City of Las Vegas

PLANNING COMMISSION AGENDA

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

LAS VEGAS CITY COUNCIL

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

COMMISSIONERS

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

Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the DEPARTMENT DESIGNEE at (702) 229-6301 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is (702) 386-9108.

March 12, 2013

6:00 PM

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

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

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

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

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

PLANNING COMMISSION MEETING RULES OF CONDUCT:

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

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

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

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

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

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

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

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

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

BUSINESS ITEMS:

1. CALL TO ORDER

2. ANNOUNCEMENT: COMPLIANCE WITH OPEN MEETING LAW

3. ROLL CALL

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

5. FOR POSSIBLE ACTION TO APPROVE THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF FEBRUARY 12, 2013

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

CONSENT ITEMS:

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

ONE MOTION - ONE VOTE

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

7. **TMP-48085 - TENTATIVE MAP - MARBLE CANYON ESTATES - APPLICANT: DR HORTON, INC. - OWNER: GREAT WESTERN BANK** - For possible action on a request for a Tentative Map FOR A 17-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 5.15 acres adjacent to the north side of Farm Road, approximately 280 feet west of Grand Canyon Drive (APN 125-18-201-008), PD (Planned Development) Zone [L (Low Density Residential) Grand Teton Village Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

8. **SUP-48149 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GALLAGHER AND ASSOCIATES, LLC - OWNER: HUALAPAI COMMONS LTD, LLC** - For possible action on a request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN A PROPOSED 2,664 SQUARE-FOOT RESTAURANT at 9921 West Charleston Boulevard, Suite #6 (APN 163-06-111-008), C-1 (Limited Commercial) Zone, Ward 2 (Beers). Staff recommends APPROVAL.

9. **SUP-48167 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ASAKI RESTAURANT TWO, LLC - OWNER: NP/I&G MONTECITO MARKETPLACE PHASE II, LLC** - For possible action on a request for a Special Use Permit FOR PROPOSED BEER AND WINE SALES (BEER/WINE/COOLER ON-SALE ESTABLISHMENT) WITHIN AN EXISTING 2,490 SQUARE-FOOT RESTAURANT at 7010 North Durango Drive, Suite #140 (APN 125-20-510-020), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

10. **SUP-48171 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT - CENTENNIAL GATEWAY, LLC - OWNER: INLAND DIVERSIFIED LAS VEGAS CENTENNIAL GATEWAY, LLC** - For possible action on a request for a Special Use Permit FOR A PROPOSED SECONDHAND DEALER at 5643 Centennial Center Boulevard, Suite #110 (APN 125-27-411-013), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

11. **SUP-48179 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PUBLICUS, LLC - OWNER: MISSION SPRING PROPERTIES, LLC** - For possible action on a request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN A PROPOSED 3,310 SQUARE-FOOT RESTAURANT at 1126 Fremont Street (APN 139-35-317-001), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

12. **SDR-48152 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: WELLS FARGO BANK** - For possible action on a request for a Major Amendment of an approved Site Development Plan Review (SD-0026-97) FOR A 1,044 SQUARE-FOOT ADDITION TO AN EXISTING 4,821 SQUARE-FOOT BANK on 1.1 acres at 1121 South Las Vegas Boulevard (APN 162-03-114-003), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

13. **SDR-48272 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: WESTCLIFF PINES 2, LP** - For possible action on a request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 80-UNIT SENIOR CITIZEN APARTMENT DEVELOPMENT WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE SOUTH PROPERTY LINE WHERE A SIX-FOOT BUFFER IS REQUIRED on 3.38 acres adjacent to the south side of Summerlin Parkway at the west end of Silver Sky Drive (APN 138-28-401-015), R-3 (Medium Density Residential) Zone, Ward 2 (Beers). Staff recommends APPROVAL.

14. **SDR-48273 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: WESTCLIFF PINES 2, LP** - For possible action on a request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 40-UNIT SENIOR CITIZEN APARTMENT DEVELOPMENT WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE NORTH PROPERTY LINE WHERE A SIX-FOOT BUFFER IS REQUIRED on 1.79 acres adjacent to the south side of Summerlin Parkway at the west end of Silver Sky Drive (APN 138-28-401-015), R-3 (Medium Density Residential) Zone, Ward 2 (Beers). Staff recommends APPROVAL.

PUBLIC HEARING ITEMS

15. **ABEYANCE - VAR-47839 - VARIANCE - PUBLIC HEARING - APPLICANT: ASTORIA RESIDENTIAL - OWNER: T H M ENTERPRISES, LLC** - For possible action on a request for a Variance TO ALLOW A MINIMUM LOT SIZE TO BE 15,260 SQUARE FEET WHERE 20,000 SQUARE FEET IS REQUIRED AND TO ALLOW A 28-FOOT FRONT YARD SETBACK ON LOTS 1 AND 5 WHERE 30 FEET IS REQUIRED on 2.5 acres generally located on the southeast corner of Juliano Road and Hickam Avenue (APN 138-05-801-006), U (Undeveloped) Zone [RE (Residential Estates) General Plan Designation], Ward 4 (Anthony). Staff recommends DENIAL.

16. **ABEYANCE - VAR-47840 - VARIANCE RELATED TO VAR-47839 - PUBLIC HEARING - APPLICANT: ASTORIA RESIDENTIAL - OWNER: T H M ENTERPRISES, LLC** - For possible action on a request for a Variance TO ALLOW A PRIVATE STREET TO NOT COMPLY WITH MINIMUM STANDARDS FOR A PUBLIC STREET, INCLUDING NO SIDEWALKS OR STREETLIGHTS WHERE SUCH ARE REQUIRED AND A WIDTH OF 40 FEET WHERE A MINIMUM OF 47 FEET IS REQUIRED on 2.5 acres generally located on the southeast corner of Juliano Road and Hickam Avenue (APN 138-05-801-006), U (Undeveloped) Zone [RE (Residential Estates) General Plan Designation], Ward 4 (Anthony). Staff recommends DENIAL.

17. **ABEYANCE - WVR-47976 - WAIVER RELATED TO VAR-47839 AND VAR-47840 - PUBLIC HEARING - APPLICANT: ASTORIA RESIDENTIAL - OWNER: T H M ENTERPRISES, LLC** - For possible action on a request for a Waiver TO ALLOW A REDUCED SEPARATION DISTANCE BETWEEN EXTERNAL INTERSECTIONS FROM 220 FEET TO 175 FEET on 2.5 acres generally located on the southeast corner of Juliano Road and Hickam Avenue (APN 138-05-801-006), U (Undeveloped) Zone [RE (Residential Estates) General Plan Designation], Ward 4 (Anthony). Staff recommends DENIAL.

18. **ABEYANCE - TMP-47838 - TENTATIVE MAP RELATED TO VAR-47839, VAR-47840 AND WVR-47976 - PUBLIC HEARING - APPLICANT: ASTORIA RESIDENTIAL - OWNER: T H M ENTERPRISES, LLC** - For possible action on a request for a Tentative Map FOR A FIVE-LOT RESIDENTIAL SUBDIVISION on 2.5 acres generally located on the southeast corner of Juliano Road and Hickam Avenue (APN 138-05-801-006), U (Undeveloped) Zone [RE (Residential Estates) General Plan Designation], Ward 4 (Anthony). Staff recommends DENIAL.

19. **ABEYANCE - SUP-47591 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MAXI MART - OWNER: TUESDAY 18, LLC** - For possible action on a request for a Special Use Permit FOR A PROPOSED RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 3,000 SQUARE-FOOT CONVENIENCE STORE at 2212 East Charleston Boulevard (APN 162-01-101-004), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

20. **VAR-48169 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: PAY DIRT IRREVOCABLE BUSINESS TRUST ET AL, ET AL** - For possible action on a request for a Variance TO ALLOW A MINIMUM LOT WIDTH OF 60 FEET WHERE 65 FEET IS REQUIRED, TO ALLOW A 10-FOOT FRONT YARD SETBACK ON LOTS 1, 10 AND 11 WHERE 20 FEET IS REQUIRED AND TO ALLOW A 10-FOOT CORNER SIDE YARD SETBACK ON LOTS 1, 24, 25 and 31 WHERE 15 FEET IS REQUIRED on 7.40 acres adjacent to the north side of Dorrell Lane, approximately 420 feet west of Decatur Boulevard (APNs 125-24-503-004, 008, 009, 011 and 017), R-1 (Single Family Residential) Zone, Ward 6 (Ross). Staff recommends DENIAL.

21. **TMP-48166 - TENTATIVE MAP RELATED TO VAR-48169 - DECATUR & DORRELL - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: PAY DIRT IRREVOCABLE BUSINESS TRUST ET AL, ET AL** - For possible action on a request for a Tentative Map FOR A 31-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 7.40 acres adjacent to the north side of Dorrell Lane, approximately 420 feet west of Decatur Boulevard (APNs 125-24-503-004, 008, 009, 011 and 017), R-1 (Single Family Residential) Zone, Ward 6 (Ross). Staff recommends DENIAL.

22. **SUP-48035 - SPECIAL USE PERMIT - PUBLIC HEARING – APPLICANT: HOOKAH MASTER'S LOUNGE - OWNER: CHARLESTON MARKETPLACE MALCAI, LLC** - For possible action on a request for a Special Use Permit FOR A PROPOSED NIGHT CLUB WITHIN AN EXISTING 5,775 SQUARE-FOOT RESTAURANT at 5900 West Charleston Boulevard, Suite #8 (APN 138-36-406-006), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

23. **SUP-48036 - SPECIAL USE PERMIT - PUBLIC HEARING – APPLICANT: HOOKAH MASTER'S LOUNGE - OWNER: CHARLESTON MARKETPLACE MALCAI, LLC** - For possible action on a request for a Special Use Permit FOR A PROPOSED SUPPER CLUB WITHIN AN EXISTING 5,775 SQUARE-FOOT RESTAURANT at 5900 West Charleston Boulevard, Suite #8 (APN 138-36-406-006), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

24. **SUP-48083 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DURANGO MARKET - OWNER: KENNA III, LLC** - For possible action on a request for a Special Use Permit FOR AN ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 2,326 SQUARE-FOOT CONVENIENCE STORE at 6955 North Durango Drive, Suite #1114 (APNs 125-20-215-269 and 270), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

25. **SUP-48091 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: 307/319 MAIN STREET, LLC** - For possible action on a request for a Special Use Permit FOR A PACKAGE LIQUOR ESTABLISHMENT USE WITHIN A PROPOSED 1,176 SQUARE-FOOT GENERAL RETAIL STORE at 311 Main Street (APN 139-34-210-003), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

26. **SUP-48141 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BYRON BROOKS - OWNER: MOUNTAIN SPRINGS DEVELOPMENT, LLC** - For possible action on a request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE USE at 316 East Bridger Avenue, Suite #101 (APN 139-34-210-078), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

27. **SUP-48146 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: OHJAH JAPANESE STEAKHOUSE SUSHI AND HIBACHI - OWNER: PK I RAINBOW PROMENADE, LLC** - For possible action on a request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN AN EXISTING 4,992 SQUARE-FOOT RESTAURANT at 2051 North Rainbow Boulevard, Suite #102 (APN 138-22-603-001), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

28. **SUP-48160- SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FARMER BOYS FOOD, INC. - OWNER: INLAND DIVERSIFIED LAS VEGAS CENTENNIAL CENTER, LLC** - For possible action on a request for a Special Use Permit FOR A PROPOSED RESTAURANT (WITH DRIVE-THROUGH) at the southwest corner of Tropical Parkway and Centennial Center Boulevard (APN 125-28-713-007), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

29. **SDR-48158 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-48160 - PUBLIC HEARING - APPLICANT: FARMER BOYS FOOD, INC. - OWNER: INLAND DIVERSIFIED LAS VEGAS CENTENNIAL CENTER, LLC** - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 3,195 SQUARE-FOOT RESTAURANT (WITH DRIVE-THROUGH) on 7.86 acres at the southwest corner of Tropical Parkway and Centennial Center Boulevard (APN 125-28-713-007), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

30. **SUP-48168 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: C-A-L RANCH STORES - OWNER: D & W, INC.** - For possible action on a request for a Special Use Permit FOR A PROPOSED 19,000 SQUARE-FOOT BUILDING AND LANDSCAPE MATERIAL/ LUMBER YARD USE at 232 North Jones Boulevard (APN 138-25-404-004), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

31. **SUP-48174 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CUSTOM MOTOR CREATIONS, LLC - OWNER: HUGHES PROPERTY MANAGEMENT III, LLC** - For possible action on a request for a Special Use Permit FOR A PROPOSED AUTO SALES (NEW AND/OR USED) USE, INDOORS at 10050 Banburry Cross Drive, Suite #157 and #210 (APN 138-30-218-002), P-C (Planned Community - Employment Center) Zone, Ward 2 (Beers). Staff recommends APPROVAL.

32. **SUP-48177 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HAYAT MARKET - OWNER: THE T.D. JAK FAMILY, LP** - For possible action on a request for a Special Use Permit FOR A PROPOSED RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 2,684 SQUARE-FOOT CONVENIENCE STORE at 2558 South Valley View Boulevard (APN 162-08-101-005), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

33. **SUP-48178 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MARKET & SMOKES, INC. - OWNER: TP 1000, LLC** - For possible action on a request for a Special Use Permit FOR A PROPOSED RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 2,340 SQUARE-FOOT CONVENIENCE STORE at 1000 South Torrey Pines Drive, Suite A (APN 138-35-402-011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

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

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

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

37. **SUP-48191 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ASHLEY RESTIVO - OWNER: BARBARA ZINK** - For possible action on a request for a Special Use Permit FOR A HORSE CORRAL OR STABLE (COMMERCIAL) USE ON 4.14 acres at 6666 West Ann Road (APN 125-26-403-014), R-E (Residential Estates) Zone, Ward 6 (Ross). Staff recommends APPROVAL.

38. **SDR-48148 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: LONNIE WALSTON** - For possible action on a request for a Site Development Plan Review FOR A 1,900 SQUARE-FOOT ADDITION TO AN EXISTING 9,471 SQUARE-FOOT RETAIL BUILDING WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG A 116-FOOT PORTION AND AN EIGHT-FOOT LANDSCAPE BUFFER ALONG A 102-FOOT PORTION OF THE NORTH PROPERTY LINE, AN EIGHT-FOOT WIDE LANDSCAPE BUFFER ALONG THE EAST AND WEST PROPERTY LINES WHERE A MINIMUM 15-FOOT WIDE BUFFER IS REQUIRED AND A ZERO-FOOT WIDE LANDSCAPE BUFFER ALONG A PORTION OF THE SOUTH PROPERTY LINE WHERE AN EIGHT-FOOT LANDSCAPE BUFFER IS REQUIRED on 1.61 acres at 1100 Martin L King Boulevard (APNs 139-28-604-001 and 003), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

DIRECTOR'S BUSINESS:

39. **ABEYANCE - TXT-46131 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - For possible action to update the Town Center Development Standards to make various clarifications and update code references related to changes made to LVMC Title 19 with the adoption of the Unified Development Code. Staff recommends APPROVAL.

40. **DIR-48086 - DIRECTOR'S BUSINESS - PUBLIC HEARING - THE BOARD OF REGENTS OF THE NEVADA SYSTEM OF HIGHER EDUCATION** - For possible action on a request for a Development Agreement for the College of Southern Nevada on approximately 42.02 acres at the northwest corner of Elkhorn Road and Grand Montecito Parkway (APNs 125-17-401-006 and 125-17-801-004), Ward 6 (Ross). Staff recommends APPROVAL.

41. **TXT-48308 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to update the Downtown Centennial Plan to add the tavern-limited use to the 18b Arts District and Symphony Park. Staff recommends APPROVAL.

42. **TXT-48318 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - For discussion and possible action to amend the LVMC Title 19, Unified Development Code (UDC) of the City of Las Vegas, to prohibit auto repair facility employees from test driving customer vehicles on a residential street. 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: MARCH 12, 2013

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

SUBJECT:
CALL TO ORDER

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

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: MARCH 12, 2013

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

SUBJECT:
ANNOUNCEMENT: COMPLIANCE WITH OPEN MEETING LAW

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

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: MARCH 12, 2013

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

SUBJECT:
ROLL CALL

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

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

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

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: MARCH 12, 2013

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

SUBJECT:

FOR POSSIBLE ACTION TO APPROVE THE FINAL MINUTES FOR THE PLANNING COMMISSION MEETING OF FEBRUARY 12, 2013

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

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

SUBJECT:

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

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

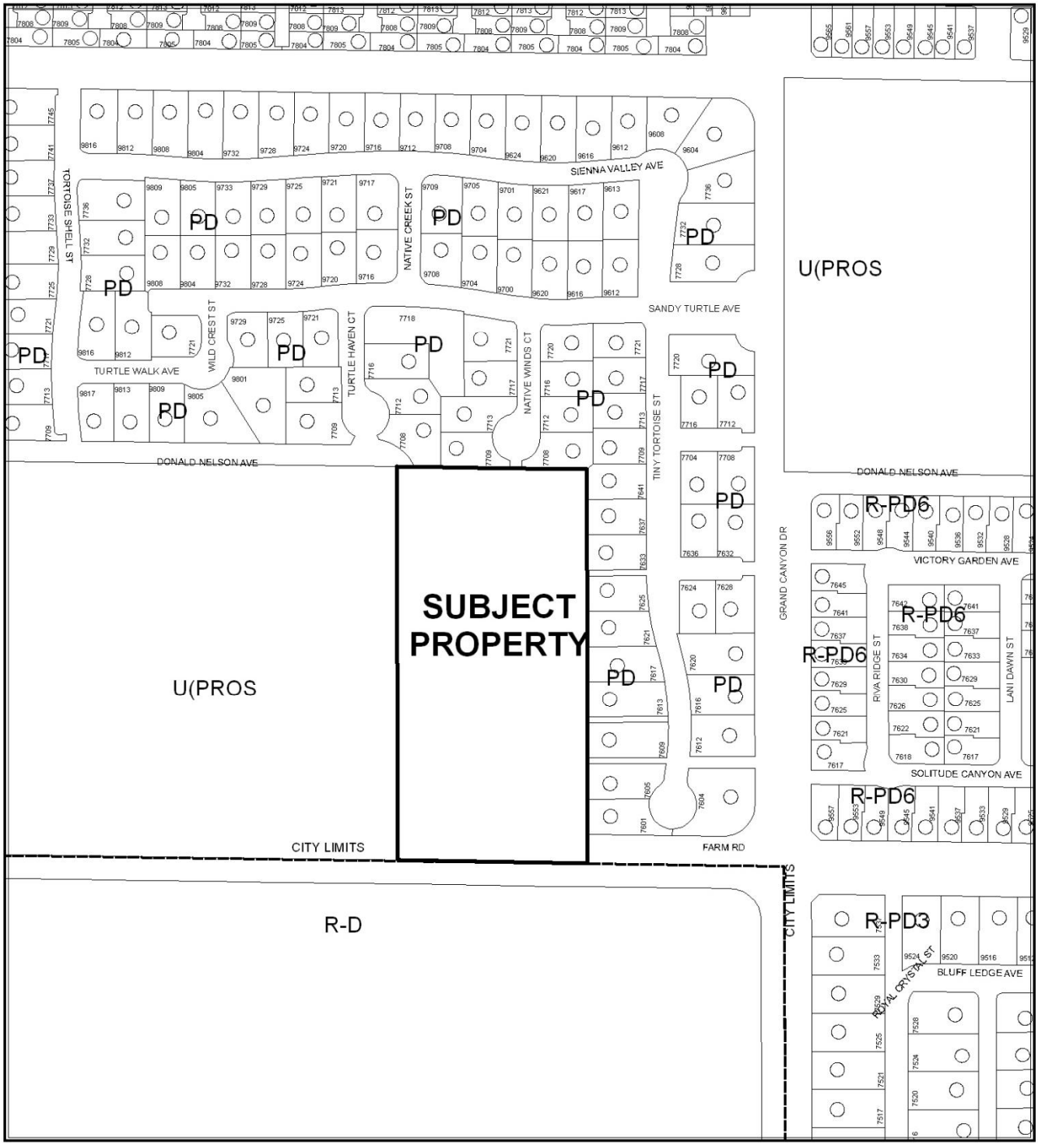
SUBJECT:
TMP-48085 - TENTATIVE MAP - MARBLE CANYON ESTATES - APPLICANT: DR HORTON, INC. - OWNER: GREAT WESTERN BANK - For possible action on a request for a Tentative Map FOR A 17-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 5.15 acres adjacent to the north side of Farm Road, approximately 280 feet west of Grand Canyon Drive (APN 125-18-201-008), PD (Planned Development) Zone [L (Low Density Residential) Grand Teton Village Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 7 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Planning Commission Approval Letter for SDR-47230
6. Justification Letter

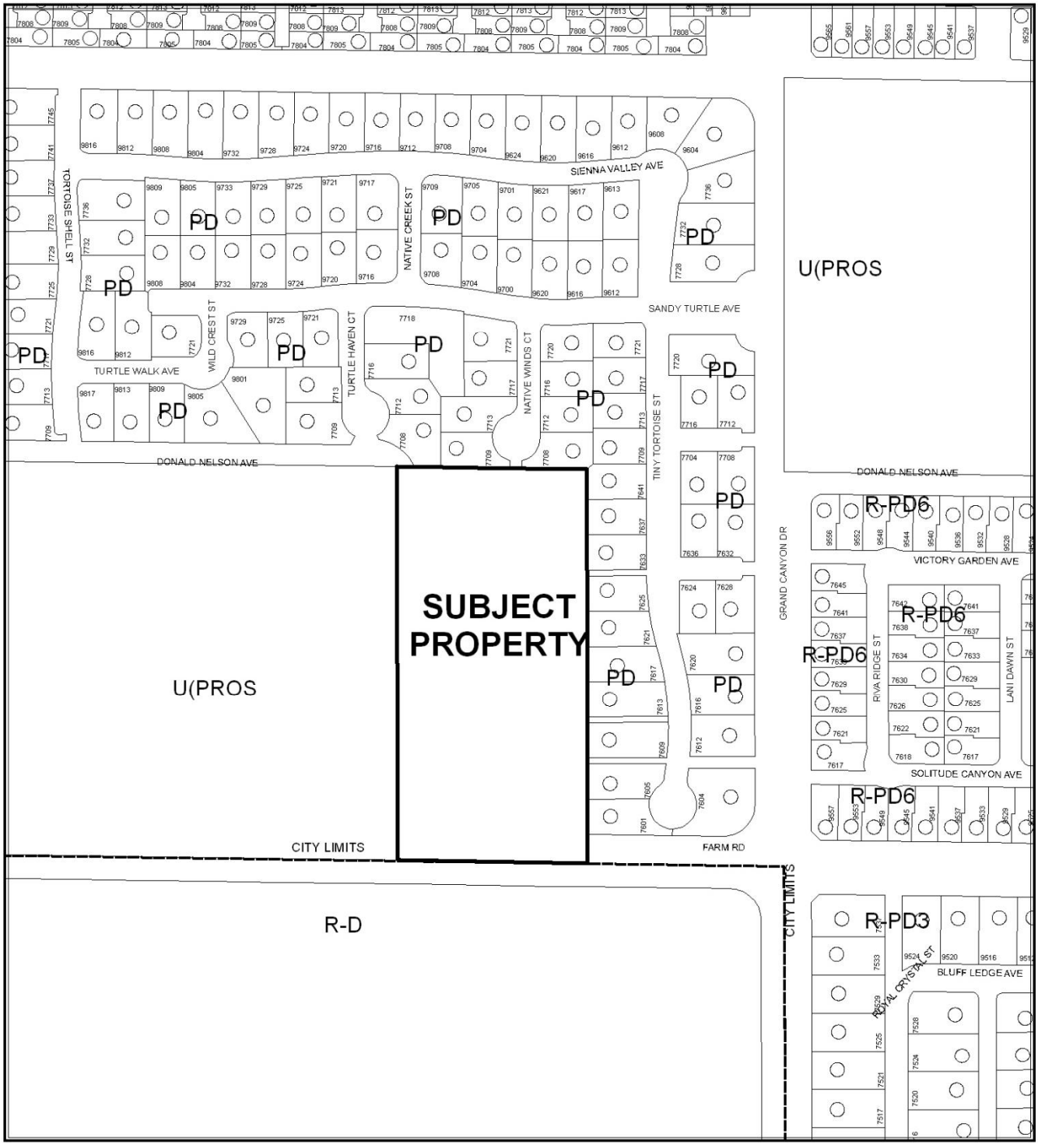


0 150 300 Feet

CASE: TMP-48085

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT) [L (LOW DENSITY RESIDENTIAL) Grand Teton Village Special Land use Designation]

N



0 150 300 Feet

CASE: TMP-48085

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT) [L (LOW DENSITY RESIDENTIAL) Grand Teton Village Special Land use Designation]

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: DR HORTON, INC. - OWNER: GREAT WESTERN BANK

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TMP-48085	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

TMP-48085 CONDITIONS

Planning

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

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-47230), the Grand Teton Village Development Agreement and Grand Teton Village Master Development Plan and Design Standards.

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

4. 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.

5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure

improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

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

Public Works

7. The private streets for this site must be granted as Public Utility Easements, Public Sewer Easements, and Public Drainage Easements to be Privately Maintained.

8. Grant a minimum 20-foot wide public sewer easement across Common Element 3. The easement shall be labeled as such and include the note "No trees or vegetation taller than 3 feet will be allowed within the Public Sewer Easement."

9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

10. Site development to comply with all applicable conditions of approval for SDR-47230 and all other applicable site-related actions.

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

** STAFF REPORT **

PROJECT DESCRIPTION

A 17-lot single family residential subdivision is proposed within Grand Teton Village at the northeast corner of the Farm Road and Jensen Street alignments, west of Grand Canyon Drive. The lots are situated around a 44-foot wide private street that terminates on the north in a cul-de-sac bulb and on the south in a stub. Vehicular access is from Jensen Street, while pedestrians can access the internal street from Farm Road through a 20-foot wide linear park. As the proposed tentative map conforms to the approved Site Development Plan Review (SDR-47230) and the requirements of the Grand Teton Village Development Agreement, Master Development Plan and Design Standards, staff recommends approval of the request with conditions.

ISSUES

- Pursuant to Sections 1.1 (13) and 3.1 through 3.10 of the Development Agreement between the City of Las Vegas and GTV Development, LLC, City code standards that were in effect at the Effective Date of the agreement are the standards that apply to the site for the duration of the agreement.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/04/02	The City Council approved a Rezoning (Z-0014-02) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) on approximately 160 acres adjacent to the southwest corner of Grand Teton Drive and Grand Canyon Drive, not including the subject site, for establishment of the Grand Teton Village Master Development Plan and Design Standards. The Planning Commission and staff recommended approval.
10/29/03	The City Council approved a Development Agreement (DIR-2863) between the City of Las Vegas and GTV Development, LLC for the Grand Teton Village planned development. The Planning Commission and staff recommended approval.

08/18/04	The City Council approved the Annexation (ANX-4437) of the subject site, consisting of five acres located on the north side of Farm Road, approximately 330 feet west of Grand Canyon Drive. The Planning Commission and staff recommended approval. The annexation became effective 08/27/04.
01/05/05	The City Council approved the Rezoning (ZON-5488) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) on five acres at the northeast corner of Farm Road and Jensen Street. The Planning Commission and staff recommended approval.
	The City Council approved a Waiver (WVR-5603) of Title 18.12.160 to allow 180 feet between street intersections where 200 feet is the minimum separation distance required on five acres at the northeast corner of Farm Road and Jensen Street. The Planning Commission and staff recommended approval.
	The City Council approved a Site Development Plan Review (SDR-5490) for a proposed 21-lot single family residential development on five acres at the northeast corner of Farm Road and Jensen Street. The Planning Commission and staff recommended approval.
07/20/05	The City Council approved a Petition to Vacate (VAC-6646) U.S. Government Patent Easements generally located north of Farm Road, west of Grand Canyon Drive. The Planning Commission and staff recommended approval. The Order of Relinquishment of Interest was recorded 01/03/06.
11/03/05	The Planning Commission approved a Tentative Map (TMP-6603) for a 21-lot single family residential subdivision on 5.15 acres at the northeast corner of Farm Road and Jensen Street. Staff recommended approval. The map approval expired 11/03/07.
02/07/07	The City Council approved Extensions of Time (EOT-18956 and EOT-18957) of the approved Rezoning (ZON-5488) to PD (Planned Development) and Site Development Plan Review (SDR-5490) for a 21-lot single family residential development on five acres at the northeast corner of Farm Road and Jensen Street. Staff recommended approval of the requests.
05/02/07	The City Council approved an Extension of Time (EOT-18956) of the approved Rezoning (ZON-5488) to PD (Planned Development) on five acres at the northeast corner of Farm Road and Jensen Street after rescinding the previous approval of 02/07/07.
01/10/08	The Planning Commission approved a Tentative Map (TMP-25708) for a 21-lot single family residential subdivision on 5.15 acres at the northeast corner of Farm Road and Jensen Street. Staff recommended approval. The map approval expired 01/10/12.

02/04/09	The City Council approved Extensions of Time (EOT-32755 and EOT-32754) of the approved Rezoning (ZON-5488) to PD (Planned Development) and Site Development Plan Review (SDR-5490) for a 21-lot single family residential development on five acres at the northeast corner of Farm Road and Jensen Street. Staff recommended approval of the requests.
03/02/11	The City Council approved the Extension of Time (EOT-40654) of the approved Site Development Plan Review (SDR-5490) for a 21-lot single family residential development on five acres at the northeast corner of Farm Road and Jensen Street. Staff recommended approval. The approval expired 01/05/13.
01/08/13	The Planning Commission approved a Site Development Plan Review (SDR-47230) for a proposed 17-lot single family residential development on 5.15 gross acres adjacent to the north side of Farm Road, approximately 280 feet west of Grand Canyon Drive. Staff recommended approval.

Most Recent Change of Ownership	
08/29/11	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no building permits or business licenses associated with the subject site.

Pre-Application Meeting	
10/08/12	A pre-application meeting was held with the applicant to discuss submittal requirements for a Tentative Map. There were no major issues.

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

Field Check	
01/31/13	The site is undeveloped but contains mounds of dirt and rocks with patches of weeds. Most of the site is above the existing residential developments to the north and east, and perimeter walls separate these areas from the subject site. Farm Road terminates at the edge of this site with no turnaround.

Details of Application Request	
Site Area	
Gross Acres	5.15
Net Acres	4.39

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)	PD (Planned Development)
North	Single Family, Detached	PCD (Planned Community Development)	PD (Planned Development)
South	Single Family, Detached	R (Rural Density Residential)	R-D (Suburban Estates Residential) – Clark County Designation
East	Single Family, Detached	PCD (Planned Community Development)	PD (Planned Development)
West	Undeveloped	PR-OS (Parks/Recreation/Open Space)	U (Undeveloped)

Master Plan Areas	*Compliance*
Grand Teton Village	Y
Special Purpose and Overlay Districts	***Compliance***
PD (Planned Development) 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	N/A

DEVELOPMENT STANDARDS

Pursuant to Site Development Plan Review SDR-47230 and the Grand Teton Village Master Development Plan and Design Standards, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	7,800 SF	7,854 SF	Y
Min. Lot Width	64 Feet	64 Feet	Y
Min. Setbacks:			
• Front of house	12 Feet	12 Feet	Y
• Front of garage	18 Feet	18 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner Side	5 Feet	5 Feet	Y
• Rear	10 Feet	10 Feet	Y
• Patio Covers/Balconies	5 Feet	5 Feet	Y
Density (overall)	5.5 du/ac	3.3 du/ac	Y
Density (330-foot rural preservation buffer)	3.0 du/ac	2.8 du/ac	Y

Grand Teton Village Open Space						
Total Acreage	***Required***			***Provided***		***Compliance***
	Ratio	***Percent***	***Area***	***Percent***	***Area***	
4.39	0.003 acres/acre	3.0%	5,736 SF	3.0%	5,798 SF	Y
Maximum Turf Area				***Allowed***	***Provided***	***Compliance***
50% of total landscaped open space area				2,868 SF	1,020 SF	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Farm Road	Major Collector	Master Plan of Streets and Highways Map	40 Feet (proposed)	Y
Jensen Street	N/A	N/A	30 Feet (proposed)	N/A

19.04.040 Connectivity			
Transportation Network Element		***# Links***	***# Nodes***
Internal Street		3	
Intersection – Internal			1
Cul-de-sac Terminus			1
Intersection – External Street or Stub Terminus			1
Intersection – Stub Terminus w/ Temporary Turn Around Easements		N/A	N/A
Non-Vehicular Path - Unrestricted		0.5	
Total		3.5	3
	Required	***Provided***	
Connectivity Ratio (Links / Nodes):	**N/A**	**1.17**	

Streetscape Standards	***Required***	***Provided***	***Compliance***
Sidewalks	5 feet	5-foot sidewalk on one side	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	
Single Family, Detached	17 dwelling units	2 enclosed spaces/ unit	34				
TOTAL SPACES REQUIRED			34		51		Y
Regular and Handicap Spaces Required			34	0	51	0	Y

ANALYSIS

The proposed development site is located within the Grand Teton Village Master Development Plan area. Development in this area is subject to both the 2003 Development Agreement between the City and the Master Developer and the development standards contained within the Grand Teton Village Master Development Plan and Design Standards Manual as updated from time to time. Sections 1.1 (13) and 3.1 through 3.10 of the Development Agreement stipulate that City standards that were in effect at the Effective Date of the agreement are the ones that apply to the site for the duration of the agreement. Therefore, Title 19.04 Complete Streets standards, which were adopted after the adoption of the Development Agreement, cannot be applied to this development.

The design of the development conforms to the Grand Teton Village Design Standards. All 17 proposed lots are configured along a single 44-foot wide private street with a five-foot sidewalk on the west side. Lots are typically 64 feet wide and range in size from 7,854 square feet to 9,412 square feet. Two of the lots will be served by the private street stub, which is acceptable for circulation purposes. The entry street to the development is 235 feet from Farm Road (centerline to centerline), meeting the intersection separation distance requirement in effect at the time of development agreement adoption. Walls on the perimeter consist of the required six-foot tall Grand Teton Village Theme Wall along Farm Road and a proposed six-foot screen wall along Jensen Street. There are existing screen and retaining walls along the north and east edges where existing residential lots abut the site. The land slopes down from west to east across the site, which will require extensive grading of the east sides of the lots and an escarpment adjoining the existing walls.

FINDINGS (TMP-48085)

As the proposed tentative map conforms to the Grand Teton Village Development Agreement rules, the Grand Teton Village Master Development Plan for density and the Grand Teton Village Design Standards for product compliance, staff recommends approval of the request with conditions.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP - 48085 APN: 125-18-201-008

Name of Property Owner: Great Western Bank

Name of Applicant: D.R. Horton

Name of Representative: Impulse Civil Engineering

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Sarah J. Kantor

Print Name: Sarah J. Kantor, OREO Specialist

Subscribed and sworn before me

This 15 day of January, 2013

Kyla Sawtell

Notary Public in and for said County and State

GENERAL NOTARY - State of Nebraska
KYLA SAWTELL
My Comm. Exp. July 29, 2015

RECEIVED

JAN 22 2013

City of Las Vegas
Dept. of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Farm / Jensen

Project Address (Location) N. Side of Farm Rd approx. 280' W. of Grand Canyon

Project Name Marble Canyon Estates **Proposed Use** _____

Assessor's Parcel #(s) 125-18-201-008 **Ward #** _____

General Plan: existing PCD proposed PCD **Zoning:** existing PD proposed PD

Commercial Square Footage N/A **Floor Area Ratio** N/A

Gross Acres 5.15 **Lots/Units** 17 **Density** 3.30

Additional Information _____

PROPERTY OWNER Great Western Bank **Contact** Kyla Sawtell

Address 1235 N St. **Phone:** 402-473-6190 **Fax:** _____

City Lincoln **State** NE **Zip** 68508

E-mail Address Kyla.sawtell@greatwesternbank.com

APPLICANT D.R. Horton **Contact** Jeanette Jeffery

Address 330 Carousel Parkway **Phone:** (702) 635-3673 **Fax:** (800) 276-4817

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

E-mail Address jjeffery@drhorton.com

REPRESENTATIVE Impulse Civil Engineering **Contact** Pete Laas

Address 625 Dinard Way **Phone:** (702) 308-7115 **Fax:** (702) 478-8535

City North Las Vegas **State** NV **Zip** 89031

E-mail Address impulse-ce@cox.net

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* Sarah J Kantor

*An authorized agent may sign in lieu of the property owner. Sarah J. Kantor, OREO Specialist

Print Name _____

Subscribed and sworn before me

This 15 day of January, 20 13.

Kyla Sawtell

Notary Public in and for said County and State

RECEIVED
JAN 22 2013
City of Las Vegas
Dept. of Planning

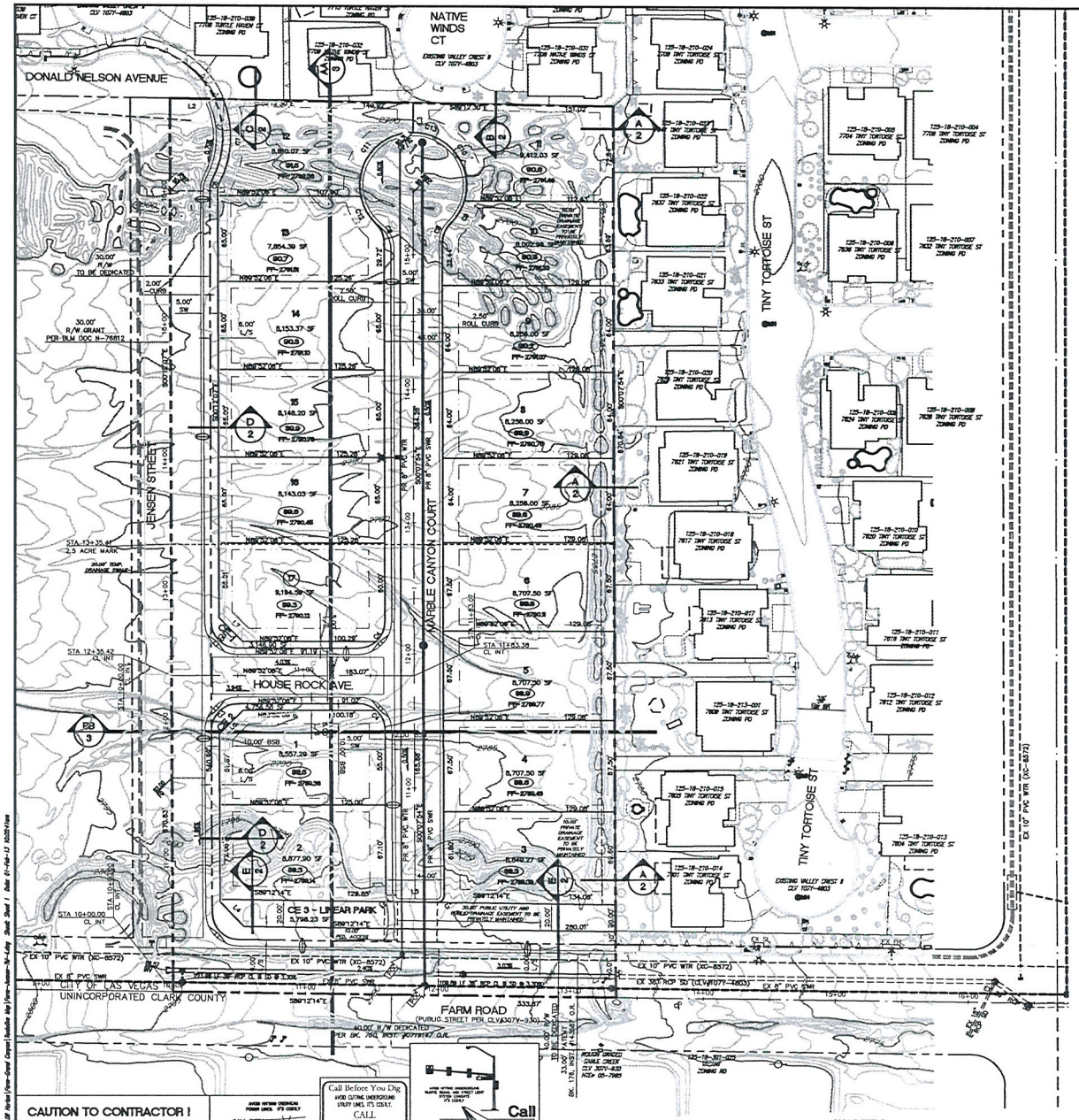
GENERAL NOTARY - State of Nebraska
KYLA SAWTELL
My Comm. Exp. July 29, 2015

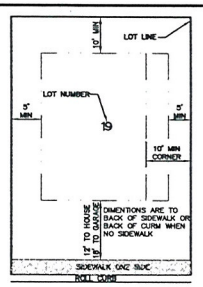
Revised 10/27/08

FOR DEPARTMENT USE ONLY

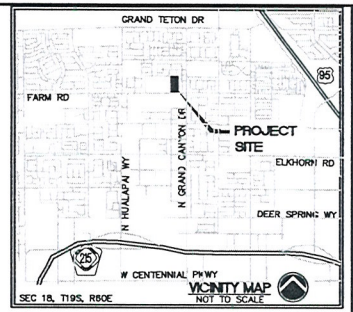
Case #	TMP-21808S
Meeting Date	03/12/13
Total Fee:	750.00
Date Received:*	01/22/13
Received By:	Jonathan B.

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





TYPICAL LOT DETAIL
NOT TO SCALE



LEGAL DESCRIPTION

BEING THE WEST HALF (W 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 18, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

BASIS OF BEARING

SOUTH 89°12'14" EAST, BEING THE BEARING OF THE SOUTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 18, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA, AS SHOWN BY MAP THEREOF IN FILE 123, PAGE 32 OF SURVEYS IN THE CLARK COUNTY RECORDER'S OFFICE, NEVADA.

BENCHMARK

CITY OF LAS VEGAS BENCHMARK No. 6LV9018C4: RIVET & PLATE TOP CURB SE CORNER GRAND CANYON DR & FARM RD.

NAD 83
FEET = 2766.35
METERS = 843.186

DEVELOPMENT NOTES

1. THE SUBDIVIDER INTENDS ON ENFORCING THE STANDARD PROTECTIVE COVENANTS AND DEED RESTRICTIONS WHICH WILL BE COMPILED INTO A SEPARATE DOCUMENT.

2. THE SITE CONTAINS NO KNOWN FAULTS AND FISSURES. A GEOTECHNICAL ANALYSIS OF THE SITE IS BEING PREPARED AND MAY DETERMINE OTHERWISE.

3. THIS SITE HAS NO KNOWN GROUNDWATER DEPTHS HISTORICALLY WITHIN 20 FEET OF THE EXISTING GROUND SURFACE. A GEOTECHNICAL ANALYSIS OF THE SITE IS BEING PREPARED AND MAY DETERMINE OTHERWISE.

4. THE PRIVATE STREETS PROPOSED ON THIS MAP WILL BE DEDICATED AS PUBLIC UTILITY EASEMENTS AND PRIVATE DRAINAGE EASEMENTS TO BE PRIVATELY MAINTAINED.

SEWER CONTRIBUTION

17 LOTS x 250 GPD/LOT = 4,250 GPD (AVERAGE)
17 LOTS x 250 GPD/LOT X 3.5 PEAK FACTOR = 14,875 GPD (PEAK)

UTILITY DISTRIBUTION SYSTEM

WATER – THE NEAREST WATER CONNECTION IS AN EXISTING 10" PUBLIC MAIN IN THE FARM ROAD RIGHT-OF-WAY ADJACENT TO THE SOUTH BOUNDARY LINE ON THE PROJECT SITE – CITY OF LAS VEGAS UTILITIES SERVICES IS THE PURVEYOR.

SEWER – THE NEAREST SEWER CONNECTION IS AN EXISTING 8" PUBLIC MAIN IN THE FARM ROAD RIGHT-OF-WAY ADJACENT TO THE SOUTH BOUNDARY LINE ON THE PROJECT SITE – CITY OF LAS VEGAS UTILITIES SERVICES IS THE PURVEYOR.

UTILITY COMPANIES

NV ENERGY
7155 LINDELL ROAD 367-5555

CENTURY LINK TELEPHONE COMPANY
6700 VIA AUSTI PARKWAY

COX COMMUNICATIONS
121 S. MARTIN L. KING BLVD. 598-2100

SOUTHWEST GAS CORP.
6385 SHATZ STREET. 365-2111

REPUBLIC SERVICES INC. (SOLID WASTE)
770 E. SAHARA AVE. 736-5101

CITY OF LAS VEGAS UTILITY SERVICES
(WATER & SEWER)
333 RANCHO DRIVE

CONNECTIVITY CALCULATION

NUMBER OF LINKS:
ENTRY = 1
CUL-DE-SAC = 1
PEDESTRIAN ACCESS = 0.3
INTERNAL STREET = 1
3.3

NUMBER OF NODES:
INTERNAL INTERSECTION = 1
CUL-DE-SAC TERMINUS = 1
INTERNAL STREET TERMINUS = 1
3.0

CONNECTIVITY RATIO
= LINKS / NODES
=3.3 / 3.0
= 1.2

LEGEND

RIGHT OF WAY
PROPERTY LINE
CENTERLINE

PROPOSED	EXISTING
	STREET LIGHT
	SANITARY SEWER MANHOLE
	STORM DRAIN MANHOLE
	FIRE HYDRANT
	CURB & GUTTER
	PROPERTY LINE
	SANITARY SEWER
	STORM DRAIN
	WATER

SITE DATA

SITE
EXISTING ZONING — PLANNED DEVELOPMENT DISTRICT (PD)
EXISTING LANDUSE — PLANNED COMMUNITY DEVELOPMENT (PCD)
PROPOSED ZONING — PD
SPECIAL AREA PLAN — GRAND TETON VILLAGE
APN — 125-18-201-008
NET AREA — 4.39 AC±
TOTAL NUMBER OF UNITS — 17
GROSS AREA — 5.15 AC±
DENSITY (GROSS) — 17 UNITS / 5.15 AC = 3.30 UNITS / AC

SETBACKS
FRONT – HOUSE — 15'
FRONT – GARAGE — 18'
INTERIOR SIDE — 5'
CORNER — 15'
REAR — 10'
HEIGHT — 2 STORIES / 35'

OPEN SPACE
– OPEN SPACE REQUIRED — 5,736 SF
REQUIRED — 0.03 ACRES PER ACRE
0.03 X 4.39 = 0.13 ACRES = 5,736 SF
– OPEN SPACE PROVIDED — 5,798 SF

PARKING ANALYSIS

PARKING REQUIRED: 2 UNIMPEDED PARKING STALLS PER LOT

PARKING PROVIDED:
3 GARAGE SPACES PER LOT.
1 DRIVEWAY SPACE PER LOT.
4 PARKING SPACES PER LOT.

LINE TABLE

No.	BEARING	DISTANCE
L1	S00°47'46"E	3.00'
L2	S89°12'14"E	33.79'
L3	S00°47'46"E	22.88'
L4	N89°12'14"W	22.88'
L5	S89°12'14"E	34.04'
L6	S44°59'59"E	28.28'
L7	S45°00'01"W	28.28'

CURVE TABLE

No.	RADIUS	DELTA	LENGTH	TANGENT
C1	5.00'	89°57'28"	7.85'	5.00'
C2	5.00'	89°04'32"	7.77'	4.93'
C3	20.00'	90°04'12"	31.44'	20.00'
C4	20.00'	90°00'00"	31.42'	20.00'
C5	20.00'	89°55'48"	31.39'	19.96'
C6	14.00'	27°15'12"	6.66'	3.39'
C7	75.00'	40°30'49"	52.57'	35.00'
C8	20.00'	48°02'07"	16.07'	8.56'
C9	40.50'	28°38'14"	20.20'	10.34'
C10	40.50'	107°25'31"	75.90'	55.12'
C11	40.50'	101°46'29"	71.94'	48.81'
C12	40.50'	54°18'38"	38.39'	19.48'
C13	40.50'	237°48'36"	168.10'	

OWNER

GREAT WESTERN BANK
1235 N STREET LINCOLN,
NEBRASKA 68508

DEVELOPER

DR HORTON
America's Builder
330 CAROUSEL PARKWAY
HENDERSON, NV 89014
(702) 835-7230

WAIVERS

NONE

LEGAL DESCRIPTION

BEING A PORTION OF THE SOUTHEAST QUARTER (SE 4) OF THE NORTHWEST QUARTER (NW 4) OF SECTION 18, TOWNSHIP 19 SOUTH, RANGE 60 EAST, MOUNT DIABLO BASE LINE AND MERIDIAN, COUNTY OF CLARK, STATE OF NEVADA.

FLOOD HAZARD ZONE

A REVIEW OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PANEL NUMBER 32000C1174SE REVISED NOVEMBER 16, 2011, INDICATES THAT THE ENTIRE SITE IS LOCATED WITHIN A ZONE "X", AN AREA DETERMINED TO BE OUTSIDE THE 500 YEAR FLOODPLAIN.

GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft.

CAUTION TO CONTRACTOR !

EXISTING UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE ONLY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT VERTICAL AND HORIZONTAL LOCATION OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO COMMENCING CONSTRUCTION. NO REPRESENTATION IS MADE THAT ALL EXISTING UTILITIES ARE SHOWN HEREON. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN OR UTILITIES NOT SHOWN IN THEIR PROPER LOCATION.

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1-702-227-2929

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811
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CLARK COUNTY TRAFFIC OPERATIONS
1-800-455-7544

Call before you UnderGround
1-702-455-7511
CITY OF HENDERSON TRAFFIC OPERATIONS
1-702-432-5300
FREEWAY AND ARTERIAL SYSTEM OF TRANSPORTATION

NO.	REVISION	BY	DATE	APPVD

TENTATIVE MAP

MARBLE CANYON ESTATES
CITY OF LAS VEGAS, NEVADA

TMP-48085
REVISED

PETER J. LAAS
Exp:12/31/13
CIVIL

Impulse
Civil Engineering & Planning
I=/F dt
CIVIL ENGINEERS - PLANNERS
525 GRAND WAY
HENDERSON, NEVADA 89015
(702) 336-7118
FAX (702) 579-8636

W.O. # : 2012080
BY: REH
DATE : 1/10/13
SCALE : 1"=40'

SHEET 1 OF 3 SHEETS

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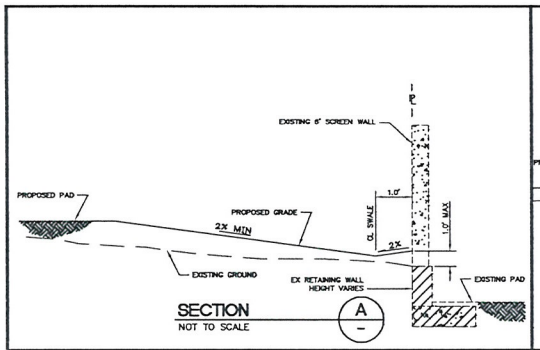
FEB - 4 2013
City of Las Vegas
Dept. of Planning

SDR-47230
T19S. R60E. S18



SECTION A
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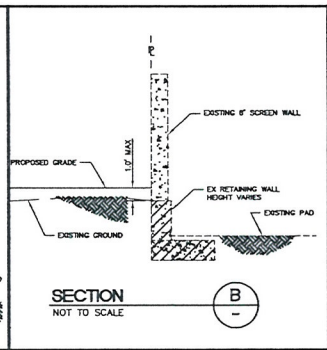

SECTION B
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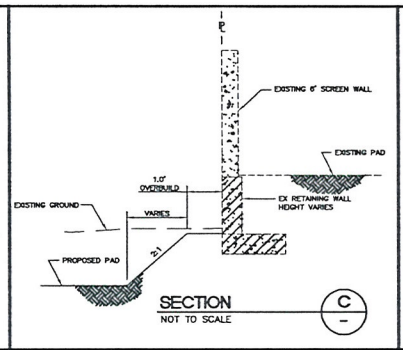

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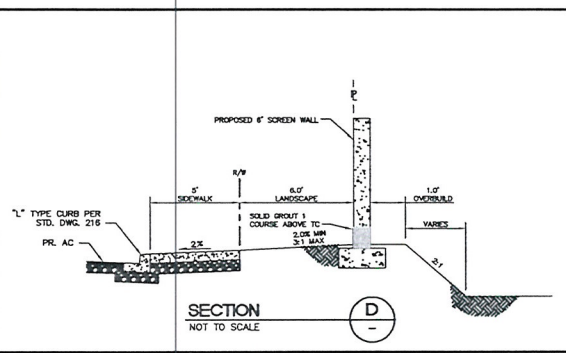

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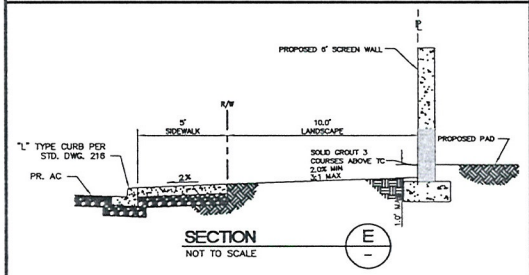

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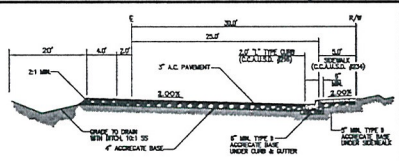

JENSEN STREET SECTION
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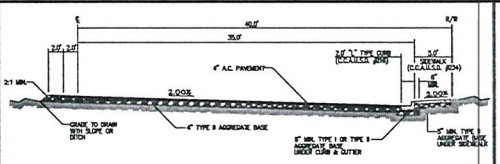

FARM ROAD SECTION
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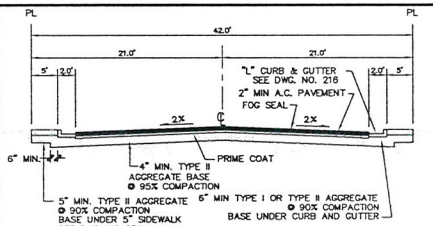
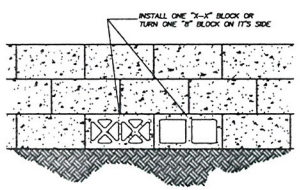
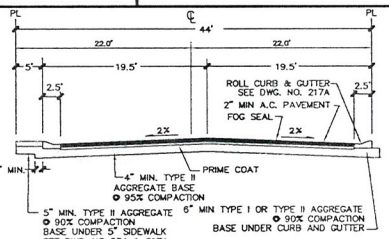


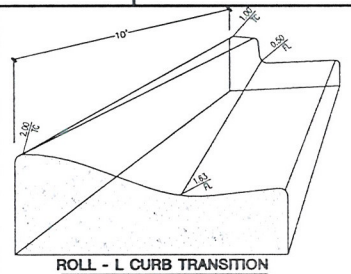
HOUSE ROCK AVE SECTION
NOT TO SCALE



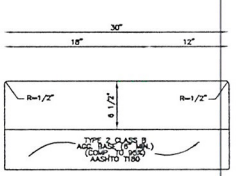
SINGLE BLOCKWALL OPENING
NOT TO SCALE



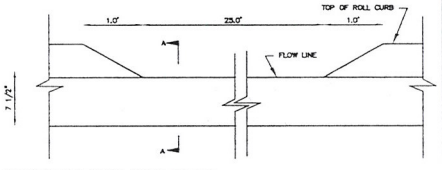
MARBLE CANYON CT SECTION
NOT TO SCALE



ROLL - L CURB TRANSITION
NOT TO SCALE



SECTION A - A

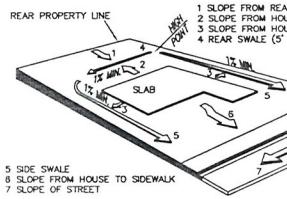


DEPRESSED ROLL CURB DETAIL
NOT TO SCALE

TITLE: TENTATIVE MAP
SECTION/DETAIL SHEET

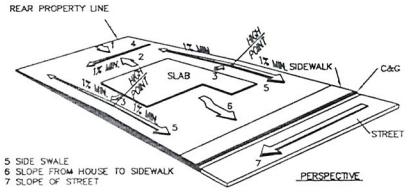
PROJECT: MARBLE CANYON ESTATES
CITY OF LAS VEGAS, NEVADA

APPR'VL	REV	DATE	BY	REVISION



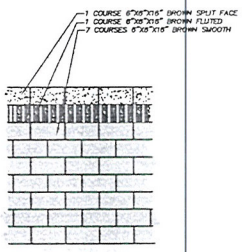
1 SLOPE FROM REAR TO SWALE
2 SLOPE FROM HOUSE TO SWALE
3 SLOPE FROM HOUSE TO SIDE SWALE
4 REAR SWALE (5' MIN. FROM REAR OF HOUSE)
5 SIDE SWALE
6 SLOPE FROM HOUSE TO SIDEWALK
7 SLOPE OF STREET

F.H.A. TYPE "A" DRAINAGE
NOT TO SCALE



1 SLOPE FROM REAR TO SWALE
2 SLOPE FROM HOUSE TO SWALE
3 SLOPE FROM HOUSE TO SIDE SWALE
4 REAR SWALE (5' MIN. FROM REAR OF HOUSE)
5 SIDE SWALE
6 SLOPE FROM HOUSE TO SIDEWALK
7 SLOPE OF STREET

F.H.A. TYPE "B" DRAINAGE
NOT TO SCALE



DECORATIVE BLOCK WALL
NOT TO SCALE

CAUTION TO CONTRACTOR !

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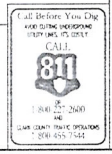



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T19S, R60E, S18

PETER J. LAAS
Exp:12/31/13
CIVIL
REGISTERED PROFESSIONAL ENGINEER
STATE OF NEVADA
No. 14444

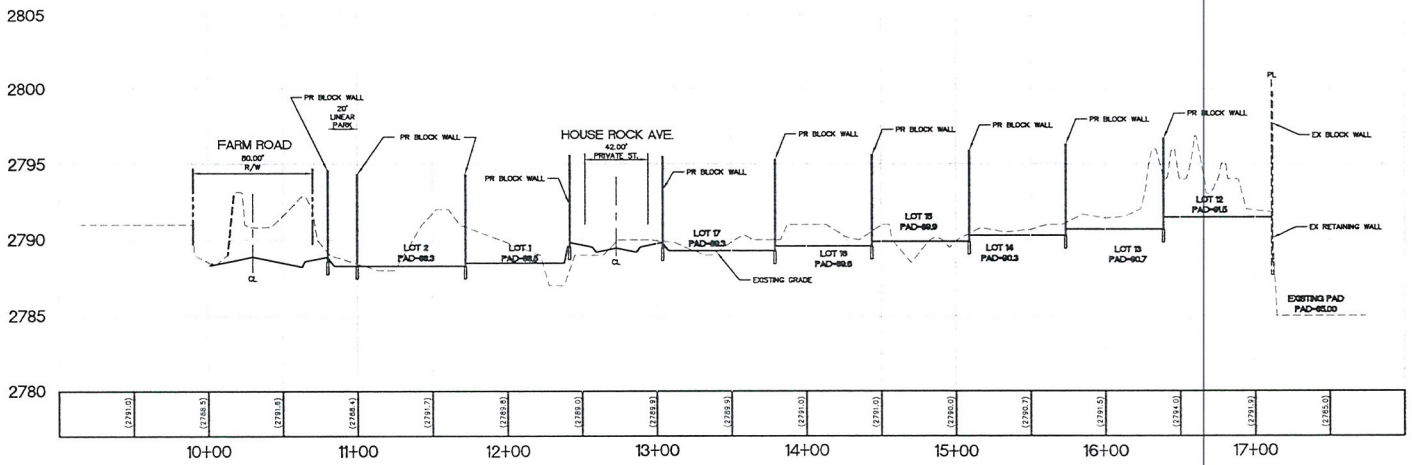
Impulse
Civil Engineering & Planning
I=/Fdt
CIVIL SITE PLANNING SURVEYING
9228 GRAND SIERRA WAY
NORTH LAS VEGAS, NEVADA 89031
PHONE (702) 376-8626
FAX (702) 376-8628

W.O. # : 201208D
BY : REH
DATE : 1/10/13
SCALE : NOT TO SCALE

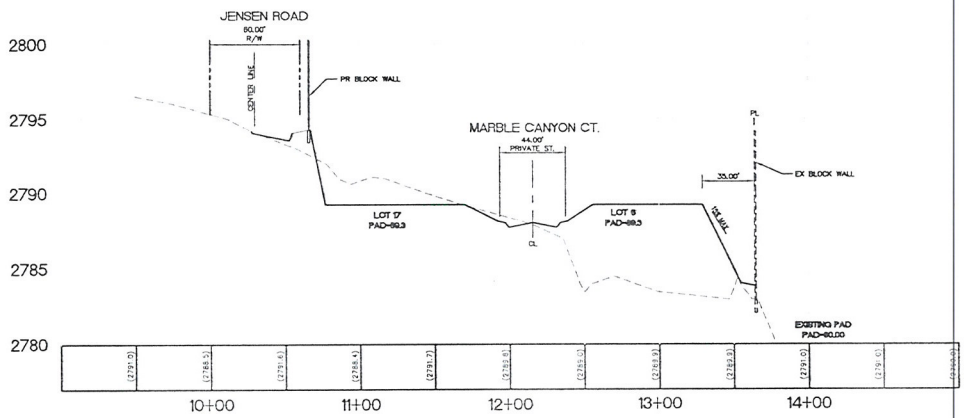
SHEET 2 OF 3 SHEETS

TMP-48085

File: C:\Impulse\Projects\Drawings\2012\Marble Canyon Estates\Marble Canyon Estates-3D-4.dwg Sheet: Sheet 1 Date: 14-Jan-13 10:17:55am



CROSS SECTION "AA"



CROSS SECTION "BB"

CAUTION TO CONTRACTOR !

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TENTATIVE MAP
CROSS-SECTION SHEET

MARBLE CANYON ESTATES
CITY OF LAS VEGAS, NEVADA

REGISTERED PROFESSIONAL ENGINEER STATE OF NEVADA
PETER J. LAAS
Exp:12/31/13
CIVIL
No. 14444

Impulse
Civil Engineering & Planning

I=∫F·dt

W.O. # : 2012080
BY : REH
DATE : 1/10/13
SCALE : NOT TO SCALE

SHEET 3 OF 3 SHEETS



TMP-48085 - APPLICANT: DR HORTON, INC. - OWNER: GREAT WESTERN BANK
NORTH SIDE OF FARM ROAD, APPROXIMATELY 280 FEET WEST OF GRAND CANYON DRIVE

01/31/13



TMP-48085 - APPLICANT: DR HORTON, INC. - OWNER: GREAT WESTERN BANK
NORTH SIDE OF FARM ROAD, APPROXIMATELY 280 FEET WEST OF GRAND CANYON DRIVE

01/31/13



TMP-48085 - APPLICANT: DR HORTON, INC. - OWNER: GREAT WESTERN BANK
NORTH SIDE OF FARM ROAD, APPROXIMATELY 280 FEET WEST OF GRAND CANYON DRIVE

01/31/13

LAS VEGAS
CITY COUNCIL

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MAYOR

STAVROS S. ANTHONY
MAYOR PRO TEM
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
BOB COFFIN
BOB BEERS

ELIZABETH N. FRETWELL
CITY MANAGER

January 9, 2013

Mr. Eric Gillen
Great Western Bank
1235 N Street
Lincoln, Nebraska 68508

RE: ABEYANCE - SDR-47230 - SITE DEVELOPMENT PLAN REVIEW PLANNING COMMISSION MEETING OF JANUARY 8, 2013

Dear Applicant:

Your request for a Site Development Plan Review FOR A PROPOSED 19-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT AND A WAIVER TO ALLOW NO OPEN SPACE WHERE 5,736 SQUARE FEET IS REQUIRED on 5.15 acres adjacent to the north side of Farm Road, approximately 280 feet west of Grand Canyon Drive (APN 125-18-201-008), PD (Planned Development) Zone [L (Low Density Residential) Grand Teton Village Special Land Use Designation], Ward 6 (Ross), was considered by the Planning Commission on January 8, 2013.

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

Planning

1. Conformance to the Conditions of Approval for Rezoning (ZON-5488) shall be required.

2. Conformance to the requirements of the Grand Teton Village Master Development Plan and Design Standards.

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

4. All development shall be in conformance with the site plan and landscape plan date stamped 12/05/12, and building elevations date stamped 10/22/12, except as amended by conditions herein.

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.

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING
DEVELOPMENT SERVICES CENTER
333 NORTH RANCHO DRIVE
3RD FLOOR
LAS VEGAS, NEVADA 89106

VOICE 702 229 6301
FAX 702 474 0352
TTY 702 386 9108
www.lasvegasnevada.gov

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Dept. of Planning

TMP-48085

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

7. The Tentative and Final Map shall indicate a pedestrian access easement for public use of the walkway through the open space area to Farm Road from the end of the proposed stub street.

8. The standards for this development shall include a minimum lot size of 7,800 square feet and building height shall not exceed two stories or 35 feet, whichever is less.

9. The setbacks for this development shall be a minimum of 12 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear.

10. 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 as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following change from the conceptual landscape plan:

    A minimum of two (2) 15-gallon trees in the front yard of each lot shall be indicated on the landscape plan, in conformance with Section 5.4 of the Grand Teton Village Design Standards. These trees shall be installed at the time that the individual residences are constructed.

11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

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.

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TMP-48085

Public Works

14. Dedicate 40 feet of right-of-way adjacent to this site for Farm Road, 30 feet for Jensen Street, a 20-foot radius at the northeast corner of Farm Road and Jensen Street and an appropriate radius for the completion of the knuckle at the northwest corner of this site prior to the issuance of any permits.

15. Construct half-street improvements including appropriate overpaving (if legally able) on Farm Road and Jensen Street adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the northern and western boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

16. Provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any "non-model" units within this development.

17. The private streets for this site must be granted as Public Utility Easements, Public Sewer Easements, and Public Drainage Easements to be Privately Maintained. All public sewer lines must be in a Public Sewer Easement. All Public Sewer Easements must meet the access criteria of the "Design and Construction Standards for Wastewater Collection Systems" Section 1.5.

18. Landscape and maintain all unimproved rights-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.

19. Grant Pedestrian Access Easements for all public sidewalk not located within the public right-of-way.

20. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

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Dept. of Planning

TMP-48085

21. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

22. Comply with all previous conditions of approval for ZON-5488 and all other subsequent site development review actions.

This action by the Planning Commission on **January 8, 2013** is final unless a written appeal is filed with the City Clerk within ten days of the date of the Planning Commission's decision as allowed by code or there is a review action filed by the City Council within the same time period. For additional information on appeals or review requests please access http://www.lasvegasnevada.gov/CheckStatus/DevelopmentApp.htm, or contact the Department of Planning and Development at 702.229.6301 after ***January 21, 2013***. No building permits or business licenses related to these items shall be issued prior to the expiration of the required ten day waiting period, or until any filed appeal is resolved pursuant to LVMC Title 19.18.

Sincerely,

Steve Gebeke, AICP
Planning Supervisor
Case Planning Division

SG:nl

cc:

Ms. Jeanette Jeffery
DR Horton
330 Carousel Parkway
Henderson, Nevada 89014

Mr. Pete Laas
Impulse Civil Engineering
625 Dinard Way
North Las Vegas, Nevada 89031

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City of Las Vegas
Dept. of Planning

TMP-48085

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP - 48085 APN: 125-18-201-008

Name of Property Owner: Great Western Bank

Name of Applicant: D.R. Horton

Name of Representative: Impulse Civil Engineering

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Sarah J. Kantor

Print Name: Sarah J. Kantor, OREO Specialist

Subscribed and sworn before me

This 15 day of January, 2013

Kyla Sawtell

Notary Public in and for said County and State

GENERAL NOTARY - State of Nebraska
KYLA SAWTELL
My Comm. Exp. July 29, 2015

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City of Las Vegas
Dept. of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Farm / Jensen

Project Address (Location) N. Side of Farm Rd approx. 280' W. of Grand Canyon

Project Name Marble Canyon Estates **Proposed Use** _____

Assessor's Parcel #(s) 125-18-201-008 **Ward #** _____

General Plan: existing PCD proposed PCD **Zoning:** existing PD proposed PD

Commercial Square Footage N/A **Floor Area Ratio** N/A

Gross Acres 5.15 **Lots/Units** 17 **Density** 3.30

Additional Information _____

PROPERTY OWNER Great Western Bank **Contact** Kyla Sawtell

Address 1235 N St. **Phone:** 402-473-6190 **Fax:** _____

City Lincoln **State** NE **Zip** 68508

E-mail Address Kyla.sawtell@greatwesternbank.com

APPLICANT D.R. Horton **Contact** Jeanette Jeffery

Address 330 Carousel Parkway **Phone:** (702) 635-3673 **Fax:** (800) 276-4817

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

E-mail Address jjeffery@drhorton.com

REPRESENTATIVE Impulse Civil Engineering **Contact** Pete Laas

Address 625 Dinard Way **Phone:** (702) 308-7115 **Fax:** (702) 478-8535

City North Las Vegas **State** NV **Zip** 89031

E-mail Address impulse-ce@cox.net

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* Sarah J Kantor

*An authorized agent may sign in lieu of the property owner. Sarah J. Kantor, OREO Specialist

Print Name _____

Subscribed and sworn before me

This 15 day of January, 20 13.

Kyla Sawtell

Notary Public in and for said County and State

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City of Las Vegas
Dept. of Planning

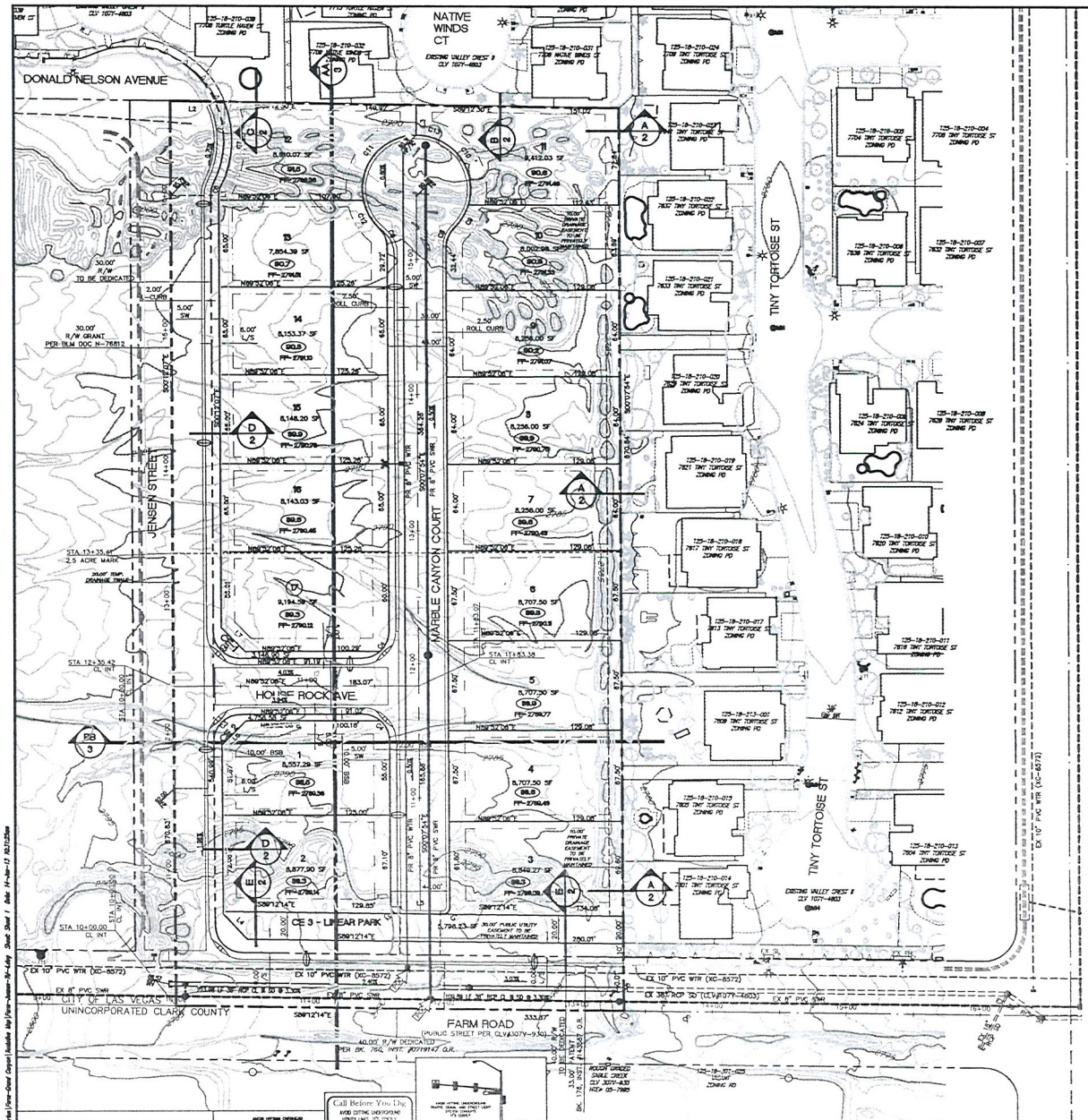
GENERAL NOTARY - State of Nebraska
KYLA SAWTELL
My Comm. Exp. July 29, 2015

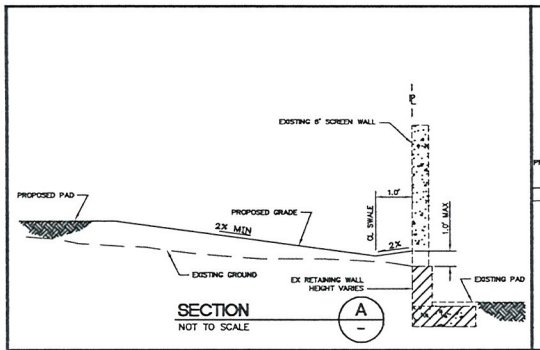
Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	TMP-21808S
Meeting Date	03/12/13
Total Fee:	750.00
Date Received:*	01/22/13
Received By:	Jonathan B.

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


DONALD NELSON AVENUE
NATIVE WINDS CT
TINY TORTOISE ST
JENSEN STREET
MARBLE CANYON COURT
HOUSE ROCK AVE.
CE 3 - LINEAR PARK
FARM ROAD
(PUBLIC STREET PER CLV/307Y-9/30)
CITY OF LAS VEGAS
UNINCORPORATED CLARK COUNTY
EX 10" PVC WTR (XC-8572)
EX 8" PVC SWR
EX 36"RCP SD (CLV/077-4803)
EXISTING VALLEY CREST II CLV 7077-4803
STA 13+35.87 2.5 ACRE MARK
STA 12+30.42 CL INT
STA 11+53.38 CL INT
STA 10+00.00 CL INT
30.00' R/W GRANT PER BLM DOC N-76812
30.00' R/W TO BE DEDICATED
40.00' R/W DEDICATED PER BK. 760, INST. #0719147 O.R.
10.00' PUBLIC UTILITY EASEMENT TO BE PRIVATELY MAINTAINED
10.00' RSE
5.00' SW
8.00' L/S
2.00' CURB
2.50' ROLL CURB
7.50' ROLL CURB
S89°12'14"E 750.01'
S89°12'14"E 333.87'
S89°12'14"E 129.85'
S89°12'14"E 134.06'
S89°12'14"E 1,790.23'
N89°52'06"E 1,320.00'
S00°07'54"E 1,320.00'
N89°52'06"E 1,320.00'
N89°52'06"E 1,320.00'
N89°52'06



SECTION A
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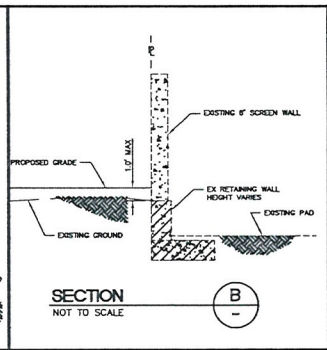

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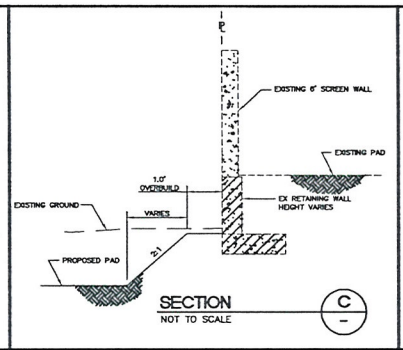

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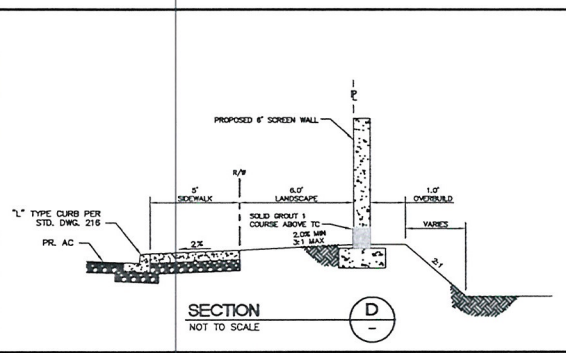

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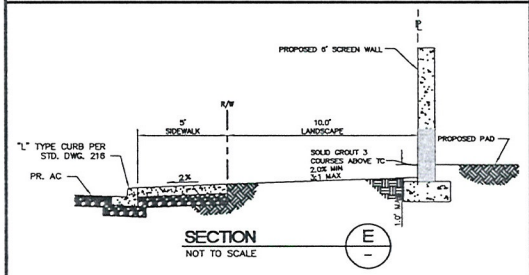

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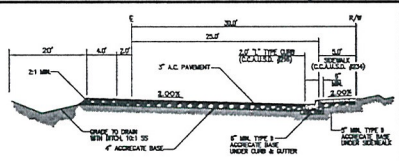

JENSEN STREET SECTION
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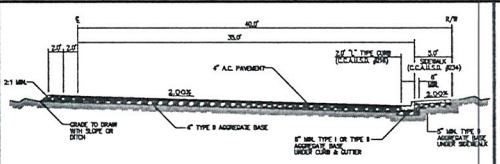

FARM ROAD SECTION
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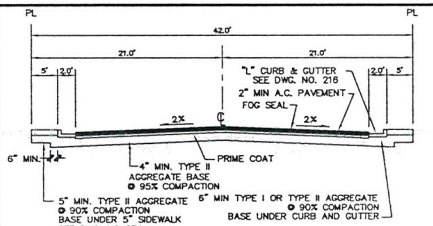

HOUSE ROCK AVE SECTION
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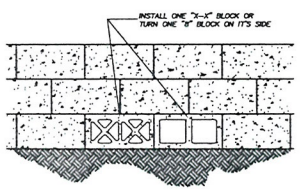
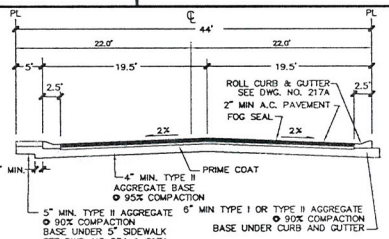


SINGLE BLOCKWALL OPENING
NOT TO SCALE



MARBLE CANYON CT SECTION
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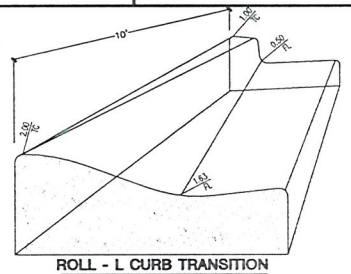
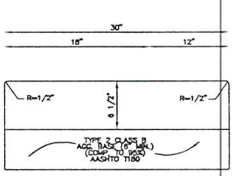
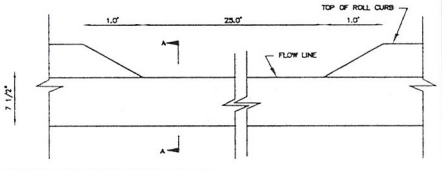


ROLL - L CURB TRANSITION
NOT TO SCALE



SECTION A - A

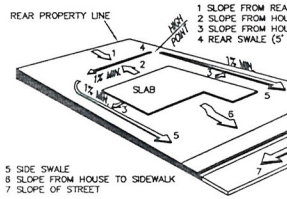


DEPRESSED ROLL CURB DETAIL
NOT TO SCALE

TITLE: TENTATIVE MAP
SECTION/DETAIL SHEET

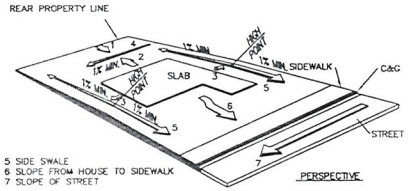
PROJECT: MARBLE CANYON ESTATES
CITY OF LAS VEGAS, NEVADA

APPR'VL	REV	DATE	BY	REVISION



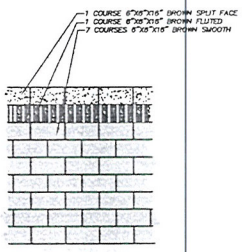
1 SLOPE FROM REAR TO SWALE
2 SLOPE FROM HOUSE TO SWALE
3 SLOPE FROM HOUSE TO SIDE SWALE
4 REAR SWALE (5' MIN. FROM REAR OF HOUSE)
5 SIDE SWALE
6 SLOPE FROM HOUSE TO SIDEWALK
7 SLOPE OF STREET

F.H.A. TYPE "A" DRAINAGE
NOT TO SCALE



1 SLOPE FROM REAR TO SWALE
2 SLOPE FROM HOUSE TO SWALE
3 SLOPE FROM HOUSE TO SIDE SWALE
4 REAR SWALE (5' MIN. FROM REAR OF HOUSE)
5 SIDE SWALE
6 SLOPE FROM HOUSE TO SIDEWALK
7 SLOPE OF STREET

F.H.A. TYPE "B" DRAINAGE
NOT TO SCALE

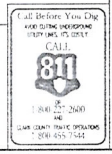


DECORATIVE BLOCK WALL
NOT TO SCALE

CAUTION TO CONTRACTOR !

EXISTING UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE ONLY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT VERTICAL AND HORIZONTAL LOCATION OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO COMMENCING CONSTRUCTION. NO REPRESENTATION IS MADE THAT ALL EXISTING UTILITIES ARE SHOWN HEREON. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN OR UTILITIES NOT SHOWN IN THEIR PROPER LOCATION.







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JAN 22 2013
City of Las Vegas
Dept. of Planning

SDR-47230
T19S, R60E, S18

PETER J. LAAS
Exp:12/31/13
CIVIL
REGISTERED PROFESSIONAL ENGINEER
STATE OF NEVADA
No. 14444

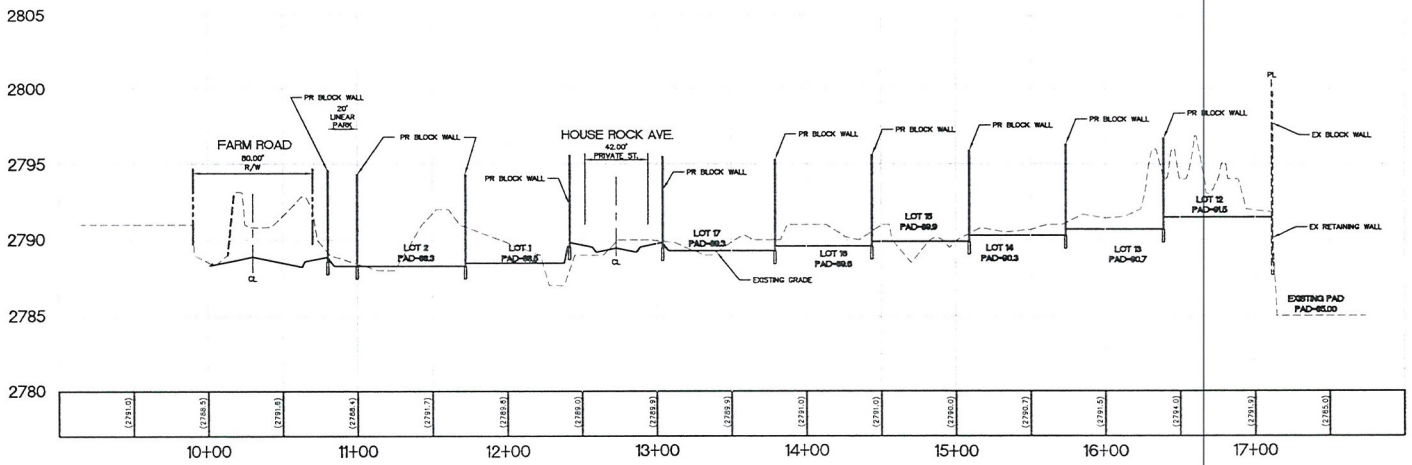
Impulse
Civil Engineering & Planning
I=/Fdt
CIVIL SITE PLANNING SURVEYING
9228 GRAND SIERRA WAY
NORTH LAS VEGAS, NEVADA 89031
PHONE (702) 376-8626
FAX (702) 376-8628

W.O. # : 201208D
BY : REH
DATE : 1/10/13
SCALE : NOT TO SCALE

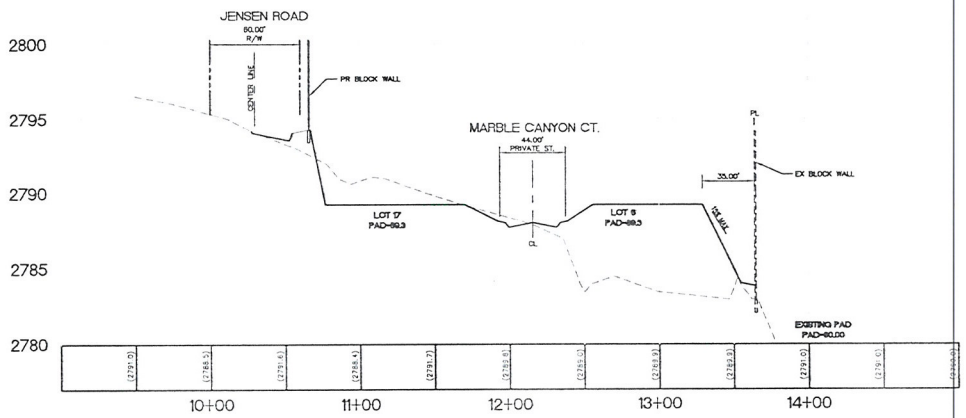
SHEET 2 OF 3 SHEETS

TMP-48085

File: C:\Impulse\Projects\Drawings\2012\Marble Canyon Estates\Marble Canyon Estates-3D-4.dwg Sheet: Sheet 1 Date: 14-Jan-13 10:17:55am



CROSS SECTION "AA"



CROSS SECTION "BB"

CAUTION TO CONTRACTOR !

EXISTING UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE ONLY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT VERTICAL AND HORIZONTAL LOCATION OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO COMMENCING CONSTRUCTION. NO REPRESENTATION IS MADE THAT ALL EXISTING UTILITIES ARE SHOWN HEREON. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN OR UTILITIES NOT SHOWN IN THEIR PROPER LOCATION.

CALL BEFORE YOU DO OVERHEAD
1-702-227-2929

Call Before You Dig
CALL 811
1-800-227-2600
1-800-455-7544

Call before you UnderGround
1-702-455-7511
1-702-432-5300

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SDR-47230
T19S, R60E, S18

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APPRVL	REV	DATE	BY	REVISION

TENTATIVE MAP
CROSS-SECTION SHEET

MARBLE CANYON ESTATES
CITY OF LAS VEGAS, NEVADA

REGISTERED PROFESSIONAL ENGINEER STATE OF NEVADA
PETER J. LAAS
Exp:12/31/13
CIVIL
No. 14444

Impulse
Civil Engineering & Planning

I=∫F·dt

W.O. # : 2012080
BY : REH
DATE : 1/10/13
SCALE : NOT TO SCALE

SHEET 3 OF 3 SHEETS

Impulse
Civil Engineering & Planning
625 Dinard Way
North Las Vegas, NV 89031
PHONE 702-308-7115
FAX 702-478-8535

January 14, 2013

City of Las Vegas Planning Department
333 North Rancho Drive
Las Vegas, Nevada 89107

Re: Justification Letter for
Marble Canyon Estates, Tentative Map

Steve Swanton:

Impulse Civil Engineering represents D.R. Horton (the Applicant). We are respectfully requesting a Tentative Map for a proposed seventeen (17) lot single family residential development generally located on the northeast corner of Farm Road and Jensen Street, particularly known as APN: 125-18-201-008 (the Site). The Site is approximately 5.15 acres (gross) within the Grand Teton Village Special Area. This property was tentative mapped before with twenty one (21) 50-foot wide lots under SDR-5490 and WVR-6606. Most recently, SDR-47230 was approved at the January 8th, 2013 Planning Commission hearing.

Our proposal maintains the general configuration previously approved application except we are proposing seventeen (17) 64-foot wide lots. The required open space is 0.03 times the net area of the development (4.39 acres) which for this project would be 5,736 square feet. We are providing of all of the required open space (5,798.23 square feet) in the way of a 20-foot wide linear park along the entire southern edge of the property. Due to the size of the property, the size of the planned product, and the required density to make this a viable project, we feel this proposal is better than a small pocket park because there is an existing 8.68 acre park at the southeast corner of Hualapai Way and Gilcrease Avenue about one-half of a mile away. A small pocket park on this project site would not be big enough to be usable beyond minor uses. This request will allow us to provide larger back yards for each lot (up to 40-feet deep and 64-feet wide), which is almost half of the required open space for the entire project.

The south portion of the property is restricted to 3 dwelling units per acre (du/ac) which we are providing with 7 lots on 2.5± acres (2.8 du/ac). The northern portion of the site is restricted to 5.5 du/ac which we are providing with 10 lots on 2.5± acres (4.0 du/ac).

The existing ground slopes generally from west to east at 4%. In accordance with Title 18, a maximum retaining wall height of 6-feet is allowed which we do not exceed. In addition, Title 18 Section 18.12.510.A.1 requires "for each six feet of vertical wall height, a minimum of four-foot horizontal offset shall be provided". We are not providing retaining walls on the east side of the property.

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The perimeter walls proposed for this project will consist of smooth brown concrete masonry with split-faced on top of fluted as the top two courses which is consistent with the existing walls and the Grand Teton Master Plan. The western lots will be lower than Jensen Street while the eastern lots will be higher than the existing development to the east. While retaining walls could be utilized, we propose to mitigate the required wall heights by utilizing Type "B" grading on the western lots. The lot drainage will drain into a private drainage easement to be privately maintained and ultimately out to Farm Road. The worst case slope is 15% in the back yard which could easily be mitigated by creative landscape design.

This project will extend the 36" storm drain in Farm Road to our western boundary. Sewer and water are proposed in the proposed Marble Canyon Court. There are sewer and water stubs in Jensen Street and existing sewer and water mains in Farm Road. The existing sewer stub in Jensen Street does not need to be extended adjacent to our site because the parcel to the west is planned for a park and has sewer available in Farm Road. The existing water stub in Jensen Street is on the other side of the centerline so we are not proposing to extend it either. We are installing streets lights with this development on Farm Road, Jensen Street, and the internal site streets.

We thank you in advance for your time and consideration of this matter. Should you have any questions or concerns, please feel free to contact me.

Sincerely,
Impulse Civil Engineering

Peter J. Laas, P.E.
Principal

cc: Jeanette Jeffery, D.R. Horton

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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

January 9, 2013

Mr. Eric Gillen
Great Western Bank
1235 N Street
Lincoln, Nebraska 68508

RE: ABEYANCE - SDR-47230 - SITE DEVELOPMENT PLAN REVIEW PLANNING COMMISSION MEETING OF JANUARY 8, 2013

Dear Applicant:

Your request for a Site Development Plan Review FOR A PROPOSED 19-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT AND A WAIVER TO ALLOW NO OPEN SPACE WHERE 5,736 SQUARE FEET IS REQUIRED on 5.15 acres adjacent to the north side of Farm Road, approximately 280 feet west of Grand Canyon Drive (APN 125-18-201-008), PD (Planned Development) Zone [L (Low Density Residential) Grand Teton Village Special Land Use Designation], Ward 6 (Ross), was considered by the Planning Commission on January 8, 2013.

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

Planning

1. Conformance to the Conditions of Approval for Rezoning (ZON-5488) shall be required.

2. Conformance to the requirements of the Grand Teton Village Master Development Plan and Design Standards.

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

4. All development shall be in conformance with the site plan and landscape plan date stamped 12/05/12, and building elevations date stamped 10/22/12, except as amended by conditions herein.

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.

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING
DEVELOPMENT SERVICES CENTER
333 NORTH RANCHO DRIVE
3RD FLOOR
LAS VEGAS, NEVADA 89106

VOICE 702 229 6301
FAX 702 474 0352
TTY 702 386 9108
www.lasvegasnevada.gov

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

7. The Tentative and Final Map shall indicate a pedestrian access easement for public use of the walkway through the open space area to Farm Road from the end of the proposed stub street.

8. The standards for this development shall include a minimum lot size of 7,800 square feet and building height shall not exceed two stories or 35 feet, whichever is less.

9. The setbacks for this development shall be a minimum of 12 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear.

10. 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 as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following change from the conceptual landscape plan:

    A minimum of two (2) 15-gallon trees in the front yard of each lot shall be indicated on the landscape plan, in conformance with Section 5.4 of the Grand Teton Village Design Standards. These trees shall be installed at the time that the individual residences are constructed.

11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

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.

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Public Works

14. Dedicate 40 feet of right-of-way adjacent to this site for Farm Road, 30 feet for Jensen Street, a 20-foot radius at the northeast corner of Farm Road and Jensen Street and an appropriate radius for the completion of the knuckle at the northwest corner of this site prior to the issuance of any permits.

15. Construct half-street improvements including appropriate overpaving (if legally able) on Farm Road and Jensen Street adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the northern and western boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

16. Provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any "non-model" units within this development.

17. The private streets for this site must be granted as Public Utility Easements, Public Sewer Easements, and Public Drainage Easements to be Privately Maintained. All public sewer lines must be in a Public Sewer Easement. All Public Sewer Easements must meet the access criteria of the "Design and Construction Standards for Wastewater Collection Systems" Section 1.5.

18. Landscape and maintain all unimproved rights-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.

19. Grant Pedestrian Access Easements for all public sidewalk not located within the public right-of-way.

20. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

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21. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

22. Comply with all previous conditions of approval for ZON-5488 and all other subsequent site development review actions.

This action by the Planning Commission on **January 8, 2013** is final unless a written appeal is filed with the City Clerk within ten days of the date of the Planning Commission's decision as allowed by code or there is a review action filed by the City Council within the same time period. For additional information on appeals or review requests please access http://www.lasvegasnevada.gov/CheckStatus/DevelopmentApp.htm, or contact the Department of Planning and Development at 702.229.6301 after ***January 21, 2013***. No building permits or business licenses related to these items shall be issued prior to the expiration of the required ten day waiting period, or until any filed appeal is resolved pursuant to LVMC Title 19.18.

Sincerely,

Steve Gebeke, AICP
Planning Supervisor
Case Planning Division

SG:nl

cc:

Ms. Jeanette Jeffery
DR Horton
330 Carousel Parkway
Henderson, Nevada 89014

Mr. Pete Laas
Impulse Civil Engineering
625 Dinard Way
North Las Vegas, Nevada 89031

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TMP-48085

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

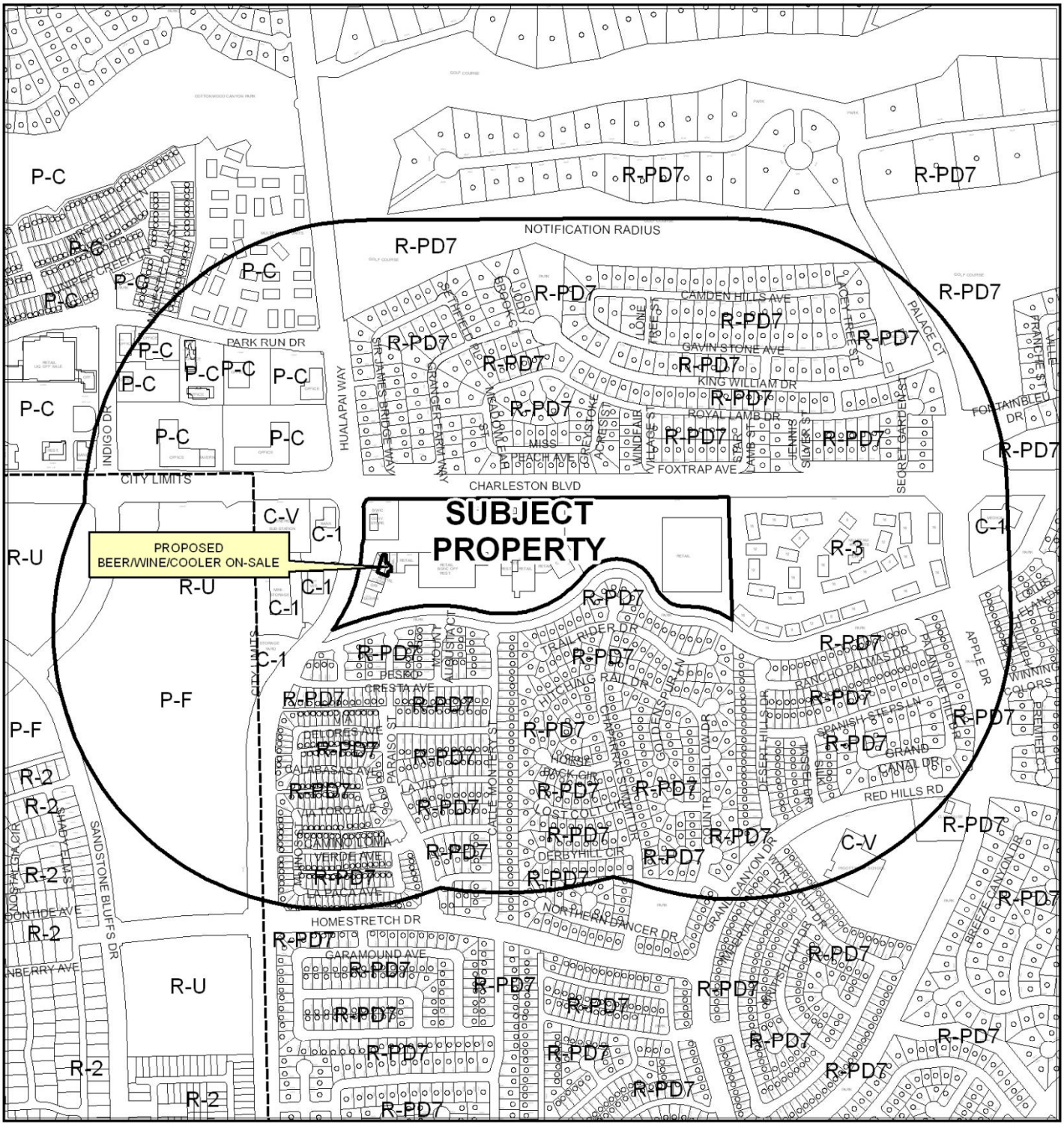
SUBJECT:
SUP-48149 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: GALLAGHER AND ASSOCIATES, LLC - OWNER: HUALAPAI COMMONS LTD, LLC - For possible action on a request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN A PROPOSED 2,664 SQUARE-FOOT RESTAURANT at 9921 West Charleston Boulevard, Suite #6 (APN 163-06-111-008), C-1 (Limited Commercial) Zone, Ward 2 (Beers). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



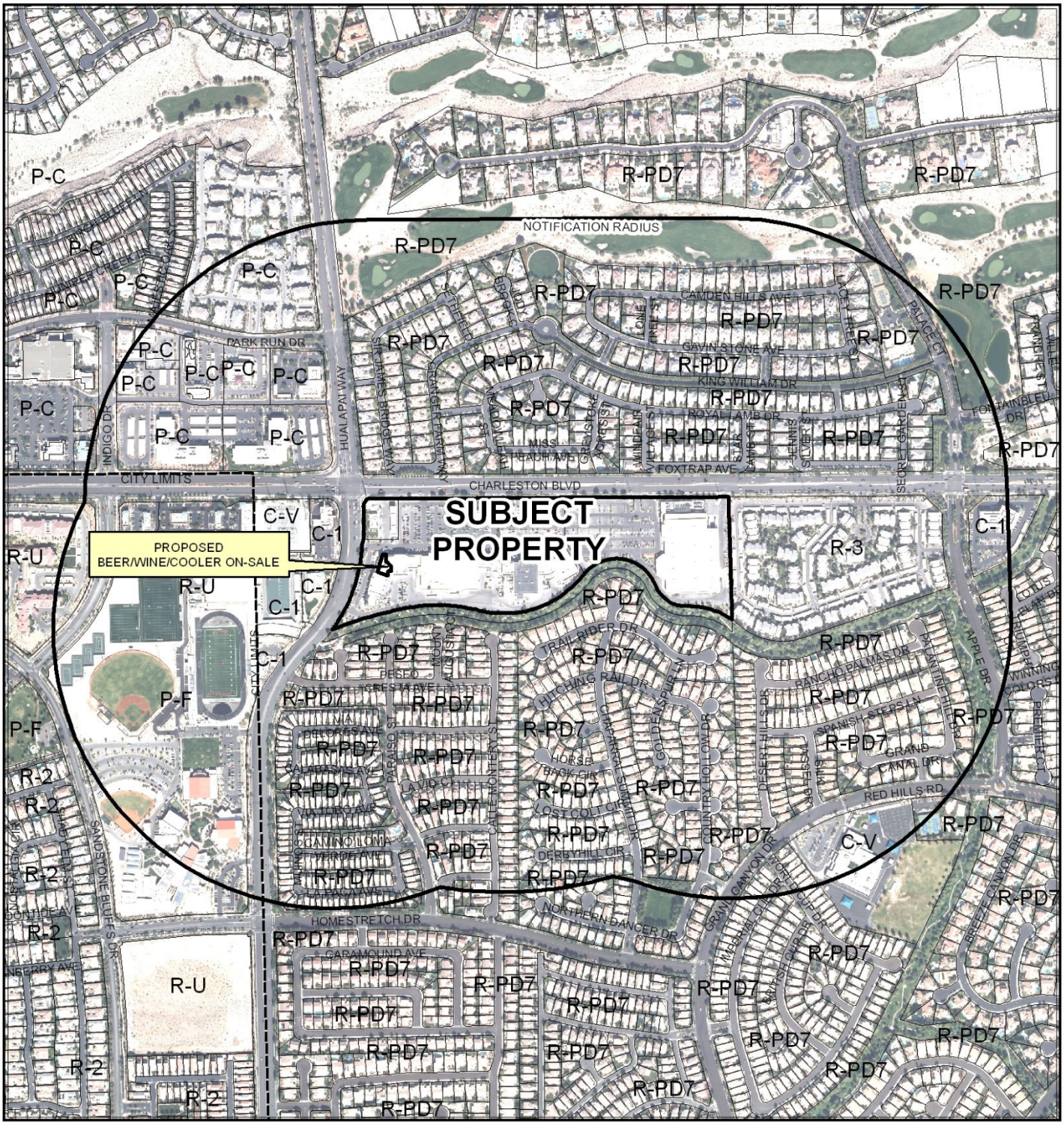
0 600 1,200 Feet

CASE: **SUP-48149**

RADIUS: 1500 FEET

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

N



CASE: **SUP-48149**

RADIUS: 1500 FEET

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



SUP-48149
Beer/Wine/Cooler On-Sale

Business Licenses

- Tavern
- Supper Club/ Restaurant Service Bar
- Beer/Wine/Cooler On Sale
- Child Care/ Children Facility

- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: GALLAGHER AND ASSOCIATES, LLC - OWNER: HUALAPAI COMMONS LTD, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48149	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-48149 CONDITIONS

Planning

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

2. Prior to issuance of a business license for the proposed use, the address of the subject tenant space shall match that of the building permit for a tenant improvement.

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

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

5. Conformance to the approved conditions for Rezoning (Z-0017-90) and Site Development Plan Review [Z-0017-90(22)].

6. 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.

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

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

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

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting to serve beer, wine and wine coolers with meals at a proposed 2,664 square-foot restaurant within an established Shopping Center at the southeast corner of Charleston Boulevard and Hualapai Way. The proposed use meets all applicable Title 19 requirements, and can be conducted in a manner that is harmonious and compatible with the other uses in the shopping center and on adjacent properties. Staff therefore recommends approval with conditions. If denied, the restaurant may continue, but no alcohol may be served to restaurant patrons.

ISSUES

- A Beer/Wine/Cooler On-Sale Establishment is a permitted use in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- The current posted address of the subject suite does not match the address of the tenant improvement for which a building permit has been issued. A condition of approval addresses this issue.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
11/24/97	The City Council approved a Site Development Plan Review [Z-0017-90(22)] for a proposed 109,195 square-foot shopping center on 11.40 acres at the southeast corner of Charleston Boulevard and Hualapai Way. The Planning Commission and staff recommended approval.
12/08/97	The City Council approved a request for a Special Use Permit (U-0101-97) for a proposed Liquor Establishment (Tavern) in conjunction with a proposed 109,195 square-foot shopping center at the southeast corner of Charleston Boulevard and Hualapai Way. The Planning Commission and staff recommended approval.
01/14/99	The Planning Commission approved a Site Development Plan Review [Z-0017-90(29)] for Phase 2 of the proposed shopping center at the southeast corner of Charleston Boulevard and Hualapai Way, containing 236,237 square feet on 16.46 acres. Staff recommended approval.
11/04/99	A four-lot Parcel Map (PM-0026-99) at the southeast corner of Charleston Boulevard and Hualapai Way was recorded.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/14/11	The Planning Commission approved a request for a Special Use Permit for a proposed 3,840 square-foot Supper Club with 2,744 square feet of outdoor dining area at 9785 West Charleston Boulevard. Staff recommended approval.
09/13/11	The Planning Commission approved a Tentative Map (TMP-42673) for a one-lot commercial subdivision on 24.96 acres at the southeast corner of Charleston Boulevard and Hualapai Way. Staff recommended approval.
11/21/12	A Final Map (FMP-43761) was recorded for a one-lot commercial subdivision on 24.95 acres at the southeast corner of Charleston Boulevard and Hualapai Way.

Most Recent Change of Ownership	
06/22/07	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
10/15/98	A building permit (#98020666) was issued for a retail building shell at 9921 West Charleston Boulevard. A final inspection was approved 04/13/99.
01/18/00	A building permit (#00000913) was issued for a tenant improvement for a general retail store at 9921 West Charleston Boulevard, Suite #1, which included the subject location. A final inspection was approved 03/08/00.
01/16/13	A building permit (227156) was issued for a tenant improvement for a restaurant at 9921 West Charleston Boulevard, Suite #6. A final inspection has not been completed.
02/14/13	Application was made for a business license (L09-93655) for a Beer/Wine/Cooler On-Sale Establishment at 9921 West Charleston Boulevard, Suite #6. The license has not been issued and is pending approval of the Special Use Permit.
	Application was made for a business license (R09-93656) for a 72-seat restaurant at 9921 West Charleston Boulevard, Suite #6. The license has not yet been issued.

Pre-Application Meeting	
01/15/13	A pre-application meeting was held with the applicant to discuss submittal requirements for a Special Use Permit for on-premise beer sales within a proposed restaurant. It was noted that the building permit in for review for a tenant improvement in the subject location had the same suite number as an existing business. Business licensing reminded the applicant that a minimum of 30 seats must be available for the license to be issued.

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

Field Check	
01/31/13	The site is located on the west side of an existing Shopping Center within a multitenant building. It was noted that the address of the tenant space was Suite #4.

Details of Application Request	
Site Area	
Net Acres	14.69

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	PCD (Planned Community Development)	R-PD7 (Residential Planned Development – 7 Units per Acre)
South	Community Amenity (Trail/ Flood Channel)	PR-OS (Parks/Recreation/Open Space)	ROW (Right of Way)
East	Multi-Family Residential (Condominiums)	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Financial Institution, General Animal Hospital or Clinic	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	***Compliance***
Peccole Ranch Master Plan	N/A
Special Purpose and Overlay Districts	***Compliance***
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 19.13, the following standards apply:

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Charleston Blvd.	Primary Arterial	Master Plan of Streets and Highways Map	130	Y
Hualapai Way	Primary Arterial	Master Plan of Streets and Highways Map	110	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	261,982 SF	1:250 SF	1,048				
TOTAL SPACES REQUIRED			1,048		1,203		Y
Regular and Handicap Spaces Required			1,027	21	1,166	37	Y

ANALYSIS

The subject site is located within the Peccole Ranch Master Plan Area; however, it is not subject to any additional zoning requirements beyond those contained within Title 19.08 for the C-1 (Limited Commercial) District.

The Beer/Wine/Cooler On-Sale Establishment use is defined as "An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which 30 or more people may be served with meals at any one time at tables or stools." The proposed use meets the definition, as the restaurant may seat up to 72 persons and only beer, wine and coolers will be served with meals in the restaurant. The floor plan indicates that seating will be accommodated by nine large tables with bench seating for four persons on each side. If the requested Special Use Permit is approved, alcoholic drinks may only be served in conformance with Title 6.50 requirements in addition to the Title 19.12 use requirements listed below.

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 houses of worship, schools, Individual Care Centers or City parks within 400 feet of the subject property. A private school is located 408 feet from the property line of the subject property.

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

   The proposed use meets this requirement, as the subject fee simple parcel has direct access to both Charleston Boulevard and Hualapai Way. The site was recently remapped to exclude the flood channel and greenbelt area to the south that separates the commercial center from single family dwellings. However, the greenbelt area had already been mapped as a separate lot and would not have affected calculation of distance separation as stipulated by Requirement 2.

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 existing Shopping Center property in 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 meets this requirement, as beer, wine and wine coolers would be served to patrons by employees of the establishment only where meals would be served in the restaurant area. A standard condition of approval requires conformance to this section of the code.

The proposed use would be located within a proposed 2,664 square-foot restaurant that is within an established Shopping Center equipped to handle commercial uses of various intensities. The Shopping Center contains several similar uses that have operated harmoniously with each other and with uses on surrounding properties.

Pursuant to Title 19.16.010, the Special Use Permit request has been deemed a "Project of Regional Significance." An assessment of potential impacts this use may have to area utilities and services and to jurisdictions outside the boundary of the City of Las Vegas was sent to various agencies for review. No comments were received.

As the use can be conducted in a manner that is harmonious and compatible with surrounding uses and all minimum Title 19 requirements are met by the use, staff recommends approval with conditions.

FINDINGS (SUP-48149)

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 Establishment will be part of a restaurant in an established multitenant building with various uses that are compatible. The existing Shopping Center is buffered from single family residential uses by a Primary Arterial on the north and a flood channel/recreational path on the south.

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

   The proposed use will be located within a Shopping Center that contains uses of similar intensity, all of which are permitted uses in the C-1 (Limited Commercial) zoning district. Sufficient parking is available throughout the site for use by patrons of the proposed establishment.

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.**

   Charleston Boulevard and Hualapai Way, both 100-foot Primary Arterials as classified by the Master Plan of Streets and Highways Map, provide multiple access points to the property.

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

   The proposed Beer/Wine/Cooler On-Sale Establishment will be subject to licensing and regular inspection and thus will not compromise the public health, safety and general welfare.

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

   All minimum distance separation requirements and licensing requirements listed in Title 19.12 are satisfied by the proposal.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 1,078

APPROVALS 0

PROTESTS 0

SS

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-48149** APN: 163-06-111-008

Name of Property Owner: Hualapai Commons Ltd., LLC

Name of Applicant: Gallagher and Associates, LLC

Name of Representative: Benjamin J. Volmer, Esq. / 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: William B. Bayne

Subscribed and sworn before me

This 17th day of December, 2012

Deborah M. West

Notary Public in and for said County and State

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

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SUP for proposed beer/wine/cooler on-sale establishment / ~~Waiver of~~ Distance Sep. (dms)

Project Address (Location) 9921 W. Charleston Blvd., Suite G Las Vegas, NV 89117

Project Name Posh Burger Bistro **Proposed Use** Beer/Wine/Cooler On-sale Establishment

Assessor's Parcel #(s) 163-06-111-008 **Ward #** 2 - Bob Beers

General Plan: existing SC proposed SC **Zoning:** existing C1 proposed C1

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

Gross Acres 14.69 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Hualapai Commons Ltd LLC **Contact** William B Bayne

Address 851 S. Rampart, #220 **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89145-4887

E-mail Address _____

APPLICANT Gallagher and Associates, LLC **Contact** Conrad Gallagher

Address 3290 Mission Creek **Phone:** (702) 806-9556 **Fax:** _____

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

E-mail Address _____

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

Address 400 S. Rampart Blvd., Suite 400 **Phone:** (702) 362-7800 **Fax:** (702) 362-9472

City Las Vegas **State** Nevada **Zip** 89145

E-mail Address bvolmer@klnevada.com

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

Property Owner Signature* _____

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

Print Name William B. Bayne

Subscribed and sworn before me

This 17th day of December, 2012.

Deborah M. West

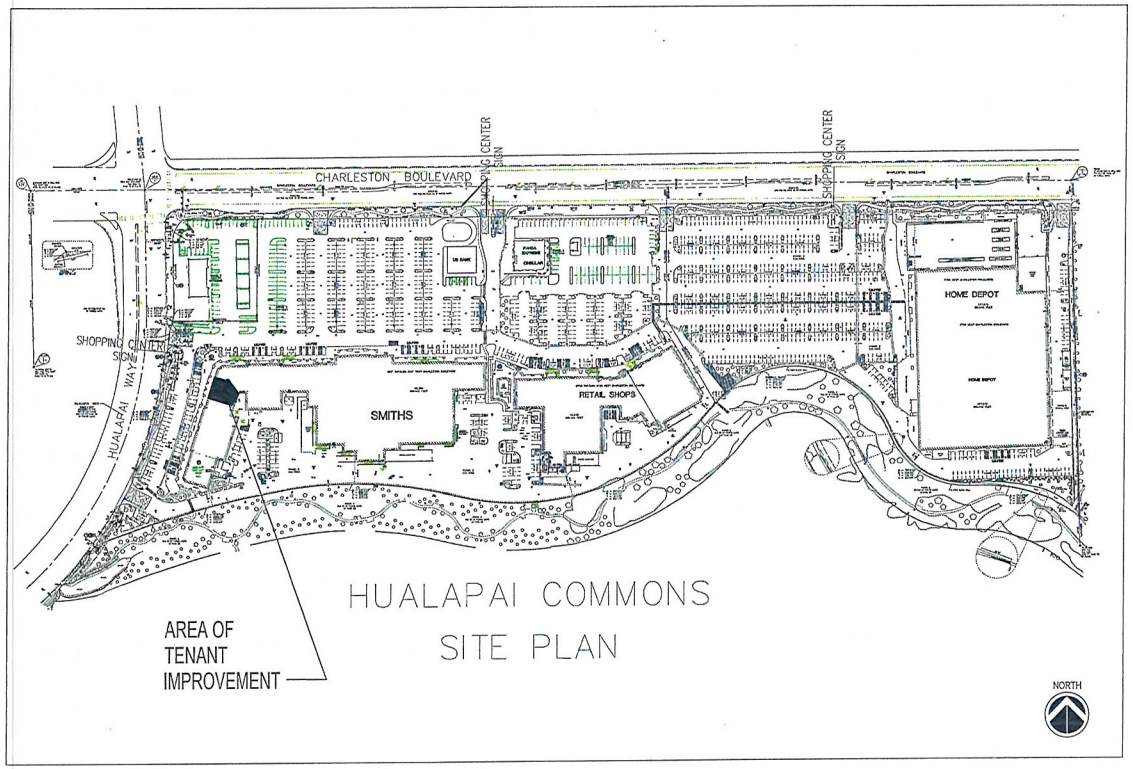
Notary Public in and for said County and State

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

FOR DEPARTMENT USE ONLY

Case #	SUP-48149
Meeting Date:	3/12/13
Total Fee:	1280.-
Date Received:*	1/23/13
Received By:	

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



SITE PLAN FROM ORIGINAL SHELL BUILDING CONSTRUCTION DOCUMENTS - FOR REFERENCE ONLY

THE TENANT IMPROVEMENTS FOR THE POSH BURGER BISTRO

APN: 163-06-111-008

9921 W CHARLESTON BLVD, #6
Las Vegas, Nevada 89117

OWNER / BUILDER

CONTACT INFORMATION:

TENANT/OWNER:
POSH BURGER BISTRO
GALLAGHER AND ASSOCIATES
3290 MISSION CREEK
LAS VEGAS NV 89135
CONTACT: CONRAD GALLAGHER
(702) 806-9556
Conrad@conradgallagher.com

GENERAL CONTRACTOR:
THOR DEVELOPMENT, LLC
P. O. BOX 336534
NORTH LAS VEGAS, NV 89033
PHONE(702) 234-8243
LIC. NV CL#: 0076719
CONTACT: KEVIN HUTCHINGS
Kevin@thordllc.com

PROJECT DESCRIPTION

THIS PROJECT CONSISTS OF MINOR TENANT IMPROVEMENTS TO THE EXISTING SUITE #2 AT 9775 W CHARLESTON BLVD, LAS VEGAS, NEVADA

CODE ANALYSIS

LOCAL JURISDICTION:	City of Las Vegas
ZONING:	CURRENT ZONING C-1 LIMITED COMMERCIAL DISTRICT
CODES UTILIZED:	2009 IBC, UPC, & UMC, 2008 NEC, 2003 NFPA, 2003 ANSI A117.1, 2006 IECC, SNA, & COMMENTARIES.
PROPOSED USE:	RESTAURANT
OCCUPANCY GROUP CLASS	A2 – RESTAURANT IN AN M – MERCANTILE GROUP STRIP BUILDING
CONSTRUCTION TYPE	V-B
FIRE SPRINKLERS:	NO
HEIGHT / STORIES:	ALLOWABLE: 40'/1 ACTUAL: <20'/1
AREA:	
ALLOWABLE:	6,000 SF / 9,000 SF
SUITE LEASEABLE AREA	2,664 SF
OCCUPANT LOAD (SEE PLAN):	120 TOTAL OCCUPANTS
EXITS:	REQUIRED – 2 PROVIDED – 3

PLUMBING FIXTURE CALCULATIONS FOR A-2 RESTAURANT OCCUPANCY
120 OCCUPANTS / 2 = 60 WOMEN, 60 MEN
1 WATER CLOSET PER 75 OCCUPANTS
1 LAV PER 200 OCCUPANTS

MEN	REQUIRED – 1 WC, 1 LAV	PROVIDED 1 WC, 1 LAV
WOMEN	REQUIRED – 1 WC, 1 LAV	PROVIDED 1 WC, 1 LAV

FIRE NOTES

1. PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2-A OR 2-A10BC WITHIN 75 FEET TRAVEL DISTANCE TO ALL PORTIONS OF THE BUILDING, ALSO DURING CONSTRUCTION. ALL LOCATIONS SHOWN ON THESE DRAWINGS ARE SUGGESTED. FINAL LOCATIONS ARE TO BE DETERMINED BY THE FIRE INSPECTOR.
2. EVERY EXIT DOOR SHALL BE OPENABLE FROM THE INSIDE WITHOUT THE USE OF A KEY OR ANY SPECIAL EFFORT OR KNOWLEDGE. SPECIAL LOCKING DEVICES SHALL BE APPROVED TYPE. ALL DOORS SHALL HAVE HANDICAP LEVER HANDLES.
3. PROVIDE ILLUMINATION EXIT SIGNS AS REQUIRED BY BUILDING CODES. REFER ALSO TO ELECTRICAL DRAWINGS.

CONTRACTOR NOTE

Contractor acknowledges that he/she is familiar with every sheet in this set, as information shown on one sheet applies to all sheets. These plans are subject to internal & City/County Plan Check Corrections and Owner requested changes. General Contractor and all Subcontractors to verify with owner and architect that they are in possession of the most recent set of plans prior to finalizing contract, purchase, fabrication, and installation of all building components and systems.

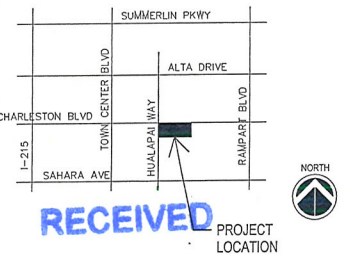
FLOOR PLAN GENERAL NOTES:

1. ALL DIMENSIONS ARE TO FACE OF STUDS – UNLESS NOTED OTHERWISE. CLEAR DIMENSIONS ARE TO FACE OF FINISH.
2. CONTRACTOR SHALL CHECK AND VERIFY SIZE AND LOCATION OF DUCT OPENINGS AND PLUMBING RUNS WITH MECHANICAL DRAWINGS BEFORE FRAMING WALLS, ROOFS, ECT.
3. CONTRACTOR SHALL CHECK AND VERIFY LOCATION OF TELEPHONE BOARD, ELECTRICAL PANELS, ECT. PROVIDE BLOCKING IN WALL AND SUPPORT.
4. PROVIDE WALL BACKING AND SUPPORT IN WALLS AND CEILING FOR ALL WALL HUNG AND CEILING MOUNTED, FURNITURE EQUIPMENT, FIXTURES, ACCESSORIES AND CASEWORK COORDINATE OWNER FURNISHED ITEMS WITH OWNER.
5. PROVIDE PANIC HARDWARE AS REQUIRED BY CODE.
6. PROVIDE EXIT LIGHTS AS REQUIRED BY CODE.
7. ALL TENANT WALLS TO BE PER PLAN DETAILS UNLESS OTHERWISE NOTED.

SHEET INDEX

CS PROJECT INFO, SITE INFO, INDEX, NOTES
A1 DEMO PLAN, FLOOR PLAN, NOTES
A2 INTERIOR ELEVATIONS, DETAILS
A3 REFLECTED CEILING PLANS
S1 FLOOR FRAMING PLAN
M1.0 SPECIFICATIONS, FIXTURE SCHEDULE, LEGEND, CALCULATIONS
M2.0 MECHANICAL FLOOR & ROOF PLANS
P1.0 SPECIFICATIONS, EQUIPMENT SCHEDULE, LEGEND, CALCULATIONS
P2.0 PLUMBING FLOOR PLAN
P3.0 PLUMBING ROOF PLAN
EG-1 ELECTRICAL GENERAL NOTES
EG-2 ONE-LINE AND LOAD CALCULATIONS
E-1 ELECTRICAL PLAN
FS-100 EQUIPMENT PLAN AND SCHEDULE
FS-101 EQUIPMENT ELEVATIONS
FS-102 EQUIPMENT ELECTRICAL PLAN
FS-103 EQUIPMENT EXHAUST SYSTEM PLAN
FS-104 EQUIPMENT PLUMBING ROUGH-IN PLAN
FS-105 EQUIPMENT ROOM FINISH SCHEDULE & DETAILS

VICINITY MAP



RECEIVED
JAN 2 3 2013

SUP-48149

Architectural Solution
7009 Alamosa Way
Las Vegas, Nevada 89128
702.339.3019
info@architecturalsolution.com

POSH BURGER BISTRO
HUALAPAI COMMONS
W. CHARLESTON & HUALAPAI
LAS VEGAS, NV

PROJECT INFO, SITE PLAN, NOTES, INDEX, CODE ANALYSIS

⚠ 1.10.13
1.3.13

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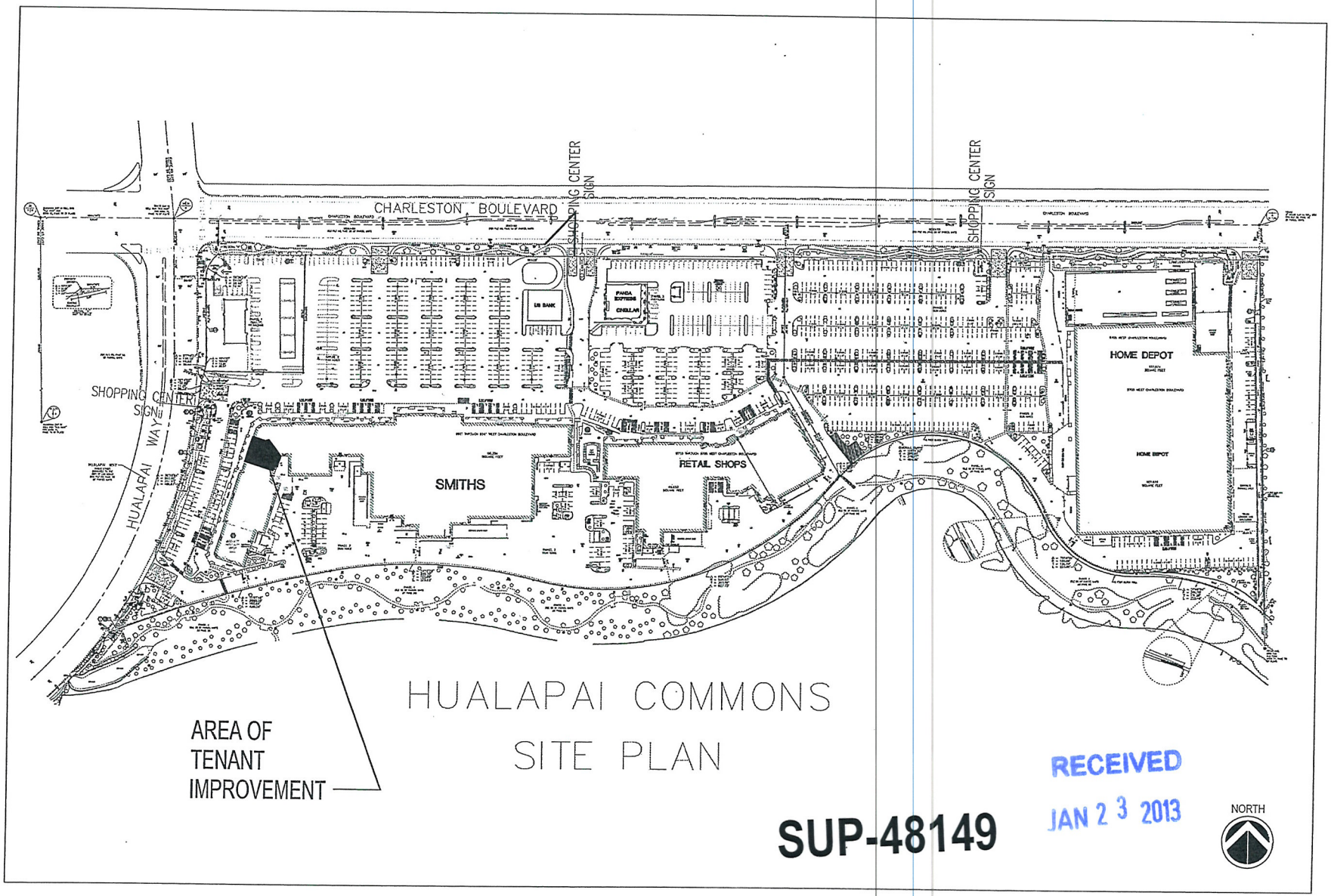


HUALAPAI COMMONS
SITE PLAN

RECEIVED
JAN 23 2013

SUP-48149

SITE PLAN FROM ORIGINAL SHELL BUILDING CONSTRUCTION DOCUMENTS - FOR REFERENCE ONLY

FIRE NOTES	CONTRACTOR NOTE	FLOOR PLAN GENERAL NOTES:	SHEET II

NOTES

1. DO NOT SCALE DRAWINGS. VERIFY ALL LOCATIONS OF ALL EQUIPMENT, DEVICES, FIXTURES, ETC., IF DIMENSIONS ARE NOT ON PLAN. ADDITIONALLY, EVERY OUTLET HEIGHT SHALL BE VERIFIED ON EACH WALL IF NOT STATED ON ELECTRICAL PLAN. ALL SYMBOLS OR NOTES ARE NOT NECESSARILY USED IN THIS PROJECT.

2. WATER RESISTANT GYPSUM BOARD IS REQUIRED AROUND TOILETS, SINKS, AND WATER PRODUCING AREAS PER IBC 2509.2

3. IT IS THE INTENT OF THESE DRAWINGS TO ESTABLISH A STANDARD OF QUALITY. ALL WORK SHALL BE PERFORMED IN A WORKMAN LIKE MANNER IN ACCORDANCE WITH ALL APPLICABLE CODES. ALL WORK MATERIALS AND EQUIPMENT SHALL CONFORM TO THE LATEST EDITIONS OF ALL APPLICABLE CODES AND ORDINANCES.

4. ALL SYSTEMS SHALL BE TESTED FOR PROPER OPERATION. IF TESTS SHOW THAT WORK IS DEFECTIVE, CONTRACTOR SHALL MAKE ALL NECESSARY CORRECTIONS AT NO ADDITIONAL COSTS TO THE OWNER/TENANT(S).

5. CONTRACTOR SHALL VISIT JOB SITE PRIOR TO BID AND VERIFY EXISTING CONDITIONS AND INCLUDE IN BASE BID ALL COSTS REQUIRED FOR BUILDING PERMITS AND INSPECTIONS. OWNER TO PROVIDE AND PAY FOR ALL HEALTH DISTRICT & UTILITY CONNECTIONS FEES AND DEPOSITS, AND NV ENERGY COST FOR WORK DONE FROM THE MAIN GEAR TO POWER POLE (THESE COSTS WILL BE ESTIMATED AT TIME OF NV ENERGY PLAN APPROVAL, IF REQUIRED)

6. CONTRACTOR WILL BE RESPONSIBLE FOR ALL DEMOLITION AND REMOVAL OF ALL CONSTRUCTION DEBRIS, AS WELL AS, DAILY CLEAN-UP REQUIREMENTS. INCLUDE ALL COSTS FOR DUST CONTROL, TRASH BOX, AND BARRIERS AS REQUIRED FOR THE DURATION OF THE PROJECT. PERFORM ALL WORK PER PLAN.

7. CONTRACTOR SHALL GUARANTEE ALL WORK AGAINST DEFECTS IN MATERIALS PROVIDED BY CONTRACTOR AND WORKMANSHIP WHICH MAY OCCUR UNDER NORMAL USE FOR A PERIOD OF ONE YEAR AFTER OWNERS ACCEPTANCE. ALL DEFECTS SHALL BE PROMPTLY CORRECTED BY CONTRACTOR WITHOUT ADDITIONAL CHARGE TO OWNER.

8. AT BUILDING FINAL & PRIOR TO COMPLETION, CONTRACTOR SHALL SWEEP AND WASH ALL STAGING AREAS, ETC., TO REMOVE ALL CONSTRUCTION DEBRIS AND PRESSURE CLEAN ALL SIDEWALKS IN FRONT OF BUILDING.

9. GENERAL CONTRACTOR SHALL INCLUDE IN BASE BID ALL COSTS TO PROVIDE A CERTIFICATE OF GENERAL LIABILITY INSURANCE. AT OWNERS REQUEST AND TO BE PAID FOR BY OWNER, CONTRACTOR IS TO SECURE A BUILDERS RISK INSURANCE POLICY COVERING THE FULL VALUE OF THE PROJECT AND BETTERMENT'S (AMOUNT OF CONSTRUCTION CONTRACT) NAMING THE OWNER AS ADD INSURED.

10. ALL DIMENSIONS ARE TO FACE OF STUDS – UNLESS NOTED OTHERWISE. CLEAR DIMENSIONS ARE TO FACE OF FINISH.

11. CONTRACTOR SHALL CHECK AND VERIFY SIZE AND LOCATION OF MECHANICAL & ELECTRICAL DEVICES & OPENINGS AND PLUMBING RUNS BEFORE FRAMING WALLS, ROOFS, ETC.

12. CONTRACTOR SHALL CHECK AND VERIFY LOCATION OF TELEPHONE BOARD, ELECTRICAL PANELS, ETC. PROVIDE BLOCKING IN WALL AND SUPPORT. PROVIDE WALL BACKING AND SUPPORT IN WALLS AND CEILING FOR ALL WALL HUNG AND CEILING MOUNTED, FURNITURE EQUIPMENT, FIXTURES, ACCESSORIES AND CASEWORK COORDINATE OWNER FURNISHED ITEMS WITH OWNER.

13. COORDINATE DOOR AND FRAME FINISH WITH BUILDING OWNER. DOOR HARDWARE, CONTRACTOR GRADE OR BETTER. PROVIDE PANIC HARDWARE AS REQUIRED BY CODE. COORDINATE ALL KEYING REQUIREMENTS WITH BUILDING OWNER. ALL DOORS IN MEANS OF EGRESS SYSTEM TO BE OPENABLE FROM THE INSIDE WITHOUT USE OF KEY OR SPECIAL KNOWLEDGE OR EFFORT. THE MAXIMUM EFFORT TO OPERATE DOORS CANNOT EXCEED 8.5 POUNDS FOR EXTERIOR DOORS AND 5.0 POUNDS FOR INTERIOR DOORS. THE BOTTOM 10" ON THE PUSH SIDE OF THE DOOR SHALL HAVE A SMOOTH, UNINTERRUPTED SURFACE THAT ALLOWS THE DOOR TO BE OPENED BY A WHEEL CHAIR FOOTREST WITHOUT CREATING TRAP OR HAZARDOUS CONDITIONS. DOOR TO RESTROOM TO BE 34" CLEAR PER A.N.S.I. STANDARDS – FIELD VERIFY AND REPLACE IF NECESSARY. ALL SURFACE MOUNTED CLOSER/HINGES FOR THE EXTERIOR DOORS SHALL BE INSTALLED ON THE INSIDE OF THE BUILDING TYPICAL 1/4" DOOR UNDERCUT, UNLESS NOTED OTHERWISE. (UNDERCUT AT LABELED DOORS SHALL CONFORM TO THE STATE FIRE MARSHAL REQUIREMENTS).

14. SEE EQUIPMENT SCHEDULE FOR INFORMATION ON EQUIPMENT CALLED OUT ON PLANS.

15. ANSI SEC. 902 SEATING AT TABLES, COUNTERS, AND WORK SURFACES: 902.1 GENERAL, ACCESSIBLE SEATING AT FIXED TABLES, COUNTERS, AND WORK SURFACES, SHALL COMPLY WITH SECTIONS 902, 902.2.

902.3 HEIGHT: THE TOPS OF TABLES, COUNTERS, AND WORK SURFACES SHALL BE 28" MIN. AND 34" MAX. FROM THE FLOOR OR THE GROUND

CLEAR FLOOR OR GROUND SPACE: CLEAR FLOOR OR GROUND SPACE SHALL COMPLY WITH SEC. 305 KNEE AND TOE CLEARANCE COMPLYING WITH SECTION 306 SHALL BE PROVIDED.

16. RESTROOM NOTES:
a. FIXTURES, FINISHES & COLORS TO BE SELECTED BY OWNER
b. TOILETS AND URINALS TO BE AMERICAN STANDARD WITH SLOAN AUTO FLUSH VALVES
c. SLOAN AUTOMATIC FAUCET AT LAV
d. HAND DRYER TO BE BOBRICK – 115V, 16 AMPS
e. SWITCH FOR LIGHT FIXTURE AT NEW MENS ROOM TO HAVE MOTION SENSOR.
f. DOOR AT RESTROOMS TO HAVE KICK PLATE AT PUSH SIDE.
g. TOWEL, SOAP DISPENSER TO BE SELECTED BY OWNER.

INTERIOR FINISHES

1. UNLESS NOTED OTHERWISE, ALL SELECTIONS AND SPECIFICATIONS FOR FINISH MATERIALS TO BE BY OWNER.

2. WALL BEHIND HOOD IN KITCHEN TO BE STAINLESS STEEL. ALL OTHER KITCHEN WALLS TO BE WHITE SUBWAY STYLE CERAMIC TILE. FLOOR IN KITCHEN TO BE QUARRY TILE.

3. RESTROOMS TO HAVE 48" HIGH CERAMIC TILE WAINSCOT AND CERAMIC TILE FLOOR, ALL 2 X 2 TILE.

4. FLOOR IN DINING ROOM TO BE CERAMIC TILE. WALLS AT DINING AND BAR AREAS TO HAVE 48" CERAMIC TILE WAINSCOT WITH WOOD CHAIR RAIL AT TOP.

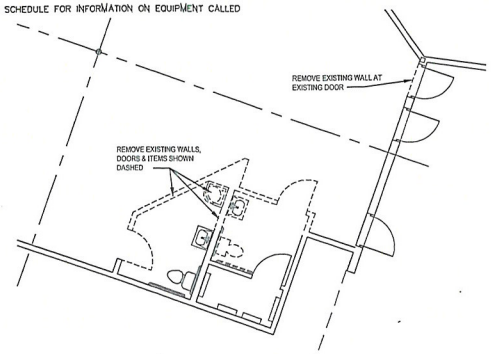
5. ALL FLOOR MATERIALS TO BE SLIP RESISTANT AND MEET OR EXCEED THE CODE REQUIREMENT FOR COEFFICIENT OF FRICTION.

6. EXPOSED STRUCTURE AND DUCTS TO BE PAINTED FLAT BLACK.

7. COUNTERTOPS TO BE SOLID OAK. VERIFY CASEWORK SPECIFICATIONS WITH OWNER.

8. WALLS TO BE PAINTED GYPSUM BOARD OR WALL PAPER ON GYPSUM BOARD AS DIRECTED BY OWNER. ALL GYP BOARD CEILINGS AND AND EXPOSED STRUCTURE TO BE PAINTED.

9. SHELVING WILL INCLUDE SOLID OAK BOTTLE DISPLAY SHELVES AND A 3 STEP OAK UNIT AT THE BACK BAR.



PARTIAL DEMO FLOOR PLAN
3/16" = 1'-0"



FLOOR PLAN
3/16" = 1'-0"

NORTH

RECEIVED
JAN 23 2013

SUP-48149

APN: 163-06-111-008
9921 W. Charleston Blvd. #6

Architectural Solution
7009 Alamosa Way
Las Vegas, Nevada 89128
702.339.3019
info@architecturalsolution.com

POSH BURGER BISTRO
HUALAPAI COMMONS
W. CHARLESTON & HUALAPAI
LAS VEGAS, NV

FLOOR PLAN
DEMOLITON PLAN
NOTES

⚠1.10.13
1.3.13

A1



SUP-48149 - APPLICANT: GALLAGHER AND ASSOCIATES, LLC - OWNER: HUALAPAI COMMONS LTD, LLC
9921 WEST CHARLESTON BOULEVARD, SUITE #6

01/31/13



SUP-48149 - APPLICANT: GALLAGHER AND ASSOCIATES, LLC - OWNER: HUALAPAI COMMONS LTD, LLC

9921 WEST CHARLESTON BOULEVARD, SUITE #6

01/31/13



SUP-48149 - APPLICANT: GALLAGHER AND ASSOCIATES, LLC - OWNER: HUALAPAI COMMONS LTD, LLC

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01/31/13



SUP-48149 - APPLICANT: GALLAGHER AND ASSOCIATES, LLC - OWNER: HUALAPAI COMMONS LTD, LLC

9921 WEST CHARLESTON BOULEVARD, SUITE #6

01/31/13

KOLESAR & LEATHAM
ATTORNEYS AT LAW
400 SOUTH RAMPART BLVD., SUITE 400
LAS VEGAS, NEVADA 89145
702.362.7800
klnevada.com

January 23, 2013

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

Via Hand-Delivery

Re: Application for Special Use Permit for a Beer/Wine/Cooler On-Sale Establishment Use

Applicant: **Gallagher and Associates, LLC**
APN: **163-06-111-008**
Business/Address: **9921 W. Charleston Ave., Suite #6**
Las Vegas, NV 89117

Dear Sir/Madam:

This firm represents Gallagher and Associates, LLC (the "Applicant") with respect to liquor licensing matters in Nevada. Enclosed, please find a Special Use Permit Application (the "Application") to allow the sale of beer, wine and coolers for on premises consumption at the above-referenced business location (the "Premises").

The Applicant proposes to open a restaurant known as "Posh Burger Bistro" (the "Business") within the tenant space at the Hualapai Commons Shopping Center (the "Shopping Center") located at the Southeast Corner of Charleston and Hualapi. The Premises contains a total lease area of 2,664 square feet and provides occupancy for 120 persons. The Business will provide table seating for up to 72 customers. Please note that alcohol service will be provided to customers by servers and the Business will not include self-service of alcohol products. The Applicant is committed to ensuring compliance with all local and State laws regarding the sale of alcoholic beverages for on-premises consumption.

The introduction of on-sale beer, wine and coolers at the Business will not affect the environment or character of the immediate community, nor will it have a detrimental impact on adjacent properties or other tenants located within the Shopping Center. No additional public services, utilities or parking accommodations will be necessary to accommodate the proposed use at the Business within the Shopping Center. There is adequate employee and customer parking available and the site provides adequate pedestrian and vehicle ingress/egress to and from the

SUP-48149

Shopping Center from Hualapai and Charleston. The Business currently anticipates operating 7 days a week, from 11:00 AM until 11:00 PM, and will employ approximately 10-15 employees.

Please note that a waiver of the 400 foot distance separation requirement between the Premises and Faith Lutheran School (the "School") is not required. Final Map #FMP-43761, recorded on November 21, 2012, reduced the size of the shopping center parcel and thereby increased the distance between the Premises and the School to approximately 406 feet. As such, a waiver is not required.

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

Benjamin J. Volmer, Esq.

BJV:dms
Enclosures - as stated
cc: Conrad Gallagher (w/o enc.)
Matthew D. Saltzman, Esq. (w/o enc.)
Jonathan J. Winn, Esq. (w/o enc.)
Dianne M. Sheridan, Paralegal (w/o enc.)

SUP-48149

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

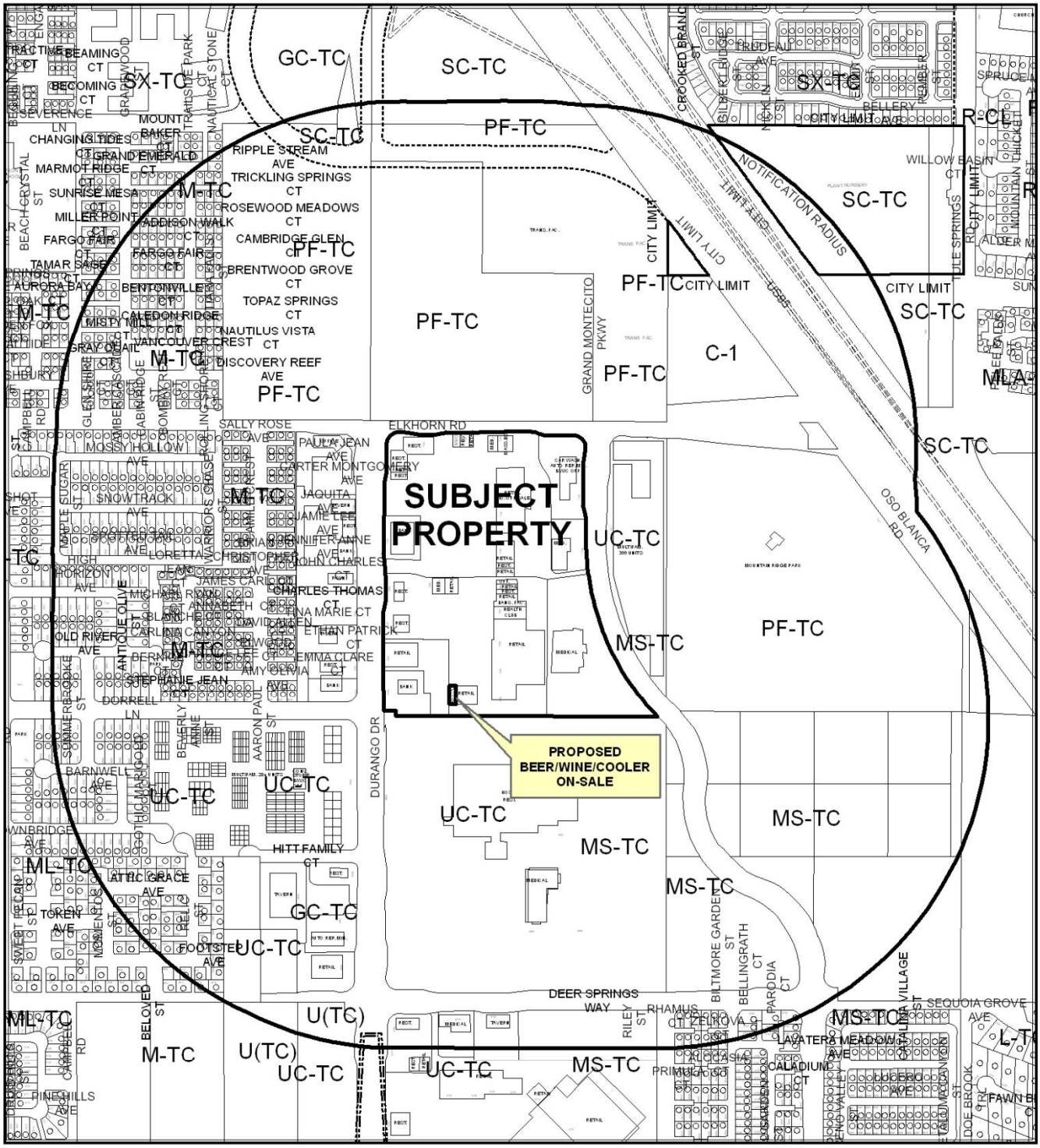
SUBJECT:
SUP-48167 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ASAKI RESTAURANT TWO, LLC - OWNER: NP/I&G MONTECITO MARKETPLACE PHASE II, LLC - For possible action on a request for a Special Use Permit FOR PROPOSED BEER AND WINE SALES (BEER/WINE/COOLER ON-SALE ESTABLISHMENT) WITHIN AN EXISTING 2,490 SQUARE-FOOT RESTAURANT at 7010 North Durango Drive, Suite #140 (APN 125-20-510-020), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



CASE: **SUP-48167**

RADIUS: 1000 FEET

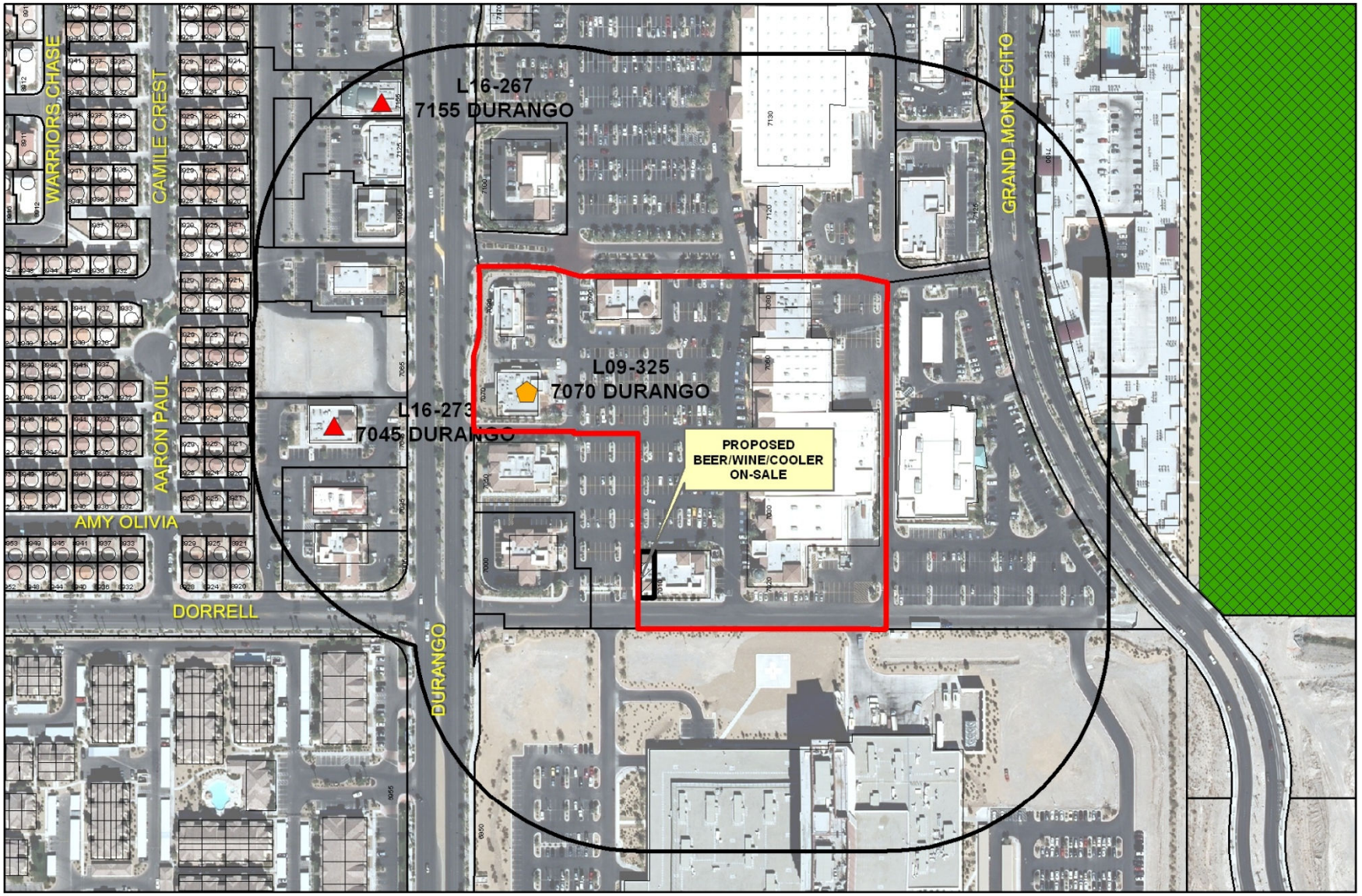
ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER) [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) Special Land Use Designation]



CASE: **SUP-48167**

RADIUS: 1000 FEET

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



SUP-48167

Business Licenses

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

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: ASAKI RESTAURANT TWO, LLC - OWNER: NP/I&G MONTECITO MARKETPLACE PHASE II, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48167	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-48167 CONDITIONS

Planning

1. Conformance to the approved conditions for Site Development Plan Reviews (SDR-3764 and all subsequent site-related actions, and SDR-47027).

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

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

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

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

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

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

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant proposes Beer Sales and Wine Sales within a proposed 2,490 square-foot restaurant in the Montecito Town Center area. The use includes an outdoor patio on the north side of the existing building. This request can be conducted in a compatible and harmonious manner with the surrounding land uses; therefore, staff recommends approval, with conditions. If the application is denied

ISSUES

- Beer Sales and Wine Sales are permitted uses in Montecito Town Center with the approval of a Special Use Permit. There are no minimum conditions for the use in Montecito Town Center, including distance separation requirements. However, the City Council may consider the concentration and spacing of on- and off-premise alcohol sales and/or restricted gaming uses as part of its deliberation of the Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/07/98	The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) of a 1,468-acre portion of the Northwest, including the east 40-acre portion of the overall subject site. The Planning Commission and staff recommended approval.
03/06/02	The City Council approved a Development Agreement (DA-0002-01) for the Montecito Shopping Center. The Planning Commission and staff recommended approval. The agreement was recorded on 05/01/02.
12/19/02	The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan Way alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff recommended approval.
12/11/03	A Final Map (FMP-2819) for a three-lot commercial subdivision was recorded adjacent to the southeast corner of Elkhorn Road and Durango Drive.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
04/07/04	The City Council approved a Site Development Plan Review (SDR-3764) related to a Major Modification of the Montecito Town Center Development Agreement (MOD-3763) and Rezoning (ZON-3840) for a proposed 587,750 square-foot mixed-use commercial development on 45.6 acres in Montecito Town Center, adjacent to the southeast corner of Elkhorn Road and Durango Drive. Additionally, the following Special Use Permits were also approved: (SUP-3765) for liquor sales on Pad A, (SUP-3767) for gaming (incidental) on Pad A, (SUP-3769) for a drive-through facility on Pad A, (SUP-3770) for a drive-through facility on Pad O, (SDR-3771) for a tavern on Pad P, (SUP-3773) for gaming (incidental) on Pad P, (SDR-3764) for gasoline sales on Pad Q, (SUP-3776) for a car wash on Pad Q, (SUP-3777) for gaming (incidental) on Pad Q, (SUP-3778) for liquor sales on Pad Q, (SUP-3779) for a tavern on Pad Z, (SUP-3780) for gaming (incidental) on Pad Z, (SUP-3781) for a drive-through on Pad F, (SUP-3783) for liquor sales on Pad HH, (SUP-3785) for gaming (incidental) on Pad HH, (SUP-3786) for a drive-through facility on Pad HH, (SUP-3788) for a drive-through facility on DD, and (SUP-3789) for a drive-through facility on EE. The Planning Commission and staff recommended approval.
02/16/05	The City Council approved a Site Development Plan Review (SDR-5731) for a 380,000 square foot development that includes the subject site. The Planning Commission and staff recommended approval.
07/25/05	Planning and Development Department staff administratively approved a Minor Amendment to the approved Site Development Plan Review (SDR-5731) that changed the parking layout of Building F and added five parking spaces.
04/19/06	The City Council approved a Site Development Plan Review (SDR-11702) request for a Major Amendment to an approved Site Development Plan Review (SDR-5731) to allow the modification of pads G, I through O, R, U, and V on 21.48 acres at the southeast corner of Durango Drive and Elkhorn Road and a companion Variance (VAR-11710) to allow 1,032 parking spaces where 1,209 spaces is the minimum required for Phases I and II of the Montecito Marketplace commercial development. The Planning Commission recommended approval; staff recommended denial.
06/07/06	The City Council approved a Special Use Permit (SUP-12595) for a Beer/Wine/Cooler On-Sale Establishment at 7160 North Durango Drive, Suites #130-150. The Planning Commission and staff recommended approval.
12/06/06	The City Council approved a Special Use Permit (SUP-16948) for a Supper Club and a waiver of the 400-foot distance separation requirement from a City park at 7070 North Durango Drive. The Planning Commission and staff recommended approval.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/11/11	The Planning Commission approved a Special Use Permit (SUP-42974) for a Beer/Wine/Cooler On-Sale Establishment within a proposed 6,371 square-foot restaurant at 7070 North Durango Drive. Staff recommended approval.
11/01/12	Department of Planning staff approved a Minor Site Development Plan Review (SDR-47027) for a proposed 320 square-foot covered patio for a proposed 2,460 square-foot restaurant at 7010 North Durango Drive, Suite #140.

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

Related Building Permits/Business Licenses	
07/13/06	A building permit (#06004606) was issued for a retail shell building (Pad T) at 7010 North Durango Drive. A final inspection was approved 06/01/07.
10/02/07	A building permit (95359) was issued for a tenant improvement for certificate of occupancy for an office use at 7010 North Durango Drive, Suite #140. A final inspection was approved 12/06/07.
07/22/08	A business license was issued for a Tutoring Center at 7010 North Durango Drive, Suite #140. The license was marked out of business on 07/16/12.
09/17/12	Application was made (219909) for a building permit to change the occupancy of the subject tenant space (at 7010 North Durango Drive, Suite #140) from office to restaurant. A permit has not yet been issued.

Pre-Application Meeting	
01/07/13	A pre-application meeting was held with the applicant to discuss submittal requirements for a Special Use Permit for a Beer/Wine/Cooler On-Sale Establishment. Staff originally required a waiver to be requested along with the Special Use Permit, due to the proximity of the commercial subdivision to a City park; however, Montecito Town Center does not mandate distance separation requirements for alcoholic beverage uses and the park is separated from the use by the Town Center Loop Road and medical office and the waiver was not needed.

Neighborhood Meeting
A neighborhood meeting is not required; however, the applicant is planning to conduct a voluntary meeting. No notice of the meeting has been provided to staff.

Field Check	
01/31/13	The proposed location of the use is located in a well maintained multitenant building within an existing shopping center. The address of the use was verified as Suite #140.

