 FEET

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

# SUP-55245 (PRJ-54923)

**Package Liquor Off-Sale**

## Business Licenses

- Beer/Wine/Cooler On-Sale
- Beer/Wine/Cooler Off-Sale
- Beer/Wine/Cooler On- and Off-Sale
- Package Liquor Off-Sale
- Restaurant With Alcohol/ Restaurant Service Bar
- Tavern

## Protected Uses

- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Child Care/ Children Facility

- Subject Property
- 400 foot buffer

N

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

Date: Monday, July 28, 2014

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: TARGET CORPORATION**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-55245** | Staff recommends APPROVAL, subject to conditions: | |

## ** CONDITIONS **

# SUP-55245 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Retail Establishment with Accessory Package Liquor Off-Sale use.

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

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

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

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

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

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

GK

# ** STAFF REPORT **

This application is a request for a Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 132,281 square-foot general retail building at 3210 North Tenaya Way. The applicant is requesting 158 square feet of floor space to be dedicated to the sale of alcoholic beverages, which represents less than one percent of the 79,089 square feet of total retail floor space. The subject site is an existing shopping center, which provides cross-access and shared parking throughout the entire commercial center. The proposed use meets the Minimum Special Use Permit Requirements and is not within 400 feet of any protected uses. As such, staff recommends approval with conditions. If denied, no alcohol may be sold on the premises.

## ISSUES

- A Special Use Permit is required for a Retail Establishment with Accessory Package Liquor Off-Sale use in the C-1 (Limited Commercial) zoning district.
- The proposed floor area dedicated to the package liquor use is 158 square feet, which is less than one percent of the 79,089 square feet of total retail floor area.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 12/21/77 | The Board of City Commissioners approved a Rezoning (Z-0133-77) from N-U (Non-Urban) to R-1 (Single Family Residential), R-4 (High Density Residential), R-PD18 (Residential Planned Development – 18 Units per Acre) and C-1 (Limited Commercial) on property extending north from Cheyenne Avenue to a point 1,014 feet north of Gowan Road, between Tenaya Way and the proposed Rainbow freeway. Planning Commission and staff recommended approval. |
| 10/22/91 | The Planning Commission approved a Plot Plan and Building Elevation Review [Z-0133-77(8)] for a commercial shopping center on the northeast corner of Cheyenne Avenue and Tenaya Way. Staff recommended approval. |
| 04/23/98 | The Planning Commission approved a Site Development Plan Review [Z-0133-77(25)] for an 18,287 square-foot expansion to an existing general retail building with a waiver of parking lot landscaping requirements at 3210 North Tenaya Way. Staff recommended approval. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 10/21/92 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 03/11/92 | A building permit (#92138846) was issued for a certificate of occupancy for a retail building at 3210 North Tenaya Way. The permit received a final inspection on 09/03/93. |
| 03/28/08 | A building permit (#111683) was issued for a fire sprinkler system at 3210 North Tenaya Way. The permit received a final inspection on 11/07/08. |
| 01/15/10 | A building permit (#154749) was issued for an HVAC roof top unit replacement at 3210 North Tenaya Way. The permit received a final inspection 03/31/10. |
| 07/11/13 | A building permit (#232732) was issued for a retail building remodel at 3210 North Tenaya Way. The permit received a final inspection on 04/29/14. |
| 09/04/13 | A building permit (#241715) was issued for a fire sprinkler remodel at 3210 North Tenaya Way. The permit received a final inspection on 11/08/13. |

| ***Pre-Application Meeting*** | |
|---|---|
| 07/02/14 | Staff met with the representative to discuss the proposal to locate an Accessory Package Liquor Off-Sale use within an existing retail establishment. Staff concluded that a Special Use Permit would be required to do so. The submittal requirements for a Special Use Permit were discussed. |

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

| ***Field Check*** | |
|---|---|
| 07/31/14 | Staff conducted a routine field check and noted a well maintained shopping center free of trash, debris and graffiti. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 12.45 |

| *Surrounding Property* | *Existing Land Use Per Title 19.12* | *Planned or Special Land Use Designation* | *Existing Zoning District* |
|---|---|---|---|
| Subject Property | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |
| North | Multi-Family Residential | M (Medium Density Residential) | R-3 (Medium Density Residential) |
| South | Hospital | LI/R (Light Industrial/Research) | C-PB (Planned Business Park) |
| East | U.S. 95 Right-of-Way | U.S. 95 Right-of-Way | U.S. 95 Right-of-Way |
| West | Shopping Center | SC (Service Commercial) | C-1 (Limited Commercial) |

| *Master Plan Areas* | *Compliance* |
|---|---|
| No Applicable Master Plan Area | N/A |
| ***Special Purpose and Overlay Districts*** | ***Compliance*** |
| A-O (Airport Overlay) District - 140 Feet | Y |
| ***Other Plans or Special Requirements*** | ***Compliance*** |
| Trails | N/A |
| Las Vegas Redevelopment Plan Area | N/A |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A |
| Project of Regional Significance | Y |

**DEVELOPMENT STANDARDS**

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Actual Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Cheyenne Avenue | Primary Arterial | Master Plan of Streets and Highways | 100 Feet | Y |
| Tenaya Way | Major Collector | Master Plan of Streets and Highways | 80 Feet | Y |

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

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Shopping Center | 158,781 SF | 1:250 | 636 | | | | |
| **TOTAL SPACES REQUIRED** | | | 636 | | 695 | | Y |
| **Regular and Handicap Spaces Required** | | | 623 | 13 | 674 | 21 | Y |

**ANALYSIS**

The property is zoned C-1 (Limited Commercial), which intends to encourage low to medium intensity retail, office or other commercial uses. The proposed Retail Establishment with Accessory Package Liquor Off-Sale use is permissible in the C-1 (Limited Commercial) zone with the approval of a Special Use Permit.

The applicant is requesting an Accessory Package Liquor use within an existing 132,281 square-foot general retail building at 3210 North Tenaya Way. The Retail Establishment with Accessory Package Liquor Off-Sale use is defined as "a retail establishment:

> 1. Whose license to sell alcoholic beverages authorizes their sale to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold; and
>
> 2. In which the sale of alcoholic beverages is ancillary to the retail use, and in which no more than 10 percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages.

This use includes an establishment that provides on-premises wine, cordial and liqueur tasting if the licensee also holds a wine, cordial and liqueur tasting license for that location."

The proposed use meets the definition outlined above, as the provided floor plan and justification letter detail the intent to sell alcoholic beverages in conjunction with an existing retail establishment. Furthermore, the applicant has indicated 158 square feet of the existing 79,089 square feet of retail floor area would be utilized for packaged liquor, which represents less than one percent of the total floor area.

1. Except as otherwise provided, no retail establishment with accessory package liquor off-sale (hereinafter "establishment") shall be located within 400 feet of any church/house of worship, school, individual care center licensed for more than 12 children, or City park.

*The proposed use meets this requirement, as there are no protected uses within 400 feet of the subject property.*

* 2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

a. Any leasehold parcel; or

b. Any parcel which lacks access to a public street or has no area for on site parking and which has been created so as to avoid the distance limitation described in Requirement 1.

*The proposed use meets this requirement; measurement is taken from the existing property line of the commercial subdivision located at the northeast corner of Cheyenne Avenue and Tenaya Way.*

* 3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:

a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or

b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.

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

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

*This requirement does not apply to the proposed use, as no distance separation waiver is necessary.*

5. The minimum distance requirements in Requirement 1 do not apply to:

a. An establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or

b. A proposed establishment having more than 50,000 square feet of retail floor space.

*Neither condition applies to the proposed use.*

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

*The proposed use will meet this requirement, as a condition of approval requires the conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.*

7. The minimum distance requirements set forth in Requirement 1, which are otherwise nonwaivable under the provisions of LVMC 19.12.050(C), may be waived:

a. In accordance with the provisions of LVMC 19.12.050(C) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;

b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T C (Town Center) Zoning District and which is designated MS TC (Main Street Mixed Use) in the Town Center Land Use Plan;

c. In connection with a proposed establishment having between 20,000 square feet and 50,000 square feet of retail floor space; or

d. In connection with a retail establishment having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right of way with a width of at least 100 feet.

*This requirement does not apply to the proposed use, as the use meets Requirement 1 outlined above.*

The proposed Retail Establishment with Accessory Package Liquor Off-Sale use would be located within an established shopping center with retail and restaurant uses located on the site interior. The existing shopping center provides cross-access and shared parking throughout the entire commercial center. No additional parking is required for the proposed use, as the parking

requirements were addressed during the original development of the site. There are no protected uses within 400 feet of the subject property and the proposed use adheres to all Minimum Special Use Requirements as outlined in Title 19.12. As such, the use is compatible with the surrounding land uses and staff recommends approval with conditions.

**FINDINGS (SUP-55245)**

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

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

   The proposed Retail Establishment with Accessory Package Liquor Off-Sale use is located within a shopping center with similar uses and can be operated in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.

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

   The proposed intensity of a Retail Establishment with Accessory Package Liquor Off-Sale use is suitable for this location and the surrounding uses.

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

   Primary site access is from Cheyenne Avenue, a 100-foot wide Primary Arterial and Tenaya Way, an 80-foot wide Major Collector. Both rights-of-way provide adequate access for the proposed Retail Establishment with Accessory Package Liquor Off-Sale use.

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

   Approval of a Special Use Permit for the Retail Establishment with Accessory Package Liquor Off-Sale use will not compromise the public health, safety, or general welfare as the use would be subject to regular inspections and licensing requirements.

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

The Retail Establishment with Accessory Package Liquor Off-Sale use meets the applicable minimum requirements of Title 19.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 16

**NOTICES MAILED** 407

**APPROVALS** 0

**PROTESTS** 0

GK

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-55245 APN: 138-10-815-002

Name of Property Owner: Dayton Hudson Corporation n/k/a Target Corporation

Name of Applicant: Target Corporation

Name of Representative: Kolesar & Leatham

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: Nikhil Nayar, Vice President

Subscribed and sworn before me

This 30th day of April, 2014

Shannon Marie Cleveland

Notary Public in and for said County and State

Minnesota, Hennepin

SHANNON MARIE CLEVELAND
NOTARY PUBLIC - MINNESOTA
My Commission Expires January 31, 2018

PRJ-54923
07/28/14

# CLV Planning - Application Form

| | |
|---|---|
| Application Number: | PRJ-54923 |
| Application/Petition For: | SUP for Retail Establishment with Accessory Package Liquor Off-Sale at 3210 North Tenaya Way |
| ProjectAddress (Location): | 3210 NORTH TENAYA WAY |
| Project Name | ACCESSORY PACKAGE LIQUOR SUP |
| Assessors Parcel #(s): | 13810815002 |
| Ward #: | WARD 4 (STAVROS S. ANTHONY) |
| Is the Application Information Correct: | Yes |
| If no, ...change what | |
| General Plan Designation: Proposed: | Select |
| Zoning District: Proposed: | Select |
| Gross Acres: | |
| Lots/Units: | |
| Additional Information: | |
| Applicant First Name: | Kristen |
| Applicant Last Name: | Ruud, Liquor License Specialist |
| Applicant Address: | 1000 Nicollet Mall, TPN-0910 |
| Applicant City: | Minneapolis |
| Applicant State: | MN |
| Applicant Zip: | 55403 |
| Applicant Phone: | 612-761-7165 |
| Applicant Fax: | |
| Applicant Email: | liquor.licensing@target.com |
| Rep First Name: | Benjamin J. |
| Rep Last Name: | Volmer, Esq. |
| Rep Address: | 400 S. Rampart Blvd., Suite 400 |
| Rep City: | Las Vegas |
| Rep State: | NV |
| Rep Zip: | 89145 |
| Rep Phone: | 702-362-700 |
| Rep Fax: | 702-362-9472 |
| Rep Email: | bvolomer@klnevada.com |

**SUP-55245**

# CLV Planning - Application Form

| | |
|---|---|
| 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.<br>I Accept: | Yes |
| Is the Owner Information Correct: | Yes |
| If no, ...change what | |

| Owner(s) | ADDR1 | ADDR2 |
|---|---|---|
| DAYTON HUDSON CORPORATION | P O BOX 9456 | MINNEAPOLIS, MN 55440-9456 |

| CLVEPLAN Applicant | Company | Title | Email |
|---|---|---|---|
| Benjamin Volmer | Kolesar & Leatham | Esq. | bvolmer@klnevada.com |

**SUP-55245**

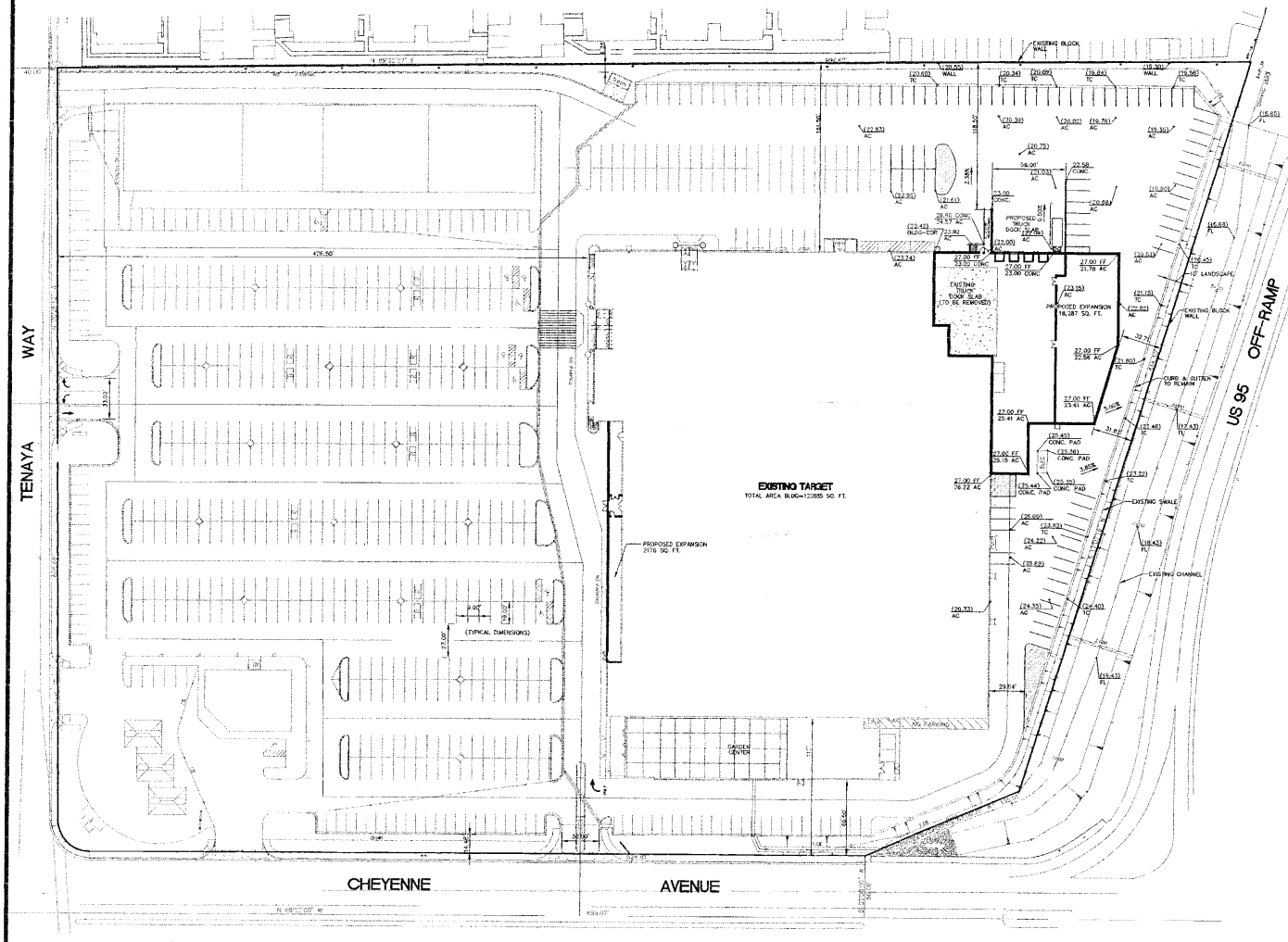
# SITE PLAN

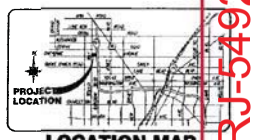
**RAINBOW RIDGE APARTMENTS R-3**

GRAPHIC SCALE

( IN FEET )

1 inch = 40 ft.




LOCATION MAP

N.T.S.

PRJ-54923

07/23/14

## SITE DATA

| | |
|---|---|
| TOTAL NET AREA | 9.5 ACRES |
| PARKING REQ'D | 576 SPACES |
| PARKING PROVIDED | 576 SPACES |
| AC. TO EXPANSION AREA | 20453 SQ. FT. |
| % LOT COVERAGE | 34% |
| APN: | 138-10-815-002 |
| ZONING | C-1 |

## LEGAL DESCRIPTION

SPICE WOOD PLAZA PLAT BOOK 37, PAGE 93, PT. LOT 1, BLOCK 1, BEINGS A PORTION OF THE SW 1/4, SE 1/4 OF SECTION 10, TOWNSHIP 205, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA

## BASIS OF BEARING

BASIS OF BEARING IS N 89° 52' 00" BEING THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 10, T.20 S., R. 60 E., M.D.M., AS SHOWN BY A MAP ON FILE IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA, IN FILE 31 OF RECORDS SURVEY, PAGE 88.

## OWNER/ DEVELOPER

TARGET CORPORATION
33 S. SIXTH STREET
MINNEAPOLIS, MN 55402
(702) 304-6453

DEVELOPER
33 S. SIXTH STREET
MINNEAPOLIS, MN 55402
TEL: (702) 304-6453

PBS&J
Las Vegas Valley Plaza
Las Vegas, Nevada 89104
(702) 382-1170 FAX
PLANNING · SURVEYING · CONSTRUCTION SERVICES

POST BUCKLEY SCHUH & JERNIGAN

| REVISION | DATE | BY |
|---|---|---|

SHEET: SITE PLAN

TITLE: CHEYENNE CROSSINGS TARGET EXPANSION

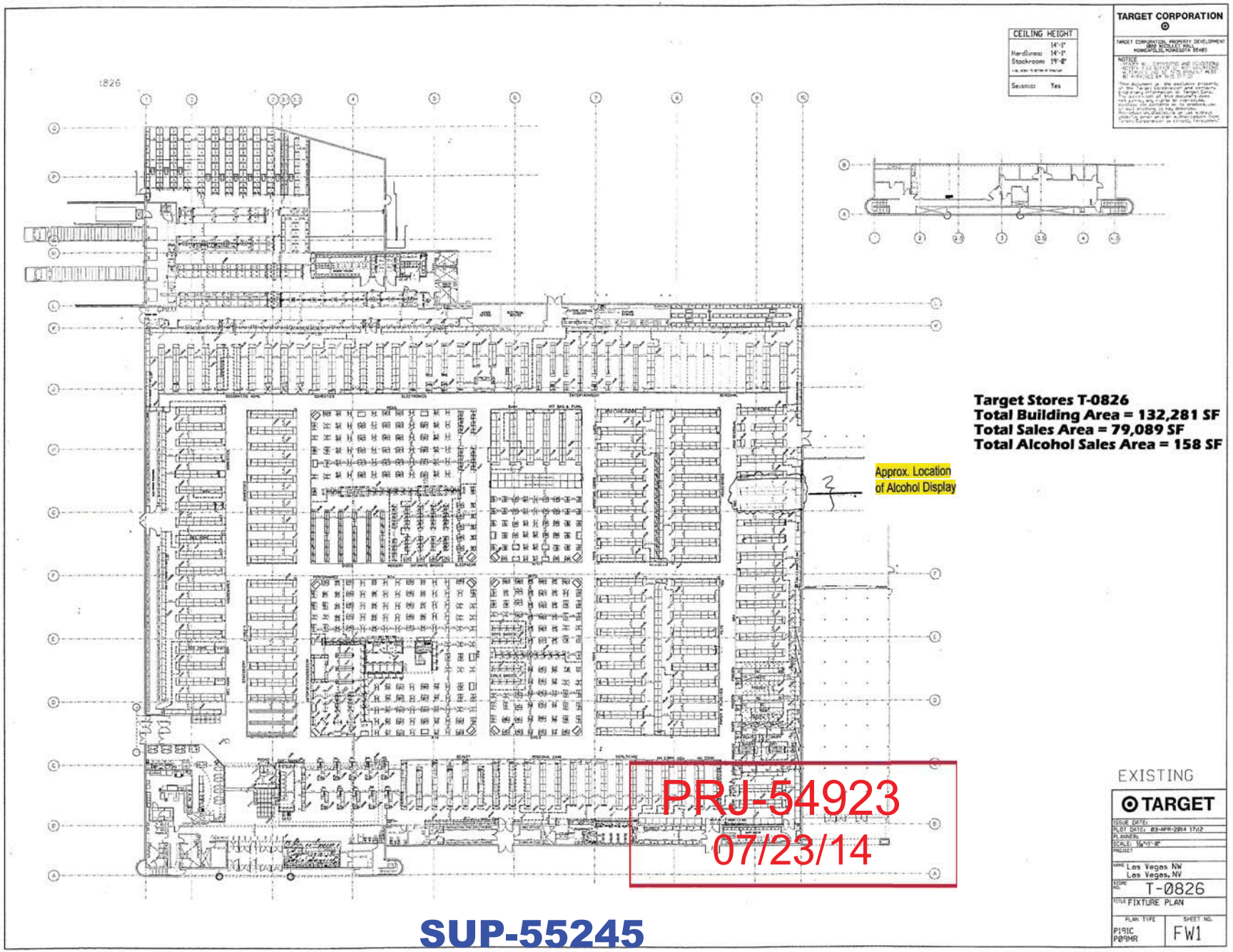
| DRAWN BY: | DESIGNED BY: | CHECKED BY: | PROJECT NO: | SCALE: |
|---|---|---|---|---|
| BJM 03/06/98 | BJM 03/06/98 | MEH 03/06/98 | 51-473 | 1"=40' |

SEAL

SITE-PLAN.dwg JTC 03/19/98 09:46:54

Expansion Site Plan T-826

SUP-55245


TARGET CORPORATION
CEILING HEIGHT
Hardlines 14'-1"
Stockroom 19'-8"
Seismic Yes
Target Stores T-0826
Total Building Area = 132,281 SF
Total Sales Area = 79,089 SF
Total Alcohol Sales Area = 158 SF
Approx. Location of Alcohol Display
PRJ-54923
07/23/14
EXISTING
TARGET
Las Vegas NW
Las Vegas, NV
T-0826
FIXTURE PLAN
FW1

SUP-55245

KOLESAR & LEATHAM

ATTORNEYS AT LAW

400 SOUTH RAMPART BLVD., SUITE 400
LAS VEGAS, NEVADA 89145
702.362.7800

klnevada.com

July 22, 2014

City of Las Vegas
Department of Planning & Development
333 North Rancho Drive
Las Vegas, NV 89106

**Re: Special Use Permit Application**

| | |
|---|---|
| **Applicant:** | **Target Corporation** |
| **Proposed Use:** | **Retail Establishment with Accessory Package Liquor** |
| **Project Name:** | **Target Stores T-0826** |
| **Project Address:** | **3210 N. Tenaya Way, Las Vegas, NV 89129** |
| **APN:** | **138-10-815-002** |

Dear Sir/Madam:

This firm represents Target Corporation (the "Applicant") at the above-referenced Target business location (the "Business"). The Applicant operates retail department and grocery store businesses in 49 states and Washington D.C. and has been a long-time anchor tenant in the Cheyenne Crossing Shopping Center. The Applicant has recently expanded its business to include the sale of general grocery and food products to many of its stores throughout the Las Vegas valley. In that regard, the Applicant desires to complement its grocery business to allow for the sale of package beer, wine and liquor as a convenience to its customers and to remain competitive with other grocery stores in the valley.

The addition of alcoholic beverage sales to the Applicant's Business will demonstrate a uniform presence for Target stores in the community by providing similar goods that will soon be offered at numerous other Nevada Target locations that sell grocery and related food items. The Applicant acknowledges that no more than ten percent (10%) of the retail floor space of the Business may be dedicated to the display of alcoholic beverages. The Applicant has enclosed a Floor Plan which includes an outline of the initial area dedicated for the display of alcoholic beverages. The Applicant plans to devote approximately 158 square feet to the display of alcoholic beverages.

The Business provides a benefit to the community and neighboring businesses in the Cheyenne Crossing Shopping Center and the surrounding area. As an anchor tenant and national retail brand, the Business draws vital customer traffic to the neighboring businesses in the community. The Business is committed to ensuring compliance with all local and State laws

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07/23/14



SUP-55245

regarding the sale of alcoholic beverage products for off-premises consumption. The Business has implemented and will adhere to strict internal policies to prevent the sale of alcoholic beverage products to minors and to ensure that alcoholic beverage products are not consumed on the premises of the Business or in the parking area.

The proposed package liquor off-sale establishment use is harmonious and compatible with adjacent development and with existing land uses in the immediate vicinity. We do not believe that any additional public services, utilities or parking accommodations will be necessary to accommodate the proposed use at the Business. The site provides adequate pedestrian and vehicle ingress/egress to and from the Cheyenne Crossing Shopping Center in which the Business is located, from W. Cheyenne Ave. and N. Tenaya. Please note that the Business operates every day between the hours of 8:00 a.m. and 10:00 p.m. and employs approximately 125 employees.

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

Very truly yours,

KOLESAR & LEATHAM

Matthew Saltzman

Matthew D. Saltzman, Esq.

MDS:dms
Enclosures - as stated
cc: Erin Hosfield (w/o encls.)



SUP-55245

PRJ-54923
07/23/14

**SUP-55245 [PRJ-54923] - APPLICANT/OWNER: TARGET CORPORATION**
**3210 NORTH TENAYA WAY**

07/31/14

SUP-55245 [PRJ-54923] - APPLICANT/OWNER: TARGET CORPORATION
3210 NORTH TENAYA WAY

07/31/14

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

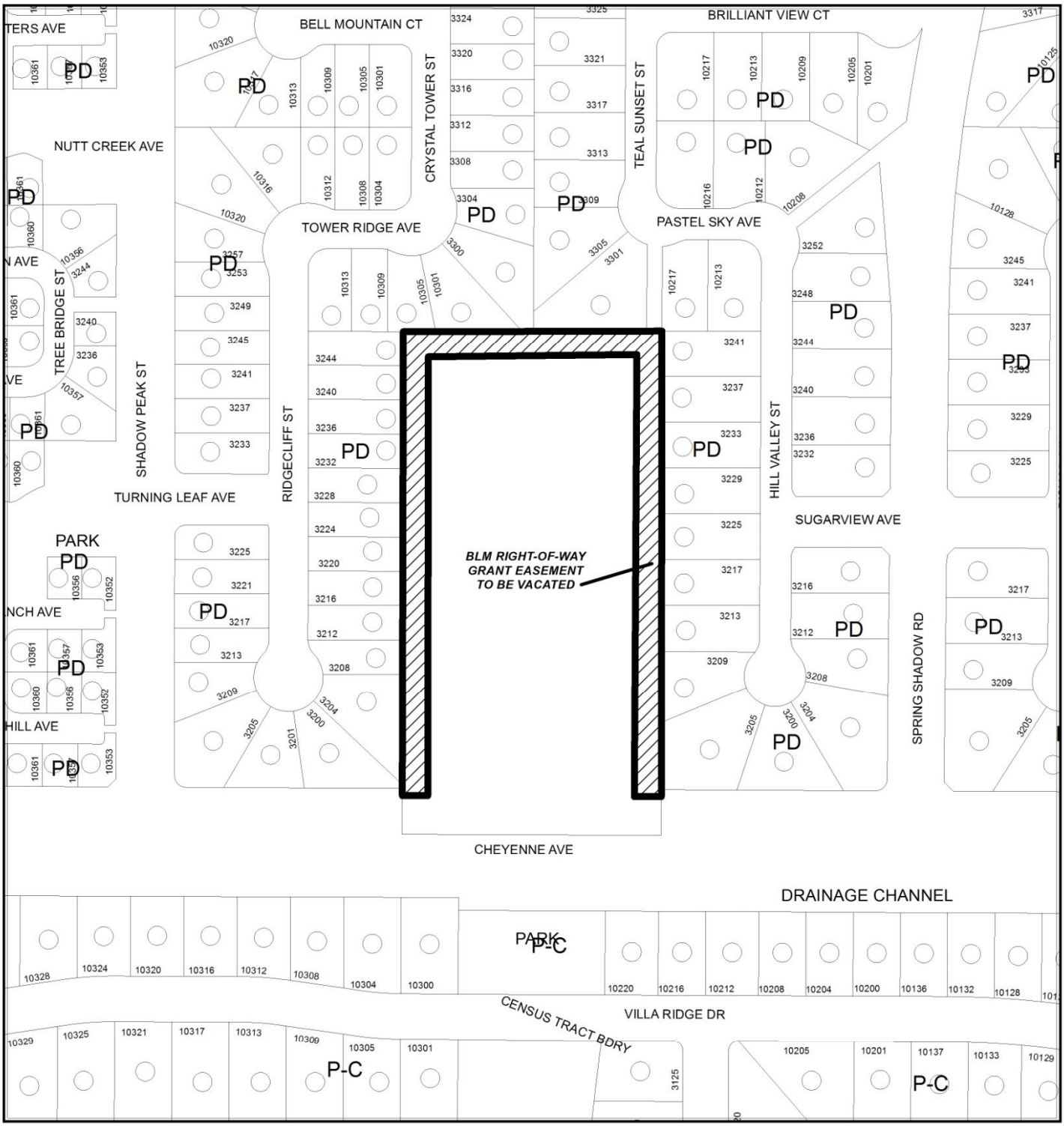
**SUBJECT:**
VAC-55329 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: SUMMIT CHEYENNE, LLC - For possible action on a request for a Petition to Vacate Bureau of Land Management Patent Easements generally located at 10302 West Cheyenne Avenue, Ward 4 (Anthony) [PRJ-54946]. Staff recommends APPROVAL.

**C.C.: 10/15/2014**

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

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

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




**CASE: VAC-55329 (PRJ-54949)**

0 100 200
Feet

N

**CASE: VAC-55329 (PRJ-54949)**

0 100 200
Feet

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION:**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAC-55329** | Staff recommends APPROVAL, subject to conditions: | |

## ** CONDITIONS **

# VAC-55329 CONDITIONS

***Planning***

1. The limits of this Petition of Vacation shall be the 33-foot wide U.S. Government Patent Easements located on the west, north and east sides of Assessor Parcel Number 137-12-801-004 excluding any portions within the future alignment of Cheyenne Avenue for property generally located on the north side of Cheyenne Avenue west of Hualapai Way.

2. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

3. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, the conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

4. All development shall be in conformance with code requirements and design standards of all City Departments.

5. If the Order of Vacation (or Order of Relinquishment of Interest if a Patent Reservation) is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This Petition is a request to vacate a patent easement on property located at 10302 West Cheyenne Avenue. This vacation will facilitate the development of the subject site, which has been approved for a 37-lot single-family residential development. As the easement is no longer needed in its current configuration, staff recommends approval. If denied, the existing easement would remain in its current location and would encumber any development of the site.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 12/04/02 | The City Council approved Annexation (A-0038-02) to annex undeveloped property located in various parts of the city under the provisions of NRS 268.597 No. 1(b) containing approximately 495 acres (APN: Multiple). |
| 09/18/13 | The City Council approved a request for a Major Modification (MOD-49621) of the Lone Mountain Master Development Plan to add five acres to the plan with a ML (Medium Low Density) special land use designation; Rezoning (ZON-49622) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development); Variance (VAR-49623) to allow six-foot tall retaining walls where 3.5 feet is the maximum allowed; Waiver (WVR-49624) to allow 5,173 square feet of open space where 13,200 square feet is required; and a Site Development Plan Review (SDR-49625) for a proposed 40-lot single-family residential development on 5.0 acres at 10302 West Cheyenne Avenue. Planning Commission recommended approval. Staff recommended approval on the Major Modification, Rezoning, Variance and Waiver requests. Staff recommended denial of the Site Development Plan Review request. |
| 10/08/13 | The Planning Commission approved a Variance (VAR-50848) to allow no sidewalks along the east and north perimeters where sidewalks are required on 5.18 acres at 10302 West Cheyenne Avenue. Staff recommended approval. |
| | The Planning Commission approved a Tentative Map (TMP-50847) for a 37-lot single family residential subdivision on 5.18 acres at 10302 West Cheyenne Avenue. Staff recommended approval. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 01/03/14 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 02/11/05 | A code enforcement citation (#25922) was issued at the subject site regarding trash and debris on the undeveloped parcel. The citation was resolved on 03/08/05. |
| 04/18/05 | A code enforcement citation (#28908) was issued at the subject site regarding trash and debris on the undeveloped parcel. The citation was resolved on 07/19/05. |
| 04/14/06 | A code enforcement citation (#40248) was issued at the subject site regarding trash and debris on the undeveloped parcel. The citation was resolved on 05/17/06. |

| ***Pre-Application Meeting*** | |
|---|---|
| 07/07/14 | Staff met with the applicant and reviewed their proposal. No issues were noted for the proposed vacation. |

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

| ***Field Check*** | |
|---|---|
| 07/31/14 | Staff visited the site and found a vacant, undeveloped desert property. No issues were noted. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 5.18 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Undeveloped | PCD (Planned Community Development) | U (Undeveloped) |

| *Surrounding Property* | *Existing Land Use Per Title 19.12* | *Planned or Special Land Use Designation* | *Existing Zoning District* |
|---|---|---|---|
| North | Single-Family Residential | PCD (Planned Community Development) | PD (Planned Development) |
| South | Single-Family Residential | ML (Medium Low Density Residential) | P-C (Planned Community) |
| | Park | PR/OS (Park/ Recreation/Open Space) | |
| East | Single-Family Residential | PCD (Planned Community Development) | PD (Planned Development) |
| West | Single-Family Residential | PCD (Planned Community Development) | PD (Planned Development) |

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

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Actual Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Cheyenne Avenue | Primary Arterial | Master Plan of Streets and Highways | 100 | Y |

**LEGAL DESCRIPTION**

The North, East and West 33 feet of the west half (W ½) of the southwest quarter (SW ¼) of the southeast quarter (SE ¼) of the southeast quarter (SE ¼) of section 12, Township 20 South, Range 59 East, M.D.M., City of Las Vegas, Clark County Nevada. Excepting therefrom the south 50 feet of said east and west 33 feet.

YK

## ANALYSIS

This Vacation application proposes to vacate an existing Patent Easement. Public Works has no objection to the vacation application request to relinquish the City's interests in U.S. Government Patent Reservations generally located on the north side of Cheyenne Avenue, west of Hualapai Way. This Vacation request should be sent to all the utilities however, as no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to wait for responses from any of the public utilities or other parties interested in preserving a right in this patent easement. Since only City interests are involved; any utility company's interests will need to be addressed with each respective utility company and will not be affected by the City relinquishing its interest. Furthermore, staff recommends that this item be declared Final Action at the Planning Commission.

## FINDINGS (VAC-55329)

Staff has no objection to the vacation of this patent easement, as the easement is no longer needed in its current configuration. Staff recommends approval with conditions.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 25

**NOTICES MAILED** 27

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-55329** APN: 137-12-801-004

Name of Property Owner: Cheyenne Summit LLC

Name of Applicant: Adaven Homes

Name of Representative: Taney Engineering

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Nathan White

Subscribed and sworn before me

This 19th day of June, 2014

_____

Notary Public in and for said County and State

FERDINAND N. CARLOS
Notary Public - State of Nevada
Appointment Recorded in Clark County
No: 09-11397-1 - Expires October 20, 2017



PRJ-54946
07/24/14

# CLV Planning - Application Form

| | |
|---|---|
| Application Number: | PRJ-54946 |
| Application/Petition For: | Vacation |
| ProjectAddress (Location): | 10302 W. CHEYENNE |
| Project Name | CHEYENNE WEST OF HAULAPAI VACATION |
| Assessors Parcel #(s): | 13712801004 |
| Ward #: | WARD 4 (STAVROS S. ANTHONY) |
| Is the Application Information Correct: | Yes |
| If no, ...change what | |
| General Plan Designation: Proposed: | Select |
| Zoning District: Proposed: | Select |
| Gross Acres: | |
| Lots/Units: | |
| Additional Information: | |
| Applicant First Name: | Adaven Homes |
| Applicant Last Name: | Nathan White |
| Applicant Address: | 9112 Dolente Avenue |
| Applicant City: | Las Vegas |
| Applicant State: | NV |
| Applicant Zip: | 89118 |
| Applicant Phone: | (702) 365-8588 |
| Applicant Fax: | (702) 998-9885 |
| Applicant Email: | nathanw@adavenhomes.com |
| Rep First Name: | Taney Engineering |
| Rep Last Name: | Amber Dolce |
| Rep Address: | 6030 S Jones Blvd, Suite 100 |
| Rep City: | Las Vegas |
| Rep State: | NV |
| Rep Zip: | 89118 |
| Rep Phone: | (702) 362-8844 |
| Rep Fax: | (702) 362-5233 |
| Rep Email: | amber@taneycorp.com |

## VAC-55329

# CLV Planning - Application Form

| | |
|---|---|
| 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.<br>I Accept: | Yes |
| Is the Owner Information Correct: | Yes |
| If no, ...change what | |

| Owner(s) | ADDR1 | ADDR2 |
|---|---|---|
| SUMMIT CHEYENNE L L C | 9112 DOLENTE AVE | LAS VEGAS, NV 89129-6110 |

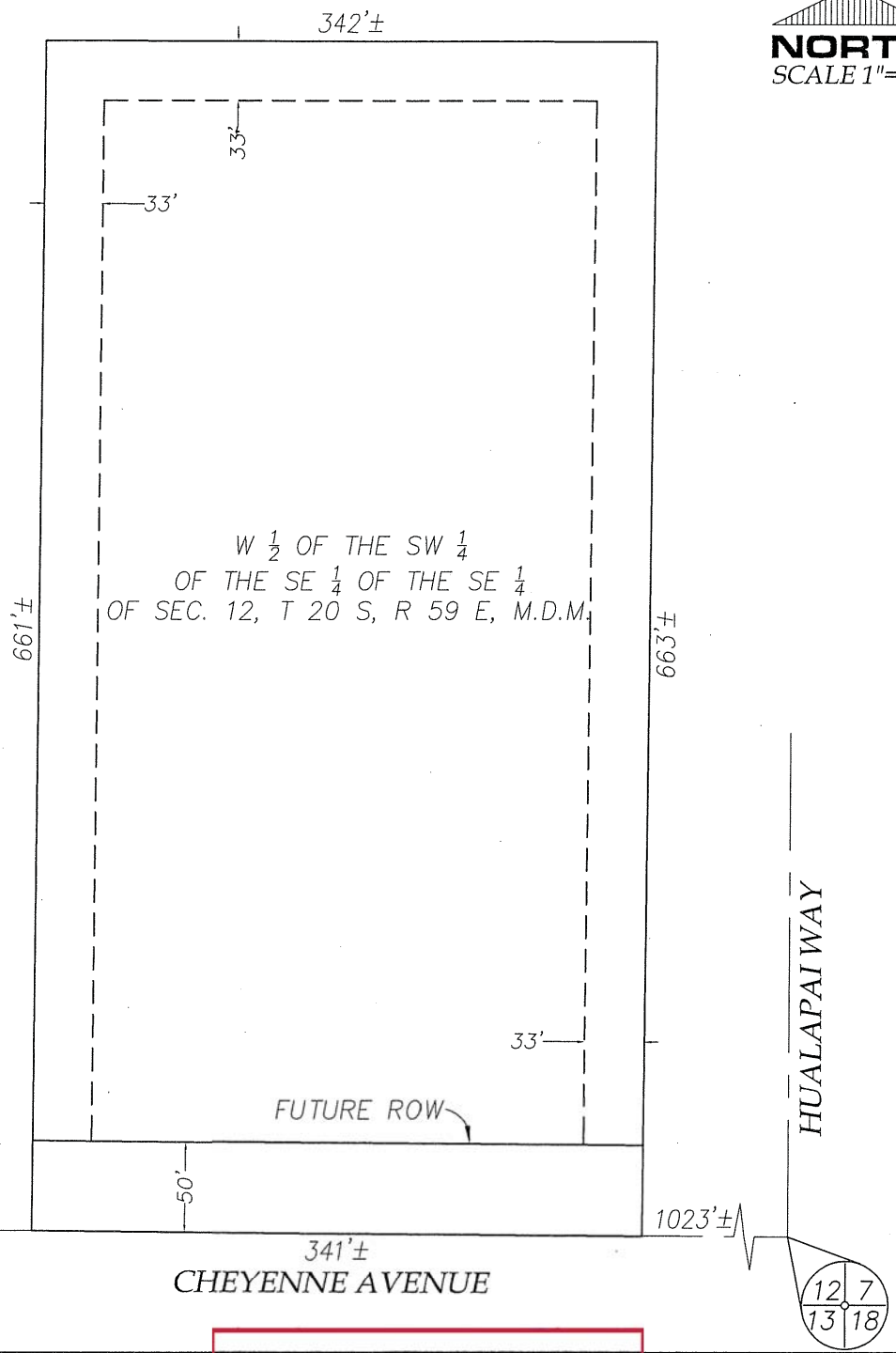
| CLVEPLAN Applicant | Company | Title | Email |
|---|---|---|---|
| Amber Dolce | Taney Engineering | Project Coordinator | amberd@taneycorp.com |

**VAC-55329**

137-12-801-004
SUMMIT CHEYENNE, LLC

# EXHIBIT B

NORTH
SCALE 1"=20'




PRJ-54946
07/24/14

PATENT EASEMENT
VACATION EXHIBIT

TANEY ENGINEERING
6030 S. JONES BLVD., STE.100
LAS VEGAS, NEVADA 89118
(702) 362-8844 FAX:(702) 362-5233

VAC-55329

137-12-801-004
SUMMIT CHEYENNE, LLC

# EXHIBIT A

THE PURPOSE IS TO VACATE A PORTION OF THE PATENT FROM THE UNITED STATES OF AMERICA RECORDED MARCH 28, 1956 IN BOOK 127 AS PATENT NO. 104618.

THE NORTH, EAST AND WEST 33 FEET OF THE WEST HALF (W ½) OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 59 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY NEVADA.

EXCEPTING THEREFROM THE SOUTH 50 FEET OF SAID EAST AND WEST 33 FEET.

| | |
|---|---|
| PURPOSE: | PATENT EASEMENT VACATION |
| PREPARED BY: | STEVEN M. DUMOVICH<br>6030 SO. JONES BLVD. #100<br>LAS VEGAS, NEVADA 89118 |
| JOB NAME: | CHEYENNE HUALAPAI |
| JOB NUMBER: | ADV-13-004 |
| GOVERNING ENTITY: | CITY OF LAS VEGAS |
| FILE NAME: | PATENT VAC.DOC |

VAC-55329

PRJ-54946
08/13/14

TANEY ENGINEERING
6030 SOUTH JONES BLVD. #100
LAS VEGAS, NV 89118
TELEPHONE: 702-362-8844
FAX: 702-362-5233

July 7, 2014

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

**RE: Cheyenne West of Hualapai**
**Vacation**

To Whom It May Concern:

Taney Engineering, on behalf of the applicant, Adaven Homes, is submitting a vacation for existing patent easements on Parcel APN 137-12-801-004 that are remaining from previous BLM sales. As the parcels are being developed, right-of-way will be dedicated to the City of Las Vegas where necessary, making the patent easements no longer necessary. Right of way will be dedicated where appropriate on the associated Final Map for this project. The Patent Easement we are requesting vacation of is:

- Patent Easement Doc#104618

We are hopeful that this letter satisfactorily describes our intent. If you have any questions or need any additional information please do not hesitate to contact this office.

Sincerely,

Rebecca Chiriboga
Taney Engineering

**VAC-55329**

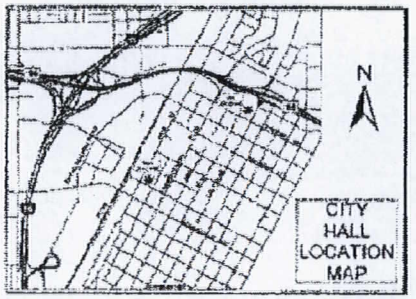
PRJ-54946
07/24/14

VAC-55329 [PRJ-54946] - APPLICANT/OWNER: SUMMIT CHEYENNE, LLC
10302 WEST CHEYENNE AVENUE

07/31/14

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

**Return Service Requested**
**Official Notice of Public Hearing**




RECEIVED
SEP 2 2014
City of Las Vegas
Dept. of Planning

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. 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.

**VAC-55329 [PRJ-54946]**

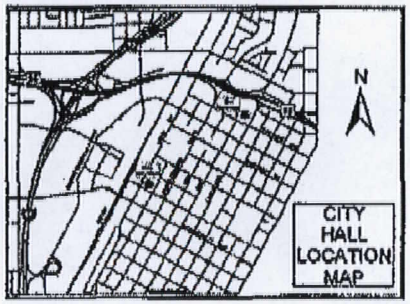
Planning Commission Meeting of 9/9/2014

Case: VAC-55329
13712813009
WATT SHAWN & JOEY LYNN TRUST
WATT SHAWN C & JOEY LYNN CO-TRS
3217 HILL VALLEY CT
LAS VEGAS NV 89129-8111

89 PRDFNHP 89129

Date 9/02/14 Item 15P

# Official Notice of Public Hearing

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City of Las Vegas
Dept. of Planning

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAC-55329 [PRJ-54946]**

Planning Commission Meeting of 9/9/2014

Case: VAC-55329

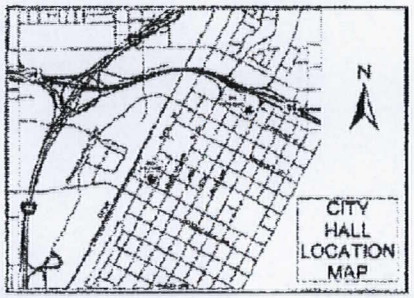
19712813012
ROSEN AMY L
3233 HILL VALLEY ST
LAS VEGAS NV 89129-8112

Date 09/02/14 Item 15P

09/02/2014 08:23 (FAX) P.001/001

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

**Return Service Requested**
**Official Notice of Public Hearing**

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SEP 2 2014
City of Las Vegas
Dept. of Planning

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAC-55329 [PRJ-54946]**

Planning Commission Meeting of 9/9/2014

Case: VAC-55329
13712813009
WATT SHAWN & JOEY LYNN TRUST
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3217 HILL VALLEY CT
LAS VEGAS NV 89129-8111

Date 09/09/14 Item 15P

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13 North Rancho Drive, 3rd Floor
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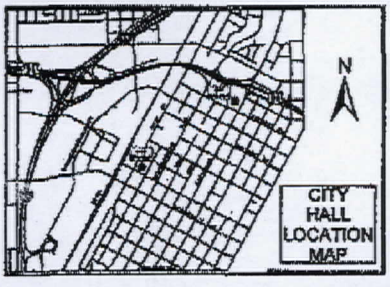


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☐ I SUPPORT this Request

☒ I OPPOSE this Request

ease use available blank space on card for your comments.

**AC-55329 [PRJ-54946]**
anning Commission Meeting of 9/9/2014

PRESORTED FIRST CLASS

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SEP 2 2014
City of Las Vegas
Dept. of Planning

Case: VAC-55329
13712813012
ROSEN AMY L
3233 HILL VALLEY ST
LAS VEGAS NV 89129-8112

Date 09/02/14 Item 15P

93 FRDFNMP 89129

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

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

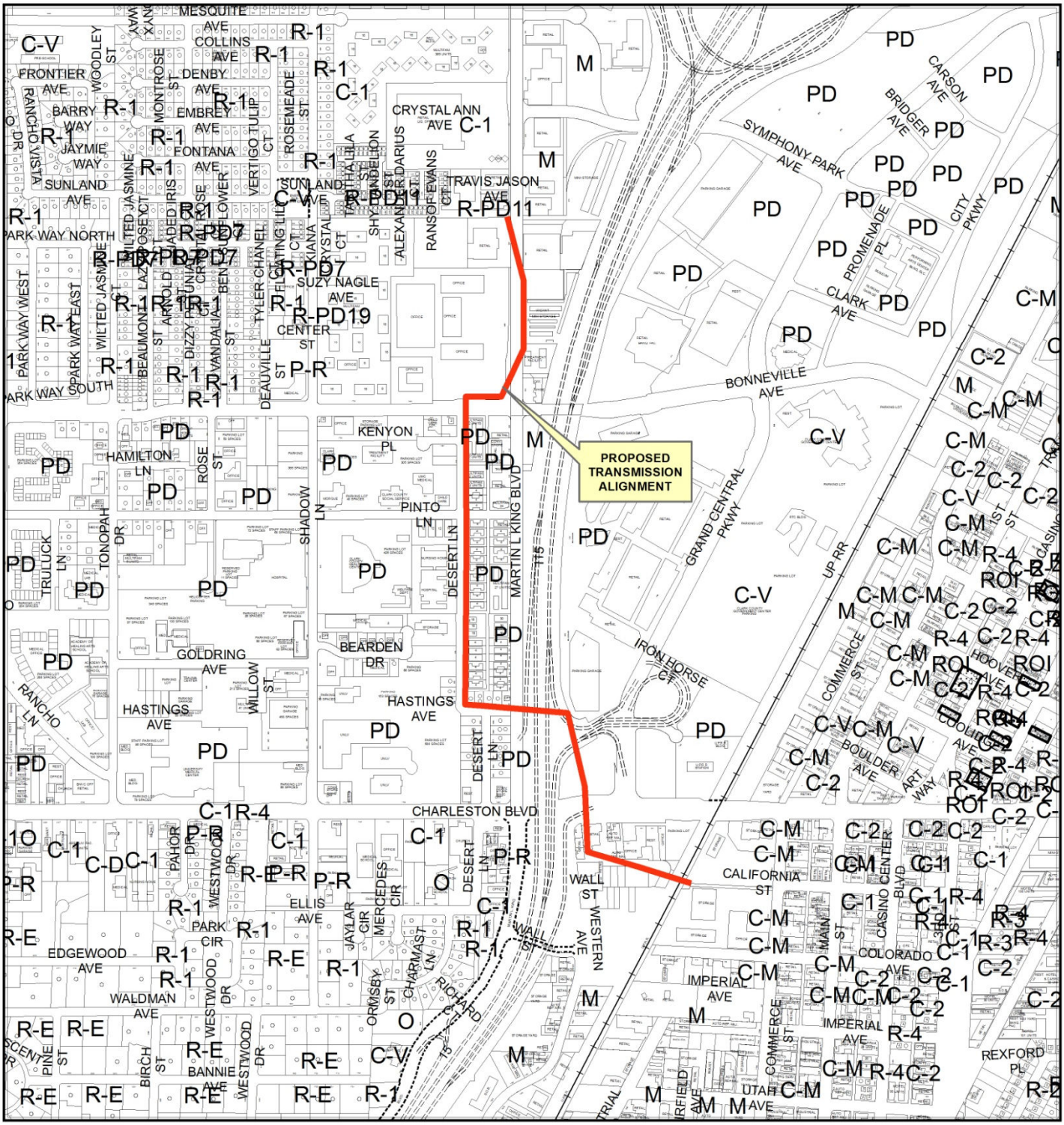
**SUBJECT:**
GPA-55281 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: NV ENERGY - For possible action on a request TO RELOCATE ELECTRICAL TRANSMISSION LINES GENERALLY ALONG MARTIN L. KING BOULEVARD NORTH OF ALTA DRIVE, DESERT LANE BETWEEN ALTA DRIVE AND HASTINGS AVENUE, AND EAST OF INTERSTATE 15 NORTH AND SOUTH OF CHARLESTON BOULEVARD (APNs Multiple), Wards 1, 3 and 5 (Tarkanian, Coffin and Barlow) [PRJ-53660]. Staff recommends APPROVAL.

**C.C.: 10/15/2014**

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

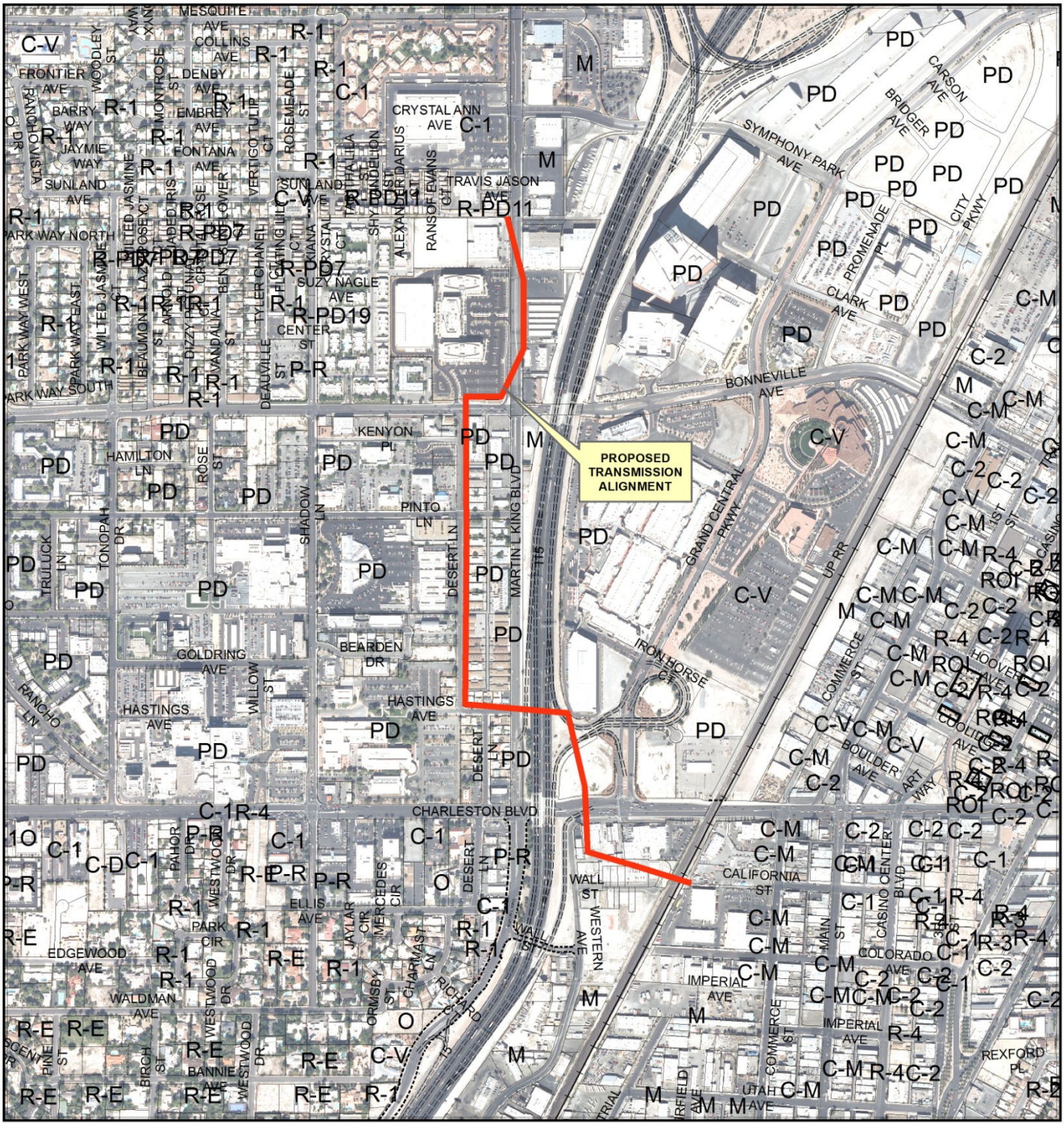
**RECOMMENDATION:**
Staff recommends APPROVAL.

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




**CASE:** **GPA-55281 (PRJ-53660)**

**GENERAL PLAN OF SUBJECT PROPERTY:** RELOCATE TRANSMISSION POWER LINES WITHIN THE SOUTHEAST SECTOR OF THE LAS VEGAS 2020 MASTER PLAN




**CASE:** **GPA-55281 (PRJ-53660)**

**GENERAL PLAN OF SUBJECT PROPERTY:** RELOCATE TRANSMISSION POWER LINES WITHIN THE SOUTHEAST SECTOR OF THE LAS VEGAS 2020 MASTER PLAN

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: NV ENERGY**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **GPA-55281** | Staff recommends APPROVAL. | |

SS

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is requesting to relocate existing electrical transmission facilities that are in conflict with approved Project Neon traffic facility improvements located within the Southeast Sector of the city. The 230, 138 and 69 kilovolt transmission lines, circuits and fiber would be carried between poles measuring up to 140 feet in height along the new route.

The new route begins at its point of deviation from the existing route on the west side of Martin L King Boulevard north of Alta Drive. A new transmission pole would be installed at this location. The lines would then run southward, crossing Martin L King Boulevard twice to a point at the northwest corner of Alta Drive and Martin L King Boulevard. From there the route would turn westward to Desert Lane, proceed south along the east side of Desert Lane to Hastings Avenue, head eastward along Hastings Avenue and cross Interstate 15 near the northbound ramp from Grand Central Parkway. Now on the east side of the freeway, the proposed route would progress southward across Charleston Boulevard, then southeast to connect to an existing pole west of Commerce Street at California Avenue.

No General Plan land use designations or zoning designations would be affected by the relocation. The proposed route minimally affects neighborhoods without a significantly deviating from the existing route. Staff recommends approval.

## ISSUES

- Approved freeway capacity improvements along the Interstate 15 corridor are in conflict with the current route of existing electrical transmission facilities. The proposed General Plan Amendment would establish a new route for these facilities.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 10/04/06 | The City Council approved an amendment of the Master Plan of Streets and Highways (MSH-13509) related to Project Neon improvements, namely to reclassify Industrial Road from an 80-foot Secondary Collector to a 100-foot Primary Arterial between Wyoming Avenue and Sahara Avenue; to reclassify Western Avenue from a 60-foot Minor Collector to a 80-foot Secondary Collector between Charleston Boulevard and Sahara Avenue; to add the |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| | Martin Luther King Boulevard/Industrial Road flyover as a Primary Arterial with Limited Access; to reclassify Bearden Drive from a 60-foot Minor Collector to a 80-foot Secondary Collector between Shadow Lane and Martin Luther King Boulevard; to reclassify Shadow Lane from a 60-foot Minor Collector to a 80-foot Secondary Collector from Alta Drive to Charleston Boulevard and to add Grand Montecito Parkway as a 90-foot Primary Arterial from Centennial Parkway to Durango Drive. The Planning Commission and staff recommended approval. |

| ***Related Building Permits/Business Licenses*** |
|---|
| There are no building permits related to this request. |

| ***Pre-Application Meeting*** | |
|---|---|
| 04/10/14 | Staff and the applicant discussed submittal requirements for a General Plan Amendment that would allow the new route. At this time not all portions of property along the route had been condemned, but all easements were expected to be in place prior to the city's public notification of the item for Planning Commission. |

| ***Neighborhood Meeting*** | |
|---|---|
| 08/25/14 | A neighborhood meeting was held at the Grace Presbyterian Church, 1515 West Charleston Boulevard, to discuss the proposed route. There were 18 members of the public, five members of the applicant team, one individual from NDOT, three members from the Council Ward office and one member of Planning staff in attendance. After an open house-style presentation of the proposed route, comments were solicited from those in attendance. No responses were received. |

| ***Field Check*** | |
|---|---|
| 07/31/14 | A field check verified the location of the current route along the west side of Interstate 15 north of Alta Drive and along the east side of Martin L King Boulevard to its crossing of the freeway north of Wall Street. |

| ***Master Plan Areas*** | ***Compliance*** |
|---|---|
| Las Vegas Medical District | Y |
| Downtown Centennial Plan | Y |

| ***Special Purpose and Overlay Districts*** | ***Compliance*** |
|---|---|
| PD (Planned Development) District | Y |
| Downtown Centennial Plan Overlay District (Parkway Center, Industrial Corridor, Downtown South) | Y |
| A-O (Airport Overlay) District (175/200 Feet) | Y |
| ***Other Plans or Special Requirements*** | ***Compliance*** |
| Trails | Y |
| Las Vegas Redevelopment Plan Area | Y |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A |
| Project of Regional Significance | N/A |

## ANALYSIS

Utility Transmission Lines are conditional uses throughout the city. Lines that carry 15 kilovolts or more must have their routes approved by the Planning Commission.

A portion of the proposed route runs along the eastern boundary of the Las Vegas Medical District. Land use designations along the proposed route include HD (High Density Residential) and MD-2 (Major Medical), which are intended to allow the most intense residential and commercial development possible within the Medical District. Easements have been granted for location of the poles on non-owner properties along the route. Where the proposed route abuts residential dwellings, only rental properties are affected. At no point along the proposed route would the transmission lines come in conflict with the restrictions of the Airport Overlay District.

The City supports relocation of the route and has an agreement with the applicant to sell land it owns or grant easements for purposes of locating utilities on this land.

## FINDINGS (GPA-55281)

Section 19.16.030(I) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

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

   The proposed facility relocation will not change the density or intensity of the existing land use designations along the proposed route, which include LI/R (Light Industry/Research), C (Commercial) and MXU (Mixed Use) within the Las Vegas Redevelopment Plan Area and MD-2 (Major Medical) and HD (High Density Residential) within the Las Vegas Medical District.

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

   The request will not result in the amendment of any existing zoning designation.

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

   As the request would not result in amendment of any land use or zoning designation, the adequacy of any transportation or recreation facilities is not relevant in this case.

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

   There are no specific General Plan policies that address provision of utilities; however, the City of Las Vegas must maintain and renovate its public infrastructure as needed. This project accommodates improvements that would reduce vehicular congestion in the Downtown Area, which is a goal of Project Neon.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 45

**NOTICES MAILED** RJ ONLY

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** GPA for transmission line

**Project Address (Location)**

**Project Name** Transmission Line Relocation **Proposed Use** Utility Line

**Assessor's Parcel #(s)** see attached list **Ward #** 1,3,5

**General Plan:** existing various proposed N/A **Zoning:** existing various proposed N/A

**Commercial Square Footage** N/A **Floor Area Ratio** N/A

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

**Additional Information** Relocation of transmission lines

**PROPERTY OWNER** State of Nevada, ET AL **Contact** R-O-W Division

**Address** 1263 S. Stewart Street **Phone:** **Fax:**

**City** Carson City **State** NV **Zip** 89712

**E-mail Address**

**APPLICANT** NV Energy **Contact** Randal D. Cagle, SR/WA

**Address** 6226 W. Sahara Avenue **Phone:** (702) 402-5484 **Fax:**

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

**E-mail Address** rcagle@nvenergy.com

**REPRESENTATIVE** Cardno, Inc. **Contact** Scott Ruedy, AICP

**Address** 7115 Amigo Street, Suite 100 **Phone:** (702) 990-9300 **Fax:**

**City** Las Vegas **State** 89119 **Zip** 89146

**E-mail Address** scott.ruedy@cardno.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*** Randal D. Cagle

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

**Print Name** RANDAL D. CAGLE, MANAGER PROP. SVCS.

Subscribed and sworn before me

This 17TH day of July, 20 14.