Details of Application Request	
Site Area	
Net Acres	8.41

Surrounding Property	***Existing Land Use Per TCDS/19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)
North	Shopping Center	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)
South	Hospital	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)
East	Office, Medical	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)
West	Restaurant Financial Institution, General Liquor Esatblishment (Tavern) Undeveloped	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)

Master Plan Areas	***Compliance***
Town Center Master Plan	Y
Montecito Town Center	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 the Town Center Development Standards Manual, the following standards apply:

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Durango Drive	Town Center Parkway Arterial	Master Plan of Streets and Highways / Town Center Development Standards Manual	120	Y
Grand Montecito Parkway	Town Center Loop Road	Master Plan of Streets and Highways / Town Center Development Standards Manual	90	Y

Pursuant to the Town Center Development Standards Manual, 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	287,741 SF	1 space per 250 SF GFA	1,151				
TOTAL SPACES REQUIRED			1,151		1,384		Y
Regular and Handicap Spaces Required			1,129	22	1,352	32	Y

ANALYSIS

The subject site is located within the Montecito Town Center area of the Centennial Hills Town Center master planned area. The Montecito Town Center was developed as a multi-use urban environment for larger mixed-use projects within Centennial Hills Town Center. The Montecito Town Center Land Use and Design Standards apply within its boundaries. Where this document is silent, the Town Center Development Standards apply. Where the Town Center Development Standards are silent, Title 19 then applies. The UC-TC (Urban Cener Mixed Use – Town Center) designation allows for a mix of land uses including multi-family, commercial, cultural, recreational and meeting facilities that provide most of the daily support services and activities for the area. The proposed use conforms to the intent of this designation.

The Town Center Parkway Town Center Loop Trails were constructed as part of the roadway improvements adjacent to the subject site.

The Beer Sales and Wine Sales uses in Montecito Town Center are defined in Title 19 under the Beer/Wine/Cooler On-Sale Establishment heading, which is described as "An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which 30 or more people may be served with meals at any one time at tables or stools." The proposed use meets the definition, as the subject tenant space is being remodeled for a restaurant in which about 800 square feet of indoor floor area and 300 square feet of outdoor patio area is available to accommodate the requisite number of patrons.

There are no minimum Special Use Permit Requirements for this use within Montecito Town Center. Had this project been elsewhere within the Town Center, it would have been subject to Title 19.12 distance separation requirements. However, the City Council (or Planning Commission) may consider the concentration of alcohol and gaming uses within this area as part of its deliberation of the Special Use Permit. As with any establishment proposing to serve alcohol, the business must operate in conformance with Title 6.50.

As the proposed use will be located within an established shopping center with similar existing uses, meets the definition of the proposed use and is in conformance with the Montecito Town Center Standards, staff recommends approval.

FINDINGS (SUP-48167)

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 Sales and Wine Sales uses will be located within an established shopping center with similar existing uses adjacent. The proposed use would be located 950 feet away from an existing City park and separated from the park by the Town Center Loop Road.

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

   The proposed use will be located within a Shopping Center that contains uses of similar intensity, all of which are permitted uses in Montecito Town Center. Sufficient parking is available throughout the site for use by patrons of the proposed establishment.

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.**

   Durango Drive and Grand Montecito Parkway both contain adequate capacity to serve the requirements of the proposed Beer and Wine Sales uses.

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 Sales and Wine Sales will be subject to licensing and regular inspection and thus will not compromise the public health, safety and general welfare.

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

   There are no minimum Special Use Permit Requirements for this use within Montecito Town Center.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 36

NOTICES MAILED 871

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-48167 APN: 125-20-510-020

Name of Property Owner: NP/I&G MONTECITO MARKETPLACE PHASE II, LLC.

Name of Applicant: Asaki Restaurant Two LLC

Name of Representative: RICHARD CUEN AIA, ARCHITECT

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Brian T. Finnegan

Subscribed and sworn before me

This _____ day of _____, 20____ SEE ATTACHED

_____

Notary Public in and for said County and State

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.pdf

RECEIVED

JAN 24 2013

City of Las Vegas
Dept. of Planning

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of San Diego }

On October 3, 2012 (Date) before me, Suzanne Marie Girard, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Brian T. Finnigan, Sr. V.P Asset Manager (Name(s) of Signer(s))

West,

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her~~/~~their~~ authorized capacity(~~ies~~), and that by his/~~her~~/~~their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

SUZANNE MARIE GIRARD
Commission # 1893695
Notary Public - California
San Diego County
My Comm. Expires Jun 25, 2014

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Suzanne Marie Girard (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer — Title(s): _____	☐ Corporate Officer — Title(s): _____
☐ Individual	☐ Individual
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact	☐ Attorney in Fact
☐ Trustee	☐ Trustee
☐ Guardian or Conservator	☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____
RIGHT THUMBPRINT OF SIGNER — Top of thumb here	RIGHT THUMBPRINT OF SIGNER — Top of thumb here

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JAN 24 2013
City of Las Vegas
Dept. of Planning

SUP-48167

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Item #5907

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: RACHEL'S KITCHEN RESTAURANT

Project Address (Location) 7010 N. DURANGO DR. 89149, BLDG T, SUITE 101

Project Name RACHEL'S KITCHEN RESTAURANT Proposed Use RESTAURANT

Assessor's Parcel #(s) 125-20-510-020 Ward # _____

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

Commercial Square Footage 2460 SF. Floor Area Ratio _____

Gross Acres _____ Lots/Units _____ Density _____

Additional Information TENANT IMPROVEMENT IN EXISTING CENTER

PROPERTY OWNER NP/I&G MONTECITO MARKETPLACE PHASE II, LLC / Contact SCOTT KERN

Address 3636 NOBEL DRIVE SUITE # 300 Phone: 858-202-1104 Fax: 858-457-1848

City SAN DIEGO State CA Zip 92122

E-mail Address SCOTT.KERN@BRIXMOR.COM

APPLICANT Asaki Restaurant Two LLC Contact Kent Asaki

Address 10218 Early Morning Ave Phone: 702-812-7648 Fax: 702-317-7806

City Las Vegas State NV Zip 89135

E-mail Address Kentasaki@rachelskitchen.com

REPRESENTATIVE RICHARD CUSN, AIA Contact RICHARD CUEN

Address 3202 BROOKFIELD DR. Phone: 932.3517 Fax: 932.3518

City LAS VEGAS, State NV. Zip 89120

E-mail Address RICHARDCUEN@YAHOO.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 _____

Subscribed and sworn before me

This _____ day of _____, 20 _____.

_____

Notary Public in and for said County and State

SEE ATTACHED

RECEIVED

JAN 24 2013

City of Las Vegas
Dept. of Planning

FOR DEPARTMENT USE ONLY

Case #	SUP-48167
Meeting Date:	03/12/13
Total Fee:	$2030.00
Date Accepted:	01/24/13
Accepted By:	Jonathan B.

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of San Diego }

On October 3, 2012 (Date) before me, Suzanne Marie Girard Notary Public (Here Insert Name and Title of the Officer),

personally appeared Brian T. Finnegan Sr. V.P. Asset Mgr. West (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

SUZANNE MARIE GIRARD
Commission # 1893895
Notary Public - California
San Diego County
My Comm. Expires Jun 25, 2014

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Suzanne Marie Girard (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

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Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____
☐ Individual
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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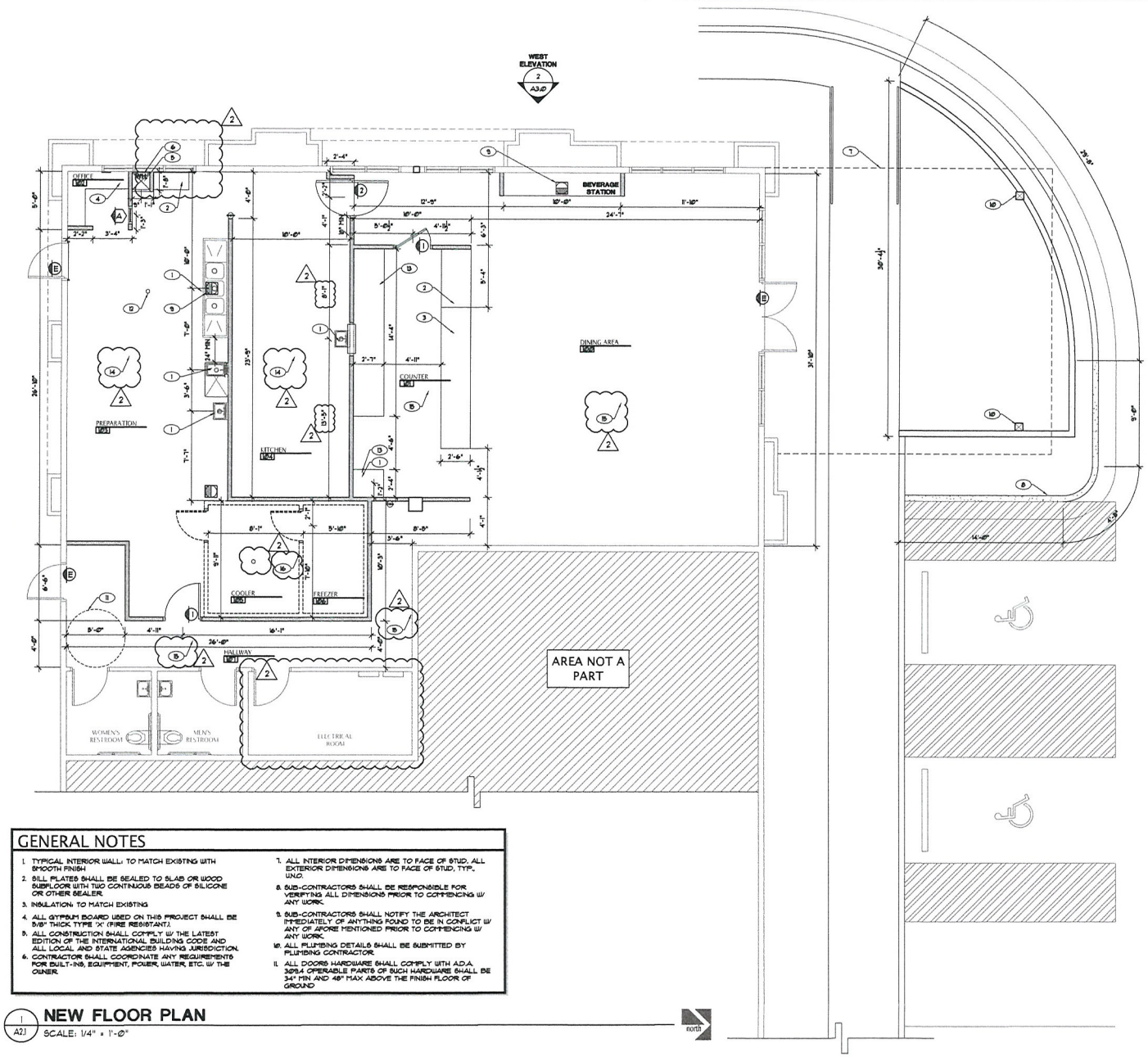
Item #5907

SUP-48167



LEGEND

1. NEW 3' X 7' STOREFRONT DOOR AND FRAME TO MATCH EXISTING
2. NEW 3' X 7' DOUBLE SWING HOLLOW METAL DOOR AND FRAME TO MATCH EXISTING PROVIDE KICK PLATE ON BOTH SIDES
A. NEW 2'-0"x3' WINDOW TO MATCH EXISTING
NEW INTERIOR WALL TO MATCH EXISTING, 4/A7.0
NEW 42" HIGH, 6" CMU WALL, SEE STRUCTURAL DWGS'

KEYNOTES:

1. NEW SINK BY OWNER, SEE PLUMBING AND EQUIPMENT DWGS'
2. NEW 34" HIGH COUNTER
3. NEW 42" HIGH COUNTER
4. 34" H BUILT-IN DESK
5. MOP SINK, SEE PLUMBING DWGS'
6. WATER HEATER PROJECTION
7. PROJECTION OF CANVAS AWNING OVER TUBE STEEL FRAME, SEE STRUCTURAL DWGS'
8. NEW CONCRETE CURB AND GUTTER TO MATCH EXISTING
9. NEW FLOOR SINK SEE PLUMBING DWGS'
10. NEW COLUMN, SEE STRUCTURAL DWGS'
11. PROJECTION OF A.D.A. TURNING RADIOUS REQUIREMENT
12. NEW FLOOR DRAIN, SEE PLUMBING DWGS'
13. NEW STAINLESS STEEL COUNTERTOP
14. PAINTED EPOXY COATING ON ALL FLOORS IN KITCHEN AREA. COATING TO BE SELECTED BY OWNER
15. STAINED ALL SEALED CONCRETE FLOORING AT P.O.S. SERVICE AREA, DINING ROOM AND CORRIDOR
16. COOLER AND FREEZER WALL PANELS PROJECTION. SEE EQUIPMENT SCHEDULE ON SHEET A2.2

GENERAL NOTES

1. TYPICAL INTERIOR WALL: TO MATCH EXISTING WITH SMOOTH FINISH
2. SILL PLATES SHALL BE SEALED TO SLAB OR WOOD SUBFLOOR WITH TWO CONTINUOUS BEADS OF SILICONE OR OTHER SEALER.
3. INSULATION: TO MATCH EXISTING
4. ALL GYPSUM BOARD USED ON THIS PROJECT SHALL BE 5/8" THICK TYPE 'X' (FIRE RESISTANT).
5. ALL CONSTRUCTION SHALL COMPLY W/ THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE AND ALL LOCAL AND STATE AGENCIES HAVING JURISDICTION.
6. CONTRACTOR SHALL COORDINATE ANY REQUIREMENTS FOR BUILT-INS, EQUIPMENT, POWER, WATER, ETC. W/ THE OWNER.
7. ALL INTERIOR DIMENSIONS ARE TO FACE OF STUD, ALL EXTERIOR DIMENSIONS ARE TO FACE OF STUD, TYP., U.N.O.
8. SUB-CONTRACTORS SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS PRIOR TO COMMENCING W/ ANY WORK.
9. SUB-CONTRACTORS SHALL NOTIFY THE ARCHITECT IMMEDIATELY OF ANYTHING FOUND TO BE IN CONFLICT W/ ANY OF AFORE MENTIONED PRIOR TO COMMENCING W/ ANY WORK.
10. ALL PLUMBING DETAILS SHALL BE SUBMITTED BY PLUMBING CONTRACTOR.
11. ALL DOORS HARDWARE SHALL COMPLY WITH A.D.A. 309.4 OPERABLE PARTS OF SUCH HARDWARE SHALL BE 34" MIN AND 48" MAX ABOVE THE FINISH FLOOR OF GROUND

1 / A2.1 **NEW FLOOR PLAN**
SCALE: 1/4" = 1'-0"

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SUP-48167

REVISIONS
1 26 OCTOBER 2012
2 21 NOVEMBER 2012

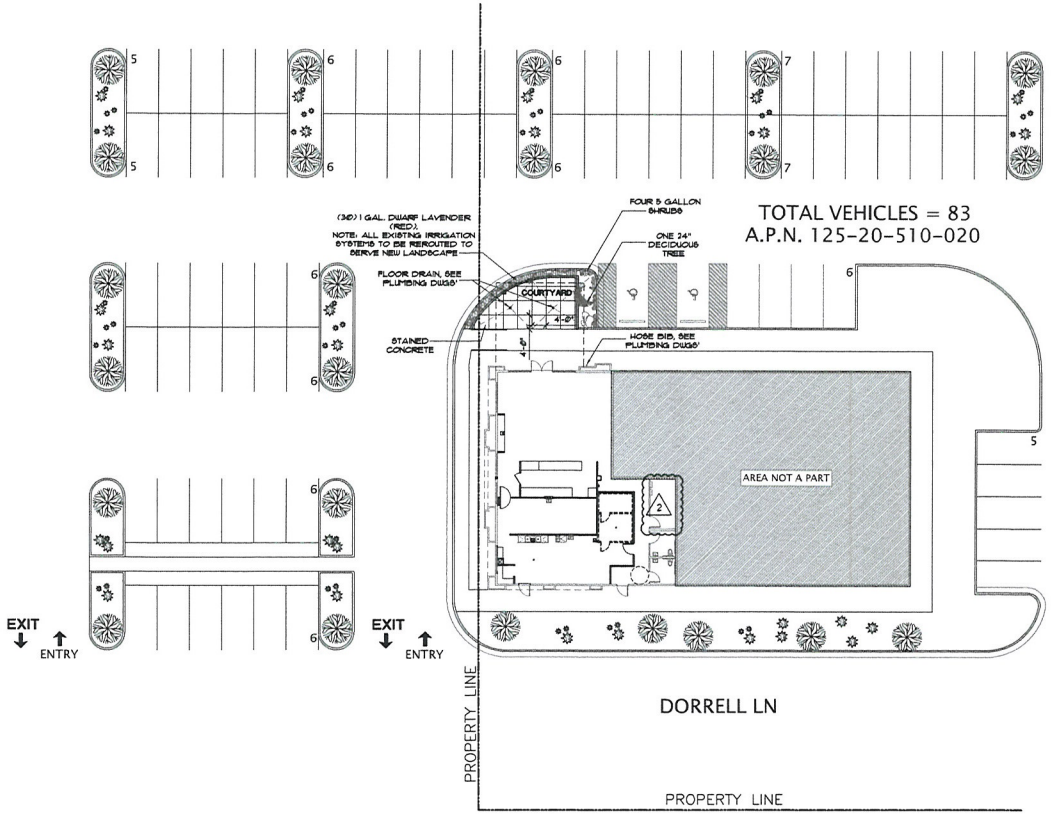
RICHARD M. CUEN REGISTERED 2263 ARCHITECT STATE OF NEVADA

RMC DESIGN AND PLANNING, INC.
ARCHITECTURE
RMC D&P INC
3202 BROOKFIELD DR.
LAS VEGAS, NV. 89120
PH. 702 - 932 - 3517
FX. 702 - 932 - 3518
E-MAIL: richardmcuen@yahoo.com
rmcarchitect.com
RICHARD M. CUEN AIA
President

RACHEL'S KITCHEN RESTAURANT
AT MONTECITO CENTER
7010 N. Durango Dr. Building "T" Suite 140
Las Vegas, NV 89149

ALL RIGHTS RESERVED
RICHARD M. CUEN ARCHITECT
These drawings, specifications, and copies thereof furnished by the architect are and shall remain his sole property. They are to be used only with respect to this project and may not be altered or reproduced with out written permission of the architect.

SHEET NAME	NEW FLOOR PLAN
JOB #	2012-7
OWNER	
SCALE	AS SHOWN
SUBMITTAL DATE	09-27-2012
SHEET NUMBER	A2.1



1 / A1 **SITE PLAN**
SCALE: 1/16" = 1'-0"

north

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RICHARD M. CUEN REGISTERED 2263 ARCHITECT STATE OF NEVADA

RMC DESIGN AND PLANNING, INC. ARCHITECTURE
RMC D&P INC
3202 BROOKFIELD DR.
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E-MAIL: richardmcuen@yahoo.com
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RICHARD M. CUEN AIA
President

RACHEL'S KITCHEN RESTAURANT
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7010 N. Durango Dr. Building "T" Suite 140
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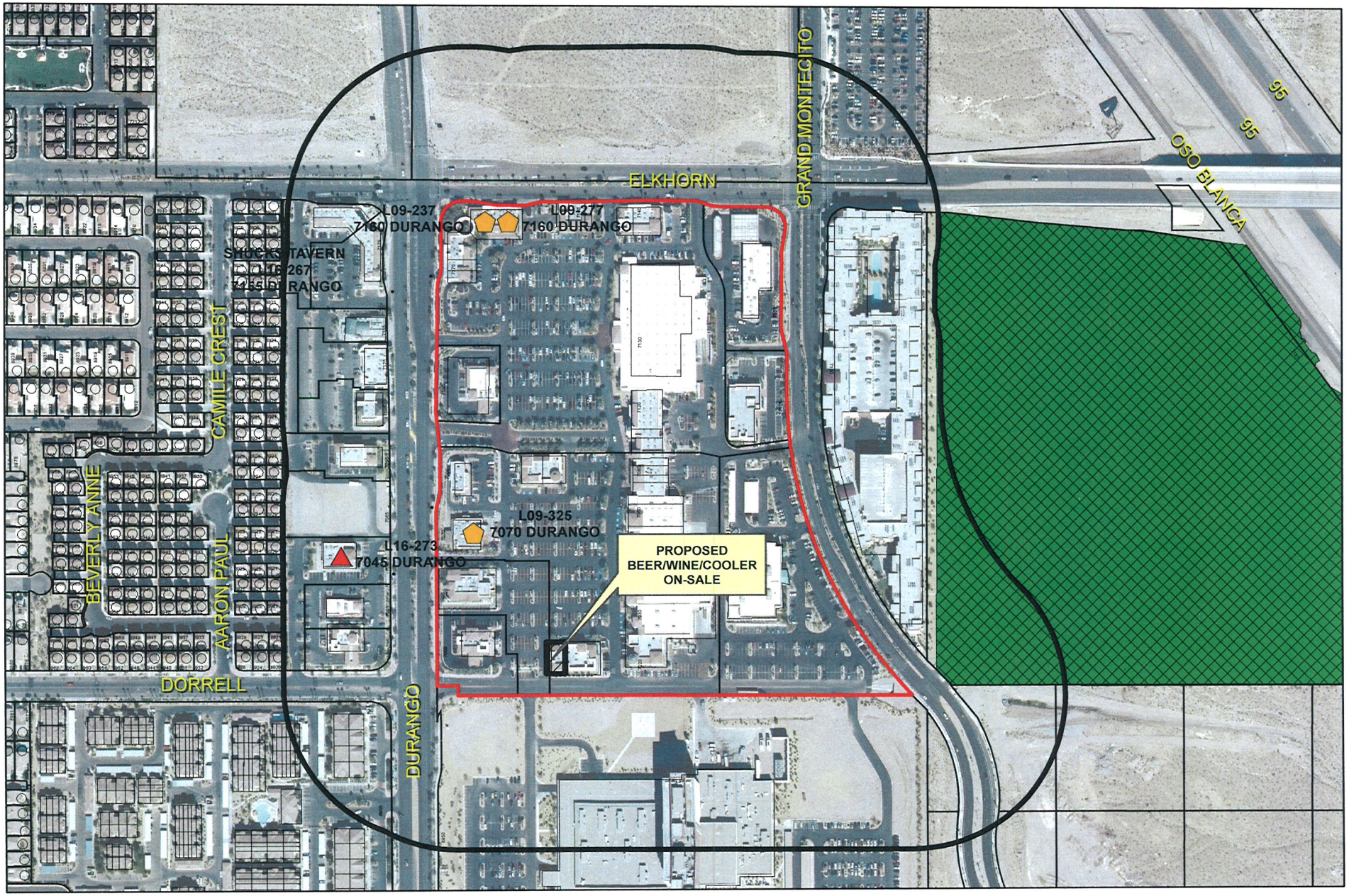
SHEET NAME: LANDSCAPE PLAN / DINING PATIO

JOB #	2012-7
OWNER	
SCALE	AS SHOWN
SUBMITTAL DATE	09-27-2012

SHEET NUMBER
A1.1



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Business Licenses

- Tavern
- Supper Club/ Restaurant Service Bar
- Beer/Wine/Cooler On Sale
- Child Care/ Children Facility

- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Subject Property
- 400 foot buffer

N

SUP-48167



SUP-48167 - APPLICANT: ASAKI RESTAURANT TWO, LLC - OWNER: NP/I&G MONTECITO MARKETPLACE PHASE II, LLC
7010 NORTH DURANGO DRIVE, SUITE #140

01/31/13



SUP-48167 - APPLICANT: ASAKI RESTAURANT TWO, LLC - OWNER: NP/I&G MONTECITO MARKETPLACE PHASE II, LLC
7010 NORTH DURANGO DRIVE, SUITE #140

01/31/13

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

January 24, 2013

Re: Special Use Permit for Beer/Wine/Cooler On-Sale Establishment
7010 N. Durango, Suite 140 Las Vegas, NV 89149

JUSTIFICATION LETTER

Rachel's Kitchen Restaurants have three existing locations. One on Hualapai Way, and one at The District in Green Valley, and a third location at 9691 Trailwood Dr. There is a fourth location opening soon at The Ogden downtown. This location at 7010 N. Durango will be the 5th location in the area. The space is within the existing Montecito Marketplace Phase II in a unit of 2490 square feet.

Other restaurants in the Montecito Marketplace serve beer and wine, as does the Rachel's Kitchen at The District. Therefore, this offering should be consistent with the expectations of customers in at the Marketplace as well as the Rachel's Kitchen menu. The sale of beer and wine has been approved by the landlord, NP/I&G Montecito Marketplace Phase II, LLC.

Respectfully,

Kent J. Asaki
Owner, Asaki Restaurant Two, LLC
DBA Rachel's Kitchen

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SUP-48167

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

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

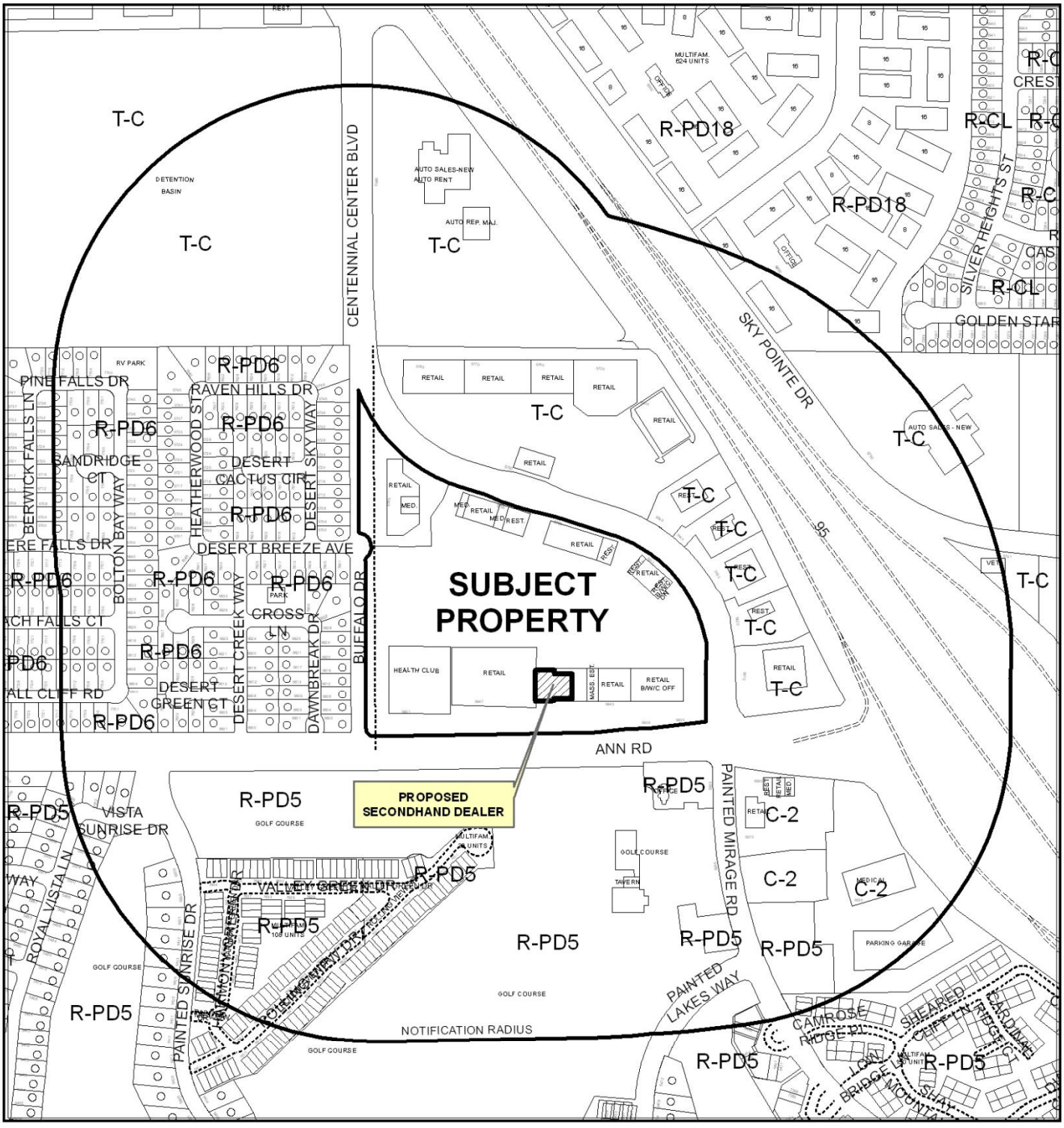
SUBJECT:
SUP-48171 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT - CENTENNIAL GATEWAY, LLC - OWNER: INLAND DIVERSIFIED LAS VEGAS CENTENNIAL GATEWAY, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED SECONDHAND DEALER at 5643 Centennial Center Boulevard, Suite #110 (APN 125-27-411-013), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

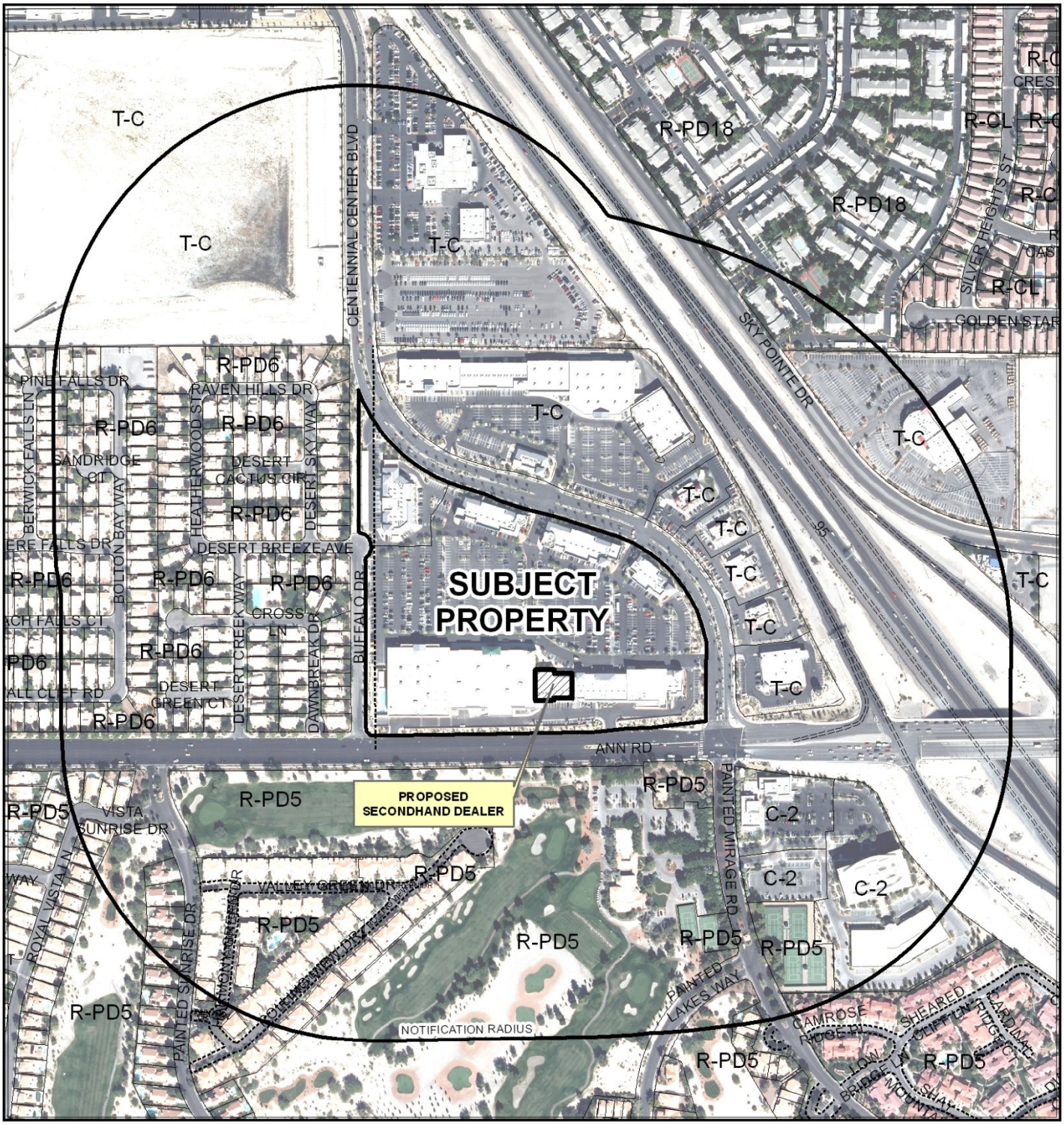
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo
5. Justification Letter



CASE: **SUP-48171**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)
[SC-TC (SERVICE COMMERCIAL - TOWN CENTER)
SPECIAL LAND USE DESIGNATION]



CASE: **SUP-48171**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)
[SC-TC (SERVICE COMMERCIAL - TOWN CENTER)
SPECIAL LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CENTENNIAL GATEWAY, LLC - OWNER: INLAND DIVERSIFIED LAS VEGAS CENTENNIAL GATEWAY, LLC

** STAFF RECOMMENDATION **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48171	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-48171 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under Town Center Development Standards Manual, Section B.4.B for a Secondhand Dealer use.

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

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

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

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

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant proposes to relocate a 13,761 square-foot Secondhand Dealer (Home Consignment) use currently located at 5760 Centennial Center Boulevard, to 5643 Centennial Center Boulevard, Suite #110. The new 11,000 square-foot location will continue to resell home furnishings from a 397,244 square-foot Shopping Center south of its current location. The proposed use is compatible with the surrounding area and meets the minimum Special Use Permit requirements for a Secondhand Dealer use, set listed in the Town Center Development Standards Manual. Therefore, staff recommends approval of this request with conditions.

ISSUES

- A Secondhand Dealer (Home Consignment) use is permitted in the SC-TC (Service Commercial- Town Center) land use district with the approval of a Special Use Permit.
- The applicant currently operates a Secondhand Dealer in the Shopping Center on a separate parcel just north of Centennial Center Boulevard.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/07/98	The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) of a 1,468-acre portion of the Northwest.
11/07/01	The City Council approved the Town Center Development Standards Manual through Bill No. 2001-100.
06/03/03	The Centennial Hills Architectural Review Committee approved a Master Sign Plan (CHR-0009-03) at the Centennial Gateway commercial development at the northwest corner of U.S. 95 and Ann Road. Staff recommended approval.
06/12/03	The Planning Commission approved a request for a Tentative Map (TMP-2202) for a 2-lot commercial subdivision on 36.5 acres adjacent to the northeast and northwest corner of Ann Road and Centennial Center Boulevard. Staff recommended approval.
05/16/07	The City Council approved Bill No. 2007-17 amending the Town Center Development Standards Manual with respect to Secondhand Dealer establishments.

08/06/03	The City Council approved a request for a Site Development Plan Review (SDR-2208) for a proposed 397,244 square-foot commercial development with waivers of the Town Center Development Standards Manual on 36.5 acres adjacent to the northeast and northwest corners of Ann Road and Centennial Center Boulevard. The Planning Commission and staff recommended approval.
02/04/09	The City Council adopted Ordinance #6027 which amended the Town Center Development Standards Manual Secondhand Dealer use to allow on a nonconsignment basis the dealing in secondhand personal computers, laptop computers and other similar computer devices. The Planning Commission and staff recommended approval of the Text Amendment (TXT-31179) which was heard at the City Council as Bill Number 2009-2.
05/06/09	The City Council approved a request for a Special Use Permit (SUP-33491) for a Secondhand Dealer (Portable Computers) at 5765 Centennial Center Boulevard, Suite 160. The Planning Commission recommended approval.
05/08/12	The Planning Commission approved a request for a Special Use Permit (SUP-44890) for a proposed 2,932 square-foot Secondhand Dealer (wearing apparel) use at 5643 Centennial Center Boulevard, Suite #105. Staff recommended approval.
02/12/13	The Planning Department administratively approved a Minor Amendment to Special Use Permit (SUP-48172) to relocate a Secondhand Dealer use from 5643 Centennial Center Boulevard, Suite #105 to 5643 Centennial Center Boulevard, Suite #130.

Most Recent Change of Ownership	
04/15/03	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
05/21/12	A business license (#S25-00155) was issued for a Secondhand Dealer at 5643 Centennial Center Boulevard, Suite #105. This Secondhand Dealer use is relocating from Suite #105 to Suite #130, 5643 Centennial Center Boulevard in order to accommodate the relocation associated with this request.

Pre-Application Meeting	
01/22/13	A pre-application was held with the applicant's representative to discuss the submittal process for a Special Use Permit for a proposed Secondhand Dealer use in the Town Center District.

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

Field Check	
01/31/13	A field inspection was conducted by staff. The subject property was noted as a well maintained commercial center with an established Secondhand Dealer use at 5643 Centennial Center Boulevard, Suite #105.

Details of Application Request	
Site Area	
Net Acres	16.79

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
North	Shopping Center	GC-TC (General Commercial – Town Center)	T-C (Town Center)
South	Golf Course	PR-OS (Parks/Recreation/Open Space)	R-PD5 (Residential Planned Development – 5 Units Per Acre)
East	General Retail, Other Than Listed	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
West	Single family, Detached	ML (Medium Low Density Residential)	R-PD6 (Residential Planned Development – 6 Units Per Acre)

Master Plan Areas	***Compliance***
Town Center Special Area 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	N/A

MH

DEVELOPMENT STANDARDS

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	211,606 SF	1:250 SF					
TOTAL SPACES REQUIRED			862		1,014		
Regular and Handicap Spaces Required			846	16	990	24	Y

ANALYSIS

The Minimum Special Use Permit Requirements listed in the Town Center Special Area Plan for the Secondhand Dealer use are distinct from the Minimum Special Use Permit Requirements listed in Title 19.12 of the Unified Development Code.

Additionally, the Town Center Special Area Plan does not provide a definition of the proposed use; therefore, the following Title 19.18 definition of the Secondhand Dealer use is provided as follows: "A specialty shop which deals solely in one kind of used commodity with no new commodities, or a business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. For purposes of this definition, the sale of secondhand or used articles is deemed to be incidental to the sale of new articles. Used articles may include wearing apparel, furniture, fixtures, appliances, tableware, offices supplies, pictures, paintings, jewelry, cutlery or guns. The term includes the sale of jewelry (Class III type) and scrap precious metals as defined in LVMC Chapter 6.74, but does not include the sale of junk as defined in that Chapter, the sale of used cars or the sale of other items which the City Council determines do not fit within the intent of this term. The term does not include the buying and selling of foreign or domestic coins for numismatic purposes or used books, which shall be allowed where retail sales of new merchandise, is permitted. The term also does not include a thriftshop or nonprofit thriftshop."

The proposed use meets the definition, as the provided justification letter states that the applicant requests to relocate an existing Secondhand Dealer use that sells, on a consignment basis, secondhand goods such as jewelry, furniture and other housing accessories to the proposed location at 5643 Centennial Center Boulevard, Suite #110. The proposed location remains compatible with the surrounding area and the use continues to meet the minimum Special Use Permit requirements for a Secondhand Dealer use, set forth by the Town Center Development Standards Manual. Therefore, staff recommends approval of this Special Use Permit. If denied, the applicant will not be allowed to operate a Secondhand Dealer use at this location.

MH

FINDINGS (SUP-48171)

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

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

   The proposed Secondhand Dealer use will be located within an approximate 11,000 square-foot commercial suite, located in a shopping center in the SC-TC (Service Commercial – Town Center) special land use area. The proposed use can be conducted in a manner that is harmonious and compatible with the uses on the existing site and with the commercial uses on the adjacent properties.

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

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

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

   Site access is provided from Centennial Center Boulevard, a 90-foot Town Center Frontage Road, a sufficient size to accommodate the needs of the proposed Secondhand Dealer use.

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

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

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

   The proposed Secondhand Dealer use meets the applicable conditions per Town Center and Title 19.12.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

NOTICES MAILED 512

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-48171** APN: 125-27-411-013

Name of Property Owner: Inland Diversified Las Vegas Centennial Gateway, L.L.C.

Name of Applicant: Centennial Gateway, LLC

Name of Representative: Jennifer Lazovich - 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: By B.L. pres.

Print Name: BARRY L. LAZARUS

Subscribed and sworn before me

This 23 day of January, 2013

Susan M. Lingle

Notary Public in and for said County and State

OFFICIAL SEAL
SUSAN M LINGLE
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:01/02/15

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit for Secondhand Sales

Project Address (Location) 5643 Centennial Center Blvd, Suite 100-120

Project Name Home Consignment Proposed Use Secondhand sales

Assessor's Parcel #(s) 125-27-411-013 Ward # 6

General Plan: existing TC proposed n/a Zoning: existing TC proposed n/a

Commercial Square Footage 11,000 +/- Floor Area Ratio

Gross Acres Lots/Units 1 Density

Additional Information

PROPERTY OWNER Inland Diversified Las Vegas Centennial Gateway, L.L.C. Contact Barry L. Lazarus

Address 2901 Butterfield Rd. Phone: (630) 218-8000 Fax:

City Oakbrook State IL Zip 60523

E-mail Address n/a blazarus@inlandgroup.com

APPLICANT Centennial Gateway, LLC Contact Terri Sturm

Address 5785 Centennial Center Blvd. #230 Phone: (702) 822-8200 Fax: (702) 822-8201

City Las Vegas State NV Zip 89149

E-mail Address tsturm@territoryinc.com

REPRESENTATIVE Kaempfer Crowell Contact Jennifer Lazovich

Address 8345 West Sunset Road, Suite 250 Phone: 792-7000 Fax: 796-7181

City Las Vegas State NV Zip 89113

E-mail Address jjl@kcnvlaw.com

Property Owner Signature* By RG pres.

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

Print Name BARRY L. LAZARUS

Subscribed and sworn before me

This 23 day of January, 2013.

Susan M. Lingle

Notary Public in and for said County and State

OFFICIAL SEAL
SUSAN M LINGLE
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:01/02/15

FOR DEPARTMENT USE ONLY

Case #	SUP-48171
Meeting Date:	3/12/13
Total Fee:	$1030.-
Date Received:*	1/24/13
Received By:	

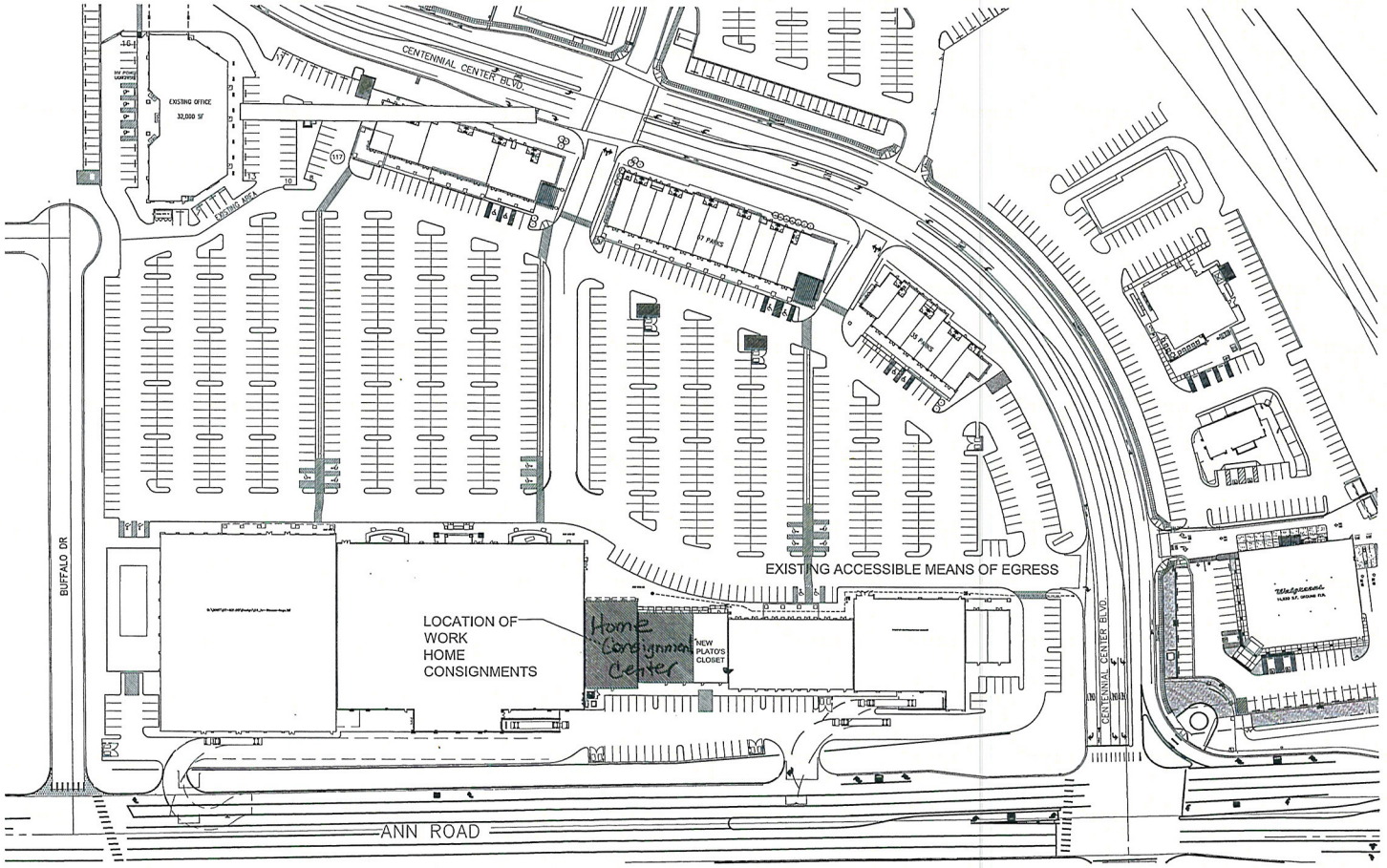
*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

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

Revised 10/27/08

1211762.1

Home Consignment Center - Site Detail



SITE PLAN
SCALE: 1" = 80'-0"

RECEIVED
JAN 2 4 2013

SUP-48171

Key Plan

Issued For:	Date:
Review	01.03.2013

Drawn	BJG
Checked	BJG
Approved	BJG

KITTRELL JENSEN CONTRACTORS

DESIGN GROUP

801 Las Vegas Blvd. S. Ste 150
Las Vegas, Nevada 89101
P.(702) 835-7000
F.(702) 835-7001

Project Title

Home Consignments/
Plato's Closet Remodel
5643 Centennial Center
Parkway

Sheet Title

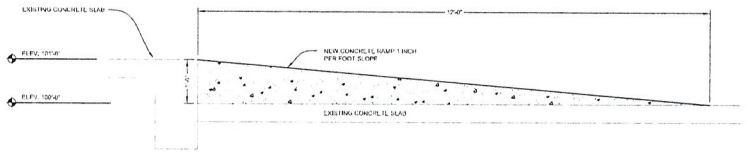
Site Plan

Project Number

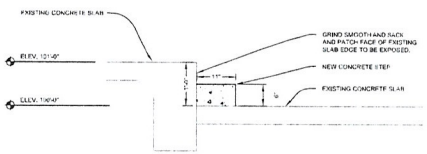
212074B

Sheet Number

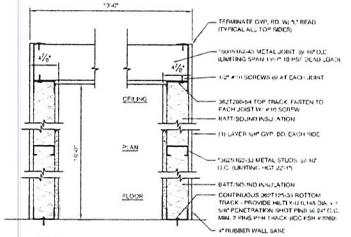
AS1.1



3 A1.0 RAMP SECTION
SCALE: 1" = 1'-0"



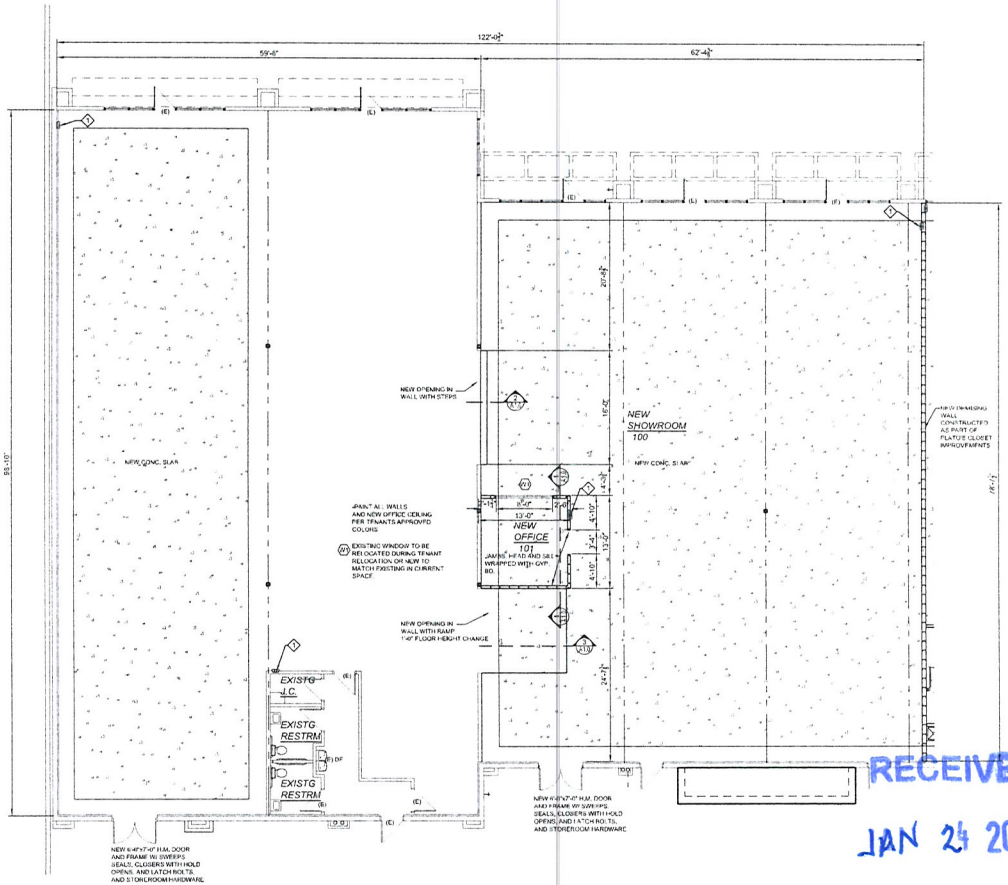
2 A1.0 STAIR SECTION
SCALE: 3/4" = 1'-0"



1 A1.0 FREE STANDING OFFICE SECTION
SCALE: N.T.S

KEY NOTES

1. LARSEN SCM4RECESSED FIRE EXTINGUISHER CABINET 2409-6R W/ MP10 EXTINGUISHER - INSTALL PER MANUFACTURER RECOMMENDED HANDICAP ACCESSIBLE HEIGHT.



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

RECEIVED
JAN 24 2013

SUP-48171

Key Plan

Issued for:	Date:
Review	09.20.2012
Review #2	01.03.2013
Permit	01.17.2013

Check: BJG
Checked: BJG
Approved: BJG

KITRELL JENSEN CONTRACTORS

DESIGN GROUP

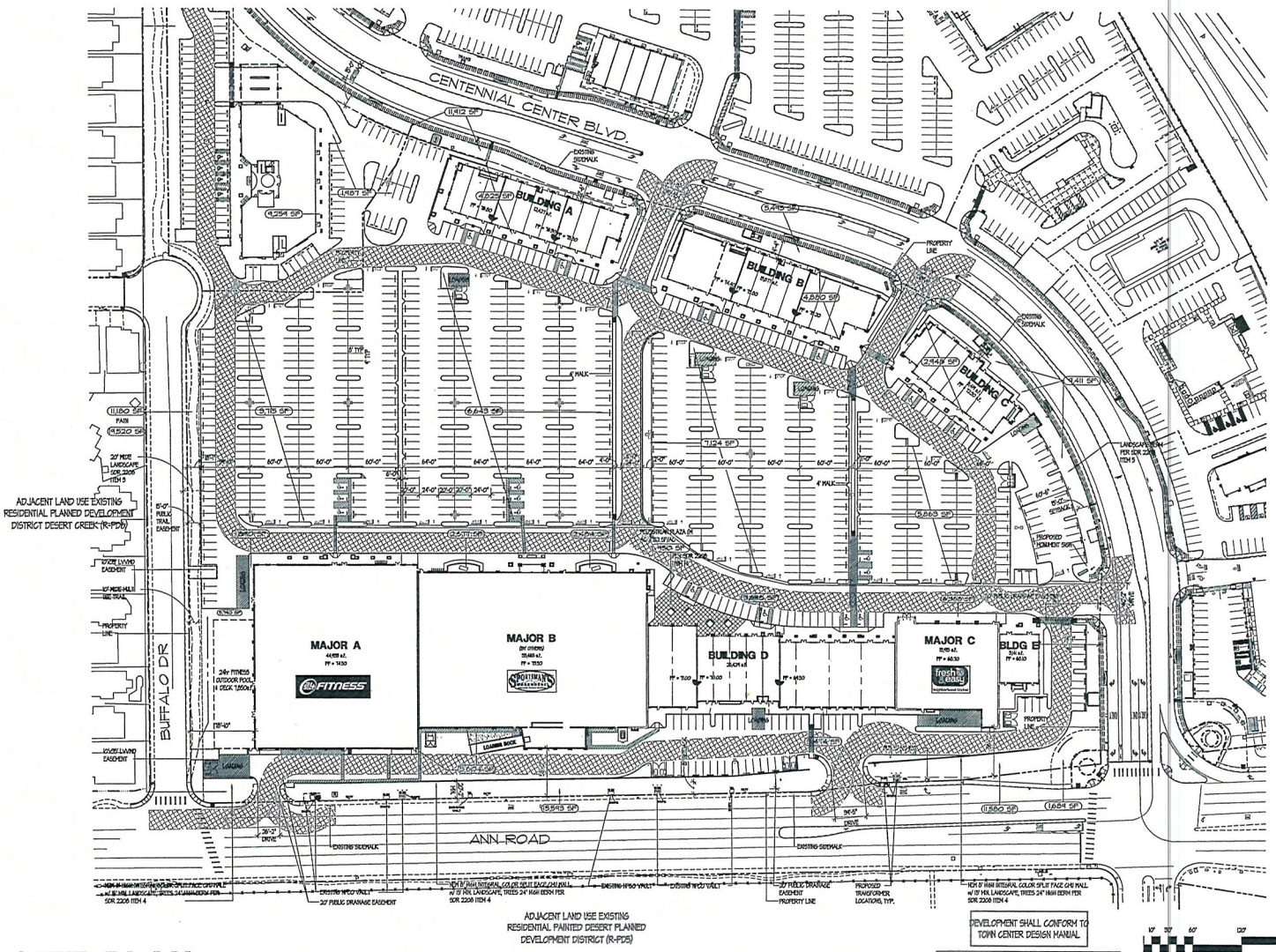
801 Las Vegas Blvd. S. Ste. 150
Las Vegas, Nevada 89101
P.(702) 805-7000
F.(702) 935-7001

Project Title:
Home Consignments/
Plato's Closet Remodel
5643 Centennial Center Parkway

Sheet Title:
Floor Plan

Project Number:
212074B

Sheet Number:
A1.1



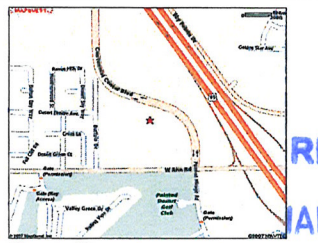
Summary

Land	18.73 AC	815,323 SF
Building Area		211,606 SF
20% Open Space Req'd		163,000 SF
Open Space Provided		163,573 SF
Plaza Area Req'd		950 SF
Plaza Area Provided		990 SF
Land-to-Bldg Ratio		3.88/1
Coverage		25.87%
Retail Shops 'A-E'		65,293 SF
Sportsman Warehouse		55,465 SF
24 Hr Fitness Center		44,933 SF
Fresh & Easy Market		13,915 SF
Sub Total Shopping Ctr		179,606 SF
Existing Office		32,000 SF
Total Building Area		211,606 SF

PARKING BY CODE REQUIREMENTS:

CODE REQUIRED:			
SHOPPING CENTER	179,308sf	1/250	717 SPACES
EXISTING OFFICE	32,000sf	1/300	106 SPACES
TOTAL REQUIRED			823 SPACES

PARKING BY USE			
EXISTING OFFICE	32,000sf	1/300	106 SPACES
24 HR FITNESS	44,933sf	1/200	224 SPACES
SPORTSMAN W.H.	55,465sf	1/250	222 SPACES
FRESH & EASY MARKET	13,915sf	1/250	55 SPACES
RETAIL "A"	12,427sf	1/250	50 SPACES
RETAIL "B"	15,877sf	1/250	63 SPACES
RETAIL "C"	8,419sf	1/250	33 SPACES
RETAIL "D"	25,429sf	1/250	102 SPACES
RETAIL "E"	3,141sf	1/250	12 SPACES
TOTAL REQUIRED			867 SPACES
TOTAL PROVIDED:			1,002
H.C. REQUIRED			20
H.C. PROVIDED:			21 - 5 VAN



RECEIVED
JAN 24 2013

Vicinity Map
Not to Scale

ALL BUILDINGS, IMPROVEMENTS, THEIR OCCUPANTS AND THE USES AS SHOWN ON THIS PLAN ARE PRELIMINARY AND SUBJECT TO MODIFICATION AT THE OWNER'S DISCRETION WITHOUT NOTICE.

THIS PRELIMINARY SITE PLAN IS BASED ON INFORMATION FURNISHED TO NADEL ARCHITECTS NEVADA, LLP AND IS SUBJECT TO VERIFICATION BY LEGALS, SURVEYS AND GOVERNING AGENCIES ETC. THIS EXHIBIT IS NOT NECESSARILY A REPRESENTATION AS TO IDENTITY, TYPE, SIZE, LOCATION, TIMING OR OCCUPANCY OF ANY BUILDING WITHIN THIS CENTER.

SITE PLAN

CENTENNIAL GATEWAY phase II

LAS VEGAS, NEVADA

SUP-48171

TERRITORY INCORPORATED

0' 30' 60' 120' 180'
60

North

DATE: JANUARY 14, 2008
NADEL JOB # 07821

NADEL ARCHITECTS NEVADA, LLP
7100 S. DEAN MARTIN DR., SUITE 600
LAS VEGAS, NV 89118
T.702.896.2000 F.702.896.7170
WWW.NADELARC.COM

NADEL RETAIL

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SUP-48171 - APPLICANT: CENTENNIAL GATEWAY, LLC - OWNER: INLAND DIVERSIFIED LAS VEGAS CENTENNIAL GATEWAY, LLC
5643 CENTENNIAL CENTER BOULEVARD, SUITE #110

01/31/13

KAEMPFER CROWELL

ATTORNEYS AT LAW

KAEMPFER CROWELL RENSHAW GRONAUER & FIORENTINO

LAS VEGAS OFFICE

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jlazovich@kcnvlaw.com
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Las Vegas, NV 89113
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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 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

January 23, 2013

VIA HAND DELIVERY

Mr. Dan Donley
CITY OF LAS VEGAS
PLANNING & ZONING
333 No. Rancho Drive, 3rd Flr.
Las Vegas, NV 89106

Re: Relocation of Home Consignment Center within Centennial Gateway

Dear Dan:

Please be advised, this office represents the applicant in the above referenced matter. On behalf of the applicant, we are submitting this justification letter requesting a special use permit for Home Consignment Center which sells, on a consignment basis, secondhand goods such as jewelry, furniture and other housing accessories.

Home Consignment Center currently operates a 13,761 sf space inside the Centennial Gateway Commercial Center on the north side of Centennial Center Blvd. (5760 Centennial Center Blvd.). The new location will be south of Centennial Center Blvd., in an approximately 11,000 sf space which is adjacent to Sportman's Warehouse (5643 Centennial Center Blvd., Suite 110). Both locations are within the SC-TC zoning district of Town Center.

This use has operated harmoniously within the Centennial Gateway shopping center for several years. The proposed location will continue to be harmonious with the surrounding area and will not have a detrimental impact on adjacent properties.

We respectfully request that the special use permit application be placed on the March 12, 2013 Planning Commission agenda.

Sincerely,

KAEMPFER CROWELL RENSHAW
GRONAUER & FIORENTINO

Jennifer Lazovich

JJL/mlt

cc: Jonathan Schwartz
Terri Sturm

SUP-48171

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

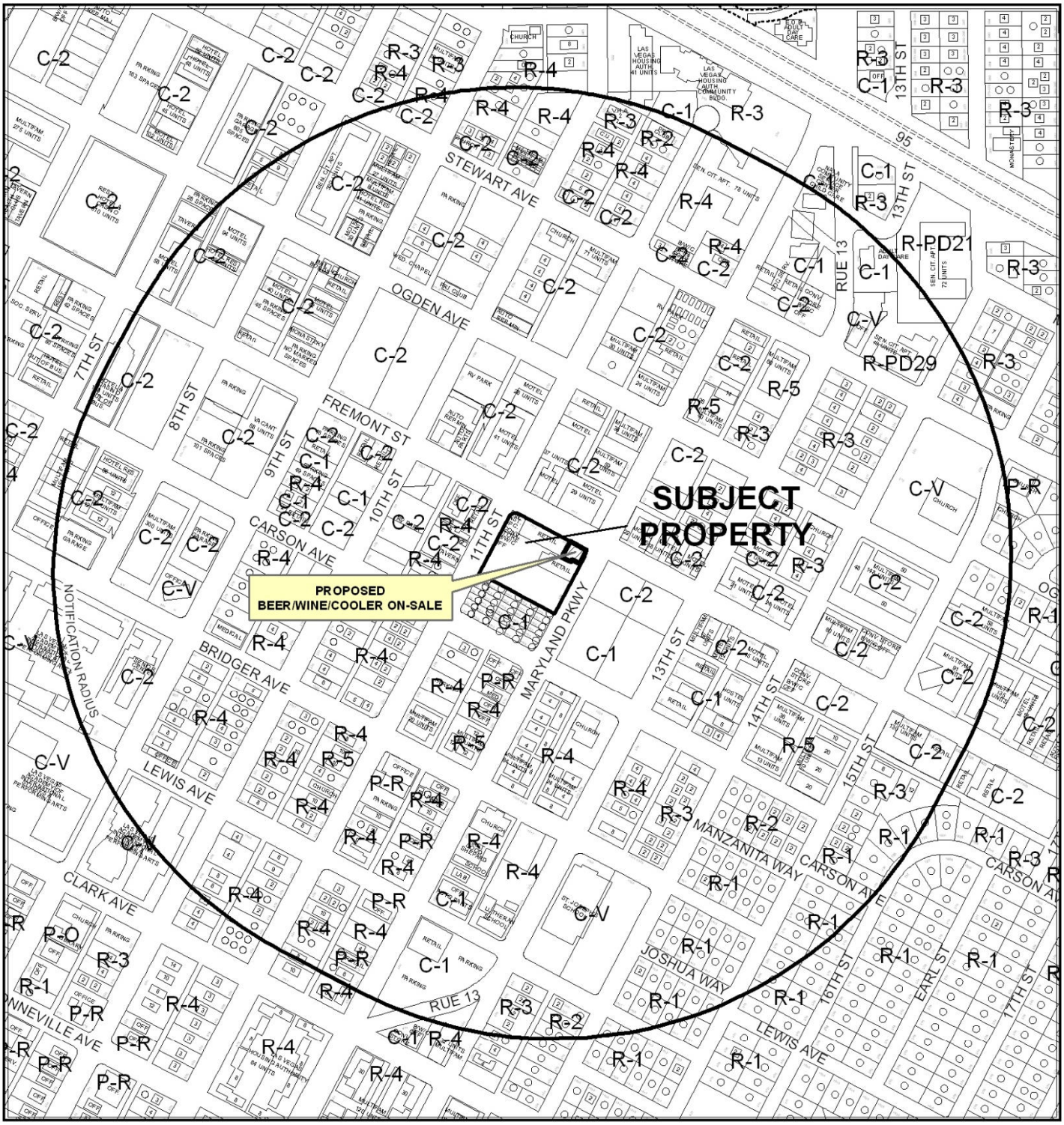
SUBJECT:
SUP-48179 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PUBLICUS, LLC - OWNER: MISSION SPRING PROPERTIES, LLC - For possible action on a request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN A PROPOSED 3,310 SQUARE-FOOT RESTAURANT at 1126 Fremont Street (APN 139-35-317-001), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



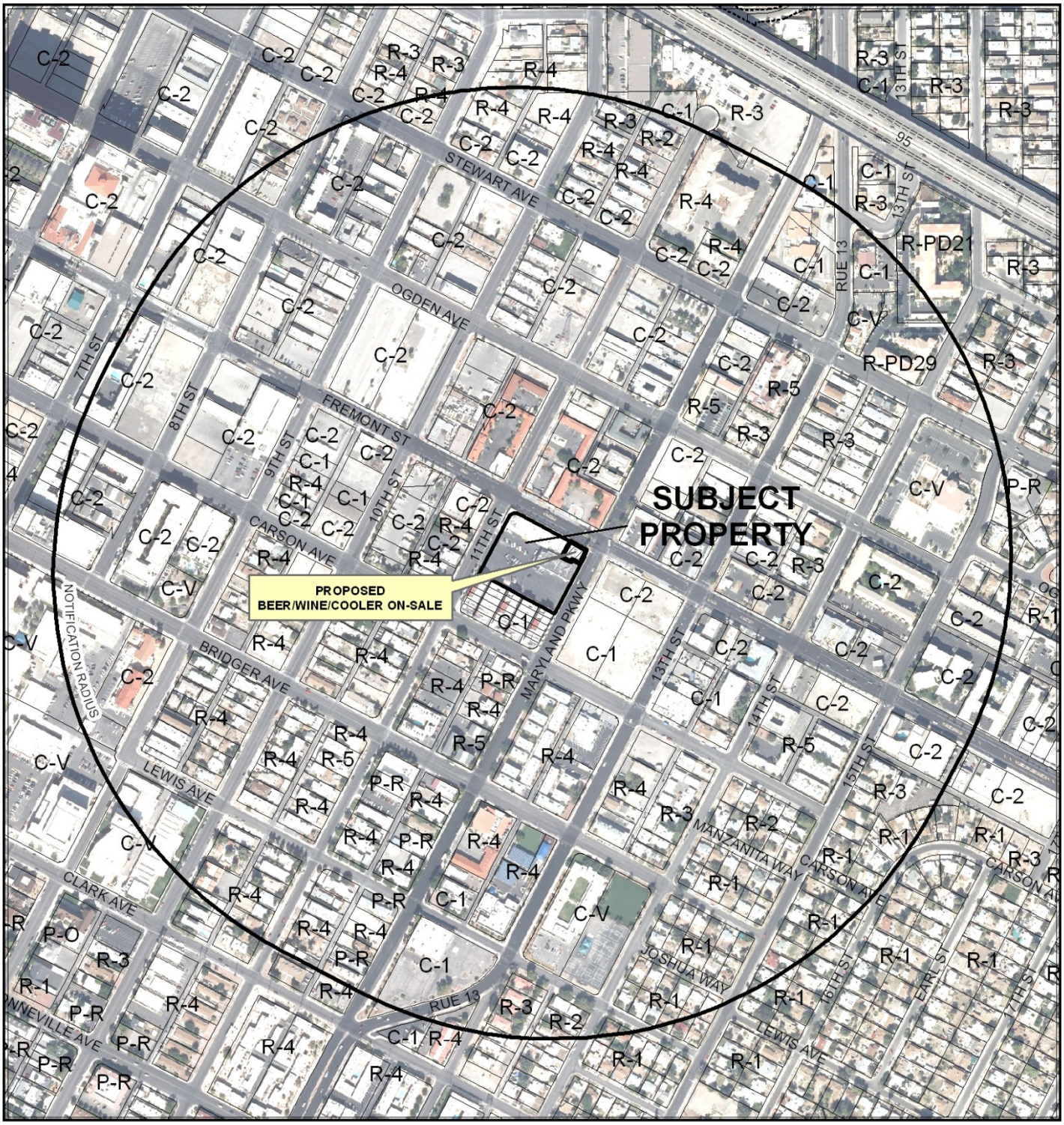
0 400 800 Feet

CASE: SUP-48179

RADIUS: 1500 FEET

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

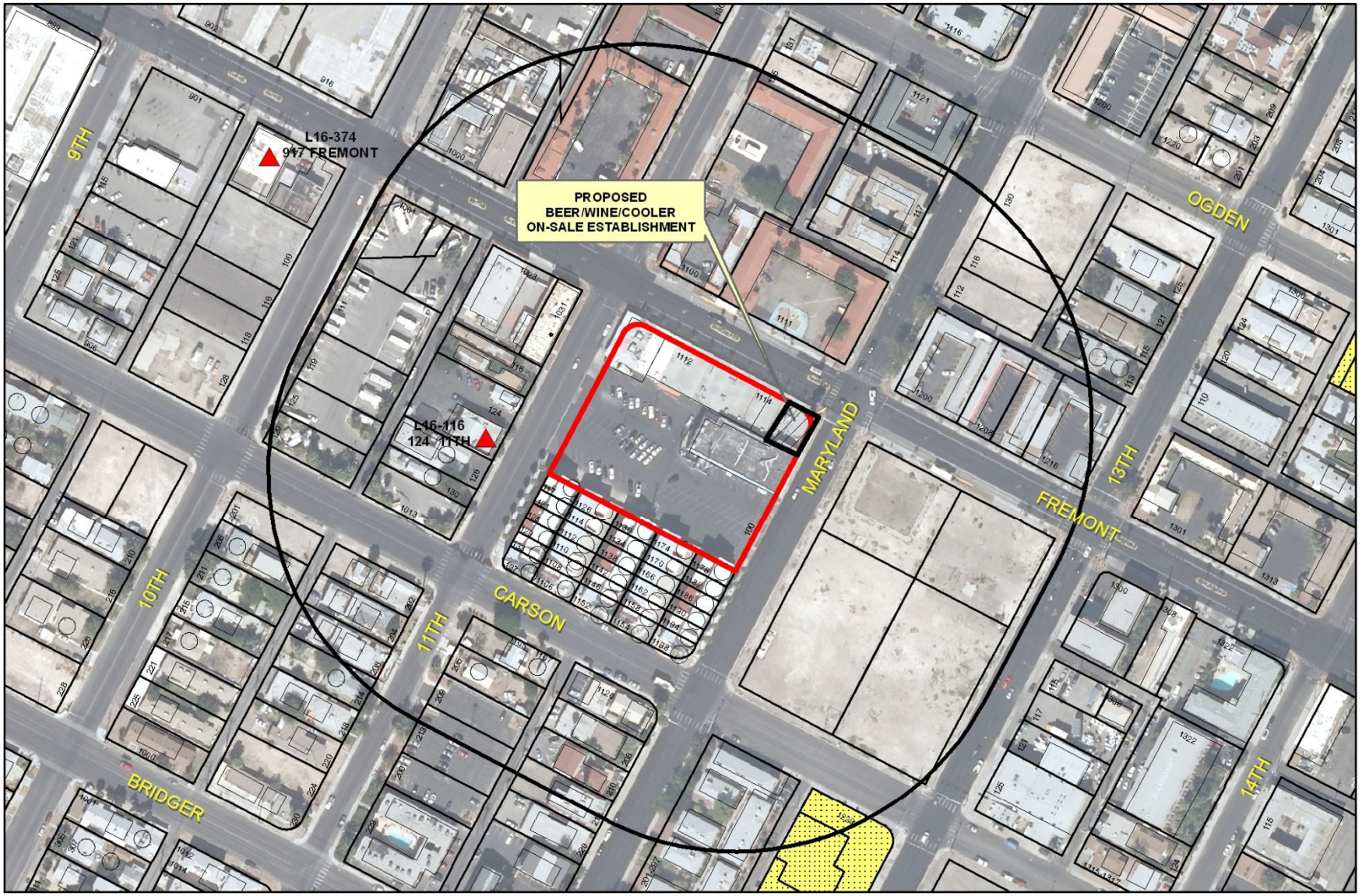
N



CASE: **SUP-48179**

RADIUS: 1500 FEET

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



SUP-48179

Business Licenses

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: PUBLICUS, LLC - OWNER: MISSION SPRING PROPERTIES, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48179	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-48179 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.

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.

YK

Staff Report Page One
March 12, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow for a Beer/Wine/Cooler On-Sale Establishment within a proposed restaurant at 1126 Fremont Street. The restaurant is 3,310 square feet in size with seating for 59 people. The Beer/Wine/Cooler On-Sale use will be ancillary to the proposed restaurant. As this request meets all the Minimum Special Use Requirements and can be conducted in a compatible and harmonious manner within the existing retail center, staff is recommending approval of this application.

ISSUES

- A Beer/Wine/Cooler On-Sale Establishment use requires a Special Use Permit in a C-2 (General Commercial) zone. Staff supports this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/16/64	The City Council approved a Rezoning (Z-0100-64) to reclassify property, including the subject parcels, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).

Most Recent Change of Ownership	
07/03/99	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
11/28/12	A Building Permit (#224755) was issued for interior demolition at 1126 Fremont Street. The permit remains open.
12/24/12	A Business License (R10-92618) for a restaurant at 1126 Fremont Street was marked as Out-of-Business.

Pre-Application Meeting	
01/14/13	Staff met with the applicant and reviewed the requirements for a Beer/Wine/Cooler On-Sale Establishment in conjunction with a proposed restaurant Special Use Permit. It was noted that detailed floor plans showing the entire square footage of the project, including the outside dining area, needs to be provided with the application.

Neighborhood Meeting
No neighborhood meeting was required, nor was one held.

Field Check	
01/31/13	Staff visited the site and found a vacant space in a retail building. The space was secure and the parking lot was clean. It was noted that the existing free standing sign on the site appeared to be used as an Off-Premise sign.

Details of Application Request	
Site Area	
Net Acres	1.72

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail	C (Commercial)	C-2 (General Commercial)
			C-1 (Limited Commercial)
North	Motel	C (Commercial)	C-2 (General Commercial)
South	Multi-Family Residential	C (Commercial)	C-1 (Limited Commercial)
East	Vacant	C (Commercial)	C-2 (General Commercial)
West	Tavern	C (Commercial)	C-2 (General Commercial)
	General Retail		
	Multi-Family Residential		R-4 (High Density Residential)

Master Plan Areas	***Compliance***
Downtown Centennial Plan	Y
Special Purpose and Overlay Districts	***Compliance***
Downtown Centennial Plan Overlay District	Y
Live/Work Overlay District	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	Y
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Fremont Street	Secondary Collector	Master Plan Streets and Highways Map	80	Y
Maryland Parkway	Secondary Collector	Master Plan Streets and Highways Map	80	Y

ANALYSIS

The Beer\Wine\Cooler On-Sale Establishment use is defined by Title 19.12 as "an establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which 30 or more people may be served with meals at any one time at tables or stools." The applicant has indicated that they will be performing the proposed use in conjunction with an existing restaurant.

Minimum Special Use Permit Requirements for a Beer\Wine\Cooler On-Sale Establishment use in a C-2 (Limited Commercial) zoning district are:

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. *There are no protected uses within 400 feet of the proposed location.*

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

a. Any leasehold parcel; or

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

This condition does not apply.

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

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

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

This condition does not apply.

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. *No waivers are required for this application*.

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 does not apply for this application.

*6.) All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50. *The applicant states that they will maintain all appropriate licenses.*

Pursuant to Title 19.12, these are the Minimum Special Use Permit Requirements. The proposed Beer\Wine\Cooler On-Sale Establishment use meets the Minimum Special Use Permit Requirements per Title 19.12. There are no outstanding issues with the request therefore; staff is recommending approval of this Special Use Permit.

FINDINGS (SUP-48179)

The following findings must be made for a Special Use Permit:

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 land use is compatible with the C (Commercial) General Plan designation and is located within an existing retail center. The Beer\Wine\Cooler On-Sale Establishment use can be conducted in a manner that is harmonious and compatible with the surrounding uses.

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

   The proposed Beer\Wine\Cooler On-Sale Establishment use will be accessory to a proposed restaurant within an existing retail center. The subject site is physically suitable for the type and intensity of the land use proposed.

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

   Site access is provided from Fremont Street and Maryland Parkway, both 80-foot Secondary Collectors, as designated in the Master Plan of Streets and Highways. These streets provide adequate access to and from the subject property.

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

   Approval of this Special Use Permit should not compromise public health, safety, or welfare as the proposed Beer\Wine\Cooler On-Sale Establishment use will be subject to regular inspections.

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

The proposed Beer\Wine\Cooler On-Sale Establishment use complies with the minimum Special Use Permit requirements set forth by Title 19.12.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 38

NOTICES MAILED 389

APPROVALS 0

PROTESTS 0

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-48179 APN: 139-35-317-001

Name of Property Owner: Mission Spring Properties, LLC

Name of Applicant: Nicholas PK Akiona

Name of Representative: _____

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: David Charron

Subscribed and sworn before me

This 24th day of January, 2013

_____
Notary Public in and for said County and State

JUDY CATES
Notary Public State of Nevada
No. 02-79102-1
My appt. exp. Dec. 12, 2014

RECEIVED
JAN 24 2013
City of Las Vegas
Department of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Beer/Wine/Cooler On-Sale Establishment

Project Address (Location) 1126 Fremont Street

Project Name PublicUs **Proposed Use** Restaurant - Beer/Wine Cooler On-sale

Assessor's Parcel #(s) 139-35-317-001 **Ward #** 3

General Plan: existing (Downtown Commercial) proposed (No change) **Zoning:** existing C-2 proposed C-2

Commercial Square Footage 3,176 **Floor Area Ratio**

Gross Acres 1.72 **Lots/Units** **Density**

Additional Information Downtown Centennial Plan

PROPERTY OWNER Mission Spring Properties LLC **Contact** Dave Charron

Address 3870 E. Flamingo Road **Phone:** (702) 521-3198 **Fax:**

City Las Vegas **State** NV **Zip** 89121

E-mail Address dave@missionspring.net

APPLICANT PublicUs LLC **Contact** Nicholas PK Akiona

Address 1106 E. Carson Avenue **Phone:** (702) 596-8642 **Fax:**

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

E-mail Address kimoakiona@yahoo.com

REPRESENTATIVE **Contact**

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

City **State** **Zip**

E-mail Address

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

Property Owner Signature* [signature]

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

Print Name David Charron

Subscribed and sworn before me

This 23rd day of January, 2013.

[signature]

Notary Public in and for said County and State Clark, NV

JUDY CATES
Notary Public State of Nevada
No. 02-79102-1
My appt. exp. Dec. 12, 2014

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-48179
Meeting Date:	3/12/2013
Total Fee:	1280 00
Date Received:*	1/24/203
Received By:	MKelly

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

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

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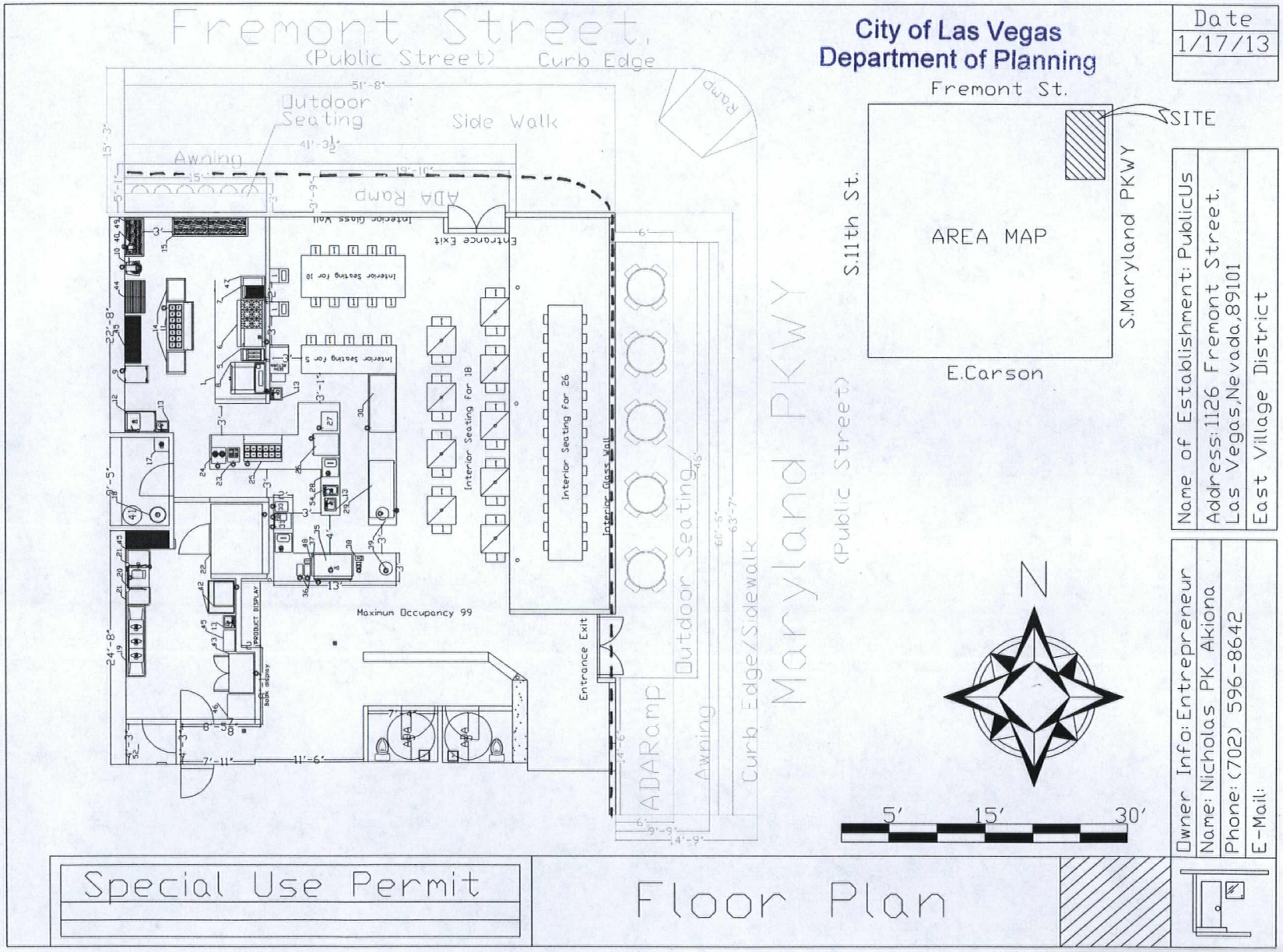
FEB 0 6 2013

City of Las Vegas
Department of Planning



Date
1/17/13

Name of Establishment: PublicUs
Address: 1126 Fremont Street.
Las Vegas, Nevada, 89101
East Village District

Owner Info: Entrepreneur
Name: Nicholas PK Akiona
Phone: (702) 596-8642
E-Mail:

Special Use Permit

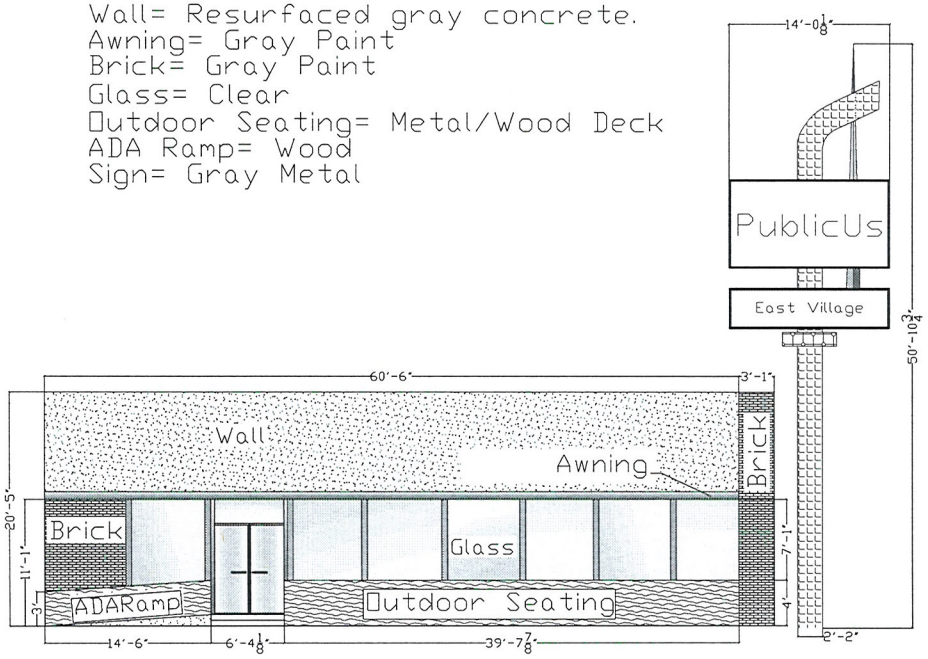
Floor Plan

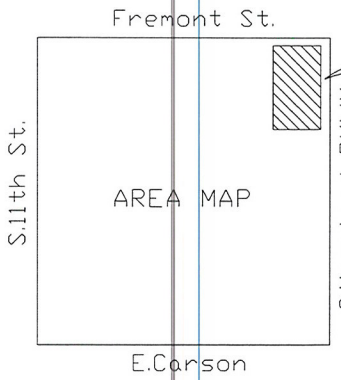
SUP-48179
REVISED

Date
1/17/13

Notes:

Wall= Resurfaced gray concrete.
Awning= Gray Paint
Brick= Gray Paint
Glass= Clear
Outdoor Seating= Metal/Wood Deck
ADA Ramp= Wood
Sign= Gray Metal



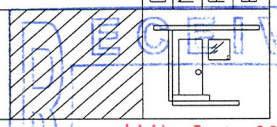


Name of Establishment: PublicUs
Address: 1126 Fremont Street. Las Vegas, Nevada, 89101
East Village District

Owner Info: Entrepreneur
Name: Nicholas PK Akiona
Phone: (702) 596-8642
E-Mail:

5' 15' 30'

Special Use Permit	Maryland PKWY West Elevation



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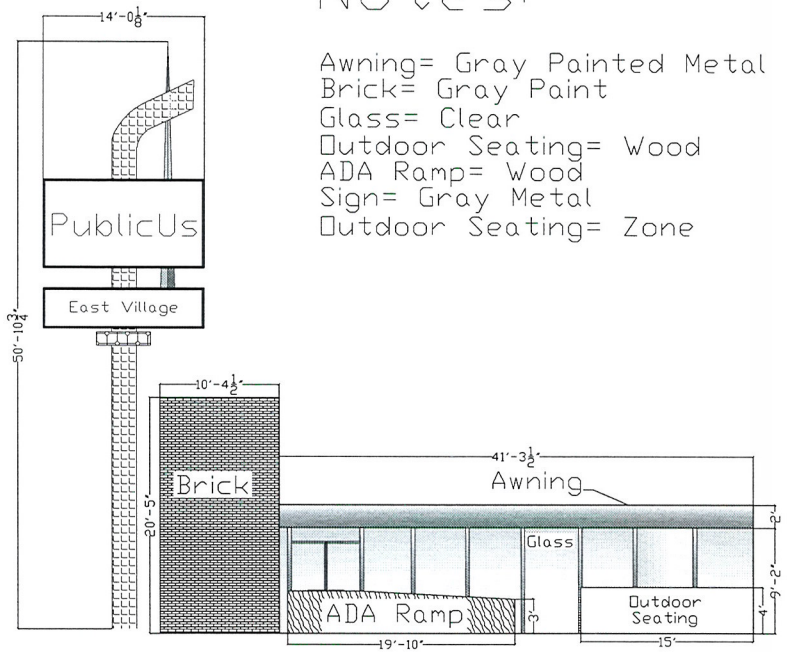
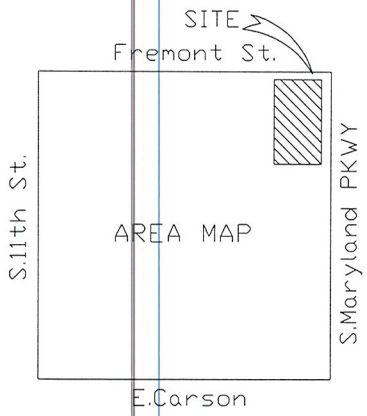
SUP-48179

Date
1/17/13

Notes:

Awning= Gray Painted Metal
Brick= Gray Paint
Glass= Clear
Outdoor Seating= Wood
ADA Ramp= Wood
Sign= Gray Metal
Outdoor Seating= Zone



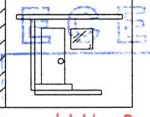


Name of Establishment: PublicUs
Address: 1126 Fremont Street. Las Vegas, Nevada, 89101
East Village District

Owner Info: Entrepreneur
Name: Nicholas PK Akiona
Phone: (702) 596-8642
E-Mail:

5' 15' 30'

Special Use Permit	Fremont St. North Elevation



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SUP-48179



SUP-48179 - APPLICANT: PUBLICUS, LLC - OWNER: MISSION SPRING PROPERTIES, LLC
1126 FREMONT STREET

01/31/13



SUP-48179 - APPLICANT: PUBLICUS, LLC - OWNER: MISSION SPRING PROPERTIES, LLC
1126 FREMONT STREET

01/31/13

Nicholas PK Akiona
PublicUs LLC dba PublicUs
1126 Fremont Street
Las Vegas, NV 89101

December 28, 2012

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

Re: JUSTIFICATION LETTER
SUP Application

Dear Mr. Fagg:

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 operation to be located at 1126 Fremont Street. The Restaurant is located within the East Village District and is part of the Downtown Overlay District as defined by Map 17 of the Downtown Centennial Plan. The Application is for a **SUP FOR A BEER WINE COOLER ON-SALE ESTABLISHMENT** on 1.72 acres at 1126 Fremont Street, Las Vegas, Nevada 89101 zoned C-2 (General Commercial).

We intend to serve beer, wine and coolers in conjunction with meals on the premises and will also provide outdoor seating. 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 Restaurant is approximately 3,100 square feet and we plan to employee approximately 10 to 15 employees. The hours of operation will be from 6:00am to 11:00pm Monday through Sunday. The Restaurant will not increase the demand for parking, as the prior use was also a restaurant operation.

We are requesting a Waiver to allow for a Beer Wine Cooler On-Sale business, which is approximately 330 feet from a protected use (Church located at 1229 E. Carson Avenue) where 400 feet is required. While the request is to allow 330 feet where 400 feet is required, the area of the parcel that is within the 400 feet distance separation area is a portion of the parking lot located at the southwest corner of the parcel. The actual distance from the Church parcel to our tenant space is approximately 475 feet, and over 500 feet when measuring to our closest entrance. Our parcel is also separated from the Church by two major roadways, Maryland Parkway and Carson Avenue. For these reasons, we believe this Waiver request is meeting the spirit of the 400 feet distance separation requirement.

This Restaurant will further enhance the various revitalization efforts underway in Downtown Las Vegas by adding what we believe is an additional element in not only attracting visitors to Downtown, but

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Department of Planning

SUP-48179

adding to the quality of life for current and future Downtown residents. We appreciate your support for this project and look forward to working with the City of Las Vegas Staff during the entitlement process. If you have any questions and / or concerns, please do not hesitate to contact me.

With Kind Regards,

Nicholas PK Akiona

SUP-48179

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

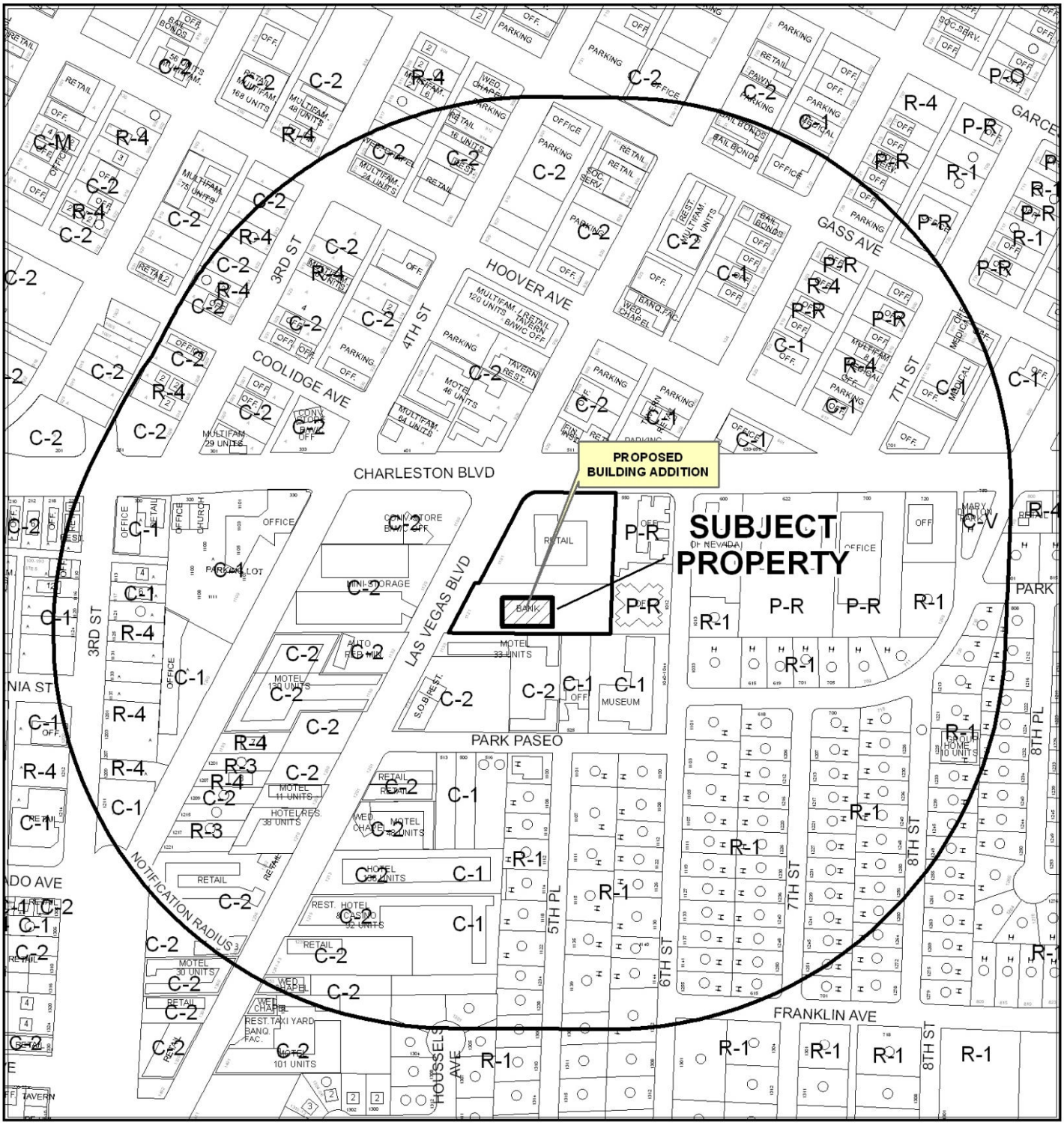
SUBJECT:
SDR-48152 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: WELLS FARGO BANK - For possible action on a request for a Major Amendment of an approved Site Development Plan Review (SD-0026-97) FOR A 1,044 SQUARE-FOOT ADDITION TO AN EXISTING 4,821 SQUARE-FOOT BANK on 1.1 acres at 1121 South Las Vegas Boulevard (APN 162-03-114-003), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

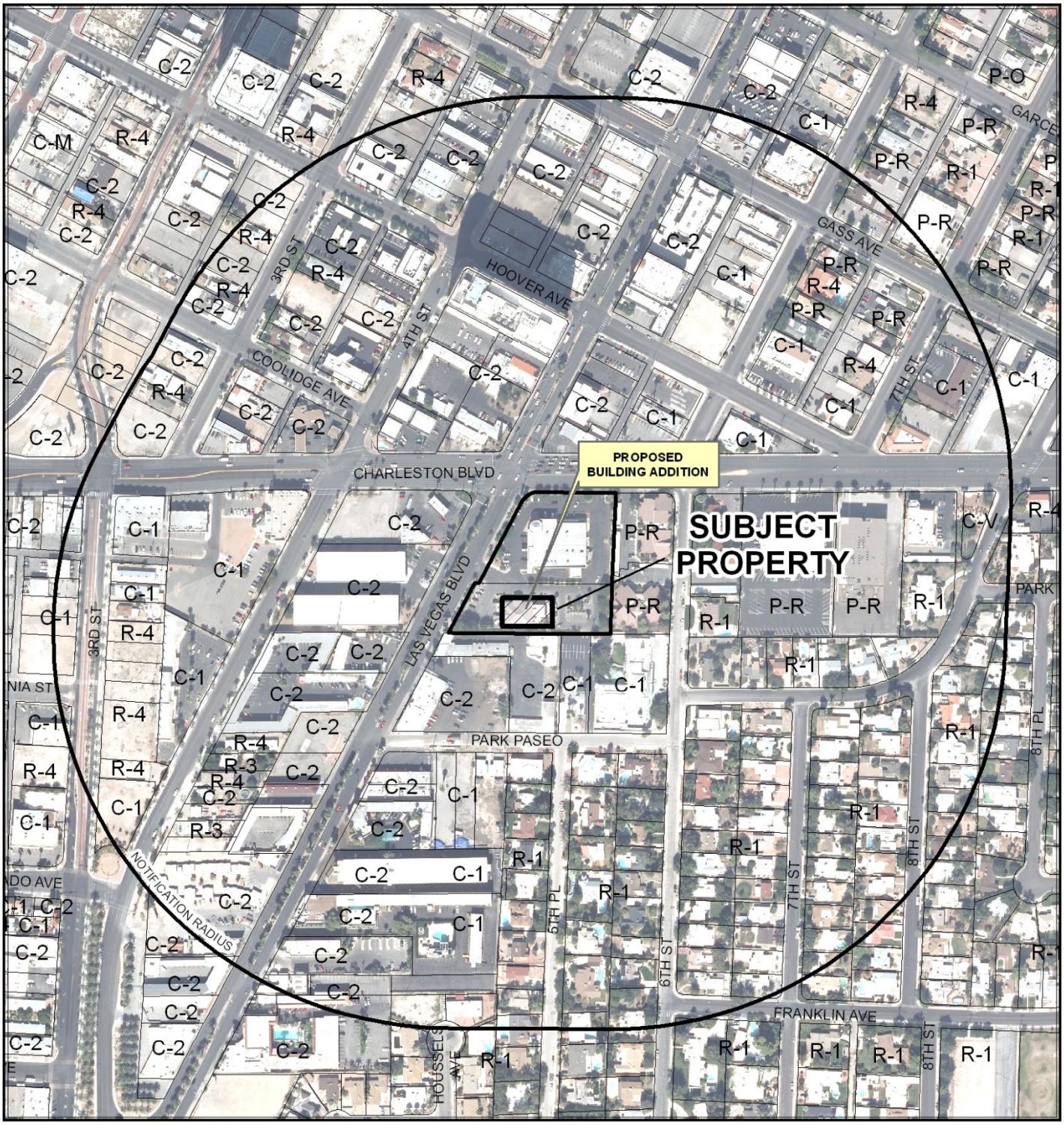
MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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


PROPOSED BUILDING ADDITION
SUBJECT PROPERTY
CHARLESTON BLVD
HOOVER AVE
GASS AVE
COOLIDGE AVE
FRANKLIN AVE
PARK PASEO
LAS VEGAS BLVD
3RD ST
4TH ST
5TH PL
6TH ST
7TH ST
8TH ST
8TH PL
HOUSSELS AVE
NOTIFICATION RADIUS
BANK
MUSEUM
MOTEL 33 UNITS
MOTEL 46 UNITS
MOTEL 30 UNITS
MOTEL 101 UNITS
MOTEL 11 UNITS
MOTEL 13 UNITS
HOTEL RES. 38 UNITS
REST. HOTEL CASINO 92 UNITS
MULTIFAM. 168 UNITS
MULTIFAM. 75 UNITS
MULTIFAM. 74 UNITS
MULTIFAM. 64 UNITS
MULTIFAM. 29 UNITS
MULTIFAM. 120 UNITS - RETAIL TAVERN - BANQ. FAC. - BANK - BANQUET FAC. - BAR - BAIL BONDS - BAIL BONDS - BAIL BONDS



CASE: SDR-48152

RADIUS: 1000 FEET

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

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: WELLS FARGO BANK

** STAFF RECOMMENDATION **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-48152	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SDR-48152 CONDITIONS

Planning

1. Conformance to the Conditions of Approval for Site Development Plan Review (SD-0026-97) 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, 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. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

MH

Public Works

7. A Drainage Study update must be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map for this site. Provide and improve all drainageways recommended in the approved drainage study update.

Staff Report Page One
March 12, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is request a Site Development Plan Review for a proposed 1,044 square-foot addition to the rear of an existing 4,821 square-foot Financial Institution, General (Bank). The proposed addition is located at the east end of the building and will feature a seamless finish with the existing façade. There are no changes to the building height, front and side setbacks, or the existing perimeter landscaping. Staff recommends approval of this request, as the proposed expansion remains compatible with the surrounding commercial development.

ISSUES

- The proposed 1,044 square-foot expansion of the 4,821 square-foot building constitutes an approximate 22% increase in the original floor plan approved by Site Development Plan Review (SD-0026-97). Per Title 19.16.100(H)(2), this constitutes a Major Amendment to an approved Site Development Plan Review.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/26/62	The Board of City Commissioners approved the rezoning of this property to C-2 (General Commercial).
12/04/97	Staff administratively approved a request for a Site Development Plan Review (SD-0026-97) on property located approximately 300 feet south of Charleston Boulevard on Las Vegas Boulevard, South for a proposed 4,821 square-foot banking facility.

Most Recent Change of Ownership	
09/19/97	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
02/10/98	A building permit (#98-002703) was issued for a new bank building at 1121 South Las Vegas Boulevard. A final inspection was completed on 05/13/98.
06/15/98	A business license (#B03-00124) issued for a Bank at 1121 South Las Vegas Boulevard. This license is active.

Pre-Application Meeting	
01/10/13	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Major Amendment to the approved Site Development Plan Review (SD-0026-97), as the proposal is greater than 10% of the floor area for the previous approval.

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

Field Check	
01/31/13	Staff visited the site and found a well maintained commercial property.

Details of Application Request	
Site Area	
Net Acres	1.10

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Financial Institution, General	C (Commercial)	C-2 (General Commercial)
North	General Retail, Other Than Listed	C (Commercial)	C-2 (General Commercial)
South	Motel	C (Commercial)	C-2 (General Commercial)
	Office, Other Than Listed	SC (Service Commercial)	C-1 (Limited Commercial)
East	Mini-Storage Facility	C (Commercial)	P-R (Professional Office and Parking)
West	Office, Other Than Listed	C (Commercial)	C-2 (General Commercial)

Master Plan Areas	***Compliance***
Downtown Centennial Plan	Y
John S. Park Historic Neighborhood	Y
Special Purpose and Overlay Districts	***Compliance***
Downtown Centennial Plan – Downtown South District	Y
Las Vegas Boulevard Scenic Byway Overlay District	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A

MH

Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to the Las Vegas Downtown Centennial Plan, the following standards apply:

Standard	***Required/Allowed***	***Provided***
Min. Setbacks		
• Front	70% of façade along property line	94 Feet
• Side	N/A	20 Feet
• Rear	N/A	140 Feet
Max. Lot Coverage	N/A	13 %
Max. Building Height	N/A	24 Feet

Parking Requirement - Downtown							
Use	***Gross Floor Area or Number of Units***	***Recommended Parking***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Financial Institution, General (Bank)	5,865 SF	1:200 SF					
TOTAL SPACES REQUIRED			30		50		
Regular and Handicap Spaces Required			28	2	48	2	Y

ANALYSIS

The proposed 1,044 square-foot expansion is located at the rear of an existing 4,821 square-foot Financial Institution, General (Bank), which was originally entitled by Site Development Plan Review (SD-0026-97). Because the proposed expansion exceeds a 10 percent expansion of the existing building floor area, a Major Amendment to the approved Site Development Plan Review (SD-0026-97) is required.

The existing building predates the effective date of the Las Vegas Downtown Centennial Plan and does not conform to the requirement to have 70 percent of the front building facade align along the front property line; however, the proposed expansion does not affect the front or side setbacks, building height, or perimeter landscaping. The proposed elevations and materials are specified to match the existing structure and minimal alteration to the site is proposed.

The net result of the proposed expansion consists of a loss of four parking spaces adjacent to the rear of the building and a new gross floor area of 5,865 square feet. There are 50 remaining parking spaces where 30 spaces are now required.

Staff recommends approval of this request, as there is no change in use and the proposed expansion remains harmonious and compatible with the surrounding development.

FINDINGS (SDR-48152)

In order to approve a Site Development Plan application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   This proposal is consistent with the surrounding commercial and office uses and provides a suitable infill project for the developable portion of the parcel.

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

   The proposed development is consistent with the C (Commercial) General Plan land use designation and the C-2 (General Commercial) zoning district development standards. The

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

   Primary site access is from Las Vegas Boulevard with secondary access provided from Charleston Boulevard, via a cross access agreement. There are no proposed changes to the site access and the proposed development will not increase traffic demands from current levels.

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

   The building materials are specified to match the existing façade of the bank and the only proposed change to the site landscaping is a minor relocation of trees in the parking lot.

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

   The elevations and design characteristics of the proposed expansion remain consistent with the existing bank's design while retaining the orderly and aesthetically pleasing environment. The proposed expansion is in context with the neighboring light commercial and office developments and is sensitive to the nearby residential properties to the southeast.

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

   The proposed expansion will be 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 324

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-48152** APN: 162-03-114-003

Name of Property Owner: Wells Fargo Bank, N.A.

Name of Applicant: Wells Fargo

Name of Representative: Nadel Nevada, Inc.

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Amanda Allen

Subscribed and sworn before me

This _____day of _____, 20_____

_____

Notary Public in and for said County and State

SEE ATTACHED NOTARY CERTIFICATE

JAN 23 2013

of Las Vegas
ent of Planning

State of California
County of Placer

Subscribed and sworn to (or affirmed) before me on this 17 day of January, 2013, by Amanda Allen,
proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

CECILIA VASQUEZ
COMM. # 1850784
NOTARY PUBLIC - CALIFORNIA
SACRAMENTO COUNTY
MY COMM. EXP. MAY 24, 2013

(Seal) Signature

SDR-48152

JAN 23 2013
City of Las Vegas
Department of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Major Admendment to the Approved Site Development Plan Review

Project Address (Location) 1121 S. Las Vegas Boulevard

Project Name Wells Fargo **Proposed Use** Existing Financial

Assessor's Parcel #(s) 162-03-114-003 **Ward #** 3-Coffin

General Plan: existing C proposed N/C **Zoning:** existing C-2 proposed N/C

Commercial Square Footage 5,898 S.F. **Floor Area Ratio** .123

Gross Acres 1.1 **Lots/Units** 1 **Density** .9

Additional Information Original site development review SD-26-97 approved 12/04/1997

PROPERTY OWNER Wells Fargo Bank, N.A. **Contact**

Address 333 Market Street, 11th Floor **Phone:** **Fax:**

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

E-mail Address

APPLICANT Wells Fargo **Contact** Bob Hesse

Address 3511 Boulder Highway **Phone:** (702) 791-6622 **Fax:** (702) 791-6608

City Las Vegas **State** NV **Zip** 89121

E-mail Address hesser@wellsfargo.com

REPRESENTATIVE Nadel Nevada, Inc. **Contact** Mark Mikelson

Address 175 E. Warm Springs Road **Phone:** (702) 896-2000 **Fax:** (702) 896-7170

City Las Vegas **State** NV **Zip** 89119

E-mail Address mmikelson@nadelarc.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* Amanda Allen

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

Print Name Amanda Allen

Subscribed and sworn before me

This _____ day of _____, 20 _____.

_____

Notary Public in and for said County and State SEE ATTACHED NOTARY CERTIFICATE

FOR DEPARTMENT USE ONLY

Case #	SDR-48152
Meeting Date:	3/12/2013
Total Fee:	1030.00
Date Received:*	1/23/2013
Received By:	MR

*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.

State of California
County of Placer

Subscribed and sworn to (or affirmed) before me on this 17 day of January, 2013, by Amanda Allen, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

CECILIA VASQUEZ
COMM. # 1850784
NOTARY PUBLIC-CALIFORNIA
SACRAMENTO COUNTY
MY COMM. EXP. MAY 24, 2013

(Seal) Signature

CECILIA VASQUEZ
COMM. # 1850784
NOTARY PUBLIC-CALIFORNIA
SACRAMENTO COUNTY
MY COMM. EXP. MAY 24, 2013

SDR-48152

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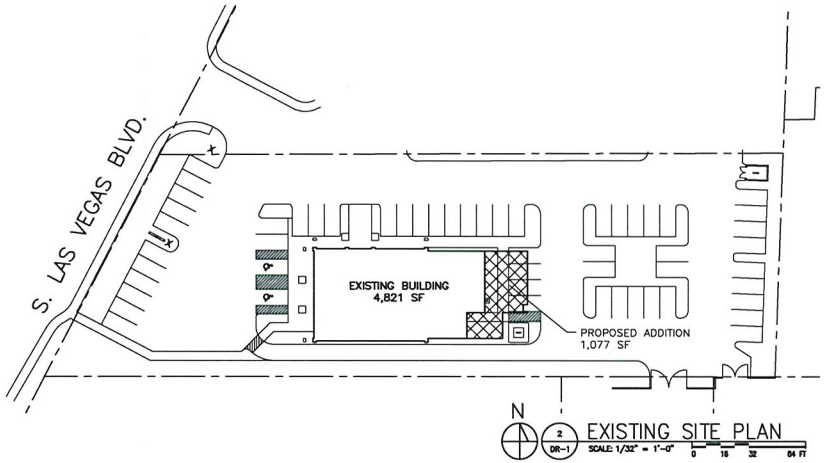
JAN 23 2013





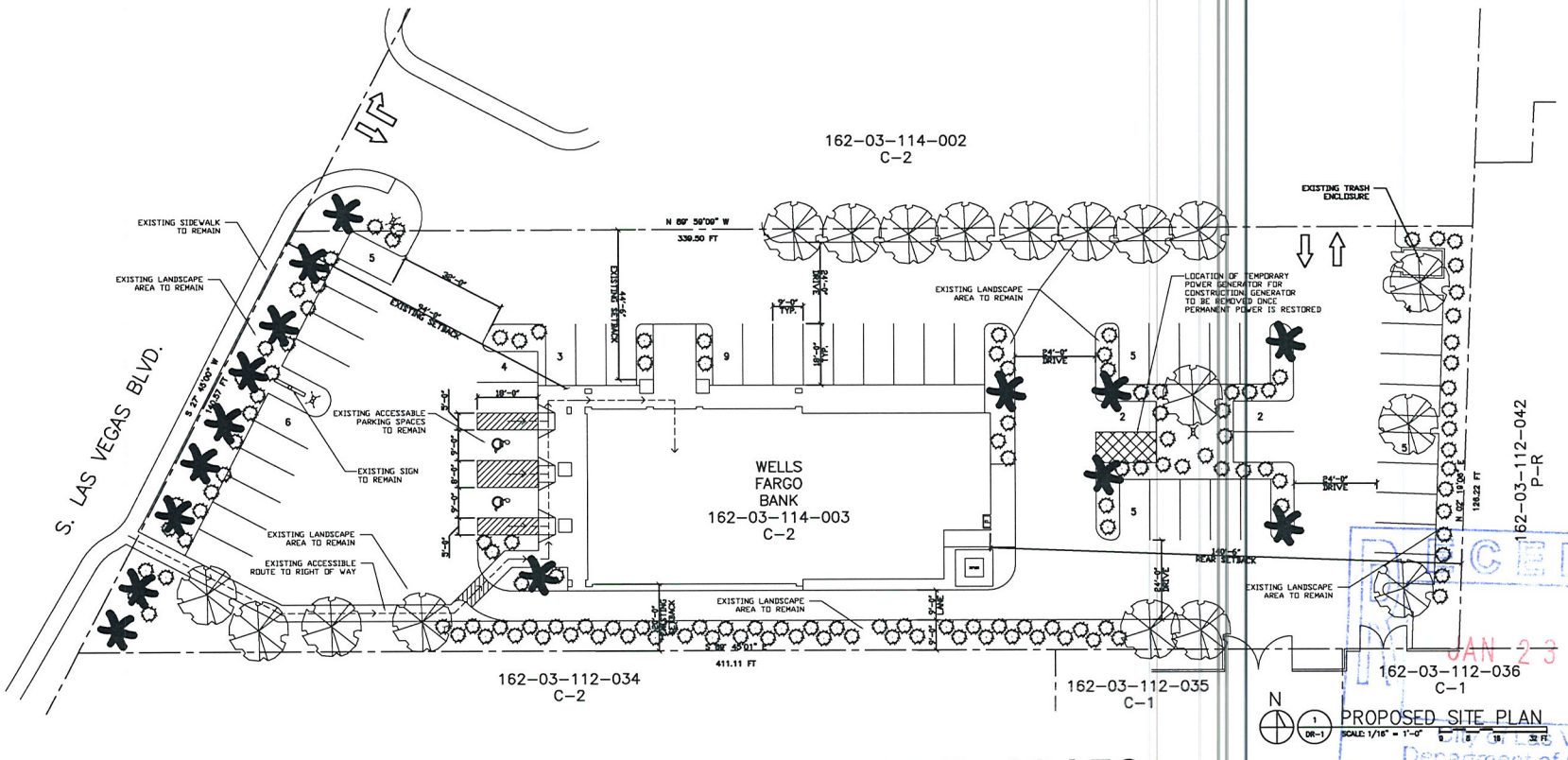
Vicinity Map
Not to Scale

Summary

AHJ:	CITY OF LAS VEGAS
Zoning:	
Existing:	C-2
APN:	162-03-114-003
Land:	1.1 AC ±47,916 SF
Building:	5,898 SF
Floor Area Ratio:	.123

Parking Analysis: (APN: 124-20-612-005)

Total Financial :	
(New + Existing):	5,898 SF
Total Parking:	
Required:	29.49 spaces
(Bank: 1 PER 200 SF)	
Provided:	48 STD+2 HC=50 spaces
(4 Spaces removed due to proposed construction.)	
Total Accessible (HC) Parking:	
Required	2 spaces
Provided:	2 spaces



SDR-48152

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City of Las Vegas
Department of Planning

WELLS FARGO

WELLS FARGO:
BANK ADDITION
1121 S. LAS VEGAS BLVD.
LAS VEGAS, NV 89104

ARCHITECT OF RECORD
Nadel Studio One, Inc.
3050 Pullman Street
Costa Mesa, CA 92626
T. 714.540.5000
F. 714.755.3013
www.nadelarc.com
NADEL

ENGINEER OF RECORD

SEAL

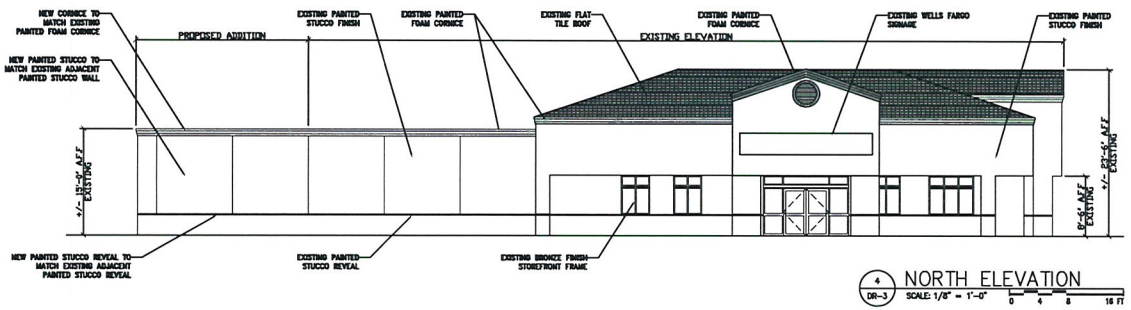
REVISIONS

NO.	DESCRIPTION	DATE

DATE ISSUED: 01-24-2013
REVIEWED BY: JS
DRAWN BY: JS
DESIGNED BY: JS
PROJECT #
12-338

SHEET TITLE
SITE PLAN

SHEET NUMBER
DR-1



4 DR-3 NORTH ELEVATION
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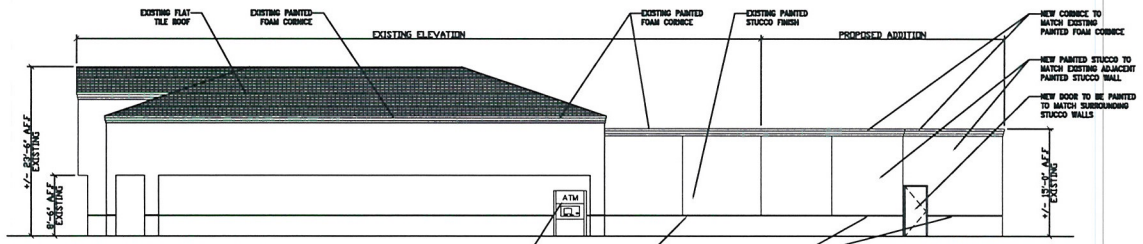

3 DR-3 SOUTH ELEVATION
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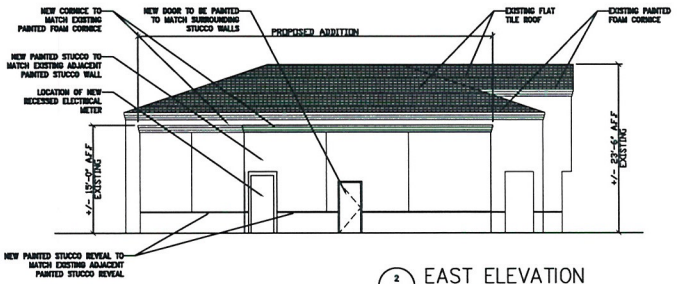

2 DR-3 EAST ELEVATION
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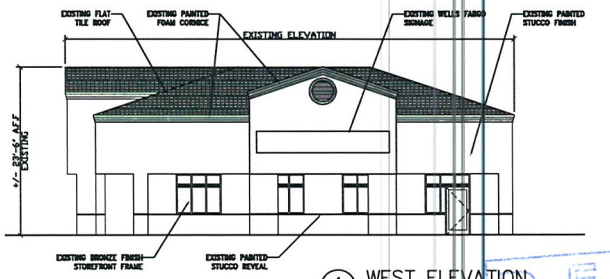

1 DR-3 WEST ELEVATION
SCALE: 1/8" = 1'-0" 0 4 8 16 FT

SDR-48152

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JAN 23 2013
City of Las Vegas
Department of Planning

WELLS FARGO

WELLS FARGO:
BANK ADDITION
1121 S. LAS VEGAS BLVD.
LAS VEGAS, NV 89104

ARCHITECT OF RECORD
Nadel Studio One, Inc.
3050 Pullman Street
Costa Mesa, CA 92626
T. 714.540.5000
F. 714.755.3013
www.nadelarc.com
NADEL

ENGINEER OF RECORD

SEAL

REVISIONS

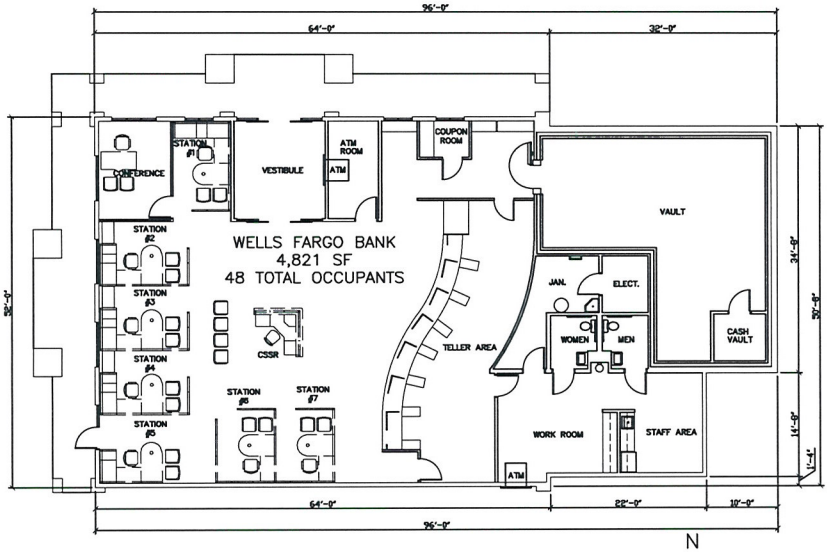
NO.	DESCRIPTION	DATE

DATE ISSUED: 01-24-2013
REVIEWED BY: JS
DRAWN BY: JS
DESIGNED BY: JS

PROJECT #
12-338

SHEET TITLE
ELEVATIONS

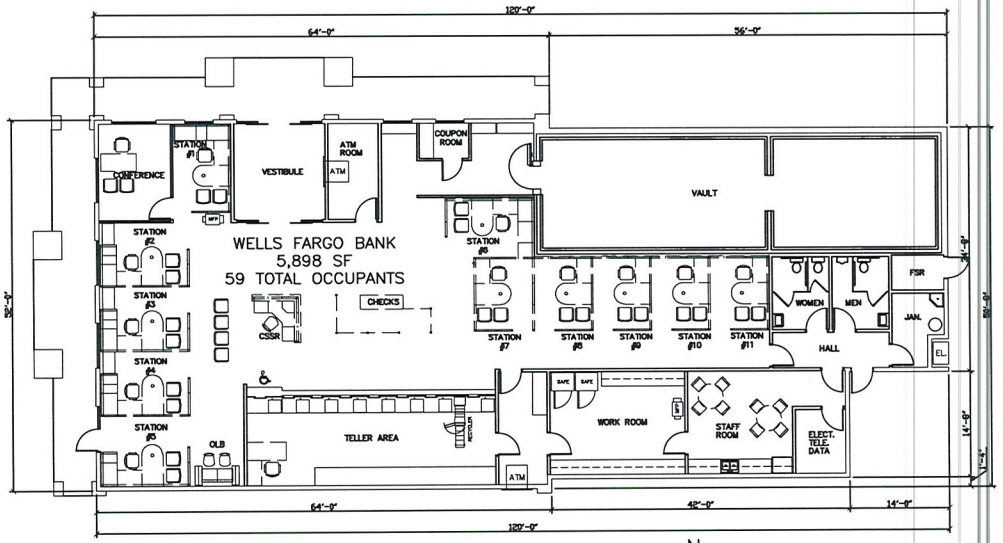
SHEET NUMBER
DR-3



N

2 DR-2 EXISTING FLOOR PLAN

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



N

1 DR-2 PROPOSED FLOOR PLAN

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

SDR-48152

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City of Las Vegas
Dept. of Planning

WELLS FARGO

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NADEL

ENGINEER OF RECORD

SEAL

REVISIONS

NO.	DESCRIPTION	DATE

DATE ISSUED: 01-24-2013
REVIEWED BY: JS
DRAWN BY: JS
DESIGNED BY: JS

PROJECT #
12-338

SHEET TITLE

FLOOR PLANS

SHEET NUMBER
DR-2



SDR-48152 – APPLICANT/OWNER: WELLS FARGO BANK
1121 SOUTH LAS VEGAS BOULEVARD

01/31/13



SDR-48152 – APPLICANT/OWNER: WELLS FARGO BANK
1121 SOUTH LAS VEGAS BOULEVARD

01/31/13



SDR-48152 – APPLICANT/OWNER: WELLS FARGO BANK
1121 SOUTH LAS VEGAS BOULEVARD

01/31/13

January 23, 2013

NADEL

175 East Warm Springs Road
Suite 100
Las Vegas, NV 89119

T. 702.896.2000
F. 702.896.7170
www.nadelarc.com

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

Re: Wells Fargo Bank
1121 S. Las Vegas Blvd
APN: 162-03-114-003
Major Amendment
Nadel #:12338

Planning Department:

On behalf of our client Wells Fargo, this letter is to serve as a statement of justification for a major amendment to the approved site plan review for the property at 1121 S. Las Vegas Blvd.

Project Description:

Site:

The project site is zoned for commercial use (C-2) and is the location of an existing 4,821 SF Wells Fargo Bank. The original site development review, SD-26-97, for the bank was approved on December the 4th 1997.

Proposed Development:

The purpose of this application is to amend the original site development review to add a 1,044 SF addition to the existing 4,821 SF Wells Fargo Bank. As part of this addition a total of four parking spaces are being removed and the existing electrical service is being relocated. Wells Fargo must continue to provide their services to the community while the addition is being constructed so they will require a temporary generator be located on the site until permanent power is restored to the building.

We feel that this addition will have a minimal impact to the site and while four of the original fifty four parking spaces are lost, twenty spaces will be provided in addition to the required thirty parking spaces. We also feel that the use of the temporary generator will not have a dramatic impact to the site and the surrounding areas.

We respectfully submit the above requests for your consideration. Nadel Architects and Wells Fargo mutually look forward to working with the City of Las Vegas Planning to obtain the necessary approvals and are available at your convenience to answer any questions or to provide additional information.

Respectfully,
NADEL NEVADA, INC

Mark Mikelson – AIA, LEED AP
Division Director, Senior Vice President

RECEIVED
JAN 23 2013
City of Las Vegas
Department of Planning

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SDR-48152

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

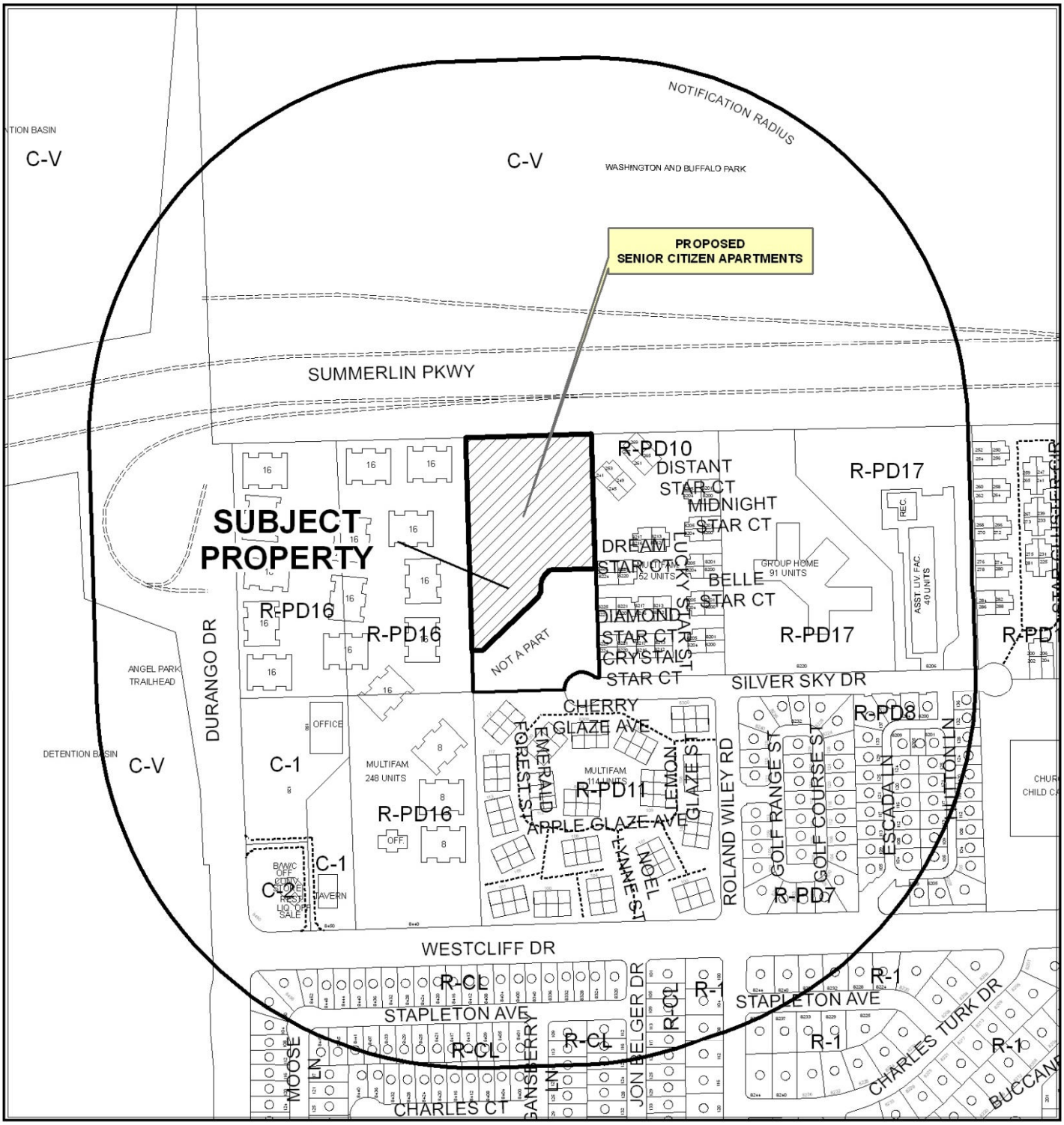
SUBJECT:
SDR-48272 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: WESTCLIFF PINES 2, LP - For possible action on a request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 80-UNIT SENIOR CITIZEN APARTMENT DEVELOPMENT WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE SOUTH PROPERTY LINE WHERE A SIX-FOOT BUFFER IS REQUIRED on 3.38 acres adjacent to the south side of Summerlin Parkway at the west end of Silver Sky Drive (APN 138-28-401-015), R-3 (Medium Density Residential) Zone, Ward 2 (Beers). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

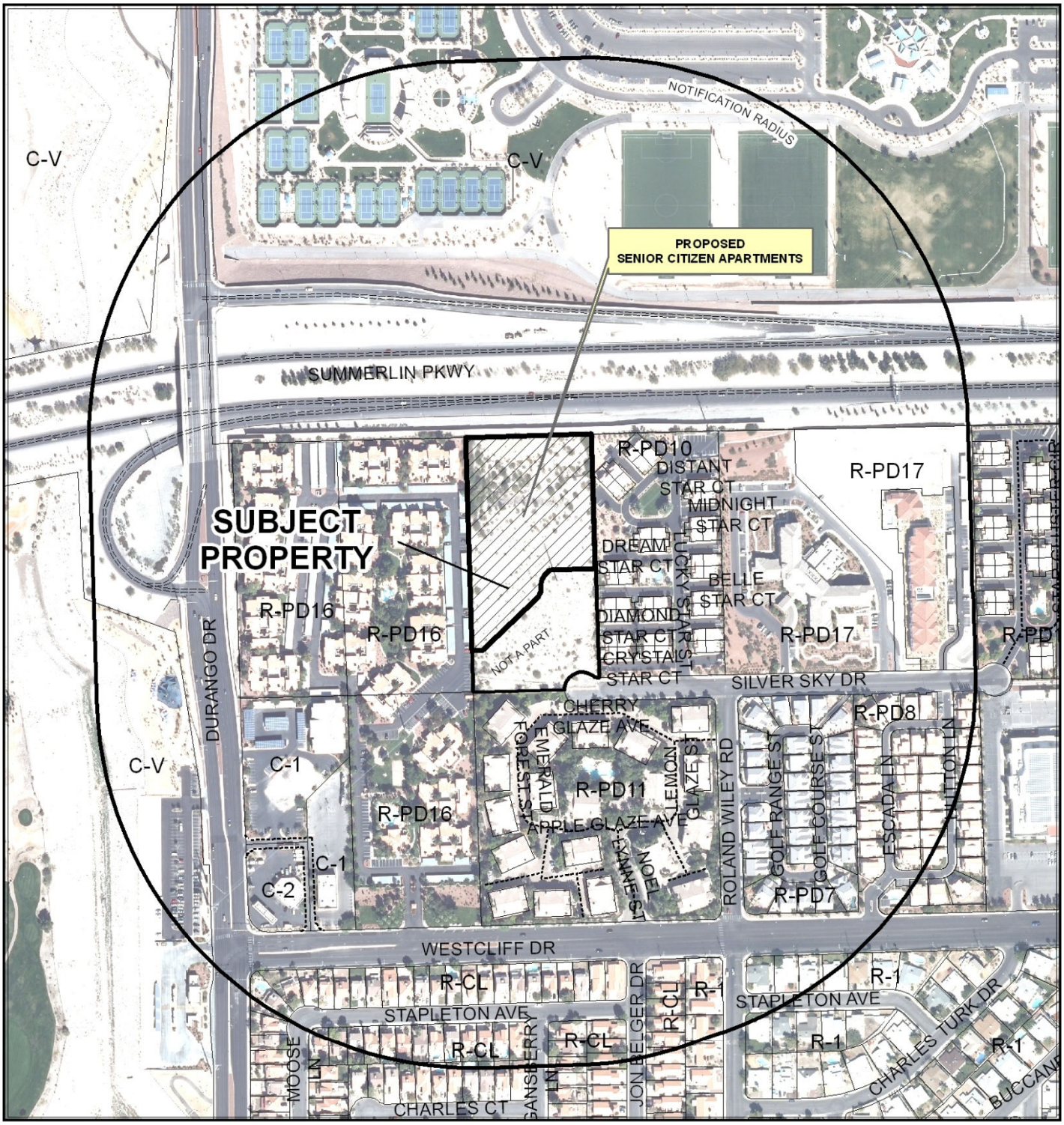
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: **SDR-48272**

RADIUS: 1000 FEET

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



CASE: **SDR-48272**

RADIUS: 1000 FEET

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

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: WESTCLIFF PINES 2, LP

** STAFF RECOMMENDATION **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-48272	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SDR-48272 CONDITIONS

Planning

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

2. All development shall be in conformance with the site plan, floor plans, and building elevations date stamped 02/05/13, and the landscape plan date stamped 02/19/13, except as amended by conditions herein.

3. A Waiver from 19.06.110 is hereby approved, to allow a zero-foot wide landscape buffer along the south property line where a six-foot wide landscape buffer is required.

4. An Exception from Title 19.06.040 is hereby approved, to allow 63 trees where 70 trees are required.

5. An Exception from the Title 19.06.040 is hereby approved to allow 15-gallon sized trees where specified on the landscape plan date stamped 02/19/13.

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. 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.

9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

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

11. Sign and record a deed restriction with language determined to be satisfactory by the City Attorney which restricts the use of the site to an age-restricted community for those persons 55 years of age or older, to the full extent of the law.

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

Public Works

13. Dedicate the appropriate right-of-way on Silver Sky Drive to complete the cul-de-sac bulb and any other portions required to complete the full 60-foot width prior to the issuance of any permits for public infrastructure.

14. Construct half-street improvements including the remainder of the cul-de-sac bulb on Silver Sky Drive 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. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the "Summerlin Parkway Widening Improvement Project" (H#12970) and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

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. A Drainage Study update must be submitted to and approved by the Department of Public Works prior to issuance of any building or grading permits. Provide and improve all drainageways recommended in the approved drainage study update.

** STAFF REPORT **

PROJECT DESCRIPTION

This Site Development Plan Review request is for a proposed three-story, 80-unit Senior Citizen Apartment building located on 3.38 acres, adjacent to the south side of Summerlin Parkway at the west end of Silver Sky Drive, between two multi-family residential developments. This application is in response to the applicant's request to subdivide the property, thus creating two distinct entitlements for the proposed Senior Citizen Apartment buildings. This proposal is consistent with the existing multi-family residential uses in the area and is substantially compliant with all other plans and policies; therefore, staff recommends approval.

ISSUES

- The scope of this entitlement review is for the northern 3.38-acre portion of the previous 4.7-acre site approved by Site Development Plan Review (SDR-44166).
- This Site Development Plan Review is accompanied with a waiver request to allow a zero-foot landscape buffer where a six-foot wide landscape buffer is required.
- Senior Citizen Apartments is a conditional use in the R-3 (Medium Density Residential) zoning district; this proposal meets all minimum conditions.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/16/06	The City Council approved a request for a Site Development Plan Review (SDR-13866) for a 125-unit Senior Citizen Apartment facility and a Rezoning (ZON-13867) from U (Undeveloped) [M (Medium Density Residential) General Plan Designation] to R-3 (Medium Density Residential) on 5.0 acres, approximately 335 feet west of the intersection of Silver Sky Drive and Roland Wiley Road. The Planning Commission recommended denial with staff recommending approval.
12/05/07	The City Council approved request for a Site Development Plan Review (SDR-24254) for a proposed three-story, 125-unit senior living apartment facility on 5.0 acres adjacent to the south side of Summerlin Parkway, at the west end of Silver Sky Drive. The Planning Commission and staff recommended approval.

08/06/08	The City Council approved request for an Extension of Time (EOT-28526) of a previously approved Rezoning (ZON-13867) from U (Undeveloped) [M (Medium Density Residential) General Plan Designation] to R-3 (Medium Density Residential) on 5.0 acres approximately 335 feet west of the intersection of Silver Sky Drive and Roland Wiley Road.
02/14/12	The Planning Commission approved the request for a Site Development Plan Review (SDR-44166) for a proposed three-story, 120-unit Senior Citizen Apartment development on 5.16 acres adjacent to the south side of Summerlin Parkway at the west end of Silver Sky Drive (APN 138-28-401-015), U (Undeveloped) Zone [M (Medium Density Residential) General Plan Designation] under Resolution of Intent to R-3 (Medium Density Residential)
01/07/13	The applicant submitted for a two-lot Parcel Map (PMP-47948) on 5.16 acres adjacent to the south side of Summerlin Parkway, at the west end of Silver Sky Drive. The technical map review has not been approved.

Most Recent Change of Ownership	
04/19/12	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No building permits or business licenses relate to this proposal have been issued at this time.

Pre-Application Meeting	
01/30/13	A pre-application meeting was held with the applicant and his representatives to discuss the requirements for new entitlements stemming from the proposed subdivision of an entitled parcel. The applicant was informed that two separate Site Development Plan Reviews each with a waiver for the required landscape buffer created with the new property line would be required. Various aspects of the proposed landscape requirements were also discussed.

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

Field Check	
01/31/13	A field check was conducted on site. The site is currently undeveloped with a 100-foot wide utility easement running northeast, beginning near the southwest corner of the subject site. Access to the property is provided solely the cul-de-sac located at the terminus of Silver Sky Drive.

Details of Application Request	
Site Area	
Net Acres	3.38

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped (Proposed: Senior Citizen Apartments)	M (Medium Density Residential)	R-3 (Medium Density Residential)
North	Right of Way (US-95)	Right of Way (US-95)	Right of Way (US-95)
South	Multi-Family Residential	M (Medium Density Residential)	R-PD11 (Residential Planned Development – 11 Units Per Acre)
East	Multi-Family Residential	MLA (Medium Low Attached Density Residential)	R-PD10 (Residential Planned Development – 10 Units Per Acre)
West	Multi-Family Residential	M (Medium Density Residential)	R-PD16 (Residential Planned Development – 16 Units Per Acre)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.06, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	6,500 SF	147,015 SF	Y
Max. Residential Density	13-50 DUA	24 DUA	Y
Min. Setbacks • Front • Side • Rear	 10 Feet 5 Feet 20 Feet	 48 Feet 67 Feet 61 Feet	 Y Y Y
Min. Distance Between Buildings	10 Feet	22 Feet	Y
Max. Lot Coverage	N/A	26 %	N/A
Max. Building Height	5-stories/55 Feet	3-stories/ 40 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.06.040, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees: • North • South • East • West	 1 Tree / 30 Linear Feet 1 Tree / 20 Linear Feet 1 Tree / 20 Linear Feet 1 Tree / 20 Linear Feet	 12 Trees 0 Trees 17 Trees 28 Trees	 10 Trees 0 Trees 17 Trees 16 Trees	 N N N N
TOTAL PERIMETER TREES		**57 Trees**	**43 Trees**	**N***
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	13 Trees	10 Trees	N*
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width • North • South • East • West	 6 Feet 6 Feet 6 Feet 6 Feet		 10 Feet 0 Feet 8 Feet 15 Feet	 Y N Y Y
Wall Height	6 to 8 Feet Adjacent to Residential		Existing	Y

**The applicant has requested an exception to allow an alternative landscape design that provides 89 trees and 356 shrubs where 70 trees and 280 shrubs are required by code.*

MH

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	
Senior Citizen Apartments	80 Units	0.75 Spaces per Unit					
TOTAL SPACES REQUIRED			60		73		
Regular and Handicap Spaces Required			54	6	66	9	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
A six-foot wide landscape buffer is required along the south interior property line.	To allow a zero-foot wide landscape buffer along the south interior property line.	Approval

Exceptions		
Requirement	***Request***	***Staff Recommendation***
Fifty-seven 24-inch box trees are required within the perimeter landscape buffer and thirteen 24-inch box trees are required within the parking lot landscape planters.	To allow forty-three 24-inch box trees within the perimeter landscape buffer and to allow ten 24-inch box trees within the parking lot landscape planters.	Approval
24-inch box trees are required within the perimeter landscape buffer and parking lot landscape planters.	To allow 15-gallon shade trees where specified on the proposed landscape plan date stamped 02/19/13.	Approval

ANALYSIS

The subject site is located within the R-3 (Medium Density Residential) zoning district with a proposed residential density of 23.70 units per acre and is in compliance with the 25.49 units per acre allowed by the M (Medium Density Residential) General Plan land use designation. This proposal consists of one 80-unit Senior Citizen Apartment building located north of a 100-foot wide utility easement running northeasterly through the site. A second building that provides 40 units of Senior Citizen Apartments is located immediately to the south half of the site on a proposed separated parcel. Access to the site is from the 24-foot wide entrance off of Silver Sky Drive.

The proposed Senior Apartment building consists of 80 one and two-bedroom units in a three-story building. The proposed development has approximately 38,345 square-feet of floor area distributed between the 30,823 square-foot apartment building and a 7,522 square-foot recreation building. Each building façade is finished with light-colored stucco with dark earth colored trim and roofing materials composed of terra cotta tiles. There are porches and balconies spread out amongst select units for each building.

The required parking for Senior Citizen Apartments is 0.75 spaces per unit. At 80 units, the required parking for this proposal is 60 parking spaces with a minimum of three handicapped accessible spaces available. The applicant has provided 73 parking spaces, including 9 handicap accessible spaces.

The proposed landscape plan does not fully comply with the required perimeter landscape buffer requirements listed in Title 19.06.040, as evidenced by the requested waiver to allow a zero-foot wide landscape buffer along the southern property line where a six-foot wide landscape buffer is required. Staff recommends approval of the requested waiver, as the area in question is utilized by a landscaped parking lot located between two buildings within a 100-foot wide utility line easement.

The applicant has also requested an exception to the required perimeter tree counts with an alternative design that offsets the deficiency by providing a surplus of trees to the overall site. Staff recommends approval of the requested waiver and exception, as the proposed landscape plan meets the desired intent of the code landscape requirements and has provided an attractive scheme that responds more appropriately to the particular site.

The proposed development is compatible in use, density, and design with the adjacent multi-family residential properties located to the east, west, and south. Staff recommends approval of this request as it satisfies the need for infill development by means of providing additional housing units for the growing senior population. If denied, the Senior Apartments will be allowed to proceed as approved by the original Site Development Plan Review (SDR-44166).

FINDINGS (SDR-48272)

In order to approve a Site Development Plan application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed development meets Policy 2.2.2 of the Las Vegas 2020 Master Plan, which states, “That senior citizens’ and assisted living housing be encouraged to develop, both to meet the needs of community residents who wish to age in place in their neighborhoods, and as a means of increasing residential densities in these areas.” Also, this proposal is consistent with the surrounding multi-family residential uses and provides a suitable infill project for the area.

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

The proposed development is consistent with the M (Medium Density Residential) General Plan land use designation and the R-3 (Medium Density Residential) zoning district development standards for residential density, and is in compliance with all other plans and policies. The applicant has requested a waiver, which staff supports, to allow no landscaping along the south property line.

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

Silver Sky Drive, a 60-foot wide local street, terminates at a cul-de-sac at the entrance of the site. The provided roadway provides adequate vehicular access to the site.

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

The building materials are typical of the neighboring multi-family developments and within the city. The provided landscape plans specify 15-gallon trees in the parking lot landscape islands and in the east and west landscape buffers. The proposed landscape plan includes an exception to the Title 19.06.040 requirements to utilize an alternative landscape plan that provides 89 trees where 70 trees are required. Staff recommends approval of the waiver and exception, since the applicant is providing a substantially more plant materials throughout the site than the minimum requirements.

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

The elevations and design characteristics are compatible with the design characteristics of the existing medium density development in the area. The proposed design utilizes a three-story building with a 35-foot high pitched roof, which is lower in height than the allowable five-story, 55-foot height limit. The proposed buildings create an orderly and aesthetically pleasing environment that is in context with the neighboring multi-family developments.

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

The proposed Senior Apartments will not compromise the public health or general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 307

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-48272 APN: 138-28-401-015

Name of Property Owner: Westcliff Pines 2 LP

Name of Applicant: Same

Name of Representative: LR Nelson

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: Michael Mullin

Print Name: Michael Mullin

Subscribed and sworn before me

This 6th day of February, 2013

MERIDA CONTRERAS
Notary Public State of Nevada
No. 03-81766-1
My appt. exp. April 9, 2015

Notary Public in and for said County and State

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review

Project Address (Location) 8286 Silver Sky Drive

Project Name Westcliff Pines Phase 2 **Proposed Use** Senior Apts.

Assessor's Parcel #(s) 138-28-401-015 (portion of) **Ward #** 2

General Plan: existing R-M proposed R-M **Zoning:** existing R-3 proposed R-3

Commercial Square Footage N/A **Floor Area Ratio**

Gross Acres 3.375 **Lots/Units** 80 **Density** 23.70

Additional Information

PROPERTY OWNER Westcliff Pines 2 LP **Contact** Robert D. Feibleman

Address 295 E. Warm Springs Road, Suite 101 **Phone:** (702) 739-3345 **Fax:** (702) 739-3005

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

E-mail Address rfeibleman@nevadahand.org

APPLICANT Same as owner **Contact**

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

City **State** **Zip**

E-mail Address

REPRESENTATIVE LR Nelson **Contact** Richard E. Turner

Address 6765 West Russell Road, Suite 200 **Phone:** (702) 798-7978 **Fax:** (702) 451-2296

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

E-mail Address richard.turner@lrneng.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* Michael Mullin

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

Print Name Michael Mullin

Subscribed and sworn before me

This 6th day of February, 2013.

Notary Public in and for said County and State

MERIDA CONTRERAS
Notary Public State of Nevada
No. 03-81766-1
My appt. exp. April 9, 2015

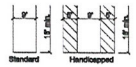
FOR DEPARTMENT USE ONLY

Case #	SDR-48272
Meeting Date:	03/12/13
Total Fee:	$1030.00
Date Received:*	02/05/13
Received By:	M. Howe

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

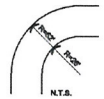
Revised 10/27/08

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

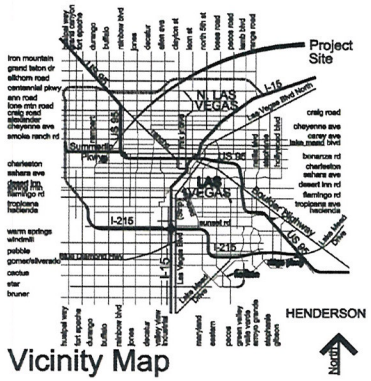


Typical Parking Spaces

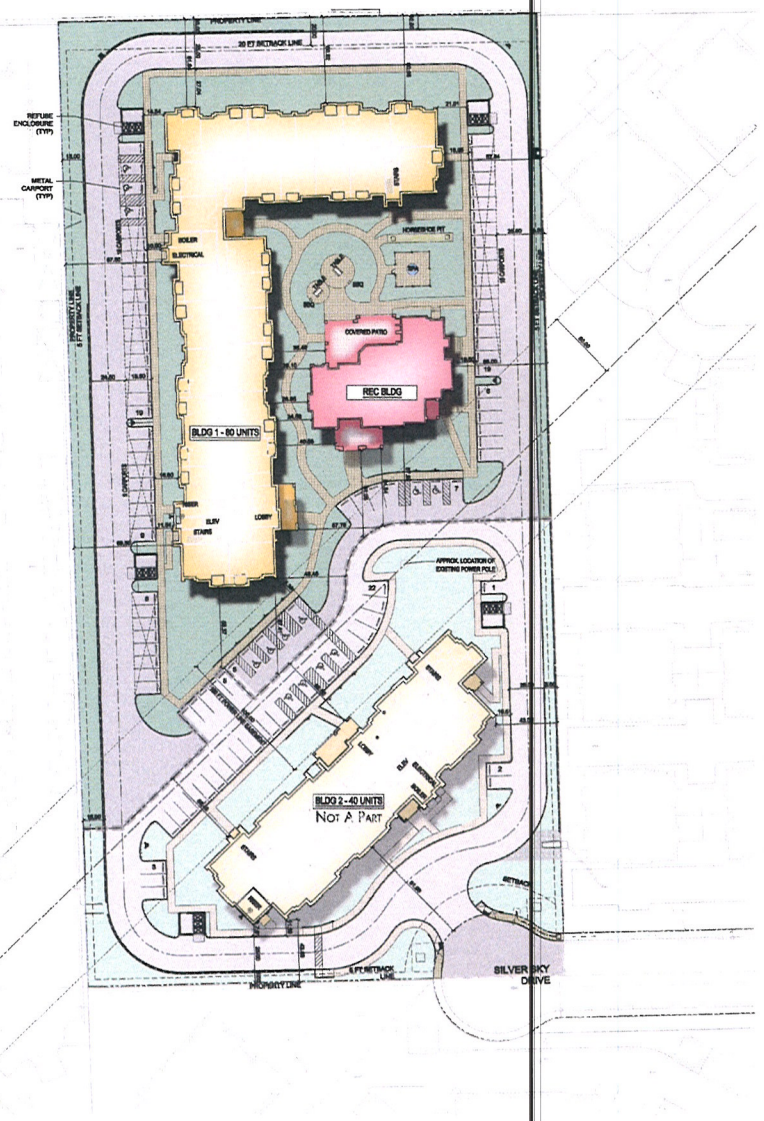




Typical Fire Turning Radius



Vicinity Map



Site Plan

ZONING
R-3 - Medium Density Residential

LOT AREA

Gross Area	± 147,015 S.F.	± 3.375 Acres
Net Area	± 147,015 S.F.	± 3.375 Acres

DENSITY 23.70 DU/Acre

Setbacks

	Required	Provided
Front	20 Feet	N/A
Corner Side	5 Feet	N/A
Side	5 Feet	66.46 Feet
Rear	20 Feet	60.10 Feet

Height

Permitted	3 Stories or 40 Feet
Provided	3 Stories, Max 40'-0"

Lot Coverage

Provided	26.1%

BUILDING AREA

Gross Footprint Area	
Bldg 1	30,823 S.F.
Rec Bldg	7,522 S.F.
Total	38,345 S.F.