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DEE ANN KIRK
Appt. No. 93-3561-1
My Appt. Expires Sept. 20, 2017

*FOR DEPARTMENT USE ONLY*

| | |
|---|---|
| Case # | GPA-55281 |
| Meeting Date: | 09/09/14 PC |
| Total Fee: | |
| Date Received:* | |
| Received By: | |

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

PRJ-53660
07/23/14

Revised 10/27/08

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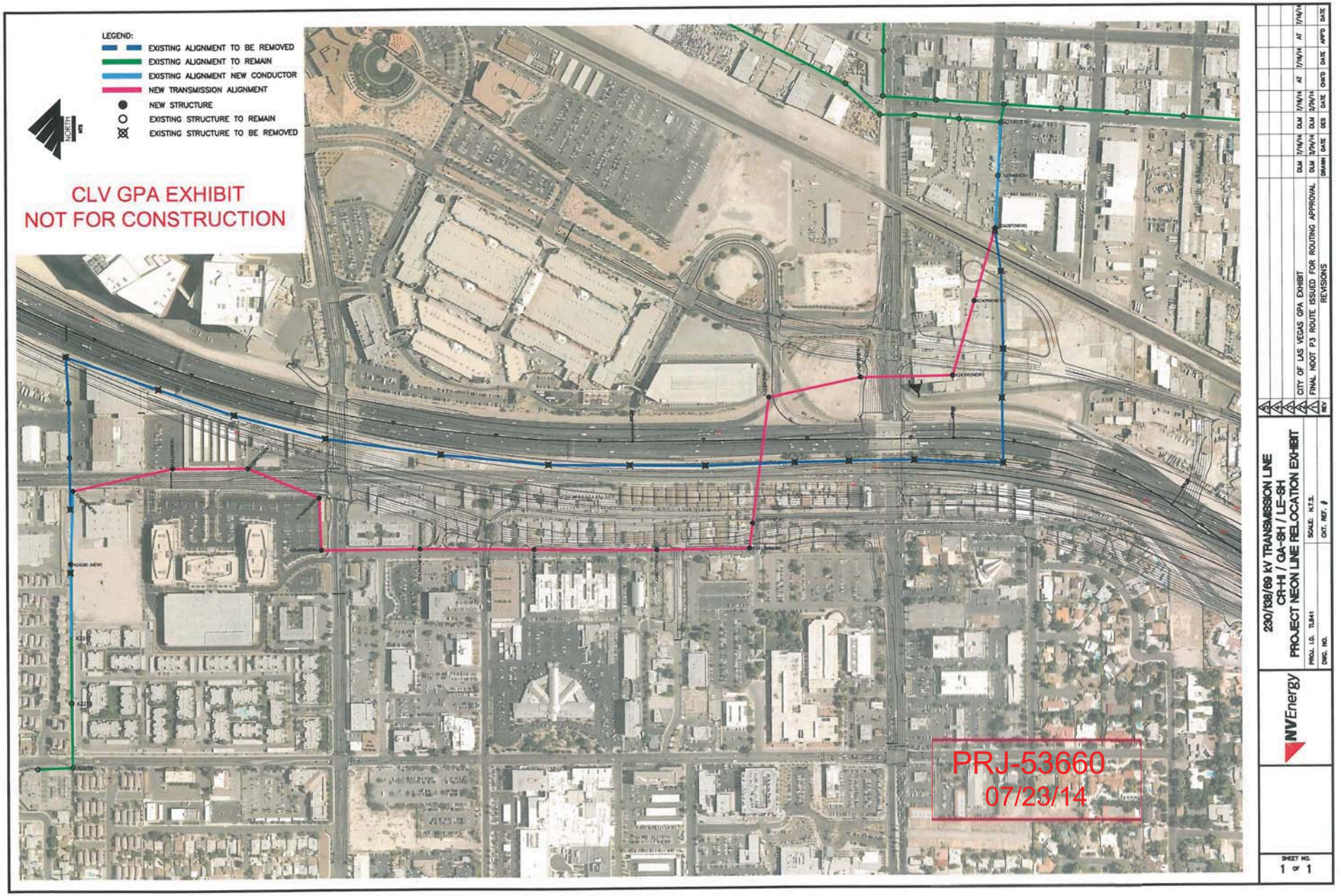
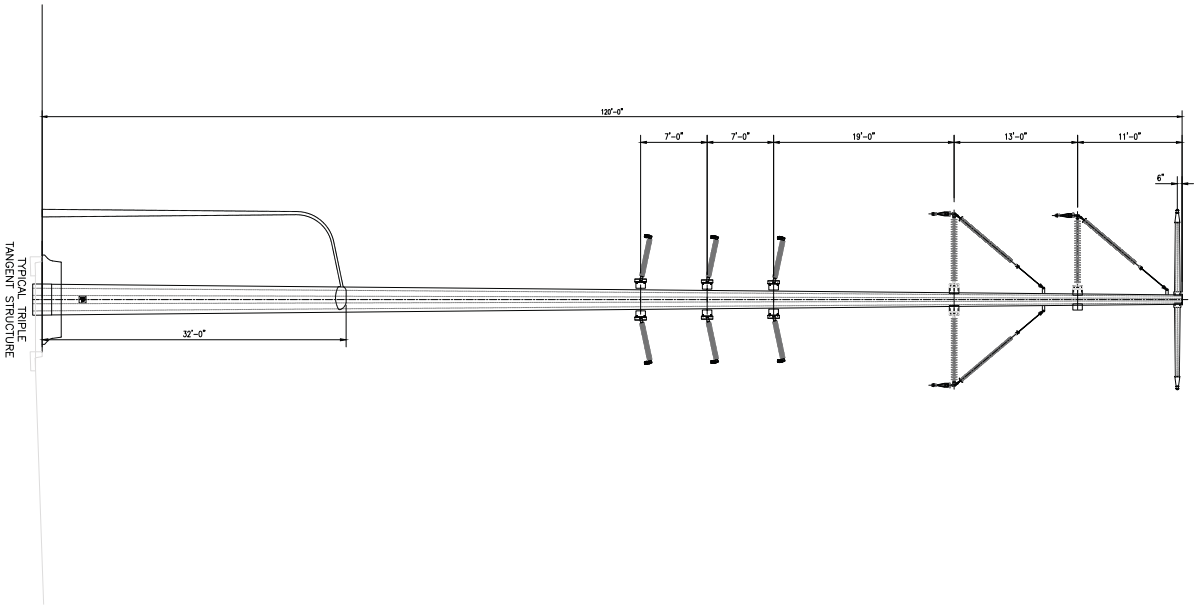
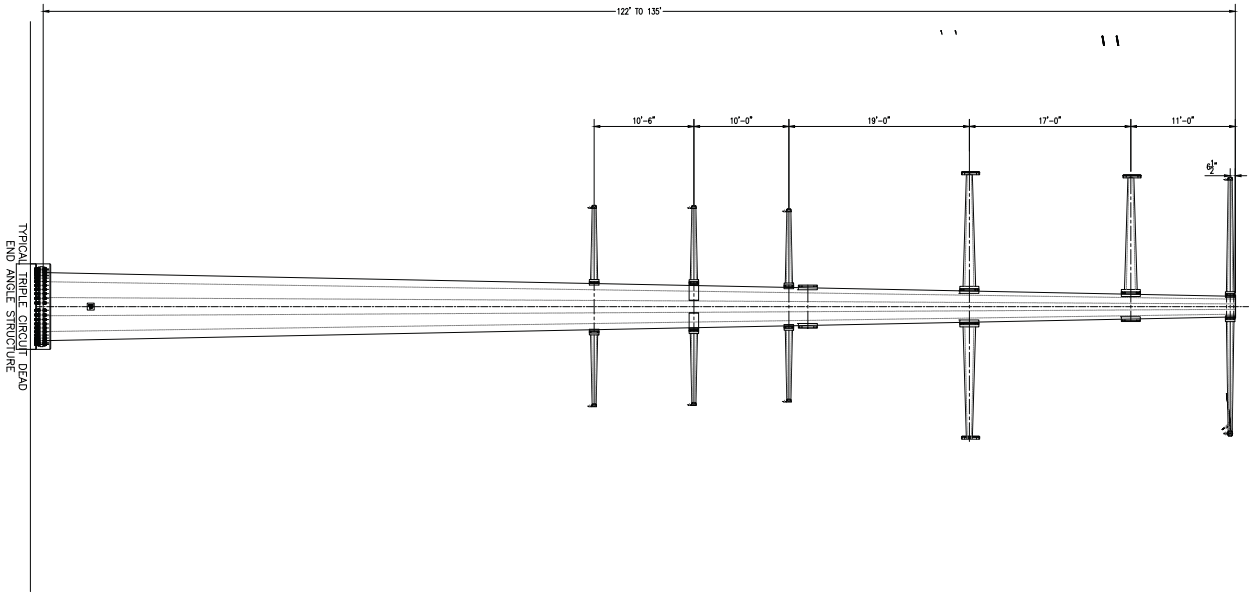

LEGEND:
EXISTING ALIGNMENT TO BE REMOVED
EXISTING ALIGNMENT TO REMAIN
EXISTING ALIGNMENT NEW CONDUCTOR
NEW TRANSMISSION ALIGNMENT
NEW STRUCTURE
EXISTING STRUCTURE TO REMAIN
EXISTING STRUCTURE TO BE REMOVED
NORTH
CLV GPA EXHIBIT
NOT FOR CONSTRUCTION
PRJ-53660
07/23/14
230/138/69 kV TRANSMISSION LINE
CR-H1 / Q4-SH / LE-SH
PROJECT NEON LINE RELOCATION EXHIBIT
CITY OF LAS VEGAS GPA EXHIBIT
FINAL NDOT P3 ROUTE ISSUED FOR ROUTING APPROVAL
REVISIONS
NVEnergy
SHEET NO.
1 OF 1

**GPA-55281**

GPA-55281




PRJ-53660
07/23/14

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| 4 | | | | | | | | | |
| 3 | | | | | | | | | |
| 2 | CITY OF LAS VEGAS GPA EXHIBIT | DLM | 7/16/14 | DLM | 7/16/14 | AT | 7/16/14 | AT | 7/16/14 |
| 1 | FINAL NDOT P3 ROUTE ISSUED FOR ROUTING APPROVAL | DLM | 2/24/14 | DLM | 2/24/14 | | | | |
| REV | REVISIONS | DRAWN | DATE | DES | DATE | CHK'D | DATE | APP'D | DATE |

NVEnergy

230/138/69 kV TRANSMISSION LINE
CR-HI / GA-SH / LE-SH
PROJECT NEON LINE RELOCATION EXHIBIT

| | |
|---|---|
| PROJ. I.D. TL841 | SCALE: N.T.S. |
| DWG. NO. | CKT. REF. # |

SHEET NO. 1 OF 1

July 11, 2014

Cardno
Shaping the Future

City of Las Vegas
Planning & Development
333 N. Rancho Drive
Las Vegas, NV 89106-3797

Cardno

7115 Amigo Street
Suite 100
Las Vegas, NV 89119
USA

**Phone: +1 702 990 9300**
Fax: +1 702 990 9305

**www.cardno.com**

Re: Justification Letter – **General Plan Amendment for Transmission Line Relocation Project (APNs attached)**

Dear Staff,
This application is a request for a General Plan Amendment (GPA) to designate a 230/138/69kV electrical facilities route, for the relocation of existing transmission facilities and associated communication facilities. NV Energy currently has a route for four circuits that has two 138kV transmission circuits, one 69kV transmission circuit and associated fiber and must relocate those facilities within existing and/or future NDOT right-of-way and City of Las Vegas right-of-way that conflicts with Project Neon. The proposed relocated transmission line route is the least impactful route to residents and commercial businesses. The proposed transmission route line will be constructed to accommodate 230/138/69kV electrical facilities, plus communication facilities.

NV Energy's "route plan" will deviate from the existing alignment north of proposed DN1 site, head east to Martin Luther King and install a new transmission pole on the west side of Martin Luther King Boulevard, shallow angle crossing on Martin Luther King to the east side of Martin Luther King Boulevard, head south to a point, then south west to the north west corner of Alta Drive and Martin Luther King Boulevard, west along the north side of Alta Drive to Desert Lane, then south on the east side of Desert Lane to Hastings Avenue; continuing east on Hastings Avenue crossing Interstate 15 to a point; then south crossing Charleston Boulevard, then angles southeast to the existing alignment, to an existing pole located on the west side of S. Commerce Street (north of W. Colorado Avenue).

Two types of poles will be used to support these 230/138/69kV transmission facilities and communication facilities, identified as Tangent Structures and Dead End Angle Structures. The maximum height of the structures will be approximately 140 feet above ground;

In order to satisfy the requirements of *Section 19.18.030 General Plan Amendment - Paragraph C 3b.* in the City of Las Vegas Zoning Code, NV Energy provides the following response to the questions identified in that paragraph in order to support this GPA request:

1. Address whether there has been unanticipated growth and development of the community in the area surrounding the application site or growth and development not specifically considered when the General Plan was adopted.

    - *The driver of the transmission line route relocation is the need to accommodate the improvement (widening) to the I-15 Corridor, as the current electrical transmission route conflicts with the proposed NDOT widening plans; and thus the impact to the General Plan from the relocated transmission route is merely an ancillary result of the NDOT project.*



PRJ-53660
07/23/14

GPA-55281

2. Address whether the proposed amendment to the General Plan will allow a zoning classification which imposes burdens similar to the burdens imposed by the classification currently provided for under the General Plan.

   - *The zoning classifications of the properties along this relocated transmission line route will remain the same. NV Energy is not requesting any changes in zoning.*
   - *The relocated transmission line route will require easements from the property owners along the route; and these easements have typical restrictions in order to satisfy the National Electrical Safety Code.*

3. Address whether the amendment to the General Plan continues to promote the objectives of the General Plan as designated in NRS 278.

   - *NV Energy will continue to work closely with the City of Las Vegas Planning Department throughout the General Plan Amendment submittal and approval process to ensure that all the objectives of the General Plan (as designated in NRS 278) are promoted. Additionally, NV Energy is always focused on public health and safety and follows the National Electrical Safety Code.*

To satisfy Section 19.18.030 General Plan Amendment – Paragraph I, of the City of Las Vegas Zoning Code, NV Energy provides the following response to the questions addressing the GPA Determination:

1. Is the density and intensity of the proposed GPA compatible with the existing adjacent land use designations?

   - *The existing land use designations of the properties adjacent to this relocated transmission line route are a mixture of Industrial District, Light Industrial Research, Commercial Industrial District, Limited Commercial District, Planned Development District, and Office. There are three (3) Overlay Districts along the proposed relocated route – Planned Development, Live/Work Overlay, and Downtown Centennial Plan (Industrial Corridor, Downtown South, & 18b Las Vegas Arts District). Since power lines are compatible with all types of land use and districts, we are not requesting any changes in zoning.*

2. Will the zoning designations allowed by the proposed amendment be compatible with the existing adjacent land uses or zoning districts?

   - *NV Energy is not requesting any changes in zoning. The zoning classifications of the properties along this relocated transmission line route are a mixture, all of which are compatible with the Utility Transmission Line Use.*

3. Are there adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan designation?

   - *This relocated utility transmission line project serves the community in a different manner than the operation and function of a traditional development. There will be no permanent staff assigned to this transmission line after it is constructed, yet the hours of operation are continuous. This particular determination would not appear to be applicable for this transmission line project.*
   - *Future access to the power lines and poles for maintenance would be available via public roads and the transmission line easements and/or permits.*

4. Does the proposed amendment conform to other applicable adopted plans and policies?

   - *NV Energy has developed several other transmission lines throughout the City of Las Vegas over the years to meet the needs of our customers. Specifically, NV Energy was directly involved in the Centennial Hills General Plan which indicated both existing and proposed transmission line routes and electrical substations. The proposed amendment is consistent with the forgoing.*

PRJ-53660
07/23/14



GPA-55281

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During the initial stages of NV Energy's relocation caused by Project Neon, NV Energy voluntarily held an Open House, on April 21, 2011, for this project, and invited property owners within one thousand feet (1000') of the relocated transmission line route, and all City of Las Vegas registered Neighborhood Associations within one (1) mile of this route. This invitation radius / criteria are identical to that specified by the City of Las Vegas Title 19 Code. NV Energy representatives were available at this Open House to explain the project purpose and need, and answer any questions. In addition, NV Energy has worked closely with representatives from the City of Las Vegas and NDOT on the route and solicited feedback from property owners impacted by the route. The proposed route incorporates changes NV Energy could accommodate in response to feedback received. We look forward to hosting the forthcoming Open House which is required as part of the GPA application submittal/approval process.

Should you need any further information, please feel free to contact me at 702-990-9300.

Sincerely,

**Scott Ruedy,** AICP
PLANNING PROJECT MANAGER
CARDNO

PRJ-53660
07/23/14

**GPA-55281**

GPA-55281 [PRJ-53660] - APPLICANT/OWNER: NV ENERGY
SOUTHEAST SECTOR OF THE LAS VEGAS

07/31/14

GPA-55281 [PRJ-53660] - APPLICANT/OWNER: NV ENERGY
SOUTHEAST SECTOR OF THE LAS VEGAS

07/31/14

GPA-55281 [PRJ-53660] - APPLICANT/OWNER: NV ENERGY
SOUTHEAST SECTOR OF THE LAS VEGAS

07/31/14

GPA-55281 [PRJ-53660] - APPLICANT/OWNER: NV ENERGY
SOUTHEAST SECTOR OF THE LAS VEGAS

07/31/14

GPA-55281 [PRJ-53660] - APPLICANT/OWNER: NV ENERGY
SOUTHEAST SECTOR OF THE LAS VEGAS

07/31/14

City of Las Vegas Agenda Item No.: **17.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

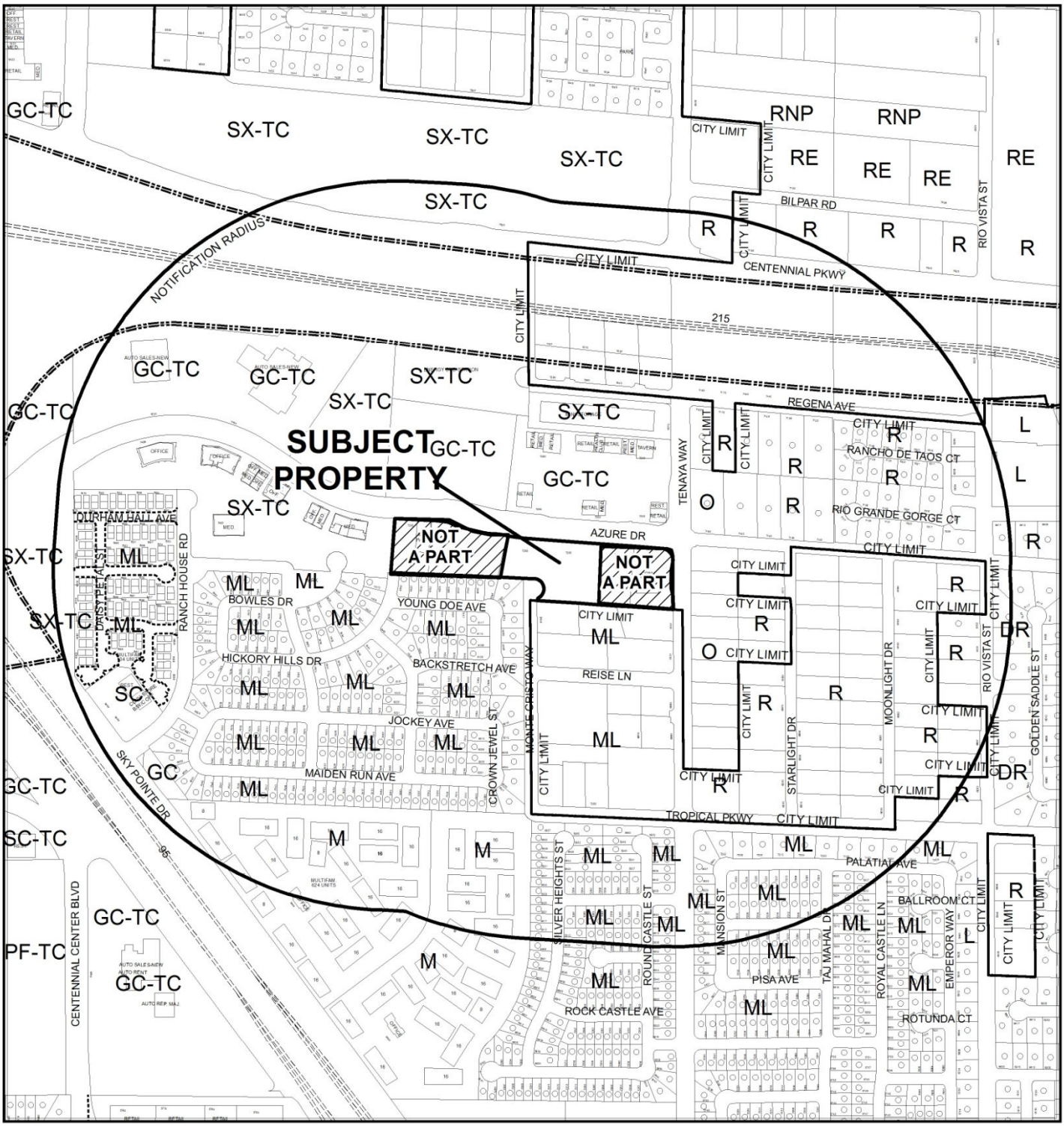
**SUBJECT:**
MOD-55204 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: SWECKER & LIPP TENAYA AZURE, LLC - For possible action on a request for a Major Modification to the Town Center Development Standards Land Use Map FROM: SUBURBAN MIXED USE (SX-TC) TO: GENERAL COMMERCIAL (GC-TC) on 2.33 acres on the south side of Azure Drive, approximately 330 feet west of Tenaya Way (APN 125-27-222-013), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross) [PRJ-54831]. Staff recommends DENIAL.

**C.C.: 10/15/2014**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **2** | **Planning Commission Mtg.** | **1** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report - MOD-55204, VAR-55205, SUP-55202, SUP-55203 and SDR-55201 [PRJ-54831]
3. Supporting Documentation - MOD-55204, VAR-55205, SUP-55202, SUP-55203 and SDR-55201 [PRJ-54831]
4. Photos - MOD-55204, VAR-55205, SUP-55202, SUP-55203 and SDR-55201 [PRJ-54831]
5. Justification Letter - MOD-55204, VAR-55205, SUP-55202, SUP-55203 and SDR-55201 [PRJ-54831]
6. Protest/Support Postcards - MOD-55204 and VAR-55205 [PRJ-54831]




**CASE:** **MOD-55204 (PRJ-54831)**

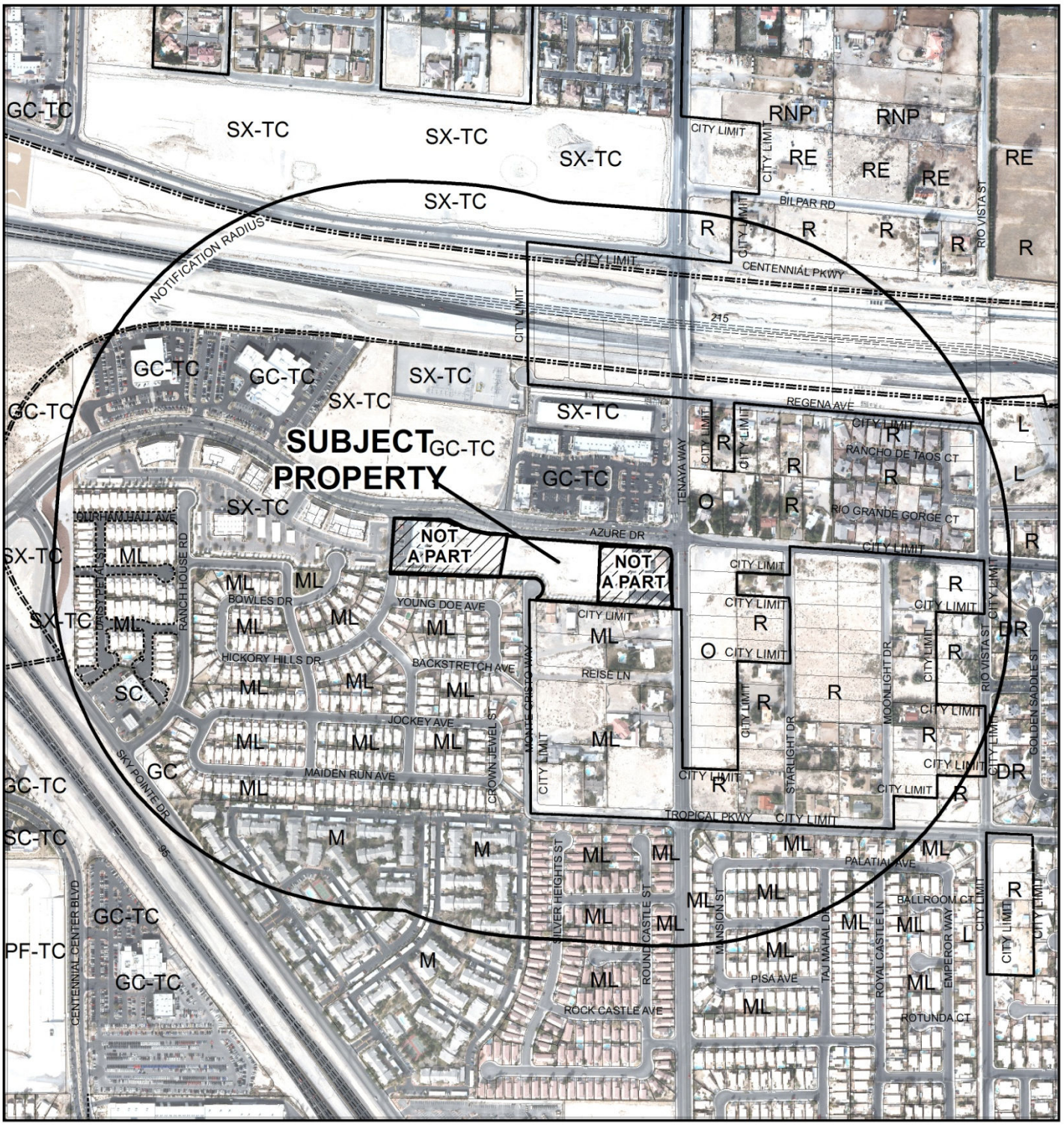
0 500 1,000 Feet

**RADIUS:** 1500 FEET

**ZONING OF SUBJECT PROPERTY:** T-C (TOWN CENTER) [SX-TC (SUBURBAN MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

**LAND USE OF SUBJECT PROPERTY:** SX-TC (SUBURBAN MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION

**PROPOSED LAND USE OF SUBJECT PROPERTY:** GC-TC (GENERAL COMMERCIAL) SPECIAL LAND USE DESIGNATION




**CASE:** **MOD-55204 (PRJ-54831)**

0 500 1,000 Feet

**RADIUS:** 1500 FEET

**ZONING OF SUBJECT PROPERTY:** T-C (TOWN CENTER) [SX-TC (SUBURBAN MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

**LAND USE OF SUBJECT PROPERTY:** SX-TC (SUBURBAN MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION

**PROPOSED LAND USE OF SUBJECT PROPERTY:** GC-TC (GENERAL COMMERCIAL) SPECIAL LAND USE DESIGNATION

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: SWECKER & LIPP TENAYA AZURE, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **MOD-55204** | Staff recommends DENIAL. | |
| **VAR-55205** | Staff recommends DENIAL, if approved subject to conditions. | MOD-55204 |
| **SUP-55202** | Staff recommends DENIAL, if approved subject to conditions: | MOD-55204<br>VAR-55205 |
| **SUP-55203** | Staff recommends DENIAL, if approved subject to conditions: | MOD-55204<br>VAR-55205 |
| **SDR-55201** | Staff recommends DENIAL, if approved subject to conditions: | MOD-55204<br>VAR-55205 |

## ** CONDITIONS **

# VAR-55205 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Modification (MOD-55204) and Site Development Plan Review (SDR-55201) shall be required, if approved.

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

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

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

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

# SUP-55202 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Liquor Establishment (Tavern) use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-55201) and Variance (VAR-55205) shall be required.

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

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

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

6. Minors shall only be permitted in such areas wherein spirituous, malt or fermented liquors or wines are served only in conjunction with regular meals and where dining tables or booths are provided separate from the bar in conformance with Title 6.50.

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

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

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

# SUP-55203 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Gaming Establishment, Restricted use.

2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-55201) and Variance (VAR-55205) shall be required.

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

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

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

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

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

# SDR-55201 CONDITIONS

***Planning***

1. Conformance to the Conditions of Approval for Variance (VAR-55205) shall be required.

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

3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 08/13/14 and the colored site plan and landscaping plan date stamped 08/14/14, except as amended by conditions herein.

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

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

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

7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

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

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

***Public Works***

10. Grant a Multi-Use Non-Equestrian Trail Easement for the existing multi-use trail along the south side off this site prior to issuance of permits. Additionally, grant Public Pedestrian Access Easements for public sidewalks, if any, that are outside the public right-of-way prior to issuance of permits.

11. In accordance with code requirements of Title 13.56, remove all substandard offsite improvements, if any, and replace with new improvements meeting Current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

12. In accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets unless incompatible uses can be demonstrated to the satisfaction of the City Engineer and a note to this effect shall appear on the Final Map for this site. No barriers (e.g. curbs, wall, etc.) shall be erected within the boundaries of the overall commercial subdivision map site which would prohibit any vehicle on this site from utilizing any driveway connecting this commercial development site to the abutting public streets.

13. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

14. Site development to comply with all applicable conditions of approval for TMP-0014-01 and all other applicable site-related actions.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Major Modification of the Town Center Land Use Plan from the SX-TC (Suburban Mixed Use – Town Center) land use district to the GC-TC (General Commercial – Town Center) land use district. The subject site consists of 2.33 acre portion of an existing commercial subdivision located on the south alignment of Azure Drive, 330 feet west of Tenaya Way. The applicant has proposed to develop the subject site with a 6,500 square-foot Liquor Establishment (Tavern) with a Gaming Establishment, Restricted land use. Staff recommends denial of the requested applications to allow a Liquor Establishment (Tavern) and Gaming Establishment, Restricted use.

## ISSUES

- The applicant has proposed a Major Modification to the existing Town Center Special Land Use designation on the subject parcel from SX-TC (Suburban Mixed Use – Town Center) to GC-TC (General Commercial – Town Center).
- The proposed Liquor Establishment (Tavern) use is permitted in the proposed GC-TC (General Commercial – Town Center) Special Land Use designation with the approval of a Special Use Permit. A Waiver has been requested to allow a zero-foot distance separation from an existing school located west of the commercial subdivision where 400 feet is required.
- The proposed Gaming Establishment, Restricted use is permitted in the proposed GC-TC (General Commercial – Town Center) Special Land Use designation with the approval of a Special Use Permit. A Waiver has been requested to allow a zero-foot distance separation from an existing single-family dwelling located south of the commercial subdivision where 330 feet is required.
- The applicant has requested a Variance to allow 74 parking spaces where 82 parking spaces are the minimum required.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 12/07/98 | The City Council approved a Rezoning (Z-76-98) to T-C (Town Center) on the subject property as part of a larger request. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 04/04/01 | The City Council approved requests for Special Use Permits (U-0006-01, U-0007-01, U-0009-01, U-0010-01, U-0012-01, U-0013-01, U-0015-01, U-0016-01, U-0019-01, U-0020-01, U-0022-01 and U-0023-01) for seven supper clubs, one restaurant with drive-up, two restricted gaming locations, one restaurant service bar and two requests for the sale of packaged liquor, on the subject site. The City Council approved a request for a Site Development Plan Review [Z-0076-98(20)] for the overall commercial development on this site. The Planning Commission and staff recommended approval of the items on February 22, 2001. |
| 06/18/03 | The City Council approved an Extension of Time (EOT-2152) of an approved Site Development Plan Review [Z-0076-98(20)] for a proposed 138,000 square-foot commercial development on 14.16 acres located adjacent to the northwest corner of the intersection of Tenaya Way and Azure Drive, and for a proposed 110,000 square-foot commercial development on 16.66 acres located adjacent to the south side of Azure Drive between Tenaya Way and approximately 520 feet east of Rancho Drive/ US 95. The Planning Commission and staff recommended approval on 05/22/03. The Extension of Time expired in April 4, 2005 unless was exercised or an Extension of Time is granted. |
| | The City Council approved an Extension of Time (EOT-2160) of an approved Special Use Permit (U-0015-01) for gaming (restricted) in conjunction with a proposed drug store located adjacent to the south side of Azure Drive approximately 350 feet west of Tenaya Way. The Planning Commission and staff recommended approval on 05/22/03. The Extension of Time expired in April 4, 2005 unless was exercised or an Extension of Time is granted. |
| | The City Council approved an Extension of Time (EOT-2161) of an approved Special Use Permit (U-0016-01) which allowed a supper club located adjacent to the southwest corner of the intersection of Tenaya Way and Azure Drive. The Planning Commission and staff recommended approval on 05/22/03. The Extension of Time expired in April 4, 2005 unless was exercised or an Extension of Time is granted. |
| | The City Council approved an Extension of Time (EOT-2165) of an approved Special Use Permit (U-0023-01) which allowed a liquor establishment (off-premise consumption) in conjunction with a proposed drug store located adjacent to the south side of Azure Drive approximately 350 feet west of Tenaya Way. The Planning Commission and staff recommended approval on 05/22/03. The Extension of Time expired in April 4, 2005 unless was exercised or an Extension of Time is granted. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 01/08/04 | The Planning Commission approved a request for Directors Business (DIR-3572) for a Master Sign Plan for an approved retail center on 14.16 acres adjacent to the northwest corner of Tenaya Way and Azure Drive, and on 16.66 acres on the south side of Azure Drive between Tenaya Way and approximately 520 feet east of Rancho Drive/US 95. |
| 03/17/04 | The City Council approved a request for a Site Development Plan Review (SDR-3648) and a Waiver of the perimeter and buffering landscaping requirements for a 7,852 square-foot auto parts (new and rebuilt) (accessory sales and service) store on a 0.92 acre portion of 7.24 acres adjacent to the south side of Azure Drive, approximately 1,100 feet west of Tenaya Way. The Planning Commission appealed to City Council. |
| | The City Council approved a request for a Special Use Permit (SUP-3650) for an auto parts (new and rebuilt) (accessory sales and service) use on a 0.92 acre portion of 7.24 acres adjacent to the south side of Azure Drive, approximately 1,100 feet west of Tenaya Way . The Planning Commission appealed to City Council. |
| | The City Council approved a request for a Major Modification (MOD-3652) to the Town Center Development Standards to allow auto parts (new and rebuilt) (accessory sales and service) as a permitted use in the SX-TC (Suburban Mixed Use - Town Center) district with the approval of a Special Use Permit and Conditions of approval. The Planning Commission recommended approval of the request |
| 04/06/05 | The City Council approved a request for a Review of Condition (ROC-6074) for a Review of Condition Number 22 of an approved Site Development Plan Review [Z-0076-98(20)], which prohibited certain uses, to eliminate the condition entirely for an approved commercial development on property located adjacent to the southwest corner of Tenaya Way and Azure Drive. |
| 06/01/05 | The City Council approved an Extension of Time (EOT-6565) of an approved Special Use Permit (U-0015-01) for gaming (restricted) in conjunction with a proposed drug store located adjacent to the south side of Azure Drive approximately 350 feet west of Tenaya Way. The Extension of Time expired in April 4, 2007 unless was exercised or an Extension of Time is granted. |
| | The City Council approved an Extension of Time (EOT-6567) of an approved Special Use Permit (U-0023-01) which allowed a liquor establishment (off-premise consumption) in conjunction with a proposed drug store located adjacent to the south side of Azure Drive approximately 350 feet west of Tenaya Way. The Extension of Time expired in April 4, 2007 unless was exercised or an Extension of Time is granted. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 01/18/06 | The City Council approved a request for a Site Development Plan Review (SDR-5893) for a 3,500 square-foot convenience store with fuel pumps and waivers of the 70% glazing restriction and a separation distance of zero feet where a 330-foot separation distance from residential uses is required on 1.43 acres at the southwest corner of Tenaya Way and Azure Drive. The Planning Commission recommended approval of the request. |
| | The City Council approved a request for a Special Use Permit (SUP-5894) for a proposed convenience store with fuel pumps at the southwest corner of Tenaya Drive and Azure Way. The Planning Commission recommended approval of the request. |
| 01/11/07 | The Planning Commission approved a request for a Site Development Plan Review (SDR-18372) for two 8,500 square-foot retail buildings, a waiver to the build-to-line requirement and a waiver to reduce parking lot landscaping on 2.33 acres on the south side of Azure Drive, approximately 330 feet west of Tenaya Way. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 09/03/13 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| N/A | N/A |

| ***Pre-Application Meeting*** | |
|---|---|
| 06/10/14 | A pre-application meeting was held with the applicant to discuss<br>• Site Development Plan Review for a 6,500 square-foot Liquor Establishment (Tavern)<br>• Special Use Permit for a 6,500 square-foot Liquor Establishment (Tavern) with a Waiver of the 400 foot distance separation from a School<br>• Special Use Permit for a 6,500 square-foot Gaming Establishment with a Wavier to allow a zero-foot distance separation from a single-family detached dwelling<br>• Major Modification to amend the existing Land Use designation from Suburban Mixed Use (SX-TC) to General Commercial (GC-TC)<br>• Variance to allow 74 parking spaces where 82 Spaces are required for a proposed Liquor Establishment (Tavern). |

| ***Neighborhood Meeting*** | |
|---|---|
| 07/14/14 | A neighborhood meeting was held at the Centennial Hills YMCA located at 6601 North Buffalo Drive at 6:00pm to discuss the proposed development of a Liquor Establishment Tavern with a Gaming Establishment, Restricted land use on the south of Azure Drive 330 feet west of Tenaya Way (APN 125-27-22-013). The meeting was attended by one staff member; there were four members of the public at the meeting who did raise any major concerns to the proposed development. |

| ***Field Check*** | |
|---|---|
| 07/31/14 | Staff conducted a routine site visit a found the subject site to be an undeveloped parcel of land with existing streetscape improvements and an existing trail along the rear property line. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 2.33 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Undeveloped | [SX-TC (Suburban Mixed Use – Town Center) Special Land Use designation] | T-C (Town Center) |
| North | Shopping Center | [GC-TC (General Commercial – Town Center) Special Land Use designation] | T-C (Town Center) |
| South | Single-Family Residential | RS (Residential Suburban) – Clark County | R-E (Rural Estates Residential) – Clark County |
| | Single-Family Residential | ML (Medium Low Density Residential) | R-PD7 (Residential Planned Development – 7 Units per Acre) |
| East | Undeveloped | [SX-TC (Suburban Mixed Use – Town Center) Special Land Use designation] | T-C (Town Center) |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| West | Undeveloped | [SX-TC (Suburban Mixed Use – Town Center) Special Land Use designation] | T-C (Town Center) |

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

**DEVELOPMENT STANDARDS**

***Pursuant to Town Center Development (GC-TC) Standards, the following standards apply:***

| ***Standard*** | ***Required/Allowed*** | ***Provided*** | ***Compliance*** |
|---|---|---|---|
| Min. Setbacks | | | |
| • Front | 15 Feet | 17 Feet | Y |
| • Side (West) | 10 Feet | 330 Feet | Y |
| • Side (East) | 10 Feet | 32 Feet | Y |
| • Rear | 20 Feet | 172 Feet | Y |
| Max. Building Height | Two Stories | One Story | Y |
| Trash Enclosure | Screened, Gated, w/ a Roof or Trellis | Screened, Gated, w/ a Roof or Trellis | Y |
| Mech. Equipment | Screened | Screened | Y |

| ***Residential Adjacency Standards*** | ***Required/Allowed*** | ***Provided*** | ***Compliance*** |
|---|---|---|---|
| 3:1 proximity slope | 84 Feet | 172 Feet | Y |
| Trash Enclosure | 50 Feet | 125 Feet | Y |

***Pursuant to Town Center Development Standards, the following standards apply:***

| ***Landscaping and Open Space Standards*** | | | | |
|---|---|---|---|---|
| ***Standards*** | ***Required*** | | ***Provided*** | ***Compliance*** |
| | ***Ratio*** | ***Trees*** | | |
| Buffer Trees:<br>• North<br>• South | <br>1 Tree / 30 Linear Feet<br>1 Tree / 20 Linear Feet | <br>6 Trees<br>9 Trees | <br>6 Trees<br>9 Trees | <br>Y<br>Y |
| **TOTAL PERIMETER TREES** | | **15 Trees** | **15 Trees** | **Y** |
| Parking Area Trees | 1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces | 13 Trees | 17 Trees | Y |
| **LANDSCAPE BUFFER WIDTHS** | | | | |
| Min. Zone Width<br>• North<br>• South<br>• East<br>• West | <br>15 Feet<br>8 Feet<br>0 Feet<br>0 Feet | | <br>17 Feet<br>30 Feet<br>0 Feet<br>0 Feet | <br>Y<br>Y*<br>Y<br>Y |
| Wall Height | 6 to 8 Feet Adjacent to Residential | | Not Indicated | Y |

**There is an existing 30-foot wide multi-use trail along the rear property line, which functions as a landscape buffer.*

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Actual Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Azure Way | Frontage Street | Master Plan of Streets and Highways | 80 | Y |

| ***Streetscape Standards*** | ***Required*** | ***Provided*** | ***Compliance*** |
|---|---|---|---|
| Town Center Streetscape Standards | Trees to be installed 35feet on center with 4-foot amenity zone and 5-foot sidewalk | Mexican Fan Palm trees have been installed 30 feet on Center with 5-foot amenity zone and 5-foot sidewalk | Y |

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

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Base Parking Requirement*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Liquor Establishment (Tavern) | 6,500 SF (3,290 SF indoor seating SF; 3,210 SF gross remaining) | 1:50 SF of seating area plus 1:200 of remaining floor area | 82 | | | | |
| **TOTAL SPACES REQUIRED** | | | 82 | | 74 | | N* |
| **Regular and Handicap Spaces Required** | | | 79 | 3 | 71 | 3 | N* |
| Loading Spaces | 6,500 SF | Less than 10,000 SF | 1 | | 1 | | Y |

**The applicant has request a Variance (VAR-55205) to allow 74 parking spaces where 82 parking spaces are required.*

| ***Waivers*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| A 400-foot minimum distance separation is required from any existing school to the proposed Liquor Establishment (Tavern) use | To allow a zero-foot distance separation from an existing school | Denial |
| A 330-foot minimum distance separation is required from any existing single-family detached dwelling use to the proposed Gaming Establishment, Restricted use | To allow a zero-foot distance separation from an existing single-family detached dwelling | Denial |

**ANALYSIS**

The 2.33-acre site has a General Plan designation of TC (Town Center) and a zoning category of T-C (Town Center), identifying the property within the Town Center Special Area Plan. The subject site is currently designated SX-TC (Suburban Mixed Use – Town Center) by the Town Center Land Use Map. The Suburban Mixed Use special land use district allows low to medium

intensity retail, office or other commercial uses that are intended to serve primarily the Centennial Hills area and do not include more intense general commercial characteristics with the addition of medium density residential being a permitted use and is intended to enable development with imaginative adjacency standards.

The applicant is requesting a Major Modification (MOD-55204) to change the Town Center Special Land Use designation for the subject site to GC-TC (General Commercial – Town Center) land use district. The General Commercial – Town Center land use district allows all types of retail, automotive service, office and other general business uses of a more intense commercial character.

The applicant has proposed to develop the subject site with a 6,500 square-foot Liquor Establishment (Tavern) with a Gaming Establishment, Restricted land use. The proposed Liquor Establishment (Tavern) land uses require a Special Use Permit (SUP-55202) with a Waiver to allow a zero-foot distance separation from an existing school where 400 feet is required.

A Liquor Establishment (Tavern) use is described in Title 19.12 as: "A facility which sells alcoholic beverages for consumption on the premises where the same are sold and authorizes the sale, to consumers only and not for resale, of alcoholic beverages in original sealed or corked containers, for consumption off the premises where the same are sold."

**Liquor Establishment (Tavern) Minimum Special Use Permit Requirements:**

**A.** No tavern shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.

*The proposed Liquor Establishment (Tavern) use does not comply with this requirement; as there is an existing school located zero feet away from the existing commercial subdivision where 400 feet is the minimum distance required.*

**B.** Uses licensed as taverns or other comparable establishments, shall have no specific spacing requirements between similar uses. However, the Las Vegas City Council may consider the concentration and spacing of such uses as part of its deliberation and approval of any requests for such establishments.

*There are currently two existing Liquor Establishments (Taverns) within 1,500 feet of the subject property. The closest is located in approximately 100 feet north of the subject property within the "Montecito East" commercial subdivision (Book 113, Page 26). The next is located approximately 1,200 feet away to the southwest within the "Town Center Lounge" commercial subdivision (Book 136, Page 16).*

**C.** The distances referred to in paragraphs a. and b. shall be measured in a straight line from the property line of the church, synagogue, school, child care facility or from the nearest property line of a city park to the property line of the proposed liquor premises, and in a straight line from the property line of the proposed tavern to the property line of any existing tavern or comparable establishment, disregarding all intervening obstacles.

*All measurements have been taken from the "Montecito East" commercial subdivision (Book 113, Page 26)*

**D.** All businesses which sell alcoholic beverages shall conform to the provisions of LVMC 6.50.

*The proposed use will be required to continuously meet this requirement as a condition of approval of a requested Special Use Permit.*

**E.** No tavern shall be located within any Service Commercial District unless it is part of a development with an aggregate acreage exceeding 50 acres with a majority of the acreage located within a zone which allows taverns.

*The subject site is currently designated SX-TC (Suburban Mixed Use – Town Center) by the Town Center Land Use Map. The applicant is requesting a Major Modification (MOD-55204) to change the Town Center Special Land Use designation for the subject site to GC-TC (General Commercial – Town Center) land use district.*

In addition the proposed Gaming Establishment, Restricted land use also requires a Special Use Permit (SUP-55203) with an associated Waiver to allow a zero-foot distance separation from an existing single-family detached dwelling where 330 feet is required.

A Gaming Establishment, Restricted land use is described in Title 19.12 as "An establishment which is used or intended to be used for gaming activities for which a restricted gaming license is required pursuant to Title 6. For informational purposes, this description refers to an establishment whose gaming operations are limited to not more than 15 slot machines, incidental to the primary business at the establishment, and no other game or gaming device."

**Gaming Establishment, Restricted Minimum Special Use Permit Requirements:**

**A.** A Special Use Permit is required for any new gaming establishment.

*The applicant has submitted a request for a Special Use Permit (SUP-55203) for the proposed Gaming Establishment, Restricted land use.*

**B.** May not locate within 330 feet of any single-family detached dwelling.

*The proposed Gaming Establishment, Restricted land use does not comply with this distance separation requirement, due to the existing single-family detached dwellings that are located directly adjacent to the southern perimeter of the subject site. The applicant has requested a Waiver to allow a zero-foot distance separation from the existing single-family detached dwellings where 330 feet is the minimum distance required.*

According to Title 19.12, the proposed 6,500 square-foot Liquor Establishment (Tavern) use will require a total of 82 parking spaces. The applicant has also requested a Variance to allow 74 on-site parking spaces where 82 parking spaces are the minimum required for the proposed use. The applicant has chosen to leave a 1.25 acre portion of the subject parcel undeveloped; which would provide the additional space necessary to provide the required amount of parking on-site. The applicant has not indicated any development plans for this portion of the site at this time. The addition of the proposed Liquor Establishment (Tavern) would create a site with insufficient parking and result in a 10% deviation from standard parking requirements.

The proposed GC-TC (General Commercial – Town Center) land use district allows retail and automotive service related businesses of a more intense commercial character than the adjacent SX-TC (Suburban Mixed Use – Town Center) land use districts within the commercial subdivision. The proposed location of this use also fails to comply with the minimum distance separation requirements for a Special Use Permit for the proposed Liquor Establishment (Tavern) and Gaming Establishment, Restricted land use. The requested Waivers to allow a zero-foot distance separation from an existing school and zero-foot distance separation from an existing single-family detached dwelling; represent a 100% and 100% reduction, respectively from the required 400 and 330-foot separation mandated by the Town Center Development Standards. As such, the required distance separation Waivers and parking Variance further reinforces the unsuitability of this site, for the Liquor Establishment (Tavern) and Gaming Establishment, Restricted land use, with the surrounding neighborhood therefore; staff recommends denial of the project and all associated land use entitlement applications.

**FINDINGS (MOD-55204)**
In order to approve the Major Modification application, pursuant to Town Center Development Standards Manual (A)(3)(B) and Title 19.16.090, the Planning Commission or City Council must affirm the following:

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

   The proposed Major Modification is in conformance with the TC (Town Center) designation under the Centennial Hills Sector Plan of the General Plan.

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

The applicant has proposed to develop the subject site with a 6,500 square-foot Liquor Establishment (Tavern) with a Gaming Establishment, Restricted land use. The proposed Liquor Establishment (Tavern) land use requires a Special Use Permit (SUP-55202) with an associated Waiver to allow a zero-foot distance separation from an existing school where 400 feet is required. In addition the proposed Gaming Establishment, Restricted land use also requires a Special Use Permit (SUP-55203) with an associated Waiver to allow a zero-foot distance separation from an existing single-family detached dwelling.

The existing land uses to the west and east of this parcel within the same commercial subdivision are designated SX-TC (Suburban Mixed Use – Town Center) and the single-family residential land uses to the south are designated ML (Medium Low Density Residential) and RS (Residential Suburban) – Clark County Designation. The requested Major Modification would not match the land use designation of the adjacent parcels within the existing commercial subdivision and further serves as a mechanism to allow more intense land uses on the subject parcel, which are not be harmonious with the existing single-family detached dwellings to the south. This practice meets the Title 19.18 definition for "Spot Zoning", which is described as, "Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding land uses and that does not further the General Plan."

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

   There are no current growth or development factors which would indicate a need for a Major Modification to the existing SX-TC (Suburban Mixed Use – Town Center) land use designation

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

   Primary site access is from Azure Drive, a 80-foot Frontage Street. The rights-of-way provide adequate capacity to serve the proposed use.

**FINDINGS (VAR-55205)**

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to construct 74 parking spaces where 82 parking spaces is required for the proposed Liquor Establishment (Tavern). The addition of the proposed Liquor Establishment (Tavern) would create a site with insufficient parking and result in a 10% deviation from standard parking requirements. Also, the subject parcel has approximately 1.25 acres of additional vacant space on the western perimeter of the parcel, which provides ample space for the applicant to provide the required amount of parking for the proposed use and would allow for conformance to Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

**FINDINGS (SUP-55202)**

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

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

   The proposed use requires a Waiver of the 400-foot distance separation requirement from an existing school, which reinforces the unsuitability of this site for the proposed Liquor Establishment (Tavern) use. The use cannot be conducted in a manner that is harmonious or compatible with the surrounding uses.

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

   The proposed use will be located within a proposed shopping center. There is no evidence of a physical constraint to the proposed uses on the subject site.

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

   Primary site access is from Azure Drive, a 80-foot Frontage Street. The rights-of-way provide adequate capacity to serve the proposed use.

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

   The proposed Liquor Establishment (Tavern) use will be subject to regular inspections by regulatory agencies for business licensing and will therefore not compromise the public's health, safety or general welfare, or the overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Town Center Development Standards.**

   The use does not comply with the minimum distance separation requirements required per Town Center Development Standards, as the applicant has requested Waivers of the 400-foot distance separation requirement from an existing school. Staff does not support the applicant's request for a Waiver.

**FINDINGS (SUP-55203)**

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

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

   The proposed use requires a Waiver of the 330-foot distance separation requirement from an existing single-family dwelling, which reinforces the unsuitability of this site for the proposed Gaming Establishment, Restricted use. The use cannot be conducted in a manner that is harmonious or compatible with the surrounding uses.

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

   The proposed use will be located within a proposed shopping center. There is no evidence of a physical constraint to the proposed uses on the subject site.

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

   Primary site access is from Azure Drive, a 80-foot Frontage Street. The rights-of-way provide adequate capacity to serve the proposed use.

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

   The proposed Gaming Establishment, Restricted use will be subject to regular inspections by regulatory agencies for business licensing and will therefore not compromise the public's health, safety or general welfare, or the overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Town Center Development Standards.**

   The use does not comply with the minimum distance separation requirements required per Town Center Development Standards, as the applicant has requested Waivers of the 330-foot distance separation requirement from an existing single-family dwelling. Staff does not support the applicant's request for a Waiver.

**FINDINGS (SDR-55201)**

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed development of the subject site with a Liquor Establishment (Tavern) is not consistent with surrounding development in the area. The applicant has proposed to modify the land use designation of the subject parcel to GC-TC (General Commercial – Town Center) Special Land Use designation. The adjacent parcels to the west and east located within the Montecito East shopping center are currently undeveloped and have a Special Land Use Designation of SX-TC (Suburban Mixed Use – Town Center), which does not allow the proposed Liquor Establishment (Tavern) land use.

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

The proposed development of the subject site is consistent with the T-C (Town Center) General Plan designation and the development standards outlined in the Town Center Development Standards manual and Title 19. With the exception of the requested Variance to allow 74 parking spaces where 82 parking spaces are required.

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

   Primary site access is from Azure Drive, a 80-foot Frontage Street. The rights-of-way provide adequate capacity to serve the proposed use.

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

   The project design and style are appropriate for the subject location and will be harmonious with buildings in the surrounding area. The submitted building elevations indicate the building façades will have painted Rockwood Terracotta (light brown/tan) stucco finish with a brick veneer. The landscape materials are drought tolerant species that are commonly found throughout the City of Las Vegas.

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

   The design characteristics of the proposed building elevations are not unsightly and are compatible with development in the area. The proposed materials are suitable for the surrounding residential uses and the desert environment.

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

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 29

**NOTICES MAILED** 576 - MOD-55204 & VAR-55205
576 - SUP-55202 & SUP-55203
576 - SDR-55201

| | |
|---|---|
| **APPROVALS** | 1 - MOD-55204 & VAR-55205 |
| | 1 - SUP-55202 & SUP-55203 |
| | 1 - SDR-55201 |
| **PROTESTS** | 2 - MOD-55204 & VAR-55205 |
| | 1 - SUP-55202 & SUP-55203 |
| | 1 - SDR-55201 |

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: MOD-55204 APN: 125-27-222-013

Name of Property Owner: Swecker & Lipp Tenaya Azure, LLC

Name of Applicant: Swecker & Lipp Tenaya Azure, LLC

Name of Representative: Kaempfer Crowell

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

____ Yes  X No

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

City Official: ____

Partner(s): ____

APN: ____

Signature of Property Owner: Swecker & Lipp Tenaya Azure LLC

Print Name: Mike Swecker

Subscribed and sworn before me

This 16 day of July, 2014

Clark State of NV

Notary Public in and for said County and State

GINY VERDIN
Notary Public, State of Nevada
Appointment No. 14-12877-1
My Appt. Expires Sep 27, 2017

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.doc

PRJ-54831
07/22/14

# CLV Planning - Application Form

| | |
|---|---|
| Application Number: | PRJ-54831 |
| Application/Petition For: | Remedys Tavern |
| ProjectAddress (Location): | 7285 W AZURE LANE |
| Project Name | REMEDYS TAVERN |
| Assessors Parcel #(s): | 12527222013 |
| Ward #: | WARD 6 (STEVEN D. ROSS) |
| Is the Application Information Correct: | Yes |
| If no, ...change what | |
| General Plan Designation: Proposed: | Select |
| Zoning District: Proposed: | Select |
| Gross Acres: | |
| Lots/Units: | |
| Additional Information: | |
| Applicant First Name: | Swecker & Lipp Tenaya Azure, LLC |
| Applicant Last Name: | Swecker & Lipp Tenaya Azure, LLC |
| Applicant Address: | 2451 S. Buffalo Drive, #140 |
| Applicant City: | Las Vegas |
| Applicant State: | NV |
| Applicant Zip: | 89117 |
| Applicant Phone: | |
| Applicant Fax: | |
| Applicant Email: | michael@777advisors.com |
| Rep First Name: | Christopher |
| Rep Last Name: | Kaempfer |
| Rep Address: | 8345 W. Sunset Road, Suite 250 |
| Rep City: | Las Vegas |
| Rep State: | NV |
| Rep Zip: | 89113 |
| Rep Phone: | 702-792-7000 |
| Rep Fax: | |
| Rep Email: | clk@kcnvlaw.com |

## MOD-55204, VAR-55205, SUP-55202,SUP-55203 and SDR-55201

# CLV Planning - Application Form

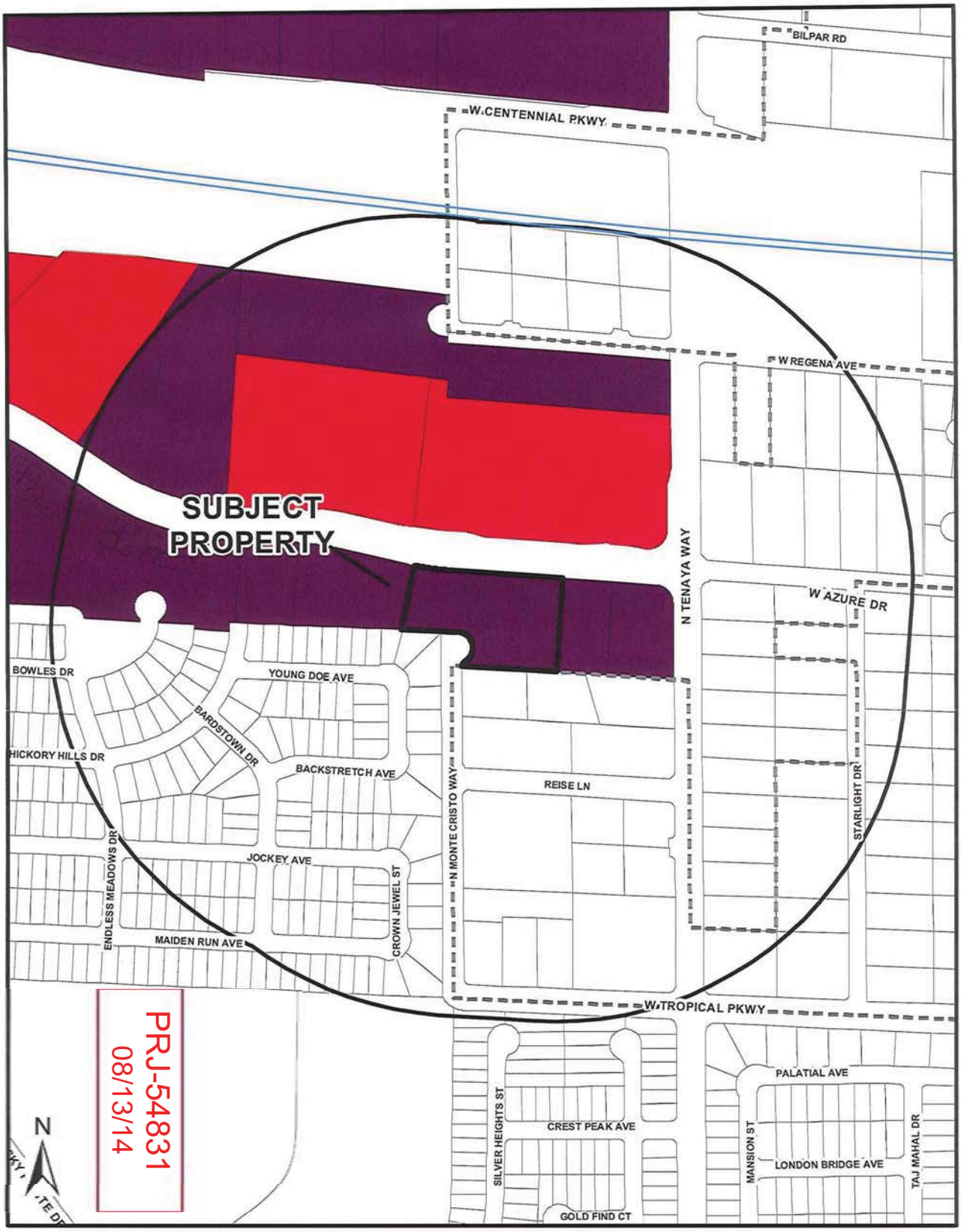
| | |
|---|---|
| I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or 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.<br>I Accept: | Yes |
| Is the Owner Information Correct: | Yes |
| If no, ...change what | |

| Owner(s) | ADDR1 | ADDR2 |
|---|---|---|
| SWECKER & LIPP TENAYA AZURE LLC | 2451 S BUFFALO DR #140 | LAS VEGAS, NV 89117-2749 |

| CLVEPLAN Applicant | Company | Title | Email |
|---|---|---|---|
| Ann Pierce | Kaempfer Crowell | Landuse/Licensing Adminstration | apierce@kcnvlaw.com |

## MOD-55204, VAR-55205, SUP-55202,SUP-55203 and SDR-55201

Parcel: 125-27-222-013




PRJ-54831
08/13/14

MOD-55204 - REVISED

FROM SX-TC
TO GC-TC

**Town Center Land Use**

- General Commercial (GC-TC)
- Service Commercial (SC-TC)
- Urban Center Mixed-Use (UC-TC)
- Suburban Mixed-Use (SX-TC)
- Main Street Mixed-Use (MS-TC)
- Employment Center Mixed-Use (EC-TC)
- Low Residential (L-TC)
- Medium Residential (M-TC)
- Medium-Low Residential (ML-TC)
- Medium-Low Attached Residential (MLA-TC)
- Public Facilities (PF-TC)
- Right of Way (ROW)

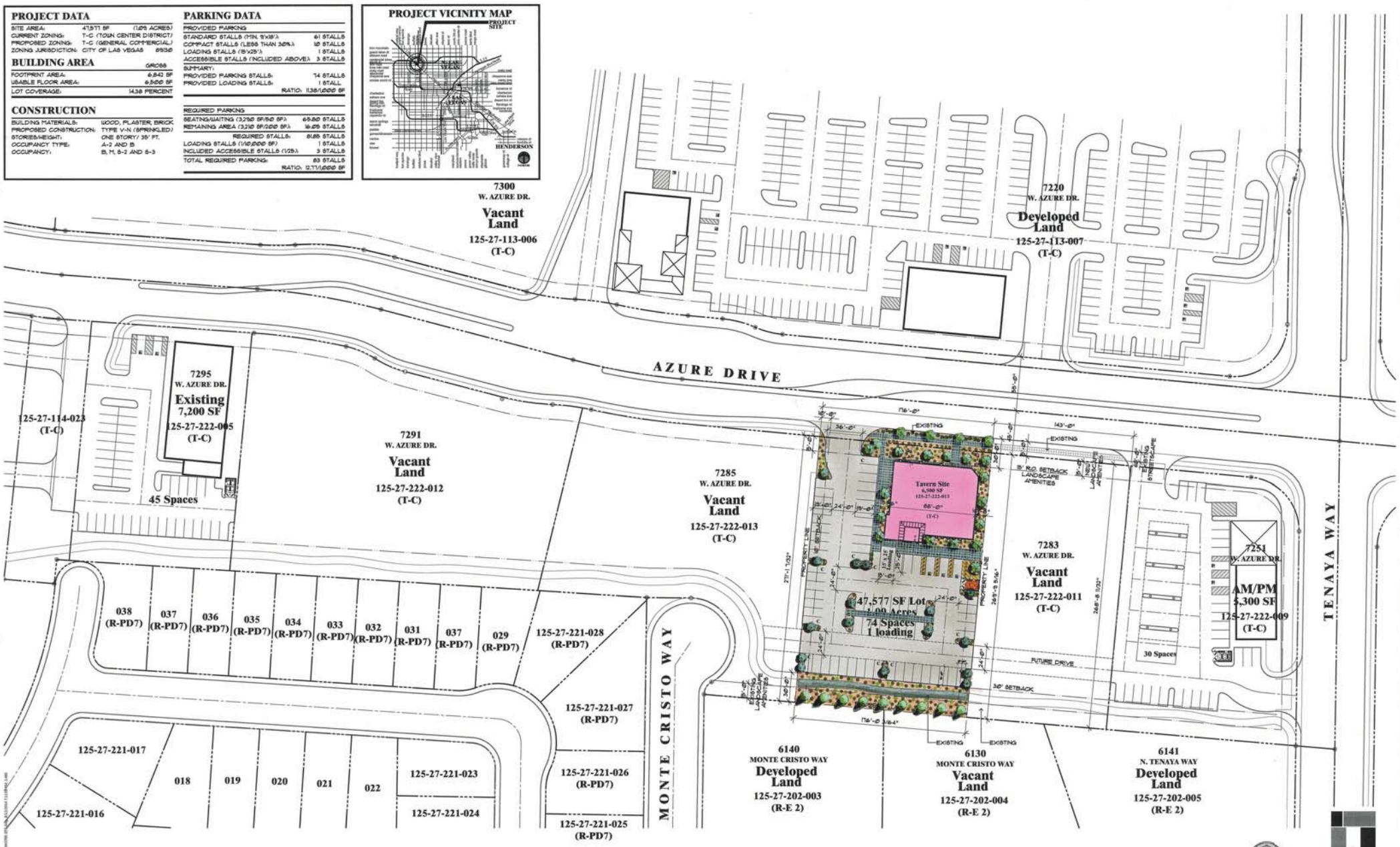
Subject Property

1000ft Buffer

City Limits

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

Date: Monday, June 30, 2014




# Master Site Plan - Restaurant / Tavern

**LOCATED NEAR THE SOUTHWEST CORNER OF TENAYA WAY AND AZURE DRIVE**

APN: Portion of 125-27-222-013

SCALE: 1"=40'-0"

PRJ-54831
08/14/20

nigro CONSTRUCTION Inc
9115 West Russell Road
Suite 210
Las Vegas, Nv 89148
Phone: 702-247-1920
Fax: 702-247-1916
License Number: 50241

**MOD-55204, VAR-55205, SUP-55202, SUP-55203 & SDR-55201 - REVISED**

**GENERAL NOTES:**

1. NEW BUILDING HEIGHTS AND COLORS TO MATCH EXISTING BUILDING HEIGHTS AND COLORS.
2. NEW MECHANICAL UNITS ARE TO BE SCREENED BEHIND METAL DECK SCREEN WALLS TO MATCH EXISTING METAL DECK SCREEN WALLS. PAINT LIGHT BEIGE TO MATCH EXISTING SCREEN WALLS.
3. NEW PLANTER ISLANDS ARE TO BE FULLY LANDSCAPED TO MATCH EXISTING LANDSCAPE PLANTERS. MATCH EXISTING PLANTS AND MATERIALS.
4. SHADED AREAS ON THE SITE PLAN INDICATE AREAS OF NEW CONSTRUCTION.
5. OWNER SHALL REMOVE ANY EXISTING ADVERTISING SIGNS LOCATED ON THE SITE.
6. REPLACE DEAD OR MISSING LANDSCAPING AND BRING UP TO ORIGINAL APPROVALS.
7. REVISED CIVIL PLANS SHALL BE SUBMITTED FOR APPROVAL PRIOR TO NEW CONSTRUCTION OR SITE MODIFICATIONS.
8. PROVIDE CODE REQUIRED LIGHTING AT ALL NEW ENTRIES OR NEW EXITS.

**PLANT LEGEND**

| SYMBOL EXISTING | SYMBOL NEW | BOTANICAL NAME / COMMON NAME | PLANT SIZE | PLANT QUANTITY |
|---|---|---|---|---|
| | | WASHINGTONIA ROBUSTA HYBRID (MEXICAN FAN PALM) | 25' HIGH AT PERIMETER 25' HIGH AT ISLANDS | 7 10 |
| | | FRAXINUS VELUTINA RIO GRANDE (RIO GRANDE ASH) | 36" BOX AT PERIMETER 24" BOX AT ISLANDS | 10 6 |
| | | DASYLIRION WHEELERI DESERT SPOON | 5 GALLON | 100 |
| | | MUHLENBERGIA RIGENS DEER GRASS | 5 GALLON | 86 |
| | | LEUCOPHYLLUM FRUTESCENS "GREEN CLOUD" GREEN CLOUD SAGE | 1 GALLON | 120 |

PROVIDE 2" MIN. DEPTH LAYER OF 3/4" SCREENED "MOJAVE GOLD" DECOMPOSED GRANITE IN ALL NEW PLANTER AREAS - "MATCH EXISTING", FIELD VERIFY AND MATCH ALL CITY OF LAS VEGAS EXISTING CONDITIONS AND STANDARDS.

PROVIDE FIVE 5 GALLON PLANTS PER EACH TREE PER CITY LANDSCAPING REQUIREMENTS

AZURE DRIVE

TENAYA WAY

MONTE CRISTO WAY

7220 W. AZURE DR.
Developed Land
125-27-113-007
(T-C)

7285 W. AZURE DR.
Vacant Land
125-27-222-013
(T-C)

Tavern Site
6,500 SF
125-27-222-013
(T-C)

47,577 SF Lot
1.09 Acres
74 Spaces
1 Loading

7283 W. AZURE DR.
Vacant Land
125-27-222-011
(T-C)

7251 W. AZURE DR.
AM/PM
5,300 SF
125-27-222-009
(T-C)

30 Spaces

125-27-202-003
(R-E 2)

125-27-202-004
(R-E 2)

125-27-202-005
(R-E 2)

RELOCATE EXISTING PALM TREE AND PLANTS TO MATCH EXISTING STREETSCAPE

EXISTING PALM TREES AND PLANTS TO REMAIN PER EXISTING STREETSCAPE

EXISTING LANDSCAPE (STREETSCAPE AMENITIES) TO REMAIN

EXISTING SIDEWALK (STREETSCAPE) TO REMAIN

NEW SIDEWALK TO MATCH EXISTING SIDEWALK

15'-0" FRONT SETBACK FROM PROPERTY LINE

PROVIDE FIVE 5 GAL. SHRUBS AND FIVE 1 GAL. PLANTS PER TREE PER ISLAND AND 2" 2" OF DECOMPOSED GRANITE

36" WIDE ADA ACCESSIBLE PATH

15' x 25' Loading

FUTURE DRIVEWAY

30'-0" REAR SETBACK

NEW LANDSCAPING AND GROUND COVER SHALL MATCH EXISTING - IF EXISTING

EXISTING LANDSCAPE TO REMAIN

EXISTING SIDEWALK TO REMAIN

APN: Portion of 125-27-222-013

SCALE: 1"=20'-0"

NORTH

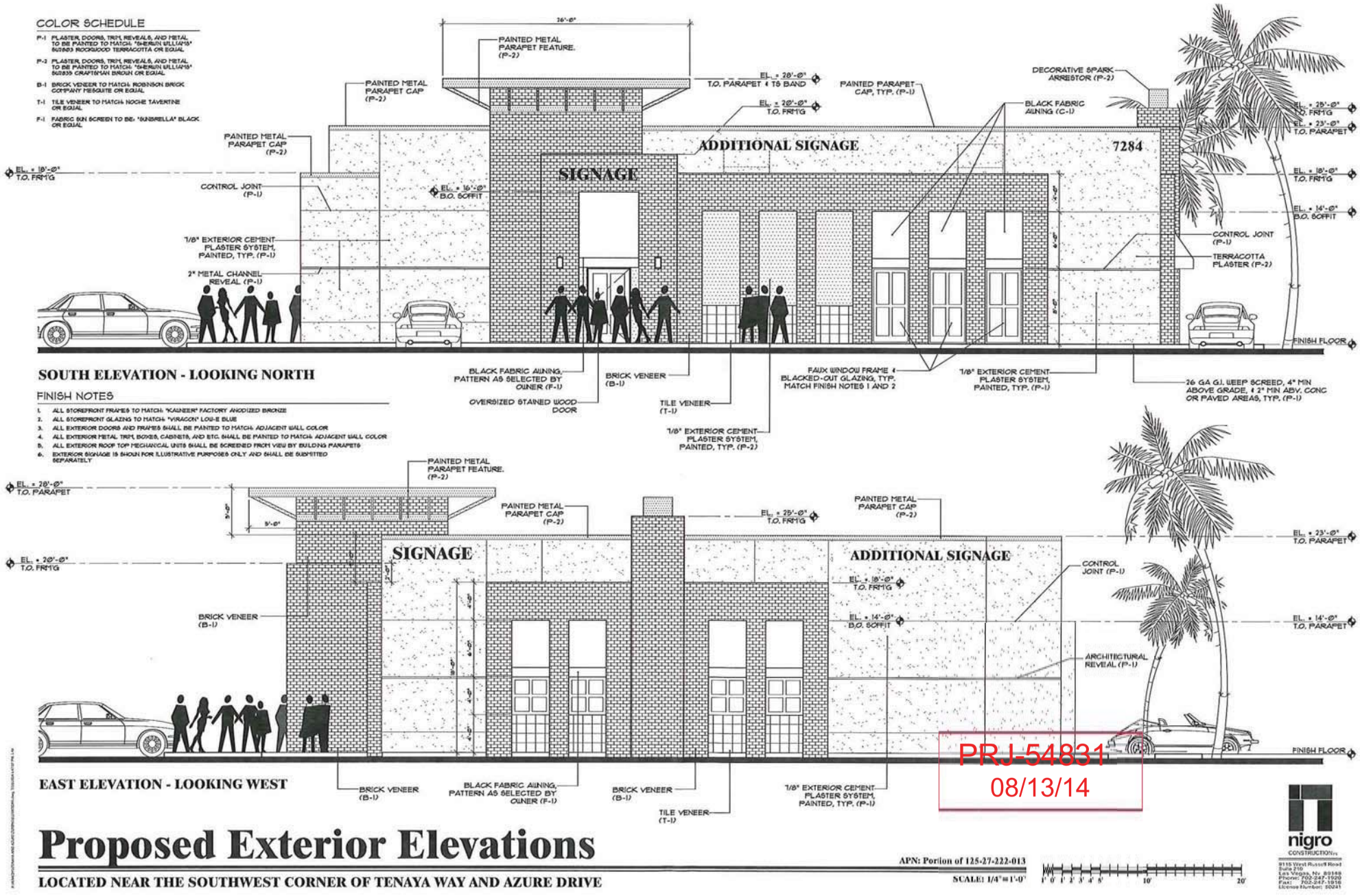
PRJ-54331
08/14/19

# Landscape Plan - Restaurant / Tavern

LOCATED NEAR THE SOUTHWEST CORNER OF TENAYA WAY AND AZURE DRIVE

nigro CONSTRUCTION Inc
9115 West Russell Road
Suite 210
Las Vegas, Nv. 89148
Phone: 702-247-1920
Fax: 702-247-1916
License Number: 50241

**MOD-55204, VAR-55205, SUP-55202, SUP-55203 & SDR-55201 - REVISED**



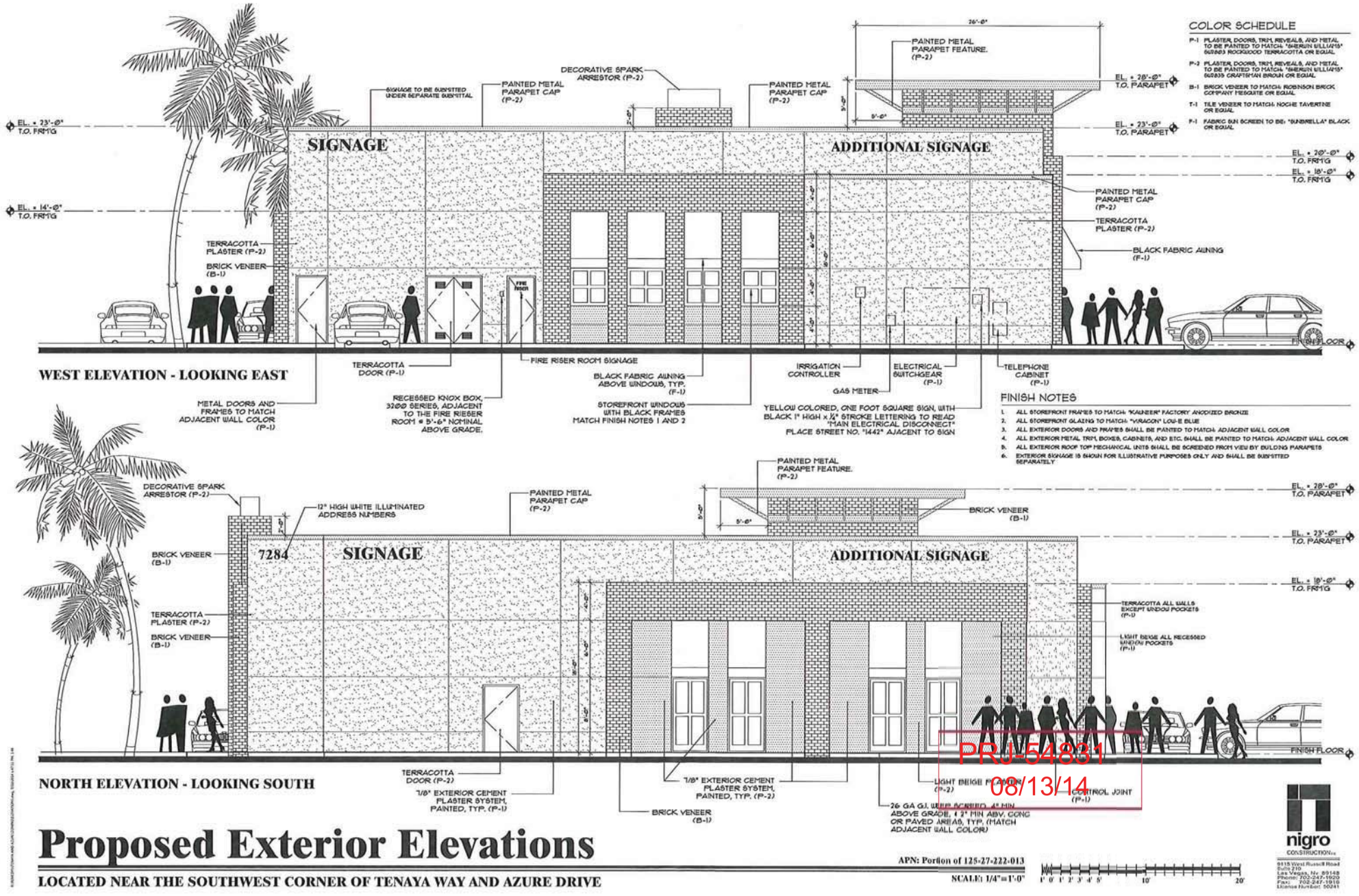

# Proposed Exterior Elevations

**LOCATED NEAR THE SOUTHWEST CORNER OF TENAYA WAY AND AZURE DRIVE**

APN: Portion of 125-27-222-013

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

**MOD-55204, VAR-55205, SUP-55202, SUP-55203 & SDR-55201 - REVISED**




# Proposed Exterior Elevations

**LOCATED NEAR THE SOUTHWEST CORNER OF TENAYA WAY AND AZURE DRIVE**

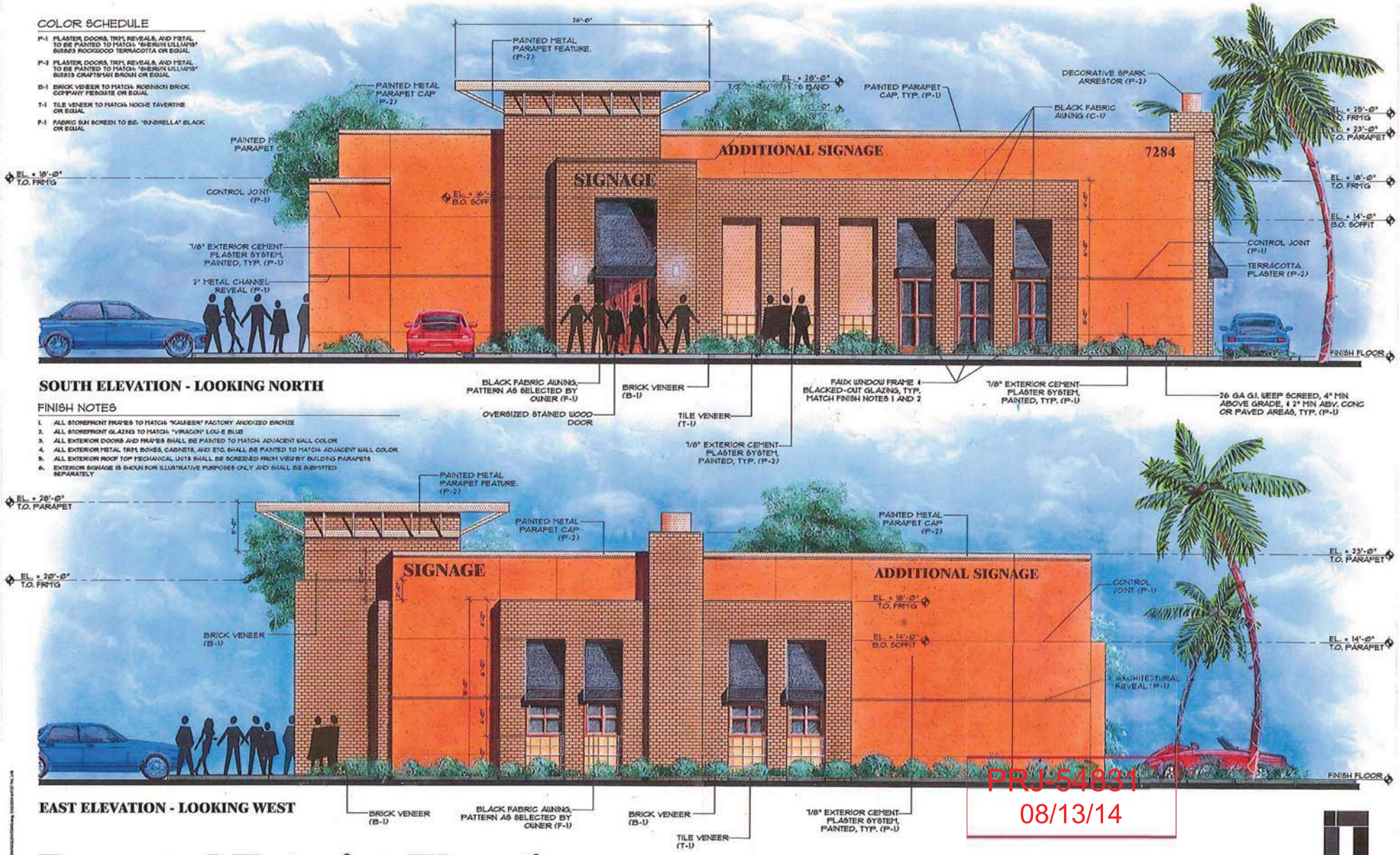
APN: Portion of 125-27-222-013

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

PRJ-54831
08/13/14

nigro CONSTRUCTION
9418 West Russell Road
Suite 200
Las Vegas, Nv 89148
Phone: 702-247-1920
Fax: 702-247-1910
License Number: 50241

**MOD-55204, VAR-55205, SUP-55202, SUP-55203 & SDR-55201 - REVISED**




PRJ-54831
08/13/14

# Proposed Exterior Elevations

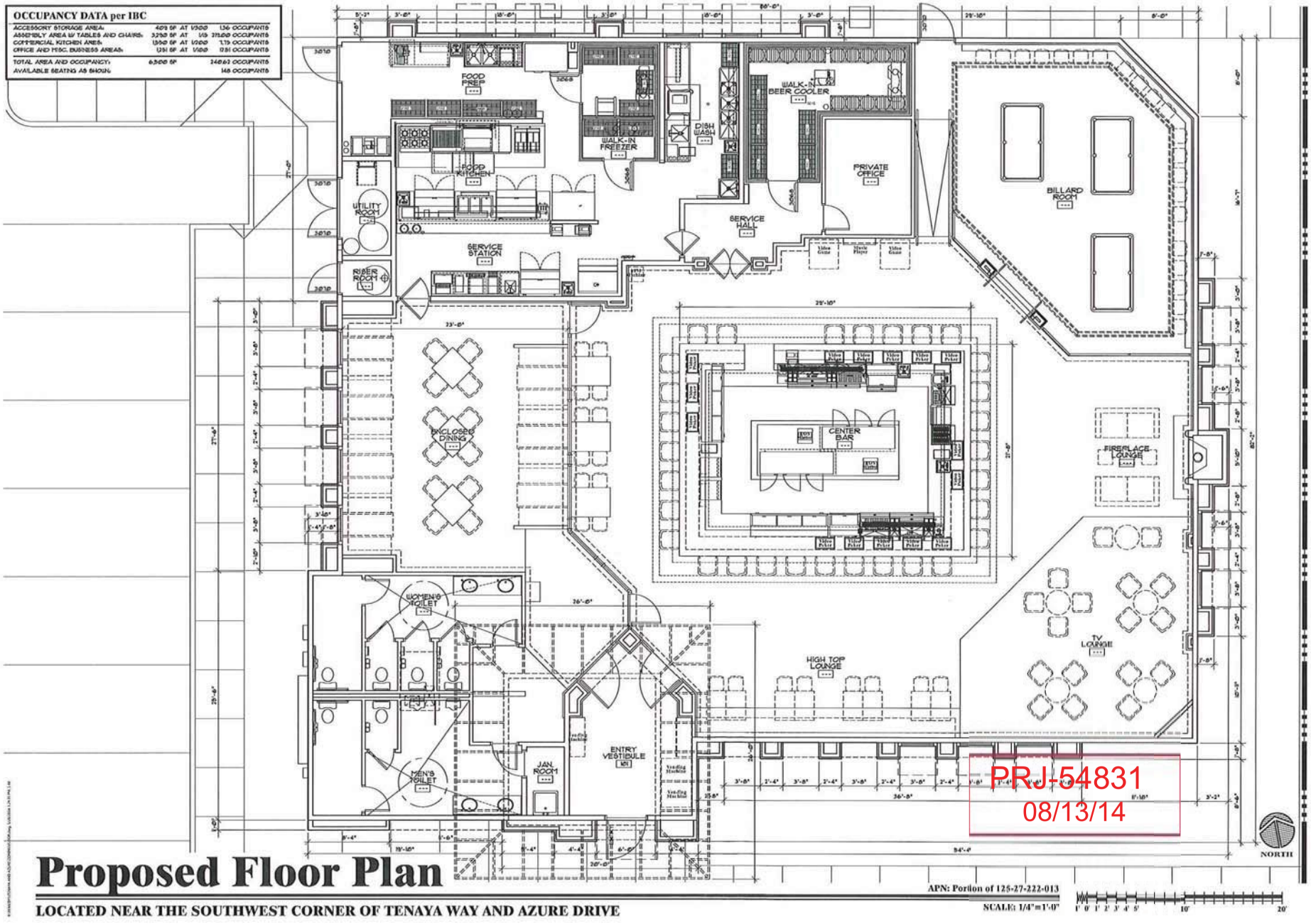
**LOCATED NEAR THE SOUTHWEST CORNER OF TENAYA WAY AND AZURE DRIVE**

APN: Portion of 125-27-222-013

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

nigro CONSTRUCTION
9115 West Russell Road
Suite 210
Las Vegas, Nv 89148
Phone: 702-247-1920
Fax: 702-247-1916
License Number: 50241

**MOD-55204, VAR-55205, SUP-55202, SUP-55203 & SDR-55201 - REVISED**




PRJ-54831
08/13/14

# Proposed Floor Plan

**LOCATED NEAR THE SOUTHWEST CORNER OF TENAYA WAY AND AZURE DRIVE**

APN: Portion of 125-27-222-013

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

nigro CONSTRUCTION
9118 West Russell Road
Suite 210
Las Vegas, Nv 89148
Phone: 702-247-1920
Fax: 702-247-1910
License Number: 50241

**MOD-55204, VAR-55205, SUP-55202, SUP-55203 & SDR-55201 - REVISED**

KAEMPFER CROWELL

LAS VEGAS OFFICE
8345 West Sunset Road
Suite 250
Las Vegas, NV 89113
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 900
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

LAS VEGAS OFFICE

ANTHONY J. CELESTE
aceleste@kcnvlaw.com
702.693.4215

July 17, 2014

**VIA HAND DELIVERY**

City of Las Vegas
PLANNING & DEVELOPMENT DEPARTMENT
333 N. Rancho Drive
Las Vegas, NV 89106

*Re: Justification Letter – 777 Advisors*
*A Major Modification from SX-TC to GC-TC; Special Use Permit to Allow a Liquor Establishment (Tavern) with Waiver of Separation Requirement; Special Use Permit to Allow Gaming Establishment (Restricted License Use With Restaurant & Tavern) with Waiver of Separation Requirement; and Site Plan Review with Variance to Reduce Parking*
*APN: 125-27-222-013 (the "Property")*

To Whom It May Concern:

Please be advised this office represents 777 Advisors (the "Applicant") in the above referenced matter. The Applicant is requesting a restaurant and tavern with a restricted gaming use called "Remedy's" ("the "Establishment") on the Property. The Property is located on the south side of Azure Drive and just west of Tenaya Way.

**Major Modification**

A restaurant with a tavern is appropriate for the area. In order to accomplish the tavern use a major modification is necessary. The Applicant is seeking to modify the plan from Suburban Mixed Use (SX-TC) to General Commercial ("GC-TC"). There will be no adverse impacts to the surrounding area as there is a mixture of commercial and office uses planned in the immediate area.

**Site Plan Review & Variance to Reduce Parking**

The proposed Establishment will be approximately 6,500 square feet. The Property is accessible from Azure Drive. The exterior design of the Establishment will include brick veneer elevations with fabric awnings, and faux window frames. The building height is twenty-eight feet (28') to the parapet. The Property is providing 75 parking spaces where 83 parking spaces are required, less than a 10% variance request. A reduction in the parking is justified as the Establishment is the only proposed use on the Property. There are no other uses that would require parking during peak mid day hours that are typically associated with many developments. Therefore, a minor parking reduction is appropriate.

**MOD-55204, VAR-55205, SUP-55202, SUP-55203 and SDR-55201**

PRJ-54831
07/22/14

**Special Use Permit For A Tavern & Waiver of Separation Requirement Between a Tavern Use and School Use**

A tavern is a permitted use, with approval of a special use permit, in the General Commercial (GC-TC) land use designation and Town Center (TC) zoning district. Here, the Property is zoned Town Center (TC) with a proposed modification of the land use designation to General Commercial (GC-TC). The Establishment is also located near a commercial intersection, Azure Drive and Tenaya Way, capable of handling traffic generated by the use. Therefore, the proposed tavern use on the Property is suitable and compatible with the other uses and the proposed land use and zoning designations.

Additionally, the Property exceeds the minimum distance separation requirements between a tavern use and churches and parks. The Applicant, however, is seeking a separation requirement between a tavern use and a school use. The separation requirement between a tavern use and school use is 400'. Here, the distance between the proposed tavern and the approved school, from building to building, is over 490'. However, the City of Las Vegas does not necessarily measure from property line to property, as in this case. Rather, because both the proposed tavern use and the school use are located in commercial subdivisions, the City of Las Vegas measures the distance between the commercial subdivision, regardless of the fact that the proposed tavern and school are separated by three different legal parcels. As a result, the Applicant is requesting a reduction in the separation between the proposed tavern use and school to zero feet where 400' is required. The Applicant's waiver is justified because the Applicant meets the "spirit" of the separation requirement as the property lines between these two uses exceeds the minimum separation requirement of 400'.

**Gaming Establishment (Restricted Use) & Waiver of Separation Requirement Between a Gaming Establishment (Restricted Use) and Residential**

Similar to a tavern use, a restricted gaming establishment is permitted, with approval of a special use permit, in a GC-TC land use designation. Here, the Applicant is requesting a modification to the land use plan from SX-TC to GC-TC. Therefore, the proposed restrict gaming use on the Property is appropriate.

In conjunction with the restricted gaming use, the Applicant is requesting to waive the separation requirement between the restricted gaming use and the single family residential use south of the Property. A waiver is justified for the following reasons: (1) the Establishment is located on Azure Drive and situated on the Property as far away as possible from the residential use; (2) there is an existing 30' wide buffer with landscaping and walking trail on the south portion of the Property between the residential uses and the proposed parking lot; and (3) the parking lot is located between the above referenced 30' wide walking trail and the proposed Establishment.

**MOD-55204, VAR-55205, SUP-55202, SUP-55203 and SDR-55201**

PRJ-54831
07/22/14

We thank you in advance for your time and consideration of this matter. Should you have any questions or concerns, please feel free to contact me.

Sincerely,

KAEMPFER CROWELL

Anthony J. Celeste

AJC/

**MOD-55204, VAR-55205, SUP-55202, SUP-55203 and SDR-55201**

PRJ-54831
07/22/14

MOD-55204 RELATED TO VAR-55205, SUP-55202, SUP-55203 AND SDR-55201 [PRJ-54831] - APPLICANT/OWNER: SWECKER & LIPP TENAYA AZURE, LLC
SOUTH SIDE OF AZURE DRIVE, WEST OF TENAYA WAY

07/31/14

MOD-55204 RELATED TO VAR-55205, SUP-55202, SUP-55203 AND SDR-55201 [PRJ-54831] - APPLICANT/OWNER: SWECKER & LIPP TENAYA AZURE, LLC
SOUTH SIDE OF AZURE DRIVE, WEST OF TENAYA WAY

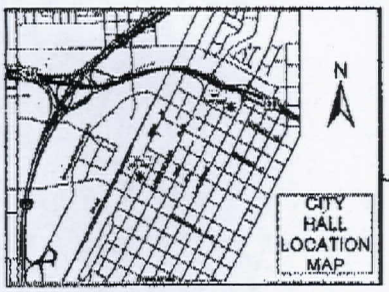
07/31/14

MOD-55204 RELATED TO VAR-55205, SUP-55202, SUP-55203 AND SDR-55201 [PRJ-54831] - APPLICANT/OWNER: SWECKER & LIPP TENAYA AZURE, LLC
SOUTH SIDE OF AZURE DRIVE, WEST OF TENAYA WAY

07/31/14

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

**Return Service Requested**
**Official Notice of Public Hearing**




8/30/14
no Bais — see note on other card

RECEIVED
SEP 2 2014
City of Las Vegas
Dept. of Planning

393

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. 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.

**MOD-55204 & VAR-55205 [PRJ-54831]**
Planning Commission Meeting of 9/9/2014

Case: MOD-55204
12527610037
BONDS LYNN B REVOCABLE TRUST
BONDS LYNN B TRS
P O BOX 26027
LAS VEGAS NV 89126-0027

87 PRDFNMP 89126

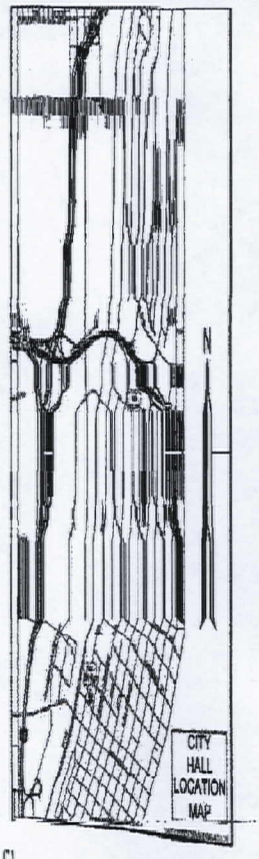
Date 09/02/14 Item 17-18P

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.46⁰
0004279218 AUG 28 2014
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**MOD-55204 & VAR-55205 [PRJ-54831]**
Planning Commission Meeting of 9/9/2014

RECEIVED
SEP 2 2014
City of Las Vegas
Dept. of Planning

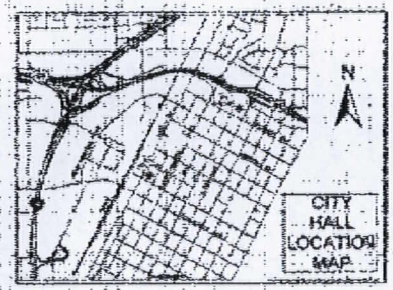
12527221031 Case: MOD-55204
LASSEK FLORIAN J & JOAN M
7312 YOUNG DOE AVE
LAS VEGAS NV 89100-7065

Date 09/02/14 Item 17-18P

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

**Return Service Requested**

**Official Notice of Public Hearing**




RECEIVED
SEP 2 2014
City of Las Vegas
Dept. of Planning

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

MOD-55204 & VAR-55205 [PRJ-64831]
Planning Commission Meeting of 9/9/2014

Case: MOD-55204
12527216003
PABON J RAYMOND REVOCABLE TRUST
PABON J RAYMOND TRS
5860 ROYAL CASTLE LN
LAS VEGAS NV 89130-1190

Date 9/9/14
Item 17-19A

City of Las Vegas Agenda Item No.: **18.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

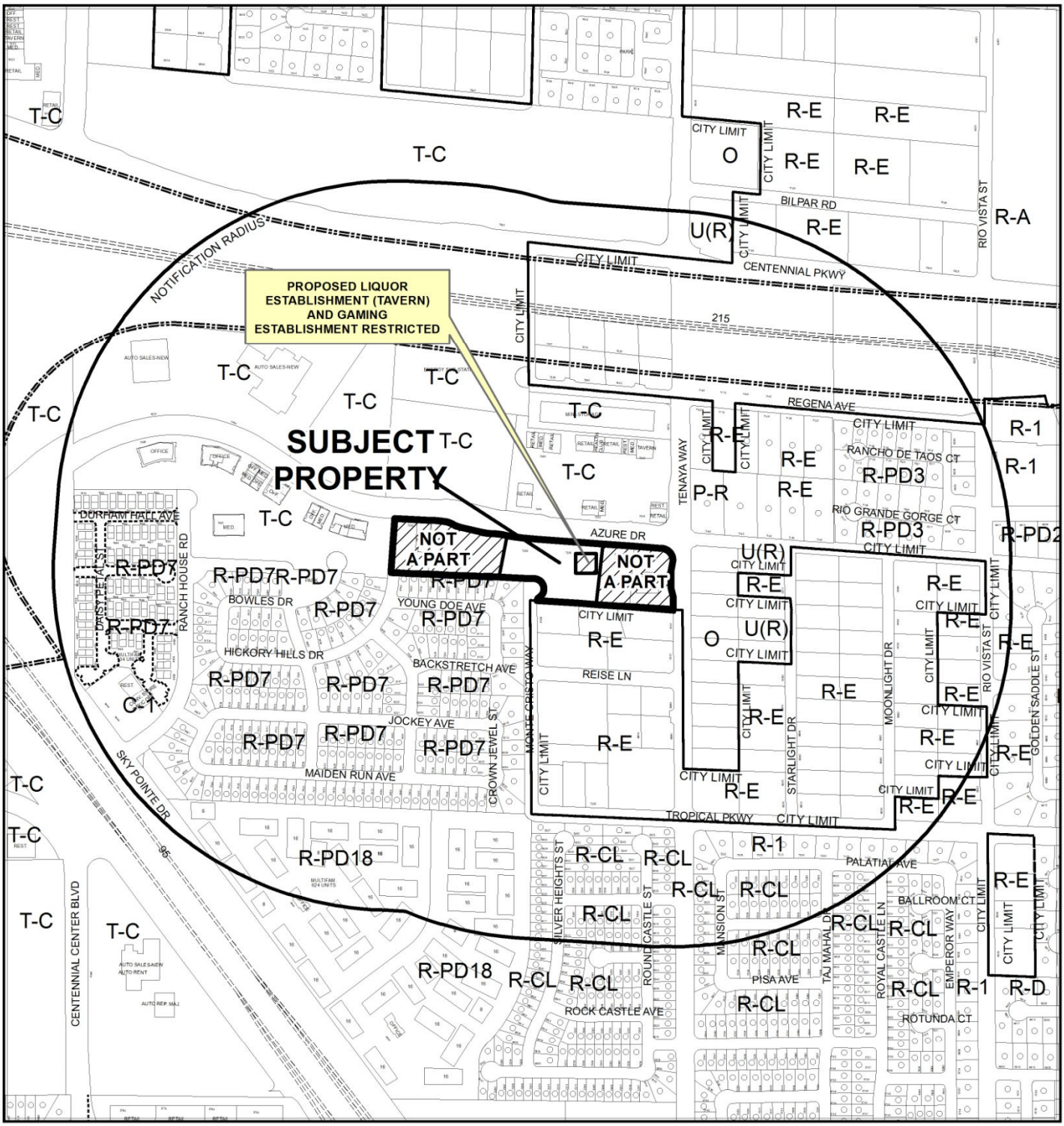
**SUBJECT:**
VAR-55205 - VARIANCE RELATED TO MOD-55204 - PUBLIC HEARING - APPLICANT/OWNER: SWECKER & LIPP TENAYA AZURE, LLC - For possible action on a request for a Variance TO ALLOW 74 PARKING SPACES WHERE 82 PARKING SPACES ARE REQUIRED on 2.33 acres on the south side of Azure Drive, approximately 330 feet west of Tenaya Way (APN 125-27-222-013), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross) [PRJ-54831]. Staff recommends DENIAL.

**C.C.: 10/15/2014**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **2** | **Planning Commission Mtg.** | **1** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup - Refer to MOD-55204
2. Location and Aerial Maps - VAR-55205, SUP-55202, SUP-55203 and SDR-55201 [PRJ-54831]
3. Supporting Documentation




**CASE:** **VAR-55205, SUP-55202, SUP-55203 AND SDR-55201 (PRJ-54831)**

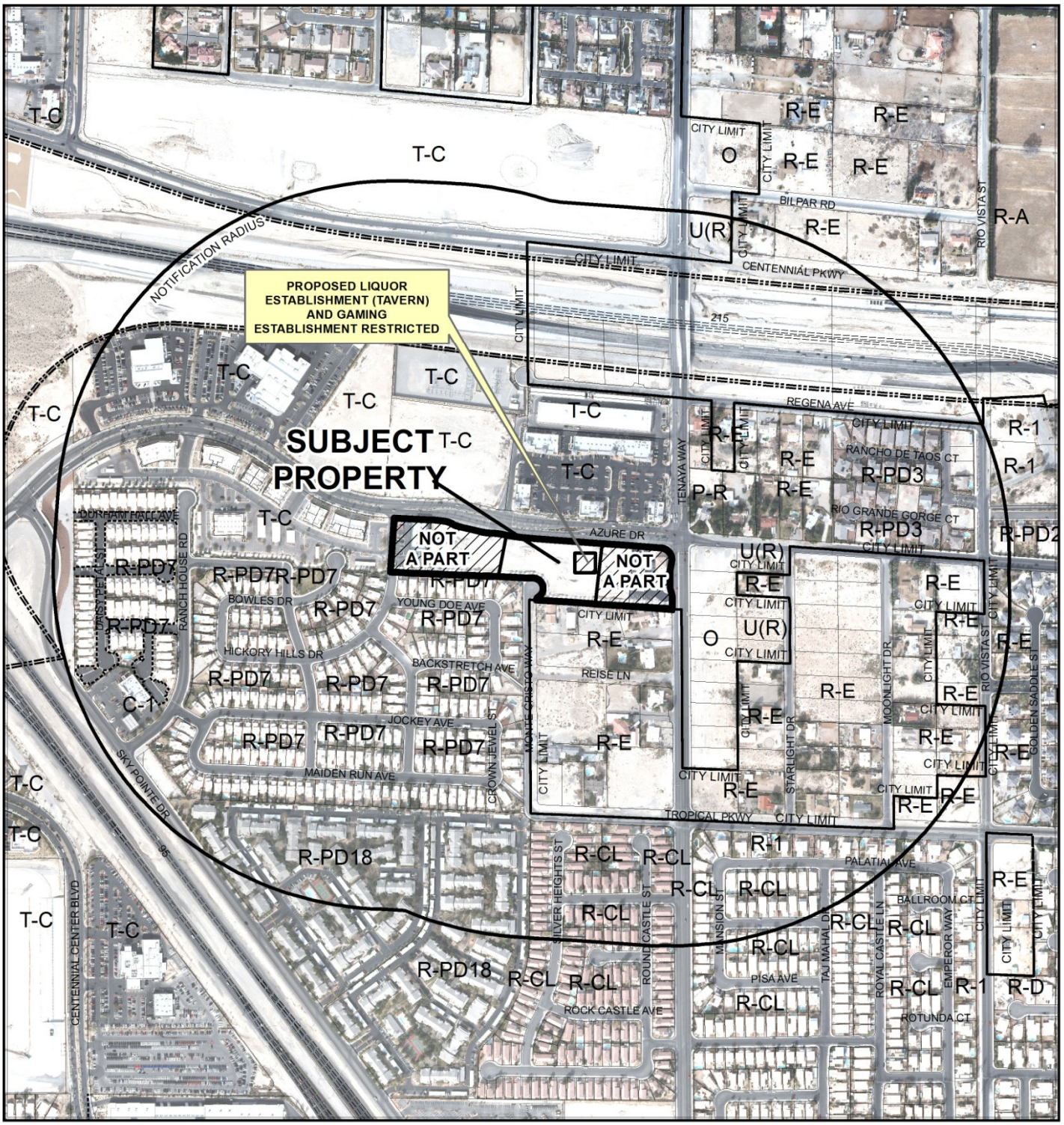
0 500 1,000 Feet

**RADIUS:** 1500 FEET

**ZONING OF SUBJECT PROPERTY:** T-C (TOWN CENTER) [SX-TC (SUBURBAN MIXED USE - TOWN CENTER] SPECIAL LAND USE DESIGNATION

**PROPOSED LAND USE OF SUBJECT PROPERTY:** GC-TC (GENERAL COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION

N




**CASE:** **VAR-55205, SUP-55202, SUP-55203 AND SDR-55201 (PRJ-54831)**

0 500 1,000 Feet

**RADIUS:** 1500 FEET

**ZONING OF SUBJECT PROPERTY:** T-C (TOWN CENTER) [SX-TC (SUBURBAN MIXED USE - TOWN CENTER] SPECIAL LAND USE DESIGNATION

**PROPOSED LAND USE OF SUBJECT PROPERTY:** GC-TC (GENERAL COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION

N

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

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-55205 APN: 125-27-222-013

Name of Property Owner: Swecker & Lipp Tenaya Azure, LLC

Name of Applicant: Swecker & Lipp Tenaya Azure, LLC

Name of Representative: Kaempfer Crowell

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

____ Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: Swecker & Lipp Tenaya Azure LLC

Print Name: Mike Swecker

Subscribed and sworn before me

This 16 day of July, 2014

Clark State of NV
Notary Public in and for said County and State

GINY VERDIN
Notary Public, State of Nevada
Appointment No. 14-12877-1
My Appt. Expires Sep 27, 2017



PRJ-54831
07/22/14

City of Las Vegas Agenda Item No.: **19.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
SUP-55202 - SPECIAL USE PERMIT RELATED TO MOD-55204 AND VAR-55205 - PUBLIC HEARING - APPLICANT/OWNER: SWECKER & LIPP TENAYA AZURE, LLC - For possible action on a request for a Special Use Permit FOR A 6,500 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPERATION FROM AN EXISTING SCHOOL WHERE 400 FEET IS REQUIRED on 2.33 acres on the south side of Azure Drive, approximately 330 feet west of Tenaya Way (APN 125-27-222-013), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross) [PRJ-54831]. Staff recommends DENIAL.

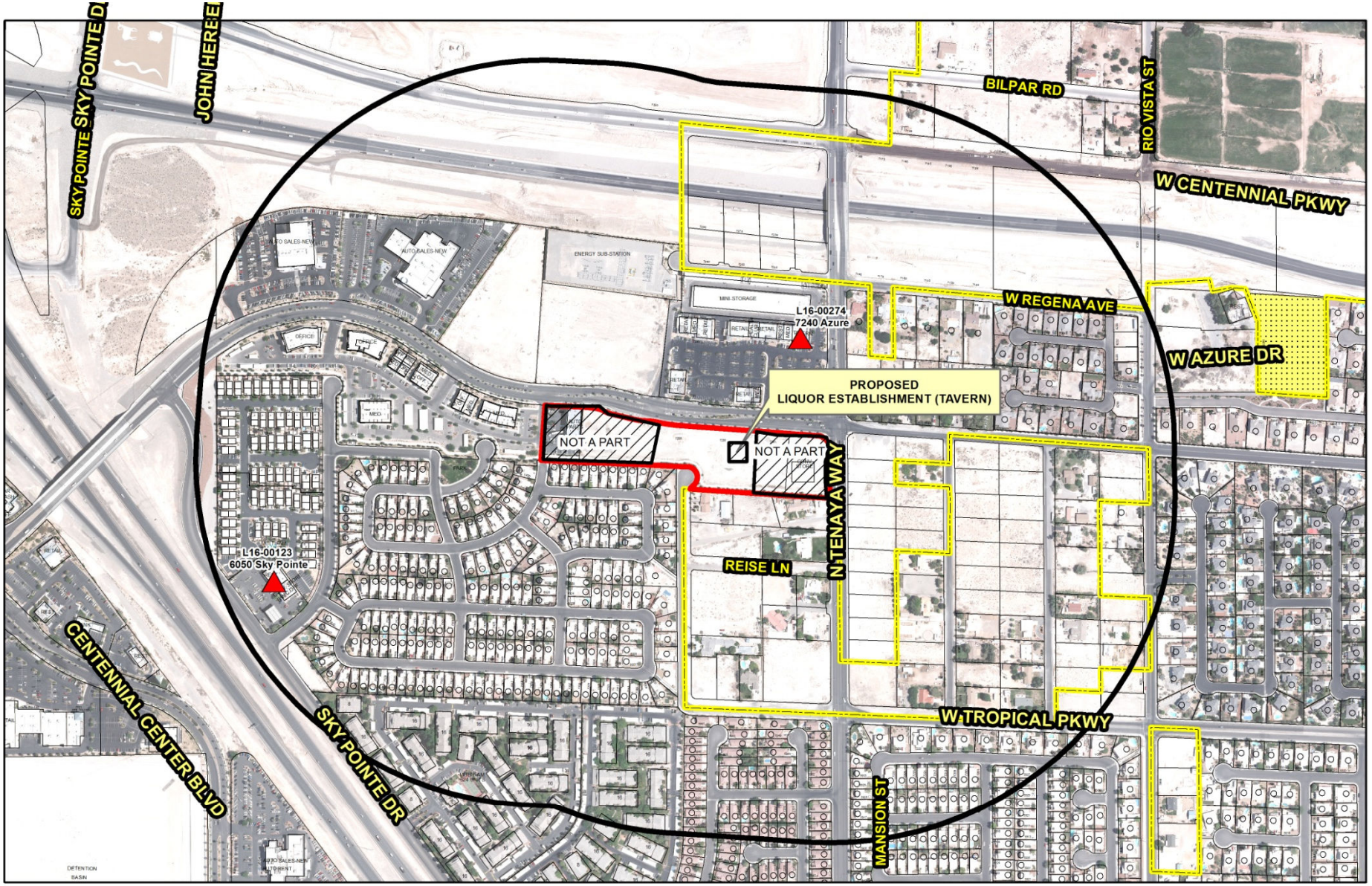
**C.C.: 10/15/2014**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup - Refer to MOD-55204
2. Special Map
3. Supporting Documentation
4. Protest/Support Postcards - SUP-55202 and SUP-55203 [PRJ-54831]

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




**SUP-55202 (PRJ-54831)**

**Liquor Establishment (Tavern)**

**Business Licenses**

- Tavern

**Protected Uses**

- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Child Care/ Children Facility

- Subject Property
- 1500 foot buffer

N

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

Date: Wednesday, July 23, 2014

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-55202 APN: 125-27-222-013

Name of Property Owner: Swecker & Lipp Tenaya Azure, LLC

Name of Applicant: Swecker & Lipp Tenaya Azure, LLC

Name of Representative: Kaempfer Crowell

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

____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Swecker & Lipp Tenaya Azure LLC

Print Name: Mike Swecker

Subscribed and sworn before me

This 16 day of July, 2014

Clark State of NV

Notary Public in and for said County and State

GINY VERDIN
Notary Public, State of Nevada
Appointment No. 14-12877-1
My Appt. Expires Sep 27, 2017



PRJ-54831
07/22/14

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

RECEIVED
SEP 2 2014
City of Las Vegas
Dept. of Planning

**Return Service Requested**
**Official Notice of Public Hearing**

8/30/14

Bar across street almost doesn't make it when opened years ago (Tenders) also North County at Azura + Cent. Don't make it. + Someone else wants bar down street on Azura we don't want such traffic as bad as it is and around schools.

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-6405.

Case: SUP-55202

12527610037
BONDS LYNN B REVOCABLE TRUST
BONDS LYNN B TRS
P O BOX 26027
LAS VEGAS NV 89126-0027

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Many accidents in this area.

Please use available blank space on card for your comments.

**SUP-55202 & SUP-55203 [PRJ-54831]**
Planning Commission Meeting of 9/9/2014

Lynn Bonds

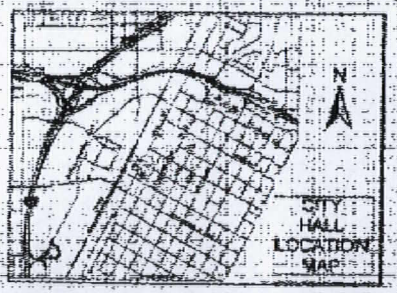
1 of 3

07 PRDFNMP 89128

Date 09/02/14 Item 19-20 P

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

**Return Service Requested**
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 229-6841 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-55202 & SUP-55203 [PRJ-54831]
Planning Commission Meeting of 9/9/2014

PABON JUAN CARLOS
FIRST CLASS

$ 00.45°
MAILED FROM ZIP CODE 89106

RECEIVED
SEP 2 2014
City of Las Vegas
Dept. of Planning

Case: SUP-55202
125222160003
PABON J RAYMOND REVOCABLE TRUST
PABON J RAYMOND TRS
5600 ROYAL CASTLE LN
LAS VEGAS NV 89130-1190

Date 09/02/14 Item 14-20A

City of Las Vegas Agenda Item No.: **20.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
SUP-55203 - SPECIAL USE PERMIT RELATED TO MOD-55204, VAR-55205 AND SUP-55202 - PUBLIC HEARING - APPLICANT/OWNER: SWECKER & LIPP TENAYA AZURE, LLC - For possible action on a request for a Special Use Permit FOR A 6,500 SQUARE-FOOT GAMING ESTABLISHMENT, RESTRICTED USE WITH A WAIVER TO ALLOW A ZERO-FOOT DISTANCE SEPERATION FROM A SINGLE-FAMILY DETACHED DWELLING WHERE 330 FEET IS REQUIRED on 2.33 acres on the south side of Azure Drive, approximately 330 feet west of Tenaya Way (APN 125-27-222-013), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross) [PRJ-54831]. Staff recommends DENIAL.

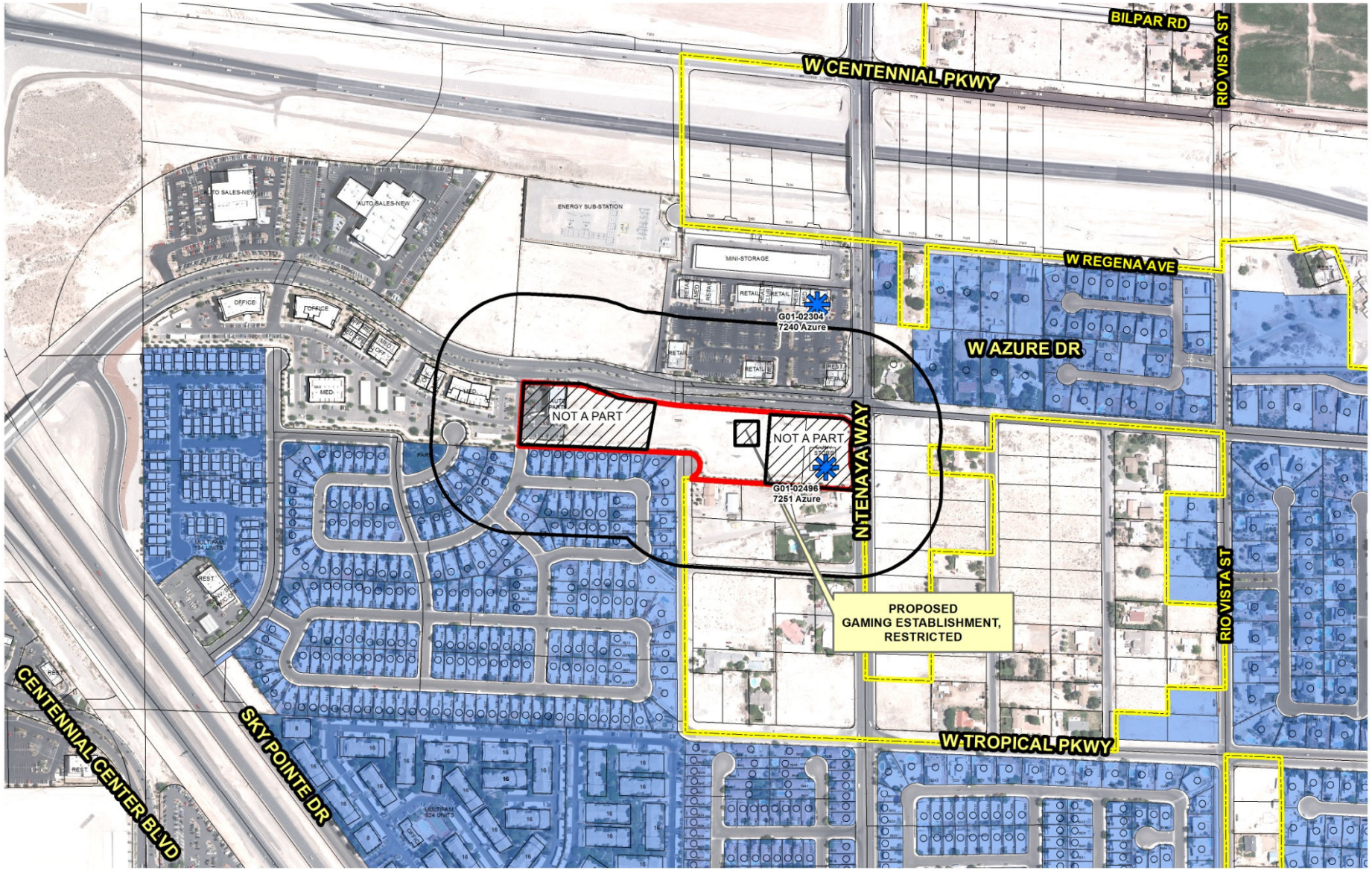
**C.C.: 10/15/2014**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup - Refer to MOD-55204
2. Special Map
3. Supporting Documentation

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




**SUP-55203 (PRJ-54831)**

**Gaming Restricted**

**Business Licenses**

Gaming Restricted

**Protected Uses**

Residential Property

Subject Property

330 ft Buffer

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.

**Geographic Information System**

Planning & Development Dept.

702-229-6301

Date: Thursday, August 07, 2014

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-55203 APN: 125-27-222-013

Name of Property Owner: Swecker & Lipp Tenaya Azure, LLC

Name of Applicant: Swecker & Lipp Tenaya Azure, LLC

Name of Representative: Kaempfer Crowell

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

____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Swecker & Lipp Tenaya Azure LLC

Print Name: Mike Swecker

Subscribed and sworn before me

This 16 day of July, 2014

Clark State of NV

Notary Public in and for said County and State

GINY VERDIN
Notary Public, State of Nevada
Appointment No. 14-12877-1
My Appt. Expires Sep 27, 2017



PRJ-54831
07/22/14

City of Las Vegas Agenda Item No.: **21.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
SDR-55201 - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-55204, VAR-55205, SUP-55202 AND SUP-55203 - PUBLIC HEARING - APPLICANT/OWNER: SWECKER & LIPP TENAYA AZURE, LLC - For possible action on a request for a Site Development Plan Review FOR A 6,500 SQUARE-FOOT LIQUOR ESTABLISHMENT (TAVERN) on 2.33 acres on the south side of Azure Drive, approximately 330 feet west of Tenaya Way (APN 125-27-222-013), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross) [PRJ-54831]. Staff recommends DENIAL.

**C.C.: 10/15/2014**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup - refer to MOD-55204
2. Supporting Documentation
3. Protest/Support Postcards

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

PLANNING & DEVELOPMENT

# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-55201 APN: 125-27-222-013

Name of Property Owner: Swecker & Lipp Tenaya Azure, LLC

Name of Applicant: Swecker & Lipp Tenaya Azure, LLC

Name of Representative: Kaempfer Crowell

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

____ Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: Swecker & Lipp Tenaya Azure LLC

Print Name: Mike Swecker

Subscribed and sworn before me

This 16 day of July, 2014

Clark State of NV

Notary Public in and for said County and State

GINY VERDIN
Notary Public, State of Nevada
Appointment No. 14-12877-1
My Appt. Expires Sep 27, 2017

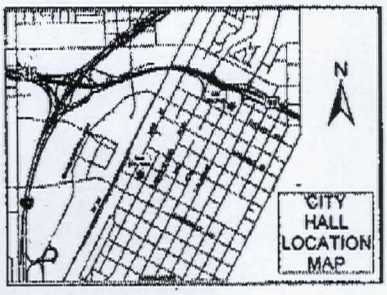


PRJ-54831
07/22/14

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

RECEIVED
SEP 2 2014
City of Las Vegas
Dept. of Planning

**Return Service Requested**
**Official Notice of Public Hearing**




8/30/14, no Bus pic rate on other card

2 of 3

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**SDR-55201 [PRJ-54831]**
Planning Commission Meeting of 9/9/2014

Case: SDR-55201
12527610037
BONDS LYNN B REVOCABLE TRUST
BONDS LYNN B TRS
P O BOX 26027
LAS VEGAS NV 89126-0027

67 FRDFRP 89126

Date 09/02/14 Item 21P

FROM : PABON FAMILY PHONE NO. : 702 395 0005 Aug. 29 2014 05:58PM P01

Department of Planning
333 North Rancho Drive, 6th Floor
Las Vegas, Nevada 89106

**Return Service Requested**

**Official Notice of Public Hearing**

RECEIVED
SEP 2 2014
City of Las Vegas
Dept. of Planning




Case: SDR-55201

PABON J RAYMOND REVOCABLE TRUS
PABON J RAYMOND TRS
8500 ROYAL CASTLE LN
LAS VEGAS NV 89130-1190

125272-16003

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above. By this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative please call (702) 229-6405.

I SUPPORT this Reques

I OPPOSE this Reques

Please use available blank space on card for your comments.

**SDR-55201 [PRJ-54831]**

Planning Commission Meeting of 9/9/2014

Date 09/02/14 Item 21 A

City of Las Vegas Agenda Item No.: **22.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

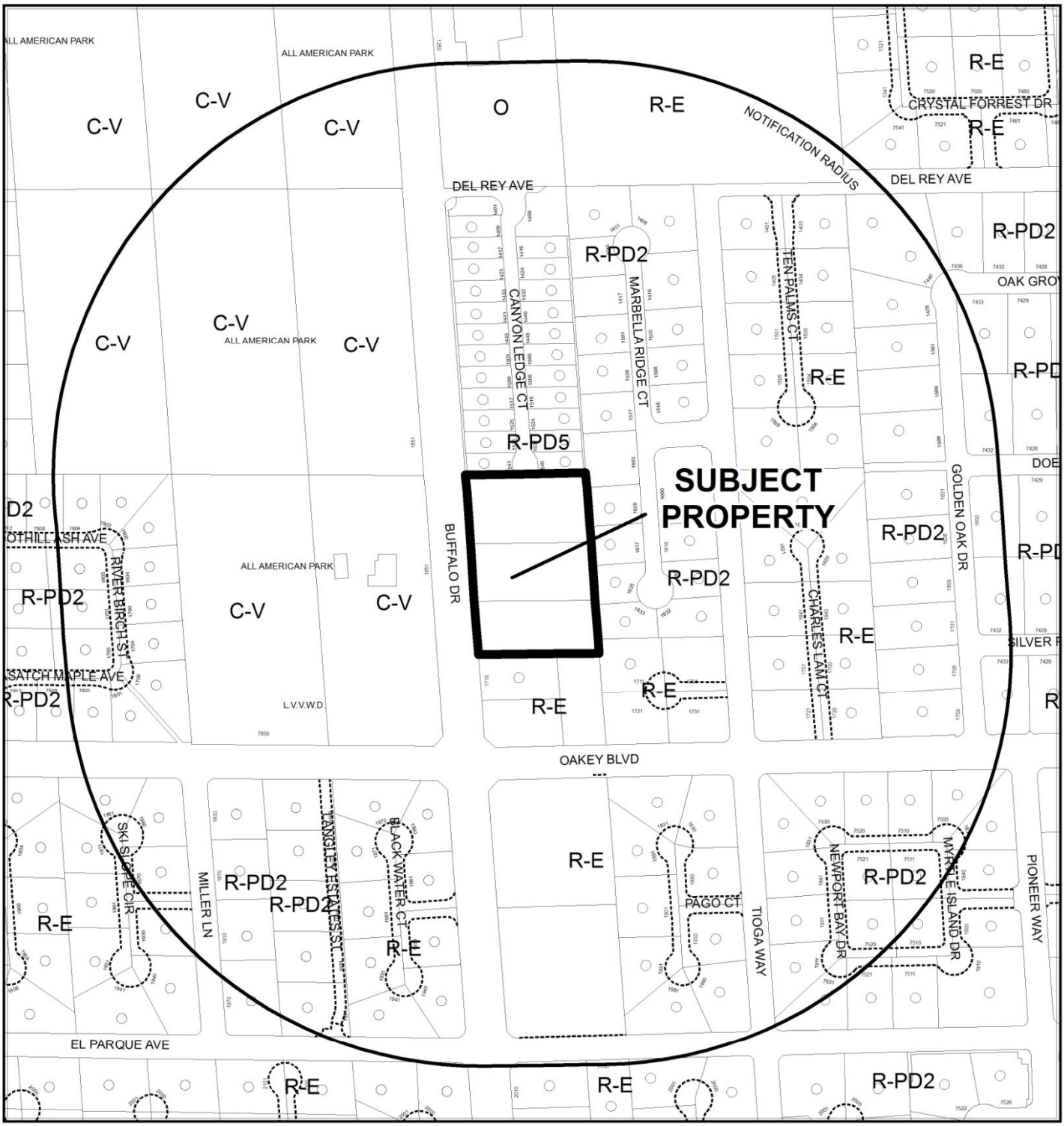
**SUBJECT:**
VAR-54991 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 1 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps - VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 and VAR-55001 [PRJ-54959]
2. Conditions and Staff Report - VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 and VAR-55001 [PRJ-54959]
3. Supporting Documentation - VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 and VAR-55001 [PRJ-54959]
4. Photos - VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 and VAR-55001 [PRJ-54959]
5. Justification Letter - VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 and VAR-55001 [PRJ-54959]
6. Support Postcard - VAR-54991 and VAR-54992 [PRJ-54959]



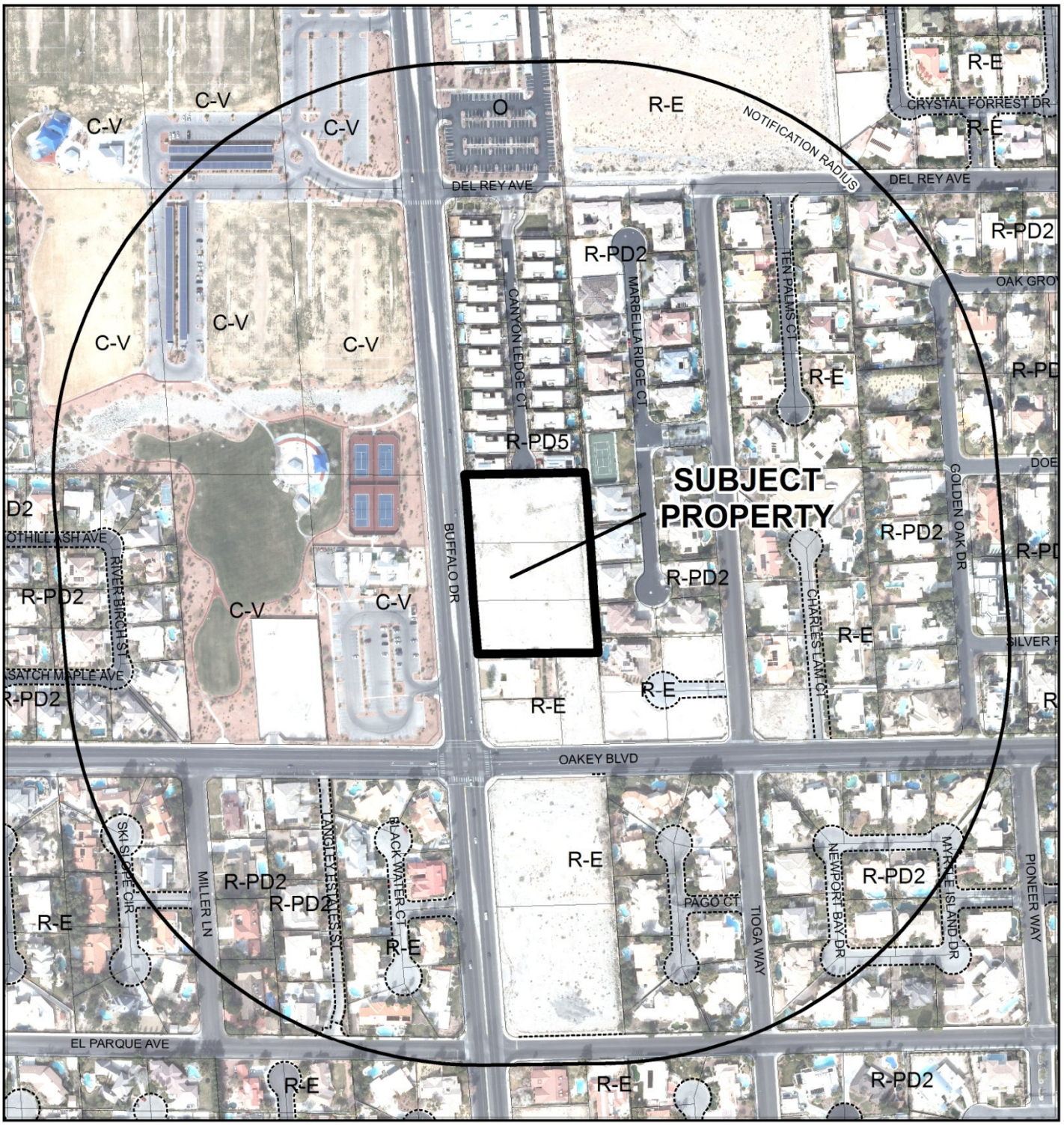

0 300 600 Feet

**CASE:** **VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 AND VAR-55001 (PRJ-54959)**

**RADIUS:** 1000 FEET

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

N




0 300 600 Feet

**CASE:** **VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 AND VAR-55001 (PRJ-54959)**

**RADIUS:** 1000 FEET

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

N

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-54991** | Staff recommends DENIAL, if approved subject to conditions: | N/A |
| **VAR-54992** | Staff recommends DENIAL, if approved subject to conditions: | N/A |
| **VAR-54993** | Staff recommends DENIAL, if approved subject to conditions: | N/A |
| **VAR-54994** | Staff recommends DENIAL, if approved subject to conditions: | N/A |
| **VAR-54995** | Staff recommends DENIAL, if approved subject to conditions: | N/A |
| **VAR-54996** | Staff recommends DENIAL, if approved subject to conditions: | N/A |
| **VAR-54997** | Staff recommends DENIAL, if approved subject to conditions: | N/A |
| **VAR-54998** | Staff recommends DENIAL, if approved subject to conditions: | N/A |
| **VAR-54999** | Staff recommends DENIAL, if approved subject to conditions: | N/A |
| **VAR-55000** | Staff recommends DENIAL, if approved subject to conditions: | N/A |
| **VAR-55001** | Staff recommends DENIAL, if approved subject to conditions: | N/A |

MR

**** CONDITIONS ****

# VAR-54991 CONDITIONS

***Planning***

1. Conformance to the approved conditions of approval for Tentative Map (TMP-52393).

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

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

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

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

# VAR-54992 CONDITIONS

***Planning***

1. Conformance to the approved conditions of approval for Tentative Map (TMP-52393).

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

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

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

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

# VAR-54993 CONDITIONS

***Planning***

1. Conformance to the approved conditions of approval for Tentative Map (TMP-52393).

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

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

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

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

# VAR-54994 CONDITIONS

***Planning***

1. Conformance to the approved conditions of approval for Tentative Map (TMP-52393).

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

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

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

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

# VAR-54995 CONDITIONS

***Planning***

1. Conformance to the approved conditions of approval for Tentative Map (TMP-52393).

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

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

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

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

# VAR-54996 CONDITIONS

***Planning***

1. Conformance to the approved conditions of approval for Tentative Map (TMP-52393).

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

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

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

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

# VAR-54997 CONDITIONS

***Planning***

1. Conformance to the approved conditions of approval for Tentative Map (TMP-52393).

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

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

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

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

# VAR-54998 CONDITIONS

***Planning***

1. Conformance to the approved conditions of approval for Tentative Map (TMP-52393).

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

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

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

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

# VAR-54999 CONDITIONS

***Planning***

1. Conformance to the approved conditions of approval for Tentative Map (TMP-52393).

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

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

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

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

# VAR-55000 CONDITIONS

***Planning***

1. Conformance to the approved conditions of approval for Tentative Map (TMP-52393).

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

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

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

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

# VAR-55001 CONDITIONS

***Planning***

1. Conformance to the approved conditions of approval for Tentative Map (TMP-52393).

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

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

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

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Variance to allow 11-lots a 10-foot front yard setback where 20 feet is required for 11 lots in an R-1 (Single Family Residential) zoned subdivision. The applicant recently planned this 11-lot subdivision and had the ability at that time to design lots to meet all code requirements for the home models to be built on this site. Substantial evidence has not been presented to warrant the requested variances. As such, the hardship is self-imposed and therefore, staff recommends denial of all 11 Variance requests. If denied, all proposed structures will have to meet current setback requirements or no building permits will be issued.