Dwelling Units (Senior Apartments)

Total Units	
1 BD	48 Units
2 BD	32 Units
Total	80 Units

PARKING REQUIREMENTS

DWELLING UNITS

Required			
1 BD		48 Units	
2 BD		32 Units	
Total	.75 per Unit	x 80 Units	60
Total Dwelling Unit Parking Required			60
Provided			
Total On Site Surface Parking			73
H.C. Required - Standard:		1 per HC Unit	4
H.C. Required - Van:		1 per 6 Spaces	2
Total Required			6
H.C. Provided - Standard:			7
H.C. Provided - Van:			2
Total Provided			9

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North

Scale: 1" = 40'-0"
0 40 80 160

PROJECT No. 912008 February 5, 2013

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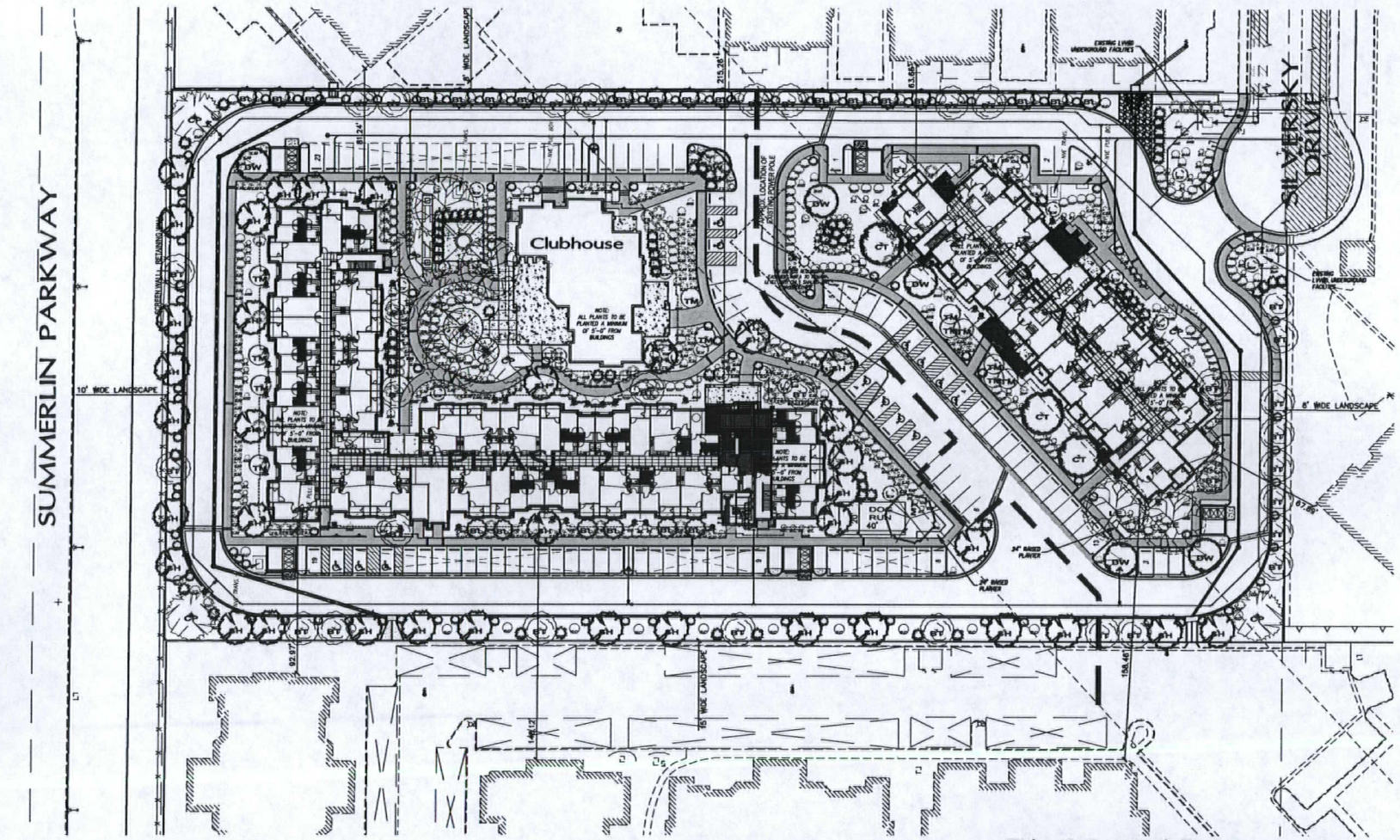
NEVADA HAND

Westcliff Pines Phase 2

Las Vegas , Nevada

SDR-48272

PAZ DESIGN GROUP
PAZ DESIGN GROUP
450 FREMONT STREET #233
LAS VEGAS, NEVADA 89101
702.202.3571 702.979.1326 fax



TREE LEGEND (OVERALL DEVELOPMENT)

SEE SHEETS 2 & 3 OF 3 FOR TREE TYPES, SIZES AND COUNTS

SHRUB LEGEND (OVERALL DEVELOPMENT)

SEE SHEETS 2 & 3 OF 3 FOR SHRUB TYPES, SIZES AND COUNTS

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PLANNING & DEVELOPMENT

Title 19 Required Trees

City of Las Vegas Unified Development Code Title 19 requirements:

Code reference	Description	Area	Required (tree/shrub) W2	Required (tree/shrub) W3	Proposed (tree/shrub) W2	Proposed (tree/shrub) W3
19.06.040 F.8.a	20'oc	South buffer	0/0	12/48	0/0	8/32
19.06.040 F.8.a	20'oc	East buffer	17/68	15/60	17/68	5/20
19.06.040 F.8.a	30'oc	North buffer	12/48	0/0	10/40	0/0
19.06.040 F.8.a	20'oc	West buffer	28/112	5/20	16/64	11/44
19.08.110 C.12.a.i.B	One per six	Uncovered parking	3/12	6/24	4/16	6/24
19.08.110 C.12.a.i.A	One each end	End of parking row	10/40	8/32	6/24	6/24
Additional onsite trees (not required by code)			0/0	0/0	36/144	10/40
Totals			70/280	46/184	89/356	46/184

LANDSCAPE PLAN – OVERALL SCHEMATIC

DESIGNED BY: DS/MD | DRAWN BY: MD | CHKD BY:
JOB NUMBER: 818-021-112 | DATES: 02-05-13

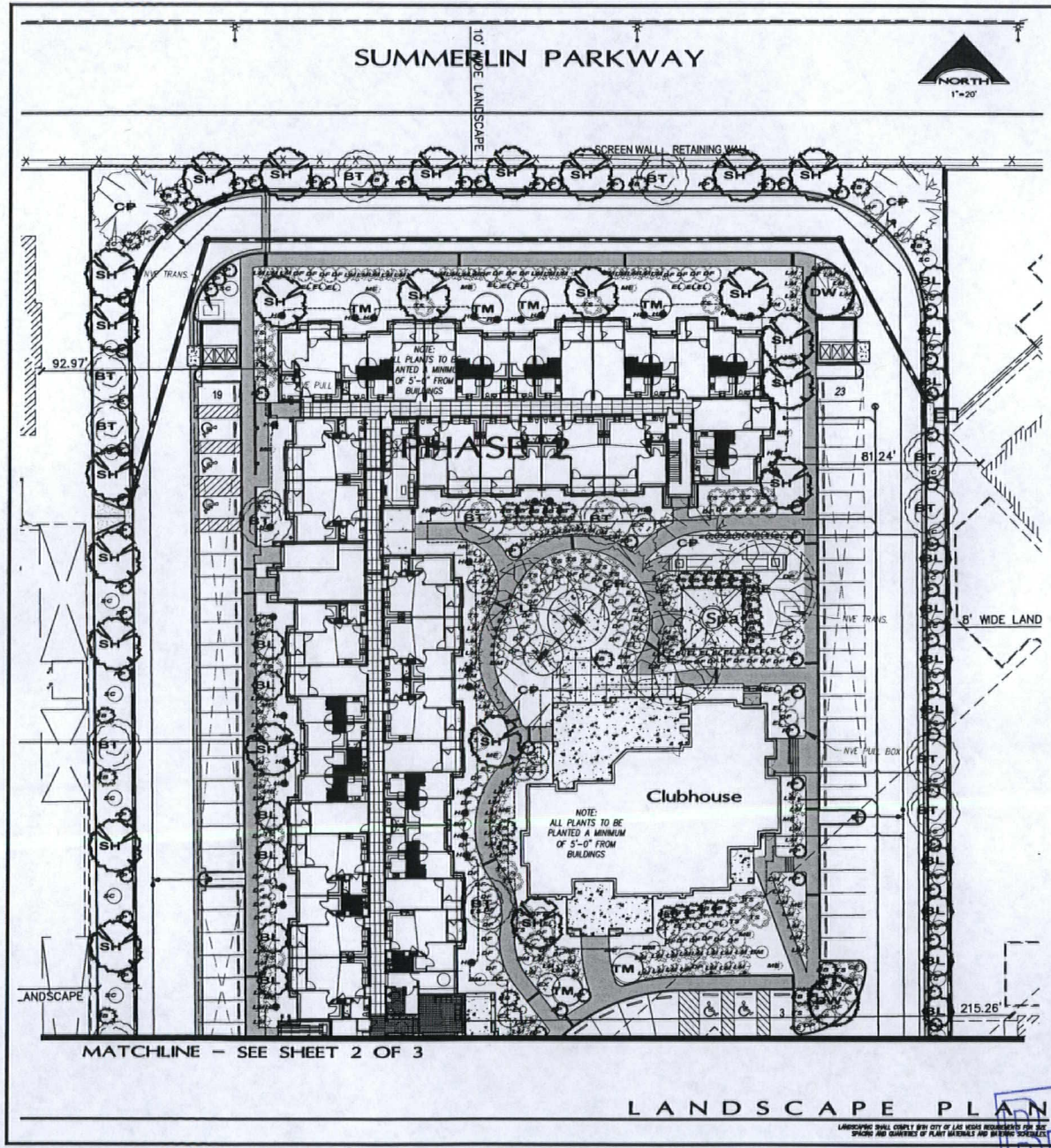
NO.	REVISION	DATE APPD.

L. R. NELSON CONSULTING ENGINEERS, INC.
•STRUCTURAL •CIVIL •PLANNING •SURVEY
6765 West Russell Road, Suite 200
Las Vegas, Nevada 89118
(702) 798-7978
(702) 451-2296 FAX

LANDSCAPE PLAN OF
WESTCLIFF PINES 2 & 3
FOR
NEVADA H.A.N.D., INC.
CITY OF LAS VEGAS NEVADA

SHEET NUMBER 1 OF 3 SHEETS
818-021-112

SDR-48272
REVISED



LANDSCAPE PLAN

LANDSCAPING SHALL COMPLY WITH CITY OF LAS VEGAS REQUIREMENTS FOR SIZE, SPACING AND QUANTITIES OF PLANT MATERIALS AND WATERING SCHEDULES

TREE LEGEND

(OVERALL DEVELOPMENT)

	Botanical Name	Common Name	Size	Height	Width	QTY
CT	Vitex agnus-castus	Chaste Tree	15 gal.	25	25	3
DW	Chilopsis linearis	Desert Willow	15 gal.	25	20	6
BL	Laurus nobilis	Laurel, Bay (standard)	15 gal.	12	12	25
MT	Prosopis juliflora	Mesquite, Native (thornless)	15 gal.	30	30	1
TM	Sophora secundiflora	Texas Mountain Laurel	24" Box	15	12	12
UP	Ulmus parvifolia	Elm, Lacebark	24" Box	40	40	5
CP	Pistacia chinensis	Pistache, Chinese	24" Box	35	30	7
SH	Acacia stenophylla	Acacia, Shoestring	15 gal.	40	20	37
BT	Brachychiton populneus	Bottle Tree	24" Box	30	20	34

SHRUB LEGEND

(OVERALL DEVELOPMENT)

	Botanical Name	Common Name	Size	Height	Width	QTY
BM	Buddleja Marrubifolia	Woolly butterfly bush	5 gal.	5	5	30
CP	Caesalpinia Pulcherrima	Red bird of paradise	5 gal.	6	6	70
CP	Calliandra Eriophylla	Pink fairy duster	5 gal.	3	3	4
DP	Dalea Pulchra	Indigo bush	5 gal.	5	5	16
DF	Dalea Frutescens	Sierra negra	5 gal.	6	4	174
ES	Eremophilia X	Summertime blue	5 gal.	10	6	21
EL	Ericameria Laricifolia	Turpentine bush	5 gal.	3	2	121
HP	Hesperaloe Parviflora	Red yucca	1 gal.	3	3	57
LM	Lantana Montevidensis	Purple trailing lantana	1 gal.	5	2	177
MRE	Muhlenbergia Emersleyi El Toro	Bull grass	1 gal.	3	3	37
RO	Rosemary Officinalis	Arp rosemary	5 gal.	5	3	104
SC	Salvia Clevelandii	Chapparal sage	5 gal.	6	5	44
TS	Tecoma Stans	Gold star	5 gal.	8	8	67

Title 19 Required Trees

City of Las Vegas Unified Development Code Title 19 requirements:

Code reference	Description	Area	Required (tree/shrub) W2	W3	Proposed (tree/shrub) W2	W3
19.06.040 F.8.a	20'oc	South buffer	0/0	12/48	0/0	8/32
19.06.040 F.8.a	20'oc	East buffer	17/68	15/60	17/68	5/20
19.06.040 F.8.a	30'oc	North buffer	12/48	0/0	10/40	0/0
19.06.040 F.8.a	20'oc	West buffer	28/112	5/20	16/64	11/44
19.08.110 C.12.a.i.B	One per six	Uncovered parking	3/12	6/24	4/16	6/24
19.08.110 C.12.a.i.A	One each end	End of parking row	10/40	8/32	6/24	6/24
Additional onsite trees (not required by code)			0/0	0/0	36/144	10/40
Totals			70/280	46/184	89/356	46/184

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VERNON R. HARKINS EXP 6/30/13 CIVIL No. 009890

NO.	REVISION	DATE	APPR.

DESIGNED BY: DS/KVB | DRAWN BY: MGB | CHKD BY:
JOB NUMBER: 816-021-112 | DATED: 02-19-13

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8765 West Russell Road, Suite 200
Las Vegas, Nevada 89118
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(702) 451-2296 FAX

LANDSCAPE PLAN OF
WESTCLIFF PINES 2
FOR
NEVADA H.A.N.D., INC.
CITY OF LAS VEGAS NEVADA

SHEET NUMBER 3
OF 3 SHEETS
816-021-112



SOUTH ELEVATION

Scale: 3/32" = 1'-0"



EAST ELEVATION

Scale: 3/32" = 1'-0"



WEST ELEVATION

Scale: 3/32" = 1'-0"



NORTH ELEVATION

Scale: 3/32" = 1'-0"

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Scale: 3/32" = 1'-0"

0 4 8 16 32

Conceptual Elevations - Building 1

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PROJECT No. 912008 FEBRUARY 5, 2013

NEVADA HAND

Westcliff Pines Phase 2

Las Vegas , Nevada

469 FREMONT STREET, STE. 2X1
LAS VEGAS, NEVADA 89101
PHONE:702.202.3571 FAX 702.979.1326

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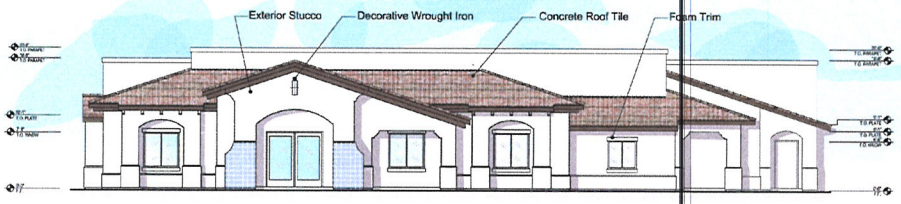
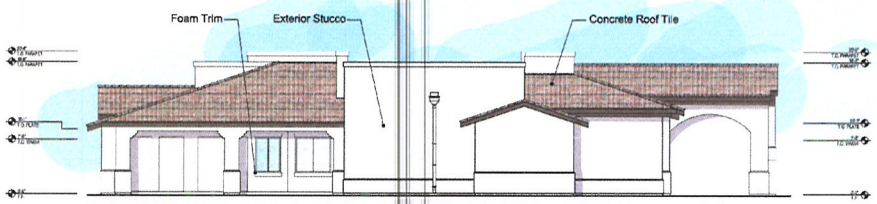
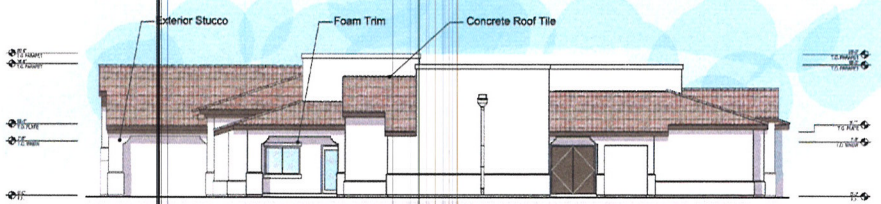


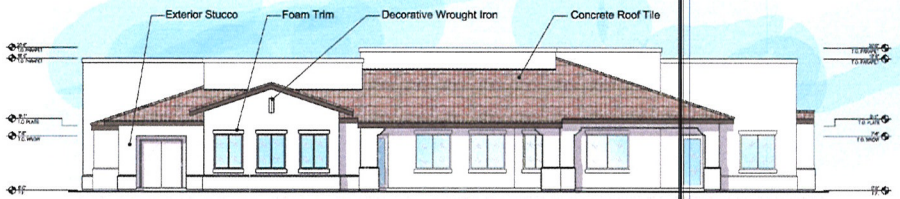
South Elevation



West Elevation



East Elevation



North Elevation

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0 4 8 16 32

PROJECT No. 912008 February 5, 2013

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Conceptual Recreation Building Elevations

NEVADA HAND

Westcliff Pines Phase 2

Las Vegas , Nevada

PAZ DESIGN GROUP
450 FREMONT STREET #2033
LAS VEGAS, NEVADA 89101
702.202.3571 702.979.1326 fax

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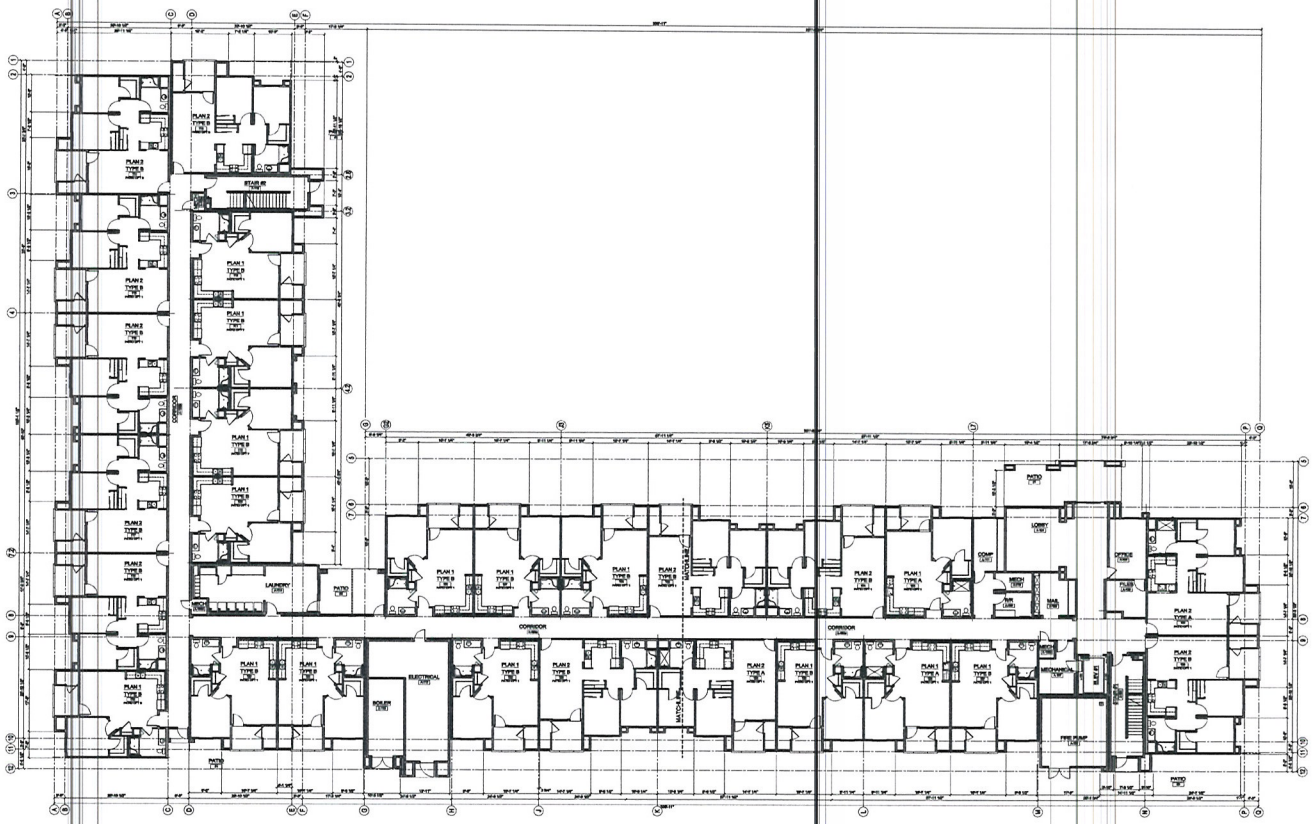

1st FLOOR

Unit Type	2 Bd	1 Bd	Total
1st Floor	12	15	27
2nd Floor	12	17	29
3rd Floor	8	16	24
All Floors	32	48	80

FIRST FLOOR	
CORRIDOR/MISC	= 3,870 S.F.
COMMON AREAS	= 1,892 S.F.
DWELLING UNITS	= 20,052 S.F.
UTILITY	= 1,452 S.F.
EXT. PATIO - UNITS	= 2,864 S.F.
EXT.PATIO - COMMON	= 887 S.F.
TOTAL	= 30,817 S.F.

TOTAL BUILDING	
CORRIDOR/MISC	= 10,373 S.F.
COMMON AREAS	= 4,014 S.F.
DWELLING UNITS	= 58,665 S.F.
UTILITY	= 1,584 S.F.
EXT. PATIO - UNITS	= 7,974 S.F.
EXT.PATIO - COMMON	= 1,389 S.F.
GRAND TOTAL	= 83,999 S.F.

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Scale: 1/16" = 1'-0"
0 16 32 64

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Conceptual Building Plan - Bldg 1

PROJECT No. 912008 February 5, 2013

NEVADA HAND

Westcliff Pines Phase 2

Las Vegas , Nevada

PAZ DESIGN GROUP
PAZ DESIGN GROUP
400 FREMONT STREET #233
LAS VEGAS, NEVADA 89101
702.202.3571 702.979.1326 fax

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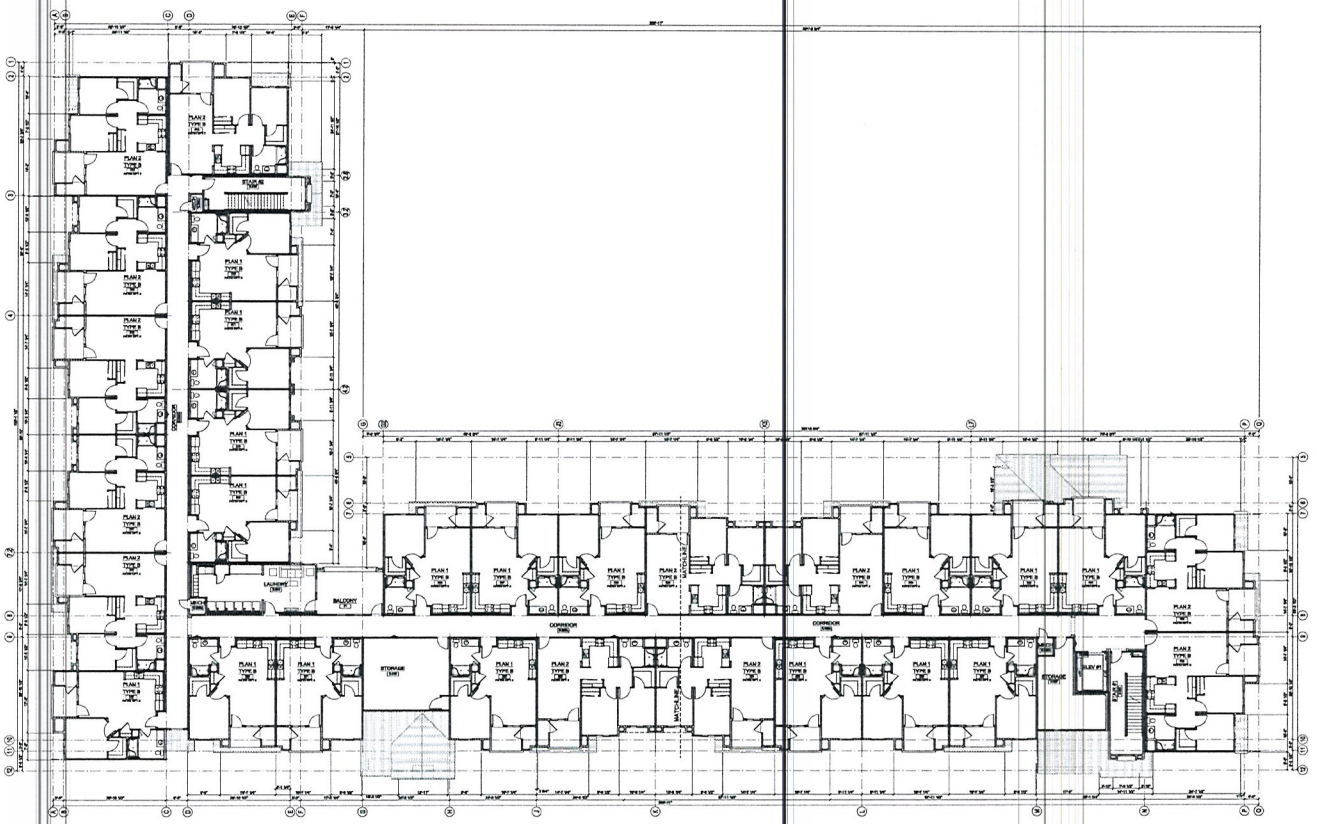

2nd FLOOR

Unit Type	2 Bd	1 Bd	Total
1st Floor	12	15	27
2nd Floor	12	17	29
3rd Floor	8	16	24
All Floors	32	48	80

SECOND FLOOR	
CORRIDOR/MISC	= 3,456 S.F.
COMMON AREAS	= 1,380 S.F.
DWELLING UNITS	= 21,340 S.F.
UTILITY	= 86 S.F.
EXT. PATIO - UNITS	= 2,855 S.F.
EXT.PATIO - COMMON	= 251 S.F.
TOTAL	= 29,348 S.F.

TOTAL BUILDING	
CORRIDOR/MISC	= 10,373 S.F.
COMMON AREAS	= 4,014 S.F.
DWELLING UNITS	= 58,885 S.F.
UTILITY	= 1,584 S.F.
EXT. PATIO - UNITS	= 7,974 S.F.
EXT.PATIO - COMMON	= 1,389 S.F.
GRAND TOTAL	= 83,980 S.F.

Scale: 1/16" = 1'-0"

0 16 32 64

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Conceptual Building Plan - Bldg 1

PROJECT No. 912008 February 5, 2013

NEVADA HAND

Westcliff Pines Phase 2

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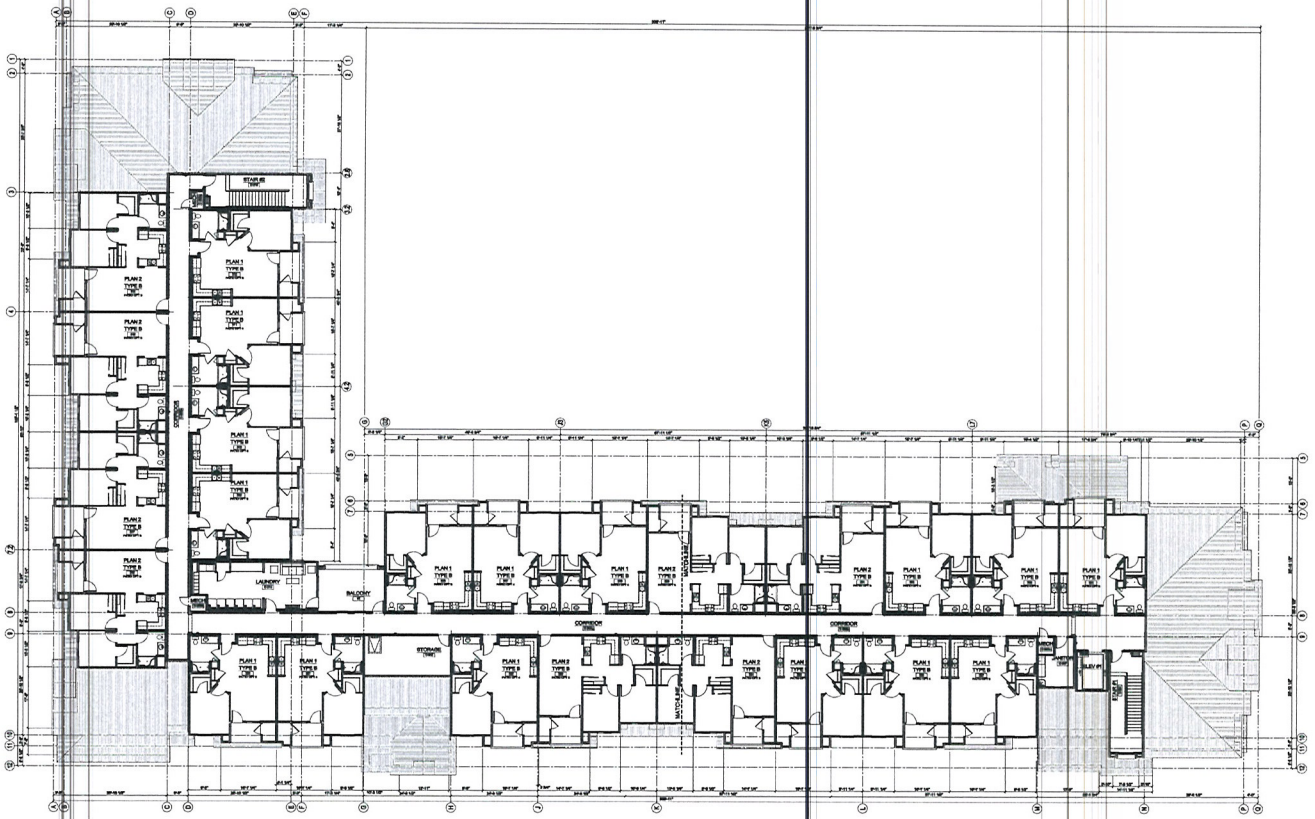

3rd FLOOR

	Unit Type		
	2 Bd	1 Bd	Total
1st Floor	12	15	27
2nd Floor	12	17	29
3rd Floor	8	16	24
All Floors	32	48	80

THIRD FLOOR	
CORRIDOR/MISC	= 3,047 S.F.
COMMON AREAS	= 942 S.F.
DWELLING UNITS	= 17,273 S.F.
UTILITY	= 66 S.F.
EXT. PATIO - UNITS	= 2,255 S.F.
EXT.PATIO - COMMON	= 251 S.F.
TOTAL	= 23,834 S.F.

TOTAL BUILDING	
CORRIDOR/MISC	= 10,373 S.F.
COMMON AREAS	= 4,014 S.F.
DWELLING UNITS	= 58,665 S.F.
UTILITY	= 1,584 S.F.
EXT. PATIO - UNITS	= 7,974 S.F.
EXT.PATIO - COMMON	= 1,389 S.F.
GRAND TOTAL	= 83,990 S.F.

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Scale: 1/16" = 1'-0"

0 16 32 64

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Conceptual Building Plan - Bldg 1

PROJECT No. 912008 February 5, 2013

NEVADA HAND

Westcliff Pines Phase 2

Las Vegas , Nevada

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PAZ DESIGN GROUP
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LAS VEGAS, NEVADA 89101
702.202.3571 702.979.1326 fax

SDR-48272

STUCCO BODY COLOR
FRAZEE #CLW 1013 W
"AKAMINA"

STUCCO FACIA AND TRIM
FRAZEE #CL 2687 N
"SEPIA"



CONCRETE ROOF TILE
HANSEN - REGAL #R-621
'SANTA CATERINA"

SDR-48272

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Color & Material Board

Project # 912008 February 5th, 2013

NEVADA HAND

Westcliff Pines Phase 2

Las Vegas, Nevada

450 FREMONT STREET, STE 203
LAS VEGAS, NEVADA 89101
PHONE 702.202.0671 FAX 702 979 1226
PAZ DESIGN GROUP



SDR-48272 – APPLICANT/OWNER: WESTCLIFF PINES 2, LP
SOUTH SIDE OF SUMMERLIN PARKWAY AT THE WEST END OF SILVER SKY DRIVE

02/14/13



SDR-48272 – APPLICANT/OWNER: WESTCLIFF PINES 2, LP
SOUTH SIDE OF SUMMERLIN PARKWAY AT THE WEST END OF SILVER SKY DRIVE

02/14/13



SDR-48272 – APPLICANT/OWNER: WESTCLIFF PINES 2, LP
SOUTH SIDE OF SUMMERLIN PARKWAY AT THE WEST END OF SILVER SKY DRIVE

02/14/13

LARRY R. NELSON, P.E.
President

- STRUCTURAL
- CIVIL
- SURVEY
- PLANNING

Project #: 818-021-111

February 5, 2013

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

Attn: Mike Howe

Re: Westcliff Pines Phase 2 – Senior Apartments
(SDR-44166)
APN# 138-28-401-021 (portion of)

Dear Mr. Howe,

On behalf of our client Nevada H.A.N.D., Inc. we are pleased to submit this justification letter for a Site Development Plan Review for the proposed Westcliff Pines Phase 2 development. Westcliff Pines Phase 2 is a proposed 3.375 acre 80-unit (23.70 du) senior apartment building located on the north side of Silver Sky Drive approximately 330 ft. West of Roland Wiley Drive.

Nevada H.A.N.D. is proposing to develop 80 one and two-bedroom senior rental apartments in one three-story building specifically designed for low-income senior citizens in the Las Vegas valley. Westcliff Pines Phase 2 is the second phase of a three phase project which includes Westcliff Pines a 40-unit building and a 4,500 s.f. recreational building that serves only the residents. Westcliff Pines exists approximately 900 feet to the east. Westcliff Pines Phase 2 will have its own 5,456 s.f. recreation building.

Nevada H.A.N.D. is requesting waivers of some landscape requirements. (see attached letter). These waivers are being requested base on experience with Nevada H.A.N.D.s existing developments in the Vegas area. We feel that this development will be compatible with the surrounding area, and is in conformance with the master plan designation for this parcel. The parcel is currently zoned R-3 which allows up to 25.49 units per acre. Therefore we respectfully request that staff recommend approval for this Site Development Plan Review.

If you have any questions or comments, please feel free to contact me at your earliest convenience.

Sincerely,
L. R. NELSON CONSULTING ENGINEERS, INC.

Richard Turner
Department Manager

NEVADA

L. R. NELSON
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6765 West Russell Road, Suite 200
Las Vegas, NV 89118-1885

Phone 702 / 798-7978
FAX 702 / 451-2296
Email lrnelson@lrneng.com

UTAH

L. R. NELSON
CONSULTING ENGINEERS, L.L.C.
51 West 9000 South
Sandy, UT 84070-2008

Phone 801 / 565-8580
FAX 801 / 565-9340
Email lrnengineers@lrnslc.com

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SDR-48272

We consider landscaping to be one of the most important features of our apartment communities, both from an aesthetics point of view, but also as a green or sustainable element.

We have been creating communities in the Las Valley for seventeen years, and have learned many things. For example, there is a plant palette that thrives in the desert environment; there are long term issues that can be ameliorated with attention to detail at the time of front-end planning; you need patience to let plants grow healthily; and your resident needs and behaviors should be taken into account.

For these reasons we are requesting exceptions and waivers by way of reductions from requirements related to landscape islands, plant quantities, and spacing.

This site development includes three building; an 80 unit senior apartment building, a 40 unit apartment building, and a recreational leasing building commonly shared by all. The 100' wide diagonal utility easement across the site presents challenges.

We have been before you several times already as this development was evolved. The parcel map split is a condition of financing and which we're working towards finalizing this spring. As this plan has taken final shape, we have had new constraints place on the property. For example, NVEnergy informed us that there are planting limitations within their overhead transmission easement. Additionally, they notified us of service vehicle pad zones that have restrictions. This has caused us to revisit the landscape design in its entirety, and take into account all utilities, structures, and the City of Las Vegas Unified Development Code-Title 19.

So we started over and went through the following process:

1. A specific plant palette was established; plants that do well in this climate; variety in size and shape; deciduous and evergreen; fall color show; seasonal flowering; pest resistance; low maintenance.
2. We plotted in background all underground utilities to avoid planting over top of piping that may need servicing in the future.
3. Identified areas where it was desirable for shade, privacy, and screening.
4. Plant size "at maturity" was determined and that sizing is shown on the plans.
5. Security issues expressed by seniors were taken into account, thus shrub hedging has been discouraged (see photo #).

City of Las Vegas Unified Development Code Title 19 requirements:

Code reference	Description	Area	Required Tree/Shrub		Proposed Tree/Shrub	
			W2	W3	W2	W3
19.06.040 F.8.a	Buffer 20'oc	South perimeter	0/0	12/48	0/0	8/32
19.06.040 F.8.a	Buffer 20'oc	East perimeter	17/68	15/60	17/68	5/20
19.06.040 F.8.a	Buffer 30'oc	North perimeter	12/48	0/0	10/40	0/0
19.06.040 F.8.a	Buffer 20'oc	West perimeter	28/112	5/20	16/64	11/44

19.08.110 C.12.a.i.B	One per six	Uncovered parking	3/12	6/24	4/16	6/24
19.08.110 C.12.a.i.A	One each end	End of parking row	10/40	8/32	6/24	6/24
N/A	Not required	Interior areas	0/0	0/0	36/144	10/40
		Totals	70/280	46/184	89/356	46/184

Please consider for approval of the following items:

1. Relocate 50% of the required perimeter landscape buffer shrubs to interior spaces. *Most of the shrubs selected have a mature width of 4' to 6' when matured and non-shaped. We're discouraging hedging for security reasons. If canopy coverage is the under-riding theme, we'll accomplish this by maintaining the overall count.*
2. Increase the west perimeter landscape buffer tree spacing from 20'oc to 40'oc, adjacent (400lf+-) to neighboring carports. *There is sufficient separation (160lf+-) between residential structures.*
3. Eliminate east perimeter landscape buffer tree requirements from the first 80lf (south to north) due to utility, drainage, and marketing view from street. *This area is full of underground utilities and drainage channels, thus root and utility service damaged can be reduced.*
4. Eliminate south perimeter landscape buffer tree and shrub requirements from the first 30lf (east to west) due to utility conflicts. *This area is full of underground utilities, thus root and utility service damage can be reduced.*
5. Waive requirement for landscape buffer requirements between two parcels. *Whereas there are two legal owners, the property is operated as one with cross access agreements and sharing of common facilities. The intent of landscape buffering is not applicable.*

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

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

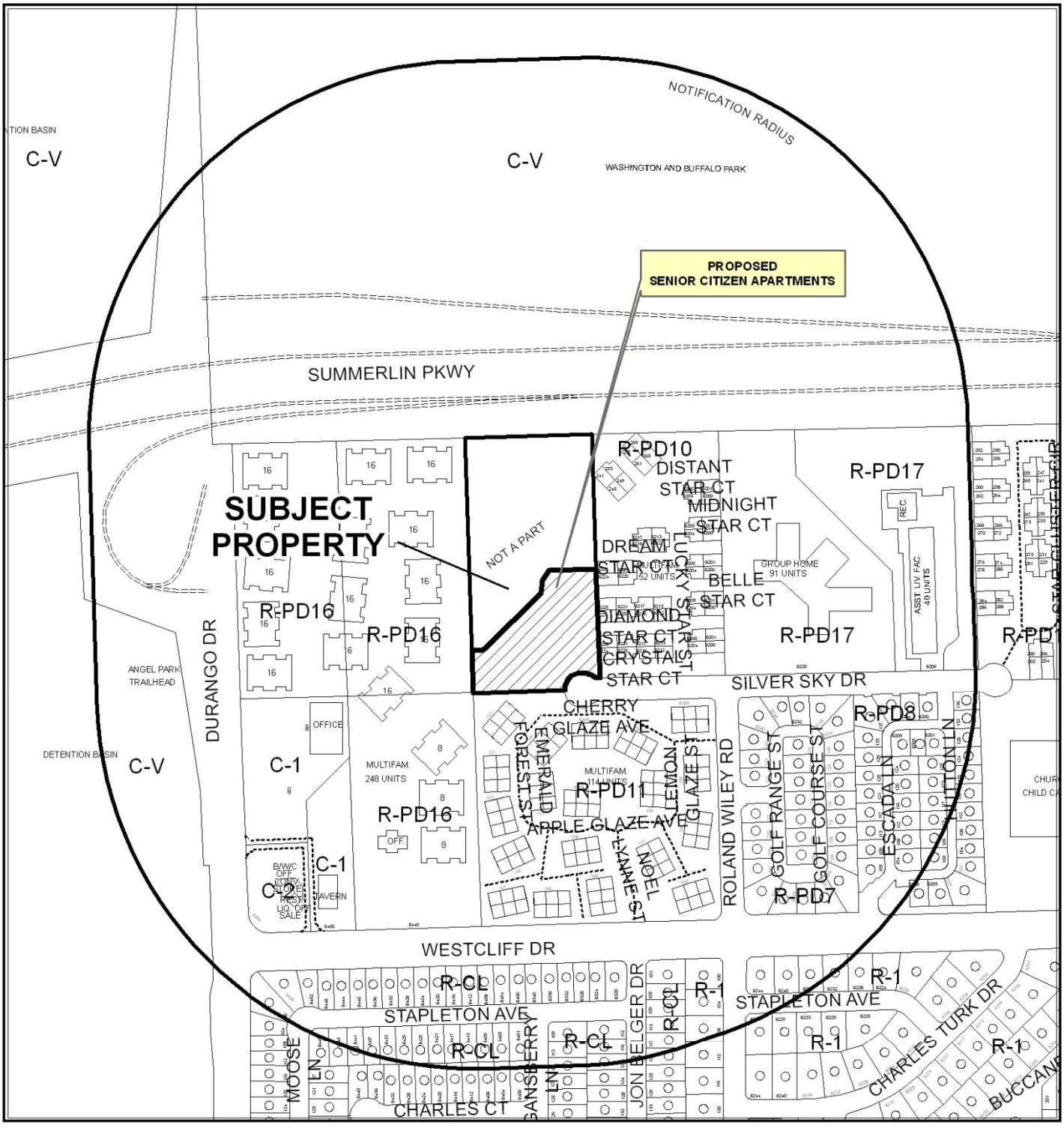
SUBJECT:
SDR-48273 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: WESTCLIFF PINES 2, LP - For possible action on a request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 40-UNIT SENIOR CITIZEN APARTMENT DEVELOPMENT WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE NORTH PROPERTY LINE WHERE A SIX-FOOT BUFFER IS REQUIRED on 1.79 acres adjacent to the south side of Summerlin Parkway at the west end of Silver Sky Drive (APN 138-28-401-015), R-3 (Medium Density Residential) Zone, Ward 2 (Beers). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

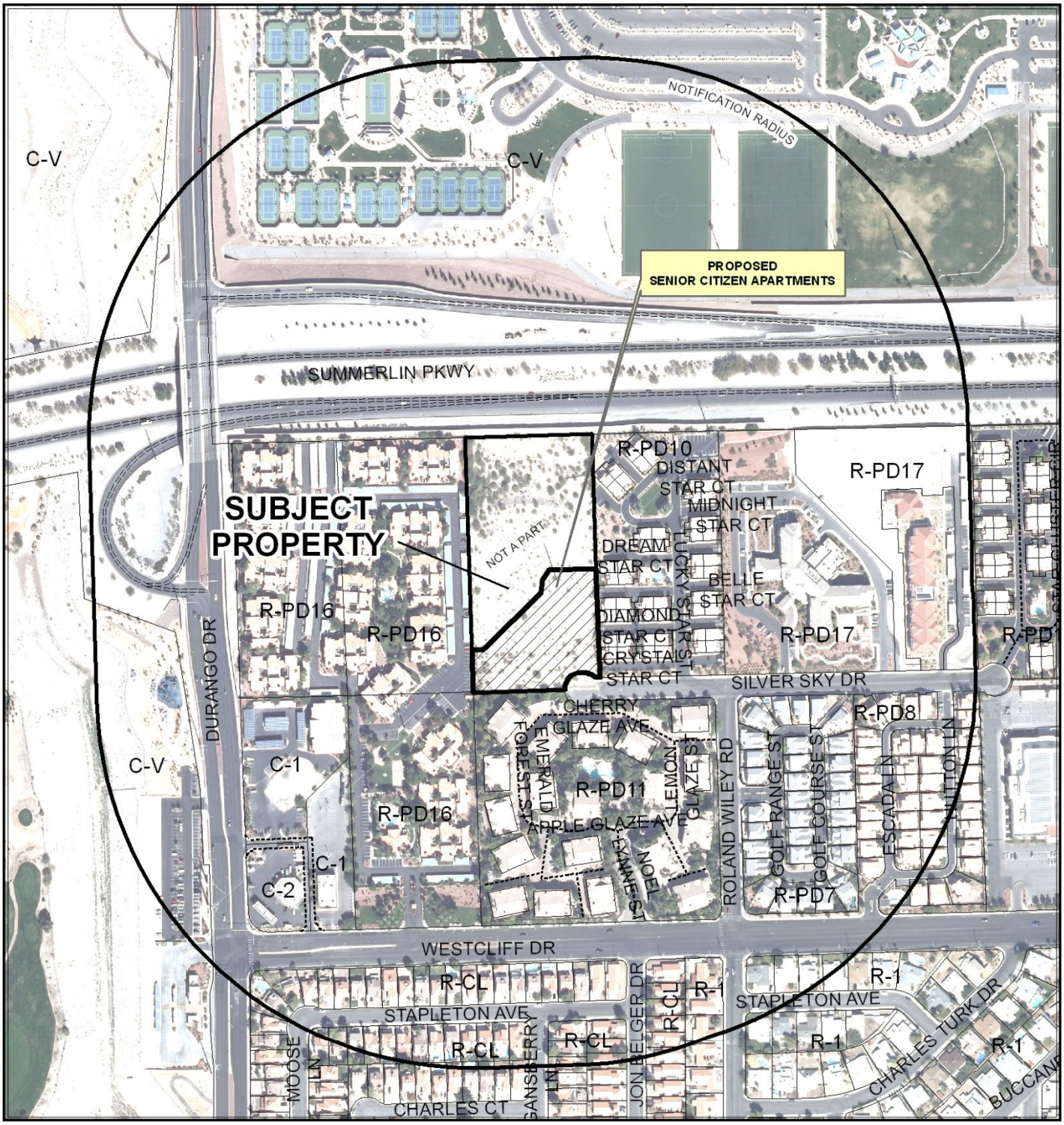
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: **SDR-48273**

RADIUS: 1000 FEET

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



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CASE: SDR-48273

RADIUS: 1000 FEET

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: WESTCLIFF PINES 2, LP

** STAFF RECOMMENDATION **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-48273	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SDR-48273 CONDITIONS

Planning

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

2. All development shall be in conformance with the site plan, floor plans, and building elevations date stamped 02/05/13, and the landscape plan date stamped 02/19/13, except as amended by conditions herein.

3. A Waiver from 19.06.110 is hereby approved, to allow a zero-foot wide landscape buffer along the north property line where a six-foot wide landscape buffer is required.

4. An Exception from 19.06.040 is hereby approved, to allow 26 trees where 36 trees are required.

5. An Exception from the Unified Development Code 19.06.040 is hereby approved to allow 15-gallon sized trees for the parking lot landscape islands and where specified along the east and west perimeter.

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. 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.

9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

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

11. Sign and record a deed restriction with language determined to be satisfactory by the City Attorney which restricts the use of the site to an age-restricted community for those persons 55 years of age or older, to the full extent of the law.

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

Public Works

13. Dedicate the appropriate right-of-way on Silver Sky Drive to complete the cul-de-sac bulb and any other portions required to complete the full 60-foot width prior to the issuance of any permits for public infrastructure.

14. Construct half-street improvements including the remainder of the cul-de-sac bulb on Silver Sky Drive 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. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the "Summerlin Parkway Widening Improvement Project" (H#12970) and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

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. A Drainage Study update must be submitted to and approved by the Department of Public Works prior to issuance of any building or grading permits. Provide and improve all drainageways recommended in the approved drainage study update.

** STAFF REPORT **

PROJECT DESCRIPTION

This Site Development Plan Review request is for a proposed three-story, 40-unit Senior Citizen Apartment building located on 1.79 acres, adjacent to the south side of Summerlin Parkway at the west end of Silver Sky Drive, between two multi-family residential developments. This application is in response to the applicant's request to subdivide the property, thus creating two distinct entitlements for the proposed Senior Citizen Apartment buildings. This proposal is consistent with the existing multi-family residential uses in the area and is substantially compliant with all other plans and policies; therefore, staff recommends approval.

ISSUES

- The scope of this entitlement review is for the southern 1.79-acre portion of the previous 4.7-acre site approved by Site Development Plan Review (SDR-44166).
- This Site Development Plan Review is accompanied with a waiver request to allow a zero-foot landscape buffer where a six-foot wide landscape buffer is required.
- Senior Citizen Apartments is a conditional use in the R-3 (Medium Density Residential) zoning district; this proposal meets all minimum conditions.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/16/06	The City Council approved a request for a Site Development Plan Review (SDR-13866) for a 125-unit Senior Citizen Apartment facility and a Rezoning (ZON-13867) from U (Undeveloped) [M (Medium Density Residential) General Plan Designation] to R-3 (Medium Density Residential) on 5.0 acres, approximately 335 feet west of the intersection of Silver Sky Drive and Roland Wiley Road. The Planning Commission recommended denial with staff recommending approval.
12/05/07	The City Council approved request for a Site Development Plan Review (SDR-24254) for a proposed three-story, 125-unit senior living apartment facility on 5.0 acres adjacent to the south side of Summerlin Parkway, at the west end of Silver Sky Drive. The Planning Commission and staff recommended approval.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/06/08	The City Council approved request for an Extension of Time (EOT-28526) of a previously approved Rezoning (ZON-13867) from U (Undeveloped) [M (Medium Density Residential) General Plan Designation] to R-3 (Medium Density Residential) on 5.0 acres approximately 335 feet west of the intersection of Silver Sky Drive and Roland Wiley Road.
02/14/12	The Planning Commission approved the request for a Site Development Plan Review (SDR-44166) for a proposed three-story, 120-unit Senior Citizen Apartment development on 5.16 acres adjacent to the south side of Summerlin Parkway at the west end of Silver Sky Drive (APN 138-28-401-015), U (Undeveloped) Zone [M (Medium Density Residential) General Plan Designation] under Resolution of Intent to R-3 (Medium Density Residential).
01/07/13	The applicant submitted for a two-lot Parcel Map (PMP-47948) on 5.16 acres adjacent to the south side of Summerlin Parkway, at the west end of Silver Sky Drive. The technical map review has not been approved.

Most Recent Change of Ownership	
04/19/12	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No building permits or business licenses relate to this proposal have been issued at this time.

Pre-Application Meeting	
01/30/13	A pre-application meeting was held with the applicant and his representatives to discuss the requirements for new entitlements stemming from the proposed subdivision of an entitled parcel. The applicant was informed that two separate Site Development Plan Reviews each with a waiver for the required landscape buffer created with the new property line would be required. Various aspects of the proposed landscape requirements were also discussed.

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

Field Check	
01/31/13	A field check was conducted on site. The site is currently undeveloped with a 100-foot wide utility easement running northeast, beginning near the southwest corner of the subject site. Access to the property is provided solely the cul-de-sac located at the terminus of Silver Sky Drive.

Details of Application Request	
Site Area	
Net Acres	1.79

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped (Proposed: Senior Citizen Apartments)	M (Medium Density Residential)	R-3 (Medium Density Residential)
North	Right of Way (US-95)	Right of Way (US-95)	Right of Way (US-95)
South	Multi-Family Residential	M (Medium Density Residential)	R-PD11 (Residential Planned Development – 11 Units Per Acre)
East	Multi-Family Residential	MLA (Medium Low Attached Density Residential)	R-PD10 (Residential Planned Development – 10 Units Per Acre)
West	Multi-Family Residential	M (Medium Density Residential)	R-PD16 (Residential Planned Development – 16 Units Per Acre)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.06, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	6,500 SF	81,199 SF	Y
Max. Residential Density	13-50 DUA	22 DUA	Y
Min. Setbacks			
• Front	10 Feet	81 Feet	Y
• Side	5 Feet	43 Feet	Y
• Rear	20 Feet	60 Feet	Y
Min. Distance Between Buildings	10 Feet	103 Feet	Y
Max. Lot Coverage	N/A	21 %	N/A
Max. Building Height	5-stories/55 Feet	3-stories/ 40 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.06.040, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	0 Trees	0 Trees	N
• South	1 Tree / 20 Linear Feet	12 Trees	8 Trees	N
• East	1 Tree / 20 Linear Feet	15 Trees	5 Trees	N
• West	1 Tree / 20 Linear Feet	5 Trees	11 Trees	N
TOTAL PERIMETER TREES		**32 Trees**	**24 Trees**	**N***
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	14 Trees	12 Trees	N*
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	0 Feet		0 Feet	N
• South	6 Feet		10 Feet	Y
• East	6 Feet		8 Feet	Y
• West	6 Feet		15 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		Not Indicated	Y or N

**The applicant has requested an exception to allow an alternative landscape design that provides 46 trees and 184 shrubs where 46 trees and 184 shrubs are required by code.*

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	
Senior Citizen Apartments	40 Units	0.75 Spaces per Unit					
TOTAL SPACES REQUIRED			30		33		
Regular and Handicap Spaces Required			28	2	29	4	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
A six-foot wide landscape buffer is required along the north interior property line	To allow a zero-foot wide landscape buffer along the north interior property line	Approval

Exceptions		
Requirement	***Request***	***Staff Recommendation***
Thirty-two 24-inch box trees are required within the perimeter landscape buffer and fourteen 24-inch box trees are required within the parking lot landscape planters.	To allow twenty-four 24-inch box trees within the perimeter landscape buffer and to allow twelve 24-inch box trees within the parking lot landscape planters.	Approval
24-inch box trees are required within the perimeter landscape buffer and parking lot landscape planters.	To allow 15-gallon shade trees where specified on the proposed landscape plan date stamped 02/19/13.	Approval

ANALYSIS

The subject site is located within the R-3 (Medium Density Residential) zoning district. The proposed development is in compliance with the 25.49 units per acre allowed by the M (Medium Density Residential) General Plan land use designation with a proposed residential density of 21.46 units per acre and. This proposal consists of one 40-unit Senior Citizen Apartment building located just south of a 100-foot wide utility easement running northeasterly through the site and facing a 24-foot wide entrance off of Silver Sky Drive.

The proposed Senior Apartment building is approximately 40 feet tall with three stories and an approximate 18,500 square-foot building footprint. The proposed development features approximately 2,288 square feet of programmed recreation/community space available on each floor. Each building façade is finished with light-colored stucco with dark earth colored trim and roofing materials composed of terra cotta tiles. There are porches and balconies spread out amongst select units for each building.

The required parking for Senior Citizen Apartments is 0.75 spaces per unit. At 40 units, the required parking for this proposal is 30 parking spaces with a minimum of three handicapped accessible spaces available. The applicant has provided 33 parking spaces, including four handicap accessible spaces.

The proposed landscape plan does not fully comply with the required perimeter landscape buffer requirements listed in Title 19.06.040, as evidenced by the requested waiver to allow a zero-foot wide landscape buffer along the northern property line where a six-foot wide landscape buffer is required. Staff recommends approval of the requested waiver, as the area in question is utilized by a landscaped parking lot located between two buildings within a 100-foot wide utility line easement.

The applicant has also requested an exception to the required perimeter tree and parking lot tree counts with an alternative design that offsets the deficiency by providing a meeting the overall demand for trees covering the site. Staff recommends approval of the requested waiver and exception, as the proposed landscape plan meets the desired intent of the code landscape requirements and has provided an attractive scheme that responds more appropriately to the particular site.

The applicant has provided an appealing proposal that is compatible in use, density, and design with the adjacent multi-family residential properties located to the east, west, and south. Staff recommends approval of this request as it satisfies the need for infill development by means of providing additional housing units for the growing senior population. If denied, the Senior Apartments will be allowed to proceed as originally approved (SDR-44166)

FINDINGS (SDR-48272)

In order to approve a Site Development Plan application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed development meets Policy 2.2.2 of the Las Vegas 2020 Master Plan, which states, "That senior citizens' and assisted living housing be encouraged to develop, both to meet the needs of community residents who wish to age in place in their neighborhoods, and as a means of increasing residential densities in these areas." Also, this proposal is consistent with the surrounding multi-family residential uses and provides a suitable infill project for the area.

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

The proposed development is consistent with the M (Medium Density Residential) General Plan land use designation and the R-3 (Medium Density Residential) zoning district development standards for residential density, and is in compliance with all other plans and policies. The applicant has requested a waiver, which staff supports, to allow no landscaping along the south property line.

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

Silver Sky Drive, a 60-foot wide local street, terminates at a cul-de-sac at the entrance of the site. The provided roadway provides adequate vehicular access to the site.

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

The building materials are typical of the neighboring multi-family developments and within the city. The proposed landscape plan includes an exception to the Title 19.06.040 requirements, as it is deficient by two and the applicant proposes 15-gallon trees where specified on the landscape plans date stamped 2/19/13. Staff recommends approval of the waiver and exception, since the applicant is providing a substantial amount of plant materials throughout the site that meets the minimum requirements.

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

The elevations and design characteristics are compatible with the design characteristics of the existing medium density development in the area. The proposed design utilizes a three-story building with a 35-foot high pitched roof, which is lower in height than the allowable five-story, 55-foot height limit. The proposed buildings create an orderly and aesthetically pleasing environment that is in context with the neighboring multi-family developments

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

The proposed Senior Apartments will not compromise the public health or general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 307

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-48273 APN: 138-28-401-015

Name of Property Owner: Westcliff Pines 2 LP

Name of Applicant: Same

Name of Representative: LR Nelson

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: Michael Mullin

Subscribed and sworn before me

This 6th day of February, 2013

_____

Notary Public in and for said County and State

MERIDA CONTRERAS
Notary Public State of Nevada
No. 03-81766-1
My appt. exp. April 9, 2015

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Site Development Plan Review

Project Address (Location) 8286 Silver Sky Drive

Project Name Westcliff Pines Phase 3 **Proposed Use** Senior Apts.

Assessor's Parcel #(s) 138-28-401-015 (portion of) **Ward #** 2

General Plan: existing R-M proposed R-M **Zoning:** existing R-3 proposed R-3

Commercial Square Footage N/A **Floor Area Ratio**

Gross Acres 1.786 **Lots/Units** 40 **Density** 22.40

Additional Information

PROPERTY OWNER Westcliff Pines 2 LP **Contact** Robert D. Feibleman

Address 295 E. Warm Springs Road, Suite 101 **Phone:** (702) 739-3345 **Fax:** (702) 739-3005

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

E-mail Address rfeibleman@nevadahand.org

APPLICANT Same as owner **Contact**

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

City **State** **Zip**

E-mail Address

REPRESENTATIVE LR Nelson **Contact** Richard E. Turner

Address 6765 West Russell Road, Suite 200 **Phone:** (702) 798-7978 **Fax:** (702) 451-2296

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

E-mail Address richard.turner@lrneng.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* Michael Mullin

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

Print Name Michael Mullin

Subscribed and sworn before me

This 6th day of February, 2013.

Notary Public in and for said County and State

MERIDA CONTRERAS
Notary Public State of Nevada
No. 03-81766-1
My appt. exp. April 9, 2015

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SDR-48273
Meeting Date:	03/12/13
Total Fee:	$1030 cc
Date Received:*	02/05/13
Received By:	M. Howe

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

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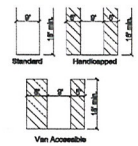
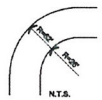
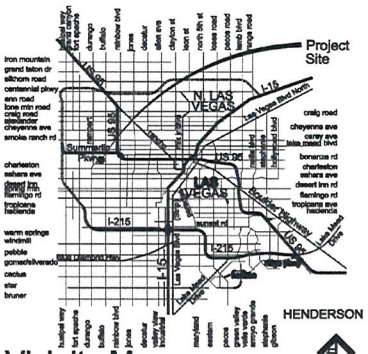


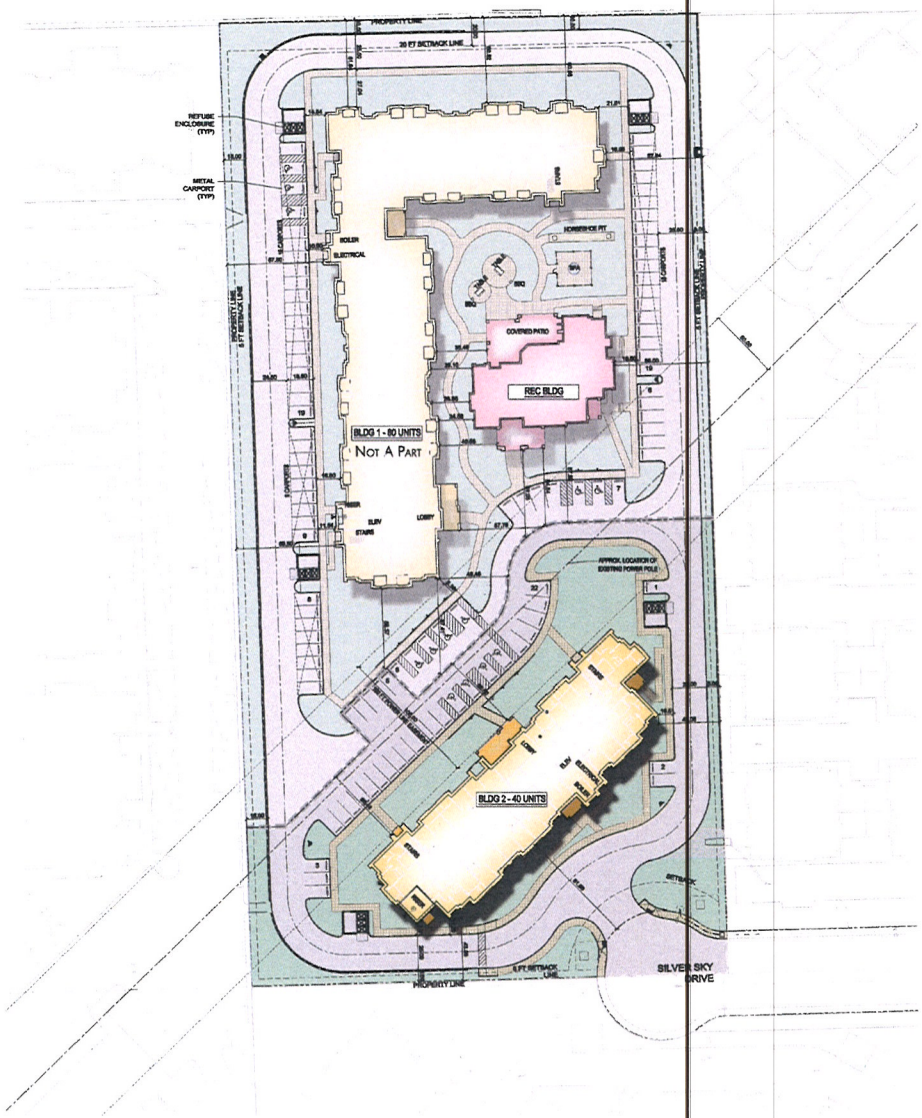
Typical Parking Spaces



Typical Fire Turning Radius



Vicinity Map



Site Plan

ZONING

R-3 - Medium Density Residential

LOT AREA

Gross Area	± 81,199 S.F.	± 1.864 Acres
Net Area	± 77,788 S.F.	± 1.786 Acres

DENSITY 21.46 DU/Acre

Setbacks

	Required	Provided
Front	20 Feet	81.55 Feet
Corner Side	5 Feet	N/A
Side	5 Feet	43.06 Feet
Rear	20 Feet	60.10 Feet

Height

Permitted	3 Stories or 40 Feet
Provided	3 Stories, Max 40'-0"

Lot Coverage

Provided	20.9%

BUILDING AREA

Gross Footprint Area

Bldg 2	16,260 S.F.
Total	16,260 S.F.

Dwelling Units (Senior Apartments)

Total Units

1 BD	24 Units
2 BD	16 Units
Total	40 Units

PARKING REQUIREMENTS

DWELLING UNITS

Required

1 BD		24 Units	
2 BD		16 Units	
Total	.75 per Unit	x 40 Units	30
Total Dwelling Unit Parking Required			30

Provided

Total On Site Surface Parking		33
H.C. Required - Standard:	1 per HC Unit	2
H.C. Required - Van:	1 per 6 H.C. Spaces	1
Total Required		3
H.C. Provided - Standard:		3
H.C. Provided - Van:		1
Total Provided		4

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City of Las Vegas
Dept. of Planning

North

Scale: 1" = 40'-0"

0 40 80 160

PROJECT No. 912008 February 5, 2013

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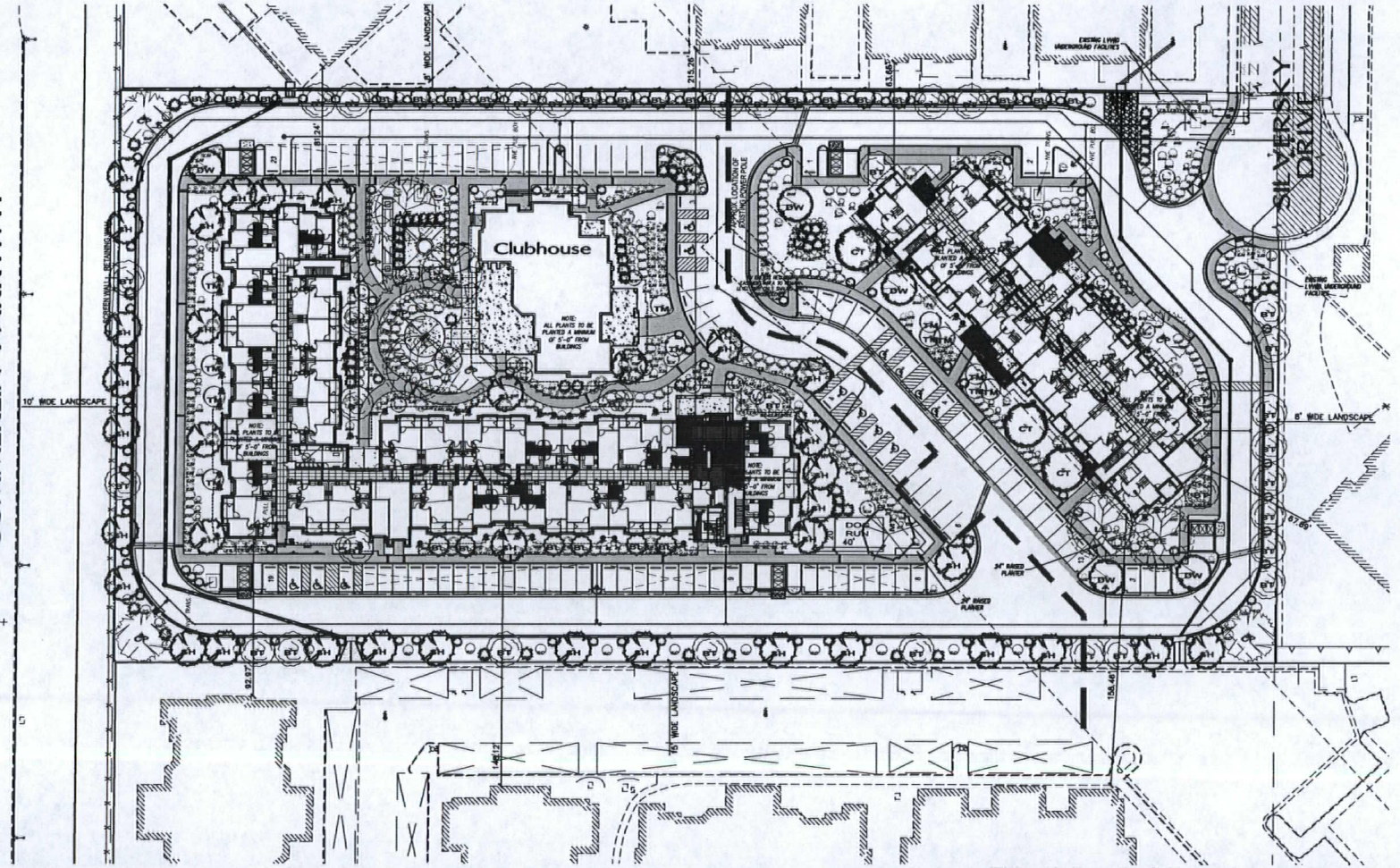
NEVADA HAND

Westcliff Pines Phase 3

Las Vegas , Nevada

SDR-48273

PAZ DESIGN GROUP
PAZ DESIGN GROUP
450 FREMONT STREET #233
LAS VEGAS, NEVADA 89101
702.202.3571 702.979.1326 fax



TREE LEGEND (OVERALL DEVELOPMENT)

SEE SHEETS 2 & 3 OF 3 FOR TREE TYPES, SIZES AND COUNTS

SHRUB LEGEND (OVERALL DEVELOPMENT)

SEE SHEETS 2 & 3 OF 3 FOR SHRUB TYPES, SIZES AND COUNTS

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PLANNING & DEVELOPMENT

Title 19 Required Trees

City of Las Vegas Unified Development Code Title 19 requirements:

Code reference	Description	Area	Required (tree/shrub) W2	Required (tree/shrub) W3	Proposed (tree/shrub) W2	Proposed (tree/shrub) W3
19.06.040 F.8.a	20'oc	South buffer	0/0	12/48	0/0	8/32
19.06.040 F.8.a	20'oc	East buffer	17/68	15/60	17/68	5/20
19.06.040 F.8.a	30'oc	North buffer	12/48	0/0	10/40	0/0
19.06.040 F.8.a	20'oc	West buffer	28/112	5/20	16/64	11/44
19.08.110 C.12.a.i.B	One per six	Uncovered parking	3/12	6/24	4/16	6/24
19.08.110 C.12.a.i.A	One each end	End of parking row	10/40	8/32	6/24	6/24
Additional onsite trees (not required by code)			0/0	0/0	36/144	10/40
		Totals	70/280	46/184	89/356	46/184

LANDSCAPE PLAN - OVERALL SCHEMATIC

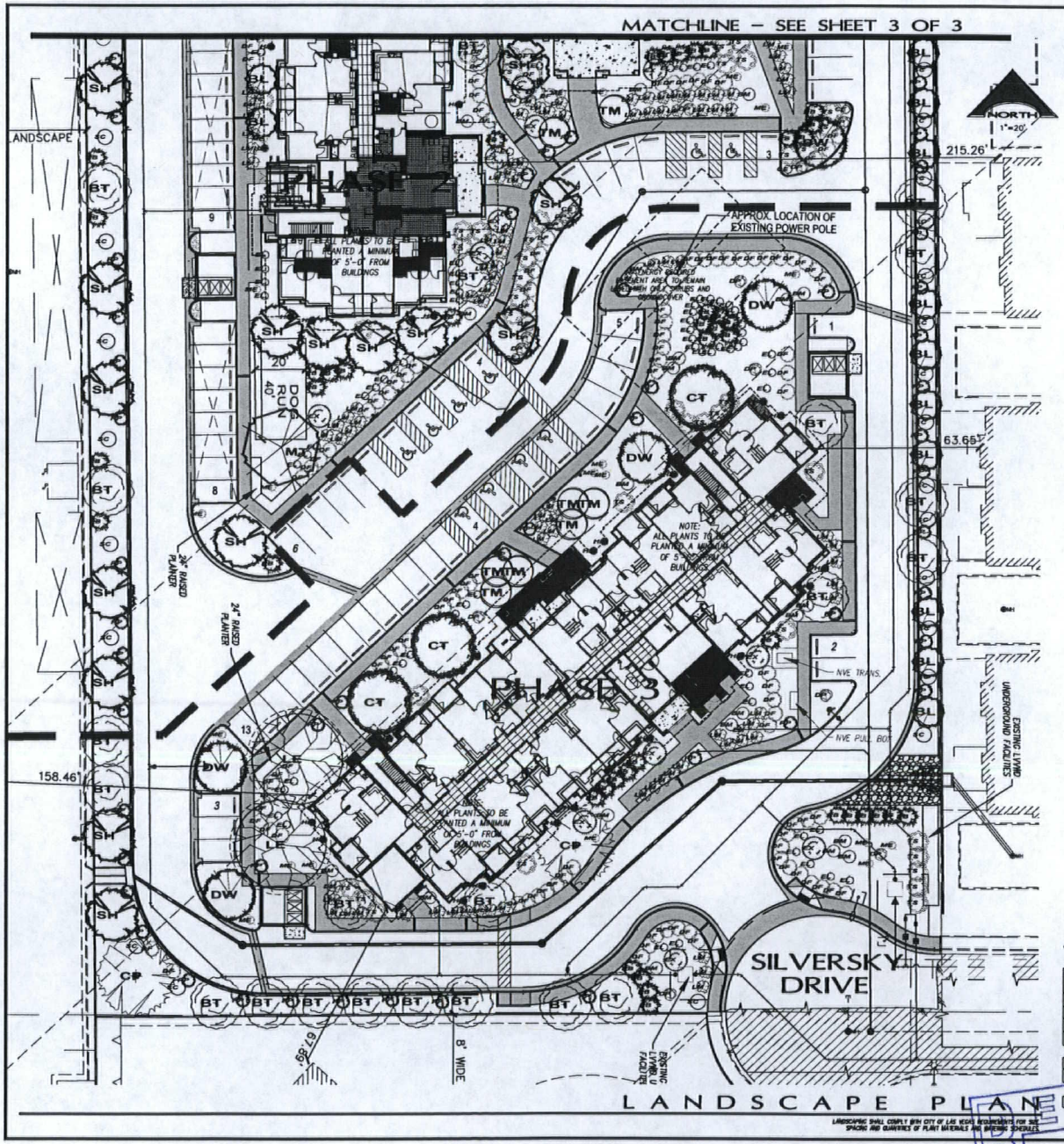
DESIGNED BY: DS/MB | DRAWN BY: MB | CHKD BY:
JOB NUMBER: 816-021-112 | DATE: 02-05-13
NO. | REVISION | DATE | APPD.

L. R. NELSON CONSULTING ENGINEERS, INC.
•STRUCTURAL •CIVIL •PLANNING •SURVEY
6765 West Russell Road, Suite 200
Las Vegas, Nevada 89118
(702) 798-7978
(702) 451-2296 FAX

LANDSCAPE PLAN OF
WESTCLIFF PINES 2 & 3
FOR
NEVADA H.A.N.D., INC.
CITY OF LAS VEGAS NEVADA

SHEET NUMBER 1 OF 3 SHEETS
816-021-112

SDR-48273
REVISED



TREE LEGEND

(OVERALL DEVELOPMENT)

	Botanical Name	Common Name	Size	Height	Width	QTY
OT	Vitex agnus-castus	Chaste Tree	15 gal.	25	25	3
DW	Chilopsis linearis	Desert Willow	15 gal.	25	20	6
BL	Laurus nobilis	Laurel, Bay (standard)	15 gal.	12	12	25
MT	Prosopis juliflora	Mesquite, Native (thornless)	15 gal.	30	30	1
TM	Sophora secundiflora	Texas Mountain Laurel	24" Box	15	12	12
UP	Ulmus parvifolia	Elm, Lacebark	24" Box	40	40	5
PC	Pistacia chinensis	Pistache, Chinese	24" Box	35	30	7
SH	Acacia stenophylla	Acacia, Shoestring	15 gal.	40	20	37
BT	Brachychiton populneus	Bottle Tree	24" Box	30	20	34

SHRUB LEGEND

(OVERALL DEVELOPMENT)

	Botanical Name	Common Name	Size	Height	Width	QTY
BM	Buddleja Marrubifolia	Woolly butterfly bush	5 gal.	5	5	30
CP	Caesalpinia Pulcherrima	Red bird of paradise	5 gal.	6	6	70
C	Calliandra Eriophylla	Pink fairy duster	5 gal.	3	3	4
DP	Dalea Pulchra	Indigo bush	5 gal.	5	5	16
DF	Dalea Frutescens	Sierra negra	5 gal.	6	4	174
EX	Eremophilia X	Summertime blue	5 gal.	10	6	21
EL	Ericameria Laricifolia	Turpentine bush	5 gal.	3	2	121
HP	Hesperaloe Parviflora	Red yucca	1 gal.	3	3	57
LM	Lantana Montevidensis	Purple trailing lantana	1 gal.	5	2	177
MRE	Muhlenbergia Emersleyi El Toro	Bull grass	1 gal.	3	3	37
RO	Rosemary Officinalis	Arp rosemary	5 gal.	5	3	104
SC	Salvia Clevelandii	Chapparal sage	5 gal.	6	5	44
TS	Tecoma Stans	Gold star	5 gal.	8	8	67

Title 19 Required Trees

City of Las Vegas Unified Development Code Title 19 requirements:

Code reference	Description	Area	Required (tree/shrub) W2	Required (tree/shrub) W3	Proposed (tree/shrub) W2	Proposed (tree/shrub) W3
19.06.040 F.8.a	20'oc	South buffer	0/0	12/48	0/0	8/32
19.06.040 F.8.a	20'oc	East buffer	17/68	15/60	17/68	5/20
19.06.040 F.8.a	30'oc	North buffer	12/48	0/0	10/40	0/0
19.06.040 F.8.a	20'oc	West buffer	28/112	5/20	16/64	11/44
19.08.110 C.12.a.i.B	One per six	Uncovered parking	3/12	6/24	4/16	6/24
19.08.110 C.12.a.i.A	One each end	End of parking row	10/40	8/32	6/24	6/24
Additional onsite trees (not required by code)			0/0	0/0	36/144	10/40
		Totals	70/280	46/184	89/356	46/184

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VERNON R. HARKINS EXP 6/30/13 CIVIL No. 009696 PROFESSIONAL ENGINEER STATE OF NEVADA

DESIGNED BY:	DRAWN BY:	JOB:	CHKD BY:
JOB NUMBER: 818-021-112	DATED: 02-19-13		

NO.	REVISION	DATE	APPR.

L. R. NELSON CONSULTING ENGINEERS, INC.
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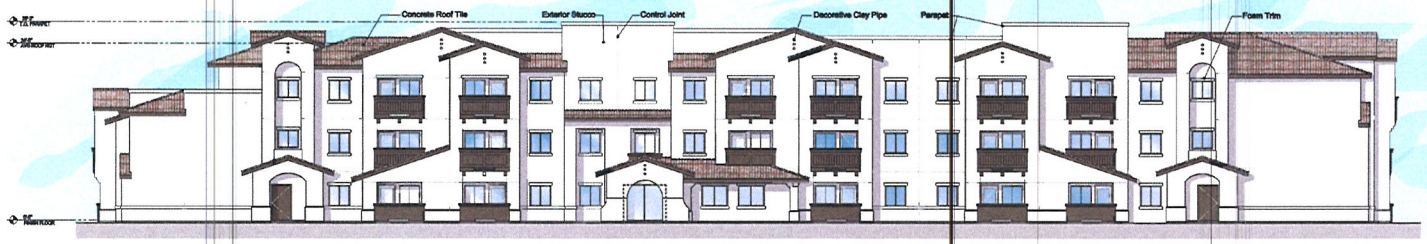
(702) 451-2296 FAX

LANDSCAPE PLAN OF
WESTCLIFF PINES 2
FOR
NEVADA H.A.N.D., INC.
CITY OF LAS VEGAS NEVADA

SHEET NUMBER
2
OF 3 SHEETS
818-021-112



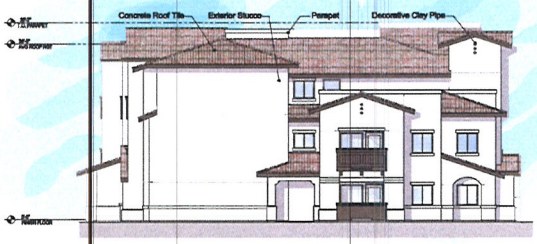
NORTHWEST H ELEVATION

Scale: 3/32" = 1'-0"



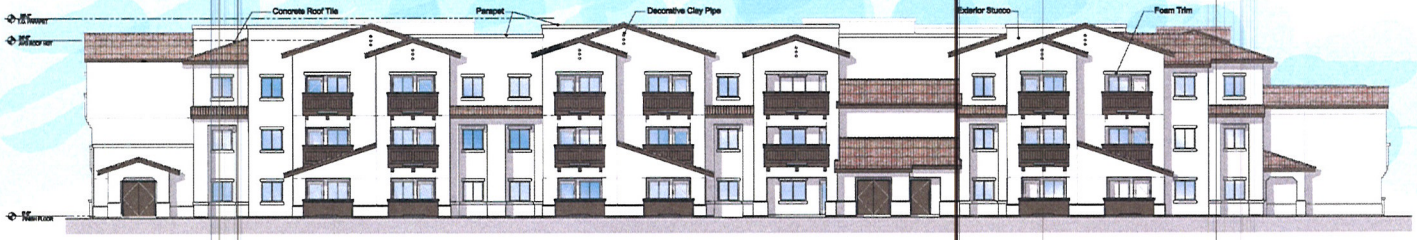
SOUTHWEST ELEVATION

Scale: 3/32" = 1'-0"



NORTHEAST ELEVATION

Scale: 3/32" = 1'-0"



SOUTHEAST ELEVATION

Scale: 3/32" = 1'-0"

Scale: 3/32" = 1'-0"

0 4 8 16 32

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Conceptual Elevations - Building 2

PROJECT No. 912008 FEBRUARY 5, 2013

NEVADA HAND

Westcliff Pines Phase 3

Las Vegas , Nevada

SDR-48273

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PAZ DESIGN GROUP
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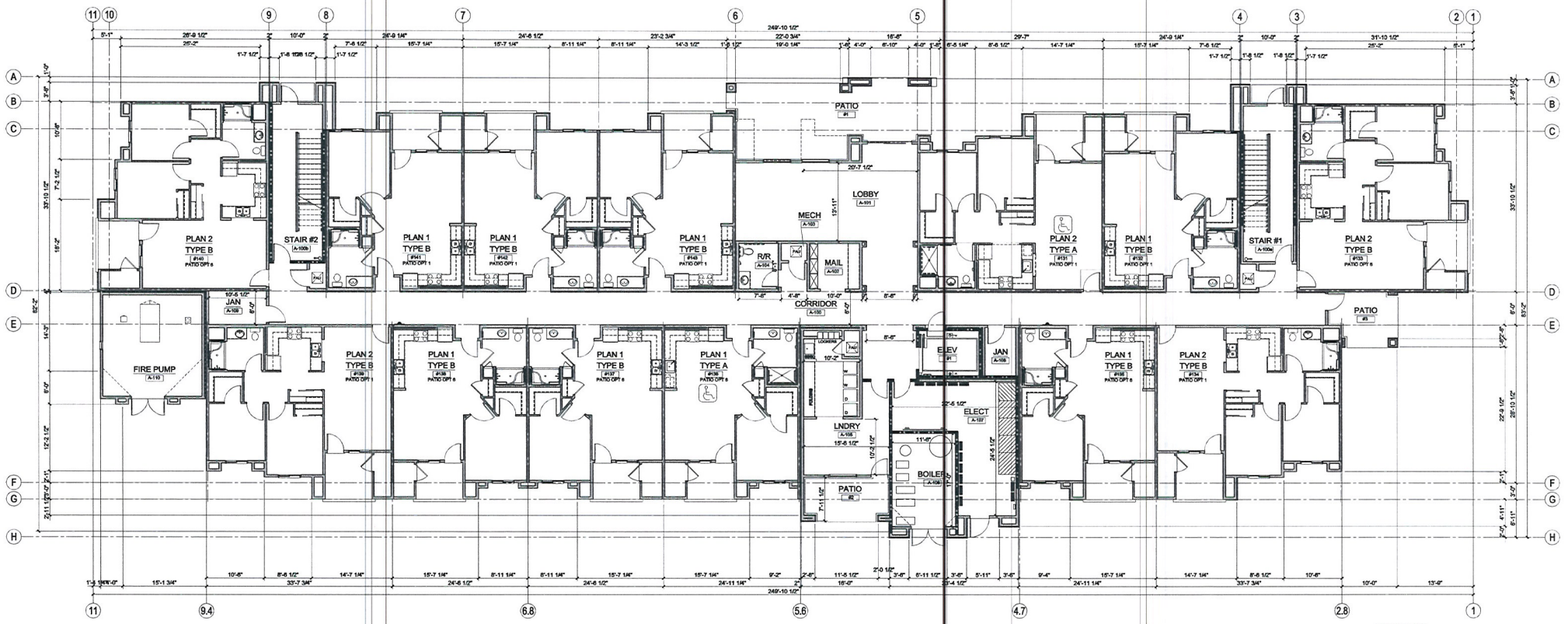
702.202.3571 702.979.1326 fax



1st FLOOR

FIRST FLOOR	
CORRIDOR/MISC	= 2,119 S.F.
COMMON AREAS	= 1,179 S.F.
DWELLING UNITS	= 9,521 S.F.
UTILITY	= 1,199 S.F.
EXT. PATIO - UNITS	= 1,341 S.F.
EXT.PATIO - COMMON	= 901 S.F.
TOTAL	= 16,260 S.F.

Unit Type	2 Bd	1 Bd	Total
1st Floor	5	8	13
2nd Floor	6	8	14
3rd Floor	5	8	13
All Floors	16	24	40

TOTAL BUILDING	
CORRIDOR/MISC	= 5,653 S.F.
COMMON AREAS	= 2,288 S.F.
DWELLING UNITS	= 29,401 S.F.
UTILITY	= 1,552 S.F.
EXT. PATIO - UNITS	= 3,940 S.F.
EXT.PATIO - COMMON	= 1,160 S.F.
GRAND TOTAL	= 43,994 S.F.

Scale: 1/8" = 1'-0"

0 8 16 32

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Conceptual Building Plan - Bldg 2

PROJECT No. 912008 February 5, 2013

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Westcliff Pines Phase 3

Las Vegas , Nevada

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STUCCO BODY COLOR
FRAZEE #CLW 1013 W
"AKAMINA"

STUCCO FACIA AND TRIM
FRAZEE #CL 2687 N
"SEPIA"



CONCRETE ROOF TILE
HANSEN - REGAL #R-621
'SANTA CATERINA"

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Color & Material Board

Project # 912008 February 5th, 2013

Westcliff Pines Phase 3

Las Vegas, Nevada

NEVADA HAND

450 FREMONT STREET, STE 203
LAS VEGAS, NEVADA 89101
PHONE 702.202.2671 FAX 702 979 1326
PAZ DESIGN GROUP



SDR-48273 – APPLICANT/OWNER: WESTCLIFF PINES 2, LP
SOUTH SIDE OF SUMMERLIN PARKWAY AT THE WEST END OF SILVER SKY DRIVE

02/14/13



SDR-48273 – APPLICANT/OWNER: WESTCLIFF PINES 2, LP
SOUTH SIDE OF SUMMERLIN PARKWAY AT THE WEST END OF SILVER SKY DRIVE

02/14/13



SDR-48273 – APPLICANT/OWNER: WESTCLIFF PINES 2, LP
SOUTH SIDE OF SUMMERLIN PARKWAY AT THE WEST END OF SILVER SKY DRIVE

02/14/13

LARRY R. NELSON, P.E.
President

- STRUCTURAL
- CIVIL
- SURVEY
- PLANNING

Project #: 818-021-111

February 5, 2013

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

Attn: Mike Howe

Re: Westcliff Pines Phase 3 – Senior Apartments
(SDR-44166)
APN# 138-28-401-021 (portion of)

Dear Mr. Howe,

On behalf of our client Nevada H.A.N.D., Inc. we are pleased to submit this justification letter for a Site Development Plan Review for the proposed Westcliff Pines Phase 3 development. Westcliff Pines Phase 3 is a proposed 1.786 acre 40-unit (22.40 du) senior apartment building located on the north side of Silver Sky Drive approximately 330 ft. West of Roland Wiley Drive.

Nevada H.A.N.D. is proposing to develop 40 one and two-bedroom senior rental apartments in one three-story building specifically designed for low-income senior citizens in the Las Vegas valley. Westcliff Pines Phase 3 is the third phase of a three phase project which includes Westcliff Pines a 40-unit building and a 4,500 s.f. recreational building that serves only the residents. Westcliff Pines exists approximately 900 feet to the east and Westcliff Pines Phase 2 an 80-unit building which has its own 5,456 s.f. recreation building. Westcliff Pines Phase 3 will share amenities with Westcliff Pines Phase 2.

Nevada H.A.N.D. is requesting waivers of some landscape requirements. (see attached letter). These waivers are being requested base on experience with Nevada H.A.N.D.s existing developments in the Vegas area. We feel that this development will be compatible with the surrounding area, and is in conformance with the master plan designation for this parcel. The parcel is currently zoned R-3 which allows up to 25.49 units per acre. Therefore we respectfully request that staff recommend approval for this Site Development Plan Review.

If you have any questions or comments, please feel free to contact me at your earliest convenience.

Sincerely,
L. R. NELSON CONSULTING ENGINEERS, INC.

Richard Turner
Department Manager

NEVADA

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6765 West Russell Road, Suite 200
Las Vegas, NV 89118-1885

Phone 702 / 798-7978
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Email lrnelson@lrneng.com

UTAH

L. R. NELSON
CONSULTING ENGINEERS, L.L.C.
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Sandy, UT 84070-2008

Phone 801 / 565-8580
FAX 801 / 565-9340
Email lrnengineers@lrnslc.com

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Dept. of Planning

SDR-48273

We consider landscaping to be one of the most important features of our apartment communities, both from an aesthetics point of view, but also as a green or sustainable element.

We have been creating communities in the Las Valley for seventeen years, and have learned many things. For example, there is a plant palette that thrives in the desert environment; there are long term issues that can be ameliorated with attention to detail at the time of front-end planning; you need patience to let plants grow healthily; and your resident needs and behaviors should be taken into account.

For these reasons we are requesting exceptions and waivers by way of reductions from requirements related to landscape islands, plant quantities, and spacing.

This site development includes three building; an 80 unit senior apartment building, a 40 unit apartment building, and a recreational leasing building commonly shared by all. The 100' wide diagonal utility easement across the site presents challenges.

We have been before you several times already as this development was evolved. The parcel map split is a condition of financing and which we're working towards finalizing this spring. As this plan has taken final shape, we have had new constraints place on the property. For example, NVEnergy informed us that there are planting limitations within their overhead transmission easement. Additionally, they notified us of service vehicle pad zones that have restrictions. This has caused us to revisit the landscape design in its entirety, and take into account all utilities, structures, and the City of Las Vegas Unified Development Code-Title 19.

So we started over and went through the following process:

1. A specific plant palette was established; plants that do well in this climate; variety in size and shape; deciduous and evergreen; fall color show; seasonal flowering; pest resistance; low maintenance.
2. We plotted in background all underground utilities to avoid planting over top of piping that may need servicing in the future.
3. Identified areas where it was desirable for shade, privacy, and screening.
4. Plant size "at maturity" was determined and that sizing is shown on the plans.
5. Security issues expressed by seniors were taken into account, thus shrub hedging has been discouraged (see photo #).

City of Las Vegas Unified Development Code Title 19 requirements:

Code reference	Description	Area	Required Tree/Shrub		Proposed Tree/Shrub	
			W2	W3	W2	W3
19.06.040 F.8.a	Buffer 20'oc	South perimeter	0/0	12/48	0/0	8/32
19.06.040 F.8.a	Buffer 20'oc	East perimeter	17/68	15/60	17/68	5/20
19.06.040 F.8.a	Buffer 30'oc	North perimeter	12/48	0/0	10/40	0/0
19.06.040 F.8.a	Buffer 20'oc	West perimeter	28/112	5/20	16/64	11/44

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Dept. of Planning

SDR-48273

19.08.110 C.12.a.i.B	One per six	Uncovered parking	3/12	6/24	4/16	6/24
19.08.110 C.12.a.i.A	One each end	End of parking row	10/40	8/32	6/24	6/24
N/A	Not required	Interior areas	0/0	0/0	36/144	10/40
		Totals	70/280	46/184	89/356	46/184

Please consider for approval of the following items:

1. Relocate 50% of the required perimeter landscape buffer shrubs to interior spaces. *Most of the shrubs selected have a mature width of 4' to 6' when matured and non-shaped. We're discouraging hedging for security reasons. If canopy coverage is the under-riding theme, we'll accomplish this by maintaining the overall count.*
2. Increase the west perimeter landscape buffer tree spacing from 20'oc to 40'oc, adjacent (400lf+-) to neighboring carports. *There is sufficient separation (160lf+-) between residential structures.*
3. Eliminate east perimeter landscape buffer tree requirements from the first 80lf (south to north) due to utility, drainage, and marketing view from street. *This area is full of underground utilities and drainage channels, thus root and utility service damaged can be reduced.*
4. Eliminate south perimeter landscape buffer tree and shrub requirements from the first 30lf (east to west) due to utility conflicts. *This area is full of underground utilities, thus root and utility service damage can be reduced.*
5. Waive requirement for landscape buffer requirements between two parcels. *Whereas there are two legal owners, the property is operated as one with cross access agreements and sharing of common facilities. The intent of landscape buffering is not applicable.*

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Dept. of Planning

SDR-48273

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

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

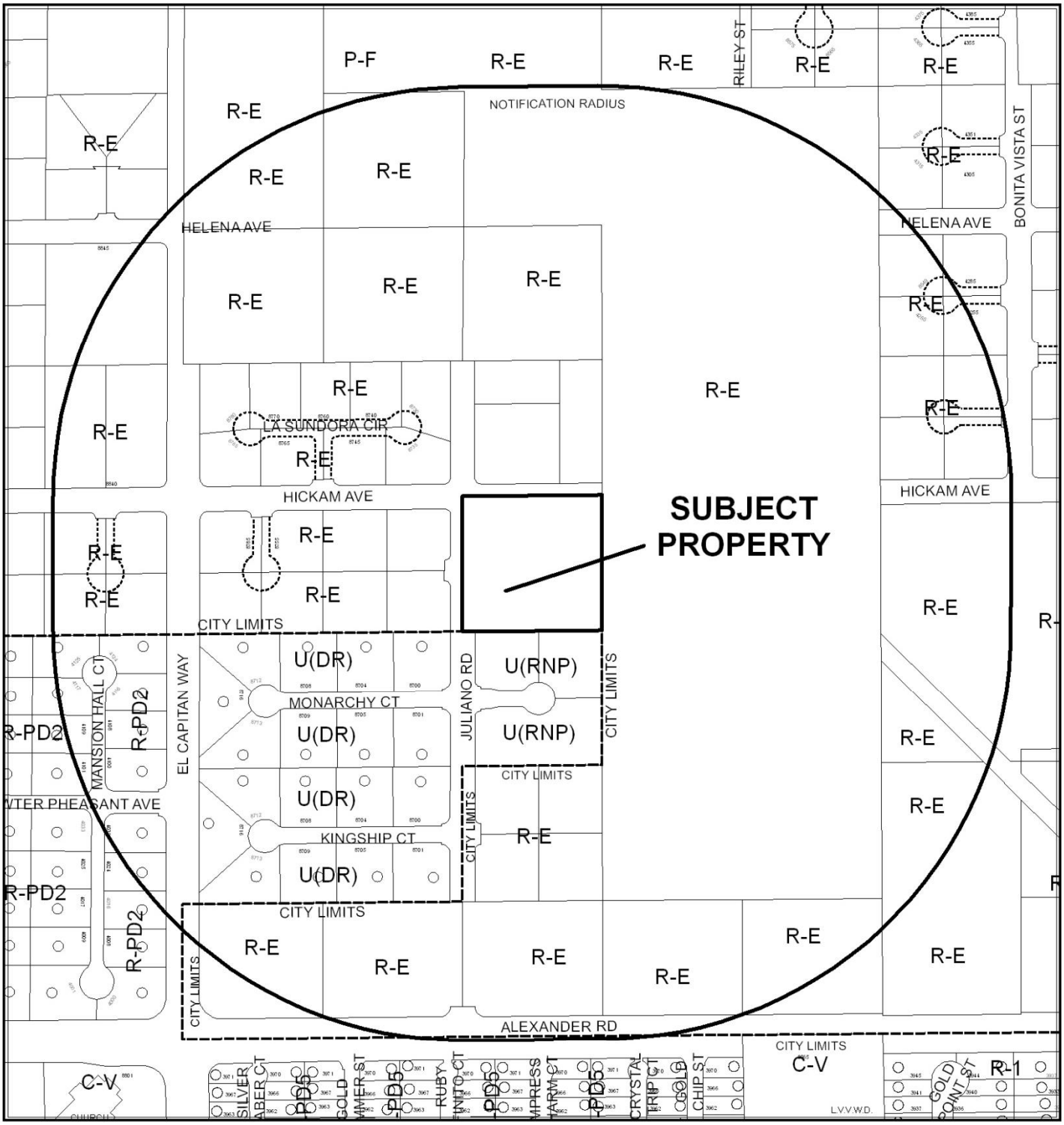
SUBJECT:
ABEYANCE - VAR-47839 - VARIANCE - PUBLIC HEARING - APPLICANT: ASTORIA RESIDENTIAL - OWNER: T H M ENTERPRISES, LLC - For possible action on a request for a Variance TO ALLOW A MINIMUM LOT SIZE TO BE 15,260 SQUARE FEET WHERE 20,000 SQUARE FEET IS REQUIRED AND TO ALLOW A 28-FOOT FRONT YARD SETBACK ON LOTS 1 AND 5 WHERE 30 FEET IS REQUIRED on 2.5 acres generally located on the southeast corner of Juliano Road and Hickam Avenue (APN 138-05-801-006), U (Undeveloped) Zone [RE (Residential Estates) General Plan Designation], Ward 4 (Anthony). Staff recommends DENIAL.

C.C.: 04/17/2013

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**8**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL

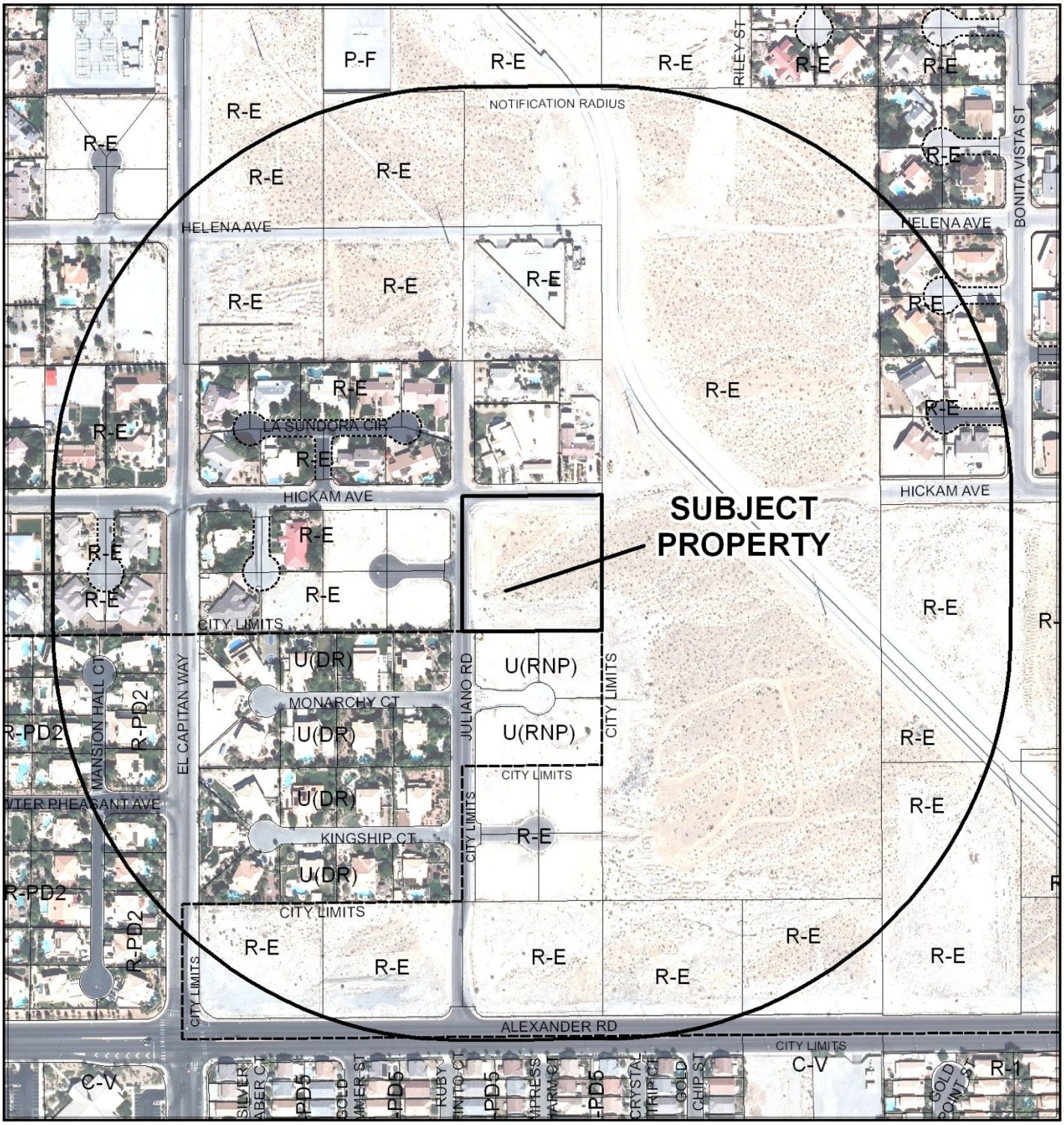
BACKUP DOCUMENTATION:
1. Location and Aerial Maps – VAR-47839, VAR-47840, WVR-47976 and TMP-47838
2. Conditions and Staff Report – VAR-47839, VAR-47840, WVR-47976 and TMP-47838
3. Supporting Documentation – VAR-47839, VAR-47840 and TMP-47838
4. Photos – VAR-47839, VAR-47840, WVR-47976 and TMP-47838
5. Justification Letter – VAR-47839, VAR-47840 and TMP-47838
6. Protest Postcards - VAR-47839 and VAR-47840



CASE: **VAR-47839, VAR-47840, WVR-47976 & TMP-47838**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: U (UNDEVELOPED) [RE (RURAL ESTATES)]



0 300 600 Feet

CASE: **VAR-47839, VAR-47840, WVR-47976 & TMP-47838**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: U (UNDEVELOPED) [RE (RURAL ESTATES)]

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: ASTORIA RESIDENTIAL - OWNER: T H M ENTERPRISES, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-47839	Staff recommends DENIAL, if approved subject to conditions:	
VAR-47840	Staff recommends DENIAL, if approved subject to conditions:	
WVR-47976	Staff recommends DENIAL, if approved subject to conditions:	
TMP-47838	Staff recommends DENIAL, if approved subject to conditions:	VAR-47839 VAR-47840 WVR-47976

** CONDITIONS **

VAR-47839 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-47840) and Tentative Map (TMP-47838) shall be required, if approved.

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

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

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

YK

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

VAR-47840 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-47839) and Tentative Map (TMP-47838) shall be required, if approved.

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

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

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

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

Public Works

6. Construct private street improvements interior to this site to include a 40 foot width with rolled curb, no sidewalk or streetlights. No gating of this street is required.

WVR-47976 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variances (VAR-47839), (VAR-47840) and Tentative Map (TMP-47838) shall be required, if approved.

2. This approval shall be void four (4) years from date of final approval, unless a building permit has been issued for new construction. An Extension of Time may be filed for consideration by the City of Las Vegas.

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

TMP-47838 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variances (VAR-47839), (VAR-47840) and Waiver (WVR-47976) shall be required, if approved.

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

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

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

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

Public Works

6. Dedicate 30 feet of right-of-way adjacent to this site for Hickam Avenue, 30 feet for Juliano Road, and dedicate a 15 foot radius at the southeast corner of Hickam Avenue and Juliano Road.

7. Construct half-street improvements on Juliano Road and Hickam Avenue, including appropriate overpaving if legally able, adjacent to this site concurrent with associated on-site development activities. Extend all required underground utilities, such as electrical, telephone, traffic signal system, etc., located within public rights-of-way, prior to construction of hard surfacing (asphalt or concrete). 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.

8. Private streets must be granted and labeled on the Final Map for this site as Public Utility Easements (P.U.E.), City of Las Vegas Sewer Easements and Public Drainage Easements to be privately maintained by the Homeowner's Association. Additionally, the Final Map for this site shall clearly state who is responsible for surface maintenance of the public drainage easement shown on Lot 2 (i.e. Owner of Lot 2 or HOA).

9. A Homeowner's Association or other similar Maintenance Organization shall be established to maintain all private roadways, public easements, and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

10. A minimum of two lanes of asphalt pavement on the major access street(s) adjacent to this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.

11. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

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

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing a five-lot residential subdivision on 2.5 acres zoned R-E (Residence Estates) near the southeast corner of Juliano Road and Hickam Avenue. The proposed lots do not meet the minimum design standards for the zoned district, which requires a Variance. In addition, a Variance is required to address the proposed private street that doesn't adhere to minimum design standards. The proposed location of the private street is within 220 feet of an existing intersection, which triggers the need for a Waiver. The development of this parcel as presented is not compatible with the surrounding area. This vacant land has no physical abnormities that would require any deviations from code in order to be fully developed; therefore, staff recommends denial of all requested applications. If denied, the parcel would remain undeveloped.

ISSUES

- A Variance is required to allow a 15,260 square-foot lot where the minimum allowed is 20,000 square feet, to allow an 85-foot lot width where the minimum required is 100 feet and to allow a 28-foot front yard setback on Lots 1 and 5 where the minimum required is 30 feet. Staff does not support this request.
- A Variance is required to allow a private street to not comply with minimum standards including no sidewalks or streetlights and a width of 40 feet where a minimum of 47 feet is required. Staff does not support this request.
- A Waiver is required to allow an intersection to be located 175 feet from another intersection where a 220-foot minimum distance separation is required. Staff does not support this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
01/16/02	The City Council approved a petition to annex 2.5 acres of property generally located at the intersection of Juliano Road and Hickam Avenue. The Planning Commission and staff recommended approval.

01/12/06	The Planning Commission denied a request for a Rezoning (ZON-10495) from: U(Undeveloped) Zone [RE (Rural Estates) General Plan Designation] to R-PD2 (Residential Planned Development – 2 units per acre) on 2.50 acres at the Southeast corner of Juliano Road and Hickam Avenue. Staff Recommended denial. The applicant withdrew the request prior to being heard by City Council.
	The Planning Commission denied a request for a Variance (VAR-10496) to allow a proposed residential planned development on 2.50 acres where the minimum allowed is 5 acres at the Southeast corner of Juliano Road and Hickam Avenue. Staff Recommended denial. The applicant withdrew the request prior to being heard by City Council.
	The Planning Commission denied a request for a Waiver (WVR-10947) of Title 18.12 to allow 175 feet between centerline intersections where 220 feet is the minimum allowed on 2.50 acres at the Southeast corner of Juliano Road and Hickam Avenue. Staff Recommended denial. The applicant withdrew the request prior to being heard by City Council.
	The Planning Commission denied a request for a Site Development Plan Review (SDR-10494) for a five-lot residential subdivision on 2.50 acres at the Southeast corner of Juliano Road and Hickam Avenue. Staff Recommended denial. The applicant withdrew the request prior to being heard by City Council.
02/12/13	The Planning Commission voted to hold related items VAR-47839, VAR-47840, WVR-47976 and TMP-47838 in abeyance to the March 13, 2013 Planning Commission meeting at the request of the applicant.

Most Recent Change of Ownership	
08/16/12	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No related permits have been issued for this site.

Pre-Application Meeting	
12/13/12	Staff reviewed the requirements to subdivide this property into five separate parcels. It was noted that the proposed street does not meet code requirements, since it is only 40 feet wide and does not have sidewalks or streetlights. It was also noted that the lots are smaller then allowed and Lots 1 and 5 do not meet the minimum front yard setbacks. These will require Variance applications. A Tentative Map is also required.

Neighborhood Meeting
No neighborhood meeting is required, nor was one held.

Field Check	
01/02/13	Staff visited the site and found an undeveloped lot that was clean and free of trash and debris. A large for sale sign has been erected.

Details of Application Request	
Site Area	
Gross Acres	2.5

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	RNP (Rural Neighborhood Preservation)	U (Undeveloped) [RE (Residential Estates) General Plan Designation]
North	Single Family Dwelling	RNP (Rural Neighborhood Preservation) - Clark County	R-E (Rural Estates Residential) – Clark County
South	Undeveloped	RNP (Rural Neighborhood Preservation)	U (Undeveloped) [RE (Residential Estates) General Plan Designation]
East	Undeveloped	RNP (Rural Neighborhood Preservation) - Clark County	R-E (Rural Estates Residential) – Clark County
West	Undeveloped	RNP (Rural Neighborhood Preservation) - Clark County	R-E (Rural Estates Residential) – Clark County

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
Rural Preservation Overlay 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	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.060, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	20,000 SF	15,260 SF	N
Min. Lot Width	100 Feet	85 Feet	N
Min. Setbacks			
• Front	30 Feet	28 Feet	N
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	35 Feet	35 Feet	Y
Max. Building Height	35 Feet	Unknown	By Condition
Mech. Equipment	Screened	Unknown	By Condition

Existing Zoning	*Permitted Density*	*Units Allowed*
R-E (Residence Estates)	2 units per acre	5
General Plan	***Permitted Density***	***Units Allowed***
RNP (Rural Neighborhood Preservation)	2 units per acre	5

Pursuant to Title 19.06.060, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees:				
• North	1 Tree / 30 Linear Feet	10 Trees	10 Trees	Y
• South	1 Tree / 0 Linear Feet	0 Trees	0 Trees	Y
• East	1 Tree / 0 Linear Feet	0 Trees	0 Trees	Y
• West	1 Tree / 30 Linear Feet	8 Trees	10 Trees	Y
TOTAL PERIMETER TREES		**18 Trees**	**20 Trees**	**Y**

LANDSCAPE BUFFER WIDTHS			
Min. Zone Width			
• North	6 Feet	6 Feet	Y
• South	0 Feet	0 Feet	Y
• East	0 Feet	0 Feet	Y
• West	6 Feet	6 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential	Not Indicated	By Code

19.04.040 Connectivity			
Transportation Network Element		***# Links***	***# Nodes***
Internal Street		1	0
Intersection – Internal		0	0
Cul-de-sac Terminus		0	1
Intersection – External Street or Stub Terminus		0	0
Intersection – Stub Terminus w/ Temporary Turn Around Easements		0	0
Non-Vehicular Path - Unrestricted		0	0
Total		1	1
	Required	***Provided***	
Connectivity Ratio (Links / Nodes):	**1.30**	**1.0***	

*Not required in the R-E (Residence Estates) district; provided for informational purposes only.

Waivers		
Requirement	***Request***	***Staff Recommendation***
To have a minimum of 220 feet between street intersections.	To allow a minimum of 175 feet between street intersections.	Denial

ANALYSIS

This is a similar request for this site that was proposed in 2006. At that time, the proposed five-lot residential subdivision was denied by the Planning Commission and staff. The applicant chose to withdraw the project prior to it being heard by City Council. The conditions in the area have not changed substantially and the project still doesn't meet the minimum code standards required.

The two Variance requests are needed due to the proposed fifth lot. The project could be designed within minimum code requirements if only four lots were proposed. The added fifth lot does not allow for the minimum lot size and lot widths to meet code requirements. The deviation from minimum lot size per code is nearly 25% smaller and is 15% smaller from minimum lot width requirements. There are no physical topography issues that would require a deviation from code requirements; therefore, these deviations are self-created and do not meet the requirements for relief via the variance process. Staff does not support these requests.

If there were no fifth lot proposed with the project a Waiver would not be required, since the private street would be considered a private driveway. However, as proposed, it is a private street that does not meet the minimum distance separation requirements from another intersection. The required Waiver to address this issue is not supported by staff. Furthermore, The Department of Public Works states, "That such a Waiver of public street standards may only be approved if the improvements are located behind a gated entrance per 19.04.070A. As no gate is proposed, we cannot support the proposed reduction in street requirements."

Although this project is not part of any Special Districts, it is an excepted area of the Inter Local Agreement. The Inter Local Agreement indicates that the maximum number of residential units per acre is two. This project is proposed at two dwelling units per acre, which is in compliance with the Inter Local Agreement.

The site plan as proposed does not reflect the intent of the R-E (Residence Estates) District, as it does not provide for homogeneity of land use patterns. The surrounding area has developed as larger lot, low-density-residential and this proposal would change the overall characteristic of the neighborhood. A redesign of the project with four lots would better meet the development factors in the area and could meet all minimum development standards. For these reasons, staff recommends denial. If approved, attached conditions are required to be met for this project.

FINDINGS (VAR-47839)

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 lots that do not meet the minimum code requirements. The project could be designed to code requirements by eliminating one lot. 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-47830)

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 a private street that does not meet minimum design standards. Alternative is to meet the minimum design standards that would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (WVR-47976)

The Unified Development Code Title 19 has recently been updated to include a Complete Street Design Standards section this project does not meet; therefore, staff recommends denial.

FINDINGS (TMP-47474)

All Title 19 zoning and technical requirements regarding tentative maps are satisfied. However, Staff recommends denial of the subject tentative map due to the required Variances and Waiver that are associated with the application.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 31

NOTICES MAILED 81

APPROVALS 0

PROTESTS 8

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-47839** APN: 138-05-801-006

Name of Property Owner: THM Enterprises

Name of Applicant: Astoria Residential

Name of Representative: Brad Boe

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: Tom McCormick

Subscribed and sworn before me

This 18 day of December, 2012

Anna Schlieper

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ANNA SCHLIEPER
Appt. No. 12-6479-1
My Appt. Expires Nov. 18, 2015

RECEIVED
DEC 20 2012
City of Las Vegas
Department of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: VARIANCE - Lot Size & Setback

Project Address (Location) Hickam Ave & Juliano Rd (SEC)

Project Name Juliano & Hickam **Proposed Use** Single Family

Assessor's Parcel #(s) 138-05-801-006 **Ward #** 4

General Plan: existing undev proposed undev **Zoning:** existing U/RE proposed U/RE

Commercial Square Footage 0 **Floor Area Ratio** 0

Gross Acres 2.5 **Lots/Units** 5 **Density** 2 DU per acre

Additional Information

PROPERTY OWNER T H M Enterprises, LLC **Contact**

Address 10655 Park Run Drive, #230 **Phone:** **Fax:**

City Las Vegas **State** NV **Zip** 89144-4590

E-mail Address

APPLICANT Astoria Residential **Contact** Brad Boe

Address 10655 Park Run Drive, Ste. 230 **Phone:** (702) 257-1188 **Fax:** (702) 257-1672

City Las Vegas **State** NV **Zip** 89144

E-mail Address bboe@astoriaresidential.com

REPRESENTATIVE Taney Engineering **Contact** Robert Cunningham

Address 6030 South Jones Blvd, Ste. 100 **Phone:** (702) 362-8844 **Fax:** (702) 362-5233

City Las Vegas **State** NV **Zip** 89118

E-mail Address rc@taneycorp.com

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

Property Owner Signature* [signature]

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

Print Name Tom McCormick

Subscribed and sworn before me

This 18 day of DECEMBER, 20 12.

ANNA SCHLIEPER

Notary Public in and for said County and State

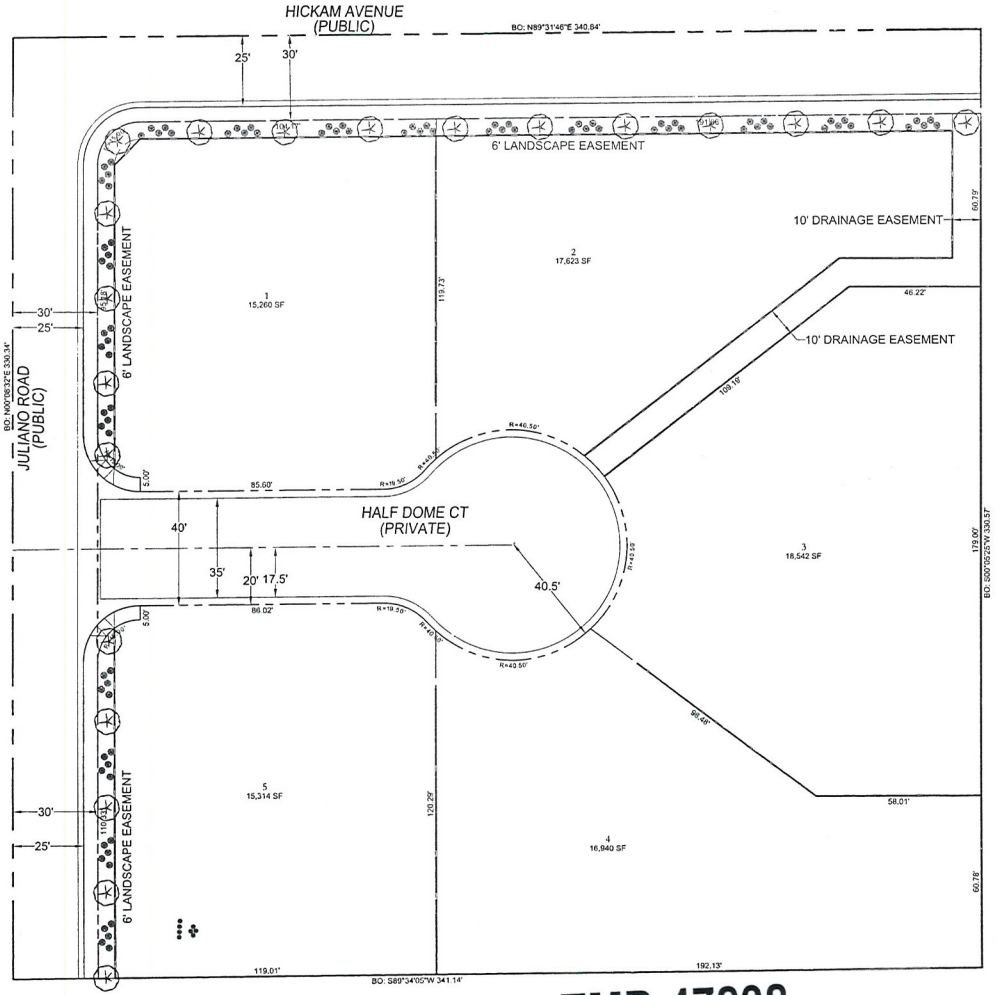
NOTARY PUBLIC * STATE OF NEVADA County of Clark ANNA SCHLIEPER Appt. No. 12-6479-1 My Appt. Expires Nov. 18, 2015

FOR DEPARTMENT USE ONLY

Case #	VAR-47839
Meeting Date:	2/12/2013
Total Fee:	830.00
Date Received:*	12/20/2012
Received By:	MRO

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

Revised 10/27/08



TMP-47838
VAR-47839
VAR-47840

LEGEND

RIGHT-OF-WAY
BOUNDARY LINE
PROPERTY LINE
EASEMENT
STREET CENTERLINE
LOT NUMBER 1
CURB AND GUTTER
BLOCK WALL

SETBACK REQUIREMENTS

FRONT YARD	50' (FRONTS PUBLIC STREET) 20' (FRONTS PRIVATE STREET)
SIDE YARD	20' (FRONTS CUL-DE-SAC)
CORNER YARD	10'
REAR YARD	15' 35'

OWNER

ASTORIA RESIDENTIAL C/O BRAD BOE
10655 PARK RUN DR. STE: 230
LAS VEGAS, NV 89144
TEL: 732-453-4022

DEVELOPER

ASTORIA RESIDENTIAL
10655 PARK RUN DR. STE: 230
LAS VEGAS, NV 89144

DEVELOPMENT STANDARDS

PER TITLE 19 (TABLE 19.06.040) FOR RE ZONING:
DENSITY ALLOWED - 2 UNITS/ACRE
MIN. LOT AREA - 20,000 SQ. FT.

ABBREVIATIONS

AC	ASPHALTIC CONCRETE
BC	BACK OF CURB
BCR	BACK OF CURB RADIUS
BM	BENCHMARK
BVC	BEGIN VERTICAL CURVE
BW	BOTTOM OF EXISTING WALL
CATV	CABLE TELEVISION
CC	CLARK COUNTY
CL	CENTERLINE
CLV	CITY OF LAS VEGAS
CMP	CORRUGATED METAL PIPE
CNLV	CITY OF NORTH LAS VEGAS
COL	CLEAN OUT (SEWER)
COH	CITY OF HENDERSON
CY	CUBIC YARD
DG	DESIGN GRADE
DI	DROP INLET
DIP	DUCTILE IRON PIPE
EC	END OF CURVE
EP	EDGE OF PAVEMENT
EVC	END VERTICAL CURVE
EX	EXISTING
FF	FINISH FLOOR ELEVATION
FG	FINISH GRADE
FH	FIRE HYDRANT
FL	FLOW LINE
FT	FEET
GB	GRADE BREAK
GFF	GARAGE FINISH FLOOR
HP	HIGH POINT
INV	INVERT
LF	LINEAR FEET
LT	LEFT
LVVWD	LAS VEGAS VALLEY WATER DISTRICT
MAX	MAXIMUM
MH	MANHOLE
MIN	MINIMUM
NTS	NOT TO SCALE
OC	ON CENTER
PB	PULL BOX
PC	POINT OF CURVE
PCC	POINT OF COMPOUND CURVE
PE	POLYETHYLENE
PI	POINT OF INTERSECTION
PL	PROPERTY LINE
POC	POINT OF CONNECTION
PP	POWER POLE
PRC	POINT OF REVERSE CURVE
PT	POINT OF TANGENCY
PVC	POLYVINYL CHLORIDE
R	RADIUS
RCB	REINFORCED CONCRETE BOX
RCP	REINFORCED CONCRETE PIPE
R/W	RIGHT-OF-WAY
RT	RIGHT
SD	STORM DRAIN
SL	STREETLIGHT
SNWA	SOUTHERN NEVADA WATER AUTHORITY
SS	SANITARY SEWER
STA	STATION
STD	STANDARD
SWZ	SIGHT VISIBILITY ZONE
TB	BIDDY VLV
TC	TOP OF CURB
TF	TOP OF FOOTING
TR	TOP OF RETAINING
TW	TOP OF WALL
TYP	TYPICAL
USD	UNIFORM STANDARD DRAWING
VC	VERTICAL CURVE
VCP	VITRIFIED CLAY PIPE
VG	VALLEY GUTTER
W	WATER
ZC	ZERO LIP CURB

TREE / PLANT SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
	Approx. 153	LARGE	20' On Center	MONDEL PINE	Pinus eldarica
	Approx. 565	1 - 5 Gallon	N/A	DESERT BROOM	Baccharis sarothroides
	Approx. 469	1 - 5 Gallon	N/A	DESERT MARIGOLD	Baileya multiradiata
	Approx. 17	SMALL	PER PLAN	LITTLE LEAF ASH	Fraxinus greggii

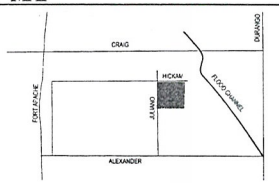
LANDSCAPING STANDARDS:
PLANTINGS SHOULD BE PROVIDED IN ACCORDANCE WITH THE LONE MOUNTAIN WEST (LMW) MASTER PLAN DOCUMENT, APPENDIX B, AND THE SOUTHERN NEVADA REGIONAL PLANTING COALITION REGIONAL PLANT LIST.

LANDSCAPING FOR INDIVIDUAL LOTS:
PER SECTION 6.4 OF THE LONE MOUNTAIN WEST (LMW) MASTER PLAN, ONE 24" BOX TREE SHALL BE PROVIDED IN THE FRONT YARD OF EACH SINGLE FAMILY UNIT. SINGLE FAMILY FRONT YARD LANDSCAPING TO FOLLOW LMW SECTION 6.4 SUBSECTIONS A-G REQUIREMENTS.

VICINITY MAP



KEY MAP



GENERAL NOTES

1. ALL IMPROVEMENTS SHALL CONFORM TO THE CLARK COUNTY STANDARDS AND SPECIFICATIONS.
2. UTILITIES:

WATER	LAS VEGAS VALLEY WATER DISTRICT
SEWER	CLARK COUNTY WATER RECLAMATION DISTRICT
POWER	NEVADA ENERGY COMPANY
TELEPHONE	CENTURY LINK
GAS	SOUTHWEST GAS CORPORATION
CATV	COX CABLE
REFUSE	REPUBLIC SERVICES

3. UTILITY EASEMENTS TO BE DEDICATED TO RESPECTIVE AGENCIES
4. THIS DEVELOPMENT IS SHOWN IN ITS ENTIRETY AND IT IS PART OF CITY OF LAS VEGAS.
5. PEAK SEWAGE CONTRIBUTION FOR NEW SINGLE FAMILY HOMES .0002 MGD - AVERAGE DAILY FLOW .0008 MGD - PEAK FLOW
6. FIRM PANEL 32033C2910 F, REVISED NOVEMESER 16, 2011 ENTIRE AREA WITHIN FEMA ZONE "X".
7. PROTECTIVE COVENANTS AND/OR DEED RESTRICTIONS ARE TO BE GENERATED INTO A SEPARATE DOCUMENT AND RECORDED.
8. THERE ARE NO KNOWN EXISTING FAULTS OR FISSURES ON THE SITE.
9. GROUND WATER IS HISTORICALLY LOCATED AT A DEPTH GREATER THAN 20 FEET IN THIS AREA.
10. PERIMETER AND ENTRY LANDSCAPE TO BE MAINTAINED BY MOUNTAINS EDGE THE HOMEOWNERS ASSOCIATION. INTERIOR LANDSCAPE TO BE MAINTAINED BY SUBDIVISION HOA.

SITE INFORMATION

ASSESSORS PARCEL NUMBERS	138-05-801-006
PROPOSED LUE OF PROPERTY	RE (RURAL ESTATES)
EXISTING ZONING	RE (RURAL ESTATES)
PROPOSED ZONING	RE (RURAL ESTATES)
TOTAL PROPOSED LOTS	5 RURAL ESTATE LOTS
GROSS ACREAGE	2.59 ACRES
NET ACREAGE	1.86 ACRES
PROPOSED DENSITY RURAL ESTATES (BASED ON GROSS ACREAGE)	1.93 LOTS/ACRE
PARKING REQUIRED	2 PER UNIT + 5 SPACES
PARKING PROVIDED	15 SPACES IN 2 CAR GARAGES, DRIVEWAYS, AND ON-STREET PARKING
LARGEST LOT SIZE	18,542 SF
SMALLEST LOT SIZE	15,260 SF
AVERAGE LOT SIZE	16,000 SF

LEGAL DESCRIPTION

THE NORTHWEST QUARTER (NW ¼) OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SW ¼) OF SECTION 5, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

SAID PARCEL CONTAINS 2.59 ACRES, MORE OR LESS.

BASIS OF BEARINGS

NORTH 89°41'05" EAST, BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 5, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA, AS SHOWN ON THAT CERTAIN MAP IN FILE 105, PAGE 99 OF PARCEL MAPS IN THE OFFICE OF THE CLARK COUNTY, NEVADA RECORDER.

SCALE

20 0 20 40 80
(IN FEET)
1 inch = 20 ft.

DEC 20 2012

City of Las Vegas
Department of Planning

NO	DESCRIPTION	BY	DATE	APPR
	REVISIONS			

ASTORIA RESIDENTIAL
10655 PARK RUN DR. STE: 230
LAS VEGAS, NV 89144
FAX

TANEY ENGINEERING
8816 S. JONES BLVD STE# 108
LAS VEGAS, NV 89113
(702) 362-8844 FAX: (702) 362-9339

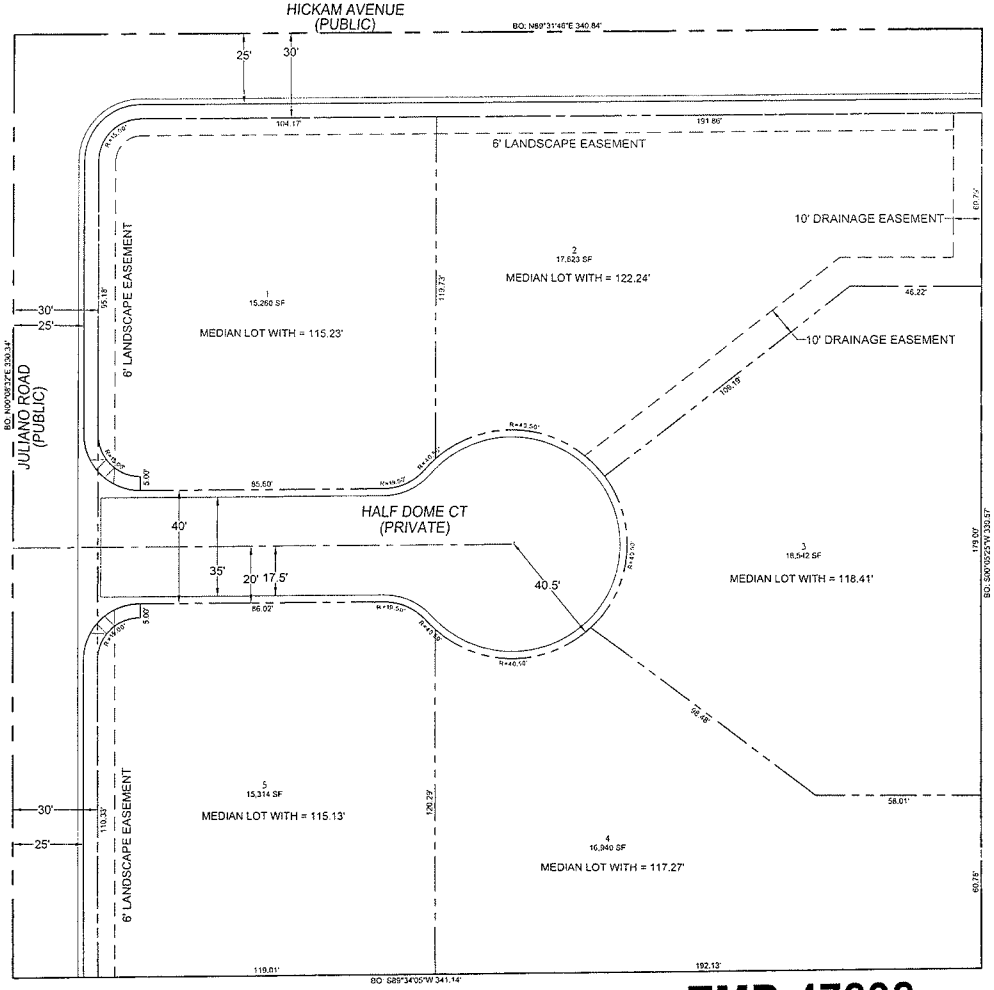
JULIANO AND HICKAM
A RURAL ESTATES SUBDIVISION

LANDSCAPE PLAN

REGISTERED PROFESSIONAL ENGINEER
ROBERT D. CUNNINGHAM
Exp. 12-31-12
CIVIL
No. 15724
STATE OF NEVADA
ENGINEER'S SEAL

DATE:	12.20.12
SCALE:	1"=20'
JOB NO:	AST-12-001
DESIGNED BY:	B.S
CHECKED BY:	M.C
SHEET NAME:	LS
SHEET	1 OF 1

FILE NAME: TM.DWG



TMP-47838
VAR-47839
VAR-47840

LEGEND

RIGHT-OF-WAY
BOUNDARY LINE
PROPERTY LINE
EASEMENT
STREET CENTERLINE
LOT NUMBER
CURB AND GUTTER

SETBACK REQUIREMENTS

FRONT YARD	20' (FRONTS PUBLIC STREET) 20' (FRONTS PRIVATE STREET) 20' (FRONTS CUL-DE-SAC)
SIDE YARD	10'
CORNER YARD	15'
REAR YARD	30'

OWNER

ASTORIA RESIDENTIAL CID SRAD BOE
10955 PARK RUN DR. STE 230
LAS VEGAS, NV 89144
TEL: 702-853-34329

DEVELOPER

ASTORIA RESIDENTIAL
10955 PARK RUN DR. STE 230
LAS VEGAS, NV 89144

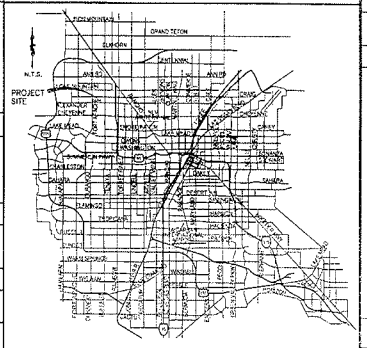
DEVELOPMENT STANDARDS

PER TITLE 19 (TABLE 19.06.060) FOR RE ZONING.
DENSITY ALLOWED - 2 UNITS/ACRE
MIN. LOT AREA - 20,000 SQ. FT.

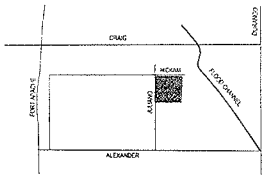
ABBREVIATIONS

AC	ASPHALTIC CONCRETE
BC	BACK OF CURB
BCR	BACK OF CURB RADIUS
BM	BENCHMARK
BVC	BEGIN VERTICAL CURVE
BW	BOTTOM OF EXISTING WALL
CATV	CABLE TELEVISION
CC	CLARK COUNTY
CL	CENTERLINE
CLV	CITY OF LAS VEGAS
CMP	CORRUGATED METAL PIPE
CNLV	CITY OF NORTH LAS VEGAS
CO	CLEAN OUT - SEWER
COH	CITY OF HENDERSON
CY	CUBIC YARD
DI	DESIGN GRADE
DR	DRIVE
DWP	DUCTILE IRON PIPE
EC	END OF CURVE
EP	EDGE OF PAVEMENT
EVC	END VERTICAL CURVE
EX	EXISTING
FF	FINISH FLOOR ELEVATION
FG	FINISH GRADE
FH	FIRE HYDRANT
FL	FLOW LINE
FT	FEET
GB	GRADE BREAK
GFF	GARAGE FINISH FLOOR
HP	HIGH POINT
INV	INVERT
LF	LINEAR FEET
LT	LEFT
LVVWD	LAS VEGAS VALLEY WATER DISTRICT
MAX	MAXIMUM
MH	MANHOLE
MIN	MINIMUM
NTS	NOT TO SCALE
OC	ON CENTER
PB	PULL BOX
PC	POINT OF CURVE
PCC	POINT OF COMPOUND CURVE
PE	POLYETHYLENE
PI	POINT OF INTERSECTION
PL	PROPERTY LINE
POC	POINT OF CONNECTION
PP	POWER POLE
PRC	POINT OF REVERSE CURVE
PT	POINT OF TANGENCY
PVC	POLYVINYL CHLORIDE
R	RADIUS
RCP	REINFORCED CONCRETE BOX
RCP	REINFORCED CONCRETE PIPE
RW	RIGHT-OF-WAY
SD	STORM DRAIN
SL	STREETLIGHT
SNWA	SOUTHERN NEVADA WATER AUTHORITY
SS	SANITARY SEWER
STA	STATION
STD	STANDARD
SVZ	SIGHT VISIBILITY ZONE
SW	SIDEWALK
TC	TOP OF CURB
TF	TOP OF FOOTING
TW	TOP OF RETAINING
TW	TOP OF WALL
TYP	TYPICAL
USD	UNIFORM STANDARD DRAWING
VC	VERTICAL CURVE
VCP	VITRIFIED CLAY PIPE
VG	VALLEY GUTTER
W	WATER
ZC	ZERO LIP CURB

VICINITY MAP



KEY MAP



GENERAL NOTES

1. ALL IMPROVEMENTS SHALL CONFORM TO THE CLARK COUNTY STANDARDS AND SPECIFICATIONS.
2. UTILITIES

WATER	LAS VEGAS VALLEY WATER DISTRICT
SEWER	CLARK COUNTY WATER RECLAMATION DISTRICT
POWER	NEVADA ENERGY COMPANY
TELEPHONE	CENTURY LINK
GAS	SOUTHWEST GAS CORPORATION
CATV	COX CABLE
REFUSE	REPUBLIC SERVICES

3. UTILITY EASEMENTS TO BE DEDICATED TO RESPECTIVE AGENCIES
4. THIS DEVELOPMENT IS SHOWN IN ITS ENTIRETY AND IT IS PART OF CITY OF LAS VEGAS
5. PEAK SEWAGE CONTRIBUTION FOR NEW SINGLE FAMILY HOMES — 0002 MGD - AVERAGE DAILY FLOW; 0008 MGD - PEAK FLOW
6. FIRM PANEL 32001C2910 F, REVISED NOVEMEDER 16 2011 ENTIRE AREA WITHIN FEMA ZONE "X".
7. PROTECTIVE COVENANTS AND/OR DEED RESTRICTIONS ARE TO BE GENERATED INTO A SEPARATE DOCUMENT AND RECORDED
8. THERE ARE NO KNOWN EXISTING FAULTS OR FISSURES ON THE SITE
9. GROUND WATER IS HISTORICALLY LOCATED AT A DEPTH GREATER THAN 20 FEET IN THIS AREA.
10. PERIMETER AND ENTRY LANDSCAPE TO BE MAINTAINED BY MOUNTAINS EDGE THE HOMEOWNERS ASSOCIATION. INTERIOR LANDSCAPE TO BE MAINTAINED BY SUBDIVISION HOA.

SITE INFORMATION

ASSESSORS PARCEL NUMBERS	138-05-801-005
PROPOSED USE OF PROPERTY	RE (RURAL ESTATES)
EXISTING ZONING	RE (RURAL ESTATES)
PROPOSED ZONING	RE (RURAL ESTATES)
TOTAL PROPOSED LOTS	5 RURAL ESTATE LOTS
GROSS ACREAGE	2.54 ACRES
NET ACREAGE	1.86 ACRES
PROPOSED DENSITY RURAL ESTATES (BASED ON GROSS ACREAGE)	1.8 LOTS/ACRE
PARKING REQUIRED	2 PER UNIT = 5 SPACES
PARKING PROVIDED	15 SPACES IN 2 CAR GARAGES, DRIVEWAYS, AND ON-STREET PARKING
LARGEST LOT SIZE	15,543 SF
SMALLEST LOT SIZE	15,260 SF
AVERAGE LOT SIZE	16,000 SF

LEGAL DESCRIPTION

THE NORTHWEST QUARTER (NW¼) OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHWEST QUARTER (SW¼) OF THE SOUTHEAST QUARTER (SW¼ SE¼) OF SECTION 5, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

SAID PARCEL CONTAINS 2.54 ACRES, MORE OR LESS.

BASIS OF BEARINGS

NORTH 89°41'50" EAST, BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 5, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA, AS SHOWN ON THAT CERTAIN MAP IN FILE 105, PAGE 78 OF PARCEL MAPS, IN THE OFFICE OF THE CLARK COUNTY, NEVADA RECORDER.

SCALE

20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

NO	DESCRIPTION	BY	DATE	APPR
	REVISIONS			

TANEY ENGINEERING
8816 SPANISH RIDGE AVENUE
LAS VEGAS, NEVADA 89148
(702) 362-8844 FAX: (702) 362-0330

ASTORIA RESIDENTIAL
10955 PARK RUN DR. STE 230
LAS VEGAS, NV 89144
FAX

JULIANO AND HICKAM
A RURAL ESTATES SUBDIVISION

SITE PLAN

PROFESSIONAL ENGINEER
ROBERT D. CUNNINGHAM
Exp. 12-31-12
CIVIL
No. 16735
STATE OF NEVADA
ENGINEER'S SEAL

DATE:	12.20.12
SCALE:	1"=20'
JOB NO:	AST-12-001
DESIGNED BY:	B.S
CHECKED BY:	M.C
SHEET NAME:	SP1
SHEET:	1 OF 2

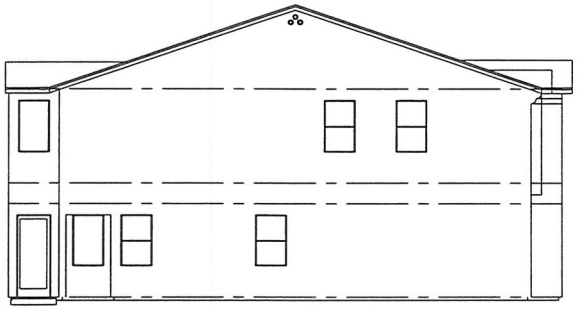
FILE NAME: TM DWG



Rear



Right



Left



Front
Scale: 3/16" = 1'-0"

EXTERIOR ELEVATION -A
Plan 19

THM
ENTERPRISE, LLC
10655 Park Run Drive, Suite 230, Las Vegas, NV 89144. 702.257.1188

JULIANO
and HICKMAN

DATE: 12-20-12

TMP-47838
VAR-47839
VAR-47840

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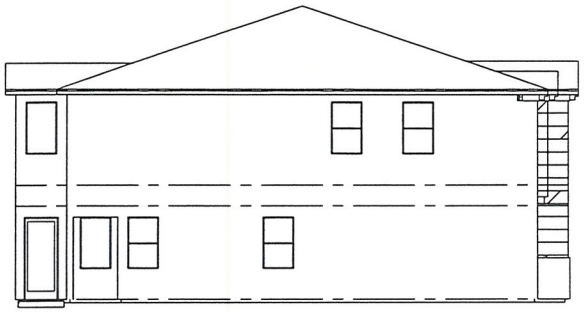
DEC 20 2012



Rear



Right



Left



Front
Scale: 3/16" = 1'-0"

EXTERIOR ELEVATION -B
Plan 19

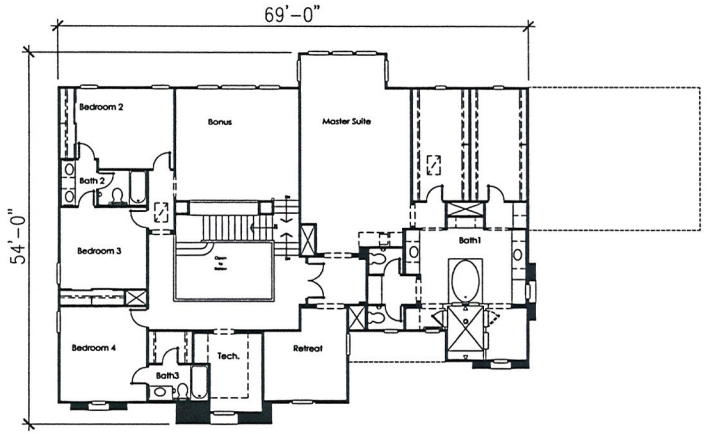
THM
ENTERPRISE, LLC
10655 Park Run Drive, Suite 230. Las Vegas, NV 89144. 702.257.1188

JULIANO and HICKMAN

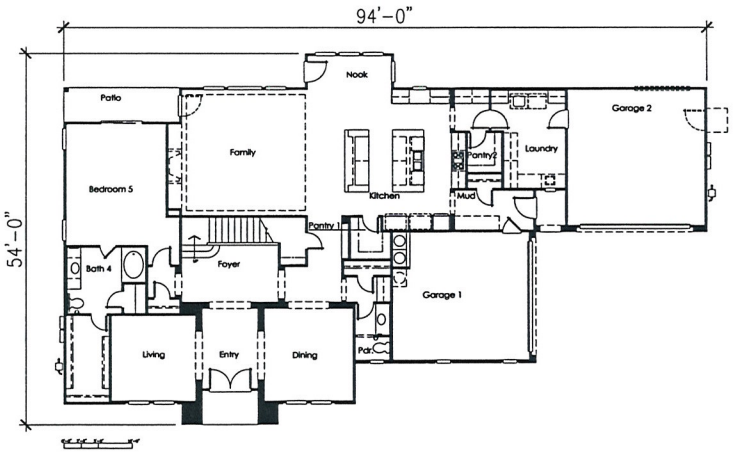
DATE: 12-20-12

TMP-47838
VAR-47839
VAR-47840

RECEIVED
DEC 20 2012



Second Floor



First Floor
Scale: 1/8" = 1'-0"

PLAN 19
SQ.FT. 5,516

CODE ANALYSIS

TYPE OF CONSTRUCTION:	TYPE V-8
OCCUPANCY CLASSIFACATION:	R-3/4
OCCUPANCY LOAD:	27.58
REQUIRED EXITS:	1

CODE REFERENCE

2009 IRC
2009 IBC
2009 IECC
2008 NEC
2009 UMC
2009 UPC

TMP-47838
VAR-47839
VAR-47840

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DEC 20 2012

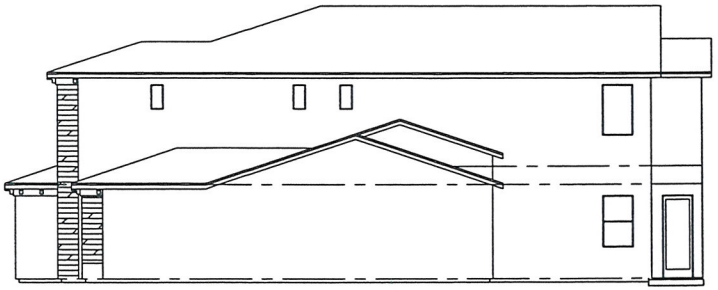
T H M
ENTERPRISE, LLC
10655 Park Run Drive, Suite 230. Las Vegas, NV 89144. 702.257.1188

JULIANO and HICKMAN

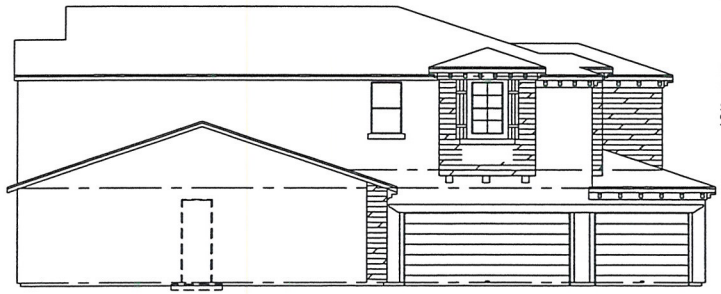
DATE: 12-20-12



Rear



Right



Left



Front
Scale: 3/16" = 1'-0"

EXTERIOR ELEVATION -B
Plan 20

THM
ENTERPRISE, LLC
10655 Park Run Drive, Suite 230, Las Vegas, NV 89144, 702.257.1188

JULIANO
and HICKMAN

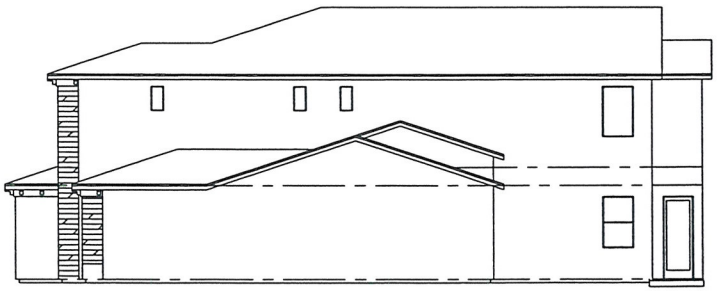
DATE: 12-20-12

TMP-47838
VAR-47839
VAR-47840

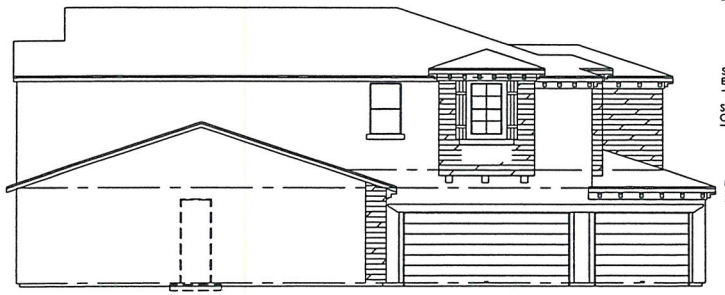
RECEIVED
DEC 20 2012



Rear



Right



Left



Front
Scale: 3/16" = 1'-0"

EXTERIOR ELEVATION -B
Plan 20

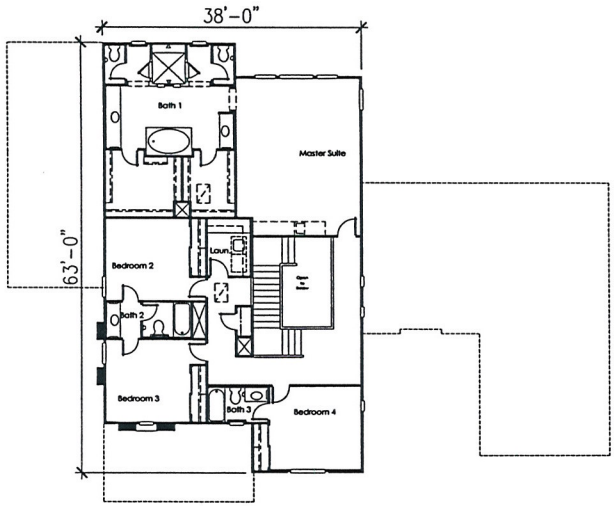
THM
ENTERPRISE, LLC
10655 Park Run Drive, Suite 230, Las Vegas, NV 89144, 702.257.1188

JULIANO
and HICKMAN

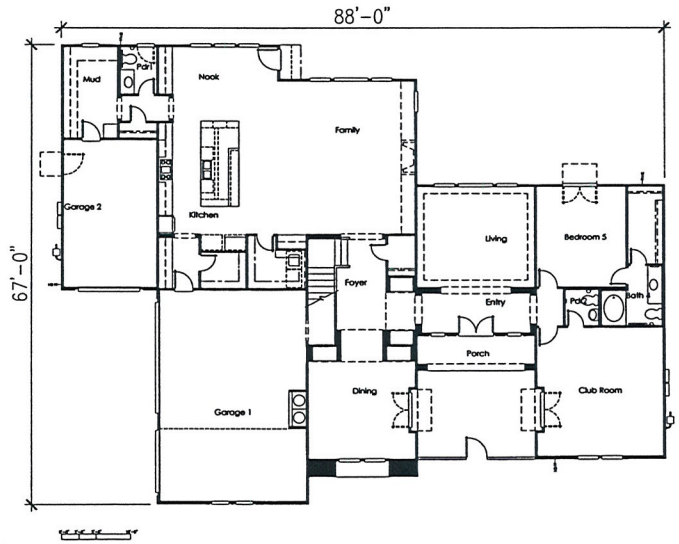
DATE: 12-20-12

TMP-47838
VAR-47839
VAR-47840

RECEIVED
DEC 20 2012



Second Floor



First Floor
Scale: 1/8" = 1'-0"

PLAN 20
SQ.FT. 4,988

CODE ANALYSIS

TYPE OF CONSTRUCTION:	TYPE V-8
OCCUPANCY CLASSIFACATION:	R-3/4
OCCUPANCY LOAD:	24.94
REQUIRED EXITTS:	1

CODE REFERENCE

2009 IRC
2009 IBC
2009 IECC
2008 NEC
2009 UMC
2009 UPC

TMP-47838
VAR-47839
VAR-47840

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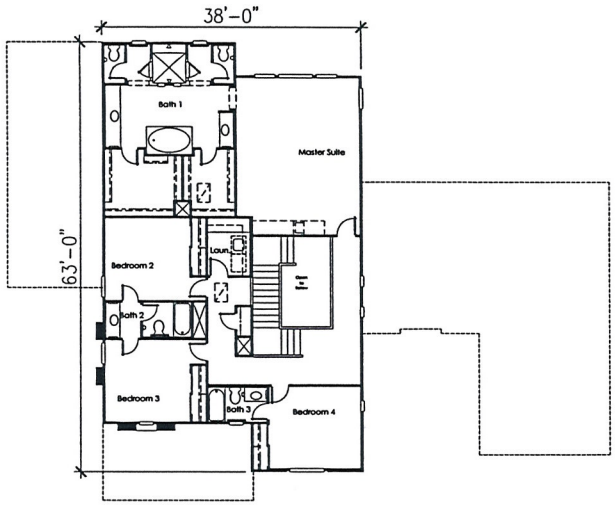
City of Las Vegas
Department of Planning

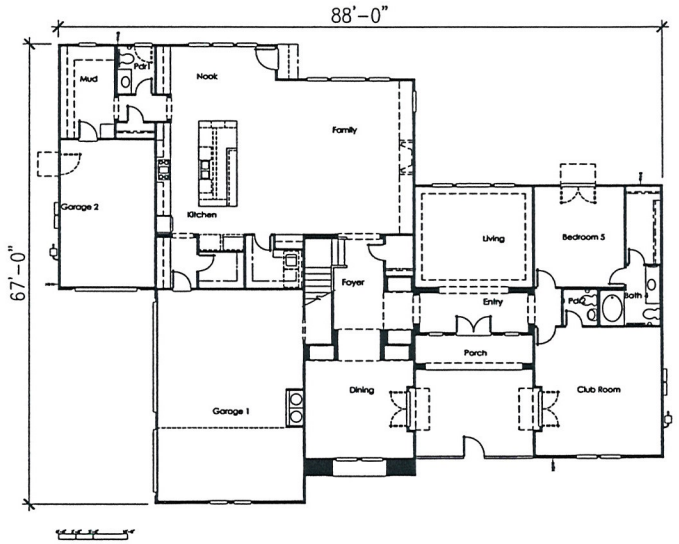
THM
ENTERPRISE, LLC
10655 Park Run Drive, Suite 230, Las Vegas, NV 89144, 702.257.1188

JULIANO
and HICKMAN

DATE: 12-20-12



Second Floor



First Floor
Scale: 1/8" = 1'-0"

PLAN 20
SQ.FT. 4,988

CODE ANALYSIS

TYPE OF CONSTRUCTION:	TYPE V-8
OCCUPANCY CLASSIFACATION:	R-3/4
OCCUPANCY LOAD:	24.94
REQUIRED EXITTS:	1

CODE REFERENCE

2009 IRC
2009 IBC
2009 IECC
2008 NEC
2009 UMC
2009 UPC

THM
ENTERPRISE, LLC
10655 Park Run Drive, Suite 230, Las Vegas, NV 89144, 702.257.1188

JULIANO and HICKMAN

DATE: 12-20-12

TMP-47838
VAR-47839
VAR-47840

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City of Las Vegas
Department of Planning



VAR-47839, VAR-47840, WVR-47976 & TMP-47838 – APPLICANT: ASTORIA RESIDENTIAL – OWNER: T H M ENTERPRISES, LLC
SOUTHEAST CORNER OF JULIANO ROAD AND HICKAM AVENUE

01/03/13

TANEY ENGINEERING
6030 SOUTH JONES BLVD. #100
LAS VEGAS, NV 89118
TELEPHONE: 702-362-8844
FAX: 702-362-5233

December 20, 2012

City of Las Vegas Planning Department
333 N. Rancho Drive
Las Vegas, NV 89106
Phone: (702) 229-6301
Fax: (702) 474-7463

RE: Justification letter for Tentative Map and Variance Request for Juliano & Hickam (APN: 138-05-801-006; 5 lots on 2.5 gross acres)

To Whom It May Concern:

Taney Engineering, on behalf of the applicant, Astoria Residential, respectfully submits this justification letter in support of a Tentative Map and a Variance on the subject site. The subject site is generally located southeast of Juliano & Hickam right-of-ways.

The purpose of this Tentative Map is to develop the site to a single family residential development. The proposed development consists of 5 single family homes on 2.5 gross acres with a density of 2.0 units per acre. The proposed site is currently zoned R-E which is consistent with the proposed developments density. The proposed development will require a variance for minimum lot size, setbacks, and street improvements.

Requested waivers and justifications:

1). Required: Minimum lot size of 20,000-sf

Proposed: Minimum lot size 15,260-sf

Justification: If the area of the adjacent private roadway was included in the lot sizes (as Clark County allows on adjacent properties) the lots would be comparable in size to the adjacent county properties. A 5-lot cul-de-sac very similar to the one proposed, exists at the northwest corner of Helena & El Captain in Clark County, approx. 1300-ft from the proposed development.

Required: Minimum Front Setback 30.0'

Proposed: Front Setback 28.0' (Lots 1 and 5 only)

Justification: Providing a 6.0' landscape easement on the north side of the project reduces the usable lot depth. This request is a 6.7% deviation from the required setback. Many homes on adjacent lots are setback 20' from back of curb to the home. Based on this a 28.0' front setback is being requested on 2 of the 5 lots in the subdivision.

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Department of Planning

TMP-47838
VAR-47839
VAR-47840

2). Required: Private streets to be built to public street standards.

Proposed: 40.0' wide Private street with roll curb not meeting public street standards, (i.e: No sidewalk, streetlights).

Justification: In the surrounding subdivisions the private streets are built without sidewalk, streetlights, and with roll curb. We are requesting this variance to match the surrounding subdivisions & maintain a consistent look to the rural neighborhood.

If you have any questions or need any additional information please do not hesitate to contact this office.

Sincerely,

Michael Cunningham, PE
Taney Engineering

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City of Las Vegas
Department of Planning

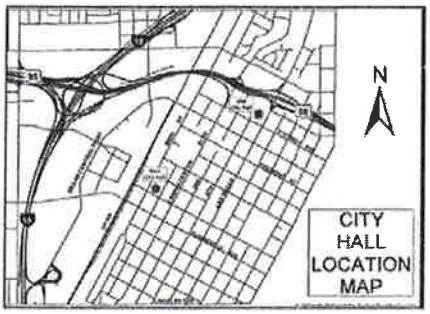
TMP-47838
VAR-47839
VAR-47840

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.43³
0004279218 JAN 31 2013
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-47839 & VAR-47840
Planning Commission Meeting of 02/12/2013

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0 4 2013
City of Las Vegas
Dept. of Planning

Case: VAR-47839
13805701044
MYERS SCOTT T & JUDY E
4275 N BONITA VISTA ST
LAS VEGAS NV 89129-0410 89129-0410

#30-31P

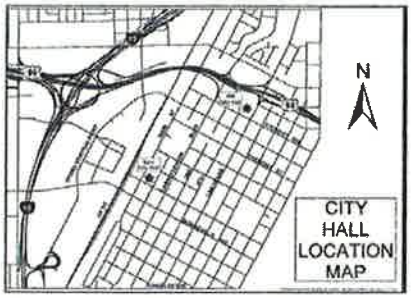
69 LRDFMMP 89129

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.43³
0004279218 JAN 31 2013
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-47839 & VAR-47840
Planning Commission Meeting of 02/12/2013

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FEB 06 2013
City of Las Vegas
Dept. of Planning

Case: VAR-47839
13805811003
BEECHER STEPHEN S TRUST
BEECHER STEPHEN S TRS
8708 KINSHIP CT
LAS VEGAS NV 89129 89129-0000

2/12/13 #30-31

#30-31 P

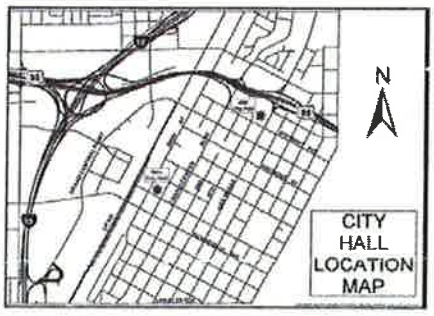
69 LRDFMMP 89129

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.43³
0004279218 JAN 31 2013
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



Restrictions exist for a reason, and, in this particular case, I can see no reason to waive the minimum lot size requirement.

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-47839 & VAR-47840
Planning Commission Meeting of 02/12/2013

Case: VAR-47839
13805801002
STUART FAMILY TRUST
8755 HICKAM AVE
LAS VEGAS NV 89129-0408 89129-0408

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FEB 11 2013
City of Las Vegas
Dept. of Planning

#30-31 P

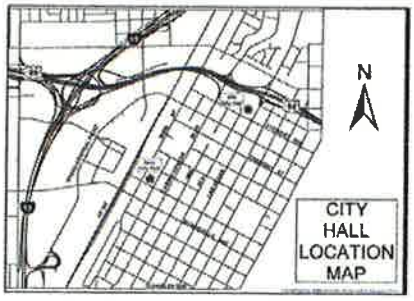
69 LRDPMP 89129

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.43³
0004279218 JAN 31 2013
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-47839 & VAR-47840
Planning Commission Meeting of 02/12/2013

RECEIV
FEB 1
City of La
Dept. of

Case: VAR-47839
13805801054
PHILLIPS 2011 TRUST
PHILLIPS ROBERT L & LYNN CO-TRS
8704 MONARCHY CT
LAS VEGAS NV 89129-0415 89129-0415

#30-31 P

69 LRDPMP 89129

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

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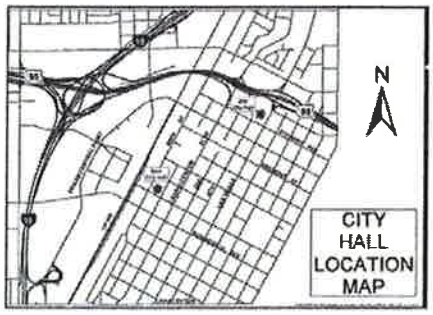

RECEIVED
FEB 11 2013
City of Las Vegas
Dept. of Planning

RECEIVED
FEB 1
City of Las
Dept. of Pla

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VAR-47839 & VAR-47840
Planning Commission Meeting of 02/12/2013

Case: VAR-47839
13805810002
PHILLIPS 2011 TRUST
PHILLIPS ROBERT L & LYNN P TRS
8704 MONARCHY CT
LAS VEGAS NV 89129-0415 89129-0415

#30-31 P

69 LRDFMMP 89129

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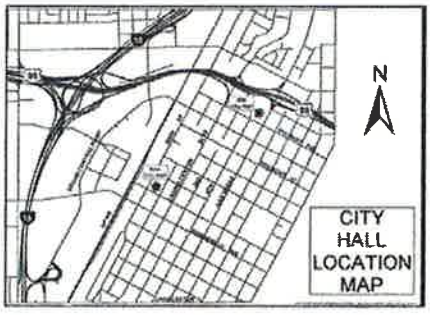

RECEIVED
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City of Las Vegas
Dept. of Planning

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☐ I SUPPORT this Request ☒ I OPPOSE this Request Robert M. Sagers

Please use available blank space on card for your comments.

VAR-47839 & VAR-47840
Planning Commission Meeting of 02/12/2013

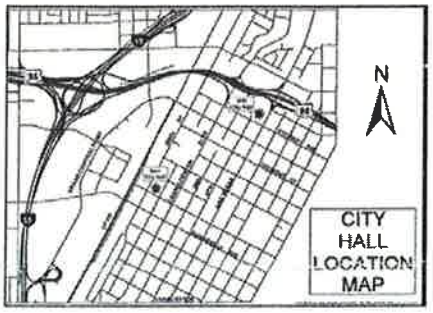
Case: VAR-47839
13805701029
SAGERS FAMILY TRUST
SAGERS ROBERT M & DELIA B TRS
8740 LA SUNDORA CIR
LAS VEGAS NV 89129-0400 89129-0400

#30-31 P

69 LRDFMMP 89129

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-47839 & VAR-47840
Planning Commission Meeting of 02/12/2013

PRESORTED FIRST CLASS
UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.43³
0004279218 JAN 31 2013
MAILED FROM ZIP CODE 89101

RECEIVED
FEB 11 2013
City of Las Vegas
Dept. of Planning

This request violates the NW Preservation Zoning. They should have to comply just like everyone else!

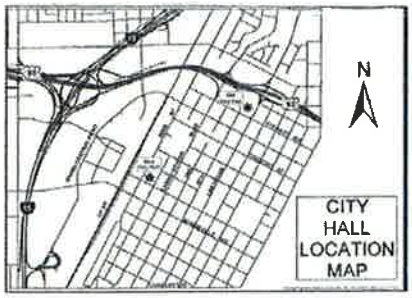
Case: VAR-47839
13805811006
J A S QUAL PERS RES TR
SMALL JAMES A TRS
6955 N DURANGO DR #1115-245
LAS VEGAS NV 89149-4411 89149-4411

#30-31 P

31 LRDFMMP 89149

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-47839 & VAR-47840
Planning Commission Meeting of 02/12/2013

PRESORTED FIRST CLASS
UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.43³
0004279218 JAN 31 2013
MAILED FROM ZIP CODE 89101

I would like to see 4 Homes on the Property.

Case: VAR-47839
13805701047
CONSTANTINE RICHARD R & CHRISTY
4240 N JULIANO RD
LAS VEGAS NV 89129-0411 89129-0411

RECEIVED
FEB 07 2013
City of Las Vegas
Dept. of Planning

#30-31 P

69 LRDFMMP 89129

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

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

SUBJECT:
ABEYANCE - VAR-47840 - VARIANCE RELATED TO VAR-47839 - PUBLIC HEARING - APPLICANT: ASTORIA RESIDENTIAL - OWNER: T H M ENTERPRISES, LLC - For possible action on a request for a Variance TO ALLOW A PRIVATE STREET TO NOT COMPLY WITH MINIMUM STANDARDS FOR A PUBLIC STREET, INCLUDING NO SIDEWALKS OR STREETLIGHTS WHERE SUCH ARE REQUIRED AND A WIDTH OF 40 FEET WHERE A MINIMUM OF 47 FEET IS REQUIRED on 2.5 acres generally located on the southeast corner of Juliano Road and Hickam Avenue (APN 138-05-801-006), U (Undeveloped) Zone [RE (Residential Estates) General Plan Designation], Ward 4 (Anthony). Staff recommends DENIAL.

C.C.: 04/17/2013

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**8**	**Planning Commission Mtg.**	
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL

BACKUP DOCUMENTATION:
1. Consolidated Back-up
2. Supporting Documentation

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

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-47840** APN: 138-05-801-006

Name of Property Owner: THM Enterprises

Name of Applicant: Astoria Residential

Name of Representative: Brad Boe

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: Tom McCormick

Subscribed and sworn before me

This 18 day of DECEMBER, 2012

Anna Schlieper

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ANNA SCHLIEPER
Appt. No. 12-6479-1
My Appt. Expires Nov. 18, 2015

RECEIVED
DEC 20 2012
City of Las Vegas
Department of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: VARIANCE - Non-Standard Private Streets

Project Address (Location) Hickam Ave & Juliano Rd (SEC)

Project Name Juliano & Hickam **Proposed Use** Single Family

Assessor's Parcel #(s) 138-05-801-006 **Ward #** 4

General Plan: existing undev proposed undev **Zoning:** existing U/RE proposed U/RE

Commercial Square Footage 0 **Floor Area Ratio** 0

Gross Acres 2.5 **Lots/Units** 5 **Density** 2 DU per acre

Additional Information

PROPERTY OWNER T H M Enterprises, LLC **Contact**

Address 10655 Park Run Drive, #230 **Phone:** **Fax:**

City Las Vegas **State** NV **Zip** 89144-4590

E-mail Address

APPLICANT Astoria Residential **Contact** Brad Boe

Address 10655 Park Run Drive, Ste. 230 **Phone:** (702) 257-1188 **Fax:** (702) 257-1672

City Las Vegas **State** NV **Zip** 89144

E-mail Address bboe@astoriaresidential.com

REPRESENTATIVE Taney Engineering **Contact** Robert Cunningham

Address 6030 South Jones Blvd, Ste. 100 **Phone:** (702) 362-8844 **Fax:** (702) 362-5233

City Las Vegas **State** NV **Zip** 89118

E-mail Address rc@taneycorp.com

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

Property Owner Signature* _____

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

Print Name Tom McCormick

Subscribed and sworn before me

This 18 day of DECEMBER, 20 12.

ANNA SCHLIEPER

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ANNA SCHLIEPER
Appt. No. 12-6479-1
My Appt. Expires Nov. 18, 2015

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	VAR-47840
Meeting Date:	2/12/2013
Total Fee:	$830.00
Date Received:*	2/20/2012
Received By:	MRex

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

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

City of Las Vegas Agenda Item No.: **17.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

SUBJECT:
ABEYANCE - WVR-47976 - WAIVER RELATED TO VAR-47839 AND VAR-47840 - PUBLIC HEARING - APPLICANT: ASTORIA RESIDENTIAL - OWNER: T H M ENTERPRISES, LLC - For possible action on a request for a Waiver TO ALLOW A REDUCED SEPARATION DISTANCE BETWEEN EXTERNAL INTERSECTIONS FROM 220 FEET TO 175 FEET on 2.5 acres generally located on the southeast corner of Juliano Road and Hickam Avenue (APN 138-05-801-006), U (Undeveloped) Zone [RE (Residential Estates) General Plan Designation], Ward 4 (Anthony). Staff recommends DENIAL.

C.C.: 04/17/2013

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**7**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL

BACKUP DOCUMENTATION:
1. Consolidated Back Up
2. Supporting Documentation
3. Justification Letter
4. Protest Postcards - WVR-47976 and TMP-47838

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

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-47976 APN: 138-05-801-006

Name of Property Owner: TIIM Enterprises

Name of Applicant: Astoria Residential

Name of Representative: Brad Boe

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: Tom McCormick

Subscribed and sworn before me

This 18 day of December, 2012

Anna Schlieper

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ANNA SCHLIEPER
Appt. No. 12-6479-1
My Appt. Expires Nov. 18, 2015

RECEIVED
DEC 20 2012
PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: WAIVER - Allow Intersection Less than 220-feet

Project Address (Location) Hickam Ave & Juliano Rd (SEC)

Project Name Juliano & Hickam **Proposed Use** Single Family

Assessor's Parcel #(s) 138-05-801-006 **Ward #** 4

General Plan: existing undev proposed udev **Zoning:** existing U/RE proposed U/RE

Commercial Square Footage 0 **Floor Area Ratio** 0

Gross Acres 2.5 **Lots/Units** 5 **Density** 2 DU per acre

Additional Information

PROPERTY OWNER THM Enterprises, LLC **Contact** Brad Boe

Address 10655 Park Run Drive, #230 **Phone:** (702) 257-1188 **Fax:** (702) 257-1672

City Las Vegas **State** NV **Zip** 89144

E-mail Address bboe@astoriaresidential.com

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City Las Vegas **State** NV **Zip** 89144

E-mail Address bboe@astoriaresidential.com

REPRESENTATIVE Taney Engineering **Contact** Robert Cunningham

Address 6030 South Jones Blvd, #100 **Phone:** (702) 362-8844 **Fax:** (702) 362-5233

City Las Vegas **State** NV **Zip** 89118

E-mail Address rc@taneycorp.com

Property Owner Signature* [signature]

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

X **Print Name** Thomas McCormick

Subscribed and sworn before me

This 7th day of January, 20 13.

Anna Schlieper

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ANNA SCHLIEPER
Appt. No. 12-6479-1
My Appt. Expires Nov. 18, 2015

FOR DEPARTMENT USE ONLY

Case #	WVR-47976
Meeting Date:	02/12/2013
Total Fee:	$830.00
Date Received:*	01/09/13
Received By:	Jonathan B

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

Revised 10/27/08

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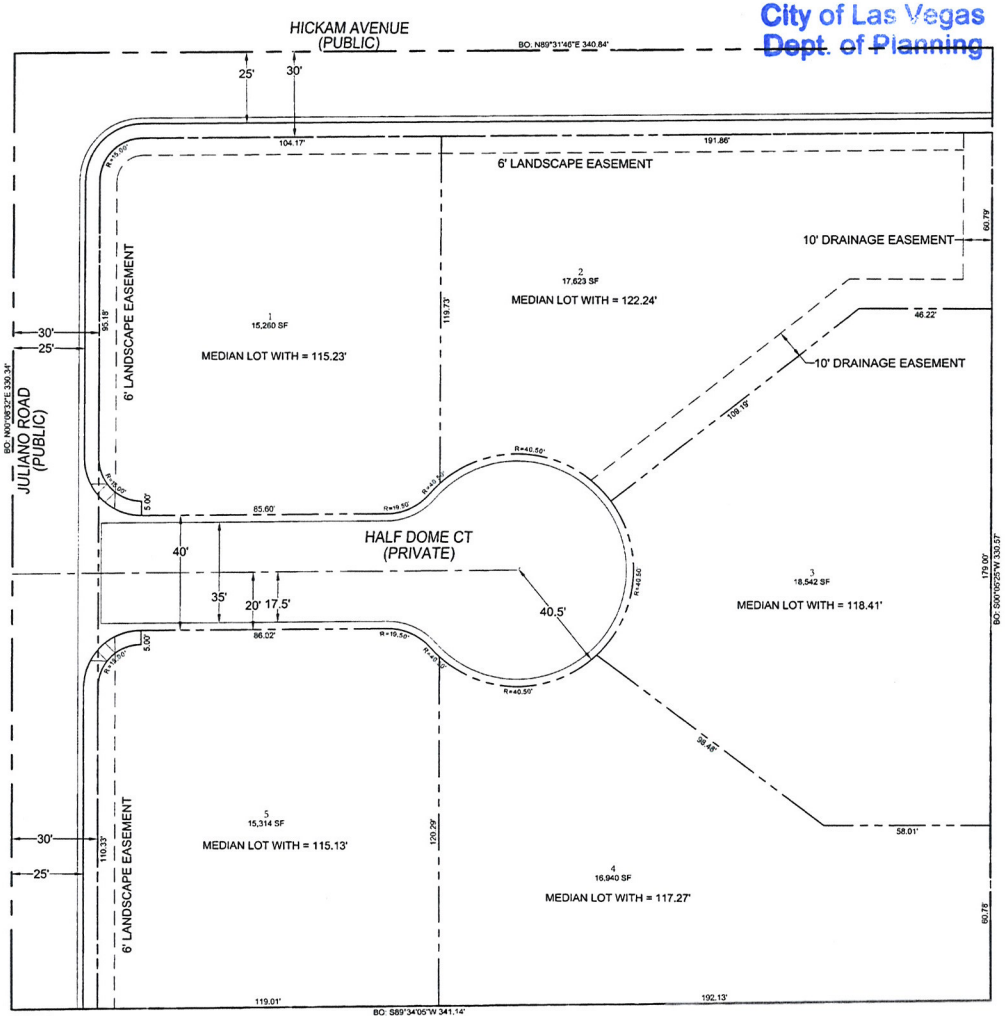
JAN 09 2013
City of Las Vegas
~~Dept. of Planning~~



WVR-47976

LEGEND

RIGHT-OF-WAY
BOUNDARY LINE
PROPERTY LINE
EASEMENT
STREET CENTERLINE
LOT NUMBER 1
CURB AND GUTTER

SETBACK REQUIREMENTS

FRONT YARD	50' (FRONTS PUBLIC STREET) 20' (FRONTS PRIVATE STREET) 20' (FRONTS CUL-DE-SAC)
SIDE YARD	10'
CORNER YARD	15'
REAR YARD	35'

OWNER

ASTORIA RESIDENTIAL C/O BRAD BOE
10655 PARK RUN DR, STE: 230
LAS VEGAS, NV 89144
TEL: 702-853-8520

DEVELOPER

ASTORIA RESIDENTIAL
10655 PARK RUN DR, STE: 230
LAS VEGAS, NV 89144

DEVELOPMENT STANDARDS

PER TITLE 19 (TABLE 19.06.060) FOR RE ZONING:
DENSITY ALLOWED - 2 UNITS/ACRE
MIN. LOT AREA - 20,000 SQ. FT.

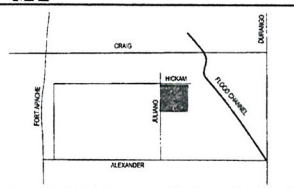
ABBREVIATIONS

AC	ASPHALTIC CONCRETE
BC	BACK OF CURB
BCR	BACK OF CURB RADIUS
BM	BENCHMARK
BVC	BEGIN VERTICAL CURVE
BW	BOTTOM OF EXISTING WALL
CATV	CABLE TELEVISION
CO	CLARK COUNTY
CL	CENTERLINE
CLV	CITY OF LAS VEGAS
CMP	CORRUGATED METAL PIPE
CNLV	CITY OF NORTH LAS VEGAS
CO	CLEAN OUT, SEWER
COH	CITY OF HENDERSON
CY	CUBIC YARD
DG	DESIGN GRADE
DI	DROP INLET
DIP	DUCTILE IRON PIPE
EC	END OF CURVE
EP	EDGE OF PAVEMENT
EVC	END VERTICAL CURVE
EX	EXISTING
FF	FINISH FLOOR ELEVATION
FG	FINISH GRADE
FH	FIRE HYDRANT
FL	FLOW LINE
FT	FEET
GB	GRADE BREAK
GFF	GARAGE FINISH FLOOR
HP	HIGH POINT
INV	INVERT
LF	LINEAR FEET
LT	LEFT
LVVWD	LAS VEGAS VALLEY WATER DISTRICT
MAX	MAXIMUM
MH	MANHOLE
MIN	MINIMUM
NTS	NOT TO SCALE
OC	ON CENTER
PG	PULL BOX
PC	POINT OF CURVE
PCC	POINT OF COMPOUND CURVE
PE	POLYETHYLENE
PI	POINT OF INTERSECTION
PL	PROPERTY LINE
POC	POINT OF CONNECTION
PP	POWER POLE
PRC	POINT OF REVERSE CURVE
PT	POINT OF TANGENCY
PVC	POLYVINYL CHLORIDE
R	RADIUS
RCB	REINFORCED CONCRETE BOX
RCP	REINFORCED CONCRETE PIPE
R/W	RIGHT-OF-WAY
RT	RIGHT
SD	STORM DRAIN
SL	STREETLIGHT
SNWA	SOUTHERN NEVADA WATER AUTHORITY
SS	SANITARY SEWER
STA	STATION
STD	STANDARD
SVZ	SIGHT VISIBILITY ZONE
SW	SIDEWALK
TC	TOP OF CURB
TF	TOP OF FOOTING
TR	TOP OF RETAINING
TW	TOP OF WALL
TYP	TYPICAL
USD	UNIFORM STANDARD DRAWING
VC	VERTICAL CURVE
VCP	VITRIFIED CLAY PIPE
VG	VALLEY GUTTER
W	WATER
ZC	ZERO LIP CURB

VICINITY MAP



KEY MAP



GENERAL NOTES

1. ALL IMPROVEMENTS SHALL CONFORM TO THE CLARK COUNTY STANDARDS AND SPECIFICATIONS.
2. UTILITIES:

WATER	LAS VEGAS VALLEY WATER DISTRICT
SEWER	CLARK COUNTY WATER RECLAMATION DISTRICT
POWER	NEVADA ENERGY COMPANY
TELEPHONE	CENTURY LINK
GAS	SOUTHWEST GAS CORPORATION
CATV	COX CABLE
REFUSE	REPUBLIC SERVICES

3. UTILITY EASEMENTS TO BE DEDICATED TO RESPECTIVE AGENCIES.
4. THIS DEVELOPMENT IS SHOWN IN ITS ENTIRETY AND IT IS PART OF CITY OF LAS VEGAS.
5. PEAK SEWAGE CONTRIBUTION FOR NEW SINGLE FAMILY HOMES .0062 MGD - AVERAGE DAILY FLOW .0008 MGD - PEAK FLOW
6. FIRM PANEL 32003C2910 F, REVISED NOVEMBER 16, 2011 ENTIRE AREA WITHIN FEMA ZONE "X".
7. PROTECTIVE COVENANTS AND/OR DEED RESTRICTIONS ARE TO BE GENERATED INTO A SEPARATE DOCUMENT AND RECORDED.
8. THERE ARE NO KNOWN EXISTING FAULTS OR FISSURES ON THE SITE.
9. GROUND WATER IS HISTORICALLY LOCATED AT A DEPTH GREATER THAN 20-FEET IN THIS AREA.
10. PERIMETER AND ENTRY LANDSCAPE TO BE MAINTAINED BY MOUNTAIN'S EDGE THE HOMEOWNERS ASSOCIATION. INTERIOR LANDSCAPE TO BE MAINTAINED BY SUBDIVISION HOA.

SITE INFORMATION

ASSESSORS PARCEL NUMBERS	138-05-801-008
PROPOSED USE OF PROPERTY	RE (RURAL ESTATES)
EXISTING ZONING	RE (RURAL ESTATES)
PROPOSED ZONING	RE (RURAL ESTATES)
TOTAL PROPOSED LOTS	5 RURAL ESTATE LOTS
GROSS ACREAGE	2.58 ACRES
NET ACREAGE	1.99 ACRES
PROPOSED DENSITY RURAL ESTATES (BASED ON GROSS ACREAGE)	1.93 LOTS/ACRE
PARKING REQUIRED	2 PER UNIT = 5 SPACES
PARKING PROVIDED	15 SPACES IN 2 CAR GARAGES, DRIVEWAYS, AND ON-STREET PARKING
LARGEST LOT SIZE	18,542 SF
SMALLEST LOT SIZE	15,260 SF
AVERAGE LOT SIZE	16,000 SF

LEGAL DESCRIPTION

THE NORTHWEST QUARTER (NW ¼) OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHWEST QUARTER (SW ¼) OF THE SOUTHEAST QUARTER (SW ¼ ¼) OF SECTION 5, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

SAID PARCEL CONTAINS 2.58 ACRES, MORE OR LESS.

BASIS OF BEARINGS

NORTH 89°41'00" EAST, BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTH-EAST QUARTER (SE 1/4) OF SECTION 5, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA. AS SHOWN ON THAT CERTAIN MAP IN FILE 105, PAGE 88 OF PARCEL MAPS IN THE OFFICE OF THE CLARK COUNTY, NEVADA RECORDER

SCALE

20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

NO	DESCRIPTION	BY	DATE	APPR
	REVISIONS			

ASTORIA RESIDENTIAL
10655 PARK RUN DR, STE 230
LAS VEGAS, NV 89144
FAX

TANEY ENGINEERING
6030 S. JONES BLVD STE # 100
LAS VEGAS, NV 89118
(702) 362-8844 FAX: (702) 362-9225

JULIANO AND HICKAM
A RURAL ESTATES SUBDIVISION

SITE PLAN

ROBERT D. CUNNINGHAM
Exp. 12-31-12
CIVIL
No. 15735
STATE OF NEVADA
REGISTERED PROFESSIONAL ENGINEER
ENGINEER'S SEAL

DATE: 12.20.12
SCALE: 1"=20'
JOB NO: AST-12-001
DESIGNED BY: B.S
CHECKED BY: M.C
SHEET NAME: SP1
SHEET: 1 OF 2

FILE NAME: TM.DWG

TANEY ENGINEERING
6030 SOUTH JONES BLVD. #100
LAS VEGAS, NV 89118
TELEPHONE: 702-362-8844
FAX: 702-362-5233

January 9, 2013

RECEIVED
JAN 09 2013
City of Las Vegas
Dept. of Planning

City of Las Vegas Planning Department
333 N. Rancho Drive
Las Vegas, NV 89106
Phone: (702) 229-6301
Fax: (702) 474-7463

RE: Justification letter for Waiver Request for Juliano & Hickam (APN: 138-05-801-006; 5 lots on 2.5 gross acres)

To Whom It May Concern:

Taney Engineering, on behalf of the applicant, Astoria Residential, respectfully submits this justification letter in support of a Tentative Map and a Waiver on the subject site. The subject site is generally located southeast of Juliano & Hickam right-of-ways.

The purpose of this Tentative Map is to develop the site to a single family residential development. The proposed development consists of 5 single family homes on 2.5 gross acres with a density of 2.0 units per acre. The proposed site is currently zoned R-E which is consistent with the proposed developments density. The proposed development will require a waiver for street intersection offset.

Requested waivers and justifications:

1). Required: 220-ft between intersections

Proposed: 175-ft between intersections

Justification: Based on the size and location of the lot the entrance road to the subdivision is less than the required 220-ft. This layout has been proposed to be consistent with the other 2.5-acre subdivision within the area and to match the intersection directly across from the project. There are multiple 2.5 acre cul de sacs in the surrounding area with approximately the same distance between intersections.

If you have any questions or need any additional information please do not hesitate to contact this office.

Sincerely,

Michael Cunningham, PE
Taney Engineering

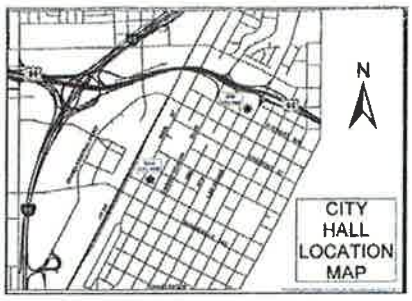
WVR-47976

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

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.43³
0004279218 JAN 31 2013
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

WVR-47976 & TMP-47838
Planning Commission Meeting of 02/12/2013

RECEIVED
FEB 07 2013
City of Las Vegas
Dept. of Planning

Case: WVR-47976
13805701047
CONSTANTINE RICHARD R & CHR ST
4240 N JULIANO RD
LAS VEGAS NV 89129-0411 89129-0

#32-33 P

69 LRDFMP 89129

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

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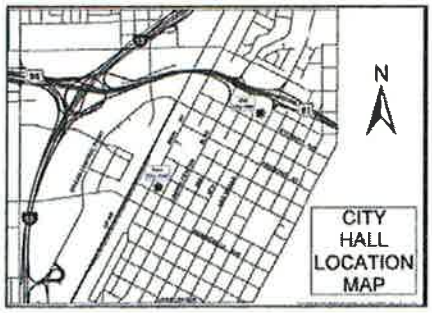

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WVR-47976 & TMP-47838
Planning Commission Meeting of 02/12/2013

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FEB 04 2013
City of Las Vegas
Dept. of Planning

Case: WVR-47976
13805701044
MYERS SCOTT T & JUDY E
4275 N BONITA VISTA ST
LAS VEGAS NV 89129-0410 89129-0410

#32-33 P

2/12/13 #3033

69 LRDFMP 89129

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

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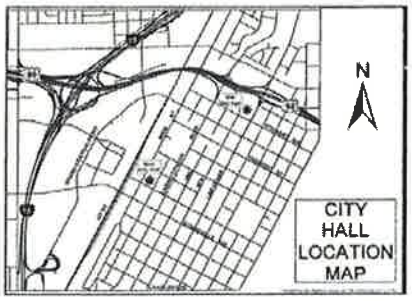
Official Notice of Public Hearing



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WVR-47976 & TMP-47838
Planning Commission Meeting of 02/12/2013

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FEB 06 2013
City of Las Vegas Dept. of Planning

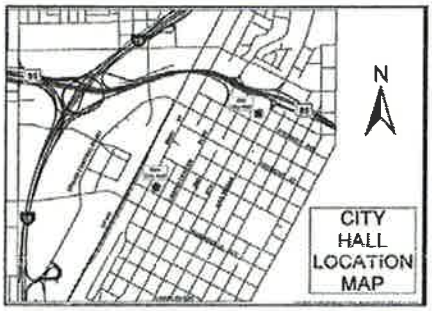
Case: WVR-47976
13805811003
BEECHER STEPHEN S TRUST
BEECHER STEPHEN S TRS
8708 KINSHIP CT
LAS VEGAS NV 89129 89129-0000

#32-33 P

69 LRDFNMP 89129

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.

WVR-47976 & TMP-47838
Planning Commission Meeting of 02/12/2013

PRESORTED FIRST CLASS
UNITED STATES POSTAGE PITNEY BOWES
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Restrictions exist for a reason, and in this particular case, I can see no reason to allow lots smaller than 20,000 sq ft.

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City of Las Vegas Dept. of Planning

Case: WVR-47976
13805801002
STUART FAMILY TRUST
8755 HICKAM AVE
LAS VEGAS NV 89129-0408 89129-0408

#32-33 P

69 LRDFNMP 89129

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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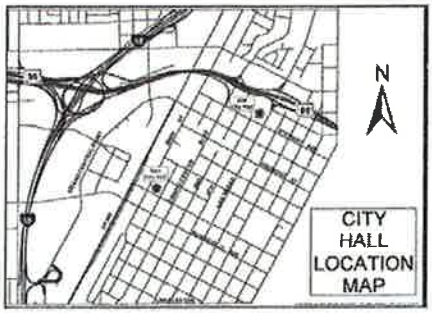

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

WVR-47976 & TMP-47838
Planning Commission Meeting of 02/12/2013

RECEIVED
FEB 11 2013
City of Las Vegas
Dept. of Planning

Case: WVR-47976
13805810002
PHILLIPS 2011 TRUST
PHILLIPS ROBERT L & LYNN P TRS
8704 MONARCHY CT
LAS VEGAS NV 89129-0415 89129-0415

#32-33 P

69 LRDFNMP 89129

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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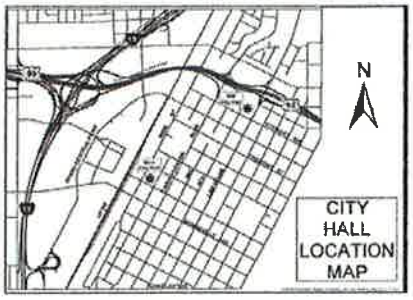

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

WVR-47976 & TMP-47838
Planning Commission Meeting of 02/12/2013

RECEIVED
FEB 11 2013
City of Las Vegas
Dept. of Planning

Case: WVR-47976
13805801054
PHILLIPS 2011 TRUST
PHILLIPS ROBERT L & LYNN CO-TRS
8704 MONARCHY CT
LAS VEGAS NV 89129-0415 89129-0415

#32-33 P

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

PRESORTED FIRST CLASS

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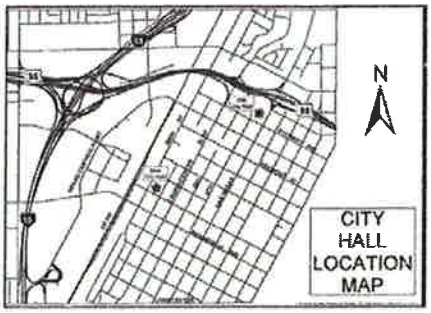

RECEIVED
FEB 1 1 2013
City of Las Vegas
Dept. of Planning

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☐ I SUPPORT this Request ☒ I OPPOSE this Request Della B. Sagers

Case: WVR-47976

13805701029
SAGERS FAMILY TRUST
SAGERS ROBERT M & DELIA B TRS
8740 LA SUNDORA CIR
LAS VEGAS NV 89129-0400 89129-0400

Please use available blank space on card for your comments.
WVR-47976 & TMP-47838
Planning Commission Meeting of 02/12/2013
Please keep zoning to match surrounding properties

#32-33 P

69 LRDFNMP 89129

City of Las Vegas Agenda Item No.: **18.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

SUBJECT:
ABEYANCE - TMP-47838 - TENTATIVE MAP RELATED TO VAR-47839, VAR-47840 AND WVR-47976 - PUBLIC HEARING - APPLICANT: ASTORIA RESIDENTIAL - OWNER: T H M ENTERPRISES, LLC - For possible action on a request for a Tentative Map FOR A FIVE-LOT RESIDENTIAL SUBDIVISION on 2.5 acres generally located on the southeast corner of Juliano Road and Hickam Avenue (APN 138-05-801-006), U (Undeveloped) Zone [RE (Residential Estates) General Plan Designation], Ward 4 (Anthony). Staff recommends DENIAL.

C.C.: 04/17/2013

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**7**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL

BACKUP DOCUMENTATION:
1. Consolidated Back-up
2. Supporting Documentation
3. School Development Tracking Form

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

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **TMP-47838** APN: 138-05-801-006

Name of Property Owner: THM Enterprises

Name of Applicant: Astoria Residential

Name of Representative: Brad Boe

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: Tom McCormick

Subscribed and sworn before me

This 18 day of DECEMBER, 2012

Anna Schlieper

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ANNA SCHLIEPER
Appt. No. 12-6479-1
My Appt. Expires Nov. 18, 2015

RECEIVED
DEC 20 2012
City of Las Vegas
Department of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: TENTATIVE MAP

Project Address (Location) Hickam Ave & Juliano Rd (SEC)

Project Name Juliano & Hickam **Proposed Use** Single Family

Assessor's Parcel #(s) 138-05-801-006 **Ward #** 4

General Plan: existing under proposed under **Zoning:** existing U/RE proposed U/RE

Commercial Square Footage 0 **Floor Area Ratio** 0

Gross Acres 2.5 **Lots/Units** 5 **Density** 2 DU per acre

Additional Information

PROPERTY OWNER T H M Enterprises, LLC **Contact**

Address 10655 Park Run Drive, #230 **Phone:** **Fax:**

City Las Vegas **State** NV **Zip** 89144-4590

E-mail Address

APPLICANT Astoria Residential **Contact** Brad Boe

Address 10655 Park Run Drive, Ste. 230 **Phone:** (702) 257-1188 **Fax:** (702) 257-1672

City Las Vegas **State** NV **Zip** 89144

E-mail Address bboe@astoriaresidential.com

REPRESENTATIVE Taney Engineering **Contact** Robert Cunningham

Address 6030 South Jones Blvd, Ste. 100 **Phone:** (702) 362-8844 **Fax:** (702) 362-5233

City Las Vegas **State** NV **Zip** 89118

E-mail Address rc@taneycorp.com

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

Property Owner Signature* _____

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

Print Name Tom McCormich

Subscribed and sworn before me

This 18 day of DECEMBER, 20 12.

ANNA SCHLIEPER

Notary Public in and for said County and State

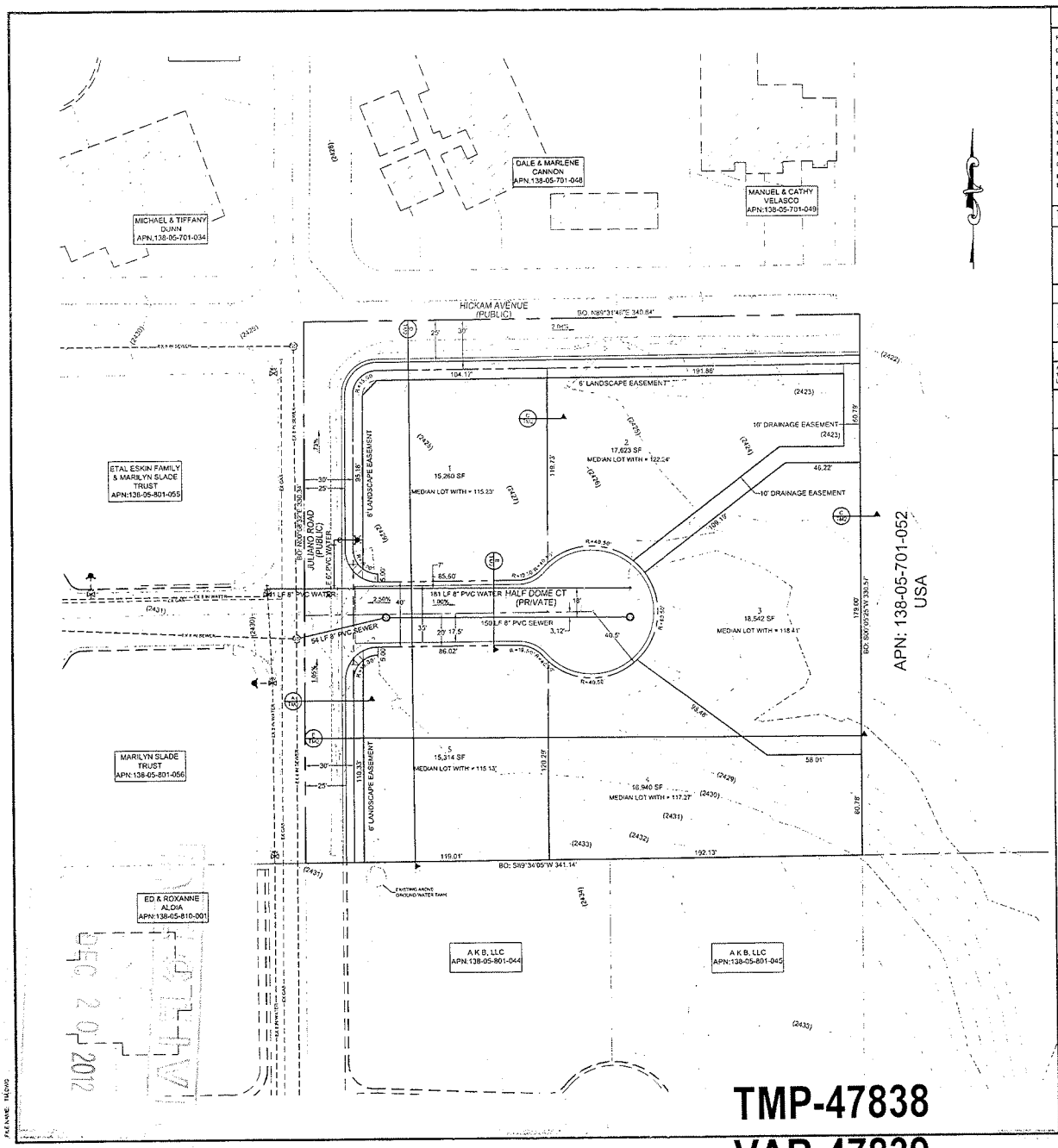
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
ANNA SCHLIEPER
Appt. No. 12-6479-1
My Appt. Expires Nov. 18, 2015

FOR DEPARTMENT USE ONLY

Case #	TMP-47838
Meeting Date:	2/12/2013
Total Fee:	1250
Date Received:*	12/20/2012
Received By:	MRey

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

Revised 10/27/08



TMP-47838
VAR-47839
VAR-47840

LEGEND

- RIGHT-OF-WAY
- EX. RIGHT OF WAY
- BOUNDARY LINE
- PROPERTY LINE
- EASEMENT
- STREET CENTERLINE
- LOT NUMBER
- WATER LINE
- EXISTING WATER LINE
- SEWER LINE W/ MANHOLE
- EX. SEWER LINE W/ MANHOLE
- CURB AND GUTTER
- EX. CURB AND GUTTER
- BLOCK WALL

UTILITY LOCATIONS

WATER - THE NEAREST WATER CONNECTION IS AN EXISTING 8" PUBLIC MAIN IN JULIANO AVE - LAS VEGAS VALLEY WATER DISTRICT IS THE PURVEYOR

SEWER - THE NEAREST SEWER CONNECTION IS AN EXISTING 8" SEWER PROVIDED IN JULIANO AVE - CLARK COUNTY WATER RECLAMATION DISTRICT IS THE PURVEYOR

OWNER

ASTORIA RESIDENTIAL DEVELOPMENT
10055 PARK RUN DR, STE: 230
LAS VEGAS, NV 89144
TEL: 702.353-0349

DEVELOPER

ASTORIA RESIDENTIAL
10055 PARK RUN DR, STE: 230
LAS VEGAS, NV 89144

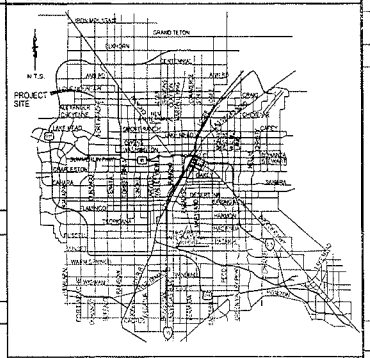
DEVELOPMENT STANDARDS

PER TITLE 19 (TABLE 19.06.040) FOR RE ZONING:
DENSITY ALLOWED - 2 UNITS/ACRE
MIN. LOT AREA - 20,000 SQ. FT.

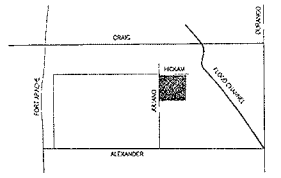
ABBREVIATIONS

AC	ASPHALTIC CONCRETE
BC	BACK OF CURB
BCR	BACK OF CURB RADIUS
BM	BENCHMARK
BVC	BEGIN VERTICAL CURVE
BW	BOTTOM OF EXISTING WALL
CATV	CABLE TELEVISION
CC	CLARK COUNTY
CL	CENTERLINE
CLV	CITY OF LAS VEGAS
CMP	CORRUGATED METAL PIPE
CNLV	CITY OF NORTH LAS VEGAS
CO	CLEAN OUT, SEWER
COH	CITY OF HENDERSON
CY	CUBIC YARD
DG	DESIGN GRADE
DI	DROP INLET
DIP	DUCTILE IRON PIPE
EC	END OF CURVE
EP	EDGE OF PAVEMENT
EVC	END VERTICAL CURVE
EX	EXISTING
FF	FINISH FLOOR ELEVATION
FG	FINISH GRADE
FH	FIRE HYDRANT
FL	FLOW LINE
FS	FS
GB	GRADE BREAK
GFF	GARAGE FINISH FLOOR
HP	HIGH POINT
INV	INVERT
LF	LINEAR FEET
LT	LEFT
LVWD	LAS VEGAS VALLEY WATER DISTRICT
MAR	MARKHOUSE
MH	MANHOLE
MIN	MINIMUM
NTS	NOT TO SCALE
OC	ON CENTER
PB	PULL BOX
PC	POINT OF CURVE
PCC	POINT OF COMPOUND CURVE
PE	POLYETHYLENE
PI	POINT OF INTERSECTION
PL	PROPERTY LINE
POC	POINT OF CONNECTION
PP	POWER POLE
PRC	POINT OF REVERSE CURVE
PT	POINT OF TANGENCY
PVC	POLYVINYL CHLORIDE
R	RADIUS
RCB	REINFORCED CONCRETE BOX
RCP	REINFORCED CONCRETE PIPE
ROW	RIGHT-OF-WAY
RT	RIGHT
SD	STORM DRAIN
SL	STREETLIGHT
SNWA	SOUTHERN NEVADA WATER AUTHORITY
SS	SANITARY SEWER
STA	STATION
STD	STANDARD
SVZ	SIGHT VISIBILITY ZONE
SW	SIDEWALK
TC	TOP OF CURB
TF	TOP OF FOOTING
TR	TOP OF RETAINING
TW	TOP OF WALL
TYP	TYPICAL
USD	UNIFORM STANDARD DRAWING
VC	VERTICAL CURVE
VCP	VITRIFIED CLAY PIPE
VG	VALLEY GUTTER
W	WATER
ZC	ZERO LIP CURB

VICINITY MAP



KEY MAP



GENERAL NOTES

1. ALL IMPROVEMENTS SHALL CONFORM TO THE CLARK COUNTY STANDARDS AND SPECIFICATIONS.
2. UTILITIES:

WATER	LAS VEGAS VALLEY WATER DISTRICT
SEWER	CLARK COUNTY WATER RECLAMATION DISTRICT
POWER	NEVADA ENERGY COMPANY
TELEPHONE	CENTURY LINK
GAS	SOUTHWEST GAS CORPORATION
CATV	COX CABLE
REFUSE	REPUBLIC SERVICES

3. UTILITY EASEMENTS TO BE DEDICATED TO RESPECTIVE AGENCIES.
4. THIS DEVELOPMENT IS SHOWN IN ITS ENTIRETY AND IT IS PART OF CITY OF LAS VEGAS
5. PEAK SEWAGE CONTRIBUTION FOR NEW SINGLE FAMILY HOMES: .0060 MGD = AVERAGE DAILY FLOW; .0024 MGD = PEAK FLOW
6. FIRM PANEL 32003C2310 F. REVISED NOVEMBER 16, 2011. ENTIRE AREA WITHIN FEMA ZONE "X"
7. PROTECTIVE COVENANTS AND/OR DEED RESTRICTIONS ARE TO BE GENERATED INTO A SEPARATE DOCUMENT AND RECORDED.
8. THERE ARE NO KNOWN EXISTING FAULTS OR FISSURES ON THE SITE.
9. GROUND WATER IS HISTORICALLY LOCATED AT A DEPTH GREATER THAN 20 FEET IN THIS AREA.
10. PERIMETER AND ENTRY LANDSCAPE TO BE MAINTAINED BY MOUNTAINS EDGE THE HOMEOWNERS ASSOCIATION. INTERIOR LANDSCAPE TO BE MAINTAINED BY SUBDIVISION HOA.

SITE INFORMATION

ASSESSORS PARCEL NUMBERS	138-05-801-006
PROPOSED USE OF PROPERTY	RE (RURAL ESTATES)
EXISTING ZONING	RE (RURAL ESTATES)
PROPOSED ZONING	RE (RURAL ESTATES)
TOTAL PROPOSED LOTS	5 RURAL ESTATE LOTS
GROSS ACREAGE	2.59 ACRES
NET ACREAGE	1.88 ACRES
PROPOSED DENSITY RURAL ESTATES (BASED ON GROSS ACREAGE)	1.93 LOTS/ACRE
PARKING REQUIRED	2 PER UNIT = 5 SPACES
PARKING PROVIDED	15 SPACES IN 3 CAR GARAGES, DRIVEWAYS, AND ON-STREET PARKING
LARGEST LOT SIZE	18,542 SF
SMALLEST LOT SIZE	15,000 SF
AVERAGE LOT SIZE	16,000 SF

LEGAL DESCRIPTION

THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SW 1/4) OF SECTION 5, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

SAID PARCEL CONTAINS 2.59 ACRES, MORE OR LESS.

BASIS OF BEARINGS

NORTH 89°31'00" EAST, BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 5, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA. AS SHOWN ON THAT CERTAIN MAP IN FILE 105, PAGE 89 OF PARCEL MAPS IN THE OFFICE OF THE CLARK COUNTY, NEVADA RECORDER.

SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

NO.	DESCRIPTION	BY	DATE	APPR.
	REVISIONS			

TANEY ENGINEERING
6030 S. JONES BLVD STE# 100
LAS VEGAS, NV 89118
(702) 362-8844 / FAX: (702) 362-0573

ASTORIA RESIDENTIAL
10055 PARK RUN DR. STE: 230
LAS VEGAS, NV 89144
FAX:

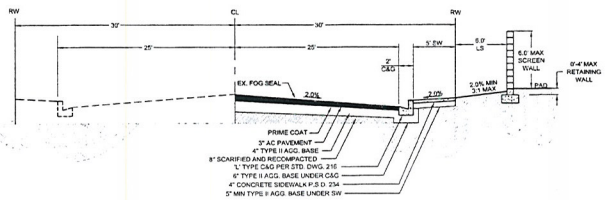
JULIANO AND HICKAM
A RURAL ESTATES SUBDIVISION

TENTATIVE MAP

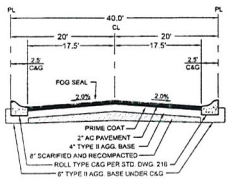
ROBERT D. CUNNINGHAM
Exp. 10-31-13
CIVIL
NO. 15178
STATE OF NEVADA
PROFESSIONAL ENGINEER
ENGINEER'S SEAL

DATE:	12.20.12
SCALE:	1"=30'
JOB NO:	AST-12-001
DESIGNED BY:	B.S
CHECKED BY:	M.C
SHEET NAME:	TM1
SHEET:	1 OF 2

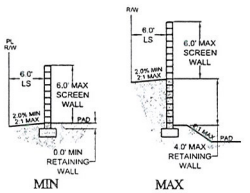
FILE NAME: TM.DWG



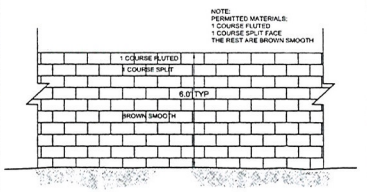
SECTION A
30-FT HALF STREET SECTION (JULIANO) (HICKAM)
NTS



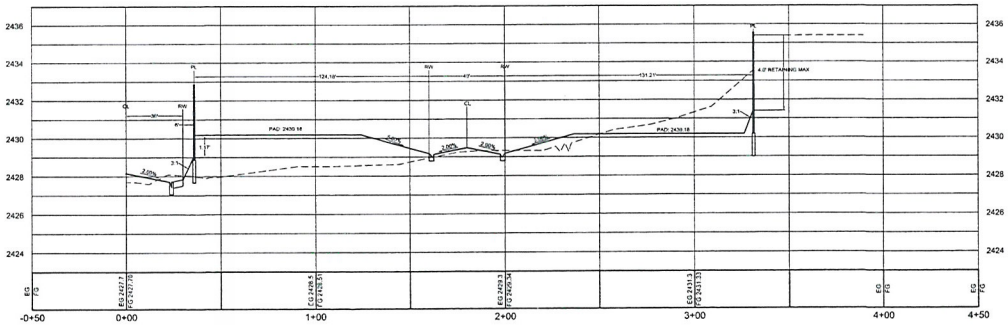
SECTION B
TYPICAL 40-FT STREET SECTION (HALF DOME CT.)
NTS



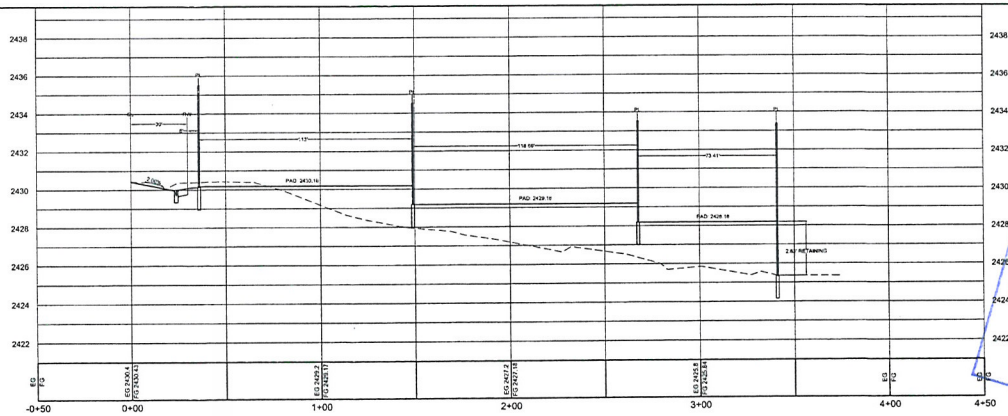
SECTION C
TYPICAL WALL DETAIL
NTS



DETAIL A
PERIMETER DECORATIVE BLOCK WALL SECTION
NTS



SECTION D
PROPERTY SECTION (NORTH - SOUTH)
1"=30'



SECTION E
PROPERTY SECTION (EAST - WEST)
1"=30'

RECEIVED
DEC 20 2012
City of Las Vegas
Department of Planning

TMP-47838
VAR-47839
VAR-47840

NO	DESCRIPTION	BY	DATE	APPR

REVISIONS

ASTORIA RESIDENTIAL
10655 PARK RUN DR. STE. 230
LAS VEGAS, NV 89144
FAX:

TANEY ENGINEERING
6030 S. JONES BLVD STE# 100
LAS VEGAS, NV 89118
(702) 362-8844 FAX: (702) 362-5233

JULIANO AND HICKAM
A RURAL ESTATES SUBDIVISION

TENTATIVE MAP

REGISTERED PROFESSIONAL ENGINEER STATE OF NEVADA
ROBERT D. CUNNINGHAM
Exp 12-31-12
CIVIL
No. 15726
ENGINEER'S SEAL

DATE:	12.20.12
SCALE:	1"=30'
JOB NO:	AST-12-001
DESIGNED BY:	B.S
CHECKED BY:	M.C
SHEET NAME:	TM2
SHEET:	2 OF 2

FILE NAME: TM.DWG

TMP 47383
Astoria Residential

SEC Juliano & Hammer

Proposed 5 unit single family residential development.

Traffic produced by proposed development:

Proposed Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	5	9.57	48
AM Peak Hour			0.75	4
PM Peak Hour			1.01	5

Existing traffic on all nearby streets:

Alexander Road	
Average Daily Traffic (ADT)	6,413
PM Peak Hour (heaviest 60 minutes)	513

El Capitan Way	
Average Daily Traffic (ADT)	1,888
PM Peak Hour (heaviest 60 minutes)	151

	Adjacent Street ADT Capacity
Alexander Road	34,500
El Capitan Way	16,300

This project is expected to add about 48 trips per day on Juliano Rd., Hammer Ave., Alexander Rd. & El Capitan Way. Currently, Alexander is at about 19 percent of capacity and El Capitan is at about 12 percent of capacity. With this project, Alexander is expected to remain at about 19 percent of capacity and El Capitan to remain at about 12 percent of capacity. Counts are not available in this vicinity for Juliano or Hammer, but they are believed to be under capacity.

Based on Peak Hour use, this project will add about 5 trips in the peak hour, or about one every twelve minutes.

Note that this report assumes all traffic from this development uses all named streets.

CCSD
Real Property Management
4190 McLeod Drive, 2nd Floor
Las Vegas, NV 89121

School Development Tracking Form

Date Filed 12/28/2012 **Application Number** TMP47838 VAR47840 VAR47839 **Entity** LV

Company Name THM Enterprises LLC

Contact Name Steve Gebeke

Contact Mailing Address

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

Phone **Mobile** **Fax** 385-7268 **Email**

Project Name Juliano & Hickam

Project Description Huliano & Hickam

APN's 138-05-801-006

Student Yield		Elementary School	Middle School	High School
Single-Family Units (1)	5	x 0.213 = 1	x 0.109 = 1	x 0.139 = 1
Multi-Family Units (2)		x 0.107 = 0	x 0.047 = 0	x 0.052 = 0
Resort Condo Units (3)				
Total		1	1	1

(1) *Single Family unit is defined as single family detached home, mobile home, and town homes.*
(2) *Multi-Family unit is defined as apartment, multiplexes, and condominiums.*
(3) *Resort Condominium units for tracking purposes only.*

** To be completed by CCSD*

Schools Serving the Area*					
Name	**Address**	**Grade**	**Capacity**	**Enrollment**	**Site Date**
Tarr ES	9400 Gilmore	K-5	780	651	11/16/12
Leavitt MS	4701 Quadrel	6-8	1,614	1,498	11/16/12
Centennial HS	10200 Centennial	9-12	2,596	2,931	11/16/12

CCSD Comments* Centennial HS is over-capacity for the 2012-13 school year. No new schools are planned for the area.

☐ Approved ☐ Disapproved

City of Las Vegas Agenda Item No.: **19.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

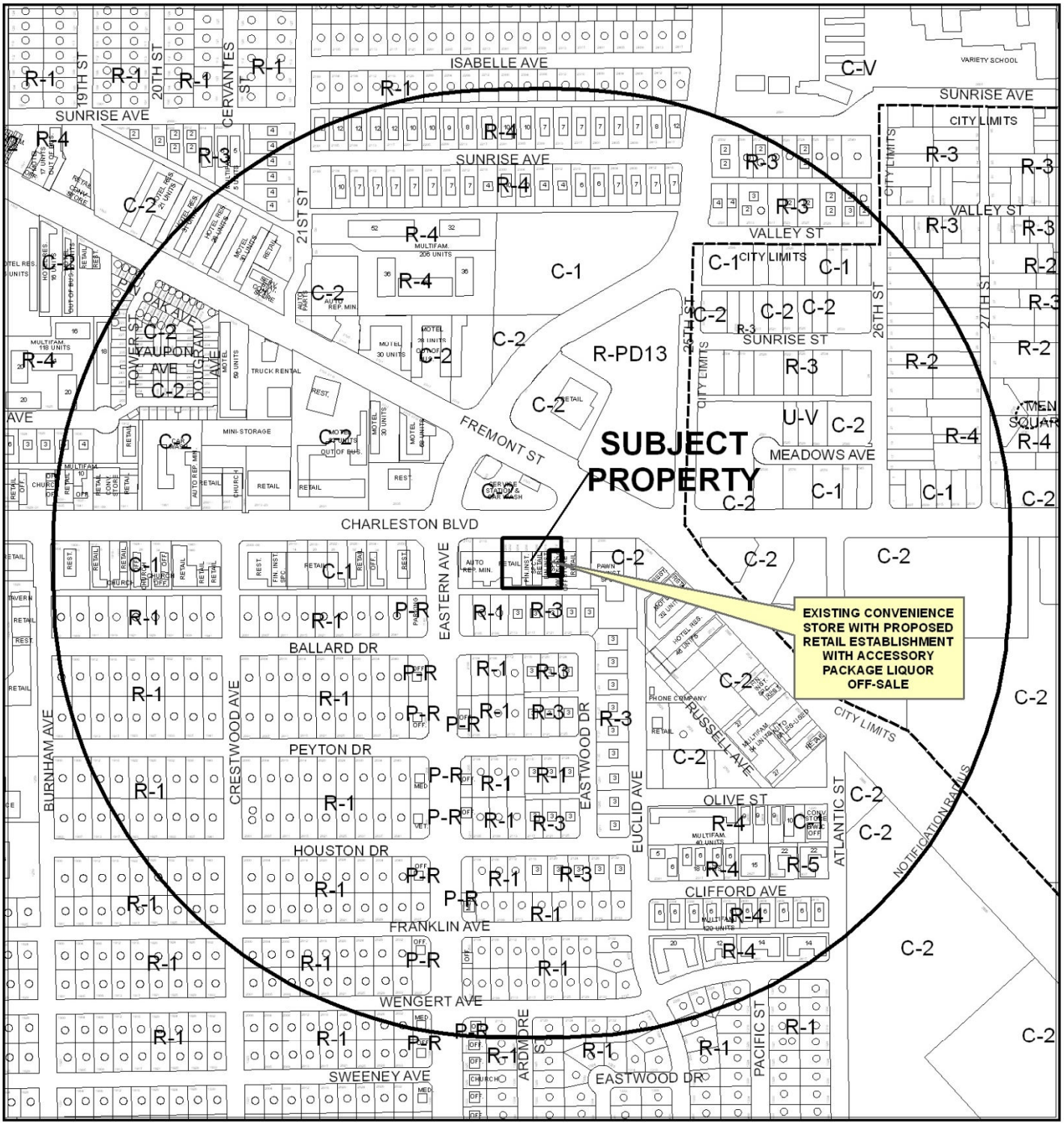
SUBJECT:
ABEYANCE - SUP-47591 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MAXI MART - OWNER: TUESDAY 18, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 3,000 SQUARE-FOOT CONVENIENCE STORE at 2212 East Charleston Boulevard (APN 162-01-101-004), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL.

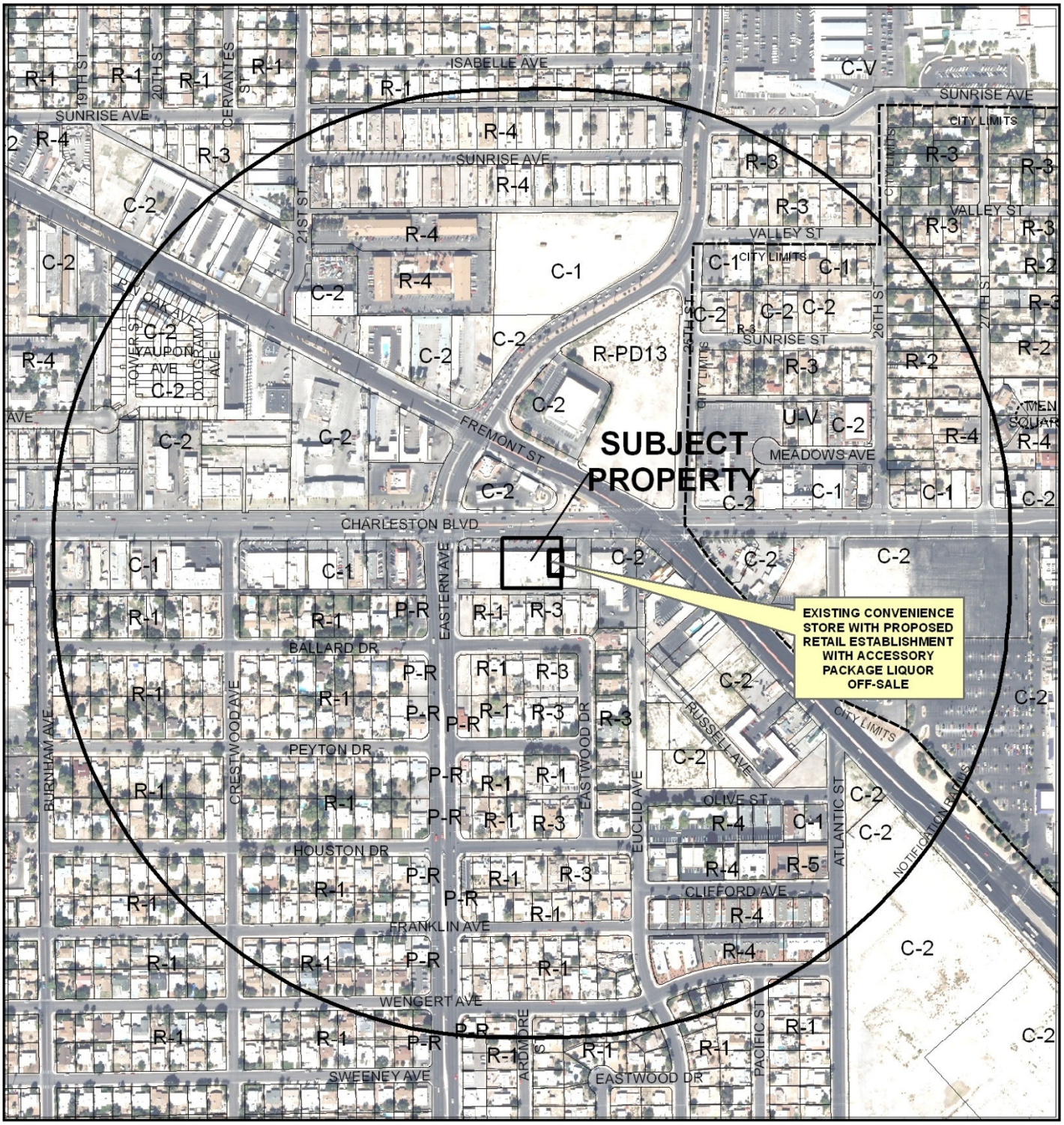
BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Information on Prior Conditions by David Mason
7. Protest Postcard



CASE: **SUP-47591**

RADIUS: 1500 FEET

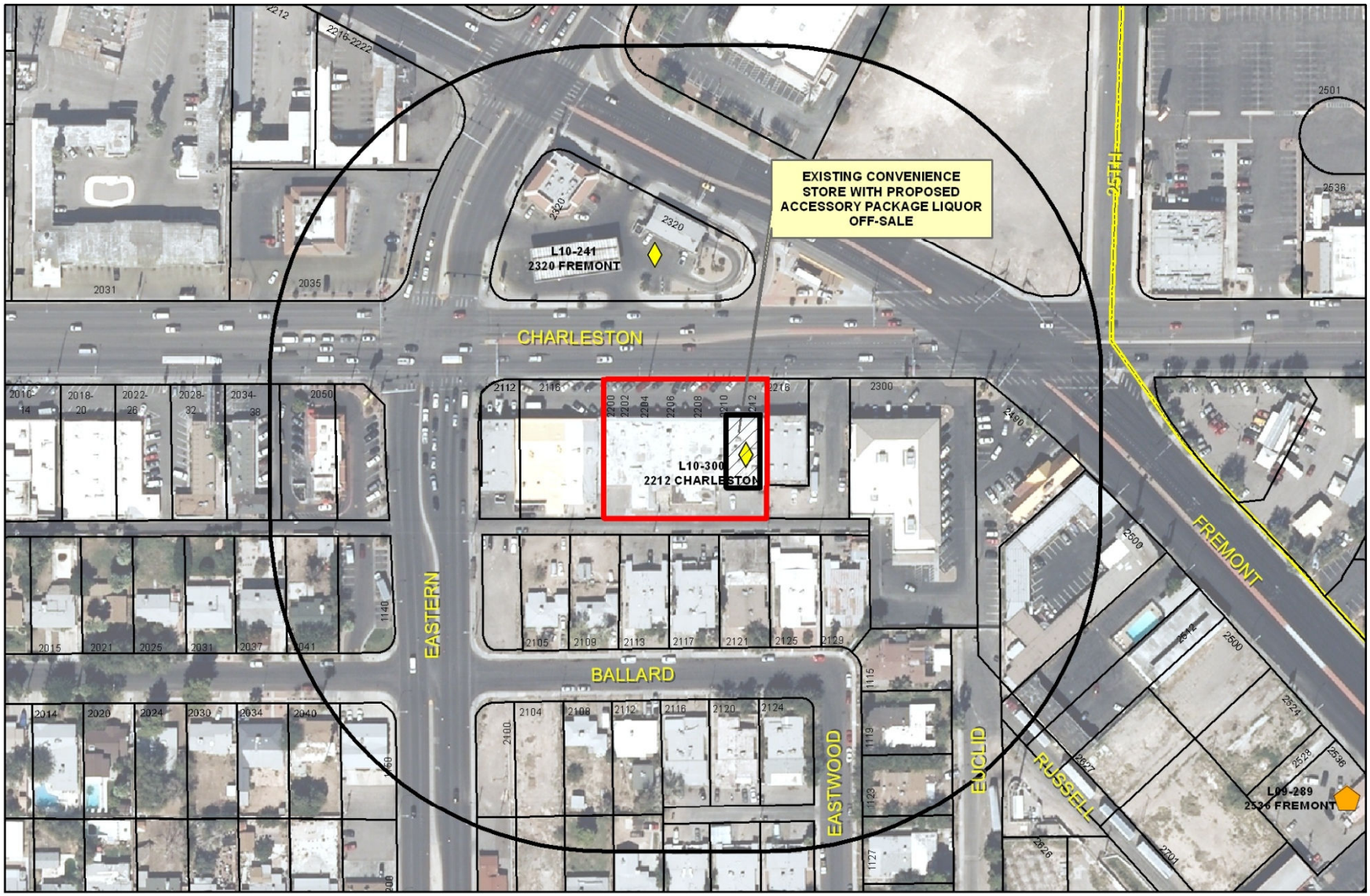
ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



CASE: **SUP-47591**

RADIUS: 1500 FEET

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



SUP-47591

Package Liquor Sales

Business Licenses

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: MAXI MART - OWNER: TUESDAY 18, LLC

** STAFF RECOMMENDATION **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-47591	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-47591 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. Approval of this Special Use Permit does not constitute approval of a liquor license.

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

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

** STAFF REPORT **

PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a proposed Accessory Package Liquor Off-Sale use within an existing 3,000 square-foot Retail Establishment at 2212 East Charleston Boulevard. Staff recommends approval of the requested Special Use Permit, as the development is in compliance with the minimum Special Use Permit requirements listed in Title 19.12 for the Retail Establishment with Accessory Package Liquor Off-Sale use and the use is complementary to wide variety of commercial uses within the existing retail building. If denied, the use will only be allowed to operate as a Convenience Store with no alcohol sales.

ISSUES

- A Retail Establishment with Accessory Package Liquor Off-Sale use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- The provided floor plans show 74 square feet of total floor area dedicated to the retail display and sales of alcohol.
- The applicant has granted a 20-foot wide perpetual, non-revocable public access easement connecting the existing public alley to the existing driveway accessing Charleston Boulevard, as required by Condition #3 of Special Use Permit (U-0143-97).

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
02/23/98	The City Council approved a Special Use Permit (U-0143-97) for the sale of beer and wine in conjunction with an existing convenience store. The Planning Commission and staff recommended approval.
06/19/02	The City Council denied an Appeal of the Planning Commission's decision to deny a request for a Special Use Permit (U-0031-02) for Package Liquor sales in conjunction with an existing convenience store. Staff had recommended denial.
03/01/06	The City Council approved a Special Use Permit (SUP-10786) for a proposed Financial Institution, Specified (Check Cashing) and waivers of the 200-foot separation requirement from a parcel zoned for a residential use, and the 1,000-foot separation requirement from other Financial Institution, Specified uses at 2212 East Charleston. The Planning Commission recommended approval and staff recommended denial.
02/12/13	The Planning Commission voted to this item in abeyance to the March 13, 2013 Planning Commission meeting at the request of the applicant.

Most Recent Change of Ownership	
10/12/12	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
10/23/98	A business license was issued for cigarette sales (#C05-01907) and a convenience store (#C15-00241) at 2212 East Charleston Boulevard. This license remains active.
08/09/06	A business license (#N02-00132) was issued for non-depository lender services at 2212 East Charleston Boulevard. This license remains active.
11/09/09	A business license was issued for beer/wine/cooler off sale (#L10-00300) and for gaming (#G01-02374).

Pre-Application Meeting	
06/19/12	A pre-application meeting was held and the applicant's representative to discuss the requirements for adding off premise liquor sales. A brief follow-up meeting was held with the applicant to discuss the current proposal on 11/20/12.

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

Field Check	
11/29/12	Staff conducted a field check of the subject property and noted the proposed location for the use will be within an existing Convenience Store within a maintained strip mall.

Details of Application Request	
Site Area	
Net Acres	0.75

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail, Other Than Listed	C (Commercial)	C-2 (General Commercial)
North	General Retail, Other Than Listed	C (Commercial)	C-2 (General Commercial)

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
South	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	General Retail, Other Than Listed	C (Commercial)	C-2 (General Commercial)
West	General Retail, Other Than Listed	C (Commercial)	C-2 (General Commercial)

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

DEVELOPMENT STANDARDS

Pursuant to Title 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	
General Retail, Other Than Listed	14,085 SF	1:175 SF					
TOTAL SPACE REQUIRED			81		34		
Regular and Handicap Spaces Required			77	4	32	2	Y*

**Pursuant to Title 19.18.030(D)(1), the subject site is parking impaired, as the property and the adjacent parcel were developed in 1953 and provided only 47spaces at the time of construction.*

ANALYSIS

The subject property is located within a 3,000 square-foot Convenience Store and is complementary to the commercial uses and other existing retail establishments found on site. The submitted floor plans show 50 square feet of cooler space and 24 square feet of shelf space dedicated to the retail display of alcohol. The proposed use complies with all Minimum Special Use Permit Requirements, as there are no protected uses within 400 feet of this proposal. This proposal is deemed to be a "Project of Regional Significance" because the Special Use Permit request is located within 500 feet of unincorporated Clark County limits. The applicant has submitted a Project of Regional Significance report and no comments from the participating agencies were made. No additional parking required beyond that which is required for the principal use on the site, as parking requirements were addressed during the original construction of this site and there are no increases to the current parking demand from the proposed use.

The Retail Establishment with Accessory Package Liquor Off-Sale use is defined as, "A retail establishment:

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

The proposed use meets the definition above, as the provided floor plans show a 3,000 square foot Convenience Store with 74 square feet dedicated to the retail sale of alcohol.

The Minimum Special Use Permit Requirements for this use include:

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

There are no protected uses within 400 feet of this proposal.

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.

This condition is not applicable.

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

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

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

This condition is not applicable.

4. When considering a Special Use Permit application for an establishment which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
This condition is not applicable.

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

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

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

This condition is not applicable.

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

The proposed use will be subject to ongoing licensing inspections to ensure that this condition is met.

*7. The minimum distance requirements set for in Requirement 1, which are otherwise nonwaiveable under the provision of LVMC 19.12.050(C), may be waived.

This condition is not applicable.

Staff recommends approval of this request, as the use conforms to the Minimum Special use Permit Requirements and is a compatible use for the proposed location. If denied, the applicant would be allowed to operate the Convenience Store with Beer/Wine/Cooler Off sale, but will not be allowed to sell package liquor.

FINDINGS (SUP-47591)

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 compatible with the C (Commercial) General Plan land use designation and the C-2 (General Commercial) zoning district permissible uses, upon the approval of a Special Use Permit. The proposed use is located within an existing commercial center with a substantial concentration of major commercial development. The proposed use can be conducted in a manner that is harmonious and compatible with the surrounding uses.

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

   The proposed use will consist of 74 square feet of alcoholic beverage retail display area and will operate within a 3,000 square-foot Convenience Store. There is no evidence of a physical constraint to the proposed use 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.**

The site is accessed from Charleston Boulevard, which is adequate in size to meet the requirements of the proposed use. The subject site was developed in 1953 and is parking impaired, as described in Title 19.18.030(D)(1). The proposed Retail Establishment with Accessory Package Liquor Off-Sale use will be located within the existing Convenience Store, and will not constitute an increase in onsite parking.

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

   The site will be subject to regular inspection and will not compromise the public health, safety, and welfare or the overall objectives of the General Plan.

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

   The proposed use in conjunction with an existing Convenience Store complies with the Minimum Special Use Permit Requirements listed for the Retail Establishment with Accessory Package Liquor Off-Sale use in Title 19.12.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 38

NOTICES MAILED 474

APPROVALS 0

PROTESTS 1

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-47591** APN: 162-01-101-004

Name of Property Owner: Tuesday 18 LLC

Name of Applicant: Maxi Mart

Name of Representative: Brown, Brown & Premsrirut contact: Lora Dreja

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Nimrod Barashy

Subscribed and sworn before me

This 30th day of October, 2012

Sue Gaines

Notary Public in and for said County and State

SUE GAINES
Notary Public, State of Nevada
Appointment No. 99-58738-1
My Appt. Expires Sept. 15, 2013

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit Retail with Accessory Package Liquor Off Sale

Project Address (Location) 2212 E. Charleston Boulevard

Project Name Maxi Mart **Proposed Use** _____

Assessor's Parcel #(s) 162-01-101-004 **Ward #** 3 - Coffin

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

Commercial Square Footage 3000 **Floor Area Ratio** n/a

Gross Acres 1.78 **Lots/Units** _____ **Density** _____

Additional Information Currently holds beer and wine license

PROPERTY OWNER Tuesday 18 LLC **Contact** Shawn Barashy

Address P.O. Box 80652 **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89180

E-mail Address sbarashy@leelasvegas.com

APPLICANT Maxi Mart **Contact** Khoshaba Israel

Address 2212 East Charleston **Phone:** (702) 384-5750 **Fax:** (702) 384-5753

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

E-mail Address _____

REPRESENTATIVE Brown, Brown and Premsrirut **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 NIMROD BARASHY

Subscribed and sworn before me

This 30th day of October, 20 12.

Sue Gaines

Notary Public in and for said County and State

SUE GAINES
Notary Public, State of Nevada
Appointment No. 99-58738-1
My Appt. Expires Sept. 15, 2013

FOR DEPARTMENT USE ONLY

Case #	SUP-47591
Meeting Date:	1/8/13
Total Fee:	$1280.00
Date Received:*	11/21/12
Received By:	

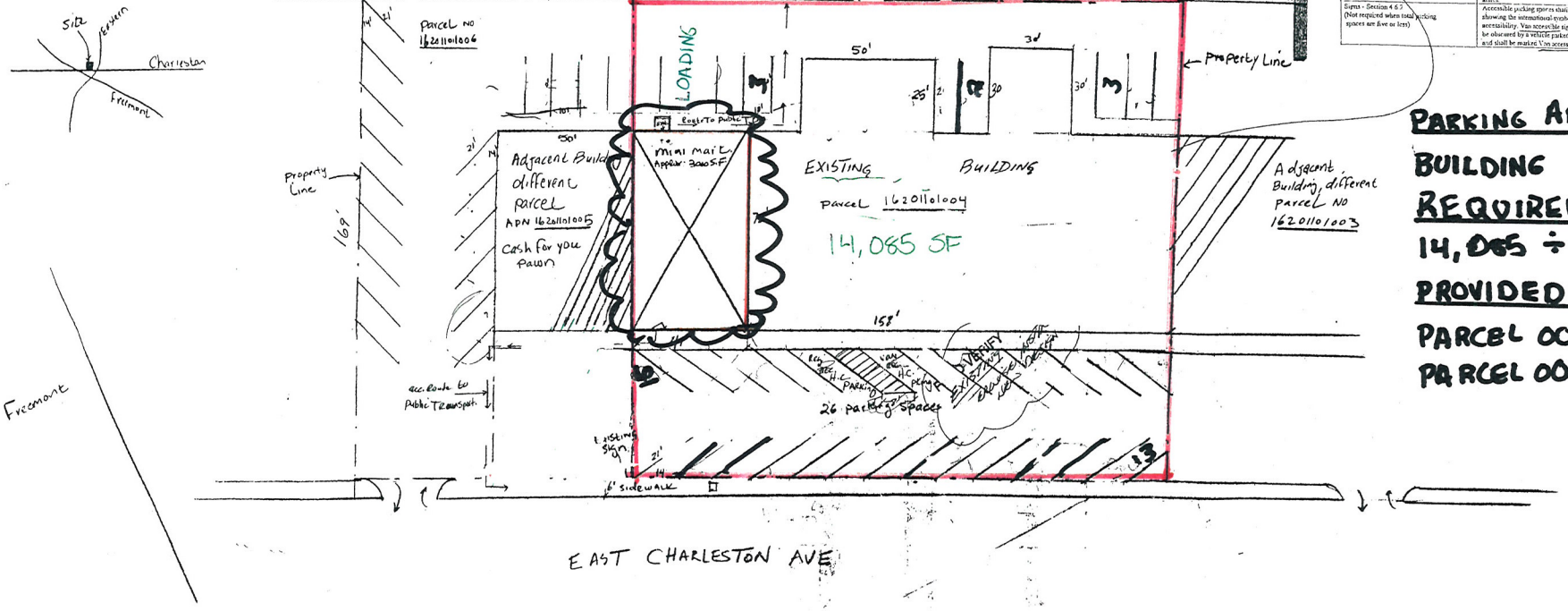
*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for consistency with applicable sections of the Zoning Ordinance.

Revised 10/27/08

162-01-101-004
ACCESSORY PACKAGE LIQUOR - OFFSALE

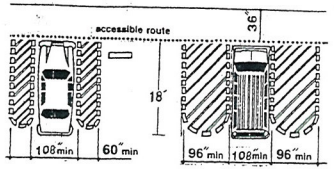
Site Plan 1/2" = 10'

Parcel 162011010004 and 162011010006
2214 E. Charleston



This design includes requirements from the City of Las Vegas Planning Department

WHEEL STOPS AT HANDICAP PARKING SPACES SHALL NOT BE PLACED SUCH THAT VEHICLE OVERHANG WILL IMPEDE HANDICAP PEDESTRIAN TRAFFIC WITHIN THE HANDICAP ACCESS ROUTE.



Van Accessible Space

CABO/ANSI A117.1-1992 with City Of Las Vegas Planning Department modifications	
Surface Slope - Section 4.6.1	Accessible parking spaces shall be located on a surface with a slope not exceeding 1:48
Dimensions of parking spaces - Section 4.6.2	108" wide plus two adjacent 60" wide access aisles. Van accessible space is 108" wide plus two adjacent 96" wide access aisles with a clear height of 98" min. Two accessible parking spaces may share a common access aisle. Curb ramps are not allowed in access aisles.
Signs - Section 4.6.4 (Not required when total parking spaces are five or less)	Accessible parking spaces shall have a sign showing the international symbol of accessibility. Van accessible signs shall not be obscured by a vehicle parked in the space and shall be marked Van accessible.

PARKING ANALYSIS

BUILDING 14,085 SF

REQUIRED PARKING

14,085 ÷ 175 = 80 SPACES

PROVIDED PARKING

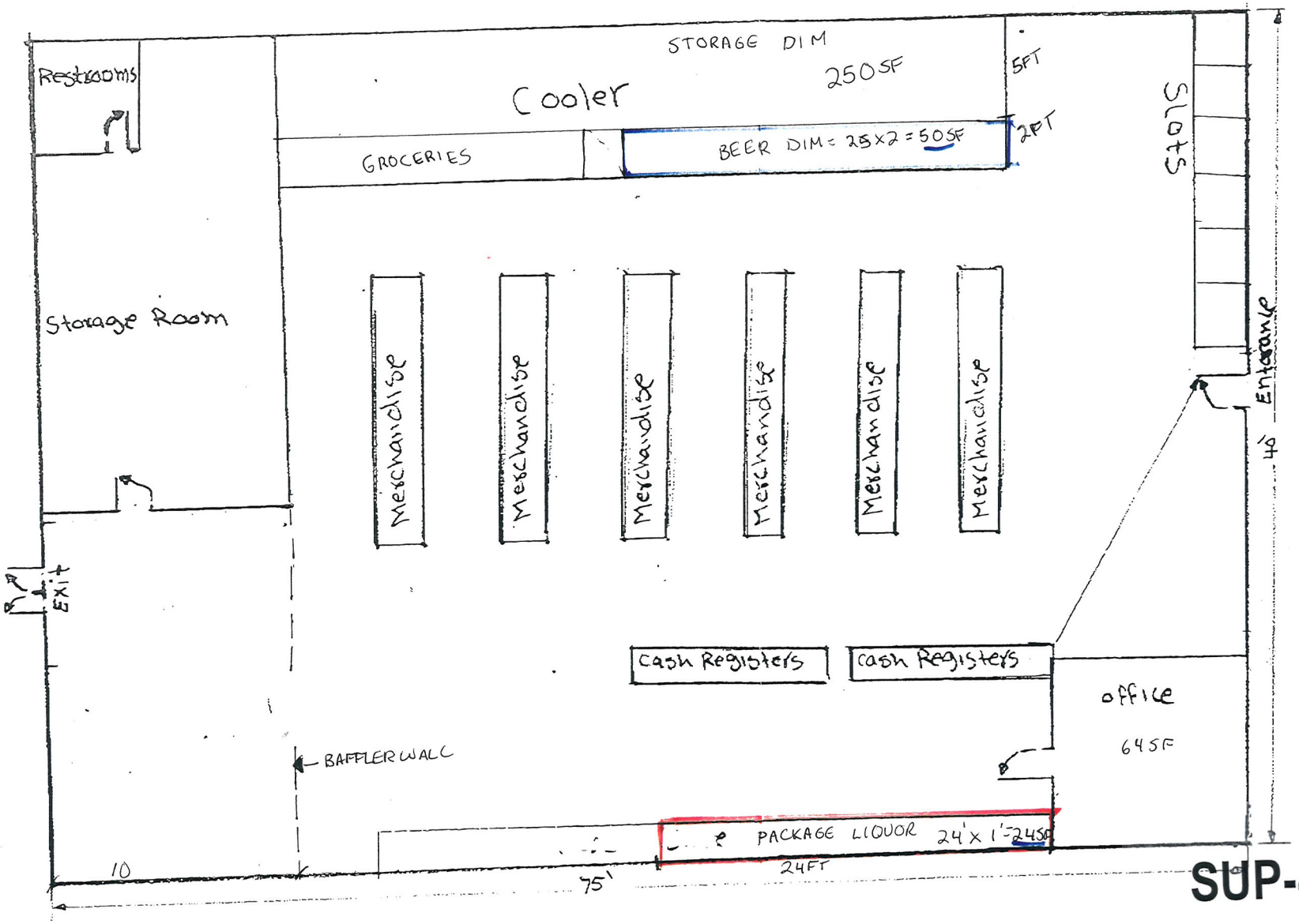
PARCEL 004 = 34 SPACES
PARCEL 006 = 13 SPACES
(TO BE STRIPED)

RECEIVED
NOV 21 2012

SUP-47591

Received: 10/11/05 14:58; 3845753 3614 > HP LaserJet 3100; Page 1
11/10/2005 15:38 3845753-3614 MAXI MART PAGE 01

Maxi Market
2212 E. Charleston Blvd.
Las Vegas, NV 89104



RETAIL SPACE
3000 SF
400> BOH
64> SF OFFICE
250> FREEZER STORAGE
2286 SF RETAIL

ALLOWABL ALCOHOL
AREA = 228SF
PROPOSED . ALCOHOL
AREA = 74SF

RECEIVED
NOV 2 1 2012

SUP-47591



SUP-47591 - APPLICANT: MAXI MART - OWNER: TUESDAY 18, LLC
2212 EAST CHARLESTON BOULEVARD

11/29/12



SUP-47591 - APPLICANT: MAXI MART - OWNER: TUESDAY 18, LLC
2212 EAST CHARLESTON BOULEVARD

11/29/12

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

November 20, 2012

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

Re: Use Permit to allow retail use with Off-sale Accessory Packaged Liquor. 162-01-101-004

Dear Madam/Sir:

Please consider this request to sell packaged liquor within a convenience store located at 2212 East Charleston Blvd. The proprietor, Khoshaba Israel has been an owner/manager of this store since 1998. The site currently sells beer and wine and has operated well within the community. The property is currently zoned C-2 which allows the sale of accessory packaged liquor with a use permit. While a business across the street sells beer and wine, there is no identifiable vendor of packaged liquor in the nearby vicinity. At this time there have been no protected uses identified within a 400 foot radius. All constraints in terms of operations and floor area will conform to title 6. For example, less than 10% of retail area will be dedicated to alcohol display.

The site plan indicates the parcel is parking impaired however, this use will not add to the parking requirement.

Please call me at (702) 598-1408 if you have concerns or questions.

Very truly yours,

Lora Dreja
Land Entitlements
Brown, Brown and Premsrirut

SUP-47591

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT

GORDON HARRY & GERALDINE TR
ROSMAN ELLIOT S TRS ETAL
2216 E CHARLESTON BLVD
LAS VEGAS NV 89104-2049

MEETING: CITY COUNCIL
DATE: MARCH 1, 2006
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-10786

APPLICANT: MAXI MART - OWNER: NIMROD BARASHY - REQUEST FOR A SPECIAL USE PERMIT FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED (CHECK CASHING) AND WAIVERS OF THE 200-FOOT MINIMUM DISTANCE SEPARATION REQUIREMENT FROM A RESIDENTIAL USE AND 1,000-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN AUTO TITLE LOAN, PAWNBROKER, OR ANOTHER FINANCIAL INSTITUTION, SPECIFIED AT 2212 EAST CHARLESTON BOULEVARD (APN 162-01-101-004), C-2 (GENERAL COMMERCIAL) ZONE, WARD 3 (REESE).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHEAST QUARTER (NE¼) OF THE NORTHWEST QUARTER (NW¼) OF SECTION 1, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101. For further information, please call (702) 229-6301 (TDD 386-9108) http://www.lasvegasnevada.gov

APPROVED SUBJECT TO AMMENDED CONDITIONS

#89

FAX 382-4803

BARBARA JO RONEMUS
CITY CLERK

SEE LOCATION MAP ON REVERSE SIDE

Submitted at Planning Commission

Date 1/8/2013 Item 51

Mar. 1, 2006

Attention City council

RE: Special use permit

SUP-10786

Item #89

Gordon family trust-rosman Elliot trust.

In regards to the request for a check cashing business to be located in the Maxi mart, The parking problem will not go away by adding a service that requires an even lengthier stay to complete paperwork. My tenant C J tile has but about 4 spaces to service its customers, as you may be aware it is a time consuming ordeal to pick out tile.

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If we were to receive some relief from the city to allow parking on the east side of 2216 e. Charleston it might cure some of the problem, but I think it would have to be as a condition before approval is given.

I believe this was a condition that was approved once before when the Maxi Mart was first allowed to open, but I have no documentation on this.

Respectfully yours
Gordon trust Rosman Elliot trust
James Shoughro managing partner -trustee



Dave Mason Realty

Commercial Real Estate

May 10, 2011

To: Shawn N Barashy
PO box 80652
Las Vegas Nevada 89180

Regarding: 2216 E. Charleston, Las Vegas Nevada

Dear Shawn,

Per our conversation a few months back regarding the owners of 2216 East Charleston compensating you for our proposed tenant using the driveway to the East of our space. We agreed on $ 150 per month,on a month to month basis. The tenant was just approved by the Business Licensing Department and has just opened. If he makes it to his fist months rent, the end of June, we will start that process.

I want to be very clear that we are not responsible to pay you anything and are agreeing to do so, to not create a conflict and just to make life easier. I have attached a copy of you approval in 1998 saying you had to provide an Access easement through that area.

Respectfully Yours,

David Mason
Agent for Jim Shoughro

CC Jim Shoughro

1137 S. Rancho Dr., Ste. 120
Las Vegas, NV 89102
Ph: (702) 386-8686 Fax: (702) 386-9839

January 31st, 2012

California Tire & Accessories
Ishmael Zubia
2216 E Charleston Blvd
Las Vegas, NV 89104

Re: Unauthorized activities on Tuesday Properties LLC Parcel.

Mr. Zubia,

On multiple occasions over the past few months I have asked you to stop working, displaying tires, bumper and other goods on my property and not to park in any other place but along the east wall of 2216 E Charleston. We had an agreement that for $150 per month you are permitted to park three vehicles on my property along the east wall of 2216 E Charleston only. I received a letter from Dave Mason that he decided to reduce the $150 to $120 due to rent reduction your landlord granted you. Since then I received no payment.

On Friday January 27, 2012 I posted violation stickers on your vehicles and placed a new sign for unauthorized parking giving you until Monday January 30th, 2012 to remove all vehicles and displayed material from my lot. I spoke to you that day and asked you to remove all vehicles and material from my lot. You asked for a written notice. Although I have no obligation to give you any written notice for the unauthorized parking on my lot I am giving this courtesy notice one time. **Please remove all tires and material from my property, remove all your trucks and other vehicles immediately. Do not perform any automotive or other work on my lot. Any vehicle on my property will be towed at your expense by Monday February 6, 2012. Any of your products remaining on my property will be removed.**

Sincerely,

Tuesday Properties LLC

CC:
Gordon Harry & Geraldine TR
Rosman Elliot S TRS
3113 Connors Dr
Las Vegas, NV 89107

Dave Mason Realty
516 South 6th Street
Suite 400
Las Vegas, NV 89101

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT

MEETING: PLANNING COMMISSION
DATE: JANUARY 22, 1998 494-7794
TIME: 7:00 P.M.
LOCATION: COUNCIL CHAMBERS, CITY HALL
400 STEWART AVENUE WAYNE BELIEVES
LAS VEGAS, NEVADA BARASHY NEED PROPASIS
~~2224~~ TO FULFILL PARKING CODE

U-143-97

TEL. 494-7794

REQUEST BY NIMROD BARASHY FOR A SPECIAL USE PERMIT ON PROPERTY LOCATED AT 2224 EAST CHARLESTON BOULEVARD FOR THE OFF-PREMISE SALE OF BEER AND WINE IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE, C-2 (GENERAL COMMERCIAL) ZONE, WARD 3 (REESE), APN: 162-01-101-004 AND 006.

WE ARE 085

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHWEST QUARTER (NW¼), OF THE NORTHWEST QUARTER (NW¼), OF SECTION 01, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.B.&M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objection thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. This request may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after discussion of the item. You will receive an additional notice for the City Council meeting. For further information, please call 229-6301 (TDD 386-9108).

PLANNING AND DEVELOPMENT DEPARTMENT
CITY OF LAS VEGAS

PRELIMINARY TITLE REPORT

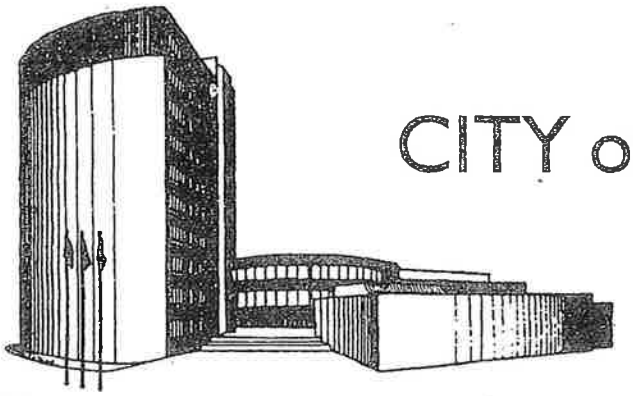
KIRA WAUWIE, SENIOR PLANNER
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

MAYOR
AN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MICHAEL J. MCDONALD
GARY REESE
LARRY BROWN

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

March 24, 1998

Mr. Nimrod Barashy
7708 Wolfcreek Road
Las Vegas, Nevada 89128

RE: U-143-97 - SPECIAL USE PERMIT

Dear Mr. Barashy:

The City Council at a regular meeting held February 23, 1998 APPROVED the request for a Special Use Permit on property located at 2224 East Charleston Boulevard FOR THE OFF-PREMISE SALE OF BEER AND WINE IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE, C-2 (General Commercial) Zone, subject to:

1. The sale of quart beer containers is prohibited.

2. Two of the parking spaces located along East Charleston Boulevard shall be removed and replaced with landscaping. Landscaping shall be installed in conformance with the Landscape, Wall, and Buffer Standards of the Urban Design Guidelines and Standards within one (1) year of the approval of this application. Failure to install and maintain the landscaping shall result in the revocation of the operator's business license.

3. Grant a 20 foot wide perpetual, non-revocable public access easement through the parking lot (Parcel 162-01-101-006 of this application) connecting the existing public alley to the existing driveway accessing Charleston Boulevard prior to occupancy of this site as required by the Department of Public Works.

4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

5. All City Code requirements and design standards of all City departments must be satisfied.

CITY OF LAS VEGAS NEVADA

400 E. STEWART AVENUE • LAS VEGAS, NEVADA 89101-2986
(702) 229-6011 (VOICE) • (702) 386-9108 (TDD)

6. Parking and driveway plans must be approved by the Traffic Engineer prior to the issuance of any permits.

7. 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.

8. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

Sincerely,

BARBARA JO RONEMUS
City Clerk

/ac

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services
Land Development Services

Mr. Falah E Hamika
Mr. Ismael Z. Isreal
1866 Trilly Lane
Las Vegas, Nevada 89115

Mr. Sam Hamika
1938 Trilly Lane
Las Vegas, Nevada 89115

DECLARATION OF RECIPROCAL EASEMENT

THIS DECLARATION OF EASEMENT is made this _____ day of June, 2002, by and between NIMROD BARASHY, 7708 Wolfcreek Road, Las Vegas, Nevada 89128, hereafter referred to as "Barashy," and the GORDON TRUST, 3113 Conners Drive, Las Vegas, Nevada 89107, hereafter referred to as "the Trust," involving three (3) parcels of real property located on East Charleston near Fremont Street, more particularly described below.

Recitals:

1. Barashy is the owner of certain land in Las Vegas, Clark County, Nevada, more particularly described as Assessor Parcel Nos. 16201101006 and 16201101004.
2. Barashy operates a market with beer and wine sales on APN 16201101004 (the "Market Parcel"). The front of the Market Parcel contains parking for the store.
3. Barashy uses APN 16201101006 for parking (the "Parking Parcel").
4. The Gordon Trust is the owner of that certain land in Las Vegas, Clark County, Nevada, more particularly described as Assessor Parcel No. 16201101005 (the "Gordon Parcel"). The Gordon Parcel has parking in front of its store, which area is necessary for ingress and egress by the Market Parcel and for access to the market from the Parking Parcel.
5. Attached as Exhibit "1" is a diagram of the parcels owned by the parties. The diagram illustrates the common driveway for ingress and egress, as well as a common front parking areas of the Parcels. The highlighted areas represent the access used by the Gordon Parcel for its loading door and rear exits.
6. In 1997, Barashy applied for a special use permit with the City of Las Vegas for the sale of beer and wine on the Market Parcel, which was approved by the Las Vegas City Council on February 23, 1998.

7. The Gordon Trust and Barashy agreed that if the Gordon Trust did not object to the special use application, Barashy would not interfere with the access to the loading door on the East side or the back doors on the South side of the Gordon Parcel. See the highlighted areas of Exhibit "1."

8. It is essential to the value of the parcels that the parties enter into this reciprocal easement agreement for the benefit of the parcels and their respective tenants.

NOW, THEREFORE, in consideration for the mutual promises set forth herein and other good and valuable consideration, the parties agree as follows:

1. *Easement*. The parties hereby create mutual easements across and onto the Barashy Parcel, the Market Parcel and the Gordon Parcel for ingress and egress, as well as access to the side and rear doors of the Gordon Parcel, as highlighted on Exhibit "1."

2. *Repair and Maintenance of Easement*. Each party shall maintain the area used for vehicular traffic on its parcel in good condition and at its own cost.

3. *Amendments*. The provisions of this agreement may be amended only by a written agreement signed by all of the parties.

4. *Binding Agreement*. The Easement rights and responsibility set forth in this agreement shall be perpetual and shall run with the land, and shall be binding on the successors and assigns of the parcel owners.

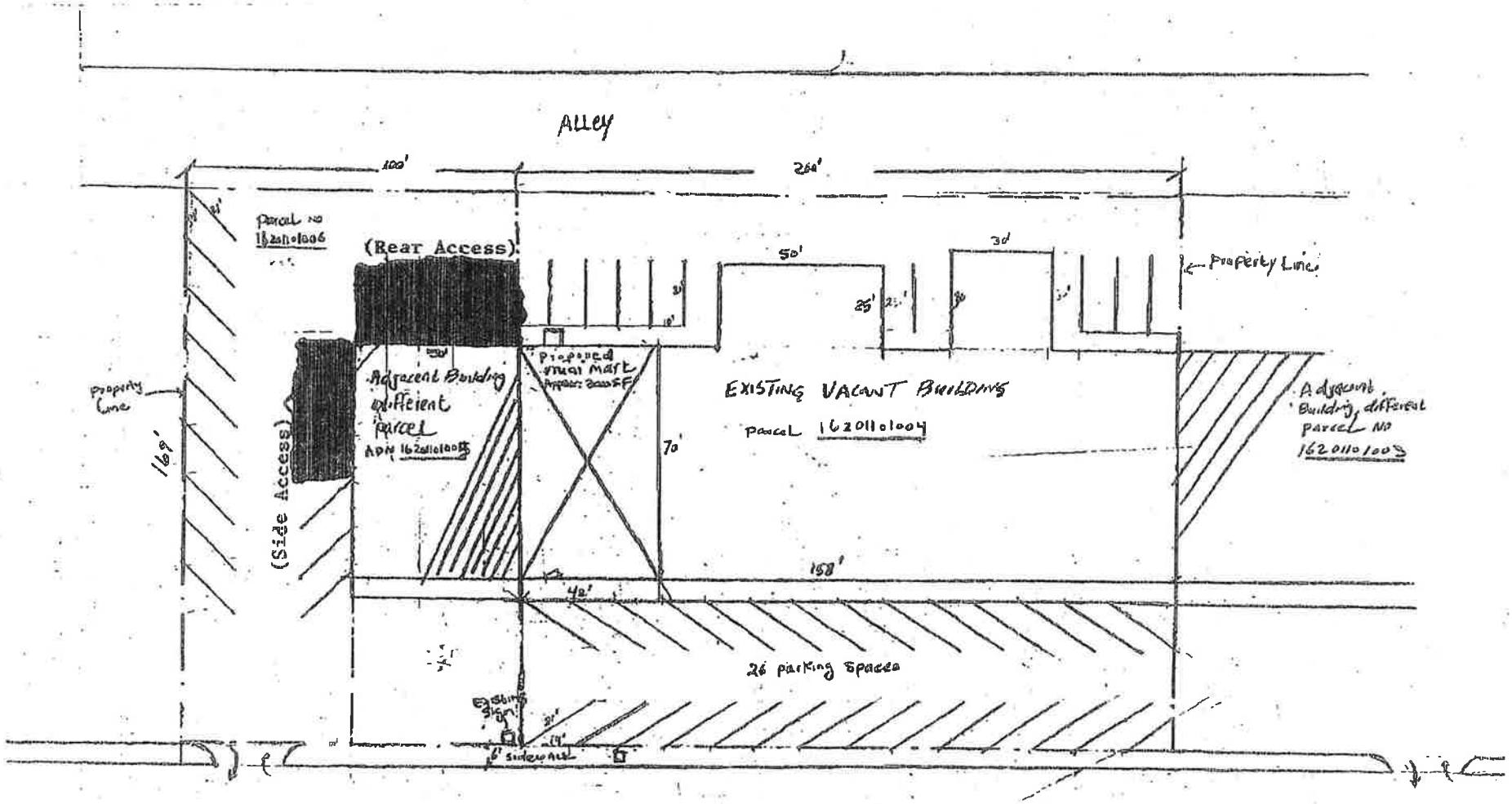
IN WITNESS WHEREOF, the parties have executed this Declaration of Reciprocal Easement on the date first above written.

THE GORDON TRUST

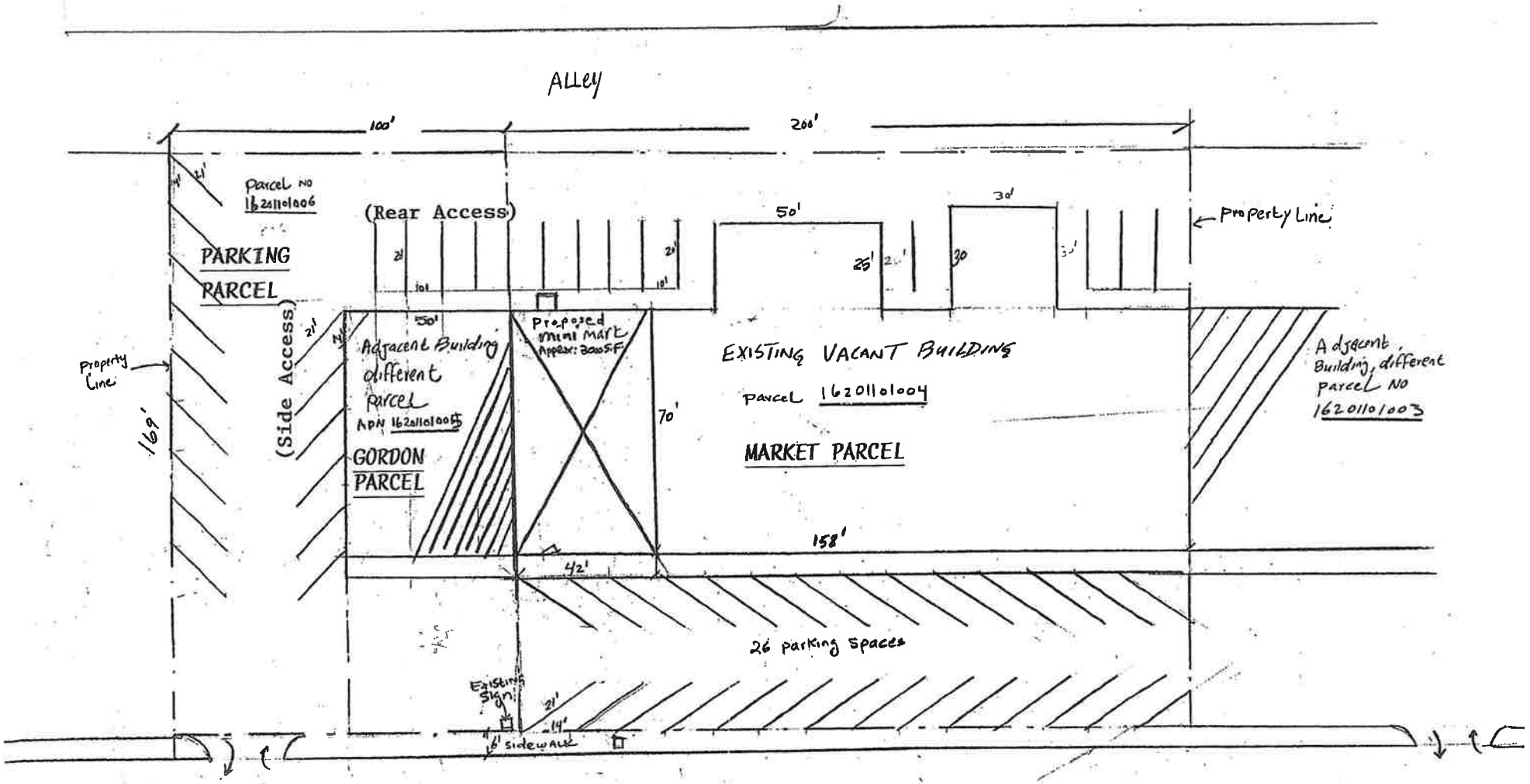
NIMROD BARASHY

By: _____
James Shoughro, Trustee

F:\AMDATA\CHRIS\Gordon Trust\decl.easemnt.wpd



Alley
100'
200'
Parcel No 1620110006
(Rear Access)
50'
30'
Property Line
25'
Proposed Mart
Adjacent Building different parcel
ADN 1620110005
EXISTING VACANT BUILDING
Parcel 1620110004
Adjacent Building, different parcel No 1620110003
property Line
169'
(Side Access)
70'
158'
42'
26 parking Spaces
Existing Sign
6' sidewalk



Alley
100'
200'
Parcel No 16201101006
(Rear Access)
PARKING PARCEL
(Side Access)
Property Line
169'
Adjacent Building different parcel
APN 16201101005
GORDON PARCEL
Proposed mini mart Approx: 3000 S.F.
50'
70'
EXISTING VACANT BUILDING
Parcel 16201101004
MARKET PARCEL
50'
30'
25'
30
Property Line
Adjacent Building, different parcel No 16201101003
158'
42'
26 parking spaces
Existing Sign
21'
14'
6' sidewalk

APN: 16201101004
APN: 16201101005
APN: 16201101006

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8. It is essential to the value of the parcels that the parties enter into this reciprocal easement agreement for the benefit of the parcels and their respective tenants.

9. This Agreement is necessary to prevent the parties from disrupting the flow of traffic and access that has existed between these parcels for more than thirty years.

10. This Agreement is also necessary to prevent costly and protracted litigation regarding prescriptive easements and easements by contract among the various parties.

NOW, THEREFORE, in consideration for the mutual promises set forth herein and other good and valuable consideration, the parties agree as follows:

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THE GORDON TRUST

By: _____
James Shoughro, Trustee

_____
NIMROD BARASHY

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

This instrument is hereby acknowledged before me by **NIMROD BARASHY** this _____ day of June, 2002.

_____
Notary Public, State of Nevada

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

This instrument is hereby acknowledged before me by James Shoughro, Trustee of the **GORDON TRUST**, this _____ day of June, 2002.

_____
Notary Public, State of Nevada

AFTER RECORDING, MAIL TO:

The Gordon Trust
c/o Mr. Jim Shoughro
3113 Conners Drive
Las Vegas, Nevada 89107

F:\AMDATA\CHRIS\Gordon Trust\decl.easemnt.wpd

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT

GORDON HARRY & GERALDINE TR
ROSMAN ELLIOT S TRS ETAL
2216 E CHARLESTON BLVD
LAS VEGAS NV 89104-2049

MEETING: CITY COUNCIL
DATE: MARCH 1, 2006
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-10786

APPLICANT: MAXI MART - OWNER: NIMROD BARASHY - REQUEST FOR A SPECIAL USE PERMIT FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED (CHECK CASHING) AND WAIVERS OF THE 200-FOOT MINIMUM DISTANCE SEPARATION REQUIREMENT FROM A RESIDENTIAL USE AND 1,000-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN AUTO TITLE LOAN, PAWNBROKER, OR ANOTHER FINANCIAL INSTITUTION, SPECIFIED AT 2212 EAST CHARLESTON BOULEVARD (APN 162-01-101-004), C-2 (GENERAL COMMERCIAL) ZONE, WARD 3 (REESE).

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APPROVED SUBJECT TO AMMENDED CONDITIONS

#89

FAX 382-4803

BARBARA JO RONEMUS
CITY CLERK

SEE LOCATION MAP ON REVERSE SIDE.

Mar. 1, 2006

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SUP-10786

Item #89

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James Shoughro managing partner -trustee



Dave Mason Realty

Commercial Real Estate

May 10, 2011

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Regarding: 2216 E. Charleston, Las Vegas Nevada

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David Mason
Agent for Jim Shoughro

CC Jim Shoughro

1137 S. Rancho Dr., Ste. 120
Las Vegas, NV 89102
Ph: (702) 386-8686 Fax: (702) 386-9839

January 31st, 2012

California Tire & Accessories
Ishmael Zubia
2216 E Charleston Blvd
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Sincerely,

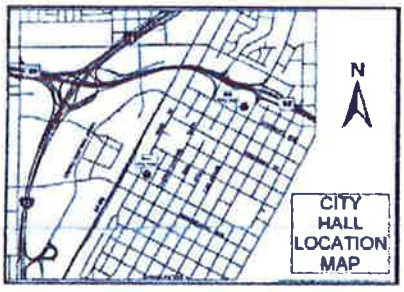
Tuesday Properties LLC

CC:
Gordon Harry & Geraldine TR
Rosman Elliot S TRS
3113 Connors Dr
Las Vegas, NV 89107

Dave Mason Realty
516 South 6th Street
Suite 400
Las Vegas, NV 89101

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

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning, Case Planning Division at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-47591
Planning Commission Meeting of 01/08/2013

61 JRDCN11 89169

PRESORTED FIRST CLASS

UNITED STATES POSTAGE

02 1M $ 00.42⁴
0004279218 DEC 27 2012
MAILED FROM ZIPCODE 89101

RECEIVED

JAN 02 2013

City of Las Vegas
Dept. of Planning

Case: SUP-47591
16202512011
ZUNINO OSVALDO LIVING TRUST
ZUNINO OSVALDO TRS
3575 TIOGA WY
LAS VEGAS NV 89169-3340 89169-3340

1/2/2013

#51
P

City of Las Vegas Agenda Item No.: **20.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

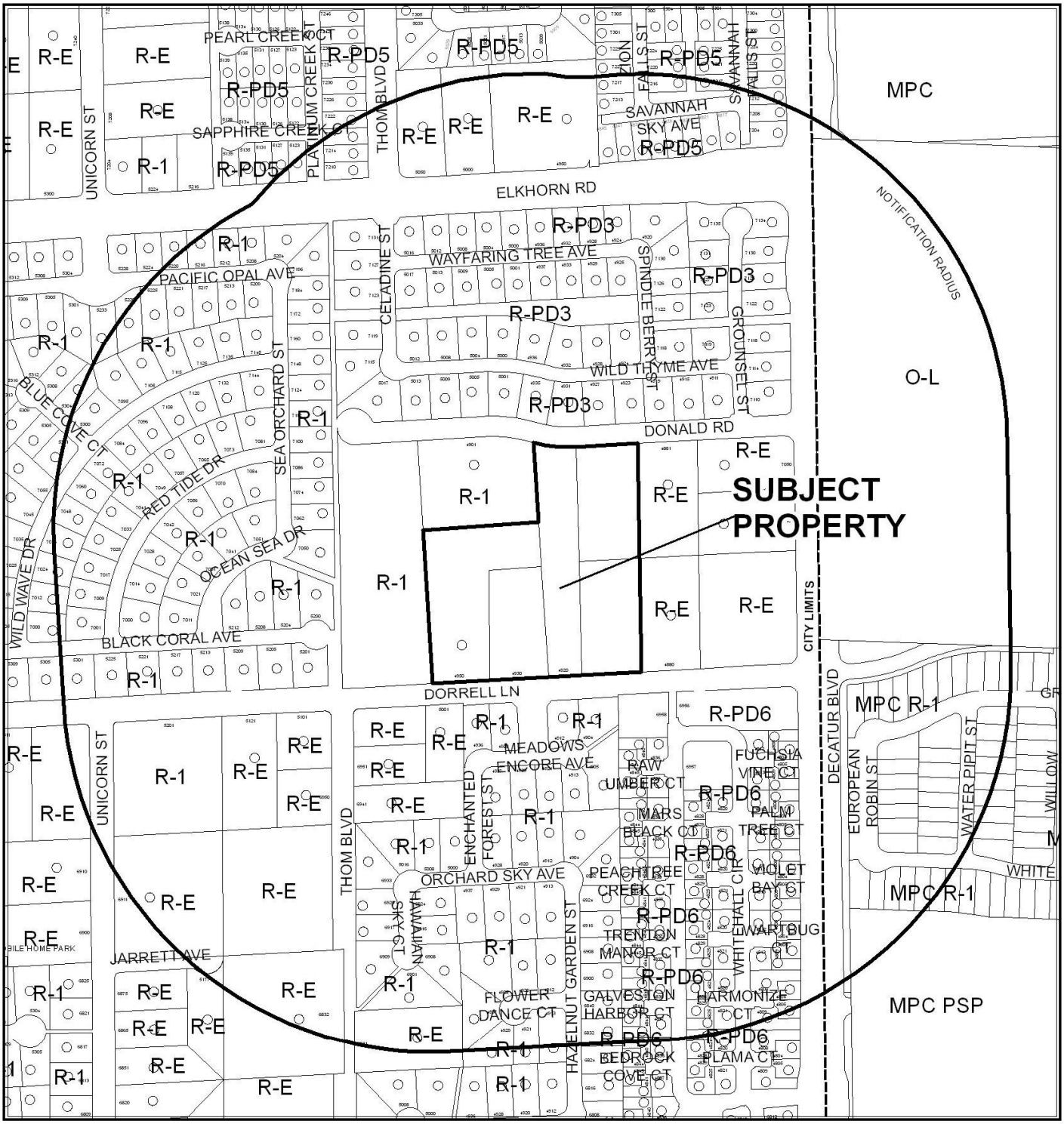
SUBJECT:
VAR-48169 - VARIANCE - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: PAY DIRT IRREVOCABLE BUSINESS TRUST ET AL, ET AL - For possible action on a request for a Variance TO ALLOW A MINIMUM LOT WIDTH OF 60 FEET WHERE 65 FEET IS REQUIRED, TO ALLOW A 10-FOOT FRONT YARD SETBACK ON LOTS 1, 10 AND 11 WHERE 20 FEET IS REQUIRED AND TO ALLOW A 10-FOOT CORNER SIDE YARD SETBACK ON LOTS 1, 24, 25 and 31 WHERE 15 FEET IS REQUIRED on 7.40 acres adjacent to the north side of Dorrell Lane, approximately 420 feet west of Decatur Boulevard (APNs 125-24-503-004, 008, 009, 011 and 017), R-1 (Single Family Residential) Zone, Ward 6 (Ross). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - VAR-48169 and TMP-48166
2. Conditions and Staff Report - VAR-48169 and TMP-48166
3. Supporting Documentation - VAR-48169 and TMP-48166
4. Photos - VAR-48169 and TMP-48166
5. Justification Letter - VAR-48169 and TMP-48166



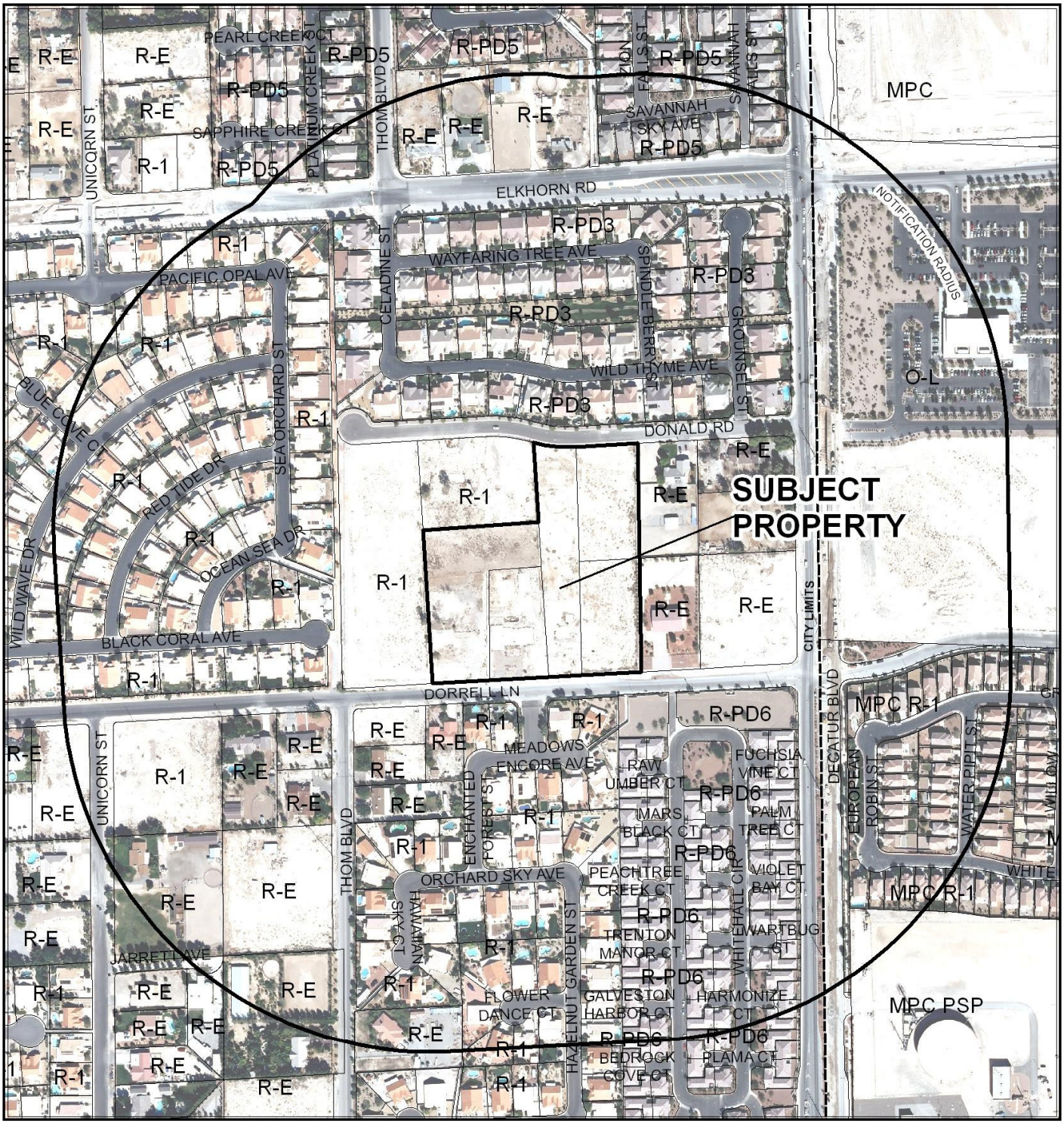
0 300 600 Feet

CASE: VAR-48169 & TMP-48166

RADIUS: 1000 FEET

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

N



0 300 600 Feet

CASE: VAR-48169 & TMP-48166

RADIUS: 1000 FEET

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: DR HORTON, INC. - OWNER: PAY DIRT IRREVOCABLE BUSINESS TRUST ET AL, ET AL

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-48169	Staff recommends DENIAL, if approved subject to conditions:	
TMP-48166	Staff recommends DENIAL, if approved subject to conditions:	VAR-48169

** CONDITIONS **

VAR-48169 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for a Tentative Map (TMP-48166) shall be required, if approved.

2. Conformance to the approved conditions for Rezoning (ZON-12235).

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.

TMP-48166 CONDITIONS

Planning

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

2. All development shall conform to the Conditions of Approval for Variance (VAR-48169).

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

4. 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.

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

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

Public Works

7. The Final Map for this site should be labeled as a "Merger and Resubdivision".

8. Dedicate the proposed public streets and appropriate radius corners on the Final Map for this site.

9. Construct half-street improvements on Donald Road and Dorrell Lane to City Standards including appropriate transition paving to match the existing improvements adjacent to this site concurrent with development of this site. Extend widened pavement west on Dorrell Lane to prevent a "sawtooth" road configuration on Dorrell Lane. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). 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.

10. A working sanitary sewer connection shall be in place prior to final inspection of any units within this development. Full permanent improvements on all major access streets, including all required landscaped areas between the perimeter wall and adjacent public street, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50% of all units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings.

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

12. A common lot shall be created with a Public Drainage Easement over the entire common lot for drainage purposes between Lots 28 and 29 to be privately maintained by the Homeowners Association. Alternatively, the drainage easement between Lots 28 & 29 shall be labeled as a "Public Drainage Easement to be Privately Maintained" and specifically indentify who owns the underlying property and improvements, and who is responsible for perpetual maintenance, prior to recordation of a Final Map for this site.

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, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

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

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting approval of a proposed 31-lot single family residential development on 7.40 gross acres of undeveloped land on the north side of Dorrell Lane, approximately 420 feet west of Decatur Boulevard. As the site is already zoned R-1 (Single Family Residential), only a Tentative Map is needed for approval. The lots will front on 47-foot wide public streets that will have access to both Dorrell Lane and Donald Road. The street and lot configuration meets Title 19 connectivity and Complete Streets requirements but requires a variance for lot width and setbacks in order to accommodate the design of the proposed dwellings. As the characteristics of the subject site do not warrant narrower lots and the proposed products are not all designed to fit on these lots, staff recommends denial of the variance and the tentative map based on it. If denied, the site would remain undeveloped with a zoning designation of R-1.

ISSUES

- Per Nevada Revised Statutes Chapter 278, land proposed to be subdivided into five or more lots requires Planning Commission approval of a Tentative Map prior to subdividing. Staff does not support the applicant's request, as a self-imposed variance from Title 19 is necessary to allow the proposed subdivision design.
- Prior to approval of a tentative map for the proposed subdivision, a Variance is required to allow a minimum lot width of 60 feet for all proposed lots where 65 feet is required in the R-1 (Single Family Residential) District. Additionally, a variance is needed to allow a front yard setback of 10 feet where 20 feet is required on Lots 1, 10 and 11 and to allow a corner side yard setback of 10 feet where 15 feet is required on Lots 1, 24, 25 and 31. Staff does not support the variance requests.
- The proposed product for this development will be subject to a lot fit analysis to determine conformance with the approved setbacks and with standard lot coverage standards.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/07/06	The City Council approved a General Plan Amendment (GPA-12234) to change the land use designation from ML (Medium Low Density Residential) to L (Low Density Residential) on 12.9 acres adjacent to the north side of Dorrell Lane, approximately 450 feet west of Decatur Boulevard. The Planning Commission and staff recommended approval.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/07/06	The City Council approved a Rezoning (ZON-12235) from R-E (Residence Estates) and R-E under Resolution of Intent to R-PD3 (Residential Planned Development – 3 Units per Acre) to R-1 (Single Family Residential) on 12.9 acres adjacent to the north side of Dorrell Lane, approximately 450 feet west of Decatur Boulevard. The Planning Commission and staff recommended approval.
	The City Council approved a Special Use Permit (SUP-12705) for Private Streets in conjunction with a proposed 64-lot single family residential development adjacent to the north side of Dorrell Lane, approximately 450 feet west of Decatur Boulevard. The Planning Commission and staff recommended approval.
07/27/06	The Planning Commission approved a Tentative Map (TMP-14244) for a 64-lot single family residential subdivision on 12.90 acres adjacent to the north side of Dorrell Lane, approximately 450 feet west of Decatur Boulevard. Staff recommended approval. The map expired 07/27/08.
09/28/06	Code Enforcement processed a case (46694) involving a complaint about weeds, trash, garbage, debris and dangerous structures on undeveloped property at 4920 West Dorrell Lane. The case was resolved 10/18/06.
06/04/08	The City Council approved Extensions of Time (EOT-27874 and EOT-27873) for the previously approved Rezoning (ZON-12235) and Special Use Permit (SUP-12705) on 12.9 acres adjacent to the north side of Dorrell Lane, approximately 450 feet west of Decatur Boulevard. Staff recommended approval of all requests. The approval for SUP-12705 expired 06/07/10. Parcels on the subject site were hard zoned R-1 (Single Family Residential) on 07/01/09 through Ordinance 6046.
06/26/08	The Planning Commission approved a Tentative Map (TMP-28062) for a 64-lot single family residential subdivision on 12.90 acres adjacent to the north side of Dorrell Lane, approximately 450 feet west of Decatur Boulevard. Staff recommended approval. The map expired 06/26/12.

Most Recent Change of Ownership	
07/21/10	A deed was recorded for a change in ownership on APN 125-24-503-011.
09/02/10	A deed was recorded for a change in ownership on APN 125-24-503-017.
03/01/11	A deed was recorded for a change in ownership on APN 125-24-503-008, 009.
05/24/12	A deed was recorded for a change in ownership on APN 125-24-503-004.

Related Building Permits/Business Licenses
There are no related building permits or business licenses associated with the subject property.

Pre-Application Meeting	
01/21/13	A pre-application meeting was held with the applicant to discuss submittal requirements for a Tentative Map. It was determined that variances could be combined for a reduction in lot width and for setbacks on individual parcels. The applicant was able to obtain City Traffic Engineer approval for an intersection offset of 159 feet from Dorrell Lane, as it was a secondary, gated access. The variances must be approved before the tentative map can be approved.

Neighborhood Meeting	
02/27/13	A neighborhood meeting is not required for the requested applications; however, the applicant intends to conduct a voluntary neighborhood meeting prior to the meeting of the Planning Commission at 6:00 p.m. in the Aliante Library, 2400 West Deer Springs Way in North Las Vegas.

Field Check	
01/31/13	The site is undeveloped and gently slopes up from east to west. Portions contain weeds and mounds of dirt and debris.

Details of Application Request	
Site Area	
Gross Acres	7.40
Net Acres	6.80

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	Single Family, Detached	ML (Medium Low Density Residential)	R-PD3 (Residential Planned Development – 3 Untis per Acre)
	Undeveloped	L (Low Density Residential)	R-1 (Single Family Residential)
South	Single Family, Detached	ML (Medium Low Density Residential)	R-1 (Single Family Residential)
East	Single Family, Detached	ML (Medium Low Density Residential)	R-E (Residence Estates)
West	Undeveloped	L (Low Density Residential)	R-1 (Single Family Residential)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
Rural Preservation Overlay District (330' buffer on a portion)	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06 and ZON-12235, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size	6,500 SF	6,549 SF	Y
Min. Lot Width	65 Feet	60 feet	N (8% deviation)
Min. Setbacks:			
• Front (front-loading garages)	20 Feet	20 feet	Y
• Front (side-loading garages)	20 Feet	10 feet	N (50% deviation)
• Side	5 Feet	5 feet	Y
• Corner	15 Feet	10 feet	N
• Rear	15 Feet	15 feet	Y
Max. Lot Coverage	50 %	50 %	Y
Max. Building Height	1 story/35 Feet	1 story	Y
Max. Net Density	5.49 du/ac	4.56 du/ac	Y

Pursuant to Title 19.06, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees:				
• North	N/A	N/A	6 trees	N/A
• South	N/A	N/A	16 trees	N/A
• East	N/A	N/A	0 trees	N/A
• West	N/A	N/A	0 trees	N/A
TOTAL PERIMETER TREES		**N/A**	**22 Trees**	**Y**

SS

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width • North • South • East • West	 N/A N/A N/A N/A		 6 feet 10 feet 0 feet 0 feet	 N/A N/A N/A N/A
Max. Wall Height	6 to 8 Feet Adjacent to Residential 10 Feet with retaining		6 feet adjacent to north, south perimeter 8.5 feet adjacent to portions of north and east perimeter	Y

Pursuant to Title 19.04, the following streetscape standards apply to the subject site:

Streetscape Standards	***Required***	***Provided***	***Compliance***
Min. Right-of-Way Width	47 feet	47 feet	Y
Sidewalk	Min. 5 feet; both sides of street	5 feet; both sides of street	Y
Amenity Zone	Min. 5 feet from edge of private lots; both sides of street	5 feet from edge of private lots; both sides of street	Y
Trees	1 – 24-inch box shade tree per lot within amenity zone	1 – 24-inch box shade tree per lot within amenity zone	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Donald Road	N/A	N/A	50	N/A
Dorrell Lane	N/A	N/A	60	N/A

19.04.040 Connectivity			
Transportation Network Element		***# Links***	***# Nodes***
Internal Street		4	
Intersection – Internal			2
Cul-de-sac Terminus			1
Intersection – External Street or Stub Terminus			0
Intersection – Stub Terminus w/ Temporary Turn Around Easements			0
Non-Vehicular Path - Unrestricted		0	
Total		4	3
	Required	***Provided***	
Connectivity Ratio (Links / Nodes):	**1.30**	**1.33**	

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Single Family, Detached	31	2 spaces/ unit	62				
TOTAL SPACES REQUIRED			62		62		Y
Regular and Handicap Spaces Required			62	0	62	0	Y

ANALYSIS

A portion of the site is located within 330 feet of a Rural Preservation Neighborhood as defined by Title 19.18 and identified by the Land Use and Rural Neighborhoods Preservation Element of the Las Vegas 2020 Master Plan. As the subject site is already zoned R-1 (Single Family Residential) and the General Plan Land Use designation is L (Low Density Residential), no action needs to be taken regarding the maintenance of the area's rural character. The net density of the proposed subdivision is 4.56 dwelling units per acre, well below the maximum for the L designation.

The proposed subdivision features lots ranging in size from 6,549 square feet to 11,309 square feet. Lot coverage cannot be determined by this map; however, not all of the proposed floor plans will adequately fit on the lots with every option available. A lot-fit analysis will be needed if approved. The streets are public and conform to the Narrow Lot Residential Street section referenced in Title 19.04, including the five-foot amenity zones on private lots with one tree to be planted per lot. Paradise Encore Street is a through street, so access can be taken from either

Dorrell Lane on the south or from Donald Road on the north. The required connectivity ratio is met by the proposal, due to the internal street turning northward from a knuckle. The westernmost street segment must either be given the suffix "Court" and the adjacent street the suffix "Avenue," or alternatively, the two segments together may contain the suffix "Way." As a condition of approval, all street names must adhere to the City's Street Naming Standards.

Walls proposed on the perimeter are a maximum of six feet screening, with 2.5 feet of retaining in the worst-case scenario along portions of the north and east perimeter. These walls are in conformance with Title 19.06 requirements and no variance is required. Landscaping is not required along perimeter streets that are less than 80 feet wide; however, trees and shrubs will be provided along both Dorrell Lane and Donald Road, providing balance to the tree-lined interior streets.

All of the requested setback variances are on corner lots, which in several cases also require the narrower lots. The typical lot width is 60 feet, although most of the corner lots are wider. There is nothing regarding the land itself that prevents subdividing into 65-foot wide lots or more in conformance with Title 19.06. Staff has previously supported a less restrictive front yard setback in the instances where the dwelling has met the required 20 feet but a side-loaded garage encroaches into that setback. However, in this case, the requested lots are narrower in addition to the closer garage, which creates a less desirable compact development that was not intended for this area of the city. Staff therefore recommends denial of the requests, with conditions.

FINDINGS (VAR-48169)

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. The applicant has created a self-imposed hardship by providing narrower lots that require less restrictive setbacks to accommodate the proposed product design. Designing fewer lots, with 65-foot widths and dwelling footprints that would allow for at least 20 feet of space in the front and 15 feet on the corner sides would conform 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 (TMP-48166)

The proposed map is in conformance with Title 19 and NRS requirements for tentative maps, except Title 19.16.050, which states that, "No application for a tentative map is eligible for approval unless it is determined that the proposed subdivision will be in conformance with all applicable zoning regulations, including all applicable provisions of this Title; the zoning classification of the site; and all zoning, master plan or site plan approvals for the site, including all applicable conditions that are in effect." In this case, the proposed subdivision does not meet the minimum lot width, front and corner side setback requirements of Title 19.06, and staff does not support the related variance to allow less restrictive standards for the proposed lots.

NOTICES MAILED 363

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-48169 APN: 125-24-503-004

Name of Property Owner: Iverson William C Jr

Name of Applicant: D R Horton

Name of Representative: Taney Engineering

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

☐ Yes ☒ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: William C Iverson JR

Subscribed and sworn before me

This 3rd day of January, 2013

Darlene Tactacan

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DARLENE TACTACAN
No: 97-3665-1
My Appointment Expires Sept. 15, 2013

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-48169** APN: 125-24-503-008 & 009, 011 & 017

Name of Property Owner: Pay Dirt Irrevocable Business Trust

Name of Applicant: DR Horton, Inc.

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: Aspen Financial Services as Servicing Agent for Trusts (owners) Elaine Elliott, V.P.

Print Name: Elaine Elliott Vic President

Subscribed and sworn before me

This 10th day of September, 2012

Jennifer Adams

Notary Public in and for said County and State

JENNIFER ADAMS
Notary Public
State of Nevada
My Commission Expires: 07-25-15
Certificate No: 03-83741-1

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance - Setback/Lot Width

Project Address (Location) Decatur and Dorrelll

Project Name Decatur and Dorrell **Proposed Use** Single Family

Assessor's Parcel #(s) 125-24-503-004 **Ward #** 6

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

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

Gross Acres 7.4 **Lots/Units** 31 **Density** 4.19

Additional Information _____

PROPERTY OWNER Iverson William C Jr **Contact** _____

Address 7121 W CRAIG RD #113 PMB **Phone:** _____ **Fax:** _____

City LAS VEGAS NV **State** NV **Zip** 89129

E-mail Address _____

APPLICANT D R Horton **Contact** Bradley Burns

Address 330 Carousel Pkwy **Phone:** (702) 635-3600 **Fax:** _____

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

E-mail Address BBurns@DRHorton.com

REPRESENTATIVE Taney Engineering **Contact** Robert Cunningham

Address 6030 South Jones Blvd #100 **Phone:** (702) 362-8844 **Fax:** (702) 362-5233

City Las Vegas **State** NV **Zip** 89118

E-mail Address RC@taneycorp.com

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

Property Owner Signature* _____

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

Print Name William C Iverson Jr.

Subscribed and sworn before me

This 5th day of January, 20 13.

Darlene Tactacan

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DARLENE TACTACAN
No: 97-3665-1
My Appointment Expires Sept. 15, 2013

FOR DEPARTMENT USE ONLY

Case #	VAR-48169
Meeting Date:	3/12/13
Total Fee:	$830 -
Date Received:*	1/24/13
Received By:	

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

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Variance

Project Address (Location) Northwest Corner of Decatur Blvd and Dorell Lane

Project Name Decatur and Dorell **Proposed Use** SFR

Assessor's Parcel #(s) 125-24-503-008 & 009, 011 & 017 **Ward #** 6

General Plan: existing _____ proposed _____ **Zoning:** existing R1 proposed R1

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

Gross Acres 11.70 **Lots/Units** _____ **Density** _____

Additional Information Variance to reduce the lots width

PROPERTY OWNER Pay Dirt Irrevocable Business Tr **Contact** _____

Address 7900 W. Sahara Avenue, Ste. 200 **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89117-7921

E-mail Address _____

APPLICANT DR Horton Inc **Contact** Barbara Bross

Address 330 Carousel Parkway **Phone:** _____ **Fax:** _____

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

E-mail Address babross@drhorton.com

REPRESENTATIVE Taney Engineering **Contact** Jody M. Mudano

Address 6030 S. Jones Blvd, Ste. 100 **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89118

E-mail Address jodym@taneycorp.com

Aspen Financial Services as Servicing Agent For Trusts (owners) Elaine Elliott, V.P.

Property Owner Signature* _____

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

Print Name Elaine Elliott

Subscribed and sworn before me

This 10th day of September, 20 13.

Jennifer Adams

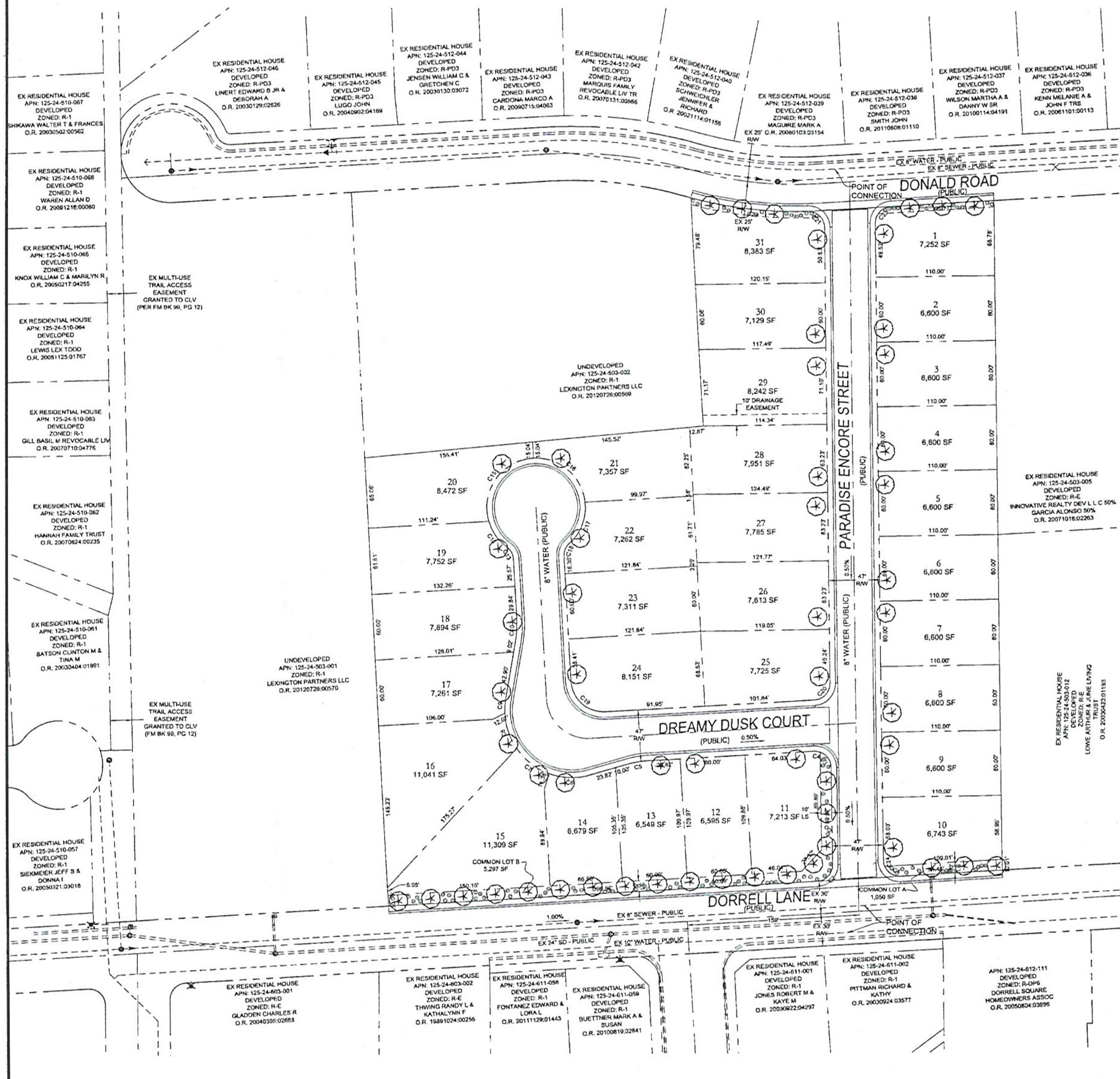
Notary Public in and for said County and State

JENNIFER ADAMS
Notary Public
State of Nevada
My Commission Expires: 07-25-15
Certificate No: 03-83741-1

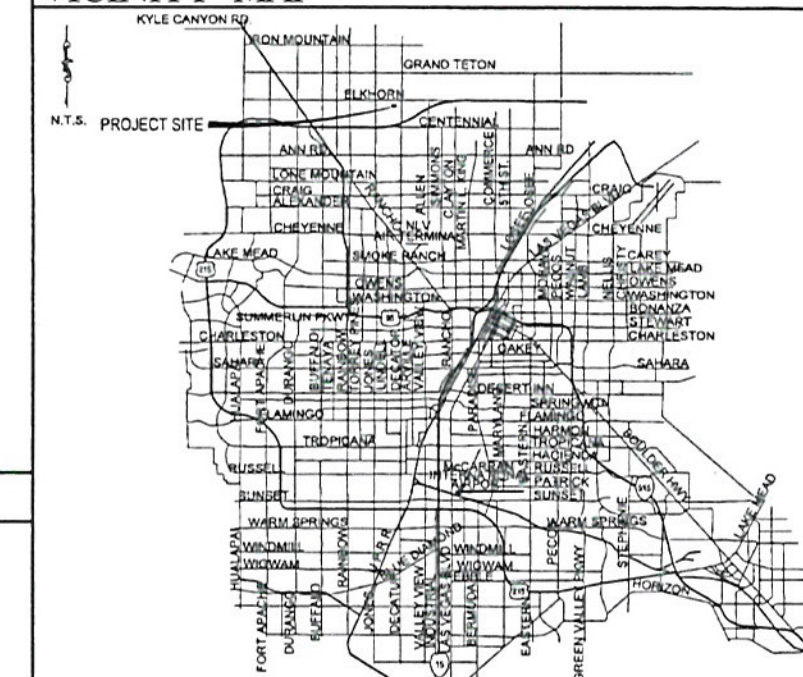
FOR DEPARTMENT USE ONLY

Case #	VAR-48169
Meeting Date:	3/12/13
Total Fee:	$830.-
Date Received:*	1/24/13
Received By:	

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



VICINITY MAP



OWNER

PAYDIRT IRREVOCABLE BUS TRUST
7900 W SAHARA AVE #200
LAS VEGAS NV 89117-7921

OWNER

IVERSON WILLIAN C JR
7121 W CRAIG RD #113 PMB 102
LAS VEGAS NV 89129-6023

DEVELOPER

DR HORTON
330 CAROUSEL PKWY
HENDERSON, NV 89014

LEGAL DESCRIPTION

ALL OF LOTS 232,233,234,235A, 235B AND 237 OF THE SURVEY TITLED "PLAT OF SURVEY FOR THE CITY OF LAS VEGAS", RECORDED IN FILE 52, PAGE 70 OF THE OFFICIAL RECORDS OF CLARK COUNTY, NEVADA, SITUATED WITHIN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

BASIS OF BEARINGS

SOUTH 00°46'17" EAST

BEING THE CENTERLINE OF DECATUR BOULEVARD AS SHOWN ON THE SURVEY TITLED "PLAT OF SURVEY FOR CITY OF LAS VEGAS", RECORDED IN FILE 52, PAGE 70 OF SURVEYS, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA.

BENCHMARK

CITY OF LAS VEGAS BENCHMARK NUMBER

6LV9013SSE6

ELEVATION 705.5806 METERS (NAVD 88) 2,315.86 FEET

RIVET AND PLATE IN THE TOP OF CURB AT THE NORTHWEST CORNER OF THOM BOULEVARD AND ELKHORN ROAD.

GENERAL NOTES

1. ALL IMPROVEMENTS SHALL CONFORM TO THE CLARK COUNTY STANDARDS AND SPECIFICATIONS.
2. UTILITIES:

WATER	LAS VEGAS VALLEY WATER DISTRICT
SEWER	CITY OF LAS VEGAS
POWER	NV ENERGY
TELEPHONE	CENTURYLINK
GAS	SOUTHWEST GAS CORPORATION
CATV	COX CABLE
SOLID WASTE DISPOSAL	REPUBLIC SERVICES

3. UTILITY EASEMENTS TO BE DEDICATED TO RESPECTIVE AGENCIES.
4. THIS DEVELOPMENT IS SHOWN IN ITS ENTIRETY AND IS NOT PART OF ANY MASTER PLAN.
5. PEAK SEWAGE CONTRIBUTION 7,650 GPD AVERAGE 26,775 GPD PEAK
6. FIRM PANEL 32003C1765 F, REVISED NOVEMBER 16, 2011. ENTIRE AREA WITHIN FEMA ZONE "X".
7. PROTECTIVE COVENANTS AND/OR DEED RESTRICTIONS ARE TO BE GENERATED INTO A SEPARATE DOCUMENT AND RECORDED.
8. THERE ARE NO KNOWN EXISTING FAULTS OR FISSURES ON THE SITE.
9. THERE IS NO KNOW GROUND WATER AT A DEPTH LESS THAN 20-FEET. A SOILS REPORT IS BEING PREPARED TO VERIFY THE DEPTH OF GROUNDWATER.
10. PERIMETER AND ENTRY LANDSCAPE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

SCALE

50 0 25 50 100 200
(IN FEET)
1 inch = 50 ft.

UTILITY LOCATIONS

WATER - NEAREST WATER POINT OF CONNECTION IS LOCATED IN DONALD ROAD (8") AND DORRELL ROAD (10"). LVVWD IS THE PURVEYOR.

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ABBREVIATIONS

AC	ASPHALTIC CONCRETE	NTS	NOT TO SCALE
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BW	BOTTOM OF EXISTING WALL	PE	POLYETHYLENE
CATV	CABLE TELEVISION	PI	POINT OF INTERSECTION
CC	CLARK COUNTY	PL	PROPERTY LINE
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DIP	DUCTILE IRON PIPE	RT	RIGHT
EC	END OF CURVE	SD	STORM DRAIN
EP	EDGE OF PAVEMENT	SL	STREETLIGHT
EVC	END VERTICAL CURVE	SNWA	SOUTHERN NEVADA WATER AUTHORITY
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FT	FEET	TC	TOP OF CURB
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INV	INVERT	TYP	TYPICAL
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LT	LEFT	VC	VERTICAL CURVE
LVVWD	LAS VEGAS VALLEY WATER DISTRICT	VCP	VITRIFIED CLAY PIPE
MAX	MAXIMUM	VG	VALLEY GUTTER
MH	MANHOLE	W	WATER
MIN	MINIMUM	ZC	ZERO LIP CURB

CURVE TABLE

Curve #	Length	Radius	Delta
C1	18.46'	15.00'	070°31'44"
C2	22.92'	15.00'	087°32'12"
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LEGEND

RIGHT-OF-WAY
BOUNDARY LINE
PROPERTY LINE
EASEMENT
STREET CENTERLINE
LOT NUMBER
WATER LINE
SEWER LINE W/ MANHOLE
EDGE OF PAVEMENT

SITE INFORMATION

ASSESSORS PARCEL NUMBERS	125-24-503-004, 125-24-503-006, 125-24-503-009, 125-24-503-011 & 125-24-503-017
PROPOSED USE OF PROPERTY	SINGLE FAMILY RESIDENTIAL SUBDIVISION
EXISTING ZONING	R-1
PROPOSED ZONING	R-1
TOTAL PROPOSED LOTS	31 RESIDENTIAL LOTS 2 COMMON LOTS
GROSS ACREAGE	7.4
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DENSITY (BASED ON GROSS ACREAGE)	4.19 LOTS/ACRE
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LARGEST LOT SIZE	11,200 SF

CONNECTIVITY RATIO

LINKS: 4
NODES: 3
RATIO: 1.33

TREE / PLANT SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
(tree)	Approx. 153	24" BOX	30' On Center	MONDEL PINE	Pinus eldarica
(shrub)	Approx. 565	1 - 5 Gallon	N/A	DESERT BROOM	Baccharis sarothroides

VAR-48169
TMP-48166

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REVISIONS

NO.	DESCRIPTION	BY	DATE	APPR

DR HORTON
330 CAROUSEL PKWY
HENDERSON, NV 89014
(702) 635-3600 FAX:

TANEY ENGINEERING
6030 S. JONES BLVD STE# 100
LAS VEGAS, NV 89118
(702) 362-8844 FAX: (702) 362-5233

DECATUR & DORRELL
A RESIDENTIAL SUBDIVISION

LANDSCAPE PLAN

REGISTERED PROFESSIONAL ENGINEER STATE OF NEVADA ROBERT D. CUNNINGHAM Exp. 12-31-14 CIVIL No. 15726
ENGINEER'S SEAL 1/24/13

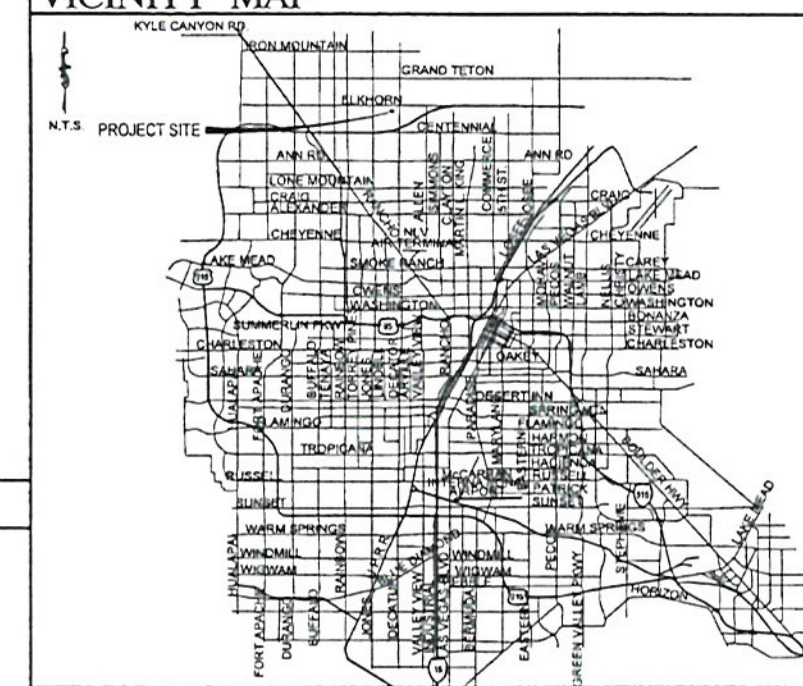
DATE:	01.03.13
SCALE:	1"=50'
JOB NO:	DRH-12-049
DESIGNED BY:	MC
CHECKED BY:	RDC
SHEET NAME:	LS1
SHEET:	1 OF 1

RECEIVED
JAN 2 4 2013

FILE NAME: TM.DWG



VICINITY MAP



OWNER	OWNER	DEVELOPER
PAYDIRT IRREVOCABLE BUS TRUST 7900 W SAHARA AVE #200 LAS VEGAS NV 89117-7921	IVERSON WILLIAN C JR 7121 W CRAIG RD #113 PMB 102 LAS VEGAS NV 89129-6023	DR HORTON 330 CAROUSEL PKWY HENDERSON, NV 89014

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NODES: 3
RATIO: 1.33

VAR-48169
TMP-48166

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FILE NAME: TM.DWG

NO	DESCRIPTION	BY	DATE	APPR.
	REVISIONS			

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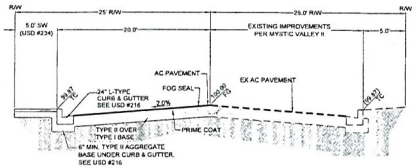
DECATUR & DORRELL
A RESIDENTIAL SUBDIVISION

TENTATIVE MAP

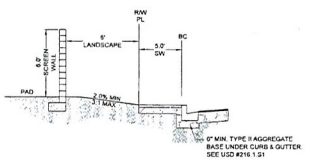
PROFESSIONAL ENGINEER STATE OF NEVADA ROBERT D. CUNNINGHAM Exp. 12-31-14 CIVIL No. 15726 REGISTERED
1/24/13
ENGINEER'S SEAL

DATE:	01.03.13
SCALE:	1"=50'
JOB NO:	DRH-12-049
DESIGNED BY:	MC
CHECKED BY:	RDC
SHEET NAME:	TM1
SHEET:	1 OF 2

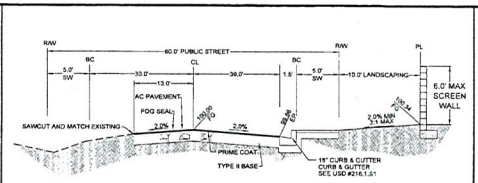
RECEIVED
JAN 2 4 2013



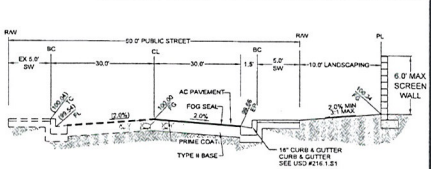
SECTION A
50' PUBLIC STREET SECTION - DONALD ROAD



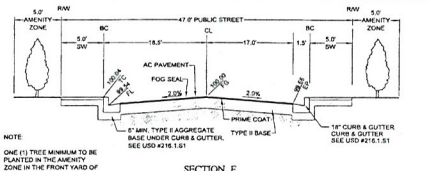
SECTION B
NORTH BOUNDARY



SECTION C
SOUTH BOUNDARY

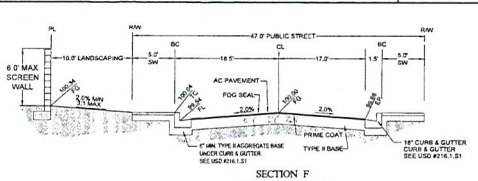


SECTION D
SOUTH BOUNDARY

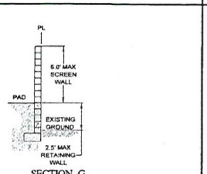


NOTE:
ONE (1) TREE MINIMUM TO BE PLANTED IN THE AMENITY ZONE IN THE FRONT YARD OF EACH RESIDENTIAL LOT IN ACCORDANCE WITH TITLE 19.

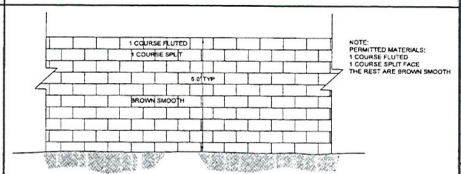
SECTION E
TYPICAL 47-FT WIDE PUBLIC DRIVE



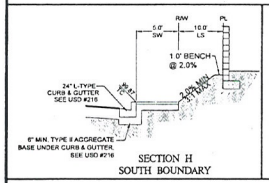
SECTION F
SOUTH ENTRANCE



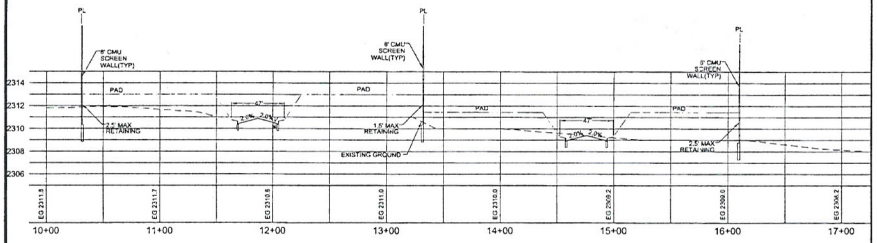
SECTION G
NORTH/EAST BOUNDARY



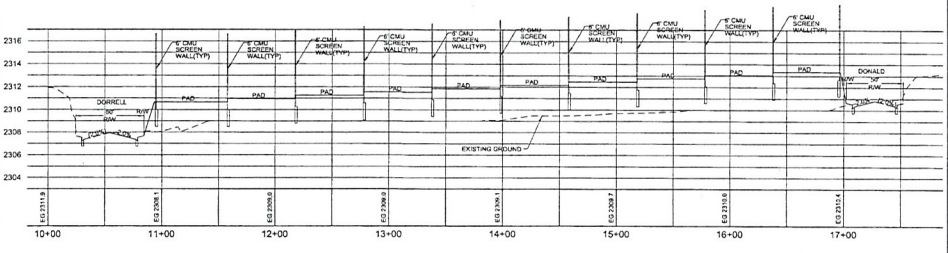
PERIMETER DECORATIVE BLOCK WALL SECTION



SECTION H
SOUTH BOUNDARY



SECTION I
EAST TO WEST CROSS SECTION
H SCALE: 1"=50'
V SCALE: 1"=5'



SECTION K
NORTH TO SOUTH CROSS SECTION
H SCALE: 1"=50'
V SCALE: 1"=5'

VAR-48169
TMP-48166

RECEIVED
JAN 2 4 2013

NO.	DESCRIPTION	BY	DATE	APPR.
	REVISIONS			

DR HORTON
330 CARONDELET PKWY
HENDERSON, NV 89014
(702) 453-3000 FAX

TANEY ENGINEERING
6030 S. JONES BLVD STE# 100
LAS VEGAS, NV 89118
(702) 362-8844 FAX (702) 362-5233

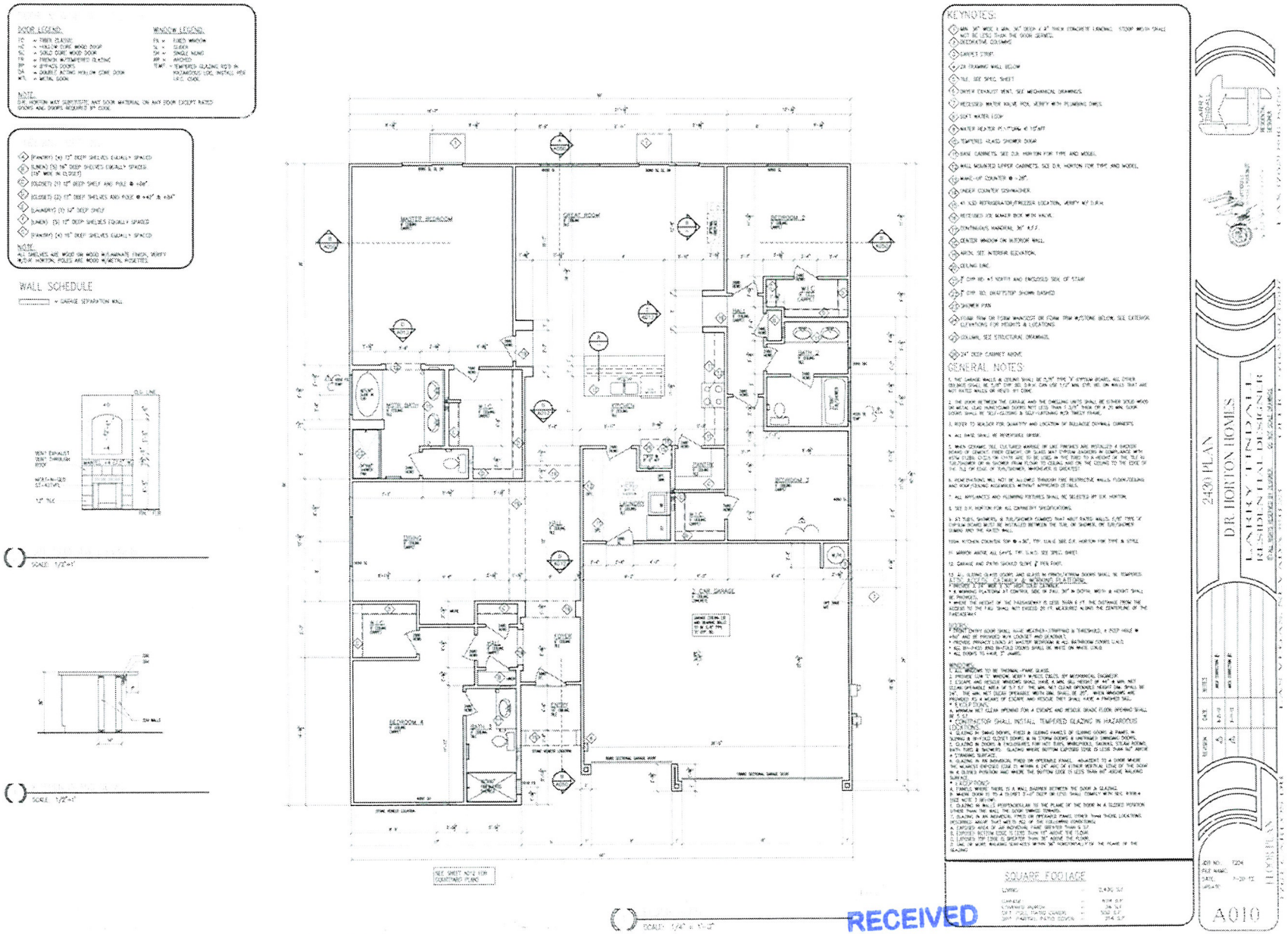
DECATUR AND DORRELL
A RESIDENTIAL SUBDIVISION

TENTATIVE MAP

ROBERT D. CUNNINGHAM
Exp. 12/31/14
CIVIL
No. 15726
ENGINEER'S SEAL

DATE:	01.03.13
SCALE:	NTS
JOB NO:	DRH-12-049
DESIGNED BY:	MC
CHECKED BY:	RDC
SHEET NAME:	TM2
SHEET:	2 OF 2

FILE NAME: TM-2.DWG



RECEIVED
JAN 2 4 2013

VAR-48169
TMP-48166

SCANNED

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 R17 IN HAZARDOUS LOC. INSTALL PER I.R.C. CODE.