## ISSUES

- A 10-foot front yard setback Variance is required for all 11 lots of a recently approved single-family residential subdivision.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 03/19/86 | The City Council approved an Annexation (A-0009-85) of approximately 1,509 acres of land, including the subject site. The effective date was 03/28/95. |
| 03/20/96 | The City Council denied a Rezoning (Z-0091-95) request on the northern portion of the subject site from R-E (Residence Estates) to P-R (Professional Office and Parking). The Planning Commission recommended approval. |
| 11/23/98 | The City Council approved a General Plan Amendment (GPA-0027-98) request of the Southwest Sector on properties bound by the Holmby Channel, Via Olivero Avenue, Rainbow Boulevard and Durango Drive, from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval. |
| 08/15/01 | The City Council denied a General Plan Amement (GPA-0017-01) request to amend the Southwest Sector Map from DR (Desert Rural Density Residential) to O (Office) on 5.4 Acres on the east side of Buffalo Drive, approximately 1,450 feet south of Charleston Boulevard. The Planning Commission recommended approval. Staff had recommended denial. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 07/07/04 | The City Council approved a General Plan Amendment (GPA-4000) request from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation, a Rezoning (ZON-4003) request from R-E (Residence Estates) to R-PD5 (Residential Planned Development – 5 Units per Acre), a Variance (VAR-4005) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project on the subject site. The Planning Commission and staff recommended denial. |
| 08/26/05 | The Planning Commission approved a Variance (VAR-4804) request to allow zero square feet of open space where 11,500 square feet is required for a 16-lot single family residential development on 2.92 acres adjacent to the east side of Buffalo Drive, approximately 220 feet north of Oakey Boulevard. |
| 11/02/05 | The City Council approved an Extension of Time (EOT-8826) request of an approved Variance (VAR-4804) to allow zero square feet of open space where 11,500 square feet is required for a 16-lot single-family residential development on 2.92 acres adjacent to the east side of Buffalo Drive, approximately 220 feet north of Oakey Boulevard. The Planning Commission and staff recommended approval. |
| 08/16/06 | The City Council approved an Extension of Time (EOT-14967) request of an approved Site Development Plan Review (SDR-4004) that allowed a 28-unit attached single-family development, an Extension of Time (EOT-14966) of an approved Rezoning (ZON-4003) from R-E (Residence Estates) to R-PD5 (Residential Planned Development – 5 Units per Acre), and an Extension of Time (EOT-14969) of an approved Variance (VAR-4005) that allowed an R-PD (Residential Planned Development) zoning district on 2.92 acres adjacent to the east side of Buffalo Drive, approximately 220 feet north of Oakey Boulevard. Staff recommended approval. The applications expired on 07/07/08. |
| 11/07/06 | The Department of Planning administratively approved an Extension of Time (EOT-16285) request for an approved Variance (VAR-4804), which allowed zero square feet of open space where 11,500 square feet is required for a 16-lot single-family residential development on 2.92 acres adjacent to the east side of Buffalo Drive, approximately 220 feet north of Oakey Boulevard. The applications expired on 07/07/08. |
| 04/16/14 | The City Council approved a Rezoning (ZON-52391) request from R-E (Residence Estates) to R-1 (Single Family Residential), a Variance (VAR-52392) to allow a 1.0 Connectivity Ratio where 1.30 is required and to allow a sidewalk on one side of the street where a sidewalk on both sides is required and a Tentative Map (TMP-52393) for an 11-lot single-family residential subdivision on 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oaky Boulevard. The Planning Commission and staff recommended approval. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 03/24/10 | A deed was recorded for a change in ownership for APN 163-03-201-003. |
| | A deed was recorded for a change in ownership for APN 163-03-201-003. |
| | A deed was recorded for a change in ownership for APN 163-03-201-003. |

| ***Related Building Permits/Business Licenses*** |
|---|
| No relevant building permit or business licenses have been issued for this project. |

| ***Pre-Application Meeting*** | |
|---|---|
| 07/08/14 | A pre-application meeting was held with the applicant and the applicant's designated representative to discuss the submittal requirements for 11 front yard setback variances. |

| ***Neighborhood Meeting*** | |
|---|---|
| 08/20/14 | A neighborhood meeting was held at the Centennial Center Community Center located at 6601 North Buffalo Drive and no direct concerns were expressed about the setback variances. |

| ***Field Check*** | |
|---|---|
| 07/31/14 | A field inspection was conducted on the subject site is a fenced undeveloped lot. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 2.91 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Undeveloped | L (Low Density Residential) | R-1 (Single Family Residential) |
| North | Undeveloped | L (Low Density Residential) | R-PD5 ( Residential Planned Development – 5 Units per Acre) |
| South | Single-Family, Detached | DR (Desert Rural Density Residential) | R-E (Residence Estates) |
| | Undeveloped | | |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| East | Single-Family, Detached | DR (Desert Rural Density Residential | R-PD2 (Residential Planned Development – 2 Units per Acre) |
| | | | R-E (Residence Estates) |
| West | Public Park | PR-OS (Parks/Recreation/Open Space) | C-V (Civic) |

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

***Pursuant to Title 19.06.070, the following standards apply:***

| ***Standard*** | ***Required/Allowed*** | ***Provided*** | ***Compliance*** |
|---|---|---|---|
| Min. Lot Size | 6,500 SF | 7,655 SF | Y |
| Min. Lot Width[1] | 60 Feet | 59 | Y[1] |
| Min. Setbacks | | | |
| • Front | 20 Feet | 10 Feet | N |
| • Side | 5 Feet | 5 Feet | Y |
| • Corner | 15 Feet | 15 Feet | Y |
| • Rear | | | |
| Lots 1-5 | 15 Feet | 15 Feet | Y |
| Lots 6-11[2] | 20 Feet | 20 Feet | |
| Max. Lot Coverage | 50 % | 38 % | Y |
| Max. Building Height | 35 Feet | 35 Feet | Y |

1. Notwithstanding the minimum lot width in this Table, lots located along the circular portion of a cul-de-sac or a knuckle portion of a street may be reduced to a minimum of 30 feet in width at the front property line, provided the average lot width meets the required lot width.
2. (TMP-52393) Condition of Approval #3 states "The lots along the eastern boundary of the site will have a minimum 20 foot rear yard setback in place of the minimum 15-foot rear yard setback, as set forth in Title 19.06.070, Building Placement Table 1."

## ANALYSIS

The applicant is proposing single-family residential housing models that cannot comply with the setback standards of the R-1 (Single Family Residential) zoning district and the modified setbacks approved by Tentative Map (TMP-52393). [Specifically, Condition of approval #3 placed a 20-foot rear yard setback restriction was placed on the lots adjacent to the eastern property line (lots six-11).] The proposed models would require a 10-foot front yard setback where 20 feet is required. The requested setback Variances represents a 50 percent reduction in the required setback for the whole l1-lot residential subdivision. As such, this request illustrates the proposed site is over-developed. There is a viable option to meet code requirements, since the site is not developed and could be redesigned to meet all code requirements and/or a redesigned product could be offered that would fit on the existing lots. No hardship for this site exists and any future hardship would be self-imposed. To be consistent with Nevada Revised Statutes (NRS) minimum requirements for supporting a Variance request, staff must recommend denial of all 11 applications.

## FINDINGS (VAR-54991)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing single-family home models that do not fit on the existing lots. An alternative is to modify the proposed models to fit on the existing lot in a

manner that will allow conformance to all Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

**FINDINGS (VAR-54992)**

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

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**FINDINGS (VAR-55501)**

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

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**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 29

**NOTICES MAILED**
157 - VAR-54991 & VAR-54992
157 - VAR-54993 & VAR-54994
157 - VAR-54995 & VAR-54996
157 - VAR-54997 & VAR-54998
157 - VAR-54999 & VAR-55000
157 - VAR-55001

**APPROVALS**
1 - VAR-54991 & VAR-54992
1 - VAR-54993 & VAR-54994
0 - VAR-54995 & VAR-54996
1 - VAR-54997 & VAR-54998
0 - VAR-54999 & VAR-55000
0 - VAR-55001

**PROTESTS**
0 - VAR-54991 & VAR-54992
0 - VAR-54993 & VAR-54994
1 - VAR-54995 & VAR-54996
2 - VAR-54997 & VAR-54998
2 - VAR-54999 & VAR-55000
2 - VAR-55001

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-54991 APN: 163-03-201-003 - 005

Name of Property Owner: Valencia A13004 Investors LLC

Name of Applicant: DR Horton

Name of Representative: Triton Engineering

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Carolyn M. Usher, Mgr.

Print Name: CAROLYN MARIE USHER

Subscribed and sworn before me

This 4 day of MARCH, 2014

Notary Public in and for said County and State

JANA SHORE
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 09-13-17
Certificate No: 01-71602-1

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.pdf

PRJ-54959
07/10/14

# CLV Planning - Application Form

| | |
|---|---|
| Application Number: | PRJ-54959 |
| Application/Petition For: | 11 front yard setback variances |
| ProjectAddress (Location): | ON THE EAST SIDE OF BUFFALO DRIVE, APPROXIMATELY 230 FEET NORTH OF OAKEY BOULEVARD |
| Project Name | BUFFALO & OAKEY |
| Assessors Parcel #(s): | 16303201003, 16303201004, 16303201005 |
| Ward #: | WARD 1 (LOIS TARKANIAN), WARD 2 (BOB BEERS) |
| Is the Application Information Correct: | Yes |
| If no, ...change what | |
| General Plan Designation: Proposed: | Select |
| Zoning District: Proposed: | Select |
| Gross Acres: | 2.91 |
| Lots/Units: | 11 |
| Additional Information: | |
| Applicant First Name: | DR Horton |
| Applicant Last Name: | Mark JOnes |
| Applicant Address: | 1081 Whitney Ranch Dr. Ste#141 |
| Applicant City: | Henderson |
| Applicant State: | Nevada |
| Applicant Zip: | 89014 |
| Applicant Phone: | 702-672-1939 |
| Applicant Fax: | |
| Applicant Email: | mejones3@drhorton.com |
| Rep First Name: | Triton Engineering |
| Rep Last Name: | Aimee English |
| Rep Address: | 6757 W. Charleston Blvd. Ste#B |
| Rep City: | Las Vegas |
| Rep State: | Nevada |
| Rep Zip: | 89146 |
| Rep Phone: | 702-254-1480 |
| Rep Fax: | 702-254-3062 |
| Rep Email: | aignatowicz@tritoneng.com |

## VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 & VAR-55001

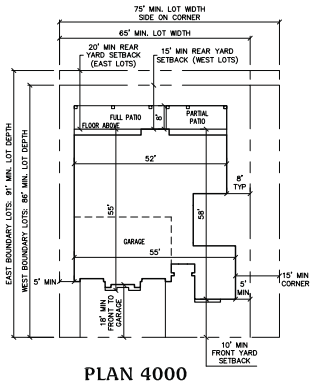
# CLV Planning - Application Form

| | |
|---|---|
| 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.<br>I Accept: | Yes |
| Is the Owner Information Correct: | Yes |
| If no, ...change what | |

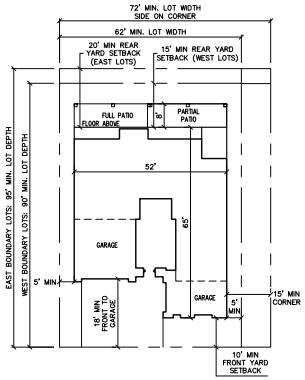
| Owner(s) | ADDR1 | ADDR2 |
|---|---|---|
| VALENCIA A13004 INVESTORS L L C | 6468 FOSCO CT | LAS VEGAS, NV 89131-3154 |

| CLVEPLAN Applicant | Company | Title | Email |
|---|---|---|---|
| Aimee Ignatowicz | Triton Engineering | Processing Coordinator | aignatowicz@tritoneng.com |

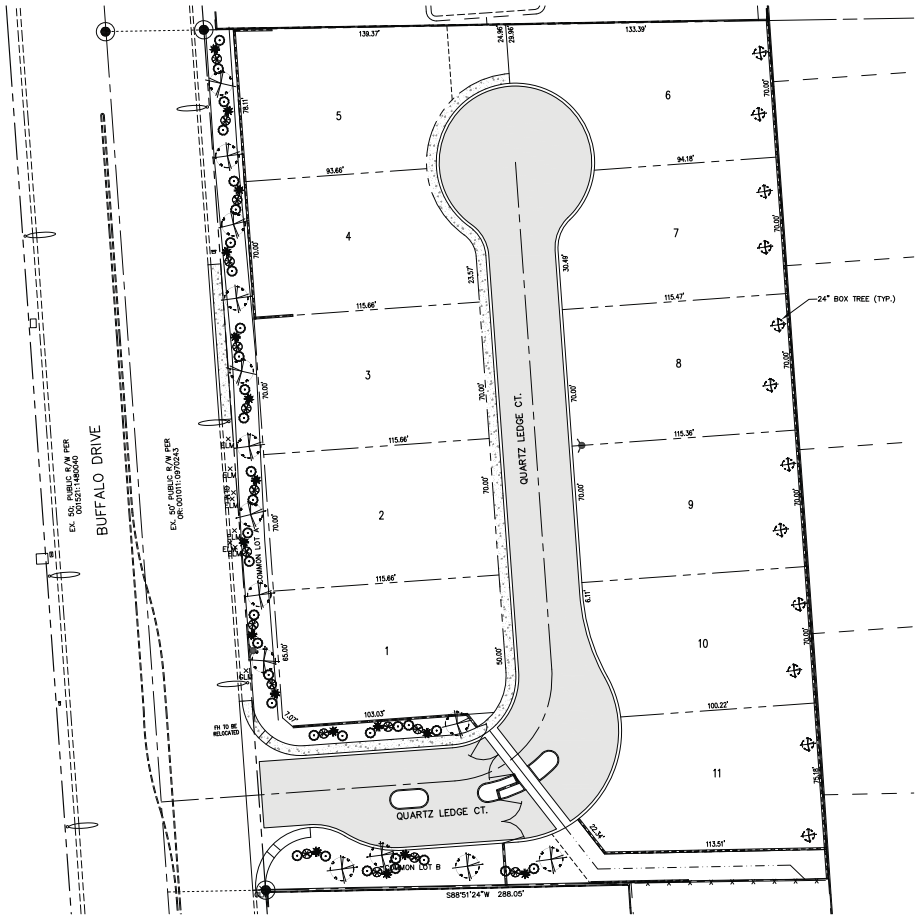
## VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 & VAR-55001

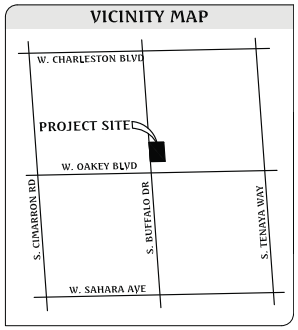



PLAN 4000




PLAN 4125




NORTH

GRAPHIC SCALE

30 0 15 30 60 120

( IN FEET )
1 inch = 30 ft.

## SETBACK REQUIREMENTS

| | |
|---|---|
| FRONT TO GARAGE | 18' MIN. |
| SIDE YARD | 5' MIN. |
| SIDE ON CORNER | 15' MIN. |
| REAR YARD (WEST LOTS) | 15' MIN. |
| REAR YARD (EAST LOTS) | 20' MIN. |
| REAR PATIO | 5' MIN. |

## VARIANCE

FOR LOTS 1 THRU 11

| | |
|---|---|
| FRONT TO LIVING | 10' MIN. |

| NO. | DESCRIPTION | DATE | APP'D |
|---|---|---|---|
| | PRJ-54959 | 08/19/14 | |

DATE : 08/06/14
FN : J. PEARCE
DRAWN BY :
DESIGNED BY :
CHECKED BY :
ADA CHECKED :
JOB NO. : 007.025
SCALE : 1" = 30'

Triton Engineering
6757 West Charleston Boulevard
Suite 18
Las Vegas, Nevada 89146
Office (702) 254-4488
Fax (702) 254-6062
www.tritoneng.com

DR HORTON

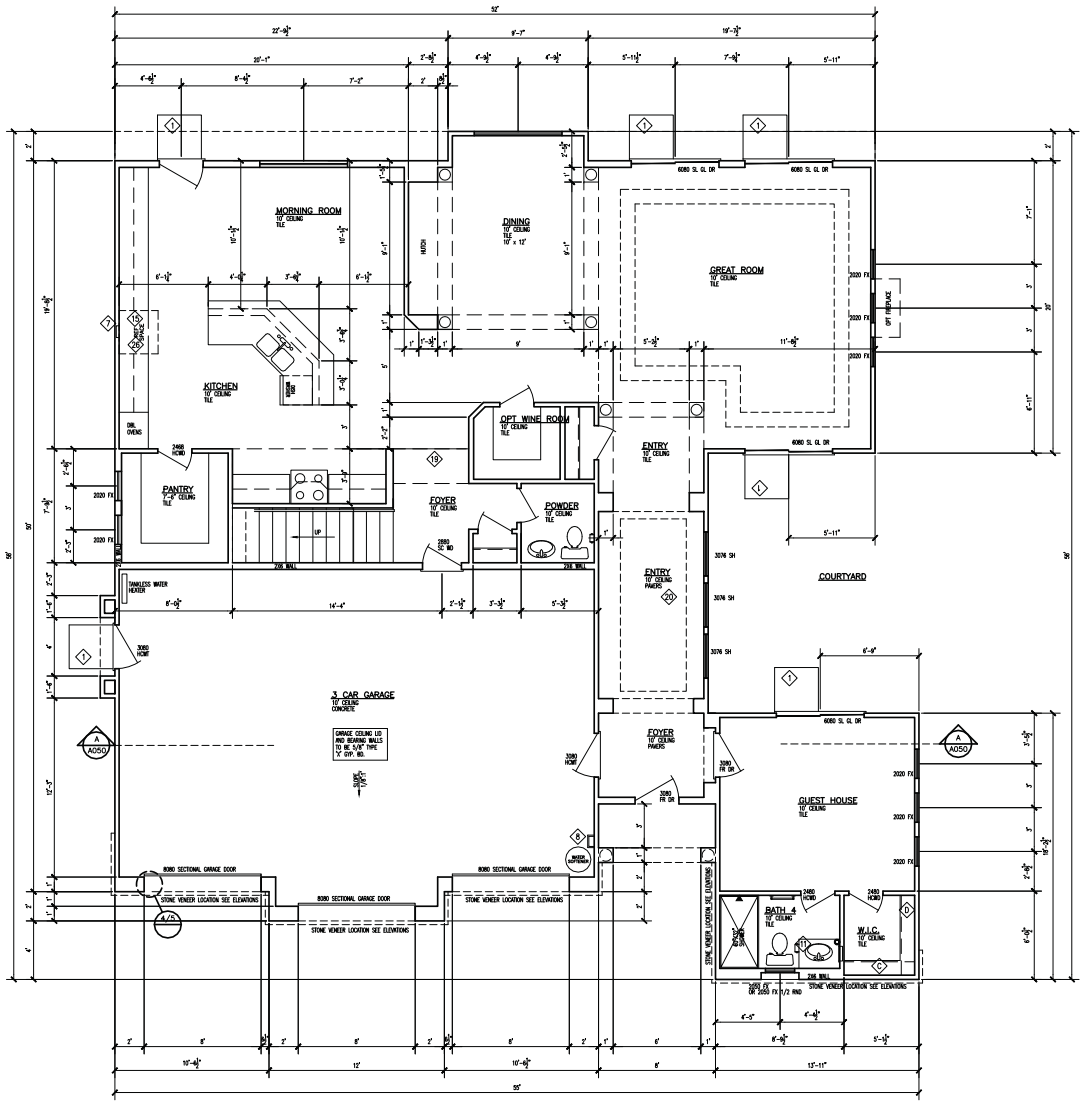
BUFFALO / OAKEY

SITE PLAN
FRONT SETBACK VARIANCE TO 10' MIN.
FOR LOTS 1 THRU 11

SHEET 1 OF 1

C:\Triton Drawings\007.025 Buffalo Oakey\Drawings\PrelPlans\007.025-LotFil-R3.dwg kwittwer Tue, 12 Aug 2014 - 6:12pm

**VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 & VAR-55001 - REVISED**




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

## KEYNOTES:

1. MIN. 36" WIDE X MIN. 36" DEEP X 4" THICK CONCRETE LANDING. STOOP WIDTH SHALL NOT BE LESS THAN THE DOOR SERVED.
2. DECORATIVE COLUMNS
3. CARPET STRIP.
4. 2X FRAMING WALL BELOW
5. TILE, SEE SPEC. SHEET
6. DRYER EXHAUST VENT, SEE MECHANICAL DRAWINGS.
7. RECESSED WATER VALVE BOX, VERIFY WITH PLUMBING DWGS.
8. SOFT WATER LOOP
9. WATER HEATER PLATFORM @ 18"AFF
10. TEMPERED GLASS SHOWER DOOR
11. BASE CABINETS, SEE D.R. HORTON FOR TYPE AND MODEL.
12. WALL MOUNTED UPPER CABINETS, SEE D.R. HORTON FOR TYPE AND MODEL.
13. MAKE-UP COUNTER @ +28".
14. UNDER COUNTER DISHWASHER.
15. 41 X30 REFRIGERATOR/FREEZER LOCATION, VERIFY W/ D.R.H.
16. RECESSED ICE MAKER BOX WITH VALVE.
17. CONTINUOUS HANDRAIL 36" A.F.F.
18. CENTER WINDOW ON INTERIOR WALL.
19. ARCH. SEE INTERIOR ELEVATION.
20. CEILING LINE.
21. 2" GYP BD AT SOFFIT AND ENCLOSED SIDE OF STAIR
22. 2" GYP. BD. DRAFTSTOP SHOWN DASHED
23. CULTURED MARBLE SHOWER PAN AND SURROUND
24. FOAM TRIM OR FOAM WAINSCOT OR FOAM TRIM W/STONE BELOW, SEE EXTERIOR ELEVATIONS FOR HEIGHTS & LOCATIONS.
25. COLUMN, SEE STRUCTURAL DRAWINGS.
26. 24" DEEP CABINET ABOVE

## GENERAL NOTES:

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

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

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

4. ALL BASE SHALL BE REVERSIBLE GRADE.

5. WHEN CERAMIC TILE, CULTURED MARBLE OR LIKE FINISHES ARE INSTALLED A BACKER BOARD OF CEMENT, FIBER CEMENT, OR GLASS MAT GYPSUM BACKERS IN COMPLIANCE WITH ASTM C1289, C1325 OR C1178 ARE TO BE USED IN THE TUBS TO A HEIGHT OF THE TILE IN TUB/SHOWER OR IN SHOWER FROM FLOOR TO CEILING AND ON THE CEILING TO THE EDGE OF THE TILE OR EDGE OF TUB/SHOWER, WHICHEVER IS GREATEST.

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

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

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

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

1102. KITCHEN COUNTER TOP @ +36", TYP. U.N.O. SEE D.R. HORTON FOR TYPE & STYLE.

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

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

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

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

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

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

## SQUARE FOOTAGE

| | | | |
|---|---|---|---|
| LIVING: | 1ST FLOOR | – | 2564 S.F. |
| | 1ST FLOOR GUEST HOUSE | – | 1240 S.F. |
| | 2ND FLOOR | – | 2236 S.F. |
| | TOTAL LIVING: | – | 4,000 S.F. |
| | GARAGE | – | S.F. |
| | OBSERVATORY OPTION | – | S.F. |

PRJ-54959
07/14/14

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4000 PLAN
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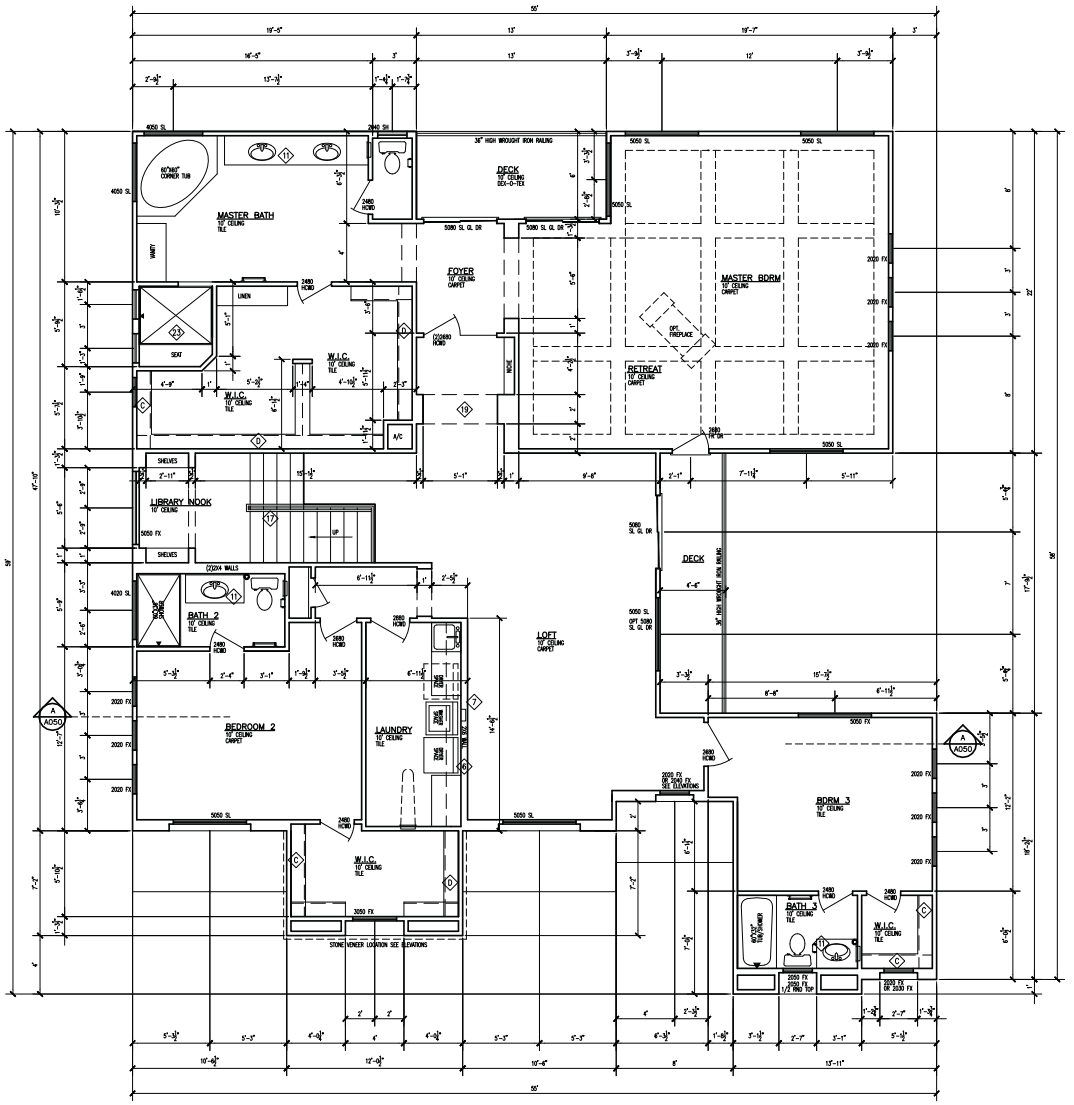
| REVISION | DATE | NOTES |
|---|---|---|
| | | |

FLOOR PLAN

JOB NO.: 1217
FILE NAME:
DATE: 5-7-13
UPDATE:

A010

**VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 & VAR-55001 - REVISED**




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

ANDALUSIAN ELEVATION
AND TUSCAN ELEVATION

## KEYNOTES:

1. MIN. 36" WIDE X MIN. 36" DEEP X 4" THICK CONCRETE LANDING. STOOP WIDTH SHALL NOT BE LESS THAN THE DOOR SERVED.
2. DECORATIVE COLUMNS
3. CARPET STRIP.
4. 2X FRAMING WALL BELOW
5. TILE, SEE SPEC. SHEET
6. DRYER EXHAUST VENT, SEE MECHANICAL DRAWINGS.
7. RECESSED WATER VALVE BOX, VERIFY WITH PLUMBING DWGS.
8. SOFT WATER LOOP
9. WATER HEATER PLATFORM @ 18"AFF
10. TEMPERED GLASS SHOWER DOOR
11. BASE CABINETS, SEE D.R. HORTON FOR TYPE AND MODEL.
12. WALL MOUNTED UPPER CABINETS, SEE D.R. HORTON FOR TYPE AND MODEL.
13. MAKE-UP COUNTER @ +28".
14. UNDER COUNTER DISHWASHER.
15. 41 X30 REFRIGERATOR/FREEZER LOCATION, VERIFY W/ D.R.H.
16. RECESSED ICE MAKER BOX WITH VALVE.
17. CONTINUOUS HANDRAIL 36" A.F.F.
18. CENTER WINDOW ON INTERIOR WALL.
19. ARCH. SEE INTERIOR ELEVATION.
20. CEILING LINE.
21. 5" GYP BD AT SOFFIT AND ENCLOSED SIDE OF STAIR
22. 5" GYP. BD. DRAFTSTOP SHOWN DASHED
23. CULTURED MARBLE SHOWER PAN AND SURROUND
24. FOAM TRIM OR FOAM WAINSCOT OR FOAM TRIM W/STONE BELOW, SEE EXTERIOR ELEVATIONS FOR HEIGHTS & LOCATIONS.
25. COLUMN, SEE STRUCTURAL DRAWINGS.
26. 24" DEEP CABINET ABOVE

## GENERAL NOTES:

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

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

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

4. ALL BASE SHALL BE REVERSIBLE GRADE.

5. WHEN CERAMIC TILE, CULTURED MARBLE OR LIKE FINISHES ARE INSTALLED A BACKER BOARD OF CEMENT, FIBER CEMENT, OR GLASS MAT GYPSUM BACKERS IN COMPLIANCE WITH ASTM C1289, C1325 OR C1178 ARE TO BE USED IN THE TUBS TO A HEIGHT OF THE TILE IN TUB/SHOWER OR IN SHOWER FROM FLOOR TO CEILING AND ON THE CEILING TO THE EDGE OF THE TILE OR EDGE OF TUB/SHOWER, WHICHEVER IS GREATEST.

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

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

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

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

**ATTIC ACCESS, CATWALK & WORKING PLATFORM:**
* PROVIDE A 24" WIDE 1 30" HIGH SOLID CATWALK.
* A WORKING PLATFORM AT CONTROL SIDE OF FAU. 30" IN DEPTH, WIDTH & HEIGHT SHALL BE PROVIDED.
* WHERE THE HEIGHT OF THE PASSAGEWAY IS LESS THAN 6 FT. THE DISTANCE FROM THE ACCESS TO THE FAU. SHALL NOT EXCEED 20 FT. MEASURED ALONG THE CENTERLINE OF THE PASSAGEWAY.

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

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

PRJ-54959
08/14/14

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3825 PLAN
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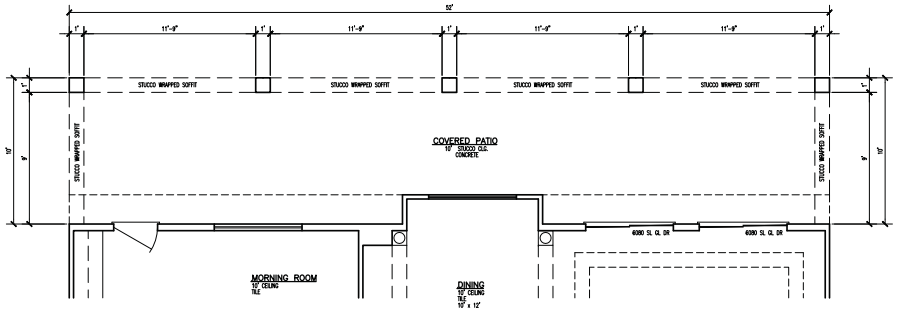
| REVISION | DATE | NOTES |
|---|---|---|
| | | |

FLOOR PLAN

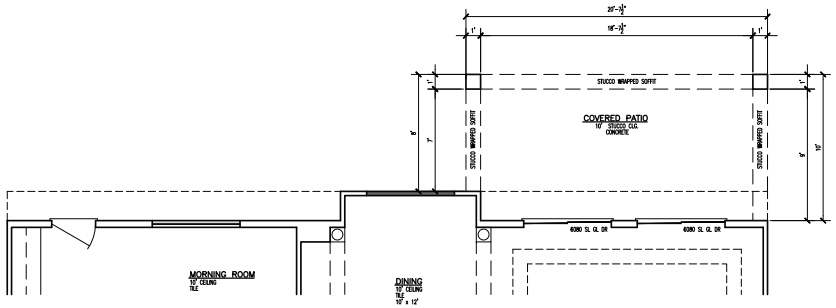
JOB NO.: 1217
FILE NAME:
DATE: 5-7-13
UPDATE:

A011

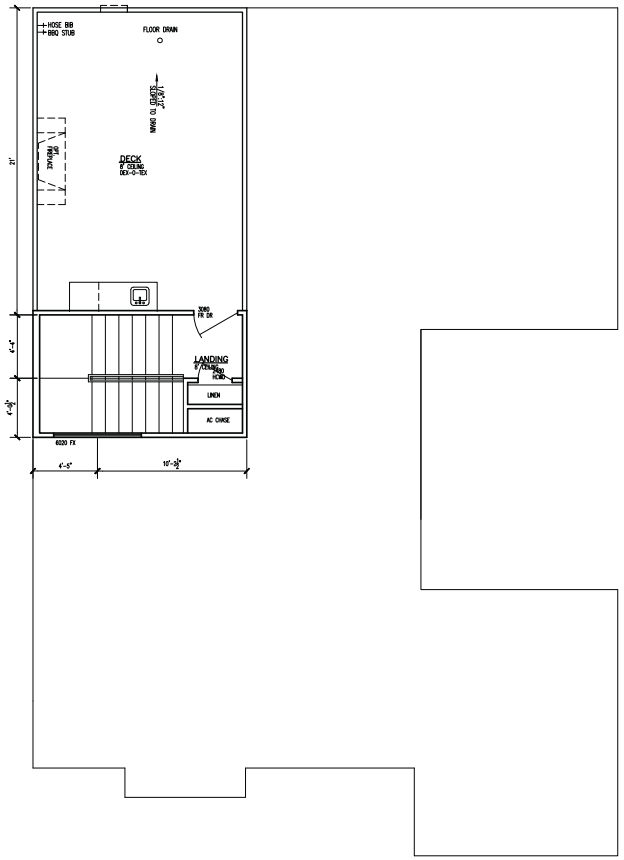
**VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 & VAR-55001 - REVISED**




(3) FULL PATIO OPTION
SCALE: 1/4" = 1'-0"




(2) PARTIAL PATIO OPTION
SCALE: 1/4" = 1'-0"




(1) ROOF DECK PLAN
SCALE: 1/4" = 1'-0"

PRJ-54959
08/14/14

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3825 PLAN
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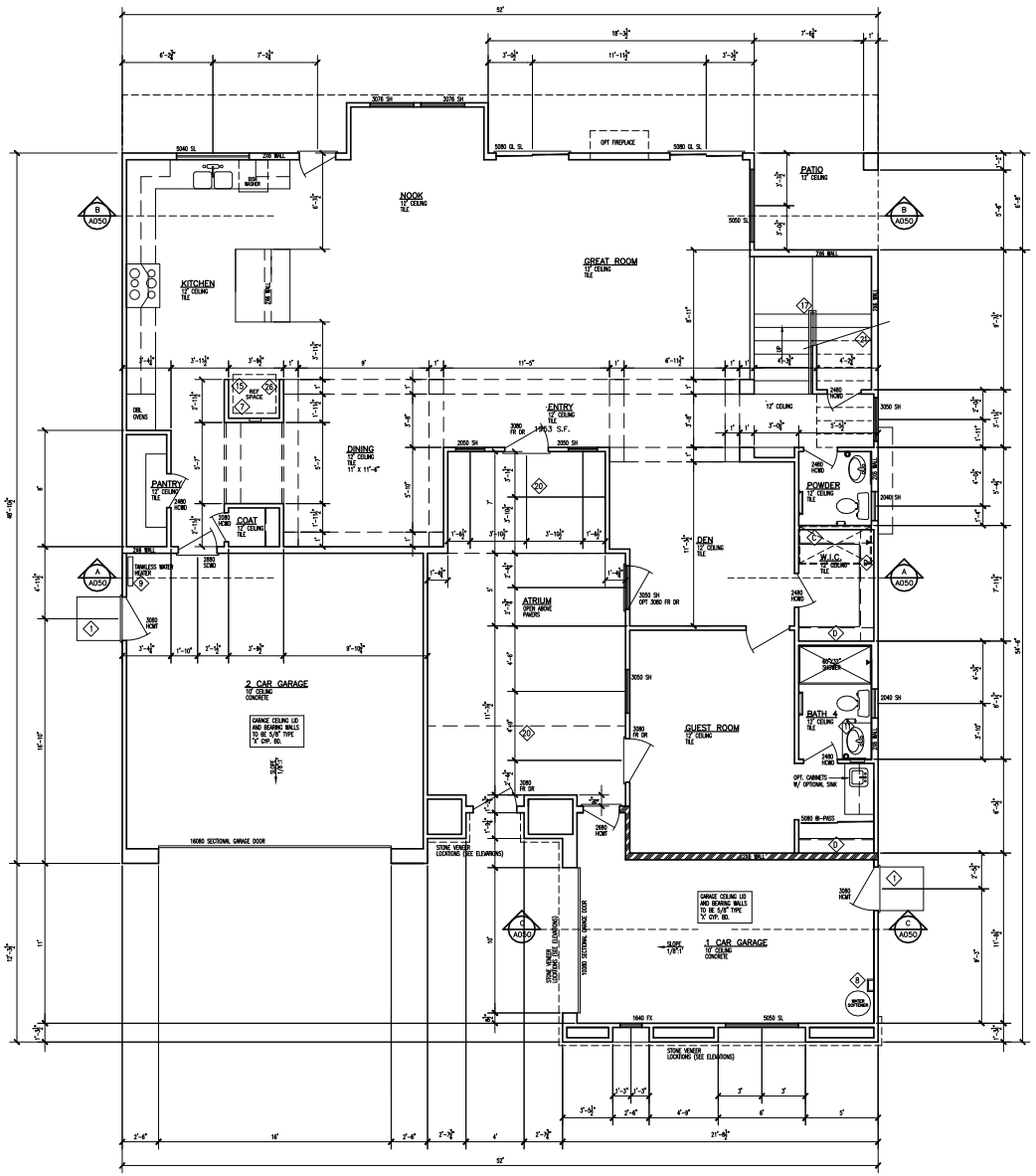
| REVISION | DATE | NOTES |
|---|---|---|
| | | |

FLOOR PLAN

JOB NO.: 1217
FILE NAME:
DATE: 5-7-13
UPDATE:

A012

**VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 & VAR-55001 - REVISED**




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

## DOOR & WINDOW SCHEDULE

DOOR LEGEND:

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

WINDOW LEGEND:

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

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

## SHELVING OPTIONS:

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

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

FRAMING CONTRACTOR / TRUSS MANUFACTURER PLEASE BE AWARE OF CEILING LIGHT LOCATIONS. AND LAYOUT TRUSSES TO ALLOW THE CENTERING OF LIGHTS

## WALL SCHEDULE

= GARAGE SEPARATION WALL

## KEYNOTES:

1. MIN. 36" WIDE X MIN. 36" DEEP X 4" THICK CONCRETE LANDING. STOOP WIDTH SHALL NOT BE LESS THAN THE DOOR SERVED.
2. DECORATIVE COLUMNS
3. CARPET STRIP.
4. 2X FRAMING WALL BELOW
5. NOT USED
6. DRYER EXHAUST VENT, SEE MECHANICAL DRAWINGS.
7. RECESSED WATER VALVE BOX, VERIFY WITH PLUMBING DWGS.
8. SOFT WATER LOOP
9. TANKLESS WATER HEATER. SEE MECHANICAL.
10. TEMPERED GLASS SHOWER DOOR
11. BASE CABINETS, SEE D.R. HORTON FOR TYPE AND MODEL.
12. WALL MOUNTED UPPER CABINETS, SEE D.R. HORTON FOR TYPE AND MODEL.
13. MAKE-UP COUNTER @ +28".
14. UNDER COUNTER DISHWASHER.
15. 41 X30 REFRIGERATOR/FREEZER LOCATION, VERIFY W/ D.R.H.
16. RECESSED ICE MAKER BOX WITH VALVE.
17. CONTINUOUS HANDRAIL 36" A.F.F.
18. CENTER WINDOW ON INTERIOR WALL.
19. ARCH. SEE INTERIOR ELEVATION.
20. CEILING LINE.
21. ½" GYP BD AT SOFFIT AND ENCLOSED SIDE OF STAIR
22. ½" GYP. BD. DRAFTSTOP SHOWN DASHED
23. 42"X42" SHOWER PAN
24. FOAM TRIM OR FOAM WAINSCOT OR FOAM TRIM W/STONE BELOW, SEE EXTERIOR ELEVATIONS FOR HEIGHTS & LOCATIONS.
25. NOT USED
26. 24" DEEP CABINET ABOVE

## GENERAL NOTES:

1. THE GARAGE WALLS & CEILING SHALL BE 5/8" TYPE 'X' GYPSUM BOARD, ALL OTHER CEILINGS SHALL BE 5/8" GYP. BD. D.R.H. CAN USE 1/2" MIN. GYP. BD. ON WALLS THAT ARE NOT RATED WALLS OR REQ'D. BY CODE.
2. THE DOOR BETWEEN THE GARAGE AND THE DWELLING UNITS SHALL BE EITHER SOLID WOOD OR METAL CLAD HONEYCOMB DOORS NOT LESS THAN 1 3/8" THICK OR A 20 MIN. DOOR. DOORS SHALL BE SELF-CLOSING & SELF-LATCHING W/A TIMELY FRAME.
3. REFER TO BUILDER FOR QUANTITY AND LOCATION OF BULLNOSE DRYWALL CORNER'S.
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1102. KITCHEN COUNTER TOP @ +36", TYP. U.N.O. SEE D.R. HORTON FOR TYPE & STYLE.

11. MIRROR ABOVE ALL LAV'S. TYP. U.N.O. SEE SPEC. SHEET.
12. GARAGE AND PATIO SHOULD SLOPE ¼" PER FOOT.
13. ALL SLIDING GLASS DOORS AND GLASS IN FINCH/ATRIUM DOORS SHALL BE TEMPERED.

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

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

WINDOWS:
1. ALL WINDOWS TO BE THERMAL-PANE GLASS.
2. PROVIDE LOW 'E' WINDOW, VERIFY W/ECC CALCS. BY MECHANICAL ENGINEER.
3. ESCAPE AND RESCUE WINDOWS SHALL HAVE A MIN. SILL HEIGHT OF 44" & MIN. NET CLEAR OPENABLE AREA OF 5.7 S.F. THE MIN. NET CLEAR OPENABLE HEIGHT DIM. SHALL BE 24". THE MIN. NET CLEAR OPENABLE WIDTH DIM. SHALL BE 20". WHEN WINDOWS ARE PROVIDED AS A MEANS OF ESCAPE AND RESCUE THEY SHALL HAVE A FINISHED SILL.
* EXCEPTIONS:
A. MINIMUM NET CLEAR OPENING FOR A ESCAPE AND RESCUE GRADE FLOOR OPENING SHALL BE 5 S.F.

* CONTRACTOR SHALL INSTALL TEMPERED GLAZING IN HAZARDOUS LOCATIONS:
4. GLAZING IN SWING DOORS, FIXED & SLIDING PANELS OF SLIDING DOORS & PANEL IN SLIDING & BI-FOLD CLOSET DOORS & IN STORM DOORS & UNFRAMED SWINGING DOORS.
5. GLAZING IN DOORS & ENCLOSURES FOR HOT TUBS, WHIRLPOOLS, SAUNAS, STEAM ROOMS, BATH TUBS & SHOWERS. GLAZING WHERE BOTTOM EXPOSED EDGE IS LESS THAN 60" ABOVE A STANDING SURFACE.
6. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL. ADJACENT TO A DOOR WHERE THE NEAREST EXPOSED EDGE IS WITHIN A 24" ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A CLOSED POSITION AND WHERE THE BOTTOM EDGE IS LESS THAN 60" ABOVE WALKING SURFACE.
* EXCEPTIONS:
A. PANELS WHERE THERE IS A WALL BARRIER BETWEEN THE DOOR & GLAZING.
B. WHERE DOOR IS TO A CLOSET 3'-0" DEEP OR LESS SHALL COMPLY WITH SEC. R308.4 (SEE NOTE 7 BELOW).
C. GLAZING IN WALLS PERPENDICULAR TO THE PLANE OF THE DOOR IN A CLOSED POSITION OTHER THAN THE WALL THE DOOR SWINGS TOWARD.
7. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL OTHER THAN THOSE LOCATIONS DESCRIBED ABOVE THAT MEETS ALL OF THE FOLLOWING CONDITIONS:
A. EXPOSED AREA OF AN INDIVIDUAL PANE GREATER THAN 9 S.F.
B. EXPOSED BOTTOM EDGE IS LESS THAN 18" ABOVE THE FLOOR.
C. EXPOSED TOP EDGE IS GREATER THAN 36" ABOVE THE FLOOR.
D. ONE OR MORE WALKING SURFACES WITHIN 36" HORIZONTALLY OF THE PLANE OF THE GLAZING.

## SQUARE FOOTAGE

| | | | |
|---|---|---|---|
| LIVING: | 1ST FLOOR | 1640 | S.F. |
| | 2ND FLOOR | 2435 | S.F. |
| | TOTAL LIVING: | 4075 | S.F. |
| | 1 CAR GARAGE | – | S.F. |
| | 1 CAR GARAGE | – | S.F. |
| | OBSERVATORY OPTION | – | S.F. |

PRJ-64959
081474

LARRY TINDALL
RESIDENTIAL DESIGNER
LAS VEGAS, NEVADA 89123 OFFICE (702) 897-8597 FAX (702) 896-8352

4125 PLAN
D.R. HORTON HOMES
LARRY TINDALL
RESIDENTIAL DESIGNER
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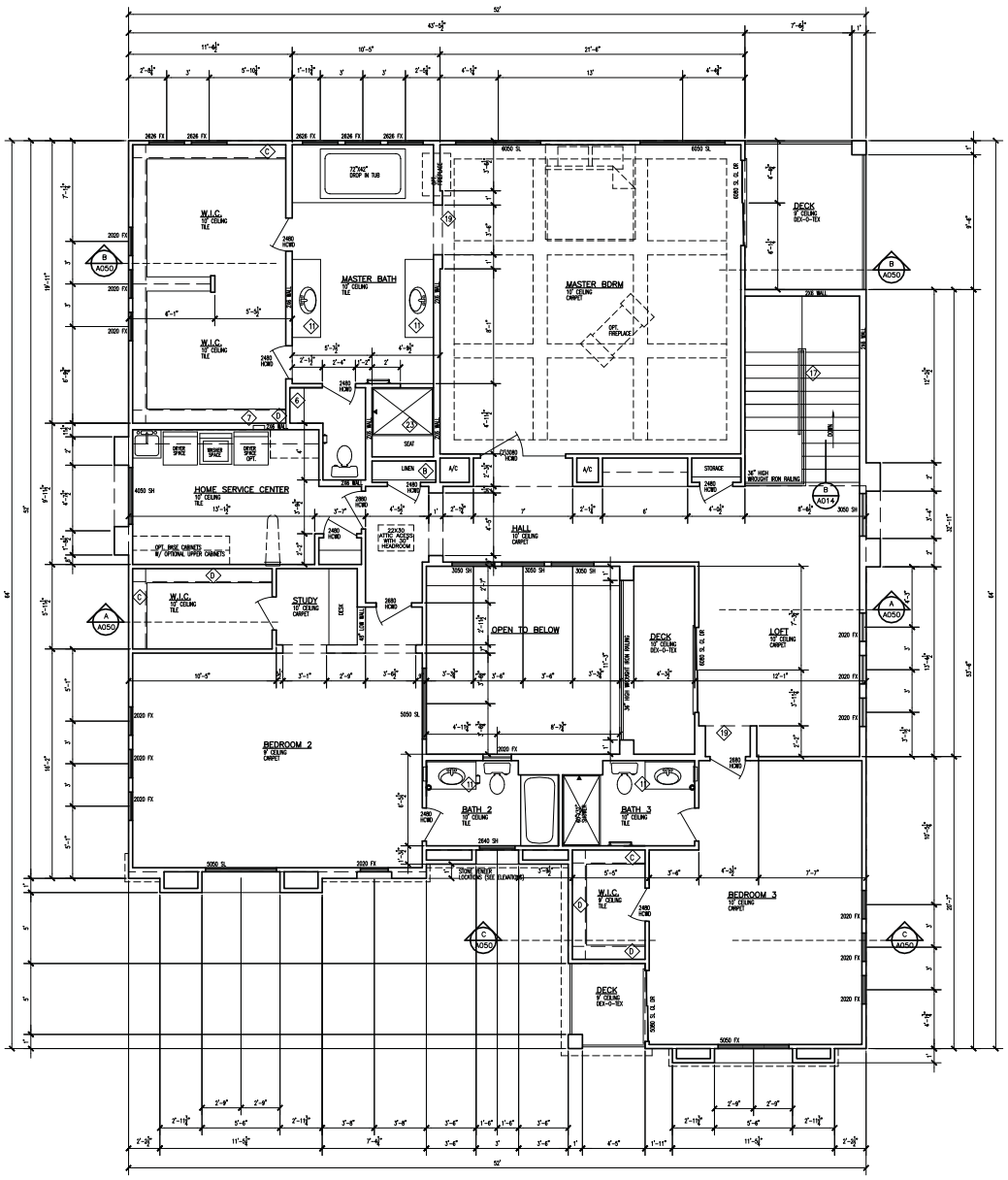
| REVISION | DATE | NOTES |
|---|---|---|
| | | |

FLOOR PLAN
1761 CARLOS DR

JOB NO.: 1217
FILE NAME:
DATE: 5-7-13
UPDATE:

A010

**VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 & VAR-55001 - REVISED**




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

ANDALUSIAN ELEVATION
AND TUSCAN ELEVATION

## KEYNOTES:

1. MIN. 36" WIDE X MIN. 36" DEEP X 4" THICK CONCRETE LANDING. STOOP WIDTH SHALL NOT BE LESS THAN THE DOOR SERVED.
2. DECORATIVE COLUMNS
3. CARPET STRIP.
4. 2X FRAMING WALL BELOW
5. NOT USED
6. DRYER EXHAUST VENT, SEE MECHANICAL DRAWINGS.
7. RECESSED WATER VALVE BOX, VERIFY WITH PLUMBING DWGS.
8. SOFT WATER LOOP
9. TANKLESS WATER HEATER. SEE MECHANICAL.
10. TEMPERED GLASS SHOWER DOOR
11. BASE CABINETS, SEE D.R. HORTON FOR TYPE AND MODEL.
12. WALL MOUNTED UPPER CABINETS, SEE D.R. HORTON FOR TYPE AND MODEL.
13. MAKE-UP COUNTER @ +28".
14. UNDER COUNTER DISHWASHER.
15. 41 X30 REFRIGERATOR/FREEZER LOCATION, VERIFY W/ D.R.H.
16. RECESSED ICE MAKER BOX WITH VALVE.
17. CONTINUOUS HANDRAIL 36" A.F.F.
18. CENTER WINDOW ON INTERIOR WALL.
19. ARCH. SEE INTERIOR ELEVATION.
20. CEILING LINE.
21. 5/8" GYP BD AT SOFFIT AND ENCLOSED SIDE OF STAIR
22. 5/8" GYP. BD. DRAFTSTOP SHOWN DASHED
23. 42"X42" SHOWER PAN
24. FOAM TRIM OR FOAM WAINSCOT OR FOAM TRIM W/STONE BELOW, SEE EXTERIOR ELEVATIONS FOR HEIGHTS & LOCATIONS.
25. NOT USED
26. 24" DEEP CABINET ABOVE

## GENERAL NOTES:

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

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

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

4. ALL BASE SHALL BE REVERSIBLE GRADE.

5. WHEN CERAMIC TILE, CULTURED MARBLE OR LIKE FINISHES ARE INSTALLED A BACKER BOARD OF CEMENT, FIBER CEMENT, OR GLASS MAT GYPSUM BACKERS IN COMPLIANCE WITH ASTM C1289, C1325 OR C1178 ARE TO BE USED IN THE TUBS TO A HEIGHT OF THE TILE IN TUB/SHOWER OR IN SHOWER FROM FLOOR TO CEILING AND ON THE CEILING TO THE EDGE OF THE TILE OR EDGE OF TUB/SHOWER, WHICHEVER IS GREATEST.

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

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

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

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

1102. KITCHEN COUNTER TOP @ +36", TYP. U.N.O. SEE D.R. HORTON FOR TYPE & STYLE.

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

12. GARAGE AND PATIO SHOULD SLOPE 1/4" PER FOOT.

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

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

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

**WINDOWS:**
1. ALL WINDOWS TO BE THERMAL-PANE GLASS.
2. PROVIDE LOW 'E' WINDOW, VERIFY W/ECC CALCS. BY MECHANICAL ENGINEER.
3. ESCAPE AND RESCUE WINDOWS SHALL HAVE A MIN. SILL HEIGHT OF 44" & MIN. NET CLEAR OPENABLE AREA OF 5.7 S.F. THE MIN. NET CLEAR OPENABLE HEIGHT DIM. SHALL BE 24". THE MIN. NET CLEAR OPENABLE WIDTH DIM. SHALL BE 20". WHEN WINDOWS ARE PROVIDED AS A MEANS OF ESCAPE AND RESCUE THEY SHALL HAVE A FINISHED SILL.
* EXCEPTIONS:
A. MINIMUM NET CLEAR OPENING FOR A ESCAPE AND RESCUE GRADE FLOOR OPENING SHALL BE 5 S.F.

**CONTRACTOR SHALL INSTALL TEMPERED GLAZING IN HAZARDOUS LOCATIONS:**
4. GLAZING IN SWING DOORS, FIXED & SLIDING PANELS OF SLIDING DOORS & PANEL IN SLIDING & BI-FOLD CLOSET DOORS & IN STORM DOORS & UNFRAMED SWINGING DOORS.
5. GLAZING IN DOORS & ENCLOSURES FOR HOT TUBS, WHIRLPOOLS, SAUNAS, STEAM ROOMS, BATH TUBS & SHOWERS. GLAZING WHERE BOTTOM EXPOSED EDGE IS LESS THAN 60" ABOVE A STANDING SURFACE.
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* EXCEPTIONS:
A. PANELS WHERE THERE IS A WALL BARRIER BETWEEN THE DOOR & GLAZING.
B. WHERE DOOR IS TO A CLOSET 3'-0" DEEP OR LESS SHALL COMPLY WITH SEC. R308.4 (SEE NOTE 7 BELOW).
C. GLAZING IN WALLS PERPENDICULAR TO THE PLANE OF THE DOOR IN A CLOSED POSITION OTHER THAN THE WALL THE DOOR SWINGS TOWARD.
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A. EXPOSED AREA OF AN INDIVIDUAL PANE GREATER THAN 9 S.F.
B. EXPOSED BOTTOM EDGE IS LESS THAN 18" ABOVE THE FLOOR.
C. EXPOSED TOP EDGE IS GREATER THAN 36" ABOVE THE FLOOR.
D. ONE OR MORE WALKING SURFACES WITHIN 36" HORIZONTALLY OF THE PLANE OF THE GLAZING.

PRJ-54959
08/14/14

LARRY TINDALL
RESIDENTIAL DESIGNER
FAX (702) 896-8352

4125 PLAN
D.R. HORTON HOMES
LARRY TINDALL
RESIDENTIAL DESIGNER
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OFFICE (702) 897-8597

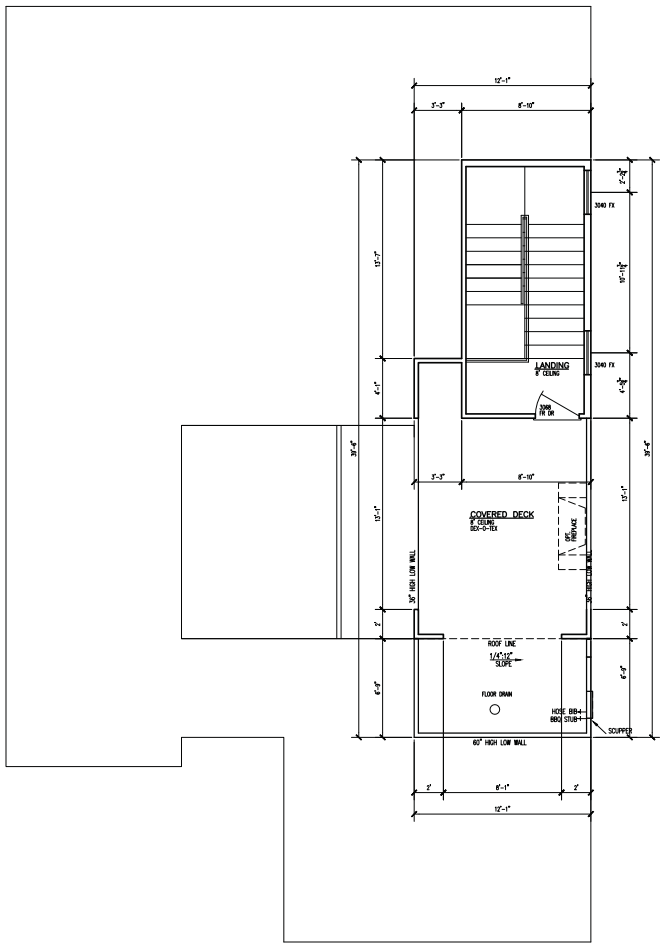
| REVISION | DATE | NOTES |
|---|---|---|
| | | |

1761 CARLOS DR LAS VEGAS, NEVADA 89123
FLOOR PLAN

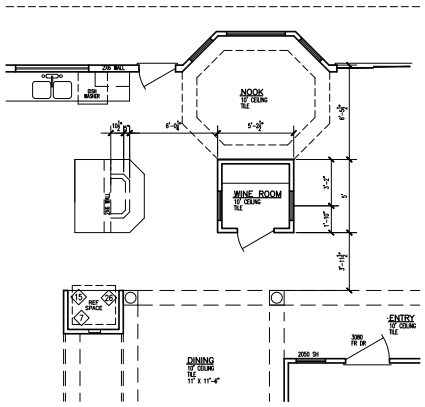
JOB NO.: 1217
FILE NAME:
DATE: 5-7-13
UPDATE:

A011

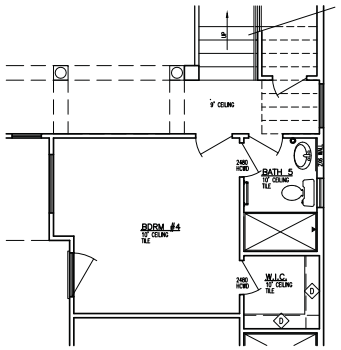
**VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 & VAR-55001 - REVISED**



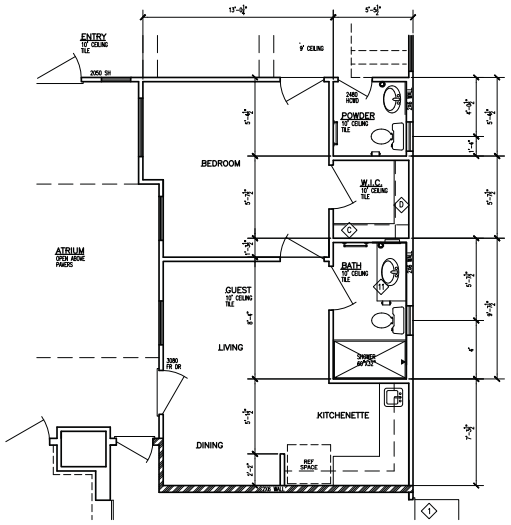

4 DECK OPTION
SCALE: 1/4" = 1'-0"




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




2 BDRM #4 OPT.
SCALE: 1/4" = 1'-0"




1 GUEST QUARTERS OPT
SCALE: 1/4" = 1'-0"

PRJ-54959
08/14/14

LARRY TINDALL
RESIDENTIAL DESIGNER
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LAS VEGAS, NEVADA 89123
1761 CARLOS DR

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4125 PLAN
D.R. HORTON HOMES
LARRY TINDALL
RESIDENTIAL DESIGNER

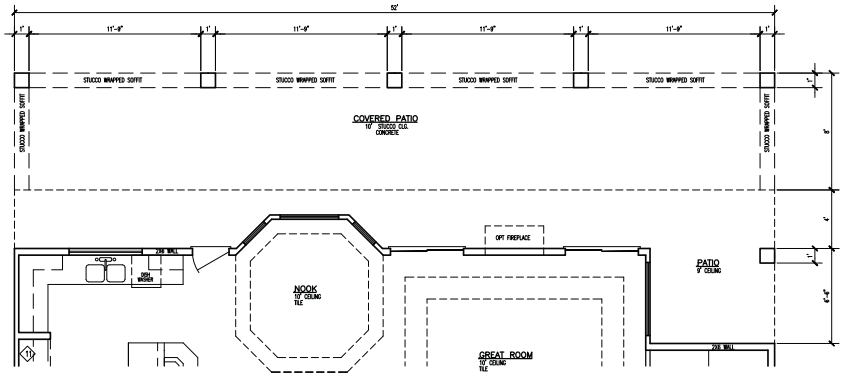
| REVISION | DATE | NOTES |
|---|---|---|
| | | |

FLOOR PLAN

JOB NO.: 1217
FILE NAME:
DATE: 5-7-13
UPDATE:

A012

**VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 & VAR-55001 - REVISED**




(1) FULL PATIO OPTION
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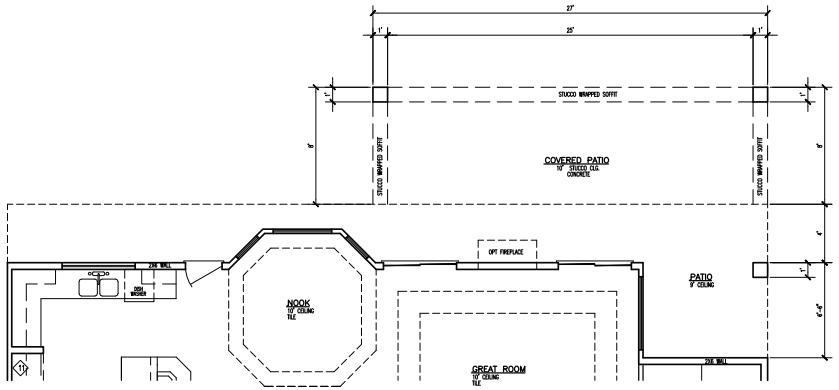


(1) PARTIAL PATIO OPTION
SCALE: 1/4" = 1'-0"

PRJ-54959
08/14/14

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FAX (702) 896-8392
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4125 PLAN
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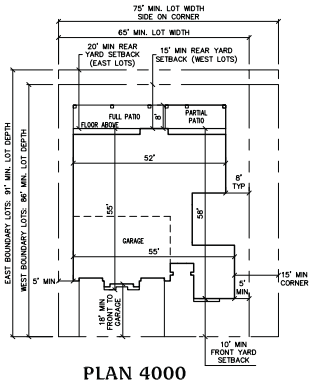
| REVISION | DATE | NOTES |
|---|---|---|
| | | |

FLOOR PLAN

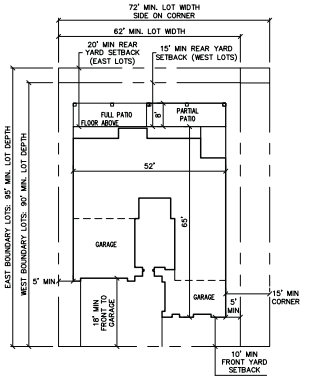
JOB NO.: 1217
FILE NAME:
DATE: 5-7-13
UPDATE:

A013

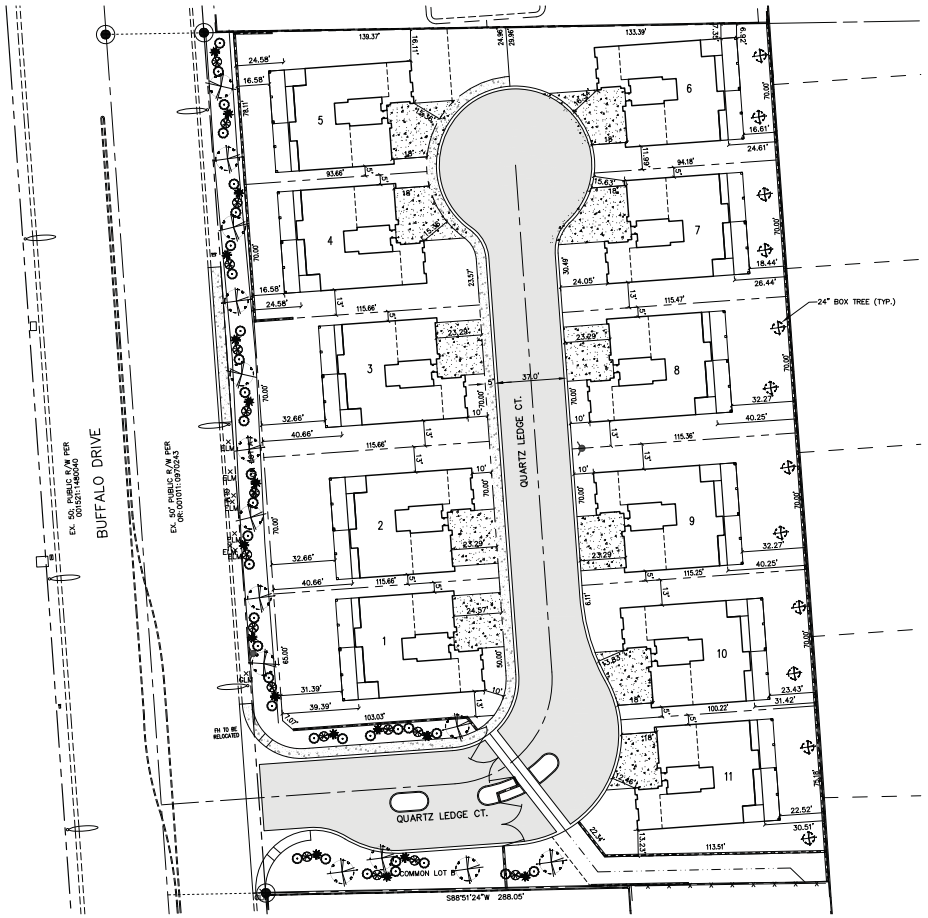
**VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 & VAR-55001 - REVISED**




PLAN 4000




PLAN 4125




PLAN 4125

● MODEL AVAILABLE WITH ALL OPTIONS

| LOT NUMBER | PLAN 4000 | PLAN 4125 |
|---|---|---|
| 1 | ● | ● |
| 2 | ● | ● |
| 3 | ● | ● |
| 4 | ● | ● |
| 5 | ● | ● |
| 6 | ● | ● |
| 7 | ● | ● |
| 8 | ● | ● |
| 9 | ● | ● |
| 10 | ● | ● |
| 11 | ● | ● |

NORTH

GRAPHIC SCALE

40 0 20 40 80 160

( IN FEET )
1 inch = 40 ft.