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

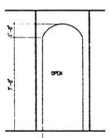
SHELVING OPTIONS

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

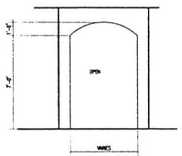
NOTE:
ALL SHELVES ARE WOOD OR WOOD W/LAMINATE FINISH, VERIFY W/D.R. HORTON, POLES ARE WOOD W/METAL ROSETTES

WALL SCHEDULE

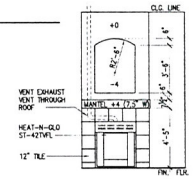
= GARAGE SEPARATION WALL



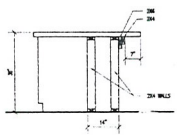
SCALE: 1/4" = 1'-0"



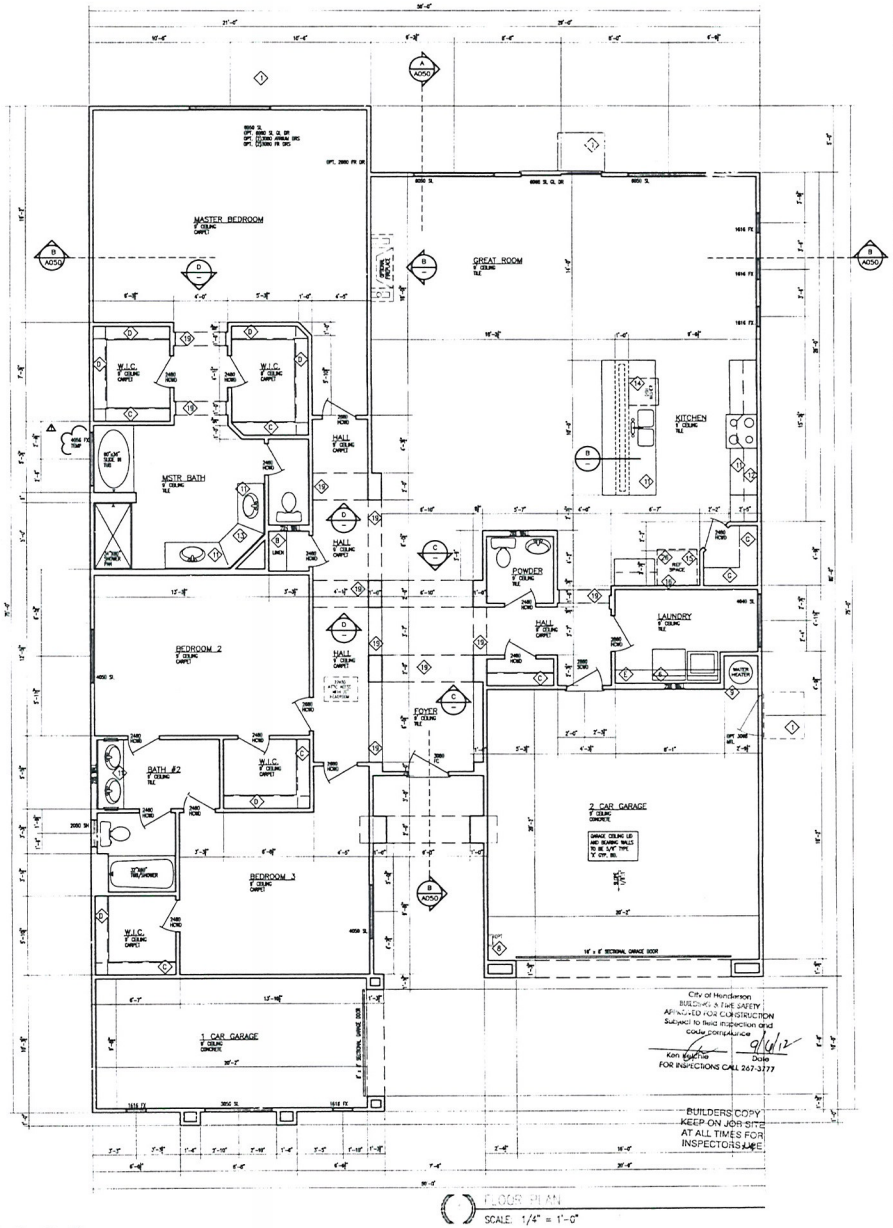
SCALE: 1/4" = 1'-0"



SCALE: 1/2"=1'



SCALE: 1/2"=1'



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" A/F.F.
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. 1/2" GYP. BD. AT SOFFIT AND ENCLOSED SIDE OF STAIR
22. 1/2" GYP. BD. DRAFTSTOP SHOWN DASHED
23. 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 HOMETOWN 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 BUILTNOSE DRYWALL CORNER'S.

4. ALL BASE SHALL BE REVERSIBLE GRADE.

5. WHEN CERAMIC TILE, CULTURED MARBLE OR LIKE FINISHES ARE INSTALLED A BACKER BOARD OF CEMENT, FIBER CEMENT, OR GLASS MAT GYPSUM BACKERS IN COMPLIANCE WITH ASTM C1288, C1325 OR C1178 ARE TO BE USED IN THE TUBS TO A HEIGHT OF 7'6" 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.

11.02. 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 2" PER FOOT.

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

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

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

WINDOWS:
1. ALL WINDOWS TO BE THERMAL-PANE GLASS.
2. PROVIDE LOW 'E' WINDOW, VERIFY W/ECC CALCS. BY MECHANICAL ENGINEER.
3. ESCAPE AND RESCUE WINDOWS SHALL HAVE A 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	=	2,530 S.F.
1 CAR GARAGE	=	207 S.F.
2 CAR GARAGE	=	429 S.F.
COVERED PORCH	=	66 S.F.
FULL PATIO COVER	=	335 S.F.
PARTIAL PATIO COVER	=	294 S.F.

LARRY LINDALL RESIDENTIAL DESIGNER
REGISTERED BUILDING DESIGNER
K.S.F. STATE OF NEVADA
LAS VEGAS, NEVADA 89129 (702) 562-5042

D.R. HORTON HOMES
2530 PLAN
LARRY LINDALL RESIDENTIAL DESIGNER
©ALL RIGHTS RESERVED COPYRIGHT 2012
DO NOT SCALE DRAWINGS

REVISION	DATE	NOTES
4	9-11-12	ADD DIMENSION #1

LAS VEGAS, NEVADA 89129

JOB NO.: 1102
FILE NAME:
DATE: 7-20-12
UPDATE:

FLOOR PLAN

A010

SCANNED

VAR-48169
TMP-48166

RECEIVED
JAN 24 2013



VAR-48169 & TMP-48166 - APPLICANT: DR HORTON, INC. - OWNER: PAY DIRT IRREVOCABLE BUSINESS TRUST ET AL, ET AL
NORTH SIDE OF DORRELL LANE, APPROXIMATELY 420 FEET WEST OF DECATUR BOULEVARD

01/31/13



VAR-48169 & TMP-48166 - APPLICANT: DR HORTON, INC. - OWNER: PAY DIRT IRREVOCABLE BUSINESS TRUST ET AL, ET AL
NORTH SIDE OF DORRELL LANE, APPROXIMATELY 420 FEET WEST OF DECATUR BOULEVARD

01/31/13

TANEY ENGINEERING
6030 SOUTH JONES BLVD. #100
LAS VEGAS, NV 89118
TELEPHONE: 702-362-8844
FAX: 702-362-5233

January 24, 2013

City of Las Vegas Planning Department
333 N. Rancho Drive
Las Vegas, NV 89106
Phone: (702) 229-6301
Fax: (702) 474-7463

RE: Justification letter for Tentative Map and Variance Request for Decatur & Dorrell (APN: 125-24-503-004, 008, 009, 011, & 017; 31 lots on 7.4 gross acres)

To Whom It May Concern:

Taney Engineering, on behalf of the applicant, D.R. Horton, respectfully submits this justification letter in support of a Tentative Map and a Variance on the subject site. The subject site is generally located northwest of Decatur Blvd and Dorrell Lane. The Assessor's Parcel Numbers are 125-24-503-004, 008, 009, 011 & 017 and contains approximately 7.4 gross acres.

The purpose of this Tentative Map is to develop the site to a single family residential development. The proposed development consists of 31 single family homes on 7.4 gross acres with a density of 4.19 units per acre. The proposed site is currently zoned R-1 which is consistent with the proposed development. The proposed development will have typical lot sizes of 60X110 with a minimum lot size of 6,600 square feet. The proposed development meets the City of Las Vegas connectivity Ratio of 1.33. The development complies with R-1 lot square footage and front, rear, and side setbacks. The proposed development will require a variance for minimum lot width, corner yard setbacks and front yard setbacks.

Requested waivers and justifications:

1). Required: Minimum lot width of 65 feet

Proposed: Minimum lot width of 60 feet

Justification: the proposed typical lot size is 60 X 110 which with an average lot size of 7,000 square feet. Although the minimum lot width is 60 feet the proposed development minimum lot size exceeds the R-1 zone districts minimum lot square footage of 6,500 square feet.

VAR-48169
TMP-48166

2). Required: Corner yard setback of 15 feet

Proposed: Corner yard setback of 10 feet

Justification: the proposed waiver will impact 4 lots (Lot 1, 24, 25, and 31) approx. 12.9% of the 31 lot development. The side corners will be landscaped to provide buffering from the corner wall. Additionally, the corner walls will be constructed of decorative masonry wall to enhance the block and conditions.

3). Required: Front yard setback of 20 foot

Proposed: Front yard setback of 10 feet

Justification: These variance is requested only on 3 lots (1, 10 & 11) approx. 10% of the total lots in the development. These lots have a slightly irregular shape; they are all side corner lots that don't have parallel side property lines. This results in the lots being narrower at one end. We are requesting the variance to allow a 10-ft front setback, this will allow the side loaded garage portion of the home to be at a 10-ft setback and still provide a 20-ft deep driveway to the non-side loaded garage.

If you have any questions or need any additional information please do not hesitate to contact this office.

Sincerely,

Robert D. Cunningham, PE
Taney Engineering

VAR-48169
TMP-48166

City of Las Vegas Agenda Item No.: **21.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

SUBJECT:
TMP-48166 - TENTATIVE MAP RELATED TO VAR-48169 - DECATUR & DORRELL - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: PAY DIRT IRREVOCABLE BUSINESS TRUST ET AL, ET AL - For possible action on a request for a Tentative Map FOR A 31-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 7.40 acres adjacent to the north side of Dorrell Lane, approximately 420 feet west of Decatur Boulevard (APNs 125-24-503-004, 008, 009, 011 and 017), R-1 (Single Family Residential) Zone, Ward 6 (Ross). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

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

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **TMP-48166** APN: 125-24-503-008 & 009, 011 & 017

Name of Property Owner: Pay Dirt Irrevocable Business Trust

Name of Applicant: DR Horton, Inc.

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: Aspen Financial Services as Servicing Agent fo Trusts (owners) Elaine Elliott V.P.

Print Name: Elaine Elliott Vic President

Subscribed and sworn before me

This 10th day of September, 2012

Jennifer Adams

Notary Public in and for said County and State

JENNIFER ADAMS
Notary Public
State of Nevada
My Commission Expires: 07-25-15
Certificate No: 03-83741-1

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: TMP-48166 APN: 125-24-503-004

Name of Property Owner: Iverson William C Jr

Name of Applicant: D R Horton

Name of Representative: Taney Engineering

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: William C Iverson Jr.

Subscribed and sworn before me

This 5th day of January, 2013

Darlene Tactacan

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DARLENE TACTACAN
No: 97-3665-1
My Appointment Expires Sept. 15, 2013

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Tentative Map

Project Address (Location) Northwest Corner of Decatur Blvd and Dorell Lane

Project Name Decatur and Dorell **Proposed Use** SFR

Assessor's Parcel #(s) 125-24-503-008 & 009, 011 & 017 **Ward #** 6

General Plan: existing _____ proposed _____ **Zoning:** existing R1 proposed R1

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

Gross Acres 11.70 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Pay Dirt Irrevocable Business Tr **Contact** _____

Address 7900 W. Sahara Avenue, Ste. 200 **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89117-7921

E-mail Address _____

APPLICANT DR Horton Inc **Contact** Barbara Bross

Address 330 Carousel Parkway **Phone:** _____ **Fax:** _____

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

E-mail Address babross@drhorton.com

REPRESENTATIVE Taney Engineering **Contact** Jody M. Mudano

Address 6030 S. Jones Blvd, Ste. 100 **Phone:** _____ **Fax:** _____

City Las Vegas **State** NV **Zip** 89118

E-mail Address jodym@taneycorp.com

Aspen Financial Services as servicing agent for Trusts(owners)

Property Owner Signature* Elaine Elliott, V.P.

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

Print Name Elaine Elliott

Subscribed and sworn before me

This 10th day of September, 20 13.

Jennifer Adams

Notary Public in and for said County and State

JENNIFER ADAMS
Notary Public
State of Nevada
My Commission Expires: 07-25-15
Certificate No: 03-83741-1

FOR DEPARTMENT USE ONLY

Case #	TMP-48166
Meeting Date:	3/12/13
Total Fee:	750.-
Date Received:*	1/24/13
Received By:	D. f

*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.

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Tentative Map

Project Address (Location) Decatur and Dorrelll

Project Name Decatur and Dorrell **Proposed Use** Single Family

Assessor's Parcel #(s) 125-24-503-004 **Ward #** 6

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

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

Gross Acres 7.4 **Lots/Units** 31 **Density** 4.19

Additional Information _____

PROPERTY OWNER Iverson William C Jr **Contact** _____

Address 7121 W CRAIG RD #113 PMB **Phone:** _____ **Fax:** _____

City LAS VEGAS NV **State** NV **Zip** 89129

E-mail Address _____

APPLICANT D R Horton **Contact** Bradley Burns

Address 330 Carousel Pkwy **Phone:** (702) 635-3600 **Fax:** _____

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

E-mail Address BBurns@DRHorton.com

REPRESENTATIVE Taney Engineering **Contact** Robert Cunningham

Address 6030 South Jones Blvd #100 **Phone:** (702) 362-8844 **Fax:** (702) 362-5233

City Las Vegas **State** NV **Zip** 89118

E-mail Address RC@taneycorp.com

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

Property Owner Signature* _____

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

Print Name William C Iverson Jr.

Subscribed and sworn before me

This 5th day of January, 2013.

Darlene Tactacan

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DARLENE TACTACAN
No: 97-3665-1
My Appointment Expires Sept. 15, 2013

FOR DEPARTMENT USE ONLY

Case #	TMP-48166
Meeting Date:	3/12/13
Total Fee:	750.-
Date Received:*	1/24/13
Received By:	

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

City of Las Vegas Agenda Item No.: **22.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

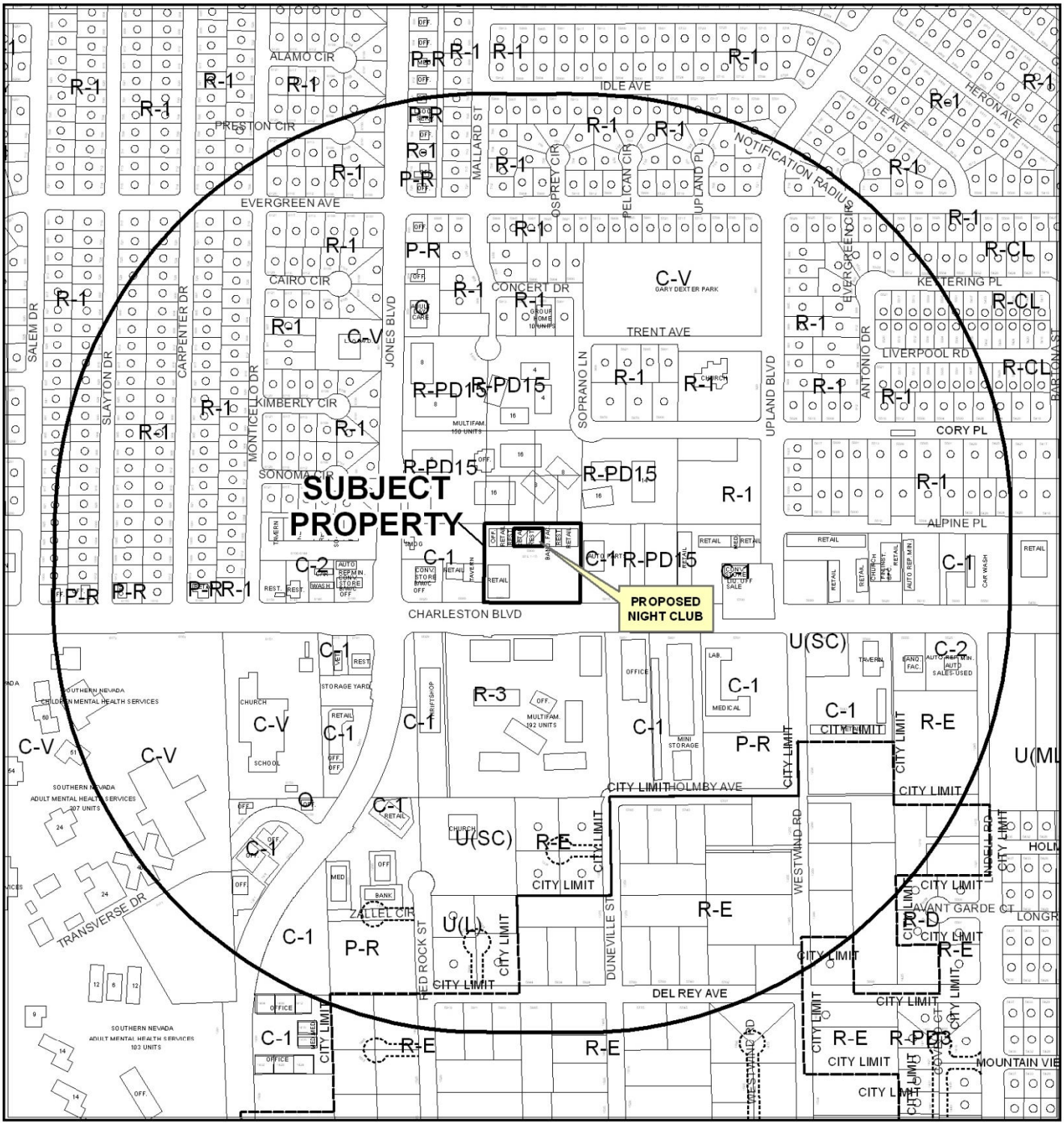
SUBJECT:
SUP-48035 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT - HOOKAH MASTER'S LOUNGE - OWNER: CHARLESTON MARKETPLACE MALCAI, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED NIGHT CLUB WITHIN AN EXISTING 5,775 SQUARE-FOOT RESTAURANT at 5900 West Charleston Boulevard, Suite #8 (APN 138-36-406-006), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 4/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

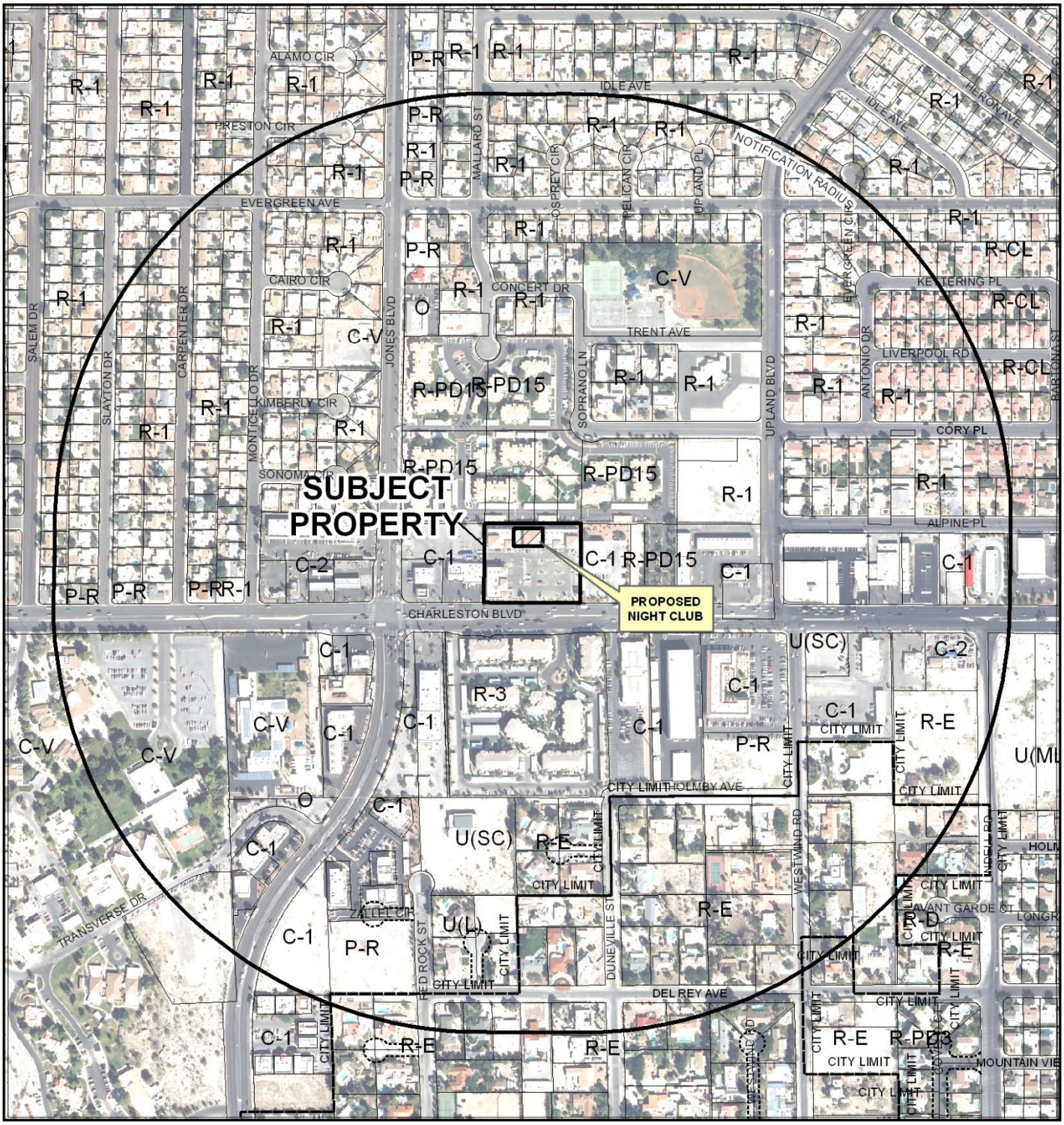
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report - SUP-48035
3. Supporting Documentation - SUP-48035 and SUP-48036
4. Photos - SUP-48035 and SUP-48036
5. Justification Letter - SUP-48035 and SUP-48036



CASE: **SUP-48035**

RADIUS: 1500 FEET

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



0 375 750 Feet

CASE: SUP-48035

RADIUS: 1500 FEET

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT - HOOKAH MASTER'S LOUNGE - OWNER: CHARLESTON MARKETPLACE MALCAI, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48035	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-48035 CONDITIONS

Planning

1. Conformance to the approved conditions for Rezoning (Z-0006-66) and Site Development Plan Review [Z-0006-66(42)].

2. Prior to issuance of a full business license for the use, noise impacts to surrounding properties shall be mitigated in conformance with the requirements of Title 9.16.

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.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant proposes to add a Night Club use to a proposed 5,775 square-foot restaurant at 5900 West Charleston Boulevard, Suite #8. The tenant space currently operates as a Banquet Facility with no alcohol service. With adequate soundproofing the use can be conducted in a manner that is harmonious and compatible with surrounding properties. Staff therefore recommends approval with conditions. If denied, the existing banquet facility may remain without the entitlement for live entertainment and dancing.

ISSUES

- A Night Club use is permitted in the C-1 (Limited Commercial) zoning district with approval of a Special Use Permit. There are no minimum requirements associated with this use.
- The applicant is also requesting approval of a Special Use Permit (SUP-48036) for a Supper Club in the same tenant space, under separate application.
- The proximity of residential uses to the north of this site must be given special attention, given the impacts of the proposed use to surrounding properties. A condition of approval will require noise attenuation to meet the requirements of Title 9.16 of the Las Vegas Municipal Code.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/02/66	The Board of City Commissioners approved a Rezoning (Z-0006-66) to C-1 (Limited Commercial) on the subject site as part of a larger request. The Planning Commission recommended approval.
10/18/99	The Planning Commission approved a Site Development Plan Review [Z-0006-66(42)] for a proposed single-story, 24,160 square-foot retail development on 2.12 acres on the north side of Charleston Boulevard, approximately 300 feet east of Jones Boulevard. Staff recommended approval.
02/16/05	The City Council approved a Special Use Permit (SUP-5659) for a proposed Beer/Wine/Cooler On-Sale Establishment at 5900 West Charleston Boulevard, Suite #4. The Planning Commission and staff recommended approval.
12/17/12	Business Licensing Enforcement processed a case (123271) regarding a complaint about an event at 5900 West Charleston Boulevard, Suite #8 that would be allowing minors to attend. The case was closed by Licensing Enforcement on 01/08/13.

Most Recent Change of Ownership	
04/13/06	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/10/00	A building permit (#00014909) was issued for a retail shell building at 5900 West Charleston Boulevard. A final inspection was completed 08/03/01.
08/23/02	A business license (R10-00773) was issued for a Deli/Market at 5900 West Charleston Blvd., Suite #4. The license is still active.
11/08/02	A business license (L09-00192) was issued for a Beer/Wine/Cooler On-Sale Establishment at 5900 West Charleston Boulevard, Suite #10. The license is still active.
	A business license (R09-01175) was issued for a Restaurant at 5900 West Charleston Boulevard, Suite #10. The license is still active.
01/12/04	A building permit (#04000582) was issued for a retail shell building at 5950 West Charleston Boulevard. A final inspection was completed 07/12/04.
03/22/12	A building permit (204198) was issued for a restaurant tenant improvement at 5900 West Charleston Blvd., Suite #8, combining Suites 5 through 9 into one suite. A final inspection was completed on 06/29/12.
05/02/12	A conditional temporary business license (D19-98417) was issued for a Night Club at 5900 West Charleston Blvd., Suite #8. The approval was conditioned on no alcohol sales or service, no teen dances or any other business requiring an additional license, submittal of a Special Use Permit application within 30 days, and voidance of the permit if complaints are made. On 01/28/13, the temporary license was extended to 04/17/13.
	A temporary business license (C05-98413) was issued for Tobacco Sales at 5900 West Charleston Blvd., Suite #8. The license is still active, and has been extended to 04/30/13.
12/11/12	A conditional temporary business license (B23-92775) was issued for a Banquet Facility at 5900 West Charleston Boulevard, Suite #8. The approval was conditioned on no alcohol sales or service, no teen dances or any other business requiring an additional license. The license is still active, and will expire 06/11/13.

Pre-Application Meeting	
12/26/12	A pre-application meeting was held with the applicant to discuss submittal requirements for two Special Use Permits—one for a Night Club and one for a Supper Club—within the subject restaurant. The applicant was provided with the minimum requirements for the Supper Club use and reminded that the requirements listed in the definition of the use are non-waivable.

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

Field Check	
01/31/13	The site contains two in-line retail buildings, parking and landscaping in good condition. The proposed use would be located in the larger north building, closest to existing apartment buildings. The existing restaurant occupies five tenant spaces.

Details of Application Request	
Site Area	
Net Acres	2.12

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Banquet Facility	MXU (Mixed Use)	C-1 (Limited Commercial)
North	Multi-Family Residential	M (Medium Density Residential)	R-PD15 (Residential Planned Development – 15 Units Per Acre)
South	Multi-Family Residential (Condominiums)	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Auto Parts (New & Rebuilt)	MXU (Mixed Use)	C-1 (Limited Commercial)
West	Liquor Establishment (Tavern)	MXU (Mixed Use)	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 (200 Feet)	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Redevelopment Area 2	Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.13, the following standards apply:

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	112	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	25,200 SF	1 space per 250 SF	101				
TOTAL SPACES REQUIRED			101		116		Y
Regular and Handicap Spaces Required			96	5	111	5	Y
Loading Spaces	25,200 SF	10,000-29,999 SF	2		2		Y

ANALYSIS

The subject site is located within the Airport Overlay District with regulations limiting height to 200 feet. The existing in-line commercial buildings are each one story and conform to the overlay district requirements. The site is also located within Redevelopment Area 2 with a MXU (Mixed Use) land use designation, which allows the proposed Night Club use.

The Night Club use is defined as "An establishment, other than a teen dance center, that is operated as a place of entertainment, characterized by any or all of the following as a principal use:

1. Live, recorded, or televised entertainment, including but not limited to performance by magicians, musicians or comedians.
2. Dancing."

The proposed use meets the definition, as the southwest portion of the tenant space is proposed to be reserved for a deejay and dancing. There are no minimum Special Use Permit requirements for this use.

At this time, the tenant space is operating as a Banquet Facility, a permitted use in the C-1 (Limited Commercial) District. Business activities are limited to the conditions of temporary licenses for a banquet facility, night club and tobacco sales until such time as a Special Use Permit is approved for a Night Club as required by Title 19.12. The stated hours of operation are from 11:00 a.m. to 2:00 a.m. Sunday through Thursday and 11:00 a.m. to 4:00 a.m. Friday and Saturday, concurrent with the hours of the proposed restaurant. The Night Club activities will not begin until 10:00 p.m. nightly. Alcohol service and sales are not a part of this use; however, the applicant is also requesting a Supper Club within the tenant space as part of the restaurant operations.

The building where the Night Club use is proposed is located approximately 100 feet from existing apartment dwellings to the north of the site. The area in between contains landscaping, a perimeter wall, accessory garages, parking and parking canopies. Even with these buffers in place, there is concern that unwanted sound could pose a nuisance threat to the residents. A condition of approval requires any mitigation necessary to conform with the City's noise ordinance.

As the proposed use can be conducted in a manner that is harmonious and compatible with surrounding properties with implementation of the conditions of approval, staff recommends approval of the Special Use Permit with conditions.

FINDINGS (SUP-48035)

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 Night Club would be compatible with the existing commercial developments to the east and west and the multi-family residential developments to the north and south as long as noise is abated to conform with Title 9 regulations.

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

   The building in which the use is proposed is located within a Shopping Center with adequate parking facilities. The employment of techniques for the attenuation of sound emanating from the building may be necessary in order to comply with the minimum requirements of the Title 9 noise ordinance.

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.**

   Charleston Boulevard, a 100-foot Primary Arterial as classified by the Master Plan of Streets and Highways Map, provides adequate access to the property by way of a single driveway.

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 Night Club will be subject to licensing and regular inspection and thus will not compromise the public health, safety and general welfare.

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

   There are no minimum requirements for the Night Club use in Title 19.12.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 32

NOTICES MAILED 456

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

RECEIVED

JAN 15 2013

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-48035 APN: 13836406006

Name of Property Owner: CHARLESTON MARKETPLACE MALCAI

Name of Applicant: HOOKAH MASTER'S LOUNGE

Name of Representative: SARKIS ARSHAKUNI

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: Masao Ishihama

Print Name: MASAO ISHIHAMA

Subscribed and sworn before me

This 15 day of JANUARY, 2013

Desiree Lowery

Notary Public in and for said County and State

DESIREE MARIE LOWERY
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 4-15-2014
Certificate No: 10-1999-1

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: NIGHT CLUB

Project Address (Location) 5900 W CHARLESTON BLVD #8

Project Name HOOKAH MASTER'S LOUNGE **Proposed Use** NIGHT CLUB

Assessor's Parcel #(s) 13836406006 **Ward #** 1 - Tarkanian

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

Commercial Square Footage 5,775 **Floor Area Ratio** _____

Gross Acres 2.12 **Lots/Units** _____ **Density** _____

RECEIVED
JAN 15 2013

Additional Information _____

PROPERTY OWNER Charleston Marketplace Malcai **Contact** _____

Address PO BOX 70310 **Phone:** _____ **Fax:** _____

City PASADENA **State** CA **Zip** 91117-7310

E-mail Address _____

APPLICANT HOOKAH MASTER'S LOUNGE **Contact** SARKIS ARSHAKUNI

Address 5900 W CHARLESTON BLVD #8 **Phone:** (702) 776-8000 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89146

E-mail Address SARKIS@HOOKAHMASTERSLOUNGE.COM

REPRESENTATIVE SARKIS ARSHAKUNI **Contact** _____

Address 5900 W CHARLESTON BLVD #8 **Phone:** (702) 302-1317 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89146

E-mail Address SARKIS@HOOKAHMASTERSLOUNGE.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* Masao Ishikawa

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

Print Name MASAO ISHIKAWA

Subscribed and sworn before me

This 15 day of JANUARY, 20 13.

Desiree Lowery

Notary Public in and for said County and State

DESIREE MARIE LOWERY
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 4-15-2014
Certificate No: 10-1988-1

FOR DEPARTMENT USE ONLY

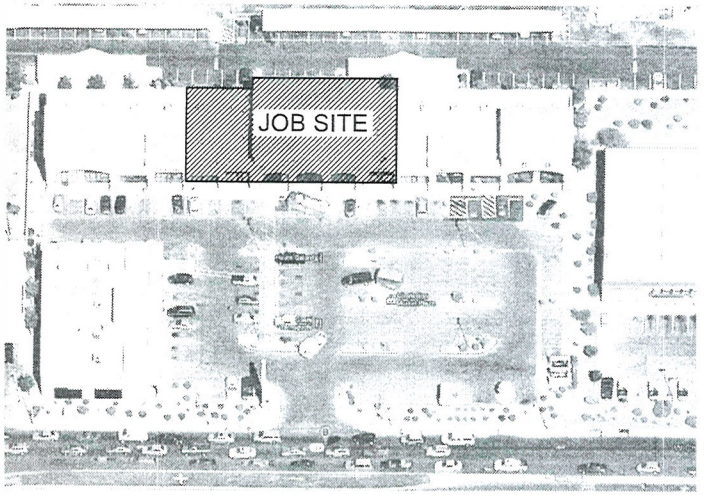
Case #	SUP 48035
Meeting Date:	3/12/2013
Total Fee:	1030.00
Date Received:*	1/15/2013
Received By:	

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

RECEIVED
JAN 15 2013

Hookah Master's Lounge

5900 West Charleston Blvd #8, Suite 5 Thru 9
City Of Las Vegas, Nevada 89146



SITE PLAN
NTS

VICINITY MAP



REQUIRED PLUMBING FIXTURES PER 2009 IBC TABLE 2902.1 FOR OCCUPANCY A2
MALE & FEMALE : 140 PEOPLE
1WC PER 75 , 1LAV PER 200

PLBG FIXTURES REQUIRED:
2-WC, 1-LAV, 1-SERVICE SINK

PLBG FIXTURES PROVIDED:
2-WC, 2-LAV, 1-SERVICE SINK

DRAWING INDEX

A-1	TITLE SHEET
A-2	FLOOR AND REFLECTED CEILING PLAN
A-3	REFLECTED CEILING DETAILS
M-1	HVAC PLAN SYMBOLS, SCHEDULE, NOTES & DIAGRAM
M-2	HVAC ROOF PLAN
M-3	KITCHEN HOOD DETAILS
P-1	PLUMBING SYMBOLS, SCHEDULES, NOTES & DIAGRAM
P-2	PLUMBING PLAN
E-1	ELECTRICAL SYMBOLS, SCHEDULES, NOTES & DIAGRAM
E-2	ELECTRICAL PLAN
EC1	2006 ENERGY COMPLIANCE REPORT

COMMERCIAL KITCHEN NOTES

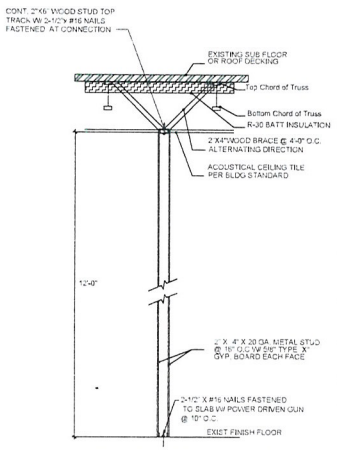
1. ALL WORKS AND MATERIALS SHALL COMPLY WITH 2006 IBC, UMC, UPC, NFPA, IECC, 2005 NEC, CLARK COUNTY HEALT DEPARTMENT, SOUTHERN NEVADA AND CITY OF LAS VEGAS LATEST RULES AND REGULATION.
2. ALL KITCHEN EQUIPMENT SHALL BE U.L. LISTED OR NSF APPROVED.
3. KITCHEN FLOOR SHALL BE TILES.
4. KITCHEN WALLS SHALL HAVE FRP PANELS OR STAINLESS STEEL.
5. KITCHEN CEILING SHALL BE T-BAR WASHABLE TYPE OR GYPSUM BOARD WITH SIMI GLOSE PAINT.
6. KITCHEN LIGHTING SHALL HAVE 50 FOOT CANDLE MINIMUM ILLUMINATION.
7. TYPE-I HOOD SHALL BE U.L. LISTED COMPLETE WITH EXHAUST FAN, GREASE DUCT, MAKE UP AIR UNIT, FIRE SUPRESSION SYSTEN AND STAINLESS STEEL BACKING.
8. ALL GAS COOKING EQUIPMENT SHALL HAVE A QUICK DISCONNECT GAS CONNECTOR.
9. ALL KITCHEN DRAINS AND INDIRECT DRAINS SHALL BE CONNECTED TO THE GREASE INTERCEPTOR.

PROJECT DATA

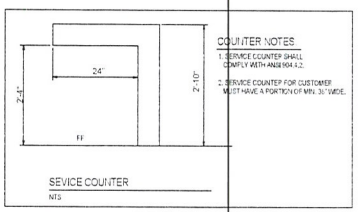
CODE ANALYSIS (PROJECT DATA)

BUILDING DEPARTMENT:	CITY OF LAS VEGAS
CONSTRUCTION TYPE:	V-B
FIRE SPRINKLERS:	YES
OCCUPANCY CLASSIFICATION:	A2 (BAR / LOUNGE)
AREA:	5775 SF
TOTAL OCCUPANT LOAD:	232
RESTAURANT (3895 sf)	220
KITCHEN/SERVICE (1880sf)	12
EXIT ANALYSIS	(2) EXITS REQUIRED UNDER 50 PEOPLE (3) EXITS PROVIDED

BUILDING CODES: 2009 IBC, UPC, UMC, IECC, NFPA, UFC, 2008 NEC CITY OF LAS VEGAS AND SOUTH NEVADA CODE AMMENDMENTS, AND 2003 ICC/ANSI A117.1



INTERIOR WALL PARTITION DETAIL
NTS



INTERIOR FINISH SCHEDULE

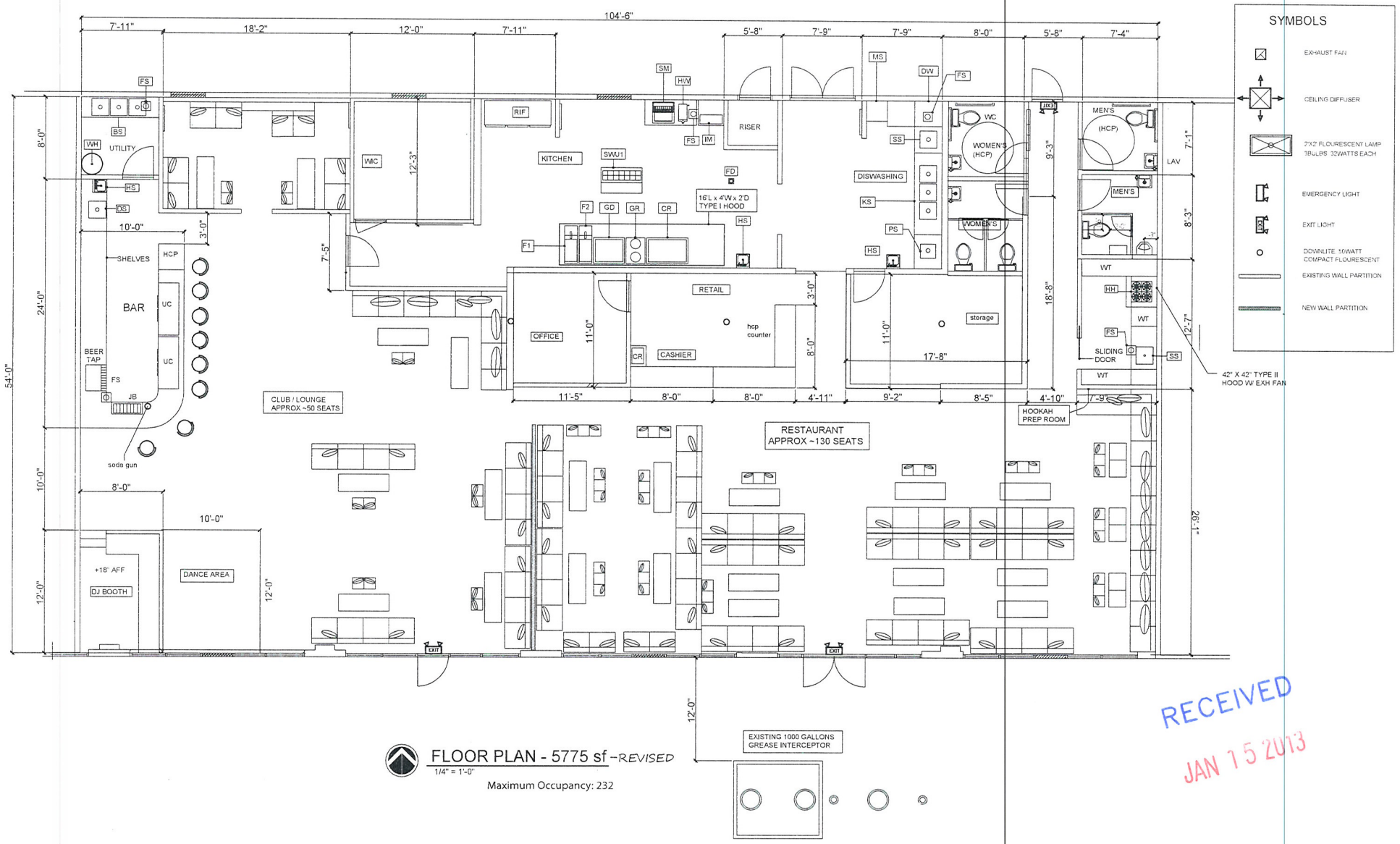
ROOM NAME	FLOOR	WALL	CLG. MAT'L	CLG. HT.
HOOKAH LOUNGE	TILES	GYP. BD. DRY WALL	2'X4' T-BAR CEILING	12'-0"
KITCHEN	TILES	FRP/STAILESS STEEL	2'X4' T-BAR WASHABLE FRP CEILING	9-0"
TOILET	CERAMIC TILES	GYP. BD. DRY WALL WASHABLE LT. COLOR ENAMEL PAINT (SMOOTH)	GYP. BD. CEILING - WHITE COLOR SEMI GLOSS OIL BASE PAINT	9'-0"
OFFICE	TILES	GYP. BD. DRY WALL	2'X4' T-BAR CEILING	12'-0"
CASHIER/CUSTOMER SERVICE	TILES	GYP. BD. DRY WALL	2'X4' T-BAR CEILING	12'-0"

OPEN = NO CEILING. EXPOSE ROOF STRUCTURE

Hookah Master's Lounge

5900 West Charleston Blvd, Suite #5, 6, 7, 8 & 9, Las Vegas, Nevada 89146 PARCEL# 138-36-406-006

SUP-48035
SUP-48036



FLOOR PLAN - 5775 sf –REVISED

1/4" = 1'-0"

Maximum Occupancy: 232

RECEIVED

JAN 15 2013

Hookah Master's Lounge

5900 West Charleston Blvd, Suite #5, 6, 7, 8 & 9, Las Vegas, Nevada 89146 PARCEL# 138-36-406-006

SUP-48035

SUP-48036

A2



SUP-48035 & SUP-48036 - APPLICANT - HOOKAH MASTER''S LOUNGE - OWNER: CHARLESTON MARKETPLACE MALCAI, LLC
5900 WEST CHARLESTON BOULEVARD, SUITE #8

01/31/13



SUP-48035 & SUP-48036 - APPLICANT - HOOKAH MASTER''S LOUNGE - OWNER: CHARLESTON MARKETPLACE MALCAI, LLC
5900 WEST CHARLESTON BOULEVARD, SUITE #8

01/31/13

Hookah Master's Lounge

www.HookahMastersLounge.com
5900 W Charleston Blvd #8
Las Vegas, NV 89146
(702) 776-8000

Justification Letter

To Whom It May Concern:

I would like to request Special Use Permits for a Night Club and Supper Club for Hookah Master's Lounge located at 5900 W Charleston Blvd #8. Seating for restaurant is approximately ~130 seats with hours of operation Sunday-Thursday of 11:00am-2:00am; Friday & Saturday 11:00am-4:00am. I feel that this use would be harmonious with existing surrounding land uses and a benefit to the community.

Original license for Night Club approved on April 17, 2012 LIC#D19-98417-4-159198 (currently in good standing). Night Club activities start from 10pm nightly and ALL other businesses in the shopping center are CLOSED by 10pm. Since opening in July 2012 we have never had a parking space problem in the shopping center as we are the ONLY business open after 10pm.

Thank you,

Sarkis Arshakuni - CEO
Hookah Master's Lounge

RECEIVED
FEB 27 2013
City of Las Vegas
Department of Planning

SUP-48035
SUP-48036
REVISED

City of Las Vegas Agenda Item No.: **23.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

SUBJECT:
SUP-48036 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT - HOOKAH MASTER'S LOUNGE - OWNER: CHARLESTON MARKETPLACE MALCAI, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED SUPPER CLUB WITHIN AN EXISTING 5,775 SQUARE-FOOT RESTAURANT at 5900 West Charleston Boulevard, Suite #8 (APN 138-36-406-006), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

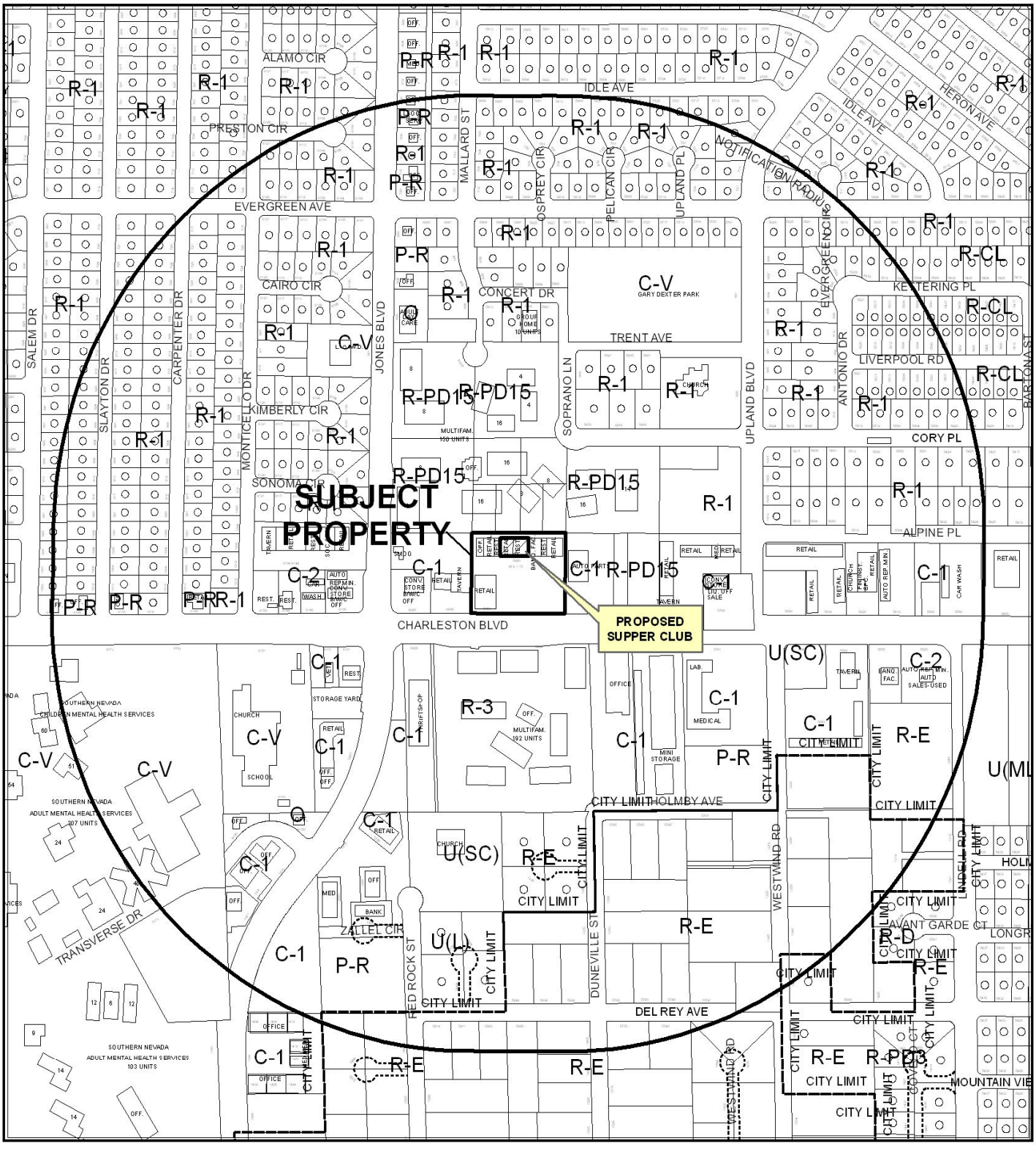
MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Location, Aerial and Special Maps
3. Conditions and Staff Report
4. Supporting Documentation

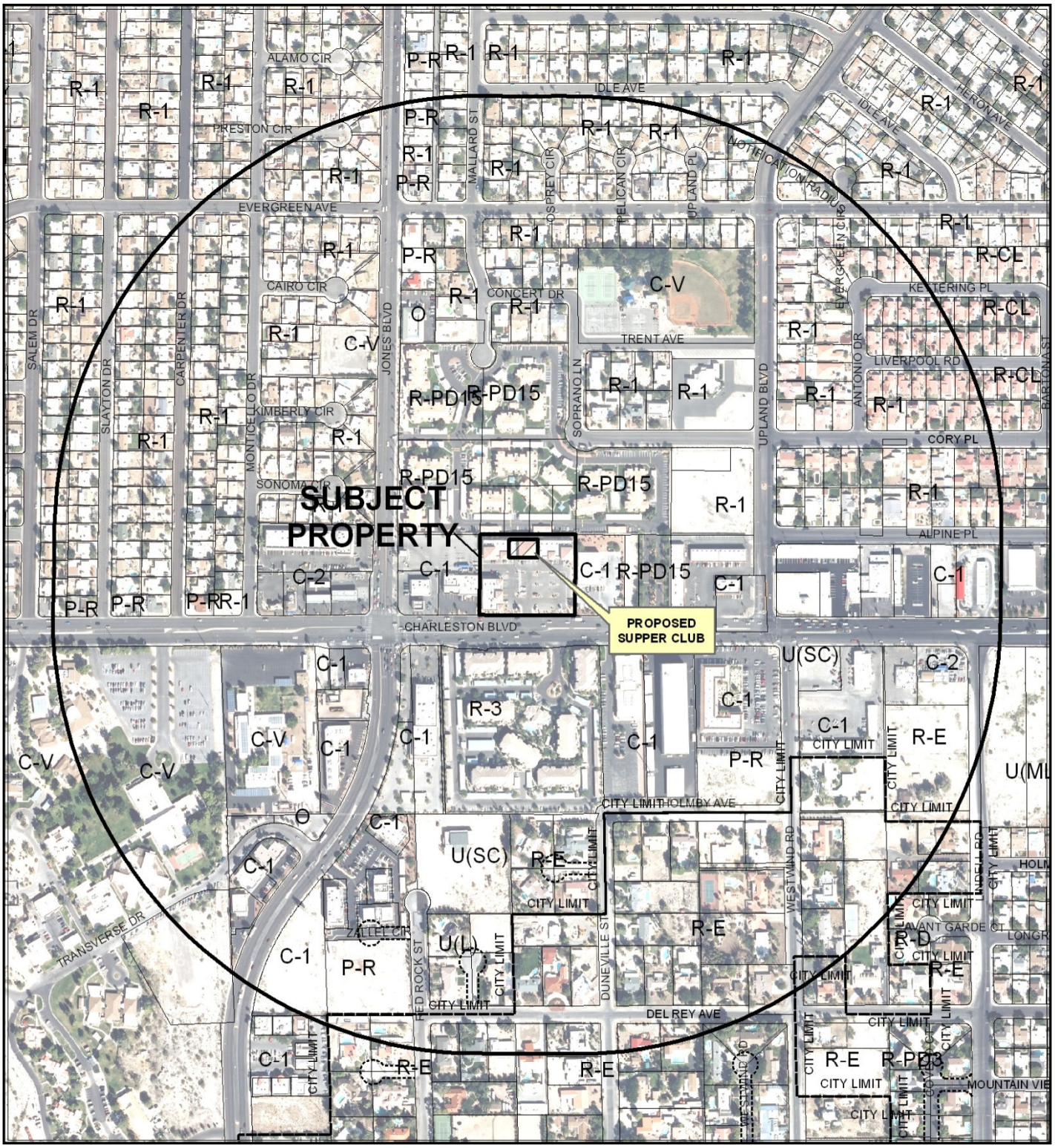
Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda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



CASE: **SUP-48036**

RADIUS: 1500 FEET

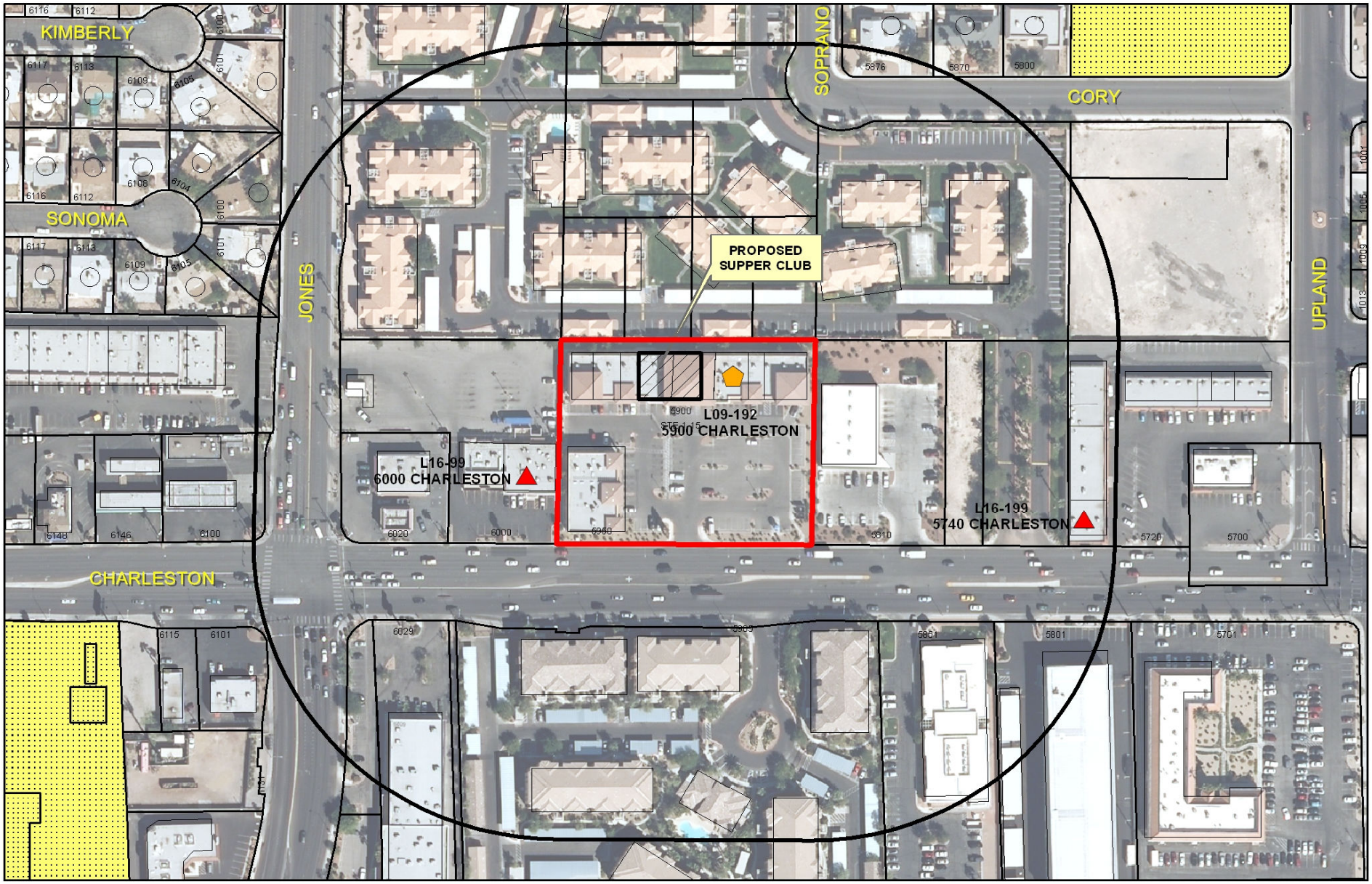
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: **SUP-48036**

RADIUS: 1500 FEET

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



SUP-48036

Business Licenses

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT - HOOKAH MASTER'S LOUNGE - OWNER: CHARLESTON MARKETPLACE MALCAI, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48036	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-48036 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Supper Club use.

2. Conformance to the approved conditions for Rezoning (Z-0006-66) and Site Development Plan Review [Z-0006-66(42)].

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

Conditions Page Two
March 12, 2013 - Planning Commission Meeting

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

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

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing a Supper Club use within a proposed 5,775 square-foot restaurant at 5900 West Charleston Boulevard, Suite #8. The tenant space currently operates as a Banquet Facility with no alcohol service. The proposed use meets all Title 19.12 requirements and can be conducted in a manner that is harmonious and compatible with surrounding properties. Staff therefore recommends approval with conditions. If denied, the existing banquet facility may remain without the entitlement for a Supper Club.

ISSUES

- A Supper Club use is permitted in the C-1 (Limited Commercial) zoning district with approval of a Special Use Permit
- The applicant is also requesting approval of a Special Use Permit (SUP-48036) for a Night Club in the same tenant space, under separate application.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/02/66	The Board of City Commissioners approved a Rezoning (Z-0006-66) to C-1 (Limited Commercial) on the subject site as part of a larger request. The Planning Commission recommended approval.
10/18/99	The Planning Commission approved a Site Development Plan Review [Z-0006-66(42)] for a proposed single-story, 24,160 square-foot retail development on 2.12 acres on the north side of Charleston Boulevard, approximately 300 feet east of Jones Boulevard. Staff recommended approval.

Related Relevant City Actions by P&D, Fire, Bldg., etc	
02/16/05	The City Council approved a Special Use Permit (SUP-5659) for a proposed Beer/Wine/Cooler On-Sale Establishment at 5900 West Charleston Boulevard, Suite #4. The Planning Commission and staff recommended approval.
12/17/12	Business Licensing Enforcement processed a case (123271) regarding a complaint about an event at 5900 West Charleston Boulevard, Suite #8 that would be allowing minors to attend. The case was closed by Licensing Enforcement on 01/08/13.

Related Building Permits/Business Licenses	
08/10/00	A building permit (#00014909) was issued for a retail shell building at 5900 West Charleston Boulevard. A final inspection was completed 08/03/01.
08/23/02	A business license (R10-00773) was issued for a Deli/Market at 5900 West Charleston Blvd., Suite #4. The license is still active.
11/08/02	A business license (L09-00192) was issued for a Beer/Wine/Cooler On-Sale Establishment at 5900 West Charleston Boulevard, Suite #10. The license is still active.
	A business license (R09-01175) was issued for a Restaurant at 5900 West Charleston Boulevard, Suite #10. The license is still active.
01/12/04	A building permit (#04000582) was issued for a retail shell building at 5950 West Charleston Boulevard. A final inspection was completed 07/12/04.
03/22/12	A building permit (204198) was issued for a restaurant tenant improvement at 5900 West Charleston Blvd., Suite #8, combining Suites 5 through 9 into one suite. A final inspection was completed on 06/29/12.
05/02/12	A conditional temporary business license (D19-98417) was issued for a Night Club at 5900 West Charleston Blvd., Suite #8. The approval was conditioned on no alcohol sales or service, no teen dances or any other business requiring an additional license, submittal of a Special Use Permit application within 30 days, and voidance of the permit if complaints are made. On 01/28/13, the temporary license was extended to 04/17/13.
	A temporary business license (C05-98413) was issued for Tobacco Sales at 5900 West Charleston Blvd., Suite #8. The license is still active, and has been extended to 04/30/13.
12/11/12	A conditional temporary business license (B23-92775) was issued for a Banquet Facility at 5900 West Charleston Boulevard, Suite #8. The approval was conditioned on no alcohol sales or service, no teen dances or any other business requiring an additional license. The license is still active, and will expire 06/11/13.

Pre-Application Meeting	
12/26/12	A pre-application meeting was held with the applicant to discuss submittal requirements for two Special Use Permits—one for a Night Club and one for a Supper Club—within the subject restaurant. The applicant was provided with the minimum requirements for the Supper Club use and reminded that the requirements listed in the definition of the use are non-waivable.

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

Field Check	
01/31/13	The site contains two in-line retail buildings, parking and landscaping in good condition. The proposed use would be located in the larger north building, closest to existing apartment buildings. The existing restaurant occupies five tenant spaces.

Details of Application Request	
Site Area	
Net Acres	2.12

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Banquet Facility	MXU (Mixed Use)	C-1 (Limited Commercial)
North	Multi-Family Residential	M (Medium Density Residential)	R-PD15 (Residential Planned Development – 15 Units Per Acre)
South	Multi-Family Residential (Condominiums)	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Auto Parts (New & Rebuilt)	MXU (Mixed Use)	C-1 (Limited Commercial)
West	Liquor Establishment (Tavern)	MXU (Mixed Use)	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 (200 Feet)	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Redevelopment Area 2	Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.13, the following standards apply:

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Charleston Blvd.	Primary Arterial	Planned Streets and Highways Map	112	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	25,200 SF	1 space per 250 SF	101				
TOTAL SPACES REQUIRED			101		116		Y
Regular and Handicap Spaces Required			96	5	111	5	Y
Loading Spaces	25,200 SF	10,000-29,999 SF	2		2		Y

ANALYSIS

The subject site is located within the Airport Overlay District with regulations limiting height to 200 feet. The existing in-line commercial buildings are each one story and conform to the overlay district requirements. The site is also located within Redevelopment Area 2 with a MXU (Mixed Use) land use designation, which allows the proposed Supper Club use.

The Supper Club use is defined as "A restaurant and bar operation with alcoholic beverage sales in which:

1. The bar area is separated from the restaurant area by a barrier sufficient to prevent access to the bar by minors;
2. The actual seating available at all times within the dining area will accommodate at least 125 persons. For purposes of this requirement, the 'dining area' does not include bar stool seating at the bar or lounge seating, but may include table or booth seating within the bar area and table seating within a patio area;
3. Alcoholic beverages are served in the restaurant area only in conjunction with the service of food;
4. Full-course meals are available during all hours the bar area is open to the public;
5. A cook and food server, other than a bartender, are available at all times the bar area is open to the public; and
6. The restaurant operation is the principal portion of the business."

The proposed use meets the definition, as the establishment is primarily a restaurant that is proposed to contain 130 restaurant seats, 43 lounge seats, and 8 bar stools. The floor plan indicates that a seating barrier is constructed between the restaurant and the lounge/club area. Alcoholic beverages would be served to patrons by employees of the supper club only where meals would be served, such as in the restaurant area.

The Minimum Special Use Permit Requirements for this use include:

1. No supper club use 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 houses of worship, schools, Individual Care Centers or City parks 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, as the subject fee simple parcel has direct access to Rainbow Boulevard.

3. In the case of a supper club 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 supper club will be located, without regard to intervening obstacles; or
    b. In the case of a proposed supper club 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 supper club will be located, without regard to intervening obstacles.

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

4. When considering a Special Use Permit application for a supper club 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. In the O District, a supper club is permitted only as an accessory use. [Non-waivable]

    This requirement does not apply to the proposed use, as the proposed use is located in the C-1 (Limited Commercial) zoning district.

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

    The proposed use meets this requirement, as alcoholic beverages would be served to patrons by employees of the supper club only where meals would be served, such as in the restaurant area. A standard condition of approval requires conformance to this section of the code.

At this time, the tenant space is operating as a Banquet Facility, a permitted use in the C-1 (Limited Commercial) zoning district. Business activities are limited to the conditions of temporary licenses for a banquet facility, night club and tobacco sales until such time as a Special Use Permit is approved for a Night Club and Supper Club as required by Title 19.12. The stated hours of operation are from 11:00 a.m. to 2:00 a.m. Sunday through Thursday and 11:00 a.m. to 4:00 a.m. Friday and Saturday.

The site is located within an established Shopping Center. All activities would be within the enclosed building (no outdoor dining). Impact to neighboring properties should be minimal, as deliveries can only be made from the front and there is adequate buffering between uses on the north side of the property. As the proposed Supper Club meets the applicable Title 19.12 use requirements and can be conducted in a manner that is harmonious and compatible with surrounding properties, staff recommends approval of the Special Use Permit with conditions.

FINDINGS (SUP-48036)

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 Supper Club will be compatible with the existing commercial developments to the east and west and the multi-family residential developments to the north and south.

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

   The site is located within a Shopping Center that has sufficient parking facilities. Other uses in the center are less intense neighborhood commercial 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.**

   Charleston Boulevard, a 100-foot Primary Collector as classified by the Master Plan of Streets and Highways Map, provides adequate access to the property by way of a single driveway.

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 Supper Club will be subject to licensing and regular inspection and thus will not compromise the public health, safety and general welfare.

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

   All applicable Title 19.12 minimum use requirements for a Supper Club are satisfied by the proposal.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 32

NOTICES MAILED 456

APPROVALS 0

PROTESTS 0

SS

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

RECEIVED
JAN 15 2013

Case Number: SUP-48036 APN: 13836406006

Name of Property Owner: CHARLESTON MARKETPLACE MALCAI

Name of Applicant: HOOKAH MASTER'S LOUNGE

Name of Representative: SARKIS ARSHAKUNI

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: Masao Ishikawa

Print Name: MASAO ISHIKAWA

Subscribed and sworn before me

This 15 day of JANUARY, 2013

Desiree Lowery

Notary Public in and for said County and State

DESIREE MARIE LOWERY
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 4-15-2014
Certificate No: 10-1999-1

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SUPPER CLUB

Project Address (Location) 5900 W CHARLESTON BLVD #8

Project Name HOOKAH MASTER'S LOUNGE **Proposed Use** SUPPER CLUB

Assessor's Parcel #(s) 13836406006 **Ward #** 1 - Tarkanian

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

Commercial Square Footage 5,775 **Floor Area Ratio** RECEIVED

Gross Acres 2.12 **Lots/Units** _____ **Density** _____

Additional Information JAN 15 2013

PROPERTY OWNER Charleston Marketplace Malcai **Contact** _____

Address PO BOX 70310 **Phone:** _____ **Fax:** _____

City PASADENA **State** CA **Zip** 91117-7310

E-mail Address _____

APPLICANT HOOKAH MASTER'S LOUNGE **Contact** SARKIS ARSHAKUNI

Address 5900 W CHARLESTON BLVD #8 **Phone:** (702) 776-8000 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89146

E-mail Address SARKIS@HOOKAHMASTERSLOUNGE.COM

REPRESENTATIVE SARKIS ARSHAKUNI **Contact** _____

Address 5900 W CHARLESTON BLVD #8 **Phone:** (702) 302-1317 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89146

E-mail Address SARKIS@HOOKAHMASTERSLOUNGE.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* Masao Ishihama

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

Print Name MASAO ISHIHAMA

Subscribed and sworn before me

This 15 day of January, 20 13.

Deanee Lowery

Notary Public in and for said County and State

DESIREE MARIE LOWERY
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 4-15-2014
Certificate No: 10-1868-1

FOR DEPARTMENT USE ONLY

Case #	SUP-48036
Meeting Date:	3/12/2013
Total Fee:	1280.00
Date Received:*	1/15/2013
Received By:	

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

City of Las Vegas Agenda Item No.: **24.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

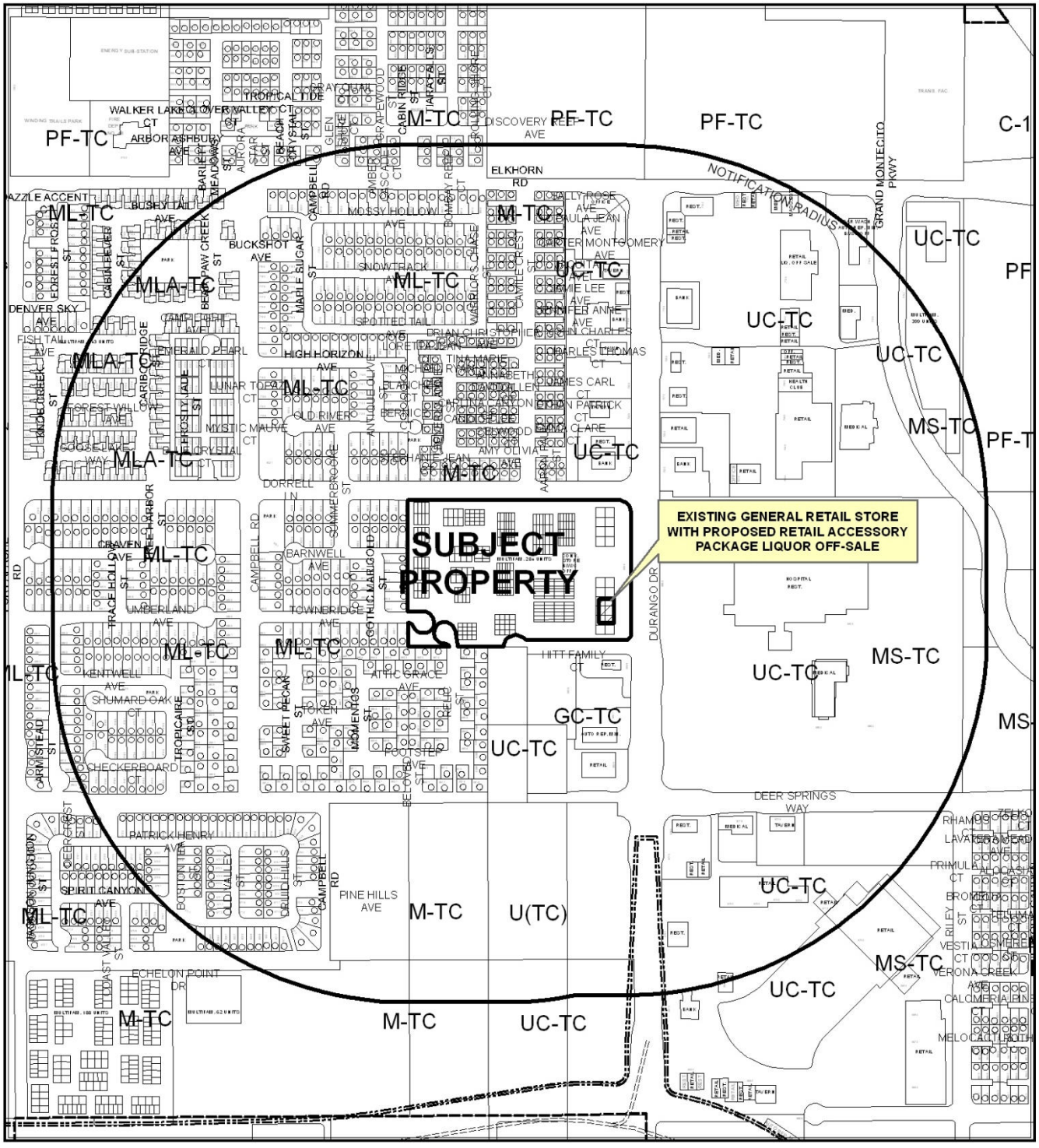
SUBJECT:
SUP-48083 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DURANGO MARKET - OWNER: KENNA III, LLC - For possible action on a request for a Special Use Permit FOR AN ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 2,326 SQUARE-FOOT CONVENIENCE STORE at 6955 North Durango Drive, Suite #1114 (APNs 125-20-215-269 and 270), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

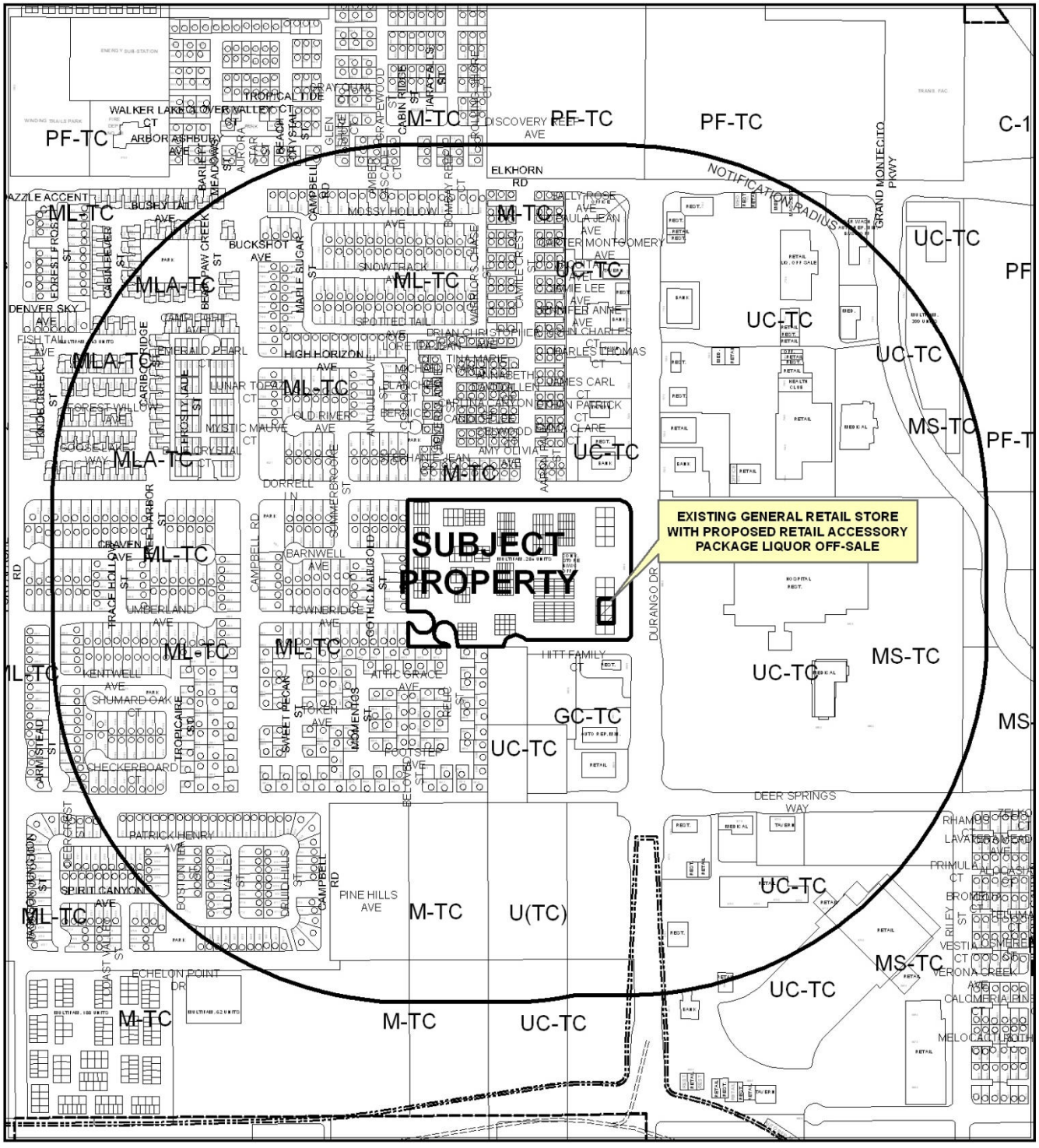
BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo
5. Justification Letter



CASE: **SUP-48083**

RADIUS: 1500 FEET

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



CASE: **SUP-48083**

RADIUS: 1500 FEET

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



SUP-48083

Package Liquor Sales

Business Licenses

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

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: DURANGO MARKET - OWNER: KENNA III, LLC

** STAFF RECOMMENDATION **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48083	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-48083 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Retail Establishment with Accessory Package Liquor 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. Approval of this Special Use Permit does not constitute approval of a liquor license.

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

5. All beer and wine coolers shall remain in the original manufacturer's configuration intended for off-sale resale.

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

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

MH

Staff Report Page One
March 12, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to add the Retail Establishment with Accessory Package Liquor Off-Sale Establishment use to an existing 2,326 square-foot Convenience Store at 6955 North Durango Drive, Suite #1114. The proposed use consists of the addition of 20 square feet of shelf display for liquor located behind the front counter. The use will operate in addition to the existing Beer/Wine/Cooler Off-Sale use. There are no waivers required as a part of this request. The proposed use meets all Title 19.12 standards for a Retail Establishment with Accessory Package Liquor Off-Sale Establishment use, and can be conducted in a manner that is harmonious and compatible with existing surrounding land uses; therefore, staff recommends approval. If this request is denied, the proposed use will not be permitted at this location.

ISSUES

- The Package Liquor Off-Sale Establishment use is permitted within the UC-TC (Urban Center Mixed Use – Town Center) Special Land Use district only in conjunction with the approval of a Special Use Permit.
- The Convenience Store currently operates a Beer/Wine/Cooler Off-Sale use at this location.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/01/02	The City Council approved a request for a Site Development Plan Review [Z-0099-01(1)] for a proposed 274-unit multi-family residential development and 16,000 square feet of commercial floor space on 15.16 acres located adjacent to the west side of El Capitan Way, approximately 660 feet south of Elkhorn Road. The Planning Commission and staff recommended approval.
05/19/04	The City Council approved a request for a Development Agreement (DIR-4432) for a condominium conversion for a 284-unit development including 10 retail units on 15.2 acres adjacent to the southwest corner of Durango Drive and Dorrell Lane.
06/10/04	The Planning Commission approved a Tentative Map (TMP-3991) for a 284-lot condominium development, to include 10 retail units. Staff recommended approval.
12/01/04	The City Council approved a request for a Special Use Permit (SUP-5230) for Beer and Wine Sales, Off-Premise located at 6955 North Durango Drive, Suites #1114. The Planning Commission and staff recommended approval.

12/01/04	The City Council approved a request for a Special Use Permit (SUP-5231) for package liquor sales located at 6955 North Durango Drive Suites #1115 and #1116. The Planning Commission and staff recommended approval. This entitlement was not exercised and expired 12/01/05.
06/24/10	The Planning Commission, at the request of the applicant, struck a request for a Special Use Permit (SUP-37739) for a Package Liquor Off-Sale use within an existing 2,326 square-foot retail establishment at 6955 North Durango Drive, Suite #1114.
10/20/10	The City Council approved request for a Special Use Permit (SUP-38909) for a Package Liquor Off-Sale use within an existing 2,326 square-foot retail establishment at 6955 North Durango Drive, Suite #1114. The Planning Commission and staff recommended approval. This entitlement expired on 10/20/12.

Most Recent Change of Ownership	
01/03/11	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
05/10/05	A Building Permit (#05-003055) was issued for a tenant improvement build out at 6955 North Durango, Suite #1114. The project was completed 10/07/05.
08/16/11	A business license was issued for a Convenience Store (#C15-00407) and a Tobacco Dealer (#C05-02803) at 6955 North Durango Drive, Suite #1114. These licenses are still active.
09/14/11	A business license (#L10-00332) was issued for Beer/Wine/Cooler Off-Sale at 6955 North Durango Drive, Suite #1114. This license is still active.
03/27/12	A business license was issued for Restricted Gaming (#G01-02442) at 6955 North Durango Drive, Suite #1114. This license is still active.

Pre-Application Meeting	
01/03/13	A pre-application meeting was held with the applicant to discuss the requirements for submitting a Special use Permit required for the addition of off-premise package liquor sales.

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

Field Check	
01/30/13	Staff visited the site and found a Convenience Store operating with an approved Beer/Wine/Cooler Off-Sale use. It is noted that the window signage is not in conformance with the General Sign Design Guidelines listed in the Town Center Development Standards Manual.

Details of Application Request	
Site Area	
Net Acres	12.63

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail, Other Than Listed	UC-TC (Urban Center Mixed Use)	T-C (Town Center)
North	Single Family, Detached	M-TC (Medium Density Residential)	T-C (Town Center)
	General Retail, Other Than Listed	UC-TC (Urban Center Mixed Use)	T-C (Town Center)
South	General Retail, Other Than Listed	GC-TC (General Commercial)	T-C (Town Center)
	Undeveloped	UC-TC (Urban Center Mixed Use)	
	Single Family, Detached	ML-TC (Medium Low Density Residential)	
East	Hospital	UC-TC (Urban Center Mixed Use)	T-C (Town Center)
West	Single Family, Detached	ML-TC (Medium Low Density Residential)	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	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

MH

DEVELOPMENT STANDARDS

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

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Multi-Family Residential	(104) One Bedroom Units	1.25 per Unit	130				
	(138) Two Bedroom Units	1.75 per Unit	242				
	(32) Three Bedroom Unit	2 per Unit	64				
	Plus 1 space / 6 Units for Guests		46				
Retail	16,000 SF	1:250 SF	64				
TOTAL SPACES REQUIRED			546		599		
Regular and Handicap Spaces Required			543	3	593	6	Y

ANALYSIS

The Retail Establishment with Accessory Package Liquor Off-Sale use is defined as, "A retail establishment:

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

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

The proposed use meets the definition above, as the provided floor plans show 20 square feet of shelf space dedicated to liquor display and sales located behind the front counter, in addition to the approximately 80 square feet dedicated to the existing Beer/Wine/Cooler Off-Sale use.

The Minimum Special Use Permit Requirements for this use include:

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

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

a. Any leasehold parcel; or

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

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

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

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

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

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

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

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

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

*7. The minimum distance requirements set for in Requirement 1, which are otherwise nonwaiveable 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 TC (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 or 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 right of way with a width of at least 100 feet.

The proposed use complies with all Minimum Special Use Permit Requirements; there are no protected uses within 400 feet of this proposal. The proposed use is complementary to the existing Convenience Store and other existing retail establishments found on site.

The proposed use is located within a larger mixed use development, which provides cross-access and shared parking throughout the entire commercial and residential development. Two handicap spaces are located adjacent to front of the building along with numerous parking spaces adjacent to the building. No additional parking required beyond that which is required for the principal use on the site, as parking requirements were addressed during the Site Development Plan Review for this site.

Staff recommends approval of this request, as the use conforms to the Minimum Special use Permit Requirements and is a compatible use for the proposed location. If denied, the applicant would be allowed to operate a Convenience Store with Beer/Wine/Cooler Off-Sale.

MH

FINDINGS (SUP-48083)

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 is compatible with the UC-TC (Urban Center Mixed Use) Town Center special land use designation and is located within an existing commercial center. The proposed use can be conducted in a manner that is harmonious and compatible with the surrounding uses.

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

   The proposed use will operate within a convenience store within a portion of a multi-tenant retail building. There is no evidence of a physical constraint to the proposed use 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.**

   Site access is provided from Durango Drive, a primary arterial that provides adequate capacity to serve 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 Retail Establishment with Accessory Package Liquor Off-Sale use is subject to regular inspections by regulatory agencies for business licensing and will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

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

   The proposed use in conjunction with an existing restaurant complies with the conditions per Title 19.12. The provided floor plans shows 60 square feet of cooler space, 20 square feet of wine display, and 20 square feet of shelf space for liquor display.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 29

NOTICES MAILED 1,254

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use permit / package liquor

Project Address (Location) 6955 N. Durango 1113/1114

Project Name Durango Market **Proposed Use** _____

Assessor's Parcel #(s) 125-20-215-269 } 1 unit 125-20-215-270 **Ward #** _____

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

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

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

Additional Information _____

PROPERTY OWNER Kenna III, LLC **Contact** Laura Bewick

Address PO Box 370875 **Phone:** 702-234-3751 **Fax:** 702-341-0062

City Las Vegas **State** NV **Zip** 89137

E-mail Address Kennallc@cox.net

APPLICANT Nick Ablahad/Durango market **Contact** _____

Address 6955 N. Durango Dr #1114 **Phone:** 702 647-0290 **Fax:** _____

City Las Vegas NV 89149 **State** NV **Zip** 89149

E-mail Address NICK ABLAHAD@cox.net

REPRESENTATIVE _____ **Contact** _____

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

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

E-mail Address _____

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

Property Owner Signature* Donna Ahlers

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

Print Name Donna Ahlers

Subscribed and sworn before me

This 9th day of January, 20 13.

Laura Bewick

Notary Public in and for said County and State

Clark County, NV

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LAURA BEWICK
Appt. No. 06-102607-1
My Appt. Expires Dec. 20, 2013

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-48083
Meeting Date:	3/12/13
Total Fee:	$1,280.00
Date Received:*	1/22/13
Received By:	

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

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-48083** APN: 125-20-215-269 125-20-215-270

Name of Property Owner: Kenna III, LLC

Name of Applicant: Nick Ablahad / Durango Market

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: Donna Ahlers

Print Name: Donna Ahlers

Subscribed and sworn before me

This 9th day of January, 2013

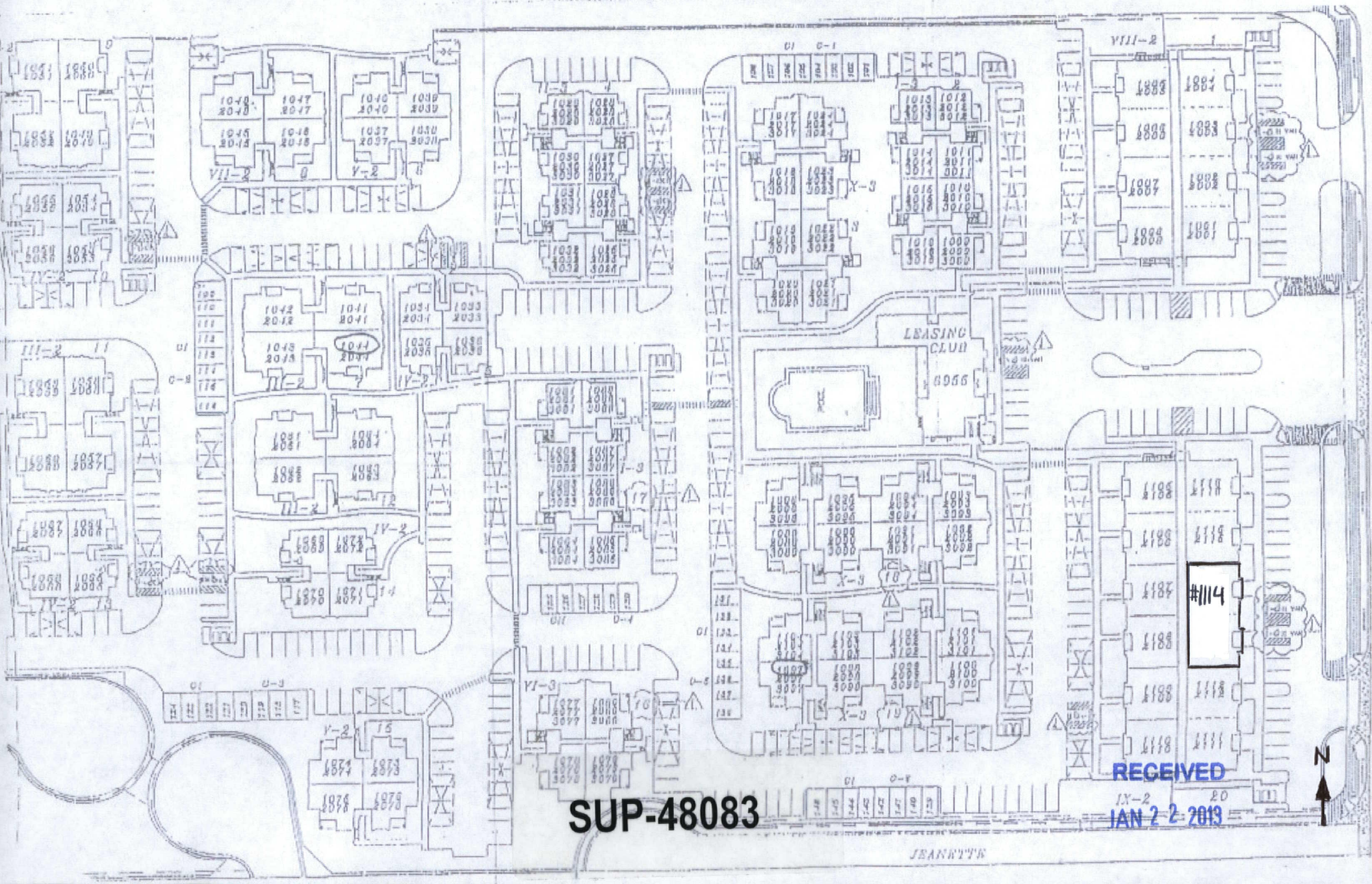
Laura Bewick

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LAURA BEWICK
Appt. No. 06-102507-1
My Appt. Expires Dec. 28, 2013

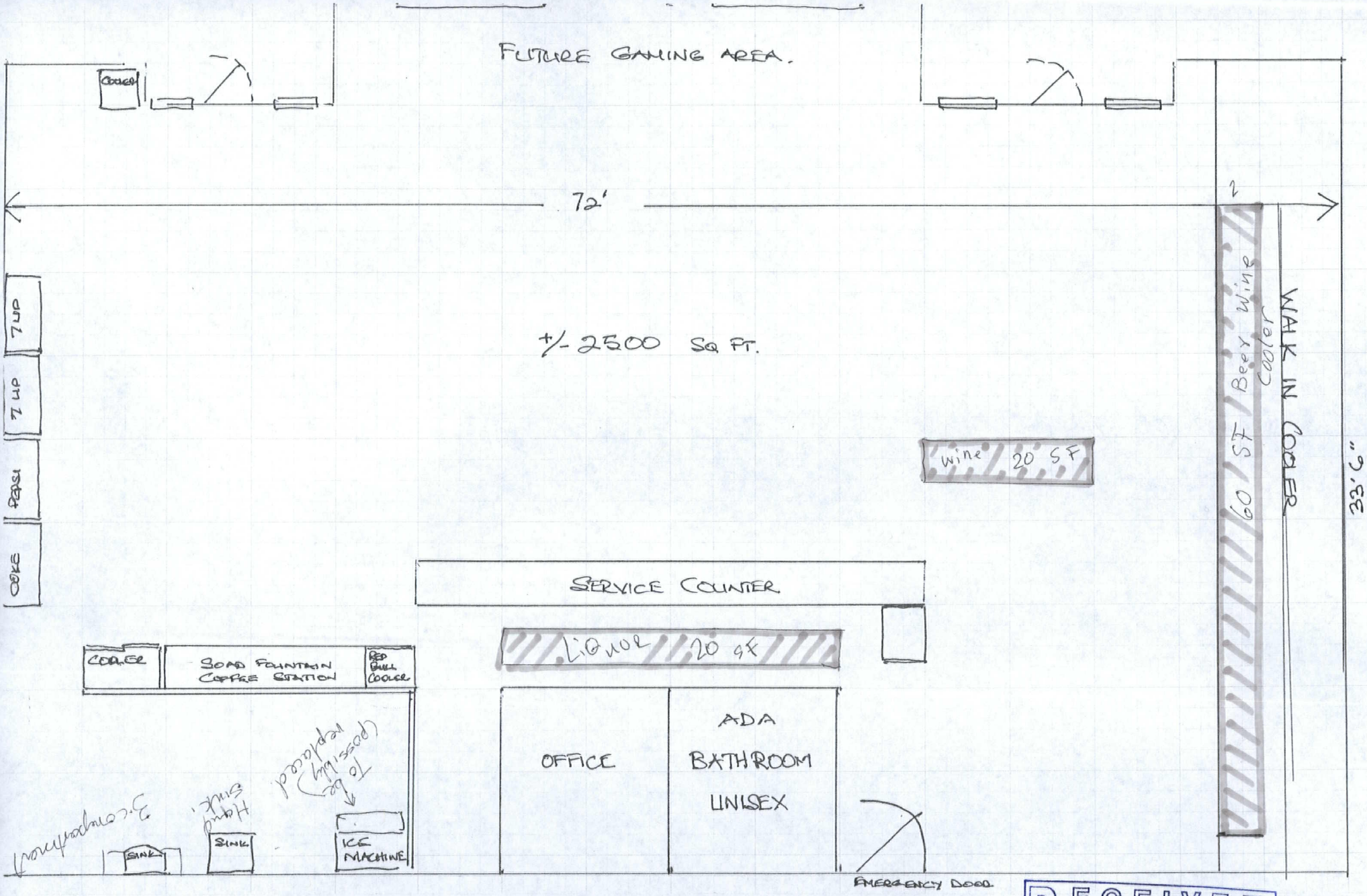
Regent at Town Center

Community Map



SUP-48083

RECEIVED
JAN 2 2 2013



SUP-48083

RECEIVED
JAN 31 2013
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT



SUP-48083 - APPLICANT: DURANGO MARKET - OWNER: KENNA III, LLC
6955 NORTH DURANGO DRIVE, SUITE #1114

01/31/13

DURANGO MARKET IS CONVINON STORE LOCATE AT 6955 N DURANGO DR #1114 .

LASVEGAS ,NV , 89149 PHONE # 702-647-0290 MY NAME IS NICK ABLAHAD....IAM

REQUSTING FOR ADD LIQUOR PACKAGE AS 10% TO MY STORE ..I DO HAVE BEER &

WINE LICENSE WITH GROCERY ALSO .SO PLEASE I NEED YOUR ASSTANCE HOW

TO APPLY AND TO GET THE LICENSE ...ALSO I WANT TELL YOU MY 10% WILL BE USED

BEHIND MY SERVICE COUNTER I DONT NEED TO MUCH SPACE...YOU CAN SEE IT IN

MY FLOOR PLAN ..THANK YOU ,,,NICK ABLAHAD....OWNER OF DURANGO MARKET

Nick ablahad
12-12-12

SUP-48083

City of Las Vegas Agenda Item No.: **25.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

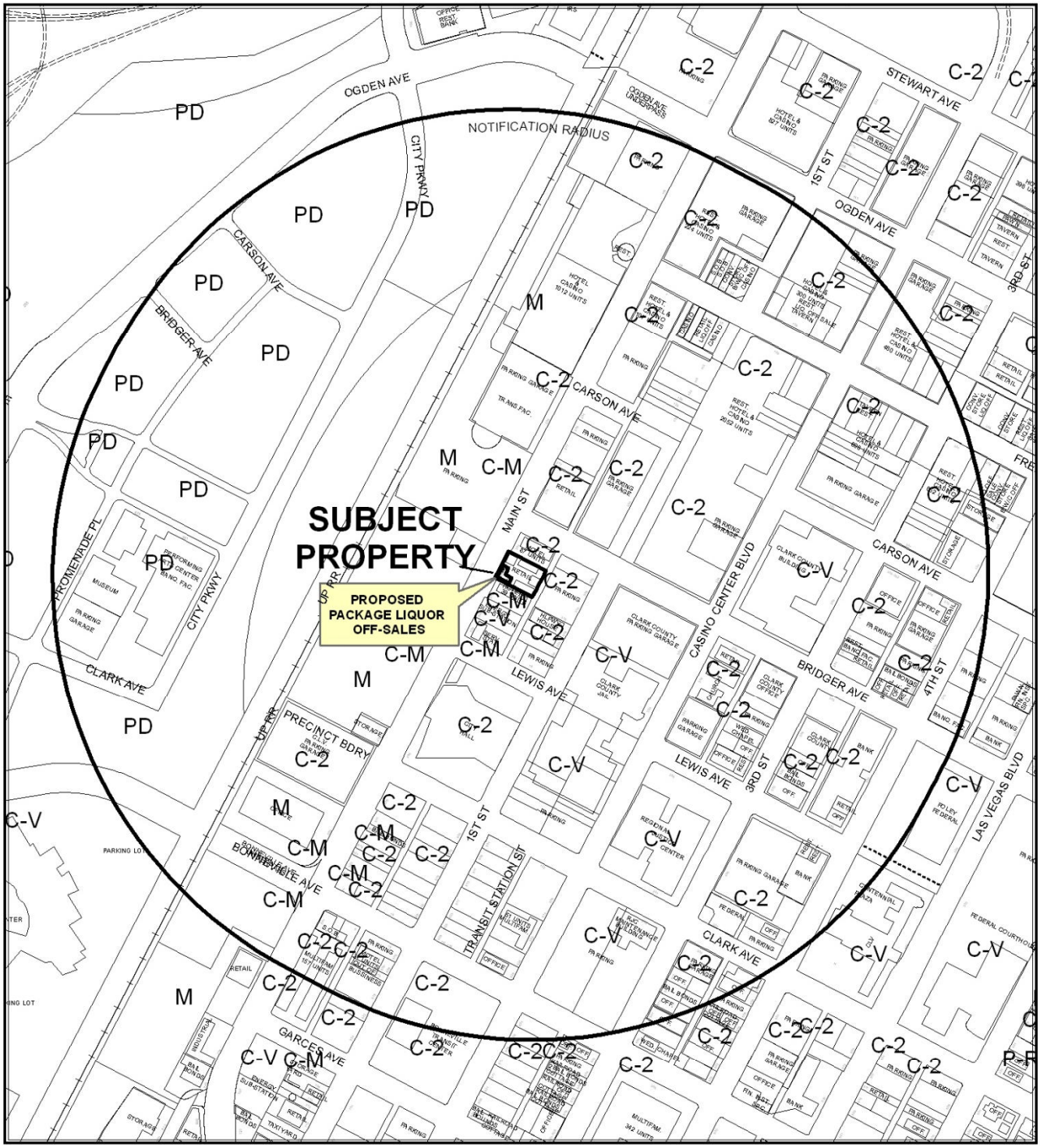
SUBJECT:
SUP-48091 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: 307/319 MAIN STREET, LLC - For possible action on a request for a Special Use Permit FOR A PACKAGE LIQUOR ESTABLISHMENT USE WITHIN A PROPOSED 1,176 SQUARE-FOOT GENERAL RETAIL STORE at 311 Main Street (APN 139-34-210-003), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 300 600 Feet

CASE: SUP-48091

RADIUS: 1500 FEET

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

N



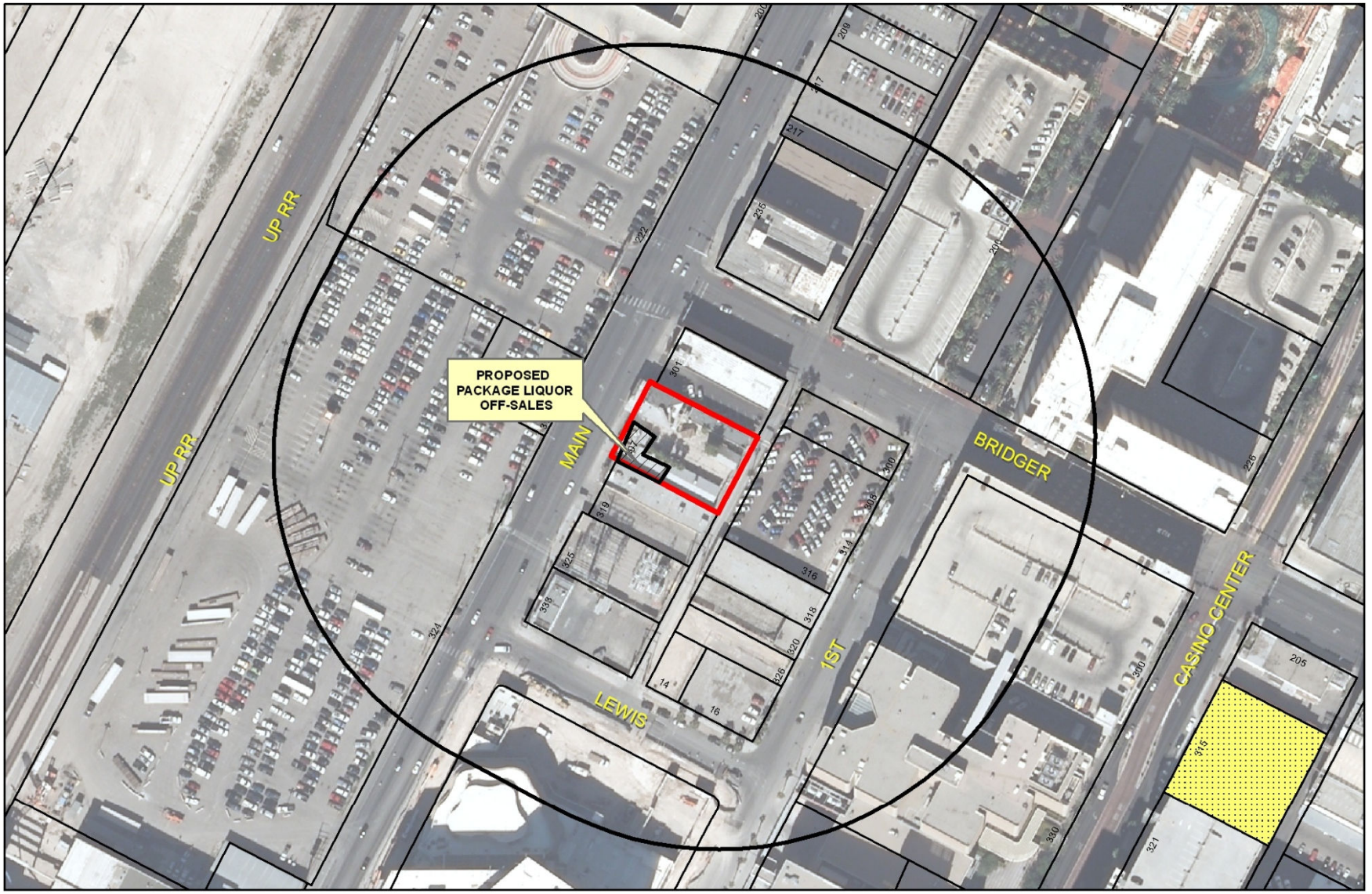
0 300 600 Feet

CASE: SUP-48091

RADIUS: 1500 FEET

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

N



SUP-48091

Package Liquor Sales

Business Licenses

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: 307/319 MAIN STREET, LLC

** STAFF RECOMMENDATION **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48091	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-48091 CONDITIONS

Planning

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

5. The onsite parking lot shall be re-striped prior to occupancy to include one handicap accessible space in accordance with the Threshold Requirements listed in the Downtown Centennial Plan.

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

MH

Conditions Page Two
March 12, 2013 - Planning Commission Meeting

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

8. All beer and wine coolers shall remain in the original manufacturer's configuration intended for off-sale resale.

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

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

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is seeking a Special Use Permit to operate a proposed Package Liquor Off-Sale Establishment use within a 1,176 square-foot commercial space located at 311 Main Street. There are no churches, schools, child care facilities or city parks within the required 400-foot distance separation radius. The proposed use will not add parking beyond that which is required for the principal use on the site. The site location is compatible with surrounding land uses and all minimum requirements for the proposed use are being met, therefore; staff recommends approval. If this request is denied, no Packaged Liquor may be sold on the premises.

ISSUES

- The Package Liquor Off-Sale Establishment use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/16/64	The City Council approved a request for 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) on 230 acres on property bounded by Main Street to the west, Bonanza Road to the north, and Las Vegas Boulevard to the east, and Charleston Boulevard to the south. The Planning Commission and staff recommended approval.
02/28/08	The applicant withdrew without prejudice the requests for a Special Use Permit (SUP-23586) for a Rescue Mission (Shelter for the Homeless) and a Special Use Permit (SUP-23594) for a Social Service Provider. Staff recommended denial

Most Recent Change of Ownership	
10/30/08	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no building permits or active business licenses associated with the subject site.

MH

Pre-Application Meeting	
01/15/13	A pre-application meeting was held with the applicant to discuss the submittal requirements for a proposed Package Liquor Off-Sale use at 311 South Main Street.

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

Field Check	
01/30/13	Staff visited the site and found a commercial location with a vacant hotel and general retail building sharing the same parcel. It is noted that there is non-conforming abandoned signage and razor wire along the rooftop that must be removed. Also, it is noted that the parking lot will require restriping, to include one van accessible handicapped parking space.

Details of Application Request	
Site Area	
Net Acres	0.33

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Hotel General Retail, Other Than Listed	C (Commercial)	C-2 (General Commercial)
North	Motel	C (Commercial)	C-2 (General Commercial)
South	Residence Hotel	C (Commercial)	C-M (Commercial/Industrial)
East	Parking lot	C (Commercial)	C-2 (General Commercial)
West	Parking lot	C (Commercial)	C-M (Commercial/Industrial)

Master Plan Areas	***Compliance***
Downtown Centennial Plan	Y
Special Purpose and Overlay Districts	***Compliance***
Downtown Centennial Plan Overlay District – Office Core	Y
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	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Parking Requirement - Downtown							
Use	***Gross Floor Area or Number of Units***	***Recommended Parking***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
General Retail, Other Than Listed	1,176 SF	1:175 SF					
TOTAL SPACES REQUIRED*			7		0		
Regular and Handicap Spaces Required			6	1	0	0	N*

******A condition of approval to the requested Special use Permit is included requiring the provision of a handicap accessible parking space located onsite.*

ANALYSIS

The Package Liquor Off-Sale Establishment use is defined as, "An establishment, other than a retail establishment with package liquor off-sale, 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. 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 above, as the provided floor plans show a 1,176 square-foot retail space with area dedicated to the display and sale of alcohol. As stated in the justification letter, the applicant proposes to provide the Package Liquor Off-Sale use in conjunction with a General Retail, Other Than Listed use. The Minimum Special Use Permit Requirements for this use include:

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

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

a. Any leasehold parcel; or

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

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

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

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

4. 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.

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

The proposed Package Liquor Off-Sale use complies with all Minimum Special Use Permit Requirements and there are no protected uses within 400 feet of this proposal.

The proposed use is located within a larger commercial development with cross-access and shared parking with the non-operating hotel located on site and is complementary to the variety of commercial uses and other existing retail establishments found in the immediate area. The proposed use is located within the Las Vegas Downtown Centennial Plan area and is not subject to the automatic application of parking requirements. The applicant has stated in the provided justification letter that he is providing 17 parking spaces on the adjacent parcel he owns to the south. The recommend parking for the proposed use is considerably low and there is adequate parking available in the immediate area; however, a condition of approval has been included to provide a handicap parking space located onsite.

Staff recommends approval of this request, as the use conforms to the Minimum Special use Permit Requirements and is a compatible use for the proposed location.

FINDINGS (SUP-48091)

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 Package Liquor Off-Sale use can be conducted in a manner that is harmonious and compatible with the surrounding C (Commercial) General Plan land uses and is in conformance with the requirements for such use located in the C-2 (General Commercial) zoning district.

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

   The subject site contains an existing General Retail, Other Than Listed use and an unoccupied hotel. This site is physically suitable for a Package Liquor Off-Sale use within an existing 1,176 square-foot commercial space.

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 Main Street with secondary access provided from a 20-foot wide alley. Both rights of way provide adequate access for the proposed Package Liquor Off-Sale Establishment use.

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

   This proposal will be subject to licensing requirements and will therefore not compromise the public health, welfare or safety or overall objectives of the General Plan.

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

   The use meets all of the applicable conditions per Title 19.12

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 30

NOTICES MAILED 122

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-48091 APN: 13934210003

Name of Property Owner: 307/319 Main St., L.L.C.

Name of Applicant: 307/319 Main St., L.L.C.

Name of Representative: MR. KEVIN PLENCNER

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: Kim Marvin Plencner, Managing Partner

Subscribed and sworn before me

This 18th day of January, 2013

_____
Notary Public in and for said County and State

"OFFICIAL SEAL"
James R Horstman
Notary Public, State of Illinois
My Commission Expires 12/16/2016

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Convenience Liquor Store

Project Address (Location) 311 Main Street

Project Name Main Street Convenience **Proposed Use** Convenience Store

Assessor's Parcel #(s) 13934210003 **Ward #** 3

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

Commercial Square Footage 1,176 **Floor Area Ratio** _____

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

Additional Information _____

PROPERTY OWNER 307/319 Main Street L.L.C. **Contact** Kevin Plencner

Address 1000 Royce Boulevard **Phone:** (630) 268-4000 **Fax:** (630) 268-4444

City Oakbrook Terrace **State** Illinois **Zip** 60181

E-mail Address KVPLNCN@AOL.COM

APPLICANT 307/319 Main Street L.L.C **Contact** Kevin Plencner

Address 1000 Royce Boulevard **Phone:** (630) 268-4000 **Fax:** (630) 268-4444

City Oakbrook Terrace **State** Illinois **Zip** 60181

E-mail Address KVPLNCN@AOL.COM

REPRESENTATIVE Kevin Plencner **Contact** same

Address 1000 Royce Realty **Phone:** (630) 268-4000 **Fax:** (630) 268-4444

City Oakbrook Terrace **State** Illinois **Zip** 60181

E-mail Address _____

Property Owner Signature* _____

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

Print Name Kim Marvin Plencner, Managing Member

Subscribed and sworn before me

This 18th day of January, 2013.

_____

Notary Public in and for said County and State

"OFFICIAL SEAL"
James R Horstman
Notary Public, State of Illinois
My Commission Expires 12/16/2016

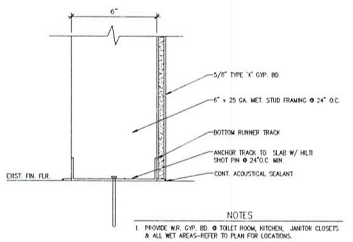
FOR DEPARTMENT USE ONLY

Case #	SUP-48091
Meeting Date:	3/12/13
Total Fee:	$1,280.-
Date Received:*	1/22/13
Received By:	

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

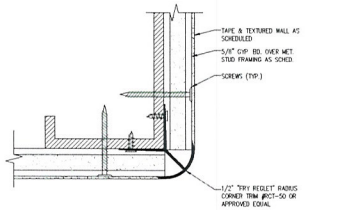


02 SITE PLAN
SCALE : NTS

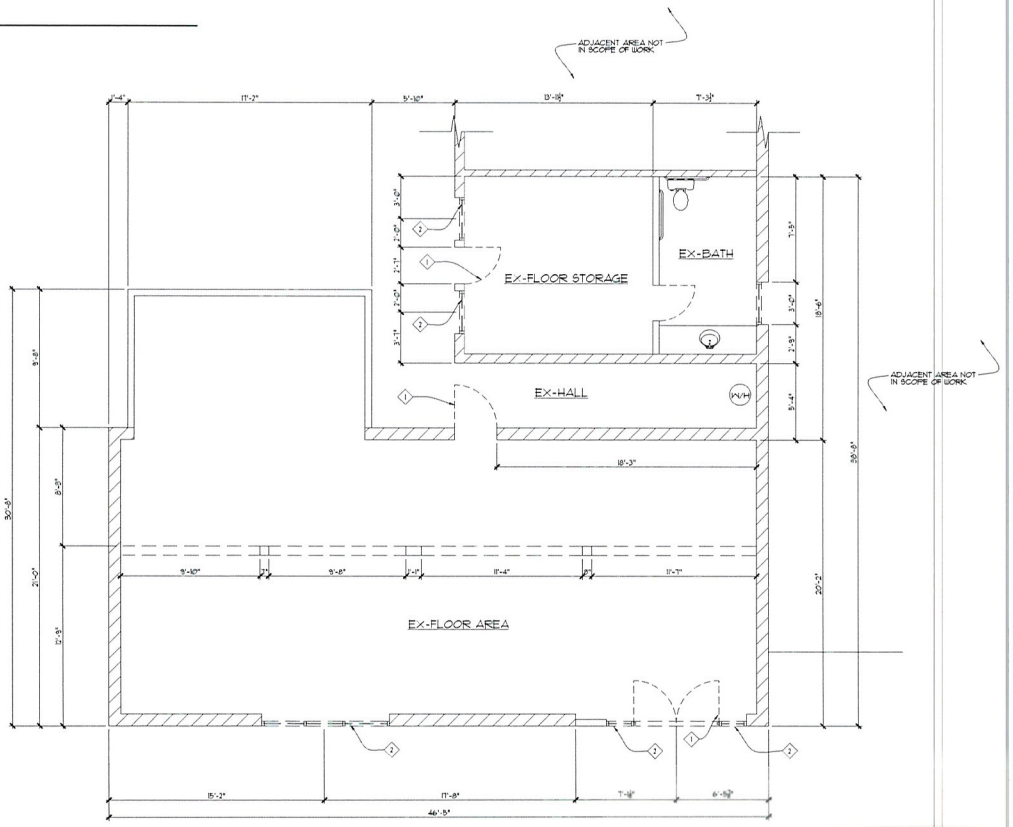


NOTES
1. PROVIDE W.R. GYP. BD. @ TOILET ROOM, KITCHEN, JANITOR CLOSETS & ALL WET AREAS--REFER TO PLAN FOR LOCATIONS.
2. PROVIDE W.R. GYP. @ WET AREAS RECEIVING A CERAMIC TILE, TYP OF LAMINATE FINISH.
3. PROVIDE C.B.B. @ ALL WALLS RECEIVING A STONE OR MARBLE FINISH.

01 WALL TYPE "E" FURRING WALL
SCALE : 3" = 1'-0"



02 RADIUS CORNER DETAIL
SCALE : 3" = 1'-0"



01 ARCHITECTURAL PROPOSED FLOOR PLAN
SCALE : 1/4" = 1'-0"

WALL LEGEND

SYMBOL	WALL TYPE	DETAIL
	EXISTING CMU WALL SYSTEM - TO REMAIN NO CHANGES TO EXISTING WALLS, SEE STRUC SPECS ON FILE.	1
	EXISTING 2-HOUR DEMISING WALL - TO REMAIN 2X- STUDS AT 16" O.C. w/ 2 LAYERS OF 5/8" TYPE 'X' GYPSUM BD. BOTH SIDES. SEE DETAIL 'D' / AA1	2
	NEW INTERIOR PONY WALL 54" HIGH 3⅝"- METAL STUDS AT 16" O.C. w/ 5/8" GYP. BD. BOTH SIDES.	3
	EXISTING FULL HT. WALL TO REMAIN 3⅝"- METAL STUDS AT 16" O.C. w/ 5/8" GYP. BD. BOTH SIDES.	4

KEYNOTES

1. EXISTING DOOR - TO REMAIN
2. EXISTING GLAZING - TO REMAIN
3. EXISTING COLUMN - TO REMAIN

CONSTRUCTION NOTES

1. VERIFY AND COORDINATE ALL NEW AND EXISTING CONDITIONS AND DIMENSIONS AT JOB SITE FOR COMPARISON WITH DRAWINGS AND SPECIFICATIONS PRIOR TO BIDDING, PRIOR TO COMMENCING CONSTRUCTION, AND THROUGHOUT CONSTRUCTION ACTIVITIES. IF ANY DISCREPANCIES, INCONSISTENCIES OR OMISSIONS ARE FOUND, NOTIFY THE CONTRACTOR IMMEDIATELY IN WRITING.

2. DRAWINGS OF EXISTING CONDITIONS HAVE BEEN COMPILED FROM EXISTING DATA SUPPLIED BY THE OWNER.

3. THE CONTRACTOR WILL BE RESPONSIBLE FOR VERIFYING FLOOR-TO-CEILING ELEVATIONS. NEW CONSTRUCTION SHALL ALIGN IN ELEVATION WITH RESPECTIVE FLOORS IN EXISTING BUILDINGS UNLESS OTHERWISE NOTED.

4. ALL PENETRATIONS THROUGH FIRE-RATED WALL, FLOOR-CEILING, AND ROOF-CEILING ASSEMBLIES SHALL BE INSTALLED PER 2004 IBC REQUIREMENTS.

5. THE OWNER IS RESPONSIBLE FOR THE REMOVAL/REMEDIATION OF ALL HAZARDOUS MATERIAL.

6. IF IT IS ASCERTAINED AT ANY TIME THAT REQUIREMENTS OF THIS CONTRACT CONFLICT WITH, OR ARE IN VIOLATION OF, APPLICABLE LAWS, CODES, REGULATIONS OR ORDINANCES; NOTIFY THE OWNER IMMEDIATELY IN WRITING.

7. SIZE OF MECHANICAL AND ELECTRICAL EQUIPMENT PADS, CURBS AND BASES ARE APPROXIMATE ONLY. VERIFY DIMENSIONS WITH RESPECTIVE EQUIPMENT MANUFACTURER'S DATA.

8. LOCATIONS AND SIZES OF CEILING AND WALL ACCESS PANELS SHALL BE DETERMINED BY POSITION OF VALVES AND OTHER MECHANICAL AND ELECTRICAL DEVICES THAT REQUIRE ACCESS FOR OPERATION AND MAINTENANCE, OR AS REQUIRED BY THE BUILDING CODE, WHETHER INDICATED OR NOT ON THE DRAWINGS. COORDINATE SIZE, LOCATION AND TYPE OF ACCESS PANEL WITH THE WORK OF ALL TRADES. THE CONTRACTOR SHALL REVIEW AND APPROVE THE FINAL LOCATIONS OF ALL ACCESS PANELS PRIOR TO INSTALLATION.

9. ALL WORKMANSHIP AND MATERIALS SHALL CONFORM, AT A MINIMUM, TO THE REQUIREMENTS OF THE CURRENT EDITION OF THE BUILDING CODES, UNLESS MORE STRINGENT REQUIREMENTS ARE INDICATED.

10. IN THE EVENT OF CONFLICTING INFORMATION BETWEEN THE SPECIFICATIONS AND DRAWINGS OR WITHIN THE DRAWINGS, THE FOLLOWING GOVERNS: SPECIFICATIONS SHALL GOVERN OVER DRAWINGS; LARGER SCALE DRAWINGS SHALL GOVERN OVER SMALLER.

11. ALL DIMENSIONS OR NOTATIONS REFERRING TO "FINISH FLOOR" OR "ABOVE FINISH FLOOR" ARE FROM THE TOP OF THE EXISTING FINAL FINISH FLOOR MATERIAL AND NOT THE STRUCTURAL FLOOR SLAB.

NOTE:
1) HVAC SYSTEM SHALL NOT BE ALTERED FROM EXISTING.
2) MOVABLE TABLE AND BEANCHES SEE OWNER BUILDER FOR TYPE AND MODEL. *PROVIDE ACCESSIBLE COUNTERS PER IBC 2009 AND ANSI A117-2003*

RECEIVED
JAN 2 2 2013

SUP-48091

TENANT IMPROVEMENT PLANS

REVISIONS:

PROJECT: 311 ~~307~~ S. Main St
TENANT IMPROVEMENT

PROJECT ADDRESS:
307 S. Main St.
LAS VEGAS, NV 89101

COPYRIGHT:
TITLE:
DATE:
PROJECT #:
TYPE:
NE-HOA-LIC-NO:

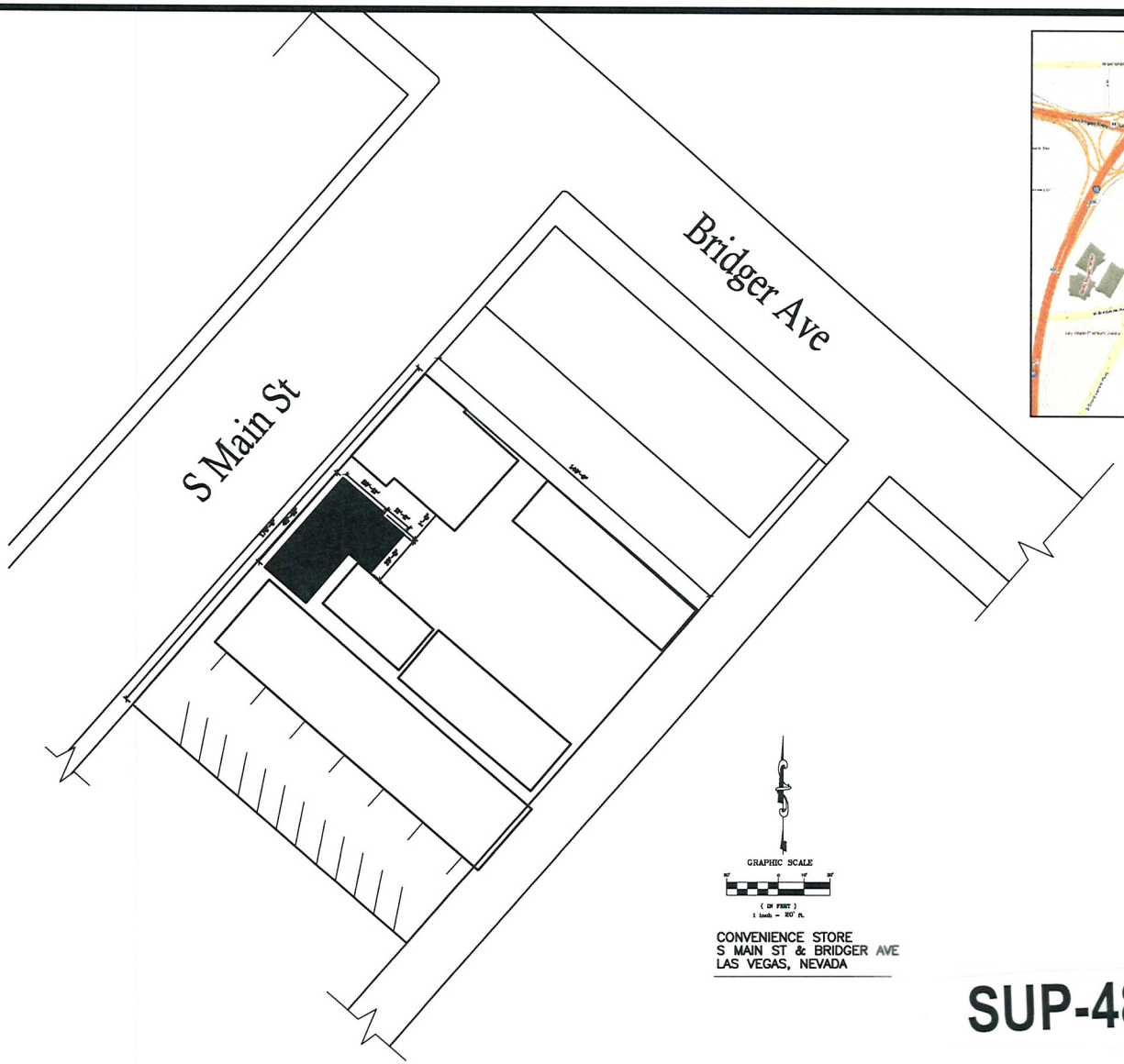
DOCUMENTS PREPARED BY THE DESIGNER ARE REPRESENTS OF SERVICE FOR USE SOLELY WITH RESPECT TO THIS PROJECT AND ARE THE PROPERTY OF THE DESIGNER. ALL COPYRIGHTS IN THESE DOCUMENTS ARE RESERVED BY THE DESIGNER. THESE DOCUMENTS SHALL NOT BE USED BY ANY PERSON OR ENTITY FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.

THESE PLANS ARE PREPARED BY / GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO BID, LICENSED CONTRACTOR SHALL BE RESPONSIBLE TO CONSTRUCT, AND ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS.

CONTACT:
PHONE NUMBER:
EMAIL:

PLOT: 12.15.12
DRAWN: RLS

SHEET
A2.00





VICINITY MAP

GRAPHIC SCALE

(IN FEET)
1 inch = 20' ft.

CONVENIENCE STORE
S MAIN ST & BRIDGER AVE
LAS VEGAS, NEVADA

SITE DATA:

BUILDING SIZE: 1,176.9 SQ. FT.
PROPERTY SIZE: 23,800 SQ. FT.

PARKING CAPACITY: 17 SPACES

KEYNOTES:

NO. DATE REVISIONS/ISSUANCES

RECEIVED
JAN 2 2 2013

SUP-48091

PROJECT NUMBER
PROJECT MANAGER X. X
ARCH/ENG
SCALE AS NOTED
DRAWN BY X. X
CHECKED BY

Consultant | Consultant | MEP / FP Engineer | Structural Engineer | Civil Engineer | Architect of Record | Design Architect

Owner
ROYCE REALTY & INVESTMENTS
1000 Royce Blvd.
Oakbrook Terrace, IL 60181
630.268.4000

Royce Realty and Management
1000 ROYCE
OAK BROOK MARKET

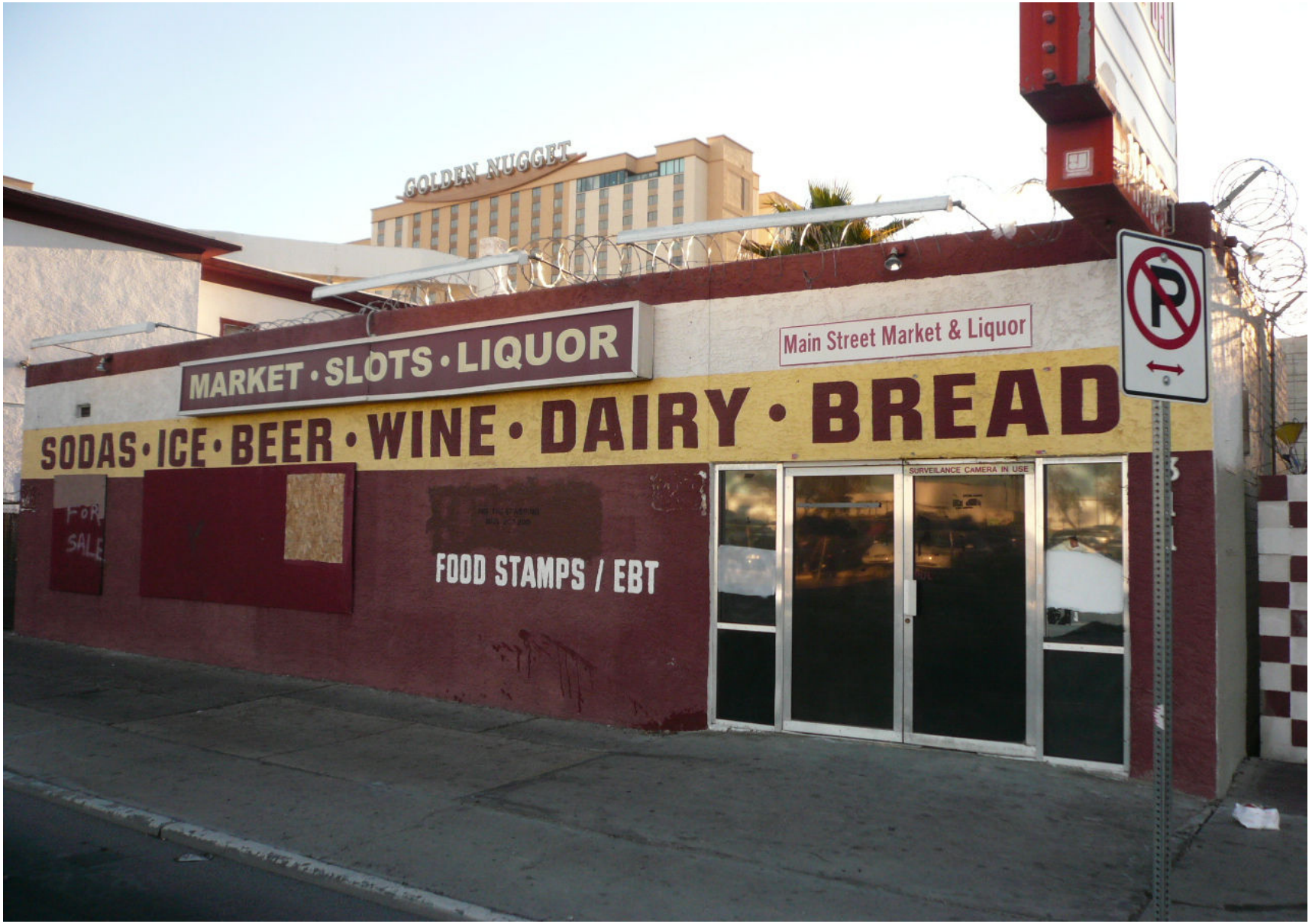
SEAL

Royce Realty and Management All rights reserved.



SUP-48091 - APPLICANT/OWNER: 307/309 MAIN STREET, LLC
311 MAIN STREET

01/31/13



SUP-48091 – APPLICANT/OWNER: 307/309 MAIN STREET, LLC
311 MAIN STREET

01/31/13

OAKBROOK
REALTY AND INVESTMENT,
LLC

307/319 MAIN ST. L.L.C.

January 18, 2013

Las Vegas Redevelopment Agency

495 S. Main Street,

Las Vegas, NV 89101

Re: Justification Letter:

Dear Planning and Development Department:

We are submitting a special use permit application for a convenience liquor store for our property at 311 Main Street, Downtown, and Las Vegas.

Prior to our closing of the property, the previous owner had the tenants vacate the property, which we did not understand as the convenience store was a successful sales and tax generator for business.

With the entire New City Hall next store, the area is in dire need of more open businesses to revitalize the area.

Previously I had a meeting with Councilman Coffin, who represents the above stated ward. At that time, he had stated that he had no objection to a convenience store opening again at that location.

We are anxious to return the properties we own on the 300 block of Main Street to viable businesses instead of vacant boarded up buildings. This is just one step of that process. The adjacent parking lot shown on our site plan will be utilized for parking (17 plus spaces).

If you have any questions or comments, please feel free to call me at 1-847-609-4663.

Respectfully,

Kevin M. Plencner

1000 Royce Boulevard
Oakbrook Terrace, Illinois 60181
630•268•4000
FAX: 630•268•4444

SUP-48091

City of Las Vegas Agenda Item No.: **26.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

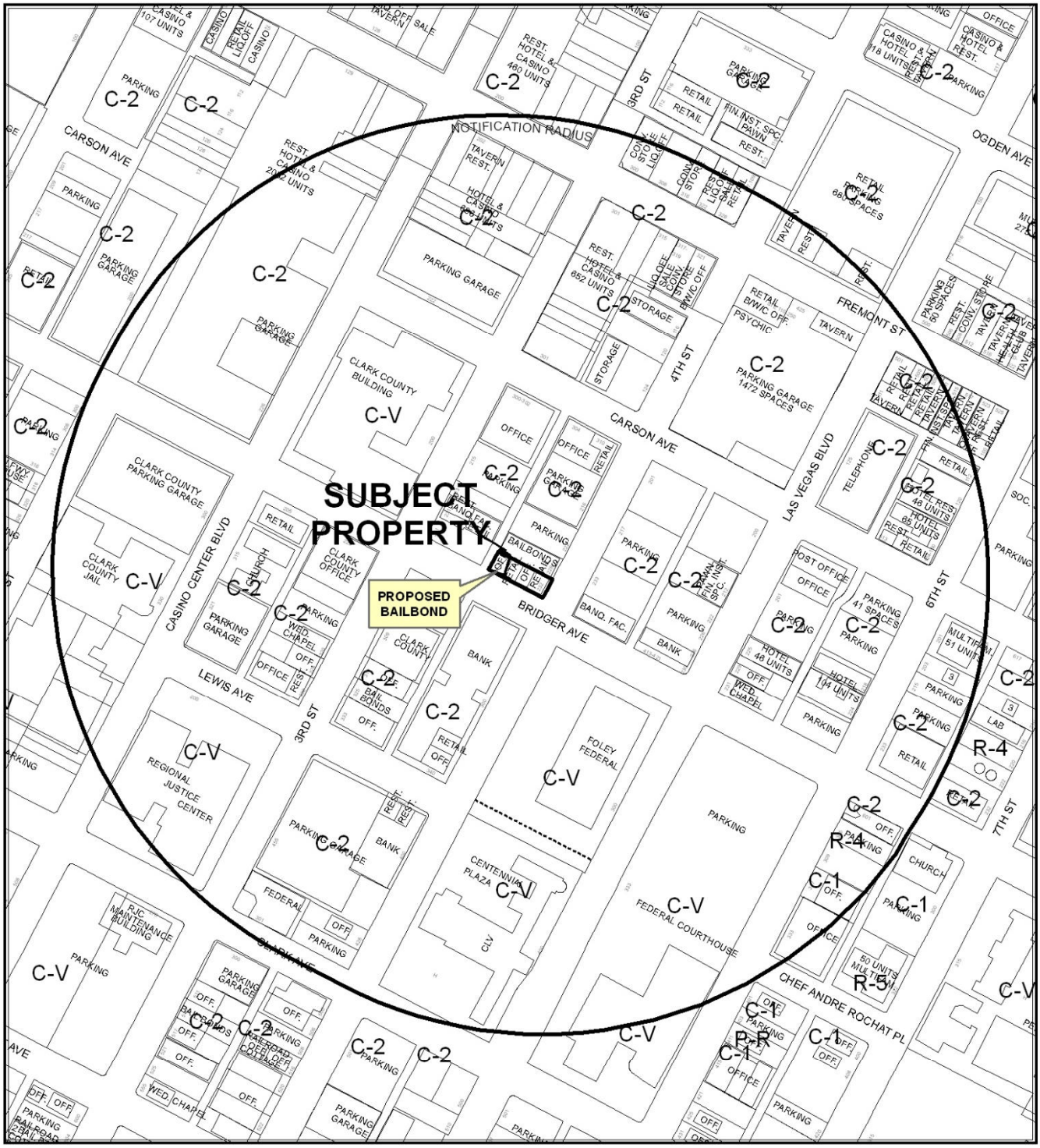
SUBJECT:
SUP-48141 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BYRON BROOKS - OWNER: MOUNTAIN SPRINGS DEVELOPMENT, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE USE at 316 East Bridger Avenue, Suite #101 (APN 139-34-210-078), C-2 (General Commercial) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



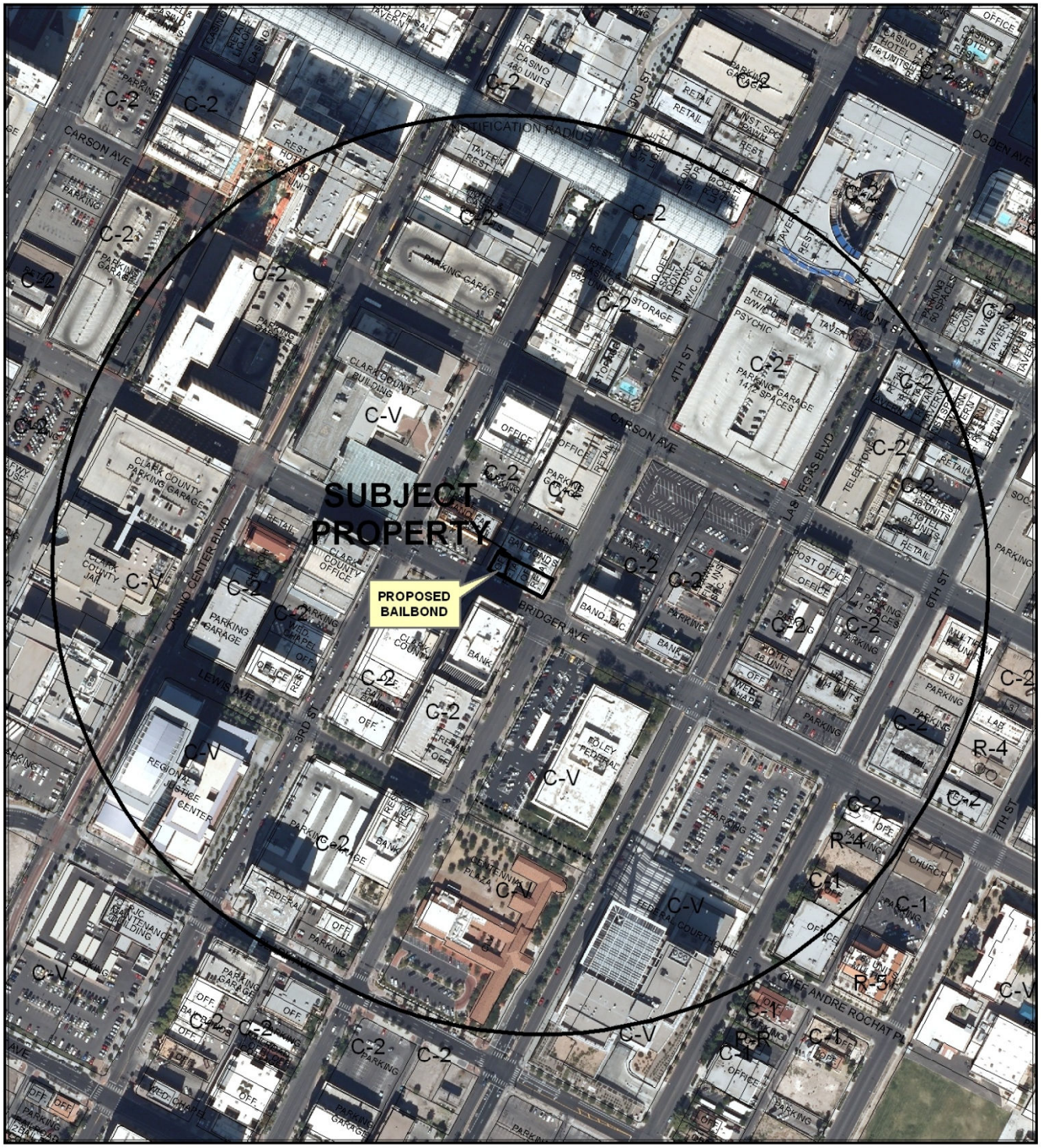
0 305 610 Feet

CASE: SUP-48141

RADIUS: 1000 FEET

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

N



CASE: SUP-48141

RADIUS: 1000 FEET

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

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: BYRON BROOKS - OWNER: MOUNTAIN SPRINGS DEVELOPMENT, LLC

** STAFF RECOMMENDATION **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48141	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-48141 CONDITIONS

Planning

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

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

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

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

Staff Report Page One
March 12, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting a Special Use Permit to operate a proposed Bailbond Service use within a 770 square-foot office suite located at 316 East Bridger Avenue, Suite #101. The proposed Bailbond Service use can be conducted in a manner compatible with the surrounding development and land uses. There are no Minimum Special Use Permit requirements listed in Title 19.12 for the proposed use. Staff recommends approval of this request. If the Special Use Permit is denied, the applicant will not be allowed to operate a Bailbond Service at this location.

ISSUES

- The Bailbond service use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.
- The proposed use is located within close proximity to the Regional Justice Center and the detention facilities.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc
There are no relevant city actions related to this property.

Most Recent Change of Ownership	
12/13/04	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no active building permits or business licenses relevant to this request at this site.

Pre-Application Meeting	
01/15/13	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Special Use Permit for a proposed Bailbond Service at 316 East Bridger Avenue, Suite #101.

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

Field Check	
01/31/13	Staff visited the site and found suitably maintained office building with parking located at the rear.

Details of Application Request	
Site Area	
Net Acres	0.15

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Office, Other Than Listed	C (Commercial)	C-2 (General Commercial)
North	Bailbond Service	C (Commercial)	C-2 (General Commercial)
South	Financial Institution, General	C (Commercial)	C-2 (General Commercial)
East	Banquet Facility	C (Commercial)	C-2 (General Commercial)
West	General Retail, Other Than Listed	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	Y
G-O (Gaming Enterprise Overlay) District	Y
A-O (Airport Overlay) District	Y
Live/Work Overlay 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	N/A

DEVELOPMENT STANDARDS

Parking Requirement - Downtown							
Use	***Gross Floor Area or Number of Units***	***Recommended Parking***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Bailbond Service	770 SF	1:300 SF					
TOTAL SPACES REQUIRED			3		0		
Regular and Handicap Spaces Required			2	1	0	0	Y*

**Per Title 19.18.030(D), the subject site is parking impaired. As the proposed use will occupy an existing office suite, there is no net change in the recommended parking. Additionally, pursuant to Title 19.10.110(C), projects located within the Las Vegas Downtown Centennial Plan are not subject to the automatic application of parking requirements.*

ANALYSIS

The Bailbond Service use is defined in Title 19.18, as "An establishment that makes available to the public undertakings of bail in connection with judicial proceedings."

The proposed use meets the definition, as stated in the applicant's justification letter of his intent to operate such use from 316 East Bridger Avenue, Suite #101. The Bailbond Service use requires a Special Use Permit in the C-2 (General Commercial) zoning district; however, there are no Minimum Special Use Permit Requirements for this use.

The proposed use is located in close proximity with other Bailbond Service uses and the court and detention facilities. The subject site, an office building with no onsite provided parking, is parking impaired, per Title 19.18.030(D). The proposed Bailbond Service use will occupy an available office suite and will not constitute an increase in parking demand. The proposed use can be conducted in a manner that us harmonious and compatible with the existing development; therefore, staff recommends approval of this request. If denied, the applicant will not be allowed to operate a Bailbond Service at this location.

FINDINGS (SUP-48141)

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 Bailbond Service is compatible with the surrounding commercial land uses. There are similar uses are located on adjacent properties and within the Downtown Centennial Plan area.

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

   The proposed Bailbond Service use is located within the C-2 (General Commercial) zoning district and will operate within an existing office building. The subject site can accommodate the proposed use, as it is consistent in nature with other office and Bailbond Services in the area.

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 access to the site is adequately provided from Bridger Avenue and Fourth Street, with an alley adjacent to the west side of the site. The proposed use will not increase the traffic load for the building, as the use will occupy an existing office suite.

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

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

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

   There are no applicable requirements listed by Title 19.12 for a proposed Bailbond Service use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 32

NOTICES MAILED 86

APPROVALS 0

PROTESTS 0

MH

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: BYRON BROOKS

Project Address (Location) 316 E. BRIDGER AVE., STE 101

Project Name CADOC GROUP Proposed Use BAIL BONDS

Assessor's Parcel #(s) 139-34-210-078 Ward #

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

Commercial Square Footage 12,230 SF Floor Area Ratio

Gross Acres 0.15 Lots/Units 1 Density

Additional Information

RECEIVED

JAN 23 2013

PROPERTY OWNER Mountain Springs Development, LLC Contact Jon Field as Manager of Johns Management

Address 316 E. Bridger Ave., STE 200, Phone: 489-4440 Fax: 489-4443

City Las Vegas State NV Zip 89101

E-mail Address jon@fieldlawltd.com

APPLICANT BYRON BROOKS Contact Byron Brooks

Address 2657 Windmill Pky suite 586 Phone: (760) 908-5117 Fax:

City Henderson State NV Zip 89074

E-mail Address tac 858@yahoo.com

REPRESENTATIVE Jon Field Contact Jon Field

Address 316 E. BRIDGER AVE Suite 200 Phone: 489.4440 Fax: 489.4443

City LAS VEGAS State NV Zip 89101

E-mail Address

Property Owner Signature* [signature]

Print Name Jon Field

Subscribed and sworn before me

This 21st day of January, 20 13

Toni P Hansen

Notary Public in and for said County and State

TONI P. HANSEN
Notary Public State of Nevada
No. 98-49523-1
My Appt. Exp. February 9, 2015

FOR DEPARTMENT USE ONLY

Case # SUP-48141

Meeting Date: 3/12/2013

Total Fee: $1030.00

Date Received:* 1/23/2013

Received By: [signature]

DEPARTMENT OF PLANNING

RECEIVED

JAN 23 2013

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-48141 APN: 139-34-210-078

Name of Property Owner: Mountain Springs Development, LLC

Name of Applicant: Byron Brooks

Name of Representative: Jon Field

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: [signature]

Print Name: Jon Field as Manager of the Manager

Subscribed and sworn before me

This 21st day of January, 2013

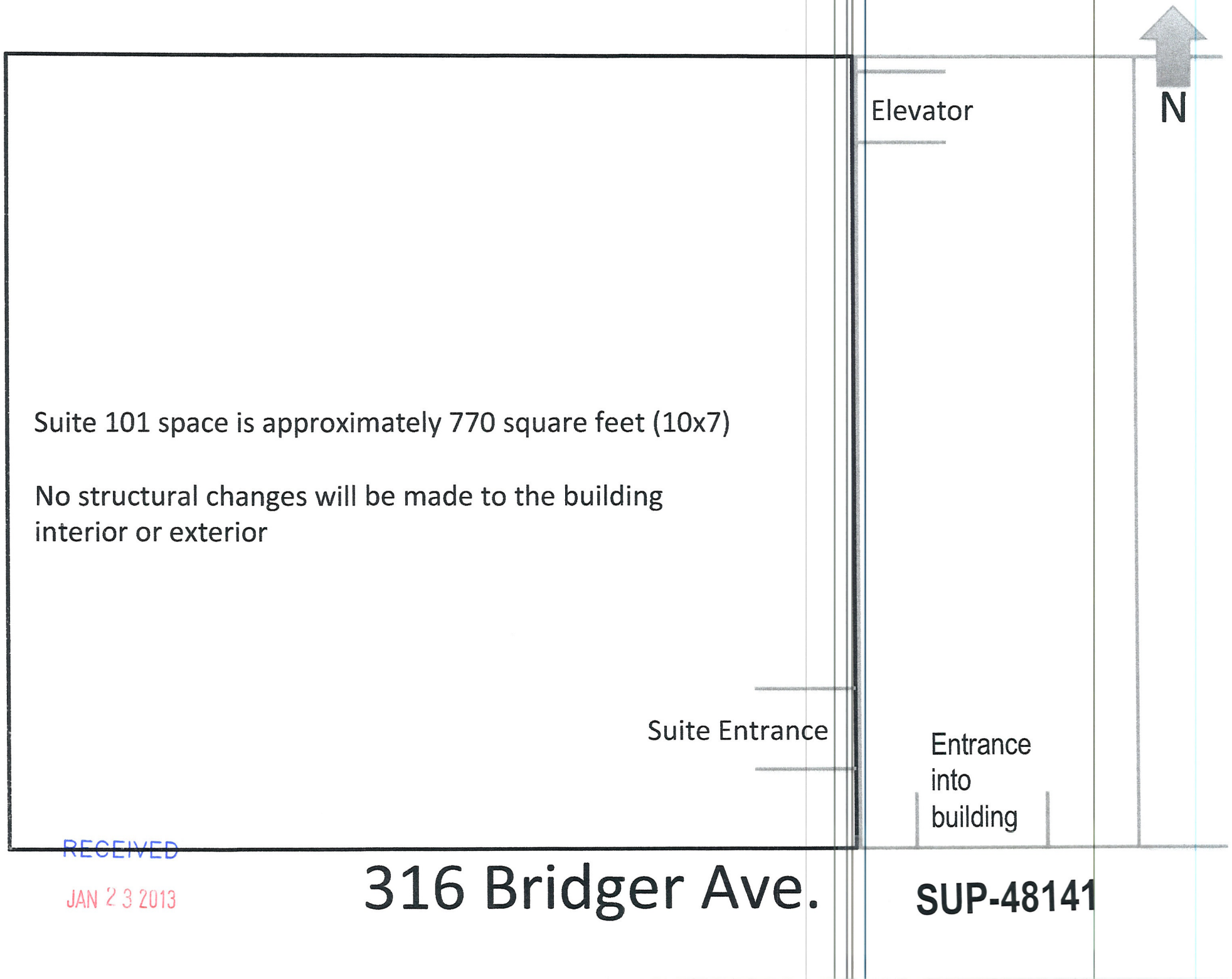
Toni P. Hansen

Notary Public in and for said County and State

TONI P. HANSEN
Notary Public State of Nevada
No. 98-49523-1
My Appt. Exp. February 9, 2015

Revised 1/15/2013

C:\depub\Application Packet\Statement of Financial Interest.pdf



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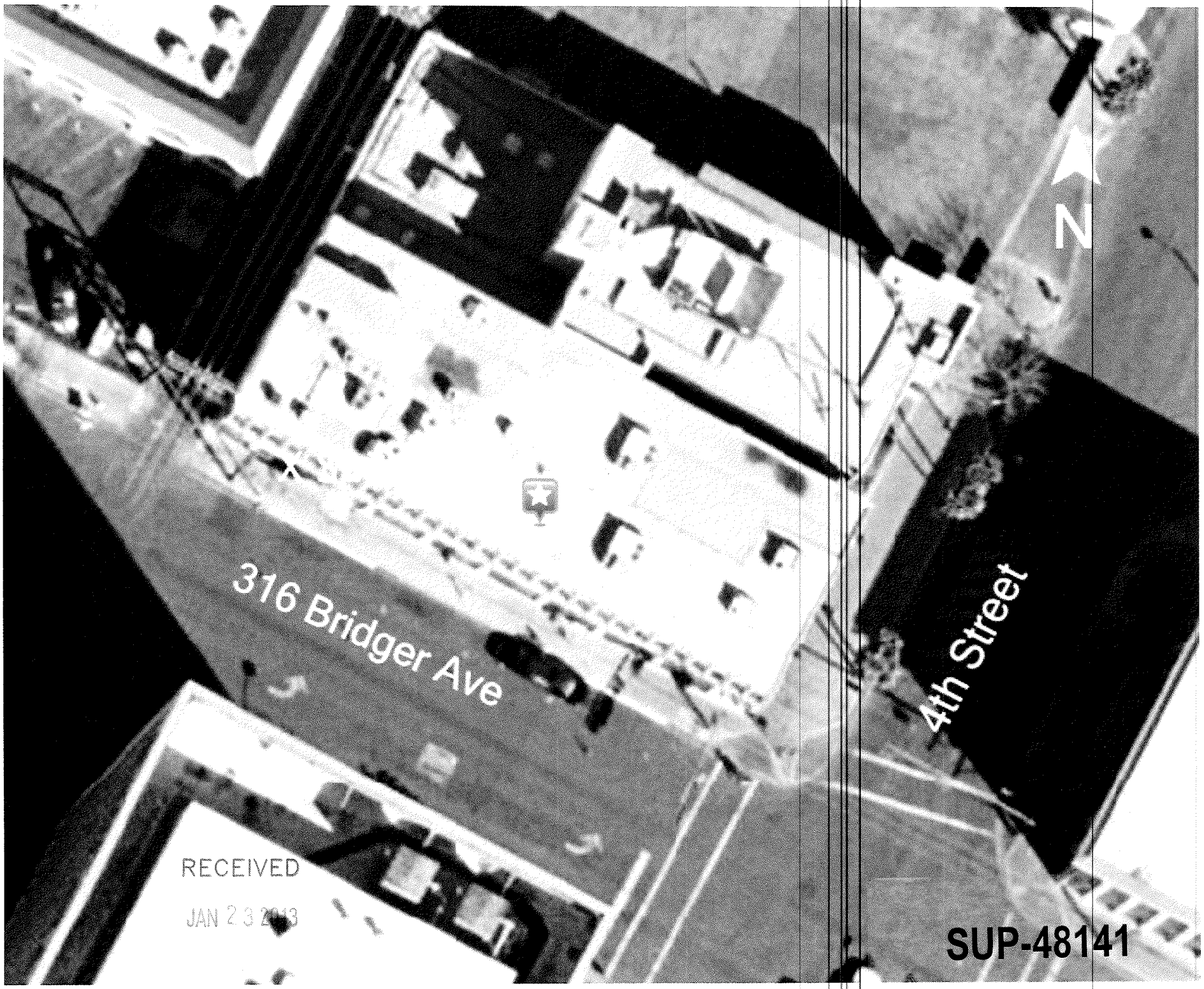
JAN 23 2013

316 Bridger Ave.

SUP-48141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316 Bridger Ave
4th Street
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JAN 2 3 2013
SUP-48141



SUP-48141 - APPLICANT: DURANGO MARKET - OWNER: KENNA III, LLC
316 EAST BRIDGER AVENUE, SUITE #101

01/31/13

FIELD LAW LIMITED
PRIVATE CLIENT GROUP

316 E. Bridger Avenue
Suite 202
Las Vegas, Nevada 89101

Tel: 702.489.4440
Fax: 702.489.4443
www.fieldlawltd.com

JON EVENSEN FIELD
jon@fieldlawltd.com

January 3, 2012

RECEIVED
JAN 23 2013

VIA HAND DELIVERY

CITY OF LAS VEGAS
DEPARTMENT of PLANNING
333 N. Rancho Drive
Las Vegas, Nevada 89106

Re: Justification Letter – Brooks Brothers Bail Bonds
Special Use Permit for Bail Bonds Services
316 E. Bridger Ave., STE 101; APN 139-34-210-078

Ladies and Gentlemen:

Please be advised that our office represents Byron Brooks, an individual, d/b/a Brooks Brothers Bail Bonds (the "Applicant") in connection with this request for a special use permit to operate a bail bonds service (the "Proposed Use") from a certain 770 square foot first floor retail premise (the "Premises") located at 316 E. Bridger Ave., STE 101, Las Vegas, Nevada 89101, as more particularly described Assessor's Parcel number 139-34-210-078 (the "Property). The Property is zoned General Commercial (C-2) and the Purposed Use requires a special use permit pursuant to Chapter 19.04, Table 2 of the Las Vegas Zoning Code.

The Proposed Use at the Property is justified for the following reasons:

a) The Premises were previously occupied from January 2004 through October 2008 by a bail bonds services business without incident or occurrence;
b) Other bail bonds business that are located nearby in similarly situated properties as the Property have received special use permits from the City of Las Vegas, i.e., Aardvark, freedom and Godfather's Bail Bonds;
c) The Property's C-2 General Commercial zoning classification allows for the broadest scope of compatible uses for both the general and travelling public that are likely to use bail bonds services at a location nearby the state and federal courts and associated detention centers; and
d) Applicant is of good moral character and fitness as a military veteran to operate a bail bonds service from the Premises.

Should you have any questions or require additional information, please contact me to discuss.

Respectfully,

Field Law, limited

Jon E. Field

c.c. Byron Brooks

SUP-48141

City of Las Vegas Agenda Item No.: **27.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

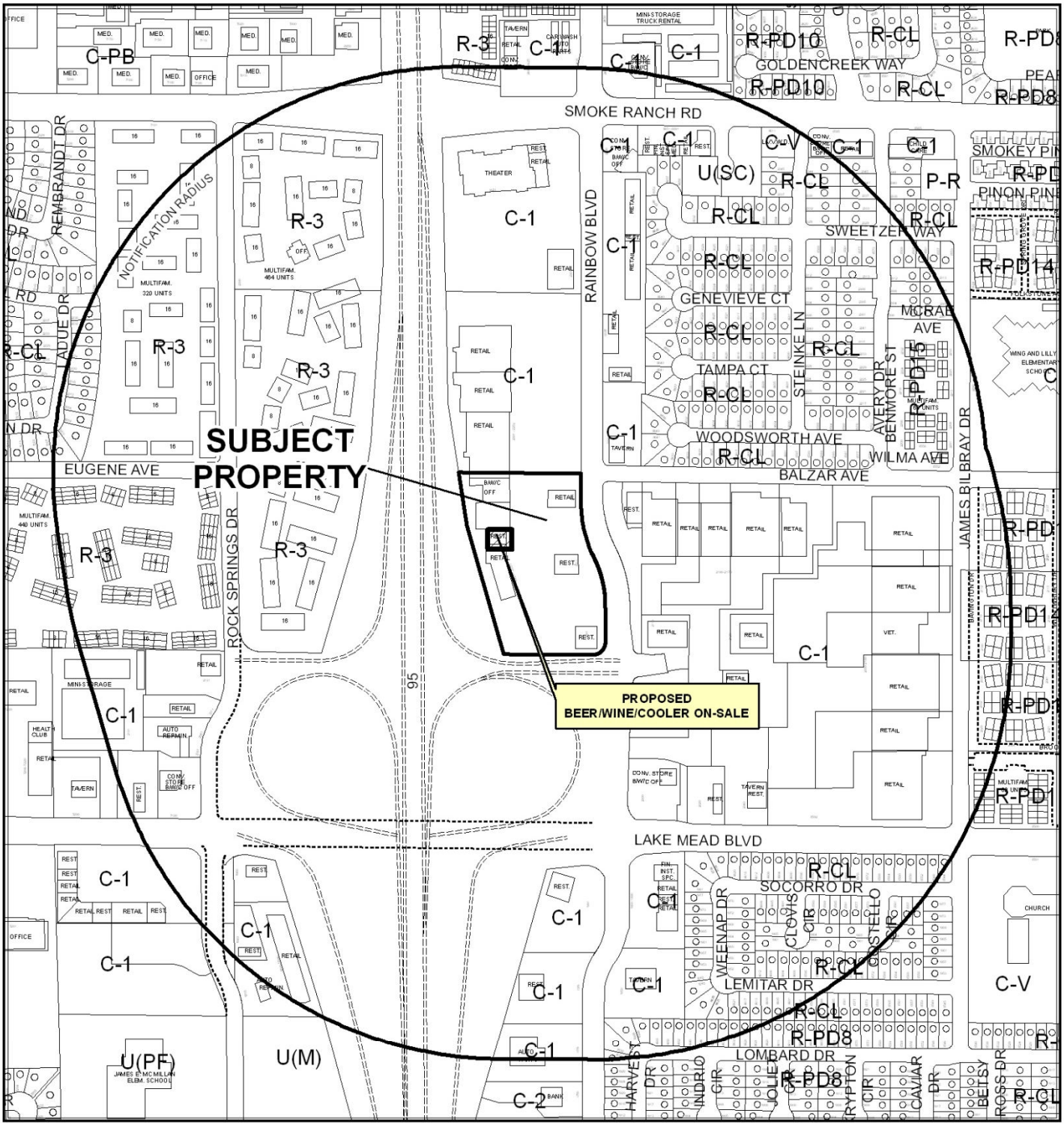
SUBJECT:
SUP-48146 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: OHJAH JAPANESE STEAKHOUSE SUSHI AND HIBACHI - OWNER: PK I RAINBOW PROMENADE, LLC - For possible action on a request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN AN EXISTING 4,992 SQUARE-FOOT RESTAURANT at 2051 North Rainbow Boulevard, Suite #102 (APN 138-22-603-001), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

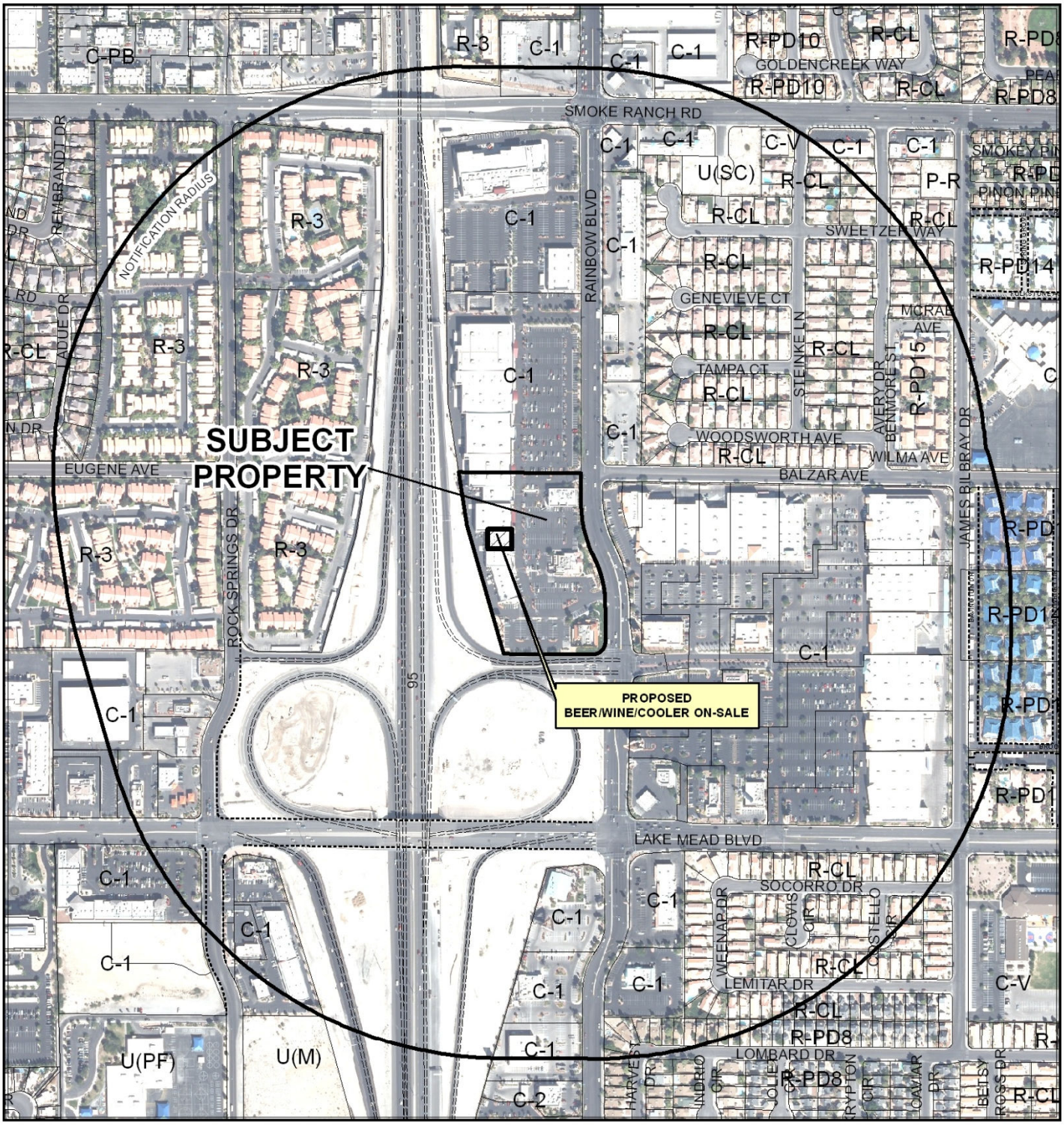
BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo
5. Justification Letter



CASE: **SUP-48146**

RADIUS: 1500 FEET

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



CASE: **SUP-48146**

RADIUS: 1500 FEET

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



SUP-48149

Business Licenses

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

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: OHJAH JAPANESE STEAKHOUSE SUSHI AND HIBACHI - OWNER: PK I RAINBOW PROMENADE, LLC

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

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48146	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

SUP-48146 CONDITIONS

Planning

1. The previous approval for a Special Use Permit (SUP-47041) for a Supper Club on this site shall be expunged upon final approval of SUP-48146.

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

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

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

5. Conformance to the approved conditions for Rezoning (Z-0100-87) and Site Development Plan Review [Z-0174-94(1) and Z-0100-87(7)].

6. 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.

Conditions Page Two
March 12, 2013 - Planning Commission Meeting

7. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
8. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

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

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting to serve beer, wine and sake only with meals at a proposed 4,992 square-foot restaurant within a Shopping Center. A more intense Supper Club use was approved for this location in December 2012, but the applicant no longer wishes to be restricted by the requirements of the Supper Club use. The proposed use meets all minimum Title 19.12 use requirements and can be conducted in a manner that is harmonious and compatible with surrounding uses. Staff therefore recommends approval with conditions. If denied, the approved Supper Club use will remain valid until 12/19/14 unless a business license is issued.

ISSUES

- A Beer/Wine/Cooler On-Sale Establishment is a permitted use in the C-1 (Limited Commercial) District with the approval of a Special Use Permit.
- The existing entitlement for a Supper Club on this site will be expunged upon final approval of the proposed Beer/Wine/Cooler On-Sale Establishment.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
11/18/87	The City Council approved a Rezoning (Z-0100-87) of the subject site from N-U (Non-Urban) to C-1 (Limited Commercial) on approximately 22.00 acres located on the west side of Rainbow Boulevard, between Lake Mead Boulevard and Smoke Ranch Road. The Planning Commission and staff recommended approval.
02/15/95	The City Council approved a Rezoning (Z-0174-94) from N-U (Non-Urban) to C-1 (Limited Commercial) on 7.41 acres located at the southwest corner of Rainbow Boulevard and Smoke Ranch Road. The Planning Commission and staff recommended approval.
08/10/95	The Planning Commission approved a request for a Site Development Plan Review [Z-0174-94(1) and Z-0100-87(7)] for a 227,276 square-foot Shopping Center on 20.03 acres at 2051 North Rainbow Boulevard. Staff recommended approval.
04/07/04	The City Council approved a request for a Special Use Permit (SUP-3746) to allow a Restaurant Service Bar at 2051 North Rainbow Boulevard, Suite 102. The Planning Commission and staff recommended approval.

12/19/12	The City Council approved a Special Use Permit (SUP-47041) for a 4,992 square-foot Supper Club at 2051 North Rainbow Boulevard, Suite #102. The Planning Commission and staff recommended approval. The entitlement has not been exercised.

Most Recent Change of Ownership	
01/22/07	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
11/13/96	A building permit (#96022677) was issued for a Tenant Improvement at 2051 North Rainbow Boulevard, Suite #102. A final inspection was approved 03/07/97.
02/25/97	A business license (R09-00772) was issued for a Restaurant at 2051 North Rainbow Boulevard, Suite #102. This license was marked out on 05/09/11.

Pre-Application Meeting	
11/15/12	A pre-application meeting was held with the applicant to discuss submittal requirements for a Special Use Permit for a Beer/wine/Cooler On-Sale Establishment. Staff was clear that the use had to meet the Title 19 definition, and the floor plans needed to specify the function of the various bars within the restaurant, as alcohol could only be served to patrons with meals.

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

Field Check	
01/31/13	The subject suite is located in a multitenant building that is part of a larger shopping center with several restaurant uses. Tables and chairs were located inside, but no business appeared to be in operation.

Details of Application Request	
Site Area	
Net Acres	7.14

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)	C-1 (Limited Commercial)
South	U.S. 95	ROW (Right-of-Way)	ROW (Right-of-Way)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	U.S. 95	ROW (Right-of-Way)	ROW (Right-of-Way)

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	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 13, the following standards apply:

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Rainbow Boulevard	Major Collector	Planned Streets and Highways Map	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	
Shopping Center	227,276	1 space per 250 SF GFA	910				
TOTAL SPACES REQUIRED			910		1,393		Y
Regular and Handicap Spaces Required			891	19	1,365	28	Y

SS

ANALYSIS

The subject site is located within the Airport Overlay District, with a 140-foot height restriction. All buildings on the site, including the one at the subject address, meet the requirements. The site is not located within any special plan areas and is thus not subject to any additional zoning requirements beyond those contained within Title 19.08 for the C-1 (Limited Commercial) District.

The Beer/Wine/Cooler On-Sale Establishment use is defined as "An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which 30 or more people may be served with meals at any one time at tables or stools." The proposed use meets the definition, as the restaurant may seat approximately 170 persons and only beer, wine and sake will be served with meals in the restaurant. The floor plan indicates that a juice bar will be located at the center of the suite that will only serve non-alcoholic drinks. Behind the juice bar will be a sushi bar in which sushi will be prepared and served to patrons on stools. If the requested Special Use Permit is approved, alcoholic drinks may only be served in conformance with Title 6.50 requirements in addition to the Title 19.12 use requirements listed below.

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 houses of worship, schools, Individual Care Centers or City parks 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, as the subject fee simple parcel has direct access to Rainbow 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 existing Shopping Center property in 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 meets this requirement, as beer, wine and sake would be served to patrons by employees of the establishment only where meals would be served, such as in the restaurant area and at the sushi bar. A standard condition of approval requires conformance to this section of the code.

The proposed use would be located within a proposed Japanese restaurant that is within an established Shopping Center equipped to handle commercial uses of various intensities. No outdoor seating is proposed. The Shopping Center contains several similar uses that have operated harmoniously with each other and with uses on surrounding properties. The location is ideal, as the U.S. 95 Freeway is situated to the west and south, and other commercial uses are to the north and east of the site. The Shopping Center can easily accommodate the required parking for all onsite uses, including the proposed Beer/Wine/Cooler On-Sale Establishment. The subject tenant suite was recently entitled for a Supper Club use, which is intended for larger restaurants where full alcohol service will be anticipated with meals; although the existing restaurant can accommodate up to 170 persons, the applicant does not intend to obtain a Supper Club license in the future. A condition of approval will expunge the approved entitlement that has not been exercised, upon final approval of the Special Use Permit.

As the use can be conducted in a manner that is harmonious and compatible with surrounding uses and all minimum Title 19 requirements are met by the use, staff recommends approval with conditions.

FINDINGS (SUP-48146)

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 Supper Club 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 commercial uses. The site is also adjacent to the U.S. 95 Freeway right-of-way.

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

   No significant changes are proposed to the existing structure or the site with this application. The proposed intensity of the land use is suitable for this location, which contains a large shopping center designed for this and similar 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.**

   The property is accessed by Rainbow Boulevard, a Major Collector as designated by the city's Planned Streets and Highways Map. The roadway facilities are adequate to serve a Supper Club 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 Beer/Wine/Cooler On-Sale Establishment use at this location will not compromise the public health, safety and welfare or the primary objectives of the General Plan, as the use will be subject to regular inspections and licensing requirements.

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

   The proposed use meets all applicable conditions of Title 19.12 for a Beer/Wine/Cooler On-Sale Establishment.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 904

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-48146** APN: 138-22-603-001

Name of Property Owner: PK I RAINBOW PROMENADE LLC

Name of Applicant: ZHI GANG WANG

Name of Representative: WENDY LU

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: PK I Rainbow Promenade LLC
By: KIM-BIG 2 JV LP, its sole member
By: KIM-BIG 2 JV GP, Inc., its general partner
By: _____

Print Name: Scott Gerber

Title: Vice President

Subscribed and sworn before me

this 25th day of September, 2012

Teresa Cicchetti
Notary Public in and for said County and State

TERESA CICCHETTI
Notary Public, State of New York
No. 01CI4971574, Suffolk County
Commission Expires Sept. 4, 2014

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Zhi Gang Wang

Project Address (Location): 2051 N Rainbow Blvd, Ste#102-103

Project Name Ohiah Japanese Steakhouse Sushi & Hibachi **Proposed Use** Beer/Wine/Cooler on site

Assessor's Parcel #(s) 138-22-603-001 **Ward #** 5-Barlow

General Plan: existing _____ proposed _____ **Zoning:** existing C-1 proposed no chan

Commercial Square Footage 4992 sqft. **Floor Area Ratio** _____

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

Additional Information _____

PROPERTY OWNER PK I RAINBOW PROMENADE LL **Contact** _____

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

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

E-mail Address _____

APPLICANT ZHI GANG WANG **Contact** _____

Address 8595 S DECATUR BLVD #102 **Phone:** (702) 868-9888 **Fax:** (702) 868-9988

City LAS VEGAS **State** NV **Zip** 89139

E-mail Address _____

REPRESENTATIVE WENDY LU **Contact** _____

Address 4811 W DESERT INN RD. **Phone:** (702) 436-6955 **Fax:** (702) 436-6923

City LAS VEGAS **State** NV **Zip** 89102

E-mail Address wendy.lu@cox.net

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

Property Owner Signature* See Next Page

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

Print Name _____

Subscribed and sworn before me

This _____ day of _____, 20 _____.

_____

Notary Public in and for said County and State

FOR DEPARTMENT USE ONLY	
Case #	SUP-48146
Meeting Date:	3/12/13
Total Fee:	$1280.-
Date Received:*	1/23/13
Received By:	

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

Revised 10/27/08

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

Signature page for City of Las Vegas Department of Planning Application/Petition Form
For Ohjah Japanese Steakhouse Sushi & Hibachi

Property Owner Signature:

PK I Rainbow Promenade LLC
By: KIM-BIG 2 JV LP, its sole member
By: KIM-BIG 2 JV GP, Inc., its general partner

By: _____
Name: Scott Gerber
Title: Vice President

Subscribed and sworn before me
This 25th day of Sept., 2012

_____
Notary Public

TERESA CICCHETTI
Notary Public, State of New York
No. 01CI4971574, Suffolk County
Commission Expires Sept. 4, 2014

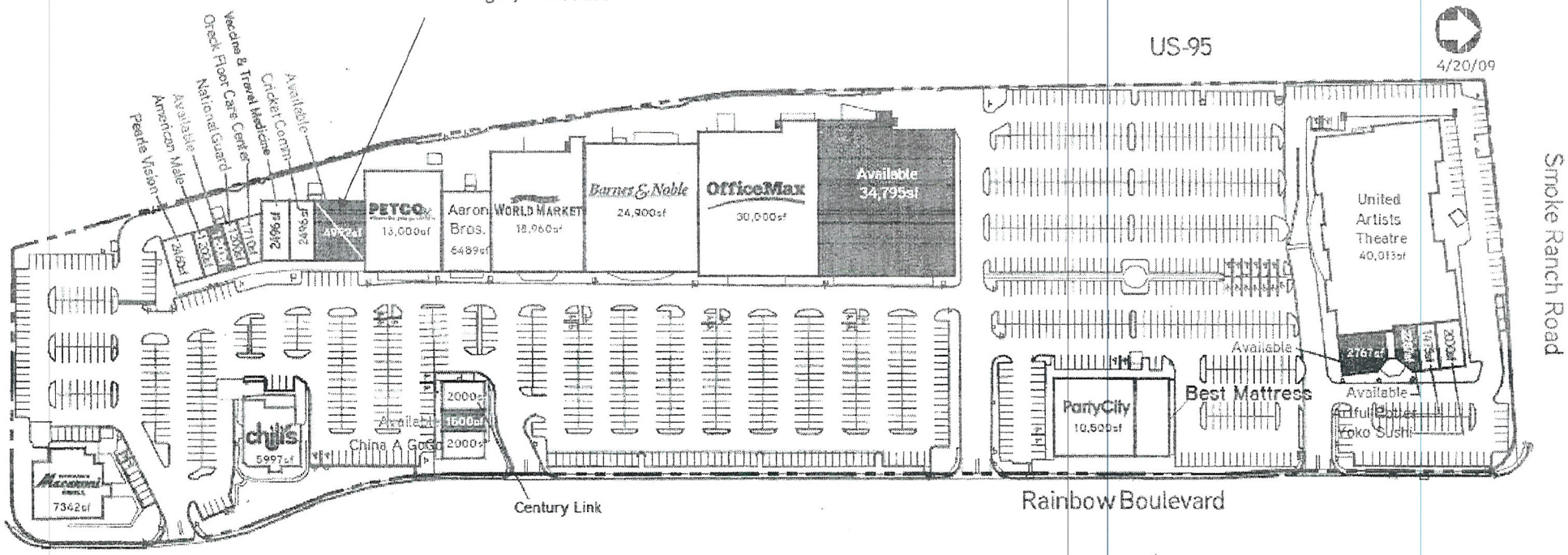
SUP-48146

HAN CHENG LLC

OHJAH JAPANESE STEAKHOUSE SUSHI & HIBACHI

2051 N. Rainbow Blvd #102 & 103

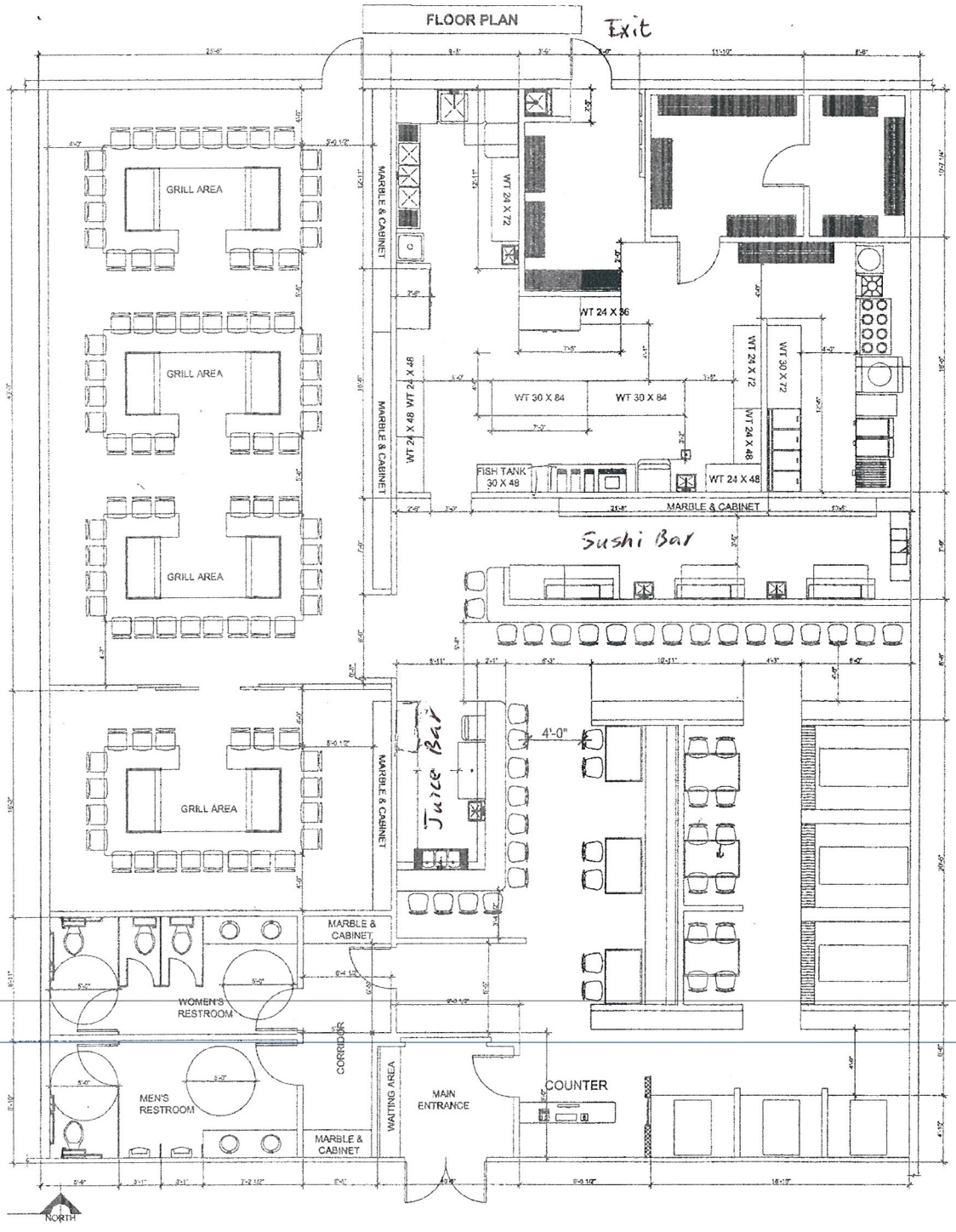
Las Vegas, NV. 89108



RECEIVED
JAN 23 2013

SUP-48146

Han Cheng LLC dba Ohjah Japanese Steakhouse Sushi & Hibachi
2051 N Rainbow Blvd. #102 & 103
Las Vegas, NV 89108



Restaurant area: 4992 sqft.

Seating: 170

RECEIVED
JAN 23 2013

SUP-48146



SUP-48146 - APPLICANT: OHJAH JAPANESE STEAKHOUSE SUSHI AND HIBACHI - OWNER: PK I RAINBOW PROMENADE, LLC
2051 NORTH RAINBOW BOULEVARD, SUITE #102

01/31/13

Justification Letter

January 8, 2013

Zhi Gang Wang
2051 N Rainbow Blvd. #102-103
Las Vegas, NV 89108
Mailing Address:
4811 W Desert Inn Rd.
Las Vegas, NV 89102

City of Las Vegas
Planning and Development Department

Re: zoning application for Beer/Wine/Cooler on sale establishment

To Whom It May Concern:

This letter is to request approval of Beer/Wine/Cooler on sale zoning for above location of a Japanese Steakhouse Sushi & Hibachi.

This restaurant is located at corner of N. Rainbow Blvd. / W. Lake Mead Blvd. Total square feet is 4992 inside with Dining area around 2992 SQ Ft., Kitchen area around 1100 SQ Ft., Restrooms, storage & Hallway total around 900 SQ Ft. Total seating is around 170. Hours operation is 11 am to 11pm.There are about12 Employees on site all the time.

We serve beer, wine and sake (fewer than 22% alcohol level) with food by our servers. There is a sushi bar where sushi chefs make sushi inside the bar. There is a juice bar where servers make boba tea, thai tea, fresh fruit juice, red/green beans drinks and where draft beer, non-alcoholic drinks are stored.

I have a NYE County, NV Liquor license since 03/08/2010 and a Clark County, NV Liquor Business license (2002377 LIQ-143) since 11/15/2011 for the similar Japanese Restaurants. And we have never had any problems with all liquor licenses.

Please kindly approve our zoning request so we can better serve our customers.

Thanks.

Sincerely,

Zhi Gang Wang



SUP-48146

City of Las Vegas Agenda Item No.: **28.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

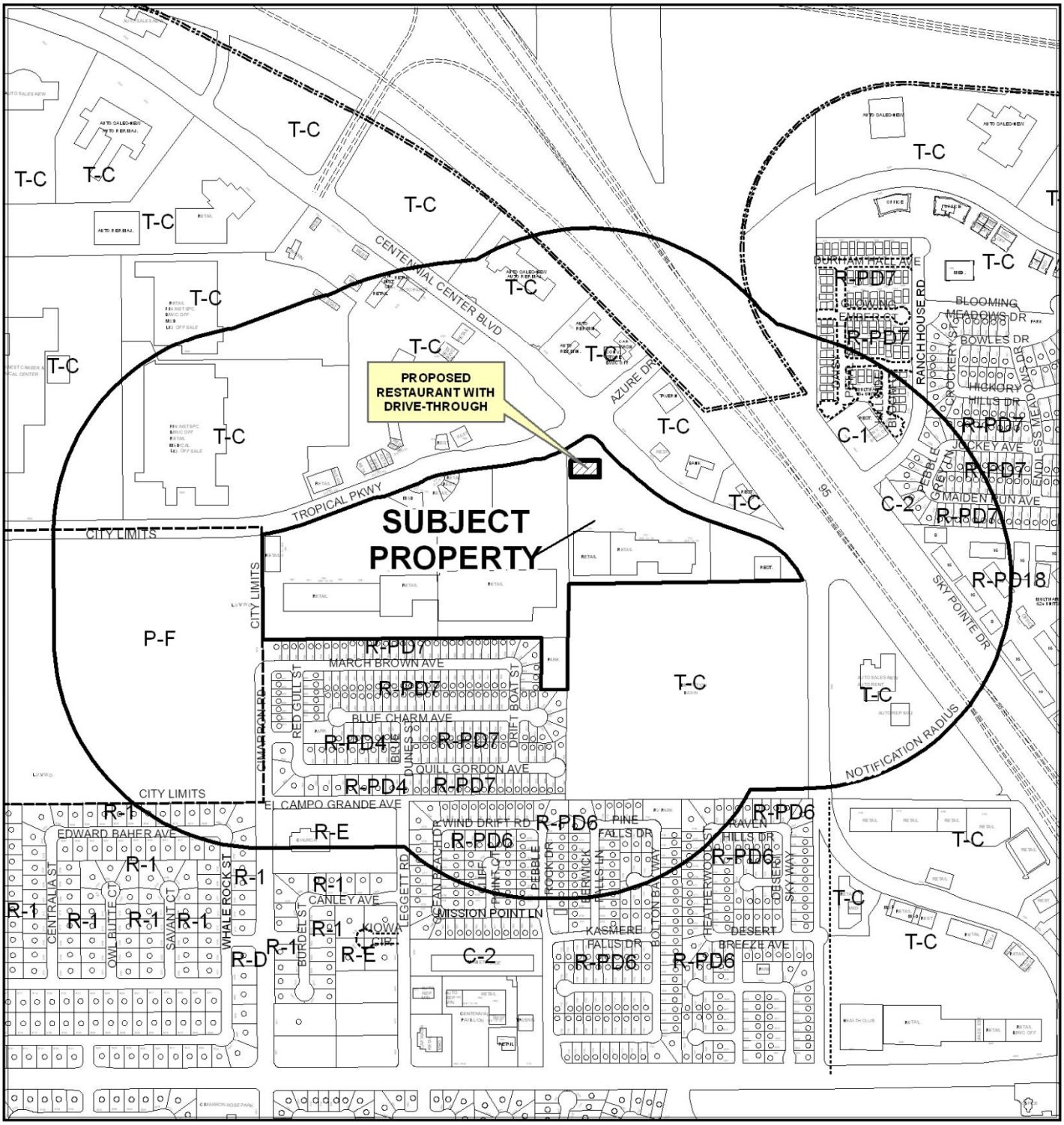
SUBJECT:
SUP-48160- SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FARMER BOYS FOOD, INC. - OWNER: INLAND DIVERSIFIED LAS VEGAS CENTENNIAL CENTER, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED RESTAURANT (WITH DRIVE-THROUGH) at the southwest corner of Tropical Parkway and Centennial Center Boulevard (APN 125-28-713-007), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - SUP-48160 and SDR-48158
2. Conditions and Staff Report - SUP-48160 and SDR-48158
3. Supporting Documentation - SUP-48160 and SDR-48158
4. Photos - SUP-48160 and SDR-48158
5. Justification Letter - SUP-48160 and SDR-48158



0 500 1,000 Feet

CASE: **SUP-48160 & SDR-48158**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)
[SC-TC (SERVICE COMMERCIAL - TOWN CENTER)
SPECIAL LAND USE DESIGNATION]

N



0 500 1,000 Feet

CASE: **SUP-48160 & SDR-48158**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)
[SC-TC (SERVICE COMMERCIAL - TOWN CENTER)
SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: FARMER BOYS FOOD, INC. - OWNER: INLAND DIVERSIFIED LAS VEGAS CENTENNIAL CENTER, LLC

** STAFF RECOMMENDATIONS **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48160	Staff recommends APPROVAL, subject to conditions:	SDR-48158
SDR-48158	Staff recommends APPROVAL, subject to conditions:	SUP-48160

** CONDITIONS **

SUP-48160 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-48158) 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.

MH

SDR-48158 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-48160) 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 enlarged site and landscape plan labeled "ST2", floor plans, and building elevations, date stamped 01/24/13, except as amended by conditions herein.

4. Prior to the time application is made for a building permit, a sign plan that meets the criteria set forth in the Centennial Centre Development Criteria and Guidelines shall be approved by staff of the Planning and Development Department

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

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

7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

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

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

Public Works

10. A Drainage Study update must be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map for this site. Provide and improve all drainageways recommended in the approved drainage study update.

11. Comply with all previous conditions of approval for Z-76-98(1) and all other subsequent site development review actions.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to develop a 3,195 square-foot Restaurant (with drive-through) at the southwest corner of Tropical Parkway and Centennial Center Boulevard, located within the Town Center Special Area Plan. The proposed restaurant is part of a larger Shopping Center located on the same lot to the south. The drive-through component of the Restaurant requires a Special Use Permit. Staff recommends approval of both requests, as the use is compatible and harmonious with the surrounding commercial uses.

ISSUES

- A Special Use Permit is required for a Restaurant (with drive-through) in Service Commercial Town Center districts.
- The specific location of the proposed Restaurant is currently used as additional parking for the existing Shopping Center; the proposed Special Use Permit is required for the Drive-Through component of the restaurant.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/07/98	The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) on this site as part of a larger request.
01/14/99	The Planning Commission approved the Centennial Center Tentative Map (TM-0066-98) on this site as part of a larger request.
02/08/99	The City Council approved a Site Development Plan Review [Z-0076-98(1)] for a proposed 1,217,000 square-foot retail commercial development with seven auto dealerships on this site as part of a larger request.
08/26/99	The Planning Commission approved the Centennial Center Unit-1 Final Map (FM-0068-99) on this site as part of a larger request.
12/05/01	The City Council approved a Special Use Permit (U-0138-01) for a proposed Outdoor Sales Lot for a farmers market on property located adjacent to the southwest corner of Centennial Center Boulevard and Tropical Parkway. The Planning Commission and staff recommended approval.

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

Related Building Permits/Business Licenses
There are no building permits or business licenses for the subject site related to this proposal.

Pre-Application Meeting	
01/07/13	A pre-application meeting was held with the applicant's representative to discuss the development requirements for a proposed Restaurant (with drive-through) use in the Town Center Master Plan Area. It was determined that a Site Development Plan Review would be required for the proposed structure and that a Special Use Permit would be required for the drive-through component of the Restaurant.

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

Field Check	
01/31/13	A field inspection was conducted by staff. The subject property was noted as a well maintained Shopping Center with a mature landscaping installed.

Details of Application Request	
Site Area	
Net Acres	7.86

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
North	Shopping Center	GC-TC (General Commercial – Town Center)	T-C (Town Center)
South	Detention Basin	PF-TC (Public Facilities – Town Center)	T-C (Town Center)
East	Restaurant	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
West	Shopping Center	SC-TC (Service Commercial – Town	T-C (Town Center)

		Center)	

Master Plan Areas	***Compliance***
Town Center Special Area 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 the Town Center Development Standards Manual, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Setbacks			
• Front	15 Feet	96 Feet	Y
• Corner	15 Feet	83 Feet	Y
• Rear	20 Feet	500 Feet	Y
Max. Building Height	Two Stories	Single Story	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Enclosed	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to the Town Center Development Standards Manual, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Required	***Trees***		
Open Space	20%			
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	3 Trees	4 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		15 Feet	Y
• East	15 Feet		15 Feet	Y
• West	15 Feet		15 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	351,207 SF	1:250 SF					
TOTAL SPACES REQUIRED			1,405		1,757		
Regular and Handicap Spaces Required			25		1,702	55	Y
Loading Spaces	>10,000 SF		1		1		Y

ANALYSIS

There are no Minimum Special Use Permit Requirements listed in the Town Center Special Area Plan for the Restaurant (with drive-through) use, nor is there a definition listed for this particular use listed in Title 19.18; however, the Town Center Special Area Plan requires that a Restaurant (with drive-through) use be reviewed on a case-by-case basis by means of a Special use Permit.

Included with the requested Special Use Permit is a Site Development Plan Review for the proposed construction of a 3,195 square-foot Restaurant (with drive-through) located at the northernmost tip of the commercial subdivision. The applicant proposes to develop a portion of the lot currently underutilized as parking overage for the Shopping Center. It is noted that the proposed building is close to a Las Vegas Valley Water District (LVVWD) easement. It is recommended that the applicant coordinate any work within the LVVWD easement with the Water District prior to submitting construction drawings to the City. The existing perimeter landscaping will remain and only minor changes to the parking lot landscape islands will occur. The proposed development meets all criteria specifically listed for the Fast Food Restaurant, as set forth by the Town Center Development Standards Manual.

The proposed development is typical of the surrounding retail and restaurant uses and meets the development requirements listed for the SC-TC (Service Commercial – Town Center) special land use district; therefore, staff recommends approval of this request.

FINDINGS (SUP-48160)

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 3,195 square-foot Restaurant (with drive-through) is located within a Shopping Center in the SC-TC (Service Commercial – Town Center) special land use area. The proposed use can be conducted in a manner that is harmonious and compatible with the uses on the existing site and with the commercial uses on the adjacent properties.

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

   The subject site is suitable for the type and intensity associated with the Restaurant (with drive-through) use, which will occupy the developable northern portion of the existing Shopping Center parking overflow.

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

   Site access is provided from Centennial Center Boulevard, a 90-foot Town Center Frontage Road, a sufficient size to accommodate the needs of the proposed Restaurant (with drive-through) 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 proposed Restaurant (with drive-through) will not compromise the public health, safety, or welfare, as the use is subject to licensing and inspections by the City of Las Vegas. The use is consistent with the existing SC-TC (Service Commercial - Town Center) special land use designation.

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

   There are no applicable conditions listed in Title 19.12 or the Town Center Development Standards Manual for the drive-through component of the proposed Restaurant; however, the Town Center Development Standards Manual does require a Restaurant (with drive-through) use to be reviewed and conditioned on a case-by-case basis.

FINDINGS (SDR-48158)

In order to approve a Site Development Plan application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed Restaurant (with drive-through) is located within the northern portion of a parking lot that serves an existing Shopping Center. The surrounding area is used for both large and small commercial developments featuring various restaurant and retail uses. The development is compatible to adjacent land uses and in the architectural style of buildings in the area.

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

   The proposed development is consistent with the Town Center Development Standards Manual. Development conditions specific to the Restaurant (with drive-trough) use have been met; particularly that the drive-through lane does not wrap around more than two side of the building.

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

   The subject property is accessed from Centennial Center Boulevard, a Town Center Frontage Road with a designed right-of-way width of 90 feet. The street is adequate to meet the requirements of the proposed use.

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

   The proposed building materials are in compliance with standards and are appropriate for the area. The applicant is proposing a modest storefront with masonry veneer base topped with a smooth-coat stucco finish. Although there are no proposed changes to the existing perimeter landscape materials, the applicant has provided ample landscaping that surrounds the structure.

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

   The proposed building design characteristics are typical of the surrounding commercial development and are in conformance with the Centennial Centre requirements. The applicant has provided a covered drive-through service window that is incorporated into the design of the remaining building.

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

The proposed Restaurant (with drive-though) will be subject to building inspections throughout construction and will continue with ongoing business licensing reviews; therefore, the development will not compromise public health or safety.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 32

NOTICES MAILED 381

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-48160 APN: 125-28-713-007

Name of Property Owner: Inland Diversified Las Vegas Centennial Center, LLC

Name of Applicant: Farmer Boy's Food, Inc.

Name of Representative: John David Burke, Architect

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: By LS president

Print Name: BARRY L. LAZARUS

Subscribed and sworn before me

This 18 day of January, 2013

Linda Ast

Notary Public in and for said County and State

DuPage, IL

LINDA AST
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
November 14, 2015

RECEIVED

JAN 24 2013

City of Las Vegas
Dept. of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Site Development Review

Project Address (Location) 7701 W. Tropical Parkway

Project Name Farmer Boys **Proposed Use** Restaurant

Assessor's Parcel #(s) 125-28-713-007 **Ward #** 6

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

Commercial Square Footage 104,867sf/3,195sf **Floor Area Ratio** 30.6

Gross Acres 7.86 **Lots/Units** n/a **Density** n/a

Additional Information allow a single story 3,195sf convenience restaurant with drive thru service

PROPERTY OWNER Inland Diversified Las Vegas Centennial Center, llc **Contact** Barry L. LAZARUS

Address 2901 Butterfield Rd. **Phone:** (630) 218-8000 **Fax:**

City Oakbrook **State** IL **Zip** 60523

E-mail Address blazarus@inlandgroup.com

APPLICANT Farmer Boys Food, Inc. **Contact** Kevin Kelly

Address 3452 University Ave **Phone:** (951) 823-8510 **Fax:**

City Riverside **State** CA **Zip** 92501

E-mail Address kkelly@farmerboys.com

REPRESENTATIVE John David Burke, Architect **Contact** John David Burke, Architect

Address 3471 W. Oquendo Rd. #301 **Phone:** (702) 876-4863 **Fax:** (702) 876-9355

City Las Vegas **State** NV **Zip** 89118

E-mail Address jburke@jburkearchitect.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* By RS president

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

Print Name Barry L. LAZARUS

Subscribed and sworn before me

This 18 day of January, 20 13.

Linda Ast

Notary Public in and for said County and State

DuPage, IL

LINDA AST
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
November 14, 2015

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-48160
Meeting Date:	03/12/13
Total Fee:	1030.00
Date Received:*	01/24/13
Received By:	Jonathan

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

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

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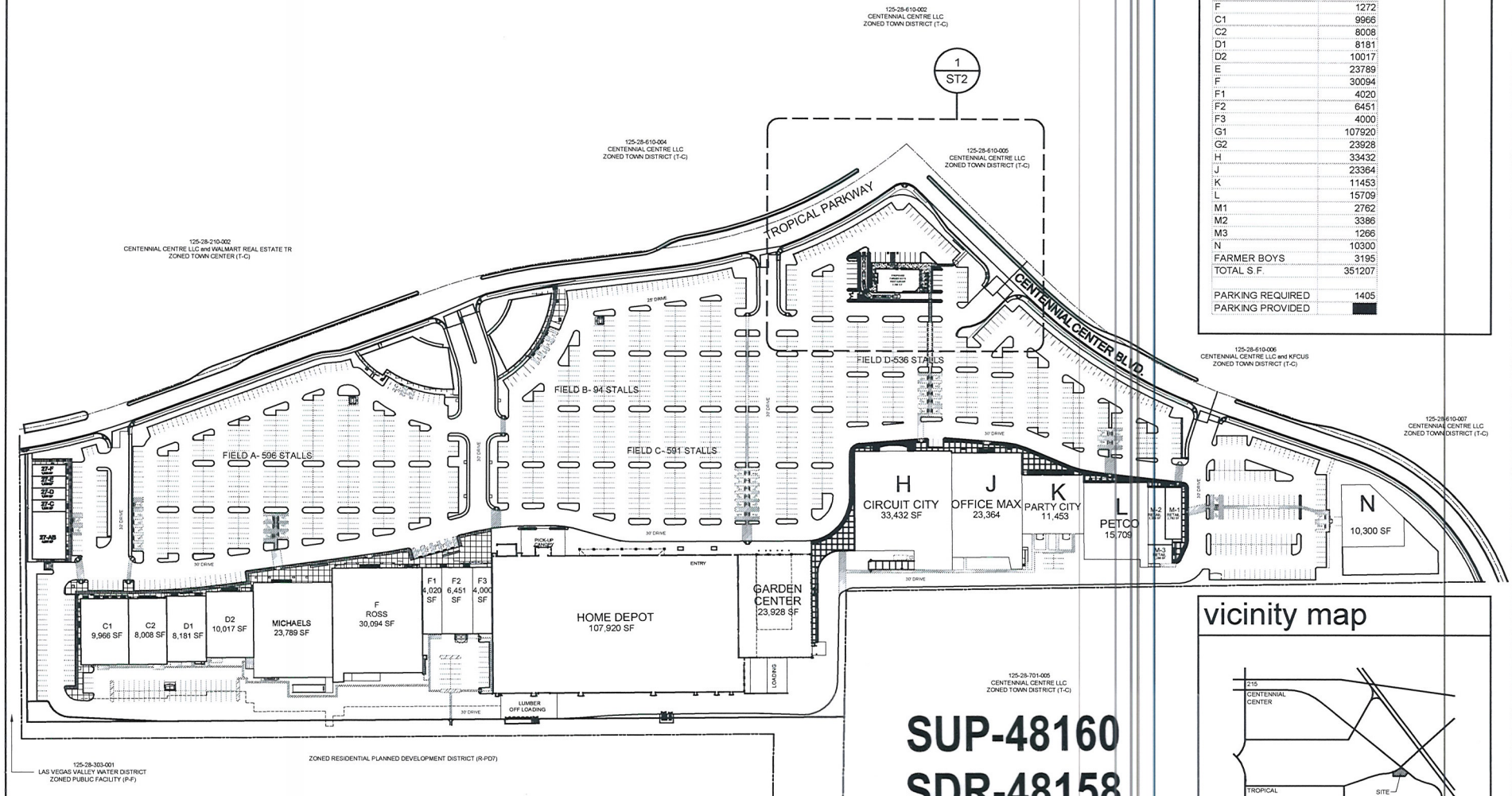


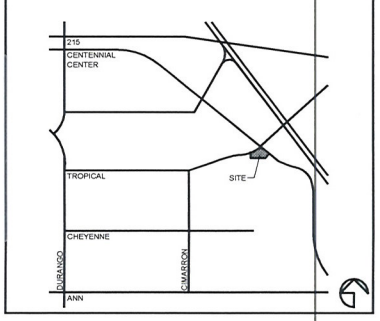
1 overall site plan
scale: 1" = 80'-0"

PROJECT DATA

PARKING ANALYSIS (ENTIRE SHOPPING CENTER)

PAD	AREA (S.F.)
AB	4977
C	1241
D	1241
E	1235
F	1272
C1	9966
C2	8008
D1	8181
D2	10017
E	23789
F	30094
F1	4020
F2	6451
F3	4000
G1	107920
G2	23928
H	33432
J	23364
K	11453
L	15709
M1	2762
M2	3386
M3	1266
N	10300
FARMER BOYS	3195
TOTAL S.F.	351207
PARKING REQUIRED	1405
PARKING PROVIDED	[redacted]

vicinity map



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SDR-48158

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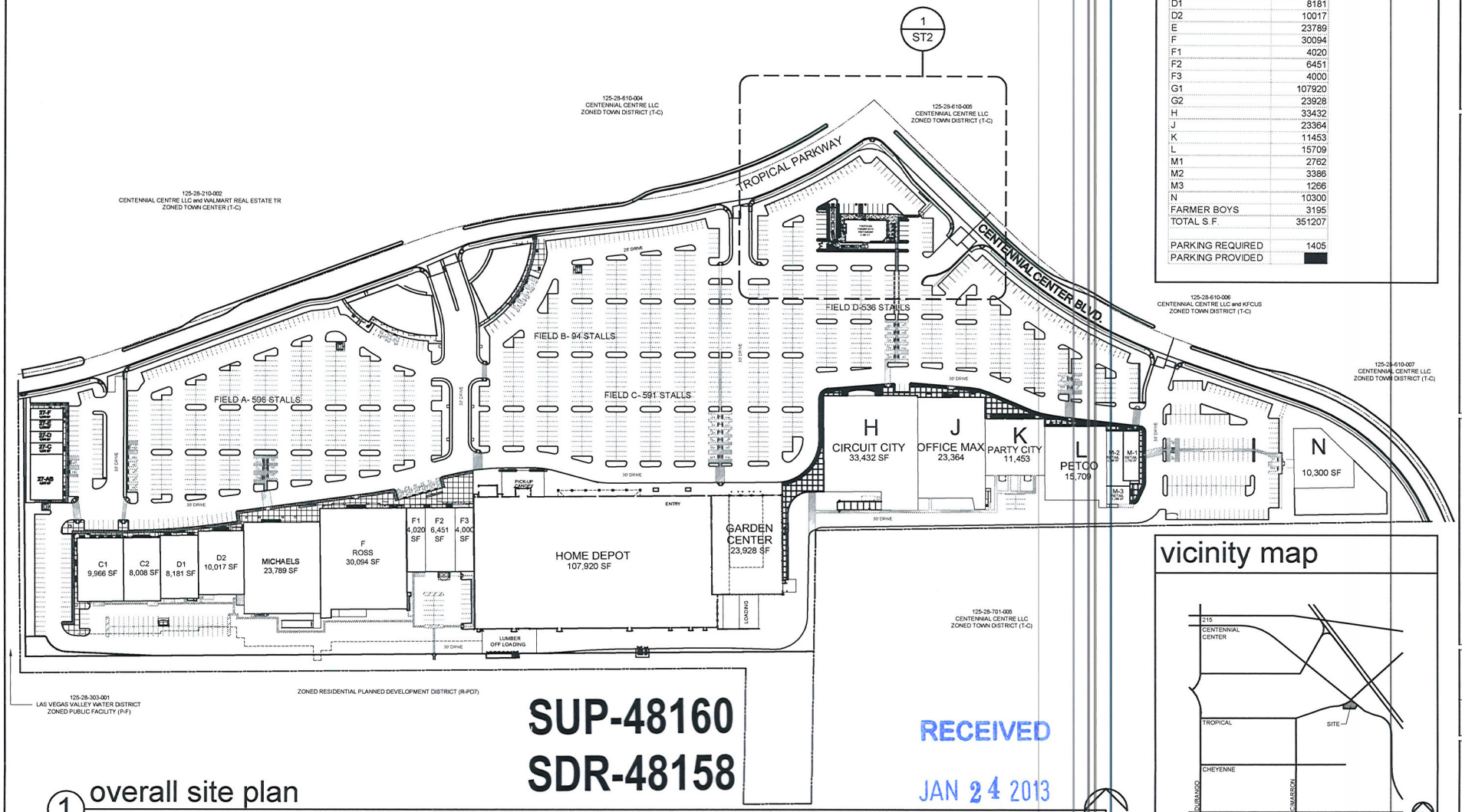
revisions

jdB architect
John David Burke, Architect, 3471 West Oquendo Road, #301, Las Vegas, NV 89118 (702)878-4863, jburke@burkearchitect.com

Farmer Boy's
SW corner Centennial Center Blvd. & W. Tropical Pkwy.
for: Farmer Boy's
City of Las Vegas Nevada

date	12/24/2012
proj. no.	2012.72
drwn. by	
chkd. by	

sheet no. ST1



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F1	4020
F2	6451
F3	4000
G1	107920
G2	23928
H	33432
J	23364
K	11453
L	15709
M1	2762
M2	3386
M3	1266
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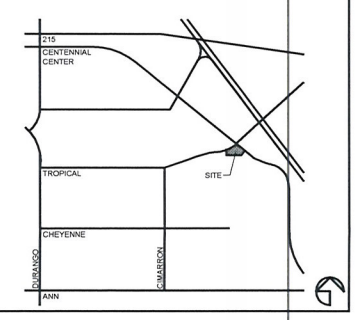

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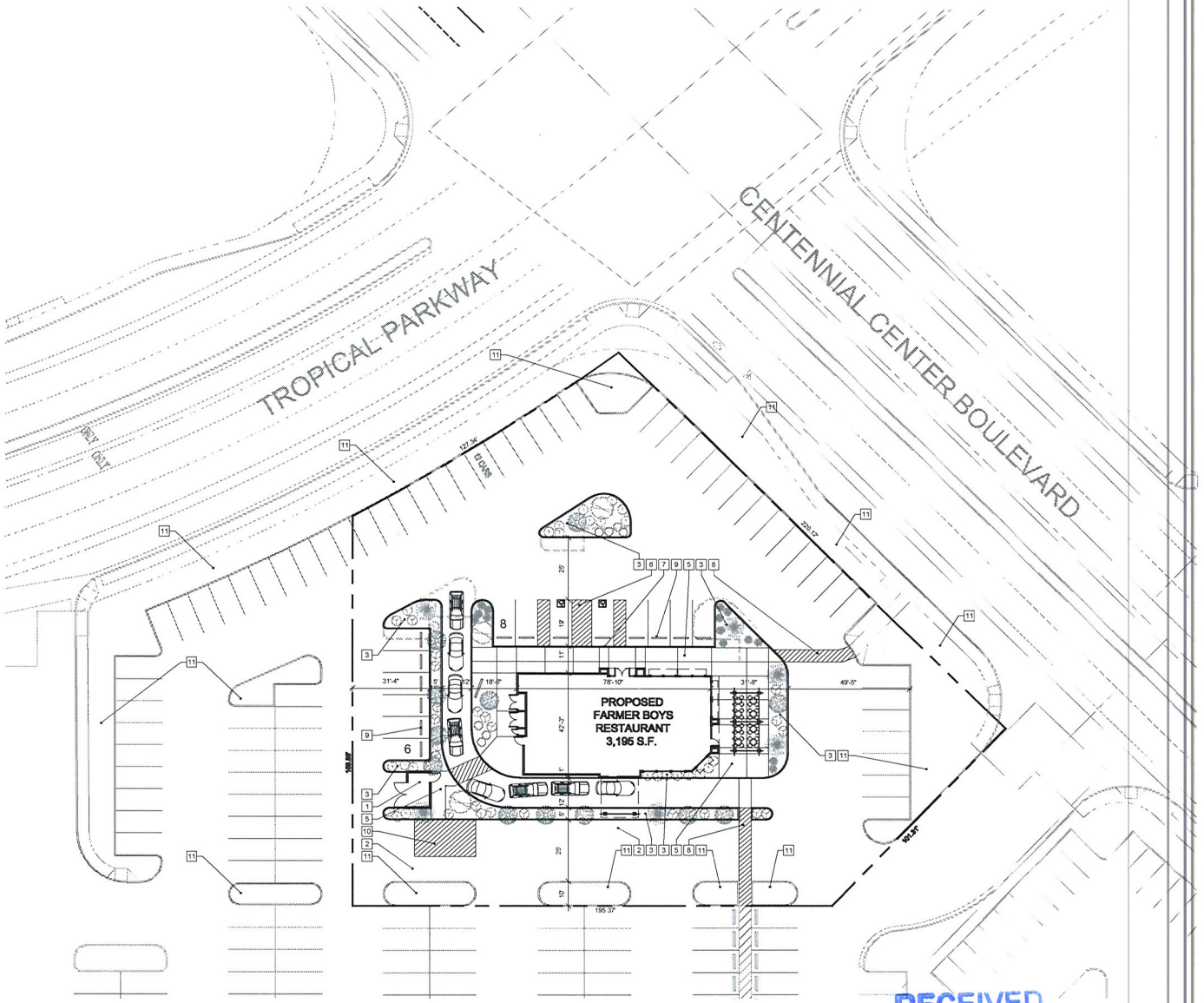

1 enlarged site plan
scale: 1" = 20'-0"

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SDR-48158

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keynotes

#	description
1	EXISTING 6'-0" HIGH CONCRETE BLOCK TRASH ENCLOSURE WITH PAIR OF WROUGHT IRON GATES WITH STAMPED METAL BACKING AND LIFT PIN LOCK/LATCH (TO REMAIN)
2	2" A.C. PAVING
3	LANDSCAPED AREA
4	PROPOSED NEW SIGN
5	CONCRETE SIDEWALK
6	HANDICAP ACCESSIBLE AISLE
7	HANDICAP ACCESSIBLE RAMP
8	HANDICAP ACCESSIBLE ROUTE
9	CONCRETE TIRE BUMPERS
10	15'x25' LOADING ZONE
11	EXISTING LANDSCAPING TO REMAIN

project data

REQUIRED ZONING: T-C
EXISTING ZONING: T-C

AREA SUMMARY PARKING (OVERALL SITE)

USE	AREA	FACTOR	PARKING REQUIRED	PARKING PROVIDED
SHOPPING CENTER	351,207 S.F.	1/250	1405	1757

SITE ACREAGE: 33.87 ac (1,475,377 s.f.)
F.A.R. (FLOOR AREA RATIO): 23.8%

APN#: a portion of 125-28-713-007

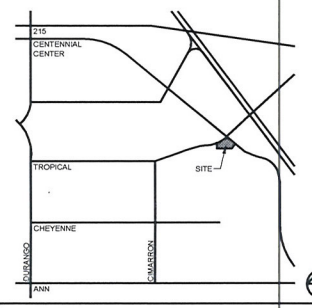
landscape legend

SYMBOL	LARGE TREES	SIZE
	BLUE PALO VERDE Cercidium floridum	24" BOX MULTI 1"CAL 7'H x4'W
	SWEET ACACIA Acacia smalli	24" BOX MULTI 1 1/2"CAL 7'H x4'W
	MESQUITE Prosopsis Chilensis	24" BOX MULTI 1 1/4"CAL 8'H x5'W

SYMBOL	SHRUBS and GROUND COVER	SIZE
	RED YUCCA Hespealoe parvifolia	5 GAL
	FOUNTAIN GRASS Pennisetum setaceum	5 GAL
	DESERT SPOON Dasylirion wheeleri	5 GAL
	ROSEMARY Rosmarinus officinalis	1 GAL
	YELLOW BELLS Tecoma stans	5 GAL
	CHINESE TRUMPET CREEPER Campsis grandiflora	1 GAL

NOTE: ALL INORGANIC LANDSCAPE GROUND COVER TO BE MOJAVE GOLD WASHED GRAVEL TO MATCH EXISTING (VERIFY IN FIELD)

vicinity map



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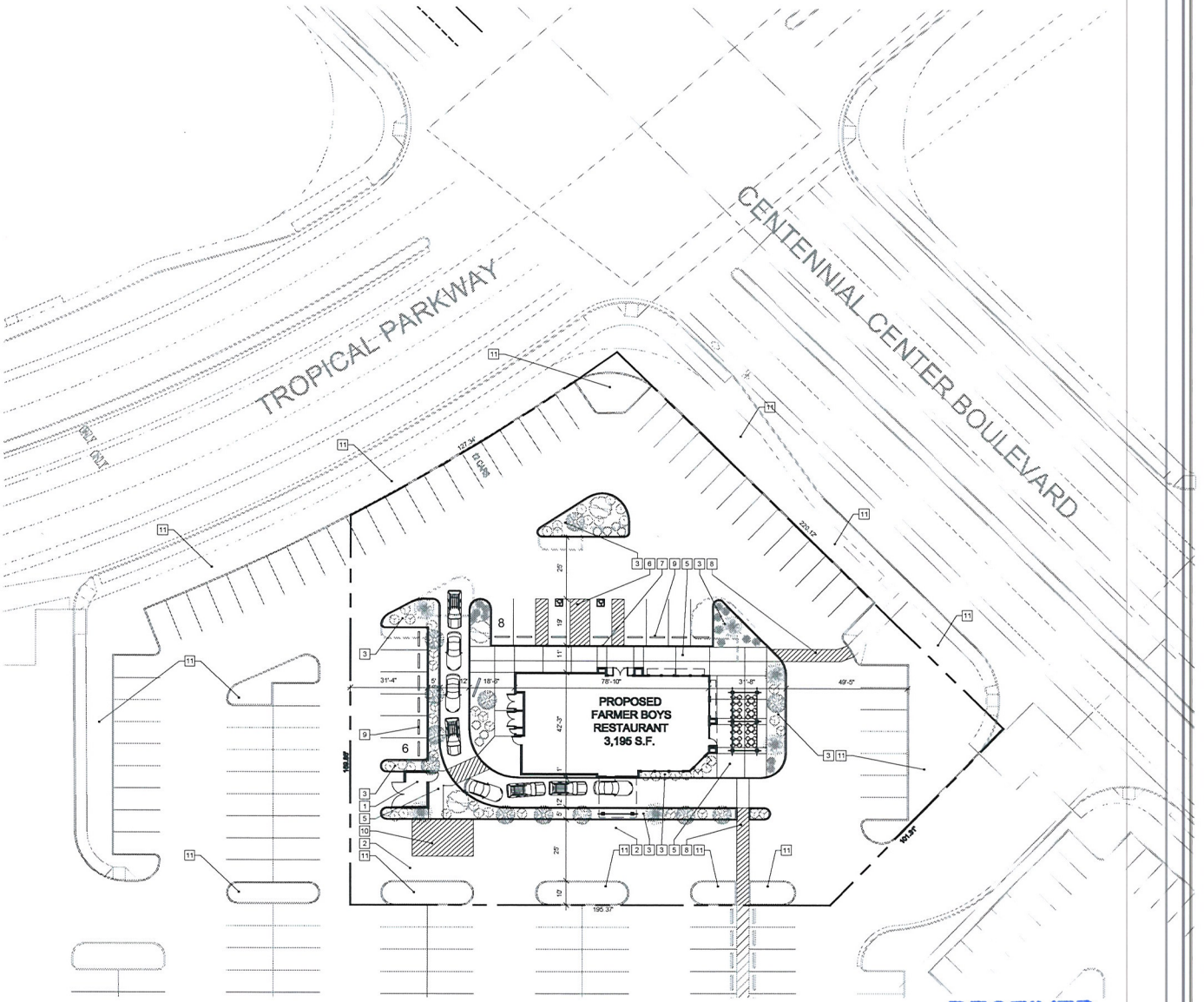
Farmer Boy's
SW corner Centennial Center Blvd. & W. Tropical Pkwy.
for: Farmer Boy's
City of Las Vegas Nevada

date	1/18/2013
proj. no.	2012.72
drwn. by	
chkd. by	

sheet no. ST2



1 enlarged site plan
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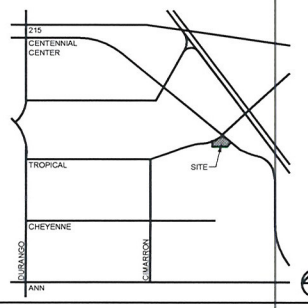
vicinity map



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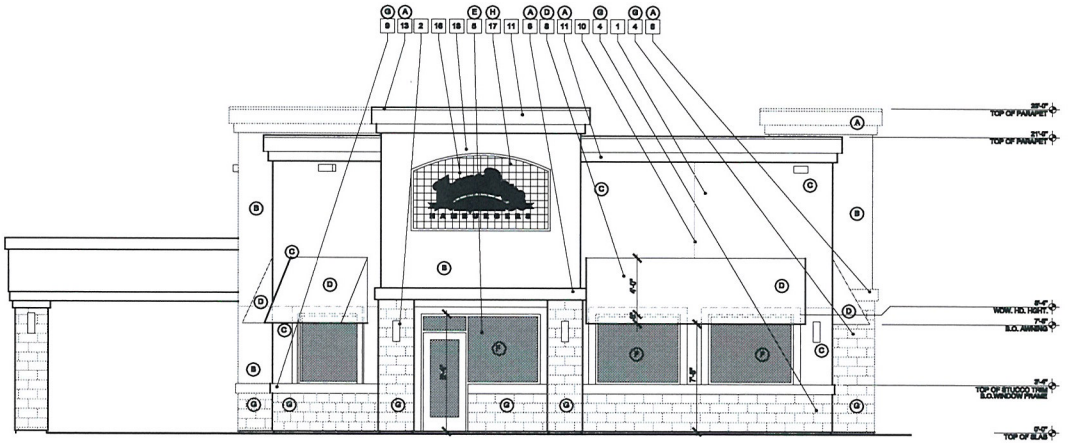
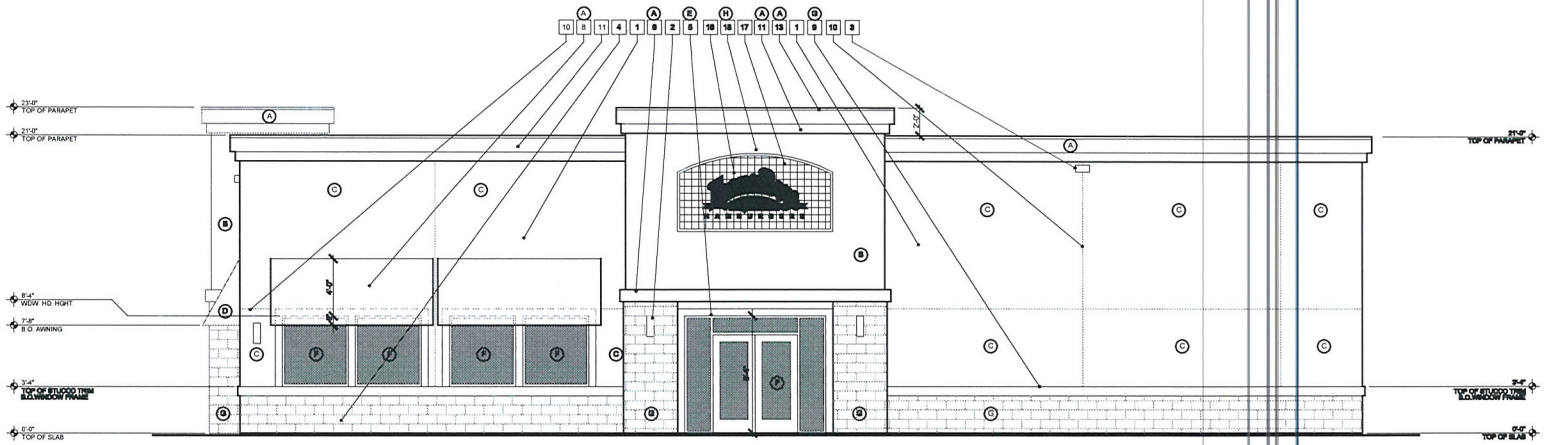


2 Elevation
SCALE: 1/4" = 1'-0"



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

Keynotes

#	description
1	7/8" STUCCO WITH SAND FINISH AND (2) COATS OF ELASTOMERIC EXTERIOR LATEX PAINT
2	WALL MOUNTED SCONCE LIGHTING
3	EXTERIOR WALL MOUNTED LIGHT FIXTURE - SEE ELECTRICAL DRAWINGS
4	MASONRY VENEER - INSTALL PER SECTION 1405.6 OF THE 2009 I.B.C. & ESR 2826
5	ALUMINUM STOREFRONT
6	STUCCO TRIM CAP
7	STEEL DOORS W/ STEEL DOOR FRAME
8	AWNING BY SUNBRELLA OR EQUAL
9	STUCCO WAINSCOT CAP TRIM
10	STUCCO CONTROL JOINT
11	CUSTOM CORNICE W/ PLASTER (STUCCO) - SEE DETAILS
12	STUCCO CANOPY
13	FLASHING/COPING
14	[illegible] PERMIT)
15	PAINTED STEEL TUBE TRELLIS BEAM & RAFTERS
16	SIGNAGE - PROVIDE J-BOX (UNDER SEPARATE PERMIT)
17	GLAZED CERAMIC WALL TILE BY DALTILE OR INTERCERAMIC
18	[illegible] DALTILE OR INTERCERAMIC
19	2X6 STUCCO PLANT-ON BORDER

Color Scheme

Sym.	Color/Material	Location
A	SHERWIN WILLIAMS - SW 6125 'CRAFT PAPER'	CORNICE, TRIM & TRELLIS
B	SHERWIN WILLIAMS - SW 7585 'SUNDRIED TOMATO'	STUCCO TOWER
C	SHERWIN WILLIAMS - SW 6387 'COMPATIBLE CREAM'	STUCCO FIELD
D	SUNBRELLA - 6005-0000 'HEMLOCK TWEED'	CANVAS AWNINGS
E	BRONZE ANODIZED	STOREFRONT FRAMES AND SIGNAGE
F	CLEAR INSULATED PPG SOLARBAN 70 XL	GLAZING
G	EXPOSED C.M.U. VENEER "WALNUT CREEK"	CULTURED STONE VENEER
H	DALTILE CERAMIC WALL TILE - 'TIMBERLINE'	GLAZED CERAMIC WALL TILE

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revisions

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for: Farmer Boy's
City of Las Vegas Nevada

date	12/24/2012
proj. no.	2012.72
drwn. by	
chkd. by	

sheet no. A1

SUP-48160
SDR-48158

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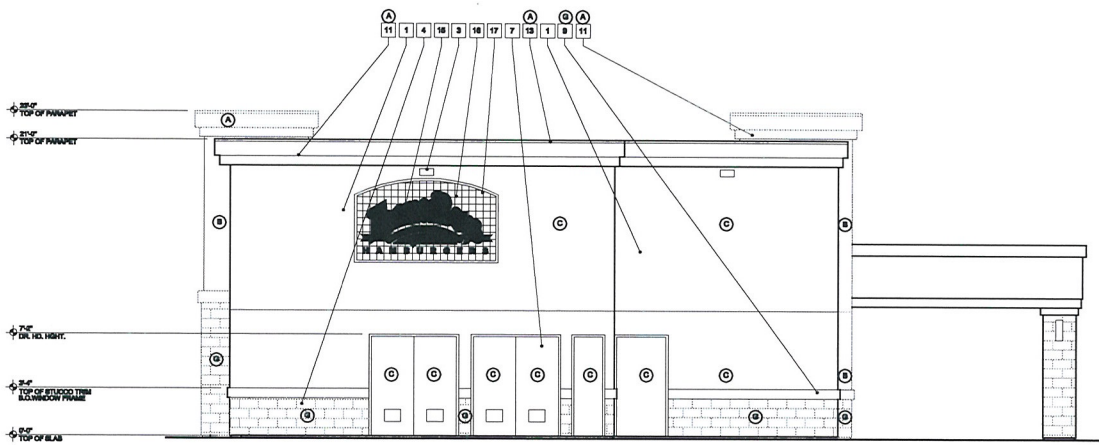
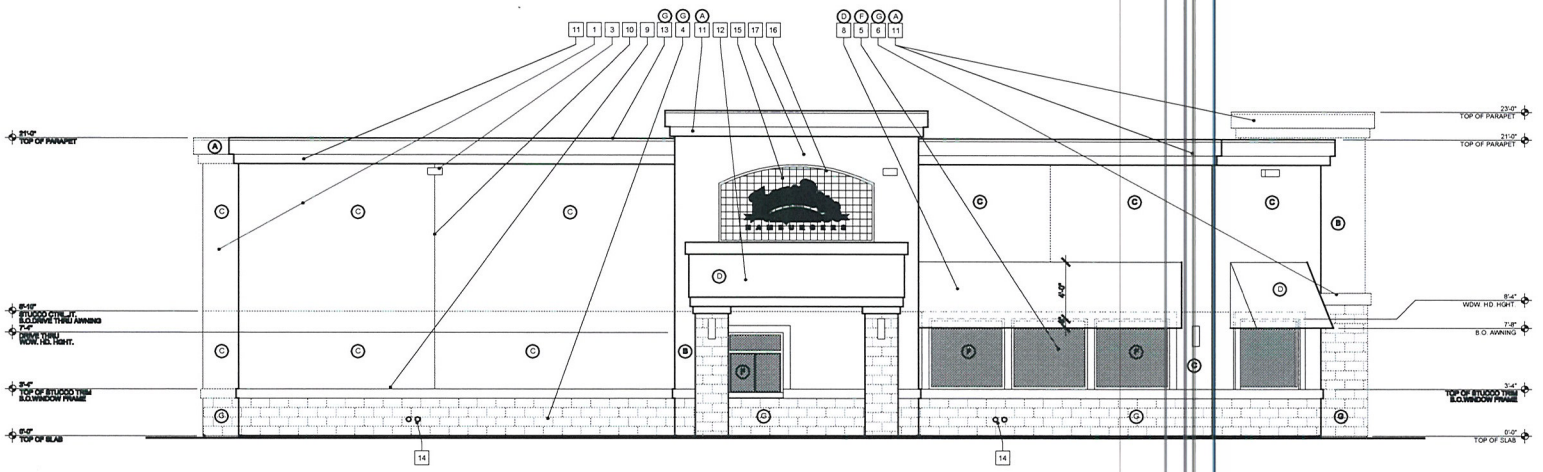
Dept. of Planning



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



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

Keynotes

#	description
1	7/8" STUCCO WITH SAND FINISH AND (2) COATS OF ELASTOMERIC EXTERIOR LATEX PAINT
2	WALL MOUNTED SCONCE LIGHTING
3	EXTERIOR WALL MOUNTED LIGHT FIXTURE - SEE ELECTRICAL DRAWINGS
4	MASONRY VENEER - INSTALL PER SECTION 1405.6 OF THE 2009 I.B.C. & ESR 2826
5	ALUMINUM STOREFRONT
6	STUCCO TRIM CAP
7	STEEL DOORS W/ STEEL DOOR FRAME
8	AWNING BY 'SUNBRELLA' OR EQUAL
9	STUCCO WAINSCOT CAP TRIM
10	STUCCO CONTROL JOINT
11	CUSTOM CORNICE W/ PLASTER (STUCCO) - SEE DETAIL
12	STUCCO CANOPY
13	FLASHING/COPING
14	ROOF DRAIN & OVERFLOW w/DOWNSPOUT NOZZLES (J.R.SMITH OR EQUAL)
15	SIGNAGE - PROVIDE J-BOX (UNDER SEPARATE PERMIT)
16	GLAZED CERAMIC WALL TILE BY DALTILE OR INTERCERAMIC
17	2X6 STUCCO PLANT-ON BORDER

COLOR SCHEME

Sym.	Color/Material	Location
A	SHERWIN WILLIAMS - SW 6125 'CRAFT PAPER'	CORNICE, TRIM & TRELLIS
B	SHERWIN WILLIAMS - SW 7585 'SUNDRIED TOMATO'	STUCCO TOWER
C	SHERWIN WILLIAMS - SW 6387 'COMPATIBLE CREAM'	STUCCO FIELD
D	SUNBRELLA - 6005-0000 'HEMLOCK TWEED'	CANVAS AWNINGS
E	BRONZE ANODIZED	STOREFRONT FRAMES AND SIGNAGE
F	CLEAR INSULATED PPG SOLARBAN 70 XL	GLAZING
G	EXPOSED C.M.U. VENEER "WALNUT CREEK"	CULTURED STONE VENEER
H	DALTILE CERAMIC WALL TILE - "TIMBERLINE"	GLAZED CERAMIC WALL TILE

SUP-48160
SDR-48158

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John David Burke, Architect

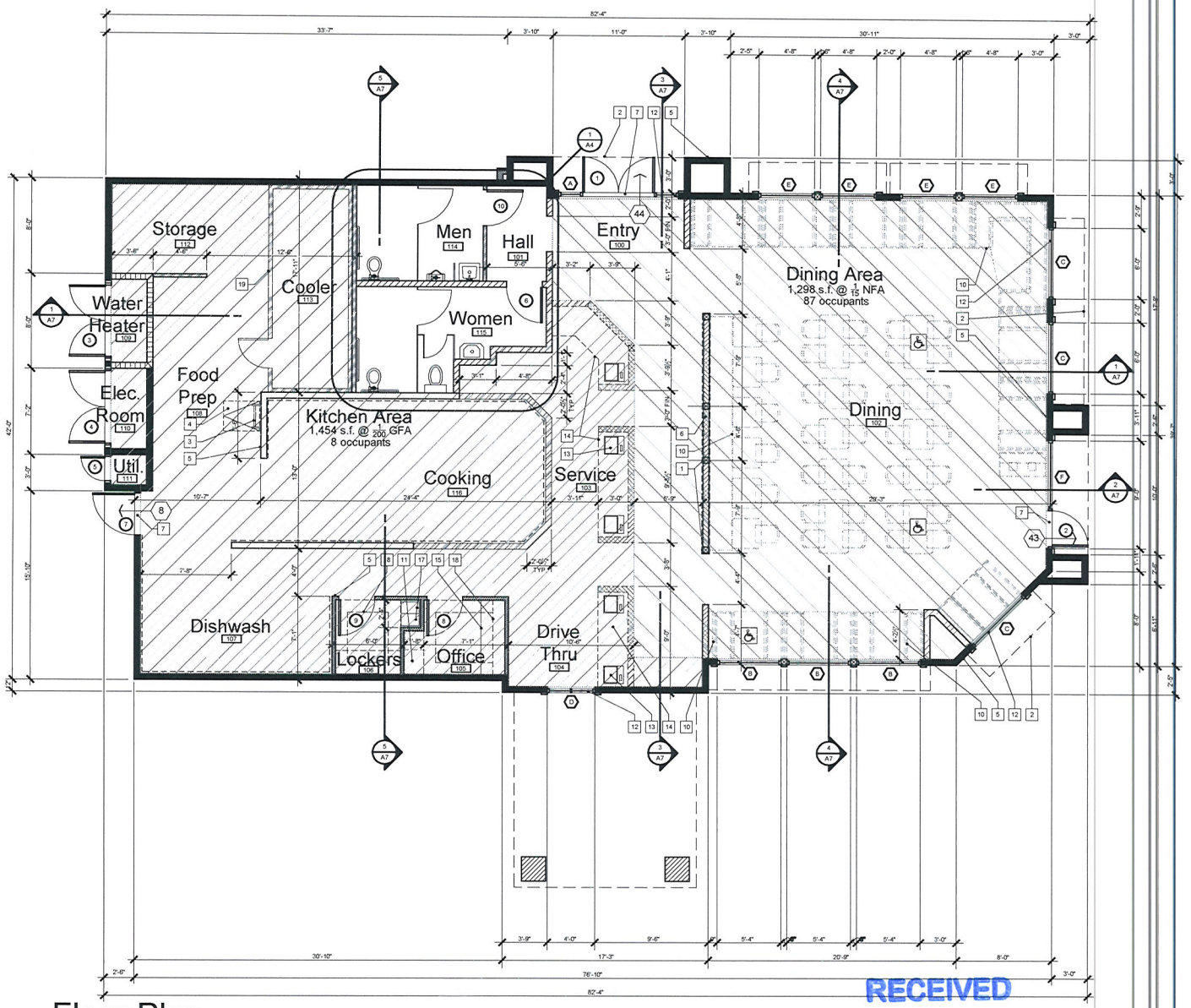
revisions
date description

jdB architect
John David Burke Architect, 3471 West Oquendo Road #201, Las Vegas, NV 89118 (702)476-4983 jburke@burkearchitect.com

Farmer Boy's
SW corner Centennial Center Blvd. & W. Tropical Pkwy.
for: Farmer Boy's
City of Las Vegas Nevada

date 12/5/2012
proj. no. 2012-72
drwn. by
chkd. by

sheet no. A2



1 Floor Plan
scale: 1/4" = 1'-0"

SUP-48160
SDR-48158

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Keynotes

#	description
1	STEEL TUBE POST INSIDE PONY WALL - SEE DETAILS 4 & 8 ON SHEET A9
2	DASHED LINE OF AWNING ABOVE - SEE EXTERIOR ELEVATIONS
3	ROOF ACCESS LADDER - SEE DETAIL 2/A6
4	'BILCO' ROOF HATCH ABOVE - SEE DETAIL 2/A6
5	NEW WALL CONSTRUCTION - SEE WALL LEGEND BELOW
6	GRANITE WALL CAP O/LOW WALL PER DETAIL 4/A9
7	ADA/ANSI ACCESSIBLE ALUMINUM THRESHOLD
8	NOT USED
9	1#2" STUCCO SKIM (U.N.O.) COAT O/ 24" SQ. CMU PILASTER W/ (4) #4'S VERTICAL & #3 TIES @ 16" O.C. HORIZONTAL - SOLID GROUTED (TYPICAL OF 3)
10	DINING BOOTHS, TABLES & CHAIRS TO BE PROVIDED BY OWNER'S ID
11	SAFES TO BE PROVIDED BY OWNER - GC TO COORDINATE
12	ALUMINUM STOREFRONT DOOR OR WINDOW - SEE SCHEDULE SHEET
13	CASH REGISTER - SEE KITCHEN EQUIPMENT DRAWINGS
14	GRANITE COUNTERTOP PER ID
15	MILLWORK - SEE INTERIOR ELEVATIONS SHEET A12
16	DASHED LINE OF STUCCO CANOPY ABOVE - SEE EXTERIOR ELEVATIONS
17	EMPLOYEE LOCKERS - PROVIDE A MINIMUM 5% OF HANDICAP ACCESSIBLE
18	DASHED LINE OF SHELVES ABOVE - SEE INTERIOR ELEVATIONS
19	PRE MANUFACTURED WALK-IN COOLER - BY OTHERS

Exiting Summary

OCCUPANCY LOADS:
(Table 1004.1.1)

KITCHEN	1 OCC. / 200 S.F. GFA
DINING	1 OCC. / 15 S.F. NFA

Exiting Legend

X → NUMBER OF OCCUPANTS EXITING BUILDING

Wall Legend

- 2X6 EXTERIOR WOOD STUDS (UNO) WITH EXTERIOR STUCCO FINISH W/ 5/8" INTERIOR GYP. BOARD & R-19 BATTS @ EXT. WALLS
- 2X4 WOOD STUDS @ 16" O.C. COLUMN W/EXTERIOR STUCCO FINISH O/PLYWOOD SHEATHING - SEE STRUCTURAL DRAWINGS
- 2X4" WOOD STUDS (UNO) W/ 5/8" GYP. BOARD BOTH SIDE AND R-11 BATT INSULATION - SEE FINISH SCHEDULE
- 1HR RATED INTERIOR PARTITION @ ELECTRICAL ROOM
- (1) LAYER 5/8" TYPE 'X' GYP. BD. EACH SIDE 2X6 STUDS at 24" O.C. INSULATE W/ R-19 FIBERGLASS BATTS. INSTALL PER ITEM 14-1.3, TABLE 720.1(2) IBC 2006
- EXTERIOR GLAZING (8'-4" HEIGHT) SILL AT 3'-4" A.F.F. (SEE PLAN FOR WIDTH)
- WALK-IN COOLER - PROVIDED BY MANUFACTURER
- ½" CEMENT BOARD - 8" HIGH at KITCHEN BASE AS SHOWN & FULL HEIGHT INSIDE KITCHEN COOK AREA BEHIND ALL HOOD SYSTEMS. SEE PLAN FOR LOCATIONS. SEE DETAIL 2/A7 FOR FURTHER DESCRIPTION.
- LOW WALL - 2 X 6 WOOD STUDS @ 24" O.C. - HEIGHT VARIES A.F.F. SEE FLOOR PLANS & INTERIOR ELEVATIONS
- 6" 20 ga. METAL STUDS @ 24" O.C TO 51½" HIGH.
- 6" 20 ga. METAL STUDS @ 24" O.C FULL HEIGHT

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revisions

date	description

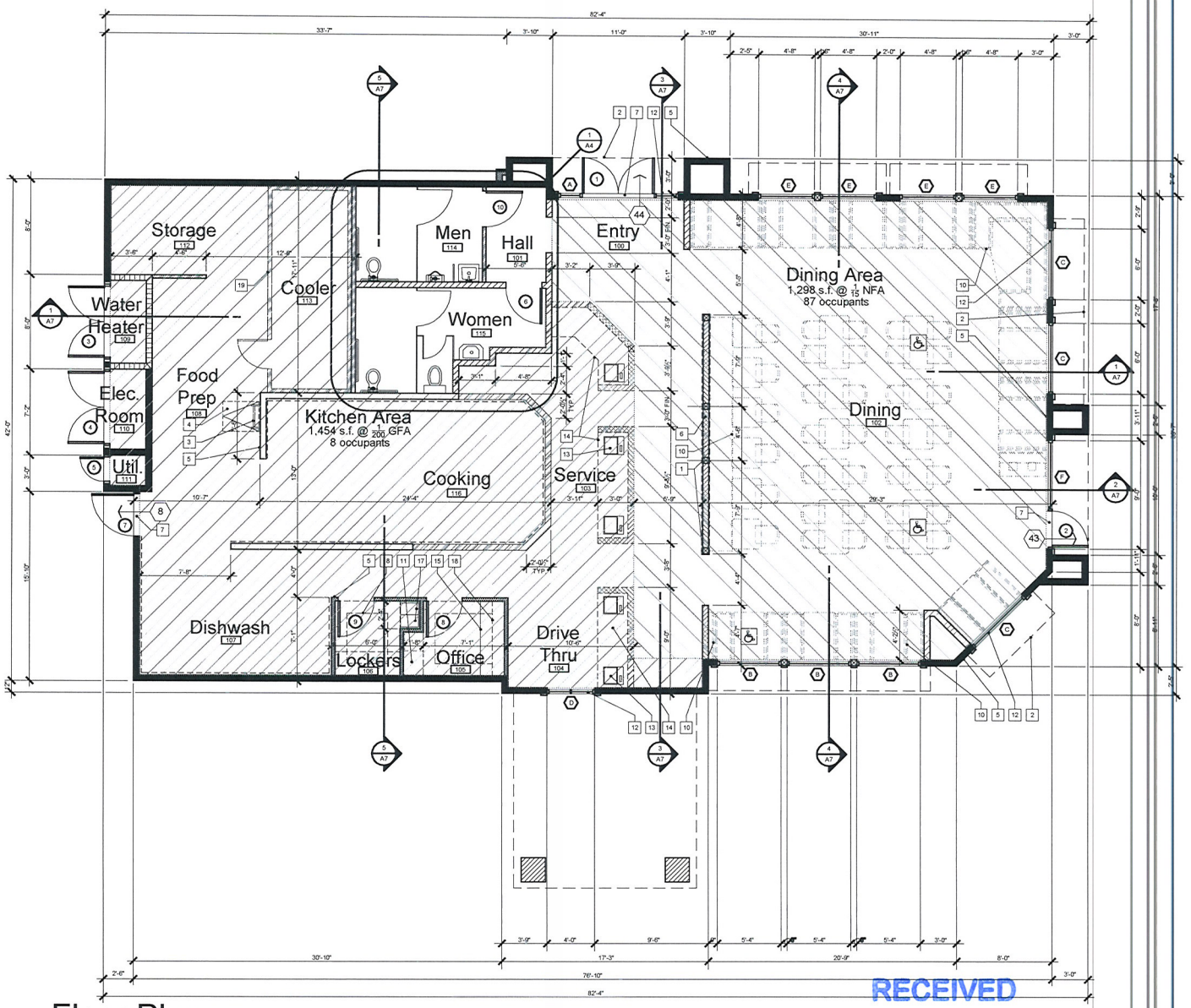
jdB architect

John David Burke, Architect, 3471 West Oquendo Road, #301, Las Vegas, NV 89118 (702)876-4863, jburke@burkearchitect.com

Farmer Boy's
SW corner Centennial Center Blvd. & W. Tropical Pkwy.
for: Farmer Boy's
City of Las Vegas Nevada

date	12/24/2012
proj. no.	2012-72
drwn. by	
chkd. by	

sheet no. A3



1 Floor Plan
scale: 1/4" = 1'-0"

SUP-48160
SDR-48158

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John David Burke, Architect

revisions
date | description

jdB architect

John David Burke, Architect, 3471 West Oquendo Road, #301, Las Vegas, NV 89118 (702)875-4853, jburke@burkearchitect.com

Farmer Boy's
SW corner Centennial Center Blvd. & W. Tropical Pkwy.
for: Farmer Boy's
City of Las Vegas Nevada

date	12/24/2012
proj. no.	2012-72
drwn. by	
chkd. by	

sheet no. A3



SUP-48160 & SDR-48158 - APPLICANT: FARMER BOYS FOOD, INC. - OWNER: INLAND DIVERSIFIED LAS VEGAS CENTENNIAL CENTER, LLC

SOUTHWEST CORNER OF TROPICAL PARKWAY AND CENTENNIAL CENTER BOULEVARD

01/31/13



SUP-48160 & SDR-48158 - APPLICANT: FARMER BOYS FOOD, INC. - OWNER: INLAND DIVERSIFIED LAS VEGAS CENTENNIAL CENTER, LLC
SOUTHWEST CORNER OF TROPICAL PARKWAY AND CENTENNIAL CENTER BOULEVARD

01/31/13

John David Burke, Architect

a Professional Corporation

January 23, 2013

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING & DEVELOPMENT
333 North Rancho Drive
Las Vegas, Nevada

Re: Justification Letter –Site Development Plan Review and Special Use Permit
Proposed Farmer Boys Restaurant with drive through service
South corner of Centennial Center Blvd. & Tropical Parkway
Tax Assessor's Parcel No.: 125-28-713-007

The Site Development Plan Review request we are submitting for today depicts a proposed single story Farmer Boys restaurant with drive through service. The approximate 3,195 square foot structure is intended to be fully consistent with the architectural design of the Centennial Center Shopping Center within which it will be located. This application is fully consistent with the intended uses at this site and parking provided is far in excess of what is required by the City of Las Vegas. The site will be landscaped in accordance with City requirements and will match back to that of the existing center.

The Special Use Permit request is to allow drive through service at this convenience restaurant. This request is also fully compatible with the intended uses at the center.

We respectfully request your consideration in this matter. If you have any questions or comments, please call.

Sincerely,

JOHN DAVID BURKE, Architect

SUP-48160
SDR-48158

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JAN 24 2013
City of Las Vegas
Dept. of Planning

3471 West Oquendo Rd., Suite 301, Las Vegas, Nevada 89118, (702)876-4863, fax (702)876-9355, jburke@jburkearchitect.com

City of Las Vegas Agenda Item No.: **29.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

SUBJECT:
SDR-48158 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-48160 - PUBLIC HEARING - APPLICANT: FARMER BOYS FOOD, INC. - OWNER: INLAND DIVERSIFIED LAS VEGAS CENTENNIAL CENTER, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 3,195 SQUARE-FOOT RESTAURANT (WITH DRIVE-THROUGH) on 7.86 acres at the southwest corner of Tropical Parkway and Centennial Center Boulevard (APN 125-28-713-007), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

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

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-48158 APN: 125-28-713-007

~~Name of Property Owner:~~ Inland Diversified Las Vegas Centennial Center, LLC

Name of Applicant: Farmer Boy's Food, Inc.

Name of Representative: John David Burke, Architect

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: BLS, President

Print Name: Barry L. Lazarus

Subscribed and sworn before me

This 18 day of January, 2013

Linda Ast

Notary Public in and for said County and State

DuPage, IL

LINDA AST
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
November 14, 2015

RECEIVED
JAN 24 2013
City of Las Vegas
Dept. of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 7701 W. Tropical Parkway

Project Name Farmer Boys **Proposed Use** Restaurant

Assessor's Parcel #(s) 125-28-713-007 **Ward #** 6

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

Commercial Square Footage 104,867sf/3,195sf **Floor Area Ratio** 30.6

Gross Acres 7.86 **Lots/Units** n/a **Density** n/a

Additional Information allow a single story 3,195sf convenience restaurant with drive thru service

PROPERTY OWNER Inland Diversified Las Vegas Centennial Center, llc **Contact** Barry L. LAZarus

Address 2901 Butterfield Rd. **Phone:** (630) 218-8000 **Fax:**

City Oakbrook **State** IL **Zip** 60523

E-mail Address blazarus@inlandgroup.com

APPLICANT Farmer Boys Food, Inc. **Contact** Kevin Kelly

Address 3452 University Ave **Phone:** (951) 823-8510 **Fax:**

City Riverside **State** CA **Zip** 92501

E-mail Address kkelly@farmerboys.com

REPRESENTATIVE John David Burke, Architect **Contact** John David Burke, Architect

Address 3471 W. Oquendo Rd. #301 **Phone:** (702) 876-4863 **Fax:** (702) 876-9355

City Las Vegas **State** NV **Zip** 89118

E-mail Address jburke@jburkearchitect.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* B R S President

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

Print Name Barry L. LAZARUS

Subscribed and sworn before me

This 18 day of January, 20 13.

Linda Ast

Notary Public in and for said County and State
DuPage, IL

LINDA AST
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
November 14, 2015

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JAN 24 2013
City of Las Vegas
Dept. of Planning

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SDR-418158
Meeting Date:	03/12/13
Total Fee:	1030.00
Date Received:*	01/24/13
Received By:	Jonathan B.

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

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

City of Las Vegas Agenda Item No.: **30.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

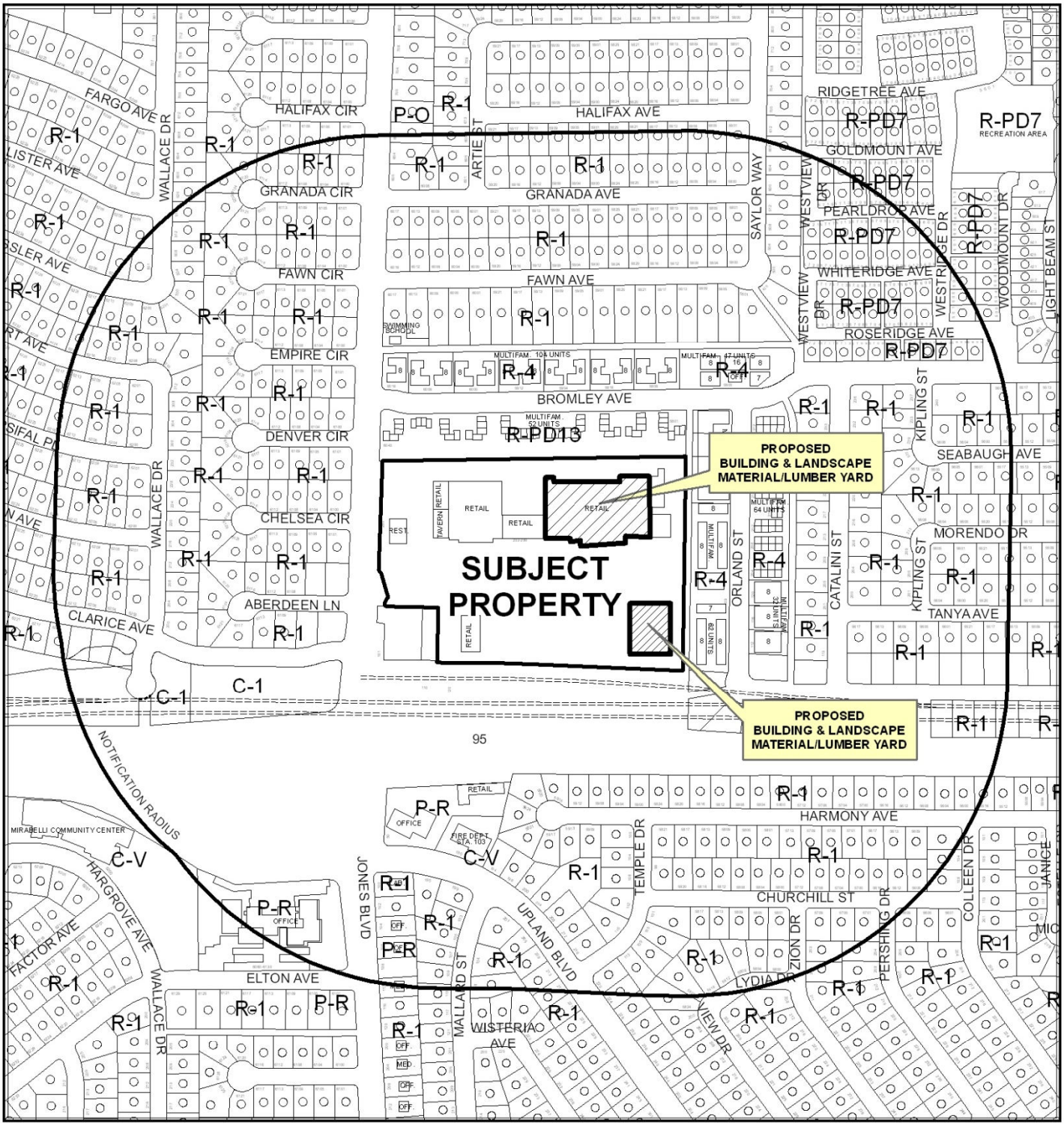
SUBJECT:
SUP-48168 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: C-A-L RANCH STORES - OWNER: D & W, INC. - For possible action on a request for a Special Use Permit FOR A PROPOSED 19,000 SQUARE-FOOT BUILDING AND LANDSCAPE MATERIAL/ LUMBER YARD USE at 232 North Jones Boulevard (APN 138-25-404-004), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

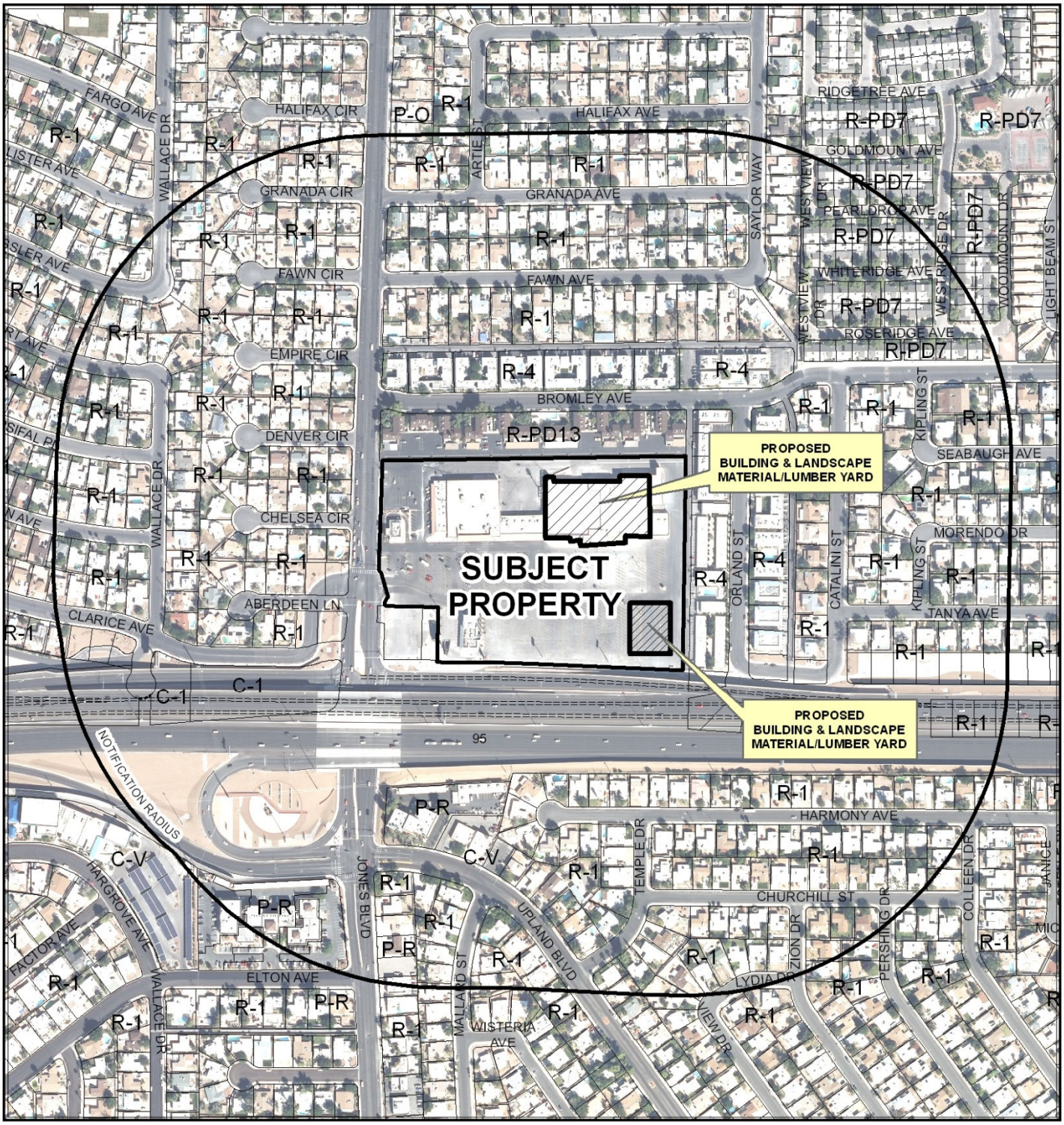
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: **SUP-48168**

RADIUS: 1000 FEET

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



0 400 800 Feet

CASE: **SUP-48168**

RADIUS: 1000 FEET

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: C-A-L RANCH STORES - OWNER: D & W, INC.

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48168	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-48168 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Building & Landscape Material/Lumber Yard use.

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

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

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

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

YK

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is applying for a Special Use Permit for a Building & Landscape Material/Lumber Yard use in an existing shopping center at 232 North Jones Boulevard. This project will include a 19,592 square-foot outside storage and display area in the southeast corner of the parking lot. The proposal meets all requirements for such a use therefore; staff is recommending approval with conditions. If denied, the Building & Landscape Material/Lumber Yard use would not be allowed at this location.

ISSUES

- A Special Use Permit is required for a Building & Landscape Material/Lumber Yard in a C-1 (Limited Commercial) district.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/28/62	The Board of City Commissioners approved a Rezoning (Z-0014-62) from R-1 (Single Family Residence) to C-1 (Limited Commercial) on 21.44 acres at the northeast corner of Jones Boulevard and Fremont Street [U.S. 95] as part of a larger request. The Planning Commission and staff recommended approval.
01/08/13	The Planning Commission approved a Tentative Map (TMP-47474) for a one-lot commercial subdivision of an existing shopping center site on 14.53 acres at 240 North Jones Boulevard. Staff recommended approval.

Most Recent Change of Ownership	
09/20/00	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
10/11/12	A Building Permit (#216313) was issued for a Tenant Improvement at 232 N. Jones Boulevard. The permit was finalized on 02/06/13.
12/18/12	A Building Permit (#226201) was issued for a fence at 232 N. Jones Boulevard. The permit is pending.
02/06/13	A Business License (G50-93729) for Retail Sales was applied for. The license has not been issued pending a Special Use Permit Approval.

Pre-Application Meeting	
01/10/13	Staff met with the applicant and discussed the differences between Outdoor Storage and Building & Landscape Material/Lumber Yard. It was decided that the best application process to meet the needs of the applicant was to apply for a Special Use Permit for a Building & Landscape Material/Lumber Yard use and to meet the Accessory Outdoor Storage requirements.

Neighborhood Meeting
No neighborhood meeting was required, nor held.

Field Check	
01/31/13	Staff visited the site and found that the applicant has installed a seven-to-eight foot tall wrought iron fence around the proposed outside storage/display area. This fence does not meet the required 20-foot rear yard setback nor the required solid screening along the east perimeter.

Details of Application Request	
Site Area	
Net Acres	14.49

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, Attached	M (Medium Density Residential)	R-PD13 (Residential Planned Development – 13 Units Per Acre)
South	Right-of-Way (US 95)	Right-of-Way (US 95)	Right-of-Way (US 95)
East	Multi-Family Residential	M (Medium Density Residential)	R-4 (High Density Residential)
West	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
A-O (Airport Overlay) District (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	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.040 and 19.08.070, the following standards apply:

Standard (Outside Storage)	***Required/Allowed***	***Provided***	***Compliance***
Min. Setbacks			
• Front	10 Feet	790 Feet	Y
• Side	10 Feet	24 Feet	Y
• Corner	10 Feet	N/A	N/A
• Rear	20 Feet	20 Feet	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Jones Boulevard	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	134,794 SF	1/250 SF	540				
TOTAL SPACES REQUIRED			540		558		Y
Regular and Handicap Spaces Required			529	11	537	21	Y
Loading Spaces	134,794	3 plus 1	4		8		Y

YK

ANALYSIS

The applicant is proposing to open a new retail store with outside storage that caters to consumers who live the Farm, Ranch and Western lifestyles. The proposed outside storage area is located on the southeast corner of the shopping center parking lot. This area will be secured and locked when an employee is not present.

The Building & Landscape Material/Lumber Yard use is defined as "A facility for the sale of home, lawn and garden supplies and construction materials such as brick, lumber and other similar materials." The proposed use meets the definition as outlined in the applicant's justification letter.

The Minimum Special Use Permit Requirements for this use include:

* 1. Accessory outdoor storage must meet all requirements of LVMC 19.08.040(E)(4)(e), irrespective of whether or not for purposes of LVMC 19.08.040(E)(4)(e) a Variance from its requirements is granted pursuant to that provision and LVMC 19.16.140.

The outdoor storage area will be secured by an eight-foot tall, black wrought iron fence with the east perimeter screened using a matching mesh attached to the fence. The applicant is meeting all conditions by screening the east side of the outside storage. Staff recommends approval.

FINDINGS (SUP-48168)

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 Building & Landscape Material/Lumber Yard is located within a shopping center that can accommodate a variety of uses including retail sales, medical and professional offices, personal services, and restaurants. The addition of a Building & Landscape Material/Lumber Yard within this shopping center is compatible with the existing and future land uses as specified by the SC (Service Commercial) General Plan designation.

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

The proposed site is a shopping center that was designed to accommodate a variety of uses, including a Building & Landscape Material/Lumber Yard use, and conforms to both the General Plan and Title 19 land use designations of the site with the approval of a Special Use Permit.

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 Building & Landscape Material/Lumber Yard is located within a shopping center that is adequately served by Jones Boulevard, a 80-foot Secondary Collector, as designated by the Master Plan of Streets and Highways.

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

The proposed Special Use Permit will not be inconsistent with or comprise the public health, safety or welfare as a Building & Landscape Material/Lumber Yard is subject to licensing and inspections by the City of Las Vegas. The proposed use is consistent with the existing SC (Service Commercial) General Plan designation.

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

The site meets all applicable conditions per Title 19.12 for a Building & Landscape Material/Lumber Yard. The use conforms to Title 19 as conditioned.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 40

NOTICES MAILED 605

APPROVALS 0

PROTESTS 0

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-48168** APN: 138-25-404-004

Name of Property Owner: JDDS 95, LLC (D+W, INC.)

Name of Applicant: C-A-L RANCH STORES

Name of Representative: WILLIAM (BILL) BUNKER

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: X Golda Tobler

Print Name: GOLDA TOBLER

Subscribed and sworn before me

State of Nevada
County of Clark

This 24th day of January, 20 13

Helen Memar

Notary Public in and for said County and State

HELEN MEMAR
Notary Public State of Nevada
Appointment No. 12-8947-1
My Appt. Expires Oct 20, 2016

HELEN MEMAR
Notary Public State of Nevada

Revised 11-14-06

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DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: C-A-L Ranch Stores

Project Address (Location) 232 N. Jones Blvd, Las Vegas, NV 89107

Project Name CAL Ranch Stores **Proposed Use** Out door Sales display

Assessor's Parcel #(s) 138-25-404-004 **Ward #** _____

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

Commercial Square Footage 19,000 **Floor Area Ratio** N/A

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

Additional Information _____

PROPERTY OWNER D+W Inc **Contact** Golda Tobler

Address PO Box 617905 **Phone:** 702-460-6767 **Fax:** _____

City Chicago **State** IL **Zip** 60661

E-mail Address _____

APPLICANT C-A-L Ranch Stores **Contact** William Bunker

Address PO Box 1806 **Phone:** 208-523-3359 **Fax:** 208-552-6067

City Idaho Falls **State** ID **Zip** 83403

E-mail Address BBunker@Calranch.com

REPRESENTATIVE William Bunker **Contact** _____

Address 1065 E. Anderson St. **Phone:** 801-918-0868 **Fax:** _____

City Idaho Falls **State** ID **Zip** 83401

E-mail Address BBunker@Calranch.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* X Golda Tobler

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

Print Name GOLDA TOBLER

Subscribed and sworn before me

This 24th day of January, 20 13.

Helen Memar

Notary Public in and for said County and State

State of Nevada
County of Clark

HELEN MEMAR
Notary Public, State of Nevada
Appointment No. 12-8947-1
My Appt. Expires Oct 20, 2016

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-48168
Meeting Date:	3/12/13
Total Fee:	$1030.00
Date Received:*	1/24/13
Received By:	Mike Howe

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

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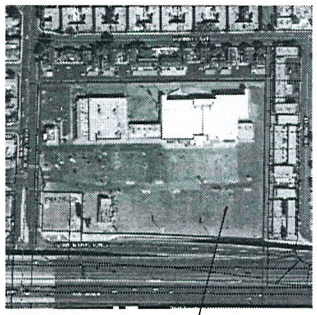
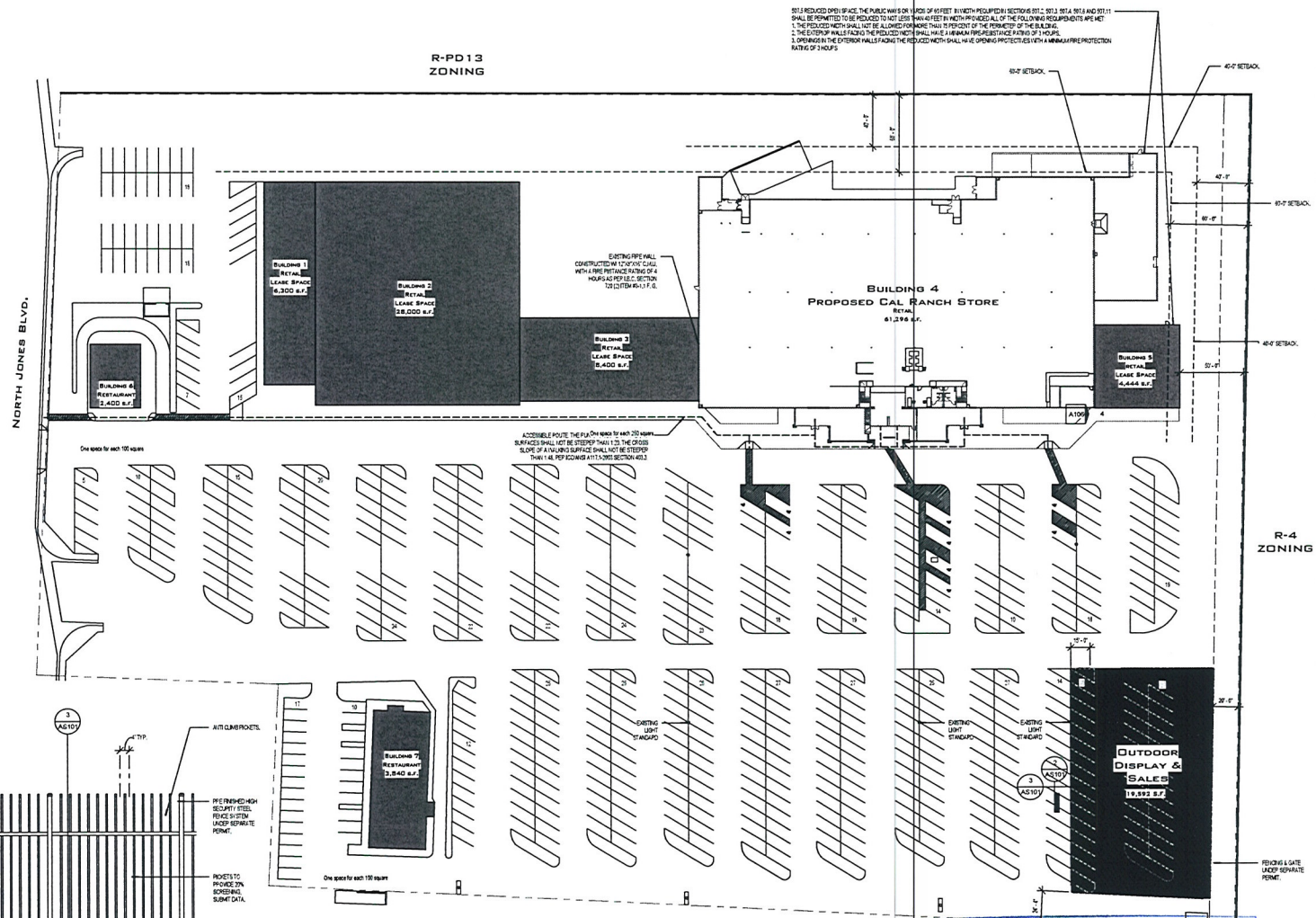
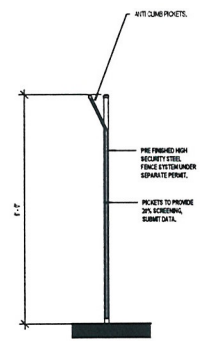
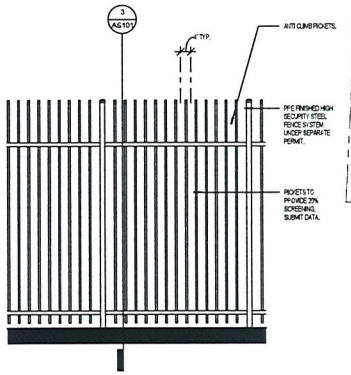


VICINTY MAP





3 DISPLAY FENCE 1
1/2" = 1'-0"



2 DISPLAY FENCE 2
1/2" = 1'-0"

PARKING ANALYSIS

PARKING REQUIRED:
108,962 S.F. (RETAIL) 1/250
19,592 S.F. (OUTDOOR RETAIL) 1/1000
6,240 S.F. (RESTAURANT) 1/100

PARKING PROVIDED:

436 SPACES REQUIRED
20 SPACES REQUIRED
63 SPACES REQUIRED
519 TOTAL SPACES REQUIRED
558 SPACES PROVIDED

1 SITE
1" = 40'-0"

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

SUP-48168

CONTRACTOR:
K&N CONSTRUCTION INC.
4300 SPRING MOUNTAIN RD #115
LAS VEGAS, NEVADA 89102
(702) 367-3799 OFFICE
(702) 616-2662 FAX
KNNCONSTRUCTION.COM
NV LICENSE NUMBER: 0895SA-CLASS B
NV LICENSE NUMBER: 0895B-CLASS C

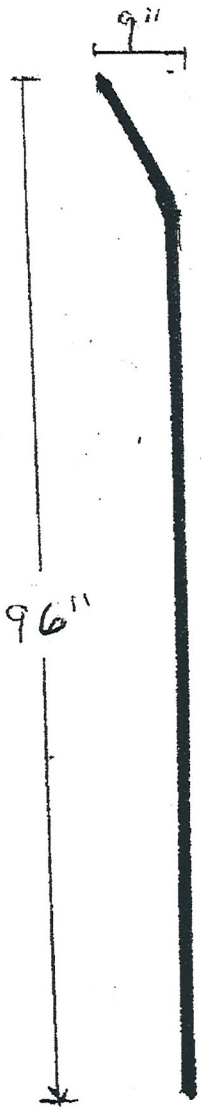
PROJECT:
REMODEL FOR A NEW CAL RANCH STORE
232 N. JONES BLVD.
LAS VEGAS, NEVADA

MARK	DATE	DESCRIPTION
3	10-5-12	CLV COMMENT 9-21-12
2	9-24-12	CLV COMMENT 9-19-12
1	8-23-12	CLV COMMENT 8-21-12

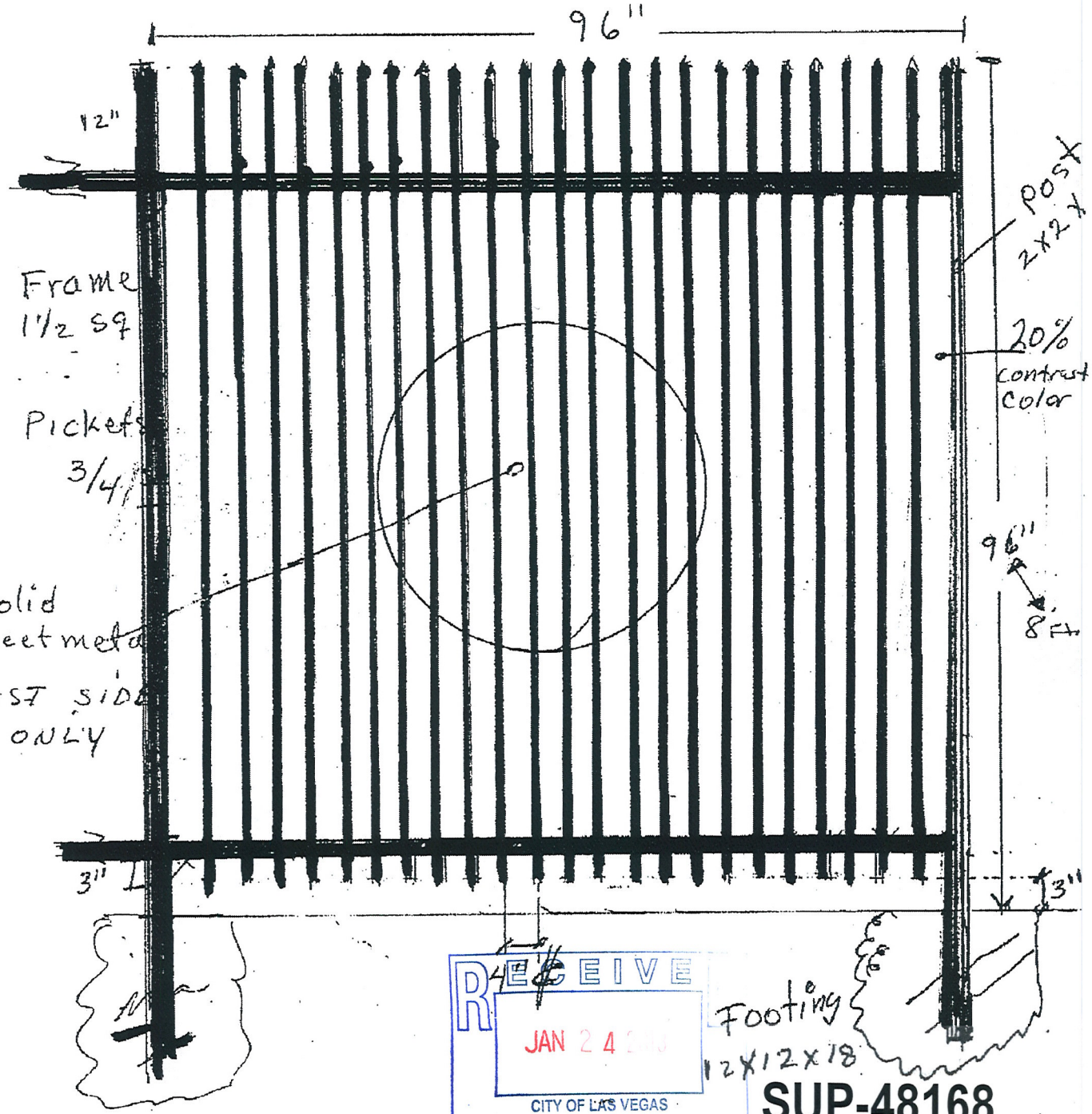
ISSUE: 1/23/2013 10:25:40 AM
PROJECT NO:
FILE:
DRAWN BY:
CHECKED BY:

SHEET TITLE
Site Plan

SHEET NUMBER
AS101



Intrepid Metal Works Inc.



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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

SUP-48168

RECEIVED

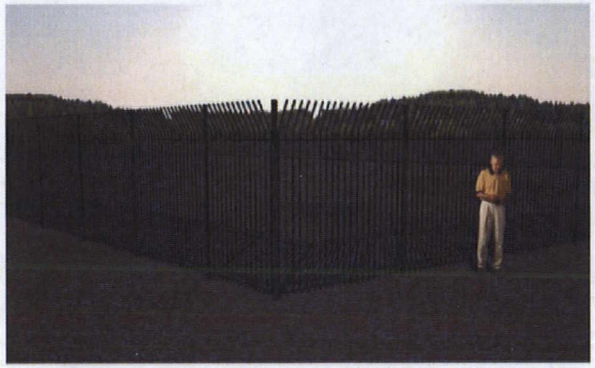
FEB 13 2013



Northeast Corner of Outdoor Sales



Northwest Corner of Outdoor Sales



Southwest Corner of Outdoor Sales



Southeast Corner of Outdoor Sales

Cal Ranch at 232 N. Jones Blvd. Outdoor Sales



SUP-48168 - APPLICANT: C-A-L RANCH STORES - OWNER: D & W, INC.
232 NORTH JONES BOULEVARD

01/31/13



SUP-48168 - APPLICANT: C-A-L RANCH STORES - OWNER: D & W, INC.
232 NORTH JONES BOULEVARD

01/31/13



SUP-48168 - APPLICANT: C-A-L RANCH STORES - OWNER: D & W, INC.
232 NORTH JONES BOULEVARD

01/31/13

January 14, 2013

City of Las Vegas Nevada
Department of Planning
333 North Rancho – 3rd Floor
Las Vegas NV 89106

RE: C-A-L Ranch Store Located at 232 N. Jones Blvd., Las Vegas NV 89107 – Special Use Permit for Outdoor Display and Sales Area

~~To Whom It May Concern,~~

C-A-L Ranch Stores is a chain of retail stores founded in 1959 in Idaho Falls Idaho. We currently operate in Idaho, Utah, Nevada and Arizona. Now, after 54 years of business, we are happy to open our 20th store located in Las Vegas.

C-A-L Ranch Stores appeals to consumers who live the Farm, Ranch and Western lifestyle. Our mix of merchandise includes ranch and farm supplies, livestock, equine, pet feed and accessories, work & western apparel and footwear as well as shop equipment, tools, hardware, lawn & garden supplies, and outdoor sporting goods.

One of the great ways that we draw customers into our stores is by displaying some of the more bulky merchandise that is difficult to display inside, outside, in a fenced in area. In the case of our new Las Vegas store, we plan to have this area located in the southeast corner of our parking lot. In this outdoor display and sales area we will have fencing panels, lawn and garden tools and equipment, animal kennels, livestock water tanks, feed equipment and so on.

This area is monitored by our staff and remains locked unless there is an employee accompanying a customer. We make a point of keeping it neat and orderly at all times and have had great success from this marketing method.

Thank you for your consideration

Sincerely,

Kevin Bell
C-A-L Ranch Stores

SUP-48168

RECEIVED
JAN 24 2013
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

C-A-L Ranch Stores 665 East Anderson P.O. Box 1866 Idaho Falls, ID 83403
(208) 523-3359

City of Las Vegas Agenda Item No.: **31.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

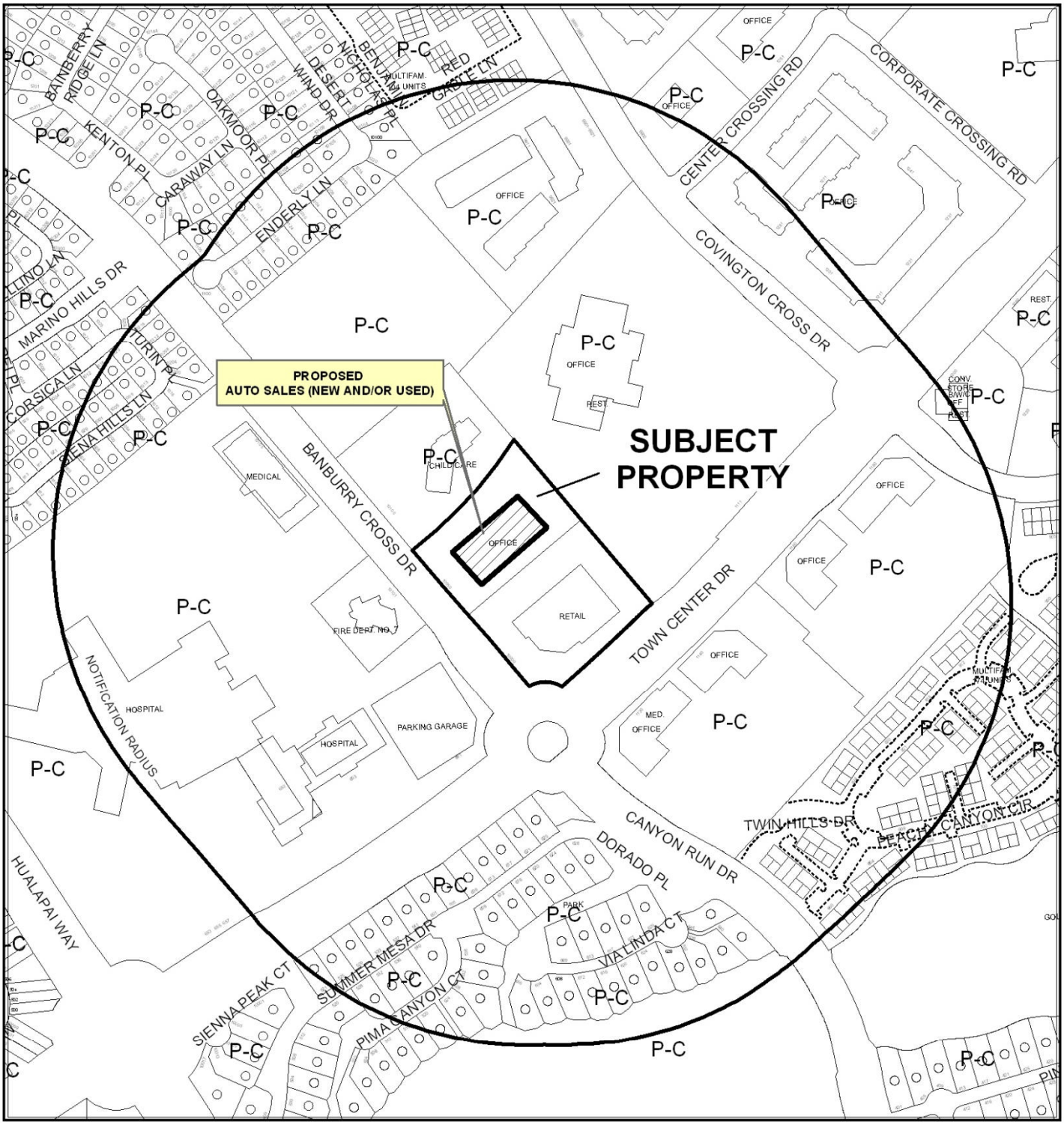
SUBJECT:
SUP-48174 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CUSTOM MOTOR CREATIONS, LLC - OWNER: HUGHES PROPERTY MANAGEMENT III, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED AUTO SALES (NEW AND/OR USED) USE, INDOORS at 10050 Banburry Cross Drive, Suite #157 and #210 (APN 138-30-218-002), P-C (Planned Community - Employment Center) Zone, Ward 2 (Beers). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

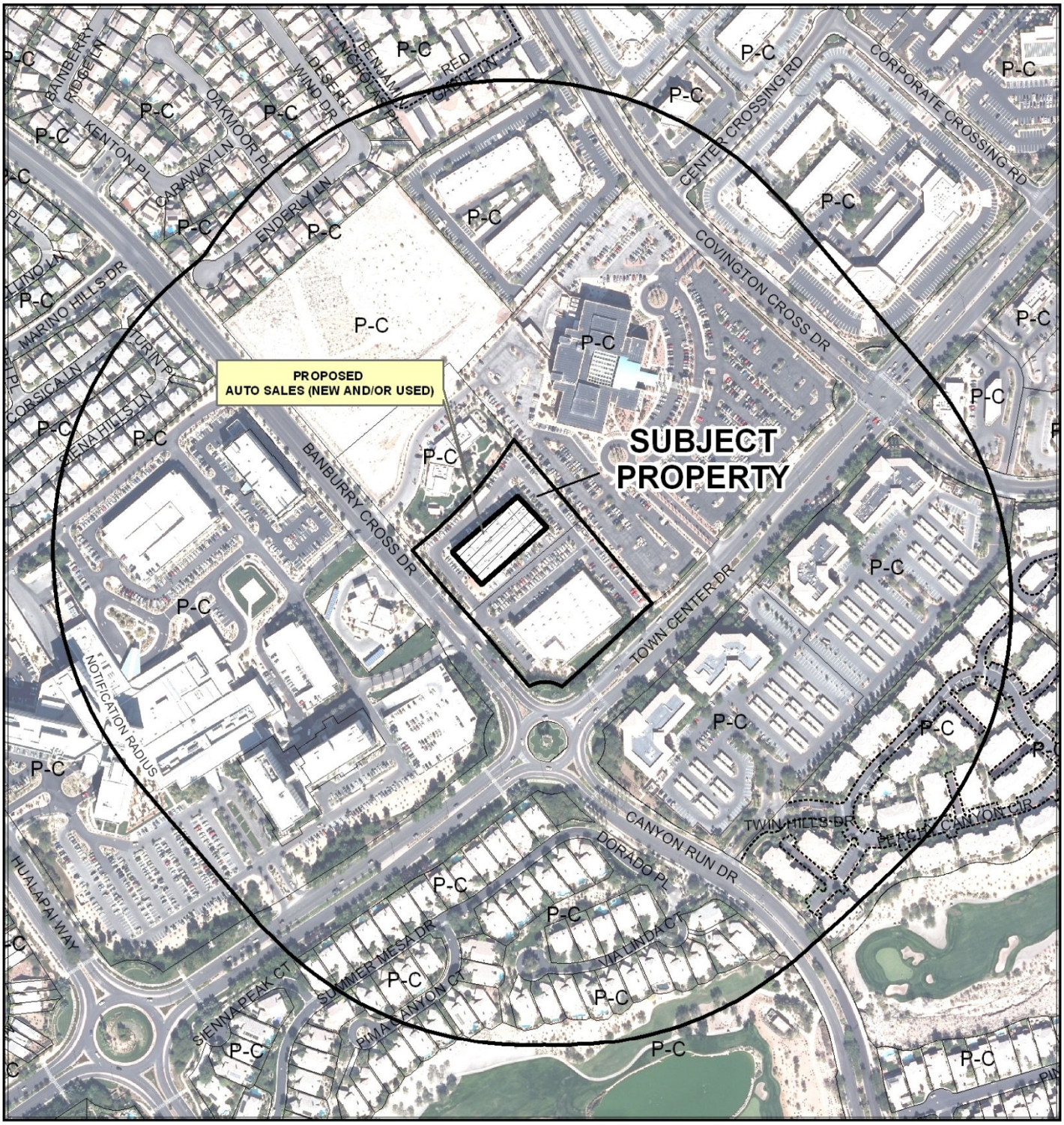
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: **SUP-48174**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)
[EC (EMPLOYMENT CENTER) SPECIAL LAND USE DESIGNATION]



CASE: **SUP-48174**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)
[EC (EMPLOYMENT CENTER) SPECIAL LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CUSTOM MOTOR CREATIONS, LLC - OWNER: HUGHES PROPERTY MANAGEMENT III, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48174	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-48174 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under Summerlin Development Standards for an Auto Sales, New and/or Used use.

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

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

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

5. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property without the appropriate permits.

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

Staff Report Page One
March 12, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant has applied for a Special Use Permit for an Auto Sales, New and/or Used use in the Employment Center land use area of the Summerlin Master Plan at 10050 Banburry Cross Drive, Suites 157 and 210. One, two-story office building is located on the site that is designed to allow flexible office and warehouse space. The proposed use would take place in suite 157, with the business offices located in suite 210. The project meets all the minimum requirements for such use therefore; staff recommends approval with conditions. If denied, no Auto Sales, New and/or Used use would be allowed on the site.

ISSUES

- An Auto Sales, New and/or Used use is allowed in the Employment Center of Summerlin with an approved Special Use Permit. Staff supports this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
03/06/02	The City Referral Group approved a Site Development Plan Review via (SV-0002-02) for a 55,000 Square foot Office-Warehouse building on 2.37 acres near the northwest corner of Banburry Cross Drive and Town Center Drive. Staff recommended approval.

Most Recent Change of Ownership	
01/26/05	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/00/12	A Building Permit Checklist (#169915) to install commercial sound board and drywall was issued for 10050 Banburry Cross Drive, Suite 157. The permit has not been finalized.
06/06/07	A Building Permit (#91218) for an Occupancy Investigation of storage spaced that is now being occupied was issued for 10050 Banburry Cross Drive, Suite 157.

Related Building Permits/Business Licenses	
03/27/12	A Building Permit (#207673) was issued for the Inspection Management Program of Las Vegas Machine and Fabrication at 10050 Banburry Cross Drive, Suite 210.

Pre-Application Meeting	
01/15/13	Staff met with the applicant and reviewed the requirements of a Special Use Permit for an Auto Sales, New and/or Used use in the Employment Center land use area of Summerlin. The applicant was directed to specify if any manufacturing would take place and if so, to call the area out on the floor plan.

Neighborhood Meeting
No neighborhood meeting was required, nor was one held.

Field Check	
01/31/13	Staff visited the site and found a well maintained office building. The building is designed with several roll-up doors for use as a warehouse for some of the tenants.

Details of Application Request	
Site Area	
Net Acres	2.38

Surrounding Property	***Existing Land Use Per Summerlin Development Standards***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Office, General business & Professional Manufacturing, Light Auto Sales	SC (Service Commercial)	P-C (Planned Community) [EC (Employment Center) Summerlin Special Land Use Designation]
North	Office, General business & Professional	SC (Service Commercial)	P-C (Planned Community) [EC (Employment Center) Summerlin Special Land Use Designation]
South	Fire Station	SC (Service Commercial)	P-C (Planned Community) [PF (Public Facilities) Summerlin Special Land Use Designation]

East	General Merchandise Stores	SC (Service Commercial)	P-C (Planned Community) [EC (Employment Center) Summerlin Special Land Use Designation]
West	Child Care (Commercial)	SC (Service Commercial)	P-C (Planned Community) [EC (Employment Center) Summerlin Special Land Use Designation]

Master Plan Areas	***Compliance***
Summerlin	Y
Special Purpose and Overlay Districts	***Compliance***
PD (Planned Development) 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	N/A

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Banburry Cross Drive	Secondary Collector	Master Plan of Streets and Highways	80	Y

Pursuant to the Summerlin Development Standards, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Office, General Business & Professional	22,543 SF	1/300 SF	76				
Manufacturing, Light	27,627 SF	1/1,000 SF	28				
Auto Sales	4,000	1/500 SF	8				
TOTAL SPACES REQUIRED			112		112		Y
Regular and Handicap Spaces Required			107	5	107	5	Y
Loading Spaces	54,170 SF	N/A	1		1		Y

YK

ANALYSIS

The Auto Sales, New and /or Used use is defined respectfully by the Summerlin Development Standards as "A facility that sells new automobiles and a facility that sells used automobiles." The proposed use meets the definition as stated in the justification letter, "the Applicant is proposing and desires to utilize a portion of the property for the display and sale or leasing of new and/or used motor vehicles, including custom built trikes."

The Minimum Summerlin Development Standards Special Use Permit Requirements for this use include:

1. The installation and use of an outside public address or bell system is prohibited.
   The applicant states in the justification letter that no outside public address or bell system will be installed or used.
2. Any used or discarded automotive parts or equipment located in any open area outside an enclosed building must be screened from view.
   The applicant states in the justification letter that all parts and equipment will be located wholly within the enclosed building.
3. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.
   The applicant states in the justification letter that all exterior lighting will be screened from adjacent parcels.
4. All new and/or used auto sales facilities shall be closed for business between the hours of 10:00 p.m. and 7:00 a.m.
   The applicant states in the justification letter that the business will be closed for business between the hours of 10:00 p.m. and 7:00 a.m.

As all minimum requirements of the Summerlin Master Plan for new and used motor sales is being met, staff recommends approval, with conditions.

FINDINGS (SUP-48174)

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 Auto Sales, New and /or Used use can be conducted in a manner that is harmonious with the neighborhood since all minimum requirements for said use are being met.

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

   The proposed Auto Sales, New and /or Used use will be conducted wholly within an enclosed building and meets the minimum parking requirements established by the Summerlin Development Standards.

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

   The proposed use has direct access to Banburry Cross Drive, a Secondary Collector Street as designated by the Master Plan of Streets and highways that is adequate to meet the needs of an Auto Sales, New and /or Used 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 Auto Sales, New and /or Used use is not inconsistent with the P-C (Planned Community) General Plan designation for Summerlin.

5. **The use meets all of the applicable conditions per the Summerlin Development Standards.**

   All minimum conditions for an Auto Sales, New and /or Used use under the Summerlin Development Standards are being met.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 575

APPROVALS 0

PROTESTS 0

YK

DEPARTMENT OF PLANNING

RECEIVED

JAN 24 2013

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-48174 APN: Ptn. of 138-30-218-002

Name of Property Owner: Hughes Property Management III, LLC

Name of Applicant: Custom Motor Creations, LLC

Name of Representative: Fennemore Craig Jones Vargas

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: Garth Kloehn

Print Name: GARTH KLOEHN

Subscribed and sworn before me

This 21 day of January, 2013

County of Clark, State of Nevada

Notary Public in and for said County and State

RAYLENE BALL
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 3-30-2016
Certificate No: 12-7201-1

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JAN

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Custom Motor Creations, LLC

Project Address (Location) 10050 Banburry Cross Dr., Suite 157, Las Vegas, NV 89144

Project Name Custom Motor Creations, LLC **Proposed Use** Auto Sales (New/Used)

Assessor's Parcel #(s) Ptn. of 138-30-218-002 **Ward #** Ward 2 - Councilman Beers

General Plan: existing SC proposed SC **Zoning:** existing P-C proposed P-C

Commercial Square Footage approx 4,000 s.f. **Floor Area Ratio**

Gross Acres 2.38 acres **Lots/Units** n/a **Density** n/a

Additional Information Project is located within the Employment Center - Summerlin Land Use District

PROPERTY OWNER Hughes Property Management III, LLC **Contact** Garth Kloehn

Address 10050 Banburry Cross Dr., Suite 208 **Phone:** (702) 242-0002 **Fax:** (702) 243-2961

City Las Vegas **State** Nevada **Zip** 89144

E-mail Address gkloehn@kloehn.com

APPLICANT Custom Motor Creations, LLC **Contact** Garth Kloehn

Address 10050 Banburry Cross Dr., Suite 157 **Phone:** (702) 242-0002 **Fax:** (702) 243-2961

City Las Vegas **State** Nevada **Zip** 89144

E-mail Address gkloehn@kloehn.com

REPRESENTATIVE Fennemore Craig Jones Vargas **Contact** Mark Hawkins, Esq. / Jeff Donato

Address 300 S. Fourth St., Suite 1400 **Phone:** (702) 692-8000 **Fax:** (702) 692-8099

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

E-mail Address mhawkins@fclaw.com / jdonato@fclaw.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* Garth Kloehn

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

Print Name GARTH KLOEHN

Subscribed and sworn before me

This 21 day of January, 2013.

County of Clark, State of Nevada

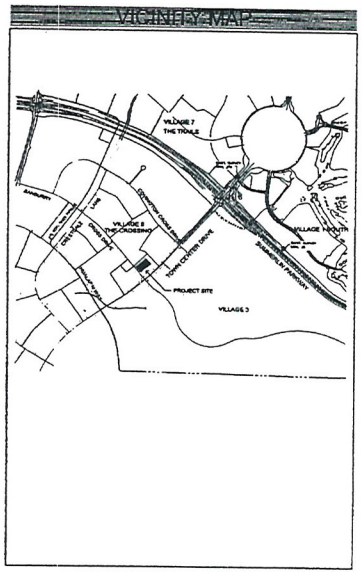
Notary Public in and for said County and State Raylene Ball

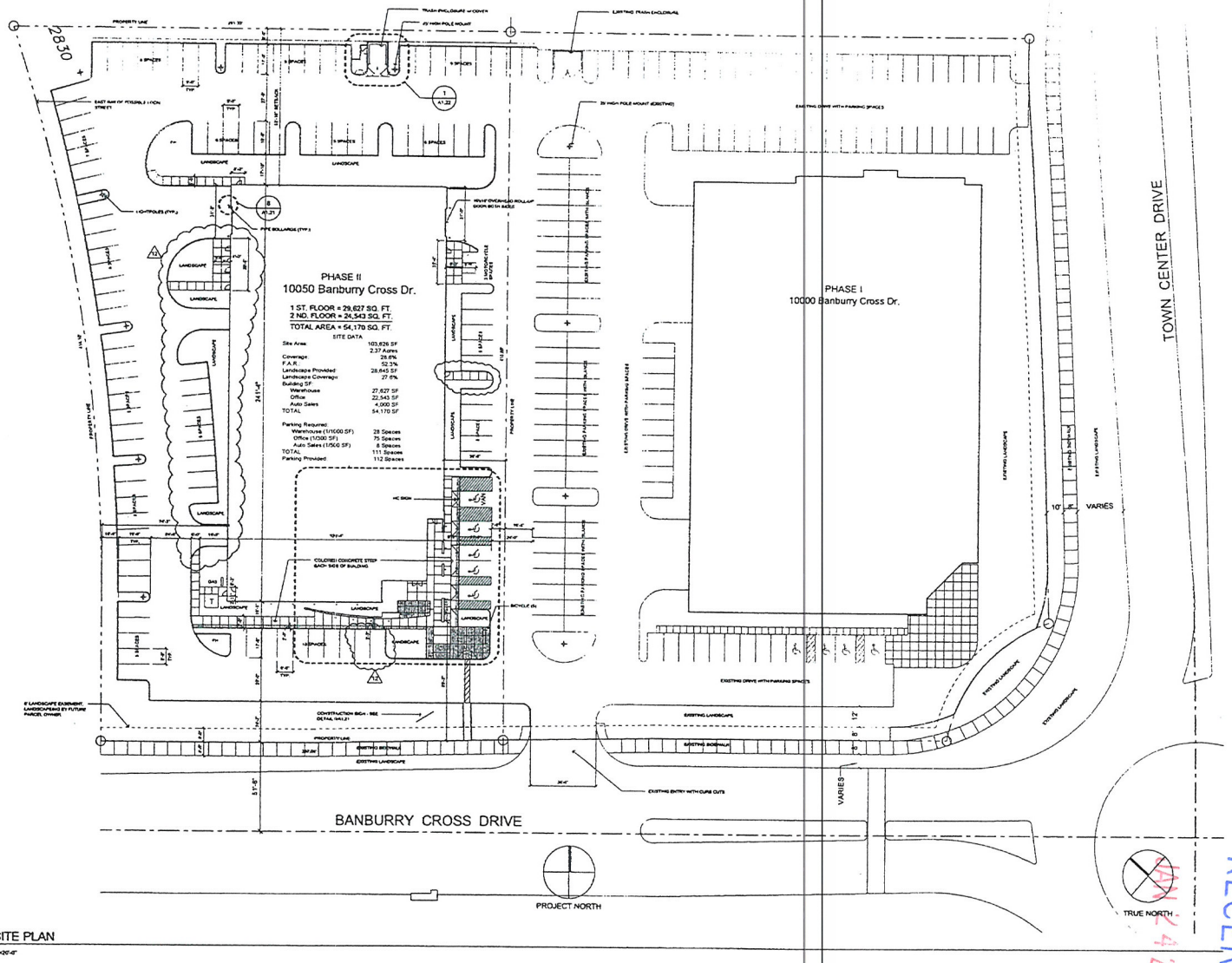
RAYLENE BALL
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 3-30-2016
Certificate No: 12-7201-1

FOR DEPARTMENT USE ONLY

Case #	SUP 48174
Meeting Date:	3/12/2013
Total Fee:	1030.00
Date Received:*	1/24/2013
Received By:	

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





A SITE PLAN
1"=20'-0"

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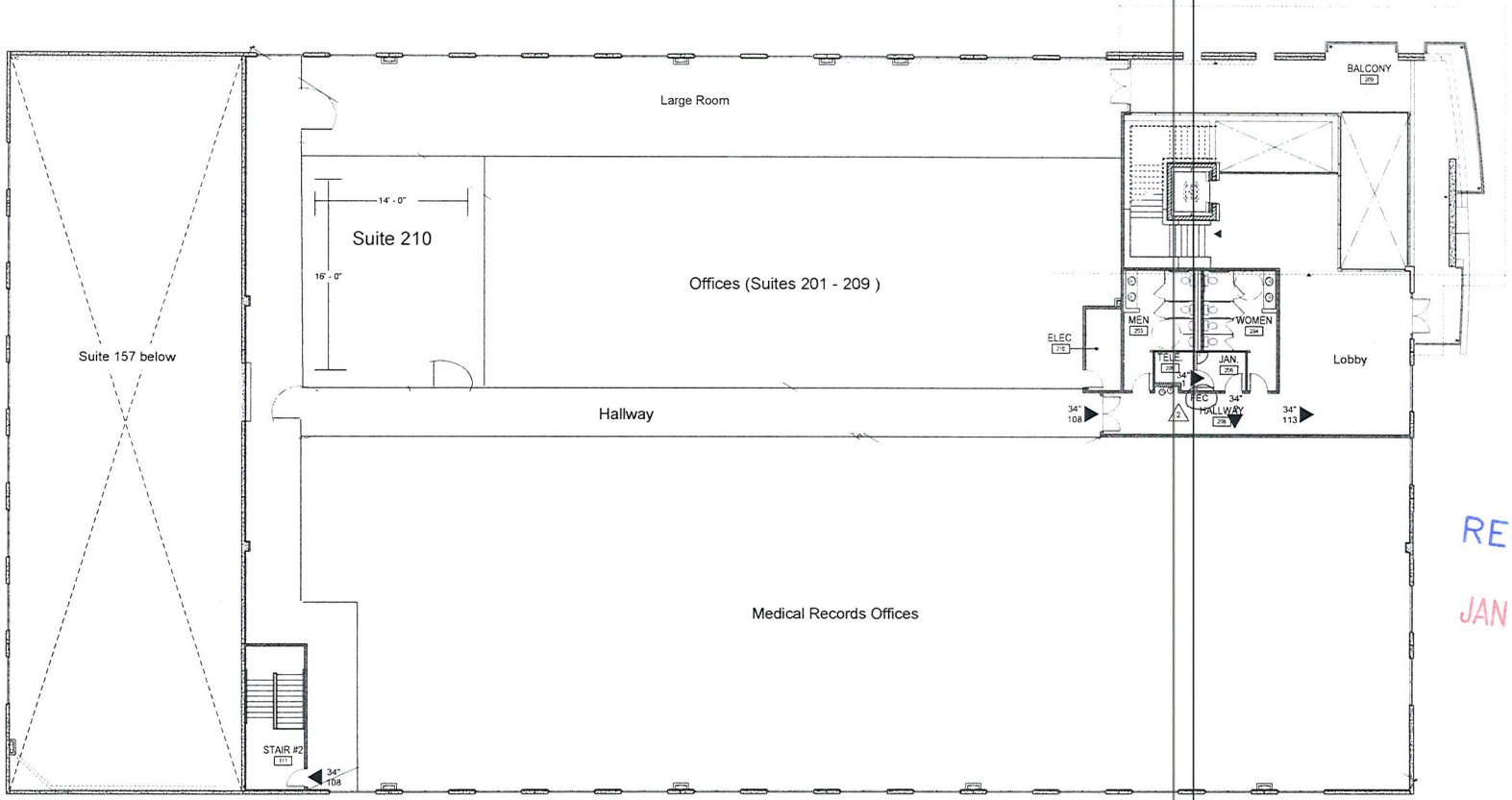
JAN 24 2013

SUP-48174



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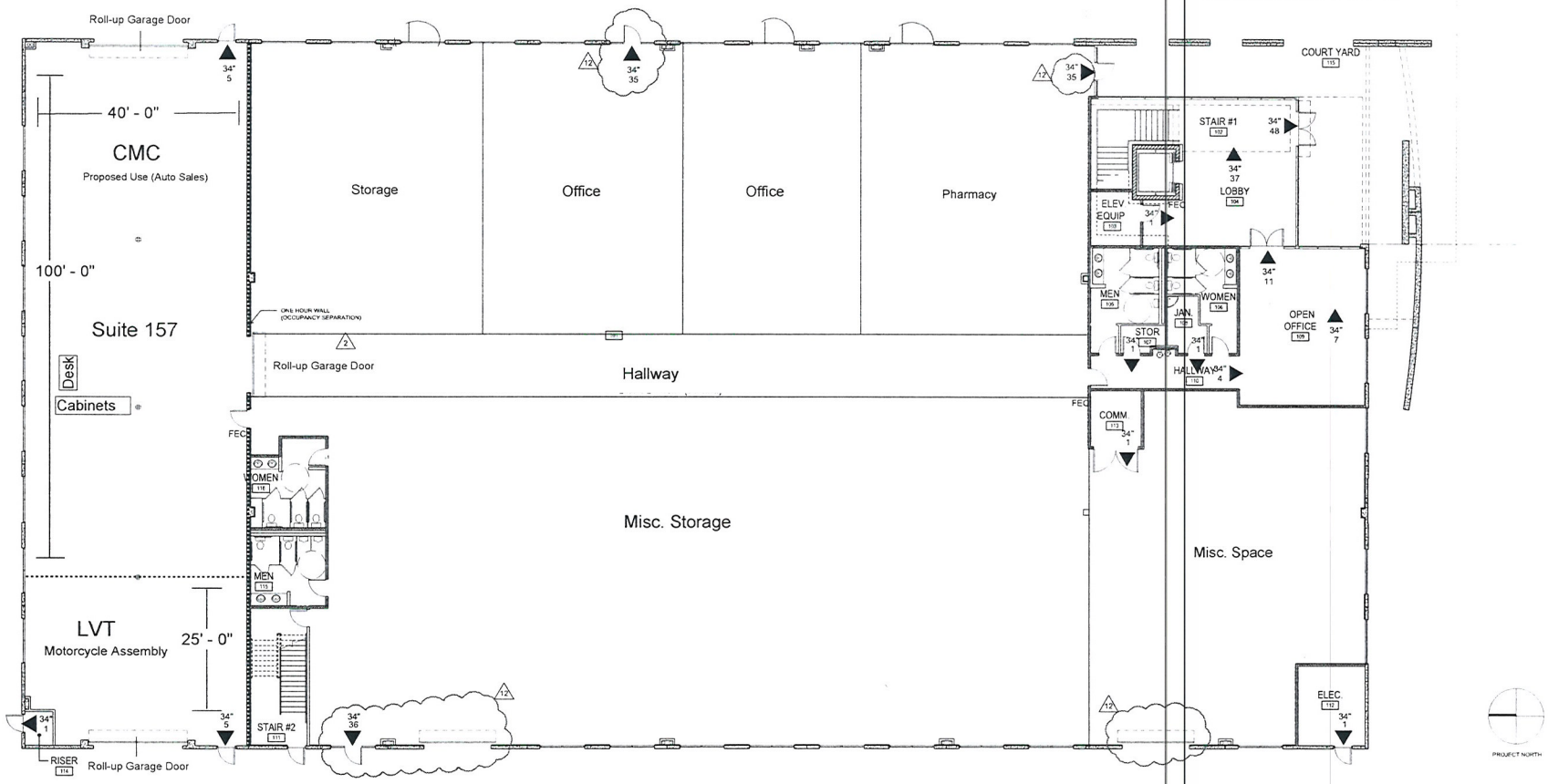
JAN 24 2013

SUP-48174

B PLAN - SECOND FLOOR

1/8"=1'-0"



A Floor Plan - Suite 157

1/8"=1'-0"

SUP-48174

RECEIVED
JAN 24 2013



SUP-48174 - APPLICANT: CUSTOM MOTOR CREATIONS, LLC - OWNER: HUGHES PROPERTY MANAGEMENT III, LLC
10050 BANBURRY CROSS DRIVE, SUITES #157 AND #210

01/31/13



SUP-48174 - APPLICANT: CUSTOM MOTOR CREATIONS, LLC - OWNER: HUGHES PROPERTY MANAGEMENT III, LLC
10050 BANBURRY CROSS DRIVE, SUITES #157 AND #210

01/31/13

FENNEMORE CRAIG JONES VARGAS

Suite 1400 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101
(702) 692-8000

RECEIVED
JAN 24 2013

Mark Hawkins
Direct Phone: (702) 692-8012
Direct Fax: (702) 692-8072
mhawkins@fclaw.com

Law Offices

Denver	(303) 291-3200
Las Vegas	(702) 692-8000
Nogales	(520) 281-3480
Phoenix	(602) 916-5000
Reno	(775) 786-5000
Tucson	(520) 879-6800

January 24, 2013

BY HAND DELIVERY

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

Re: Justification Letter for Special Use Permit
Motor Vehicle Sales (New and/or Used)

To Whom It May Concern:

Please be advised that this law firm represents Custom Motor Creations, LLC, a Nevada limited liability company (the "Applicant" or "CMC"), with regard to its request for a Special Use Permit to allow Motor Vehicle Sales (New and/or Used) on a portion of 2.38 acres in a P-C (Planned Community) District. The real property is located at 10050 Banburry Cross Drive, Las Vegas, Nevada (the "Property"), as further described as Assessor's Parcel Number 138-30-218-002. The Applicant, with the property owner's consent, hereby requests a special use permit that would entitle the Property to conduct new and/or used motor vehicle sales at the subject location.

In particular, the Applicant is proposing and desires to utilize a portion of the Property for the display and sale or leasing of new and/or used motor vehicles, including custom built trikes (the "Proposed Use"). The Proposed Use will be conducted wholly within Suite 157 (the "Suite") while the business office for the Proposed Use will be located in Suite 210, as identified on the plans submitted herewith. No operations will take place outside the leased premises. The suite utilized for the Proposed Use contains approximately 5,000 square feet of gross floor space of which up to 4,000 square feet will be utilized by the Applicant as the sales and display area for the business. The Applicant will not perform any auto mechanical repairs and/or related services in conjunction with its business operations, and the anticipated hours of operation are Monday through Saturday from 8:00 a.m. to 7:00 p.m. It is important to note that the Proposed Use targets a niche market of adventuresome clients with discretionary income. Generally, a trike is customized to a buyer's specifications; therefore, the Applicant does not anticipate displaying

SUP-48174

and maintaining a large inventory of custom trikes on the sales floor. Due to its unique clientele, there is ample onsite parking to accommodate the limited traffic that may be generated by the Proposed Use.

Although not part of this application, the Applicant would like to disclose that the remaining gross floor space of the Suite will be utilized by Las Vegas Trikes ("LVT"), a company that currently holds an active City of Las Vegas motorcycle assembly license at the Suite. Essentially, LVT assembles/manufactures the custom trikes that will be sold at retail by CMC. As you may be aware, the Summerlin Development Standards (the "SDS") define light manufacturing as operations that are permitted to produce products for retail sale and such use is permitted by right on the Property. Since LVT's use is permitted by right, this application only pertains to the approval of the Proposed Use.

Pursuant to the SDS, the Proposed Use is permitted in the Employment Center land use district with the approval of a Special Use Permit. In order to approve a Special Use Permit application, per Title 19.16.110(L), the Planning Commission must affirm the following:

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

- The Proposed Use can be conducted in a manner that is harmonious with the neighborhood because the Proposed Use will conform to all the standard conditions/requirements as set-forth by the SDS, including the following: (a) the Applicant will not install nor use an outside public address or bell system; (b) all used or discarded motorcycle parts or equipment will be located wholly within an enclosed building; (c) all exterior lighting will be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land; and (d) the facility will be closed for business between the hours of 10:00 p.m. and 7:00 a.m.

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

- The Property meets or exceeds the parking standards as set forth by the SDS and the business operations can and will be conducted wholly within an enclosed building; therefore, the Property is physically suitable for the type and intensity of the Proposed Use.

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

- The Proposed Use has direct access to Banburry Cross Drive, which is a 60 foot right-of-way. The Proposed Use will not generate an inordinate amount of traffic and the street providing access to and from the Property is adequate in size to handle any additional traffic that may be generated by 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.