## SETBACK REQUIREMENTS

| | |
|---|---|
| FRONT TO GARAGE | 18' MIN. |
| SIDE YARD | 5' MIN. |
| SIDE ON CORNER | 15' MIN. |
| REAR YARD (WEST LOTS) | 15' MIN. |
| REAR YARD (EAST LOTS) | 20' MIN. |
| REAR PATIO | 5' MIN. |

## VARIANCE

FOR LOTS 1 THRU 11

FRONT TO LIVING _____ 10' MIN.

PRJ-54959
08/26/14

| NO. | DESCRIPTION | DATE | APP'D |
|---|---|---|---|

DATE : 08/06/14
PM : J. PEARCE
DRAWN BY :
DESIGNED BY :
CHECKED BY :
ADA CHECKED :
JOB NO. : 007.033
SCALE : 1" = 40'

Triton Engineering
6757 West Charleston Boulevard
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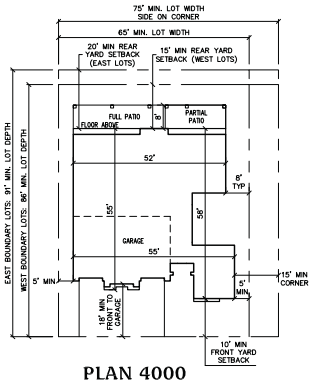
Las Vegas, Nevada, 89146
Office (702) 234-4480
Fax (702) 234-6062
www.tritoneng.com

DR HORTON
BUFFALO AND OAKEY
PLAN 4125
LOT FIT ANALYSIS

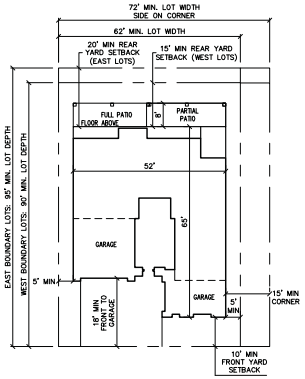
SHEET 1 OF 2

C:\Triton Drawings\007.025 Buffalo Oakey\Drawings\PlotPlans\007.025-LotFit-R3.dwg kwittwer Tue, 12 Aug 2014 - 5:59pm

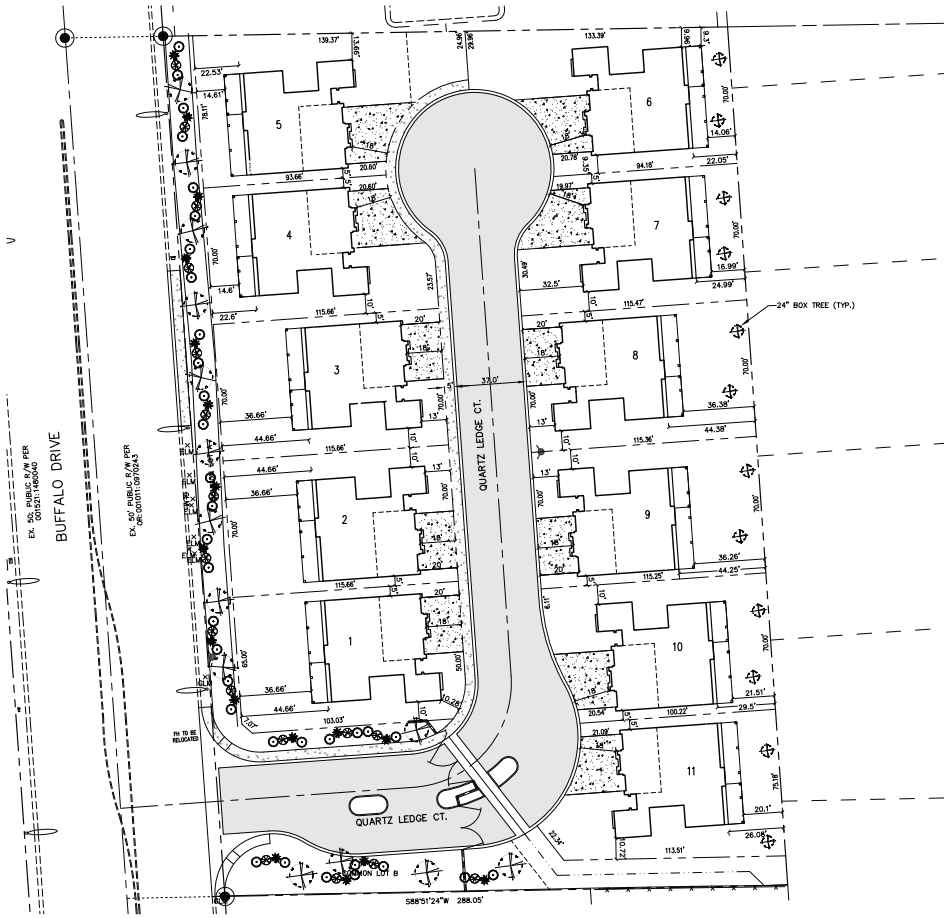
**VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 & VAR-55001 - REVISED**




PLAN 4000




PLAN 4125




PLAN 4000

● MODEL AVAILABLE WITH ALL OPTIONS

| LOT NUMBER | PLAN 4000 | PLAN 4125 |
|---|---|---|
| 1 | ● | ● |
| 2 | ● | ● |
| 3 | ● | ● |
| 4 | ● | ● |
| 5 | ● | ● |
| 6 | ● | ● |
| 7 | ● | ● |
| 8 | ● | ● |
| 9 | ● | ● |
| 10 | ● | ● |
| 11 | ● | ● |

NORTH

GRAPHIC SCALE

40 0 20 40 80 160

( IN FEET )
1 inch = 40 ft.

## SETBACK REQUIREMENTS

| | |
|---|---|
| FRONT TO GARAGE | 18' MIN. |
| SIDE YARD | 5' MIN. |
| SIDE ON CORNER | 15' MIN. |
| REAR YARD (WEST LOTS) | 15' MIN. |
| REAR YARD (EAST LOTS) | 20' MIN. |
| REAR PATIO | 5' MIN. |

## VARIANCE

FOR LOTS 1 THRU 11

FRONT TO LIVING _____ 10' MIN.

NO. | DESCRIPTION | DATE | APP'D

PRJ-54959
08/26/14

DATE : 08/06/14
PM : J. PEARCE
DRAWN BY :
DESIGNED BY :
CHECKED BY :
ADA CHECKED :
JOB NO. : 007.033
SCALE : 1" = 40'

Triton Engineering
6757 West Charleston Boulevard
Suite 18
Las Vegas, Nevada 89146
Office (702) 254-4488
Fax (702) 254-6062
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DR HORTON
BUFFALO AND OAKEY
PLAN 4000
LOT FIT ANALYSIS

SHEET 2 OF 2

C:\Triton Drawings\007.025 Buffalo Oakey\Drawings\PlotPlans\007.025-LotFit-R3.dwg kwittwer Tue, 12 Aug 2014 - 5:50pm

**VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 & VAR-55001 - REVISED**

Triton Engineering

July 9, 2014

Doug Rankin
Planning Manager
City of Las Vegas
Planning & Development
333 North Rancho Drive, 3rd Floor
Las Vegas, NV 89106

**Re: Buffalo/Oakey Residential Subdivision**

**Subject: Justification letter for Variance on Parcels #163-03-201-003, 004 & 005.**

Dear Mr. Rankin:

As representatives of DR HORTON we respectfully request for a Variance for a 10' front yard setback in the above mentioned parcels. The subject property is located within City of Las Vegas.

The applicant is requesting a Variance for a 10' minimum front yard setback where 20' minimum is required for this proposed 11 lot single-family residential development. This 10' minimum front yard setback would be to the building and an 18' minimum front setback would be maintained to the garage. This variance is being requested for all eleven (11) lots within this development even if these variances are to be separated out into eleven (11) separate hearing items.

If you should have any questions concerning this, please contact either myself or Kelly J. Wittwer, P.E. at Triton Engineering. We thank you in advance for your consideration and approval.

Sincerely,

Aimee Ignatowicz-English
Project Coordinator

**VAR-54991, VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 & VAR-55001**

PRJ-54959
07/10/14

6757 W. Charleston Blvd., Suite B • Las Vegas, Nevada 89146
Office: (702) 254-1480 • Fax: (702) 254-3062 • www.tritoneng.com

VAR-54991 RELATED TO VAR-54992, VAR-54993, VAR-54994, VAR-54995, VAR-54996, VAR-54997, VAR-54998, VAR-54999, VAR-55000 AND VAR-55001 [PRJ-54959]
EAST SIDE OF BUFFALO DRIVE, NORTH OF OAKEY BOULEVARD

07/31/14

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.46⁰
0004279218 AUG 26 2014
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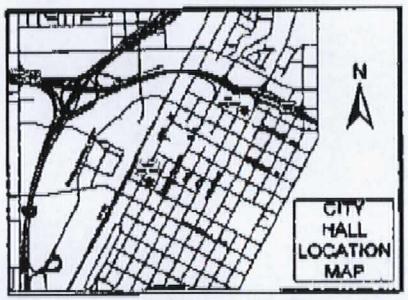
**Return Service Requested**
**Official Notice of Public Hearing**

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City of Las Vegas
Dept. of Planning

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above. fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-54991 & VAR-54992 [PRJ-54959]**
Planning Commission Meeting of 9/9/2014

Case: VAR-54991
16303301012
BARTSAS MARY 13 L L C
601 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

43 FRDFNMP 891.06

Date 09/02/14 Item 22-234

City of Las Vegas Agenda Item No.: **23.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
VAR-54992 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 2 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup - Refer to VAR-54991
2. Supporting Documentation

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

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-54992 APN: 163-03-201-003 - 005

Name of Property Owner: Valencia A13004 Investors LLC

Name of Applicant: DR Horton

Name of Representative: Triton Engineering

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Carolyn M. Usher Mgr

Print Name: CAROLYN MARIE USHER

Subscribed and sworn before me

This 4 day of MARCH, 2014

Notary Public in and for said County and State

JANA SHORE
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 09-13-17
Certificate No: 01-71602-1

Revised 11-14-06

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PRJ-54959
07/10/14

City of Las Vegas Agenda Item No.: **24.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
VAR-54993 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 3 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup - Refer to VAR-54991
2. Supporting Documentation
3. Support Postcard - VAR-54993 and VAR-54994 [PRJ-54959]

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

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-54993 APN: 163-03-201-003 - 005

Name of Property Owner: Valencia A13004 Investors LLC

Name of Applicant: DR Horton

Name of Representative: Triton Engineering

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Carolyn M. Usher, Mgr

Print Name: CAROLYN MARIE USHER

Subscribed and sworn before me

This 4 day of MARCH, 2014

Notary Public in and for said County and State

JANA SHORE
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 09-13-17
Certificate No: 01-71602-1

Revised 11-14-06

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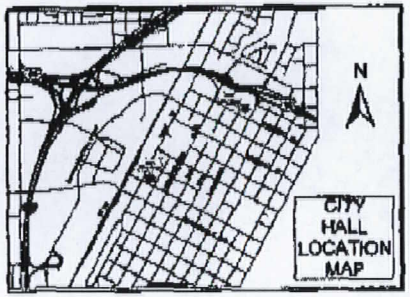
PRJ-54959
07/10/14

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.46⁰
0004279218 AUG 28 2014
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-54993 & VAR-54994 [PRJ-54959]**
Planning Commission Meeting of 9/9/2014

Case: VAR-54993
16303301012
BARTSAS MARY 13 L L C
601 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

Date 9/9/14
Item 24-25A

43 FRDFNMP 89106

City of Las Vegas Agenda Item No.: **25.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
VAR-54994 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 4 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup - Refer to VAR-54991
2. Supporting Documentation

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

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-54994 APN: 163-03-201-003 - 005

Name of Property Owner: Valencia A13004 Investors LLC

Name of Applicant: DR Horton

Name of Representative: Triton Engineering

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Carolyn M. Usher, Mgr.

Print Name: CAROLYN MARIE USHER

Subscribed and sworn before me

This 4 day of MARCH, 2014

Notary Public in and for said County and State

JANA SHORE
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 09-13-17
Certificate No: 01-71602-1

Revised 11-14-06

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PRJ-54959
07/10/14

City of Las Vegas Agenda Item No.: **26.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
VAR-54995 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 5 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommend DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup - Refer to VAR-54991
2. Supporting Documentation
3. Protest Postcard - VAR-54995 and VAR-54996 [PRJ-54959]

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

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-54995 APN: 163-03-201-003 - 005

Name of Property Owner: Valencia A13004 Investors LLC

Name of Applicant: DR Horton

Name of Representative: Triton Engineering

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Carolyn M. Usher, Mgr.

Print Name: CAROLYN MARIE USHER

Subscribed and sworn before me

This 4 day of MARCH, 2014

Notary Public in and for said County and State

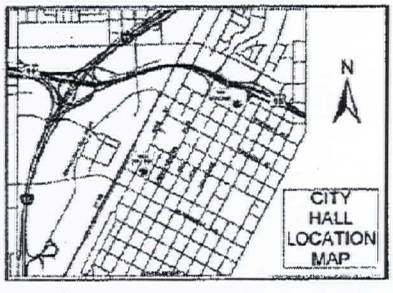
JANA SHORE
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 09-13-17
Certificate No: 01-71602-1



PRJ-54959
07/10/14

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

**Return Service Requested**
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-54995 & VAR-54996 [PRJ-54959]**
Planning Commission Meeting of 9/9/2014

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City of Las Vegas
Dept. of Planning

Case: VAR-54995
16303202004
PAQUETTE PAUL E & KAREN
1641 CHARLES LAM CT
LAS VEGAS NV 89117-1441

71 FRDFTMP 8317

Date 09/02/14 Item 210-21 P

City of Las Vegas Agenda Item No.: **27.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
VAR-54996 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 6 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup - Refer to VAR-54991
2. Supporting Documentation

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

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-54996 APN: 163-03-201-003 - 005

Name of Property Owner: Valencia A13004 Investors LLC

Name of Applicant: DR Horton

Name of Representative: Triton Engineering

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Carolyn M. Usher, Mgr.

Print Name: CAROLYN MARIE USHER

Subscribed and sworn before me

This 4 day of MARCH, 2014

Notary Public in and for said County and State

JANA SHORE
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 09-13-17
Certificate No: 01-71602-1

Revised 11-14-06

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PRJ-54959
07/10/14

City of Las Vegas Agenda Item No.: **28.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
VAR-54997 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 7 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **2** | **Planning Commission Mtg.** | **1** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup - Refer to VAR-54991
2. Supporting Documentation
3. Protest/Support Postcards - VAR-54997 and VAR-54998 [PRJ-54959]

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

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-54997 APN: 163-03-201-003 - 005

Name of Property Owner: Valencia A13004 Investors LLC

Name of Applicant: DR Horton

Name of Representative: Triton Engineering

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: CAROLYN MARIE USHER

Subscribed and sworn before me

This 4 day of MARCH, 2014

_____

Notary Public in and for said County and State

JANA SHORE
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 09-13-17
Certificate No: 01-71602-1



PRJ-54959
07/10/14

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

**Return Service Requested**
**Official Notice of Public Hearing**

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-54997 & VAR-54998 [PRJ-54959]**
Planning Commission Meeting of 9/9/2014

RECEIVED
SEP 2 2014
City of Las Vegas
Dept. of Planning

Case: VAR-54997
16303202004
PAQUETTE PAUL E & KAREN
1641 CHARLES LAM CT
LAS VEGAS NV 89117-1441

Date 09/02/14 Item 28-29 P

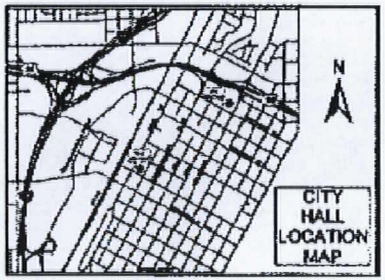
P.1
TO:7024647499
7024457194
AUG-29-2014 04:17 FROM:M&M

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
FIRST CLASS
02 1M $00.46⁰
0000427921B AUG 28 2014
MAILED FROM ZIPCODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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City of Las Vegas
Dept. of Planning

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-54997 & VAR-54998 [PRJ-54959]**
Planning Commission Meeting of 9/9/2014

Case: VAR-5497
16303211001
KESSLER MICHAEL & MELINDA R
1401 TEN PALMS CT
LAS VEGAS NV 89117-1404

71 FRDFNMP 89117

Date 9/9/14 Item 28-29

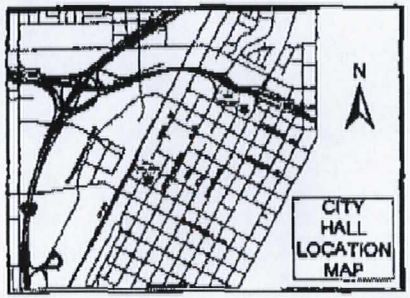
P.1
TO:7024647499
7024457194
AUG-29-2014 04:17 FROM:M&M

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.46⁰
0004279218 AUG 28 2014
MAILED FROM ZIPCODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**




RECEIVED
SEP 2 2014
City of Las Vegas
Dept. of Planning

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-54997 & VAR-54998 [PRJ-54959]**
Planning Commission Meeting of 9/9/2014

Case: VAR-54997
16303301012
BARTSAS MARY 13 L L C
601 S RANCHO DR #C23
LAS VEGAS NV 89106-4825

43 FREEMAP 89106

Date 09/02/14 Item 28-29A

City of Las Vegas Agenda Item No.: **29.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
VAR-54998- VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 8 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

| **PROTESTS RECEIVED BEFORE:** | | **APPROVALS RECEIVED BEFORE:** | |
|---|---|---|---|
| **Planning Commission Mtg.** | **2** | **Planning Commission Mtg.** | **1** |
| **City Council Meeting** | **0** | **City Council Meeting** | **0** |

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup - Refer to VAR-54991
2. Supporting Documentation

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

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-54998 APN: 163-03-201-003 - 005

Name of Property Owner: Valencia A13004 Investors LLC

Name of Applicant: DR Horton

Name of Representative: Triton Engineering

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Carolyn M. Usher, Mgr.

Print Name: CAROLYN MARIE USHER

Subscribed and sworn before me

This 4 day of MARCH, 2014

Notary Public in and for said County and State

JANA SHORE
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 09-13-17
Certificate No: 01-71602-1

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.pdf

PRJ-54959
07/10/14

City of Las Vegas Agenda Item No.: **30.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
VAR-54999 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 9 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup - Refer to VAR-54991
2. Supporting Documentation
3. Protest Postcards - VAR-54999 and VAR-55000 [PRJ-54959]

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

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-54999 APN: 163-03-201-003 - 005

Name of Property Owner: Valencia A13004 Investors LLC

Name of Applicant: DR Horton

Name of Representative: Triton Engineering

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Carolyn M. Usher Mgr

Print Name: CAROLYN MARIE USHER

Subscribed and sworn before me

This 4 day of MARCH, 2014

Notary Public in and for said County and State

JANA SHORE
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 09-13-17
Certificate No: 01-71602-1

Revised 11-14-06

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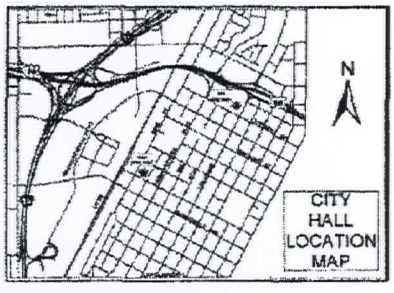
PRJ-54959
07/10/14

Aug 30 14 03:56p

p.1

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

**Return Service Requested**
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-54999 & VAR-55000 [PRJ-54959]**
Planning Commission Meeting of 9/9/2014

RECEIVED
SEP 2 2014
City of Las Vegas
Dept. of Planning

Case: VAR-54999
16303202004
PAQUETTE PAUL E & KAREN
1641 CHARLES LAM CT
LAS VEGAS NV 89117-1441

71 FRDFNMP 89117

Date 09/02/14 Item 30-31 P

AUG-29-2014 04:23 FROM:M&M 7024457194 TO:7024647499 P.1

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

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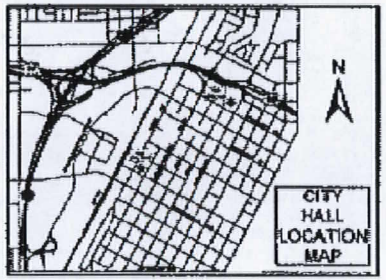
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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City of Las Vegas
Dept. of Planning

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-54999 & VAR-55000 [PRJ-54959]**
Planning Commission Meeting of 9/9/2014

Case: VAR-54999
163032110001
KESSLER MICHAEL & MELINDA R
1401 TEN PALMS CT
LAS VEGAS NV 89117-1404

71 FRDFNMP 89117

Date 09/02/14
Item 30-31 P

City of Las Vegas Agenda Item No.: **31.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
VAR-55000 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 10 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup - Refer to VAR-54991
2. Supporting Documentation

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

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-55000 APN: 163-03-201-003 - 005

Name of Property Owner: Valencia A13004 Investors LLC

Name of Applicant: DR Horton

Name of Representative: Triton Engineering

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Carolyn M. Usher, Mgr.

Print Name: CAROLYN MARIE USHER

Subscribed and sworn before me

This 4 day of MARCH, 2014

Notary Public in and for said County and State

JANA SHORE
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 09-13-17
Certificate No: 01-71602-1

Revised 11-14-06

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PRJ-54959
07/10/14

City of Las Vegas Agenda Item No.: **32.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
VAR-55001 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON - OWNER: VALENCIA A13004 INVESTORS, LLC - For possible action on a request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED ON PROPOSED LOT 11 on a portion of 2.91 acres on the east side of Buffalo Drive, approximately 230 feet north of Oakey Boulevard (APNs 163-03-201-003, 004 and 005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian) [PRJ-54959]. Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

**BACKUP DOCUMENTATION:**
1. Consolidated Backup - Refer to VAR-54991
2. Supporting Documentation
3. Protest Postcards

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

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-55001 APN: 163-03-201-003 - 005

Name of Property Owner: Valencia A13004 Investors LLC

Name of Applicant: DR Horton

Name of Representative: Triton Engineering

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Carolyn M. Usher, Mgr.

Print Name: CAROLYN MARIE USHER

Subscribed and sworn before me

This 4 day of MARCH, 2014

Notary Public in and for said County and State

JANA SHORE
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 09-13-17
Certificate No: 01-71602-1

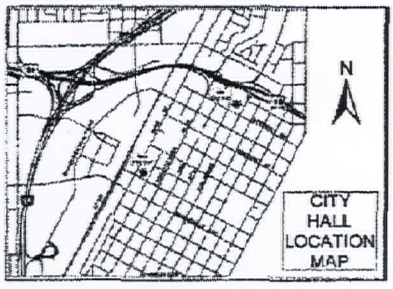
Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.pdf

PRJ-54959
07/10/14

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

**Return Service Requested**
**Official Notice of Public Hearing**




If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

**VAR-55001 [PRJ-54959]**
Planning Commission Meeting of 9/9/2014

RECEIVED
SEP 2 7 2014
City of Las Vegas
Dept. of Planning

Case: VAR-55001
16303202004
PAQUETTE PAUL E & KAREN
1641 CHARLES LAM CT
LAS VEGAS NV 89117-1441

Date 09/02/14 Item 32 P

AUG-29-2014 04:24 FROM:M&M 7024457194 TO:7024647499 P.1/1

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

PRESORTED FIRST CLASS

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0004279218 AUG 28 2014
MAILED FROM ZIP CODE 89101

**Return Service Requested**
**Official Notice of Public Hearing**

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.
**VAR-55001 [PRJ-54959]**
Planning Commission Meeting of 9/9/2014

RECEIVED
SEP 2 2014
City of Las Vegas
Dept. of Planning

Case: VAR-55001
16303211001
KESSLER MICHAEL & MELINDA R
1401 TEN PALMS CT
LAS VEGAS NV 89117-1404

71 FRDFNMP 89117

Date 09/02/14 Item 32 P

City of Las Vegas Agenda Item No.: **33.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

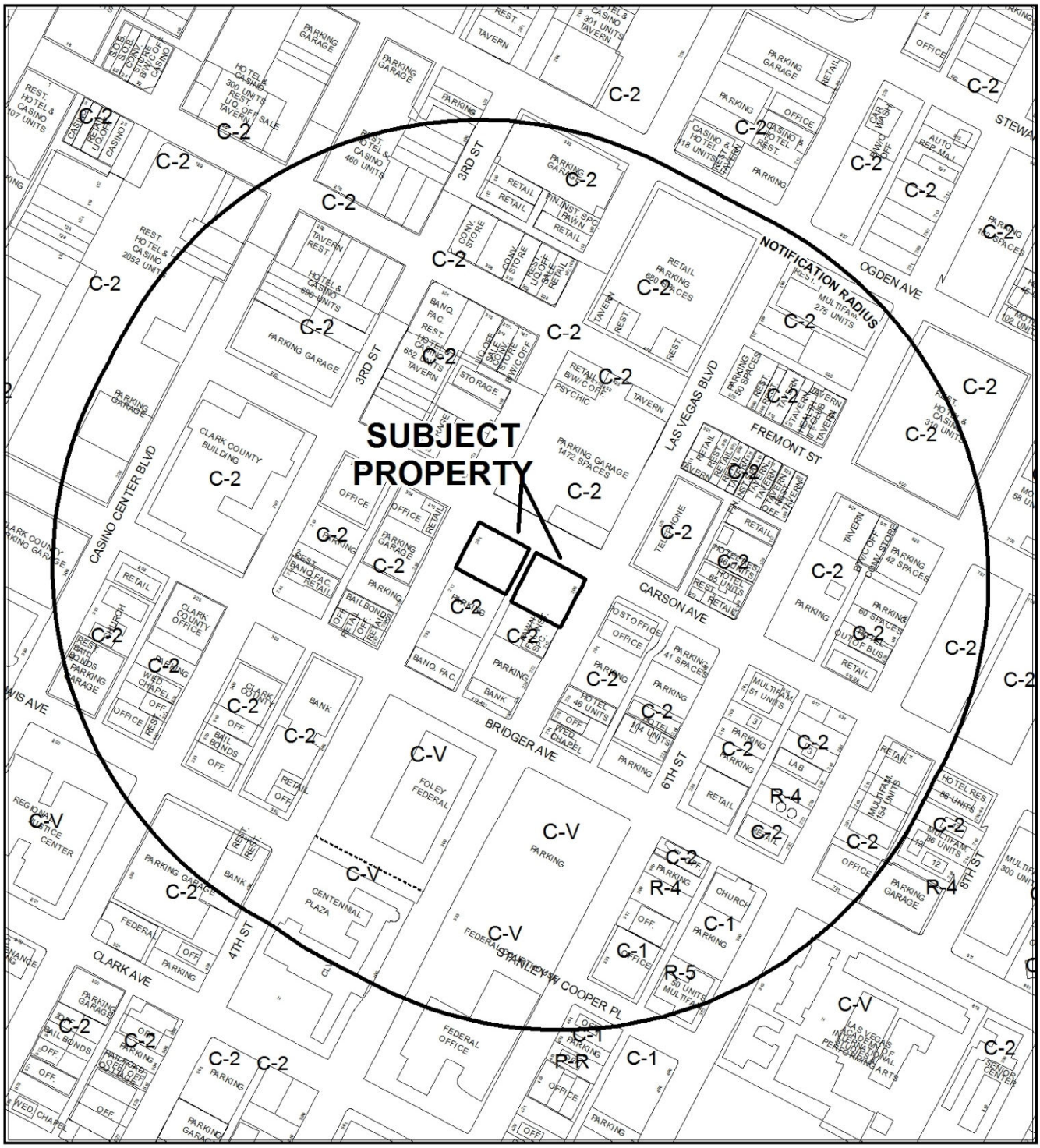
**SUBJECT:**
VAR-55335 - VARIANCE - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: PROVIEW SERIES 17, LLC - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT SIGN SETBACK WHERE FIVE FEET IS REQUIRED AND TO ALLOW TWO FREESTANDING SIGNS TO BE LOCATED WITHIN THE DOWNTOWN CASINO OVERLAY SPECIAL SIGNAGE DISTRICT WHERE SUCH IS NOT ALLOWED on 0.85 acres at 200 South Las Vegas Boulevard and 201 South 4th Street (APNs 139-34-610-023 and 031), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-54636]. Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

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




0 300 600 Feet

**CASE:** **VAR-55335 (PRJ-54636)**

**RADIUS:** 1000 FEET

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

N

0 300 600 Feet

**CASE:** **VAR-55335 (PRJ-54636)**

**RADIUS:** 1000 FEET

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

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT: CITY OF LAS VEGAS - OWNER: PROVIEW SERIES 17, LLC**

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

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **VAR-55335** | Staff recommends DENIAL, if approved subject to conditions: | |

**** CONDITIONS ****

# VAR-55335 CONDITIONS

***Planning***

1. Conformance to the approved conditions for Site Development Plan Review (SDR-49986).

2. All proposed signage shall be approved by the Downtown Design Review Committee prior to issuance of a permit for signage.

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

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

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

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

***Public Works***

7. The proposed signs shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

8. Site Development to comply with all applicable conditions of approval for SDR-49986 and all other applicable site related actions.

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant (City of Las Vegas) is requesting approval of four signs advertising public parking to be located around the perimeter of a temporary municipal parking lot. Four freestanding signs are proposed; two are proposed to face Carson Avenue, one is proposed to face 4th Street and one would face Las Vegas Boulevard. A Variance is needed to allow all of the signs to be located at the property line where a five-foot setback is required by Title 19.08.120. The proposed signage is expected to be in place until the current lease expires in approximately 1.5 years. Currently, approved temporary banner signage is affixed to the wrought iron fencing on the perimeter of the lot. As signs displaying the proposed information could be designed as incidental signs meeting the required setbacks, staff recommends denial, with conditions if approved.

## ISSUES

- A Variance is requested to allow a zero-foot setback for each proposed freestanding sign (four in total) where five feet is the minimum required.
- The proposed signage is subject to review by the Downtown Design Review Committee (DDRC) prior to issuance of sign permits. The DDRC denied the Sign Design Review (ARC-55336) associated with the proposed signs at its meeting of 08/19/14. Therefore, in order for the proposed signs to be installed, this Variance must be approved and the sign design must be approved on appeal by the City Council.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc.*** | |
|---|---|
| 02/10/11 | A Code Enforcement case (97958) was processed for an illegal parking lot at 200 South Las Vegas Boulevard. The case was resolved by Code Enforcement on 06/12/13. |
| 08/17/11 | The City Council approved a Site Development Plan Review (SDR-41271) for a proposed parking lot with waivers of Downtown Centennial Plan Streetscape and Parking Lot Landscape Requirements on 0.85 acres at 201 South 4th Street and 200 South Las Vegas Boulevard. The Planning Commission recommended approval; staff recommended denial. |
| 07/01/13 | Department of Planning staff administratively approved a Site Development Plan Review (SDR-49986) for a temporary parking lot on 0.84 acres at 200 South Las Vegas Boulevard and 201 South 4th Street. This approval expires 07/01/16 unless an Extension of Time is approved. |

| | |
|---|---|
| 03/27/14 | Department of Planning staff approved a Temporary Sign Permit (TSP-53492) for three 3-foot by 14-foot banners at 200 South Las Vegas Boulevard and 201 South 4th Street from 04/01/14 to 10/01/14. The permit is still active. |
| 08/19/14 | The Downtown Design Review Committee denied a Sign Design Review (ARC-55336) for four freestanding signs with a waiver to allow no neon illumination where 75 percent is required at 200 South Las Vegas Boulevard and 201 South 4th Street. The applicant has appealed the decision to the City Council. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 03/29/13 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 09/09/10 | Two building permits (171338 and 171339) were issued for demolition of a bank building at 200 South Las Vegas Boulevard and 201 South 4th Street. A final inspection was completed 11/01/10. |

| ***Pre-Application Meeting*** | |
|---|---|
| 06/12/14 | Submittal requirements for a sign design review were discussed. A Variance would be needed for relief from several Title 19 sign standards. |

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

| ***Field Check*** | |
|---|---|
| 07/31/14 | The site contains two existing surface parking lots surrounded by the standard Centennial Plan metal fencing. Three banners advertising public parking are affixed to the fences with plastic ties. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.85 |

| *Surrounding Property* | *Existing Land Use Per Title 19.12* | *Planned or Special Land Use Designation* | *Existing Zoning District* |
|---|---|---|---|
| Subject Property | Temporary Parking Facility | C (Commercial) | C-2 (General Commercial) |
| North | Parking Facility | C (Commercial) | C-2 (General Commercial) |
| South | Financial Institution, Specified<br>Banquet Facility | C (Commercial) | C-2 (General Commercial) |
| East | Post Office, Regional | C (Commercial) | C-2 (General Commercial) |
| West | Office, Other Than Listed<br>General Retail | C (Commercial) | C-2 (General Commercial) |

| *Master Plan Areas* | *Compliance* |
|---|---|
| Downtown Centennial Plan | Y |
| ***Special Purpose and Overlay Districts*** | ***Compliance*** |
| Downtown Centennial Plan Overlay District (Central Casino Core District) | N |
| A-O (Airport Overlay) District (200 Feet) | Y |
| Downtown Casino Overlay District | N |
| Live/Work Overlay District | N/A |
| Las Vegas Boulevard Scenic Byway Overlay District | N |
| ***Other Plans or Special Requirements*** | ***Compliance*** |
| Trails | N/A |
| Las Vegas Redevelopment Plan Area | Y |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A |
| Project of Regional Significance | N/A |

***Sign Plan Details Summary***

| *Sign Key* | *Location* | *Type* | *Allowed Area* | *Proposed Area* | *Clearance* | *Height* | *Illumination* |
|---|---|---|---|---|---|---|---|
| A | Las Vegas Blvd | freestanding | 280 SF | 40 SF | 6 Feet | 9.5 Feet | None |
| B | Carson Ave | freestanding | 245 SF | 40 SF | 6 Feet | 9.5 Feet | None |
| C | Carson Ave | freestanding | 245 SF | 40 SF | 6 Feet | 9.5 Feet | None |
| D | 4th St | freestanding | 260 SF | 40 SF | 6 Feet | 9.5 Feet | None |

## DEVELOPMENT STANDARDS

***Pursuant to Title 19.08.120, the following standards apply:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Sign Setbacks (freestanding only): | | | |
| • Front (Las Vegas Blvd./4th St.) | 5 Feet | 0 Feet | N |
| • Side | 5 Feet | 0 Feet | N |
| • Corner (Carson Ave.) | 5 Feet | 0 Feet | N |
| • Rear | 5 Feet | 0 Feet | N |

## ANALYSIS

Signage within the Central Casino Core of the Downtown Centennial Plan Overlay District is subject to Title 19.08.120 standards for zoning and design, except as required for illumination on the Las Vegas Scenic Byway (Title 19.10.160). Per Title 19, any freestanding sign must be set back at least five feet from all property lines. The parking lot for which the signage is proposed was approved in 2013 as a temporary lot for three years under the authority of the Downtown Centennial Plan. The approval can be extended for an additional period of time by the City Council. The permit for the current temporary banner signage expires 10/01/14, with the next opportunity to apply in January 2015 for a three-month window.

Title 19.08.120(F)(6) allows for certain incidental signs to be erected to convey information related to the use on the site without advertising products. The site is allowed an unlimited number of signs for this purpose as long as they meet the size and area requirements and are set back at least five feet from property lines. Because the proposed signs exceed the size and area allowances for incidental signs, the standards for freestanding and wall signs were instead applied. Signs could be designed in such a way as to meet the incidental sign standards and avoid the need for a Variance. The Downtown Design Review Committee denied the associated Sign Design Review (ARC-55336) that included waivers of the required 75 percent neon illumination standard within the Las Vegas Scenic Byway.

Staff notes that the site plan used to show the location of the signs does not match that which was approved through Site Development Plan Review (SDR-49986); however, the parking lot is already developed and no changes are proposed to the lot by this request. If this Variance is approved, a condition requires conformance to the approved conditions for SDR-49986, including the site plan associated with that review.

**FINDINGS (VAR-55335)**

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing freestanding signs within required setback areas where they could be designed to conform to Title 19 requirements for incidental signs. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 35

**NOTICES MAILED** 130

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

**VAR-55335**

Case Number: PRJ54636 APN: 139-34-610-023 and 139-34-610-031

Name of Property Owner: Proview Series 17, LLC

Name of Applicant: City of Las Vegas

Name of Representative: Brandy Stanley

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: Kamran D. Fouladbakhsh

Subscribed and sworn before me

This 23 day of July, 2014

_____

Notary Public in and for said County and State

State of Nevada
County of Clark.

JOANN CROLLI
Notary Public-State of Nevada
APPT. NO. 02-79131-1
My App. Expires September 18, 2014

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.pdf

PRJ-54636
07/24/14

# CLV Planning - Application Form

| | |
|---|---|
| Application Number: | PRJ-54636 |
| Application/Petition For: | Variance and DDRC Signage Design Review |
| ProjectAddress (Location): | 200 S LAS VEGAS BLVD AND 201 S 4TH ST |
| Project Name | CARSON AVENUE PARKING LOT SIGNAGE |
| Assessors Parcel #(s): | 13934610023, 13934610031 |
| Ward #: | WARD 3 (BOB COFFIN) |
| Is the Application Information Correct: | No |
| If no, ...change what | Project entirely within ward 3, please eliminate ward 1. |
| General Plan Designation: Proposed: | Select |
| Zoning District: Proposed: | Select |
| Gross Acres: | .85 |
| Lots/Units: | 2 |
| Additional Information: | |
| Applicant First Name: | Brandy |
| Applicant Last Name: | Stanley |
| Applicant Address: | 500 S. Main |
| Applicant City: | Las Vegas |
| Applicant State: | NV |
| Applicant Zip: | 89101 |
| Applicant Phone: | (702) 229-6863 |
| Applicant Fax: | (702) 382-2309 |
| Applicant Email: | bstanley@lasvegasnevada.gov |
| Rep First Name: | Brandy |
| Rep Last Name: | Stanley |
| Rep Address: | 500 S. Main |
| Rep City: | Las Vegas |
| Rep State: | NV |
| Rep Zip: | 89101 |
| Rep Phone: | (702) 229-6863 |
| Rep Fax: | (702) 382-2309 |
| Rep Email: | bstanley@lasvegasnevada.gov |

**VAR-55335**

PRJ-54636
07/24/14

# CLV Planning - Application Form

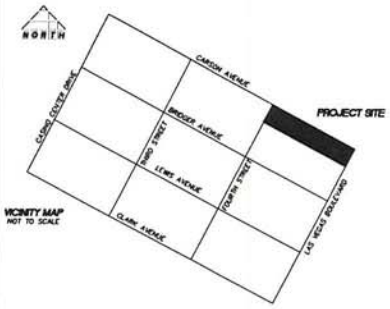
| | |
|---|---|
| I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or 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.<br>I Accept: | Yes |
| Is the Owner Information Correct: | Yes |
| If no, ...change what | |

| Owner(s) | ADDR1 | ADDR2 |
|---|---|---|
| PROVIEW SERIES 17 L L C | 11022 SANTA MONICA BLVD #230 | LOS ANGELES, CA 90025-7557 |

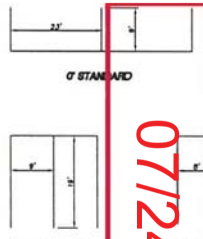
| CLVEPLAN Applicant | Company | Title | Email |
|---|---|---|---|
| Brandy Stanley | City of Las Vegas | Parking Services Manager | bstanley@lasvegasnevada.gov |

**VAR-55335**

PRJ-54636
07/24/14




VICINITY MAP
NOT TO SCALE




PARKING DIMENSIONS

| | |
|---|---|
| STANDARD | |
| 90° ANGLE | 19'x9' |
| 0° ANGLE | 23'x9' |
| COMPACT | |
| 90° ANGLE | 19'x8' |

PER CITY OF LAS VEGAS UNIFIED DEVELOPMENT CODE CHAPTER 19.06

PRJ-54636
07/24/14

## LEGAL DESCRIPTION

PARCEL 1
LOTS TWENTY-EIGHT (28) THROUGH THIRTY-TWO (32) AND THE NORTH HALF (N ½) OF LOT TWENTY-SEVEN (27) IN BLOCK THIRTY-SIX (36) OF CLARK'S LAS VEGAS TOWNSITE, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1, OF PLATS, PAGE 37, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

PARCEL 2
LOTS ONE (1) THROUGH FIVE (5) IN BLOCK THIRTY-SIX (36) OF CLARK'S LAS VEGAS TOWNSITE, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1, OF PLATS, PAGE 37, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

## BENCHMARK

CLV #0013488
CITY OF LAS VEGAS RIVET AND PLATE IN TOP OF CURB AT THE NORTHEAST CORNER OF MAIN STREET AND LEWIS AVENUE.
ELEVATION:
2036.06 FEET
617.345 METERS
CITY OF LAS VEGAS BENCHMARK BOOK 2008 ADJUSTMENT
UPDATED MAY 24, 2010

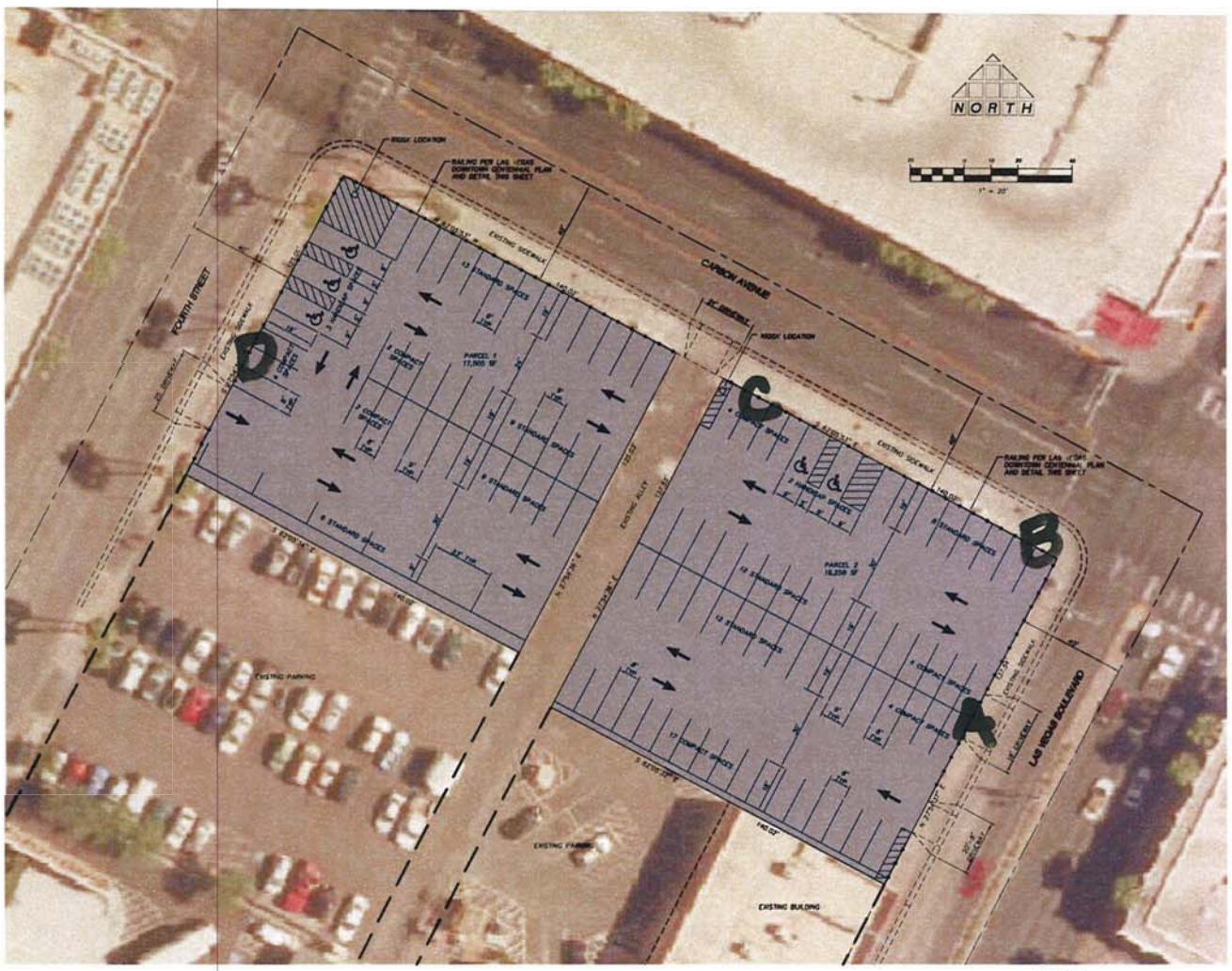
## BASIS OF BEARINGS

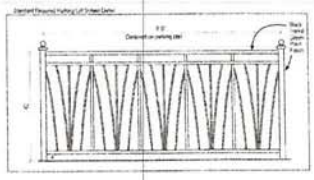
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF LAS VEGAS BOULEVARD BETWEEN BRIDGER AVENUE AND CARSON AVENUE WHICH BEARS SOUTH 27° 54'36" WEST AS SHOWN ON THE RECORD OF SURVEY FOR CITY OF LAS VEGAS IN FILE 67 OF SURVEYS ON PAGE 79 OF CLARK COUNTY OFFICIAL RECORDS.

Call before you Dig
Call 811 or 1-800-227-2600
1-702-445-7544

Call before you Overhead
1-702-227-2929

Call before you UnderGround
1-702-385-2011



PARKING LOT SCREEN DETAIL
PER LAS VEGAS DOWNTOWN CENTENNIAL PLAN

Sign locations

VAR-55335

## SITE DATA

| | |
|---|---|
| ASSESSOR'S PARCEL NUMBER | 139-34-610-023, 031 |
| EXISTING ZONING: | C-2 (GENERAL COMMERCIAL DISTRICT) |
| GROSS AREA: | 0.85± ACRES |
| OWNER: | PROVIEW SERIES 17, LLC. |
| DEVELOPER: | E TECH CONSTRUCTION |

PARKING ANALYSIS

| | |
|---|---|
| STANDARD | 69 |
| COMPACT | 37 |
| HANDICAP | 5 |
| TOTAL | 111 |

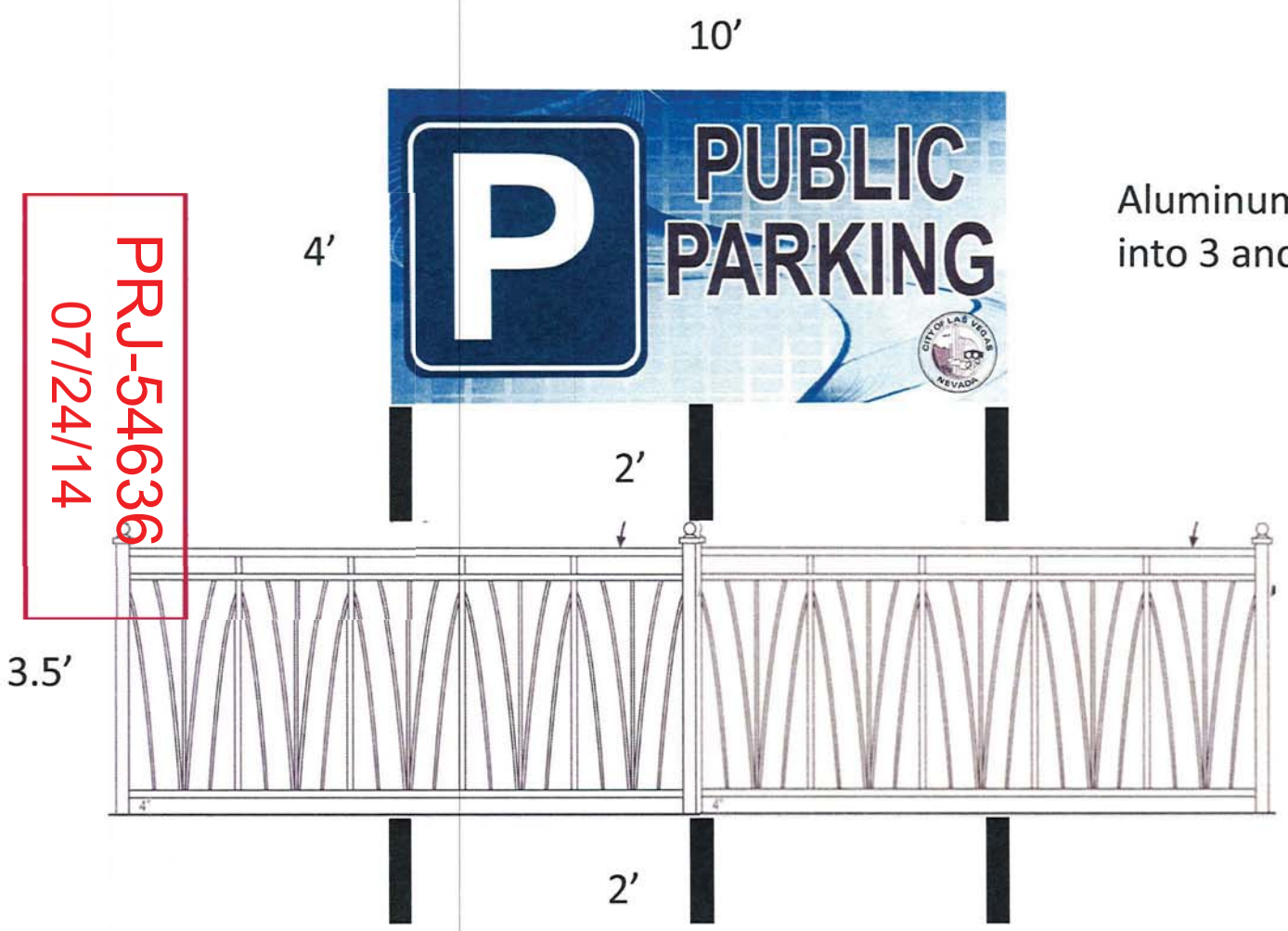
THOMASON CONSULTING ENGINEERS
3277 E. WARM SPRINGS ROAD, SUITE 400
LAS VEGAS, NEVADA 89120
702-932-6122 FAX: 702-932-6129

E TECH CONSTRUCTION

CARSON AVENUE PARKING
SITE PLAN

SHEET 2 OF 2

# Elevation – Las Vegas Blvd (A)



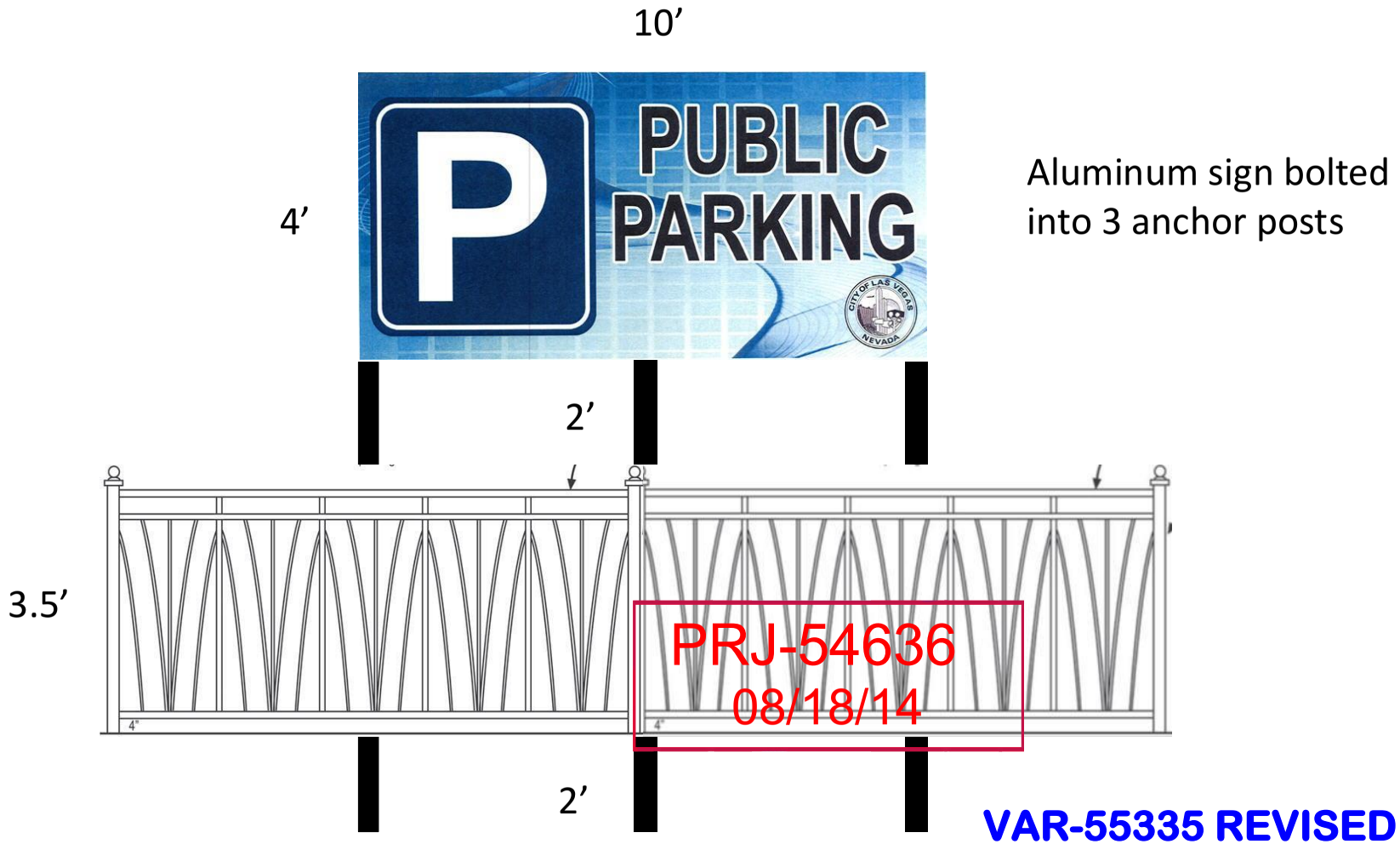

Aluminum sign bolted into 3 anchor posts

PRJ-54636
07/24/14

Posts: 4” x 4” black steel tubing, set 24” deep in 18” round concrete

VAR-55335

# Elevation – Carson Avenue (B)

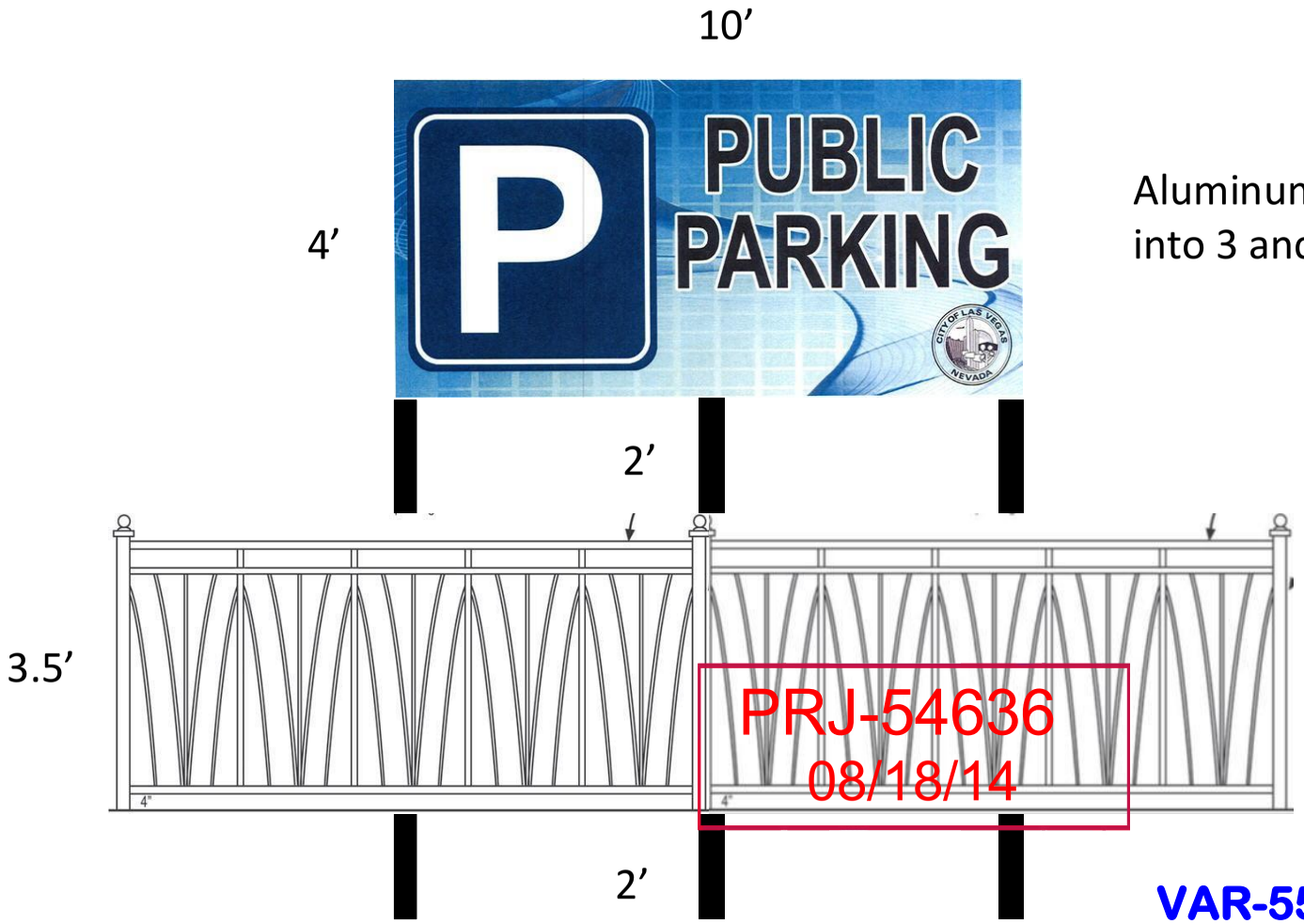



Aluminum sign bolted into 3 anchor posts

**VAR-55335 REVISED**

Posts: 4” x 4” black steel tubing, set 24” deep in 18” round concrete

# Elevation – Carson Avenue (C)




Aluminum sign bolted into 3 anchor posts

**VAR-55335 REVISED**

Posts: 4” x 4” black steel tubing, set 24” deep in 18” round concrete

# Carson Lot Signage - PRJ54636_EX001

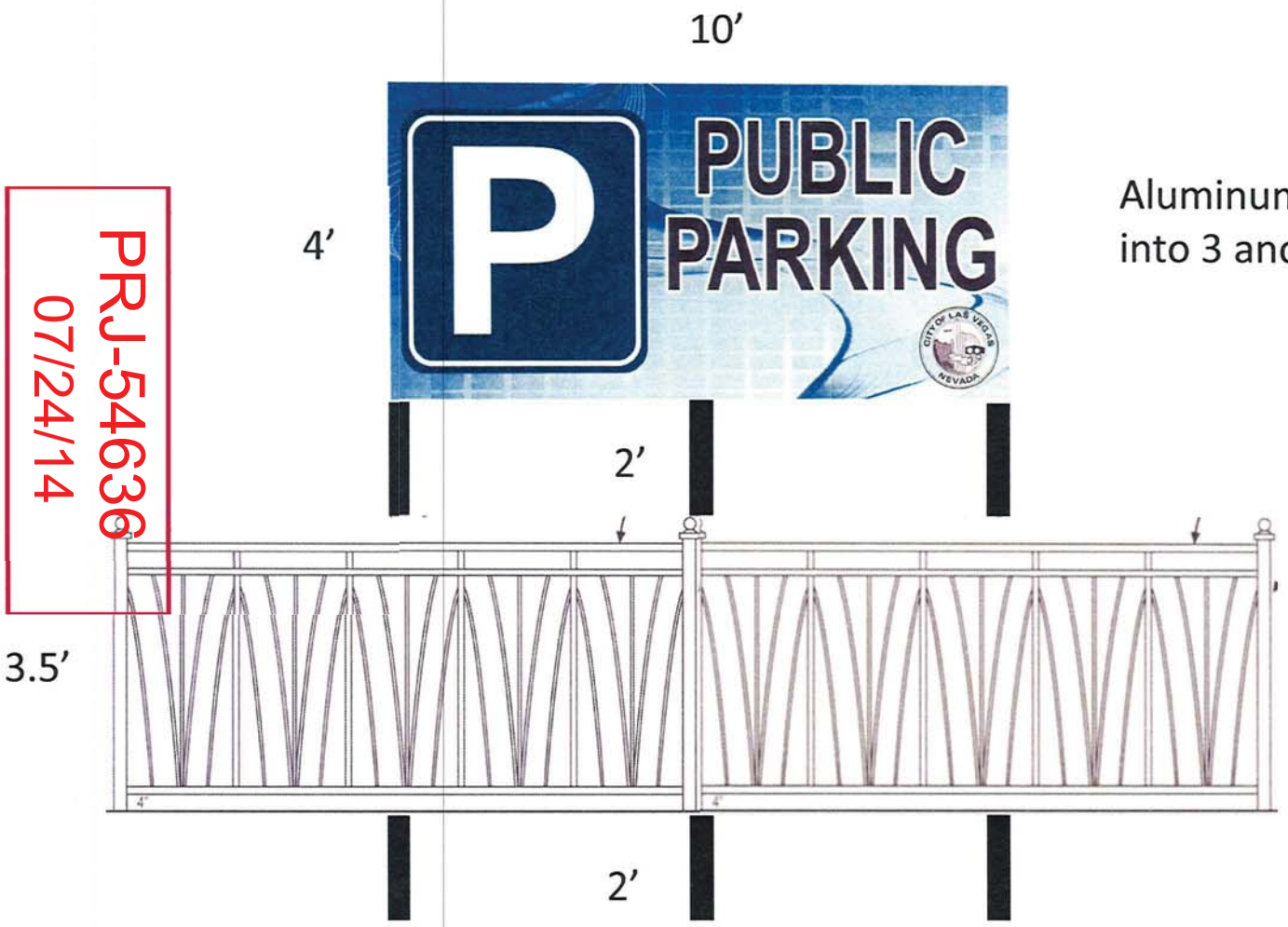
Parcels 139-34-610-023
139-34-610-031

| Design | Sign Description | Location | Parcel | Elevation Height | Elevation Width | Bldg Elev. Area | % Allowable | Type | Illumination | Animated | Sign Height | Sign Width | Sign Area |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| A | Aluminum sign w/ vinyl graphics | Midpoint of sign 37.5' South of parcel line on Las Vegas Blvd | 139-34-610-023 | Bottom of sign is 6' from ground | Property is approx 140' long | N/A | N/A | Free standing | None | No | 4' | 10' | 40 sf |
| B | Aluminum sign w/ vinyl graphics | Midpoint of sign is 4' west of LVB parcel line on Carson Street | 139-34-610-023 | Bottom of sign is 6' from ground | Property is approx 138' long | N/A | N/A | Free standing | None | No | 4' | 10' | 40sf |
| C | Aluminum sign w/ vinyl graphics | Midpoint of sign is 4' east of alley on Cason | 139-34-610-023 | Bottom of sign is 6' from ground | Property is approx 138' long | N/A | N/A | Free standing | None | No | 4' | 10' | 40sf |
| D | Aluminum sign w/ vinyl graphics | Midpoint of sign is 85' South of parcel line on Carson Street | 139-34-610-031 | Bottom of sign is 6' from ground | Property is approx 125' long | N/A | N/A | Free standing | None | No | 4' | 10' | 40 sf |

PRJ-54636
08/18/14

**VAR-55335 REVISED**

# Elevation – 4th Street (D)




Aluminum sign bolted into 3 anchor posts

PRJ-54636
07/24/14

Posts: 4” x 4” black steel tubing, set 24” deep in 18” round concrete

**VAR-55335**

VAR-55335 [PRJ-54636] - APPLICANT: CITY OF LAS VEGAS - OWNER: PROVIEW SERIES 17, LLC
200 SOUTH LAS VEGAS BOULEVARD AND 201 SOUTH 4TH STREET

07/31/14

VAR-55335 [PRJ-54636] - APPLICANT: CITY OF LAS VEGAS - OWNER: PROVIEW SERIES 17, LLC
200 SOUTH LAS VEGAS BOULEVARD AND 201 SOUTH 4TH STREET

07/31/14

VAR-55335 [PRJ-54636] - APPLICANT: CITY OF LAS VEGAS - OWNER: PROVIEW SERIES 17, LLC
200 SOUTH LAS VEGAS BOULEVARD AND 201 SOUTH 4TH STREET

07/31/14

VAR-55335 [PRJ-54636] - APPLICANT: CITY OF LAS VEGAS - OWNER: PROVIEW SERIES 17, LLC
200 SOUTH LAS VEGAS BOULEVARD AND 201 SOUTH 4TH STREET

07/31/14

VAR-55335 [PRJ-54636] - APPLICANT: CITY OF LAS VEGAS - OWNER: PROVIEW SERIES 17, LLC
200 SOUTH LAS VEGAS BOULEVARD AND 201 SOUTH 4TH STREET

07/31/14

VAR-55335 [PRJ-54636] - APPLICANT: CITY OF LAS VEGAS - OWNER: PROVIEW SERIES 17, LLC
200 SOUTH LAS VEGAS BOULEVARD AND 201 SOUTH 4TH STREET

07/31/14

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 18, 2014

Mr. Steve Swanton
City of Las Vegas, Planning Department
333 N. Rancho
Las Vegas, NV 89106

Re: Signage Application for 200 S. Las Vegas Blvd and 201 S. 4th Street

Dear Mr. Swanton:

Attached please find the required documents for proposed signage on the above referenced properties. As we are new to this process, any assistance you can provide would be very much appreciated.