- As with any use, the Proposed Use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety and welfare.

It is important to note that all existing site improvements, exterior building elevations and landscape improvements are to remain the same.

For the reasons provided above, the Applicant respectfully requests that Staff recommends approval of the Special Use Permit to allow the Proposed Use to be conducted on a portion of the Property.

Thank you in advance for your consideration with regards to this application. If you have any questions, please do not hesitate to contact me.

Sincerely,

FENNEMORE CRAIG JONES VARGAS

Mark Hawkins

JDON/jjd

7813805.3/022258.0006

SUP-48174

City of Las Vegas Agenda Item No.: **32.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

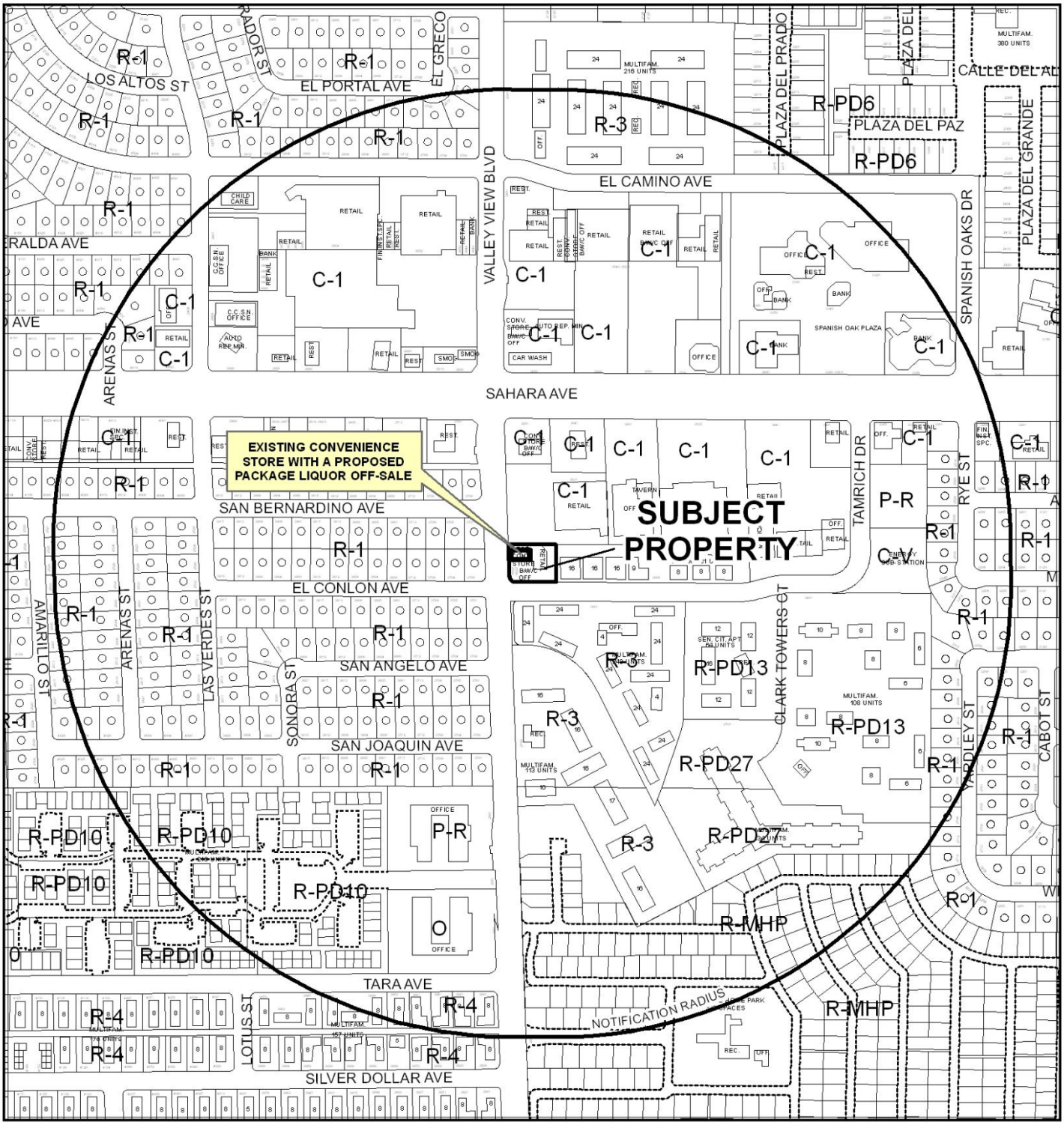
SUBJECT:
SUP-48177 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HAYAT MARKET - OWNER: THE T.D. JAK FAMILY, LP - For possible action on a request for a Special Use Permit FOR A PROPOSED RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 2,684 SQUARE-FOOT CONVENIENCE STORE at 2558 South Valley View Boulevard (APN 162-08-101-005), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

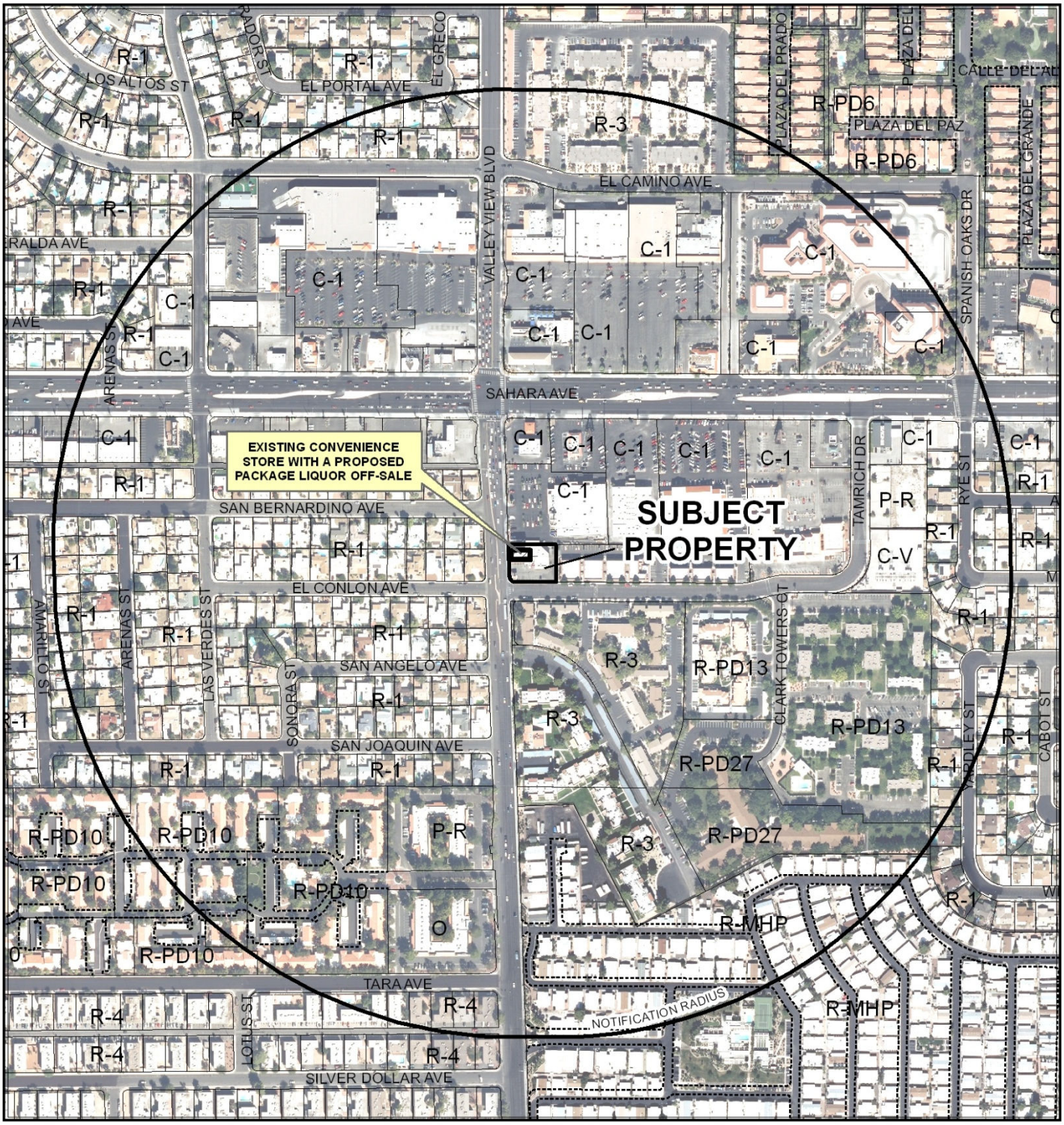
BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter



CASE: **SUP-48177**

RADIUS: 1500 FEET

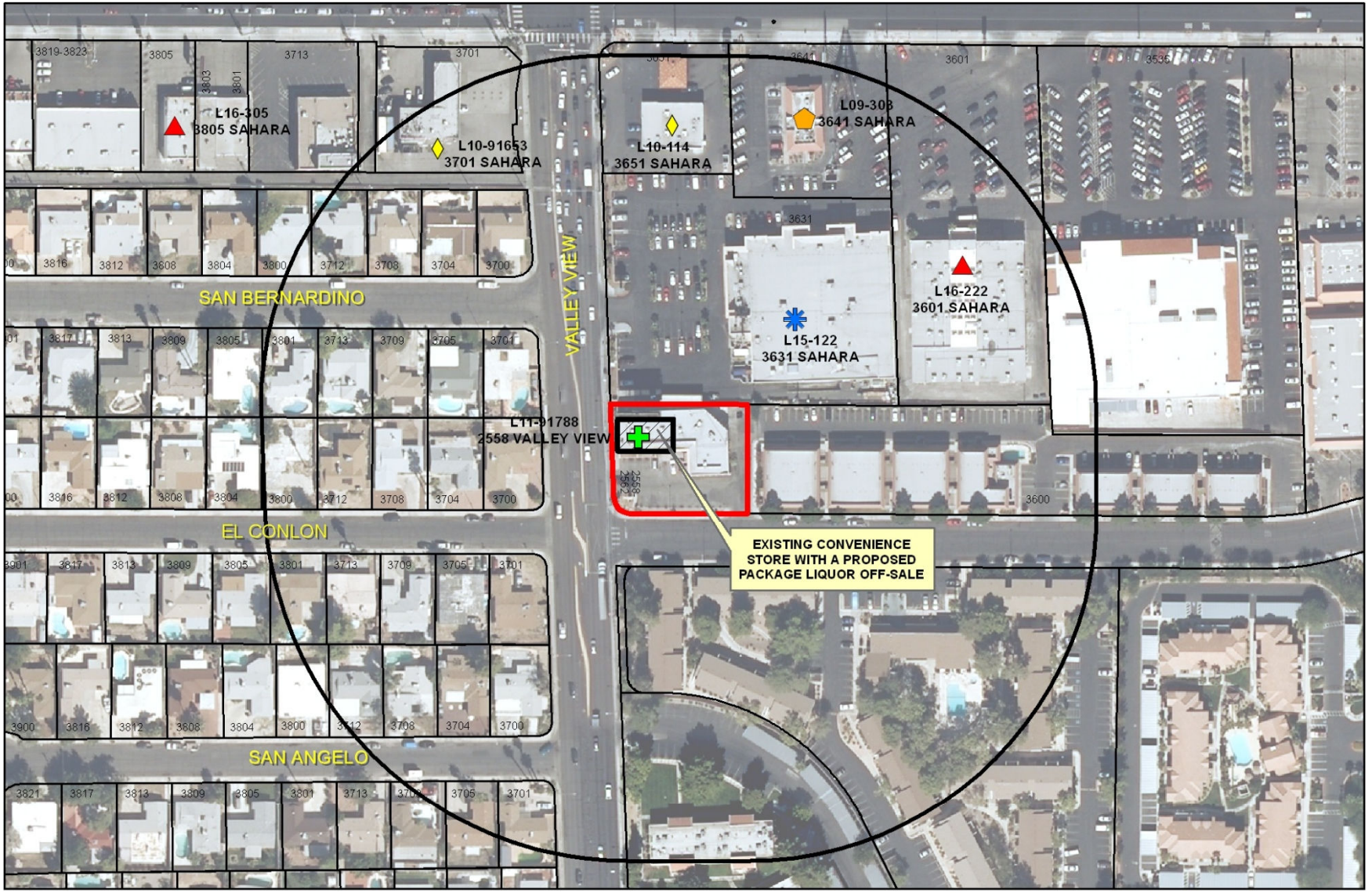
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: **SUP-48177**

RADIUS: 1500 FEET

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



SUP-48177

Package Liquor Sales

Business Licenses

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: HAYAT MARKET - OWNER: THE T.D. JAK FAMILY, LP

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

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48177	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

SUP-48177 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.

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.

YK

Conditions Page Two
March 12, 2013 - Planning Commission Meeting

7. All beer and wine coolers shall remain in the original manufacturer's configuration intended for off-sale resale.

8. The parking lot shall be re-striped before a business license for a Retail Establishment with Accessory Package Liquor Off-Sale use is issued.

9. 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 Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 2,684 square-foot convenience store at 2558 Valley View Boulevard. This location does not have any churches, schools, child care facilities or city parks within the required 400-foot distance separation radius. The proposed use will not add parking beyond that which is required for the principal use on the site. No more than 10 percent of the retail floor space will be used for the display and sale of Package Liquor. The site location is compatible with surrounding land uses and all minimum requirements for the proposed use are being met, therefore; staff recommends approval. If this request is denied, no Packaged Liquor may be sold on the premises.

ISSUES

- A Retail Establishment with Accessory Package Liquor Off-Sale use is allowed in a C-1 (Limited Commercial) zoning district with an approved Special Use Permit. Staff supports this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/18/94	The City Council approved a request for a Special Use Permit (U-0072-94) for a Beer/Wine/Cooler On-and Off-Sale Establishment at 2558 South Valley View Boulevard. The Board of Zoning Adjustment recommended approval.
11/19/08	The City Council approved a request for a Variance (VAR-29873) to allow for 21 parking spaces where 35 parking spaces are required for a proposed beauty salon at 2558 - 2564 S. Valley View Boulevard. The Planning Commission recommended approval and staff recommended denial.

Most Recent Change of Ownership	
04/10/03	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
10/24/12	A business license (C20-91993) for a Convention Hall Tax was applied for at 2558 South Valley View Boulevard. The license is pending background approval.
	A business license (G01-91992) for Restricted Gaming was applied for at 2558 South Valley View Boulevard. The license is pending background approval.
01/16/13	A business license (C2-05-02840) for a Tobacco Dealer was issued for at 2558 South Valley View Boulevard. The license is active.
	A business license (C15-00414) for a Convenience Store was issued for at 2558 South Valley View Boulevard. The license is active.
	A business license (L11-00013) for Beer/Wine/Cooler On-and Off-Sale was issued for at 2558 South Valley View Boulevard. The license is active.

Pre-Application Meeting	
01/16/13	Staff met with the applicant and reviewed the requirements for a Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-Sale use. If was noted that the existing Beer/Wine/Cooler On-Off Sale use shall remain active if served with meals. It was noted that a detailed floor plan showing the existing restaurant seating area and all other uses be included with the application.

Neighborhood Meeting
No neighborhood meeting was required, nor was one held.

Field Check	
01/31/13	Staff visited the site and found a small commercial center with 22 parking spaces and one loading space. The lot needed to be re-painted or striped. The interior of the convenience store was setup to function as a small restaurant with seating for 30.

Details of Application Request	
Site Area	
Net Acres	0.43

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail Store, Other Than Listed Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
North	Grocery Store	C (General Commercial)	C-1 (Limited Commercial)
South	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Multi-Family Residential	M (Medium Density Residential)	C-1 (Limited Commercial)
West	Single-Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
A-O (Airport Overlay) District (200 Feet)	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Valley View Boulevard	Secondary Collector	Master Plan of Streets and Highways	80	Y
El Conlon Avenue	N/A	N/A	60	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	
General Retail, Other Than Listed	5,978 SF	1/175 SF	35				
TOTAL SPACES REQUIRED			35		22		Y *
Regular and Handicap Spaces Required			33	2	21	1	Y
Loading Spaces					1		Y

*Per VAR-29873

ANALYSIS

This application is in conjunction with an existing convenience store and restaurant. The request meets all minimum requirements and the activity can be conducted in a manner that is harmonious and compatible with existing uses in the area.

The center has a Variance (VAR-29873) to allow 21 parking spaces, where 35 are required. The proposed Retail Establishment with Accessory Package Liquor Off-Sale use does not require additional parking. The center exceeds the minimum Variance requirement by one space therefore, the parking is adequate. However, the parking lot is in need of restriping and a condition has been added to address this issue.

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 as the applicant states in the justification letter

The Minimum Special Use Permit Requirements for this use include:

* 1. Except as otherwise provided, no retail establishment with accessory package liquor off-sale hereinafter "establishment") shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park. *There are no protected uses within the 400-foot separation buffer requirement.*

* 2. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50. *The applicant shall obtain an appropriate business license for the use.*

FINDINGS (SUP-48177)

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 Retail Establishment with Accessory Package Liquor Off-Sale use can be conducted in a manner that is harmonious and compatible with the existing surrounding land uses.

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

   The subject site contains an existing retail center. This site is adequate to handle the Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 2,684 square-foot General Retail Store.

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

   The site is served by Valley View Boulevard, an 80-foot Secondary Collector that has adequate access for the requirements of the proposed accessory Package Liquor Off-Sale Establishment use.

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

   This use will be subject to licensing requirements and will therefore not compromise the public health, welfare or safety or overall objectives of the General Plan. In order to exercise the Special Use Permit the applicant has one year to apply and receive a business license related to the accessory Package Liquor Off-Sale Establishment.

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

   The use meets all of the applicable conditions per Title 19.12

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 39

NOTICES MAILED 452

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-48177** APN: _____

Name of Property Owner: THE T.D. JAK FAMILY LP

Name of Applicant: THE Hayat Market

Name of Representative: Lucy Stewart

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: David Khal

Subscribed and sworn before me

This 24th day of January, 2013

_____

Notary Public in and for said County and State

OFFICIAL SEAL
KRISTIN M ALTHEN
NOTARY PUBLIC - OREGON
COMMISSION NO. 461269
MY COMMISSION EXPIRES AUGUST 29, 2015

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SUP for liquor sales

Project Address (Location) 2558 S. Valley View

Project Name Hayat Market **Proposed Use** Conv. Store

Assessor's Parcel #(s) 162-08-101-005 **Ward #** 1

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

Commercial Square Footage 2684 **Floor Area Ratio**

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

Additional Information Add liquor sales behind the counter

PROPERTY OWNER THE T.D. JAK FAMILY LP **Contact**

Address 1626 SW WALTER DR **Phone:** **Fax:**

City GRESHAM **State** OR **Zip** 97080

E-mail Address

APPLICANT Hayat Market **Contact** Jessey Onan

Address 2558 S. Valley View **Phone:** (702) 426-9591 **Fax:**

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

E-mail Address jesseyonan@gmail.com

REPRESENTATIVE LAS Consultung **Contact** Lucy Stewart

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

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

E-mail Address stewplan@aol.com

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

Property Owner Signature

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

Print Name DAVID KHAL

Subscribed and sworn before me

This 24th day of January, 2013.

Notary Public in and for said County and State

OFFICIAL SEAL
KRISTIN M ALTHEN
NOTARY PUBLIC - OREGON
COMMISSION NO. 461269
MY COMMISSION EXPIRES AUGUST 29, 2015

Revised 10/27/08

FOR DEPARTMENT USE ONLY

Case #	SUP-48177
Meeting Date:	3/12/13
Total Fee:	$1280.-
Date Received:*	1/24/13
Received By:	

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

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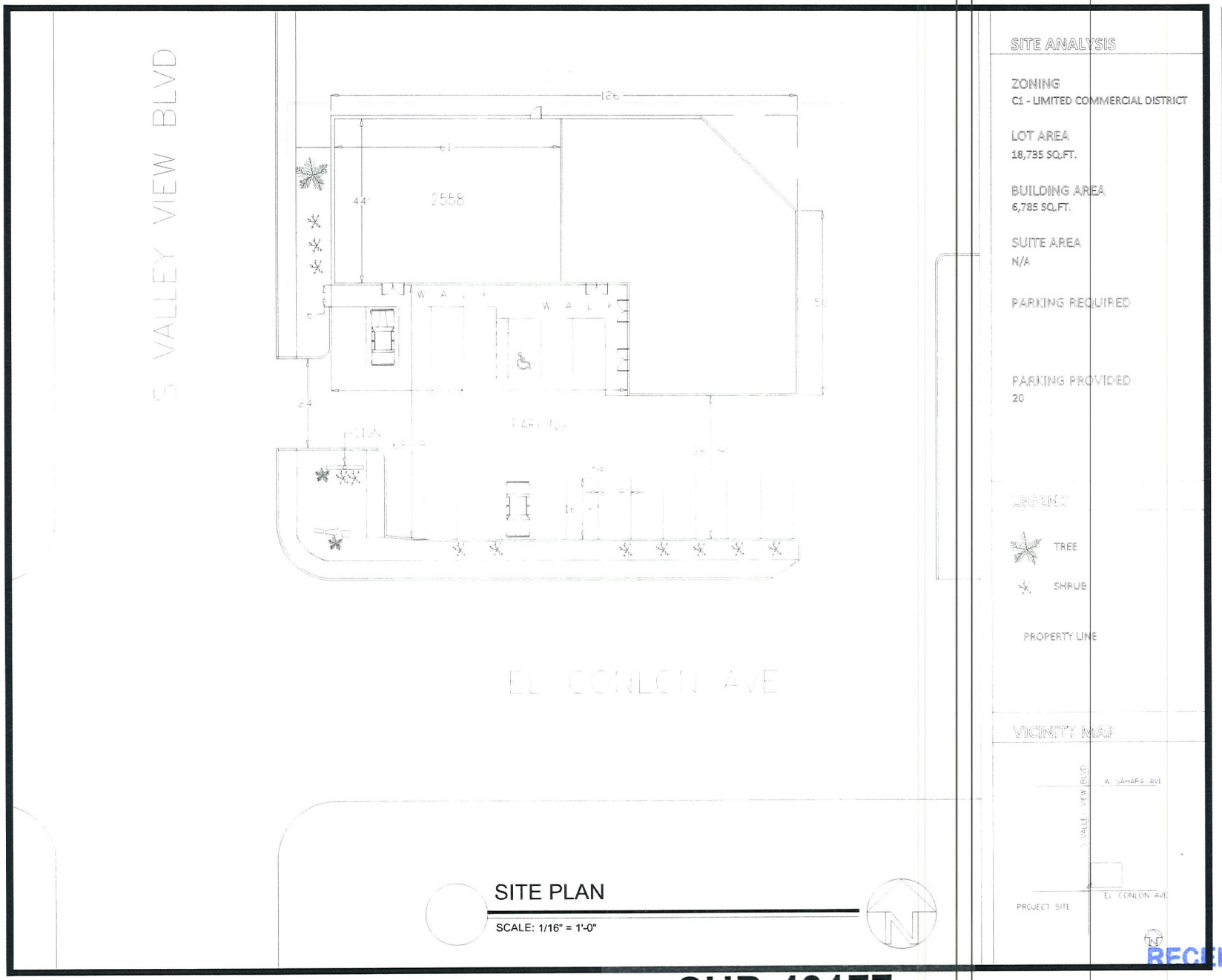


SITE PLAN

SCALE: 1/16" = 1'-0"

SITE ANALYSIS

ZONING
C1 - LIMITED COMMERCIAL DISTRICT

LOT AREA
18,735 SQ.FT.

BUILDING AREA
6,785 SQ.FT.

SUITE AREA
N/A

PARKING REQUIRED

PARKING PROVIDED
20

LEGEND

TREE

SHRUB

PROPERTY LINE

VICINITY MAP

DATE: 01-01-13

DRAWN BY: MS

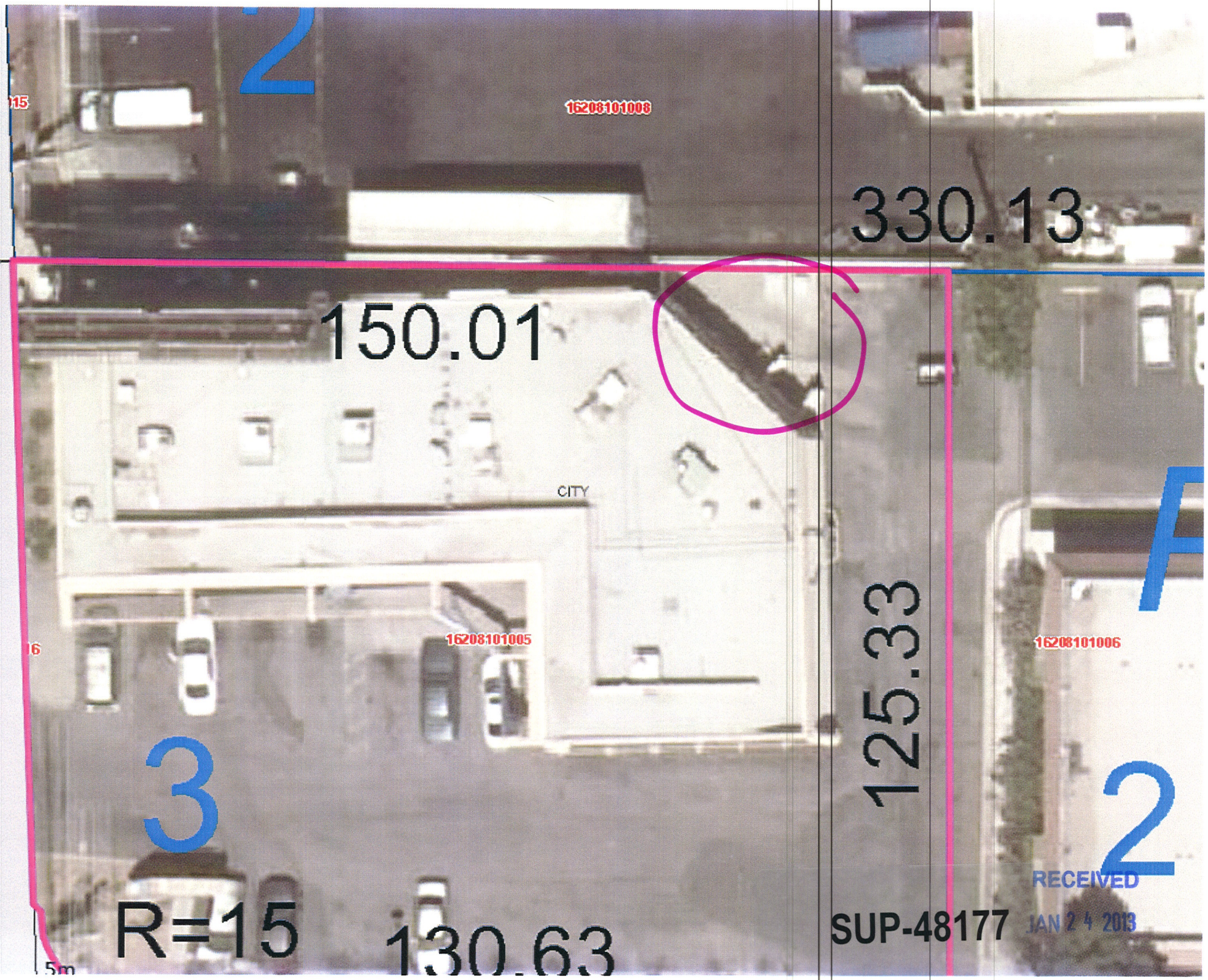
PREPARED FOR: HAYAT MARKET

2558 S VALLEY VIEW BLVD. LAS VEGAS, NV 89102

CONTACT: Lucy Stewart
(702) 499-6469 cell
(702) 946-0857 fax
StewPlan@aol.com

SUP-48177

RECEIVED
JAN 2 4 2013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SUP-48177
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SUP-48177 - APPLICANT: HAYAT MARKET - OWNER: THE T.D. JAK FAMILY, LP
2558 SOUTH VALLEY VIEW BOULEVARD

01/31/13



SUP-48177 - APPLICANT: HAYAT MARKET - OWNER: THE T.D. JAK FAMILY, LP
2558 SOUTH VALLEY VIEW BOULEVARD

01/31/13



SUP-48177 - APPLICANT: HAYAT MARKET - OWNER: THE T.D. JAK FAMILY, LP
2558 SOUTH VALLEY VIEW BOULEVARD

01/31/13

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

January 23, 2013

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

RE: 2558 Valley View, 162-08-101-005

Dear Sir or Madam:

Please accept this letter as our justification for a Special Use Permit (SUP) for the above referenced property. We are requesting a permit to allow the sale of liquor in conjunction with an existing convenience store. Title 19.12 requires;

– "Minimum Special Use Permit Requirements:

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

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

a. Any leasehold parcel; or

SUP-48177

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"

This property meets the separation requirements. The store currently sells beer and wine and the owner has cameras installed in the store and outside the store. The cameras allow him to police activities in the parking lot. The owner has a policy that if it appears a customer is attempting to purchase beer or wine for a minor, they are permanently banned from the store.

Many of the current clientele walk to the store and have asked about the ability to purchase liquor at this location. The store is beginning to stock items geared towards seniors, and is they are researching the possibility of delivering items to the seniors (not liquor).

By including liquor sales as part of the service provided to its customers, the convenience store can only display 10% of its display area as alcohol sales, including beer and wine. The square footage of the convenience store would allow for 154 square feet of display area. The display area that is shown is 90 square feet. The liquor display will be behind the counter a customer will have to request their liquor and purchase it before they take possession of it.

Within the convenience store is a fried chicken restaurant in conjunction with the store. They intend to keep the restaurant active and know they need to acquire an additional liquor license for the off-premise sales of liquor. They are indicating 50 seats for the restaurant portion on their floor plan.

We believe this to be a good use of the property and provide an additional service to our customers. Thank you for your consideration in this matter; please do not hesitate to contact me with any questions.

Yours truly,

Lucy Stewart

SUP-48177

City of Las Vegas Agenda Item No.: **33.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

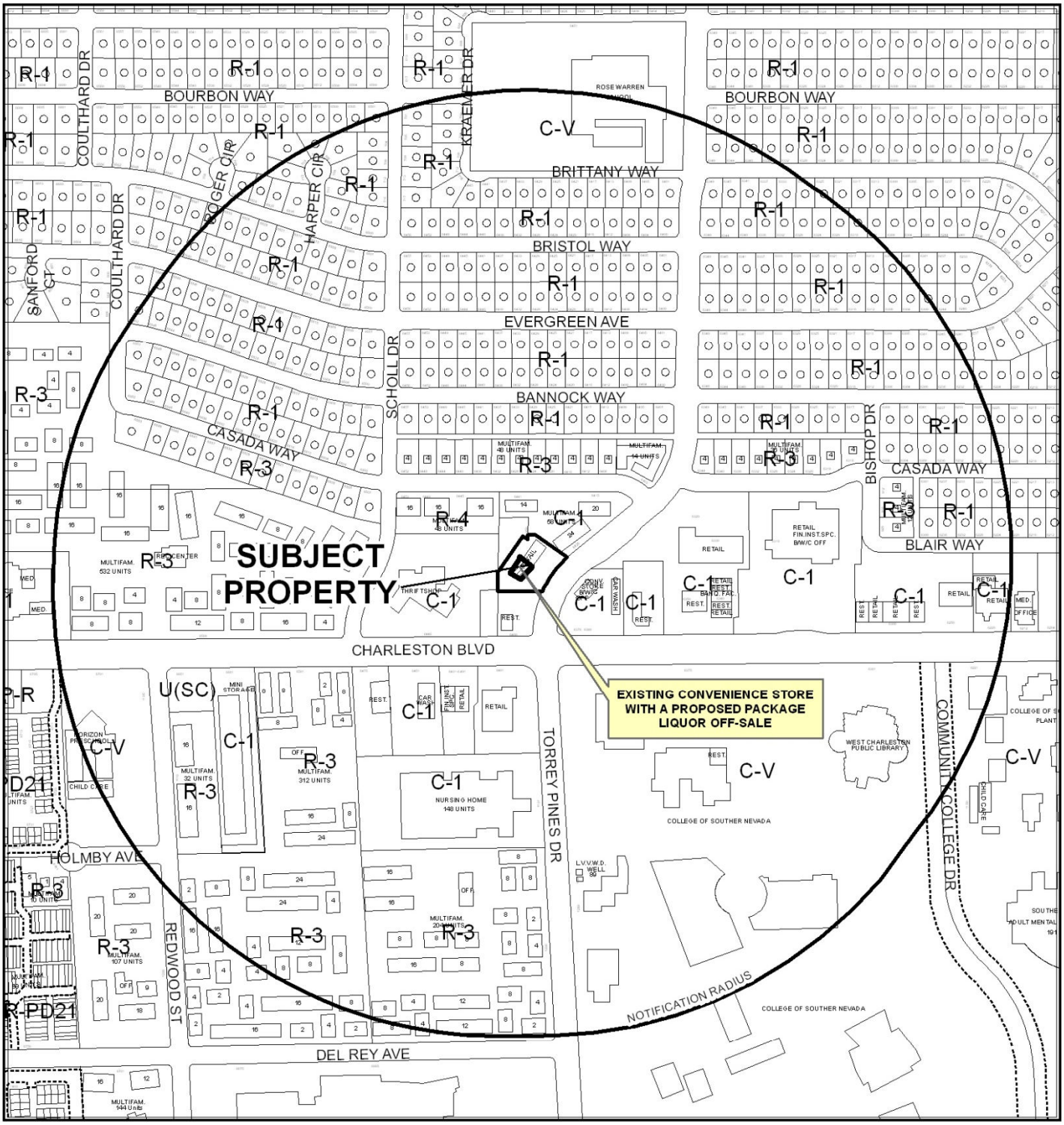
SUBJECT:
SUP-48178 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MARKET & SMOKES, INC. - OWNER: TP 1000, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFF-SALE USE WITHIN AN EXISTING 2,340 SQUARE-FOOT CONVENIENCE STORE at 1000 South Torrey Pines Drive, Suite A (APN 138-35-402-011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



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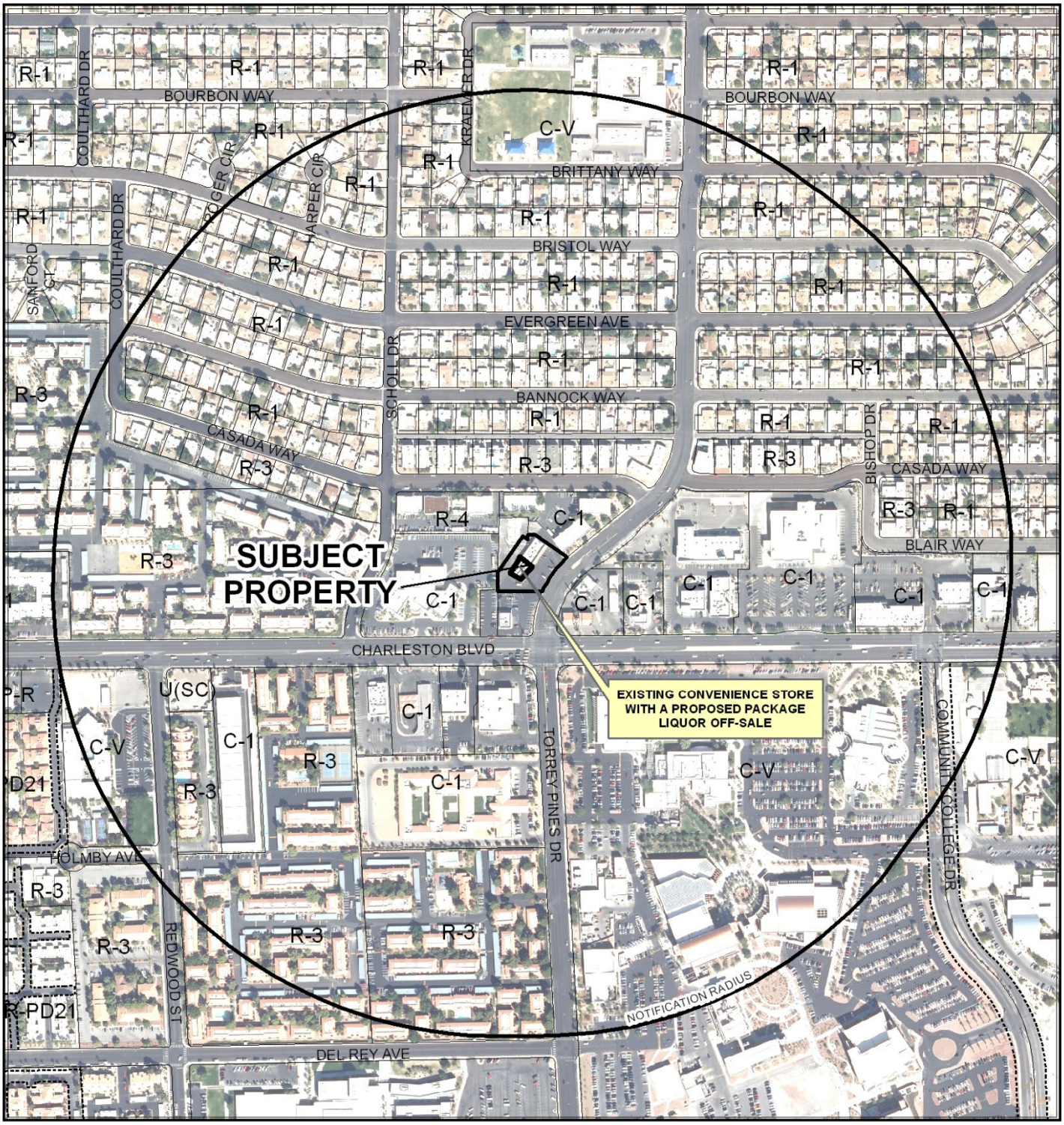
CASE: **SUP-48178**

RADIUS: 1500 FEET

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

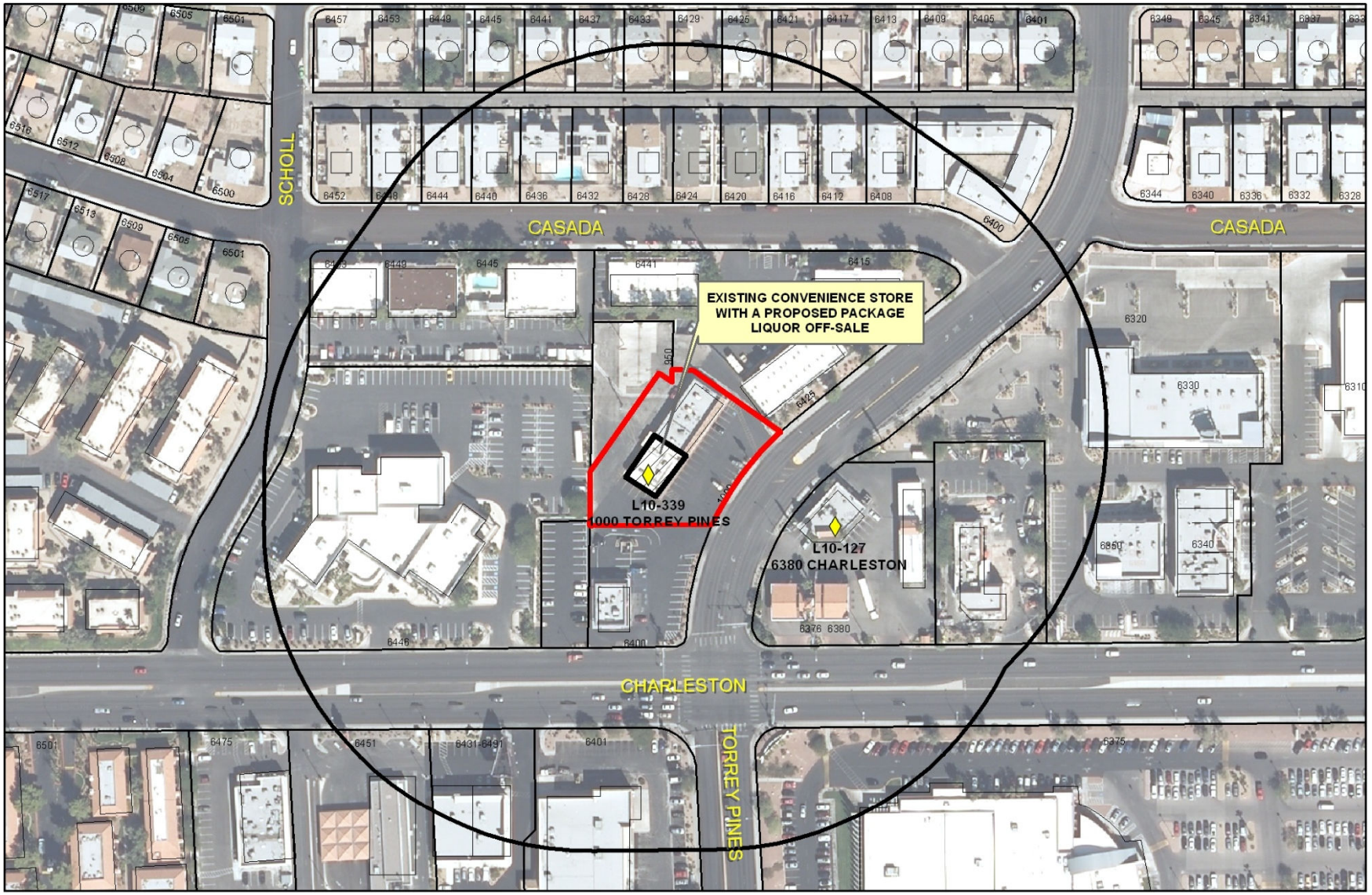
N



CASE: **SUP-48178**

RADIUS: 1500 FEET

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



SUP-48178

Package Liquor Sales

Business Licenses

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: MARKET & SMOKES, INC. - OWNER: TP 1000, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48178	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-48178 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. All signage shall be permitted and meet minimum code requirements within 30 days of final approval.

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

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

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

8. All beer and wine coolers shall remain in the original manufacturer's configuration intended for off-sale resale.

9. 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 Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 2,300 square-foot convenience store at 1000 South Torrey Pines Drive, Suite A. This location does not have any churches, schools, child care facilities or city parks within the required 400-foot distance separation radius. The proposed use will not add parking beyond that which is required for the principal use on the site. No more than 10 percent of the retail floor space will be used for the display and sale of Package Liquor. The site location is compatible with surrounding land uses and all minimum requirements for the proposed use will be met, therefore; staff recommends approval. If this request is denied, no Packaged Liquor may be sold on the premises.

ISSUES

- A Retail Establishment with Accessory Package Liquor Off-Sale use is allowed in a C-1 (Limited Commercial) zoning district with an approved Special Use Permit. Staff supports this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
06/06/60	The City Council approved Rezoning (Z-0026-60) from R-E (Residence Estates) to C-1 (Limited Commercial) on the subject parcel located at 1000 South Torrey Pines Drive.
04/18/12	The City Council approved General Plan Amendment (GPA-43991) to establish Redevelopment Area 2 and change the future land use designation on various parcels within this area to Commercial or Mixed Use in Ward 1. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
11/19/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
10/23/12	A Business License (C15-00410) was issued for a Convenience Store at 1000 South Torrey Pines Drive, Suite A. The permit is still active.
	A Business License (L10-00339) was issued for a Beer/Wine/Cooler Off-Sale at 1000 South Torrey Pines Drive, Suite A. The permit is still active.
	A Business License (C05-02829) was issued for a Tobacco Dealer at 1000 South Torrey Pines Drive, Suite A. The permit is still active.
01/02/13	A Business License (G01-02485) was issued for Restricted Gaming at 1000 South Torrey Pines Drive, Suite A. The permit is still active.

Pre-Application Meeting	
01/16/13	Staff met with the applicant and reviewed the requirements for a Retail Establishment with Accessory Package Liquor Off-Sale use. It was determined that no waivers would be required since all minimum requirements were being met.

Neighborhood Meeting
No neighborhood meeting was required, nor was one held.

Field Check	
01/31/13	Staff visited the site and found a convenience store with excessive signage on the windows and walls. The parking area was clean and maintained.

Details of Application Request	
Site Area	
Net Acres	0.67

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail	MXU (Mixed Use)	C-1 (Limited Commercial)
North	Multi-Family Residential	MXU (Mixed Use)	C-1 (Limited Commercial)
South	Restaurant	MXU (Mixed Use)	C-1 (Limited Commercial)
East	General Retail	MXU (Mixed Use)	C-1 (Limited Commercial)
West	General Retail	MXU (Mixed Use)	C-1 (Limited Commercial)

YK

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	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***
Torrey Pines Drive	Secondary Collector	Planned Streets and Highways Map	80	Y

ANALYSIS

This application is in conjunction with an existing convenience store. The current owners re-established a Beer/Wine/Cooler Off-Sale use on 10/23/12 that was first issued in 1951. This was less than six months after the previous holder went out-of-business in June of 2012. The use is therefore considered legal non-conforming since it does not have an approved Special Use Permit. The request to add a Package Liquor use at this location meets all minimum requirements and can be conducted in a manner that is harmonious and compatible with existing uses in the area.

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 as the applicant states in the justification letter that they will adhere to all requirements.

The Minimum Special Use Permit Requirements for this use include:

* 1. Except as otherwise provided, no retail establishment with accessory package liquor off-sale hereinafter "establishment") shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park. *There are no protected uses within the 400 feet buffer radius.*

* 2. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50. *The applicant has indicated that they will obtain the proper business license as required.*

FINDINGS (SUP-48178)

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 Retail Establishment with Accessory Package Liquor Off-Sale use can be conducted in a manner that is harmonious and compatible with the existing surrounding land uses.

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

   The subject site contains an existing retail strip center. This site is adequate to handle the Retail Establishment with Accessory Package Liquor Off-Sale use within an existing 2,300 square-foot General Retail Store.

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

   The site is served by Torrey Pines Drive, an 80-foot Secondary Collector as categorized by the City's Master Streets and Highways Plan. This street will provide adequate access for the requirements of the proposed Retail Establishment with Accessory Package Liquor Off-Sale within an existing 2,300 square-foot General Retail Store.

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.**

   This use will be subject to licensing requirements and will therefore not compromise the public health, welfare or safety or overall objectives of the General Plan.

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

The use meets all of the applicable conditions per Title 19.12 for a Retail Establishment with Accessory Package Liquor Off-Sale use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 381

APPROVALS 0

PROTESTS 0

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-48178 APN: 138-35-402-011

Name of Property Owner: T P 1000 L L C

Name of Applicant: MARKET & SMOKES

Name of Representative: Lucy Stewart

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: Ernest A. Becker, JR.

Subscribed and sworn before me

STATE OF NEVADA, COUNTY OF CLARK

This 24 day of January, 2013

Rene M. Degonia

Notary Public in and for said County and State

RENE M. DEGONIA
Notary Public State of Nevada
No. 03-84801-1
My Appt. Exp. Oct. 10, 2015

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: SUP for liquor sales

Project Address (Location) 1000 Torrey Pines

Project Name Market & Smokes **Proposed Use** Conv. Store

Assessor's Parcel #(s) 138-35-402-011 **Ward #** 1

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

Commercial Square Footage 2334 **Floor Area Ratio**

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

Additional Information Add liquor sales behind the counter

PROPERTY OWNER TP 1000 LLC **Contact** ~~Ernest A. Becker, Jr~~

Address 8090 Durango #115 **Phone:** 395-9244 **Fax:** ~~395-4155~~

City Las Vegas **State** NV **Zip** 89113-4427

E-mail Address eabj@beksgroup.com

APPLICANT Market & Smokes **Contact** Sam Kajue

Address 1000 N. Torrey Pines Suite F **Phone:** (702) 487-2787 **Fax:**

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

E-mail Address samkajue@gmail.com

REPRESENTATIVE LAS Consultung **Contact** Lucy Stewart

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

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

E-mail Address stewplan@aol.com

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

Property Owner Signature* _____

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

Print Name Ernest A. Becker, Jr.

Manager

Subscribed and sworn before me

COUNTY OF CLARK, STATE OF NEVADA

This 24 day of JANUARY, 20 13.

Rene M. Degonia

Notary Public in and for said County and State

FOR DEPARTMENT USE ONLY

Case #	SUP-48178
Meeting Date:	3/12/13
Total Fee:	1280.-
Date Received:*	1/24/13
Received By:	

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

Revised 10/27/08

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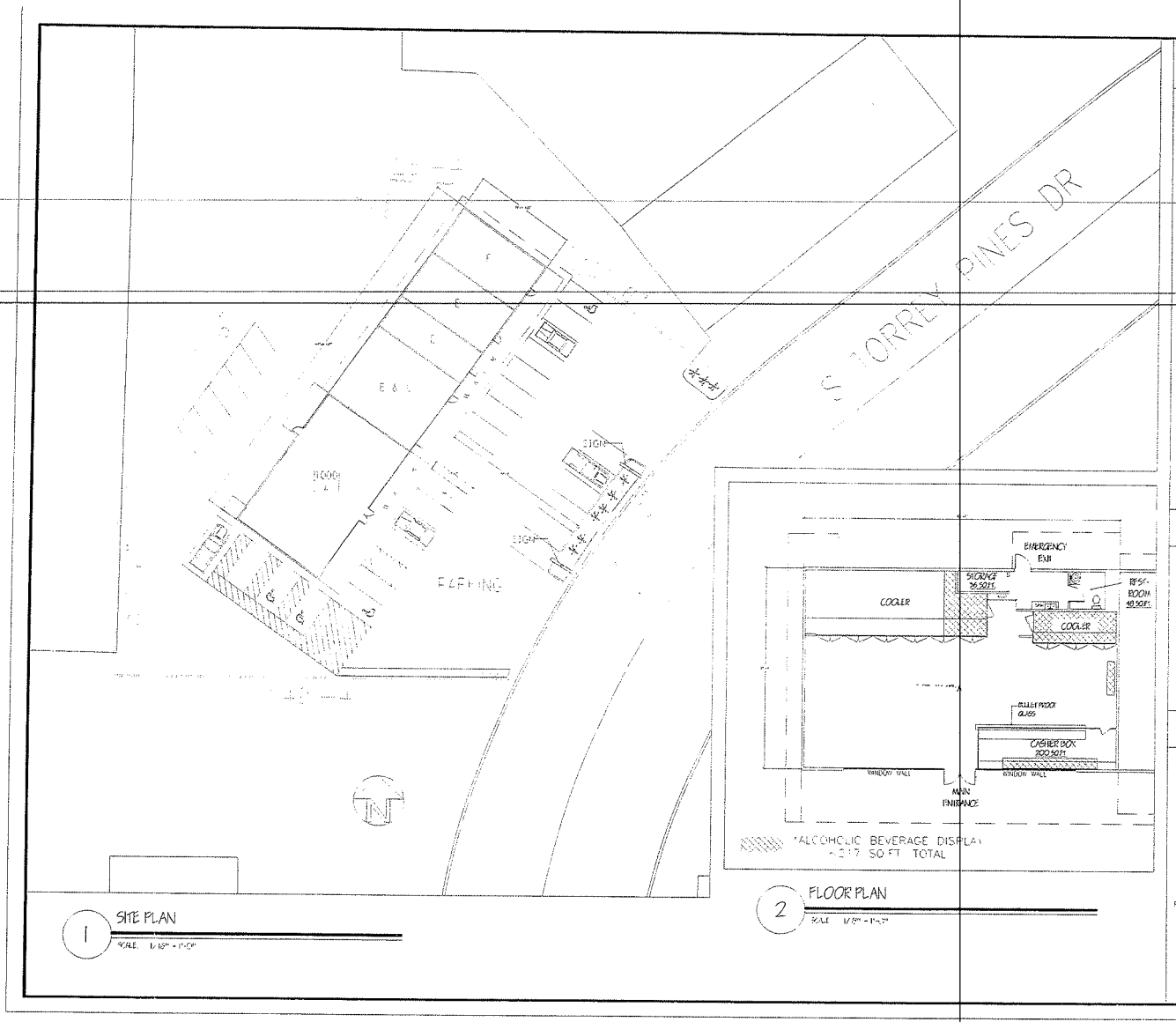
RENE M. DEGONIA
Notary Public State of Nevada
No. 03-84801-1
My Appt. Exp. Oct. 10, 2015



1 SITE PLAN

SCALE: 1/16" = 1'-0"

2 FLOOR PLAN

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

SITE ANALYSIS

ZONING
C1 - LIMITED COMMERCIAL DISTRICT

LOT AREA
29,450 SQ.FT.

BUILDING AREA
5,740 SQ.FT.

SUITE AREA
2300 SQ.FT.

PARKING REQUIRED

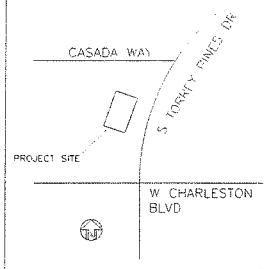
PARKING PROVIDED
31

LEGEND

SHRUB

PROPERTY LINE

VICINITY MAP



DATE: 01-22-2013

DRAWN BY: MS

PREPARED FOR:
MARKET & SMOKES
1000 S TORREY PINES DR. LAS VEGAS, NV 89107

CONTACT:
Lucy Stewart
(702) 499-6469 cell
(702) 946-0857 fax
StewPlan@aol.com

RECEIVED
JAN 2 4 2013

SUP-48178



SUP-48178 - APPLICANT: MARKET & SMOKES, INC. - OWNER: TP 1000, LLC
1000 TORREY PINES DRIVE

01/31/13



SUP-48178 - APPLICANT: MARKET & SMOKES, INC. - OWNER: TP 1000, LLC
1000 TORREY PINES DRIVE

01/31/13

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

January 24, 2013

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

RE: 1000 Torrey Pines

Dear Sir or Madam:

Please accept this letter as our justification for a Special Use Permit (SUP) for the above referenced property. We are requesting a permit to allow the sale of liquor in conjunction with an existing convenience store. Title 19.12 requires:

– *"Minimum Special Use Permit Requirements:*

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

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

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

This property meets the separation requirements. Across Charleston, approximately a quarter mile is a high school. Charleston provides a natural barrier to the high students

SUP-48178

and this store. The store currently sells beer and wine and the owner has cameras installed in the store and outside the store. The cameras allow him to police activities in the parking lot. The owner has a policy that if it appears a customer is attempting to purchase beer or wine for a minor, they are permanently banned from the store.

Many of the current clientele walk to the store and have asked about the ability to purchase liquor at this location (see attached supporting petitions). Lee's Liquor, at Oakey and Rainbow, is the nearest location for liquor and is not convenient to the patrons who are walking.

By including liquor sales as part of the service provided to its customers, the convenience store can only display 10% of its display area as alcohol sales, including beer and wine. The square footage of the convenience store would allow for 234 square feet of display area. The display area that is shown is 217 square feet. The liquor display will be behind the counter, behind the glass so a customer will have to request their liquor and purchase it before they take possession of it.

We believe this to be a good use of the property and provide an additional service to our customers. Thank you for your consideration in this matter; please do not hesitate to contact me with any questions.

Yours truly,

Lucy Stewart

SUP-48178

City of Las Vegas Agenda Item No.: **34.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

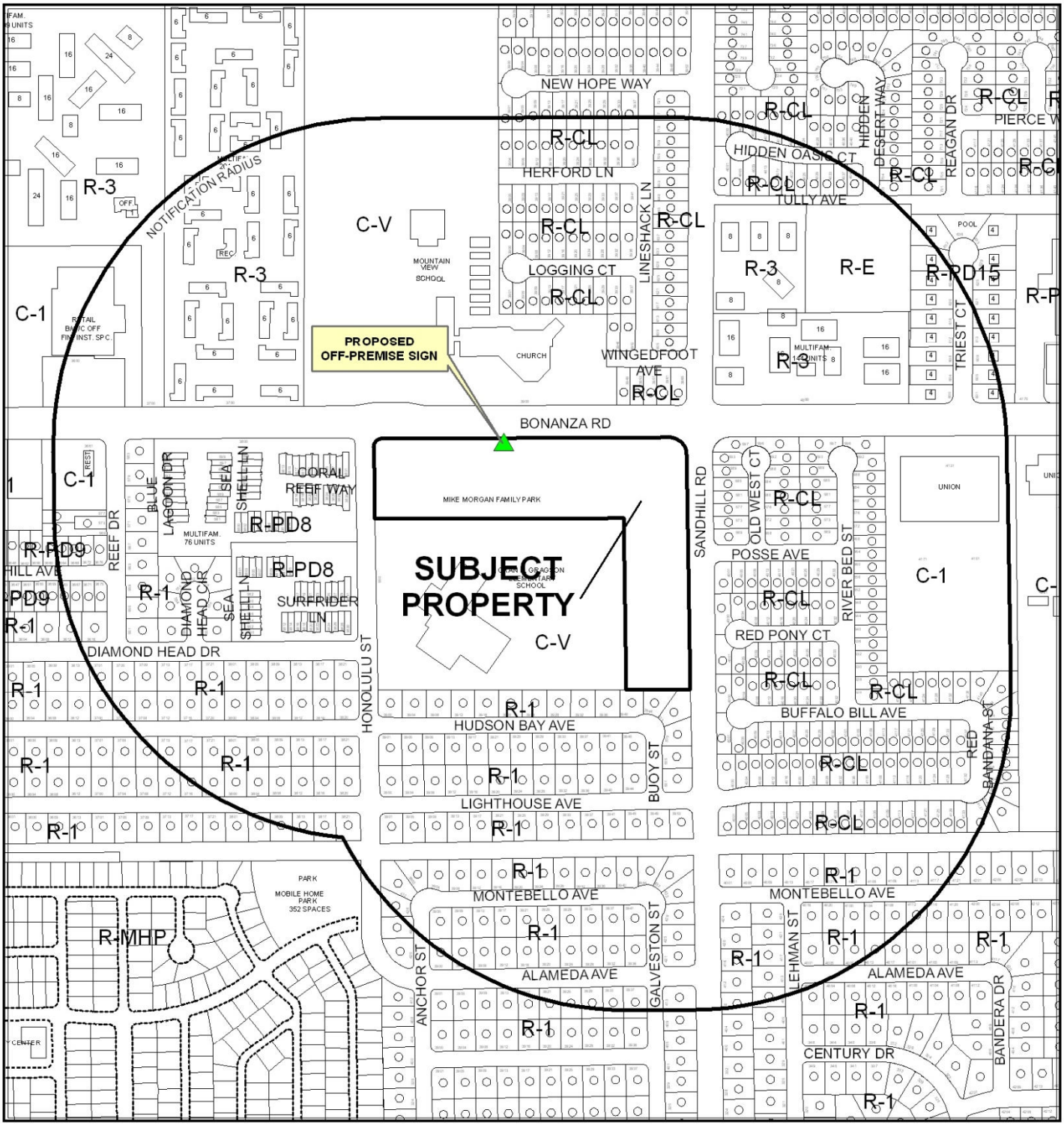
SUBJECT:
SUP-48180 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Special Use Permit FOR AN OFF-PREMISE SIGN at 3951 East Bonanza Road (APN 140-31-102-002), C-V (Civic) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



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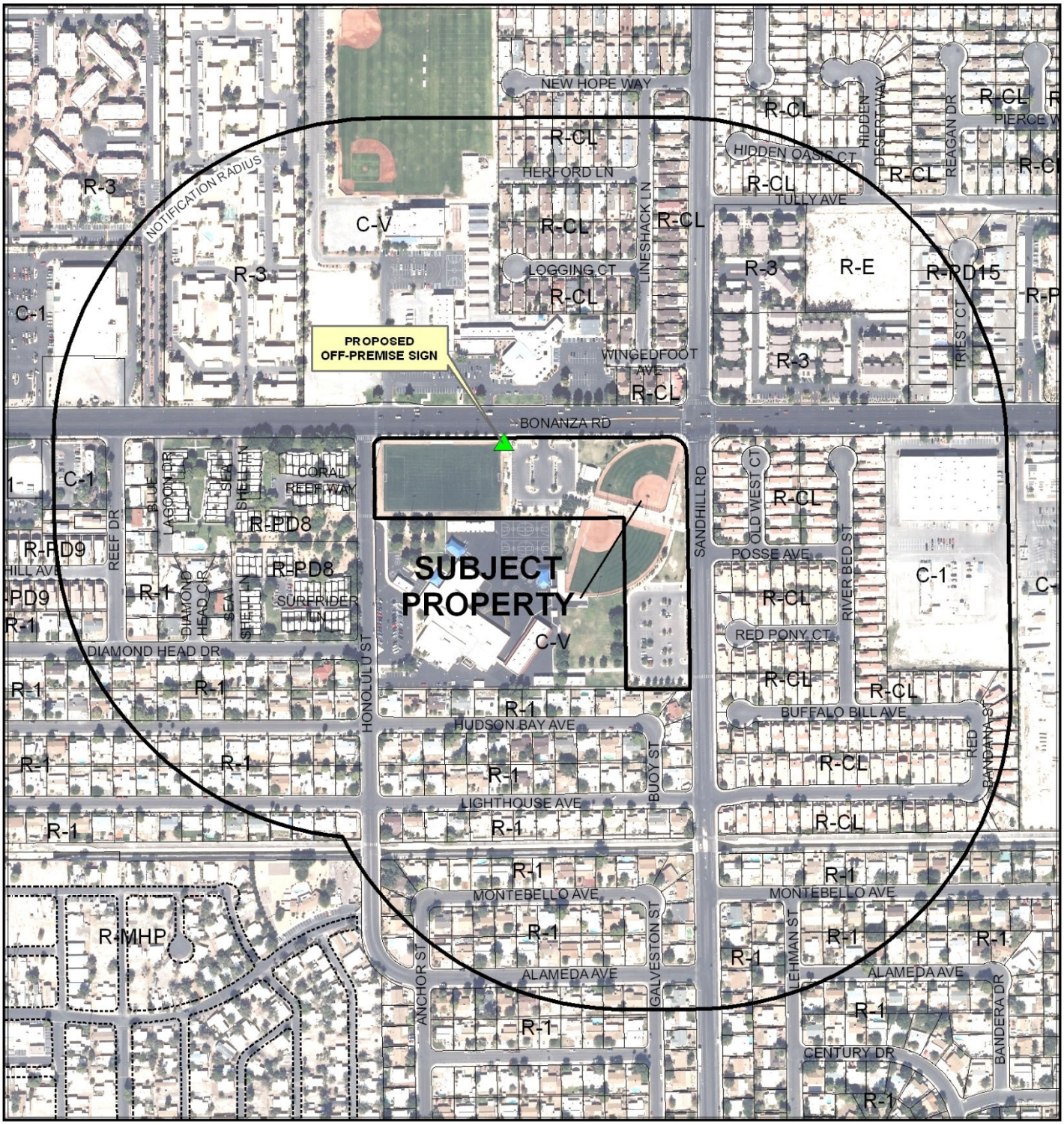
CASE: SUP-48180

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N



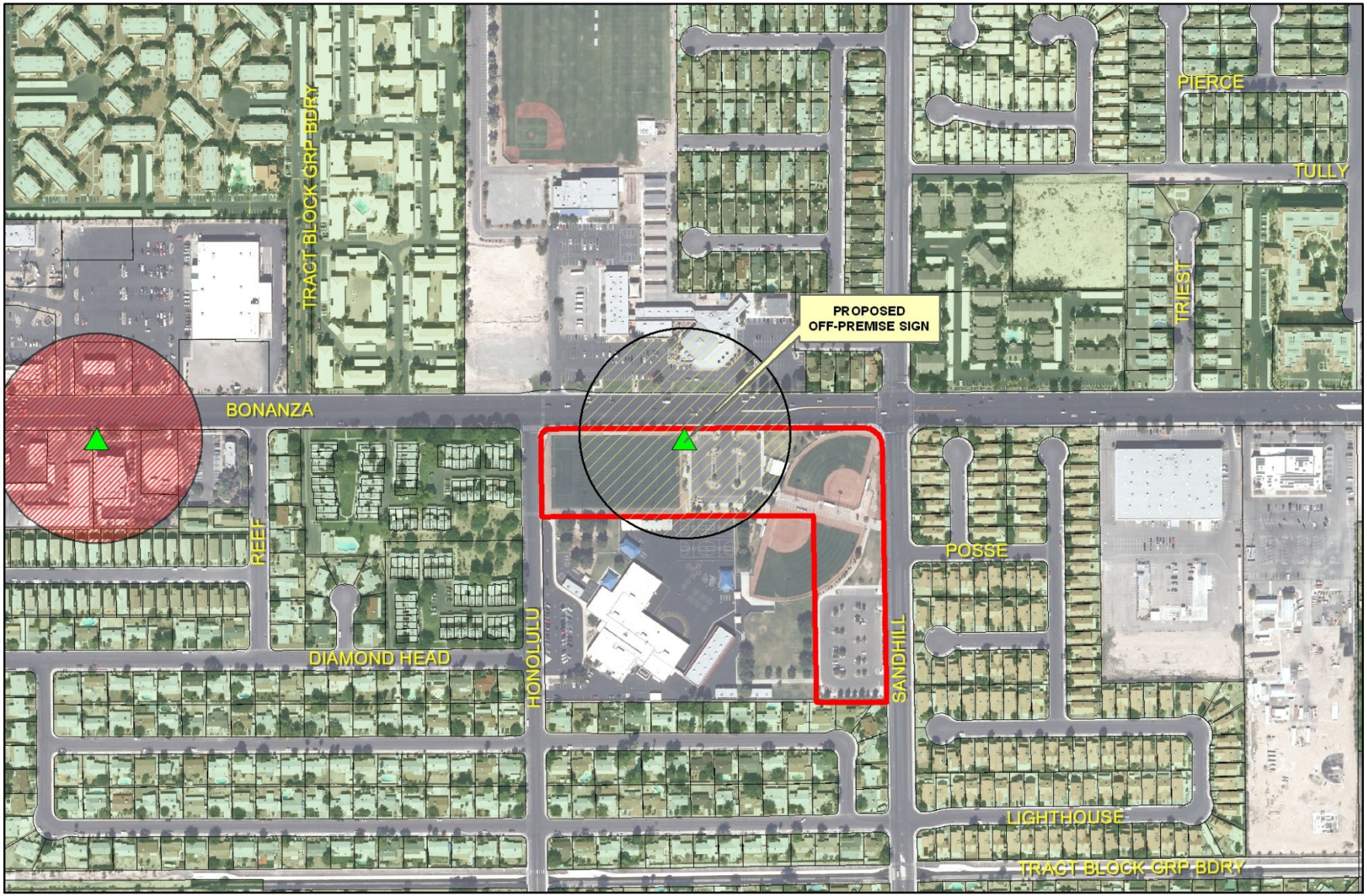
0 400 800 Feet

CASE: SUP-48180

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N



SUP-48180

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location

City of Las Vegas Billboard Data

- 300 Foot Buffer Around Proposed Billboard
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Residential Zoned Property
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: ELITE MEDIA/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48180	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-48180 CONDITIONS

Planning

1. Conformance to all Off-Premise Sign use Minimum Requirements under LVMC Title 19.12.

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

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

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

5. This Special Use Permit shall be reviewed in five (*5*) year(s), at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign be removed.

6. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.

7. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign.

8. Only one advertising sign is permitted per sign face.

9. Bird deterrent devices shall be installed on the sign.

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

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is applying for a Special Use Permit to install an Off-Premise Sign at the Mike Morgan Park, a C-V (Civic) zoned, City property at 3951 East Bonanza Road. The proposed Off-Premise Sign meets all minimum code requirements. Staff recommends approval. If denied, no Off-Premise Sign would be allowed on this site.

ISSUES

- A Special Use Permit is required for an Off-Premise Sign in a C-V (Civic) district. Staff supports this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
10/27/97	The City Council approved Rezoning (Z-0093-97) from R-E (Residence Estates) to C-V (Civic) for a proposed park at 3951 East Bonanza Road. The Planning Commission and staff recommended approval.
06/05/02	The City Council approved Rezoning (Z-0018-02) from R-E (Residence Estates) to C-V (Civic) for 2.48 acres adjacent to the west side of a proposed park at 3951 East Bonanza Road. The Planning Commission and staff recommended approval.
	The City Council approved Rezoning [Z-0018-02(2)] for a Site Development Plan Review for a proposed park at 3951 East Bonanza Road. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
01/31/96	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No related or active permits are on file.

Pre-Application Meeting	
01/16/13	Staff met with the applicant and reviewed the requirements for an Off-Premise Sign Special Use Permit application. No issues were noted.

Neighborhood Meeting
No neighborhood meeting was required, nor was one held.

Field Check	
01/31/13	Staff visited the site and found a clean, well maintained public park.

Details of Application Request	
Site Area	
Net Acres	8.04

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Public Park or Playground	PR-OS (Parks/Recreation/Open Space)	C-V (Civic)
North	Church	L (Low Density Residential)	C-V (Civic)
	Single Family, Detached	ML (Medium-Low Density Residential)	R-CL (Single Family Compact-Lot)
South	Public or Private School, Primary	PF (Public Facilities)	C-V (Civic)
	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
East	Single Family, Detached	ML (Medium-Low Density Residential)	R-CL (Single Family Compact-Lot)
West	Single Family, Attached	ML (Medium-Low Density Residential)	R-PD8 (Residential Planned Development, 8 units per acre)
	Public or Private School, Primary	PF (Public Facilities)	C-V (Civic)

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

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Bonanza Road	Primary Arterial	Master Plan of Streets and Highways	100	Y
Sandhill Road	Secondary Collector	Master Plan of Streets and Highways	80	Y
Honolulu Street	N/A	N/A	60	N/A

Standards	**Code Requirements**	**Provided**	**Compliance**
Location	No Off-Premise Sign may be located within public right-of-way	The sign is not in public right-of-way, nor is it in the Off-Premise Exclusionary Sign Zone	Y
Zoning	Off-Premise Signs are permitted in C-V (Civic) district if the parcel is operated or controlled by an agency of local, state or federal government.	The sign is located in an C-V (Civic) zoning district and is controlled by the City of Las Vegas.	Y

Standards	Code Requirements	Provided	Compliance
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The sign is 525 square feet in size and has no embellishments.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to be 30 feet above an adjacent elevated freeway.	The sign is 28 feet tall.	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	All structural elements of the sign are screened from public view.	Y
Off-Premise Sign	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)	The sign is more than 1,700 feet from another Off-Premise Sign.	Y
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	Sign is more than 315 feet from any property line zoned either "R" or "U."	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently attached to the ground and detached from any other structures.	Y

ANALYSIS

The Off-Premise Sign use is defined as "Off-premise signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-premise signs generally produce revenue to the property owner(s) as a land use as compared to on-premise signs which in themselves do not produce revenue but are incidental to a revenue producing land use. However, because of the special characteristics of off-premise signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with off-premise signs as a permitted use in certain zoning districts." The proposed use meets the definition, since the property owner will be obtaining revenue from the proposed signage.

The Minimum Special Use Permit Requirements for this use include:

1. No off-premise signs shall be erected in the public right-of-way. *The proposed sign is not located in the public right-of-way.*

2. No off-premise sign certificate of any kind shall be issued for an existing or proposed sign unless the sign is consistent with all requirements of this Title (including those protecting existing signs). *The proposed sign meets all minimum requirements for an Off-Premise Sign.*

3. Except as provided in Paragraph (12) below, off premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only. *Per Paragraph (12), an Off-Premise Sign is permitted in the C-V (Civic) zoning district if it is controlled by a local government. The parcel meets this criteria.*

4. No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet. Any embellishment may include lettering, text, numerals or images, but only to the extent that such items do not exceed fifty percent of any linear side of the sign. *The proposed sign is 525 square-feet, with no embellishments.*

5. Off-premise signs which are within 660 feet of the right-of-way and which can be read from Interstate 15, US 95 from the north city limits to the Oran K. Gragson Highway, the Oran K. Gragson Highway or Interstate 515 shall be no closer than 750 feet (measured along the highway frontage) to any other off-premise sign along the same frontage. Each side of the highway shall be considered a separate frontage. The sign and all other off-premise signs not oriented toward the same highway shall be no closer than 300 feet in any direction to any other off premise sign, wherever located, including an off premise sign that is situated outside the corporate boundaries of the City. *The nearest Off-Premise Sign is more than 1,700 feet to the west of the proposed sign.*

6. Off-premise signs shall be no higher than 40 feet from grade at the point of construction, except that an off-premise sign within 60 feet of the right-of-way line of the street to which it is oriented which, at a height of 40 feet, will have a significant portion of its display surface obscured from view from the travel lanes of the street may be increased to a maximum of 55 feet when authorized by the City Council. *The proposed sign is 28 feet in height and is less than the maximum height allowed.*

7. Off-premise signs shall not be located closer than 10 feet to the right-of-way line of a freeway nor closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways. *The proposed sign is more than 500 feet from the nearest intersection.*

8. No off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in the "U" zoning district or any "R" zoning district. *The nearest "R" zoned property is located 315 feet to the northeast of the proposed sign, on the north side of Bonanza Road.*

9. An off-premise sign may be permitted in the C-V District if in each case the parcel or use is operated or controlled by an agency of local, state or federal government, or by any fraternal, veteran, civic or service organization. *The proposed sign is located in a public park owned and controlled by the City of Las Vegas.*

The proposed Off-Premise Sign is aesthetically pleasing in that it has elements of the "Welcome to Las Vegas" sign, famously located on Las Vegas Boulevard. Some of the elements include the words, "City of Las Vegas" and the atomic star. The sign blends into the surrounding area, since it is only 28 feet in height instead of the allowed 40 feet, which is standard. The two faces of the sign will have full color message units in LED. The overall color scheme of the frame and casing is red, white and blue, with a ribbon of yellow.

The proposed Off-Premise Sign is designed within all Title 19 code standards, is aesthetically pleasing and compatible with the area. The Las Vegas 2020 Master Plan, Fiscal Management Policy 6.1.6 states: "That the City, where possible use public/private partnerships to pay for public capital improvements." This project supports this policy as a revenue source. For these reasons, staff recommends approval, with conditions.

FINDINGS (SUP-48180)

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

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

   The proposed Off-Premise Sign use can be conducted in a manner that is harmonious and compatible with the existing site.

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

   The C-V (Civic) zoned, public park site is suitable for the proposed use.

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

   Site access is provided from Bonanza Road, a 100-foot Primary Arterial Street and is adequate in size to accommodate the proposed Off-Premise Sign use.

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

   Approval of the proposed Special Use Permit will be consistent with and not compromise the public health, safety and general welfare as the use will be subject to regular inspections by business licensing staff.

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

   The proposed Off-Premise Sign use complies with all minimum Special Use Permit requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 35

NOTICES MAILED 566

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-48180 APN: 140-31-102-002

Name of Property Owner: City of Las Vegas

Name of Applicant: Elite Media

Name of Representative: YESCO LLC

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Elizabeth N Fretwell

Print Name: Elizabeth N. Fretwell

Subscribed and sworn before me

This 22 day of January, 2013

Kim Barrera

Notary Public in and for said County and State

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 3951 E. Bonanza RD

Project Name Parquee - Mike Morgan Park **Proposed Use** Off-Premise Sign

Assessor's Parcel #(s) 140-31-102-002 **Ward #** 3

General Plan: existing PR-OS proposed N/A **Zoning:** existing C-V proposed N/A

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

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

Additional Information Off-Premise Sign (Parquee) @ Mike Morgan Park

PROPERTY OWNER City of Las Vegas **Contact** Elizabeth N. Fretwell

Address 495 S. Main St **Phone:** (702) 229-6501 **Fax:** (702) 388-1807

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

E-mail Address _____

APPLICANT Elite Media **Contact** Chad McCullough

Address 145 Brightmoor Ct. **Phone:** (702) 492-0654 **Fax:** (702) 974-2774

City Henderson **State** NV **Zip** 89074

E-mail Address chad@elitemediainc.com

REPRESENTATIVE YESCO LLC **Contact** Michael LeBlue

Address 5119 S. Cameron St **Phone:** (702) 348-7414 **Fax:** (702) 944-4500

City Las Vegas **State** NV **Zip** 89118

E-mail Address mleblue@yesco.com

Property Owner Signature* Elizabeth N Fretwell

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

Print Name Elizabeth N. Fretwell

Subscribed and sworn before me

This 22 day of January, 20 13.

Notary Public in and for said County and State

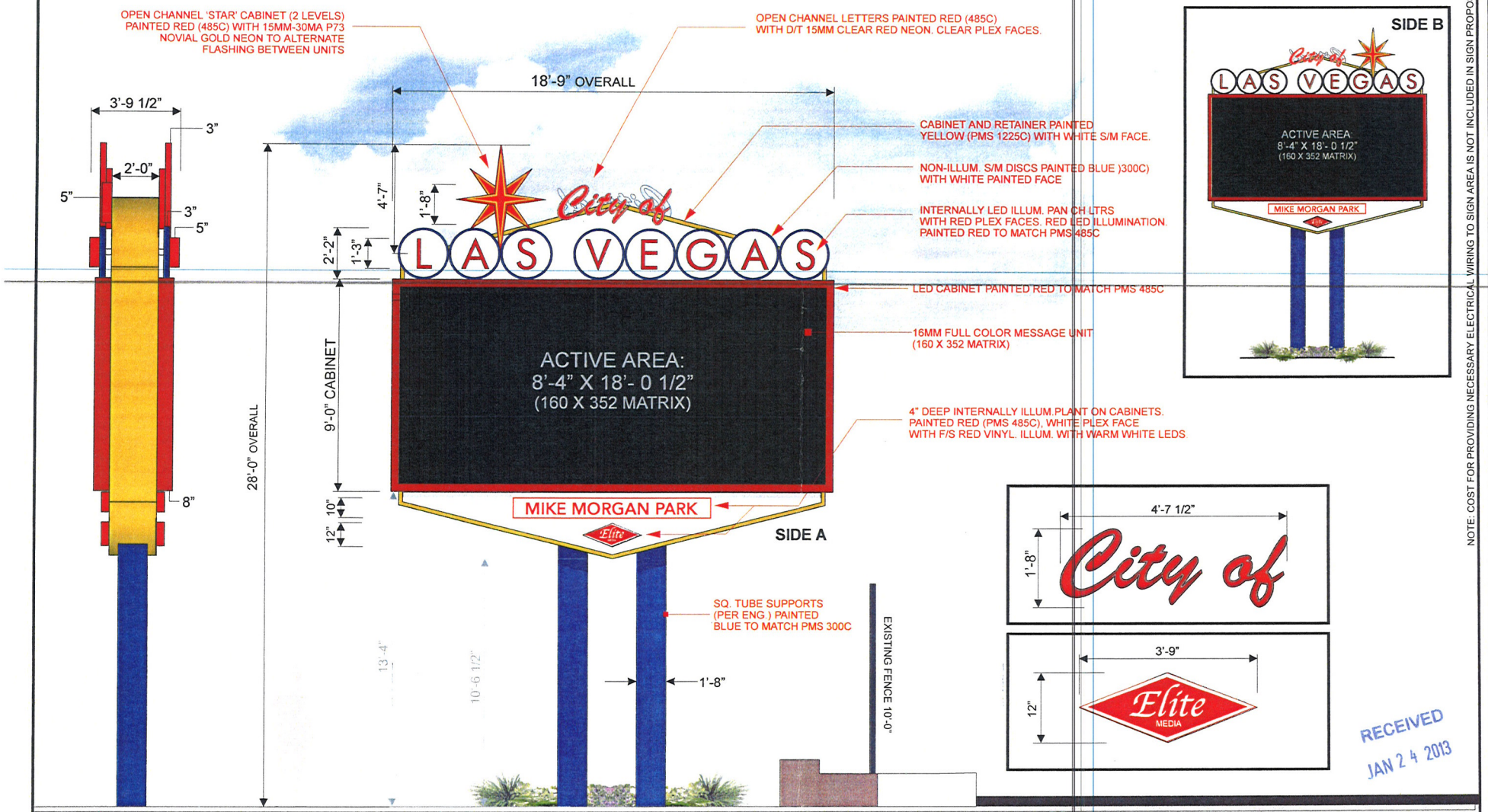
KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

FOR DEPARTMENT USE ONLY

Case #	SUP-48180
Meeting Date:	03/12/13
Total Fee:	$ 1030.00
Date Received:*	01/29/13
Received By:	Jonathan

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

Revised 10/27/08



END VIEW

NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL

RECEIVED
JAN 2 4 2013

TOTAL SQ FT:
525

PY-1 D/F ILLUM. PYLON SIGN
SCALE: 1/4" = 1'-0"

SCOPE OF WORK:
YESCO TO MFG & INSTALL ONE (1) D/F INTERNALLY ILLUMINATED PYLON SIGN.

SUP-48180

125A - 12208 3 Phase
* Disconnect to sign location *

YESCO LLC
LAS VEGAS DIVISION
5119 SO. CAMERON ST.
LAS VEGAS, NV 89118
PHONE: (702) 876-8080
WWW.YESCO.COM
NV CONTRACTOR LICENSE #0072426 & #0072426

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Client Name & Address:
CITY OF LAS VEGAS
LAS VEGAS-NV

Project Tracking Number:
423039

Project Name:
CITY OF
LAS VEGAS

Account Executive:
BOB STOCKHAM/
JIM COOK

Designer:
MALCOLM SHAW
JIM GIETZEN

Design Approvals
Checked by:
Creative Director:
Estimating:
Account Executive:
Client:

Rev. / Date / Designer
09/21/11- MS
1 09/06/12 - MS
2 10/11/12 - MS
3 11/13/12 - MS

Description:
PYLON SIGN

Classification:
PY-1

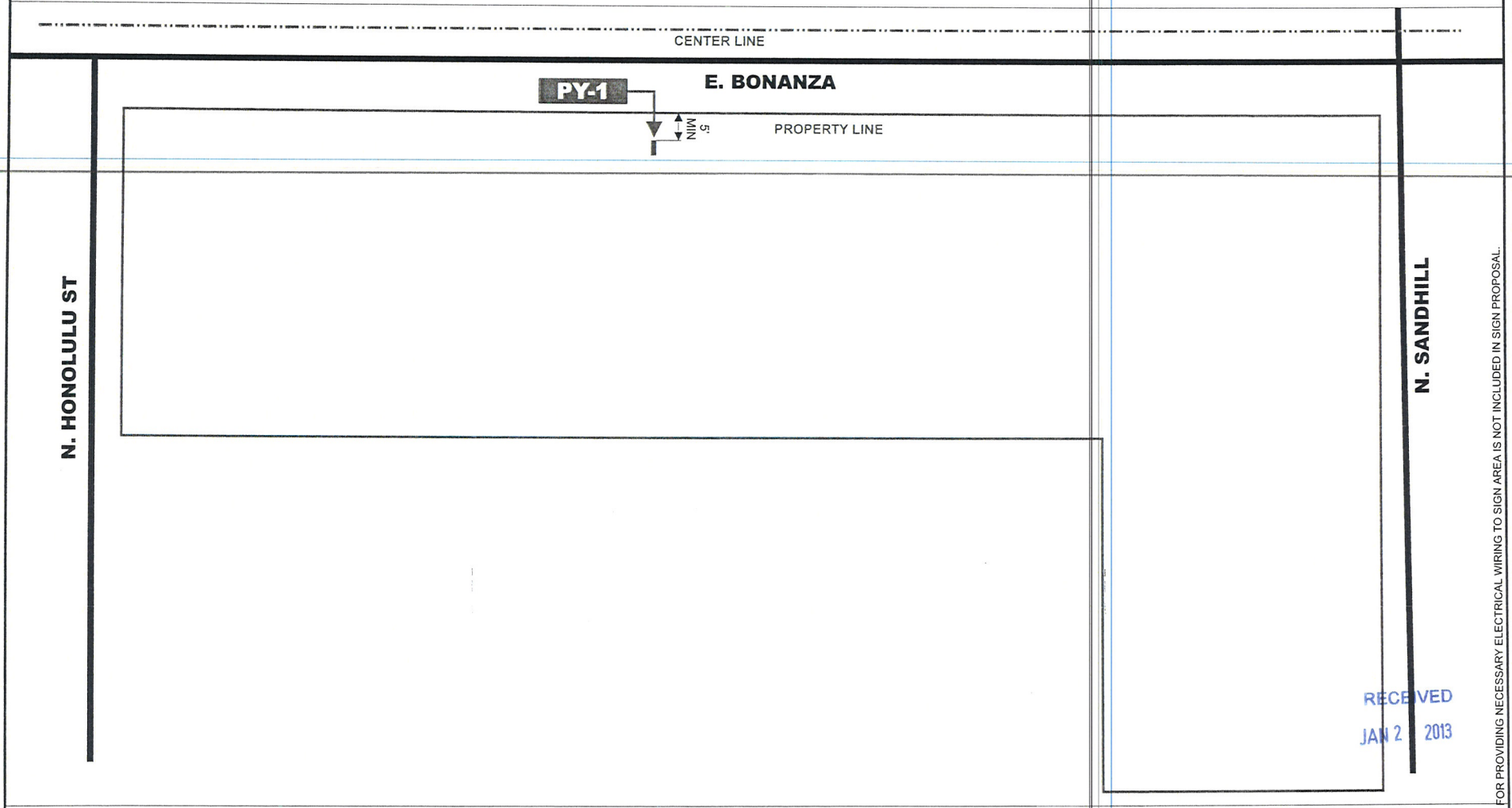
Reference Design:

O.E.M Serial:

Sheet:
1.0

LOC.1
WARD 3A

3951 E BONANZA



RECEIVED
JAN 2 2013

NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

PARCEL # 140-31-102 002

SUP-48180

YESCO LLC
LAS VEGAS DIVISION
5119 SO. CAMERON ST.
LAS VEGAS, NV 89118
PHONE: (702) 876-8080
WWW.YESCO.COM
NV CONTRACTOR LICENSE #0071289 & #0071290

YESCO

Client Name & Address
CITY OF LAS VEGAS
LAS VEGAS-NV

Project Tracking Number:
423039

Project Name:
CITY OF
LAS VEGAS

Account Executive:
BOB STOCKHAM/
JIM COOK

Designer:
MALCOLM SHAW
JIM GIETZEN

Design Approvals
Checked by:
Creative Director:
Estimating:
Account Executive:
Client:

Rev. / Date / Designer
09/21/11 - MS
1 09/06/12 - MS
2 10/11/12 - MS
3 11/13/12 - MS

Description:
NON-ILLUM
FOAM LTRS

Classification:
SP-1

Reference Design:

O.E.M Serial:

Sheet:
1.1



NOTE: DOES NOT INCLUDE PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

YESCO LLC
LAS VEGAS DIVISION
5119 SO. CAMERON ST.
LAS VEGAS, NV 89118
PHONE: (702) 876-8080
WWW.YESCO.COM
NV CONTRACTOR LICENSE: #0074289 & #0074429

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Client Name & Address:
CITY OF LAS VEGAS
LAS VEGAS-NV

Project Tracking Number:
423039

Project Name:
CITY OF LAS VEGAS

Account Executive:
BOB STOCKHAM/ JIM COOK

Designer:
MALCOLM SHAW
JIM GIETZEN

Design Approvals

Checked by:

Creative Director:

Estimating:

Account Executive:

Client:

Rev. / Date / Designer

09/21/11- MS
1 09/06/12 - MS
2 10/11/12 - MS
3 11/13/12 - MS

Description:
NON-ILLUM FOAM LTRS

Classification:
PY-1

Reference Design:

O.E.M Serial

Sheet:
1.2



SUP-48180 - APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS
3951 EAST BONANZA ROAD

01/31/13

Elite Media Inc
145 Brightmoor Ct.
Henderson, NV 89074
Phone (702) 492-0654
Fax (702) 269-0761

January 23, 2013

City of Las Vegas
Planning Division
Mr. Doug Rankin
Manager
495. S. Main St.
Las Vegas, NV 89101

Subject: JUSTIFICATION LETTER FOR SPECIAL USE PERMIT

Reference: Digital Parquees™ - Mike Morgan Family Park, 391 East Bonanza Road

Dear Mr. Rankin,

Issue:
To obtain the necessary Planning Department approval and permits to move forward with the project in regards to the approved Digital Parquee™ License Agreement between the City of Las Vegas, the State of Nevada and Elite Media, Inc regarding advertising, sponsorship and other items related thereto for the above location.

Per the agreement Elite Media will be installing on a total of 4 sites, 5 digital Parquee™ structures with 9 total LED screens, the above location listed as one of the four sites. The below lists all of the locations as per the approved agreement with the City of Las Vegas.

- **Mike Morgan Family Park**: One double sided digital Parquee™ sign with LED sizes 18'9"W x 28'H (two total LED screens)
- **Ed Fountain Park**: One double sided digital Parquee™ sign with LED sizes 18'9"W x 28'H (two total LED screens)
- **Dula Center**: Two double sided digital Parquee™ signs with LED sizes 34'10"W x 65'H (four total LED screens)
- **East Service Yard**: One single sided digital Parquee™ sign with LED sizes 18'9"W x 28'H (One total LED screen)

Information:
Elite Media has 5 employees that provide sales and administrative functions only. Elite Media will contract Yesco Electronics with specialization in the fabrication and installation of these signs. These Parquee™ structures will be the first of their kind in the City of Las Vegas. Yesco has over 100 years of experience in fabrication and installation of signs. (See attached information on Yesco).

Required State Licenses: YESCO NV Contractors License Nos.0074289,0074290,0075739

SUP-48180

Sustainability: The Parquee TM structures are designed with the latest in LED technology. These displays provide energy efficiencies requiring 36%+ less power than older displays.

Findings: Pursuant to the contract with the City, this project meets/supports existing City regulations whereas this site and surrounding uses are harmonious and compatible.

a. The proposed digital Parquees™ have an exciting design that complements the City of Las Vegas properties, by emulating the design of the famous "Welcome to Las Vegas" sign originally designed by Yesco. These signs will bring important City information to the public as well as sponsorship opportunities that generate revenue for the City.

b. The physical site locations for the Parquee™ structures have been preliminary evaluated according to the City maps and zoning restrictions. These sites are determined to be in compliance with the appropriate restrictions.

c. Street and highway access to the physical site locations is adequate in size to meet the requirements.

d. The Digital Parquees™ have no impact on public health, safety and welfare.

Thank you for this opportunity. Please let me know if you require any additional information for this special use request.

Sincerely,

Chad McCullough
Elite Media, Inc

SUP-48180

City of Las Vegas Agenda Item No.: **35.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

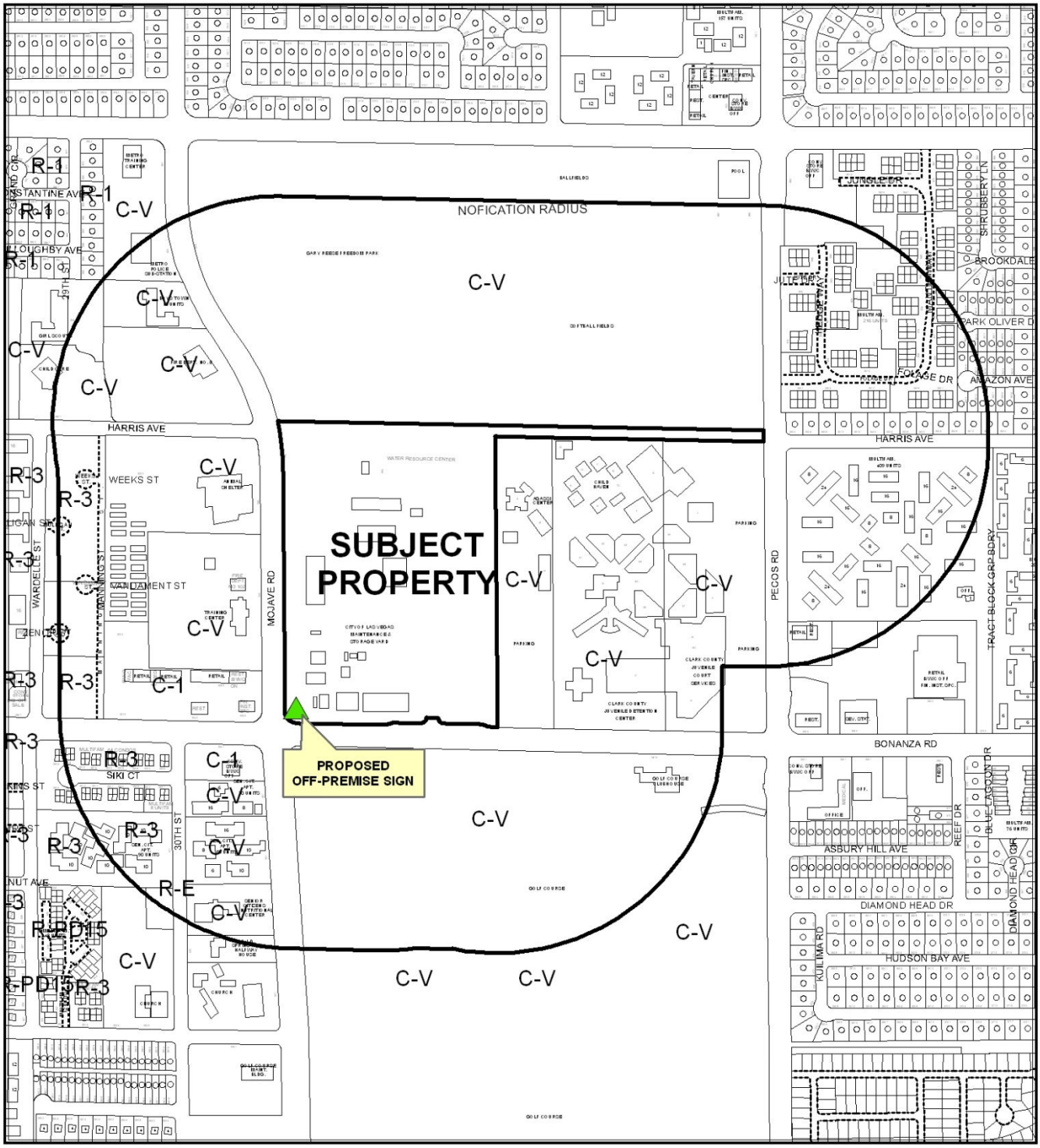
SUBJECT:
SUP-48181 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Special Use Permit FOR AN OFF-PREMISE SIGN at 650 North Mojave Road (APN 139-25-802-006), C-V (Civic) Zone, Ward 3 (Coffin). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



0 500 1,000 Feet

CASE: **SUP-48181**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N



0 500 1,000 Feet

CASE: **SUP-48181**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N



SUP-48181

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location

City of Las Vegas Billboard Data

- 300 Foot Buffer Around Proposed Billboard
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Residential Zoned Property
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48181	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-48181 CONDITIONS

Planning

1. Conformance to all Off-Premise Sign use Minimum Requirements under LVMC Title 19.12.

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

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

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

5. This Special Use Permit shall be reviewed in five (*5*) year(s), at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign be removed.

6. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.

7. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign.

8. Only one advertising sign is permitted per sign face.

9. Bird deterrent devices shall be installed on the sign.

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

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is applying for a Special Use Permit to install an Off-Premise Sign at the Maintenance and Storage Yard, a C-V (Civic) zoned, City property at 650 North Mohave Road. The proposed Off-Premise Sign meets all minimum code requirements. Staff recommends approval. If denied, no Off-Premise Sign would be allowed on this site.

ISSUES

- A Special Use Permit is required for an Off-Premise Sign in a C-V (Civic) district. Staff supports this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/17/07	Planning Department staff administratively approved a Site Development Plan Review (SDR-23623) to allow a proposed 80-foot tall Wireless Communications Facility, Stealth at 650 North Mojave Road.
09/05/07	The City Council approved a Site Development Plan Review (SDR-22839) for a proposed 4,000 square foot maintenance building on the eastern portion of a 30.4 acre site located at 3104 East Bonanza Road. The Planning Commission and staff recommended approval.

Most Recent Change of Ownership	
Circa 1961	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No related permits/licenses on file.

Pre-Application Meeting	
01/16/13	Staff met with the applicant and reviewed the requirements for an Off-Premise Sign Special Use Permit application. No issues were noted.

YK

Neighborhood Meeting
No neighborhood meeting was required, nor was one held.

Field Check	
01/31/13	Staff visited the site and found a clean, well maintained City Maintenance Yard.

Details of Application Request	
Site Area	
Net Acres	30.28

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	City Service Yard	PF (Public Facilities)	C-V (Civic)
North	Public Park	PR-OS (Parks/Recreation/Open Space)	C-V (Civic)
South	Public Golf Course	PR-OS (Parks/Recreation/Open Space)	C-V (Civic)
East	Children's Homeless Shelter	PF (Public Facilities)	C-V (Civic)
West	Animal Shelter/Fire Training Station	PF (Public Facilities)	C-V (Civic)
	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)

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

YK

DEVELOPMENT STANDARDS

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Bonanza Road	Primary Arterial	Master Plan of Streets and Highways	100	Y
Mohave Road	Primary Arterial	Master Plan of Streets and Highways	100	Y

Standards	Code Requirements	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way	The sign is not in public right-of-way, nor is it in the Off-Premise Exclusionary Sign Zone	Y
Zoning	Off-Premise Signs are permitted in C-V (Civic) district if the parcel is operated or controlled by an agency of local, state or federal government.	The sign is located in a C-V (Civic) zoning district and is controlled by the City of Las Vegas.	Y
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The sign is 525 square feet in size and has no embellishments.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to be 30 feet above an adjacent elevated freeway.	The sign is 28 feet tall.	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	All structural elements of the sign are screened from public view.	Y

Standards	Code Requirements	Provided	Compliance
Off-Premise Sign	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)	The sign is more than 2,200 feet from another Off-Premise Sign.	Y
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	Sign is more than 575 feet from any property line zoned either "R" or "U."	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently attached to the ground and detached from any other structures.	Y

ANALYSIS

The Off-Premise Sign use is defined as "Off-premise signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-premise signs generally produce revenue to the property owner(s) as a land use as compared to on-premise signs which in themselves do not produce revenue but are incidental to a revenue producing land use. However, because of the special characteristics of off-premise signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with off-premise signs as a permitted use in certain zoning districts." The proposed use meets the definition, since the property owner will be obtaining revenue from the proposed signage.

The Minimum Special Use Permit Requirements for this use include:

1. No off-premise signs shall be erected in the public right-of-way. *The proposed sign is not located in the public right-of-way.*

2. No off-premise sign certificate of any kind shall be issued for an existing or proposed sign unless the sign is consistent with all requirements of this Title (including those protecting existing signs). *The proposed sign meets all minimum requirements for an Off-Premise Sign.*

3. Except as provided in Paragraph (12) below, off premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only. *Per Paragraph (12), an Off-Premise Sign is permitted in the C-V (Civic) zoning district if it is controlled by a local government. The parcel meets the criteria.*

4. No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet. Any embellishment may include lettering, text, numerals or images, but only to the extent that such items do not exceed fifty percent of any linear side of the sign. *The proposed sign is 525 square-feet, with no embellishments.*

5. Off-premise signs which are within 660 feet of the right-of-way and which can be read from Interstate 15, US 95 from the north city limits to the Oran K. Gragson Highway, the Oran K. Gragson Highway or Interstate 515 shall be no closer than 750 feet (measured along the highway frontage) to any other off-premise sign along the same frontage. Each side of the highway shall be considered a separate frontage. The sign and all other off-premise signs not oriented toward the same highway shall be no closer than 300 feet in any direction to any other off premise sign, wherever located, including an off premise sign that is situated outside the corporate boundaries of the City. *The nearest Off-Premise Sign is more than 2,200 feet to the west of the proposed sign.*

6. Off-premise signs shall be no higher than 40 feet from grade at the point of construction, except that an off-premise sign within 60 feet of the right-of-way line of the street to which it is oriented which, at a height of 40 feet, will have a significant portion of its display surface obscured from view from the travel lanes of the street may be increased to a maximum of 55 feet when authorized by the City Council. *The proposed sign is 28 feet in height and is less than the maximum height allowed.*

7. Off-premise signs shall not be located closer than 10 feet to the right-of-way line of a freeway nor closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways. *The proposed sign is 50 feet from the nearest intersection.*

8. No off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in the "U" zoning district or any "R" zoning district. *The nearest "R" zoned property is located 575 feet to the west of the proposed sign, on the south side of Bonanza Road.*

9. An off-premise sign may be permitted in the C-V District if in each case the parcel or use is operated or controlled by an agency of local, state or federal government, or by any fraternal, veteran, civic or service organization. *The proposed sign is located in a public service yard owned and controlled by the City of Las Vegas.*

The proposed Off-Premise Sign is aesthetically pleasing in that it has elements of the "Welcome to Las Vegas" sign, famously located on Las Vegas Boulevard. Some of the elements include the words, "City of Las Vegas" and the atomic star. The sign blends into the surrounding area, since it is only 28 feet in height instead of the allowed 40 feet, which is standard. The two faces of the sign will have full color message units in LED. The overall color scheme of the frame and casing is red, white and blue, with a ribbon of yellow.

The proposed Off-Premise Sign is designed within all Title 19 code standards, is aesthetically pleasing and compatible with the area. The Las Vegas 2020 Master Plan, Fiscal Management Policy 6.1.6 states: "That the City, where possible use public/private partnerships to pay for public capital improvements." This project supports this policy as a revenue source. For these reasons, staff recommends approval, with conditions.

FINDINGS (SUP-48181)

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

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

   The proposed Off-Premise Sign use can be conducted in a manner that is harmonious and compatible with the existing site.

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

   The C-V (Civic) zoned, City Maintenance Yard site is suitable for the proposed use.

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

   Site access is provided from Bonanza Road, a 100-foot Primary Arterial Street and is adequate in size to accommodate the proposed Off-Premise Sign use.

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

   Approval of the proposed Special Use Permit will be consistent with and not compromise the public health, safety and general welfare as the use will be subject to regular inspections by business licensing staff.

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

   The proposed Off-Premise Sign use complies with all minimum Special Use Permit requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 49

NOTICES MAILED 279

APPROVALS 0

PROTESTS 0

YK

DEPARTMENT OF PLANNING

RECEIVED

JAN 24 2013

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-48181 APN: 139-25-802-006

Name of Property Owner: City of Las Vegas

Name of Applicant: Elite Media

Name of Representative: YESCO LLC

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Elizabeth N Fretwell

Print Name: Elizabeth N. Fretwell

Subscribed and sworn before me

This 22 day of January, 2013

Kim A Barrera

Notary Public in and for said County and State

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

DEPARTMENT OF PLANNING

RECEIVED
JAN 24 2013

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 650 N. Mojave Rd

Project Name Parquee - CLV East Service Yard **Proposed Use** Off-Premise Sign

Assessor's Parcel #(s) 139-25-802-006 **Ward #** 3

General Plan: existing PF proposed N/A **Zoning:** existing C-V proposed N/A

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

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

Additional Information Off-Premise Sign (Parquee) @ CLV East Service Yard

PROPERTY OWNER City of Las Vegas **Contact** Elizabeth N. Fretwell

Address 495 S. Main St **Phone:** (702) 229-6501 **Fax:** (702) 388-1807

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

E-mail Address _____

APPLICANT Elite Media **Contact** Chad McCullough

Address 145 Brightmoor Ct. **Phone:** (702) 492-0654 **Fax:** (702) 974-2774

City Henderson **State** NV **Zip** 89074

E-mail Address chad@elitemediainc.com

REPRESENTATIVE YESCO LLC **Contact** Michael LeBlue

Address 5119 S. Cameron St **Phone:** (702) 348-7414 **Fax:** (702) 944-4500

City Las Vegas **State** NV **Zip** 89118

E-mail Address mleblue@yesco.com

Property Owner Signature* Elizabeth N Fretwell

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

Print Name Elizabeth N. Fretwell

Subscribed and sworn before me

This 22 day of January, 20 13.

Kim A Barrera

Notary Public in and for said County and State

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

FOR DEPARTMENT USE ONLY

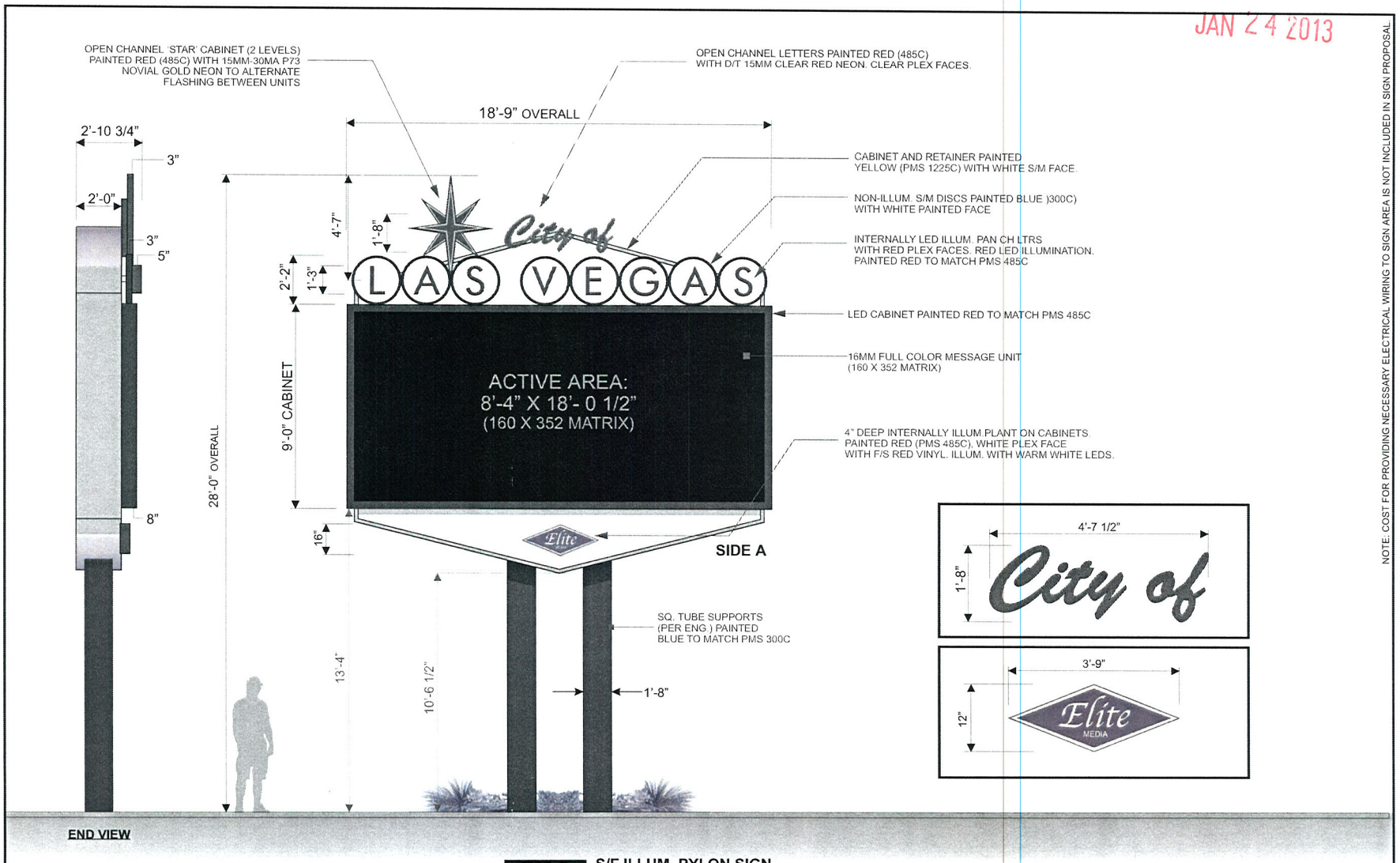
Case #	SUP-48181
Meeting Date:	03/12/13
Total Fee:	$1030.00
Date Received:*	01/24/13
Received By:	Jonathan B

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

Revised 10/27/08

RECEIVED

JAN 24 2013



END VIEW

PY-3 S/F ILLUM. PYLON SIGN
SCALE: 1/4" = 1'-0"

SCOPE OF WORK:
YESCO TO MFG & INSTALL ONE (1) S/F INTERNALLY ILLUMINATED PYLON SIGN.

TOTAL SQ FT: 525

125A - 12208 3 Phase
* Disconnect to sign location *

NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

YESCO LLC
LAS VEGAS DIVISION
5119 SO. CAMERON ST.
LAS VEGAS, NV. 89118
PHONE: (702) 876-8080
WWW.YESCO.COM
NV CONTRACTOR LICENSE #0012359 & #0017426

YESCO.

Client Name & Address:
CITY OF LAS VEGAS
LAS VEGAS-NV

Project Tracking Number:
423039

Project Name:
CITY OF LAS VEGAS

Account Executive:
BOB STOCKHAM/ JIM COOK

Designer:
MALCOLM SHAW
JIM GIETZEN

Design Approvals
Checked by:
Creative Director:
Estimating:
Account Executive:
Client:

Rev. / Date / Designer
09/21/11- MS
1 09/06/12 - MS
2 10/11/12 - MS
3 11/13/12 - MS

Description:
PYLON SIGN

Classification:
PY-3

Reference Design:
000000

G.E.M Serial:

Sheet
3.0

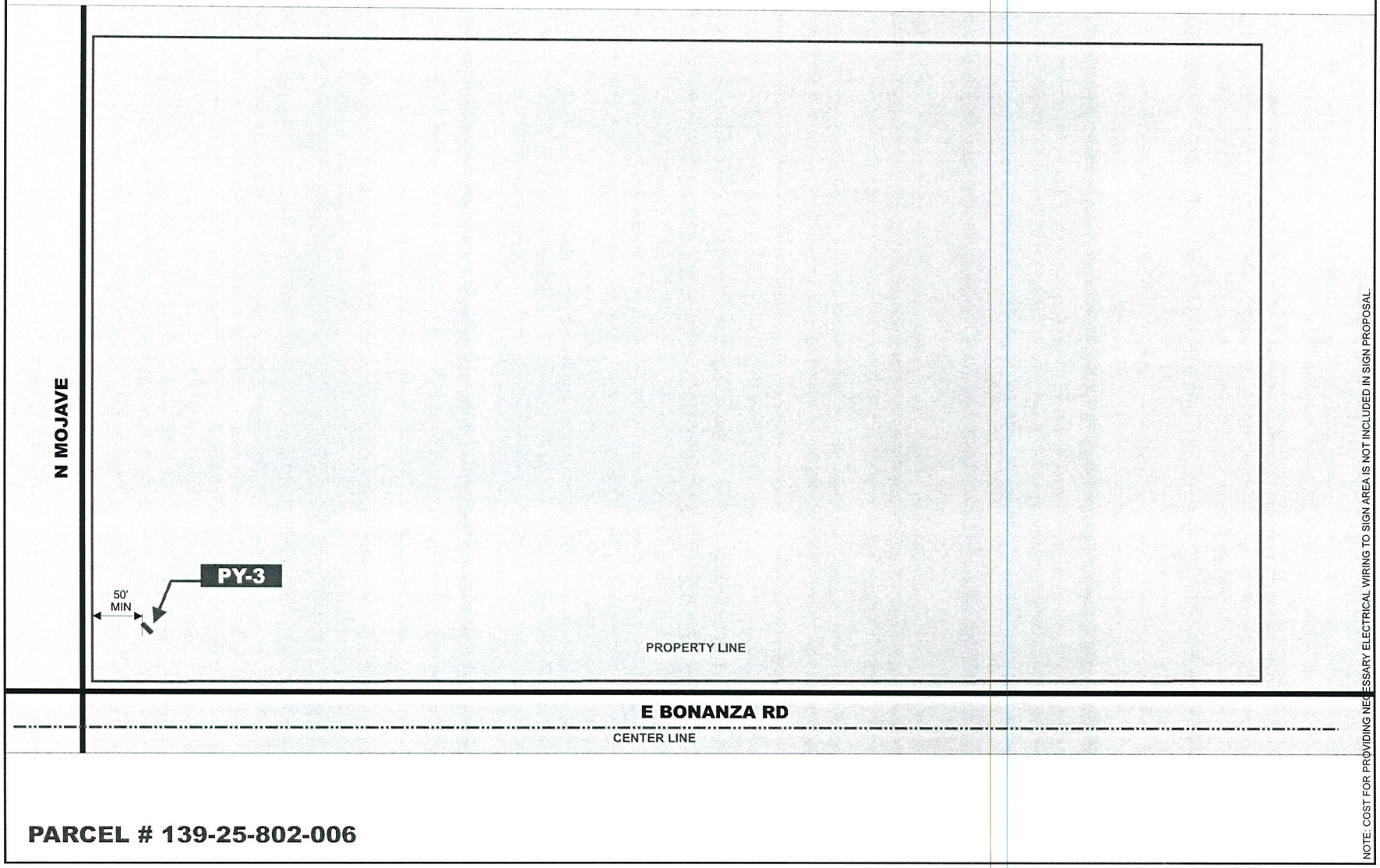
SUP-48181

RECEIVED

JAN 24 2013

LOC.3
WARD 3B

650 MOJAVE &
3415 E BONANZA



NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

PARCEL # 139-25-802-006

YESCO LLC
LAS VEGAS DIVISION
5119 SO. CAMERON ST
LAS VEGAS, NV 89118
PHONE: (702) 876-6080
WWW.YESCO.COM
NV CONTRACTOR LICENSE #0073283 & #0072426

YESCO

Client Name & Address:
CITY OF LAS VEGAS
LAS VEGAS-NV

Project Tracking Number:
423039

Project Name:
CITY OF
LAS VEGAS

Account Executive:
BOB STOCKHAM/
JIM COOK

Designer:
MALCOLM SHAW
JIM GIETZEN

Design Approvals

Checked by:

Creative Director:

Estimating:

Account Executive:

Client:

Rev. / Date / Designer

09/21/11 - MS
09/06/12 - MS
10/11/12 - MS
11/13/12 - MS

Description:
NON-ILLUM
FOAM LTRS

Classification:
SP-1

Reference Design:
000000

O.E.M Serial:
000000

Sheet:
3.1

SUP-48181

LOC.3
WARD 3B

650 MOJAVE &
3415 E BONANZA

RECEIVED
JAN 24 2013



NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL

YESCO LLC
LAS VEGAS DIVISION
5119 SO. CAMERON ST
LAS VEGAS, NV 89118
PHONE: (702) 876-8080
WWW.YESCO.COM
NV CONTRACTOR LICENSE #0013283 & #0072429

YESCO

Client Name & Address:
CITY OF LAS VEGAS
LAS VEGAS-NV

Project Tracking Number:
423039

Project Name:
CITY OF
LAS VEGAS

Account Executive:
BOB STOCKHAM/
JIM COOK

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MALCOLM SHAW
JIM GIETZEN

Design Approvals

Checked by:

Creative Director:

Estimating:

Account Executive:

Client:

Rev. / Date / Designer

09/21/11 - MS
1 09/06/12 - MS
2 10/11/12 - MS
3 11/13/12 - MS

Description:
NON-ILLUM
FOAM LTRS

Classification:
PY-3

Reference Design:
000000

O.E.M Serial:

Sheet:
3.2

SUP-48181



SUP-48181 - APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS
650 NORTH MOJAVE ROAD

01/31/13

Elite Media Inc
145 Brightmoor Ct.
Henderson, NV 89074
Phone (702) 492-0654
Fax (702) 269-0761

January 23, 2013

RECEIVED
JAN 24 2013

City of Las Vegas
Planning Division
Mr. Doug Rankin
Manager
495. S. Main St.
Las Vegas, NV 89101

Subject: JUSTIFICATION LETTER FOR SPECIAL USE PERMIT

Reference: Digital Parquees™ - City of Las Vegas | East Service Yard, 3415 East Bonanza Road

Dear Mr. Rankin,

Issue:
To obtain the necessary Planning Department approval and permits to move forward with the project in regards to the approved Digital Parquee™ License Agreement between the City of Las Vegas, the State of Nevada and Elite Media, Inc regarding advertising, sponsorship and other items related thereto for the above location.

Per the agreement Elite Media will be installing on a total of 4 sites, 5 digital Parquee™ structures with 9 total LED screens, the above location listed as one of the four sites. The below lists all of the locations as per the approved agreement with the City of Las Vegas.

- **Mike Morgan Family Park**: One double sided digital Parquee™ sign with LED sizes 18'9"W x 28'H (two total LED screens)
- **Ed Fountain Park**: One double sided digital Parquee™ sign with LED sizes 18'9"W x 28'H (two total LED screens)
- **Dula Center**: Two double sided digital Parquee™ signs with LED sizes 34'10"W x 65'H (four total LED screens)
- **East Service Yard**: One single sided digital Parquee™ sign with LED sizes 18'9"W x 28'H (One total LED screen)

Information:
Elite Media has 5 employees that provide sales and administrative functions only. Elite Media will contract Yesco Electronics with specialization in the fabrication and installation of these signs. These Parquee™ structures will be the first of their kind in the City of Las Vegas. Yesco has over 100 years of experience in fabrication and installation of signs. (See attached information on Yesco).

Required State Licenses: YESCO NV Contractors License Nos.0074289,0074290,0075739

SUP-48181

RECEIVED
JAN 24 2013

Sustainability: The Parquee TM structures are designed with the latest in LED technology. These displays provide energy efficiencies requiring 36%+ less power than older displays.

Findings: Pursuant to the contract with the City, this project meets/supports existing City regulations whereas this site and surrounding uses are harmonious and compatible.

a. The proposed digital Parquees™ have an exciting design that complements the City of Las Vegas properties, by emulating the design of the famous "Welcome to Las Vegas" sign originally designed by Yesco. These signs will bring important City information to the public as well as sponsorship opportunities that generate revenue for the City.

b. The physical site locations for the Parquee™ structures have been preliminary evaluated according to the City maps and zoning restrictions. These sites are determined to be in compliance with the appropriate restrictions.

c. Street and highway access to the physical site locations is adequate in size to meet the requirements.

d. The Digital Parquees™ have no impact on public health, safety and welfare.

Thank you for this opportunity. Please let me know if you require any additional information for this special use request.

Sincerely,

Chad McCullough
Elite Media, Inc

SUP-48181

City of Las Vegas Agenda Item No.: **36.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

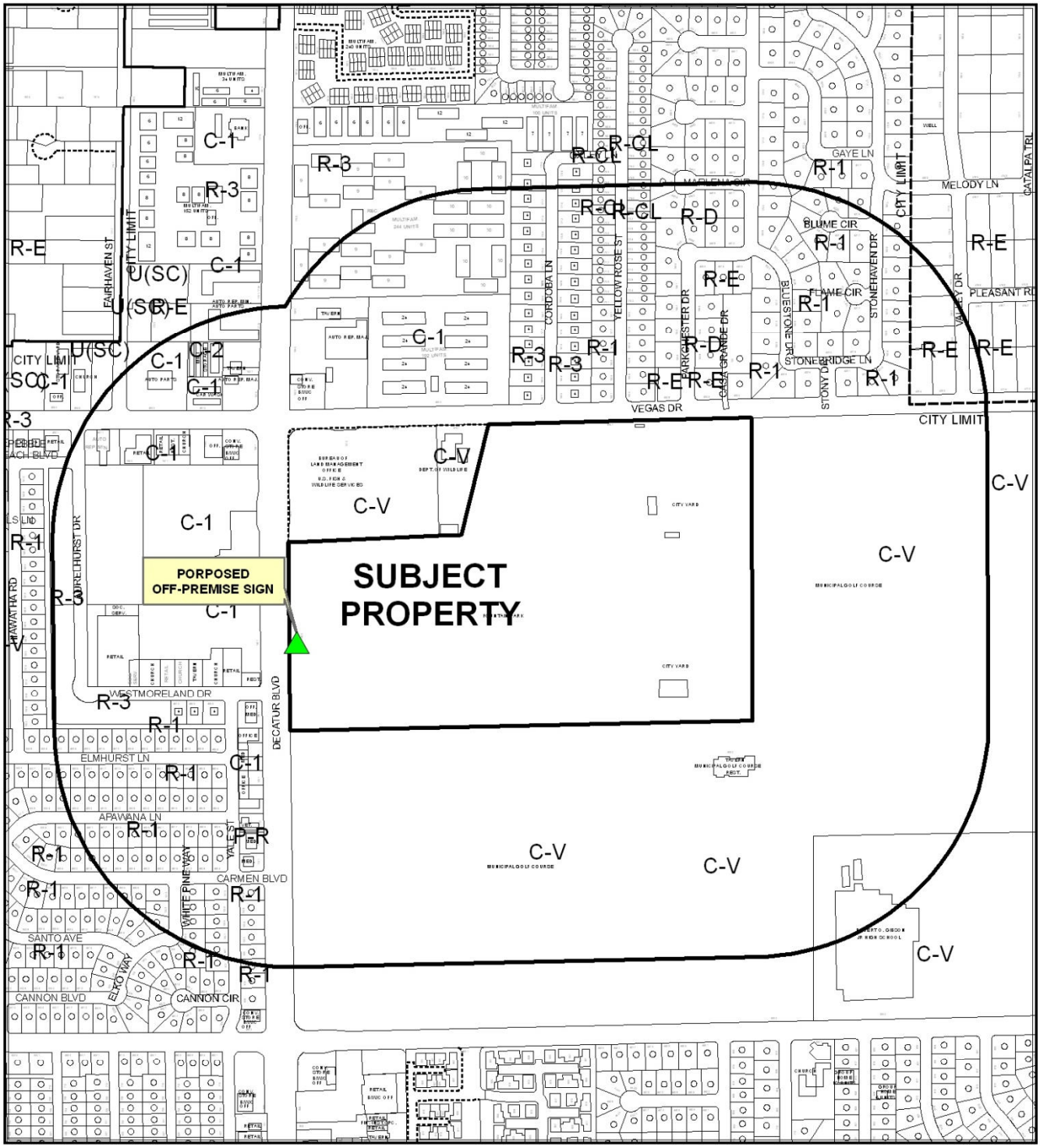
SUBJECT:
SUP-48182 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS - For possible action on a request for a Special Use Permit FOR AN OFF-PREMISE SIGN at 1400 North Decatur Boulevard (APN 139-30-101-006), C-V (Civic) Zone, Ward 5 (Barlow). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



CASE: **SUP-48182**

RADIUS: 1000 FEET

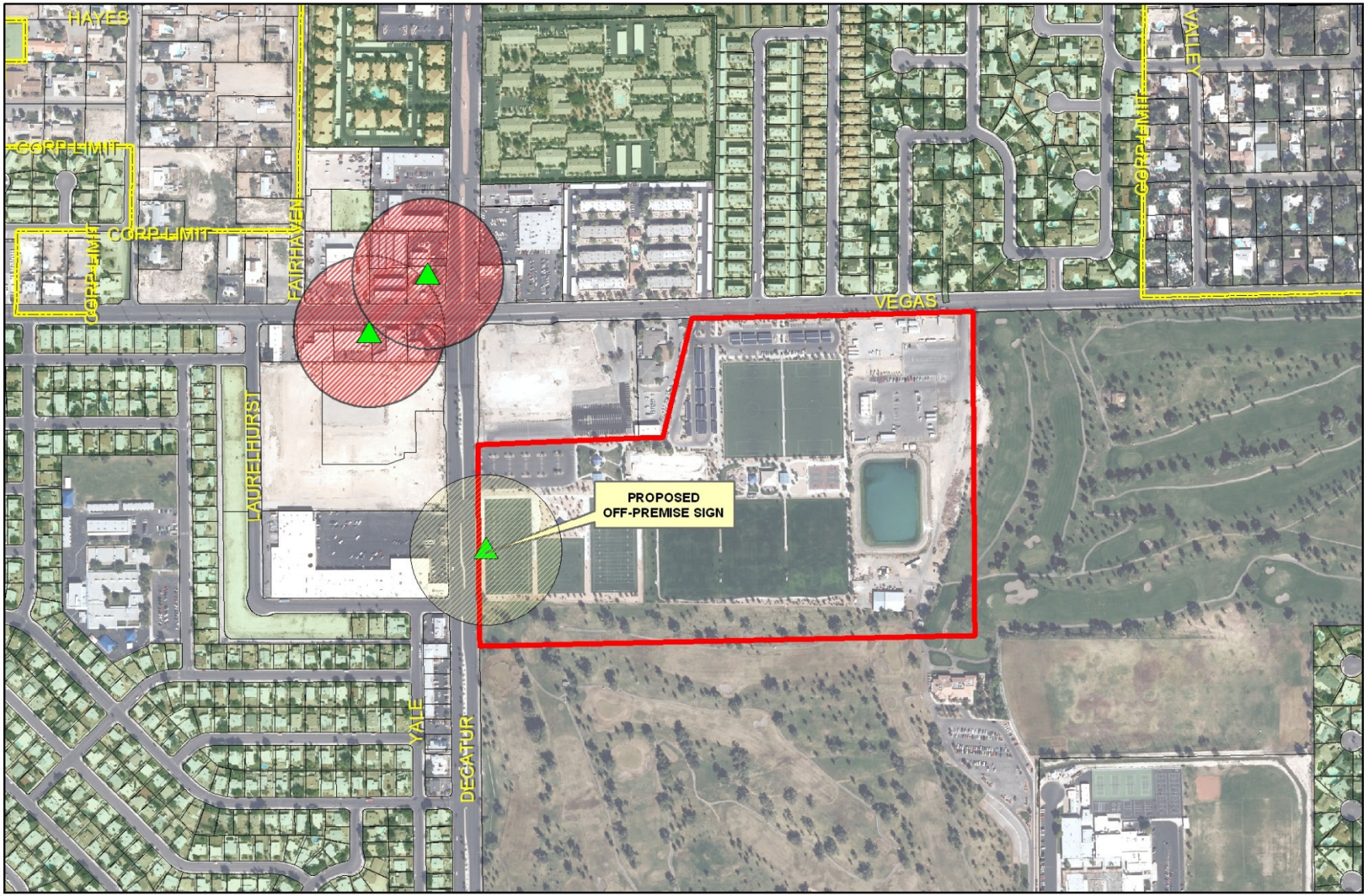
ZONING OF SUBJECT PROPERTY: C-V (CIVIC)



CASE: **SUP-48182**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)



SUP-48182

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location

City of Las Vegas Billboard Data

- 300 Foot Buffer Around Proposed Billboard
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Residential Zoned Property
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: ELITE MEDIA/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48182	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-48182 CONDITIONS

Planning

1. Conformance to all Off-Premise Sign use Minimum Requirements under LVMC Title 19.12.

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

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

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

5. This Special Use Permit shall be reviewed in five (*5*) year(s), at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign be removed.

6. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.

7. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign.

8. Only one advertising sign is permitted per sign face.

9. Bird deterrent devices shall be installed on the sign.

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

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is applying for a Special Use Permit to install an Off-Premise Sign at Fountain Park, a C-V (Civic) zoned, City property at 1400 North Decatur Boulevard. The proposed Off-Premise Sign meets all minimum code requirements. Staff recommends approval. If denied, no Off-Premise Sign would be allowed on this site.

ISSUES

A Special Use Permit is required for an Off-Premise Sign in a C-V (Civic) district. Staff supports this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
02/23/05	The Planning Commission approved a Site Development Plan Review (SDR-1327) for park improvements, including soccer fields, basketball courts, picnic areas and concession/restroom area at 1400 North Decatur Boulevard. Staff recommended approval.

Most Recent Change of Ownership	
Circa 1955	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
No related permits or business licenses are currently active.

Pre-Application Meeting	
01/16/13	Staff met with the applicant and reviewed the requirements for an Off-Premise Sign Special Use Permit application. No issues were noted.

Neighborhood Meeting
No neighborhood meeting was required, nor was one held.

YK

Field Check	
01/31/13	Staff visited the site and found a well maintained, clean public park.

Details of Application Request	
Site Area	
Net Acres	49.28

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Public Park	PR-OS (Parks/Recreation/Open Space)	C-V (Civic)
North	Office	PF (Public Facilities)	C-V (Civic)
South	Golf Course	PF (Public Facilities)	C-V (Civic)
East	Golf Course	PF (Public Facilities)	C-V (Civic)
West	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
A-O (Airport Overlay) District 105-Feet	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

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

Standards	Code Requirements	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way	The sign is not in public right-of-way, nor is it in the Off-Premise Exclusionary Sign Zone	Y
Zoning	Off-Premise Signs are permitted in C-V (Civic) district if the parcel is operated or controlled by an agency of local, state or federal government.	The sign is located in an C-V (Civic) zoning district and is controlled by the City of Las Vegas.	Y
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The sign is 525 square feet in size and has no embellishments.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to be 30 feet above an adjacent elevated freeway.	The sign is 28 feet tall.	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	All structural elements of the sign are screened from public view.	Y
Off-Premise Sign	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)	The sign is more than 960 feet from another Off-Premise Sign.	Y
Off-Premise Sign	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	Sign is more than 390 feet from any property line zoned either "R" or "U."	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently attached to the ground and detached from any other structures.	Y

ANALYSIS

The Off-Premise Sign use is defined as "Off-premise signs are to be considered primarily a specific type of land use rather than as an incidental use to an existing land use. Off-premise signs generally produce revenue to the property owner(s) as a land use as compared to on-premise signs which in themselves do not produce revenue but are incidental to a revenue producing land use. However, because of the special characteristics of off-premise signs as compared to other types of land uses and structures, certain qualifications and requirements are set forth in connection with off-premise signs as a permitted use in certain zoning districts." The proposed use meets the definition, since the property owner will be obtaining revenue from the proposed signage.

The Minimum Special Use Permit Requirements for this use include:

1. No off-premise signs shall be erected in the public right-of-way. *The proposed sign is not located in the public right-of-way.*

2. No off-premise sign certificate of any kind shall be issued for an existing or proposed sign unless the sign is consistent with all requirements of this Title (including those protecting existing signs). *The proposed sign meets all minimum requirements for an Off-Premise Sign.*

3. Except as provided in Paragraph (12) below, off premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only. *Per Paragraph (12), an Off-Premise Sign is permitted in the C-V (Civic) zoning district if it is controlled by a local government. The parcel meets the criteria.*

4. No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet. Any embellishment may include lettering, text, numerals or images, but only to the extent that such items do not exceed fifty percent of any linear side of the sign. *The proposed sign is 525 square-feet, with no embellishments.*

5. Off-premise signs which are within 660 feet of the right-of-way and which can be read from Interstate 15, US 95 from the north city limits to the Oran K. Gragson Highway, the Oran K. Gragson Highway or Interstate 515 shall be no closer than 750 feet (measured along the highway frontage) to any other off-premise sign along the same frontage. Each side of the highway shall be considered a separate frontage. The sign and all other off-premise signs not oriented toward the same highway shall be no closer than 300 feet in any direction to any other off premise sign, wherever located, including an off premise sign that is situated outside the corporate boundaries of the City. *The nearest Off-Premise Sign is more than 960 feet to the northwest of the proposed sign.*

6. Off-premise signs shall be no higher than 40 feet from grade at the point of construction, except that an off-premise sign within 60 feet of the right-of-way line of the street to which it is oriented which, at a height of 40 feet, will have a significant portion of its display surface obscured from view from the travel lanes of the street may be increased to a maximum of 55 feet when authorized by the City Council. *The proposed sign is 28 feet in height and is less than the maximum height allowed.*

7. Off-premise signs shall not be located closer than 10 feet to the right-of-way line of a freeway nor closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways. *The proposed sign is 860 feet from the nearest intersection.*

8. No off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in the "U" zoning district or any "R" zoning district. *The nearest "R" zoned property is located 390 feet to the west of the proposed sign, on the west side of Decatur Boulevard.*

9. An off-premise sign may be permitted in the C-V District if in each case the parcel or use is operated or controlled by an agency of local, state or federal government, or by any fraternal, veteran, civic or service organization. *The proposed sign is located in a public park owned and controlled by the City of Las Vegas.*

The proposed Off-Premise Sign is aesthetically pleasing in that it has elements of the "Welcome to Las Vegas" sign, famously located on Las Vegas Boulevard. Some of the elements include the words, "City of Las Vegas" and the atomic star. The sign blends into the surrounding area, since it is only 28 feet in height instead of the allowed 40 feet, which is standard. The two faces of the sign will have full color message units in LED. The overall color scheme of the frame and casing is red, white and blue, with a ribbon of yellow.

The proposed Off-Premise Sign is designed within all Title 19 code standards, is aesthetically pleasing and compatible with the area. The Las Vegas 2020 Master Plan, Fiscal Management Policy 6.1.6 states: "That the City, where possible use public/private partnerships to pay for public capital improvements." This project supports this policy as a revenue source. For these reasons, staff recommends approval, with conditions.

FINDINGS (SUP-48182)

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

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

The proposed Off-Premise Sign use can be conducted in a manner that is harmonious and compatible with the existing site.

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

The C-V (Civic) zoned, public park site is suitable for the proposed use.

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

Site access is provided from Decatur Boulevard, a 100-foot Primary Arterial Street and is adequate in size to accommodate the proposed Off-Premise Sign use.

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

Approval of the proposed Special Use Permit will be consistent with and not compromise the public health, safety and general welfare as the use will be subject to regular inspections by business licensing staff.

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

The proposed Off-Premise Sign use complies with all minimum Special Use Permit requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 26

NOTICES MAILED 245

APPROVALS 0

PROTESTS 0

YK

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-48182 APN: 139-30-101-006

Name of Property Owner: City of Las Vegas

Name of Applicant: Elite Media

Name of Representative: YESCO LLC

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Elizabeth N Fretwell

Print Name: Elizabeth N. Fretwell

Subscribed and sworn before me

This 22 day of January, 2013

Kim A Barrera

Notary Public in and for said County and State

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

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City of Las Vegas
Dept. of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 1400 N. Decatur Blvd

Project Name Parquee - Ed Fountain Park **Proposed Use** Off-Premise Sign

Assessor's Parcel #(s) 139-30-101-006 **Ward #** 5

General Plan: existing PR-OS proposed N/A **Zoning:** existing C-V proposed N/A

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

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

Additional Information Off-Premise Sign (Parquee) @ Ed Fountain Park

PROPERTY OWNER City of Las Vegas **Contact** Elizabeth N. Fretwell

Address 495 S. Main St **Phone:** (702) 229-6501 **Fax:** (702) 388-1807

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

E-mail Address _____

APPLICANT Elite Media **Contact** Chad McCullough

Address 145 Brightmoor Ct. **Phone:** (702) 492-0654 **Fax:** (702) 974-2774

City Henderson **State** NV **Zip** 89074

E-mail Address chad@elitemediainc.com

REPRESENTATIVE YESCO LLC **Contact** Michael LeBlue

Address 5119 S. Cameron St **Phone:** (702) 348-7414 **Fax:** (702) 944-4500

City Las Vegas **State** NV **Zip** 89118

E-mail Address mleblue@yesco.com

Property Owner Signature* Elizabeth N Fretwell

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

Print Name Elizabeth N. Fretwell

Subscribed and sworn before me

This 22 day of January, 20 13.

Kim A Barrera

Notary Public in and for said County and State

KIM A. BARRERA
Notary Public State of Nevada
No. 99-50021-1
My appt. exp. Oct. 25, 2014

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City of Las Vegas
Dept. of Planning

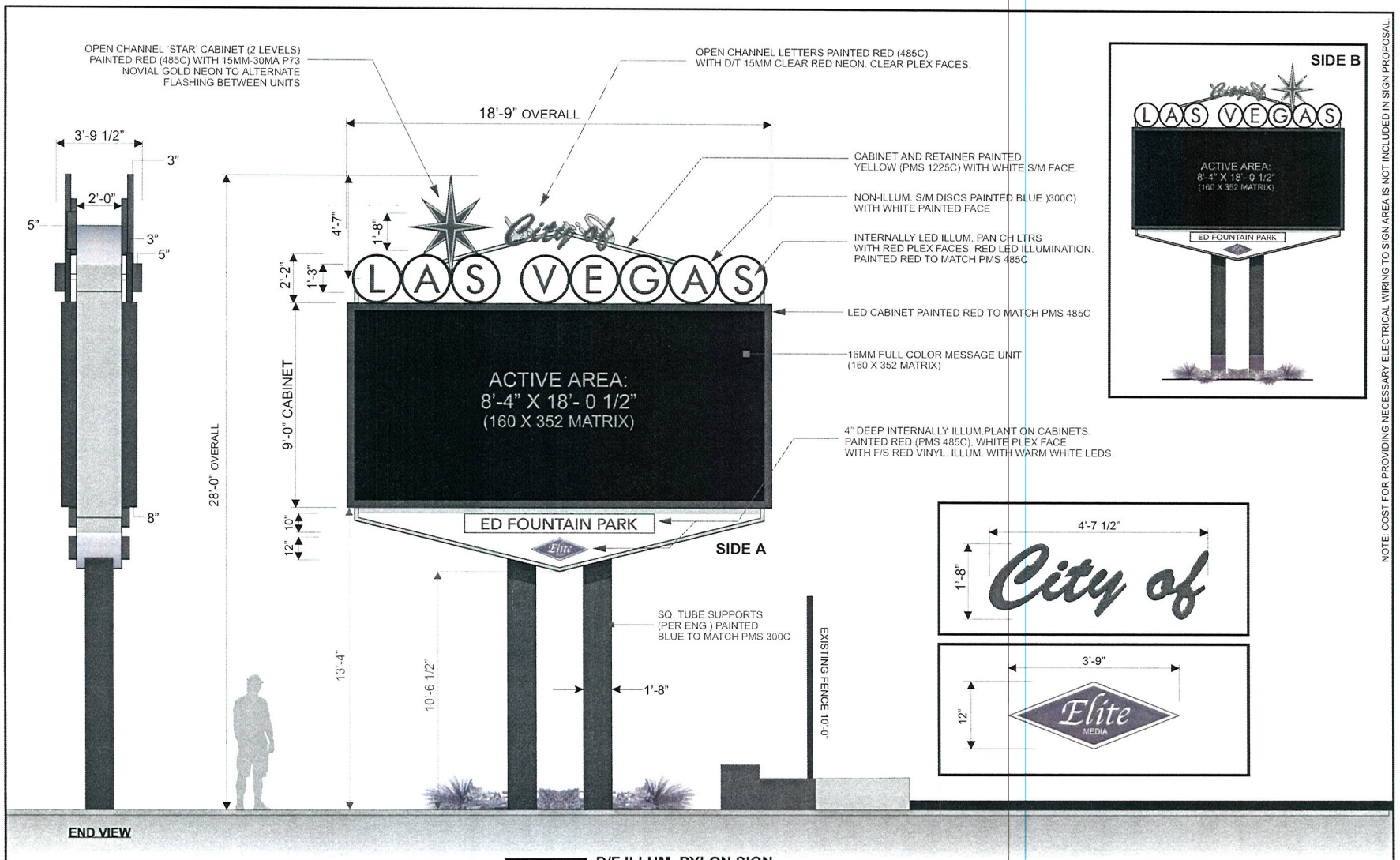
FOR DEPARTMENT USE ONLY

Case #	SUP-48182
Meeting Date:	03/12/13
Total Fee:	$ 1030.00
Date Received:*	01/24/13
Received By:	Jonathan B.

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

Revised 10/27/08

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



PY-2 D/F ILLUM. PYLON SIGN
SCALE: 1/4" = 1'-0"

TOTAL SQ FT:
525

SCOPE OF WORK:
YESCO TO MFG & INSTALL ONE (1) D/F INTERNALLY ILLUMINATED PYLON SIGN.

125A - 12208 3 Phase
* Disconnect to sign location *

NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

YESCO LLC
LAS VEGAS DIVISION
5119 SO. CAMERON ST.
LAS VEGAS, NV 89118
PHONE: (702) 876-8080
WWW.YESCO.COM
NV CONTRACTOR LICENSE: #0074269 & #0074290

Client Name & Address:
CITY OF LAS VEGAS
LAS VEGAS-NV

Project Tracking Number:
423039

Project Name:
CITY OF LAS VEGAS

Account Executive:
BOB STOCKHAM/ JIM COOK

Designer:
MALCOLM SHAW
JIM GIETZEN

Design Approvals
Checked by:
Creative Director:
Estimating:
Account Executive:
Client:

Rev. / Date / Designer
09/21/11- MS
09/06/12 - MS
10/11/12 - MS
11/13/12 - MS

Description:
PYLON SIGN

Classification:
PY-2

Reference Design:
000000

O.E.M Serial:

Sheet:
2.0

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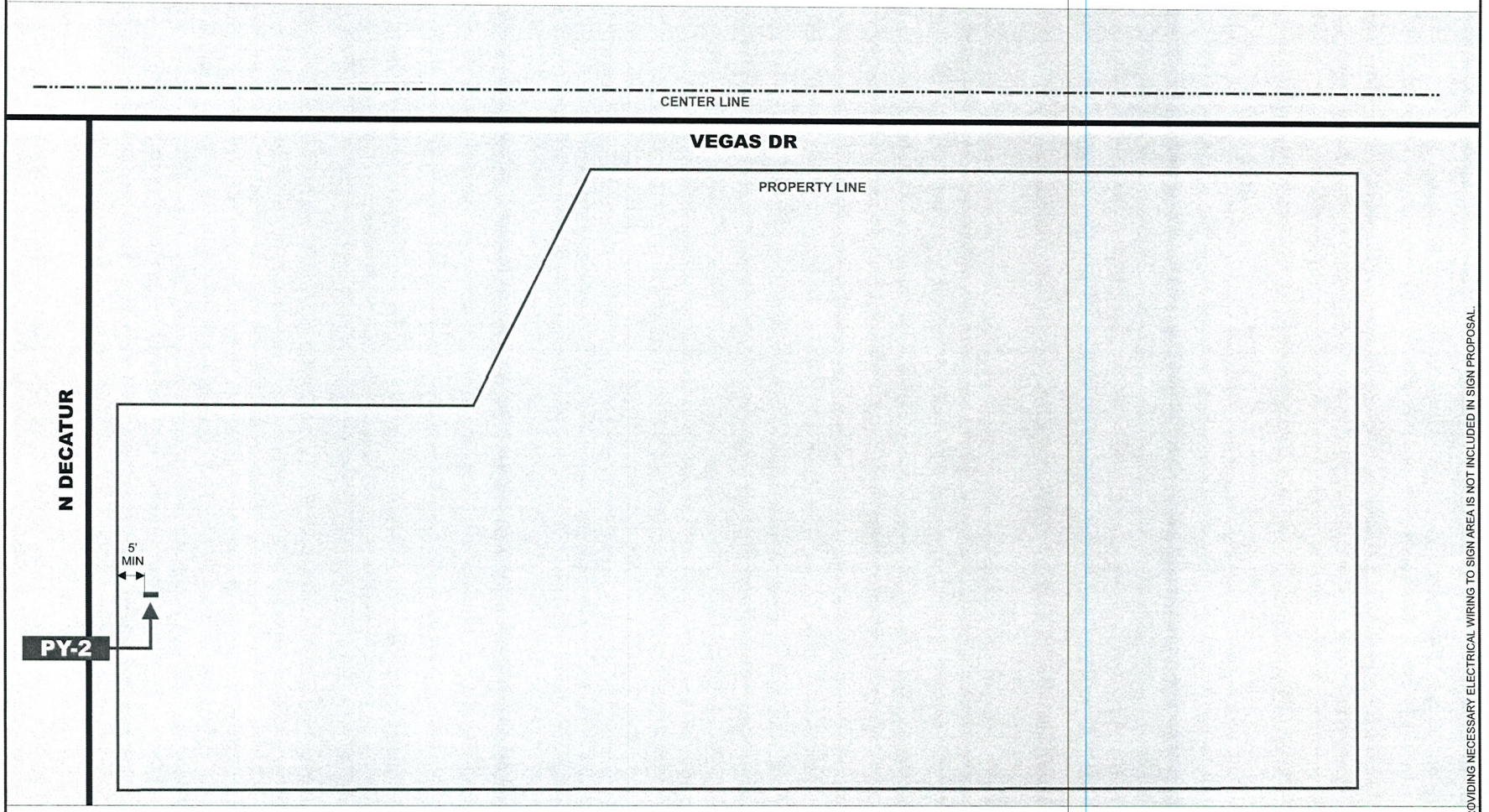
City of Las Vegas
Dept. of Planning

SUP-48182

LOC.2
WARD 5B

1400 N DECATUR
NORTHBOUND



PARCEL # 139-30-101-006

NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

YESCO LLC
LAS VEGAS DIVISION
5119 SO. CAMERON ST
LAS VEGAS, NV 89118
PHONE: (702) 876-6080
WWW.YESCO.COM
NV CONTRACTOR LICENSE #0070393 & #0072426

YESCO

Client Name & Address:
CITY OF LAS VEGAS
LAS VEGAS-NV

Project Tracking Number:
423039

Project Name:
CITY OF
LAS VEGAS

Account Executive:
BOB STOCKHAM/
JIM COOK

Designer:
MALCOLM SHAW
JIM GIETZEN

Design Approvals

Checked by:

Creative Director:

Estimating:

Account Executive:

Client:

Rev. / Date / Designer

09/21/11 - MS
1 09/06/12 - MS
2 10/11/12 - MS
3 11/13/12 - MS

Description:
NON-ILLUM
FOAM LTRS

Classification:
SP-1

Reference Design:
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O.E.M Serial:
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Sheet:
2.1

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Dept. of Planning

SUP-48182

LOC.2
WARD 5B

1400 N DECATUR
NORTHBOUND



NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

RECEIVED

SUP-48182

JAN 24 2013

City of Las Vegas
Dept. of Planning

YESCO LLC
LAS VEGAS DIVISION
5119 SO. CAMERON ST
LAS VEGAS, NV 89118
PHONE: (702) 876-6080
WWW.YESCO.COM
NV CONTRACTOR LICENSE #0078293 & #0074295

YESCO

Client Name & Address:
CITY OF LAS VEGAS
LAS VEGAS-NV

Project Tracking Number:
423039

Project Name:
CITY OF
LAS VEGAS

Account Executive:
BOB STOCKHAM/
JIM COOK

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JIM GIETZEN

Design Approvals

Checked by:

Creative Director:

Estimating:

Account Executive:

Client:

Rev. / Date / Designer

09/21/11 - MS
1 09/06/12 - MS
2 10/11/12 - MS
3 11/13/12 - MS

Description:
NON-ILLUM
FOAM LTRS

Classification:
PY-2

Reference Design:
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O.E.M Serial:

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2.2



SUP-48182 - APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS
1400 NORTH DECATUR BOULEVARD

01/31/13



SUP-48182 - APPLICANT: ELITE MEDIA - OWNER: CITY OF LAS VEGAS
1400 NORTH DECATUR BOULEVARD

01/31/13

Elite Media Inc
145 Brightmoor Ct.
Henderson, NV 89074
Phone (702) 492-0654
Fax (702) 269-0761

January 23, 2013

City of Las Vegas
Planning Division
Mr. Doug Rankin
Manager
495. S. Main St.
Las Vegas, NV 89101

Subject: JUSTIFICATION LETTER FOR SPECIAL USE PERMIT

Reference: Digital Parquees™ - Ed Fountain Family Park, 1400 N.Decatur Blvd

Dear Mr. Rankin,

Issue:
To obtain the necessary Planning Department approval and permits to move forward with the project in regards to the approved Digital Parquee™ License Agreement between the City of Las Vegas, the State of Nevada and Elite Media, Inc regarding advertising, sponsorship and other items related thereto for the above location.

Per the agreement Elite Media will be installing on a total of 4 sites, 5 digital Parquee™ structures with 9 total LED screens, the above location listed as one of the four sites. The below lists all of the locations as per the approved agreement with the City of Las Vegas.

- **Mike Morgan Family Park**: One double sided digital Parquee™ sign with LED sizes 18'9"W x 28'H (two total LED screens)
- **Ed Fountain Park**: One double sided digital Parquee™ sign with LED sizes 18'9"W x 28'H (two total LED screens)
- **Dula Center**: Two double sided digital Parquee™ signs with LED sizes 34'10"W x 65'H (four total LED screens)
- **East Service Yard**: One single sided digital Parquee™ sign with LED sizes 18'9"W x 28'H (One total LED screen)

Information:
Elite Media has 5 employees that provide sales and administrative functions only. Elite Media will contract Yesco Electronics with specialization in the fabrication and installation of these signs. These Parquee™ structures will be the first of their kind in the City of Las Vegas. Yesco has over 100 years of experience in fabrication and installation of signs. (See attached information on Yesco).

Required State Licenses: YESCO NV Contractors License Nos.0074289,0074290,0075739

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SUP-48182

Sustainability: The Parquee TM structures are designed with the latest in LED technology. These displays provide energy efficiencies requiring 36%+ less power than older displays.

Findings: Pursuant to the contract with the City, this project meets/supports existing City regulations whereas this site and surrounding uses are harmonious and compatible.

a. The proposed digital Parquees™ have an exciting design that complements the City of Las Vegas properties, by emulating the design of the famous "Welcome to Las Vegas" sign originally designed by Yesco. These signs will bring important City information to the public as well as sponsorship opportunities that generate revenue for the City.

b. The physical site locations for the Parquee™ structures have been preliminary evaluated according to the City maps and zoning restrictions. These sites are determined to be in compliance with the appropriate restrictions.

c. Street and highway access to the physical site locations is adequate in size to meet the requirements.

d. The Digital Parquees™ have no impact on public health, safety and welfare.

Thank you for this opportunity. Please let me know if you require any additional information for this special use request.

Sincerely,

Chad McCullough
Elite Media, Inc

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City of Las Vegas
Dept. of Planning

SUP-48182

City of Las Vegas Agenda Item No.: **37.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

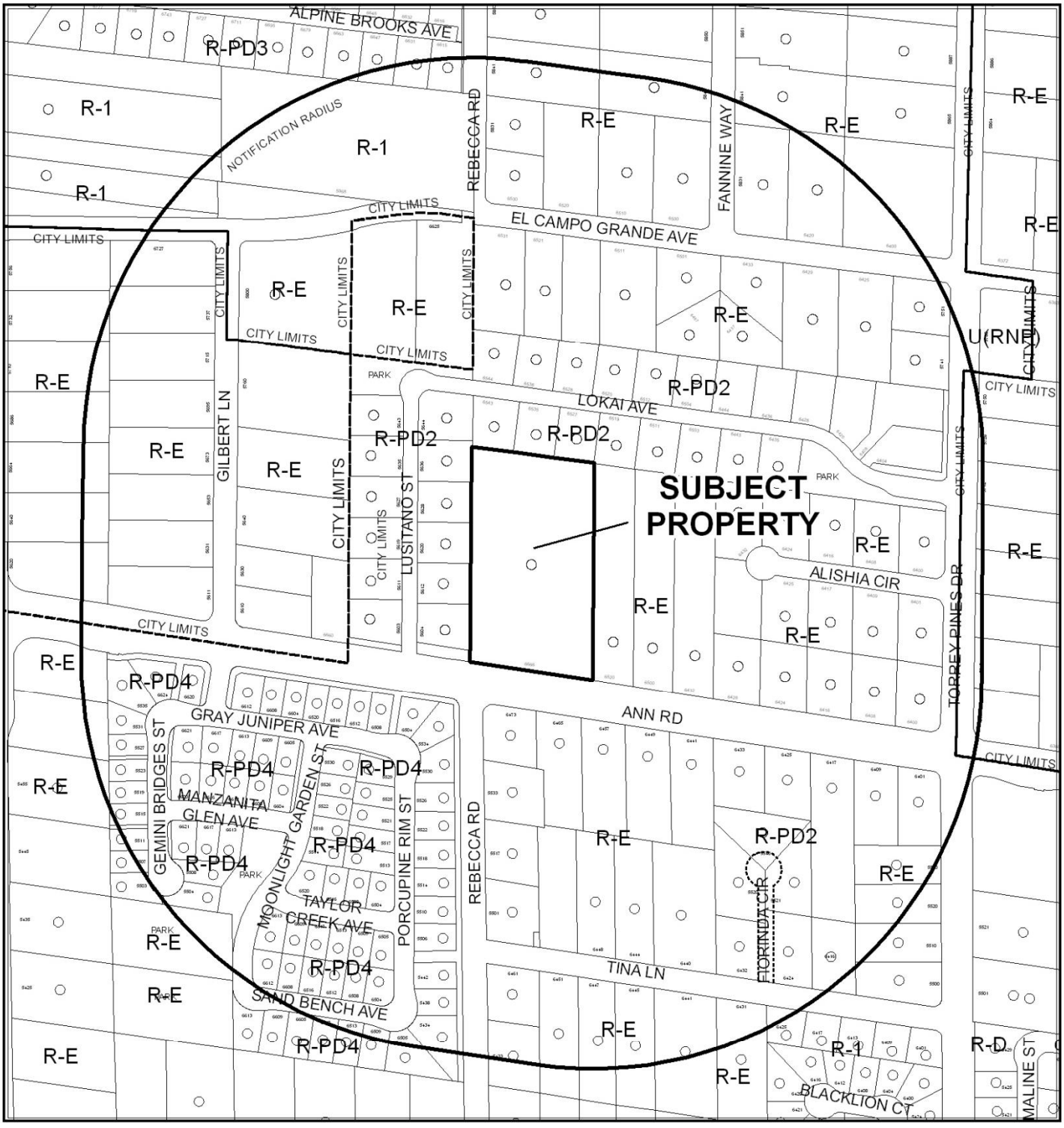
SUBJECT:
SUP-48191 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ASHLEY RESTIVO - OWNER: BARBARA ZINK - For possible action on a request for a Special Use Permit FOR A HORSE CORRAL OR STABLE (COMMERCIAL) USE ON 4.14 acres at 6666 West Ann Road (APN 125-26-403-014), R-E (Residential Estates) Zone, Ward 6 (Ross). Staff recommends APPROVAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

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



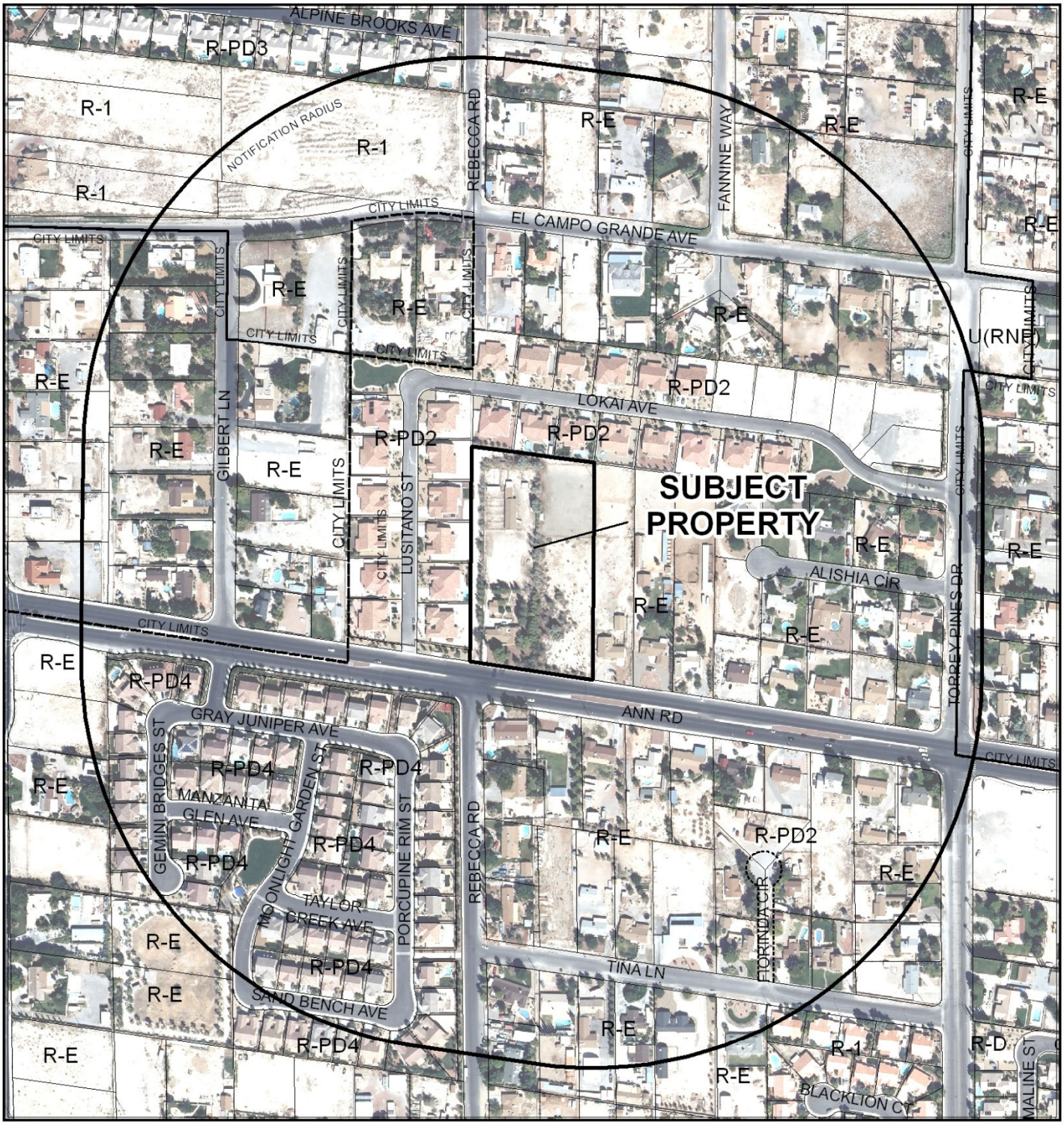
0 300 600 Feet

CASE: SUP-48191

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

N



0 300 600 Feet

CASE: SUP-48191

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: ASHLEY RESTIVO - OWNER: RARBARA ZINK

** STAFF RECOMMENDATION **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-48191	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-48191 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Horse Corral or Stable (Commercial) use.

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

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

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

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

** STAFF REPORT **

PROJECT DESCRIPTION

This request is for a Special Use Permit to allow a Horse Corral or Stable (Commercial) use for 15 horses, on 4.14 acres, located at 6666 West Ann Road. The applicant proposes to see clients by appointment only, with the anticipated hours of 7 a.m. to 5 p.m. Staff finds the subject site is physically suitable for the type and intensity of land use and recommends approval of this request for a Special Use Permit to allow a Horse Corral or Stable (Commercial) use.

ISSUES

- A Special Use Permit is required for the Horse Corral or Stable (Commercial) use in the R-E (Residential Estates) zoning.
- The applicant proposes to have no more than a maximum of 15 horses on site.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
05/01/92	The Board of Zoning Adjustment approved a Variance (V-0053-92) for the keeping of six (6) emu birds where only certain domestic animals are permitted on property located at 6666 West Ann Road. Staff recommended approval.
05/05/04	The City Council approved a Petition to Vacate (VAC-3932) portions of Rebecca Road between Ann Road and El Campo Grande Avenue. This vacation moved the east property line of the adjacent residential neighborhood thirty feet to the west of the subject site.
12/11/12	A Code Enforcement Case (#123140) was opened for operating a Horse Corral or Stable (Commercial) use without Special Use Permit.

Most Recent Change of Ownership	
03/20/12	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
1966	A single family dwelling with a stable and corrals was constructed.

Pre-Application Meeting	
01/14/13	A pre-application meeting was held with the applicant to discuss the submittal requirements for Special use Permit to operate a proposed Horse Corral or Stable (Commercial) Use at 6666 West Ann Road.

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

Field Check	
01/31/13	Staff visited the site and found a well maintained single family residence with corrals and stables located at the rear of the property. It was noted that the applicant was in the process of performing dust-abatement measures and that there were no discernible odors or pests with the existing privately owned horses on site. There was adequate space for parking and drop-off, with an space dedicated for handicapped parking.

Details of Application Request	
Site Area	
Net Acres	4.14

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single Family, Detached	DR (Desert Rural Residential)	R-E (Residential Estates)
North	Single Family, Detached	DR (Desert Rural Residential)	R-PD2 (Residential Planned Development – 2 Units Per Acre)
South	Single Family, Detached	R (Rural Density Residential)	R-E (Residential Estates)
East	Single Family, Detached	DR (Desert Rural Residential)	R-E (Residential Estates)
West	Single Family, Detached	RE (Rural Estates)	R-PD2 (Residential Planned Development – 2 Units Per Acre)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	***Compliance***
Rural Preservation Overlay 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

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	
Horse Corral or Stable (Commercial)	15 horses	1 space per 5 horses					
TOTAL SPACES REQUIRED			3		10		
Regular and Handicap Spaces Required			2	1	9	1	Y

ANALYSIS

The Horse Corral or Stable (Commercial) use is defined in Title 19.18 as, "A structure for the keeping of horses, mules or ponies which are boarded for compensation or for use in providing instructional or recreational activities for persons other than occupants of the premises."

The proposed use meets the definition in that the applicant seeks to operate a private corral for professional horseback riding instruction on a by-appointment basis.

The proposed Special Use Permit request has been deemed a "Project of Regional Significance," as it concerns property located within 500 feet of the city boundary with Clark County. A questionnaire describing the impacts of the project to the area was submitted to various regional agencies for review with no comments received.

There are no Minimum Special Use Permit Requirements for this use. The stables have been in place since the development of the primary residence in 1966. The existing stables and corrals are legally non-conforming.

The proposed Horse Corral or Stable (Commercial) use is located within the RP-O Rural Preservation Overlay It is the intent of the RP-O Rural Preservation Overlay to ensure that the rural character of each rural preservation neighborhood is preserved by providing resources typical of rural living without making any increase in residential density or traffic. Surrounding the site are large lot residential properties with similar horse-related uses located within the area to the north. Client parking is located in the rear of the property with a dedicated handicap space to the south of the stable. The subject site can readily accommodate the 15 horses requested of the applicant.

Staff recommends approval of this request as the use is compatible with the surrounding rural land uses. If denied, the applicant will not be allowed to operate the Horse Corral or Stable (Commercial) use at this location.

FINDINGS (SUP-48191)

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 Horse Corral or Stable (Commercial) use is appropriate and harmonious with the surrounding area. Most of the adjacent residential parcels have large horse-related structures and facilities, and the subject site is close to similar horse-related uses north of the subject site.

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

   The subject site is physically suitable for the type and intensity of land use and has maintained the stables and corrals on site since the construction of the primary residence in 1966. Access to the corrals located at the back of the property is made by a 20-foot wide unpaved road located along the west side of the property.

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

   The subject site is primarily accessed via Ann Road, a 100-foot Primary Arterial, with access to the corrals and parking located at the rear of the property by a 20-foot wide unpaved road. This provides adequate access to the subject site with no negative traffic impact.

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 approval of this Special Use Permit on the subject site will not be inconsistent with nor will it compromise the public health, safety and welfare as the property will be subject to business licensing requirements and inspections. The proposed use supports the overall objectives of the General Plan for this location.

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

   There are no Minimum Special Use Permit requirements for the Horse Corral or Stable (Commercial) Use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 26

NOTICES MAILED 226

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: ~~N/A~~ SUP-48191 APN: N/A

Name of Property Owner: Barbara ZINK

Name of Applicant: Ashley Restivo

Name of Representative: Barbara ZINK

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: Barbara E Zink

Print Name: BARBARA E ZINK

State of California County of Los Angeles
Subscribed and sworn before me

This 7 day of January, 2013

G J Bris
Notary Public in and for said County and State

G. J. BRISTOW
Commission # 1887545
Notary Public - California
Los Angeles County
My Comm. Expires Apr 27, 2014

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: Special Use Permit

Project Address (Location) 6666 W Ann Rd, Las Vegas, nv 89130

Project Name Restivo Performance Horses **Proposed Use** Horse Corral Comme

Assessor's Parcel #(s) 12526403014 **Ward #** _____

General Plan: existing RE proposed DR **Zoning:** existing R-E proposed _____

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

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

Additional Information _____

PROPERTY OWNER Barbara Zink **Contact** _____

Address 421 N. Milton DR. **Phone:** _____ **Fax:** _____

City SAN GABRIEL **State** CA **Zip** 91775

E-mail Address _____

APPLICANT Ashley Restivo **Contact** 4028178154

Address 6666 W Ann Rd **Phone:** (402) 817-8154 **Fax:** _____

City Las Vegas **State** NV **Zip** 89130

E-mail Address asdonahue23@gmail.com

REPRESENTATIVE Ashley Restivo **Contact** 402-817-8154

Address 6666 W Ann Rd **Phone:** (402) 817-8154 **Fax:** _____

City Las Vegas **State** NV **Zip** 89130

E-mail Address asdonahue23@gmail.com

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

Property Owner Signature* Barbara E Zink

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

Print Name BARBARA E ZINK

State of California County of Los Angeles
Subscribed and sworn before me

This 7 day of January, 20 13.

_____

Notary Public in and for said County and State

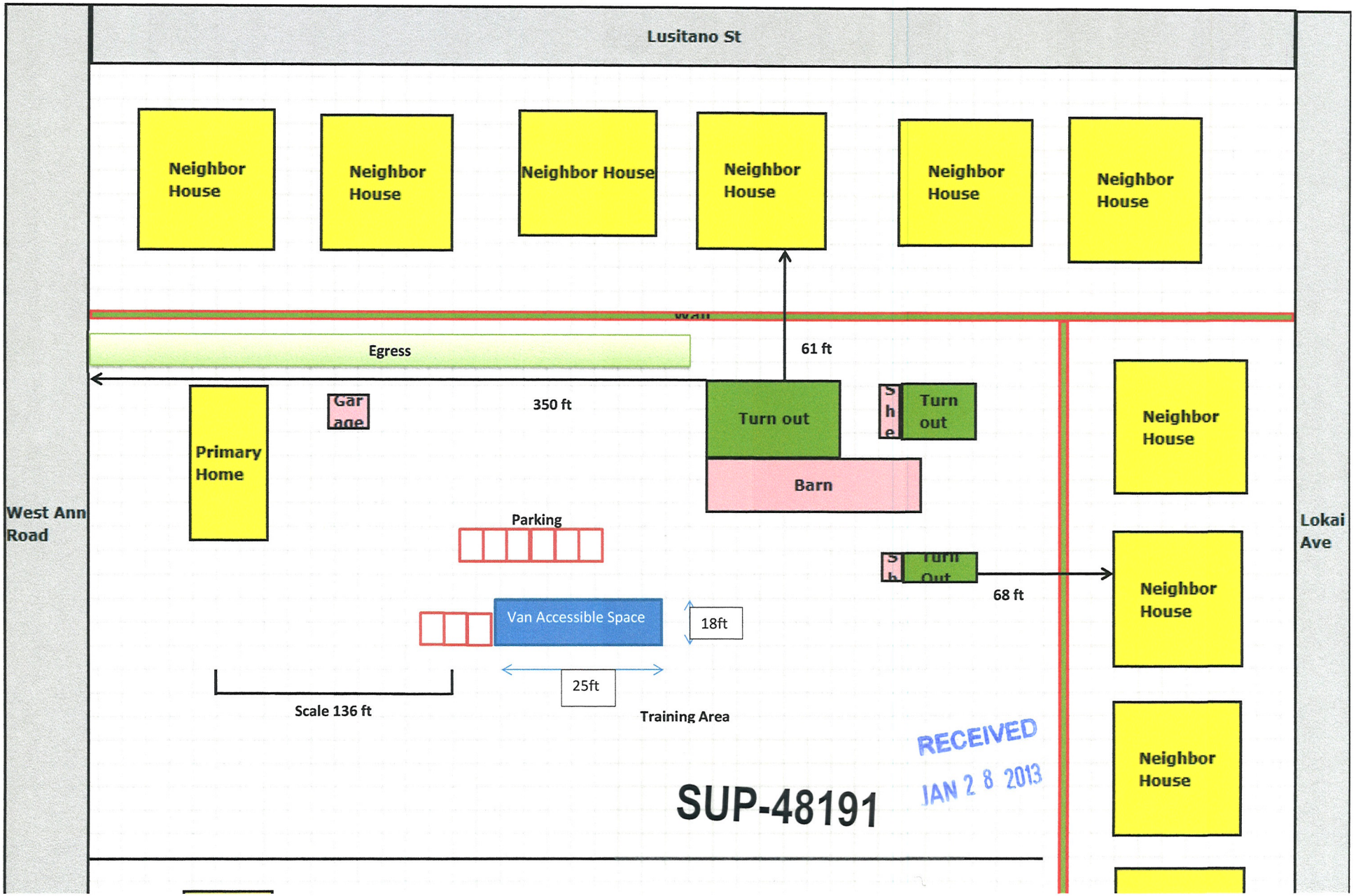
G. J. BRISTOW
Commission # 1887545
Notary Public - California
Los Angeles County
My Comm. Expires Apr 27, 2014

FOR DEPARTMENT USE ONLY

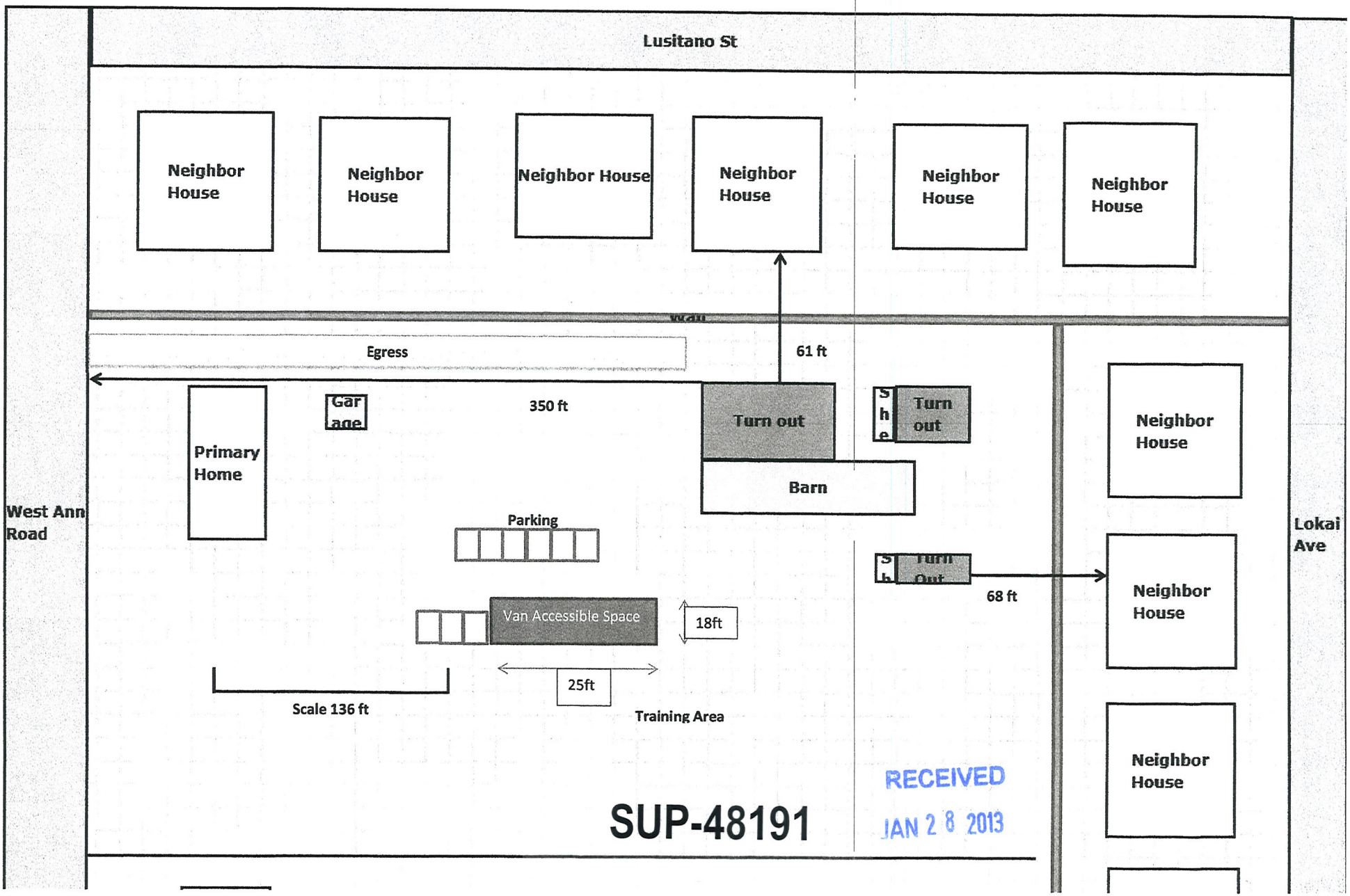
Case #	SUP-48191
Meeting Date:	3/12/13
Total Fee:	1030.-
Date Received:*	1/28/13
Received By:	

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

Restivo Performance Horses, Las Vegas Site Layout



Restivo Performance Horses, Las Vegas Site Layout





SUP-48191 - APPLICANT: ASHLEY RESTIVO - OWNER: BARBARA ZINK
6666 WEST ANN ROAD

01/31/13



SUP-48191 - APPLICANT: ASHLEY RESTIVO - OWNER: BARBARA ZINK
6666 WEST ANN ROAD

01/31/13



SUP-48191 - APPLICANT: ASHLEY RESTIVO - OWNER: BARBARA ZINK
6666 WEST ANN ROAD

01/31/13



SUP-48191 - APPLICANT: ASHLEY RESTIVO - OWNER: BARBARA ZINK
6666 WEST ANN ROAD

01/31/13

Ashley Restivo
6666 West Ann Road
Las Vegas, NV

City of Las Vegas
Department of Planning

Subject: Justification Letter for Restivo Performance Horses Business Location

Issue

The subject property (6666 West Ann Road) will be used as a business location for Restivo Performance Horses. This property is owned and leased by Barbara Zink to Ashley and Joe Restivo for the purpose of training performance horses. The property already has all the necessary accommodations to conduct the said business. This special use permit determination justification letter is being submitted to request use of the property for its original design purpose; a site layout or plan is attached.

Information

- No employees only the Restivo's living in the Residential home.
- Hours of operation- By appointment only
- Any existing similar uses owned or operated by the applicant and their location- None in Las Vegas
- Any required state licenses specific to the use requested- Business license.

Sustainability (if applicable – if yes, please explain)	Yes	No
Will this project participate in the City of Las Vegas Green Building Program? (Not Applicable: There are no new constructed buildings)		X
Will this project be constructed to LEED or other equivalent standards? (Not Applicable: There are no new constructed buildings)		X
Will this project utilize alternative energy sources or water savings measures?		X
Is there connectivity to adjacent parcels?		X
Will the proposed project qualify as a walkable community (for Residential and mixed Use projects only)? (Not Applicable)		X
Is the project using any means of sustainable construction? (Not Applicable)		X
Will the project meet the intent of the Urban Forestry Initiative? (No landscape wavier has been requested)		X
Will the project provide any bicycle parking? (yes we provide parking for anyone willing to ride a bicycle to our property)		X
Will the project provide any electric vehicle recharging stations? (The property currently doesn't have any electrical hook-ups for cars)		X

Findings

The said property has been operated as a training facility for horses periodically over the past ~30 years and is therefore inherently harmonious and compatible with existing surroundings. It should also be

SUP-48191
REVISED

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FEB 6 2013
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

noted that there are several multiple horse facilities and general live stock in the general and neighboring area and has been for decades. Las Vegas provides a diversified and entertaining environment to attract a broad cross section of individuals bolstering the infrastructure of this community.

This property is zoned for 24 horses and our plan is to possibly have fifteen horses on property considering nine of the existing horses are my own personal horses and we plan on having only five to six select horses in training at our residence here in Las Vegas. We are by appointment only and close down when it gets it dark outside to conserve on energy and our costs. We plan on having appointments running typically in the range between 7am- 5pm. Many things have been done to help with any dust pollution such as; watering the arenas daily and all driveways that are used to help with dust control, we have also groomed the landscaping and provided tree lines along our neighboring properties as a barrier, we have also brought in new gravel and added wood chips in horses corrals for added dust control and smell reduction. With removal of animal waste stalls are cleaned twice a day and disposed of twice a week, aiding in keeping the smell down that is associated with having livestock and the production of flies down as well. All animals are sprayed with fly spray twice a day for our fly system and we use fly predators to aide us in keeping the environment friendly to our animals and neighbors.

Providing horse training and riding lessons expands the community's diversification and entertainment to include clients interested in an American fundamental pastime and competitive sport (horseback riding of all types). Equine activities also create an atmosphere that teaches children and adults' self-help, responsibility, leadership, communication, teamwork, and self-respect, adding to this community greatly. Being part of a equine training facility is also very therapeutic and has helped many people achieve things they never thought possible such as; empowering abused women and children and children/adults with disabilities by proving themselves to be" set free", emotionally, spiritually, and become physically independent, with the help of our equines. Having this equine business available to the public of Las Vegas would create stronger community bonds and teach people the ability of leadership and communication amongst their peers.

This facility has ample parking and appropriate egress (see attached site layout) behind large walls for the clients vehicles making it well suited for this business. West Ann Road has four lanes and ample space to facilitate the negligible egress needed for this facility; rarely are there more than one or two vehicles needing the egress at one time.

Sincerely,

Ashley Restivo

402-817-8154

Asdonahue23@gmail.com

SUP-48191
REVISED

City of Las Vegas Agenda Item No.: **38.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

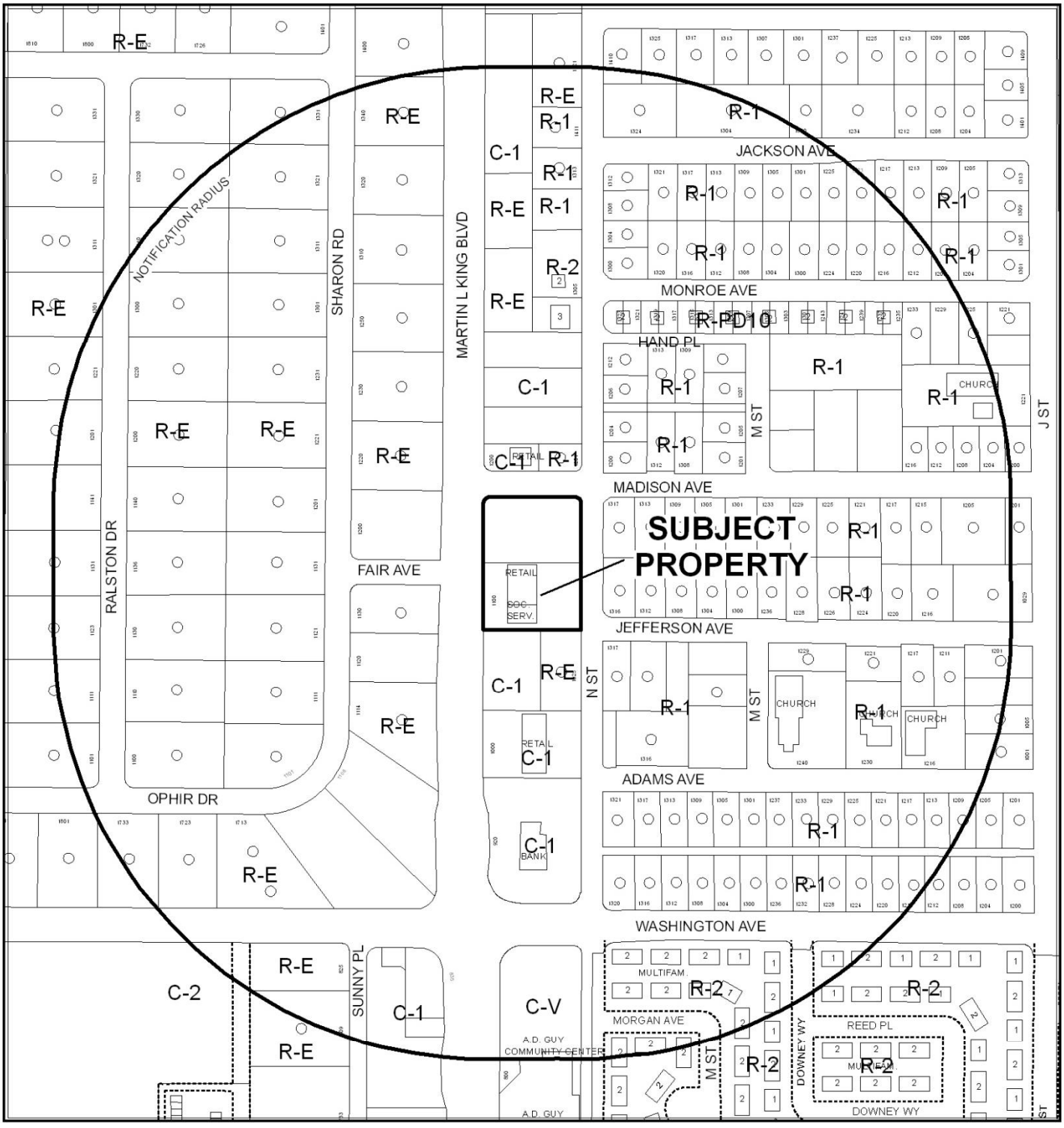
SUBJECT:
SDR-48148 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: LONNIE WALSTON - For possible action on a request for a Site Development Plan Review FOR A 1,900 SQUARE-FOOT ADDITION TO AN EXISTING 9,471 SQUARE-FOOT RETAIL BUILDING WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG A 116-FOOT PORTION AND AN EIGHT-FOOT LANDSCAPE BUFFER ALONG A 102-FOOT PORTION OF THE NORTH PROPERTY LINE, AN EIGHT-FOOT WIDE LANDSCAPE BUFFER ALONG THE EAST AND WEST PROPERTY LINES WHERE A MINIMUM 15-FOOT WIDE BUFFER IS REQUIRED AND A ZERO-FOOT WIDE LANDSCAPE BUFFER ALONG A PORTION OF THE SOUTH PROPERTY LINE WHERE AN EIGHT-FOOT LANDSCAPE BUFFER IS REQUIRED on 1.61 acres at 1100 Martin L King Boulevard (APNs 139-28-604-001 and 003), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL.

MAY GO TO CITY COUNCIL ON 04/17/2013
OR MAY BE FINAL ACTION (Unless Appealed Within 10 Days)

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

RECOMMENDATION:
Staff recommends DENIAL.

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



0 300 600 Feet

CASE: **SDR-48148**

RADIUS: 1000 FEET

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

N



0 300 600 Feet

CASE: **SDR-48148**

RADIUS: 1000 FEET

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

N

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: LONNIE WALSTON

**** STAFF RECOMMENDATION ****

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SDR-48148	Staff recommends DENIAL, subject to conditions:	N/A

**** CONDITIONS ****

SDR-48148 CONDITIONS

Planning

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

2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 01/23/13 except as amended by conditions herein.

3. A Waiver from 19.08.070 is hereby approved, to allow:

    a. To allow a zero-foot wide landscape buffer along a 116-foot portion and an eight-foot wide landscape buffer along a 102-foot portion of the of the north property line where a 15-foot wide landscape buffer is required.
    b. To allow a zero-foot wide landscape buffer along a 66-foot portion of the south property line where an eight-foot wide landscape buffer is required.
    c. To allow an eight-foot wide landscape buffer along the east and along a 52-foot portion of the west property line where a 15-foot wide landscape buffer 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.

6. 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.

7. A revised site plan for phase one shall be submitted to and approved by the Department of Planning Department, prior to the time application is made for a building permit, to reflect the changes herein:

    a. An onsite trash enclosure shall be provided in conformance with Title 19.08.040(E)(4)(b) and 19.08.040(H)(4).
    b. The handicapped accessible spaces shall be provided in accordance with the dimensional requirements listed in Title 19.08.110.
    c. An onsite loading and delivery space shall be provided in accordance with Title 19.08.110(D).

8. A revised site plan for phase two shall be submitted to and approved by the Department of Planning Department, prior to the time application is made for a building permit, to reflect the changes herein:

    a. A perimeter wall, at a minimum of six feet in height, shall be provided at the southern property line adjacent to the residential property to the south, in conformance with Title 19.08.040(G)(2).

9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan covering both phase one and two:

    a. One 24-inch box tree shall be planted for every six uncovered parking spaces within a landscape island having a minimum width of five feet and minimum length equal to the adjacent parking space or a seven-foot by seven foot landscape diamond, as required by Title 19.08.110(C)(12).

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

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

Public Works

12. A Parcel Map, such as PMP-46752, shall record prior to the issuance of any building permits.

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

Staff Report Page One
March 12, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is request a Site Development Plan Review for a proposed 1,900 square-foot addition to an existing 9,471 square-foot General Retail, Other Than Listed building. The proposed addition is located at the north end of the building and will expand inline with the existing façade. The applicant has proposed two phases of development; the first phase consists of the construction of the proposed 1,900 square-foot building addition and the creation of additional surface parking in the northwest quarter of the subject site. In addition to the parking lot, the applicant has proposed eight-foot wide landscape planters to match the existing landscaping at the west property line along Martin L. King Boulevard where a 15-foot landscape buffer is required. The second phase of development consists only of additional surface parking with additional non-conforming landscape buffers proposed for the remaining north, east, and south property lines. Staff recommends denial of the proposed development, as it does not meet the Title 19.08 commercial landscaping requirements.

ISSUES

- A Parcel Map (PMP-46752) combining the two commercial lots has not been recorded.
- The proposed development has requested a waiver to the commercial landscape buffer requirement along all property lines and does not meet the intent of the West Las Vegas Plan to provide streetscape and median improvements.
- This request has been conditioned to provide revised plans showing the appropriate trash enclosure, commercial loading space, parking lot trees, and appropriate handicap space.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/19/12	The City Council approved the request for a Rezoning (ZON-45966) of 0.89 acres from the R-E (Residential Estates) zoning district to the C-1 (Limited Commercial) zoning district at the southeast corner of Martin L. King Boulevard and Madison Avenue. The Planning Commission and staff recommended approval.
09/05/12	The applicant submitted for a one-lot Parcel Map (PMP-46752) for 1.77 acres located at 1100 North Martin L. King Boulevard. The technical map review was approved on 01/30/13 and released for recordation on 02/05/13.

Most Recent Change of Ownership	
08/17/79	A deed was recorded for a change in ownership (139-28-604-003)
12/15/06	A deed was recorded for a change in ownership (139-28-604-001)

Related Building Permits/Business Licenses	
09/10/12	The applicant submitted for a building permit (#46790), but was denied pending approval of required Site Development Plan Review and recordation of the one-lot parcel map.

Pre-Application Meeting	
01/09/13	A pre-application meeting was held with the applicant and his representatives to discuss the submittal requirements for a 1,900 square-foot addition to an existing commercial building. The applicant was informed that a Major Site Development Plan Review would be required along with multiple waiver requests for landscaping requirements.

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

Field Check	
01/31/13	Staff visited the site and found a well maintained commercial property with existing eight-foot wide landscape planters along Martin L. King Boulevard. The northern and the eastern half of the property is currently undeveloped.

Details of Application Request	
Site Area	
Net Acres	1.61

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
North	General Retail, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
	Single Family, Detached		R-1 (Single Family Residential)

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
South	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
	Single Family, Detached		R-E (Residential Estates)
East	Single Family, Detached	L (Low Density Residential	R-1 (Single Family Residential)
West	Single Family, Detached	R (Rural Density Residential)	R-E (Residential Estates)

Master Plan Areas	***Compliance***
West Las Vegas Plan	N
Special Purpose and Overlay Districts	***Compliance***
A-O (Airport 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

Pursuant to 19.08.070, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Width	100 Feet	230 Feet	Y
Min. Setbacks			
• Front (Martin L. King)	10 Feet	66 Feet	Y
• Front (N Street)	10 Feet	97 Feet	Y
• Side	10 Feet	13 Feet	Y
Max. Lot Coverage	50 %	14 %	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Not Provided	N*
Mech. Equipment	Screened	Screened	Y

** A condition of approval has been added requiring revised plans showing the required trash enclosure.*

Pursuant to Title 19.08.040, the following standards apply:

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
Adjacent development matching setback	10 Feet	13 Feet	Y
Trash Enclosure	50 Feet	Not Provided	N*

** A condition of approval has been added requiring revised plans showing the required trash enclosure.*

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	10 Trees	4 Trees	N*
• South	1 Tree / 20 Linear Feet	5 Trees	2 Trees	N*
• East	1 Tree / 20 Linear Feet	9 Trees	9 Trees	Y*
• West	1 Tree / 20 Linear Feet	9 Trees	9 Trees	Y
TOTAL PERIMETER TREES		**33 Trees**	**24 Trees**	**N***
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	17 Trees	6 Trees	N*
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		0 Feet	N
• South	8 Feet		0 Feet	N
• East	15 Feet		8 Feet	N
• West	15 Feet		8 Feet	N
Wall Height	6 Feet Adjacent to Residential		Existing	Y

**These portions of the landscaping requirements are proposed on the submitted "Site Plan Phase II."*

Street Name	*Functional Classification of Streets*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Martin L King Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y
Madison Avenue	Local Road	N/A	60	Y
N Street	Local Road	N/A	60	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	
General Retail, Other Than Listed	9,471 SF	1: 175 SF					
TOTAL SPACES REQUIRED			55		59		
Regular and Handicap Spaces Required			52	3	56	3	Y
Loading Spaces	9,471 SF	1:10,000 SF	1		0		N*

** A condition of approval has been added requiring revised plans showing the required commercial loading space.*

Waivers		
Requirement	***Request***	***Staff Recommendation***
A 15-foot wide landscape buffer is required along Madison Avenue.	To allow a zero-foot wide landscape buffer along a 116-foot portion and an eight-foot wide landscape buffer along a 102-foot portion of the north property line.	Denial
An eight-foot landscape buffer is required along the south property line.	To allow a zero-foot wide landscape buffer along a 66-foot portion of the south property line.	Denial
A 15-foot wide landscape buffer is required along N Street.	To allow an eight-foot wide landscape buffer along the east.	Denial
A 15-foot wide landscape buffer is required along Martin L. King Boulevard.	To allow an eight-foot wide landscape buffer along a 52-foot portion of the west property line.	Denial

ANALYSIS

This is a request for a Site Development Plan Review for a proposed 1,900 square-foot addition to an existing 7,571 square-foot commercial building on 1.61 acres of C-1(Limited Commercial) zoned property located in the West Las Vegas Plan area. The proposed addition will provide two 950 square-foot commercial suites, oriented towards Martin L. King Boulevard, and will be architecturally treated to appear as a seamless addition to the existing commercial building.

The proposed development is in conformance with the Title 19.08.040 Residential Adjacency Standards, as the 13-foot rear setback is greater than the required 10-foot side yard setback for the adjacent protected residential property. Also, the proposed addition meets the setback, height, and lot coverage requirements for the C-1 (Limited Commercial) zoning district.

The on-site parking is more than sufficient to meet the minimum number of spaces required by Title 19.12; however, a condition requiring a revised site plan be submitted at the time of building permits providing for the correct handicap space design, a required commercial loading space, and the required amount of parking lot landscaping.

The proposed development is accompanied with a waiver of the Title 19.08.070 Landscape Buffers standards to allow a zero-foot wide landscape buffer along a 116-foot portion and an eight-foot wide landscape buffer along a 102-foot portion of the north property line, an eight-foot wide landscape buffer along the east and west property line where a minimum 15-foot wide buffer is required, and a zero-foot wide landscape buffer along a portion of the south property line where an eight-foot landscape buffer is required. The requested waiver is not necessary, as an alternative landscape design that utilizes the space dedicated to an oversupply of parking would meet the minimum requirements of Title 19.08 to provide a buffer to the neighboring residential development to the east. Also, the requested waiver to the required landscape buffer requirement demonstrates a deficient landscape design that does not "Improve the physical character and enhance the visual image of West Las Vegas through streetscape improvements", as recommended by Action Item #15 in the West Las Vegas Plan.

Staff recommends denial of the requested waiver and the proposed Site Development Plan Review, as the proposed development does not provide a site plan that is harmonious and contextually sensitive to the neighboring residential neighborhood to the east.

FINDINGS (SDR-48148)

In order to approve a Site Development Plan application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed Site Development Plan Review is not fully compatible with the adjacent development, as the applicant has provided deficient landscaping or screening to mitigate the development's impact to the single family, detached uses located to the 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 expansion aesthetically matches the existing commercial storefront; however, the proposed site improvement do not conform to the C-1 (Limited Commercial) zoning district development standards, as demonstrated by the requested waiver to the required perimeter landscape requirements.

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

Site access is currently provided solely from Martin L. King Boulevard, which is adequate for the proposed 1,900 square feet of additional retail floor space. The submitted phase plan II shows that the site will be accessed in the future from a single curb cut on Madison and two curb cuts on N Street where no such access currently exists. There will be a traffic increase with the location of the parking lot on the east side of the property, adjacent to the residential neighborhood to the east.

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

The building materials area specified to seamlessly match the existing retail storefront. The applicant proposes to match the existing eight-foot wide landscape buffer where a 15-foot wide landscape buffer is required along Martin Luther King Boulevard. The second phase plan shows an eight-foot wide landscape buffer that continues 102 feet from the west property line and follows the east property line all the way to the south. The applicant has requested a waiver to allow the eight-foot wide landscape buffer where a 15-foot wide landscape buffer is required adjacent to the rights-of-way, which staff recommends denial of.

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

The building façade for the proposed expansion is designed to seamlessly match the existing retail storefront in material finish and color. The addition features architectural treatments on all visible sides and creates an orderly and aesthetically pleasing environment. The proposed landscape plan does not provide adequate aesthetic screening to the residential neighborhood to the east or provide an improvement to the physical character of the sidewalks along Martin L. King Boulevard, Madison Avenue, or N Street.

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

The proposed 1,900 square-foot addition of retail space will not compromise the public health or general welfare, as the proposed development will be subject to building permit inspection and business licensing regulations.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

NOTICES MAILED 203

APPROVALS 0

PROTESTS 0

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-48148 APN: 139-28-604-003, 001

~~Name of Property Owner:~~ LONNIE WALSTON

Name of Applicant: LONNIE WALSTON CENTER

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: Lonnie Walston

State of Nevada
County of Clark

Print Name: LONNIE WALSTON

Subscribed and sworn before me

This 23rd day of Jan, 2013

Notary Public in and for said County and State

JACQUELINE R. JAMERSON
Notary Public – State of Nevada
Appointment Recorded in Clark County
My Appointment Expires 03-03-2015
11-4581-1

RECEIVED

JAN 23 2013

City of Las Vegas
Dept. of Planning

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: LONNIE WALSTON

Project Address (Location) 1100 MARTIN L KING BLVD

Project Name LONNIE WALSTON CENTER **Proposed Use** RETAIL CENTER

Assessor's Parcel #(s) 139-28-604-003, 001 **Ward #** 5

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

Commercial Square Footage 9,471 **Floor Area Ratio** 0.134

Gross Acres 1.61 **Lots/Units** 2 **Density** _____

Additional Information _____

PROPERTY OWNER LONNIE WALSTON **Contact** OWNER

Address 1930 FAIR AVE **Phone:** 702-792-1881 **Fax:** _____

City LAS VEGAS **State** NV **Zip** 89106

E-mail Address _____

APPLICANT SAME AS ABOVE **Contact** _____

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

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

E-mail Address _____

REPRESENTATIVE JAMES GRAY **Contact** CONTRACTOR

Address 701 SUNNY PLACE **Phone:** 702-338-1210 **Fax:** 702-648-4471

City LAS VEGAS **State** NV **Zip** 89106

E-mail Address JGENTERPRISE242@GMAIL.COM

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

Property Owner Signature* Lonnie Walston

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

Print Name LONNIE WALSTON

State of Nevada
County of Clark

Subscribed and sworn before me

This 23rd day of Jan., 20 13.

Notary Public in and for said County and State

JACQUELINE R. JAMERSON
Notary Public – State of Nevada
Appointment Recorded in Clark County
My Appointment Expires 03-03-2015
11-4581-1

FOR DEPARTMENT USE ONLY

Case #	SDR 48148
Meeting Date:	04/09/13
Total Fee:	1030.00
Date Received:*	01/23/13
Received By:	Jonathan B.

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

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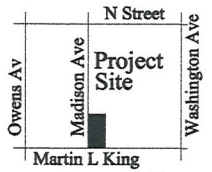
City of Las Vegas
Dept. of Planning

Revised 10/27/08



Location Map



VICINITY MAP

Site Information

ZONING
C1- Commercial District
AREA (Approximate)
Net Area: 70,296 sf 1.61 acres
BUILDING AREA
Existing Building 7,571 gsf
New Addition 1,900 gsf

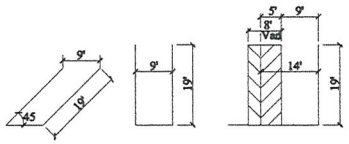
Total Building Area	9,471 gsf
FAR	0.134

Parking Analysis

EX-BUILDING 7571 SQ / 1 PER 175 SQ. (RETAIL) = 44 SPACES NEED
ADDITION 1900 SQ / 1 PER 175 SQ. (RETAIL) = 11 SPACES NEED
TOTAL REQUIRED PARKING = 55 SPACES NEED

TOTAL PROVIDED PARKING
28 EXISTING PARKING STALLS
29 PARKING STALLS
59 TOTAL PARKING STALLS

56# STD + 3# HANDICAP = 59 TOTAL PARKING STALLS

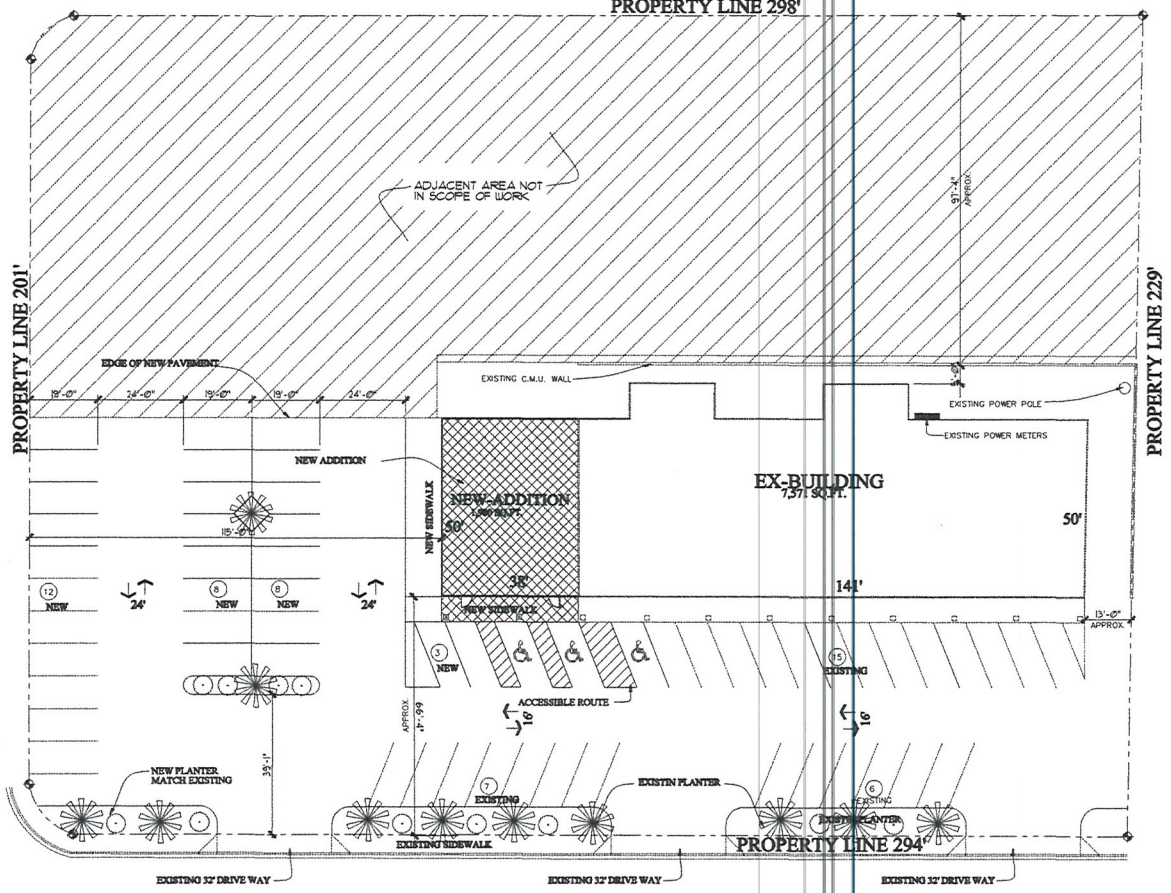


Typical Parking Spaces

Note:
This plan has been prepared without benefit of a complete survey.
No Guarantee of its accuracy is implied.

North

N STREET



MADISON AVE

= HATCH INDICATES AREA OF WORK

MARTIN L KING BLVD

SITE PLAN PHASE I

SCALE : 1/16" = 1'-0"

EX-TREE / PLANT SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
	5 (E) 3	Height Varies	Varies, See Setback Requirements	MEXICAN FAN PALM	Washingtonia robusta "Mexican Fan Palm"
	5 (E) 6	- 5 Gallon	N/A	Ornamental Ground Shrubs and Cover	
		N/A	N/A	Xeroscape / Turf	

(E) = EXISTING

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SDR-48148

SITE PLAN / LANDSCAPE PLAN

REVISIONS:

PROJECT: 1100 N. MARTIN L KING BLVD TENANT IMPROVEMENT

PROJECT ADDRESS: 1100 N. MARTIN L KING BLVD LAS VEGAS, NV

J G ENTERPRISE

SIGNATURE:

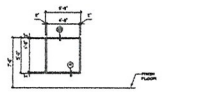
PLOT: 06.04.12 DRAWN: RLS

SHEET A1.00

WINDOW SCHEDULE

WINDOW SCHEDULE

NO.	TYPE	SIZE W x H	WINDOW FRAMING	WINDOW FINISH	PANE FRAMING	PANE FINISH	U.V.G.	S.H.G.C.	V.L.T.	TYPE RATING CLASS & GRADE	REMARKS
101	A	5'-4"x5'-0"	GLASS	TEMP.	ALUM.	CLEAR ANODIZED	.57	.39	.73	NON-RATED	FIXED WINDOW
											FIXED WINDOW



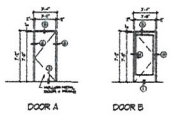
WINDOW TYPE-A

WINDOWS - GENERAL NOTES:

1. ALL GLAZING TO BE FULLY TEMPERED / REFLECTIVE GLASS UNITS AS NOTED/SHOWN ON PLANS OR ELEVATIONS, APPROVED.
2. PROVIDE SAFETY GLAZING AS REQUIRED PER 2009 IBC.
3. FINISHES: SEE # SHEET/ON DRAWING, PAINTED FINISH SEE CHARTER/LEGEND.
4. MANUFACTURER SHALL VERIFY ON-SITE DIMENSIONS PRIOR TO FABRICATION AND SHALL PROVIDE SHOP DRAWINGS FOR ARCHITECT APPROVAL PRIOR TO FABRICATION.
5. GLAZING, TYP. = SOLID PANE 1 SHEET, 3/16" T MINIMUM, FULLY SEATED IN GLAZING GASKETS OR SEALANT AS SPECIFIED, WITH NO MORE THAN 1/16" CLEARANCE BETWEEN GLASS AND FRAME, UNLESS OTHERWISE SPECIFIED. GLAZING SHALL BE INSTALLED IN ACCORDANCE WITH GLAZING MANUFACTURER'S RECOMMENDATIONS AND SHALL BE SEALED AGAINST THE ENTRANCE OF WATER AND AIR. GLAZING SHALL COMPLY WITH ALL APPLICABLE FEDERAL SPECIFICATIONS, ??? CODES, AND/OR LOCAL CODES.
6. GLASS MAY HAVE A MAXIMUM SHADE OF 0.39 AND A SHADING COEFFICIENT OF 0.44

DOOR AND FRAME SCHEDULE

OPENING MARK	WIDTH	HGHT.	THKNS.	DOOR NO.	DOOR TYPE	DOOR MATL.	DOOR FINISH	DOOR GLAZ.	DOOR RTNG.	FRAME MATL.	FRAME FINISH	HARDWARE GROUP	HARDWARE FINISH	REMARKS
101	3'-0"	7'-0"	1 3/4"	-	A	WOOD	PNTD.	-	-	STEEL	PNTD.	-	-	TIMELY FINISHES OR APPROVED EQUAL
102	3'-0"	7'-0"	1 3/4"	-	B	WOOD	PNTD.	-	-	STEEL	PNTD.	-	-	TIMELY FINISHES OR APPROVED EQUAL



DOOR A DOOR B

DOORS - GENERAL NOTES:

1. PROVIDE SAFETY GLAZING AS REQUIRED PER 2009 IBC. TYPICAL THROUGHOUT BUILDING.
2. DOORS SHALL BE SYMMETRIC HANDED FLUSHED WITH JAMB HOOD PROFILES AS INDICATED ELSEWHERE. SOLID CORE DOOR LEAF WITH FLUSH FACES WITH SMOOTH SURFACE, FREE OF TRIM, EXCEPT AS INDICATED. DOOR LEAF SHALL BE LABELED AS REQUIRED BY LOCAL CODE AUTHORITY FOR THE FIRE RATING INDICATED. DOOR LEAF SHALL BE PERMANENTLY MARKED BY AN APPROVED AGENCY BY AN APPROVED LABEL OR STAMP IN THE EXPOSED EDGE, LOCATED WITH A BEVEL NOT EXPERIENCED BY FEDERAL SPECIFICATIONS, ??? CODES, AND/OR LOCAL CODES.
3. FRAMES: 16 GAUGE (MINIMUM) HOLLOW METAL FRAMES WITH WELDED CORNERS AND MITERED HEAD AND JAMBS. PROVIDE WITH SILENCERS AT STRIKE JAMB. FRAMES TO BE PROVIDED WITH ANCHORS AS REQUIRED FOR WALL CONSTRUCTION. SEE DETAILS.
4. ALL DOOR HARDWARE SHALL BE LEVER TYPE OPERABLE WITH SINGLE HAND WITHOUT TIGHT GRASPING, PINCHING, OR TWISTING OF THE WRIST.
5. PROVIDE NO ADJUSTABLE LOCKS / LATCHES.
6. PROVIDE DOOR ABOVE DOORS WHICH REQUIRE CLOSURE SHALL REMAIN UNLOCKED DURING BUSINESS HOURS.

BUILDING CODE SUMMARY

CHAPTER ONE - CODE ADMINISTRATION
ALL WORK TO BE PERFORMED IN ACCORDANCE WITH THE FOLLOWING MODEL CODES

BUILDING	2009 INTERNATIONAL BUILDING CODE WITH SOUTHERN NEVADA AMENDMENTS
MECHANICAL	2009 UNIFORM MECHANICAL CODE WITH SOUTHERN NEVADA AMENDMENTS
PLUMBING	2009 UNIFORM PLUMBING CODE WITH SOUTHERN NEVADA AMENDMENTS
ELECTRICAL	2008 NATIONAL ELECTRICAL CODE WITH SOUTHERN NEVADA AMENDMENTS
ACCESSIBILITY	2003 ICC/ANSI A117
ENERGY	2009 INTERNATIONAL ENERGY CONSERVATION CODE
FIRE LIFE SAFETY	2009 FIRE CODE

CHAPTER FIVE - GENERAL REQUIREMENTS

ALLOWABLE AREA:	2 STORIES (40FT) & 9,000 S.F.	
PRIMARY USES		
SPACE-1	900 S.F.	BUSINESS CENTER
SPACE-2	900 S.F.	BUSINESS CENTER

CHAPTER SIX - CONSTRUCTION REQUIREMENTS

TYPE OF CONSTRUCTION: TYPE V-B (NON-SPRINKLERED)

CHAPTER TEN - MEANS OF EGRESS

OCCUPANT LOADS:

SPACE 1 (1 PER 100 SF/OCC.) - 900 S.F. =	9
SPACE 2(1 PER 100 SF/OCC.) - 900 S.F. =	9
RECEPTION (1 PER 100 SF/OCC.) - 610 S.F.=	6
STORAGE (1 PER 300 SF/OCC.) - 22 S.F. =	0
TOTAL OCCUPANTS	16

MEANS OF EGRESS:		EXIT DISTANCE
EXITS REQUIRED	2 PER TENANT SPACE	250'-0" + 25'-0" = MIN DISTANCE
EXITS PROVIDED	2 EXIT PROVIDED	25'-0" PROVIDED

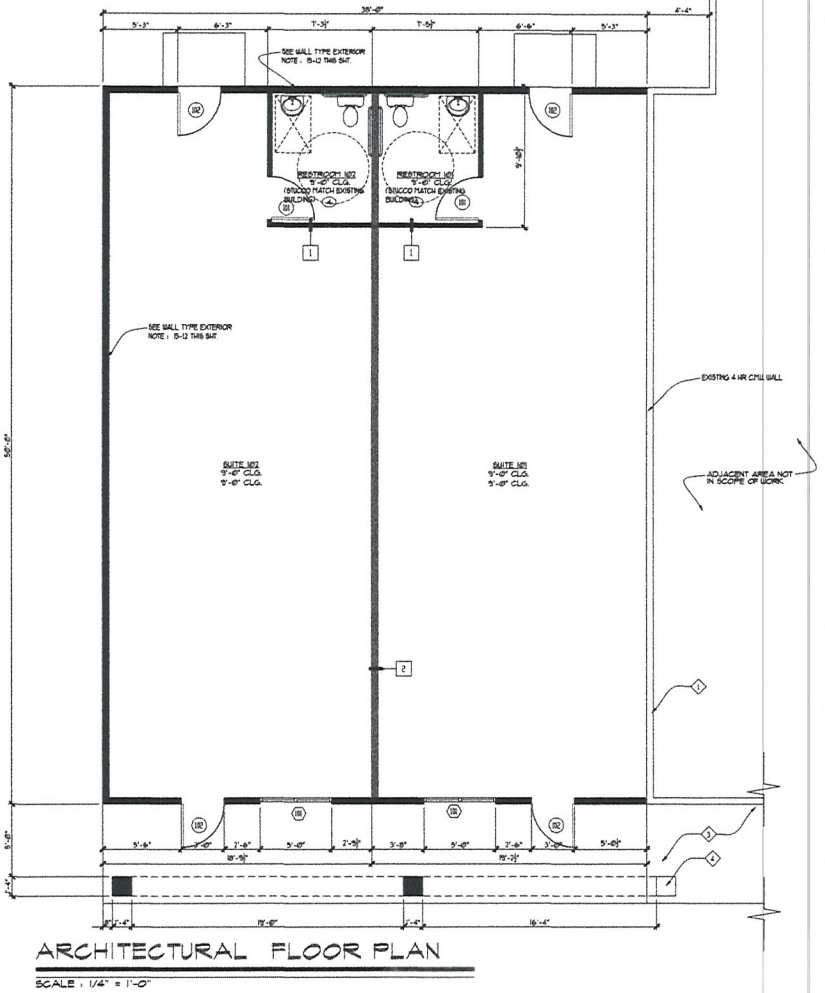
GENERAL DESCRIPTION

ASSESSOR'S PARCEL NO.:	178-18-310-002
ADDRESS:	1100 MARTIN L KING BLVD LAS VEGAS, NV 89106
LOCATION:	MARTIN L KING BLVD & WASHTION AVE
JURISDICTION:	CITY OF LAS VEGAS
EXISTING PROVIDED HEIGHT & BUILDING AREA	1 STORIES EXISTING (14'-0" HIGH) & (1420 S.F.)
DESCRIPTION:	A 1202 S.F. TENANT IMPROVEMENT WITHIN AN EXISTING 7,511 S.F. ONE STORY PROFESSIONAL BUILDING
BUILDING SETBACKS	UNCHANGED
FRONT	66'-0"
REAR	57'-0"
SIDE	13'-0"

CHAPTER THREE - OCCUPANCY REQUIREMENTS

OCCUPANCY TYPE(S)	B
REQUIRED SEPARATION	OCCUPANCY*

North



ARCHITECTURAL FLOOR PLAN

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

WALL LEGEND

SYMBOL	WALL TYPE	DETAIL
	NEW INTERIOR FULL HT. WALL 3⅝"= @OCC STUDS AT 16" O.C. w/ 5/8" GYP. BD. BOTH SIDES.	1
	NEW 2-HOUR DEMISING WALL - TO REMAIN 2X- STUDS AT 16" OC. w/ 2 LAYERS OF 5/8" TYPE 'X' GYPSUM BD. BOTH SIDES. SEE DETAIL 12 / A41	2

KEYNOTES

1. EXISTING WALL - TO REMAIN REMOVE EXISTING STUCCO EXTIOR
2. EXISTING SIDEWALK - TO REMAIN
3. EXISTINGS STUCCO SOFFIT - TO REMAIN
4. EXISTINGS COLUMN - TO REMAIN

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REVISIONS:

PROJECT: 1100 N. MARTIN L KING BLVD TENANT IMPROVEMENT

PROJECT ADDRESS: 1100 N. MARTIN L KING BLVD LAS VEGAS, NV

J G ENTERPRISE

THESE PLANS ARE PROPRIETARY AND SUBMITTED AS AN EXPRESSION TO HIRE AS SUCH. THESE PLANS ARE NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. VISUAL CONTACT WITH THESE PLANS SHALL CONSTITUTE PROOF OF ACCEPTANCE OF THESE RESTRICTIONS.

SIGNATURE:

J G ENTERPRISES
CONTACT: JAMES GRAY
PHONE NUMBER: 702.499.6468
FAX NUMBER: 702.499.6468
EMAIL: JAMES@JGENTERPRISES.BIZ

PLOT: 06.04.12
DRAWN: RLS

SHEET A2.00

BUILDING ADDITION/TENANT IMPROVEMENT PLANS

REVISIONS:	PROJECT: 1100 N. MARTIN L KING BLVD TENANT IMPROVEMENT PROJECT ADDRESS: 1100 N. MARTIN L KING BLVD LAS VEGAS,NV	J G ENTERPRISE SIGNATURE:	PLOT: 06.04.12 DRAWN: RLS	SHEET: A3.00

BUILDING ADDITION/TENANT ELEVATION

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

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

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

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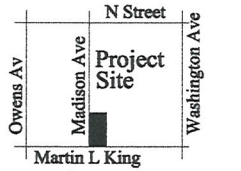


Location Map



VICINITY MAP

NOT TO SCALE

Site Information

ZONING
C1- Commercial District

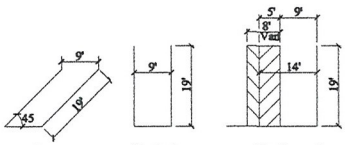
AREA (Approximate)

Net Area:	70,296 sf	1.61 acres

BUILDING AREA

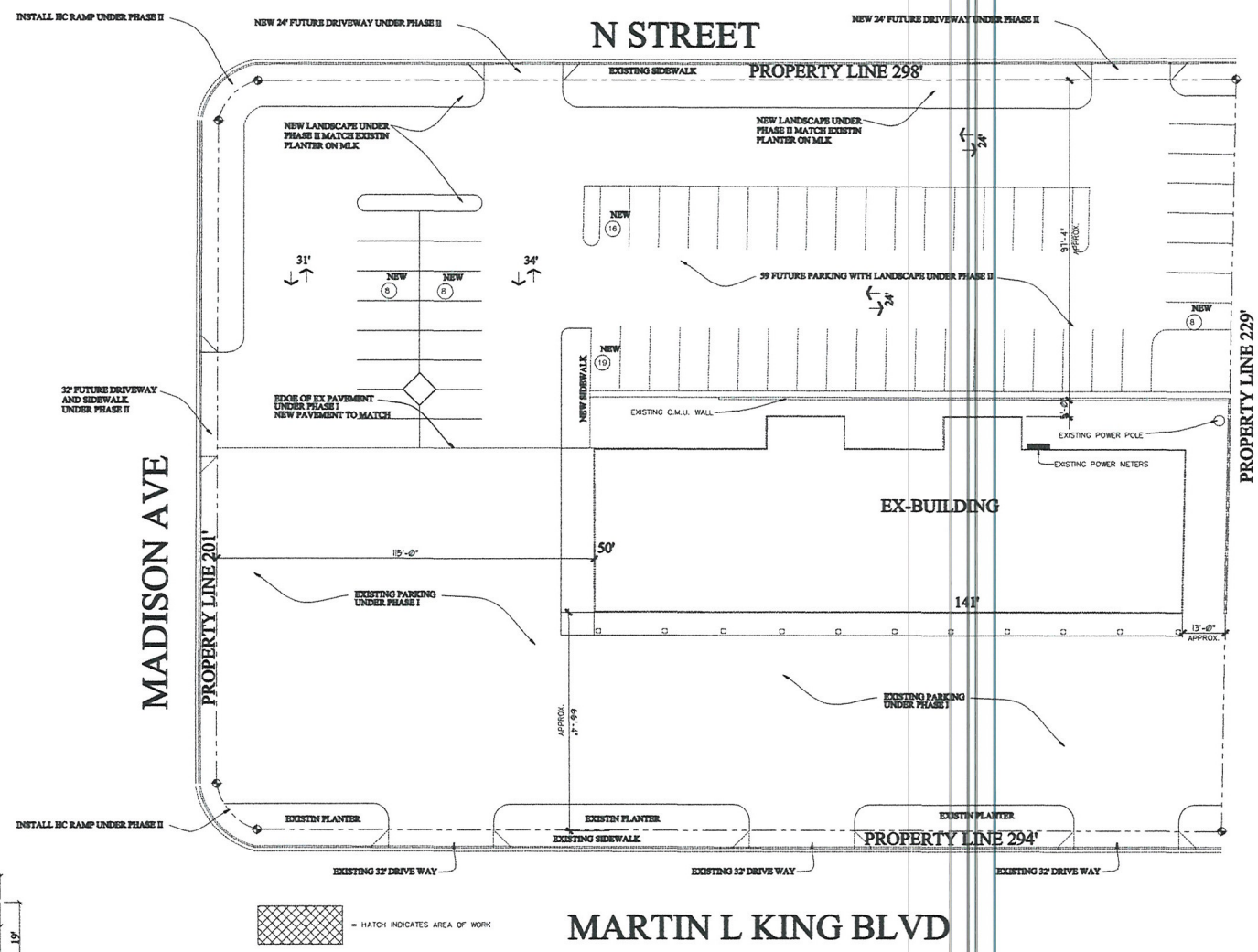
Existing Building	7,571 gsf
New Addition	1,900 gsf

Total Building Area	9,471 gsf
FAR	0.134



Typical Parking Spaces

Note:
This plan has been prepared without benefit of a complete survey.
No Guarantee of its accuracy is implied.



SITE PLAN PHASE II

SCALE : 1/16" = 1'-0"

North

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Dept. of Planning

REVISIONS:

PROJECT: 1100 N. MARTIN L KING BLVD
TENANT IMPROVEMENT

PROJECT ADDRESS: 1100 N. MARTIN L KING BLVD
LAS VEGAS,NV

J G ENTERPRISE

SIGNATURE:

PLOT: 06.04.12
DRAWN: RLS

SHEET A1.10

SITE PLAN PHASE II

MATERIAL & SAMPLES REFERENCE



COLOR SCHEME

ROOF
MONIER LIFE TILE
MADERA - CONCRETE RADOM TREATMENT

BODY 1
BELITAMIN MOORE COLOR # 1223
BRENT WOOD
PAINTED STUCCO

BODY 2
FRAZEE COLOR # 7754
SAFARI TAN
PAINTED STUCCO

ACCENT
SHERWIN WILLIAMS COLOR # SW 7004
SNOWBOUND
PAINTED SHUTTERS
LRV 83

STONE
COUNTRY LEDGE STONE
CULTURED STONE
EUCALYPTUS

LONNIE WALSTON PIAZA
1100 MARTIN L KING BLVD

SDR-48148

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Dept. of Planning



SDR-48148 – APPLICANT/OWNER: LONNIE WALSTON
1100 MARTIN L KING BOULEVARD

01/31/13



SDR-48148 – APPLICANT/OWNER: LONNIE WALSTON
1100 MARTIN L KING BOULEVARD

01/31/13



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1100 MARTIN L KING BOULEVARD

01/31/13



SDR-48148 – APPLICANT/OWNER: LONNIE WALSTON
1100 MARTIN L KING BOULEVARD

01/31/13

January 21, 2013

City of Las Vegas
333 N. Rancho Drive
Las Vegas, Nevada

Re: Justification Letter for Application

APN 139-28-604-003 – 1100 N. Martin Luther King

Phase I
We are planning on expanding the existing building to the North. The building is currently against the property line and we have rezoned the adjacent property to be compatible with this parcel. We are currently in review for a One (1) Lot Parcel Map to combine both parcels into a single parcel.

The improvements will be identical to the existing building and enable the existing business to expand into the additional (19000 Sqft) space created by the building expansion. It would also help to create additional jobs for the existing business and enable them to serve more customer's. This in turn would bring more people into the area, helping other business's in the area

Phase II
We are also intending to do future expansion on the vacant site and will incorporate some of our future plans into the site development additional parking ,New landscape that will match existing landscape on Martin L King Blvd, New Driveways, utility services and improvements.

The intended expansion is compatible with properties that are similar and fronting onto Martin Luther King. Future development is both needed and wanted in this area of Las Vegas (Ward 5). This parcel would also be considered some what of and in fill parcel, since the property to the north and south are developed.

If I can be of further assistance, please contact me at your earliest convenience.

Thank you,

Lonnie Walston
Property Owner

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Dept. of Planning

SDR-48148

City of Las Vegas Agenda Item No.: **39.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

SUBJECT:
ABEYANCE - TXT-46131 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For possible action to update the Town Center Development Standards to make various clarifications and update code references related to changes made to LVMC Title 19 with the adoption of the Unified Development Code. Staff recommends APPROVAL.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
Proposed Amendments and Staff Report

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
TXT-46131	Staff recommends APPROVAL.	n/a

** PROPOSED AMENDMENTS **

1. The first paragraph of Section A.2. of the Town Center Development Standards Manual, "Purpose of this Manual," is hereby amended as follows:

   The Town Center (T-C) District (Section ~~19.06.110~~ 19.10.060 of the ~~Zoning Ordinance~~ Unified Development Code) requires a Land Use Plan which identifies general land use designations, transportation networks, open space and community facilities for developments within Town Center. The T-C District also requires the development of standards which establish requirements for commercial intensities, residential densities, building height and setbacks, signage, landscaping, parking and open space requirements, as well as procedures for site plan review.

2. The second paragraph of Section A.3. of the Town Center Development Standards Manual, "Relationship to Other Documents," is hereby amended as follows:

   All development plans shall comply with the adopted Town Center Development Standards as well as all other applicable regulations in the city, county, state and federal jurisdictions. These Standards are not intended to override or contradict the ~~City of Las Vegas codes~~ Las Vegas Municipal Code or any other requirements. Where differences occur, the most stringent shall apply in all cases. Any items not covered in this manual shall adhere to the Unified Development Code of the City of Las Vegas.

RTS

3. Section A.4. of the Town Center Development Standards Manual, "Procedures," is hereby amended as follows:

4. PROCEDURE

The Town Center Development Standard Manual shall be on file in the office of the City Clerk and in the ~~Planning & Development~~ Department.

A. Revisions to Development Standards

The Town Center Development Standards Manual may be amended from time to time by ordinance or by resolution of the City Council per LVMC ~~19.18.120~~ 19.16.220.

B. Modification of the Land Use Map

Any request by or on behalf of the property owner, or any proposal by the City, to modify a land use district as depicted on Map 4 Town Center Land Use, shall be filed with the of ~~Planning & Development~~ Department in accordance with the procedures and standards applicable to a rezoning application as set forth in LVMC ~~19.18.040~~ 19.16.090.

C. Waiver – Distance Separation

Distances referred to in these standards shall be measured in a straight line from the property line of the use that may be adversely affected, to the property line of the use that may cause the adverse effect.

A waiver of required separation requirements ~~by the Director of the Planning & Development Department~~ may be requested by the submission of the following:

1. ~~Certified Return/Receipt by U.S. Mail notification of the ownership of all the property within 330-feet of the subject property indicating that a request for a waiver is being made to the City of Las Vegas of the Town Center Development Standards and a description of the use that requires the waiver.~~

~~2.~~ A neighborhood meeting to be held prior to the ~~request for a waiver~~ public hearing by the applicant at a place and time approved by the ~~Planning & Development~~ Department.

~~3~~2. The applicant shall provide notice to all property owners within 1000 feet, or 1500 feet if alcohol related, of the subject property, the time, place and purpose of the neighborhood meeting by U.S. Mail.

The above requirements must be met prior to submission of an application for a Waiver and a Special Use Permit to the ~~Planning & Development~~ Department.

D. Waiver – Development Standards

The standards set forth in the Town Center Development Standards Manual are minimum requirements. A waiver of any of these standards may be approved upon the request of an applicant if the applicant can show through convincing and substantial evidence that the waiver will not be contrary to the overall purpose and intent of the standards or the Town Center Land Use Plan. ~~Such a waiver may be granted by the Director in connection with the approval of a Site Development Plan Review. In cases where the Director does not approve a requested waiver, the request may be acted upon by the Planning Commission or City Council as part of a Site Development Plan Review. In the case of action by the Planning Commission or City Council, the waiver request need not be identified as a separate action item, and disposition of the request may be incorporated into the action on the Site Development Plan Review. Notice of action on the waiver request may be incorporated into the notice of decision regarding the Site Development Plan Review.~~ An applicant may request a waiver by following the procedures outlined in LVMC 19.16.130.

E. Non-Conformity Resulting from City Action

Refer to ~~Section in~~ LVMC ~~19.16~~ 19.14.090.

4. Section A.5. of the Town Center Development Standards Manual, "Land Use Hierarchy," is hereby amended by amending Subsection (F), "Employment Center Mixed Use (EC-TC)," to read as follows:

F. Employment Center Mixed Use (EC-TC):

The Employment Center Mixed Use District ~~is~~ was intended to accommodate needed non-polluting and non-nuisance services which, under normal circumstances, would not otherwise be found in a Central Business District. Given the land use constraints of the Centennial Hills Sector Plan, few opportunities for light manufacturing uses ~~exist~~ existed within the Centennial Hills sector of the City. ~~Given the propensity for visual pollution, all uses within the district are required to be completely self-contained within a structure, thus giving a business park appearance. The Employment Center Mixed Use District permits the broadest spectrum of uses within the Town Center. However, residential development opportunities are minimal.~~ As of the approval of MOD-47016, all EC-TC designated parcels have been converted to some other Special Land Use Designation. Therefore, new development under this designation is no longer anticipated and will not be available under this Manual.

~~Local supporting land uses such as parks, other public recreational facilities, some schools and churches are also allowed in this district.~~

5. The third paragraph of Section A.6. of the Town Center Development Standards Manual, "Montecito Development Agreement," is hereby amended as follows:

   With regard to any issue pertaining to land use and development that may arise in connection with the Montecito Development Agreement Development Standards, and that are not addressed or provided for specifically in these standards or a development agreement entered into pursuant to LVMC ~~19.18.090~~ 19.16.150 and NRS 278.0201 through NRS 278.0207), the applicable regulations and standards contained in the city of Las Vegas ~~Zoning~~ Unified Development Code will apply.

6. Paragraph (A) of Section B.1. of the Town Center Development Standards Manual, "Permitted Uses," is hereby amended as follows:

   A. With regard to any issue pertaining to land use and development that may arise in connection with these Development Standards and that are not addressed or provided for specifically in these standards or a development agreement entered into pursuant to LVMC ~~19.18.090~~ 19.16.150 and NRS 278.0201 through NRS 278.0207), the applicable regulations and standards contained in the city of Las Vegas ~~Zoning~~ Unified Development Code will apply.

7. Paragraph (C) of Section B.1. of the Town Center Development Standards Manual, "Permitted Uses," is hereby amended as follows:

   C. Other uses may be added by following the procedures found in LVMC ~~19.18.120~~ 19.16.220.

8. Paragraph (D) of Section B.2. of the Town Center Development Standards Manual, "Permitted Uses Matrix Legend," is hereby amended as follows:

   D. Special Use Permits (S):
   Certain uses may be permitted in the designated Land Use district only after obtaining a Special Use Permit in accordance with LVMC ~~19.18.060~~ 19.16.110 and compliance with specific conditions. These conditions are listed following the Permitted Use Matrix in Section B.4 of these standards, labeled "Special Use Permits."

9. Paragraph (E) of Section B.2. of the Town Center Development Standards Manual, "Permitted Uses Matrix Legend," is hereby amended as follows:

   E. Temporary Commercial Permits (TCP):
   An application for a Temporary Commercial Permit must be made in accordance with ~~Section 19.18.100 of Title 19~~ LVMC 19.16.160.

10. Table 1 of the Town Center Development Standards Manual, "Permitted Uses – Table 1," is hereby amended as follows:

USES	GC	SC	UC	SX	MS	~~EC~~	L	ML	MLA	M	PF
~~Amphitheater~~	~~C~~	~~S~~	~~S~~			~~S~~					
Animal Hospital, Clinic, Shelter, ~~Boarding or Kennel~~ with Outside Pens	S	S				~~S~~					
Animal Hospital, Clinic, Shelter, ~~Boarding or Kennel~~ with~~out~~ no Outside Pens	P	S	S	S		~~C~~					
~~Antique/Collectible Stores~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~					
~~Auto Body Paint & Body Repair Shop~~	~~S~~					~~C~~					
Auto Parts (Accessory Installation)	C	S		S							
Auto Repair Garage (Major)	S					~~S~~					
Auto Repair Garage (Minor)	S	C				~~S~~					
Automobile Rental	S	S				~~P~~					
Auto Title Smog Check	C	C				~~C~~					
Auto Title Loan	S	S									
Beer/Wine/Cooler Off-Sale Establishment	S	S	S	S	S	~~S~~					
Beer/Wine/Cooler On and Off-Sale Establishment	S	S	S	S	S	~~S~~					
Beer/Wine/Cooler On-Sale Establishment	S	S	S	S	S	~~S~~					
Boat & Trailer Dealership (New and Used)	S					~~C~~					
Building & Landscape Material/Lumber Yard	C	S				~~C~~					
Bus Charter Service & Service Facility						~~S~~					S
Car Wash, Full Service or Auto Detailing	P	S				~~S~~					
Caretaker/Domestic Quarters or Security Unit			C	C	C	~~C~~					
Cemetery/Mausoleum	C					~~S~~					

USES	GC	SC	UC	SX	MS	~~EC~~	L	ML	MLA	M	PF
~~Child Care - Family Home (1-6 children)~~ Individual Care - Family Home							P	P	P	P	
~~Child Care - Group Home (7-12 children)~~ Individual Care - Group Home							S	S	S	S	
~~Child Care Center~~ Individual Care Center	P	P	P	P	P	~~P~~					
Church/House of Worship	P	P	P	P	C	~~P~~	S	S	S	S	P
College, University or Seminary	P	P	P	P	P	~~P~~					P
Commercial Recreation/Amusement (Indoor)	P	P	P	P	P	~~P~~					P
Commercial Recreation/Amusement (Outdoor)	P										S
Community Recreational Facility, Public	P	P	P	P	P	~~P~~	P	P	P	P	P
Convalescent Care Facility/Nursing Home	S	S	S	S	S						S
Convenience Store~~s~~ (w/Fuel Pumps)	S	S		S		~~S~~					
Copy Center	P	P	P	P	P	~~P~~					
Country Club, Private	P	P									P
Crematory	C					~~S~~					
~~Dry Cleaners~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~					
Electric Utility Substation	P	P	S	S	S	~~S~~					S
Financial Institutions (Specified)	S	S									
Financial Institutions, General (With Drive-Through)	P	P	C								
Financial Institutions, General (Without Drive-Through)	P	P	~~C~~ P								
Gaming Establishment, Restricted License	S	S	S	S	S	~~S~~					
Garden Supply/Plant Nursery	P	C	P	P		~~P~~					
General Personal Service	P	P	P	P	P	~~P~~					
General Retail Store	P	P	P	P	P	~~P~~					
Government Facility	P	P	P	P	P	~~P~~					P
Gun Club, Skeet or Target Range Use						~~C~~					
Health Club	P	P	P	P	P	~~P~~					
Heavy Machinery & Equipment (Rental, Sales, Service)						~~S~~					
Helipad	S	S	S	S	S	~~S~~					S
High Density (25 + du/ac)-Mixed Use			P	S	S	~~S~~					
High Density (25 + du/ac)-Single Use			S	S							

USES	GC	SC	UC	SX	MS	~~EC~~	L	ML	MLA	M	PF
Home Occupation			C	C	C	~~C~~	C	C	C	C	
Hospital	P	C	P	P	P	~~P~~					P
Hotel, Motel, or Hotel Suites	S	S	S	S	S	~~S~~					
Laboratory, Medical or Dental	P	P				~~P~~					
Library, Art Gallery, or Museum (Public)	P	P	P	P	P	~~P~~					P
Light Assembly & Fabrication						~~C~~					
Liquor Establishment (Tavern)	S	S	S		S	~~S~~					
Low Density (1-5.5 du/ac)							P				
LPG Installation	S	S				~~S~~					
Massage Establishment	S	S									
Massage , Accessory	A	A	A	A							
Medium Residential (12.1 -25 DUA)			P	P	P					P	
Medium-Low Residential (5.6 - 8 DUA)				P				P	P	P	
Medium-Low Residential Attached (8.1-DUA)			P	P					P	P	
Mini-Storage Facility	C	S	S	S	S	~~S~~					
Mortuary or Funeral Chapel	P	S	C	C		~~C~~					
Motor Vehicle Sales (New)	C					~~C~~					
Motor Vehicle Sales (Used)	C					~~C~~					
Museum or Art Gallery (Private)	C	C	C	C	C	~~C~~					C
Night Club	P	S	S		S	~~S~~					
Office Medical or Dental	P	P	P	P	P	~~P~~					
Office, other than listed	P	P	P	P	P	~~P~~					P
Open Air Vending, Transient Sales Lot	S	S	S		S						
Outdoor Storage, Accessory	C	S	S	S	S	~~C~~					
Package Liquor Off-Sale Establishment	S	S	S	S	S	~~S~~					
~~Parking, Commercial~~ Parking Facility	P	P	P	P	P	~~P~~					P
Pet Boarding	C	C	C	S		~~C~~					
Pet Shop	C	C	C	C	C	~~C~~					
Post Office, Local Service	P	P	P	P	P	~~P~~					P
Private Club, Lodge or Fraternal Organization	P	P	P	P	P	~~P~~					P
Private Sports Arena, Stadium or Track	S		S			~~S~~					S
Private Street	S	S	S	S							
Public Park or Playground	P	P	P	P	P	~~P~~	P	P	P	P	P
Public, or Private School, Primary	S	S	~~C~~ S	~~C~~ S	~~C~~ S						~~C~~ S

RTS

USES	GC	SC	UC	SX	MS	~~EC~~	L	ML	ML A	M	PF
Public, or Private School, Secondary	S	S	~~C~~ S	~~C~~ S	~~C~~ S						~~C~~ S
Radio, TV, Microwave Communication Tower	S	S	S	S	S	~~S~~					S
Recreational Vehicle & Boat Storage	C	S				~~S~~					
Rental Store~~, w/Outside Storage~~	P	P	P	P	P	~~P~~					
Rescue Mission, Shelter for the Homeless	S					~~S~~					
Restaurant with Service Bar	S	S	S	S	S	~~S~~					
Restaurant (w/drive through)	S	S		S		~~S~~					
Restaurant ~~(w/out drive through)~~	P	P	P	P	P	~~P~~					
Retail Establishment with Accessory Package Liquor Off-Sale	S	S	S	S	S	~~S~~					
Retirement Residential (Mixed Use)			P	P	P						
Retirement Residential (Single Use)							P	P	P	P	
Secondhand Dealer	S	S									
Service Station	S	S				~~S~~					
Shopping Center	P	P									
Small Wind Energy System	C	C	C	C	C	~~C~~	C	C	C	C	C
Solar Panel	C	C	C	C	C	~~C~~	C	C	C	C	C
Supper Club	S	S	S	S	S	~~S~~					
Swap Meet	S	S				~~P~~					
Temporary Contractors Construction Yard	TCP	TCP	TCP	TCP	TCP	~~TCP~~	TCP	TCP	TCP	TCP	TCP
Temporary Outdoor Commercial Event	TCP	TCP	TCP	TCP	TCP	~~TCP~~					TCP
Temporary Real Estate Sales Office	C	C	C	C	C	~~C~~	C	C	C	C	C
~~Thriftshop~~ Thrift Shop						~~C~~					
Towing & Impound Yard						~~S~~					
Trade Schools	P	P	P	P	P	~~P~~					P
Transit Passenger Facility	P		P	P	P	~~P~~	P	P	P	P	P
Truck Rental	S					~~S~~					
TV Broadcasting & Other Communication Service	S	S	S	S		~~S~~					
Utility Transmission Lines	C	C	C	C	C	~~C~~	C	C	C	C	C
Warehouse Distribution Center						~~P~~					
Wedding Chapel	P	S	P	P	P	~~P~~					
Wholesale Showroom Facility	P	P	P	P	P	~~P~~					
Wireless Communication Facility	S	S	S	S	S	~~S~~	S	S	S	S	S

11. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, "Conditions," is hereby amended by deleting therefrom the entries for the following uses, together with their respective conditions as applicable:

    - Amphitheater
    - Auto Body Paint and Body Repair Shop
    - Public or Private School, Primary and Secondary

12. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, "Conditions," is hereby amended by amending condition (a) for the "Auto Parts (Accessory Installation)" entry as follows:

    a. All conditions for this use as specified under LVMC ~~19.04.040~~ Chapter 19.12 must be satisfied for ~~the issuance of a Special Use Permit for~~ conditional approval of this use. In addition, the following conditions must also be satisfied.

13. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, "Conditions," is hereby amended by amending condition (e) for the "Auto Smog Check" entry as follows:

    e. Any permanent structure shall have a Site Development Plan Review, per LVMC ~~19.18.050~~ 19.16.100.

14. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, "Conditions," is hereby amended by amending condition (a) for the "Car Wash, Full Service or Auto Detailing" entry as follows:

    a. ~~The use shall comply with all minimum conditions, standards and requirements applicable to the use "Car Wash, Full Service or Auto Detailing," as that use is permitted by means of conditional approval under LVMC 19.04.010~~. The use shall comply with all minimum conditions, standards and requirements applicable to the use "Car Wash, Full Service or Auto Detailing," as that use is permitted by means of conditional approval under LVMC Chapter 19.12.

15. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, "Conditions," is hereby amended by amending the conditions for the "Cemetery/Mausoleum" entry as follows:

    a. ~~A decorative masonry and/or wrought iron fence with a minimum height of six feet shall be constructed around the perimeter of the cemetery site. The wall along the primary street frontage shall be set back a minimum of 35 feet from the front property line. The front yard area shall not be used for interment and shall be landscaped.~~ The use shall comply with all minimum conditions, standards and requirements applicable to the use "Cemetery/Mausoleum," as that use is permitted by means of conditional approval under LVMC Chapter 19.12.

    ~~b. Cemeteries shall only be allowed on parcels abutting and having access to an 80-foot street or larger.~~

16. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, "Conditions," is hereby amended by amending the conditions for the "Church/House of Worship" entry as follows:

    a. Activities such as religious services, religious instruction, church club activities and similar activities are allowed.

    b. Functions, such as child care facilities, formal educational programs, preschool classes and similar related activities which, in the opinion of the Director ~~of Planning & Development~~, are ancillary to the primary use are also permitted; provided, however, that all proposed uses shall be specifically stated in the application.

    c. If, after the approval of the Conditional Use Permit, additional uses not specifically covered by the existing Conditional Use Permit are proposed, an additional review by the Director ~~of Planning & Development~~ shall be required to add the uses.

17. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, "Conditions," is hereby amended by amending condition (a) for the "Home Occupation" entry as follows:

    a. Requirements within LVMC ~~19.18.110~~ 19.16.180 shall apply.

18. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, "Conditions," is hereby amended by amending condition (b) for the "Outdoor Storage, Accessory" entry as follows:

    b. All outdoor storage areas shall be contained within a definable area and shall be aesthetically screened as determined by the Director ~~of Planning & Development~~.

19. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, "Conditions," is hereby amended by amending the conditions for the "Pet Shop" entry as follows:

    a. ~~All animals shall be confined within an enclosed building at all times.~~ The use shall comply with all minimum conditions, standards and requirements applicable to the use "Pet Shop," as that use is permitted by means of conditional approval under LVMC Chapter 19.12.

    ~~b. The building shall be designed to provide complete sound barriers and odor protection for the adjacent property.~~

20. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, "Conditions," is hereby amended by amending condition (a) for the "Temporary Real Estate Sales Office" entry as follows:

    a. The use shall comply with all minimum conditions, standards and requirements applicable to the use "Temporary Real Estate Sales Office," ~~as set forth in Table 2 of LVMC 19.04.010~~ as that use is permitted by means of conditional approval under LVMC Chapter 19.12.

21. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, "Conditions," is hereby amended by amending the conditions for the "Thrift Shop" entry as follows:

    a. ~~No outdoor display, sales or storage of any merchandise shall be permitted.~~ The use shall comply with all minimum conditions, standards and requirements applicable to the use "Thrift Shop," as that use is permitted by means of conditional approval under LVMC Chapter 19.12.

    ~~b. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.~~

22. Paragraph (B) of Section B.3. of the Town Center Development Standards Manual, "Conditions," is hereby amended by amending condition (a) for the "Utility Transmission Lines" entry as follows:

    a. ~~The location of routes for lines that are 15,000 volts or above must first be approved by the Planning Commission.~~ The use shall comply with all minimum conditions, standards and requirements applicable to the use "Utility Transmission Lines," as that use is permitted by means of conditional approval under LVMC Chapter 19.12.

23. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, "Minimum Requirements," is hereby amended by deleting therefrom the entries for the following uses, together with their respective minimum requirements as applicable:

    - Amphitheater
    - Auto Body Paint and Body Repair Shop

24. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, "Minimum Requirements," is hereby amended by amending minimum requirement (a) for the "Auto Parts (Accessory Installation)" entry as follows:

    a. All conditions for this use as specified under ~~Table 2 of~~ LVMC ~~19.04.010~~ Chapter 19.12 must be satisfied for the issuance of a Special Use Permit for this use. In addition, the following ~~conditions~~ minimum requirements must also be satisfied.

25. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, "Minimum Requirements," is hereby amended by amending minimum requirement (a) for the "Auto Title Loan" entry as follows:

    a. The use shall comply with all minimum conditions, standards and requirements applicable to the use "Auto Title Loan" under ~~Table 2 of~~ LVMC ~~19.04.010~~ Chapter 19.12.

26. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, "Minimum Requirements," is hereby amended by amending minimum requirement (a) for the "Automobile Rental" entry as follows:

    a. The use shall comply with all minimum conditions, standards and requirements applicable to the use "Automobile Rental" under ~~Table 2 of~~ LVMC ~~19.04.010~~ Chapter 19.12.

27. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, "Minimum Requirements," is hereby amended by amending minimum requirement (a) for the "Beer/Wine/Cooler/Off-Sale Establishment" entry as follows:

    a. The use shall comply with all minimum conditions, standards and requirements applicable to the use "Beer/Wine/Cooler/Off-Sale Establishment" under ~~Table 2 of~~ LVMC ~~19.04.010~~ Chapter 19.12.

28. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, "Minimum Requirements," is hereby amended by amending minimum requirement (a) for the "Beer/Wine/Cooler/On and Off-Sale Establishment" entry as follows:

    a. The use shall comply with all minimum conditions, standards and requirements applicable to the use "Beer/Wine/Cooler/On and Off-Sale Establishment" under ~~Table 2 of~~ LVMC ~~19.04.010~~ Chapter 19.12.

29. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, "Minimum Requirements," is hereby amended by amending minimum requirement (a) for the "Beer/Wine/Cooler/On-Sale Establishment" entry as follows:

    a. The use shall comply with all minimum conditions, standards and requirements applicable to the use "Beer/Wine/Cooler/On-Sale Establishment" under ~~Table 2 of~~ LVMC ~~19.04.010~~ Chapter 19.12.

30. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, "Minimum Requirements," is hereby amended by amending minimum requirement (a) for the "Car Wash, Full Service or Auto Detailing" entry as follows:

    a. The use shall comply with all minimum conditions, standards and requirements applicable to the use "Car Wash, Full Service or Auto Detailing," ~~as that use is permitted by means of special use permit~~ under LVMC ~~19.04.010~~ Chapter 19.12.

31. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, "Minimum Requirements," is hereby amended by amending the title and minimum requirements for the "Child Care – Group Home (7-12 Children)" use as follows:

~~Child~~ Individual Care – Group Home ~~(7-12 Children)~~

a. The minimum size lot shall be 6,500 square feet.
b. The site shall be designed so that all discharging or loading of passengers from a vehicle is accomplished on the site.
c. The use of outdoor ~~play~~ recreation shall be limited to the hours between 6:00 a.m. and 10:00 p.m.
d. Outdoor lighting shall be designed so as not to shine directly onto any abutting residential property.
e. ~~The use is subject to the childcare regulations and standards of the Department of Finance and Business Services.~~
~~f.~~ In order for this use to be conducted on a parcel developed with multi-family housing, the child care center must be provided within a separate structure.

32. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, "Minimum Requirements," is hereby amended by amending the minimum requirements for the "Church/House of Worship" entry as follows:

a. Activities such as religious services, religious instruction, church club activities and similar activities are allowed.

b. Functions, such as child care facilities, formal educational programs, preschool classes and similar related activities which, in the opinion of the Director ~~of Planning & Development~~, are ancillary to the primary use are also permitted; provided, however, that all proposed uses shall be specifically stated in the application.

c. If, after the approval of the ~~Conditional~~ Special Use Permit, additional uses not specifically covered by the existing ~~Conditional~~ Special Use Permit are proposed, an additional ~~review by the Director of Planning & Development~~ public hearing process shall be required to add the uses.

33. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, "Minimum Requirements," is hereby amended by amending minimum requirement (a) for the "Financial Institution, Specified" entry as follows:

a. The use shall comply with all minimum conditions, standards and requirements applicable to the use "Financial Institution, Specified" under ~~Table 2 of~~ LVMC ~~19.04.010~~ Chapter 19.12.

34. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, "Minimum Requirements," is hereby amended by amending the minimum requirements for the "Massage Establishment" entry as follows:

    a. ~~The use shall comply with all applicable requirements of LVMC 6.~~ The use shall comply with all minimum conditions, standards and requirements applicable to the use "Massage Establishment" under LVMC Chapter 19.12.
    ~~b. The use must be located on a secondary thoroughfare or larger.~~
    ~~c. The use may not be located within 400 feet of any church, synagogue, school, city park, child care facility or any parcel zoned for residential use.~~
    ~~d. The use may not be located within 1,000 feet of any other massage establishment.~~
    ~~e. The hours of operation shall be limited to the period between 8:00 a.m. and 9:00 p.m.~~

35. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, "Minimum Requirements," is hereby amended by amending minimum requirement (b) for the "Outdoor Storage, Accessory" entry as follows:

    b. All outdoor storage areas shall be contained within a definable area and shall be aesthetically screened as determined by the Director ~~of Planning & Development~~.

36. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, "Minimum Requirements," is hereby amended by amending minimum requirement (a) for the "Package Liquor Off-Sale Establishment" entry as follows:

    a. The use shall comply with all minimum conditions, standards and requirements applicable to the use "Package Liquor Off-Sale Establishment" under ~~Table 2 of~~ LVMC ~~19.04.010~~ Chapter 19.12.

37. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, "Minimum Requirements," is hereby amended by amending minimum requirement (a) for the "Package Liquor Off-Sale Establishment" entry as follows:

    a. The use shall comply with all minimum conditions, standards and requirements applicable to the use "Package Liquor Off-Sale Establishment" under ~~Table 2 of~~ LVMC ~~19.04.010~~ Chapter 19.12.

38. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, "Minimum Requirements," is hereby amended by amending minimum requirement (a) for the "Retail Establishment with Accessory Package Liquor Off-Sale" entry as follows:

    a. The use shall comply with all minimum conditions, standards and requirements applicable to the use "Retail Establishment with Accessory Package Liquor Off-Sale" under ~~Table 2 of~~ LVMC ~~19.04.010~~ Chapter 19.12.

39. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, "Minimum Requirements," is hereby amended by amending minimum requirement (a) for the "Wedding Chapel" entry as follows:

    a. ~~The use shall comply with all minimum conditions, standards and requirements applicable to the use "Wedding Chapel" under Table 2 of LVMC 19.04.010.~~ Reviewed and conditioned on a case-by-case basis.

40. Paragraph (B) of Section B.4. of the Town Center Development Standards Manual, "Minimum Requirements," is hereby amended by amending minimum requirement (b) for the "Wireless Communication Facility" entry as follows:

    b. Towers and mono-poles are subject to LVMC ~~19.08.060~~ 19.08.040 (H).

41. The first paragraph of Section C.1.B. of the Town Center Development Standards Manual, "Exterior Features," is hereby amended to read as follows:

    The use of visually interesting features such as awnings, signage, windows and doors are required, particularly along primary pedestrian routes. Such features are subject to review and approval by the ~~Planning & Development~~ Department. At a minimum, all proposed applications shall adhere to the following standards.

42. Paragraph (b) of Section C.1.C.1. of the Town Center Development Standards Manual, "Standards applicable for Figures 38 only," is hereby amended to read as follows:

    b. As shown in Figure 8, buildings along primary pedestrian corridors must abut the build-to-line on the side of the building facing the street. Minor variations may be approved by the Department ~~of Planning & Development~~ to allow the articulation of decorative features such as columns and pillars.

43. Paragraph (c) of Section C.1.C.2. of the Town Center Development Standards Manual, "Standards Applicable to Specific Land Use Districts," is hereby amended to read as follows:

    c. Urban Center Mixed-Use (UC-TC)
    Development within this land use designation will typically be multi-storied having ground floor offices and/or retail, with similar or residential uses utilizing the upper floors. Minimum development shall be two stories in height. Developments in excess of twelve (12) stories along the Durango corridor are possible with a Special Use Permit (SUP). Within the UC-TC District, there are no density limitations, and the provisions of LVMC Chapter 19.06 and 19.08 shall not apply.

44. Paragraph (e) of Section C.1.C.2. of the Town Center Development Standards Manual, "Standards Applicable to Specific Land Use Districts," is hereby amended to read as follows:

    e. Main Street Mixed-Use (MS-TC):
    Because of the intensive pedestrian orientation of the Main Street Mixed-Use designation, buildings in this district are required to be a maximum of two stories or 35 feet in height, whichever is less, in those areas that are across from or adjacent to Low Density Residential. ~~Uses such as automobile services, outdoor sales yards, drive-in businesses and other similar uses are prohibited from locating within this district.~~

45. Section C.2.A. of the Town Center Development Standards Manual, "Fences and Walls," is hereby amended to read as follows:

    1. ~~Screen walls,~~ Perimeter walls, fences, screen and retaining walls shall be designed and constructed in conformance with Town Center setback requirements.

    2. ~~Screen~~ Perimeter and retaining walls shall be composed of 100 percent decorative material in accordance with the standards of the city of Las Vegas and shall include 20 percent contrasting material and color. Neither contrasting texture of the same material nor light to dark variations of the same color are permitted.

    3. A combination of a 2'-10" low masonry wall with a 3'-2" wrought iron fence is the required design in ~~residential~~ commercial districts ~~when privacy is not compromised~~ (See Figure 11).

    4. Chain link fences are not permitted within the Town Center except on temporary construction sites after obtaining a Temporary Commercial Permit.

    5. Razor wire and barbed wire are not permitted within the Town Center.

6. Subdivision perimeter walls with retaining walls with a height of greater than six feet shall be designed with a minimum five foot wide landscape planter as a buffer (Figure 10).

7. When abutting I-215 or U.S. 95, the requirement for offset between the screen wall and retaining wall is not required.

8. Wall height shall be in accordance with LVMC ~~19.12.075~~ 19.08.040 (G).

46. The third paragraph of Section C.2.B. of the Town Center Development Standards Manual, "Landscaping," is hereby amended to read as follows:

All landscaped areas shall be landscaped with a combination of plant materials tolerant of the Las Vegas climate. The ~~booklet, "Desert Demonstration Gardens, Self Guided Tour and Southern Nevada Plant List" (1996) by the Las Vegas Valley Water District~~ Southern Nevada Regional Planning Coalition Regional Plant List is recommended to designers as a resource of climate tolerant plant materials.

47. Paragraph (10) of Section C.2.B. of the Town Center Development Standards Manual, "Landscaping," is hereby amended to read as follows:

10. Open air courtyards, plazas, open space, patios and gathering places, together with public amenities such as fountains, arbors, arcades, cloisters and landscaped corridors, paths or lanes, will be required of all projects. Combinations of such features will satisfy, in part, the 20 percent open space requirement in LVMC ~~19.06.110~~ 19.10.060 (E). The parking lot landscaping, landscaped areas, buffers and landscaping in setback areas, together with the above, will account for the required open space. Developments shall be designed to enhance pedestrian activity.

Plans submitted for development review shall include analysis of proposed landscaping to ascertain compliance with LVMC ~~19.06.110~~ 19.10.060 (E).

48. Paragraph (11) of Section C.2.B. of the Town Center Development Standards Manual, "Landscaping," is hereby amended to read as follows:

11. The 20 percent open space requirement in LVMC ~~19.06.110~~ 19.10.060 (E) shall be applied to the GC-TC, SC-TC, UC-TC, SX-TC, and MS-TC ~~and EC-TC~~ districts of Town Center.

49. Section E.1.B. of the Town Center Development Standards Manual, "Standards Applicable to All Town Center Streets," is hereby amended by adding thereto and new paragraph (7) to read as follows:

    7. Within the Trails Element of the Las Vegas 2020 Master Plan, Multi-Use Transportation Trail alignments are identified within the Town Center plan area on Map 8. In instances where a Multi-Use Trail alignment is adjacent to any proposed development within the Town Center plan area, the Multi-Use Trail standards contained within the Trails Element shall supersede and replace the required streetscape treatment as prescribed in Section E of this document. In conjunction with this action, no waiver of the standards of this Manual shall be required to replace the prescribed streetscapes with a multi-use trail. Conversely, a General Plan Amendment, as provided for in LVMC 19.16.030, shall be required to modify any Multi-Use Transportation Trail alignment or development standards prescribed in the Trails Element of the Las Vegas 2020 Master Plan.

50. The Town Center Development Standards Manual is hereby amended by updating all Table of Contents entries; section references; numbering of lists, figures, maps, tables, or illustration; alphabetical lists or table entries; and page numbers as necessary to facilitate the modifications made above.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to update the Town Center Development Standards to make various clarifications and update code references related to changes made to LVMC Title 19 with the adoption of the Unified Development Code.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
03/16/11	The City Council adopted Ordinance #6135 which adopted a new Title 19 - the Unified Development Code of the City of Las Vegas - by merging the Subdivision Regulations and Zoning Code. The Planning Commission and staff recommended approval of the Text Amendment (TXT-39750) which was heard at the City Council as Bill Number 2011-7.
09/05/12	The City Council adopted Ordinance #6210 which amended the Unified Development Code by revising the zoning district applicability, titles, descriptions, definitions, standards and requirements of various uses in an effort to consolidate categories and streamline standards and requirements. The Planning Commission and staff recommended approval of the Text Amendment (TXT-44511) which was heard at the City Council as Bill Number 2012-29.
01/08/13	The Planning Commission accepted the applicant's request for this item to be held in abeyance to the 02/12/13 Planning Commission meeting.
02/12/13	The Planning Commission recommended approval to a planned community modification (MOD-47016) to change the last 36.36 acres of EC-TC (Employment Center Mixed Use - Town Center) within the Town Center Land Use Plan to ML-TC (Medium-Low Density Residential - Town Center). City Council will hear this request at their March 20, 2013 meeting. Staff recommended approval.
02/12/13	The Planning Commission accepted the applicant's request for this item to be held in abeyance to the 03/12/13 Planning Commission meeting.

In addition to the full range of development standards, the Town Center Development Standards Manual establishes the list of permitted uses in the Town Center area. Many of these standards rely on the various provisions of Title 19 by providing numerous references to applicable code sections for standards that are the same as those provided by the Unified Development Code (UDC).

ANALYSIS

In late 2010, the Planning Commission recommended adoption of a Unified Development Code (UDC) for the city of Las Vegas to consolidate the city's subdivision and zoning codes into one comprehensive development code. Further the UDC was amended in 2012 to consolidate use categories and streamline standards and requirements. This proposed amend will update the Town Center Development Standards Manual to reflect the changes and corrected references to properly mirror the updated Title 19 (aka the UDC).

The proposed amendment will also eliminate standards and use listings for the EC-TC (Employment Center Mixed Use - Town Center) special land use designation since this land use category has been effectively eliminated by a series of planned community modifications over the years culminating in the most recent, MOD-47016, which removes the last 36 acres from this designations. EC-TC was intended to accommodate needed non-polluting and non-nuisance services which, under normal circumstances, would not otherwise be found in a Central Business District. Given the land use constraints of the Centennial Hills Sector Plan, few opportunities for light manufacturing uses existed within the Centennial Hills sector of the City.

FINDINGS

The proposed text amendment will accomplish the following:

- Make various corrections and clarification as a result of the adoption of the Unified Development Code and subsequent Title 19 amendments.
- Eliminate standards for the EC-TC (Employment Center Mixed Use - Town Center) special land use designation as the recent Planning Commission recommendation on MOD-47016 effectively eliminates the designation.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas Agenda Item No.: **40.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

SUBJECT:
DIR-48086 - DIRECTOR'S BUSINESS - PUBLIC HEARING - THE BOARD OF REGENTS OF THE NEVADA SYSTEM OF HIGHER EDUCATION - For possible action on a request for a Development Agreement for the College of Southern Nevada on approximately 42.02 acres at the northwest corner of Elkhorn Road and Grand Montecito Parkway (APNs 125-17-401-006 and 125-17-801-004), Ward 6 (Ross). Staff recommends APPROVAL.

C.C.: 04/17/2013

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
Staff Report

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: THE BOARD OF REGENTS OF THE NEVADA SYSTEM OF HIGHER EDUCATION

** STAFF REPORT **

PROJECT DESCRIPTION

The request is for possible action regarding the reestablishment of the Development Agreement between the College of Southern Nevada (CSN) and city of Las Vegas on approximately 42.02 acres at the northwest corner of Elkhorn Road and Grand Montecito Parkway.

ISSUES

There have been no significant changes to the site development standards, density, or permitted use table. The following list highlights the primary changes between the original and proposed development agreements.

- Section 2.07 - Identifies potential courses of action given the outcome of the proposed federal legislation.
- Section 3.02 – Requires the construction of at least one building within five years from the effective date.
- Section 5.01 – Removes the requirement for CSN to provide land to the US Postal Service for a post office.
- Section 7.02 – Modify Grand Montecito Parkway construction responsibilities. Since the majority of the Parkway adjacent to the site has been constructed in conjunction with the existing Regional Transportation Commission (RTC) park and ride facility, the college will now be required to construct amenity zones for portions of Grand Montecito Parkway within 60 days of obtaining the property from the BLM.
- Section 7.06 – Encourage shared parking with the existing RTC park and ride facility.
- Section 12.01 – Add language to account for failure of legislation to become law or failure to commence construction by the college within five years.
- Section 13.01 – Allows for a 30-year agreement term, with the possibility of a 15 year extension.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
02/20/08	The City Council approved a Director's Report (DIR-26231) for a Development Agreement between the city of Las Vegas and the College of Southern Nevada.
09/02/09	The City Council approved a Director's Report (DIR-35636) for a six-month extension to the Development Agreement between the city of Las Vegas and the College of Southern Nevada.
02/03/10	The City Council approved a Director's Report (DIR-37018) for a second six-month extension to the Development Agreement between the city of Las Vegas and the College of Southern Nevada.
02/03/10	The City Council approved Director's Report (DIR-37158) for an amendment to the Development Agreement between the College of Southern Nevada and the city of Las Vegas to allow for additional extensions of time.
03/03/10	The City Council approved the first 24-month development review report (DIR-37342) between the College of Southern Nevada and the City of Las Vegas.

On February 20, 2008, the College of Southern Nevada (CSN) and the city of Las Vegas entered into a development agreement to build an academic urban village in the northwest area of town. Section 2.07 of the original development agreement established an 18-month deadline from the February 20, 2008 effective date of the agreement for the College to obtain a federal land patent for the subject site, with the opportunity for a one-time six-month extension. When the patent was not obtained within the initial 18 months, a six-month extension was granted by the City Council on September 2, 2009.

When it became apparent that land patent would not be obtained within the six-month period granted by the extension, an amendment to the original development agreement was approved on February 3, 2010 to allow for an unlimited number of six-month extensions provided that each was approved by the City Council. A six-month extension was approved concurrently with the amended development agreement and a new expiration date of August 3, 2010 was established.

On March 3, 2010, a 24-month development report was reviewed and approved by the City Council as required by Section 11.01 of the development agreement. Upon submittal of the second report in early 2012, it was discovered that the College had not yet obtained the required land patent and there had been no subsequent six-month extensions of time requested since August of 2010. Since the land patents had not been obtained and there were no additional extensions of time requests submitted, the College was deemed to be in noncompliance with the terms of the agreement per the provisions outlined in Section 2.07 and therefore the agreement was expired.

Section 2.07 further states that the only obligation or liability between the City and College in event that the patent was not obtained within the prescribed timeframe was that both parties attempt to negotiate a new agreement to accomplish the goals established by the expired document, which is the purpose of this request.

ANALYSIS

This request is an effort between the City and College to negotiate a new agreement in order to accomplish the goals and objectives that were established by the original development agreement. The intent of the document is the development of a mixed-use college campus, which will include complimentary commercial and residential facilities in addition to typical academic functions. The commercial functions are intended to provide on-site training opportunities for students as well as the necessary services for student life. The inclusion of residential units will make it possible for students, faculty and employees to live onsite and reduce vehicle trips to and from the campus. While there will be commercial and residential uses included on the campus, CSN will retain ownership of the land, and the bulk of the square footage will be dedicated to academic uses.

Development Agreement Statutory Requirements

The Nevada Revised Statues (NRS) govern the content of Development Agreements. NRS §278.0201 establishes the minimum requirements for Development Agreements, which are as follows:

- Description of the land that is the subject of the agreement;
- Duration of the agreement;
- Permitted uses of the land;
- Density or intensity of use;
- Maximum height and size of proposed buildings; and
- Any provisions for the dedication of any portion of the land for public use.

The following analysis demonstrates the proposed development agreement's compliance with the minimum standards as required by NRS.

Description of the Land

The legal description of the land being utilized by CSN for the proposed campus is defined in Exhibit B of the development agreement.

Duration of the Agreement

Per Section 13.01, the agreement expires five years from the document's effective date, unless extended or terminated earlier pursuant to the terms of the agreement. If at least one building has commenced construction within five years, the agreement is automatically extended for a total term of 30 years from the effective date.

Permitted Uses of Land

The list of permitted uses is attached as Exhibit C and includes a mix of residential, commercial and civic uses.

Density/Intensity of Use

Section Three of the Development Agreement lists the maximum residential density, maximum commercial square footage and maximum educational square footage allowed for the site. The maximum number of residential units is 500, the maximum amount of commercial square footage is 475,000 square feet, and there is no limit for educational uses.

Maximum Height and Size of Proposed Buildings

Figures 9, 10 and Map 2 (Northwest Campus Site Plan) identify the maximum building heights for the subject site. Depending on the location of the structure, the maximum permissible height is between seven and 12 stories. The site plan depicted on Map 2, however, indicates that all proposed buildings will be between one and four stories in height. All residential adjacency 3 to 1 proximity slopes are required to be maintained from the residential dwellings adjacent to the west property line.

Any Provisions for the Dedication of any Portion of the Land for Public Use

Section Five addresses land for public use. There is no requirement in this agreement for the College to provide any land for public use.

College of Southern Nevada Northwest Campus Design Standards Manual

The College Of Southern Nevada Northwest Campus Design Standards document, which is included as Exhibit D, outlines the minimum development standards for the subject site. These standards, in conjunction with Section Three of the development agreement, will serve to guide the development of the campus. The development standards for the site are based on the Town Center Design Standards Manual, so that the campus will fit seamlessly into the Town Center area. The site will be built in phases with the goal of creating a sustainable, low energy and low water use development with a distinct campus feel.

The site plans for the campus, shown on Maps 1 and 2, depict multi-story buildings along both sides of Durango Drive and along the north side of Elkhorn Road. The Agreement states the College is required to commence construction of the first building within five years of the effective date, however the details of the type or use of the first building is not identified and the specifics are to be negotiated in the future. If the construction of the first building is started within five years of the effective date, the agreement is automatically extended for a total of 30 years and the remainder of the campus will be built at the discretion of CSN.

Figures 9, 10 and the Map 2 "Northwest Campus Site Plan" identify the maximum building heights for the subject site. Depending on the location of the structure, the maximum permissible height is between seven and 12 stories. The site plan depicted on Map 2, however, indicates that all proposed buildings will be between one and four stories in height. All residential adjacency 3 to 1 proximity slopes are required to be maintained from the residential dwellings adjacent to the west property line. Architectural standards such as building façade, exterior features, exterior building materials and exterior colors generally replicate the existing requirements for the Town Center plan area.

Street standards for the subject site will match the dimensions and landscape standards specified in the Town Center manual. Access to the academic and commercial buildings will be served by an interior campus road network. Plaza areas provide open and gathering space for users of the site and are linked together by a campus wide pedestrian network.

Parking will be provided by a pair of surface lots located adjacent to the east side of Grand Montecito Parkway and a planned parking structure adjacent to the west boundary of the campus. Parking ratios have been included in the design standards to account for the reduced parking requirements of mixed-use developments. There is currently an existing Regional Transportation Commission (RTC) park-and-ride facility located adjacent to the proposed campus. It is encouraged that CSN enter into a shared parking agreement with the RTC to maximize parking opportunities. The mass transit option for students and employees of the campus will assist in further reducing the campus's parking demand.

The landscaping of the campus is required to be comprised of drought tolerant plants and trees. Approved ground covers include Purple Verbena, Green Dalia, Trailing Yellow Lantana, and Dwarf Coyote Bush. Approved shrubs include the Texas Sage, Sage, Deer Grass, and Cassia. Four specific 36-inch box trees, the Rio Grande Ash, Mexican Fan Palm, Chitalpa and Purple Robe Locust, are to be used in combination throughout the campus.

Signage standards for the campus are similar to exiting Town Center standards and prohibit signage that is not allowed per Title 19.06 and the Town Center Development Standards Manual.

Revisions to Proposed Development Agreement

The proposed agreement introduces new language that better reflects the conditions present in 2013 that affect the subject site. The bulleted list provides an overview of the major changes to the document. The subsequent table describes each change line by line and the proposed language for that section.

- Recital changes
- Section 2.07 - Identifies potential courses of action given the outcome of the proposed federal legislation.
- Section 3.02 – Requires the construction of at least one building within five years from the effective date.
- Section 5.01 – Removes the requirement for CSN to provide land to the US Postal Service for a post office.
- Section 7.02 – Modify Grand Montecito Parkway construction responsibilities. Since the majority of the Parkway adjacent to the site has been constructed in conjunction with the existing Regional Transportation Commission (RTC) park and ride facility, the college will now be required to construct amenity zones for portions of Grand Montecito Parkway within 60 days of obtaining the property from the BLM.
- Section 7.06 – Encourage shared parking with the existing RTC park and ride facility.
- Section 12.01 – Add language to account for failure of legislation to become law or failure to commence construction
- Section 13.01 – Allows for a 30-year agreement term, with the possibility of a 15 year extension.

Section	Previous/Proposed Language
Recital A Previous	The City and the College entered into a Memorandum of Understanding ("MOU") on April 5, 2006 so that the College could acquire the City's interest in and develop certain real property described in Exhibit "A" attached hereto and incorporated herein (hereinafter the "Property") as the College's Northwest Campus. The MOU expired on October 5, 2007; and
Recital A Proposed	On February 20, 2008, the City Council approved a development agreement between the City and NSHE concerning the Property located within the boundaries of the City, which is currently leased to the City by the Bureau of Land Management through Lease number N-61839 under the Recreation And Public Purposes Act;

Section	Previous/Proposed Language
Recital B Previous	The Parties have been working together pursuant to the MOU and are in the final stages of reaching full accord on the terms of the acquisition and development of the Property; and
Recital B Proposed	The purpose of such agreement was to memorialize an agreement between the City and NSHE regarding the ultimate development of such land as the College of Southern Nevada Northwest Campus, requiring the College to design and construct the campus in accordance with mutually agreed-upon design standards and to permit and prohibit certain uses upon the property in accordance with such agreement;
Recital C Previous	The Parties entered into an Exclusive Negotiating Agreement ("ENA") on October 3, 2007 in order to continue such negotiations beyond the expiration of the MOU, and to enter into a formal development agreement pursuant to NRS 278.0201, which will encompass the Parties' final understanding of the development of the Property; and
Recital C Proposed	Such agreement required the College to obtain a land patent for the Property from the Federal Government by August 19, 2009, or the agreement would expire;
Recital D Previous	The Property is located within the boundaries of the City and is leased to the City by the Bureau of Land Management (BLM) in Lease number N-61839 ("Lease") under the Recreation And Public Purposes Act ("R&PP Act"); and
Recital D Proposed	On February 3, 2010, the City approved an amendment to such agreement that permitted NSHE another 18 months, until August 2, 2011 to secure a land patent from the BLM for the Property, or that agreement was null and void, unless an extension of a 18 month period was granted prior to the August 2, 2011 expiration;
Recital E Previous	The College also submitted a request to lease the Property from the BLM under the R& PP Act; and
Recital E Proposed	No extension of time was granted by the City prior to August 2, 2011, and as such, that agreement expired by its terms;
Recital F Previous	The City entered into a Cooperative Agreement with the Regional Transportation Commission of Southern Nevada ("RTC") on October 3, 2007 to allow the RTC to utilize approximately fifteen (15) acres of the Property for a Park 'n Ride facility and other related uses. A description of the RTC area is attached hereto as Exhibit "B"; and

Section	Previous/Proposed Language
Recital F Proposed	Congressman Mark Amodei introduced a bill to the United States House of Representatives known as the Las Vegas Public Land and Tule Springs Fossil Beds and National Monument Act of 2012, which in Section 9 delineates a transfer of the Property on behalf of the College for the express purpose of construction the Northwest Campus by the College ("Federal Legislation"). The Federal Legislation, as introduced, indicates at Section 9(b)(1)(A(i)(II), that: "as a precondition of the conveyance, the Board of Regents shall, by mutual assent, enter into a binding development agreement with the City of Las Vegas that: (aa) provides for the orderly development of the Federal land to be conveyed under this subclause; and (bb) complies with State law;"
Recital G Previous	The United States Postal Service ("USPS") is exploring the need for approximately 5 acres of the Site for a postal facility in the Northwest area and the Parties desire to facilitate such need and incorporate a postal facility in the development of the Site; and
Recital G Proposed	This Agreement is intended by the Parties to comply with such requirement. If the Federal Legislation does not become law, then the Parties intend for this Agreement to be terminable by the City;
Recital H Previous	The College intends to coordinate with the RTC and USPS as adjacent neighbors to maximize the benefits and efficiencies under this Agreement and the Cooperative Agreement; and
Recital H Proposed	Upon passage of the Federal Legislation, The City intends, pursuant to the terms of this Agreement, to relinquish Lease number N-61839 in favor of NSHE, once the Transferred Property is conveyed to NSHE;
Recital I Previous	The City intends, pursuant to the terms of this Agreement, to relinquish Lease number N -61839 in favor of the College receiving the patent from the United States on the Property less: 1) the acreage governed by the aforementioned Cooperative Agreement with the RTC, and 2) the area needed for the postal facility if the City grants that use prior to the grant of the federal land patent to the College; and
Recital I Proposed	The City derives its authority, pursuant to NRS 278.0201 through 278.0207 and 19.16.150 of the Las Vegas Municipal Code, to enter into development agreements with entities having a legal or equitable interest in real property to establish long-range plans for the development of such property;
Recital J Previous	With the exclusion of the RTC area, the Property will hereinafter be referred to as the "Site" for development by the College as the Northwest Campus and possibly the postal facility area. A description of the Site is attached hereto as Exhibit "C"; and

Section	Previous/Proposed Language
Recital J Proposed	The Board of Regents of NSHE is a Nevada constitutional body and has authority to enter into this Agreement to provide for the higher educational needs of the citizens of the State of Nevada;
Recital K Previous	The City of Las Vegas zoned the Property T -C Town Center District under section 19.06.l10 of Title 19 of the Las Vegas Municipal Code; and
Recital K Proposed	The City desires to enter into this Agreement in conformance with the requirements of NRS 278.0201 through NRS 278.0207 and LVMC 19.16.150 and as otherwise permitted by law and this Agreement, to provide for public services, public uses and urban infrastructure, to further the goals and values of the City's Centennial Hills Sector Plan and the Las Vegas 2020 Master Plan, to promote the health, safety and general welfare of the City and its inhabitants, to minimize uncertainty in planning for and securing the orderly development of the College's Northwest Campus, to insure attainment of the maximum efficient utilization of resources within the City at the least economic cost to its citizens and otherwise achieve the goals and purposes for which the State statute and City ordinance authorizing development agreements were enacted. As a result of the development of the Property as proposed by College, the City will receive needed educational facilities and opportunities, jobs, sales and other tax revenues, and substantial improvements to the public infrastructure. The City will additionally receive a greater degree of certainty with respect to the phasing, timing and orderly development of the City infrastructure by agreeing to the use and development of the Site by College;
Recital L Previous	The City has authority, pursuant to NRS 278.0201 through 278.0207 and 19.18.090 of the Las Vegas Municipal Code, to enter into development agreements with entities having a legal or equitable interest in real property to establish long-range plans for the development of such property; and
Recital L Proposed	In exchange for these and other benefits to the City, and in accordance with the legislative intent evidenced by the State statutes authorizing development agreements and the intent of the City in adopting an ordinance allowing development agreements, College will receive reasonable assurances that it may develop the Northwest Campus in accordance with this Agreement. Because of the nature of the Northwest Campus and the many constituents that it will serve while also balancing its development with the other needs of NSHE and College, the development of the Northwest Campus will take a long period of time to fully complete. The College's decision to commence development of the Northwest Campus is based on expectations of proceeding with the Northwest Campus to completion;
Recital M Previous	The Board of Regents of NSHE is a Nevada constitutional body and has authority to enter into this Agreement to provide for the higher educational needs of the citizens of the State of Nevada; and

Section	Previous/Proposed Language
Recital M Proposed	In the absence of this Agreement, the College believes it would have no assurance that it could complete the Northwest Campus and would therefore be exposed to significant economic risk. For any number of currently foreseeable and unforeseeable reasons, including, without limitation, regional traffic and related impacts (for example, impacts on air quality) resulting from development outside the jurisdiction of the City and issues relating to water use and availability, pressures on the City could be created to (i) halt the Northwest Campus at a point short of total build out, (ii) reduce the scope of the Northwest Campus, (iii) defer or delay completion of the Northwest Campus, or (iv) apply new rules or requirements in such a manner as to significantly increase the cost of the Northwest Campus or to otherwise burden its development. The burden of interest carrying costs, the difficulty of obtaining financing or funding, the risk of losing existing financing commitments and the potential loss of anticipated revenues associated with these development risks and uncertainties would, in the absence of this Agreement, deter and discourage the College from making a long-term commitment to the development of the Northwest Campus. In addition, the cost of certain improvements to be constructed by the College will be substantial and may not match the timing of the revenue or appropriations associated with the Northwest Campus which is a necessary element of the overall provision of educational opportunities. Accordingly, the College cannot prudently commence the development of the Northwest Campus without reasonable assurance from the City that it will be able to complete the Northwest Campus
Recital N Previous	The City desires to enter into this Agreement in conformance with the requirements of NRS 278.0201 through NRS 278.0207 and LVMC 19 and 18.090 and as otherwise permitted by law and this Agreement, to provide for public services, public uses and urban infrastructure, to further the goals and values of the City's Centennial Hills Sector Plan and the Las Vegas 2020 Master Plan, to promote the health, safety and general welfare of the City and its inhabitants, to minimize uncertainty in planning for and securing the orderly development of the College's Northwest Campus, to insure attainment of the maximum efficient utilization of resources within the City at the least economic cost to its citizens and otherwise achieve the goals and purposes for which the State statute and City ordinance authorizing development agreements were enacted. As a result of the development of the Property as proposed by the College subject to the Cooperative Agreement between City and RTC, the City will receive needed educational facilities and opportunities, jobs, sales and other tax revenues, and substantial improvements to the public infrastructure. The City will additionally receive a greater degree of certainty with respect to the phasing, timing and orderly development of the City infrastructure by agreeing to the use and development of the Site by the College; and

Section	Previous/Proposed Language
Recital N Proposed	The Parties are aware of the provisions of NRS 341, which governs the State Public Works Board, and the Parties understand that the State Public Works Board has final authority to approve and inspect all development of state-owned buildings within Nevada, such as the Northwest Campus. The Parties agree that this Agreement is not meant under any circumstance to circumvent the authority of the State Public Works Board, but that this Agreement is in the best interest of the residents living near the Transferred Property, and is meant to complement the actions of the State Public Works Board by permitting NSHE to work cooperatively with the City and its residents by presenting its development plans to the Las Vegas City Council prior to submission to the State Public Works Board, and to design and construct its Northwest Campus in accordance with the land uses and development standards approved herein.
Recital O Previous	In exchange for these and other benefits to the City, and in accordance with the legislative intent evidenced by the State statutes authorizing development agreements and the intent of the City in adopting an ordinance allowing development agreements, the College will receive reasonable assurances that it may develop the Northwest Campus in accordance with this Agreement. Because of the nature of the Northwest Campus and the many constituents that it will serve while also balancing its development with the other needs of NSHE and the College, the development of the Northwest Campus will take a long period of time to fully complete. The College's decision to commence development of the Northwest Campus is based on expectations of proceeding with the Northwest Campus to completion; and
Recital O Proposed	NSHE has given notice as required by the relevant law, and brought this Agreement for approval at a public meeting of the Board of Regents. The Board of Regents found this Agreement to be in the public interest and lawful in all respects, and approved the execution of this Agreement by the Chancellor of NSHE and the President of the College.

Section	Previous/Proposed Language
Recital P Previous	In the absence of this Agreement, because NSHE does not own the Property and the Property is currently leased to the City; the College believes it would have no assurance that it could complete the Northwest Campus and would therefore be exposed to significant economic risk. For any number of currently foreseeable and unforeseeable reasons, including, without limitation, regional traffic and related impacts (for example, impacts on air quality) resulting from development outside the jurisdiction of the City and issues relating to water use and availability, pressures on the City could be created to (i) halt the Northwest Campus at a point short of total build out, (ii) reduce the scope of the Northwest Campus, (iii) defer or delay completion of the Northwest Campus, or (iv) apply new rules or requirements in such a manner as to significantly increase the cost of the Northwest Campus or to otherwise burden its development. The burden of interest carrying costs, the difficulty of obtaining financing or funding, the risk of losing existing financing commitments and the potential loss of anticipated revenues associated with these development risks and uncertainties would, in the absence of this Agreement, deter and discourage the College from making a long-term commitment to the development of the Northwest Campus. In addition, the cost of certain improvements to be constructed by the College will be substantial and may not match the timing of the revenue or appropriations associated with the Northwest Campus which is a necessary element of the overall provision of educational opportunities. Accordingly, the College cannot prudently commence the development of the Northwest Campus without reasonable assurance from the City that it will be able to complete the Northwest Campus; and
Recital P Proposed	N/A
Recital Q Previous	NSHE has given notice as required by the relevant law, and brought this Agreement for approval at a public meeting of the Board of Regents. The Board of Regents found this Agreement to be in the public interest and lawful in all respects, and approved the execution of this Agreement by the Chancellor of NSHE and the President of the College.
Recital Q Proposed	N/A

Section	Previous/Proposed Language
2.07 Previous	Relinquishment of R&PP Act Lease. The College is pursuing legislation in Congress that would grant a federal land patent for the Site to the College, subject to the requirements of this Agreement. In order that the College is able to finance the development of its Northwest Campus in the manner currently envisioned and on a time table which would justify the City to relinquish its Lease on the entire Site, the patent cannot be restricted so as to prevent private entities from leasing portions of the Site or leasing space within buildings for profitable ventures. The Parties agree that this Agreement shall be effective for its Term notwithstanding the grant of the federal land patent for the Site to the College. The College will notify the City in the event the College determines that it is unlikely to obtain the land patent. College shall have 18 months from the Effective Date of this Agreement to secure such patent, or this Agreement shall be null and void and the parties shall have no further liability or obligation to each other, except for the obligation to attempt to negotiate a new development agreement as set forth below. Such 18-month period may be extended for additional Period of 6 months upon the written approval of the City Council and College. The College may not commence work on the Site until it obtains such a land patent and is in compliance with the terms of this Agreement. The City will when and where requested indicate its willingness to relinquish its R&PP lease as to the Site, subject to the terms of this Agreement, as a final condition to the grant of patent to the College so long as the patent will allow the development of the Northwest Campus as envisioned by this Agreement. Thereafter, the City will file when appropriate a relinquishment of its R&PP lease with the BLM for the Site in order for the College to receive the land patent. In the event the College is unable to secure a patent of the Site that is unrestricted as referenced above: 1) the parties shall attempt to enter into a new development agreement to accomplish the goals of the parties set forth herein, and 2) the City shall not be under any obligation to relinquish its Lease of the Site unless and until a mutually acceptable agreement is executed.

Section	Previous/Proposed Language
2.07 Proposed	Disposition of the Property. The College is pursuing the Federal Legislation in Congress that would act to convey the Property to the College, upon the execution of a binding development agreement between the Parties. The Parties acknowledge that the Federal Legislation may become law, and it may fail. The following options are available to the Parties regarding disposition of the Property: (a) Federal Legislation Becomes Law. If the Section 9 of the Federal Legislation becomes law, the City shall, when appropriate, process a relinquishment of its R&PP lease N-61839 with the BLM for the Property in order for the College to hold the land conveyance free of the encumbrance of such lease. (b) Federal Legislation does not become law within a time certain. If the Federal Legislation does not become law within two years from the Effective Date of this Agreement, the City may terminate this Agreement in its entirety pursuant to the provisions of paragraph (insert paragraph # here), herein. (c) Federal Legislation Fails. If the Federal Legislation does not survive the legislative process, the City may terminate this Agreement in its entirety upon failure of the Federal Legislation pursuant to the provisions of paragraph (insert paragraph # here), herein. (d) Disposition of Property without Federal Legislation. If the Federal Legislation either does not become law within a time certain or the Federal Legislation fails, and the City does not act to terminate this Agreement, the City Council, in its sole discretion, may direct City staff to process a relinquishment of its R&PP lease N-61839 with the BLM for the Property in order for the College to obtain a some other property interest in the Property pursuant to existing laws. If such an event occurs, NSHE understands and acknowledges that the Property will continue to be encumbered by this Agreement and the entirety of NSHE's and the College's obligations remain effective.
3.02 Previous	Time for Construction and Completion of the Site. The Parties acknowledge and agree that it is in their respective best interests that development of the Site be accomplished to best support the College's objectives and purpose, but on a reasonable time table within the abilities of the College that justifies the City's relinquishment of the Site. In light of this mutual objective, and subject to the terms of the Applicable Rules, the College shall have the discretion as to the time of commencement, construction and completion of the Site, with the exception of the construction of Grand Montecito Parkway.

Section	Previous/Proposed Language
3.02 Proposed	Time for Construction and Completion of the Site. The Parties acknowledge and agree that it is in their respective best interests that development of the Site be accomplished to best support the College's objectives and purpose, but on a reasonable time table within the abilities of the College that justifies the City's relinquishment of the Site. In light of this mutual objective, and subject to the terms of the Applicable Rules, the College shall commence construction upon at least one building (details re: size and use to be negotiated) within five years of the Effective Date, or the City may terminate/cancel this Agreement pursuant to paragraph 13.02. The City understands that build-out of the entire Northwest Campus will take many years and an amount of financing that may not be available at commercially reasonable rates, so completion of the Northwest Campus shall be at the discretion of the College.
Section 5.01 Previous	Post Office. The College acknowledges that the City committed a portion of the Site to the USPS to be used as a post office. The USPS has requested five (5) acres of land within the Site. Although the final location of the post office has not been determined, the College will provide such land to the USPS in a current "as is" condition and in a location that is mutually agreeable to the City, the College and the USPS. If USPS needs to acquire such location prior to College obtaining the patent for the Site, the City shall cooperate with USPS and BLM in relinquishing such location in favor of USPS. Neither the City nor the College will be responsible for any on-site grading, paving, utilities or construction of the post office. Nothing herein limits the College's ability to negotiate with the USPS for contribution for road improvements or any other costs or fees incurred by the College under this Agreement. If the post office has not pulled a building permit for its facility within six (6) years from the Effective Date, this section 5.01 shall cease to be effective and the five acres committed to the USPS can be developed by the College. In the event the USPS determines that it does not need a post office on the Site as evidenced in writing, the College is relived of its obligation to provide land for a post office within the Site.
Section 5.01 Proposed	Other Public Facilities. City agrees that College shall have no obligation, other than those identified in this Agreement, to participate in, pay, contribute or otherwise provide for any land, facilities, equipment or physical improvements for public or civic buildings, inside or outside of the Site or otherwise provide or pay any further exaction, including, special assessment district assessments, other assessments or development fees, as a substitute therefore, including, without limitation, sites and related improvements and equipment for fire stations, police stations, schools and libraries. The College agrees that the City shall have no obligation, other than those identified in this Agreement and its normal and customary duties as a municipal corporation providing services to its constituents, to participate in, pay, contribute or otherwise provide for any land, facilities, equipment or physical improvements for the development of the Site.

Section	Previous/Proposed Language
Section 7.02 Previous	Grand Montecito Parkway. (a) Grand Montecito Parkway is that road designed to go north and then west across the Site to Durango Drive from its current termination point at the intersection of Elkhorn Road. In general, the extension of Grand Montecito Parkway has been approved by the City. (b) Grand Montecito Parkway ultimately may include, without limitation, curb, gutter, drainage and sewer facilities, sidewalk, street lights, pavement, striping, medians, landscaping, trails, amenity zones, and traffic control devices, including conduits and foundations and signage. The cost of the Grand Montecito Parkway will be allocated as follows: The College shall be responsible for and pay for half of the costs of the extension of Grand Montecito Parkway on the Site for any part of that extension where Grand Montecito Parkway is adjacent to land patented to and occupied by the College and where the RTC does not hold the right of occupancy on both sides of the proposed Grand Montecito Parkway. As long as the College has received the land patent for the Site, the College: (i) shall fulfill its obligations of this sub-section when the College or the RTC is prepared to commence the construction of the extension of Grand Montecito Parkway, whichever may occur first. (ii) RTC shall be responsible for and pay for half of the costs of the extension of Grand Montecito Parkway except that RTC shall pay for all of the costs of the extension adjacent to the land where RTC holds the right of occupancy on both sides of the proposed Grand Montecito Parkway. (iii) The City shall cause a supplement to the Cooperative Agreement to be executed with and by the RTC which memorializes the cost responsibilities for the extension of the Grand Montecito Parkway as set forth in (i) and (ii) above. (c) After road dedication to the City, the College shall submit to the City encroachment agreements for maintenance of the landscaping within the public right-of-way. (d) In the event the RTC commences construction of the extension of Grand Montecito Parkway prior to the time the College has obtained the land patent for the Site, the City will be responsible for the costs of the extension which are not the obligation of RTC, and the College will reimburse the City those costs which the City has expended pursuant to this provision within sixty days of obtaining the land patent for the Site, or the City will defer the improvements to be completed by the College until the land patent is issued, and the College will commence these improvements within 60 days of obtaining the land patent for the Site.

Section	Previous/Proposed Language
Section 7.02 Proposed	Grand Montecito Parkway. (a) Grand Montecito Parkway is the road that goes north from Elkhorn Road to Osa Blanca Road as shown on Exhibit "B." (b) Grand Montecito Parkway ultimately may include, without limitation, curb, gutter, drainage and sewer facilities, sidewalk, street lights, pavement, striping, medians, landscaping, trails, amenity zones, and traffic control devices, including conduits and foundations and signage. Grand Montecito Parkway has been substantially constructed through the Property as a part of the RTC Park and Ride Project.The RTC constructed the full-width (curb-to curb) of Grand Montecito Parkway, and constructed the amenity zone, including sidewalk and streetlights on all portions of the Property abutting the RTC Park and Ride Facility. The remaining unconstructed portion of Grand Montecito Parkway amenity zone, including, without limitation, landscaping, sidewalk and streetlights and including additional paving, curb and gutter for a dedicated right-turn lane at Elkhorn Road in accordance with Exhibit "B" shall be constructed by the College within 60 days of obtaining a conveyance of the Property from the BLM. (c) The City shall cause a supplement to the Cooperative Agreement to be executed with and by the RTC which memorializes the cost responsibilities for the extension of the Grand Montecito Parkway as set forth in (i) and (ii) above. (d) After road dedication to the City, the College shall submit to the City encroachment agreements for maintenance of the landscaping within the public right-of-way. (e) The College shall enter into an agreement with the RTC for the shared use and maintenance of the existing private perimeter roadways on the west and south sides of the RTC facility west of Grand Montecito Parkway.
Section 7.06 Previous	N/A

Section	Previous/Proposed Language
Section 7.06 Proposed	Shared Parking Facilities. The College and the RTC will jointly use and maintain the shared parking aisles that have been constructed on the boundary between the land to be developed by the College and the RTC Park and Ride Facility. The College and the RTC are encouraged to permit joint use of the parking facilities adjacent to those parking aisles.
Section 8.01 Previous	Flood Control Facilities and Technical Drainage Studies. The College shall submit a Master Drainage Study addressing the overall drainage impacts to the Site and adjacent roadways. The phased development of the Site will require that a Technical Drainage Study be required for each phase of development. The Master Drainage Study and the Technical Drainage Studies for each phase of development shall be prepared in accordance with the Clark County Regional Flood Control District (CCRFCD) Hydraulic Criteria and Drainage Design Manual. The College agrees to implement the drainage study requirements and follow the recommendations of approval from the City of Las Vegas, with concurrence by the Clark County Regional Flood Control District and the Nevada Department of Transportation (NDOT). Drainage study updates may be required based upon the development phasing. The drainage studies shall identify the necessary storm drain system and/or other mitigation measures needed to protect the Site development from the existing condition flows and the ultimate condition flows for both the 10-year and 100year storms. The facilities identified in the drainage studies must be designed and constructed by the College with each phase of development and may include both on-site and adjacent off-site facilities. The College agrees that Grand Montecito Parkway may include storm drain facilities as determined by the drainage study for the Site. The College shall be responsible for paying the costs of constructing any facilities necessary, whether interim or ultimate, and shall comply with Section 7.05 of this Agreement regarding Acquisitions of Rights of Way and Easements to accommodate such facilities. All interim and on-site storm drain facilities must be maintained by the College. The College will not be responsible for the technical drainage studies for the USPS or RTC sites.
Section 8.01 Proposed	Flood Control Facilities and Technical Drainage Studies. The College shall submit a Master Drainage Study addressing the overall drainage impacts to the Site and adjacent roadways. The phased development of the Site will require that a Technical Drainage Study be required for each phase of development. The Master Drainage Study and the Technical Drainage Studies for each phase of development shall be prepared in accordance with the CCRFCD Hydraulic Criteria and Drainage Design Manual. The College agrees to implement the drainage study requirements and follow the recommendations of approval from the City of Las Vegas, with concurrence by the Clark County Regional Flood Control District and the Nevada Department of Transportation. Drainage study updates may be required based upon the development phasing.

Section	Previous/Proposed Language
Section 11.01 Previous	Frequency of Reviews. As required by NRS 278.0205 and the Development Agreement Ordinance, at least once every twenty-four (24) months during the Term, the College shall provide and the City shall review in good faith a report submitted by the College documenting the extent of the Parties' material compliance with the terms of this Agreement during the preceding twenty-four (24) months. If at the time of review an issue not previously identified in writing is required to be addressed, the review, at the request of either party, shall be continued to afford sufficient time for response. The Parties shall be permitted an opportunity to be heard before the City Council regarding their performance under this Agreement in the manner set forth in the Development Agreement Ordinance.
Section 11.01 Proposed	Frequency of Reviews. As required by NRS 278.0205 and the Development Agreement Ordinance, at least once every twenty-four (24) months during the Term, the College shall provide and the City shall review in good faith a report submitted by the College documenting the extent of the Parties' material compliance with the terms of this Agreement during the preceding twenty-four (24) months. If at the time of review an issue not previously identified in writing is required to be addressed, the review, at the request of either party, shall be continued to afford sufficient time for response. The Parties shall be permitted an opportunity to be heard before the City Council regarding their performance under this Agreement in the manner set forth in the Development Agreement Ordinance. In addition, if the City desires to terminate/cancel the agreement based upon the failure by the College to construct a building upon the Property in conformance with paragraph 3.02, herein, or the City desires to terminate/cancel this Agreement upon a failure of the Federal Legislation or a failure of the Federal Legislation to become law two years from the Effective Date of this Agreement, the City may require a hearing to review the status of the development contemplated by this Agreement, and take any action as provided by NRS 278.0205.

Section	Previous/Proposed Language
Section 12.01 Previous	Opportunity to Cure; Default. In the event of any noncompliance with any provision of this Agreement, the Party alleging such noncompliance shall deliver to the other by certified mail a thirty (30) day notice of default and opportunity to cure. The time of notice shall be measured from the date of certified mailing. The notice of default shall specify the nature of the alleged default and the manner in which it may be satisfactorily corrected, during which thirty (30) day period the party alleged to be in default shall not be considered in default for the purposes of termination or institution of legal proceedings. If the default cannot be reasonably cured within the thirty (30) day cure period, the non-compliant Party may timely cure the default for purposes of this Section Twelve if it commences the appropriate remedial action within the thirty (30) cure period and thereafter prosecutes such action to completion within a reasonable period of time. If no agreement between the Parties is reached regarding the appropriate timeframe for remedial action, the cure period shall not be longer than sixty (60) days from the date the sixty (60) day notice of default and opportunity to cure was mailed to the non-compliant party. If the default is corrected, then no default shall exist and the noticing party shall take no further action. If the alleged default is not corrected within the relevant cure period, the party alleging non-compliance may elect anyone or more of the following courses: (a) City Manager/ President Resolution. The City Manager and the President of the College shall meet to discuss the alleged default and seek to resolve the matter in a mutually agreeable time frame. (b) Mediation. The Parties shall submit the issues to mediation to attempt resolution.

Section	Previous/Proposed Language
Section 12.01 Proposed	Opportunity to Cure; Default. Except for a termination/cancellation of this Agreement for a failure by the College to commence construction of a building upon the Property within the requisite time period as provided by paragraph 3.02, or a failure of the Federal Legislation to become law two years from the Effective Date of this Agreement, or the Federal Legislation otherwise dies, in the event of any noncompliance with any other provision of this Agreement, the Party alleging such noncompliance shall deliver to the other by certified mail a thirty (30) day notice of default and opportunity to cure. The time of notice shall be measured from the date of certified mailing. The notice of default shall specify the nature of the alleged default and the manner in which it may be satisfactorily corrected, during which thirty (30) day period the party alleged to be in default shall not be considered in default for the purposes of the institution of legal proceedings. If the default cannot be reasonably cured within the thirty (30) day cure period, the non-compliant Party may timely cure the default for purposes of this Section Twelve if it commences the appropriate remedial action within the thirty (30) cure period and thereafter prosecutes such action to completion within a reasonable period of time. If no agreement between the Parties is reached regarding the appropriate timeframe for remedial action, the cure period shall not be longer than sixty (60) days from the date the sixty (60) day notice of default and opportunity to cure was mailed to the non-compliant party. If the default is corrected, then no default shall exist and the noticing party shall take no further action. If the alleged default is not corrected within the relevant cure period, the party alleging non-compliance may elect anyone or more of the following courses: (a) City Manager/ President Resolution. The City Manager and the President of the College shall meet to discuss the alleged default and seek to resolve the matter in a mutually agreeable time frame. (b) Mediation. The Parties shall submit the issues to mediation to attempt resolution. (c) Litigation.
Section 12.07 Previous	Default by City. In the event the City substantially defaults under this Agreement, the College shall have the right to terminate this Agreement as set forth in Section 12.0l. Notwithstanding the forgoing, the College shall have the option, in its sole discretion, to maintain this Agreement in effect, and seek to enforce all of the City's obligations herein under the provisions set forth in Sections 12.01 and
Section 12.07 Proposed	Section not included

Section	Previous/Proposed Language
Section 13.01 Previous	Term. The term of this Agreement shall commence upon the Effective Date and shall expire on the thirtieth (30th) anniversary of the Effective Date, unless extended by written agreement executed by the City and the College or unless terminated earlier pursuant to the terms hereof. City agrees that the College shall have the right to request extension of the term of this Agreement for an additional fifteen (15) years upon the following conditions: (a) the College provides written notice of such extension to the City at least one hundred-eighty (180) days prior to the expiration of the original thirty (30) year term of this Agreement; (b) the College is not in default of this Agreement; and (c) the College and the City enter into an amendment to this Agreement memorializing the extension of the term.
Section 13.01 Proposed	Term. Except as otherwise provided below, the term of this Agreement shall commence upon the Effective Date and shall expire on the Fifth (5th) anniversary of the Effective Date, unless extended by amendment to this Agreement or terminated earlier pursuant to the terms hereof. Provided that the College has commenced construction of at least one building in conformance with paragraph 3.02, above, the term of this Agreement shall be automatically extended to a total term of thirty (30) years from the Effective Date of this Agreement
Section 13.02 Previous	Financing. The College has previously provided financing commitments and options to the City in compliance with the MOU. The College shall have the sole discretion as to the amount and conditions of financing throughout the term of this Agreement. No obligation or requirement for financing is placed on the City.
Section 13.02 Proposed	Termination. Notwithstanding the provisions of Section 12, herein, if the College does not commence construction of at least one building pursuant in conformance with paragraph 3.02 of this Agreement, or the Federal Legislation does not become law within two years of the Effective Date of this Agreement, or the Federal Legislation otherwise dies, the City may terminate/cancel this Agreement pursuant to the provisions of Section 11, herein, and NRS 278.0205.

Section	Previous/Proposed Language
Section 13.03 Previous	Assignment to a Third Party. Assignment or a transfer of rights or obligations under this Agreement to a third person other than as provided herein is not a contemplated transaction under this Agreement. The College shall not sell or transfer any or all of its rights or obligations under this Agreement to a third person other than as provided herein without the approval of the City Council and any such unapproved transfer is void and is an immediate default of this Agreement notwithstanding the cure provisions of Section Twelve. (a)To an Affiliate of College. Except as otherwise provided by Section l3.02(e), below, the rights of the College under this Agreement may be freely transferred or assigned to an Affiliate of the College provided that such entity shall assume in writing all obligations of the College hereunder in a form acceptable to the City, to be accepted by the City Manager. (b)Transfer Not to Relieve the College of its Obligation. Except as expressly provided herein, no assignment or transfer of any portion of the Site shall relieve the College of its obligations hereunder as to the portion of the Site so assigned or transferred, and such assignment or transfer shall be subject to all of the terms and conditions of this Agreement, provided, however, that no such transferee shall be deemed to be the College hereunder. This subsection shall have no effect upon the validity of obligations recorded as covenants, conditions, restrictions or liens against parcels of real property. (c) In Connection with Financing Transactions. Following its receipt of a patent for the Site, the College shall have full discretion and authority to encumber the Site or portions thereof, in connection with financing transactions, without limitation to the size or nature of any such transaction, the amount of land involved or the use of the proceeds there from, and may enter into such transactions at any time and from time to time without permission of or notice to City. All such financing transactions shall be subject to the terms and conditions of this Agreement.
Section 13.03 Proposed	Financing. The College shall have the sole discretion as to the form, amount and conditions of financing throughout the term of this Agreement. No obligation or requirement for financing is placed on the City
Section 13.04 Previous	Amendment or Cancellation of Agreement. Except as otherwise permitted by NRS Chapter 278 and this Agreement, this Agreement may only be amended or canceled upon the mutual consent of the College and the City Council. Any proposed amendments shall be considered solely by the City Council.

Section	Previous/Proposed Language
Section 13.04 Proposed	Assignment to a Third Party. Assignment or a transfer of rights or obligations under this Agreement to a third person other than as provided herein is not a contemplated transaction under this Agreement. The College shall not sell or transfer any or all of its rights or obligations under this Agreement to a third person other than as provided herein without the approval of the City Council and any such unapproved transfer is void and is an immediate default of this Agreement notwithstanding the cure provisions of Section Twelve. However, following a conveyance of the Property, or lease to the College from the BLM, if the City chooses to relinquish its RP&P lease upon a failure of the Federal Legislation, the College shall have full discretion and authority to encumber the Site or portions thereof, in connection with financing transactions, without limitation to the size or nature of any such transaction, the amount of land involved or the use of the proceeds there from, and may enter into such transactions at any time and from time to time without permission of or notice to City. All such financing transactions shall be subject to the terms and conditions of this Agreement.

FINDINGS

It has been determined that the proposed Development Agreement complies with the minimum standards mandated by NRS §278.0201. Furthermore, the development of the mixed-use college campus will allow the Town Center to be increasingly more self-sustaining by providing educational and employment opportunities within walking distance or minimal driving distance of area residents.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 32

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas Agenda Item No.: **41.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

SUBJECT:
TXT-48308 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to update the Downtown Centennial Plan to add the tavern-limited use to the 18b Arts District and Symphony Park. Staff recommends APPROVAL.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
Proposed Amendments and Staff Report

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

** PROPOSED AMENDMENT(S) **

1. Section VII (D)(2)(5) of the Las Vegas Downtown Centennial Plan, "18b The Las Vegas Arts District – Permitted Uses," is hereby amended as follows:

5. Retail and Personal Services

- Antique/Collectible Store
- Astrologer, Hypnotist, or Psychic Art and Science (Special Use Permit required)
- Banquet Facility
- Catering Service
- Copy Center
- Dry Cleaners
- General Personal Service
- General Retail, other than listed, 3,500 sq. ft. or less.
- Hotel Lounge Bar (Special Use Permit required)
- Jewelry Store, Class III (Special Use Permit required)
- Jewelry Store, New
- Laundry, Self-Service
- Liquor Establishment-Tavern (Special Use Permit required)
- Massage, Accessory
- Museum or Art Gallery-Private
- Restaurant with Service Bar (Special Use Permit required)
- Restaurant, 2,000 sq. ft or more, w/o Drive-Through
- Restaurant 2,000 sq. ft. or less, w/o Drive-Through
- Sale of new and used vehicles within an entirely enclosed building, with no automotive repair (Special Use Permit required)
- Supper Club (Special Use Permit required)
- Tattoo Parlor/Body Piercing Studio (Special Use Permit required)
- **Tavern Limited Establishment (Special Use Permit required)**
- New and used Books
- New and Used/Vintage Clothing
- New and Used CD's/Records/Videos
- Urban Lounge (Special Use Permit required)
- Wedding Chapel

2. Section 5.0 of the Symphony Park Design Standards, "Permitted Uses – Parkway Center Development Standards – Permitted Land Uses," is hereby amended as follows:

Commercial/Retail, including without limitation:

- General Retail
- Restaurant/Delicatessen/Coffee Shop/Bakery Banquet Facility/Catering Service
- Health Club
- Bank/Credit Union/Savings and Loan/Trust
- Children's Day Care (fewer than 12 children)
- Convenience Retail
- Offices with frequent public access requirements
- Trade Center/Wholesale and Retail Showrooms
- Exhibition Space
- Transportation Services, including without limitation: Transportation Center, helipad, heliport, monorail, gasoline facilities
- Parking Facilities, including multi-level parking structures
- Entertainment/Retail
- Tavern, **Tavern-Limited Establishment**, Supper club, restaurant service bars, Social Event with Alcoholic Beverage Sales and beer/wine uses subject to special use permit
- Convention/Conferencing Facilities/ Temporary Exhibitions
- Non-profit/Institutional, including:
- Museums, Performing arts centers, Musical Theaters

Staff Report Page One
March 12, 2013 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to amend the Las Vegas Downtown Centennial Plan to add Tavern-Limited Establishment to the list of permitted uses within the 18b The Las Vegas Arts District and Symphony Park District, a sub-district of the Parkway Center District.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
07/05/00	The City Council adopted (Ordinance #5238) the Las Vegas Downtown Centennial Plan. The Planning Commission recommended the document be adopted on 04/27/00.
12/04/02	The City Council adopted Ordinance No. 5550 that updated various design standards as part of the Downtown Centennial Plan and applicable to the Downtown Overlay District.
01/03/07	The City Council adopted Ordinance No. 5875 that adopted an updated version of the Las Vegas Downtown Centennial Plan.
10/17/07	The City Council adopted Ordinance No. 5941 which amended various sections of the Las Vegas Downtown Centennial Plan to update land use, detailed graphics, clarify verbiage, edit chapter numbering and revise maps and tables. The Planning Commission and staff recommended approval.
08/05/09	The City Council adopted Bill No. 2009-29, to adopt a revised Downtown Centennial Plan. The Planning Commission and Staff recommended approval.
11/04/09	The City Council adopted Bill No. 2009-42, to adopt a revised Downtown Centennial Plan. The Planning Commission and Staff recommended approval.
08/04/10	The City Council adopted Ordinance No. 6101, to adopt a revised Downtown Centennial Plan. The Planning Commission and Staff recommended approval.
11/03/10	The City Council adopted Bill No. 2010-43, to adopt a revised Downtown Centennial Plan. The Planning Commission and Staff recommended approval.
02/02/11	The City Council adopted Bill No. 2011-1, to make various corrections and updates to the Downtown Centennial Plan. The Planning Commission and Staff recommended approval.
08/03/11	The City Council approved a Text Amendment (TXT-41610) that would allow outdoor dining without a Site Development Plan Review application in the Downtown Centennial Plan boundaries. Planning Commission and Staff recommended approval.
10/11/11	The Planning Commission recommended approval of a Text Amendment (TXT-43042) that would extend hours for outdoor events in the Downtown Centennial Plan boundaries. Staff recommended approval.

11/08/11	The Planning Commission recommended approval of a Text Amendment (TXT-43393) to amend the Downtown Centennial Plan to clarify that the Symphony Park District is a subdistrict of the Parkway Center District and to amend Map 14 to include the Symphony Park District. Staff recommended approval.
03/13/12	The Planning Commission recommended approval of a Text Amendment (TXT-44368) to expand the Downtown Centennial Plan boundaries, to clarify district goals and to amend Figure 1 of Title 19.10.110 to reflect the expanded boundaries.
06/12/12	The Planning Commission recommended approval of a Text Amendment (TXT-45385) to amend the Downtown Centennial Plan to revise the development standards for parking lots.
01/23/13	The City Council adopted Bill No. 2012-58 (Ordinance 6252), to update the City's regulations regarding tavern-limited licensure and expand the prohibition on restricted gaming for tavern-limited licensees.

ANALYSIS

This amendment brings 18b The Las Vegas Arts District and Symphony Park District, a sub-district of the Parkway Center District in conformance with Ordinance 6252, which allowed tavern-limited licenses throughout the Downtown Centennial Plan area subject to certain conditions and limitations. Title 6.50.250 states a tavern limited license (2) may only be issued for premises located entirely within the Downtown Centennial Plan overlay district.

This use is defined in Title 19 as the following:

Tavern-Limited Establishment. An establishment that is licensed with a tavern-limited license in accordance with LVMC Chapter 6.50.

A Special Use Permit for a tavern-limited establishment in 18b The Las Vegas Arts District and Symphony Park District, a sub-district of the Parkway Center District shall be processed in accordance with the Special Use Permit provisions of LVMC 19.16.110. A Special Use Permit for this use may be approved if it meets the Special Use Permit criteria generally, the criteria for a tavern-limited establishment, and the criteria set forth in this Subsection (G).

FINDINGS

The following table summarizes all proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
Las Vegas Downtown Centennial Plan – VII (D)(2)(5) Retail and Personal Services	• No allowance is made for Tavern-Limited establishment use	• Added: Tavern-Limited establishment use to the list of permitted uses.
Section 5.0 of the Symphony Park Design Standards, "Permitted Uses – Parkway Center Development Standards – Permitted Land Uses	• No allowance is made for Tavern-Limited establishment use	• Added: Tavern-Limited establishment use to the list of permitted uses.

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas Agenda Item No.: **42.**

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: MARCH 12, 2013

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

SUBJECT:
TXT-48318 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - For discussion and possible action to amend the LVMC Title 19, Unified Development Code (UDC) of the City of Las Vegas, to prohibit auto repair facility employees from test driving customer vehicles on a residential street. Staff has NO RECOMMENDATION.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

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

RECOMMENDATION:
Staff has NO RECOMMENDATION.

BACKUP DOCUMENTATION:
Proposed Amendments and Staff Report

City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CITY OF LAS VEGAS

PROPOSED AMENDMENTS

1. Title 19.12 is hereby amended by adding section 19.12.140 to read as follows:

19.12.140: Auto Repair Garages, Test-Driving Route Plans. In order to facilitate the enforcement of LVMC 11.22.160, each Auto Repair Garage (Major and Minor) within the City shall file with the Department, for administrative approval, a test-driving plan showing which streets are proposed to be used for the test-driving of customer vehicles by principals or employees of the garage. This requirement shall be considered to have been satisfied by new or existing Auto Repair Garage uses that file such a plan in connection with a condition of zoning approval. For other new or existing Auto Repair Garage uses, the requirement must be satisfied within six months after notice from the City to file such a plan. Any changes to an approved plan must be submitted to and approved by the Department. The failure of an Auto Repair Garage use to comply with the provisions of this Section shall be grounds for disciplinary action against the associated business license.

** STAFF REPORT **

PROJECT DESCRIPTION

The request is to amend LVMC Title 19 to prohibit auto repair facility employees from test driving customer vehicles on a residential street.

ANALYSIS

The proposed text amendment aims to provide enhanced safety and reduced traffic for residential areas by prohibiting Auto Repair Garages (Major and Minor) from utilizing residential streets to test drive customer vehicles. If an Auto Repair Garage wishes to utilize a residential street for automobile test drives, they would be required to file a test drive plan with the Department of Planning for consideration. There is a separate related request to modify LVMC 11.22.160 to prohibit test driving on residential streets by auto repair facilities.

FINDINGS

The following table summarizes all proposed changes:

Code Requirement	Existing Regulations	Proposed Regulations
19.12.140	N/A	19.12.140: Auto Repair Garages, Test-Driving Route Plans. In order to facilitate the enforcement of LVMC 11.22.160, each Auto Repair Garage (Major and Minor) within the City shall file with the Department, for administrative approval, a test-driving plan showing which streets are proposed to be used for the test-driving of customer vehicles by principals or employees of the garage. This requirement shall be considered to have been satisfied by new or existing Auto Repair Garage uses that file such a plan in connection with a condition of zoning approval. For other new or existing Auto Repair Garage uses, the requirement must be satisfied within six months after notice from the City to file such a plan. Any changes to an approved plan must be submitted to and approved by the Department. The failure of an Auto Repair Garage use to comply with the provisions of this Section shall be grounds for disciplinary action against the associated business license.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

AGENDA SUMMARY PAGE - PLANNING

PLANNING COMMISSION MEETING OF: MARCH 12, 2013

DEPARTMENT: PLANNING
DIRECTOR: FLINN FAGG

SUBJECT:

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