These properties are currently being utilized as a temporary parking lot, authorized under the Downtown Centennial Plan, and may only be used for parking for a term of 3 years. After this time, the lot must be extended with appropriate approval, developed or upgraded to full, permanent parking lot standards.

The proposed signage is not compliant with signage regulations applying to the property, and to comply with these regulations for a period of less than 2 years during the temporary use would be extremely expensive and counterproductive.

These signage regulations were clearly designed for permanent use of the properties within the boundaries and not for temporary use. We have received a temporary signage permit, however the term of this permit is only 6 months, and the hope is that the appropriate authorities will recognize the disconnect in the length of the temporary use of the property and the temporary sign permit limitations (3 years vs. 6 months).

We are requesting illumination and animation variances for Carson Avenue and Las Vegas Boulevard signs as well as setback variances on Las Vegas Boulevard, Carson Avenue and 4th Streets. The free standing signs will abut the existing fence inside the property line, as moving them back into the lot to comply with the setback requirement will result in the loss of a total of 12 parking spaces (over 10% of the total).

Sincerely,

Brandy Stanley

Brandy Stanley
Parking Services Manager

CC: Kamran Foulad

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

PRJ-54636
08/18/14

VAR-55335 REVISED

City of Las Vegas Agenda Item No.: **34.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

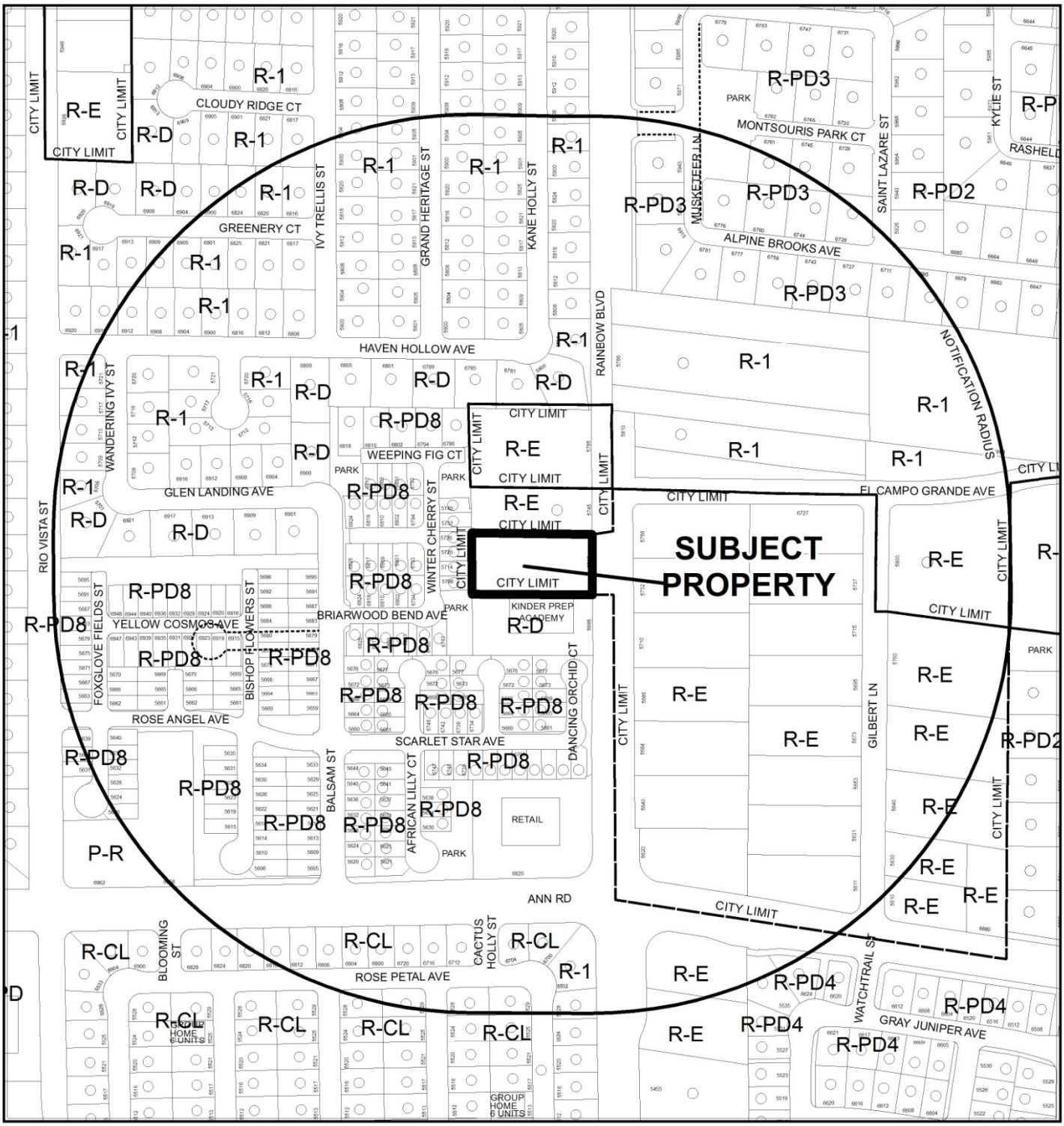
**SUBJECT:**
SUP-55031 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/ OWNER: CCOB FAMILY TRUST - For possible action on a request for a Special Use Permit FOR A PRIVATE SCHOOL, PRIMARY USE at 5705 North Rainbow Boulevard (APN 125-27-803-004), R-E (Residence Estates) Zone, Ward 6 (Ross) [PRJ-55030]. Staff recommends APPROVAL.

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

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

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

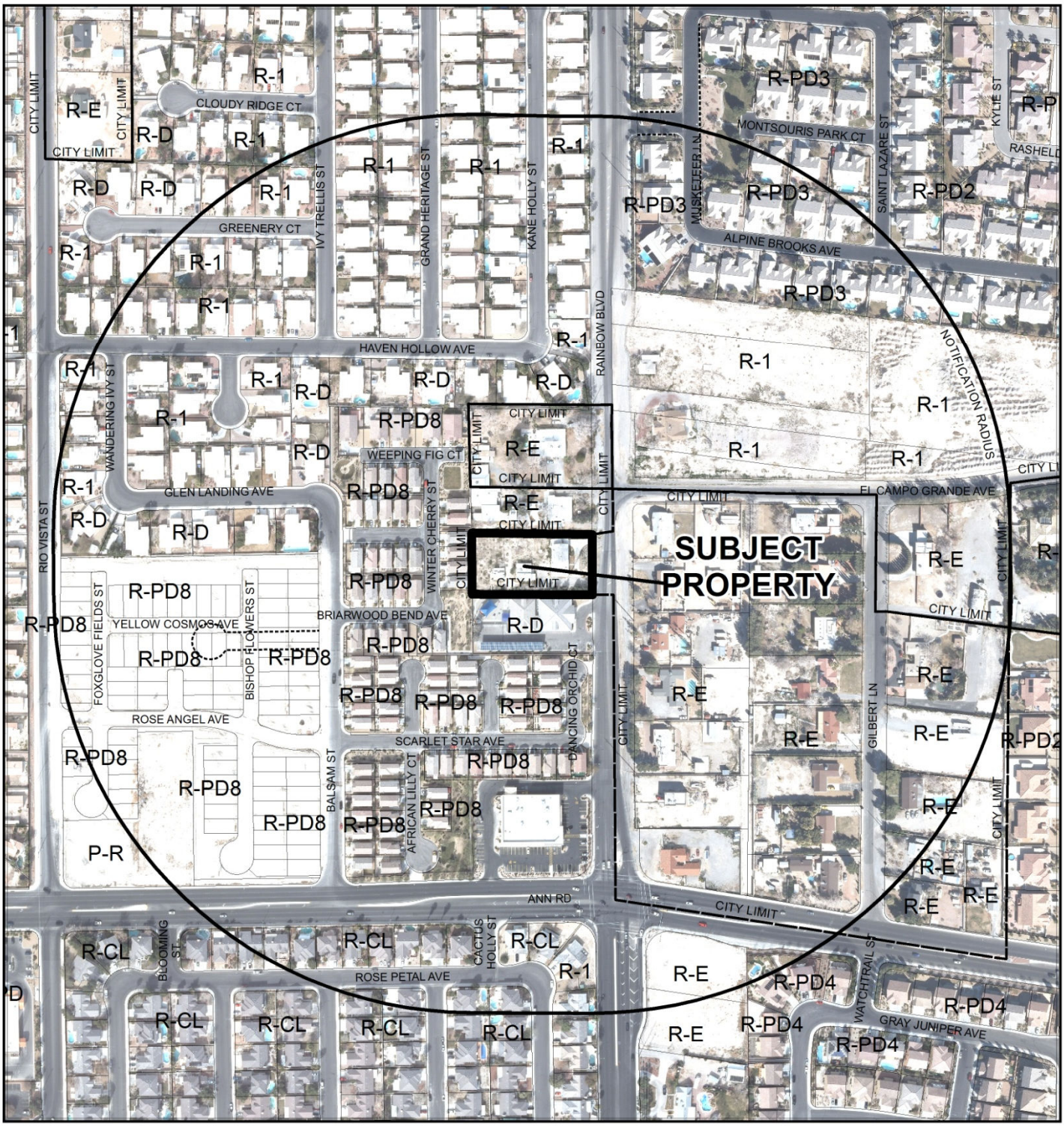
**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps - SUP-55031 and SDR-55043 [PRJ-55030]
2. Conditions and Staff Report - SUP-55031 and SDR-55043 [PRJ-55030]
3. Supporting Documentation - SUP-55031 and SDR-55043 [PRJ-55030]
4. Photos - SUP-55031 and SDR-55043 [PRJ-55030]
5. Justification Letter - SUP-55031 and SDR-55043 [PRJ-55030]




**CASE:** **SUP-55031 AND SDR-55043 (PRJ-55030)**

**RADIUS:** 1000 FEET

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




**CASE:** **SUP-55031 AND SDR-55043 (PRJ-55030)**

**RADIUS:** 1000 FEET

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

0 300 600 Feet

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/ OWNER: CCOB FAMILY TRUST**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-55031** | Staff recommends APPROVAL, subject to conditions: | |
| **SDR-55043** | Staff recommends APPROVAL, subject to conditions: | SUP-55031 |

## ** CONDITIONS **

# SUP-55031 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Public or Private School, Primary use.

2. No residential use shall be permitted on the site, including the two existing accessory buildings.

3. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-55043) shall be required.

4. 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.

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.

YK

6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

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

***Public Works***

8. The number of students for this site is limited to a maximum of 50 students. Alternatively, 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 to determine the appropriate number of maximum students allowed. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. 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.

# SDR-55043 CONDITIONS

***Planning***

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-55031) shall be required, if approved.

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

3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 07/16/14, except as amended by conditions herein.

4. No residential use shall be permitted on the site, including the two existing accessory buildings.

5. A Waiver from Title 19.06.060 is hereby approved, to allow a zero-foot wide landscape buffer adjacent to a right-of-way, where 15 feet is required.

6. A Waiver from Title 19.06.060 is hereby approved, to allow a two-foot wide landscape buffer on a portion of the south perimeter, where eight feet is required.

7. An Exception from Title 19.08 is hereby approved, to allow 27 perimeter landscape trees, where 42 are required.

8. A minimum of ten, 24-inch box trees shall be provided along the west perimeter and a minimum of twelve, 24-inch box trees shall be provided along the north perimeter.

9. No chain link fence shall be permitted on site.

10. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

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

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

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

***Public Works***

14. Construct half-street improvements to match existing improvements to the south and transition pavement to the north acceptable to the City Traffic Engineer, on Rainbow Boulevard adjacent to this site, concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

15. The applicant shall connect to public sewer in Rainbow Boulevard and abandon the existing individual sewage disposal system according to Southern Nevada Health District regulations concurrent with onsite development.

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

17. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the "Ann Road Channel West – Rainbow Boulevard" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

18. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for this site.

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

The applicant is requesting to convert an existing single-family dwelling, with a casita into a Public or Private School, Primary use for a private school at 5705 North Rainbow Boulevard. The property is currently vacant and in disrepair. The applicant is proposing to remodel the existing structures for use as a two-room private school, with space to grow in the future. The exterior will be painted using a similar color pallet as the current color in order to keep with the aesthetic of the residential neighborhood. A Waiver and an Exception are required for perimeter landscape buffers and trees, but the overall impact to the site is minimal. Staff recommends approval of the applications with conditions. If denied, the property could not be used as a school.

## ISSUES

- A Special Use Permit for a Public or Private School, Primary use in an R-E (Residence Estates) zone is required. Staff supports this request.
- A Waiver is required for the south and east perimeter landscape buffers. Staff supports this request.
- An Exception is required to allow 27 perimeter landscape buffer trees where 42 are required. Staff supports this request.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 08/20/14 | The City Council approved an Annexation (ANX-54655) for 0.95 acres at 5705 North Rainbow Boulevard. The effective date is 08/28/14. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 08/20/13 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| CC. 1974 | A residential building was constructed. |

| ***Pre-Application Meeting*** | |
|---|---|
| 05/28/14 | Staff met with the applicant and explained the steps required for 5705 North Rainbow Boulevard to become a private school. Before any application could be considered, the applicant would have to have the property annexed into the City. Once this is completed, a Special Use Permit and Site Development Plan Review could be considered. |

| ***Neighborhood Meeting*** |
|---|
| A neighborhood meeting was not required, or was one held. |

| ***Field Check*** | |
|---|---|
| 07/31/14 | Staff visited the site and found a boarded up residential dwelling with two accessory structures. The property had dead and overgrown vegetation. The property is located in the county with an annexation case scheduled to be heard by City Council on 8/20/14. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.95 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Single-Family, Detached (Vacant) | R (Rural Density Residential) | R-E (Residence Estates) |
| North | Single-Family, Dwelling (Vacant) | R (Rural Density Residential) | R-E (Residence Estates) |
| South | Primary School, Private | R (Rural Density Residential) | R-D (Single Family Residential-Restricted) |
| East | Single-Family, Detached | RN (Rural Neighborhood) Clark County | R-E (Rural Residential Estate) Clark County |
| West | Single-Family, Detached | ML (Medium Low Density Residential) | R-PD8 [Residential-Planned Development 8 Units per Acre] |

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

**DEVELOPMENT STANDARDS**

***Pursuant to Title 19.06.060, the following standards apply:***

| ***Standard*** | ***Required/Allowed*** | ***Provided*** | ***Compliance*** |
|---|---|---|---|
| Min. Lot Size | 20,000 SF | 41,382 SF | Y |
| Min. Lot Width | 100 Feet | 145 Feet | Y |
| Min. Setbacks | | | |
| • Front | 50 Feet | 56 Feet | Y |
| • Side | 10 Feet | 16 Feet | Y |
| • Corner | 15 Feet | N/A | N/A |
| • Rear | 35 Feet | 185 Feet | Y |
| Min. Distance Between Buildings | 6 Feet | 25 Feet | Y |
| Max. Building Height | 35 Feet | 24 Feet | Y |
| Trash Enclosure | Screened, Gated, w/ a Roof or Trellis | Curb Side Pick-up | Y |
| Mech. Equipment | Screened | Screened by Condition | Y |

***Pursuant to Title 19.06 and 19.08.040(F), the following standards apply:***

| ***Landscaping and Open Space Standards*** | | | | |
|---|---|---|---|---|
| ***Standards*** | ***Required*** | | ***Provided*** | ***Compliance*** |
| | ***Ratio*** | ***Trees*** | | |
| Buffer Trees: | | | | |
| • North | 1 Tree / 20 Linear Feet | 15 Trees | 10 Trees | N |
| • South | 1 Tree / 20 Linear Feet | 15 Trees | 8 Trees | N |
| • East | 1 Tree / 20 Linear Feet | 4 Trees | 4 Trees | Y |
| • West | 1 Tree / 20 Linear Feet | 8 Trees | 5 Trees | N |
| **TOTAL PERIMETER TREES** | | **42 Trees** | **27 Trees** | **N** |

YK

| ***Landscaping and Open Space Standards*** | | | | |
|---|---|---|---|---|
| ***Standards*** | ***Required*** | | ***Provided*** | ***Compliance*** |
| | ***Ratio*** | ***Trees*** | | |
| Parking Area Trees | 1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces | 4 Trees | 4 Trees | Y |
| **LANDSCAPE BUFFER WIDTHS** | | | | |
| Min. Zone Width | | | | |
| • North | 8 Feet | | 8 Feet | Y |
| • South | 8 Feet | | 2 Feet | N |
| • East | 15 Feet | | Zero Feet | N |
| • West | 8 Feet | | 8 Feet | Y |
| Wall Height | 6 to 8 Feet Adjacent to Residential | | Y | Y |

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Actual Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Rainbow Boulevard | Primary Arterial | Planned Streets and Highways | 90 | Y |

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

| ***Parking Requirement*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Required*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Public or Private School, Primary | 2 Classrooms | 3 spaces per Classroom | 6 | | | | |
| **TOTAL SPACES REQUIRED** | | | 6 | | 10 | | Y |
| **Regular and Handicap Spaces Required** | | | 5 | 1 | 9 | 1 | Y |

| ***Waivers*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| To provide a 15-foot wide perimeter landscape buffer along the east perimeter. | To provide a zero-foot wide perimeter landscape buffer along the east perimeter. | Approval |
| To provide an 8-foot wide perimeter landscape buffer along the south perimeter. | To provide a 2-foot wide perimeter landscape buffer along a portion of the south perimeter. | Approval |

| *Exceptions* | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| To provide 42 perimeter landscape buffer trees. | To allow 27 perimeter landscape buffer trees. | Approval |

**ANALYSIS**

The Public or Private School, Primary use is permitted with approval of a Special Use Permit. The Public or Private School, Primary use is defined as "An institution that provides kindergarten through 8th grade education and is support by a public, religious or private organization." The proposed use meets the definition as indicated by the applicant's justification letter.

The Minimum Special Use Permit Requirements for this use include:

1. Adequate pick-up and drop-off areas must be provided on-site.

   The proposed use meets this requirement as an on-site pick-up and drop-off area is provided as reflected on the site plan.

Properties requiring a Special Use Permit that are within 500 feet of properties in Clark County are deemed Projects of Regional Significance per Title 19.16.010(F). An impact assessment was sent to affected entities; no comments were received from these entities.

The existing single-family dwelling is currently on a septic system; as part of this development, the septic must be removed and the school must be hooked up to city sewers. A drainage study will also be required.

The existing two-story residential structure will be remodeled to accommodate the proposed two-classrooms of the school. The two accessory structures will not be used for classrooms at this time. In addition, no residential uses will be permitted in conjunction with a school use of the property. A condition has been added to address this concern.

The buildings on the property will be repainted in order to provide a fresh, clean aesthetic that will maintain the residential feel of the property. A circular driveway will be installed that will function as the drop-off and pick-up area for the school. The required parking will be provided in the front and side of the existing building.

Although staff supports the reduction in perimeter landscape trees, a condition has been added that a minimum of ten, 24-inch box trees be provided along the west perimeter and a minimum of twelve, 24-inch box trees be provided along the north perimeter. These additional trees will provide an effective screening between the proposed school use and the adjacent residential uses.

**FINDINGS (SUP-55031)**

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

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

   The proposed private school is appropriate in proximity to existing single-family residential uses to the north, east and west; with an existing school to the south. This is a compatible use for the residential nature of the area.

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

   The site is nearly one acre in size and is large enough to accommodate a two classroom sized school with ancillary recreational areas and parking in conformance with title 19 requirements.

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

   The site is located on Rainbow Boulevard, a 90-foot wide Major Collector as depicted by the Master Plan of Streets and Highways and is adequate to meet the needs of the proposed school use.

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

   The proposed school use will have regular safety, health and welfare inspections to insure the public's health and welfare.

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

   The proposed Public or Private School, Primary use meets the Special Use Permit requirement for and adequate on-site pick-up and drop-off area.

**FINDINGS (SDR-55043)**

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed primary school is located near major streets and within proximity of several residential areas, making it an appropriate location. The existing zoning of the property allows this use, the development of which is compatible with an existing school to the south and single-family residences to the north, west and east.

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

   The proposed school is consistent with Title 19 standards with the exception of the required perimeter landscape buffers along the south and east perimeters and the reduction of perimeter trees. Staff supports theses Waivers and Exceptions due to the adapted re-use of the property.

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

   The site is located on Rainbow Boulevard, a 90-foot wide Major Collector as depicted by the Master Plan of Streets and Highways and is adequate to meet the needs of the proposed school use.

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

   The existing two-story residential structure will be repainted and will continue to have a residential aesthetic. All the existing landscape will remain and be enhanced with additional trees and shrubs appropriate for the residential area.

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

   The submitted elevations show an aesthetically pleasing building with variations in exterior color, materials, rooflines and wall planes. The design characteristics are compatible with other existing buildings in the area.

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

The proposed development will be subject to permit review and inspection through state and local agencies, thereby protecting the public health, safety and general welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 28

**NOTICES MAILED** 299

**APPROVALS** 0

**PROTESTS** 0

YK

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

**SUP-55031**

Case Number: PRJ55030 APN: 125-27-803-004

Name of Property Owner: Carey Clopot

Name of Applicant: _____

Name of Representative: _____

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Carey Clopot

Print Name: Carey Clopot

Subscribed and sworn before me

This 5 day of June, 2014

Jeff Weir

Notary Public in and for said County and State

State of Nevada
County of Clark

JEFF WEIR
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 10-1940-1
MY APPT. EXPIRES NOV. 9, 2017



PRJ-55030
07/16/14

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

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

**Project Address (Location)** 5705 N RAINBOW AVENUE. LV, NV, 89149

**Project Name** PRIVATE ELEMENTARY SCHOOL SUP **Proposed Use** PRIVATE SCHOOL

**Assessor's Parcel #(s)** 12527803004 **Ward #** X

**General Plan:** existing X proposed CAR **Zoning:** existing 313 LAGI proposed 5945 N

**Commercial Square Footage** MAGGIE BRAY **Floor Area Ratio** LAS VEGAS

**Gross Acres** NV **Lots/Units** 89107 **Density** NV

**Additional Information** LAS VEGAS

89149

**PROPERTY OWNER** BEN@310LISTING.COM **Contact** MAGGIERNMAY@HOTMAI

**Address** 313 LACEY LANE **Phone:** 210-3040 **Fax:**

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

**E-mail Address**

**APPLICANT** **Contact**

**Address** **Phone:** 300-9287 **Fax:**

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

**E-mail Address**

**REPRESENTATIVE** **Contact**

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

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

**E-mail Address**

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

**Property Owner Signature*** Carey Clapt

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

**Print Name** CAREY CLAPT

Subscribed and sworn before me

This 12 day of July, 2014.

John Caccitolo

Notary Public in and for said County and State

JOHN CACCITOLO
Notary Public, State of Nevada
Appointment No. 03-84202-1
My Appt. Expires Oct 20, 2017

***FOR DEPARTMENT USE ONLY***

| | |
|---|---|
| Case # | SUP-55031 |
| Meeting Date: | 09/09/14 PC |
| Total Fee: | |
| Date Received:* | |
| Received By: | |

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

PRJ-55030
07/16/14

Revised 10/27/08

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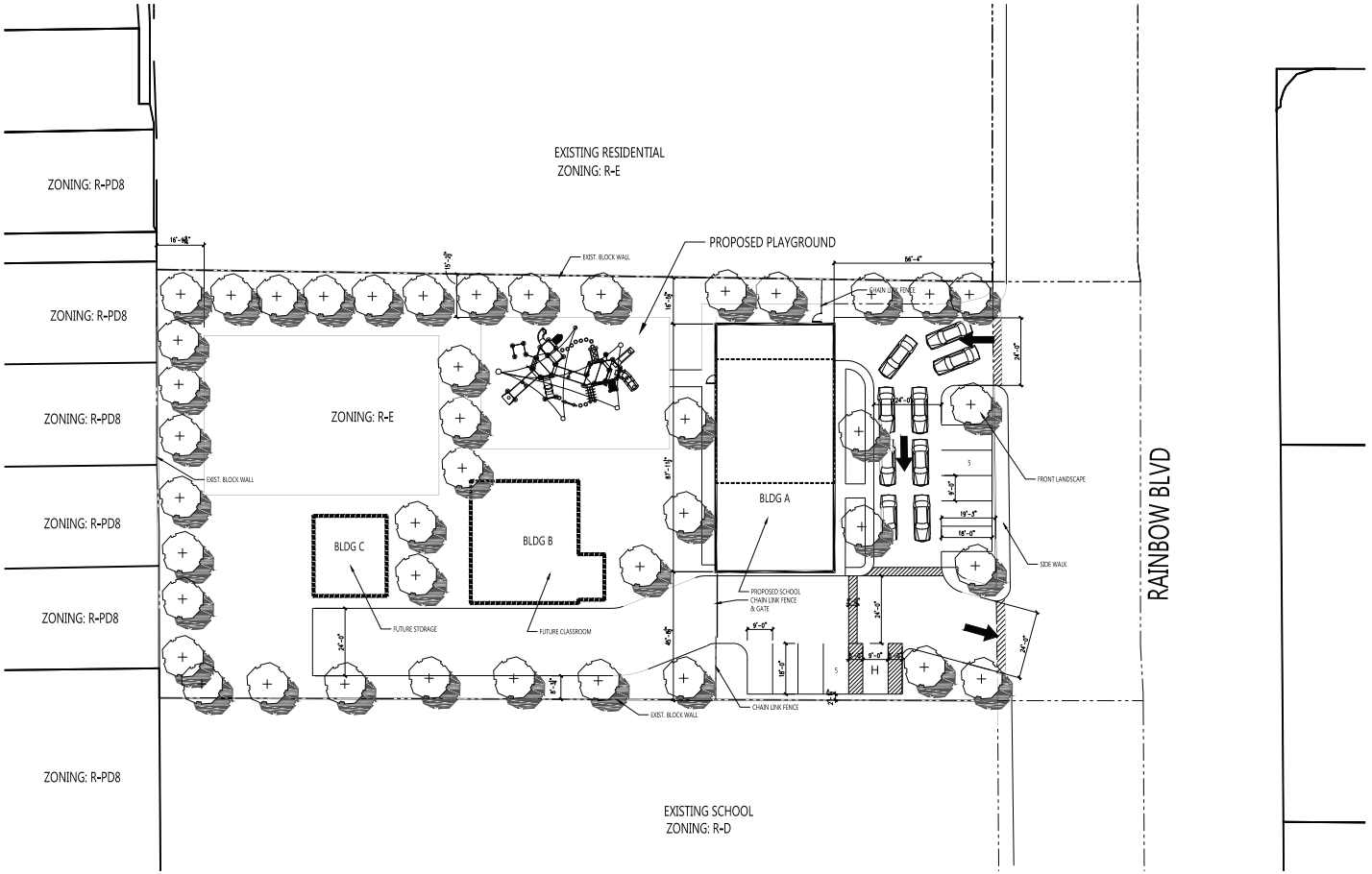


## PROJECT DATA:

| | |
|---|---|
| GROSS SITE AREA: | ±0.94 AC |
| EXISTING ZONING: | R-E |
| APN: | 125-27-803-004 |
| BLDG A GROUND FLOOR: | ±3,656 SF |
| BLDG A SECOND FLOOR: (FUTURE) | ±1,845 SF |
| BLDG B: (FUTURE) | ±1,806 SF |
| BLDG C: (FUTURE) | ±737 SF |
| TOTAL BUILDING AREA: | ±8,044 SF |
| PROPOSED SCHOOL AREA: | 3,656 SF |
| TOTAL CLASSROOMS: | 2 |
| TOTAL STUDENTS: | 50 MAX |
| TOTAL TEACHERS & STAFF: | 2 |

PARKING ANALYSIS:

SCHOOL PARKING REQUIRED: (3/CLASSROOM)
SCHOOL PARKING REQUIRED: (1/TEACHER)

| | |
|---|---|
| TOTAL REQUIRED: | 8 CARS |
| TOTAL PROVIDED: | 10 CARS |
| HANDICAP SPACE: | 1 CARS |
| DENSITY: | 19.6% |
| COVERAGE: | 15.1% |

NOTE:

---- DENOTES PROPERTY LINE

H DENOTES HANDICAPPED PARKING STALLS 9'x18' WITH 5' LOADING

V DENOTES VAN PARKING STALLS 9'x18' WITH 8' LOADING

YIHONG LIU + ASSOCIATES
1669 HORIZON RIDGE PARKWAY,
SUITE 120,
HENDERSON, NV 89012
702. 778.8711
702.946.0933

# INNOVATION ACADEMY
LAS VEGAS, NEVADA

A. 001
OVERALL SITE PLAN
7-11-2014
SCALE: 1" = 20'-0"

N

PRJ-55030
07/16/14

**SUP-55031 & SDR-55043**

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N

**SUP-55031 & SDR-55043**

PRJ-55030
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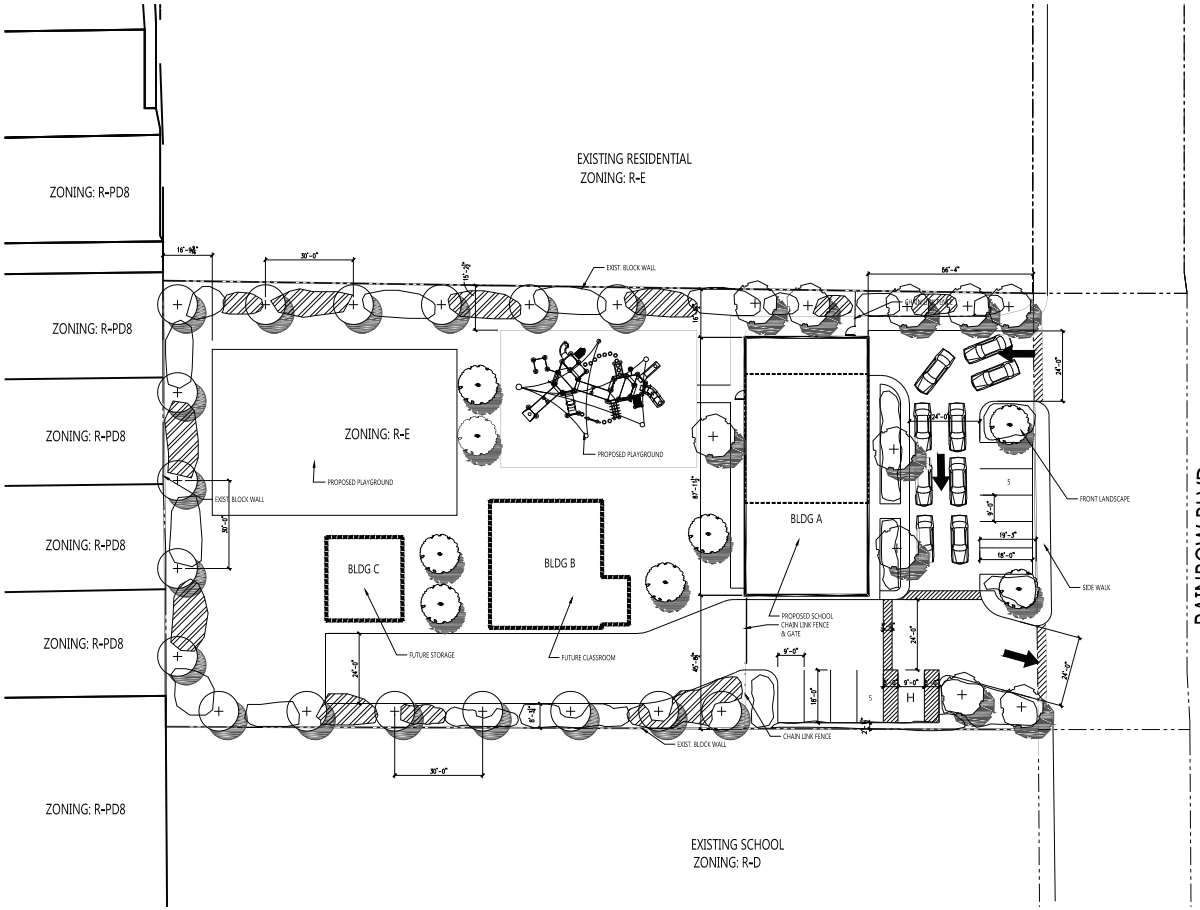


TREE LEGEND

| SYM. | BOTANICAL/COMMON NAME | SIZE | COMMENTS |
|---|---|---|---|
| | CHITALPA TASHKENTENSIS CHITALPA | 36" BOX, AT BLDG. 24" BOX | STD., D.S. |
| | RHUS LANCEA AFRICAN SUMAC | 24" BOX | STD., D.S. |
| | PROSOPIS CHILENSIS THORNLESS CHILEAN MESQUITE | 24" BOX | STD., D.S. |

SHRUB LEGEND

| SYM. | BOTANICAL/COMMON NAME | SIZE | COMMENTS |
|---|---|---|---|
| | CAESALPINIA PULCHERRIMA RED BIRD OF PARADISE | 5 GAL | 72" O.C. |
| | CASSIA NEMOPHILA CASSIA | 5 GAL | 60" O.C. |
| | COTONEASTER GLAUCOPHYLLUS BRIGHT BEAD COTONEASTER | 5 GAL | 42" O.C. |
| | ELAEAGNUS PUNGENS SILVERBERRY | 5 GAL | 48" O.C. |
| | HESPERALOE PARVIFLORA RED YUCCA | 5 GAL | 36" O.C. |
| | LEUCOPHYLLUM F. "COMPACTA" DWARF TEXAS RANGER | 5 GAL | 30" O.C. |
| | LEUCOPHYLLUM F. "GREEN CLOUD" GREEN CLOUD TEXAS RANGER | 5 GAL | 48" O.C. |
| | MUHLENBERGIA C. "REGAL MIST" REGAL MIST | 5 GAL | 36" O.C. |
| | MUHLENBERGIA RIGENS DEER GRASS | 5 GAL | 36" O.C. |
| | PENNISETUM SETACEUM "CUPREUM" PURPLE FOUNTAIN GRASS | 5 GAL | 36" O.C. |
| | SALVIA GREGGII AUTUMN SAGE | 5 GAL | 24" O.C. |

GROUND COVER / ACCENT PLANT LEGEND

| SYM. | BOTANICAL/COMMON NAME | SIZE | COMMENTS |
|---|---|---|---|
| | ACACIA R. "DESERT CARPET" CREEPING ACACIA | 1 GAL | 54" O.C., PLANT 54" BACK OF CURBS AND WALKS |
| | DALEA CAPITATA "SIERRA GOLD" SIERRA GOLD DALEA | 1 GAL | 30" O.C., PLANT 30" BACK OF CURBS AND WALKS |
| | LANTANA CAMARA "NEW GOLD" NEW GOLD LANTANA | 1 GAL | 30" O.C., PLANT 30" BACK OF CURBS AND WALKS |
| | ROSMARINUS O. "PROSTRATUS" DWARF ROSEMARY | 1 GAL | 36" O.C., PLANT 36" BACK OF CURBS AND WALKS |

ROCK MULCH

APPLY A 2" DEEP LAYER OF 3/4" SIZE SCREENED 'PALOMINO TAN' ROCK MULCH IN ALL PLANTING AREAS. THE CONTRACTOR SHALL SUBMIT A SAMPLE OF THE ROCK MULCH TO THE LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION. THERE ARE TO BE NO BARE AREAS WITHOUT ROCK MULCH. TOP OF ROCK MULCH SHALL BE 1" BELOW FINISH SURFACE OF ADJACENT PAVING.

ALL SLOPES 2-1/2:1 OR GREATER SHALL HAVE 2" TO 4" ROCK TO MATCH THE 'PALOMINO TAN' ROCK SOURCE.

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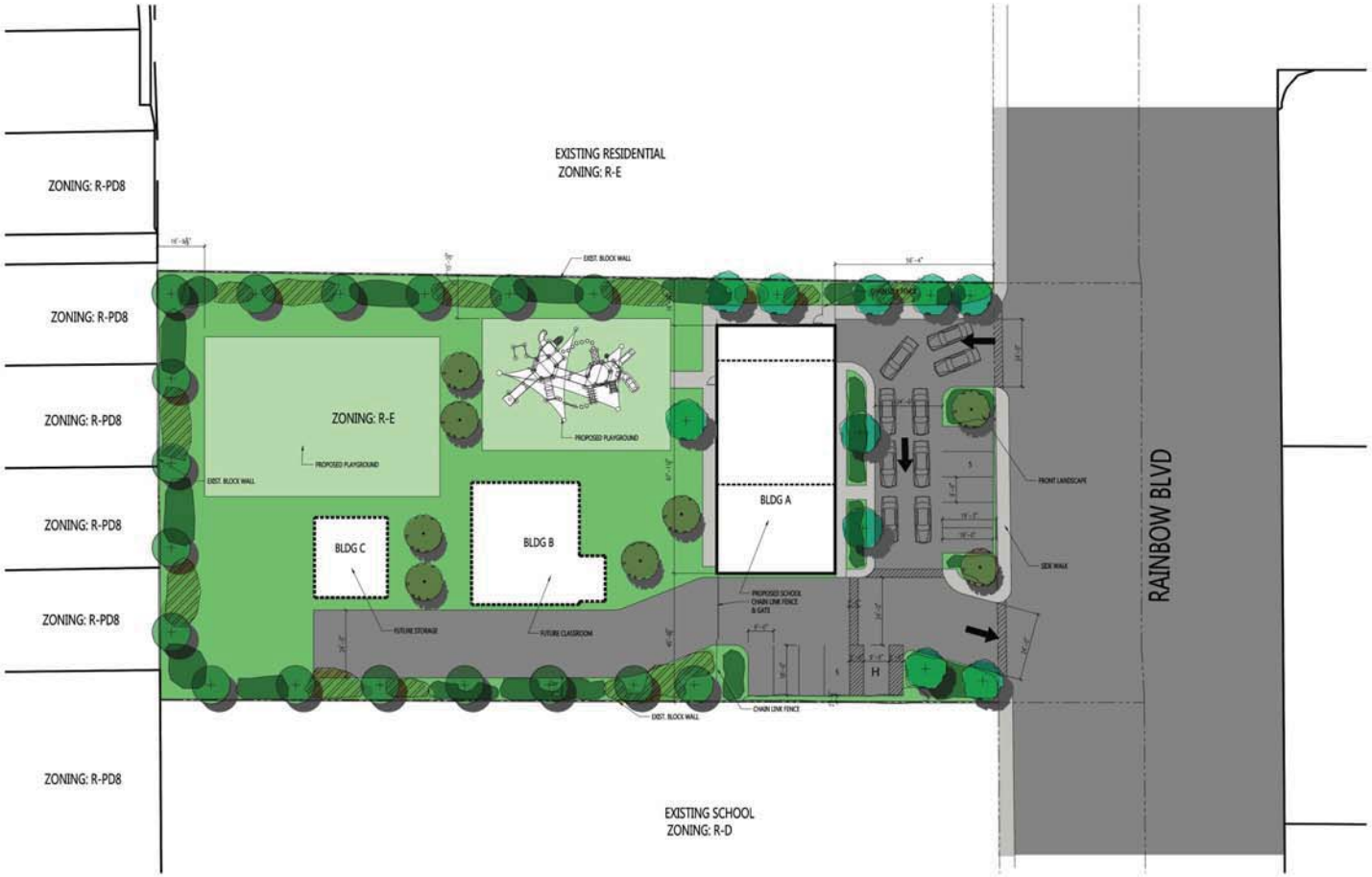
LAS VEGAS, NEVADA

A. 007
LANDSCAPE PLAN
7-11-2014
SCALE: 1" = 20'-0"

N

PRJ-55030
07/16/14

**SUP-55031 & SDR-55043**

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LAS VEGAS, NEVADA

A. 007
LANDSCAPE PLAN
7-11-2014
SCALE: 1" = 20'-0"

N

**SUP-55031 & SDR-55043**

PRJ-55030
07/16/14

1 EXISTING BLDG ELEVATION
N.T.S

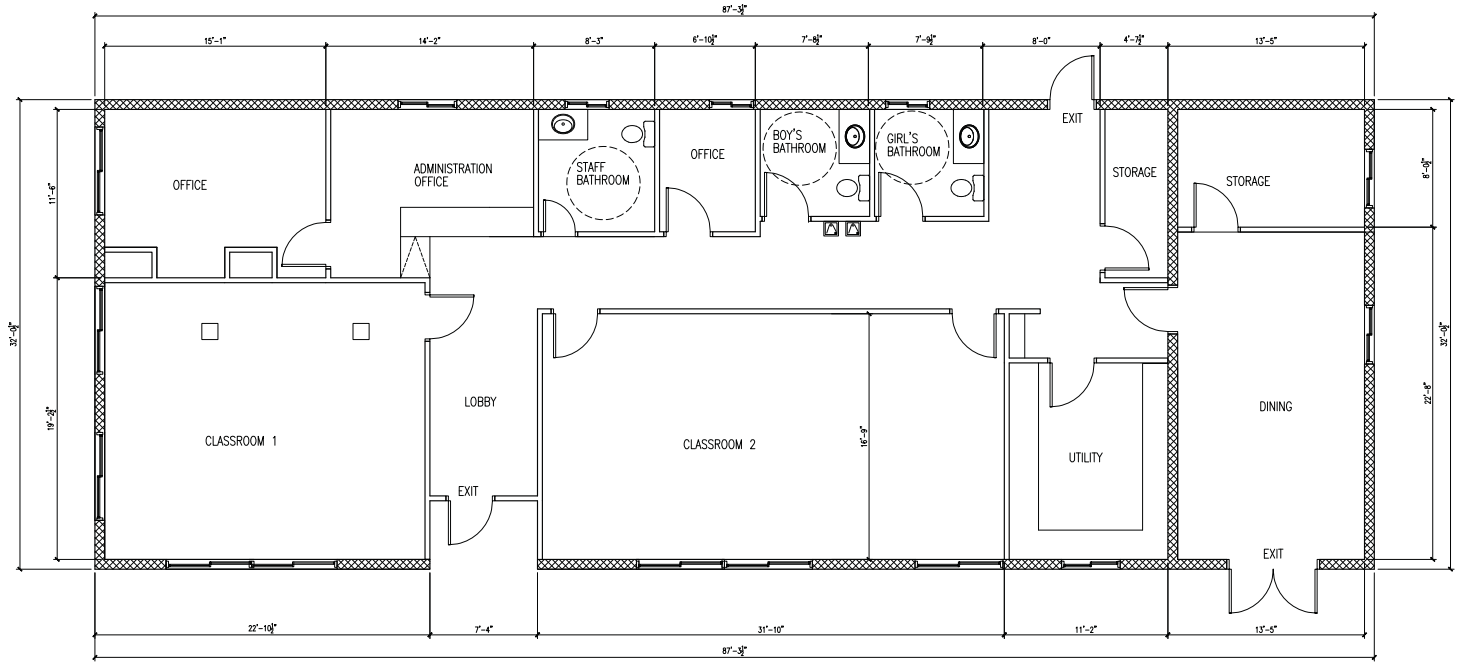
YIHONG LIU + ASSOCIATES
1669 HORIZON RIDGE PARKWAY,
SUITE 120,
HENDERSON, NV 89012
702. 778.8711
702.946.0933

# INNOVATION ACADEMY
LAS VEGAS, NEVADA

A. 005
ELEVATION
EXIST. PHOTO
7-11-2014
SCALE: 1/4" = 1'-0"

SUP-55030
07/PC/14

**SUP-55031 & SDR-55043**




1 PROPOSED SCHOOL LAYOUT ( BLDG A 1ST FLOOR PLAN )
1/4" = 1'-0"

YIHONG LIU + ASSOCIATES
1669 HORIZON RIDGE PARKWAY,
SUITE 120,
HENDERSON, NV 89012
702. 778.8711
702.946.0933

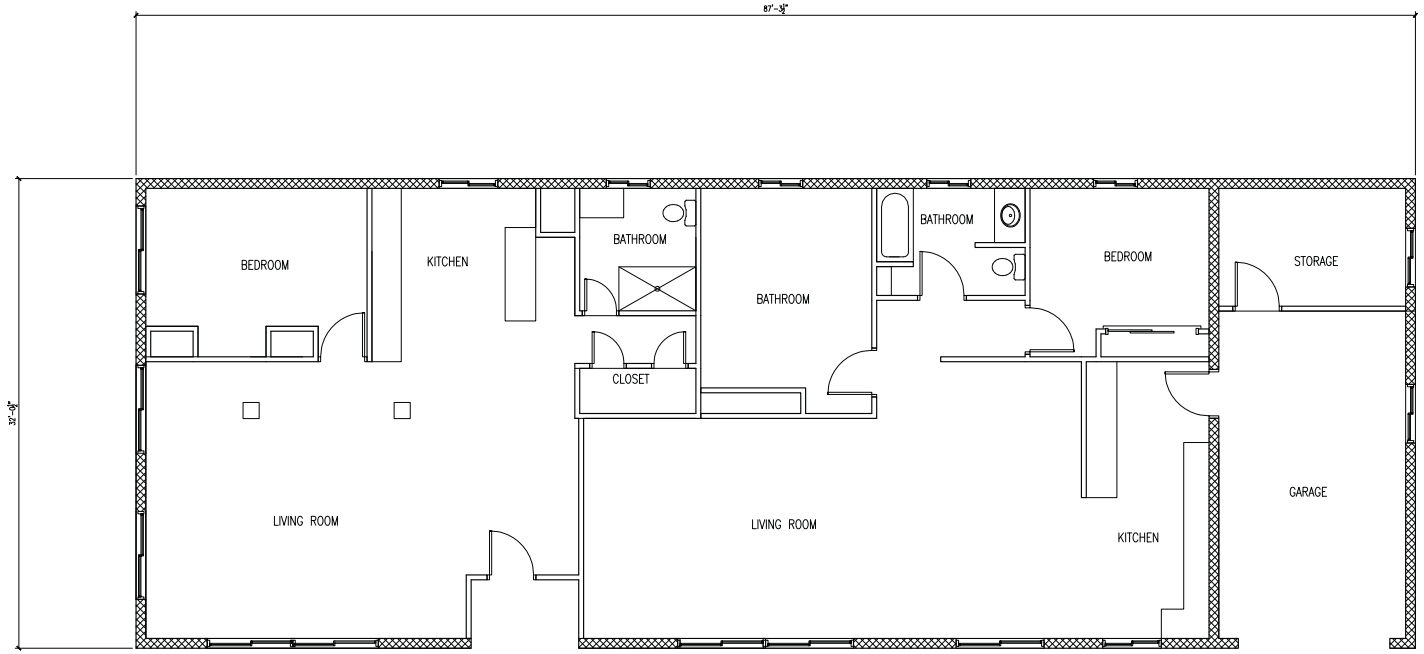
# INNOVATION ACADEMY
LAS VEGAS, NEVADA

A. 002
FLOOR PLAN
7-11-2014
SCALE: 1/4" = 1'-0"

PRJ-55030
9/16/14

N

## SUP-55031 & SDR-55043




1 EXISTING BLDG A 1ST FLOOR PLAN
1/4" = 1'-0"

YIHONG LIU + ASSOCIATES
1669 HORIZON RIDGE PARKWAY,
SUITE 120,
HENDERSON, NV 89012
702. 778.8711
702.946.0933

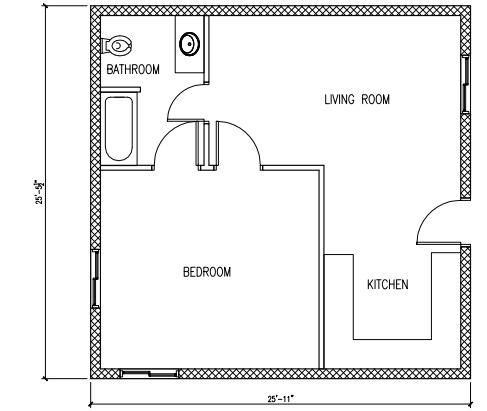
# INNOVATION ACADEMY
LAS VEGAS, NEVADA

A. 003
EXIST. BLDG A
FLR PLAN
7-11-2014
SCALE: 1/4" = 1'-0"

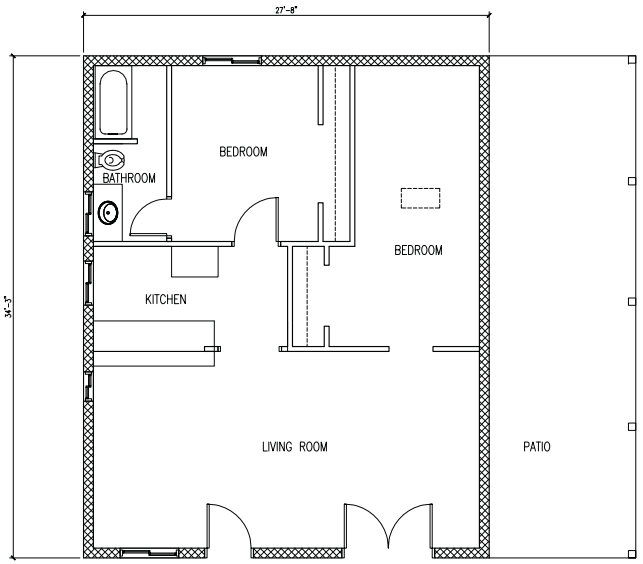
PRJ-55030
07/16/14

N

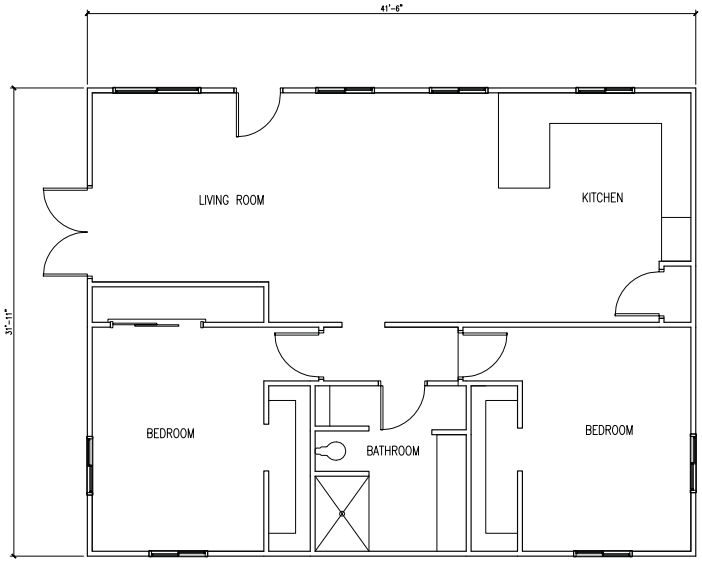
**SUP-55031 & SDR-55043**




1 EXISTING BLDG C FLOOR PLAN (NOT USED)
1/4" = 1'-0"




2 EXISTING BLDG B FLOOR PLAN (NOT USED)
1/4" = 1'-0"




2 EXISTING BLDG A 2ND FLOOR PLAN (NOT USED)
1/4" = 1'-0"

YIHONG LIU + ASSOCIATES
1669 HORIZON RIDGE PARKWAY,
SUITE 120,
HENDERSON, NV 89012
702. 778.8711
702.946.0933

# INNOVATION ACADEMY
LAS VEGAS, NEVADA

A. 004
OTHER BLDG PLAN (NOT USED)
7-11-2014
SCALE: 1/4" = 1'-0"

N

SUP-55031 & SDR-55043

YIHONG LIU & ASSOCIATES

7/14/2014

ARCHITECTURE PLANNING INTERIOR

Justification Letter for Private School ( Innovation Academy)
Special Use Permit & Site Development Review & waiver of development standard

To Whom it may concern:

We are respectfully submitting Special Use Permit and Site Development Design Review application for a private school use at Rainbow BLVD and Ann Road. APNs 125-27-803-004.

The proposed 0.94 ac project is located at 5705 N. Rainbow BLVD. The site is currently composed of 3 standing alone buildings where only the ground floor of the main building is proposed for the school use for current application. Ramaining buildings on site will be remodeled to fit the school needs in the future.

The building A ground floor will be remodeled to meet the code requirement for school use. The building exterior will not be changed and will maintain the residential look. Building exterior will be repaired and repainted using existing building color. Please see existing photo for reference.

we provided 15' landscape buffer on the North and West Property line with tree 30' on center landscaping for a good separation to the residential area. We also provided landscape buffer on the parameter facing streets and the landscape are provided per code requirement. The existing trees are remained for the project.

At the south property line where parking spaces are provided, we have 56' long landscape buffer of 2' where 8' is required per development standard. Other areas we have 8' or morethan 8' in landscape buffer. We respectfully request a landscape waiver of development standard.

We will allow a 90min drop-off and pickup time frame to not increase flow on street. There is no need for increased utility or changes that will affect neighboring units. Class ratios will be very low and we are expected to open with less than 50 students for the first 2 years.

There are total of 10 parking spaces provided with 1 handicap space. The parking ratio is at 4 cars per classroom and 1 car for teachers & staffs, which is higher than code requirements for 3 cars per classroom.

**SUP-55031 & SDR-55043**

PRJ-55030
07/16/14

1669 Horizon Ridge Parkway, Suite 120, Henderson, NV 89012. p: 702-321-9316 f: 702-946-0933

The proposed development is compatible with the surrounding neighborhood and will provide an environment of stable and desirable character consistent with the City's policies and regulation.

Sincerely,

Yihong Liu, AIA, LEED AP
President
Yihong Liu & Associates, Ltd



PRJ-55030
07/16/14

1669 Horizon Ridge Parkway, Suite 120, Henderson, NV 89012. p: 702-321-9316 f: 702-946-0933

SUP-55031 RELATED TO SDR-55043 [PRJ-55030] - APPLICANT/OWNER: CCOB FAMILY TRUST
5705 NORTH RAINBOW BOULEVARD

07/31/14

SUP-55031 RELATED TO SDR-55043 [PRJ-55030] - APPLICANT/OWNER: CCOB FAMILY TRUST
5705 NORTH RAINBOW BOULEVARD

07/31/14

SUP-55031 RELATED TO SDR-55043 [PRJ-55030] - APPLICANT/OWNER: CCOB FAMILY TRUST
5705 NORTH RAINBOW BOULEVARD

07/31/14

SUP-55031 RELATED TO SDR-55043 [PRJ-55030] - APPLICANT/OWNER: CCOB FAMILY TRUST
5705 NORTH RAINBOW BOULEVARD

07/31/14

SUP-55031 RELATED TO SDR-55043 [PRJ-55030] - APPLICANT/OWNER: CCOB FAMILY TRUST
5705 NORTH RAINBOW BOULEVARD

07/31/14

SUP-55031 RELATED TO SDR-55043 [PRJ-55030] - APPLICANT/OWNER: CCOB FAMILY TRUST
5705 NORTH RAINBOW BOULEVARD

07/31/14

City of Las Vegas Agenda Item No.: **35.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
SDR-55043 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-55031 - PUBLIC HEARING - APPLICANT/OWNER: CCOB FAMILY TRUST - For possible action on a request for a Site Development Plan Review FOR A PROPOSED THREE BUILDING, 8,044 SQUARE-FOOT PRIVATE SCHOOL, PRIMARY WITH WAIVERS TO ALLOW A TWO-FOOT WIDE LANDSCAPE BUFFER ON A PORTION OF THE SOUTH SIDE OF THE PROPERTY, WHERE EIGHT FEET IS REQUIRED AND A ZERO-FOOT WIDE LANDSCAPE BUFFER ON THE EAST SIDE OF THE PROPERTY, WHERE FIFTEEN FEET IS REQUIRED on 0.95 acres at 5705 North Rainbow Boulevard (APN 125-27-803-004), R-E (Residence Estates) Zone, Ward 6 (Ross) [PRJ-55030]. Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

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

**BACKUP DOCUMENTATION:**
1. Consolidated Backup - Refer to SUP-55031
2. Supporting Documentation

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

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

**SDR-55043**

Case Number: PRJ55030 APN: 125-27-803-004

Name of Property Owner: Carey Clopot

Name of Applicant: _____

Name of Representative: _____

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Carey Clopot

Print Name: Carey Clopot

Subscribed and sworn before me

This 5 day of June, 2014

Jeff Weir

Notary Public in and for said County and State

State of Nevada
County of Clark

JEFF WEIR
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 10-1940-1
MY APPT. EXPIRES NOV. 9, 2017



PRJ-55030
07/16/14

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** SITE DEVELOPMENT DESIGN REVIEW WITH WAIVER

**Project Address (Location)** 5705 N RAINBOW AVENUE. LV, NV, 89149

**Project Name** PRIVATE ELEMENTARY SCHOOL SUP **Proposed Use** PRIVATE SCHOOL

**Assessor's Parcel #(s)** 12527803004 **Ward #** X

**General Plan:** existing X proposed CAR **Zoning:** existing 313 LAGI proposed 5945 N

**Commercial Square Footage** MAGGIE BRAY **Floor Area Ratio** LAS VEGAS

**Gross Acres** NV **Lots/Units** 89107 **Density** NV

**Additional Information** LAS VEGAS

89149

**PROPERTY OWNER** BEN@310LISTING.COM **Contact** MAGGIERNMAY@HOTMAI

**Address** 313 LACEY LANE **Phone:** 210-3040 **Fax:**

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

**E-mail Address**

**APPLICANT** **Contact**

**Address** **Phone:** 300-9287 **Fax:**

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

**E-mail Address**

**REPRESENTATIVE** **Contact**

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

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

**E-mail Address**

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

**Property Owner Signature*** Carey Clapt

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

**Print Name** CAREY CLAPT

Subscribed and sworn before me

This 12 day of July, 2014.

John Caccitolo

Notary Public in and for said County and State

JOHN CACCITOLO
Notary Public, State of Nevada
Appointment No. 03-84202-1
My Appt. Expires Oct 20, 2017

***FOR DEPARTMENT USE ONLY***

| | |
|---|---|
| Case # | SDR-55043 |
| Meeting Date: | 09/09/14 PC |
| Total Fee: | |
| Date Received:* | |
| Received By: | |

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

PRJ-55030
07/16/14

Revised 10/27/08

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

City of Las Vegas Agenda Item No.: **36.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

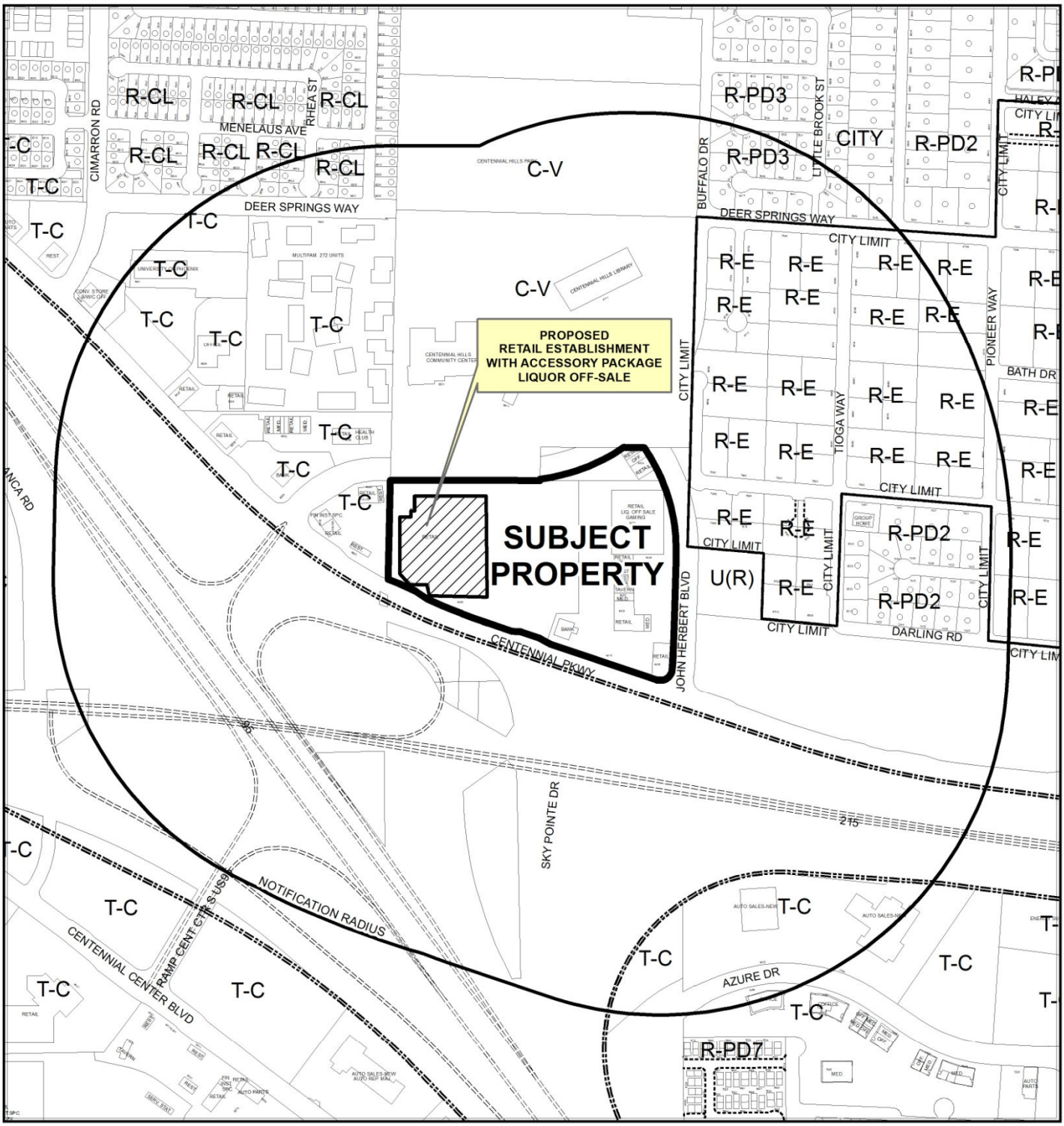
**SUBJECT:**
SUP-55236 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: TARGET CORPORATION - For possible action on a request for a Special Use Permit FOR AN ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 141,892 SQUARE-FOOT GENERAL RETAIL ESTABLISHMENT WITH A WAIVER TO ALLOW A 153-FOOT DISTANCE SEPARATION FROM A CITY PARK WHERE 400 FEET IS REQUIRED at 6480 Sky Pointe Drive (APN 125-21-813-003), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross) [PRJ-54926]. Staff recommends DENIAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

**RECOMMENDATION:**
Staff recommends DENIAL, if approved, subject to conditions:

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



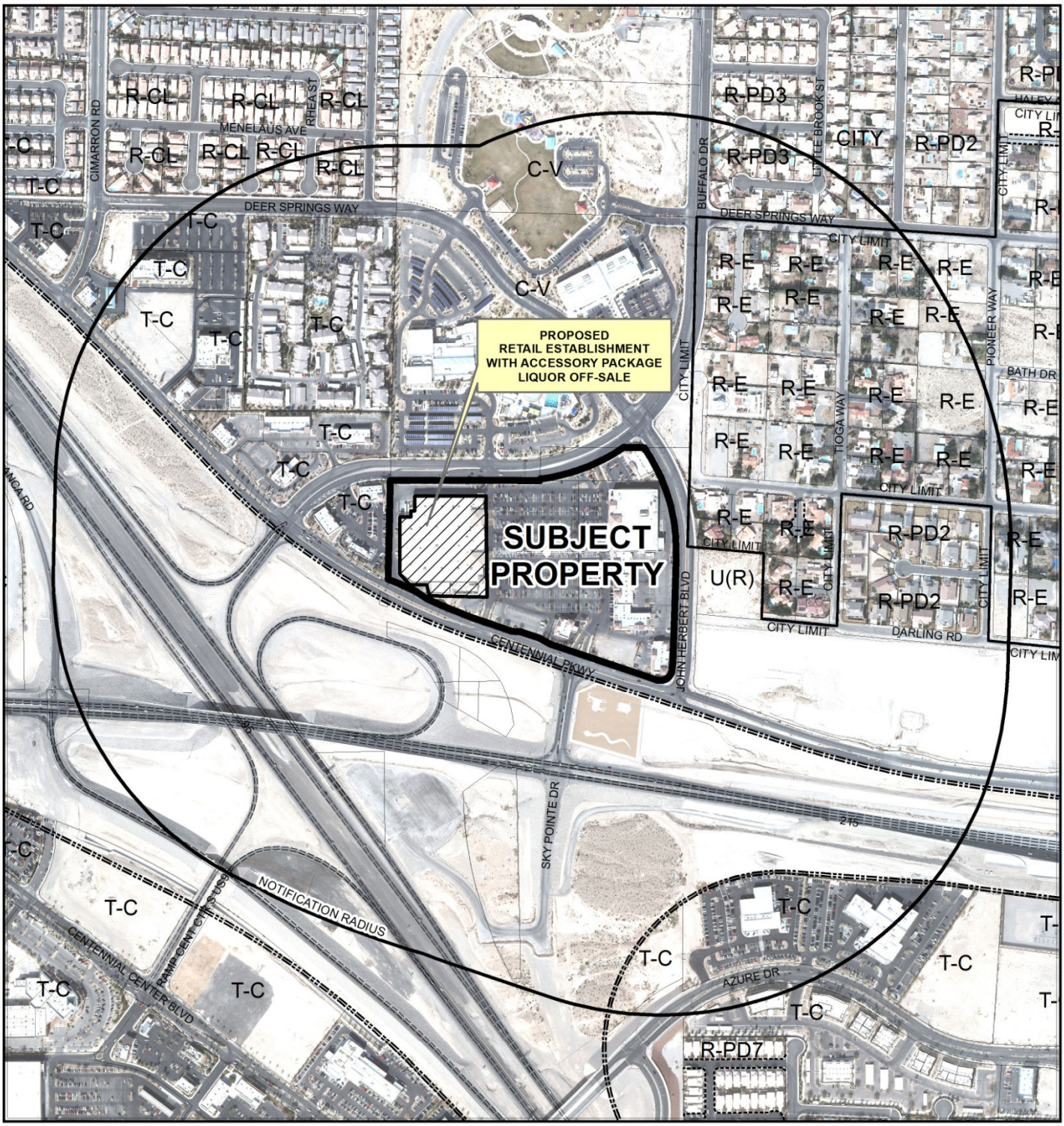

0 500 1,000 Feet

**CASE:** **SUP-55236 (PRJ-54926)**

**RADIUS:** 1500 FEET

**ZONING OF SUBJECT PROPERTY:** T-C (TOWN CENTER) [SX-TC (SUBURBAN MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

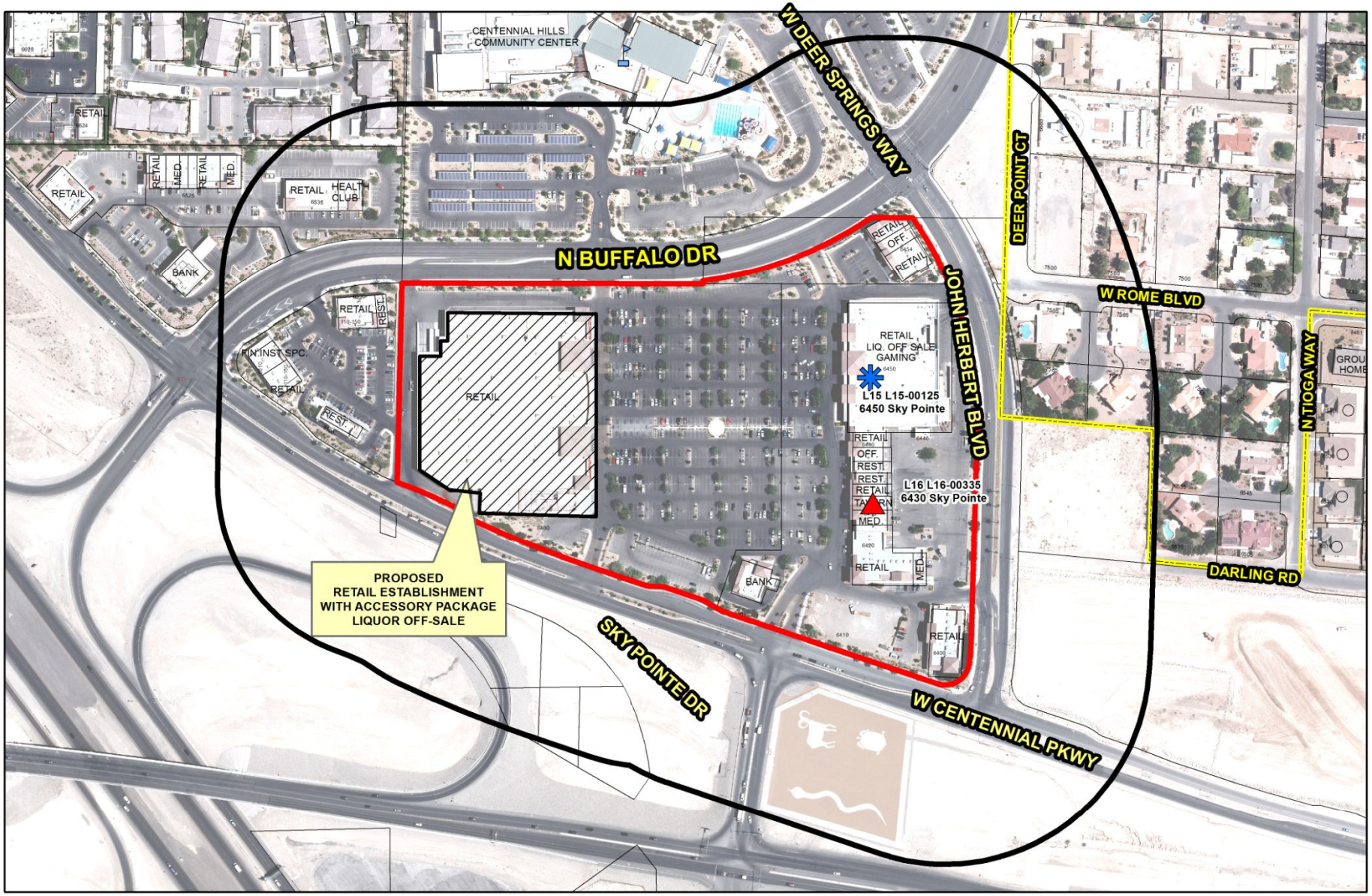
N




**CASE:** **SUP-55236 (PRJ-54926)**

**RADIUS:** 1500 FEET

**ZONING OF SUBJECT PROPERTY:** T-C (TOWN CENTER) [SX-TC (SUBURBAN MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]




**SUP-55236 (PRJ-54926)**

**Package Liquor Off-Sale**

**Business Licenses**

- Beer/Wine/Cooler On-Sale
- Beer/Wine/Cooler Off-Sale
- Beer/Wine/Cooler On- and Off-Sale
- Package Liquor Off-Sale
- Restaurant With Alcohol/ Restaurant Service Bar
- Tavern

**Protected Uses**

- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Child Care/ Children Facility

- Subject Property
- 400 foot buffer

N

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

Date: Monday, July 28, 2014

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: TARGET CORPORATION**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-55236** | Staff recommends DENIAL, if approved subject to conditions: | |

## ** CONDITIONS **

# SUP-55236 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Accessory Package Liquor Off-Sale use.

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

3. A Waiver from Title 19.12 is hereby approved, to allow a 153-foot distance separation from a City Park where a minimum 400-foot distance separation is required.

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

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

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

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

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

GK

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 141,892 square-foot general retail space at 6480 Sky Pointe Drive. The applicant is requesting 158 square feet of floor space be dedicated to the sale of alcoholic beverages, which represents less than one percent of the 83,062 square feet of total retail floor space. The subject site is an existing shopping center, which provides cross-access and shared parking throughout the entire commercial center. This Special Use Permit is accompanied with a requested Waiver to allow a 153-foot distance separation between the subject site and a City Park where a minimum of a 400-foot distance separation is required. The need for a waiver of this requirement demonstrates that the use is not compatible with neighboring uses in this area of the City. Staff therefore recommends denial. If denied, no alcohol may be sold on the premises.

## ISSUES

- A Special Use Permit is required for a Retail Establishment with Accessory Package Liquor Off-Sale use in the SX-TC (Suburban Mixed Use – Town Center) Special Land Use designation.
- The applicant is requesting a Waiver to allow a 153-foot distance separation from a City Park where a 400-foot separation distance is required.
- The proposed floor area dedicated to the package liquor use is 158 square feet, which is less than one percent of the 83,062 square feet of total retail floor area.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 12/21/94 | The City Council approved a Rezoning (Z-0101-94) from N-U (Non-Urban) and C-2 (General Commercial) to C-1 (Limited Commercial) for a 705,000 square-foot retail shopping center on property located on the northwest corner of Centennial Parkway and Buffalo Drive. Planning Commission and staff recommended approval. |
| 01/12/97 | The City Council approved an Extension of Time [Z-0101-94(3)] for a previously approved 705,000 square-foot retail shopping center on property located on the northwest corner of Centennial Parkway and Buffalo Drive. Planning Commission and staff recommended approval. |

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 01/19/00 | The City Council approved a Site Development Plan Review [Z-0076-98(10)] for a commercial center on property located on the southwest corner of Buffalo Drive and Rome Boulevard. Planning Commission and staff recommended approval. |
| 01/03/01 | The City Council approved a Special Use Permit (U-0181-00) for a Package Liquor Sales in conjunction with a grocery store at the southwest corner of Buffalo Drive and Rome Boulevard. Planning Commission and staff recommended approval. |
| 09/19/01 | The City Council approved a Master Sign Plan (MSP-0002-01) for an approved 265,100 square-foot commercial center with a Waiver of the Town Center Sign Standards on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended approval. |
| 06/05/02 | The City Council approved a Special Use Permit (U-0038-02) for a convenience store with gasoline sales with a Waiver of the minimum 330-foot separation requirement from single-family dwellings located on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended approval. |
| | The City Council approved a Special Use Permit (U-0039-02) for the sale of beer and wine in conjunction with a convenience store on property located on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended approval. |
| | The City Council approved a Special Use Permit (U-0040-02) for a restricted gaming use in conjunction convenience store on property located on the west side of John Herbert Boulevard between Buffalo Drive and Sky Pointe Drive. Planning Commission and staff recommended approval. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 08/28/01 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 12/05/01 | A building permit (#1021088) was issued for a retail building certificate of occupancy at 6480 Sky Pointe Drive. The permit received a final inspection on 07/10/02. |
| 12/05/01 | A building permit (#1021081) was issued for on-site hardscapes at 6480 Sky Pointe Drive. The permit expired on 06/08/02. |
| 01/15/02 | A building permit (#2000727) was issued for wall signs at 6480 Sky Pointe Drive. The permit expired on 01/11/03. |
| 04/16/02 | A building permit (#2006718) was issued for a monument sign at 6480 Sky Pointe Drive. The permit expired on 10/19/02. |

| ***Pre-Application Meeting*** | |
|---|---|
| 07/02/14 | Staff met with the representative to discuss the proposal to locate an Accessory Package Liquor Off-Sale use within an existing retail establishment. Staff concluded that a Special Use Permit would be required to do so. The submittal requirements for a Special Use Permit were discussed. |

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

| ***Field Check*** | |
|---|---|
| 07/31/14 | Staff conducted a routine field check and noted a well maintained shopping center free of trash and debris. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 21.28 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Shopping Center | T-C (Town Center) | SX-TC (Suburban Mixed Use – Town Center) |
| North | Government Facility | T-C (Town Center) | C-V (Civic) |
| South | Interstate 215 Right-Of-Way | Interstate 215 Right-Of-Way | Interstate 215 Right-Of-Way |
| East | General Retail | T-C (Town Center) | SX-TC (Suburban Mixed Use – Town Center) |
| | Restaurant | | |
| | Financial Institution, Specified | | |
| West | Undeveloped | T-C (Town Center) | SX-TC (Suburban Mixed Use – Town Center) |
| | Single-Family Residential | U (Undeveloped) | R (Rural) |

| ***Master Plan Areas*** | ***Compliance*** |
|---|---|
| Town Center Master Plan | Y |
| ***Special Purpose and Overlay Districts*** | ***Compliance*** |
| T-C (Town Center) District | Y |

| *Other Plans or Special Requirements* | *Compliance* |
|---|---|
| Trails | N/A |
| Las Vegas Redevelopment Plan Area | N/A |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A |
| Project of Regional Significance | Y |

**DEVELOPMENT STANDARDS**

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Actual Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Sky Pointe Drive | Parkway | Town Center Development Standards | 120 | Y |
| Buffalo Drive | Primary Arterial | Town Center Development Standards | 100 | Y |
| John Herbert Boulevard | Primary Arterial | Town Center Development Standards | 100 | Y |

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

| *Parking Requirement* | | | | | | | |
|---|---|---|---|---|---|---|---|
| *Use* | *Gross Floor Area or Number of Units* | *Required* | | | *Provided* | | *Compliance* |
| | | *Parking Ratio* | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Shopping Center | 266,816 | 1:250 | 1,068 | | | | |
| **TOTAL SPACES REQUIRED** | | | 1,068 | | 1,107 | | Y |
| **Regular and Handicap Spaces Required** | | | 1,047 | 21 | 1,086 | 21 | Y |

| *Waivers* | | |
|---|---|---|
| *Requirement* | *Request* | *Staff Recommendation* |
| A 400-foot minimum distance separation is required from a City Park. | To allow a 153-foot distance separation. | Denial |

## ANALYSIS

The proposed use is located within the Town Center Master Plan area. The property is zoned SX-TC (Suburban Mixed Use – Town Center), which can be characterized as being similar to the Service Commercial district with the addition of medium density residential being a permitted use and is intended to enable development with imaginative adjacency standards. Building and site designs which reflect a mixture of compatible land uses having either vertical or horizontal character will maximize employment and housing opportunities. The proposed Retail Establishment with Accessory Package Liquor Off-Sale use is permissible in the SX-TC (Suburban Mixed Use – Town Center) Special Land Use Designation with the approval of a Special Use Permit.

The applicant is requesting a Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 141,892 square-foot general retail space at 6480 Sky Pointe Drive. The Retail Establishment with Accessory Package Liquor Off-Sale use is defined as "a retail establishment:

> 1. Whose license to sell alcoholic beverages authorizes their sale to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold; and
>
> 2. In which the sale of alcoholic beverages is ancillary to the retail use, and in which no more than 10 percent of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages.

This use includes an establishment that provides on-premises wine, cordial and liqueur tasting if the licensee also holds a wine, cordial and liqueur tasting license for that location."

The proposed use meets the definition outlined above, as the provided floor plan and justification letter detail the intent to sell alcoholic beverages in conjunction with an existing retail establishment. Furthermore, the applicant has indicated 158 square feet of the existing 83,062 square feet of retail floor area would be utilized for packaged liquor, which represents less than one percent of the total floor area.

The Minimum Special Use Permit Requirements for a Retail Establishment with Accessory Package Liquor are listed below.

1. Except as otherwise provided, no retail establishment with accessory package liquor off-sale (hereinafter "establishment") shall be located within 400 feet of any church/house of worship, school, individual care center licensed for more than 12 children, or City park.

*The proposed use fails to meet this requirement, as there is a City Park approximately 153 feet to the north of the subject site.*

* 2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

a. Any leasehold parcel; or

b. Any parcel which lacks access to a public street or has no area for on site parking and which has been created so as to avoid the distance limitation described in Requirement 1.

*The proposed use meets this requirement; measurement is taken from the existing property line of the commercial subdivision located at the southeast corner of Sky Pointe Drive and Buffalo Drive.*

* 3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:

a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or

b. In the case of a proposed establishment which will be located within a shopping center or other multiple tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.

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

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

*The Planning Commission will have to determine if the requested Waiver for a distance separation of 153 feet from a City Park should be granted.*

5. The minimum distance requirements in Requirement 1 do not apply to:

a. An establishment which has a nonrestricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or

b. A proposed establishment having more than 50,000 square feet of retail floor space.

*Neither condition applies to the proposed use.*

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

*The proposed use will meet this requirement, as a condition of approval requires the conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.*

7. The minimum distance requirements set forth in Requirement 1, which are otherwise nonwaivable under the provisions of LVMC 19.12.050(C), may be waived:

a. In accordance with the provisions of LVMC 19.12.050(C) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;

b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T C (Town Center) Zoning District and which is designated MS TC (Main Street Mixed Use) in the Town Center Land Use Plan;

c. In connection with a proposed establishment having between 20,000 square feet and 50,000 square feet of retail floor space; or

d. In connection with a retail establishment having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right of way with a width of at least 100 feet.

*There is a Waiver request to allow a distance separation of 153 feet from a City Park where the minimum distance required is 400 feet. The minimum distance requirement may be waived in accordance with the Town Center Development Standards.*

The proposed Retail Establishment with Accessory Package Liquor Off-Sale use would be located within an established shopping center with retail and restaurant uses located on the site interior. The existing shopping center provides cross-access and shared parking throughout the

entire commercial center. No additional parking is required for the proposed use, as the parking requirements were addressed during the original development of the site. The lot line of the property is separated from a City Park to the north by 153 feet, across Buffalo Drive. As the minimum distance separation is measured from property line to property line, the proposed use fails to meet the required 400-foot distance separation from a City Park use. Staff cannot support the associated waiver request because the intent of Title 19 is to separate more intense commercial uses from less intense uses such as City Parks to protect the public welfare; as this request proposes to decrease separation between uses, the use is not compatible with the surrounding neighborhood. Although all other minimum requirements for a Retail with Accessory Package Liquor use are met, staff recommends denial.

**FINDINGS (SUP-55236)**

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

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

   The proposed Retail Establishment with Accessory Package Liquor Off-Sale use is not compatible with the surrounding land uses. Title 19.12 requires that a Retail Establishment with Accessory Package Liquor use be located more than 400 feet from a City Park use to maintain adequate separation between less intense uses. The proposed use would be located 153 feet from a City Park to the north, thereby demonstrating an incompatibility with the adjacent surrounding land uses.

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

   The proposed Retail Establishment with Accessory Package Liquor Off-Sale use would operate within an existing shopping center with shared access and parking throughout the commercial development. The existing shopping center is physically suitable for the proposed use.

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

   Access to the subject site is provided by Centennial Parkway, a 120-foot wide Parkway and Buffalo Drive, a 100-foot wide Primary Arterial as designated by the Town Center Development Standards. The streets provide adequate access for the proposed Retail Establishment with Accessory Package Liquor Off-Sale use.

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

   Approval of a Special Use Permit for the Retail Establishment with Accessory Package Liquor Off-Sale use will not compromise the public health, safety, or general welfare as the use would be subject to regular inspections and licensing requirements.

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

   The proposed use does not meet all of the conditions per Title 19.12, as the applicant has requested a waiver to allow a 153-foot distance separation from a protected use (city park) where a 400-foot distance separation is required. The Waiver must be approved in order for the use to be allowed at the proposed location.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 31

**NOTICES MAILED** 167

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-55236 APN: 125-21-813-003

Name of Property Owner: Target Corporation

Name of Applicant: Target Corporation

Name of Representative: Kolesar & Leatham

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: Nikhil Nayar

Print Name: Nikhil Nayar, Vice President

Subscribed and sworn before me

This 30th day of April, 2014

Shannon Marie Cleveland

Notary Public in and for said County and State

Minnesota Hennepin

SHANNON MARIE CLEVELAND
NOTARY PUBLIC - MINNESOTA
My Commission Expires January 31, 2018

PRJ-54926
07/28/14

# CLV Planning - Application Form

| | |
|---|---|
| Application Number: | PRJ-54926 |
| Application/Petition For: | SUP for Retail Establishment with Accessory Package Liquor Off-Sale at 6480 Sky Pointe Drive |
| ProjectAddress (Location): | 6480 SKY POINTE DRIVE |
| Project Name | ACCESSORY PACKAGE LIQUOR SUP |
| Assessors Parcel #(s): | 12521813003 |
| Ward #: | WARD 6 (STEVEN D. ROSS) |
| Is the Application Information Correct: | Yes |
| If no, ...change what | |
| General Plan Designation: Proposed: | Select |
| Zoning District: Proposed: | Select |
| Gross Acres: | |
| Lots/Units: | |
| Additional Information: | |
| Applicant First Name: | Kristen |
| Applicant Last Name: | Ruud, Liquor License Specialist |
| Applicant Address: | 1000 Nicollet Mall, TPN-0910 |
| Applicant City: | Minneapolis |
| Applicant State: | MN |
| Applicant Zip: | 55403 |
| Applicant Phone: | 612-761-7165 |
| Applicant Fax: | |
| Applicant Email: | liquor.licensing@target.com |
| Rep First Name: | Benjamin |
| Rep Last Name: | Volmer, Esq. |
| Rep Address: | 400 S. Rampart Blvd., Suite 400 |
| Rep City: | Las Vegas |
| Rep State: | NV |
| Rep Zip: | 89145 |
| Rep Phone: | 702-362-7800 |
| Rep Fax: | 702-362-9472 |
| Rep Email: | bvolmer@klnevada.com |

**SUP-55236**

# CLV Planning - Application Form

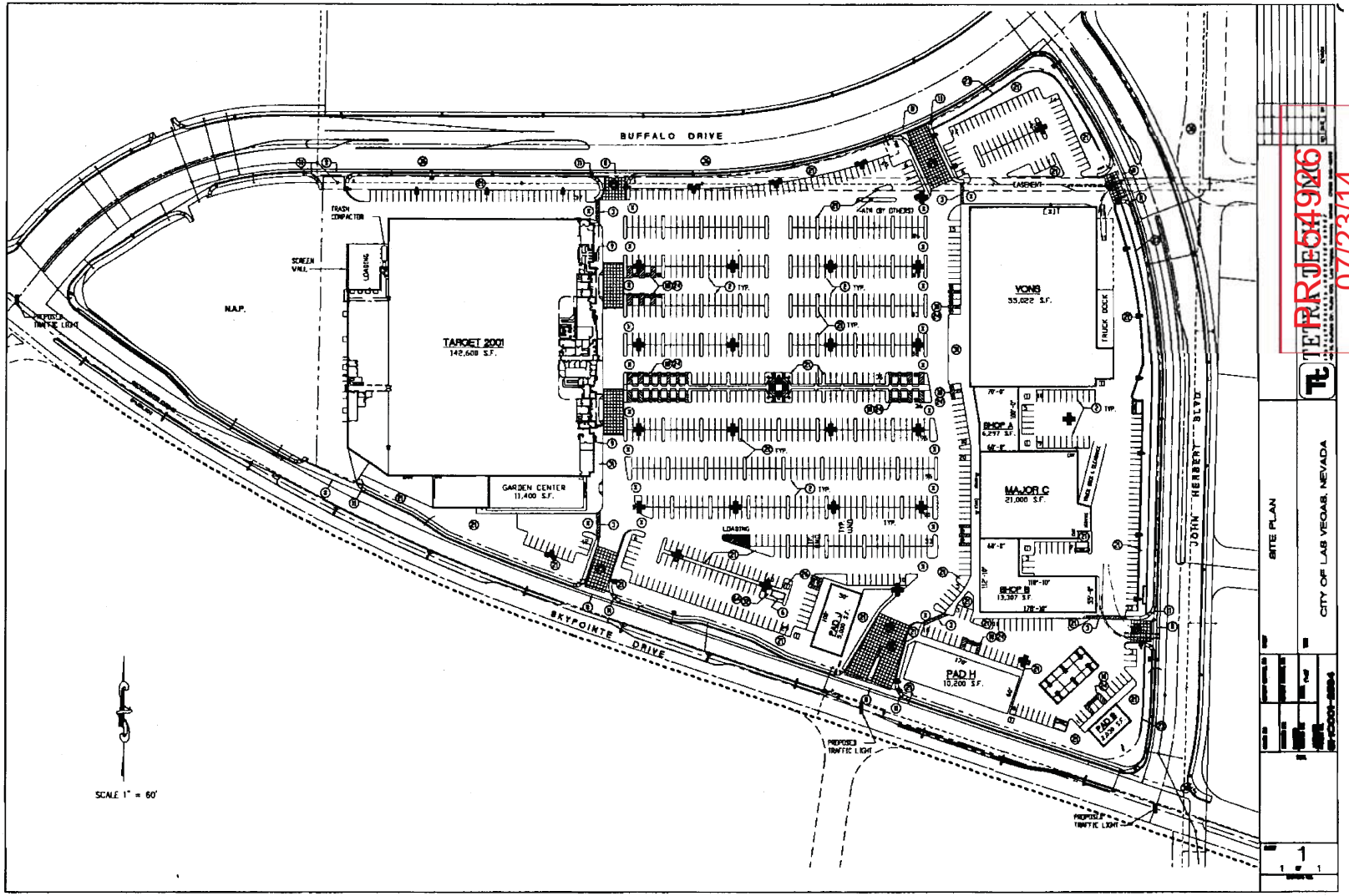
| | |
|---|---|
| I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or 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.<br>I Accept: | Yes |
| Is the Owner Information Correct: | Yes |
| If no, ...change what | |

| Owner(s) | ADDR1 | ADDR2 |
|---|---|---|
| TARGET CORPORATION | P O BOX 9456 | MINNEAPOLIS, MN 55440-9456 |

| CLVEPLAN Applicant | Company | Title | Email |
|---|---|---|---|
| Benjamin Volmer | Kolesar & Leatham | Esq. | bvolmer@klnevada.com |

**SUP-55236**

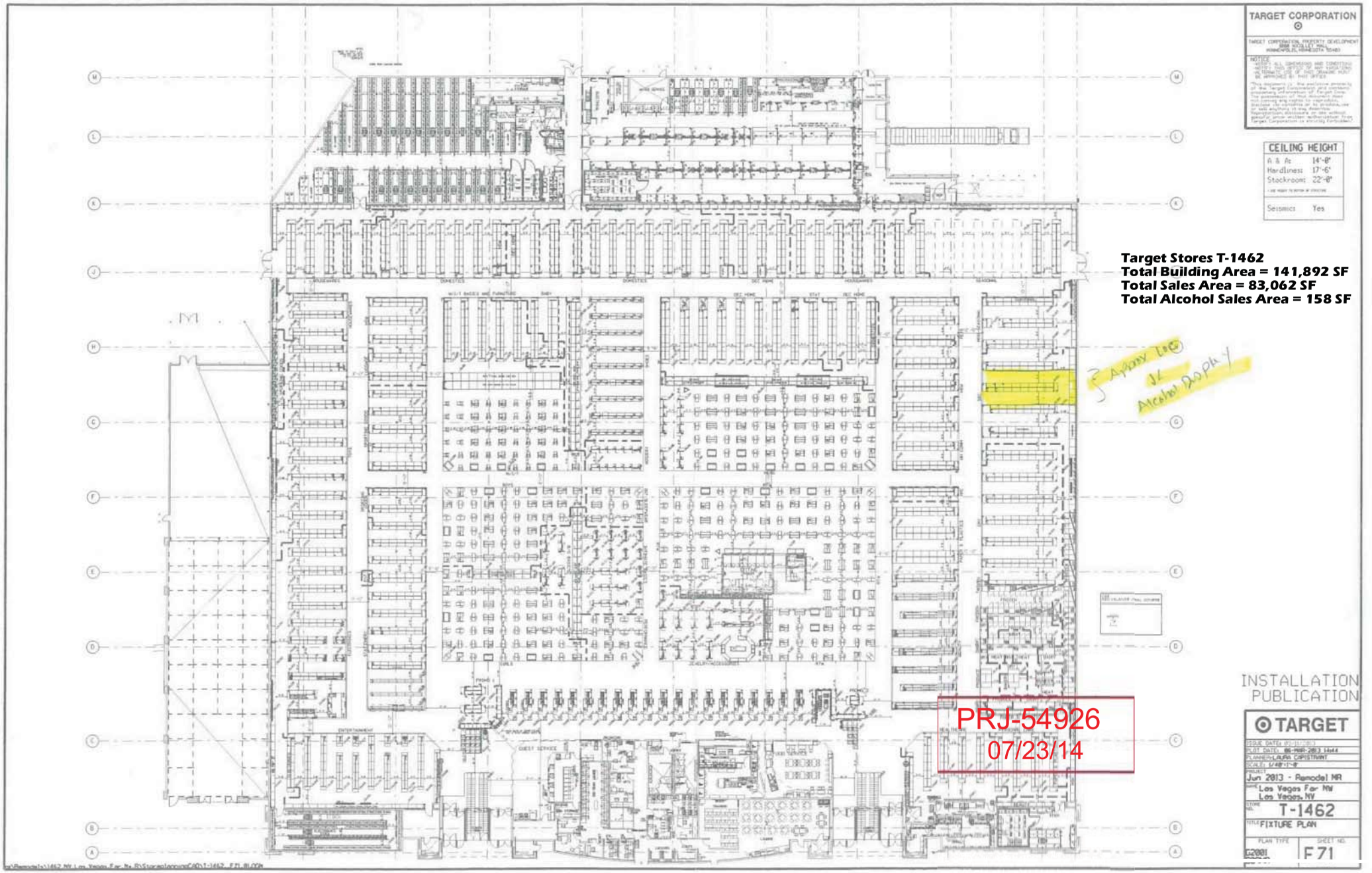
# EXHIBIT B




TETRA TECH
RR5549926
07/23/14

**SUP-55236**

T1462


TARGET CORPORATION
CEILING HEIGHT
A & Ac 14'-8"
Hardlines 17'-6"
Stockrooms 22'-8"
Seismics Yes
Target Stores T-1462
Total Building Area = 141,892 SF
Total Sales Area = 83,062 SF
Total Alcohol Sales Area = 158 SF
F Appy to JL Alcohol Dsply
PRJ-54926
07/23/14
INSTALLATION PUBLICATION
TARGET
Jun 2013 - Remodel NR
Las Vegas Far NW
Las Vegas, NV
T-1462
FIXTURE PLAN
F71

SUP-55236

KOLESAR & LEATHAM

ATTORNEYS AT LAW

400 SOUTH RAMPART BLVD., SUITE 400
LAS VEGAS, NEVADA 89145
702.362.7800

klnevada.com

July 22, 2014

City of Las Vegas
Department of Planning & Development
333 North Rancho Drive
Las Vegas, NV 89106

**Re: Special Use Permit Application**

| | |
|---|---|
| **Applicant:** | **Target Corporation** |
| **Proposed Use:** | **Retail Establishment with Accessory Package Liquor** |
| **Project Name:** | **Target Stores T-1462** |
| **Project Address:** | **6480 Sky Pointe Dr., Las Vegas, NV 89131** |
| **APN:** | **125-21-813-003** |

Dear Sir/Madam:

This firm represents Target Corporation (the "Applicant") at the above-referenced Target business location (the "Business"). The Applicant operates retail department and grocery store businesses in 49 states and Washington D.C. and has been a long-time anchor tenant in the Crossroads Plaza Shopping Center. The Applicant has recently expanded its business to include the sale of general grocery and food products to many of its stores throughout the Las Vegas valley. In that regard, the Applicant desires to complement its grocery business to allow for the sale of package beer, wine and liquor as a convenience to its customers and to remain competitive with other grocery stores in the valley.

The addition of alcoholic beverage sales to the Applicant's Business will demonstrate a uniform presence for Target stores in the community by providing similar goods that will soon be offered at numerous other Nevada Target locations that sell grocery and related food items. The Applicant acknowledges that no more than ten percent (10%) of the retail floor space of the Business may be dedicated to the display of alcoholic beverages. The Applicant has enclosed a Floor Plan which includes an outline of the initial area dedicated for the display of alcoholic beverages. The Applicant plans to devote approximately 158 square feet to the display of alcoholic beverages.

The Business provides a benefit to the community and neighboring businesses in the Crossroads Plaza Shopping Center and the surrounding area. As an anchor tenant and national retail brand, the Business draws vital customer traffic to the neighboring businesses in the community. The Business is committed to ensuring compliance with all local and State laws

PRJ-54926
07/23/14



SUP-55236

regarding the sale of alcoholic beverage products for off-premises consumption. The Business has implemented and will adhere to strict internal policies to prevent the sale of alcoholic beverage products to minors and to ensure that alcoholic beverage products are not consumed on the premises of the Business or in the parking area.

The proposed package liquor off-sale establishment use is harmonious and compatible with adjacent development and with existing land uses in the immediate vicinity. We do not believe that any additional public services, utilities or parking accommodations will be necessary to accommodate the proposed use at the Business. The site provides adequate pedestrian and vehicle ingress/egress to and from the Centennial Crossroads Plaza Shopping Center in which the Business is located, from N. Buffalo Dr. and Sky Pointe Dr. Please note that the Business operates every day between the hours of 8:00 a.m. and 10:00 p.m. and employs approximately 141 employees.

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

Very truly yours,

KOLESAR & LEATHAM

Matthew Saltzman

Matthew D. Saltzman, Esq.

MDS:dms
Enclosures - as stated
cc: Erin Hosfield (w/o encls.)

SUP-55236

PRJ-54926
07/23/14

SUP-55236 [PRJ-54926] - APPLICANT/OWNER: TARGET CORPORATION
6480 SKY POINTE DRIVE

07/31/14

SUP-55236 [PRJ-54926] - APPLICANT/OWNER: TARGET CORPORATION
6480 SKY POINTE DRIVE

07/31/14

City of Las Vegas Agenda Item No.: **37.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

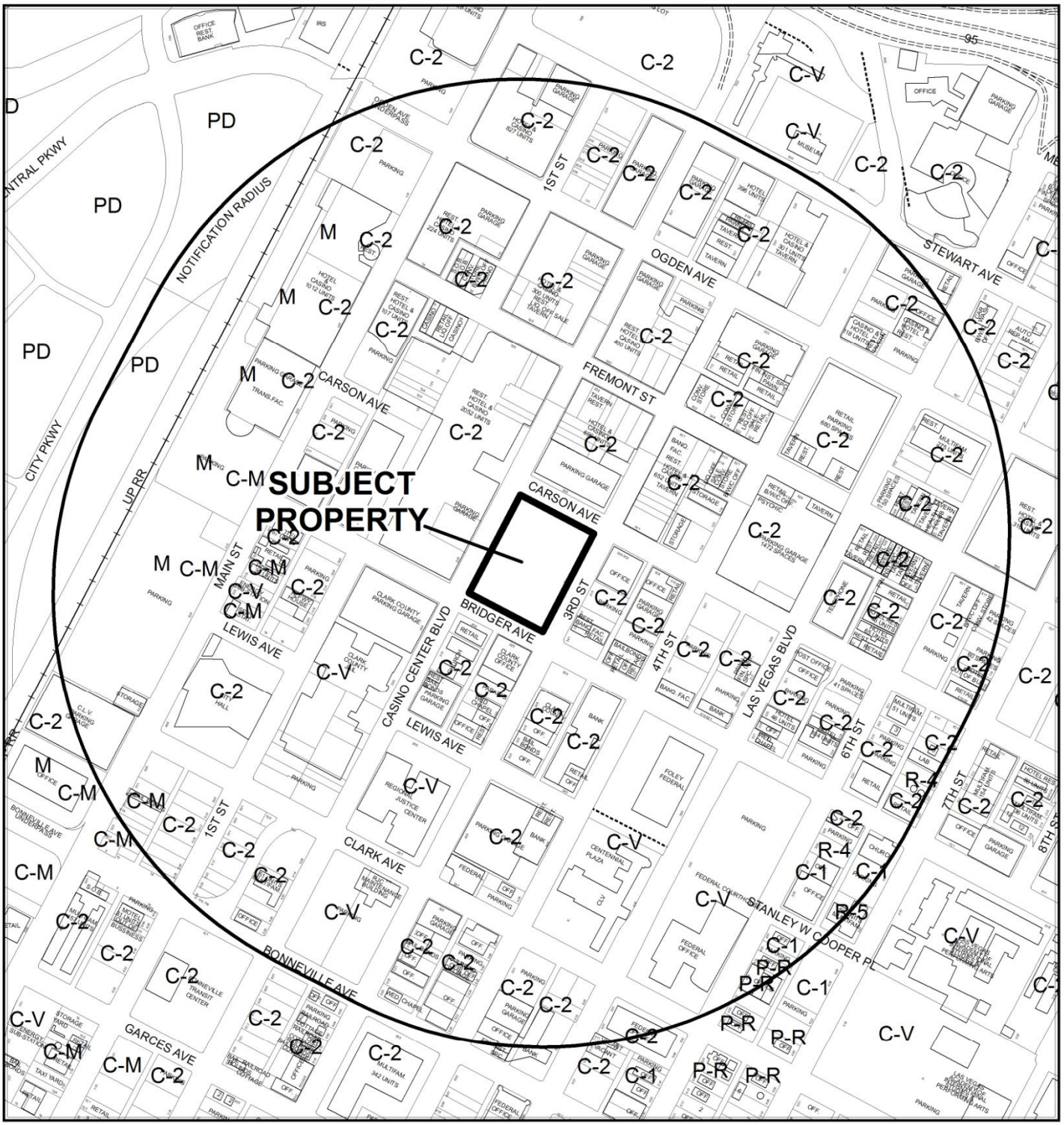
**SUBJECT:**
SUP-55328 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: DROCK 3RD STREET, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED TAVERN-LIMITED ESTABLISHMENT FOR A 107,158 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (OUTDOOR) USE at 200 South 3rd Street, (APN 139-34-210-047), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-55231]. Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

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

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



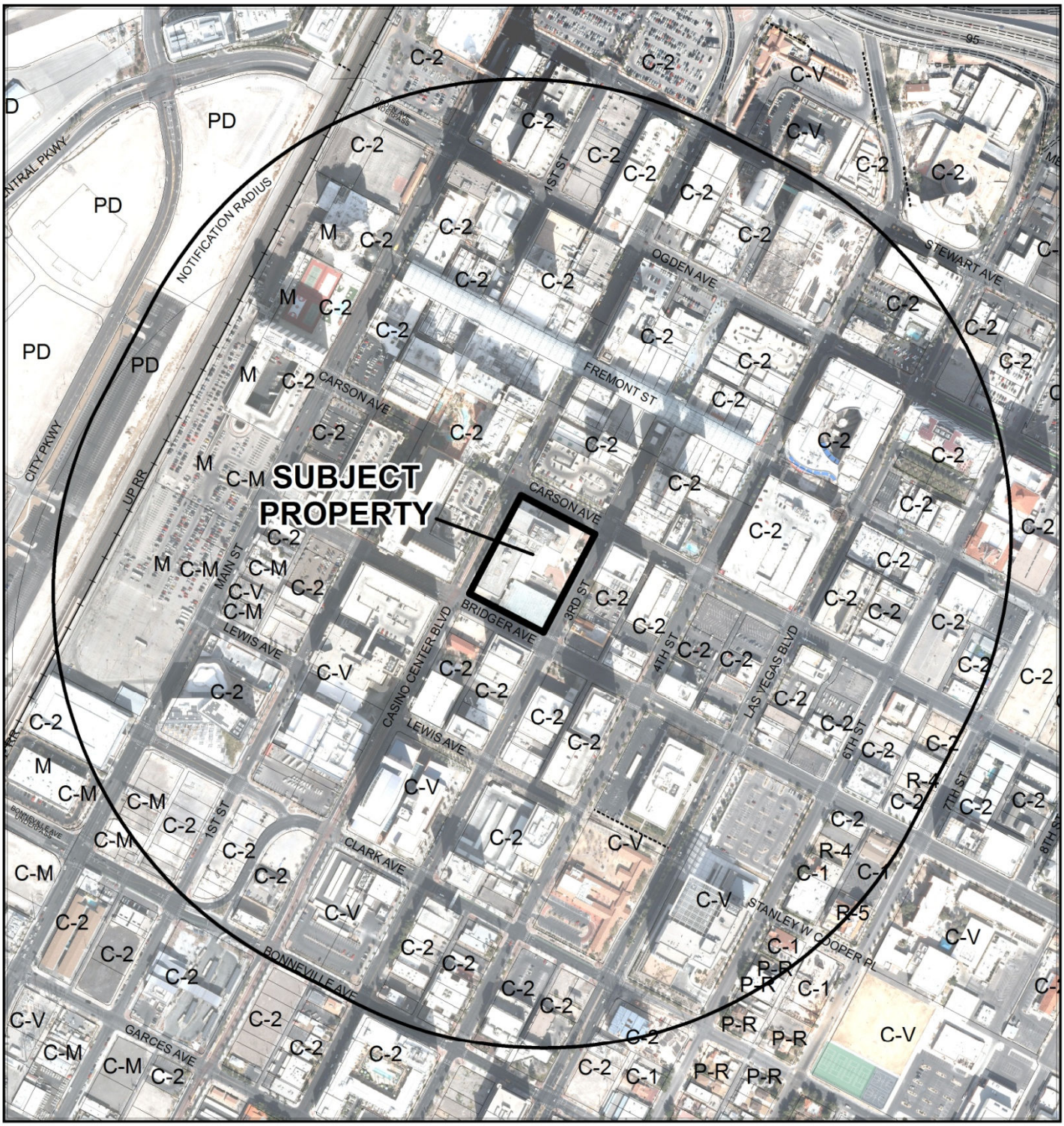

0 400 800 Feet

**CASE:** **SUP-55328 (PRJ-55231)**

**RADIUS:** 1500 FEET

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

N



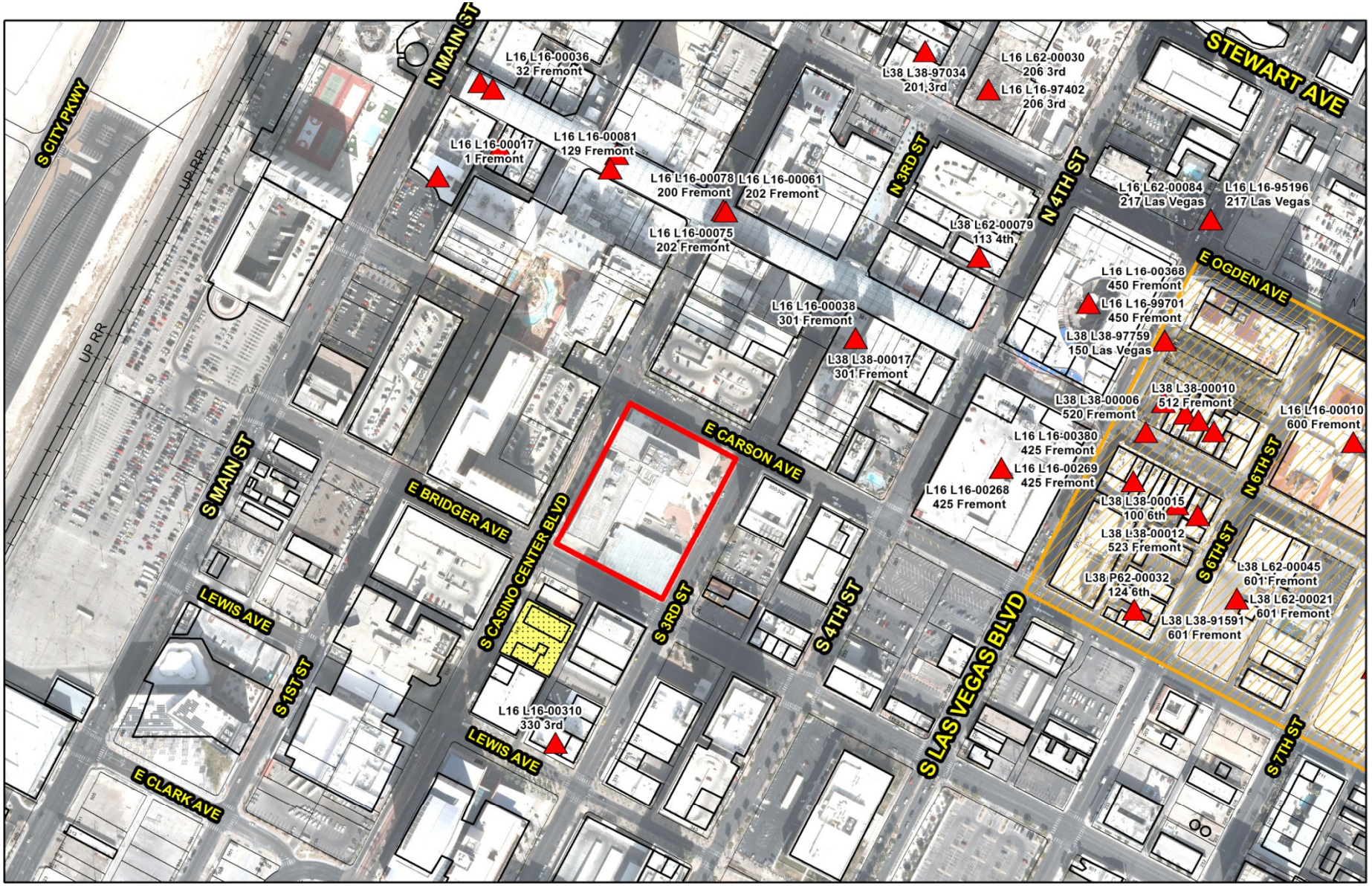

0 400 800 Feet

**CASE:** **SUP-55328 (PRJ-55231)**

**RADIUS:** 1500 FEET

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

N




**SUP-55328 (PRJ-55231)**

**Tavern-Limited Establishment**

**Business Licenses**

- Tavern

**Protected Uses**

- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Child Care/ Children Facility

- Subject Property
- 1500 foot buffer

N

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

Date: Thursday, July 31, 2014

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: DROCK 3RD STREET, LLC**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SUP-55328** | Staff recommends APPROVAL, subject to conditions: | N/A |

## ** CONDITIONS **

# SUP-55328 CONDITIONS

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Tavern-Limited Establishment use.

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

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

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

5. Minors shall only be permitted in such areas wherein spirituous, malt or fermented liquors or wines are served only in conjunction with regular meals and where dining tables or booths are provided separate from the bar in conformance with Title 6.50.

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

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

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

GK

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 120,000 square-foot outdoor Tavern-Limited Establishment to be utilized in conjunction with outdoor special events at 200 South 3rd Street. The site is located within the Downtown Centennial Plan – Central Casino Core District. The proposed use is appropriate for the site and can be conducted in a manner that is harmonious and compatible with the surrounding uses; therefore, staff recommends approval. If the application is denied, the Liquor Establishment (Tavern) use would not be allowed at this location.

## ISSUES

- The Tavern-Limited Establishment use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit. The Tavern-Limited Establishment use will allow the special events operator to serve drinks during outdoor special events.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 12/16/64 | The City Council approved a Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial), and C-V (Civic) to C-2 (General Commercial) and C-V (Civic) 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. Planning Commission and staff recommended approval. |
| 02/06/14 | Staff administratively approved a request for a Minor Site Development Plan Review (SDR-52802) for a temporary parking lot (valet) on 2.76 acres located at 200 South 3rd Street. |
| 03/11/14 | The Planning Commission approved a request for a Site Development Plan Review (SDR-52726) for a temporary parking lot with a waiver of the Downtown Centennial Plan Parking Lot Screening Fence standard on 2.76 acres located at 200 South 3rd Street. Staff recommended denial. |
| | The Planning Commission approved a request for a Variance (VAR-52727) to allow a six-foot tall fence along the front property line where a maximum height of five feet is allowed on 2.76 acres located at 200 South 3rd Street. Staff recommended denial. |

| *Related Relevant City Actions by P&D, Fire, Bldg., etc* | |
|---|---|
| 05/21/14 | The City Council approved a request for a General Plan Amendment (GPA-53016) from PF (Public Facilities) to GC (General Commercial) on 2.76 acres at 200 South 3rd Street. Planning Commission and staff recommended approval. |
| | The City Council approved a request for a Rezoning (ZON-53017) from C-V (Civic) to C-2 (General Commercial) on 2.76 acres at 200 South 3rd Street. Planning Commission and staff recommended approval. |
| 06/03/14 | Staff administratively approved a request for a Minor Amendment (SDR-54173) to a previously approved Site Development Plan Review (SDR-52726) for a 3,200 square-foot stage on 2.76 acres at 200 South 3rd Street. |

| *Most Recent Change of Ownership* | |
|---|---|
| 11/22/13 | A deed was recorded for a change in ownership. |

| *Related Building Permits/Business Licenses* | |
|---|---|
| c. 1960 | A government facility was constructed at 200 South Main Street. |
| 02/15/90 | A building permit (#90057384) was issued for interior renovations at 200 South 3rd Street. The permit expired on 06/19/93. |
| 08/24/92 | A building permit (#92157485) for an interior tenant improvement at 200 South 3rd Street. The permit was finalized on 12/28/92. |
| 10/22/96 | A building permit (#96021166) was issued for a tenant improvement at 200 South 3rd Street. The permit expired on 03/21/98. |
| 09/23/98 | A building permit (#96021166) was issued for a tenant improvement at 200 South 3rd Street. The permit expired on 03/21/98. |
| 12/09/13 | A building permit (#250277) was issued for the demolition of a two-story detached parking structure at 200 South 3rd Street. The permit has not received a final inspection. |
| 12/19/13 | A building permit (#250816) was issued for the demolition of a government facility at 200 South 3rd Street. The permit has not received a final inspection. |
| 04/14/14 | A building permit (#254599) was issued for a temporary parking lot at 200 South 3rd Street. The permit has not received a final inspection. |
| 04/14/14 | A building permit (#254600) was issued for perimeter fencing at 200 South 3rd Street. The permit has not received a final inspection. |
| 07/30/14 | A building permit (#259360) was issued for an outdoor valet canopy at 200 South 3rd Street. The permit has not received a final inspection. |
| 07/30/14 | A building permit (#259361) was issued for an outdoor platform at 200 South 3rd Street. The permit has not received a final inspection. |

| ***Pre-Application Meeting*** | |
|---|---|
| 07/23/14 | Staff conducted a pre-application meeting with the owner, applicant and representative to discuss a proposal to serve alcohol in conjunction with special events. The applicant stated that although the special events would exceed the maximum allowed per year under a special events license, the existing temporary valet parking lot would remain the primary use. Staff determined that the periodic special events could be classified as a Commercial Recreation/Amusement Outdoor use, which is permissible in the C-2 zone. In addition, a Special Use Permit for a Tavern Limited use would be required to serve alcohol at the subject site in conjunction with special events. |

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

| ***Field Check*** | |
|---|---|
| 07/31/14 | Staff conducted a routine field check and noted the construction of a stage and car port structure. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Gross Acres | 2.76 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | Temporary Parking Lot | GC (General Commercial) | C-2 (General Commercial) |
| North | Hotel, Casino | C (Commercial) | C-2 (General Commercial) |
| South | General Retail<br>Office, Other Than Listed | C (Commercial) | C-2 (General Commercial) |
| East | Office, Other Than Listed<br>Restaurant<br>General Retail | C (Commercial) | C-2 (General Commercial) |
| West | Hotel, Casino | C (Commercial) | C-2 (General Commercial) |

| ***Master Plan Areas*** | ***Compliance*** |
|---|---|
| Downtown Centennial Plan – Central Casino Core | Y |
| ***Special Purpose and Overlay Districts*** | ***Compliance*** |
| A-O (Airport Overlay) District (200 Feet) | Y |
| Live/Work Overlay District | Y |
| ***Other Plans or Special Requirements*** | ***Compliance*** |
| Trails | N/A |
| Las Vegas Redevelopment Plan Area | Y |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A |
| Project of Regional Significance | N/A |

**DEVELOPMENT STANDARDS**

| ***Street Name*** | ***Functional Classification of Street(s)*** | ***Governing Document*** | ***Actual Street Width (Feet)*** | ***Compliance with Street Section*** |
|---|---|---|---|---|
| Carson Avenue | Major Collector | Master Plan of Streets and Highways | 80 | Y |

| ***Parking Requirement - Downtown*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Base Parking Requirement*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| Temporary Parking Lot (Valet) | N/A | N/A | N/A | | | | |
| Liquor Establishment (Tavern) | | 1:50 of public waiting area<br>1:200 of remaining GFA, with a minimum of 10 spaces required | 10 | | | | |
| **TOTAL SPACES REQUIRED** | | | 10 | | 101 | | Y* |
| **Regular and Handicap Spaces Required** | | | 9 | 1 | 101 | 0 | Y* |

*Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City.

## ANALYSIS

The subject site at 200 South 3rd Street was previously the location of the city of Las Vegas Court House building. The owner has demolished the old government facility and has constructed a temporary commercial parking lot (valet) with the approval of Site Development Plan Review (SDR-52726).

In addition to the temporary parking lot (valet only), the applicant intends to utilize the subject site for periodic outdoor events. The number of special events per year has yet to be determined; however the applicant is certain the number will exceed the maximum allowed per year under a special events license. According to the submitted justification letter, the type of special events the applicant hopes to secure include but are not limited to food festivals, concert events, private corporate dinners, weddings, sporting events, etc. The proposed special events are permissible in the C-2 (General Commercial) zone as a Commercial Recreation/Amusement Outdoor use, which is defined as "a facility or area for sport, entertainment, games of skill or recreation that is open to use by the general public for a fee. This use includes without limitation game courts, water slides, golf courses, outdoor miniature golf courses, drive-in theatres, batting cages, practice/instructional fields, amusement parks, amphitheaters, and sporting events.

To facilitate the special events, the applicant obtained approval of a Minor Amendment (SDR-54173) to Site Development Plan Review (SDR-52726) to construct a 3,200 square-foot stage located at the southern edge of the property, adjacent to Bridger Avenue. In addition, the applicant made minor adjustments to the previously approved 6-foot tall wrought iron fence, which surrounds the subject site on all four sides. The applicant obtained approval to install 20-foot wide rolling gates designed to match the previously approved wrought iron fence. The revised gates were designed to facilitate the required entering/exiting occupant load associated with an outdoor event.

The applicant is now requesting a Special Use Permit (SUP-55328) for a Tavern-Limited Establishment use to allow the service of alcohol during periodic special events. The Tavern-Limited Establishment use is described in Title 19.12 as: "An establishment that is licensed with a tavern-limited license in accordance with LVMC Chapter 6.50." This use is allowed in the C-2 (General Commercial) zoning district by approval of a Special Use Permit. There are no Minimum Special Use Permit Requirements for the Tavern-Limited Establishment use. The stated goal of the Central Casino Core District is, "To ensure the City's role in the casino enterprise by preserving the history and culture of, and also to ensure vitality and synergy among existing and future casinos." This proposal will contribute specifically to the goals of the Central Casino Core District by encouraging "vitality and synergy" in the area. Staff recommends approval of the Special Use Permit for the proposed Tavern-Limited Establishment use, as it may be conducted in a manner that is harmonious and compatible with the area and the Central Casino Core District.

**FINDINGS (SUP-55328)**

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

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

   The proposed Tavern-Limited Establishment use will operate in conjunction with a temporary parking lot (valet only) and a Commercial Recreation/Amusement (Outdoor) use. The subject site is located in the Downtown Centennial Plan – Central Casino Core District. The proposed Tavern-Limited Establishment will serve as a complementary use to the parking lot and periodic special events. This proposal will contribute specifically to the goals of the Central Casino Core District by encouraging "vitality and synergy" in the area.

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

   The subject site can physically accommodate the proposed Tavern-Limited Establishment use and is in close proximity to other Taverns and Urban Lounges in the neighborhood.

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

   The site is accessed from Carson Avenue, an 80-foot wide Major Collector as classified by the Master Plan of Streets and Highways. The existing Major Collector is capable of handling the access and circulation of the project.

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

   Approval of this proposed Special Use Permit will not compromise the public health, safety and general welfare of the public. The use will be subject to regular inspections and is subject to licensing restrictions.

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

   There are no applicable Minimum Special Use Permit Requirements listed for the Tavern-Limited Establishment in Title 19.12.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 34

**NOTICES MAILED** 222

**APPROVALS** 0

**PROTESTS** 0

GK

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-55328 APN: 139-34-210-047

Name of Property Owner: Drock 3rd Street LLC

Name of Applicant: Downtown Las Vegas Events Center, LLC

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: Derek Stevens

Subscribed and sworn before me

This 21st day of July, 2014

_____
Notary Public in and for said County and State

YIVIANI E. ARB
Notary Public-State of Nevada
APPT. NO. 06-102362-1
My App. Expires March 07, 2017



PRJ-55231
07/24/14

# CLV Planning - Application Form

| | |
|---|---|
| Application Number: | PRJ-55231 |
| Application/Petition For: | SUP for Tavern Limited use at 200 S. 3rd Street |
| ProjectAddress (Location): | 200 S. 3RD STREET |
| Project Name | TAVERN LIMITED 200 S. 3RD STREET |
| Assessors Parcel #(s): | 13934210047 |
| Ward #: | WARD 1 (LOIS TARKANIAN), WARD 3 (BOB COFFIN) |
| Is the Application Information Correct: | Yes |
| If no, ...change what | |
| General Plan Designation: Proposed: | Select |
| Zoning District: Proposed: | Select |
| Gross Acres: | |
| Lots/Units: | |
| Additional Information: | |
| Applicant First Name: | Downtown Las Vegas Events Center |
| Applicant Last Name: | Susan Hitch |
| Applicant Address: | |
| Applicant City: | |
| Applicant State: | |
| Applicant Zip: | |
| Applicant Phone: | |
| Applicant Fax: | |
| Applicant Email: | stewplan@aol.com |
| Rep First Name: | lucy |
| Rep Last Name: | stewart |
| Rep Address: | |
| Rep City: | |
| Rep State: | |
| Rep Zip: | |
| Rep Phone: | |
| Rep Fax: | |
| Rep Email: | stewplan@aol.com |

**SUP-55328**

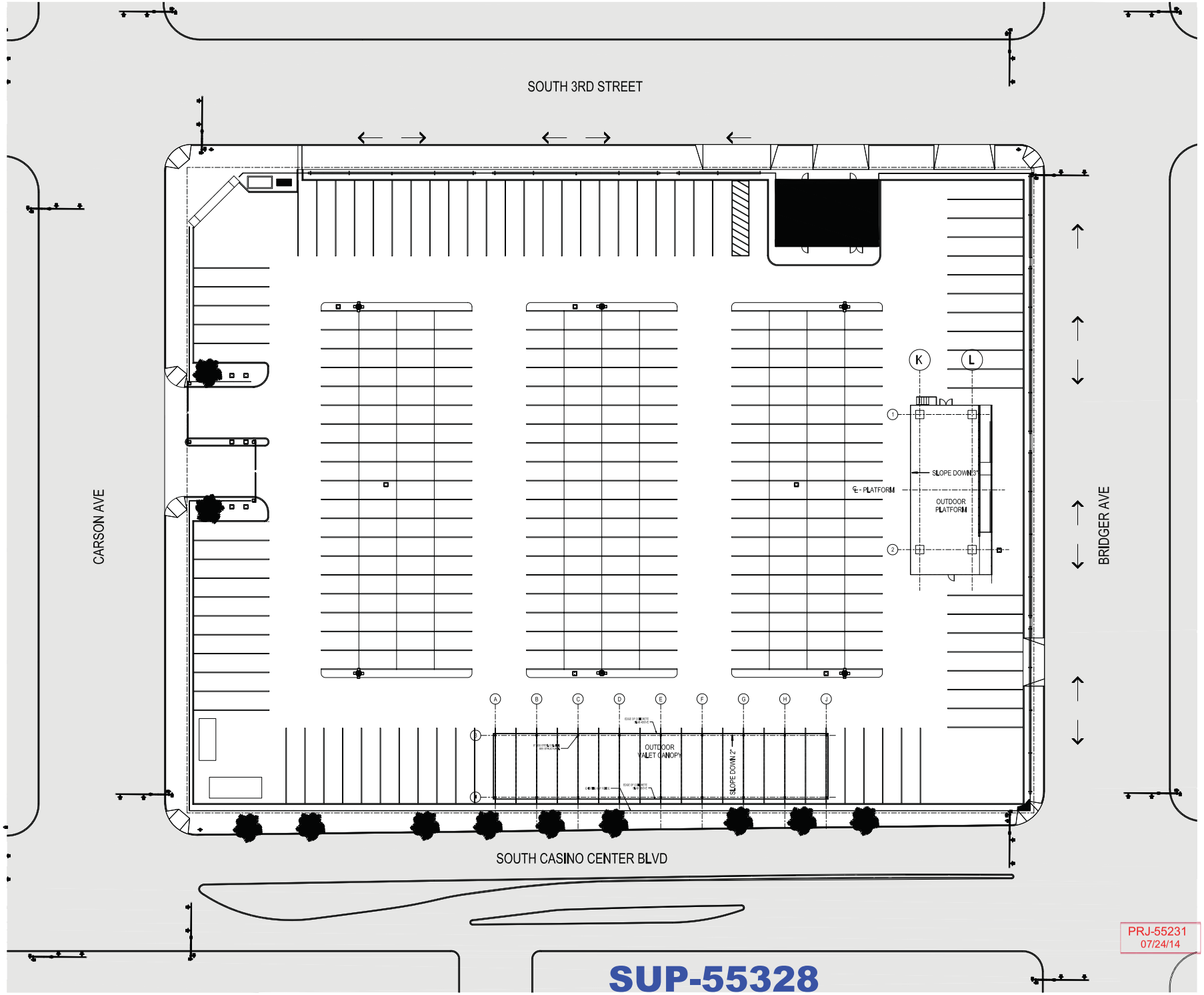
# CLV Planning - Application Form

| | |
|---|---|
| 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.<br>I Accept: | Yes |
| Is the Owner Information Correct: | Yes |
| If no, ...change what | |

| Owner(s) | ADDR1 | ADDR2 |
|---|---|---|
| DROCK 3RD STREET L L C | 21777 HOOVER RD | WARREN, MI 48089-2544 |

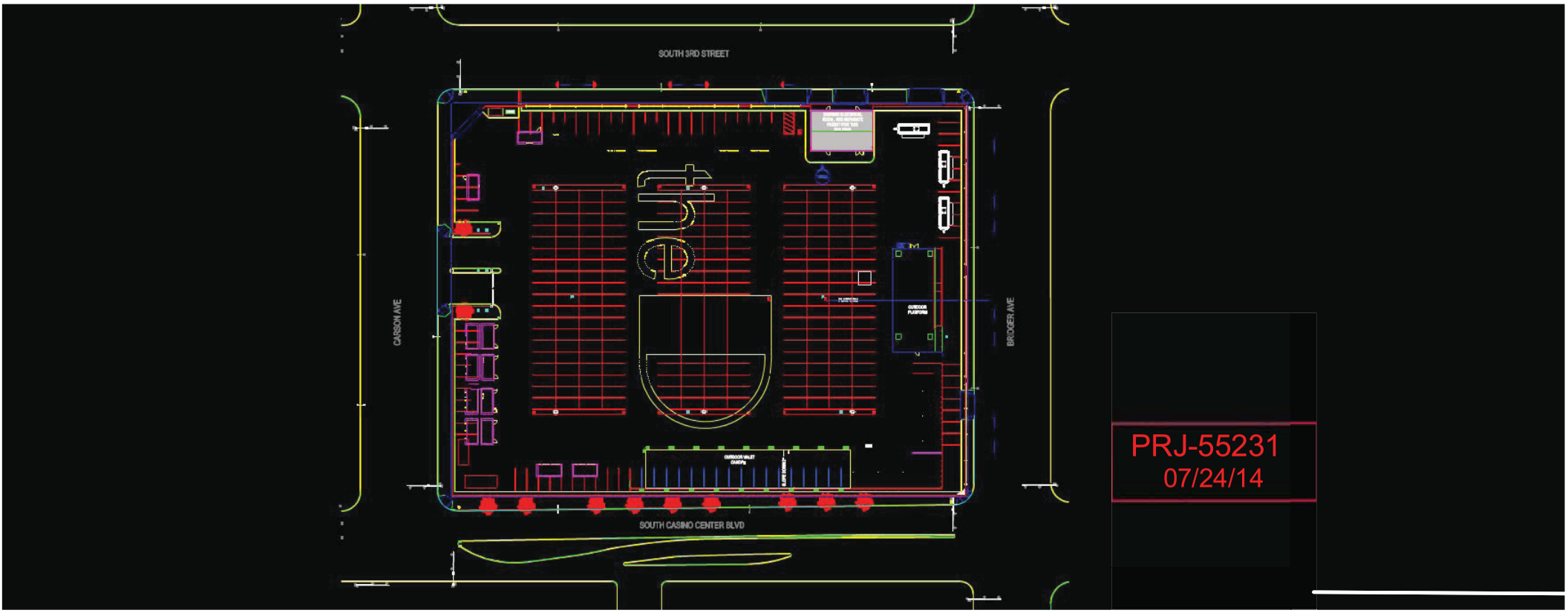
| CLVEPLAN Applicant | Company | Title | Email |
|---|---|---|---|
| Lucy Stewart | LAS Consulting | Principal | stewplan@aol.com |

**SUP-55328**




PRJ-55231
07/24/14

**SUP-55328**


SOUTH 3RD STREET
CARSON AVE
BRIDGER AVE
SOUTH CASINO CENTER BLVD
PRJ-55231
07/24/14

**SUP-55328**

**SUP-55328**

**SUP-55328**

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

July 24, 2014

Greg Kapovich, Planner I
City of Las Vegas Planning Department
333 N. Rancho Drive
Las Vegas, NV 89106

RE: 200 S. 3rd, APN: 139-34-210-047
PRJ55231_JF001

Dear Mr. Kapovich:

Derek & Greg Stevens (the applicant) purchased the Clark County Courthouse land October 1, 2013 under the entity DROCK 3rd Street, LLC. Currently, the site is being used a temporary valet parking lot for the D Las Vegas (known as the D). We (the applicant) are proposing to hold special events at this location that would be operated by Downtown Las Vegas Events Center, LLC (DLVEC) also owned by the applicant. DROCK 3rd Street, LLC has a land lease with DLVEC to utilize the property for special events. The number of special events will exceed the maximum allowed per year under a special events license. We are requesting to serve alcohol in conjunction with the special events and are requesting a special use permit for a tavern, limited. The lot will not be a tavern but will be used for special events (similar to Cashman). The size of the properly is 300x400 (120,000 sq feet) and therefore we qualify for the general on sale liquor license based on size greater than 100,000 sq feet.

The special events are permissible in the C-2 (General Commercial) zone as a Commercial Recreation/Amusement Outdoor use. The use is defined as an outdoor facility or area for sport, entertainment, games of skill or recreation that is open to use by the general public for a fee. This use includes without limitation-game courts, water slides, golf courses, outdoor miniature golf courses, drive-in theatres, batting cages, practice/instructional fields, amusement parks, amphitheaters, and sports events. Planning staff considers the special events (concerts, food festivals, etc) as an amphitheatre.

The original intent of the applicant was to maybe have an event or two there if ever an event space of that size was needed. The applicant has determined there is a desire for a space of this size & location for hosting 3rd party events as well as a venue for events planned by DLVEC. The lot has permanent slide-able fencing, power & water

SUP-55328

PRJ-55231
07/24/14

distributed throughout while maintaining sewer access. The DLVEC has also built in a stage platform and purchased a semi-permanent roof system for that stage.

In addition, DLVEC purchased top-of-the-line audio products for a concert quality stage presence and is in the process of procuring tour quality lighting & video systems for the stage. The DLVEC is in negotiations to purchase "containers" or cubes and have them customized internally as restroom facilities to support the venue for a better client experience. The DLVEC will also be purchasing and customizing cubes as bars to provide a more permanent and controllable environment for alcohol distribution for the best possible customer experience.

So while the original intent was to be a parking lot more than an events center, the applicant has tipped the scale slightly with the event infrastructure created. As a result, the DLVEC has more interest in utilizing the venue for its own signature events to encourage downtown visitation. The DLVEC has had increased interest from 3rd party event promoters interested in hosting an event at a venue where the infrastructure is intact. The DLVEC hopes to host many types of events including, but not limited to food festivals, headline concert events, private corporate-type dinners, weddings, sporting events such as boxing matches or mixed martial arts and so much more. The DLVEC hopes to be able to maintain a semi-modular venue, much like a convention space, that can be sized according to the number of guests and the layout can be changed to support multiple types of events & performances.

Many of the above referenced events will have alcohol sales as a component of the event. A Special Use Permit is required to serve alcohol at the special events. We are requesting a Special Use Permit for a Tavern Limited use.

The interest in the property is so significant that the site has been reserved for future venues. The tentative calendar of events for the remainder of 2014 that have either been agreed upon and are waiting to contract or are still being negotiated is below:

| Date | Event Name | Estimated number of people |
|---|---|---|
| F 9/6 & Sa 9/7 | Gridiron Grilloff | 5000/day |
| Sa 9/20 | Concert | 5000 |
| Fri 9/26, Sa 9/27 & Su 9/28 | " Ramen Yokocho " ( Ramen Street ) | Target attendance 20K |
| 10/2-5 – BikeFest | Secured Motorcycle parking | |
| 10/11 | Greek artist concert (set cabaret style) | 1000-1500 |

| | | |
|---|---|---|
| 10/12 | WFC MMA Industry event | 1300-2000 |
| 10/18 & 19 | Grand Opening Concert | 15,000 per night |
| 11/7 | Charity Concert* | 6000 |
| 11/12 – 11/15<br><br>Wed-Sun | World Food Championships | Per day estimates from WFC as follows<br><br>11/13 – 2000-5000<br><br>11/14 – 5000-7500<br><br>11/15 – 7500-10,000<br><br>11/16 – 2000-5000 |
| 12/4-12/13 | NFR Viewing Parties (tented event) | 1000 per day (max) |
| 12/6 | Country concert for NFR | TBD |
| 12/12-12/14 | Downtown Throwdown BBQ event | Zero – only FSE BBQ contest participants in the area |

Any event held prior to approval of the Special Use Permit we will request a special events permit. Attached is a site plan including the basics of the site as well as a sample concert set-up.

**In order to approve a proposed Special Use Permit application, the Planning Commission or City Council must determine that:**

a. The proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan; *The general plan is commercial and the property is zoned C-2. The property is also in the Centennial plan. The downtown area is an attraction for tourists and local alike. The events held at this location, with the addition of alcohol in a control, contained environment meets the several of the policies of the plans for the tourist area.*

b. The subject site is physically suitable for the type and intensity of land use being proposed*; The site is a vacant property. It is ideal for this type of venue.*

c. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use; *This site is surrounded on four sides with streets, making access easy to the site easy*. and

d. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety and welfare or the overall objectives of the General Plan. *A venue with alcohol sales supports the general plan and the public health and safety and welfare. It provides jobs to the community, provides additional security in the area with security guards when there are events. This will provide for another opportunity to attract tourists and locals to events in the downtown area. Approval of the SUP should be an enhancement to the area and community in general.*

We believe this to be an excellent addition to the downtown area and respectfully request approval of our SUP. Please do not hesitate to contact me with any questions you might have.

Yours truly,

*Lucy Stewart*

Lucy Stewart

**SUP-55328**

PRJ-55231
07/24/14

SUP-55328 [PRJ-55231] - APPLICANT/OWNER: DROCK 3RD STREET, LLC
200 SOUTH 3RD STREET

07/31/14

SUP-55328 [PRJ-55231] - APPLICANT/OWNER: DROCK 3RD STREET, LLC
200 SOUTH 3RD STREET

07/31/14

City of Las Vegas Agenda Item No.: **38.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

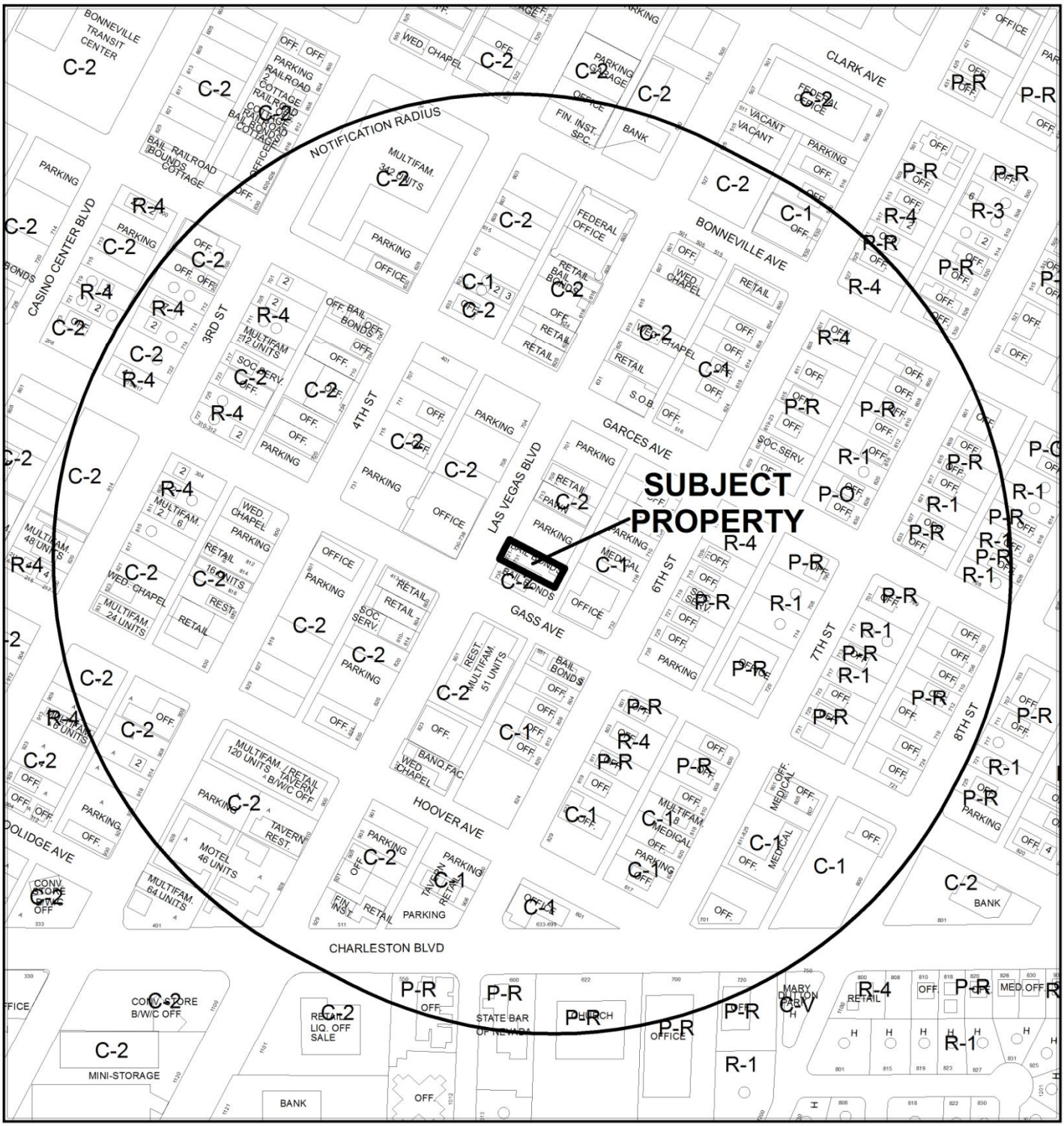
**SUBJECT:**
SDR-55324 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: HARRISON PROPERTIES, LTD - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 11,708 SQUARE-FOOT COMMERCIAL BUILDING WITH A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN ARCHITECTURAL DESIGN STANDARDS on 0.16 acres at 725, 729 and 731 South Las Vegas Boulevard (APN 139-34-410-176), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-54961]. Staff recommends APPROVAL.

**MAY GO TO CITY COUNCIL ON 10/15/2014**
**OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)**

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

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

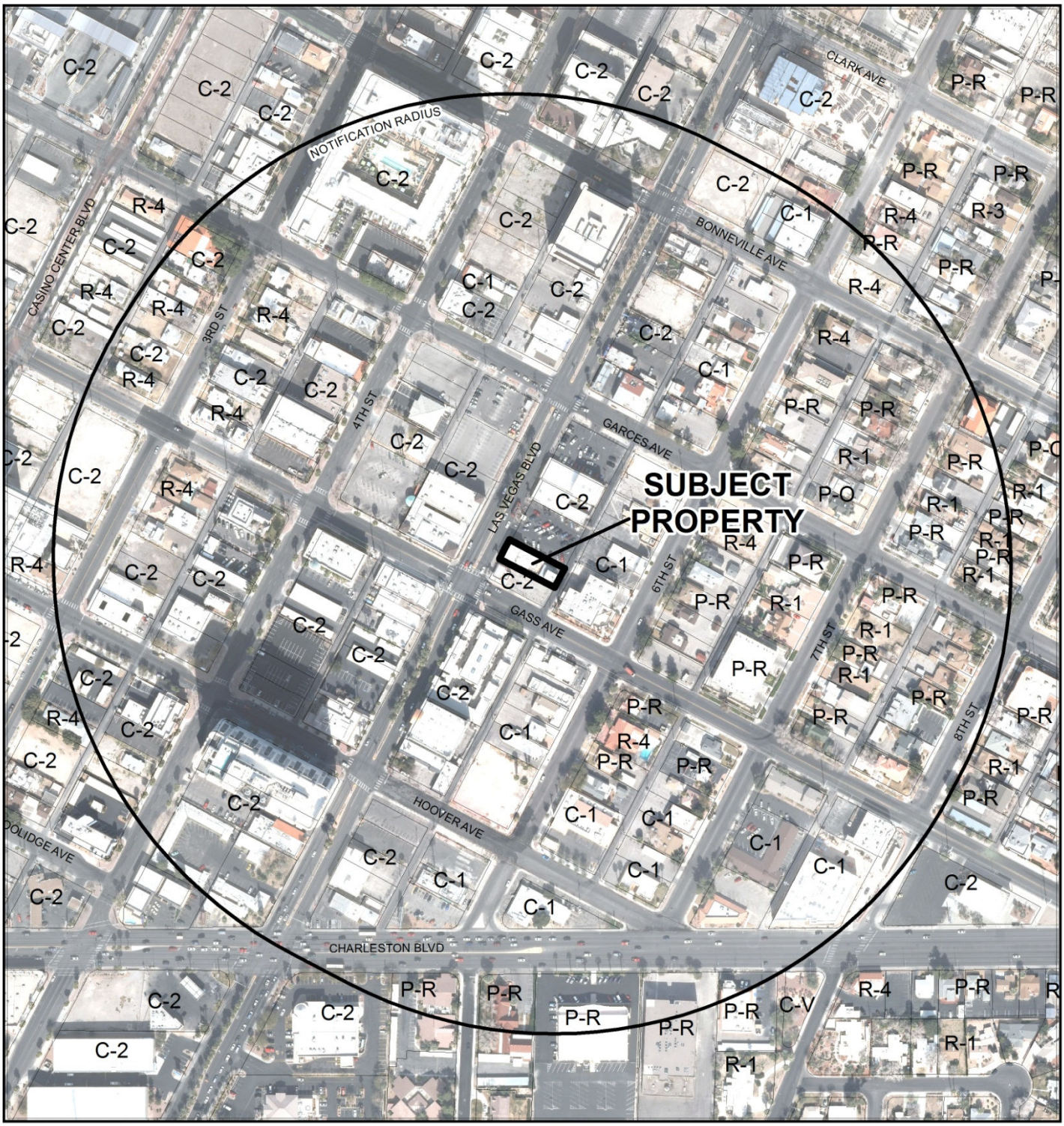
**BACKUP DOCUMENTATION:**
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter




**CASE:** **SDR-55324 (PRJ-54961)**

**RADIUS:** 1000 FEET

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




0 300 600 Feet

**CASE:** **SDR-55324 (PRJ-54961)**

**RADIUS:** 1000 FEET

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

N

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: HARRISON PROPERTIES, LTD**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **SDR-55324** | Staff recommends APPROVAL, subject to conditions: | |

## ** CONDITIONS **

# SDR-55324 CONDITIONS

***Planning***

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

2. Approval from the DDRC-ARC is required for proposed signage prior to submitting for sign permits.

3. All proposed signage must comply with the Scenic Byway Overlay District development standards outlined in Title 19.10.160.

4. All development shall be in conformance with the site plan and building elevations, date stamped 08/12/14, except as amended by conditions herein.

5. A Waiver from Las Vegas Downtown Centennial Plan Architectural Design standards is hereby approved, to allow rooftops with contrasting colors and a non-continuous articulated roofline.

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

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

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

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

10. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.

11. Per the Downtown Centennial Plan threshold document any streetscape not implemented due to existing conditions will require a covenant running with the land to obtain property owners consent for future improvements.

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

***Public Works***

13. Dedicate an additional 5 feet of right-of-way on Las Vegas Boulevard for a total half-street width of 45 feet where such does not exist adjacent to this site prior to the issuance of any permits. This condition shall not be imposed where it can be demonstrated that an existing building will conflict with the new dedication.

14. In accordance with code requirements of Title 13.56, remove all substandard public street improvements and unused driveway cuts, including all sidewalk ramps adjacent to this site, and replace with new improvements meeting current Downtown Centennial Standards concurrent with development of this site, except as amended herein. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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

16. Submit an Encroachment Agreement for landscaping and private improvements in the Las Vegas Boulevard public right-of-way, if any, prior to the issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the Encroachment Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's Encroachment Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the Encroachment Agreement. Coordinate all requirements for the Encroachment Agreement with the Land Development Section of the Department of Building and Safety (702-229-4836).

17. Contact the City Engineer's Office at 702-229-6272 to coordinate the development of this project with the "Las Vegas Boulevard Improvement Project" and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

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

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 11,708 square-foot retail building at 725, 729 and 731 South Las Vegas Boulevard. The applicant has requested a Waiver of Downtown Centennial Plan architectural design standards to allow contrasting colors on the rooftop and a non-continuous articulated roofline on the proposed building. Staff has determined the proposed project is compatible with surrounding development in the area, and the requested architectural design Waivers will have a minimal negative impact to the surrounding commercial development. Therefore, staff is recommends approval of this project with conditions.

## ISSUES

- The applicant has requested a Waiver from the Las Vegas Downtown Centennial Plan architectural design standards, which requires a continuous articulated roofline and prohibits using contrasting colors on rooftops. Staff recommends approval of the request.

## BACKGROUND INFORMATION

| ***Related Relevant City Actions by P&D, Fire, Bldg., etc*** | |
|---|---|
| 09/28/89 | The Board of Zoning Adjustment approved a request for a Special Use Permit (U-0141-89) to allow a Class III secondhand dealership for the buying and selling of used gold, silver and jewelry on property located at 725 South Las Vegas Boulevard. |
| 03/18/09 | The City Council approved a Special Use Permit (SUP-32815) for a proposed Bailbond Service at 729 South Las Vegas Boulevard. The Planning Commission recommended approval of the request on 02/12/09. |

| ***Most Recent Change of Ownership*** | |
|---|---|
| 02/09/14 | A deed was recorded for a change in ownership. |

| ***Related Building Permits/Business Licenses*** | |
|---|---|
| 03/19/10 | Business licenses (#T08-00063 & #B21-00014) were issued for a Tattoo Parlor/Body Piercing Studio (Las Vegas Tattoo Company) at 731 South Las Vegas Boulevard. The license is still active. |

| ***Pre-Application Meeting*** | |
|---|---|
| 07/08/14 | A Pre-Application meeting was conducted with the applicant to go over the application materials and submittal requirements for a Site Development Plan Review for a proposed General Retail development. |

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

| ***Field Check*** | |
|---|---|
| 08/31/14 | Staff conducted a routine site visit a found the subject site to be a well maintained commercial development. |

| ***Details of Application Request*** | |
|---|---|
| ***Site Area*** | |
| Net Acres | 0.16 |

| ***Surrounding Property*** | ***Existing Land Use Per Title 19.12*** | ***Planned or Special Land Use Designation*** | ***Existing Zoning District*** |
|---|---|---|---|
| Subject Property | General Retail | MXU (Mixed Use) | C-2 (General Commercial) |
| North | Parking Lot | MXU (Mixed Use) | C-2 (General Commercial) |
| | Pawn Shop | C (Commercial) | C-2 (General Commercial) |
| South | Bailbond Service | MXU (Mixed Use) | C-2 (General Commercial) |
| East | Office, Other than Listed | MXU (Mixed Use) | C-1 (Limited Commercial) |
| West | Office, Other than Listed | C (Commercial) | C-2 (General Commercial) |

| ***Master Plan Areas*** | ***Compliance*** |
|---|---|
| Downtown Centennial Plan (Downtown South) | N* |
| ***Special Purpose and Overlay Districts*** | ***Compliance*** |
| Downtown Centennial Plan Overlay District (Downtown South) | N* |
| Live/Work Overlay District | Y |
| Las Vegas Boulevard Scenic Byway Overlay District | Y |

| *Other Plans or Special Requirements* | *Compliance* |
|---|---|
| Trails | N/A |
| Las Vegas Redevelopment Plan Area | Y |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A |
| Project of Regional Significance | N/A |

**Applicant has requested A Waiver from the Las Vegas Downtown Centennial Plan architectural design standards to allow contrasting colors and a non-continuous articulated roofline on the proposed building.*

## DEVELOPMENT STANDARDS

***Pursuant to Downtown Centennial Plan, the following standards apply:***

| *Standard* | *Required/Allowed* | *Provided* | *Compliance* |
|---|---|---|---|
| Min. Setbacks | | | |
| • Front | 70% along Property Line | 100% | Y |
| • Side (North) | N/A | 0 Feet | Y |
| • Side (South) | N/A | 7 Feet | Y |
| • Rear | N/A | 8 Feet | Y |
| Trash Enclosure | Screened, Gated, w/ a Roof or Trellis | Screened, Gated, w/ a Roof or Trellis | Y |
| Mech. Equipment | Screened | Screened | Y |

| *Street Name* | *Functional Classification of Street(s)* | *Governing Document* | *Actual Street Width (Feet)* | *Compliance with Street Section* |
|---|---|---|---|---|
| Las Vegas Boulevard | Primary Arterial | Master Plan of Streets and Highways | 100 | Y |

| *Streetscape Standards* | *Required* | *Provided* | *Compliance* |
|---|---|---|---|
| Downtown Centennial Plan | 5-foot wide amenity zone | 5-foot | N* |
| | 10-foot wide sidewalk | 10 Feet | Y |
| | 36-inch box trees at 15 to 20 feet intervals along 7th Street and Carson Avenue. | 0 Trees (existing) | N* |

**A covenant running with the land will be required to obtain the property owners consent for future improvements. Applicant has provided a five-foot sidewalk dedication adjacent to Las Vegas Boulevard for future streetscape improvements.*

| ***Parking Requirement - Downtown*** | | | | | | | |
|---|---|---|---|---|---|---|---|
| ***Use*** | ***Gross Floor Area or Number of Units*** | ***Base Parking Requirement*** | | | ***Provided*** | | ***Compliance*** |
| | | ***Parking Ratio*** | *Parking* | | *Parking* | | |
| | | | Regular | Handi-capped | Regular | Handi-capped | |
| General Retail | 11,708 SF | 1:175 SF | 67 | | | | |
| **TOTAL SPACES REQUIRED** | | | 67 | | 0 | | N* |
| **Regular and Handicap Spaces Required** | | | 64 | 3 | 0 | 0 | N* |

**Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City. There is an existing parking lot directly adjacent to the site to the north and another directly across Las Vegas Boulevard to the west which will also provide additional parking in close proximity to the subject site. The subject site along with the adjacent parking lot and pawn shop to the north are under common ownership and intended to function as one development.*

| ***Waivers*** | | |
|---|---|---|
| ***Requirement*** | ***Request*** | ***Staff Recommendation*** |
| No highly reflective materials or contrasting colors shall be used on roof or rooftops. | To allow rooftops with contrasting colors | Approval |
| An articulated roofline and/or an articulated cornice shall be designed as a major feature at or near the top of all new buildings and be continuous on all sides. | To allow a non-continuous articulated roofline. | Approval |

**ANALYSIS**

This project is located in the Las Vegas Downtown Centennial Plan – Downtown South District and proposes to construct one commercial building totaling 11,708 square feet on 0.16 acres at 725, 729 and 731 Las Vegas Boulevard. The subject site is located in the C-2 (General Commercial) zoning district, which allows for retail and commercial uses of an intense character. The applicant has indicated that the proposed development will provide space for general retail uses. In addition, the subject site is located within the Las Vegas Boulevard Scenic Byway Overlay District and is subject to the sign standards listed in Title 19.10.160.

The applicant has indicated that the existing structure at the subject site will be completely demolished and removed. The new proposed building is comprised of pre-fabricated metal containers and is 33.5 feet in height to the top of the canopy. The submitted elevations indicate

the structure will be accented with a metal panel facade painted with colorful rubik's cube design utilizing contrasting colors (red, yellow, blue, green and orange). The applicant has indicated that all rooftop mechanical equipment has been shielded from view by mounting the units within the different building heights within the development. The applicant has requested a Waiver of the Las Vegas Downtown Centennial Plan architectural design standards to allow the use of contrasting colors on rooftops, a non-continuous articulated roofline. The proposed use and design of this proposal will make a positive contribution to the urban design for the residents in the immediate area and of the community at large. Staff recommends approval of the requested Site Development Plan Review for the proposed two-story commercial development.

**FINDINGS (SDR-55324)**

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed commercial development is located in the Downtown Centennial Plan overlay and will serve as a general retail use that is complimentary to the other restaurants and general retail uses in the neighborhood and is the type of use that is encouraged in the Downtown Overlay District.

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

   This project is consistent with the General Plan and the uses allowed in the Downtown Centennial Plan Overlay District. However, it is not consistent with the architectural design encouraged in the Downtown Centennial Plan, which requires no contrasting colors on rooftops and continuous articulated rooflines.

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

   Site access is provided from Las Vegas Boulevard, a 100-foot Primary Arterial as designated in the Master Plan of Streets and Highways. This street is sufficient in size to accommodate the needs of the proposed use. The parking standards of Title 19 are not automatically applied for proposals within the Downtown Centennial Plan; however, the applicant anticipates utilizing nearby public parking-lots and on-street parking meters to satisfy the developments parking demand. There is an existing parking lot directly adjacent to the site to the north and another directly across Las Vegas Boulevard to the west which will also provide additional parking in close

proximity to the subject site.

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

   This project is designed using pre-fabricated metal containers and will blend with the dense urban environment of the area. There is no landscaping proposed with this development.

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

   This project is designed using pre-fabricated metal containers and will be painted a variety of bright colors that will enhance the existing Downtown South and Scenic Byway Overlay District. However, it is not consistent with the architectural design encouraged in the Downtown Centennial Plan which requires a continuous articulated roofline and prohibits using contrasting colors on rooftops.

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

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 34

**NOTICES MAILED** 314

**APPROVALS** 0

**PROTESTS** 0

# DEPARTMENT OF PLANNING

## STATEMENT OF FINANCIAL INTEREST

**SDR-55324**

Case Number: PRJ-54961 APN: 139-34-7410-176, 177

Name of Property Owner: Harrison Properties

Name of Applicant: Harrison Properties

Name of Representative: Law Office of Jay Brown

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: Rick Harrison

Subscribed and sworn before me

This 15th day of July, 2014

_____

Notary Public in and for said County and State

Monica Sainz
Notary Public
State of Nevada
Appt. No.: 12-7216-1
My Commission Expires Feb. 28, 2016



PRJ-54961
07/24/14

# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

**Application/Petition For:** Site Development Plan Review

**Project Address (Location)** 725/729/731 Las Vegas Blvd South

**Project Name** Gold and Silver Retail Center **Proposed Use** retail

**Assessor's Parcel #(s)** 139-34-410-176, 177 **Ward #** 3 - Coffin

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

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

**Gross Acres** 16 **Lots/Units** _____ **Density** _____

**Additional Information** _____

**PROPERTY OWNER** Harrison Properties **Contact** Theo Spyer

**Address** 713 Las Vegas Blvd S. **Phone:** (702) 385-7912 **Fax:** _____

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

**E-mail Address** theos@gspawn.com

**APPLICANT** Harrison Properties **Contact** Theo Spyer

**Address** 713 Las Vegas Blvd S. **Phone:** (702) 385-7912 **Fax:** (801) 521-9741

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

**E-mail Address** theos@gspawn.com

**REPRESENTATIVE** Law Office of Jay Brown **Contact** Lora Dreja

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

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

**E-mail Address** Lora@brownlawlv.com

**Property Owner Signature*** _____

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

**Print Name** Richard K Harrison

Subscribed and sworn before me

This 15 day of July, 20 14.

_____

Notary Public in and for said County and State

THEO SPYER
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 07-08-18
Certificate No: 10-2488-1

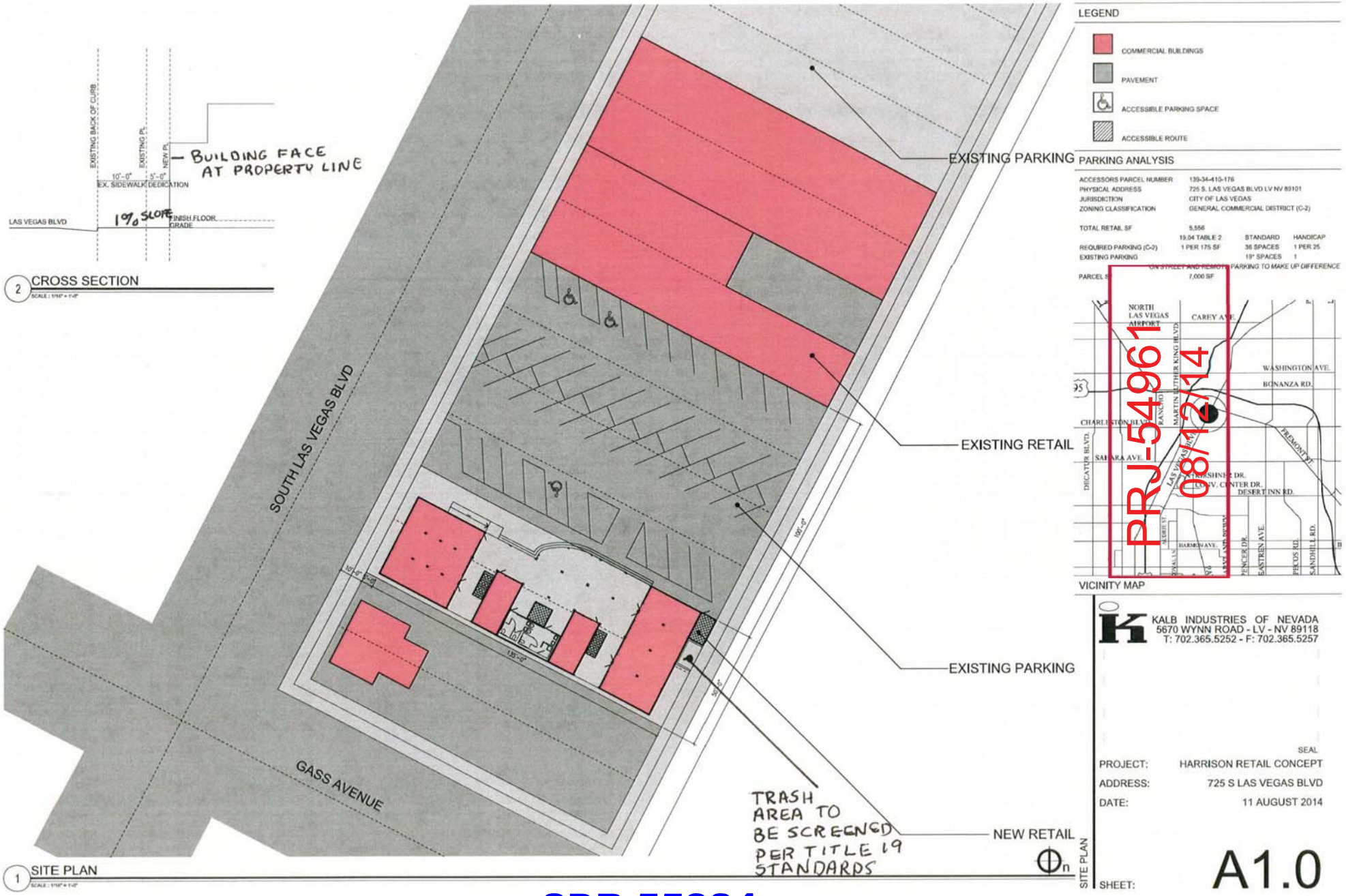
Clark COUNTY NEVADA State

*FOR DEPARTMENT USE ONLY*

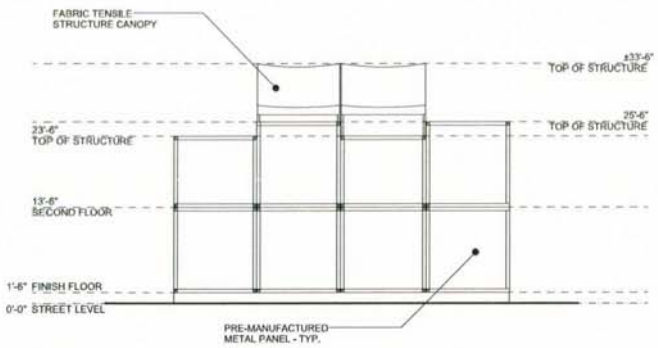
| | |
|---|---|
| Case # | SDR-55324 |
| Meeting Date: | 09/09/14 PC |
| Total Fee: | |
| Date Received:* | |
| Received By: | |

PRJ-54961
07/24/14

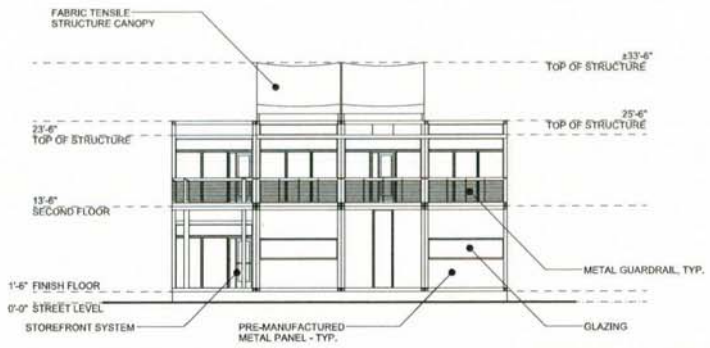
*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.



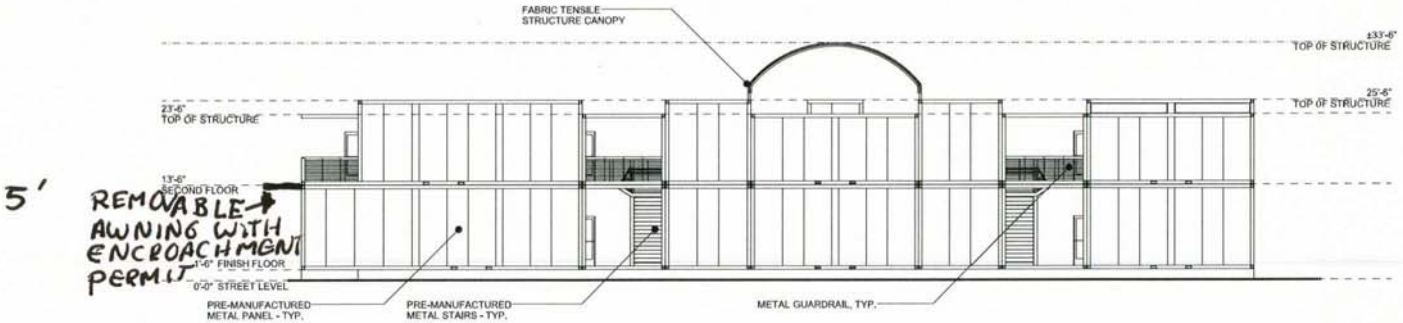

SDR-55324 - SDR-55324




3 EAST ELEVATION




4 WEST ELEVATION




2 SOUTH ELEVATION

1 NORTH ELEVATION

SAMPLE COLOR PALETTE

- RED (METAL PANEL)
- YELLOW (METAL PANEL)
- BLUE (METAL PANEL)
- ALUMINUM (GUARDRAILS/STOREFRONT)

*ALL MECHANICAL EQUIPMENT IS SCREENED FROM PUBLIC RIGHT OF WAY AND ADJACENT PROPERTIES

PRJ-54961
08/12/14

KALB INDUSTRIES OF NEVADA
5670 WYNN ROAD - LV - NV 89118
T: 702.365.5252 - F: 702.365.5257

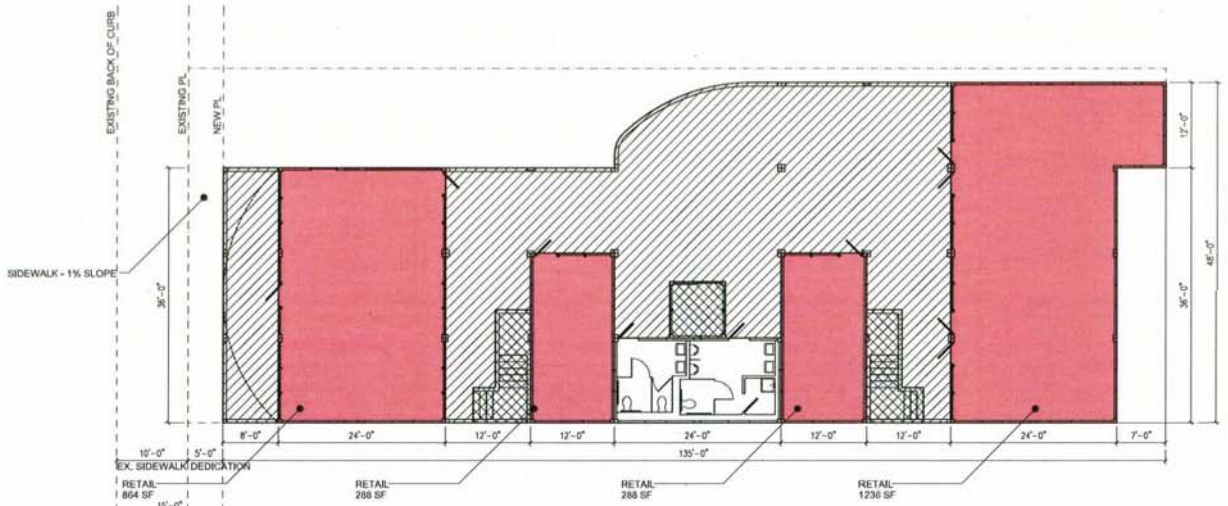
SEAL

PROJECT: HARRISON RETAIL CONCEPT
ADDRESS: 725 S LAS VEGAS BLVD
DATE: 11 AUGUST 2014

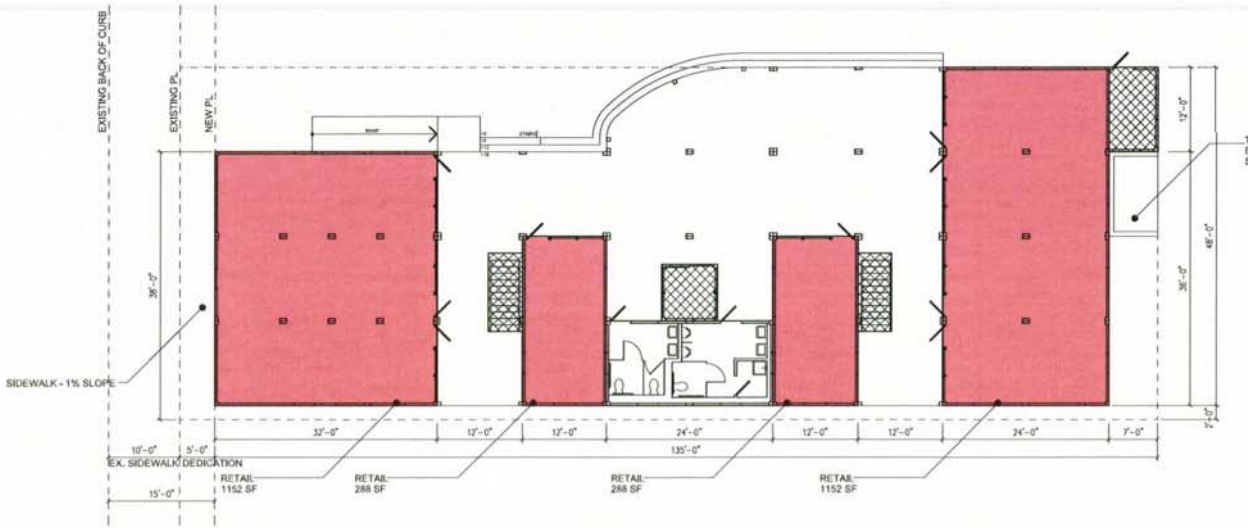
EXTERIOR ELEVATIONS

SHEET: A3.0

SDR-55324 REVISED




2 SECOND FLOOR PLAN




1 FIRST FLOOR PLAN

LEGEND

- RETAIL SPACE
- DECK/CIRCULATION SPACE
- ACCESSORY/RESTROOM/STAIRS/UTILITY

SQUARE FOOTAGE

| | |
|---|---|
| TOTAL SF | 11,708 |
| TOTAL 1ST FLOOR | 5,710 |
| TOTAL 2ND FLOOR | 5,998 |
| TOTAL RETAIL | 5,556 |
| 1ST FLOOR RETAIL | 2,880 |
| 2ND FLOOR RETAIL | 2,676 |
| TOTAL DECK | 4,371 |
| 1ST FLOOR DECK | 2,084 |
| 2ND FLOOR DECK | 2,287 |
| TOTAL BATHROOM | 576 |
| 1ST FLOOR BATHROOM | 288 |
| 2ND FLOOR BATHROOM | 288 |
| TOTAL STAIRS | 298 |
| 1ST FLOOR STAIRS | 106 |
| 2ND FLOOR STAIRS | 191 |
| TOTAL ELEVATOR | 128 |
| 1ST FLOOR ELEVATOR | 64 |
| 2ND FLOOR ELEVATOR | 64 |

| USE AND OCCUPANCY | | IBC CHAPTER 3 |
|---|---|---|
| OCCUPANCY TYPE | FACTOR | LOAD |
| MERCANTILE (M) | 30 (1ST FLOOR) | 96 |
| | 60 (2ND FLOOR) | 45 |
| | TOTAL OCCUPANT LOAD | 141 |

| PLUMBING FIXTURE COUNT | | IBC CHAPTER 29 |
|---|---|---|
| MERCANTILE (M) | FACTOR | REQUIRED |
| WATER CLOSET | 1 PER 500 | 1 |
| LAVATORY | 1 PER 750 | 1 |
| DRINKING FOUNTAIN | 1 PER 1000 | 1 |
| SERVICE SINK | | 1 |

PRJ-54966
08/12/14

KALB INDUSTRIES OF NEVADA
5670 WYNN ROAD - LV - NV 89118
T: 702.365.5252 - F: 702.365.5257

SEAL

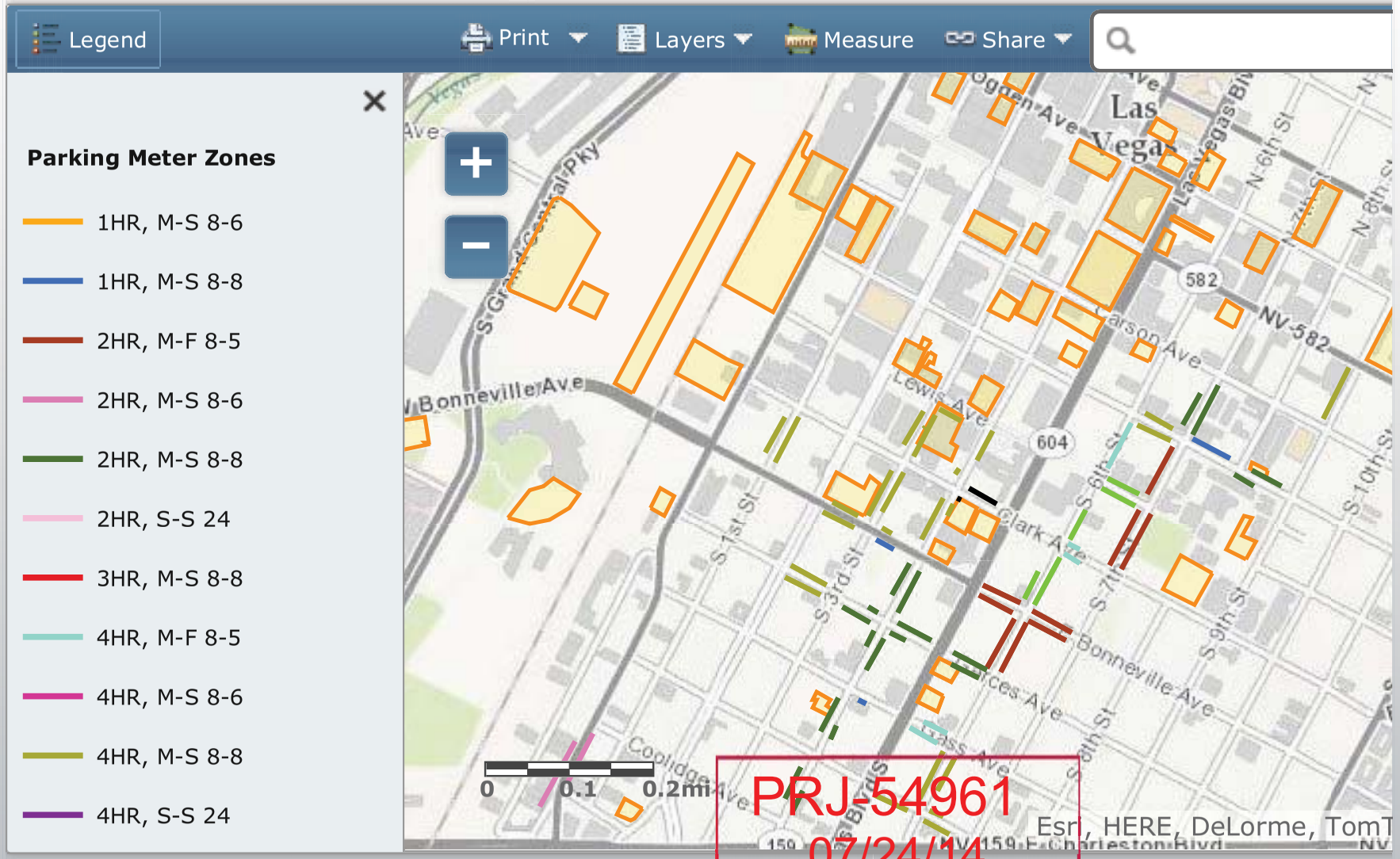
PROJECT: HARRISON RETAIL CONCEPT
ADDRESS: 725 S LAS VEGAS BLVD
DATE: 11 AUGUST 2014

FLOOR PLANS

SHEET: A2.0

SDR-55324 REVISED

# Downtown Parking Finder

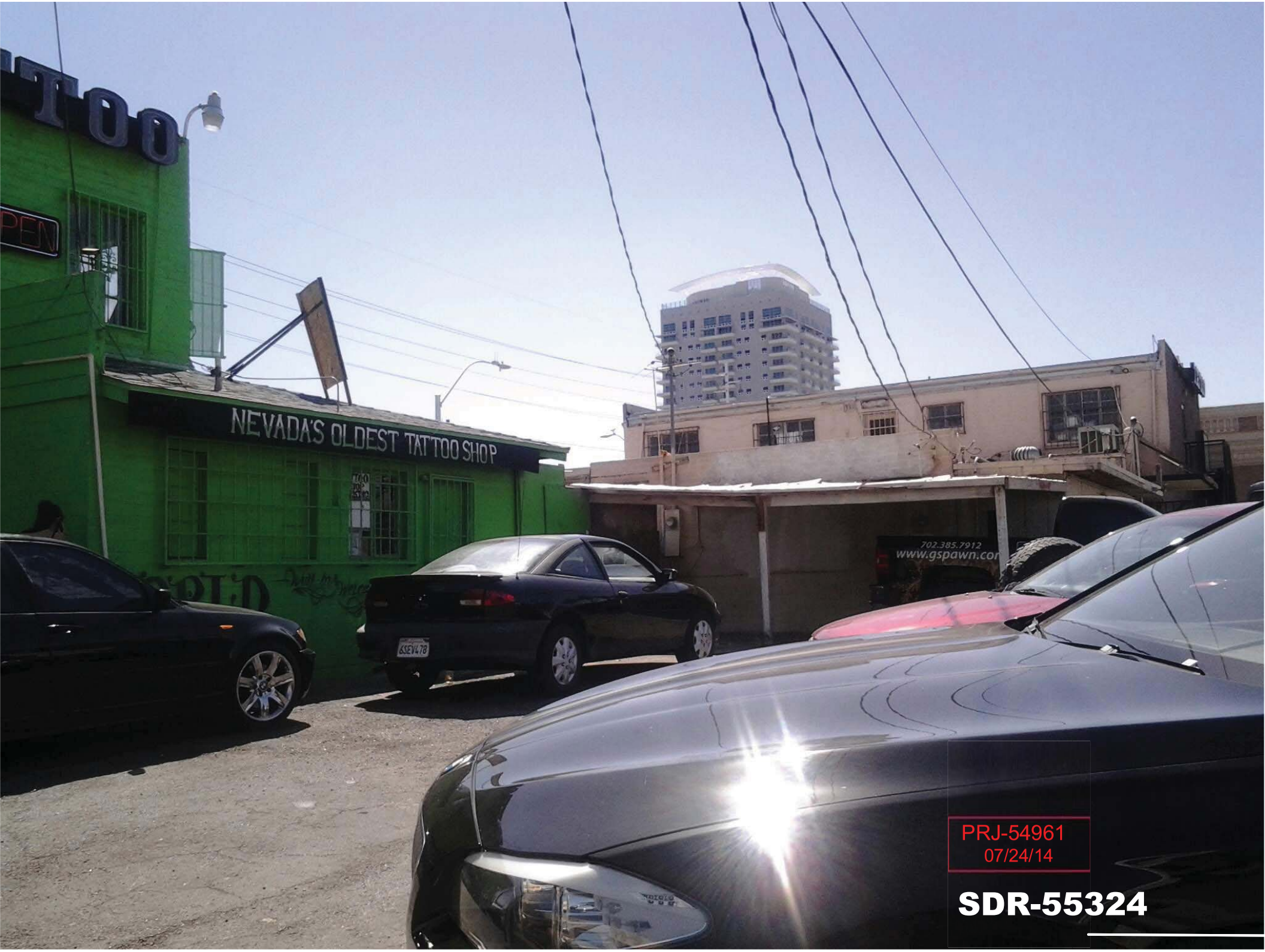



**SDR-55324**

**SDR-55324**

PRJ-54961
07/24/14

**SDR-55324**


NEVADA'S OLDEST TATTOO SHOP
PRJ-54961
07/24/14
SDR-55324

Inst #: 201007060001160
Fees: $16.00
N/C Fee: $25.00
07/06/2010 10:50:19 AM
Receipt #: 413841
Requestor:
RICHARD HARRISON
Recorded By: AEA Pgs: 3
DEBBIE CONWAY
CLARK COUNTY RECORDER

C3

APN# 139344101 78

11-digit Assessor's Parcel Number may be obtained at:
http://redrock.co.clark.nv.us/assrrealprop/ownr.aspx

13934401 76

PARKING AGREEMENT

**Type of Document**

(Example: Declaration of Homestead, Quit Claim Deed, etc.)

**Recording Requested By:**

RICHARD HARRISON

**Return Documents To:**

**Name** RICHARD HARRISON

**Address** 713 LAS VEGAS BLVD SO.

**City/State/Zip** LAS VEGAS, NV. 89101

This page added to provide additional information required by NRS 111.312 Section 1-2

(An additional recording fee of $1.00 will apply)

This cover page must be typed or printed clearly in black ink only.

CCOR_Coversheet.pdf ~ 06/06/07

PRJ-54961
07/24/14

SDR-55324

# Parking Agreement-Shared Parking

A Shared Parking Agreement may be revoked by the parties to the agreement only if an Alternative Parking Standard plan is approved pursuant to Section 19.18.4.

THIS PARKING AGREEMENT is made and entered into as of the June 24th 2010 by and between HARRISON PROPERTIES LTD and HARRISON PROPERTIES LTD.

WHEREAS, HARRISON PROPERTIES LTD is the owner of SEC 34 TWP 20 RNG 61 SOUTH ADD PLAT BOOK 1 PAGE 51 LOT 7 BLOCK 25 & LOT 8 located at 713 S. Las Vegas Blvd. within the City of Las VEgas, Clark County, Nevada (herein after referred to as "Gold and Silver Pawn Shop"

WHEREAS, HARRISON PROPERTIES LTD is the owner of SEC 34 TWP 20 RNG 61 SOUTH ADD PLAT BOOK 1 PAGE 51 LOT 9 BLOCK 25 & LOTS 10-12 located at 725 S. Las Vegas Blvd. within the City of Las Vegas, Clark County, Nevada (herein after referred to as "Parking Lot")

WHEREAS in order to be used as Parking, Gold and Silver Pawn Shop requires additional off street parking to comply with the the parking requirement set forth by the City of Las Vegas Code;

NOW, THEREFORE, in consideration of the mutual covenant and agreements set forth herein, the sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. Use of parking lot
2. Grant of Easement.
    a. The easement is nonexclusive and irrevocable, but only for so long as the Gold and Silver Pawnshop is used for the purposes of Commercial pawnshop.
    b. This Easement shall remain in full force and effect for so long as the Gold and Silver Pawn Shop is used for the purposes of a Commercial Pawnshop. At such time that the Gold and Silver Pawn Shop is no longer used for purposes of a Commercial Pawnshop the Easement shall become null and void by its own terms.

Maintenance & Liability: by applicants
No portion of the drives or parking areas on the Gold and Silver Pawnshop or the Parking lot shall be used for any purpose other than autorized by this instrument an no fence, barricade or improvement shall be constructed by either party that would prohibit the use of the Gold and Silver Pawnshop or The Parking Lot for the Easement purpose.

SDR-55324

PRJ-54961
07/24/14

# Parking Agreement-Shared Parking

It is mutually agreed that the intention of the parties is that this Agreement is for the private benefit of the parties and their respective successors and assigns and shall be strictly limited to and for the purposes herein expressed.

The Rights and obligations contained in this Agreement and terms and condition hereof shall be deemed to be covenants running with the land and binding upon the parties and their respective successors and assigns.

Richard K Harrison
(Property owner)

(signature)

RICHARD HARRISON
(printed name)

OWNER
(title)

Harrison Properties
(Property Owner)

(signature)

Richard Harrison
(printed name)

OWNER
(title)

STATE OF NEVADA
COUNTY OF Clark } SS:

On 7-6-10, personally appeared before me, a Notary Public in and for said County and State, Richard Harrison, who acknowledged to me that he executed the same.

WITNESS my hand and official seal.

Yesenia Diaz
NOTARY PUBLIC in and for said County and State.

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
YESENIA DIAZ
No: 08-7190-1
My Appointment Expires July 6, 2012

PRJ-54961
07/24/14

SDR-55324

LAW OFFICE

Brown, Brown & Premsrirut

AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

JAY H. BROWN
DAVID T. BROWN
PUOY K. PREMSRIRUT

520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101-6520

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jbrown@brownlawlv.com

August 8, 2014

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

RE: Site Development Review with Waivers of proposed retail at 725 Las Vegas Blvd.

Dear Mr. Boyles:

On behalf of our client we respectfully request consideration to demolish an existing two story 4,835 SF structure (c. circa 1950) then replace it with a 5,556 SF multi-tenant retail structure that also provides 4,371 SF of outdoor shaded area. No use permits nor signage review is requested at this time.

The site plan design meets the intent of the Centennial Plan guidelines by maintaining a comfortable pedestrian environment. Five feet of frontage spanning the property line of Las Vegas Blvd land will be dedicated to the City to ensure an adequate pedestrian realm. The massing of the building is scalable in that it is only 50 feet wide and 26 feet tall. The building is sufficiently narrow with an articulated entrance so as not to have a "monolithic facade." The longer walls on shared property lines use several different colors and have breezeways to ensure all sides of the building are visually appealing. HVAC units will not be visible from grade as they are screened within the different heights of units within the center. A second story balcony along the Las Vegas Blvd will provide visual interest from the ROW. Following approval of a LVB encroachment permit, the applicant may install a 5 foot awning along the first floor roofline, to shade visitors from different weather conditions; this also provides visual interest as seen from the ROW. Trash collection will not disturb the public as dumpsters are located between the building and the adjacent alley.

**Waiver of Parking requirement:** Parking is also provided within the Centennial Plan guidelines in that onsite parking is limited to reduce sprawling lots which compromise the feel of a pedestrian oriented area. Onsite parking and driveways are shared with the project's sister property Gold and Silver Pawnshop. (ref. instrument 201007060001160.) A share of the project's customers are expected to be generated from the sister property. Currently, several of Gold and Silver Pawnshop's patrons arrive via taxis, "The Deuce" public transit and various tour busses. As several patrons are visitors using alternate transit and the property is an a walkable area, different parking standards should be applied to this retail than the Title 19 standards used for suburban areas. Further, a downtown parking locator exhibit submitted with this application indicates that on-street parking meters are located on most streets within a three block radius. Also, there are two pay-lots within a three block distance. The Centennial Plan intends for shared parking as all meters are payable to the city.

**SDR-55324 - REVISED**

PRJ-54961
08/21/14

LAW OFFICE
Jay H. Brown, Ltd.
A PROFESSIONAL CORPORATION

**Waiver of Architectural Standards (Articulated roofline, Roof top colors)** - The streetside elevations indicate a semi-circular metal awning on the upper floor. The north and south sides do not use perimeter articulation yet mitigate a redundant shape with a vertical semi-circular canopy projecting over the rooflines. The rear wall has no articulation thereby requiring a waiver to roofline articulation on all sides. While the published standards cannot be met with this construction type, the alternative measures used provide visual interest to the building.

The South District architectural design standards also read: *Roofs and rooftops shall be designed with consideration to views from above. No highly reflective materials or contrasting colors shall be used.* The color board submitted with this Design Review illustrates each unit/container is colored individually. The colors on all four walls and roof are consistent to create the cubic motif that separates each business. It should be noted that less than ½ the roof area uses a primary color while the rest uses a white canopy. No signage will be placed on this roof. Only three buildings within a four block radius that are taller than the proposed retail center. Accordingly, very few properties will be impacted. Those building with exposure to the proposed retail center will likely not be considered "negatively impacted" by small fragments of color nestled between other rooftops and parking lots. A five year review to reconsider this waiver is acceptable.

In closing the proposed updated building on the site will benefit the Downtown South District by replacing inefficient structure with a new design that will accommodate several small businesses as well as bring the public a shaded promenade which, so far, does not exist in the vicinity.

Should you have concerns or queries, please phone me at (702) 598-1408.

Very truly yours,

Lora Dreja
Land Entitlements
Law Offices of Jay Brown
(702) 598-1408

**SDR-55324 - REVISED**

PRJ-54961
08/21/14

**SDR-55324 [PRJ-54961] - APPLICANT/OWNER: HARRISON PROPERTIES, LTD**
**725,729 AND 731 SOUTH LAS VEGAS BOULEVARD**

07/31/14

SDR-55324 [PRJ-54961] - APPLICANT/OWNER: HARRISON PROPERTIES, LTD
725,729 AND 731 SOUTH LAS VEGAS BOULEVARD

07/31/14

SDR-55324 [PRJ-54961] - APPLICANT/OWNER: HARRISON PROPERTIES, LTD
725,729 AND 731 SOUTH LAS VEGAS BOULEVARD

07/31/14

**SDR-55324 [PRJ-54961] - APPLICANT/OWNER: HARRISON PROPERTIES, LTD**
**725,729 AND 731 SOUTH LAS VEGAS BOULEVARD**

07/31/14

City of Las Vegas Agenda Item No.: **39.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
ABEYANCE - TXT-54664 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For discussion and possible action regarding a request to amend LVMC Chapter 19.12 related to Permitted Uses and Chapter 19.18 related to Definitions and Measures to consolidate various liquor uses and to provide for other related matters. Staff recommends APPROVAL.

**THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM**

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

**RECOMMENDATION:**
Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**
1. Agenda Memo

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS**

---

**** STAFF REQUESTS THIS ITEM BE STRICKEN FROM THE AGENDA ****

City of Las Vegas Agenda Item No.: **40.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
TXT-51717 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For discussion and possible action on a request to amend LVMC Chapter 19.12 regarding the Utility Transmission Line and Electric Generating Plant uses. Revisions include adding new language and an appeals process as required by the Nevada Revised Statues. Staff recommends APPROVAL.

**THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM**

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

**RECOMMENDATION:**
Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**
1. Proposed Amendments and Staff Report

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **TXT-51717** | Staff recommends APPROVAL. | N/A |

## ** PROPOSED AMENDMENT **

1. LVMC 19.12.070, Permissible Use Descriptions and Applicable Conditions and Requirements, is hereby amended by amending the description for the "Electric Generating Plant" entry as follows:

   **Description:** A facility that generates electricity from mechanical power produced by ~~solar,~~ gas, coal, hydraulic power sources, nuclear fission and sources of renewable energy as defined by NRS 701.070 that is properly licensed or franchised by the authorities having jurisdiction.

   1. An applicant may petition the Public Utilities Commission of Nevada to review the decision of the Planning Commission or governing body for renewable energy generation projects of 10 megawatts as outlined in NRS 278.26506.

2. LVMC 19.18.020, Words and Terms Defined, is hereby amended by amending the definition for the "Electric Generating Plan" term as follows:

   **Electric Generating Plant.** A facility that generates electricity from mechanical power produced by ~~solar,~~ gas, coal, hydraulic power sources, nuclear fission and sources of renewable energy as defined by NRS 701.070 that is properly licensed or franchised by the authorities having jurisdiction.

3. LVMC 19.12.070, Permissible Use Descriptions and Applicable Conditions and Requirements, is hereby amended by amending the description for the "Utility Transmission Lines" entry as follows:

Conditional Use Regulations:

1. The location of routes for lines which are 15,000 volts or above ~~must first be approved by the Planning Commission~~ and are located within a utility corridor identified in the adopted utility master plan may be approved administratively.

Minimum Special Use Permit Requirements

2. A Special Use Permit is required for the location of transmission lines which are 15,000 volts or above and are located outside of a utility corridor identified in the adopted utility master plan.

3. An applicant may petition the Public Utilities Commission of Nevada to review the decision of the Planning Commission or governing body as outlined in NRS 278.26506.

**Staff Report Page One**
**September 9, 2014 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This is a request to amend LVMC 19.12 regarding the Electric Generating Plant and the Utility Transmission Line uses. Revisions include adding new clarifying language and an appeal process as required by Assembly Bill 239.

## BACKGROUND INFORMATION

Assembly Bill No. 239 was signed into law following the 2013 Legislative Session and adds language to NRS 278 that allows utility transmission lines within corridors identified in the utility master plan to be approved administratively. Transmission lines that are outside of an established utility corridor may be heard as a Special Use Permit by the Planning Commission or other applicable governing body. Currently, the Unified Development Code requires approval by the Planning Commission as a part of the Conditional Use regulations for transmission lines, but no direction is given as to the type of application required to be submitted to the Planning Commission.

Currently, the "Electric Generating Plant" use specifies only solar, gas, coal, hydraulic power or nuclear fission for a power generation plant. This text amendment adds other renewable energy sources as defined by NRS 701.080 to the "Electric Generating Plant" use. NRS defines renewable energy as biomass, fuel cells, geothermal energy, solar, waterpower and wind power.

AB 239 also allows an applicant to appeal the decision of the Planning Commission or governing body to the Public Utilities Commission of Nevada if the applicant believes that the Planning Commission didn't act in a timely manner, or disagrees with the conditions imposed with a Special Use Permit for utility transmission lines or renewable electric generating plants. The appeal process is identified within NRS 278.26506 and this text amendment brings the code into conformance with the provisions of AB 239.

## FINDINGS

The proposed text amendment will achieve the following:

1. Clarify the approval process for utility transmission lines located either inside or outside of an approved utility corridor identified in the utility master plan.
2. Add the appeal provisions of AB 239 to both the Electric Generating Plant and Utility Transmission Line uses.

The following table summarizes all proposed changes:

| Code Requirements | Existing Regulations | Proposed Regulations |
|---|---|---|
| 19.12.070 – **Permissible Use Descriptions and Applicable Conditions and Requirements and** 19.12.070 - **Permissible Use Descriptions-** *Electric Generating Plant* | Specifies only solar, gas, coal, hydraulic power or nuclear fission are allowed for a power generation plant. | Adds renewable energy as defined by NRS to the description and definition in addition to the energy types listed;<br><br>As required by AB 239, allows for the appeal of the Planning Commission's decision to the Public Utilities Commission for renewable energy generation projects of over 10 megawatts. |
| 19.12.070 – **Permissible Use Descriptions and Applicable Conditions and Requirements** – *Utility Transmission Lines* | Requires approval by the Planning Commission as a part of the Conditional Use regulations, but no direction is given as to the type of application required to be heard by the governing body. | Allows transmission lines to be approved administratively if they are located within an approved utility corridor of the master plan;<br><br>Specifies that a Special Use Permit is required if a proposed transmission line is located outside of an approved utility corridor of the master plan;<br><br>Allows for the appeal of the Planning Commission's decision to the Public Utilities Commission as required by AB 239. |

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** N/A

**NOTICES MAILED** RJ ONLY

**APPROVALS** 0

**PROTESTS** 0

City of Las Vegas Agenda Item No.: **41.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
TXT-54945 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For discussion and possible action on a request to amend LVMC Chapter 19.00 and 19.10.100(D) related to the Downtown Design Review Committee name and scope of review, and to provide for other related matters. Staff recommends APPROVAL.

**THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM**

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

**RECOMMENDATION:**
Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**
1. Agenda Memo

City of Las Vegas

## *AGENDA MEMO - PLANNING*

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 9, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS**

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**** STAFF REQUESTS THIS ITEM BE HELD IN ABEYANCE TO THE OCTOBER 14, 2014 PLANNING COMMISSION MEETING ****

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City of Las Vegas Agenda Item No.: **42.**

## *AGENDA SUMMARY PAGE - PLANNING*
### PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014

**DEPARTMENT: PLANNING**
**ACTING DIRECTOR: TOM PERRIGO** ☐ **Consent** ☒ **Discussion**

**SUBJECT:**
TXT-55362 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For discussion and possible action on a request to amend LVMC Chapter 19.18 related to Definitions and Measures to redefine the term "On-Premise Sign," and to provide for other related matters. Staff has NO RECOMMENDATION.

**THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM**

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

**RECOMMENDATION:**
Staff has NO RECOMMENDATION.

**BACKUP DOCUMENTATION:**
1. Proposed Amendments and Staff Report

City of Las Vegas

## AGENDA MEMO - PLANNING

**PLANNING COMMISSION MEETING DATE: AUGUST 12, 2014**
**DEPARTMENT: PLANNING**
**ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS**

## ** STAFF RECOMMENDATION(S) **

| *CASE NUMBER* | *RECOMMENDATION* | *REQUIRED FOR APPROVAL* |
|---|---|---|
| **TXT-55362** | Staff has NO RECOMMENDATION. | |

## ** PROPOSED AMENDMENT(S) **

1. LVMC Title 19.18.020 is hereby amended by amending the definition of the term "On-Premise Sign" as follows:

   **On-Premise Sign.** Any sign advertising or announcing any place, product, goods, services, idea or statement whose subject is available or located at or on the lot, same site, or within the same Master Sign Plan area where the sign is erected or placed. In the case of a multi-tenant site, a sign must reference, on no less than 50 percent of the surface area of the sign display, the specific location on the lot, site or Master Sign Plan area where the message subject is available in order to qualify as an On-Premise Sign.

**Staff Report Page One**
**August 12, 2014 - Planning Commission Meeting**

# ** STAFF REPORT **

## PROJECT DESCRIPTION

This item is for discussion and possible action to amend LVMC Title 19.18 to amend the definition of the term "On-Premise Sign," and to provide for other related matters.

## ANALYSIS

The proposed amendment would ensure that on-premise signs clearly indicate the location on multi-tenant sites where a good or service is offered. Signs on sites with single tenants pose no issues in this regard, but difficulties arise with multi-tenant sites, particularly with changeable electronic displays, which often show advertisements for multiple vendors. In some instances it can be difficult to determine which location the advertisement refers to or if it is even sold on the same site as the sign. The 50 percent coverage area noting the service or goods location is intended to make it clear for passersby that the item is sold onsite, and would eliminate full displays for name-brand products that are ambiguous as to where they are offered. "Specific location" may refer to a place of business, a name, address or any of these in combination.

Signs that are not visible from public rights-of-way are not part of this restriction, as they are not regulated as signs (per Title 19.12.120.E.2). The amended definition would only apply to new signs and to existing signs with changeable electronic displays. It would not be retroactively applied to static signs already having a valid building permit. Content itself would not be regulated; instead, the proposed change would ensure signs retain an on-premise character.

## FINDINGS (TXT-55362)

The proposed text amendment will achieve the following:

- The City will better able to determine whether a sign is classified as "on-premise" for purposes of regulation and enforcement.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** N/A

**NOTICES MAILED** RJ ONLY

**APPROVALS** 0

**PROTESTS** 0

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City of Las Vegas Agenda Item No.: **43.**

## *AGENDA SUMMARY PAGE - PLANNING*

**PLANNING COMMISSION MEETING OF: SEPTEMBER 9, 2014**

**DEPARTMENT: PLANNING**
**DIRECTOR: FLINN FAGG**

**SUBJECT:**

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